

MINUTES
BERRYVILLE TOWN COUNCIL
Tuesday, August 3, 2011
Berryville-Clarke County Government Center
Work Session
Noon

Roll:

Town Council:

Present: Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Mary Daniel; Allen Kitselman; David Tollett;

Absent: Lawrence Russell, III

Staff: Keith Dalton, Town Manager; Neal White, Chief of Police; Christy Dunkle, Assistant Town Manager/Planner; Rick Boor, Director of Public Works; David Tyrrell, Director of Utilities; Celeste Heath, Town Clerk

Press: Val Van Meter, Winchester Star

1. Call to Order: Wilson Kirby, Mayor
Mayor Kirby called the work session to order at noon.

2. Discussion- Sanitary Sewer Flow Projections
Mayor Kirby asked staff to walk the Council through how the projection numbers were obtained. Mr. Dalton gave an overview of the process. He said that staff began with numbers developed by Dewberry and Davis when the Berryville Area Plan was formulated in the 1980s. He explained that Ms. Dunkle and Mr. Tyrrell went through each sub-area in the Berryville Area to see what has developed and to make assumptions about what may yet develop. He noted that assumptions were also made to take into account how properties may re-develop.

Mr. Tyrrell then spoke about the average daily sewer flow projections. He said that the average daily flow now is 300,000 gallons per day (gpd) and that this coupled with the future projected flow for in town and the Berryville Area is 1.235 million gpd which is lower than the original Dewberry and Davis projected flow of 1.4 million gpd.

Mr. Dalton spoke about the town's loading allocations and explained how the sewer plant capacity is constrained by the loading allowed.

Mr. Tyrrell discussed the numbers used for per unit flows (350 gpd.) He said that this per unit number is the industry standard and that all of the town's engineers have used it. Mayor Kirby said that the State Health Department uses that number.

There was a discussion of the flow numbers used for the schools and for possible industrial developments.

Ms. Dunkle then explained how some of the figures were arrived at for some of the sub-areas to give the Town Council an idea on how the final numbers were arrived at. She noted that this process was reviewed thoroughly with the town's engineers as well.

There was a discussion of the existing business park. Mr. Dalton said that while there are no heavy users now, staff wanted to consider that uses may change and have a cushion if a larger user develops in the park.

There was a discussion about school usage. Ms. Dunkle said that a figure of 2.12% annual growth was used. She said that staff also looked at the possible residential re-development of the Berryville Primary School and how that would affect use.

Mr. Dalton said that staff continues to work on the sanitary sewer flow projection numbers and will adjust those numbers before they bring a final product to the Town Council. He said that staff wanted to give the Council an understanding of the process they are using to arrive at these numbers.

There was a general discussion of the capacity of the new wastewater treatment plant. Mr. Dalton and Mr. Tyrrell explained current and future sewer flow capacities and how the plant was designed to use equalization basins to meet peak flows.

Mr. Dalton asked about the size of the outfall line. Mr. Tyrrell said that the outfall line is sized to meet total build out plus required peaking.

Mr. Kirby asked what will happen to the old outfall line. Mr. Tyrrell said that it will stay in place for possible re-purposing. Mr. Dalton said the old line provides the town with a lot of flexibility. There was a general discussion of re-purposing the line for irrigation if state regulations are adopted for that purpose.

3. Discussion – Transfer of Street Maintenance Responsibility

Mr. Dalton said that staff has met several times with VDOT to establish the tasks and timeline for transfer of street maintenance responsibility from VDOT to the town. He said that Ms. Dunkle and Mr. Boor have been reviewing the lane mileage submitted by VDOT. He said that they are establishing the true lane mileage and have found several discrepancies between VDOT's lane mileage and what exists on the ground.

Mr. Dalton said that the true lane mileage will be submitted to VDOT on their U-1 form and this will be what the town is reimbursed for in the future. He said that the Council must adopt the U-1 before it is submitted to VDOT.

Ms. Dunkle said that the funds from VDOT will not cover all of the town's street expenses. She said that the town will take over the streets in July of 2012 and should expect the first payment by the end of September. She said that staff has been working closely with VDOT to make sure the U-1 is accurate. She said that they have also discussed how future development will be handled.

Mr. Dalton said that staff will also have to determine the permitting process for new streets. He said that staff is working on new permits but in most cases will reference VDOT manuals.

Mr. Dalton said that the biggest policy decision for the Town Council is whether the town is going to take responsibility for the primary roads. He said that while we are required by law to take the secondary roads, we are not required to take over maintenance of the primary roads. He said that he does not recommend that the town take responsibility for the primary roads. He said that given the condition of the roads, signage and signalization, the reimbursement would not cover the cost of maintenance. He said that the only advantage he can see is that the town would have control over parades and road closures if they had responsibility for the primary roads.

The Town Council agreed that they are not interested in taking responsibility for maintenance of the primary roads.

There was a general discussion of the process and technology staff used for measuring the streets.

Ms. Dunkle said that the U-1 is not due until November so it may be brought before Council at their September meeting.

4. Other

Mr. Tyrrell reported that there is a lot of progress at the waste water treatment plant and that he will be glad to give tours to the Town Council.

5. Adjourn

Upon motion by Council member Daniel, seconded by Council member Kitselman and passed, the Council meeting was adjourned at 1:03 p.m.


Wilson Kirby, Mayor


Harry Lee Arnold, Jr., Recorder

MINUTES
BERRYVILLE TOWN COUNCIL
Tuesday, August 9, 2011
Berryville-Clarke County Government Center
Regular Meeting
7:30 p.m.

Roll:

Town Council:

Present: Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Mary Daniel; Allen Kitselman; David Tollett; Lawrence Russell, III

Staff: Keith Dalton, Town Manager; Joel Fordyce, Police Sergeant; Christy Dunkle, Assistant Town Manager/Planner; David Tyrrell, Director of Utilities; Celeste Heath, Town Clerk

Press: Val Van Meter, Winchester Star; Ed Leonard, ClarkeDailyNews.com

1. Public Hearing:

John H. Enders Fire Company and Rescue Squad, Applicant (Clarke County School Board, Owner) requests approval of a Special Use Permit in order to construct an impervious parking area in the 100-year floodplain.

Mayor Kirby opened the public hearing at 7:30 p.m. Recorder Arnold recused himself from the matter because he is on the Board of Directors of the John H. Enders Fire Company and he is an adjacent property owner. Recorder Arnold left the meeting room at 7:30 p.m.

George Maxwell, 111 Swan Avenue, said he lives about 247 steps from the proposed parking lot. He said that the parking lot around the Government Center doesn't look bad but it could look better with trees planted about every 20 feet along the fence. He said that his family has lived at 111 Swan Avenue since the Johnson Williams Middle School was built and have enjoyed the park-like nature. He said that the existing trees on the site block the view of the back of the Berryville Auto Parts and the Dollar Store.

Mr. Maxwell asked the Town Council to consider more of a buffer between the fence and Swan Avenue to create a transition from commercial to residential uses. He said that he supports the parking lot if there is a better transition area than just a wooden fence. He offered to pay for some of the cost of landscaping.

Frank Lee, 205 Swan Avenue, said that he has spoken to his neighbors and that they all believe that Enders is an asset to the community and that they wish to support them in any way they can. He said that he has no major objection to the project but likes Mr. Maxwell's suggestion about planting along the fence line and that he would prefer some conifers. He said that as long as the lighting is directed just at the parking lot and shielded from the residential area, he has no problems with it.

Upon motion by Council member Daniel, second by Council member Tollett, the Public Hearing was closed at 7:35 p.m.

Council member Daniel asked if any of the citizen concerns are addressed on the plat. Ms. Dunkle said that the property is residentially zoned so the zoning ordinance doesn't require landscape buffering. She said that she met with Mr. Holtzman regarding the lighting issue at the Red Apple and the issue is being addressed.

