

July 20, 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, 2<sup>nd</sup> Floor, Berryville, Virginia, conducted on Tuesday, July 20, 2021, at 1:00 pm.

#### Board Members

Present Afternoon & Evening 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

Matthew E. Bass – Berryville District participated via phone because of a personal reason of a family trip to the beach.

Absent Afternoon & Evening Session: None

#### County Staff Present

Brenda Bennett, Chris Boies, Cathy Kuehner, Brian Lichty, Jamie Royston, Doug Shaffer, Brandon Stidham, Brianna Taylor, and Alison Teetor

#### Constitutional / State Offices / Other Agencies

Mayor Jay Arnold, Barbara Bosserman, Ed Carter, Pam Hess, Councilwoman Donna McDonald, Patricia Putnam, Councilwoman Kara Rodriguez, Sheriff Anthony 'Tony' Roper, Janine Rose, April Wilkerson, Bob Wilkerson

#### Press

Mickey Powell – The Winchester Star

#### Others Present

Mary Ivie, Andre Kidrick, Carol Marshall, Rachel Thompson, Kayla Sprincis, David & Pamela Sprincis, Michelle Worthing, Jonathan Cousins, Allison Sipe, Sidney Shinabery, Kinsley Myers, Avery Shinabery, and a few of the soccer team family members.

#### 1) Call to Order

Chair Weiss called the afternoon session to order at 12:59 pm.

By Consensus, the Board agreed to allow Supervisor Bass to participate electronically in all aspects, including voting.

Chair Weiss stated that the Board had sad news, Lieutenant Benjamin Barb passed away over the weekend; after a long battle with cancer. Our thoughts and prayers go to his family. He will be missed; this is very sad news to lose a member of our County family.

## 2) Adoption of Agenda

- Add Closed Session pursuant to §2.2-3711-A5 Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.
- Remove Item 7 Virginia Cooperative Extension Update.

**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

## 3) Citizens Comment Period

Mary Ivie, Berryville: appeared to address the Board on Access Independence & the consideration of purchasing live-streaming equipment. She put forth the following:

- I have been in touch with Charles Harbaugh, Executive Director, Access independence Inc.
- Mr. Harbaugh wanted me to make the Board aware of Access Independence, Inc., which is an organization that helps members of Berryville and Clarke County to get medical devices that they may not be able to afford.
- Recently, they have helped Viola Brown get her hearing aids.
- Wanted the Board to be aware that Clarke County has this service.
- She provided the following handout:



**About Us** (<https://www.accessindependence.org/about-us/>)

Voice: (540) 662-4452  
Videophone: (540) 931-9124  
CapTel: (540) 722-4834  
TTY: (540) 409-4028

### About Us

- Home (<https://www.accessindependence.org/>)
- Services (<https://www.accessindependence.org/services/>)
- Success Stories (<https://www.accessindependence.org/success-stories/>)
- News & Events (<https://www.accessindependence.org/news-events/>)
- Resources (<https://www.accessindependence.org/resources/>)
- Request Service (<https://www.accessindependence.org/request-service/>)



### Our History

In 1985, Access Independence (AI) was formed as one of seventeen Centers for Independent Living (CILs) in Virginia. AI began providing independent living skills training, peer mentoring, information and referral, and advocacy services to the counties of Clarke, Frederick, Read more about our history...

Learn more about our services

**Services**

(<https://www.accessindependence.org/services/>)

### Our Mission

Our mission is to promote independent living by providing services and resources that enhance the quality of life for people with disabilities living in Virginia's Northern Shenandoah Valley.

### Our Vision

We have the vision of a barrier-free community for all individuals to achieve their greatest potential.

### Join our community!

Make a difference and help us promote independent living.

**Facebook**

(<http://www.facebook.com/AccessIndependence-Inc/193121722897>)

### Our Value

- We live our values;
- We are people with disabilities empowering people with disabilities;
- We believe in being ethical and having integrity;
- We believe in treating people with respect and dignity;
- We believe in the principles of equal rights, access, and opportunities for all.

### Staff

- Charles H. Harbaugh IV**  
Executive Director
- Diane Burnes**  
Executive Administrative Assistant
- Donna Day**  
Deaf & Hard of Hearing Specialist
- Karen Harris**  
Assistant Executive Director/Accounting Manager  
Support Services Specialist
- Danyell Payne**  
Information & Referral Specialist
- John DeHaven**  
Information Technology Specialist
- Rob Alkire**  
Research Assistant/Social Media
- Dawnelle Fairall**  
Independent Living Specialist/Service Facilitator
- Stephanie Pine**  
Independent Living Specialist/Service facilitator
- Kellie Primus**  
Independent Living Specialist/Service facilitator
- Dana Jenkins**  
Independent Living Specialist

### Board of Directors

- President**  
Louise Garrett
- Vice President**  
Trish Dick
- Treasurer**  
Lisa Boone
- Acting Secretary**  
Anne Brewster
- Faye Dutton**
- Nancy Anderson**
- Lynn Wiley**
- David Booth**
- Director Emeritus**  
Timothy Knight

Mary Ivie added the following:

- I will bring this up at every meeting, why can't the County have live-stream, there are many people who are at work during this meeting time, and live-streaming could give them the opportunity to watch the meeting on their lunch hour and hear what is going on. I know the locality is getting more COVID money, so I will keep bringing this matter to the Board.

Michelle Worthing, Berryville: appeared to address the Board on possible future action regarding the unionization of schools with respect to collective bargaining. She put forth the following:

- As I am sure the Board is aware, a new state law was just passed that allows school districts to engage in collective bargaining.
- This requires a County Board of Supervisors supervising that district to give permission to be approached.
- There are five (5) or six (6) statewide collective bargaining organizations that represent teachers that are interested in reaching out around the State.
- I believe the Board should start discussing this and come to what position you may be planning to take, probably with input from the School Board.

#### 4) Employee of the Quarter 2021 Second Quarter Award

Chair Weiss read the following:

"Jamie is an extremely hard worker who regularly goes above and beyond to work with our building community. Jamie worked tirelessly on the recently completed Robert Reagan construction project in Berryville while keeping all of the smaller projects in Clarke County on track with plans, reviews, and inspections. Contractors describe Jamie as very helpful and fair in his decisions; if he turns down a set of plans or inspection, he is always very clear about why. On the recently renovated Sheetz store in Waterloo, Jamie conducted inspections on Saturdays to help keep the project on time. Jamie is very knowledgeable about building construction, and our County is indeed in a safer place with him as our Building Official. Appreciate Jamie on many levels but in particular the job he does to keep the building moving in Clarke County and more importantly to keep it safe for all of those involved."

Chair Weiss then presented the Employee of the Quarter 2021 Second Quarter Award to Jamie Royston, Building Official.

Jamie Royston thanked the Board of Supervisors and introduced Doug Shaffer, the new Inspector in the Building Department who began in July.

5) Consent Agenda

2021-12R: Resolution of Recognition and Appreciation of Bob Wilkerson

**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 of Recognition and Appreciation of  
Robert Wilkerson  
2021-12R**

**WHEREAS**, Robert Wilkerson assumed the duties and responsibilities at the Clarke County Sheriff's Office Communications Center on July 9, 2001, and will retire August 1, 2021;

**WHEREAS**, before joining the Clarke County Sheriff's Office Communications Center, Robert served in the United States Air Force from March 1963 – May 1967, started working for the National Security Agency in September 1968, and retired on October 31, 2000. Notably, Robert Wilkerson was the first president of the Fire and Rescue Association for Clarke County in 1979/1980. He was with the Tuxedo Chaverly Volunteer Fire Department from 1961-1967, Blue Ridge Volunteer Fire Department from 1978-1989, and John H. Enders Volunteer Fire Department from 1989-1991;



**WHEREAS**, he was promoted to Assistant ECC Director on November 1, 2017, and continued to serve in that role until his retirement. Over the course of his career, he was a valuable mentor to new employees to help them better themselves; provided essential information to callers, including an incident when he talked a mother through the Heimlich on her infant child who was choking;

**WHEREAS**, in his tenure, he served as the Terminal Agency Coordinator working with the Virginia State Police dealing with all matters concerning the Clarke County Sheriff's Office Communications Center related to the Virginia Computer Information Network and the National Criminal Information Network;

**WHEREAS**, he received several certifications related to Public Safety Communications, Supervision, and Leadership during his career. His most recent certificate being Center Manager Certification Program through the National Emergency Number Association. In 2017 he was recognized for his Exceptional Law Enforcement Service by the Horse Shoe Curve Benevolent Association along with an accommodation by the Virginia House of Delegates, and recorded in the United States Congressional Record;

**NOW, THEREFORE, BE IT RESOLVED** by the Clarke County Board of Supervisors that Robert Wilkerson 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 20<sup>th</sup> day of July 2021.

ATTEST 2021-12R

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

[www.clarkecounty.gov](http://www.clarkecounty.gov)

101 Chalmers Court, Suite B  
Berryville, VA 22611

Telephone: [540] 955-5175

2021-13R: Resolution of Recognition of Clarke County Girls Swimming State Champion Kayla Sprincis

**Clarke County Board of Supervisors**



Berryville Voting District  
Matthew E. Bass  
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County Administrator  
Chris Boies  
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**Resolution of Recognition of Clarke County Girls Swimming State Champion  
Kayla Sprincis  
2021-13R**

**WHEREAS**, Clarke County Junior Kayla Sprincis defended her title in the Girls 500-Yard Freestyle at the Class 1 and 2 State Championship on February 18, 2021 in Christiansburg, Virginia;

**WHEREAS**, Kayla Sprincis, led by head coach Carol Marshall and assistant coach Rachel Thompson, finished first in the 500-Yard Freestyle with a time of 5:12.65 and second in the 200-Yard Freestyle with a time of 1:58.73;

**WHEREAS**, after high school, Kayla plans to attend a four-year college such as Virginia Tech or the University of Virginia majoring in a STEM field;

**NOW, THEREFORE, BE IT RESOLVED** by the Clarke County Board of Supervisors that Kayla Sprincis be recognized and congratulated on her achievements in the pool.

**APPROVED AND ORDERED ENTERED** in the official records by the unanimous vote of the Clarke County Board of Supervisors' members assembled on the 20<sup>th</sup> day of July 2021.

