

June 21, 2022

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, June 21, 2022, at 1:00 pm.

Board Members Present:

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

County Staff Present:

Brenda Bennett, Chris Boies, Brandon Stidham, Cathy Kuehner, Catherine Marsten

Constitutional / State Offices / Other Agencies:

Anthony "Tony" Roper, Wayne Tapscott

Press:

Mickey Powell – The Winchester Star

Others Present:

Afternoon session: Vonceil Hill, Bruce Anderson, Carol Coffelt, Judy Whitehouse  
Evening Session: Karen Anderson, Diana Hackney, Kenneth Kempson, various Clarke County High School students and parents

1) *Call to Order*

Chairman Weiss called the meeting to order at 1:01 pm.

2) *Adoption of Agenda*

**Supervisor McKay moved to adopt the agenda as presented. The motion carried by the following vote:**

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

### 3) *Citizens Comment Period*

Bruce Anderson read the following letter, addressed to the Virginia Department of Transportation:

The purpose of this letter is to request that VDOT revisit current speed limits along Highway 723 (Millwood Road) from the intersection with Highway 50 to Millwood Town, install signs warning drivers of equestrian activities and possibly take other actions to assure the health and safety of residents, horses and others for the following reasons.

After purchasing a small horse farm on the corner of Tilthammer Mill Road and Millwood Road approximately three years ago, my wife and I have been impressed with the efforts made by VDOT to preserve the health and safety of residents and livestock, and to establish and maintain safe driving conditions in virtually all the small towns in Clarke County, including Millwood, Boyce, Berryville, and other nearby townships. Presumably, conservative speed limits have also been established in recognition of the importance of maintaining the rural character and intrinsic historic value of these towns along with obvious need to protect the health and safety of residents and others. Millwood Road is a historic and registered scenic road.

Millwood Road was historically a major roadway—perhaps the only good road—for travelers heading East and West across the Shenandoah River through Ashby Gap before Highway 50 was constructed. Highway 50 was presumably constructed to adjacent to Millwood Road to accommodate the growing population in Winchester and the surrounding towns. In my view, Highway 50 is well-designed and maintained thanks for your diligent efforts. Highway 340 intersects Highway 50 at Waterloo and is also well-maintained that safely accommodates vehicles that travel at speeds up to 55 mph in many places. Speed limits on both highways are reasonable given the driving conditions. Unfortunately, Millwood Road now serves as a “shortcut” for many commuting to and from Boyce or Berryville eastward. Indeed, only a very small percentage (<10 percent) of the traffic on Millwood Road is being used by local residents and patrons of local businesses. Alternatives, such as Highways 50 and 340, exist for those simply wanting to get from one destination to another as quickly as possible.

The traffic has increased dramatically along Millwood Road in recent years but most of the activities, including equestrian activities, in the area remain the same. This creates conflicts and dangerous situation that needs to be resolved. In other historic places in Clarke County, particularly those with intensive equine activities, speed limits have been dramatically reduced in recognition of the often unpredictable and difficult nature of horses. A number of active equine facilities are located along Millwood Road between Highway 50 and Millwood Town. These include Sandstone, which hosts riding lessons for young riders on a daily basis and equestrian events, and Fairview, a well-known dressage training and boarding facility. Although wide grassy shoulders currently exist between the pavement on Millwood Road and fences of most neighboring properties, most riders find speeding cars an unacceptable life threatening risk. Unfortunately, many drivers are unaware of the hazards posed by equestrian activities and are inattentive despite living in the heart of "horse country".

Numerous incidents have occurred even since we moved to our farm on Millwood Road putting the lives of riders and their horses in grave danger. Virtually everyone who has ridden along Millwood Road can recount situations where their horses were startled, reared, bolted and or otherwise reacted badly to speeding vehicles. Currently, the speed limit along most this stretch of Millwood Road is posted at 45 mph. As most know, vehicles then often drive at speeds up to 55 mph without worrying about being pulled over by an officer and being ticketed. Most roadways in and on either side of small rural towns in Clarke County have speed limits of 35 mph or less and many do not have the active equestrian activities found along Millwood Road today.

It bears mentioning that, in addition to horses, other animals including deer and other animals that live in the forested areas along Millwood Road are also often hit by vehicles. Although the road is reasonably straight, hills, trees and other physical features make it difficult to see deer and other animals until it is too late. As you know, these collisions can be serious even fatal for occupants in the vehicle and, of course, for the animals that are struck.

In view of the situation described above, it is recommended that VDOT:

1. Undertake a study to determine the speed that drivers are travelling on Millwood Road from Highway 50 to Millwood Town.
2. Based on the results of the speed study on Millwood Road, re-evaluate traffic patterns and consider reducing speed limits from Highway 50 to Millwood Town recognizing that drivers often exceed posted limits by at least 10 mph.
3. Post permanent signs from Highway 50 to Millwood Town to warn drivers of equestrian activities;
4. Install a radar system at least temporarily to inform drivers of their current speed and to warn drivers if they exceed posted limits, similar to what exists along Highway 17 (near Paris); and

5. Consider taking other traffic calming measures to assure that residents, visitors, riders and other safe not at unreasonable risk from motorists travelling on Millwood Road.

Thank you in advance for your consideration of this request.

#### 4) *VDOT Update*

On behalf of VDOT Residency Administrator Edwin Carter, Wayne Tapscott provided the following update on maintenance activities:

- Began mowing operations and will complete the first round this month.
- Made shoulder repairs on Raven Rocks Rd, will continue making shoulder repairs on Routes 7, 50, and 340.
- Completed ditching operations on Clifton, Allen, and Lewisville Rd, will begin Wickliffe Rd this month.
- Started asphalt patching and leveling on Crums Church Rd and will complete this month, will be paved next year from Longmarsh to Old Charles Town Rd.
- Contractor completed asphalt patching on Route 50 and Mt Carmel Rd, and surface treatment on Kimble, Stringtown, Allen, and Old Charles Town roads.
- A concrete contractor completed gutter pan repairs on Route 7 Mountain from Ebenezer Rd eastbound.
- Contractor will complete tree trimming on Pine Grove Rd.
- Will be pipe cleaning on various routes, the pipe flushers will be coming back.

#### Supervisor McKay

- Observed that the asphalt patching on Route 50 was done well, the patches are visible but cannot be felt.
  - Wayne Tapscott replied that they will be lining the roads when repairs are completed. They are also trying to complete ditch work and other repairs to the berms before the asphaltting is completed.

#### Vice Chair Catlett

- Requested that the citizen comments regarding speeds on Millwood Road be shared with Ed Carter.

#### Supervisor Lawrence

- Advised that there are two “no center line” signs still up in the 1500 block of Old Charles Town Road, even though center lines are now present.
- Further advised that there some areas of shoulder erosion to be addressed on Route 611.
- Asked what the bridge on Pierce Road will look like when completed.
  - Wayne Tapscott replied that it will be beautiful and he is fairly sure the bridge will be two lanes.

- Suggested that the large walnut tree right next to the road on the northwest corner, it may become a hazard if the bridge becomes two-lane, it may be a good idea to remove the tree while the road is closed.
  - Wayne Tapscott responded that he would follow-up with the bridge crew about it.

Chairman Weiss

- Requested that Ed Carter provide the following to the Board: (1) information about the cost of speed studies and how they are funded (2) a timeline for lengthening the deceleration lanes on the mountain.

5) *Public Information Office Update by Cathy Kuehner*

Clarke County Public Information Officer Cathy Kuehner presented the following:



## **PUBLIC INFORMATION OFFICER**

The Public Information Officer (PIO) proactively and creatively promotes Clarke County, Virginia, using all available means: gathering news and information, writing, editing, taking photos, creating graphics, posting on social media, collaborating with county employees, and contacting local and regional media. The PIO serves as a marketing and communication expert for county government.

In all aspects of work, the PIO's goals are to:

**INFORM** residents and those who work in and for the county,  
**ENGAGE** people so they feel part of the community as well as part of the governmental process, and  
**CELEBRATE** the culture and history of Clarke County, reminding people why they chose to live and work here.

*– presented to the Board of Supervisors, June 21, 2022 –*



## WEBSITE

In 2018, Clarke County contracted with Granicus to develop a new, user-friendly website, and the PIO took the lead on the project with support from the county’s technology department. The site launched Feb. 3, 2020, and the PIO manages most content: creating new pages as needed, uploading documents, updating content, maintaining the web calendar, posting weather-related closures when necessary, etc.

On March 3, 2020, the PIO added a “COVID-19 News in Clarke County” page that was updated every day for two years. As of April 4, 2022, the page is updated each Monday.

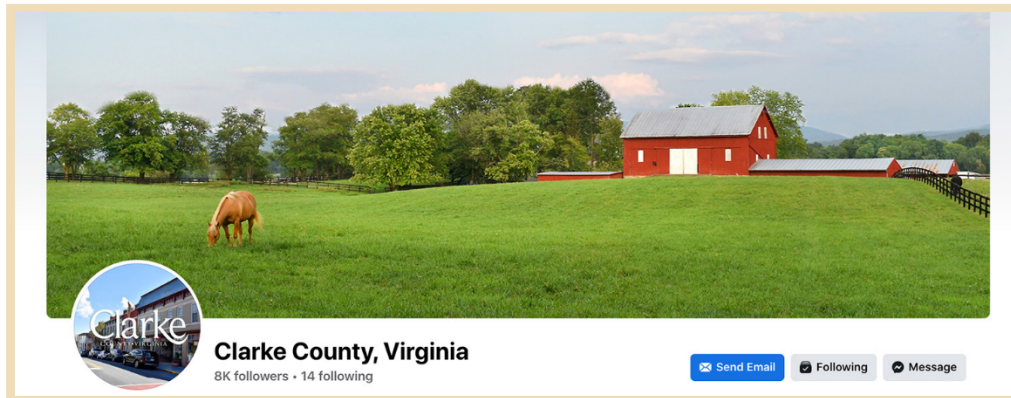
On July 15, 2020, the PIO added a COVID-19 “Resources for Individuals & Businesses” page. This page is updated as new resources are offered or are expired.

