

**BERRYVILLE TOWN COUNCIL
MEETING AGENDA
Regular Meeting
Berryville-Clarke County Government Center
101 Chalmers Court, Second Floor
Main Meeting Room
Tuesday, May 10, 2016
7:30 p.m.**

<u>Item</u>	<u>Attachment</u>
1. Call the Town Council to Order – Wilson Kirby, Mayor	
2. Pledge of Allegiance	
3. Public Hearings-	
Proposed Fiscal Year 2017 Budget	1
Hip and Humble Interiors (Tom McFillen, Agent), request a Special Use Permit for retail sales incidental to a manufacturing, production, or related use as regulated in Section 609.3(h) of the Berryville Zoning Ordinance for that property located at 401 East Main Street, identified as Tax Map Parcel 14A6-((1))-3, zoned L-1 Industrial.	2↓
The Berryville Planning Commission is initiating a text amendment to Article I, Definitions, of the Berryville Zoning Ordinance in order to define “convenience store”	3↓
4. Approval of Minutes	
April 12, 2016 Regular Meeting	4
5. Citizens’ Forum	
6. Report of Wilson Kirby, Mayor	
Resolution Recognizing Service	5↓
Presentation by Berryville Main Street	
Resolution in Recognition and Appreciation	6↓
7. Report of Christy Dunkle, Asst. Town Manager for Community Development	
Planning Department Monthly Report	7↓

<u>Item</u>	<u>Attachment</u>
8. Report of Keith Dalton, Town Manager Designation of a FOIA officer	8
9. Report of H. Allen Kitselman, III - Berryville Area Development Authority Liaison Adoption of Berryville Area Plan	9↓
10. Report of Harry Lee Arnold, Jr. – Chair, Budget and Finance Committee	
11. Report of H. Allen Kitselman, III – Chair, Community Improvements Committee	
12. Report of Douglas A. Shaffer - Planning Commission Liaison	
13. Report of Police and Security Committee Police Chief’s Monthly Report	10
Approval of Committee Meeting Minutes from 4/28/16	11
Adoption of Resolution proclaiming National Police Week	12↓
14. Report of Wilson Kirby – Chair, Streets and Utilities Committee Approval of Committee Meeting Minutes from 4/27/16	13
Public Utilities Director’s Report	14
Public Works Director’s Report	15
15. Report of Harry Lee Arnold, Jr – Chair, Personnel Committee Re-appointments to the Architectural Review Board	16↓
Re-appointment to Planning Commission	17↓
16. Other	
17. Closed Session – No Closed Session Scheduled	
18. Adjourn	

Attachment 1

FINANCE AND ADMINISTRATION STAFF REPORT

TO: TOWN COUNCIL
FROM: DESIREE MORELAND, TREASURER
SUBJECT: BUDGET
DATE: 5/3/2016
CC: KEITH DALTON, TOWN MANAGER

A Public Hearing for the proposed FY 16-17 Budget is set for this meeting.

The Budget should be approved and appropriated at the June 14th meeting.

Proposed Budget FY 16-17 Highlights include:

REVENUES

GENERAL FUND

- No increase in Personal Property tax rate.
- PPTRA remains at 70%
- Proposed increase in Real Estate tax rates from \$0.186 to \$0.19
- No increase in Machinery & Tools tax rate.
- No increase in Vehicle Decal Rates
- No increase in Business & Professional License rates
- 3% increase in Water Tank Site Lease per the agreements
- No increase in Lodging Tax, Meals Tax or Cigarette Tax

WATER FUND

- No increase in Treatment Fees.
- Fourteen Availability Fees projected

SEWER FUND

- No increase in Treatment Fees.
- Fourteen Availability Fees projected

EXPENSES

ALL FUNDS

- 3% COLA with some market payroll increases are proposed.
- 7.44% increase in Health Care costs.
- TOTAL BUDGET increase of 6.54%

GENERAL FUND

- Increase in Maintenance & Operational Expenses of 3.05%
- Debt Service reflects a deposit to RDA Debt Service Reserve Fund
- Contingency is 6.35% of the Operating Budget
- General Fund total increase of 6.03%

WATER FUND

- Increase in Maintenance & Operational Expenses of 4.99%
- There is currently no Debt Service in the Water Fund
- Contingency is 3.5 % of the Operating Budget
- Water Fund total increase of 5.73%

SEWER FUND

- Increase in Maintenance & Operational Expenses of .91%
- Debt service reflects payment to VRA
- Contingency is 3.5% of the Operating Budget
- Sewer Fund total increase of 7.82%

Town of Berryville

DRAFT

5-6-16

TOWN COUNCIL

Wilson Kirby, Mayor
Harry Arnold, Jr., Recorder
Douglas Shaffer—Ward One
Allen Kitselman—Ward Two
Bryant Condrey—Ward Three
David Tollett—Ward Four

TOWN STAFF

Keith Dalton, Town Manager
Desiree Moreland, Asst Mgr/Treasurer
Christina Dunkle, Asst Mgr/Planner
Ann Phillips, Town Clerk
Neal White, Chief of Police
David Tyrrell, Utility Director
Rick Boor, Director of Public Works



BUDGET PUBLIC HEARING FY 2017 OPERATING BUDGET

&

Capital Improvement Program

FY 2017-2021

BUDGET CALENDAR FY 2016-2017

ACTIVITY	RESPONSIBILITY	DATE
Ask for Department & CIP Budget Requests	Town Manager Town Treasurer	Jan 29
Prepare Budget & CIP Requests	Department Heads	Jan 29- Feb 9
Submit Departmental & CIP Budget Requests	Department Heads	Feb 9
Prepare Initial Revenue Estimates for Upcomming FY	Town Manager Town Treasurer	Jan 29 - Feb 9
Review Department & CIP Budget Requests	Town Manager Town Treasurer	Feb 9 - Feb 19
Prepare Non-departmental Budget Requests	Town Treasurer	Jan 29 - Feb 9
Review/Revise Budget Estimates with Dept Heads	Town Manager	Feb 9 - Feb 19
Budget Committee Worksession	B&F Committee Town Staff	Mar 2 at 9:30 am A/B Meeting Room
Budget Worksession	Town Council Town Staff	Mar 16 at 4:00 pm Main Mtg Room
Advertise Tax Rate Public Hearing	Town Staff	Mar 18
Public Hearing Real Estate Tax Rates	Town Council	April 12
Council Meeting Set Real Estate Tax Rate	Town Council	April 12
Print & Proof Budget	Town Treasurer	Apr12 - Apr 30
Advertise Budget Public Hearing	Town Staff	April 15
Public Hearing FY 2015-2016 Budget	Town Council	May 10
Adopt Budget & Appropriate Funds	Town Council	Jun 14
Print & Distribute Budget	Town Treasurer	Jun 14 - Jun 30

FY 2016-2017 DRAFT BUDGET PREPARATION HIGHLIGHTS

REVENUES

GENERAL FUND

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OPERATING EXPENSES

ALL FUNDS

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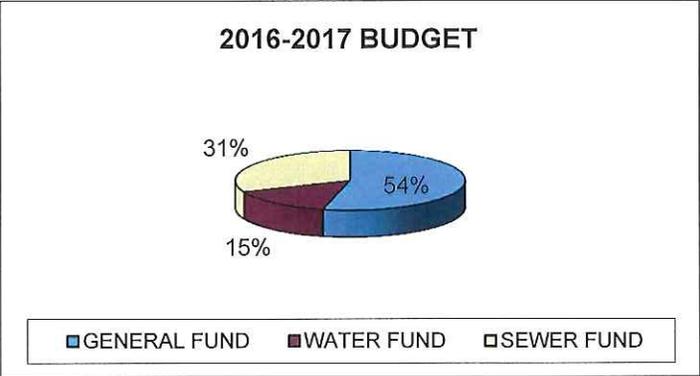
<u>Resources and Revenues</u>		APPROVED FY 15-16		PROPOSED FY 16-17	
GENERAL FUND					
Fund Balance	\$	-	\$	-	
Revenue from Local Sources	\$	2,325,400.00	\$	2,463,250.00	
Revenue from State Sources	\$	838,781.00	\$	891,786.00	
Revenue from Other Sources	\$	1,000.00	\$	1,000.00	
Total	\$	3,165,181.00	\$	3,356,036.00	
WATER FUND					
Fund Balance	\$	-	\$	-	
Revenue from Local Sources	\$	837,250.00	\$	862,650.00	
Availability Fees	\$	52,500.00	\$	78,050.00	
Total	\$	889,750.00	\$	940,700.00	
SEWER FUND					
Fund Balance	\$	-	\$	-	
Revenue from Local Sources	\$	1,575,100.00	\$	1,625,100.00	
Availability Fees	\$	227,500.00	\$	318,500.00	
Total	\$	1,802,600.00	\$	1,943,600.00	
TOTAL RESOURCES AND REVENUES	\$	5,857,531.00	\$	6,240,336.00	

Expenses and Reserves

GENERAL FUND					
Maintenance and Operational	\$	2,851,876.00	\$	2,938,791.00	103.05%
Debt Service	\$	133,627.00	\$	133,627.00	
Capital Reserves and Expenses	\$	94,118.00	\$	96,780.00	
Contingency	\$	85,560.00	\$	186,838.00	
Total	\$	3,165,181.00	\$	3,356,036.00	106.03%
WATER FUND					
Maintenance and Operational	\$	647,025.00	\$	679,300.00	104.99%
Debt Service	\$	-	\$	-	
Capital Reserves and Expenses	\$	208,000.00	\$	236,800.00	
Contingency	\$	34,725.00	\$	24,600.00	
Total	\$	889,750.00	\$	940,700.00	105.73%
SEWER FUND					
Maintenance and Operational	\$	968,640.00	\$	977,495.00	100.91%
Debt Service	\$	470,000.00	\$	470,000.00	
Capital Reserves and Expenses	\$	315,670.00	\$	461,855.00	
Contingency	\$	48,290.00	\$	34,250.00	
Total	\$	1,802,600.00	\$	1,943,600.00	107.82%
TOTAL EXPENSES AND RESERVES	\$	5,857,531.00	\$	6,240,336.00	106.54%

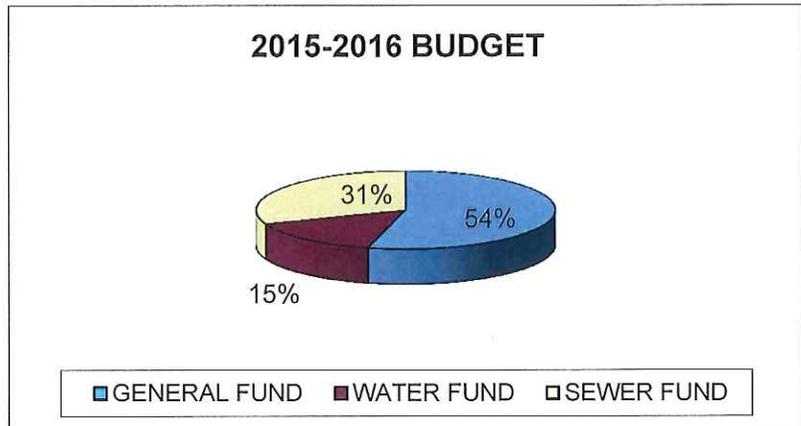
2016-2017 BUDGET

GENERAL FUND	\$ 3,356,036.00
WATER FUND	\$ 940,700.00
SEWER FUND	\$ 1,943,600.00
	\$ 6,240,336.00



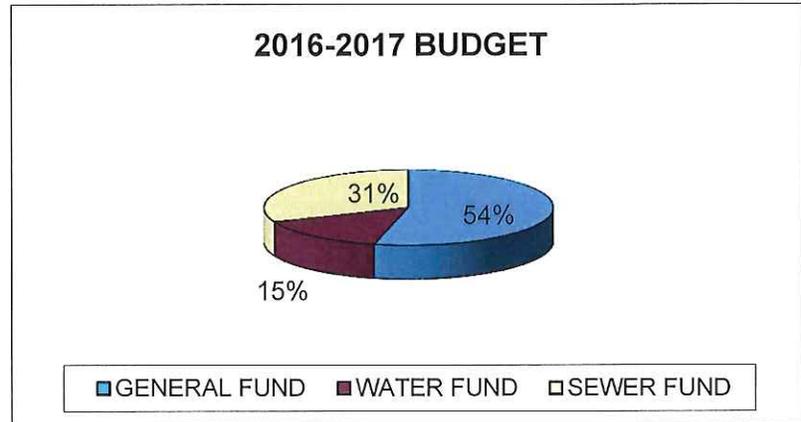
2015-2016 BUDGET

GENERAL FUND	\$ 3,165,181.00
WATER FUND	\$ 889,750.00
SEWER FUND	\$ 1,802,600.00
	\$ 5,857,531.00



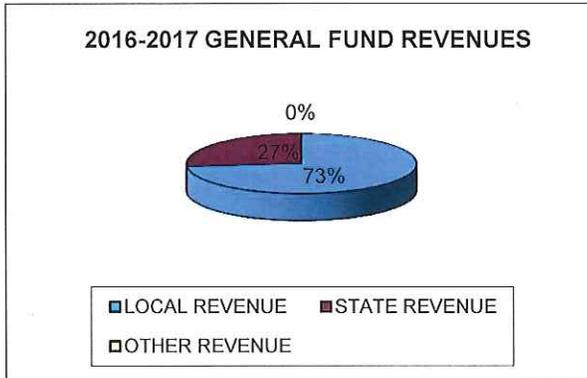
2016-2017 BUDGET

GENERAL FUND	\$ 3,356,036.00
WATER FUND	\$ 940,700.00
SEWER FUND	\$ 1,943,600.00
	\$ 6,240,336.00



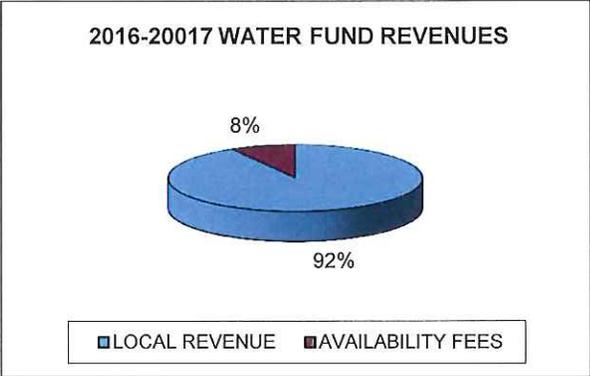
2016-2017 BUDGET
GENERAL FUND REVENUES

LOCAL REVENUE	\$ 2,463,250.00
STATE REVENUE	\$ 891,786.00
OTHER REVENUE	\$ 1,000.00
	\$ 3,356,036.00



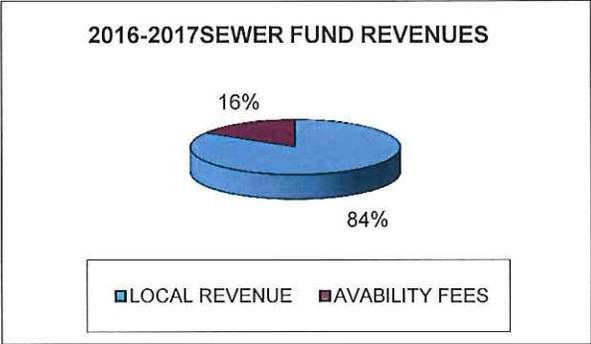
2016-2017 BUDGET
WATER FUND REVENUES

LOCAL REVENUE	\$ 862,650.00
AVAILABILITY FEES	\$ 78,050.00
	\$ 940,700.00



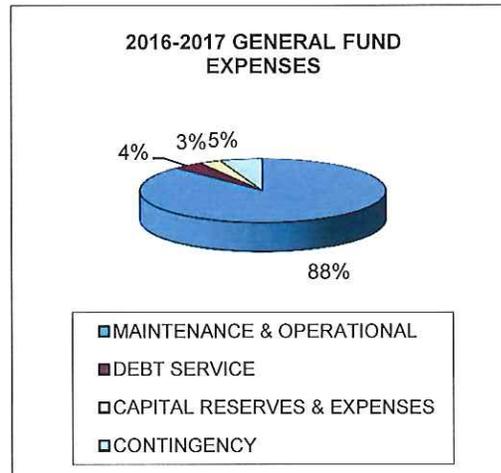
2016-2017 BUDGET
SEWER FUND REVENUES

LOCAL REVENUE \$ 1,625,100.00
AVABILITY FEES \$ 318,500.00
\$ 1,943,600.00



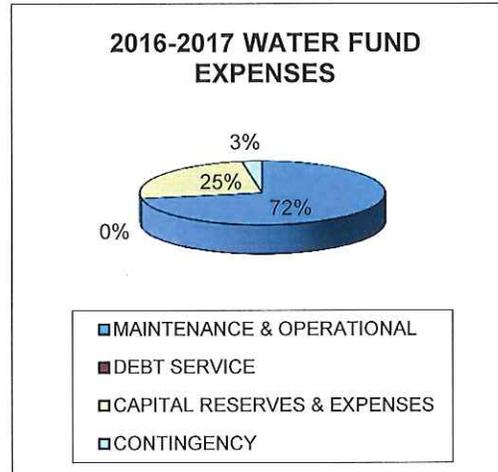
2016-2017 BUDGET
GENERAL FUND EXPENSES

MAINTENANCE & OPERATIONAL	\$ 2,938,791.00
DEBT SERVICE	\$ 133,627.00
CAPITAL RESERVES & EXPENSES	\$ 96,780.00
CONTINGENCY	\$ 186,838.00
	\$ 3,356,036.00



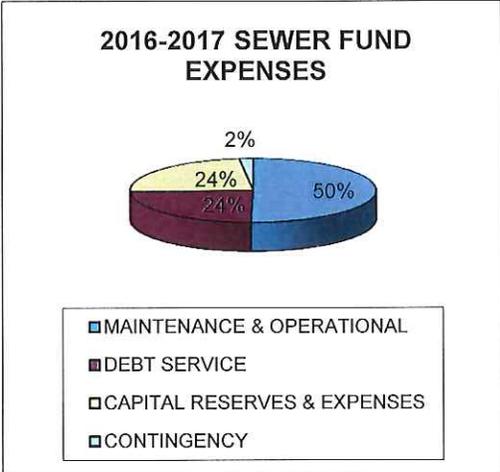
2016-2017 BUDGET
WATER FUND EXPENSES

MAINTENANCE & OPERATIONAL	\$ 679,300.00
DEBT SERVICE	\$ -
CAPITAL RESERVES & EXPENSES	\$ 236,800.00
CONTINGENCY	\$ 24,600.00
	\$ 940,700.00



2016-2017 BUDGET
SEWER FUND EXPENSES

MAINTENANCE & OPERATIONAL	\$ 977,495.00
DEBT SERVICE	\$ 470,000.00
CAPITAL RESERVES & EXPENSES	\$ 461,855.00
CONTINGENCY	\$ 34,250.00
	\$ 1,943,600.00



FY 16-17 DRAFT BUDGET REVENUES

Account Number	Account Description	Prior Year Budget 2014-2015	Current Year Budget 2015-2016	REQUEST 2016-2017
GENERAL FUND				
FUND BALANCE				
100-3000000-0000	FUND BALANCE FORWARD	\$ 386,940.00	\$ -	
	TOTAL FUND BALANCE	\$ 386,940.00	\$ -	
REVENUE FROM LOCAL SOURCES				
100-3110101-0000	CURRENT REAL ESTATE TAXES	\$ 660,000.00	\$ 881,500.00	\$ 885,000.00
100-3110102-0000	DEL REAL ESTATE TAXES	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
100-3110201-0000	UTILITY REAL ESTATE TAXES	\$ 7,000.00	\$ 7,000.00	\$ 11,200.00
100-3110301-0000	CURRENT PERS PROP TAXES	\$ 170,000.00	\$ 216,000.00	\$ 230,000.00
100-3110302-0000	DEL PERS PROP TAXES	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
100-3110401-0000	MACHINERY & TOOLS	\$ 163,000.00	\$ 160,000.00	\$ 207,000.00
100-3110601-0000	TAX PENALTIES	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
100-3110602-0000	TAX INTEREST	\$ 1,500.00	\$ 1,500.00	\$ 5,000.00
	TOTAL REV FROM LOCAL SOURCES	\$ 1,010,000.00	\$ 1,274,500.00	\$ 1,346,700.00
OTHER LOCAL TAXES				
100-3120101-0000	LOCAL SALES TAX	\$ 160,000.00	\$ 175,000.00	\$ 190,000.00
100-3120201-0000	CONSUMER UTILITY TAX	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00
100-3120300-0000	BUSINESS LICENSE	\$ 185,000.00	\$ 185,000.00	\$ 185,000.00
100-3120402-0000	REC FRANCHISE FEES	\$ 25,000.00	\$ 27,000.00	\$ 35,000.00
100-3120501-0000	AUTO LICENSE	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00
100-3120601-0000	BANK FRANCHISE TAXES	\$ 110,000.00	\$ 140,000.00	\$ 145,000.00
100-3120801-0000	CIGARETTE TAX (10¢)	\$ -	\$ 1,300.00	\$ 42,500.00
100-3121001-0000	LODGING TAX (2%)	\$ -	\$ 17,500.00	\$ 9,000.00
100-3121101-0000	MEALS TAX (4%)	\$ 192,000.00	\$ 185,000.00	\$ 190,000.00
	TOTAL OTHER LOCAL TAXES	\$ 852,000.00	\$ 910,800.00	\$ 976,500.00
PERMITS, FEES & LICENSES				
100-3130304-0000	LAND USE APPLICATION FEES	\$ 1,000.00	\$ 1,500.00	\$ 500.00
100-3130307-0000	ZONING & SUBDIVISION FEES	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
	TOTAL PERMITS, FEES & LICENSES	\$ 11,000.00	\$ 11,500.00	\$ 10,500.00
FINES & FORFEITURES				
100-3140101-0000	COURT FINES	\$ 20,000.00	\$ 30,000.00	\$ 25,000.00
100-3140102-0000	PARKING METER FINES	\$ 2,750.00	\$ 2,000.00	\$ 3,300.00
	TOTAL FINES & FORFEITURES	\$ 22,750.00	\$ 32,000.00	\$ 28,300.00
REVENUE FROM MONEY OR PROP				
100-3150101-0000	INTEREST ON DEPOSITS	\$ 7,000.00	\$ 6,000.00	\$ 6,000.00
100-3150201-0000	RENTAL OF PROPERTY	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00
100-3150205-0000	WATER TANK SITE LEASE	\$ 63,600.00	\$ 64,500.00	\$ 66,250.00
	TOTAL FROM MONEY OR PROP	\$ 82,600.00	\$ 82,500.00	\$ 84,250.00
CHARGES FOR SERVICES				
100-3160703-0000	PARKING METERS	\$ 8,000.00	\$ 8,000.00	\$ 11,000.00
100-3161502-0000	SALE OF PUBLICATIONS	\$ 100.00	\$ 100.00	\$ -
	TOTAL CHARGES FOR SERVICES	\$ 8,100.00	\$ 8,100.00	\$ 11,000.00

MISCELLANEOUS REVENUES							
100-3189905-0000	SALE OF SURPLUS	\$	1,000.00	\$	1,000.00	\$	1,000.00
	TOTAL MISC REVENUES	\$	1,000.00	\$	1,000.00	\$	1,000.00
RECOVERED COSTS							
100-3190203-0000	REIMBURSABLE FEES	\$	5,000.00	\$	5,000.00	\$	5,000.00
	TOTAL RECOVERED COSTS	\$	5,000.00	\$	5,000.00	\$	5,000.00
TOTAL LOCAL REVENUES		\$	2,379,390.00	\$	2,325,400.00	\$	2,463,250.00

REVENUE FROM THE COMMONWEALTH							
NON-CATEGORICAL AID							
100-3220107-0000	ROLLING STOCK TAX	\$	2,000.00	\$	2,000.00	\$	2,000.00
100-3220109-0000	PPTRA	\$	209,917.00	\$	209,917.00	\$	209,917.00
100-3220201-0000	COMMUNICATION TAX	\$	90,000.00	\$	90,000.00	\$	90,000.00
	TOTAL NON-CATEGORICAL AID	\$	301,917.00	\$	301,917.00	\$	301,917.00
CATEGORICAL AID							
100-3240103-0000	599 LAW ENFORCEMENT GRANT	\$	74,052.00	\$	74,052.00	\$	74,052.00
100-3240103-0000	LE BLOCK GRANT	\$	-	\$	-	\$	10,000.00
100-3240201-0000	FIRE FUND PROGRAM	\$	11,187.00	\$	14,000.00	\$	14,000.00
100-3240300-0000	VDOT LANE MILE ALLOWANCE	\$	431,812.00	\$	431,812.00	\$	474,787.00
100-3240301-0000	VDOT ROAD MAINTENANCE	\$	10,000.00	\$	10,000.00	\$	10,000.00
100-3240302-0000	LITTER CONTROL GRANT	\$	2,000.00	\$	2,000.00	\$	2,000.00
100-3240311-0000	ST EMERGENCY R&R	\$	-	\$	-	\$	-
100-3240312-0000	VA COMMISSION FOR THE ARTS	\$	5,000.00	\$	5,000.00	\$	5,000.00
100-3240710-0000	DMV ANIMAL FRIENDLY PLATES					\$	30.00
	TOTAL CATEGORICAL AID	\$	534,051.00	\$	536,864.00	\$	589,869.00
TOTAL FROM THE COMMONWEALTH		\$	835,968.00	\$	838,781.00	\$	891,786.00

REVENUE FROM THE FEDERAL GOVERNMENT							
CATEGORICAL AID							
100-3340102-0000	FEDERAL FIRE FUND PROGRAM	\$	-	\$	-	\$	-
100-3340311-0000	FEDERAL EMERGENCY R&R	\$	-	\$	-	\$	-
	TOTAL CATEGORICAL AID	\$	-	\$	-	\$	-
TOTAL FROM FEDERAL GOVERNMENT		\$	-	\$	-	\$	-

REVENUE FROM OTHER SOURCES							
NON-REVENUE RECEIPTS							
100-3410201-0000	MISCELLANEOUS REVENUES	\$	1,000.00	\$	1,000.00	\$	1,000.00
	TOTAL FROM OTHER SOURCES	\$	1,000.00	\$	1,000.00	\$	1,000.00
TOTAL FROM OTHER SOURCES		\$	1,000.00	\$	1,000.00	\$	1,000.00

TOTAL GENERAL FUND REVENUES	\$	3,216,358.00	\$	3,165,181.00	\$	3,356,036.00
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WATER FUND

FUND BALANCE

501-3000000-0000	FUND BALANCE	\$	-	\$	-	\$	-
	TOTAL FUND BALANCE	\$	-	\$	-	\$	-

REVENUE FROM MONEY OR PROP

501-3150102-0000	INTEREST ON INVESTMENTS	\$	5,000.00	\$	3,000.00	\$	3,000.00
	TOTAL FROM USE OF MONEY OR PROP	\$	5,000.00	\$	3,000.00	\$	3,000.00

CHARGES FOR SERVICES

501-3160110-0000	TREATMENT FEES	\$	754,000.00	\$	800,900.00	\$	825,000.00
501-3160111-0000	DELINQUENT ACCT PENALTIES	\$	30,000.00	\$	30,000.00	\$	30,000.00
501-3160112-0000	SECURITY DEPOSITS	\$	100.00	\$	100.00	\$	100.00
501-3160113-0000	AVAILABILITY CHARGES	\$	26,250.00	\$	52,500.00	\$	78,050.00
501-3160114-0000	CONNECTION CHARGES	\$	-	\$	-	\$	-
501-3160115-0000	METER FEES	\$	1,625.00	\$	3,250.00	\$	4,550.00
	TOTAL CHARGES FOR SERVICES	\$	811,975.00	\$	886,750.00	\$	937,700.00

TOTAL WATER FUND	\$	816,975.00	\$	889,750.00	\$	940,700.00
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SEWER FUND

FUND BALANCE

502-3000000-0000	FUND BALANCE	\$	-	\$	-	\$	-
	TOTAL FUND BALANCE	\$	-	\$	-	\$	-

REVENUE FROM MONEY OR PROP

502-3150101-0000	INTEREST INCOME	\$	8,000.00	\$	5,000.00	\$	5,000.00
	TOTAL REVENUE FROM MONEY OR PROP	\$	8,000.00	\$	5,000.00	\$	5,000.00

CHARGES FOR SERVICES

502-3160110-0000	TREATMENT FEES	\$	1,486,000.00	\$	1,570,000.00	\$	1,620,000.00
502-3160112-0000	SECURITY DEPOSITS	\$	100.00	\$	100.00	\$	100.00
502-3160113-0000	AVAILABILITY CHARGES	\$	113,750.00	\$	227,500.00	\$	318,500.00
	TOTAL CHARGES FOR SERVICES	\$	1,599,850.00	\$	1,797,600.00	\$	1,938,600.00

REVENUE FROM OTHER SOURCES

NON-REVENUE RECEIPTS

502-3410401-0000	VRA LOAN	\$	-	\$	-	\$	-
502-3410402-0000	WQIF Grant	\$	-	\$	-	\$	-
	TOTAL NON-REVENUE RECEIPTS	\$	-	\$	-	\$	-

TOTAL FROM OTHER SOURCES	\$	-	\$	-	\$	-
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TOTAL SEWER FUND \$ 1,607,850.00 \$ 1,802,600.00 \$ 1,943,600.00

TOTAL REVENUES ALL FUNDS \$ 5,641,183.00 \$ 5,857,531.00 \$ 6,240,336.00

FY 16-17 DRAFT BUDGET EXPENSES

Account Number	Account Description	Prior Year Budget 2014-2015	Current Year Budget 2015-2016	REQUEST 2016-2017
GENERAL FUND				
TOWN COUNCIL				
100-4011100-1111	EXPENSE COMPENSATION	\$ 18,900.00	\$ 18,900.00	\$ 18,900.00
100-4011100-5540	TRAINING	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
100-4011100-5699	LOCAL CONTRIBUTIONS	\$ -	\$ -	\$ -
100-4011100-5800	MISCELLANEOUS	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00
100-4011100-5810	Dues	\$ 2,300.00	\$ 3,000.00	\$ 3,000.00
100-4011100-6017	TOWN CODE SUPPLEMENTS	\$ 2,250.00	\$ 2,000.00	\$ 2,000.00
100-4011100-6018	STATE CODE SUPPLEMENTS	\$ -	\$ -	\$ -
	TOTAL TOWN COUNCIL	\$ 25,950.00	\$ 25,900.00	\$ 25,900.00
TOWN CLERK				
100-4011200-1114	SALARIES/WAGES/TNCLK	\$ 44,290.00	\$ 36,800.00	\$ 40,300.00
100-4011200-2100	MATCHING FICA EXPENSE (7.65 %)			\$ 3,080.00
100-4011200-5540	EDUCATION/TRAINING	\$ 500.00	\$ 1,000.00	\$ 1,000.00
100-4011200-5810	DUES	\$ 200.00	\$ 200.00	\$ 200.00
	TOTAL TOWN CLERK	\$ 44,990.00	\$ 38,000.00	\$ 44,580.00
TOWN MANAGER				
100-4012110-1112	COMPENSATION	\$ 124,800.00	\$ 129,000.00	\$ 129,000.00
100-4012110-2100	MATCHING FICA EXPENSE (7.65 %)			\$ 9,850.00
100-4012110-5230	TELECOMMUNICATIONS		\$ 600.00	\$ 600.00
100-4012110-5510	MILEAGE	\$ 150.00	\$ 150.00	\$ 150.00
100-4012110-5540	TRAINING	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
100-4012110-5810	DUES	\$ 300.00	\$ 300.00	\$ 300.00
	TOTAL TOWN MANAGER	\$ 126,250.00	\$ 131,050.00	\$ 140,900.00
LEGAL SERVICES				
100-4012210-3150	PROFESSIONAL SERVICES	\$ 30,000.00	\$ 30,000.00	\$ 20,000.00
	TOTAL LEGAL SERVICES	\$ 30,000.00	\$ 30,000.00	\$ 20,000.00
PERSONNEL				
100-4012220-2100	SOCIAL SECURITY	\$ 71,300.00	\$ 69,940.00	\$ -
100-4012220-2210	VRS	\$ 80,210.00	\$ 102,200.00	\$ 116,350.00
100-4012220-2220	VMLIP - STD	\$ 580.00	\$ 560.00	\$ 570.00
100-4012220-2230	VMLIP - LTD	\$ 5,100.00	\$ 4,905.00	\$ 5,145.00
100-4012220-2250	Line of Duty Act	\$ 3,000.00	\$ 3,550.00	\$ 3,750.00
100-4012220-2300	HEALTH INSURANCE	\$ 133,000.00	\$ 140,635.00	\$ 154,650.00
100-4012220-2400	LIFE INSURANCE	\$ 12,300.00	\$ 10,785.00	\$ 11,320.00
100-4012220-2600	UNEMPLOYMENT INSURANCE	\$ 800.00	\$ 675.00	\$ 270.00
100-4012220-2700	WORKER'S COMPENSATION	\$ 30,000.00	\$ 24,000.00	\$ 21,750.00
100-4012220-3110	RANDOM DRUG SCREENING	\$ 450.00	\$ 500.00	\$ 750.00
	TOTAL PERSONNEL	\$ 336,740.00	\$ 357,750.00	\$ 314,555.00

