

**BERRYVILLE TOWN COUNCIL  
MEETING AGENDA  
Regular Meeting  
Berryville-Clarke County Government Center  
101 Chalmers Court, Second Floor  
Main Meeting Room  
Tuesday, November 13, 2018  
7:30 p.m.**

<u>Item</u>		<u>Attachment</u>
1. Call to Order – Patricia Dickinson, Mayor		
2. Pledge of Allegiance		
3. Approval of Agenda		
4. Closed Session-	The Berryville Town Council will enter closed session in accordance with §2.2-3711-A-7, Code of Virginia, for consultation with legal counsel and briefings by staff members pertaining to litigation.	1↓
	<ul style="list-style-type: none"> <li>a. Adopt motion to enter closed session</li> <li>b. Reconvene in open session</li> <li>c. Adopt closed session resolution by roll call</li> </ul>	
5. Public Hearings	No hearings scheduled	
6. Citizens' Forum		
7. Consent Agenda	Motion <ul style="list-style-type: none"> <li>- Minutes of Regular Meeting – 9/11/18</li> <li>- Minutes of Regular Meeting – 10/09/18</li> <li>- Minutes of Work Session – 11/05/18</li> <li>- Minutes of Budget and Finance Committee – 10/18/18</li> <li>- Minutes of Community Development Committee – 10/22/18</li> <li>- Minutes of Personnel, Appointments, and Policy Committee – 10/23/18</li> <li>Minutes of Public Safety Committee – 10/24/18</li> <li>- Minutes of Streets and Utilities Committee – 10/23/18 &amp; 10/25/18</li> </ul>	2↓
8. Report of Patricia Dickinson, Mayor		

<u>Item</u>	<u>Attachment</u>
<b>9. Report of Harry Lee Arnold, Jr., Recorder</b>	
<b>10. Report of Christy Dunkle, Asst. Town Manager for Community Development</b>	
Monthly report	3
<b>11. Report of Keith Dalton, Town Manager</b>	
Water and Sewer Bill Adjustment Appeal	4↓
Town Council Goals for FY 2020	5↓
<b>12. Report of Erecka Gibson – Chair, Budget and Finance Committee</b>	
Report of Desiree Moreland, Treasurer	6
<b>13. Report of Kara Rodriguez – Chair, Community Development Committee</b>	
<b>14. Report of Donna McDonald – Chair, Public Safety Committee</b>	
Report of Neal White, Chief of Police	7
<b>15. Report of Diane Harrison – Chair, Streets and Utilities Committee</b>	
Report of David Tyrrell, Public Utilities Director	8
Report of Rick Boor, Public Works Director	9
<b>16. Report of Harry Lee Arnold, Jr. – Chair, Personnel, Appointments and Policy Committee</b>	
Re-appointments to Northern Shenandoah Valley Regional Commission	10↓
<b>17. Other –</b>	
<b>18. Adjourn -</b>	

# **ATTACHMENT**

**1**

TOWN OF BERRYVILLE  
TOWN COUNCIL  
MOTION TO ENTER CLOSED SESSION

DATE: November 13, 2018

MOTION BY:

SECOND BY:

I move that the Council of the Town of Berryville enter a closed session in accordance with §2.2-3711-A-7 Code of Virginia, for consultation with legal counsel and briefings by staff members pertaining to litigation.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: \_\_\_\_\_  
Harry Lee Arnold, Jr., Recorder

TOWN COUNCIL  
MOTION  
CLOSED SESSION RESOLUTION

DATE: November 13, 2018

MOTION BY:

SECOND BY:

I move that the Council of the Town of Berryville adopt the following resolution certifying it has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act:

Resolution

WHEREAS, Section 2.2-3712.D of the Code of Virginia requires a certification by this Council that such closed meeting was conducted in conformity with Virginia law,

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

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: \_\_\_\_\_

Harry Lee Arnold, Jr., Recorder

# **ATTACHMENT**

## **2**

BERRYVILLE TOWN COUNCIL  
MOTION TO APPROVE CONSENT AGENDA

Date: November 13, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville approve the consent agenda.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

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Harry Lee Arnold, Jr., Recorder

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**September 11, 2018**  
**7:30 p.m.**

**Town Council:** Present-Patricia Dickinson, Mayor; Harry Lee Arnold, Jr., Recorder; Donna Marie McDonald; Diane Harrison; Erecka Gibson; Kara Rodriguez

**Staff:** Keith Dalton, Town Manager; Heather Halterman, Finance Clerk; Tim Bristol, Sergeant; Karen Johnson, Front Desk Clerk

**Press:** Mickey Powell, The Winchester Star

1. Call to Order

Mayor Dickinson called the meeting to order at 7:30 p.m.

Mayor Dickinson requested a moment of silence be given to remember the September 11 attacks to The World Trade Center, The Pentagon and Flight 93.

2. Pledge of Allegiance

3. Approval of Agenda

**On motion of Council member Harrison, seconded by Council member Rodriguez, the agenda was approved.**

**Aye: McDonald, Harrison, Gibson, Rodriguez, Arnold**

**Nay: None**

**Abstain: Dickinson**

4. Public Hearing

*Jon Erickson, Agent, is requesting amendments to Proffers originally approved on August 9, 2009 as part of a rezoning in order to construct a 120-unit age-restricted apartment complex and associated improvements on 10.98 acres identified as Tax Map Parcel number 14-5-251B and zoned Older Person Residential (OPR).*

Mayor Dickinson recognized Alton Echols, Berryville resident and Trustee for the project, who stated Robert Regan Village is intended to set a new standard for senior living. He said the 4 senior facilities in the area will employ 90+ people. Mr. Echols stated he was hoping that the majority of Americans from middle and lower classes have the same opportunity for senior living standards as the upper class. Mr. Echols thanked Wilson Kirby, David Tollett, Donna McDonald, Erecka Gibson, Pat Dickinson, and Reverend Garrett that made this project possible.

The public hearing was closed.

*The Berryville Town Council is proposing a text amendment to Article III, Section 321 Public Tree Ordinance, of the Town of Berryville Zoning Ordinance in order to allow for Town Council appointment of Tree Board members under Section 321.2. TA 04-18*

There were no public comments. The public hearing was closed.

5. Citizens' Forum

Mayor Dickinson recognized Mary Ivie, town resident. Ms. Ivie stated that she has discussed the flooding and lack of storm drainage for the past couple of months. She said she has spoken to a neighbor who said she has constant flooding in her basement. She stated there is 3 to 6 inches of standing water in the road on Academy and Dorsey. Ms. Ivie said she had a copy of the Storm Water Management Flood Ordinance from 1997 signed by Mr. Dalton defining flooding. Ms. Ivie said a neighbor said the flooding on Walnut Street is from water flowing from houses on Ashby and Archer Courts. She said the neighbors have contacted the Town on numerous occasions and are getting no relief or response. Ms. Ivie said before the Town does any more building and expansion it should take care of the lack of storm water drainage and take care of the residents that are living in the Town that have been paying taxes.

Mayor Dickinson recognized Mr. Bob Nunn, town resident, who thanked Recorder Arnold and others who worked on and helped make the Cruise-In successful and said this event gave great exposure to the Town.

6. Consent Agenda

**The Consent Agenda was approved, with removal of the Minutes of Streets and Utilities Committee meeting of 08/28/18, on motion of Recorder Arnold, seconded by Council member Harrison. The items approved on the Consent Agenda were:**

**Minutes of Regular Meeting – 08/14/18**

**Minutes of Work Session – 08/20/18**

**Minutes of Community Development Committee – 08/27/18**

**Minutes of Personnel, Appointments, and Policy Committee – 08/28/18**

**Aye: McDonald, Harrison, Gibson, Rodriguez, Arnold**

**Nay: None**

**Abstain: Dickinson**

Mayor Dickinson asked why the minutes of the Budget and Finance committee meeting of 8/23/18 were not included in the agenda packet. Mr. Dalton said he wrote an email to that affect and the reason why they were not included was because there were significant changes that had not been discussed with all members of the Committee. Mayor Dickinson asked when she would receive the minutes. Mr. Dalton said they would be discussed at the next Committee meeting and then added to the next Town Council meeting packet.

7. Report of Patricia Dickinson, Mayor

The attached Resolution of Appreciation of Thanks was presented to former Council member Allen Kitselman. Mr. Kitselman was congratulated and thanked for his service by Mayor Dickinson and the current members of Town Council.

Mayor Dickinson noted the appointment of Mr. William Bigelow to the Berryville Tree Board and said she was impressed by his enthusiasm and commitment to improving Berryville. She noted the term of office begins immediately and expires April 30, 2021.

Mayor Dickinson said her final comment is about conversations that have been taking place on how individual Council members vote as well as the process Council uses for voting. She said it is her firm belief that each member of Council has the right, the obligation to vote as he or she decides. She said no member of Council should be allowed to intimidate or coerce a fellow Council member's choice. Additionally she believes it is disrespectful for a member of Council to ask that a fellow Council member explain or justify his or her vote. She stated that debate in discussion is held before votes are cast and if a member of Council wishes to share a position in a matter, it is their opportunity to do so. She said if a member of Council wishes to find out where another member of Council stands on a matter, a polite inquiry before votes are cast is appropriate but to demand an explanation after the vote has been taken is inappropriate. She added it is her desire that members of the Council are comfortable with the voting process.

Mayor Dickinson suggested considering a roll call vote and thinks that this will address the concerns of the voting process expressed by members of Town Council. She said each member of Town Council will be required to declare his or her vote and the audio recording will accurately capture each vote.

Mayor Dickinson said if there were no objections she would like to try this method today to see how it works and if it doesn't work they could try something else.

Reporter Arnold said he is ok with trying.

8. Report of Harry Lee Arnold, Jr., Recorder

Recorder Arnold said in July he expressed the need to better communicate and provide information to the citizens regarding water and sewer, specifically how it is billed, how meters are read, how the system and funding works. He said Town staff and Council have been working on the Town and utility brochures since July. Recorder Arnold suggested approving the brochures as presented. Council member Harrison suggested that the picture be replaced and the color and the type on the graph be improved on the water brochure. Council member Gibson agreed with Council member Harrison. Council member Gibson suggested that there be fewer categories listed on the graph on the water brochure and any category under 10% be listed as other with a description of that category. Council member McDonald suggested creating the graph in greyscale. Mr. Dalton said staff can update the graph and exchange the picture. Council member Gibson suggested sending the finals to Council via email for approval. Council member Rodriguez was fine with the Town brochure but suggested adding Council member's photos and bios to the [www.berryvilleva.gov](http://www.berryvilleva.gov) website. Mr. Dalton suggested that a group photo of Council be taken at the next Town Council meeting.

9. Report of Christy Dunkle, Assistant Town Manager/Planner

Ms. Dunkle was not present at the meeting so Mr. Dalton addressed the Council on her behalf.

Mr. Dalton said the reason for the public hearing for Modification to Robert Regan Village Proffer Statement was the Planner determined that the project, as submitted, did not meet the Proffers previously adopted.

Mr. Dalton recognized Jon Erickson, Agent. Mr. Erickson proposed that part of Chamberlain Street become a private entrance with onus of upkeep and maintenance on the owner instead of the Town. He said the lots off of Chamberlain will no longer be subdivided but will remain with parent parcel. He said it allows for pedestrian access from Mosby, through the assisted care facility, continuing down to the private section of Chamberlain and then onto the public part of Chamberlain. Mr. Erickson said the site plan had been submitted to the BADA with revisions forthcoming and that the Public Hearing is scheduled for September 26, 2018.

Recorder Arnold stated he was looking forward to the upgrade in this area due to challenges that Fire and Rescue trucks have had maneuvering their equipment. Mr. Erickson said the proposed private Chamberlain access will be upgraded and built to VDOT shoulder and ditch section standards.

Council member Harrison asked whether sidewalks will be included in the upgraded plan. Mr. Erickson said that there would be a standard 5 foot sidewalk included.

Mayor Dickinson asked if there was any discussion from Council members on the motion. Council member McDonald asked where the Mayor stood. Mayor Dickinson replied that Robert Regan Village will be one of the biggest benefits to the Town in a long time and thinks that this is a wonderful project and if this motion moves it forward she is fine with it.

Mayor Dickinson said there are four choices to the roll call vote which are yes, no, pass, or abstain. Recorder Arnold and Council member McDonald stated that they were not comfortable with the pass vote. Recorder Arnold questioned the meaning of "pass" in this setting. Mayor Dickinson said that if Council member McDonald was not comfortable with the pass vote it can be taken off the table. Mayor Dickinson stated there will now be three choices which are yes, no, or abstain.

**Council member Gibson moved that the Council of the Town of Berryville approve modifications to the proffer statement for the property identified as Tax Map Parcel number 14-5-251B located on Mosby Boulevard and zoned OPR Older Person Residential as attached.**

**Council member Rodriguez seconded the motion.**

The roll call vote was as follows:

- McDonald – Aye
- Harrison – Aye
- Gibson – Aye
- Rodriguez – Aye
- Arnold – Aye
- Dickinson – Aye
- Absent – none

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Mr. Dalton reviewed the public hearing request for modification to the Zoning Ordinance that would allow for Town Council to appoint members of the Tree Board. Mr. Dalton referenced the action item in the agenda packet.

Mayor Dickinson said there had been prior discussion and this motion aligns with how all board appointments are made.

Council member Rodriguez requested the need to update section 323.3 of the Zoning Ordinance where appointments are made by Town Council as opposed to the Mayor.

Mayor Dickinson asked if there was any discussion on the motion. No discussion was noted.

**Council member McDonald moved that the Council of the Town of Berryville adopt the attached ordinance amending Article III, Section 321 of the Berryville Zoning Ordinance, modifying the appointment process for Tree Board members.**

**Council member Rodriguez seconded the motion.**

AN ORDINANCE AMENDING ARTICLE III, SECTION 321 PUBLIC TREE ORDINANCE, OF THE TOWN OF BERRYVILLE ZONING ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, that Article III, Supplementary Regulations, of the Town of Berryville Zoning Ordinance shall be amended as follows:

SECTION 321 Public Tree Ordinance

321.2 Creation and Establishment of a Town Tree Board

There is hereby created and established a Town Tree Board for the Town of Berryville which shall consist of five members, citizens, and residents of the Town of Berryville, who shall be appointed by the Town Council.

**A roll call vote was as follows:**

- McDonald – Aye**
- Harrison – Aye**
- Gibson – Aye**
- Rodriguez – Aye**
- Arnold – Aye**
- Dickinson – Aye**
- Absent – none**

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Mr. Dalton noted a discussion regarding a resolution for a Traffic Calming Study. He said that citizens had approached the Town in November 2017 regarding concerns of speeding on South Buckmarsh Street. He stated that in accordance with the requirements of the Neighborhood

Traffic Calming Program, citizens met, discussed, and signed a petition which constituted Step 1 of the Program. Mr. Dalton said Step 2 requires the Council to adopt a resolution requesting that a traffic calming study be completed.

Mayor Dickinson asked if there was any discussion from Council members on the resolution. Council member McDonald asked if there was a cost involved for the study. Mayor Dickinson replied there was no cost to the Town. Council member McDonald asked where the Mayor stood on the motion. Mayor Dickinson replied that she supports the people who have worked hard to try to calm traffic on Route 340 and applauded their efforts trying to make the Town a better place.

Council member Gibson said she understood there was no cost to perform the study but was concerned with costs in implementing and maintaining facilities as it relates to currently budgeted items.

Council member Harrison said there is a second phase and when VDOT makes recommendations then Council must approve.

Recorder Arnold said the study will reveal different phases and they will not all fall in the same budget year.

**Council member Harrison moved that the Council of the Town of Berryville approve the attached resolution requesting that VDOT complete a traffic Calming Study on South Buckmarsh Street.**

**Recorder Arnold seconded the motion.**

**A roll call vote was as follows:**

**McDonald – Nay  
Harrison – Aye  
Gibson – Aye  
Rodriguez – Aye  
Arnold – Aye  
Dickinson – Aye  
Absent – none**

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10. Report of Keith Dalton, Town Manager

Mr. Dalton noted that the proposed Charter and Town Code amendments from the Town Council Work Session held on August 20, 2018 were included in the agenda packet. Mr. Dalton stated that Mr. Mitchell, legal counsel, worked on changes and additions which were reflected in the packet. Mr. Dalton said he will continue with the schedule established and set the public hearing for October 9, 2018.

Mayor Dickinson said she would like to see the following changes/additions/requests:  
Town Charter – find a home for the old section 3.8

Town Code:

2.4 – make gender neutral

2-34- replace coordinate with assume duties

2-53 – add snow removal to duties

2-76 - make sure Council is comfortable with planning department description of functions

2-77.1 - make sure Council is comfortable with zoning administrator description of functions

2-77.3 – replace coordinate with assume duties

Town Council unanimously agreed to schedule the public hearing for October 9, 2018.

Mr. Dalton noted that there was a motion included in the agenda packet to direct the Town Manager to Evaluate Budget Goals for FY 2020. He stated that a Town Council Work Session was held on September 5, 2018 to discuss the goals.

Mayor Dickinson asked if there was any discussion.

Council member McDonald asked what the thoughts were from Council on effective Social media presence. Council member Rodriguez replied that the Town needs its own identity and there is a need to develop a plan beyond Facebook.

Council member Rodriguez stated that she has concerns about excluding the storm water management challenges goal. She noted that the Town would be working on this matter even though it was not a defined goal.

Mayor Dickinson requested the Committees take active rolls and assist Mr. Dalton with the FY2020 goals.

**Council member Gibson moved that the Council of the Town of Berryville direct the Town Manager to provide analysis and additional detail to the Council on the following budget goals for fiscal year 2020.**

- Complete a traffic analysis for the planned southeast collector in partnership with Clarke County.
- Complete a salary survey and revise employee classification system.
- Complete a fixed assets inventory for areas not addressed in the water and sewer study that will be completed in FY19.
- Receive accreditation of the Berryville Police Department from the Virginia Department of Criminal Justice.
- Develop branding, a marketing strategy, and a communication strategy for the Town (that will include enhancing [www.berryvilleva.gov](http://www.berryvilleva.gov) and developing an effective social media presence).
- Perform a payroll audit.

**I further move that for each goal listed above, the Town Manager is to provide project scope, approach, cost estimates, risks, and benefits.**

**Council member Rodriguez seconded the motion.**

A roll call vote was as follows:

- McDonald – Aye
- Harrison – Aye
- Gibson – Aye
- Rodriguez – Aye
- Arnold – Aye
- Dickinson – Aye
- Absent – none

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Mr. Dalton discussed the Sewer Main Repair and Rehabilitation project. He said there are three areas on East Main Street where the sewer main is in need of repair. He said the project would be completed by different contractors. Mr. Dalton stated the total estimated project costs including contingency is \$117,444.60. He proposed funding be allocated from the Sewer System Rehab line item in the amount of \$110,000. Mr. Dalton said there would be a shortfall of \$67,444 which he proposed transferring from the Sewer System Rehab Reserve Balance. Mr. Dalton noted that the change in the budget was just under the percentage that requires a public hearing. He also noted that the cooperative procurement portion fell just under the amount that would require the Town Council's approval. Mr. Dalton stated that even though these measures were not required, the Council could, of course, use any process it saw fit. Mr. Dalton said the point and asphalt repair would most likely fall during the day and the lining repair would most likely occur at night. Mr. Dalton said a similar project was done a couple years ago on North Buckmarsh Street. He said this project addresses two main goals: 1) to sure up the stability of the line and 2) to decrease inflow and infiltration.

Mayor Dickinson stated that she doesn't want to see the project negatively impact businesses and access to residences. Mr. Dalton replied there might be times where access is restricted but that Public Works does their best to keep disruptions to a minimum.

Council member McDonald questioned whether this would have a positive impact on storm water issues. Mr. Dalton replied it would not affect the storm water system.

Council member Rodriguez asked staff to explain what riding on a contract meant. Mr. Dalton replied cooperative procurement will permit another public body to save on procurement policy administrative costs and they can utilize the pricing that other jurisdictions have received.

Mayor Dickinson asked if the lining repair of \$96,344.60 included a contingency. Mr. Dalton replied that it did not but he felt good with the estimate.

Mayor Dickinson said she felt uncomfortable with approving a cost over \$100,000 for a contract that she has not seen. Recorder Arnold stated that typically Council does not get involved approving contracts and that that is the responsibility of the Town Manager.

Mayor Dickinson asked if there was any discussion on this motion. Council member McDonald asked where the Mayor stood. Mayor Dickinson replied that she is a little uncomfortable with

the \$100,000 but thinks this is something that needs to be done and recommends moving forward.

**Recorder Arnold moved that the Council of the Town of Berryville approve the transfer of \$67,444.60 from the Sewer System Rehab Reserve into line item 502-4094200-8134 of the FY19 Budget.**

**Council member Harrison seconded the motion.**

**A roll call vote was as follows:**

- McDonald – Aye**
- Harrison – Aye**
- Gibson – Aye**
- Rodriguez – Aye**
- Arnold – Aye**
- Dickinson – Aye**
- Absent – none**

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Mr. Dalton noted that the Town has worked intensely over the last 2 days preparing for the approaching hurricane and will continue to do so over the next few days.

11. Report of Erecka Gibson - Chair, Budget and Finance Committee

Council member Gibson noted the next Budget and Finance Committee meeting is scheduled for September 27, 2018 at 10:30 a.m. where discussion will take place on a policy for checks and bank account management. Council member Gibson requested an update from staff, when possible, of the disputed transaction on the Bank of America statement.

12. Report of Kara Rodriguez - Chair, Community Development Committee

Council member Rodriguez recognized Ms. Lizzie Ryan from Berryville Main Street. Ms. Ryan discussed the Hogan's Alley project where there are plans to install planters with future goals of lighting, painting/texturing the sidewalk, and placing vintage signage. Ms. Ryan discussed the Virginia Main Street Feasibility Grant application. She said the Committee was interested in applying for a feasibility study for the Livery Stable which is done through Berryville Main Street. Ms. Ryan said they were hoping phase one plans for the alley would begin late October/early November.

Mr. Dalton said since Hogan's Alley is owned by the Town, he would need to seek approval for modifications from Town Council. Mr. Dalton said he plans to examine lighting and hopes the Town, with approval of Town Council, commission a plaque to honor John Hogan, former Town Manager. He said he would request the Architectural Review Board's assistance and would also need the adjoining property owners' approval. Mr. Dalton said he will coordinate Berryville Main Street with the ARB and involve the Community Development Committee for further development and participation from the Town if approved by Council. Mayor Dickinson asked Council member Rodriguez if she was ok with taking on this project. Council member Rodriguez

replied yes. Town Council agreed by consensus. Mr. Dalton said he would discuss the details of the dedication plaque with Ms. Ryan.

Mr. Dalton said if Council approved, he would direct a letter to the Berryville Main Street Board of Directors requesting that the organization apply for a feasibility study for the Livery Stable. Mayor Dickinson asked if this study would encompass the entire building. Mr. Dalton replied that he thinks that the entire building should be considered. Town Council agreed by consensus.

Council member Rodriguez noted the next Community Development Committee meeting is scheduled for September 24, 2018 at 4:30 p.m.

13. Report of Donna McDonald – Chair Public Safety Committee

Council member McDonald noted the next Public Safety Committee meeting is scheduled for September 26, 2018 at 6:30 p.m.

Council member McDonald asked Sergeant Bristol if the department had any calls regarding storm water issues in the past years. Sergeant Bristol replied that there have not been a lot of calls this year but in past years there have been a few. Sergeant Bristol said typically they would respond to the call but then notify the Fire Department for assistance.

14. Report of Diane Harrison – Chair, Streets and Utilities Committee

Council member Harrison said the Committee discussed having a storm water survey completed before the water policy became a topic of discussion. Council member Harrison stated there are two meetings scheduled where there will be a forum for citizens to discuss storm water issues. Council member Harrison confirmed the public input Streets and Utilities Committee meetings as follows:

October 23, 2018 at 5:00 p.m. in Main Meeting Room

October 25, 2018 at 7:30 p.m. in Main Meeting Room (Committee members will arrive at 7:00 p.m. to discuss budget goals.)

A notice will be sent out in the water bill regarding these meetings which will also include a survey for citizens to fill out and return or discuss at the meeting.

Council member Harrison asked Mr. Dalton based on Dave Tyrell's report, if the air conditioning being out at the plant poses a problem. Mr. Dalton replied that it is being repaired but there should be no ill effects from the outage.

Mayor Dickinson asked, based on Dave Tyrell's report, if not being able to pull the membranes for service would pose a problem down the road. Mr. Dalton said that to his knowledge this should not be a problem.

Council member Harrison asked about the salt buildup in the hypochlorite feed lines at the water plant. Mr. Dalton said there is still investigation being done to find out why the buildup is occurring. He noted that all chlorination requirements are being met.

15. Report of Harry Lee Arnold, Jr. – Chair, Personnel, Appointment and Policy Committee

Recorder Arnold noted the next Personnel, Appointment and Policy Committee meeting is scheduled for October 23, 2018 at 9:00 a.m. Mayor Dickinson said there are at least two people

who have told her that they have submitted talent bank forms and are interested in filling the unfilled BADA appointment.

16. Other

Council member Rodriguez asked if there was support from Council members and requested that the agenda packets be distributed on Thursdays. Council member Gibson said she does not look at the binder until Monday or Tuesday. Mayor Dickinson would like to receive the packet earlier. Council member Harrison said she has no preference. Council member McDonald said she has no preference but suggested postponing the request until full staffing is maintained.

Mr. Dalton said he and Ms. Dunkle are reviewing agenda and minutes management systems. Mayor Dickinson said she and Mr. Dalton have had discussions about the schedule as to when to expect first draft minutes and when approvals are expected. Mr. Dalton said that he hopes to have the Town Clerk position filled by the next Town Council meeting and then to establish a schedule.

17. Closed Session

No closed session scheduled.

18. Adjourn

**There being no other business, upon motion of Council member Rodriguez, seconded by Council member McDonald, the meeting was adjourned at 9:42 p.m.**

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Harry Lee Arnold, Jr., Recorder

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Karen Johnson, Front Desk Clerk

**BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**Monday, August 27, 2018**

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A meeting of the Berryville Town Council Community Development Committee was held on Monday, August 27, 2018 at 4:30pm in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:** Members of the Committee present: Kara Rodriguez, Chair; Diane Harrison

Member absent: Donna McDonald

Staff present: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner

Press present: Mickey Powell, Winchester Star

Others present: Lizzie Ryan, Berryville Main Street

Chair Rodriguez called the meeting to order at 4:30pm.

**Approval of Agenda**

The agenda was approved by consensus.

**Updates**

***Hogan's Alley***

Chair Rodriguez recognized Lizzie Ryan, director of Berryville Main Street (BMS). Ms. Ryan updated the Committee on the design of Hogan's Alley and presented drawings and photographs of the concept. She said the Board was hoping to have an event in the alley in October. She presented drawings of the planters and gates which were from the Berryville Train Station and cost estimates for the project. She said BMS has allocated \$3,000 for the project. There was a discussion about lighting, future phasing, signage, maintenance, and trash totes which are currently placed in the alley.

Chair Rodriguez asked how much funding was expected from the Town. Ms. Ryan said the benches were not identified in the current budget and would be an amenity that should be included in the project. Mr. Dalton suggested Town and BMS staff meet with the County Building Official to discuss proposed uses in the alley.

Mr. Dalton said the request to use the alley will need to be included on the September 11 agenda in order to meet the estimated timelines for use.

### ***Livery Stable***

Ms. Harrison said she had spoken with Virginia Main Street staff about a financial feasibility study grant available through the organization. She said that BMS would be the grant applicant and that funding of up to \$25,000 is available through May of 2019. Mr. Dalton recommended that Council formally request BMS apply for the grant that would include a resolution of support and agree, as the property owner, to the effort.

### **Discussion - Committee Charge**

Chair Rodriguez said she would like to begin the discussion with a new focus as the committee's parameters have changed. She discussed sharing efforts without overlapping with other Town Council committees. Ms. Harrison suggested Hogan's Alley; Rose Hill Park storm water management; and the Page Street median be considered as priorities.

Chair Rodriguez said the discussions should begin with the Community Development Committee and then shift to Streets and Utilities for implementation. She added that beautification enhancements can lead to economic development benefits.

Ms. Harrison said developing a social media presence and updating the web site are priorities adding that branding should be part of this effort. There was a discussion about standing committees of Council and their respective tasks.

### **Discussion – FY 2020 Budget Goals**

There was a discussion about establishing two or three goals based on economic development efforts and including Clarke County and Berryville Main Street in the effort. Chair Rodriguez reiterated that a social media presence and updating the web site were important and Ms. Harrison said that hiring a consultant for branding should be considered. Ms. Harrison added that hiring a part-time position by the Town and County to take on these tasks should also be discussed.

Ms. Rodriguez said that with consumer taxes increasing, earmarking these funds for tourism and economic development should be considered. She said creating a reserve of specific fund should be discussed. There was a discussion about future funding for economic development.

There was a discussion about hiring a part-time position for branding and marketing versus contracting with a consultant. Committee members determined that the priorities would be to inventory other jurisdictions to see how they earmark tax revenues for economic development; create a social media presence and enhance the existing web site; and consider creating a part-time position or hiring a consultant for marketing and branding. Mr. Dalton reiterated that partnering with the County and Berryville Main Street should be considered during this process.

### **Other**

There was a discussion about the budget goals meeting set for Wednesday, September 5 at 3:00pm. Chair Rodriguez said the next Community Development meeting was scheduled for Monday, September 24 at 4:30pm.

Chair Rodriguez suggested that BMS and the Town create a Memorandum of Understanding. There was a discussion about the Berryville Main Street director position becoming a Town employee. Mr. Dalton suggested discussing the matter with the BMS Board and letting the Board approach the Town on the matter.

There being no further discussion, the meeting was adjourned at 5:22pm.

**BERRYVILLE TOWN COUNCIL PERSONNEL COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**August 28, 2018**

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A meeting of the Berryville Town Council Personnel Committee was held on Tuesday, August 28, 2018 at 9:00am in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:** Members of the Committee present: Jay Arnold, Chair; Pat Dickinson; Erecka Gibson

Staff present: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner

Chair Arnold called the meeting to order at 9:00am.

**Approval of Agenda**

Ms. Gibson made the motion to approve the agenda as presented, seconded by Ms. Dickinson, the motion was approved by voice vote.

**Discussion – Social Media Policy**

Mr. Dalton described the updated Policy. He said he also included the County's recently adopted policy for review adding that he thought there were good aspects of both. Ms. Gibson recommended modifying the order of several items. There was a discussion about having separate policies for staff and elected and appointed officials. Chair Arnold and Ms. Gibson said they felt like one document would suffice.

Mr. Dalton said he would like to define certain terms to clarify requirements. Ms. Dickinson liked the layout of the County's policy. Ms. Dickinson made specific requests including clarification of terminology and that no sharing of passwords occur when archiving and FOIA officers are retrieving postings.

**Discussion – Job Descriptions**

Mr. Dalton provided job descriptions for the Town Manager and two Assistant Town Manager positions. Committee members made comments on the documents. Mr. Dalton said that he would reformat the job descriptions to be consistent. There was a discussion about evaluations that were sent by Council member Harrison.

**Discussion – Meeting Procedures**

Ms. Dickinson was unsure what this discussion entailed. Mr. Dalton said he was directed to add this item to the agenda concerning the adoption of voting procedures or the use of Roberts Rules of Order at Council meetings. Ms. Dickinson said she was concerned about the cost and staff workload and said there were higher priorities than this. Chair Arnold said this should be discussed. Ms. Gibson

said that not having procedures in place has been disruptive at meetings and she felt this should continue to be discussed.

**Discussion – FY 2020 Budget Goals**

Ms. Gibson said she would like to see the salary studies be completed within this timeframe.

**Other**

Ms. Dickinson said she would like to appoint Mr. Bigelow to the Tree Board. The Committee said they were fine moving that ahead. She said the Procurement Policy published on the web site is not the correct version. Staff said they would post the correct document on the web site.

**Adjourn**

There being no further business, the meeting was adjourned at 10:43am.



**COUNCIL OF THE TOWN OF BERRYVILLE  
RESOLUTION OF APPRECIATION AND THANKS**

**WHEREAS**, H. Allen Kitselman, III was first appointed to the Berryville Town Council on May 8, 2001; and

**WHEREAS**, Mr. Kitselman was subsequently elected for four additional terms serving on the Council for 17 years; and

**WHEREAS**, Mr. Kitselman continues to serve on the Berryville Area Development Authority where he has served since 1999; and

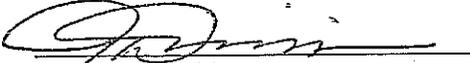
**WHEREAS**, During his tenure on Council, Mr. Kitselman has faithfully served the citizens of the Town of Berryville, utilizing his expertise to guide and manage many projects including the construction of the Berryville – Clarke County Government Center and serving as a member of the Community Improvements Committee and the Building Committee; and

**WHEREAS**, Without fail, in all of his dealings with the public and other public officials, Mr. Kitselman executed the duties of his office in a fair, thoughtful, and just manner; and

**WHEREAS**, Through his dedication to the Berryville Town Council, Mr. Kitselman has served as an exceptional example of a citizen's concern for his community and has positively affected the lives of Berryville's residents;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Town of Berryville, that H. Allen Kitselman, III's extensive and distinguished service to this community is recognized and that he is thanked for his hard work and dedication.

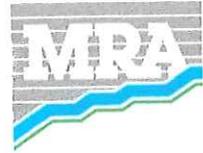
By Order of the Council of the Town of Berryville on this the tenth day of July, 2018.

  
Patricia Dickinson,  
Mayor

  
Harry Lee Arnold, Jr.,  
Recorder

# MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,  
AND LANDSCAPE ARCHITECTS



## Robert Regan Village Proffers

August 6, 2018

1. Master Development Plan
  - 1.1 The development of the Property shall generally conform to the Robert Regan Village Concept Plan dated August 3, 2018 , a copy of said Concept Plan being attached hereto as Exhibit A, subject to revisions which may be approved by the Town in final site plan review and approval.
2. Land Use Restrictions
  - 2.1 Multi-family residential uses on the Property shall not exceed 120 units and shall be limited to areas containing 11 +/- acres subject to revisions which may be approved by the Town in final Site Plan review.
3. Real Estate Tax
  - 3.1 The Owner, the Owner's successors and assigns, shall pay the usual and customary real estate tax to the Town and the County based upon the full real estate tax assessment of the localities and the prevailing tax rate in each locality.
  - 3.2 Neither the Owner nor the Applicant, not their successors or assigns, shall seek any exemption for the Property from real estate taxation by classification or designation pursuant to Chapter 36 of Title 58.1 (Sec. 58.1- 3600, et seq.) of the Code of Virginia, or otherwise, and further, the Owner, and the Owner's successors and assigns, shall pay the annual real estate tax as set forth in 3.1, above, notwithstanding any such exemption which may have been granted or obtained.
4. Cash Proffers
  - 4.1 Prior to the issuance of a building permit for multi-family residential units on the property, the Recorded Owner shall pay to the Town, for fire and rescue [purposes], a sum equal to One Thousand Two Hundred Fifty Dollars (\$1,250.00) per unit for the total number of multi-family units shown on the applicable approved final site plan.
5. Deed
  - 5.1 Any deed conveying the Property, or any portion thereof, shall affix as attachment incorporation into said deed, a full copy of these proffers in order to advise any subsequent purchaser of the proffered terms and conditions.

43760 Trade Center Place, Suite 110, Sterling, VA 20166 (703) 674-0161 Fax: (703) 478-0137 www.mragta.com

**OWNER:**

**A.C. Echols, Jr., Trustee of the Battlefield Center  
Trust Under A Trust Agreement Dated June 15, 2001**

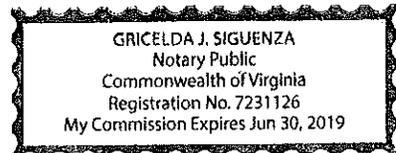
By: A.C. Echols, Jr. - Trustee  
A.C. Echols, Jr., Trustee

COMMONWEALTH OF VIRGINIA;  
City / County of Clarke, to wit:

The foregoing instrument was acknowledged before me, in the aforesaid jurisdiction, this 11th day of September, 2018 by A.C. Echols, Jr., Trustee of the Battlefield Center Trust Under a Trust Agreement Dated June 15, 2001.

My commission expires June 30, 2019.

Gracilda Siguenza  
NOTARY PUBLIC





**AN ORDINANCE AMENDING  
ARTICLE III, SECTION 321 PUBLIC TREE ORDINANCE, OF THE  
TOWN OF BERRYVILLE ZONING ORDINANCE**

BE IT ORDAINED, by the Council of the Town of Berryville, that Article III, Supplementary Regulations, of the Town of Berryville Zoning Ordinance shall be amended as follows:

**SECTION 321 Public Tree Ordinance**

**321.2 Creation and Establishment of a Town Tree Board**

There is hereby created and established a Town Tree Board for the Town of Berryville which shall consist of five members, citizens, and residents of the Town of Berryville, who shall be appointed by the Town Council.

SIGNED: \_\_\_\_\_  
Patricia Dickinson, Mayor

ATTEST: \_\_\_\_\_  
Harry Lee Arnold, Jr., Recorder



**RESOLUTION TO REQUEST VDOT TRAFFIC CALMING STUDY**  
**SOUTH BUCKMARSH STREET | US 340**

WHEREAS, Public safety is a priority for the Council of the Town of Berryville; and

WHEREAS, Citizens are concerned about speeding on South Buckmarsh Street; and

WHEREAS, A sufficient number of signatures have been submitted to Town Council to warrant a request for a study; and

NOW, THEREFORE, BE IT RESOLVED The Council of the Town of Berryville supports and requests a Traffic Calming Study be conducted by VDOT on South Buckmarsh Street.

By Order of the Council of the Town of Berryville on this the eleventh day of September, 2018.

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Patricia Dickinson, Mayor

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Harry Lee Arnold, Jr., Recorder

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**October 9, 2018**  
**7:30 p.m.**

**Town Council:** Present-Patricia Dickinson, Mayor; Harry Lee Arnold, Jr., Recorder; Donna Marie McDonald; Diane Harrison; Erecka Gibson; Kara Rodriguez

**Staff:** Keith Dalton, Town Manager; Christy Dunkle, Planner/Assistant Town Manager; Neil White, Chief; Desiree Moreland, Treasurer, Lisa Larrick, Town Clerk

**Press:** Mickey Powell, The Winchester Star

1. Call to Order  
Mayor Dickinson called the meeting to order at 7:30 p.m.
2. Pledge of Allegiance
3. Approval of Agenda  
**On motion of Council member Rodriguez, seconded by Council member Gibson, the agenda was approved.**

**The roll call vote was as follows:**

**McDonald - Aye**  
**Harrison – Aye**  
**Gibson – Aye**  
**Rodriguez – Aye**  
**Arnold – Aye**  
**Dickinson – Aye**  
**Absent – none**

4. Public Hearing

Mayor Dickinson called the Public Hearing to order.

***Amendments to Town Charter***

*The Council of the Town of Berryville proposes to recommend to the Commonwealth of Virginia the amendment of its Charter. The proposed amendments include: updating the description of the corporate limits of the Town to reflect annexations since 1972; changing the title of the Recorder to Vice-Mayor, eliminating the criminal and expulsion punishment for Council interference with staff; eliminating the requirement that the Council meet every month; clarifying the terms which employees are appointed by Council; eliminating antiquated language regarding Town Courts and Town sergeant; clarifying language regarding actions against the Town for damages to conform with the provisions of the Virginia Code; eliminating miscellaneous language regarding Council*

*action in matters in which the Planning Commission recommends denial and applicability of Town ordinances outside of the Town; updating cross-references to the Code of Virginia; and utilizing gender-neutral language.*

There were no public comments. The public hearing was closed.

Mayor Dickinson called the Public Hearing to order.

***Amendments to Berryville Code Chapters 1, 2, & 3***

*Proposed amendments to Chapters 1, 2, & 3 of the Berryville Code. The proposed amendments include: clarifying language regarding designation of an acting town manager; expanding the enumerated Town departments and establishing department head and departmental responsibilities to mirror current administrative structure; reducing the ultimate size of the Planning Commission's membership; eliminating the possibility of administrative staff being appointed to the Planning Commission; eliminating a requirement that a permit be issued for distribution of handbills; updating cross-references to the Code of Virginia; and utilizing gender-neutral language*

There were no public comments. The public hearing was closed.

