

November 12, 2020

Clarke County Board of Supervisors  
Legislative Priorities Meeting

12:00 p.m.

At a special meeting of the Board of Supervisors of Clarke County, Virginia, with the Virginia state and local legislators, held at the Berryville Clarke County Government Center conducted on Thursday, November 12, 2020, at 12 noon.

Supervisors: Present: Matthew E. Bass – Berryville District; David S. Weiss – Buckmarsh / Blue Ridge District; Terri T. Catlett - Millwood / Pine Grove District; Doug Lawrence – Russell District; Bev B. McKay – White Post District; Absent: None

State Representatives Present: Wendy Gooditis - 10th District House Delegate (via phone); Sara Hayet – 10th District Chief of Staff (via phone); Dave LaRock - 33rd District House Delegate; Daniel Davies - 33rd District Legislative Assistant; Senator Jill Holtzman Vogel – 27th District Senate

Other Local Officials Present: Donna Peake – Commission of the Revenue; Travis Sumption – Sheriff Office Chief Deputy; Anne Williams – Commonwealth’s Attorney; William Waite – Industrial Development Authority Treasurer/Secretary

Staff Present: Chris Boies – County Administrator; Chuck Bishop – Superintendent, Clarke County Public Schools; Tiffany Kemp – County Administration; Cathy Kuehner – Public Information; Brianna Taylor – County Administration; Alison Teetor – Planning & Zoning

Press: Mickey Powell – The Winchester Star

Others Present: None

1) Call to Order

At 12:22 pm, Chair Weiss called the 2021 Legislative Priorities meeting to order.

2) 2021 Legislative Priorities

Chair Weiss gave the floor to Anne Williams, Clarke County Commonwealth’s Attorney, to voice her thoughts to the Legislator.

Anne Williams explained that after reviewing the Clarke County Legislative Priorities list there was one that she would like to add. She presented the following memorandum to the Legislators.

**MEMORANDUM**

**TO:** Clarke County Board of Supervisors  
Chris Boies, County Administrator

**FROM:** Anne Williams, Commonwealth's Attorney for Clarke County *AMW*

**DATE:** November 12, 2020

**RE:** Virginia Compensation Board Minimum Pay Standards for the Clarke County Assistant Commonwealth's Attorney Position

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The Virginia Compensation Board (hereinafter "Comp Board") designates the Clarke County Assistant Commonwealth's Attorney (hereinafter "Clarke ACA") as a part-time position. The current Comp Board budget for the Clarke ACA position is \$14,514. However, the minimum pay standard set by the Comp Board for a part-time ACA is \$27,523.

The Commonwealth's Attorney has made inquiries within the Comp Board about this apparent discrepancy in funding of the Clarke ACA position. According to the Comp Board, there was a state-wide Budget Reduction in FY04 (effective July 1, 2003) that resulted in approximately \$8,500 being cut from the Clarke ACA position. The Commonwealth's Attorney was further informed that the only way for the Clarke ACA position to be restored to meet the minimum pay standard would be if the legislature voted to restore all of the salaries (state-wide) that had been reduced to less than the classification minimum standards.

Clarke County is paying approximately \$13,000 towards the salary of the Clarke ACA while the state budget does not fund the Comp Board adequately to meet its own minimum pay standard. Therefore, the Commonwealth's Attorney respectfully submits that the Clarke County Board of Supervisors consider adding the restoration of funding to the Comp Board to meet minimum pay standards to its legislative priority list.

Anne Williams highlights include:

- Currently Clarke County is covering a substantial portion of the Assistant Commonwealth's Attorney salary that should be funded by the Comp Board.
- The Comp Board had reduced the funding in 2004 and was never restored.
- Currently Clarke County pays approximately \$13,000 toward a position that does not meet the Comp Board's minimum staffing standards salary.
- This is happening to many Commonwealth's Attorney Offices across the State.
- With the many changes that came out of the special sessions with justice reform, I believe that the office will be impacted significantly and without the funding that should be given it will be a significant strain.
- She opined that the most significant change from the special session is the elimination of jury sentencing, this is not a bad idea, but it increases workloads in many Constitutional Offices. It takes staffing to facilitate all of those trials,

and I have heard that there are proposals in place with significant cuts to prosecutors.

