

Clarke County Board of Supervisors



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Chris Boies
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To: Board of Supervisors

From: Chris Boies

Re: Chapter 40 Text Amendments

Date: January 25, 2022

The Board was presented information at their January 11th work session which showed that no changes to the current election districts were required due to the 2020 Census population update. The Board decided to not change the election district boundaries based on that information. The Board authorized a public hearing at their January 18th meeting on required code changes to Chapter 40 of the Code of Clarke. The public hearing has been set for February 15th at 6:30, or as soon thereafter as the matter can be heard.

There are two sections of Chapter 40, Voting Districts, proposed to change. The first amendment is to Section 40-1 which contains the populations for each district. Gordon Russell provided this data using Census block data. The second change is a technical correction to 40-2 which is currently incorrectly labeled a "voter election district" and is being changed to the correct description of a "voter election precinct". Code of Virginia Section 24.2-712 allows the governing body to establish one or more central absentee voter **precincts** for the purpose of receiving, counting, and recording absentee ballots cast in the county. The proposed changes are highlighted in the attached document.

Chapter 40 Voting Districts

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Deleted: District

Chapter 40 Voting Districts

§ 40-1. Election districts established and defined; population of districts and supervisor representation

A. Election Districts of Clarke County, pursuant to, and as set by the authority contained in the Code of Virginia, § 15.2-1400, § 24.2-304.1-7, and § 15.2-1211 are hereby created and set forth in this section.

a. The election districts with populations set forth are as follows; supervisor representation to be as indicated:

Berryville ~~2,997~~, represented by one supervisor.

Deleted: 2,852

Buckmarsh ~~2,827~~, represented by one supervisor.

Deleted: 2,854

Millwood ~~3,021~~, represented by one supervisor.

Deleted: 2,729

Russell ~~3,082~~, represented by one supervisor.

Deleted: 2,896

White Post ~~2,880~~, represented by one supervisor.

Deleted: 2,703

b. The boundaries of the respective *election* districts are as set forth below, and when reference is made in the following descriptions to a road, *railroad*, or river as a boundary, it shall be construed to mean the center line of such boundary:

Berryville Election district.

Berryville election district shall comprise the area bounded as follows:

- Beginning at the intersection of North Buckmarsh Street (U.S. Route 340) and Mosby Boulevard (Virginia Route 1035),
- thence in a northwesterly direction with Mosby Boulevard to its intersection with Jackson Drive (Virginia Route 1041),
- thence in a southwesterly direction with Jackson Drive to its intersection with West Main Street (Virginia Route 7 Business),
- thence in a northwesterly direction with West Main Street to corporate limits of the Town of Berryville,
- thence in southwesterly and southeasterly direction with the town limits to Alexander Drive,

- thence in a southeasterly direction with Alexander Drive to its intersection with Hermitage Boulevard (Virginia Route 1029)
- thence in a southeasterly direction with Hermitage Boulevard to its intersection with Dunlap Drive (Virginia Route 1028),
- thence in a northeasterly direction with Dunlap Drive to its intersection with Henderson Court (Virginia Route 1027)
- thence in a southeasterly direction with Henderson Court to its intersection with Taylor Street (Virginia Route 1006),
- thence in a southeasterly direction with Taylor Street to its intersection with South Buckmarsh Street (U.S. Route 340),
- thence in a southwesterly direction with South Buckmarsh Street to its intersection with Hermitage Boulevard (Virginia Route 1029),
- thence in a southeasterly direction with Hermitage Boulevard to its intersection with South Church Street (Virginia Route 616),
- thence in a southwesterly direction with South Church Street to its intersection with South Buckmarsh Street (U.S. Route 340),
- thence in a southwesterly direction with South Buckmarsh Street to the corporate limits of the Town of Berryville,
- thence in a southeasterly direction with the Berryville town limits to its intersection with the Norfolk Southern Railroad,
- thence in a northeasterly direction with the Norfolk Southern Railroad its intersection with Jack Enders Boulevard (Virginia Route 700),
- thence in a northerly direction with Jack Enders Boulevard to its intersection with East Main Street (Virginia Route 7 Business), thence in a westerly direction with East Main Street to its intersection with First Street (Virginia Route 615),
- thence in a northeasterly direction with First Street to its intersection with East Fairfax Street (Virginia Route 1026),
- thence in a westerly direction with East Fairfax Street to its intersection with Soldiers Rest Lane (the eastern property line of Tax Map Parcel 142A-((A))-17),
- thence in a northeasterly direction with Soldiers Rest Lane, (the eastern property line of Tax Map Parcels 14A2-((A))-17 and 17A) to its intersection with the northern limits of the Town of Berryville,