INDEPENDENT AUDITOR							
100-4012240-3120	CONTRACTUAL SERVICES	\$	15,100.00	\$	15,300.00	\$	16,000.00
	TOTAL INDEPENDENT AUDITOR	\$	15,100.00	\$	15,300.00	\$	16,000.00
TOWN TREASURER							
100-4012410-1113	COMPENSATION	\$	89,600.00	\$	90,800.00	\$	92,800.00
100-4012410-2100	MATCHING FICA EXPENSE (7.65 %)					\$	7,000.00
100-4012410-3130	PROFESSIONAL SER/TAX CONV	\$	-	\$	2,000.00	\$	2,000.00
100-4012410-3150	PROFESSIONAL SER/VEC	\$	950.00	\$	100.00	\$	100.00
100-4012410-5306	SURETY BONDS	\$	300.00	\$	300.00	\$	300.00
100-4012410-5540	TRAINING	\$	1,000.00	\$	1,500.00	\$	1,500.00
100-4012410-5810	DUES	\$	150.00	\$	300.00	\$	300.00
100-4012410-6015	AUTO DECALS					\$	250.00
	TOTAL TOWN TREASURER	\$	92,000.00	\$	95,000.00	\$	104,250.00
FINANCE/ACCOUNTING							
100-4012430-1113	COMPENSATION	\$	56,220.00	\$	58,600.00	\$	64,400.00
100-4012430-2100	MATCHING FICA EXPENSE (7.65 %)					\$	4,900.00
100-4012430-5540	TRAINING	\$	400.00	\$	200.00	\$	500.00
	TOTAL FINANCE/ACCOUNTING	\$	56,620.00	\$	58,800.00	\$	69,800.00
CENTRAL ADM/PURCHASING							
100-4012530-3320	MAINTENANCE CONTRACTS	\$	34,525.00	\$	22,350.00	\$	25,000.00
100-4012530-3400	WEB SITE	\$	2,000.00	\$	5,135.00	\$	5,000.00
100-4012530-3501	NEWSLETTER	\$	1,500.00	\$	1,000.00	\$	250.00
100-4012530-3600	ADVERTISING	\$	7,000.00	\$	7,000.00	\$	7,000.00
100-4012530-5210	POSTAGE	\$	8,000.00	\$	8,000.00	\$	8,000.00
100-4012530-5230	TELECOMMUNICATIONS	\$	2,100.00	\$	1,200.00	\$	400.00
100-4012530-5415	COPIER LEASE			\$	3,000.00	\$	3,000.00
100-4012530-5540	TRAINING	\$	750.00	\$	1,500.00	\$	1,500.00
100-4012530-5810	DUES	\$	500.00	\$	500.00	\$	500.00
100-4012530-6001	OFFICE SUPPLIES	\$	11,000.00	\$	11,000.00	\$	11,000.00
	TOTAL CENTRAL ADM/PURCHASING	\$	67,375.00	\$	60,685.00	\$	61,650.00
RISK MANAGEMENT							
100-4012550-5304	BLANKET EXCESS LIABILITY	\$	13,500.00	\$	13,200.00	\$	11,000.00
100-4012550-5305	AUTOMOBILE INSURANCE	\$	9,000.00	\$	9,300.00	\$	9,000.00
100-4012550-5307	VARISK-2		0	\$	-	\$	-
100-4012550-5308	SEMI-MULTI PERIL INS	\$	11,500.00	\$	26,500.00	\$	29,150.00
100-4012550-5800	INSURANCE DEDUCTABLES	\$	3,000.00	\$	3,000.00	\$	3,000.00
	TOTAL RISK MANAGEMENT	\$	37,000.00	\$	52,000.00	\$	52,150.00
ENGINEERING SERVICES							
100-4012600-3140	ENGINEERING SERVICES	\$	5,000.00	\$	5,000.00	\$	5,000.00
	TOTAL ENGINEERING SERVICES	\$	5,000.00	\$	5,000.00	\$	5,000.00
ELECTIONS							
100-4013100-1125	ELECTION OFFICIALS	\$	500.00	\$	500.00	\$	500.00
100-4013100-6001	OFFICE SUPPLIES	\$	1,000.00	\$	1,000.00	\$	1,000.00
	TOTAL ELECTIONS	\$	1,500.00	\$	1,500.00	\$	1,500.00
PUBLIC DEFENDER FEES							

100-4021500-3150	PUBLIC DEFENDER FEES	\$	2,000.00	\$	2,000.00	\$	2,000.00
	TOTAL PUBLIC DEFENDER FEES	\$	2,000.00	\$	2,000.00	\$	2,000.00
	POLICE DEPARTMENT						
100-4031100-1139	COMPENSATION	\$	500,000.00	\$	479,600.00	\$	534,600.00
100-4031100-2100	MATCHING FICA EXPENSE (7.65 %)					\$	40,900.00
100-4031100-3110	MEDICAL EXAMINATIONS	\$	500.00	\$	500.00	\$	500.00
100-4031100-3115	PRE EMPLOYMENT DRUG SCREEN	\$	500.00	\$	1,000.00	\$	1,000.00
100-4031100-3190	INTERPRETER	\$	400.00	\$	400.00	\$	400.00
100-4031100-3310	REPAIR & MAINTENANCE	\$	9,875.00	\$	12,000.00	\$	14,000.00
100-4031100-3320	MAINTENANCE CONTRACTS	\$	8,088.00	\$	7,500.00	\$	9,850.00
100-4031100-4082	WILDLIFE MANAGEMENT	\$	1,000.00	\$	1,000.00	\$	1,000.00
100-4031100-5210	POSTAGE	\$	275.00	\$	250.00	\$	250.00
100-4031100-5230	TELECOMMUNICATIONS	\$	1,550.00	\$	4,044.00	\$	4,044.00
100-4031100-5415	COPIER LEASE			\$	3,000.00	\$	3,000.00
100-4031100-5540	TRAINING	\$	8,000.00	\$	9,500.00	\$	9,500.00
100-4031100-5810	DUES	\$	3,045.00	\$	2,050.00	\$	700.00
100-4031100-5815	COMMUNITY RELATIONS	\$	700.00	\$	900.00	\$	1,200.00
100-4031100-6001	OFFICE SUPPLIES	\$	1,850.00	\$	1,850.00	\$	2,350.00
100-4031100-6008	GASOLINE & OIL	\$	24,288.00	\$	20,000.00	\$	14,000.00
100-4031100-6010	POLICE SUPPLIES	\$	8,000.00	\$	12,300.00	\$	13,500.00
100-4031100-6011	UNIFORMS	\$	3,000.00	\$	4,000.00	\$	4,000.00
	TOTAL POLICE DEPARTMENT	\$	571,071.00	\$	559,894.00	\$	654,794.00
	TRAFFIC CONTROL						
100-4031300-5699	COUNTY CONT/CROSSING GD	\$	2,500.00	\$	2,500.00	\$	2,500.00
	TOTAL TRAFFIC CONTROL	\$	2,500.00	\$	2,500.00	\$	2,500.00
	EMERGENCY SERVICES						
100-4031400-5699	CONTRIBUTION/CC CENT ALRM	\$	2,000.00	\$	2,000.00	\$	2,000.00
	TOTAL EMERGENCY SERVICES	\$	2,000.00	\$	2,000.00	\$	2,000.00
	VOLUNTEER FIRE DEPARTMENT						
100-4032200-5699	CONTRIBUTION/JHEVFD	\$	25,000.00	\$	25,000.00	\$	25,000.00
100-4032200-5707	FIRE FUND PROGRAM	\$	11,187.00	\$	14,000.00	\$	14,000.00
	TOTAL VOLUNTEER FIRE DEPT	\$	36,187.00	\$	39,000.00	\$	39,000.00
	RESCUE SERVICES						
100-4032300-5699	PROFESSIONAL SER EMT"	\$	67,920.00	\$	67,920.00	\$	50,000.00
	TOTAL RESCUE SERVICES	\$	67,920.00	\$	67,920.00	\$	50,000.00
	CORRECTION & DETENTION						
100-4033200-5550	CONFINEMENT OF PRISONERS	\$	250.00	\$	250.00	\$	250.00
	TOTAL CORRECTION & DETENTION	\$	250.00	\$	250.00	\$	250.00
	PUBLIC WORKS ADMINISTRATION						
100-4041100-1140	Compensation	\$	42,425.00	\$	42,700.00	\$	44,450.00
100-4041100-2100	MATCHING FICA EXPENSE (7.65 %)					\$	3,400.00
100-4041100-3110	MEDICAL EXAMS	\$	525.00	\$	525.00	\$	525.00
100-4041100-3310	VEHICLE REP & MAINTENANCE	\$	6,000.00	\$	7,000.00	\$	7,000.00
100-4041100-5120	FUEL OIL/HEAT	\$	3,325.00	\$	3,325.00	\$	3,325.00
100-4041100-5230	TELECOMMUNICATIONS	\$	3,800.00	\$	4,400.00	\$	3,800.00
100-4041100-5415	COPIER LEASE			\$	2,100.00	\$	2,250.00

100-4041100-5540	TRAINING	\$	500.00	\$	500.00	\$	500.00
100-4041100-6001	OFFICE SUPPLIES	\$	500.00	\$	500.00	\$	500.00
	TOTAL PUBLI WKS ADMINISTRATION	\$	57,075.00	\$	61,050.00	\$	65,750.00
	HWYS, STS BRIDGES & SDWLKS						
100-4041200-1183	COMPENSATION	\$	117,600.00	\$	123,855.00	\$	127,500.00
100-4041200-2100	MATCHING FICA EXPENSE (7.65 %)					\$	9,750.00
100-4041200-3310	EQUIPMENT MAINTENANCE	\$	10,000.00	\$	10,000.00	\$	10,000.00
100-4041200-3315	SIDEWALK MAINTENANCE	\$	6,000.00	\$	6,000.00	\$	6,000.00
100-4041200-3316	STREET SIGN MAINTENANCE	\$	500.00	\$	500.00	\$	500.00
100-4041200-5425	NORFOLK/SOUTHERN R-O-W'S	\$	950.00	\$	950.00	\$	950.00
100-4041200-6007	MATERIALS & SUPPLIES	\$	4,000.00	\$	4,000.00	\$	4,000.00
100-4041200-6008	GASOLINE & OIL	\$	37,040.00	\$	37,400.00	\$	37,400.00
100-4041200-6011	UNIFORMS	\$	3,000.00	\$	3,000.00	\$	3,000.00
	TOTAL HWYS, STS BRIDGES & SWLKS	\$	179,090.00	\$	185,705.00	\$	199,100.00
	VDOT STREET MAINTENANCE						
100-4041250-3300	VDOT STREET MAINTENANCE	\$	431,812.00	\$	384,312.00	\$	287,037.00
100-4041250-3310	EQUIPMENT MAINTENANCE (VDOT)	\$	-				
100-4041250-3316	STREET SIGN MAINTENANCE (VDOT)	\$	-				
100-4041250-6050	ASPHALT (VDOT)	\$	-				
100-4041250-6130	TREE REMOVAL (VDOT)	\$	-				
100-4041250-6307	SNOW REMOVAL (VDOT)	\$	-				
100-4041250-8801	EQUIPMENT PURCHASE (VDOT)			\$	47,500.00	\$	125,500.00
100-4041250-8803	PUBLIC WORKS IMPROVEMENTS					\$	62,250.00
	TOTAL VDOT STREET MAINTENANCE	\$	431,812.00	\$	431,812.00	\$	474,787.00
	STREET LIGHTS						
100-4041320-5110	ELECTRICITY	\$	79,000.00	\$	79,000.00	\$	79,000.00
	TOTAL STREET LIGHTS	\$	79,000.00	\$	79,000.00	\$	79,000.00
	SNOW REMOVAL						
100-4041330-6007	MATERIALS & SUPPLIES	\$	2,000.00	\$	2,000.00	\$	2,000.00
	TOTAL SNOW REMOVAL	\$	2,000.00	\$	2,000.00	\$	2,000.00
	PARKING METERS & LOTS						
100-4041340-6007	MATERIALS & SUPPLIES	\$	1,500.00	\$	1,500.00	\$	1,500.00
	TOTAL PARKING METERS & LOTS	\$	1,500.00	\$	1,500.00	\$	1,500.00
	STREET & ROAD CLEANING						
100-4042200-6007	MATERIALS & SUPPLIES	\$	4,000.00	\$	4,000.00	\$	4,000.00
	TOTAL STREET & ROAD CLEANING	\$	4,000.00	\$	4,000.00	\$	4,000.00
	REFUSE COLLECTION						
100-4042300-3220	CONTRACTUAL SERVICES	\$	170,200.00	\$	177,000.00	\$	182,300.00
100-4042300-6225	RECYCLING SERVICES	\$	51,000.00	\$	53,000.00	\$	54,600.00
	TOTAL REFUSE COLLECTION	\$	221,200.00	\$	230,000.00	\$	236,900.00
	REFUSE DISPOSAL						
100-4042400-3800	FCO LANDFILL CHARGES	\$	20,000.00	\$	20,000.00	\$	20,000.00
	TOTAL REFUSE DISPOSAL	\$	20,000.00	\$	20,000.00	\$	20,000.00

GENERAL PROPERTIES							
100-4043200-3310	REPAIR & MAINTENANCE	\$	9,000.00	\$	9,000.00	\$	9,000.00
100-4043200-3325	HERMITAGE SWPOND MAINT	\$	4,180.00	\$	4,100.00	\$	4,100.00
100-4043200-6007	MATERIALS & SUPPLIES	\$	1,000.00	\$	1,000.00	\$	1,000.00
100-4043200-6017	CHRISTMAS LIGHTS	\$	1,100.00	\$	1,200.00	\$	1,200.00
	TOTAL GENERAL PROPERTIES	\$	15,280.00	\$	15,300.00	\$	15,300.00
BUILDING SERVICES							
100-4064200-3150	PROFESSIONAL SERVICES	\$	1,350.00	\$	1,500.00	\$	3,000.00
100-4064200-3200	CONTRACTURAL SERVICES	\$	15,610.00	\$	16,000.00	\$	16,650.00
100-4064200-5110	ELECTRICITY	\$	13,540.00	\$	14,000.00	\$	18,000.00
100-4064200-5120	NATURAL GAS/HEAT	\$	2,010.00	\$	2,500.00	\$	3,200.00
100-4064200-5130	WATER/SEWER	\$	880.00	\$	850.00	\$	650.00
100-4064200-5230	TELECOMMUNICATIONS	\$	9,810.00	\$	10,000.00	\$	4,000.00
100-4064200-5304	LIABILITY INSURANCE	\$	1,930.00	\$	2,000.00	\$	2,000.00
100-4064200-7113	IN KIND COSTS	\$	-	\$	15,000.00	\$	10,000.00
100-4064200-7115	SHARED MAINTENANCE	\$	33,850.00	\$	20,000.00	\$	15,000.00
100-4064200-8411	CAPITAL ASSET RESERVES	\$	6,520.00	\$	7,000.00	\$	6,150.00
	TOTAL BUILDING SERVICES	\$	85,500.00	\$	88,850.00	\$	78,650.00
PARKS & RECREATION							
100-4071310-3160	CONTRACTURAL SER/JN BLUE	\$	1,000.00	\$	1,000.00	\$	1,000.00
100-4071310-5699	CONTRIBUTION/CCP&R	\$	5,000.00	\$	5,000.00	\$	5,000.00
100-4071310-6017	CHRISTMAS LIGHTS	\$	400.00	\$	400.00	\$	400.00
100-4071310-6018	ROSE HILL IMPROVEMENTS	\$	5,000.00	\$	5,000.00	\$	5,000.00
	TOTAL PARKS & RECREATION	\$	11,400.00	\$	11,400.00	\$	11,400.00
PLANNING							
100-4081100-1155	COMPENSATION	\$	75,375.00	\$	77,435.00	\$	79,500.00
100-4081100-2100	MATCHING FICA EXPENSE (7.65 %)					\$	6,000.00
100-4081100-3190	PROFESSIONAL SERVICES	\$	4,500.00	\$	5,000.00	\$	5,000.00
100-4081100-3500	PRINTING	\$	200.00	\$	200.00	\$	100.00
100-4081100-5510	MILEAGE	\$	750.00	\$	750.00	\$	750.00
100-4081100-5540	TRAINING	\$	500.00	\$	500.00	\$	500.00
100-4081100-5810	DUES	\$	600.00	\$	600.00	\$	500.00
100-4081100-6001	OFFICE EQUIPMENT	\$	100.00	\$	100.00	\$	100.00
100-4081100-6012	PUBLICATIONS	\$	-	\$	-	\$	-
	TOTAL PLANNING	\$	82,025.00	\$	84,585.00	\$	92,450.00
BOARD OF ZONING APPEALS							
100-4081400-1110	EXPENSE COMPENSATION	\$	500.00	\$	500.00	\$	750.00
100-4081400-5540	TRAINING	\$	500.00	\$	-	\$	750.00
	TOTAL BOARD OF ZONING APPEALS	\$	1,000.00	\$	500.00	\$	1,500.00
ECONOMIC DEVELOPMENT							
100-4081500-5410	TOD SIGNS	\$	2,000.00	\$	-	\$	3,000.00
100-4081500-5411	WAYFINDING SIGNS	\$	10,000.00	\$	-	\$	-
100-4081500-5696	ECONOMIC DEVELOPMENT RESERVE					\$	9,000.00
100-4081500-5697	IDA GRANT MATCH	\$	30,000.00	\$	54,000.00	\$	-
100-4081500-5698	GRANT AND MATCHING FUNDS	\$	10,000.00	\$	10,000.00	\$	10,000.00
100-4081500-5699	DBI/ECO DEV PROF SERVICES	\$	20,000.00	\$	18,000.00	\$	18,000.00
	TOTAL ECONOMIC DEVELOPMENT	\$	72,000.00	\$	82,000.00	\$	40,000.00

PLANNING COMMISSION							
100-4081600-1111	EXPENSE COMPENSATION	\$	5,000.00	\$	5,000.00	\$	5,000.00
100-4081600-5540	TRAINING	\$	1,000.00	\$	1,000.00	\$	1,000.00
100-4081600-5810	DUES	\$	250.00	\$	250.00	\$	250.00
TOTAL PLANNING COMMISSION		\$	6,250.00	\$	6,250.00	\$	6,250.00
B'VILLE AREA DEV AUTHORITY							
100-4081700-1111	EXPENSE COMPENSATION	\$	2,500.00	\$	2,500.00	\$	2,500.00
100-4081700-5540	TRAINING	\$	250.00	\$	250.00	\$	250.00
100-4081700-5810	DUES	\$	125.00	\$	125.00	\$	125.00
TOTAL B'VILLE AREA DEV AUTHORITY		\$	2,875.00	\$	2,875.00	\$	2,875.00
ARCHITECTURAL REVIEW BOARD							
100-4081800-5540	TRAINING	\$	250.00	\$	500.00	\$	500.00
TOTAL ARCHITECTURAL REVIEW BD		\$	250.00	\$	500.00	\$	500.00
CAPITAL OUTLAY							
100-4094200-8200	PW SITE EXPANSION-RESERVE						
100-4094200-8201	CHRISTMAS DECORATIONS						
100-4094200-8225	COMPUTER REPLACEMENT	\$	4,000.00	\$	4,000.00	\$	4,000.00
100-4094200-8231	Police Cruiser	\$	-	\$	-	\$	43,530.00
100-4094200-8338	ONE TON DUMP	\$	40,000.00				
100-4094200-8339	SALT BOX/SNOW PLOW	\$	9,600.00				
100-4094200-8340	MOWER	\$	-	\$	6,000.00		
100-4094200-8345	PW TON DUMP BED (1/2 VDOT)	\$	-			\$	4,500.00
100-4094200-8367	SEWER JET RODDER	\$	22,445.00				
100-4094200-8411	CAPITAL RESERVE			\$	43,508.00		
100-4094200-8421	PD IN CAR CAMERA REP	\$	-				
100-4094200-8450	HVAC JOINT GOV CTR	\$	-				
100-4094200-8500	PPTRA RESERVE	\$	-	\$	10,000.00	\$	10,000.00
100-4094200-8601	PD SOFTWARE UPGRADE			\$	25,610.00		
100-4094200-8603	PD SERVER REPLACEMENT			\$	5,000.00		
100-4094200-8702	WAYFINDING SIGNS					\$	10,000.00
100-4094200-8803	PUBLIC WORKS IMPROVEMENTS (3/4 VDOT)					\$	24,750.00
TOTAL CAPITAL OUTLAY		\$	76,045.00	\$	94,118.00	\$	96,780.00
CONTINGENCY							
100-4094300-5800	CONTINGENCY (6.35%)	\$	213,976.00	\$	85,560.00	\$	186,838.00
TOTAL CONTINGENCY		\$	213,976.00	\$	85,560.00	\$	186,838.00
DEBT SERVICE							
100-4095000-9110	CIP PRINCIPAL	\$	31,800.00	\$	33,120.00	\$	35,000.00
100-4095000-9120	CIP INTEREST	\$	89,680.00	\$	88,360.00	\$	86,480.00
100-4095000-9130	RDA DEBT SER RESERVE	\$	12,147.00	\$	12,147.00	\$	12,147.00
TOTAL DEBT SERVICE		\$	133,627.00	\$	133,627.00	\$	133,627.00
TOTAL GENERAL FUND OPERATIONAL		\$	2,792,710.00	\$	2,851,876.00	\$	2,938,791.00
TOTAL GENERAL FUND CONTINGENCY		\$	213,976.00	\$	85,560.00	\$	186,838.00
TOTAL GENERAL FUND CAP OUTLAY		\$	76,045.00	\$	94,118.00	\$	96,780.00
TOTAL GENERAL FUND DEBT SERVICE		\$	133,627.00	\$	133,627.00	\$	133,627.00
TOTAL GENERAL FUND EXPENSES		\$	3,216,358.00	\$	3,165,181.00	\$	3,356,036.00

WATER FUND**PERSONNEL**

501-4012220-1140	COMPENSATION	\$	37,825.00	\$	38,460.00	\$	40,100.00
501-4012220-2100	MATCHING FICA EXPENSE (7.65 %)	\$	18,900.00	\$	18,525.00	\$	3,100.00
501-4012220-2210	VRS	\$	21,255.00	\$	27,075.00	\$	28,950.00
501-4012220-2220	VMLIP - STD	\$	155.00	\$	150.00	\$	145.00
501-4012220-2230	VMLIP - LTD	\$	1,340.00	\$	1,300.00	\$	1,280.00
501-4012220-2300	HEALTH INSURANCE	\$	35,000.00	\$	37,255.00	\$	38,500.00
501-4012220-2400	LIFE INSURANCE	\$	3,260.00	\$	2,860.00	\$	2,820.00
501-4012220-2600	UNEMPLOYMENT INSURANCE	\$	215.00	\$	180.00	\$	70.00
501-4012220-2700	WORKER'S COMPENSATION	\$	8,250.00	\$	6,400.00	\$	5,250.00
501-4012220-3145	PROFESSIONAL SERVICES	\$	1,000.00	\$	100.00	\$	-
501-4012220-3170	MISS UTILITY	\$	1,900.00	\$	1,000.00	\$	1,000.00
501-4012220-3320	HANDHELD MAINT	\$	2,000.00	\$	2,000.00	\$	2,000.00
501-4012220-5210	POSTAGE	\$	2,500.00	\$	2,500.00	\$	2,500.00
501-4012220-5540	TRAINING	\$	-	\$	1,000.00	\$	1,000.00
501-4012220-6001	OFFICE SUPPLIES	\$	650.00	\$	650.00	\$	1,000.00

TOTAL PERSONNEL		\$	134,250.00	\$	139,455.00	\$	127,715.00
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TREATMENT

501-4012222-1147	COMPENSATION	\$	150,500.00	\$	143,810.00	\$	141,200.00
501-4012222-2100	MATCHING FICA EXPENSE (7.65 %)					\$	10,800.00
501-4012222-2830	CERTIFICATION FEES	\$	900.00	\$	500.00	\$	900.00
501-4012222-2840	STATE CONNECTION FEES	\$	5,100.00	\$	5,100.00	\$	5,100.00
501-4012222-2850	LAB TESTING	\$	10,000.00	\$	10,000.00	\$	22,000.00
501-4012222-3110	MEDICAL EXAMS	\$	200.00	\$	200.00	\$	200.00
501-4012222-3145	PROFESSIONAL SERVICES	\$	10,000.00	\$	15,000.00	\$	15,000.00
501-4012222-3210	SLUDGE REMOVAL	\$	22,000.00	\$	22,000.00	\$	22,000.00
501-4012222-3220	CLEAN RIVER INTAKE	\$	-	\$	1,000.00	\$	2,000.00
501-4012222-3310	REPAIR & MAINTENANCE	\$	40,000.00	\$	40,000.00	\$	44,000.00
501-4012222-3510	CONSUMER CONFIDENCE RPT	\$	1,700.00	\$	500.00	\$	500.00
501-4012222-5110	ELECTRICITY	\$	55,000.00	\$	55,000.00	\$	59,000.00
501-4012222-5120	FUEL/OIL HEAT	\$	2,700.00	\$	2,700.00	\$	2,700.00
501-4012222-5230	TELECOMMUNICATIONS	\$	2,500.00	\$	2,500.00	\$	2,500.00
501-4012222-5415	COPIER LEASE			\$	600.00	\$	600.00
501-4012222-5540	TRAINING	\$	2,500.00	\$	2,500.00	\$	2,500.00
501-4012222-5690	DISCHARGE PERMIT RENEWAL	\$	2,100.00	\$	2,700.00	\$	2,700.00
501-4012222-5810	DUES	\$	1,000.00	\$	1,000.00	\$	1,000.00
501-4012222-6001	OFFICE SUPPLIES	\$	1,000.00	\$	1,000.00	\$	1,000.00
501-4012222-6004	LAB SUPPLIES	\$	3,600.00	\$	3,600.00	\$	3,600.00
501-4012222-6005	JANITORIAL SUPPLIES	\$	700.00	\$	700.00	\$	700.00
501-4012222-6008	GASOLINE & OIL	\$	6,200.00	\$	6,200.00	\$	6,200.00
501-4012222-6011	UNIFORMS	\$	500.00	\$	500.00	\$	500.00
501-4012222-6014	TOOLS	\$	250.00	\$	250.00	\$	250.00
501-4012222-6019	SAFETY EQUIPMENT	\$	2,000.00	\$	2,000.00	\$	2,000.00
501-4012222-6020	PERSONAL EQUIPMENT	\$	600.00	\$	600.00	\$	600.00
501-4012222-6025	CHEMICALS	\$	43,000.00	\$	40,000.00	\$	40,000.00

TOTAL TREATMENT		\$	364,050.00	\$	359,960.00	\$	389,550.00
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DISTRIBUTION & MAINTENANCE

501-4012224-1183	COMPENSATION	\$	88,150.00	\$	92,895.00	\$	95,600.00
501-4012224-2100	MATCHING FICA EXPENSE (7.65 %)					\$	7,300.00
501-4012224-3330	LINE REPAIR & MAINTENANCE	\$	42,750.00	\$	42,750.00	\$	42,750.00
501-4012224-6007	MATERIALS & SUPPLIES	\$	11,875.00	\$	11,875.00	\$	11,875.00

501-4012224-6019	SAFETY EQUIPMENT	\$	710.00	\$	710.00	\$	710.00
501-4012224-6030	NEW SERVICE SUPPLIES	\$	3,800.00	\$	3,000.00	\$	3,800.00
	TOTAL DISTRIBUTION & MAINT	\$	147,285.00	\$	151,230.00	\$	162,035.00
	CAPITAL OUTLAY						
501-4094200-8102	TANK REPAIR & MAINT RESERVE					\$	75,000.00
501-4094200-8210	DEPRECIATION EXPENSE	\$	-				
501-4094200-8211	CAPITAL RESERVES	\$	27,110.00			\$	34,800.00
501-4094200-8361	WATER LINE UPGRADES	\$	75,000.00	\$	150,000.00	\$	75,000.00
501-4094200-8368	LEAK DETECTOR	\$	12,000.00				
501-4094200-8550	EQUIPMENT REPAIR RESERVE	\$	25,000.00	\$	25,000.00	\$	25,000.00
501-4094200-8605	WTP BUILDING MAINTENANCE			\$	33,000.00		
501-4094200-8703	PICKUP (1/2)					\$	15,000.00
501-4094200-8704	WATER FINISH PUMPS					\$	12,000.00
	TOTAL CAPITAL OUTLAY	\$	139,110.00	\$	208,000.00	\$	236,800.00
	CONTINGENCY						
501-4094300-5800	CONTINGENCY (3.5%)	\$	32,359.00	\$	31,105.00	\$	24,600.00
	TOTAL CONTINGENCY	\$	32,359.00	\$	31,105.00	\$	24,600.00
	TOTAL WATER FUND OPERATIONAL	\$	645,585.00	\$	650,645.00	\$	679,300.00
	TOTAL WATER FUND CONTINGENCY	\$	32,280.00	\$	31,105.00	\$	24,600.00
	TOTAL WATER FUND CAP OUTLAY	\$	139,110.00	\$	208,000.00	\$	236,800.00
	TOTAL WATER FUND EXPENSES	\$	816,975.00	\$	889,750.00	\$	940,700.00

SEWER FUND							
	PERSONNEL						
502-4012220-1114	COMPENSATION	\$	37,825.00	\$	35,460.00	\$	37,000.00
502-4012220-2100	MATCHING FICA EXPENSE (7.65 %)	\$	24,750.00	\$	24,500.00	\$	2,850.00
502-4012220-2210	VRS	\$	27,820.00	\$	35,805.00	\$	38,350.00
502-4012220-2220	VMLIP - STD	\$	200.00	\$	195.00	\$	190.00
502-4012220-2230	VMLIP - LTD	\$	1,760.00	\$	1,720.00	\$	1,695.00
502-4012220-2300	HEALTH INSURANCE	\$	46,000.00	\$	49,275.00	\$	50,975.00
502-4012220-2400	LIFE INSURANCE	\$	4,270.00	\$	3,780.00	\$	3,730.00
502-4012220-2600	UNEMPLOYMENT INSURANCE	\$	280.00	\$	240.00	\$	90.00
502-4012220-2700	WORKER'S COMPENSATION	\$	10,500.00	\$	8,500.00	\$	7,000.00
502-4012220-3145	PROFESSIONAL SERVICES	\$	2,000.00	\$	1,000.00	\$	-
502-4012220-3320	HANDHELD MAINT	\$	-	\$	2,000.00	\$	2,000.00
502-4012220-5210	POSTAGE	\$	7,000.00	\$	7,000.00	\$	7,000.00
502-4012220-6001	OFFICE SUPPLIES	\$	500.00	\$	750.00	\$	1,500.00
	TOTAL PERSONNEL	\$	162,905.00	\$	170,225.00	\$	152,380.00
	TREATMENT						
502-4012222-1147	COMPENSATION	\$	235,800.00	\$	235,530.00	\$	233,900.00
502-4012222-2100	MATCHING FICA EXPENSE (7.65 %)					\$	17,900.00
502-4012222-2830	CERTIFICATION FEES	\$	400.00	\$	900.00	\$	500.00
502-4012222-2850	LAB TESTING	\$	25,000.00	\$	25,000.00	\$	25,000.00
502-4012222-3145	PROFESSIONAL SERVICES	\$	15,000.00	\$	15,000.00	\$	15,000.00
502-4012222-3210	LANDFILL-SOLIDS DISPOSAL	\$	35,000.00	\$	30,000.00	\$	30,000.00
502-4012222-3310	REPAIR & MAINTENANCE	\$	60,000.00	\$	90,000.00	\$	90,000.00
502-4012222-5110	ELECTRICITY	\$	160,000.00	\$	150,000.00	\$	150,000.00

502-4012222-5230	TELECOMMUNICATIONS	\$	5,000.00	\$	5,000.00	\$	5,000.00
502-4012222-5415	COPIER LEASE			\$	3,000.00	\$	3,000.00
502-4012222-5540	TRAINING	\$	6,500.00	\$	5,000.00	\$	4,000.00
502-4012222-5690	Discharge Permit Renewal	\$	3,100.00	\$	3,100.00	\$	3,100.00
502-4012222-5810	DUES	\$	500.00	\$	500.00	\$	500.00
502-4012222-6001	OFFICE SUPPLIES	\$	2,500.00	\$	2,500.00	\$	2,500.00
502-4012222-6004	LAB SUPPLIES	\$	9,000.00	\$	8,000.00	\$	8,000.00
502-4012222-6005	JANITORIAL SUPPLIES	\$	1,000.00	\$	1,000.00	\$	1,000.00
502-4012222-6008	DIESEL FUEL	\$	8,000.00	\$	8,000.00	\$	8,000.00
502-4012222-6011	UNIFORMS	\$	800.00	\$	800.00	\$	800.00
502-4012222-6014	TOOLS	\$	1,500.00	\$	1,000.00	\$	1,000.00
502-4012222-6019	SAFETY EQUIPMENT	\$	3,000.00	\$	3,000.00	\$	3,000.00
502-4012222-6020	PERSONAL EQUIPMENT	\$	800.00	\$	800.00	\$	800.00
502-4012222-6025	CHEMICALS	\$	100,000.00	\$	100,000.00	\$	100,000.00
	TOTAL TREATMENT	\$	672,900.00	\$	688,130.00	\$	703,000.00
	DISTRIBUTION & MAINTENANCE						
502-4012224-1183	COMPENSATION	\$	88,150.00	\$	92,895.00	\$	95,600.00
502-4012224-1183	MATCHING FICA EXPENSE (7.65%)					\$	7,300.00
502-4012224-3310	EQUIPMENT MAINTENANCE	\$	1,805.00	\$	2,000.00	\$	2,000.00
502-4012224-3330	REPAIR & MAINTENANCE	\$	7,125.00	\$	8,000.00	\$	8,000.00
502-4012224-6007	MATERIALS & SUPPLIES	\$	6,080.00	\$	6,080.00	\$	6,080.00
502-4012224-6019	SAFETY EQUIPMENT	\$	285.00	\$	285.00	\$	285.00
502-4012224-6030	NEW SERVICE SUPPLIES	\$	2,850.00	\$	2,850.00	\$	2,850.00
	TOTAL DISTRIBUTION & MAINT	\$	106,295.00	\$	112,110.00	\$	122,115.00
	CAPITAL PROJECTS						
502-4094100-8001	OUTFALL LINE	\$	-				0
502-4094100-8003	NEW WWTP	\$	-				0
	TOTAL CAPITAL PROJECTS	\$	-	\$	-	\$	-
	CAPITAL OUTLAY						
502-4094200-8110	WWTP UPGRADES	\$	-				
502-4094200-8134	Sewer Collection Sys Rehab	\$	50,000.00	\$	50,000.00	\$	100,000.00
502-4094200-8210	DEPRECIATION	\$	-				
502-4094200-8367	SEWER JET RODDER	\$	22,445.00				
502-4094200-8411	Capital Reserve	\$	11,200.00	\$	156,295.00	\$	271,855.00
502-4094200-8540	MEMBRANE REPLACEMENT RESERVE	\$	50,000.00	\$	50,000.00	\$	50,000.00
502-4094200-8550	EQUIPMENT REPAIR RESERVE	\$	15,000.00	\$	25,000.00	\$	25,000.00
502-4094200-8602	3/4 TON PICKUP (1/2 VDOT)			\$	16,500.00		
502-4094200-8604	STORM SEWER CAMERA (1/2 VDOT)			\$	16,000.00		
502-4094200-8703	PICKUP (1/2)					\$	15,000.00
	TOTAL CAPITAL OUTLAY	\$	148,645.00	\$	313,795.00	\$	461,855.00
	CONTINGENCY						
502-4094300-5800	CONTINGENCY (3.5%)	\$	47,105.00	\$	48,340.00	\$	34,250.00
	TOTAL CONTINGENCY	\$	47,105.00	\$	48,340.00	\$	34,250.00
	DEBT SERVICE						
502-4095000-9118	VRA PRINCIPAL	\$	470,000.00	\$	470,000.00	\$	470,000.00
	TOTAL DEBT SERVICE	\$	470,000.00	\$	470,000.00	\$	470,000.00
	TOTAL SEWER FUND OPERATIONAL	\$	942,100.00	\$	970,465.00	\$	977,495.00

TOTAL SEWER FUND CONTINGENCY	\$	47,105.00	\$	48,340.00	\$	34,250.00
TOTAL SEWER FUND CAP OUTLAY	\$	148,645.00	\$	313,795.00	\$	461,855.00
TOTAL SEWER FUND DEBT SERVICE	\$	470,000.00	\$	470,000.00	\$	470,000.00

TOTAL SEWER FUND EXPENSES	\$	1,607,850.00	\$	1,802,600.00	\$	1,943,600.00
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TOTAL EXPENSES ALL FUNDS	\$	5,641,183.00	\$	5,857,531.00	\$	6,240,336.00
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	2016-2017			2017-2018			2018-2019			2019-2020			2020-2021		
	General	Water	Sewer	General	Water	Sewer	General	Water	Sewer	General	Water	Sewer	General	Water	Sewer
PPTRA RESERVE	\$ 10,000.00														
Police Cruiser	\$ 43,530.00			\$ 43,530.00			\$ 43,530.00			\$ 43,530.00					
Police RMS Software Replacement															
Police Portable Radio Replacement										\$ 120,579.00					
Police In Car Camera Replacement				\$ 18,000.00											
Police Body Worn Camera Replacement							\$ 5,000.00								
Police Mobile Data Terminal Replacement							\$ 13,500.00								
Computers Replacements	\$ 4,000.00			\$ 4,000.00			\$ 4,000.00								
Police Server Replacement															
Public Works Site Expansion- RESERVE				\$ 75,000.00											
Christmas Wreath Replacements															
1 Ton Dump Truck (1/2 VDOT)				\$ 43,000.00											
3/4 Ton Pick-Up (1/2 VDOT)							\$ 35,000.00								
Storm Sewer Inspection Camera (1/2 VDOT)															
Mower				\$ 8,000.00											
310 John Deere Backhoe (1/2 VDOT)				\$ 130,000.00											
F350 Dump Bed (1/2 VDOT)	\$ 4,500.00														
Wayfinding Signs	\$ 10,000.00														
PUBLIC WORKS IMPROVEMENTS	\$ 24,750.00														
Leak Detector															
Pick-up	\$ 15,000.00	\$ 15,000.00													
Water Line Upgrades	\$ 75,000.00			\$ 75,000.00			\$ 75,000.00			\$ 100,000.00					
WTP Building Maintenance															
Water Finish Pumps VFD's	\$ 12,000.00														
Stor Tank Rep & Maint- RESERVE	\$ 75,000.00			\$ 75,000.00			\$ 75,000.00								
Pick-up Truck Replacement													\$ 26,000.00		
Collection Syst. Repair / Upgrade / I&I		\$ 100,000.00			\$ 100,000.00			\$ 100,000.00		\$ 100,000.00		\$ 100,000.00			
Membrane Replacement- RESERVE		\$ 50,000.00		\$ 50,000.00			\$ 50,000.00		\$ 50,000.00						
Equipment Repair - RESERVE	\$ 25,000.00	\$ 25,000.00		\$ 25,000.00	\$ 25,000.00		\$ 25,000.00	\$ 25,000.00							
Capital Reserves	\$ 34,800.00	\$ 271,855.00													
	\$ 96,780.00	\$ 236,800.00	\$ 461,855.00	\$ 321,530.00	\$ 175,000.00	\$ 175,000.00	\$ 101,030.00	\$ 175,000.00	\$ 175,000.00	\$ 164,109.00	\$ 100,000.00	\$ 126,000.00	\$ -	\$ -	\$ -

Attachment 2

BERRYVILLE TOWN COUNCIL

Public Hearing – Special Use Permit for Hip and Humble Interiors

May 10, 2016

Hip & Humble Interiors (Tom McFillen, Agent), is requesting a Special Use Permit for retail sales incidental to a manufacturing, production or related use as regulated in Section 609.3(h) of the Berryville Zoning Ordinance for the property located at 401 East Main Street, identified as Tax Map Parcel number 14A6-((1))-3, zoned L-1 Industrial. SUP 01-16

Public hearing notices were published in the Winchester Star on Tuesday, April 26 and Tuesday, May 3, 2016. Adjacent property notices were mailed via first class mail on Friday, April 22, 2016. No comments were received in the Planning Office.