### According to Google Analytics:

- The website had more than 11,000 users and more than 15,000 sessions in the month of May 2022.
- The most used pages are Parks and Recreation, Online Mapping, Employment, Property Assessment & Real Estate Bill Data, Animal Shelter, Trash & Recycling, and the Sheriff’s Office.

In addition to **clarkecounty.gov**, Clarke County also owns these website domains:

- **clarkeconnect.org** is a source of broadband internet news and resources. The PIO helps manage content on this website.
- **experienceclarkecounty.com** is the tourism website.
- **yesclarkecounty.com** is the economic development website.



## SOCIAL MEDIA

The PIO serves as primary administrator of the **Clarke County, Virginia** Facebook page that has **8,072 followers** as of June 20, 2022.

Weekly content includes “Pet of the Week,” “Throwback Thursday,” “VDOT Alert,” “Coming Up in Clarke County,” and (new in 2022) “Friday Featured Job.” Posts also include news, public hearing notices, emergency notices and weather-related closings, beautiful photos of the county, and special notices as needed for Berryville, Boyce, and Berryville Police Department.

PIO is an admin for all official Clarke County Facebook pages (*see list at right*); however, primary page admins manage their own pages. PIO provides content or support when asked.

PIO monitors other Clarke-related community Facebook pages for potential news as well as issues of concern.

PIO is content creator for the “Clarke County, Virginia” YouTube channel (238 subscribers as of June 20).

PIO manages the county’s ArchiveSocial account and, in 2018, developed the county’s Social Media Policy for employees.

- **Clarke County Sheriff’s Office**  
9,446 followers
- **Clarke County Parks & Recreation**  
3,887 followers
- **Clarke County Fire Rescue**  
2,198 followers
- **Clarke County Virginia Economic Development**  
679 followers
- **Clarke County Tourism**  
489 followers
- **Clarke County Social Services**  
197 followers



## MEDIA

- Maintain an up-to-date list of local, regional, and state news outlets, reporters, and editors.
- Write and distribute news releases about government initiatives and events.
- Write feature stories for publication in *Clarke Monthly* and occasionally *The Winchester Star*. Submit photos to each.
- Promptly respond to reporters' inquiries; advise coworkers regarding media inquiries.
- Identify interesting stories and pitch ideas to appropriate media outlets.
- Serve as media liaison when breaking news occurs; work closely with Supervisors, County Administrator, and emergency responders to clarify messages.
- Maintain shareable Clarke County demographics, historical information, and facts about county.
- Coordinate government-wide, weather-related closings; report to local media by 7 a.m. on snow days.



MEETINGS	EVENTS	NEWS
JUN 21	<b>Clarke County Sanitary Authority</b> 09:00 AM - 10:30 AM	
JUN 21	<b>Board of Supervisors Regular Meeting</b> 01:00 PM - 08:30 PM	
JUN 21	<b>Clarke County Litter Committee</b> 05:30 PM - 06:30 PM	

## CALENDARS

- Schedule meeting rooms in Berryville-Clarke County Government Center using the internal Zimbra calendar.
- Maintain the public calendar on the Clarke County website, including links to meeting packets and agendas.
- Maintain the digital display device in the Berryville-Clarke County Government Center lobby, posting Town of Berryville and Clarke County government meetings.
- Post meeting rooms calendars outside government center's second-floor meeting rooms.
- Gather event information to produce "Coming Up in Clarke County," which is posted weekly on Facebook and emailed to county employees and local media every Monday.

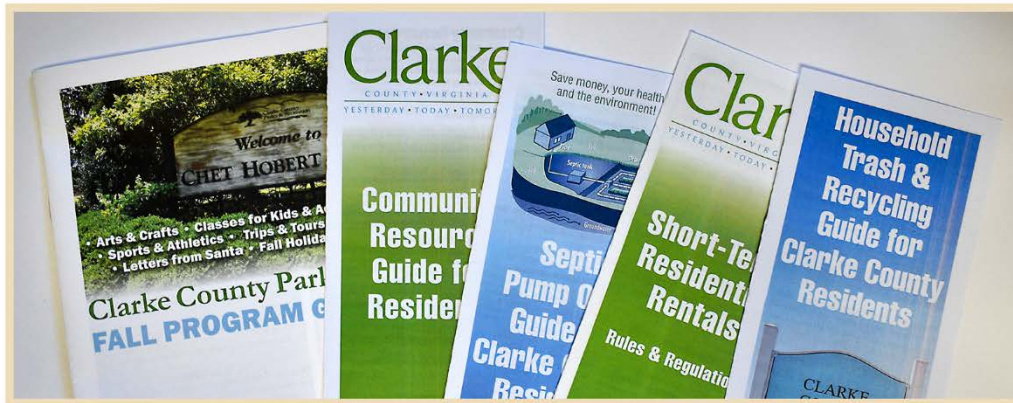


## PHOTOGRAPHY

- Attend community events, government meetings, and spot news events to take photographs for use on social media, website, and print materials.
- Carry camera while traveling around county to capture images of agriculture, wildlife, and beautiful landscapes.
- Submit news photos to *The Winchester Star*, *Clarke Monthly*, Virginia Association of Counties, etc.
- Maintain a photo archive as a county government resource.

### • VIDEO

PIO is primary content creator for the “Clarke County, Virginia” YouTube channel, which has 238 subscribers and 30 videos as of June 20, 2022.



## GRAPHIC DESIGN

- Design the Clarke County Parks & Recreation “Program Guide” (beginning in fall 2021), a 24- to 28-page color publication that is printed three times each year.
- Design simple projects such as brochures, fliers, etc. for various departments.
- Create and distribute holiday closing signs for government buildings, including courts, Social Services, etc.
- Assist various offices when they need the Clarke County wordmark reproduced on shirts, signs, etc.
- Design graphics for special projects such as the Clarke County Citizens Academy.
- Design the “Clarke Communicator” employee newsletter (2018 through 2020 and beginning again in 2022).
- Throughout the COVID-19 pandemic, created many indoor and outdoor signs for the government center; updating signs continues.



## MISCELLANEOUS

- Research information for special projects such as the Monument Committee.
- Edit Maral Kalbian's forthcoming book on Clarke County.
- Respond to phone and email queries, including those submitted via the web's "Contact Us" function.
- Attend government meetings and county events.
- Assist County Administrator, Supervisors, and coworkers with special projects (e.g. Town of Hillsboro's Rt. 9 project; birthday presentations for Viola Brown).
- Occasionally write resolutions for Supervisors.
- Offer writing and proofreading assistance to other offices.
- In 2019, wrote the county's "Graphic & Editorial Guidelines" after the county approved the wordmark logo and color palette. Document explains when to use wordmark and when to use the official government seal.
- Subscribes to "Social Media Today" daily blog and is a member of "Government Social Media" and "Government Social Media Community" Facebook groups for PIOs.
- Sort incoming mail each morning.
- Read various online news sources to find Clarke-related articles as well as identify issues that may concern the county.

### • E-NEWSLETTER

Consider producing a free, weekly (or bi-weekly) electronic newsletter for county residents, who can subscribe and unsubscribe. The newsletter can include government news, public hearing notices, action taken by the Board of Supervisors, due dates for taxes, upcoming events, interesting photos – anything the county wants its residents to know.

Supervisor Bass

- Stated that he is consistently impressed with the level of engagement with the Clarke County, Virginia Facebook page.

Chairman Weiss

- Thanked Cathy Kuehner for her presentation, adding that she has far exceeded the Board’s expectations.

6) *Approval of Minutes*

- Page 655 change “trackers” to “tractors”.

**Vice Chair Catlett moved to approve the minutes of the May 17, 2022 Regular Meeting as amended. The motion carried by the following vote:**

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

7) *Consent Agenda*

- 2022-08R Resolution Honoring Mary “Viola” Roberts Lampkin Brown

**Supervisor McKay moved to adopt the consent agenda as presented. The motion carried by the following vote:**

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

Chairman Weiss presented the following resolution to Mrs. Brown’s daughter, Vonceil Hill.

## Clarke County Board of Supervisors



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

**Millwood Voting District**  
Terri T. Catlett – Vice Chair  
(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  
(540) 837-1331

**County Administrator**  
Chris Boies  
(540) 955-5175

### RESOLUTION HONORING MARY “VIOLA” ROBERTS LAMPKIN BROWN 2022-08R

**WHEREAS**, it is with deep sadness the Clarke County community notes the passing of Mary Viola Roberts Lampkin Brown; and

**WHEREAS**, Mary Viola Roberts, who was always known as Viola, was born on Oct. 4, 1911, in Hume, Virginia, and moved to Clarke County with her parents in 1918 to work as laborers and domestic service workers at Springfield Farm in Webbtown; and

**WHEREAS**, Viola married John Lampkin in 1936, and they built their home in Josephine City south of Berryville where they raised their family; and

**WHEREAS**, Viola continued to work as a cook at grand homes in Clarke County throughout most of her life; and

**WHEREAS**, after John Lampkin’s death in 1982, in 1988 Viola married The Rev. Paul Brown, who died ten years later; and

**WHEREAS**, for many years Viola taught Sunday School at Zion Baptist Church on Josephine Street, managed its Youth Department and worked with the Zion Baptist missionaries because, as she often said, “God is love”; and

**WHEREAS**, throughout her remarkably long and healthy life she maintained a daily routine that included spiritual reflection and focused her love and attention on others, including her ever-growing family; and

**WHEREAS**, as a Clarke County resident for most of her 110 years, Viola Brown witnessed profound cultural and civic changes throughout the county, across the nation, and around the world; and

**WHEREAS**, Viola Roberts Lampkin Brown died May 21, 2022, in her Josephine Street home where she lived for 86 years and is buried in Milton Valley Cemetery not far from her home,

**NOW, THEREFORE** the Clarke County Board of Supervisors does hereby honor the memory of **MARY “VIOLA” ROBERTS LAMPKIN BROWN** for the extraordinary and exemplary life she led that is forever part of Clarke County’s history.