- She is worried that there will be more cuts instead of restoring funds for positions.
- The Comp Board states that the only way to restore the funds to the Clarke County Assistant Commonwealth's Attorney position would be that the Legislator would have to vote to restore all of the positions that have been cut previously across the State.

Delegate Dave LaRock asked if there was any idea of percentage increases for the upcoming year. Anne Williams stated that it is still too early at this time, some percentages have been given by the Virginia Association of Commonwealth's Attorneys (VACA) it is anticipated that it will result in a 600% increase. For a County that only has Circuit Court twice a month, I do not see how it would be possible to have more jury trials without increasing the number of court days and staffing from Constitutional Offices.

Delegate Wendy Gooditis stated that she would look into the problem, believe it is a huge change and a good change that has been managed by other States successfully. Thanked Anne Williams for her comments adding that she will discuss this more. Anne Williams expressed that she believes this will become a burden on the County unless the Comp Board fills more standards resulting in less of a burden on the County.

Senator Jill Holtzman Vogel stated that this was a major discussion during the special session. Adding that she was not certain that all fully appreciated the impact that it will have on smaller counties. To fix the problem, we will have to re-examine the shortage of manpower that it will generate. Anne Williams commented that on the other side they are wanting Criminal Defense Attorneys who are on court appointed lists paid by the State and if they are increasing their jury trial workload as well, that is more of a financial impact on the State to pay them because even though the State sets them, you can always apply a waiver to increase the funding per trial.

Chair Weiss stated from a County perspective in general, we have always felt that the Comp Board has not met its responsibilities, this is just another example. As the Board is always concerned that the actions of Richmond will end up costing counties money.

#### Land Conversion for Nutrient Credit Program

*Clarke prefers that credits be available only from within the HUC unit that credits*

*are needed and not from adjacent HUC units.*

*Clarke believes that additional research is necessary to determine the unintended consequence of permanent removal of agricultural production on areas identified as important farmland soils by the Natural Resource Conservation Service (NRCS).*

*The Department of Environmental Quality adopted a post-construction water quality and quantity program requiring everything built after July 1, 2014, be nutrient neutral. Nutrient / phosphorous credits can be purchased and point sources and municipal systems can “true up” on an annual basis and buy term credits. However, to make the “math work” on new development, only permanent credits can be purchased, which cannot be renewed year after year. Rules require that the credits must be purchased within the eight-digit hydrologic unit or an adjacent eight-digit hydrologic unit hub. Clarke is adjacent to five out of seven of the Potomac River hubs; so, developments in those areas can buy nutrient credits in Clarke. The program specifically seeks agricultural property to remove from production and, typically, trees are planted and maintained in perpetuity*

**2020 Update:**

- ***Carried Over: HB1464 Local authority to restrict nutrient credit usage. Authorizes the governing body of any locality, by ordinance, to restrict the total nutrient credits that are generated in the locality and used in an adjacent eight-digit hydrologic unit code or fourth order subbasin to comply with stormwater nonpoint nutrient runoff water quality criteria. Patron - Gooditis***
- ***Failed: HB1393 Nutrient credit trading; adjacent hydrologic unit code. Removes authority for a Virginia Stormwater Management Program or Virginia Erosion and Stormwater Management Program to allow compliance with stormwater nonpoint nutrient runoff water quality criteria through the applicant's acquisition of nutrient credits in the same tributary in an adjacent hydrologic unit code (HUC) or fourth order subbasin unless certain existing criteria for purchasing credits outside of the HUC or fourth order subbasin are met, when the credits are in a locality with a population fewer than 20,000 and geographic area under 200 square miles. Patron - LaRock***

Highlights of review include:

- Chair Weiss stated that both Delegate Dave LaRock and Delegate Wendy Gooditis had bills last year for this issue. Adding that this is still an issue for the Board.
- Chair Weiss gave the overview that since 2016, the County has had 1,000 acres placed into this program.