5. Citizens' Forum

Mayor Dickinson recognized Mary Daniel of Tyson Drive and Clarke County Ward 3 Supervisor. Ms. Daniel stated she was not there as a Supervisor but as a citizen. Ms. Daniel stated that there is an issue with trucks on Josephine Street. Ms. Daniel stated that Josephine Street is historic and has unique features. She said that Berryville Graphics has a sign to prevent trucks leaving their facility traveling towards S. Church Street. She stated she was not aware of any two-way truck traffic problems but only one-way truck traffic problems. She stated that it is not VDOT's issue that it is a Town issue. She stated VDOT did suggest putting a sign at S. Church Street restricting trucks over 30 feet. She said the problem seems to stem from the use of the truck drivers' GPS.

Mayor Dickinson recognized Diana Kincannon. Ms. Kincannon stated she was there to update the Town Council on the Barns of Rose Hill. She thanked Mr. Dalton for resolving the suspected humidity and mold problem at the Smithy House. She stated that the art center was ranked as a priority one status by the Virginia Commission for the Arts and received more funding as it fully met the criteria. She updated Council on upcoming programs.

Mayor Dickinson recognized Mary Ivie, town resident. Ms. Ivie stated how blessed they felt to live in Berryville and thanked everyone for keeping an eye on her daughter who is autistic. She said that she is still having drainage problems from storm water and the Town needs to address water flowing onto her property. She stated that the Town needed an updated storm water ordinance.

Mayor Dickinson recognized Jessie Russell, resident of Clarke County. Mr. Russell said he was there because of the issue of truck traffic on Josephine Street. He said that Josephine Street was on the National Historic Register. He said that the railroad traffic had increased at least 3-

fold and that Josephine Street was impacted by this increase more than any other residential area. He said an overpass over the tracks would not occur for 20 years. He said that a sign should be placed at the end of Josephine for no trucks and that truck traffic should not be allowed on Josephine Street.

Mayor Dickinson recognized Dee Dee Liggins of 206 Josephine Street. Ms. Liggins stated that the truck traffic started when they took truck traffic off of Main Street.

6. Consent Agenda

**The Consent Agenda was approved, with removal of the Minutes of Regular Meeting of 09/11/18 and removal of Minutes of Community Development Committee of 9/24/18, on motion of Council member Rodriguez, seconded by Council member Harrison. The items approved on the Consent Agenda were:**

**Minutes of Work Session – 09/05/18**

**Minutes of Budget and Finance Committee – 08/23/18 & 09/27/18**

**Minutes of Public Safety Committee – 09/26/18**

**Minutes of Streets and Utilities Committee – 08/28/18**

**The roll call vote was as follows:**

**McDonald - Aye**

**Harrison – Aye**

**Gibson – Aye**

**Rodriguez – Aye**

**Arnold – Aye**

**Dickinson – Aye**

**Absent – none**

Mr. Dalton stated the minutes of the regular meeting were being pulled to clarify the issue of whether Mr. Echols had actually stated the Robert Regan Village would employ 90+ people and that it could be discussed later after review of the recording.

7. Report of Patricia Dickinson, Mayor

Mayor Dickinson said she wanted to mention the two projects that are going on. She said one being the Chapter 8 project rewrite for the trash collection policy in the Town code which she knows is a very complex process and has been in the works for quite some time. She said Mr. Dalton has made a commitment to have the approach to the project at the November Public Safety meeting. She said the Town was paying \$1,000.00 monthly collecting trash that should be the responsibility of the business owners and not the tax payers. She said this would be addressed at the November Public Safety meeting. Recorder Arnold asked if this was verified information. Mayor Dickinson stated it was.

Mayor Dickinson said the other project was the proposed Utility Rate Study and Mr. Dalton is moving forward with this one as well. She said the Town has received a list of questions and data they have to gather which will go back to the engineering firm after which it will be approximately 4 months for the report.

Mayor Dickinson made an announcement that on October 18, 2018 at 7:00 p.m. at the VFW that she hosting a Mayor's Forum on the Virginia Department of Housing Administration Granting Freedom program for Veteran benefits.

Mayor Dickinson asked the Clerk to read a resolution honoring the 50<sup>th</sup> Anniversary of FISH of Clarke County and stated that it would be presented at the FISH anniversary celebration.

**Council member Gibson moved that the Council of the Town of Berryville approve the attached resolution recognizing the 50<sup>th</sup> anniversary of FISH of Clarke County.**

**Council member McDonald seconded the motion.**

**The roll call vote was as follows:**

**McDonald - Aye**

**Harrison – Aye**

**Gibson – Aye**

**Rodriguez – Aye**

**Arnold – Aye**

**Dickinson – Aye**

**Absent – none**

8. Report of Harry Lee Arnold, Jr., Recorder

Recorder Arnold said that the latest version of utility brochures had been sent out and thanked Heather and all the staff for their hard work. By consensus staff was asked to proceed with distribution of the brochures.

9. Report of Christy Dunkle, Assistant Town Manager/Planner

Ms. Dunkle asked for adoption of a Resolution of Support to allow 20 market-rate units as a part of the 120-unit age and income restricted Robert Regan Village apartment complex currently under review by the Berryville Area Development Authority.

Council member Harrison asked what market rate was being used. Ms. Dunkle stated that these rates were based on median income figures for Clarke County.

Mayor Dickinson asked if there were any other market rate apartments in town. Ms. Dunkle stated she would research her question to see if there were any other market rate apartments.

Recorder Arnold asked about the rent. Ms. Dunkle stated she has not heard any numbers from the developer.

Council member Rodriguez said she did not feel comfortable voting on market rate housing for a development. She stated she was not against the development and not against the project adding that she just didn't feel comfortable taking a vote on this action.

**Council member Gibson moved that the Council of the Town of Berryville approve the attached resolution of support to include 20 market rate apartments as part of the Robert**

**Regan Village on the parcel identified as Tax Map Parcel number 14-((5))-251B, zoned OPR Older Personal Residential.**

**Council member McDonald seconded the motion.**

**The roll call vote was as follows:**

- McDonald – Aye**
- Harrison – Aye**
- Gibson – Aye**
- Rodriguez – Abstain**
- Arnold – Aye**
- Dickinson – Aye**
- Absent – none**

**10. Report of Keith Dalton, Town Manager**

Mr. Dalton presented a resolution requesting adoption of a revised Town Charter and forwarding approved Town Council minutes after the November meeting and a copy of the revised Town Charter to Del. LaRock and Sen. Vogel to be considered by the General Assembly to become effective July, 2019.

**Council member Gibson moved that the Council of the Town of Berryville adopt the attached resolution.**

**Recorder Arnold seconded the motion.**

**A roll call vote was as follows:**

- McDonald – Aye**
- Harrison – Aye**
- Gibson – Aye**
- Rodriguez – Aye**
- Arnold – Aye**
- Dickinson – Aye**
- Absent – none**

+++++

Mr. Dalton presented a motion to adopt an ordinance repealing and re-adopting Chapters 1, 2, and 3 of the Town Code.

**Recorder Arnold moved that the Council of the Town of Berryville adopt the attached ordinance.**

**Council member Harrison seconded the motion.**

**A roll call vote was as follows:**

McDonald – Aye  
Harrison – Aye  
Gibson – Aye  
Rodriguez – Aye  
Arnold – Aye  
Dickinson – Aye  
Absent – none

+++++

Mr. Dalton presented a motion to adopt an ordinance establishing bonding requirements of \$200,000.00 each for the Town Manager and Town Treasurer.

**Council member Harrison moved that the Council of the Town of Berryville adopt the attached ordinance.**

**Recorder Arnold seconded the motion.**

**A roll call vote was as follows:**

McDonald – Aye  
Harrison – Aye  
Gibson – Aye  
Rodriguez – Aye  
Arnold – Aye  
Dickinson – Aye  
Absent – none

+++++

Mr. Dalton presented a motion to adopt an ordinance establishing the returned check fee of \$50.00. Mayor Dickinson wanted to make sure the timing was right with the code update. Mr. Dalton said that he believed it was.

**Council member Harrison moved that the Council of the Town of Berryville adopt the attached ordinance.**

**Council Member Rodriguez seconded the motion.**

**A roll call vote was as follows:**

McDonald – Aye  
Harrison – Aye  
Gibson – Aye  
Rodriguez – Aye  
Arnold – Aye  
Dickinson – Aye  
Absent – none

+++++

Mr. Dalton said a closed session will likely need to be held at the next meeting regarding litigation.

11. Report of Erecka Gibson - Chair, Budget and Finance Committee

Council member Gibson noted the next Budget and Finance Committee meeting is scheduled for October 18, 2018 at 10:30 a.m.

**Council member Gibson moved that the Council of the Town of Berryville approve the attached Bank Account Policy as recommended by the Budget and Finance Committee.**

**Council Member Rodriguez seconded the motion.**

A roll call vote was as follows:

- McDonald – Aye
- Harrison – Aye
- Gibson – Aye
- Rodriguez – Aye
- Arnold – Aye
- Dickinson – Aye
- Absent – none

+++++

Council member Gibson said that since the bank account policy references the Town Code the Committee should set a reminder to change that section in the policy once and if the Code is changed.

12. Report of Kara Rodriguez - Chair, Community Development Committee

Council member Rodriguez said they had a good meeting last month. She said one of the items they were discussing was the charge of the committee. She added that she had some revisions that she owes the committee and they should be voting on those at the next meeting.

Council member Rodriguez asked Mr. Dalton that given the recent change for Berryville Main Street, what was happening with Hogan’s Alley. Mr. Dalton said he did not know the answer, that it was something they were trying to work through. He stated that we would likely have to change our schedule and get it moving in the Spring. Mr. Dalton said he thinks that Berryville Main Street has the bones of a good phase one.

Council member Rodriguez welcomed a new business Hagstone.

Mayor Dickinson stated she wanted to go back to the minutes that were pulled from the Consent Agenda. She stated that she had a question on the second page where there was a discussion about asking Mr. Echols for financial assistance for the sidewalk section on Mosby Boulevard. According to emails she read there was a decision made to contact him but the decision wasn’t included in the minutes. Council member Rodriguez said the Committee did talk about sending a letter but the letter has not come before her to sign. Mayor Dickinson said Council needed to

change that aspect of the minutes and Council member Rodriguez agreed. Mr. Dalton asked if this matter would be brought back in November or could they amend on the fly. Mayor Dickinson and Council member Rodriguez were fine with changing the minutes to reflect the decision that was made and approving the minutes.

**Council member Rodriguez moved to approve the minutes as amended.**

**Council Member McDonald seconded the motion.**

**A roll call vote was as follows:**

- McDonald – Aye**
- Harrison – Aye**
- Gibson – Aye**
- Rodriguez – Aye**
- Arnold – Aye**
- Dickinson – Aye**
- Absent – none**

+++++

Council member Rodriguez noted the next Community Development Committee meeting is scheduled for October 22, 2018 at 4:30 p.m.

Mayor Dickinson asked about the discussion of the maintenance of the Page Street median and need for an agreement between the Battletown HOA and the Town. Council Member McDonald explained that the Battletown HOA would take care of anything that was planted in the median and not require the Town to maintain the area. She noted that the HOA expected that it would have to enter into an agreement with the Town.

13. Report of Donna McDonald – Chair Public Safety Committee

Council member McDonald noted the next Public Safety Committee meeting is scheduled for October 24, 2018 at 4:30 p.m.

Council member McDonald stated that Chapter 8 of the Town Code was discussed at length. She stated that Cruise-In went well.

Council member McDonald said that the Committee talked about the FY 2020 items and Chapter 20.

Council member McDonald said that Battletown HOA has lighting and neighborhood watch concerns.

Council member McDonald said the Committee talked about the E-Citation and that the project was nearly complete.

Council member McDonald said that proposed trick or treating hours for Halloween would be on October 31, 2018 between 6:00 p.m. and 8:30 p.m.

Council member Rodriguez asked why the hours could not start at 5:30 p.m. Chief White stated they could but additional overtime would be incurred by Police Department personnel.

**Council member Gibson moved that the Council of the Town of Berryville in accordance with §13-38 of the Berryville Code, designate October 31, 2018 between the hours of 6:00 pm and 8:30 pm as the period in which Halloween Trick or Treating may occur within the Town.**

**Council Member Harrison seconded the motion.**

**A roll call vote was as follows:**

- McDonald – Aye**
- Harrison – Aye**
- Gibson – Aye**
- Rodriguez – Aye**
- Arnold – Aye**
- Dickinson – Aye**
- Absent – none**

+++++

Council member McDonald stated that Mr. Dalton was working on Chapter 8 of the code and confident that he was doing a fine job, but the Council might want to rethink several things they are asking Mr. Dalton to put on his plate and that it was no reflection of Mr. Dalton and his staff.

Council member McDonald said she is concerned what Council is going to do to provide trash collection in a fair and equitable fashion. Council member McDonald said her concern is and has always been the citizens of this town. Council member McDonald reiterated her concerns about passing too much on staff and the need for Town Council to make sure it provided Mr. Dalton time to work on projects that are priorities.

Recorder Arnold said that he concurs with Council member McDonald and said Council needs to decide what they want and give clear direction to staff.

14. Report of Diane Harrison – Chair, Streets and Utilities Committee

Council member Harrison said that the committee did not meet this month and that they are getting responses from the survey sent out with the water bills.

Council member Harrison noted that next meetings for Streets and Utilities would be October 23, 2018 at 5:00 p.m. for an open forum to discuss storm water issues and October 25, 2018 at 7:00 p.m. for budget goals and 7:30 p.m. would be an open forum to discuss storm water issues.

Mayor Dickinson inquired about the open positions at the water treatment facility. Mr. Dalton stated that one position had been filled and was hoping to fill another shortly.

Mayor Dickinson asked that Mr. Tyrrell amend his report so that it did not cut off information. Mr. Dalton said that he would address the matter.

15. Report of Harry Lee Arnold, Jr. – Chair, Personnel, Appointment and Policy Committee

Recorder Arnold noted the next Personnel, Appointment and Policy Committee meeting is scheduled for October 23, 2018 at 9:00 a.m. Recorder Arnold noted that there is an opening on the BADA and an opening on the Tree Board which would be considered.

Recorder Arnold reminded the Council to submit their bios for the website.

16. Closed Session

No closed session scheduled.

17. Adjourn

**There being no other business, upon motion of Council member McDonald, seconded by Council member Rodriguez, the meeting was adjourned at 8:50 p.m.**

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Harry Lee Arnold, Jr., Recorder

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Lisa Larrick, Town Clerk

**BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**Monday, September 24, 2018**

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A meeting of the Berryville Town Council Community Development Committee was held on Monday, September 24, 2018 at 4:30pm in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:** Members of the Committee present: Kara Rodriguez, Chair; Diane Harrison; Donna McDonald

Staff present: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner

Press present: None

Others present: None

Chair Rodriguez called the meeting to order at 4:30pm.

**Approval of Agenda**

The agenda was approved by consensus.

**Updates**

***Hogan's Alley***

Mr. Dalton said he has not discussed the project with Berryville Main Street (BMS) since the last meeting. He said he would like to update Town Council or Community Development Committee members once he speaks to BMS staff. There was a discussion about temporary installation of improvements in order to facilitate an October event that BMS had previously referenced. Committee members were in favor of a temporary installation. Mr. Dalton identified elements of the project that should be addressed including modifications to the sidewalk in front of the alley on Main Street; storm water improvements; possible replacement of the light pole; and bollard removal. He said he has begun drafting the narrative for a plaque to place in the alley in honor of Mr. Hogan.

***Livery Stable***

Mr. Dalton said he had no update and will continue to work on the project and assist BMS with the feasibility study grant.

Mr. Dalton reminded Committee members of budget requirements for playground improvements. He said that a base map of the park should be finalized by November. He reiterated that a discussion to identify CIP funding for the playground should be included in the FY 2020 budget process.

### **Discussion - Committee Charge**

Chair Rodriguez said the draft Committee charge included in the packet was a starting point for discussion. She said Mrs. Dickinson offered comments that indicated too much of the Committee charge was geared to downtown and that it should include housing, medical facilities, and other items. There was a discussion about the importance of downtown and how a healthy downtown attracts businesses and residents while improving quality of life. Mr. Dalton said it was important for all of the committees to have similar language and structure. He added that a certain amount of overlap between committees would occur. There was a discussion on modifications to the draft Committee charge. Chair Rodriguez requested members to forward additional comments to Mr. Dalton for changes and distribution.

### **Discussion – Sidewalk Gap on Mosby**

There was a discussion about a gap in the sidewalk on the north side of Mosby Boulevard adjacent to the grocery store parking lot. Ms. Harrison said with existing and new senior housing in the area, she felt that it was important to complete this section. There was a discussion about a comprehensive study of sidewalk gaps in the Town and funding options including VDOT Revenue Sharing. Committee members requested staff to begin a comprehensive identification of sidewalk gaps in the Town.

### **Other**

Ms. McDonald discussed planting options in the median on Page Street. Committee members requested that Mr. Dalton determine existing conditions of the site (e.g., depth of soil, sight distance). There was a discussion about maintenance of the median and the need for an agreement between the Battletown HOA and the Town. Chair Rodriguez suggested including the Tree Board in this conversation.

There was a discussion about sending a letter to Mr. Echols for financial assistance for the sidewalk section on Mosby Boulevard but no letter has been sent.

Ms. Harrison discussed a shuttle between the fairgrounds to the downtown for large events at the fairgrounds.

There was a discussion about constituent meetings. Mr. Dalton said previous Council members have held such meetings in the past and recommended holding them at the Government Center. It was determined that these meetings should be scheduled in February and March with notification and a copy of the ward map included in water bills prior to the meetings.

There being no further discussion, the meeting was adjourned at 5:55pm.

**BERRYVILLE TOWN COUNCIL BUDGET AND FINANCE COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**August 23, 2018**

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A meeting of the Berryville Town Council Budget and Finance Committee was held on Thursday, August 23, 2018 at 10:30am in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:** Members of the Committee present: Erecka Gibson, Chair; Pat Dickinson; Kara Rodriguez

Staff present: Keith Dalton, Town Manager; Desiree Moreland, Assistant Town Manager/Treasurer; Chief Neal White, Berryville Police Department

Press present: none

**1. Call to Order**

Chair Gibson called the meeting to order at 10:45am.

**2. Approval of Agenda**

The agenda was approved by Chair Gibson and Ms. Dickinson by consent.

**3. Discussion – FY 2020 Budget Goals**

The Committee discussed its list of budget goals and determined that it would provide a list of five goals to the Town Council as follows:

1. Complete a fixed assets inventory for areas not covered by the water and sewer study to be completed in FY19.
2. Develop Budget and Finance related policies for inclusion in a Town Council Policy Manual. It is expected that this work will continue through FY 2019 and into FY 2020.
3. Procure an auditing firm to perform a payroll system audit.
4. After purchase, installation, and integration of new budgeting software in FY 2019, improve upon budgeting and reporting functions.
5. Develop a five-year budget beginning in FY 2020.

Other ideas that were discussed included examination/review of revenues and planning for short-term budget windfalls to benefit areas such as economic development.

**4. Discussion - Year-End Expenses – Process/Policy**

Chair Gibson noted an email the Mayor Dickinson sent regarding a check presented just prior to year-end without proper documentation and asked the Treasurer for an explanation of the process used for year-end expenses and accruals.

The committee discussed end of year processing and the possible use of accruals to manage transactions that cross the fiscal year end. The Treasurer stated that, as part of the annual audit, the auditors review all transactions posted from July 1 through August 15 and then inform the treasurer which entries are to be moved to the prior reporting period. Committee members stated they were unfamiliar with this process. The Treasurer reported that it was a standard process and had been followed for many years. Mayor Dickinson suggested that the committee discuss the process with the auditors.

The committee discussed concerns regarding the same check being presented to Mayor Dickinson after year end with invoice(s) and an "OK to Pay" initialed but not released as task had not yet been completed. The committee was not aware the check was being held or that the task had not yet been completed. Ms. Dickinson said that she had signed the check with assurance that the subject work had been completed. Accordingly, she is not comfortable with the check being held. The committee agreed that the check should be voided. Ms. Moreland said the check would be voided.

Mayor Dickinson asked how checks that had a hand written note of "Hold for XXX" on them were handled. The Treasurer explained that there are occasions when a department head asks that a check be held so he or she can hand deliver the check to the vendor. The committee indicated they were not sure if this was an appropriate process and asked that the treasurer draft a check handling policy for the committee's consideration.

#### **5. Discussion - Establishing Bank Accounts – Process/Policy**

Committee members agreed to provide Ms. Moreland with comments on the draft policy.

#### **6. Closed Session**

There was no closed session.

#### **7. Other**

Committee members agreed to provide Ms. Moreland with comments on the Fourth Quarter Budget Analysis.

The Committee set their next meeting for September 27, 2018 at 10:30am.

#### **8. Adjourn**

There being no further business, the meeting was adjourned at 11:54am.

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**BUDGET & FINANCE COMMITTEE**  
**Berryville-Clarke County Government Center**  
**September 27, 2018**  
**10:30 a.m.**

**Town Council:** Present: Erecka Gibson, Chair; Patricia Dickinson; Kara Rodriguez

**Staff:** Keith Dalton, Town Manager; Desiree Moreland, Treasurer; Heather Halterman, Finance Clerk

**Press:** Mickey Powell, The Winchester Star

1. Call to Order  
The meeting was called to order at 10:32 a.m. by Committee Chair Gibson.
2. Approval of Agenda  
Ms. Rodriguez made the motion to approve the amended agenda, seconded by Ms. Dickinson, the motion was approved by voice vote.
3. Discussion – On-line payment options  
Ms. Halterman reviewed on-line payment options with the Committee. The Committee discussed the advantages and disadvantages of the options presented. The Committee requested that staff provide transaction summary data to them at the next meeting. The summary data requested would include ACH, cash, check, and credit card transaction numbers.
4. Discussion – Minutes of 8/23/2018 Committee Meeting  
The Committee discussed the draft minutes of the 8/23/2018 meeting and proposed amendments thereto. The Committee agreed to have Chair Gibson provide language to staff for addition to the draft minutes.
5. Discussion – Bank Account Policy  
Ms. Moreland stated that the attached draft included changes requested to the version previously reviewed by the Committee. The Committee agreed to forward this policy to the Town Council. Ms. Dickinson stated that a wire transfer policy should be considered.
6. Discussion – Check Handling Policy  
The Committee discussed the draft memorandum and agreed that a formal policy should be developed. The Committee provided guidance regarding the policy, including the development of a receipt form to be used when a check is hand-delivered. Staff was asked to develop a draft policy for review at the next Committee meeting.
7. Discussion – Frequency of requests to use contingency funds and other financial decisions outside of the normal budget process

Ms. Dickinson expressed concern about the numerous requests for more money the Council has been receiving. She noted that there was a request for funds to meet the additional costs of the ground reservoir work and the work on the sewer main in East Main Street. Ms. Dickinson questioned whether such requests are normal. The Committee discussed the matter. Chair Gibson noted that in the case of the use of contingency funds for computer work, the planned asset inventory would assist with planning.

8. Closed Session

No Closed Session Scheduled

9. Other

Ms. Moreland noted that she has a conflict with the next Committee meeting regular meeting date. The Committee set their next meeting for 18 October at 10:30 am.

10. Adjourn

There being no further business, Ms. Dickinson made a motion to adjourn the meeting, seconded by Ms. Rodriguez, the motion passed by voice vote at 12:27 p.m.

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**PUBLIC SAFETY COMMITTEE**  
**Berryville-Clarke County Government Center**  
**September 26, 2018**  
**6:30 p.m.**

**Committee members:** Present - Donna McDonald, Chair; Patricia Dickinson, Diane Harrison

**Staff:** Keith Dalton, Town Manager; Neal White, Chief of Police

**Press:** Mickey Powell, The Winchester Star

1. **Call to Order**

The meeting was called to order at 6:30 p.m. by Committee Chair McDonald.

2. **Approval of Agenda**

Ms. Dickinson made the motion to approve the amended agenda, seconded by Ms. Harrison, the motion was approved by voice vote.

3. **Department Update**

The Committee and staff discussed the following topics:

- Need for Town Council to set Trick or Treating date and hours at next Town Council meeting
- Homecoming Parade went well
- Cruise-In went well – after action meeting to happen in near future
- Bluegrass Festival at fairgrounds – no issues
- E-Citation – nearly completed and soon to be fully implemented
- 4 of 6 department office computers replaced
- FY2020 budget items

4. **Town Code Review Update**

The Committee and staff discussed the following topics:

- Review of Chapter 20 of the Berryville Code
- Review of Chapter 8 of the Berryville Code
- Staff committed to retuning both draft code revisions to the Committee on 11/28/18

5. **Status Update**

Trash Collection – discussed in Item 4

6. **Closed Session**

No Closed Session Scheduled

7. **Other**

The Committee and staff discussed the following topics:

- Chief White hopes to have two officers attend the next bike patrol school the next time is offered
- Lighting concerns in the Battletown Townhome neighborhood
- Neighborhood watch in Battletown Townhome neighborhood

- Building maintenance code /rental property inspections

8. Adjourn

There being no further business, Ms. Dickinson made a motion to adjourn the meeting, seconded by Ms. Harrison, the motion passed by voice vote at 7:41 p.m.

**BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**August 28, 2018**

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A meeting of the Berryville Town Council Streets and Utilities Committee was held on Tuesday, August 28, 2018 at 10:30am in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:** Members of the Committee present: Diane Harrison, Chair; Pat Dickinson

Staff present: Keith R. Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Rick Boor, Director of Public Works; David Tyrrell, Director of Utilities

Press present: Mickey Powell, Winchester Star

Chair Harrison called the meeting to order at 10:48am.

**Approval of Agenda**

The agenda was approved by consent.

**Project Updates – Paving**

Mr. Boor updated the Committee on paving projects stating that W-L Construction has completed work on Swan Avenue and Rosemont Circle.

**Project Updates – Water Tank Maintenance**

Mr. Dalton said the final phase on the exterior blasting and coating is underway on the three million gallon tank. He added that the welding had been completed and said that the northwest tank work will likely be in the spring.

**Project Updates - I & I**

Mr. Dalton said that he would like to move forward with an IFB for trenchless technology for infiltration and inflow projects. He said that a budget amendment would be required and identified East Main Street and Church Street as locations for this work to occur. Ms. Dickinson asked for an explanation of infiltration and inflow which he described. Mr. Dalton added that the trenchless work would be done at night and spot repairs during the day. The Committee agreed to request the budget amendment to full Council for approval.

**Discussion – FY 2020 Budget Goals**

Chair Harrison discussed the installation of water meters. Ms. Dickinson said she needed to see a full cost of the installation. Mr. Dalton said he is requesting a plan for meter replacement by 2022 in which the project is defined and cost estimates are refined. He added that water rates need to be discussed now in order to avoid increasing the rates significantly in 2022.

Mr. Dalton said he has been in contact with the consulting engineers to confirm the cost of the utility rate study and will let the Committee know when he hears from them. He added that the rate study will also include an asset inventory and create a new hydraulic model.

Ms. Dickinson discussed looking at storm water management to review the current state of the Town's system and develop a strategy. She said it was not just engineering but wanted to look at the granular concerns on individual lots. She discussed the investments at the Port of Virginia in Norfolk and that the railroad will be adding more cars to the trains which are causing 20-minute delays at crossings. She said there will also be additional truck traffic due to this effort.

### **Speeding Concerns**

The Committee agreed to forward a resolution to request a VDOT traffic calming study to the Council in September.

### **Water and Sewer Bill Adjustment Policy**

Chair Harrison expressed concern regarding the portion of the Water and Sewer Bill Adjustment Policy that provides for an appeal to Town Council. She stated that she would like the Committee to examine the section in total. She noted that the Council was in agreement with such appeals coming to the Committee.

Ms. Dickinson stated that she had several concerns about the Policy but she wants to review the results of the water and sewer rate study before going in to detail on the matter. She noted that she thinks there can be a means by which sewer charges would not apply to the filling of pools. Chair Harrison noted that such charges can be avoided by having water hauled in if you choose.

The Committee agreed to discuss the matter further after the water and sewer rate study is complete. The Committee also agreed to review water and sewer adjustment request appeals and provide a recommendation for the Council.

### **Storm Water Concerns**

The Committee agreed to have a meeting in order to receive comment from property owners and residents regarding storm water concerns.

Ms. Dickinson noted that it is important to examine the matter fully and not assume that conditions, such as properties having sump pumps in their basements, must continue into the future. Chair Harrison noted that a comprehensive approach is needed.

The Committee agree to hold meeting on October 23, 2018 at which the public could provide input on this matter.

**Future Capital Projects**

Mr. Dalton reviewed a memorandum written to the Council on February 15, 2018. He noted that the memorandum was written to start a discussion on future needs and to underscore the need to adjust water rates soon if the projects in question are to be completed.

Mr. Dalton reviewed portion of the memorandum that covered VDOT's paving of Buckmarsh and Main Streets. He noted that any needed work that the Town can coordinate with VDOT, such as utility work, crosswalks, storm water improvements, and the like; in the window just before paving can result in significant savings by reducing asphalt patching costs. He recommended that the Council review this matter.

Ms. Dickinson stated that the Town needs to examine this matter comprehensively and needs to be looking at issues such as a U.S. Route 340 bypass and the shifting of on-street parking on Main Street to another location in order to permit significant enhancement to the downtown.

**Next Meeting**

The committee confirmed that its next meeting would be held on October 23, 2018 at 5:00 pm

**Adjourn**

There being no further business, the meeting was adjourned at 12.07 pm.

**Town of Berryville**  
Berryville-Clarke County  
Government Center  
101 Chalmers Court Suite A  
Berryville, VA 22611



[T] 540/955-1099  
[F] 540/955-4524  
[E] info@berryvilleva.gov  
  
www.berryvilleva.gov

**RESOLUTION IN HONOR OF THE 50<sup>TH</sup> ANNIVERSARY OF FISH OF CLARKE COUNTY**

WHEREAS, FISH of Clarke County is a Christian ministry that has changed the lives of our residents-in-need by providing food, clothing, transportation, emergency financial assistance, and integration into the community through the efforts of a committed network of volunteers; and

WHEREAS, FISH has created an opportunity for all residents to participate in and support their mission by accepting monetary donations; clothes and shoes; household items; non-perishable food items; and cleaning products which they then distribute to our neighbors; and

WHEREAS, FISH volunteers improve the lives of our senior citizens and the disabled by assisting them with transportation to medical care, by providing guidance and support through the HelpLine, and by working at the pantry and clothing store; and

WHEREAS, FISH has been serving the residents of Berryville for 50 years and been headquartered in Berryville since 2013; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Berryville recognizes the service provided by FISH of Clarke County to our community and congratulates the organization on 50 years of operation.

By Order of the Council of the Town of Berryville on this the ninth day of October, 2018

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Patricia Dickinson, Mayor

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Harry Lee Arnold, Jr., Recorder

**Patricia Dickinson**  
*Mayor*

**Harry Lee Arnold, Jr.**  
*Recorder*

*Council Members*

**Donna Marie McDonald**  
*Ward 1*

**Diane Harrison**  
*Ward 2*

**Erecka L. Gibson**  
*Ward 3*

**Kara C. Rodriguez**  
*Ward 4*

**Keith R. Dalton**  
*Town Manager*

Town of Berryville  
Berryville-Clarke County  
Government Center  
101 Chalmers Court Suite A  
Berryville, VA 22611



[T] 540/955-1099  
[F] 540/955-4524  
[E] info@berryvilleva.gov

www.berryvilleva.gov

### RESOLUTION OF SUPPORT

WHEREAS, The Council of the Town of Berryville, Virginia, desires to make the determination required by § 36-55.30.2:2.B of the Code of Virginia of 1950, as amended, in order for the Virginia Housing Development Authority to finance the economically mixed project (the "Project") described on Exhibit A attached hereto; and

NOW, THEREFORE, BE IT HEREBY DETERMINED as follows:

1. The ability to provide residential housing and supporting facilities that serve the persons or families of lower or moderate income will be enhanced if a portion of the units in the Project are occupied or held available for occupancy by persons and families who are not of low and moderate income; and
2. Private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe, and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the surrounding area of the Project and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

By Order of the Council of the Town of Berryville on this the ninth day of October, 2018.

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Patricia Dickinson, Mayor

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Harry Lee Arnold, Jr., Recorder

---

Patricia Dickinson  
Mayor

---

Harry Lee Arnold, Jr.  
Recorder

*Council Members*

Donna Marie McDonald  
Ward 1

Diane Harrison  
Ward 2

Erecka L. Gibson  
Ward 3

Kara C. Rodriguez  
Ward 4

Keith R. Dalton  
Town Manager

EXHIBIT A

Robert Regan Village is a proposed new construction multifamily development for seniors with 120 total units. 100 units will be set aside at restricted rent levels for persons with incomes at or below 60% of the Area Median Income. 20 units will have no income restriction and will be leased at market rate.

Address for Robert Regan Village will be 418 Mosby Boulevard, Berryville, Clarke County, Virginia 22611.

Town of Berryville  
Resolution  
Charter Amendments

**WHEREAS**, the Berryville Town Council determined that it was appropriate to comprehensively review the Town Charter and propose amendments thereto for adoption by the General Assembly pursuant to § 15.2-202 of the Virginia Code; and

**WHEREAS**, notice of a public hearing at which citizens had the opportunity to be heard on the proposed amendments was given in accordance with said statute and the public hearing was held on October 9, 2018; and

**WHEREAS**, the Town Council has determined that amendment of the Town Charter as proposed will be in the interest of the Town and its citizens.

**NOW, THEREFORE, BE IT RESOLVED** that the Berryville Town Council hereby approves a request on behalf of the Town of Berryville that the General Assembly amend its existing Charter in accordance with the proposed amended Charter attached hereto.

**BE IT FURTHER RESOLVED** that the Town Manager is authorized to sign all correspondence and documents reasonably required to process this request and submit two copies of this resolution, the proposed amended Charter and append certified copies of minutes evidencing the action taken on this matter and the publisher's affidavit evidencing that the public hearing was advertised, to the members of the General Assembly representing the Town.

VOTE:

Ayes:

Nays:

Abstentions:

Absent for Vote

Adopted: October 9, 2018

\_\_\_\_\_  
Patricia Dickinson, Mayor

\_\_\_\_\_  
Harry Lee Arnold, Jr., Recorder

AMENDED AND RESTATED CHARTER OF THE  
TOWN OF BERRYVILLE

Established 1798.

Moved from County of Frederick to County of Clarke, 1841.

Incorporation and Charter, 1870, c. 366; repealed, 1898, c. 819.

Charter, 1898, c. 819; repealed, 1971, c. 112.

Charter, 1971, c. 112.

Amended 1972, c. 29 (§ 3.2)

1994, c. 324 (§§ 2.3, 4.2, 7.1, 7.3).

CHAPTER 1.

INCORPORATION AND BOUNDARIES.

§ 1.1. Incorporation.--The inhabitants of the territory comprised within the present limits of the town of Berryville, as such limits are now or may hereafter be altered and established by law, shall constitute and continue a body politic and corporate to be known and designated as the town of Berryville, and as such shall have perpetual succession, may sue and be sued, implead and be impleaded, contract and be contracted with, and may have a corporate seal which it may alter, review or amend at its pleasure by proper ordinance.

§ 1.2. Boundaries.--The corporate boundaries of the town of Berryville shall be as follows:

Beginning at a pipe in the west side of North Buckmarsh Street (U.S. Route No. 340), such point being at the intersection of the west right-of-way line of North Buckmarsh Street and an extension of the north lot line of the Episcopal parsonage; thence along the west right-of-way line of North Buckmarsh Street, N 27° 43' E. a distance of 634.47 feet to a pipe; thence N. 45° 42' W. 2241.36 feet along the rear lot lines on the north side of Walnut Street to a pipe; thence S. 56° 34' 30" W. a distance of 160.38 feet to a pipe; thence S. 45° 45' 30" W. a distance of 4490.77 feet to a pipe in the

orchard of H. F. Byrd, such line crossing West Main Street (Va. Route 7); thence, still through the orchards of H. F. Byrd and other properties, S. 57° 25' E. a distance of feet to a spike in the center line of South Church Street; thence S. 53° 42' E. a distance of 1736.86 feet to a pipe, such line crossing the Norfolk and Western Railway right-of-way; thence along a 13° 13' curve, parallel to the Norfolk and Western Railway, such curve having a tangent bearing of N. 62° 10' E. and a tangent distance of 250.80 feet to a pipe and point of intersection; thence still parallel to the Norfolk and Western Railway N. 49° 03' E. a distance of 2484.97 feet to a point of intersection of a 15° 38' curve, the corporate limits following the curve; thence N. 64° 44' E. a distance of 585.77 feet to a pipe; thence N. 49° 41' W. a distance of 3315.36 feet to a pipe and the place of beginning. (1971, c. 112)

plus the following additions:

Annexation Area A

Adopted 12/29/88  
Effective 1/1/89  
Acreage 350 acres  
Deed Book Reference DB 193 Pg 226

Annexation Area B1

Adopted 11/10/92  
Effective 1/1/93  
Acreage 7.691 acres  
Deed Book Reference DB 227 Pg 779

Annexation Area B2

Adopted 11/9/93  
Effective 1/1/94  
Acreage 8.965 acres  
Deed Book Reference DB 237 Pg 794

Annexation Area B3

Adopted 11/21/95  
Effective 1/1/96  
Acreage 63.0898 acres  
Deed Book Reference DB 258 Pg 156

Annexation Area B4  
Adopted 11/11/97  
Effective 1/1/98  
Acreage 10.5316 acres  
Deed Book Reference DB 279 Pg 257

Annexation Area B5  
Adopted 11/9/1999  
Effective 1/1/2000  
Acreage 196.5 acres  
Deed Book Reference DB 308 Pg 685

Annexation Area B6  
Adopted 11/12/02  
Effective 1/1/03  
Acreage 114.38 acres  
Deed Book Reference DB 364 Pg 501

Annexation Area B7  
Adopted 11/9/04  
Effective 1/1/05  
Acreage 42.2588 acres  
Deed Book Reference DB 421 Pg 722

Annexation Area B8  
Adopted 11/14/06  
Effective 1/1/07  
Acreage 41.81 acres  
Deed Book Reference DB 472 Pg 284

§ 1.3. Wards.--The town of Berryville shall be divided into four wards. The boundaries of such wards shall be established by the town council by ordinance.

## CHAPTER 2.

### POWERS.

§ 2.1. General grant of powers.--The town of Berryville shall have and may exercise all powers which are now or hereafter may be conferred upon or delegated to

towns under the Constitution and laws of the Commonwealth of Virginia, as fully and completely as though such powers were specifically enumerated herein, and no enumeration of particular powers by this charter shall be held to be exclusive, and the town shall have, exercise and enjoy all the rights, immunities, powers and privileges, and be subject to all the duties and obligations, now appertaining to and incumbent on the town as a municipal corporation.

§ 2.2. Adoption of certain sections of Code of Virginia.--The powers set forth in §§ 15.2-1100 through 15.2-1133, both inclusive, of Chapter 11 of Title 15.2 of the Code of Virginia, as in force on January 1, 2019, are hereby conferred on and vested in the town of Berryville.

§ 2.3. Eminent domain.--The powers of eminent domain set forth in Chapter 19 of Title 15.2, Title 25.1, and Chapter 10 of Title 33.2 of the Code of Virginia, as amended, and all acts amendatory thereof and supplemental thereto, *mutatis mutandis*, are hereby conferred upon the town of Berryville subject to the provisions of § 25.1-200.

(a) In any case in which a petition for condemnation is filed by or on behalf of the town, a true copy of a resolution or ordinance duly adopted by the town council declaring the necessity for any taking or damaging of any property, within or without the town, for the public purposes of the town, shall be filed with the petition and shall constitute sufficient evidence of the necessity of the exercise of the powers of eminent domain by the town. The town may employ the procedures conferred by the foregoing laws, *mutatis mutandis*, and may, in addition thereto, proceed as hereinafter provided.

(b) Certificates issued pursuant to §§ 33.2-1019 to 33.2-1029, inclusive, Code of Virginia, as amended, and acts amendatory thereof and supplemental thereto, may be issued by the town council, signed by the mayor and countersigned by the town treasurer.

Such certificate shall have the same effect as certificates issued by the Commonwealth Transportation Commissioner, under the aforesaid laws, and may be issued in any case in which the town proposes to acquire property or interest therein by the exercise of its powers of eminent domain for any lawful public purpose, whether within or without the town; provided, that the condemnation authority shall be subject to the provisions of § 25.1-200 of the Code of Virginia.