Mayor Kirby said that the parking lot lighting on the plans meets town code requirements and is shielded and downcast. He said that he finds that the site plan is in conformance with the town's zoning ordinance. He noted that the reviewing engineers had three comments on the plan but that they have been addressed.

2. Call to Order: Wilson Kirby, Mayor

Mayor Kirby called the regular meeting to order at 7:37 p.m. Recorder Arnold returned to the meeting room at 7:37 p.m.

3. Approval of Minutes

July 12, 2011

Upon motion by Recorder Arnold, seconded by Council member Daniel, the minutes of the July 12, 2011 meeting were approved.

4. Citizen's Forum

Randy Collins, President of the Top of Virginia Chamber of Commerce, introduced himself to the Town Council and said that the Chamber wants to stay in touch with local elected bodies to be the voice of local businesses. He extended an invitation to the Town Council to the "Hob Nob in the Valley" on September 9. He said that the Chamber continues to work with Berryville Main Street to help Berryville businesses.

Stan Kerns, Barns of Rose Hill, said that the contractor is working on the final punch list. He said that a landscaping plan has been received and that he will be discussing it with town staff. He said that the opening week for the Barns of Rose Hill will be September 6th to 11th and that plans are being formalized to open the visitor's center.

Mayor Kirby thanked Mr. Kerns for his accurate reports to the Council throughout the year. Mr. Dalton said that it has been a joy to work with Mr. Kerns and that he has helped to maintain a good partnership between the Town of Berryville, owners of the barns property, and the Board of The Barns of Rose Hill who developed the project.

Dave Stegmaier, Director of Community Outreach in the Northern Shenandoah Valley for Congressman Frank Wolf introduced himself to the Council. He said that he is the eyes and ears for the Congressman in the area and wanted to make contact with the Town Council and make them aware that he is available as a resource for the Town Council, staff and citizens.

5. Report of the Mayor

Mayor Kirby said that it was his pleasure to propose a resolution honoring Mrs. Nellie Cobb who will be 100 years old on September 11, 2011.

Upon motion by Council member Russell, seconded by Council member Daniel the Council of the Town of Berryville unanimously adopted the attached Resolution:

RESOLUTION OF THE COUNCIL OF
THE TOWN OF BERRYVILLE, VIRGINIA

Nellie F. Cobb Centennial Celebration Day

WHEREAS, Mrs. Nellie F. Cobb will celebrate the occasion of her One Hundredth birthday on September 11, 2011; and

WHEREAS, Mrs. Cobb has demonstrated a lifelong devotion to serving her family and community; and

WHEREAS, Mrs. Cobb has been a lifelong member of Duncan Memorial United Methodist Church and has served in many capacities for the church; and

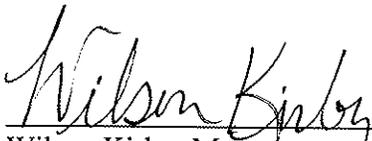
WHEREAS, Mrs. Cobb was employed by the Berryville Basket Company for over sixty years; and

WHEREAS, Mrs. Cobb has resided in the same residence on Smith Street for over forty years; and

WHEREAS, The Council of the Town of Berryville wishes to commend Mrs. Cobb and recognize the positive impact she has had on our community and congratulate her on her One Hundredth birthday;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Berryville, that Sunday, September 11, 2011, shall be, and hereby is officially declared to be commemorated as Nellie F. Cobb Centennial Celebration Day in the Town of Berryville, Virginia.

By order of the Town Council this ninth day of August, 2011.



Wilson Kirby, Mayor



Harry Lee Arnold, Jr., Recorder

Mayor Kirby introduced a resolution of appreciation to honor Diana Kincannon's work on the Barns of Rose Hill.

Upon motion by Council member Kitselman, seconded by Council member Daniel the Council of the Town of Berryville unanimously adopted the attached Resolution:

RESOLUTION OF THE COUNCIL OF
THE TOWN OF BERRYVILLE, VIRGINIA

Expressing appreciation for Diana Kincannon's public service and her cultural, educational and recreational contributions to the Town of Berryville through her efforts on behalf of The Barns of Rose Hill.

WHEREAS, Mrs. Kincannon has been instrumental in the rehabilitation of The Barns of Rose Hill; and

WHEREAS, Mrs. Kincannon helped to form the 501(c)(3) non-profit, leading to incorporation in September 2004; and

WHEREAS, Mrs. Kincannon recruited a board of directors for The Barns of Rose Hill; and

WHEREAS, Mrs. Kincannon promoted the creation of a Berryville-Clarke County Visitor Center to be housed in The Barns of Rose Hill; and

WHEREAS, Mrs. Kincannon led the capital campaign for The Barns of Rose Hill from 2004 through 2010, raising more than \$2 million in public and private funding; and

WHEREAS, Mrs. Kincannon, with the board, presented dozens of programs in the arts for the community and for the Clarke County Public Schools; and

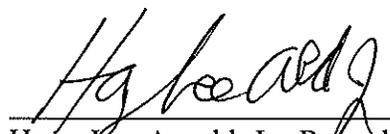
WHEREAS, The Council of the Town of Berryville wishes to commend Mrs. Kincannon for her contributions to the community;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Berryville, that the Town Council expresses appreciation for Diana Kincannon's public service and her cultural, educational and recreational contributions to the Town of Berryville through her efforts on behalf of The Barns of Rose Hill.

By order of the Town Council this ninth day of August, 2011.



Wilson Kirby, Mayor



Harry Lee Arnold, Jr., Recorder

6. Planning and Zoning Matters: Christy Dunkle
Public Hearing – Special Use Permit – Enders Fire and Rescue Parking Lot
Ms. Dunkle said that Mr. Lewis was present to answer questions.

Council member Kitselman asked if there was any response to the concerns about landscaping although he knows that the zoning ordinance does not require it. Chris Shipe, President of the John H. Enders Fire and Rescue Company said that he has walked the perimeter of the property with staff and understands the issues. He said that at this time the fire company prefers to build the lot as proposed and see how it goes from there. He said from a maintenance and security standpoint they prefer to forego landscaping at this time. He noted that if the lot was built when approved in the 1980's, the parking lot would be twice the size of what is proposed. He said that the fire company would prefer to put their funds into firefighting equipment rather than landscaping.

Ms. Dunkle said that the Planning Commission recommended that the Town Council require a maintenance agreement with the schools as a condition of approval.

Upon motion by Council member Daniel, seconded by Council member Russell the Council of the Town of Berryville approved a Special Use Permit (SUP 02-11) to allow the construction of an impervious parking area within the designated flood plain area located at 200 Swan Avenue, identified as Tax Map Parcel number 14A4-((4))-31, zoned R-2 Residential under Section 206.13(f) of the Town of Berryville Zoning Ordinance in accordance with the attached Site Plan Amendment (Attachment 1) with the condition that there be a maintenance agreement between the Clarke County Public Schools and the applicant.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Mary Daniel Allen Kitselman David Tollett Lawrence Russell, III
Nays:	None
Absent:	None
Abstain:	Harry Lee Arnold, Jr., Recorder
Absent During Vote:	None

Set Public Hearing – Adoption of Water Supply Plan

Martha Shickle of the Northern Shenandoah Valley Regional Commission made a presentation regarding the Northern Shenandoah Regional Water Supply Plan.

Mr. Dalton asked about the process for projecting the water use in 2040. Mr. Tyrell explained that staff had gone through the same exercise when the projections for the new wastewater treatment plant were made. He said that these same numbers were used to project future water use.

Mr. Dalton asked if the usage numbers represented limits to be enforced by the Commonwealth. Ms. Shickle said, no, they are only planning numbers.

