



BERRYVILLE TOWN COUNCIL

MEETING AGENDA

Berryville-Clarke County Government Center

101 Chalmers Court, Second Floor

Berryville, VA

Main Meeting Room

Regular Session

November 12, 2019

7:30 p.m.

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Call to Order

Pledge of Allegiance

Please stand, as you are able, during the Pledge of Allegiance.

Approval of Agenda

Public Hearings

Discussion of Public Hearing Items

Citizens' Forum

Presentations/Awards and Recognitions

Consent Agenda

**Town Council Agenda Item Report Summary
November 12, 2019**

Item Title

Consent Agenda

Prepared By

Keith Dalton, Town Manager

Background/History/General Information

A consent agenda is a tool utilized by the Town Council that permits it to group routine business and reports into one agenda item.

Any member of the Council may, as a matter of privilege, remove an item from the consent agenda and have it placed in under another agenda item.

Findings / Current Activity

September's consent agenda contains four meeting minutes to be considered for approval.

Financial Considerations

None

Schedule/Deadlines

It is preferable to have minutes approved in a timely manner but no deadline for approval of meeting minutes exists.

Other Considerations

None

Attachments

Minutes of the following meetings:

- 10/8/19 Town Council regular meeting
- 10/24/19 Budget and Finance Committee meeting
- 10/28/19 Community Development Committee meeting
- 10/22/19 Personnel, Appointments, and Policy Committee meeting
- 10/22/19 Streets and Utilities Committee meeting

Recommendation

None

Sample Motion

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

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
October 8, 2019
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: Present--Keith Dalton, Town Manager; Greg Jacobs, Assistant Town Manager/Treasurer; Christy Dunkle, Assistant Town Manager/Planner; Paul Culp, Town Clerk; Chief Neal White, Berryville Police Department

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

Mayor Dickinson asked whether there were any amendments or revisions to the agenda. Mr. Dalton drew the attention of the Council to three sets of amended minutes and said the clerk would address the revisions when the time came to deal with the consent agenda.

Council member Gibson moved to approve the agenda, seconded by Council member Harrison. The motion passed unanimously by voice vote.

4. Public Hearing

Mayor Dickinson called the public hearing to order. Ms. Dunkle read the notice:

The Town Council proposes to approve a revised Schedule of Water and Sewer Fees and Charges to implement recommendations of its consulting engineer's utility rate schedule.

As no one present wished to comment, the mayor closed the public hearing.

5. Discussion of Public Hearing Items

Mr. Dalton explained that Tom Frederick of Pennoni Associates, Inc., the consulting engineering firm, was present to answer questions.

Mayor Dickinson invited discussion, of which there was none, before proceeding to make the attached remarks.

Recorder Arnold asked for clarification of Mayor Dickinson's point about the \$45 monthly administrative fee. Council member Gibson said it would actually be \$44. Council member Harrison said she understood that this would be the eventual result of incremental increases. Council member Gibson said that amount was what the Town ultimately would need to cover fixed costs. Recorder Arnold said that only \$5 per month was at issue, and Council member Gibson confirmed that this is the case currently.

Council member Harrison said the mayor had had ample opportunity at many meetings to voice the misgivings she had just expressed and that much of what the mayor had said was flawed. She said that the survey had been conducted in the manner assigned. She said the wastewater treatment situation had been examined a number of years ago and that the current circumstances are not unusual. She said Berryville utilities are not out to gouge consumers and that she reads every month about infrastructure failures. She said action could not be put off by the Council and that a suitable course of action has been figured out for them. She said a way forward with the least impact over time had already been determined and that yearly evaluations would be possible. She said she was confused by the mayor's remarks because she had believed the Council was unified in its view of how to proceed.

Mayor Dickinson said she had expressed concern and attempted to slow things down at every meeting. Council member Harrison said the mayor had expressed concerns but had not advanced any solutions. She said the Town had paid Pennoni Associates a large sum to explore solutions on the Town's behalf from an impartial point of view.

Council member McDonald said the Council had considered multiple scenarios provided by Pennoni and that the mayor had joined in selecting a particular one. She said the Council had decided on a certain structure and had discussed it many times, and that further discussion of something that must happen is not advisable. She said further delay would raise the cost of addressing problems, that no one on the committee was trying to gouge consumers, and that the Pennoni study found Berryville's rates to be comparable with those of other jurisdictions. Council member McDonald said she was puzzled by the mayor's remarks.

Recorder Arnold said the mayor had treated the Pennoni study as an urgent matter and had pushed to get it done, but now complains about gouging. He said the mayor had wanted lower utility rates and an expedited report when an apartment building was under review. He said the plan under discussion is a good one, that raising rates is necessary, and that the report is based not on a profit motive but on the need to replace equipment and facilities. He said the main transmission line has leaked on multiple occasions this year and that the need for action is immediate.

Council member Rodriguez said she is proud of the process the Council has undertaken, that it has taken its time, asked good questions, and tried to distribute impacts equitably. She said she thinks no one takes pleasure in raising rates but there are capital needs requiring attention. She said she hopes for the discovery of other revenue sources to prevent further increases when the Council develops a new schedule in five years.

Council member Gibson said the Council had agreed to annual reevaluations of rates and that next year's rates will not necessarily be applicable in future years. She said she understood that the Council wished to continue seeking other revenue sources. She said the Pennoni plan is intended to cover costs including debt service and does not call for increases above what is needed. She said it was possible that if the Town had acted sooner the rate increase would not have seemed like so much in such a short time.

There being no other comments, Mayor Dickinson requested a motion.

Council member Harrison moved that the Council of the Town of Berryville approve the attached Schedule of Water and Sewer Fees and Charges and that the new schedule become effective November 22, 2019. Council member McDonald seconded the motion.

Council member Rodriguez asked Mr. Dalton when the public would be affected by the change in rates. Mr. Dalton said this would occur with the January billing.

Mayor Dickinson asked why consumers in approved annexation areas would pay at the same rate as those within the corporate limits. Council member Harrison said those areas would become part of the Town. The mayor said that persons in annexation areas do not pay Town taxes. Council member Harrison said those areas have not yet been developed and would not be annexed until development occurs. Mr. Dalton said there had been instances of new developments that were not in Town but that generally properties in annexation areas were undeveloped or had development plans in process, with annexation occurring once the plan is approved.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Nay

The motion passed.

6. Citizens' Forum

No one signed up.

7. Presentations/Awards Recognitions

None.

8. Consent Agenda

There was a discussion of the amended minutes provided to the Council. Amendments reflected correction of the omission of a word on page 13 of the minutes of the September 10 regular meeting of the Council in the discussion of the Budget and Finance Committee's next meeting date; the provision of additional detail, on page three of the minutes of the September 23 Community Development Committee meeting, of the progress toward the full Council of that committee's work on matters related to the Town's effort to attract a hotel and of its work on a branding and marketing scope of work; and the correction, on page two in the minutes of the September 24 Personnel Committee meeting, of two instances in which remarks made by Finance Clerk Heather Halterman were misattributed to Council Member Harrison.

Mayor Dickinson invited a motion to approve the consent agenda.

Council member Rodriguez moved that the Council of the Town of Berryville approve the consent agenda as amended. Council member Harrison seconded the motion.

Roll call vote as follows:

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

The motion passed.

9. Unfinished Business

Repeal and re-adopt Chapter 20 of the Berryville Code and amend Chapters 10 (Section 10-7) and Chapter 9 (Section 9-34).

Mr. Dalton said the section in question was originally titled Assemblies, Demonstrations, and Parades. He said the Town's code and the policies written in accordance with it should comply with law and provide for safe exercise of 1st Amendment rights. He said the Public Safety Committee had looked at the codes of other jurisdictions and had kept the Berryville code basic, with provision of regulations

to address specifics. He said the Town is striving to streamline the application process for special events of all kinds and needs to repeal the existing ordinance and adopt a new special events section.

Mr. Dalton said Section 10-7 needed modification to make clear the authority of the town manager to restrict traffic during special events.

Chief White said Chapter 9 had been changed to include fees associated with licensure for circuses and carnivals.

Mr. Dalton explained the steps that would follow approval of the motion and said the fee schedule would take effect on November 1.

Mayor Dickinson said the process had been lengthy, and complimented the new ordinance. She invited a motion.

Council member Rodriguez moved that the Council of the Town of Berryville adopt the attached ordinance repealing and readopting Chapter 20 and amending Chapters 10 and 9 of the Berryville Code effective November 1, 2019, approve the attached Special Events and Demonstrations Fee Schedule effective November 1, 2019, and direct the Town Manager and Chief of Police to finalize and cause [to] be published on the Town's website, Regulations for Special Events and Demonstrations, prior to November 1, 2019. Recorder Arnold seconded the motion.

Council member McDonald thanked Chief White and Mr. Dalton for their efforts.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

The motion passed.

10. New Business

Proposed Amendments to the Employee Handbook

Mr. Dalton said the Personnel, Appointments, and Policy Committee had been considering revision of several sections of the handbook and that those sections were now ready for review by the full Council. He said there had been expressions of concern about Section 605, which deals with military

leave, and that this would require additional research, but that he recommended approval of the other sections submitted to the Council.

Council member Harrison asked for clarification of terminology, in Section 188 on drivers policy, regarding what constitutes a Town driver, whether this means anyone working for the Town or anyone driving Town vehicles. There was a discussion of what the expression means and how optimal wording could be achieved. Council members Harrison and McDonald recommended that "drivers" be changed to "employees."

There was a discussion of abbreviations and typographical errors.

Council member Harrison asked how the Town handles the accrual of employee leave in its accounting procedures. Mr. Dalton said all leave appears on the books as a liability.

Council member Harrison asked for clarification of passages addressing family medical leave and personal leave and the individual's responsibility for health insurance premiums after 30 days. Mr. Dalton said he would need to review the matter. There was a discussion of the Family Medical Leave Act.

Council member Harrison suggested that the verbiage in the Town's bereavement leave policy be amended to add "partner" to "spouses, children, and parents" and that suitable language be used regarding gender. Council member McDonald concurred. Council member Harrison also recommended that "fiancé" be included among the closest relationships in terms of number of hours of bereavement leave permitted.

Mr. Dalton said his concern was that there is no way to establish after the fact whether a person was actually a fiancé. The mayor said there is no legal document to establish this.

Council member Harrison reiterated her point about partners, and Mr. Dalton asked how that term is to be defined. Council member Harrison suggested cohabitation as the criterion. Mr. Dalton said the term was still nebulous and difficult to define. Council member Harrison suggested definition according to whether the decedent and the employee are on the same insurance policy. Recorder Arnold asked what was to be done if they had no insurance. Council member Harrison asked that the Town attorney review the matter.

Ms. Dunkle asked whether engagements and partnerships are covered by the Town policy's stipulation that special consideration may also be given to other persons whose association with the employee is similar to the familial relationships enumerated in the policy. Mayor Dickinson said special consideration could lead to charges of favoritism or bias.

Council member Harrison said the policy on compensatory leave does not state how many hours an employee must work before compensation begins and that this should be clarified in job descriptions or in the handbook. She said the handbook does not define what constitutes full-time employment

for exempt employees. Mr. Dalton said he believed it had been defined elsewhere in the handbook and that he would look into it.

There was a discussion of the computation of annual leave in half-hour increments. It was established that the Town treasurer maintains records regarding the accumulation and usage of hours.

There was a discussion of the requirement that an employee's direct supervisor be contacted on each day of an unscheduled absence.

Mayor Dickinson asked whether the policy according to which an employee is paid for unused annual leave at termination of employment would also apply in the case of an employee who quits without notice. Mr. Dalton said leave time must be paid for in the same manner as hours worked.

Mayor Dickinson asked for clarification about holiday pay for police officers. Mr. Dalton said a police officer still receives holiday pay if the holiday is an officer's regular day off. The mayor said the policy is not clear in the handbook. Mr. Dalton said he would look into the matter.

There was a discussion of the town manager's authority to see that employees in departments that must work on a holiday receive time off equal to that of employees in other departments. Mayor Dickinson said the policy should be made definite and not left to the town manager's discretion. Mr. Dalton said he would look into the matter.

There was a discussion about non-exempt employees and authorization of comp time.

Council member Harrison asked whether Lee-Jackson Day could be dropped from the calendar and converted to a floating holiday. Council member McDonald said it is a state holiday and mandatory. Mayor Dickinson said observance of Lee-Jackson Day is not mandatory and that many localities do not observe it. She and council member Harrison said it is not really a holiday. The mayor concurred with council member Harrison's suggestion of a floating holiday. Mr. Jacobs said a floating holiday would create significant administrative difficulties.

Mr. Dalton said that one of the Town's reasons for observing Lee-Jackson Day was the sharing of the Government Center with the County, which observes the holiday. He said the Town had sought to avoid confusion by joining the County in strict adherence to the state calendar.

Council member McDonald recommended continuing to observe the holiday until the state stops doing so. She said Town officials serve the Commonwealth in the performance of their duties.

Recorder Arnold said citizens would be confused if the Town offices remain open when County offices close.

Council member Harrison said the County has considered discontinuing the Lee-Jackson Day observance and asked whether the Town could follow suit if this occurs. Council member McDonald said discontinuation would not be appropriate as long as the holiday remains on the state calendar.

Mr. Dalton said he would consult the County administrator regarding the County's intentions and report his findings to the committee.

Proposed John Rixey Moore Playground/Rose Hill Park Improvements

Mr. Dalton said the playground had been constructed in 1998 and that the Community Development Committee had provided recommendations for the replacement of the playset, refurbishment of existing equipment, and addition of new equipment for younger children. He said the estimated cost would be \$46,970, with an additional \$3,700 for a shade structure that could be removed and stored in winter. He said this would be a reasonable cost estimate but that it has not been made final with the vendor.

Mr. Dalton said the estimated cost is well under budget and that leftover funds could be used for work on the basketball court, fencing, and gazebo.

There was a discussion of security needs and of measures to enforce prohibitions against skateboarding in the park and especially in the gazebo.

There was a discussion of the color of the shade structure.

Mayor Dickinson asked Mr. Dalton to clarify the cost of freight and installation. Mr. Dalton identified these items in his written staff report.

Council member McDonald moved that the Council of the Town of Berryville authorize the Town Manager to proceed with work on the John Rixey Moore Playground in a manner consistent with the recommendations of the Community Development Committee that the cost of the project not exceed \$50,670. Council member Rodriguez seconded the motion.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

The motion passed.

Mr. Dalton noted that winter weather could create delays in the installation of the equipment but that winter is a slow season for the vendor and therefore helpful for scheduling the work.

Award of Contracts for Concrete Work

Mr. Dalton said the Council in its July meeting had authorized issuance of an invitation for bid for concrete work including demolition and the construction of improvements. He said unit pricing was provided and that Mr. Jacobs and Ms. Halterman had recommended the approval of all three firms bidding for the work. He said the bids were for unit pricing and not for specific projects and that the Town would be able to do business with the contractors as needed rather than treating each project separately. Mr. Jacobs said the arrangement was an enhancement to flexibility.

Council member Harrison asked about the duration of the arrangement and Mr. Dalton said it would extend through June 30, 2020, and then for three additional one-year periods.

Council member Harrison moved that the Council of the Town of Berryville approve the award of contracts for concrete new installation and repair work, to the first, second, and tertiary bids, and that the Town Manager is hereby authorized to execute contract documents related to this matter. Recorder Arnold seconded the motion.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

The motion passed.

Award of Contract to Provide Online Payment Services

Mr. Dalton said the Budget and Finance Committee had been working for some time on the creation of an online payment option for citizens. He said the committee's choice of a contractor had been strongly influenced by the convenience of the contractor's interface with the Town's financial software. He said the agreement was for one year, that the committee had asked that the final contract be reviewed by legal counsel, and that this is in progress. Mr. Dalton said the Town would incur minimal direct costs, as most costs would be paid by users.

Council member Gibson asked whether conflicting figures related to chargeback fees had been resolved, and Mr. Dalton and Mr. Jacobs said they would look into this.

Mayor Dickinson said she was concerned by verbiage indicating that the contractor, Payment Service Network (PSN), can change fees at any time. She also expressed concern about language addressing the matter of when the agreement may be terminated. She said the proposed system likely would be helpful but that apparent liabilities and risks inherent in the contract make a legal opinion desirable.

Council member Rodriguez said she was in favor of the online payment system but that she did not see any harm in postponing a decision for another month, pending clarification.

