

**BERRYVILLE TOWN COUNCIL  
MEETING AGENDA  
Regular Meeting  
Berryville-Clarke County Government Center  
101 Chalmers Court, Second Floor  
Main Meeting Room  
Tuesday, June 14, 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 Hearing- Russ and Diane Harrison, Owners, request 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 14A5-((A))-51, zoned DR-4 Detached Residential. SUP 02-16	1↓
4. Approval of Minutes May 10, 2016 Regular Meeting	2
5. Citizens' Forum	
6. Report of Wilson Kirby, Mayor Presentation of Resolution to Master Patrol Officer Greg Frenzel  Resolution Recognizing Service	3↓
7. Report of Christy Dunkle, Asst. Town Manager for Community Development Planning Department Monthly Report	4↓
8. Report of Keith Dalton, Town Manager Designation of FOIA Officers and Adoption of a new FOIA Policy  Settlement Agreement with Caldwell and Santmyer	5↓ 6↓
9. Report of H. Allen Kitzelman, III - Berryville Area Development Authority Liaison	

<u>Item</u>	<u>Attachment</u>
<b>10. Report of Harry Lee Arnold, Jr. – Chair, Budget and Finance Committee</b>	
Approval of FY 2017 Budget and Appropriation of Funds	7↓
Report of Desiree Moreland, Treasurer	8
<b>11. Report of H. Allen Kitselman, III – Chair, Community Improvements Committee</b>	
<b>12. Report of Douglas A. Shaffer - Planning Commission Liaison</b>	
<b>13. Report of Police and Security Committee</b>	
Police Chief's Monthly Report	9
<b>14. Report of Wilson Kirby – Chair, Streets and Utilities Committee</b>	
Public Utilities Director's Report	10
Public Works Director's Report	11
<b>15. Report of Harry Lee Arnold, Jr – Chair, Personnel Committee</b>	
Approval of Minutes of 5/24/16 Meeting	12
Appointment to Berryville Area Development Authority	13↓
Recognition of Service	
<b>16. Other</b>	
<b>17. Closed Session – No Closed Session Scheduled</b>	
<b>18. Adjourn</b>	14↓

↓ Denotes an item on where a motion for action is included in the packet

# Attachment 1

**BERRYVILLE TOWN COUNCIL**  
**Public Hearing – Special Use Permit for Home Occupation**  
**June 14, 2016**

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**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**

Public hearing notices were duly published in the Winchester Star on Tuesday, May 31 and Tuesday, June 7, 2016. Adjacent property owners were notified on May 31, 2016 via first class mail. No comments were received in the Planning Office.

The Harrison's wish to open their art studio to the public and sell their items to customers at their home. The Planning Commission held a public hearing on this matter in April and recommended 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.

The Harrison's also have an online business presence and they participate in a number of off-site shows. They were one of the first participants in Clarke County to join the Top of Virginia Artisan Trail.

The following items are included in this report:

- Public hearing notice published in the Winchester Star on May 31 and June 7, 2016;
- Application for Special Use Permit;
- Site Plan of the property;
- Vicinity map; and
- Motion.

***May 10, 2016 Staff Report***

*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**

Approve as presented with the conditions as recommended for hours of operation and no outdoor storage. A motion follows this report.

WINCHESTER STAR  
5.31.16 & 6.7.16

**TOWN OF 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 this matter may be heard, on **Tuesday, June 14, 2016**, in the Main Meeting Room, Second Floor, of the Berryville/Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia to consider the following:

**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, DR-4 Detached Residential.**

SUP 02-16

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 this matter should appear at the appointed time and place.

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

By Order of the Berryville Town Council,  
Keith R. Dalton, 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](mailto:planner@berryvilleva.gov)

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**SPECIAL USE PERMIT APPLICATION**

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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-<sup>5</sup> M-F Sat 10-4<sup>5</sup> special events

and occasional Sundays 11-<sup>5</sup> (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: [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: [Signature] Date: 3-16-16

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**TO BE COMPLETED BY ZONING ADMINISTRATOR**

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Special Use: HOME OCCUPATION Zone: DR-4

Street Address: 325 S. CHURCH ST. Tax Map #: 14A5 ((A)) 51

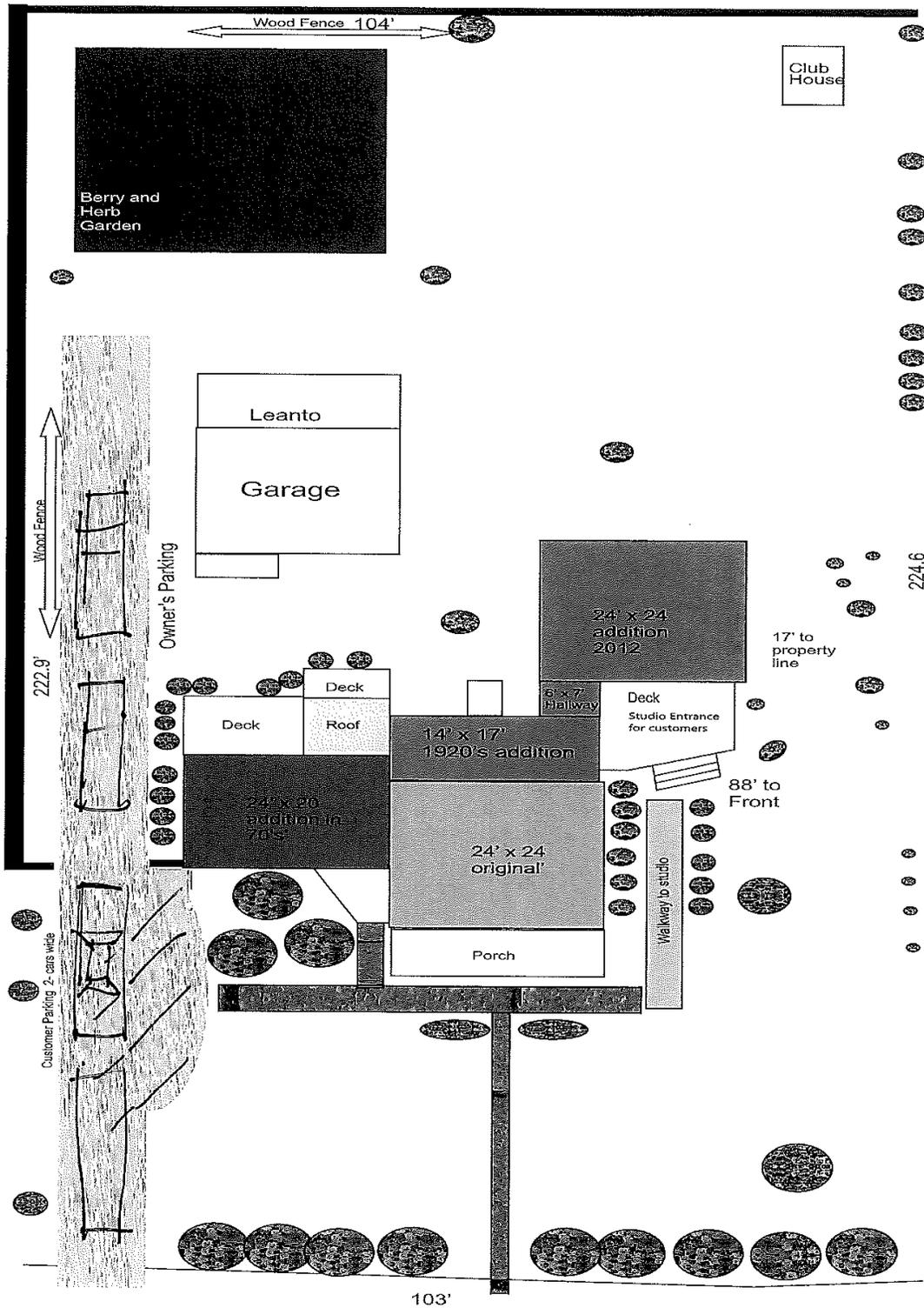
Special Use Permit Fee: \$250 Paid: 3.16.16

Site Plan Fee: \$125 Paid: 3.16.16

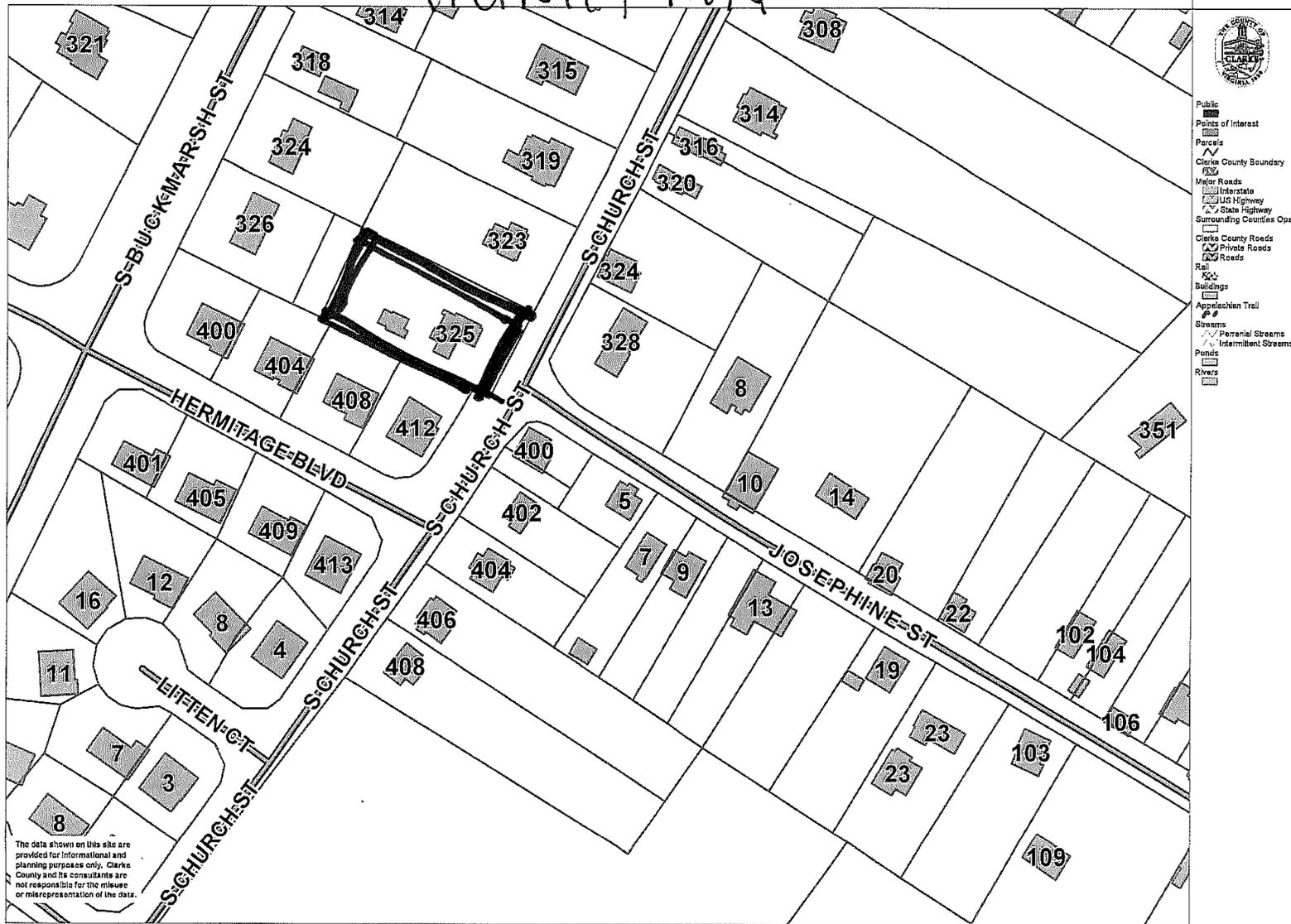
Signature of Zoning Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

Harrison 325 S. Church Street

NORTH →  
NOT TO SCALE



VICINITY MAP



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.

0 180 360 ft

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

Clarke County MapsOnline

BERRYVILLE TOWN COUNCIL  
MOTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT

Date: June 14, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville approve Special Use Permit 02-16 in order to operate a Home Occupation (Art Studio) at the property located at 325 South Church Street, identified as Tax Map Parcel number 14A5-((A))-51, zoned DR-4 Detached Residential 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.

VOTE:

Aye:

Nay:

Absent:

# Attachment 2

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**May 10, 2016**  
**7:30 p.m.**

**Town Council:** Present-Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Allen Kitzelman; David Tollett; Bryant Condrey; Doug Shaffer  
**Staff:** 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  
**Press:** Jim McConville, Winchester Star

1. Call to Order  
Mayor Kirby called the meeting to order at 7:31 p.m.
2. Pledge of Allegiance
3. Public Hearings
  - a. **Proposed Fiscal Year 2017 Budget**

Public hearing speakers were as follows:

Dan Garrett, 303 Archer Court, Berryville, who questioned the inclusion of contributions to Enders Fire and Rescue. He said supporting fire and rescue is a mandated County function and asked Council to state to the County that the Town will not make additional contributions.

Alton Echols, 400 Custer Court, Berryville, who said there have been tax hikes in recent years and the Town should be moving toward an economy where more meals tax can be realized. He said the Town was earning only \$90,000 in meals tax. He also questioned a \$50,000 contribution to Enders Fire and Rescue.

Harold Rohde, Chief of Enders Fire and Rescue, who thanked the Town for its ongoing financial support including one of the five full-time EMS positions. He said that the company averages 118 calls per month with 50% of those being in Town. He said that when the Town approves development that will affect the number of calls, the Town has a responsibility to support the increase needed in fire and rescue services. He added that the Code of the Town of Berryville calls Enders an integral part of the Town safety program, and therefore it needs to be funded.

Christina Kraybill, 317 First Street, Berryville, and owner of My Neighbor and Me, who noted that the Town is encouraging the repurposing of buildings in various places which she feels is a wise decision. She said as a resident and as a business owner, she supports this type of economic development as well as those of Berryville Main Street.

Susan Schoonover, 433 Page Street, Berryville, who as a resident of the Darbybrook subdivision reported that the new president of the Darbybrook HOA is hoping the Town will take over the Darbybrook HOA

duties and responsibilities. Ms. Schoonover urged the Council not to consider taking over the Darbybrook HOA duties and responsibilities.

Jim Willis, 128 West Main Street, Berryville, who complimented the Town's fiscal responsibility and said it would be foolish to take money from EMS services and Enders Fire and Rescue.

- b. **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.**

Public hearing speakers were as follows:

Jay Hillerson, 2770 Kimble Road and owner of 401 East Main Street, Berryville, who said he supports the special use permit. He said the business owners of Hip and Humble have made Berryville a destination and shown the possibilities of what can happen on East Main Street. He added that the only thing missing on East Main is sidewalk access which would link East Main with the rest of Town. He said the business owners and residents would like the Town to provide those sidewalks.

Alton Echols, 400 Custer Court, Berryville, who said he supports sidewalks as mentioned by Mr. Hillerson. He said the special use permit should be referred to the Streets and Utilities Committee along with similar problems all over Town. He said downtown will not survive with retail uses, but only with niche shopping. He cited his experience in Leesburg and he said retail should be pursued at the edge of Town on property he owns.

Tom McFillen, 117 Rosemont Circle, Berryville, who said he helped Hip and Humble apply for the special use permit to facilitate the business use of two store fronts, each of which had different zoning. He added that only one level of the old mill at 401 East Main Street is being used.

Christina Kraybill, 317 First Street, Berryville, who said she appreciated being granted a special use permit for her business because it allowed her to establish the business which has now been able to locate on Main Street. She responded to Mr. Echols statement about retail uses downtown saying that as a successful business owner, she has been recruited by Leesburg recently because their downtown center is suffering with the relocation of many retail businesses to the outskirts of town.

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

Public hearing speakers were as follows:

Alton Echols, 400 Custer Court, Berryville, who said he did not know the relationship between this amendment and his request for 5500 square feet. He asked the Town Planner which zoning district the amendment referred to, and she responded it applied wherever a convenience store use is located.

**Upon motion of Council member Kitselman, seconded by Council member Condrey, the public hearings were closed.**

4. Approval of Minutes

**Upon motion of Recorder Arnold, seconded by Council Member Shaffer, the minutes of the April 12, 2016 meeting were approved as follows:**

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

Nay – None  
Absent – None

5. Citizens' Forum

Speakers were as follows:

George Archibald, 27 West Main Street, Berryville, who asked the Council to stand still on issues and wait until the newly elected administration takes office in July. He also asked Council to request that the administrative staff be transparent and transitional.

Alton Echols, 400 Custer Court, Berryville, who spoke about the Berryville Area Plan saying it should not be voted on because of its flaws. He advised Council to seek an Attorney General opinion regarding retail on his property at the Food Lion. He added that before any gas station can be built, a road has to be built and he does not think it is legal to require the building of the road.

Dan Garrett, 303 Archer Court, Berryville, who said the Berryville Area Plan is exclusionary to seniors and urged the Council to reject it. He said a 60 unit development cannot be built because of the conditions placed on it. He said the Berryville Area Plan needs further revisions.

Mary Liz McCauley, 103 Lincoln Avenue, Berryville, said she and C.T. Hardesty are part of a committee sponsoring a Cruise-In event on Main Street in August. She said the event is a fundraiser for Berryville Main Street with an estimated 100 to 150 cars parking in Town for an evening of shopping and dining. She said the committee is asking Council to approve the closure of portions of Main and Church Streets for the event.

Sue Ross of Berryville Main Street updated the Council on recent activities, and added the volunteers are excited about the Cruise-In. She noted that Berryville Main Street was recently given an award recognizing the \$30 million private investment that has been made in downtown Berryville.

Kelley Nelson, 211 Smallwood Lane, Berryville, who said she had just learned that her family's property is located in a potential southern future growth area identified by the Berryville Area Plan. She said her family moved to the County for the rural quality, and they do not wish to be included in the growth area.

Christina Kraybill, 317 First Street, Berryville, noted that Saturday, May 14 is World Fair Trade Day. She is hosting special events at her shop, My Neighbor and Me, and invited all to attend. She added there is a lot of energy downtown with new businesses coming in.

Amy Barley, 754 Castleman Road and director of the Fire House Gallery, who gave highlights of recent activities at the Gallery. She noted that the Gallery is now open 5 days a week and is self-supporting.

6. Report of Wilson Kirby, Mayor

The Mayor noted Master Patrol Officer Gregory Frenzel will retire at the end of the month. **Council member Tollett moved that the Council of the Town of Berryville adopt the following resolution recognizing Master Patrol Officer Gregory Frenzel for a distinguished career as a police officer. Council member Condrey seconded the motion which carried as follows:**

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

Nay – None  
Absent – None

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 Council member 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 tenth day of May, 2016.

\_\_\_\_\_  
Wilson L. Kirby, Mayor

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

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Mayor Kirby said a joint Town and County resolution had been suggested to recognize those responsible for the artwork and decorating of the Berryville Clarke County Government Center. **Council Member Kitselman moved that the Council of the Town of Berryville adopt the following resolution expressing appreciation for the vision and talents of those responsible for the design and artwork in the Berryville Clarke County Government Center. Council member Shaffer seconded the motion which carried as follows:**

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

Nay – None  
Absent – None

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 May 10, 2016 and the Clarke County Board of Supervisors on \_\_\_\_\_.

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

Ms. Dunkle said there were two action items: the special use permit for 401 East Main Street and the text amendment defining "convenience store."

**Council member Kitselman moved 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.

Recorder Arnold seconded the motion which carried as follows:

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

- Nay – None
- Absent – None

**Council member Kitselman moved 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.**

**Council member Shaffer seconded the motion which carried as follows:**

- Aye – Wilson Kirby

Bryant Condrey  
Allen Kitselman  
David Tollett  
Douglas Shaffer

Nay – None  
Absent – None  
Abstain - Harry Lee Arnold, Jr.

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

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By consensus, the Council set a public hearing for Russ and Diane Harrison, Owners, requesting a Special Use Permit in order to operate a Home Occupation (Art Business) for the property at 325 South Church Street.

Ms. Dunkle said 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. She said the 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. **Council member Kitselman moved 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. Recorder Arnold seconded the motion which carried as follows:**

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

Douglas Shaffer

Nay – None  
Absent – None

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 10<sup>th</sup> 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 10<sup>th</sup> day of May, 2016.

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

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Ms. Dunkle noted the request for Berryville Main Street to hold a Cruise-in event requiring the approval of downtown streets. **Council member Kitselman moved 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. Council member Condrey seconded the motion which carried as follows:**

Aye – Wilson Kirby  
Bryant Condrey

Allen Kitselman  
David Tollett  
Douglas Shaffer

Nay – None  
Absent – None  
Abstain - Harry Lee Arnold, Jr.

Ms. Dunkle said that Alton Echols had withdrawn his application for a mixed unit housing development and that staff was recommending a partial refund of his application fee after expenses were paid. Mayor Kirby asked staff to collect the information regarding expenses and the remainder of the fee for review at the next Council meeting.

Ms. Dunkle noted the proposed modifications to Section 2 of the Construction Standards and Specifications. **Council member Shaffer moved that the Council of the Town of Berryville approve the following modifications to Section 2 General Design Standards of the Construction Standards and Specifications Manual in order to establish manhole cover requirements and final inspections and testing for storm sewer facilities. Recorder Arnold seconded the motion which carried as follows:**

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

Nay – None  
Absent – None

Town of Berryville Construction Standards and Specifications – April 2015  
Section 2 \* General Design Standards

B. Storm Sewer Systems

1. Design and capacity of culverts, inlets and piped storm drainage systems shall be in accordance with the requirements of the *Virginia Department of Transportation (VDOT) Drainage Manual*, latest release, *Town of Berryville Storm Water Management Ordinance*, *Virginia Department of Environmental Quality Storm Water Management Program* and this manual. Proposed drainage facilities shall be sized for ultimate development conditions. Ultimate developed condition of currently undeveloped areas within a watershed shall be based upon the current or anticipated zoning of those areas.
2. Where a proposed drainage system is connected to an existing drainage system, the hydraulic gradient shall be computed through the existing system outfalls to daylight to demonstrate hydraulic capacity. System computations for the existing system will be made available by the Town to the designer for those systems for which the Town has this information. The Town Superintendent may waive this requirement when it has been previously determined that the receiving system is known to have sufficient capacity.
3. All storm sewer pipe within a public right-of-way or public drainage easement shall be reinforced concrete pipe with a minimum diameter of 15 inches or equivalent elliptical size. Storm sewer pipe which begins or ends within a public right-of-way or public easement shall be reinforced concrete for its entire length between terminal structures. All reinforced concrete pipe shall be Class III, or greater as conditions require. Installation shall be in

- accordance with VDOT Standard PB-1, joined using a tongue and groove connection with bitumastic sealant. Precast box culvert sections shall be joined using a closed-cell extruded rubber gasket, Delta Rubber “Omni-Flex” or Town-approved equal.
4. Reinforced concrete flared end sections shall be installed at the open ends of all storm drainage pipe. Concrete endwalls may be accepted 42 inches in diameter or less subject to approval by the Town Superintendent.
  5. Minimum cover for storm sewer pipe shall be two feet vertically from finish grade to the outside crown of pipe, except where structural correction is provided and approved. Requests for less than two feet of cover shall be recorded on the plans and clearly denoted. Test pits will be required and shall be shown on the plans for all crossings which involve gas lines, water mains, sanitary sewer crossings which have minimum clearance, and all fiber optic telephone service lines. Test pits shall be dug and clearances verified prior to installing any portion of the storm sewer system. Test pits as basis of design may be required at the discretion of the Town Engineer.
  6. Storm manhole covers shall have the word “STORM” cast into them.

**Final Inspection and Testing**

1. All storm sewer lines shall be internally inspected by closed circuit television camera prior to acceptance. A copy of the inspection video and reports must be submitted to the Town of Berryville Public Works Director for review. All deficiencies noted must be corrected and an additional televised inspection must be submitted to the Town for review and approval.
2. Such inspection shall be made after the storm sewer has been fully backfilled and the associated roadway sub-grade construction has been completed.
3. The cost of these inspections shall be borne by the project’s owner.

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8. Report of Keith Dalton, Town Manager

Mr. Dalton said Virginia House Bill 818, which will become effective on July 1, requires some changes in regard to the Freedom of Information Act. Among other changes, a FOIA officer must be formally designated and specific information must be posted on the Town website. Mr. Dalton said staff is preparing an amended FOIA policy and the recommendation will be to designate the Town Clerk as the FOIA officer when the new policy is adopted.

Mr. Dalton said the Town had received the abstract of votes from the recent election, and that it has been suggested that the Council include that information as part of the minutes for record keeping purposes. **Council member Kitselman moved that the Council of the Town of Berryville include the abstract of votes from the May 3, 2016, election in the minutes of the current meeting. Recorder Arnold seconded the motion which carried as follows:**

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

Nay – None  
 Absent – None

# ABSTRACT of VOTES

Cast in the Town of BERRYVILLE in CLARKE COUNTY, VIRGINIA  
at the 2016 May Town General Election held on May 03, 2016 for,

**Mayor**

District: BERRYVILLE

NAMES OF CANDIDATES ON THE BALLOT

TOTAL VOTES RECEIVED  
(IN FIGURES)

|  |     |
|--|-----|
| Patricia B. Dickinson  | 537 |
| Harry L. "Jay" Arnold, Jr  | 422 |
| Total Write-In votes [From Write-Ins Certifications]<br>[Valid Write-Ins + Invalid Write_ins = Total Write In Votes] | 1   |
| Total Number of Overvotes for Office   | 0   |

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on May 03, 2016, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Mayor .