- Chair Weiss explained that the Board asked that these credits be used within the Hydrologic Unit Code (HUC) that they are created in as opposed to being used in other areas.
- Chair Weiss reminded all that Clarke County has 110,000 acres so on a percentage basis we have the ability to lose more land primarily because we are adjacent to 5 out of the 7 HUC's.
- Delegate Wendy Gooditis expressed that this is one of her top priority this year, wants to work with Alison Teetor and others on correcting her previous bill to preserve farmland, adding that she has already indicated to the speaker and the Chair of Agriculture that this is one of my top priorities.
- Vice-Chair McKay indicated to Delegate Wendy Gooditis that she had a very impassioned speech last year and did a wonderful job outlining why her bill was necessary.
- Supervisor Catlett thanked Delegate Wendy Gooditis for working on this issue because every year the County loses a little more.
- Delegate Wendy Gooditis stated that she has also spoken to Delegate David Bulova a water quality expert, and he knows that we need a fix to this issue, and has agreed in principle.
- Senator Jill Holtzman Vogel stated that she would work with Delegate Wendy Gooditis to see what else can be done to move forward.
- Delegate Dave LaRock presented a similar bill last year and explained that Delegate Wendy Gooditis may be able to roll some of that bill into her new bill. Adding that he would be glad to work with her to get this moving forward.
- Delegate Wendy Gooditis stated that one approach might be to look at the idea of the quality of farmland, for the fact that it has been farmed.
- Chair Weiss stated from a practical standpoint, if we want youth to continue to pursue agriculture, in particular in Clarke where land is prohibitively expensive for people to start farming, then they have to have the ability to rent land; therefore, have to have the ability to compete with financial leverage to provide the owners with enough income to make that land not cost the owners money. If they are competing against these kinds of acreage rates it puts them at an impossible disadvantage. Our question is how can we protect farmland for the future.
- Delegate Wendy Gooditis emphasized that we have to keep exiting farmland, farmland for the future so that the wealthy people who want a farm but only come out a few times a year can lease to those who want to farm that land.

- Vice-Chair McKay stated that one of the problems with this program is that the same acreage of land that is in corn gets more money when credits are sold than it would if that acreage was hay, adding that it is not based on land quality, it is based on the crop that is currently on the acreage.
- Delegate Wendy Gooditis asked if there were soil tests required to determine the credits. Chair Weiss explained that Clarke is one of the few Counties with a soil map so we can already identify our soils and other information. Chair Weiss added that this use could be tied to soils in a way, but the process would have to be developed.
- Delegate Wendy Gooditis believed that the State of Maryland took that approach, so we will keep researching.
- Senator Jill Holtzman Vogel voiced that with agriculture issues it will only get harder for districts.

### Composite Index

*Appeal Process: Clarke supports legislation that would establish an appeals process for local governments to challenge computation of the Local Composite Index.*

*Use Value: Clarke supports legislation to adjust the calculation of the Local Composite Index for public school funding by directing the Department of Education to adjust its funding calculations for the local ability to pay by using the use-value assessment of real property, instead of the true value, in localities that have adopted use value taxation.*

*Other Programs: In application of the index to fund all other programs, Clarke supports legislation to adjust the calculation of the local Composite Index to base its Real Estate value calculations on use-value instead of true value in localities that have adopted use-value taxation.*

### Highlights of review include:

- Chair Weiss stated that people would start moving into rural areas, and some will bring wealth them, which would negatively affect our composite index. Currently, Clarke's composite index is higher than Loudoun County.
- Superintendent Chuck Bishop emphasized that the Legislative Priorities List explains it well. Adding that it is difficult to explain the credits and the true value of property to people, because they do not understand why credit is not given for land in land use.

