

February 16, 2021

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 16, 2021, at 1:00 pm.

Board Members

Present Afternoon Session: Doug Lawrence – Russell District; David S. Weiss – Buckmarsh / Blue Ridge District; Terri T. Catlett - Millwood / Pine Grove District; Bev B. McKay – White Post District

Matthew E. Bass – Berryville District participated by electronic means from 6 Rice Street Berryville, Virginia 22611, because of a temporary illness.

Absent Afternoon Session: None

County Staff Present

Brenda Bennett, Chris Boies, Felicia Hart, Cathy Kuehner, Brandon Stidham, Brianna Taylor

Constitutional / State Offices / Other Agencies

Sheriff Anthony 'Tony' Roper

Press

Mickey Powell

Others Present

Mary Ivie, Joshua Raimundo

1) Call to Order

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

Chris Boies stated that Supervisor Bass was participating by phone because of a temporary illness.

2) Adoption of Agenda

- Add Closed Session pursuant to §2.2-3711-A1 Specific Employees or appointees of the Board.

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

Matthew E. Bass	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

3) Citizens Comment Period

No persons appeared to address the Board.

4) VDOT

The following update was provided to the Board of Supervisors via email by Ed Carter, Residency Administrator.

Maintenance:

- Conducted shoulder repairs on Rt. 641, Lewisville Rd. and will continue operations this month on Rt. 672, Swimley Rd.
- Performed brush cutting on Rt. 644, Stone Bridge Rd. and will continue this month on the same route.
- Repaired potholes and graded various routes and will continue this month as the weather permits.
- VDOT have to be cautious when grading non-hard surfaced roads this time of year.
- If the roadway moisture content is not correct VDOT can create an issue with the road surface coming apart.

- VDOT has spent considerable time and funds mobilizing and responding to weather events both snow and freezing rain. Our forecast indicates we will be in this pattern until the end of this week.

Board Issues:

- Rt. 7/601 - NOVA is moving forward with extending the westbound left turn lane on Rt. 7 at Rt. 601. Our participation is funding the relocation on the underground electric lines to the flashing signal. Estimated cost is \$20,000. VDOT has developed a preliminary plan for the expansion of the parking area at the intersection to 68 spaces. Just construction costs are estimated at \$225,000. This does not include design, environmental, and stormwater management. I emphasize "Preliminary."
- Erosion complaints along Rt. 621 Lockes Mill Rd. – VDOT has received several inquiries about this issue, some of it on private property but close to the roadway. Regrettably, VDOT cannot control the flooding along the river. All VDOT can do is respond and repair the roadway when it is impacted. VDOT does not have the resources or funding to armor the entire route.
- Sidewalks, Town of Boyce - We have been working with officials of the Town on sidewalk needs in the Town, either repair or adding new. We have supplied some options, and I plan to address the Town work session later this month.

Chris Boies stated that Ed Carter would attend by phone but could not because he had a call about the snow that is coming later this week. He mentioned that there was concern that it could be up to three (3) inches of snow per hour.

Supervisor Lawrence

- Will this Board get to discuss the \$225,000 for the parking lot estimate on VA Route 7 and Route 601?
 - Chris Boies stated that VDOT would need to hear from the Board before proceeding with that project.
 - Chair Weiss explained that the Board has the right to ask specifically where the funds are coming from and its effects on other issues.
 - Chris Boies indicated that he would pass along that the Board would like to discuss in a future meeting.

- Chair Weiss clarified that the Board knows and has conveyed that there are serious issues pertaining to that area, believes VDOT is examining ways to address those concerns.

Supervisor Catlett

- Asked how many parking spaces are currently in the parking area.
 - Chris Boies stated that he would get that information.

Chair Weiss

- Need to follow-up on the Lockes Mill Road issue, personally receiving concerns that the road is eroding into the river. Discussed this with Jeremy Camp, Zoning Administrator, but County needs to create a list and be knowledgeable about how private landowners along the river can lawfully improve their river banks.

Chair Weiss and Vice-Chair McKay indicated that VDOT did a good job on the last snowstorm.

5) Economic Development & Tourism Update

Felicia Hart, Director of Economic Development and Tourism, presented the following:

1. Convene a group of hospitality owners/operators (topics to include TOT, short-term rentals, Civil War)
 - Group has met once in person. Discussion continues with business owners on for updates/status
2. Engage stakeholders on the feasibility of a hotel in Berryville (this would include owners/operators in the region)
 - Participate in a weekly update of the travel industry. This covers the hotel industry. Talked last week with regional DMOs who get the STR report (monthly hotel industry booking numbers), and many hotels are still understaffed and way under-booked due to COVID. Talk now for the industry is that the numbers will not get better until at least 2023. Many travelers are now utilizing short-term rentals. No investors are looking right now. Will continue to review.
3. Continue efforts on business attraction, retention, and growth (seminars, promotion, assistance).

- I continue to work closely with the Virginia Employment Commission, Virginia Career Works, Lord Fairfax Small Business Development Center, and other agencies as needed. We are currently working with the USDA and other Federal agencies to take advantage of their programs.
- While in Front Royal, I collaborated with Page and Rockingham County to develop the Connect 340 program. We applied for and won, a REDI (Rural Economic Development Initiative) grant from the USDA. USDA has allowed this program to follow me. This grant provides extensive research for our area(s) aimed at outdoor tourism-related businesses. It is based on our quality of life and the resources that we have. The research includes other areas/states that have been successful in recruiting these types of businesses and their overall marketing plan. We hosted our second Zoom meeting, fine-tuning our research needs/areas.
- We continue to work with our bigger local businesses regarding their hiring and training needs. Once determined, we provide assistance and introductions with programs that can help. We're also working directly with HR managers to provide information about our locality for potential new employees, i.e., quality of life, educational opportunities, etc.
- We have had another status meeting with the Virginia Economic Development Partnership regarding potential new businesses in our region. We're proactive with regards to types of businesses – and areas that are currently available.
- We have now successfully completed our second extended conference call with Cochran's Lumber regarding the Economic Gardening program. From this call, researchers show their findings to determine Cochran's Lumbers' best opportunities for not only increased sales, but to better understanding their competition, where sales opportunities are, and how to better promote (and to who) their products.
- We will start working with C2M on their second phase of this same program.
- Via conference call, we are meeting next week with the USDA to continue the discussion on the USDA Rural Development Value Added Producer grant with a local farmer.
- We have been regularly communicating with local businesses/non-profits to make them aware of the new PPP 2.0 program. Lord Fairfax Small Business Development Center has already been working with five local businesses to determine eligibility.

4. Engage in a dialogue with property owners of vacant buildings and the developable land to spur economic activity.
 - We continue the discussion with some local property owners.
 - Regularly run queries about new properties on the market to start a dialogue.
 - We produced the graphics for the oversize “For Sale/Rent” posters designed to spur discussion.
 - We have regular meetings/updates with Christy Dunkle and she continues to make introductions.
5. Evaluate what is needed to make the Berryville Main Street program viable and successful – report back to Joint Committee on recommendation.
 - Have initiated several meetings with both current and past board members for a better understanding of the history of the Berryville Main Street program. We are working on potential partnership opportunities for events, trainings, and campaigns. While the board members themselves will determine the fate of the program - they are at least trying and wanting to make a difference. They already have strong relationships with many of the business owners, and we can work to take advantage of that asset in getting the word out and helping us better understand current reality.
6. Formalize website and social media strategies for economic development.
 - Work continues. We have talked with other localities to learn what does/doesn’t work. What pages and community infographics to include. Then production of those individual pieces will be initiated based on budget. We have a meeting with the Virginia Economic Development Partnership to incorporate the VAScan program as a tool for us. This program includes land and property offerings in Clarke County. In our first training, we will be working to determine what properties would qualify to be included in this State listing database.
7. Establish relationships, and provide training for, realtors in the area.
 - I am now planning one-on-one meetings with local realtors – both in Clarke County and surrounding areas.
 - Made introductions last week with ED at the Blue Ridge Association of Realtors to collaborate on potential Zoom training meetings with the USDA, LFSBDC, and others.
 - We are working to educate/train realtors on incentives and programs that Clarke County has in place, i.e., Waterloo Availability Fees, town incentives, and grants that may be available to prospective new businesses.

