

June 15, 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, June 15, 2021, at 1:00 pm.

Board Members

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

Absent Afternoon Session: None

County Staff Present

Steven Anderson, Chris Boies, Tiffany Kemp, Donald Jackson, Cathy Kuehner, Brian Lichty, Brandon Oliver, David Peach, Shawn Reynolds, Brandon Stidham, Brianna Taylor, Caleb Taylor, Alison Teetor, Wade Wilson

Constitutional / State Offices / Other Agencies

Mayor Jay Arnold, Barbara Bosserman, Trish Putnam, Matt Smith

Press

Mickey Powell – The Winchester Star

Others Present

Bill Johnston, Bill McShea, Becky Peach, Leah Robinson, Bob Stieg, and few other citizens

1) Call to Order

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

2) Adoption of Agenda

- Move the first item in the consent agenda: 2021-10R Resolution of Recognition and Appreciation of David Peach to the first item of the meeting.

Supervisor Lawrence 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

2021-10R: Resolution of Recognition and Appreciation of David Peach.

Clarke County Board of Supervisors



Berryville Voting District
Matthew E. Bass
(540) 955-5175

Millwood Voting District
Terri T. Catlett
(540) 837-2328

Russell Voting District
Doug Lawrence
(540) 955-2144

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

White Post Voting District
Bev B. McKay – Vice Chair
(540) 837-1331

County Administrator
Chris Boles
(540) 955-5175

**Resolution of Recognition and Appreciation of
David Peach
2021-10R**

WHEREAS, David Peach assumed the duties and responsibilities of Firefighter/Paramedic for the Department of Fire, EMS, & Emergency Management on November 22, 1993. After 28 years of service, he will retire July 1, 2021;

WHEREAS, he was one of the first career Fire-Rescue personnel hired by the County and has provided leadership within the system;

WHEREAS, at the beginning of his career, he played an integral role in improving the relationship with Winchester Medical Center and helped enhance the County Advanced Life Support (ALS) Care;

WHEREAS, over the course of his career, he worked with volunteers to improve EMS equipment, supplies, and vehicle rescue equipment;

WHEREAS, he has been an active member of the Virginia Association of Volunteer Rescue Squads (VAVRS) for over 37 years, has been a Technical Rescue Instructor for VAVRS, and has mentored numerous volunteer and career staff during his career;



WHEREAS, in his tenure, he has taught countless classes on vehicle rescue and boat safety in Clarke County and throughout the Commonwealth, and has been a member of Loudoun County Volunteer Rescue Squad for over 40 years, and,

NOW, THEREFORE, BE IT RESOLVED by the Clarke County Board of Supervisors that David Peach be recognized and congratulated for his service and dedication to all citizens of Clarke County.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the Clarke County Board of Supervisors’ members assembled on the 15th day of June 2021.

ATTEST 2021-10R

www.clarkecounty.gov

101 Chalmers Court, Suite B
Berryville, VA 22611

David S. Weiss, Chair

Telephone: [540] 955-5175

Chair Weiss read the resolution and presented David Peach the resolution. Chair Weiss then thanked David Peach for the work he has done in the community and for the service given, added that it is remarkable, especially in the Fire & Rescue profession.

David Peach thanked all of the volunteers and career staff that have helped him over his career. Supervisor Lawrence invited all to the retirement party breakfast at John H. Enders on June 26, 2021.

Chair Weiss expressed that one of the wonderful things about Clarke County, particularly for the Board and the Government, is the long-term employees that we have. Added that it is amazing how people have dedicated their lives to this County, and we are all the better for that.

Supervisor Lawrence moved to adopt the 2021-10R Resolution of Recognition and Appreciation of David Peach 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

3) Citizens Comment Period

Bill Johnston, Berryville: appeared to address the Board on climate change. He put forth the following:

- Asked the Board to issue a resolution in favor of legislation named greenhouse gas emissions.

- There is a group called the citizens' climate lobby, which is a bipartisan, non-profit organization, who is spending a lot of time supporting legislation of various kinds. In particular, carbon fee and dividend type approaches.
- The Clarke County group is a subchapter of the Winchester Chapter of the Citizens' Climate Lobby. The Clarke County Chapter was formed initially to present.
- The active members are Leah Robinson, Bill McShea, Gene Wilson, Candy Means, and myself.

Leah Robinson, Berryville: appeared to address the Board on climate change. She put forth the following:

- Thanked the Board for the opportunity to speak, for reviewing the material, and for considering this request.
- I have heard that members of this Board state that you limit your decisions to issues affecting this County and thus do not see that addressing climate change at a Federal Level would be relevant.
- I challenge the Board's position because while in the Shenandoah Valley, we may not be experiencing severe effects of climate change, other parts of our Country are now, other parts of the World are already, and the Shenandoah Valley will eventually.
- It was thirty-three (33) years ago, on June 23, 1988, in his landmark testimony before the U.S. Senate Energy and Natural Resources Committee that Dr. James Hansen, then the Director of NASA Institute for Space Studies, brought up the concern of what we now call the global warming to the attention of Congress and business leaders. Acknowledging that, "the Greenhouse Effect has been detected and it is changing our climate now."
- Since that time, the vast majority of scientists believe that the climate is changing at a faster rate than expected and that we have less than thirty (30) years to achieve zero (0) carbon emissions to avoid catastrophic consequences; such as rising sea levels, acidification of oceans, food and water shortages, mass migration across borders, and conflicts over dwindling resources.
- The quality of our lives and those of our children and our grandchildren, and future generations will change significantly if we do not take action to mitigate climate change now. While we are not affected, we are part of the community of this Commonwealth, of this Country, and indeed of the World.
- What happens in California, Florida, Louisiana, Central, and South America, Asia, Africa, places that are large food sources for Clarke County will affect all of us.

- So we know that Carbon reduction actions will be costly, which is one (1) reason why so many people; business consumers, business leaders, and members of Congress have avoided taking effective actions, but business leaders in Congress are finally realizing that they must take action now to protect current and future generations and the prosperity and security of this Country.
- The major advantage of the other Energy Innovation and Carbon Dividend Act is that it supports the interest of consumers through the dividend while encouraging alternative energy resources and innovation.
- The action that Congress will be taking will impact citizens of our Country and our County, and that is why it makes sense for Local Governments to be concerned with this Federal legislation as well as local efforts.
- By supporting climate change mitigation legislation, this Board will be acting in the interest of the citizens of this County as recognized by the many people who signed the petition.
- Encourage the Board to endorse our petition and support this legislation.