The Planning Commission held a public hearing on March 22 and recommended the following conditions:

- The parking is identified on the property as shown on the site plan;
- Signage conforms to zoning regulations and review and approval of the Architectural Review Board;
- Outdoor storage is prohibited; and
- The loading area adjacent to East Main Street is designated on the site.

April 12, 2016 Staff Report

A public hearing was held by the Berryville Planning Commission on Tuesday, March 22, 2016. They recommended that Town Council approve the request with the following conditions:

- *The parking is identified on the property as shown on the site plan;*
- *Signage conforms to zoning regulations and review and approval of the Architectural Review Board;*
- *Outdoor storage is prohibited; and*
- *The loading area adjacent to East Main Street is designated on the site.*

General Information

Hip & Humble Interiors, Tom McFillen, Agent, is requesting a Special Use Permit in order to allow retail sales incidental to a manufacturing, production or related use as identified in Section 609.3(h) of the Berryville Zoning Ordinance. The property, Aylor's Mill, is located within the L-1 Industrial Zoning District.

Mr. McFillen's letter identifies general information about the business and he has indicated that the present customer base includes wholesale dealers, those selling consignment items on the site, and the general shopping consumer. He said that appointments are now scheduled with respective clients and that they wish to open the showroom to the general public on the first weekend of each month and on extended holiday weekends. The owners also have a site located at 19 First Street that is zoned C-

1 General Commercial which allows retail sales by right. The First Street location is currently used for storage, some repurposing, and sales.

Mr. McFillen described the business as follows:

Hip & Humble creates "Farm Fresh" furnishings by bringing new life to discarded and salvaged material.

- An old Radio Flyer wagon becomes a side table when mounted upon the base of an antiquated Singer pedal sewing machine base.*
- Discarded wood fence boards become a farm table*
- A ""nuts & bolts" bin from a farm shop becomes a curio cabinet*
- Cut down porch columns become table base legs or corner post for an entertainment center.*

Site Information

The property is owned by Aylor's Mill, LLC. Town staff has met with the property owner on several occasions and discussed permitted uses, options for rezoning, the Special Use Permit process, and other related items. One concern that has been identified is the access to the site. There are several other properties located on Lloyd's Lane that also use this entrance including Lloyd's Transfer. The property owner and his engineer worked with VDOT to identify options for access to the site. The eastbound operational speed on Main Street was reduced from 25 miles per hour to 20 miles per hour by VDOT to create safer access.

This property is located within the Berryville Historic District and is identified as a contributing structure in the District. The original subdivision of these parcels took place in the early 1900's. Modifications to the property, including additions, signage, and fencing, are reviewed and approved by the Berryville Architectural Review Board.

Parking

A site plan identifying the proposed parking is included as part of the application. Section 305.20 addresses parking requirements for retail spaces and for furniture, hardware and home furnishings. The requirements are one space for every 200 square feet for retail and one space for every 400 square feet for furniture, hardware, and home furnishings. With 3,200 square feet of retail space identified on the site plan, the 16 spaces identified on the site plan conform to zoning requirements. The Planning Commission recommended identifying the two parking spaces adjacent to East Main Street as a loading zone.

Special Use Permit

Section 503 of the Berryville Zoning Ordinance regulates Special Use Permits. Special Permit Uses may have conditions imposed by Town Council which are deemed appropriate in the public interest. These conditions may include items such as site requirements (e.g., fencing, landscaping) or hours of operation. Once approved, the use shall be established within two years. Council may approve an additional one year extension if the request is made prior to the two year timeframe and if no elements of the request have been modified. Special Use Permits are tied to the specific property on which the permit was approved, not the owner of the property who made application.

The use may not be expanded or increased in intensity unless authorized by Town Council. Items to consider during the process are identified in Section 503.4(d) of the ordinance language as follows:

- 1. The health, safety, and welfare of the general public.*
- 2. Physical and visual impact on adjoining and abutting properties.*
- 3. Adequate utilities, drainage, parking, and other necessary facilities to serve the proposed use.*
- 4. Compliance with the adopted master plan.*
- 5. Environmental compatibility.*
- 6. Community sentiment.*

The following items are included for your review:

- Special Use Permit application;*
- A narrative submitted by Mr. McFillen, Agent, concerning the request;*
- A site plan identifying parking;*
- A site plan identifying proposed areas of the building being used for retail; and*
- Section 609, L-1 Industrial and Section 305, Special Use Permits from the Berryville Zoning Ordinance.*

Recommendation

Approve the Special Use Permit as presented with the following conditions:

- The parking is identified on the property as shown on the site plan;
- Signage conforms to zoning regulations and review and approval of the Architectural Review Board;
- Outdoor storage is prohibited; and
- The loading area adjacent to East Main Street is designated on the site.

A motion follows this report.

BERRYVILLE TOWN COUNCIL PUBLIC HEARING NOTICE

The Berryville Town Council will hold the following public hearing at 7:30 p.m., or as soon after as these matters may be heard, on Tuesday, May 10, 2016, in the Main Meeting Room, Second Floor, of the Berryville/Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia to consider the following:

Hip & Humble Interiors (Tom McFillen, Agent), is requesting a Special Use Permit for retail sales incidental to a manufacturing, production or related use as regulated in Section 609.3(h) of the Berryville Zoning Ordinance for the property located at 401 East Main Street, identified as Tax Map Parcel number 14A6-((1))-3, zoned L-1 Industrial. SUP 01-16

The Berryville Planning Commission is initiating a text amendment to Article I, Definitions, of the Berryville Zoning Ordinance in order to define "convenience store". TA 01-16

Copies of the applications, amendments, and maps may be examined at the Berryville Planning Office, Berryville/Clarke County Government Center (101 Chalmers Court), Second Floor, Berryville, Virginia during regular business hours. Additional information may be obtained by calling Assistant Town Manager Christy Dunkle at 540/955-4081. Any person desiring to be heard on these matters should appear at the appointed time and place.

Proposed Fiscal Year 2016-2017 Budget as follows:

<u>Resources and Revenues</u>	APPROVED FY 15-16	DRAFT FY 16-17
GENERAL FUND		
Fund Balance	\$.00	\$.00
Revenue from Local Sources	\$ 2,326,400.00	\$ 2,464,520.00
Revenue from State Sources	\$ 838,781.00	\$ 891,786.00
Total	\$ 3,165,181.00	\$ 3,356,036.00
WATER FUND		
Fund Balance	\$ -	\$ -
Revenue from Local Sources	\$ 837,250.00	\$ 862,650.00
Availability Fees	\$ 52,500.00	\$ 78,050.00
Total	\$ 889,750.00	\$ 940,700.00
SEWER FUND		
Fund Balance	\$ -	\$ -
Revenue from Local Sources	\$ 1,575,100.00	\$ 1,625,100.00
Availability Fees	\$ 227,500.00	\$ 318,500.00
Revenue from WQIF Grant	\$ -	\$ -
Revenue from VRA Loan	\$ -	\$ -
Total	\$ 1,802,600.00	\$ 1,943,600.00
TOTAL RESOURCES AND REVENUES	\$ 5,857,531.00	\$ 6,240,336.00
<u>Expenses and Reserves</u>		
GENERAL FUND		
Maintenance and Operational	\$ 2,851,876.00	\$ 2,938,791.00
Debt Service	\$ 133,627.00	\$ 133,627.00
Capital Reserves and Expenses	\$ 94,118.00	\$ 96,780.00
Contingency	\$ 85,560.00	\$ 186,838.00
Total	\$ 3,165,181.00	\$ 3,356,036.00
WATER FUND		
Maintenance and Operational	\$ 647,680.00	\$ 679,300.00
Debt Service	\$ -	\$ -
Capital Reserves and Expenses	\$ 208,000.00	\$ 236,800.00
Contingency	\$ 34,070.00	\$ 24,600.00
Total	\$ 889,750.00	\$ 940,700.00
SEWER FUND		
Maintenance and Operational	\$ 966,775.00	\$ 977,495.00
Debt Service	\$ 470,000.00	\$ 470,000.00
Capital Reserves and Expenses	\$ 317,485.00	\$ 461,855.00
Contingency	\$ 48,340.00	\$ 34,250.00
Total	\$ 1,802,600.00	\$ 1,943,600.00
TOTAL EXPENSES AND RESERVES	\$ 5,857,531.00	\$ 6,240,336.00

Copies of the full proposed budget may be examined at the Berryville Business Office, Berryville Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia during regular business hours. Additional information may be obtained by calling Assistant Town Manager/Treasurer Desiree Moreland at 540/955-1099.

Any person desiring to be heard regarding the above matters should appear at the appointed time and place. Written copies of statements at public hearings are requested but not required.

The Town of Berryville does not discriminate against disabled people in admission or access to its programs and activities. Accommodations will be made for disabled people upon prior request.

By order of the Town Council
Kathy D. Dutton, Town Manager

Town of Berryville
101 Chalmers Court – Suite A
Berryville, Virginia 22611
Phone: (540) 955-4081 Fax: (540) 955-4524 E-mail: planner@berryvilleva.gov

SPECIAL USE PERMIT APPLICATION

Please Note: This is an application only. The permit will be issued only if approved by the Berryville Town Council after review and recommendation from the Planning Commission.

To be completed by Applicant:

Date: FEBRUARY 5, 20 16

Applicant's Name: Hip + Humble Interiors - Julie Ashby / Steve Scott

Applicant's Address: P.O. Box 407, Berryville, VA 22620

Use Applied For: Section 609.3 (H) Retail Sales w/in L-1 District

At the following address: 401 EAST MAIN STREET - Aylon Mill 1st Floor

Special Conditions: _____

Property Owner's Name: Aylon Mill LLC - Jay Holloway Agent

Property Owner's Address: 2770 Kinble Road, Berryville VA 22611

Owner or Agent: The information provided is accurate to the best of my knowledge. I understand that the Town may deny, approve, or conditionally approve the request for which I am applying. I certify that all property corners have been clearly staked and flagged.

Signature: Tom W. Holloway on behalf of Hip + Humble Interiors Date: FEBRUARY 5, 2016

Owner: I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Town Planning Department and other government agents to enter the property and make such investigations and tests, as they deem necessary. I acknowledge that in accordance with Article X of the Subdivision Ordinance I am responsible for costs incurred for review of subdivision and/or development plans by the Town's engineer and that any other required tests or studies will be carried out at owner/agent expense

Signature: Tom W. Holloway on behalf of Hip + Humble Interiors Date: FEBRUARY 5, 2016

TO BE COMPLETED BY ZONING ADMINISTRATOR

Special Use: RETAIL 609.3(H) Zone: L-1

Street Address: 401 E. MAIN ST. Tax Map #: 14A6 ((1))3

Special Use Permit Fee: \$2000 Paid: 2.8.16

Site Plan Fee: \$125 Paid: 2.8.16

Signature of Zoning Administrator: _____ Date: _____

Hip & Humble Interiors

P.O. Box 407
Boyce, VA 22620

February 5, 2016

Christy Dunkle, Asst. Town Manager
Town of Berryville
101 Chalmers Court, Suite A
Berryville, VA 22611

Subject: Special Use Permit Application; Aylor Mill, 401 East Main Street

Dear Christy,

Enclosed please find completed Special Use Permit Application, a plat of the Mill property and check in the amount of Two Thousand One Hundred Twenty Five Dollars (\$2,125.00), which to our understanding comprises the total application fees for this submission. The purpose of this application is an approval under Special Use Permit to conduct retail sales from a property located within Zoning District L-1.

As I explained briefly in a letter to you on January 21, 2016, I have been asked by Julie Ashby and Steve Scott to act on their behalf with this submission and to represent the applicant during public hearing process to the Berryville Planning Commission and the Berryville Town Council.

Hip and Humble entered into a lease agreement with Aylor Mill LLC during the second quarter of 2015 for the property located at 401 East Main Street, the Aylor Mill, zoned L-1. The intent was to relocate approximately 3200 square feet of showroom activities to Berryville from the Strasburg Emporium and to compliment the ongoing storefront Hip & Humble operates within the Webb Center at 14 First Street, zoned BP.

The present customer base for Hip & Humble comprises an "extended family" mix of eclectic wholesale dealers, consignment purchasers and the general shopping consumer. Specific to the Mill location, Hip and Humble does not maintain daily business hours. The majority of wholesale dealers want privacy when viewing inventory through arranged appointment. The same may be said for that client wishing to consign for a specific type of furniture construction, fabricating ideas from examples of pieces that may be within current inventory. Beyond the one on one appointment, it is the intent with approved Special Use Permit to open the showroom to the general public on the first weekend of each month and long weekends surround major holidays.

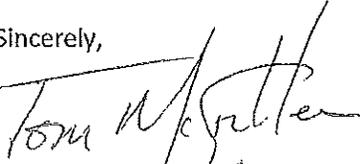
Page two

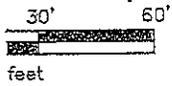
On the attached plat please note:

- I have, as best to scale as possible, outlined parking spaces adjacent the mill per zoning requirements.
- Within the outline of the building I have provided a delineation line showing the existing segregation wall between the showroom space and that housing milling bins, etc., thereby comprising the square footage of usable showroom space.

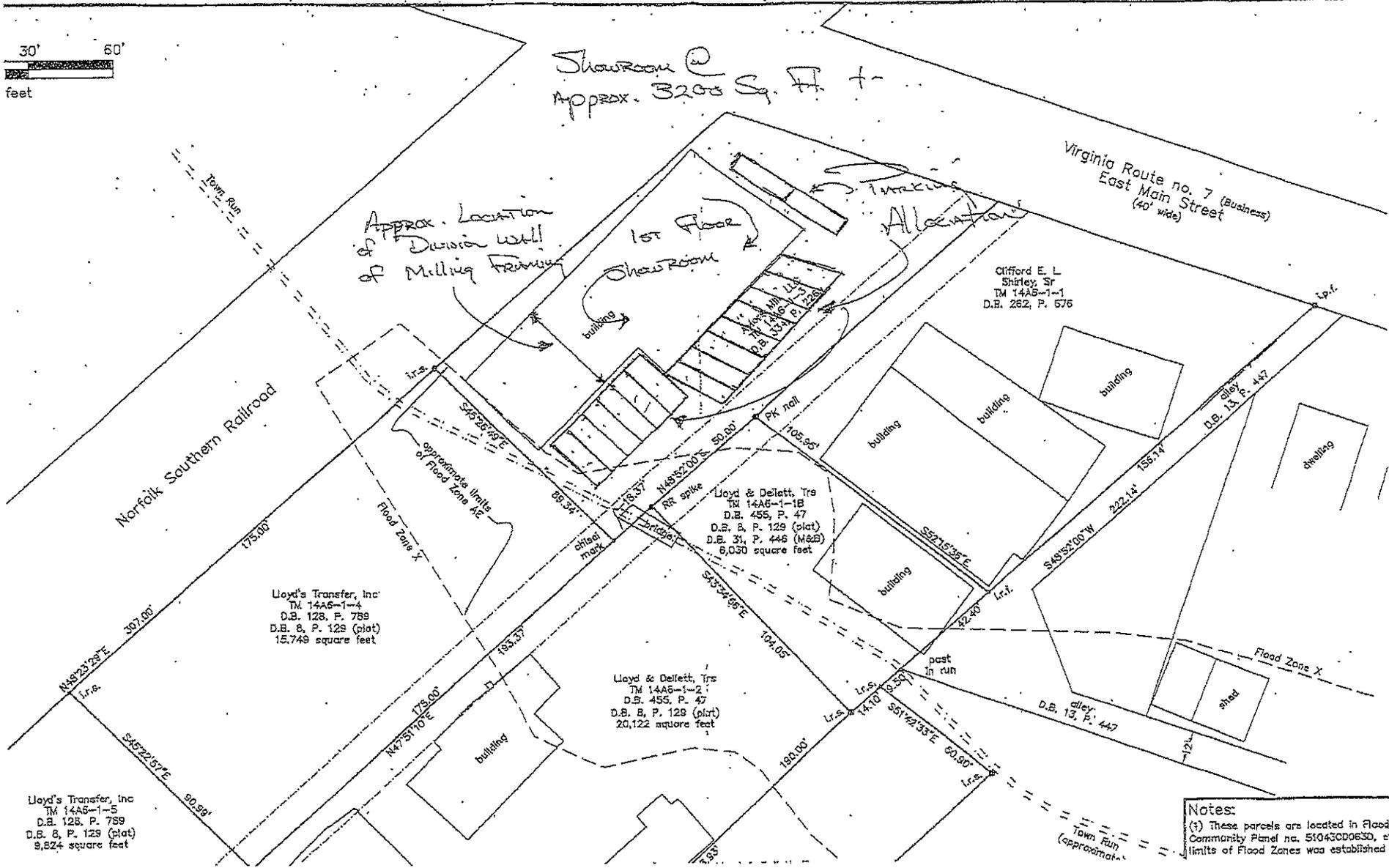
On behalf of Hip & Humble I would like to thank you for your assistance in the filing of this application that with approval, can remove any future confusion of how the purchasing public is served. The reception received thus far has been extremely positive, especially to those who follow Hip & Humble but had yet to experience Berryville. For you and Town staff, any member of the Planning Commission or Town Council that may wish to tour either facility, I would be most happy to arrange at the convenience of your schedule.

Sincerely,


2/5/16



Showroom @
Approx. 3200 Sq. Ft. +



Notes:
(1) These parcels are located in Flood Community Panel no. 51043CD0630, & limits of Flood Zones was established

Section 609 Industrial (L-1) District

SECTION 609 L-1 INDUSTRIAL DISTRICT

609.1 PURPOSE AND INTENT

The L-1 Industrial District is established to provide locations within the Town of Berryville for a broad range of general light-industrial uses and employment-related businesses operating under well-governed performance standards. The specific uses permitted within the L-1 District must be in harmony with the cultural and environmental character of the Town of Berryville. No use should be permitted that might be harmful to the adjoining land uses and the residential ambience of the community at large. Outdoor storage and heavy industrial uses are discouraged but may be permitted by special use and environmental performance review. The L-1 District recognizes and is to be applied to existing conforming industry in the Town of Berryville as of the date of adoption of this District. Existing industrial uses shall be considered as satisfying the purpose and intent of the L-1 District, but expansion of existing industrial uses shall conform to the provisions herein.

609.2 PERMITTED USES (12/94)

- (a) Auction establishments (indoor only) (5/95)
- (b) Business and professional offices (7/99)
- (c) Business service, supply and delivery establishments
- (d) Contractor's establishments without outdoor storage
- (e) Establishments for the production, processing, assembly, manufacturing, compounding, cleaning, servicing, testing and repair of materials, goods or products which conform to applicable Federal, State and local environmental performance standards or other standards referenced by the Town as related to (a) air pollution; (b) fire and explosion hazards; (c) radiation hazards; (d) electromagnetic radiation and interference hazards; (e) liquid and solid wastes hazards; (f) noise and odor standards; and (g) vibration standards.
- (f) Existing or expansion of existing industrial uses in operation as of the date of adoption of this Ordinance which conform to the previous industrial zoning district requirements.
- (g) Farm supply establishments
- (h) Financial institutions
- (i) Indoor mini-storage facilities
- (j) Light manufacturing, fabrication, testing or repair establishments without outdoor storage
- (k) Light warehousing establishments, without outdoor storage
- (l) Light wholesale trade establishments, without outdoor storage
- (m) Printing and publishing establishments
- (n) Private training and vocational schools
- (o) Public utilities (sub-stations, pump stations, transmission/receiving facilities and lines for telecommunications and similar uses, storage tanks, etc.)
- (p) Sheet metal shops
- (q) Small animal veterinary hospitals, exclusive of boarding kennels
- (r) Vehicle and machinery service, and parts sales ("service" including but not limited to internal and external repair, body work, paint, car washes, etc.)
- (s) Welding shops

Section 609 Industrial (L-1) District

609.3 SPECIAL PERMIT USES

- (a) All above permitted uses requiring outdoor storage (10/94)
- (b) Day care centers (12/94)
- (c) Eating establishments (5/95)
- (d) Heliports
- (e) Laundry and dry cleaning establishments
- (f) Lumber yards and building materials establishments
- (g) Motor freight terminals
- (h) Retail sales incidental to a manufacturing, production or related use, provided that:
 - a) the gross floor area used for retail purposes (excluding storage) shall not occupy more than five-thousand (5,000) square feet of gross floor area on any one lot, and shall not exceed twenty-five (25) percent of the total floor area for the site; and
 - b) the areas dedicated for retail uses must be indicated on an approved site plan.The provisions of this Section shall not apply to those permitted or special permit uses for which retail sales are a primary activity. (12/07)
- (i) Scientific research, development, and training establishments
- (j) Service stations
- (k) Vehicle and machinery sales and rentals
- (l) Recreation, commercial indoor (06/10)

609.4 PROHIBITED USES

The specific uses which follow shall not be permitted in the L-1 District:

- (a) Asphalt mixing plants
- (b) Blast furnaces
- (c) Boiler works
- (d) Bulk storage of flammable materials
- (e) Coal, wood or wood distillation
- (f) Concrete mixing and batching products
- (g) Extraction or mining of rocks and minerals
- (h) Garbage incineration
- (i) Junk yards
- (j) Landfills
- (k) Manufacture of ammonia, chlorine, fertilizer, lime, cement, fireworks, explosives, soaps, acids, pesticides, herbicides or insecticides
- (l) Metal foundries and smelting
- (m) Petroleum, asphalt or related product refining
- (n) Rendering plants
- (o) Slaughterhouses
- (p) Stockyards
- (q) Tanning and curing of skins
- (r) Any other similar use which in the opinion of the Town Council might be injurious or noxious by reason of odor, fumes, dust, smoke, vibration, noise or other cause

609.5 MAXIMUM LOT COVERAGE

(12/91) The maximum lot coverage—including buildings, streets, parking spaces, driveways, loading areas and all other impervious surfaces—shall not be greater than seventy-five percent (75%) of the area of an L-1 lot.

Section 609 Industrial (L-1) District

609.6 MINIMUM DISTRICT SIZE

The minimum district size shall be four (4) acres.

609.7 LOT SIZE REQUIREMENTS AND BULK REGULATIONS

- (a) Minimum lot area: 30,000 square feet
- (b) Minimum lot width: 125 feet
- (c) The maximum building height shall be forty (40) feet, except in particular instances the Town Council may, upon recommendation from the Planning Commission or its agent, modify the maximum building height.
- (d) Minimum yard requirements
 - (1) Front yard: 50 feet
 - (2) Side yard: 25 feet (except where side yard abuts a public right-of-way the side yard shall be 50 feet) (5/94)
 - (3) Rear yard: 50 feet (5/94)

609.8 OPEN SPACE

- (a) An open space plan and landscape design program shall be submitted with applications for any land use governed by this District.
- (b) Twenty five percent (25%) of the site shall be landscaped open space. Landscaping may be limited to setback areas and unused portions.

609.9 PARKING, PARKING ACCESS AND DRIVEWAYS

- (a) No parking space shall be located closer than fifteen (15) feet from any common property line.
- (b) Where lot is contiguous to property located in any district other than the L-1, I, C-1 or C-2 District, no parking space shall be closer than 40 feet from such property line. (5/94)
- (c) All parking requirements shall be met by off-street, on-site spaces and shall include designated spaces for the handicapped and elderly.
- (d) Refer to Section 305 for additional off-street parking requirements.

609.10 SETBACK, BUFFERING AND LANDSCAPING

- (a) Where an L-1 lot is contiguous to property located in a district other than an L-1, I, C-1 or C-2 District, all buildings shall have a minimum 60-foot setback from lot lines. In particular instances the Town Council may waive the 60-foot setback requirement, upon recommendation from the Planning Commission. (5/94)
- (b) Where an L-1 lot is contiguous to property located in a district other than an L-1, I, C-1 or C-2 District, a landscaped buffer strip of 30 feet in width shall be provided, with landscape materials and placement subject to final plan approval. Where contiguous to a C-1 or C-2 District property, the landscaped buffer strip shall be 15 feet. Approved fencing or additional buffering may be used in lieu of landscaping. (5/94)

Section 609 Industrial (L-1) District

609.11 STORAGE OF GOODS, MATERIALS, FUEL AND REFUSE

- (a) The outdoor area devoted to storage, loading and display of goods shall be limited to that area so designated on an approved site plan.
- (b) All equipment and materials shall be contained entirely within a building or screened from public rights-of-way and contiguous properties that are in land uses other than industrial in nature.
- (c) Any establishment involved with the storage of fuel for sale, or for other purposes, shall be permitted only if the fuel is stored underground, except where otherwise permitted under provisions granted and stipulations required by the Town Council.
- (d) All refuse shall be contained in completely enclosed facilities and shall be screened.

609.12 STREET ENTRANCES

- (a) On a corner lot, no street entrance shall be located closer than 60-feet to the curb line extended from the intersecting street. This distance may be increased with respect to the types and turning radii of vehicles using the site.
- (b) No street entrance shall be located closer than 30 feet to a side or rear lot line, unless a common street entrance serves adjacent uses, and in no instance shall the distance between separate street entrances serving adjacent uses be less than 60 feet. The maximum width of such street entrances shall not exceed thirty feet (30').
- (c) A freestanding use shall have no more than two street entrances on any single right-of-way, and such street entrances shall have a minimum distance of 90 feet between them.

609.13 SITE PLAN REQUIREMENTS AND PERFORMANCE STANDARDS

- (a) All uses shall be subject to final site plan approval.
- (b) Any L-1 District land use application which is not in strict compliance with the pre-existing approved master site plan and preliminary plat for the district shall require an amendment to that master site plan and preliminary plat prior to site plan approval of the specific use.
- (c) Master site plans and preliminary plats for L-1 Districts shall include provisions for:
 - (1) adequate public facilities;
 - (2) development phasing;
 - (3) stormwater management facilities to address the ultimate development coverage within the district;
 - (4) lighting and signing; and
 - (5) other special features and land use considerations deemed necessary to serve the industrial district.
- (d) Applications for all uses subject to special use permits shall be accompanied by a report indicating the compliance with and use compatibility issues related to the Town's applicable performance standards.

609.14 ADDITIONAL REQUIREMENTS

- (a) Public Streets within the L-1 District shall be constructed to industrial road standards as determined by the Town Council or its agent. Sidewalks may be required on one or both sides of the street.

Section 609 Industrial (L-1) District

- (b) Common property ownership agreements and covenants for L-1 District developments shall be reviewed and approved by the Town Council or its agent.
- (c) Refer to Section 306 for off-street loading requirements.
- (d) Refer to Sections 301-304 for general regulations and other provisions which may supplement those cited herein.
- (e) Refer to specific Overlay Zoning districts, where applicable.

BERRYVILLE TOWN COUNCIL
MOTION TO APPROVE SPECIAL USE PERMIT

Date: May 10, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville approve Special Use Permit 01-16 in order to conduct retail sales incidental to a manufacturing, production or related use as regulated in Section 609.3(h) of the Berryville Zoning Ordinance for the property located at 401 East Main Street, identified as Tax Map Parcel number 14A6-((1))-3, zoned L-1 Industrial, with the following conditions:

- The parking is identified on the property as shown on the site plan;
- Signage conforms to zoning regulations and review and approval of the Architectural Review Board;
- Outdoor storage is prohibited; and
- The loading area adjacent to East Main Street is designated on the site.

VOTE:

Aye:

Nay:

Absent:

Attachment 3

BERRYVILLE TOWN COUNCIL

Public Hearing – Text Amendment to Article I, Definitions, of the Berryville Zoning Ordinance in Order to Define “Convenience Store”

May 10, 2016

The Berryville Planning Commission is initiating a text amendment to Article I, Definitions, of the Berryville Zoning Ordinance in order to define “convenience store”. TA 01-16

Public hearing notices were published in the Winchester Star on Tuesday, April 26 and Tuesday, May 3, 2016. No comments were received in the Planning Department.

The Planning Commission is recommending that the following definition for “convenience store” be adopted in Article I Definitions of the Berryville Zoning Ordinance:

“A retail business with primary emphasis placed on providing the public a convenient location to quickly purchase from an array of consumable products including food, gasoline, and other convenience items. A convenience store may include prepared food and consumption of prepared food on site. A drive-through facility may also be included.”

April 12, 2016 Staff Report

Per Town Council’s request at their February 9, 2016 meeting, the Planning Commission discussed the A.C. Echols’ request for an increase of square footage (from 2,000 square feet to 5,500 square feet) for convenience stores as an accessory use in the BC zoning district. It was recommended by Planning Commission at their March meeting that Section 610.2(b) be modified to allow no more than 4,000 square feet for a convenience store as an accessory use with no more than 2,000 square feet to be used for retail. Additionally, the Planning Commission recommended the removal of “automobile service and repair establishments” thereby allowing convenience stores to be a principal use. They have set a public hearing on this matter, as well as for a definition for “convenience store”, for their April 26, 2016 meeting.

Overview of Previous Activity

Planning Commission originally held a public hearing on the matter at their October 27, 2015 meeting and continued the hearing to their November meeting. The following action occurred at their November 17, 2015 meeting:

There being no further discussion, Vice Chair Kemp moved to recommend the adoption of a text amendment to Section 610.2 of the Berryville Zoning Ordinance to Town Council allowing up to 3,000 square feet of gross floor area for a convenience store as an accessory use to auto service and repair including gas stations, seconded by Ms. Marino, the motion passed by voice vote.