Patricia B. Dickinson

Given under our hands this 4<sup>th</sup> day of May, 2016



Donald W. Hurren, Chairman  
[Signature], Vice Chairman  
Carol S. Gies-Sewell, Secretary  
Carol S. Gies-Sewell, Secretary, Electoral Board

# ABSTRACT of VOTES

Cast in the Town of BERRYVILLE in CLARKE COUNTY, VIRGINIA  
at the 2016 May Town General Election held on May 03, 2016 for,

## Member Town Council - Ward 1

District: BERRYVILLE

NAMES OF CANDIDATES ON THE BALLOT

TOTAL VOTES RECEIVED  
(IN FIGURES)

|  |     |
|--|-----|
| Donna Marie McDonald   | 530 |
| William M. Steinmetz   | 404 |
| Total Write-In votes [From Write-Ins Certifications]<br>[Valid Write-Ins + Invalid Write_ins = Total Write In Votes] | 4   |
| Total Number of Overvotes for Office   | 0   |

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on May 03, 2016, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member Town Council - Ward 1.

Donna Marie McDonald

Given in let our hands this 4<sup>th</sup> day of MAY, 2016



Donald E. Haven, Chairman

HRJ, Vice Chairman

Carol S. Hesterwell, Secretary

Carol S. Hesterwell, Secretary, Electoral Board

# ABSTRACT of VOTES

Cast in the Town of BERRYVILLE in CLARKE COUNTY, VIRGINIA  
at the 2016 May Town General Election held on May 03, 2016 for,

## Member Town Council - Ward 3

District: BERRYVILLE

NAMES OF CANDIDATES ON THE BALLOT

TOTAL VOTES RECEIVED  
(IN FIGURES)

|  |     |
|--|-----|
| Erecka L. Gibson   | 370 |
| Matthew E. "Matt" Bass   | 324 |
| J. Bryant Condrey  | 259 |
| Total Write-In votes [From Write-Ins Certifications]<br>[Valid Write-Ins + Invalid Write_ins = Total Write In Votes] | 1   |
| Total Number of Overvotes for Office   | 0   |

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on May 03, 2016, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member Town Council - Ward 3.

Erecka L. Gibson

Given under our hands this 4<sup>th</sup> day of MAY, 2016



Donald W. Harvin, Chairman

[Signature], Vice Chairman

Carol S. Hesterwell, Secretary

Carol S. Hesterwell, Secretary, Electoral Board

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Mr. Dalton said the Town Council will host a reception at 6:30 pm on June 14, prior to the Town Council meeting, to say farewell to those departing Council members and the Mayor as well as hello to the newly elected Council members and Mayor.

Mr. Dalton referenced the earlier comments regarding East Main Street and said that a citizen on Battletown Drive has also requested that the Town and VDOT re-visit the sidewalk issue on East Main Street.

9. Report of H. Allen Kitzelman, III – Berryville Area Development Authority Liaison  
Council member Kitzelman said the draft Berryville Area Plan was ready for adoption by Town Council. Council member Tollett said he recommends waiting to vote on the plan until the newly elected Council members take office. Council member Kitzelman said he respectfully disagreed because the new plan is a huge improvement over the old plan. He said it has been streamlined, is flexible, and can be changed and updated easily if necessary. He said a lot of work by citizen planners and staff has resulted in a very clear, good planning document, and it makes no sense to throw it out. Mayor Kirby agreed, saying the Council had been criticized for not updating the plan quickly enough and that he wished to see the plan approved. **Council member Kitzelman moved 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. He said it is anticipated that the Clarke County Board of Supervisors will act on the same document at their May meeting. Recorder Arnold seconded the motion.** Council member Condrey said he feels there are contentious issues regarding senior housing, that the plan needs more work and that he would abstain. **The vote carried as follows:**

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

Nay – David Tollett  
Absent – None  
Abstain - Bryant Condrey

10. Report of Harry Lee Arnold, Jr., - Chair, Budget and Finance Committee  
Recorder Arnold noted the budget will be voted on at the June meeting.

11. Report of H. Allen Kitzelman, III - Chair, Community Improvements Committee  
Council member Kitzelman said the Council had heard several reports from Berryville Main Street and he had nothing further to report.

12. Report of Douglas A. Shaffer – Planning Commission Liaison  
Council member Shaffer said that he had nothing to add to the Planner’s reports.

13. Report of Dave Tollett – Police and Security Committee

Council member Tollett noted Master Patrol Officer Frenzel's retirement. He reaffirmed Chief White's report that the Town Police Department is working to equip officers with Naloxone to address drug overdoses, and that there are discussions regarding adding AED (defibrillators) to police cruisers.

**On a motion by Council member Condrey, seconded by Council member Tollett, the minutes of the Police and Security Committee meeting of April 24, 2016, were approved.**

**Council member Tollett moved that the Council of the Town of Berryville adopt the following resolution designating May 15-21, 2016, as Police Week in the Town of Berryville. Recorder Arnold seconded the motion which carried as follows:**

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

Nay – None  
Absent – None

**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 28<sup>th</sup> 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

+ + + + +

**14. 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 of April 27, 2016, were approved.**

Mr. Dalton noted the following streets are scheduled to be paved, weather permitting, by the end of the fiscal year: Stuart Court, Ashby Court, South Church Street from Swan Avenue to Taylor Street, Lincoln Avenue, Smith Street, and Academy Street. He said an easement has been obtained to allow replacement of a water line on Academy Court.

Mr. Dalton added that work on water lines began on May 9 on Battletown Drive, and was being handled by a contractor.

Mr. Dalton said crosswalks had not been re-established on South Buckmarsh Street when VDOT paved it in 2015, and that VDOT will be completing those crosswalks. He added that a contractor has been hired to install other crosswalks at the intersections of Buckmarsh and Main, Church Street and Main, and one on East Main near the Washington Square Apartments.

**15. Report of Harry Lee Arnold, Jr. – Chair, Personnel Committee  
Recorder Arnold reported there were a few re-appointments to be made.**

**Recorder Arnold moved 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. Council member Kitzelman seconded the motion which carried as follows:**

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

- Nay – None
- Absent – None

**Recorder Arnold moved 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. Council member Kitzelman seconded the motion which carried as follows:**

- Aye – Wilson Kirby
- Harry Lee Arnold, Jr.
- Bryant Condrey
- Allen Kitzelman

David Tollett  
Douglas Shaffer

Nay – None  
Absent – None

**Recorder Arnold moved 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. Council member Shaffer seconded the motion which carried as follows:**

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

Nay – None  
Absent – None

16. Adjourn

**There being no other business, upon motion of Council member Shaffer, seconded by Council member Kitseiman, the meeting was adjourned at 9:12 p.m.**

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Wilson Kirby, Mayor

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Harry Lee Arnold, Jr., Recorder

# Attachment 3

BERRYVILLE TOWN COUNCIL

MOTION TO ADOPT RESOLUTION RECOGNIZING FRANK LEE'S SERVICE  
ON THE BERRYVILLE AREA DEVELOPMENT AUTHORITY

Date: June 14, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville adopt the attached resolution recognizing the service of Frank Lee on the Berryville Area Development Authority.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

---

Harry Lee Arnold, Jr., Recorder



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

**WHEREAS**, Frank Lee was first appointed to the Berryville Area Development Authority on June 12, 2007; and

**WHEREAS**, Mr. Lee was subsequently appointed two more times serving on that commission for nine years; and

**WHEREAS**, During his tenure Mr. Lee has faithfully served the citizens of the Town of Berryville, utilizing his expertise to guide and manage development in the annexation area and assisting this important board during a critical time in our town's history; and

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

**WHEREAS**, Through his work with the Berryville Area Development Authority, Mr. Lee has served as a shining example of a citizen's concern for his community and has truly positively affected the lives of Berryville's residents;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Town of Berryville, that Frank Lee's long and distinguished service to this community is recognized and that he is thanked for his hard work and devotion.

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 4

## Planning and Community Development

### **Action Items**

- **Public Hearing – Special Use Permit for Home Occupation**
- **Set Public Hearing – Text Amendment to R-1 Residential**
- **Construction Standards Amendments – Streets and Associated Stormwater Facilities and Inspections**
- **Refund Request for Special Use Permit application**

## **June 14, 2016**

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### **Planning Commission**

The Planning Commission held a meeting on Tuesday, May 24, 2016. They agreed to sponsor a text amendment for the Clarke County Public Schools in order to allow offices in the R-1 Zoning District and set a public hearing on the matter for their next meeting. They also set a public hearing for proposed text amendments to Article VI, Section 609 L-1 Industrial Zoning District in order to align uses with eligible land uses within Tourism Zones. Their next meeting is scheduled for Tuesday, June 28, 2016 at 7:30pm.

### **Berryville Area Development Authority**

The BADA did not hold a May meeting. Their next meeting is scheduled for Wednesday, June 22, 2016 at 7:00pm.

### **Architectural Review Board**

The Architectural Review Board held a meeting on Wednesday, June 1, 2016 to discuss the following:

#### **Sign Review**

**Mike Confrey (Reggie Shirley, Property Owner) is requesting a Certificate of Appropriateness in order to install a temporary banner announcing a Wounded Warrior event at the property located at 35 East Main Street, identified as Tax Map Parcel number 14A5-((A))-79, zoned C General Commercial. *Approved for 30 day installation with the recommendation that background artwork be removed in order to make the banner more legible.***

#### **Architectural Review**

**Clarke County Public Schools (Dr. Chuck Bishop, Agent) are requesting a Certificate of Appropriateness in order to renovate and build additions to the former Berryville Primary School located at 317 West Main Street, identified as Tax Map Parcel number 14A4-((A))-10, zoned R-1 Residential. *Approved as presented, details will be administratively approved.***

**Sign Review**

**Berryville Main Street (Jay Arnold, Agent) is requesting a Certificate of Appropriateness in order to install an event banner within the downtown area of Berryville for a Cruise In to be held on August 27, 2016. *Approved for 30 days in locations where yard sale banners are installed.***

Their next meeting is scheduled for Wednesday, July 6, 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 – Text Amendment to R-1 Residential  
June 14, 2016**

---

**The Berryville Planning Commission is sponsoring an amendment to Article II, Section 201.1(b) R-1 Residential Uses Permitted by Right of the Berryville Zoning Ordinance in order to allow offices for Clarke County Public Schools and related non-profit organizations. TA 03-16**

The Planning Commission has agreed to sponsor a text amendment to Article II, Section 201.1(b) of the Berryville Zoning Ordinance in order to allow school-related office uses in the R-1 Residential Zoning District. They will be holding a public hearing on the matter at their meeting scheduled for June 28, 2016 at 7:30p.m. Staff will provide recommendations from that meeting at the July Town Council public hearing. School officials have agreed to the amendment as presented in this packet.

The Clarke County Public Schools are beginning the renovation process of the former Berryville Primary School building located at 317 West Main Street. The small building on the east side of the property is also on this parcel and has been used for school administration offices. It is staff's understanding that the CCPS wish to retain this property and continue to use it for office space. The School Board Annex, located on the west portion of the parcel, will be demolished as part of this renovation project.

As this parcel is located within the Berryville Historic District, the Architectural Review Board reviewed and approved modifications to the structure and site including an addition at the entrance of the school structure, new windows and doors, exterior lighting, and modifications to signage on the parcel at their June 1, 2016 meeting. The house on the east side of the parcel is a contributing structure in the Historic District; the school building and annex are not contributing structures.

The following items are included in this packet:

- A letter to Dr. Bishop from staff concerning the request;
- Resolution adopted by the Planning Commission at their May meeting; and
- Proposed changes to Section 201 of the Berryville Zoning Ordinance.

**Recommendation**

Set a public hearing for the July 12, 2016 meeting.

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



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

www.berryvilleva.gov

May 19, 2016

Dr. Chuck Bishop,  
Superintendent of Schools, via email [bishopc@clarke.k12.va.us](mailto:bishopc@clarke.k12.va.us)

Dear Dr. Bishop,

This letter is in regard to future uses at Berryville Primary School located at 317 West Main Street, identified as Tax Map Parcel number 14A4-((A))-10 zoned R-1 Residential.

From our previous meetings, it is my understanding that the Clarke County Public Schools wish to use the former primary school for administrative offices, classrooms, and public meeting rooms. It is also understood that the building that currently houses administration, located at 309 West Main Street, will remain part of the parcel as identified above and that the School Board Annex currently used as offices, also located on this site, will be demolished as part of the redevelopment of the primary school.

The intent of the R-1 zoning district of the Berryville Zoning Ordinance is identified in Section 201. Development is limited to a relatively low concentration in order to retain the character of the neighborhood. As the modified building will be housing several school-related uses, I believe that modifying Section 201.1(b) of the Berryville Zoning Ordinance will allow the uses identified above while maintaining the residential integrity of the neighborhood. My recommendation to the Berryville Planning Commission is to sponsor the following text amendment:

**201.1(b) Schools and offices for Clarke County public schools and related non-profit organizations**

All uses on the property would have to conform to the uses identified above. Please confirm that this is the direction you would like to go at your earliest convenience as I need to add this item to the Planning Commission packet that goes out tomorrow morning in order to expedite the request. Their meeting is scheduled for Tuesday, May 24, 2016 at 7:30pm. Should they agree to sponsor the request, the Town will absorb the cost of the text amendment application.

Wilson Kirby  
*Mayor*

Harry Lee Arnold, Jr.  
*Recorder*

*Council Members*

Douglas A. Shaffer  
*Ward 1*

H. Allen Kitzelman, III  
*Ward 2*

J. Bryant Condrey  
*Ward 3*

David L. Tollett  
*Ward 4*

Keith R. Dalton  
*Town Manager*

Should you need additional information, I can be reached at [planner@berryvilleva.gov](mailto:planner@berryvilleva.gov) or 955-4081. We look forward to working with you on this project.

Best Regards,



Christy Dunkle  
Zoning Administrator

Cc: Keith Dalton

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



[T] 540/955-1099  
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www.berryvilleva.gov

**A RESOLUTION: Amendment to Article II, Section 201.1(b) of the Berryville Zoning Ordinance**

**WHEREAS, schools are a use by right in the R-1 Zoning District as regulated in Section 201 of the Berryville Zoning Ordinance; and**

**WHEREAS, the intent of the district is to retain the character of the neighborhood by allowing limited development in low concentration in the district; and**

**WHEREAS, the Clarke County Public Schools would like to adaptively reuse the former Berryville Primary School for classrooms, administrative offices, and offices for related non-profit organizations; and**

**WHEREAS, the uses identified above will be less impactful to the neighborhood than the use as a primary school site due to less trip generation and bus traffic and fewer people using the building; and**

**WHEREAS, the Planning Commission of the Town of Berryville supports the use of the former Berryville Primary School building, located on West Main Street and within the Berryville Historic District, as classrooms, offices for Clarke County Public Schools and related non-profit organizations; and**

**NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the Town of Berryville, Virginia hereby initiates the text amendment to Section 201.1(b) of the Berryville Zoning Ordinance in order allow Clarke County Public Schools and related non-profit organizations offices in the R-1 Residential zoning district.**

Passed this 24<sup>th</sup> day of May, 2016.

Attest: \_\_\_\_\_

By: Douglas A. Shaffer, Chair

**CERTIFICATION**

I hereby certify that the above resolution was duly adopted by the Planning Commission of the Town of Berryville, in a duly assembled meeting on the 24<sup>th</sup> day of May, 2016.

\_\_\_\_\_

By: Christy Dunkle, Clerk

Wilson Kirby  
*Mayor*

Harry Lee Arnold, Jr.  
*Recorder*

*Council Members*

Douglas A. Shaffer  
*Ward 1*

H. Allen Kitzelman, III  
*Ward 2*

J. Bryant Condrey  
*Ward 3*

David L. Tollett  
*Ward 4*

Keith R. Dalton  
*Town Manager*

## ARTICLE II – DISTRICT REGULATIONS

### SECTION 201 - R-1 RESIDENTIAL DISTRICT

#### 201 STATEMENT OF INTENT

The R-1 District is composed of quiet, low-density residential areas plus undeveloped areas where similar residential construction appears likely to occur. The standards set forth for this district are designed to stabilize and protect the essential character of the areas so delineated, to promote and encourage a suitable environment for family life where there are children, and to prohibit all commercial activities. Development is, therefore, limited to relatively low concentration and permitted uses are limited to single-unit dwellings, plus selected additional uses such as schools, parks, churches, and certain public facilities that serve the residents of the district. No rooming houses are permitted.

#### 201.1 USES PERMITTED BY RIGHT

Only one use and its accessory buildings and/or uses may be erected on any lot or parcel of land in the R-1 Residential District.

- (a) Single-family dwellings.
- (b) Schools **and offices for Clarke County Public Schools and related non-profit organizations (00/16).**
- (c) Churches.
- (d) Parks and playgrounds.
- (e) Off-street parking for permitted uses in the district as set forth in Section 305.
- (f) Accessory buildings and Temporary Family Health Care Structures as defined; however, garages, carports, porches, and stoops attached to the main building shall be considered part of the main building. Accessory buildings may be located in a rear yard area, but shall not be located closer than five (5) feet from any property line or to any other structure. **(11/10)**
- (g) Public utilities: poles, lines, distribution transformers, booster and relay stations, pipes, meters, and other facilities necessary for the provision and maintenance of public utilities, including water and sewage systems.
- (h) Signs as set forth in Section 307.
- (i) Travel trailers, which shall not be stored within the front setback area, and which shall be prohibited from occupancy. **(5/83)**
- (j) Fences as set forth in Section 303.

#### 201.2 USES PERMITTED BY SPECIAL PERMIT

- (a) Home Occupations. **(4/86)**
- (b) Planned Research Offices, as defined in Section 102.

#### 201.3 AREA REGULATIONS

The minimum lot area shall be fifteen thousand (15,000) square feet.

**Section 201 Residential (R-1) District**

**201.4 SETBACK REGULATIONS**

Structures shall be located thirty-five (35) feet or more from any street right-of-way which is fifty (50) feet or greater in width, or fifty (50) feet or more from the center of any street right-of-way less than fifty (50) feet in width. **(5/94)**

**201.5 FRONTAGE REGULATIONS**

The minimum lot width at the setback line shall be one hundred (100) feet. Minimum width at the street right-of-way line shall be fifty (50) feet.

**201.6 YARD REGULATIONS**

- (a) Side - Each side yard shall be a minimum of fifteen (15) feet.
- (b) Rear - Each rear yard shall be a minimum of thirty (30) feet in depth.

**201.7 LOT COVERAGE**

Any structure or structures shall not occupy more than thirty (30) percent of the total area of the lot.

**201.8 HEIGHT REGULATIONS**

- (a) Buildings may be erected up to three (3) stories but shall not exceed thirty-five (35) feet in height.
- (b) A public or semi-public building such as a school, church, or library may be erected to a height of sixty (60) feet from grade, provided that required front, side, and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.
- (c) Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antennae, and radio aeriels are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.
- (d) No accessory building that is within twenty (20) feet of any party lot line shall be more than one (1) story high. All accessory buildings shall be less than the main building in height.

**201.9 SPECIAL PROVISIONS FOR CORNER LOTS**

- (a) Of the two sides of a corner lot fronting on streets, the shortest side shall be deemed to be the front.
- (b) Each corner lot shall have a minimum width at the setback line of one hundred twenty (120) feet.

**BERRYVILLE TOWN COUNCIL**  
**Construction Standards Amendments – Streets and Associated Stormwater**  
**Facilities and Inspections**  
**June 14, 2016**

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Staff is recommending additional changes to the Town of Berryville Construction Standards and Specifications Manual concerning storm water management facilities and inspections for public streets.

Additional standard details are also proposed which include specific information on construction specifications for storm water infrastructure; drop-inlets; and manhole frames and covers.

**Recommendation**

Forward to the Streets and Utilities Committee for review and recommendation.

## Section 2

### *General Design Standards*

#### *I. Provision for Future Growth*

The Town may require the modification of certain proposed public improvements to provide adequate capacity for the logical extension of said improvements. Proposed facilities would include, but not be limited to, water lines, booster stations, water pressure control valves, sewer lines, ~~and~~ sewer pump stations, **and streets and associated stormwater management facilities**. Costs for the provision of additional capacity or modifications as required above may be reimbursed by the Town or through agreements with other owners/developers.

#### *II. Phased Construction*

##### A. Delineation

If development is to be constructed in phases, plans shall clearly indicate by phase lines and notes, which facilities are to be constructed under each phase. Plans shall indicate locations of contour tie-ins for each phase and specific measures for phased termination of all water, sewer, storm drainage, streets and other public improvements. Construction plans for public improvements and utilities shall be designed so as to be fully functional at the completion of each phase and allow for construction of the next phase with a minimal impact to existing improvements. A temporary marker identifying the location of the utility termination shall be provided.

##### B. Bonding

Bonding of public improvements and erosion and sediment control measures as required by Town Ordinance shall be provided independently for each proposed phase.

#### *III. Drainage*

##### A. General

1. An evaluation shall be performed for all proposed drainage systems to ensure adequate hydraulic capacity for conveyance of the minimum ten-year event including, but not limited to, channels, storm water management facilities and conduits.
2. Hydraulic capacity must be verified with engineering calculations, in accordance with the procedures outlined in the *Virginia Erosion and Sediment Control Handbook*, the *Virginia Department of Transportation Drainage Manual*, *Town of Berryville Storm Water Management Ordinance*, and this manual. Submit two complete copies of drainage calculations with construction plans.  
Calculations shall include a copy of the site grading and drainage plan, at the plan scale, upon which the boundaries, acreages, time of concentration paths and C-factors of the interior drainage areas shall be shown. Calculations shall

also include a map at an appropriate scale delineating the boundaries, acreages, time of concentration paths and C-factors of the drainage areas, upstream of the development, which would contribute storm water to the development.

3. Due consideration must be given to infrequent events (100-year) resulting in runoff quantities greater than minor system design capacity. The design for the major drainage system shall provide for overland relief of the 100-year event without flooding or damaging buildings and structures and without reliance upon the minor drainage system. The limits of the area affected by the 100-year event shall be represented on construction plans.
4. The drainage system shall be designed to honor all natural drainage divides and create no adverse impact on downstream properties; to account for all off-site storm water and; to convey discharge surface waters to the flow line of a natural watercourse or an existing underground or above-ground adequate conveyance system.
5. The owner or developer may not create a new discharge or concentrated storm water from a pipe, culvert, channel, or other drainage structure, onto or through lands of another, without first obtaining a permanent storm drainage easement and constructing improvements to guarantee continuity of an outfall from the point of discharge to the nearest natural or man-made watercourse.
6. If off-site downstream construction and easements are required to construct an adequate channel outfall, no plans shall be approved until such storm drainage easements, extending to the nearest natural or man-made watercourse, have been obtained and recorded. It will be the responsibility of the developer to obtain all off-site easements.
7. Energy dissipation devices and/or friction channel lining shall be used at and downstream of outfalls when discharge velocities exceed the maximum permissible as defined by the *Virginia Erosion and Sediment Control Handbook*.
8. Plans shall be prepared to preclude adverse impacts because of higher flow rates that may occur during construction.
9. Construction plans shall show the location, size, flow line elevations, profiles and details of all drainage facilities and structures, existing or proposed, including, but not limited to, swales, ditches, culverts under public streets and private drives, drop inlets, storm sewers and detention/retention ponds and pond outlet structures. Typical cross sections of all swales and ditches shall be shown.
10. Profiles of streets shall show profiles of storm sewers and cross sections of culverts together with point of intersection. Profiles shall show clearance of such drainage facilities with water mains and sanitary sewer.