Bill McShea, Berryville: appeared to address the Board on climate change. He put forth the following:

- I am a Professional Ecologist, have been one for 35 years, and have lived in this area all of that time. First in Warren County, but almost twenty (20) years here in Clarke County.
- Have looked at all of the climate data, it is real; the climate is changing, it is getting hotter, storms are getting more severe, sea levels are rising. It is real.
- The root cause of climate change is people, the actions of people.
- The solutions are out there if people are willing to take them.
- At this time, do not believe we would change many people's minds because people have already decided if it is real or not real, but that is almost beside the point now because finally, Congress is ready to do something. There are multiple bills before Congress right now.
- It does not matter whether you believe in climate change or not. One of those bills will make its way through Congress.
- Some of the bills you have heard about; the Green New Deal or the New Green Deal; this is full of a lot of regulations and restrictions. Expressed that this bill may not be right for this community and do not see many people from the community supporting that bill.
- There are also cap and trades, carbon taxes, and others.

- One proposed bill is a Carbon Fee Dividend that puts the price on producers, so if you are taking carbon out of the ground, you will pay a fee, and all of that fee will go back to people, similar to the COVID-19 dividend check, you would get a carbon dividend check to help you offset any costs. This is probably the best option for Clarke County.
- We can either sit and see what Congress decides, or we can be proactive and say that this is what works for our community. If you are going to do something, do this.
- Right now, Senator Warner, Senator Kaine, and Congresswoman Wexton have not decided which bill they support; they are on the fence about all of them. This is the time to write them and say, "If you are going to do anything, do the fee and dividend. That is the option that works best for Clarke County, works best for this community, and those other options would be less suitable for us."

Bob Stieg, Boyce: appeared to address the Board on climate change management in regards to agriculture in Clarke County with respect to the potential of national legislation. He put forth the following:

- As the manager of a farm has the responsibility for keeping a farm going.
- Farmers in Clarke are potentially going to suffer from climate change, both from direct impacts through changes in the weather and from the impact of the financial systems set up to incentivize farmers to reduce emissions and to improve the carbon capacity of their soils.
- Noted the USDA is already in the business of subsidizing, incentivizing farmers for certain practices, which increase the carbon carrying capacity of the soil.
- In regards to the Fee and Dividend system for management, asks that the Board of Supervisors, in an agriculturally based community, keep farmers in mind as these systems are erected. Pointed out that farmers can benefit from these systems, but it depends on what the system is.

Chair Weiss thanked the citizens who spoke for reaching out, pointed out the Board will take the thoughts and look at them.

4) VDOT

Matt Smith, Assistant Residency Engineer, provided the following update:

Maintenance:

- VDOT continues to mow Secondary Routes, adding stone to gravel roads, pothole patching, storm debris clean up, and dead animal removal.
- VDOT is currently patching and paving various routes, including Route 761 (Old Charles Town Road), Route 606 (River Road), Route 7 West Bound (between Route 612 Shepherds Mill to Business 7), and between Route 653 (Kimble Road) to the County line.
- Completed Surface Treatment Paving schedule on various Routes within the County.
- Completed grinding of sidewalk trip hazards in the Town of Boyce and Berryville and are also working on completing various sidewalk replacements in those Towns.
- In the next month, VDOT will start ditching and shoulder repairs in Route 611 (Summit Point Road), Route 654 (Stringtown Road), and Route 653 (Kimble Road).

Supervisor Bass

- Noted that white stripping on VA Route 7 westbound seems to slow traffic in that area. He wondered whether VDOT has considered using similar white stripping on the mountain both eastbound and westbound to slow traffic. Matt Smith commented that is an area being studied, traffic counts are happening, but he would pass that along.

Supervisor Lawrence

- The crew from Pennsylvania who did the tar and chip on Old Charlestown Road did a great job since their machine could do all in one pass. It was fast. Noted during the first rain, there were no puddles, and with the second rain, there were only a few spots.
- 900 block on Withers LaRue Road has trees that have come down, would like to see that road be brush-axed.
- Matt Smith stated that Crums Church/Kimble is on the schedule. The flashing lights in Boyce are in the works.

Vice-Chair McKay

- Brought up Whiting Ave crosswalk and turning it to a one-way street. Matt Smith stated they need to have items in place before we can add a crosswalk, so it will probably not be done. Also, do not want to have a false sense of security without

proper signage, etc. Vice-Chair McKay will have the Town of Boyce reach out directly.

Chair Weiss

- Inquired into the paving schedule on VA 7. Matt Smith was not sure because each schedule has different contracts but would check on that.
- Reiterated the depression in the shoulder on VA 7 coming out from Wickliffe Road. Matt Smith will follow up on that.
- Shepherds Mill Road has two areas that are sinking and need to be addressed as they are causing vehicles to go around them.

Chris Boies noted the Town has had complaints about the grinding and clean-up with the contractors.

5) Economic Development & Tourism Update

Chris Boies explained to the Board that Director Hart was under the weather and unable to attend. The update sent by Director Hart is as follows:

Goals

1. Convene a group of hospitality owners/operators
 - Group has met once in person. Discussion continues as needed and when appropriate.
 - I have not heard from anyone (good or bad) regarding the new meals tax.
2. Engage stakeholders on the feasibility of a hotel in Berryville (this would include owners/operators in the region)
 - Work in progress – COVID major consideration right now.
 - In another locality, one hotel has decided to hold off on building; in another locality, two are holding off.
 - In talking with other localities, a majority of the hotels are having difficulty hiring front line staff.
 - Locally, the occupancy rate is holding at about 70% right now.
 - Local hotels are competing against the AirBnBs and short term rentals.
3. Continue efforts on small business attraction, retention, and expansion (seminars, promotion, assistance). I have also expanded this to include workforce initiatives and expansion.

