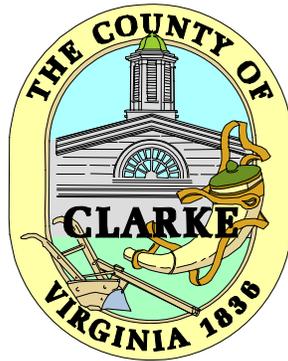


August 2011 Board of Supervisors Committee Meeting Material

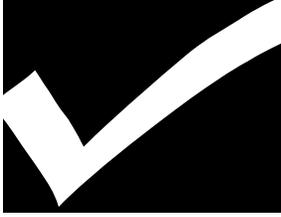


Monday, August 8:

- Personnel Committee 9:30 am
- Work Session 10:00 am

Thursday, August 11:

- Finance Committee 10:00 am



Personnel Committee Meeting

August 8, 2011, 9:30 AM
Second Floor, Conference Room AB
Berryville/Clarke County Government Center
101 Chalmers Court, Berryville, Virginia 22611

<i>Item No.</i>	<i>Description</i>	<i>Packet Page No.</i>
1.	Expiration of Term for appointments expiring through October 2011.	4
2.	Appointee Information Feedback Update <i>The Committee has asked staff to suggest a method to facilitate gathering information from appointees about the activities of the boards to which they are appointed and their level of participation and satisfaction in the process. Attached is a draft questionnaire that could be either sent to participants or used to facilitate individual discussions.</i> 08/08/2011 Update: <ul style="list-style-type: none">√ Preliminary FOIA Training notification was mailed June 10. Mailing of a second notice with request for rsvp is scheduled for August 11.√ Membership requirements, bylaws and mission statements sought and database updated with requested information on May 31, 2011.√ Review of Committee Detail Report is requested. <i>5/9/2011 Summary: Administration is coordinating training dates with FOIA Council. The Personnel Committee:</i> <ul style="list-style-type: none">√ Recommended providing notice to all appointees and employees of the September 14, 2011 training date.√ Requested staff to verify those entities that require representation from specific election districts.√ Requested staff to check status of bylaws / mission statements requested of each entity on March 21, 2011. <i>04/11/2011 Summary: The Personnel Committee instructed staff to provide them with the compiled data and inquired if the chairs of the various boards and committees had been provided with the data. Suggested FOIA training dates are still needed.</i> <i>04/11/2011: FOIA Training: On 3/21/2011, initial contact was made with Alan Gernhardt, Virginia Freedom of Information Advisory Council to arrange a training session tailored to appointees and staff representatives / employees. A two-hour training session is suggested broken into two one-hour segments to address meetings and records requirements. Committee Follow Up: A list of suggested training dates is requested. Distribution FOIA Guide: On 3/21/2011, "4th Edition 2007 Local Government Officials' Guide to the Virginia Freedom of Information Act" by Roger C. Wiley was mailed to all responders requesting a copy. Non-responders: As of 3/21/2011, 72 of 82 [88%] responding. All non-responders have been contacted several times. Staff representatives have been asked to follow up as an agenda item at their next-regularly scheduled meeting. Bylaws or Other Organizational</i>	11

Materials: On 3/21/2011, forwarded information to staff representatives with the request that this information be provided, where available, to those requesting; and where unavailable, to provide an explanation as to why and/or by what statute the board, commission, authority, or council operates and include that as an agenda item at their next regularly scheduled meeting. Dissemination of Findings / Additional Analysis: On 3/21/2011, forwarded compiled information to staff representatives for follow up and inclusion as an agenda item at their next regularly scheduled meeting.

03/07/2011: Appointee Questionnaire Summary Analysis Report has been prepared and distributed with the March 7 materials. After reviewing the report, the Personnel Committee made the following recommendations: 1) Noting that a significant number of appointees expressed interest in securing additional information on FOIA, instructed staff to initiate a training session at the BCCGC and to make the session[s] available to appointees and staff. 2) Instructed staff to provide copies of the FOIA act to all responders indicating that they needed another copy. 3) Instructed staff to follow up on any non-responses asking specifically that at a minimum provide current contact information. 4) Instructed staff to follow up with any responders indicating that they were not in possession of bylaws or other organizational materials. 5) Instructed staff to further analyze the data as received and to provide letters to all members of each committee summarizing comments, general consensus and relaying any critical concerns or recommendations, as well as commendations.

02/07/2011: The Personnel Committee instructed staff to follow up with non-responsive appointees and to prepare a preliminary analysis for review at the March meeting with highlights of reported issues.

01/24/2011: Questionnaires were collated and mailed to appointees. To aid analysis, Administration developed a database to log responses. As of 2/2/2011, Administration has received 37 of 83 [45%] responses.

12/13/2010: The committee asked that the Appointee Questionnaire be revised to include a request for updated contact information, and to inquire about the appointee's view of the current and future most important challenges faced by the boards on which they serve. The committee also recommended that the questionnaires be mailed in January to keep them out of the holiday mail. 12/27/2011: FYI: Solicitation of Appointees - Boards and Commission web page updated for 2011.

Appointments by Expiration Thru October 2011

			<i>Appt Date</i>	<i>Exp Date</i>	<i>Orig Appt Date:</i>
<i>February 2011</i>					
Parks & Recreation Advisory Board		4 Yr			
White	Lawrence	Buckmarsh	12/18/2007	2/15/2011	2/15/1995
Resigned 2/15/2011 expires 12/31/2011					
<i>April 2011</i>					
Clarke County Planning Commission		4 Yr			
Wade	Robert	Millwood / Chapel	3/20/2007	4/30/2011	11/21/2000
<i>May 2011</i>					
Berryville Area Development Authority Comprehensive Plan Committee		Open-End			
Caldwell	Anne		1/7/2008	5/18/2011	1/7/2008
BADA Subcommittee					
<i>August 2011</i>					
Economic Development Advisory Committee		4 Yr			
Dunkle	Christy	Town of Berryville Rep	7/17/2007	8/31/2011	8/19/2003
<i>September 2011</i>					
Shenandoah Area Agency on Aging, Inc.		4 Yr			
Roper	Anthony	Sheriff	9/18/2007	9/30/2011	9/18/2007
<i>October 2011</i>					
Clarke County Industrial Development Authority		4 Yr			
Jones	Paul	Russell District	9/18/2007	10/30/2011	3/20/2007

Clarke County Committee Listing

			<i>Appt Date</i>	<i>Exp Date</i>
<i>Berryville Area Development Authority</i>				3 Yr
Boyles	Jerry	White Post	8/17/2010	3/31/2012
Dunning, Jr.	A.R.	BOS - Appointed Member	12/16/2008	3/31/2011
Ohrstrom, II	George	Russell	3/16/2010	3/31/2013
<i>Berryville Area Development Authority Comprehensive Plan Committee</i>				Open-End
Caldwell	Anne		1/7/2008	5/18/2011
Hobert	J. Michael		1/7/2008	
<i>Board of Supervisors</i>				4 Yr
Byrd	Barbara J.	Russell	1/1/2008	12/31/2011
Dunning, Jr.	A.R.	White Post	1/1/2008	12/31/2011
Hobert	J. Michael	Chair, Berryville District	1/1/2008	12/31/2011
Staelin	John	Millwood/Pine Grove	1/1/2008	12/31/2011
Weiss	David	Vice Chair - Buckmarsh/Blue Ridge	1/1/2008	12/31/2011
<i>Board of Supervisors Finance Committee</i>				1 Yr
Byrd	Barbara J.	BOS - Alternate	1/18/2011	12/31/2011
Dunning, Jr.	A.R.	BOS - Alternate	1/18/2011	12/31/2011
Hobert	J. Michael	BOS - Appointed Member	1/19/2010	12/31/2011
Staelin	John	BOS - Appointed Member	1/19/2010	12/31/2011
Weiss	David	BOS - Alternate	1/19/2010	12/31/2011
<i>Board of Supervisors Personnel Committee</i>				1 Yr
Byrd	Barbara J.	BOS - Appointed Member	1/18/2011	12/31/2011
Dunning, Jr.	A.R.	BOS - Alternate	1/18/2011	12/31/2011
Hobert	J. Michael	BOS - Appointed Member	1/19/2010	12/31/2011
Staelin	John	BOS - Alternate	1/19/2010	12/31/2011
Weiss	David	BOS - Alternate	1/19/2010	12/31/2011
<i>Board of Well & Septic Appeals</i>				4 Yr
Blatz	Joseph	Citizen Member	1/15/2008	2/15/2012
Dunning, Jr.	A.R.	BOS - Appointed Member	1/18/2011	12/31/2011
McKay	Beverly	Planning Commission		
Teetor	Alison	Staff Rep		
<i>Board of Zoning Appeals</i>				5 Yr
Borel	Alain F.	White Post	1/20/2009	2/15/2014
Caldwell	Anne	Millwood	1/19/2010	2/15/2015
Kackley	Charles	Russell	2/12/2008	2/12/2013
Means	Howard	Millwood	12/14/2009	2/15/2016

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			<i>Appt Date</i>	<i>Exp Date</i>
Volk	Laurie	Russell	1/20/2009	2/15/2014
<i>Clarke County Historic Preservation Commission</i>				4 Yr
Baker	H.M.	Russell	5/19/2009	5/31/2013
Bieschke	John K.	White Post	4/21/2009	5/31/2013
Fields	Betsy	Berryville District	4/20/2010	5/31/2012
Gilpin	Thomas T.	White Post	5/18/2010	5/31/2014
Hiatt	Marty	Buckmarsh/Blue Ridge	6/19/2007	5/31/2015
Nelson	Clifford	Russell/Planning Commission Rep	4/19/2011	4/30/2012
<i>Clarke County Industrial Development Authority</i>				4 Yr
Armbrust	Wayne	Secretary/Treasurer	8/19/2008	10/30/2012
Frederickson	Allan	White Post	12/15/2009	10/30/2013
Hillerson	Jay		8/18/2009	10/30/2013
Jones	Paul	Russell District	9/18/2007	10/30/2011
Juday	David	Vice Chair	12/21/2010	10/30/2014
Pierce	Rodney	Chair	8/19/2008	10/30/2012
Staelin	John	BOS - Liaison	1/19/2010	12/31/2011
<i>Clarke County Library Advisory Council</i>				4 Yr
Al-Khalili	Adeela		4/19/2011	4/15/2015
Badanes	Joyce		4/20/2010	4/15/2014
Byrd	Barbara J.	BOS - Liaison	1/18/2011	12/31/2011
Curran	Christopher		5/16/2006	4/15/2013
Foster	Nancy		4/15/2008	4/15/2012
Hudson	Kathy		4/20/2010	4/15/2013
Kalblian	Maral		4/19/2011	4/15/2015
Meeks	Robert B.		4/19/2011	4/15/2015
Wolk	Susan		6/16/2009	4/15/2012
Zinman	Maxine		4/19/2011	4/15/2015
<i>Clarke County Litter Committee</i>				1 Yr
Staelin	John	BOS - Liaison	1/19/2010	12/31/2011
Teetor	Alison	Staff Rep		
<i>Clarke County Planning Commission</i>				4 Yr
Brumback	Clay	White Post / Greenway	6/15/2010	4/30/2014
Caldwell	Anne	Millwood / Chapel; Vice Chair	4/21/2009	4/30/2013
Dunning, Jr.	A.R.	BOS - Appointed Member	1/18/2011	12/31/2011
Kreider	Scott	Buckmarsh / Battletown	3/15/2011	4/30/2012
McFillen	Thomas	Berryville / Berryville	5/1/2010	4/30/2014
McKay	Beverly	White Post / Greenway	3/18/2008	4/30/2012
Nelson	Clifford	Russell / Longmarsh	3/17/2009	4/30/2013