Council member Harrison asked whether it would be possible to generate enclosures for e-bills. Council member Gibson said the Town is concerned at present with online payment and not with online billing, that it will proceed in baby steps and consider additional services over time. She said the primary concern is with a large number of people who need to pay bills quickly in order to forestall discontinuation of service, given the fact that the Town cannot take credit card information over the telephone. She said the rollout of the new system would include reminders that ACH payments are now an option. Council member Harrison asked whether the Town's return on investment would be sufficient if implementation is in a baby-steps fashion. Council member Gibson said the initial cost is \$250, plus annual security compliance fees, and that an incremental approach was desirable during the process of establishing confidence in the vendor. Council member Harrison expressed concern about the amount and cost of labor involved in continuing to process payments by conventional means when electronic processing is available.

Mayor Dickinson said Ms. Halterman has outlined a schedule for the addition of services over time if the vendor proves to be a good fit for the Town. Council member Gibson said the plan is to begin with utilities and add taxes later.

Recorder Arnold said most aspects of the system will be operational by the end of next year. Mr. Dalton said this might not include e-billing.

Council member McDonald expressed concern about e-bills and citizens who do not own computers. Council member Harrison explained that e-billing would not be mandatory but that customers may opt in.

The Council agreed to discuss online bill payment again at its next meeting.

Reappointment of H. Allen Kitselman to the Berryville Area Development Authority

Recorder Arnold said the Personnel, Appointments, and Policy Committee had agreed on the reappointment of Mr. Kitselman, a long-time Council member who wishes to continue in public service.

Council member Gibson moved that Council of the Town of Berryville reappoint Allen Kitselman to the Berryville Area Development Authority for a three-year term to end on June 30, 2022. Recorder Arnold seconded the motion.

Roll call vote as follows:

McDonald: Aye
Harrison: Aye
Gibson: Aye
Rodriguez: Aye
Arnold: Aye
Dickinson: Aye

The motion passed.

11. Council Member Reports**Ward 1:**

Council member McDonald had nothing to report but asked for a discussion of social media policy.

Ward 2

Council member Harrison explained that the Town's social media policy had been discussed by the Personnel Committee. She said transgressions carry consequences for employees but not for Council members and that liability problems are possible. She suggested a policy similar to that of the County, which prohibits the use of social media by officials in their official capacities. She said a Town Facebook account as part of the Town's proposed branding and marketing initiative would be desirable but that no individual accounts should be permitted because of the possibility of indiscretions.

Council member McDonald concurred regarding the appropriateness of the County policy.

There was a discussion of whether to return the policy to the committee. Council member Harrison recommended that the committee meet with Cathy Kuehner, public information officer for the County.

Council member Gibson noted the importance of social media for communication with the public and said that a Town social media presence is needed but that the Town lacks the personnel to manage it. She said she was not prepared to prohibit individual accounts outright inasmuch as they have sometimes served a useful purpose. She said the committee should discuss how to progress toward a Town social media presence.

Council member Harrison concurred regarding the desirability of a Town social media presence.

The consensus was that the matter be returned to committee.

Ward 3

Council member Gibson had nothing to report.

Ward 4

Council member Rodriguez said she and three other Council members had attended the annual conference of the Virginia Municipal League and that she would email Mr. Dalton regarding matters of interest and suggestions for the Town.

Recorder

Recorder Arnold had nothing to report.

Mayor

Mayor Dickinson said she had recently issued a proclamation to the American Legion in celebration of its centennial. She said the theme for Veterans Day this year would be "Our Veterans, Our Heroes" and that the committee had decided to hold the event on Sunday the 10th at the high school, with the high school jazz ensemble playing at 1:00 p.m. and the program beginning at 2:00. She said the keynote speaker will be Dr. Richard Siemens, chief of staff of the Martinsburg, West Virginia, Veterans Administration hospital. She said Medal of Honor recipient Col. Harvey Barnum, USMC (Ret.) will be an honored guest and that the Clarke County band and Clarke County high school chorus will perform. She said the Clarke County honor guard will post the colors and that the Veteran of the Year will be announced. The mayor said Berryville Graphics will sponsor the event this year, along with Am-Liner East and the Bank of Clarke County. She said the VFW post will host a community luncheon after the event at the post on South Buckmarsh.

Mayor Dickinson said the Northern Shenandoah Valley Regional Commission has plans for an initiative to address the need for recycling of glass and plastic.

The mayor said she is leaving the Personnel Committee, on which Council member Rodriguez will replace her.

12. Staff Reports**Public Works**

Nothing was added to the written report submitted to the Council. Mayor Dickinson asked whether homeowners would incur the expense of providing expansion tanks on their water heaters to accommodate the new meter setters to be installed in some areas. Mr. Dalton said they would. He said code has required expansion tanks for some years, but the Town will provide notices 40 days in advance by mail and hand-delivery to homeowners with water heaters requiring modification.

Mr. Dalton explained why the expansion tanks are necessary. He said about 300 property owners would be affected, mainly in areas of older construction. He said he believed the cost of installing an expansion tank would be approximately \$200. The mayor asked whether people who cannot afford this could get help through some agency. Mr. Dalton said the Town had never encountered this when replacing setters previously but that one option would be to refer them to any number of organizations including FISH of Clarke County.

Mr. Dalton said the modifications are needed for the wellbeing of the entire system and will be for the good of everyone, and that the process of sending notices had begun on Monday, October 7.

Public Utilities

Nothing was added to the written report submitted to the Council. Mayor Dickinson asked whether the recent failure of a tank mixer would be covered by warranty. Mr. Dalton said yes.

Police Department

Chief White said the date and hours for trick-or-treating had been set for October 31 from 6:00 p.m. to 8:30 p.m.

Council member Gibson moved that the Council of the Town of Berryville, in accordance with Section 13-38 of the Code of the Town of Berryville, designate the date and hours for trick-or-treating within the Town of Berryville as October 31, 2019 between the hours of 6:00 p.m. and 8:30 p.m. Council member Rodriguez seconded the motion.

The motion passed by unanimous voice vote.

Community Development

Ms. Dunkle asked the Council to set bonds for the Shenandoah Crossing subdivision for public improvements and erosion and sediment controls. She said the bond for erosion and sediment control would be \$217,361 and that the bond for public improvements would be \$5,155,365.

Council member Rodriguez moved that the Council of the Town of Berryville approve the Erosion and Sediment Control and the Public Improvement bonds, including 25 percent contingencies for both, as follows:

Erosion and Sediment Controls:	\$217,361
Public Improvements:	\$5,155,365

Council member McDonald seconded the motion.

Roll call vote as follows:**McDonald: Aye****Harrison: Aye****Gibson: Aye****Rodriguez: Aye****Arnold: Aye****Dickinson: Aye****The motion passed.**

The Council had no questions about the Construction Project Update Ms. Dunkle had provided in the agenda.

Administration/Finance

Mr. Jacobs said he had completed the September statements but that recently retired treasurer Desi Moreland would be looking over them to assist him with his first experience of that task. He said he would distribute them later in the week.

Town Manager

Mr. Dalton had nothing further to report.

13. Committee Updates**Budget and Finance**

Ms. Gibson said the committee would meet again on October 24 at 10:30 a.m. and that Mr. Jacobs had invited a representative from Southern Software to give a demonstration of budgeting tools. She said she hoped legal counsel would have completed its review of the online payment agreement by that time and that the committee could discuss it again.

Community Development

Council member Rodriguez said that the committee in its last meeting had discussed moving forward with the Town's branding and marketing scope of work and that Mr. Dalton had recommended a motion authorizing staff to treat the siting of a hotel in Berryville as a high priority.

Council member Rodriguez moved that the Council of the Town of Berryville confirm that siting a hotel in Berryville is a high priority and authorize Town staff to work with community partners to formulate and implement a strategy to site and locate a hotel in Berryville. Council member Harrison seconded the motion.

Council member Rodriguez asked Mr. Dalton what process should ensue if the motion passed. Mr. Dalton said the first step had been a feasibility study, which eventually needed updating inasmuch as staff had been talking with hotel chains, boutique hotel developers, and local property owners since 2013. He said Berryville Main Street had worked with the Industrial Development Authority (IDA) on a new study and that staff now needs to work closely with the County on a package addressing siting. He said it is necessary to begin proactively attempting to generate interest and that staff needs to be certain it has the backing of the Council. He said the formalization of that support would help staff be more proactive in seeking potential stakeholders.

Mr. Dalton said the community should assemble a packet including the feasibility study; information on siting, utilities, and traffic; and tourism and zoning incentives. He said that what would work best would be an investors' group then showing interest, followed by interest from a suitable developer.

Mr. Dalton said the staff believes a hotel is needed to accommodate wedding guests and business travelers who at present must find lodging in other towns. He said a hotel would help with local efforts to advance tourism and that hotel guests would boost other elements of the local economy.

Council member Gibson asked whether the hotel had been among the 2020 goals approved by the Council. Mr. Dalton said he was not sure.

There was a discussion of what was in the 2020 goals. Council member Gibson said that if a hotel had been included therein, she did not see the need for concern about it. She said a hotel is not her number-one priority but that she would support what the Council decides.

Mayor Dickinson said a previous action of the Council had supported the study, not the actual hotel, and that she needs to see the new study. She said hotels operate on thin margins and that the prospect of an unprofitable, eyesore hotel is a concern. She said she needs to be confident regarding profit margin and that the Town is forcing the issue.

Council member Harrison said the Town is not putting a consortium together but merely allowing staff to prepare a framework that would enable an interested party to proceed quickly. She said a hotel has been under discussion for years and has never had sufficient backing from the Town. She said she doubted that a bank would lend money for a hotel without data supporting such a decision.

Recorder Arnold said the IDA had been concerned because of a lack of support from the Town. He said the Town does not decide on the viability of a particular business but that it can make preparations that would keep interested parties from being discouraged by delays in planning and zoning.

Council member McDonald said citizens have expressed concerns about cost to the Town. Mr. Dalton said this would not be exclusive to a hotel. He said public funds had been expended on the two studies, in addition to the expense of staff time.

Ms. Dunkle said the Town had received a USDA grant to fund the original study and that the Industrial Development Authority had funded the most recent study.

Council member McDonald said citizens are asking why the Town is spending money for a hotel when it is raising water and sewer rates. Mr. Dalton said the Town has spent little, citing staff time and the funding of the studies. Ms. Dunkle said the Town has a transient occupancy tax in place. Mr. Dalton said the hotel and the ripple effect of its guests add to the Town's tax base and that guests would spend money at other businesses in Berryville, which would help everyone.

Council member Harrison said a hotel would pay water and sewer availability fees. Mayor Dickinson said a hotel would also mean having another major user on the utilities system, which would help in reducing costs.

Recorder Arnold said the Town had worked for two years to bring McDonald's to Berryville and had spent Town money doing so. He said there are Town costs associated with all developments. He said the motion under discussion was not approval of a hotel but an endorsement of staff's efforts to place the Town in readiness for one. He said spending money on two studies and not proceeding would be a waste.

Ms. Dunkle said she did not believe modification of current zoning would be necessary. She and Mr. Dalton said there are multiple properties that could accommodate a hotel. Mr. Dalton said staff's thinking continues to evolve as discussions with interested parties occur.

Mayor Dickinson reiterated her desire to see the study.

Mr. Dalton said the hotel does not constitute a financial commitment in the manner alluded to by Council member McDonald but concurred with Recorder Arnold's assessment of processes and costs. He said the Town does not intend to subsidize a hotel or any other specific business.

Council member McDonald asked about plans to reopen the Battletown Inn. Ms. Dunkle said it was in progress but behind schedule. Council member McDonald asked whether the bed-and-breakfast establishments would be opened again. Ms. Dunkle said this had been delayed.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Nay

Rodriguez: Aye

Arnold: Aye

Abstaining: Dickinson

The motion passed.

Council member Rodriguez said the committee would meet again on October 28 at 2:00 p.m.

Personnel, Appointments, and Policy

Recorder Arnold said the committee would meet on October 22 at 9:00 a.m. to conduct interviews for the Architectural Review Board and Tree Board and to discuss the Town's social media policy and Employee Handbook.

Public Safety

Council member McDonald said the committee had met in September and discussed the Town Code as it applies to garbage and refuse. She said the committee had discussed dumpsters and dumpster enclosures and would next consider residential garbage collection. She said the committee's next meeting will be on November 25 at 12:30 p.m.

Streets and Utilities

Council member Harrison said the committee had discussed stormwater and the Virginia Avenue scope of work. She said the Town Run study would be complete in approximately six months. She said the committee had begun work on a lighting policy for the Town, addressing street lighting and residential lighting, and that the next meeting would be on October 22 at 10:30 a.m.

Other

Mayor Dickinson said the Virginia Municipal League conference had included a session on stormwater and that she would inform the committee of what other communities are doing to manage stormwater.

Council member McDonald said she would not be able to attend the next Community Development Committee meeting.

14. Closed Session

There was no closed session.

15. Adjourn

Mayor Dickinson requested a motion to adjourn.

Council member Harrison moved to adjourn, seconded by Council member Rodriguez. The motion passed by consensus at 10:10 p.m.

Harry Lee Arnold, Jr., Recorder

Paul Culp, Town Clerk

Remarks by Mayor Dickinson in Discussion of Public Hearing Items, Town Council Regular Meeting of October 8, 2019

Water and Wastewater Rate Increase

I want to applaud town council for taking the initiative to engage engineers in providing us with a clearer picture of current and future needs for the town's water and wastewater treatment plants. The engineer's report clearly states that our current operating environment is not sustainable and that we need to prepare ourselves for costly maintenance on the wastewater treatment plant and for replacement of our water plant. The report presented a rather bleak outlook for the town. Action now, by this council, will help ensure our citizens have a viable, affordable, and ecologically responsible utility.

The engineers advised town council that we must run our utility as we would a business. And I agree with their recommendation. The question becomes, what type of business are we? A monopoly refers to a market structure where a single firm controls the entire market. We know that a monopoly is out to maximize profit and they can set the price because there is nowhere else to do business. A monopoly doesn't care if people can pay the price – they know they will have to because there is nowhere else to go.

A public utility is a type of monopoly, however, instead of focusing on profit, a public utility is meant to focus on serving the consumers. We need to be sure that our water and wastewater treatment plants are adequately maintained, however, it is equally important that these services are provided at reasonable rates.

As I review the utility rate proposal before us and this council's stated intention to have year over year increases, I am concerned that it gives the appearance that we care more about profit than we do about our citizens. I am concerned that we have lost sight of what constitutes a reasonable rate.

I have comments for council.

First is the cost of services.

On many occasions during my business career, I have worked for companies that had to face the difficult situation of how to meet increasing costs and dwindling profit margins. At no time in my experience was the first course of action to raise prices. Typically, the first action taken is to identify opportunities to reduce costs. Over the course of this process several citizens have shared with this council ways in which they believe expenses could be reduced. Whether their suggestions are viable or not is not the point. The point is, this council has never asked town staff to even consider this option. I believe this is a mistake.

Second is the concept of the administrative fee

In the public hearing of September 11, Mr. Frederick of Pennoni Associates said the Towns fixed costs were sufficient to justify an administrative fee of \$45.00 per month.

The rationale presented seems quite straightforward – we each should pay our fair share of the fixed costs in the form of a universal administrative fee. While this may appear on the surface to be equitable, in reality it is not. Services are not billed per household or per person, but rather per billing address. This means an individual living in a single family home will pay an administrative fee of \$45 per month, while an individual living in Mary Hardesty House will pay 1/60th of the \$45, or 75 cents. The comparison holds true with businesses as well. The individual living in a single family home will pay just as much in a monthly administrative fee as a large business. Remember, one of the operating principles of a public utility is that our rates must be reasonable. How can we say this is reasonable?

Third is increasing the number of users so rates can go down

At the September public hearing a resident asked what the town was doing to get new users on the system. The reply was that construction of 200 new homes will soon be built. The construction of these new homes has been on the table for over a decade. It is only through a change in market forces that has made it profitable to begin construction. This council did nothing to encourage or expedite construction. Instead I would direct this gentleman's attention to the work of the Community and Economic Development Committee. Last year Town Council funded the committee's efforts to set the groundwork needed for the creation of an economic development plan.

Additionally, the town and county are pursuing a traffic study to connect Jack Enders Blvd with 340. This effort must be completed before the industrial park can be expanded.

Unfortunately, these things take time. Fortunately, we have started the ball rolling.

Fourth is the misconception that rate increases are necessary

I call Council's attention to page 33 of the engineer's report, page 51 of the meeting agenda. In the second paragraph the engineer states the following:

"This analysis should be viewed as a starting point for further discussion and may inform but not fully represent the final decisions made by the Town over the next 8-10 years. First, the analysis in this report assumes that the only source of revenue for this asset program will be local water and wastewater revenues from fee increases."