- Working regionally regarding the Worlds of Work!, Workforce Initiative, and programs Clarke County schools are currently involved in.
 - We have brought in Virginia Career Works, the Virginia Employment Commission, and other local and state agencies as needed for networking.
 - Wrapped up the latest Economic Gardening program. Have met with participants, and they are very pleased with the results and end product.
 - Note newest Clarke County unemployment numbers. We had an unemployment rate of 3.9% in March – lower than February's rate of 4%, although some of our Main Street businesses are reducing hours because of the lack of employees applying.
4. Engage in a dialogue with property owners of vacant buildings and the developable land to spur economic activity.
 - Ongoing.
 - I update my list weekly of available properties.
 5. Evaluate what is needed to make the Berryville Main Street program viable and successful – report back to Joint Committee on recommendations.
 - Letter received from Berryville Main Street regarding reorganizing.
 - I attended their recently held public meeting, and they have elected nine new board members. They are now working on developing committees.
 6. Formalize website and social media strategies for economic development.
 - Work in progress regarding updates.
 - A new website is in design works – will better enable us to post immediately and provide more pertinent information for those who use it.
 7. Establish relationships, and provide training for realtors in the area.
 - In regular conversations with Blue Ridge Association of Realtors (BRAR) ED Nancy Silva.
 - Made introductions with ED and Clarke County High School officials as a partnership for teaching students.
 - Made BRAR aware of the new Waterloo water/sewer program and the potential at Double Tollgate.
 - Continue meeting one-on-one with realtors to learn of speedbumps/issues/concerns.
 8. Develop and implement an incentive program using the CARES funding
 - Program completed.

- New funds are available through the American Rescue Plan. We are currently trying to understand how these new funds can be used and when.

Other projects:

Economic Development

- Continue having broadband meetings/updates/phone calls. We are looking at opportunities to use the new American Rescue Plan funds.
- On behalf of the Virginia Health Department, we are coordinating with local businesses to schedule on-site vaccines.
 - This is a no-cost program that allows the Health Department to schedule on-site (at the businesses) vaccines for all their employees. This will help to eliminate manufacturing downtime while at the same time vaccinating more people.
- The Commissioner's Office will be visiting each restaurant/store to educate them on the recently passed meals tax program and will be distributing this information.
 - Working with them, I developed handouts for our restaurants regarding available grant monies from the American Rescue Plan program.
- Met with representatives from our local Department of Social Services to make them aware of several local programs and organizations for partnership opportunities.
 - Made them aware of numerous existing programs their clients may be able to take advantage of. Made several introductions to local organizations/businesses for the DSS Director to speak at to update local elected officials (Town of Berryville) and citizens (civic clubs) as to Department of Social Services current reality. We have now set up quarterly meetings for regular updates.
- Have monthly phone calls with representatives of the Virginia Economic Developers Association (VEDA). We continue to update them on the current reality of Clarke County and regionally.
- I have met several times with Ali Farahani, the owner of Oakhurst Cabinetry on Cattleman's Lane.
- I have made several introductions with local businesses and organizations and a couple of State organizations. I am continuing to work with him on needs/opportunities as they arise.
- Continue to utilize Christine Kriz from the Lord Fairfax Small Business Development Center.
- Regionally (Winchester, Frederick County, Clarke County), we had a meeting with Draper Aden regarding the EPA Community-Wide Brownfields Coalition Grant.

- This is a new opportunity grant program Clarke County agreed to participate in. The program will allow us to work with any property owner who is in need of an environmental site assessment in order to sell their property. This is especially pertinent for any older farms that may have used any chemicals or pesticides. This is a no-cost program to the property owner or Clarke County. The program has a total value of \$600,000 with no match required.
- Regionally participating in the Startup Shenandoah Valley program. This program works with businesses to identify and address their risks while scaling up.
- Continue to meet regularly with Christy Dunkle for updates/catch-up.
- I continue to meet regularly with Clarke County's Planning and Zoning Directors for updates/catch-ups.
- Have monthly phone calls with representatives of the Virginia Economic Developers Partnership (VEDP). We continue to update them on the current reality of Clarke County and regionally.
 - VEDP is establishing a new division – Office of Education Economics. I have already made introductions with them and Clarke County High School officials to make them aware of the programs already in place here in Clarke County.
 - Had a conference call with VEDP's representative regarding international sales.
- Work/talk continues on both the Waterloo and the Double Tollgate areas. Clarke County is still awaiting word back from Frederick County regarding our water/sewer request.
- Continue hosting weekly meetings with Frederick County and City of Winchester EDAs. Also part of the group is Christine Kriz with Lord Fairfax Small Business Development Center and Cynthia Snyder with the Top of Virginia Chamber.
- Regionally we are part of the Small Business Resiliency Team program as part of the GOVirginia – 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.

SmartAsset Piece

- Clarke County has been rated 8 out of 10 for 2020.
- Working directly with Industrial Development Authority (IDA) and Economic Development Advisory Committee (EDAC) Committees to develop personalized

contact lists. This would give each of the committee members an opportunity to talk directly with businesses to find out how we can be of greater assistance. We have a questionnaire that is a work in progress to initiate conversation and help us understand how we can be of assistance.

Tourism

- Continue to write blogs for state, regional, and local use.
- Continue conversations with our local farmers/farm markets about needs and opportunities.
- Our partnership in the Shenandoah Valley Spirits Trail continues to show results. Social media and website stats are improving, and we are getting visitors from further away. They are sharing and posting positive comments on our wineries and breweries.
- Expanded blog opportunities listings with the Shenandoah Valley Tourism Partnership (SVTP) and the Shenandoah Valley Travel Association (SVTA).
- Continue to update the Virginia Tourism Corporation (VTC) website regarding Clarke County and our assets/businesses.

Supervisor Bass

- Noted one thing that seemed to be a consistent theme throughout the report was the lack of application to folks willing to work, pointing out on page 10 of 348 in the board packet, wonders if there is more room for more broad-based interaction with the high school students such as job fairs. Making sure we are giving the high school students the opportunity and letting them know local businesses are looking for employees. Chris Boies stated that Dr. Seal spoke to the Economic Development Advisory Committee recently and updated the outreach the School does. Noting it is much more extensive than we may understand. Pointed out they are trying to making more connections in the community. They are much more proactive than in the past. Will talk to Director Hart to see if we can do more job fairs and what the County can do to help facilitate that.

