

July 19, 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, 2nd Floor, Berryville, Virginia, conducted on Tuesday, July 19, 2022, at 1:00 pm.

Board Members Present:

Terri T. Catlett - Millwood / Pine Grove District
Bev B. McKay - White Post District
David S. Weiss - Buckmarsh / Blue Ridge District

Board Members Participating Remotely via Telephone:

Matthew E. Bass – Berryville District, from Virginia Beach, Virginia, while on a family trip
Doug M. Lawrence – Russell District, from his residence while quarantined due to fever

County Staff Present:

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

Constitutional / State Offices / Other Agencies:

Matt Smith, Donna Peake, Sue Braithwaite, Dayle Cooley, Jen Parker, Jayne Hayes

Press:

Mickey Powell – The Winchester Star

Others Present:

Carol Coffelt, Christi McMullen, Michelle Worthing

1) *Call to Order*

Chairman Weiss called the meeting to order at 1:00 pm.

Supervisors Bass and Lawrence identified their current locations and reasons for participating remotely via telephone. No objections were raised.

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) *Citizen's Comment Period*

No persons appeared to address the Board.

4) *Employee of the Quarter Award – 2nd Quarter 2022*

Sue Braithwaite was presented with the Employee of the Quarter Award for the 2nd Quarter of 2022. Chairman Weiss read the following statement aloud:

“As our Chief Deputy in the Commissioner of Revenue’s office, she is reliable, organized, efficient, and punctual. She is committed every day to helping make the office run smoothly. She is warm and cheerful to both citizens and co-workers. She handles difficult situations well and resolves conflict with remarkable patience and tact. This was especially important this past year with the unexpected increase in used vehicle assessments. Sue brought upset citizens back to her office and went out of her way to explain their individual vehicle assessment information and how the Board had approved 15% reduction in assessments, to the citizen’s benefit. She is an exceptional employee and huge asset to the County.”

5) *VDOT Update*

Assistant Resident Engineer Matt Smith provided the following update on maintenance activities in the County for the month of June:

- Completed the first round of mowing on secondary routes
- Started grading/stone placement on various non-hard surface routes
- Pipe cleaning/ditch cleaning on Ebenezer Rd & Tilthammer Rd
- Storm debris cleanup (various locations)

- Pothole repairs on various routes
- Completed tree trimming on Pine Grove Road and Good Shepherd Road

Matt Smith advised that VDOT plans to start/complete the following in the month of July:

- Start litter pickup in anticipation of primary mowing operations
- Start shoulder repairs on Routes 7, 340, and 50
- Continue pipe cleaning on various routes
- Start tree trimming on Quarry Road

Vice-Chair Catlett

- Asked if a speed study would be scheduled for the eastern end of Millwood Road (Route 723) where it breaks off from Route 50.
 - o Matt Smith replied that he will check with Ed Carter, who is coordinating with the Sheriff's Office.

Chairman Weiss

- Advised that Ed Carter's recent email referenced the Board's concern about deceleration lanes on the mountain side of Route 7, on the eastern side of the river, and had mentioned that there were not monies available to work on those lanes.
- Stated that this is surprising to the Board, as the safety study from four years ago identified inadequacies in those deceleration lanes. Route 7 is VDOT's road and the Board has heard complaints from multiple citizens.
- Requested that VDOT provide an update as to why this occurred and what the Board might do to get monies toward those projects, especially because the proposed changes to the Route 7/Route 601 intersection will add usage to those lanes.

Vice-Chair Catlett

- Added that the safety study had identified those lanes as something of importance.

Chairman Weiss

- Complimented VDOT on their efforts in spraying Johnson grass in the County, adding that Routes 608 and 612 still need to be treated.

6) *Glass Recycling Pilot Program Presentation*

Chris Boies introduced Clarke County citizen Christi McMullen, who presented the following:

- Started a recycling initiative pilot program at the Clarke County Citizen’s Convenience Center in May, which has been successful so far.
- The program receives a lot of support from the public, from the County, and the Board. Because of this support, the program has been able to take about 10,000 glass bottles (equivalent to about 6 cubic yards) out of the landfill in three months.
- These 6 cubic yards reduce CO2 emissions by about 22.5 pounds. These figures may not seem like a lot, but they help greatly over time.
- The program has also saved about 3 tons of weight from going into the landfill. This helps reduce costs, because the landfill charges by weight.
- She started the program by lamenting not being able to recycle glass bottles, especially with the number of local wineries and breweries. She found that a group of students from Tulane University were crushing glass from recycled bottles and using the sand to rebuild the Louisiana coastline. She began researching the glass-crushing machine and purchased one.
- Right now, they are selling small bags of sand in order to raise funds to purchase a sand-sifting machine. Long-term, they hope to sell the sand to create a fund to purchase more machines for other people to be able to start programs like this.
- Larger, more traditional glass recycling programs have not been economical, but this program provides a huge benefit for a \$7k investment. She does this in order to provide benefit to the community and does not want to turn it into a business.