The report goes on to state that we have options other than year over year rate increases. And in the September 11 public hearing Mr. Frederick of Pennoni stated that the Town should aggressively pursue other sources of revenue, such as a grant or loan.

We all know that long term assets should be paid for using long term debt. And we know the water and sewer plants need significant capital improvements. These capital improvements are long term

assets, and yet we are trying to pay for them with short term revenue streams. This is not good financial management. Before we raise rates we need to have a financial plan.

If our financial plan includes grants, then rate increases would not be necessary. If we borrow money then rate increases will only need to be increased to cover the debt obligation. Not developing a financial plan before raising rates is a mistake.

It seems to me we are moving forward in panic mode, when there is no need to panic.

Conclusion

Again, I applaud council for taking the initiative to better understand the current state of our utilities. This report has told us what needs to be done, however, this report has not given us a viable approach on how to do it. The report clearly states that Town Council needs to do more planning. We need to a schedule for improvements and from that a financing plan. With these two documents in hand, then, and only then, should we decide to change our rates?

BERRYVILLE TOWN COUNCIL BUDGET AND FINANCE COMMITTEE
Berryville-Clarke County Government Center
MINUTES
October 24, 2019

A meeting of the Berryville Town Council Budget and Finance Committee was held on Thursday, October 24, 2019 at 10:30 a.m. in the Berryville-Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

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

Staff present: Keith Dalton, Town Manager; Greg Jacobs, Treasurer/Assistant Town Manager; Paul Culp, Town Clerk

Press present: None

1. Call to Order

Chair Gibson called the meeting to order at 10:33 a.m.

2. Approval of Agenda

Mayor Dickinson moved to approve the agenda as presented, seconded by Ms. Rodriguez. The motion was approved by consensus.

3. Unfinished Business

A. Budget Software

Marci Lewandowski of Southern Software gave a presentation on budgeting software under consideration by the committee for purchase by the Town, followed by a discussion of how staff should proceed. Mr. Jacobs being new in his position, he and Chair Gibson discussed whether it would be advisable to proceed immediately according to new procedures associated with new software or to work according to established practices before introducing new ones. Mayor Dickinson said it should be Mr. Jacobs' decision, and he said he would consider the matter.

Chair Gibson said the proposed software would increase efficiency. Mr. Jacobs said it would promote accuracy as well.

Mr. Dalton said staff would formulate a plan to be submitted to the full Town Council.

B. Online Payments

Mr. Dalton said the Town attorney had finished reviewing the contract with Payment Services Network (PSN) for online bill payment services discussed by the committee and the full Council in their September meetings with a view to offering such services in the near future.

There was a brief discussion of passages requiring minor revision. Mr. Dalton said some of these had already been taken into account and would be reflected in the contract's final version.

Mr. Jacobs said the Virginia Risk Sharing Association had expressed concern about whether the contract would require PSN to assume as much responsibility for security as the Town would prefer, but said there likely is no alternative to the provisions stipulated in the contract.

There was a discussion of the desirability of the Town having a separate account as a repository for funds to be forwarded to PSN.

Mr. Dalton said staff would finish with revisions and legal matters and proceed if no difficulties arise with the interface of the PSN platform with the Town website.

C. Long-term Financial Sustainability Plan

The committee agreed to defer further discussion until budgeting software is in place.

4. New Business

A. Budget Calendar

Mr. Dalton said staff would like to proceed soon with budgeting if the committee approves of the calendar. Ms. Rodriguez asked whether each committee would formulate goals as it did last year. Mayor Dickinson said goal-setting is important but that adhering to goals is a challenge. She recommended revisiting last year's goals as a starting point.

Mayor Dickinson asked whether staff needs action from the Council by January. Mr. Dalton and Mr. Jacobs said this would be desirable. Mayor Dickinson said a work session of the full Council is needed, as opposed to discussions by individual committees. Mr. Dalton said he would confer with Council members and staff regarding a suitable meeting time in mid-November.

B. Utility Improvement Financing

Mr. Dalton directed the committee's attention to the asset replacement schedule provided by Pennoni Associates. He said it would be helpful to include as many components as possible in one offering and that he and Mr. Jacobs would be meeting with Virginia Resources Authority to discuss

their pool borrowing program. He said it would be important to schedule projects with an eye to minimal disruption and that the effect of debt servicing on rates must be taken into consideration.

There was a discussion of whether the figures on water meter replacement include installation. Mr. Jacobs said he would research this.

Mayor Dickinson said she would like more information on smart meters, which she said have paid for themselves in some jurisdictions. She said they could help the Town reduce billing frequency to every other month and save on administrative costs. Mr. Dalton said topography can create problems with continuous meter reading.

5. Other

There was no other business.

6. Closed Session

There was no closed session.

7. Adjourn

Chair Gibson invited a motion to adjourn. Mayor Dickinson so moved, seconded by Chair Gibson, with the meeting adjourning by consensus at 12:06 p.m.

BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE
Berryville-Clarke County Government Center
MINUTES
October 28, 2019

A meeting of the Berryville Town Council Community Development Committee was held on Monday, October 28, 2019 at 2:00 p.m. 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 of the committee absent: Donna McDonald

Staff present: Keith R. Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Paul Culp, Town Clerk

Press present: none

1. Call to Order

Chair Rodriguez called the meeting to order at 2:00 p.m.

2. Approval of Agenda

Ms. Harrison moved for approval of the agenda as submitted, seconded by Chair Rodriguez. The motion passed by consensus.

3. Unfinished Business:

A. John Rixey Moore Playground / Rose Hill Park Improvements--Update

Mr. Dalton briefly updated the committee on his discussions with the vendor and said that all the equipment previously selected is still available. He mentioned excavation and wood fiber materials as items that had been factored into the cost.

Ms. Harrison asked whether it would be possible for the gazebo pickets to be replaced with metal for the sake of durability. Mr. Dalton said this would be possible and that another option would be to have steps on all sides of the gazebo.

Mr. Dalton said he believed the Memorial Day observance would benefit from a reorienting of the gathering's location and that he would discuss this with Mr. Ferree.

Chair Rodriguez asked Mr. Dalton whether the playground improvements could begin after Christmas. Mr. Dalton said he would discuss this with the vendor and that prompt commencement of the work would be desirable for assuring a spring completion date.

There was a brief discussion of public works activity at this time of year.

Chair Rodriguez asked that the order of the next two agenda items be inverted so branding and marketing might be discussed before the economic development MOU with Clarke County. Ms. Harrison and the staff members agreed to this.

B. Branding and Marketing

Chair Rodriguez said a recent discussion with Mr. Dalton and Ms. Dunkle had been helpful and that the request for proposal was also helpful. She said the committee had agreed to send the scope of work to the full Council in November, after which it would be returned to staff, with the Council then voting on the RFP in its December meeting,

Chair Rodriguez said the marketing study should focus on commercial development in Berryville before addressing branding. She said it should be as specific as possible and that she is refining it and will submit it to the committee soon. Mr. Dalton asked when it would be available to staff, and she said by the end of the week. Mr. Dalton asked Ms. Dunkle whether the Town has a precise community profile, and Ms. Dunkle said she had included one in the draft tourism plan from 2014.

C. Economic Development Memorandum of Understanding with Clarke County

Mr. Dalton said the MOU committee had asked for a meeting with him and Recorder Jay Arnold. Chair Rodriguez said it would be good if she or Ms. Harrison attended.

Ms. Harrison asked about the southeast collector study. Ms. Dunkle said that staff had set a meeting but that the consultant did not attend. She said she would contact Mr. Stidham to set another time. Ms. Dunkle said that after discussion with Norfolk Southern the consultant had confirmed that the at-grade crossing originally anticipated will not be permitted.

Chair Rodriguez directed the meeting's attention to a passage in the MOU addressing new revenue sources for economic development and tourism. There was a discussion of the County's attempt to increase the transient occupancy tax. Ms. Dunkle said the General Assembly must approve such a measure.

There was a brief discussion of the Town's effort to attract a hotel to Berryville.

Chair Rodriguez and Ms. Harrison discussed the need to reorganize the MOU into sections, combining interrelated items instead of having a large number of separate points. Communication, coordination, finance, tourism, economic development, and staffing were among the categories suggested.

Chair Rodriguez said she would bring the results of the MOU committee's efforts to the November meeting of the Community Development Committee.

There was a discussion of meeting schedules and Christmas preparations.

4. New Business

There was no new business.

5. Other

There was no other business.

6. Closed Session

There was no closed session.

7. Adjourn

Chair Rodriguez invited a motion to adjourn. Ms. Harrison so moved, with the meeting adjourning by consensus at 2:43 p.m.

BERRYVILLE TOWN COUNCIL PERSONNEL, APPOINTMENTS, AND POLICY COMMITTEE
Berryville-Clarke County Government Center
MINUTES
October 22, 2019

A meeting of the Berryville Town Council Personnel, Appointments, and Policy Committee was held on Tuesday, October 22, 2019 at 9:00 a.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

Attendance:

Members of the Committee present: Recorder Jay Arnold, Chair; Erecka Gibson; Kara Rodriguez

Staff present: Keith R. Dalton, Town Manager; Greg Jacobs, Assistant Town Manager/Treasurer; Christy Dunkle, Town Planner; Paul Culp, Town Clerk; Neal White, Chief of Police

1. Call to Order

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

2. Approval of Agenda

Ms. Gibson made the motion to approve the agenda, seconded by Ms. Rodriguez. The motion passed by consensus.

3. Unfinished Business

A. Closed Session

Recorder Arnold asked that the committee enter closed session in order to interview candidates for appointment to the Tree Board and Architectural Review Board.

Ms. Rodriguez moved that the Personnel, Appointments, and Policy Committee of the Berryville Town Council enter closed session in accordance with §2.2-3711-A-1, Code of Virginia, for discussion, consideration, or interviews of prospective candidates for appointment. Ms. Gibson seconded the motion.

The motion passed by consensus.

The committee entered closed session at 9:02 a.m.

B. Appointments

The committee reconvened in open session at 9:58 a.m. Mr. Dalton read the Certification of Closed Session:

WHEREAS, the Personnel, Appointments, and Policy Committee of the Council of the Town of Berryville, Virginia, 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; and

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

NOW, THEREFORE, BE IT RESOLVED that the Committee 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 Committee.

Roll call vote as follows:

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Abstain: None

C. Council Policies

Mr. Dalton said the Town Council in its October regular meeting had discussed voting policy. He said he had drafted a policy enumerating which actions can be handled by voice vote and which by roll call vote.

Ms. Gibson said the draft policy is a good middle way between having only voice votes on the one hand and requiring a roll call for everything on the other. Ms. Rodriguez said she approved of the draft policy, that clarity had been needed.

Mr. Dalton said he had also provided a draft revision of the Council policy for official recognitions, with resolutions and proclamations being treated as separate categories instead of being combined.

Recorder Arnold said he would prefer that 50th wedding anniversaries not be included among the occasions meriting letters of congratulation.

Ms. Rodriguez said she approved of the curtailment of proclamations that are political in nature.

D. Employee Handbook

Mr. Jacobs directed the committee's attention to proposed changes related to background checks, drivers policy, paid time off, job descriptions, annual leave, holidays, workers' compensation, bereavement leave, compensatory leave, personal leave, and military leave. He asked what the Town Council would do regarding Lee-Jackson Day, which had been discussed at the Council's most recent regular meeting, and Columbus Day.

Recorder Arnold said he thought the Town should align its policies with those of the Commonwealth. Ms. Gibson and Ms. Rodriguez concurred. Ms. Rodriguez recommended following the practices of the County.

There was a discussion of whether to continue offering liberal leave and closing the Town offices at midday on the Friday of the Apple Blossom Festival. Recorder Arnold said this is acceptable to him. Ms. Rodriguez said this would be acceptable if the public is given sufficient advance notice.

There was a discussion of holiday leave and accruals in excess of 96 hours.

There was a discussion of the proposal, pursuant to a discussion in the most recent regular meeting of the Council, that domestic partner and fiancé be added to the uppermost tier of bereavement leave categories. Mr. Dalton said that if the Council adds such language he will need for those terms to be clearly defined.

Ms. Rodriguez said the addition of domestic partner would be acceptable but that "fiancé" is ambiguous and that the discretion given to Mr. Dalton in current policy would address this.

Recorder Arnold said the Town should follow the Commonwealth's policy and "domestic partner" would need to be clearly defined in a way that aligns with state law.

Mr. Jacobs said the discretion of the town manager is sufficient.

Ms. Rodriguez said she does not want the language in the handbook to appear discriminatory against gay couples or domestic partnerships.

Recorder Arnold said the Town should not establish a definition if the Commonwealth does not.

Ms. Gibson said that the death of a spouse or child differs from that of a partner or fiancé in terms of the financial entwinements that create difficulties for the bereaved person to address. She said the Town should not specifically add references to domestic partners and fiancés without clear definitions and questioned whether it is the place of the Town to determine the extent of oneness that has occurred in a relationship.

Mr. Dalton said that if the Council supports the addition of domestic partners and fiancés he can take up the matter with the Town attorney with reference to Commonwealth practices and definitions. He said the proposed revisions governing bereavement leave may be deferred for now while the Council proceeds with the other proposed revisions.

There was a brief discussion of military leave.

E. Town Manager Performance Assessment

Mr. Dalton said he had provided a schedule for the process and that he recommends that the Council begin by establishing a list of goals and objectives for the town manager.

Ms. Gibson asked whether the evaluation forms filled out by the Council should be sent directly to the town manager as indicated in the proposed schedule. Mr. Dalton said it is a personnel matter and would become public unless channeled into a closed session, which can be accomplished by individual Council members submitting the forms to him for that purpose.

There was a discussion of the drawbacks and benefits of hand-written assessments.

Ms. Rodriguez asked whether having Council members sign the forms, as indicated in the proposed procedure, would be the best practice. Ms. Gibson said the evaluation should not be anonymous.

There was a discussion of the timing of various steps in the evaluation process.

The committee agreed to bring the matter to the full Council.

4. New Business

Social Media Policy

The Council having discussed at its most recent regular meeting the possibility of prohibiting the use of social media by Town officials in their official capacities, Mr. Dalton directed the committee's attention to the County policy, which carries such a ban.

Ms. Rodriguez asked whether the restriction is reduceable to officials not being permitted to use their titles on their social media pages. Mr. Dalton answered in the affirmative. Ms. Rodriguez said this is acceptable but that every official should be permitted to have a social media presence.

There was a discussion of what would constitute acceptable social media use during an election campaign.

Ms. Rodriguez said it would be sufficient for Council members using social media to provide a disclaimer to the effect that their views did not represent those of the Council as a whole.

Ms. Gibson asked whether it would be possible to return the matter to those members of the Council who had expressed the most concern. Mr. Dalton said this can be done. Ms. Gibson said a social media presence is important but should be via a Town account managed accordingly. She said the mere removal of individual officials' titles would not alter citizens' perceptions of those officials' accounts. Ms. Rodriguez concurred.

There was a brief discussion of the Police Department's social media presence, which is in the planning stages.

5. Other

Ms. Gibson recommended that the Council consider using the Polco online polling platform as an efficient means of soliciting public input on matters of importance such as stormwater remediation measures.

The committee agreed to meet again on December 16 at 9:00 a.m.

6. Closed Session

There was no closed session.

7. Adjourn

Ms. Rodriguez moved for adjournment, with Ms. Gibson seconding and the committee adjourning by consensus at 10:37 a.m.

BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE
Berryville-Clarke County Government Center
MINUTES
October 22, 2019

A meeting of the Berryville Town Council Streets and Utilities Committee was held on Tuesday, October 22, 2019 at 10:30 a.m. in the Berryville-Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

Attendance:

Members of the committee present: Diane Harrison, Chair; Mayor Pat Dickinson

Other Council member present: Recorder Jay Arnold

Staff present: Keith R. Dalton, Town Manager; Christy Dunkle, Town Planner; Rick Boor, Director of Public Works; Neal White, Chief of Police; Paul Culp, Town Clerk

Press present: Mickey Powell, Winchester Star

1. Call to Order

Chair Harrison called the meeting to order at 10:45 a.m.

2. Approval of Agenda

The agenda was approved by consensus.

3. Unfinished Business

A. Downtown Street Light Pilot

Mr. Dalton said Rappahannock Electric Cooperative (REC) had advised him of a mid-November starting date.

B. Lighting Standards

Chair Harrison directed the meeting's attention to the document she had distributed outlining a policy framework and classifying specifications according to type, height, and distance. Ms. Dunkle said it would be necessary to keep specifications in mind and involve REC thoroughly. Mr. Dalton said lighting specifications could be linked to street standard, taking into account street width and whether the section is urban or rural. Chair Harrison said that it would be helpful to review a zoning map. Ms. Dunkle said she was not sure how the typology would work.