8. Develop and implement an incentive program using the CARES funding

- Currently, as stated earlier, we are working to educate businesses and non-profits as to what the PPP 2.0 version is offering.
- The Clear Brook Welcome Center display was a great opportunity. We showcased Main Street and other Clarke County towns/communities, numerous non-profits including Long Branch, Blandy, Historical Association, Farmers Market, the Clarke County Equine Alliance, and Shenandoah Spirits Trail that showcased our two wineries. Special thanks to Chris Bates for getting organizations to participate.
- We were able to produce three banners that will be used throughout the year at events/programs and at places like the Clear Brook Welcome Center.
- We produced a Profile Sheet that will be utilized to promote Clarke County to various travel writers, travel bloggers, and DMOs. Our profile sheet will be distributed at numerous shows (courtesy of SVTP, SVTA, and others) attending the shows.
- Regionally our “Open and Safe” program was just showcased on the State’s Tourism website. The story headline is “Virginia Destinations that Go Above and Beyond for Visitor Safety in 2021.
- We produced short videos of local business owners and videos of our area. Thank Betsy Pritchard of Smithfield Farm Bed and Breakfast for participating in this. This will give us access to video that will be utilized for future projects – including those with the State Tourism, Shenandoah Valley Tourism Partnership, Shenandoah Valley Travel Association, Shenandoah Spirits Trail, social media, and many others.
- We also produced the artwork for the over-size for sale/rent signs that will be utilized by property owners. These are colorful signs that include my contact information and make mention of incentives that might be available.
- We continue to have weekly conference calls with EDAs from both Winchester City and Frederick County. Meeting also includes LFSBDC (Christine Kriz) and the Top of Virginia Chamber (Cynthia Snyder). It also includes the United Way as needed. This weekly communication helps us to better understand what our current reality is and how we can adjust sooner to meet those needs. We also serve as a clearinghouse of new information regarding grants and training opportunities. We continue to push the “Open and Safe” COVID campaign.

- We are in regular communication with our local community banks to ensure we are not missing areas of concern for our “Main Street” businesses or other opportunities.

Other Projects:

Economic Development

- We are working with the Clarke County Farmers’ Market to not only help promote them but also work to train their farmers on state and federal programs (funding/grants) that they can take advantage of.
- We continue to regionally participate as part of the Small Business Resiliency Team program as part of a GOVirginia grant. This is in partnership with Lord Fairfax Small Business Development Center. This program assists small businesses with marketing, financial guidance, the creation of an e-commerce website, and accounting software.
- Continue to utilize Christine Kriz and her staff from the Lord Fairfax Small Business Development Center to meet with and educate business/property owners.
- We had a discussion last week with Blandy to host a Zoom educational training event for local producers regarding the Spotted Lantern Fly. This highly invasive species can prove detrimental to some of our crops – especially the fruit and wine industries. Sadly the Spotted Lantern Fly was just recently found at Blandy.
- We continue working regionally to promote the Workforce Initiative. This program works to put businesses in front of high schoolers to show them potential career opportunities.
- Regionally we are producing a NSV Talent website. This site will highlight each areas’ quality of life (including P&R), educational opportunities, and other pertinent information that people are looking for when job hunting.
- We continue participating regionally in the Startup Shenandoah Valley program. This program works with businesses to identify and address their risks while scaling up.
- I continue to meet regularly with Clarke County’s Planning and Zoning Directors for updates/catch-ups.
- I have regular communication with our local farmers and those that participate in the Farmers Market to provide them with updates. Our next meeting with the officers of the farmers market is later this month.

- We continue to see some turnover in smaller businesses – i.e., restaurants and some others.
- Make mention of the latest unemployment numbers. Clarke County is pretty insulated compared to our surrounding localities. To date, a total of 122 claims have been filed.

Tourism

- As part of the Shenandoah Valley Spirits Trail, we just finalized our latest video that highlights Twin Oaks Tavern Winery. This video is available on the Spirits Trail website, the Virginia Tourism Corporation’s site, and others. It is hosted on YouTube and shared via numerous social media outlets also.
- I have started producing occasional stories for the Top of Virginia Chamber highlighting Clarke County.
- We continue to update the Virginia Tourism Corporation, the Shenandoah Valley Travel Association, and other websites regarding Clarke County and our assets/businesses. This includes providing photography and video as time allows. Because of time constraints, we are missing opportunities to highlight Clarke County via blogs, itineraries, and “What’s New” stories.
- We have been successful working with local photographers who have offered their works to us. They are providing their images at no cost to us with just a copyright credit. We are (and will be) incorporating these images in our websites and social media opportunities, in addition to other outlets.
- Followed up with Mayor Arnold’s suggestion about potential signage at the trailheads to remind visitors of our downtown area - (special thanks to Alison Teeter for the introduction to the “Trail Boss” Chris Brunton). We have discussed where potential signage can go (VDOT vs State Park properties) and what said signage could incorporate. In the works is a new Eagle Scout kiosk project at Bear’s Den that we could also potentially include our messaging on. The next step is hiring a graphic artist to produce said pieces.
- Make mention of the Virginia Tourism numbers. Clarke County’s local tax receipts increased 3.1% in 2019. That number beat out some of our neighboring communities during that same time – I have included those in your packet as well.

Chair Weiss

- How many businesses from Clarke County are participating in the Small Business Resiliency Team program? Felicia Hart expressed that at this time, there have been 14 businesses total for the region, and two (2) of those are from Clarke County.

Supervisor Lawrence

- Asked that Spotted Lantern Fly links to information and permits be put on the County website. Felicia Hart confirmed that education is key and that information and links will be put on the website.
- Believe that the spotted Lantern Fly issue should be brought to State Officials because 2.5 years ago, it was controllable, but now it is not controllable because it is spread-out. Felicia Hart explained that another issue is that in Clarke, there is an endangered bumblebee which will make controlling the Spotted Lantern Fly even harder.
- Is there a program to go from wholesale to retail, to help a business transition from wholesale to retail? Felicia Hart explained that there are State programs and asked that if businesses have questions to give her a call and she will assist them in getting more information.

Vice-Chair McKay

- Under the Virginia Tourism Corporation - Travel Economic Impacts, Local Travel Receipts had concerned that property taxes were included in more than one group.
 - Supervisor Lawrence opined that he believes that personal property tax was from Bed & Breakfast and similar businesses.
 - Supervisor Lawrence asked, and Felicia Hart confirmed that she would reach out to BTC to find out how that data is generated.
 - Vice-Chair McKay indicated that he had concerns with how everything is accounted for because for tourism, you do not want to lump in the other personal property taxes that are not related to tourism. Felicia Hart reiterated that it is a level playing field across the State; therefore, it is looked at the same for each locality. Adding that these are good numbers to be working with.

Supervisor Bass

- Asked if there was a way for local businesses to be on one website, for example, a Clarke County Marketplace, to shop local goods all online.
 - Felicia Hart stated that it is an interesting challenge, other localities have pulled that together, but the issue is who will be in charge of it to make sure it does not become outdated.
 - Felicia Hart conveyed that her fear is that some businesses will not be invested and then who will be in charge of updates to keep it current.
 - Felicia Hart expressed that it could be examined and believe there could be an opportunity from a Chamber perspective since we are members.
 - Supervisor Bass stated that Berryville Main Street might be able to help. Felicia Hart explained that from a Virginia Main Street program perspective, it is not one of the missions that they are responsible for. Adding that there is no reason that they could not, but they also need the staff and resources. Conveyed that she would look further into this and have a greater discussion.