Town Council held a public hearing on the matter at their January 12, 2016 meeting. In an attempt to work with the applicant, they forwarded the matter back to the Planning Commission for additional review and discussion. As referenced above, the Planning Commission recommended a maximum of 4,000 square feet with no more than 2,000 square feet of retail at their March meeting.

Definition of Convenience Store

The Planning Commission has recommended the following definition for “convenience store” to be included in Article I Definitions:

“A retail business with primary emphasis placed on providing the public a convenient location to quickly purchase from an array of consumable products including food, gasoline, and other convenience items. A convenience store may include prepared food and consumption of prepared food on site. A drive-through facility may also be included.”

Staff is requesting Council to set a public hearing on this proposed amendment for their May 10, 2016 meeting.

Recommendation

Adopt the text amendment recommended by Planning Commission. A motion and ordinance follow this report.

AN ORDINANCE AMENDING
ARTICLE I, DEFINITIONS
OF THE TOWN OF BERRYVILLE ZONING ORDINANCE

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

ARTICLE I

convenience store - A retail business with primary emphasis placed on providing the public a convenient location to quickly purchase from an array of consumable products including food, gasoline, and other convenience items. A convenience store may include prepared food and consumption of prepared food on site. A drive-through facility may also be included.

SIGNED: _____
Wilson Kirby, Mayor

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

BERRYVILLE TOWN COUNCIL
MOTION TO ADOPT A TEXT AMENDMENT TO
ARTICLE I OF THE BERRYVILLE ZONING ORDINANCE

Date: May 10, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville adopt the attached amendment to Article I Definitions, of the Berryville Zoning Ordinance in order to define “convenience store” as follows:

A retail business with primary emphasis placed on providing the public a convenient location to quickly purchase from an array of consumable products including food, gasoline, and other convenience items. A convenience store may include prepared food and consumption of prepared food on site. A drive-through facility may also be included.

VOTE:

Aye:

Nay:

Absent:

Attachment 4

MINUTES
BERRYVILLE TOWN COUNCIL & CLARKE COUNTY BOARD OF SUPERVISORS
Berryville-Clarke County Government Center
Joint Meeting
April 12, 2016
7:00 p.m.

Town Council: Present-Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Allen Kitselman; David Tollett; Bryant Condrey; Doug Shaffer

Clarke County Board of Supervisors: Present-Terri Catlett; Barbara Byrd; Bev McKay; David Weiss, Chair; Mary Daniel

Town of Berryville Staff: Present- Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Desiree Moreland, Assistant Town Manager/Finance; Neal White, Chief of Police; Ann Phillips, Town Clerk

Clarke County Staff: Present- Davis Ash, County Administrator; Brandon Stidham, Director of Planning; Lora Walburn, Deputy Clerk- Board of Supervisors

Press: Adrian O'Connor and Josh Janney, Winchester Star

1. Call to Order

Mayor Kirby called the Town Council meeting to order at 7:00 p.m.

Chair Weiss called the County Board of Supervisors meeting to order at 7:00 p.m.

2. Closed Session

Recorder Arnold moved that the Council of the Town of Berryville enter Closed Session pursuant to Section 2.2-3711-A-5 Code of Virginia, in order to discuss a business that is considering locating in Berryville. Council member Shaffer seconded the motion which carried on the following vote:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None
Abstain – None

Supervisor Byrd moved that the Clarke County Board of Supervisors enter Closed Session pursuant to Section 2.2-3711-A-5 Code of Virginia, in order to discuss a business that is considering locating in Berryville. The motion carried on the following vote:

Aye - Terri T. Catlett
Barbara J. Byrd
Beverly B. McKay
David S. Weiss

Nay - None
Absent – Mary L.C. Daniel
Abstain - None

Citing conflict of interest, Supervisor Byrd recused herself from the closed session.

At 7:05 p.m., Supervisor Daniel joined the meeting.

At 7:43 p.m., the members of the Town Council being assembled within the designated meeting place in the presence of members of the public and the media desiring to attend, the meeting was reconvened.

Recorder Arnold moved that the following Resolution Concerning Certification of the Closed Session be adopted. Council member Shaffer seconded the motion which carried on the following roll call vote:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None
Abstain - None

CERTIFICATION OF CLOSED SESSION

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

Harry Lee Arnold, Jr., Recorder

At 7:43 p.m., the members of the Board of Supervisors being assembled within the designated meeting place, with open doors and in the presence of members of the public and/or the media desiring to attend, **Vice Chairman McKay moved to reconvene in open session. The motion carried as follows:**

Aye- Terri T. Catlett
Mary L.C. Daniel
Beverly B. McKay
David S. Weiss

Nay – None
Absent – None
Abstain – Barbara J. Byrd

Vice Chairman McKay further moved to execute the following Certification of Closed Session:

CERTIFICATION OF CLOSED SESSION

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

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

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

The motion was approved by the following roll-call vote:

Aye- Terri T. Catlett
Mary L.C. Daniel
Beverly B. McKay
David S. Weiss

Nay – None
Absent – None
Abstain – Barbara J. Byrd

+ + + + + + + + +

3. Pledge of Allegiance

4. Joint Public Hearing

The Berryville Town Council and the Clarke County Board of Supervisors will hold a Joint Public Hearing to consider formal action on a revised Berryville Area Plan.

Christy Dunkle, Assistant Town Manager/Planner and Brandon Stidham, Clarke County Planning Director provided an overview of the plan update process and PowerPoint presentation highlighting major changes in the Berryville Area Plan.

Public hearing speakers were as follows:

George Ohrstrom, 726 Wrights Mill Road, Berryville, said the Berryville Area Development Authority, of which he is a member, thinks the revised plan is a good plan. He thanked staff for the work in completing the update.

Bonnie Echols, 400 Custer Court, Berryville, read from a handout citing flaws in the Berryville Area Plan. She said the plan should be referred back to the BADA and Planning Commission to address local shopping, affordable housing, and discrimination against seniors.

Alton Echols, 400 Custer Court, Berryville, said a comprehensive plan is mandated to provide affordable housing. He added that retail growth has been excluded at Food Lion and encouraged Council to seek an Attorney General opinion on the matter.

Sharon Strickland, 312 Early Drive, Berryville, read remarks from Daniel Garrett of 303 Archer Court, Berryville, who was unable to attend the meeting. The remarks referenced a discriminatory provision against affordable senior housing and the belief that a 60-unit project is not buildable because of economy-of-scale in construction costs.

Robina Bouffault, 1823 Old Winchester Road, Boyce, said she was a BADA member from 2002-2008. She said this plan is a huge improvement over the previous version, and complemented staff on the good work in drafting the plan. She cautioned that the wastewater treatment plant capacity may play a role in limiting future development.

No others wished to speak. Chairman Weiss praised the staff for the good work on the plan. He said he views the plan as a road map to future development.

At 8:18 p.m. the public hearing was closed on a motion by Council member Kitselman, seconded by Council member Shaffer, and passed.

5. Board of Supervisors Adjourn

At 8:20 p.m., Chairman Weiss adjourned the Board of Supervisors meeting.

Mayor Kirby noted the flower arrangement placed at the Press table in honor of late Winchester Star reporter Val Van Meter. He said Val had been a faithful attendee at Council meetings, and that she was being honored and remembered by the Council.

The Board of Supervisors left the meeting room.

6. Public Hearing

Proposed Tax Rates for 2016

Public hearing speakers were as follows:

Pat Dickinson, 413 Montgomery Court, Berryville, said the Budget and Finance Committee has proposed a budget of \$6,207,349 with a revenue deficit of about \$19,000 that requires an increase in tax rates.

Ms. Dickinson said that not all assessments had gone down and that some residents would be paying more in taxes.

Alton Echols, 400 Custer Court, Berryville, said that taxes have gone up the last two years. He questioned the \$25,000 allotted to Berryville Main Street and the \$70,000 allotted to the County for an EMS position which he said is not the Town's job to fund. He repeated his request for Council to seek an Attorney General opinion regarding retail growth at Food Lion.

Wayne Webb, 510 Ewell Court, Berryville, said he was going to whine and complain about the tax increase. He said the Town does not need this much money and that this is an insult to folks in the community.

Erecka Gibson, 409 Montgomery Court, said she was not pleased with the tax rate increase or the way it was advertised. She thanked Council member Condrey for his efforts on this matter.

The public hearing was closed on a motion by Council member Tollett, seconded by Council member Condrey, and passed.

7. Approval of Minutes

Upon motion of Recorder Arnold, seconded by Council Member Tollett, the minutes of the March 8, 2016 meeting were approved as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None
Abstain - None

Upon motion of Recorder Arnold, seconded by Council Member Kitselman, the minutes of the March 15, 2016 work session were approved as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None
Abstain - None

Upon motion of Recorder Arnold, seconded by Council Member Kitselman, the minutes of the March 16, 2016 work session were approved as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None
Abstain - None

8. Citizens' Forum

Citizens' Forum speakers were as follows:

Kimber Herron, 1146 John Mosby Highway, said he was representing the Farmers' Market which will operate on Saturdays from May 7 through October 29, and this year will include Hill High BBQ as a regular vendor along with many other meat and vegetable producers. He said the Farmers' Market will be featured as part of the Top of Virginia Artisan Trail. He thanked the Town for assigning a street address to the Market location which will help with visitors wanting to find the Market.

Alton Echols, 400 Custer Court, Berryville, said he was appearing on behalf of his client, Mr. Wang, regarding the property in front of Food Lion. He thanked the Town Planner and Town Manager for placing his concern about convenience store square footage on the agenda, saying he has an operator who will work with 3000 square feet. He again suggested the Town seek an Attorney General opinion.

Donna McDonald, 101 Cameron Street, asked what we are doing for our citizens. She said lots of people want things including lighting and safety. She spoke about taxes saying she had been told Town taxes were for trash pickup and police. Ms. McDonald said she did not personally need the police, and she takes her trash to the landfill herself.

Elizabeth Mock, 10 Farmers Lane, said she is the owner of Modern Mercantile, but was representing Berryville Main Street. She said an upcoming event is a Classic Car Cruise-In on August 27. She added that Berryville Main Street has participated in economic vitality training, re-published the Go-To Guides for residents, and produced a newsletter. Ms. Mock added that Berryville Main Street volunteers will be preparing the planters around Town with plants donated by Rivers Edge Landscaping, and will have a booth at the Blandy Farm Mothers' Day festivities handing out literature and information about Berryville and its merchants. She noted that classes are available at the Fire House Gallery, and that the Gallery's sales are up.

9. Report of Wilson Kirby, Mayor

The Mayor said when a party performs work in the VDOT right-of-way, they are required to provide surety and proof of adequate insurance, and if the party is a local government, VDOT addresses this matter in a blanket resolution. He said VDOT requests that the Town adopt the suggested resolution. **Recorder Arnold moved that the Council of the Town of Berryville adopt the following VDOT Land Use Permit Resolution. Council member Kitselman seconded the motion which carried as follows:**

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None
Abstain - None

**VDOT Land Use Permit Resolution
Town of Berryville**

WHEREAS, it becomes necessary from time to time for the Town of Berryville to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the Town of Berryville by the Virginia Department of Transportation of said permits for the work aforesaid;

NOW, THEREFORE, BE IT RESOLVED by the Town of Berryville Town Council this 12th day of April 2016:

Section 1 : That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the Town of Berryville does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the Town of Berryville and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of transportation or the Commonwealth of Virginia in the event of suit.

Section 2: That the Public Works Director or designee, be, and hereby is authorized to execute on behalf of the Town of Berryville all land use permits and related documents of the Virginia Department of Transportation.

Section 3: That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

Section 4: That the Town of Berryville shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

BE IT STILL FURTHER RESOLVED that the Town Treasurer or designee, be, and hereby is authorized

and directed to procure insurance required by Section 1 herein.

The foregoing Resolution was adopted by the Town of Berryville Town Council at its regular meeting held on 12 April 2016 in Berryville, Virginia.

Wilson Kirby, Mayor

Harry Lee Arnold, Jr., Recorder

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10. Report of Christy Dunkle, Asst. Town Manager for Community Development

Ms. Dunkle said Hip and Humble Interiors (Tom McFillen, Agent) has requested a Special Use Permit for retail sales incidental to manufacturing, production, or related use as regulated in Section 609.3(h) of the Berryville Zoning Ordinance for the property located at 401 East Main Street. She said the Planning Commission held a Public Hearing on March 22, 2016. By consensus, Council set a public hearing for May 10, 2016.

Ms. Dunkle said per Council’s request, the Planning Commission has continued the discussion on the convenience store use in the BC district, and have set a public hearing to consider the updated uses in the Business Commercial Zoning District under Section 610.2(b) and a definition of “convenience store” for their next meeting scheduled for April 26, 2016. By consensus, Council set a public hearing on this matter for May 10, 2016.

Ms. Dunkle said the applicant of the original text amendment concerning convenience stores has requested Town council action at this meeting for a maximum of 3,000 square feet which was the original recommendation made by the Planning Commission in September. **Council member Kitselman moved that the Council of the Town of Berryville adopt the attached ordinance amending Article VI, Section 610.2(b) of the Berryville Zoning Ordinance in order to allow up to 3,000 square feet of gross floor area for a convenience store as an accessory use to auto service and repair (including gas stations). Council member Shaffer seconded the motion which carried as follows:**

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None

AN ORDINANCE AMENDING
ARTICLE VI, SECTION 610.2(B)
OF THE TOWN OF BERRYVILLE ZONING ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, that Article VI, Additional Districts, Business Commercial (BC) Zoning District, Section 610.2(b), of the Town of Berryville Zoning Ordinance shall be amended as follows:

ARTICLE VI

610.2 PERMITTED USES

- (b) Automobile service and repair establishments (including gas stations), with a convenience store (not occupying more than 3,000 square feet of gross floor area) as an accessory use, provided that all vehicle repair takes place in a fully enclosed building.

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Ms. Dunkle noted the Artisan Trail mentioned earlier and said that she, Peter Miller, and Len Capelli are now on the Artisan Trail Board representing Berryville and Clarke County.

Ms. Dunkle said that a new 60 unit senior multi-family project plan is going before the Planning Commission.

Ms. Dunkle noted that work continues on the Tourism Zone with a final draft of Tourism Zone documents and a first draft of proposed modifications to Section 609 L-1 Industrial of the Berryville Zoning Ordinance scheduled to be presented at the May Council meeting.

11. Report of Keith Dalton, Town Manager

Mr. Dalton noted the sudden loss of Winchester Star reporter Val Van Meter. He said he had known Val for many years and that she will be sorely missed by the Town and County.

12. Report of H. Allen Kitselman, III – Berryville Area Development Authority Liaison

Council member Kitselman said the next BADA meeting will be May 4, 2016.

13. Report of Harry Lee Arnold, Jr., - Chair, Budget and Finance Committee

Recorder Arnold moved that the Council of the Town of Berryville adopt the following Ordinance setting the tax levies for tax year 2016 amending the Code of the Town of Berryville, Chapter 16- Taxation, Article I – In General, Section 16-1 Annual Tax Assessments; valuation of property. Council member Shaffer seconded the motion.

TOWN OF BERRYVILLE
TOWN COUNCIL
AN ORDINANCE SETTING TAX LEVIES FOR TAX YEAR 2016

BE IT ORDAINED, by the Council of the Town of Berryville, Virginia, that for the tax year 2016 there is hereby levied:

- (1) A tax of \$.19 per \$100 assessed valuation on all real estate located within the Town of Berryville, such levy being also applicable to the real estate and tangible personal property of public service corporations;
- (2) A tax rate of \$1.25 per \$100 assessed valuation on all taxable, tangible personal property, except machinery and tools, located in the Town of Berryville;
- (3) A tax rate of \$1.30 per \$100 assessed valuation on tangible machinery and tools located in the Town of Berryville.

All tax levies shall be due and payable pursuant to the Code of the Town of Berryville, Chapter 16, Article I, Section 16-3.

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Council member Condrey made a presentation regarding the amount of contingency in the proposed budget. **Council member Condrey moved that the previous motion be amended by changing the tax on all real estate from \$.19 to \$.186 per \$100 assessed value. Council member Tollett seconded the motion.** There was a brief discussion of the contingency funds and the tax rates. The motion failed on the following vote:

Aye – Bryant Condrey
David Tollett

Nay – Wilson Kirby
Harry Lee Arnold, Jr.
Allen Kitselman
Douglas Shaffer

Absent – None
Abstain – None

Recorder Arnold's original motion setting tax levies was voted on:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Allen Kitselman
Douglas Shaffer

Nay – Bryant Condrey
David Tollett

Absent – None
Abstain – None

Recorder Arnold moved that the Council of the Town of Berryville adopt the attached resolution providing for the implementation of the 2004-2005 changes to the Personal Property Tax Relief Act of 1998 for the tax year 2016. Council member Kitselman seconded the motion which carried as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None
Abstain – None

**Town of Berryville
Resolution
To Provide for the Implementation of the 2004-2005
Changes to the Personal Property Tax Relief Act of 1998
For the Tax Year 2016**

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code § 58.1-3523 *et seq.* (“PPTRA”), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 505) and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly, being the 2005 revisions to the 2004-2006 Appropriations Act (“the 2005 Appropriations Act”); and

WHEREAS, the legislative enactments require the Town to take affirmative steps to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS, these legislative enactments provide for the Town of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to local personal property tax on such vehicles.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Berryville in accordance with the requirements set forth in Va. Code § 58.1-3524(C) (2) and § 58.1-3912(E), as amended by Chapter 1 of the 2005 Acts of Assembly (2004 Special Session 1) and as set forth in Item 503 of the 2005 Appropriations Act, that any qualifying vehicle having situs within the Town during the tax year which begins on January 1, 2016, shall receive personal property tax relief in the following manner:

1. Personal use vehicles valued at less than \$1,000 will be eligible of 100 percentage of tax relief set by the Town Council during its annual budget deliberations.
2. Personal use vehicles valued between \$1,001 and \$20,000 will be eligible for 70 percentage of tax relief set by the Town Council during its annual budget deliberations.
3. Personal use vehicles valued at \$20,001 or more will be eligible for 70 percentage of tax relief on the first \$20,000 of assessed value set by the Town Council during its annual budget deliberations.
4. All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for personal property tax relief under PPTRA.

PASSED THIS 12th DAY OF APRIL 2016.

Wilson L. Kirby, Mayor

ATTEST:

Harry L. Arnold, Jr., Recorder

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Recorder Arnold moved that the Council of the Town of Berryville set a Public Hearing on the FY 16-17 Budget for May 10, 2016. Council member Kitselman seconded the motion which carried as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None
Abstain - None

There was a discussion of VRS Employer Retirement Contribution Rates.

14. Report of H. Allen Kitselman, III - Chair, Community Improvements Committee

On a motion by Council member Condrey, seconded by Council member Kitselman, the minutes of the Community Improvements Committee meeting on March 29, 2016 were approved.

15. Report of Douglas A. Shaffer – Planning Commission Liaison

Council member Shaffer had nothing to add.

16. Report of David Tollett – Chair, Police and Security Committee

Council member Tollett said the Police and Security Committee will meet again on April 28, 2016.

17. Report of Wilson Kirby – Chair, Streets and Utilities Committee

On a motion by Council member Shaffer, seconded by Mayor Kirby the minutes of the Streets and Utilities Committee meeting on March 24, 2016, were approved.

Mr. Dalton noted that after winter some streets were identified as needing more immediate repair as reflected in the Street Work Priorities draft. **Council member Shaffer moved that the attached Street Work Priorities for FY 17 be approved and that the Streets and Utilities Committee be authorized to make adjustments as needed throughout the year. Council member Condrey seconded the motion which carried as follows:**

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None
Abstain – None

Street Work Priorities FY 2017
3/15/16 Draft

<u>VDOT Reimbursement Limit</u>	\$ 474,787
<u>Work Items</u>	
Patch/Repair trouble areas in streets	\$ 20,000
Sidewalk repair	\$ 10,000
Engineering	\$ 5,000
Public Works Improvements	\$ 63,563
Equipment Purchase/Maintenance/Repair (purchase dump truck & 10' Plow (115,000), 8' plow (6,000), and dump bed (4,500). Maintenance (23,500)	\$ 150,000
Routine Maintenance (snow removal, tree trimming, drainage ditch cleaning, street cleaning etc.)	\$ 100,000
<u>Subtotal</u>	\$ 348,563
<u>Available within Reimbursement (\$474,787 – 348,563)</u>	\$ 126,224
<u>Specific Repair Work Priorities</u>	
<i>Summer and fall (2016)</i>	
Academy Court	\$ 16,224
Total Summer/Fall (2016)	\$ 16,224
<i>Spring and summer (2017)</i>	
Jack Enders Blvd. (Williamstead Lane to ETM)	\$ 110,000
Total Spring/Summer (2015)	\$ 110,000
<u>Remaining within Reimbursement</u>	\$ 0

Note: Proceeds from sale of three Public Works trucks will return to the General Fund.

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18. Report of Harry Lee Arnold, Jr. – Chair, Personnel Committee

Recorder Arnold reported that all positions are currently filled.

19. Other

Council member Kitselman voiced his displeasure with campaign pamphlets for Town Council candidates which are being circulated around Town. He said the pamphlets were full of inaccuracies and suggested that the candidates learn more about the Town's vision and planning. He explained the basis for the water and sewer rates being the Chesapeake Bay initiative and its requirement for water treatment standards in the region.

20. Closed Session

At 9:26 p.m., **Recorder Arnold moved that the Council of the Town of Berryville enter Closed Session pursuant to Section 2.2-3711-A-6 Code of Virginia, in order to consult with legal counsel and staff regarding probable litigation. Council member Shaffer seconded the motion which carried on the following vote:**

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None
Abstain - None

At 10:10 p.m., the members of the Town Council being assembled within the designated meeting place in the presence of members of the public and the media desiring to attend, the meeting was reconvened. **Recorder Arnold moved that the following Resolution Concerning Certification of the Closed Session be adopted. Council member Shaffer seconded the motion which carried on the following roll call vote:**

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None
Abstain – None

CERTIFICATION OF CLOSED SESSION

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

Harry Lee Arnold, Jr., Recorder

21. Adjourn

There being no other business, upon motion of Council member Tollett, seconded by Council member Kitselman, the meeting was adjourned at 10:11 p.m.

Wilson Kirby, Mayor

Harry Lee Arnold, Jr., Recorder

Attachment 5

BERRYVILLE TOWN COUNCIL

MOTION TO ADOPT A RESOLUTION REGOGNIZING MASTER PATROL
OFFICER GREGORY FRENZEL FOR A DISTINGUISHED CAREER

Date: May 10, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville adopt the attached resolution recognizing Master Patrol Officer Gregory Frenzel for a distinguished career as a police officer.

VOTE:

Aye:

Nay: None

Absent: None

ATTEST:

Harry Lee Arnold, Jr., Recorder



**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BERRYVILLE
RECOGNIZING MASTER PATROL OFFICER GREGORY FRENZEL FOR A
DISTINGUISHED CAREER AS A POLICE OFFICER**

WHEREAS, Master Patrol Officer Greg Frenzel began working for the Berryville Police Department on January 11, 1997, and for nineteen years loyally served the community of Berryville until his retirement on May 31, 2016; and,

WHEREAS, During those nineteen years of service Officer Frenzel served the police department as a Firearms Instructor, Investigator, and Evidence Room Manager, and all of those additional duties helped to maintain a professional, well trained, and safe department; and,

WHEREAS, In addition to serving as a training officer for the department, Officer Frenzel also spent countless hours as an instructor for basic law enforcement officer candidates at the regional training academy, thereby leaving a lasting impression upon those just beginning their careers in law enforcement; and,

WHEREAS, Because of his attention to detail, tenacity and organizational skills, Officer Frenzel was often assigned to investigate complex and demanding cases, to include the 2009 homicide of Town Councilor Gail Smith ; and,

WHEREAS, Officer Frenzel was recognized by his peers and the Horseshoe Curve Benevolent Association as the 2006 Law Enforcement Officer of the Year, and in addition was recognized by the Virginia Homicide Investigators Association in 2015 as a Homicide Investigator of the Year; and,

WHEREAS, Because of the professional and compassionate manner in which he conducted himself while a police officer for the Town of Berryville serving as a true guardian of the community, he favorably affected countless lives and provided a positive role-model of what a true police officer should be; and,

NOW, THEREFORE BE IT RESOLVED that the Council of the Town of Berryville hereby salutes Master Patrol Officer Greg Frenzel for a distinguished career serving the Town and thanks him for his devoted service to the Town's residents.

By Order of the Council of the Town of Berryville on this the fourteenth day of June, 2016.

Wilson L. Kirby, Mayor

Harry Lee Arnold, Jr., Recorder

Attachment 6

BERRYVILLE TOWN COUNCIL

MOTION TO ADOPT JOINT RESOLUTION IN REGOGNITION AND
APPRECIATION

Date: May 10, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville adopt the attached resolution expressing appreciation for the vision and talents of those responsible for the design and artwork in the Berryville Clarke County Government Center.

VOTE:

Aye:

Nay: None

Absent: None

ATTEST:

Harry Lee Arnold, Jr., Recorder



**Berryville Clarke County
Government Center**

*101 Chalmers Court, Berryville, Virginia 22611
540-955-5100*

**Berryville Town Council and Clarke County Board of Supervisors
Joint Resolution in Recognition and Appreciation**

WHEREAS on October 10, 2006, the Berryville Town Council and the Clarke County Board of Supervisors entered into an agreement to construct and equip a new joint administrative complex; and,

WHEREAS Phyllis Nee, owner Interior Expressions, was selected to create the interior design in the shared areas of the Berryville Clarke County Government Center, and in pursuit of her vision, she actively solicited artwork from local artists; and,

WHEREAS in response to Ms. Nee’s solicitation, Matthew Klein, Steve Lee, John Lewis, Maral Kalbian and the Clarke County Historical Association provided a variety of images for display in the Government Center.

NOW THEREFORE BE IT RESOLVED, that the Berryville Town Council and the Clarke County Board of Supervisors recognize and express appreciation for the vision, talent and efforts of Phyllis Nee, Matthew Klein, Steve Lee, John Lewis, Maral Kalbian and the Clarke County Historical Association.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the members of the Berryville Town Council on _____ and the Clarke County Board of Supervisors on _____.

Berryville Town Council

Wilson Kirby, Mayor

Clarke County Board of Supervisors

David S. Weiss, Chair

Attest: _____
Ann Phillips, Clerk

Attest: _____
David L. Ash, Clerk

Attachment 7

Planning and Community Development

Action Items

Public Hearing – Special Use Permit for Hip & Humble Interiors

Public Hearing – Text Amendment to Article I, Definitions, of the Berryville Zoning Ordinance in Order to Define “Convenience Store”

Set Public Hearing – Special Use Permit for Home Occupation

Resolution – Text Amendments to Article VI, Section 609, L-1 Industrial and establishing Town Code Section 16-9 Tourism Zone Incentives

May 10, 2016

Planning Commission

The Planning Commission held a meeting on Tuesday, April 26, 2016. They held a public hearing on a text amendment to Article I, Definitions, of the Berryville Zoning Ordinance adding a definition of “convenience store”. They also held a public hearing on a Special Use Permit for a Home Occupation in order to operate an art studio on South Church Street. Both items are included in this agenda packet. Their next meeting is scheduled for Tuesday, May 24, 2016 at 7:30pm.

Berryville Area Development Authority

The BADA held a called meeting on Wednesday, May 4, 2016. They intended to make comments on the preliminary site plan for the Regan House senior income-restricted facility as part of the Special Use Permit application. There was insufficient information at the meeting to review the submission. Their next meeting is scheduled for Wednesday, May 25, 2016 at 7:00pm.

Architectural Review Board

The Architectural Review Board held a meeting on Wednesday, May 4, 2016 to discuss the following:

Architectural Review

Middleburg Bank (Andy Bigler, Agent; One West Main, LLC, Owner) is requesting a Certificate of Appropriateness in order to install a new wooden front entry door and sidelight to the building located at 1 West Main Street, identified as Tax Map Parcel number 14A5-((A))-10, zoned C General Commercial. *Approved as presented.*

Architectural Review

Matthew and Jennifer McDonald, Owners, are requesting a Certificate of Appropriateness in order to build an addition on their home located at 222 West Main Street, identified as Tax Map Parcel number 14A1-((A))-18, zoned R-2 Residential. *Approved as presented.*

They also reviewed signage for Cordial Coffee Company, LLC that will be moving in the old hotel building downtown. They recommended approval of the signage and that the applicant work with staff to determine the best location for the signage. Their next meeting is scheduled for Wednesday, June 1, 2016 at 12:30pm at the Government Center.

Board of Zoning Appeals

The Board of Zoning Appeals has not held a meeting since the last Council meeting.

BERRYVILLE TOWN COUNCIL

Set Public Hearing – Special Use Permit for Home Occupation

May 10, 2016

Russ and Diane Harrison, Owners, are requesting a Special Use Permit in order to operate a Home Occupation (Art Business) as regulated in Section 604.3(g) of the Berryville Zoning Ordinance for the property located at 325 South Church Street, identified as Tax Map Parcel number 14A5-((A))-51, zoned DR-4 Detached Residential. SUP 02-16

The Planning Commission held a public hearing on this matter at their April 26, 2016 meeting. They recommended approval of the request with the following conditions:

- Hours of operation are Monday through Friday 10am to 5pm; Saturday 10am to 5pm; and occasional Sunday hours between the hours of 11am to 5pm for special events; and
- Outdoor storage is prohibited.

Overview

Russ and Diane Harrison are requesting a Special Use Permit for a Home Occupation at their property located at 325 South Church Street. They wish to open their art studio to the public and to sell their products with the following hours of operation:

- Monday through Friday 10am to 5pm
- Saturday 10am to 5pm
- Occasional Sunday hours between the hours of 11am to 5pm

Ms. Harrison has indicated that regular hours will end at 4pm but she anticipates that special events such as the Clarke County Studio Tour scheduled for October 1 and 2, 2016 will include hours until 5pm. She is one of the first artists from Clarke County to become a participant in the Top of Virginia Artisan Trail program.

The studio entrance is on the right (north) side of the structure as identified on the site plan. Off-street parking is also identified on the site plan with two spaces in the driveway in front of the house. Angled parking would also be available offering parking for up to five vehicles. Additional parking (for the residents) is along the side of the house.

Limited signage (two square feet) is permitted for home occupations in residential districts under Section 307.3(a) of the Berryville Zoning Ordinance. As this parcel is located in the Berryville Historic District, signage will be reviewed and approved by the Architectural Review Board.

No additional outdoor lighting or exterior modifications will be made as a part of this request. Outdoor storage is not permitted. A business license is required and sales tax will be collected from the retail operation.

Section 315, Home Occupations, Home Offices, of the Berryville Zoning Ordinance regulates such operations. Section 315.4 regulates home offices and home occupations as follows:

- (a) Such use shall be clearly incidental to a dwelling and if located within the dwelling, it must not occupy more than twenty-five (25) percent of the floor area of the principle structure.
- (b) No Home Occupation conducted in any accessory building shall occupy more than four hundred (400) square feet, which area shall be included in the maximum square footage allowed in Section 315.4(a). If located within an accessory building, a landscaping plan must be submitted for review and approval by the Zoning Administrator. If a Special Use Permit is required, the landscaping plan will be reviewed by the Planning Commission.
- (c) Such use shall be carried on by a resident or residents of the premises. No person not a resident on the premises may be employed, nor may there be sub-contracting of any work performed at the premises.
- (d) No stock, commodity, equipment or process shall be used in the Home Occupation which creates noise, vibration, glare, fumes, odors, electromagnetic interference, or radio frequency interference detectable to the normal senses off the lot if the occupation is conducted in a detached single-family residence, or outside the dwelling unit if conducted in an attached residence.
- (e) There shall be no exterior evidence that the building is being used for any purpose other than a dwelling.
- (f) There shall be no motor vehicle regularly operated from the premises that carries advertising.
- (g) All applicable licenses and permits shall be secured and other local, state, and federal requirements satisfied.
- (h) A Town of Berryville business license shall be obtained in accordance with Chapter 9 of the Code of the Town of Berryville (if applicable).
- (i) Home Occupation/Home Office permits shall be automatically renewed annually; however, permit shall be reviewed upon receipt of complaints.

The following items are included with this report:

- Special Use Permit application;
- Vicinity map;
- Plat and house location survey of the property located at 325 South Church Street;
- Detailed site plan of the property;
- Section 315, Home Occupations, Home Offices;
- Section 503 Special Use Permits; and
- Section 604, DR-4 Detached Residential zoning district information.

Recommendation

Set a public hearing for the June 14, 2016 meeting.

Town of Berryville
101 Chalmers Court – Suite A
Berryville, Virginia 22611
Phone: (540) 955-4081 Fax: (540) 955-4524 E-mail: planner@berryvilleva.gov

SPECIAL USE PERMIT APPLICATION

Please Note: This is an application only. The permit will be issued only if approved by the Berryville Town Council after review and recommendation from the Planning Commission.

To be completed by Applicant:

Date: MARCH 16, 2016, 2016

Applicant's Name: Russ and Diane Harrison

Applicant's Address: 325 S. Church St., Berryville, VA 22611

Use Applied For: Home Occupation-ART BUSINESS

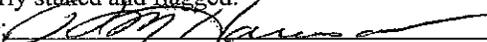
At the following address: 325 S. Church Street

Special Conditions: Hours 10-^{5:00} M-F Sat 10-^{5:00} special events
and occasional Sundays 11-^{5:00} (weekdays may be fewer but this is
maximum)

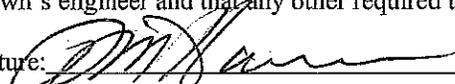
Property Owner's Name: Russ and Diane Harrison

Property Owner's Address: 325 S. Church St. Berryville, VA 22611

Owner or Agent: The information provided is accurate to the best of my knowledge. I understand that the Town may deny, approve, or conditionally approve the request for which I am applying. I certify that all property corners have been clearly staked and flagged.