There was a discussion of possible alternatives when and if permitted capacities are reached in the future. Ms. Shickle said that by 2040 more efficient technologies may be available that will allow for efficiencies that might negate the need for expanding capacity.

The Town Council set a public hearing on the Northern Shenandoah Regional Water Supply Plan for their September 13, 2011 meeting.

Discussion- Sanitary Sewer Flow Projections

Ms. Dunkle asked if there was any Council comment on the draft sewer flow projection document presented at the August 3, 2011 Town Council Work Session.

Council member Daniel said that she understands that there is a letter from the County stating that we are being conservative in our projections. Mr. Dalton said that he is not sure if that is the County's position or just the opinion of the County Planner, but that the letter in question took the position that the number used for the estimated average daily flow for a single family dwelling (unit flow) should be 250 gallons per day (gpd). Mr. Dalton explained that the number that town staff used in their projections is 350 gpd which is the industry standard and that all of the town's engineers have used that number. Mayor Kirby said that he has used the 350 gpd number in his calculations since 1970 and he believes that it is a good number.

Mr. Dalton said that the County letter also expressed concern about the assumptions made in certain sub-areas. He said that staff felt that there was a potential for re-development in certain sub-areas and that possibility was taken into account in the projections.

Council member Kitselman said that he has read the letter from the County and spoken to staff and that he has no interest in changing the projections that staff has presented.

Ms. Dunkle said that staff made a couple of modifications to the projections after meeting with County staff but that she believes that the projection numbers are sound and as accurate as they can be. Mr. Dalton said that this is a planning document and that as things change, aspects of the plan will change.

Mr. Dalton said that the County letter also expressed some concern about the school population projections but that the projections assure that the Town of Berryville is prepared to serve all of the school properties in the future.

Update on Clarke County High School

Ms. Dunkle said that she attended a progress meeting this morning and that the contractor has hit rock on the storm cut out on West Main Street.

Update on Barns of Rose Hill

Ms. Dunkle reported that the last progress meeting will be tomorrow.

6. Report of Town Manager

Darbybrook Homeowner's Association

Mr. Dalton said that last month Scott Smalley appeared before the Town Council on behalf of the Darbybrook HOA. Mr. Smalley later forwarded a draft agreement to the Town Council. Mr. Dalton said that he requested a copy of the Darbybrook HOA's Disclosure Packet that would provide HOA financial information and statements regarding litigation in which the HOA may be involved. Mr. Smalley, on behalf of the HOA, declined to release the packet. Mr. Dalton asked for Town Council direction on the matter.

The Town Council discussed the matter. Mayor Kirby suggested that the Town Manager seek comment from the Town's attorney on the agreement. Council member Kitselman agreed.

Mayor Kirby said he fails to see the good of the Town in taking over this responsibility that the homeowner's of Darbybrook signed on for when they bought their homes. He said that he understands that they wish to do away with the expense for themselves personally but that they have a responsibility for the agreement that they signed. Council member Russell agreed.

Recorder Arnold questioned whether the Town Council wants to go to the expense of attorney review of an agreement that they are inclined not to enter into anyway. Mayor Kirby responded that he certainly needs more information to be convinced that this is the right thing to do.

There was a general discussion of homeowner's associations. Council member Kitselman said that the HOA agreement is a legal document attached to the property. Council member Daniel said that the HOA agreement is a legal document and that when people bought their property they were taking on property that is subject to rules.

Council member Daniel said that she has heard quite a bit about this matter from citizens and has received consistently negative comments about the Town entering into this agreement (except from members of the Board of the Darbybrook Homeowner's Association.) She said that she is not convinced that it is the right thing to do.

Council member Tollett said this agreement is not very detailed and that he is concerned because the stormwater management pond in Darbybrook needs a lot of work to be up to par. He also said that the issue of the playground is not addressed in the agreement.

Council member Kitselman said that he would like to amend his comments and recommended against sending the agreement to the Town's attorney.

Mr. Dalton said that some of his concerns at first reading of the proposed agreement are that maintenance of the entrance feature is not addressed, there is no provision for future fee assessments and the recreation lot will “remain and be used in the future as a Recreation Area.”

Upon motion by Council member Tollett, seconded by Council member Russell the Council of the Town of Berryville directed the Town Manager to draft a letter to the Darbybrook Homeowner’s Association addressing the Town Council’s concerns regarding the proposed agreement.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Mary Daniel Allen Kitselman David Tollett Lawrence Russell, III
Nays:	None
Absent:	None
Abstain:	None
Absent During Vote:	None

Mr. Dalton entered into the record a letter from Susan Schoonover in opposition to the Town entering into an agreement. (Attachment 2)

Mr. Dalton said that he would have a draft letter for the Town Council at their next meeting.

Hydrant Use Policy

Mr. Dalton said that the draft policy was forwarded to the local fire departments after the last Town Council meeting. He reviewed the comments from the Chiefs and presented a revised draft of the Hydrant Use Policy to address those comments.

In response to the comment requesting a longer period of time to report hydrant use to the town, he said that the time period was increased to 12 hours from 8 hours. He said that the intent of reporting use in a timely manner is to provide the town with information regarding the amount of water used and the points at which the water was taken. He said that notice will allow the Town to inspect hydrants and make sure they are in working order and not leaking in case there is another event.

Mr. Dalton said that if the Town Council is inclined to adopt the policy, it could be effective on 9/1/11. The Council agreed that an effective date of October 1 might be advisable.

Mr. Dalton asked for consideration that sewer charges be waived for two projects that are already underway, the Clarke County High School and the Wastewater Treatment Plant

projects. He said that he is concerned about forcing additional expense on these projects that are in full swing.

Recorder Arnold said that he has reviewed the policy thoroughly and having worked in fire and rescue for many years, he finds nothing unreasonable in the policy.

Council member Daniel asked about mutual aid companies. Mr. Dalton said that he had thought about addressing mutual aid companies but that it would be too tedious to manage for little benefit, as the water supply will generally be set up by local companies.

Council member Daniel asked if this is just putting into writing something that has been customary practice. Mr. Dalton said that it is.

Upon motion by Council member Kitselman, seconded by Council member Daniel the Council of the Town of Berryville adopted the attached Hydrant Use Policy (Attachment 3) effective October 1, 2011, exempting the Clarke County High School and Berryville Wastewater Treatment Plant construction projects from the fee increase.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Mary Daniel Allen Kitselman David Tollett Lawrence Russell, III
Nays:	None
Absent:	None
Abstain:	None
Absent During Vote:	None

Set Public Hearing – Spot Blight Abatement 23 Josephine Street

Mr. Dalton reported that he appeared before the Planning Commission because he made a determination under Town Code Section 5-5 that the property at 23 Josephine Street is blighted. He said that the Planning Commission set a Public Hearing on the matter for their August 23 meeting.

Mr. Dalton gave an overview of the Town Code Section 5-5, the letters he sent to the property owner and showed photographs of the property. He then presented a blight abatement plan for the property. He said that the process of notifying the property owner has been followed and that the next step is that the Planning Commission will make a recommendation on the matter to the Town Council. He asked that the Council set a public hearing on the matter for their September meeting in anticipation of that recommendation.

Council member Daniel asked if there was any response to the second letter. He said that there was no response until after the Planning Commission meeting when he spoke to the owner outside of the meeting. He said that he has previously met on the site with the owner and that he and the owner disagreed about the state of the property. He said that at that time the owner did secure the front of the property but that the back of the main house is falling down and that the back roof has been gone for at least three years. The owner also cleaned up the grass and weeds on the property and felt that he had addressed the blight issue, but Mr. Dalton said that he determined that the property was still blighted. He said that he hopes to have another discussion with the owner.