Chair Harrison acknowledged that light pollution is a major concern that must be addressed but cautioned that the granting of exceptions would be expensive. She said it would be necessary to have a formula for such cases, taking into account who will pay for and carry out evaluation and remediation. She said developing standards first is crucial, and asked Mr. Dalton how this might be accomplished.

Mr. Dalton said it would be necessary to discuss the matter with REC and that the committee and/or Town staff probably would need to consult with a specifications engineer.

Ms. Dunkle said standards are crucial for providing a basis. Mr. Dalton said standards would help limit subjectivity. Ms. Dunkle said input from law enforcement would be important. Mr. Dalton noted that lighting is a health, safety, and welfare issue.

Mr. Dalton, Ms. Dunkle, and Chair Harrison agreed on consulting REC.

Mayor Dickinson said the Town should establish goals before proceeding, that it should determine what it intends to accomplish with lighting in town.

Chair Harrison said lighting in Berryville has evolved, that citizens are complaining, and that the Town is trying to be responsive. She said a definite standard would help determine how to address complaints.

Mayor Dickinson reiterated the importance of having clear goals. She said lighting is subjective and that the Town must be definite about what it wishes to achieve.

Chair Harrison reiterated her point about standards as an aid to addressing complaints. Mayor Dickinson said addressing complaints is different from designing lighting. Chair Harrison asked the mayor what she wanted the Town to achieve. The mayor said the Town should apply its efforts to health, safety, and welfare, and to the elimination of light pollution and light trespass.

Chair Harrison said complaints have not been numerous but that it has not been possible to address all of them. She said the ability to do so was the purpose for developing lighting standards.

Mayor Dickinson said the proposed framework is good but that it should not be a high priority. She asked whether the Town could handle problems on a case-by-case basis. Chair Harrison asked who would perform evaluations and at what cost. The mayor reiterated her suggestion of a case-by-case approach.

Chair Harrison asked Mr. Dalton if such an approach would be possible. He said he would look into the matter and that he presumed Chair Harrison would not approve of any solution that would produce warranty problems. She confirmed that this would be the case.

4. New Business

A. Street Sign Standards

Chief White said the appearance of the Town's streets signs is not optimal because of variations in type and quality. He said that with three new subdivisions in progress there should be a uniform standard and an effort to get the best product. He said factors to take into account include color, reflectivity, height, extension of pole above sign, breakaway posts, and safety and uniformity. He said the uniform standard should apply within the corporate limits and annexation areas.

Mayor Dickinson asked how the proposed standard compares with County standards. Chief White said it aligns with County, state, and federal standards. Mr. Dalton clarified that the Berryville standard would reflect the Town's 25 m.p.h. speed limit.

Chief White and Mr. Dalton explained the role of color and shape in different types of signs and the specifications for various types.

Chair Harrison asked whether the historical district designation could be added to signs. Chief White said this is possible, noting that such signs are generally not reflective. Mr. Dalton noted that portions of some streets are in the historical district while other portions of those same streets are not.

Mr. Dalton said the goal is to replace the Town's street signs, according to a uniform standard, over a period of several years.

Chair Harrison asked whether the Town could remedy the overpopulation of signage in some areas. Mr. Dalton said much of this is because of VDOT requirements. He asked that members identify any specific areas of concern and staff would review the matter. Chair Harrison noted that the intersection of Main and Buckmarsh Streets was an area of concern.

Mr. Dalton said he would like to add photos to the specifications manual provided to the committee and place the matter before the full Council. Chief White said a reference to the standards would be included in the Subdivision Ordinance. The committee agreed that the matter should be placed before the full Town Council in November.

B. Hermitage Phase V Street Name Change

Mr. Dalton showed the committee maps of the subdivision's original layout and new layout. He said it would be sensible to rename a portion of Tyson Drive or a portion of Dunlap Drive, especially Dunlap to Tyson from Hermitage Boulevard southward.

Ms. Dunkle said there are 13 lots and 12 homes in that section. Chair Harrison asked whether those residents would have to change their addresses. Ms. Dunkle said they would. Mayor Dickinson said this involves more than just a change of address at the post office, adding that deeds, licenses, and

multiple other changes would be necessary. Ms. Dunkle said emergency services would be adversely affected by one street having multiple names along its course. Chief White concurred.

Chair Harrison asked whether those residents could be compensated for the expense of making the necessary changes. Mr. Dalton said this would be up to the Town Council but that it is not something he would recommend. He said the reason for the proposed name change is important: Emergency services and the public good are involved, and state regulations governing stormwater control and treatment have necessitated adjustments by the developer.

Mayor Dickinson suggested redesigning the subdivision. She said she wanted a better understanding of what the name change would require of residents and expressed concern about legal implications.

Mr. Dalton said staff would seek further information about what is involved. The committee and staff agreed that prompt action by the Council is necessary.

Chair Harrison asked whether a public hearing would be required. Mr. Dalton said no, but that a hearing and comment period in a Town Council meeting would give the Council the opportunity to exercise its responsibility for explaining why the proposed change is needed.

C. Discussion of Stormwater Management—Mayor Dickinson

Mayor Dickinson said she had attended a session on stormwater management during the recent Virginia Municipal League annual conference and had learned about the possibility of grants from the Stormwater Local Assistance Fund. She said one municipality had obtained a grant from Fish and Wildlife. Ms. Dunkle said the staff is already discussing a grant with the Northern Shenandoah Valley Regional Commission.

The mayor described the basis of and tax rates for a stormwater utility created by the City of Roanoke. Ms. Dunkle said that Berryville's much smaller population does not confer the same economies of scale enjoyed by Roanoke.

5. Other

There was a discussion about the Town Run preliminary engineering report. Mayor Dickinson asked Mr. Dalton whether the study would be presented to the full Council at its December regular meeting. Chair Harrison said the study will take at least six months to complete.

The committee agreed to meet again on January 28 at 10:30 a.m.

6. Closed Session

There was no closed session.

7. Adjourn

Chair Harrison invited a motion to adjourn. Mayor Dickinson so moved. The meeting adjourned by consensus at 11:46 a.m.

Unfinished Business

**Town Council Agenda Item Report Summary
November 12, 2019**

Item Title

Employee Handbook Updates

Prepared By

Keith Dalton, Town Manager

Background/History/General Information

In the early part of this year the Personnel, Appointments, and Policy Committee discussed amending several sections of the Employee Handbook. At that time, the Committee discussed amendments to the following sections:

- 103 Equal Employment Opportunity
- 188 Drivers Policy
- 205 Introductory Period
- 210 Job Descriptions
- 303 Annual Leave
- 305 Holidays
- 306 Workers' Compensation Insurance
- 309 Bereavement Leave
- 315 Paid Time Off (added during review process)
- 322 Compensatory Leave
- 502 Work Schedules (added for this meeting)
- 507 Overtime (added for this meeting)
- 603 Personal Leave
- 605 Military Leave

Most of the changes were described as house keeping matters.

The Committee reviewed the amendments and proposed additional changes to Sections 205, 210, 305, 322, and 605. Staff provided the Committee with further changes to these sections to address their concerns.

The Town Council reviewed these amendments at their October meeting and remanded the matter back to the Committee.

The Committee reviewed the matter again and directed staff to amend the sections in question. The Committee also asked that the Town's legal counsel review the proposed changes to the bereavement leave section.

Findings / Current Activity

Staff is comfortable that Section 605 Military Leave conforms to the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

Section 309 Bereavement Leave as reviewed by legal and the attached Section 309 language reflect counsel's advice.

Additionally, staff has also made changes to Section 502 Work Schedules to clarify work week and work periods and Section 507 Overtime time clarify language regarding authorization and integrate changes to Section 502.

Financial Considerations

In general, the proposed changes have no fiscal component beyond exposure to suit if policies are not accurate and clear.

The financial aspects of the implementation of the change to Section 305 regarding the use/banking/payout of holiday time should be discussed.

Schedule/Deadlines

No deadline has been established for completion of this task but given that Section 305 clarifies holiday pay and holiday leave accrual, it would be helpful to have the clarification in place prior to the holiday season.

Other Considerations

None identified

Attachments

- Amended Employee Handbook sections

Recommendation

Approve the attached amendments to the Employee Handbook.

Sample Motion

I move that the Town Council approve the attached amendments to the Employee Handbook and that the changes become effective immediately.



Town of Berryville

Employee Handbook

103 Equal Employment Opportunity

Effective Date: 10/23/2018

Revision Date: 11/7/2019

Before new position vacancies are filled a personnel requisition will be prepared and approved by the Town Manager.

The selection process for open positions may include oral interviews; reference, post-offer criminal background and driving record checks; evaluation of training and experience; psychological testing; and physical examination (including drug testing).

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the Town of Berryville will be based on merit, qualifications, and abilities. The Town of Berryville does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

The Town of Berryville will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Town Manager. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.



Town of Berryville

Employee Handbook

188 Drivers Policy

Effective Date: 1/1/2014

Revision Date: 11/7/2019

The Town of Berryville expects employees to operate town-owned vehicles in a safe, legal and professional manner at all times. ~~Drivers~~ **Employees** convicted of moving violations jeopardize their livelihood and the town's safety standards. All ~~drivers~~ **employees operating town-owned vehicles** are expected to maintain an acceptable driving record. Moving violations include speeding, improper lane changes, driving too fast for conditions, following too close, failure to yield, etc.

Motor Vehicle Records (MVRs) will be obtained annually, by the Town, after authorization is received from the employee. **Employees that are licensed in states other than Virginia are required to provide their driving record annually and submit a request for reimbursement for the driving record.** The Town Manager will review the MVRs to assure that town safety standards regarding driving are upheld.

The Town of Berryville believes that our employees are our most valuable assets and the success of the town is determined by the quality of our employees and their actions. The Town of Berryville is committed to retaining the most qualified employees and that extends to driving privileges.



Town of Berryville

Employee Handbook

205 Introductory Period

Effective Date: 10/23/2018

Revision Date: 11/7/2019

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Town of Berryville uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the Town of Berryville may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice. There is no appeal provided an employee who is released during the introductory period except in cases of discrimination based on race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

The following applies to all departments except the Police Department (see Police Department Policies below):

All new and rehired employees work on an introductory basis for the first 180 calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If the Town of Berryville determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a period not to exceed 42 calendar days.

Upon satisfactory completion of the introductory period, employees enter the "regular" employment classification.

Introductory employees are not eligible ~~to use leave-Paid Time Off (PTO)~~ or merit ~~to receive~~ pay increases during the introductory period. Under certain circumstances, the Town Manager may grant ~~leave-PTO~~ during this period. Any such ~~leave-PTO~~ will be applied against ~~leave-PTO~~ earned or will be deemed ~~leave~~ time off without pay.

Upon successful completion of the introductory period, credit is allowed for ~~leave~~ PTO earned during the first 180 days of employment.

During the introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other Town of Berryville provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.

Police Department Policies

All new and rehired employees work on an introductory basis for the first 360 calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence.



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Upon satisfactory completion of the introductory period as evidenced by a satisfactory performance appraisal, employees enter the "regular" employment classification.

Introductory employees are not eligible to use leave-Paid Time Off (PTO) or merit to receive pay increases during the first 180 days of the introductory period. Under certain circumstances, the Town Manager may grant leave-PTO during this period. Any such leave-PTO will be applied against leave PTO earned or will be deemed leave-time off without pay.

Upon successful completion of 180 days of the introductory period, credit is allowed for leave PTO earned during the first 180 days of employment.

During the introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other Town of Berryville provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.



Town of Berryville

Employee Handbook

210 Job Descriptions

Effective Date: 1/1/2014

Revision Date: 11/7/2019

The Town of Berryville makes every effort to create and maintain accurate job descriptions for all positions within the town. A job description for each position shall be maintained in the Office of Administration. The Town Manager shall make all assignments of positions based on the duties and responsibilities as described in that position's job description. Each potential employee shall be given a copy of the job description that corresponds to their desired position prior to acceptance of that position and employment with the Town of Berryville.

For the purpose of this section, a potential employee is an applicant that is seriously considered for a position with the Town. Positions and their related job descriptions may be added, deleted, and/or changed as determined necessary by the Town Manager.

The Town of Berryville maintains job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

Department Heads shall be responsible for bringing to the attention of the Town Manager any material change in the nature of duties, responsibilities, working conditions or other factors affecting any position and/or related job description. Following receipt of such information the Town Manager shall determine if the job description should be changed; **any updates shall be signed by employee and placed in the employee file.**

The Town Manager prepares job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up to date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees will be expected to help ensure that their job descriptions are accurate and current, reflecting the work being done; **any updates shall be signed by employee and placed in the employee file.**

Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Contact the Assistant Town Manager for Finance and Administration if you have any questions or concerns about your job description.



Town of Berryville

Employee Handbook

303 Annual Leave

Effective Date: 1/1/2014

Revision Date: 11/7/2019

Refer to Section 315 Paid Time Off

Annual Leave with pay is available to eligible employees to provide opportunities for rest, relaxation, personal pursuits, and for periods of temporary absence due to illnesses or injuries. Eligible employees classification(s):

- Regular full-time employees -

The amount of paid annual leave employees receive each year increases with the length of their employment as shown in the following schedule:

Upon initial eligibility the employee is entitled to 18.75 paid leave days each year, accrued monthly at a rate of 12.5 hours. -

- After 5 years of eligible service the employee is entitled to 21.75 paid leave days each year, accrued monthly at the rate of 14.5 hours. -
- After 10 years of eligible service the employee is entitled to 24.75 paid leave days each year, accrued monthly at the rate of 16.5 hours. -
- After 15 years of eligible service the employee is entitled to 30.75 paid leave days each year, accrued monthly at the rate of 20.5 hours. -

Eligible employees will accrue annual leave benefits at the rate noted above (accrued equally per pay period). No annual leave will be accrued for service less than a full pay period.

Length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee starts to earn paid leave. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Once employees enter an eligible employment classification, they begin to earn annual leave according to the schedule. However, use of annual leave by introductory employees is limited. See Section 205 for more detailed information on these limitations.

Annual leave can be used in minimum increments of one-half hour. -

For scheduled use of annual leave (including vacation, planned days off, and scheduled medical appointments) employees must request, and receive, advanced approval from their supervisor and the Town Manager. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.



Town of Berryville

Employee Handbook

For unscheduled use of annual leave (including emergencies, illnesses, or injuries), employees must make every effort to notify their direct supervisor at least 2 hours before the scheduled start of the employee's workday. In no case may such notification of employee's direct supervisor occur less than 30 minutes before the scheduled start of employee's workday. The direct supervisor must also be contacted on each additional day of absence. Employees must consult with their direct supervisor to determine how to contact them when unscheduled leave needs to be taken.

Annual leave is paid at the employee's base pay rate at the time the leave is used. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

Employees are encouraged to utilize their available annual leave in a manner that provides for rest, relaxation, and personal pursuits while providing for sufficient leave to be used for medical and emergency need. In the event that available annual leave is not used by the end of the benefit year, employees may carry unused time forward to the next calendar year. If the total amount of unused annual leave reaches a "cap" of 320 hours, further accrual will stop. When the employee uses annual leave and brings the available amount below the cap, annual leave accrual will begin again.

Annual leave may be used, at the option of the employee, to provide paid absences for vacation and other purposes (including sickness), or for absences in excess of the credit available for other kinds of leave.

Annual leave, as nearly as possible within the requirements of public service, business needs and staffing constraints, is allowed at the convenience of the employee. However, before taking annual leave the employee must have approval of his/her immediate supervisor and the Town Manager. For scheduled use of annual leave, a Request for Leave form must be submitted at least one work day in advance for each day of leave requested. For unscheduled use of annual leave, employee must contact their immediate supervisor as herein directed. Upon return to work from unscheduled use of annual leave, employee must document used leave on appropriate pay period leave report.

Upon termination of employment, employees will be paid for unused annual leave through the last day of work.