Signature:  Date: 3-16-16

Owner: I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Town Planning Department and other government agents to enter the property and make such investigations and tests, as they deem necessary. I acknowledge that in accordance with Article X of the Subdivision Ordinance I am responsible for costs incurred for review of subdivision and/or development plans by the Town's engineer and that any other required tests or studies will be carried out at owner/agent expense

Signature:  Date: 3-16-16

TO BE COMPLETED BY ZONING ADMINISTRATOR

Special Use: Home Occupation Zone: DR-4

Street Address: 325 S. Chalmers St. Tax Map #: 14A5 (GA) 51

Special Use Permit Fee: \$250 Paid: 3-16-16

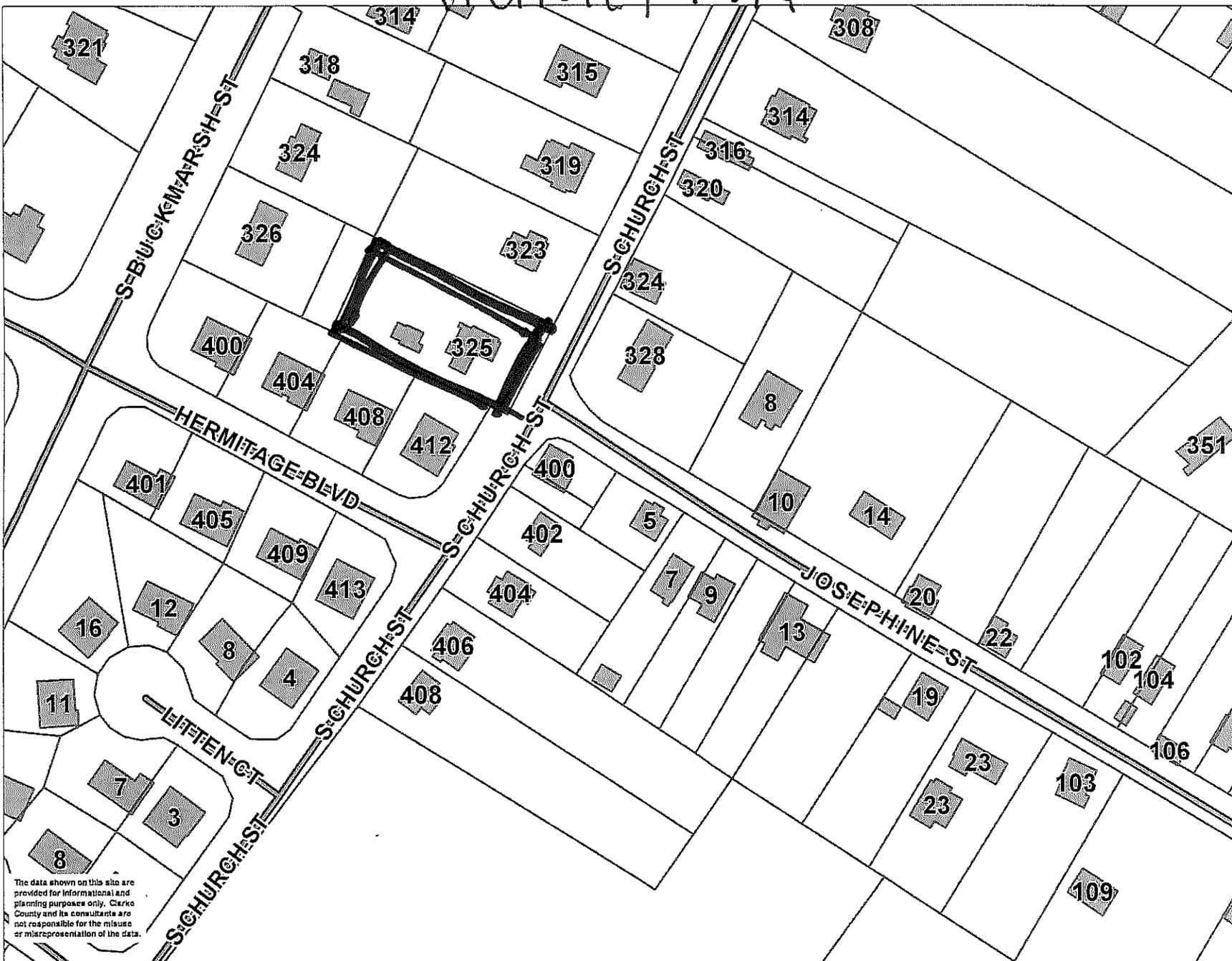
Site Plan Fee: \$125 Paid: 3-16-16

Signature of Zoning Administrator: _____ Date: _____

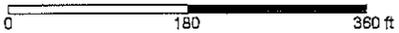
VICINITY MAP



- Public
- Points of Interest
- Parcels
- Clarke County Boundary
- Major Roads
 - Interstate
 - US Highway
 - State Highway
- Surrounding Counties Opaque
- Clarke County Roads
 - Private Roads
 - Roads
- Rail
- Buildings
- Appalachian Trail
- Streams
 - Perennial Streams
 - Intermittent Streams
- Ponds
- Rivers



The data shown on this site are provided for informational and planning purposes only. Clarke County and its consultants are not responsible for the misuse or misrepresentation of the data.



Printed on 03/17/2016 at 12:04 PM

OSA M. GOLDIZEN

W. RUSSELL KINES

D.B. 111, P. 28

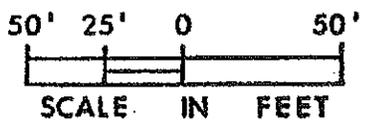
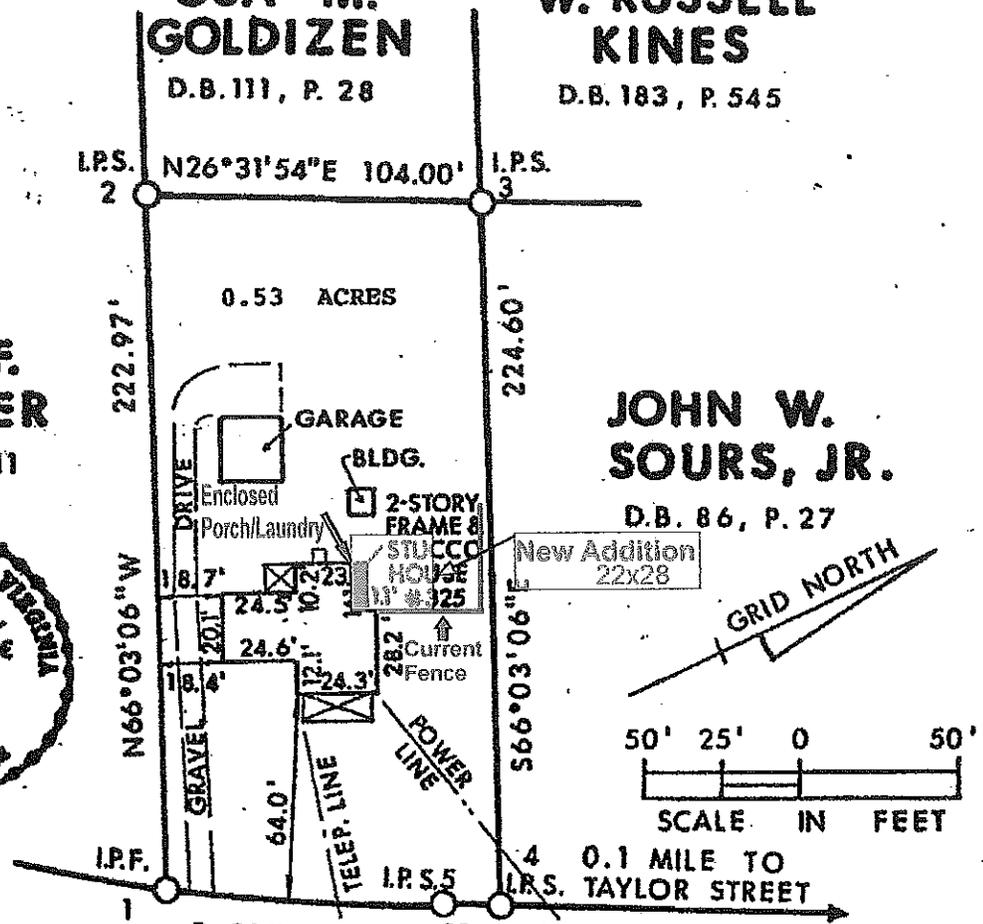
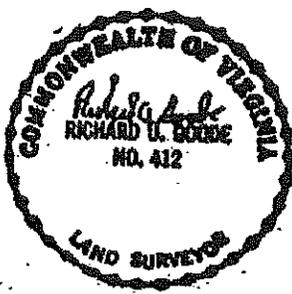
D.B. 183, P. 545

LESTA F. HUMMER

D.B. 145, P. 11

JOHN W. SOURS, JR.

D.B. 86, P. 27



GRID NORTH

ROUTE NO. 616

R=2278.07'
 A= 85.88'
 CHORD =
 S27°37'04"W 85.87'
 S26°32'13"W 18.22'

SOUTH CHURCH ST.
 (40' WIDE)

LAND OF LUCILLE H. BERRY
 (DEED BOOK 100, PAGE 260)
 (TRACT 51, ((A)), TAX MAP NO. 14A5)
 0.53 ACRES

LOCATED ON THE WEST SIDE OF ROUTE NO. 616 (SOUTH CHURCH STREET)
 IN THE TOWN OF BERRYVILLE, AND SITUATE IN BATTLETOWN MAGISTERIAL
 DISTRICT, CLARKE COUNTY, VIRGINIA.

NOTE: THIS LOT IS NOT WITHIN THE 100 YEAR FLOOD ZONE DESIGNATED BY HUD.

I HEREBY CERTIFY THAT ON JUNE 8, 1994, I MADE AN ACCURATE SURVEY OF
 THE PREMISES SHOWN HEREON, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF,
 THERE ARE NO EASEMENTS OR ENCROACHMENTS VISIBLE ON THE GROUND OTHER
 THAN THOSE SHOWN HEREON.

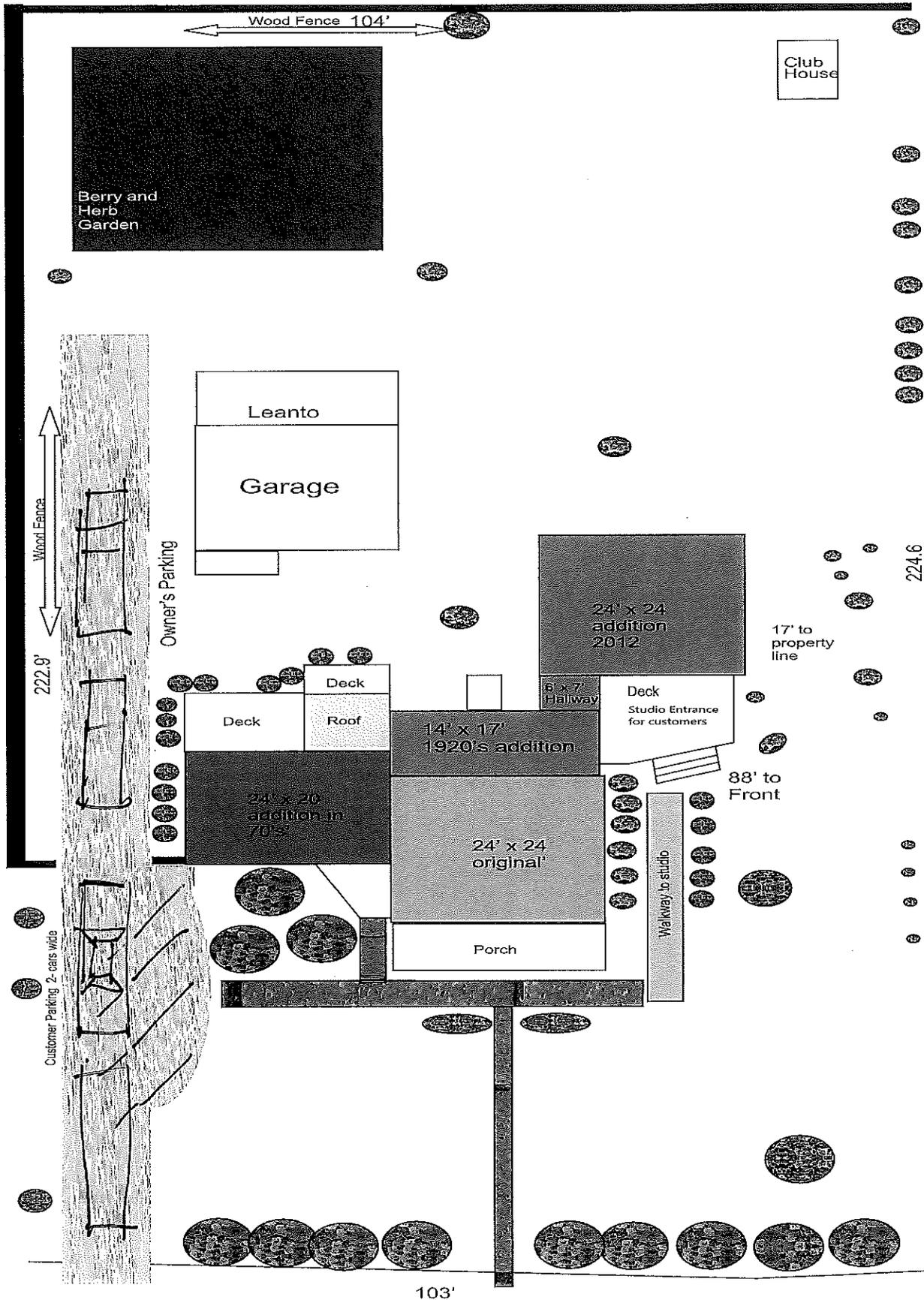
SURVEY NO. 7654/A

Richard U. Goode
 RICHARD U. GOODE, CERTIFIED LAND SURVEYOR
 BERRYVILLE, VIRGINIA JUNE 8, 1994

SHEET NO. 1 OF 2

Harrison 325 S. Church Street

NORTH →
NOT TO SCALE



Section 315 – Home Occupations, Home Offices

(2/01) SECTION 315 – HOME OCCUPATIONS, HOME OFFICES

315.1 INTENT

The Town Council intends to allow Home Occupations and Home Offices in the town to foster economic activity. Through the application of this Ordinance, the Town Council intends to preserve the sanctity, tranquility, value, appearance, and ambiance of the residential neighborhoods, residential units, or residential uses in the Town and to prevent, eliminate, or discontinue home-based businesses that negatively impact residents living near, around, or next to the site of the home-based business.

315.2 ALLOWANCE OF HOME OCCUPATIONS AND HOME OFFICES

- (a) Under the terms of the Section, a Home Office may be conducted by right in any dwelling unit in any residence in the Town.
- (b) Home occupations are allowed in residences either by right or by Special Use Permit as permitted in a given zoning district.
- (c) No such use shall be instituted or maintained unless the Zoning Administrator has first issued a zoning permit for this use.

315.3 ADMINISTRATION AND ENFORCEMENT

- (a) The practitioner of the proposed Home Occupation or Home Office shall file a zoning permit application with the Zoning Administrator. The application shall include a description of the business to be conducted, the square footage of the dwelling unit and the square footage to be used for the Home Occupation or Home Office, and the names and addresses of the proposed owners.
- (b) A Home Occupation or Home Office may be conducted within a dwelling unit or accessory building only so long as the business use remains incidental and secondary to the use of the dwelling unit as a place of residence. The Zoning Administrator shall determine if a Home Occupation or Home Office is not, or stops being, incidental and secondary to the use of the dwelling unit as a place of residence if and when Town officers, or residents living near, around, or next to the dwelling unit used for a Home Occupation or Home Office may hear, see, smell, or detect the existence of this use, in such a manner as alters the residential character of the zoning district in which the Home Occupation or Home Office is located. In making this determination, the Zoning Administrator shall rely on the intent Section of the respective zoning district regulations, the Intent Section of this Article, and any public affidavits filed by such residents. If the Zoning Administrator determines that due to growth or change in the Home Occupation or Home Office, the Home Occupation or Home Office is no longer consistent with this Article and other relevant provisions of this Section, the Zoning Administrator may revoke the zoning permit issued to the person conducting the Home Occupation or Home Office. The person conducting this use shall cease operation after forty-five days written notice mailed by certified mail. During this time period the business owner may apply to the Board of Zoning Appeals for a determination of the Zoning Administrator's decision.

Section 315 – Home Occupations, Home Offices

- (c) The Town Treasurer shall refuse to issue a business license to any person conducting a Home Occupation or Home Office that the Zoning Administrator certifies is in violation of this Article.
- (d) No vested rights shall accrue to any person as to a Home Occupation or Home Office that begins as conforming to this Article and through growth or change becomes inconsistent with this Article and related provisions of this Section.

**315.4 GENERAL RESTRICTIONS ON HOME OCCUPATIONS AND HOME OFFICES
(2/01)**

A use within a residential dwelling shall meet the following criteria in order to qualify as either a Home Occupation or Home Office:

- (a) Such use shall be clearly incidental to a dwelling and if located within the dwelling, it must not occupy more than twenty-five (25) percent of the floor area of the principle structure.
- (b) No Home Occupation conducted in any accessory building shall occupy more than four hundred (400) square feet, which area shall be included in the maximum square footage allowed in Section 315.4(a). If located within an accessory building, a landscaping plan must be submitted for review and approval by the Zoning Administrator. If a Special Use Permit is required, the landscaping plan will be reviewed by the Planning Commission.
- (c) Such use shall be carried on by a resident or residents of the premises. No person not a resident on the premises may be employed, nor may there be sub-contracting of any work performed at the premises.
- (d) No stock, commodity, equipment or process shall be used in the Home Occupation which creates noise, vibration, glare, fumes, odors, electromagnetic interference, or radio frequency interference detectable to the normal senses off the lot if the occupation is conducted in a detached single-family residence, or outside the dwelling unit if conducted in an attached residence.
- (e) There shall be no exterior evidence that the building is being used for any purpose other than a dwelling.
- (f) There shall be no motor vehicle regularly operated from the premises that carries advertising.
- (g) All applicable licenses and permits shall be secured and other local, state, and federal requirements satisfied.
- (h) A Town of Berryville business license shall be obtained in accordance with Chapter 9 of the Code of the Town of Berryville (if applicable).
- (i) Home Occupation/Home Office permits shall be automatically renewed annually; however, permit shall be reviewed upon receipt of complaints.

315.5 HOME OCCUPATIONS (12/92)

In addition to those requirements listed in Section 315.4 above, a use within a residential dwelling shall meet the following criteria in order to qualify as a Home Occupation:

- (a) There shall be no advertising sign displayed other than a nameplate not exceeding two (2) square feet in area on each face of said plate.

Section 315 – Home Occupations, Home Offices

- (b) No storage of explosive or hazardous material is permitted in quantities not normally found in a residence.
- (c) Vehicular repair is specifically prohibited as a Home Occupation.

315.6 HOME OFFICE

In addition to the requirements listed in Section 315.4, a Home Office shall be a permitted use in a residential dwelling when fully meeting each of the following criteria:

- (a) Customers shall not come to the premises in order to receive the service provided.
- (b) There shall be no signs identifying or advertising the Home Office either attached to the dwelling or posted in the yard.
- (c) There shall be no advertising of the street address.

SECTION 316 – PROVISIONS FOR CUL-DE-SAC LOTS

316 PROVISIONS FOR CUL-DE-SAC LOTS

The minimum width of any lot 15,000 square feet or greater in area that fronts on a cul-de-sac, as defined in Section IX of the Subdivision Ordinance, shall not be more than a twenty (20) percent reduction at the setback line as set forth in the appropriate zoning district regulations. (9/98)

SECTION 317 – KARST FEATURES (07/04)

317.1

Prior to the issuance of a Zoning Permit for principle structures or additions thereto on lots in subdivisions for which a Karst Plan has been prepared or lots of record on which karst features have been identified, a geotechnical study shall be conducted at the site of the principle structure or addition to determine the existence of karst features. If karst features are found, a remediation plan shall be prepared by a PE or PG in order to protect the health, safety, and welfare of the occupants of the structure. This remediation plan shall:

- a. provide for mitigation of all karst features and sinkholes, except those identified as Critical Environmental Areas, in accordance with the Virginia Department of Transportation's Location and Design Division Instructional and Informational Memorandum 228 (IIM-LD-228) or other applicable mitigation standard as recommended by a PE or PG and approved by the Town's Engineer and the Town's Zoning Administrator, or
- b. the applicant shall submit a report prepared by a PE or PG that identifies subsurface conditions within one-hundred (100) feet, or an appropriate distance as determined by the Town Zoning Administrator and Town's Engineer, of the discernable edge of any sinkhole or karst feature and establishes a minimum recommended setback for structures and a minimum recommended ground water protection buffer approved by the Town's Engineer and the Town's Zoning Administrator shall review and approve the report before issuance of said permit. (7/04)

Section 502 – Certificate of Occupancy

- 502.2** Prior to the issuance of a Certificate of Occupancy for a new structure, the Zoning Administrator will verify that all property corners have been set with permanent markers by a land surveyor licensed under the laws of the Commonwealth of Virginia. **(11/00)**
- 502.3** In addition to any other requirements for the issuance of a Certificate of Occupancy, a Certificate of Occupancy for a structure will not be issued unless (1) the structure is served by public water and sewer, (2) required curb and gutter and sidewalks are in place on the lot on which the structure is located and in place between said lot and an existing publicly maintained street, (3) a functional fire hydrant is located within three hundred (300) feet of the lot on which the structure is located, and (4) the lot on which the structure is located fronts on an existing publicly maintained street or street meeting Town requirements for a publicly maintained street. **(8/01)**
- 502.4** In addition to any other requirements for the issuance of a Certificate of Occupancy, after issuance of certificates of occupancy for structures on eighty percent (80%) of the lots in a section of a subdivision, a Certificate of Occupancy for a structure in the section will not be issued unless all public improvements in the section have been completed to Town requirements and all streets have been accepted for maintenance by the Virginia Department of Transportation (VDOT), or a complete application for acceptance thereof has been filed with VDOT. **(8/01)**
- 502.5** Upon written application, delayed installation of public improvements described in 502.3 and 502.4 may be considered by the Zoning Administrator. Approval of the application shall only be granted by the Zoning Administrator after consultation with the respective departments or agencies charged with the inspection, acceptance, and maintenance of the improvements, and only upon a further finding that the delayed installation will not be detrimental to the safety and welfare of the residents in the subdivision and the public. A written request for such delayed installation shall set forth the specific improvements sought to be delayed, the justification for the delay, and a committed date for completion of the improvements. A fifty-dollar (\$50.00) fee shall be paid with the request. If the Zoning Administrator approves the application for delayed installation of public improvements, the approval shall be subject to the applicant executing an agreement to hold harmless the town for any loss or liability occasioned by the lack of the improvements delayed. **(8/01)**

SECTION 503 - SPECIAL USE PERMIT

503.1 PROVISIONS FOR SPECIAL USE PERMITS

- (a) In consideration of an application filed with the Zoning Administrator, the Council may, after a public hearing, authorize the establishment of those uses that are expressly listed as Special Permit uses in a particular zoning district.
- (b) In addition to all applicable conditions and requirements of this Ordinance, the Council may impose any conditions deemed appropriate in the public interest to secure compliance with the provisions of this Ordinance.
- (c) Once a Special Use Permit is granted, the use shall not be enlarged, extended, increased in intensity or relocated unless authorized by the Council.

Section 503 – Special Use Permit

- (d) Whenever a Special Use Permit is granted by the Council, the authorized activities shall be established within two (2) years of the date of approval with an extension of one (1) additional year with Council approval, or such Special Use Permit shall expire without notice. **(4/08)**
- (e) Should the owner or operator of the use covered by the Special Permit fail to observe all requirements of law with respect to the maintenance and conduct of the use and all permit conditions, the Council may, after due notice to permit holder and a public hearing, revoke the Special Use Permit.

503.2 APPLICATIONS

An application for a Special Use Permit may be submitted by the property owner of record, tenant, or contractor owner.

503.3 APPLICATION REQUIREMENTS

Applications for Special Use Permits shall be accompanied by seven (7) copies of the following items:

- (a) Letter of request, signed by property owner and applicant, outlining complete details of special use desired.
- (b) Site development plan.
- (c) Floor plan, front, side, and rear elevations of proposed new buildings.
- (d) Certified house location plat.
- (e) Information deemed necessary by the Zoning Administrator.
- (f) Applicable filing fee.

503.4 APPLICATION PROCEDURE

- (a) Application submitted to Zoning Administrator, which shall be referred to the Planning Commission for recommendation, and a public hearing shall be scheduled by the Town Council.
- (b) Review by the Planning Commission (public hearing if desired) and recommendation to Town Council.
- (c) Public hearing by Town Council.
- (d) Town Council action (In acting upon the application, the Town Council shall consider the following, among other relevant factors):
 - 1. The health, safety, and welfare of the general public.
 - 2. Physical and visual impact on adjoining and abutting properties.
 - 3. Adequate utilities, drainage, parking, and other necessary facilities to serve the proposed use.
 - 4. Compliance with the adopted master plan.
 - 5. Environmental compatibility.
 - 6. Community sentiment.
- (e) Applicant to be notified by Zoning Administrator of Town Council action.

Section 604 Detached Residential-4 (DR-4)

(4/92) SECTION 604 - DETACHED RESIDENTIAL-4 (DR-4) DISTRICT

604.1 PURPOSE AND INTENT

The Detached Residential-4 District is created to provide for single-family detached residences at higher densities than other single-family detached districts. A maximum of four (4.0) units per net developable acre establishes a medium- to low-density district for detached residences. The application of this district shall be to undeveloped tracts lying within the Town of Berryville and within the precincts of the Berryville Plan, as well as to "infill" lots within the existing stable neighborhoods, with the intent of preserving existing natural features and vegetation, promoting excellence in site planning and landscape design, and encouraging housing of compatible scale and architectural character. Cluster residential development shall be encouraged and permitted, by right, so that specific environmental preservation and land-use goals may be promoted.

604.2 PERMITTED USES

- (a) Single-family detached dwellings, either a conventional "dispersed" layout or a clustered layout subdivision--a clustered subdivision requiring site plan approval.
- (b) Accessory uses, to include detached carports and garages, tool sheds, children's playhouses, doghouses, private swimming pools and Temporary Family Health Care Structures as established in Section 323. **(11/10)**
- (c) Municipal utilities.

604.3 SPECIAL PERMIT USES

- (a) Bed and breakfast lodging occupying more than 300 square feet of residence.
- (b) Cemeteries.
- (c) Churches and shrines.
- (d) Community buildings, public and private.
- (e) Day care centers and nursery schools. **(10/94)**
- (f) Fire stations.
- (g) Home occupations as defined in Section 315. **(12/93)**
- (h) Libraries, museums, and historic markers.
- (i) Plant nurseries with no sale of nursery products permitted on premises.
- (j) Public utility uses (sub-stations, pump stations, storage tanks, etc.) and related easements, except for municipal utilities.
- (k) Recreational uses such as public swimming pools, tennis courts, and golf courses.
- (l) Public schools, parks, playgrounds and related uses. **(3/09)**

604.4 MAXIMUM DENSITY

- (a) Four (4.0) dwelling units per net developable acre.
- (b) A maximum floor area ratio of 0:15 shall apply to uses other than residential.

604.5 LOT SIZE, YARD, AND BULK REQUIREMENTS FOR CONVENTIONAL LOTS

- (1/93)**
- (a) Lot area: Minimum--10,000 square feet; maximum - 30,000 square feet **(7/04)**.
(Refer to Section 614 regarding the impact of critical environmental areas on lot Size requirements.

Section 604 Detached Residential-4 (DR-4)

- (b) Minimum lot width
 - (1) Interior lot: 75 feet
 - (2) Corner lot: 90 feet
- (c) Minimum yard requirements
 - (1) Front yard: 20 feet for primary structures;
25 feet for garages, carports or other
structures used to house vehicles (7/04)
 - (2) Side yard: 10 feet
 - (5/94) (3) Rear yard: 30 feet (residences)
 - (4) Accessory structure: 5 feet (rear and side setbacks)
- (d) Maximum building height: 35 feet

604.6 MINIMUM DISTRICT SIZE FOR CLUSTER SUBDIVISIONS

Minimum district size for cluster subdivision: two (2) acres.

604.7 LOT SIZE, YARD, AND BULK REQUIREMENTS FOR CLUSTERED LOTS

- (a) Minimum lot area: 7,500 square feet.
Maximum lot area: 20,000 square feet (7/04)
(Refer to Section 614 regarding the impact of critical environmental areas on lot size requirements.)
- (b) Minimum lot width
 - (1) Interior lot: 60 feet
 - (2) Corner lot: 75 feet
- (c) Minimum yard requirements
 - (1) Front yard: 15 feet for primary structures;
25 feet for garages, carports, or other
structures used to house vehicles (7/04)
 - (2) Side yard: 10 feet
 - (5/94) (3) Rear yard: 25 feet (residences)
 - (4) Accessory structure: 5 feet (rear and side setback)
- (d) Maximum building height: 35 feet

604.8 OPEN SPACE REQUIREMENTS FOR DETACHED RESIDENTIAL SUBDIVISIONS

- (a) In subdivisions approved for cluster development, twenty (20) percent of the net site area which excludes 100-year floodplain, sinkholes, and slopes exceeding twenty-five (25) percent and fifty (50) percent of land with slopes between fifteen (15) and twenty-five (25) percent shall be open space, dedicated to common usage and ownership.
- (b) In cluster subdivisions, at least one-fourth (1/4) of the required open space (five {5} percent of the net site area) shall be developed and designed for recreational and active community open space.

Section 604 Detached Residential-4 (DR-4)

604.9 ADDITIONAL REGULATIONS

- (a) Refer to Article III for general regulations and other provisions which may supplement those cited herein.
- (b) Refer to Section 305 for off-street parking requirements.
- (c) Refer to specific Overlay Zoning Districts, where applicable.
- (d) Refer to Section 615 for special regulations relating to cluster subdivisions, critical environmental areas, and open space.
- (e) Refer to Section 317 Karst Features for additional requirements. **(7/04)**
- (f) The lot size, yard, and bulk requirements in effect at the time of subdivision plat approval prior to January 1, 2011 shall remain applicable to such subdivisions until July 1, 2017. The foregoing shall not be effective unless any unreleased performance bonds and agreements or other financial guarantees of completion of public improvements in or associated with the subdivision are continued in force. **(12/14)**

BERRYVILLE TOWN COUNCIL

Resolution – Text Amendments to Article VI Section 609 and establishing Section Town Code Section 16-9 Tourism Zone Incentives May 10, 2016

The Town Council Community Improvements Committee is recommending the implementation of Tourism Zones in order to offer economic development incentives in specific areas of Town. Proposed text amendments to Section 609 would enable eligible land uses identified in the Tourism Zone Incentives to be established in the Community Business Tourism Zone located along First Street and a portion of Station Road.

Section 609 L-1 Industrial Proposed Text Amendments

The purpose and intent of the L-1 District is identified in Section 609.1. Proposed modifications to this section include the addition of recreational and event venues and infill development within the district. Additionally, adaptive reuse of existing structures in this district would be encouraged.

Other proposed changes are identified in Section 609.3 Special Permit Uses are as follows:

- The addition of microbreweries, wineries, and distilleries to existing Section 609.3(c) eating establishments;
- The addition of retreat and conference centers; residential lofts and apartments; wholesale/retail food hubs; and community kitchens.

Tourism Zone Overview

The Code of Virginia § 58.1-3851 allows for the creation of local tourism zones in order to provide localities with the ability to offer tax incentives and certain regulatory flexibility to attract business and create economic development opportunities. The Code allows up to 20 years of tax incentives which may include but not be limited to the reduction of permit fees and user fees and the reduction of gross receipts tax. Town staff developed initial drafts of proposed Town Code Section 16-9 with the assistance of staff from the Town of Front Royal. The Community Improvements Committee is recommending up to 10 years of tax incentives and the ability for eligible businesses to make payments of availability fees over a specified number of years, depending on criteria that has been met, with no interest or fees.

A draft of Town Code Section 16-9 is included in this report. The specific zones are established in Section 16-9(b) and include the Downtown Business Tourism Zone; the Entrance Corridor Tourism Zone; and the Community Business Tourism Zone. Eligible land uses, identified in Section 16-9(c)(1), are identified in Table 16-9(c)(1). Investment criteria, including minimum new capital investment of \$25,000; minimum of one job created; and conformance to the Town's Comprehensive Plan, Zoning Ordinance, and Town Code, is identified in Section 16-9(c)(2). Business/Professional/Occupational Licenses (BPOL) incentives are based on the amount of investment and identified in three tiers in Table 16-9(d)(1)(a) of proposed Section 16-9.

Draft maps identifying specific Tourism Zones are included in this report.

Process

By adopting the attached Resolution initiating amendments to Section 609 of the Berryville Zoning Ordinance and consideration of establishing Town Code Section 16-9 Tourism Zone Incentives, Planning Commission may move forward at their May 24, 2016 meeting by setting a public hearing for amendments to the former. While public hearings are not required to be held for Town Code amendments, it would be appropriate to receive public input during the text amendment process.

April 12, 2016 Staff Report

The Town Council Community Improvements Committee met on March 29, 2016 and discussed the Tourism Zone information that was previously presented to Council.

Several updates to the Tourism Zone maps and proposed Town Code Section 6-19 have been made since the Committee's March 1, 2016 meeting. Recreation is now included in all three proposed Tourism Zones as an eligible land use. Additional eligible land uses have also been added to the Community Business Tourism Zone including loft apartments, food hubs, and community kitchens. As defined by the National Food Hub Collaboration, "a food hub is a business or organization that actively manages the aggregation, distribution, and marketing of source-identified food products primarily from local and regional producers in order to satisfy wholesale, retail, and institutional demand."

While the western Entrance Corridor Tourism Zone is located in Annexation Area B, these properties have not been annexed into the Town. Future consideration for these parcels should be discussed at the time of annexation.

L-1 Industrial Zoning

The Community Business Tourism Zone incorporates L-1 Industrial zoning along First Street and Station Road. In response to interest in redevelopment of these areas over the past year, and national trends allowing for adaptive reuse and redevelopment of urban industrial areas, staff has been reviewing Section 609 and will be making recommendations for modifications to district uses. At the March 29 Community Improvements meeting, additional uses were recommended to the L-1 Zoning District (Section 609) including loft apartments/condominiums; expanding the current "eating establishments" (Special Permit Use under Section 609.3 of the Berryville Zoning Ordinance) to include microbreweries, distilleries, and cideries; and the inclusion of food hubs and community kitchens which would further facilitate the community's agricultural business and tourism base.