Supervisor Catlett

- Thanked Felicia Hart for all of the information and acknowledgment of personnel who have assisted.
- Asked and Felicia Hart confirmed that DMO stands for Destination Marketing Organization. Felicia Hart added that last year this Board recognized the Economic Development and Tourism Department as the DMO for Clarke County.
- Asked and Felicia Hart answered that STR stands for Star Report, which is a monthly subscription that some bigger tourism divisions subscribe to; it works and calculates all of the local hotels so they know the room occupancy rates. Added that it is not a cheap service, but it validates the Transient Occupancy Tax and other data to see what is happening.

Chair Weiss stated that the work that Felicia Hart has done is remarkable, the community is appreciating the outreach, and the Board is receiving good feedback for all of your efforts. With Chris Boies, Cathy Kuehner, and your work, the County has found a structure and is on a path toward success. Felicia Hart thanked the Board, explaining that it is a team effort and all need to support each other.

6) Approval of Minutes

January 19, 2021, Regular Meeting

Vice-Chair McKay made the following corrections:

- Book 24 Page 724: under Supervisor Bass update on Town of Berryville change Calvin Street to Cattleman Lane.

Supervisor Catlett made the following corrections:

- Book 24 Page 724: under Supervisor Catlett update on School Board change session to season.
- Book 24 Page 694: In Dr. Greene’s statement, change Shenandoah Youth Center to Shenandoah University Center.
- Book 24 Page 724 & 725: change “The Genda family has established a leadership award for Clarke County since the Star Leadership Award is not doing that. Adding Sheriff Roper, Laura Cummings, Gwen Malone, and John Milleson for the first award. Personally applaud this, and it is great for the County.” To “The Genda family has established an educational award for Clarke County High School Seniors since the Star Leadership Award is no longer being given to area seniors. In addition, Sheriff Roper, Laura Cummings, Gwen Malone, and John Milleson are serving as the selection committee for the first award. Personally applaud this, and it is great for the County.”

Supervisor Catlett moved to approve the January 19, 2021, Regular Meeting minutes as amended. The motion carried by the following vote:

Matthew E. Bass	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

7) Consent Agenda

Clarke County Sheriff’s Office and Town of Berryville Police Department MOU

THIS AGREEMENT made and entered into this _____ day of _____, 2021, by and between the BOARD OF SUPERVISORS OF CLARKE COUNTY, VIRGINIA, acting for and on behalf of the County of Clarke, Virginia (herein “County”); and the COUNCIL OF

THE TOWN OF BERRYVILLE, VIRGINIA, acting for and on behalf of the Town of Berryville, Virginia, a political subdivision of the Commonwealth of Virginia (herein "Town").

WITNESSETH

WHEREAS, the Town, as an incorporated town, is an integral part of the County of Clarke, Virginia, and as such is subject to the jurisdiction of the Sheriff's Office of Clarke County, Virginia, and,

WHEREAS, the Town has a duly constituted police force; and

WHEREAS periodically a Deputy Sheriff of Clarke County Virginia, requests assistance of the Berryville Town Police in the response to a call in Clarke County, Virginia, outside the territorial limits of the Town; and

WHEREAS §15.2-1737 of the Code of Virginia 1950, as amended, provides that the governing body of any county and town whose boundaries are contiguous may enter into mutual aid agreements for the mutual protection, defense, and maintenance of peace and good order; and

WHEREAS §15.2-1726 of the Code of Virginia 1950, as amended, provides that the governing body of any county and town may enter into reciprocal agreement for cooperation in the furnishing of police services; and

WHEREAS, it is the desire of parties hereto to cooperate one with the other in the furnishing of their police services for their mutual protection, defense and the maintenance of peace and good order.

NOW, THEREFORE, in consideration of the premises the mutual promises and obligations hereinafter set forth and the mutual benefits to accrue to the parties, hereby and pursuant to §15.2-1736 and §15.2-1726 of the Code of Virginia, 1950, as amended, the parties hereto agree as follows:

1. The Town agrees to authorize, furnish and make available members of its Police Department, their equipment and materials, to respond to calls for law-enforcement assistance in Clarke County, Virginia, outside the territorial limits of the Town as requested by the Sheriff and / or Deputy Sheriffs of Clarke County, Virginia, provided
 - a. There is an in-progress incident involving a crime against a person and based on the totality of the circumstances, additional law enforcement resources outside of those available to the assigned Deputy Sheriff would be necessary for the maintenance of peace and good order as well as the safety of citizens and the responding Deputy Sheriff, or
 - b. A determination is made by a Deputy Sheriff on the scene of an incident that additional assistance is needed, and the Sheriff's Office has no additional manpower to assist.

2. The County hereby reaffirms the responsibility of the Clarke County Sheriff’s Office to furnish and make available members of its Office for assistance in addition to and not in lieu of any responsibilities within the Town of Berryville, Virginia, currently required by the law of the Clarke County Sheriff’s Office.
3. When acting pursuant hereto, all policemen, deputy sheriffs, law enforcement officials and agents of the cooperating departments shall have the same powers, rights, benefits, privileges, and immunities in both jurisdictions, respectively, including the authority to make arrests in the two jurisdictions.
4. The County does further agree to indemnify and save harmless the Town on any liability which may accrue as a result of the acts of the members of the Berryville Town Police Department furnishing law enforcement services and / or assistance to the Clarke County Sheriff’s Office pursuant to this agreement.
5. Nothing contained herein “shall in any way operate as an indemnification by the Town for the police services currently provided by the County through its Sheriff’s Office by virtue of the Town’s existence as an integral part of the County of Clarke, Virginia.
6. This agreement may be reviewed and / or terminated by either the Council of the Town of Berryville, Virginia, or the Board of Supervisors of Clarke County upon thirty (30) days written notice.
7. This agreement shall expire five (5) years from the date of execution.

WITNESS THE FOLLOWING SIGNATURE AND SEALS:

BOARD OF SUPERVISORS OF CLARKE COUNTY, VIRGINIA

By _____ Seal
Chairman

TOWN OF BERRYVILLE, VIRGINIA

By _____ Seal
Mayor

FY2021 Agreement between the Virginia Department of Health and the Clarke County Board of Supervisors for Funding and Services of the Clarke County Health Department

AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF HEALTH AND THE CLARKE COUNTY BOARD OF SUPERVISORS FOR FUNDING AND SERVICES OF THE CLARKE COUNTY HEALTH DEPARTMENT

This agreement ("Agreement") for the services to be provided by the Clarke County Health Department and the funding therefore is by and between the Virginia Department of Health ("VDH") and the Clarke County Board of Supervisors (collectively "the Parties").

The Agreement is created in satisfaction of the requirements of § 32.1-31 of the Code of Virginia (1950), as amended, in order to operate the Clarke County Health Department under the terms of this Agreement.

NOW, THEREFORE, in consideration of the covenants and agreements in this Agreement, the sufficiency of which is acknowledged, the Parties agree as follows.

§ 1. VDH, over the course of one fiscal year, will pay an amount not to exceed \$301,873.00, from the state general fund to support the cooperative budget in accordance with, and dependent upon, appropriations by the General Assembly, and in like time frame, the Board of Supervisors of Clarke County will provide by appropriation and in equal quarterly payments a sum of \$198,033.00 local matching funds and \$13,251.00 one-hundred percent local funds for a total of \$211,284 local funds for this fiscal year.