**APPROVED AND ORDERED ENTERED** in the official records by the unanimous vote of the Clarke County Board of Supervisors’ members assembled on the 21st day of June 2022.

Attest: 2022-08R

\_\_\_\_\_  
David Weiss, Chair

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

101 Chalmers Court, Suite B  
Berryville, VA 22611

Telephone: [540] 955-5175



8) *Board of Supervisors Personnel Committee Items from June 13, 2022:*

A. Expiration of term for appointments expiring through August 2022

2022-06-13 Summary: Following review, the Personnel Committee recommends the following:

- Reappoint Laura Dabinett and Robert York to the Board of Social Services for four-year terms expiring on July 15, 2026.
- Reappoint Matt Peterson to People, Inc. of Virginia for a three-year term expiring on July 31, 2025.
- Appoint John Staelin to the Clarke County Planning Commission to fill the unexpired term of Anne Caldwell, beginning July 3, 2022 and expiring April 30, 2025.

2022-06-21 Action: Chris Boies reviewed the Personnel Committee recommendations.

- Dr. Caldwell has resigned from the Planning Commission effective July 2, 2022.

Chairman Weiss

- Expressed the Board’s thanks to Dr. Caldwell for her many years of service and great contributions.

**Supervisor McKay moved to accept the appointments 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 Work Session Items from June 13, 2022*

Board of Supervisors Work Session Agenda Items  
Berryville/Clarke County Government Center, 2nd Floor  
101 Chalmers Court, Berryville, Virginia 22611  
June 13, 2022, 10:00 AM, Meeting Room AB

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

Board Members Absent: None

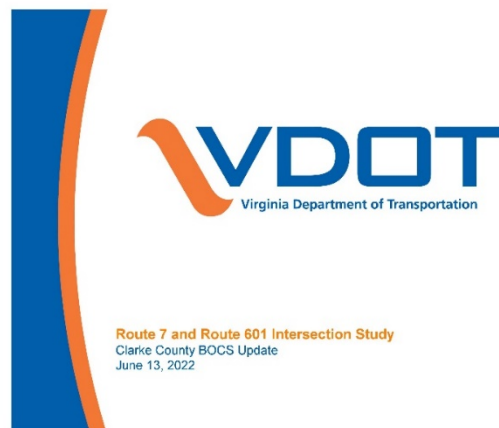
Officer / Staff Present: Chris Boies, Catherine Marsten, Cathy Kuehner, Felicia Hart, Brandon Stidham, Brenda Bennett

Others Present: Ed Carter, Matt Smith, Adam Campbell, Christy Dunkle


Press Present: Mickey Powell, Winchester Star

2022-06-13 Summary: At 9:58 am, Chairman Weiss called the meeting to order.

- A. Rt. 7/Rt. 601 Discussion: Adam Campbell, Staunton District Planner for VDOT, provided the Board an update on the options being considered to improve safety at the intersection of Route 7 and Route 601. VDOT received public comment on the improvement alternatives at a public information meeting on May 10 and during the two-week public comment period after. Based on feedback received from citizens and the Board, VDOT developed a proposed interim alternative, which was presented to the Board in the following presentation. No action was taken.

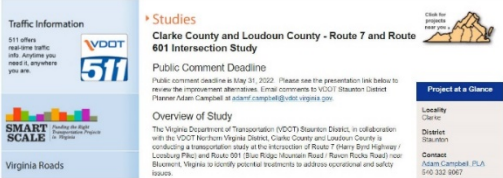







### Route 7 / 601 Study

- March 22: Technical Study Team Meeting
- May 10: BRMCA Study Presentation
- VDOT Study Website developed
- May 17 – 31: Public Comment Period
- June 10: Technical Study Team Meeting




The screenshot shows a VDOT website page with the following content:

- Traffic Information:** 511 offers real-time traffic info. Anytime you need it, anywhere you are.
- SMART SCALE:** Smarter. Safer. Stronger. Virginia Roads.
- Studies:** Clarke County and Loudoun County - Route 7 and Route 601 Intersection Study. Public comment deadline is May 31, 2022. Please see the presentation link below to review the improvement alternatives. Email comments to VDOT Staunton District (Therese.Adam.Campbell@dot.virginia.gov).
- Overview of Study:** The Virginia Department of Transportation (VDOT) Staunton District, in collaboration with the VDOT Northern Virginia District, Clarke County and Loudoun County is conducting a transportation study at the intersection of Route 7 (Henry Road/Highway / Loudoun Pike) and Route 601 (Blue Ridge Mountain Road / Raven Rocks Road) near Blountville, Virginia to identify potential treatments to address operational and safety issues.
- Project at a Glance:** Locality: Clarke; District: Staunton; Contact: Adam Campbell, P.L.A. 540.332.8967.




### BRMCA Meeting Summary

- Held the evening of May 10<sup>th</sup> at Blue Ridge Volunteer Fire Station
- Well attended with approximately 50 participants
- VDOT Staunton, VDOT NOVA, Clarke County and Loudoun County staff were in attendance
- Meeting format was a 30 minute presentation followed by question and answer




### BRMCA Meeting Summary

- Speeding is the primary issue
- Increase in traffic related to newer land uses significantly compounded the intersection issues
- Corridor issue (need is larger than the study intersection)
- Proposed U-turn movements are a significant concern due to the steep grades
- Concerns about heavy vehicle access
- Several attendees indicated they already use downstream U-turns during congested times




**Public Comment Summary**

- 16 individuals submitted comments by email during the public comment period
- 75% of respondents confirmed the identified intersection needs with 56% specifically mentioning speeding
- 25% of respondents indicated concerns with all proposed alternatives and associated U-turn movements
- Concerns over heavy vehicle movements, the need to evaluate the entire corridor, and drivers already making downstream U-turns were meeting topics re-enforced by the submitted comments



**Public Comment Summary**

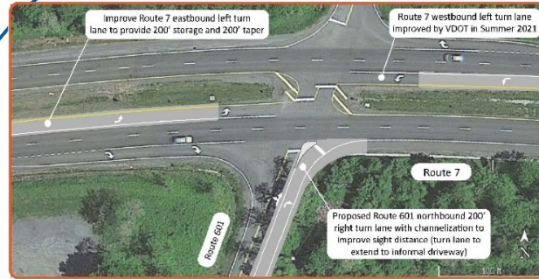
- Of the three alternatives, 19% indicated the Alt 1: RCUT and 19% indicated the Alt 3: Hybrid Option as their preference
- Loudoun County Transportation staff indicated that the Alt 1: RCUT with bulb-outs and acceleration lanes for both U-turns is their preferred alternative
- Other improvement ideas submitted in comments:
  - speed feedback signs
  - roadway lighting
  - increased enforcement
  - downstream signals to create gaps in Route 7 traffic
  - no passing zone at top of mountain
  - improve deceleration lanes along Route 7
  - designated northbound Route 601 right turn lane



**Alt 1: RCUT Interim Concept**

- Based on public feedback, VDOT considered a new interim alternative that could set up a future RCUT intersection
- Interim concept would maintain full access at primary intersection, but make voluntary U-turn movements more attractive and safer during congested periods
- Interim concept would provide a new Route 601 northbound right turn lane and improve downstream Route 7 left turn / U-turn lanes to provide storage and deceleration length
- Signage for "Alternative Route" could be considered to further encourage U-turn movements during congested periods
- The Route 601 northbound right turn lane would serve the dominate approach movement (72% AM, 55% PM, 76% Weekend)

**VDOT** Alt 1: RCUT Interim Concept



**VDOT** Alt 1: RCUT Interim Concept



**VDOT** Alt 1: RCUT Interim Concept



**VDOT**

**Existing Conditions MOE Comparison  
(Delay per Vehicle in Seconds)**

Scenario	NB Left	SB Left	EB Left	WB Left	Intersection
AM (Vissim)	53s	59s	11s	50s	3s
PM (Vissim)	57s	53s	43s	12s	3s
Weekend PM (Vissim)	43s	28s	15s	20s	5s

**Existing Conditions MOE Comparison  
(Queue Length in Feet)**

Scenario	NB Left	SB Left	EB Left	WB Left
AM (Vissim)	95'	37'	6'	67'
PM (Vissim)	161'	42'	41'	133'
Weekend PM (Vissim)	209'	34'	24'	100'

**VDOT**

**2032 No-Build and Interim Comparison  
(Delay per Vehicle in Seconds)**

Scenario	NB Left (Right)	SB Left	EB Left	WB Left	Int.
AM (Vissim)	130s 68s (41s)	123s 123s	19s 11s	134s 111s	7s 5s
PM (Vissim)	317s 280s (57s)	94s 90s	81s 85s	15s 15s	14s 8s
Weekend PM (Vissim)	133s 36s (15s)	36s 37s	21s 17s	28s 27s	15s 4s