ATTEST 2021-13R

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



2021-14R: Resolution of Recognition of Clarke County Track & Field Discus State Champion Sara Murray

**Clarke County Board of Supervisors**



Berryville Voting District  
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County Administrator  
Chris Boies  
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**Resolution of Recognition of Clarke County Track & Field Discus State Champion Sara Murray  
2021-14R**

**WHEREAS**, Sara Murray placed first at the Class 2 State Championship in discus at James Madison University in Harrisonburg, Virginia on June 19, 2021;

**WHEREAS**, Sara Murray, led by head coach Andre Kidrick and assistant varisty coaches Jeff Webster, Gary Wymer, and Nancy Specht, trailed going into the finals but pulled out a win with a throw of 115 feet, 1 inch beating the second-place athlete by more than three-feet and being one of only two competitors to throw over 103 feet;

**WHEREAS**, Sara Murray has committed to Christopher Newport University to compete in Track and Field and is enjoying her summer as a white water rafting guide;



**NOW, THEREFORE, BE IT RESOLVED** by the Clarke County Board of Supervisors does hereby issue this resolution of recognition of Sara Murray for outstanding performance during her years as a Clarke Eagle.

**APPROVED AND ORDERED ENTERED** in the official records by the unanimous vote of the Clarke County Board of Supervisors' members assembled on the 20<sup>th</sup> day of July 2021.

ATTEST 2021-14R

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

2021-15R: Resolution of Recognition of Clarke County Track & Field Triple Jump State Champion Teagan Lowery

**Clarke County Board of Supervisors**



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Chris Boies  
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**Resolution of Recognition of Clarke County Track & Field Triple Jump State Champion  
Teagan Lowery  
2021-15R**

**WHEREAS,** Clarke County Eagle's Freshman Teagan Lowery placed first in the Triple Jump at the Class 2 State Championship at James Madison University on June 19, 2021;

**WHEREAS,** Teagan Lowery, led by head coach Andre Kidrick and assistant varsity coaches Jeff Webster, Gary Wymer, and Nancy Specht, missed a large portion of the season with an ankle injury, soared to her season-best jump at 34 feet 8.5 inches, beating the second-place competitor by more than six inches;



**WHEREAS,** Teagan Lowery stepped in last minute to help the Eagles earn points by running the 300-meter hurdles and ended up winning, continuing to compete in the event for the remainder of the season, and earning All-State Honors by finishing eighth in the event at the State Championship level;

**NOW, THEREFORE, BE IT RESOLVED** by the Clarke County Board of Supervisors does hereby issue this resolution of recognition to Teagan Lowery for her outstanding performance.

**APPROVED AND ORDERED ENTERED** in the official records by the unanimous vote of the Clarke County Board of Supervisors' members assembled on the 20<sup>th</sup> day of July 2021.

ATTEST 2021-15R

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

[www.clarkecounty.gov](http://www.clarkecounty.gov)

101 Chalmers Court, Suite B  
Berryville, VA 22611

Telephone: [540] 955-5175



2021-16R: Resolution of Recognition of Clarke County Track & Field 110-Meter Hurdles Ellis Nei

**Clarke County Board of Supervisors**



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Bev B. McKay – Vice Chair  
(540) 837-1331

County Administrator  
Chris Boles  
(540) 955-5175

**Resolution of Recognition of Clarke County Track & Field 110-Meter Hurdles State Champion Ellis Nei 2021-16R**

**WHEREAS**, Ellis Nei, Clarke County Senior, placed first in the 110-Meter Hurdles at the Class 2 State Championship at James Madison University in Harrisonburg, Virginia on June 19, 2021;

**WHEREAS**, Ellis Nei, led by head coach Andre Kidrick and assistant varsity coaches Jeff Webster, Gary Wymer, and Nancy Specht, also placed second in the high-jump clearing six feet two inches, and third in the long jump with a jump of 20 feet 7.5 inches.

**WHEREAS**, Ellis Nei competed at the state level in at least one event every year of his high school career, with the exception of 2020 due to COVID-19 and set a new Clarke County high jump record with a jump of 6 feet 5-1/4 inches;



**NOW, THEREFORE, BE IT RESOLVED** by the Clarke County Board of Supervisors does hereby issue this resolution of recognition to Ellis Nei for his dedication and hard work.

**APPROVED AND ORDERED ENTERED** in the official records by the unanimous vote of the Clarke County Board of Supervisors' members assembled on the 20<sup>th</sup> day of July 2021.

ATTEST 2021-16R

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

[www.clarkecounty.gov](http://www.clarkecounty.gov)

101 Chalmers Court, Suite B  
Berryville, VA 22611

Telephone: [540] 955-5175

Head Coach Andre Kidrick thanked the Board of Supervisors for the recognition for all of the State Champions.

2021-17R: Resolution of Recognition of Clarke County Girls' Soccer Team State Champions

**Clarke County Board of Supervisors**



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

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Terri T. Catlett  
(540) 837-2328

Russell Voting District  
Doug Lawrence  
(540) 955-2144

Buckmarsh Voting District  
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County Administrator  
Chris Boies  
(540) 955-5175

**Resolution of Recognition of  
Clarke County Varsity Girls' Soccer Team  
State Champions  
2021-17R**

**WHEREAS**, the 2020-2021 Clarke County Girls' Varsity Soccer team won the Class 2 Championship game for the Virginia High School State Title at Feltner Stadium on June 21, 2021;

**WHEREAS**, the Eagles were represented in the match by Sophia Brown, Rebecca Camacho-Bruno, Sophia Deem, Josie Gray, Savannah Jarvis, Charlotte Maiberger, Maya Marascoe, Emma Massanopoli, Kinsley Myers, Campbell Neiman, Ella O'Donnell, Audrey Price, Abby Rogers, Emma Rogers, Alison Sipe, Lilian Suling, Madison Toone, Summer Toone, and Hanna Wagner;

**WHEREAS**, The Clarke County Girls' Soccer Team lead by head coach Jonathan Cousins and Assistant Coach Kayla Phanuef had thirteen wins and zero losses in the 2021 season and won the State Championship against Radford four to zero;

**NOW, THEREFORE, BE IT RESOLVED** by the Clarke County Board of Supervisors does hereby issue this resolution of recognition of the 2021 Clarke County High School Varsity Girls' Soccer team and its coaches for their undefeated season.

**APPROVED AND ORDERED ENTERED** in the official records by the unanimous vote of the Clarke County Board of Supervisors' members assembled on the 20<sup>th</sup> day of July 2021.


ATTEST 2021-17R

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

Northwestern Community Service Board FY 2022-2023 Performance Contract



# Memorandum

**To:** County Administrators/City Manager 

**From:** Michael F. Elwell, Chief Executive Officer

**Re:** Review of NWCS' Fiscal Year 2022 Performance Contract

**Date:** June 25, 2021

In accordance with State requirements, each locality is asked to review and endorse their area CSB's Performance Contract. Therefore, I am providing pertinent information from that document for your review as submitted to the Virginia Department of Behavioral Health and Developmental Services.

This document reflects allocated Federal, State and local funds, and other reimbursements to be received in order to carry out the work of our Board of Directors for FY 2022. Please note that these amounts are subject to change.

I am requesting that this be presented to your respective Board/Council for endorsement. **Please complete the bottom portion of this memo and return it to my office by September 24, 2021.**

If you have any specific questions, please do not hesitate to call.

Attachment

pc: Ms. Katie Russell, Chief Financial Officer  
File

The Board of Supervisors/City Council of \_\_\_\_\_ reviewed and endorsed

Northwestern CSB's FY 2022 Performance Contract at its \_\_\_\_\_ meeting.

\_\_\_\_\_  
County Administrator/City Manager

Serving Winchester and the Counties of Clarke, Frederick, Page, Shenandoah and Warren

Administrative Offices  
209 West Criser Road, Suite 300  
Front Royal, Virginia 22630-2360  
540-636-4250

**Application for Easement Donation – Lowell Pratt**

SUBJECT: Application for easement donation – Lowell Pratt

Lowell Pratt has applied to the easement authority for approval of an easement donation. The properties are located at 2683 Mt. Carmel Road approximately 6/10 of a mile north of the intersection with Calmes Neck Lane. There are 4 parcels totaling 148 acres with 11 DURs. The applicant would like to merge the parcels and retire 9 of the 11 remaining DURs. The parcels are primarily forested.

The parcels are zoned FOC and are not in use value taxation but are eligible, therefore in accord with the Commissioner of Revenue’s requirements, then a donation may be considered if at least two of the following four guidelines are met:

- 1) the parcel’s Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the conservation easement;
- 3) the parcel is adjacent to a parcel already under permanent conservation easement;
- 4) the property has a minimum area of 40 acres.

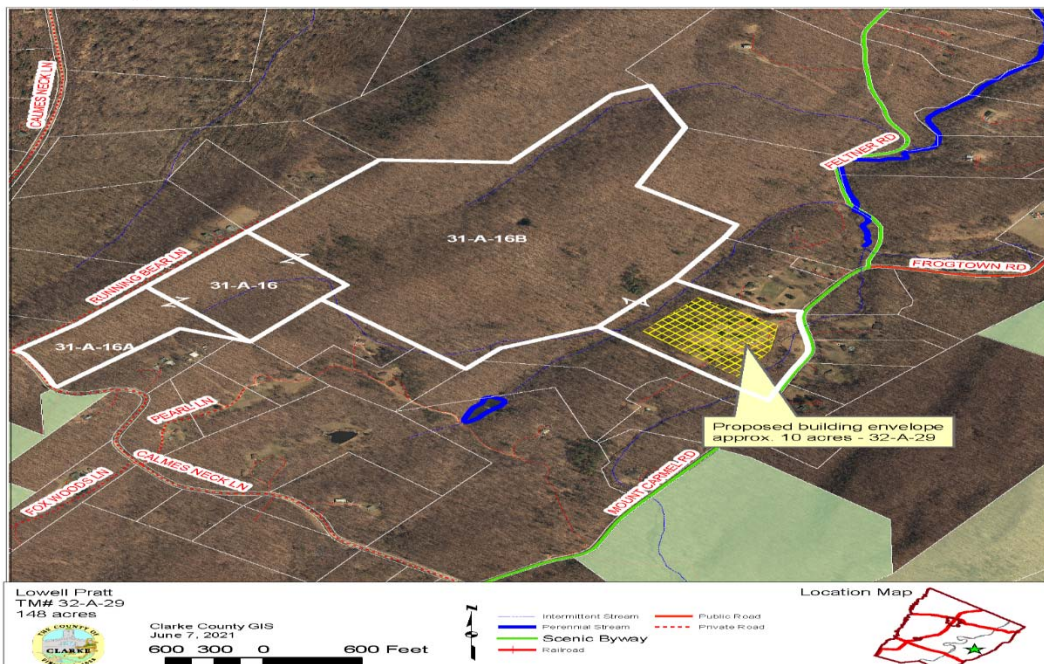
Tax Map#	acres	DURs	ext. dwl	Property Res. Score	land use	#criteria
31-A-16	19.75	2	0	39.49	no	2
31-A-16A	15	2	0	39.46	no	2
31-A-16B	90	4	0	54.33	no	3
32-A-29	23	3	0	43.51	no	2

In reviewing the parcels, all meet at least 2 of the 4 criteria. As indicated above, the applicant will merge the parcels into 1 with 2 DURs remaining that will be placed on the property identified by Tax Map# 32-A-29 off of Mt. Carmel Rd. Points were primarily given for retiring the DURs. A site visit was conducted January 19<sup>th</sup>.