In addition, the Board of Supervisors has approved the Clarke County Health Department to carry forward \$0.00 in local matching funds for a total of \$198,033.00 matching funds and an additional \$0.00 in one-hundred percent local funds from the prior fiscal year closing locality balance.

These joint funds will be distributed in timely installments, as services are rendered in the operation of the Clarke County Health Department, which shall perform public health services in Clarke County as indicated in Attachment A(1.), and will perform services required by local ordinances as indicated in Attachment A(2.). Payments from the local government are due on the third Monday of each fiscal quarter.

§ 2. The term of the agreement begins July 1, 2020. This Agreement will be automatically extended on a state fiscal year to year renewal basis under the existing terms and conditions of the Agreement unless timely written notice of termination is provided by either party. Such written notice shall be given at least 60 days prior to the beginning of the fiscal year in which the termination is to be effective.

§ 3. The Commonwealth of Virginia ("Commonwealth") and VDH shall be responsible for providing liability insurance coverage and will provide legal defense for state employees of the local health department for acts or occurrences arising from performance of activities conducted pursuant to state statutes and regulations.

- A. The responsibility of the Commonwealth and VDH to provide liability insurance coverage shall be limited to and governed by the Commonwealth of Virginia Public Liability Risk Management Plan, established under § 2.2-1837 of the Code of Virginia (1950), as amended. Such insurance coverage shall extend to the services specified in Attachments A(1.) and A(2.), unless the locality has opted to provide coverage for the employee under the Public Officials Liability Self-Insurance Plan, established under § 2.2-1839 of the Code of Virginia (1950), as amended, or under a policy procured by the locality.
- B. The Commonwealth and VDH will be responsible for providing legal defense for those acts or occurrences arising from the performance of those services listed in Attachment A(1.), conducted in the performance of this contract, as provided for under the Code of Virginia and as provided for under the terms and conditions of the Commonwealth of Virginia Public Liability Risk Management Plan.

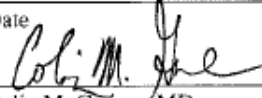
- C. Services listed in Attachment A(2.), any services performed pursuant to a local ordinance, and any services authorized solely by Title 15.2 of the Code of Virginia (1950), as amended, when performed by a state employee, are herewith expressly exempted from any requirements of legal defense or representation by the Attorney General or the Commonwealth. For purposes of assuring the eligibility of a state employee performing such services for liability coverage under the Commonwealth of Virginia Public Liability Risk Management Plan , the Attorney General has approved, pursuant to § 2.2-507 of the Code of Virginia (1950), as amended, and the Commonwealth of Virginia Public Liability Risk Management Plan , the legal representation of said employee by the city or county attorney, and, the Board of Supervisors of Clarke County hereby expressly agrees to provide the legal defense or representation at its sole expense in such cases by its local attorney.
- D. In no event shall the Commonwealth or VDH be responsible for providing legal defense or insurance coverage for local government employees.

§ 4. Title to equipment purchased with funds appropriated by the local government and transferred to the Commonwealth, either as match for state dollars or as a purchase under appropriated funds expressly allocated to support the activities of the local health department, will be retained by the Commonwealth and will be entered into the Virginia Fixed Asset Accounting and Control System. Local appropriations for equipment to be locally owned and controlled should not be remitted to the Commonwealth, and the local government's procurement procedures shall apply in the purchase. The locality assumes the responsibility to maintain the equipment and all records thereon.

§ 5. This Agreement may only be amended or otherwise modified by an instrument in writing signed by the Parties.

Robert W. Hicks
Deputy Commissioner for Community Health Services
Virginia Department of Health

Local authorizing officer signature

Date _____

Colin M. Greene, MD
District Health Director
Lord Fairfax Health District

Authorizing officer printed name

Authorizing officer title

29 Jan 21

Date

Date

Approved as to form by the Office of the Attorney General on July 23, 2018

Attachments: Local Government Agreement, Attachment A(1.)
Local Government Agreement, Attachment A(2.)

LGA-Revised July 2018

Vice-Chair McKay moved to adopt the items on the Consent Agenda as presented. The motion carried by the following vote:

Matthew E. Bass	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

8) Ordinance Update Project Report

Brandon Stidham, Director of Planning and Zoning, summarized:

- Zoning and Subdivision Ordinance Update Project revised work plan for project completion as outline in the packet.
- Explained that things that could potentially slow the review process down are if the Planning Commission or the Board of Supervisors identifies any particular areas that action needs to be deferred on to take more time to review and resolve.
- An ambitious goal is to have this project complete by September 2021.

Supervisor Lawrence

- Asked on the flood plain ordinance, if the Town of Berryville and Town of Boyce can use the County ordinance to write their own. Brandon Stidham explained that it is a model ordinance that everyone in the Commonwealth is encouraged to use. It is pretty extensive in the definitions of the different types of flood plains, how flood plains are identified, making sure the regulations for what is and is not allowed are constructed in the flood plain.
- Questioned and Brandon Stidham confirmed that the flood plain maps are accessible on the FEMA website.
- Mentioned the Winchester Star article that indicated that the Town of Boyce wanted County assistance for their ordinances. Brandon Stidham stated that he has discussed with Town of Boyce representatives about giving them tips on how to do the update, but the County has not been formally asked to complete the work for them.
 - Chair Weiss explained that there had been a long history with helping the Town of Boyce when it was doable. Adding that this is something for the Board to consider because it is a time-consuming issue and the Town of

Boyce needs to make a decision on generating enough revenue to provide their own staff/advisory position.

- Chair Weiss asked Vice-Chair McKay to advocate to the Town of Boyce Council members that the Board is open to conversations about how to help them achieve their goal, but the discussion needs to occur since it is a lot of work.

Chair Weiss

- Asked and Brandon Stidham confirmed that there is no reason for the Board to give comments on the current documentation since it not finalized by the Planning Commission, there is always the possibility that the Planning Commission will be making the same revision, so no need to have numerous drafts going back and forth.

Chair Weiss reminded the public that there are not many significant changes; a majority of them are language clarifications, ordering, and definitions.

The Board thanked staff for all of the hard work. Chair Weiss asked that Supervisor Bass and Brandon Stidham pass the compliments to the Planning Commission.

9) Set Public Hearing Text Amendment TA-2021-01 Manufactured Homes

Brandon Stidham, Director of Planning and Zoning, explained that the change was to 3-C-2-s Manufactured Homes and Article 9 Definitions section. Explained that the 19-foot requirement in the Zoning Ordinance does not currently comply with the Code of Virginia, so that this revision will put Clarke in compliance with the Code of Virginia. For Article 9 Definitions the revision would remove the old language and replace it with the definition from the Code of Virginia. The Planning Commission initiated this text amendment at their January meeting and then held their Public hearing at the February meeting and voted 10-0 with one (1) absence, to recommend adoption of the text amendment, and there were no comments for or against received for the text amendment. Request that the Board of Supervisors set their Public Hearing for March 16, 2021.

Supervisor Lawrence moved to set the public hearing for text amendment TA-2021-01 Manufactured Homes for March 16, 2021, at 6:30 pm or as soon thereafter as the matter may be heard. The motion carried by the following vote:

Matthew E. Bass - Aye

Terri T. Catlett - Aye
Doug M. Lawrence - Aye
Beverly B. McKay - Aye
David S. Weiss - Aye

10) Water and Sewer request to Frederick County for Double Tollgate area.

Chris Boies explained that this request would be characterized as a very first step in a multistep process that would involve the Boards approval today, then Frederick Counties Boards approval. If both Boards approve the request, then negotiations with Frederick Water would occur, and an agreement is made that would come back to both of the Boards for approval.