**2032 No-Build and Interim Comparison  
(Queue Length in Feet)**


Scenario	NB Left (Right)	SB Left	EB Left	WB Left
AM (Vissim)	188' 74' (70')	54' 53'	93' 20'	140' 114'
PM (Vissim)	509' 356' (356')	49' 50'	85' 84'	179' 247'
Weekend PM (Vissim)	487' 101' (110')	34' 33'	27' 33'	180' 131'

 **2032 No-Build and Interim Comparison (25% diversion)**  
**(Delay per Vehicle in Seconds)**

Scenario	NB Left (Right)	SB Left	EB Left	WB Left	Int.
AM (Vissim)	130s 64s (43s)	123s 105s	19s 11s	134s 102s	7s 4s
PM (Vissim)	317s 126s (10s)	94s 84s	81s 73s	15s 15s	14s 4s
Weekend PM (Vissim)	133s 33s (17s)	36s 39s	21s 17s	28s 27s	15s 4s

**2032 No-Build and Interim Comparison (25% diversion)**  
**(Queue Length in Feet)**

Scenario	NB Left (Right)	SB Left	EB Left	WB Left
AM (Vissim)	188' 77' (76')	54' 61'	93' 25'	140' 106'
PM (Vissim)	509' 130' (130')	49' 47'	85' 47'	179' 160'
Weekend PM (Vissim)	487' 109' (118')	34' 32'	27' 28'	180' 136'

-  **Interim Concept Expectations**
- Will reduce Route 601 NB queue lengths and improve delay for right turning vehicles, but minimal delay improvement for left turns without voluntary diversion
  - Will have a minimal impact on intersection safety based on Crash Modification Factors and no reduction of conflict points without voluntary diversion
  - Will result in less Smart Scale scoring potential (safety), but also result in a lower Smart Scale request (planning level estimate = \$1.5 to \$2.0 million)
  - Should Park and Ride elements be considered in Smart Scale application? Route 7 right turn lane extensions?

-  **Next Steps**
- Technical Study Team alternative recommendation
  - Update Study Website to incorporate interim concept and public comments
  - Assist Clarke County with Smart Scale estimate development ahead of Smart Scale August 1<sup>st</sup> deadline
  - Clarke County and Loudoun County to consider Resolutions of Support in June or July

B. Request from the Town of Berryville for a Resolution of Support for SMART Scale funding for improvements to East Main Street: Christy Dunkle, Community Development Director for the Town of Berryville, presented the Town’s proposed improvements to East Main Street between the Norfolk Southern Railroad tracks and Jack Enders Boulevard and between Jack Enders Boulevard and Battletown Drive: constructing curb, gutter, and storm sewer, with minor lane widening on both sides, constructing a sidewalk along the north side, and milling and overlaying the existing pavement. With

support from the Board, the Town previously submitted a SMART Scale application for this project in 2018, which was not funded. The Town is submitting a new SMART Scale application for this project and requests that the Board execute a Resolution of Support. The application deadline is August 1, 2022. The Board asked questions and decided to move the Resolution of Support forward to the June 21<sup>st</sup> meeting.

At 10:57 am, Chairman Weiss adjourned the meeting.

2022-06-21 Action: Chris Boies reviewed the 2022-06-13 Summary.

- A placeholder is in place right now, allowing the County to submit a SMART Scale application.
- The application deadline is August 1, so the Board needs to vote on a Resolution of Support at the July meeting.
- Staff has reached out to Loudoun County, who advised that they have recommended three other changes to the proposed plan. VDOT had not included these changes because they would hurt the SMART Scale application scoring.
- Loudoun County’s proposed changes include additional acceleration lanes and extra lanes at the U-turn sites to make merging easier.
- Clarke Staff has suggested that Loudoun County use the \$500k that has already been set aside towards this project, which would help the application’s scoring. Staff from Loudoun County should respond within a week or so.
- Staff can draft a Resolution of Support for the SMART Scale application, but advises that the Resolution should specify the alternatives that the Board supports.

Vice Chair Catlett

- Requested clarification about the additional lanes and application scoring.
  - Supervisor Lawrence explained that Loudoun suggests adding acceleration lanes for the merge onto Route 7 from Route 601, and for each of the U-turn areas.
  - Chris Boies added that including more acceleration lanes, per Loudoun County’s recommendation, does not produce an increased safety factor that justifies the cost, according to VDOT’s models.

Chairman Weiss

- Advised that the Board needs to determine if it supports any of the suggested alternatives.

Supervisor Bass

- Opined that Loudoun County’s suggestions seem reasonable.

Vice Chair Catlett

- Stated that Loudon’s suggestions seem to address the grade issues.
  - o Chris Boies clarified that Loudoun County Staff favored the new alternative with the inclusion of their suggestions.

Supervisor Bass

- Asked if the timeframe would allow VDOT to consider Loudoun’s suggestions as another alternative.
  - o Chris Boies responded that the Board can ask for Loudoun’s suggestions to be added to the plan, but cannot predict how that would affect the SMART Scale scoring. However, adding local money would help the score, so Loudoun appears to have some advantage there.

Chairman Weiss

- Observed that Ed Carter has indicated VDOT has spent a lot of money on this issue already and cannot continue to look at alternatives forever, but that seems to be a flawed message because it is a complicated issue and it is their job to solve it.

Supervisor Lawrence

- Concurred and added that changing the traffic patterns without adding proper acceleration lanes could result in greater issues in the future.

Chairman Weiss

- Summarized that the most recent alternative seems to make the most sense, but that the Board would agree with Loudoun County staff that acceleration lanes are critical to the overall functionality.
  - o Chris Boies advised that staff will coordinate with Loudoun County and VDOT to add those components. The Board will discuss the matter at the July work session and vote on it at the July 19 regular meeting.

Chris Boies continued the 2022-06-13 Summary:

- The Town of Berryville is requesting a Resolution of Support from the County for the Town’s own SMART Scale applications for improvements to East Main Street.

**Supervisor Lawrence moved to adopt a Resolution of Support for the Town of Berryville SMART Scale Application (2022-09R). 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 – Vice Chair (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 (540) 837-1331	<b>County Administrator</b> Chris Boies (540) 955-5175

#### Resolution of Support Town of Berryville SMART Scale Applications 2022-09R

**WHEREAS**, the Town of Berryville is applying for two SMART Scale grants in order to construct pedestrian improvements and other infrastructure upgrades on East Main Street between the Norfolk Southern Railroad tracks and Jack Enders Boulevard and between Jack Enders Boulevard and Battletown Drive; and

**WHEREAS**, the Berryville Town Council adopted a Resolution establishing an Urban Development Area (UDA) at their June 12, 2018 meeting followed by a Resolution of Support at their June 22, 2018 meeting; and

**WHEREAS**, pedestrian accommodations are needed in this area to address safety concerns due to increased traffic volumes and to enable access to the Downtown Berryville business district; and

**WHEREAS**, these improvements will enhance economic development efforts in the community by improving access to businesses; and

**WHEREAS**, additional residential units are anticipated in this area within the next five years; and

**WHEREAS**, upgrades to storm water management infrastructure will allow for additional private investment on properties located in the project area;

**NOW, THEREFORE BE IT RESOLVED** that the Clarke County Board of Supervisors supports and endorses the SMART Scale applications submitted by the Town of Berryville.

Adopted this 21<sup>st</sup> day of June 2022.

Attest 2022-09R

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

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

101 Chalmers Court, Suite B  
Berryville, VA 22611

Telephone: [540] 955-5175

#### Chairman Weiss

- Added that there are, according to VDOT, plans to get new striping that designates a through lane and a turn lane for vehicles turning onto Fairfax from Route 340.



10) *Board of Supervisors Finance Committee Items from June 13, 2022*

- A. Clarke County School Board Budget Transfer: The Clarke County School Board has approved a request to transfer expenditure budget and appropriation in the amount of \$456,791 from fund 205, the School’s Operating Budget, to fund 302, the School’s Capital Project budget. This amount is part of the original ESSER III ARP funds (\$1,270,045) appropriated earlier this fiscal year. At that time the entire allocation of the ESSER III funds were appropriated to the School Operating fund (302). This amount will be used to replace two heat recovery units at D.G. Cooley Elementary School and will serve as the required match for the HVAC Replacement & Improvement grant provided by Coronavirus SLFRF funding (\$344,247). This item is being brought to the Finance Committee because transfers between funds require approval by the Board of Supervisors.

2022-06-13 Summary: The Finance Committee recommends, “Be it resolved that FY22 budgeted expenditure and appropriation of \$456,791 be transferred from the Clarke County School Division’s Operating budget to the School Division’s Capital Projects budget.”

2022-06-21 Action: Brenda Bennett reviewed the above summary.

Chairman Weiss

- Stated, and Brenda Bennett affirmed, that the use of these funds is generally consistent with what the School Board originally described.

**Supervisor Lawrence moved, be it resolved, that FY22 budgeted expenditure and appropriation of \$456,791 be transferred from the Clarke County School Division’s Operating budget to the School Division’s Capital Projects budget. 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. CARES Act Funds Reporting:

2022-06-13 Summary: The Commonwealth of Virginia Compliance Oversight and Federal Reporting Department of Accounts (DOA) has completed its Subrecipient Monitoring Review of Clarke County's CARES Act funds.

2022-06-21 Action: Brenda Bennett reviewed the above summary:

- The County received \$1.275 million in CARES Act funds in June 2020. These funds are now considered fully expended, completely and accurately reported, and therefore closed.
- As an outcome of this review process, it was noted that the County does not have documented procedures for tracking and managing federal grants. The County has long-standing practices for accounting and will incorporate those into a written policy to satisfy that requirement.