B. Storm ~~Sewer~~ Sewer Systems

- ~~1. Design and capacity of culverts, inlets and piped storm drainage systems shall be in accordance with the requirements of the Virginia Department of Transportation (VDOT) Drainage Manual, latest release, Town of Berryville Storm Water Management Ordinance, Virginia Department of Environmental~~

~~Quality Storm Water Management Program and this manual. Proposed drainage facilities shall be sized for ultimate development conditions. Ultimate developed condition of currently undeveloped areas within a watershed shall be based upon the current or anticipated zoning of those areas.~~

- ~~2. Where a proposed drainage system is connected to an existing drainage system, the hydraulic gradient shall be computed through the existing system outfalls to daylight to demonstrate hydraulic capacity. System computations for the existing system will be made available by the Town to the designer for those systems for which the Town has this information. The Town Superintendent may waive this requirement when it has been previously determined that the receiving system is known to have sufficient capacity.~~
- ~~3. All storm sewer pipe within a public right-of-way or public drainage easement shall be reinforced concrete pipe with a minimum diameter of 15 inches or equivalent elliptical size. Storm sewer pipe which begins or ends within a public right-of-way or public easement shall be reinforced concrete for its entire length between terminal structures. All reinforced concrete pipe shall be Class III, or greater as conditions require. Installation shall be in accordance with VDOT Standard PB-1, joined using a tongue and groove connection with bitumastic sealant. Precast box culvert sections shall be joined using a closed-cell extruded rubber gasket, Delta Rubber "Omni-Flex" or Town-approved equal.~~
- ~~4. Reinforced concrete flared end sections shall be installed at the open ends of all storm drainage pipe. Concrete endwalls may be accepted 42 inches in diameter or less subject to approval by the Town Superintendent.~~
- ~~5. Minimum cover for storm sewer pipe shall be two feet vertically from finish grade to the outside crown of pipe, except where structural correction is provided and approved. Requests for less than two feet of cover shall be recorded on the plans and clearly denoted. Test pits will be required and shall be shown on the plans for all crossings which involve gas lines, water mains, sanitary sewer crossings which have minimum clearance, and all fiber optic telephone service lines. Test pits shall be dug and clearances verified prior to installing any portion of the storm sewer system. Test pits as basis of design may be required at the discretion of the Town Engineer.~~
- ~~6. Storm manhole covers shall have the word "STORM" cast into them. (05/16)~~

~~C. Final Inspection and Testing~~

- ~~1. All storm sewer lines shall be internally inspected by closed circuit television camera prior to acceptance. A copy of the inspection video and reports must be submitted to the Town of Berryville Public Works Director for review. All deficiencies noted must be corrected and an additional televised inspection must be submitted to the Town for review and approval.~~
- ~~2. Such inspection shall be made after the storm sewer has been fully backfilled and the associated roadway sub-grade construction has been completed.~~
- ~~3. The cost of these inspections shall be borne by the project's owner.~~

~~Design and capacity of culverts, inlets and piped storm drainage systems shall be in accordance with the requirements of the Virginia Department of Transportation (VDOT) Drainage. (05/16)~~

**1. General**

- A. The following minimum requirements are considered acceptable to the Town of Berryville for the collection and detention of stormwater runoff. Deviation from these may be allowed if: a) the deviation is in accordance with sound engineering standards; b) the deviation will not increase the likelihood of a system failure; c) the deviation will not adversely impact the environment or others.**
- B. As a general guideline, standards shall be those set forth in the latest editions of the Virginia Erosion and Sediment Control Handbook, the Virginia Stormwater Management Handbook, and the Virginia Department of Transportation Drainage Manual. If the standards set forth in these manual conflict for a particular application, the Director of Public Works shall determine which standard is to be applied.**
- C. When the Town of Berryville standards differ from state and/or federal requirements, the most stringent requirement shall apply.**
- D. All drawings, specifications, and engineer's reports submitted for approval shall be prepared by or under the supervision of a registered professional engineer with a current registration in the Commonwealth of Virginia in accordance with Title 54.1, Chapter 3 of the Code of Virginia, 1950, as amended. Where applicable, design may be performed under the direction of a certified Land Surveyor B, in accordance with § 54.1-408 of the above-cited code. The front cover of each set of drawings, of each copy of the engineer's report, and of each copy of the specifications submitted for review shall bear the signed imprint of the seal of the above licensed professional who prepared or supervised the preparation, and shall be signed with an original signature and date.**
- E. The engineer shall be responsible for obtaining the review and necessary approvals of all drawings and specifications by applicable Town, County, State and Federal agencies having jurisdiction. Copies of such approvals shall be submitted to the Town of Berryville Department of Public Works at the time of final approval.**

**2. Stormwater Report**

- A. All drainage calculations shall be incorporated into a stormwater report, which shall present the following information as applicable. If the necessary calculations are minimal, they can be included on the plan sheets.**
  - 1. A description of the computer software used and references to charts and tables used. Computer spreadsheets or programs created "in-house," used in lieu of standard forms or standard manual calculations, shall be substantiated, at least initially, with manual calculations showing equivalent results. Acceptance of, or request for**

**substantiation of “in-house” spreadsheets and programs will be the decision of the Director of Public Works.**

- 2. The following computations shall be shown for both pre-developed and post-developed conditions:**
  - a. The stormwater report or plan set shall show the grading plan with the boundaries, acreages, and C-factors or CN values for all drainage areas contributing storm water to the site.**
  - b. Flow paths and calculations of times of concentration.**
  - c. Runoff computations.**

### **3. Stormwater Design**

#### **A. General**

- 1. An evaluation using verifiable engineering calculations shall be performed for all proposed drainage systems including, but not limited to, channels, inlets, and conduits. At a minimum, this evaluation shall show adequate hydraulic capacity for conveyance of the ten year storm event.**
- 2. Due consideration must be given to less frequent storms, up to and including the 100-year storm event. The design of drainage systems shall generally provide for overland relief of the 100-year storm event without flooding or damaging buildings and structures.**
- 3. The drainage system shall be designed with an attempt to closely maintain existing drainage divides and must not create adverse impact on upstream or downstream properties.**
- 4. Drainage designs must account for any off-site drainage that will be collected by the drainage system or that will flow through any part of the site. Ultimate developed condition of currently undeveloped areas within a watershed shall be based upon the current or anticipated zoning of those areas.**
- 5. All systems shall be designed to convey runoff to the flow line of a natural watercourse or to an adequate conveyance system.**
- 6. The owner or developer may continue to discharge stormwater as sheet flow (non-concentrated) onto an adjoining property if, at the same location:**
  - a. The post-development peak runoff rate based on documentation and calculations does not exceed the pre-development peak rates.**
  - b. The duration of the flow does not increase under post-development conditions.**
- 7. The owner or developer may not create a new discharge of concentrated storm water from a pipe, culvert, channel, or other drainage structure, onto or through lands of others without first obtaining a permanent storm drainage easement and ensuring that adequate conveyance exists downstream between the point of discharge and the nearest natural or man-made waterway.**
- 8. If off-site downstream construction and easements are required to construct an adequate channel outfall, no plans shall be approved**

**until such storm drainage easement, extending to the nearest natural or man-made watercourse, have been obtained and recorded. It will be the responsibility of the developer to obtain all off-site easements.**

**B. Storm Sewer Systems**

- 1. All publicly owned storm inlets and manholes shall include inlet/invert shaping per VDOT standard IS-1.**
- 2. No concentrated flow greater than one cubic foot per second, based on the 10-year storm, shall cross a sidewalk or curb.**
- 3. Culverts and storm sewers shall be of adequate size to transport runoff from the 10-year storm, for the ultimate developed condition of the subject property. Contributions of off-site flow from permanently developed properties shall be based upon existing conditions. Contributions of off-site flow from undeveloped properties shall be calculated based upon the two-year fully developed flow (undetained) from such properties. Plans shall account for overland relief resulting from less frequent events.**
- 4. The hydraulic grade line of storm sewers for the post-developed 10-year storm shall be lower than the gutter line or grate inlet top elevation at all points.**
- 5. All publicly –owned storm sewer pipes within traffic-bearing areas shall be reinforced concrete pipe with a minimum diameter of 15 inches or equivalent elliptical size. Publicly-owned storm sewer pipe in non-traffic bearing areas may be corrugated HDPE pipe with a minimum diameter of 15 inches.**
- 6. All pipes shall terminate with flared end sections or concrete headwalls. Box culverts shall include concrete headwalls and end walls, which shall be located a minimum of 25 feet from the edge of pavement if the culvert is subject to vehicular traffic.**
- 7. The outfall conditions of pipes and culverts shall be designed to withstand the velocities produced during the 2-year storm event without erosion.**
- 8. Pipe shall not deflect between storm structures. Pipe on slopes greater than 20 percent shall be anchored.**
- 9. Minimum cover for storm sewer pipe within the right-of-way shall be according to the Town of Berryville Standard Details 22 and 24. Outside the right-of-way, the minimum cover, from finished grade to the outside crown of pipe, shall be the great of one foot of half the pipe diameter.**
- 10. In parallel installations, under normal conditions, storm sewer pipes shall be laid at least 10 feet horizontally from water lines and sanitary sewer lines. The distance shall be measured from outside edge to outside edge.**
- 11. In general crossing situations, storm sewer pipes shall maintain a minimum vertical distance of 18 inches from water mains and 12 inches from sanitary sewer lines. In cases where this separation is**

**impossible to achieve, the water or sanitary sewer line shall be protected in accordance with the appropriate Town of Berryville utility standard. In cases where the water or sanitary sewer line is not owned by the Town of Berryville, the crossing shall be governed by the regulations of the authority which owns the utility in question.**

- 12. Test pits will be required and shall be shown on the plans for all crossings which involve gas lines, water mains 12 inches in diameter and larger, sanitary sewer crossings that have minimum clearance, and all fiber optic telephone service lines. Test pits shall be dug and clearances verified prior to installing any portion of the storm sewer system.**

#### **C. Easements**

- 1. An "easement" shall mean any area to which the Town has unlimited access for maintaining adequate drainage.**
- 2. Permanent easements shall be a minimum width of 20 feet. Wider easements may be required where more than one facility may occupy an easement, or in consideration of structure size, depth, or access requirements. The extent of drainage easements shall be dependent on upstream and downstream conditions and the scope of maintenance needed to maintain adequate drainage.**
- 3. Easements shall be recorded and the Deed Book and Page Numbers of the recordation provided to the Planning Department before approval of the as-built plans and release of the construction bonds.**
  - a. No building or other structure, including but not limited to fences and decks, shall be erected over permanent easements.**
  - b. Any plantings installed within an easement may be damaged or destroyed during the course of servicing. The Town is not liable for damage to any improvements or plantings within an easement. The Town will re-seed as necessary any bare or disturbed soil for erosion control purposes.**
  - c. Small and medium shrubs, groundcovers, or grasses may be planted within an easement. Their suitability shall be determined by their likelihood to create or entrap debris, or to obstruct natural flow.**

#### **D. Storm Inlet Design**

- 1. Drop inlets shall be sized and spaced such that a minimum of one half of the travel way in each direction shall be free from flooding at the inlet design flow.**
- 2. To properly drain sag vertical curves, it is required on roads classified as minor arterial or higher to place three inlets on each side of the road; one inlet at the low point and one flanking inlet on each side of the low point. The flanking inlets shall be placed so that they will limit the spread in the low gradient (flatter) approaches to the sag point and will act in relief of the sag inlet should it become clogged.**

3. Drainage flowing in street gutters shall be intercepted 100 percent, at design flow, prior to entering an intersection with another public street.
4. Inlets which have bypass flows shall be clearly marked on the plans and bypass flow must be included in the total gutter flow contributing to the next downstream inlet.
5. Downstream flow for drop inlets in streets and parking areas shall be computed using the rational method and applying a rainfall intensity of four inches per hour. Design flow for grate inlets located near structures that could be damaged by flooding shall be computed using the 100-year storm and assuming 50 percent blockage of the grate. Design flow for all other grate inlets shall be the same as street inlets but must assume 50 percent blockage.

**E. Stormwater Conveyance Channels**

1. Channel adequacy, hydraulic capacity, maximum velocities, channel linings, and other related design variables shall be determined by the procedures outlined in Chapter 5 of the Virginia Erosion and Sediment Control Handbook, or by approved computer software.
2. All open channels shall be designed to contain the 10-year storm with six inches of freeboard below the banks of the channel. Contributions of off-site flow from permanently developed properties shall be calculated based upon the two-year fully developed flow (undetained) from such properties. Plans shall account for overland relief resulting from less frequent events.
3. Unless otherwise approved, the need, type, and dimensions of lining for erosion control shall be based on the velocity and depth of flow associated with the ten-year event.
4. Maximum side slope for grass lined conveyance channels shall be 3:1 (H:V) with a minimum longitudinal slope of two percent.

**F. Stormwater Quantity**

1. To protect downstream properties and receiving waterways from flooding, the ten (10) year post-development peak rate and velocity of runoff from the land development shall not exceed the two (2) year pre-development peak rate of runoff.
2. To protect downstream properties and receiving waterways from channel erosion, the two (2) year post-development peak rate and velocity of runoff from the land development shall not exceed the two (2) year pre-development peak rate and velocity of runoff.
3. If the land development is in a watershed for which a hydrologic and/or hydraulic study has been conducted or a stormwater model developed, the program authority may modify the requirements of items a and b so that runoff from the land development is controlled in accordance with the findings in the study or model, or to prevent

**adverse watershed storm flow timing, channel degradation, and/or localized flooding problems.**

- 4. The program authority may also require that the plan include additional measures to address damaging conditions to downstream properties and receiving waterways caused by the land development.**
- 5. Pre-development and post-development runoff rates shall be verified by calculations that are consistent with accepted engineering practices as determined by the program authority.**

**G. Stormwater Quality**

- 1. Best management practices shall be designed and sited to capture runoff from the entire land development project area and, in particular, areas of impervious cover within the land development, to the maximum extent practicable.**
- 2. Best management practices shall be designed to remove the difference between post-development and pre-development total phosphorus loads in cases where post-develop loads exceed pre-development loads. The calculation method in Appendix 5D of the Virginia Storm Water Management Handbook shall be used to perform the calculations.**

**4. Materials**

**A. Concrete Pipe**

- 1. Circular reinforced concrete culvert and storm sewer pipe shall be in accordance with ASTM C76 and be Class III minimum.**
- 2. Elliptical reinforced concrete culvert and storm sewer pipe shall be in accordance with ASTM C507.**
- 3. Gasketed joints shall be bell and spigot with rubber gasket seal in accordance with ASTM C443. Tongue and groove joints shall be sealed with mortar or pre-formed flexible sealant per ASTM C990, or other suitable sealant.**

**B. Corrugated Plastic Pipe**

- 1. Pipe shall be in accordance with AASHTO M294 or ASTM 2306.**
- 2. Pipe shall be joined using a bell and spigot joint meeting AASHTO M252, AASHTO M294, or ASTM F2306. The joint shall be soil-tight and gaskets, when applicable, shall meet the requirements of ASTM F477. Gaskets shall be installed by the pipe manufacturer and covered with a removable wrap to ensure the gasket is free from debris. A joint lubricant supplied by the manufacturer shall be used on the gasket and bell during assembly.**
- 3. Fittings shall conform to AASHTO M252, AASHTO M294 or ASTM F2306. Bell and spigot connections shall utilize a spun-on or welded bell and valley or saddle gasket meeting the soil-tight joint performance requirements of AASHTO M252, AASHTO M294, or ASTM F2306.**
- 4. All installation of corrugated plastic pipe shall be per manufacturer's specifications.**

**C. Drop Inlets**

1. Standard drop inlets shall be per VDOT specifications.
2. For drop inlets in shallow conditions, structures shall be consistent with Standard Details 25A, B and C or shall be a precast or cast-in-place concrete box with a top consistent with Standard Detail 26.
3. For drop inlets requiring a manhole frame and cover for access, the manhole frame and cover shall be as manufactured by Neenah Foundry per Standard Detail 26. Frames and cover shall be manufactured in the United States.

**D. Manholes**

1. Storm manholes shall be per VDOT specifications.
2. Frames and covers shall be as manufactured by Neenah Foundry per Standard Details 27 - 30, or approved equivalent.

**5. Inspection and Testing**

**A. Concrete Pipe**

1. Concrete pipe shall be inspected visually during installation by the Director of Public Works or his/her designee.
2. After installation and backfill, all sand, dirt, and debris from the lines shall be flushed prior to inspection.
3. All lines and manholes shall be visually inspected by the Town of Berryville from every manhole by use of television cameras. The cost shall be the responsibility of the Owner/Developer as identified on the Planning and Zoning Fee Schedule, 2012, as amended.
4. The lines shall exhibit a fully circular pattern when viewed from one manhole to the next.
5. Lines which do not exhibit a true and correct line and grade, or have obstruction or structural defects, shall be corrected to meet these specifications and the barrel left clean for its entire length.

**B. Corrugated Plastic Pipe**

1. Corrugated plastic pipe shall be inspected visually during installation.
2. Following installation, the contractor shall perform cleaning and video inspection of the installed plastic pipe. The processes listed below shall be followed:
  - a. The CCTV inspection must be completed per this manual and by an impartial, qualified and reputable Inspection Agency in the presence of a Town inspector. The Town reserves the right to reject an Inspection Agency.
  - b. The Owner/Developer shall provide 48 hours notice to the Town prior to televising any pipe to allow an inspector to be on site.
  - c. A written inspection report accompanied by visual recording shall be provided to the Town's Inspector at the end of each day of CCTB inspection. Visual recording shall be digital mpeg4 format. The written report shall be in both list form and plan view. Please note: VHS video tapes will not be accepted.

- d. It will be the Developer/Contractor's responsibility to demonstrate acceptable joint spacing.**
- e. Deflection visible on the CCTB monitor will be assumed to be greater than 5%. The Developer/Contractor has the right to challenge this decision by direct measurement or by the use of a GO-NO-GO Mandrel. The pipe will be rechecked for damage after use of the Mandrel.**
- f. The Developer/Contractor must repair all defects found during inspection. A follow-up CCTV inspection shall be performed by the Developer/Contractor to assure the repairs have been completed satisfactorily.**

#### *IV. Water & Sewer*

##### A. General

A Preliminary Design Report shall be submitted to the Town which shall describe the additions to the water distribution and sewerage collection systems, and at a minimum shall include:

1. Number of units, with the estimates for water usage and wastewater production.
2. Hydraulic calculations for the proposed water system and existing water system to insure that adequate pressure and volume can be sustained to the new development without reducing pressure or volume in other areas of the existing system.
3. Hydraulic calculations for the proposed sewerage collection system and all existing lines or pump stations that may be impacted.

##### B. Design Practices

###### 1. Scope

- a. This section is included for the clarification, information and benefit of the engineering design community, to act as a guide to the practices of the Town. This section is a compilation of a variety of typical practices to be followed in the layout and design of water distribution and wastewater collection systems of the Town. The information contained in this section must be applied in conjunction with the regulations of the Commonwealth of Virginia Department of Environmental Quality, Virginia Department of Health Waterworks Regulations and the other sections of this manual.
- b. Many criteria listed are minimums. Additional separations and clearances are to be furnished as practical to optimize each design. Attention shall be given to locating utilities so as to facilitate their re-excavation. The Town will consider factors such as depth and magnitude of facility in determining the adequacy of each design, and may relax or increase dimensional requirements accordingly. In general, a design is to be sought which minimizes length of piping and number of appurtenances, while providing a system which minimizes maintenance costs.

- c. Because of the wide variety of situations that arise, it is impossible to address all scenarios. The Town reserves the right to exercise engineering judgement and will have the final decision on the acceptability of design.
  - d. The Town reserves the right to amend or modify this document without notice and to interpret the meaning of all statements made herein.
2. Water Distribution
- a. Design Flows
    - (i) Fire Flows. The water distribution system piping and any extensions thereof shall have adequate capacity to supply the normal (average) and peak hour demands of all customers – domestic, public, commercial and industrial – while maintaining a pressure of not less than 30 pounds per square inch at all points of delivery. In addition, the piping system shall be capable of delivering on the day of maximum customer demand, flows required for fire protection to at least one (1) point within 300 feet of each building being served or proposed to be served by such system and extension, while maintaining a residual pressure of not less than 20 pounds per square inch at the point of service. Flows required for fire protection shall be a minimum of 750 gpm for Single Family Detached Dwelling developments, 1,500 gpm for Attached Residential or Apartment (3 stories or less), and 2,000 gpm for Commercial and Industrial developments.
    - (ii) Daily Demands. The following criteria will be used in estimating demands for water and accomplishing hydraulic design of the system.
      - (a) Average day, maximum day and peak hour demands to be used in system hydraulic design will be estimated using the following parameters:
        1. Residential Population  
=  $N$  = number of dwelling units x 2.75
        2. Average daily water demand of residential population in gallons per day (g.p.d.)  
=  $R = N \times 100$
        3. Average daily commercial and industrial water demand in g.p.d.  
=  $C$  = number of commercial and industrial employees x 100\*  
\*NOTE: Appropriate additional water demand allowance shall be made for commercial and/or industrial establishments of types having water demands in excess of 100 g.p.d. per employee.
        4. Average daily school water demand in g.p.d.  
=  $S$  = number of staff employees and students x 20
        5. Average daily water demand in g.p.d.  
=  $A = R + C + S$
        6. Maximum daily water demand in g.p.d.

$$= M = A \times 2$$

7. Peak hour demand in g.p.m. is calculated using the formula provided in the Waterworks Regulations 12 VAC 5-590-690

$$= Q = 11.4 \times N^{0.544}$$

- (iii) Distribution piping design will be based upon providing flows and service pressures in accordance with these standards from the supply design gradient (HGL) furnished by the Town. Hydraulic design of distribution piping will be based on pipe carrying capacities consistent with head losses determined in accordance with the following:

| <u>Pipe Diameter</u> | <u>Hazen-Williams Coefficient "C"</u> |
|----------------------|---------------------------------------|
| 6"                   | 100                                   |
| 8"                   | 110                                   |
| 10"                  | 115                                   |
| 12" or greater       | 120                                   |

3. Wastewater Collection

a. Design Flows

(i) Tributary Population

- (a) Sewer systems, which provide for a complete watershed, shall be designed and sized assuming the entire watershed to be completely developed according to present or planned land use designation whichever requires the greater capacity.
- (b) Sewer systems initially developed for only a part of a complete watershed shall be sized to provide for the entire watershed. Otherwise, if acceptable to the Town, physical provision shall be made for future increased capacity. Proper modification to allow for the characteristics (i.e. domestic, commercial and industrial wastes, and ground water infiltration) of the area under consideration shall be made.

(ii) Capacities

- (a) In determining the required capacities of sanitary sewers, the following factors shall be considered:
- (1) Maximum hourly quantity of domestic sewage.
  - (2) Additional maximum sewage or waste from industrial plants and commercial areas.
- (b) New sewer systems shall be designed on the basis of an average per capita flow of sewage from the equivalent population served of not less than 100 gallons per capita per day. Lateral and submain sewers shall be designed for a minimum of 400% of the average flow, main and trunk sewers shall be designed for a minimum of 250% of the average flow, and interceptors shall be designed for a minimum of 200% of the average flow.

- (c) Computations shall use a roughness coefficient (n) in the Mannings Formula of 0.014. However, other values may be used for situations where sufficient engineering justification can be demonstrated.
- (d) The 100 gallons per capita per day figure is assumed to cover normal infiltration, but an additional allowance shall be made where conditions are especially unfavorable.
- (e) The minimum allowance for flow from single-family detached residences shall be based on 3.5 people per home. For single-family attached residences or dwelling units in multifamily structures, a basis of 3 people per unit may be used.
- (f) Unless evidence is presented to prove a different flow from industry at ultimate development, the minimum allowance for industrial flow shall be determined by providing an equivalent population of 40 persons per acre or one (1) equivalent population per employee, whichever is the greater, in the industrial area. "Area" shall include the entire area zoned for industry, except public road, street, and highway rights-of-way, flood plains on which construction is prohibited, and "green zones" separating industrial from residential areas, on which construction is prohibited.
- (g) The minimum allowance for flows from commercial areas shall be determined by providing an equivalent population of 30 persons per acre, or one-half (1/2) equivalent population per employee, whichever is the greater, in the commercial area. "Area" shall include entire area zoned for commercial development, including off-street parking and landscaped areas, but excluding the rights-of-way of public roads, streets and highways, flood plains of streams on which construction is prohibited and "green zones" 100 feet or more wide separating commercial from residential areas, on which construction is prohibited.
- (h) Sewer size shall not be less than eight inches in diameter, except under the following condition:
  - 1. Laterals serving six connections or fewer on cul-de-sacs or as sidewalk collector lines may be six inches in diameter.
- (i) Minimum Gravity Sewer Slopes  
Sewer Size  

| <u>Minimum Slope in Feet per 100 Feet</u> | <u>Nonsettled Sewage</u> |
|---|--------------------------|
| 3 inch .....                              | Not Allowed              |
| 4 inch .....                              | Not Allowed              |
| 6 inch .....                              | 0.49                     |
| 8 inch .....                              | 0.40                     |
| 10 inch .....                             | 0.28                     |
| 12 inch .....                             | 0.22                     |

Town of Berryville Construction Standards and Specifications - April 2015  
Section 2 \* General Design Standards

|               |       |
|---------------|-------|
| 14 inch ..... | 0.17  |
| 15 inch ..... | 0.15  |
| 16 inch ..... | 0.14  |
| 18 inch ..... | 0.12  |
| 21 inch ..... | 0.10  |
| 24 inch ..... | 0.08  |
| 27 inch ..... | 0.067 |
| 30 inch ..... | 0.058 |
| 36 inch ..... | 0.046 |

All sewer shall be nonsettled unless pre-approved by the Director of Public Works.

- (j) Minimum flow velocities of 1.3 fps and 2 fps are required for settled and non-settled sewage, respectively.
- (k) Special provisions must be made to protect against internal erosion when flow velocities exceed 15 fps.
- (l) A minimum sewer burial depth to protect against freezing shall be 24”.
- (m) In cases where the above criteria are not applicable, an alternate design procedure may be submitted to the Town for approval. A description of the procedure used and justification for the modifications for sewer design proposed shall be included with the Design Analyses and plans submitted for approval.