There has been considerable discussion regarding this easement at the Authority level as the applicants attorney essentially rewrote our deed template to include in part verbiage allowing for a farm winery/brewery/distillery. Members expressed concern about enforcement of a potential commercial activity and the applicant agreed to remove that language. Mr. Mitchell has reviewed and approved the final draft of the deed. The applicant still needs to create a plat of merger but it is anticipated that this will be completed with the next couple of weeks. The Authority is expected to give final approval at their July 15<sup>th</sup> meeting.

**Recommendation**

Give final approval for the easement donation of Lowell Pratt.



**Application for Easement Donation – Doris Stimpson**

SUBJECT: Application for Donation – Doris Stimpson – TM# 29-3-8

Doris Stimpson has applied for and been approved by the easement authority for an easement donation. The property consists of approximately 25 acres. The property is located at 304 Nelson Road directly across from Long Branch. The parcel has an existing house built in 1997 and 1 remaining DUR. The applicant would like to retire the remaining DUR.

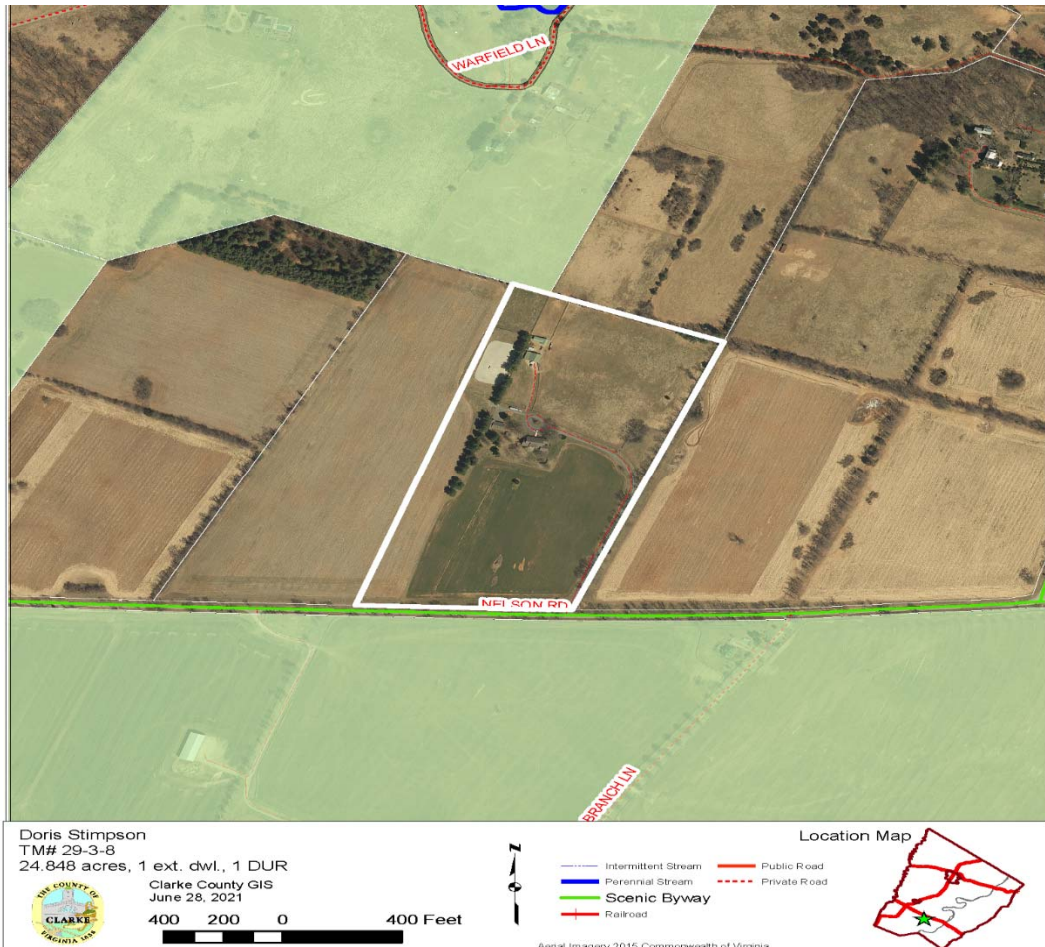
The parcel is zoned AOC and is in land use. Therefore the following guidelines for accepting properties for easement purchase are used:

- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the conservation easement;
- 3) the parcel is adjacent to a parcel already under permanent conservation easement;
- 4) the property has a minimum area of 40 acres.

The Authority requires that a property meet at least two of the four guidelines for acceptance.

The property meets 3 of the 4 criteria by scoring over 35, being next to an adjacent easement, and giving up 1 DUR. The parcel is less than 40 acres. The property resource score is 50.56, points were given for retiring 1 DUR, being next to an existing easement (Long Branch, Wally Brewer), and having frontage on a scenic byway. The Easement Authority gave final approval for the donation at their April 15, 2021 meeting.

**Recommendation:** Approve the easement donation of Doris Stimpson.



Abstract of Votes: June Democratic Primary Election: Attorney General, Lieutenant Governor, and Governor

**ABSTRACT of VOTES**

Cast in CLARKE COUNTY, VIRGINIA  
at the 2021 June Democratic Primary Election held on June 08, 2021 for,

**Attorney General**

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Mark R. Herring	517
Jerrauld C. "Jay" Jones	178
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on June 08, 2021, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Attorney General.

Given and hands this 11<sup>TH</sup> day of JUNE, 2021



\_\_\_\_\_, Chairman

[Signature], Vice Chairman

[Signature] Secretary

[Signature] Secretary Attestation

## ABSTRACT of VOTES

Cast in CLARKE COUNTY, VIRGINIA  
at the 2021 June Democratic Primary Election held on June 08, 2021 for,

### Lieutenant Governor

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Hala S. Ayala	262
S. "Sam" Rasoul	124
Mark H. Levine	109
Andria P. McClellan	81
Sean A. Perryman	54
Elizabeth R. Guzman	41
Xavier JaMar Warren	11
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on June 08, 2021, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Lieutenant Governor.

Given and hands this 11<sup>th</sup> day of JUNE, 2021



\_\_\_\_\_, Chairman  
 \_\_\_\_\_, Vice Chairman  
Carol S. Hester, Secretary  
Carol S. Hester, Secretary Attestation

# ABSTRACT of VOTES

Cast in CLARKE COUNTY, VIRGINIA  
at the 2021 June Democratic Primary Election held on June 08, 2021 for,

## Governor

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Terry R. McAuliffe	487
Jennifer D. Carroll Foy	129
Jennifer L. McClellan	63
Lee J. Carter	15
Justin E. Fairfax	12
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on June 08, 2021, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Governor.

Given under our hands this 11<sup>th</sup> day of JUNE, 2021



\_\_\_\_\_, Chairman  
HRJ, Vice Chairman  
Carol S. Hester, Secretary  
Carol S. Hester, Secretary Attestation



**Vice-Chair McKay moved to adopt the Consent Agenda items 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

## 6) VDOT

Ed Carter, Residency Administrator, provided the following update:

### June Maintenance:

- Completed patching on Route 606 River Road.
- Completed 1<sup>st</sup> round of secondary mowing operations.
- Completed ditching & shoulder repairs on the following Routes: 611 (Summit Point Road), 639 (Allen Road), 641 (Lewisville Road), and 654 (Stringtown Road).
- Completed paving schedule on VA Route 7 westbound from Route 612 (Shepherds Mill Road) to BUS 7 and from Route 653 (Kimble Road) to the Frederick County Line.
- Grading and stone applications on various non-hard surfaced roads.
- Storm debris cleanup at various locations.
- Potholing on various routes.
- Dead animal removal.

### Maintenance Plan (July & August)

- Asphalt spot leveling on Route 612 Shepherds Mill Road.
- Prep patching on various routes on the 2022 paving/surface treatment schedule.
- Mowing and litter pick up on primary roads.
- Placing shoulder stone on recently paved areas on VA Route 7.
- Completing stone application on various non-hard surfaced roads.
- Potholing various routes as needed.
- Storm Debris cleanup as needed.
- Dead animal removal as needed.
- A design public hearing on the Route 761 Old Charlestown Bridge Replacement Project will be held Thursday, August 19, 2021, from 4-6 pm at the Snowden Bridge Community Center located at 119 Buccaneer Court, Stephenson.

Supervisor Lawrence

- Asked, and Ed Carter confirmed that at the public hearing they should have the preliminary plans for the design of the bridge and they should have an artist rendition of what the finished product will look like.
- In the next few months, would like to figure out the low spots, when you are downstream by 400 yards; when that bridge is still safely passable, how much water will be in the low spot. Ed Carter explained that the gate will remain even after the bridge is complete because it will still flood, but hopefully not as often as it does now since that spot will be elevated five (5) feet from what it is currently. Ed Carter stated that those gates would be activated if a low spot is covered with water.
- Mowing on Route 340 North, the line-of-sight and width is good.
- Asked Ed Carter to pass on appreciation to the ditching crew who did Route 611. They did a good job, and that was not an easy job with how the shoulders and banks are on that road. Ed Carter expressed that the crew did the best that they could do with the limited amount of space they had to work with, but it needs to be done every year because of that limited space.
- On Triple J Road, there are speeding complaints again. What are the options on speed signs or trailers? Chris Boies confirmed that the Sheriff's Office has the message board trailer, which has the capability to record speed, but the area on Triple J Road is too narrow to place that trailer. Ed Carter stated that VDOT would be glad to set out the speed signs for a couple of days and report the information back to Chair Weiss. Supervisor Lawrence stated that the complaints are within the first 200 block of the road. Ed Carter explained that typically the speed differential usually is not as bad as what people sitting on their front porch think. Ed Carter confirmed that VDOT would set up the signs and get that data for the Board.