Chris Boies indicated that the request to Frederick County is to serve roughly 350 acres in the Double Tollgate area, estimated the need if it was to be built out to be about 150,000 gpd (gallons per day). This request is supported by the Double Tollgate area development plan, which calls for water and sewer to be on the property once certain triggers are in place; one of those being the potential development of the Camp 7 property. The request is also supported by the Economic Development Strategic Plan that was adopted by the Board in 2014, identified at that time a long time priority was to pursue partnerships to provide public water and sewer to the Double Tollgate area; defining long-term as those occurring in FY 18 and beyond.

Chris Boies conveyed that these are commercial properties that are currently zoned commercial at that intersections. Adding that there are some existing properties that would like to connect to public water and sewer, and there are some undeveloped parcels that would like to connect in the future if water and sewer was available.

Chair Weiss reminded the Board and the public that the Camp 7 property, roughly three (3) years ago, was declared surplus. Clarke County was asked if it was interested in the property, and we indicated that we were. The County worked on a variety of ideas of how to utilize the property, one idea was a drug treatment health center, tried to partner with our neighboring communities, but that facility did not suit that work. At the same time, the Virginia National Guard, Department of Military Affairs, requested the use of the facility with renovations by them; Senator Vogel became involved, and in the end, approximately 65 acres was given to the Virginia Inland Port; the roughly 200 acres remaining was divided between the Virginia Department of Transportation and the Department of Military Affairs. Further explained that the property would not stay as a Virginia Tech farm in

conjunction with Camp 7. For the 65 acres, the Virginia Inland Port and State legislators are required to collaborate with Clarke County to develop that property; in conversations, it is clear what the Virginia Inland Port and the County would want to do with the property. Personally believe that this first step of getting public water and sewer in an area that has long desired. Makes that 65 acres much more marketable and, in the end, will allow the County to derive financial benefit from that development; at this point, we do not know what type of businesses will be there, but if we do not get water and sewer I am fairly certain that any development will be there. Reiterated that this is the first step in the process, it does not lock the County into anything; this is a deferred growth area currently. Personally indicated that this is the way forward and the County needs to utilize this area, strongly in support of moving forward and trying to get some tax-paying businesses in the County, that are the type of businesses we want in the community, and this gives us the ability to control that development.

Supervisor Lawrence opined that it needs to be explored to find out if it is doable or not.

Supervisor Catlett thanked Chris Boies for explaining the timeline.

Supervisor Bass echoed the statement from Chair Weiss and stated that it is important that we talk about this happening and to double down on the idea that is consistent with long-standing comprehensive plans for how we are going to grow the County. Personally believe that we are in agreement that this is in the County's best interest.

Vice-Chair McKay moved to approve the request to Frederick County to allow Frederick County Water to provide public water and sewer to the Double Tollgate area of Clarke County. The motion carried by the following vote:

Matthew E. Bass	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

Chair Weiss thanked staff for all of the work.

11) Board of Supervisors Personnel Committee Items

A. Expiration of Term for appointments expiring through April 2021.

2021-02-08 Summary: Following review, the Personnel Committee recommends the following:

- Recommend the Lord Fairfax Emergency Medical Services Council the appointment of Wade Wilson as the Career Representative for a one-year term expiring on 8/15/2022.
- Recommend to the Lord Fairfax Emergency Medical Services Council the appointment of Carolyn Trent as the Medical Professional Representative for a one-year term expiring on 8/15/2022.
- Recommend to the Lord Fairfax Emergency Medical Services Council the appointment of Bryan H. Conrad as the Volunteer Representative for a one-year term expiring on 8/15/2022.

2021-02-16 Action: Chris Boies reviewed the Personnel Committee recommendations.

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

Matthew E. Bass	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

B. Personnel Policy PD-121101-05 Rev. 20 review

2021-02-08 Summary: The Personnel Committee reviewed Revision 20 to the Personnel Policy and recommends adoption by the Board of Supervisors. The revisions include changes to equal employment opportunity language found in several sections of the policy, which are based on recent legislative changes, and a revision removing the list of recognized County holidays.

2021-02-16 Action: Chris Boies reviewed the Personnel Committee recommendations.

Supervisor Catlett moved to adopt Personnel Policy PD-121101-05 Rev. 20 as presented. The motion carried by the following vote:

Matthew E. Bass	-	Aye
Terri T. Catlett	-	Aye

Doug M. Lawrence - Aye
Beverly B. McKay - Aye
David S. Weiss - Aye

12) 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 8, 2021, 10:00 am, Meeting Room AB

Board Members Present: Matthew E. Bass (via phone), Terri T. Catlett, Doug M. Lawrence, Beverly B. McKay, David S. Weiss

Board Members Absent: None

Officers / Staff Present: Brenda Bennett, Chris Boies, Joey Braithwaite, Cathy Kuehner, Brian Lichty, Brianna Taylor

Others Present: None

Press Present: Mickey Powell – The Winchester Star

2021-02-08 Summary: At 10:01 am, chair Weiss called the meeting to order.

Adoption of Agenda

– Add item B: EDA Brownfields Program

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

Matthew E. Bass - Aye
Terri T. Catlett - Aye
Doug M. Lawrence - Aye
Beverly B. McKay - Aye
David S. Weiss - Aye

A. Economic Development Structure

The Board heard a presentation from County Administrator Chris Boies on economic development. The presentation included a summary of the existing groups working on economic development, including the Economic Development Advisory Committee, Industrial Development Authority, Berryville-Clarke County Joint Committee on Economic Development & Tourism, and associated non-governmental organizations. The four basic functions of a local economic development program (placemaking, business retention, growing your own, and business attraction) were described in some detail. A proposed structure outlining the general roles for each of the existing groups was presented and accepted by consensus by the Board. Staff will work to build out the details of the new structure.

B. EDA Brownfields Program

Director of Economic Development & Tourism Felicia Hart presented on a grant opportunity with the EPA Brownfields Program. Clarke County would join the City of Winchester and Frederick County to apply for federal funds to conduct site assessments, cleanup planning efforts, and community engagement for brownfield sites. The grant has no local match requirements and will involve minimal staff resources. If the grant is received, Clarke County would work with the neighboring jurisdictions to identify willing landowners to participate in this voluntary program. Up to \$600,000 could be awarded to the group. The Board agreed by consensus to have staff pursue the grant with the City of Winchester and Frederick County.

At 11:10 am, Chair Weiss adjourned the meeting.

2021-02-16 Action: Chris Boies reviewed the 2021-02-08 summary.

13) Board of Supervisors Finance Committee Items

A. Social Services Credit Card Request

A request by the Department of Social Services (DSS) for the issuance of four BB&T credit cards to replace the existing DSS credit cards.

2021-02-08 Summary: The Finance Committee reviewed the request and recommends to the Board of Supervisors the issuance of the four credit cards with the limits as outlined in the attached request. It was noted these credit cards will replace the existing cards used by the Department

2021-02-16 Action: Brenda Bennett reviewed the Finance Committee Recommendation. Adding that the previous credit cards used by the Department of Social Services are not under Joint Administrative Services.

Vice-Chair McKay stated that this would make it easier for the Joint Administrative Services for finances and tracking.

Supervisor Catlett thanked the Director of Social Services, Jennifer Parker, for looking at everything and making changes. Chris Boies stated that Jennifer Parker is looking to use County Procurement Processes for the Department of Social Services goods and services.

Supervisor Lawrence asked what the current process is for the Department of Social Services. Brenda Bennett explained that all bills and claims are done through the Joint Administrative Services. Adding that they have a software where they enter their own invoices and then it is imported into the County software and processed.