V. *Easements*

Where the Town of Berryville permits the construction of water, sewer, or storm water improvements (town utilities) outside of the public right-of-way, the following shall apply:

- A. Town utilities approved such that they will not be in the public right-of-way shall be located in easements conveyed to the Town of Berryville. Such easement shall include language and conditions as required by the Town and will be approved by the Town prior to recordation.
- B. Easements shall be located so as to provide access to all parts of the utility without interference from abutting buildings, fences, and other private improvements.
- C. Easements shall not be centered on property lines but shall run parallel to boundary lines to the greatest degree practical. Easements may straddle boundaries, provided that the associated channel or pipeline is offset from the boundary.
- D. Easements must remain clear of buildings, trees, fences, and other improvements, and underground structures other than the designated utility. Fence sections may be erected across an easement section so long as the section contained within the easement is a gate through which personnel and equipment may enter the

property. Trees planted in and/or improvements erected within a utility easement that are damaged or destroyed in the course of utility inspection, maintenance, or reconstruction will not be replaced or paid for by the Town of Berryville.

- E. Easements shall be a minimum of twenty (20) feet in width; however, the Town reserves the right to require wider easements as deemed necessary.
- F. Town utility easements are exclusive. Other utilities may only cross the town's easement, and such crossings must be at or near a 90-degree angle.

*VI. Submission of Calculation Data in Digital Format*

- A. Engineering calculations used in the design of public improvements shall be submitted to the Town in digital format for review.
- B. Submissions for water system design shall be on a master development plan that includes the locations of the water mains. The plan(s) shall be paper drawings or provided in an AutoCad compatible format. In addition, the plans shall be a scale accurate drawings referenced to the State Plane Coordinate System.
- C. Submissions for sanitary sewer system design should be provided in Microsoft Excel format, or Heastead input/output files.
- D. Submissions for storm drain system, and storm water management design should be provided in Microsoft Excel format, or Heastead input/output files, or Soil Conservation Service TRT -20 or 55 format.

*VII. Transferring of Pump Station Ownership*

- A. Ownership of pump stations will occur only after final acceptance in writing of a completed project.
- B. The developer will be responsible for any maintenance as a result of construction defects of said facilities for one year from the date of Final Acceptance.

*VIII. Streets and Related Improvements in the Public Right-of-Way*

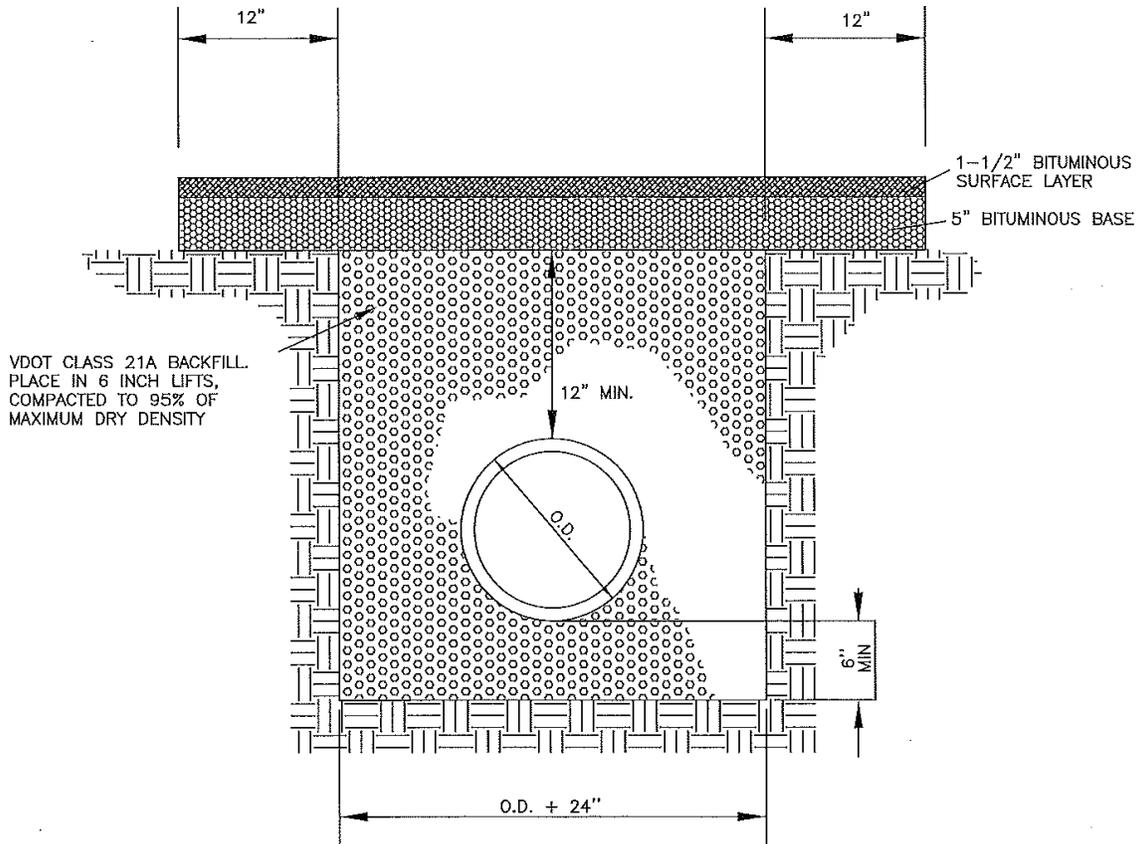
- A. All activity performed in the public right-of-way requires an approved permit from VDOT or the Town of Berryville. VDOT maintains public primary roadways (Business Route 7 and SH 340). The Town of Berryville maintains public secondary roadways.
- B. All work performed under a permit issued by the Town of Berryville must be performed in accordance with the following as applicable:
  - 1. Berryville Town Ordinances
  - 2. Berryville Construction Standards and Specifications
  - 3. VDOT Road and Bridge Standards, current edition
  - 4. VDOT Road and Bridge Specifications, current edition
  - 5. Manual on Uniform Traffic Control Devices (MUTCD) including the VDOT supplement
  - 6. VDOT Manuals on Planting and Irrigation in the Right-of-Way
  - 7. VDOT Land Use Permit Manual
  - 8. Virginia Erosion and Sediment Control Handbook

Town of Berryville Construction Standards and Specifications - April 2015  
Section 2 \* General Design Standards

- C. Right-of-way dedication and acceptance of public streets not maintained by VDOT shall be evidenced by authorized signatures on the deed of dedication or other instrument deemed acceptable by the Town of Berryville.
- D. In order to obtain guarantee of performance to assure timely completion and competent construction of physical improvements, the applicant is required to post a bond or other acceptable surety as identified in Article VII. Performance Surety, of the Town of Berryville Subdivision Ordinance and Article III, Section 314.8 Construction and Bonding of the Town of Berryville Zoning Ordinance.
- E. Performance bonds shall be submitted to the Town of Berryville for review and approval for those streets in the Town's system (secondaries).
- F. Dedication and acceptance of public streets shall be in compliance with VDOT Memorandum SR-50-93, Guide for Additions, Abandonments, and Discontinuances, current edition.

\* WHERE THE TRENCH BOTTOM IS ROCK, IT SHALL BE EXCAVATED TO A MINIMUM OF 8" BELOW THE BOTTOM OF THE PIPE AND BACKFILLED WITH BEDDING MATERIAL FREE OF ROOTS, DEBRIS & STONES

\* WHERE SUBGRADE IS UNSTABLE, PIPE SHALL BE BEDDED ON A MINIMUM OF 8" BEDDING MATERIAL



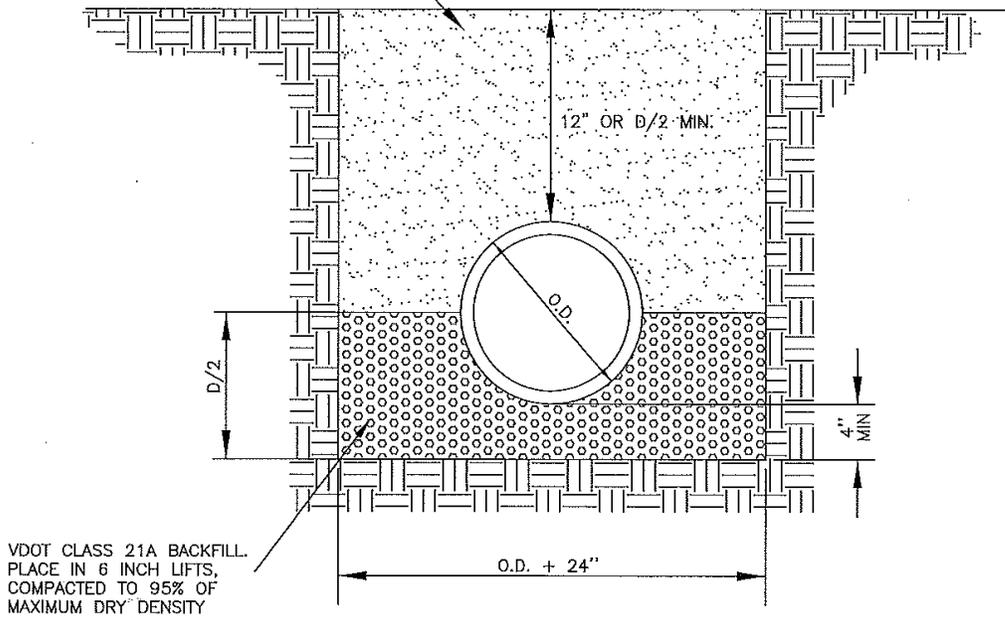
## CONCRETE STORM DRAIN BEDDING WITHIN TRAFFIC AREAS (RCP)

Figure 22

Town of Berryville  
Water and Sewer Construction Standards and Specifications 2015

- \* WHERE THE TRENCH BOTTOM IS ROCK, IT SHALL BE EXCAVATED TO A MINIMUM OF 8" BELOW THE BOTTOM OF THE PIPE AND BACKFILLED WITH BEDDING MATERIAL FREE OF ROOTS, DEBRIS & STONES
- \* WHERE SUBGRADE IS UNSTABLE, PIPE SHALL BE BEDDED ON A MINIMUM OF 8" BEDDING MATERIAL

BACK FILL MAY BE EXCAVATED TRENCH MATERIAL EXCEPT HIGHLY AND ORGANIC SILTS & CLAYS FREE OF ROOTS, DEBRIS & STONES LARGER THAN 3" DIAMETER



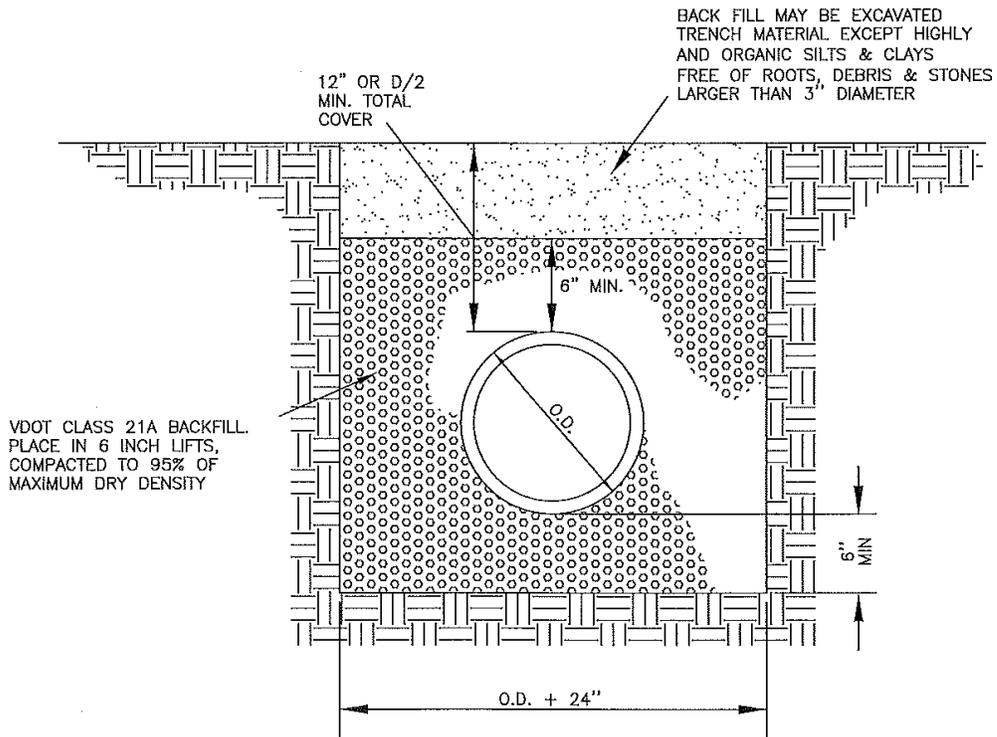
VDOT CLASS 21A BACKFILL. PLACE IN 6 INCH LIFTS, COMPACTED TO 95% OF MAXIMUM DRY DENSITY

## CONCRETE STORM DRAIN BEDDING OUTSIDE TRAFFIC AREAS (RCP)

Figure 23

Town of Berryville  
Water and Sewer Construction Standards and Specifications 2015

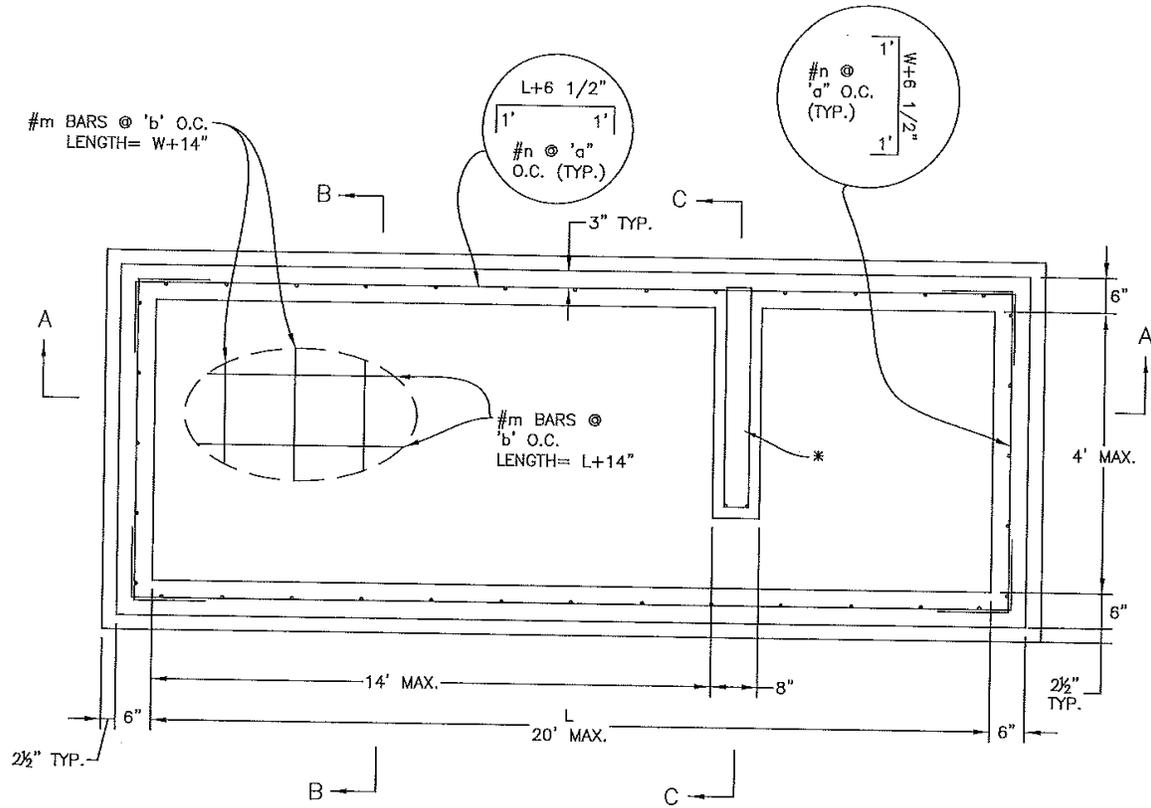
- \* WHERE THE TRENCH BOTTOM IS ROCK, IT SHALL BE EXCAVATED TO A MINIMUM OF 8" BELOW THE BOTTOM OF THE PIPE AND BACKFILLED WITH BEDDING MATERIAL FREE OF ROOTS, DEBRIS & STONES
- \* WHERE SUBGRADE IS UNSTABLE, PIPE SHALL BE BEDDED ON A MINIMUM OF 8" BEDDING MATERIAL
- \* HDPE PIPE MUST BE INSTALLED PER MANUFACTURERS SPECS



**CONCRETE STORM DRAIN BEDDING  
WITHIN EASEMENT OR NON-TRAFFIC AREAS  
(CORRUGATED HDPE)**

**Figure 24**

**Town of Berryville**  
Water and Sewer Construction Standards and Specifications 2015



PLAN VIEW  
TOP SLAB REMOVED

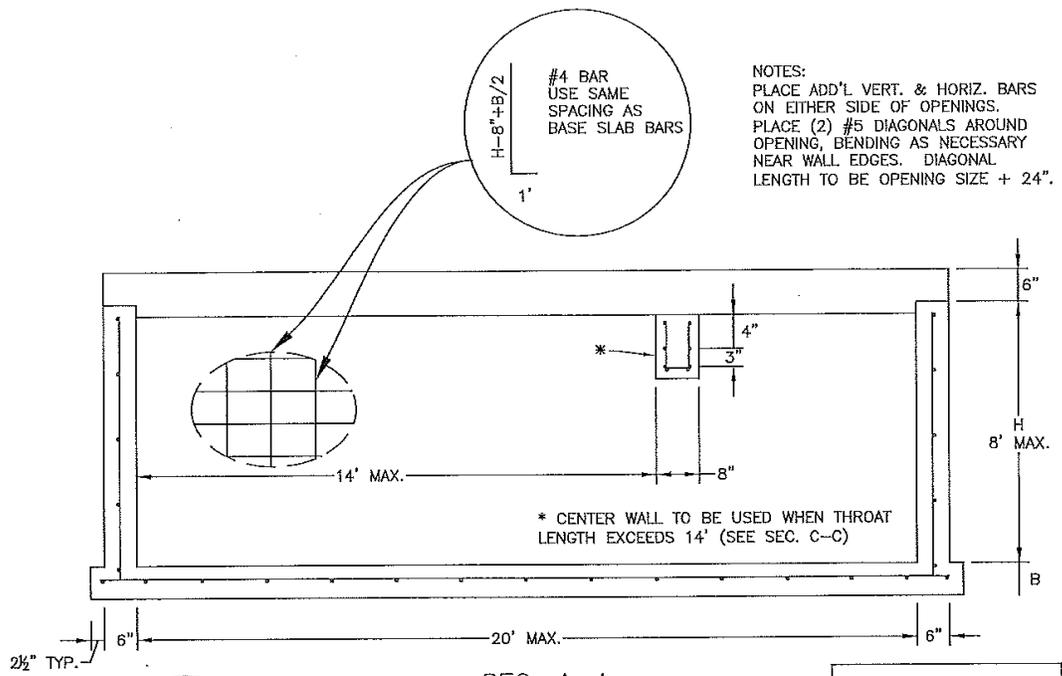
\* CENTER WALL TO BE USED WHEN THROAT LENGTH EXCEEDS 14' (SEE SEC. C-C)

- NOTES:
1. CONCRETE TO BE 4,000 PSI MIN.
  2. STEEL TO BE GRADE 60
  3. DOWEL HOLES PROVIDED TO PREVENT SETTLEMENT OF ADJACENT CONCRETE
  4. WEEP HOLES PROVIDED
  5. STEPS PROVIDED WHEN HEIGHT IS 4' OR GREATER
  6. GUTTER PAN/THROAT FACE TO BE POURED IN FIELD

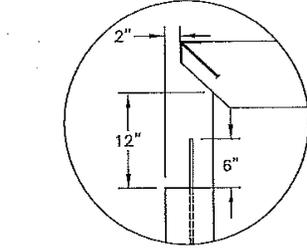
| BAR SPACING |        |     |      |     |
|-------------|--------|-----|------|-----|
| L           | HORIZ. |     | BASE |     |
|             | n      | a   | m    | b   |
| >16'        | 5      | 6"  | 4    | 12" |
| >12'        | 5      | 9"  | 4    | 12" |
| >8'         | 4      | 9"  | 4    | 16" |
| ≤8'         | 4      | 14" | 4    | 16" |

**DI-3A, 3B, 3C (SHALLOW)**  
Figure 25A

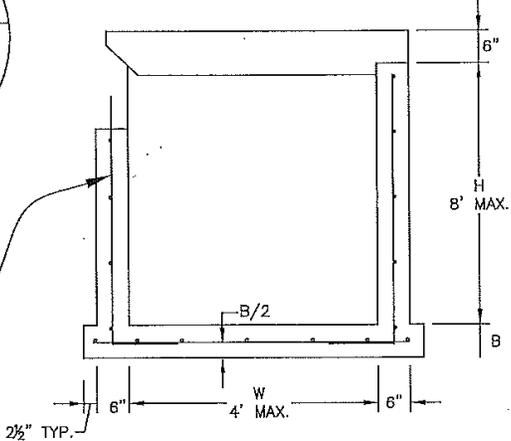
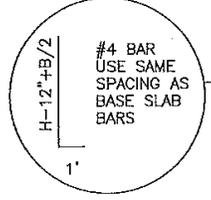
Town of Berryville  
Water and Sewer Construction Standards and Specifications 2015



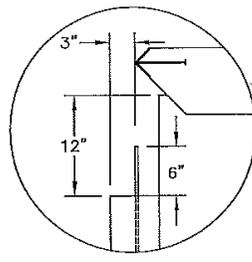
SEC. A-A



| SLAB THICKNESS |       |    |
|----------------|-------|----|
| H              | L     | B  |
| >7'            | >14'  | 8" |
| >7'            | ≤14'  | 6" |
| ≤7'            | ≤LMAX | 6" |



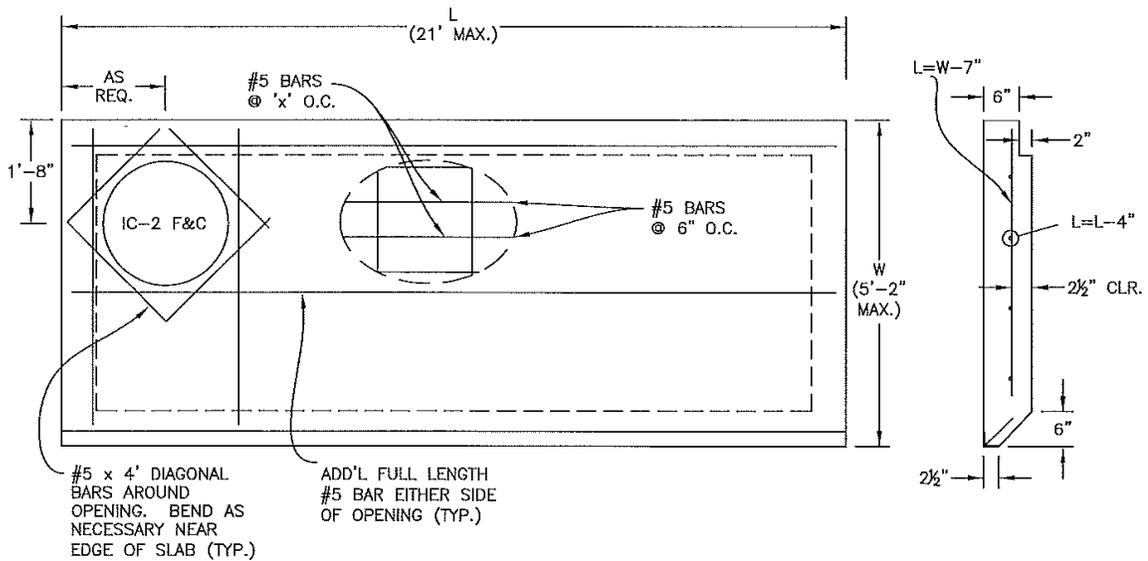
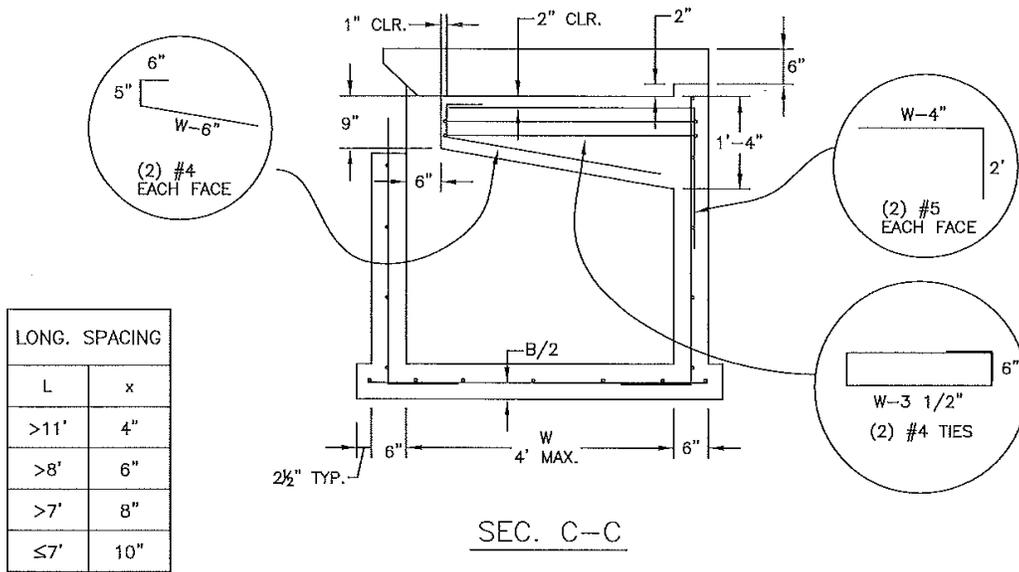
SEC. B-B