Chairman Weiss

- Offered praise to staff, explaining that all monies spent were spent appropriately. Nothing submitted for review was rejected, there were just some minor re-categorizations requested by the State.

C. ARPA Tourism Recovery Program:

2022-06-13 Summary: By consensus, the Finance Committee concurred with the proposed expenditures using ARPA funding.

2022-06-21 Action: Brenda Bennett reviewed the above summary:

- Last December, the Board approved a supplemental request for \$30k in ARPA funding for economic development, monitored by the Virginia Tourism Corporation.
- Economic Development and Tourism Director Felicia Hart reviewed the detailed spending plan with the Finance Committee; this plan will be submitted to the VTC for approval.

Chairman Weiss

- Advised that a big caveat for these funds were that they could not supplant existing expenditures and must be spent on new projects. However, even this is subject to further scrutiny.

D. Commonwealth of Virginia Budget Discussion:

2022-06-13 Summary: Information only, no action taken.

2022-06-21 Action: Chris Boies provided the following update:

- The General Assembly re-convened on Friday to look at the Governor’s amendments; some were approved and some denied. None of the amendments directly impact the local budget.
- The Governor will be ceremonially signing the budget today.

Chairman Weiss

- Noted that school capital funds remained in the state budget, which was critical for the County’s approved budget, as the schools did not request any local capital funding.
- Further noted that there will be further discussion as to how the County will handle Compensation Board raises.
  - o Brenda Bennett added that staff has requested clarification from the Compensation Board on several items.

E. Bills and Claims

2022-06-13 Summary: The Finance Committee recommends approval of the May 2022 Invoice History Report.

2022-06-21 Action: Brenda Bennett reviewed the Finance Committee recommendation.

**Vice Chair Catlett moved to accept the bills and claims 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

F. Standing Reports

1. Year to Date Budget Report
2. Reconciliation of Appropriations
3. Capital Projects Report

2022-06-21 Action: Information Only.

*11) Joint Administrative Services Board Update*

Brenda Bennett provided the following update:

- There is nothing new to report; the JAS Board last met in March.

## 12) Government Projects Update

Chris Boies provided the following update:

- The consultants working on the courthouse green master plan have completed their focus group meetings and site investigations. They have developed a number of maps of the site along with a deficiencies analysis (basically areas of concern). They have also developed a matrix that evaluates the pluses and minuses of different locations for a second feature (whether it be monument, sculpture, etc.). They plan to provide county staff documents to review as well as hold one more meeting to review everything before scheduling the first open house sometime in mid to late July. We are still evaluating different locations to hold this meeting and will share that information widely to the public once a date, time, and place has been selected.
- The Director of Fire, EMS, and Emergency Management search process is going well. We received over 70 applications and have conducted a number of interviews. The second round of the process should be completed by the end of June and a possible announcement could likely be made in mid-July.
- We are having our next Meet/Greet for new residents on July 12<sup>th</sup> from 6-8 pm at the Barns of Rose Hill. This is an opportunity for folks who are new to our community to learn about our non-profits, volunteer opportunities, and to meet each other. These events are held quarterly and are a great partnership between our Economic Development & Tourism office, Berryville Main Street, and the Barns of Rose Hill.
- The work group reviewing the special events ordinance will hold its first meeting next week. We will be reviewing the ordinance and associated processes, and reporting back our recommendations to the Board. It is anticipated that this group will meet 2-3 times before developing a report for the Board to review. The Board will be represented by Mrs. Catlett in that group.
- Joey is working to get a painter to paint the outside of the Josephine Museum; this will help preserve the building. The front has already been completed.
- The courtroom benches were installed in the Circuit Courthouse in the past week. The wooden benches look very nice and were part of funds approved by the Board.

### Chairman Weiss

- Asked how the welcome bags distribution was going.
  - Chris Boies answered that welcome bags were distributed at the last newcomers meet and greet event and are also given out by the Town Offices, as well as the Commissioner of the Revenue and Treasurer.

- Reported that the glass recycling pilot program at the convenience center seems to be a success.

Vice Chair Catlett

- Inquired what happens to the recycled glass.
  - Chris Boies responded that the glass is ground into a sand-like substance, which can be used in many ways.
  - Supervisor Lawrence added that the substance is sand-like but is not playground sand; it is more suitable for mixing with concrete and the like.

13) *Miscellaneous Items*

14) *Summary of Required Actions*

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Process approved minutes for May 17, 2022	Catherine Marsten
2.	Execute notice of appointments	David Weiss
3.	Process appointments and update the database	Catherine Marsten
4.	Provide executed Resolution of Support to the Town of Berryville	Catherine Marsten
5.	Get update from Loudoun County Staff re: Rt7/601 intersection	Chris Boies
6.	Process budget transfers and supplemental requests	Brenda Bennett
7.	Process Bills and Claims	Brenda Bennett

15) *Board Member Committee Status Reports*

Supervisor Matthew Bass

- Board of Septic and Well Appeals
  - Nothing to report.
- Library Advisory Council
  - Nothing to report, will meet next month.
- Clarke County Litter Committee
  - Will meet later today.
- Planning Commission
  - Dr. Caldwell resigned and she will be sorely missed but Mr. Staelin will be welcomed.
  - Approved a minor boundary line adjustment and set a public hearing for the Comprehensive Plan on June 29 at 7pm.
- Josephine School Community Museum Board

- Juneteenth event at Fairgrounds was a nice event and was well-attended.
- Legislative Updates
  - Budget update already provided.
- Northwestern Regional Adult Drug Treatment Court Advisory Committee
  - Has not met, nothing to report.
- Northwestern Regional Juvenile Detention Center Commission
  - Has passed their FY23 budget.
- Sheriff's Office
  - The Sheriff reports "all is well".
- Town of Berryville
  - Held a public hearing on blight abatement.
    - Supervisor Lawrence noted that the State budget includes \$5mil in FY23 for a Black, Indigenous, and People of Color Preservation Fund and wondered if that was something the Josephine Museum could pursue in order to purchase one of the properties for use as a satellite facility.
    - Supervisor Bass responded that he is unsure what the long-term plan for the property is and advised he will bring the budget item to the attention of interested parties.

#### Supervisor Bev McKay

- Berryville-Clarke County Joint Building Committee
  - Has not met.
- Northern Shenandoah Valley Regional Commission
  - Met last week and discussed the fiber-to-home project, which is proceeding as expected.
- Town of Boyce
  - Is seeking help from VDOT with traffic calming on Route 340.
- Clarke County Sanitary Authority
  - Had a major leak in line from the spring through Scaleby, it has been located and isolated for repair and have installed meters to help locate leaks.
  - Held an extensive discussion regarding a Millwood customer with an extremely high grease content, they will need to install a grease trap.
- VACO
  - Attended recent meeting in Augusta County, discussed the nutrient credit issue, commercial-sized solar facilities, state inmates currently housed in local jails, and the state's lack of mental health facilities.

#### Vice-Chair Terri Catlett

- Career and Technical Education

- Has not met, nothing to report.
- Clarke County Historic Preservation Commission
  - Has not met, nothing to report.
- Clarke County Humane Foundation
  - Ongoing discussions about programs and pet placement.
- Conservation Easement Authority
  - Gathering information to make educated decisions on building envelopes, etc.
  - Celebrated 20<sup>th</sup> anniversary with an event at Long Branch.
- Parks & Recreation Advisory Board
  - Unveiled StoryWalk trail, a joint project with CCEF and schools. Elementary library staff will pick books to use and change the story regularly.
- School Board
  - Recent high school graduation ceremony was beautiful; the valedictorian gave an excellent speech.
- Village of Millwood
  - Neighborhood picnic this Sunday.
- Community Policy & Management Team
  - Meets next week.

Supervisor Doug Lawrence

- Board of Social Services
  - Finished updating employee handbook, added an annual driving record check.
  - Working to bring outside resources into county to improve access for area clients.
- Regional Jail Authority
  - Per diem increased in state budget.
- Broadband Implementation Committee
  - Still waiting on the grant contract between the State, the Regional Commission, and the vendor.

Chairman David Weiss

- Berryville-Clarke County Joint Committee on Economic Development & Tourism
  - Will meet in July.
- Industrial Development Authority
  - Will meet in July.
- Fire & EMS Commission
  - Conducting Director interviews next week.
- Conservation Easement Authority

- o Has been a big success over last 20 years, is a great thing and should be celebrated.

At 2:46 pm, Chairman Weiss recessed the meeting.

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

16) *Citizen's Comment Period*

No persons appeared to address the Board.

17) *Resolution of Recognition of the Clarke County High School Boys Varsity Soccer Team as State Champions (2022-10R)*

**Supervisor Bass moved to adopt a Resolution of Recognition of the Clarke County High School Boys Varsity Soccer Team as State Champions (2022-10R) as presented. The motion carried by the following vote:**

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



## Clarke County Board of Supervisors



Berryville Voting District  
Matthew E. Bass  
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Millwood Voting District  
Terri T. Catlett – Vice Chair  
(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  
(540) 837-1331

County Administrator  
Chris Boies  
(540) 955-5175

### Resolution of Recognition

#### The Clarke County High School Varsity Boys Soccer Team as State Champions 2022-10R

**WHEREAS**, the 2021-2022 Clarke County High School Boys Varsity Soccer team won the Class 2 Championship game for the Virginia High School State Title at Spartan Field on June 11, 2022; and

**WHEREAS**, the Eagles were represented in the match by Colin Moran, Caden Mercer, Joseph Ziercher, Benjamin Fulmer, Jackson Ellis, Menes Ajyeman, Ian Waldner, Callaway Beckett, Christopher LeBlanc, Jose Ramirez, Oakley Staples, Jesus Ramirez Figueroa, Leo Morris, John Beiler, Charles Frame, Caleb Neiman, Harim Torres, Brody Murphy, Emmet Morris, Theodore Lowery, Porter Murphy, and Kyler Darlington; and

**WHEREAS**, the Clarke County Boys Soccer Team, led by head coach Patrick Casey and Assistant Coaches Rusty Reid, Tom Elliston, Chandler DeHaven, and Marc Herman, had twenty-four wins and zero losses in the 2022 season and won the State Championship against Glenvar three to two;

**NOW, THEREFORE, BE IT RESOLVED** the Clarke County Board of Supervisors does hereby recognize the 2021-2022 Clarke County High School Varsity Boys Soccer team and its coaches for their state championship and 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 21<sup>st</sup> day of June 2022.