Town of Berryville

Employee Handbook

305 Holidays

Effective Date: 10/23/2018

Revision Date: 11/7/2019

The Town of Berryville will grant holiday time off to all employees on the holidays listed below:

- New Year's Day (January 1)
- Lee-Jackson Day (second Friday in January)
- Martin Luther King, Jr. Day (third Monday in January)
- Presidents' Day (third Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Columbus Day (second Monday in October)
- Veterans' Day (November 11)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving
- Christmas (December 25)

Scenario		Department			
		Administration	Public Works	Utilities	Police
Holiday Worked	Hours worked Holiday Compensation	Regular Pay + 8 Hrs. Paid	Regular Pay + 8 Hrs. Paid	Regular Pay + 8 Hrs. Accrued	Regular Pay + 8 Hrs. Accrued
Holiday NOT Worked	No Regular Pay or Accrual Holiday Compensation	None 8 Hrs. Paid	None 8 Hrs. Paid	None 8 Hrs. Paid	None 8 Hrs. Accrued
Christmas/New Years Worked	Hours worked Holiday Compensation	Regular Pay + 8 Hrs. Paid	Regular Pay + 8 Hrs. Paid	Regular Pay + 8 Hrs. Paid	Paid 2x's reg.
Christmas/New Years NOT Worked	No Regular Pay or Accrual Holiday Compensation	None 8 Hrs. Paid	None 8 Hrs. Paid	None 8 Hrs. Paid	None 8 Hrs. Accrued

Note: - Please see handbook section 502 "Work Schedules" and section 507 "Overtime" for definition and parameters of Regular Pay.



Town of Berryville

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In addition, any other day so declared by the President, Governor of Virginia, or the Town Council provided that, any declaration made by the President or Governor within 15 days of the holiday to be observed must be approved by either the Town Council or the Town Manager.

The Town of Berryville will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate times ~~the number of hours the employee would otherwise have worked on that day~~ eight (8) work hours. Eligible employee classification(s):

- Introductory employees
- Regular full-time employees

~~To be eligible for holiday pay, employees must work the last scheduled day immediately preceding and the first scheduled day immediately following the holiday.~~

If the nature of services of a department requires that department operate on a holiday, alternative plans for providing an equal number of holidays (i.e. holiday time) to employees of the department shall be authorized by the Town Manager.

Eligible non-exempt employees who, due to a work schedule of a continuous operation, are unable to observe any of the above scheduled holidays and holiday time is not granted, are eligible for pay for overtime work at a rate of twice their regular hourly or equivalent hourly rate. This provision for holiday overtime pay shall apply to employees who, due to the nature of services of the employee's department, are requested to work on a schedule holiday by the department head and holiday time is not granted; with approval of the Town Manager.

Exempt employees will accrue compensatory time for holidays worked at the direction of the Town Manager.

A recognized holiday that falls on a Saturday will be observed the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (i.e. paid medical leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

~~Paid time off for holidays will be counted as hours worked for the purposes of determining whether overtime pay is owed.~~

Holiday time must be used within the twelve-month period in which holiday time was earned, not to exceed the holiday leave cap of 96 hours. However, when deemed necessary and authorized by the Town Manager, an exception to the holiday leave cap may be allowed and must be reported to Town Council.



Town of Berryville

Employee Handbook

306 Workers' Compensation Insurance

Effective Date: 10/23/2018

Revision Date: 11/7/2019

The Town of Berryville provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

An employee incapacitated by injury or illness as defined by the Workers' Compensation Act shall be entitled to the leave and benefits provided by that Act.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

An employee has the right to elect continued health insurance coverage, for himself or herself and his or her dependents, during periods of leave because of any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. For periods of up to 30 days, the employer can require the person to pay only the normal employee share, if any, of the cost of such coverage. For longer leave, the employer is permitted to charge the person up to 100 percent of the entire premium for the employee.

Neither the Town of Berryville nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the Town of Berryville.



Town of Berryville

Employee Handbook

309 Bereavement Leave

Effective Date: 10/23/2018

Revision Date: 11/7/2019

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

Bereavement leave will be provided to eligible employees in the following classification(s):

- Regular full-time employees

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their supervisors' approval, use any available paid leave for additional time off as necessary.

Bereavement leave will be granted as follows:

Spouse, Children, Parents: **32 hours**

Brothers or Sisters: **16 hours**

Mother-in-law or Father-in-law: **16 hours**

Grandparents, grandchildren, uncles, aunts, nephews, nieces (only when blood relative): **8 hours**

Fiance or Fiancee: **8 hours**

Upon approval of the Town Manager, special consideration may also be given to any other person whose association with the employee was similar to any of the above relationships.



Town of Berryville

Employee Handbook

315 Paid Time Off (PTO)

Effective Date: 10/23/2018

Revision Date: 11/7/2019

Paid Time Off (PTO) is an all purpose time-off policy for eligible employees to use for vacation, illness or injury, and personal business. It combines traditional vacation and sick leave plans into one flexible, paid time-off policy. Employees in the following employment classification(s) are eligible to earn and use PTO as described in this policy:

*** Introductory employees**

*** Regular full-time employees**

Once employees enter an eligible employment classification, they begin to earn PTO according to the schedule below. However, before PTO can be used, a waiting period of 180 calendar days must be completed. After that time, employees can request use of earned PTO including that accrued during the waiting period.

The amount of PTO employees receive each year increases with the length of their employment as shown in the following schedule:

***Upon initial eligibility, the employee is entitled to 18.75 PTO days each year, accrued monthly at the rate of 12.5 hours.**

***After 5 years of eligible service, the employee is entitled to 21.75 PTO days each year, accrued monthly at the rate of 14.5 hours.**

***After 10 years of eligible service, the employee is entitled to 24.75 PTO days each year, accrued monthly at the rate of 16.5 hours.**

***After 15 years of eligible service, the employee is entitled to 30.75 PTO days each year, accrued monthly at the rate of 20.5 hours.**

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee starts to earn PTO. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

PTO can be used in minimum increments of one-half hour.

For scheduled use of PTO (including vacation, planned days off, and scheduled medical appointments) employees must request and receive advanced approval from their supervisor. Requests will be reviewed based on a number of factors, including business needs and staffing



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requirements.

For unscheduled use of PTO (including emergencies, illnesses, or injuries), employees must make every effort to notify their direct supervisor at least 2 hours before the scheduled start of the employee's workday. In no case may such notification of employee's direct supervisor occur less than 30 minutes before the scheduled start of employee's workday. The direct supervisor must also be contacted on each additional day of absence. Employees must consult with their direct supervisor to determine how to contact them when unscheduled leave needs to be taken.

PTO is paid at the employee's base pay rate at the time of absence. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

In the event that available PTO is not used by the end of the calendar year, employees may carry unused time forward to the next calendar year, not to exceed the "cap" of 320 hours. Employees will forfeit the unused PTO exceeding the "cap". The employee is responsible for monitoring their accrued PTO. The deadline for scheduling use or lose leave is November 30th.

PTO may be used, at the option of the employee, to provide paid absences for vacation and other purposes (including sickness), or for absences in excess of the credit available for other kinds of leave.

PTO, as nearly as possible within the requirements of public service, business needs and staffing constraints, is allowed at the convenience of the employee. However, before taking PTO the employee must have approval of his/her immediate supervisor and the Town Manager. For scheduled use of annual leave, a Request for Leave form must be submitted at least one work day in advance for each day of leave requested. For unscheduled use of PTO, employee must contact their immediate supervisor as herein directed. Upon return to work from unscheduled use of PTO, employee must document used leave on appropriate pay-period leave report.

Upon termination of employment, employees will be paid for unused PTO that has been earned through the last day of work.



Town of Berryville

Employee Handbook

322 Compensatory Leave

Effective Date: 10/23/2018

Revision Date: 11/7/2019

As of January 1, 1986, compensatory leave may be granted to exempt employees on the basis of one and one-half hour for each hour worked in addition to the regular work period. Such time will be credited only if the work is requested and authorized by the Town Manager.

Compensatory leave records will be maintained by the Assistant Town Manager for Finance and Administration. In no case shall an employee keep his/her compensatory time record. Such record shall be maintained on the basis of first earned - first used.

Compensatory leave credits may at no time exceed 30 days (240 hours) and must be used within 12 months following the date on which the leave was earned. Employees will be compensated for compensatory time over 240 hours at their regular pay rate. Upon termination of employment compensatory time is paid at the regular pay rate.

Compensatory leave in excess of 240 hours will be paid out annually on December 1st.



Town of Berryville

Employee Handbook

502 Work Schedules

Effective Date: 1/1/2014

Revision Date: 11/7/2019

With the exception of employees of the ~~Department of Public Works~~, Department of Public Utilities and Department of Police, the work period week for regular full-time employees shall be forty (40) hours per week, Monday through Friday.

The work week for regular full-time employees of the Department of Public Utilities shall be forty (40) hours per week, Friday 22:00 through Friday 22:00.

The work period for regular full-time sworn non-exempt employees of the Department of Police shall be eighty (80) hours in a fourteen (14) day period Saturday through Friday.

Hours of work, work schedules, and overtime policies will vary based on the nature of the job. Overtime policies are established in Section 507 of this Handbook. The Town Manager, with the approval of the Town Council, will establish such policies.

Certain personnel may be required to regularly serve on an on-call status. These employees may be required to carry a mobile communications device and will be required to report to work after hours, on weekends, and on holidays to perform emergency work.

~~Public Works personnel~~ Employees of the Department of Public Works may be required to work alternating day and night shifts for the purpose of snow removal.



Town of Berryville

Employee Handbook

507 Overtime

Effective Date: 1/1/2014

Revision Date: 11/7/2019

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided.

All overtime work must receive the supervisor's prior authorization. Ideally, all overtime work must be approved by employee's supervisor in advance; however, the Town recognizes that certain emergency conditions, scheduling, or exigent circumstances may warrant an employee making the decision to work overtime without prior permission. Overtime must be approved in advance unless the conditions referenced above warrant overtime in order to provide essential services of the Town. When prior permission has not been received, when reasonably able to do so, the employee must advise a supervisor of the overtime. If the overtime in question is deemed as unwarranted or unnecessary, the employee will be paid for the time worked but may be subject to disciplinary action.

Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour restrictions. ~~Overtime pay is based on actual hours worked.~~

Overtime compensation is based on actual hours worked in excess of those established in section 502 (Work Schedules) of this handbook as a work week, or work period in the case of sworn non-exempt employees of the Department of Police. Hours used for leave, including holiday, bereavement, civil, and paid time off will not be considered actual hours worked for the purpose of calculating overtime compensation.

~~Non-exempt employees called in outside of a regular work shift will be paid overtime pay.~~



Town of Berryville

Employee Handbook

603 Personal Leave (Leave without pay)

Effective Date: 1/1/2014

Revision Date: 11/7/2019

The Town of Berryville provides leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classification(s) are eligible to request personal leave as described in this policy:

- Regular full-time employees

As soon as eligible employees become aware of the need for a personal leave of absence, they should request a leave from their supervisor. Final approval of any Personal Leave is at the sole discretion of the Town Manager.

Personal leave may be granted for a period of up to 30 calendar days every 5 years. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 14 calendar days. Employee will be required to first use any accrued paid leave time before taking unpaid personal leave.

Requests for personal leave will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be provided by the Town of Berryville for the first 30 calendar days after the approved personal leave begins. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from personal leave, benefits will again be provided by the Town of Berryville according to the applicable plans **an employee has the right to elect continued health insurance coverage, for himself and his or her dependents. For periods of up to 30 days, the employer can require the person to pay only the normal employee share, if any, of the cost of such coverage. For leave more than 30 days, the employer will charge the person up to 100 percent of the entire premium.**

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, the Town of Berryville cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the expiration of the approved leave period, the Town of Berryville will assume the employee has resigned.



Town of Berryville

Employee Handbook

605 Military Leave

Effective Date: 1/1/2014

Revision Date: 11/7/2019

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

The leave will be unpaid. However, employees may use any available paid time off for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible. **An employee has the right to elect continued health insurance, for himself or herself and his or her dependents. For periods of up to 30 days, the employer will require the person to pay only the normal employee share, if any, of the cost of such coverage. For longer leave, the employer will charge the person up to 100 percent of the entire premium.**

Annual leave and holiday benefits will continue to accrue during a military leave of absence.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the Assistant Town Manager for Finance and Administration for more information or questions about military leave.

For policies related to National Guard Service, please refer to Section 311 Civil Leave.

New Business

Town Council Agenda Item Report Summary

November 12, 2019

Item Title

Appointment of Mary Serock to the Berryville Architectural Review Board

Prepared By

Christy Dunkle

Background/History/General Information

Ms. Serock has been a resident of Berryville for six years. Owning a house in the local historic district and wanting to volunteer her services to the community have prompted Ms. Serock to interview for the open seat.

Findings / Current Activity

Ms. Serock has previous experience on a historical site commission which tasked its members with review and approval of architectural-related requests. She is a member of the Winchester-Clarke County Garden Club and was formerly the Board secretary for the Loudoun Academy of Arts Foundation.

Financial Considerations

N/A

Schedule/Deadlines

The term for Ms. Serock's appointment will extend through June of 2021. This timeframe reflects the unexpired term of Gene Williamson who has resigned from the Board.

Other Considerations

N/A

Attachments

N/A

Recommendation

Appoint Mary Serock to serve on the Berryville Architectural Review Board.

Sample Motion

I move that the Council of the Town of Berryville appoint Mary Serock to the Berryville Architectural Review Board through June 30, 2021.

Town Council Agenda Item Report Summary

November 12, 2019

Item Title

Appointment,of Derek Sprincis to the Berryville Tree Board

Prepared By

Christy Dunkle

Background/History/General Information

Mr. Sprincis is interested in becoming a member of the Berryville Tree Board. He is a senior at Clarke County High School and has completed course work in environmental science and agriculture.

Findings / Current Activity

Mr. Sprincis has been involved with Boy Scouts of America Troop 34 as an Eagle Scout and Junior Assistant Scoutmaster. He acts as the chief of the Mt. Vista Governor's School Local Policy Club and captain of the Clarke County High School Swim Team.

Financial Considerations

N/A

Schedule/Deadlines

One seat on the Tree Board has been open for number of months. Staff recommends making a determination for appointment at this meeting.

Other Considerations

N/A

Attachments

N/A

Recommendation

Appoint Derek Sprincis to serve on the Berryville Tree Board.

Sample Motion

I move that the Council of the Town of Berryville appoint Derek Sprincis to the Berryville Tree Board for a four year term ending on December 30, 2023.

Town Council Agenda Item Report Summary

November 12, 2019

Item Title

Street Sign Specifications Town of Berryville Construction Standards and Specifications Manual

Prepared By

Christy Dunkle and Chief Neal White

Background/History/General Information

The Town of Berryville Construction Standards and Specifications Manual establishes regulations for design and construction of public facilities being built for dedication to the Town of Berryville. Modifications to Section 10 Work on State Highways & Town Streets are included in this staff report which establish street sign specifications. Signage includes public and private street name signs and those signs used for enforcement and warnings. Updates are proposed for the materials specification supplement included with this report.

Findings / Current Activity

Police, Public Works, Planning, and Administrative staff have been discussing the need for consistent street signage in the Town. With several new subdivisions coming online within the next year, staff is recommending the modified Chapter 10 of the Construction Standards and Specifications Manual included in this report. Identified in bold in the attached draft, proposed changes include the addition of regulations for street signage (e.g., letting sizes, sign color and size, lettering specifications); mounting requirements; and other applicable signage specifications.

Financial Considerations

Costs for replacement of existing signs have not been determined. Developers are responsible for providing and installing street signage upon development of the respective subdivision. Budgeting and replacement of existing signage should occur over several years.

Schedule/Deadlines

The Streets and Utilities Committee reviewed the request at their October 22, 2019 meeting and recommended the update and the review of full Council. Staff is recommending that Council approve the changes to the Construction Standards and Specifications manual at the meeting.

Attachments

- Draft Section 10 Work on State Highway and Town Streets
- Draft street signage materials specifications
- PowerPoint presentation

Recommendation

Adopt as presented.

Sample Motion

I move that the Council of the Town of Berryville adopt the attached changes to the Construction Standards and Specifications manual concerning street signage.

Town of Berryville Construction Standards and Specifications - April 2015
Section 10 * Work on State Highways & Town Streets

Section 10

Work on State Highways

I. General

- A. The Virginia Department of Transportation (VDOT) maintains primary roadways (Business Route 7 and US 340) within the Town of Berryville Corporate Limits.
- B. The Contractor shall assume all responsibility for fulfilling any and all requirements specified herein and under the permit(s) obtained from the VDOT for work to be performed on state highways.
- C. All applicable provisions as established by the "Land Use Permit Manual, Commonwealth of Virginia - Department of Highways and Transportation, Richmond, Virginia; 1983," and subsequent revisions thereto, shall apply to this work, including provisions for revocation of permit.
- D. All work done under this permit within the road right-of-way shall, in all respects including location, alignment, elevation and grade, manner of performing the work; highway crossings; restoration and conditions; etc., be subject to VDOT direction and shall be done to the satisfaction of the Department.