- Superintendent Chuck Bishop explained that over the years, we have watched our composite index grow larger than even Loudoun County over the last few years.
- Senator Jill Holtzman Vogel stated that since the first year she was elected legislator, she has tried and failed on this issue. Explained that it is an issue because there are not enough legislators and also an issue on educating people on the issue in general. She added many people do know what the composite index is and how we fund education. When it is explained, you have to explain the negative impact on communities that are doing what is encouraged to be done like putting land in land use. This issue hits different interests in different communities and it becomes a large issue, when it really should be a conflict between the two; it should be mutually exclusive.
- Senator Jill Holtzman Vogel expressed that she has looked at every alternative, for example the freeze and some add on. The Legislators do have great sympathy for this issue and would like to help, but this issue, when implied for other districts, hurts them so they will not vote in our favor. Explained that she is waiting to figure out what else can be done to relieve this issue.
- Senator Jill Holtzman Vogel and Superintendent Chuck Bishop agreed that the only solution may be to add on more to the formula specific to adjust for those communities that have taken advantage of the other benefits such as land use.
- Delegate Dave LaRock asked and Senator Jill Holtzman Vogel confirmed that there is no appeal process; what you get is what you get.
- Delegate Wendy Gooditis stated that this is a hard issue and would like to work with Senator Jill Holtzman Vogel to see if there is a possibility to move forward.
- Senator Jill Holtzman Vogel further explained that the issue is to develop a way, rather in computation or just in the budget, to plus-up those communities that are disproportionately impacted and suffer. With this not being a us verse them discussion, hope that colleagues will agree on it in order to help the affected localities. Over the years, we have tried to come up with a solution, but it has never been a permanent solution. That permanent solution would be a computation that can be added that applies specifically to the affected communities.
- Superintendent Chuck Bishop stated that he has served three localities in the last fifteen years and when there were changes when in Augusta County it did not seem to affect as much but in Clarke it hurts when we get percentage points because we are already trying to compete with Loudoun and it is disproportionate.
- Chair Weiss stated that Clarke is affected because of the land use and the wealthy persons moving into the County.

## Broadband

*Clarke urges the Commonwealth and Federal Government to assist communities in their efforts to deploy universal, affordable access to broadband for all areas, particularly in under-served and rural areas.*

*Clarke opposes mandates that limit or restrict local use authority for the siting of telecommunications infrastructure or result in a negative fiscal impact to county budgets.*

*Clarke supports economic development policies and programs that bolster local and regional development efforts by maintaining state funding and granting additional funding and authority to promote local and regional initiatives.*

Highlights of review include:

- Chair Weiss stated that this is the electricity movement of the modern age, and people cannot survive without it. Clarke is unique because we have a broadband study, have an ordinance with lighter restrictions on towers, and have a Broadband Implementation Committee. We have tried to help change things to allow the private sectors to move in.
- Delegate Dave LaRock explained his personal experience is that there are significant savings when you do a majority of the work. Not suggesting that neighbors go out and dig ditches to put in conduit but a way to get connected is to pull neighborhoods together assembling groups of people who will come close to committing to having service extended. Each situation is unique and if people look at those situations and work together cooperatively it might be helpful.
- Delegate Dave LaRock voiced that there is Dominion money that all point is using in Loudoun, proposing to serve every house in the County will have to take a comprehensive approach to reach the last mile. Added that he would be glad to ask the person who presented to the Loudoun County Board to present to Clarke.
- Vice-Chair McKay asked if that presentation could be arranged, explaining that Clarke encouraged WISP providers and they are now doing a repeat with a repeater. Adding that Clarke's problem is that majority are miles from any existing fiber or cable, and it would be much easier if the telephone poles could be utilized. He also added that the issue with doing it on our own is the VDOT right-of-way issue.



- Delegate Dave LaRock stated that NOVEC is coming around in Loudoun County. With Clarke County being provided by Rappahannock Electric Cooperative it may come around because you are the owner.
- Supervisor Lawrence explained that Rappahannock Electric Cooperative is in an auction right now and will know by December which direction they will go.
- Senator Jill Holtzman Vogel stated that broadband was already among the highest priority but now it is the highest priority because when people move into the community the first question asked is what broadband is available. The efforts of self-help does not work for all because it is all based on the neighborhood and the infrastructure that is required. The lack of infrastructure is hard to justify since we are so close to D.C. Expressed that technology will catch up in the future but in the meantime, the last mile of trenching is so cost prohibited unless we all help each other out.
- Delegate Wendy Gooditis stated that broadband should be viewed as a necessity not a utility. The Governor has been considering the issue and put money in the new budget that was just passed. Adding that many people do not have the amount of money needed for that last mile, the Government needs to do more to help.
- Chris Boies stated that Clarke was not able to get commitments from the private sector in order to apply for the VATI grant or use CARES funding to get projects done. Shentel and Rappahannock Electric Cooperative seem to be having conversations about providing fiber into Clarke County but not a lot of movement to date on that.
- Chair Weiss stated that Clarke’s issue is that we do not have the infrastructure or equipment needed to provide so we have to rely on the private sector to do the work. The private sector needs time, the governor only gave 60 days for projects to be complete and that is not enough time since there are no shovel ready projects in Clarke, so physically unable to take advantage of the opportunity.
- Delegate Wendy Gooditis explained that she is hoping to carry a bill this year to tax streaming services; all of the revenue would go toward lobby money to connect more people in the state.
- Chair Weiss stated that from the County standpoint, we feel like we have placed our County in a position to help, and if the legislator could help with the private sector.