ATTEST 2022-10R

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

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18) *Resolution of Recognition of the Clarke County High School Girls Cross Country State Champions (2022-11R)*

**Vice Chair Catlett moved to adopt a Resolution of Recognition of the Clarke County High School Girls Cross-Country Team as State Champions (2022-11R) as presented. The motion carried by the following vote:**

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

**Clarke County Board of Supervisors**



Berryville Voting District  
Matthew E. Bass  
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Bev B. McKay  
(540) 837-1331

County Administrator  
Chris Boies  
(540) 955-5175

**Resolution of Recognition**

**The Clarke County High School Girls Cross Country Team as State Champions 2022-11R**

**WHEREAS**, the 2021-2022 Clarke County High School Girls Cross Country team won the Class 2 State Championship title at Green Hill Park on November 13, 2021; and

**WHEREAS**, the Eagles were represented by Teya Starley, Abigail Cochran, Ellen Smith, Julianna Pledgie, Ryleigh Webster, Ava Mansfield, and Sasha Danjczek; and

**WHEREAS**, the Clarke County High School Girls Cross Country team, led by head coach Jeff Webster won the state championship title with a total score of 90 points;

**NOW, THEREFORE, BE IT RESOLVED** the Clarke County Board of Supervisors does hereby recognize the 2021-2022 Clarke County High School Girls Cross Country team and its coaches for their state championship title.

**APPROVED AND ORDERED ENTERED** in the official records by the unanimous vote of the Clarke County Board of Supervisors' members assembled on the 21<sup>st</sup> day of June 2022.

ATTEST 2022-11R

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

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Telephone: [540] 955-5175

Supervisor Bass

- Read the following statement, since edited lightly for grammar and syntax, into the record:

“ One of the perks of being on the Clarke County Board of Supervisors is that we often get to recognize achievements throughout our community. The Board’s recognition of our two State Champions this year, in Girls Cross Country and Boys Soccer, inspired me to write an open letter – read into the Board’s record during its public hearing on June 21 – addressed not only to those two remarkable teams, but to the echoes of Eagles past, the glory of Eagles present, and the dreams of Eagles future. It goes something like this:

To this day, I vividly remember my friends and I pretending to be the great Eagles basketball players of the early 1990s on playgrounds and backyard courts across the county. In those days, a District Championship was huge – much less a State Championship – which made those deep playoff runs through Regionals and into States by our childhood idols that much more special. Later that decade, the Clarke County Boys Soccer program produced an iconic group that went on to win the State title. Witnessing that season from the jam-packed stands was an indelible experience.

Several years later, I was lucky enough to be part of Eagles baseball teams that made deep pushes into the State tournament. And while we ultimately fell short of the grand prize, the memory of widespread community support – embodied in hundreds upon hundreds turning out for epic rivalry games against arch nemesis Strasburg in the District and Regional tournaments– is something I’ll never forget.

There are few phenomena that unite a community’s voice like support for our youth. Over the last couple decades, our youth sports programs have flourished, producing unparalleled results, even as school and district sizes and classifications have changed more rapidly than in years past. In many ways, however, Clarke County is still the little engine that could. Comparatively small, with fewer high-level competition opportunities than more densely populated areas, this little community has that intangible quality that can propel its people to great heights – that quality is Heart.

The cliches abound, but not without good reason. It’s not the size of the dog in the fight, but the size of the fight in the dog. Growing up here has taught me that this county is uncommonly chalk full of it. That’s why it warms my heart and inspires my Eagles spirit when I see our young people succeed at such a high level.

On that note, I understand that this year has been particularly special for Clarke County Athletics. In addition to the state championships

for Girls Cross Country and Boys Soccer that the Board recognized, the Football team won the District Championship in the fall, as did the Girls Soccer team this spring. All contributed to Clarke winning the Battle of the Bull Run, which is a points competition based on how well varsity teams do throughout the year. Athletic Director Casey Childs believes Clarke may have set a record for total points scored in the competition. He called it a “tremendous year” for the athletic program.

To me, this success is a reflection on the community as whole. It reflects on the parents who sacrifice to make sure our kids get to practice on time; the kids working hard at those practices; our Parks & Recreation staff who maintain fields of play; those who participate in coaching; those who fill the sidelines; and (especially) those who bring the snacks and drinks. And it’s the families who come out to vigorously support their Clarke County Eagles wherever they play, just as they’ve done for decades – so that the next generation of Eagles has those same role models to look up to, just as I did some thirty years ago.

To our Eagles student-athletes, I say this:  
Somewhere out there is a child pretending to score that game winning goal or cross that finish line first, and they might just be saying your name as they do it. Remember that as you take your next steps in life, whether you’ve just graduated or are coming back next season. Continue to exemplify the best Clarke County has to offer, just as you’ve done this season. Never forget that you are part of the little engine that could. That mentality will set you apart in larger crowds moving forward, just as it did in this season of your lives that you will never forget. The Board wishes each of you the best of luck. Congratulations – and enjoy your Summer!”

#### 19) 2 for 2 Foundation Presentation


Lynda Tyler, Chair of the 2For2 Foundation, presented the following via a pre-recorded video:

- The foundation is trying to raise money to build two different facilities in the area, a swimming facility worthy of all types of competition, and an ice-hockey/ice-skating facility.
- This is not just another pool or sheet of ice; the foundation places heavy emphasis on swim literacy, education, and what the community can come together to do inside these facilities.
- The foundation is an all-volunteer group, is registered with the State, and complies with all IRS regulations as a 501(c)(3) organization.
- The 2For2 Foundation has researched many different types of models to find workable frameworks that benefit all: the first is all-public, where one or more governments use tax revenues to build the facilities on their own. This



is not palatable, nor does it fit the mission. Another model is all-private, which unfortunately carries an obligation to the investors and places emphasis on profit. This is not what the Foundation wants, as it excludes the under-served and differently abled citizens. Fees are typically higher than they would need to be if run in the public sector and the programming would not be as broad. Another option is public sector ownership with private management. This would also increase taxes, could cut revenues to governments and can lead to exclusive programming policies.

- A model that the Foundation likes and thinks fits best for all involved is the Private/Public Partnership. This involves private funding, matched with public programming including localities in the Northern Shenandoah Valley area. This fits models best, by serving the most residents in the most cost-effective manner.


Ken Kempson, a Clarke County resident and member of the 2For2 Foundation Board, presented the following:



**Regional Swim and Skate Facility**






Kenneth E. Kempson, Esq.  
2FOR2



Is It Financially Feasible  
for Frederick County to enter into a  
regional public/private agreement with  
2For2 Foundation to build a  
**Regional Swim and Skate Facility?**

**Answer: Yes:**  
Sustainable Private Fundraising  
+  
Government Willingness  
= Success

## What are we talking about?



- Joint Swimming and Skating Athletic Facility
  - Two Pools
  - Two Rinks
  - Appropriate Ancillary Locker Rooms, etc.
  - Additional Conference Rooms and Community Use Rooms
- Synergy of Pools and Rinks Lowers Costs
- Design Details Need to be Worked Out
  - Based on Site Characteristics and Government Decisions

## Why This and Why Now?



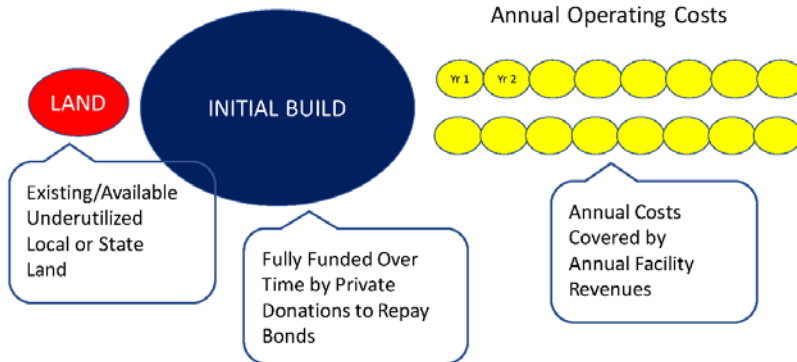
- Northern Shenandoah Valley = Growing, Vibrant Multi-jurisdictional Community
  - Citizens, Kids, Seniors
- Facility meets needs
  - Educational – School Teams and mental health/wellness
  - Athletic – School and Adults
  - Inclusive Needs of other-abled citizens
- Community Commitment reflected in Surveys and Fundraising Success
- Drives activities that reduce government spending – \$50 to \$1
- Would potentially serve multiple Counties and Winchester
  - Multi-county usage warrants multi-county participation

How Can This  
be  
Accomplished?