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			<i>Appt Date</i>	<i>Exp Date</i>
Ohrstrom, II	George	Russell / Longmarsh; Chair	4/19/2011	4/30/2015
Staelin	John	BOS - Alternate	1/19/2010	12/31/2011
Steinmetz, II	William	Berryville / Berryville	4/30/2008	4/30/2012
Thuss	Richard	Buckmarsh / Battletown	4/20/2010	4/30/2014
Wade	Robert	Millwood / Chapel	3/20/2007	4/30/2011
<i>Clarke County Sanitary Authority</i>				4 Yr
Dunning, Jr.	A.R.	BOS - Authority Member	12/15/2009	1/5/2014
Jones	Harry C.	Secretary/Treasurer	6/17/2008	6/30/2012
Legge	Michael	Staff Representative		
Mackay-Smith, Jr.	Alexander	Vice Chair	11/16/2004	1/5/2013
Myer	Joe	Town of Boyce	9/15/2009	12/31/2011
Staelin	John	BOS - Alternate	1/19/2010	12/31/2011
Williams	Ian R.	Chair	11/18/2008	1/5/2013
<i>Conservation Easement Authority</i>				3 Yr
Buckley	Randy	White Post	1/1/2011	12/31/2013
Engel	Peter		12/15/2009	12/31/2012
Mackay-Smith	Wingate E.	Chair	1/1/2011	12/31/2013
Ohrstrom, II	George	Planning Commission Rep	4/20/2010	4/30/2013
Radford	Jane		11/18/2008	12/31/2012
Teetor	Alison	Clerk - Staff Liaison		
Thomas	Walker	Fills unexpired term of Pat McKelvy	1/1/2011	12/31/2012
Weiss	David	BOS - Appointed Member	1/19/2010	12/31/2011
<i>Constitutional Officer</i>				
Arthur	Warren	Commissioner of the Revenue	1/1/2008	12/31/2011
Butts	Helen	Clerk of the Circuit Court	1/1/2008	12/31/2015
Keeler	Sharon	Treasurer	1/1/2008	12/31/2011
Perka	Suzanne	Commonwealth Attorney	1/1/2008	12/31/2011
Roper	Anthony	Sheriff	1/1/2008	12/31/2011
<i>County Administrator</i>				
Ash	David L.	County Administrator	3/19/1991	
<i>County Assessor</i>				
Peake	Donna	County Assessor	7/1/2003	
<i>Economic Development Advisory Committee</i>				4 Yr
Barb	Jim	Real Estate Rep, Business Owner	11/17/2009	12/31/2013
Conrad	Bryan H.	Agriculture, Fire & Rescue	1/1/2011	12/31/2014
Dunkle	Christy	Town of Berryville Rep	7/17/2007	8/31/2011
Dunning, Jr.	A.R.	BOS Rep, SA Rep, Business Owner	1/18/2011	12/31/2011
Hillerson	Jay	IDA Rep, Business Owner	9/15/2009	12/31/2013

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			<i>Appt Date</i>	<i>Exp Date</i>
Myer	Dr. Eric	Agriculture Rep, Business Owner	1/1/2011	12/31/2014
Pritchard	Elizabeth	Hospitality Industry	8/17/2010	8/31/2012
Staelin	John	BOS - Appointed Member	1/19/2010	12/31/2011
<i>Handley Regional Library Board</i>				4 Yr
Myer	Tamara	Town of Boyce	9/15/2009	11/30/2013
<i>Joint Administrative Services Board</i>				Open-End
Ash	David L.	County Administrator	1/18/2011	12/31/2011
Hobert	J. Michael	BOS - Appointed Member	1/19/2010	12/31/2011
Judge	Tom	Staff Representative		
Keeler	Sharon	Treasurer		
Murphy	Michael	School Superintendent		
Rhodes	Emily	JAS Chair; School Board Representative	1/1/2011	12/31/2011
Weiss	David	BOS - Alternate	1/19/2010	12/31/2011
<i>Joint Building Committee of the Joint Government Center</i>				Open-End
Ash	David L.	Building Manager		
Dalton	Keith	Berryville Town Manager		
Kitselman	Allen	Berryville Town Council Representative		
Weiss	David	Board of Supervisors Representative		
<i>Legislative Liaison and High Growth Coalition</i>				1 Yr
Hobert	J. Michael	BOS - Liaison	1/19/2010	12/31/2011
<i>Lord Fairfax Community College Board</i>				4 Yr
Lee	Barbara	Millwood / Pine Grove	3/18/2008	6/30/2012
<i>Lord Fairfax Emergency Medical Services Council</i>				3 Yr
Burns	Jason	Career Representative	5/19/2009	6/30/2012
Coffelt	Lee	Career Representative	11/30/2008	11/30/2011
Wagaman	Julie	Medical Professional	6/30/2010	6/30/2013
<i>Northern Shenandoah Valley Regional Commission</i>				3 Yr
Johnston	Charles	Citizen Representative	1/23/2010	1/23/2013
Staelin	John	BOS - Alternate	1/19/2010	12/31/2011
Weiss	David	BOS - Appointed Member	1/19/2010	12/31/2011
<i>Northwestern Community Services Board</i>				3 Yr
Harris	Lucille		12/21/2010	12/31/2012
Stieg, Jr.	Robert		11/28/2008	12/31/2012
<i>Northwestern Regional Jail Authority</i>				4 Yr
Ash	David L.	County Administrator	1/18/2011	12/31/2011

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			<i>Appt Date</i>	<i>Exp Date</i>
Byrd	Barbara J.	BOS - Liaison Alternate	1/18/2011	12/31/2011
Roper	Anthony	Sheriff	9/18/2007	12/31/2011
Wyatt	James		12/18/2007	12/31/2011
<i>Northwestern Regional Juvenile Detention Center Commission</i>				
Byrd	Barbara J.	BOS - Liaison	1/18/2011	12/31/2011
Wyatt	James		11/18/2008	12/20/2012
<i>Old Dominion Alcohol Safety Action Policy Board & Division of Court Services</i>				3 Yr
Johnson	Jerry L.		1/18/2011	12/31/2013
<i>Old Dominion Community Criminal Justice Board</i>				3 Yr
Johnson	Jerry L.		1/18/2011	12/31/2013
<i>Our Health</i>				3 Yr
Shipe	Diane		3/15/2010	3/15/2013
<i>Parks & Recreation Advisory Board</i>				4 Yr
Allison	Janelle	Millwood Rep	1/19/2010	12/31/2013
Heflin	Dennis	White Post Rep	9/16/2008	12/31/2012
Hobert	J. Michael	BOS - Liaison	1/19/2010	12/31/2010
Huff	Ronnie	Town of Berryville Rep	12/31/2007	12/31/2011
Jones	Paul	At-Large	1/1/2011	12/31/2014
Lichliter	Gary	Russell Rep	11/18/2008	12/31/2012
McCall	Michael A.	School Board Rep		12/31/2004
Rhodes	Emily	School Board Representative	1/1/2011	12/31/2011
Sheetz	Daniel A.	Berryville	5/18/2010	12/31/2013
White	Lawrence	Buckmarsh	12/18/2007	2/15/2011
Wisecarver	Steve	Appointed by Town of Boyce	2/2/2010	12/31/2013
<i>People Inc. of Virginia</i>				3 Yr
Hillerson	Coleen	Clarke County Rep Board of Directors	8/17/2010	7/31/2013
<i>Regional Airport Authority</i>				4 Yr
Ash	David L.	County Administrator	1/29/2010	12/31/2010
Crawford	John		5/20/2008	6/30/2012
Weiss	David	BOS - Liaison	1/19/2010	12/31/2011
<i>Shenandoah Area Agency on Aging, Inc.</i>				4 Yr
Hudson	John		8/17/2010	9/30/2014
Roper	Anthony	Sheriff	9/18/2007	9/30/2011
<i>The 150th Committee</i>				4 Yr
Al-Khalili	Adeela	Clarke County African-American Cultural Center / Josephine Community Museum	1/18/2011	12/31/2015

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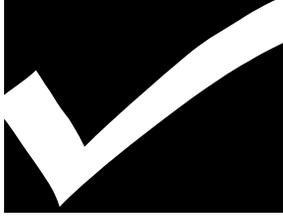
			<i>Appt Date</i>	<i>Exp Date</i>
Davis	Dorothy	Clarke County African-American Cultural Center / Josephine Community Museum	1/18/2011	12/31/2015
Heder	Terence	Shenandoah Valley Battlefields Foundation	1/18/2011	12/31/2015
Johnston	Charles	Staff Representative HPC	1/18/2011	12/31/2015
Kalbian	Maral	Community Representative	1/18/2011	12/31/2015
Lee	Jennifer	Clarke County Historic Museum Representative	1/18/2011	12/31/2015
Means	Howard	CCHA Representative	1/18/2011	12/31/2015
Morris	Mary	Clarke County Historic Museum Representative	1/18/2011	12/31/2015
Murphy	Michael	CCPS Representative	1/18/2011	12/31/2015
Russell	Jesse	Staff Representative Economic Development	1/18/2011	12/31/2015
Sours, Jr.	John	Community Representative	1/18/2011	12/31/2015
Stieg, Jr.	Robert		1/18/2011	12/31/2015
Weiss	David	BOS - Appointed Member	2/15/2011	12/31/2011

Staff Rep	Term Length	Meeting Times	Membership Requirements	Bylaws	COI Required
Johnston, Chuck	4 Yr	4th Tue Bi-monthly [Jan/Mar] @ 8:30a	Section 3-E-3-d Zoning Ord "shall consist of at least 5 members not to exceed 7 members; Members shall be residents of Clarke County with a demonstrated interest in and knowledge of the historic character of Clarke County. Reasonable effort to appoint at least 2 members with professional training or equivalent experience in 1 or more of the following: architecture, architectural history, historic preservation, archeology, land use planning, or related fields. Reasonable effort to appoint at least 1 member that is a professional architect or architectural historian. At least 1 member shall be appointed from the Planning Commission upon recommendation to the Board by the Planning Commission. After the establishment of an Historic District, at least 1 member shall be a resident of a local Historic District."	<input type="checkbox"/>	<input type="checkbox"/>
Clarke County Industrial Development Authority					
Russell, Jesse	4 Yr	Jan for Organizational Meeting 10a; Ad Hoc	Appointed by BOS; Oath of Office Required - Clerk of Circuit Court; 7 members, 1 BOS liaison (non-voting) and 6 others that are chosen on their expertise in the business field. Membership governed by IDA by-laws. 15.2-4904 No director shall be an officer or employee of the locality except in towns under 3,500	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Clarke County Library Advisory Council					
Kennedy, Laurine	4 Yr	1st Mon Monthly @ 4:30p	Appointed by BOS	<input type="checkbox"/>	<input type="checkbox"/>
Clarke County Litter Committee					
Teetor, Alison	N/A	2009: 1st Wed Quarterly	1 BOS Member; 1 Staff Rep	<input type="checkbox"/>	<input type="checkbox"/>
Clarke County Planning Commission					
Johnston, Chuck	4 Yr	1st Fri Monthly 9a; Briefing Meeting Tues before 1st Fri 3p except August	Appointed by BOS; Oath of Office Required - Clerk of Circuit Court; Section 1-C-2 of the Zoning Ordinance states: "The Planning Commission shall consist of eleven members, appointed by the Board. Members of the Planning Commission shall be residents of the County, with there being 2 residents of each of the Board Election Districts. In addition, 1 member of the Commission shall be a member of the Board. Members of the Commission shall be qualified by knowledge and experience to make decisions on questions of community growth and development. At least 1/2 of the members of the Planning Commission shall be owners of real property in the County."	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Clarke County Sanitary Authority					
Legge, Mike	4 Yr	9/2010: 3rd Tue monthly @ 9a - 12p	5 members with a preference that at least one member be a resident of the Town of Boyce; 1 optional BOS liaison.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Conservation Easement Authority					
Teetor, Alison	3 Yr	5/2007: 3rd Wed monthly @ 4:00 p	Board of Directors 7 members, appointed by the BOS, to be comprised of 1 member from the BOS, 1 member from the PC and 5 Clarke County citizen members. At the first meeting of the BOS each calendar year, beginning the Board shall appoint 1 member from the membership of the BOS for a term of 1 year beginning Jan 1; 1 member from the Planning Commission for a 1 year term beginning May 1; and a member or members to fill expiring citizen member terms, for a term of three (3) years beginning Jan 1.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Staff Rep	Term Length	Meeting Times	Membership Requirements	Bylaws	COI Required
Constitutional Officer					
		N/A	Constitutional Office	<input type="checkbox"/>	<input checked="" type="checkbox"/>
County Administrator					
Ash, David		N/A	County Administrator	<input type="checkbox"/>	<input checked="" type="checkbox"/>
County Assessor					
Peake, Donna		N/A	County Employee	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Economic Development Advisory Committee					
Russell, Jesse	4 Yr	5/2011 2nd Wed Monthly @ 3p	7 total members, 1 BOS Liaison (non-voting); 6 others chosen on their particular expertise in the economic dev. field. Membership not limited to 7 members - BOS may choose to add more.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Handley Regional Library Board					
Ridgeway, Trish	4 Yr	3rd Tues Monthly @ 4:30p Handley Library Board Room	1 Clarke County Member; 2 Term Limit	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Housing and Community Services Policy Board of the Northern Shenandoah Valley					
Bundrick, Katie		3rd Wed Monthly @ 5:30 pm Front Royal Office	Appointed by BOS; if member of the governing body, term coincides elected term or shorter; Non-elected 3 yrs from the date of appointment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joint Administrative Services Board					
Ash, David	N/A	Calendar set at January meeting.	Treasurer; County Administrator; School Superintendent; BOS Chair or designee; SB Chair or designee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joint Building Committee of the Joint Government Center					
Ash, David	N/A	1st Wed Monthly 9 am BCCGC Meeting Room C	1 Member BOS, County Administrator, Town Manager, 1 Member Town Council	<input type="checkbox"/>	<input type="checkbox"/>
Legislative Liaison and High Growth Coalition					
BOS Chair	1 Yr	Ad Hoc	BOS Chair appoints a non-voting liaison.	<input type="checkbox"/>	<input type="checkbox"/>
Lord Fairfax Community College Board					
Milam, John	4 Yr		Appointed by BOS; 2 Term Limit	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lord Fairfax Emergency Medical Services Council					