Anne Williams left the room at 1:15 pm.

### Education

*Clarke supports full funding of Virginia's Standards of Quality as recommended by the Board of Education. The Commonwealth should fund its share of the true cost of K-12 public education without reducing other parts of the budget affecting local government or shifting costs from the Commonwealth to localities.*

*In addition to meeting its obligations to fund fully instructional staff, Clarke County believes the Commonwealth should meet its obligation to fund fully the support side of K-12. Full restoration should be made of the cuts made in since 2009 in areas related to support staff funding including the elimination of the funding cap on support positions, reinstatement of the Cost of Competing funds for support staff, etc.*

***2020 addition, Clarke urges the General Assembly to adopt hold-harmless language for FY 2021 that would protect against drastic decreases in Average Daily Membership (ADM) during the COVID-19 pandemic.***

Highlights of review include:

- Superintendent Chuck Bishop explained that Clarke is down 110 students from anticipated ADM because some people choose home school, private school, or other to best meet the needs of their family because we were doing hybrid at the elementary and virtual for both middle and high school.
- Superintendent Chuck Bishop added that as we recover the plan as of now is to keep in mind that this is not going to be the end, we have students that have digressed, even though we tried the best we could last spring, like everyone else across the State. This will be a multiyear fix and ask that the Legislators keep that in mind as you discuss in Richmond over the next several years. Explaining that even when a vaccine is available this still will not get everything back to normal.
- Supervisor Catlett stated that she attended the VACo conference and they spoke specifically about this with state numbers and it is a big deal for all of the Counties in the Commonwealth. Interested in seeing the long-term effect it will have on the ADM because the changes that people made may not change in the future, so the concern is that SOQs may not be fully funded and that the budget is still back to the amount from 2008-2009 for the schools. All of these issues on top of each other will be very impactful. VACo wanted the counties to be aware of this because if the state does not fund things it will fall more on the localities, it needs to be more equitable for the students.
- Senator Jill Holtzman Vogel stated that she was curious about the impact on the school census numbers and if you can recover, and from those will those

- people decide to send students back into the school system or keep them in the private school system.
- Supervisor Catlett expressed that the schools’ cost stays the same even if the students do not come back.
  - Superintendent Chuck Bishop explained that there will be some people who will choose to continue on their current path. Already looking at the budget for next year and it is difficult because we do not know how many of the 110 students will come back next year. Adding that usually we are good at estimating the ADM because most students who start with us usually finish with us, and our ninth-grade class is larger because of the students from Powhatan Private School. Next year will be hard to estimate because we just do not know if all, some, or none will come back.
  - Senator Jill Holtzman Vogel voiced that it will be hard to estimate because you do not know what parents will do, adding that from the beginning of the pandemic there were many citizens reaching out not even from the same district who were asking for lists of private schools. Believe that all of those changes will come when parents are confident with a vaccine or a different school plan. They need their children to be in school. The reality is that many Northern Virginia families have two working parents and do not have the resources to have someone stay at home.
  - Senator Jill Holtzman Vogel asked and Superintendent Chuck Bishop answered that even with a vaccine in the near future some people will be leery of the vaccine and some people choose not to vaccinate their children. Believe this is where we will be for the year even when a vaccine is available.
  - Delegate Wendy Gooditis asked and Superintendent Chuck Bishop confirmed that the kids struggling statement implies emotionally and psychologically. Delegate Wendy Gooditis further asked if that implies that legislators need to help in that area as well. Superintendent Chuck Bishop stated that there is some flexibility in the budget to be able to provide staff for those issues. Clarke has fully staffed the schools this year with counselors running about a half of a position heavy across the division. Counselors have been doing virtual sessions with students K-12.
  - Delegate Wendy Gooditis stated that none of it is good news but the piece of hopeful news is that all school systems are in the same situation. Believe this Governor has been very responsive to needs that arise from the pandemic and believe that our Governor will do everything that he can to support the schools and public school education.

- Superintendent Chuck Bishop reiterated that the Legislator’s biggest thing to remember is to not think this is over when schools go fully back in session; this will be a multiyear fix.
- Supervisor Catlett asked the legislators to help with the funding.