Vice-Chair Catlett

- Thanked Ms. McMullen for her efforts, and opined that the County is lucky to have her as a part of the community.
 - Chris Boies added that this program is the perfect example of a citizen who identified a concern and decided to act.

7) *Approval of Minutes*

Supervisor McKay moved to approve the minutes of the June 21, 2022, Regular Meeting as presented. The motion carried by the following vote:

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

8) *Consent Agenda*

Vice-Chair Catlett 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

- 2022-12R Resolution of Recognition & Appreciation of Jayne Hayes

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 Boles
(540) 955-5175

**Resolution of Recognition and Appreciation of
Jayne Hayes
2022-12R**

WHEREAS, Jayne Hayes assumed the duties and responsibilities of Benefit Programs Specialist for the Clarke County Department of Social Services on April 15, 2013 and will retire on July 31, 2022; and

WHEREAS, she has served the Virginia Department of Social Services for a total of 44 years: including her 9 years with Clarke County, she served 9 years with Frederick County, 12 years with the City of Winchester, and 14 years with Page County; and

WHEREAS, during her tenure she has worked on the most complex and intricate Medicaid programs for Long Term Care; and

WHEREAS, Ms. Hayes treats each of her clients with care, compassion, and dedication and will be greatly missed by her co-workers and clients alike;

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

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the Clarke County Board of Supervisors’ members assembled on the 19th day of July 2022.

ATTEST 2022-12R

David S. Weiss, Chair

- 2022-13R Resolution Approving the Issuance of Debt by the Winchester Regional Airport Authority

Clarke County Board of Supervisors



Berryville Voting District
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(540) 955-5175

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(540) 837-2328

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

County Administrator
Chris Boies
(540) 955-5175

Resolution Approving the Issuance of Debt by the Winchester Regional Airport Authority 2022-13R

WHEREAS, the Board of Directors (the “Board”) of the Winchester Regional Airport Authority (the “Authority”) has authorized submission of an application to the United States Department of Agriculture (“USDA”) Rural Development Loan Program requesting its participation in the issuance of bonds by the Authority in an amount not to exceed \$5,000,000.00 (the “Bonds”) for financing, including the refund of any interim financing, as applicable, to fund the construction of a replacement airport terminal building at the Winchester Regional Airport (the “Project”); and

WHEREAS, in accordance with Section 7.17(b) of the Winchester Regional Airport Authority Act 1987 Session, Virginia Acts of Assembly, Chapter 687 and in accordance with Chapter 3, Title 5.1, et. Seq., Code of Virginia 1950 as amended (the “Act”), the consent of each of the participating political subdivisions is required for any issuance of debt by the Authority if the total debt shall exceed \$5,000,000.00, and the participating political subdivisions consist of the City of Winchester, and the Counties of Clarke, Shenandoah, and Warren (collectively, the “Member Jurisdictions”); and

WHEREAS, in no event shall the total amount borrowed by the Authority to support the Project exceed the sum of \$5,000,000.00;

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Supervisors of Clarke County hereby consents to the issuance of the Bonds by the Authority for the purpose of financing the Project.
2. Under no circumstances shall the payment of debt service on the Bonds constitute general obligation indebtedness or a pledge of the full faith and credit taxing power of any of the Member jurisdictions.
3. This resolution shall take effect immediately.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the Clarke County Board of Supervisors’ members assembled on the 19th day of July 2022.

ATTEST 2022-13R

David S. Weiss, Chair

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101 Chalmers Court, Suite B
Berryville, VA 22611

Telephone: [540] 955-5175

– Abstract of Votes: June Republican Primary Election for Member House of Representatives

ABSTRACT of VOTES

Cast in CLARKE COUNTY, VIRGINIA
at the 2022 June Republican Primary Election held on June 21, 2022 for,

Member House of Representatives

District: 06

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Ben L. Cline	382
Merritt D. Hale	161
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on June 21, 2022, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Member House of Representatives.