Staff Rep	Term Length	Meeting Times	Membership Requirements	Bylaws	COI Required
McLaurin, Tracey	3 Yr	2nd Wed Bi-monthly @ 6:30p at the Lord Fairfax EMS Council office. Grant reviews are held at the April & October meetings.	3 Clarke County Members; 3-year term; 1consecutive term limit; Each locality will be represented with at least 1 volunteer and 1 career EMS provider. The following classes and categories of individuals, organizations, and professions will be eligible as members of the Board: Consumers; Governmental Representatives; Hospital Administration; Physicians; Nurses; Rescue Squads and Fire Companies	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Northern Shenandoah Valley Regional Commission					
Price, Chris		3rd Thurs monthly 6p @ Front Royal Office	The Charter of the Regional Commission states Clarke County shall have 2 members, 1 elected official, 1 citizen.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Northwestern Community Services Board					
Bundrick, Katie	3 Yr	3rd Wed Monthly 6:30p except Aug @ Front Royal Office	2 Clarke County Members; AKA Chapter 10 Board; 2 Term Limit	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Northwestern Regional Jail Authority					
Wilson, Kim	4 Yr	2nd Thurs Quarterly Sept, Dec, Mar, Jun	3 Clarke County Members; Sheriff - required appointment - concurrent with term of office; May appoint alternates	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Northwestern Regional Juvenile Detention Center Commission					
Stevenson, Jim		Quarterly - Ad Hoc @ facility	Appointed by BOS; 2 successive 4 year terms	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Old Dominion Alcohol Safety Action Policy Board & Division of Court Services					
Ellis, Daniel	3 Yr	October 19, 2010 at 6:30p Bowling Green to establish 2011 schedule	1 Clarke County Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Old Dominion Community Criminal Justice Board					
Ellis, Daniel	3 Yr	Meets with Old Dominion Alcohol Safety Action Board	1 Clarke County Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Our Health					
Gromling, Sharon		2nd Mon Bi-monthly 12p - 1p @ facility	1 Clarke County Member - "Group A Directors" shall serve at the discretion of the appointing Group A entity	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks & Recreation Advisory Board					
Cooke, Lisa	4 Yr	3rd Wed Monthly 6:00 PM at Rec Center	9 voting members; 1 from each Magisterial District [5]; 1 at Large; 1 School Board Appointee; 1 Town of Boyce Appointee; 1 Town of Berryville Appointee; 1 BOS Liaison [non-voting]; 2 high school aged Clarke County resident [non-voting]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
People Inc. of Virginia					

Staff Rep	Term Length	Meeting Times	Membership Requirements	Bylaws	COI Required
Johnston, Chuck	3 Yr	3rd Wed Bi-monthly at such time and place as the President, CEO or Board of Directors may determine	1 Clarke County Member; Public officials, or their representatives shall serve at the pleasure of the designating officials or as long as the public official is currently holding office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Regional Airport Authority</i>					
Manual, Renny	4 Yr	3rd Thurs Monthly 5p @ facility	1 Clarke County Member; Members appointed by additional participating political subdivisions or directors appointed by existing political subdivisions shall also be appointed for 4-year terms.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>School Construction Committee [All Other School Committees]</i>					
Bouffault, Robina		3rd Monday Monthly 5:30p	The BOS Chair appoints a non-voting liaison.	<input type="checkbox"/>	<input type="checkbox"/>
<i>Shenandoah Area Agency on Aging, Inc.</i>					
Dodson, Bonnie	4 Yr		2 Clarke County Members; SAAA Board shall appoint the local government nominees; the Board shall have the right not to accept any nominee it considers incompatible with the best interests of the SAAA and the Board.; 2 Term Limit	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>The 150th Committee</i>					
Weiss, David			Ad Hoc See 01/18/2011 Minutes Resolution 2011-01R; Clarke County Committee on the Sesquicentennial of the Civil War and Emancipation [the 150th Committee]	<input type="checkbox"/>	<input type="checkbox"/>
<i>The Barns Project</i>					
Bailey, Susie	N/A	3rd Wed monthly 4p @ Enders Social Hall	The BOS Chair appoints a non-voting member liaison.	<input type="checkbox"/>	<input type="checkbox"/>



Board of Supervisors Work Session

August 8, 2011 10:00 Am

Second Floor, Conference Rooms A & B

Berryville/Clarke County Government Center

101 Chalmers Court, Berryville, Virginia 22611

<i>Item No.</i>	<i>Description</i>	<i>Page</i>
1.	Regional Water Supply Plan	17
	08/08/2011: The Northern Shenandoah Valley Regional Commission will present information in support of their request that the Board adopt the regional water supply plan.	
2.	Chesapeake Bay TMDL Local Responsibility	29
	08/08/2011: Alison Teetor will provide a presentation.	
3.	Building Automation Status	36
	08/08/2011: David Weiss shall provide a status update.	
4.	Project Updates	16
	08/08/2011: David Ash will provide updates on general government projects. Should legal advice or negotiation matters arise, the Board may be asked to enter Closed Session. No such information is available as of the preparation of this agenda.	

MEMORANDUM

TO: Board of Supervisors, David Ash
FROM: Alison Teetor
SUBJECT: Regional Water Supply Plan/Drought Ordinance amendment
DATE: August 1, 2011

Localities throughout the Commonwealth are being asked to participate in Local and Regional Water Supply Planning. Communities in the Northern Shenandoah Valley Planning District have agreed to work together to submit a Regional Plan. This Plan was prepared by the Regional Commission and must be adopted by each locality in the Region. The Plan is intended to summarize current water use and identify future water demands. An additional component is a chapter detailing a Drought Response and Contingency Plan. In 2008, the Board of Supervisors adopted a Drought Ordinance and Plan for the County. All of the components of our plan have been incorporated into the Regional Plan and therefore it is recommended that the Drought Ordinance be amended to reference the Regional Drought Response and Contingency Plan rather than the local Drought Plan.

Background & Regulation

The Code of Virginia, as amended by Senate Bill 1221 in 2003 (Section 62.1-44.38:1) requires the development of a comprehensive statewide water supply planning process to (1) ensure that adequate and safe drinking water is available to all citizens of the Commonwealth, (2) encourage, promote, and protect all other beneficial uses of the commonwealth's water resources, and (3) encourage, promote, and develop incentives for alternative water sources, including, but not limited to desalinization.

The regulation affecting the development of water supply plans in the Commonwealth is the Local and Regional Water Supply Planning Regulation (9 VAC 25-780), which became effective on November 2, 2005. The regulation requires that all counties, cities, and towns in the Commonwealth of Virginia submit a local water supply plan or participate in a regional planning unit in the submittal of a regional water supply plan to the State Water Control Board.

Local & Regional Water Supply Planning

The Draft Regional Water Supply Plan was prepared by the Northern Shenandoah Valley Regional Commission and Technical Advisory Committee members from the twenty jurisdictions participating in this Plan. Jill Keihn, Natural Resources Program Manager, for the Regional Commission, will be available to present an overview of the plan and answer questions. The contents of this Plan are draft and should be considered preliminary in nature until each jurisdiction has had the opportunity to review and approve of this Regional Water Supply Plan. The Regional Water Supply Plan was prepared to meet the mandate set forth in 9 VAC 25 780.

The regulation details the information to be included in a region's/locality's water supply plan, including:

- Existing Water Source Information
- Existing Water Use Information;
- Existing Resource Information
- Water Demand Management, or current conservation practices;
- Drought Response and Contingency Plans
- Projected Water Demand Information
- Statement of Need based on the adequacy of existing water sources to meet current and projected water demand over the planning period (a minimum of 30 years to a maximum of 50 years).
- The program was designed as a statewide partnership, localities having the lead role in identifying their future demands and the state providing technical support and oversight.

Recommendation:

At the August Board meeting set public hearing for adoption of the Regional Water Supply Plan and amendment of the Clarke County Drought Ordinance.

<h1>Northern Shenandoah Regional Water Supply Plan</h1>
07/26/11

The Draft Regional Water Supply Plan was prepared by the Northern Shenandoah Valley Regional Commission and Technical Advisory Committee members from the twenty jurisdictions participating in this Plan. The contents of this Plan are draft and should be considered preliminary in nature until each jurisdiction has had the opportunity to review and approve of this Regional Water Supply Plan. The Regional Water Supply Plan was prepared to meet the mandate set forth in 9 VAC 25 780.

Executive Summary:

Northern Shenandoah Regional Water Supply Plan:

This summary provides an overview of the following sections of the Plan:

- History and Purpose of the Plan
- Current Water Sources and Use
- Estimated Future Water Demand
- Drought Ordinance and Response Plan
- Statement of Water Need by 2040

History and Purpose:

The purpose of the regional water supply plan is to comply with the State Water Control Board regulation 9 VAC 25-780, Local and Regional Water Supply Planning. This regional water supply plan is designed to facilitate comprehensive assessment of existing water sources and uses, estimation of projected water demand in the Northern Shenandoah Valley to 2040, and a determination of water surpluses and or deficits to meet the projected water demands. The data contained in the attendant spreadsheets (found on NSVRC website) and in this Plan serve the following functions: meet the mandated requirements of a locality or region; provide documentation and estimates of all reportable water sources and uses within a jurisdiction for a statewide database; raise the awareness of the ability of a locality's existing water uses to meet the projected demand by 2040; aid information for future discussions across jurisdictions for potential future interconnected water sharing; and form one part of the Virginia Water Resources Plan to ensure an adequate supply for all users balanced with ecosystem needs.