- thence in a westerly direction with the Berryville town limits to its intersection with North Buckmarsh Street (U. S. Route 340),
- thence in a southerly direction with North Buckmarsh Street, to its intersection with Mosby Boulevard (Virginia Route 1035), the point of beginning.

Buckmarsh Election District

Buckmarsh election district shall comprise the area bounded as follows:

- Beginning at the intersection of Lord Fairfax Highway (U. S. Route 340) with the Jefferson County line,
- thence in a southeasterly direction with the Clarke-Jefferson County line to its intersection with the Loudoun County line,
- thence in a southwesterly direction with the Clarke-Loudoun County line to Harry Byrd Highway (Virginia Route 7),
- thence in a westerly direction with Harry Byrd Highway to its intersection with Pine Grove Road (Virginia Route 679),
- thence in a westerly direction with Pine Grove Road to its intersection with Harry Byrd Highway (Virginia Route 7),
- thence with in a westerly direction with Harry Byrd Highway to the Shenandoah River,
- thence in a southwesterly direction with the Shenandoah River to a point in the center of the Shenandoah River nearest the intersection of Lockes Mill Road (Virginia Route 613) and Briggs Road (Virginia Route 621),
- thence in a westerly direction with Lockes Mill Road and in a northerly direction with Springsbury Road (both Virginia Route 613) to its intersection with Jack Enders Boulevard (Route 700),
- thence in a northerly direction with Jack Enders Boulevard to its intersection with East Main Street (Virginia Route 7 Business),
- thence in a westerly direction with East Main Street to its intersection with First Street (Virginia Route 615),
- thence in a northeasterly direction with First Street to its intersection with Fairfax Street,
- thence in a westerly direction with Fairfax Street to Soldiers Rest Lane (the eastern property line of Tax Map Parcel 14A2-((A))-17),

- thence in a northeasterly direction with Soldiers Rest Lane (the eastern property line of Tax Map Parcel 14A2-((A))-17 and 17A) to its intersection with the northern corporate limits of the Town of Berryville,
- thence in a westerly direction with the Berryville town limits to its intersection with Lord Fairfax Highway (U. S. Route 340),
- thence in a northeasterly direction with Lord Fairfax Highway to its intersection with the Jefferson County line, the point of beginning.

Blue Ridge Precinct of the Buckmarsh Election District

The Blue Ridge Precinct of the Buckmarsh Election District described above shall comprise the area bounded as follows:

- Beginning at the intersection of the Clarke-Jefferson County line with the Clarke-Loudoun County line,
- thence in a southwesterly direction with the Clarke-Loudoun County line to Harry Byrd Highway (Virginia Route 7),
- thence in a westerly direction with Harry Byrd Highway to the intersection of Pine Grove Road (Virginia Route 679),
- thence with Pine Grove to its intersection with Harry Byrd Highway (Virginia Route 7),
- thence with Harry Byrd Highway in a westerly direction to the Shenandoah River,
- thence in a northerly direction with the Shenandoah River to the Clarke-Jefferson County line,
- thence in an easterly direction with the Clarke-Jefferson County line, the point of beginning.