Clarke County Finance Committee

RE: Credit Cards for Clarke Co. Department of Social Services

Ms. Bennett,

I would like to set up our credit card accounts through the County at BB&T, if this is possible. If we are able to do so, I would like to obtain four separate cards. The following information would be helpful in having them set up so we can track expenditures accordingly.

1. Clarke Co. Dept. of Social Services-Services (If a name is required-Michael Austin) Limit \$800.00
2. Clarke Co. Dept. of Social Services-Administrative (Donna Scott if a name is required) Limit \$1200
3. Clarke Co. Dept. of Social Services-Benefits (Desiree Minter if a name is required) Limit \$800.00
4. Clarke Co. Dept. of Social Services-Director (Jennifer Parker if a name is required) Limit \$1,500

Please let me know if there is anything additional you may need. I can be reached at extension 5192 or via email at Jennifer.l.parker@dss.virginia.gov.

Sincerely,

Jennifer Parker

Jennifer Parker, M.P.A.
Director, Clarke County Dept. of Social Services

Vice-Chair McKay moved to issue the four cards to Social Services with the limits as outlined in the above request. The motion carried by the following vote:

Matthew E. Bass - Aye

Terri T. Catlett - Aye
Doug M. Lawrence - Aye
Beverly B. McKay - Aye
David S. Weiss - Aye

B. School Capital Carryforward Request

A request by Clarke County Public Schools to carryforward FY 20 capital funds in the amount of \$1,025,113 to FY 21 to be used as outlined.

2021-02-08 Summary: The Finance Committee reviewed the requested carryforward and discussed with Director of Maintenance Joey Braithwaite the proposed projects to be completed using these funds. Following a review of the carryforward amounts and the proposed use of these funds, the Finance Committee recommends the following language be approved by the Board of Supervisors.

“Be it resolved that budgeted expenditure, appropriation, and revenue of the School Capital Fund be carried forward from FY 20 to FY 21 in the amount of \$1,025,133 as outlined in the attached documents.”

2021-02-16 Action: Brenda Bennett reviewed the Finance Committee recommendations. Explaining the FY 20 School Capital Carryforward line by line.

Brenda Bennett explained that for the fencing project at Boyce Elementary School, Randy Trenary was reaching out to the Boyce PTO to see how their fundraising is going for their piece of the project. Adding that the fencing and playground projects at Boyce have not been completed yet because the Boyce PTO has not gotten enough funds.

Brenda Bennett expressed that the Security Improvements were for outside lighting at Boyce Elementary School, Cooley Elementary School, and Johnson Williams Middle School; the projected completion date for this project is June 30, 2021.

Vice-Chair McKay asked if the roof at Joint Administrative Services and School Administration Office was completed. Brenda Bennett confirmed that the roof was not done when the building was being renovated because, at the time, it was determined that there was still a warranty and a few years left on the roof, we are now at the point where that roof needs to be replaced.

Vice-Chair McKay asked why the school bus needed to be replaced.

- Chris Boies explained that the one that needs to be replaced is a 1999 and has over 100K miles.
- Chair Weiss indicated that there is a schedule to replace the school buses, just like we have a schedule to replace the Sheriff’s cars.
- Vice-Chair McKay expressed that he felt that the School buses do not get used as much, especially in the last year, so questioned this replacement since even in the past, once we replace a school bus, it is sold to another locality that uses that school bus for another ten (10) to twenty (20) years.
- Vice-Chair McKay conveyed that the focus should be to get the schools back open; Chair Weiss confirmed that all would like to see the schools be reopened but do not believe that this school bus will affect the opening.
- Supervisor Catlett emphasized that with the reopening of the schools with social distancing requirements, the school buses cannot carry as many children, so the buses are a need.
- Chris Boies clarified the conversation by stating that the school bus is not in play, meaning that there is no carryforward being requested for a school bus; the school bus is approved in the FY 21 budget, so the Board of Supervisors is not approving a penny for a new school bus, there are zero (0) dollars being carryforward for the school bus. It is already in the approved budget. All that is outlined is how the schools plan to spend what is in their approved budget.
- Supervisor Lawrence indicated that many of the bus routes have changed for this year, and many of the high school students in Town are walking.
- Brenda Bennett explained that the newer buses are larger, so it will help consolidate routes.
- Vice-Chair McKay expressed that transportation costs are extremely inefficient and believe that someone needs to ask about it; so I am being that person who is asking.

Brenda Bennett explained that the projects were discussed with the Director of Maintenance, Joey Braithwaite, and he expressed that the gym floors and scoreboard would be completed this year. Adding that, she discussed the uniforms and equipment with School Superintendent Dr. Chuck Bishop, and he indicated that those are done every year, so those funds will be spent this year. For the asphalt on the tennis courts at Johnson Williams Middle School that is planned to be completed this year. The painting and repairs at Boyce Elementary School are planned to be completed over spring break. The HVAC units at both

Boyce Elementary School and Clarke County High School are on a tight schedule but plan to be done by June 30, 2021. For the roof replacement at the School Administration office, plan to get RFP out soon and get that project underway. The Boyce Elementary School repairs; the water softener will be done by June 30, 2021, but the replacement of steps and ramp will not be done since school is in session, but the plan is to get that done over the summer.

Supervisor Bass commented on the tennis court that those courts had not been replaced in a long time it is a shame to have those be neglected. Adding that, he has heard constituents ask if that could be turned into a skate park or have a different use. That area used to be open to the public, but has been locked for many years so the cost of the repair and the use needs to be examined in more detail.

- Supervisor Catlett commented that the schools indicated that they might be painted for pickleball courts, so then they would be open to the public to use.
- Supervisor Bass conveyed that the open to the public needs to be done because many would love to go in and run around and use that area.
- Chair Weiss indicated that those comments would be passed onto the Superintendent.

Brenda Bennett explained that for the technology section, no new money was appropriated from FY21, so all is a carryover from FY20; this includes the smartboard panels.

Vice-Chair McKay stated that he had two (2) people ask about the internet at the schools. Chris Boies explained that that issue was related to a firewall issue, adding that Dr. Chuck Bishop knows about the issue and is working on it, and that should be fixed in the near future.

Brenda Bennett explained that the VPSA technology is state funding that is restricted to uses that have to relate strictly to the school's classroom instruction to benefit the students. Adding that the schools have three (3) years to use those funds.

Supervisor Lawrence asked, and Brenda Bennett confirmed that this request was less than last year's.

Chris Boies stated that due to COVID-19, some of the technology had to be pushed back because IT staff was needed to help with all the changes to accommodate the virtual learning.

Chair Weiss explained that a significant portion would be done by June 30, 2021, adding that the largest portion is technology. Chair Weiss expressed that School is not requesting the \$682,000 carryforward for their operating funds.

Supervisor Catlett conveyed that for the roof project, when it was known that it would not be replaced when the renovation was completed, some of those funds were returned to the Board of Supervisors.

Supervisor Lawrence asked, and Brenda Bennett confirmed that the operating funds that were returned were mostly due to COVID-19 CARES funding reimbursements and the operating funds that were not used since the school buses were not running.

Chair Weiss stated that this is the first year in a long time that the School has not requested the carryforward of operating funds.