Mr. Dalton said that in these situations he prefers to talk to the owner and work things out before it gets to this point in the process. He said that he began this process with another property owner on West Main Street and that property owner is diligently working to abate the problem. He said that he has also begun this process for a property on Liberty Street.

The Town Council set a public hearing on the matter for their next meeting.

Transfer of Street Maintenance Responsibilities

Mr. Dalton said that this matter was discussed at a Town Council work session on August 3. He said that staff is continuing to work on the U-1 submission to VDOT. He noted that the U-1 form is important because the Town gets paid for the streets on the form. He said that the form will be ready for Council acceptance at the September meeting.

7. Standing Committee Reports

a) BADA Liaison – Allen Kitselman

Council member Kitselman reported that the BADA is considering a site plan amendment for a social hall at St. Bridget's church at their next meeting.

b) Budget Finance / CIP – Jay Arnold

Recorder Arnold noted that staff included a memo regarding changes to the Town Code regarding permanent auto decals. Ms. Heath explained the proposed changes are housekeeping items as well as a pro-ration of cost of decals issued. She related that the Treasurer would like the Council to consider the item by their October meeting so changes would be in place before the next personal property tax billing.

Recorder Arnold presented a list of delinquent taxes to be advertised in the Winchester Star if the Council so directs.

Upon motion by Council member Daniel, seconded by Council member Tollett, the Council of the Town of Berryville authorized publication of the names of those delinquent for personal property and real estate taxes pursuant to Section 58.1-3924 of the Code of Virginia, 1950, as amended.

VOTE:

Recorded Vote:

Ayes:

Wilson Kirby, Mayor

Harry Lee Arnold, Jr., Recorder
Mary Daniel
Allen Kitselman
Lawrence Russell, III
David Tollett

Nays: None
Abstain: None
Absent During Vote: None

c) Community Improvements – Allen Kitselman
Nothing to add.

d) Planning Commission – Lawrence Russell - Nothing to add to Planner's report.

e) Police and Security – Mary Daniel –
Sergeant Fordyce said that citizen concerns about barking dogs was discussed at the committee meeting and possible suggested changes to the ordinance to tighten up definitions may be forthcoming.

Council member Daniel reported that National Night Out held in Rose Hill Park on August 2, 2011 was a success and that the next committee meeting is scheduled for October 5, 2011 and suggested changes to the dog ordinance may be presented at the October Council meeting.

f) Streets and Utilities – Wilson Kirby
Nothing to add.

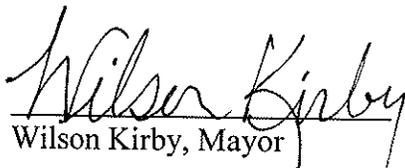
g) Personnel / Appointments – Jay Arnold
Nothing to add.

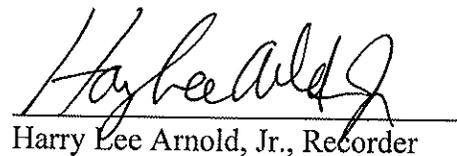
8. Other

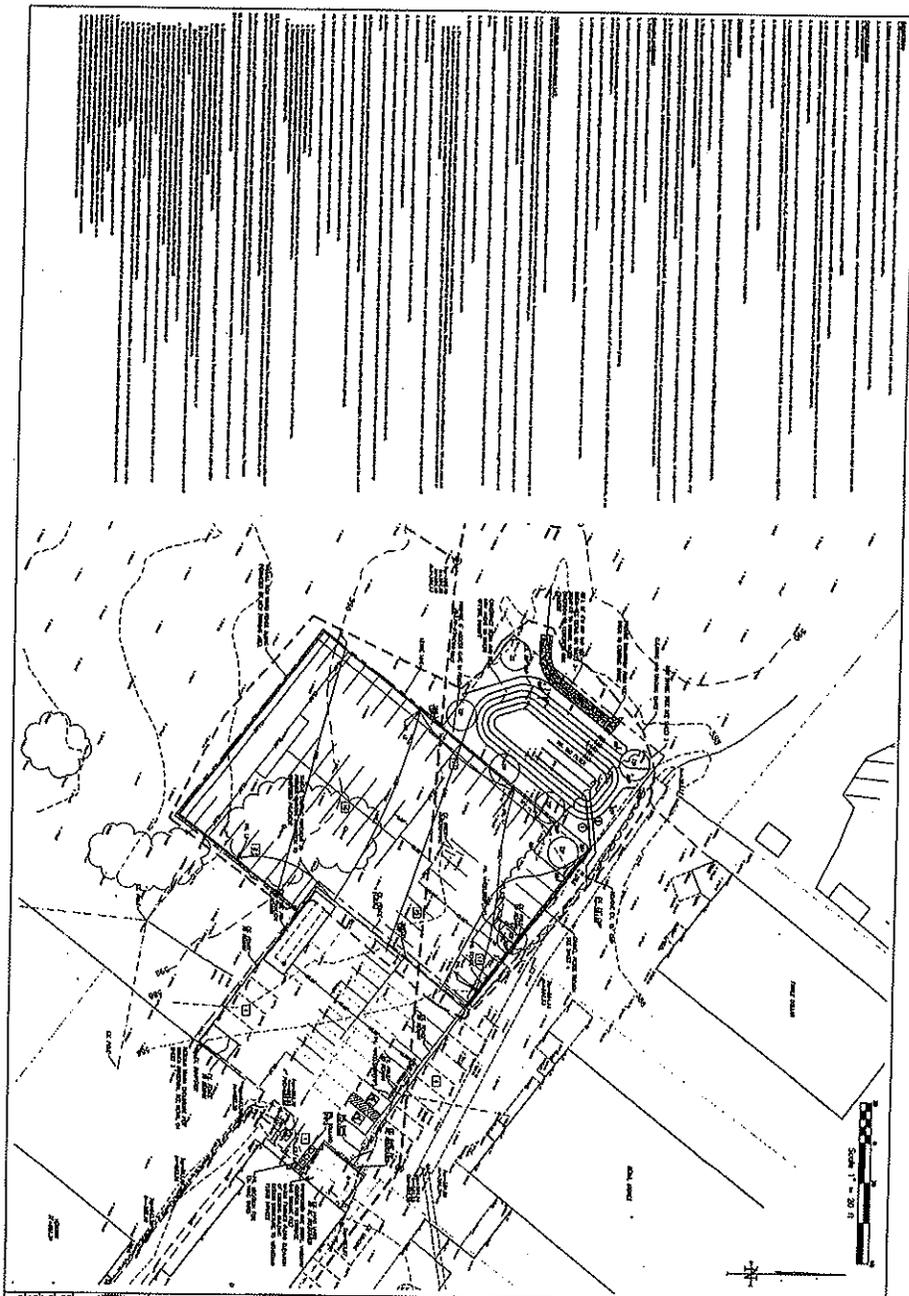
Mayor Kirby thanked Chief White for the success of National Night Out and noted that a \$3000 contribution was made to the Laurel Center from the proceeds of the Rich Rau Ride.

9. Adjourn

Upon motion by Council member Russell, seconded by Council member Kitselman and passed, the Council meeting was adjourned at 9:06 p.m.