To prepare the data for this Plan, a technical advisory committee (TAC) was assembled comprised of the twenty jurisdictions located within the Northern Shenandoah Valley planning region. Participating jurisdictions assigned members to the TAC representing the City of Winchester; five counties of Clarke, Frederick, Page, Shenandoah, and Warren; and the fourteen towns of Berryville, Boyce, Edinburg, Front Royal, Luray, Middletown, Mount Jackson, New Market, Shenandoah (town), Stanley, Stephens City, Strasburg, Toms Brook, and Woodstock. The twenty jurisdictions participating in the regional Plan signed a resolution before November 2008 for the Northern Shenandoah Valley Regional Commission to prepare the water supply plan on their behalf and submit it to the Virginia Department of Environmental Quality (DEQ) on or before November 2, 2011, per the regulation. The Northern Shenandoah Valley Regional Commission prepared this regional water supply plan with the involvement of all TAC members.

Current Water Source / Use:

Existing public and private community water supply systems were detailed for each locality. In addition homes and businesses served by groundwater wells were noted. These wells vary in quantity throughout the year.

In addition, agricultural water use was documented from users that report over 300,000 gallons per month. Agricultural water use by livestock was estimated based on the 2007 Census of Agriculture data for each county in the planning region. Estimates for livestock were calculated based on number and type of animal with a water demand based on animal type. The data from the 2007 Census of Agriculture also provided County lands in crops by acreage. This data was presented; however, is not included in water demand because the quantity of water to irrigate crops is climate dependent. In general, most agriculture in the counties of the region use surface water stream intakes for irrigation with gas-run pumps to withdraw the water. No water usage estimate was calculated for the croplands and vineyards because the use of water on crops varies with annual precipitation. Nonagricultural self-supplied users were also documented in this Plan.

Estimated Water Demand:

Residential water demand was based on future population projections for 2010, 2020, 2030, and 2040. The public community water systems were compared to the future estimated population and attendant water need. The private water supply systems were estimated to remain the same throughout the timeline to 2040 (the number serviced by a trailer park or subdivision would remain static). Future estimates of users on community water systems for commercial, industrial, water sales, and unaccounted for losses were calculated based on 2008 data, locality comprehensive plans, and patterns in an area. Self-Supplied nonagricultural and agricultural users were also included in the future water use. Most of these were considered to remain the same in 2008 as they will be in 2040 (some may close, others open with the net number of self-supplied users remaining the same). These often included golf clubs, campgrounds, and other facilities. The number of people not serviced by public or private community water systems were those estimated to be on groundwater individual wells. Estimates of the future water users not serviced with residential community water supply were determined by the projected population not within a water distribution system in the future years.

Drought Response and Contingency Plan

State regulations stipulate a minimum of three drought stages be included in the Water Supply Drought Response Sections. The Northern Shenandoah Valley Regional Water Supply Plan's Drought Response Section includes these three graduated stages of a drought:

Drought Stage	Description	Action
Watch	Drought potential if conditions persist	Increase water conservation awareness; voluntary actions by citizens
Warning	Onset of drought is imminent	Water conservation awareness; precautionary measures voluntary but encouraged by localities
Emergency	Significant drought or low water event	Mandatory responses for water conservation by localities and public

Jurisdictions will have varied declarations of a drought in part due to water sources, water demands, upstream water withdrawals, groundwater's delayed response to reflect low precipitation, equipment failure, and local variations in meteorology and soil moisture.

Local ordinances adopted by the localities within this planning region will be appended to the Water Supply Plan. The ordinances document jurisdictional commitment to water conservation implementation and enforcement of the Drought Response Section.

Local Triggers:

Each locality has selected local triggers to monitor and use to declare a drought or low water condition. Typically triggers include a stream level measured at a gage or a groundwater level measured at a specified level in a well, if available. A locality may assume a trigger is activated when either their local trigger has reached a predetermined level and / or a trigger from a neighboring jurisdiction within the same sub watershed has been reached. For localities with trigger levels set at percentile flows not posted on the NSVRC.virginia.gov website, the water purveyor will calculate flows to assess if conditions warrant a drought stage declaration.

While some drought response actions are applicable to all jurisdictions in the planning region (see list below), other drought response actions are individually determined by each locality based upon the environmental setting and their position within the watershed, water source, and political circumstances. Local water managers and staff will be apprised of Drought Stage declarations through the use of automated crew messaging / emergency notification.

Note: In the event of a prolonged, multi-seasonal drought emergency, the locality reserves the right to institute a program of water rationing.

The NSVRC will act as a clearinghouse and provide public notification of any drought stage declaration within the region. The public notices will serve to build and raise awareness of the drought status and educate the public of early water conservation steps individuals and localities can implement. Drought stage downgrading will be conducted by the local water purveyor, jurisdictional CAO, or designee as determined by each locality. Decisions to downgrade a stage will be based on the local trigger, DEQ, and other designated triggers as precipitation increases and soil moisture content and water levels rise in streams and wells.

Statement of Water Need:

The projected future water demands through 2040 were assessed.

Winchester:

The City of Winchester has two water sources (river intake and a spring) with a combined maximum capacity of 15 MGD. The future growth scenarios increase the demand to 9.11 MGD. This demand can be met by the existing sources, with an estimated 5.9 MGD surplus in water supply.

Clarke County, Towns of Berryville and Boyce:

Town of Berryville:

Berryville will meet future projected water needs through 2040 based on uses presented below. However, peak water usage in 2040 exceeds the current VDH permitted capacity of water. Therefore, a new permit would be necessary for increased water withdrawal. In addition, implementation of water conservation techniques will decrease water use by 20% thereby, resulting in future peak days demands to be met by existing sources.

Town of Boyce:

The existing supplies and permits for water for the Town of Boyce will meet future water demands to 2040 based on water uses projected below. It should be noted that a decrease in per capita usage of 132 gpd/user would also decrease water demand. A peak factor of 1.2 was used to predict water use on peak days. If a peaking rate of 1.5 were used, the peak day water use by 2040 would not be met, although the annual water demand for 2040 would be satisfied.

Frederick County, Towns of Middletown and Stephens City:

In Frederick County there are two towns, both of which purchase water from another locality or entity. The Town of Middletown purchases water from the City of Winchester. The Frederick County Sanitation Authority provides water wholesale to the Town of

Stephens City. In addition, Frederick County Sanitation Authority provides water to County residents located in the vicinity near the City of Winchester.

Estimates of future water demand for those serviced by the Frederick County Sanitation Authority include residential water demand, commercial demand, sales to Stephens City, and unaccounted for losses. Several assumptions were made including the demand by commercial light industrial users and will remain the same from 2008 through 2040. The quantity of water to be sold to Stephens City will remain the same from 2008 through 2040, and the unaccounted for system losses will remain the same from 2010 through 2040, assuming appliance efficiency and distribution upgrades occur. The projected number of residents to be serviced by the Frederick County Sanitation Authority was assumed to remain proportionate to the overall County population from 2008 and 2010. If the Sanitation Authority service area increases based on the projections below and the assumptions of water loss, sales, and commercial demand remain static, the demands projected through 2040 are as follows.

The permitted design capacity for the quarries supplying Frederick County Sanitation Authority is 4.928 million gallons per day (MGD). The Bartonsville well site has a capacity of 0.5 MGD totaling 5.42 MGD capacity. The Frederick County Sanitation Authority also purchases up to 2 MGD from the City of Winchester. Therefore, the sum total of existing water available to Frederick County Sanitation Authority is 7.92 MGD. Based on an available current supply of 7.92 MGD, a deficit of water in Frederick County is anticipated to occur between 2020 and 2030. If the Frederick County Sanitation Authority service area continues to serve the same percent of the County population as it increases over time, there will be a proportional increase in residents served by the Sanitation Authority. However, it should be noted that the Virginia Department of Health recommends that once a locality's water demand exceeds 80% of the source capacity, additional water should be secured. The water demand projected for 2020 is 7.83 MGD which exceeds 80% of the 7.92 source capacity. Therefore, it is recommended that between present time and 2020, Frederick County plan for additional water supplies to meet future demands. Either the Sanitation Authority will have to expand their water supply capacity and / or the service area will have to remain at or near the number of 2010 residential connections. Or, as population increases in the County, more residences will need to be required to use groundwater wells.

Town of Middletown:

The Town of Middletown is anticipated to use water at the rates projected below. Given those rates, the Town will need to look for sources of water by 2030 to meet the demand that will exceed the existing water purchase contract with the City of Winchester. The existing water contract is capped for Middletown at 0.238 MGD. It should be noted, these preliminary projections of water are based on a per capita water daily demand

that exceeds state averages (152 gallons per day). Calculations using state averages of 125 gpd per person would lower the demand. Measures of conservation and other reduction implementation strategies could also significantly reduce the water demand and thereby not necessitate additional water supplies for the future planning period.

Town of Stephens City:

The Town of Stephens City has water supplied by the Frederick County Sanitation Authority. Based on projections, the Town of Stephen City water use is expected to be met by the existing water system and supplies through 2040.

Page County, and Towns of Luray, Shenandoah, and Stanley

Based on the ubiquitous nature of groundwater underlying Page County, future demands are anticipated to be met with groundwater wells.

Town of Luray:

All future users for water in the Town of Luray are anticipated to be met by the existing water supplies and permitted capacity to the year 2040. The peak demand for 2040 potentially exceeds the permitted capacity by 2030; however, daily consumptive uses could implement conservation to extend the supply of the sources to satisfy future uses.

Town of Shenandoah:

Even with a higher than average per capita usage, the Town of Shenandoah is anticipated to have all future water demands met by their exiting supplies. See the summary below of future use projections and have a surplus of 0.3 MGD.

Town of Stanley:

Future water demands are anticipated to be met by existing water supplies for the Town of Stanley through 2040 with a surplus of 0.05 MGD for peak days by 2040.

Shenandoah County, Towns of Edinburg, Mt. Jackson, New Market, Strasburg, Toms Brook, and Woodstock:

Based on future water use in Shenandoah County the existing water supplies from Stoney Creek Sanitary District and groundwater wells are anticipated to meet future water use. It is assumed that future development outside water supply service areas will require well development to support housing in rural areas.

Town of Edinburg:

Future Water uses are anticipated to be met by the existing water supplies in the Town of Edinburg through the planning period to 2040. As is (with no conservation practices implemented), the 2040 average demand would be met by existing wells supplies with a surplus of 0.172 MGD.

Town of Mount Jackson:

The Town of Mount Jackson will have all water demands met by existing supplies. The per capita water usage rate was fairly low for Mount Jackson. The peaking rate was also low for the Town, at 1.2. The Town will have a surplus of 0.26 MGD in 2040 for average daily use, and a surplus of 0.172 MGD for peak days by 2040.

Town of New Market:

The Town of New Market will have all future water demands up through 2040 satisfied by existing Town water sources. By 2040, there will be a surplus of 1.238 MGD on peak days and a surplus of 1.779 MGD on average daily usage days.

Town of Strasburg:

The Town of Strasburg will have water demands met through Town supplies throughout the planning period of 2040. Based on increased permitted source to 3 MGD it is estimated that given the usage predicted in this Plan, by 2040 the Town will have a surplus of 1.713 MGD for average daily use and a surplus of 1.546 MGD for peak days.

Town of Toms Brook:

The Sanitary District has a permitted capacity of 0.241 MGD. Calculated future water use for the Town of Toms Brook will be met throughout the planning horizon of 2040 with a surplus of water from the existing source, Toms Brook-Maurertown District.

Town of Woodstock:

The Town of Woodstock will be able to satisfy all water demands through 2040 from the Town intake on the Shenandoah River. Based on demand calculations, there will be a water surplus of 0.137 MGD by 2040 on peak days and a surplus of 0.191 MGD on average daily use days.