The Buckmarsh Precinct shall comprise the remaining area as set forth in the above description of the Buckmarsh election District.)

Millwood Election District

Millwood election district shall comprise the area bounded as follows:

- Beginning at the intersection of Senseny Road (Virginia Route 657) and Janeville Road (Virginia Route 652),
- thence in an easterly direction with Senseny Road to its intersection with Westwood Road (Route 636),

- thence in a northeasterly direction with Westwood Road to its intersection with West Main Street (Virginia Route 7 Business),
- thence in a southwesterly direction with West Main Street to corporate limits of the Town of Berryville,
- thence in southwesterly and southeasterly direction with the town limits to Alexander Drive,
- thence in a southeasterly direction with Alexander Drive to its intersection with Hermitage Boulevard (Virginia Route 1029)
- thence in a southeasterly direction with Hermitage Boulevard to its intersection with Dunlap Drive (Virginia Route 1028),
- thence in a northeasterly direction with Dunlap Drive to its intersection with Henderson Court (Virginia Route 1027)
- thence in a southeasterly direction with Henderson Court to its intersection with Taylor Street (Virginia Route 1006),
- thence in a southeasterly direction with Taylor Street to its intersection with South Buckmarsh Street (U.S. Route 340),
- thence in a southwesterly direction with South Buckmarsh Street to its intersection with Hermitage Boulevard (Virginia Route 1029),
- thence in a southeasterly direction with Hermitage Boulevard to its intersection with South Church Street (Virginia Route 616),
- thence in a southwesterly direction with South Church Street to its intersection with South Buckmarsh Street (U.S. Route 340),
- thence in a southwesterly direction with South Buckmarsh Street to the corporate limits of the Town of Berryville,
- thence in a southeasterly direction with the Berryville town limits to its intersection with the Norfolk Southern Railroad,
- thence in a northeasterly direction with the Norfolk Southern Railroad its intersection with Jack Enders Boulevard (Virginia Route ~~613~~ 700),
- thence in a northeasterly direction with Jack Enders Boulevard to its intersection with Springsbury Road (Virginia Route 613),

- thence in a southerly direction with Springsbury Road to its intersection with Lockes Mill Road (Virginia Routes 618 and 613),
- thence in an easterly direction with Lockes Mill Road (Virginia Route 613) to the intersection of Briggs Road (Virginia Route 621),
- thence to a point in the center of the Shenandoah River nearest the intersection of Lockes Mill Road and Briggs Road,
- thence in a northeasterly direction with the Shenandoah River to its intersection with Harry Byrd Highway (Virginia Route 7),
- thence in an easterly direction with Harry Byrd Highway to its intersection with Pine Grove Road (Virginia Route 679),
- thence in an easterly direction with Pine Grove Road to its intersection with Harry Byrd Highway (Virginia Route 7),
- thence continuing with Harry Byrd Highway to the Loudoun County line,
- thence in a southwesterly direction with the Clarke-Loudoun County line to its intersection with John Mosby Highway (U. S. Route 50),
- thence in a westerly direction with John Mosby Highway to its intersection with Millwood Road (Virginia Route 723),
- thence continuing in a westerly direction with Millwood Road to a point where Spout Run intersects Millwood Road east of the village of Millwood,
- thence in a northwesterly direction with Spout Run and its tributary Page Brook Run to a point where Page Brook Run intersects Lord Fairfax Highway (U. S. Route 340),
- thence in a northeasterly direction with Lord Fairfax Highway to its intersection with Annefield Road (Virginia Route 633),
- thence in a westerly direction with Annefield Road to its intersection with Janeville Road (Virginia Route 652),
- thence with Janeville Road in a northerly direction to its intersection with Senseny Road (Virginia Route 657), the point of beginning.