Supervisor Catlett

- Explained that providing information and educating is good. Clarified when talking to students, the applications are online, so a job fair may help educate the students and communicate with the managers. Chris Boies stated that Dr. Seal spoke about a program they have to pair students with community personnel to mentor and do a project and teach students the skills needed for the workplace.

Vice-Chair McKay

- Asked how much effort or cost is involved in allowing businesses to file and pay the meals tax online. Chris Boies stated he would find out.

Chair Weiss thanked Director Hart for the work she is doing and hope she feels better soon.

6) Approval of Minutes

May 18, 2021, Regular Meeting

Supervisor Bass:

- Book 24: Page 936: under Board Member Committee Status Reports, under Supervisor Bass, switch the titles of Northwestern Regional Juvenile Detention Center Commission and Northwest Regional Adult Drug Treatment Court Advisory Committee.

Supervisor Bass moved to approve the May 18, 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

Memorandum of Understanding between Clarke County Department of Social Services and County of Clarke, Virginia

MEMORANDUM OF UNDERSTANDING
Between
Clarke County Department of Social Services
And
County of Clarke, Virginia

PURPOSE:

This Agreement (MOU) provides for the Clarke County Department of Social Services (CCDSS) to occupy office space located at 311 E. Main Street, Berryville, Virginia, 22611, and to provide the County of Clarke, Virginia reimbursement for the office space provided based on the acquisition and/or operating costs of the building. These costs are shown on Schedule A-Local Agency Space Costs Documentation, or as is otherwise discussed below and/or demonstrated in Schedule B.

PERIOD OF AGREEMENT:

This Agreement is effective immediately with retroactive effect relating back to initial occupancy, and is intended to remain in effect until January 31, 2024. At the end of this term, as the building will be fully depreciated, the locality may no longer submit additional office space costs, except for applicable operating costs. The depreciation of building costs and amortization of interest, if applicable, are shown on Schedule B-Building Depreciation/Amortization Schedule.

DESCRIPTION OF PROPERTY:

The Clarke County DSS will occupy 5,819 square feet of the facility located at 311 East Main Street, Berryville, Virginia 22611. Reimbursement of facility costs for depreciation expenses is limited to the monthly/annual amounts per Schedule B dated through January 31, 2024.

GENERAL CONDITIONS:

Reimbursement of facility costs will be provided for space occupied by the Clarke County DSS staff and any contract/volunteer positions that perform Department of Social Services functions. All payments arising hereunder are conditioned upon and subject to the annual appropriation of funding by the Commonwealth of Virginia to Clarke County Department of Social Services.

OPERATING COSTS:

Applicable operating costs will be provided for the facility are allowable based on the actual expense of the service or goods provided and supported by appropriate documentation.

- A. The Clarke County DSS is responsible for paying and will pay for the cost of the following services:
1. Depreciation as mentioned in Schedules A & B
 2. Utilities (based on bills for actual usage for 311 E. Main St., Berryville, VA)
 3. Repair, maintenance, and renovations-including labor, materials, and supplies (based on actual time worked and materials used);
 4. Mowing and landscaping services (based on actual time worked and materials used);
 5. Snow removal (based on actual time worked)
 6. Liability and property insurance (based on percentage calculated for CCDSS building, contents, and CCDSS vehicles)
 7. Cleaning services for 311 E. Main Street (based on actual time worked)
 8. Pest Control services (based on actual expenses incurred for building and services)
 9. Security/Alarm Services (based on actual expenses incurred for building and services)
 10. Other contractual services directly related to the repair and maintenance of the Clarke County Department of Social Services Facility as agreed upon
 11. Other expenses incurred reasonably related to maintenance and repair of the CCDSS facility.

MODIFICATIONS, RENOVATIONS AND FIXTURES:

The Clarke County DSS agrees that no alterations, installations, and/or major renovations shall be done to the space provided without the County's written consent. Such consent will not be unreasonably withheld.

The Clarke County DSS, at its sole cost and expense has the right to install and maintain any fixtures, equipment, facilities, and other improvements to conduct social services business on the premises. Upon termination of this agreement, the Clarke County DSS at its option and expense may remove from the premises all improvements, equipment, appliances or other property owned by it and shall deliver the premises in good order and condition, normal wear and tear excepted.

MODIFICATIONS OR ADMENDMENTS:

Should it become necessary for the County to make capital improvements to the building occupied by the Clarke County Department of Social Services, thus potentially changing its depreciation value, both parties agree to an amendment of this original Memorandum of Understanding new payment terms related to the capital expense associated therewith.

The parties agree that any modification or amendment of this MOU shall be in writing, signed by all parties before such modification or amendment shall have force or effect.

The Parties shall provide each other with notice as may be necessary under the MOU at the following addresses:

Attn: Director of Social Services

Attn: Clarke County Administrator

Clarke County Dept. of Social Services
311 East Main Street
Berryville, VA 22611

101 Chalmers Court
Berryville, VA 22611

IN WITNESS WHEREOF, the parties have caused this Agreement/MOU to be duly executed intending to be bound thereby,

Clarke County

BY: Chris Boies, Clarke County Administrator

Date

COMMONWEALTH OF VIRGINIA CITY/COUNTY OF CLARKE to wit:

The foregoing Agreement/MOU was acknowledged before me by _____

On the ___ day of _____, 2021, in the jurisdiction aforesaid.

My Commission expires _____, 20__

Notary Public

Clarke County Department of Social Services

BY: Jennifer Parker, Director, Clarke CO. Dept.
Of Social Services

Date

COMMONWEALTH OF VIRGINIA CITY/COUNTY OF CLARKE, to wit:

The foregoing Agreement/MOU was acknowledged before me by _____

On the ___ day of _____, 2021, in the jurisdiction aforesaid.

My Commission expires _____, 20__

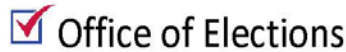
Notary Public

Waiver to Administer Existing Split Precincts

Berryville-Clarke County
Government Center
2nd Floor
101 Chalmers Ct.
Berryville, Virginia



P.O. Box 555
Berryville, VA 22611
540-955-5168
vote@clarkecounty.gov



MEMORANDUM

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

FROM: Clarke County Electoral Board
Barbara Bosserman, Director of Elections

DATE: May 19, 2021

RE: Waiver to Administer Existing Split Precincts

This memo is to request the Clarke County Board of Supervisors apply to the State Board of Elections for a waiver to administer split precincts in the November 2, 2021, General Election pursuant to § 24.2-307 of the Code of Virginia.