Private Funding Plus  
Government Commitment

ALL COSTS covered by  
Operational Revenue and  
Private Funding Over Life of  
Facility

## Three Major Components of Cost



### Land



- Proposal: Use existing land owned by or available to the concerned governments
- One developer is "interested and excited" to pursue the possible donation of 17 acres near Middletown
- But the process must move forward now to make this a reality

### Operating Costs



- Includes facility cost, personnel, maintenance, and required capital maintenance
- Costs are reduced by Joint Pool-Rink facility due to common use of hot water, personnel, etc.
- Initial design should focus on lower operating costs and potential revenue-producing activities
- Operating Revenue exceeds Operating Costs in similar facilities across the country
- Specific proposal and feasibility study will address Operating Costs in detail

## Initial Building Costs



- Actual All-in Cost of Joint Facility will depend on many factors unknowable at this moment
- Based on similar facilities, anticipated cost is \$50 to \$70 Million
  
- Question: Can This Be Raised Privately, With No Net Cost to Government?
  
- Answer: YES! This can clearly be raised over the life of the facility, with 30% raised initially – if we start now.

## How Will the Private Money be Raised?



- **Community Outpouring of small donations**
    - Kids, Parents, Older Citizens have all shown great willingness to support
    - "Ice Cream Cone" and "Ice Cream Sandwich" world records slated to raise over \$1,000,000
    - Reflects strong community support
  - **Community Business Support**
    - Existing Pledges show strong support
    - In-kind contribution can help all along the process
      - E.g., Donation of needed Land or ALL concrete required for the facility
  - **Naming Rights and internal advertising bring in significant amounts**
    - One business is discussing overall facility naming rights for 10% of the facility costs
- (Cont.)

## How Will the Private Money be Raised? (cont.)



- **Federal & State Grants can be significant**
  - At this time, many programs have money looking for worthy uses
  - 2FOR2 can help identify and apply for likely grants
  - Appears likely that a \$3 million federal grant may become reality
- **Many larger donors are ready to contribute if the project can become reality**
  - We have statements of commitment from donors in the \$2,000 to \$20,000 range
  - We have indications of commitment for donors of \$1,000,000 or more
- **If the facility actually moves forward with government support,**  
initial contributions thru 2FOR2 will likely exceed 30% of the building costs



## How to Proceed?



- Statement of governmental interest in moving forward
  - Shared vision among municipalities
  - Permitting municipal organizations/staff to work together and with 2For2
- Determine best way to coordinate among municipalities
  - Perhaps use existing inter-governmental structures, such as Lord Fairfax Community College as a funding aggregator
- Willingness to consider issuing government bonds to cover the initial building costs while fund raising catches up to outlays
- Your participation unlocks the private funds that will make this a reality!



### Chairman Weiss

- Asked how large the Foundation Board is and how long they have been working on this project.
  - Ken Kempson responded that there are 5 members now and they are expecting to have 9 members by the end of December; they have been working on the project for less than a year.

### Supervisor Lawrence

- Asked what kind of working group the Frederick County Board of Supervisors set up for this project.
  - Ken Kempson and Diana Hackney, the Foundations pro-bono consultant, answered that the Frederick County Board of Supervisors have so far permitted the Foundation to talk with their County Administrator as well as with individual departments.

### Vice Chair Catlett

- Inquired if the Foundation would work on building both an ice-skating rink and pool at the same time.
  - Ken Kempson answered yes, subject to the feasibility study, the concept is to build a joint facility. This is efficient, as heat generated from the ice rink is used for heating the pool.

### Supervisor Bass

- Thanked the Foundation for the presentation and advised he would be curious if there were other potential locations, other than Middletown.

### Supervisor McKay

- Inquired what counties the Foundation envisions participating in this project.
  - Ken Kempson replied that is part of the feasibility study aspect. Frederick County, Clarke County, and the City of Winchester would be a good start, with the potential to maybe include Warren and/or Shenandoah counties as well.

Vice Chair Catlett

- Observed that the community is so small that the only way for the County to pursue this type of endeavor would be in a partnership and added that she is interested in hearing the results of a feasibility study.

Supervisor Lawrence

- Advised that he is in favor of the regional approach and that the project carries a lot of benefits.

Chairman Weiss

- Agreed that it is a worthy goal and a good model, with the caveat that staff's time is valuable and limited; Board would like to be kept informed of the time staff spends on the project.

**By consensus, the Board agreed to permit staff to work with the Foundation to determine the feasibility of the project.**

20) *Friends of the Shenandoah Presentation*

Karen Anderson, Laboratory and Program Director for the Friends of the Shenandoah River, presented the following:



A COLLABORATION TO PROTECT THE WATERS OF SHENANDOAH RIVER AND ITS TRIBUTARIES THROUGH A RIGOROUS, SCIENTIFICALLY-GROUNDED WATER QUALITY MONITORING EFFORT

Who is the Friends of the Shenandoah River?

- FOSR maintains and operates an accredited water quality testing lab located on the campus of Shenandoah University
- Meets the Virginia Department of Environmental Quality's Level III criteria



## Nutrients

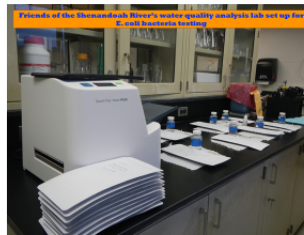
- Nitrate/Nitrite
- Total Nitrogen (TN)
- Ortho Phosphate
- Total Phosphate (TP)
- Ammonia



FOSR maintains and operates an accredited water quality testing lab that meets the Virginia Department of Environmental Quality's Level III criteria

## Bacteria

- FOSR utilizes the industry-wide accepted IDEXX Colliert-18® method for the determination of the *E. coli* concentrations.
- By using this method, the results for *E. coli* levels can be read after an incubation period of 18 – 22 hours. The *E. coli* level of a water sample is measured as the Most Probable Number (MPN) of Colony Forming Units (CFUs) per 100 ml of water sample.



FOSR maintains and operates an accredited water quality testing lab that meets the Virginia Department of Environmental Quality's Level III criteria

## In situ Field Measurements

- Tasks performed by FOSR's laboratory staff and trained and certified volunteer citizen scientists in the field:
  - Dissolved oxygen (DO)
  - pH
  - Temperature (T°C)
  - Conductivity (µS/cm)
  - Water sample collection
  - Documentation of observations and conditions



## Why Monitor Water Quality?

ONE OF THE FIRST, AND MOST IMPORTANT STEPS TO UNDERSTANDING THE THREATS TO CLEAN WATER IS TO MONITOR THE STREAM WATER QUALITY TO IDENTIFY TRENDS BEFORE THEY CAN HAVE AN ENVIRONMENTAL IMPACT.

- Fill data gaps
- Assess health of local streams
- Documents changes in stream health over time
- Prioritize sites for restoration efforts
- Document success and challenges of restoration efforts
- Discover and document acute pollution problems



## Why Do We Test for Nutrients?

### POSITIVE

- All living organisms require nutrients
- Necessary for plant growth  
Plants - reduce CO<sub>2</sub>, release oxygen, produce crops that are consumed by people, animals, and other herbivores

### NEGATIVE

- Eutrophication
- Algal blooms
- Aquatic vegetation
- Decreased oxygen



Catchment Altered by Human Activity

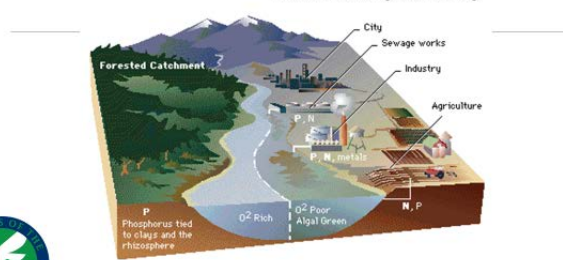
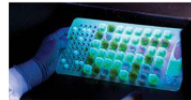


Image Source: Stockholm Resilience Centre



## Why Do We Test for *E. coli* Bacteria?

- Finding *E. coli* bacteria in the water indicates recent fecal contamination and possible presence of other disease-causing microorganisms or pathogens
- As the level of *E. coli* increases, potential health risk from exposure to pathogenic organisms also increases
- Possible health effects:
  - Gastrointestinal illnesses
  - Urinary tract infections
  - Respiratory infections
  - Conjunctivitis (pink eye)
  - Exposure to open wounds can cause wound infection
  - In rare cases, type of kidney failure called hemolytic uremic syndrome



©2011 Quanta-Trey under 365nm UV light, the presence of *E. coli* indicated by fluorescing wells.



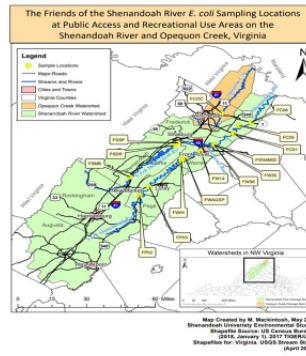
## FOSR's Water Quality Monitoring Sites in Clarke County

### On the Main-stem of the Shenandoah River:

- FC01 – Route 50 Bridge, Berry's Ferry, public boat landing
- FC05 – Lockes Landing Public Boat Landing
- FC08 – Route 7 Bridge, Castleman's Ferry, Public boat landing



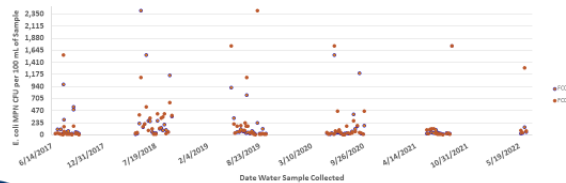
Sites **FC01**, **FC05**, and **FC08** are included in FOSR's Summer *E. coli* Testing Program at Public Access and Recreational Sites.  
 ➤ Memorial Day – Labor Day  
 ➤ Once a week



FOSR's Water Quality Data for Sites **FC01** and **FC08**



Sites **FC01** and **FC08** are included in FOSR's Summer *E. coli* Testing Program at Public Access and recreational Sites