(c) In addition to the powers conferred by the aforesaid laws, such certificates may be amended or canceled by the court having jurisdiction of the proceedings, upon petition of the town, at any time after the filing thereof; provided, that the court shall have jurisdiction to make such order for the payment of costs and damages, if any, or the refund of any excessive sums theretofore paid pursuant to such certificate as shall, upon due notice and hearing, appear just. The court shall have jurisdiction to require refunding bonds, for good cause shown by the town or any other person or party in interest, prior to authorizing any distribution of funds pursuant to any certificate issued or deposit made by the town.

### CHAPTER 3.

#### MAYOR, VICE MAYOR, AND COUNCIL.

§ 3.1. Composition of council; qualifications of mayor, vice mayor, and council members -- The town of Berryville shall be governed by a town council composed of the mayor, the vice mayor, and four council members. The mayor, vice mayor, and council members shall be residents and qualified voters of the town. The mayor and vice mayor shall be elected from the town at large. The four council members shall reside one in each ward of the town, but shall be elected by all of the qualified voters of the town.

§ 3.2 Office of vice mayor/office of recorder – The office of vice mayor shall

become effective on July 1, 2022, and the office of recorder shall remain effective until July 1, 2022.

§ 3.3. Election and term of office of mayor, vice mayor, and council members -- Elections for mayor, vice mayor, and council members shall be held on the first Tuesday in May of each even-numbered year. On the first Tuesday in May, 2020, a mayor and council members from Wards 1 and 3 shall be elected for a term of four years. On the first Tuesday in May, 2022, a vice mayor and council members from Wards 2 and 4 shall be elected for terms of four years.

§ 3.4. When terms of office to begin.--The terms of office for the mayor, vice mayor, and council members shall begin on the first day of July next following their election.

§ 3.5. Oath of office.--The mayor, vice mayor, and council members shall each, before entering upon the duties of their office, make oath or affirmation that they will truly, faithfully, and impartially discharge the duties of their offices to the best of their abilities, so long as they shall continue therein.

§ 3.6. Vacancies in office.--Vacancies in the office of mayor, vice mayor, or council member shall be filled within forty-five days for the unexpired terms by a majority vote of the remaining members of the town council.

§ 3.7. When new election for mayor, vice mayor, or council member required.--If any person who shall have been duly elected mayor, vice mayor, or council member shall not be eligible, as herein prescribed, or shall refuse to take the oath or affirmation required under this Charter within two weeks from the day of the beginning of the term of office, the town council shall declare the office vacant, and shall order a new election for mayor, vice mayor, or council member as the case may be.

§ 3.8. Powers and duties of mayor.-- The mayor shall be a member of the town

council, shall preside over the meetings of the town council, and shall have the same right to speak and vote therein as other members of the town council. The mayor shall be recognized as the head of the town government for all ceremonial purposes, for the purposes of military law, and for the service of civil processes. The mayor shall have no power of veto over the ordinances and resolutions of the town council.

§ 3.9. Powers and duties of vice mayor; vice mayor to act as mayor during absence, disability, etc., of mayor.—The vice mayor shall be a member of the town council and shall have the same right to speak and vote therein as other members of the town council. In the absence from the town, or disqualification, inability, or sickness of the mayor, or during any vacancy in the office of mayor, the vice mayor shall perform the duties of the mayor and be vested with all powers of the mayor. The recorder shall have the powers and duties of the vice mayor as set forth above until July 1, 2022.

§ 3.10. Absence or disability of mayor and vice mayor.--If both the mayor and vice mayor are absent or unable to act, the town council shall, by a majority vote of the members present, elect from its members a person to serve as acting mayor until either the mayor or vice mayor is present and able to act. The person so elected shall possess the powers and discharge the duties of the mayor during such period of time.

§ 3.11. Council a continuing body.--The town council shall be a continuing body, and no measures pending before such body, or any contract or obligation incurred by it, shall abate or be discontinued by reason of the expiration of the term of office or removal of any of its members.

§ 3.12. General grant of powers to council.--The town council shall have all powers and authority that are now or may hereafter be granted to councils of towns by the general laws of the Commonwealth and by this charter, and the recital of special powers

and authorities herein shall not be taken to exclude the exercise of any power and authority granted by the general laws of the Commonwealth to town councils, but not herein specified.

§ 3.13. Meetings of council.--The town council shall fix the time of their regular meetings.. Special meetings may be called at any time by the mayor or by three members of the town council; provided, that all members shall be duly notified a reasonable period of time prior to any special meeting.

§ 3.14. Quorum; reconsideration of action.--Three members of the town council shall constitute a quorum for the transaction of business. No vote taken at any meeting shall be reconsidered or rescinded at any subsequent special meeting unless at such special meeting there are as many members of the town council present as were present when such vote was taken.

§ 3.15. Rules of order and procedure.--The town council shall establish its own rules of order and procedure, and may punish its own members and other persons for violations thereof.

§ 3.16. Council to fix salaries.--The town council is hereby authorized to fix the salaries of each of the members of the town council, members of boards or commissions, and all appointed officers. The salaries of the mayor, vice mayor, and council members shall not be changed during the term for which they were elected.

#### CHAPTER 4.

#### TOWN MANAGER.

§ 4.1. Appointment and qualifications.--There shall be a town manager, who shall be the executive officer of the town and shall be responsible to the town council for the proper administration of the town government. The town manager shall be appointed by

the town council for an indefinite term, and shall serve at the pleasure of the town

council. The town manager shall be chosen solely on the basis of executive and administrative qualifications, with special reference to actual experience in or knowledge of accepted practice in respect to the duties of the office. At the time of the appointment the town manager need not be a resident of the town or the Commonwealth, but during the tenure of office shall reside within Clarke County.

§ 4.2. Duties.--It shall be the duty of the town manager to:

- (a) Attend all meetings of the town council, with the right to speak but not to vote.
- (b) Keep the town council advised of the financial condition and the future needs of the town and of all matters pertaining to its proper administration, and make such recommendations as may seem desirable.
- (c) Prepare and submit the annual budget to the town council and be responsible for its administration after its adoption.
- (d) Present adequate financial and activity reports as required by the town council.
- (e) Arrange for an annual audit by a certified public accountant, the selection of whom shall be approved by the town council.
- (f) Be responsible for supervision of all town employees.
- (g) Perform such other duties as may be prescribed by this charter or required of the town manager in accordance therewith by the town council or which may be required of the chief executive officer of a town by the general laws of the Commonwealth, other than the duties conferred on the mayor by this charter.

§ 4.3. Powers as to town officers and employees.--All officers and employees of the town, except those appointed by the town council pursuant to this charter or the general laws of the Commonwealth, shall be appointed and may be removed by the town manager, who shall advise the town council of each appointment or removal promptly

following any such appointment or removal.

§ 4.4. Temporary transfer of personnel between departments.--The town manager shall have power, whenever the interests of the town require, irrespective of any other provisions of this charter, to assign employees of any department, bureau, office, or agency to the temporary performance of duties in another department, bureau, office, or agency.

§ 4.5. Council not to interfere in appointments or removals; relationship with council.--Neither the town council nor any of its members, including the mayor and vice mayor, shall direct or request the appointment of any person to or removal from any office or employment by the town manager or by any subordinates or in any way take part in the appointment or for removal of officers and employees of the town, except as specifically provided in this charter. Except for the purpose of inquiry, the town council and its members shall deal with the administrative services solely through the town manager, and neither the town council nor any member thereof shall give orders, either publicly or privately, to any subordinate of the town manager.

§ 4.6. Relations with boards, commissions and agencies.--The town manager shall have the right to attend and participate in the proceedings of, but not vote in, the meetings of all boards, commissions, or agencies created by this charter or by ordinance and any other board or commission the town council may designate.

§ 4.7. Acting town manager.--The town council shall designate by resolution a person to act as town manager in case of the extended absence, incapacity, death, or resignation of the town manager, until the town manager's return to duty or the appointment of a successor.

## CHAPTER 5.

### APPOINTIVE OFFICERS.

§ 5.1. Appointment.--The town council may appoint the following officers of the town as they may deem necessary: town manager, assistant town manager for administration/treasurer, assistant town manager for community development/operations, and town attorney. Such officers shall be appointed for an indefinite term, and shall serve at the pleasure of the town council. The enumeration of officers in this section shall not be construed to require the appointment of any of such officers herein named. Officers appointed by the town council shall perform such duties as may be specified by the town council.

§ 5.2. Deputies and assistants.--The town council may establish a deputy or assistant position for the appointive offices as the town council may deem necessary. The town manager shall appoint and supervise such deputies and assistants.

§ 5.3. Appointment of one person to more than one office.--The town council may appoint the same person to more than one appointive office, at the discretion of the town council.

## CHAPTER 6

### FINANCIAL PROVISIONS.

§ 6.1. Fiscal year.--The fiscal year of the town shall begin on July 1 of each year and end on June 30 of the year following.

§ 6.2. Actions against town for damages, etc.

(a) No action shall be maintained against the town for damages for any injury to any person or property alleged to have been sustained by reason of the negligence of the town, or any officer, agent, or employee thereof, unless written notice is given to the town

in accordance with Va. Code § 15.2-209.

(b) In any action against the town to recover damages against it for any negligence in the construction or maintenance of its streets, alleys, lanes, parks, public places, sewers, reservoirs, water mains, water treatment plant, wastewater treatment plant, stormwater system, or other town facilities, where any person or corporation is liable with the town for such negligence, every such person or corporation shall be joined as defendant with the town in such action brought to recover damages for such negligence, and where there is a judgment or verdict against the town, as well as the other defendant, it shall be ascertained by the court or jury which of the defendants is primarily liable for the damages assessed.

(c) If it is ascertained by the judgment of the court that some person or corporation other than the town is primarily liable, there shall be a stay of execution against the town until execution against such person or persons or corporation or corporations shall have been returned without realizing the full amount of such judgment.

(d) If the town, when not primarily liable, shall pay such judgment in whole or in part, the plaintiff shall, to the extent that such judgment is paid by the town, assign the judgment to the town, without recourse on the plaintiff, and the town shall be entitled to have execution issued for its benefit against the other defendant or defendants who have been ascertained to be primarily liable, or may institute any suit to enforce such judgment or an action at law, or scire facias to revive such judgment.

(e) No order shall be entered or made, and no injunction shall be awarded by any court or judge, to stay proceedings of the town in the prosecution of their works, unless it be manifest that they, their officers, agents, or servants are transcending the authority given them in this charter, and that the interposition of the court is necessary to prevent

injury that cannot be adequately compensated in damages.

(f) The town council is authorized and empowered to compromise any claim for damages or any suit or action brought against the town.

§ 6.3. Creation of debt; issuance of bonds.--The town council by a majority vote is authorized to cause the town to incur debt and to issue bonds, notes and other evidences of indebtedness for the purposes and in the manner set forth for towns in the Constitution of the Commonwealth of Virginia and the Public Finance Act Chapter 26 of Title 15.2 of the Code of Virginia, or any acts amendatory thereof or supplemental thereto.

## CHAPTER 7.

### MISCELLANEOUS.

§ 7.1. Elections governed by State law.--All town elections shall be held and conducted in the manner prescribed by the laws of the Commonwealth.

§ 7.2. Bonds of officers and employees.--The town council may require all or any officers and employees of the town to give bond for the faithful and proper discharge of their duties. As used herein, the words "officers and employees" shall include officers and employees paid solely or partly by the town. The town shall pay the premium on such bonds from the town funds and may provide for individual surety bonds or for a bond covering all officers and employees or any group thereof. The bond shall be payable to the town as its interest may appear in event of breach of the conditions thereof.

§ 7.3. United States government employees.--No person, otherwise eligible, shall be disqualified by reason of his accepting or holding an office, post, trust, or emolument under the United States government, from serving as an officer or employee of the town, or as a member, officer, or employee of any board or commission.

§ 7.4. Acceptance of federal aid, contributions, etc.--The town shall have the

power to receive and accept from any federal agency grants of any kind for or in aid of the construction of any project, the procuring or reserving of park land, open spaces or any recreational facility, and to do all such things or make any covenants or agreements which may be necessary or required in order to obtain and use such federal grants. The town may receive and accept aid or contributions from any source or money, property, labor, or other things of value, to be held, used, and applied only for the purposes for which such grants and contributions may be made.

§ 7.5. Conflicts of interest; disclosures of interest.--The town council is hereby empowered to enact a conflict of interest and disclosure ordinance to govern elected and/or appointed town officials not inconsistent with general law.

§ 7.6. Present officers to continue.--The present elected officers of the town shall be and remain in office until expiration of their several terms, and until their successors have been duly elected and qualified.

§ 7.7. Ordinances continued in force.--All ordinances now in force in the town of Berryville, not inconsistent with this charter, shall be and remain in force until altered, amended, or repealed by the town council.

§ 7.8. Severability of provisions.--If any clause, sentence, paragraph, or part of this charter shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this charter, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

AN ORDINANCE REPEALING AND RE-ADOPTING CHAPTERS 1, 2, AND 3 – GENERAL PROVISIONS, ADMINISTRATION, AND ADVERTISING OF THE CODE OF THE TOWN OF BERRYVILLE

BE IT ORDAINED, by the Council of the Town Of Berryville, that Chapters 1, 2, and 3 – General Provisions, Administration, and Advertising, of the Code of the Town of Berryville be repealed and re-adopted as attached.

I HEREBY CERTIFY THAT THE FOREGOING Ordinance was duly adopted by the Council of the Town of Berryville in meeting assembled October 9, 2018 and will become effective immediately.

Signed: \_\_\_\_\_  
Patricia Dickinson, Mayor

Date: October 9, 2018

Attest: \_\_\_\_\_  
Harry L. Arnold, Jr., Recorder

Date: October 9, 2018

Chapter 1 - GENERAL PROVISIONS

Sec. 1-1. - How Code designated and cited.

The ordinances embraced in this and the following chapters and sections shall constitute and be designated as the "Code of the Town of Berryville, Virginia" and may be so cited. Such ordinances may also be cited as the "Berryville Town Code."

(Code 1971, § 1-1)

**State Law reference**— Authority of town to codify and recodify its ordinances, Code of Virginia, § 15.2-1433.

Sec. 1-2. - Definitions and rules of construction.

In the interpretation and construction of this Code and of all ordinances and resolutions of the town, the following rules of construction and definitions shall be observed, unless they are inconsistent with the manifest intent of the council or the context clearly requires otherwise:

*And, or.* "And" may be read as "or" and "or" may be read as "and," if the sense requires it.

*Bond.* When a bond is required, an undertaking in writing, with such surety, if any, as the council may direct, shall be sufficient.

*Charter.* The word "Charter" shall mean the Charter of the Town of Berryville, as amended.

*Code.* Whenever the term "Code" or "this Code" is used without further qualification, it shall mean the "Berryville Town Code," as designated in section 1-1.

*Computation of time.* The time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day be Sunday or a legal holiday, that day shall be excluded.

*Council.* The term "council" or "town council" shall mean the council of the Town of Berryville, Virginia.

*County.* The word "county" shall mean the County of Clarke in the State of Virginia.

*Following.* The word "following," when used by way of reference to any section or subsection of this Code, shall be construed to mean next following that in which such reference is made.

*Gender.* A word importing the masculine gender only may extend and be applied to females and to firms, partnerships and corporations, as well as to males.

*Health officer.* The term "health officer" shall mean the public health officer of Clarke County or representative of the state board of health serving this county.

*In the town.* The words "in the town" or "within the town" shall mean any territory, jurisdiction of which, for the exercise of its regulatory power, has been conferred on the town by public or private law.

*Month.* The word "month" shall mean a calendar month.

*Number.* A word importing the singular number only may extend and be applied to several persons or things, as well as to one person or thing, and a word importing the plural number only may extend and be applied to one person or thing, as well as to several persons or things.

*Oath.* The word "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath.

*Occupant or tenant.* The word "occupant" or "tenant," applied to a building or land, shall mean any person who holds a written or oral lease of, or actually occupies the whole or a part of, such building or land, either alone or with others.

*Officers, boards, etc.* Whenever reference is made to a particular officer, department, board, commission or other agency, without further qualification, it shall be construed as if followed by the words "of the Town of Berryville." Any reference to a specific officer shall include that officer's duly authorized deputies, assistants or other representatives, subject, however, to the provisions of section 15.2-1502 of the Code of Virginia.

*Official time standard.* Whenever particular hours are referred to, the time applicable shall be official standard time or daylight saving time, whichever may be in current use in the town.

*Owner.* The word "owner," applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building or land.

*Person.* The word "person" shall include a firm, partnership, association of persons, corporation, organization or any other group acting as a unit.

*Preceding.* The word "preceding," when used by way of reference to any section or subsection of this Code, shall be construed to mean next preceding that in which such reference is made.

*Property.* The word "property" shall mean real, personal or mixed property.

*Public grounds.* The words "public grounds" shall mean the parks and all public lands owned by the town, and those parts of public places which do not form traveled parts of streets, as defined in this section.

*Shall.* The word "shall" shall be mandatory.

*Sidewalk.* The word "sidewalk" shall mean any portion of a street between the curb line, or the lateral lines of a roadway where there is no curb, and the adjacent property line intended for the use of pedestrians.

*Section numbers.* Whenever reference is made to a section by number only (e.g. "section 2-1") without further qualification, it shall be construed as referring to that section of this Code.

*Signature; subscription.* The words "signature" and "subscription" shall include a mark when the person cannot write, his name being written near it and being witnessed by a person who writes his own name as a witness.

*State; commonwealth.* The terms "the state," "the commonwealth," "this state" and "this commonwealth" shall be construed as if followed by the words "of Virginia."

*State Code.* References to the "State Code" or the "Code of Virginia" shall mean the Code of Virginia, 1950, as amended.

*Street.* The word "street" shall include avenues, boulevards, highways, roads, alleys, lanes, viaducts, bridges, and the approaches thereto, and all other public thoroughfares in the town, and shall mean the

entire width thereof between abutting property lines. It shall be construed to include a sidewalk or footpath, unless the contrary is expressed or unless such construction would be inconsistent with the manifest intent of the council.

*Swear; sworn.* The word "swear" or "sworn" shall be equivalent to the word "affirm" or "affirmed" in all cases in which, by law, an affirmation may be substituted for an oath.

*Tense.* Words used in the past or present tense include the future as well as the past and present.

*Town.* The words "town," "the town" and "this town" shall mean the Town of Berryville, in the County of Clarke and State of Virginia.

*Written; in writing.* The words "written" and "in writing" shall include typewriting, printing on paper and any other mode of representing words, letters or figures.

*Year.* The word "year" shall mean a calendar year.

(Code 1971, § 1-5)

**State Law reference**— Similar definitions and rules of construction applicable to state law, Code of Virginia, § 1-200, et seq.

Sec. 1-3. - Headlines of sections.

The headlines of the several sections of this Code printed in boldface type are intended as mere catchwords to indicate the contents of the section and do not constitute part of the section adopted by council.

(Code 1971, § 1-4)

**State Law reference**— Similar provisions as to sections of state code, Code of Virginia, § 1-217.

Sec. 1-4. - Severability of parts of Code.

It is hereby declared to be the intention of the council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

(Code 1971, § 1-3)

Sec. 1-5. - Provisions of Code considered as continuations of existing ordinances.

The provisions appearing in this Code, so far as they are the same in substance as those of the 1971 Berryville Town Code and ordinances adopted subsequent to such Code and included herein, shall be considered as continuations thereof and not as new enactments.

(Code 1971, § 1-2)

Sec. 1-6. - Miscellaneous ordinances not affected by Code.

Nothing in this Code or the ordinance adopting this Code shall affect:

- (1) Any ordinance promising or guaranteeing the payment of money by or for the town or authorizing the issuance of any bonds or any evidence of indebtedness;
- (2) Any ordinance authorizing or otherwise relating to any contract;
- (3) Any ordinance granting any franchise or right;
- (4) Any ordinance appropriating funds, levying or imposing taxes or relating to an annual budget or the salaries or compensation of officers and employees;
- (5) Any ordinance authorizing, providing for or otherwise relating to any public improvement;
- (6) Any ordinance making any assessment;

- (7) Any ordinance authorizing or otherwise relating to the sale or conveyance of town property;
- (8) Any zoning ordinance or ordinance regulating the subdivision of land; <sup>11</sup>
- (9) Any ordinance the purposes of which have been accomplished;
- (10) Any ordinance which is temporary, although general in effect; or
- (11) Any ordinance which is special, although permanent in effect;

and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.

Footnotes:

--- (1) ---

**Cross reference**— Zoning ordinance, App. A; subdivision ordinance, App. B.

Sec. 1-7. - Code and new ordinances do not affect prior offenses, rights, etc.

- (a) Nothing in this Code or the ordinance adopting this Code shall affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or accruing, or any prosecution, suit or proceeding pending or any judgment rendered, on or before the effective date of this Code.
- (b) No new ordinance shall be construed to repeal a former ordinance as to any offense committed against the former ordinance or as to any act done, any penalty, forfeiture or punishment incurred, or any right accrued or claim arising under the former ordinance, or in any way whatever to affect any such offense or act so committed or done, or any penalty, forfeiture or punishment so incurred, or any right accrued, or claim arising before the new ordinance takes effect, save only that the proceedings thereafter had shall conform, so far as practicable, to the ordinance in force at the time of such proceedings.

**State Law reference**— Similar provisions applicable to state statutes, Code of Virginia, § 1-239.

Sec. 1-8. - Repeal of ordinance not to revive former ordinance.

When any ordinance which has repealed another shall itself be repealed, the previous ordinance shall not be revived without express words to that effect.

**State Law reference**— Similar provisions applicable to state statutes, Code of Virginia, § 1-240.

Sec. 1-9. - Supplementation of Code.

- (a) By contract or by town personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the council. A supplement to the Code shall include all substantive permanent and general parts of ordinances adopted during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.
- (b) In preparing a supplement to this Code, all portions of the Code which have been replaced shall be excluded from the Code by the omission thereof from reprinted pages.
- (c) When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified Code. For example, the codifier may:
  - (1) Organize the ordinance material into appropriate subdivisions;
  - (2) Provide appropriate headlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles;

- (3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;
- (4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections \_\_\_\_\_ to \_\_\_\_\_" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code);
- (5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

**State Law reference**— Authority to supplement Code, Code of Virginia, § 15.2-1433.

Sec. 1-10. - Copies of Code and supplements to be available for public inspection.

A copy of this Code and every supplement thereto shall be kept in the office of the town clerk and shall there be available for public inspection, during normal business hours. Also, this Code shall be accessible through the town website.

**State Law reference**— Similar provisions, Code of Virginia, § 15.2-1433.

Sec. 1-11. - Classification of and penalties for violations; continuing violations.

- (a) Whenever in this Code or any other ordinance of the town or any rule or regulation promulgated by any officer or agency of the town, under authority duly vested in such officer or agency, it is provided that a violation of any provision thereof shall constitute a Class 1, 2, 3 or 4 misdemeanor, such violation shall be punished as follows:

- (1) *Class 1 misdemeanor*: By a fine of not more than two thousand five hundred dollars (\$2,500.00), or by confinement in jail for not more than twelve (12) months, or by both such fine and confinement.
  - (2) *Class 2 misdemeanor*: By a fine of not more than one thousand dollars (\$1,000.00) or by confinement in jail for not more than six (6) months, or by both such fine and confinement.
  - (3) *Class 3 misdemeanor*: By a fine of not more than five hundred dollars (\$500.00).
  - (4) *Class 4 misdemeanor*: By a fine of not more than two hundred fifty dollars (\$250.00).
- (b) Whenever in any provisions of this Code or in any other ordinance of the town or any rule or regulation promulgated by an officer or agency of the town, under authority duly vested in such officer or agency, any act is prohibited or is made or declared to be unlawful or an offense or misdemeanor, or the doing of any act is required, or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided for the violation of such provision and such violation is not described as being of a particular class of misdemeanor, such violation shall constitute a Class 1 misdemeanor and be punished as prescribed in subsection (a)(1) above.
- (c) Notwithstanding any other provision of this section or any other section of this Code, no penalty for a violation of this Code or other ordinance, rule or regulation of the town shall exceed that prescribed by general law of the state for a like offense.
- (d) Each day any violation of this Code or any other ordinance, rule or regulation referred to in this section shall continue shall constitute a separate offense, except where otherwise provided.

(Code 1971, § Art. 6-1; Ord. of 12-11-90; Ord. of 4-9-91)

**State Law reference**— Classification of misdemeanors and punishment therefor, Code of Virginia, §§ 18.2-9, 18.2-11; authority of town to provide penalties for violation of ordinances and provisions similar to subsection (c) above, § 15.2-1429; authority of court trying case, upon

conviction, to require bond conditioned that the person convicted will not violate the ordinance for the breach of which he was convicted for a period of not more than one year, § 15.2-1430; injunctive relief for continuing violations of ordinances, § 15.2-1432.

Sec. 1-12. - Installment, conditional, etc., payment of fines—Generally.

- (a) Whenever a defendant is convicted of a violation of any provision of this Code or other ordinance of the town, or found not innocent in the case of a juvenile, and is sentenced to pay a fine, and if the defendant does not pay the fine forthwith or by a date certain established by the court, the court, on its own motion or on motion of the defendant, may order the defendant to pay such fine and any costs which the defendant may be required to pay in installments or upon such other terms and conditions or within such period of time as may enable the defendant to pay such fine and costs. In determining whether to make such order, the court may require the defendant to file a petition, under oath, with the court, upon a form provided by the court, setting forth the financial condition of the defendant.
- (b) The form referred to in subsection (a) above shall be a questionnaire, and shall include, but shall not be limited to: The name and residence of the defendant; his occupation, if any; his family status and the number of persons dependent upon him; his monthly income; whether or not his dependents are employed and, if so, their approximate monthly income; his banking accounts, if any; real estate owned by the defendant, or any interest he may have in real estate, and income produced therefrom; any independent income accruing to the defendant; tangible and intangible personal property owned by the defendant, or in which he may have an interest; and a statement listing the approximate indebtedness of the defendant to other persons. Such form shall also include a payment plan of the defendant, if the court should exercise its discretion in permitting the payment of such fine and costs in installments or other conditions to be fixed by the court. At the end of such form there shall be printed in bold face type, in a distinctive color, the following: THIS STATEMENT IS MADE UNDER OATH. ANY FALSE STATEMENT OF A MATERIAL FACT TO ANY QUESTION CONTAINED HEREIN SHALL CONSTITUTE PERJURY UNDER THE PROVISIONS OF SECTION 18.2-434 OF

THE CODE OF VIRGINIA. THE MAXIMUM PENALTY FOR PERJURY IS CONFINEMENT IN THE PENITENTIARY FOR A PERIOD OF TEN YEARS. A copy of the petition shall be retained by the defendant.

- (c) If the defendant is unable to read or write, the court or the clerk may assist the defendant in completing the petition referred to in this section and require him to affix his mark thereto. The consequences of the making of a false statement shall be explained to such defendant.

(Code 1971, §§ 6-2, 6-3)

**State Law reference**— Similar provisions, Code of Virginia, §§ 19.2-354, 19.2-355.

Sec. 1-13. - Same—Payment as condition of probation or suspension of sentence.

If a defendant is sentenced to pay a fine and payment of the fine or fine and costs is ordered to be made on an installment basis or on other conditions under the provisions of section 1-12, and if the defendant is also placed on probation or imposition of the execution of sentence is suspended, the court may make payment of the fine pursuant to such order a condition of probation or suspension of sentence.

(Code 1971, § 6-4)

**State Law reference**— Similar provisions, Code of Virginia, § 19.2-356.

Sec. 1-14. - Same—Defendant may be required to be of peace and good behavior pending payment.

If a defendant is permitted to pay a fine or fine and costs on an installment basis or under such other conditions as the court shall fix under the provisions of section 1-12, the court may require, as a condition, that the defendant be of peace and good behavior until the fine and costs are paid.

(Code 1971, § 6-5)

**State Law reference**— Similar provisions, Code of Virginia, § 19.2-357.

Sec. 1-15. - Same—Procedure on default.

- (a) When a person sentenced to pay a fine defaults in the payment of the fine or an installment, the court, upon the motion of the Commonwealth or upon its own motion, may require him to show cause why he should not be imprisoned or fined for nonpayment.
- (b) Following an order to show cause under this section, unless the defendant shows that his default was not attributable to an intentional refusal to obey the sentence of the court, or not attributable to a failure on his part to make a good faith effort to obtain the necessary funds for payment, the court may order the defendant imprisoned as for a contempt for a term not to exceed sixty (60) days or impose a fine not to exceed five hundred dollars (\$500.00). The court may provide in its order that payment or satisfaction of the fine in default at any time will entitle the defendant to his release from such imprisonment or, after entering the order, may at any time reduce the sentence for good cause shown, including payment or satisfaction of such fine.
- (c) If it appears that the default is excusable under the standards set forth in subsection (b) hereof, the court may enter an order allowing the defendant additional time for payment, reducing the amount of the fine or of each installment, or remitting the unpaid portion, in whole or in part.
- (d) Nothing in this section shall be deemed to alter or interfere with employment, for collection of fines, of any means authorized for the enforcement of money judgments rendered in favor of the town.

(Code 1971, § 6-6)

**State Law reference**— Similar provisions, Code of Virginia, § 19.2-358.

**Chapter 2 - ADMINISTRATION**

**ARTICLE I. - IN GENERAL**

**Sec. 2-1. - Town manager to exercise control over town departments and offices.**

The town manager shall exercise general control over all departments and offices of the town not inconsistent with the provisions of the Charter and other provisions of this Code.

(Ord. of 11-10-81, § 2-27)

**Charter reference—** Charter reference—Town manager, Ch. 4.

**Sec. 2-1.1 – Town Clerk.**

A town clerk shall be appointed by the town manager, and shall keep the minutes of the proceedings of the town council, shall have charge of and preserve the records of the town, and shall perform such other duties as assigned by the town manager.

**Sec. 2-1.2. - Criminal background checks by town manager.**

The town council determines that, in the interest of public welfare or safety, it is necessary to determine if the past criminal conduct of a person with a conviction record would be compatible with their employment by the town. To this end, the town manager shall conduct an investigation of applicants for employment with the town to obtain their criminal history record information. The town manager shall conduct this investigation prior to the town's making a final offer of employment to an applicant. If the results of the investigation reveal that the applicant's record would not be compatible with the nature of the public employment, the town manager may decide not to hire the applicant or may revoke any conditional offer made.

(Ord. of 12-14-99)

**State Law reference**— Code of Virginia § 19.2-389(A)(7).

Sec. 2-2. - Conduct of town officers and employees generally.

Town officers and employees shall be courteous in their official transactions with the public, and they shall conduct themselves in the performance of their official duties so as to not knowingly deprive any person, at the time and under the circumstances then and there existing, of any lawful right or benefit to which such person may be entitled. Any person who feels aggrieved by the conduct of any town officer or employee in violation of this section may bring such matter to the attention of such officer's or employee's department head or the town manager, without prejudice to any other recourse to which such aggrieved person may be entitled.

**Cross reference**— Penalty for Class 1 misdemeanor, § 1-11.

Sec. 2-4. - Resisting, etc., town officers and employees.

It shall be unlawful and a Class 1 misdemeanor for any person to resist, intimidate or interfere with, or to attempt to resist, intimidate or interfere with, any police officer, firefighter, EMS personnel, or other officer or employee of the town in the performance of their duties.

(Code 1971, § 13-24)

**Cross reference**— Penalty for Class 1 misdemeanor, § 1-11.

Sec. 2-5. - Impersonation of town officer or employee.

(a) No person shall falsely represent himself to be an officer or employee of the town or, without proper authority, wear or display any uniform, insignia or credential which identifies any town officer or employee; nor shall any person, without proper authority, assume to act as an officer or employee of

the town, whether to gain access to premises, obtain information, perpetrate a fraud or for any other purpose; provided, that nothing in this section shall be construed to prevent a private citizen from making a lawful citizen's arrest for felony or breach of the peace committed in his presence.

(b) A violation of this section shall constitute a Class 1 misdemeanor.

**Cross reference**— Penalty for Class 1 misdemeanor, § 1-11.

**State Law reference**— Impersonating officer, Code of Virginia, § 18.2-174; unlawful wearing of officer's uniform or insignia, § 18.2-175.

Sec. 2-6. - Disbursement of town funds.

Disbursements of town funds shall be approved or signed by either the town treasurer or town manager and, except for payroll disbursements, shall be approved or cosigned by either the mayor or (i) the recorder until July 1, 2022 or (ii) the vice mayor on or after July 1, 2022.

(Code 1971, § 2-4; Ord. of 7-11-06(1))

Sec. 2-7. - Fee for passing bad check to town.

There is hereby imposed, and there shall be collected, a fee approved by council for the uttering, publishing or passing of any check or draft, for payment of taxes or any other sums due the town, which is subsequently returned for insufficient funds or because there is no account or the account has been closed.

**State Law reference**— Authority for above section, Code of Virginia, § 15.2-106

Sec. 2-8. - Parts of official safety program designated.

The John H. Enders Fire Company, Inc., its Rescue Squad and their membership and the Berryville Police Department and its membership are hereby declared to be an integral part of the official safety program of the town.

(Ord. of 3-12-73)

**Editor's note**— The above section was adopted pursuant to the Line of Duty Act, § 9-400, et seq. of the Code of Virginia.

[Note: move (a) to Employee Handbook]

Secs. 2-9—2-18. - Reserved.

## ARTICLE II. - THE COUNCIL<sup>(1)</sup>

Footnotes:

— (1) —

**Charter reference**— Council generally, Chapter 3.

**Cross reference**— Disrupting meeting of council, § 13-11.

Sec. 2-19. - Standing committees.

- a) There shall be such standing committees of the council as are provided by the council. Members of such committees shall be appointed by the mayor.
- b) The council may amend committee appointments.
- c) Such committees shall have such powers and duties as are prescribed by council, not inconsistent with the Charter.

(Ord. of 04-11-17(2))

Sec. 2-20. - Meetings.

The regular meetings of the town council are set for the second Tuesday of each month at 7:30 p.m. When any regular meeting falls on a legal holiday, such regular meeting shall then be held upon the next Tuesday following. Regular meetings of council may be cancelled by, and special meetings may be called by, the mayor or three members of the town council.

(Code 1971, § 2-6)

**Charter reference—** § 3.13.

Sec. 2-21. - Rules of procedure.

The council shall establish its own rules of procedure. Except as otherwise provided in such rules, the proceedings of the council shall be governed by the current edition of Robert's Rules of Order.

(Code 1971, § 2-11)

**Charter reference—** Council to establish rules of procedure, § 3.15.

Sec. 2-22. - Procedure for adoption and effective date of ordinances and resolutions.

An ordinance or resolution of the council may be introduced and adopted or rejected at any particular meeting of the council. A full reading of the ordinance or resolution shall not be required prior to adoption. If the ordinance or resolution before the council is adopted, such ordinance or resolution shall become effective at such time as may be specified therein, but if no time is so specified, such ordinance or resolution shall become effective immediately.

(Code 1971, § 2-10)

Secs. 2-23—2-28. - Reserved.

ARTICLE III. - ADMINISTRATION DEPARTMENT

Sec. 2-29. - Established.

There is hereby established, in and for the town, an administration department.

Sec. 2-30. -- Responsibilities.

The department shall be responsible for the billing and collection of taxes, fees, etc.; finance and accounting functions; purchasing and procurement functions; and human resource functions. The department shall be responsible for the efficient operation of the functions listed above. The department shall perform other duties as may be assigned by the town manager.

Section 2-31. -- Assistant Town Manager for Administration/Treasurer.

The department shall be under the supervision and control of assistant town manager for administration/treasurer.

Sec. 2-33. -- Town Treasurer.

The assistant town manager for administration/treasurer shall be the town treasurer.

Footnotes:

--- (2) ---

**Charter reference**— Appointment of town treasurer, § 5.1.

Sec. 2-33. -- Absence of Assistant Town Manager for Administration/Treasurer.

In the absence of the town treasurer or in the event of a vacancy in the position of town treasurer, the town manager shall perform the duties of the town treasurer and shall serve as the town treasurer.

Sec. 2-34 – Absence of Town Manager and Assistant Town Manager for Community Development/Operations.

In the absence of the town manager and the assistant town manager for community development/operations, the assistant town manager for administration/treasurer shall perform the duties of the town manager.

Sec. 2-35. - Bond.

Before entering upon the duties of the office, the treasurer shall execute a bond, the premium for which shall be paid by the town, with surety approved by the council in a penal sum established by council, conditioned upon the faithful performance of the duties of the office, for the proper collection of and accounting for all money which shall come into the treasurer's hands or which it shall be his or her duty to collect and for the payment of all money by the treasurer, or proper order of the council, to those entitled to receive the same.

(Code 1971, § 2-16)

**Charter reference**— Authority of council to require bond, § 7.2.

Sec. 2-36. - Duty to receive and deposit funds.

The treasurer shall receive all taxes, license taxes, assessments and other money, revenues and funds belonging to the town and deposit the same in such bank as the treasurer may deem proper and with the approval of council. (Code 1971, § 2-17)

**Cross reference**— Licenses, Ch. 9; taxation, Ch. 16.

Sec. 2-37. - Remedies available for collecting funds.

For the purpose of collecting taxes, license taxes, assessments and other money, revenues and funds due the town, the treasurer shall have the right of distress, levy, attachment, and all other remedies provided by general law.

(Code 1971, § 2-18)

Sec. 2-38. - General method of keeping books and records.

The treasurer shall keep the books and records so that all receipts and disbursements and the source and character of the same shall appear and a true and accurate understanding of the financial affairs and conditions of the town may be readily ascertained therefrom.

(Code 1971, § 2-20)

Sec. 2-39. - Bank and check books; checks and vouchers.

The treasurer shall keep the bank books and check books so that such books will accurately reflect the state of the accounts. Each check shall be drawn payable to the order of the person for whose benefit it is drawn and shall contain a notation on its face which will indicate the purpose for which it is drawn. All checks and vouchers shall be carefully preserved.

(Code 1971, § 2-19)

Sec. 2-40. - Inspection of books and records.

All of the treasurer's books and records shall be open at any time to inspection by any member of the council or such persons as the council may direct.

(Code 1971, § 2-21)

Sec. 2-41. - Annual audit and report.

An audit of the books of the treasurer shall be made annually by a certified public accountant approved by the council and assisted by the treasurer, and a report of such audit shall be made to the council as soon as possible. Such report shall also indicate the amount of uncollected assets of the town in the hands of the treasurer for collection.

(Code 1971, § 2-22)

**Charter reference**— Town manager to arrange for annual audit, § 4.2(e).

(Code 1971, § 2-23)

Secs. 2-42—2-51. - Reserved.

#### ARTICLE IV. - PUBLIC WORKS DEPARTMENT

Sec. 2-52. - Established.

There is hereby established, in and for the town, a public works department.

Sec. 2-53. - Responsibilities.

The department shall be responsible for the maintenance of the water distribution system (excluding pumping facilities), sewer collection system, town-maintained streets and sidewalks, town-owned property (excluding properties under the control of the public utilities department) as well as snow removal and collection of yard and other waste as provided in the code. The department shall be responsible for the efficient operation of the facilities and functions listed above. The department shall perform other duties as may be assigned by the town manager.

(Ord. of 11-10-81, § 2-26)

**Cross reference**— Refuse collection, § Chapter 8, Article II; streets and sidewalks, Ch. 15; water and sewers, Ch. 17.

Sec. 2-54. - Public Works Director.

The public works department shall be under the immediate supervision of the public works director, who shall be appointed by, and may be removed by, and shall be responsible to, the town manager; provided, however, that such appointment or removal shall be made by the town manager only after consultation with the council.

(Ord. of 11-10-81, § 2-27)

Secs. 2-55—2-61. - Reserved.

#### ARTICLE V. - PUBLIC UTILITIES DEPARTMENT

Sec. 2-62. - Established.

There is hereby established, in and for the town, a public utilities department.

Sec. 2-63. - Responsibilities.

The department shall be responsible for the operation and maintenance of the following facilities: water treatment, water distribution system, pumping facilities, water storage structures, and wastewater treatment and discharge. The department shall be responsible for the efficient operation of the facilities and functions listed above. The department shall perform other duties as may be assigned by the town manager.

Sec. 2-64. -- Public Utilities Director.

The department shall be under the supervision and control of the public utilities director, who shall be appointed by, and may be removed by, and shall be responsible to, the town manager; provided, however, that such appointment or removal shall be made by the town manager only after consultation with the council.

#### ARTICLE VI. - POLICE DEPARTMENT<sup>131</sup>

Footnotes:

--- (3) ---

**State Law reference**— Authority of council to preserve peace and good order, Code of Virginia, § 15.2-1700; general powers and duties of local police force, § 15.2-1704.

Sec. 2-65. - Established; composition.