Given under our hands this 24th day of JUNE, 2022



Daryl Shumway, Chairman
Kelly Johnson, Vice Chairman
Carol S. Hester, Secretary
Carol S. Hester, Acting Secretary

9) *Set Public Hearing PH 2022-15:TA22-03 – Historic Overlay District Demolition Criteria*

Jeremy Camp, Zoning Administrator, presented the following:

- On May 19, 2021, the Historic Preservation Commission (HPC) approved a motion to recommend certain changes to the Zoning Ordinance that would add review criteria for demolitions within the Historic Overlay District. It had come to the attention of the HPC that there is not much guidance for reviewing applications, and the proposed changes would help them review applications more objectively and transparently.
- If adopted, the proposed text amendment will modify Section 6.2.5B-4 of the Clarke County Zoning Ordinance by establishing eight (8) criteria for reviewing applications for demolitions. The changes also include a description of what demolition means. This text amendment will give the HPC and the applicant clearer guidelines for reviewing and preparing applications for demolitions within the Historic Overlay District. There is presently no criteria for demolitions.
- The criteria for demolition was developed after extensive review by the HPC, which included analysis of other jurisdictions. The proposed criteria is as follows:
 - a. How the historic landmark, building, or structure contributes to the District.
 - b. If the proposed demolition impacts the architectural and historic integrity of the District.
 - c. What alterations have been made in the past.
 - d. If the building or structure provides significant historic context to the local community.
 - e. The impact of the proposed demolition on the visual continuity of the streetscape.
 - f. If it is feasible to stabilize the historic landmark, building, or structure. A structural engineer’s report may be required.
 - g. If rehabilitation is feasible instead of demolition. A cost analysis may be required that details the cost of rehabilitation in comparison to the market value.
 - h. If the plans for the proposed replacement building (if any) meet the design criteria of the District.
- The proposed text amendment only applies to properties within the Historic Overlay District that require a certificate of appropriateness for the

demolition of a building or structure. This Historic Overlay District includes the core village areas of Millwood and White Post.

- After review by the Planning Commission’s Ordinance Committee, and after a public hearing, the Planning Commission issued a recommendation to approve the text amendment during their business meeting held on July 1, 2022. There were no comments received at the public hearing.
- Staff recommends that the Board schedule a public hearing to consider adopting the proposed text amendment.

Vice-Chair Catlett

- Advised that the HPC held numerous discussions on this in order to figure out the best way to move forward.

Chairman Weiss

- Asked, and Jeremy Camp affirmed, if a property owner was denied a Certificate of Appropriateness by the HPC and the Board upheld that denial, if the property owner would then be prohibited from removing the structure.
- Further asked what leeway the Board would have to work with a property owner if they are not able to rehabilitate a structure due to financial concerns.
 - Chris Boies responded that Board could look for partners to try to find funding sources that could assist the property owner. There are agencies that specifically offer this type of assistance for historically significant properties.
 - Jeremy Camp added that there is alternative procedure outlined in the Zoning Ordinance as well. In lieu of an appeal to the Board of Supervisors, the property owner could offer the structure itself for sale, so someone could buy it and move it to a different property.
- Chris Boies clarified that the Board will likely have a public hearing on amendments to the Comprehensive Plan on September 20, so it may make sense to set this public hearing for that date as well.

Supervisor Lawrence moved to set a public hearing for PH2022-15:TA22-03 – Historic Overlay District Demolition Criteria for September 20, 2022, at 6:30 pm, or as soon thereafter as the matter may be heard. The motion carried by the following vote:

Matthew E. Bass	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye

Beverly B. McKay - Aye
David S. Weiss - Aye

10) *Board of Supervisors Personnel Committee Items from July 11, 2022:*

A. Expiration of Term for Appointments Expiring through September 2022

2022-07-11 Summary: Following review, the Personnel Committee recommends the following:

- Reappoint Betsy Pritchard to Seniors First-The Shenandoah Area Agency on Aging, Inc., for a four-year term expiring on September 30, 2026.