Legislation

At the 2020 session of the General Assembly, legislation was passed requiring the elimination of split precincts for elections held in November, 2021, and all subsequent elections. A split precinct is one that overlaps election districts such that voters who live in the same precinct vote in different election districts; thereby requiring multiple ballot styles to serve all voters within the precinct.

24.2-307: Each precinct shall be wholly contained within a single congressional district, Senate district, House of Delegates district, and election district used for the election of one or more members of the governing body or school board for the county or city. In each year ending in one, the governing body of each county and city shall establish the precinct boundaries to be consistent with any congressional district, Senate district, House of Delegates district, and local election district that was adopted by the appropriate authority by June 15 of that year. If congressional districts, Senate districts, House of Delegates districts, or local election districts have not been adopted by the appropriate authority by June 15 of a year ending in one, the governing body may use the congressional districts, Senate districts, House of Delegates districts, or local election districts as such districts existed on June 15 of that year as the basis for establishing the precinct boundaries to be used for the elections to be held in November of that year. Such governing body shall establish precinct boundaries to be consistent with any subsequent changes to the congressional districts, Senate districts, House of Delegates districts, or local election districts. If a governing body is unable to establish a precinct with the minimum number of registered voters without splitting the precinct between two or more congressional districts, Senate districts, House of Delegates districts, or local election districts, it shall apply to the State Board for a

Barbara Bosserman, Director of Elections/General Registrar
Donald E. De Haven, Chairman ⚔ H. Randy Sprouse, Vice Chairman ⚔ Carol S. Westervelt, Secretary

waiver to administer a split precinct. The State Board may grant the waiver or direct the governing body to establish a precinct with fewer than the minimum number of registered voters as permitted by § 24.2-309. A governing body granted a waiver to administer a split precinct or directed to establish a precinct with fewer than the minimum number of registered voters may use such a precinct for any election held that year.

White Post Precinct / Town of Boyce

In 2012, the General Assembly approved a Charter change to move the Town of Boyce elections from May of even years to November of odd years beginning in 2013. Moving the Town of Boyce elections to the November general election date resulted in a split in the White Post precinct, requiring multiple ballot styles to serve all voters within the precinct.

House of Delegates

As the result of the 2010 Census and 2011 redistricting, the boundary line for the 10th and 33rd House of Delegates districts caused a split in our Millwood voting precinct, requiring multiple ballot styles to serve all voters within the precinct. House of Delegate seats for the 10th and 33rd districts will be on Clarke County's November, 2021, ballot.

Waiver

Given that the redistricting activities are postponed due to the delay in receiving Census data, boundary lines to relieve the split precincts cannot be established before the 60 day precinct change prohibition pursuant to § 24.2-306. Therefore, the state will grant waivers for curing the split precincts, as required under § 24.2-307.

Under the provisions of § 24.2-307, a waiver must be requested by the Board of Supervisors to administer the November, 2021 election in the following split precincts:

<u>Precinct</u>	<u>Boundary Split</u>	<u># of Voters Affected</u>
301 - Millwood	House of Delegates District 10	1,425
	House of Delegates District 33	386
401 - White Post	County	1,753
	Town of Boyce	544

Approval

Once approved by the Board of Supervisors, the Director of Elections may then complete the waiver application and attach the Board's meeting minutes or resolution. A locality may only administer a split precinct for elections held in the year the waiver is granted.

*Barbara Bosserman, Director of Elections/General Registrar
Donald E. De Haven, Chairman ⚔ H. Randy Sprouse, Vice Chairman ⚔ Carol S. Westervelt, Secretary*

2021-11R: Resolution to End the Declared Local Emergency

Clarke County Board of Supervisors



Berryville Voting District
Matthew E. Bass
(540) 955-5175

Millwood Voting District
Terri T. Catlett
(540) 837-2328

Russell Voting District
Doug Lawrence
(540) 955-2144

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

White Post Voting District
Bev B. McKay – Vice Chair
(540) 837-1331

County Administrator
Chris Boies
(540) 955-5175

**Resolution to End the Declared Local Emergency
2021-11R**

WHEREAS, on March 17, 2020, the Clarke County Board of Supervisors approved a Declaration of a Local Emergency for the Coronavirus 2019 (COVID19), pursuant to Virginia Code Section §44-146.21;

WHEREAS, the Clarke County Board of Supervisors acknowledge that the virus levels continue to fall in the Commonwealth of Virginia, and more than half of Virginia adults are fully vaccinated;

WHEREAS, Governor Northam signed Executive Order 79 loosening the mask requirements and has indicated he intends to let the current Virginia State of Emergency Order expire on June 30, 2021, and,

NOW, THEREFORE, BE IT RESOLVED pursuant to Virginia Code Section §44-146.21(A), the Clarke County Board of Supervisors authorizes to end the declared local emergency and to terminate the emergency powers granted to the Director of Emergency Services, this resolution shall be effective June 30, 2021.

Given under my hand, this 15th day of June 2021.

ATTEST 2021-11R

David S. Weiss, Chair Board of Supervisors
Emergency Services Director

Chris Boies, County Administrator
Emergency Services Coordinator

Supervisor Catlett moved to adopt the Consent Agenda items: Memorandum of Understanding between Clarke County Department of Social Services and County of Clarke, Virginia; Waiver to Administer Existing Split Precincts; and 2021-11R: Resolution to End the Declared Local Emergency 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) Board of Supervisors Personnel Committee Items

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

2021-06-07 Summary: Following review, the Personnel Committee recommends the following:

- Appoint Reid Dodson to the Economic Development Advisory Committee to fill the unexpired term of Lori Mackintosh expiring on December 31, 2021.
- Reappoint James Smith to the Board of Social Services for a term expiring July 15, 2025.