There is hereby established, in and for the town, a police department:

Sec. 2-65.1. - Responsibilities.

The police department is responsible for the prevention and detection of crime, the apprehension of criminals, the safeguard of life and property, the preservation of peace and enforcement of state and local laws, regulations, and ordinances.

The police department shall be under the control of the town manager for the purpose of preserving and enforcing peace and order, for the execution of the laws of the state and this Code and other ordinances of the town, and the performance of such other duties as the town manager may prescribe.

Sec. 2-66. - Chief of Police.

The department shall be under the supervision of the chief of police, who shall be appointed by, and may be removed by, and shall be responsible to, the town manager; provided, however, that such appointment or removal shall be made by the town manager only after consultation with the council.

(Code 1971, § 2-24)

Sec. 2-67. - Powers and duties of chief.

The chief of police shall be the administrative head of the police department. It shall be the duty of the chief of police to enforce the provisions of this Code and other ordinances of the town. In addition, the chief of police shall have such powers and duties as are prescribed for the chief by state law and town ordinances.

The chief of police shall be the chief executive of the police department, but shall always be subject to the orders and regulations of the town manager. The chief of police shall be under the control of the town manager for the purpose of preserving and enforcing peace and order and executing the laws of the state and ordinances of the town, and it shall be the duty of the police force to respect and obey orders of the chief not in conflict with law or department regulations.

The department shall be responsible for the efficient operation of the facilities and functions listed above. The department shall perform other duties as may be assigned by the town manager.

(Code 1971, § 2-25)

Sec. 2-68. - Disposal of unclaimed property in possession of police.

Any personal property which has been in the possession of the police department and unclaimed for a period of more than sixty (60) days may be (i) sold at public sale in accordance with the provisions of § 15.2-1719, Code of Virginia, 1950, as amended, or (ii) retained for use by the police department. As used herein, "unclaimed personal property" shall be any personal property belonging to another which has been acquired by a police officer pursuant to his duties, which is not needed in any criminal prosecution, which has not been claimed by its rightful owner and which the State Treasurer has indicated will be declined if remitted under the Uniform Disposition of Unclaimed Property Act (Sec. 55-210.1, Code of Virginia, et seq.). Unclaimed bicycles and mopeds may also be disposed of in accordance with § 15.2-1720, Code of Virginia: Unclaimed firearms may also be disposed of in accordance with § 15.2-1721, Code of Virginia.

Prior to the sale or retention for use by the law-enforcement agency of any unclaimed item, the chief of police, or his duly authorized agents, shall make reasonable attempts to notify the rightful owner of the property, obtain from the attorney for the Commonwealth in writing a statement advising that the item is not needed in any criminal prosecution, and cause to be published in a newspaper of general circulation in the locality once a week for two (2) successive weeks, notice that there will be a public display and sale of unclaimed personal property. Such property, including property selected for retention by the police department, shall be described generally in the notice, together with the date, time and place of the sale and shall be made available for public viewing at the sale. The chief of police, or his duly authorized agents, shall pay from the proceeds of sale the costs of advertisement, removal, storage, investigation as to ownership and liens, and notice of sale. The balance of the funds shall be held by chief of police or his agent for the owner and paid to the owner upon satisfactory proof of ownership. Any unclaimed item retained for use by the police department shall become the property of the town and shall be retained only if, in the opinion of the chief of police, there is a legitimate use for the property by the police department and that retention of the item is a more economical alternative than purchase of a similar or equivalent item.

If no claim has been made by the owner for the property or proceeds of such sale within sixty (60) days of the sale, the remaining funds shall be deposited in the general fund of the town and the retained property may be placed into use by the police department. Any such owner shall be entitled to apply to the locality within three (3) years from the date of the sale and, if timely application is made therefor and satisfactory proof of ownership of the funds or property is made, the town shall pay the remaining proceeds

of the sale or return the property to the owner without interest or other charges or compensation. No claim shall be made nor any suit, action or proceeding be instituted for the recovery of such funds or property after three (3) years from the date of the sale.

(Ord. of 5-12-98)

**State Law reference—** Code of Virginia § 15.2-1719

Sec. 2-69. - Auxiliary police officers.

- (a) The chief of police, with the approval of the town manager, is hereby authorized to appoint auxiliary police officers as he deems necessary.
- (b) The chief of police, with the approval of the town manager, shall establish rules and regulations concerning the operation of the auxiliary police officers, including their uniforms, equipment, and training.
- (c) People appointed as auxiliary police officers shall be of good character. Their appointment shall be revocable at any time by the chief of police or the town manager.
- (d) The auxiliary police officers may be called into service as deemed necessary by the chief of police, or by the town manager. Said auxiliary may also be called into service at such times as there are insufficient numbers of regular police officers to preserve the peace, safety and good order of the town and at any time for the purpose of training.
- (e) Only those who have met the training requirements established by the Department of Criminal Justice Services pursuant to § 9.1-102(11) of the Code of Virginia, as amended, or its successor statute, shall have all the powers and authorities and immunities of constables at common law and shall have all the power and authority and immunities of full-time law enforcement officers.
- (f) Auxiliary police officers shall wear the prescribed uniform established by department general orders when called into service.
- (g) People appointed as auxiliary police officer shall serve without compensation.

(h) People appointed as auxiliary police officers may not engage in employment which may occasionally require the use of their police powers in the performance of such employment unless such employment is specifically approved by the town manager.

(Ord. of 5-10-11)

**State Law reference**-Code of Virginia § 15.2-1731 et seq.

Secs. 2-70—2-74. - Reserved.

#### ARTICLE VII. – PLANNING DEPARTMENT

Sec. 2-75. - Established.

There is hereby established, in and for the town, a planning department.

Sec. 2-76. – Responsibilities.

The department shall be responsible for community and economic development functions of the town. Such functions include, without limitation, the administration and enforcement of land use planning, zoning, subdivision, stormwater control and management, flood plain management, and erosion and sedimentation control ordinances and regulations; as well as business retention and attraction. The department shall be responsible for the efficient operation of the facilities and functions listed above. The department shall perform other duties as may be assigned by the town manager.

Sec. 2-77. – Assistant Town Manager for Community Development/Operations.

The department shall be under the supervision and control of the assistant town manager for community development/operations.

Sec. 2-77.1. – Zoning Administrator and Subdivision Agent.

The assistant town manager for community development/operations shall be the zoning administrator and subdivision agent.

Sec. 2-77.2 – Absence of Town Manager for Community Development/Operations.

In the absence of the assistant town manager for community development/operations or in the event of a vacancy in the position of assistant town manager for community development/operations, the town manager shall perform the duties of the assistant town manager for community development/operations and shall serve as zoning administrator and subdivision agent.

Sec. 2-77.3 – Absence of Town Manager.

In the absence of the town manager, the assistant town manager for community development/operations shall perform the duties of the town manager.

ARTICLE VIII. - PLANNING COMMISSION<sup>41</sup>

Footnotes:

--- (4) ---

**Cross reference**— Zoning ordinance, App. A; subdivision ordinance, App. B.

**State Law reference**— Local planning commissions, Code of Virginia, § 15.2-2210, et seq.

Sec. 2-78. - Created.

A planning commission is hereby created for the town.

(Code 1971, § 14-1)

**State Law reference**— Duty to create planning commission, Code of Virginia, § 15.2-2210.

Sec. 2-79. - Composition; qualifications of members.

The planning commission shall consist of not less than five (5) nor more than nine (9) members, as may be determined from time to time by the council, all of whom shall be residents of the town, qualified by knowledge and experience to make decisions on questions of community growth and development. At least one-half (½) of the members shall be freeholders. One member may be a member of the town council.

(Code 1971, §. 14-2; Ord. of 12-11-79)

**State Law reference**— Code of Virginia, § 15.2-2212.

Sec. 2-80. - Appointment of members.

All members of the planning commission shall be appointed by the council.

(Code 1971, § 14-3)

**State Law reference**— Code of Virginia, § 15.2-2212.

Sec. 2-81. - Term of members; filling of vacancies.

- (a) The term of the council member of the planning commission shall be coextensive with the term of office to which the member has been elected or appointed, unless the council, at the first regular meeting of any year, appoints another to serve as its representative. (b) Any vacancy in the membership of the planning commission shall be filled by appointment by the council and such appointment shall be for the unexpired term.

(Code 1971, §§ 14-4, 14-5; Ord. of 12-11-79)

**State Law reference**— Code of Virginia, § 15.2-2212.

Sec. 2-82. - Reserved.

**Editor's note**— An ordinance adopted June 12, 1990, repealed former § 2-82, relative to members of the planning commission serving without compensation, which derived from Code 1971, § 14-7.

Sec. 2-83. - Removal of members.

Members of the planning commission may be removed, for malfeasance in office, by the council.

(Code 1971, § 14-6; Ord. of 12-11-79)

**State Law reference**— Code of Virginia, § 15.2-2212.

Sec. 2-84. - Powers, duties and functions.

The planning commission shall have the functions, powers, and duties which are prescribed for it by state law or by ordinance of the town.

(Code 1971, § 14-8)

07/11/18

## Chapter 3 - ADVERTISING

### Sec. 3-1. - Violations of chapter.

Unless otherwise specifically provided, a violation of any provision of this chapter shall constitute a Class 3 misdemeanor.

**Cross reference**— Penalty for Class 3 misdemeanor, § 1-11.

### Sec. 3-2. - Posting advertising matter on buildings, poles, etc.

It shall be unlawful for any person to post, stick, fasten or otherwise attach any card, poster or advertisement upon or to any building, premise, wall, fence, post or pole, without having first secured the permission of the owner of such building, premise, wall, fence, post or pole.

(Code 1971, § 3-1)

### Sec. 3-3. - Unauthorized removal, alteration, etc., of advertising matter.

It shall be unlawful for any person to tear down or otherwise remove or alter, mutilate or deface any advertisement or poster put up with the consent of the owner of the property whereupon the same is posted, without the consent of the person responsible for such advertisement or poster or the owner of such property.

(Code 1971, § 3-2)

AN ORDINANCE ESTABLISHING BONDING REQUIREMENTS FOR CERTAIN TOWN  
EMPLOYEES IN ACCORDANCE WITH SECTIONS 2.35 AND 2.33 OF THE CODE OF THE  
TOWN OF BERRYVILLE

BE IT ORDAINED, by the Council of the Town Of Berryville, establishes a minimum bonding requirement of \$200,000 each for the Treasurer and Town Manager, in accordance with Sections 2.35 and 2.33 the Code of the Town of Berryville.

I HEREBY CERTIFY THAT THE FOREGOING Ordinance was duly adopted by the Council of the Town of Berryville in meeting assembled October 9, 2018 and will become effective immediately.

Signed: \_\_\_\_\_  
Patricia Dickinson, Mayor

Date: October 9, 2018

Attest: \_\_\_\_\_  
Harry L. Arnold, Jr., Recorder

Date: October 9, 2018

AN ORDINANCE ESTABLISHING A RETURNED CHECK FEE IN ACCORDANCE WITH SECTION  
2.7 OF THE CODE OF THE TOWN OF BERRYVILLE

BE IT ORDAINED, by the Council of the Town Of Berryville, establishes a returned check fee of \$50.00, in accordance with Sections 2.7 of the Code of the Town of Berryville.

I HEREBY CERTIFY THAT THE FOREGOING Ordinance was duly adopted by the Council of the Town of Berryville in meeting assembled October 9, 2018 and will become effective immediately.

Signed: \_\_\_\_\_  
Patricia Dickinson, Mayor

Date: October 9, 2018

Attest: \_\_\_\_\_  
Harry L. Arnold, Jr., Recorder

Date: October 9, 2018

# Bank Account Policy

Effective Date:

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## Bank Account Policy

### Policy Statement

This policy sets certain requirements for opening, closing, updating, and maintaining Town of Berryville bank accounts. For purposes of this policy, "Town bank accounts" mean any bank account opened by or for the Town or any of its departments.

### Reasons for the Policy

The purpose of this policy is to establish adequate control procedures over Town assets and minimize the Town's risk of financial loss.

### Responsible Town Department

The Finance & Administration Department

### Who is Governed by this Policy

Each individual or department that require and utilize Town bank accounts should review and understand this policy.

### Scope

In accordance with the Town's policies, bank accounts may only be opened and closed by the authorization of the Town Council after review and recommendation of the Budget and Finance Committee. This condition applies to all Town bank accounts as defined above, regardless of how the accounts are named.

### Policy

A Town of Berryville bank account can only be used for legitimate and allowable revenue and/or expense activities of the Town. Proposals for new bank accounts must be submitted by Town Departments to the Treasurer's office and the ultimate decision to open a bank account is at the discretion of the Town Council. All Town bank accounts must have the Town of Berryville's Employer Identification Number (EIN, and either the name "Town of Berryville" or the name of the Town department in the account title.

### Choosing a Bank

Wherever possible, it is important to open and maintain bank accounts with entities that have well established Town banking relationships. The Town has relationships with both local banks (Bank of Clarke County and BB&T).

### Opening Bank Accounts

Contact the Treasurer's office to open a bank account.

The following information is required prior to opening a new Town bank account:

1. Account Specifications:

- Town's Employers Identification Number (EIN)
- Account Name
- Purpose of Account
- Type of Account (receipts only, receipts and disbursements, internally funded project expense account, other)
- Source of funding

2. Suggested bank, address and contact information. (Once the selection of the bank is agreed with the Treasurer's office, additional bank account documentation may be required.)

3. Approval of Town Council after review and recommendation of the Budget and Finance Committee.

### Signing of checks on town funds (Town Code Sec. 2-6)

Checks for duly authorized disbursements of town funds shall be signed by either the town treasurer or town manager and, except for payroll checks, cosigned by either the mayor or recorder.

### **Bank Account Reconciliation**

Bank accounts must be reconciled monthly by the treasurer and available to be reviewed by council members at any time. The ending bank balance on the bank statement must be reconciled to the bank balance in the Town of Berryville General Ledger.

### **Updating Bank Accounts**

Contact the Treasurer's office to update a bank account.

1. The business purpose for the update
2. Approval of Town Council after review and recommendation of the Budget and Finance Committee.
3. The Budget and Finance Committee will review and confirm all bank account every two years.

Updates to bank accounts may include:

- Shift in purpose or type of account
- Account name change
- Address change
- Local bank communication relevant to bank procedures and/or systems

### **Closing Bank Accounts**

Contact the Treasurer's office to close a bank account.

The following information is required:

1. The business purpose for the closure
2. Confirmation that the bank account has a \$0 balance
3. Confirmation that the Town of Berryville General Ledger account has a \$0 balance
4. Approval of Town Council after review and recommendation of the Budget and Finance Committee.

Reasons to close bank accounts may include:

- Unauthorized activity
- No activity/dormant account
- Change in business purpose or type of account

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Work Session**  
**November 5, 2018**  
**3:00 p.m.**

**Town Council:** Present-Patricia Dickinson, Mayor; Harry Lee Arnold, Jr., Recorder; Diane Harrison; Erecka Gibson; Kara C. Rodriguez. Absent – Donna Marie McDonald.

**Staff:** Keith Dalton, Town Manager; Desi Moreland, Treasurer; Christy Dunkle, Planner; Neal White, Chief of Police; Lisa Larrick, Town Clerk

1. Call to Order  
Mayor Dickinson called the meeting to order at 3:00 p.m.

2. Approval of Agenda

**On motion of Council member Rodriguez, seconded by Council member Harrison the agenda was approved as presented.**

**Dickinson: Aye**

**Rodriguez: Aye**

**Arnold: Aye**

**Gibson: Aye**

**Nay: None**

**Absent: McDonald**

3. Discussion – Goals for Fiscal Year 2020

**1. Project Statement for Traffic Impact Analysis – SE Collector**

Mayor Dickinson stated that strategic planning is driven by what the Town needs and not what the Town has. She provided the following objectives that the Council should take into account as it reviews its budget goals:

1. Economy
2. Neighborhood livability
3. Health and Safety
4. Transportation
5. Culture and entertainment
6. Efficient and high performing government

Council discussed the objectives that Mayor Dickinson outlined.

The Council and staff discussed the importance of adding pedestrian facilities to the scope. Council asked about Jack Enders Boulevard and Mr. Dalton stated that getting pedestrian

connection from the intersection of Jack Enders Boulevard and to Springsbury Road to Josephine Street should also be considered.

Mayor Dickson stated that staff may have underestimated the costs associated with meetings between Town Council and Board of Supervisors. She asked that the costs be amended to reflect these additional costs.

## **2. Project Statement for Compensation and Classification Study**

Council member Arnold stated that the project statement was thorough and he had nothing to add. Council member Harrison asked if this study included determining if the Town had sufficient staffing. Mr. Dalton said that was different study and not included in the proposed scope.

Mayor Dickinson questioned the adequacy of the current job descriptions. Mr. Dalton stated he believes that the biggest exposure in this regard is making sure the descriptions are ADA compliant. Council member Rodriguez asked if we have ever done this type of study before. Mr. Dalton advised that no formal study had been done and that in the past this was addressed by surveys of other jurisdictions. Recorder Arnold said that Clarke County was currently doing such a study. Mr. Dalton said he had asked Mr. Ash if the Town could do it cooperatively with them.

## **3. Project Statement for Police Department Accreditation**

Council member Harrison stated that this effort is low cost to the Town and that it seems high because of the hours Chief White would be putting in on this accreditation. She said it is important because (i) our image to other departments; (ii) pride within the department; and (iii) to assure all shifts are doing things the same way. She also stated that it could entice officers to work here and to retain officers.

Recorder Arnold stated it would be helpful for the Town's insurance coverage. He also noted that having an accredited department would be helpful if the Town was named in a lawsuit in a police matter. Recorder Arnold believes accreditation is very important.

Mayor Dickinson said she is not sold on the project. She said she looked at the Virginia Law Enforcement Professional Standards Commission website and found that Middleburg, Front Royal, Strasburg and most of the smaller police departments are not accredited because of the expense. She stated that in her experience it is only valuable when you have a large population and work force. She said she is not opposed to the effort but said it is not a high priority and should be done as time permits. She said that a comprehensive neighborhood livability study for the Battletown townhouses is a high priority and believes that the police department can help in that effort.

Council member Harrison advised that Council had previously talked about those issues. She said she doesn't think the accreditation should be derailed.

Recorder Arnold stated that the police department was not shutting down to do this accreditation.

Council member Rodriguez asked if the patrol officers' time would be significant for this accreditation. Chief White explained the bulk of the time invested would be his.

Council member Rodriguez asked how often re-accreditation was done. Chief White said that re-accreditation is every 4 years. Mr. Dalton said it would cost approximately \$2,000.00 each time.

Mayor Dickinson stated that the return on investment is not there for this project.

Council member Gibson said that the police accreditation was number one on her list.

#### **4. Project Statement for Fixed Asset Inventory**

Council member Gibson stated it is her understanding that we have not done this before and in her experience, this is a best practice. She pointed out that the cost is staff time across all departments. She said the benefits of such a project include improving the planning and budgeting; a deterrent for theft; keeping sight of the condition of assets; and good accounting practice.

Council member Rodriguez requested that a schedule for repair or replacement of assets be made a part of this effort.

Council member Gibson said the inventory would be beneficial in financing the fixed assets, i.e. buying as opposed to leasing. She said the first step is to develop a policy. She said if the inventory is not done this year it should definitely be done next year.

#### **5. Project Statement for Branding/Marketing**

Council member Rodriguez said that there is a need for uniform branding, messaging, revamping the website, getting a social media presence and who the Town wants to be marketing to. She said it should be done in three phases, Phase 1 would be branding and reaching out to the community, stakeholders and residents for feedback. She suggested the second phase would be marketing and communications. She said the wayfinding signs should be the third phase. She said she thinks this is something that can make the Town money down the road and that there are towns our size and smaller doing this and making it work for them.

Mayor Dickinson said she supports this study and it is her number one pick. She said she does not want to wait three years and do the project in three phases.

Council member Harrison said we could do it all at one time but that would change the budget and we are trying to be economical.

Council member Rodriguez said they could look at one study but were looking at a rollout over three phases because of staff time. She said she thinks it is good to use the information from surveys and the like performed previously as a guide. She said she would like to get the voice of the people as to why they moved here. She said she wants to make sure everyone's voices are

heard. Council member Rodriguez added that she would like to see the social media presence set up first.

Mayor Dickinson said we shouldn't say we don't have staff to do it and suggested adding more staff if necessary.

Council member Gibson asked about the source of funding to hire more staff. She said we need to take into consideration the costs for staff and maintenance of the website and social media.

Recorder Arnold stated that partnering with the County would be good way to get us moving forward quickly and thinks it would be a less expensive way to get started. Mr. Dalton stated that such an approach would permit the Town to crawl before it runs in this regard.

Ms. Dunkle discussed the importance of including the County and that she has concerns about marketing tourism without sufficient accommodations.

Council member Harrison said she believes that new branding could be rolled into the website. She said she would like to see the website show downtown, social, recreation and business information and events.

Recorder Arnold asked what we needed to do to get started with the County. Mr. Dalton said he would discuss the matter with Cathy Kuehner and Mr. Ash to lay the ground work and then go to Council with the costs. Mr. Dalton said we should funnel our information to the County to be posted. Mr. Dalton said he doesn't believe we have enough content to keep a Town only site interesting.

There was a discussion about the social media policy.

Mayor Dickinson said she believes that utility, trash and storm water are the priorities and need to be completed prior to changing focus.

## **6. Project Statement for Payroll Internal Controls Audit**

Mayor Dickinson said she would like to add verification of employees, time sheets, overtime, comp time and payout of accrued vacation and comp time to the project statement and scope. She said when she gets payroll she receives limited information and thinks this audit would give a level of assurance that it is desirable.

Council asked if there were guidelines for payroll. Ms. Moreland stated there is software available for payroll guidelines. Ms. Moreland said that we would have something similar for the accounts payable.

Mr. Dalton stated he wanted to discuss the action that the Council would take on the Budget Goals for 2020 and the expectations they had of him. Specifically, he discussed a motion that would be adopted by the Council that would list the goals for the year and direct the Town Manager to include them in the budget he proposes to the Council. He noted that he believes that he is obligated to submit a balanced budget. Council member Gibson interjected that it was his job to propose a balanced budget. As such, he would be required to address new

expenses by either budget cuts or revenue enhancements. He noted that he wanted to make sure that the Council was on board with his thinking.

Council member Rodriguez inquired as to whether options could be proposed. Both Ms. Moreland and Mr. Dalton cautioned against having several options floating through the process and recounted that a similar approach was tried previously and that it led to considerable confusion. Mr. Dalton suggested that staff provide the Council with a list of its revenue sources and what the increase or decrease of increments of those sources would equate to.

The Council and staff discussed the budget calendar.

Mayor Dickinson asked when the list of goals was to be finalized. Mr. Dalton advised that the list of goals should be finalized at the November 13, 2018 meeting.

Council member Gibson said it would take eight months of just staff time to complete all six goals and cutting it down to three goals it will take four months of staff time. She recommended not going beyond a certain number of goals because of the staff time involved.

The Council and staff discussed the staff hours required to complete the projects being discussed. Mayor Dickinson stated that the existing structure of the organization should not hinder moving forward and if additional personnel is needed to do what needs to be done then additional staff should be hired. She noted that the Council sets the strategy and Mr. Dalton advised the Council on how the organization can accomplish the Council's directives.

The Council briefly discussed how the goals would be chosen at the November 13, 2018 meeting.

4. Other  
There was no discussion.
5. Closed Session – No closed session scheduled
6. Adjourn  
**There being no other business upon motion of Mayor Dickinson, seconded by Council member Rodriguez, the meeting was adjourned at 5:01 p.m.**

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Harry Lee Arnold, Jr., Recorder

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Lisa Larrick, Town Clerk

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**BUDGET & FINANCE COMMITTEE**  
**Berryville-Clarke County Government Center**  
**October 18, 2018**  
**10:30 a.m.**

**Town Council:** Present: Erecka Gibson, Chair; Patricia Dickinson; Kara Rodriguez

**Staff:** Keith Dalton, Town Manager; Desiree Moreland, Treasurer; Heather Halterman, Finance Clerk, Lisa Larrick, Town Clerk

1. Call to Order  
The meeting was called to order at 10:30 a.m. by Committee Chair Gibson.
2. Approval of Agenda  
Ms. Gibson made the motion to approve the amended agenda, seconded by Ms. Rodriguez, the motion was approved by voice vote.
3. Discussion – On-line payment options  
The Committee discussed the on-line payment options presented by the Ms. Halterman. Ms. Halterman stated that her approach was intended to provide customers with more payment options while not tying the Town's hands in the future.

The Committee discussed the advantages and disadvantages of providing this service. Ms. Gibson and Ms. Rodriguez indicated that they were comfortable with the services provided by Invoice Cloud. Ms. Dickinson stated that an RFP should be issued for this service in order to protect the Town from the possibility that it will have to change gears in the future if it finds that the chosen service provider does not meet the Town's needs.

The Committee discussed goal of paperless billing. Mr. Dalton noted that going paperless was not a goal that had been a part of what was presented and if the Committee wanted to go in that direction staff would have to go back to the drawing board.

Ms. Dickinson reiterated her interest in having an RFP, recommendations, references, implementation plan, and a risk management plan. She noted that the risks associated with this project are significant.

The Committee asked Ms. Halterman to share documentation she had available such as any contracts and the Committee would review the documentation and

reconvene discussion on the on-line payment options at the next Budget and Finance Committee meeting.

4. Discussion – Budget Goal: Payroll Internal Controls Audit

The Committee discussed how the current system handles the accruals of annual and compensatory time and how often that was paid out, the actual cost of an internal control audit and the timing of implementing the assessment. Committee member Gibson said she is not convinced at the necessity but is not going to say no. She wants to weigh the cost and benefit with other goals. Committee member Rodriguez supports it being done but not necessarily the timing. Mayor Dickinson said it is high on her list of priorities.

5. Discussion – Budget Goal: Fixed Assets Inventory

The Committee discussed how the capital fixed assets would be updated, the necessity of a policy, how the tags would be used, the cost and benefits for the Town. Mr. Dalton said that they may need to work with Clarke County on joint assets. He noted this would affect costs. Ms. Moreland said she would get the audit updated on website for 2017.

6. Discussion – Check Distribution Policy

Ms. Gibson presented a new draft policy. The Committee discussed the new draft and agreed to several changes. The Committee agreed that the revised policy and forms should be forwarded to the Town Council for review and approval.

7. Closed Session

No Closed Session Scheduled

8. Other

Mr. Dalton advised counsel that a Josephine Street property had been taken off tax delinquent sale list as it did not belong to the Estate of George Williams but to Milton Valley Cemetery.

Ms. Gibson asked about the status of the McDonalds and Mr. Dalton said that it was still coming to his knowledge but he did not have a time frame.

Ms. Dickinson said that the Procurement Policy contained contradictions that needed to be resolved and then brought back to the Council.

The Mayor stated that a work session devoted to discussion budget goals for FY2020 would be necessary. She asked Mr. Dalton to set the meeting for November 5, 2018 at 3:00 pm.

The Committee agreed that it would not meet in November. The Committee discussed meeting in December but chose not to set a date at this time.

9. Adjourn

There being no further business, Ms. Gibson adjourned the meeting at 12:20 p.m.

**BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**Monday, October 22, 2018**

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A meeting of the Berryville Town Council Community Development Committee was held on Monday, October 22, 2018 at 4:30pm in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:** Members of the Committee present: Kara Rodriguez, Chair; Diane Harrison

Member absent: Donna McDonald

Staff present: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Lisa Larrick, Town Clerk

Others present: Mary Kay Kobayashi and Karie Griffin representing the Clarke County Farmers' Market; Alton Echols

Chair Rodriguez called the meeting to order at 4:32pm.

**Approval of Agenda**

Ms. Harrison made a motion to approve the agenda and was seconded by Chair Rodriguez. The agenda was approved.

**Updates**

***Hogan's Alley***

Mr. Dalton stated that he had met with BMS and that it is clear that Phase 1 will not occur this fall. He stated that they feel confident that the effort can move forward in the spring.

***Livery Stable***

Mr. Dalton stated that he had also discussed the matter of the feasibility grant for the livery stable with BMS. They feel confident that the grant will be completed within a few months.

**Discussion – Clarke County Farmers Market Request**

The Committee discussed the Clarke County Farmers' Market's request to use the Rixey Moore parking lot for a holiday market. Chair Rodriguez supported the idea. The logistics for vendor set up was discussed and Mr. Dalton said they could set up during the parade. Mr. Dalton and Chair Rodriguez said the parking lot could be closed off in the morning. Parking issues were discussed and Chair Rodriguez said it could start letting people know where there are parking alternatives and talk to Chief White about getting vendors in.

Ms. Harrison suggested opening before the parade and having the hours for the market between 10:00 a.m. and 2:00/3:00 p.m. Ms. Kobayashi and Ms. Griffin thanked the Committee members for their support.

Mr. Dalton, Ms. Dunkle and Chief White will work on the details.

### **Discussion – Budget Goal: Branding, Marketing and Communication**

The Committee discussed how to define and move forward with its branding. Ms. Harrison said that the Committee needs to discuss the marketing and branding with businesses and residents and that branding needs to speak to multiple things and attract new business and tourism.

The Committee discussed the signage that had previously been designed. Chair Rodriguez said that she had received negative feedback on this design on FaceBook. She suggested that the Committee needs to take a new look at signs and branding. There was a discussion about what branding means. Chair Rodriguez said it is logo, tag line and consistency.

Ms. Harrison said that it should be a phased in approach that includes hiring a consultant or Shenandoah University students focusing on the look and feel of the brand. She added that this would include interviews/focus groups, meeting with stakeholders, and public forums.

Chair Rodriguez said she would forward to staff estimates. She said the second year should focus on communication, website and social media presence and the third year should focus on physical signage.

### **Discussion – Committee Charge**

The Committee discussed the changes proposed by Chair Rodriguez to the previous draft and Ms. Harrison agreed with the changes. Mr. Dalton will send to Ms. McDonald for her review.

### **Discussion – Sidewalk Gap on Mosby Blvd.**

The Committee discussed with Mr. Echols if he would be willing to partner on this project. Mr. Echols said he was not the owner of this property. Mr. Echols said the Town should contact the owner of the property to see if they would be willing to partner on this project. Mr. Echols said he will be happy to approach the owner on the Town's behalf.

Chair Rodriguez said that the Town is going to need this section of sidewalk but thinks it should be put on the shelf for the moment and brought back in a month or two.

### **Other**

Chair Rodriguez wants to look at the MOU with BMS and have Len Capelli and Cathy Kuehner come in for one of the next meetings with the understanding that the discussion would take most of the meeting.

Chair Rodriguez said after the new year when BMS has its new director the Committee should meet with them.

She said the Committee should talk about its priorities in January.

The Committee set its next meeting date for December 12, 2018 at 4:30 p.m.

Mr. Dalton said he will check with Mr. Capelli and Donna.

There being no further discussion, Ms. Harrison made a motion to adjourn and Chair Rodriguez seconded the motion, the meeting was adjourned at 5:29pm.

**BERRYVILLE TOWN COUNCIL PERSONNEL COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**October 23, 2018**

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A meeting of the Berryville Town Council Personnel Committee was held on Tuesday, October 23, 2018 at 9:00am in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:** Members of the Committee present: Jay Arnold, Chair; Erecka Gibson; Pat Dickinson arrived at 10:00 a.m.

Staff present: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Lisa Larrick, Town Clerk

Chair Arnold called the meeting to order at 9:05am.

**Approval of Agenda**

Chair Arnold made the motion to approve the agenda, seconded by Ms. Gibson, the agenda was approved.

**Discussion – Budget Goal: Compensation and Classification Study**

Mr. Dalton noted that the project statement provided to the Committee was self-explanatory. He stated that he wanted to draw the Committee’s attention to the administrative issues section of the statement. He noted that given that results of the study would be received in April 2020, that the Council should include monies in the FY2021 budget to fund the study’s recommendations.

Chair Arnold stated that he has become aware that the County is working to complete a similar study in their organization. The Committee asked Mr. Dalton to speak with Mr. Ash to see if there could be some possibility of working together on this matter.

The Committee discussed the need for job descriptions to be reviewed by the consultant when performing the study. Further, the Committee discussed the possibility of having the consultant provide guidance and recommendations regarding the job descriptions, particularly as it relates to ADA compliance.

Ms. Gibson addressed several issues she had with the project statement.

The Committee asked Mr. Dalton to make the enumerated changes in the project statement and contact the County prior to the work session on November 5.

**Discussion – Vacancies**

The Committee discussed the matter of appointment to the Northern Shenandoah Valley Regional Commission. Chair Arnold stated that he recalled that this matter had been addressed. Staff was asked to examine this matter and report back.

The Committee discussed the matter of appointments to the Tree Board. The Committee was of the opinion that it did not appear likely that the individuals seeking appointment to the BADA would be interested in appointment to the Tree Board but it would have to see.

The Committee agreed to interview five applicants for the BADA on November 14, 2018 or November 20, 2018.

### **Updates – Social Media Policy/Social Media Approach**

Mr. Dalton discussed the need to finalize the approach to archiving social media sites of Town Council members. The Committee agreed that this needs to be addressed. Ms. Gibson noted that she supports moving to contract for this service during this budget year and utilizing contingency funds to cover the costs.

Mr. Dalton discussed his recommendation that the Town work to partner with the County and utilize their social media sites as a first step in this effort. He stated that if the Town found that it had a great deal of content and the means of administering sites then it could later stand up its own sites. He note that he would soon make a proposal to the Council in this regard.

### **Updates – Job Descriptions**

The Committee discussed the job descriptions for the positions appointed by the Town Council. The Committee discussed proposed changes to the Treasurer's job description and noted that any changes would have to take into account the current Treasurer's experience.

### **Discussion - Meeting Procedures**

Mr. Dalton noted some changes to the Town Council's meeting procedures that have been discussed and asked whether the routine use of the roll call should be added to the meeting procedures. The Committee noted that the means of voting will have to be agreed upon by the Council.

Mr. Dalton reported on his discussions with two contractors who provide agenda preparation packages. He noted that this item will likely be presented as a budget item.

The Committee discussed the change in how draft meeting minutes would be reviewed that was proposed by the Mayor. The Committee agreed they saw no need to change the process of minutes review where the draft minutes are reviewed by the Recorder and then sent to the entire Council.

Ms. Dickinson arrived and those in attendance provide a brief summary of what had occurred in the meeting.

**Other**

The Committee discussed the times that members would be available for the BADA interviews.

**Adjourn**

There being no further business, Chair Arnold the meeting was adjourned at 10:10am.

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**PUBLIC SAFETY COMMITTEE**  
**Berryville-Clarke County Government Center**  
**October 24, 2018**  
**4:30 p.m.**

**Committee members:** Present - Donna McDonald, Chair; Patricia Dickinson, Diane Harrison

**Staff:** Keith Dalton, Town Manager; Neal White, Chief of Police, Lisa Larrick, Town Clerk

**Press:** Mickey Powell, The Winchester Star

1. Call to Order

The meeting was called to order at 4:30 p.m. by Committee Chair McDonald.

2. Approval of Agenda

Ms. Dickinson made the motion to approve the amended agenda, seconded by Ms. Harrison, the motion was approved by voice vote.

3. Department Update

The Committee and staff discussed the following topics:

- Department's new police vehicle that had been delivered and is in service
- Department is ready for Halloween and glow sticks will be handed out
- Radar signs are up and working
- E-Citation – is up and running and working well
- Public Works Bay for Department is completed

4. Town Code Review Update

The Committee and staff discussed the following topics:

- Staff was on track to get the code revisions for Chapters 8 and 20 to the Committee by 11/28/18

5. Budget Goal: Police Department Accreditation

The Committee and staff discussed the Department's accreditation project. Chief White discussed he had been in contact with community members offering their assistance for the review process. The Committee discussed whether it was a good use of Chief White's time. The Committee and staff discussed some of the advantages to having this accreditation. Items discussed included lower insurance premiums, standardized procedures, public image, professionalism and lower turnover. Chief White stated the project would take approximately 18 months to complete and that the out of pocket costs would be minimal to the Town. Mayor Dickinson asked staff to revise the report by breaking down the costs over two years. Chair McDonald stated she supports this project and that the full amount requested be budgeted for FY2020.

6. Comprehensive Battletown Neighborhood Safety Plan

The Committee and staff discussed the street lighting concerns. Chair McDonald asked staff to get to her information on LED lights for her to take to the HOA. Chief White advised that he and

Officer Vorhees, who is a certified Community Crime Prevention Specialist, would be going around the community and checking to identify anything that would help with safety. Chair McDonald set a meeting with Chief White on January 21, 2019 at 5:00 p.m. with the HOA. Mr. Dalton asked Chair McDonald to send him the electric bills for the HOA. Chair McDonald thanked the Police Department for their presence in the Battletown community.

7. Closed Session

No Closed Session Scheduled

7. Other

The Committee and staff discussed the following topics:

- Any additional opportunity for young children to trick or treat in the downtown
- Battletown HOA improving the median on Page Street. Mr. Dalton advised he would get an agreement to the HOA for their review
- Set the next meeting for November 28, 2018 at 4:30 p.m.

8. Adjourn

There being no further business, Ms. Dickinson made a motion to adjourn the meeting, seconded by Ms. Harrison, the motion passed by voice vote at 5:50 p.m.

**BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**October 23, 2018**

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A meeting of the Berryville Town Council Streets and Utilities Committee was held on Tuesday, October 23, 2018 at 5:00pm in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:** Members of the Committee present: Diane Harrison, Chair; Pat Dickinson

Staff present: Keith R. Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner

Press present: Mickey Powell, Winchester Star

Chair Harrison called the meeting to order at 5:01pm.

**Approval of Agenda**

The agenda was approved by consent.

**Public Forum – Stormwater Concerns**

Chair Harrison reviewed the intent of the meeting and time allotted per property owner.

Mr. Dalton made a brief presentation regarding development and storm water management in the Berryville Area.

Ms. Dunkle made a brief presentation regarding the Town’s Flood Plain Ordinance.

**Chair Harrison recognized Chris Crawford.** Mr. Crawford said he recently purchased his property on Dorsey Street. He stated that he gets water from three directions and is concerned about standing water on his property. He recommended that the Town construct a swale on his property and the adjacent property.

**Chair Harrison recognized Steve Wisecarver.** Mr. Wisecarver said he had just built a house on Treadwell Street. There is standing water in his yard and water seeping into the crawl space during construction. Water from throughout the area, including that from sump pumps comes by his house.

**Chair Harrison recognized Jerry Van Voorhis.** Mr. Van Voorhis said that it has been an exceptional year for rain but he has had water concerns on his property and 31 other homes in the area since May. He said that construction on West Main Street exacerbated the situation and suggested constructing a swale on his property. He stated that it would be reasonable for affected property owners to participate in this project. He stated that the Jackson Drive Pond does not appear to be working.

**Chair Harrison recognized Kathleen Salter.** Ms. Salter said that due to a rock outcropping water is standing in her driveway along Swan Avenue and stating that 40 houses in town have flooded this summer. She stated that the Town's recent paving of Swan Avenue has doubled the amount of water that ponds in her drive.

**Chair Harrison recognized Vicki Trabold.** Ms. Trabold said she recently purchased a house on Dorsey and has had sump pumps running constantly. She said the house is low and felt she could not do anything about the water.

**Chair Harrison recognized Jenny Jenkins.** Ms. Jenkins said she purchased her house on Walnut in 2001 and has had flooding issues since that time. She said she was assured by the developer of the adjacent property that once construction was completed; the flooding would not occur. She said it has flooded three or four times each year from Archer and Ashby Courts and noted that the ditch behind her property remains full of water.

**Chair Harrison recognized Deborah Carter.** Ms. Carter said she has lived on Academy Street for 22 years and has had problems nearly every year. She said there are no storm drains in the area and that Jackson Pond adds to her drainage problem.

**Chair Harrison recognized Lisa Giglio.** Ms. Giglio said that water ran into her crawl space during a storm in May which has not previously occurred. She said the problem worsened when the house behind her on Treadwell Street was constructed. There was a discussion about the culverts at the corner of Academy and Treadwell.

**Chair Harrison recognized Wes Price.** Mr. Price said they had no problems with water in their house but the backyard has been flooding. He said that things changed when Mr. Wisecarver built his house on Treadwell as this was the location where the stormwater would pond.

**Chair Harrison recognized Brian Bowman.** Mr. Bowman said that his home is downstream from Dorsey and that his property had flooded three times in the previous five or six years but it has been nearly constant this year. He said that half of his yard was underwater adding that there was no damage to the structure. He said the culvert at Main Street flows well but that the water had difficulty making it into the culvert at Main Street.