FOR USE WITH CG-3 AND CG-7 CURB AND GUTTER

DI-3A, 3B, 3C (SHALLOW)  
 Figure 25B

Town of Berryville  
 Water and Sewer Construction Standards and Specifications 2015



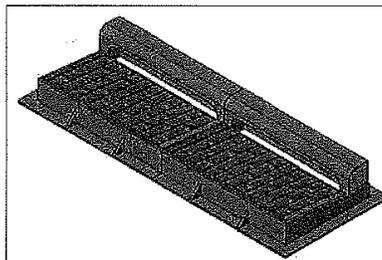
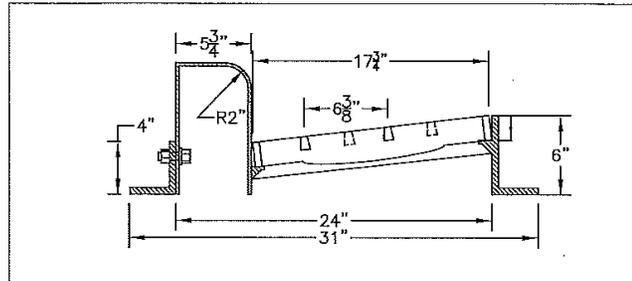
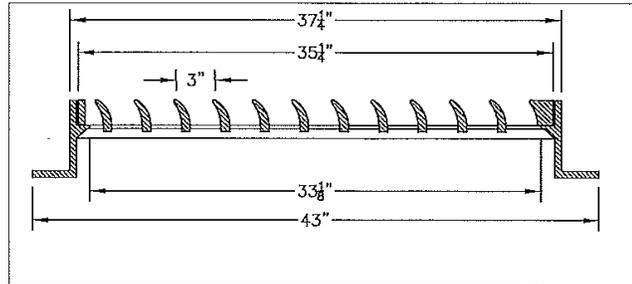
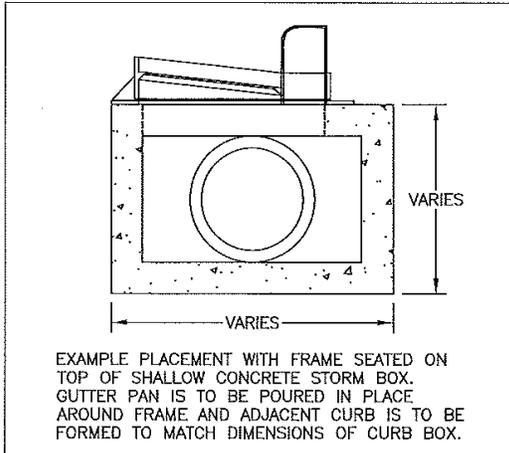
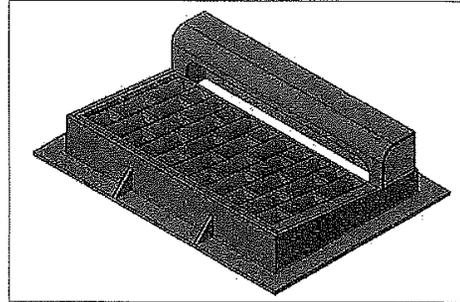
TOP SLAB

**DI-3A, 3B, 3C (SHALLOW)**

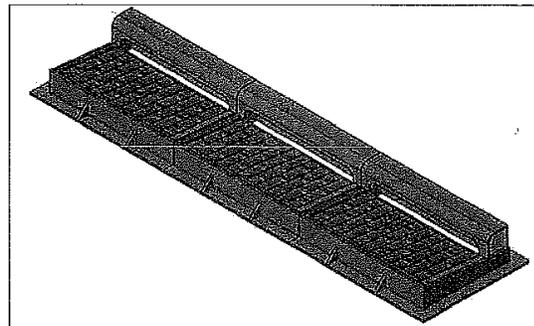
Figure 25C

Town of Berryville  
Water and Sewer Construction Standards and Specifications 2015

COMBINATION INLET FRAME, GRATE, AND CURB BOX MFG. BY NEENAH FOUNDRY  
 MODEL NUMBER R-3295  
 TYPE "L" GRATES



MODEL NUMBER R-3295-2 FOR DUAL INLET SITUATIONS



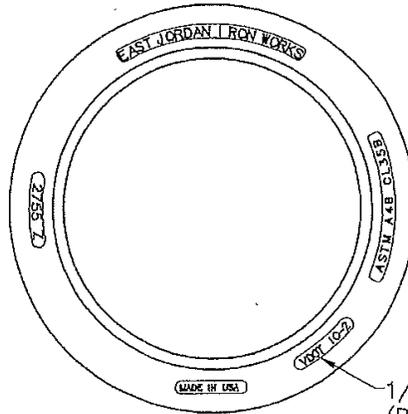
MODEL NUMBER R-3295-3 FOR THREE INLET SITUATIONS. ADD'L MIDDLE UNITS CAN BE ADDED FOR INCREASED LENGTH

### MODIFIED DI-1 (SHALLOW)

Figure 26

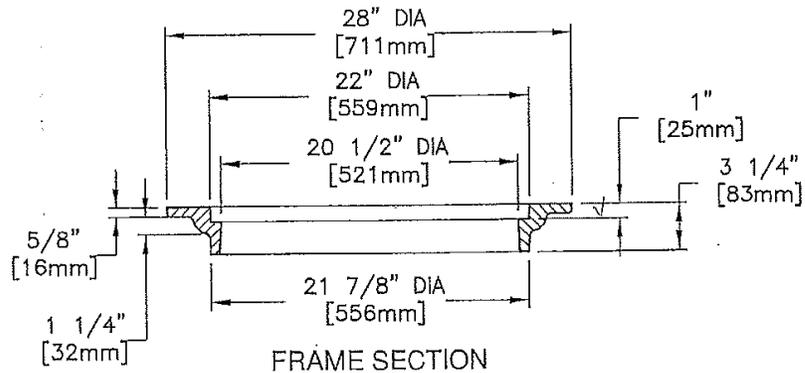
#### Town of Berryville

Water and Sewer Construction Standards and Specifications 2015



1/2" RAISED LETTERING  
(RECESSED FLUSH)

PLAN VIEW



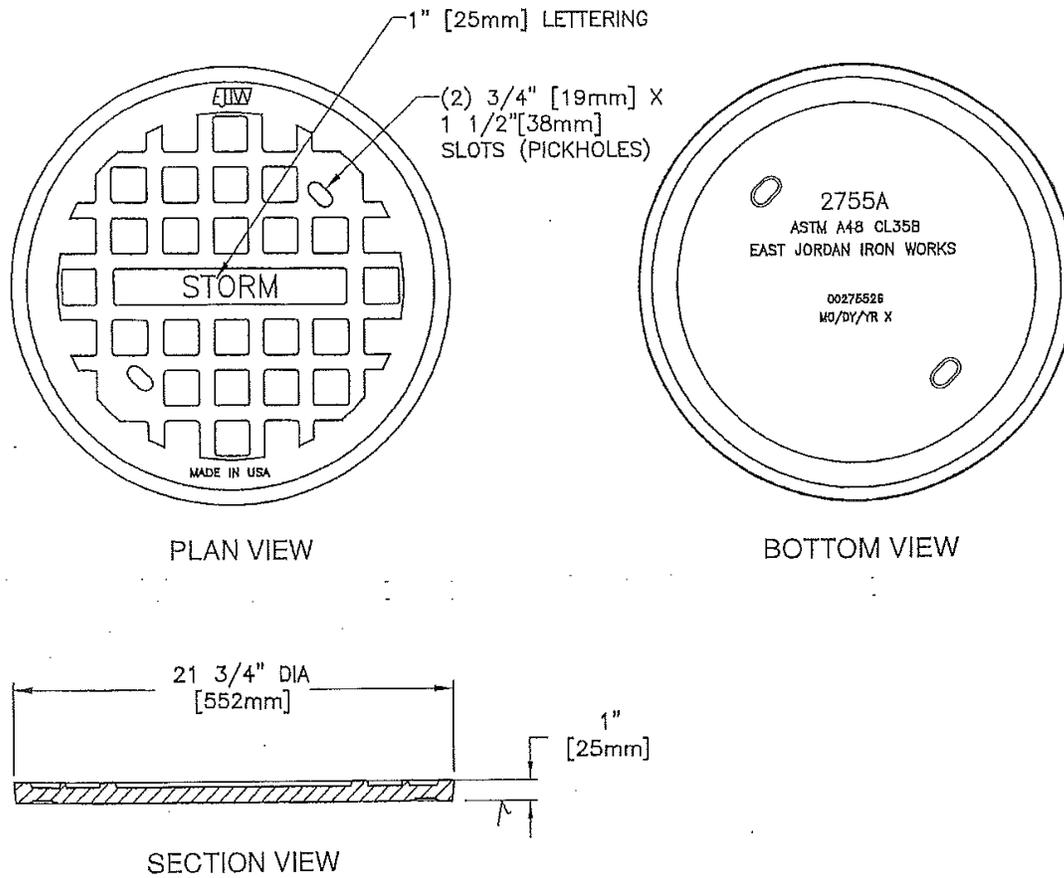
FRAME SECTION

√ MACHINED SURFACE

**28" MANHOLE FRAME  
HEAVY DUTY RATING**

Figure 27A

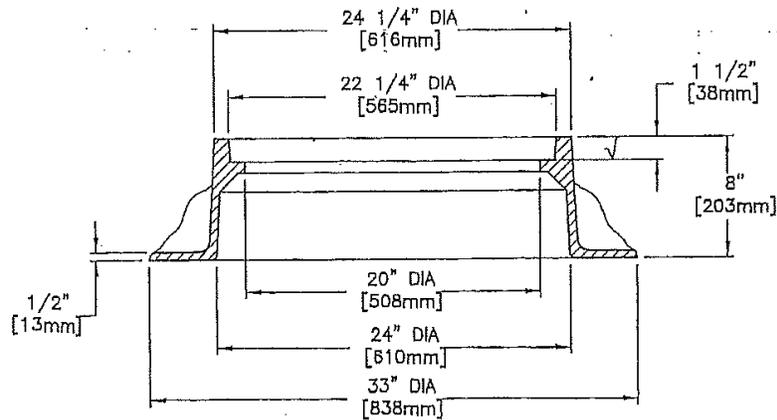
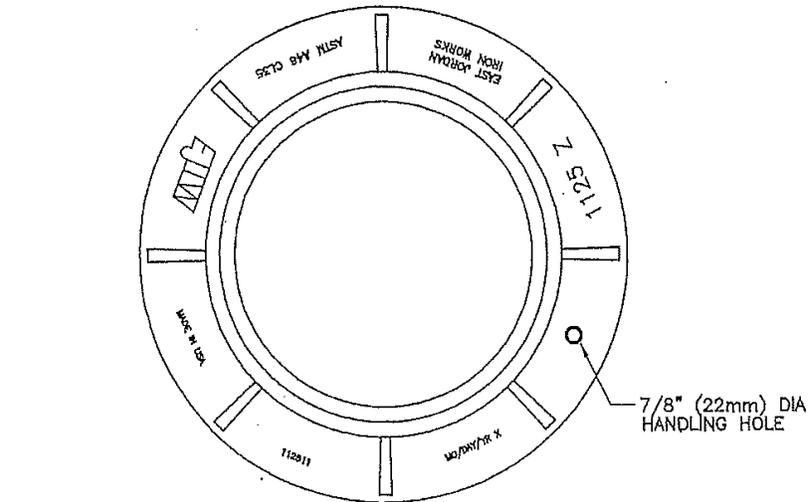
**Town of Berryville**  
Water and Sewer Construction Standards and Specifications 2015



**21<sup>3/4</sup>" SPECIAL LETTERED COVER  
HEAVY DUTY RATING**

**Figure 27B**

**Town of Berryville**  
Water and Sewer Construction Standards and Specifications 2015



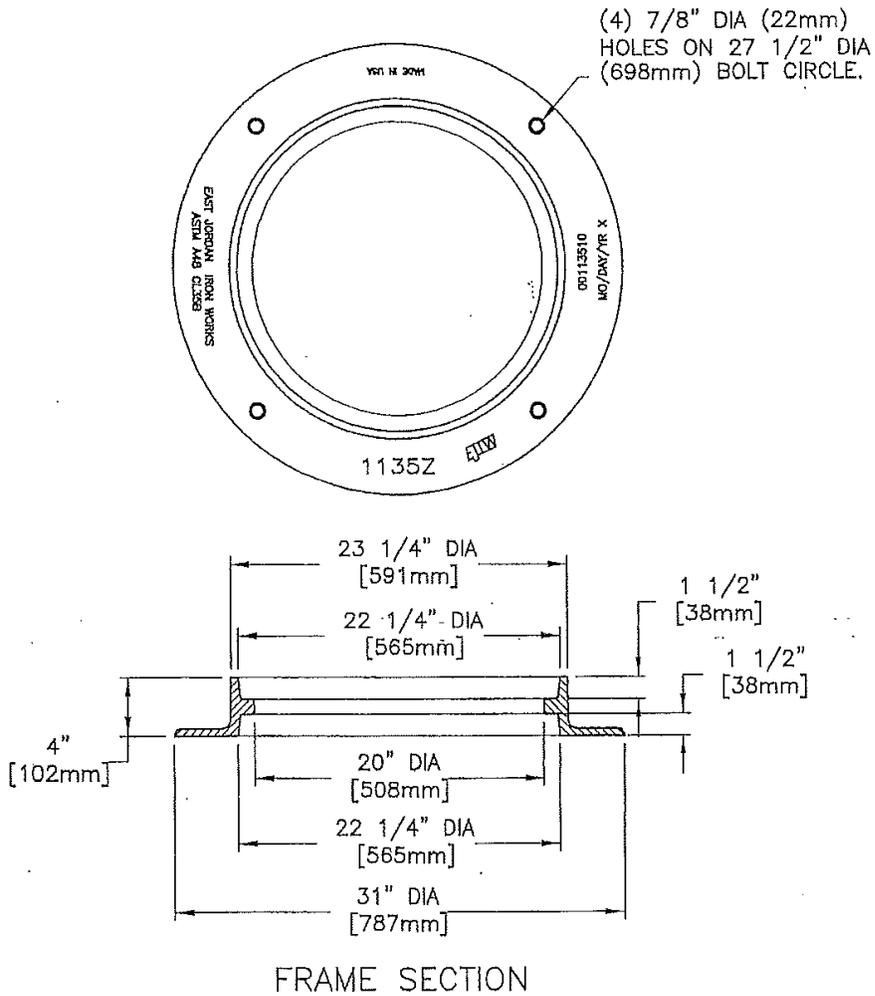
FRAME SECTION

√ MACHINED SURFACE

**24 1/4" MANHOLE FRAME  
HEAVY DUTY RATING**

Figure 28

**Town of Berryville**  
Water and Sewer Construction Standards and Specifications 2015

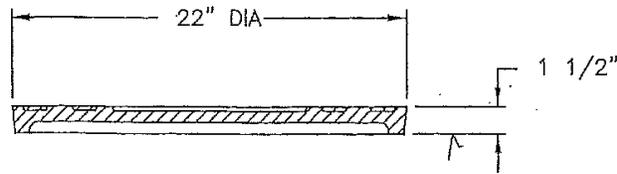
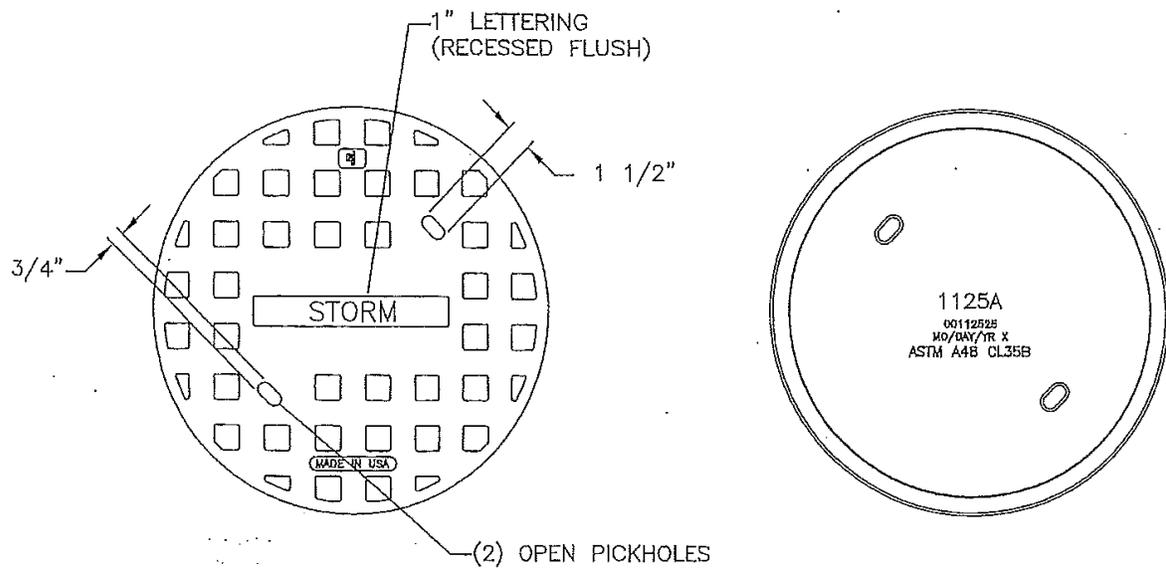


NOTE: FRAME IS REVERSIBLE  
AND CAN BE INSTALLED AS A  
TOP FLANGE UNIT.

**23<sup>1</sup>/<sub>4</sub>" MANHOLE FRAME  
HEAVY DUTY RATING**

Figure 29

**Town of Berryville**  
Water and Sewer Construction Standards and Specifications 2015



COVER SECTION

**1125A STORM MANHOLE COVER  
 FITS 4" AND 8" FRAMES  
 HEAVY DUTY RATING**

Figure 30

**Town of Berryville**  
 Water and Sewer Construction Standards and Specifications 2015

**BERRYVILLE TOWN COUNCIL**  
**Refund Request for Special Use Permit**  
**June 14, 2016**

---

Mr. Echols submitted an application on March 30, 2016, for the following request:  
**Alton Echols, Owner/Agent, is requesting the approval of a Special Use Permit under Section 614.3(c) of the Berryville Zoning Ordinance in order to construct a 60-unit multifamily housing development at the property located on a portion of the parcel located at 451 Chamberlain Street, identified as Tax Map Parcel number 14-((5))-251B, zoned Older Person Residential. SUP 03-16**

The Berryville Area Development Authority scheduled a special meeting to review the preliminary site plan as a part of the Special Use Permit application on Wednesday, May 4, 2016. Staff and engineering comment letters were sent to the applicant's engineer, however no comment response letter was received and the BADA could not take action on the request.

The Planning Commission set a public hearing for the Special Use Permit for their May 24, 2016 meeting, however the applicant withdrew the application and the public hearing notice was cancelled after being sent to the Winchester Star for publication.

Mr. Echols is requesting a refund of fees for this request. His application fee was \$2,000. Below are monies spent on the review of the application and payment to BADA members. Please note: staff time was not included in these figures.

|                                    |                   |
|------------------------------------|-------------------|
| Engineering bill (Invoice #689360) | \$945.00          |
| <u>Meeting Participants (BADA)</u> | <u>\$170.00</u>   |
| <b>TOTAL FUNDS SPENT</b>           | <b>\$1,115.00</b> |

The remaining fees total \$885.

The following items are included in this packet:

- SUP application;
- Comment memo from staff dated April 15, 2016;
- Comment letter from Pennoni Engineers dated April 18, 2016;
- Pennoni invoice #689360 with fees highlighted by Pennoni staff; and
- Motion for action.

**Recommendation**

Discuss at the meeting.

LAND DEVELOPMENT APPLICATION TOWN OF BERRYVILLE

(Please print or type)

Current Property Owner A.C. ECHOLS JR.  
Owner's Address 400 CUSTER COURT BERRYVILLE VA.  
Phone 540-955-2618  
Agent (Contact Person) ALTON ECHOLS  
Agent's Address SAME AS ABOVE  
Phone 540-955-2618

Check Appropriate Request:

- Subdivision - creating more than 2 lots
- Minor Subdivision - single lot divided into 2 lots
- Boundary Line Adjustment
- Site Plan
- Rezoning
- Text Amendment: \_\_\_\_\_ Zoning or \_\_\_\_\_ Subdivision Ordinance
- ARB Certificate of Appropriateness
- Town of Berryville Utilities
- Other: SPECIAL USE PERMIT



Complete As Applicable:

Nature of Request/Proposal: SUP FOR 60 UNIT MULTIFAMILY  
Tax Map & Parcel Number(s): 14-5-251B  
Size of Project Site: 10.98 AC  
Proposed # of Lots: 1 Existing Zoning OPR

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: A.C. Echols Jr. Trustee Date: 3/30/16

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: Alton Echols - Trustee Date: 3/30/16

OFFICE USE ONLY

Public Hearing Required? \_\_\_\_\_ Dates Advertised \_\_\_\_\_

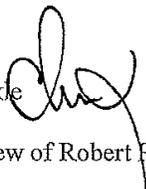
Adjoining Property Owners Notified? \_\_\_\_\_

Action Taken: \_\_\_\_\_

C:\Users\jcrickson\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\KKD7V3ZJ\LANDDEV.DOC 3/05

**TOWN OF BERRYVILLE**  
**Department of Planning & Zoning**  
101 Chalmers Court, Suite A \* Berryville, Virginia 22611  
[T] 540/955-4081 [F] 540/955-4524  
[E] planner@berryvilleva.gov

# Memo

DATE: April 15, 2016  
TO: Jon Erickson  
CC: file  
FROM: Christy Dunkle   
RE: Cursory review of Robert Regan SUP

Jon-

Following are cursory comments on the SUP submittal for the Robert Regan House that were submitted on March 30, 2016:

1. Please identify water and sanitary sewer mains and proposed street lights.
2. Please identify access easement and information on timing of development of both this parcel, the adjacent parcel to the west (14A7-((14))-1), and the access to the Regan facility if the adjacent development is not concurrent with this development.
3. Please submit a narrative for storm water management of this site that includes the proposed quadraplex development.
4. Section 614.11 requires that at least 25% off the gross site area be landscaped open space. While the planting plan can be submitted with the final site plan, please identify and calculate the open space requirement.
5. Please clarify the access from Chamberlain on the east into the development.



PENNONI ASSOCIATES INC.  
CONSULTING ENGINEERS

April 18, 2016

Ms. Christy Dunkle  
Assistant Town Manager/Planner  
101 Chalmers Court, Suite A  
Berryville, VA 22611

**RE: ROBERT REGAN VILLAGE SUP APPLICATION;  
PRELIMINARY SITE PLAN REVIEW**

Dear Ms. Dunkle,

We have completed our review of the Preliminary Site Plan for Robert Regan Village. The Preliminary Site Plan identifies a 60 unit apartment complex, which is subject to the proposed Special Use Permit Application, as well as 44 quadraplex units on the adjoining acreage which are permitted by-right. As a general observation, we would note that the plan is preliminary in nature without final design details, so our review is limited to only that information provided.

We offer the following comments for your consideration:

Phasing

1. The plan provides a conceptual layout for multiple uses, with an apartment building requiring a special use permit, quadraplex units permitted by-right, and an assisted living facility proposed by others on an adjoining lot. The plan should identify phases of development and improvements proposed within individual phases of development.

Site Access and Transportation

2. Access to the site is proposed by an extension of Chamberlain Street as a private roadway as well as an interparcel connection to the adjoining parcel (TM 14A7-14-1) providing for access to Mosby Boulevard. It is not clear from the drawing if the off-site entrance to Mosby Boulevard is proposed as part of the project or if it is intended to be only a future condition.
3. Dimensions for the entrance roadways, parking lot drive aisles, and parking spaces are not provided.
4. With access provided to the site via private roadways, we would recommend that the plan specify a typical section for those improvements.
5. The plan appears to show sidewalks along Chamberlain Street, but no pedestrian access is identified to the off-site connection with Mosby Boulevard. We recommend more clearly identifying pedestrian access improvements.

Stormwater Management

1. The proposed improvements will require a stormwater discharge permit and the stormwater management plan will need to accommodate both quantity and quality requirements. The preliminary site plan does not include design information related to stormwater management. We recommend identifying a conceptual stormwater management plan for the project.

117 East Piccadilly Street • Winchester, VA 22601 • Ph: 540-667-2139 • Fx: 540-665-0493  
www.pennoni.com

Site Utilities

1. No information is provided on the preliminary site plan regarding existing and proposed site utilities. We recommend identifying a conceptual layout for site utilities.

If you have any questions, please contact me at (540) 667-2139.