2021-06-15 Action: Chris Boies reviewed the Personnel Committee recommendations, adding the following:

- Recommend to the Circuit Court for the appointment of Philp Shenk to the Alternate position on the Board of Zoning Appeals, filling the position previously held by Clay Brumback, expiring February 15, 2024.

Vice-Chair McKay moved to accept the appointments and recommendations. 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. Draft Collective Bargaining Resolution

2021-06-07 Summary: The Personnel Committee recommends the adoption of the resolution as presented.

2021-06-15 Action: Chris Boies reviewed the Personnel Committee recommendation.

Chair Weiss stated the committee wants to treat its employees appropriately and want to work with them, but believes collective bargaining comes down to arbitration which takes power away from the committee, the employee, and the citizens to have any input.

Clarke County Board of Supervisors



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Buckmarsh Voting District
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(540) 955-2151

White Post Voting District
Bev B. McKay – Vice Chair
(540) 837-1331

County Administrator
Chris Boies
(540) 955-5175

Collective Bargaining Resolution 2021-09R

WHEREAS, effective May 1, 2021, the Code of Virginia §40.1-57.2 allows certain local government employees to pursue collective bargaining agreements with the County; and

WHEREAS, the Code of Virginia §40.1-57.2 provides the local governing body the authority to determine whether to allow exclusive bargaining agents and the use of collective bargaining agreements; and

WHEREAS, the County has a long history of working with its employees on issues such as working conditions, pay, benefits, and other matters; and

WHEREAS, the Board of Supervisors wishes to maintain its ability to work directly with employees on these issues.

NOW, THEREFORE, BE IT RESOLVED the County Administrator and employees of the County of Clarke are prohibited from engaging in collective bargaining or recognizing any individual, employee organization, labor organization, association, or other entity as the exclusive employee representative or bargaining agent of any County employees with respect to any matter relating to employment or service with the County.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the Clarke County Board of Supervisors' members assembled on the 15th day of June 2021.

ATTEST 2021-09R

David S. Weiss, Chair

www.clarkecounty.gov

101 Chalmers Court, Suite B
Berryville, VA 22611

Telephone: [540] 955-5175

Supervisor Lawrence moved to adopt the Collective Bargaining Resolution as presented above. 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

9) 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

June 7, 2021, 10:00 am, Meeting Room AB

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

Board Members Absent: None

Officers / Staff Present: Brenda Bennett, Chris Boies, Cathy Kuehner, Sheriff
Anthony 'Tony' Roper

Others Present: None

Press Present: Mickey Powell – The Winchester Star

2021-06-07 Summary: At 10:00 am, Chair Weiss called the meeting to order.

A. Coronavirus State and Local Fiscal Recovery Funds Discussion

Staff walked the Board members through documents provided by the U.S. Department of Treasury and the National Association of Counties (NACO) on the regulations for the \$2,839,569 available to the County through the Coronavirus State and Local Fiscal Recovery Funds. The seven major categories of eligible expenses, as categorized by NACO, were each discussed. A request received the previous week from Blue Ridge Legal Services was also discussed.

After discussion on each category and input from Board members, staff recommended a preliminary allocation of \$150,000 to Support Public Health Response, \$100,000 to Address Negative Economic Impacts, \$89,569 to Replace

Public Sector Revenue Loss with these funds being used for cybersecurity, and the remaining \$2.5 million for water and broadband infrastructure projects. Both staff and Board members noted a certain amount of uncertainty exists with the actual rules and the needs of the community so flexibility was pointed out as being necessary as things become clearer in the near future.

On a motion by Supervisor Lawrence, the Board unanimously instructed staff to complete the necessary steps to accept the federal funds.

On a motion by Supervisor Bass, the Board unanimously authorized a public hearing for July 20, 2021, at 6:30 p.m. to amend the approved FY 22 budget to include the receipt and expenditure of the \$2,839,569 of Coronavirus State and Local Fiscal Recovery Funds.

The meeting was adjourned at 11:08 a.m.

2021-06-15 Action: The Board held a Work Session on June 7, 2021, and authorized a public hearing to amend the FY22 budget. Chris Boies asked to add two other matters: amend the budget to accept Federal relief funds for the Schools in the amount of \$1,270,045 and the Smithfield Easement Project. Unfortunately, that project will not close by the end of the FY21 Fiscal year on June 30, 2020. Therefore, the funds will need to be carried forward to the FY22 Fiscal Year. Noting these are not new funds, just funds that were not able to be spent in FY21. Specified there had been a number of issues with that easement, including the survey revealing new acreage; new acreage changes the appraisal; a new appraisal changes the cost-share for the agencies involved, etc.

By Consensus, the Board agreed to add the two items detailed to the Public Hearing.

Chair Weiss specified his feeling that it was a great work session. Staff presented a very complicated issue. Thanked Supervisor Lawrence for all of the work on Broadband, also thanked Supervisor Catlett for all of the work at the animal shelter.

10) Board of Supervisors Finance Committee Items

- A. Discussion of a Request from John H. Enders Fire Company to reallocate \$2,000 approved FY21 budget for a washer and dryer to now be used for kitchen repairs

2021-06-07 Summary: Following review, the Finance Committee approved this request.

2021-06-15 Action: Chris Boies reviewed the request and explained that the Finance Committee approved the reallocation.

B. Bills and Claims

2021-06-07 Summary: Following review, the Finance Committee recommends the approval of the May 2021 Invoice History Report.

2021-06-15 Action:

Supervisor Catlett moved to approve the May 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

Supervisor Lawrence mentioned a possible error on page 302. The FICA entered for Director Hart is showing a 6,064%; believes this may have been entered in wrong. Chris Boies stated that the cause of this was because of a shift from a contract employee to a full-time the budget line item may not have been changed, noting FICA was not paid before as a contract employee. That particular line item may not have been budgeted in the way it should have been. That amount for the year is probably, pretty close to being accurate. Stated he would confirm with Brenda Bennett but believes this was corrected in the FY 22 budget.

C. Standing Reports

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

2021-06-15 Action: Information Only

11) Joint Administrative Services Board

Chris Boies highlights include:

- Minutes are in the packet.
- Board did approve the contract for the Innovative Insurance Group as the health insurance consultant. This was approved for a one-year term with the option to add additional one-year terms to that. To keep continuity with the sign-up process for the employees, felt it was best to stay with Innovative.