Work on Town Streets

II. General

- A. The Town of Berryville maintains public secondary streets within the Corporate Limits. **Proposed secondary streets located within Annexation Area B will also comply with regulations established by these standards and specifications once development occurs.**
- B. The Contractor shall assume all responsibility for fulfilling any and all requirements specified herein and under the permit(s) obtained from the Town of Berryville for work to be performed on Town street rights-of-way.
- C. All applicable provisions as established by the "Land Use Permit Manual, Commonwealth of Virginia - Department of Highways and Transportation, Richmond, Virginia; 1983," and subsequent revisions thereto, shall apply to this work, including provisions for revocation of permit.
- D. All work done under this permit within the street right-of-way shall, in all respects including location, alignment, elevation and grade; manner of performing the work; highway crossings; restoration and conditions; **installation of street name signs**; etc., be subject to Town of Berryville Department of Public Works direction and shall be done to the satisfaction of the Department.

III. Street Name Sign Specifications

A. Panel / Plaque Standards

- a. Street name signs will conform with guidelines established by the Manual of Uniform Traffic Control Devices (MUTCD) and associated manuals or papers referenced within the MUTCD. These documents will be reviewed on a routine basis to ensure this standard and specifications are aligned.
- b. The standard street name sign shall be the MUTCD D3-1 series with a green background, rounded corners with a white border and lettering. The shade of green for the background shall be reflective 3M green or an approved equivalent. The private street name sign shall be the MUTCD D3-1 series with a brown background, rounded corners with a white border and lettering. The shade of brown for the background shall be reflective 3M 3430 GP3430 brown or an approved equivalent.
- c. All signs will be constructed from flat aluminum sheet material with a thickness of 0.80" and will comply with retroreflective standards established in the MUTCD (sec. 2A.07).
- d. The standard post mounted street name sign shall measure 6" vertically. Street name signs mounted overhead shall measure 24" vertically.

B. Lettering

- a. Signs shall be lettering utilizing Series D 2000 as illustrated in the Standard Alphabets for Traffic Control Devices as published by the Federal Highway Administration (2000).
- b. For the standard post mounted sign, uppercase letters will be 4" in height with lower case letters being 3" in height. Overhead mounted signs will utilize uppercase letters 12" in height and lower case letters 9" in height.
- c. Street name lettering will begin with an uppercase letter followed by lower case.
- d. All directional prefixes will be a single uppercase letter. As an example, East Main Street would be designated as E Main St.

Town of Berryville Construction Standards and Specifications - April 2015
Section 10 * Work on State Highways & Town Streets

- e. All roadway suffix designations will be standard abbreviations with the first letter capitalized followed by lower case letters.
- f. Letter spacing requirements will follow the Series D 2000 Standard Alphabets Spacing Chart (Standard Alphabets for Traffic Control Devices).

C. Mounting

- a. Post mounted signs shall utilize a 2" square sign post made of 14 gauge aluminum with a FHWA approved breakaway support system conforming to ASSHTO standards and specifications for highway signs. The sign post for street name signs shall be gray in color.
- b. Overhead mounted signs shall comply with standards established by ASSHTO in Specifications for Structural Supports of Highway Signs, Luminaries, and Traffic Signals.
- c. For signs located in areas where pedestrian movements are likely to occur or where on-street parking is permitted, the height of the lowest portion of the sign panel to the finished surface shall have a minimum clearance of 7' and maximum clearance of 8'. The Director of Public Works may approve a modification to the maximum clearance height if conditions exist to necessitate a deviation.
- d. Unless otherwise approved by the engineer, the lateral clearance to the sign shall be a minimum of 2" from the face of curb or 4' from face of barrier if present.
- e. Post mounted signs will be attached to the top of the post using a 5.6" sign slot bracket, 5.6" sign T slot bracket and set screws. Additional information concerning the hardware specifications can be found in the Materials Specifications section of this document.

IV. Other Street Sign Specifications

A. Plaques

- a. All other required highway signs will follow the standards and requirements established within the MUTCD.

B. Mounting

- a. Mounting materials shall be the same as defined in sec. 10 III C, with the following exceptions:

Town of Berryville Construction Standards and Specifications - April 2015
Section 10 * Work on State Highways & Town Streets

- i. Enforcement and warning signs will utilize a post yellow in color.
 - ii. Stop signs will utilize the yellow post and additional red retroreflective tape attached to the post in accordance with section 2A.21(04) of the MUTCD.
- b. Overhead mounted signs shall comply with standards established by ASSHTO in Specifications for Structural Supports of Highway Signs, Luminaries, and Traffic Signals.
 - c. For signs located in areas where pedestrian movements are likely to occur or on street parking is permitted, the height of the lowest portion of the sign panel to the finished surface shall have a minimum clearance of 7' and maximum clearance of 8'. The Director of Public Works may approve a modification to the maximum clearance height if conditions exist to necessitate a deviation.
 - d. Unless otherwise approved by the engineer, the lateral clearance to the sign shall be a minimum of 2" from the face of curb or 4' from face of barrier if present.
 - e. No post will extend vertically over the posted sign or plaque greater than 6". All square posts will be capped with a pyramid style rain cap in a color matching the post.

DRAFT

Town of Berryville Construction Standards and Specifications - April 2015
Section 10 * Work on State Highways & Town Streets

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DRAFT

STREET SIGNAGE * October 2019

DRAFT

Items for Street Signage	Manufacturer	Model #	Specifications
Standard public street name sign	N/A	N/A	MUTCD D3-1 3M Green background, white letters white rounded corners
Standard private street name sign	N/A	N/A	MUTCD D3-1 3M3430EGP3430 brown background, white letters white rounded corners
Perforated traffic post	Trinity Highway	SQR-LOC	2" square 14 gauge Aluminum, FHWA approved breakaway support
Enforcement and warning sign posts	N/A	N/A	2" square 14 gauge galvanized yellow post
Sign slot hardware	N/A	N/A	Standard sign 5.6" sign slot
Sign T slot hardware	N/A	N/A	5.6" t slot

STREET SIGN SPECIFICATIONS

TOWN OF BERRYVILLE
CONSTRUCTION STANDARDS AND
SPECIFICATIONS

STREET SIGN SPECIFICATIONS

- There are numerous street signs in Town that do not meet current standards. Further, while the Town has utilized a standard color/design standard, a variety of mounting hardware and sign color shades have been utilized over the years.
- Staff has developed amendments to Chapter 10 of the Town's *Construction Standards and Specifications* to establish specific sign standards in order to ensure conformance with the Manual of Uniform Traffic Control Device (MUTCD) guidelines.
- If approved, the new sign standards would apply to new development and staff would propose the development of a plan to replace existing street signs.

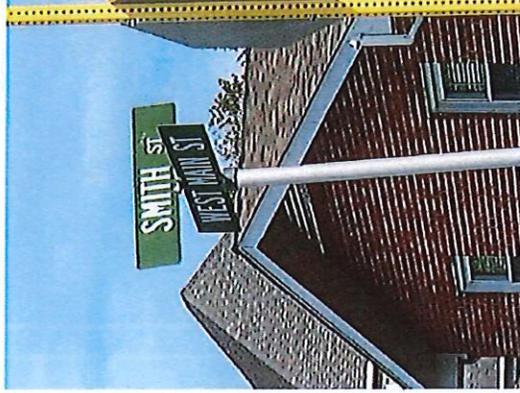
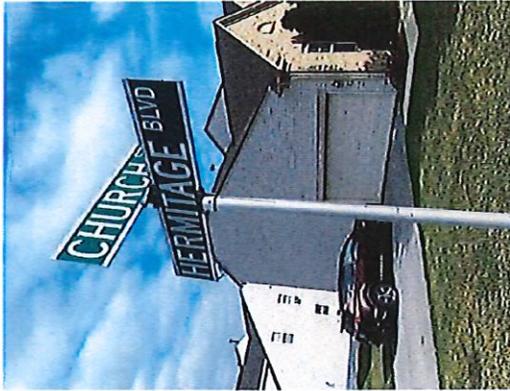
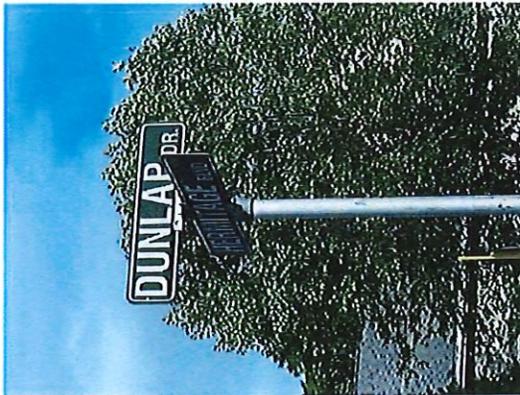
STREET SIGN SPECIFICATIONS

- Signage includes public and private street name signs and those signs used for enforcement and warnings.
- Proposed standards include the addition of regulations for street signage (e.g., size of letters and font specifications; use of reflective material; color); mounting requirements; and other applicable signage specifications.

STREET SIGN SPECIFICATIONS

- All signs conform to guidelines established in the MUTCD
- Public street signs will remain green and private street names shall remain brown
- Standard street signs shall measure 6" high and 24" long
- Upper and lower case letters are recommended
- Upper case letters shall be 4" high, lower case letters shall be 3" high on standard street signs
- Overhead mounted signs will utilize 12" upper case letters and 9" lower case letters
- Signs would be mounted on square perforated traffic posts with break away support systems.

EXISTING STREET SIGNAGE EXAMPLES





PROPOSED STREET SIGN SPECIFICATIONS



Council Member Reports

Staff Reports

**Report of the Department of Public Works
November 5, 2019**

As I mentioned in last month's report we are in the process of getting our snow removal equipment approved by VDOT. The new AVL devices have been installed and activated. All our snow removal equipment has been serviced and repaired as needed, and ready for the first winter event when it comes our way.

Our water meter setter survey inspection was conducted last month and identified some maintenance issues that required replacing the setter's in several areas throughout our water distribution system. Letters were sent out to inform property owners about the replacement project and provided a time frame for completion.

As the holiday season is fast approaching us we are busy getting the Christmas wreaths and lighting ready for display. Weather permitting we have scheduled the bucket truck for the week of November the 18th for decorating the tree in Park. We will be decorating the light poles and the gazebo in Rose Hill the week of December second.

We had no water breaks or sewer related issues during the past month.

Memo

To: Town Council
From: David Tyrrell
Date: November 5, 2019
Re: October 2019 Operations Report

The water treatment plant complies for October 2019 with its monthly parameters per data available to date. We sent 10.494 MG of water to the distribution system with an average of 0.404 MGD produced on days we operated and a daily max of 0.525 MG.

Suez has contacted me about the 3MG mixer and believe it is the mixer itself and not the controls in need of replacement. They are on site today November 5 replacing the mixer.

Repair work to the WTP building has begun with reinforcing of the structural members, enclosing some openings which have formed in the metal structure, installation of an additional exhaust fan and louvers, and replacement of most of the skylights with roofing panels now completed. This work is expected to be fully completed early in November.

We have cleaned the river vault, cleaned out the presedimentation tanks, and had solids removed from the lagoons by our permitted hauler. We have also taken down the exhaust fan for the carbon room, cleaned it up, and have ordered a new motor to get this unit back into service.

As a part of cleaning the presedimentation basins, we looked for the cause of a known leak in the tank. We found that the grouting between the sections of the precast concrete was gone in the area of the leak and a hole the size of a pencil had formed through the wall. This damage was not visible until we cleared some loose concrete from the inside of the tank exposing the issue. We have packed the opening with hydraulic cement in an attempt to patch the hole. There is still some minor seepage coming through the wall manifesting as a wet spot on the outside but the majority of the leak has been stopped for now.

Another problem was found when pumping out the solids from the lagoons. The liner in lagoon number 2 has started to separate at one of the seems and an opening about two feet in length has opened. We are looking for someone who can repair the lagoon

before returning it fully to service. CSI LLC is currently the only company I have found to give us a quote on this work and we are in the process of determining what the cost will be.

Drought Conditions: The river flow has continued to be below historical averages for most of October however the rains at the end of the month have brought levels up above the averages. The State of Virginia has lifted the State wide drought watch they had declared previously. The risk of drought has significantly subsided but levels continue to be watched.

The wastewater plant complies with its discharge permit for October per data received to date. We treated a total of 8.82 MG with a daily average of 0.28 MGD and a daily max of 0.36 MG.

The computer for the Membrane system which allows us to communicate with the PLC control system has failed. Currently we cannot communicate with or control our process. We have been working with Suez Zenon to make plant adjustments and to price a new system. We are going with a desk top computer instead of the current panel computer which is saving us a few thousand dollars. All software and programming are proprietary and can only come from Zenon. The total price of the computer, updated software, and licensing is \$9,003. The system has been ordered. As a note, this computer allows us to control our solids return rates, solids wasting rates, anything we do with or to the membranes, and provides the alarms to our SCADA system should something fail. At the moment we are only looking to get the system back up and running. However, I will be looking to develop some redundancy for this in the future. This computer and the PLC driving the system are the only items we do not have redundancy of some type in place.

The sewage pump set up in the North Lagoon has pumped the lagoon down to within 1.5 feet of bottom. We have pulled the pump from the lagoon opting to leave some water in as ballast for the membrane. We are in excellent shape should the need to store excessive influent occur.

The cleaning of AB #1 went well. We did find a small pile of grit settled at the end of the aeration basin which we removed with buckets and shovel. All diffusers were in good shape with our replacing only two units. We also found that the lower tension chain on the scum baffle had corroded away. We were able to get pictures of what was needed to repair the scum baffle and to replace the riser stem for the grit line valves in each aeration basin and ordered the needed parts in preparation for pumping down AB #2.

I have received and reviewed our draft permit for the WWTP. The new permit is effectively the same with one exception, we will now be required to run e-coli test on our effluent three days per week instead of the current one per week schedule. I did attempt to continue with the reduced monitoring we currently enjoy but the excessive rains experienced last year make us ineligible for the reduced monitoring. The new

testing schedule will begin on January 1 2020. Currently the permit is out for public comment and will be finalized in the coming weeks.

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. Please note that the information in the data reports is incomplete and has not been fully verified for state submittal at this time.

Berryville STP Monthly DMR Data

October 2019

Date	Effluent Flow		Eff pH	Eff Temp		Eff CBOD		Eff TSS		Effluent DO		Eff TKN	Eff NO2/ NO3	Eff TKN	Eff TKN KGD	Eff Total N
	MGD	SU		Deg C	mg/l	KGD	KGD	mg/l	KGD	mg/l	mg/l					
10/1/2019	0.32	7.3	24.4	2.00	2.44					7.8	7.9	1.19	0.89		1.45	2.08
10/2/2019	0.35	7.2	24.8	0.00	0.00					7.6	7.4					
10/3/2019	0.33	7.4	24.1	0.00	0.00					7.5	7.5	0.55	1.03	0.69		1.58
10/4/2019	0.32	7.3	25.1							7.9	7.3					
10/5/2019	0.31	6.9	24.0							8.2	8.2					
10/6/2019	0.32	7.2	24.0							7.5	7.0					
10/7/2019	0.36	7.4	33.7							7.6	8.4					
10/8/2019	0.35	7.3	23.5	0.00	0.00	0.00	0.00	0.00	0.00	7.8	7.5	1.06	0.75	1.42		1.81
10/9/2019	0.33	7.6	22.8	4.00	4.94					8.3	7.9					
10/10/2019	0.24	7.7	22.2	3.00	2.77					8.0	7.9	4.45	1.98	4.11		6.43
10/11/2019	0.24	7.4	22.1							7.5	7.8					
10/12/2019	0.23	7.4	22.3							7.6	7.6					
10/13/2019	0.23	7.5	22.2							7.8	7.5					
10/14/2019	0.25	7.3	22.7							8.0	7.7					
10/15/2019	0.25	7.6	22.1	2.00	1.91					7.2	7.9	0.90	1.38	0.86		2.28
10/16/2019	0.30	7.3	11.8	2.00	2.26					8.2	7.9					
10/17/2019	0.27	7.5	10.7	0.00	0.00					8.3	8.2	0.00	1.15	0.00		1.15
10/18/2019	0.25	7.4	20.5							9.0	8.3					
10/19/2019	0.24	7.5	20.9							8.5	8.4					
10/20/2019	0.26	7.5	20.8							7.7	7.3					
10/21/2019	0.25	7.5	21.7							8.3	7.0					
10/22/2019	0.34	7.4	21.2	0.00	0.00	0.00	0.00	0.00	0.00	7.9	8.0	0.69	2.70	0.87		3.39
10/23/2019	0.29	7.4	20.6	2.00	2.18					8.7	7.7					
10/24/2019	0.25	7.7	20.5	1.00	0.94					8.5	8.4	0.87	2.95	0.82		3.82
10/25/2019	0.25	7.2	20.7							8.4	7.4					
10/26/2019	0.22	7.4	21.3							8.1	7.8					
10/27/2019	0.31	7.5	21.7							8.8	8.4					
10/28/2019	0.28	7.5	21.5							8.5	7.7					
10/29/2019	0.25	7.4	20.9							8.7	8.4					
10/30/2019	0.26	7.4	21.3							8.5	7.8					
10/31/2019	0.35	7.5	21.5							8.1	7.2					
Minimum	0.22	6.9	10.7	0.00	0.00	0.00	0.00	0.00	0.00	7.2	7.0	0.00	0.75	0.00	0.00	1.15
Maximum	0.36	7.7	33.7	4.00	4.94					9.0	8.4	4.45	2.95	4.11		6.43
Total	8.82	229.5	677.6	16.00	17.44					250.5	241.4	9.71	12.83	10.22		22.54
Average	0.28	7.4	21.9	1.33	1.45					8.1	7.8	1.21	1.60	1.28		2.82
Geo Mean	0.28	7.4	21.5	1.55	1.61					8.1	7.8	1.1	1.43	1.17		2.45