2022-07-19 Action: Chris Boies reviewed the Personnel Committee recommendations, noting that there were two follow-up items to add:

- Appoint Mark Gribble to fill the unexpired term of Lee Sheaffer on the Economic Development Advisory Committee, the term expiring December 31, 2022.
- Appoint Lee Coffelt to fill the unexpired term of Joseph Myer on the Clarke County Sanitary Authority, the term expiring February 15, 2024.

Supervisor McKay moved to approve 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

B. Personnel Policy Update Discussion

2022-07-11 Summary: Following review, the Personnel Committee recommends approval of the proposed amendments to the Clarke County Personnel Policy.

2022-07-19 Action: Chris Boies reviewed the above recommendation. The proposed amendments include:

- Adds a section relating to the County Mission, Vision and Values Statements, which the Board adopted at a previous meeting.

- Adds “& Accommodations” to the title of Section 2.1 to make it easier to find.
- Replaces “Joint Administrative Services” with “Human Resources” on page 20, now that HR is covering those tasks.
- Creates a new employment category of “probationary” employees, which new employees fall under for their first six months of employment. That period can be extended for an additional six months at the discretion of the employee’s supervisor.
- Removes a duplicate reference to exempt/non-exempt employees.
- In several places on pages 23-26, “Pay Plan” changes to “Compensation Plan”, as it better describes the plan of pay and benefits.
- Removes the County Administrator and Constitutional Officers exclusion from the Compensation Plan, as the most recent version does include those positions.
- Added a large section covering life, health, worker’s compensation, liability, and unemployment insurances. All of those policies follow the County’s current procedures; they have just never been codified before. Including them in the Personnel Policy ensures consistency moving forward.
- Adds language on page 43 to establish the expectation that employees immediately report suspected fraud, waste, or abuse and defines the reporting structure. This section was added in response to a questionnaire that the County receives annually from auditors, which asks if employees know how and where to report fraud, abuse, and/or waste.
- Adds language on page 59 to provide whistleblower protection for employees who file grievances, lodge complaints, or report suspected fraud, waste, or abuse. If the County is requiring employees to report these issues, they need to be protected from retaliation if they do so.

Vice-Chair Catlett moved to accept the proposed changes to the Clarke County Personnel Policy as presented. The motion carried by the following vote:

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

C. COVID Leave Discussion

2022-07-11 Summary: Following review, the Personnel Committee decided not to extend employee COVID leave, which expired on June 30, 2022.

2022-07-19 Action: Chris Boies reviewed the above:

- COVID quarantine requirements are not as long as before, so it was decided that COVID should be treated as a regular illness at this point.

Chairman Weiss

- Advised that the Committee is open to reconsidering the policy if there is an extreme spike in COVID cases, but it does not seem to warrant special treatment at this time.
 - o Chris Boies added that there is a sick leave pool, where County employees are able to donate leave to help out co-workers.

Supervisor McKay moved to accept the Personnel Committee’s recommendation to not extend the employee COVID leave program. 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

11) *Board of Supervisors Work Session Items from July 11, 2022*

Board of Supervisors Work Session Agenda Items
 Berryville/Clarke County Government Center, 2nd Floor
 101 Chalmers Court, Berryville, Virginia 22611
 July 11, 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, Cathy Kuehner, Brandon Stidham
 Others Present: None
 Press Present: Mickey Powell, Winchester Star

2022-07-11 Summary: At 10:04 am, Chairman Weiss called the meeting to order.

A. Comprehensive Plan Discussion: Planning Director Brandon Stidham presented the Board with the Planning Commission’s recommended

updates to the County Comprehensive Plan using his memo dated July 5, 2022. Board members asked various clarifying questions about the recommended changes. It was recommended language be added to acknowledge the recent VATI award under the Broadband section and to mention the Board's concerns with nutrient credit trading banks under Objective 1-Agriculture. By consensus, the Board decided to continue to review the proposed changes and to contact Mr. Stidham with their individual comments and suggestions. A request to authorize a public hearing will be placed on the regular board meeting agenda in August for a public hearing to be held in September.

- B. Route 7/601 Intersection Discussion: Staff presented an update on the design work for this intersection. Loudoun County, Clarke County, and VDOT staff previously met to coordinate various components of the Smart Scale application. A proposed resolution was presented and, by consensus, was moved forward for consideration at the Board's July 19 regular meeting.