Warren County and the Town of Front Royal:

The projected future water demands in Warren County are anticipated to be met through 2040. In general, additional rural development will require groundwater well construction to meet future needs in areas outside community water service systems.

Town of Front Royal:

Projected water use in the Town of Front Royal was calculated from 2008 water average daily water use of 2.048 MGD and peak day usage in 2008 was 3.35 MGD. Based on projected uses, the Town of Front Royal will meet residential water use and peak uses through 2040 with a permitted capacity of 4 MGD. It should be noted that disaggregated water use for other sectors such as business and system losses is not included in this estimated demand.

Chapter 180 Water and Wastewater Article X. Drought Response

Set Public Hearing: _____
Publication Dates: _____ Media: _____
Public Hearing: _____ Code Update: _____
Approved/Denied on a motion by: _____

ARTICLE X. Water Conservation / Drought Response

- 180-34.53. Purpose The purpose of this Article is to provide for the voluntary and mandatory restriction on the nonessential use of ground water during declared water shortages or water emergencies.
- 180-34.54. Scope This Article shall apply to all Clarke County residents and businesses which are served by well water. This Article shall not apply to those residents and businesses which are supplied by a public water supply system by the Town of Berryville or the Clarke County Sanitary Authority.
- 180-34.55. Drought Response Plan The Board of Supervisors (Board) shall adopt by resolution the *Regional Drought Response and Contingency Plan as stated in the Regional Water Supply Plan* ~~Drought Response Plan~~.
- 180-34.56. Drought Indicators The indicators used to indicate drought severity shall be precipitation, streamflow, and groundwater levels. When at least two indicators exceed the threshold for drought stage determination, as set forth in *Regional Drought Response and Contingency Plan as stated in the Regional Water Supply Plan, Appendix I of the Clarke County Drought Response Plan*, the Board may declare a specific drought stage.
- 180-34.57. Drought Stages The drought stages shall be Drought Watch, Drought Warning, and Drought Emergency, as determined by the Board pursuant to the *Regional Drought Response and Contingency Plan as stated in the Regional Water Supply Plan* ~~Drought Response Plan~~.
- 180-34.58. Declaration Upon the Board finding that a drought stage exists, the Board may issue a declaration of a drought stage. The County Administrator, upon the declaration of a drought stage by the Commonwealth of Virginia, may issue a declaration of a drought stage to be in effect until the next regular Board meeting.

- 180-34.59. Drought Stage Response Upon declaration by the Board or the County Administrator of a Drought Watch or Drought Warning, voluntary conservation measures will be requested of residents and businesses as set forth in the *Regional Drought Response and Contingency Plan as stated in the Regional Water Supply Plan* ~~Drought Response Plan~~. Upon declaration of a Drought Emergency, mandatory restrictions shall apply as set forth in the *Regional Drought Response and Contingency Plan as stated in the Regional Water Supply Plan* ~~Drought Response Plan~~.
- 180-34.60. Waiver of Restrictions Upon prior written request by an individual, business, or other water user, the Board of Supervisors, or its designee, may permit less than full compliance with any drought restrictions if good cause can be shown, including evidence that the applicant is affected in a substantial manner not common to other businesses or persons generally. No waiver shall be granted by the Board or its designee unless the Board or its designee determines that the public health, safety, and welfare will not be adversely affected by the waiver. All waivers granted by the Board of its designee shall be reported at the Board's next regular or special meeting.
- 180-34.61. Penalties. Any person who shall violate any of the provisions of this Article shall, upon conviction thereof, be fined not less than one hundred dollars (\$100.00), nor more than five hundred dollars (\$500.00). Each act or each day's continuation of the violation shall be considered a separate offense.

MEMORANDUM

TO: Board of Supervisors, David Ash
FROM: Alison Teetor
SUBJECT: Chesapeake Bay TMDL
DATE: August 1, 2011

Background

On December 29, 2010, the U.S. Environmental Protection Agency (EPA) established the Chesapeake Bay Total Maximum Daily Load (TMDL), a historic and comprehensive “pollution diet” with rigorous accountability measures to initiate sweeping actions to restore clean water in the Chesapeake Bay and the region’s streams, creeks and rivers. Every community within the Bay watershed, including Clarke County, will be impacted by the enactment.¹

Establishment of a TMDL is required under the federal Clean Water Act if a waterway is impaired by pollutants and does not meet water quality standards. Most of the Chesapeake Bay and its tidal waters are listed as impaired because of excess nitrogen, phosphorus and sediment. These pollutants cause algae blooms that consume oxygen and create “dead zones” where fish and shellfish cannot survive, block sunlight that is needed for underwater Bay grasses, and smother aquatic life on the bottom. What a TMDL does is identify the maximum amount of a pollutant the waterway can receive and still meet water quality standards.¹

The primary elements of a TMDL are “wasteload allocations” for “point sources” like sewage treatment plants, urban stormwater systems and large animal feeding operations, and “load allocations” for “non point sources” such as runoff from agricultural lands and nonregulated stormwater from urban and suburban lands.¹

Loading allocations were developed for the entire watershed and then divided among the jurisdictions (New York, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia). The loading allocations were developed with models based on 1) stream flow characteristics of the watershed, 2) sources of pollution, 3) distribution and acreage of the various land uses, and many other factors. These jurisdiction loads were further divided among major basins (Potomac, York, Eastern Shore, etc.) and sub-watersheds or segmentsheds based on each jurisdiction’s Phase I Watershed Implementation Plan (WIP). In Virginia, the Department of Environmental Quality (DEQ) and Department of Conservation and Recreation (DCR) worked in cooperation with EPA to develop the WIP, which outlines an implementation strategy that achieves the TMDL loading allocations for nitrogen, phosphorus and sediment. The Plan also evaluates the current legal, regulatory, programmatic and financial tools available to implement the allocations; identifies and rectifies potential shortfalls in attaining the allocations; describes mechanisms to track and report implementation activities; provides alternative approaches; and outlines a schedule for implementation.

¹ Source: EPA Mid-Atlantic Water
<http://www.epa.gov/reg3wapd/tmdl/ChesapeakeBay/FrequentlyAskedQuestions.html>

County Data

The current step in the TMDL development process is referred to as Phase II of the WIP. In this stage individual Counties, or regionally through Planning District Commissions, are being asked to:

- 1) to review the information presented in the Plan;
- 2) compare it with local data on those best management practices (BMPs) that currently exist;
- 3) identify BMP implementation scenarios and local strategies to reduce pollutant loads; and
- 4) identify the additional resources that will be required to implement the strategies and BMPs.

The preliminary data for each County is presented in a spreadsheet that will be finalized upon EPA's revision of the model, scheduled for July 2011. The preliminary data for Clarke County is shown on the attached pages. Table 1 details the model derived land use information and the loading goals and Table 2, the proposed Best Management Practices installations to achieve the goals. These tables include all land uses except for point source wastewater (sewage treatment plants). Table 1 lists the land uses in the County, current (2009) loads for nitrogen, phosphorus, and sediment for each use, the 2025 reduction goal for each pollutant. Table 2 lists the BMPs, the numbers currently installed and the proposed number that would need to be installed in order to achieve the proposed goals at the 2017 level (60%) and the final 2025 goal.

What Needs to be Done by October 1, 2011 (current date, Subject to change)

- 1) Determine desire to work independently or jointly through PDC
- 2) Review the current land use and BMP data as presented to insure accuracy and make sure we are getting the credit we deserve
- 3) Look at the proposed BMP installation recommendations and determine if these are reasonable and achievable or if there are better alternative implementation scenarios to meet the target loads
- 4) Establish, in conjunction with the water resource plan update, strategies, a timeline and targets for achieving the agreed upon installations
- 5) Identify resource requirements (funding, staff, granting of new authority by General Assembly, etc.) to achieve planned actions

What has been Done to Date

- 1) Staff has attended several meetings to gain understanding of the issues and local requirements.
 - a) TMDL Phase II Planning At The Local Level Potomac Watershed Partnership (PWP) Information Exchange June 28, 2011. This workshop was sponsored by the held in Frederick Maryland. The group heard presentations from Maryland State Natural Resource officials regarding the TMDL process and how forest best management practices can assist in pollutant load reduction.
 - b) Shenandoah County Water Advisory Committee, Woodstock Virginia, July 21, 2011. This meeting was led by James Davis-Martin, our appointed DCR Program Manager, who reviewed the process and local responsibilities in addition to answering questions.

- c) Lord Fairfax Soil & Water Conservation District, Jed Rau, and Natural Resource Conservation Service, Mike Liskey, July 29, 2011, to discuss the Ches Bay TMDL's as they apply to Clarke Co.. Specifically we looked at the tables detailing the subsources and reduction goals, and the BMP recommendation tables. I was interested to see if the recommended BMPs were the best and most reasonable approach to achieve pollutant reductions in Clarke.
- 2) Staff has determined based on discussion with SWCD and NRCS personnel and confirmation with County GIS landuse data, and the Agricultural Census (2007) that the land use data provided by the State seems reasonable.
 - 3) Staff has initiated review of current BMP data as presented to insure accuracy and make sure we are getting the credit we deserve
 - 4) Staff has initiated review of the proposed BMP installation recommendations to determine if these are reasonable and achievable or if there are better alternative implementation scenarios to meet the target loads

Next Steps

- 1) Continue review of BMPs and proposed installation recommendations
- 2) Attend training workshop (late August) on the Virginia Assessment and Scenario Tool (VAST), a key computer-based tool for localities that is the web based tool will be the reporting mechanism for the Land Use, Current BMPs, and 2025 BMP implementation scenario.
- 3) Do we want to work with the Regional Commission to develop implementation strategies and a timeline for BMP implementation?
- 4) Do we commit to stating we can accomplish installation of proposed BMP's particularly agricultural BMP's when we (local government) have no regulatory authority?

Questions

- 1) What is the process for making corrections to the data?
 - a. Virginia will be providing a web based tool to localities/PDC that will serve as the data collection portal. Additionally, the tool will allow the development of alternative implementation scenarios and estimate the N, P and S reductions that will result. This will aid localities as they develop local preferred implementation scenarios to ensure that the scenarios achieve the target reductions. Corrections to the land use data will be used to communicate inaccuracies in the model to EPA and to help inform EPA's decisions as they select the land use source data in future model revisions (2017). Corrections to current BMP data will be used to credit localities for the additional BMPs in the next implementation progress update.

2) How do we account for changes in land use that may negatively impact our loading allocation?

a. I think this question is about growth and development. The Bay model has growth/development rates that basically convert forest and agricultural lands to urban lands based on historic growth rates. So as we move toward 2025, there will be steady increases in urban lands in the model. These changes will produce higher loads which will require additional BMPs to offset. However, the treatment levels required in the new storm water regulations along with existing construction site E&S practices are expected to meet this offset.

Additional Questions/Concerns (raised by John Staelin):

1) In the reduction table (Table 1) describing the pollutant loading and goals are we given credit for the BMP's already installed as identified in the BMP 2009 Progress column?

a. Yes. The 2009 loads are the result of the application of the 2009 Progress BMPs. The county loads would have been higher if the BMPs were not applied. If you identify additional BMPs that are already installed, but not accounted for in the 2009 Progress BMPs, we can work with you to get credit for those as well.

2) Our County land use is primarily agriculture and as a result it looks like most of our pollutant reduction is achieved through installation of agricultural BMP's. On paper the County can certainly state that we will fence 10 miles (or whatever) of stream but if the farming community doesn't want to do that how are we suppose to achieve our reduction goals - we at the local government level simply don't have the regulatory authority to require farmers to install the recommended BMPs - how is this problem dealt with? - we don't want to go to all the trouble of identifying where and what BMPs should be installed if we have no way of requiring farmers to do it

a. I would suggest the County work closely with the Lord Fairfax Soil and Water Conservation District to identify the barriers that would stop agricultural land owners from implementing the BMPs. Once that is understood, the County and SWCD can work to develop strategies to overcome those barriers. The statewide approach to agricultural BMPs is a voluntary incentive based program. So at this point there is no mechanism to require agricultural producers to participate, though a more regulatory approach is possible if there is insufficient progress. For now, focus on ways the County and SWCD can work together to enhance participation in the voluntary programs. You can also think about what new authorities the County might use to achieve the goals if they were available. If the county did have the authority to require livestock exclusion, would they use it? What about the ability to tax agricultural lands differently depending on the level of BMPs used? Just a couple of ideas to get you started...not intended to imply any forthcoming actions/authorities.