12) Government Projects Update

Chris Boies provided the monthly project update:

- The latest COVID vaccine and positive case numbers show Clarke is faring better than others in our Health District.
- We have the highest vaccination numbers as a percentage of our population: 52.4% of our population has had one dose and 45% are fully vaccinated-keep in mind a portion of the population, those under 12, aren't eligible for the shot. These numbers do not include those receiving a shot from the federal government-like at a VA facility. For fully vaccinated, as a reminder our number was 45%, Frederick was 37%, Winchester 39%, Shenandoah 37%, Page 32%, and Warren 32%.
- As far as cumulative case numbers from the beginning of the pandemic, 6.8% of our population has tested positive, Frederick 9.1%, Winchester 10.4%, Shenandoah 9.9%, Page 8.8%, and Warren 7.7%. All of these numbers were as of yesterday and were found on the state dashboard.
- Our citizens deserve a lot of credit for following CDC protocols and keeping each other safe during the pandemic. We saw citizens step up and drive the elderly to get their shots or bring them food so they wouldn't have to be out. As they normally do, the people of Clarke stepped up to the plate when they were needed.
- Director Lichty and the Fire/Rescue volunteers and career staff also deserve our thanks as they have been on the front line of this thing since March of last year.
- The Courthouse Green RFP is due today at 3:00. Alison Teetor, Supervisor Lawrence, and myself will serve as the selection committee. We will rank the proposals, conduct interviews, and recommend to the Board a firm, possibly for the July meeting.
- I think I have previously mentioned but we will need to work in the coming months with the Frederick-Winchester Service Authority on the agreement that allows

septic haulers pumping out systems in Clarke to dump at the Route 7 facility. That agreement expires at the end of this year.

- Supervisor Lawrence, Felicia Hart, and I have another meeting with Shentel tomorrow, we will discuss information we received last week during a briefing from the Governor's office on the American Rescue Funds and also discuss VATI options. We appreciate Supervisor Lawrence coming in for what has been almost weekly meetings lately on this topic.
- The agreement between the School System and Northwestern Community Services for the old school board office space seems to be moving along, this would be a clinic site for Northwestern.
- If you would like to attend the VACO annual conference in the fall, please let Brianna Taylor know.

Supervisor Catlett

- Thanked all involved for the continued work on the broadband issues throughout the County.

13) Miscellaneous Items

Reconstitution of the Litter Committee Discussion:

Chair Weiss stated that a constituent called from the Russell District about the amount of trash on the roadways. Wanted the Board's thoughts on revitalizing the Litter Committee?

Vice-Chair McKay

- Believes if there is someone that wants to head the project, it should move forward.
- Felt it improved the situation when the Litter Committee was last in place

Supervisor Bass

- Stated that there are two (2) bills that will become law on July 1, both having to do with litter.
- HB1778, paraphrased, allows localities to enact civil penalties for failure to remove clutter and recoup expenses.
- The current litter law will up the fine from \$250 to \$500.

Supervisor Lawrence

- Asked if the littering fines went to the literary fund. Supervisor Bass, as he understood the law, clarified that one goes to the locality for recouping its expense and the other being a quasi-criminal penalty of disposing of litter by upping the fine. Where that fine money goes, he was unsure.
- Asked if there were records of rewards given out by the last committee. Chair Weiss was unsure if those records were available.

Chair Weiss will work on reconstituting that committee, asking Supervisors to think of constituents in their districts who may want to serve. Chris Boies suggested having staff, possibly Alison Teetor, work on a charge for the group. Staff will discuss what we want them to focus on and do. Develop a document that will help those on the committee have a clear direction.

Vice-Chair McKay noted that the roads headed towards the landfill are horrible due to those not securing their loads.

Supervisor Lawrence asked for a history of the Committee in other localities. Also, noting all loads are supposed to be secured, and suggested having the Sheriff's office ticket those who do not abide by that law.

Chris Boies asked the Supervisors to email thoughts to him or Alison Teetor so they can be sure to incorporate them in the documentation.

14) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Process approved minutes for May 18, 2021, Regular Meeting Minutes.	Brianna R. Taylor
2.	Execute 2021-10R Resolution of Recognition & Appreciation of David Peach	David S. Weiss
3.	Process 2021-10R: Resolution of Recognition and Appreciation of David Peach	Brianna R. Taylor
4.	Execute Memorandum of Understanding between Clarke County Department of Social Services and County of Clarke, Virginia	Chris Boies

- | | | |
|-----|------------------------------------------------------------------------------------------------------------------------|------------------------------|
| 5. | Process Memorandum of Understanding between Clarke County Department of Social Services and County of Clarke, Virginia | Brianna R. Taylor |
| 6. | Process Waiver to Administer Existing Split Precincts | Barbara Bosserman |
| 7. | Execute 2021-11R Resolution to End the Declared Local Emergency | David S. Weiss & Chris Boies |
| 8. | Process 2021-11R Resolution to End the Declared Local Emergency | Brianna R. Taylor |
| 9. | Execute Notice of Appointments | David S. Weiss |
| 10. | Process appointments and update the Database | Brianna R. Taylor |
| 11. | Execute 2021-09R Collective Bargaining Resolution | David Weiss |
| 12. | Process 2021-09R Collective Bargaining Resolution | Brianna R. Taylor |
| 13. | Amend Public Hearing Notice PH2021-09 Budget Amendments to the Approved FY22 Budget | Chris Boies |
| 14. | Advertise Public Hearing Notice: PH2021-09 Budget Amendments to the Approved FY22 Budget | Brianna R. Taylor |
| 15. | Reallocate FY21 funds for John H. Enders from washer and dryer to now be used for kitchen repairs | Brenda Bennett |
| 16. | Process Bills & Claims | Brenda Bennett |
| 17. | Draft document for the Litter Committee | Chris Boies & Alison Teetor |

15) Board Member Committee Status Reports

Supervisor Matthew E. Bass

Thanked the citizens who appeared before the Board and spoke during the Citizens Comment period. Advised that his mother Leah Robinson and step-father Bill McShea both spoke and he would recuse himself from any possible decisions made on those topics to avoid any sort of conflict.

- Board of Septic and Well Appeals
 - No meetings.