### Other Issues

Chair Weiss stated that the Board wanted to discuss the intersection of Route VA 7 and Route 601 and Route VA 7 Pedestrian Bridge.

#### *Route VA 7 Pedestrian Bridge*

*The number of people attempting to cross VA 7 on foot at the top of the mountain, near the Clarke County and Loudoun County boundary, continues to increase. This location is very dangerous for pedestrians to cross because of the topography, along with the speed and volume of vehicular traffic. A pedestrian footbridge would provide a safe crossing for hikers and others who frequent this area.*

Highlights include:

- Chair Weiss explained at the intersection of VA Route 7 and Route 601 there are two issues. The first being the pedestrians from the Appalachian Trail who cross VA Route 7.
- Chair Weiss expressed that as a Board, we understand that there will be a cost and liability to have a bridge across VA Route 7. But felt it was time to raise the issue so you are aware of the need and can start looking at different options; to partner with the Federal Government, the Appalachian Trail and others to find a way to get people safely across the road.
- Delegate Wendy Gooditis voiced that Federal Government assistance would be needed and looking at what other States have done may help us move forward.
- Chair Weiss raised the other issue with the intersection and the most pressing issue right now is the confluence of hikers and the citizens who are enjoying the very successful brewery on Route 601. We wish well to the business, but the popularity has caused havoc on VA Route 7. Adding that the commuter parking lot is being used for both hikers and the overflow parking for the Bear Chase Brewery; with the overflow it displaces the hiker’s cars and then hikers start parking on other back roads around the trail heads in our County which then causes issue on the road, no parking signs have been placed because towing companies were not interested in towing people. Emphasized that the

county has a crisis situation and we do not know if the State Legislators can do anything about it but we need help. Currently we are in conversations with Loudoun County. This issue was extenuated because of COVID-19.

- Chief Deputy Travis Sumption stated that on the average weekend the Sheriff's Office is called there around three (3) to four (4) times a day. On the weekend, we average between sixty (60) and Seventy (70) parking tickets. Adding that VDOT just notified him that they will be putting up more "no parking" signs on Pine Grove Road, which means additional tickets. Stated that we will not be able to ticket our way out of this, infrastructure is needed to fix the problem and voiced that every weekend day the Sheriff's Office spends five (5) to six (6) hours issuing tickets there.
- Delegate Wendy Gooditis asked if the County could ask for shared responsibility from the brewery. Chair Weiss explained that the brewery is not in Clarke County so we have been in conversations with Loudoun County.
- Supervisor Catlett expressed that the mountain's geography cannot be changed but hope a way can be found to keep people safe.
- Chair Weiss reiterated that Clarke is trying to organize meetings, have one scheduled with VDOT and Loudoun County on December 4. The Sheriff's Office has been contacting Loudoun County and Virginia State Police.
- Chair Weiss expressed that on a broader use of zoning, believe when the breweries and wineries became use by right, which the board supports on the whole, feel that the Legislator should look at some language to help people who want to run those businesses and to help counties deal with the health, safety, and welfare issue. Believe at the start of this the Legislator wanted to encourage these agricultural activities to enhance income for farmers but in the end result some of these activities have become more entertainment hubs within the agricultural areas so that brings difficulties to those areas.
- Delegate Dave LaRock stated that NVTAs money should be a potential funding source. Useful to communicate with Loudoun County since they have other infrastructure in place and they have a connection with commuter traffic and money that may be available.
- Chair Weiss reiterated that the Board understands that there are two distinct issues. One is the overall use of the Appalachian Trail and the future use of the safety of those hikers crossing VA Route 7. The other is the crisis issue in relation to the brewery. In the end we will need a pedestrian bridge over VA Route 7.
- Delegate Wendy Gooditis asked and Chief Deputy Sumption confirmed that there have been accidents in the area but to his knowledge none with the

pedestrians crossing the road but the safety requirements with VDOT will have to be asked directly to VDOT.