Additional Questions/Concerns (raised by David Weiss):

1) Does the County get credit for voluntary BMPs?

- a) Currently no, however the state has initiated a study to develop a strategy for collecting the voluntary BMP data. It is anticipated that the data will be available in 2013 at which time we will get credit.
- 2) Will reduced standards for BMPs be expected?
 - b. The same question was asked by Mike Liskey, NRCS, who stated that a reduced stream buffer (10 feet as opposed to 35 feet) is acceptable. As of this writing no answer has been received from DCR.

Answers provided by:
James Davis-Martin
Chesapeake Bay WIP II Project Manager
804-786-1795

Additional questions raised by NRCS & SWCD staff – as of yet unanswered

I met with Mike Liskey, NRCS, and Jed Rau, LFSWCD on Friday July 29th. We met to discuss the Ches Bay TMDL's as they apply to Clarke Co. Specifically we looked at the table detailing the subsources and reduction goals, and the BMP recommendation tables. I was interested to see if the recommended BMPs were the best and most reasonable approach to achieve pollutant reductions in Clarke. If possible please address the following issues:

- 1) Need definitions of the land use categories (i.e. what is an Animal Operation)
- 2) Need a list of the BMPs that apply to each landuse (subsource category)
- 3) Need clarification regarding BMP progress chart - if we exceed the number of proposed BMP's for a certain category do we get credit for them?
- 4) Will there be nutrient trading between county's?
- 5) Need better explanation of some of the BMPs - CaptureReuse?, NonUrbStmRes?, Grass Buffer - not associated with water? Land Retirement to hyo?
- 6) If a CREP is installed on a farm - do we get credit for tree planting, buffering, and pasture fence?
- 7) It would be helpful if DCR could work with NRCS to provide maps detailing existing installed BMPs to localities, and if possible shapefiles to those County's with GIS capabilities.
- 8) there we a couple of BMPs used by NRCS that aren't included - reduced till, using crop rotations, and 10' stream buffers - if these are acceptable can we get efficiency data for these since reduced tillage and crop rotations are frequently used in Clarke County and the 10' stream buffer has potential?
- 9) Is there a time frame for counting BMP installations - ie an AWMS installed for a dairy in 2000 - is this counted, I remember discussion regarding a 2006 date from the meeting in Shenandoah County - can you clarify?

Table 1

Data													
Subsource	LULC (acres)	2009 Nitrogen Load	2025 Nitrogen Goal Load	Nitrogen Reduction Goal	Nitrogen Reduction %	2009 Phosphorus Load	2025 Phosphorus Goal Load	Phosphorus Reduction Goal	Phosphorus Reduction %	2009 Sediment Load	2025 Sediment Goal Load	Sediment Reduction Goal	Sediment Reduction %
Animal Operations	134	208,861	51,924	(156,937)	-75%	9,472	2,360	(7,112)	-75%	273,245	169,749	(103,496)	-38%
Crop	7,746	371,610	258,444	(113,166)	-30%	40,323	29,204	(11,119)	-28%	4,747,452	3,267,506	(1,479,946)	-31%
Hay	17,557	303,265	255,720	(47,545)	-16%	4,791	8,030	3,239	68%	3,683,733	3,151,712	(532,021)	-14%
Pasture	29,266	390,960	341,137	(49,823)	-13%	59,688	42,315	(17,373)	-29%	11,218,821	6,869,025	(4,349,796)	-39%
Nurseries	2	696	200	(496)	-71%	219	63	(156)	-71%	4,571	4,571	-	0%
MS4Urban	-	-	-	-	0%	-	-	-	0%	-	-	-	0%
NonMS4Urban	4,750	64,904	49,739	(15,165)	-23%	6,827	4,531	(2,296)	-34%	3,422,790	2,364,621	(1,058,169)	-31%
Construction	46	2,365	1,764	(601)	-25%	612	368	(244)	-40%	877,205	526,326	(350,879)	-40%
CSS	-	-	-	-	0%	-	-	-	0%	-	-	-	0%
Septic	-	45,058	40,294	(4,764)	-11%	-	-	-	0%	-	-	-	0%
Surface Mine	166	4,282	217	(4,065)	-95%	1,117	57	(1,060)	-95%	512,096	26,008	(486,088)	-95%
Unmanaged Grass	4,884	39,470	62,899	23,429	59%	166	265	99	60%	1,106,002	1,762,799	656,797	59%
Forest	48,688	265,690	280,204	14,514	5%	10,017	10,561	544	5%	5,277,793	5,542,689	264,896	5%
Grand Total	113,239	1,697,161	1,342,542	(354,619)	-21%	133,232	97,754	(35,478)	-27%	31,123,708	23,685,006	(7,438,702)	-24%

Notes:

Loading goals for the point source wastewater sector are not currently included in these tables. TMDL allocations for this sector are addressed through the Virginia Watershed General Permit. DCR and DEQ are working to determine how best to incorporate the wastewater sector into the Phase II WIP process

Negative (red) values in the reduction goal and reduction % columns indicate reductions required by 2025. Positive values indicate forecasted increases in loads. Load increases are common for the unmanaged grass and forest land uses. This is a result of increased acres from land use conversion BMPs (ie. Grass or forest buffers)

Table 2.

	Data			
BMPs	2009 Progress	2025 WIP I Proposed BMPs	New BMPs Proposed by 2025	2017 BMPs 60%
AWMS (Systems)	10	134	124	74
MortalityComp (Systems)	-	1	1	1
BarnRunoffCont (Systems)	35	134	99	59
PastFence(Linft)	197,604	2,554,975	2,357,370	1,414,422
OSWnoFence	5	-	-	-
PrecRotGrazing	6,922	15,567	8,645	5,187
CaptureReuse (Acres Treated)	-	2	2	1
ConPlan	16,921	45,704	28,783	17,270
AgNutMan	8,804	22,439	13,635	8,181
CoverCrop	1,525	2,143	618	371
ContinuousNT	-	2,922	2,922	1,753
NonUrbStrmRest (Linft)	500	2,513	2,013	1,208
WaterContStruc (Acres Treated)	-	-	-	-
WetlandRestore	-	94	94	56
GrassBuffers	252	2,133	1,882	1,129
ForestBuffers	176	272	96	57
Land Retirement to hyo	1,920	3,423	1,503	902
Tree Planting	59	2,748	2,690	1,614
ForHarvestBMP	600	457	-	-
Septic Connections (systems)	-	84	84	51
Septic Denitrification (systems)	-	1,015	1,015	609
Septic Pumpouts (systems)	-	737	737	442
StreetSweep	-	-	-	-
UrbanNutMan	3	3,798	3,795	2,277
EandS	14	248	235	141
Impervious Urban Surface Reduction	-	53	53	32
UrbStrmRest (linft)	-	-	-	-
ExtDryPonds (Acres Treated)	312	582	270	162
DryPonds (Acres Treated)	123	276	153	92
WetPondWetland (Acres Treated)	211	684	473	284
Infiltration (Acres Treated)	1	169	169	101
Filtration (Acres Treated)	9	178	169	102

**Notes on Building Automation System Meeting and post-meeting discussion
July 27th, 2011
10 AM - Maintenance Conference Room**

Object of Meeting: Presentation by AutomatedLogic “AL” (formerly Aero Integrated Solutions) concerning their bid relating to the RFP #11-0517 - Messrs. Jeff Smidler, Senior Sales Engineer and Mike Guss, VP of Sales, Support Services.

Present:

For the BOS: Michael Hobert, Chairman (until 10:45AM)
David Weiss - Supervisor
Alison Teetor - Natural Resources Planner

For the SB: Barbara Lee, Chairman
Robina Bouffault
Michael Murphy (partial presence)

For the JAS: Thomas Judge
Mike Legge

Maintenance: Bobby Levi

Messrs. Smidler and Guss of AL made a very complete presentation concerning their company and the system that they were proposing to the school division and county. (See attached RFP bid results). they indicated that Aero Integrated Solutions had been a long-time distributor of AutomatedLogic systems. They were purchased by AL on June 1st, 2011, just after they responded to our RFP in May with their bid.

AutomatedLogic is owned by Carrier Corporation, which is a subsidiary of the multi-billion dollar corporation United Technologies, a national company with \$43 billion of annual net sales via their subsidiaries Carrier heating and air conditioning, Hamilton Sundstrand aerospace systems and industrial products, Otis elevators and escalators, Pratt & Whitney aircraft engines, Sikorsky helicopters, UTC Fire & Security systems and UTC Power fuel cells.

Their introduction included their extensive experience in both Virginia schools and localities, including the public school divisions of Arlington, Alexandria, Culpeper, Hanover, Henrico, Hopewell City, and Prince Edward. For higher education, they serve the University of Virginia, the University of Mary Washington, Rappahannock Community College, Lynchburg College and Hampton-Sydney College.

Government localities were also served, including a number of “combined” (schools-counties) such as Culpeper. Their credentials and references are excellent.

The system they utilize is called the BACNET protocol (as opposed to the older LON system used by TAC/Schneider), and is compatible with our new high school system currently being installed. One server can handle the entire network, i.e. ALL of our school buildings.

Local Control: Contrary to the current TAC/Schneider installation (controlled from Texas), they will train an on-site administrator for their system, who will be in control of all the functional aspects. This training is included in the bid offer. They also have available, for a cost of \$1,500 +/- per individual, detailed additional training (1 week) if the client wants more in-depth knowledge of their system in the hands of additional employees.

Simplicity: With their system, building functions can be scheduled at the building level by the administrative office, who would need only to input in advance, the hours of operation, including scheduled outside usage of the building (such as afterhours meetings, or facility usage by outside organizations). The system would automatically program itself to turn on/off the A/C or heating as needed, without any further programming from anyone. Currently, this is not possible.

Maintenance: Control of maintenance needs are also done at the local level. Each piece of equipment in the systems is on a constant, automatic monitoring, and there are automatic alerts if any one piece of equipment is not working properly. The automatic alerts can be given as requested by the client to e-mail addresses, smart phones, or any other method requested. If there is no response to the alert within a certain time, the alerts are then sent to the next level up in the administration. If, for example, a fan motor breaks down in one of the air handling units being monitored, the alert is immediately done by computer to the people listed by the client. It is not simply discovered (as it currently is) when someone walks into an office on a Monday morning to find that the A/C is not working.

Energy Monitoring: Their system monitors the amount of energy expended on all equipment, and will send an immediate alert if normal parameters are exceeded, allowing the client to immediately intervene if necessary. This can also be done on an hourly basis if scheduled, for example for facility utilization by others - where exact energy usage for the hours leased can be recorded. This can help with calculating the usage fees for our facility usage, based upon exact energy used during the times the facilities are being used by others (after hours, week-ends, etc).

Energy Savings: When asked about how much in the way of energy savings we might expect from the system, we were told that, based upon their experience with their clients, it could vary between **2% and 40%**, depending upon the client's utilization of the system. Some of their clients are strict in their control of building utilization, others not so much. An example was used of one school division's custodians who every summer re-finished their buildings floors, including chemical stripping, and who consequently kept all doors open and the A/C going full blast to clear out the fumes while working, and also to help dry the re-finishing product. This resulted in sky-rocketing energy costs for that time period - accepted by the school division as being necessary, although very costly - and seriously decreased energy savings.