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

2022-07-19 Action: Chris Boies reviewed the above summary:

- Based on the discussion held at the work session, Brandon Stidham is working on adding language to the Comprehensive Plan to acknowledge the VATI grant, as well as the nutrient credit trading program.
- At the work session, it was decided that the Board would be given an extra 30 days to review the updates and provide comments. The Comprehensive Plan will come before the Board at the August regular meeting, to authorize a public hearing in September.

Chairman Weiss

- Offered the Board's thanks to the Planning Commission and to staff for their work on the Comprehensive Plan.
- Suggested that citizens should take time to review the proposed amendments to the Comprehensive Plan, adding that there are no dramatic changes but there are some good clarifications and enhancements that set policies for this and future Boards to follow.

Supervisor Bass

- Concurred, adding that the proposed amendments have been subject to thorough scrutiny.

Chris Boies continued reviewing the Work Session Items summary:

- The proposed improvements to the Route 7/Route 601 intersection have been developed and reviewed in coordination with VDOT and Loudoun

County. The resolution before the Board today would allow the County to move forward with a Smart Scale application, the deadline for which is August 1.

- The proposed alternative includes adding a 200' northbound right turn lane on Route 601 as it approaches Route 7. This provides more capacity for right turn movements at that intersection.
- The deceleration lane on westbound Route 7 at the Route 679 crossover would be extended to provide 200' of storage and 200' of taper, and crossover pavement markings would be added.
- The deceleration lane on eastbound Route 7 at the Route 734 crossover would also be extended to provide 200' of storage and 200' of taper, with crossover pavement markings.
- The left turn lane for vehicles on eastbound Route 7 for vehicles turning on to Route 601 would be extended to provide 200' of storage and 200' of taper.
- This proposed alternative encourages right-hand and U-turn movements by making them safer and more attractive options for motorists.

Jim Zeller, Assistant Director of the Loudoun County Department of Transportation Capital Infrastructure, presented the following:

- This item will be considered by the Loudoun County Board of Supervisors at their business meeting this evening. It is an item on their consent agenda and is expected to be approved without difficulty.
- Loudoun County has already programmed funds in its Capital Improvement Program towards this effort, in current year funding. Allocation of these funds are included in the resolution that the Loudoun County Board is considering this evening.
- These funds could be used to get a head start on the design work, if and when the Smart Scale application is approved.
- If the Smart Scale application is not successful, Loudoun County can consider alternate uses for the funds at that location.

Chris Boies continued:

- The proposal does not include the acceleration lanes at those U-turn sites going up the mountain on both sides. Clarke County staff and Loudoun County staff support those, but have been convinced that including them would be detrimental to the Smart Scale scoring.

Chairman Weiss

- Offered the Board's appreciation to Loudoun County for including their funds and participating in the process collaboratively.
- Added that the proposed one is not a perfect plan and all parties have their reservations. This appears to be the best plan to be funded in a timely fashion, based on the Smart Scale application system.

Supervisor Bass moved to approve a Resolution of Support for SMART Scale Application for Route 7/Route 601 Intersection Improvements 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

Clarke County Board of Supervisors



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Bev B. McKay
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County Administrator
Chris Boies
(540) 955-5175

Resolution of Support for SMART Scale Application for Route 7/Route 601 Intersection Improvements

WHEREAS, the Commonwealth of Virginia now prioritizes transportation projects for funding based on the cost effectiveness of those projects to meet performance goals, as established by the Smart Scale Program; and

WHEREAS, the Clarke County Board of Supervisors desires to submit an application for an allocation of funds for the Route 7 and Route 601 Intersection Project under the Smart Scale prioritization program; and

WHEREAS, the Route 7 and Route 601 intersection is identified in the VTRANS 2045 Needs Assessment as having a safety improvement and capacity preservation need; and

WHEREAS, this Intersection Project will make operational and safety improvements at the Route 7 and Route 601 intersection based on the recommendations from the ongoing VDOT Intersection Study to address the identified VTRANS 2045 Needs; and

WHEREAS, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation funding.

NOW, THEREFORE, BE IT RESOLVED the Clarke County Board of Supervisors hereby supports this application for the Route 7 and Route 601 Intersection Project, using the Alternative 1-Phase 1 Interim Improvement sketch developed by VDOT, to compete for state and federal funding under the Smart Scale program.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the Clarke County Board of Supervisors’ members assembled on the 19th day of July 2022.