Sincerely,

**PENNONI ASSOCIATES INC.**



Ronald A. Mislowsky, PE



# INVOICE

Winchester, VA  
540-667-2139 Fax: 540-665-0493

*Emailed for clarification*  
*5/5/16*

Remit Payment To:  
Pennoni  
P.O. Box 827328  
Philadelphia, PA 19182-7328

Keith Dalton  
Town of Berryville  
101 Chalmers Court  
Suite A  
Berryville, VA 22611

Invoice # : 689360  
Invoice Date : 05/10/2016  
Project : TBVL1301  
Project Name : Town of Berryville Consulting Svcs.

**For Professional Services Rendered through: 05/01/2016**

Task Order #7

| Phase Code              | Phase Name                      | Fee Type | Contract Amount | Previously Billed | Current Billing | Total Billing | % Remaining Complete |
|-------------------------|---------------------------------|----------|-----------------|-------------------|-----------------|---------------|----------------------|
| 0008                    | General Development Plan Review | T&M      | \$              | 5,065.00          | \$ 1,440.00     | \$ 6,505.00   |                      |
| 008A                    | Reimbursable Expenses           | T&M      | \$              | 29.96             | \$ 0.00         | \$ 29.96      |                      |
| <b>Subtotal:</b>        |                                 |          | \$              | 5,094.96          | \$ 1,440.00     | \$ 6,534.96   |                      |
| <b>Total:</b>           |                                 |          | \$              | 5,094.96          | \$ 1,440.00     | \$ 6,534.96   |                      |
| <b>Total Amount Due</b> |                                 |          |                 |                   |                 | <b>\$</b>     | <b>1,440.00</b>      |

INVOICES DUE ON RECEIPT. Invoices outstanding over 30 days will have a Service Charge of 1 1/2% per month.

---

...Continued from previous page

Phase : 0008 -- General Development Plan Review

**Rate Schedule Labor**

| <u>Class / Employee Name</u>                                 | <u>Hours</u> | <u>Rate</u> | <u>Amount</u>   |
|--|--------------|-------------|-----------------|
| Project Engineer   | 3.50         | 90.00       | 315.00          |
| SENIOR PRINCIPALS  | 6.25         | 180.00      | 1,125.00        |
| <b>Rate Schedule Labor</b>                                   |              |             | <b>1,440.00</b> |
| <b>Total Phase : 0008 -- General Development Plan Review</b> |              |             | <b>1,440.00</b> |

---

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**Total Project : TBVL1301 -- Town of Berryville Consulting Svcs. 1,440.00**

INVOICES DUE ON RECEIPT. Invoices outstanding over 30 days will have a Service Charge of 1 1/2% per month.

Pennoni Associates Inc.

Page: 2

# Pennoni

## Project Detail Charges



Grouped by:

Report as of Date: 5/10/2016  
 Period End Dates: 4/3/2016 Thru 5/1/2016  
 Transaction Dates: 3/31/2016 Thru 5/1/2016

| EVC Code / Name               | Class / GL Acct   | Task / Co / Org                     | Actv/ Unit | Bill Ind | Document Number | Transaction Date   | Hours / Quantity | Class                  |
|-------------------------------|---|-------------------------------------|------------|----------|-----------------|--------------------|------------------|------------------------|
| <b>Project</b> TBVL1301       |   | Town of Berryville Consulting Svcs. |            |          | Clnt : TBVL     | Town of Berryville | Resp Org : 8100  | Start Date : 8/29/2013 |
| <b>Phase :</b> 0008           |   | General Development Plan Review     |            |          |                 |                    |                  |                        |
| <b>Task:</b> ****             |   | Professional Services               |            |          |                 |                    |                  |                        |
| <b>Labor</b>                  |   |                                     |            |          |                 |                    |                  |                        |
| 003010                        | Mislowksy, Ronald A.  | 1PE **** ** 8100                    | ****       | B        | 003010          | 3/31/2016          | 0.50             | Principal Engineer     |
| 003010                        | Regan Mixed use review<br>Mislowksy, Ronald A.  | 1PE **** ** 8100                    | ****       | B        | 003010          | 4/5/2016           | 1.50             | Principal Engineer     |
| 003010                        | battle fird kick off review meeintg, status of plan and approval needed going forward<br>Mislowksy, Ronald A.             | 1PE **** ** 8100                    | ****       | B        | 003010          | 4/11/2016          | 0.50             | Principal Engineer     |
| 003010                        | regan house discussionw ith town and sowers, review letter and minutes<br>Mislowksy, Ronald A.                            | 1PE **** ** 8100                    | ****       | B        | 003010          | 4/13/2016          | 0.50             | Principal Engineer     |
| 003010                        | regan house with Patrick<br>Mislowksy, Ronald A.  | 1PE **** ** 8100                    | ****       | B        | 003010          | 4/14/2016          | 1.50             | Principal Engineer     |
| 003010                        | review storm,water design for previous plans and meeintg with christy on Regan House special Use.<br>Mislowksy, Ronald A. | 1PE **** ** 8100                    | ****       | B        | 003010          | 4/18/2016          | 0.50             | Principal Engineer     |
| 003010                        | finla comments with Patrick<br>Mislowksy, Ronald A.   | 1PE **** ** 8100                    | ****       | B        | 003010          | 4/25/2016          | 1.25             | Principal Engineer     |
| 104987                        | meeting on fellowship square with developer<br>Sowers, Patrick  | 3PE **** ** 8100                    | ****       | B        | 104987          | 4/13/2016          | 0.50             | Project Engineer       |
| 104987                        | Review preliminary site plan for Regan Village SUP, pull stormwater management report.<br>Sowers, Patrick                 | 3PE **** ** 8100                    | ****       | B        | 104987          | 4/14/2016          | 1.25             | Project Engineer       |
| 104987                        | Discuss comments with Ron Mislowksy, Meeting with Christy Dunkle.<br>Sowers, Patrick                                      | 3PE **** ** 8100                    | ****       | B        | 104987          | 4/15/2016          | 0.25             | Project Engineer       |
| 104987                        | Review memo from Christy Dunkle, E-mail response to Christy.<br>Sowers, Patrick   | 3PE **** ** 8100                    | ****       | B        | 104987          | 4/18/2016          | 1.00             | Project Engineer       |
| 104987                        | Regan Village Comment Letter to Christy Dunkle.<br>Sowers, Patrick  | 3PE **** ** 8100                    | ****       | B        | 104987          | 4/19/2016          | 0.50             | Project Engineer       |
|                               | Final revised letter to Christy Dunkle.   |                                     |            |          |                 |                    |                  |                        |
| <b>Labor Total</b>            |   |                                     |            |          |                 |                    | <b>9.75</b>      |                        |
| <b>Project TBVL1301 Total</b> |   |                                     |            |          |                 |                    |                  |                        |

# Pennoni

## Project Detail Charges



Grouped by:

Report as of Date: 5/10/2016  
 Period End Dates: 4/3/2016 Thru 5/1/2016  
 Transaction Dates: 3/31/2016 Thru 5/1/2016

| EVC Code / Name         | Class / GL Acct  | Task / Co / Org | Actv/ Unit | Bill Ind | Document Number    | Transaction Date          | Hours / Quantity              | Class                         |
|-------------------------|--|-----------------|------------|----------|--------------------|---------------------------|-------------------------------|-------------------------------|
| <b>Project</b> TBVL1301 | <b>Town of Berryville Consulting Svcs.</b>   |                 |            |          | <b>Clnt : TBVL</b> | <b>Town of Berryville</b> |                               |                               |
| <b>Phase :</b> 0008     | <b>General Development Plan Review</b>   |                 |            |          |                    |                           |                               |                               |
| <b>Task :</b> ****      | <b>Professional Services</b>   |                 |            |          |                    |                           |                               |                               |
|                         |  |                 |            |          |                    |                           | <b>Resp Org : 8100</b>        | <b>Start Date : 8/29/2013</b> |
| <b>Labor</b>            |  |                 |            |          |                    |                           |                               |                               |
| 003010                  | Mislow, Ronald A.  | 1PE             | ****       | **       | 8100               | **** B 003010             | 3/31/2016                     | 0.50 Principal Engineer       |
| 003010                  | Regan Mixed use review<br>Mislow, Ronald A.  | 1PE             | ****       | **       | 8100               | **** B 003010             | 4/5/2016                      | 1.50 Principal Engineer       |
| 003010                  | battle field kick off review meeintg, status of plan and approval needed going forward<br>Mislow, Ronald A.            | 1PE             | ****       | **       | 8100               | **** B 003010             | 4/11/2016                     | 0.50 Principal Engineer       |
| 003010                  | regan house discussionw ith town and sowers, review letter and minutes<br>Mislow, Ronald A.                            | 1PE             | ****       | **       | 8100               | **** B 003010             | 4/13/2016                     | 0.50 Principal Engineer       |
| 003010                  | regan house with Patrick<br>Mislow, Ronald A.  | 1PE             | ****       | **       | 8100               | **** B 003010             | 4/14/2016                     | 1.50 Principal Engineer       |
| 003010                  | review storm,water design for previous plans and meeintg with christy on Regan House special Use.<br>Mislow, Ronald A. | 1PE             | ****       | **       | 8100               | **** B 003010             | 4/18/2016                     | 0.50 Principal Engineer       |
| 003010                  | finla comments with Patrick<br>Mislow, Ronald A.   | 1PE             | ****       | **       | 8100               | **** B 003010             | 4/25/2016                     | 1.25 Principal Engineer       |
| 104987                  | meeting on fellowship square with developer<br>Sowers, Patrick   | 3PE             | ****       | **       | 8100               | **** B 104987             | 4/13/2016                     | 0.50 Project Engineer         |
| 104987                  | Review preliminary site plan for Regan Village SUP, pull stormwater management report.<br>Sowers, Patrick              | 3PE             | ****       | **       | 8100               | **** B 104987             | 4/14/2016                     | 1.25 Project Engineer         |
| 104987                  | Discuss comments with Ron Mislow, Meeting with Christy Dunkle.<br>Sowers, Patrick                                      | 3PE             | ****       | **       | 8100               | **** B 104987             | 4/15/2016                     | 0.25 Project Engineer         |
| 104987                  | Review memo from Christy Dunkle, E-mail response to Christy.<br>Sowers, Patrick  | 3PE             | ****       | **       | 8100               | **** B 104987             | 4/18/2016                     | 1.00 Project Engineer         |
| 104987                  | Regan Village Comment Letter to Christy Dunkle.<br>Sowers, Patrick   | 3PE             | ****       | **       | 8100               | **** B 104987             | 4/19/2016                     | 0.50 Project Engineer         |
|                         | Final revised letter to Christy Dunkle.  |                 |            |          |                    |                           |                               |                               |
|                         |  |                 |            |          |                    |                           | <b>Labor Total</b>            | <b>9.75</b>                   |
|                         |  |                 |            |          |                    |                           | <b>Project TBVL1301 Total</b> |                               |

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BERRYVILLE TOWN COUNCIL  
MOTION TO REFUND APPLICATION FEES

Date: June 14, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville authorize the Town Treasurer to refund \$\_\_\_\_\_ to Mr. Echols for Special Use Permit 03-16. Of the \$2,000 application fee, \$1,115 has been spent on engineering and meeting participation costs. This amount does not include staff time.

VOTE:

Aye:

Nay:

Absent:

# Attachment 5

**June 14, 2016**

The Town Council discussed this matter at the May meeting and directed staff to continue their review of the matter. Staff was to provide Town Council with a revised FOIA policy and a recommendation regarding designation of a local FOIA Officer.

Staff reviewed the templates provided and found that they constituted a rather confusing mix of policy and plain language explanation. Accordingly, staff has prepared a policy for Town Council's review and is in the process of completing a plain language explanation, as required by HB 818, which will be posted on the Town's website. The policy has been reviewed once by the Town's legal counsel and a revised policy is being reviewed presently. That review will be completed prior to your meeting.

Staff recommends that two FOIA officers be appointed. One officer would handle request concerning general government records and the other would handle requests for police records. It is important to add that while the name of the FOIA Officer will be provided on the Town's website as required by HB 818, staff recommends that the Town Council's action be to appoint positions as opposed to individuals to the posts in question.

Staff requests that the Town Council adopt the attached motions to 1) appoint the Town Clerk as the FOIA Officer for General Government Records and appoint the Chief of Police as the FOIA Officer for Police Records, and 2) repeal the existing Town FOIA Policy and adopt the newly drafted Town FOIA Policy.

Once these actions are taken, Staff will complete the work of placing required information on the website.

**May 10, 2016**

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.

BERRYVILLE TOWN COUNCIL  
MOTION TO DESIGNATE FOIA OFFICERS

Date: June 14, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville designate the Town Clerk as the FOIA Officer responsible for general Town records, and the Chief of Police as the FOIA Officer responsible for police department records.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

---

Harry Lee Arnold, Jr., Recorder

BERRYVILLE TOWN COUNCIL

MOTION TO REPEAL THE CURRENT FOIA POLICY AND  
ADOPT THE NEW FOIA POLICY

Date: June 14, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville repeal the current Town FOIA policy and adopt the attached new FOIA policy effective immediately.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

---

Harry Lee Arnold, Jr., Recorder

**Town of Berryville**  
**FOIA Policy**  
(Revised July 2016)

**General Policy Information**

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 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.

**Contacts**

For **general Town of Berryville records**, the designated FOIA Officer is:

Town Clerk  
Town of Berryville  
101 Chalmers Court, Suite A, Berryville, VA 22611  
Tel: 540-955-1099 Fax: 540-955-4524  
[foiatown@berryvilleva.gov](mailto:foiatown@berryvilleva.gov)

For **Police Department records**, the designated FOIA Officer is:

Chief of Police  
Town of Berryville  
101 Chalmers Court, Suite A, Berryville, VA 22611  
Tel: 540-955-3863 Fax: 540-955-0207  
[foiapolice@berryvilleva.gov](mailto:foiapolice@berryvilleva.gov)

For general questions concerning requesting records from the Town of Berryville, contact the appropriate FOIA Officer. In addition, the Freedom of Information Advisory Council is available to answer any questions about FOIA. The Council may be contacted by e-mail at [foiacouncil@dls.virginia.gov](mailto:foiacouncil@dls.virginia.gov), or by phone at (804) 225-3056 or toll free at (866) 448-4100.

## **Fee Policy**

- The Town, as a public body, may make reasonable charges not to exceed the actual cost incurred in staff time for 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. This allows the requester an opportunity to modify a request if a lower estimated cost is desired.
- Fees are charged only if the cost to fulfill the request and produce the documents is more than \$25. If the FOIA Officer determines that a requester is making sequential inquiries which are an extension or continuation of a previous request, then charges may be billed cumulatively for staff time for accessing, duplicating, supplying, or searching for the requested records.
- If the Town estimates that it will cost more than \$200 to respond to a request, a deposit not to exceed the amount of the estimate, may be required before the request is processed or fulfilled. The five day response window does not include the time between when the Town asks for a deposit and when the requester responds.
- If a requester owes money from a previous FOIA request that has remained unpaid for more than 30 days, the Town may require payment of the past-due bill before it will respond to a new FOIA request.

## **Policy regarding the use of exemptions**

- The general policy of the Town of Berryville 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 Town of Berryville.
- The general policy of the Town of Berryville is to invoke the contract negotiations exemption whenever it applies in order to protect the Town's bargaining position and negotiating strategy.
- All other exemptions provided for under the Act may be exercised by the Town if deemed lawful and appropriate.

# Attachment 6

The Town holds \$88,133.74 in retainage for the Wastewater Treatment Plant construction project. This retainage has not been released because the contractor failed to provide "red line drawings" as required by the contract. The contract specifically provides for the owner to be able to withhold final payment until required as-built information is provided.

The Town has always taken the position that the retainage will be released upon receipt of complete "red line drawings".

The contractor has taken the position that they gave the Town the "red line drawings" and the Town agreed to take the task of keeping the "red line drawings" on itself. Because the Town did not release the retainage the contractor filed suit against the Town for contract breach.

The contractor has agreed to provide the information the Town requires (the "red lines") so that "As-Built" plans can be produced. The Town remains ready to release the retainage upon receipt of complete red line drawings. The attached Agreement memorializes these points and provides for dismissal of the suit and a mutual release of claims.

Staff requests approval of the agreement. The attached motion provides for approval of the agreement, authorization for the Town Manager to execute the agreement, and authorization for the Town Manager to make minor changes to the agreement prior to execution of the document.

BERRYVILLE TOWN COUNCIL

MOTION TO APPROVE CALDWELL & SANTMYER SETTLEMENT AGREEMENT

Date: June 14, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville approve the attached settlement agreement between the Town and Caldwell & Santmyer and authorize the Town Manager to execute the agreement on behalf of the Town. Further the Council authorizes the Town Manager, in consultation with the Town Attorney, to make minor revisions as necessary prior to execution of the agreement.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

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Harry Lee Arnold, Jr., Recorder

## SETTLEMENT AGREEMENT AND RELEASE

This Settlement Agreement and Release (“Agreement”) is made and entered into as of the date this Agreement is fully executed (“Effective Date”), by and between Caldwell & Santmyer, Inc. (“C&S”) and the Town of Berryville (“Town”). Collectively, C&S and the Town shall be referred to as the “Parties.”

### RECITALS

**WHEREAS**, The Parties entered into contract No. WWTP2010, with Town as Owner, and C&S as Prime Contractor, for C&S to provide construction services on the Berryville Wastewater Treatment Plan Expansion and Upgrade (hereinafter “Contract” or “Project”);

**WHEREAS**, C&S contends that it completed all work required of it under the Contract, and submitted a pay application for the final payment due of \$88,113.74;

**WHEREAS**, the Town contended that it did not receive the record drawings, annotated to show all changes made during the construction process as required by the Contract, and, therefore, refused to provide final payment;

**WHEREAS**, C&S filed suit in the Circuit Court for Clarke County, Virginia, styled as *Caldwell & Santmyer, Inc. v. Town of Berryville*, Civil Action No. CL15003360-00 (the “Litigation”) asserting an action for contract breach, and seeking damages in the amount of \$88,113.74 plus cost and interest; and

**WHEREAS**, by virtue of this Agreement, the Parties desire to fully and completely resolve disputes between them in good faith, and to fully and finally settle all claims, defenses, and/or cross-claims that may or could be asserted in connection with the Contract and the Litigation, with no party admitting any liability to the other party, other than for the obligations agreed to under this Agreement.

**NOW THEREFORE**, in consideration of the premises and the mutual promises and covenants of the Parties contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. RECITALS. The above recitals are true and correct and are incorporated into, and form an integral part of, this Agreement.
2. NON-ADMISSION OF LIABILITY. Nothing in this Agreement shall constitute or be construed as an admission of liability on behalf of any of the Parties, their agents, affiliates, sureties, indemnitors, assigns, parents, successors, subsidiaries, and/or successors, or an admission as to the validity of any allegations pertaining to the Project.

3. ATTORNEY REPRESENTATION. This Agreement is entered into voluntarily by the Parties who stipulate and agree that they are under no duress or undue influence. The Parties represent that in the execution of this Agreement, they had the opportunity to consult legal counsel of their own selection and that said attorneys have reviewed this Agreement, made any desired changes and advised their respective clients in regard to the advisability of making the settlement and release provided herein and of executing this Agreement.

4. TERMS. As full and final settlement of the dispute, the Parties agree as follows:

- a. C&S will prepare and submit to the Town within two (2) weeks of the Effective Date of this Agreement, a set of the drawings annotated to show and identify all changes which were on the plans delivered to the Town in October 2015, plus those identified in David Tyrrell's Memo of January 17, 2016, copy attached. In addition, C&S will include in the submitted drawings the seven drawings marked as "Record Drawings", dated April 24, 2015, as annotated by Painter-Lewis, P.L.C. and stamped by David F. Spriggs, showing final locations of various yard piping and the stormwater management pond.
- b. Subject to the requirements of subsection "c" below, the Town will within two (2) weeks of receipt of the drawings distribute to C&S the final payment under the contract in the amount of \$88,113.74 (the "Payment").
- c. If the drawings submitted by C&S are not in accordance with this Agreement, the Town will identify within two (2) weeks (excluding holidays) of receipt of the annotated drawings the specific deficiencies in the drawings. The Payment due pursuant to subsection "b" above will be made within two (2) weeks of receipt by the Town of corrected drawings in accordance with this Agreement.
- d. C&S will dismiss the Litigation with prejudice within seven (7) days of receipt of the Payment.
- e. Except for existing warranty obligations, and the obligations provided for herein, the Parties individually and collectively, for themselves and their partners, agents, employees and each of their respective heirs, executors administrators and assigns hereby release and discharge each other, and their heirs, personal representatives, sureties, successors and assigns, from any and all past, present or presently unknown claims, demands, obligations, actions, causes of action, suits, judgments, damages, costs, expenses and compensation of any nature whatsoever, pertaining to the Project and Litigation.
- f. Except as otherwise set forth in this Agreement, each party shall bear their own attorney's fees and related expenses and costs incurred in connection with the Project and Litigation.

5. ENTIRE AGREEMENT. This Agreement, as well as the actions referenced herein, constitutes the sole and entire agreement between the Parties and supersedes all prior and contemporaneous statements, promises, understandings, or agreements, whether written or oral.

6. PARTIAL INVALIDITY. In the event that any provision of this Agreement is declared by any court of competent jurisdiction or any administrative judge to be void or otherwise invalid, all of the other terms, conditions, and provisions of this Agreement shall remain in full force and effect to the same extent as if that part declared void or invalid had never been incorporated in the Agreement and in such form, the remainder of the Agreement shall continue to be binding upon the Parties

7. SURVIVAL. All representations and warranties contained herein shall survive the execution and delivery of this Agreement, and the execution and delivery of any other document or instrument referred to herein.

8. APPLICABLE LAW. This Agreement shall be subject to and governed by the laws of the Commonwealth of Virginia.

9. COUNTERPARTS. This Agreement may be signed and executed in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute one Agreement. Delivery of an executed counterpart of a signature page of this Agreement by facsimile or e-mail shall be effective as delivery of an originally executed counterpart of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth below.

Caldwell & Santmyer, Inc.

Dated: \_\_\_\_\_, 2016

By: \_\_\_\_\_  
Tucker Conaboy, President

Town of Berryville

Dated: \_\_\_\_\_, 2016

By: \_\_\_\_\_  
Authorized Representative

# Attachment 7

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**FINANCE AND ADMINISTRATION STAFF REPORT**

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**TO:** TOWN COUNCIL  
**FROM:** DESIREE MORELAND, TREASURER  
**SUBJECT:** BUDGET  
**DATE:** 6/9/2016  
**CC:** KEITH DALTON, TOWN MANAGER

---

The FY 16-17 Budget is presented for approval and appropriation 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%
- Increase in Real Estate tax rate 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

Town Council  
Motion for Adoption of Budget and Appropriation of Funds  
Fiscal Year 2016-2017

Date: June 14, 2016

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

I hereby move that the Council of the Town of Berryville adopt the proposed Budget for Fiscal Year 2016-2017, an approved copy of which shall be incorporated into and become a part of the Official Minutes of this meeting, and further, that all funds as set forth in the approved budget shall hereby be appropriated for Fiscal Year 2016-2017.

VOTE:

Aye:

Nay:

Absent:

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

# Attachment 8

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**FINANCE AND ADMINISTRATION STAFF REPORT**

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**TO:** TOWN COUNCIL  
**FROM:** DESIREE MORELAND, TREASURER  
**SUBJECT:** AUDIT RFP  
**DATE:** 6/9/2016  
**CC:** KEITH DALTON, TOWN MANAGER

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On March 22, 2016 the Town issued a Request for Proposals for Audit Services beginning with the fiscal year ending June 30, 2016. The Agreement provides for up to four one-year renewal options.

The RFP's were reviewed and interviews conducted. After evaluation the contract was awarded to Robinson, Farmer, Cox Associates.

# Attachment 9



## Berryville Police Department

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

[policeadmin@berryvilleva.gov](mailto:policeadmin@berryvilleva.gov)

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

W. Neal White – Chief of Police

### MEMO

**DATE: 06/09/2016**

**TO: Town Council**

**FROM: Chief W. Neal White**

**CC:**

**RE: Police Department Monthly Report – 06/14/2016**

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#### **Monthly Activity Report**

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

#### **Police and Security Committee**

A meeting of the Police and Security Committee is scheduled for June 30, 2016 at 6:00 pm.

#### **Staffing**

Kevin Bayliss has accepted a position with the department to fill the vacancy created with the retirement of Greg Frenzel. Kevin comes to the department previously serving with the Clarke County Sheriff's Office.

Officer Jeremiah Erwin resigned his position with the department effective June 7, 2016.

#### **Naloxone Update**

All officers have received training in the use of Naloxone as an intervention for opioid related overdoses. All officers have also been issued the equipment and medication to carry with them while they are on duty.