The TAC/Schneider question: AL was asked about the potential TAC proprietary issue, and indicated that TAC had in the past “on occasion” used “private messaging” systems to which they would not provide access. If so, this could impact the bid, where that item had not been taken into account. Apparently the question had not been asked of TAC, or at least they had not responded, so it was not included in the RFP. At the meeting, Dr. Murphy texted TAC, and the response (given after the meeting) is that they ARE proprietary, which will change somewhat the bid parameters.

After the meeting, when the AL representatives had left, there was a discussion (B. Lee, M. Murphy and T. Judge were no longer there) concerning the TAC/Schneider performance and their reporting of supposed savings. Bobby Levi indicated that one egregious incident was when the entire chiller system for the high school had been dismantled and sent out for repairs over the summer, and TAC had indicated for that time that there was too much energy usage at the high school because the A/C system had been one for the entire summer time - at a time when it was not even on the building!

Additionally, Alison Teetor indicated that some of the equipment indicated in the TAC schematics as being installed, had in fact not in reality been installed. Also, two years ago, after our many complaints, TAC finally came to review the situation, and it was discovered that some of the their existing equipment, although installed, had never been hooked up by them, so had never been monitored at all.

The consensus of the group was that TAC/Schneider had not been forthright or honest in their reporting about savings, and other reports, and that they needed to be replaced.

Bobby Levi and Mike Legge will be having another meeting with AL, where they can go thru the entire network to establish the extent of the need to ‘map’ it, including the actual existing equipment (as opposed to the theoretical equipment), the actual hooked-up network, and advise to what extent their bid will be affected.

Ideally, the School Board should have all results in prior to our September 6th meeting, so that it can be placed on that agenda for discussion.

RRB/7-28-2011

MEMORANDUM

TO: Board of Supervisors
FR: Thomas Judge, Director of Joint Administrative Services
DT: August 11, 2011
RE: *August Finance Committee Report*

1. **One Time Payment to Employees.** The committee should discuss the terms of the one-time payment to employees, the appropriation for which was decided May 24 (see attached).
2. **Supplemental Appropriations.** The following action is recommended if the one-time employee payment is intended for employees on the payroll as of July 2011 or thereafter:

“Be it resolved that FY 11 budgeted expenditures and appropriations be reduced \$37,867 in the General Fund and \$7,689 in the Social Services Fund, and be it further resolved that FY 12 budgeted expenditures and appropriations be increased \$37,867 in the General Fund and \$7,689 in the Social Services Fund.”

3. **Funerary Expenses for Indigent Persons.** As discussed in the attached Memorandum from the Sheriff, the County is responsible for funerary expenses of indigent persons. It is recommended that these be charged to the Medical Examiner account, and that this account be supplemented as needed should the budget prove inadequate.
4. **VRS Deferred Compensation Program.** The Government currently has a Deferred Compensation program with Nationwide, allowing employees to invest funds for retirement with tax advantages. The Nationwide program is established through the National Association of Counties. Over time the fees charged employees on their accounts have gradually increased, and the investment options have gradually become predominated by Nationwide funds. For these reasons the Joint Administrative Services Board voted on July 24 to recommend that the Government participate in the Deferred Compensation Program offered through the Virginia Retirement System, a program available to all state employees, and many localities. It is requested that the Finance Committee recommend to the Board of Supervisors adoption of the attached resolution permitting the County Administrator to execute documents to implement the new program. In addition, it is requested that the following resolution be recommended for adoption to the Board of Supervisors with respect to the current Nationwide program:

“Be it resolved that Nationwide Retirement System Deferred Compensation Program be administered after October 1, 2011 as follows:

1. *Balances can remain in the program, or be transferred to the VRS Deferred Compensation Plan.*
2. *Employees currently contributing on October 1 can continue to contribute to the Nationwide Plan.*
3. *The Nationwide Plan will be closed to new participation as of October 1.*
4. *If an employee contributing to the Nationwide Plan as of October 1 begins contributing to the VRS Plan, they can maintain their Nationwide balances, but cannot continue contributions to the Nationwide Plan.”*

The VRS Plan requires an annual fee of \$7 per plan participant. The JAS contemplated that this fee be paid by the participant but, according to the VRS, many communities cover this cost on

behalf of their employees.

5. **Acceptance of July Bills and Claims.** The acceptance of this report by the Finance Committee is proposed. It will be distributed under separate cover.

6. **Standing Reports.** The following are included: Reconciliation of Appropriations (FY 11). General Fund Balance (FY 11). Capital Projects (FY 11). General Fund Expenditure Summary (FY 12, to be distributed under separate cover).

Clarke

tjudge@clarkecounty.gov

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One-time Employee Payment Motion

From : Lora Walburn <lwalburn@clarkecounty.gov>
Subject : One-time Employee Payment Motion
To : Tom Judge <tjudge@clarkecounty.gov>

From the 5/24/2011 Regular Meeting Minutes:

Wed, Jun 15, 2011 09:58 AM

Supervisor Staelin moved the following:

Whereas, the last several years have been very difficult financial times for our nation, the Commonwealth, the County and our County's citizens; and

Whereas, one result of these difficult times is that the employees of Clarke County (General Government and School) have not received a salary increase in 3 years and will not receive a raise in FY2012, and

Whereas, FY13 is expected to be an even more difficult financial year because the Clarke County School system will lose \$360,000 in Federal Stimulus funds; and

Whereas, County employees have been dedicated and performed their jobs well despite the pay freeze; and

Whereas, the School Board voted to give its employees a one-time bonus in FY11 and requested that the Board of Supervisors appropriate all of the remaining funds (\$246,486) in the School Operating Carryover Fund to pay such bonus; and

Whereas, the Board of Supervisors also wants to give a one-time bonus to school employees but is concerned that if the School Board uses all of its remaining "saved" funds for a bonus in FY11 it will not have any funds to fall back on in FY12 or FY13, when it loses \$360,000 in Federal Stimulus funds; and

Whereas, the Board of Supervisors also wants to give General Government employees a bonus similar in size to any bonus given school employees.

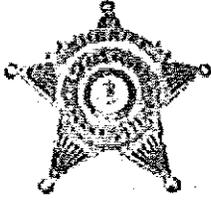
Now therefore, be it resolved that the Clarke County Board of Supervisors increases budgeted expenditure and appropriates \$150,000 to the FY11 School Operating Fund from School Carryover Funds contingent upon receipt of a letter from the School Board stating:

1. The School Board has no better uses for these funds (textbooks, technology, etc) in FY11 or FY12.
2. The School Board understands that FY13 will be a very tough year financially because \$360,000 in Federal Stimulus dollars will no longer be available after FY12.
3. The School Board would rather use \$150,000 from its carryover fund balance for bonuses in FY11 than have that money

available in FY13 to avoid the laying off of over 2 FTEs.

Further be it resolved that the Clarke County Board of Supervisors increases budgeted expenditure and appropriates \$37,867 to the FY11 General Fund to be apportioned to departments so as to provide equitable compensation, \$4,444 to the Joint Services Fund and \$7,689 to the Social Services Fund for the payment of a one-time bonus to employees of these agencies, such money to be taken from the General Government Savings Designated Fund Balance.

Lora B. Walburn
Deputy Clerk to the Board Supervisors
Executive Assistant - County Administration
County of Clarke
101 Chalmers Court, Suite B
Berryville, Virginia 22611
[540] 955-5175
[540] 955-5180 Fax
lwalburn@clarkecounty.gov



Clarke County Sheriff's Office

INTEROFFICE MEMORANDUM

DATE: July 13, 2011
TO: David Ash
FROM: Anthony Roper, Sheriff *AR*
SUBJECT: Funeral Expense Budgetary Requirements

Per the attached, costs and disposition of an unclaimed body are the responsibilities of the County. This is an expense that the County has not budgeted for in the past. During the past fiscal year, our Office was required to bear the unbudgeted \$900 expense for an unclaimed deceased individual. I ask that this be considered during future budget preparations.

New Laws that go into effect on July 1, 2011

Every year there are over 3,000 bills introduced into the Virginia General Assembly. All go through the process of being heard by various committees that are comprised of your legislators. Some legislative endeavors fail while others succeed and head towards becoming law. In the commonwealth of Virginia new laws go into effect of July 1 of every year. Below are some of the new laws that will go into effect on July 1, 2011. All were monitored and lobbied by your IFHV lobbyist Bruce and Bo Keeney. Should you have any questions on these new laws or any other laws/regulations please contact the IFHV office at 804-643-0312 or IFHV@aol.com

HB 1464 Behavioral Health & Developmental Services, Department of; disposition of unclaimed bodies Introduced by Del. Wright

- Provides that in the case of a person who has been committed to the custody of the Department of Behavioral Health and Developmental Services and died prior to his release, whose body is unclaimed and whose body the Commissioner of Health refuses to accept for scientific study, the Department of Behavioral Health and Developmental Services shall bear the reasonable costs of disposition of the body. This bill also provides that if a claimant is unable to pay reasonable expenses of disposition, the expenses shall be born by the county or city where the claimant currently resides.

HB 1659 Funeral services; prerequisites for cremation Introduced by Del. Alexander

- Allows a sheriff to make visual identification of a body prior to cremation if no next-of-kin or other named representative is available upon court order.

HB 1661 Disposition of dead bodies; payment of expenses Introduced by Del. Alexander

- Clarifies that, following any investigation or autopsy performed by the Medical Examiner, expenses for the disposition of a dead body shall be borne by a claimant who claims the body or, if the claimant is unable to pay the reasonable expenses of disposition, the county or city in which the deceased person resided, if a resident of Virginia at the time of death, or the county or city in which the death occurred, if the deceased person was not a resident of Virginia or the location of the deceased person's residence cannot reasonably be determined. If the body is unclaimed and the Commissioner of Health does not accept the body for scientific study, the body shall be accepted by the sheriff of the county or city in which the death occurred, and the costs of disposition shall be borne by the county or city in which the deceased person resided, if a resident of Virginia at the time of death, or the county or city in which the death occurred.

HB 2018 Cemetery Board; establish requirements for resale of interment rights in cemetery Introduced by Del. Alexander

- Essentially allows, in limited circumstances, the resale of cemetery plots. Anybody can sell 4 or less per year without a cemetery license. A licensed funeral home or other cemetery may resell any annual number if the plots are at need, no more than one interment right is transferred by the transaction, requires certain paperwork, and allows cemetery to charge a reasonable transfer fee.

SB 1117 Death certificates; allows supervised nurse practitioners and physician assistants to sign.

Introduced by Senator Northam

- Allows supervised nurse practitioners and physician assistants to determine cause of death and sign death certificates, provided they have access to the decedent's medical history and the death is due to natural causes. In addition, the bill expands the description of which physicians may determine cause of death and sign a death certificate and provides civil immunity for signature and determination of cause of death on a certificate for physicians, physician assistants and nurse practitioners who sign death certificates and determine cause of death, in the absence of gross negligence or willful misconduct.

*The language in this guide resolution has been written by the VRS Benefit Council and is not subject to modification.

DEFERRED COMPENSATION PLAN RESOLUTION

WHEREAS, the Clarke County Board of Supervisors, the governing body of County of Clarke, Virginia, desires to establish a Deferred Compensation Plan for the employees of the County of Clarke; and,

WHEREAS, a Deferred Compensation Plan is permitted by the Code of Virginia, Sections 51.1-600 et seq and Internal Revenue Code section 457(b);

Now, Therefore, Be it Resolved That the County of Clarke Board of Supervisors hereby approves the establishment of a Deferred Compensation Plan for the employees of the County of Clarke in accordance with the provisions of the Virginia Code; and,

BE IT FURTHER RESOLVED That the staff is hereby directed to develop and implement a Deferred Compensation Plan at the earliest possible date but no sooner than October 1, 2011.