Supervisor Catlett

- Asked, and Ed Carter confirmed that the bridge replacement design that will be presented on August 19 would be the final design that is being proposed. Ed Carter added that depending on the comments that are given at the public hearing, there may be some modifications to the design, but for the most part, it is the final design.

Vice-Chair McKay

- On Gunbarrel Road, there is a pipeline project that is moving a lot of dirt and stone, which is making the shoulders on the road cave-in. Ed Carter confirmed that VDOT just reworked the shoulders but will look at the road.

Chair Weiss

- On the Southern end of Springsbury Road, Route 613, the Johnson grass is encroaching into the lanes and causing sight issues.
- Still have a pothole on VA Route 7 and Wickliffe Road; it was paved in the past but needs to be filled again.
- The paving on Route 340, the driveway entrance to Milton Valley Farm, is high and is difficult to get in and out of. Chris Boies confirmed that the new paving raised the roadway, which caused a bigger dip in and out of the driveway.
- Asked to have the VA Route 7 Safety Study implementation update put on a Work Session agenda in late fall.

7) Virginia Cooperative Extension Update

This item was removed from the agenda.

8) Approval of Minutes

June 15, 2021, Regular Meeting

**Vice-Chair McKay moved to approve the June 15, 2021, Regular Meeting minutes 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

9) Board of Supervisors Personnel Committee Items

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

2021-07-12 Summary: Following review, the Personnel Committee recommends the following:

- Reappoint Corey Childs to the Agricultural & Forestal District Advisory Committee to a term expiring on July 15, 2027.
- Reappoint Emily Day to the Agricultural & Forestal District Advisory Committee to a term expiring on July 15, 2027.

2021-07-20 Action: Chris Boies reviewed the Personnel Committee recommendations.

**Supervisor Lawrence 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. Grievance Procedure PD-121101-15 Rev. 1 review**

2021-07-12 Summary: The Personnel Committee recommends the adoption of the Grievance Procedure PD-121101-15 Rev. 1 as presented.

2021-07-20 Action: Chris Boies reviewed the Personnel Committee recommendation; he explained that the Personnel Committee discussed state code that occurred effective July 1, 2021. Added that Mr. Klenkar, with Mr. Mitchell's office, had prepared revisions to the document to reflect the state code changes.

**Supervisor Catlett moved to adopt the Grievance Procedure PD-121101-15 Rev. 1 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

**C. Personnel Policy PD-121101-05 Rev. 21 review**

2021-07-12 Summary: The Personnel Committee recommends the adoption of the Personnel Policy PD-121101-05 Rev. 21 as presented.

2021-07-20 Action: Chris Boies reviewed the Personnel Committee recommendation; he explained that these changes were also the result of changes to the Code of Virginia. Conveyed that the changes were the following:

- Veteran in the Code of Virginia and subsequently in our Personnel Policy was replaced with military status.
- The definition of military status was added to the policy.
- Revised sections that were related to pregnancy, childbirth, and other related medical conditions to provide protection and reasonable accommodations for employees.
- Added a section of accommodations to employees with documented disabilities.
- Added additional language to the drug policy section to match the state code changes made with respect to the use of medical cannabis oil and discretion in the workplace.

**Vice-Chair McKay moved to adopt the Personnel Policy PD-121101-05 Rev. 21 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

D. Litter Committee Charge

2021-07-12 Summary: The Personnel Committee recommends approval of the framework for the reformation of the Litter Committee.

2021-07-20 Action: Chris Boies reviewed the Personnel Committee recommendation; he explained that the framework would be to reinstate the Litter Committee with general guidance, and some of the tasks would be volunteer coordination, education, grants, recycling, and events. He added that the Personnel Committee agreed that if the full Board approved the charge document today, then the Personnel Committee would discuss appointments to the Litter Committee at the August Personnel Committee meeting.

After discussion, the Board agreed that the minimum of five (5) citizens, one (1) from each district, be appointed to the Litter Committee in the beginning; set a cap of eleven (11) once the framework is set and there is interest from citizens to be appointed to the committee.

Chair Weiss tasked the Supervisors to get one (1) to two (2) names from your district and send them to Chris Boies, Vice-Chair McKay, or I; to be at the August 9, 2021, Personnel Committee meeting.

Supervisor Lawrence asked, and Chair Weiss confirmed that on the entrance to the convenience center on Quarry Rd, there is not much trash; Chair Weiss added that he believes the attendants clean that up.

Supervisor Lawrence explained that Warren County is giving cargo nets to each household at no charge. He added that this might be an idea for the Litter Committee to explore and discuss.

Supervisor Catlett expressed that if any citizen is interested in serving to reach out to their Board of Supervisor.

Chris Boies thanked Alison Teetor for her work on preparing this document and the work that she did on the Litter Committee in the past.

#### 10) 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

July 12, 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, Jeremy Camp, Cathy Kuehner, Sheriff Anthony 'Tony' Roper, Alison Teetor, Brianna Taylor

Others Present: None

Press Present: Mickey Powell – The Winchester Star

2021-07-12 Summary: At 10:01 am, Chair Weiss called the meeting to order.

#### A. Zoning & Subdivision Ordinance Update Project Discussion

Planning Director, Brandon Stidham, provided an update to the Board (see attached PowerPoint) on changes made to the new, proposed zoning and subdivision ordinances. He noted the Planning Commission had held a public hearing on the matter with two citizens providing comments. Staff asked the Board for direction on the next steps, which could include setting a public hearing at the Board level or setting another work session to answer questions from the Board. Chair Weiss asked the Board to analyze the information they received today and be prepared to provide staff direction at the full Board meeting next week.

- B. Closed Session Pursuant to §2.2-3711-A29 Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

**At 10:56 am, Supervisor McKay moved to enter closed session pursuant to §2.2-3711-A29 Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. 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 11:35 am, the members of the Board of Supervisors being assembled within the designated meeting place, with open doors and in the presence of members of the public and/or the media desiring to attend, Supervisor Catlett moved to; reconvene in open session. The motion carried as follows:**

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

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

**CERTIFICATION OF CLOSED SESSION**

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

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

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

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.

The meeting was adjourned at 10:36 am.

2021-07-20 Action: Chris Boies reviewed the Work Session summary. For the Zoning & Subdivision Ordinance Update Project, he explained that the Board could set a public hearing for the August regular meeting, schedule a Work Session for further discussion, OR schedule a public hearing at some other time.

Supervisor Bass stated that he would like to see the Board set a public hearing for the August regular meeting. Supervisor Catlett agreed.



Chair Weiss recommended that it be set for 6:30 pm on August 17, 2021. He explained that the Planning Commission had two (2) public hearings with limited but important views.

Vice-Chair McKay questioned if it could be set for the 1 pm afternoon session instead of the 6:30 pm evening session since there have not been many comments from citizens throughout the project.

**Supervisor Catlett moved to set a public hearing for the Proposed Text Amendments to the Clarke County Zoning & Subdivision Ordinances for August 17, 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

Chair Weiss thanked Brandon Stidham and the Planning Commission for all of their hard work.

#### 11) Board of Supervisors Finance Committee Items

##### A. FY22 Social Services Supplemental Appropriation Request

2021-07-12 Summary: Following review, the Finance Committee recommends approval of the following motion:

*"Be it resolved that FY22 Social Services budgeted expenditure and appropriation be increased \$4,309 and that revenue of \$4,309 from the federal government be recognized, for the purpose of receiving additional adoption incentive funds."*

2021-07-20 Action: Brenda Bennett reviewed the Finance Committee recommendation; she explained that this is in order to receive federal funding for the adoption incentive program.

**Vice-Chair McKay moved, "Be it resolved that FY22 Social Services budgeted expenditure and appropriation be increased \$4,309 and that revenue of \$4,309 from the federal government be recognized, for the purpose of receiving additional adoption incentive funds." 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. FY22 Registrar supplemental appropriation request

2021-07-12 Summary: Following review, the Finance Committee recommends approval of the following motion:

*"Be it resolved that the FY22 Registrar budgeted expenditure be increased \$18,177, and revenue from the Commonwealth be increased \$10,482, and General Government Savings be decreased \$7,695, for the purpose of increasing the General Registrar's salary amount as required by the Virginia Department of Elections."*

2021-07-20 Action: Brenda Bennett reviewed the Finance Committee recommendation; she explained that the Virginia Department of Elections had issued their annual authorized salary amount for the General Registrar for FY22. She added that this is a mandated amount, so it is something that the County has to do to increase the General Registrar's salary. Further added that this was not included in the FY22 adopted salary amount because what happens is the Virginia Department of Elections mandates the salary and pays a portion; for the past few years, the locality pays roughly 31% of the General Registrar salary. Historically the County has supplemented the General Registrar's salary by an additional \$10K, but right now, the Virginia Department of Elections is increasing the authorized salary, which then, in turn, increases the local funding. The bottom line is that the salary increase increases the expenditure line by \$18,177, the revenue will also increase by \$10,482, which leaves \$7,695 additional local funds.

Chair Weiss explained that this request is due to the General Assembly's decision to match the General Registrar's salary with the Treasurer's salary across the state.

Supervisor Lawrence asked about the reimbursement period dates. Both Chris Boies and Brenda Bennett confirmed that the Virginia Department of Elections has always used that time period, and it is different because it does not follow the calendar year of the fiscal year.

**Supervisor Lawrence moved "Be it resolved that the FY22 Registrar budgeted expenditure be increased \$18,177, and revenue from the Commonwealth be increased \$10,482, and General Government Savings be decreased \$7,695, for the purpose of increasing the General Registrar's salary amount as required by the Virginia Department of Elections." 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

C. FY22 Conservation Easement supplemental appropriation request

2021-07-12 Summary: Following review, the Finance Committee recommends approval of the following motion after the public hearing is held:

*"Be it resolved that FY22 budgeted expenditure and appropriations to the Conservation Easement fund be increased \$566,125, that revenue from the Federal government be recognized in the amount of \$292,250, and revenue from the Commonwealth be recognized in the amount of \$197,875, and that the fund balance designation for Conservation Easement purchases be decreased by \$76,000 all for the purpose of purchasing Conservation Easements on the land of the RSP Enterprises, LLC (Smithfield Farm)."*

2021-07-20 Action: See item 18C.