Clarke County Schools Capital Projects Fund 302
FY20 Year End
2/10/2021

FY20 SCHOOL CAPITAL CARRYFORWARD

ACCOUNT DESCRIPTION	FY 21 Approved Capital Budget	FY21 Available Budget	FY20 Proposed Capital Carryover	Total Available FY20 + FY21	FY21 Proposed Capital Budget Revised	Justification
61100 Classroom Instruction			-1	-1	0	Grant for Ag fully expended
61110 School Furniture Replace	30,000	24,391	1	24,392	31,000	Replace broken and worn furniture all schools.
61130 Uniform Repl & Band Inst			2,299	2,299	20,000	Instrument repair and replacement.
66223 Fencing			7,200	7,200	15,000	Fencing around upper playground at BES
66250 Fields and Playgrounds			15,001	15,001	15,000	Partner with Boyce PTO to replace playground equipment
63500 School Bus Purchases	85,000	85,000	0	85,000	85,000	Purchase a new 77 passenger buses
65100 School Food Services		-5,150	11,932	6,782	6,606	Funding to replace or repair equipment as needed.
66233 School Signage		-148	860	712	2,000	New and replacement signage needed for schools.
66644 Flooring	20,000	20,000	0	20,000	0	
66645 Security Improvements	50,000	13,916	1	13,917	40,000	Replace parking lot lighting at BES, CES and JWMS.
Sub-Total	185,000		37,293	175,302	214,606	
61140 Athletics Equipment & Un	8,000	-1,431	3,856	2,425	20,000	Screen and seal gym floors at CCHS, JWMS and CES (\$10,000), replace broken scoreboard at CES (\$2500), recondition athletic equipment (\$7500)
66253 Asphalt/Sidewalk/Track/C	20,000	20,000	18,979	38,979	100,000	Repair the existing tennis courts at J-WMS
66612 Painting	25,000	25,000	7,503	32,503	25,000	During Spring Break '21, repair walls and repaint identified hallways/classrooms at BES
66616 Heating, Ventilation & A/C	25,000	20,659	154,257	174,916	200,000	\$50,000 replacement of the BES cafeteria HVAC and 2 water source heatpumps at BES (\$60,000). Ongoing HVAC repairs across the division. Repair/install new exhaust fan in Chem lab at CCHS.
66636 Roof Replacements	100,000	100,000	131,684	231,684	175,000	Secure a consultant to write roof specs and bid the roof replacement at the Administrative Office.
66646 Boyce School Repairs			17,399	17,399	67,000	Replace the steps and install new steps and handicapped ramp at the front entrance to BES (\$50,000). Replace existing wooden front doors (\$15,000). \$2000 for water treatment controls to extend equipment life.
66648 Johnson Wms Middle Sch Repairs		-1,450	0	-1,450	4,000	Balance Expenditure and \$2500 for water softener and \$1800 for water treatment controllers. Extend the life of the equipment.
Sub-Total	178,000		333,679	496,456	591,000	
68100 Technology Classroom Ins			27,893	27,893	25,000	Peripheral devices, printer replacements
68200 Technology Inst Support			400,776	400,776	250,000	Replacement of teacher devices, classroom panels
68300 Technology Administratio			1	1	0	
68700 Tech Fd Svc & Other Non-		-9,912	1	-9,911	9,911	Balance Expenditure
Sub-Total	0		428,671	418,759	284,911	
115-68100 Tech Classroom Instr (VPSA)	154,000		225,470	379,470	379,470	VPSA Tech Grant funds are restricted to certain expenditures to support network and student devices.
Sub-Total	154,000		225,470	379,470	379,470	
TOTALS	517,000		1,025,113	1,469,987	1,469,987	
Revenue						
115-68100 VPSA Technology Grant	-154,000		-220,470			
Transfer from General Fund	-154,000		-804,643			
			-1,025,113			

Supervisor Catlett moved “Be it resolved that budgeted expenditure, appropriation, and revenue of the School Capital Fund be carried forward

from FY 20 to FY 21 in the amount of \$1,025,113 as outlined in the document.” The motion carried by the following vote:

Matthew E. Bass	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

Vice-Chair McKay opined that he voted in favor since it is explained in more detail.

Chair Weiss reiterated that these types of carryforward allow us to pay as you go, it is a very effective and is an appropriate action.

C. Bills and Claims

2021-02-08 Summary: Following review, the Finance Committee recommends the approval of the January 2021 Invoice History Report.

2021-02-16 Action:

Supervisor Catlett moved to approve the January 2021 Invoice History Report. The motion carried by the following vote:

Matthew E. Bass	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

D. Standing Reports

- Year to Date Budget Report
- Reconciliation of Appropriations
- Capital Projects Report

2021-02-16 Action: Information Only

14) Joint Administrative Services Board

Brenda Bennett highlights include:

- Met on January 25, 2021.

- Discussed the need for software training to transition salary and benefits information in MUNIS, since this is specific to Clarke and the only person with the knowledge of the process is past Director of Finance, Tom Judge. Since January 25, I have met with Tom Judge a few times to learn and complete the process, and the goal is to have a manual for years to come.
- Discussed the new health insurance policies and decided that updates to both the County and the School policies were needed to match the new insurance policies. Chris Boies explained that those Personnel Policy updates would be presented to the Personnel Committee in March.
- Chair Weiss emphasized that the Board understands that the two (2) Berryville pharmacies are not in the new insurance network, adding that it is being negotiated and hope to have it corrected. Brenda Bennett explained that both of the Berryville pharmacies belong to the EPIC Cooperative and not Express Scripts; therefore, not in the new insurance network. Further explained that Benefit Plan Administrators are working with the two pharmacies to come up with a plan but, the last she heard was that they were still negotiating.

15) Government Projects Update

Chris Boies provided the monthly project update:

- The Monument Committee will meet on March 4, at 6:30 pm in the Clarke County High School auditorium to receive public comments. More information, including reading materials compiled by the committee chair, will be sent out on Thursday of this week. Chair Weiss stated that the Monument Committee wrote a good synopsis and would like the public to review it before coming to the March 4th , meeting.
- The Humane Foundation project to add an addition to the Clarke County Animal Shelter will begin in the coming weeks. We have a pre-construction meeting at the site tomorrow morning.
- There are two (2) upcoming webinars on February 22nd, and February 23rd by the state on the spotted lanternfly regulations; we have information on our website on these webinars.
- We continue to work with the Health Department on different vaccine efforts, and we are now participating in a statewide call once a week with other localities to get information directly from Richmond. Currently, there are no open PODs. We are working on closed PODs for specific individuals giving the example that the remaining law enforcement officers received the vaccination this morning.

Chair Weiss asked if agricultural workers were eligible; Chris Boies explained that the Commonwealth is currently in phase 1B but not sure what phase agricultural workers were categorized. The Board encouraged all to get the vaccine.

- Wish two (2) Board members happy birthday; Mr. Weiss celebrated last Tuesday, the 9th, and Ms. Catlett is tomorrow the 17th.

16) Miscellaneous Items

None added to the February 16 meeting.

17) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Process approved minutes for January 19, 2021, Regular Meeting Minutes.	Brianna R. Taylor
2.	Execute notice of appointments	David S. Weiss
3.	Process appointments and update the database.	Brianna R. Taylor
4.	Execute Clarke County Sheriff's Office and Town of Berryville Police Department MOU	David S. Weiss
5.	Process Clarke County Sheriff's Office and Town of Berryville Police Department MOU	Brianna R. Taylor
6.	Execute FY2021 Agreement between the Virginia Department of Health and the Clarke County Board of Supervisors for funding and services of the Clarke County health Department	Chris Boies
7.	Process FY2021 Agreement between the Virginia Department of Health and the Clarke County Board of Supervisors for funding and services of the Clarke County health Department	Brianna R. Taylor
8.	Develop Public Hearing Notice PH2021-02 Text Amendment TA-21-01 Manufactured Homes	Brandon Stidham
9.	Advertise Public Hearing Notice PH2021-02 Text Amendment TA-21-01 Manufactured Homes	Brianna R. Taylor
10.	Execute Double Tollgate Water and Sewer Request to Frederick County	David S. Weiss