Wilson Kirby, Mayor


Harry Lee Arnold, Jr., Recorder



	PAINTER-LEWIS, P.L.C. 214 North Bedford Street Winchester, Virginia 22601 Telephone: (540) 662-1222 Facsimile: (540) 662-8763 E-mail: pld@painter-lewis.com	PROJECT:	SHEET:	TITLE:	REVISIONS:					
		ENDERS FIRE COMPANY PARKING EXPANSION BERRYVILLE, VIRGINIA	SITE PLAN	<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>7/28/11</td> <td>CONROY</td> <td>ISSUED FOR PERMIT</td> </tr> </table>	NO.	DATE	BY	DESCRIPTION	1	7/28/11
NO.	DATE	BY	DESCRIPTION							
1	7/28/11	CONROY	ISSUED FOR PERMIT							

PAINTING PLAN FOR SUBMITTING LIST

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	PAINT	100	GA	1.00	100.00
2	PRIMER	50	GA	0.50	25.00
3	PAINT	200	GA	1.00	200.00
4	PRIMER	100	GA	0.50	50.00
5	PAINT	300	GA	1.00	300.00
6	PRIMER	150	GA	0.50	75.00
7	PAINT	400	GA	1.00	400.00
8	PRIMER	200	GA	0.50	100.00
9	PAINT	500	GA	1.00	500.00
10	PRIMER	250	GA	0.50	125.00
11	PAINT	600	GA	1.00	600.00
12	PRIMER	300	GA	0.50	150.00
13	PAINT	700	GA	1.00	700.00
14	PRIMER	350	GA	0.50	175.00
15	PAINT	800	GA	1.00	800.00
16	PRIMER	400	GA	0.50	200.00
17	PAINT	900	GA	1.00	900.00
18	PRIMER	450	GA	0.50	225.00
19	PAINT	1000	GA	1.00	1000.00
20	PRIMER	500	GA	0.50	250.00
21	PAINT	1100	GA	1.00	1100.00
22	PRIMER	550	GA	0.50	275.00
23	PAINT	1200	GA	1.00	1200.00
24	PRIMER	600	GA	0.50	300.00
25	PAINT	1300	GA	1.00	1300.00
26	PRIMER	650	GA	0.50	325.00
27	PAINT	1400	GA	1.00	1400.00
28	PRIMER	700	GA	0.50	350.00
29	PAINT	1500	GA	1.00	1500.00
30	PRIMER	750	GA	0.50	375.00
31	PAINT	1600	GA	1.00	1600.00
32	PRIMER	800	GA	0.50	400.00
33	PAINT	1700	GA	1.00	1700.00
34	PRIMER	850	GA	0.50	425.00
35	PAINT	1800	GA	1.00	1800.00
36	PRIMER	900	GA	0.50	450.00
37	PAINT	1900	GA	1.00	1900.00
38	PRIMER	950	GA	0.50	475.00
39	PAINT	2000	GA	1.00	2000.00
40	PRIMER	1000	GA	0.50	500.00
41	PAINT	2100	GA	1.00	2100.00
42	PRIMER	1050	GA	0.50	525.00
43	PAINT	2200	GA	1.00	2200.00
44	PRIMER	1100	GA	0.50	550.00
45	PAINT	2300	GA	1.00	2300.00
46	PRIMER	1150	GA	0.50	575.00
47	PAINT	2400	GA	1.00	2400.00
48	PRIMER	1200	GA	0.50	600.00
49	PAINT	2500	GA	1.00	2500.00
50	PRIMER	1250	GA	0.50	625.00
51	PAINT	2600	GA	1.00	2600.00
52	PRIMER	1300	GA	0.50	650.00
53	PAINT	2700	GA	1.00	2700.00
54	PRIMER	1350	GA	0.50	675.00
55	PAINT	2800	GA	1.00	2800.00
56	PRIMER	1400	GA	0.50	700.00
57	PAINT	2900	GA	1.00	2900.00
58	PRIMER	1450	GA	0.50	725.00
59	PAINT	3000	GA	1.00	3000.00
60	PRIMER	1500	GA	0.50	750.00
61	PAINT	3100	GA	1.00	3100.00
62	PRIMER	1550	GA	0.50	775.00
63	PAINT	3200	GA	1.00	3200.00
64	PRIMER	1600	GA	0.50	800.00
65	PAINT	3300	GA	1.00	3300.00
66	PRIMER	1650	GA	0.50	825.00
67	PAINT	3400	GA	1.00	3400.00
68	PRIMER	1700	GA	0.50	850.00
69	PAINT	3500	GA	1.00	3500.00
70	PRIMER	1750	GA	0.50	875.00
71	PAINT	3600	GA	1.00	3600.00
72	PRIMER	1800	GA	0.50	900.00
73	PAINT	3700	GA	1.00	3700.00
74	PRIMER	1850	GA	0.50	925.00
75	PAINT	3800	GA	1.00	3800.00
76	PRIMER	1900	GA	0.50	950.00
77	PAINT	3900	GA	1.00	3900.00
78	PRIMER	1950	GA	0.50	975.00
79	PAINT	4000	GA	1.00	4000.00
80	PRIMER	2000	GA	0.50	1000.00
81	PAINT	4100	GA	1.00	4100.00
82	PRIMER	2050	GA	0.50	1025.00
83	PAINT	4200	GA	1.00	4200.00
84	PRIMER	2100	GA	0.50	1050.00
85	PAINT	4300	GA	1.00	4300.00
86	PRIMER	2150	GA	0.50	1075.00
87	PAINT	4400	GA	1.00	4400.00
88	PRIMER	2200	GA	0.50	1100.00
89	PAINT	4500	GA	1.00	4500.00
90	PRIMER	2250	GA	0.50	1125.00
91	PAINT	4600	GA	1.00	4600.00
92	PRIMER	2300	GA	0.50	1150.00
93	PAINT	4700	GA	1.00	4700.00
94	PRIMER	2350	GA	0.50	1175.00
95	PAINT	4800	GA	1.00	4800.00
96	PRIMER	2400	GA	0.50	1200.00
97	PAINT	4900	GA	1.00	4900.00
98	PRIMER	2450	GA	0.50	1225.00
99	PAINT	5000	GA	1.00	5000.00
100	PRIMER	2500	GA	0.50	1250.00

GENERAL NOTES:

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND DETAILS SHOWN ON THESE PLANS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
6. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
7. THE CONTRACTOR SHALL MAINTAIN A NEAT AND SAFE WORK SITE AT ALL TIMES.
8. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE AND BONDS.
10. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE LOCAL CODES AND REGULATIONS.

DETAILS:

DETAIL 1: CONCRETE FOUNDATION FOR WATER TANK

DETAIL 2: WATER TANK WALL SECTION

DETAIL 3: WATER TANK ROOF SECTION

DETAIL 4: WATER TANK CONNECTION TO EXISTING STRUCTURE

DETAIL 5: WATER TANK ACCESS DOOR

DETAIL 6: WATER TANK LIFT MECHANISM

DETAIL 7: WATER TANK ELECTRICAL CONNECTIONS

DETAIL 8: WATER TANK PUMP AND MOTOR

DETAIL 9: WATER TANK VALVES AND FITTINGS

DETAIL 10: WATER TANK INSULATION

DETAIL 11: WATER TANK FINISHES

DETAIL 12: WATER TANK SAFETY FEATURES

DETAIL 13: WATER TANK MAINTENANCE ACCESS

DETAIL 14: WATER TANK DRAINAGE

DETAIL 15: WATER TANK VENTILATION

DETAIL 16: WATER TANK LIGHTING

DETAIL 17: WATER TANK SECURITY

DETAIL 18: WATER TANK SIGNAGE

DETAIL 19: WATER TANK RECORDS

DETAIL 20: WATER TANK TRAINING

DETAIL 21: WATER TANK INSPECTION

DETAIL 22: WATER TANK REPAIRS

DETAIL 23: WATER TANK REPLACEMENTS

DETAIL 24: WATER TANK MODIFICATIONS

DETAIL 25: WATER TANK DEMOLITION

DETAIL 26: WATER TANK RECONSTRUCTION

DETAIL 27: WATER TANK RENOVATION

DETAIL 28: WATER TANK RESTORATION

DETAIL 29: WATER TANK PRESERVATION

DETAIL 30: WATER TANK PROTECTION

DETAIL 31: WATER TANK MONITORING

DETAIL 32: WATER TANK MAINTENANCE SCHEDULE

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DETAIL 37: WATER TANK MAINTENANCE BACKUP