ATTEST 2022-14R

David S. Weiss, Chair

12) Board of Supervisors Finance Committee Items from July 11, 2022

A. Review FY22 Capital Projects Accounts

2022-07-11 Summary: The Finance Committee reviewed the Capital Projects Accounts report. No action was taken.

2022-07-19 Action: Brenda Bennett reviewed the above summary:

- This was a brief review, intended only to show the FY22 expenses for the Courthouse Green Master Plan capital project.
- There will be a final, more thorough review of the FY22 Capital Projects later this fall after all FY22 expenses have been processed.

B. FY23 Supplemental Appropriation Request for Courthouse Green Master Plan Capital Project: The total contract with RHI for the Courthouse Master Green Plan Project is \$75,380. It is estimated that \$16,722 will be paid in FY22, leaving a contract balance of \$58,658 to be paid in FY23. A supplemental appropriation of \$58,658 is requested to cover the remaining contract balance.

2022-07-11 Summary: The Finance Committee recommends the following:

“Be it resolved that FY23 Government Capital Projects fund budgeted expenditure and appropriation be increased \$75,380 and that fund balance designation for the County Courthouse Green Project be reduced in the same amount, all for the purpose of increasing expenditure budget for the Courthouse Green Master Plan Project.”

2022-07-19 Action: Brenda Bennett reviewed the Finance Committee recommendation:

- At the time of the contract, the expenses to be incurred in FY22 versus FY23 were not known, so no appropriations were made.
- There is currently a fund balance designation of \$100,000 for this project, so the Finance Committee is recommending approval of a supplemental appropriation for the full contract amount.

Chairman Weiss

- Reminded the Board that the \$100,000 in fund balance designation was derived from carryover funds and is essentially savings funds that were put aside for this purpose.

Vice-Chair Catlett moved, be it resolved, that FY23 Government Capital Projects fund budgeted expenditure and appropriation be increased \$75,380 and that fund balance designation for the County Courthouse Green Master Plan Project be

reduced in the same amount, all for the purpose of increasing expenditure budget for the Courthouse Green Master Plan Project. The motion carried by the following vote:

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

- C. FY23 Barns of Rose Hill Supplemental Appropriation Request: The Finance Committee received a request to contribute \$5,000 to the Barns of Rose Hill endowment fund as a matching grant for the Eugene B. Casey Foundation.

2022-07-11 Summary: The Finance Committee recommends: “Be it resolved that FY23 Barns of Rose Hill budgeted expenditure and appropriation be increased \$5,000 and that the designation for Government Savings be reduced in the same amount, all for the purpose of making a contribution to the Barns of Rose Hill Endowment Fund to be matched by the Eugene B. Casey Foundation.”

2022-07-19 Action: Brenda Bennett reviewed the above:

- The Board has approved this request for the past 5 years.

Chairman Weiss

- Explained that the Casey Foundation and the Barns of Rose Hill had a dollar-for-dollar match agreement for 5 years and the County participated in that. Mrs. Casey graciously extended that program for another 5 years. It is a good program and has been successful.

Supervisor Bass

- Advised that he will abstain from voting on this matter to avoid the appearance of a conflict of interest, as the Barns of Rose Hill offer several of his books for sale.

Supervisor McKay moved, be it resolved, that FY23 Barns of Rose Hill budgeted expenditure and appropriation be increased \$5,000 and that the designation for Government Savings be reduced in the same amount, all for the purpose of making a contribution to the Barns of Rose Hill Endowment Fund to be matched by the Eugene B. Casey Foundation. The motion carried by the following vote:

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

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

D. FY23 Health Insurance Supplemental Request: The Director of Joint Administrative Services is requesting a supplemental appropriation of \$285,000 from fund balance designation to the Self-Funded Health Insurance Account, for the purpose of processing future claims and to handle monthly variations in revenue received and expenses paid.

2022-07-11 Summary: Following review, the Finance Committee recommends:
“Be it resolved that FY23 budgeted expenditure and appropriation to the Health Insurance Fund be increased \$285,000, and that fund balance designation be reduced by the same amount, all for the purpose of increasing the Health Insurance Fund for future claims activity.”

2022-07-19 Action: Brenda Bennett reviewed the above:

- This amount is part of the fund balance designation, the additional appropriation would provide a larger balance to help offset the timing issues between refunds, reimbursements, and rebates, while continuing to process current claims.