Pine Grove Precinct of the Millwood Election District

The Pine Grove Precinct of the Millwood Election District described above shall comprise the area bounded as follows:

- Beginning in the center of the Shenandoah River nearest to a point at the intersection of Lockes Mill Road and Briggs Road (Virginia Route 613 and 621),
- thence in a northeasterly direction with the Shenandoah River to its intersection with Harry Byrd Highway (Virginia Route 7),
- thence in an easterly direction with Harry Byrd Highway to the intersection with Pine Grove Road (Virginia Route 679),
- thence in an easterly direction with Pine Grove Road to its intersection with Harry Byrd Highway (Virginia Route 7),
- thence continuing with Harry Byrd Highway to the Clarke-Loudoun County line,
- thence in a southwesterly direction with the Clarke-Loudoun County line to its intersection with Morgans Mill Road (Virginia Route 605),
- thence in a westerly direction with Morgans Mill Road, to its intersection with Frogtown Road (Virginia Route 649),
- thence in a southerly direction to Morgan Mill Stream,
- thence in a westerly direction with Morgan Mill Stream to its intersection with the Shenandoah River,
- thence in a northwesterly direction with the Shenandoah River to a point in the center of the Shenandoah River nearest the intersection of Lockes Mill Road and Briggs Road (Virginia Route 613 and 621), the point of beginning.

(The Millwood Precinct shall comprise the remaining area as set forth in the above description of the Millwood Election District.)

Russell Election District

Russell election district shall comprise the area bounded as follows:

- Beginning at a corner of Frederick, Clarke, and Jefferson Counties,
- thence in a southeasterly direction with the Clarke-Jefferson County line to its intersection with Lord Fairfax Highway (U. S. Route 340),
- thence in a southwesterly direction with Lord Fairfax Highway to its intersection with Harry Byrd Highway (Virginia Route 7 Bypass), at
- which point U.S. Route 340 becomes North Buckmarsh Street thence in a southwesterly direction with North Buckmarsh Street to its intersection with Mosby Boulevard, (Virginia Route 1035),

- thence in a northwesterly direction with Mosby Boulevard to its intersection with Jackson Drive (Virginia Route 1041),
- thence in a southwesterly direction with Jackson Drive to its intersection with West Main Street (Virginia Route 7 Business),
- thence in a northwesterly direction with West Main Street to Westwood Road (Virginia Route 636),
- thence in a southwesterly direction with Westwood Road to its intersection with Senseny Road (Route 657),
- thence in a westerly direction with Senseny Road to the Frederick County Line,
- thence in a northeasterly direction with the Clarke-Frederick County line to the corner of Frederick, Clarke, and Jefferson Counties, the point of beginning.

White Post Election District

White Post *election* district shall comprise the area bounded as follows:

- Beginning at a corner between Frederick, Clarke, and Warren Counties,
- thence in a northerly direction with the Frederick and Clarke County line to Senseny Road (Virginia Route 657),
- thence in an easterly direction with Senseny Road to its intersection with Janeville Road (Virginia Route 652),
- thence with Janeville Road in a southerly direction to its intersection with Annefield Road (Virginia Route 633),
- thence with Annefield Road in a southeasterly direction to its intersection with Lord Fairfax Highway (U.S. Route 340),
- thence in a southerly direction with Lord Fairfax Highway to its intersection with Page Brook Run,
- thence in a southerly direction with Page Brook until it joins Spout Run,
- thence in a southerly direction with Spout Run to a point east of the village of Millwood where Spout Run intersects Millwood Road (Virginia Route 723),
- thence in an easterly direction with Millwood Road to its intersection with John Mosby Highway (U.S. Route 50),

- thence continuing in an easterly direction with John Mosby Highway to the Loudoun County line,
- thence in a southwesterly direction with the Fauquier County line at its intersection with the Warren County line,
- thence in a westerly direction with the Warren County line to a corner between Frederick, Clarke, and Warren Counties, the point of beginning.