## Berryville Police Department

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

[policeadmin@berryvilleva.gov](mailto:policeadmin@berryvilleva.gov)

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

W. Neal White – Chief of Police

### **POLICE AND SECURITY REPORT**

| Month: <b>May</b>                 | Year To Date | May         | April       |
|-----------------------------------|--------------|-------------|-------------|
| Year: <b>2016</b>                 | <b>2016</b>  | <b>2016</b> | <b>2016</b> |
| Total Miles Traveled:             | 16,032       | 3,466       | 3,505       |
| Total Man Hours:                  | 5,478        | 1,121       | 1,180       |
| <b><u>Complaints Answered</u></b> |              |             |             |
| 911 Hang Up:                      | 11           | 2           | 3           |
| Alarms:                           | 44           | 13          | 8           |
| Animal Complaint:                 | 36           | 9           | 7           |
| Assault And Battery:              | 8            | 2           | 1           |
| Assist County:                    | 5            | 2           | 1           |
| Auto Larceny:                     | 2            | 0           | 0           |
| Burglary:                         | 4            | 2           | 1           |
| Civil Complaints:                 | 40           | 11          | 6           |
| Disturbance (Non Violent):        | 28           | 6           | 8           |
| Domestic Disturbance:             | 0            | 0           | 0           |
| Drunk In Public:                  | 5            | 1           | 1           |
| Forgery & Uttering:               | 0            | 0           | 0           |
| Fraud:                            | 1            | 0           | 0           |
| Grand Larceny:                    | 2            | 1           | 1           |
| Harassment/Intimidation:          | 10           | 1           | 2           |
| Homicide:                         | 0            | 0           | 0           |
| Juvenile Related:                 | 21           | 6           | 5           |
| Noise:                            | 14           | 2           | 1           |
| Petty Larceny:                    | 8            | 3           | 3           |
| Public Service:                   | 20           | 8           | 2           |
| Rape:                             | 0            | 0           | 0           |
| Robbery:                          | 0            | 0           | 0           |
| Runaway:                          | 1            | 0           | 0           |
| Shoplifting:                      | 0            | 0           | 0           |
| Suspicious Activity:              | 67           | 14          | 11          |
| Trespassing:                      | 6            | 3           | 1           |
| Vandalism:                        | 10           | 3           | 2           |
| Welfare Check:                    | 58           | 17          | 10          |
| Miscellaneous Complaints:         | 97           | 16          | 22          |
| <b>Total Complaints Answered:</b> | <b>498</b>   | <b>122</b>  | <b>96</b>   |

PD FORM 039

Page 1 of 3

REV 7/2010



## Berryville Police Department

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

[policeadmin@berryvilleva.gov](mailto:policeadmin@berryvilleva.gov)

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

W. Neal White – Chief of Police

### Traffic

|                            |    |    |    |
|----------------------------|----|----|----|
| Accidents Investigated:    | 11 | 3  | 4  |
| Assist Motorist:           | 15 | 4  | 2  |
| Child Safety Seat Install: | 12 | 1  | 2  |
| Funeral Escort:            | 12 | 1  | 5  |
| Hit & Run:                 | 6  | 2  | 2  |
| Parking Tickets:           | 32 | 4  | 9  |
| Traffic Warnings:          | 89 | 10 | 18 |

### Traffic Summons Issued

|                                      |           |           |           |
|--------------------------------------|-----------|-----------|-----------|
| Defective Equipment:                 | 1         | 1         | 0         |
| Driving Suspended:                   | 6         | 1         | 0         |
| Expired Inspection:                  | 1         | 1         | 0         |
| Expired Registration:                | 3         | 1         | 1         |
| Fail To Obey Highway Sign:           | 36        | 4         | 5         |
| Fail To Obey Traffic Signals:        | 0         | 0         | 0         |
| Fail To Stop/Lights & Siren:         | 0         | 0         | 0         |
| Fail To Yield Right Of Way:          | 3         | 1         | 1         |
| Hit And Run:                         | 0         | 0         | 0         |
| No Liability Insurance:              | 0         | 0         | 0         |
| No Operator's License:               | 2         | 0         | 1         |
| No Seat Belt:                        | 0         | 0         | 0         |
| Reckless Driving:                    | 6         | 1         | 2         |
| Speeding:                            | 23        | 4         | 4         |
| Miscellaneous Summons:               | 3         | 1         | 1         |
| <b>Total Traffic Summons Issued:</b> | <b>84</b> | <b>15</b> | <b>15</b> |



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W. Neal White – Chief of Police

### Criminal Arrests Made

|                                 |    |   |    |
|---------------------------------|----|---|----|
| Abduction:                      | 0  | 0 | 0  |
| Arson:                          | 0  | 0 | 0  |
| Assault And Battery:            | 6  | 3 | 0  |
| A & B On Police Officer:        | 1  | 1 | 0  |
| Auto Larceny:                   | 0  | 0 | 0  |
| Breaking And Entering:          | 1  | 0 | 0  |
| Capias:                         | 6  | 1 | 1  |
| Disorderly Conduct:             | 0  | 0 | 0  |
| Driving While Intoxicated:      | 3  | 0 | 2  |
| Drunk In Public:                | 3  | 1 | 0  |
| Fail To Obey Police Officer:    | 0  | 0 | 0  |
| Fail To Pay Parking Ticket:     | 4  | 0 | 4  |
| Forgery:                        | 0  | 0 | 0  |
| Fraud:                          | 0  | 0 | 0  |
| Grand Larceny:                  | 0  | 0 | 0  |
| Homicide:                       | 0  | 0 | 0  |
| Illegal Drugs/Paraphernalia     | 6  | 0 | 0  |
| Petty Larceny:                  | 1  | 0 | 1  |
| Possess Alcohol Underage:       | 0  | 0 | 0  |
| Protective Order:               | 11 | 1 | 2  |
| Rape:                           | 0  | 0 | 0  |
| Resisting Arrest:               | 2  | 1 | 0  |
| Robbery:                        | 0  | 0 | 0  |
| Shoplifting:                    | 0  | 0 | 0  |
| Trespassing:                    | 0  | 0 | 0  |
| Vandalism:                      | 0  | 0 | 0  |
| Weapons Violation               | 0  | 0 | 0  |
|                                 | 8  | 0 | 2  |
| Miscellaneous Criminal Arrests: |    |   |    |
| <b>Juvenile Arrest Total:</b>   | 0  | 0 | 0  |
| <b>Total Criminal Arrests:</b>  | 52 | 8 | 12 |

### Found Open At Business In Town

|                          |   |   |   |
|--------------------------|---|---|---|
| Doors:                   | 9 | 0 | 0 |
| Windows:                 | 0 | 0 | 0 |
| Garage Doors Found Open: | 0 | 0 | 0 |

# Attachment 10

# Memo

**To:** Town Council  
**From:** David Tyrrell  
**Date:** June 9, 2016  
**Re:** May 2016 Operations Report

---

The water treatment plant is in compliance for May 2016 with its monthly parameters. We sent a total of 9.569 MG water to the system with a daily average production of 0.383 MGD and a daily max of 0.775 MG.

Plant operations this month has concentrated on training two new operators. Both are finalizing their training this week and we are returning to a full schedule as of June 11 2016. There have been no issues with the WTP this month. A cleaning of the river vault is scheduled for June 16<sup>th</sup>. The rains of the month have had little effect on operations or river conditions.

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

The wastewater plant is in compliance with its discharge permit for May with our nutrient removal continuing to do very well. We treated a total of 11.8 MG with a daily average of 0.38 MGD and a daily max of 0.53 MG. Influent flow rates continue to run slightly above dry weather rates. We continue to adjust our biosolids inventory to summer time levels and have slightly decreased our wasting rates as we are starting to close in on our desired levels.

With the loss of our dump truck we have been working with Allied Waste to haul our biosolids. At this time the arrangement appears to be working well and will most likely become our long term solution to solids hauling.

In last month's report I mentioned a problem with cyclic valve 211-2 not functioning properly. We started to replace the valve and pulled the unit out. We were surprised to find an eight inch metal coupon jamming the valve operation. This hunk of steel had been left in the air line from construction and has taken a long time to work its way into a position to give us trouble. We tested the old valve and found it still fully functional with no real damage. The valve was returned to service and has given us

no further problems. We have also gone through the system and adjusted the sensors on all cyclic valves and replaced several of the air regulators which have developed air leaks. We have also worked with GE to adjust some delays to help eliminate false call ins for valve failures. The system is working better and call ins for cyclic valve failures have been greatly reduced. We are still working on Valve 211-3 on train three which has an occasional hiccup.

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.

● Page 2

FLOWS AND CHEMICAL DOSAGES

March 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       |                       |                             |                              |                  |                     |       |             |      |             |       |             |      |             |       |             |      |                          |         |             |       |                |       |  |
| 2       | 0.1432                |                             | 0.385                        | 12.3             | 30                  | 25.5  | 4           | 3.0  |             |       |             | 7.0  | 5.86        | 0.120 | 0.100       | 8.0  | 6.7                      |         |             | 11.2  | 9.4            |       |  |
| 3       | 0.8382                |                             | 0.775                        | 12.5             | 41                  | 5.8   | 3           | 0.5  |             |       |             | 9.6  | 1.37        | 0.110 | 0.016       | 0.0  | 0.0                      |         |             | 11.5  | 1.6            |       |  |
| 4       | 0.5128                |                             | 0.465                        | 15.0             | 46                  | 10.7  | 3           | 0.7  |             |       |             | 6.7  | 1.58        | 0.140 | 0.033       | 8.0  | 1.9                      |         |             | 13.8  | 3.2            |       |  |
| 5       | 0.4779                |                             | 0.445                        | 14.5             | 56                  | 14.0  | 3           | 0.7  |             |       |             | 6.7  | 1.68        | 0.110 | 0.028       | 0.0  | 0.0                      |         |             | 13.3  | 3.3            |       |  |
| 6       | 0.3152                |                             | 0.288                        | 9.3              | 35                  | 13.5  | 2           | 0.6  |             |       |             |      | 0.00        | 0.154 | 0.059       | 6.0  | 2.3                      |         |             | 9.3   | 3.5            |       |  |
| 7       | 0.077                 |                             | 0.064                        | 2.0              | 10                  | 15.8  | 0           | 0.0  |             |       |             | 0.1  | 0.09        | 0.022 | 0.034       | 0.0  | 0.0                      |         |             | 1.9   | 3.0            |       |  |
| 8       |                       |                             |                              |                  |                     |       |             |      |             |       |             |      |             |       |             |      |                          |         |             |       |                |       |  |
| 9       | 0.351                 |                             | 0.316                        | 11.0             | 35                  | 12.1  | 2           | 0.8  |             |       |             | 3.5  | 1.21        | 0.093 | 0.032       | 0.0  | 0.0                      |         |             | 10.1  | 3.4            |       |  |
| 10      | 0.448                 |                             | 0.436                        | 14.3             | 51                  | 13.6  | 4           | 1.0  |             |       |             | 6.7  | 1.79        | 0.114 | 0.031       | 8.0  | 2.1                      |         |             | 13.1  | 3.5            |       |  |
| 11      | 0.541                 |                             | 0.500                        | 16.0             | 56                  | 12.4  | 4           | 0.8  |             |       |             | 6.7  | 1.48        | 0.154 | 0.034       | 8.0  | 1.8                      |         |             | 14.7  | 3.2            |       |  |
| 12      | 0.51                  |                             | 0.453                        | 15.5             | 41                  | 9.5   | 3           | 0.8  |             |       |             | 6.9  | 1.63        | 0.141 | 0.033       | 0.0  | 0.0                      |         |             | 14.2  | 3.3            |       |  |
| 13      | 0.446                 |                             | 0.409                        | 13.0             | 41                  | 10.9  | 3           | 0.8  |             |       |             | 6.8  | 1.82        | 0.110 | 0.030       | 8.0  | 2.2                      |         |             | 11.9  | 3.2            |       |  |
| 14      | 0.214                 |                             | 0.197                        | 6.0              | 20                  | 11.4  | 2           | 0.9  |             |       |             | 3.3  | 1.83        | 0.044 | 0.025       | 4.0  | 2.2                      |         |             | 5.5   | 3.1            |       |  |
| 15      |                       |                             |                              |                  |                     |       |             |      |             |       |             |      |             |       |             |      |                          |         |             |       |                |       |  |
| 16      | 0.413                 |                             | 0.376                        | 12.3             | 35                  | 10.3  | 2           | 0.7  |             |       |             | 3.1  | 0.91        | 0.116 | 0.034       | 0.0  | 0.0                      |         |             | 11.2  | 3.3            |       |  |
| 17      | 0.4422                |                             | 0.411                        | 13.0             | 41                  | 11.0  | 2           | 0.7  |             |       |             | 3.7  | 1.00        | 0.132 | 0.036       | 8.0  | 2.2                      |         |             | 11.9  | 3.2            |       |  |
| 18      | 0.4714                |                             | 0.435                        | 13.8             | 41                  | 10.3  | 3           | 0.8  |             |       |             | 19.9 | 5.06        | 0.132 | 0.034       | 0.0  | 0.0                      |         |             | 12.6  | 3.2            |       |  |
| 19      | 0.478                 |                             | 0.431                        | 13.3             | 35                  | 8.9   | 3           | 0.7  |             |       |             | 20.0 | 5.02        | 0.115 | 0.029       | 8.0  | 2.0                      |         |             | 12.2  | 3.0            |       |  |
| 20      | 0.491                 |                             | 0.450                        | 14.5             | 35                  | 8.7   | 2           | 0.4  |             |       |             | 3.4  | 0.82        | 0.079 | 0.019       | 0.0  | 0.0                      |         |             | 13.3  | 3.2            |       |  |
| 21      | 0.206                 |                             | 0.188                        | 6.0              | 20                  | 11.8  | 2           | 1.0  |             |       |             | 3.3  | 1.94        | 0.040 | 0.023       | 0.0  | 0.0                      |         |             | 5.0   | 2.9            |       |  |
| 22      |                       |                             |                              |                  |                     |       |             |      |             |       |             |      |             |       |             |      |                          |         |             |       |                |       |  |
| 23      | 0.4066                |                             | 0.373                        | 12.0             | 30                  | 9.0   | 2           | 0.7  |             |       |             | 6.7  | 1.97        | 0.071 | 0.021       | 8.0  | 2.4                      |         |             | 10.0  | 2.9            |       |  |
| 24      | 0.4341                |                             | 0.399                        | 13.0             | 35                  | 9.8   | 3           | 0.9  |             |       |             | 6.8  | 1.87        | 0.106 | 0.029       | 0.0  | 0.0                      |         |             | 11.9  | 3.3            |       |  |
| 25      | 0.42                  |                             | 0.376                        | 13.0             | 30                  | 8.7   | 2           | 0.5  |             |       |             | 3.3  | 0.93        | 0.123 | 0.035       | 10.0 | 2.9                      |         |             | 11.9  | 3.4            |       |  |
| 26      | 0.4358                |                             | 0.396                        | 12.5             | 25                  | 7.0   | 3           | 0.8  |             |       |             | 6.7  | 1.84        | 0.115 | 0.032       | 0.0  | 0.0                      |         |             | 11.5  | 3.2            |       |  |
| 27      | 0.388                 |                             | 0.354                        | 11.0             | 35                  | 11.0  | 2           | 0.7  |             |       |             | 3.5  | 1.09        | 0.101 | 0.031       | 8.0  | 2.5                      |         |             | 10.1  | 3.1            |       |  |
| 28      | 0.286                 |                             | 0.261                        | 8.5              | 25                  | 10.6  | 2           | 0.7  |             |       |             | 3.4  | 1.44        | 0.084 | 0.035       | 0.0  | 0.0                      |         |             | 7.8   | 3.3            |       |  |
| 29      |                       |                             |                              |                  |                     |       |             |      |             |       |             |      |             |       |             |      |                          |         |             |       |                |       |  |
| 30      |                       |                             |                              |                  |                     |       |             |      |             |       |             |      |             |       |             |      |                          |         |             |       |                |       |  |
| 31      | 0.4483                |                             | 0.386                        | 12.8             | 41                  | 10.8  | 3           | 0.9  |             |       |             | 11.7 | 3.13        | 0.097 | 0.026       | 0.0  | 0.0                      |         |             | 11.7  | 3.1            |       |  |
| Total   | 10.195                | 0.000                       | 9.569                        | 296.9            | 892                 | 283.0 | 63          | 19.8 | 0.0         | 0.00  | 159.5       | 47.4 | 2.62        | 0.837 | 92          | 31.0 | 0.0                      | 0.00    | 271.3       | 85.06 | 0.0            | 0.00  |  |
| Maximum | 0.838                 | 0.000                       | 0.775                        | 16.0             | 56                  | 25.5  | 4           | 3.0  | 0.0         | 0.00  | 20.0        | 5.9  | 0.15        | 0.100 | 10          | 6.7  | 0.0                      | 0.00    | 14.7        | 9.38  | 0.0            | 0.00  |  |
| Minimum | 0.077                 | 0.000                       | 0.064                        | 2.0              | 10                  | 5.8   | 0           | 0.0  | 0.0         | 0.00  | 0.1         | 0.0  | 0.02        | 0.016 | 0           | 0.0  | 0.0                      | 0.00    | 1.9         | 1.64  | 0.0            | 0.00  |  |
| Average | 0.408                 | 0.000                       | 0.383                        | 11.9             | 36                  | 11.3  | 3           | 0.8  | #####       | ##### | 6.6         | 1.9  | 0.10        | 0.033 | 4           | 1.2  | #####                    | #DIV/0! | 10.9        | 3.40  | #####          | ##### |  |

SIGNED: (OPERATOR IN RESPONSIBLE CHARGE) \_\_\_\_\_  
 PRINTED NAME David A Tyrrell  
 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

May 2016

| Date      | Effluent Flow<br>MGD | Eff pH<br>SU | Eff Temp<br>Deg C | Eff CBOD<br>mg/l | Eff CBOD<br>KG/D | Eff TSS<br>mg/l | Eff TSS<br>KG/D | Effluent DO<br>River<br>mg/l | Effluent DO<br>WWTP<br>mg/l | Eff NO2 /<br>NO3<br>mg/l | Eff TKN<br>mg/l | Eff TKN<br>KG/D | Eff Total N<br>mg/l |
|-----------|----------------------|--------------|-------------------|------------------|------------------|-----------------|-----------------|------------------------------|-----------------------------|--------------------------|-----------------|-----------------|---------------------|
| 5/1/2016  | 0.32                 | 7.5          | 20.2              |                  |                  |                 |                 | 11.1                         | 11.0                        |                          |                 |                 |                     |
| 5/2/2016  | 0.35                 | 7.3          | 19.4              |                  |                  |                 |                 | 10.5                         | 7.2                         |                          |                 |                 |                     |
| 5/3/2016  | 0.36                 | 7.2          | 19.8              | 1.00             | 1.36             | 0.00            | 0.00            | 9.5                          | 8.2                         | 0.67                     | 0.59            | 0.80            | 1.26                |
| 5/4/2016  | 0.37                 | 7.4          | 19.4              | 0.00             | 0.00             |                 |                 | 11.6                         | 8.8                         |                          |                 |                 |                     |
| 5/5/2016  | 0.40                 | 7.6          | 19.7              | 0.00             | 0.00             |                 |                 | 10.5                         | 9.8                         |                          |                 |                 |                     |
| 5/6/2016  | 0.47                 | 7.5          | 19.1              |                  |                  |                 |                 | 9.5                          | 8.9                         |                          |                 |                 |                     |
| 5/7/2016  | 0.49                 | 7.4          | 19.2              |                  |                  |                 |                 | 9.5                          | 9.2                         |                          |                 |                 |                     |
| 5/8/2016  | 0.44                 | 7.4          | 19.4              |                  |                  |                 |                 | 9.8                          | 9.4                         |                          |                 |                 |                     |
| 5/9/2016  | 0.40                 | 7.4          | 19.5              |                  |                  |                 |                 | 10.2                         | 9.3                         |                          |                 |                 |                     |
| 5/10/2016 | 0.37                 | 7.4          | 18.4              | 2.00             | 2.79             |                 |                 | 9.9                          | 9.3                         |                          |                 |                 |                     |
| 5/11/2016 | 0.44                 | 7.5          | 12.6              | 2.00             | 3.36             |                 |                 | 10.1                         | 9.4                         |                          |                 |                 |                     |
| 5/12/2016 | 0.40                 | 7.6          | 12.6              | 1.00             | 1.52             |                 |                 | 9.6                          | 9.7                         |                          |                 |                 |                     |
| 5/13/2016 | 0.38                 | 7.3          | 12.6              |                  |                  |                 |                 | 9.8                          | 8.6                         |                          |                 |                 |                     |
| 5/14/2016 | 0.39                 | 7.4          | 19.1              |                  |                  |                 |                 | 9.8                          | 8.4                         |                          |                 |                 |                     |
| 5/15/2016 | 0.38                 | 7.4          | 17.9              |                  |                  |                 |                 | 10.8                         | 9.3                         |                          |                 |                 |                     |
| 5/16/2016 | 0.37                 | 7.4          | 18.1              |                  |                  |                 |                 | 9.8                          | 9.5                         |                          |                 |                 |                     |
| 5/17/2016 | 0.35                 | 7.3          | 18.9              | 2.00             | 2.61             |                 |                 | 12.8                         | 9.4                         | 1.30                     | 0.53            | 0.69            | 1.83                |
| 5/18/2016 | 0.32                 | 7.2          | 19.5              | 3.00             | 3.61             |                 |                 | 12.3                         | 9.4                         |                          |                 |                 |                     |
| 5/19/2016 | 0.34                 | 7.4          | 18.7              | 0.00             | 0.00             |                 |                 | 8.9                          | 8.2                         |                          |                 |                 |                     |
| 5/20/2016 | 0.29                 | 7.3          | 19.1              |                  |                  |                 |                 | 8.8                          | 9.2                         |                          |                 |                 |                     |
| 5/21/2016 | 0.33                 | 7.4          | 19.7              |                  |                  |                 |                 | 11.1                         | 10.7                        |                          |                 |                 |                     |
| 5/22/2016 | 0.48                 | 7.2          | 19.1              |                  |                  |                 |                 | 8.6                          | 9.1                         |                          |                 |                 |                     |
| 5/23/2016 | 0.53                 | 7.2          | 19.0              |                  |                  |                 |                 | 11.2                         | 11.4                        |                          |                 |                 |                     |
| 5/24/2016 | 0.45                 | 7.3          | 19.2              | 2.00             | 3.43             |                 |                 | 8.6                          | 8.5                         |                          |                 |                 |                     |
| 5/25/2016 | 0.39                 | 7.7          | 19.4              | 0.00             | 0.00             |                 |                 | 8.6                          | 7.8                         |                          |                 |                 |                     |
| 5/26/2016 | 0.37                 | 7.6          | 22.2              | 0.00             | 0.00             |                 |                 | 11.7                         | 10.7                        |                          |                 |                 |                     |
| 5/27/2016 | 0.35                 | 7.4          | 20.3              |                  |                  |                 |                 | 10.5                         | 10.3                        |                          |                 |                 |                     |
| 5/28/2016 | 0.32                 | 7.4          | 20.9              |                  |                  |                 |                 | 8.8                          | 8.3                         |                          |                 |                 |                     |
| 5/29/2016 | 0.31                 | 7.4          | 20.1              |                  |                  |                 |                 | 9.1                          | 8.8                         |                          |                 |                 |                     |
| 5/30/2016 | 0.33                 | 7.4          | 20.3              |                  |                  |                 |                 | 8.7                          | 8.0                         |                          |                 |                 |                     |
| 5/31/2016 | 0.35                 | 7.5          | 21.3              | 2.00             | 2.61             |                 |                 | 8.7                          | 8.5                         |                          |                 |                 |                     |
| Minimum   | 0.29                 | 7.2          | 12.6              | 0.00             | 0.00             | 0.00            | 0.00            | 8.6                          | 7.2                         | 0.67                     | 0.53            | 0.69            | 1.26                |
| Maximum   | 0.53                 | 7.7          | 22.2              | 3.00             | 3.61             | 0.00            | 0.00            | 12.8                         | 11.4                        | 1.30                     | 0.59            | 0.80            | 1.83                |
| Total     | 11.80                | 229.4        | 584.7             | 15.00            | 21.29            | 0.00            | 0.00            | 310.4                        | 284.3                       | 1.97                     | 1.12            | 1.49            | 3.09                |
| Average   | 0.38                 | 7.4          | 18.9              | 1.15             | 1.64             | 0.00            | 0.00            | 10.0                         | 9.2                         | 0.99                     | 0.56            | 0.75            | 1.55                |
| Geo Mean  | 0.38                 | 7.4          | 18.7              | 1.42             | 1.77             | 1.00            | 1.00            | 10.0                         | 9.1                         | 0.93                     | 0.6             | 0.74            | 1.52                |