**Chair Harrison recognized Ed Barks.** Mr. Barks said he lived on the east side of Town and that there must be a way to keep the water moving. He said the run used to be completely dry during certain times of the year. He said this is the new normal and the storm events will keep getting worse. He added that the Town should be forward thinking in their planning efforts. He acknowledged the work of Public Works staff's efforts during rain events. He recommended that the Town explore means by which flood insurance requirements on individual property owners can be reduced.

**Chair Harrison recognized David and Terry Lawson.** Mr. Lawson said their sump pump runs constantly.

**Chair Harrison recognized Loretta Allison.** Ms. Allison said her property at Liberty and Page streets is a lake adding that residents of the townhouses direct their sump pump discharge onto her property. She said a tree fell on Page Street this year and was concerned about injury to people and property.

**Chair Harrison recognized David Bodkin.** Mr. Bodkin said his house on the corner of Swan Avenue and Rosemont Circle has had consistent problems since the middle school constructed an addition. He said he hoped the water could be directed toward the storm facility on the school property.

Chair Harrison asked for additional comments. There were none.

Ms. Dickinson said she will get ahead of mosquito abatement in the spring.

Mr. Crawford asked whether the technology improvements since the Jackson Pond was built and the construction of the high school would make a difference in efficiency.

Ms. Dickinson said the Town would look at these issues and that at this point all approaches and options are on the table.

### **Adjourn**

There being no further discussion, the meeting was adjourned at 6:18pm.

**BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**October 25, 2018**

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A meeting of the Berryville Town Council Streets and Utilities Committee was held on Thursday, October 25, 2018 at 6:30pm in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:** Members of the Committee present: Diane Harrison, Chair; Pat Dickinson

Staff present: Keith R. Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner, Lisa Larrick, Town Clerk

Others present: Zach Tabor and Michelle Childress representing F&W Management and Country View Apartments

Press present: Mickey Powell, Winchester Star

Chair Harrison called the meeting to order at 6:30pm.

**Approval of Agenda**

The agenda was approved by consent.

**Discussion – Water and Sewer Bill Adjustment Request**

The Committee discussed F&W Management’s request for an adjustment to their water and sewer bill because of a long-term water leak. Mr. Tabor withdrew his statement that the Town had not handled this issue properly and stated that it was miscommunication by his staff and that they were happy with the way the Town had handled this issue.

The Committee discussed the delay in the request from F&W Management and that some communication would have been helpful. Mr. Tabor advised that the delay was because this was a unique issue and they wanted to make sure the leak was fixed and the Town was provided with comprehensive information.

The Committee advised that they would not make a recommendation to start an adjustment.

**Project Updates**

**Water Tank Maintenance**

Mr. Dalton stated it was imminent that water would be put back in the tank, the water in the tank would be tested early next week and that the tank is still on track to be back in service before the third week of November.

## **Paving**

Mr. Dalton stated that work on the public works building bays was complete. He noted that the second FY18 and first FY19 paving work has been completed.

## **East Main Street Sewer Main Rehabilitation**

The Committee discussed that the contractor would be mobilizing for point repair soon but no fixed date had been set for repairs to begin and be completed. The Committee expressed concern about where point repair operations might begin and whether the work would affect parking for holiday shoppers.

## **Discussion – Budget Goal Traffic Analysis Southeast Collector**

Ms. Dunkle explained the proposed traffic study for the southeast collector road and that the cost would be split with the County. The Committee discussed possible sites where the road would go and that the study will help determine road network and the expansion of the business park. The Committee discussed who would take the lead and how the costs would be split between the Town and County.

Ms. Dickinson said that until something was done with Jack Enders Boulevard she did not have any interest in expanding the business park. Mr. Dalton said that the study would look at this and give alternatives for future business expansion.

Ms. Dickinson said that risk of co-managing the study should be included in the budget goal document. Chair Harrison said that would be part of the scope of the project between the Town and County.

## **Discussion – Water and Sewer Billing Adjustment Policy**

The Committee discussed the Town's Water and Sewer Adjustment Policy. The Committee inquired as to how the Town currently deals with high readings and potential leaks. Mr. Dalton explained that soon after meter reading is complete, a re-read list is generated. He noted that properties are placed on the re-read list because the billing software detects a significant change in usage. He said that Public Works personnel perform re-reads in order to: 1) confirm the reading, 2) determine how much usage there has been since the initial reading, and 3) examine the situation to see if there is a leak. He noted that Public Works personnel work to contact the owner and involve them in the process of determining whether there is a leak. He also noted that if Public Works personnel detect a significant leak and the owner is unavailable, they turn the water off.

The Committee asked about documentation of process. Mr. Dalton stated that notes are made on the re-read list and that work orders are generated for site visits.

The Committee requested staff give them copies of the work orders for review when they have appeals before them.

The Committee said they would like to have a form for use when Public Works goes to a resident's home for a leak investigation that the resident would sign and receive a copy.

The Committee said they would like to see about switching the timing in the policy. Mr. Dalton explained the reason for the current timing.

The Committee requested staff work on a draft of a form that public works would use during leak investigations.

The Committee said they will look more at the policy after the water study has been completed.

### **Other**

The Committee discussed the complaint by the Taylor Street resident regarding paving on/near the resident's property. The Committee asked staff to determine the property boundaries. The Committee asked staff to have resident provide a narrative of what she wants. They asked staff to do what they can to provide costs estimates for addressing the property owner's specific remediation request.

Discussed committee meetings for November and December. There will be no meetings scheduled for November. If something does come up, a meeting will be held near the beginning of December.

### **Public Forum – Stormwater Concerns**

Chair Harrison reviewed the intent of the meeting and speaking time allotted per property owner.

Mr. Dalton made a brief presentation regarding development and storm water management in the Berryville Area.

Ms. Dunkle made a brief presentation regarding the Town's Flood Plain.

**Chair Harrison recognized Sharon Painter.** Ms. Painter lives on West Main Street. She said she does not have a water problem. Her neighbor advised her that public works indicated they would be constructing a drainage ditch on her property. Mr. Dalton advised that they would not do anything without her knowledge and would schedule a time to meet with her.

**Chair Harrison recognized Maria Esparolini.** Ms. Esparolini has lived on Treadwell Street since 2014 and said the water has been an issue since 2014. Ms. Esparolini said the water rolls down the street into her front yard and that her neighbor's backyard drains into her side yard and floods her basement. Ms. Esparolini said she installed exterior and interior sump pumps and installed a French drain in her side and front yards as well as a drain on her driveway. She said she has done everything she can and needs the Town to do something.

**Chair Harrison recognized Dave Borger.** Mr. Borger lives on Treadwell Street. Mr. Borger said he has a pond out front when it rains. He would like to know where the distinction between the Town's and the residents' responsibility for water drainage issues. He also would like to know whose responsibility it is to take care of easements, staff discussed the matter.

**Chair Harrison recognized William Spalding.** Mr. Spalding lives on Smith Street. Mr. Spalding said the backyard does not drain into the culvert that goes under Main Street. He said it appears the culvert/ditch is too shallow and water flows uphill. Staff said they met with the property owner where the culvert is located and that the property owner is working toward positive drainage.

**Chair Harrison recognized Beytullah Arikan.** Mr. Arikan lives on S. Buckmarsh Street. Mr. Arikan said his neighbor's lot inclines to his backyard and floods the backyard, garage and basement. He said he doesn't believe the storm drain between the two properties is long enough to move the storm water. He said he has installed a French drain on one side of his home and is not sure who is responsible for drainage. Staff discussed this matter and will be in contact with the parties.

**Chair Harrison recognized Margaret Legard.** Ms. Legard lives on S. Church Street. Ms. Legard said that water comes from Buckmarsh into her driveway. Ms. Legard said she has 4 sump pumps in her home and would like to know what she can do.

**Chair Harrison recognized Wayne Webb:** Mr. Webb said that the Blandy observation well indicates a high-water table. He added that these are very unusual conditions.

Chair Harrison asked for additional comments. There were none.

Mr. Dalton reiterated Ms. Dickinson's comments from Tuesday's meeting that the Town would look at these issues indicating that all options are on the table and that the Town will take a comprehensive approach to the matter.

### **Adjourn**

There being no further discussion, the meeting was adjourned at 8:45pm.

# **ATTACHMENT**

**3**

# Planning and Community Development

## *No Action Items*

**November 13, 2018**

---

### **Planning Commission**

The Planning Commission did not hold a meeting in October. Their next meeting is scheduled for Tuesday, November 27, 2018 at 7:30pm.

### **Berryville Area Development Authority**

The BADA held a meeting on October 24, 2018 meeting and approved the following request:

**Jon Erickson (MRA, Inc., Agent) and Alton Echols, Jr., Trustee (Owner), are requesting Site Plan approval to construct a 120-unit age- and income-restricted multifamily apartment building on 10.98 acres as a use under Section 614.2(c) of the Berryville Zoning Ordinance at the property located at 418 Mosby Boulevard, identified as Tax Map Parcel number 14-((5))-251B, zoned OPR Older Person Residential. SP 02-18**

Their next meeting is scheduled for Wednesday, November 28, 2018 at 7:00pm.

### **Architectural Review Board**

The ARB will not be meeting on November 7. Their next meeting is scheduled for Wednesday, November 28 at 12:30pm when they will judge Berryville Main Street's Parking Meter Contest.

### **Tree Board**

The Tree Board's next meeting is scheduled for Wednesday, November 7 at 7:30pm.

### **Board of Zoning Appeals**

The BZA has not held a meeting since the last Council meeting.

# **ATTACHMENT**

**4**

Water and Sewer Bill Adjustment Appeal

---

*Adjustment Request*

On September 6, 2018, F&W Management of Roanoke, VA submitted a request for adjustment to water and sewer bills for the Country View Apartments located at 209 Chalmers Court. Specifically, F&W Management requested that the Town adjust the water and sewer bills for the property in question from between July 2015 and June 2017 in the amount of \$19,261.06.

The adjustment was denied because it was not timely.

*History*

F&W Management has determined that the abnormal usage in question was caused by leaking valves (over an extended period of time) and a broken water lateral. The water lateral in question seemingly ruptured when a nearby sewer lateral collapsed.

The leaking valves were not repaired in a timely manner because they appeared gradually and were not detected until the larger issue with the lateral appeared. The water lateral was repaired in a more timely fashion.

*Review of Appeal*

The bill adjustment request was denied by staff and F&W Management appealed the decision. The appeal was reviewed by the Streets and Utilities Committee on October 25.

F&W Management acknowledged that the Town acted appropriately in its response to the leak and that some of the water from the broken lateral likely entered the wastewater collection system. Accordingly, they understand that the entire adjustment of \$19,261 can't be approved but remain confident that, given the circumstances, a significant adjustment is appropriate.

After review of the request, the Committee recommended denial of the appeal.

*Attachments*

- Adjustment Request (1 page)
- Letter (w/ attachments) from F&W Management dated 6 September 2018 (16 pages)
- Email correspondence between TOB and F&W Management (10 pages)
- Water and Sewer Bill Adjustment Policy and Form (3 pages)
- Sample motion

*Action Sought*

Approve or deny the appeal of staff's denial of the water and sewer bill adjustment request. If the Council determines that an adjustment is warranted, then the amount of the adjustment should be established.

Town of Berryville  
Water and Sewer Billing Adjustment Request Form

Customer Name: F & W Management Service Address: 209 Chalmers Court

Mailing Address: P. O. Box 20809, Roanoke, VA 24018

Telephone Number(s): (540) 774-1641, Ext. 106

Email Address: ztabor@fwmgmt.com

Account Number: 030-3004400-1 Date problem discovered: 01/13/17 Date problem repaired: 06/01/17

Brief description of problem and action taken to repair: \_\_\_\_\_

\_\_\_\_\_

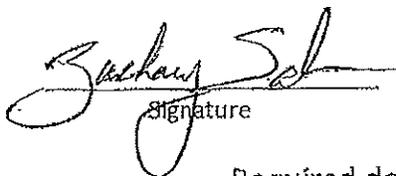
Please see attached letter.

\_\_\_\_\_

\_\_\_\_\_

Acknowledgement:

I understand that submission of this form does not a guarantee that a bill adjustment will be made. Further, I understand that submission of this form does not relieve me of my responsibility to pay the entire amount of bill during the normal billing period; unless, I enter into a payment plan with the Town.

  
Signature

Zach Tabor, Operations Controller of Agent  
Name Printed

September 6, 2018  
Date

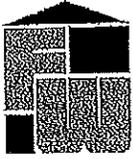
Required documentation to be submitted with request:

- 1) Narrative signed by party making repairs explaining, in detail, the nature of the leak or usage, what repairs were made and when they were made,
- 2) Copy of repair invoice attached (if repaired professionally) or Copy of repair receipts attached (if repaired by owner/tenant or agent), and
- 3) Copy of insurance company determination regarding claim for water/sewer bill (required when usage is greater than three-times the account average)

Return this form and documentation to:



Town of Berryville  
W/S BILL ADJUSTMENT REQUEST  
101 Chalmers Court, Suite A  
Berryville, VA 22611  
Fax: (540) 955-4524



F & W MANAGEMENT, LC

ASSET MANAGEMENT, COMMERCIAL  
AND BUSINESS BROKERAGE

September 6, 2018

Town of Berryville  
Water and Sewer Adjustment Request  
101 Chalmers Court, Suite A  
Berryville, VA 22611

RE: Battletown Ridge Associates, LLLP  
DBA Countryview Apartments  
209 Chalmers Court  
Account: 030-3004400-1

To the Representative of the Town of Berryville:

Battletown Ridge Associates, LLLP (DBA Countryview Apartments) experienced a long-term water leak on the premises for an undetermined amount of time. The form with which this letter is presented states that the problem was discovered on January 13, 2017. This, however, is only the date at which we started to see a further uptick in the amount of water used at the property. The true start of a leak may never be known because when attempts were made to contact the Town of Berryville for assistance, the Town response was always nothing is wrong. We first started questioning the water and sewer issues at this property in July 2015 via telephone communication.

The following is a summary of the actions of F&W Management, LC and Countryview Apartments beginning in January 2017:

When water consumption levels increased far above what was considered "normal" for the property in January 2017, the ownership was made aware of our findings and our plan to consult with the Town of Berryville, as well as perform property inspections to look for possible water leaks. Michelle Childress and Zach Tabor had a conference call with the Town of Berryville and showed the town proof via a three year water usage model that there was a severe issue with either bad meters or a water leak. The Town sent a representative to the property on January 20, 2017 to test the meter with Michelle Childress. This test was inconclusive due to water still being run at the property, so a second test was conducted on January 23, 2017 with the water to the property being cut off at each building. The meter continued to run during this test, which led us to believe that there was a leak at the property. We, however were led to believe that this issue may be on the Town side for about two months. This, however, was later dismissed by the Town.

Between January and February, we started to notice that even when the water was turned off at the property, the sewer still had moving water. In March, the property contacted H2O Pipe Works, LLC to jet and evacuate the sewer lines. The contractor also ran a video camera down the length of the pipe and found that the sewer pipe had fallen at some point. This does not prove a water leak, but it had to be repaired. We contracted Perfection Lawn Care to fix the sewer pipe for the property in April 2017.

During the course of these repairs, we found a major source of the leaks at the property. A water line ran the length of the sewer line and, when the sewer line fell, it also busted the water line. The contractor also discovered that four of the water valves at the property was leaking. Finally, this contractor was able to show us where all the water was going. In digging up the sewer line for replacement, he found that the ground under the parking lot was very wet. The leaking water ran the length of the sewer line and flowed out at the break, which was near the parking lot. In May, this same contractor also repaired the water line and replaced the four leaking valves.

Finally, in June of 2017, we contracted American Leak Detection of Northern Virginia to test the ground for anymore leaks. The company came back with an analysis stating that there were no major leaks at the property.

After the leaks were addressed and the sewer line and broken water line were replaced, we performed extensive tests for the next several months to see if the water level had come down. We waited a long time because of our belief that this water leak had occurred in 2015. We have found from our analysis, which is included with the credit form and this letter, that water levels have come down to a level similar to that of 2015.

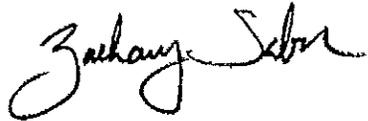
Since we have a good basis for what is normal at the property, we now feel confident that our information proves that the property, Battletown Ridge Associates, LLLP, deserves a credit for the water usage in excess of the base during the period of July 2015 through June 2017. The form that the Town has provided indicates that credit requests have to be made within 10 days of the date of a particular invoice showing the water overage. However, I believe the situation at this property is unique and should not be held to that time limitation.

On behalf of Battletown Ridge Associates, LLLP, F&W Management requests a credit for this property based on the attached calculation worksheet. In total, please see all reference information pertaining to this claim:

- Credit calculation worksheet
- Water and sewer usage and cost worksheet
- Water usage graph
- Invoices and correspondence pertaining to repairs of the sewer line, water line, and water valves at the property

If you have any questions, please contact either Michelle Childress [(540) 471-7442] or me with any questions or concerns that you may have. We thank you for your attention to this matter and look forward to your response.

Sincerely,

A handwritten signature in black ink that reads "Zach Tabor". The signature is written in a cursive, flowing style.

Zach Tabor  
Operations Controller  
F&W Management, LC

Enclosure(s)

**Company Name:** F & W Management, LC  
**Report Name:** Water and Sewer Adjustment Calculation Worksheet  
**Reporting Book:** ACCRUAL  
**Start Date:** 01/01/2014  
**End Date:** 12/31/2017  
**Location:** 415--Battletown Ridge Associates, LLLP

Posted Dt.	Doc Dt.	Start Date	End Date	Srvs Days	Gallons	G / Day	Water/Sewer	Cost / G	Calculation
01/07/2014	01/07/2014	11/21/2013	12/19/2013	28	135,000	4,821.43	3,251.75	0.0241	-
02/18/2014	02/19/2013	12/19/2013	02/10/2014	53	252,000	4,754.72	6,065.60	0.0241	-
03/31/2014	03/26/2014	02/10/2014	03/20/2014	38	186,000	4,894.74	4,497.35	0.0242	-
05/05/2014	04/30/2014	03/20/2014	04/24/2014	35	163,000	4,657.14	4,317.67	0.0265	-
06/02/2014	05/30/2014	04/24/2014	05/22/2014	28	145,000	5,178.57	3,099.73	0.0214	-
07/07/2014	06/30/2014	05/22/2014	06/24/2014	33	167,000	5,060.61	4,444.44	0.0266	-
08/04/2014	07/30/2014	06/24/2014	07/23/2014	29	143,000	4,931.03	3,175.96	0.0222	-
09/02/2014	07/23/2014	07/23/2014	08/25/2014	33	165,000	5,000.00	4,150.00	0.0252	-
10/06/2014	08/30/2014	08/25/2014	09/23/2014	29	155,000	5,344.83	3,880.00	0.0250	-
11/04/2014	10/30/2014	09/23/2014	10/23/2014	30	146,000	4,866.67	3,675.00	0.0252	-
12/08/2014	11/30/2014	10/23/2014	11/20/2014	28	141,000	5,035.71	3,530.00	0.0250	-
01/05/2015	12/30/2014	11/20/2014	12/22/2014	32	158,000	4,937.50	3,975.00	0.0252	-
02/03/2015	01/30/2015	12/22/2014	01/22/2015	31	158,000	5,096.77	3,955.00	0.0250	-
03/30/2015	03/24/2015	01/22/2015	03/23/2015	60	292,000	4,866.67	7,325.00	0.0251	-
05/04/2015	04/30/2015	03/23/2015	04/27/2015	35	170,000	4,857.14	4,255.00	0.0250	-
06/01/2015	05/30/2015	04/27/2015	05/27/2015	30	145,000	4,833.33	3,630.00	0.0250	-
06/29/2015	06/29/2015	05/27/2015	06/24/2015	28	148,000	5,285.71	3,705.00	0.0250	69.29
08/04/2015	07/30/2015	06/24/2015	07/24/2015	30	165,000	5,500.00	4,216.40	0.0256	414.52
08/31/2015	08/30/2015	07/24/2015	08/24/2015	31	184,000	5,935.48	4,678.60	0.0254	222.57
10/05/2015	09/30/2015	08/24/2015	09/23/2015	30	171,000	5,700.00	4,368.80	0.0255	181.75
11/02/2015	10/30/2015	09/23/2015	10/22/2015	29	164,000	5,655.17	4,195.60	0.0255	284.16
12/01/2015	11/23/2015	10/22/2015	11/20/2015	29	168,000	5,793.10	4,292.60	0.0256	316.99
01/05/2016	12/30/2015	11/20/2015	12/28/2015	38	218,000	5,736.84	5,557.20	0.0255	906.65
02/22/2016	02/16/2016	12/28/2015	02/11/2016	45	279,000	6,200.00	7,112.00	0.0255	576.33
04/04/2016	03/28/2016	02/11/2016	03/22/2016	40	239,000	5,975.00	6,090.60	0.0255	662.26
05/09/2016	04/27/2016	03/22/2016	04/25/2016	34	210,000	6,176.47	5,394.00	0.0254	1,334.29
06/06/2016	05/27/2016	04/25/2016	05/23/2016	28	204,000	7,285.71	5,181.60	0.0254	1,803.50
07/05/2016	06/29/2016	05/23/2016	06/23/2016	31	239,000	7,709.68	6,045.20	0.0253	1,800.67
08/02/2016	07/27/2016	06/23/2016	07/25/2016	32	244,000	7,625.00	6,197.60	0.0254	2,287.72
09/07/2016	08/29/2016	07/25/2016	08/24/2016	30	252,000	8,400.00	6,426.20	0.0255	2,450.66
10/03/2016	09/29/2016	08/24/2016	09/26/2016	33	275,000	8,333.33	6,985.00	0.0254	1,791.49
11/01/2016	10/28/2016	09/26/2016	10/24/2016	28	222,000	7,928.57	5,638.80	0.0254	651.37
12/06/2016	11/29/2016	10/24/2016	11/21/2016	28	177,000	6,321.43	4,151.80	0.0255	717.65
01/03/2017	12/29/2016	11/21/2016	12/27/2016	36	223,000	6,194.44	5,664.20	0.0254	778.84
01/31/2017	01/27/2017	12/27/2016	01/24/2017	29	182,000	6,500.00	4,642.80	0.0255	1,552.48
03/06/2017	02/27/2017	01/24/2017	02/22/2017	27	164,000	7,517.24	5,537.20	0.0254	457.88
04/04/2017	03/29/2017	02/22/2017	03/21/2017	34	182,000	6,074.07	4,165.60	0.0255	-
05/01/2017	04/27/2017	03/21/2017	04/24/2017	28	143,000	5,352.94	4,622.80	0.0254	-
06/06/2017	05/26/2017	04/24/2017	05/22/2017	28	143,000	5,107.14	3,657.60	0.0256	-

**Company Name:** F & W Management, LC  
**Report Name:** Water and Sewer Adjustment Calculation Worksheet  
**Reporting Book:** ACCRUAL  
**Start Date:** 01/01/2014  
**End Date:** 12/31/2017  
**Location:** 415--Battletown Ridge Associates, LLLP

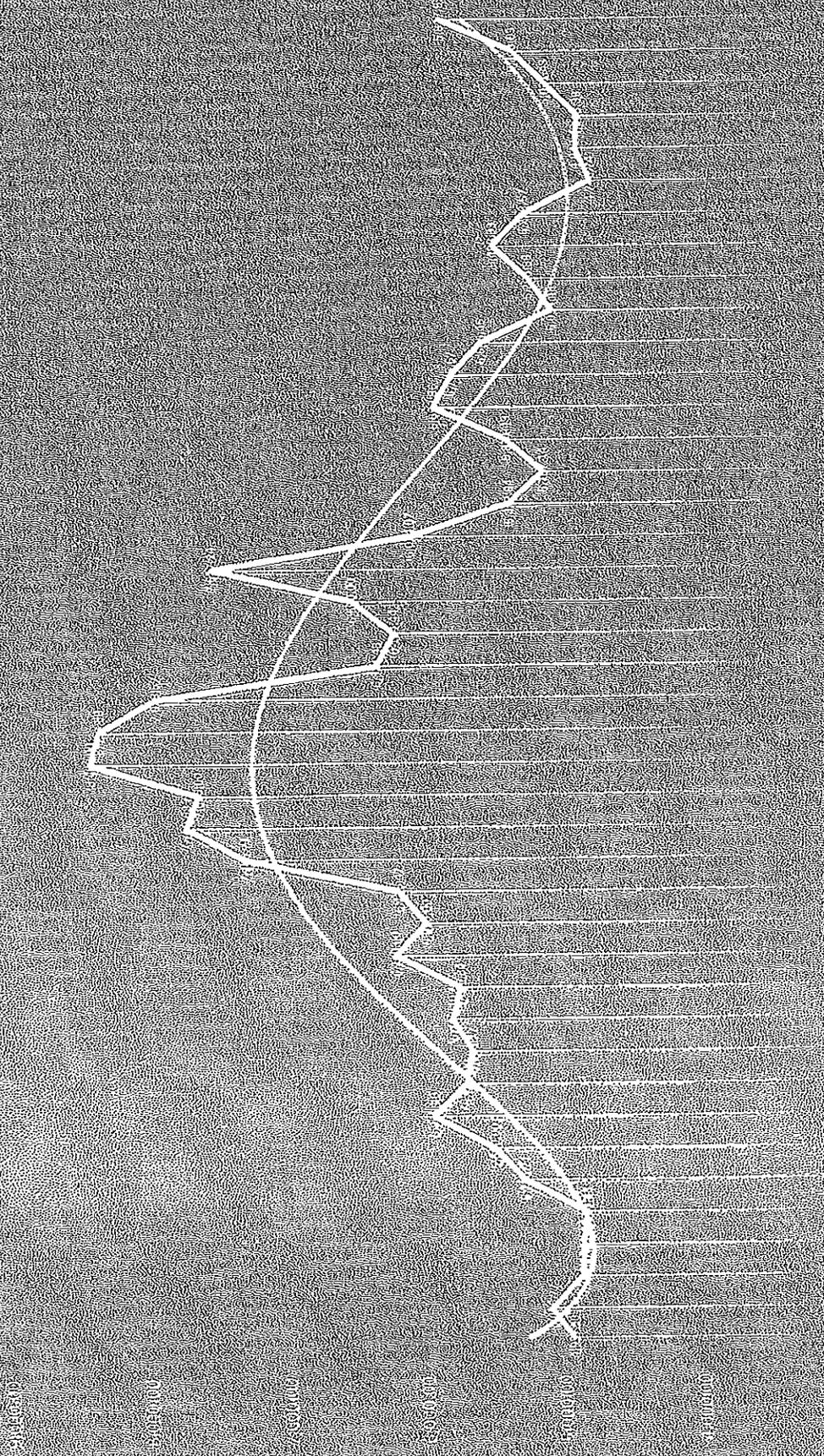
Postad Dt.	Doc Dt.	Start Date	End Date	Svc Days	Gallons	G / Day	Water/Sewer	Cost / G	Calculation
07/03/2017	06/28/2017	05/22/2017	06/26/2017	35	188,000	5,371.43	4,795.20	0.0255	-
08/01/2017	07/28/2017	06/26/2017	07/24/2017	28	165,000	5,892.86	4,191.00	0.0254	-
09/05/2017	08/29/2017	07/24/2017	08/23/2017	30	173,000	5,766.67	4,414.20	0.0255	-
10/02/2017	09/28/2017	08/23/2017	09/25/2017	33	183,000	5,545.45	4,648.20	0.0254	-
11/06/2017	10/30/2017	09/23/2017	10/24/2017	29	146,000	5,034.48	3,728.40	0.0255	-
12/01/2017	11/28/2017	10/24/2017	11/27/2017	34	177,000	5,205.88	4,521.20	0.0255	-
							<b>Total Reimbursed Due from Town</b>		<b>\$ 19,261.06</b>

Since repairs were made in February/March of 2017, average gallons used per day has been 5,409.61.  
 Fallen sewer line and water valve leak period has been determined to be from 06/24/2015 through 03/21/2017.  
 Total amount of calculation is based on gallons per day that exceed 5,409.61, multiplied by the rate of water and sewer combined per gallon, multiplied by the days in the given service period.



# GALLONS PER DAY USAGE TREND LINE

— (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12)



100,000  
80,000  
60,000  
40,000  
20,000  
0

1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980

GALLONS PER DAY

YEAR

H2O Pipe Works, LLC  
 7322 Lord Fairfax Hwy.  
 Berryville, VA 22611  
 540-905-0650

# Invoice

Date	Invoice #
3/27/2017	4389

Bill To
Battletown Ridge Associates LLLP 209 Chalmers Court Berryville, VA 22611

P.O. No.	Terms	Project
	Due on receipt	Country View Apartments

Quantity	Description	Rate	Amount
	EQ# 2327R Vactor 2115 Jet & Vac Sanitary Pipe Reset Manhole Frame and Cover  <i>CK# 156116</i> <i>Final</i> 	3,400.00	3,400.00
<i>Michelle Williams</i>		<b>Total</b>	\$3,400.00

PERFECTION LAWN CARE INC.

1582 Venturous Trail,  
Goode, VA 24556  
(540) 875-7491

# Invoice

Date	Invoice #
5/15/2017	9808

Bill To
COUNTRY VIEW

P.O. No.	Terms	Project
41500378		#415

Quantity	Description	Rate	Amount
	REPAIRED SEWER LINE AS QUOTED.	8,500.00	8,500.00
<b>PROCESSED</b>			
5/25/2017			
			
<b>Total</b>			\$8,500.00

**Countryview**  
 899 Port Republic Rd  
 Harrisonburg, VA 22801-3374  
 (540) 434-3173

**Invoice**  
 9808  
 Status: Pending  
 Invoice date: 05/15/2017  
 As of 05/25/2017 6:55AM (CST)

Submitted by: Michelle Childress @ 05/25/2017 6:55AM (CST)  
 Pending approval by: Paula Mangus

**Vendor**  
 PERFECTION LAWCARE INC- 20302  
 Attn: 20302  
 1582 VENTUROUS TRL  
 GOODE, VA, 24556

**Invoice Information**  
 Posting date: 05/25/2017  
 Invoice date: 05/15/2017  
 Terms: Due on receipt  
 Due date: 05/15/2017  
 Invoice total: \$ 8,500.00  
 Purchase Order(s): 41500378

Items ordered

Quantity	Product	Comment	Property	Unit	Account	Price each	Total price
1.00	REPAIR SEWER LINE 225 BUILDING		Countryview		646000 - REPAIRS CONTRACT	8500.00	8500.00
						Subtotal	\$ 8,500.00
						Tax	\$ 0.00
						Shipping	\$ 0.00
						Discount	\$ 0.00
						Total	\$ 8,500.00

Comments

Approver Signatures

Approver: \_\_\_\_\_ Date: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

PERFECTION LAWN CARE INC.

1582 Venturous Trail  
Goode, VA 24556  
(540) 875-7491

# Invoice

Date	Invoice #
5/15/2017	9809

Bill To
COUNTRY VIEW

P.O. No.	Terms	Project
41500388		415

Quantity	Description	Rate	Amount
	REPLACED MAIN WATER VALVE TO BUILDING.	1,200.00	1,200.00
<b>PROCESSED</b>			
5/25/2017 <i>Michelle Cudders</i>			
<b>Total</b>			\$1,200.00

**Countryview**  
 899 Port Republic Rd  
 Harrisonburg, VA 22801-3374  
 (540) 434-3173

**Invoice**  
 9809  
 Status: Pending  
 Invoice date: 05/15/2017  
 As of 05/25/2017 8:35AM (CST)

Submitted by: Michelle Childress @ 05/25/2017 8:35AM (CST)  
 Pending approval by: Paula Mangus

**Vendor**  
 PERFECTION LAWCARE INC- 20302  
 Attn: 20302  
 1582 VENTUROUS TRL  
 GOODE, VA, 24556

**Invoice information**  
 Posting date: 05/25/2017  
 Invoice date: 05/15/2017  
 Terms: Due on receipt  
 Due date: 05/15/2017  
 Invoice total: \$ 1,200.00  
 Purchase Order(s): 41500388

**Items ordered**

Quantity	Product	Comment	Priority	Unit	Account	Price each	Total price
1.00	REPLACE MAIN SHUT OFF TO BUILDING		Countryview		646000 - REPAIRS CONTRACT	1200.00	1200.00
						Subtotal	\$ 1,200.00
						Tax	\$ 0.00
						Shipping	\$ 0.00
						Discount	\$ 0.00
						Total	\$ 1,200.00

**Comments**

**Approver Signatures**

Approver: \_\_\_\_\_ Date: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

PERFECTION LAWN CARE INC.

1582 Venturous Trail  
Goode, VA 24556  
(540) 875-7491

# Invoice

Date	Invoice #
5/23/2017	9827

Bill To
COUNTRY VIEW

P.O. No.	Terms	Project
41500387		415

Quantity	Description	Rate	Amount
3	REPLACED LEAKING MAIN WATER SHUT OFF VALVES.	1,200.00	3,600.00
<b>PROCESSED</b>			
5/25/2017			
<i>Michelle O'Duross</i>			
<b>Total</b>			\$3,600.00

**Countryview**  
 899 Port Republic Rd  
 Harrisonburg, VA 22801-3374  
 (540) 434-3173

**Invoice**  
 9827  
 Status: Pending  
 Invoice date: 05/23/2017  
 As of 05/25/2017 8:36AM (CST)

Submitted by: Michelle Childress @ 05/25/2017 8:36AM (CST)  
 Pending approval by: Paula Mangus

**Vendor**  
 PERFECTION LAWCARE INC- 20302  
 Attn: 20302  
 1582 VENTUROUS TRL  
 GOODE, VA, 24556

**Invoice information**  
 Posting date: 05/25/2017  
 Invoice date: 05/23/2017  
 Terms: Due on receipt  
 Due date: 05/23/2017  
 Invoice total: \$ 3,600.00  
 Purchase Order(s): 41500387

Items ordered

Quantity	Product	Comment	Property	Unit	Account	Price each	Total price
3.00	REPLACE 3 LEAKING MAIN WATER SHUT OFF		Countryview		646000 - REPAIRS CONTRACT	1200.00	3600.00
						Subtotal	\$ 3,600.00
						Tax	\$ 0.00
						Shipping	\$ 0.00
						Discount	\$ 0.00
						Total	\$ 3,600.00

Comments

Approver Signatures

Approver: \_\_\_\_\_ Date: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

American Leak Detection of Northern Virginia  
525-K East Market St, # 213  
Leesburg, VA 20176  
855-309-5325

BILL TO  
Michelle Childress  
Deer Run Apartments  
899 Port Republic Rd  
Harrisonburg, VA 22801

INVOICE 1505

DATE 06/09/2017

DUE DATE 06/09/2017

TECHNICIAN  
SW // FT 2387

DATE	ACTIVITY	QTY	RATE	AMOUNT
06/06/2017	DOMESTIC DETECTION: OA site: 209 Chalmers Ct Berryville, VA 22611  listen on all new valves/ fire hydrants and existing no leak sounds found  previous building shut down, showed no movement on water meter= no main line leaks would suggest new ball valves on other building for proper pressure test	1	450.00	450.00

Please note: We try to verify all leaks, however, if there are mutable leaks in the same area it may not be possible to non-destructively find ALL leaks.

We appreciate your business and prompt payment.  
TAX ID: 47-1981814

ALD of NOVA expects payment from customer on the stated due date; late fees may be added every 30 days. We will not complete any outside payment service sign-ups without charging for our time. W9 and our standard COI will be supplied when requested.

TOTAL DUE \$450.00

Email: [ALDofNOVA@gmail.com](mailto:ALDofNOVA@gmail.com)

Website: <http://www.americanleakdetection.com/va-northern/residential-service>

One hour of travel time included in the price. If distance or traffic dictates our travel time is more than one hour, that time will be included as time onsite. Finance charges will be applied after 30 days from the date of service at 1.5% per month (18% APR).

**Countryview**  
 899 Port Republic Rd  
 Harrisonburg, VA 22801-3374  
 (640) 434-3173

**Invoice**  
 1505  
 Status: Pending  
 Invoice date: 06/08/2017  
 As of 06/12/2017 10:26AM (CST)

Submitted by: Michelle Childress @ 06/12/2017 10:26AM (CST)  
 Pending approval by: Paula Mangus

**Vendor**  
 American Leak Detection of Nor- 29533  
 Attn: 29533  
 523-K East Market Street  
 #213US  
 Leesburg, VA, 20176

**Invoice information**  
 Posting date: 06/12/2017  
 Invoice date: 06/08/2017  
 Terms: Due on receipt  
 Due date: 06/08/2017  
 Invoice total: \$ 450.00  
 Purchase Order(s): 41500395

Items ordered

Quantity	Product	Comment	Property	Unit	Account	Price each	Total price
1.00	DOMESTIC DETECTION		Countryview		646000 - REPAIRS CONTRACT	450.00	450.00
					Subtotal		\$ 450.00
					Tax		\$ 0.00
					Shipping		\$ 0.00
					Discount		\$ 0.00
					Total		\$ 450.00

Comments

Approver Signatures

Approver: \_\_\_\_\_ Date: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## Keith Dalton

---

**From:** Keith Dalton  
**Sent:** Monday, October 15, 2018 3:38 PM  
**To:** 'Zach Tabor'  
**Cc:** Desi Moreland  
**Subject:** RE: Adjustment F&W Management 209 Chalmers Court  
**Attachments:** 20181015153012993.pdf

Zach:

I have not spoken with the Chair of the Committee about this but generally such presentations should not exceed 5 minutes. After you present your information, the Committee members may have some questions for you. If after I speak with the Chair I find that I have given you erroneous information, then I will be back in touch.

Lastly, your item is at the top of the agenda (agenda attached).

I look forward to meeting you.

Take care,

Keith

Keith R. Dalton, Town Manager  
Town of Berryville, Virginia  
101 Chalmers Court, Suite A  
Berryville, VA 22611

V 540.955.1099  
F 540.955.4524

---

**From:** Zach Tabor [mailto:ztabor@fwgmt.com]  
**Sent:** Monday, October 15, 2018 3:24 PM  
**To:** Keith Dalton <townmanager@berryvilleva.gov>  
**Cc:** Desi Moreland <treasurer@berryvilleva.gov>; Rick Boor <directordpw@berryvilleva.gov>; Michelle Childress <mchildress@fwgmt.com>; Pam Gilmer <pamg@fwgmt.com>; Bill Tennant (wtenn10@aol.com) <wtenn10@aol.com>; Scott Humphrey (rlkane@verizon.net) <rlkane@verizon.net>; Ralph Elliott <relliott@berryvilleva.gov>  
**Subject:** RE: Adjustment F&W Management 209 Chalmers Court  
**Importance:** High

Mr. Dalton:

At this time, I do plan to attend the meeting and present our case on behalf of the property if need be. I am currently working from home, but I should be available to discuss this further starting Wednesday of this week.

Thank you for the update and for working with us. We greatly appreciate it.

Thank you,



Zach Tabor | Operations Controller

F+W Real Estate Group | F&W Management

3130 Chaparral Dr, S.W., Suite 200 | Roanoke, VA 24018

T 540 725 8106 | F 540 776 8680 | C 540 309 1784

[ztabor@fwmgmt.com](mailto:ztabor@fwmgmt.com) | [fwrealestategroup.com](http://fwrealestategroup.com)

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---

**From:** Keith Dalton [<mailto:townmanager@berryvilleva.gov>]

**Sent:** Monday, October 15, 2018 9:11 AM

**To:** Zach Tabor

**Cc:** Desi Moreland; Rick Boor; Michelle Childress; Pam Gilmer; Bill Tennant ([wtenn10@aol.com](mailto:wtenn10@aol.com)); Scott Humphrey ([rlkane@verizon.net](mailto:rlkane@verizon.net)); Ralph Elliott

**Subject:** RE: Adjustment F&W Management 209 Chalmers Court

Zach:

Your appeal will be heard by the Town Council's Streets and Utilities Committee on 10/25/18 at 6:30 pm.

The Committee will review the request and provide a recommendation to the Town Council (presumably heard on 11/13/18 at 7:30 pm.

These are of course public meetings. Your attendance is not required but is certainly welcome. If you do wish to attend and present before the Committee, then please let me know and I will discuss that matter with you.