DETAIL 38: WATER TANK MAINTENANCE RESTORE

DETAIL 39: WATER TANK MAINTENANCE RECOVERY

DETAIL 40: WATER TANK MAINTENANCE CONTINGENCY

DETAIL 41: WATER TANK MAINTENANCE EMERGENCY

DETAIL 42: WATER TANK MAINTENANCE DISASTER

DETAIL 43: WATER TANK MAINTENANCE REPAIR

DETAIL 44: WATER TANK MAINTENANCE REPLACEMENT

DETAIL 45: WATER TANK MAINTENANCE MODIFICATION

DETAIL 46: WATER TANK MAINTENANCE DEMOLITION

DETAIL 47: WATER TANK MAINTENANCE RECONSTRUCTION

DETAIL 48: WATER TANK MAINTENANCE RENOVATION

DETAIL 49: WATER TANK MAINTENANCE RESTORATION

DETAIL 50: WATER TANK MAINTENANCE PRESERVATION

DETAIL 51: WATER TANK MAINTENANCE PROTECTION

DETAIL 52: WATER TANK MAINTENANCE MONITORING

DETAIL 53: WATER TANK MAINTENANCE SCHEDULE

DETAIL 54: WATER TANK MAINTENANCE LOG

DETAIL 55: WATER TANK MAINTENANCE REPORTS

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DETAIL 59: WATER TANK MAINTENANCE RESTORE

DETAIL 60: WATER TANK MAINTENANCE RECOVERY

DETAIL 61: WATER TANK MAINTENANCE CONTINGENCY

DETAIL 62: WATER TANK MAINTENANCE EMERGENCY

DETAIL 63: WATER TANK MAINTENANCE DISASTER

DETAIL 64: WATER TANK MAINTENANCE REPAIR

DETAIL 65: WATER TANK MAINTENANCE REPLACEMENT

DETAIL 66: WATER TANK MAINTENANCE MODIFICATION

DETAIL 67: WATER TANK MAINTENANCE DEMOLITION

DETAIL 68: WATER TANK MAINTENANCE RECONSTRUCTION

DETAIL 69: WATER TANK MAINTENANCE RENOVATION

DETAIL 70: WATER TANK MAINTENANCE RESTORATION

DETAIL 71: WATER TANK MAINTENANCE PRESERVATION

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DETAIL 79: WATER TANK MAINTENANCE BACKUP

DETAIL 80: WATER TANK MAINTENANCE RESTORE

DETAIL 81: WATER TANK MAINTENANCE RECOVERY

DETAIL 82: WATER TANK MAINTENANCE CONTINGENCY

DETAIL 83: WATER TANK MAINTENANCE EMERGENCY

DETAIL 84: WATER TANK MAINTENANCE DISASTER

DETAIL 85: WATER TANK MAINTENANCE REPAIR

DETAIL 86: WATER TANK MAINTENANCE REPLACEMENT

DETAIL 87: WATER TANK MAINTENANCE MODIFICATION

DETAIL 88: WATER TANK MAINTENANCE DEMOLITION

DETAIL 89: WATER TANK MAINTENANCE RECONSTRUCTION

DETAIL 90: WATER TANK MAINTENANCE RENOVATION

DETAIL 91: WATER TANK MAINTENANCE RESTORATION

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DETAIL 100: WATER TANK MAINTENANCE BACKUP

DETAIL 101: WATER TANK MAINTENANCE RESTORE

DETAIL 102: WATER TANK MAINTENANCE RECOVERY

DETAIL 103: WATER TANK MAINTENANCE CONTINGENCY

DETAIL 104: WATER TANK MAINTENANCE EMERGENCY

DETAIL 105: WATER TANK MAINTENANCE DISASTER

DETAIL 106: WATER TANK MAINTENANCE REPAIR

DETAIL 107: WATER TANK MAINTENANCE REPLACEMENT

DETAIL 108: WATER TANK MAINTENANCE MODIFICATION

DETAIL 109: WATER TANK MAINTENANCE DEMOLITION

DETAIL 110: WATER TANK MAINTENANCE RECONSTRUCTION

DETAIL 111: WATER TANK MAINTENANCE RENOVATION

DETAIL 112: WATER TANK MAINTENANCE RESTORATION

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DETAIL 124: WATER TANK MAINTENANCE CONTINGENCY

DETAIL 125: WATER TANK MAINTENANCE EMERGENCY

DETAIL 126: WATER TANK MAINTENANCE DISASTER

DETAIL 127: WATER TANK MAINTENANCE REPAIR

DETAIL 128: WATER TANK MAINTENANCE REPLACEMENT

DETAIL 129: WATER TANK MAINTENANCE MODIFICATION

DETAIL 130: WATER TANK MAINTENANCE DEMOLITION

DETAIL 131: WATER TANK MAINTENANCE RECONSTRUCTION

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DETAIL 144: WATER TANK MAINTENANCE RECOVERY

DETAIL 145: WATER TANK MAINTENANCE CONTINGENCY

DETAIL 146: WATER TANK MAINTENANCE EMERGENCY

DETAIL 147: WATER TANK MAINTENANCE DISASTER

DETAIL 148: WATER TANK MAINTENANCE REPAIR

DETAIL 149: WATER TANK MAINTENANCE REPLACEMENT

DETAIL 150: WATER TANK MAINTENANCE MODIFICATION

DETAIL 151: WATER TANK MAINTENANCE DEMOLITION

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DETAIL 166: WATER TANK MAINTENANCE CONTINGENCY

DETAIL 167: WATER TANK MAINTENANCE EMERGENCY

DETAIL 168: WATER TANK MAINTENANCE DISASTER

DETAIL 169: WATER TANK MAINTENANCE REPAIR

DETAIL 170: WATER TANK MAINTENANCE REPLACEMENT

DETAIL 171: WATER TANK MAINTENANCE MODIFICATION

DETAIL 172: WATER TANK MAINTENANCE DEMOLITION

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DETAIL 186: WATER TANK MAINTENANCE RECOVERY

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DETAIL 188: WATER TANK MAINTENANCE EMERGENCY

DETAIL 189: WATER TANK MAINTENANCE DISASTER

DETAIL 190: WATER TANK MAINTENANCE REPAIR

DETAIL 191: WATER TANK MAINTENANCE REPLACEMENT

DETAIL 192: WATER TANK MAINTENANCE MODIFICATION

DETAIL 193: WATER TANK MAINTENANCE DEMOLITION

DETAIL 194: WATER TANK MAINTENANCE RECONSTRUCTION

DETAIL 195: WATER TANK MAINTENANCE RENOVATION

DETAIL 196: WATER TANK MAINTENANCE RESTORATION

DETAIL 197: WATER TANK MAINTENANCE PRESERVATION

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DETAIL 203: WATER TANK MAINTENANCE RECORDS