## Berryville STP Monthly DMR Data

May 2016

| Date      | Eff Total N<br>KG/D | Eff Total P<br>mg/l | Eff Total P<br>KG/D | E-Coli<br>No/100ml |
|-----------|---------------------|---------------------|---------------------|--------------------|
| 5/1/2016  |                     |                     |                     |                    |
| 5/2/2016  |                     |                     |                     |                    |
| 5/3/2016  | 1.71                | 0.09                | 0.12                | 1                  |
| 5/4/2016  |                     |                     |                     |                    |
| 5/5/2016  |                     |                     |                     |                    |
| 5/6/2016  |                     |                     |                     |                    |
| 5/7/2016  |                     |                     |                     |                    |
| 5/8/2016  |                     |                     |                     |                    |
| 5/9/2016  |                     |                     |                     |                    |
| 5/10/2016 |                     |                     |                     | 1                  |
| 5/11/2016 |                     |                     |                     |                    |
| 5/12/2016 |                     |                     |                     |                    |
| 5/13/2016 |                     |                     |                     |                    |
| 5/14/2016 |                     |                     |                     |                    |
| 5/15/2016 |                     |                     |                     |                    |
| 5/16/2016 |                     |                     |                     |                    |
| 5/17/2016 | 2.39                | 0.04                | 0.05                | 1                  |
| 5/18/2016 |                     |                     |                     |                    |
| 5/19/2016 |                     |                     |                     |                    |
| 5/20/2016 |                     |                     |                     |                    |
| 5/21/2016 |                     |                     |                     |                    |
| 5/22/2016 |                     |                     |                     |                    |
| 5/23/2016 |                     |                     |                     |                    |
| 5/24/2016 |                     |                     |                     | 1                  |
| 5/25/2016 |                     |                     |                     |                    |
| 5/26/2016 |                     |                     |                     |                    |
| 5/27/2016 |                     |                     |                     |                    |
| 5/28/2016 |                     |                     |                     |                    |
| 5/29/2016 |                     |                     |                     |                    |
| 5/30/2016 |                     |                     |                     |                    |
| 5/31/2016 |                     |                     |                     | 1                  |
| Minimum   | 1.71                | 0.04                | 0.05                | 1                  |
| Maximum   | 2.39                | 0.09                | 0.12                | 1                  |
| Total     | 4.11                | 0.13                | 0.17                | 5                  |
| Average   | 2.05                | 0.07                | 0.09                | 1                  |
| Geo Mean  | 2.03                | 0.06                | 0.08                | 1                  |



# Berryville Biweekly InSight Report

**Date:** 6/7/2016

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

## System Equipment

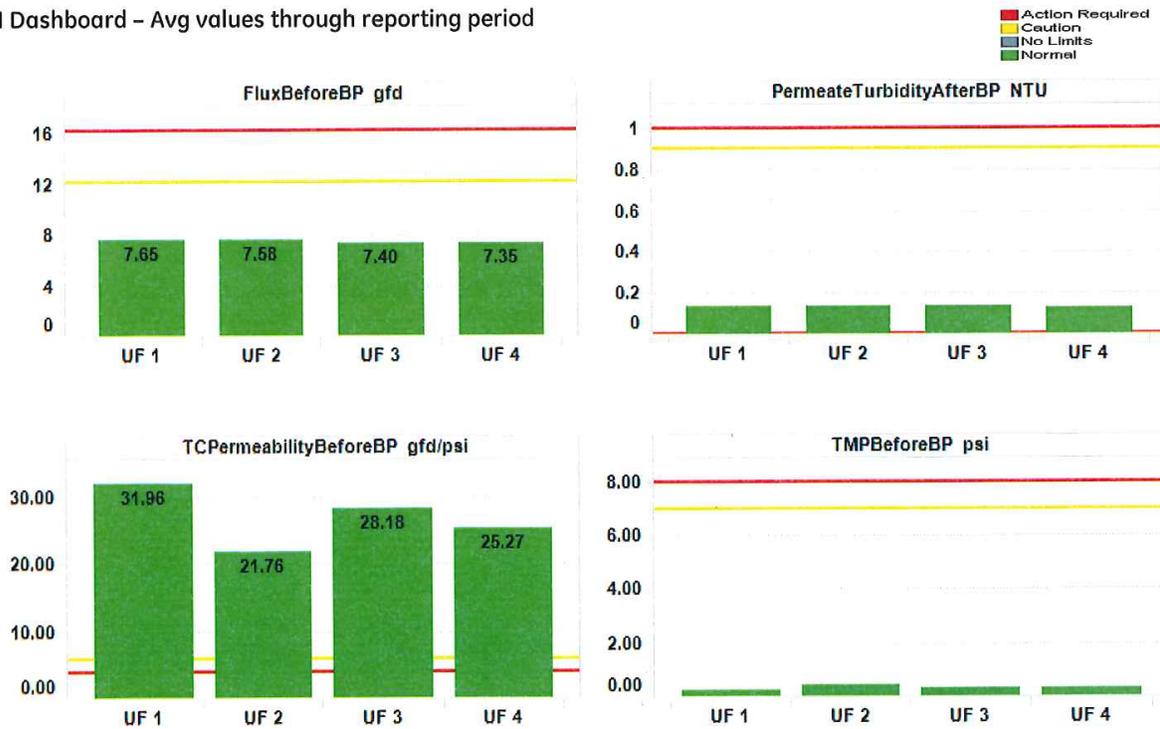
4 × ZW trains, each 3 cassettes, 2x48/1x42 500D (surface area 46920 sq. ft. per train)

## 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

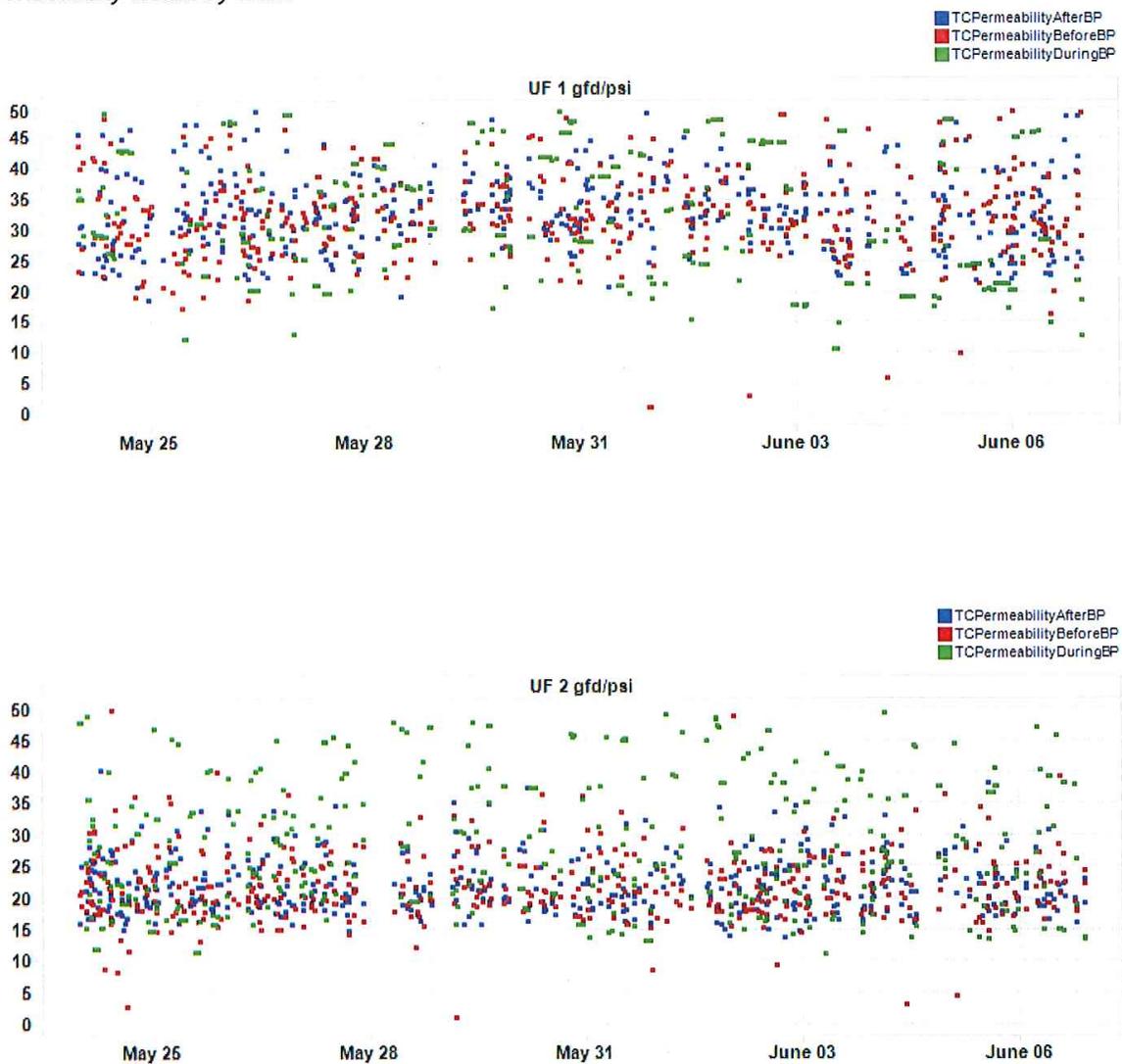
The average daily plant permeate flow in the last two weeks was 351,110 Gallons with the highest flow of 467,200 Gallons on May 24<sup>th</sup>.

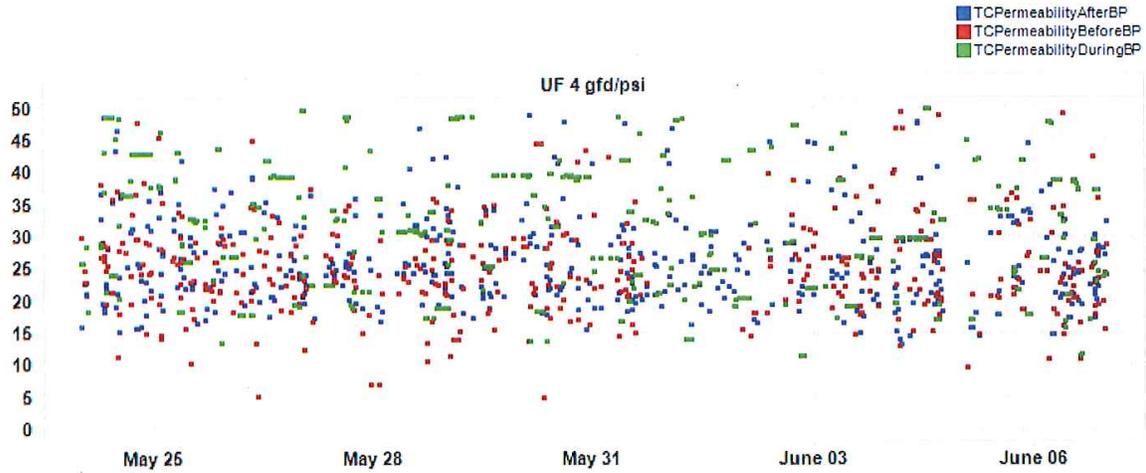
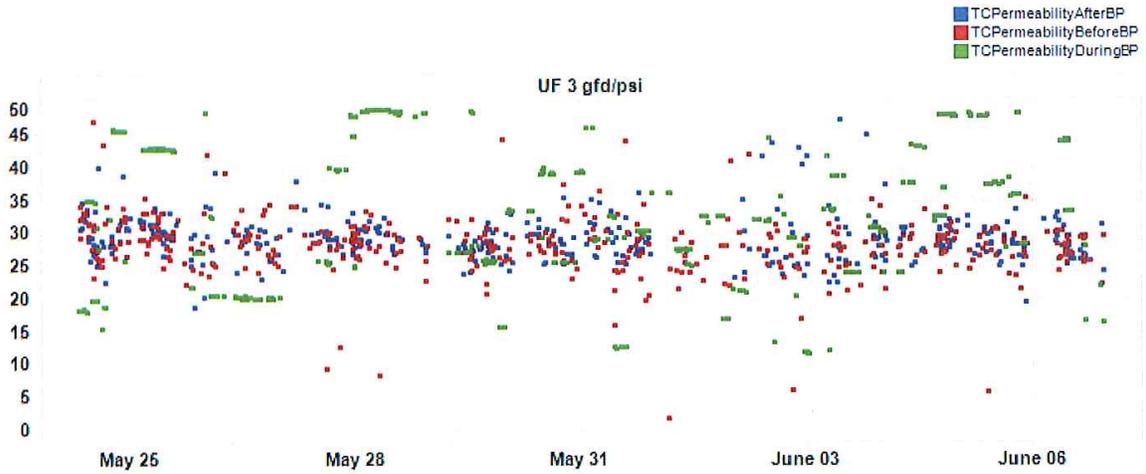
Maintenance cleans were still not performed regularly on train 4. Trains 1,2 and 3 received 2 cleans / week while train 4 only received one.

Membrane performance was stable. Production TMPs were low at 0-0.5 psi at an average production flux of 7-8 gfd.

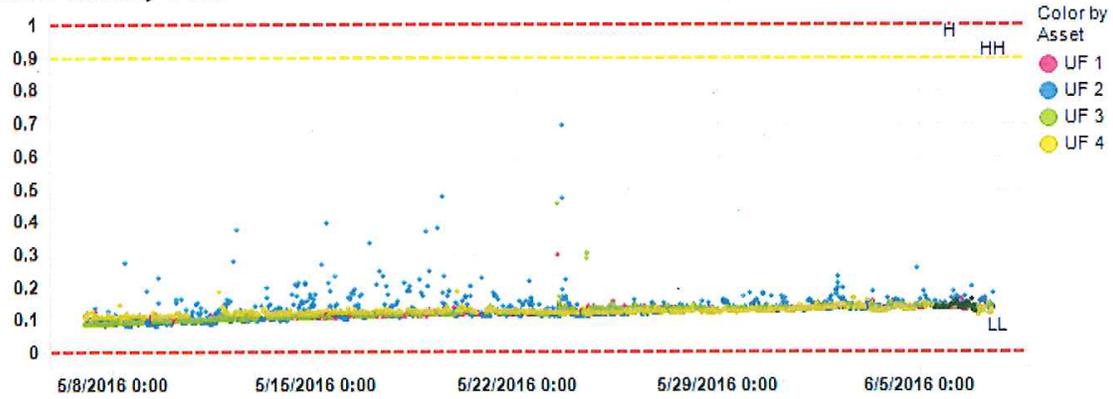
Permeate turbidity went up by 0.05 NTU in the last month, most likely due to dirt / debris build up within the turbidimeter and not necessarily due to declining water quality. Readings were < 0.2 NTU 99% of the time.

### TC Permeability Trends By Train



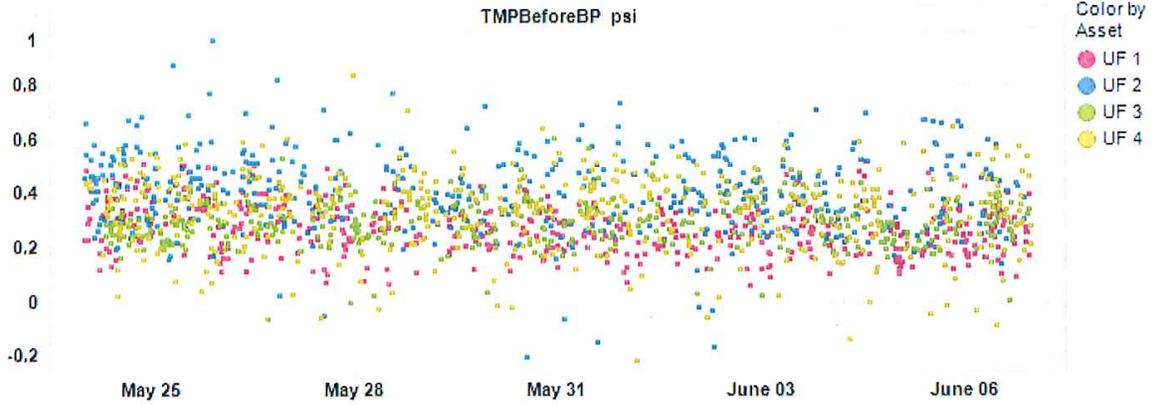


### Permeate Turbidity Trend

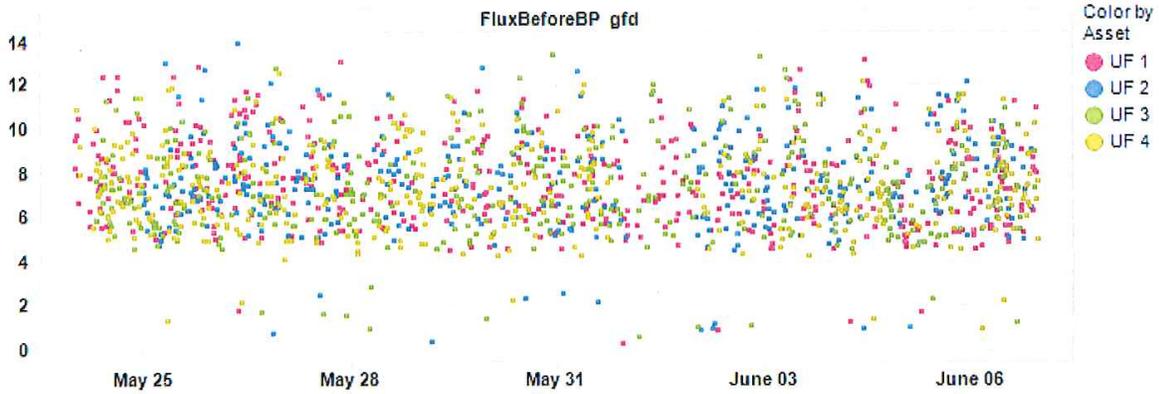




Before BPTMP Trend

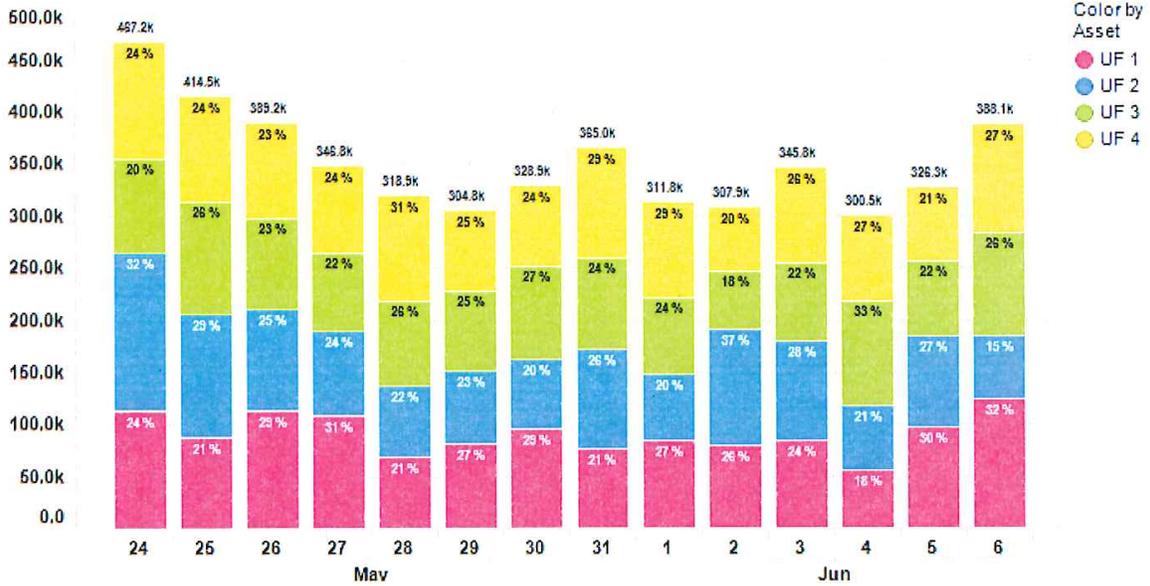


Before BP Flux Trend





Daily Permeate Flow



Average Daily permeate flow from 5/24/2016 to 6/6/2016 is 351.1k gal with a maximum daily flow of 467.2k gal.

Asset Summary

| KPI Parameters                 | Value/Change | UF 1     | UF 2     | UF 3     | UF 4    |
|--------------------------------|--------------|----------|----------|----------|---------|
| FluxBeforeBP gfd               | Value        | 7.65     | 7.58     | 7.40     | 7.35    |
|                                | Change       | 1.62 %   | 24.05 %  | -3.72 %  | -2.06 % |
| PermeateTurbidityAfterBP NTU   | Value        | 0.14     | 0.14     | 0.14     | 0.13    |
|                                | Change       | 16.89 %  | 2.73 %   | 16.84 %  | 5.86 %  |
| TCPermeabilityBeforeBP gfd/psi | Value        | 31.96    | 21.76    | 28.18    | 25.27   |
|                                | Change       | 2.05 %   | 1.07 %   | -1.24 %  | -1.89 % |
| TMPBeforeBP psi                | Value        | 0.27     | 0.41     | 0.30     | 0.33    |
|                                | Change       | -8.68 %  | -8.47 %  | -11.65 % | -6.62 % |
| TotalPermeateFlowDaily gal     | Value        | 90.62k   | 88.11k   | 83.68k   | 88.71k  |
|                                | Change       | -21.11 % | -10.34 % | -15.64 % | -3.77 % |



**Plant Summary**

| KPI Parameters             | Value/Change | UF Plant |
|----------------------------|--------------|----------|
| PermeateTemperature °F     | Value        | 60.57    |
|                            | Change       | 8.83 %   |
| TotalPermeateFlowDaily gal | Value        | 351.11k  |
|                            | Change       | -12.72 % |

Contract Expiry Date : 09/26/2018

For InSight technical assistance please email [insightsupport@ge.com](mailto: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 11

## **Report of the Department of Public Works June 9, 2016**

We experienced no water breaks during the past month; however, we did have water problems related to the installation of the new water main on Battletown Drive. The existing water main in this area was damaged resulting in an un-scheduled water interruption for the area. We installed an inline valve at the location which will help us locate the line and also will allow less customers to be without water in case of future breaks in this area.

The installation of the new main is going well. The contractor should finalize the installation, required testing, and lateral installation by June 17<sup>th</sup>.

The water main up-grade on Academy Court has been slowed down because of other maintenance projects. Staff met with the property owners on Tuesday evening about the project. We plan to start this project the week of July 11<sup>th</sup>.

The first phase of this year's asphalt contracts was completed by the low bidder Carroll Construction. They paved Ashby Court, Stuart Court, South Church from Swan Avenue to Taylor Street and a short section of Byrd Avenue. The next phase of our asphalt contracts was awarded to the low bidder Grade A Paving. They will be paving Academy Street from South Buckmarsh Street to Smith Street, Lincoln Avenue from West Main Street to Tyson Drive, Smith Street from West Main Street to Academy Street and Battletown Drive from East Main Street to intersection of Bel-Voi and Battletown Drive. These streets are on schedule to be paved by the end of this FY.

# Attachment 12

**BERRYVILLE TOWN COUNCIL  
PERSONNEL COMMITTEE  
Tuesday, May 24, 2016  
Berryville-Clarke County Government Center  
8:45 a.m.**

**MINUTES**

**Roll:**

**Town Council:**

Present: Harry Lee Arnold, Jr., Chairman; Wilson Kirby

**Staff:** Keith Dalton, Town Manager

**Public:** Pat Dickinson, Alton Echols, Matthew Bass

1. Call to Order

Chairman Arnold called the meeting to order at 8:47 a.m.

2. Closed Session - Pursuant to Section 2.2-3711-A-1 of the Code of Virginia, 1950, as amended, for the purpose of interviewing candidates for appointment to Town boards and commissions.

a. Motion to enter Closed Session

**Mr. Kirby moved that the Personnel Committee of the Council of the Town of Berryville enter a closed meeting in accordance with §2.2-3711-A-1, Code of Virginia, 1950, as amended, for the purpose of interviewing candidates for appointment to Town boards and commissions. Mr. Arnold seconded the motion which carried unanimously.**

b. Reconvene Open Session and Certification of Closed Session

The Committee reconvened in open session. **Mr. Kirby moved that the following Resolution Concerning Certification of the Closed Session be adopted. Mr. Arnold seconded the motion which carried on the following roll call vote:**

**Mr. Arnold – Aye**

**Mr. Kirby – Aye**

**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 Council.

3. Discussion

Mr. Kirby said that Mr. Bass had been interviewed and he found him to be enthusiastic about service to the Town. He added that Mr. Bass was knowledgeable and had a legal background which would be a plus. Mr. Kirby said he was impressed with Mr. Bass' answers. Chairman Arnold said he found Mr. Bass to be well-educated, bright, and that he felt Mr. Bass had the best interest of the Town at heart. He added that he thinks Mr. Bass brings a great deal to the table.

**Mr. Kirby moved to recommend the appointment of Matthew Bass to the Berryville Area Development Authority. Mr. Arnold seconded the motion which carried unanimously.**

Alton Echols stated that no one from Battlefield Estates has been appointed to the Berryville Area Development Authority. He stated that he wants to bring the old guard and the new guard together but he has to be worked with.

4. Adjourn

The meeting was adjourned at 9:39 a.m. on a motion by Mr. Kirby, seconded by Chairman Arnold and passed unanimously.

# Attachment 13

BERRYVILLE TOWN COUNCIL  
MOTION TO APPOINT MATTHEW BASS  
TO THE BERRYVILLE AREA DEVELOPMENT AUTHORITY

Date: June 14, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville appoint Matthew Bass to the Berryville Area Development Authority for a four year term beginning June 14, 2016 and ending on June 30, 2020.

VOTE:

Aye:

Nay:

Absent/Abstain:

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

# Attachment 14

BERRYVILLE TOWN COUNCIL  
MOTION TO ADJOURN UNTIL JUNE 29

Date: June 14, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville adjourn until June 29 at 7:00 p.m. to meet jointly with the Clarke County Board of Supervisors and the Clarke County Industrial Development Authority in the Main Meeting Room of the Berryville-Clarke County Government Center.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

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Harry Lee Arnold, Jr., Recorder