- Library Advisory Council
 - Did storytime with the kids at the Farmer's Market, so will continue to promote that activity.
- Planning Commission
 - One speaker on Public Hearing on Ordinance Update, second Public Hearing at the next regular meeting.
- Sheriff Office
 - Three (3) new deputies were hired, and will be hiring another in the next two to three days.
- Josephine School Community Museum Board
 - Nothing to report.
- Legislative Updates – High Growth Coalition
 - Many new changes are going into effect on July 1.
 - HB1770 Removal Clutter provides the locality, by ordinance, to require the removal of clutter from the property, except on land zoned for or in an active farming operation, or may, whenever the governing body deems it necessary after reasonable notice, have such clutter removed by its own agents or employees in which the costs or expenses shall be chargeable to the owners of such property and may be collected by the locality as taxes are collected.
 - Very lengthy tax credit for Agricultural Best Management practices
 - Local government will be permitted to reduce the speed limit to less than 25 mph but not less than 15 in a business or residential district.
 - Legalization of recreational marijuana, up to 1 oz.
 - Body Worn Camera System fund to assist State or Local law enforcement agencies with the cost of purchasing or maintaining body-worn camera systems. That bill has an expiration date of 07/01/2023.
 - General District Courts are increasing their jurisdictional limit from \$25,000 to \$50,000. Personally, would expect to see an increase in litigation but is not sure what the impact will be.
- Northwestern Regional Juvenile Detention Center Commission
 - Nothing to report.
- Northwest Regional Adult Drug Treatment Court Advisory Committee
 - Nothing to report.
- Town of Berryville
 - Real Estate increase.
 - Adoption of the \$8.62m budget.
 - Councilmember plans to attend Board of Supervisors meetings each month.

Vice-Chair Mckay

- Berryville-Clarke County Joint Building Committee

- Did not meet.
- Supervisor Lawrence asked that Vice-Chair McKay ask the Committee why there are so many Do Not Enter signs painting in front of the building.
- Northern Shenandoah Valley Regional Commission
 - Did not meet.
- Clarke County Sanitary Authority
 - Increasing rates by 3% beginning July 2022 to keep the system together.
 - The discharge is doing well.
 - Looking for leaks and getting those fixed.

Supervisor Terri T. Catlett

- CPMT
 - Meet next week.
 - Trying to connect better with the community.
- Clarke County Humane Foundation
 - Met this morning via ZOOM.
 - Discussed the addition, noting Schockey construction is almost complete but still have things to do inside. Opening pushed back to the Fall.
 - Hoping for a rabies clinic in October or November.
 - Marcella Helinski is working to get more volunteer.
 - Working on fostering kittens.
- Conservation Easement Authority
 - Talked about continuing to work on Smithfield.
 - Donor reception tentatively planned for October.
 - Might have a reception at Long Branch on another thing.
- Parks & Recreation Advisory Board
 - Has not met.
- Clarke County Historic Preservation Commission
 - Working on draft code that will go to the Planning Commission before it comes to the Board of Supervisors.
 - Awards Presented:
 - White Post Village Association received a Certificate of Merit for the gas station
 - Frank & Louanne Carry received a Certificate of Merit for the rehab of 8 East Main Street, Boyce, VA
 - Patricia Corbat received a Certificate of Merit for the rehab of 41 Lanham Lane, Berryville, VA
 - Old Waterloo, LLC received a Certificate of Merit for the rehab of 27 Old Waterloo, Boyce, VA
 - Talked about signage for historic districts.
- Career and Technical Education

- Did not meet.
- School Board
 - Had Director of Shenandoah Valley Museum present. Hosted Interactive field trips to Pre-K – 5th-grade students, well-received.
 - Natalie Dobree received the Outstanding Leadership Award from Lord Fairfax Community College for her work connecting students with educational opportunities.
 - Graduation was held in person.
 - The School is working hard to get vaccine areas for the students.
- Village of Millwood
 - Picnic June 26, 2021.

Supervisor Doug M. Lawrence

- Board of Social Services
 - Meets tomorrow.
- Berryville/Clarke County Joint Committee on Economic Development and Tourism
 - The meeting was cancelled.
- Broadband Implementation Committee
 - Thanked Chris Boies for all of his work.
 - After the Work Session, set up a meeting with Albermeral County to discuss Broadband efforts.
- Northwestern Regional Jail Authority
 - When you get sentenced, you go to jail for a short sentence, but a longer sentence means the inmate goes to the State.
 - During COVID-19, the State was not accepting prisoners, so inmates had to stay at the Regional Jail.
- Lord Fairfax Community College
 - The name will be changed. Believes the new name is Laurel Ridge.

Chairman David S. Weiss

- Berryville-Clarke County Joint Committee on Economic Development and Tourism
 - Did not meet.
- Fire & EMS Commission
 - Gone to quarterly.
- Industrial Development Authority
 - Did not meet.
- Berryville Area Development Authority
 - Memo and information included in the Packet asked the Board to please take a look at page 337.

- o Drafted a Resolution stating going forward it would follow State Law.

Chair Weiss reiterated the comments from Chris Boies on COVID-19 for all of the citizens, thanking them for all they did to take care of each other.

Supervisor Lawrence asked for the Berryville Area Development Authority Five-Year Review to be discussed at the next Berryville-Clarke County Joint Committee on Economic Development and Tourism meeting.

Chris Boies requested the addition of §2.2-3711-A7 Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provisions of legal advise by such counsel to Item 16.

- 16) Closed Session Pursuant to §2.2-3711-A1 Specific Employees or appointees of the Board and §2.2-3711-A7 Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provisions of legal advise by such cqouncil.

At 2:30 pm, Supervisor Bass moved to enter closed session pursuant to §2.2-3711-A1 Specific Employees or appointees of the Board and §2.2-3711-A7 Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provisions of legal advise by such counsel. 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 3:52 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, Vice-Chair McKay 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

No action was taken following the closed session.

17) Adjournment

At 3:53 pm, Chair Weiss adjourned the meeting.

18) Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, July 20, 2021, at 1:00 pm in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: June 15, 2021

David S. Weiss, Chair

Chris Boies, County Administrator

Transcribed by Brianna R. Taylor and Tiffany R. Kemp