§ 40-2. *Central Absentee Voter Election Precinct established and defined*

Deleted: District

[Amended 2005-08-16; 2010-04-20]

- A. A central absentee voter election precinct for Clarke County is hereby created, pursuant to Code of Virginia § 24.2-712 Central absentee voter precincts; counting ballots.
- B. The location of this precinct shall be Berryville Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia.

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§ 40-3. *Polling Places established*

[Amended 198-05-19; 1999-04-20; 2002-05-21; 2005-08-16; 2007-01-16; 2014-07-15; 2016-07-19]

The following are hereby designated as polling places:

- A. For Berryville Election District [07-15-2014]
 - CCPS Administration Building
 - 317 West Main Street
 - Berryville, VA 22611
- B. For Buckmarsh Election District:
 - 1) For Buckmarsh Precinct [04-20-1999]
 - Social Hall - John Enders Volunteer Fire Company
 - 9 South Buckmarsh Street
 - Berryville, VA 22611
 - 2) For Blue Ridge Precinct [02-18-1992]
 - Social Hall - Blue Ridge Volunteer Fire Company
 - 131 Retreat Road
 - Bluemont, VA 20135

C. For Millwood Election District:

1) For Millwood Precinct [Effective after 11-08-2016]:

Veterans of Foreign War [VFW] Post 9760
425 South Buckmarsh Street
Berryville, VA 22611

2) For Pine Grove Precinct [05-21-2002]:

Social Hall - Blue Ridge Volunteer Fire Company
131 Retreat Road
Bluemont, VA 20135

D. For Russell Election District [01-16-2007]:

Clarke County Recreation Center
225 Al Smith Circle
Berryville, VA 22611

E. E. For White Post Election District [05-19-1998]:

Boyce Volunteer Fire Company
7 South Greenway Avenue
Boyce, VA 22620

Amendments Chapter 40

1998-05-19

§ 40-3. Polling Places established: Amended for White Post District from Boyce Volunteer Fire Department to Boyce Elementary School

1999-04-20

§ 40-3. Polling Places established: Amended for Buckmarsh from VFW to John H. Enders Fire Company

2001-05-19

§ 40-1 Voting Districts - (Ord. adopted 5/19/92) - Approved: July 17, 2001

2001-10-16

§ 40-2. Central Absentee Voter Election District - (Ord. Adopted 10/16/01) - Approved: October 16, 2001

2002-05-21

§ 40-3. Polling Places established: Amended for Millwood from Bishop's Chapel to Millwood Community Center; and For Pine Grove from Church of the Good Shepard to Blue Ridge Volunteer Fire Company

2005-08-16

§ 40-2. b) change from 102 North Church Street to Grace Episcopal Parish Hall 110 North Church Street

§ 40-3. Polling Places established to change polling places for Berryville from 104 North Church Street to Grace Episcopal Church Parish Hall, 110 North Church Street. CC-05-04

2007-01-16

§40-3 Polling Places Established Millwood Voting District from Millwood Community Center to Powhatan School; Russell Voting District from Ruritan Social Hall to Clarke County Recreation Center; White Post Voting District from Boyce Elementary School to Boyce Volunteer Fire Department CC-06-06

2010-04-20

§ 40-2. Central Absentee Voter Election District b) change from Grace Episcopal Parish Hall 110 North Church Street to Berryville Clarke County Government Center, 101 Chalmers Court CC-10-03

2011-04-19

§ 40-1. Voting Election districts established and defined; population of districts and supervisor representation revise to reflect 2010 Census population increase from 12,652 to 14,034 (+11.4%) CC-11-03/2011-02ORD

2014-07-15

§ 40-3 Polling Places Established. Amend A. For Berryville Election District Change from 110 North Church Street to 317 West Main Street CC-2014-02

2016-07-19

§ 40-3 Polling Places Established. Millwood Election District Millwood Precinct Change from Powhatan School 49 Powhatan Lane, Boyce, VA 22620 To Veterans of Foreign War [VFW] Post 9760 425 South Buckmarsh Street Berryville, VA 22611 CC-2016-03