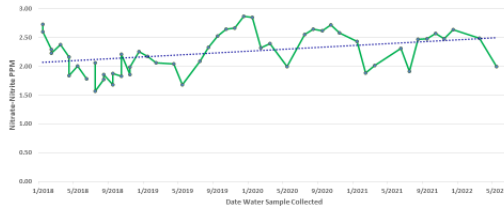
Cont. FOSR's Water Quality Monitoring Sites in Clarke County

**Tributaries of the Main-stem of the Shenandoah River:**

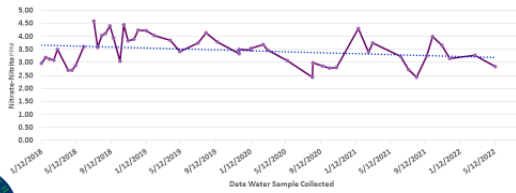
- FC02 – Spout Run
- FC03 – Lewis Run
- FC06 – Dog Run
- FC09 – Page Brook @ Rt. 618
- FC18 – Chapel Run
- FC32 – Wheat Spring Branch
- FC33 – Roseville Run



FOSR's Water Quality Data for Sites **FC02** Spout Run



FOSR's Water Quality Data for Sites **FC06** Dog Run

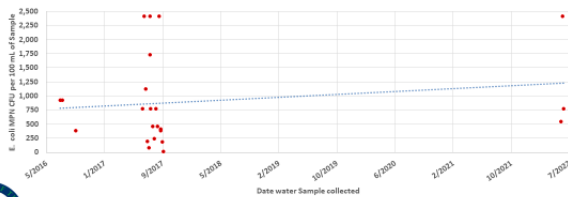


FCTR-1 Town Run

➤ FCTR1 - Town Run is a stream that runs through the town of Berryville. The water samples were collected from Town Run at a site located in Rose Hill Park.



FCTR-1 Town Run flowing through Rose Hill Park



**FCTR-1 Town Run**

➤ FCTR1 - Town Run is a stream that runs through the town of Berryville. The water samples were collected from Town Run at a site located in Rose Hill Park.



Karen Andersen  
Laboratory and Program Director  
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[www.fosr.org](http://www.fosr.org)  
Check us out on Facebook and Instagram



**Thank You**



Supervisor Bass

- Questioned if there was a way for citizens to be alerted about e-coli testing results.
  - Karen Anderson replied that the weekly test results are posted on Friends of the Shenandoah River Facebook and Instagram pages, as well as their website.

Supervisor Lawrence

- Asked if the local river and stream health had improved as a result of recent Chesapeake Bay initiatives.
  - Karen Anderson responded that she is not sure of the current metrics but would be happy to find out and report back. She added that Clarke County has a fantastic level of buffer areas along the river’s banks.

21) *PH2022-13: TA22-01 Unpaid Taxes & Charges*

Brandon Stidham presented the following:



## Clarke County Board of Supervisors June 21, 2022 Meeting

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### PUBLIC HEARINGS

- **TA-22-01, Unpaid Taxes and Charges**
- **TA-22-02, Mergers and Dwelling Unit Right (DUR) Accounting**

### **TA-22-01, Unpaid Taxes and Charges**

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- Add a new Subsection E to Section 2.3 (Issuance of Permits and Approvals) of the Zoning Ordinance (Code of Clarke County Chapter 200, Article I)
- Purpose is to require payment of all delinquent real estate taxes, nuisance charges, and any other charges that constitute a lien on a subject property prior to acceptance of an application associated with that subject property.

### **TA-22-01, Unpaid Taxes and Charges (cont.)**

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- Currently no mechanism exists to authorize County staff to refuse to accept and process land development applications for a property from an applicant that has unpaid debts owed to the County and related to that property.
- Denying access to County services can be an effective tool to collect unpaid debts.



**TA-22-01, Unpaid Taxes and Charges (cont.)**

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- Code of Virginia 15.2-2286(B) allows zoning ordinances to require applicants to prove that there are no unpaid debts owned to the locality that would constitute a lien on the property as a prerequisite to filing certain applications for the same property.
- Examples of debts include:
  - Delinquent real estate taxes
  - Nuisance charges
  - Other unpaid charges that constitute a lien on the subject property
- 15.2-2286(B) also contains enabling language that would extend authority to land disturbance and building permit applications – governed by other sections of the Code of Clarke County.

**TA-22-01, Unpaid Taxes and Charges (cont.)**

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- Proposed text amendment follows the language of 15.2-2286(B)
- Would apply to:
  - All applications and review processes in Zoning Ordinance Section 6
  - Land disturbance permits issued in conjunction with County Code Chapter 148
  - Building permits issued in conjunction with County Code Chapter 71
- The unpaid tax or charge must apply to the property for which the application is being filed – cannot be applied to other properties owned by the applicant.

**Planning Commission Recommendation**

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- Following a duly advertised public hearing on May 6, 2022, the Commission voted to recommend adoption of the proposed text amendment.
- There were no speakers at the public hearing.

**Staff Recommendation**

- **Staff has no outstanding concerns with the adoption of this text amendment.**

Chairman Weiss opened the public hearing at 7:28 pm.

No persons appeared to address the Board.

Chairman Weiss closed the public hearing at 7:28 pm.

**Supervisor Lawrence moved to approve TA22-01, a text amendment adding Subsection E to Section 2.3 of the Zoning Ordinance to require that all delinquent taxes and charges for the subject property be paid prior to the issuance of a zoning, land disturbance, or building permit, as presented. The motion carried by the following vote:**

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

*22) PH2022-14: TA22-02 Mergers and Dwelling Unit Rights Accounting*

Brandon Stidham presented the following:

**TA-22-02, Mergers and Dwelling Unit Right (DUR)  
Accounting**

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- Amend Section 3.8 (Vacation or Merger of Lots in the AOC and FOC Districts) of the Zoning Ordinance (Code of Clarke County Chapter 200, Article I).
- Purpose is to clarify that, following reallocation pursuant to Zoning Ordinance Section 3.2 (Allocations), no lot resulting from a merger of lots shall have more dwelling unit rights (DURs) than the total number of dwelling unit rights that were assigned to the lots at the time of merger plat application filing per Section 4.2.3 (Merger) of the Subdivision Ordinance (Code of Clarke County Chapter 200, Article II).

**TA-22-02, Mergers and Dwelling Unit Right (DUR)  
Accounting (cont.)**

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- Zoning Ordinance Section 3.8 – When lots are merged or vacated, the DUR accounting for the merged or vacated lot shall be based on the DUR allocation table in Section 3.2 and not the total number of DURs that were assigned to the merged or vacated lots.
- A merger of lots can result in the loss or gain of DURs through compliance with the allocation table.

**TA-22-02, Mergers and Dwelling Unit Right (DUR)  
Accounting (cont.)**

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- Example of loss -- merger of two lots:
  - Lot A – 100 acres, 4 DURs
  - Lot B – 100 acres, 4 DURs
  - Total -- 200 acres, 8 DURs
- DUR allocation for 200 acre lot per Section 3.2 -- 6 DURs
- Property owner would lose 2 DURs if Lots A and B were merged.
- Merger review process was added in 2012 to advise property owners of potential DUR loss before lots are merged.

**TA-22-02, Mergers and Dwelling Unit Right (DUR)  
Accounting (cont.)**

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- Example of gain -- merger of two lots:
  - Lot A - 100 acres, 4 DURs
  - Lot B - 100 acres, 1 DURs
  - Total -- 200 acres, 5 DURs
- DUR allocation for 200 acre lot Section 3.2 -- 6 DURs
- Property owner would gain 1 DUR if Lots A and B were merged.

**TA-22-02, Mergers and Dwelling Unit Right (DUR)  
Accounting (cont.)**

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- Gain of DURs through merger is problematic.
- Original 1980 DUR allocation created a fixed number of DURs countywide – no mechanism exists to create new DURs.
- In the gain example, the additional DUR would be a new DUR in excess of the original 1980 allocation.

**TA-22-02, Mergers and Dwelling Unit Right (DUR)  
Accounting (cont.)**

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- Proposed text amendment would add new language to Section 3.8.
- No lot resulting from a merger shall have more DURs than the total number of DURs that are assigned to the lots at the time of merger plat application.
- Would be clear that no new DURs can result from the mathematical outcome of complying with the allocation chart.
- No changes are proposed to address the issue of loss of DURs through merger.

**Planning Commission Recommendation**

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- Following a duly advertised public hearing on May 6, 2022, the Commission voted to recommend adoption of the proposed text amendment.
- There were no speakers at the public hearing.

**Staff Recommendation**

---

- Staff has no outstanding concerns with the adoption of this text amendment.

Karen Anderson

- Asked what the advantage of merging plots of land is.
  - Brandon Stidham responded that people do it for various reasons: sometimes mergers as a part of estate planning or so that they only receive a single tax bill.

Chairman Weiss opened the public hearing at 7:32 pm.

No persons appeared to address the Board.

Chairman Weiss closed the public hearing at 7:32 pm.

**Vice Chair Catlett moved to approve TA22-02, a text amendment adding language to Section 3.8 of the Zoning Ordinance to clarify that no lot resulting from a merger of lots shall have more dwelling unit rights than the total number of dwelling unit rights that were assigned to the lots at the time of merger plat application, as presented. The motion carried by the following vote:**

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

**23) Adjournment**

At 7:34 pm, Chairman Weiss adjourned the meeting.

**24) Next Regular Meeting Date**

The next regular meeting of the Board of Supervisors is set for Tuesday, July 19, 2022, at 1:00 pm in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: June 21, 2022

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David S. Weiss, Chair

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Chris Boies, County Administrator

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Recorded and Transcribed by Catherine D. Marsten