- | | | |
|-----|---|-------------------|
| 11. | Process Double Tollgate Water and Sewer Request to Frederick County | Brianna R. Taylor |
| 12. | Update Personnel Policy Rev 20 | Brianna R. Taylor |
| 13. | Issue four (4) credit cards to Department of Social Services | Brenda Bennett |
| 14. | Process School Capital Carryforward | Brenda Bennett |
| 15. | Process Bills and Claims | Brenda Bennett |
| 16. | Add Spotted Lantern Fly information and application to the website | Cathy Kuehner |

18) Board Member Committee Status Reports

Supervisor Matthew E. Bass

- Board of Septic and Well Appeals
 - Did not meet.
- Library Advisory Council
 - Did not meet.
- Planning Commission
 - Text Amendments TA-21-01 Manufactured Homes.
 - Table the discussion on short-term residential rentals, not because the Planning Commission does not feel that it is an important issue to address but because recently heard from short-term residential renters, so Planning Commission felt it was important to engage those renters to hear their viewpoints and understand everyone’s concerns. Want to make an informed decision before bringing considerations to the Board. At this time do not know when the next action will be taken but, suspect progress and updates over the next few months.
- Sheriff Office
 - Meets next Friday.
- Josephine School Community Museum Board
 - Meets next week.
- Legislative Updates – High Growth Coalition
 - Special session until March 1, 2021.
 - In the paper today, there was the announcement that there was a 730 million budget windfall, at this time no news on how that will help localities.
- Northwestern Regional Juvenile Detention Center Commission
 - Met but still no report on audit yet.

- Waiting for recidivism data which is the tendency of a person who went through or completed drug court but reoffended; that data is needed before the final report is completed.
- Northwest Regional Adult Drug Treatment Court Advisory Committee
 - No update.
- Town of Berryville
 - New parking meters' article was in the newspaper this morning.
 - Engaged with property owners on Josephine Street with respect to the blighted properties. Going to have a discussion with Josephine School Museum personnel next Friday.

Supervisor Terri T. Catlett

- CPMT
 - Met via ZOOM.
 - Jennifer Parker participated as the new member; nice addition since she was a CSA coordinator from 2009-2014.
 - Looked at the bylaws.
 - Strategic Plan in the near future.
- Clarke County Humane Foundation
 - Working on the addition.
 - Working on procedures.
 - Hired some part-time help.
 - Giving money to provide support for Marcella Helinski for training.
- Conservation Easement Authority
 - There is a State level of Conservation Easements, and Alison Teetor is going to communicate some of the pros/cons and concerns on that with the Virginia Outdoors Foundation.
 - Meets again in March.
- Parks & Recreation Advisory Board
 - Has not met yet.
- Clarke County Historic Preservation Commission
 - Jeremy Camp is the new staff representative.
 - Did meet with the consultant to review the boundary of the Battle of Berryville process and how to communicate with the community. Chair Weiss stated that the County has no plans at this time to create an historic overlay district in that area. Chair Weiss confirmed that the only thing Board approved was the grant from the Federal Government to figure out the boundary of the battlefield.
- Town of Millwood
 - No update.
- School Board
 - Discussed budget, requested 5% for teachers.

- Sodexo, the foodservice, will give employees the options to stay with Clarke County or become a Sodexo employee.
- Finished discussion on a plan to reopen the schools after spring break.
- 67.9% of the school employees are vaccinated.

Supervisor Doug M. Lawrence

- Board of Social Services
 - Meets tomorrow.
 - Have a membership training for new board members after the meeting.
 - March 15, have a state agency meeting where the regional director will give an overview of how Clarke County is doing compared to the rest of the State.
- Berryville/Clarke County Joint Committee on Economic Development and Tourism
 - Did not meet.
- Broadband Implementation Committee
 - Rappahannock had to pull out of the FCC auction.
 - Tonight Repower REC will have a zoom meeting.
 - From the FCC Auction in surrounding areas, SpaceX got a third of the money. Clarke was not up for money because of the RDOF Report.
 - One resident in Clarke is signed up for SpaceX.
 - SpaceX is \$500 for the equipment with a 30-day money-back guarantee; then \$100/month for 50-100 GB.
 - The issue with SpaceX may be that once the density is full, the speeds will slow down.
 - Still trying to communicate with providers.
- Northwestern Regional Jail Authority
 - Was not able to get on the Zoom call.
 - There was an article in the newspaper; it stated that there are many sick inmates that might cause the cost to increase.

Vice-Chair Bev B. McKay

- NSVRC
 - Cancelled the meeting
- Joint Building Committee
 - Meets in March.
- Clarke County Sanitary Authority
 - Very successful month.
 - Received CARES Act funding and collecting long-term delinquent money collected.
 - New water meters.

- Did a leak detection which is detecting small leaks which will help with the ratio of water that is processed.
- Plan to map the water meters to make them easier to find.
- Town of Boyce
 - Will talk to the Council about the ordinance process.

Chairman David S. Weiss

- Berryville-Clarke County Joint Committee on Economic Development and Tourism
 - Did not meet.
- Finance Committee for budget
 - Have a meeting tomorrow to discuss revenue.
 - Mr. Staelin will participate in those discussions.
 - Staff is working hard.
 - State Legislator has found 730 million to split over two (2) years will have to wait to see what will happen in localities.
 - Supervisor Catlett, Chris Boies, and I met with the School Finance Committee members and other staff and had a good discussion. Priority for the School Board is the teacher salaries, compensation, and retention; we indicated that we agree with that premise adding that it needs to be fair to County employees as well to keep retention. Expressed to them that taxpayers are having a difficult time so we were not sure where the County stands on the revenue funds at this time.
- Fire & EMS Commission
 - Budget request for new employees.
 - Discussed recruitment and retention and have this in their budget request.
 - Supervisor Lawrence stated that the recruitment committee meets tomorrow.
 - Vice-Chair McKay explained that Warren County tends to move their fire station towards Front Royal. Boyce has bought a short-wheel-based, four-wheel drive pumper that was delivered three (3) weeks ago to prepare to go on the mountain more often.
 - Chair Weiss expressed that the commission did discuss this and Mount Weather may be considering coming back into the County to help which would be greatly appreciated. Director Brian Lichty has had a conversation with the new Chief in Warren County, so both of those things will improve our call times in those tougher places to get to.
 - Board tasked staff to look into if there is an MOU with Mount Weather.
- Industrial Development Authority
 - Did not meet.

Chair Weiss stated that Congresswoman Wexton reached out last week informing that there was a meeting that occurred this morning. Had a good conversation on COVID-19 issues; we conveyed that if there are future funds that we would like to see them with flexible ways to spend the amount; giving the example of broadband that if flexible funds were available, Clarke would be able to spend that appropriately since it is a high need.

Chair Weiss stated that the County lost an icon, Ruth Loughborough; she was a remarkable woman. There was a very nice article in the Winchester Star by Mickey Powell. Commemorate it in the record that she was a good friend to all, dedicated her entire life to the County, and a good neighbor.

19) Closed Session pursuant to §2.2-3711-A1 Specific Employees or appointees of the Board.

At 3:24 pm, Vice-Chair McKay 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:

Matthew E. Bass	-	Aye
Terri T. Catlett		Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

At 4:07 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 Catlett moved to reconvene in open session. The motion carried as follows:

Matthew E. Bass	-	Aye
Terri T. Catlett		Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

Supervisor Bass 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:

- Matthew E. Bass - Aye
- Terri T. Catlett -. Aye
- Doug M. Lawrence - Aye
- Beverly B. McKay - Aye
- David S. Weiss - Aye

20) Adjournment

At 4:08 pm, Chair Weiss adjourned the meeting.

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, March 16, 2021, at 1:00 pm in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: February 16, 2021

David S. Weiss, Chair

Chris Boies, County Administrator

Transcribed by Brianna R. Taylor, Deputy Clerk to the Board of Supervisors