D. FY22 Conservation Easement supplemental appropriation request

2021-07-12 Summary: Following review, the Finance Committee recommends approval of the following motion:

*"Be it resolved that FY22 budgeted expenditure and appropriations to the Conservation Easement fund be increased \$80,713, that revenue from the Commonwealth be recognized in the amount of \$40,356.50 and that the fund balance designation for Conservation Easement purchases be decreased by \$40,356.50 all for the purpose of purchasing Conservation Easement on the land of Lizzie Moon."*

2021-07-20 Action: Brenda Bennett reviewed the Finance Committee recommendation; she explained that the total request is \$80,713, but half will come from the Commonwealth, and the other half will be from the fund balance.

Chair Weiss explained that conservation easements funding is almost always done as a supplemental because the amounts are not known. There is a designation from the savings; this year, the Board designated \$150K in the fund balance, so those will be the funds that are decreased. He added that because of Alison Teetor and the Conservation Easement Authorities' hard work, half of the revenue is from the Commonwealth.

**Supervisor Catlett moved, "Be it resolved that FY22 budgeted expenditure and appropriations to the Conservation Easement fund be increased \$80,713, that revenue from the Commonwealth be recognized in the amount of \$40,356.50 and that the fund balance designation for Conservation Easement purchases be decreased by \$40,356.50 all for the purpose of purchasing Conservation Easement on the land of Lizzie Moon." 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

E. FY22 Barns of Rose Hill supplemental appropriation

2021-07-12 Summary: Following review, the Finance Committee recommends approval of the following motion:

*"Be it resolved that FY22 Barns of Rose Hill budgeted expenditure and appropriation be increased \$5,000 and that the designation for Government Savings be reduced in the same amount, all for the purpose of making a contribution to the Barns of Rose Hill Endowment Fund to be matched by the Casey Foundation."*

2021-07-20 Action: Brenda Bennett reviewed the Finance Committee recommendation; she explained that this is a request that the Board has approved in previous years and added that this is the final year of the contribution. This endowment fund contribution is matched by the Casey Foundation.

Chair Weiss explained that this request comes to the Board every spring for the last five (5) years as a budget request from the Barns of Rose Hill; the Board defers action of that \$5K since it is a dollar-per-dollar match from the Casey Foundation and to see how the County stands at the end of the fiscal year.

Supervisor Catlett expressed that it is nice to have a dollar-per-dollar match from the Casey Foundation and hope that this money will be helpful to the Barns of Rose Hill.

**Supervisor Catlett moved, "Be it resolved that FY22 Barns of Rose Hill budgeted expenditure and appropriation be increased \$5,000 and that the designation for Government Savings be reduced in the same amount, all for the purpose of making a contribution to the Barns of Rose Hill Endowment Fund to be matched by the Casey Foundation." The motion carried by the following vote:**

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

Supervisor Bass abstained from this vote to avoid any chance of a conflict of interest since the Barns of Rose Hill displays and sells his books.

F. FY22 Coronavirus State and Local Fiscal recovery Fund appropriation request

2021-07-12 Summary: Following review, the Finance Committee recommends approval of the following motion after the public hearing is held:

*"Be it resolved that FY22 General Fund budgeted revenue, expenditure, and appropriation be increased \$2,839,569, all for the purpose of receiving federal Coronavirus State and Local Fiscal Recovery Funds and expending those funds in accordance with federal guidelines."*

2021-07-20 Action: See item 18A.

G. FY22 Clarke County Public Schools federal Elementary and Secondary School Emergency Relief and Individuals with Disabilities Education Act (IDEA, Part B 611 flow-through American Rescue Plan Act) funds appropriation request

2021-07-12 Summary: Following review, the Finance Committee recommends approval of the following motion after the public hearing is held:

*"Be it resolved that FY22 budgeted revenue, expenditure, and appropriation be increased \$1,369,591.60 in the School Operating Fund, all for the purpose of receiving federal Elementary and Secondary School Emergency Relief funds of \$1,270,045 and Individuals with Disabilities Education Act (IDEA, Part B 611 flow-through American Rescue Plan Act) funds of \$99,546.60, and expending those funds in accordance with federal and Virginia Department of Education guidelines."*

2021-07-20 Action: See item 18B.

#### H. Bills and Claims

2021-07-12 Summary: Following review, the Finance Committee recommends the approval of the June 2021 Invoice History Report.

2021-07-20 Action:

**Vice-Chair McKay moved to approve the June 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

#### I. Standing Reports

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

2021-07-20 Action: Information Only

### 12) Government Projects Update

Chris Boies provided the monthly project update:

- The Convenience Center started its Friday hours of 3–7 pm on July 9. So far, things seem to be working well with the increased hours.

- Happy to announce that Marcella Helinski has been named the Animal Shelter Lead. She has been serving as the interim at the shelter for about six (6) months and has done a great job.
- I would like to thank Cathy Kuehner and Mickey Powell for their coverage of the historic marker unveiling this weekend, it was a nice event, and the posting and article were very well done.

Chair Weiss conveyed that it was a great event and thanked Cathy Kuehner and Mickey Powell for the coverage.

Supervisor Catlett stated that many people came, and most traveled from out of town to attend.

Chair Weiss stated that Mr. Caldwell and Dorothy Davis met at the closing on the last lot of the subdivision, and Ms. Davis would not sign the paper until she told him the story. Once he heard the story, to his credit, he went through with Maral Kalbian and created a great thing that all of us will be able to share in the future.

### 13) Miscellaneous Items

#### Discussion of Request for Proposals Courthouse Green RFP#21-0615:

Supervisor Lawrence stated that he volunteered for the RFP Committee, there was only one (1) proposal received, and that group was interviewed; it was upsetting that we only received one (1) proposal. Believe as a Board, we should figure out why we only got one (1) proposal; feels as a government unit we need to have options and get the best bang for our money.

Supervisor Lawrence recommended that the Board get staff or work on it at a Work Session to rewrite the request for proposal. He further recommended allowing citizens to comment at a Work Session to get their opinions on ways to contribute to the entire courthouse green. Feel we have a great opportunity to make the courthouse green a much better place for all residents in Clarke County.

Supervisor Lawrence reiterated that it would be nice to have more proposals to be able to choose the best group for the project.

Vice-Chair McKay expressed that we need more than one (1) bid, so we need to look at why we only got one (1) bid, and need to come up with some mechanism that people can make donations.

Supervisor Catlett added that from listening to the feedback of the interview and viewing the credentials of the company, they do offer many services. The board asked for many different things, and this firm gave many of those to us in their proposal and would be able to give us the expertise in those areas. Hope that when the new Request for Proposal is made that this company considers putting in a proposal.

Chair Weiss stated that it is important to reach back out to see if we can get more than one (1) proposal. He personally believes it was more of a timing issue, so he hopes we can get more next time. He added that Clarke County has a good tradition. First, we have a generous County, and the Board works well with the County to put the last dollar in. In the past, this was done with the senior center, which was very successful; there was a great campaign and a mechanism where citizens were able to contribute to the senior center, and because it was an important project, the County came forward and contributed.

Chair Weiss explained that the Board is committed to moving forward with this project, but want to do so in a financially responsible way to get the best project for money that we will all put in.

Chris Boies explained that he had spoken to Mike Legge, who does our procurement, and this does happen from time to time. He will reach out to any known potential vendors to see why they did not put in a bid at this time. Chris Boies added that the timing might be the reason since there are many of these similar projects occurring around the Country, so these consultants may be busy. Staff will reach out and figure out more reasoning and bring that feedback back to the Board. Staff will also research the setup of a fundraising mechanism for this project; we will look back on the senior center project to see how that fundraising mechanism was set up and how the money was collected. Once we examine that, we will bring recommendations to the Board.

By Consensus, the Board agreed to have staff work on the new Request for Proposal and bring feedback and options back to the Board.

Discussion on Climate change comments made at previous meeting

Chair Weiss explained that last month several citizens came and commented on climate change and pending legislation within the United States Congress. The citizens requested that the Board provide a resolution for that. He added that he believes it is an important issue. As stated last month to the citizens, historically, the Board has not gotten into these National issues as a Board, but I thought it was worth discussing today.



Vice-Chair McKay expressed that he agrees that this is something that the Board is not going to be able to solve. Personally believe that there needs to be no action taken on this item.

Supervisor Lawrence conveyed that he had studied climate, and "Climate in Virginia" was one (1) of his classes. He explained that climate, by definition, is always changing. My three (3) kids believe fully in man-made climate change. He added that if the Board made a resolution, he would be in favor of asking the resolution to actually demand our federal government to provide 85/15 in the funding of research. He then provided the three (3) illustrations:

- In 1985, the United Nations Intergovernmental Panel on Climate Change came out with a statement, and then a month later in the Washington Post, there were 1,700 scientists saying that that was not what they signed they confirmed that another group of people made the statement and made it look like it was what the scientist had decided.
- Washington Post story on Greenland and how fast the glacier is melting. In the article, the journalist noted that it had melted so much in the past six (6) months that you could now see the top of a farmer's cabin that had been built in 1845. Personally, wonder if that farmer went out there and dug down into fifteen (15) feet of ice to build a cabin.
- The icebreakers a couple of summers ago, we were all in a race to get to the North Pole and claim the minerals underneath. Every summer, they take a couple of icebreakers over to break huge amounts of ice where the north/west passage will eventually be or could be. The same thing happened in that article; there was a quote from one of the captains on an icebreaker "that this was the thickest that he has ever seen the ice at this time of year."

Vice-Chair McKay stated that he believes a lot of it has to do with the transfer of funds. He added that he does think the climate is changing, and we cannot, as just one (1) Country, change the World. We need to get the other Countries involved. He then conveyed that the program that the citizens presented last month seems like it is going to be very detrimental to agriculture because agriculture has no choice but to use fossil fuels. On the website, there are no numbers attached to this program, like the tax on it coming out the ground and what refund check will be. Personally, would feel more concerned with climate change when these people stop flying their private jets to Global Warming Conferences.

Supervisor Lawrence explained that that is where research on both sides would help. Adding that there is 5% more biomass in the Tropics now because of the high ppm

(parts per million) of CO<sub>2</sub>, even though it is not at a historical high according to carbon dating. The point is that it would be good to read both sides of the story in the paper. Vice-Chair McKay agreed.