DETAIL 204: WATER TANK MAINTENANCE ARCHIVES

DETAIL 205: WATER TANK MAINTENANCE BACKUP

DETAIL 206: WATER TANK MAINTENANCE RESTORE

DETAIL 207: WATER TANK MAINTENANCE RECOVERY

DETAIL 208: WATER TANK MAINTENANCE CONTINGENCY

DETAIL 209: WATER TANK MAINTENANCE EMERGENCY

DETAIL 210: WATER TANK MAINTENANCE DISASTER

DETAIL 211: WATER TANK MAINTENANCE REPAIR

DETAIL 212: WATER TANK MAINTENANCE REPLACEMENT

DETAIL 213: WATER TANK MAINTENANCE MODIFICATION

DETAIL 214: WATER TANK MAINTENANCE DEMOLITION

DETAIL 215: WATER TANK MAINTENANCE RECONSTRUCTION

DETAIL 216: WATER TANK MAINTENANCE RENOVATION

DETAIL 217: WATER TANK MAINTENANCE RESTORATION

DETAIL 218: WATER TANK MAINTENANCE PRESERVATION

DETAIL 219: WATER TANK MAINTENANCE PROTECTION

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DETAIL 222: WATER TANK MAINTENANCE LOG

DETAIL 223: WATER TANK MAINTENANCE REPORTS

DETAIL 224: WATER TANK MAINTENANCE RECORDS

DETAIL 225: WATER TANK MAINTENANCE ARCHIVES

DETAIL 226: WATER TANK MAINTENANCE BACKUP

DETAIL 227: WATER TANK MAINTENANCE RESTORE

DETAIL 228: WATER TANK MAINTENANCE RECOVERY

DETAIL 229: WATER TANK MAINTENANCE CONTINGENCY

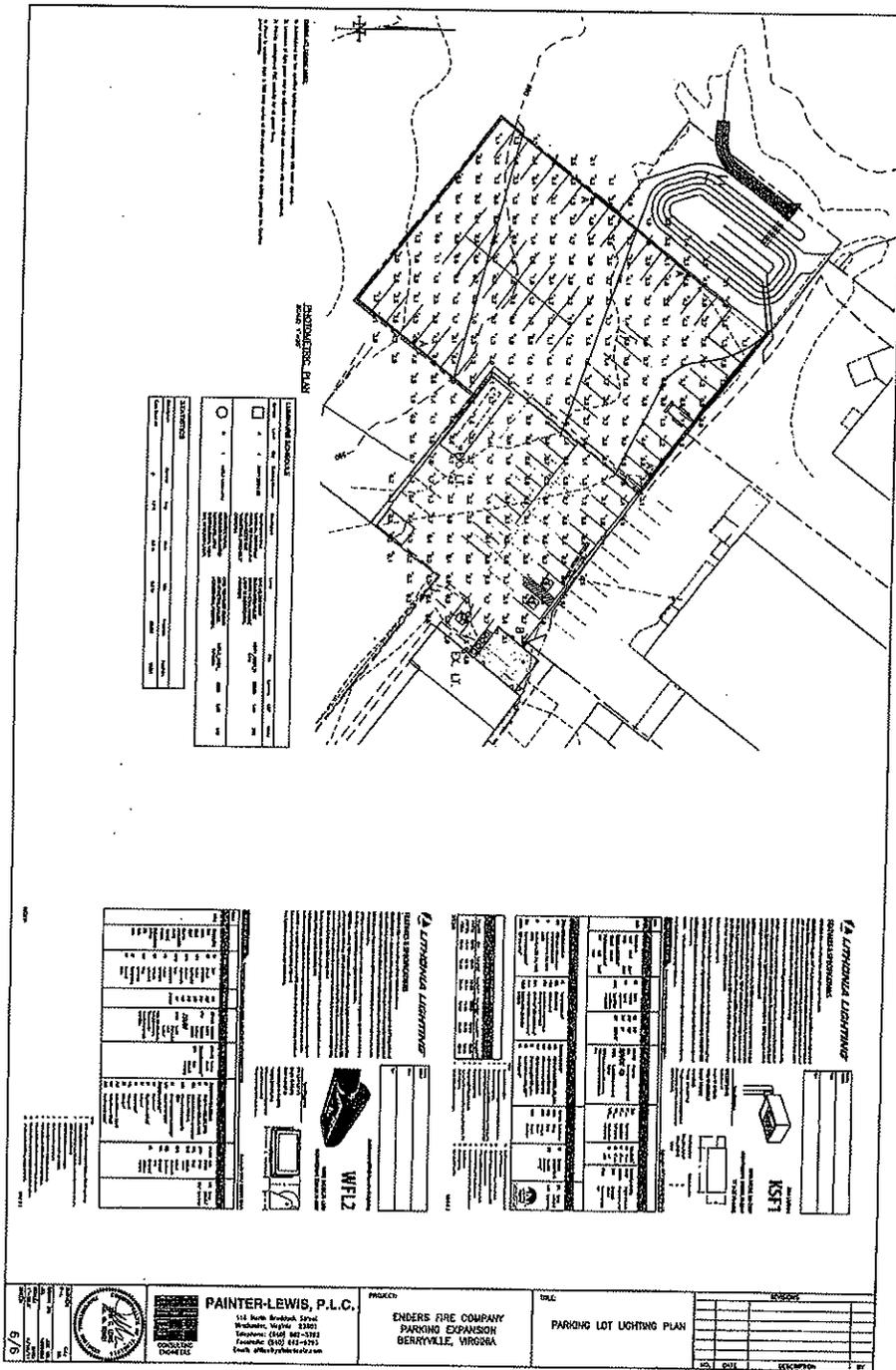
DETAIL 230: WATER TANK MAINTENANCE EMERGENCY

DETAIL 231: WATER TANK MAINTENANCE DISASTER

DETAIL 232: WATER TANK MAINTENANCE REPAIR

DETAIL 233: WATER TANK MAINTENANCE REPLACEMENT

DETAIL 234: WATER TANK MAINTENANCE MODIFICATION



Attachment 2

August 8, 2011

Mayor Wilson Kirby

101 Chalmers Court

Berryville, VA 22611



Dear Mayor Kirby and Town Council:

I am writing this letter to you and the town council as one last plea to not take over the common grounds in the Darby Brook subdivision. I have set in on many homeowners' meetings and I know what a big expenditure it was to maintain the common grounds. My biggest concern in writing you this letter is to maintain our property value. Due to the decrease in home values a lot of the homes in the development are now occupied by renters. With that being said those properties are not maintained as a homeowner's association would enforce them to do so. If you did not vote to accept our common grounds than the DarbyBrook Development is forced to seek out a property management company to maintain our property and re-establish the home owner's association. As many of us have suffered a loss of property value as a result of the current real estate market, it seems much more important that our community maintains the property to the highest standards. Again, I would appreciate for you and the town council to not accept the common grounds within the Darbybrook section.

As I stated earlier I am concerned about the neighborhood and all of our property values.

Respectfully Yours,

Susan Schoonover

Susan Schoonover

HYDRANT USE POLICY

1) Purpose

The purpose of this policy is to protect the water system from damage and contamination. The primary purpose of the water system is to provide reliable water that is safe from harmful contaminants. A secondary service provided to town citizens is water for fire protection. This service will be provided so long as it does not damage the water system physically or through introduction of harmful contaminants.

This policy establishes rules and requirements for permitted uses of water system hydrants owned by the Town of Berryville.

Because fire hydrants exist to assist fire departments in fighting fires and for Town of Berryville maintenance personnel to maintain the water system, all other uses of hydrants are secondary and will be allowed at the discretion of the Director of Public Works only so long as no damage to the hydrants' primary function will result.

Any and all use of hydrants by any party other than the Town of Berryville requires a Hydrant Permit issued from the Town.