Vice-Chair Catlett moved, be it resolved, that FY23 budgeted expenditure and appropriation to the Health Insurance Fund be increased \$285,000, and that fund balance designation be reduced by the same amount, all for the purpose of increasing the Health Insurance Fund for future claims activity. The motion carried by the following vote:

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

E. Commonwealth of Virginia State Compensation Board Revenue Update:

2022-07-11 Summary: The Finance Committee heard an update from staff, but the County is awaiting more information from the Commonwealth on this matter.

2022-07-19 Action: Brenda Bennett reviewed the above:

- The Compensation Board had not yet released the final revenue amounts for FY23. Once released, that information will be discussed at a future meeting.
- It is expected that the amount of revenue provided through the Compensation Board will meet or exceed the revenue that was budgeted by the County for FY23.

Chairman Weiss

- Explained that the Compensation Board establishes a floor for salaries and the County has supplemented those salaries for decades. If there were any employees below the established minimums, the County would pass those funds along to the employee.

F. Bills and Claims:

2022-07-11 Summary: Following review, the Finance Committee recommends approval of the June 2022 Invoice History Report.

2022-07-19 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

G. Standing Reports

1. Year to Date Budget Report
2. Reconciliation of Appropriations

2022-07-19 Action: Information Only.

13) *Joint Administrative Services Board Update*

Brenda Bennett provided the following update:

- The Joint Administrative Services Board met and convened in closed session to discuss contractual issue with a vendor.

- The office will be closing FY22 in the next 30 to 60 days and scheduling auditors.

Chairman Weiss

- Asked when they anticipate the carryover numbers.
 - o Brenda Bennett responded they expect to finalize those numbers in September or October.

14) *Government Projects Update*

Chris Boies provided the following update:

- The Courthouse Green Master Plan consultants will host their first open house next Thursday, July 28 starting at 6:30 p.m. here in the Main Meeting Room. The purpose of this meeting is to provide an update on the site analysis completed and to seek the public's input on different design ideas for the green. The meeting will begin at 6:30 with different displays available for review, welcome and introductions will start at 6:45, a presentation by the consultants will begin approximately 6:50, followed by a question and answer session and the opportunity for the public to comment at each display.
- We completed the Director of Fire, EMS, and Emergency Management search last week. Mr. Whetsell will begin on August 29. I would like to thank Supervisors Catlett and Lawrence for serving on the search committee as well as the Fire-EMS Commission members and many volunteers who participated in the search. I would also like to again thank Interim Director Jackson, who will continue to serve until Mr. Whetsell is on board.
- I would like to thank Supervisors McKay and Catlett for attending our employee cookout yesterday at the park. Employees enjoyed hearing Mr. McKay's stories, which I am sure were all workplace appropriate. Kristina Maddox in the Planning & Zoning office helped organize the event and did a great job. There will be a second employee cookout in September to wrap up the summer.
- Clarke County participated in a DEQ work group on July 7 in Richmond on the nutrient credit trading issue. We were the only locality represented at the meeting and there was finally some recognition by the industry that Clarke County has been negatively impacted by the program. Our next meeting is August 8, which is actually our committee/work session meeting date. USGS will be presenting at the work session that morning.
- The Citizen's Academy concluded last Friday with a lunch in the park. We wrapped up our thoughts on the program and how it went. Most of the participants encouraged us to do it again, so we will work on lining that up for the fall.

15) *Miscellaneous Items*

None presented.

16) *Summary of Required Actions*

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Process Employee of the Quarter Award	Catherine Marsten
2.	Process approved minutes for June 21, 2022	Catherine Marsten
3.	Advertise PH2022-15-TA22-03 for September	Catherine Marsten
4.	Send Christi McMullen thank you letter	Chris Boies
5.	Process approved resolutions	Catherine Marsten
6.	Execute notice of appointments	David Weiss
7.	Process appointments and update the database	Catherine Marsten
8.	Provide Smart Scale Resolution to VDOT for application	Brandon Stidham
9.	Process budget transfers and supplemental requests	Brenda Bennett
10.	Process Bills and Claims	Brenda Bennett