Berryville STP Monthly DMR Data

October 2019

Date	Eff Total N		Eff Total P		Eff Total P		E-Coli No/100ml
	KG/D	mg/l	KG/D	mg/l	KG/D	KG/D	
10/1/2019	2.54	0.08	0.10		0.10		1
10/2/2019							
10/3/2019	1.99	0.08	0.10		0.10		
10/4/2019							
10/5/2019							
10/6/2019							
10/7/2019							
10/8/2019	2.42	0.13	0.17		0.17		1
10/9/2019							
10/10/2019	5.95	0.84	0.78		0.78		
10/11/2019							
10/12/2019							
10/13/2019							
10/14/2019							
10/15/2019	2.18	0.10	0.10		0.10		1
10/16/2019							
10/17/2019	1.18	0.08	0.08		0.08		
10/18/2019							
10/19/2019							
10/20/2019							
10/21/2019							
10/22/2019	4.31	0.27	0.34		0.34		1
10/23/2019							
10/24/2019	3.61	0.16	0.15		0.15		
10/25/2019							
10/26/2019							
10/27/2019							
10/28/2019							
10/29/2019							
10/30/2019							
10/31/2019							
Minimum	1.18	0.08	0.08		0.08		1
Maximum	5.95	0.84	0.78		0.78		1
Total	24.17	1.74	1.82		1.82		4
Average	3.02	0.22	0.23		0.23		1
Geo Mean	2.71	0.15	0.16		0.16		1



Berryville Biweekly InSight Report

Date: 10/18/2019

From: Jeny Chacko - SUEZ Water Technologies & Solutions
 To: David Tyrrell, Jeff Cappel - Town of Berryville
 cc: Shawn Addison, Al Farrell, Matthew Stapleford - SUEZ

System Equipment

4 × ZW trains, each 3 cassettes, 2x48/1x42 500D (surface area 46920 sq. ft. per train)

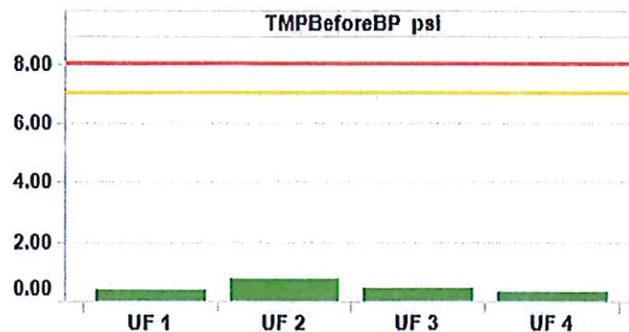
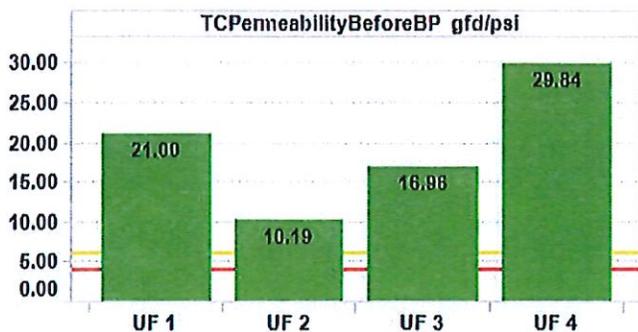
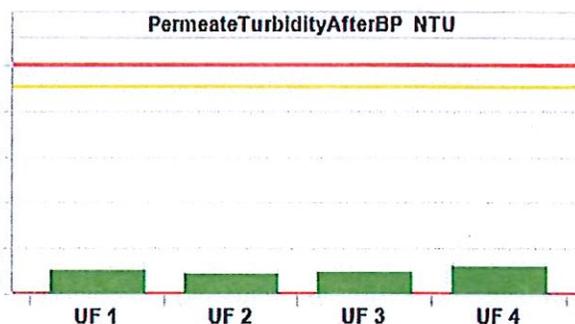
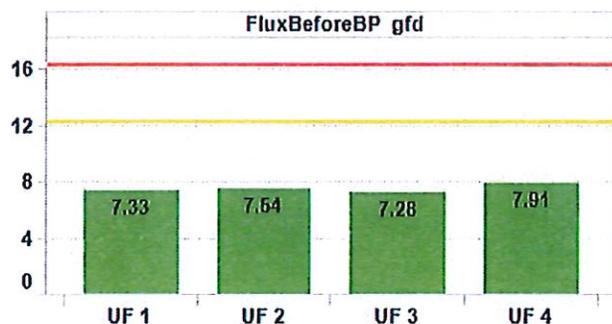
Cleaning Strategy

Maintenance clean dose concentrations - 2 NaOCl/ Hypo @ 200 ppm per week, 1 Citric acid @ 2000 ppm per week

Recovery clean soak concentrations - 2 NaOCl/ Hypo @ 1000 ppm per year, 2 Citric acid @ 2000 ppm per year

KPI Dashboard – Avg values through reporting period

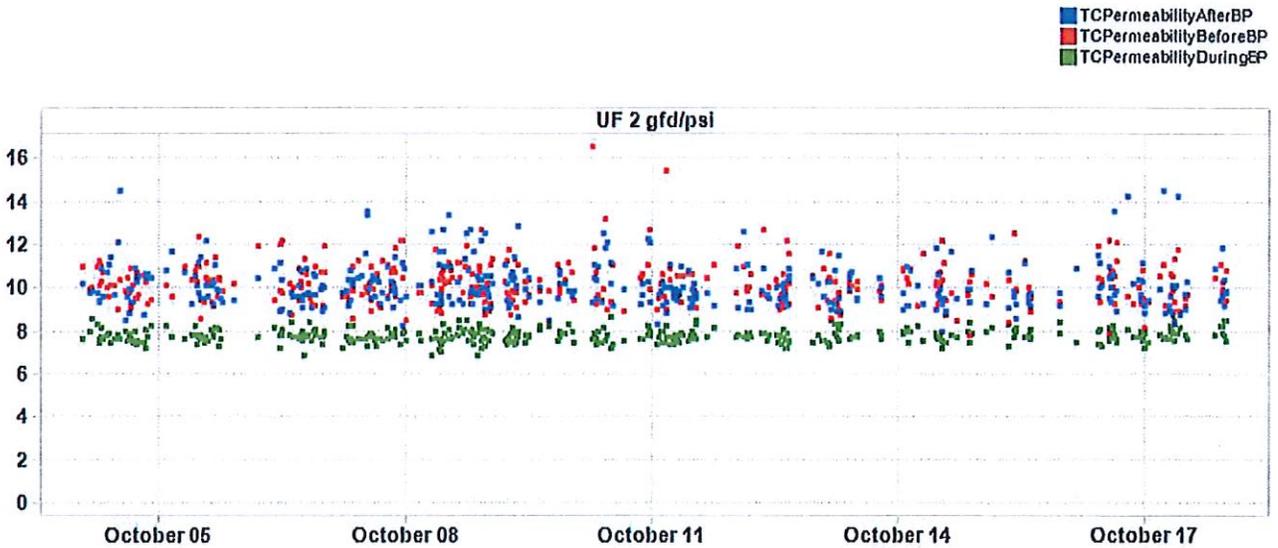
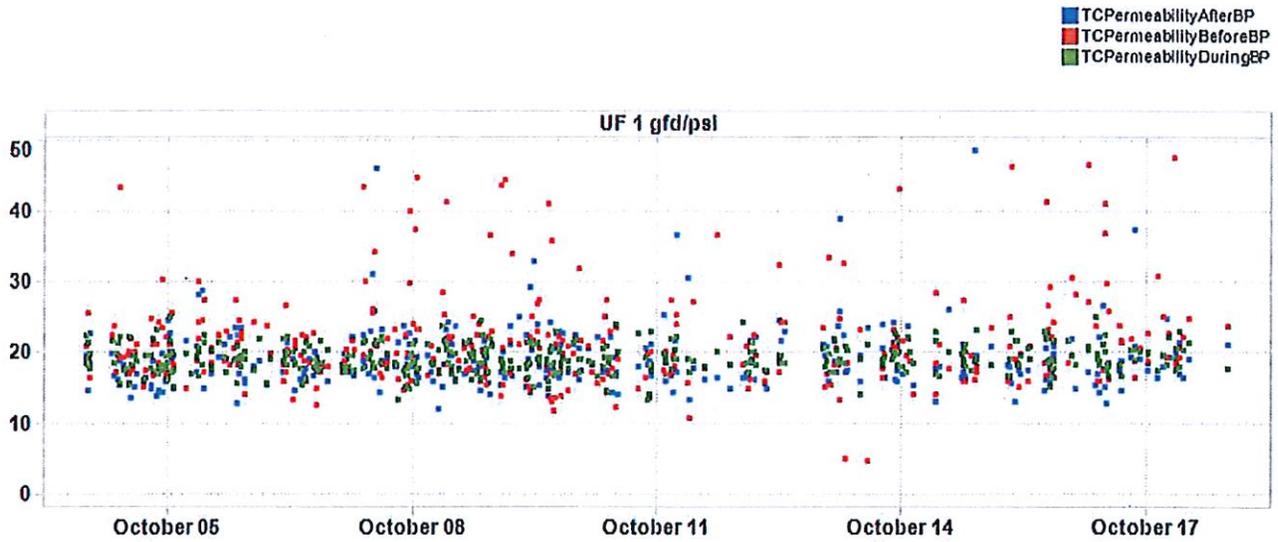
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■ Caution
■ No Limits
■ Normal



Plant Summary

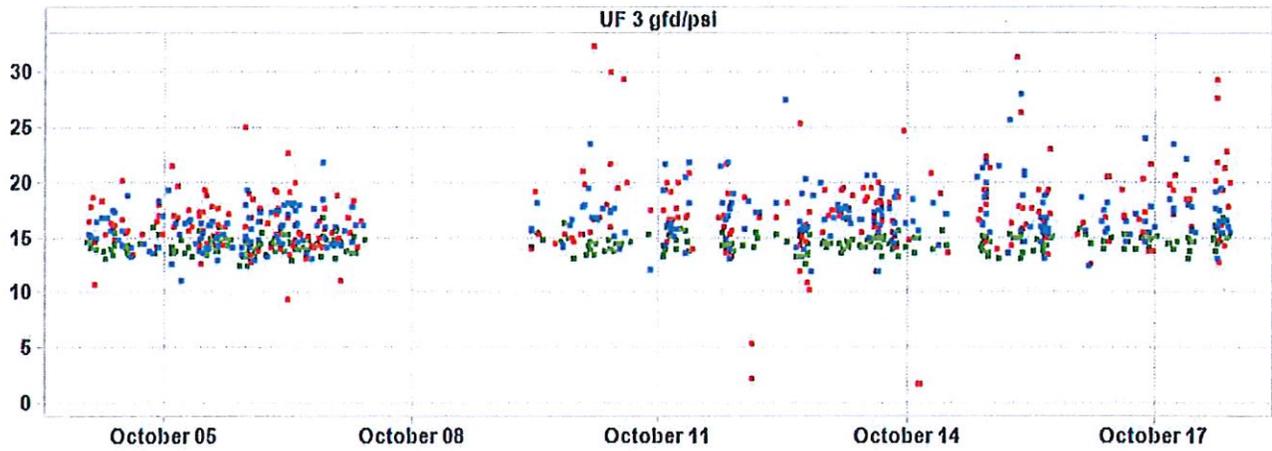
- Permeate flow averaged at 266K gallons in the last two weeks. Trains were in production 70-75% of the time
- Production permeability was good at ≥ 10 gfd/psi across all the trains
- Production and backpulse TMPs were the highest on UF2 at 0.8 psi and 1.5 psi and <0.6 psi and <1.5 psi on rest of the trains
- All the trains received regular maintenance cleans which helped maintain peak membrane performance
- Permeate quality was good at 0.1 NTU

TC Permeability Trends By Train

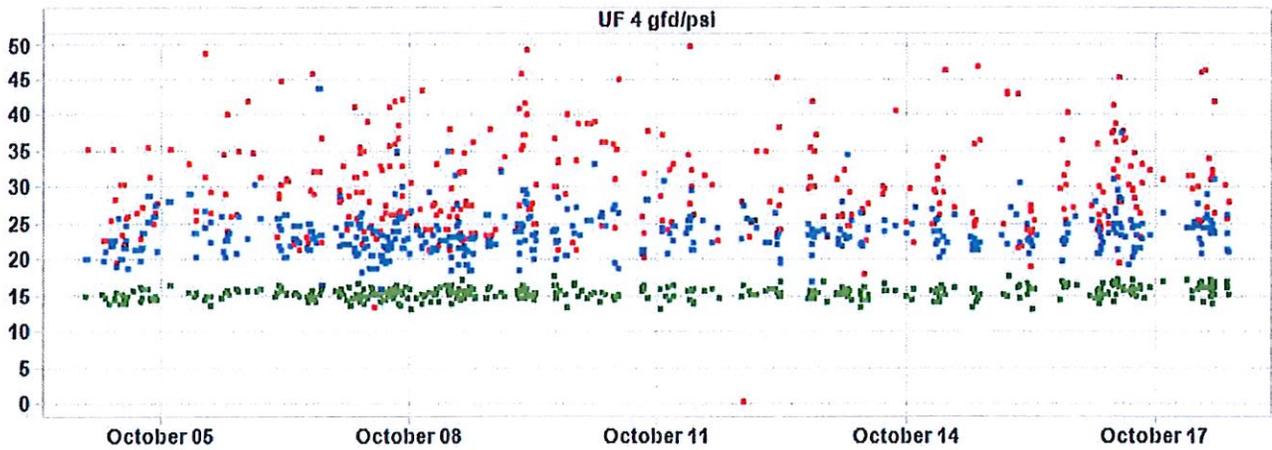




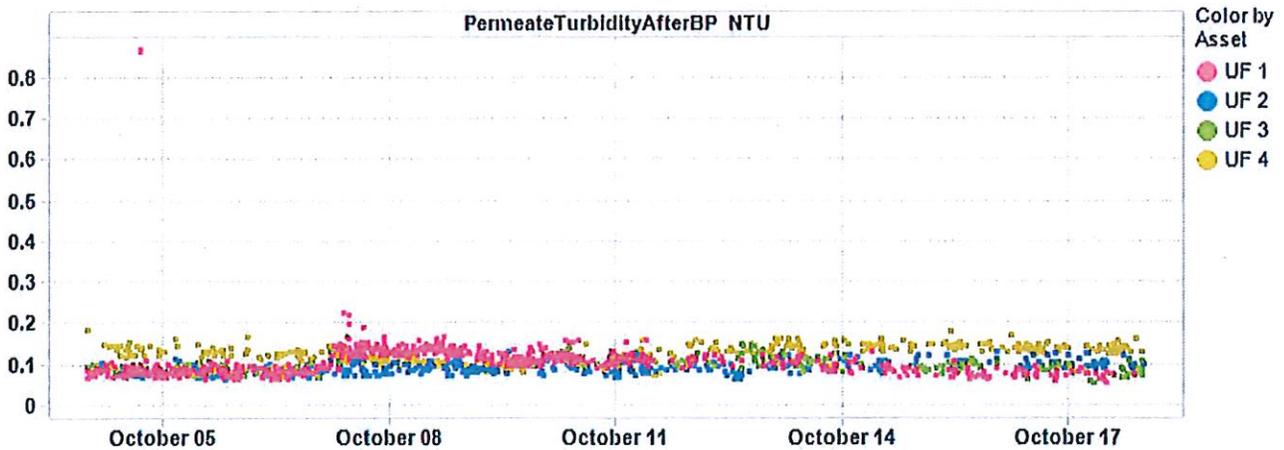
■ TcPermeabilityAfterBP
■ TcPermeabilityBeforeBP
■ TcPermeabilityDuringBP