- Chair Weiss voiced that the Board is concerned that people will get hurt, so we ask that you help us contact more people in Loudoun County. Adding that if conversations are had with representatives from Loudoun County, citizens in the area have requested that the manner in which the brewery was granted be reviewed and evaluate the parking because it is clear that the capacity is full since there is not enough space in the parking lot to fit all of the vehicles. The board does appreciate their success but the overflow of parking is the root cause of this problem, if Loudoun County had a manner to address that it would go a long way in solving the issue.
- Delegate Wendy Gooditis questioned and Chair Weiss confirmed that since it is not in our locality we do not know how the occupancy was address since it is a brewery, explaining that if in Clarke County it would have been addressed and parking would have been tied to capacity per state regulations. Adding that Loudoun County may have done that but with the brewery using overflow parking it leads us to believe that the brewery would either be in violation or there is not an occupancy requirement.
- Senator Jill Holtzman Vogel asked and Chris Boies answered that in conversations with the brewery about parking, feel that they want to come up with a solution but have not offered concrete plans yet.
- Delegate Dave LaRock questioned, and Travis Sumption confirmed that the crossover median with people trying to turn left is one of the main issues with the traffic. Adding that many people walk up Route 601 with no shoulders, people go to the brewery see the parking lot is full, so they will use the neighbor's driveways and property to turn around or park, many things are happening that cause the issues.
- Delegate Dave LaRock suggested the idea of a walkway along Route 601 or the expansion of the parking lot.
- Chair Weiss introduced Bill Waite, Industrial Development Authority Treasurer/Secretary who is a resident of the mountain and would enjoy conversing and answering questions.
- Chair Weiss informed the Legislators that Supervisor Catlett has been in contact with the Secretary of Transportation.

Chris Boies asked what the outlook on the upcoming budget process revenues; Senator Jill Holtzman Vogel stated that at this point it is still soon to be concrete at this point-adding that the full senate will convene on the 19<sup>th</sup> of November, for a comprehensive evaluation. At this point, it does not look like the economy is as bad

as what was projected. It is still not great and items may need to be pushed back but it has been an opportunity for others to come up with solutions. Believe it will be better than what was thought last March but it is still too early to predict, but all are engaged and working proactively to stay on the budget discussions. Encourage people who are interested in seeing what the economist has to say on each specific item to look at the materials that are all available on the Senate Finance website.

On behalf of the Sheriff's Office, Travis Sumption asks that those there follow the Virginia Association of Chiefs of Police and Virginia Sheriff's Association legislative guidelines. Another item deals with the composite index, explained that the composite index now equated state grants for law enforcement for matching funds, so it affects the schools and is starting to affect other offices.

Chair Weiss expressed that for Clarke in general, we support our law enforcement vigorously, while we understand that reforms are necessary in some manner, we want our police officers and people protected, we want them not to be worrying about whether they will be sued or not in the split-second decisions that they have to make. As a community, are concerned about actions that put our police officers at greater risk than what they already are. Trusting in the Legislators that whatever happens in Richmond does not put police officers at greater risk, physically or financially.

Chair Weiss thanked the legislators for attending and thanked them for their service adding that all three are very responsive and easy to reach.

Senator Jill Holtzman Vogel thanked the Board for putting this meeting together, encourage all to reach out to her if issues arise or things change before the session.

Delegate Wendy Gooditis stated that our COVID-19 numbers are rising and in Southwest Virginia is at a point where their hospitals are in crisis and they do not feel like they see the level of compliance with masking and social distancing. It is happening in our area also; Winchester Medical COVID-19 section was at 85% yesterday. Numbers are climbing, beg the Board who has influence to try to make people take initiative before they lose a member of their family. All other issues for example budget and education are in the air until we get COVID-19 under control and that will not happen until people take it seriously and understand that wearing mask, social distancing, and washing hands is not a political choice; it is a choice of preserving your neighbors. Asked the Board to please wherever you can tell people to take it seriously.

Chair Weiss thanked Delegate Wendy Gooditis for the thoughts adding that Clarke County has been really fortunate with low rates and we are taking it seriously, as a

Board we have continued to meet but with all of the precautions. We agree it is a crisis and we are working through it.

All thanked each other for meeting and voicing the concerns.

3) Adjournment

Chair Weiss adjourned the Board of Supervisors meeting at 1:55 pm.

Next Regular Meeting Date

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

ATTEST: November 12, 2020

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David S. Weiss, Chair

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Chris Boies, County Administrator

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Recorded and transcribed by Brianna R. Taylor, Deputy Clerk to the Board of Supervisors