Supervisor Catlett thanked the citizens for coming and speaking about what is important to them. She liked the comment that we are all global citizens, but the Clarke County Board of Supervisors is probably best suited for making decisions on things that we have the best information that we can. Believe recommending a particular piece of legislation that is not even totally developed yet takes it out of the Boards purview.

Supervisor Bass stated that he would continue to recuse himself from this item since his parents were in the group of citizens who spoke.

Chair Weiss thanked the citizens for coming forward and appreciated how passionate it is for them. He added that it is a fascinating issue, and it was interesting listening to Supervisor Lawrence and Vice-Chair McKay on the intimacies and the numbers. He thinks as farmers, perhaps we are more cognizant of changes in the weather more times than other people are. Further conveyed that he believed that in this specific instance, feel as if the Board would be mistaken to endorse a piece of legislation that we do not know all of the specifics. Urge members of Congress to study the issues and come up with reasonable ways and try to avoid consequences. He then encouraged all of our Board members and citizens to contact your representatives to let your voice be heard on this issue because some form is pending within Congress, and whatever they decide will affect us all, so we should all add our voices to that. Further conveyed that everyone in the County has different opinions, so it is difficult to write letters to Congress and represent everyone's views.

Chair Weiss stated that he would communicate this information to Mr. Johnston.

#### 14) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Process approved minutes for June 15, 2021, Regular Meeting Minutes.	Brianna R. Taylor
2.	Execute Employee of the Quarter 2021 First Quarter Certificate	David S. Weiss
3.	Process Employee of the Quarter 2021 First Quarter Certificate	Brianna R. Taylor
4.	Execute 2021-12R: Resolution of Recognition and Appreciation of Bob Wilkerson	David S. Weiss

- |     |   |                   |
|-----|---|-------------------|
| 5.  | Process 2021-12R: Resolution of Recognition and Appreciation of Bob Wilkerson   | Brianna R. Taylor |
| 6.  | Execute 2021-13R: Resolution of Recognition of Clarke County Girls Swimming State Champion Kayla Sprincis             | David S. Weiss    |
| 7.  | Process 2021-13R: Resolution of Recognition of Clarke County Girls Swimming State Champion Kayla Sprincis             | Brianna R. Taylor |
| 8.  | Execute 2021-14R: Resolution of Recognition of Clarke County Track & Field Discus State Champion Sara Murray          | David S. Weiss    |
| 9.  | Process 2021-14R: Resolution of Recognition of Clarke County Track & Field Discus State Champion Sara Murray          | Brianna R. Taylor |
| 10. | Executed 2021-15R: Resolution of Recognition of Clarke County Track & Field Triple Jump State Champion Teagan Lowery  | David S. Weiss    |
| 11. | Process 2021-15R: Resolution of Recognition of Clarke County Track & Field Triple Jump State Champion Teagan Lowery   | Brianna R. Taylor |
| 12. | Execute 2021-16R: Resolution of Recognition of Clarke County Track & Field 110-Meter Hurdles State Champion Ellis Nei | David S. Weiss    |
| 13. | Process 2021-16R: Resolution of Recognition of Clarke County Track & Field 110-Meter Hurdles State Champion Ellis Nei | Brianna R. Taylor |
| 14. | Execute 2021-17R: Resolution of Recognition of Clarke County Girls' Soccer Team State Champions                       | David S. Weiss    |
| 15. | Process 2021-17R: Resolution of Recognition of Clarke County Girls' Soccer Team State Champions                       | Brianna R. Taylor |
| 16. | Execute Northwestern Community Service Board FY 2022-2023 Performance Contract  | Chris Boies       |
| 17. | Process Northwestern Community Service Board FY 2022-2023 Performance Contract  | Brianna R. Taylor |

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|-----|--|------------------------------------|
| 18. | Process Application for Easement Donation - Lowell Pratt   | Alison Teetor                      |
| 19. | Process Application for Easement Donation - Doris Stimpson   | Alison Teetor                      |
| 20. | Process Abstract of Votes  | Brianna R. Taylor                  |
| 21. | Execute notice of appointments   | David S. Weiss                     |
| 22. | Process appointments and update the database   | Brianna R. Taylor                  |
| 23. | Process & Issue Grievance Procedure PD-121101-15 Rev. 1  | Chris Boies &<br>Brianna R. Taylor |
| 24. | Process & Issue Personnel Policy PD-121101-05 Rev. 21  | Brianna R. Taylor                  |
| 25. | Develop public hearing notice for PH2021-10 Text Amendments to the Clarke County Zoning & Subdivision Ordinances   | Brandon Stidham                    |
| 26. | Advertise public hearing notice for PH2021-10 Text Amendments to the Clarke County Zoning & Subdivision Ordinances | Brianna R. Taylor                  |
| 27. | Process Social Services Supplemental Appropriation Request   | Brenda Bennett                     |
| 28. | Process FY22 Registrar Supplemental Appropriation Request  | Brenda Bennett                     |
| 29. | Process FY22 Conservation Easement Supplemental Appropriation Request Lizzie Moon                                  | Brenda Bennett                     |
| 30. | Process FY22 Barns of Rose Hill Supplemental Appropriation Request   | Brenda Bennett                     |
| 31. | Process Bills and Claims   | Brenda Bennett                     |
| 32. | Execute 2021-18R Resolution Regarding Execution of Phase One Memorandum of Understanding                           | David S. Weiss                     |
| 33. | Process 2021-18R Resolution Regarding Execution of Phase One Memorandum of Understanding                           | Brianna R. Taylor                  |
| 34. | Process PH2021-09 FY22 Coronavirus State and Local Fiscal Recovery Fund Appropriation Request                      | Brenda Bennett                     |

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|-----|--|----------------|
| 35. | Process PH2021-09 FY22 Clarke County Public Schools federal Elementary and Secondary School Emergency Relief and Individual with Disabilities Education Act (IDEA, Part B 611 flow-through American Rescue Plan Act) funds appropriation request | Brenda Bennett |
| 36. | Process PH2021-09 FY22 FY22 Conservation Easement Supplemental Appropriation Request - RSP Enterprises, LLC. (Smithfield Farm)   | Brenda Bennett |

### 15) Board Member Committee Status Reports

#### Supervisor Matthew E. Bass

- Board of Septic and Well Appeals
  - No meetings.
- Library Advisory Council
  - Met last week, was unable to attend.
  - June was the busiest month for the library since reopening last July.
  - Covid restrictions have been eased; seating is coming back.
  - In August, the library will be back in full operating powers, and in-person programs will begin.
- Planning Commission
  - Had Public Hearing for Zoning and Subdivision Ordinance Update.
- Josephine School Community Museum Board
  - Nothing to report.
- Legislative Updates – High Growth Coalition
  - Special Session is set in motion to begin August 2 for potential vacancies and allocate roughly \$4.3 billion in federal relief funding. At least a part of that will be geared toward Broadband action.
- Northwestern Regional Juvenile Detention Center Commission
  - Nothing to report.
- Northwest Regional Adult Drug Treatment Court Advisory Committee
  - Nothing to report.
- Town of Berryville
  - In the process of adopting plans for the roughly \$4.5 million in federal relief funds that they are going to get.
  - Set a public hearing for September 14 on proposed water and sewer rates.

- Sheriff Office
  - Presented the Supervisors a letter that Supervisor Bass drafted with Sheriff Anthony 'Tony' Roper, Chief Deputy Travis Sumption, and Chief of Police Neal White.
  - The letter addresses primarily the issues that were reported in the Winchester Star article; to close down five (5) of eight (8) adult psychiatric hospitals.
  - This will almost certainly increase strain on our law enforcement, Fire-EMS, and all first responders who are first on the scene of these mental health crises.
  - Obviously, the issue with mental health does extend well beyond law enforcement and first responders, particularly in these challenging times of the COVID-19 pandemic.
  - Most importantly our youth, many are concerned with the mental health and well-being of our youth, which makes up a portion of our population as a whole; there is no doubt that psychiatric care, ongoing medical health care is an increasingly important issue.
  - The goal of this letter to our legislators is to hope that future legislative sessions will focus on acquiring a way to help become part of the solution.
  - Supervisor Catlett thanked Supervisor Bass for getting this letter written; it is really sad that they closed these. This is a strain on all of our law enforcement. The first of the letter puts such a stigma on mental health; if you break your leg, you get medivac-ed; thinks in some ways, the letter should indicate this. Also, the strain on our law enforcement, the service to the citizens to be able to get help for mental health issues.
  - Supervisor Bass stated that he would adjust this letter to include everyone's points from today.
  - Chair Weiss stated that obviously, everything the state does has a tremendous financial impact. It is very important to consider the safety impacts of having deputies and town police tied up when they ought to be patrolling. All of those are tremendous, but he believes we should draw attention to the fact that the biggest impact is that the individuals who are suffering are being denied care because of some bizarre bureaucratic mess that the state is in. They may have valid reasons why they have bad staffing or low staffing; it is absurd to close the mental health hospitals based on staffing; if you cannot staff them, then go to the National Guard or private institutions. They have been having this problem for 15-20 years.
  - Supervisor Catlett stated that it is a stigma; if you have a heart attack, they will take care of you, but if you have a mental health issue, they will deny you.
  - Vice-Chair McKay stated that hospitals in the State of Virginia closed because they could not get staffing because of the enormous outcry, but somehow they managed to slide this one under the radar.
  - Chair Weiss clarified that they are not closing the admissions.

- Supervisor Bass expressed that the Town of Berryville is also sending a letter on behalf of Chief of Police Neal White.
- Councilwoman Kara Rodriguez stated that she had spent her entire day writing an article for her other job, dealing with the exact same issue; it is amazing when you talk to law enforcement and hospitals; seeing the domino effect this has on all.
- Supervisor Lawrence stated that in the Winchester Star, Dr. White had many statistics, which were eye-opening. Added that he hoped that the pendulum was swinging back on the states attitude towards homelessness and mental health. Especially after Craig Deeds' sons' episode when the state got involved. Personally could not read enough between the lines. There have been state hiring freezes over the last few years, and it sounds like the Superintendents of these hospitals are saying that they are tired of getting beat up; we need to raise wages and get more people working here. Any correspondence that we send to our legislators needs to let them know that they need to do their job and run the state correctly. It is our tax dollars, and we want these places to run correctly.
- Supervisor Lawrence stated that we have a pretty good system, the way they worked it out to where police do not have to stay at the hospital. He then added that everything is more expensive, but if you have something, you need to keep it running.
- Chair Weiss stated that the real people who suffer are the ones who are not going to get care. The rest of it has a domino effect and financial impacts.