■ TcPermeabilityAfterBP
■ TcPermeabilityBeforeBP
■ TcPermeabilityDuringBP

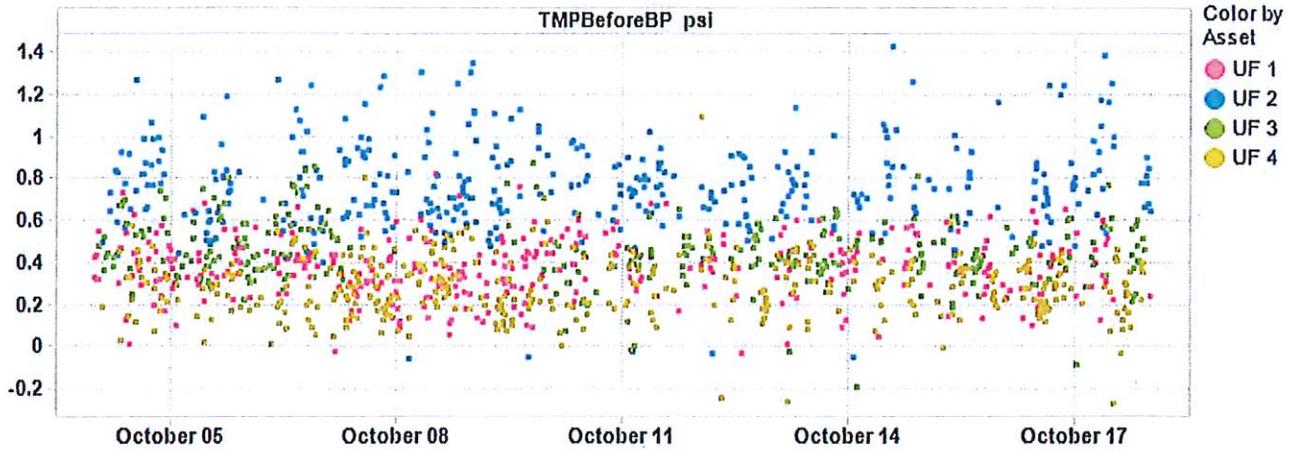


Permeate Turbidity Trend

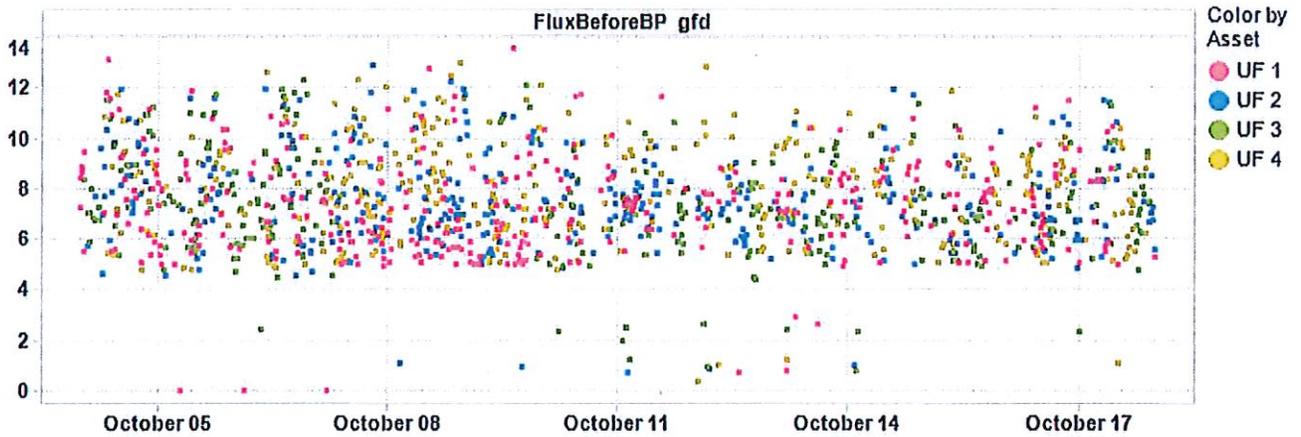




Before BPTMP Trend

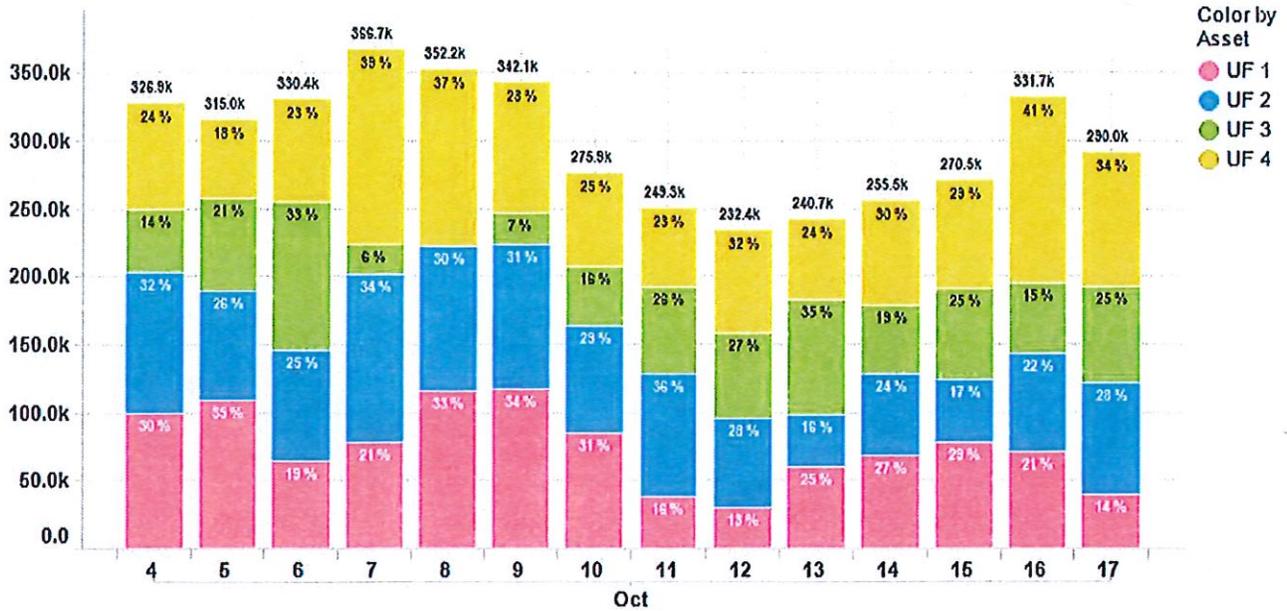


Before BP Flux Trend





Daily Permeate Flow



Average Daily permeate flow from 10/4/2019 to 10/17/2019 is 298.5k gal with a maximum daily flow of 366.7k gal.

Asset Summary

KPI Parameters	Value/Change	UF 1	UF 2	UF 3	UF 4
FluxBeforeBP gfd	Value	7.33	7.54	7.28	7.91
	Change	-2.44 %	-3.89 %	0.75 %	2.27 %
PermeateTurbidityAfterBP NTU	Value	0.10	0.09	0.10	0.12
	Change	6.28 %	3.60 %	-2.23 %	-3.30 %
TCPermeabilityBeforeBP gfd/psi	Value	21.00	10.19	16.96	29.84
	Change	3.30 %	-4.37 %	5.62 %	5.66 %
TMPBeforeBP psi	Value	0.38	0.76	0.45	0.28
	Change	-1.30 %	4.70 %	-0.64 %	-1.01 %
TotalPermeateFlowDaily gal	Value	75.23k	81.11k	54.34k	87.84k
	Change	-12.85 %	2.33 %	-54.17 %	-13.89 %



Plant Summary

KPI Parameters	Value/Change	UF Plant
PermeateTemperature °F	Value	64.38
	Change	100.00%
TotalPermeateFlowDaily gal	Value	298.52k
	Change	-16.65%

Contract Expiry Date : 10/26/2020

For InSight technical assistance please email insight.src@suez.com or please call technical support at 1 866 271 5425 or 905 469 7723 and follow the prompts, if you require after hours assistance please contact the 24/7 Emergency number provided in your plant documentation. This email is a summary of issues identified during a manual review of InSight data from the time period above. This review is an analysis of data that is logged by InSight and identifies key plant performance issues determined from this data. This data review was not focused on minor data issues but on identifying possible existing and/or upcoming critical operational issues.

This review was prepared by SUEZ Water Technologies & Solutions solely to assist water treatment plant owners and/or operators in analyzing and optimizing plant performance and is not intended to be used or relied upon for regulatory compliance or any other purpose. The content of this review is based in whole or in part on operation data obtained from the plant using InSight software. SUEZ Water Technologies & Solutions makes no representations or warranties as to the accuracy of the plant data utilized in the preparation of this review. SUEZ Water Technologies & Solutions accepts no liability for consequences or actions taken in whole or in part by any person on the basis of this review or its contents



Berryville Police Department

101 Chalmers Ct., Suite A, Berryville, Virginia 22611

policeadmin@berryvilleva.gov

(540) 955-3863 (540) 955-0207 (Fax)

W. Neal White – Chief of Police

MEMO

DATE: 11/05/2019

TO: Town Council

FROM: Chief W. Neal White

CC:

RE: Police Department Monthly Report – 11/12/2019

Monthly Activity Report

The activity report for the month of October 2019 is attached to this memo.

Public Safety Committee

The next scheduled meeting for the Committee is November 25, 2019 at 12:30 pm in the A/B meeting room.

Community Events

The Clarke County Christmas Parade will be coming to town on December 7, 2019 at noon.

The police department will again be collecting new and unwrapped toys for distribution to less fortunate families served by the Clarke County Department of Social Services. Donations will be accepted at the police department through December 18, 2019 when they will be delivered to social services.



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W. Neal White – Chief of Police

Police and Security Report

	Year To Date	October	September
Month: October	2019	2019	2019
Year: 2019			
<u>Complaints Answered</u>			
911 Hang Up:	16	5	4
Alarms:	171	14	19
Animal Complaint:	127	12	7
Assault and Battery:	8	2	2
Assist County:	22	1	4
Auto Larceny:	0	0	0
Burglary:	4	2	0
Civil Complaints:	57	6	5
Disturbance:	24	4	1
Domestic Disturbance:	18	1	4
Drunk In Public:	7	0	0
Forgery & Uttering:	0	0	0
Fraud:	25	4	6
Larceny:	34	6	3
Harassment/Intimidation:	38	4	1
Homicide:	0	0	0
Juvenile Related:	26	2	3
Noise:	52	7	2
Public Service:	8	0	0
Rape:	0	0	0
Robbery:	1	0	0
Runaway:	0	0	0
Shoplifting:	0	0	0
Suspicious Activity:	125	16	11
Trespassing:	7	1	1
Vandalism:	26	0	3
Welfare Check:	109	8	9
Mental Health Crisis	70	4	6
Miscellaneous Complaints:	944	87	79
Total Complaints Answered:	1919	186	170



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date 2019	October 2019	September 2019
<u>Traffic</u>			
Accidents Investigated:	38	3	5
Assist Motorist:	1	0	0
Child Safety Seat Install:	17	2	2
Funeral Escort:	23	1	2
Hit & Run:	3	2	1
Parking Tickets:	668	32	51
Traffic Warnings:	298	22	19
<u>Traffic Summons Issued</u>			
Defective Equipment:	0	0	0
Driving Suspended:	7	1	0
Expired Inspection:	53	4	1
Expired Registration:	17	2	1
Fail to Obey Highway Sign:	58	4	6
Fail to Obey Traffic Signals:	8	0	2
Fail to Stop/Lights & Siren:	0	0	0
Fail to Yield Right of Way:	5	0	0
Hit and Run:	0	0	0
No Liability Insurance:	1	1	0
No Operator's License:	11	1	1
No Seat Belt:	3	1	2
Reckless Driving:	11	2	2
Speeding:	130	6	10
Miscellaneous Summons:	30	1	4
Total Traffic Summons Issued:	334	23	29
<u>Found Open at Businesses in Town</u>			
Doors:	13	0	2
Windows:	0	0	0
Garage Doors:	0	0	0



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date	October	September
	2019	2019	2019
<u>Criminal Arrests Made</u>			
Abduction:	0	0	0
Arson:	0	0	0
Assault and Battery:	7	0	1
Assault and Battery on Police Officer:	0	0	0
Auto Larceny:	0	0	0
Breaking and Entering:	0	0	0
Capias:	4	0	2
Disorderly Conduct:	0	0	0
Driving While Intoxicated:	7	0	2
Drunk In Public:	8	0	0
Fail to Obey Police Officer:	0	0	0
Fail to Pay Parking Ticket:	9	0	1
Forgery:	0	0	0
Fraud:	2	0	0
Grand Larceny:	0	0	0
Homicide:	0	0	0
Illegal Drugs/Paraphernalia:	12	0	1
Petty Larceny:	1	1	0
Possess Alcohol Underage:	5	0	1
Protective Order Violations:	1	0	0
Rape:	0	0	0
Resisting Arrest:	1	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	0	0	0
Vandalism:	1	0	0
Weapons Violation:	0	0	0
Miscellaneous Criminal Arrests:	26	0	2
Juvenile Detention Order Totals:	0	0	0
Total Criminal Arrests:	84	1	10

Town Council Agenda Item Report Summary
November 12, 2019

Item Title
Community Development Update

Prepared By
Christy Dunkle

Planning Commission

The Planning Commission met on Tuesday, October 22, 2019 and set a public hearing for the following request:

Fellowship Square Foundation, Owner (Patrick J. Williams, D.R. Horton, Inc., Agent) is requesting final subdivision plat approval for the creation of 50 single-family residential lots on the property identified as Tax Map Parcel numbers 14A2-((A))-17 and 14A2-((A))-17A consisting of 8.1287 acres and 11.4963 acres, respectively, zoned DR-4 Detached Residential. MASD 02-19

Their next meeting will be held on Tuesday, November 19 at 7:30pm.

Berryville Area Development Authority

The BADA did not have an October meeting. Should there be a BADA meeting prior to the end of the year, it will be scheduled around the Thanksgiving and Christmas holidays.

Architectural Review Board

The ARB will be meeting on Wednesday, November 6 to hear the following request:

Architectural Review

Kurt VanNostrand, Applicant (Valley Ventures I, LLC, Owner), is requesting a Certificate of Appropriateness in order to modify doors on the existing building located at 606 East Main Street, identified as Tax Map Parcel number 14A3-((A))-28, zoned C-1 Commercial.

Their next meeting is scheduled for Wednesday, December 4, 2019 at 12:30pm.

Tree Board

The Tree Board has not met since the last Town Council meeting. The Tree Board's next meeting is scheduled for Wednesday, December 4, 2019 at 7:30pm.

Board of Zoning Appeals

The BZA has not held a meeting since the last Council meeting.

Town Council Agenda Item Report Summary
November 12, 2019

Item Title

Construction Project Update

Prepared By

Christy Dunkle

Robert Regan Village

- 120 age- and income-restricted apartments
- Construction underway
- Staff attends monthly progress meetings
- Anticipating substantial completion by August, 2020

Shenandoah Crossing Subdivision

- 82 single-family homes
- Owned by D.R. Horton, Inc.
- To be developed by D.R. Horton, Inc.
- Zoned DR-2 Detached Residential
- Cluster layout
- HOA maintained
- Review of construction plans has been completed
- Public hearing for final plat held September 25, 2019, BADA recommended approval
- Anticipated start: December 1, 2019

Fellowship Square Subdivision

- 50 single-family homes
- Owned by Fellowship Square Foundation
- To be owned (currently under contract) and developed by D.R. Horton, Inc.
- Zoned DR-4 Detached Residential
- Cluster layout
- HOA maintained
- Review of construction plans currently underway
- Planning Commission will hold public hearing on final plat on November 19, 2019
- No anticipated start

Hermitage Phase V

- 71 single-family homes
- Owned by Silver Lake Development
- Final phase of Hermitage subdivision (started 2000)
- Zoned R-1 and DR-1

- Rezoning approved by Town Council at the September 10, 2019 meeting to align new layout with proposed parcel lines
- Phase V will have HOA oversight, other phases will not be affected
- Review of construction plans currently underway
- No anticipated start

Report to be provided at meeting.

Report to be provided at meeting.

No written report.

Committee Updates

Closed Session

Adjourn