Take care,

Keith

Keith R. Dalton, Town Manager  
Town of Berryville, Virginia  
101 Chalmers Court, Suite A  
Berryville, VA 22611

V 540.955.1099

F 540.955.4524

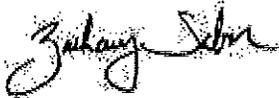
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**From:** Zach Tabor [<mailto:ztabor@fwmgmt.com>]  
**Sent:** Friday, October 12, 2018 10:54 AM  
**To:** Keith Dalton <[townmanager@berryvilleva.gov](mailto:townmanager@berryvilleva.gov)>  
**Cc:** Desi Moreland <[treasurer@berryvilleva.gov](mailto:treasurer@berryvilleva.gov)>; Rick Boor <[directordpw@berryvilleva.gov](mailto:directordpw@berryvilleva.gov)>; Michelle Childress <[mchildress@fwmgmt.com](mailto:mchildress@fwmgmt.com)>; Pam Gilmer <[pamg@fwmgmt.com](mailto:pamg@fwmgmt.com)>; Bill Tennant ([wtenn10@aol.com](mailto:wtenn10@aol.com)) <[wtenn10@aol.com](mailto:wtenn10@aol.com)>; Scott Humphrey ([rlkane@verizon.net](mailto:rlkane@verizon.net)) <[rlkane@verizon.net](mailto:rlkane@verizon.net)>; Ralph Elliott <[relliott@berryvilleva.gov](mailto:relliott@berryvilleva.gov)>  
**Subject:** RE: Adjustment F&W Management 209 Chalmers Court  
**Importance:** High

Mr. Dalton:

Michelle and I are available on this date; I made sure to check my church calendar as well to confirm. We will meet with you on October 22nd at 2:00pm.

Thank you,



Zach Tabor | Operations Controller

F+W Real Estate Group | F&W Management

3130 Chaparral Dr, S.W., Suite 200 | Roanoke, VA 24018

T 540 725 8106 | F 540 776 8680 | C 540 309 1784

[ztabor@fwmgmt.com](mailto:ztabor@fwmgmt.com) | [fwrealestategroup.com](http://fwrealestategroup.com)

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**From:** Keith Dalton [<mailto:townmanager@berryvilleva.gov>]  
**Sent:** Thursday, October 11, 2018 3:08 PM  
**To:** Zach Tabor <[ztabor@fwmgmt.com](mailto:ztabor@fwmgmt.com)>  
**Cc:** Desi Moreland <[treasurer@berryvilleva.gov](mailto:treasurer@berryvilleva.gov)>; Rick Boor <[directordpw@berryvilleva.gov](mailto:directordpw@berryvilleva.gov)>; Michelle Childress <[mchildress@fwmgmt.com](mailto:mchildress@fwmgmt.com)>; Pam Gilmer <[pamg@fwmgmt.com](mailto:pamg@fwmgmt.com)>; Bill Tennant ([wtenn10@aol.com](mailto:wtenn10@aol.com)) <[wtenn10@aol.com](mailto:wtenn10@aol.com)>; Scott Humphrey ([rlkane@verizon.net](mailto:rlkane@verizon.net)) <[rlkane@verizon.net](mailto:rlkane@verizon.net)>; Ralph Elliott <[relliott@berryvilleva.gov](mailto:relliott@berryvilleva.gov)>  
**Subject:** RE: Adjustment F&W Management 209 Chalmers Court

October 22<sup>nd</sup> at 2p works for us

---

**From:** Zach Tabor [<mailto:ztabor@fwmgmt.com>]  
**Sent:** Wednesday, October 10, 2018 11:37 AM  
**To:** Keith Dalton <[townmanager@berryvilleva.gov](mailto:townmanager@berryvilleva.gov)>  
**Cc:** Desi Moreland <[treasurer@berryvilleva.gov](mailto:treasurer@berryvilleva.gov)>; Rick Boor <[directordpw@berryvilleva.gov](mailto:directordpw@berryvilleva.gov)>; Michelle Childress <[mchildress@fwmgmt.com](mailto:mchildress@fwmgmt.com)>; Pam Gilmer <[pamg@fwmgmt.com](mailto:pamg@fwmgmt.com)>; Bill Tennant ([wtenn10@aol.com](mailto:wtenn10@aol.com)) <[wtenn10@aol.com](mailto:wtenn10@aol.com)>; Scott Humphrey ([rlkane@verizon.net](mailto:rlkane@verizon.net)) <[rlkane@verizon.net](mailto:rlkane@verizon.net)>; Ralph Elliott <[relliott@berryvilleva.gov](mailto:relliott@berryvilleva.gov)>

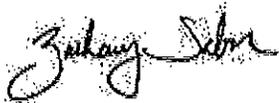
**Subject:** RE: Adjustment F&W Management 209 Chalmers Court

**Importance:** High

Mr. Dalton:

I apologize, but we have to cancel our meeting on October 15<sup>th</sup> and reschedule. I forgot that my church revival starts next week and, with travel, this meeting presents a conflict with my church duties. If you and your team are available the week of October 22<sup>nd</sup>, Michelle and I are also available. What dates and times can you reschedule for this week?

Thank you,



Zach Tabor | Operations Controller

F+W Real Estate Group | F&W Management

3130 Chaparral Dr, S.W., Suite 200 | Roanoke, VA 24018

T 540 725 8106 | F 540 776 8680 | C 540 309 1784

[ztabor@fwmgmt.com](mailto:ztabor@fwmgmt.com) | [fwrealestategroup.com](http://fwrealestategroup.com)

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---

**From:** Keith Dalton [<mailto:townmanager@berryvilleva.gov>]

**Sent:** Tuesday, October 02, 2018 10:54 AM

**To:** Zach Tabor <[ztabor@fwmgmt.com](mailto:ztabor@fwmgmt.com)>

**Cc:** Desi Moreland <[treasurer@berryvilleva.gov](mailto:treasurer@berryvilleva.gov)>; Rick Boor <[directordpw@berryvilleva.gov](mailto:directordpw@berryvilleva.gov)>; Michelle Childress <[mchildress@fwmgmt.com](mailto:mchildress@fwmgmt.com)>; Pam Gilmer <[pamg@fwmgmt.com](mailto:pamg@fwmgmt.com)>; Bill Tennant ([wtenn10@aol.com](mailto:wtenn10@aol.com)) <[wtenn10@aol.com](mailto:wtenn10@aol.com)>; Scott Humphrey ([rlkane@verizon.net](mailto:rlkane@verizon.net)) <[rlkane@verizon.net](mailto:rlkane@verizon.net)>; Ralph Elliott <[relliott@berryvilleva.gov](mailto:relliott@berryvilleva.gov)>

**Subject:** RE: Adjustment F&W Management 209 Chalmers Court

Mr. Tabor:

We are good to meet at 9:00 am on October 15. We can be reached at 540- 955-1099.

Thank you for your clarification. I spoke with Ralph Elliot (Public Works Utility Forman) and Rick Boor (Public Works Director) this morning about the matter. They made it clear that they did not advise your team there wasn't a leak on the property owner's side. In fact, Mr. Elliot recalls the meter was clearly registering flow indicating either usage or a leak(s). Mr. Elliot worked closely with your contractor to locate the problems on the property owner's side of the meter.

We look forward to speaking with you on the 15<sup>th</sup>.

Take care,

Keith

Keith R. Dalton, Town Manager  
Town of Berryville, Virginia  
101 Chalmers Court, Suite A  
Berryville, VA 22611

V 540.955.1099  
F 540.955.4524

---

**From:** Zach Tabor [<mailto:ztabor@fwmgmt.com>]  
**Sent:** Monday, October 01, 2018 5:29 PM  
**To:** Keith Dalton <[townmanager@berryvilleva.gov](mailto:townmanager@berryvilleva.gov)>  
**Cc:** Desi Moreland <[treasurer@berryvilleva.gov](mailto:treasurer@berryvilleva.gov)>; Rick Boor <[directordpw@berryvilleva.gov](mailto:directordpw@berryvilleva.gov)>; Michelle Childress <[mchildress@fwmgmt.com](mailto:mchildress@fwmgmt.com)>; Pam Gilmer <[pamg@fwmgmt.com](mailto:pamg@fwmgmt.com)>; Bill Tennant ([wtenn10@aol.com](mailto:wtenn10@aol.com)) <[wtenn10@aol.com](mailto:wtenn10@aol.com)>; Scott Humphrey ([rlkane@verizon.net](mailto:rlkane@verizon.net)) <[rlkane@verizon.net](mailto:rlkane@verizon.net)>  
**Subject:** RE: Adjustment F&W Management 209 Chalmers Court  
**Importance:** High

Mr. Dalton:

With regard to your final note in your email below concerning a meeting with the Public Works Department of the Town of Berryville, Michelle Childress and I will be available on October 15<sup>th</sup> and 16<sup>th</sup> for such a meeting. If these times are not agreeable to your schedule or that of the public works team, then we can meet later in the month. These times have not been discussed between Ms. Childress and I as we wish to have this discussion sooner as opposed to later.

Also, I would like to clarify one note from your last statement. Two persons from the Public Works Department did assist Ms. Childress last year when we were working through the majority of the testing and repairs. The town did assist, but their determinations were only to tell us that there was no leak on the town's side and, from what they could tell, there was no leak on the property's side either.

We look forward to your response for a date and time to meet.

Thank you,



Zach Tabor | Operations Controller

F+W Real Estate Group | F&W Management

3130 Chaparral Dr, S.W., Suite 200 | Roanoke, VA 24018

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---

**From:** Keith Dalton [<mailto:townmanager@berryvilleva.gov>]  
**Sent:** Monday, October 01, 2018 4:37 PM  
**To:** Zach Tabor <[ztabor@fwmgmt.com](mailto:ztabor@fwmgmt.com)>  
**Cc:** Desi Moreland <[treasurer@berryvilleva.gov](mailto:treasurer@berryvilleva.gov)>; Rick Boor <[directordpw@berryvilleva.gov](mailto:directordpw@berryvilleva.gov)>  
**Subject:** Adjustment F&W Management 209 Chalmers Court

Mr. Tabor:

This email is sent in response to your request for adjustment of the water/sewer bill for 209 Chalmers Court. Thank you for contacting the Town with your request.

The adjustment has been reviewed in accordance with the requirements of the Town of Berryville Water/Sewer Bill Adjustment Policy (Policy). As a result of that review, I have determined that the request does not meet the requirements of the Policy and therefore the request is denied. Specifically, the request was denied because:

- The request was not timely.  
Repair of the leak in question was completed in May 2017 and the request was made in September of 2018. This does not meet the requirement that requests for adjustment be filed within 10 days of the billing date.

It is important to note that had the request been timely, only the most recent bill would have been reviewed under the provision of the Policy. It is also important to note that if you are of the opinion that I have not properly interpreted the Policy in this matter, then you may appeal this determination to Berryville's Town Council. If you wish to appeal this decision, then please respond to this email with the basis of appeal and I will forward it to the Council.

With regard to what I suppose would be characterized as a lack of assistance from the Town's Public Works Department, I would be glad to meet with both you and Public Works staff to discuss the matter further. Let me know a few dates/times at which you can meet and I will do my best to get a meeting scheduled.

Take care,

Keith

Keith R. Dalton, Town Manager  
Town of Berryville, Virginia  
101 Chalmers Court, Suite A  
Berryville, VA 22611

V 540.955.1099  
F 540.955.4524

## Keith Dalton

---

**From:** Desi Moreland  
**Sent:** Wednesday, September 19, 2018 2:06 PM  
**To:** Keith Dalton  
**Subject:** F&W Management Utility Billing Adjustment Request  
**Attachments:** Countryview Consumption History.pdf; F&W Request.pdf

Keith,

We received a ***Water and Sewer Billing Adjustment Request Form*** from F&W Management (Countryview Apartments). They are requesting an adjustment of \$19,261.06 for billings beginning June 2015 through July 2017 based on the gallons per day that exceeded their estimation of a normal average, multiplied by the combined water and sewer rate per thousand gallon.

They state that in April 2017, during the course of sewer pipe repairs, they found a busted water line which was repaired in May 2017. In June 2017 they had a contractor test for additional leaks and were informed that there were no major leaks on the property.

Our policy states that all requests for bill adjustments must be made within ten days of the billing date. They feel that their situation is unique and should not be held to that time limitation. That being said, it was still well over a year from the time they said the leak was repaired (May 2017) until the request for adjustment was made (September 2018).

Town policy also states that only one bill adjustment may be made for any account in any given 12 month period and they have requested adjustments for 25 consecutive billing periods.

For leaks occurring in the service line between the water meter and the building the meter serves, the Town may approve adjustment to the sewer if it is found that the leaking water did not enter the sewer system. Water usage is only adjusted if the leak was repaired in a timely fashion after discovery and then the adjustment may not exceed one-half of the difference between the accounts average usage over the past twelve months. They are requesting an adjustment to begin June 2015 for a leak that wasn't discovered until April 2017 and then repaired in May 2017. They have calculated their requested adjustment on the total amount of estimated usage over what they determined normal.

To confuse matters even further, they claim to have contacted public works for assistance and were told nothing was wrong, then were later led to believe it was a Town issue which was later dismissed. I unsuccessfully attempted to call public works to see if anyone remembered dealing with this issue. I guess we need to get those involved together to see who remembers what.

Desiree A. Moreland  
Assistant Town Manager/Treasurer

Town of Berryville  
101 Chalmers Court, Suite A  
Berryville, VA 22611  
(540)955-1099

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

Account Num	Full Name	Service Addr	Curr Read	Prev Read	Calc Usage	Avg Use Amt	Bill Date	Entry Date	Serial No
030-3004400-1		209 CHALMERS C	56	55	1000	637	8/29/2018	8/27/2018	22222222A
030-3004400-1		209 CHALMERS C	6053	5807	246000	169325	8/29/2018	8/27/2018	88888888A
030-3004400-1		209 CHALMERS C	55	55	0	627	7/27/2018	7/24/2018	22222222A
030-3004400-1		209 CHALMERS C	5807	5638	169000	165674	7/27/2018	7/24/2018	88888888A
030-3004400-1		209 CHALMERS C	55	53	2000	647	6/27/2018	6/25/2018	22222222A
030-3004400-1		209 CHALMERS C	5638	5463	175000	165508	6/27/2018	6/25/2018	88888888A
030-3004400-1		209 CHALMERS C	53	53	0	605	5/29/2018	5/23/2018	22222222A
030-3004400-1		209 CHALMERS C	5463	5321	142000	165009	5/29/2018	5/23/2018	88888888A
030-3004400-1		209 CHALMERS C	53	53	0	625	4/27/2018	4/25/2018	22222222A
030-3004400-1		209 CHALMERS C	5321	5176	145000	166288	4/27/2018	4/25/2018	88888888A
030-3004400-1		209 CHALMERS C	53	52	1000	646	3/28/2018	3/26/2018	22222222A
030-3004400-1		209 CHALMERS C	5176	5016	160000	167541	3/28/2018	3/26/2018	88888888A
030-3004400-1		209 CHALMERS C	52	52	0	634	2/26/2018	2/21/2018	22222222A
030-3004400-1		209 CHALMERS C	5016	4888	128000	168013	2/26/2018	2/21/2018	88888888A
030-3004400-1		209 CHALMERS C	52	52	0	657	1/29/2018	1/25/2018	22222222A
030-3004400-1		209 CHALMERS C	4888	4705	183000	170681	1/29/2018	1/25/2018	88888888A
030-3004400-1		209 CHALMERS C	52	52	0	682	12/28/2017	12/21/2017	22222222A
030-3004400-1		209 CHALMERS C	4705	4574	131000	169802	12/28/2017	12/21/2017	88888888A
030-3004400-1		209 CHALMERS C	52	51	1000	709	11/28/2017	11/27/2017	22222222A
030-3004400-1		209 CHALMERS C	4574	4397	177000	172787	11/28/2017	11/27/2017	88888888A
030-3004400-1		209 CHALMERS C	51	51	0	698	10/30/2017	10/24/2017	22222222A
030-3004400-1		209 CHALMERS C	4397	4251	146000	172436	10/30/2017	10/24/2017	88888888A
030-3004400-1		209 CHALMERS C	51	50	1000	728	9/28/2017	9/25/2017	22222222A
030-3004400-1		209 CHALMERS C	4251	4059	182000	174840	9/28/2017	9/25/2017	88888888A
030-3004400-1		209 CHALMERS C	50	50	0	717	8/29/2017	8/23/2017	22222222A
030-3004400-1		209 CHALMERS C	4059	3896	173000	174125	8/29/2017	8/23/2017	88888888A
030-3004400-1		209 CHALMERS C	50	49	1000	677	7/28/2017	7/24/2017	22222222A

Account Num	Full Name	Service Addr	Cur Read	Prev Read	Calc Usage	Avg Use Amt	Bill Date	Entry Date	Serial No
030-3004400-1		209 CHALMERS C	3896	3732	164000	181998	7/28/2017	7/24/2017	88888888A
030-3004400-1		209 CHALMERS C	49	49	0	662	6/28/2017	6/26/2017	22222222A
030-3004400-1		209 CHALMERS C	3732	3544	188000	184248	6/28/2017	6/26/2017	88888888A
030-3004400-1		209 CHALMERS C	49	48	1000	696	5/26/2017	5/22/2017	22222222A
030-3004400-1		209 CHALMERS C	3544	3401	143000	183713	5/26/2017	5/22/2017	88888888A
030-3004400-1		209 CHALMERS C	48	47	1000	680	4/27/2017	4/24/2017	22222222A
030-3004400-1		209 CHALMERS C	3401	3220	181000	190499	4/27/2017	4/24/2017	88888888A
030-3004400-1		209 CHALMERS C	47	47	0	663	3/29/2017	3/21/2017	22222222A
030-3004400-1		209 CHALMERS C	3220	3056	164000	192399	3/29/2017	3/21/2017	88888888A
030-3004400-1		209 CHALMERS C	47	46	1000	702	2/27/2017	2/22/2017	22222222A
030-3004400-1		209 CHALMERS C	3056	2839	217000	199499	2/27/2017	2/22/2017	88888888A
030-3004400-1		209 CHALMERS C	46	46	0	684	1/27/2017	1/24/2017	22222222A
030-3004400-1		209 CHALMERS C	2839	2657	182000	216184	1/27/2017	1/24/2017	88888888A
030-3004400-1		209 CHALMERS C	46	45	1000	730	12/29/2016	12/27/2016	22222222A
030-3004400-1		209 CHALMERS C	2657	2435	222000	218463	12/29/2016	12/27/2016	88888888A
030-3004400-1		209 CHALMERS C	45	45	0	711	11/29/2016	11/21/2016	22222222A
030-3004400-1		209 CHALMERS C	2435	2258	177000	218211	11/29/2016	11/21/2016	88888888A
030-3004400-1		209 CHALMERS C	45	44	1000	766	10/28/2016	10/24/2016	22222222A
030-3004400-1		209 CHALMERS C	2258	2037	221000	221382	10/28/2016	10/24/2016	88888888A
030-3004400-1		209 CHALMERS C	44	43	1000	747	9/29/2016	9/26/2016	22222222A
030-3004400-1		209 CHALMERS C	2037	1763	274000	221414	9/29/2016	9/26/2016	88888888A
030-3004400-1		209 CHALMERS C	43	42	1000	724	8/29/2016	8/24/2016	22222222A
030-3004400-1		209 CHALMERS C	1763	1511	252000	216634	8/29/2016	8/24/2016	88888888A
030-3004400-1		209 CHALMERS C	42	41	1000	697	7/27/2016	7/25/2016	22222222A
030-3004400-1		209 CHALMERS C	1511	1268	243000	213098	7/27/2016	7/25/2016	88888888A
030-3004400-1		209 CHALMERS C	41	40	1000	664	6/29/2016	6/23/2016	22222222A
030-3004400-1		209 CHALMERS C	1268	1031	237000	209776	6/29/2016	6/23/2016	88888888A

Account Num	Full Name	Service Addr	Curr Read	Prev Read	Calc Usage	Avg Use Amt	Bill Date	Entry Date	Serial No
030-3004400-1		209 CHALMERS C	40	39	1000	623	5/27/2016	5/23/2016	22222222A
030-3004400-1		209 CHALMERS C	1031	828	203000	206374	5/27/2016	5/23/2016	88888888A
030-3004400-1		209 CHALMERS C	39	38	1000	570	4/27/2016	4/25/2016	22222222A
030-3004400-1		209 CHALMERS C	828	619	209000	206956	4/27/2016	4/25/2016	88888888A
030-3004400-1		209 CHALMERS C	38	38	0	499	3/28/2016	3/23/2016	22222222A
030-3004400-1		209 CHALMERS C	619	380	239000	206499	3/28/2016	3/23/2016	88888888A
030-3004400-1		209 CHALMERS C	38	37	1000	599	2/16/2016	2/11/2016	22222222A
030-3004400-1		209 CHALMERS C	380	101	279000	199999	2/16/2016	2/11/2016	88888888A
030-3004400-1		209 CHALMERS C	37	37	0	499	12/30/2015	12/28/2015	22222222A
030-3004400-1		209 CHALMERS C	101	9883	218000	180249	12/30/2015	12/28/2015	88888888A
030-3004400-1		209 CHALMERS C	37	36	1000	666	11/23/2015	11/20/2015	22222222A
030-3004400-1		209 CHALMERS C	9883	9715	168000	167666	11/23/2015	11/20/2015	88888888A
030-3004400-1		209 CHALMERS C	36	36	0	500	10/27/2015	10/22/2015	22222222A
030-3004400-1		209 CHALMERS C	9715	9551	164000	167500	10/27/2015	10/22/2015	88888888A
030-3004400-1		209 CHALMERS C	36	35	1000	1000	9/30/2015	9/23/2015	22222222A
030-3004400-1		209 CHALMERS C	9551	9380	171000	171000	9/30/2015	9/23/2015	88888888A
			1357	14007	662400				

## **TOWN OF BERRYVILLE**

### **Water and Sewer Billing Adjustment Policy**

#### Purpose:

This policy applies to the adjustment of unusually high water and sewer bills resulting from water leaks or other circumstances resulting in abnormally high water usage. This policy enumerates the authority of the Town Manager, or designee, to grant adjustment of unusually high water and sewer bills upon request of the person or entity responsible for a water account.

#### Background:

Where properties are connected to the Town of Berryville's water and sewer systems, the customer is responsible for: 1) the proper provision, monitoring, operation, maintenance, repair, and replacement of all water lines and components of the system from the customer's side of the water meter and 2) the proper provision, monitoring, operation, maintenance, repair, and replacement of all sewer lines and components of the system from where it intersects the Town's main.

#### Procedure:

All requests for bill adjustment must be made within ten days of the billing date utilizing the Town of Berryville Water and Sewer Billing Adjustment Request Form. The customer must also provide a plumber's certification and, when the abnormal usage is greater than three-times the account's average usage, a letter from the property owner's insurance company verifying that a claim has been made in this matter and providing what portion of the water/sewer bill will be paid by the insurance company.

The Town Manager, or designee, will review the request and provide written notice of his/her decision. Most decisions will be rendered within ten days of receipt of the adjustment request.

Only one bill adjustment may be made for any account in any given twelve month period.

#### Review Criteria:

The Town Manager, or designee, will review adjustment requests in accordance with the following criteria:

- For leaks occurring in the service line between the water meter and the building the meter serves, the Town may approve adjustment to the sewer usage if it is found that the leaking water did not enter the sewer system. Such adjustment

the meter does not meet American Water Works Association standards for accuracy then the Town will review the account for possible adjustment.

Appeals:

If the customer requesting the bill adjustment believes that the Town has erred in making the adjustment decision or has not made a determination on an adjustment request in a timely manner, then he/she may appeal the matter to the Town Council. This appeal must be made in writing within ten days of the date of the decision on the adjustment or within thirty days of the original request if the appeal is based on the Town's failure to render a decision on the review request. If the appeal is based on the belief that the Town erred in making its decision on the bill adjustment request, then the appeal request must specify the finding of fact or policy application the requester believes was made in error.

Adjustment determinations made because a meter has been found to be inaccurate (after testing) may be appealed to the Town Council if the customer believes that the adjustment is not sufficient.

The Town Council will review all adjustment appeals and will provide written notice of their decision to the customer.

Customer Responsible for Payment during Review:

While an adjustment request and/or appeal is being processed, the customer is responsible for payment of the entire amount due within the normal payment period or the customer may enter into a payment agreement with the Town. If the customer neither makes full payment during the normal payment period nor enters into a payment plan with the Town, then the customer is subject to all applicable collection activities and termination of service.

Burden of Proof:

The implicit burden of proof in the adjustment request pursuant to these policies rests with the customer, not the Town of Berryville. Failure to comply with the requirements of this policy will result in the denial of the adjustment request.

Effective Date:

March 12, 2015

Town of Berryville  
Water and Sewer Billing Adjustment Request Form

Customer Name: \_\_\_\_\_ Service Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number(s): \_\_\_\_\_

Email Address: \_\_\_\_\_

Account Number: \_\_\_\_\_ Date problem discovered: \_\_\_\_\_ Date problem repaired: \_\_\_\_\_

Brief description of problem and action taken to repair: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Acknowledgement:**

I understand that submission of this form does not a guarantee that a bill adjustment will be made. Further, I understand that submission of this form does not relieve me of my responsibility to pay the entire amount of bill during the normal billing period; unless, I enter into a payment plan with the Town.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name Printed

\_\_\_\_\_  
Date

**Required documentation to be submitted with request:**

- 1) Narrative signed by party making repairs explaining, in detail, the nature of the leak or usage, what repairs were made and when they were made,
- 2) Copy of repair invoice attached (if repaired professionally) or Copy of repair receipts attached (if repaired by owner/tenant or agent), and
- 3) Copy of insurance company determination regarding claim for water/sewer bill (required when usage is greater than three-times the account average)

Return this form and documentation to:



Town of Berryville  
W/S BILL ADJUSTMENT REQUEST  
101 Chalmers Court, Suite A  
Berryville, VA 22611  
Fax: (540) 955-4524

BERRYVILLE TOWN COUNCIL

MOTION CONCERNING A WATER AND SEWER BILL ADJUSTMENT APPEAL

Date: November 13, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville **APPROVE / DENY** a water and sewer bill adjustment for 209 Chalmers Court.

*If APPROVE then:*

I further move that the amount of the adjustment will be \$ \_\_\_\_\_.

VOTE:

Aye:

Nay:

Abstain:

Absent:

Attest: \_\_\_\_\_

Harry L. Arnold, Jr., Recorder

**ATTACHMENT**  
**5**

**Summary of Costs for FY2020 Budget Goals**  
(Listed in order of Town Manager's recommended priority)

1. Complete a traffic analysis for the planned southeast collector in partnership with Clarke County.

Internal Costs (staff hours/\$): 139 / \$ 7,755 (assumes assistance of Co. staff)  
Town Personnel Most Involved: Planner, Town Manager, Town Clerk, Finance Clerk  
External Costs: \$25,000 (assumes participation of Co.)  
Total Estimated Cost: \$ 32,755

2. Complete a compensation and classification study.

Internal Costs (staff hours/\$): 119 / \$5,810  
Town Personnel Most Involved: Treasurer, Town Manager, Finance Clerk  
External Costs: \$30,000 – 35,000  
Total Estimated Cost: \$35,810 – 40,810

3. Complete process to apply for and receive accreditation of the Berryville Police Department from the Virginia Department of Criminal Justice.

Internal Costs (staff hours/\$): 495 / \$21,770.40 \*  
Town Personnel Most Involved: Chief of Police, PD Administrative Asst., Sergeant, Patrol Officers  
External Costs \$1,902  
Total Estimated Cost: \$23,672.24 \*

\* Does not include: Internal Costs in FY19 (staff hours/\$): 251/ \$11,038.68

4. Complete a fixed assets inventory for areas not covered by the water and sewer rate study.

Internal Costs (staff hours/\$): 264 / \$12,820

Town Personnel Most Involved: Treasurer, Town Manager, Finance Clerk, Town Clerk, Front Desk Clerk, Chief of Police, PD Administrative Asst., Director of Public Works, Public Works Foreman

External Costs: \$2,500

Total Estimated Cost: \$15,320

5. Develop a branding and marketing study, enhance [www.berryvilleva.gov](http://www.berryvilleva.gov), and develop an effective communication strategy to include a social media presence.

This is a phased project with the following phases to be completed over three years:

Phase 1 – Branding

Phase 2 – Marketing Study

Phase 3 – Communication Strategy

#### Phase 1 Branding

Internal Costs (hours/\$): 92 / \$ 4,965

Town Employees Most Involved: Planner, Finance Clerk, Town Manager, Town Clerk

External Costs: \$20,000

Total Estimated Cost: \$ 24,965

6. Complete a payroll system audit.

Internal Costs (hours/\$): 232 / \$10,740

Town Employees Most Involved: Treasurer and Finance Clerk

External Costs: \$10,000

Total Estimated Cost: \$20,740



## Town of Berryville

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# **Budget Goals 2020 Project Statement for Traffic Impact Analysis - SE Collector**

Prepared by: Christy Dunkle  
Version: 2.2  
Date: 11/7/18

## Table of Contents

SCOPE STATEMENT .....	3
Scope Statement Purpose .....	3
Project Background and Objectives .....	4
Project Description .....	4
Timetable/Schedule .....	5
Cost Proposal.....	5
Additional Vendor Qualifications .....	7
Project Cost Benefit Analysis .....	6
Administrative Items.....	7

SCOPE STATEMENT

Department/Agency:	Planning and Zoning
Issue Date:	October 17, 2018
Update Issue Date:	October 23, 2018; November 7, 2018
Project Name:	Traffic Impact Analysis – SE Collector
Project Sponsor:	Streets and Utilities Committee
Project Contact:	Christy Dunkle
Contact Email:	planner@berryvilleva.gov

**Scope Statement Purpose**

Traffic Impact Analysis (TIA) to identify transportation related impacts in the southeast quadrant of the of the Town and a portion of the County.

## Project Background

The Town and County have long planned the development of a collector road (Jack Enders Boulevard) in the southeastern quadrant of the Berryville Area to connect US 340 with East Main Street/VA Route 7. The Clarke County Business Park, developed by the County, is now built out however the collector road identified in this area has not been extended to access US 340. Due to increased costs and requirements implemented by Norfolk Southern Railroad, Town and County staff have identified four concepts, three of which would facilitate a new annexation area as identified in the updated Berryville Area Plan.

## Project Description and Objectives

The TIA would identify opportunities and constraints with the alignment of a collector road in the southeast quadrant of the Town and a portion of the County. The Town, County, and VDOT are the governmental agencies that would be involved in the project. Norfolk Southern Railroad will be an important partner in this study as their requirements will be taken into consideration in determining a final solution. Objectives of the project include:

- The determination of Norfolk Southern's requirements to authorize a new or improved at-grade crossing including closures of existing public or private road crossings and associated costs of building or improving the rail crossings identified for this project.
- Determine traffic impacts of the proposed project concepts on the existing road network.
- Determine traffic impacts of the proposed project concepts on traffic patterns in downtown Berryville and East Main Street.

The scope of the project as identified by Town and County staff include:

- Modeling of potential traffic patterns and impacts of a modified southeastern collector with projected future land use information and potential routes;
- Identification of current and future levels of service along affected road segments with and without the presence of a southeastern collector road that includes analysis and recommendations on required improvements, project phasing, and how to avoid interim functionality problems;
- Cost estimates for multiple development scenarios and analysis of funding options (e.g., VDOT, industrial access, VDEP); and
- Expertise in dealing with Norfolk Southern to gain approval of a rail crossing and negotiate improvements to include identification of closure locations and impacts of said closures.

Town and County staff have drafted four concepts for connecting Jack Enders Boulevard to US 340 that will be evaluated by this study. Review will include road design, profiles, right-of-way widths, and bike/pedestrian features. The concepts include:

- Concept A – Extend Jack Enders Boulevard from its current terminus at grade across the railroad tracks to US 340.
- Concept B – Extend Jack Enders Boulevard approximately 800 feet northeast of the end of state maintenance to intersect with Smallwood Lane then west to US 340. This would include completing a permanent terminus at the end of current Jack Enders Boulevard and improvements to Smallwood Lane. This Concept would align with the Southern Potential Future Growth Area as identified in the Berryville Area Plan (2015) and assume an expansion of an annexation area.
- Concept C – Extend Jack Enders Boulevard to US 340 as described above in Concept A and extend a new road into the Southern Potential Future Growth Area with no new connection to Smallwood Lane or US 340. This Concept would assume an expansion of this proposed future annexation area.
- Concept D – Extend a separate road (with no extension of a new road or Jack Enders Boulevard to US 340) into the Southern Potential Future Growth Area. This Concept would assume development of the Southern Potential Future Growth Area as identified in the Berryville Area Plan.

Goals of the TIA include:

- Identification of the feasibility and cost of each Concept;
- Determination of improvements along the corridor resulting in acceptable levels of service (e.g., signalization, turn lanes, crosswalks, drainage improvements);
- Impacts of each Concept on traffic patterns along corridors identified in the scope which will help determine the amount and nature of current traffic.

## Timetable/Schedule

Once funding has been approved and procurement has occurred, the Town and County would select a consultant to complete the work. The timeframe for completion is approximately six months.

## Cost Proposal

Town and County staff have identified an approximate cost of \$50,000. The County has approved \$25,000 for this project.

<b>Internal Costs</b>				
<u>Task Description</u>	<u>Units</u>	<u>Cost per unit (\$)</u>	<u>Task Cost (\$)</u>	<u>Funding Source</u>
<b>Develop RFP</b>				Gen Fund
Clerk	6	30	300	
Senior Staff	10	65	650	

<b>Administer RFP</b>				Gen Fund
Clerk	6	30	180	
Senior Staff	2	65	130	
<b>Review RFP Submissions</b>				Gen Fund
Clerk	3	30	90	
Senior Staff	12	65	780	
<b>Interviews</b>				Gen Fund
Clerk	3	30	90	
Senior Staff	10	65	650	
<b>Meetings with and assist Consultant</b>				Gen Fund
Clerk	8	30	240	
Senior Staff	15	65	975	
<b>Public Meetings</b>				Gen Fund
Clerk	2	30	60	
Senior Staff	20	65	1300	
<b>Review Draft</b>				Gen Fund
Clerk	3	30	90	
Senior Staff	10	65	650	
<b>Review Final and prepare for TC</b>				Gen Fund
Clerk	4	30	120	
Senior Staff	10	65	650	
<b>Miscellaneous</b>				Gen Fund
Clerk	5	30	150	
Senior Staff	10	65	650	
TOTAL Internal Costs			\$7,755	
TOTAL Hours	139			

<b>External Costs</b>				
<u>Task Description</u>	<u>Units</u>	<u>Cost per unit (\$)</u>	<u>Task Cost (\$)</u>	<u>Funding Source</u>
<b>Consultant</b>				
Consultant Total	1	\$50,000	\$25,000*	Gen Fund
*Consultant cost will be shared between County and Town				

**Recurring Costs**  
N/A

### **Additional Vendor Qualifications**

The consultant shall have demonstrated working experience with Norfolk Southern and be capable of providing strategies and recommendations to the governing bodies.

### **Project Cost Benefit Analysis**

A Traffic Impact Analysis is needed in order to determine whether or not to complete the connection of Jack Enders Boulevard to US 340 as originally intended. Impacts on truck traffic on East Main Street are related to the access to US 340 and pedestrian and safety concerns have been identified in this area.

In order to expand the Business Park zoning district, additional areas of future development have been identified in the updated Berryville Area Plan in this area. A TIA is a critical tool in the implementation of this annexation area and zoning.

### **Risks**

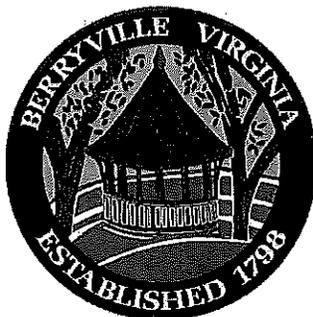
The risk with the TIA development is that funding would not be available for projects identified to develop the road network to expand the annexation area and create additional business areas.

Agreement between localities has not been finalized. Assignments of tasks and costs will need to occur prior to the commencement of the project.

### **Administrative Items**

Included with Consultant costs.

End of Scope Statement



## **Town of Berryville**

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# **Budget Goals 2020**

## **Project Statement for Compensation and Classification Study**

**Prepared by:**

Keith Dalton, Town Manager

**Version:**

1.1

**Date:**

10/30/18

## Table of Contents

SCOPE STATEMENT .....	3
Scope Statement Purpose.....	3
Project Background and Objectives.....	4
Project Description.....	4
Timetable/Schedule.....	5
Cost Proposal .....	5
Additional Vendor Qualifications.....	7
Project Cost Benefit Analysis .....	7
Administrative Items.....	8

SCOPE STATEMENT

Department/Agency: Administration  
Issue Date: 10/12/18  
Project Name: Compensation and Classification Study  
Project Sponsor: Personnel, Appointments, and Policy Committee  
Project Contact: Keith Dalton, Town Manager  
Contact Email: townmanager@berryvilleva.gov

**Scope Statement Purpose**

The project is intended to provide the Town Council with the information it needs to manage employee compensation in a manner that keeps the Town competitive in the region's job market.

## Project Background

The Town has thirty-two full-time employees and one part-time employee. Over the past five years, twenty-two employees have separated from the Town (for the purposes of this report, reasons for separation are not further examined). Breaking these separations down by department reveals the following: Admin: three; PD ten; PU seven; and PW two.

Turnover is expensive. Further, vacancies in this small organization's staff puts significant strain on its employees and the organization as a whole.

Added to the turnover the Town has experienced over the past five years, the nation now has the lowest unemployment rate that it has had in nearly fifty years. As a result, the job market has become very competitive.

It is important that the Town fairly compensate its employees and provide for appropriate compensation growth that is both attractive to employees and sustainable for the Town. It is also important that the Town be attractive to potential hires.

## Project Description and Objectives

The Town would issue a request for proposals (RFP) in order to secure the services of a firm to: conduct a compensation study utilizing industry recognized methodology and develop standardized compensation system that is appropriate for the organization.

Once chosen, the firm will consult with the Council and staff as it conducts its analysis thus ensuring that unique features of the Town's organization and the region are considered.

At the end of its work, the firm will provide the Council with specific deliverables. Deliverables would include:

- Compensation study and recommendations
- Classification study and recommendations
- Recommendations regarding implementation of the compensation changes, including phasing of pay adjustments

Objectives:

- provide the Council with information regarding recommended compensation levels (including benefits) for Town employees that will assist in recruitment and retention
- provide the Council with a classification study and recommendations that will assist in employee recruitment and retention
- provide the Council with guidance regarding phased adoption of the consultant's recommendation to aid them in addressing recruitment and retention concerns in a fiscally responsible manner

## Timetable/Schedule

<u>Description</u>	<u>Deadlines/Timeframes</u>	<u>Responsibility</u>
Development of RFP	7/1/19 – 8/6/19	Internal
Approval of RFP by TC	8/13/19	Internal
Issuance of RFP	8/19/19	Internal
Proposals due	9/16/19	External/Internal
Award by TC	10/8/19	Internal/External
Meetings between Town and consultant	10/9/19 – 10/24/19	Internal/External
Draft deliverables submitted to Town	1/6//20	External
Comments on drafts submitted to consultant	1/24/20	Internal
Deliverables due	2/3/20	External
Presentation to TC	2/11/20	External/Internal
Adoption of implementation plan by TC	4/9/20	Internal

## Cost Proposal

Total project costs are estimated at between \$ 35,810 and \$ 40,810.

**Internal Costs**

Task Description	units	cost per unit (\$)	Task cost (4)	Funding Source
Develop RFP				Gen Fund
Clerk	10	30	300	
Senior Staff	6	65	390	
Administer RFP				Gen Fund
Clerk	10	30	300	
Senior Staff	2	65	130	
Review RFP Submissions				Gen Fund
Clerk	4	30	120	
Senior Staff	12	65	780	
Interviews				Gen Fund
Clerk	6	30	180	
Senior Staff	10	65	650	
Meetings with and Asst. Consultant				Gen Fund
Clerk	12	30	360	
Senior Staff	8	65	520	
Review Draft				Gen Fund
Clerk	4	30	120	
Senior Staff	8	65	520	
Review Final and prepare for TC				Gen Fund
Clerk	4	30	120	
Senior Staff	8	65	520	
Miscellaneous				Gen Fund
Clerk	5	30	150	
Senior Staff	10	65	650	
Total			\$5,810	

Internal costs are expected to be \$ 5,810

## **External Costs**

Cost of consultant to perform required tasks and provide deliverables is estimated to be between \$30,000 and \$35,000.

## **Recurring Costs**

Compensation study will need to be updated at regular intervals. No determination has been made with regard to the frequency of the updates or the cost thereof.

## **Additional Vendor Qualifications**

The firm chosen to complete this project must have experience performing compensation and classification studies for local governments.