**By Consensus, the Board agreed on the following letter.**

By letter dated July 9, 2021, Alison G. Land, Commissioner of the Virginia Department of Behavioral Health and Developmental Services (DBHDS), informed DBHDS partners and providers that five of Virginia's eight adult state psychiatric hospitals would be temporarily closing admissions, effective immediately. Predictably, this action stands to result in a potentially catastrophic chain of far-reaching consequences. First and foremost, our citizens who struggle with significant mental health issues will be prevented from receiving important services they and their families desperately need in times of crisis.

Furthermore, there will be an increased burden on local law enforcement, whose officers are often the first responders to mental health crises. Part of the rationale behind Commissioner Land's decision is that DBHDS faces staffing shortages. However, law enforcement agencies across the Commonwealth and nation are facing similar staffing challenges. The Clarke County Sheriff's Office and its partner agency, the Berryville Police Department, are no exceptions to that reality.

In that context, adding strain to law enforcement agencies whose personnel are already stretched thin threatens the daily security of our citizens. From the time period of July 1, 2020 through June 30, 2021, the Clarke County Sheriff's Office responded to a total of 34 cases involving Emergency Custody Orders (ECO) and Temporary Detention Orders (TDO) and authored 11 mental health crisis reports. These ECO/TDO cases accounted for 377.5 hours of deputy time at a cost of approximately \$14,000. A vast majority of these hours involved waiting to transport the individuals suffering a mental health crisis to a state psychiatric hospital due to lack of bed space. With such facilities now closing their doors to new admissions, the most likely scenario that will play out across Clarke County and the Commonwealth is that local law enforcement will be forced to transport individuals in crisis to private hospitals and then stand guard over them for 72 hours or more, at times without the individual receiving any psychiatric treatment before being returned to the community.

Furthermore, not only will law enforcement resources be depleted under the circumstances described above, but an additional burden will fall on our first responders – including Fire/EMS – and hospital healthcare providers still reeling from the Covid-19 pandemic. Simply put, this is not a sustainable mechanism for handling mental health crises in the Commonwealth, even on a temporary basis. Our citizens, at moments when they most need help, are going to be denied vital services which are critical to not only their health and well-being but also the health and well-being of our community. They deserve better.

Therefore, the Clarke County Board of Supervisors encourages our elected representatives in the strongest terms possible to promptly address and remedy this impending security, health, and welfare crisis facing our citizens in upcoming legislative sessions.

### Vice-Chair McKay

- Berryville-Clarke County Joint Building Committee
  - Chris Boies stated that there was discussion on different building aspects and adopted changes to the signage regulations about temporary signage onsite to the building with guidance from Mr. Mitchel. Now there is a process for people to apply for temporary permanent signs and guidance on how we should process those requests.
- Northern Shenandoah Valley Regional Commission
  - Met via ZOOM.
  - No big news.
- Town of Boyce
  - Missed it, but they had a Fourth of July Picnic, and it was very successful.
- Clarke County Sanitary Authority
  - Presented the Supervisors the following.

Clarke County  
Sanitary Authority  
Prospect Springs  
Utility & Emergency Standby Power  
System Assessment and Notes

05 July 2021

Initial observations on the utility power delivered to the Prospect Springs WTP 17 February 2021 revealed single phase high voltage delivery from Rappahannock Electrical Coop. Utility. In lieu of traditional three phase delivery there was an alternate split phase method used to develop phase sequencing through overhead transformer taps. 240-volt 90-degree three leg drop plus ground is supplied to the pumphouse.

230 volt 90 degree three leg drop plus ground is also supplied to the water treatment plant and routed through a transfer switch set to allow power switching to a backup generator unit. The 230-volt output from the transfer switch is then routed through a 112.5 KVA three phase Wye-Delta dry type transformer. In this case the transformer is reverse fed (as used in traditional systems).



Reverse feeding the transformer is used to step up the voltage to 480-volt to supply the Motor Control Center and 480-volt equipment inside the WTP. Emergency/Backup generator is set up as a 240-volt traditional three-phase power supply.

In this configuration, the power supply from the utility service will never synchronize for automatic (bump-less) transfer back to utility power. This creates an unreliable transfer process and ensuing blackouts for undetermined periods. The mis-match in phasing also has an effect on system monitoring and will not allow synchronization of generated with utility power either coming on or switching off.

It should also be noted, the spring pumps are not supplied with backup power. Another challenge is the Memcor filtration units, these are multi-function step process PLC driven program-controlled devices. These units do not respond well to power outages and power transfer black outs.

In an overview, the entire facility suffers from a severe power sag with the normal start cycling of the equipment in use. Power supplied in this form can be viewed as a soft power source (one actual supply phase is missing) therefore the equipment is less efficient. There is also an additional heat factor introduced with lower efficiency equipment. It is also plagued by uncontrollable voltage fluctuations introduced through the present split-phase angle relationship. Shorter equipment life and reliability will remain a factor with a primary single-phase delivery.

Alternative methods to relieving the Memcor units from program cycle disruptions could be through the use of light duty uninterruptable power supply(ies). Single or multiple UPS application in addition to backup generated power may aid in stabilizing unit performance.

Prospect Springs Plant should be reviewed for remote or self-restart programming or control systems.

*s/ C. W. Ambrust*

#### Supervisor Terri T. Catlett

- Clarke County Humane Foundation
  - Met last week.
  - There is going to be a concert over the weekend that benefits the animal shelter; this was put together by Mr. Nelson.
  - Marcella Helinski is doing a nice job of trying to get animals into homes.
  - They will have an open house in the future for the addition.
- Conservation Easement Authority
  - There is a photo exhibit at Long Branch; in the future, there will be a reception to recognize the people who won the contests.
- Parks & Recreation Advisory Board
  - Talked about by-laws, and those will be coming to the Board next month.
  - Working on ways to do the recognition area with trees, etc. Chair Weiss recommended that the recognition area with the trees is to be well organized so they do not use up future space that may be needed. Supervisor Catlett stated that they are using the master plan as a guide.
- Clarke County Historic Preservation Commission
  - Meets tomorrow at Camino Real and are presenting awards.

- Betsy Pritchard went to the Road Marker for the Historic Event. This was a very nice event and showed what historic preservation is all about.
- Career and Technical Education
  - Did not meet, probably will not meet until fall.
- School Board
  - Recognition for retirees.
  - WoW! (World of Work) Event will be on September 10. This is a career development day for seventh and eighth graders.
  - Math six (6) at the middle school is changing.
  - The high school was previously on an A/B schedule (four (4) classes on one day and other four (4) classes on another day) is changing to all classes every day to increase student/teacher contact.
- Village of Millwood
  - Had their summer dinner.
  - Had a bike tour through there last Saturday.
- Virginia Association of Counties
  - Meets in August.

Supervisor Doug M. Lawrence

- Board of Social Services
  - Put out an RFP for a Strategic Management Plan, interviewed one (1) company this morning, and then interviewing one (1) more tomorrow.
  - Had a retirement party for Robin Chanselle.
- Broadband Implementation Committee
  - Working hard, there is more talk about government money so more people doing more work and it is constantly changing.
  - Hopefully, the County will have some good news in the near future.
  - Last week the Governor said that he was going to put \$700 million toward broadband.
  - VATI grants have been bumped up from \$50 million last year to \$100 million this year.
  - Might have a big announcement at our next meeting.
- Northwestern Regional Jail Authority
  - The state is taking more prisoners, so it is helping to lower the amount of staff needed.
  - Seems like we will not have to contribute as much as what was projected in the budget process.
  - Have a meeting Thursday morning.

Chairman David S. Weiss

- Berryville-Clarke County Joint Committee on Economic Development and Tourism
  - Good presentation by Felicia Hart.
  - Discussed goals and objectives for the Director of Economic Development & Tourism; staff will bring back a list of those for review at the next meeting.
  - The main conversation was about all of the events at the ruritans and how we can get better communication from the ruritans to Felicia Hart. To get people from the ruritans to the Town businesses and to prepare the Town businesses, so the restaurants do not run out of food.
  - Stated that Councilwoman Kara Rodriquez had good thoughts about trying to get more involvement with businesses and work through social media. Councilwoman Kara Rodriquez explained that there is a unique opportunity now with all of the residents who are already here or coming in, in addition to coming out of the pandemic and more people coming out. It would be nice to have a localized shop dine campaign.
  - Expressed that Supervisor Lawrence brought up the idea of having a welcome wagon to reach out to new residents; the businesses, how the County Government works, and how the Town Government works. Staff is looking into this.
  - Another issue we discussed was the Berryville Area Plan Resolution that Brandon Stidham and Christy Dunkle worked up and was adopted by the Berryville Area Development Authority (BADA). Every five (5) years, we have to address our Berryville Area Plan to see if it is on target.
- Industrial Development Authority
  - Meets tomorrow

16) Closed Session Pursuant to §2.2-3711-A1 Specific Employees or appointees of the Board, §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, and §2.2-3711-A5 Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

**At 3:12 pm, Supervisor Catlett moved to enter closed session pursuant to §2.2-3711-A1 Specific Employees or appointees of the Board, §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, and §2.2-3711-A5 Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. 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 4:31 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

**Vice-Chair McKay further moved to execute the following Certification of Closed Session:**

**CERTIFICATION OF CLOSED SESSION**

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

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

**NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Clarke, Virginia, hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification**

resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of the County of Clarke, Virginia. The motion was approved by the following roll-call vote:

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

Vice-Chair McKay moved to approve 2021-18R Resolution Regarding Execution of Phase One Memorandum of Understanding as presented below. 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

### Clarke County Board of Supervisors



<b>Berryville Voting District</b> Matthew E. Bass (540) 955-5175	<b>Millwood Voting District</b> Terri T. Catlett (540) 837-2328	<b>Russell Voting District</b> Doug Lawrence (540) 955-2144
<b>Buckmarsh Voting District</b> David S. Weiss – Chair (540) 955-2151	<b>White Post Voting District</b> Bev B. McKay – Vice Chair (540) 837-1331	<b>County Administrator</b> Chris Boies (540) 955-5175

**RESOLUTION  
REGARDING EXECUTION OF  
PHASE ONE MEMORANDUM OF UNDERSTANDING  
2021-18R**

**WHEREAS**, the Clarke County Board of Supervisors (the “Board”) has identified expansion of broadband access to all unserved locations within Clarke County (the “County”) as a policy priority; and

**WHEREAS**, access to broadband is critical for economic development and education, promotes social equity and provides significant public benefits and opportunities for citizens of the County and; and

**WHEREAS**, the Board has reviewed that certain Phase One Memorandum of Understanding executed by and between Virginia Electric and Power Company dba Dominion Energy Virginia, All Points Broadband Partners, LLC and Shenandoah Valley Electric Cooperative, dated as of June 30, 2021(the “Regional Broadband MOU”); and

**WHEREAS**, the Board understands that Rappahannock Electric Cooperative will soon become a party to the Phase One Memorandum of Understanding; and

**WHEREAS**, the Board has determined that the approach set forth in the Regional Broadband MOU represents a prudent and viable approach to achieving expanded broadband access within the County; and

**WHEREAS**, the County has been invited to execute the Regional Broadband MOU and thereby become a Participating County.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board has determined that the County should execute the Regional Broadband MOU, and that the County Administrator is hereby authorized and directed to execute the Regional Broadband MOU.