Michael Hobert, Chairman

WITNESS:

Date: _____

**DEFERRED COMPENSATION PLAN
OF THE COMMONWEALTH OF VIRGINIA**

EMPLOYER ADOPTION AGREEMENT

THIS AGREEMENT executed this 16th day of August, 2011, between Clarke County hereinafter referred to as the "Employer", and the Virginia Retirement System hereinafter referred to as the "Plan Sponsor".

WITNESSETH

WHEREAS, the Commonwealth of Virginia has established the Deferred Compensation Plan of the Commonwealth of Virginia (the "Plan") and the Master Trust for the Deferred Compensation Plan of the Commonwealth of Virginia (the "Trust") pursuant to Section 51.1-600 *et seq.* of the Code of Virginia (1950), as amended, and Internal Revenue Code section 457(b), and

WHEREAS, pursuant to Section 51.1-603.1 of the Code of Virginia (1950), as amended, the Employer desires to enter into an Agreement with the Plan Sponsor to permit participation in the Plan by its eligible employees, and

WHEREAS, the Employer is deemed to be an "eligible employer" within the meaning of Internal Revenue Code Section 457(e)(1)(A), and

WHEREAS, the Employer, by a Resolution of its Governing Body, has directed its responsible official to enter into the Adoption Agreement.

NOW, THEREFORE, in consideration of the premises herein, the parties do agree as follows:

- 1) The Plan Sponsor represents and warrants to the Employer that it shall comply with all applicable laws affecting the Plan.
- 2) The Plan Sponsor represents to the Employer that it shall provide sufficient services to administer the Plan and to appropriately respond to inquires by "eligible employees" and participants.
- 3) The Plan Sponsor or its service agent shall provide the Employer with a quarterly statement that will include a listing by investment option of the total amount deferred by their participants during the quarter and the total value of deferred amounts held on behalf of the participating employees, etc.

- 4) The Employer acknowledges and agrees to the terms and conditions established in the Trust and the Plan.
- 5) The Employer shall permit the Plan Sponsor's service agent to conduct group and individual meetings for the purpose of explaining the Plan or enrolling "eligible employees" on the Employer's premises during normal working hours subject to such reasonable restrictions that the Employer communicates in writing to the Plan Sponsor and which are accepted by the Plan Sponsor.
- 6) The Employer shall be responsible for remitting contributions under the Plan to the Plan Sponsor's service agent in accordance to procedures promulgated by the Plan Sponsor or its service agent. The Employer shall be responsible for the correct reporting and withholding of employees' wages under United States and Virginia income tax laws.
- 7) Should the Employer offer its employees deferred compensation plans in addition to the Commonwealth of Virginia Plan as permitted under Section 51.1-603 of the Code of Virginia (1950), as amended, then the Employer is responsible for providing sufficient information on deferrals to all plans so that assurances can be made that no participants are exceeding the maximum deferral limits under Section 457. Any "Corrective Distribution" for exceeding the deferral limits shall be made from the Employer's other deferred compensation plan(s) and not from the Commonwealth of Virginia Plan.
- 8) This Agreement may be amended from time to time by written agreement between the Plan Sponsor and the Employer.
- 9) The Terms of this Agreement shall be for a three year period beginning on the date of its execution, and thereafter may be terminated by either party upon 60 days written notice to the other party.

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

Employer

Virginia Retirement System

By: _____

By: _____

Title: _____

Title: _____

Witness: _____

Witness: _____

Clarke Co. Reconciliation of Appropriations Year Ending June 30, 2011 03-Aug-11

Date	Total	General Fund	Soc Svcs Fund	CSA Fund	Sch Oper Fund	Cafeteria Fund	GG Cap Fund	School Cap Fund	GG Debt Fund	School Debt Fund	Joint Fund	Conservation Easements	Unemploy. Fund
05/03/10 Appropriations Resolution: Total	36,430,921	8,153,177	1,397,588	1,100,583	18,931,781	759,952	390,491	690,400	364,701	3,636,438	510,810	480,000	15,000
<i>Adjustments:</i>													
07/20/10 High School Debt Service			1,835							86,753			
07/20/10 Cooperative Extension			6,000				40,150						
07/20/10 Emergency Operations Center			55,290										
07/20/10 Arts Grant			2,118										
09/21/10 NSV Water Study							12,794						
11/16/10 Swim Blocks							12,400						
12/21/10 Sheriff's Vehicle			3,538										
12/21/10 Seplage Tracking Software								151,447					
01/18/11 School Carryover													
01/18/11 Double Tollgate Study			6,253										
02/15/11 Victim Witness Grant			481										
03/07/11 Litter Control			11,000										
03/07/11 Chapel District Historic District Pre Application					94,028								
04/19/11 School Operations (Grants)			3,443										
05/10/11 Animal Control Cat Costs			37,867		150,000						5,000		
05/10/11 Joint Services Leave Payout			-37,867		-7,689						4,444		
05/24/11 One Time Employee Compensation													
08/16/11 One Time Employee Compensation													
Revised Appropriation	37,102,895	8,243,135	1,397,588	1,100,583	19,175,809	759,952	480,335	841,847	364,701	3,723,191	520,254	480,000	15,000
Change to Appropriation	671,974	89,958	0	0	244,028	0	90,344	151,447	0	86,753	9,444	0	0
Original Revenue Estimate	14,257,287	2,419,087	989,200	453,945	8,943,033	759,952	0	154,000		218,070	0	320,000	0
<i>Adjustments:</i>													
07/20/10 High School Debt Service							40,150						
07/20/10 Emergency Operations Center			3,000										
07/20/10 Arts Grant													
11/16/10 Swim Blocks													
12/21/10 Sheriff's Vehicle			7,476										
01/18/11 Double Tollgate Study			481										
02/15/11 Victim Witness Grant			11,000										
03/07/11 Litter Control					94,028								
03/07/11 Chapel District Historic District Pre Application													
04/19/11 School Operations (Grants)			3,443										
05/10/11 Animal Control Cat Costs													
Revised Revenue Estimate	14,553,812	2,444,487	989,200	453,945	9,037,061	759,952	90,344	154,000	0	304,823	0	320,000	0
Change to Revenue Estimate	296,525	25,400	0	0	94,028	0	90,344	0	0	86,753	0	0	0
Original Local Tax Funding	22,173,634	5,734,090	408,388	646,638	9,988,748	0	390,491	536,400	364,701	3,418,368	510,810	160,000	15,000
Revised Local Tax Funding	22,549,083	5,798,648	408,388	646,638	10,138,748	0	390,491	687,847	364,701	3,418,368	520,254	160,000	15,000
Change to Local Tax Funding	375,449	64,558	0	0	150,000	0	0	151,447	0	0	9,444	0	0

Italics = Proposed actions

Title: General Fund Balance

08/03/11

Source: Clarke County Joint Administrative Services

	<u>Previous</u>	<u>Current</u>	<u>Notes</u>
General Fund Balance Year End FY 2009	14,001,757	14,001,757	
Expenditure FY 10	(24,433,541)	(24,433,541)	
Revenue FY 10	24,586,665	24,586,665	
General Fund Balance (year end FY 10)	14,154,881	14,154,881	

Adjustments and Designations

Designations

Liquidity Designation @ 12% of FY 11 Budgeted Operating Revenue	(\$2,949,252)	(\$2,949,252)	
Stabilization Designation @ 3% of FY 11 Budgeted Operating Revenue	(737,313)	(737,313)	
Continuing Local GF Appropriations for Capital Projects	(4,955,633)	(4,955,633)	
School Capital/Debt	(1,500,000)	(1,500,000)	
Government Construction/Debt	(1,000,000)	(1,000,000)	
Property Acquisition	(265,000)	(265,000)	
Conservation Easements from Government Savings	(153,462)	(153,462)	
Community Facilities	(\$325,000)	(\$325,000)	
Comprehensive Services Act Shortfall	(262,868)	(262,868)	
Senior Center and Park Office	(400,000)	(400,000)	
Parks Master Plan	(100,000)	(100,000)	
School Operating Carryover	(343,718)	(343,718)	Less One Time Compensation Payout (excludes FY 12 usage of \$247,227)
Government Carryover Requests from Government Savings	(341,462)	(387,018)	Less One Time Compensation Payout for JAS only
Energy Efficiency	(200,000)	(200,000)	
Landfill costs	(50,000)	(50,000)	
FY 11 Original Budget Surplus (Deficit)	354,405	354,405	
TOTAL Designations	(13,229,303)	(13,274,859)	

FY 11 Expenditure Budget Adjustments	(717,530)	(671,974)	
FY 11 Revenue Budget Adjustments	296,525	296,525	

Undesignated Fund Balance Projected June 30

504,574

TOTAL 504,574 504,574

Government Capital Projects
As of June 30, 2011

May Not include all end of year accruals at this time

August 8	Description	FY 10 Carryover	FY 11 Original Budget/ Revenue Estimate	FY11 Supplemental Budget	Cumulative Budget With Adjusts	Outstanding Encumbrance	Year-to-Date Expenditure/ Revenue	Available Balance	Notes
General Government Capital Expenditure									
	Administrative Building	332,000			354,019	15,008	202,178	136,833	
	Sheriff's Equipment (fingerprinting, etc.)	38,902	12,400		51,302	3,000	24,942	23,360	
	Auto Replacement	33,929			33,929			33,929	
	Power Repairs		14,428		14,428		14,428	(0)	Add'l supplementl appropriation of \$1,634 to be request for installation of swim blocks
	Sheriff's Vehicles	37,256	24,098		61,354		45,793	15,561	
	Park Expansion	30,000			30,000			30,000	
	Groundwater Study		37,544		37,545	9,387	28,158	0	
	Circuit Courthouse Renovation (and GD Cells)	457,217			485,692	57,840	427,853	(0)	
	Social Services Building	50,093		(12,100)	50,093			50,093	
	Economic Development	347,050			334,950		103,785	334,950	\$12,100 was transferred to the Double Tollgate Project
	Technology Improvements	60,573	55,363		115,936		15,903	186,696	
	Park to Town Utility Upgrades		210,000		209,999	7,400		188,895	
	Sheriff's Building Renovation	265,695			209,995	21,100		196,190	
	Rodding	196,190			196,190			196,190	
	Plans Updates	11,786			11,786			11,786	
	Greenway Court Preservation	79,514			79,514			5,014	
	Carporting (Includes GD Courthouse Seating)	53,745			53,745	34,298	40,202	53,745	courthouse area, etc.
	Landscaping	15,375			15,375			15,375	
	Park Westside Sitework/Parking	63,728			63,728			63,728	
	Recreation Center Additions/Wall Crack	111,102			124,588			124,588	
	Systems Integration		13,486		50,000		24,100	25,900	
	Mobile Data Terminals	96,385			96,385	1,063	56,959	38,363	
	VD&M Emergency Operations Center		40,150		40,150		35,778	4,372	
	Double Tollgate Commercial Area		37,100		37,100		34,837	2,263	The suppl includes \$25,000 plus \$12,100 transfr from Economic Dev
	Total Expenditure	2,280,540	390,491	91,978	2,757,803	149,095	1,054,917	1,553,791	
	Revenue			482,469					
	Mobile Data Terminals Grant	96,385			96,385		49,988	46,397	
	VA Historic Resources (Greenway Court)	47,500			47,500			47,500	
	Eastment Authority Donation (Greenway Court)	10,000			10,000		5,000	5,000	
	Debt Proceeds	965,736			965,736		389,935	575,801	
	VD&M Emergency Operations Center Grant		40,150		40,150		35,778	4,372	
	Commonwealth of Virginia-Double Tollgate Area		25,000		25,000		25,000	-	
	Total Revenue	1,119,621		65,150	1,184,771		505,701	679,070	
	Capital Projects Fund Balance			65,150					
	Economic Development	347,050			347,050			347,050	
	Total Revenue and Fund Balance	1,466,671			1,531,821			1,026,120	
	Total Expenditures less Revenue and Fund Balance	813,869			1,225,982			527,672	