## **Project Cost Benefit Analysis**

This project will:

- provide the Council with information regarding recommended compensation levels (including benefits) for Town employees that will assist in recruitment and retention
- provide the Council with a classification study and recommendations that will assist in employee recruitment and retention
- provide the Council with guidance regarding phased adoption of the consultant's recommendation to aid them in addressing recruitment and retention concerns in a fiscally responsible manner

By completing the project the Town desires to:

- improve employee job satisfaction
- reduce turnover
- make the Town more attractive to prospective hires
- improve customer service

## **Risks**

Risks associated with the project include:

- cost to adopt study recommendations could be significant and difficult to fund
- failure to adopt study recommendations would result in a decline in employee job satisfaction and worsen the Town's position as it relates to new hires

## **Administrative Items**

As a part of budget preparation (FY21), funding needed to implement some portion of the compensation study should be anticipated and provided.

End of Scope Statement



## **Town of Berryville**

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# **Budget Goals 2020**

## **Project Statement for**

## **Police Department Accreditation**

**Prepared by:**

Chief W. Neal White

**Version:**

3

**Date:**

10/30/2018

## Table of Contents

Scope Statement Purpose.....	3
Project Background.....	4
Project Description and Objectives.....	5
Timetable/Schedule.....	5
Cost Proposal .....	6
Additional Vendor Qualifications.....	7
Project Cost Benefit Analysis .....	7
Administrative Items.....	8

## SCOPE STATEMENT

Department/Agency: Police  
Issue Date: 10/30/2018  
Project Name: Police Department Accreditation  
Project Sponsor: Public Safety Committee  
Project Contact: Chief W. Neal White  
Contact Email: [chiefofpolice@berryvilleva.gov](mailto:chiefofpolice@berryvilleva.gov)

### **Scope Statement Purpose**

The basis for this project is for the attainment of accreditation for the Berryville Police Department by the Virginia Law Enforcement Professional Standards Commission (VLEPSC). This statement paper will outline the costs, benefits and risks associated with the project for FY 2019-20 budgetary discussions.

## Project Background

The Virginia Department of Criminal Justice Services (DCJS) offers a program of department accreditation through the VLEPSC to all law enforcement agencies in Virginia. The goal of this program is to enhance delivery of services from the law enforcement agency to the community that it serves. The responsibility of the agency is to review how service is delivered through a careful analysis of policies and procedures, and then implement best practices and evidence based processes to best achieve optimal service delivery.

The role of VLEPSC is to provide technical support and assistance through a team of trained, independent professional peers who conduct assessments of the department procedures and point out any deficiencies. VLEPSC also provides a program manual that illustrates 187 standards divided into four general subject areas; administration, operations, personnel, and training. This provides guidance in the review and development of department specific policies and procedures.

The Public Safety Committee for the Town of Berryville (formerly Police and Security Committee) had shown interest in this project nearly three years ago. The goals of accreditation include increasing the effectiveness and efficiency of law enforcement agencies through the delivery of services; to promote cooperation among all components in the criminal justice system; to ensure the appropriate level of training for law enforcement personnel; to promote public confidence in law enforcement; and to promote professionalism of the law enforcement agency. (Virginia Department of Criminal Justice) The project has been discussed in several meetings of the committee with the understanding that it is a labor intensive project requiring a great deal of internal administrative resources to successfully complete.

Accreditation has been a goal for the department for some time; when decisions are made concerning the delivery of service and operations within the department the implication that they would have upon successful attainment of accreditation are always a key factor. Examples would include how the evidence room and interview rooms were designed, and the selection of a new vendor to supply a records management system for the department.

## Project Description and Objectives

In order to receive VLEPSC accreditation the department will follow a schedule provided by VLEPSC with specific benchmarks.

- Submit application to VLEPSC advising that the department wishes to begin the accreditation process. Once the application is submitted, the department must complete process within thirty-six (36) months.
- Perform self-assessment of the department utilizing the program manual of 187 identified standards. This would also include the review of the existing forty-one (41) general orders of the department. This will be the most labor intensive period of the project.
- Perform a mock assessment in advance of on-site assessment. This would require assistance from independent, professional peers familiar with the accreditation process.
- Submit initial assessment application to VLEPSC.
- Conduct on-site assessment.
- Receive initial accreditation
- Submit annual reports concerning accreditation to VLEPSC.
- Conduct on-site assessment for reaccreditation every fourth year.

## Timetable/Schedule

Objective	Start	Complete	Responsibility
Submit VLEPSC application		08/01/2019	Internal
Conduct Self-Assessment	11/01/2018	10/01/2019	Internal
Conduct Mock Assessment	10/01/2019	01/01/2020	Internal
Submit Initial Assessment Application	01/01/2020	02/01/2020	Internal
On-Site Assessment	02/01/2020	04/01/2020	Internal/External
Receive Accreditation	04/01/2020	06/01/2020	Internal/External

## Cost Proposal

### Internal Costs

The cost per unit of staff time is derived from current (FY18-19) salary rates including benefits. The costs below do not reflect any potential COLA or merit increases in hourly rates that may be approved in the FY 19-20 budget process.

#### FY 2018-19 Costs

Description	Units	Cost Per Unit	Total	Source
Self-Assessment / General Order Review – Senior Staff Time	175 hrs.	\$48.94	\$8,564.50	General Fund – Police Compensation
Self-Assessment / General Order Review – Intermediate Staff Time	38 hrs.	\$36.78	\$1,397.64	General Fund – Police Compensation
Self-Assessment / General Order Review – Clerk Staff Time	38 hrs.	\$28.33	\$1,076.54	General Fund – Police Compensation
			\$11,038.68	

#### FY 2019-20 Costs

Description	Units	Cost Per Unit	Total	Source
Self-Assessment / General Order Review – Senior Staff Time	330 hrs.	\$48.94	\$16,150.20	General Fund – Police Compensation
Self-Assessment / General Order Review – Intermediate Staff Time	70 hrs.	\$36.78	\$2,574.60	General Fund – Police Compensation
Self-Assessment / General Order Review – Clerk Staff Time	70 hrs.	\$28.33	\$1,983.10	General Fund – Police Compensation
Self-Assessment / General Order Review – Clerk Staff Overtime	25 hrs.	\$42.50	\$1,062.50	General Fund – Police Compensation
			\$21,770.40	

## External Costs

Description	Units	Cost Per Unit	Total	Source
VLEPSC Application	1	\$250.00	\$250.00	FY 20 CIP - Accreditation
On-Site Assessment – VLEPSC Peer Lodging	9	\$90.00	\$810.00	FY 20 CIP - Accreditation
On-Site Assessment – VLEPSC Peer Meals	9	\$38.00	\$342.00	FY 20 CIP - Accreditation
Branding – Decals, Letterhead, etc.	1		\$500.00	FY 20 CIP - Accreditation
			\$1,902.00	

## Recurring Costs

There is an annual fee payable to VLEPSC in order to maintain accreditation. This fee is currently set at \$100.00 per agency. If the department successfully maintains accreditation, Virginia Municipal League will pay the cost of this fee.

## Additional Vendor Qualifications

Not Applicable to this project.

## Project Cost Benefit Analysis

The true cost of this project from a capital improvement budgeting perspective is housed within the self-assessment and on-site assessment. The fees payable to VLEPSC for applications will be covered by Virginia Municipal League (VML) upon successful attainment of accreditation. Costs payable to outside vendors for the on-site assessment are estimated at \$1,152.00 during the FY 20 budget cycle. The internal costs of staff time to complete this project would not necessarily be a new financial encumbrance; the reality is that senior staff would need to focus on the self-assessment during this period. In addition to the focus on accreditation goals, routine matters of providing law enforcement services to the community would continue to take priority within the department. New future strategic projects would need to be balanced against their need to be immediately instituted against the time required to successfully manage the accreditation process timetable.

A financial benefit that will be realized upon successful completion of this would be a cost reduction in liability insurance coverage from VML. The Virginia Municipal League will reduce liability insurance coverage for the police department by 3% upon successful attainment of accreditation. Based upon current rates (2018), that would amount to an annual savings of \$397.77.

Accreditation provides the department the opportunity to correct any internal deficiencies and inefficiencies before they become a public problem by virtue of a comprehensive self-assessment and internal review of policy and process. (Virginia Department of Criminal Justice) The standards of accreditation provide the department a gauge by which the effectiveness of agency programs and services can be measured; thereby enhancing the professional image of the department and providing optimal customer service to the community.

Employees of the department also benefit knowing that their department represents the very best in law enforcement as accreditation represents professionalism, excellence, and competence. Operations are more consistent and streamlined enhancing the officer's confidence in the delivery of uniform service to the community. (Virginia Department of Criminal Justice)

## **Risks**

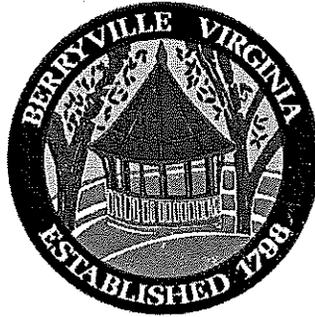
The principle risk with this project would be that accreditation was not received after the initial process. Within the process of the project, an extension may be requested to receive an additional twenty-four (24) months to complete a successful assessment. An unsuccessful project would identify deficiencies within the department in the areas of administration, operations, personnel, and training. In order to correct these deficiencies, funds would possibly need to be appropriated for items such as:

- The hiring of additional personnel,
- Purchase of additional equipment related to public safety,
- Expenditure of funds to modify existing structures, and
- Appropriate additional funds for training department staff.

## **Administrative Items**

None applicable to this project.

End of Scope Statement



## Town of Berryville

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# Budget Goals 2020 Project Statement for Fixed Asset Inventory

Prepared by:

D. Moreland

Version:

2

Date:

10-22-2018

## Table of Contents

Scope Statement Purpose .....	3
Project Background.....	4
Project Description And Objectives.....	4
Timetable/Schedule.....	5
Cost Proposal.....	5
Additional Vendor Qualifications.....	6
Project Cost Benefit Analysis .....	6
Administrative Items .....	6

Department/Agency:	Finance & Administration
Issue Date:	10-12-2018
Project Name:	Fixed Asset Inventory
Project Sponsor:	Budget & Finance
Project Contact:	D. Moreland
Contact Email:	treasurer@berryvilleva.gov

## Scope Statement Purpose

Complete a fixed assets inventory for areas not addressed in the water and sewer study.

The Town Council has the authority and responsibility for the custody of the Town's fixed assets. The Council has delegated control over the Town's fixed assets to the Town Manager, who in turn has designated responsibility for physical custody of assets to Department Heads and/or other staff. This project will provide oversight of the town's asset management function, ensuring the recording of the town's tangible personal property and asset tag numbers is completed.

## Project Background

The Budget and Finance Committee would like to establish a fixed asset inventory. Each asset would be given a unique asset tag number. The asset tag number would be used to track and account for each asset until disposal. The asset tag number would record all the available asset information such as item description, physical location, condition, net book value, serial number, purchase cost, and vendor and manufacturer.

## Project Description and Objectives

The fixed asset schedule currently maintained by Robinson Farmer Cox Associates (RFC) will be reviewed and updated by staff. Once the schedule is updated, the assets will be entered into the FMS Fixed Asset software. Once the assets are recorded, each will be affixed with a unique asset tag number (barcoded aluminum tag). All new acquisitions will be recorded and tagged. The barcode number will then be entered into the Fixed Asset software. The overall goal is to ensure a complete and accurate accounting for fixed assets to guarantee they are adequately safeguarded and inventoried. Once the fixed assets are catalogued and tagged, the Town will develop a Fixed Asset Policy. The policy would incorporate best practices as well as establish frequency of inventories.

- Develop a Fixed Asset Policy
- Review and update the current capital Fixed Asset schedule as provide by RFC
- Take a physical inventory
- Enter updated assets into FMS software
- Tag existing assets
- Record and tag new assets as purchased

### Timetable/Schedule

Task Description	Completion Time	Start Date	Completion Date	Responsibility
Develop Fixed Asset Policy	10 days	12/15/2019	12/31/2019	Internal
Review and update fixed asset schedule provided by RFC	30 days	8/1/2019	8/31/2019	Internal
Tag recorded assets	30 days	9/1/2019	10/1/2019	Internal
Input asset data into FMS	60 days	10/1/2019	12/1/2019	Internal
Review data	15 days	12/1/2019	12/15/2019	Internal

### Cost Proposal

Internal Costs				
Task Description	Units	Cost per Unit (\$)	Task Cost	Funding Source
Review and update fixed asset schedule provided by RFC				Gen Fund
Clerk	20	30	600	
Senior Staff	20	65	1,300	
Tag recorded assets				Gen Fund
Clerk	40	30	1,200	
Senior Staff	40	65	2,600	
Input asset data into FMS				Gen Fund
Clerk	40	30	1,200	
Senior Staff	40	65	2,600	
Review data				Gen Fund
Clerk	16	30	480	
Senior Staff	16	65	1,040	
Develop Fixed Asset Policy				Gen Fund
Clerk	8	30	240	
Senior Staff	24	65	1,560	
<b>Total</b>			<b>\$12,820</b>	<b>Gen Fund</b>

#### External Costs

Product	Quantity	Cost	Funding Source
Matte AlumiGuard Metal Asset Tags	2500	\$2,500.00	General Fund Expenses

### Recurring Costs

Recurring costs are expected to be minimal. Each new asset will be recorded and barcoded with a unique asset tag number when received and deleted at disposal.

## Additional Vendor Qualifications

N/A

## Project Cost Benefit Analysis

The estimated project cost is \$15,320.00 and would allow the Town several potential opportunities for improvement.

- Establish a Fixed Asset Policy
- Provide an asset inventory
- Document assets and their condition; noting net book value
- Deters theft
- Aids in disaster recovery and insurance
- Improve planning, budgeting, and insight
  - Optimize re-use of surplus items
  - Provide data essential to the proper costing of services
  - Provide data needed for maintenance of fixed assets
  - Track retirement and disposal of fixed assets

Risks: N/A

## Administrative Items

N/A

End of Scope Statement



## **Town of Berryville**

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# **Budget Goals 2020 Project Statement for Payroll Internal Controls Audit**

Prepared by:

D. Moreland

Version:

2

Date:

10-22-2018

## Table of Contents

Scope Statement Purpose .....	3
Project Background.....	3
Project Description And Objectives.....	3
Timetable/Schedule.....	4
Cost Proposal .....	4
Additional Vendor Qualifications.....	5
Project Cost Benefit Analysis .....	5
Administrative Items.....	5

Department/Agency:	Town of Berryville
Issue Date:	10-12-2018
Project Name:	Payroll Internal Controls Audit
Project Sponsor:	Budget & Finance Committee
Project Contact:	D. Moreland
Contact Email:	treasurer@berryvilleva.gov

## SCOPE STATEMENT PURPOSE

Review and assess the Town's payroll processes. Provide process and control documentation and mapping. Define any significant risks and assess how they are managed. Assess the controls in place and identify any significant failings or weaknesses.

Consider whether the findings indicate a need for more extensive monitoring of the system of internal controls. Provide examples of best practices to remediate deficiencies.

## Project Background

The Budget and Finance Committee has requested a qualified certified public accounting firm map its internal controls as they relate to the payroll processing and reporting roles.

## Project Description and Objectives

This would be the Town's first request for a third-party internal controls audit of the payroll processing and reporting functions. It is important to verify that the transactions that post through the Town's payroll system are accurate to protect against losses associated with calculation errors and potential fraud. This audit should:

- Verify employees
- Verify employment status
- Confirm pay rates
- Verify and calculate hours worked: timesheets, overtime, vacation, and comp-time payouts
- Validate ledger accounts
- Reconcile bank statements
- Map separation of duties
- Verify change authorizations
- Check payment controls
- Verify compliance with Employee Handbook

### Timetable/Schedule

Task	Deadlines/Timeframes	Responsibility
Development of RFQ	12/1/19-12/31/20	Internal
Approval of RFQ by TC	1/8/2020	Internal
Issuance of RFQ	1/15/2020	Internal
Proposals Due	2/18/2020	External/Internal
Award by TC	3/12/2020	Internal/External
Meetings between Town and consultant	4/1/20-4/15/20	Internal/External
Draft deliverables submitted to Town	6/17/2020	External
Comments on drafts submitted to consultant	7/5/2020	Internal
Deliverables Due	7/15/2020	External
Presentation to TC	8/13/2020	External/Internal
Adoption of implementation plan by TC	10/8/2020	Internal

### Cost Proposal

#### Internal Costs

Task Description	Units	Cost per Unit (\$)	Task Cost	Funding Source
<b>Develop RFQ</b>				<b>Gen Fund</b>
Clerk	12	30	360	
Senior Staff	8	65	520	
<b>Administer RFQ</b>				<b>Gen Fund</b>
Clerk	16	30	480	
Senior Staff	4	65	260	
<b>Review RFQ Submissions</b>				<b>Gen Fund</b>
Clerk	4	30	120	
Senior Staff	16	65	1,040	
<b>Interviews</b>				<b>Gen Fund</b>
Clerk	4	30	120	
Senior Staff	24	65	1,560	
<b>Meetings with Asst. Consultant</b>				<b>Gen Fund</b>
Clerk	40	30	1,200	
Senior Staff	8	65	520	

Review Draft				Gen Fund
Clerk	12	30	360	
Senior Staff	12	65	780	
Review Final and prepare for TC				Gen Fund
Clerk	20	30	600	
Senior Staff	20	65	1,300	
Miscellaneous				Gen Fund
Clerk	16	30	480	
Senior Staff	16	65	1,040	
Total			\$10,740	Gen Fund

External Costs

Product	Cost	Funding Source
Qualified CPA Internal Controls Audit	\$ 10,000.00	General Fund Expenses

Recurring Costs

Recurring costs should not be significant. Any findings will be made available to the firm performing the Town’s annual audit for compliance verification.

**Additional Vendor Qualifications**

The vendor must be a qualified certified public accounting firm licensed to do business in the State of Virginia.

**Project Cost Benefit Analysis**

The estimated project cost is \$17,100.00, of which \$10,000.00 would be the cost of the audit and The remainder earmarked to staff compensation.

As a result, we would review the payroll processing and reporting functions and identify errors that, if allowed to continue unchecked, could result in penalties from regulatory entities such as the IRS.

**Administrative Items**

N/A

End of Scope Statement



## Town of Berryville

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### **Budget Goals 2020 Project Statement for Branding/Marketing**

Prepared by:

Christy Dunkle

Version:

1.1

Date:

10/30/18

## Table of Contents

SCOPE STATEMENT .....	3
Scope Statement Purpose .....	3
Project Background and Objectives .....	4
Project Description .....	4
Timetable/Schedule .....	5
Cost Proposal.....	5
Additional Vendor Qualifications .....	6
Project Cost Benefit Analysis .....	6
Administrative Items.....	7

SCOPE STATEMENT

Department/Agency:	Planning and Zoning
Issue Date:	October 25, 2018
Update Date:	October 30, 2018
Project Name:	Branding/Marketing
Project Sponsor:	Community Development Committee
Project Contact:	Christy Dunkle
Contact Email:	planner@berryvilleva.gov

**Scope Statement Purpose**

Branding and marketing effort to promote the Town.

## Project Background

The Community Development Committee recommended that a consultant be hired to provide objective leadership to discuss the marketing and branding of the Town at a grassroots level, collaborating with residents, business owners, and other stakeholders, in order to develop multiple ideas and create a base of information which will be used to create the brand.

The Committee is recommending a phased approach as the effort should be strategic and approached with a long-term view. The first phase would be information gathering to include interviews and focus groups, meetings with stakeholders, and public forums. This phase would also include hiring a consultant or requesting assistance from a local university that would focus on the look and feel of the brand after sufficient data collection is collected.

The Committee recommended three phases. They determined that the second phase (FY 21) would include a focus on communication including print matter, website, and social media presence, and the third phase (FY 22) should include physical signage.

## Project Description and Objectives

Phase 1 of the project will include building the brand through objective and customer-focused activities to promote the Town of Berryville. Objectives include:

- Establish a competitive identity for the community by engaging residents and business owners in the process to determine general direction through the use of focus groups, interviews, meetings with stakeholders, and public meetings;
- Foster a more accurate, contemporary, and positive image;
- Determine what type of branding should occur. Types of branding include an overarching approach that would include all locations in the Town; destination (tourism); economic development (not including tourism but directed toward business relocation, expansion, and investment); community brand (resonate with local residents and usually designed to boost local pride) or thematic (e.g., historical, cultural, artisanal);
- Generate improved results for tourism, investment, and recruitment return on investment; and
- Create a consistent message through the creation of a tagline, message, and logo.

Once the initial stages of the process have been started, a Branding Advisory Committee representing a cross section of residents and community and business organizations along with the Community Development Committee should be formed to oversee the process and work with the consultant.

### Timetable/Schedule

As previously referenced, Phase 1 would occur in FY 20, Phase 2 in FY 21, and Phase 3 FY 22.

### Cost Proposal – Phase 1

Internal Costs		Units	Cost per unit (\$)	Task Cost (\$)	Funding Source
Task Description					
<b>Develop RFP</b>					Gen Fund
Clerk		3	30	90	
Senior Staff		10	65	650	
<b>Administer RFP</b>					Gen Fund
Clerk		6	30	180	
Senior Staff		2	65	130	
<b>Review RFP Submissions</b>					Gen Fund
Clerk		2	30	60	
Senior Staff		4	65	260	
<b>Interviews</b>					Gen Fund
Clerk		2	30	60	
Senior Staff		4	65	260	
<b>Meetings with and assist Consultant</b>					Gen Fund
Clerk		4	30	120	
Senior Staff		15	65	975	
<b>Review Draft Proposal</b>					Gen Fund
Clerk		3	30	90	
Senior Staff		8	65	520	
<b>Review Final and prepare for TC</b>					Gen Fund
Clerk		4	30	120	
Senior Staff		10	65	650	
<b>Miscellaneous</b>					Gen Fund
Clerk		5	30	150	
Senior Staff		10	65	650	

TOTAL Internal Costs Phase 1

\$4,965

**External Costs**

Task Description	Units	Cost per unit (\$)	Task Cost (\$)	Funding Source
<b>Consultant</b>				
Consultant	200	\$100.00	\$20,000	Gen Fund

**Recurring Costs**

Future phasing will incur additional costs. Cost estimates for years two and three will be better determined after phase one is complete.

**Additional Vendor Qualifications**

The consultant shall have demonstrated working experience branding and marketing localities including small communities sized similarly to Berryville/Clarke County.

**Project Cost Benefit Analysis**

The Community Development Committee has determined that creating an identity for the Town of Berryville will benefit the residents, business owners, and visitors with increased local pride, new economic development opportunities, and tourism-related businesses.

**Risks**

Future funding and staffing for the project must be earmarked for the effort in order to a successful branding to occur.

## **Administrative Items**

Included with Consultant costs.

End of Scope Statement

BERRYVILLE TOWN COUNCIL

MOTION TO ADOPT BUDGET GOALS FOR FISCAL YEAR 2020 AND DIRECT THE TOWN MANAGER TO INCLUDE PROJECTS IN PROPOSED BUDGET

Date: November 13, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville adopt the following budget goals for fiscal year 2020 and direct the Town Manager to include these projects in the proposed Fiscal Year 2020 budget:

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VOTE:

Aye:

Nay:

Abstain:

Absent:

Attest: \_\_\_\_\_  
Harry L. Arnold, Jr., Recorder

# ATTACHMENT

## 6

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**FINANCE AND ADMINISTRATION STAFF REPORT**

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**TO:** TOWN COUNCIL  
**FROM:** DESIREE MORELAND, TREASURER  
**SUBJECT:** MONTHLY REPORTS  
**DATE:** 11/6/2018  
**CC:** KEITH DALTON, TOWN MANAGER

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**A/P Check Listing**

Checks issued in October 2018.

**Bank of America/P-Card Statement**

September 2018 P-Card Purchases that were paid on October 23, 2018.

## A/P Check Listing

Vendor Range - 4IMPRINT, INC.' - 'ZENON ENVIRONMENTAL CORPORATION

Date From - 10/1/2018 Date To - 10/31/2018

Town of Berryville  
11/06/2018 10:39 AM

Page: 1 of 2

Check Number	Bank	Vendor	Date	Amount
5069	1	- CARRI CASSERINO	10/03/2018	\$128.80
5070	1	- CRAIG WARREN EVERTON	10/03/2018	\$174.20
5071	1	- Douglas A. Shaffer	10/03/2018	\$75.00
5072	1	- H. Allen Kitselman	10/03/2018	\$115.00
5073	1	- Keith Dalton	10/03/2018	\$50.00
5074	1	- Matthew Bass	10/03/2018	\$40.00
5075	1	- Minnesota Life Insurance Co.	10/03/2018	\$184.02
5076	1	- Nationwide Retirement Solutions	10/03/2018	\$585.00
5077	1	- Rappahannock Electric Cooperative	10/03/2018	\$17,440.64
5078	1	- Southern Software, Inc.	10/03/2018	\$6,090.00
5079	1	- The Hall Company	10/03/2018	\$478.29
5080	1	- Virasec, LLC	10/03/2018	\$1,773.90
5081	1	- VIRGINIA FAYE MITCHELL	10/03/2018	\$174.20
5082	1	- ANDERSON'S NURSERY & GARDEN CENTER	10/12/2018	\$825.00
5083	1	- Bureau for Child Support Enforcement	10/12/2018	\$875.00
5084	1	- Fire Protection Company, LLC	10/12/2018	\$38.75
5085	1	- GEAR CLEAN, INC.	10/12/2018	\$649.05
5086	1	- H2O Pipe Cleaning LLC	10/12/2018	\$3,952.00
5087	1	- HEATHER HALTERMAN	10/12/2018	\$84.37
5088	1	- Herbert L. Beskin, Trustee	10/12/2018	\$115.00
5089	1	- UTILITY SERVICE CO., INC.	10/12/2018	\$16,780.00
5090	1	- VUPS	10/12/2018	\$48.30
5091	1	- Wilson's Asphalt Maint, L.C.	10/12/2018	\$360.00
5092	1	- ASHLEY L EDWARDS	10/18/2018	\$205.00
5093	1	- Bureau for Child Support Enforcement	10/18/2018	\$875.00
5094	1	- Denali Water Solutions LLC	10/18/2018	\$16,150.00
5095	1	- Hall, Monahan, Engle, Mahan & Mitchell	10/18/2018	\$2,907.50
5096	1	- John H. Enders Fire Company	10/18/2018	\$14,486.00
5097	1	- Lincoln Financial Group	10/18/2018	\$855.18
5098	1	- Michelle M. Jones	10/18/2018	\$927.50

## A/P Check Listing

Vendor Range - 4IMPRINT, INC.' - 'ZENON ENVIRONMENTAL CORPORATION  
Date From - 10/1/2018 Date To - 10/31/2018

Town of Berryville  
11/06/2018 10:39 AM

Page: 2 of 2

Check Number	Bank	Vendor	Date	Amount
5099	1	~ Nationwide Retirement Solutions	10/18/2018	\$585.00
5100	1	~ Rappahannock Electric Cooperative	10/18/2018	\$5,081.74
5101	1	~ Sheehy Ford of Richmond, Inc.	10/18/2018	\$44,760.29
5102	1	~ SIGNS@WORK, INC.	10/18/2018	\$720.00
5103	1	~ STEPHEN PHILIP SHARKEY	10/18/2018	\$199.60
5104	1	~ STURGIS WEB SERVICES	10/18/2018	\$180.00
5105	1	~ The Winchester Star	10/18/2018	\$873.40
5106	1	~ Treasurer of Frederick County	10/18/2018	\$3,492.72
5107	1	~ Tyler Technologies	10/18/2018	\$6,066.66
5108	1	~ Virasec, LLC	10/18/2018	\$1,945.98
5109	1	~ Virginia Municipal Clerks Association	10/18/2018	\$20.00
5110	1	~ ANDERSON'S NURSERY & GARDEN CENTER	10/29/2018	\$825.00
5111	1	~ ATLANTIC COMMUNICATIONS INC.	10/29/2018	\$2,589.39
5112	1	~ MOTEN CONSTANCE ANN 2359	10/29/2018	\$38.93
5113	1	~ NoVA Environmental Solutions	10/29/2018	\$1,055.00
5114	1	~ PENNONI ASSOCIATES INC	10/29/2018	\$135.00
5115	1	~ USPS	10/29/2018	\$786.78
5116	1	~ USPS	10/29/2018	\$646.25
48		Checks Totaling -		\$157,444.44

### Totals By Fund

	Checks	Voids	Total
100	\$101,618.39		\$101,618.39
501	\$39,172.12		\$39,172.12
502	\$16,653.93		\$16,653.93
Totals:	\$157,444.44		\$157,444.44



BERRYVILLE TOWN OF  
DESIRÉE MORELAND  
XXXX-XXXX-XXXX-

September 01, 2018 - September 30, 2018

Purchasing Card

Company Statement

Account Information	Payment Information	Account Summary
<b>Mail Billing Inquiries to:</b> BANKCARD CENTER PO BOX 982238 EL PASO, TX 79998-2238  <b>Customer Service:</b> 1.888.449.2273 24 Hours  <b>TTY Hearing Impaired:</b> 1.800.222.7365 24 Hours  <b>Outside the U.S.:</b> 1.509.353.6656 24 Hours  <b>For Lost or Stolen Card:</b> 1.888.449.2273 24 Hours	Statement Date ..... 09/30/18 Payment Due Date ..... 10/23/18 Days in Billing Cycle ..... 30 Credit Limit ..... \$500,000 Cash Limit ..... \$0 Total Payment Due ..... <b>\$56,851.67</b>	Previous Balance ..... \$56,856.43 Payments ..... -\$56,856.43 Credits ..... -\$21.80 Cash ..... \$0.00 Purchases ..... \$56,873.47 Other Debits ..... \$0.00 Overlimit Fee ..... \$0.00 Late Payment Fee ..... \$0.00 Cash Fees ..... \$0.00 Other Fees ..... \$0.00 Finance Charge ..... \$0.00 Current Balance ..... \$56,851.67

Important Messages

Please do not send payment. Your automatic payment is scheduled to be credited to this account on 10/23/18.

Cardholder Activity Summary

Account Number Credit Limit	Credits	Cash	Purchases and Other Debits	Total Activity
BOOR, RICK XXXX-XXXX-XXXX- 15,000	0.00	0.00	8,008.08	8,008.08
BOOTH, KEVIN XXXX-XXXX-XXXX- 1,000	0.00	0.00	315.97	315.97

5685643 5685167 5685167 4715291201837237



BANK OF AMERICA  
PO BOX 15731  
WILMINGTON, DE 19886-5731



BERRYVILLE TOWN OF  
DESIRÉE MORELAND  
STE A  
101 CHALMERS CT  
BERRYVILLE, VA 22611-1387

\*\*N0017750

Account Number: XXXX-XXXX-XXXX-  
September 01, 2018 - September 30, 2018

Total Payment Due ..... **\$56,851.67**  
Payment Due Date ..... 10/23/18

Enter payment amount

\$

Check here for a change of mailing address or phone numbers.  
Please provide all corrections on the reverse side.

Mail this coupon along with your check payable to:  
BANK OF AMERICA

⑆549990011⑆00051201837237⑈



**Posting payments:** Payments received by mail at the remittance address shown on the Payment Coupon portion of the face of this statement on a banking day will be posted to your account on the day received. If we receive your mailed payment on a non-banking day, we will post it to your account on the next banking day. There may be a delay of up to 5 banking days in posting payments made at a location other than the mailing address listed on the front of your payment coupon.

**Service for the hearing impaired (TTY/TDD):** Contact our service for the hearing-impaired at 1.800.222.7365.

**Telephone monitoring:** For the purposes of monitoring and improving the quality of service, Bank's supervisory personnel may listen to and/or record telephone calls between Bank employees and any person acting on Company's behalf.

**Disclosure:** We may furnish to your employer information concerning your use of your account. To read more about our information disclosure, please visit [www.bankofamerica.com/corporatecarddisclosure](http://www.bankofamerica.com/corporatecarddisclosure) or call the customer service number listed on your statement to request a copy.

**In case of errors or questions about your bill:** Errors or questions about your bill must be received in writing no later than 60 days after we sent you the first statement on which the error or problem appeared. Please mail this information to BANKCARD CENTER, PO BOX 982238, EL PASO, TX 79998-2238. Your letter must include the following information:

- The company name, cardholder name and account number in question.
- The dollar amount of the suspected error.
- A written description of the error and why you believe there is an error. If you need more information, describe the item you are unsure about.



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Customer Service:	For questions regarding transactions, general assistance, and reporting lost and stolen cards, call:	
	<u>Within the U.S.</u>	<u>Outside the U.S.</u>
	1.888.449.2273	1.509.353.6656 (collect calls accepted)

**Thank you for your business.**

**Please write your change of address here:**

Street \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

( ) ( )

Home Phone \_\_\_\_\_ Business Phone \_\_\_\_\_

**Posting payments:** Payments received by mail at the remittance address shown on the Payment Coupon portion of the face of this statement on a banking day will be posted to your account on the day received. If we receive your mailed payment on a non-banking day, we will post it to your account on the next banking day. There may be a delay of up to 5 banking days in posting payments made at a location other than the mailing address listed on the front of your payment coupon.

**Cardholder Activity Summary**

Account Number Credit Limit	Credits	Cash	Purchases and Other Debits	Total Activity
<b>BRISTOL, TIM</b> XXXX-XXXX-XXXX- 500	0.00	0.00	31.57	31.57
<b>BUSSERT, ERNIE</b> XXXX-XXXX-XXXX 500	0.00	0.00	78.50	78.50
<b>DUNKLE, CHRISTY</b> XXXX-XXXX-XXXX- 500	0.00	0.00	13.03	13.03
<b>ELLIOTT, RALPH</b> XXXX-XXXX-XXXX-4 5,000	0.00	0.00	792.32	792.32
<b>FERREBEE, DARRELL</b> XXXX-XXXX-XXXX- 500	0.00	0.00	267.49	267.49
<b>HALTERMAN, HEATHER</b> XXXX-XXXX-XXXX- 15,000	0.00	0.00	345.07	345.07
<b>JACKSON, MIA</b> XXXX-XXXX-XXXX- 1,000	21.80	0.00	178.53	156.73
<b>JOHNSON, KAREN</b> XXXX-XXXX-XXXX- 1,000	0.00	0.00	66.48	66.48
<b>LICKEY, PATRICK</b> XXXX-XXXX-XXXX- 500	0.00	0.00	52.57	52.57
<b>LILLY, STEPHEN</b> XXXX-XXXX-XXXX- 15,000	0.00	0.00	2,883.83	2,883.83
<b>LINK, BRIAN</b> XXXX-XXXX-XXXX- 1,000	0.00	0.00	188.88	188.88
<b>MASON, DONALD</b> XXXX-XXXX-XXXX- 500	0.00	0.00	251.23	251.23
<b>MCCORMICK, HARRY</b> XXXX-XXXX-XXXX- 500	0.00	0.00	2.73	2.73
<b>MORELAND, DESIREE</b> XXXX-XXXX-XXXX 50,000	0.00	0.00	24,592.78	24,592.78
<b>REYNOLDS, CHARLES</b> XXXX-XXXX-XXXX 500	0.00	0.00	187.17	187.17
<b>STOVER, KEITH</b> XXXX-XXXX-XXXX- 1,000	0.00	0.00	665.57	665.57
<b>TYRRELL, DAVE</b> XXXX-XXXX-XXXX- 20,000	0.00	0.00	17,383.04	17,383.04
<b>WHITE, NEAL</b> XXXX-XXXX-XXXX- 15,000	0.00	0.00	568.63	568.63

**Transactions**

Posting Date	Transaction Date	Description	Reference Number	MCC	Charge	Credit
						<b>Total Activity</b>
<b>BERRYVILLE TOWN OF</b>						<b>-\$56,856.43</b>
<b>Account Number: XXXX-XXXX-XXXX-</b>						
09/25	09/25	AUTO PAYMENT DEDUCTION		0071		56,856.43
<b>BOOR, RICK</b>						<b>Total Activity</b>
<b>Account Number: XXXX-XXXX-XXXX-</b>						<b>8,008.08</b>
09/11	09/10	JOHNNY BLUE, INC.	540-6650968 VA	24003418253900012604621	7394	82.00



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**Transactions**

Posting Transaction		Description		Reference Number	MCC	Charge	Credit	
09/17	09/13	GRIFFITH ENERGY SERVIC	410-956-3000 MD	24258028257017034716625	5983	1,778.59		
09/17	09/14	CORE & MAIN LP 514	3042636986 WV	24792628257206122800041	5039	3,160.00		
09/17	09/14	CORE & MAIN LP 514	3042636986 WV	24792628257206122800066	5039	2,107.96		
09/18	09/17	VDOT LAND USE PERMITS	804-7860622 VA	24755428261122618307553	9399	100.00		
09/20	09/19	BAY INDUSTRIES	920-406-4000 WI	24055238262286411500075	5039	779.53		
<b>BOOTH, KEVIN</b>							<b>Total Activity</b>	<b>315.97</b>
Account Number: XXXX-XXXX-XXXX-								
09/10	09/07	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801978251091402000122	5251	14.19		
09/19	09/18	LOWES #02724*	WINCHESTER VA	24692168261100934020413	5200	165.79		
09/28	09/27	TOTAL IMAGE WORKINGMANS	SWINCHESTER VA	24755428270282700690362	5699	135.99		
<b>BRISTOL, TIM</b>							<b>Total Activity</b>	<b>31.57</b>
Account Number: XXXX-XXXX-XXXX-								
09/13	09/12	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801978256091402000069	5251	31.57		
<b>BUSSERT, ERNIE</b>							<b>Total Activity</b>	<b>78.50</b>
Account Number: XXXX-XXXX-XXXX-								
09/13	09/12	TOTAL IMAGE WORKINGMANS	SWINCHESTER VA	24755428255272559113078	5699	46.40		
09/18	09/17	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801978261091402000138	5251	32.10		
<b>DUNKLE, CHRISTY</b>							<b>Total Activity</b>	<b>13.03</b>
Account Number: XXXX-XXXX-XXXX-								
09/24	09/21	USPS PO 5107560300	BERRYVILLE VA	24445008265001017384581	9402	13.03		
<b>ELLIOTT, RALPH</b>							<b>Total Activity</b>	<b>792.32</b>
Account Number: XXXX-XXXX-XXXX-								
09/06	09/05	APPLIED IND TECH 2690	540-8697400 VA	24755418248262480270304	5085	241.20		
09/07	09/05	A SIGN PLACE/PERSONALIZE	WINCHESTER VA	24223698249030029875572	5099	198.70		
09/07	09/06	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801978250091400000166	5251	21.14		
09/12	09/11	THE BLOSSMAN COMPANIES	IN228-872-8932 MS	24247608254300532169307	5983	81.28		
09/19	09/18	BROY & SON PUMP SERVICE	BERRYVILLE VA	24073148261900012200014	1799	250.00		
<b>FERREBEE, DARRELL</b>							<b>Total Activity</b>	<b>267.49</b>
Account Number: XXXX-XXXX-XXXX-								
09/10	09/07	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801978251091402000114	5251	14.69		
09/11	09/10	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801978254091408000214	5251	15.67		
09/13	09/11	ANDERSON'S NURSERY	BERRYVILLE VA	24061068255016022031190	5261	148.98		
09/24	09/20	BERRYVILLE AUTO PARTS	INCBERRYVILLE VA	24767898264044500524045	5533	48.00		
09/28	09/27	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801978271091402000292	5251	33.30		
09/28	09/27	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801978271091402000011	5251	6.85		
<b>HALTERMAN, HEATHER</b>							<b>Total Activity</b>	<b>345.07</b>
Account Number: XXXX-XXXX-XXXX-								
09/04	09/03	Amazon web services	aws.amazon.coVA	24692168246100458966835	7399	0.62		
09/10	09/07	IN *TRUESHRED	888-7508783 VA	24692168250100878085185	7399	49.00		
09/17	09/14	USPS PO 5107560300	BERRYVILLE VA	24445008258000992888540	9402	221.00		
09/26	09/25	IN *TRUESHRED	888-7508783 VA	24692168268100860930877	7399	49.00		
09/26	09/25	USPS PO 5107560300	BERRYVILLE VA	24445008269000920441302	9402	25.45		
<b>JACKSON, MIA</b>							<b>Total Activity</b>	<b>156.73</b>
Account Number: XXXX-XXXX-XXXX-								
09/10	09/07	STAPLS7204015335000001	877-8267755 NJ	24164078250105060861251	5111	68.55		
09/13	09/12	STAPLS7204015335001001	SOUTH HACKENSJ	74164078255105060861251	5111	21.80		
09/14	09/13	STAPLS7204393345000001	877-8267755 NJ	24164078256105125977237	5111	109.98		
<b>JOHNSON, KAREN</b>							<b>Total Activity</b>	<b>66.48</b>
Account Number: XXXX-XXXX-XXXX-								
09/07	09/05	KI	920-4063376 WI	24325458249900010715035	5021	41.48		
09/28	09/27	USPS PO 5107560300	BERRYVILLE VA	24445008271000864330913	9402	25.00		
<b>LICKEY, PATRICK</b>							<b>Total Activity</b>	<b>52.57</b>
Account Number: XXXX-XXXX-XXXX-								
09/14	09/13	HARBOR FREIGHT TOOLS	595 WINCHESTER VA	24231688257400031667285	5251	23.97		
09/18	09/17	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801978261091402000062	5251	17.60		
09/20	09/18	BERRYVILLE AUTO PARTS	INCBERRYVILLE VA	24767898262031100412657	5533	11.00		
<b>LILLY, STEPHEN</b>							<b>Total Activity</b>	<b>2,883.83</b>
Account Number: XXXX-XXXX-XXXX-								
09/06	09/05	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801978249091408000386	5251	17.41		
09/12	09/04	COYNE CHEMICAL	215-785-3000 PA	24224438255101027616234	5169	1,835.16		
09/17	09/14	BERRYVILLE AUTO PARTS	INCBERRYVILLE VA	24767898259006300405953	5533	59.11		
09/18	09/17	COYNE CHEMICAL	215-785-3000 PA	24224438261101027066689	5169	972.15		
<b>LINK, BRIAN</b>							<b>Total Activity</b>	<b>188.88</b>
Account Number: XXXX-XXXX-XXXX-								
09/05	09/04	JNO. S SOLENBERGER AND C	WINCHESTER VA	24138298248400002237971	5251	12.57		
09/11	09/10	LOWES #02724*	WINCHESTER VA	24692168253100331837492	5200	176.31		