17) *Board Member Committee Status Reports*

Supervisor Matthew Bass

- Board of Septic and Well Appeals
 - Has not met, nothing to report.
- Library Advisory Council
 - Recent meeting was canceled, nothing to report.
- Clarke County Litter Committee
 - Will meet this afternoon.
- Planning Commission
 - Comprehensive Plan updates already mentioned.
- Josephine School Community Museum Board
 - Nothing to report.
- Legislative Updates
 - Nothing to report.
- Northwestern Regional Adult Drug Treatment Court Advisory Committee
 - Nothing to report.
- Northwestern Regional Juvenile Detention Center Commission

- Nothing to report.
- Sheriff’s Office
 - Hired for the two new positions the County authorized and hired for one recent vacancy, all three started the academy on July 13 and will complete their training in March 2023.
 - There is an opening in the communications center; three communications specialists completed DCJS certification course last week.
- Town of Berryville
 - Town Council took action with respect to certain blighted properties; they agreed to follow recommendations of citizen planners and expressed willingness to work with the property owners.
 - Altered the route for parades, will now start at JWMS and end at Chalmers Court.

Supervisor Bev McKay

- Berryville-Clarke County Joint Building Committee
 - A storage shed will be installed, outdoor signage will be updated, and seals for the Town and the County will be installed behind the dais.
- Northern Shenandoah Valley Regional Commission
 - In regards to the broadband project, they believe contract issuance from DHCD is imminent. All Points Broadband has begun purchasing materials and have begun the low-level engineering work in preparation for the buildout. They are developing ARPA compliant financial reporting to ensure consistency among county-level reports within the project area. There is no physical project work happening in the County yet.
- Town of Boyce
 - Nothing to report.
- Clarke County Sanitary Authority
 - Making good progress on default accounts.
- Economic Development Advisory Committee
 - Meets tomorrow.

Vice-Chair Terri Catlett

- Career and Technical Education
 - Did not meet.
- Clarke County Historic Preservation Commission
 - Received overview of grant funding used for a study on Battle of Berryville, the report is available online. HPC will formally accept the preliminary determination report, without being obligated to further

action. The report creates a base of knowledge, should anyone wish to research further.

- Clarke County Humane Foundation
 - Shelter currently has a lot of cats available for adoption, as well as a companion horse.
- Conservation Easement Authority
 - Will meet next on Friday.
- Parks & Recreation Advisory Board
 - They are examining fees and trying to make sure that fees are appropriate and balance with surrounding localities.
- School Board
 - Meets next Monday, nothing to report.
- Village of Millwood
 - Work will be done on the dam and the mill.
- Community Policy & Management Team
 - Needs new parent member for group.

Supervisor Doug Lawrence

- Berryville-Clarke County Joint Committee on Economic Development & Tourism
 - Meeting postponed.
- Board of Social Services
 - Meets tomorrow, wrapping up work on the strategic plan.
- Regional Jail Authority
 - Has not met.
- Broadband Implementation Committee
 - Nothing to report, has not met.

Chairman David Weiss

- Industrial Development Authority
 - Has not met.
- Fire & EMS Commission
 - Held discussion about changes to organizational structure, recommendation will be presented to the Board in August.
 - Technology Committee received new data on coverage maps and will be making some changes to the tower sites to get the best coverage.

18) *Closed Session pursuant to §2.2-3711(A)(7): Briefing by staff members pertaining to actual or probable litigation, where such briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.*

At 2:41 pm, Supervisor McKay moved to convene in closed session to discuss a contractual issue with a current vendor, specifically to receive a briefing from staff pertaining to actual or probable litigation, where such briefing in open meeting would adversely affect the negotiating or litigating posture of the County, as permitted by VA Code §2.2-3711(A)(7). The motion carried by the following vote:

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

At 3:04 pm the members of the Board of Supervisors, being assembled within the designated meeting place, with open doors and in the presence of members of the public and/or the media desiring to attend, Vice-Chair Catlett moved to reconvene in open session. The motion carried as follows:

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

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

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Supervisors of the County of Clarke, Virginia, has convened a closed meeting on July 19, 2022, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

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

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

the Board of Supervisors of the County of Clarke, Virginia. The motion was approved by the following roll-call vote:

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

19) *Adjournment*

At 3:05 pm, Chairman Weiss adjourned the meeting.

20) *Next Regular Meeting Date*

The next regular meeting of the Board of Supervisors is set for Tuesday, August 16, 2022, at 1:00 pm in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: July 19, 2022

David S. Weiss, Chair

Chris Boies, County Administrator

Recorded and Transcribed by Catherine D. Marsten