2) Permitted Uses

- a. Use by fire department personnel responding to emergency calls. Water may be used to extinguish fires, protect exposures, abate hazards, and for overhaul and cleanup. All fire departments that use Town of Berryville hydrants are asked to apply for a hydrant use permit annually.
- b. Use by Town of Berryville Personnel or approved contractor during water system maintenance.
- c. Use by fire department personnel for training. Training that involves Town of Berryville assets must be scheduled with and approved by the Director of Public Works at least one week in advance so that personnel can be present to monitor the system and ensure proper operation of hydrants. Only such training utilizing a minimum amount of water will be authorized.
- d. Use by engineers/consultants for flow testing of hydrants. Such flow testing may be performed at the discretion of the Public Works Director. Hydraulic models exist to provide information on pressure and flows, and may be used as one source of such information. Should the Director of Public Works determine that flow testing is in the best interest of the Town of Berryville; the tests must be scheduled with the Director of Public Works at least one week in advance. Town of Berryville personnel shall operate the hydrant(s) while the party requesting the information shall use their measuring equipment and make all readings. Except in the case of Insurance Services Office (ISO), the requestor is responsible for paying the costs associated with flow testing, including personnel costs and the cost of water. The water cost is to be based on the current water and sewer user fee.

- e. Use by VDOT personnel or VDOT contractors for road and street maintenance within the Town of Berryville. Such use must be scheduled with and approved by the Director of Public Works at least one week in advance so that personnel can be present to monitor the system and ensure proper operation of hydrants. Prior to any such use the Director of Public Works shall determine whether the water used by VDOT personnel or VDOT contractors is to be billed. If the water is to be billed then the water cost is to be based on the current water and sewer user fee.
- f. Bulk water hauling in tankers for nonpotable uses. Such use must occur in accordance with an approved Hydrant Permit. Permittee is responsible for paying the current water and sewer user fee.
- g. Bulk water hauling in tankers for potable uses, if approved by the Virginia Department of Health, for emergency purposes only. Hauler is responsible for paying the current water and sewer user fee.
- h. Other uses as determined by the Public Works Director. User is responsible for paying the current water and sewer user fee.

3) *Prohibited Uses*

- a. Long-term or continuous use. Examples of non-permitted uses include, but are not limited to, seasonal lawn and garden watering and other recurring uses where a permanent water service is warranted, as determined by the Public Works Director.
- b. Use for pool filling or lawn watering.
- c. Use of water from hydrants for fund-raising activities.

4) *Hydrant Identification*

Unless otherwise directed by the Director of Public Works, permittees shall use the hydrant in the Berryville Public Works Facility on Tom Whitacre Circle, Monday through Friday between the hours of 7:30 a.m. and 3:00 p.m. (holidays excluded).

If the Director of Public Works determines that it is in the Town's best interest for water to be drawn from hydrants other than provided above, then permittees will be directed in writing to make withdrawals at other specific locations. Use of these hydrants shall also occur Monday through Friday between the hours of 7:30 a.m. and 3:00 p.m. (holidays excluded) unless otherwise authorized in writing by the Director of Public Works.

5) *Hydrant Permits*

Any and all use of hydrants by any party other than the Town of Berryville requires a Hydrant Permit approved by the Director of Public Works. Hydrant Permits are issued by the Town of Berryville business office. Applicants must provide the Town of Berryville with a copy of a

business license, business telephone number, address and federal tax identification number. The applicant must have legal authority to sign on behalf of the company.

Hydrant Permits are valid for up to one (1) year from the date of issuance. All vehicles to be used to fill from hydrants shall be listed on the Hydrant Permit and must be inspected by Town of Berryville personnel.

The company/agency using the hydrant is responsible for the appropriate cleanliness and disinfection of the tankers and appurtenances.

An administrative fee of \$ 50 shall accompany each hydrant permit except those submitted by recognized fire departments providing service in Clarke County. Said administrative fee is non-refundable.

6) Notice, Reporting, Billing and Payment

All emergency Fire Department use of hydrants shall be reported to Town within **8 12** hours of the ~~use~~ **conclusion of the incident**. The report shall include the time of use, location (s) of hydrants used, and an estimate of the amount of water flowed. A copy of the official incident report shall accompany the report to the Town. All information shall be emailed to directordpw@berryvilleva.gov and utilities@berryvilleva.gov. If email is unavailable then the Fire Department shall contact the Director of Public Works directly.

Unless otherwise provided in this policy, Hydrant Permit holders shall notify the Town Business office of their intent to withdraw water at least 12 hours prior to the withdrawal. Said notification shall include the estimated time of withdrawal and the estimated amount of withdrawal. The Town reserves the right to deny any request to withdraw water.

Hydrant Permit holders shall report all hydrant usage to the Town Business Office at the end of each day of business in which there is usage.

Bills for hydrant use will be issued along with the regular monthly water/sewer bills.

The Town of Berryville reserves the right not to issue or reissue a Hydrant Permit to any permittee with an outstanding balance until the permittee's account is paid in full.

7) Enforcement/Revocation or Suspension of Permits

The Town of Berryville reserves the right to revoke or not issue a Hydrant Permit to any permittee that violates the policy.

Hydrant permits will not be issued or may be suspended or revoked if the Town of Berryville adopts water use restrictions or the Director of Public Works determines that such withdrawal would be detrimental to the Town's water system and/or its users.

Use of hydrants in a manner inconsistent with this policy may result in the initiation of legal action as provided for in Chapter 17 of the Berryville Code.

8) Hydrant Connections

Proper connection to hydrants shall be metered and made in a fashion that does not damage the hydrant.

9) Damage to water system / system components

Users are responsible for all costs associated with repair of damage to the water system or system components if the Director of Public Works determines that the user's actions caused said damage.

10) Appeals

A permittee may appeal a decision by the Director of Public Works or his/her authorized agent, to take enforcement actions against the permittee, including denial or termination of an account or permit.

The permittee must provide to the Director of Public Works written details of 1) the enforcement action taken by the Director of Public Works or his/her authorized agent, 2) the policy, law, regulations, or other basis for appeal, and 3) the permittee's argument as to why the enforcement action was not in compliance with the law or Town policies and regulations.

The Director of Public Works will review the information and either change his/her decision or request a meeting with the permittee. At the meeting, the Public Works Director will review the facts of the matter, and determine whether the decision will be maintained or reversed. The Public Works Director will inform the permittee of his/her decision in writing.

If the permittee is still not satisfied, the permittee may make a written request to be forwarded to the Town Manager. The Town Manager will review all materials and render a decision within 10 days of receipt of the appeal. The decision of the Town Manager may be appealed to the Town Council. The decision of the Town Council will be final.

**BERRYVILLE TOWN COUNCIL
POLICE AND SECURITY COMMITTEE
Wednesday, August 3, 2011
Berryville-Clarke County Government Center
Town Council Conference Room
Called Meeting
11:00 a.m.**

MINUTES

Roll:

Town Council:

Present: Mary Daniel, Chair; David Tollett

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

Public: Fran Brock

1. **Call to Order** – Mary Daniel, Chairman
Chairman Daniel called the meeting to order at 11:09 a.m.

2. **Update on Department Status** – Chief White discussed the number of parking tickets and summonses issued. He discussed several recent larcenies. The committee reiterated the need for the public to lock their vehicles and garages.

Council member Daniel asked about bike helmet distribution this year. Chief White indicated that Department of Health money for that program has seemingly dried up. He intends to hold a bike rodeo at some point in time, however significant distribution of helmets is unlikely.

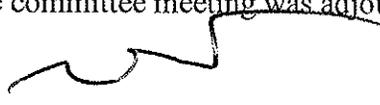
3. **Update Reserve Program Status** – Chief White reviewed the Reserve Program General Order with the committee. Mr. Dalton reviewed required Code changes. Mr. Dalton noted that the Code change language had been reviewed by Mr. Mitchell.

Upon motion by Council member Tollett, seconded by Council member Daniel, the Committee unanimously recommended adoption of the Code changes and General Order regarding the Reserve Program to the Town Council.

The committee set their next meeting for August 3, 2011 at 11 a.m.

3. **Adjourn**

The committee meeting was adjourned at 11:33 A.M.



Keith Dalton, Town Manager