<b>Transactions</b>							
Posting Transaction							
Date	Date	Description	Reference Number	MCC	Charge	Credit	Total Activity
<b>MASON, DONALD</b>							<b>251.23</b>
Account Number: XXXX-XXXX-XXXX-							
09/20	09/18	HOOTERS OF CHESTERFIELD MIDLOTHIAN VA	24326888262698991465625	5812	15.24		
09/21	09/19	HOOTERS OF CHESTERFIELD MIDLOTHIAN VA	24326888263698041517598	5812	15.78		
09/21	09/20	ARBYS 1441 RICHMOND VA	24431068264207488500578	5814	9.47		
09/24	09/21	DOUBLETREE LODGING RICHMOND VA	24073148264900012063468	3692	210.74		
Arrival: 09/18/18							
							<b>Total Activity</b>
							<b>2.73</b>
Account Number: XXXX-XXXX-XXXX							
09/10	09/09	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978253091406000233	5251	2.73		
							<b>Total Activity</b>
							<b>24,592.78</b>
Account Number: XXXX-XXXX-XXXX-							
09/10	09/07	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24431058250083756577169	4900	2,094.00		
09/10	09/07	VA DMV ONLINE BILLING PAY804-3670595 VA	24755428251132511871300	9399	350.00		
09/11	09/10	VERIZON*ONETIMEPAYMENT 800-VERIZON FL	24692168253100322467325	4899	183.72		
09/11	09/10	VERIZON*ONETIMEPAYMENT 800-VERIZON FL	24692168253100322467333	4899	390.70		
09/11	09/10	VERIZON*ONETIMEPAYMENT 800-VERIZON FL	24692168253100322467341	4899	196.63		
09/18	09/17	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24431058260083756677066	4900	125.00		
09/18	09/17	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24431058260083703848679	4900	20,479.20		
09/19	09/18	VZWRLLS*MY VZ VB P 800-922-0204 FL	24692168261100687181321	4814	753.53		
09/26	09/25	VA DEPARTMENT OF STATE PO804-6742000 VA	24755428268172686398789	9399	20.00		
							<b>Total Activity</b>
							<b>187.17</b>
Account Number: XXXX-XXXX-XXXX-							
09/05	09/04	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978248091406000074	5251	26.22		
09/17	09/14	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978258091406000428	5251	3.71		
09/24	09/22	BATTLEFIELD BOOTS WINCHESTER VA	24755428265272654889455	5661	157.24		
							<b>Total Activity</b>
							<b>666.57</b>
Account Number: XXXX-XXXX-XXXX							
09/07	09/06	FERGUSON ENT 1819 844-872-3857 VA	24435658249839667311270	5074	110.35		
09/11	09/10	FISHER AUTO PARTS 009 BERRYVILLE VA	24431068254200824400399	5533	16.96		
09/14	09/13	LOWES #02724* WINCHESTER VA	24692168256100102606032	5200	489.18		
09/14	09/13	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978257091404000025	5251	14.69		
09/26	09/25	FISHER AUTO PARTS 009 BERRYVILLE VA	24431068269200824700072	5533	18.39		
09/27	09/26	BIG DADDY AUTOMOTIVE LLC BERRYVILLE VA	24247608269200131747177	7538	16.00		
							<b>Total Activity</b>
							<b>17,383.04</b>
Account Number: XXXX-XXXX-XXXX-							
09/10	08/29	COYNE CHEMICAL 215-785-3000 PA	24224438251101031503836	5169	1,694.81		
09/10	09/07	Amazon Prime Amzn.com/billWA	24692168250100941447453	5968	119.00		
09/12	09/11	IN *VIRGINIA RURAL WATER 540-2617178 VA	24692168254100121853435	8299	400.00		
09/12	09/11	JNO. S SOLENERBERGER AND C WINCHESTER VA	24138298255400002276300	5251	166.41		
09/13	09/12	AMZN Mktp US Amzn.com/billWA	24692168255100511695692	5942	65.44		
09/13	09/12	Amazon.com Amzn.com/billWA	24692168255100518991805	5942	25.03		
09/13	09/12	Amazon.com Amzn.com/billWA	24692168255100644614859	5942	30.66		
09/17	09/14	A & A SALES ASSOCIATES 215-852-9651 PA	24039648257207748100023	5137	183.25		
09/17	09/14	CONTROL EQUIPMENT COMPANY540-4440386 VA	24000978257004500535777	5074	757.30		
09/17	09/13	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767898257999800480918	5533	12.99		
09/17	09/14	JOINER MICRO LABORATORIE 540-347-7212 VA	24435658258200389600045	7399	1,925.00		
09/17	09/14	EAHEART INDUSTRIAL SERVI 804-3557943 VA	24760628258473001052352	1799	186.73		
09/17	09/14	BERRYVILLE AUTO PARTS INC800-4498012 VA	24767898259006300405870	5533	271.00		
09/17	09/14	RIDDLEBERGER BROTHERS 540-434-1731 VA	24638188259017038170226	1711	1,526.63		
09/18	09/17	Amazon.com Amzn.com/billWA	24692168260100318782993	5942	49.98		
09/18	09/10	COYNE CHEMICAL 215-785-3000 PA	24224438261101027066648	5169	2,425.44		
09/18	09/17	ROBERTS OXYGEN CO BR 00 800-6263433 MD	24755428261642610777297	5085	92.65		
09/19	09/18	IN *CONSOLIDATED ELECTRIC540-6625994 VA	24692168261100986456671	1731	420.00		
09/19	09/18	USA BLUE BOOK 800-548-1234 IL	24326848261636000061956	5085	1,274.88		
09/19	09/18	CORE & MAIN LP 514 3042636986 WV	24792628261206122000034	5039	1,291.46		
09/20	09/18	RIDDLEBERGER BROTHERS 540-434-1731 VA	24638188262017031922206	1711	3,225.00		
09/20	09/19	COMMONWEALTH OF VA DEPT 0804-7860447 VA	24755428263122638134639	9399	942.46		
09/21	09/20	VA DEPARTMENT OF STATE PO804-6742000 VA	24755428263172639448157	9399	20.00		
09/24	09/23	Amazon.com*MT18Z2T82 Amzn.com/billWA	24692168266100761032247	5942	118.92		
09/24	09/23	TOTAL PEST SERVICES INC 540-9740768 VA	24755428266262661298195	7342	158.00		
							<b>Total Activity</b>
							<b>568.63</b>
Account Number: XXXX-XXXX-XXXX-							
09/05	09/04	USPS PO 5107560300 BERRYVILLE VA	24445008248000974244855	9402	6.70		
09/06	09/04	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767898248943500477107	5533	21.97		
09/10	09/07	POSITIVE CONCEPTS INC. 714-6855856 CA	24100858250900016018788	5111	257.77		
09/14	09/13	THE HOTEL ROANOKE & CONFEROANOKE VA	24239008256900012935027	3504	272.46		
Arrival: 09/09/18							



BERRYVILLE TOWN OF  
DESIRÉE MORELAND  
XXXX-XXXX-XXXX-  
September 01, 2018 - September 30, 2018  
Page 6 of 6



**Transactions**

Posting Transaction

Date	Date	Description	Reference Number	MCC	Charge	Credit
09/27	09/25	BERRYVILLE AUTO PARTS INC BERRYVILLE VA	24767898269075400410922	5533	9.73	

**Finance Charge Calculation**

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

	Annual Percentage Rate	Balance Subject to Interest Rate	Finance Charges by Transaction Type
PURCHASES	0.00%	\$0.00	\$0.00
CASH	0.00%	\$0.00	\$0.00

V = Variable Rate (rate may vary), Promotional Balance = APR for limited time on specified transactions.

# **ATTACHMENT**

**7**



# Berryville Police Department

101 Chalmers Ct., Suite A, Berryville, Virginia 22611

[policeadmin@berryvilleva.gov](mailto:policeadmin@berryvilleva.gov)

(540) 955-3863 (540) 955-0207 (Fax)

W. Neal White – Chief of Police

## MEMO

**DATE: 11/06/2018**

**TO: Town Council**

**FROM: Chief W. Neal White**

**CC:**

**RE: Police Department Monthly Report – 11/13/2018**

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### **Monthly Activity Report**

The activity report for the month of October 2018 is attached to this memo.

### **Public Safety Committee**

Minutes from the October 24, 2018 Public Safety Committee can be found in the consent agenda. The next scheduled meeting for the Committee is November 28, 2018 at 4:30 pm in the A/B meeting room.

### **Electronic Summons**

The electronic summons program has been fully implemented in the department and working as designed. Some minor issues were identified during the initial roll out of the program and have since been resolved.

### **Fleet Vehicle**

The department received the 2018 Ford Police Utility (Explorer) on October 12, 2018 and it is in fleet service. This vehicle was purchased as a capital improvement project in the FY 2018-19 budget.



# Berryville Police Department

101 Chalmers Ct., Suite A, Berryville, Virginia 22611

[policeadmin@berryvilleva.gov](mailto:policeadmin@berryvilleva.gov)

(540) 955-3863 (540) 955-0207 (Fax)

W. Neal White – Chief of Police

## Police and Security Report

	Year To Date	October	September
Month: October	2018	2018	2018
Year: 2018			
<b><u>Complaints Answered</u></b>			
911 Hang Up:	10	1	0
Alarms:	162	22	8
Animal Complaint:	125	18	17
Assault and Battery:	6	0	0
Assist County:	27	4	2
Auto Larceny:	0	0	0
Burglary:	8	2	0
Civil Complaints:	61	3	6
Disturbance (Non Violent):	22	2	2
Domestic Disturbance:	22	2	2
Drunk In Public:	11	1	2
Forgery & Uttering:	0	0	0
Fraud:	20	0	0
Larceny:	35	3	1
Harassment/Intimidation:	25	5	3
Homicide:	0	0	0
Juvenile Related:	20	2	0
Noise:	47	6	5
Public Service:	16	1	4
Rape:	0	0	0
Robbery:	0	0	0
Runaway:	0	0	0
Shoplifting:	0	0	0
Suspicious Activity:	150	11	13
Trespassing:	8	0	0
Vandalism:	37	5	3
Welfare Check:	128	20	9
Miscellaneous Complaints:	721	94	76
<b>Total Complaints Answered:</b>	<b>1661</b>	<b>202</b>	<b>153</b>



# Berryville Police Department

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(540) 955-3863 (540) 955-0207 (Fax)

W. Neal White – Chief of Police

## Police and Security Report (Continued)

	Year To Date 2018	October 2018	September 2018
<b><u>Traffic</u></b>			
Accidents Investigated:	50	7	8
Assist Motorist:	12	2	0
Child Safety Seat Install:	7	3	1
Funeral Escort:	36	8	3
Hit & Run:	1	0	0
Parking Tickets:	134	6	7
Traffic Warnings:	480	24	37
<b><u>Traffic Summons Issued</u></b>			
Defective Equipment:	2	0	0
Driving Suspended:	12	0	1
Expired Inspection:	57	5	7
Expired Registration:	13	2	1
Fail to Obey Highway Sign:	107	12	10
Fail to Obey Traffic Signals:	7	0	0
Fail to Stop/Lights & Siren:	0	0	0
Fail to Yield Right of Way:	4	0	1
Hit and Run:	0	0	0
No Liability Insurance:	0	0	0
No Operator's License:	17	0	0
No Seat Belt:	1	0	0
Reckless Driving:	6	1	0
Speeding:	199	13	27
Miscellaneous Summons:	24	3	5
<b>Total Traffic Summons Issued:</b>	<b>449</b>	<b>36</b>	<b>52</b>
<b><u>Found Open at Businesses in Town</u></b>			
Doors:	14	1	3
Windows:	0	0	0
Garage Doors:	0	0	0



# Berryville Police Department

101 Chalmers Ct., Suite A, Berryville, Virginia 22611

[policeadmin@berryvilleva.gov](mailto:policeadmin@berryvilleva.gov)

(540) 955-3863 (540) 955-0207 (Fax)

W. Neal White – Chief of Police

## Police and Security Report (Continued)

	Year To Date	October	September
	2018	2018	2018
<b><u>Criminal Arrests Made</u></b>			
Abduction:	0	0	0
Arson:	0	0	0
Assault and Battery:	5	0	0
Assault and Battery on Police Officer:	0	0	0
Auto Larceny:	0	0	0
Breaking and Entering:	0	0	0
Capias:	9	0	0
Disorderly Conduct:	0	0	0
Driving While Intoxicated:	6	0	1
Drunk In Public:	6	0	1
Fail to Obey Police Officer:	1	0	0
Fail to Pay Parking Ticket:	12	0	0
Forgery:	0	0	0
Fraud:	0	0	0
Grand Larceny:	0	0	0
Homicide:	0	0	0
Illegal Drugs/Paraphernalia:	2	0	0
Petty Larceny:	1	0	1
Possess Alcohol Underage:	1	0	0
Protective Order Violations:	0	0	0
Rape:	0	0	0
Resisting Arrest:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	0	0	0
Vandalism:	4	0	0
Weapons Violation:	0	0	0
Miscellaneous Criminal Arrests:	36	2	4
<b>Juvenile Detention Order Totals:</b>	0	0	0
<b>Total Criminal Arrests:</b>	83	2	7

Dear Berryville Police Department.

We were out of town from October 18-25. While we were away, our smoke alarm malfunctioned in our attic. Some of our neighbors and the people who walk their dogs by our home became alarmed. One of them called your department. Officer B. M. Piper came and made sure everything was O.K.

We want to thank your department for checking on our home. Also, thank you for <sup>keeping</sup> the people of Berryville safe. We appreciate your service to our community. May you all be safe.

Residents of Berryville,  
Gary & Linda Cook

Dear Members of Berrynille P.D.,

Thank you so much for stationing officers in the Darbybrook community for Halloween. The children in our neighborhood who participated in our Annual Halloween Parade were thrilled to interact with the officers and receive glow necklaces. We greatly appreciate your presence in our community and helping to keep our kids safe so that they can enjoy their festivities. Thanks for all you do!

---

Amy Steer (2018 Parade Coordinator)

# **ATTACHMENT**

**8**

# Memo

**To:** Town Council

**From:** David Tyrrell

**Date:** November 6, 2018

**Re:** October 2018 Operations Report

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The water treatment plant complies for October 2018 with its monthly parameters per data available to date. We sent 12.603 MG of water to the system with an average of 0.407 MGD and a daily max of 0.889 MG.

SUEZ Utility Service has completed the painting and mixer installation of the 3MG tank. There is still foundation work, caulking, site grading and repair, and installation of the duckbill valve to complete but the tank is in full service.

We have had a few operational issues this month first being an over feed of potassium permanganate releasing some pink water into the distribution system. Flushing of water lines quickly cleared the issue once it was discovered and operational changes have been made to help ensure no repeat of the incident. The chemical causing the problem helps to remove unpleasant taste and odors from the raw water and allows the Alum to better coagulate the raw water for filtration. There was no health hazard at the level released but it does create an undesired pink color when over fed.

The chlorine feed line feeding disinfectant to the end of the treatment process clogged causing problems with proper water disinfection. The operator on duty noticed the issue and shut the process down prior to affecting the distribution system. The problem was caused by the hypochlorite changing the pH of the carrier water used to convey the disinfectant to the treatment process causing the naturally occurring calcium in the water to build up on the inside of the carrier pipes. We ran a temporary line feeding straight hypochlorite to the treatment system and worked to clear the existing line. We are now not using carrier water to deliver the hypochlorite but are feeding the chemical neat. This will prevent future precipitation of calcium in the lines but will require routine maintenance of the injection point.

Design work for the replacement of the finish pumps is continuing. We are working with the pump manufacture to see if the same pump as is currently installed still exist with the same dimensions and bolt patterns which will make installation very easy. We are waiting for confirmation from the manufacturer.

A full low flow flushing of the water distribution system continues. The Southgate, Apple Glen, and Jack Enders areas have been flushed in October. There are still a few sections in the Walnut Street area to flush which will be completed this month.

Drought Conditions: There are no concerns for drought at this time.

The wastewater plant complies with its discharge permit for October per data received to date. We treated a total of 20.73 MG with a daily average of 0.67 MGD and a daily max of 1.49 MG. As a reminder our dry weather flows at the wastewater plant are around 0.3 MGD for comparison.

With the completion of the 24-hour cycle we again have staffing at the STP as of this week and are working to catch up on the many things which have fallen behind at the STP.

We are again draining the North Lagoon after the high flows of September. We have added no additional waste to the lagoon in October and are slowly introducing the stored water into the treatment system.

Repairs have been completed to the two pumps which failed in September and they are back on the shelf for backup should they be needed.

Attached for review are the DMR data reports for the wastewater plant with data received to date, the water plant page 1 operations report for VDH, and the latest membrane condition report from Suez.

Flows and Chemical Dosages

October 2018.000

No. Connections Served: 1604  
Population Served: 4185

DATE	Raw Water Treated MGD	Finished Water Produced MGD	Finished Water Delivered MGD	Hours in Service	Raw Water Chemicals					Finished Water Chemicals						
					Alum	Carbon	Chlorine	Fluoride	Polymer	KMnO4	Soda Ash	Chlorine	Corr Inhibitor			
	Lbs per Day	Lbs per Day	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L
1	0.430		0.348	13.0	61	17.0	2	0.6	6.8	1.89	0.066	0.018	10	2.7	31.3	8.7
2	0.386		0.323	11.5	41	12.6	2	0.5	6.7	2.07	0.062	0.019	8.6	2.7	23.4	7.3
3	0.441		0.394	13.0	30	8.3	1	0.3	3.6	0.98	0.066	0.018	9.7	2.6	15.6	4.2
4	0.399		0.340	11.5	20	6.1	2	0.6	6.7	2.01	0.062	0.019	8.6	2.6	15.6	4.2
5	0.504		0.435	10.3	30	7.2	1	0.2	6.8	1.62	0.071	0.017	7.7	1.8	23.4	5.6
6	0.338		0.303	12.0	15	5.4	3	1.0	6.9	2.45	0.053	0.019	9.2	3.3	14.1	5.0
7	0.223		0.188	8.0	10	5.5	0	0.0	3.4	1.83	0.040	0.021	6.0	3.2	17.2	9.3
8	0.528		0.472	15.0	30	6.9	2	0.5	6.5	1.48	0.079	0.018	11.2	2.5	23.4	5.3
9	0.378		0.344	11.0	20	6.4	2	0.6	3.5	1.11	0.057	0.018	8.2	2.6	15.6	4.9
10	0.388		0.350	10.5	15	4.7	2	0.5	6.7	2.07	0.062	0.019	7.9	2.4	15.6	4.8
11	0.317		0.269	10.5	25	9.6	2	0.6	3.5	1.32	0.049	0.018	7.9	3.0	15.6	5.9
12	0.438		0.399	10.5	5	1.4	2	0.5	6.8	1.86	0.044	0.012	7.9	2.1	13.0	3.6
13	0.341		0.307	9.0	5	1.8	3	1.0	10.2	3.59	0.026	0.009	10.8	3.8	12.0	4.2
14	0.334		0.599	10.5	20	7.3	3	1.0	6.7	2.41	0.062	0.022	7.9	2.8	15.6	5.6
15	0.387		0.346	12.0	61	18.8	1	0.2	3.6	1.11	0.057	0.018	9.0	2.8	15.6	4.8
16	0.343		0.308	11.0	41	14.2	2	0.6	6.7	2.34	0.057	0.020	8.2	2.9	15.6	5.5
17	0.360		0.319	11.5	20	6.8	1	0.4	3.5	1.17	0.049	0.016	8.6	2.9	15.6	5.2
18	0.405		0.346	11.5	35	10.5	1	0.2	6.7	1.98	0.057	0.017	8.6	2.5	15.6	4.6
19	0.346		0.308	8.5	25	8.8	2	0.6	3.6	1.24	0.032	0.011	6.4	2.2	9.0	3.1
20	0.350		0.322	10.0	25	8.7	1	0.4	6.6	2.26	0.067	0.020	7.5	2.6	12.6	4.3
21	0.339		0.292	11.0	10	3.6	1	0.3	3.6	1.26	0.049	0.017	8.2	2.9	15.0	5.3
22	0.350		0.319	10.0	15	5.2	2	0.5	6.9	2.37	0.049	0.017	7.5	2.6	15.5	5.3
23	0.394		0.354	11.5	20	6.2	3	0.9	3.3	1.00	0.057	0.017	8.6	2.6	17.5	5.3
24	0.379		0.274	10.5	20	6.4	2	0.6	3.5	1.11	0.053	0.017	7.9	2.5	20.7	6.5
25	0.546		0.485	16.0	35	7.8	2	0.5	9.9	2.17	0.066	0.015	12.0	2.6	11.6	2.5
26	0.977		0.889	24.0	51	6.2	2	0.3	13.6	1.67	0.145	0.018	18.0	2.2	41.5	5.1
27	0.799		0.717	24.0	46	6.8	2	0.3	10.5	1.58	0.101	0.015	18.0	2.7	33.9	5.1
28	0.538		0.493	20.5	41	9.0	4	0.9	3.6	0.80	0.093	0.021	7.6	1.7	22.8	5.1
29	0.817		0.738	24.0	56	8.2	3	0.4	10.2	1.50	0.106	0.016	12.0	1.8	25.0	3.7
30	0.642		0.572	18.5	35	6.6	4	0.7	10.0	1.88	0.088	0.016	9.2	1.7	22.7	4.2
31	0.509		0.450	14.5	25	6.0	2	0.4	6.9	1.63	0.075	0.018	7.2	1.7	19.1	4.5
Total	13.926	0.000	12.603	405.3	892	240.0	58	16.1	0.0	0.00	197.5	53.8	1.99	0.536	286	79.1
Maximum	0.977	0.000	0.889	24.0	61	18.8	4	1.0	0.0	0.00	13.6	3.6	0.15	0.022	18	3.8
Minimum	0.223	0.000	0.188	8.0	5	1.4	0	0.0	0.0	0.00	3.3	0.8	0.03	0.009	6	1.7
Average	0.449	0.000	0.407	13.1	29	7.7	2	0.5	###	###	6.4	1.7	0.06	0.017	9	2.6

SIGNED: (OPERATOR IN RESPONSIBLE CHARGE)

RAW WATER SOURCE(S) USED DURING MONTH: (SOURCE/DATES)

PRINTED NAME

David A Tyrrell

Shenandoah River - Entire Month

TITLE: OPERATOR CLASSIFICATION  
DFOR CERTIFICATION NO.

Class 1  
1955002813

# Berryville STP Monthly DMR Data

October 2018

Date	Effluent Flow		Eff pH		Eff Temp		Eff CBOD		Eff TSS		Effluent DO River		Effluent DO WWTP		Eff NO2/NO3		Eff TKN		Eff Total N	
	MGD		SU	Deg C	mg/l	KG/D	mg/l	KG/D	mg/l	KG/D	mg/l	KG/D	mg/l	KG/D	mg/l	KG/D	mg/l	KG/D	mg/l	KG/D
10/1/2018	1.46		7.5	20.2							8.9	8.2								
10/2/2018	1.49		7.5	20.9	2.00	11.24					8.7	7.8			1.85	1.51		8.49		3.36
10/3/2018	1.32		7.6	20.7	4.00	20.02					8.3	8.0								
10/4/2018	1.10		7.5	21.5	3.00	12.54					8.3	7.2			2.05	1.74		7.27		3.79
10/5/2018	0.87		8.0	23.3							8.1	7.7								
10/6/2018	0.54		7.8	21.3							8.8	8.1								
10/7/2018	0.78		7.8	21.1							8.3	8.1								
10/8/2018	1.11		7.9	20.8							8.2	7.8								
10/9/2018	0.70		7.8	21.8	2.00	5.27	4.00	10.54			8.6	8.1			0.95	1.78		4.69		2.73
10/10/2018	0.66		7.7	22.2	0.00	0.00					7.8	7.2								
10/11/2018	0.78		7.9	22.4	0.00	0.00					8.1	7.8			0.67	1.62		4.75		2.29
10/12/2018	0.75		7.8	21.3							7.8	7.6								
10/13/2018	0.65		7.8	20.3							8.0	8.1								
10/14/2018	0.61		7.7	20.3							8.3	8.5								
10/15/2018	0.42		7.8	20.1							8.4	8.1								
10/16/2018	0.72		7.9	27.1	2.00	5.48					8.2	8.4			4.80	1.40		3.84		6.20
10/17/2018	0.55		7.8	19.1	4.00	8.27					8.4	8.2								
10/18/2018	0.52		7.8	19.6	2.00	3.91					8.9	8.5			1.11	1.52		2.97		2.63
10/19/2018	0.44		7.8	17.9							8.7	8.6								
10/20/2018	0.37		7.7	19.3							8.7	8.3								
10/21/2018	0.35		7.8	19.4							8.5	8.7								
10/22/2018	0.43		7.8	18.2							8.5	8.4								
10/23/2018	0.44		7.8	18.0	1.00	1.67					8.1	7.7			3.36	1.93		3.22		5.29
10/24/2018	0.45		7.8	17.2							8.9	8.4								
10/25/2018	0.45		7.8	17.0							8.6	8.8								
10/26/2018	0.45		7.7	16.2							8.8	8.1								
10/27/2018	0.58		7.4	16.8							8.8	8.2								
10/28/2018	0.34		8.0	16.7							8.7	8.9								
10/29/2018	0.57		7.9	17.1							8.9	8.7								
10/30/2018	0.45		7.9	16.6							8.9	7.2								
10/31/2018	0.42		7.9	18.3							8.4	8.2								
Minimum	0.34		7.4	16.2	0.00	0.00	4.00	10.54			7.8	7.2			0.67	1.40		2.97		2.29
Maximum	1.49		8.0	27.1	4.00	20.02	4.00	10.54			8.9	8.9			4.80	1.93		8.49		6.20
Total	20.73		240.9	612.7	20.00	68.38	4.00	10.54			262.6	251.6			14.79	11.50		35.23		26.29
Average	0.67		7.8	19.8	2.00	6.84	4.00	10.54			8.5	8.1			2.11	1.64		5.03		3.76
Geo Mean	0.61		7.8	19.6	1.94	4.62	4.00	10.54			8.5	8.1			1.71	1.6		4.70		3.53

# Berryville STP Monthly DMR Data

October 2018

Date	Eff Total N		Eff Total P		E-Coli	
	KG/D	KG/D	mg/l	KG/D	KG/D	No/100ml
10/1/2018						
10/2/2018	18.92		0.06	0.34		1
10/3/2018						
10/4/2018	15.86		0.04	0.17		
10/5/2018						
10/6/2018						
10/7/2018						
10/8/2018						
10/9/2018	7.20		0.06	0.16		1
10/10/2018						
10/11/2018	6.73		0.04	0.12		1
10/12/2018						
10/13/2018						
10/14/2018						
10/15/2018						
10/16/2018	17.02		0.21	0.58		1
10/17/2018						
10/18/2018	5.14		0.11	0.22		
10/19/2018						
10/20/2018						
10/21/2018						
10/22/2018						
10/23/2018	8.84		0.22	0.37		1
10/24/2018						
10/25/2018						
10/26/2018						
10/27/2018						
10/28/2018						
10/29/2018						
10/30/2018						
10/31/2018						
Minimum	5.14		0.04	0.12		1
Maximum	18.92		0.22	0.58		1
Total	79.71		0.74	1.94		5
Average	11.39		0.11	0.28		1
Geo Mean	10.17		0.08	0.24		1

# Berryville STP Report

## July 1 - July 31 2018

### UF 1 KPI Summary

Parameter	Health	Std. Dev	Points	Avg	LL	LCL	UCL	HH	Max	Min
FluxBeforeBP	●	1.76	352	7.524	--	--	12.23	16.3	13.602	4.881
PermeateTurbidityAfterBP	●	0.01	352	0.177	0	--	0.9	1	0.321	0.169
TCPermeabilityBeforeBP	●	4.55	352	19.418	4	6	--	--	42.941	11.726
TMPBeforeBP	●	0.17	352	0.511	--	--	7	8	1.023	0.144
TotalPermeateFlowDaily		86974.85	8	165122.5	--	--	--	--	373279.0	113470.0

### UF 2 KPI Summary

Parameter	Health	Std. Dev	Points	Avg	LL	LCL	UCL	HH	Max	Min
FluxBeforeBP	●	1.82	357	7.715	--	--	12.23	16.3	11.958	4.718
PermeateTurbidityAfterBP	●	0.01	357	0.13	0	--	0.9	1	0.252	0.119
TCPermeabilityBeforeBP	●	0.88	357	9.229	4	6	--	--	13.739	7.27
TMPBeforeBP	●	0.34	357	1.074	--	--	7	8	2.024	0.503
TotalPermeateFlowDaily		84570.69	8	177190.87 5	--	--	--	--	352520.0	79088.0

### UF 3 KPI Summary

Parameter	Health	Std. Dev	Points	Avg	LL	LCL	UCL	HH	Max	Min
FluxBeforeBP	●	1.47	165	6.104	--	--	12.23	16.3	10.998	3.751
PermeateTurbidityAfterBP	●	0.02	165	0.187	0	--	0.9	1	0.282	0.172
TCPermeabilityBeforeBP	●	3.04	165	4.752	4	6	--	--	9.203	0.655
TMPBeforeBP	●	2.56	165	3.087	--	--	7	8	7.412	0.596
TotalPermeateFlowDaily		39833.35	8	60562.375	--	--	--	--	126624.0	3237.0

### UF 4 KPI Summary

Parameter	Health	Std. Dev	Points	Avg	LL	LCL	UCL	HH	Max	Min
FluxBeforeBP	●	1.77	358	7.38	--	--	12.23	16.3	12.049	1.63
PermeateTurbidityAfterBP	●	0.02	358	0.159	0	--	0.9	1	0.391	0.151
TCPermeabilityBeforeBP	●	3.01	358	23.023	4	6	--	--	37.63	3.025
TMPBeforeBP	●	0.12	358	0.411	--	--	7	8	0.763	0.16
TotalPermeateFlowDaily		75775.91	8	164644.12 5	--	--	--	--	336738.0	105878.0

### UF Plant KPI Summary

Parameter	Health	Std. Dev	Points	Avg	LL	LCL	UCL	HH	Max	Min
PermeateTemperature	<span style="color: green;">●</span>	1.37	696	52.954	32	--	100	110	55.583	50.52
TotalPermeateFlowDaily	<span style="color: green;">●</span>	222011.9	8	567519.875	--	--	1100000	2100000	1094229.0	433401.0

### UF 1 KPI Summary

Parameter	LL	LCL	UCL	HH	Oct 25	Oct 26	Oct 27	Oct 28	Oct 29	Oct 30	Oct 31	Nov 01
FluxBeforeBP	--	--	12.23	16.3	8.287	8.027	8.808	6.754	6.799	6.428	6.82	--
PermeateTurbidityAfterBP	0	--	0.9	1	0.178	0.18	0.18	0.175	0.175	0.175	0.173	--
TCPermeabilityBeforeBP	4	6	--	--	20.343	18.889	19.601	19.014	18.569	20.427	18.989	--
TMPBeforeBP	--	--	7	8	0.556	0.567	0.605	0.469	0.464	0.404	0.453	--
TotalPermeateFlowDaily	--	--	--	--	119824.0	148589.0	373279.0	180990.0	114235.0	137471.0	133122.0	--

### UF 2 KPI Summary

Parameter	LL	LCL	UCL	HH	Oct 25	Oct 26	Oct 27	Oct 28	Oct 29	Oct 30	Oct 31	Nov 01
FluxBeforeBP	--	--	12.23	16.3	8.765	7.938	8.834	7.071	6.722	7.208	7.076	6.466
PermeateTurbidityAfterBP	0	--	0.9	1	0.131	0.132	0.128	0.126	0.129	0.13	0.132	0.139
TCPermeabilityBeforeBP	4	6	--	--	8.118	9.117	8.868	9.299	9.617	9.84	10.012	10.032
TMPBeforeBP	--	--	7	8	1.363	1.136	1.295	0.97	0.868	0.906	0.869	0.774
TotalPermeateFlowDaily	--	--	--	--	147782.0	207352.0	352520.0	197770.0	185917.0	79088.0	94637.0	--

### UF 3 KPI Summary

Parameter	LL	LCL	UCL	HH	Oct 25	Oct 26	Oct 27	Oct 28	Oct 29	Oct 30	Oct 31	Nov 01
FluxBeforeBP	--	--	12.23	16.3	5.639	5.864	4.713	4.29	6.328	6.392	6.074	8.013
PermeateTurbidityAfterBP	0	--	0.9	1	0.198	0.191	0.179	0.178	0.185	0.177	0.179	0.232
TCPermeabilityBeforeBP	4	6	--	--	1.223	1.484	0.855	0.782	4.313	6.318	8.334	8.308
TMPBeforeBP	--	--	7	8	6.204	5.539	7.019	6.938	2.098	1.257	0.886	1.154
TotalPermeateFlowDaily	--	--	--	--	38553.0	88044.0	31692.0	3237.0	36399.0	126624.0	84761.0	--

### UF 4 KPI Summary

Parameter	LL	LCL	UCL	HH	Oct 25	Oct 26	Oct 27	Oct 28	Oct 29	Oct 30	Oct 31	Nov 01
FluxBeforeBP	--	--	12.23	16.3	7.733	8.486	8.757	6.919	6.284	6.525	6.189	--
PermeateTurbidityAfterBP	0	--	0.9	1	0.156	0.167	0.156	0.157	0.158	0.162	0.162	--
TCPermeabilityBeforeBP	4	6	--	--	22.666	22.87	22.49	23.027	23.23	23.64	23.674	--
TMPBeforeBP	--	--	7	8	0.44	0.478	0.506	0.385	0.347	0.342	0.321	--
TotalPermeateFlowDaily	--	--	--	--	146313.0	151209.0	336738.0	204266.0	133858.0	118010.0	120881.0	--

### UF Plant KPI Summary

Parameter	LL	LCL	UCL	HH	Oct 25	Oct 26	Oct 27	Oct 28	Oct 29	Oct 30	Oct 31	Nov 01
PermeateTemperature	32	--	100	110	52.543	51.611	51.058	52.378	53.527	54.184	54.754	55.449
TotalPermeateFlowDaily	--	--	1100000	2100000	452472.0	595194.0	1094229.0	586263.0	470409.0	461193.0	433401.0	--

### UF 1 KPI Summary

Parameter	Health	%In	Std. Dev	Points	Avg
FluxBeforeBP		83 %	2.81	1589	9.246
PermeateTurbidityAfterBP		100 %	0.03	1589	0.218
TCPermeabilityBeforeBP		100 %	5.61	1574	29.185
TMPBeforeBP		100 %	0.16	1589	0.396
TotalPermeateFlowDaily		100 %	166969.23	32	204388.281

### UF 2 KPI Summary

Parameter	Health	%In	Std. Dev	Points	Avg
FluxBeforeBP		81 %	2.74	1625	9.338
PermeateTurbidityAfterBP		99 %	0.15	1625	0.252
TCPermeabilityBeforeBP		100 %	6.11	1623	22.243
TMPBeforeBP		100 %	0.27	1625	0.56
TotalPermeateFlowDaily		100 %	166903.49	32	210127.594

### UF 3 KPI Summary

Parameter	Health	%In	Std. Dev	Points	Avg
FluxBeforeBP		91 %	2.71	1522	8.944
PermeateTurbidityAfterBP		100 %	0.04	1522	0.223
TCPermeabilityBeforeBP		29 %	6.57	1521	7.594
TMPBeforeBP		99 %	1.47	1522	2.27
TotalPermeateFlowDaily		100 %	161289.53	32	186948.281

### UF 4 KPI Summary

Parameter	Health	%In	Std. Dev	Points	Avg
FluxBeforeBP		86 %	2.65	1524	9.24
PermeateTurbidityAfterBP		100 %	0.02	1524	0.158
TCPermeabilityBeforeBP		100 %	4.67	1516	27.667
TMPBeforeBP		100 %	0.15	1524	0.406
TotalPermeateFlowDaily		100 %	173164.69	32	196422.531

### UF Plant KPI Summary

Parameter	Health	%In	Std. Dev	Points	Avg
PermeateTemperature		100 %	2.79	2976	56.357

Parameter	Health	%In	Std. Dev	Points	Avg
TotalPermeateFlowDaily		78 %	654015.0	32	797886.688

# ATTACHMENT 9

**Report of the Department of Public Works  
November 5, 2018**

We experienced one water break during the last 30 days. This break occurred on the ten-inch transmission line on Springsbury Road. The break was identified by an employee of the Towns Utility Department. As you are aware we have been operating our water distribution system without our 3 million gallon ground storage tank. By the water plant employee identifying this leak and notifying us early, provided us the opportunity to stop the water loss and repair the problem in a timely manner. When we excavated we found a split about 5 feet long in the pipe. We repaired the pipe by removing the broken section and installing a section of PVC pipe and two hy-max couplings.

The sewer main rehab project on East Main Street is underway. The first section of point repairs was done last week. This section was supposed to be 22 feet in length. However due to the poor condition of the pipe this repair ended up a total of 36 feet in length. The next section of point repairs will be just west of First Street. Weather permitting AM Liner hopes to complete this repair by the end of this week. Depending of the upcoming weather conditions AM Liner plans to have the line installed by the end of the year.

Leaf collection season is now upon us. Our leave collection machine has been serviced and ready to be put to the task. We will be collecting leaves until December 14<sup>th</sup>. During leaf collection Public Works will also be picking up brush and regular yard waste.

Public Works has been busy the past couple of weeks servicing our snow plows and salt boxes. During our salt box inspections we found a conveyer chain was in poor condition and wasn't going to last long. We took the damaged salt box to Shades Equipment for repair and received it back on Friday. As of now all our snow removal equipment is serviced and ready for the first winter event.

# **ATTACHMENT**

# **10**

**BERRYVILLE TOWN COUNCIL  
MOTION TO RECOMMEND RE-APPOINTMENT OF  
MAYOR PAT DICKINSON TO THE  
NORTHERN SHENANDOAH VALLEY REGIONAL COMMISSION BOARD**

Date: November 13, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville re-appoint Mayor Pat Dickinson to the Northern Shenandoah Valley Regional Commission Board of Directors for a one year term to end on November 14, 2019.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: \_\_\_\_\_  
Harry Lee Arnold, Jr., Recorder

**BERRYVILLE TOWN COUNCIL  
MOTION TO RECOMMEND REAPPOINTMENT OF  
CHRISTY DUNKLE AS ALTERNATE TO THE  
NORTHERN SHENANDOAH VALLEY REGIONAL COMMISSION BOARD**

Date: November 13, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville re-appoint Christy Dunkle as an alternate to the Northern Shenandoah Valley Regional Commission Board of Directors for a one year term to end on November 14, 2019.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: \_\_\_\_\_  
Harry Lee Arnold, Jr., Recorder