While a significant number of jobs in Clarke County are manufacturing, as identified on the Virginia Employment Commission's Employment by Industry chart included after this report, the second chart (New Hires by Industry) shows a significant drop in future manufacturing jobs. Today, growing trends for "postindustrial" urban areas emphasize

tourism, revitalized downtowns and efforts to attract a “creative class” of workers. Industrial zoning should allow for redevelopment of infill areas, adaptive reuse of structures, and uses that encourage both. A balance of industrial/manufacturing employment opportunities should remain in Berryville which allow for living wages for workers with limited formal education. The Business Park (BP) zoning district in Annexation Area B and proposed in areas identified in the update of the Berryville Area Plan maintains a number of manufacturing uses as identified in Section 612 of the Berryville Zoning Ordinance.

Sensitivity to residential zoning districts along First Street and potential impacts of uses should be considered when discussing the opportunity for proposed new uses in the L-1 zoning district. Transportation links should also be discussed, particularly the intersection of First Street and East Main Street. Water and sanitary sewer facilities are located in this area with natural gas close by.

Staff has discussed the proposed additions with several property owners in this area. Their main concern was how changes may affect existing businesses in this district. Staff will not propose any text amendments that would remove current uses.

A final draft of Tourism Zone documents and first draft of proposed modifications to Section 609 L-1 Industrial of the Berryville Zoning Ordinance and recommendation for action to Council will be presented at the May 10, 2016 meeting.

Recommendation

Adopt the attached resolution and request that Planning Commission set a public hearing for text amendments to Section 609 of the Berryville Zoning Ordinance and review and receive comment on proposed Town Code Section 16-9 Tourism Zone Incentives.

SECTION 609 L-1 INDUSTRIAL DISTRICT

609.1 PURPOSE AND INTENT

The L-1 Industrial District is established to provide locations within the Town of Berryville for a broad range of general light-industrial uses **and, recreational and event venues, infill development and** employment-related businesses operating under well-governed performance standards. The specific uses permitted within the L-1 District must be in harmony with the cultural and environmental character of the Town of Berryville. No use should be permitted that might be harmful to the adjoining land uses and the residential ambience of the community at large. **Adaptive reuse is encouraged in the L-1 District.** Outdoor storage and heavy industrial uses are discouraged but may be permitted by special use and environmental performance review. The L-1 District recognizes and is to be applied to existing conforming industry in the Town of Berryville as of the date of adoption of this District. Existing industrial uses shall be considered as satisfying the purpose and intent of the L-1 District, but expansion of existing industrial uses shall conform to the provisions herein.

609.2 PERMITTED USES (12/94)

- (a) Auction establishments (indoor only) (5/95)
- (b) Business and professional offices (7/99)
- (c) Business service, supply and delivery establishments
- (d) Contractor's establishments without outdoor storage
- (e) Establishments for the production, processing, assembly, manufacturing, compounding, cleaning, servicing, testing and repair of materials, goods or products which conform to applicable Federal, State and local environmental performance standards or other standards referenced by the Town as related to (a) air pollution; (b) fire and explosion hazards; (c) radiation hazards; (d) electromagnetic radiation and interference hazards; (e) liquid and solid wastes hazards; (f) noise and odor standards; and (g) vibration standards.
- (f) Existing or expansion of existing industrial uses in operation as of the date of adoption of this Ordinance which conform to the previous industrial zoning district requirements.
- (g) Farm supply establishments
- (h) Financial institutions
- (i) Indoor mini-storage facilities
- (j) Light manufacturing, fabrication, testing or repair establishments without outdoor storage
- (k) Light warehousing establishments, without outdoor storage
- (l) Light wholesale trade establishments, without outdoor storage
- (m) Printing and publishing establishments
- (n) Private training and vocational schools
- (o) Public utilities (sub-stations, pump stations, transmission/receiving facilities and lines for telecommunications and similar uses, storage tanks, etc.)
- (p) Sheet metal shops
- (q) Small animal veterinary hospitals, exclusive of boarding kennels
- (r) Vehicle and machinery service, and parts sales ("service" including but not limited to internal and external repair, body work, paint, car washes, etc.)
- (s) Welding shops

609.3 SPECIAL PERMIT USES

- (a) All above permitted uses requiring outdoor storage (10/94)
- (b) Day care centers (12/94)
- (c) Eating establishments **including microbreweries, wineries, and distilleries** (5/95)
- (d) Heliports
- (e) Laundry and dry cleaning establishments
- (f) Lumber yards and building materials establishments
- (g) Motor freight terminals
- (h) Retail sales incidental to a manufacturing, production or related use, provided that:
 - a) the gross floor area used for retail purposes (excluding storage) shall not occupy more than five-thousand (5,000) square feet of gross floor area on any one lot, and shall not exceed twenty-five (25) percent of the total floor area for the site; and
 - b) the areas dedicated for retail uses must be indicated on an approved site plan.The provisions of this Section shall not apply to those permitted or special permit uses for which retail sales are a primary activity. (12/07)
- (i) Scientific research, development, and training establishments
- (j) Service stations
- (k) Vehicle and machinery sales and rentals
- (l) Recreation, commercial indoor (06/10)
- (m) Retreat and conference centers**
- (n) Residential lofts and apartments**
- (o) Wholesale/retail food hubs**
- (p) Community kitchens**

609.4 PROHIBITED USES

The specific uses which follow shall not be permitted in the L-1 District:

- (a) Asphalt mixing plants
- (b) Blast furnaces
- (c) Boiler works
- (d) Bulk storage of flammable materials
- (e) Coal, wood or wood distillation
- (f) Concrete mixing and batching products
- (g) Extraction or mining of rocks and minerals
- (h) Garbage incineration
- (i) Junk yards
- (j) Landfills
- (k) Manufacture of ammonia, chlorine, fertilizer, lime, cement, fireworks, explosives, soaps, acids, pesticides, herbicides or insecticides
- (l) Metal foundries and smelting
- (m) Petroleum, asphalt or related product refining
- (n) Rendering plants
- (o) Slaughterhouses
- (p) Stockyards
- (q) Tanning and curing of skins
- (r) Any other similar use which in the opinion of the Town Council might be injurious or noxious by reason of odor, fumes, dust, smoke, vibration, noise or other cause

609.5 MAXIMUM LOT COVERAGE

(12/91) The maximum lot coverage—including buildings, streets, parking spaces, driveways, loading areas and all other impervious surfaces—shall not be greater than seventy-five percent (75%) of the area of an L-1 lot.

609.6 MINIMUM DISTRICT SIZE

The minimum district size shall be four (4) acres.

609.7 LOT SIZE REQUIREMENTS AND BULK REGULATIONS

- (a) Minimum lot area: 30,000 square feet
- (b) Minimum lot width: 125 feet
- (c) The maximum building height shall be forty (40) feet, except in particular instances the Town Council may, upon recommendation from the Planning Commission or its agent, modify the maximum building height.
- (d) Minimum yard requirements
 - (1) Front yard: 50 feet
 - (2) Side yard: 25 feet (except where side yard abuts a public right-of-way the side yard shall be 50 feet) **(5/94)**
 - (3) Rear yard: 50 feet **(5/94)**

609.8 OPEN SPACE

- (a) An open space plan and landscape design program shall be submitted with applications for any land use governed by this District.
- (b) Twenty five percent (25%) of the site shall be landscaped open space. Landscaping may be limited to setback areas and unused portions.

609.9 PARKING, PARKING ACCESS AND DRIVEWAYS

- (a) No parking space shall be located closer than fifteen (15) feet from any common property line.
- (b) Where lot is contiguous to property located in any district other than the L-1, I, C-1 or C-2 District, no parking space shall be closer than 40 feet from such property line. **(5/94)**
- (c) All parking requirements shall be met by off-street, on-site spaces and shall include designated spaces for the handicapped and elderly.
- (d) Refer to Section 305 for additional off-street parking requirements.

609.10 SETBACK, BUFFERING AND LANDSCAPING

- (a) Where an L-1 lot is contiguous to property located in a district other than an L-1, I, C-1 or C-2 District, all buildings shall have a minimum 60-foot setback from lot lines. In particular instances the Town Council may waive the 60-foot setback requirement, upon recommendation from the Planning Commission. **(5/94)**
- (b) Where an L-1 lot is contiguous to property located in a district other than an L-1, I, C-1 or C-2 District, a landscaped buffer strip of 30 feet in width shall be provided, with landscape materials and placement subject to final plan approval. Where contiguous to a C-1 or C-2 District property, the landscaped buffer strip shall be 15

Section 609 Industrial (L-1) District

feet. Approved fencing or additional buffering may be used in lieu of landscaping.
(5/94)

609.11 STORAGE OF GOODS, MATERIALS, FUEL AND REFUSE

- (a) The outdoor area devoted to storage, loading and display of goods shall be limited to that area so designated on an approved site plan.
- (b) All equipment and materials shall be contained entirely within a building or screened from public rights-of-way and contiguous properties that are in land uses other than industrial in nature.
- (c) Any establishment involved with the storage of fuel for sale, or for other purposes, shall be permitted only if the fuel is stored underground, except where otherwise permitted under provisions granted and stipulations required by the Town Council.
- (d) All refuse shall be contained in completely enclosed facilities and shall be screened.

609.12 STREET ENTRANCES

- (a) On a corner lot, no street entrance shall be located closer than 60-feet to the curb line extended from the intersecting street. This distance may be increased with respect to the types and turning radii of vehicles using the site.
- (b) No street entrance shall be located closer than 30 feet to a side or rear lot line, unless a common street entrance serves adjacent uses, and in no instance shall the distance between separate street entrances serving adjacent uses be less than 60 feet. The maximum width of such street entrances shall not exceed thirty feet (30').
- (c) A freestanding use shall have no more than two street entrances on any single right-of-way, and such street entrances shall have a minimum distance of 90 feet between them.

609.13 SITE PLAN REQUIREMENTS AND PERFORMANCE STANDARDS

- (a) All uses shall be subject to final site plan approval.
- (b) Any L-1 District land use application which is not in strict compliance with the pre-existing approved master site plan and preliminary plat for the district shall require an amendment to that master site plan and preliminary plat prior to site plan approval of the specific use.
- (c) Master site plans and preliminary plats for L-1 Districts shall include provisions for:
 - (1) adequate public facilities;
 - (2) development phasing;
 - (3) stormwater management facilities to address the ultimate development coverage within the district;
 - (4) lighting and signing; and
 - (5) other special features and land use considerations deemed necessary to serve the industrial district.
- (d) Applications for all uses subject to special use permits shall be accompanied by a report indicating the compliance with and use compatibility issues related to the Town's applicable performance standards.

Section 609 Industrial (L-1) District

609.14 ADDITIONAL REQUIREMENTS

- (a) Public Streets within the L-1 District shall be constructed to industrial road standards as determined by the Town Council or its agent. Sidewalks may be required on one or both sides of the street.
- (b) Common property ownership agreements and covenants for L-1 District developments shall be reviewed and approved by the Town Council or its agent.
- (c) Refer to Section 306 for off-street loading requirements.
- (d) Refer to Sections 301-304 for general regulations and other provisions which may supplement those cited herein.
- (e) Refer to specific Overlay Zoning districts, where applicable.

Code of Virginia
Title 58.1. Taxation
Chapter 38. Miscellaneous Taxes

§ 58.1-3851. Creation of local tourism zones.

- A. Any city, county, or town may establish, by ordinance, one or more tourism zones. Each locality may grant tax incentives and provide certain regulatory flexibility in a tourism zone.
- B. The tax incentives may be provided for up to 20 years and may include, but not be limited to (i) reduction of permit fees, (ii) reduction of user fees, and (iii) reduction of any type of gross receipts tax. The extent and duration of such incentive proposals shall conform to the requirements of the Constitutions of Virginia and of the United States.
- C. The governing body may also provide for regulatory flexibility in such zone that may include, but not be limited to (i) special zoning for the district, (ii) permit process reform, (iii) exemption from ordinances, excluding ordinances or provisions of ordinances adopted pursuant to the requirements of the Chesapeake Bay Preservation Act (§ 62.1-44.15:67 et seq.), the Erosion and Sediment Control Law (§ 62.1-44.15:51 et seq.), or the Virginia Stormwater Management Act (§ 62.1-44.15:24 et seq.), and (iv) any other incentive adopted by ordinance, which shall be binding upon the locality for a period of up to 10 years.
- D. The establishment of a tourism zone shall not preclude the area from also being designated as an enterprise zone.
- 2006, c. 642; 2008, c. 462; 2013, cc. 756, 793.

DRAFT AMENDMENT 051016

Incentives

NOTE: This draft amendment to the Town Code proposes the establishment of tourism zones with incentives. This draft amendment proposes to maintain the existing historic district partial tax incentives under Sec. 16-7 creating a broader incentive for business development.

Sec. 16-9 Tourism Zone Incentives

- (a) Purpose: The purpose for creating tourism zones is to encourage certain types of business growth in the Town that will attract visitors to the Town, increase tax revenue, and enhance the general welfare of Town residents. Virginia Code § 58.1-3851 grants towns the legal authority to establish one or more tourism zones and grant tax incentives and regulatory flexibility therein.
- (b) Establishment of Tourism Zones
- (1) Downtown Business Tourism (DBT) Zone Created. There is hereby established the "Downtown Business Tourism Zone," consisting of the areas zoned C General Commercial and designated on the map entitled "Town of Berryville Tourism Zones," dated _____, attached hereto and incorporated herein. The intent of the Downtown Business Tourism Zone is to achieve the overall purpose of Sec. 16-9(a) by encouraging business growth that enhances the unique character and assets of the downtown area.
 - (2) Entrance Corridor Tourism (ECT) Zone Created. There is hereby established the "Entrance Corridor Tourism Zone," consisting of the areas designated as such on the map entitled "Town of Berryville Tourism Zones," dated _____, attached hereto and incorporated herein. The intent of the Entrance Corridor Tourism Zone is to achieve the overall purpose of Sec. 16-9(a) by encouraging business growth that enhances the unique character and assets of the entrance corridor area.
 - (3) Community Business Tourism (CBT) Zone Created. There is hereby established the "Community Business Tourism Zone," consisting of the areas designated as such on the map entitled "Town of Berryville Tourism Zones," dated _____, attached hereto and incorporated herein. The intent of the Community Business Tourism Zone is to achieve the overall purpose of Sec. 16-9(a) by encouraging general business growth in the Town of Berryville that supports tourism.
- (c) Eligibility Requirements
- (1) **ELIGIBLE USES BY TOURISM ZONE.** The following land uses, as categorized within each tourism zone, are eligible to receive the

tourism zone incentives of Sec. 16-9(d), subject to compliance with all other code requirements of the Town of Berryville Code and Town of Berryville Zoning Ordinance.

TABLE 16-9(c)(1)

SPECIFIC TOURISM ZONE	ELIGIBLE TYPES OF LAND USES
Downtown Business Tourism (DBT)	Retail Dining Lodging Entertainment* Culture & Arts Personal Services & Offices Recreation Second story apartments/condominiums
Entrance Corridor Tourism (ECT)	Retail Dining Lodging Entertainment* Culture & Art Personal Services & Offices Agritourism Recreation
Community Business Tourism (CBT)	Retail Dining Lodging Entertainment* Personal Services & Offices Recreation Loft apartments/condominiums Wholesale/Retail Food Hub Community Kitchens

*Including both outdoor and indoor uses, but excluding adult entertainment uses.

(2) INVESTMENT CRITERIA. Eligible land uses, as specific under Sec. 16-9(c)(1), shown above, are eligible to receive the tourism zone incentives of Sec. 16-99(d) shown below, only if all of the following criteria is met:

- (a) A minimum new capital investment of \$25,000.
- (b) A minimum creation of one (1) new job.

- (c) Conformance with the Town's Comprehensive Plan.
- (d) Conformance with the Town's Zoning Ordinance.
- (e) Conformance with the Town Code.

(d) Incentives.

(1) BPOL Tax Incentive. BPOL Tax may be reduced for eligible land uses that meet the investment criteria as specified under 16-9(c)(2).

(a) Eligible land uses shall be categorized into one of the following three (3) tier groups, depending on the amount of capital investment and quantity of jobs created.

Table 16-9(d)(1)(a)

<u>Tier Group</u>	<u>Capital Investment</u>	<u>Jobs Created</u>
Tier 1	\$25,000 - \$99,999	1 – 3
Tier 2	\$100,000 - \$499,999	4 – 10
Tier 3	\$500,000 +	11 +

(b) The following table illustrates the duration that eligible land uses may receive BPOL tax reduction based on the qualifying tier group.

Table 16-9(d)(1)(b)

<u>Year</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11+</u>
<i>Tier 1</i>	✓	✓	✓	✓	X	X	X	X	X	X	X
<i>Tier 2</i>	✓	✓	✓	✓	✓	✓	✓	X	X	X	X
<i>Tier 3</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X

(c) Eligible land uses may receive up to 100% BPOL tax reduction for the number of specified years they qualify for under Table 16-9(d)(1)(b).

(d) BPOL tax reduction is based on the estimated increase in BPOL tax as calculated from estimated increased revenue after the proposed investment. BPOL tax reduction shall not apply to existing BPOL tax prior to the specific investment.

(2) Permit Fee Incentive. All eligible land uses may receive up to 100% reduction in permit fees with the Town of Berryville as identified in the Planning and Zoning Fee Schedule, as amended.

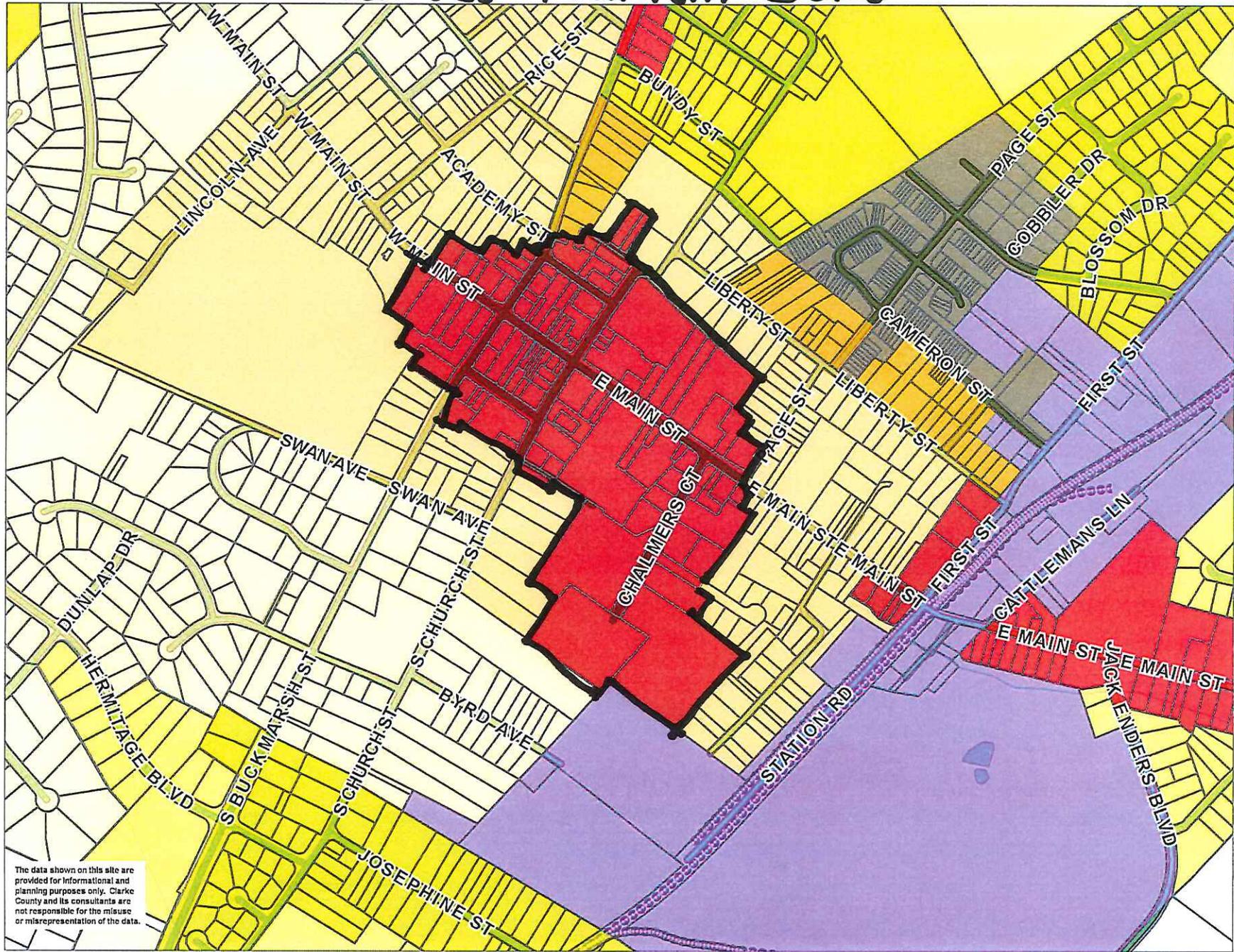
(3) Availability Fee Incentive. Eligible commercial land uses may be allowed to make payment of required availability fees over a period of

time that does not exceed ten (10) years, without interest or fees, subject to a lien on the property, or other guarantee, for the specified time period.

(e) Administration & Interpretation.

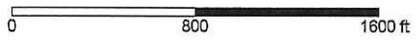
- (1) The Town Manager, or designee, is authorized to administer tourism zones.
- (2) Interpretations of this section shall be determined by the Town Manager after consultation with the Town Attorney.
- (3) All eligible businesses must submit an application for tourism incentives to the Town Business Office.
- (4) The Town Manager, or designee, shall draft a performance agreement for applicants that qualify for incentives. The performance agreement shall be reviewed by the Town Attorney, Assistant Town Manager/Treasurer, Assistant Town Manager/Planner, and other departments, authorities, committees, commissions or agencies as determined appropriate by the Town Manager.
- (5) Performance agreements shall specify all incentives that are to be authorized and may include conditions of approval including but not limited to requirements that the applicant maintain certain hours of operation, site improvement requirements, or reduction of incentives from their maximum levels authorized by this section.
- (6) Incentives are not authorized until a performance agreement is approved by Town Council and nothing herein shall be interpreted to require or obligate the Town to approving any incentives until a performance agreement is approved by Town Council.
- (7) Town Council may revoke, reduce, or suspend incentives after approval of the performance agreement if the conditions, or other terms, of the performance agreement are not in compliance.

DOWNTOWN BUSINESS TOURISM ZONE



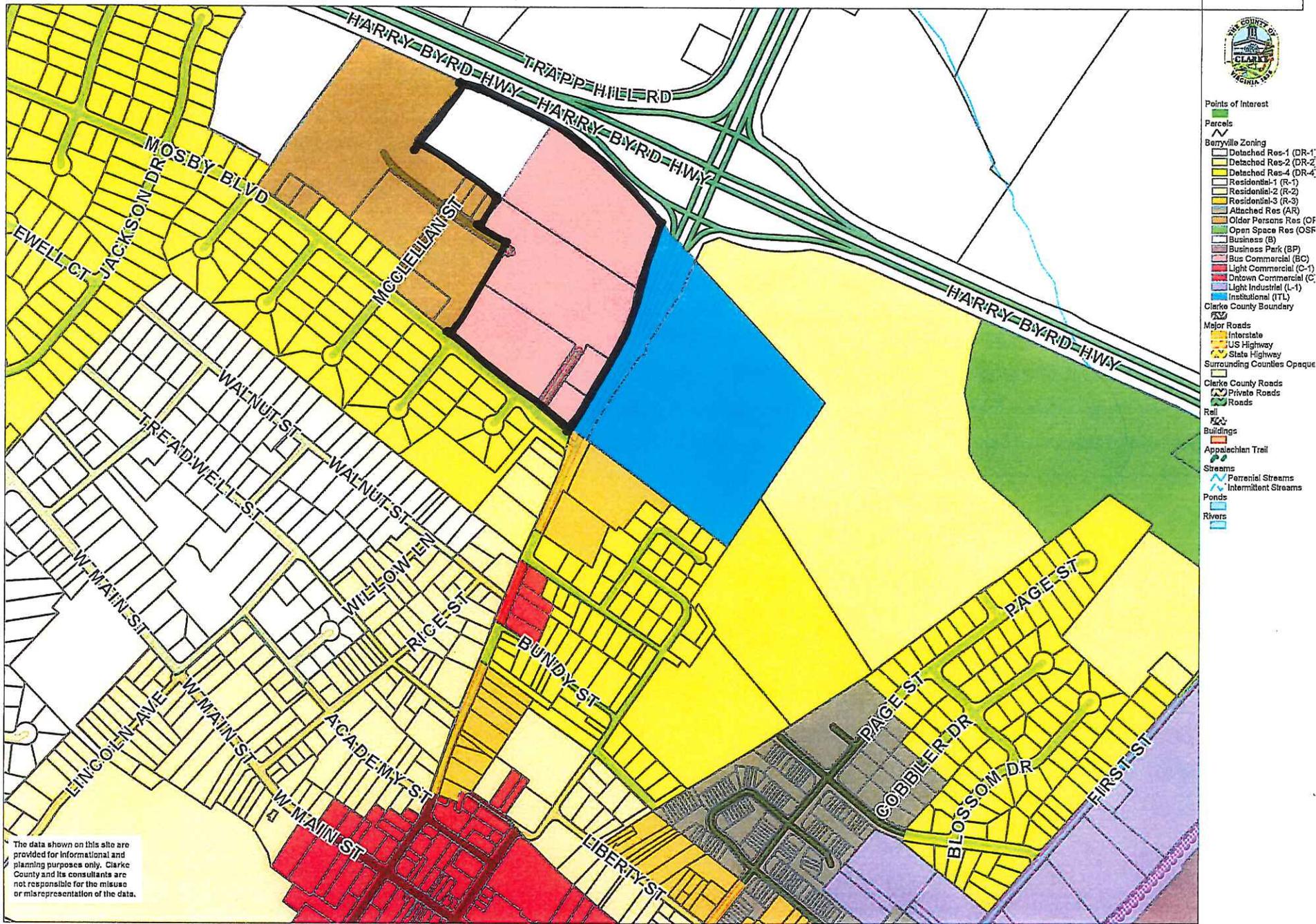
- Points of Interest
- Parcels
- Berryville Zoning
 - Detached Res-1 (DR-1)
 - Detached Res-2 (DR-2)
 - Detached Res-4 (DR-4)
 - Residential-1 (R-1)
 - Residential-2 (R-2)
 - Residential-3 (R-3)
 - Attached Res (AR)
 - Older Persons Res (OP)
 - Open Space Res (OSF)
 - Business (B)
 - Business Park (BP)
 - Bus Commercial (BC)
 - Light Commercial (C-1)
 - Downtown Commercial (C)
 - Light Industrial (L-1)
 - Institutional (I/L)
- Clarke County Boundary
- Major Roads
 - Interstate
 - US Highway
 - State Highway
- Surrounding Counties Opaque
- Clarke County Roads
 - Private Roads
 - Roads
- Rail
- Buildings
- Appalachian Trail
- Streams
 - Perennial Streams
 - Intermittent Streams
- Ponds
- Rivers

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ENTRANCE CORRIDOR TOURISM ZONE



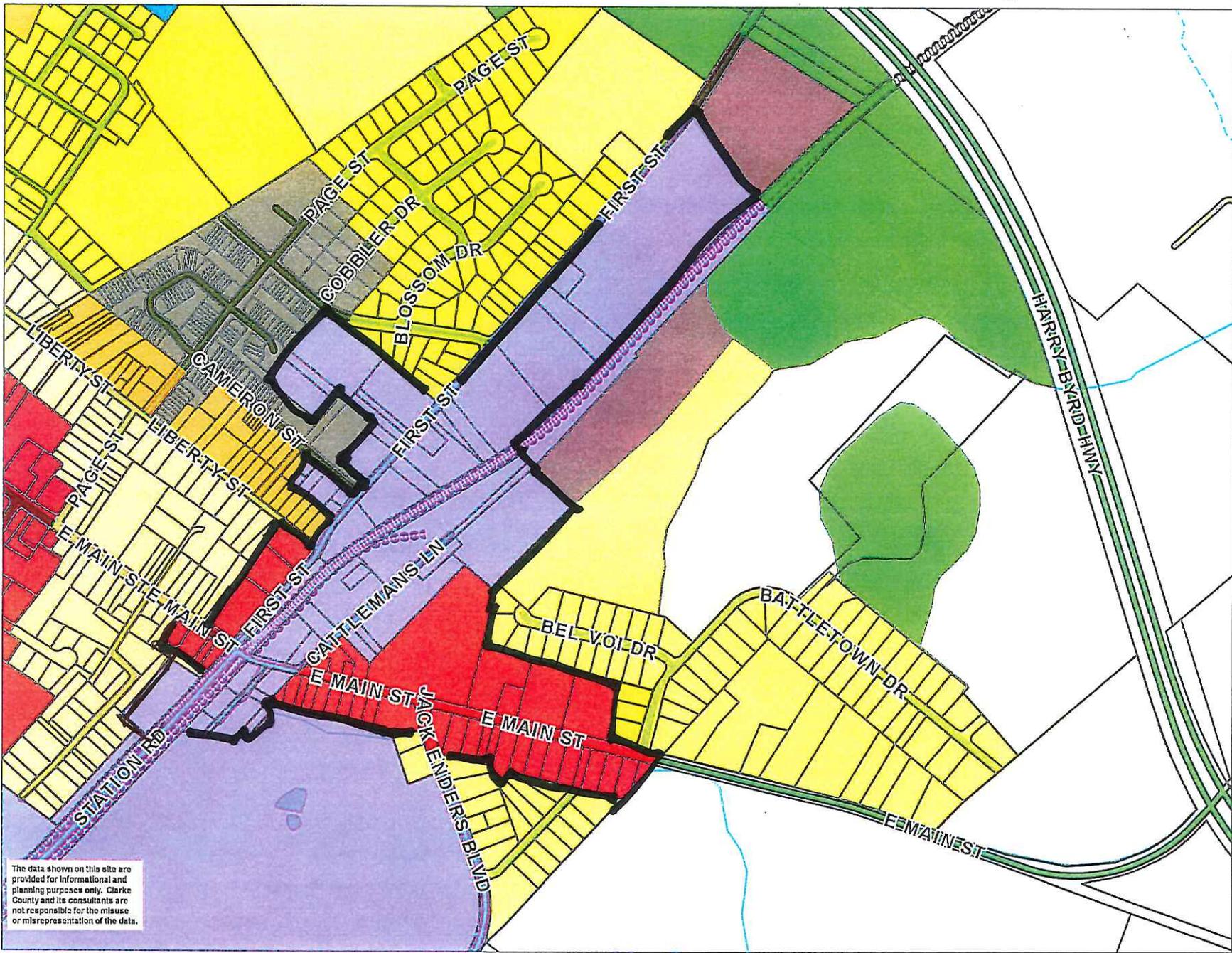
- Points of Interest
- Parcels
- Barryville Zoning
 - Detached Res-1 (DR-1)
 - Detached Res-2 (DR-2)
 - Detached Res-4 (DR-4)
 - Residential-1 (R-1)
 - Residential-2 (R-2)
 - Residential-3 (R-3)
 - Attached Res (AR)
 - Older Persons Res (OP)
 - Open Space Res (OSR)
 - Business (B)
 - Business Park (BP)
 - Bus Commercial (BC)
 - Light Commercial (C-1)
 - Light Industrial (L-1)
 - Institutional (ITL)
- Clarke County Boundary
- Major Roads
 - Interstate
 - US Highway
 - State Highway
- Surrounding Counties Opaque
- Clarke County Roads
 - Private Roads
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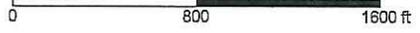
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COMMUNITY BUSINESS TOURISM ZONE



- Points of Interest
- Parcels
- Barryville Zoning
 - Detached Res-1 (DR-1)
 - Detached Res-2 (DR-2)
 - Detached Res-4 (DR-4)
 - Residential-1 (R-1)
 - Residential-2 (R-2)
 - Residential-3 (R-3)
 - Attached Res (AR)
 - Older Parsons Res (OP)
 - Open Space Res (OSR)
 - Business (B)
 - Business Park (BP)
 - Bus Commercial (BC)
 - Light Commercial (C-1)
 - Downtown Commercial (C)
 - Light Industrial (L-1)
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A RESOLUTION: Amendments to Section 609 of the Berryville Zoning Ordinance and consideration of establishing Town Code Section 16-9 Tourism Zone Incentives

WHEREAS, the Council of the Town of Berryville supports the creation of tourism zones in order to encourage certain types of business growth in the Town that will attract visitors, increase tax revenue, and enhance the general welfare of Town residents; and

WHEREAS, the Virginia General Assembly adopted Virginia Code § 58.1-3851 which grants towns legal authority to establish one or more tourism zones and grant tax incentives and regulatory flexibility therein; and

WHEREAS, the Council of the Town of Berryville identifies three Tourism Zones including Downtown Business Tourism Zone, Entrance Corridor Tourism Zone, and Community Business Tourism Zone which are identified on maps herein; and

WHEREAS, the Council of the Town of Berryville recommends eligible land uses within these Zones and identifies criteria for businesses which would receive incentives including reduced BPOL taxes and permit fees and the ability to pay water and sanitary sewer availability fees over a period of time not to exceed ten (10) years; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Berryville, Virginia hereby initiates the establishment of Section 16-9 to the Code of the Town of Berryville and text amendments to Section 609 of the Berryville Zoning Ordinance in order align with uses in Tourism Zone locations.

Passed this 10th day of May, 2016.

Attest: _____

By: Wilson L. Kirby, Mayor

CERTIFICATION

I hereby certify that the above resolution was duly adopted by the Council of the Town of Berryville, in a duly assembled meeting on the 8th day of December, 2015.