ATTEST 2021-18R

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

[www.clarkecounty.gov](http://www.clarkecounty.gov)

101 Chalmers Court, Suite B  
Berryville, VA 22611

Telephone: [540] 955-5175

Supervisor Catlett stated that this is an opportunity and hope that it comes to fruition for all of Clarke County.

Supervisor Lawrence explained the past year's history, the County thought that we had a chance when Rappahannock Electric Cooperative was in a fall auction to provide fiber to the home for the entire County; our County did not know if we would qualify for the money, but the way the auction was structured Rappahannock Electric Cooperative had to do their entire service area. He added that in the past, Clarke County was covered under the federal rule on how you decide unserved and underserved areas by zip code, so this always made Clarke County not score high on these auctions. He continued to explain that there was hope in Rappahannock Electric Cooperative since they are a quality company that is owned by citizens of Clarke County, so it was disappointing when fiber to the home was not pursued. He expressed that he is happy that Rappahannock Electric Cooperative is working on fiber to the home again and is teaming up with All Points Broadband. Shenandoah Valley Electric Cooperative sounds like a good project and am excited to start. He further added that he believes this will be a good partnership, just need to get the ball rolling on this enterprise.

Vice-Chair McKay conveyed that the County has been working on this since before he was on the Board.

Chair Weiss stated that this is a key priority for our citizens, and this looks like a good opportunity. Personally, looking forward to seeing the information on what is actually covered in the proposal, but we are assuming and hoping that it provides to all who are underserved. He added that the Board looks forward to the reports.

Chris Boies clarified the vote today is to enter into a study, a potential VATI project; not obligating any funds at this point, but allowing a study to be done with All Points Broadband to provide universal fiber to the house as a potential VATI project, All Points Broadband will then bring back an amount, which will be the local share to fund the project, in which the Board will have to approve that amount and the application to VATI in late August to meet the September deadline. He added that once the December award is announced, the Board would then have to vote again on a contract with All Points Broadband to complete the project is funded by the state. He reiterated that at this point, no funds are being obligated; the vote today is to work with All Points Broadband during the study period.

Supervisor Bass expressed that his hope is that both federal and state legislators keep small counties, such as Clarke County, in mind as they move forward in broadband projects as well.

At 4:38 pm, Chair Weiss recessed the meeting.

At 6:30 pm, Chair Weiss reconvened the meeting.

#### 17) Citizen's Comment Period

No persons appeared to address the Board.

#### 18) PH2021-09: Budget Amendments to the Approved FY 22 Budget

Chris Boies explained that the public hearing involves four (4) different amendments to the FY22 budget.

##### A. FY22 Coronavirus State and Local Fiscal recovery Fund Appropriation Request

Chris Boies stated that options for these funds were discussed with a possibility that a majority of the use would be used for broadband. Today's public hearing is to hear the public's thoughts on how to use the funds, so the Board will be able to take all comments into consideration and decide on how to spend those funds.

##### B. FY22 Clarke County Public Schools federal Elementary and Secondary School Emergency Relief and Individual with Disabilities Education Act (IDEA, Part B 611 flow-through American Rescue Plan Act) funds appropriation request

Chris Boies expressed that these are federal relief funds that are dedicated to Clarke County Public Schools in total of \$1.2 million. He added that there is also

\$99,546.60 in the Individual with Disabilities Education Act (IDEA, Part B 611 flow-through American Rescue Plan Act) funds. He then explained Dr. Chuck Bishop's letter, which explains both of these funds, that letter is shown below.

<p>Dr. Chuck Bishop Superintendent</p> <p>Dr. Cathy Seal Director of Curriculum &amp; Instruction</p> <p>Frank Moore Director of Student Services</p>	<p><b>Clarke County Public Schools</b> 317 West Main Street Berryville, Virginia 22611 Phone: 540-955-6100 Fax: 540-955-6109</p> <p><b>"Encourage Inspire Empower"</b></p>	<p>Rick Catlett Assistant Superintendent</p> <p>Randy Trenary Director of Operations</p> <p>Dr. Ed Shewbridge Director of Technology &amp; Testing</p>
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July 15, 2021

To: Chris Boies  
County Administrator

Brenda Bennett  
Director, Joint Administrative Services

From: Dr. Chuck Bishop *CB*  
Division Superintendent

With the pending Board of Supervisors Public Hearing scheduled for July 20, 2021, please accept this correspondence as an explanation of Clarke County Public Schools plan for spending the recent American Rescue Plan Act- ESSER III awards in the amount of \$1,270,045 and \$99,546.60. The grant awards must be expended by September 30, 2024 which allows the school division to include the revenue in FY22 with any residual amounts being carried over to the following fiscal year. Due to my scheduled trip out of state next week, I will be unable to attend the public hearing to answer any questions.

**Fiscal Year 2022 Anticipated Expenses-**

- The effects of the pandemic over the past 17 months has exacerbated the achievement gaps among our students. The school division will hire 8 math and reading interventionists for FY22 to provide targeted intervention and remediation for students who have not reached grade level expectations. These individuals will provide services to students for 25 hours per week and will be divided among our four schools. Anticipated cost: \$224,445.00
- After school intervention services for students who require additional instructional supports. Includes teachers, instructional assistant and bus driver pay and FICA. Anticipated cost: \$205,321.00

**Fiscal Year 2023 Anticipated Expenses-**

- Continue to employ the 8 math and reading interventionists. Anticipated cost: \$231,178.00
- Continue after school intervention services for students who require additional instructional supports. Includes teachers, instructional assistant and bus driver pay and FICA. Anticipated cost: \$211,480.00

**Anticipated Capital Project Expense-** During the period of the grant, CCPS proposes to replace the remaining original roof top units at DG Cooley. These units were not replaced in 2013 as part of the renovation of that facility. Timing of the replacement will be critical and may occur while school is not in session. Anticipated cost of engineering, equipment and installation: \$397,621.00

**IDEA Part B 611 Flow-through Funds: \$99,546.60**

For the past three years, CCPS has carried a vacancy for a Speech Therapist. In spite of our efforts to recruit a qualified candidate, no one has been hired. Therefore, the division has contracted with a Speech Therapy vendor to provide the services to identified students. For each of the next three fiscal years, CCPS will use the funds to offset the cost of speech services for identified students.



C. FY22 Conservation Easement supplemental appropriation request:

Chris Boies explained that there are funds for a conservation easement that was part of a previous public hearing for the FY21 budget. That easement did not close in FY21, so those funds need to be reappropriated in FY22. There are several federal and state funds coming into that easement and the county portion was a smaller percentage.

At 6:35 pm, Chair Weiss opened the public hearing.

No persons addressed the Board.

At 6:35 pm, Chair Weiss closed the public hearing.

Chris Boies informed the Board that all of the items could be made under one motion, but staff asks that if the Board is comfortable with the lead way on the Conservation Easement item because that is still currently going through appraisals which may or may not impact the amounts. If the Board is comfortable, it will allow the process to continue to move forward without having to go through another public hearing if the amounts do change.

Chair Weiss suggested that the Board make a motion on Items A & B and then make a separate second motion on item C.

Supervisor Lawrence asked, and Alison Teetor confirmed that the survey on the Conservation Easement was completed in the past year, so it is up-to-date; prior to that survey, there was none. Alison Teetor then explained that the Virginia/West Virginia State line was adjusted because the new line was done with GPS. Supervisor Lawrence was concerned if this would be an issue in the future because when the State line was first established, it was a straight line off the mountain and marked with stones; the adjustment with GPS has affected many properties.

**Supervisor Lawrence made all of the following motions:**

- **"Be it resolved that FY22 General Fund budgeted revenue, expenditure, and appropriation be increased \$2,839,569, all for the purpose of receiving federal Coronavirus State and Local Fiscal Recovery Funds and expending those funds in accordance with federal guidelines."**
- **"Be it resolved that FY22 budgeted revenue, expenditure, and appropriation be increased \$1,369,591.60 in the School Operating Fund, all for the purpose of receiving federal Elementary and Secondary School Emergency Relief funds of \$1,270,045 and Individuals with Disabilities**

**Education Act (IDEA, Part B 611 flow-through American Rescue Plan Act) funds of \$99,546.60, and expending those funds in accordance with federal and Virginia Department of Education guidelines."**

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

Chair Weiss confirmed that the Board plans to use a majority of the County funds in a practical way for broadband.

Alison Teetor explained that 5% for the Conservation Easement funding is equal to \$28,000, so an option would be not to exceed 5% of proposed public hearing amounts.

Supervisor Catlett iterated that this is the second public hearing for this property, and citizens have not had issues at either public hearing, so that makes her comfortable in giving a lead way percentage. This allows the process to move forward without having to do even more public hearings.

**Supervisor Catlett moved, "Be it resolved that FY22 budgeted expenditure and appropriations to the Conservation Easement fund be increased \$566,125, that revenue from the Federal government be recognized in the amount of \$292,250, and revenue from the Commonwealth be recognized in the amount of \$197,875 and that the fund balance designation for Conservation Easement purchases be decreased by \$76,000 all for the purpose of purchasing Conservation Easements on the land of the RSP Enterprises, LLC (Smithfield Farm)." Further moved that staff has the authority to approve amounts up to 5% above the proposed amounts without having additional Board of Supervisors approval. The motions 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

19) Adjournment

At 6:43 pm, Chair Weiss adjourned the meeting.

20) Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, August 17, 2021, at 1:00 pm in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: July 20, 2021

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

\_\_\_\_\_  
Chris Boies, County Administrator

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