Harry Lee Arnold, Jr., Recorder

Wilson Kirby
Mayor

Harry Lee Arnold, Jr.
Recorder

Council Members

Douglas A. Shaffer
Ward 1

H. Allen Kitseiman, III
Ward 2

J. Bryant Condrey
Ward 3

David L. Tollett
Ward 4

Keith R. Dalton
Town Manager

BERRYVILLE TOWN COUNCIL

**MOTION FOR APPROVAL OF RESOLUTION FOR AMENDMENTS TO SECTION 609
INDUSTRIAL ZONING DISTRICT OF THE BERRYVILLE ZONING ORDINANCE AND
CONSIDERATION OF ESTABLISHING TOWN CODE SECTION 16-9
TOURISM ZONE INCENTIVES**

Date: May 10, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville support the attached resolution sponsoring amendments to Section 609 of the Berryville Zoning Ordinance and the establishment of Town Code Section 16-9 Tourism Zone Incentives.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

Harry Lee Arnold, Jr., Recorder

BERRYVILLE TOWN COUNCIL
Berryville Main Street Cruise-In
May 10, 2016

Berryville Main Street is sponsoring a Cruise-In vintage car event for Saturday, August 27, 2016. They wish to close a portion of Main Street from Chalmers Court to Buckmarsh Street and North Church Street from Main Street to the BB&T building.

A Special Event Permit application has been submitted for the event hours of 4:00pm to 7:00pm with street closure from 3:00pm to 7:30pm. The applicants are aware that a VDOT Land Use Permit must be submitted and approved. The applicant will also be responsible for all costs associated with road closure.

Administrative, Police and Planning staff will be meeting with representatives planning the event on Friday afternoon, May 6, 2016 and will update Council on information from that meeting.

Recommendation

Approve the attached motion to close Main and Church streets as identified above with VDOT approval and requisite permit submissions and any other items as determined by staff after the May 6, 2016 event meeting.

BERRYVILLE TOWN COUNCIL
MOTION TO APPROVE CLOSURE OF DOWNTOWN STREETS

Date: May 10, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville approve the closure of downtown streets in order for Berryville Main Street to hold a cruise-in event on Saturday, August 27, 2016 upon approval by VDOT, requisite permit submittal, and other items as determined by staff after the May 6, 2016 event meeting.

VOTE:

Aye:

Nay:

Absent:

Attachment 8

House Bill 818, which will become effective on July 1, requires (among other things) the Town Council to designate a local FOIA Officer.

Along with the above-referenced designation, the Town will be required to place a link on its website home page to FOIA information. The FOIA information to be posted includes:

- Rights and responsibilities regarding requesting and providing information
- Contact information for Town's FOIA Officer
- A list or index of the types of public records maintained by the Town
- A list or description of exemptions that allow public records to be withheld
- Any Town policy about the types of public records that are routinely withheld
- A prescribed statement regarding reasonable charges associated with FOIA requests

Staff is preparing an amended FOIA Policy for Town Council's review and approval in June. Staff will also be working to prepare the information that is required to be posted on the Town's website.

Please see attached the following:

- HB 818 text
- Town FOIA Policy
- Town FOIA Policy regarding charges
- FOIA Council's recommended template for FOIA Policy

The Town's FOIA Officer will be designated when the amended FOIA Policy is adopted. At present, the Town Clerk serves in that capacity and it will be recommended that this position continue to handle these matters. It is also being considered how such issues will be addressed if the Town Clerk's position is vacant or the Town Clerk is not at her/his post for any extended period of time when a FOIA is received. This matter will be addressed in the new policy/designation.

Lastly, it is important to note that the Town Clerk and the Town Treasurer will be attending a FOIA training at the Library of Virginia this month. This training will also be supplemented by additional training in the future.

CHAPTER 748

An Act to amend and reenact § [2.2-3704.1](#) of the Code of Virginia and to amend the Code of Virginia by adding a section numbered [2.2-3704.2](#), relating to the Virginia Freedom of Information Act; designation of FOIA officer; posting of FOIA rights and responsibilities.

[H 818]

Approved April 20, 2016

Be it enacted by the General Assembly of Virginia:

1. That § [2.2-3704.1](#) of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered [2.2-3704.2](#) as follows:

§ [2.2-3704.1](#). Posting of notice of rights and responsibilities by state and local public bodies; assistance by the Freedom of Information Advisory Council.

A. All state public bodies ~~created in the executive branch of state government and~~ subject to the provisions of this chapter *and any county or city, and any town with a population of more than 250*, shall make available the following information to the public upon request and shall post ~~such information on~~ *a link to such information on the homepage* of their respective public government websites:

1. A plain English explanation of the rights of a requester under this chapter, the procedures to obtain public records from the public body, and the responsibilities of the public body in complying with this chapter. For purposes of this section, "plain English" means written in nontechnical, readily understandable language using words of common everyday usage and avoiding legal terms and phrases or other terms and words of art whose usage or special meaning primarily is limited to a particular field or profession;

2. Contact information for the ~~person~~ *FOIA officer* designated by the public body *pursuant to § [2.2-3704.2](#)* to (i) assist a requester in making a request for records or (ii) respond to requests for public records;

3. A general description, summary, list, or index of the types of public records maintained by such state public body;

4. A general description, summary, list, or index of any exemptions in law that permit or require such public records to be withheld from release;

5. Any policy the public body has concerning the type of public records it routinely withholds from release as

permitted by this chapter or other law; and

6. The following statement: "A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen as set forth in subsection F of § [2.2-3704](#) of the Code of Virginia."

B. The Freedom of Information Advisory Council, created pursuant to § [30-178](#), shall assist in the development and implementation of the provisions of subsection A, upon request.

§ [2.2-3704.2](#). *Public bodies to designate FOIA officer.*

A. All state public bodies, including state authorities, that are subject to the provisions of this chapter and all local public bodies that are subject to the provisions of this chapter, shall designate and publicly identify one or more Freedom of Information Act officers (FOIA officer) whose responsibility is to serve as a point of contact for members of the public in requesting public records and to coordinate the public body's compliance with the provisions of this chapter.

B. For such state public bodies, the name and contact information of the public body's FOIA officer to whom members of the public may direct requests for public records and who will oversee the public body's compliance with the provisions of this chapter shall be made available to the public upon request and be posted on the respective public body's website at the time of designation and maintained thereafter on such website for the duration of the designation.

C. For such local public bodies, the name and contact information of the public body's FOIA officer to whom members of the public may direct requests for public records and who will oversee the public body's compliance with the provisions of this chapter shall be made available in a way reasonably calculated to provide notice to the public, including posting at the public body's place of business, posting on its website, or including such information in its publications.

D. For the purposes of this section, local public bodies shall include constitutional officers.

E. Any such FOIA officer shall possess specific knowledge of the provisions of this chapter and be trained at least annually by legal counsel for the public body or the Virginia Freedom of Information Advisory Council.

Town of Berryville - Policy

Freedom of Information Act

Under the Virginia Freedom of Information Act (FOIA), you have the right to examine public records.

Your FOIA rights

- You have the right to request to inspect or receive copies of public records, or both.
- You have the right to request that any charges for the requested records be estimated in advance.
- If you believe that your FOIA rights have been violated, you may file a petition in district or circuit court to compel compliance with FOIA.

How to make a FOIA request

You may request records by contacting the Town Office in any of the following ways:

- U.S. Mail: 101 Chalmers Court, Suite A, Berryville, VA 22611
- Fax: 540-955-4524
- In person: 101 Chalmers Court, Suite A, Berryville, VA 22611
- Phone: 540-955-1099
- E-mail: townclerk@berryvilleva.gov

Fulfilling your request

The Town of Berryville will respond within five working days of receiving a request. The five-day period does not include weekends or holidays. FOIA requires that the Town of Berryville make one of the following responses to your request within the five-day time period:

- Provide the records requested in their entirety.
- Withhold all of the records requested, because all of the records are subject to a specific statutory exemption. If all of the records are being withheld, a response in writing will be sent with an explanation of the exemption. That response will identify the volume and subject matter of the records being withheld, and state the specific section of the Code of Virginia that allows the records to be withheld.
- Provide some of the records requested, but withhold other records. An entire record will not be withheld if only a portion of it is subject to an exemption. In that instance, the portion of the record that may be withheld will be redacted, the remainder of the record will be provided. A written response stating the specific section of the Code of Virginia that allows portions of the requested records to be withheld will be sent.
- Respond in writing that the requested records cannot be found or do not exist. However, if another public body has the requested records, contact information for the other public body will be included in the response.

- If the Town of Berryville cannot respond to a request within the five-day period, you will be informed in writing, explaining the conditions that make the response impossible. This will allow seven additional working days to respond to a request, providing a total of 12 working days to respond to a request.

If a request for a very large number of records is made, and it is determined that it cannot be provide within 12 working days without disrupting other organizational responsibilities, the Town may petition the court for additional time to respond to your request. However, FOIA requires that a reasonable effort be made to reach an agreement concerning the production or the records before going to court to ask for more time.

Costs

- Fees are only charged if the cost to produce the documents is more than \$25. (see attached fees policy.)
- If the estimated cost is more than \$200, a deposit may be required (not to exceed the amount of the estimate), before proceeding with your request. The five days to respond to a request does not include the time between a request for a deposit and a response from the requestor.
- Costs include items such as staff time, copying costs or any other costs directly related to supplying the requested records. It will not include general overhead costs.
- If requested, an estimate of the charges will be provided prior to supplying the records requested.
- If money is owed from a previous FOIA request that has remained unpaid for more than 30 days, the Town of Berryville may require payment of the past-due bill before responding to a new FOIA request.

General Guidelines

- A request must identify the records needed with "reasonable specificity." It does not refer to or limit the volume or number of records requested; instead, it requires that a request be specific enough to identify and locate records.
- A request must ask for existing records or documents. FOIA allows for inspection or copying of records; it does not apply to a situations asking general questions about the work of (the Department), nor does it require (the Department) to create a record that does not exist.
- Records can be provided in the format in which they were created.
- For example, if you are requesting records maintained in an Excel database, you may elect to receive those records electronically, via e-mail or on a computer disk, or to receive a printed copy of those records.
- You may be contacted if there are questions about a request, to ensure that the appropriate records are being provided.

Exemptions

- The Code of Virginia allows any public body to withhold certain records from public disclosure. The Town of Berryville commonly withholds records subject to exemptions such as:
- Personnel records

- Records subject to attorney-client privilege
- Vendor proprietary information
- Records relating to the negotiation and award of a contract, prior to a contract being awarded
- Security matters

About Freedom of Information Act

The Virginia Freedom of Information Act (FOIA) -- located in § 2.2-3700 et seq. of the Code of Virginia -- guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials, and public employees. The purpose of FOIA is to promote an increased awareness and transparency of government activities and afford residents an opportunity to witness the operations of government.

A public record is any writing or recording -- regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format -- that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business.

For more information

The Freedom of Information Advisory Council is available to answer any general questions you may have about FOIA. The Council may be contacted by e-mail, or by phone at (804) 225-3056 or (toll free) 1-866-448-4100.

Town of Berryville - Policy

Charges for Record Production under the Freedom of Information Act

Costs include items such as staff time, copying costs or any other costs directly related to supplying the requested records. It will not include general overhead costs.

Per page copying cost \$.05.

Color copies \$.50 per copy.

Staff time and other costs will be determined at the time of the request.

Fee is waived for jobs totaling less than \$25.00.

A deposit may be charged for jobs that are estimated at over \$200.00

The Town of Berryville reserves the right to negotiate fees if mutually agreed upon with the requestor.

Rights & Responsibilities:

The Rights of Requesters and the Responsibilities of [the Department] under the Virginia Freedom of Information Act

The Virginia Freedom of Information Act (FOIA), located § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials, and public employees.

A public record is any writing or recording -- regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format -- that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, statutory exemption applies.

The policy of FOIA states that the purpose of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

Your FOIA Rights

- You have the right to request to inspect **or** receive copies of public records, or both.
- You have the right to request that any charges for the requested records be estimated in advance.
- If you believe that your FOIA rights have been violated, you may file a petition in district or circuit court to compel compliance with FOIA. Alternatively, you may contact the FOIA Council for a nonbinding advisory opinion.

Making a Request for records from [the Department]

- You may request records by U.S. Mail, fax, e-mail, in person, or over the phone. FOIA does not require that your request be in writing, nor do you need to specifically state that you are requesting records under FOIA.

- From a practical perspective, it may be helpful to both you and the person receiving your request to put your request in writing. This allows you to create a record of your request. It also gives us a clear statement of what records you are requesting, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to your FOIA request if you elect to not put it in writing.
- Your request must identify the records you are seeking with "reasonable specificity." This is a common-sense standard. It does not refer to or limit the volume or number of records that you are requesting; instead, it requires that you be specific enough so that we can identify and locate the records that you are seeking.
- Your request must ask for existing records or documents. FOIA gives you a right to inspect or copy **records**; it does not apply to a situation where you are asking general questions about the work of [the Department], nor does it require [the Department] to create a record that does not exist.
- You may choose to receive electronic records in any format used by [the Department] in the regular course of business.
 - For example, if you are requesting records maintained in an Excel database, you may elect to receive those records electronically, via e-mail or on a computer disk, or to receive a printed copy of those records
- If we have questions about your request, please cooperate with staff's efforts to clarify the type of records that you are seeking, or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but we may need to discuss your request with you to ensure that we understand what records you are seeking.

To request records from [the Department], you may direct your request to [contact person]. She can be reached at [Contact information: address, phone, fax, e-mail]. You may also contact her with questions you have concerning requesting records from [the Department]. In addition, the Freedom of Information Advisory Council is available to answer any questions you may have about FOIA. The Council may be contacted by e-mail at foiacouncil@dls.virginia.gov, or by phone at (804) 225-3056 or [toll free] 1-866-448-4100.

[The Department's] Responsibilities in Responding to Your Request

- [The Department] must respond to your request within five working days of receiving it. "Day One" is considered the day after your request is received. The five-day period does not include weekends or holidays.

- The reason behind your request for public records from [the Department] is irrelevant, and you do not have to state why you want the records before we respond to your request. FOIA does, however, allow [the Department] to require you to provide your name and legal address.
- FOIA requires that [the Department] make one of the following responses to your request within the five-day time period:
 - 1) We provide you with the records that you have requested in their entirety.
 - 2) We withhold all of the records that you have requested, because all of the records are subject to a specific statutory exemption. If all of the records are being withheld, we must send you a response in writing. That writing must identify the volume and subject matter of the records being withheld, and state the specific section of the Code of Virginia that allows us to withhold the records.
 - 3) We provide some of the records that you have requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide you with the remainder of the record. We must provide you with a written response stating the specific section of the Code of Virginia that allows portions of the requested records to be withheld.
 - 4) We inform you in writing that the requested records cannot be found or do not exist (we do not have the records you want). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response to you.
 - 5) If it is practically impossible for [the Department] to respond to your request within the five-day period, we must state this in writing, explaining the conditions that make the response impossible. This will allow us seven additional working days to respond to your request, giving us a total of 12 working days to respond to your request.
- If you make a request for a very large number of records, and we feel that we cannot provide the records to you within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to your request. However, FOIA requires that we make a reasonable effort to reach an agreement with you concerning the production of the records before we go to court to ask for more time.

Costs

- A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen as set forth in subsection F of § 2.2-3704 of the Code of Virginia.
- You may have to pay for the records that you request from [the Department]. FOIA allows us to charge for the actual costs of responding to FOIA requests. This would include items like staff time spent searching for the requested records, copying costs, or any other costs directly related to supplying the requested records. It cannot include general overhead costs.
- If we estimate that it will cost more than \$200 to respond to your request, we may require you to pay a deposit, not to exceed the amount of the estimate, before proceeding with your request. The five days that we have to respond to your request does not include the time between when we ask for a deposit and when you respond.
- You may request that we estimate in advance the charges for supplying the records that you have requested. This will allow you to know about any costs upfront, or give you the opportunity to modify your request in an attempt to lower the estimated costs.
- If you owe us money from a previous FOIA request that has remained unpaid for more than 30 days, [the Department] may require payment of the past-due bill before it will respond to your new FOIA request.

Types of records

The following is a general description of the types of records held by [the Department]:

- Personnel records concerning employees and officials of [the Department]
- Records of contracts which [the Department] has entered into
- [Fill in additional entries as appropriate for your agency.]

If you are unsure whether [the Department] has the record(s) you seek, please contact [contact person] directly at [Contact information: address, phone, fax, e-mail].

Commonly used exemptions

The Code of Virginia allows any public body to withhold certain records from public disclosure. [The Department] commonly withholds records subject to the following exemptions:

- Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
- Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
- Vendor proprietary information (§ 2.2-3705.1 (6))
- Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))
- [Fill in additional entries as appropriate for your agency.]

Policy regarding the use of exemptions

State any written policy your agency may have regarding when statutory exemptions will be invoked to withhold records. For example:

- The general policy of [the Department] is to invoke the personnel records exemption in those instances where it applies in order to protect the privacy of employees and officials of [the Department].
- The general policy of [the Department] is to invoke the contract negotiations exemption whenever it applies in order to protect [the Department's] bargaining position and negotiating strategy.
- [Fill in additional entries as appropriate for your agency.]

Attachment 9

BERRYVILLE TOWN COUNCIL
Adoption of Berryville Area Plan Revision
May 10, 2016

The Berryville Town Council and Clarke County Board of Supervisors held a joint public hearing on April 12, 2016 to take comments on the revised Berryville Area Plan. Comments from that public hearing are included in the draft minutes of this agenda packet. The Board of Supervisors have indicated that they would like Town Council to take action first to adopt the Plan. The updated Plan can be found at this link: <http://vaberryville.civicplus.com/DocumentCenter/Home/View/329> .

April 12, 2016 Staff Report

The public hearing notice was published in the Winchester Star on Tuesday, March 29 and Tuesday, April 5, 2016. No comments were received in the Planning Office.

The Berryville Area Plan serves as the joint land use plan for the Berryville Annexation Area –County lands adjacent to the Town limits that were designated for addition to the Town of Berryville in accordance with the 1988 Town-County Annexation Agreement. The Plan is the primary guidance document for land use decision-making within the Berryville Annexation Area and was developed in coordination with the Berryville and Clarke County comprehensive plans. The Plan identifies five Goals that summarize the Plan’s intent, and also includes land use Objectives and Policies for implementing the Goals across eight subject areas including Environment, Transportation, Housing, Land Use, Public Facilities, Economic Development, Urban Design, and Implementation. These Objectives and Policies are used to evaluate new development proposals, make decisions on public infrastructure siting and improvements, and assist in long-range planning and growth management projects.

The Plan was originally adopted in 1992 by the Berryville Town Council and the Clarke County Board of Supervisors. It has been amended several times since its adoption with the most recent amendments occurring in 2010. The revised Plan contains elements to clarify and strengthen the Town’s and County’s joint vision including a revised chapter format, recommended updates to designated Sub-Areas, revised demographic information, and streamlining and readability edits throughout the document.

The document was distributed to a number of local and state agencies for review and comment. A public input session was held at the Government Center on October 28, 2015. Work sessions were held by the Clarke County Board of Supervisors on March 7, 2016 and by the Berryville Town Council on March 15, 2016. Staff has reviewed three sub-areas that Council member Condrey questioned at the work session and believe that the original numbers are accurate. Staff will discuss the matter with him prior to the final version being published.

Staff will incorporate any changes that are recommended by elected officials into the final Version 5 after the public hearing and distribute the document prior to a decision on the Plan. Staff will assure that the respective governing bodies adopt the same document.

Recommendation

Discuss at the meeting. A motion for adoption follows this report.

BERRYVILLE TOWN COUNCIL
MOTION TO APPROVE BERRYVILLE AREA PLAN REVISION

Date: May 10, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville adopt the revised Version V of the Berryville Area Plan as recommended by the Berryville Area Development Authority. It is anticipated that the Clarke County Board of Supervisors will act on the same document at their May meeting.

VOTE:

Aye:

Nay:

Absent:

Attachment 10



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: 05/04/2016

TO: Town Council

FROM: Chief W. Neal White

CC:

RE: Police Department Monthly Report – 05/10/2016

Monthly Activity Report

The activity report for the month of April 2016 is attached to this memo.

Police and Security Committee

A meeting of the Police and Security Committee was held on April 28, 2016. Minutes from that meeting are attached to this memo.

There are a few items that the committee would like to put forward to the Council for action.

- 1) Consideration / approval for the police department to purchase an automatic external defibrillator at a cost of \$2,500.00.
- 2) Consideration / approval for the police department to move forward with a grant project to outfit each officer with an opioid reversal medication known as Naloxone.

Staffing

Donald Mason will be graduating from the Basic Law Enforcement Academy on May 25, 2016. He will then begin his field training in the department upon his graduation.

Greg Frenzel will be retiring from the department at the end of the month. A resolution recognizing his service to the community is attached for your consideration.

Police Week Proclamation

Attached to this report is a proclamation to recognize Police Week 2016 and all the men and women who serve as law enforcement officers in the United States for your consideration.



Berryville Police Department

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W. Neal White – Chief of Police

POLICE AND SECURITY REPORT

Month: April	Year To Date	April	March
Year: 2016	2016	2016	2016
Total Miles Traveled:	12,566	3,505	3,474
Total Man Hours:	4,357	1,180	1,010

Complaints Answered

911 Hang Up:	9	3	3
Alarms:	31	8	10
Animal Complaint:	27	7	6
Assault And Battery:	6	1	2
Assist County:	3	1	0
Auto Larceny:	2	0	1
Burglary:	2	1	0
Civil Complaints:	29	6	8
Disturbance (Non Violent):	22	8	4
Domestic Disturbance:	0	0	0
Drunk In Public:	4	1	1
Forgery & Uttering:	0	0	0
Fraud:	1	0	0
Grand Larceny:	1	1	0
Harassment/Intimidation:	9	2	0
Homicide:	0	0	0
Juvenile Related:	15	5	3
Noise:	12	1	0
Petty Larceny:	5	3	1
Public Service:	12	2	5
Rape:	0	0	0
Robbery:	0	0	0
Runaway:	1	0	0
Shoplifting:	0	0	0
Suspicious Activity:	53	11	17
Trespassing:	3	1	1
Vandalism:	7	2	2
Welfare Check:	41	10	13
Miscellaneous Complaints:	81	22	14
Total Complaints Answered:	376	96	91



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W. Neal White – Chief of Police

Traffic

Accidents Investigated:	8	4	2
Assist Motorist:	11	2	1
Child Safety Seat Install:	11	2	5
Funeral Escort:	11	5	1
Hit & Run:	4	2	1
Parking Tickets:	28	9	3
Traffic Warnings:	79	18	24

Traffic Summons Issued

Defective Equipment:	0	0	0
Driving Suspended:	5	0	3
Expired Inspection:	0	0	0
Expired Registration:	2	1	1
Fail To Obey Highway Sign:	32	5	8
Fail To Obey Traffic Signals:	0	0	0
Fail To Stop/Lights & Siren:	0	0	0
Fail To Yield Right Of Way:	2	1	1
Hit And Run:	0	0	0
No Liability Insurance:	0	0	0
No Operator's License:	2	1	1
No Seat Belt:	0	0	0
Reckless Driving:	5	2	1
Speeding:	19	4	5
Miscellaneous Summons:	1	1	1
Total Traffic Summons Issued:	69	15	21



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

Criminal Arrests Made

Abduction:	0	0	0
Arson:	0	0	0
Assault And Battery:	3	0	0
A & B On Police Officer:	0	0	0
Auto Larceny:	0	0	0
Breaking And Entering:	1	0	0
Capias:	5	1	4
Disorderly Conduct:	0	0	0
Driving While Intoxicated:	3	2	1
Drunk In Public:	2	0	1
Fail To Obey Police Officer:	0	0	0
Fail To Pay Parking Ticket:	4	4	0
Forgery:	0	0	0
Fraud:	0	0	0
Grand Larceny:	0	0	0
Homicide:	0	0	0
Illegal Drugs/Paraphernalia	6	0	6
Petty Larceny:	1	1	0
Possess Alcohol Underage:	0	0	0
Protective Order:	10	2	1
Rape:	0	0	0
Resisting Arrest:	1	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	0	0	0
Vandalism:	0	0	0
Weapons Violation	0	0	0
	8	2	3
Miscellaneous Criminal Arrests:			
Juvenile Arrest Total:	0	0	0
Total Criminal Arrests:	44	12	16

Found Open At Business In Town

Doors:	9	0	4
Windows:	0	0	0
Garage Doors Found Open:	0	0	0

Attachment 11

BERRYVILLE TOWN COUNCIL
Police and Security Committee
Thursday, April 28, 2016
Berryville-Clarke County Government Center
6:00 p.m.

MINUTES

Roll:

Town Council:

Present: Dave Tollett, Chair; Bryant Condrey

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

Press: Jim McConville, Winchester Star; WHAG staff

The meeting was called to order at 6:00 pm by Committee Chair Tollett.

Chief White updated the committee on department staffing, saying Investigator Greg Frenzel will retire from the department at the end of May 2016, and that he has already begun the process of filling Frenzel's position. Chief White also advised that Don Mason will graduate from the basic law enforcement academy on May 25, 2016. He said all positions in the department, with the exception of a frozen position, are currently filled.

Chief White briefed the committee on a project the department is working on to outfit officers with injectable Naloxone, a medication used to reverse the effects of opioid overdoses. He said the Virginia Attorney General's Office has a revolving grant to supply law enforcement departments with Naloxone for rapid intervention during overdose emergencies. He said the grant supplies the department with the medication and auto-injector, all 100% paid through the grant, and includes a one hour training session at no additional cost other than employee time. Chief White said the Clarke County Sheriff's Office has already received twenty kits, which have two medication doses each. He said in working with the Sheriff's Office, they would give the Town police department eight of the units and moving forward, the Sheriff's Office and the Town police department would apply for grants as a joint effort. He added that the medication does expire, so the grant cycle is constantly open and applications would be sent a few months before in stock units are set to expire. Chief White said the training has been set for the third week in May so that all sworn officers in the department and Sheriff's Office would be ready to deploy with the devices. He added that liability is covered under the Good Samaritan Act in the Code of Virginia, which was recently updated to include a subsection specifically concerning the administration of opioid reversal medications by law enforcement.

Chief White noted one potential concern of cost to the agency if grant funding expires. He said in conversations with the Attorney General's Office, the funding is through the manufacturer of the devices whom also sell the product to the general public. He said the funding for this initiative seems to be long term, but the cost of the units to the public is around \$750.00. He added if the funding were to expire and the project continued at the department, there could be significant annual expenses. The committee was briefed that in the past eighteen months, the department has responded to six opioid overdose injuries, none of which was fatal. It was recommended that this project be put forth to the entire Council at the next meeting for discussion and action.

Chief White briefed the committee on steps taken so far to secure automatic external defibrillators (AED) for deployment on patrol. This item was discussed during the last budget sessions for the current budget, and deemed to be a high priority. Chief White said he has been searching for grant opportunities for funding, but to this point has been unsuccessful. The AED sought would be a Physio Control Life Pak, which is a derivation of the devices used by EMS in the area. He said this is important because the device and accessories would be interchangeable between law enforcement and EMS. He added the cost for a unit is \$2,500.00. Chief White said the AED comes with a five year warranty, and he does not feel that an additional maintenance program is necessary based on the warranty provisions and internal diagnostics that the device runs. He said a general order has already been developed for this program where the AED would be part of the equipment that officers would daily check out from the office and place in their cruiser. He added that all officers already receive training on the use of AED and CPR every two years from the American Heart Association. It was recommended that this item be put before the Council at the next meeting for discussion and action. Chief White will continue to look for potential grant funding as another opportunity was recently brought to his attention.

Chief White updated the committee on progress with the new regional law enforcement academy. He said on May 12, 2016 Sheriff McEathron (WCSO) and Sheriff Roper (CCSO) will be in Richmond before the DCJS Board for final approval, and all indications are that they will come back from this meeting with formal approval for the split from Rappahannock and creation of the new academy. He said work is still being done on the construction of the new academy and the project timeline would have the academy ready to open in July of 2017.

The committee was then presented documents concerning grade and step programs from other jurisdictions in the region. The committee continues to investigate and research the potential to institute a grade and step program for the police department. The committee reviewed the documents briefly and wanted to take more time to absorb the information. This item will be further discussed at the next committee meeting.

The committee discussed revisions to Chapter 8 of the Town of Berryville Ordinances. This chapter deals with garbage and refuse. Chief White had prepared a document which outlined some of the text within the ordinance that needs revision. The chapter has not been reviewed since the town went to private contractors for collection. Chief White and Mr. Dalton had also reviewed several ordinances from other jurisdiction looking at best practices that may be worth including into the Berryville Ordinance. Chief White supplied a list of these sections for review by the committee. After some brief initial discussions, the committee decided to continue to work on the ordinance and supply comments to Chief White in thirty days. Chief White and Mr. Dalton will work on a draft revision for presentation at the next meeting.

In other business, Councilman Condrey reported that he has received some concerns about speeding along South Buckmarsh Street and East Main Street. He inquired if there were any passive measures that should be considered for implementation along these areas such as additional speed limit signage and in the case of South Buckmarsh Street, lane markings. It was noted that after the most recent paving and re-marking on South Buckmarsh Street left the lanes with a wider appearance and potentially give motorists the impression that they are not driving as fast as they actually are. It was noted that both of these roadways are under the

control of VDOT, so they will be consulted about the potential for the institution of some passive measures to help in the reduction of speeds.

The committee will meet again on June 30, 2016 at 06:00 pm.

With no further business, the meeting was adjourned at 7:15 pm.

Attachment 12

BERRYVILLE TOWN COUNCIL

MOTION TO PROCLAIM AND DESIGNATE POLICE WEEK

Date: May 10, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville adopt the attached resolution designating May 15-21, 2016, as Police Week in the Town of Berryville.

VOTE:

Aye:

Nay: None

Absent: None

ATTEST:

Harry Lee Arnold, Jr., Recorder



A proclamation to recognize National Police Week 2016 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Berryville Police Department;

WHEREAS, there have been 15,725 assaults against law enforcement officers in 2014, resulting in approximately 13,824 injuries;

WHEREAS, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

WHEREAS, 252 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 123 officers killed in 2015 and 129 officers killed in previous years;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 28th Annual Candlelight Vigil, on the evening of May 13, 2016;

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year on May 15-21;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half staff;

THEREFORE, BE IT RESOLVED that the Council of the Town of Berryville formally designates May 15-21, 2016, as Police Week in the Town of Berryville and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

By Order of the Council of the Town of Berryville on this the tenth day of May, 2016.

Wilson L. Kirby, Mayor

Harry Lee Arnold, Jr., Recorder

Attachment 13

BERRYVILLE TOWN COUNCIL
Streets and Utilities Committee
Wednesday, April 27, 2016
Berryville-Clarke County Government Center
9:00 a.m.

MINUTES

Roll:

Town Council:

Present: Wilson Kirby, Chair; Doug Shaffer

Staff: Keith Dalton, Town Manager; Rick Boor, Director of Public Works; Dave Tyrell, Director of Public Utilities

Press: None

Pubic: Alton Echols

1. **Call to Order**

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

2. **Discussion – Update, Public Utilities**

Mr. Tyrell updated the Committee on the recent accident involving a Dept. of Utilities dump truck. He then provided an update on the GE Conference and on energy saving changes that he wants to employ at the waste water treatment plant. He discussed the water plant roof and skylights. Mr. Tyrell completed his update with discussion of variable frequency drive on water treatment plant finish pumps.

3. **Discussion – Update, Public Works**

Mr. Dalton said the Battletown Drive water main upgrade is expected to begin within 60 days. He provided an update on the Academy Court water main project. He updated the Committee on paving work on the following streets: South Church between Swan Avenue and Taylor Street; Byrd Avenue (a small portion); Ashby Court; Stuart Court; and Lincoln Avenue.

Mr. Boor updated the Committee on the South Buckmarsh Street water system work. He said work on crosswalks at Main and Buckmarsh Streets and Main and Church Streets will start soon, perhaps in May.

4. **Closed Session**

No closed session was scheduled.

5. **Other**

Mr. Shaffer asked about the Swan Avenue sidewalk project. Mr. Dalton said the bids had come in well over budget and the schools were reviewing their options.

Mr. Dalton discussed the Clarke County Transportation Plan. The Committee agreed to further discuss the Plan at its next meeting.

Mr. Shaffer asked about on-going work at Clarke County High School. Mr. Dalton stated that a sinkhole was being remediated.

Alton Echols asked to be recognized and Chair Kirby permitted Mr. Echols to address the Committee. Mr. Echols said the Town needs to permit one availability fee for each block of senior quadplexes that he wishes to develop. Chair Kirby asked Mr. Echols to make a formal request and submit it to Town Council.

Mr. Dalton updated the Committee on two easement issues.

The committee adjourned at 10:05 a.m.

Attachment 14

Memo

To: Town Council
From: David Tyrrell
Date: May 4 2016
Re: April 2016 Operations Report

The water treatment plant is in compliance for April 2016 with its monthly parameters. We sent a total of 9.506 MG water to the system with a daily average production of 0.340 MGD and a daily max of 0.493 MG.

We pulled the discharge piping apart on both filters and pushed a camera into the pipe to investigate the conditions if possible of the filter under drains. We found very little to help assess the conditions. While there was some sediment in the main pipe we were not able to position the camera to look down any of the individual feeder lines. Conditions in the main pipe looked decent for being in service for 34 years but the pipe in train #2 had a larger sediment pile towards the back of the pipe. However this sediment of filter media did not seem excessive for so many years of operations.

We have also been having some difficulty with a newer clear well level sensor which Instralogic came and serviced. Some minor issues were found with the setup which have been corrected giving us a fully functional clear well level control system.

The 2015 Consumer Confidence Report has been published or delivered as required by VDH.

Drought Conditions: Water levels in the Shenandoah River have run above historical averages for the month of April. There is no concern for drought in our area at this time.

The wastewater plant is in compliance with its discharge permit for April per data received to date with our nutrient removal continuing to do very well. We treated a total of 9.03 MG with a daily average of 0.30 MGD and a daily max of 0.36 MG discharged to the river. Influent flow rates continue to run slightly above dry weather rates. We are now adjusting our biosolids inventory to summer time levels and have increased our wasting rates to lower levels in process.

Acid cleans of the membrane trains #3 and #4 have been completed. The alum line remains a mystery as we have been concentrating on solids and training two new employees. We are currently at full staff and are working to train and catch up on work we have fallen behind on.

On April 26th, our dump truck was involved in an accident which has significantly damaged the truck. The accident required a cleanup of biosolids along Senseny Rd. DEQ has been on site of the accident and has reviewed our clean up and requested some additional work. We are waiting to hear from DEQ if further cleanup is required. Public Works provided critical assistance with the cleanup which helped to expedite the process. We are currently working with Public Works to haul biosolids until the Insurance Company decides what is to happen with the damaged truck.

NOTE: I attended the GE Users group conference this past month and picked up on some operational tips to help reduce our power consumptions. These changes are being made in our operations in an attempt to reduce air scour blower usage. These changes should reduce power needs to scour the filter media by about thirty percent. In the process of making these changes we learned that air valve FV-211 is not properly functioning. We are working to resolve this issue. Indicators are showing that the valve is cycling but air flow is actually not being changed. We are looking to replace the entire valve in the header.

Attached for review is the data report for the wastewater plant, latest InSight report for the membrane performance from GE, and the water plant page 1 operations report for VDH. Please note that double checks of both data reports have not yet been completed so these reports are not ready for state submittal.

Town of Berryville
PWSID 2043125

FLOWS AND CHEMICAL DOSAGES

April 2016

No. Connections Served: 1610
Population Served: 4185

DATE	Raw Water Treated MGD	Finished Water Produced MGD	Finished Water Delivered MGD	Hours in Service	Raw Water Chemicals												Finished Water Chemicals						
					Alum		Carbon		Chlorine		Fluoride		Polymer		KMnO4		Soda Ash		Chlorine		Corr Inhibitor		
					Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	
1	0.54		0.493	16.0	46	10.1	4	0.9				6.7	1.49	0.101	0.022	0	0.0			13.3	3.0		
2	0.237		0.213	7.0	25	12.8	2	0.8				3.3	1.68	0.039	0.020	8.0	4.0			5.8	2.9		
3	0.202		0.188	6.0	15	9.0	1	0.7				3.3	1.94	0.035	0.021	0.0	0.0			5.0	3.0		
4	0.512		0.471	15.5	41	9.5	4	0.8				7.1	1.66	0.102	0.024	8.0	1.9			12.9	3.0		
5	0.507		0.467	14.8	46	10.8	3	0.8				3.3	0.78	0.109	0.026	0.0	0.0			12.3	2.9		
6	0.53		0.487	15.8	41	9.2	4	0.9				6.7	1.52	0.115	0.026	3.0	0.7			13.1	3.0		
7	0.513		0.475	15.0	41	9.5	4	0.9				6.7	1.57	0.128	0.030	0.0	0.0			12.5	2.9		
8	0.339		0.308	10.0	25	9.0	2	0.8				3.4	1.22	0.008	0.003	4.0	1.4			8.3	2.9		
9	0.188		0.169	5.5	20	12.9	1	0.8				2.3	1.44	0.049	0.031	0.0	0.0			4.6	2.9		
10	0.22		0.201	6.5	15	8.3	2	1.0				0.0	0.00	0.055	0.030	3.0	1.6			5.4	3.0		
11	0.421		0.389	12.5	25	7.2	3	0.8				6.9	1.97	0.101	0.029	0.0	0.0			10.4	3.0		
12	0.396		0.361	11.5	41	12.3	3	0.8				3.2	0.97	0.088	0.027	8.0	2.4			9.6	2.9		
13	0.389		0.353	11.0	30	9.4	2	0.7				6.7	2.08	0.088	0.027	0.0	0.0			9.2	2.8		
14	0.37		0.336	11.0	25	8.2	2	0.5				6.9	2.23	0.088	0.029	7.0	2.3			9.2	3.0		
15	0.354		0.324	10.5	30	10.3	2	0.7				3.2	1.07	0.088	0.030	0.0	0.0			8.8	3.0		
16	0.213		0.193	7.8	15	8.6	0	0.1				3.4	1.89	0.051	0.029	0.0	0.0			6.5	3.6		
17																							
18	0.398		0.358	11.8	25	7.6	3	0.8				3.5	1.06	0.085	0.026	0.0	0.0			9.8	2.9		
19	0.367		0.345	11.3	30	9.9	2	0.8				6.9	2.27	0.071	0.023	8.0	2.6			9.4	3.1		
20	0.443		0.372	13.0	30	8.2	0	0.1				3.3	0.88	0.079	0.021	0.0	0.0			10.8	2.9		
21	0.358		0.310	10.5	25	8.5	2	0.8				3.5	1.16	0.056	0.019	8.0	2.7			8.8	2.9		
22	0.439		0.402	13.0	41	11.1	3	0.8				6.7	1.83	0.088	0.024	0.0	0.0			10.8	3.0		
23	0.237		0.215	7.0	20	10.3	2	1.0				3.4	1.70	0.035	0.018	8.0	4.0			5.8	2.9		
24					#####			#DIV/0!				#####		#DIV/0!		#DIV/0!					#####		
25	0.49		0.446	14.5	41	9.9	3	0.7				6.7	1.65	0.132	0.032	0.0	0.0			13.3	3.3		
26	0.485		0.438	14.3	66	16.3	3	0.8				3.7	0.91	0.071	0.018	6.0	1.5			13.1	3.2		
27	0.51		0.473	14.1	20	4.8	2	0.5				3.3	0.77	0.141	0.033	0.0	0.0			13.0	3.1		
28	0.381		0.348	10.6	35	11.2	2	0.8				3.5	1.11	0.100	0.031	8.0	2.5			9.7	3.1		
29	0.19		0.142	5.5	20	12.8	1	0.5				3.3	2.06	0.062	0.039	0.0	0.0			5.0	3.2		
30	0.262		0.229	7.5	20	9.3	2	0.7				3.4	1.54	0.066	0.030	0.0	0.0			6.8	3.1		
31					#####			#DIV/0!				#####		#DIV/0!		#DIV/0!					#####		
Total	10.491	0.000	9.506	309.2	857	#####	64	#DIV/0!	0.0	0.00	124.2	#####	2.23	#DIV/0!	79	#DIV/0!	0.0	0.00	263.1	#####	0.0	0.00	
Maximum	0.540	0.000	0.493	16.0	66	#####	4	#DIV/0!	0.0	0.00	7.1	#####	0.14	#DIV/0!	8	#DIV/0!	0.0	0.00	13.3	#####	0.0	0.00	
Minimum	0.188	0.000	0.142	5.5	15	#####	0	#DIV/0!	0.0	0.00	0.0	#####	0.01	#DIV/0!	0	#DIV/0!	0.0	0.00	4.6	#####	0.0	0.00	
Average	0.375	0.000	0.340	11.0	31	#####	2	#DIV/0!	#####	#####	4.4	#####	0.08	#DIV/0!	3	#DIV/0!	#####	#DIV/0!	9.4	#####	#####	#####	

SIGNED: (OPERATOR IN RESPONSIBLE CHARGE) _____
 PRINTED NAME David A Tyrell
 TITLE: OPERATOR CLASSIFICATION Class 1
 DPOR CERTIFICATION NO. 1955002813

RAW WATER SOURCE(S) USED DURING MONTH: (SOURCE/DATES)
Shenandoah River - Entire Month

Berryville STP Monthly DMR Data

April 2016

	Effluent Flow	Eff pH	Eff Temp	Eff CBOD	Eff CBOD	Eff TSS	Eff TSS	Effluent DO	Effluent DO	Eff NO2 /	Eff TKN	Eff TKN	Eff Total N
Date	MGD	SU	Deg C	mg/l	KG/D	mg/l	KG/D	mg/l	mg/l	mg/l	mg/l	KG/D	mg/l
4/1/2016	0.34	7.7	16.8					11.8	10.2				
4/2/2016	0.34	7.8	17.4					10.8	9.9				
4/3/2016	0.35	7.8	16.9					10.2	9.5				
4/4/2016	0.35	7.7	16.7					12.1	11.9				
4/5/2016	0.35	7.6	15.8	0.00	0.00	0.00	0.00	10.9	10.2	2.07	0.65	0.87	2.72
4/6/2016	0.23	7.7	15.6	2.00	1.72			10.6	10.4				
4/7/2016	0.36	7.6	15.4	2.00	2.74			10.6	10.1				
4/8/2016	0.29	7.6	15.3					11.6	10.9				
4/9/2016	0.29	7.6	15.7					11.5	10.3				
4/10/2016	0.30	7.6	15.4					12.3	12.1				
4/11/2016	0.29	7.4	15.7					11.8	10.6				
4/12/2016	0.31	7.6	15.4	0.00	0.00			10.8	10.7				
4/13/2016	0.35	7.6	16.0	0.00	0.00			11.1	10.3				
4/14/2016	0.34	7.7	16.9	3.00	3.83			11.5	10.8				
4/15/2016	0.36	7.4	16.7					11.0	10.8				
4/16/2016	0.26	7.6	18.1					12.5	10.6				
4/17/2016	0.27	7.6	16.8					11.7	10.4				
4/18/2016	0.25	7.5	17.8					10.3	9.5				
4/19/2016	0.31	7.9	18.2	3.00	3.55			11.0	9.9	0.12	0.65	0.77	0.77
4/20/2016	0.31	7.7	18.6	3.00	3.49			10.5	9.6				
4/21/2016	0.35	7.5	18.6	1.00	1.33			11.1	10.8				
4/22/2016	0.28	7.6	21.0					11.1	10.6				
4/23/2016	0.32	7.6	19.0					10.0	8.7				
4/24/2016	0.27	7.3	18.6					10.5	9.0				
4/25/2016	0.27	7.5	19.0					9.5	8.1				
4/26/2016	0.26	7.5	19.7					11.0	10.4				
4/27/2016	0.26	7.6	19.8					11.7	9.1				
4/28/2016	0.29	7.2	19.5					11.4	9.6				
4/29/2016	0.26	7.4	18.9					11.1	9.4				
4/30/2016	0.25	7.2	19.5					10.7	10.3				
Minimum	0.23	7.2	15.3	0.00	0.00	0.00	0.00	9.5	8.1	0.12	0.65	0.77	0.77
Maximum	0.36	7.9	21.0	3.00	3.83	0.00	0.00	12.5	12.1	2.07	0.65	0.87	2.72
Total	9.03	227.1	524.8	14.00	16.66	0.00	0.00	332.7	304.7	2.19	1.30	1.64	3.49
Average	0.30	7.6	17.5	1.56	1.85	0.00	0.00	11.1	10.2	1.10	0.65	0.82	1.75
Geo Mean	0.30	7.6	17.4	1.68	1.88	1.00	1.00	11.1	10.1	0.50	0.7	0.82	1.45

Berryville STP Monthly DMR Data

April 2016

Date	Eff Total N KG/D	Eff Total P mg/l	Eff Total P KG/D	E:Coli No/100ml
4/1/2016				
4/2/2016				
4/3/2016				
4/4/2016				
4/5/2016	3.63	0.19	0.25	1
4/6/2016				
4/7/2016				
4/8/2016				
4/9/2016				
4/10/2016				
4/11/2016				
4/12/2016				1
4/13/2016				
4/14/2016				
4/15/2016				
4/16/2016				
4/17/2016				
4/18/2016				
4/19/2016	0.91	0.76	0.90	1
4/20/2016				
4/21/2016				
4/22/2016				
4/23/2016				
4/24/2016				
4/25/2016				
4/26/2016				
4/27/2016				
4/28/2016				
4/29/2016				
4/30/2016				
Minimum	0.91	0.19	0.25	1
Maximum	3.63	0.76	0.90	1
Total	4.54	0.95	1.16	3
Average	2.27	0.48	0.58	1
Geo Mean	1.82	0.38	0.48	1



Berryville Biweekly InSight Report

Date: 4/19/2016

From: Jeny Chacko - GE Water & Process Technologies
To: David Tyrrell, Jeff Cappo - Town of Berryville
cc: Phil Lander, Al Farrell, Matthew Stapleford - GE Water & Process Technologies

System Equipment

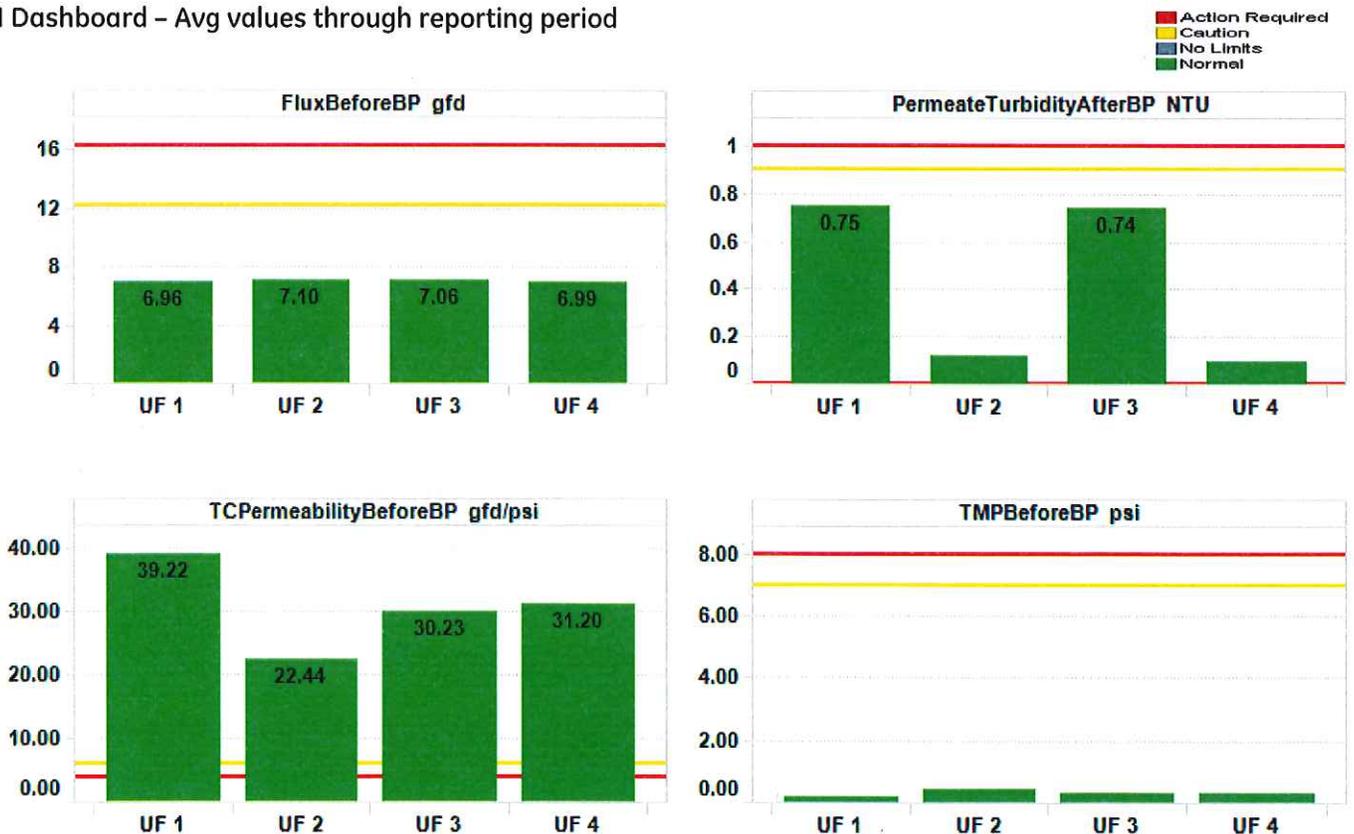
4 × ZW trains, each 3 cassettes, 2x48/1x42 500D (surface area 46920 sq. ft. per train)

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





Plant Summary

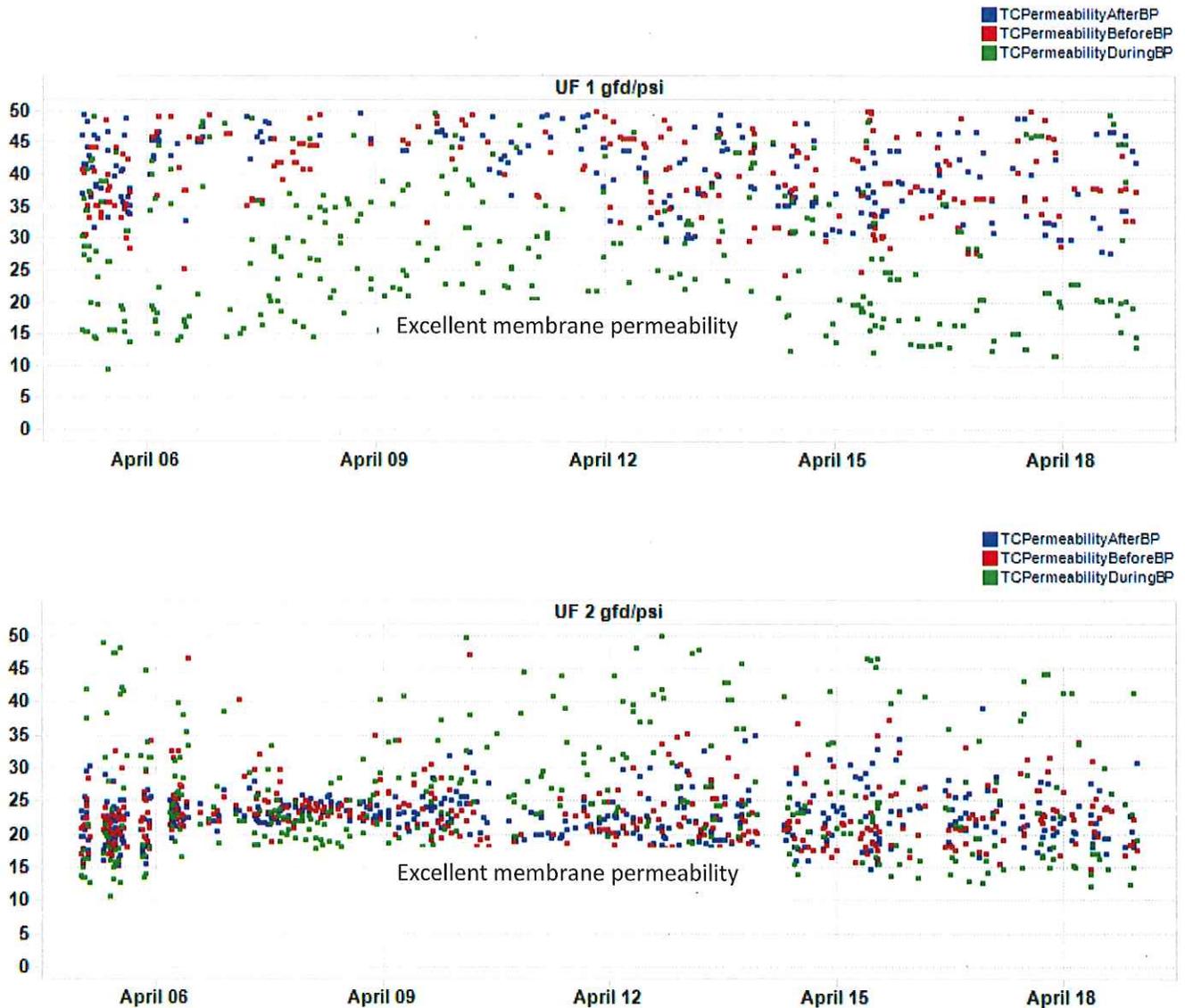
Production TMPs went down by 20-40% in the last two weeks due to recent recovery cleans. David – Were these Hypo recovery cleans? How was the chlorine residual during the soak?

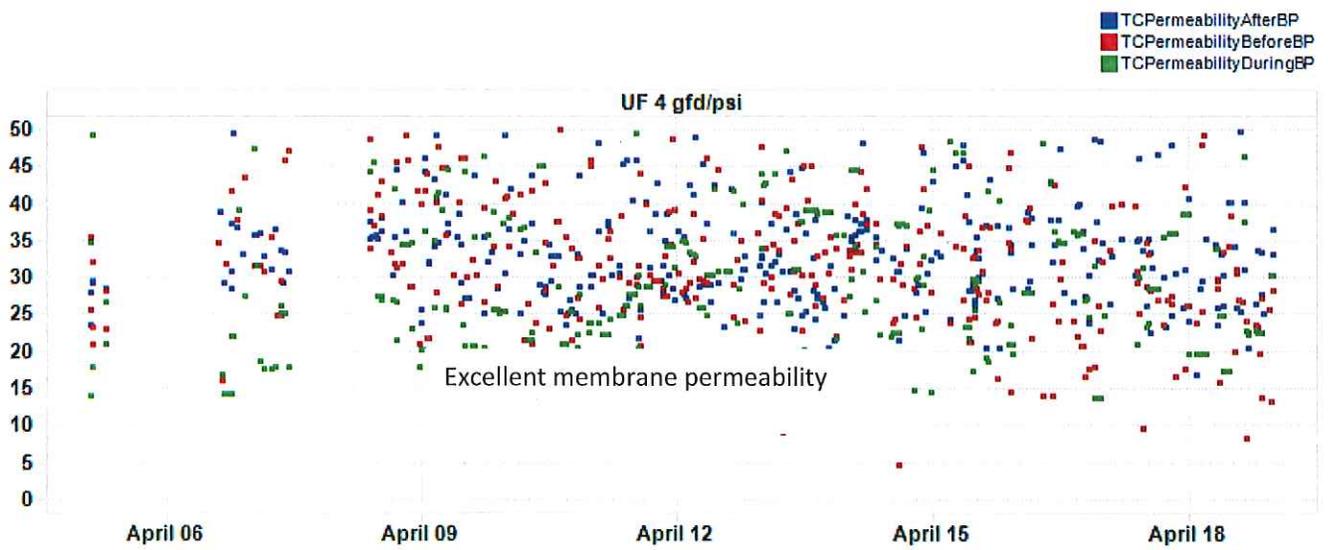
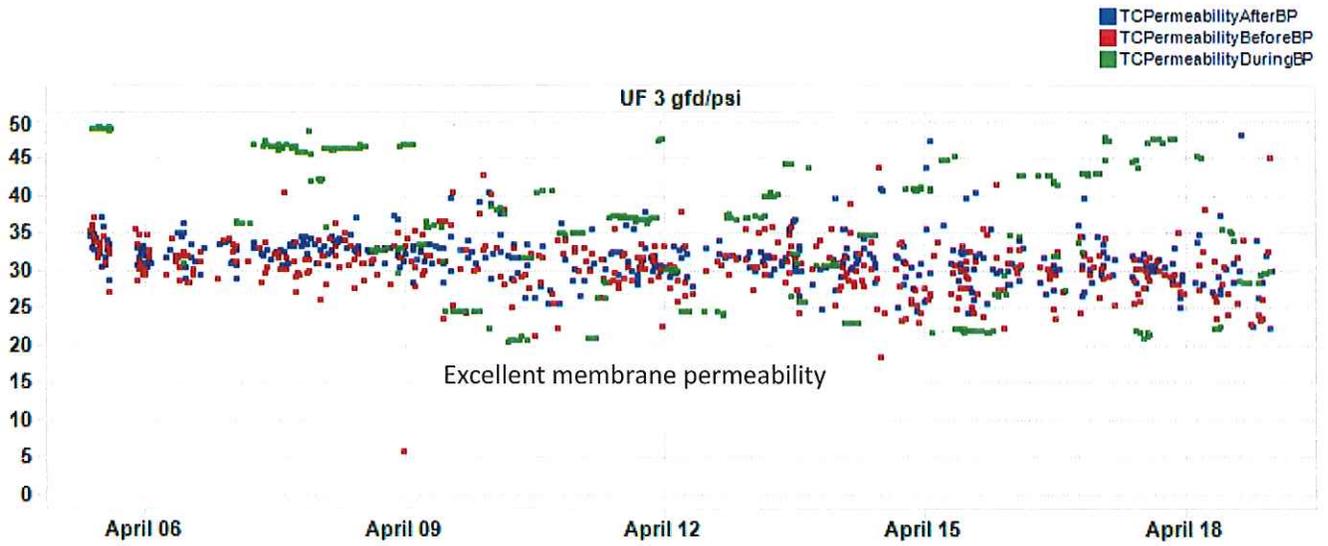
Production TMPs were <1 psi and was the highest on Trains 2, 3 and 4 and the lowest on Train 1.

Permeate turbidity was still high on Trains 1 and 3. A drop to <0.1 NTU was noticed this morning. David – Can you confirm if the turbidimeters are operating correctly? Were they cleaned and calibrated?

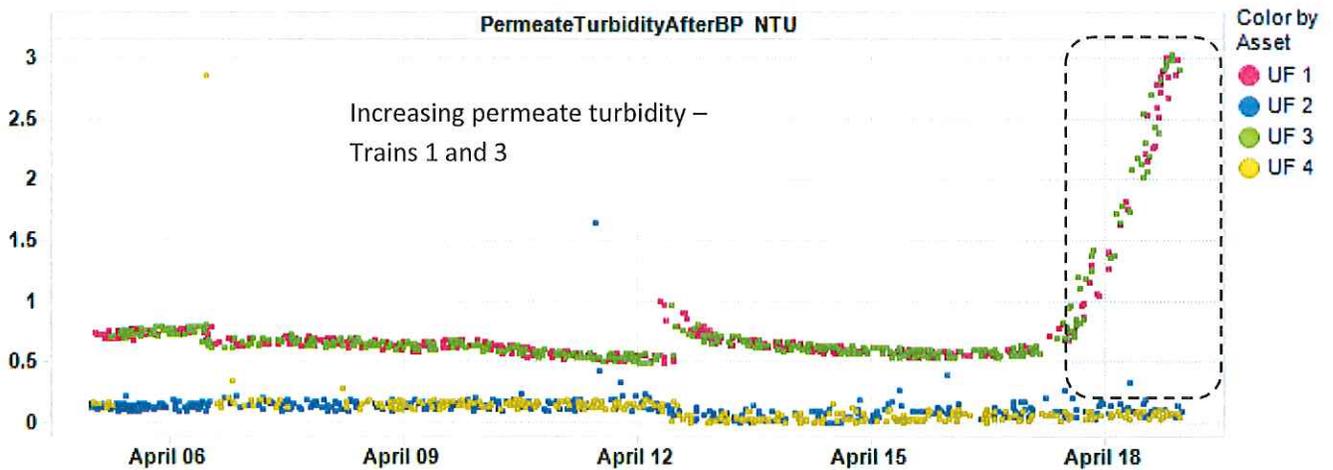
Turbidity readings from the other two trains were within acceptable limits.

TC Permeability Trends By Train



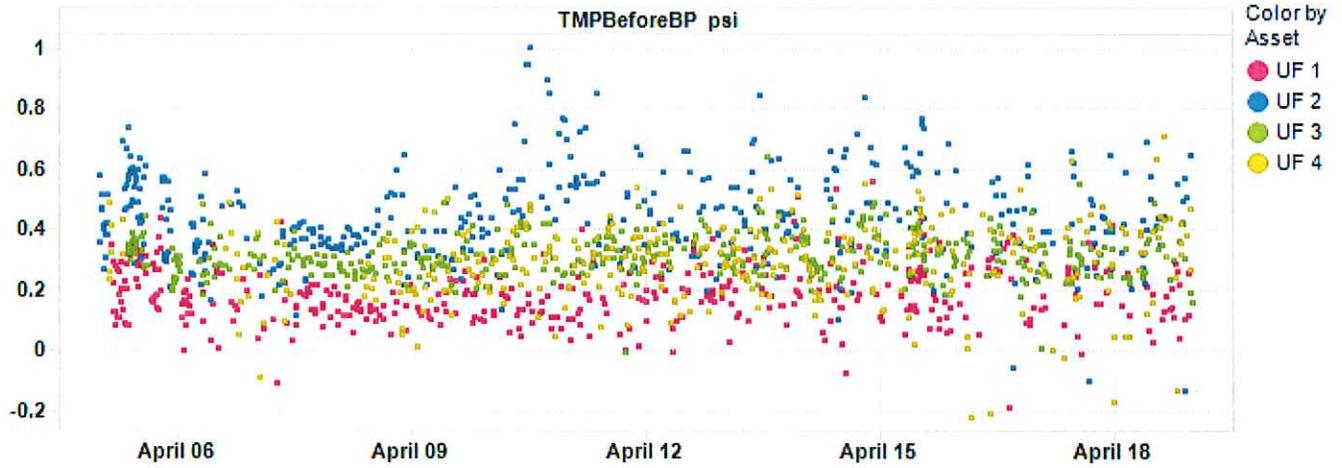


Permeate Turbidity Trend

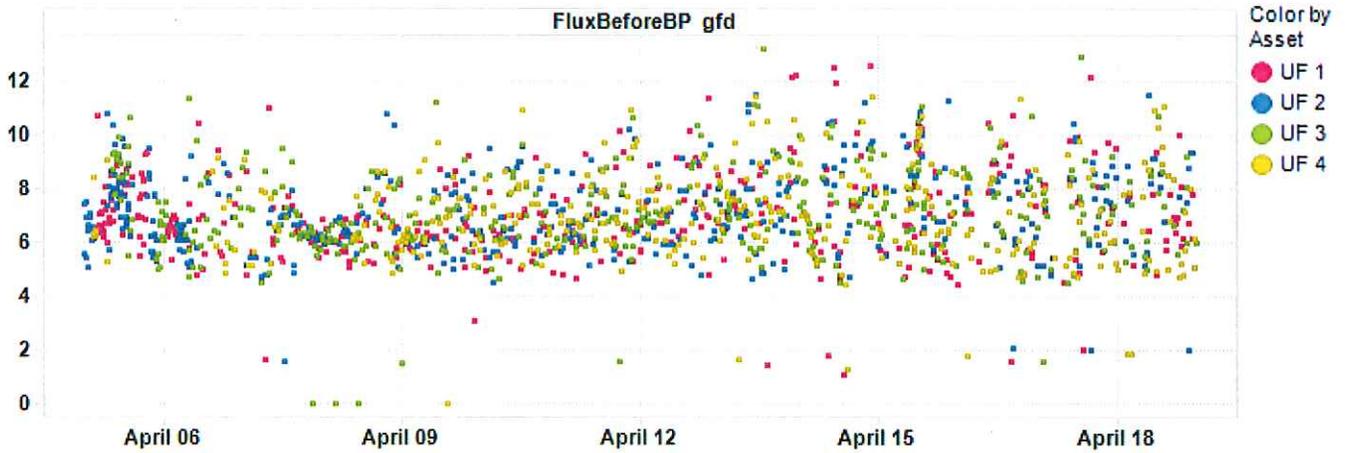




Before BPTMP Trend



Before BP Flux Trend





Daily Permeate Flow



Average Daily permeate flow from 4/5/2016 to 4/18/2016 is 308.7k gal with a maximum daily flow of 403.2k gal.

Asset Summary

KPI Parameters	Value/Change	UF 1	UF 2	UF 3	UF 4
FluxBeforeBP gfd	Value	6.96	7.10	7.06	6.99
	Change	-6.46 %	-4.69 %	-4.94 %	-7.84 %
PermeateTurbidityAfterBP NTU	Value	0.75	0.12	0.74	0.10
	Change	33.44 %	-43.19 %	40.89 %	-43.95 %
TCPermeabilityBeforeBP gfd/psi	Value	39.22	22.44	30.23	31.20
	Change	-0.36 %	13.84 %	2.52 %	17.74 %
TMPBeforeBP psi	Value	0.18	0.44	0.31	0.29
	Change	-17.03 %	-19.16 %	-9.39 %	-39.68 %
TotalPermeateFlowDaily gal	Value	79.45k	84.03k	78.21k	67.04k
	Change	13.82 %	-4.42 %	-7.28 %	-61.99 %

Plant Summary

KPI Parameters	Value/Change	UF Plant
PermeateTemperature °F	Value	48.77
	Change	1.38 %
TotalPermeateFlowDaily gal	Value	308.73k
	Change	-12.95 %



Contract Expiry Date : 09/26/2018

For InSight technical assistance please email insightsupport@ge.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 GE Water & Process Technologies 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. GE Water & Process Technologies makes no representations or warranties as to the accuracy of the plant data utilized in the preparation of this review. GE Water & Process Technologies 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

Attachment 15

Report of the Department of Public Works May 3, 2016

We experienced no water breaks or any water related issues during the past month. Public Works has completed the lateral replacement project on Academy Street. We have installed a new four inch in-line valve and made the connection for the eight inch line to connect Academy Court. As soon as weather permits we will install an eight inch cross and valves on Treadwell Street and connect the existing four inch. Once these connections are completed we will be able to install the new eight inch main on Academy Court. Bids for the Battletown Drive water up-grade project were opened on April 8th. The low bidder was H2O Pipe Works. The notice of award was sent out last week and the contractor hopes to begin the project the week of May 9th.

Lewin Asphalt was low bidder on several of our up-coming asphalt projects. They will be paving Stuart Court, Ashby Court and South Church Street from Swan to Taylor Street. This work should be completed within the next couple of weeks. Our next paving projects will be Lincoln Avenue, Academy Street, and Smith Street from West Main to Academy Street. Prior to the paving of Academy Street we had all the drainage culverts lined and the side ditches worked to create positive drainage.

We have hired a contractor to install the new crosswalks at the intersections of South Buckmarsh and Business Rt. 7, Church Street and West Main Street, and one located on East Main Street near Washington Square Apartment's.

Weather permitting, these crossings should be completed within the next couple of weeks.

Attachment 16

**BERRYVILLE TOWN COUNCIL
MOTION TO RE-APPOINT ROBIN MCFILLEN
TO THE BERRYVILLE ARCHITECTURAL REVIEW BOARD**

Date: May 10, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville re-appoint Robin McFillen to the Berryville Architectural Review Board for a four year term to begin May 31, 2016 and expire May 31, 2020.

VOTE:

Aye:

Nay:

Abstain:

Absent:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

**BERRYVILLE TOWN COUNCIL
MOTION TO RE-APPOINT JAMES BARB
TO THE BERRYVILLE ARCHITECTURAL REVIEW BOARD**

Date: May 10, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville re-appoint James Barb to the Berryville Architectural Review Board for a four year term to begin May 31, 2016 and expire May 31, 2020.

VOTE:

Aye:

Nay:

Abstain:

Absent:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

Attachment 17

**BERRYVILLE TOWN COUNCIL
MOTION TO RE-APPOINT SHERYL REID
TO THE BERRYVILLE PLANNING COMMISSION**

Date: May 10, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville re-appoint Sheryl Reid to the Berryville Planning Commission for a four year term to begin June 30, 2016 and expire June 30, 2020.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder