

**BERRYVILLE TOWN COUNCIL
MEETING AGENDA
Regular Meeting
Berryville-Clarke County Government Center
101 Chalmers Court, Second Floor
Main Meeting Room
Tuesday, July 12, 2016
7:30 p.m.**

<u>Item</u>	<u>Attachment</u>
1. Call the Town Council to Order – Patricia Dickinson, Mayor	
2. Pledge of Allegiance	
3. Public Hearing- The Berryville Planning Commission sponsors 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	1↕
4. Approval of Minutes June 14, 2016 Regular Meeting June 29, 2016 Continued Regular Meeting – Joint Meeting with Clarke County Board of Supervisors	2 3
5. Citizens' Forum	
6. Report of Patricia Dickinson, Mayor	
7. Report of Christy Dunkle, Asst. Town Manager for Community Development Planning Department Monthly Report	4↕
8. Report of Keith Dalton, Town Manager	
9. Report of H. Allen Kitselman, III - Berryville Area Development Authority Liaison	
10. Report of Erecka Gibson – Chair, Budget and Finance Committee Report of Desiree Moreland, Treasurer	5
Motion to withhold the following expenditures from the Fiscal Year 2017 Budget pending recommendation from the Budget and Finance Committee: Compensation increases for all non-exempt employees, VDOT Street Maintenance Equipment Purchase (\$125,500), Public Works Improvements (\$62,250), and purchase of Police Cruiser (\$43,350).	6↕

<u>Item</u>	<u>Attachment</u>
Motion to withhold the following expenditures from the Fiscal Year 2017 Budget pending recommendation from the Budget and Finance Committee: Emergency Medical Services (\$50,000) and CC Parks and Recreation (\$5,000).	7↓
Motion for the Town to contract with a qualified accounting firm to map town accounting systems and internal controls.	8↓
11. Report of Donna McDonald – Chair, Community Improvements Committee	
12. Report of Planning Commission Liaison	
13. Report of David Tollett – Chair, Police and Security Committee Police Chief’s Monthly Report	9
14. Report of Patricia Dickinson – Chair, Streets and Utilities Committee Public Utilities Director’s Report	10
Public Works Director’s Report	11
15. Report of Erecka Gibson – Chair, Personnel Committee	
16. Other	
17. Closed Session – No closed session scheduled	
18. Adjourn	

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

Attachment 1

BERRYVILLE TOWN COUNCIL
Public Hearing – Text Amendment to R-1 Residential
July 12, 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

Public hearing notices were published in the Winchester Star on Tuesday, June 28 and Tuesday, July 5, 2016. No comments were received in the Planning Office.

The Berryville Planning Commission held a public hearing on this matter at their June 28, 2016 meeting and recommended that Town Council approve the proposed text amendment allowing offices for Clarke County Public Schools and related non-profit organizations as a use by right in conjunction with the school use identified in Section 202.1(b) of the Berryville Zoning Ordinance. No other public schools are located in the R-1 Zoning District: Johnson-Williams Middle School is zoned R-2 and the Clarke County High School is zoned DR-4.

The following items are included after this report:

- Public hearing notice published in the Winchester Star on Tuesday, June 28 and Tuesday, July 5, 2016;
- A letter to Dr. Bishop from staff concerning the request;
- resolution as adopted by Planning Commission at their May meeting;
- proposed changes to Section 201 of the Berryville Zoning Ordinance; and
- ordinance and motion.

June 14, 2016 Staff Report

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.

Recommendation

Approve as presented. A motion and ordinance follow this staff report.

**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, July 12, 2016**, in the Main Meeting Room, Second Floor, of the Berryville/Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia to consider the following:

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

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
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

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

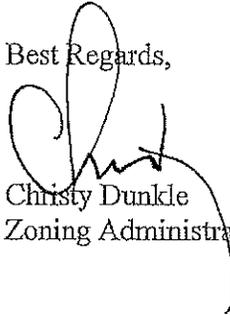
H. Allen Kitzelman, III
Ward 2

J. Bryant Condrey
Ward 3

David L. Tollett
Ward 4

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

Best Regards,

A handwritten signature in black ink, appearing to read 'Christy Dunkle', with a long, sweeping underline that extends to the right.

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

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 24th 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 24th 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 Kitselman, III
Ward 2

J. Bryant Condrey
Ward 3

David L. Tollett
Ward 4

Keith R. Dalton
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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 aerials 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.

AN ORDINANCE AMENDING
ARTICLE II, SECTION 201.1(b) OF THE
TOWN OF BERRYVILLE ZONING ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, that Article II, District Regulations, R-1 Residential Zoning District, Section 201.1(b), of the Town of Berryville Zoning Ordinance shall be amended as follows:

ARTICLE II – DISTRICT REGULATIONS

SECTION 201 - R-1 RESIDENTIAL DISTRICT

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.

- (b) Schools **and offices for Clarke County Public Schools and related non-profit organizations (07/16).**

SIGNED: _____
Patricia Dickinson, Mayor

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

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

Date: July 12, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville adopt the attached ordinance modifying Article II District Regulations, Section 201.1(b) of the Berryville Zoning Ordinance in order to allow offices for Clarke County Public Schools and related non-profits.

VOTE:

Aye:

Nay:

Absent:

Attachment 2

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
June 14, 2016
7:30 p.m.

Town Council: Present-Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Allen Kitselman; 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 7:30 p.m.

Recorder Arnold moved that the Council of the Town Of Berryville adopt the revised agenda. Council member Kitselman seconded the motion which carried on a voice vote. Council member Tollett moved to amend the agenda by removing the action item labelled Attachment 13 under Item 15 saying appointments should be delayed in order for the new Council members coming next month to have input. Council member Condrey seconded the motion which, following discussion, failed on a roll call vote.

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

2. Pledge of Allegiance

3. Public Hearings

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

Public Hearing speakers were:

Christina Kraybill of 317 First Street who said she was in favor of the Special Use Permit and had personally benefited from having a Special Use Permit to start her business in her home.

Russ and Diane Harrison of 325 South Church Street who said as artists they can contribute to the community and are asking for approval of the Special Use Permit.

Upon motion of Council member Shaffer, seconded by Recorder Arnold, the public hearing was closed.

4. Approval of Minutes

Recorder Arnold moved that the minutes of the May 10, 2016, meeting be approved. Council member Kitselman seconded the motion. Council member Condrey noted corrections to his comments in the draft minutes. Council member Condrey moved that the draft minutes be amended to reflect his actual comments. Council member Kitselman seconded the motion which carried as follows:

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

Nay – None
Absent – None

Recorder Arnold's previous motion to approve the minutes, now amended, was passed as follows:

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

Nay – None
Absent – None

5. Citizens' Forum

Speakers were as follows:

George Archibald, 27 West Main Street, Berryville, who provided a written FOIA report and asked that the proposed FOIA policy on the agenda be advertised for public comment and that the newly constituted Town Council be able to address any needed changes.

Mary Daniel, 108 Tyson Drive, Berryville, who thanked the Mayor and other departing members of Council for their service to the Town.

Rick Wiita, 412 Custer Court, Berryville, who echoed the thanks of the previous speaker. He added that the senior housing cap discussion troubles him.

Bonnie Echols, 400 Custer Court, Berryville, who said the 2016 Berryville Area Plan is failed policy and highlighted the campaign platform of the newly elected Council members.

Sharon Strickland, 312 Early Drive, Berryville, who thanked the departing Council members for serving. She added that she hoped the new Mayor would counsel the Council members not to use the bully pulpit when speaking to members of the public.

6. Report of Wilson Kirby, Mayor

The Mayor presented a resolution to Master Patrol Officer Greg Frenzel and thanked him for his service.

The Mayor noted Frank Lee had left the Berryville Area Development Authority after serving since 2007. **Recorder Arnold moved that the Council of the Town of Berryville adopt the following resolution thanking Frank Lee for his service on the BADA. Council member Kitselman seconded the motion which carried unanimously.**

**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

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

Recorder Arnold moved 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

Council member Kitselman seconded the motion which carried as follows:

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

Nay – None
Absent – None

By consensus, the Council set a public hearing for a Text Amendment to R-1 Residential for the July 12, 2016, meeting.

By consensus, the Council forwarded proposed Construction Standards and Specifications amendments to the Streets and Utilities Committee.

Recorder Arnold moved that the Council of the Town of Berryville authorize the Town Treasurer to refund \$885.00 to Alton Echols for Special Use Permit 03-16, saying of the \$2000.00 application fee, \$1115.00 had been spent on engineering and meeting participation costs not including staff time.

Council member Kitselman seconded the motion which carried as follows:

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

Nay – None
Absent – None

8. Report of Keith Dalton, Town Manager

Mr. Dalton noted the death of Roberta Kerns who had been an active member of the community, business owner, and had served as executive director of the Clarke County Chamber of Commerce. He offered condolences to Stan and the entire Kerns family.

Mr. Dalton thanked the departing members of Council for their service, saying he appreciated their willingness to serve their community.

Mr. Dalton noted the proposed FOIA policy and referenced the earlier speaker who said the policy should be advertised before being adopted. He said that the Commonwealth of Virginia is requiring changes to FOIA policy that must be in effect by July 1 and that nothing would prevent the new Council from making revisions as necessary once the policy is adopted. He added that a FOIA officer must be

formally designated and said staff suggests the Town Clerk be the general Town records officer and the Chief of Police be the officer for Police Department records.

Council member Condrey moved 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. Council member Shaffer seconded the motion which carried as follows:

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

Nay – None
Absent – None

Council member Condrey moved that the Council of the Town of Berryville repeal the current Town FOIA policy and adopt the attached new FOIA policy effective immediately. Council member Tollett seconded the motion which carried as follows:

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

Nay – None
Absent – None

Town of Berryville FOIA Policy (Approved June 14, 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

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

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, 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. The Town will not 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 the Town will 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 appropriate.

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Mr. Dalton referenced the settlement agreement with Caldwell and Santmyer for the Wastewater Treatment Plant construction project, saying the Town holds \$88,133.74 in retainage because the contractor has failed to provide “red line drawings” as required by the contract. He said the contractor has agreed to provide the information the Town requires (the “red line drawings”) so that “As-Built” plans can be produced, and the Town remains ready to release the retainage upon receipt of the complete red line drawings. **Recorder Arnold moved 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. Council member Kitselman seconded the motion which carried as follows:**

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

Nay – None
Absent – None

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;

(er tc

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

+ + + + + + + + + + +

9. Report of H. Allen Kitselman, III – Berryville Area Development Authority Liaison
Council member Kitselman had nothing to report.

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

Recorder Arnold moved 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. Council member Kitselman seconded the motion. Council member Condrey said he had wanted to see more options before finalizing the budget and does not believe an increase in the real estate tax rate was necessary. **The motion carried as follows:**

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

Nay – Bryant Condrey
David Tollett

Absent – None

The 2016-2017 Budget appears on the following page.

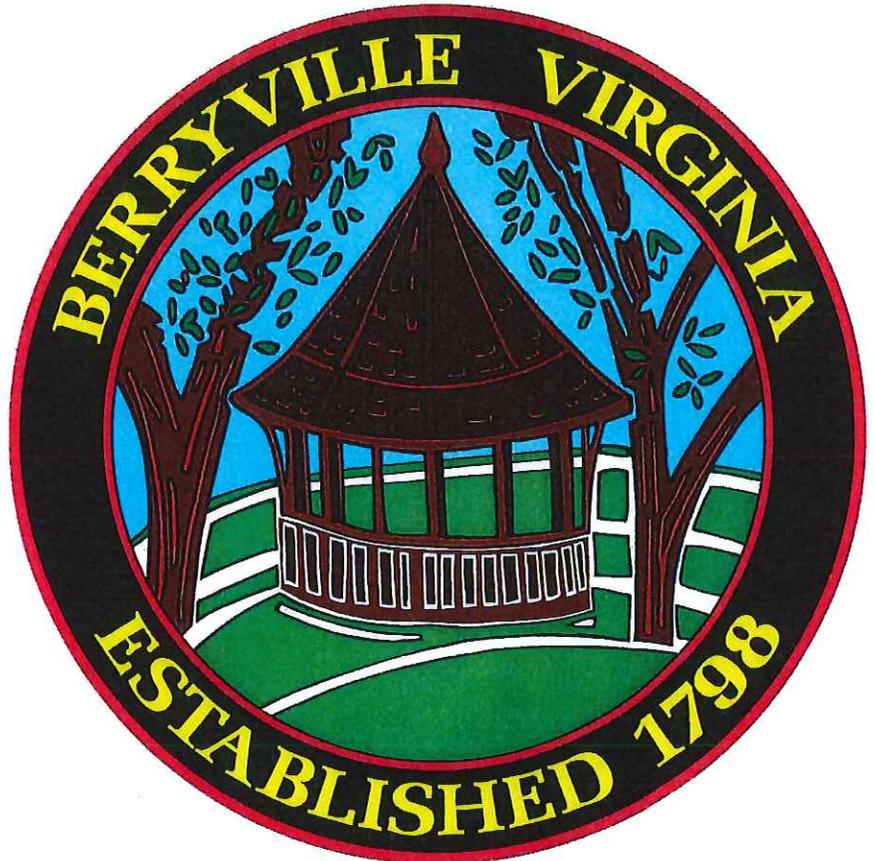
Town of Berryville

TOWN COUNCIL

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

TOWN STAFF

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



BUDGET PUBLIC HEARING FY 2017 OPERATING BUDGET

&

Capital Improvement Program

FY 2017-2021

BUDGET CALENDAR FY 2016-2017

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

FY 2016-2017 DRAFT BUDGET PREPARATION HIGHLIGHTS

REVENUES

GENERAL FUND

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

WATER FUND

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

SEWER FUND

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

OPERATING EXPENSES

ALL FUNDS

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

GENERAL FUND

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

WATER FUND

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

SEWER FUND

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

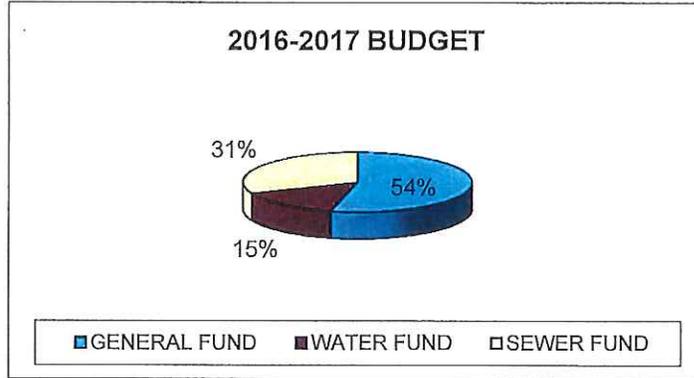
| <u>Resources and Revenues</u> | | APPROVED
FY 15-16 | | PROPOSED
FY 16-17 |
|-------------------------------------|-----------|----------------------|-----------|----------------------|
| GENERAL FUND | | | | |
| Fund Balance | \$ | - | \$ | - |
| Revenue from Local Sources | \$ | 2,325,400.00 | \$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

Expenses and Reserves

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

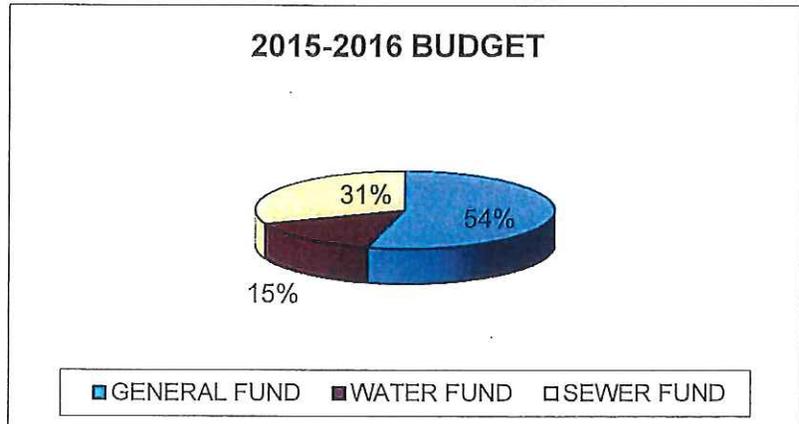
2016-2017 BUDGET

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



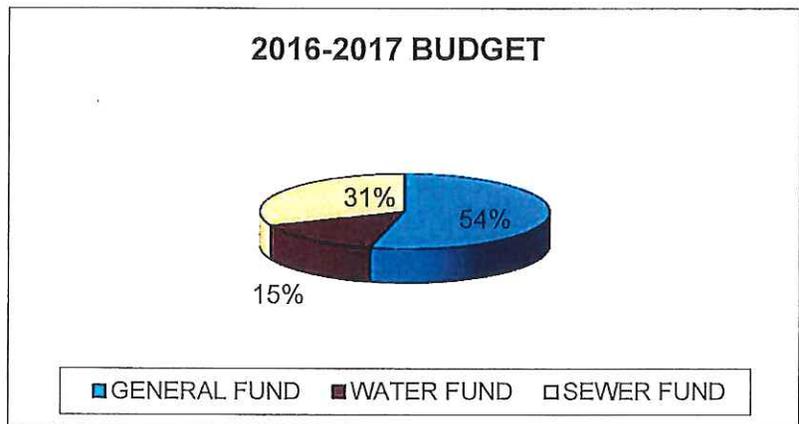
2015-2016 BUDGET

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



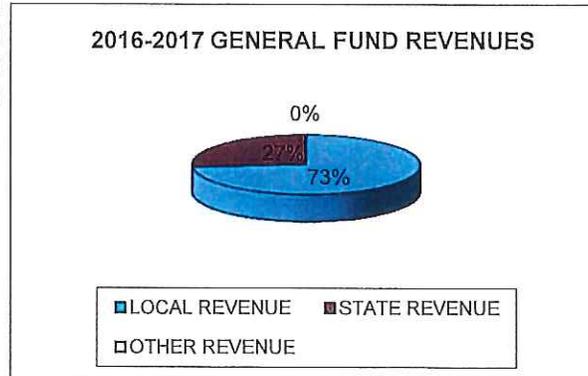
2016-2017 BUDGET

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



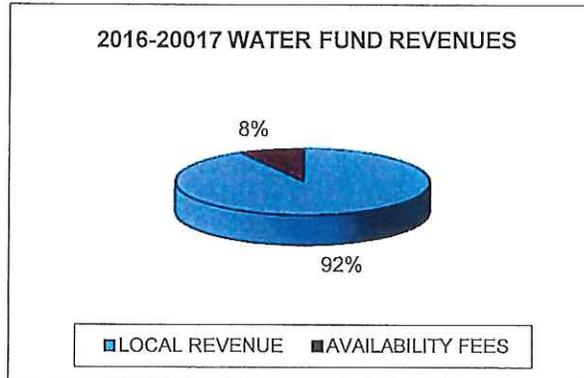
2016-2017 BUDGET
GENERAL FUND REVENUES

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



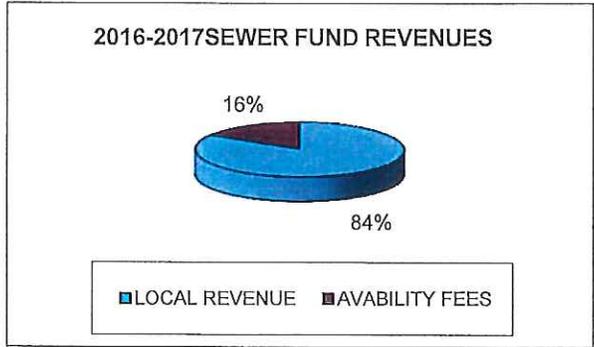
2016-2017 BUDGET
WATER FUND REVENUES

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



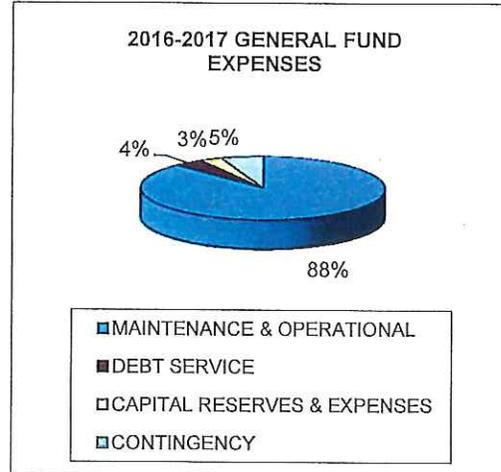
2016-2017 BUDGET
SEWER FUND REVENUES

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



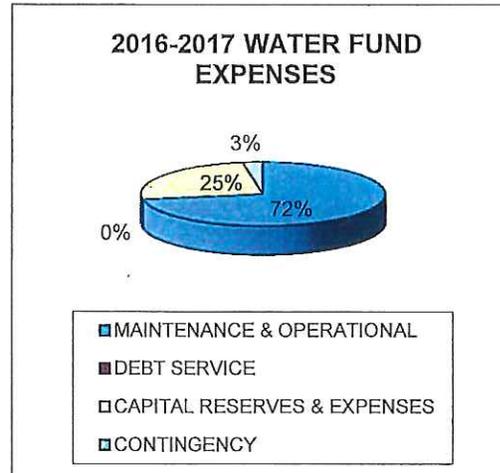
2016-2017 BUDGET
GENERAL FUND EXPENSES

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



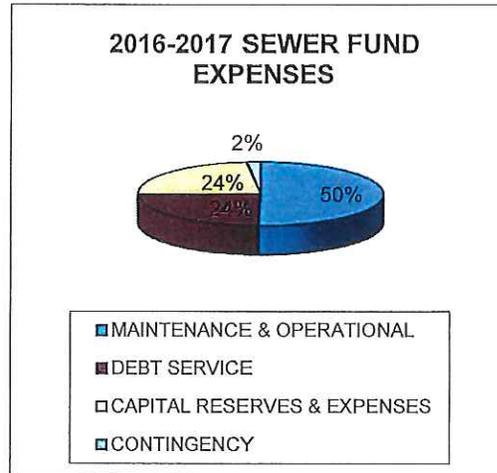
2016-2017 BUDGET
WATER FUND EXPENSES

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



2016-2017 BUDGET
SEWER FUND EXPENSES

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



FY 16-17 DRAFT BUDGET REVENUES

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

| | | | | | |
|------------------|-------------------------------|----|----------|----|----------|
| | MISCELLANEOUS REVENUES | | | | |
| 100-3189905-0000 | SALE OF SURPLUS | \$ | 1,000.00 | \$ | 1,000.00 |
| | TOTAL MISC REVENUES | \$ | 1,000.00 | \$ | 1,000.00 |
| | RECOVERED COSTS | | | | |
| 100-3190203-0000 | REIMBURSABLE FEES | \$ | 5,000.00 | \$ | 5,000.00 |
| | TOTAL RECOVERED COSTS | \$ | 5,000.00 | \$ | 5,000.00 |

| | | | | | | |
|-----------------------------|----|--------------|----|--------------|----|--------------|
| TOTAL LOCAL REVENUES | \$ | 2,379,390.00 | \$ | 2,325,400.00 | \$ | 2,463,250.00 |
|-----------------------------|----|--------------|----|--------------|----|--------------|

REVENUE FROM THE COMMONWEALTH

NON-CATEGORICAL AID

| | | | | | | | |
|------------------|----------------------------------|----|------------|----|------------|----|------------|
| 100-3220107-0000 | ROLLING STOCK TAX | \$ | 2,000.00 | \$ | 2,000.00 | \$ | 2,000.00 |
| 100-3220109-0000 | PPTRA | \$ | 209,917.00 | \$ | 209,917.00 | \$ | 209,917.00 |
| 100-3220201-0000 | COMMUNICATION TAX | \$ | 90,000.00 | \$ | 90,000.00 | \$ | 90,000.00 |
| | TOTAL NON-CATEGORICAL AID | \$ | 301,917.00 | \$ | 301,917.00 | \$ | 301,917.00 |

CATEGORICAL AID

| | | | | | | | |
|------------------|------------------------------|----|------------|----|------------|----|------------|
| 100-3240103-0000 | 599 LAW ENFORCEMENT GRANT | \$ | 74,052.00 | \$ | 74,052.00 | \$ | 74,052.00 |
| 100-3240103-0000 | LE BLOCK GRANT | \$ | - | \$ | - | \$ | 10,000.00 |
| 100-3240201-0000 | FIRE FUND PROGRAM | \$ | 11,187.00 | \$ | 14,000.00 | \$ | 14,000.00 |
| 100-3240300-0000 | VDOT LANE MILE ALLOWANCE | \$ | 431,812.00 | \$ | 431,812.00 | \$ | 474,787.00 |
| 100-3240301-0000 | VDOT ROAD MAINTENANCE | \$ | 10,000.00 | \$ | 10,000.00 | \$ | 10,000.00 |
| 100-3240302-0000 | LITTER CONTROL GRANT | \$ | 2,000.00 | \$ | 2,000.00 | \$ | 2,000.00 |
| 100-3240311-0000 | ST EMERGENCY R&R | \$ | - | \$ | - | \$ | - |
| 100-3240312-0000 | VA COMMISSION FOR THE ARTS | \$ | 5,000.00 | \$ | 5,000.00 | \$ | 5,000.00 |
| 100-3240710-0000 | DMV ANIMAL FRIENDLY PLATES | | | | | \$ | 30.00 |
| | TOTAL CATEGORICAL AID | \$ | 534,051.00 | \$ | 536,864.00 | \$ | 589,869.00 |

| | | | | | | |
|------------------------------------|----|------------|----|------------|----|------------|
| TOTAL FROM THE COMMONWEALTH | \$ | 835,968.00 | \$ | 838,781.00 | \$ | 891,786.00 |
|------------------------------------|----|------------|----|------------|----|------------|

REVENUE FROM THE FEDERAL GOVERNMENT

CATEGORICAL AID

| | | | | | | | |
|------------------|------------------------------|----|---|----|---|----|---|
| 100-3340102-0000 | FEDERAL FIRE FUND PROGRAM | \$ | - | \$ | - | \$ | - |
| 100-3340311-0000 | FEDERAL EMERGENCY R&R | \$ | - | \$ | - | \$ | - |
| | TOTAL CATEGORICAL AID | \$ | - | \$ | - | \$ | - |

| | | | | | | |
|--------------------------------------|----|---|----|---|----|---|
| TOTAL FROM FEDERAL GOVERNMENT | \$ | - | \$ | - | \$ | - |
|--------------------------------------|----|---|----|---|----|---|

REVENUE FROM OTHER SOURCES

NON-REVENUE RECEIPTS

| | | | | | | | |
|------------------|---------------------------------|----|----------|----|----------|----|----------|
| 100-3410201-0000 | MISCELLANEOUS REVENUES | \$ | 1,000.00 | \$ | 1,000.00 | \$ | 1,000.00 |
| | TOTAL FROM OTHER SOURCES | \$ | 1,000.00 | \$ | 1,000.00 | \$ | 1,000.00 |

| | | | | | | |
|---------------------------------|----|----------|----|----------|----|----------|
| TOTAL FROM OTHER SOURCES | \$ | 1,000.00 | \$ | 1,000.00 | \$ | 1,000.00 |
|---------------------------------|----|----------|----|----------|----|----------|

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

WATER FUND

FUND BALANCE

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

REVENUE FROM MONEY OR PROP

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

CHARGES FOR SERVICES

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

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

SEWER FUND

FUND BALANCE

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

REVENUE FROM MONEY OR PROP

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

CHARGES FOR SERVICES

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

REVENUE FROM OTHER SOURCES

NON-REVENUE RECEIPTS

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

| | | | | | | |
|---------------------------------|----|---|----|---|----|---|
| TOTAL FROM OTHER SOURCES | \$ | - | \$ | - | \$ | - |
|---------------------------------|----|---|----|---|----|---|

TOTAL SEWER FUND \$ 1,607,850.00 \$ 1,802,600.00 \$ 1,943,600.00

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

FY 16-17 DRAFT BUDGET EXPENSES

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

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

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

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

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

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

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|------------------------------------|----|--------------|----|--------------|----|--------------|
| TOTAL GENERAL FUND EXPENSES | \$ | 3,216,358.00 | \$ | 3,165,181.00 | \$ | 3,356,036.00 |
|------------------------------------|----|--------------|----|--------------|----|--------------|

WATER FUND**PERSONNEL**

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

| | | | | | | | |
|------------------------|--|----|------------|----|------------|----|------------|
| TOTAL PERSONNEL | | \$ | 134,250.00 | \$ | 139,455.00 | \$ | 127,715.00 |
|------------------------|--|----|------------|----|------------|----|------------|

TREATMENT

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

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| TOTAL TREATMENT | | \$ | 364,050.00 | \$ | 359,960.00 | \$ | 389,550.00 |
|------------------------|--|----|------------|----|------------|----|------------|

DISTRIBUTION & MAINTENANCE

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

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

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| TOTAL WATER FUND EXPENSES | \$ | 816,975.00 | \$ | 889,750.00 | \$ | 940,700.00 |
|----------------------------------|----|------------|----|------------|----|------------|

SEWER FUND

PERSONNEL

| | | | | | | | |
|------------------|--------------------------------|----|------------|----|------------|----|------------|
| 502-4012220-1114 | COMPENSATION | \$ | 37,825.00 | \$ | 35,460.00 | \$ | 37,000.00 |
| 502-4012220-2100 | MATCHING FICA EXPENSE (7.65 %) | \$ | 24,750.00 | \$ | 24,500.00 | \$ | 2,850.00 |
| 502-4012220-2210 | VRS | \$ | 27,820.00 | \$ | 35,805.00 | \$ | 38,350.00 |
| 502-4012220-2220 | VMLIP - STD | \$ | 200.00 | \$ | 195.00 | \$ | 190.00 |
| 502-4012220-2230 | VMLIP - LTD | \$ | 1,760.00 | \$ | 1,720.00 | \$ | 1,695.00 |
| 502-4012220-2300 | HEALTH INSURANCE | \$ | 46,000.00 | \$ | 49,275.00 | \$ | 50,975.00 |
| 502-4012220-2400 | LIFE INSURANCE | \$ | 4,270.00 | \$ | 3,780.00 | \$ | 3,730.00 |
| 502-4012220-2600 | UNEMPLOYMENT INSURANCE | \$ | 280.00 | \$ | 240.00 | \$ | 90.00 |
| 502-4012220-2700 | WORKER'S COMPENSATION | \$ | 10,500.00 | \$ | 8,500.00 | \$ | 7,000.00 |
| 502-4012220-3145 | PROFESSIONAL SERVICES | \$ | 2,000.00 | \$ | 1,000.00 | \$ | - |
| 502-4012220-3320 | HANDHELD MAINT | \$ | - | \$ | 2,000.00 | \$ | 2,000.00 |
| 502-4012220-5210 | POSTAGE | \$ | 7,000.00 | \$ | 7,000.00 | \$ | 7,000.00 |
| 502-4012220-6001 | OFFICE SUPPLIES | \$ | 500.00 | \$ | 750.00 | \$ | 1,500.00 |
| | TOTAL PERSONNEL | \$ | 162,905.00 | \$ | 170,225.00 | \$ | 152,380.00 |

TREATMENT

| | | | | | | | |
|------------------|--------------------------------|----|------------|----|------------|----|------------|
| 502-4012222-1147 | COMPENSATION | \$ | 235,800.00 | \$ | 235,530.00 | \$ | 233,900.00 |
| 502-4012222-2100 | MATCHING FICA EXPENSE (7.65 %) | | | | | \$ | 17,900.00 |
| 502-4012222-2830 | CERTIFICATION FEES | \$ | 400.00 | \$ | 900.00 | \$ | 500.00 |
| 502-4012222-2850 | LAB TESTING | \$ | 25,000.00 | \$ | 25,000.00 | \$ | 25,000.00 |
| 502-4012222-3145 | PROFESSIONAL SERVICES | \$ | 15,000.00 | \$ | 15,000.00 | \$ | 15,000.00 |
| 502-4012222-3210 | LANDFILL-SOLIDS DISPOSAL | \$ | 35,000.00 | \$ | 30,000.00 | \$ | 30,000.00 |
| 502-4012222-3310 | REPAIR & MAINTENANCE | \$ | 60,000.00 | \$ | 90,000.00 | \$ | 90,000.00 |
| 502-4012222-5110 | ELECTRICITY | \$ | 160,000.00 | \$ | 150,000.00 | \$ | 150,000.00 |

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

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

| | | | | | | |
|----------------------------------|----|--------------|----|--------------|----|--------------|
| TOTAL SEWER FUND EXPENSES | \$ | 1,607,850.00 | \$ | 1,802,600.00 | \$ | 1,943,600.00 |
|----------------------------------|----|--------------|----|--------------|----|--------------|

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|---------------------------------|----|--------------|----|--------------|----|--------------|
| TOTAL EXPENSES ALL FUNDS | \$ | 5,641,183.00 | \$ | 5,857,531.00 | \$ | 6,240,336.00 |
|---------------------------------|----|--------------|----|--------------|----|--------------|

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

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The Treasurer reported that the audit service contract, including four one-year renewal options, had been awarded to Robinson, Farmer, Cox Associates.

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

Council member Kitselman said the Berryville Main Street Cruise-In is scheduled for August 27, and the Music in the Park series has started.

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

Council member Shaffer said he had nothing to report, and that he has enjoyed serving on Council and working with all of the members.

13. Report of Dave Tollett – Police and Security Committee

Council member Tollett said the Committee will meet on June 30. Chief White gave an update on staffing and the naloxone program.

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

Mayor Kirby said he has been thrilled about the opportunity to work on Council, and that in 14 years he had not missed a regular meeting. He said he has enjoyed serving and prays the Town will continue to prosper.

Council member Condrey questioned the Utilities Director’s report regarding fluoride levels reported and the CDC’s recommended levels. Mr. Dalton said he would check on the matter.

Mr. Dalton updated the Council on the Battletown Drive water main project saying it is near completion. He added that another water main project on Academy Court will begin in July.

Mr. Dalton referenced the memo regarding the Safe Routes to School project on Swan Avenue which noted the higher than expected bids and the resulting shortfall in funds to complete the project. He said that without additional funds, staff is recommending that the Town tell the contractor that it will reject the bid and re-scope the project and also pursue additional funding. **Council member Condrey moved that the Council of the Town of Berryville move forward in revising its method of re-scoping the plan, seek additional funds, and reject the current bid. Council member Tollett seconded the motion.**

Council member Condrey said he is concerned about partially demolishing the sidewalk as part of the re-scoping. Mr. Dalton and Ms. Dunkle addressed the current condition of the sidewalk and the process by which the shoulder would be replaced should a section of sidewalk be removed. Council member Shaffer said he will vote for the motion, but that he is very disappointed in the School Board saying they have no funds for this important project when they are funding many other things. **The motion carried as follows:**

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

Nay – None
Absent – None

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

The minutes of the May 24, 2016 Personnel Committee were approved unanimously.

Recorder Arnold moved 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. Council member Kitselman seconded the motion. Council member Condrey questioned the length of the term saying the annexation agreement identifies three year terms for BADA members. After withdrawing his original motion, **Recorder Arnold moved that the Council of the Town of Berryville appoint Matthew Bass to the Berryville Area Development Authority for a term to be determined by the BADA agreement with Clarke County. Council member Kitselman seconded the motion.** Council member Condrey thanked Matt Bass for submitting his paperwork for this position. He said the position had not been publicized, and he does not like the way appointments are done. **The motion carried as follows:**

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

Nay – Bryant Condrey
David Tollett

Absent – None

Recorder Arnold said it had been a pleasure to work with Council member Condrey, Council member Shaffer, and Mayor Kirby. He noted the many letters and commendations the Mayor has received upon his retirement which he said include the following:

Letters from:
Senator Mark Warner
Senator Tim Kaine
Governor Terence McAuliffe
State Delegate Dave LaRock
State Senator Jill Holtzman-Vogel
Winchester City Mayor Elizabeth Minor

A copy of the Congressional Record from 114th Congress, mounted on a plaque courtesy of Representative Barbara Comstock

A Resolution of Appreciation and Recognition of Service, mounted on a plaque courtesy of the Clarke County Board of Supervisors

16. Other

Mayor Kirby thanked Board of Supervisors member Barbara Byrd for regularly attending the Town Council meetings.

17. Closed Session

At 8:51 p.m., Recorder Arnold moved that the Council of the Town of Berryville enter a closed session in accordance with §2.2-3711-A-7, Code of Virginia, in order to consult with legal counsel and staff regarding probable litigation concerning the Berryville-Clarke County Government Center. Council member Shaffer seconded the motion which carried as follows:

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

Nay – None
Absent – None

At 9:10 p.m., the members of the Town Council being assembled within the designated meeting place in the presence of members of the public and the media desiring to attend, the meeting was reconvened. Recorder Arnold moved that the following Resolution Concerning Certification of the Closed Session be adopted. Council member Condrey seconded the motion which carried on the following roll call vote:

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

Harry Lee Arnold, Jr., Recorder

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Council member Shaffer moved that the Council of the Town of Berryville approve the attached General Release and Waiver and authorize the Town Manager to execute the document on behalf of

the Town after it is also approved by the Clarke County Board of Supervisors. The Town Manager is authorized, prior to execution of the General Release and Waiver, to make minor changes to the document after consultation with legal counsel. Council member Kitselman seconded the motion which carried as follows:

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

Nay – None
Absent – None

GENERAL RELEASE AND WAIVER

RECITALS

(A) The Town of Berryville, Virginia and the County of Clarke, Virginia (“Berryville” and “Clarke County”) entered into an Agreement (the “Agreement”) with Baughan & Baukhages Architects, AIA (“B&B”) for design, contract administration and other services by B&B (the “Project”) for the Berryville and Clarke County Joint Government Center aka the Berryville-Clarke County Government Center (the “Government Center”);

(B) Berryville and Clarke County engaged Robert T. Mitchell, Jr. (“Mitchell”) to represent Berryville and Clarke County against B&B for acts or omissions by it or its consultants or subcontractors including without limitation claims of breach of or default under the Agreement or professional malpractice, of, related to or arising from alleged defects, delays or other issues of, at or on the Project including without limitation the HVAC system (the “Engagement”);

(C) Following efforts to fix alleged defects before and after Substantial Completion and design and install remedial measures, including the design and installation of a new variable air volume (“VAV”) system and related components and modifications of the existing HVAC system, and following efforts to settle all issues and claims against B&B including a request for mediation by Mitchell on behalf of Berryville and Clarke County, B&B’s attorney asserted that a design claim if any was barred by the statute of limitations;

(D) Mitchell informed Berryville and Clarke County of the assertion by B&B’s attorney and recommended that Berryville and Clarke County engage new counsel in place of Mitchell;

(E) Berryville and Clarke County engaged new counsel, and Berryville and Clarke County in consultation with counsel evaluated claims against B&B and Mitchell and determined that: the time and expense of prosecuting any claim against B&B or Mitchell would require significant time and resources of Berryville and Clarke County and substantial litigation expenses including without limitation attorneys’ and experts’ fees and costs; prevailing on any claim against B&B or against Mitchell would be uncertain; recovery of damages would be uncertain; recovery if any would not include much of the cost of the VAV system in that the VAV system allegedly constituted a significant upgrade over the original HVAC design; and recovery if any would include no litigation expenses and, hence, no attorneys’ or experts’ fees and costs;

(F) Notwithstanding the matters in Recital (E) above, Berryville and Clarke County noticed a claim against Mitchell, and Mitchell denied liability for the claim noting, in addition to matters substantially the same as in Recital (E) above, facts and law with the potential to defeat a statute of limitations bar;

(G) Counsel for Berryville and Clarke County and counsel for Mitchell on behalf of their respective clients entered into settlement negotiations and reached a settlement agreement calling for payment of \$87,500.00 by his insurance carrier (the “Insurer”) on Mitchell’s behalf in exchange for Berryville’s and Clarke County’s release of any and all claims against Mitchell and the Insurer;

(H) Berryville and Clarke County deem that payment of the sum of \$87,500.00 (which sum is to be paid and disbursed as follows: \$54,862.50 to Clarke County and \$32,637.50 to Berryville) by the Insurer is reasonable given the fact that there is substantial risk that any claim based on professional malpractice or other theory of recovery against Mitchell is uncertain, entails substantial risk of no recovery or a relatively small recovery, and in no event would include recovery of litigation expenses including without limitation attorneys' and experts' fees and costs;

NOW THEREFORE, pursuant to the settlement agreement and in exchange for payment of the sum of Eighty Seven Thousand Five Hundred and 00/100 dollars (\$87,500.00, which sum is to be paid and disbursed as follows: \$54,862.50 to Clarke County and \$32,637.50 to Berryville) (collectively, the "Settlement Proceeds") by the Insurer on behalf of Mitchell to Berryville and Clarke County the receipt of which is hereby acknowledged, Berryville and Clarke County, by this General Release and Waiver, release, acquit and discharge the Releasees (defined herein) of and from the Claims (defined herein), waive, surrender and relinquish any and all rights and remedies of, related to or arising from the Claims, and further confirm, release, waive, represent, agree and acknowledge, including the following.

1. Berryville and Clarke County confirm that they reached and entered into the settlement agreement with Mitchell.
2. Berryville and Clarke County release, acquit and forever discharge Mitchell, the law firm Hall, Monahan, Engle, Mahan & Mitchell, the Insurer and their respective owners, officers, members, partners, agents, servants, insurers, employees and attorneys, past and present, (collectively, the "Releasees") of and from any and all demands, actions, causes of action, liability, damages, consequences and/or claims (collectively, the "Claims" and also, hereinafter, claims or such claims) including without limitation claims for subrogation, contribution or indemnity, that either or both of them have or may have or hereafter may or will have against any one of more of the Releasees, of whatever nature, now existing or which hereafter arise from or out of, concerning or related to Mitchell's legal representation of Berryville and Clarke County of, concerning or related to B&B, its consultants or subcontractors, the Project, the Government Center and/or the Engagement, whether any such claims are known or unknown, foreseen or unforeseen, or anticipated or unanticipated.
3. Berryville and Clarke County represent that they are each: political subdivisions of the Commonwealth of Virginia authorized, organized, and existing under Virginia law; in good standing; and fully authorized to have reached and entered into the settlement agreement and to provide and execute this General Waiver and Release.
4. Berryville and Clarke County acknowledge and represent that Berryville and Clarke County have not relied upon any representation, inducement, promise or other statement, or any consideration other than the Settlement Proceeds, in entering into the settlement agreement and providing and executing this General Waiver and Release.

5. Berryville and Clarke County acknowledge and represent that they each: understand the settlement agreement and this General Waiver and Release; have relied solely and completely on their own respective judgment and upon the advice and counsel of their attorneys; and reached and entered into the settlement agreement and provide and execute this General Waiver and Release freely and voluntarily without impairment, duress or coercion.

6. Berryville and Clarke County acknowledge and agree that the settlement agreement and this General Waiver and Release bind Berryville and Clarke County and their successors and assigns and shall inure to the benefit of the Releasees and their heirs, legatees, next of kin, executors, administrators, successors and assigns.

7. Berryville and Clarke County acknowledge and agree that: they and their attorneys had the opportunity and exercised the opportunity to review, comment upon, revise and supplement this General Waiver and Release including the terms herein; no ambiguity in this General Waiver and Release including the terms herein shall be construed against the drafter(s); and any rule of construction by which a court, arbitrator or other decision-maker or authority may or would construe this General Waiver and Release, any term herein or any ambiguity herein against the drafter(s) shall not be applied.

8. Mitchell does not admit and expressly denies liability, the Insurer does not admit and expressly denies liability, and Berryville and Clarke County acknowledge and agree that neither Mitchell, nor the Insurer, nor any of the other Releasees have admitted any liability for the Claims and that liability for the Claims is denied.

9. Berryville and Clarke County represent that: the Town Manager and the County Administrator are authorized and directed to sign this General Waiver and Release on behalf of Berryville and Clarke County respectively; and by the signatures of the Town Manager and the County Administrator, this General Waiver and Release will be properly provided and executed by Berryville and Clarke County respectively and Berryville and Clarke County shall be bound thereby.

IN WITNESS WHEREOF, the Town Manager and the County Administrator of Berryville and Clarke County respectively sign this General Release and Waiver on behalf of Berryville and Clarke County respectively.

[Signatures appear on the following page.]

The Town of Berryville, Virginia

By: _____
Keith Dalton, Town Manager

COMMONWEALTH OF VIRGINIA, COUNTY OF CLARKE, to wit:

The foregoing instrument was duly acknowledged before me, a Notary Public in and for the County and State aforesaid, this ____ day of June, 2016, by Keith Dalton, Town Manager of the Town of Berryville, Virginia, on behalf of the Town, who is personally known to me.

Notary Public

My commission expires: _____

Notary Registration No. _____

The County of Clarke, Virginia

By: _____
David Ash, County Administrator

COMMONWEALTH OF VIRGINIA, COUNTY OF CLARKE, to wit:

The foregoing instrument was duly acknowledged before me, a Notary Public in and for the County and State aforesaid, this ____ day of June, 2016, by David Ash, County Administrator of the County of Clarke, Virginia, on behalf of the County, who is personally known to me.

Notary Public

My commission expires: _____

Notary Registration No. _____

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18. Adjourn

At 9:18 p.m., Recorder Arnold moved 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. Council member Condrey seconded the motion which carried as follows:

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

Nay – None
Absent – None

Harry Lee Arnold, Jr., Recorder

Ann W. Phillips, Town Clerk

Attachment 3

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Continued Meeting – Joint Meeting with Clarke County Board of Supervisors
June 29, 2016
7:00 p.m.

Town Council:

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

Clarke County Board of Supervisors:

Present- David Weiss, Chair; Terri Catlett; Bev McKay; Mary Daniel
Absent- Barbara Byrd

Town of Berryville Staff: Present- Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Ann Phillips, Town Clerk

Clarke County Staff: Present- David Ash, County Administrator; Lora Walburn, Deputy Clerk-Board of Supervisors

Press: None

Others: Robert Mitchell; Patricia Dickinson

1. Call to Order

Mayor Kirby reconvened the Town Council meeting at 7:00 p.m.

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

2. Discussion – Economic Development Proposal

Mayor Kirby asked staff to report on the announcement made earlier in the day by Governor McAuliffe. Mr. Dalton noted the Performance Agreement, which is under the auspices of the Governor's Agricultural & Forestry Industries Development Fund, and is to be executed by the Town, County, and the Industrial Development Authority. He noted Section 4 of the Agreement which explains the rebate of 50% of taxes through the year 2022 with a value up to \$200,000. He added that this is a different approach from the Berryville Graphics agreement with the rebates occurring only after the taxes have been paid. Mr. Dalton said that with the announcement being made, the Council and Board are now free to discuss the opportunity. He noted the motions before each of the bodies to approve the Performance Agreement and authorize the CAO to make modifications as needed. Mr. Dalton thanked Ms. Dunkle for her efforts in bringing the agreement to this conclusion.

Supervisor Daniel asked if payments will go through the IDA, and Mr. Dalton said that they would.

Chair Weiss noted that the IDA had planned to attend the meeting, but were not able to meet a quorum. He said they are in support and would be meeting within 48 hours to approve the agreement.

Recorder Arnold moved that the Town of Berryville approve the attached Handsome Brook Farm Performance Agreement and authorize the Town Manager to make minor modifications as needed in consultation with the Virginia Department of Agriculture and Consumer Services and to sign the document. Council member Condrey seconded the motion which carried as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Douglas Shaffer
Bryant Condrey

Nay – None
Absent – Allen Kitselman
David Tollett

Supervisor Daniel moved that the Clarke County Board of Supervisors approve the attached Handsome Brook Farm Performance Agreement and authorize the County Administrator to make minor modifications as needed in consultation with the Virginia Department of Agriculture and Consumer Services and to sign the document. Chair Weiss expressed thanks to Mr. Dalton, Ms. Dunkle, and other staff for an outstanding job coordinating with state agencies to bring the Handsome Brook Farm facility to Berryville, saying they have gone above and beyond in their efforts. He stated that he believed it was important to point out the safety portion of the agreement in the Town and County do not “front” money but only rebate money that is paid in to each entity ensuring that the citizens are not at risk. Chair Weiss said that it was a great day for the Town and County.

The motion passed as follows:

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

Nay - None
Absent – Barbara J. Byrd

GOVERNOR'S AGRICULTURE & FORESTRY INDUSTRIES DEVELOPMENT FUND
PERFORMANCE AGREEMENT

This **PERFORMANCE AGREEMENT** (the “**Agreement**”) made and entered this ____ day of _____, 2016, by and among the **COUNTY OF CLARKE, VIRGINIA** (the “**County**”) and the **TOWN OF BERRYVILLE, VA** (the “**Town**”) (collectively “the **Locality**”), and **HANDSOME BROOK FARMS, _____** (the “**Company**”), a _____ corporation authorized to transact business in the Commonwealth of Virginia (the “**Commonwealth**”), and the **INDUSTRIAL DEVELOPMENT AUTHORITY OF CLARKE COUNTY, VIRGINIA** (the “**Authority**”), a political subdivision of the Commonwealth.

WITNESSETH:

WHEREAS, the **Locality** has been awarded a grant of and expects to receive \$200,000 from the Governor’s Agriculture & Forestry Industries Development Fund (an “**AFID Grant**”) through the Virginia Department of Agriculture and Consumer Services (“**VDACS**”) for the purpose of inducing the **Company** to construct and improve an agriculture and/or forestry processing/value-added facility using Virginia-grown products in the **Locality** (the “**Facility**”), thereby making a significant Capital Investment, as hereinafter defined, creating a significant number of New Jobs, as hereinafter defined; and purchasing a significant amount of Virginia-grown agricultural and forestal products, as hereinafter set forth; and

WHEREAS, the **Locality** is willing to provide the funds to the **Authority** with the expectation that the **Authority** will provide the funds to or for the use of the **Company**, provided that the **Company** promises to meet certain criteria relating to Capital Investment, New Jobs, and purchase of Virginia-grown agricultural and forestal products; and

WHEREAS, the **Locality**, the **Authority**, and the **Company** desire to set forth their understanding and agreement as to the payout of the **AFID Grant**, the use of the **AFID Grant** proceeds, the obligations of the **Company** regarding Capital Investment, New Job creation, purchase of Virginia-grown agricultural and forestal products, and the repayment by the **Company** of all or part of the **AFID Grant** under certain circumstances; and

WHEREAS, the construction and operation of the **Facility** will entail a capital expenditure of approximately \$6,809,820, of which approximately \$3,647,180 will be invested in machinery and equipment, approximately \$1,698,640 will be invested to improve the site and building, and approximately \$1,464,000 will be invested in tangible personal property; and

WHEREAS, the construction and operation of the **Facility** will further entail the creation of 105 New Jobs at the **Facility**; and

WHEREAS, the construction and operation of the Facility will further lead to the purchase of Virginia-grown agricultural and forestal products in the following amount: 20,232,450 dozen eggs for \$50,581,125 over the performance period (see Appendix A for details); and

WHEREAS, the stimulation of the additional tax revenue and economic activity to be generated by the Capital Investment, New Jobs, and purchase of Virginia-grown agricultural and forestal products constitutes a valid public purpose for the expenditure of public funds and is the animating purpose for the AFID Grant; and

WHEREAS, the County is the Lead Applicant and will serve as fiscal agent for the Locality.

NOW, THEREFORE, in consideration of the foregoing, the mutual benefits, promises, and undertakings of the parties to this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties covenant and agree as follows.

Section 1. Definitions.

For the purposes of this Agreement, the following terms shall have the following definitions:

“Capital Investment” means a capital expenditure by or on behalf of the Company in taxable real property, taxable tangible personal property, or both, at the Facility excluding the purchase of land or existing real property improvements. The total capital expenditure of \$6,809,820 is referred to in this Agreement as the “Capital Investment.”

“Maintain” means that the New Jobs created pursuant to the AFID Grant will continue without interruption from the date of creation through the Performance Date. Positions for the New Jobs will be treated as Maintained during periods in which such positions are not filled due to temporary reductions in the Company’s employment levels in connection with recruitment for open positions or strikes and other work stoppages.

“New Job” means new permanent full-time employment of an indefinite duration at the Facility for which the standard fringe benefits are paid by the Company for the employee, and for which the Company pays an average annual wage of at least \$33,955. Each New Job must require a minimum of either (i) 35 hours of an employee’s time per week for the entire normal year of the Company’s operations, which “normal year” must consist of at least 48 weeks, or (ii) 1,680 hours per year. Seasonal or temporary positions, positions created when a job function is shifted from an existing location in the Commonwealth, and positions with construction contractors, vendors, suppliers and similar multiplier or spin-off jobs shall not qualify as New Jobs.

“Performance Date” means August 31, 2019. If the Locality, in consultation with the Authority and the Secretary of Agriculture and Forestry, deems that good faith and reasonable efforts have been made and are being made by the Company to achieve the Targets, the Locality may agree to extend the Performance Date by up to 15 months. If the Performance Date is extended, the Locality shall send written notice of the extension to the Authority, the Company and the Secretary of Agriculture and Forestry and the date to which the Performance Date has been extended shall be the “Performance Date” for the purposes of this Agreement.

“Targets” means the Company’s obligations to make Capital Investments at the Facility of at least \$6,809,820, to create and Maintain at least 105 New Jobs at the Facility, and to purchase at least \$50,581,125 of Virginia-grown agricultural and forestal products (see Appendix A for details) , all as of the Performance Date.

“Virginia Code” means the Code of Virginia of 1950, as amended.

Section 2. Targets.

The Company will develop and operate the Facility in the Locality, make a Capital Investment of at least \$6,809,820, create and Maintain at least 105 New Jobs, and purchase \$50,581,125 of Virginia-grown agricultural and forestal products (see Appendix A), at the Facility, all as of the Performance Date. If the dollar amount of new purchases of Virginia-grown agricultural and forestal products is not met, the Company can still achieve the purchase target by demonstrating they substantively achieved the same volume of Virginia-grown agricultural and forestal products they proposed in Appendix A.

The average annual wage of the New Jobs will be at least \$33,955.

The average prevailing wage in the locality in 2016 is \$42,796.

Section 3. Disbursement of AFID Grant.

By no later than August 31, 2016, the Locality will request the disbursement to it of the AFID Grant. If not so requested by the Locality by August 31, 2016, this Agreement will terminate. The Locality and the Company will be entitled to reapply for an AFID Grant thereafter, based upon the terms, conditions and availability of funds at that time.

The AFID Grant in the amount of \$200,000 will be paid to the Locality, upon its request. Within 30 days of its receipt of the AFID Grant proceeds, the Locality will disburse the AFID Grant proceeds to the Authority. Within 30 days of its receipt of the AFID Grant proceeds, the Authority will disburse the AFID Grant proceeds to the Company as an inducement to the Company to achieve the Targets at the Facility. The Company will use the AFID Grant proceeds to make building improvements, as permitted by Section 3.2-304(C) of the Virginia Code.

Section 4. Break Even Point; State and Local Government Incentives.

See Appendix B for description of “break-even point.” With regard to the Facility, the Commonwealth expects to provide incentives in the following amounts:

| <u>Category of Incentive:</u> | <u>Total Amount</u> |
|---|---------------------|
| AFID Grant | \$200,000 |
| Virginia Jobs Investment Program (“VJIP”) (Estimated) | \$57,750 |

The Locality expects to provide the following incentives, as matching grants or otherwise, for the Facility:

| <u>Category of Incentive:</u> | <u>Total Amount</u> |
|---|---------------------|
| <p>Clarke County and the Town of Berryville will rebate 50% of local real estate, business personal property, and machinery and tools taxes paid by the Company to the Town and County on assessments above current assessed values (\$898,900 land and improvements for real estate taxes; \$0 for business personal property taxes; and \$0 for machinery and tools taxes) for each year through calendar year 2022, up to total rebates of \$200,000.00. Such rebates shall be paid by the Locality to the Authority by February 15 of the year following the calendar year in which the Company pays the taxes, and the Authority shall pay the rebates to the Company within forty-five (45) days after receipt of the rebate amounts from the Locality. It is estimated that Clarke County will rebate \$134,400 and the Town of Berryville will rebate \$65,600.</p> | <p>\$200,000</p> |

The Grant award is based on the assumption that the Company will generate new taxes for the locality. The amount of \$200,000 is drawn from a calculation of the total estimated new local taxes to be generated by the Company through August 31, 2022 based on investment information presented by the company as part of the AFID application process.

If, by August 31, 2022, the value of the funds and other local incentives disbursed or committed to be disbursed by the Locality to the Company total less than the \$200,000 AFID Grant local match requirement, the Company shall repay the difference to the AFID Fund.

The proceeds of the AFID Grant shall be used for the purposes described in Section 3. The VJIP grant proceeds shall be used by the Company to pay or reimburse itself for recruitment and training costs. The proceeds of the Locality's \$200,000 may be used by the Company for any lawful purpose.

Section 5. Repayment Obligation.

(a) *Determination of Inability to Comply:* If the County or the Secretary of Agriculture and Forestry (the "Secretary") determines at any time before the Performance Date (a "Determination Date") that the Company is unlikely to meet and Maintain at least fifty (50) percent of its Targets by and through the Performance Date (i.e., by making a Capital Investment of at least \$3,404,910 in the Facility, by creating and Maintaining at least 52 New Jobs at the Facility, or by purchasing at least \$25,290,562 of Virginia-grown agricultural and forestal products by the Performance Date), and if the County or the Secretary shall have promptly notified the Company of such determination, the entire AFID Grant must be repaid by the Company to the Authority. Such a determination by the Locality or the Secretary will be based on circumstances such as a filing by or on behalf of the Company under Chapter 7 of the U.S. Bankruptcy Code, the liquidation of the Company, an abandonment of the Facility by the Company, or other similar significant event that demonstrates that the Company will be unable or is unwilling to satisfy the Targets for the AFID Grant.

(b) *Repayment of AFID Grant:* For purposes of repayment, the AFID Grant is to be allocated as \$66,667 (33%) for the Company's Capital Investment Target, \$66,666 (33%) for its New Jobs Target, and \$66,666 (33%) for its purchase of Virginia-grown agricultural and forestal products. If the Company has met at least ninety percent (90%) of each of the three Targets at the Performance Date, then and thereafter the Company is no longer obligated to repay any portion of the AFID Grant. If the Company has not met at least ninety percent (90%) of each of the three of its Targets at the Performance Date, the Company shall repay to the Authority that part of the AFID Grant that is proportional to the Target or Targets for which there is a shortfall. For example, if at the Performance Date, the Capital Investment is only \$4,009,365, only 79 New Jobs have been created and Maintained, and only \$37,935,843 of Virginia-grown agricultural and forestal products have been purchased, the Company shall repay to the Authority twenty-five percent (25%) of the moneys allocated to the Capital Investment Target (\$16,667), twenty-five percent (25%) of the moneys allocated to the New Jobs Target (\$16,666), and twenty-five percent (25%) of the moneys allocated to the purchase of Virginia-grown agricultural and forestal products Target (\$16,666). Whether the New Jobs Target has been met will be determined by comparing the anticipated payroll (105 New Jobs at an average annual wage of at least \$33,955) to the actual number of New Jobs and the actual average annual wage reported at the Performance Date.

(c) *Repayment Dates:* ***Such repayment shall be due from the Company to the Authority within thirty days of the Performance Date or the Determination Date, as applicable.*** Any moneys repaid by the Company to the Authority hereunder shall be repaid by the Authority to the Locality and shall be repaid by the Locality promptly to VDACS for redeposit into the AFID fund. The Locality and the Authority shall use their best efforts to recover all such funds, including legal action for breach of this Agreement. The County shall assume primary responsibility for filing and prosecuting any such legal action, and the Authority shall cooperate with the County's efforts. Neither the Locality nor the Authority shall have any responsibility for the repayment of any sums hereunder unless said sums have been received by the Authority from the Company.

Section 6. Company Reporting.

The Company shall provide, at the Company's expense, detailed verification reasonably satisfactory to the County, the Authority, and VDACS of the Company's progress on the Targets. Such progress reports will be provided annually, starting February 15, 2017 and at such other times as the Locality, the Authority, or VDACS may reasonably require. The progress reports will cover the previous calendar year of the Performance Period, beginning on August 31, 2016.

With each such progress report, the Company shall report to VDACS the amount paid by the Company in the prior calendar year in Virginia corporate income tax. The Company hereby authorizes the Commissioner of the Revenue, the Treasurer, and the Director of Finance for the County to release to the Authority and the Locality the Company's confidential tax information and data so that the Authority may verify the payments made. VDACS has represented to the Company that it considers such information to be confidential proprietary information that is exempt from public disclosure under the Virginia Freedom of Information Act and that such information will be used by VDACS solely in calculating aggregate return on invested capital analyses for purposes of gauging the overall effectiveness of economic development incentives.

With each progress report, the Company shall also report to VDACS the amount purchased and the purchase price paid by the Company, or the fair market value of the Virginia-Grown Agricultural or Forestal Products utilized, through the prior year.

The Locality and Company agree to retain all books, records, data, and other documents relative to this agreement for a period of three (3) years after the end of this agreement, or until audited by the Commonwealth of Virginia, whichever is sooner. VDACS and its authorized agents, and/or state auditors (both the Auditor of Public Accounts and/or VDACS Internal Auditor) shall have full access to and the right to examine any of said materials and records relating to this agreement during this period.

Section 7. Notices.

Any notices required or permitted under this Agreement shall be given in writing, and shall be deemed to be received upon receipt or refusal after mailing of the same in the United States Mail by certified mail, postage fully pre-paid or by overnight courier (refusal shall mean return of certified mail or overnight courier package not accepted by the addressee):

if to the Company, to:

with a copy to:

Attention: _____

Attention: _____

if to the Locality, to:

with a copy to:

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

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

Attention: Keith R. Dalton, Town Manager

Attention: Mayor

if to the Authority, to:

with a copy to:

County of Clarke
101 Chalmers Court, Suite B
Berryville, VA 22611

County of Clarke
101 Chalmers Court, Suite B
Berryville, VA 22611

Attention: David L. Ash, County
Administrator

Attention: Chairman Board of Supervisors

if to VDACS, to:

with a copy to:

Secretary of Agriculture and Forestry
Office of Governor Terence R. McAuliffe

Stephen G. Versen
AFID Fund Coordinator

Commonwealth of Virginia
1111 East Broad Street
Richmond, Virginia 23219
Attention: AFID

Va Dept. of Agriculture & Consumer Services
102 Governor St.
Richmond, Virginia 23219
Attention: AFID

Section 8. Miscellaneous.

(a) *Entire Agreement; Amendments:* This Agreement constitutes the entire agreement among the parties hereto as to the AFID Grant and may not be amended or modified, except in writing, signed by each of the parties hereto. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. The Company may not assign its rights and obligations under this Agreement without the prior written consent of the Locality, the Authority, and the Secretary of Agriculture and Forestry.

(b) *Governing Law; Venue:* This Agreement is made, and is intended to be performed, in the Commonwealth and shall be construed and enforced by the laws of the Commonwealth. Jurisdiction and venue for any litigation arising out of or involving this Agreement shall lie in the Circuit Court of the County of Clarke and such litigation shall be brought only in such court.

(c) *Counterparts:* This Agreement may be executed in one or more counterparts, each of which shall be an original, and all of which together shall be one and the same instrument.

(d) *Severability:* If any provision of this Agreement is determined to be unenforceable, invalid or illegal, then the enforceability, validity and legality of the remaining provisions will not in any way be affected or impaired, and such provision will be deemed to be restated to reflect the original intentions of the parties as nearly as possible in accordance with applicable law.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties hereto have executed this Performance Agreement as of the date first written above.

TOWN OF BERRYVILLE, VIRGINIA

By _____
Name: _____
Title: _____
Date: _____

COUNTY OF CLARKE, VIRGINIA

By _____
Name: _____
Title: _____
Date: _____

**INDUSTRIAL DEVELOPMENT
AUTHORITY OF THE COUNTY OF
CLARKE, VIRGINIA**

By _____
Name: _____
Title: _____
Date: _____

HANDSOME BROOK FARMS, _____

By _____
Name: _____
Title: _____
Date: _____

APPENDIX A

Purchases of Virginia-grown Products:

By the Performance Date, the Company is committing to sourcing from Virginia farms 20,232,450 net new dozen eggs at a value of \$2.50 per dozen for a total of \$50,581,125.

| Handsome Brook Farms Berryville Three Year Production and Sourcing Estimate | | | | | |
|---|----------|----------------|--------------|--------------|------------|
| | Baseline | New Production | | | Total |
| | | 9/16 to 8/17 | 9/17 to 8/18 | 9/18 to 8/19 | |
| Net New Plant Egg Processing in Pallets | - | 13,843 | 34,183 | 44,400 | 92,426 |
| Plant Egg Processing in Pallets | 535.50 | 14,378.50 | 34,183.25 | 44,400.00 | 92,962 |
| Net New Plant Egg Processing in Dozens | - | 6,675,300 | 24,981,525 | 34,176,600 | 65,833,425 |
| Plant Egg Processing in Dozens | 481,950 | 12,940,650 | 30,764,925 | 39,960,000 | 83,665,575 |
| Net New Production -- Virginia (Farm Equiv) | 0 | 28 | 111 | 111 | 111 |
| Production -- Virginia (Farm Equiv) | 1 | 29 | 112 | 112 | 112 |
| Net New Production -- Outside VA (Farm Equiv) | 0 | 93 | 190 | 190 | 190 |
| Production -- Outside VA (Farm Equiv) | 50 | 143 | 240 | 240 | 240 |
| Net New Total Farm Equiv | - | 121 | 301 | 301 | 301 |
| Total Farm Equiv | 51 | 172 | 352 | 352 | 352 |
| | | | | | - |
| Net New Production -- Virginia (Dz) | - | 1,445,850 | 6,520,500 | 12,266,100 | 20,232,450 |
| Production -- Virginia (Dz) | 9,450 | 1,568,700 | 6,633,900 | 12,379,500 | 20,582,100 |
| Net New Production -- Outside VA (Dz) | - | 5,229,450 | 18,461,025 | 21,910,500 | 45,600,975 |
| Production -- Outside VA (Dz) | 472,500 | 12,931,200 | 30,764,925 | 39,960,000 | 83,656,125 |
| Total Net New Production at Berryville Plant | - | 6,675,300 | 24,981,525 | 34,176,600 | 65,833,425 |
| Total Production at Berryville Plant | - | 12,458,700 | 30,764,925 | 39,960,000 | 83,183,625 |
| | | | | | |
| Net New Percentage of Production in Virginia | | 22% | 26% | 36% | 31% |
| Percentage of Production in VA | 2% | 13% | 22% | 31% | 25% |
| *Eggs valued at \$2.50 per dozen | | | | | |

APPENDIX B

Break-Even Point Description:

VDACS has estimated that the Commonwealth will reach its “break-even point” by the Performance Date. The break-even point compares new revenues realized as a result of the Capital Investment and New Jobs at the Facility with the Commonwealth’s expenditures on incentives, including but not limited to the AFID Grant.

+ + + + + + + + + + +

Mayor Kirby said he echoed Chair Weiss's comments regarding the efforts of staff, saying he appreciates the incredible amount of work that Mr. Dalton and Ms. Dunkle have done. Mayor Kirby noted that tomorrow was his last day and the Governor of the State of Virginia coming to Berryville today topped off that service.

Chairman Weiss stated that working with Mayor Kirby had been a pleasure and wished him well in future endeavors. He, again, expressed appreciation for staff remarking that today he was reminded of how much staff does for the citizens.

Supervisor Daniel commented that it would be good for the Town to have a dormant piece of property back in service. She expressed appreciation to staff.

3. Adjourn

Upon motion of Supervisor McKay, the Board of Supervisors adjourned at 7:11 p.m.

Upon motion of Recorder Arnold, seconded by Council member Shaffer, the Town Council adjourned at 7:11 p.m.

Harry Lee Arnold, Jr., Recorder

Ann W. Phillips, Town Clerk

Attachment 4

Planning and Community Development

Action Items

- **Public Hearing – Text Amendment to R-1 Residential**
- **Set Public Hearing – Text Amendments to L-1 District**
- **Set Public Hearings – Proposed Text Amendments to the Business Commercial (BC) and Older Person Residential (OPR) Zoning Districts**

July 12, 2016

Planning Commission

The Planning Commission held a meeting on Tuesday, June 28, 2016. They held a public hearing for a text amendment in the R-1 Zoning District allowing offices for the Clarke County Public Schools and related non-profits. They also held 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, July 26, 2016 at 7:30pm.

Berryville Area Development Authority

The BADA did not hold a June meeting. Their next meeting is scheduled for Wednesday, July 27, 2016 at 7:00pm.

Architectural Review Board

The Architectural Review Board held a meeting on Wednesday, July 6, 2016 to discuss the following:

Sign Review

Ahmed Al Attar, Owner, is requesting a Certificate of Appropriateness in order to install three signs at his business, Main Street Smiles, at the property located at 117 East Main Street, identified as Tax Map Parcel number 14A5-((1A))-1B, zoned C General Commercial. *Approved as presented.*

Sign Review

Kathryn Cammer, Owner, is requesting a Certificate of Appropriateness in order to install a projecting sign at her business, Rosie's Sweets, at the property located at 23 Crow Street, identified as Tax Map Parcel number 14A5-((A))-15, zoned C General Commercial. *Approved as presented.*

Sign Review

Russell and Diane Harrison, Owners, are requesting a Certificate of Appropriateness in order to install a freestanding sign at their business, Center Ring Design Pottery and 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. *Approved as presented.*

Sign Review

Jennifer Otey, Owner, is requesting a Certificate of Appropriateness in order to install a hanging sign at her business, Create N Take, at the property located at 30 West Main Street, identified as Tax Map Parcel number 14A2-((A))-57 zoned C General Commercial. *Approved as presented.*

Sign Review

Betty Trump, Owner, is requesting a Certificate of Appropriateness in order to install a projecting sign at her business, The Farmer's Daughter, at the property located at 5 South Church Street, identified as Tax Map Parcel number 14A5-((A))-10 zoned C General Commercial. *Approved as presented with staff review of proposed bracket.*

Their next meeting is scheduled for Wednesday, August 3, 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 Section 609 L-1 Industrial

Zoning District

July 12, 2016

The Berryville Town Council is sponsoring an amendment to Article VI, Section 609 L-1 Industrial District, of the Berryville Zoning Ordinance in order to allow uses consistent with eligible land uses proposed in Tourism Zone Incentives in the Code of the Town of Berryville. TA 02-16

The Berryville Planning Commission held a public hearing on this matter at their June 28, 2016 meeting and recommended approval by Town Council.

At the May meeting, the Town Council adopted a resolution initiating modifications to Article VI, Section 609 of the Berryville Zoning Ordinance in order to align with proposed economic development incentives through the development of Tourism Zones. These Tourism Zones would be established in Section 16-9 of the Code of the Town of Berryville and allow for both local and state incentives.

At their June 6, 2016 meeting, the Planning Commission Comprehensive Plan Committee discussed the zones in detail. Following is a portion of the staff report from that meeting:

Downtown Business Tourism Zone

This zone includes the historic downtown business district. Per Berryville Zoning Ordinance Section 204, the intent of the district is to allow for general business including retail, banks, and restaurants. Proposed eligible land uses identified in the Tourism Zone include retail; dining; lodging; entertainment (excluding adult entertainment); culture and arts; personal services and offices; recreation; and second story apartments/condominiums. With the exception of lodging, which is a use by Special Permit (Section 204.2(g)), all uses identified above are permitted by right in Section 204.1.

Discussion should take place at the meeting concerning the definition of “personal services” and whether one is needed or if zoning interpretation would suffice. Staff has not found a definition in adjacent jurisdictions’ zoning ordinances. One possible definition may be considered as follows:

Establishments providing non-medical services to individuals as a primary use. Examples of these uses include:

- barber and beauty shops*
- dry cleaning*
- home electronics and small appliance repair*
- laundromats (self-service laundries)*
- locksmiths*
- pet grooming with no boarding*
- shoe repair shops*

- tailors
- tanning salons

Entrance Corridor Tourism Zone

The Entrance Corridor Tourism Zone is located along the northern corporate limits at U.S. Route 340. Proposed eligible land uses identified in this Tourism Zone include retail; dining; lodging; entertainment (excluding adult entertainment); culture and arts; personal services and offices; agritourism; and recreation. Two zoning districts are included in this Zone: Business Commercial (BC) and Business (B) which are regulated under Sections 610 and 611 of the Berryville Zoning Ordinance, respectively.

All of the proposed eligible land uses are permitted in these districts with the exception of agritourism. Future consideration for the Entrance Corridor Tourism Zone is the west entrance to Town from the 7 Bypass. This property, identified as Sub-Areas 1 and 2 in the Berryville Area Plan, include the funeral home, church, and Ruritan fairgrounds and have not been annexed into the Town. The agritourism use may be applied in this area once these properties have been annexed into the Town limits and the Entrance Corridor Tourism Zone map has been modified to include this area.

Community Business Tourism Zone

This zone includes the First Street corridor and a portion of East Main Street from the railroad tracks to the corporate limits. Proposed eligible land uses identified in the Tourism Zone include retail; dining; lodging; entertainment (excluding adult entertainment); personal services and offices; culture and arts; recreation; loft apartments/condominiums; wholesale/retail food hub; and community kitchens.

The zoning on these parcels is L-1 Industrial and C-1 Commercial regulated under Berryville Zoning Ordinance Sections 609 and 607, respectively. Proposed changes to the former are included in this packet and will be discussed at a Planning Commission public hearing on June 28, 2016. The C-1 district does not identify wholesale/retail food hubs or community kitchens in the current uses under Sections 607.2 (permitted uses) or 607.3 (special permit uses). Discussion at the meeting should take place to review these uses in the C-1 district.

+++++

Community kitchens were discussed at the Comp Plan Committee meeting and whether the intent was for commercial kitchens where food items would be able to be produced and sold to the general public. Staff contacted Community Improvements committee members concerning this matter and one member confirmed that the intent was to offer a commercial kitchen in conjunction with the food hub where local growers could organize and create a central processing kitchen facility for their ag products sharing in the cost of equipment (e.g., cooking, canning, packaging, etc.) and then organizing distribution to users. Staff modified the respective proposed text amendment and draft Section 16-9 of the Town Code to reflect this change.

Maps of the respective zones follow this report. Staff has created several scenarios in which eligible businesses are created within the respective Tourism Zones. The figures used in these scenarios are based on current numbers from existing businesses.

The following items are included in this report:

- Town Council resolution dated May 10, 2016 initiating the text amendments to Section 609;
- Section 609 of the Berryville Zoning Ordinance with the proposed changes identified in red;
- Draft Amendment establishing Section 16-9 of the Code of the Town of Berryville updated June 6, 2016;
- Maps of proposed Tourism Zone locations;
- Code of Virginia § 58.1-3851;
- Tourism Zone scenarios; and

Recommendation

Set a public hearing for the August 9, 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

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 the maps herein; and

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

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

Passed this 10th day of May, 2016.

Attest: _____

By: Wilson L. Kirby, Mayor

CERTIFICATION

I hereby certify that the above resolution was duly adopted by the Council of the Town of Berryville, in a duly assembled meeting on the 10th day of May, 2016.

Harry Lee Arnold, Jr., Recorder

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

SECTION 609 L-1 INDUSTRIAL DISTRICT

609.1 PURPOSE AND INTENT

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

609.2 PERMITTED USES (12/94)

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

609.3 SPECIAL PERMIT USES

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

609.4 PROHIBITED USES

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

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

Section 609 Industrial (L-1) District

609.5 MAXIMUM LOT COVERAGE

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

609.6 MINIMUM DISTRICT SIZE

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

609.7 LOT SIZE REQUIREMENTS AND BULK REGULATIONS

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

609.8 OPEN SPACE

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

609.9 PARKING, PARKING ACCESS AND DRIVEWAYS

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

609.10 SETBACK, BUFFERING AND LANDSCAPING

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

Section 609 Industrial (L-1) District

609.11 STORAGE OF GOODS, MATERIALS, FUEL AND REFUSE

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

609.12 STREET ENTRANCES

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

609.13 SITE PLAN REQUIREMENTS AND PERFORMANCE STANDARDS

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

Section 609 Industrial (L-1) District

609.14 ADDITIONAL REQUIREMENTS

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

DRAFT AMENDMENT 060616

Incentives

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

Sec. 16-9 Tourism Zone Incentives

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

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

TABLE 16-9(c)(1)

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

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

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

(a) A minimum new capital investment of \$25,000.

- (b) A minimum creation of one (1) new job.
- (c) Conformance with the Town's Comprehensive Plan.
- (d) Conformance with the Town's Zoning Ordinance.
- (e) Conformance with the Town Code.

(d) Incentives.

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

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

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

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

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

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

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

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

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

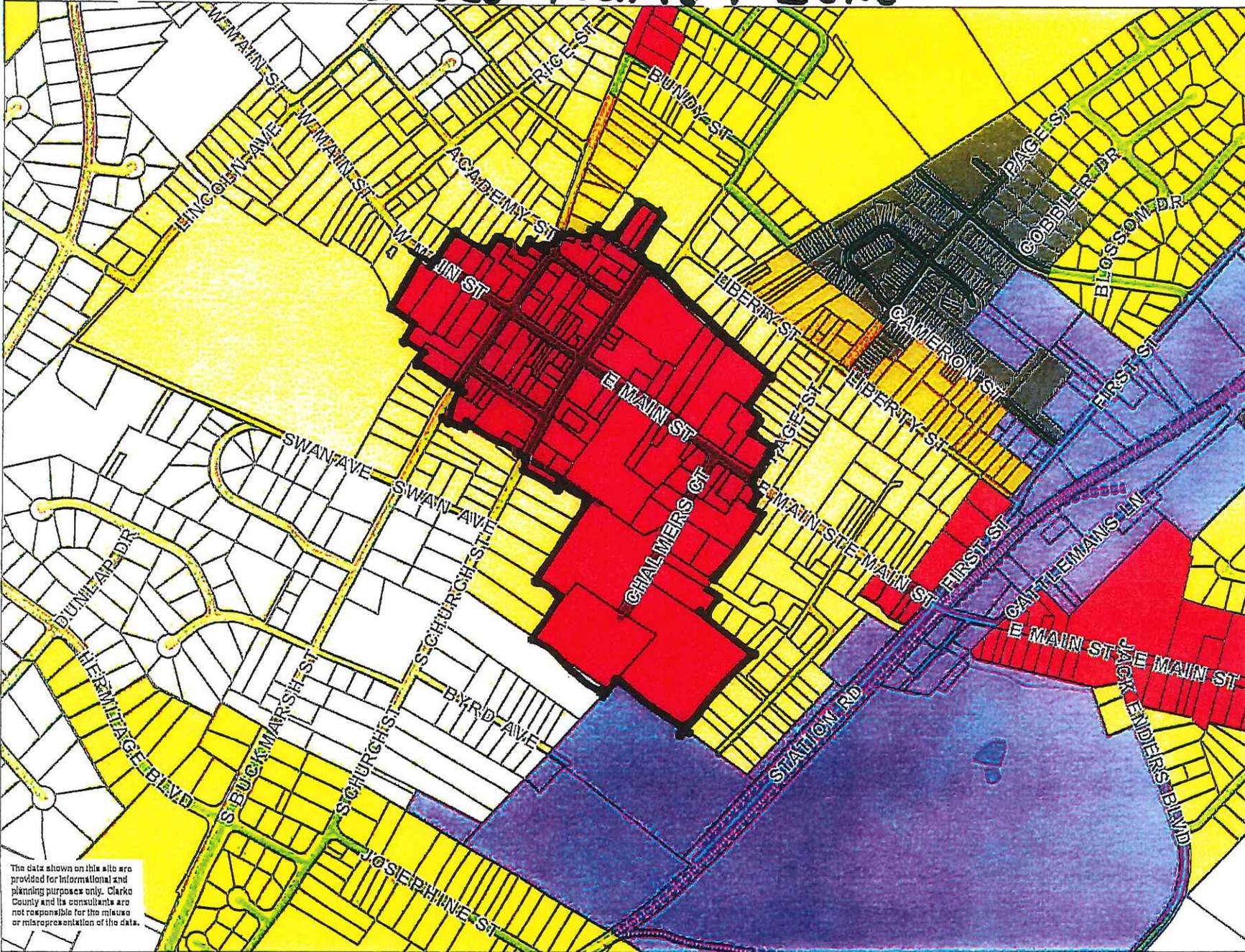
(2) Permit Fee Incentive. All eligible land uses may receive up to 100% reduction in permit fees with the Town of Berryville as identified in the Planning and Zoning Fee Schedule, as amended.

- (3) Availability Fee Incentive. Eligible commercial land uses may be allowed to make payment of required availability fees over a period of time that does not exceed ten (10) years, without interest or fees, subject to a lien on the property, or other guarantee, for the specified time period.

(e) Administration & Interpretation.

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

DOWNTOWN BUSINESS TOURISM ZONE



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

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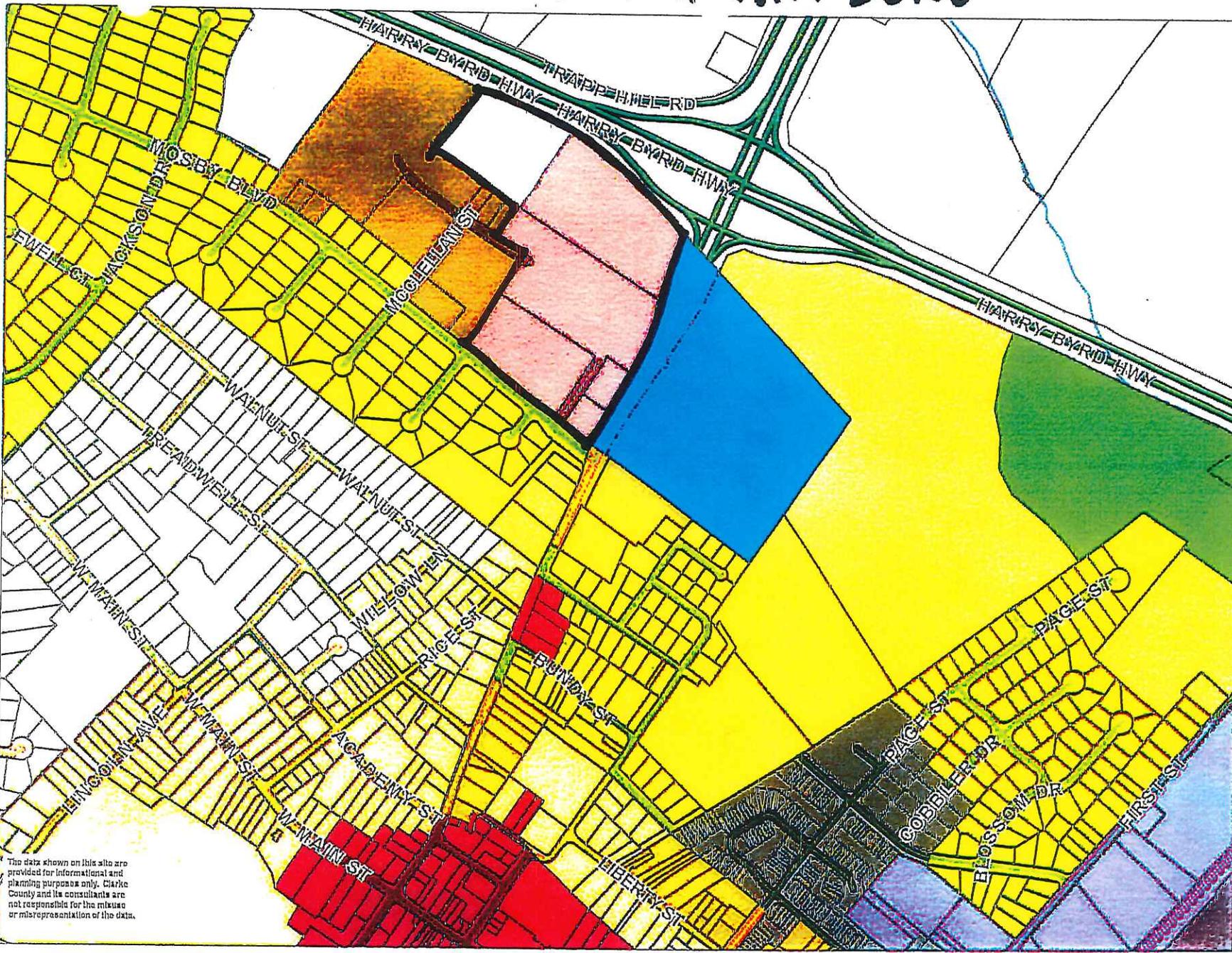
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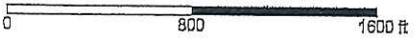
EMERGENCY CORRIDOR TOURISM ZONE



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



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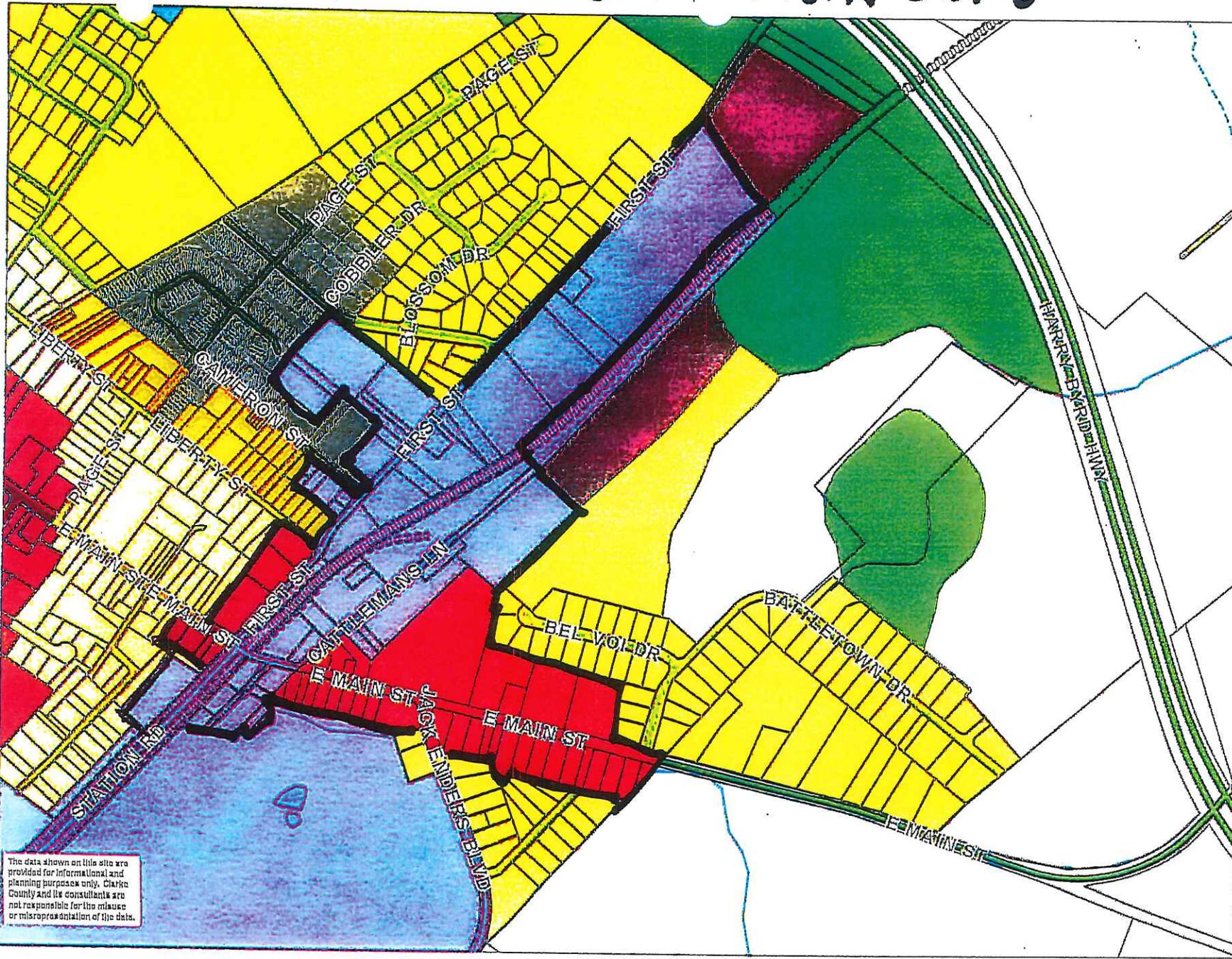
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COMMUNITY BUSINESS TOURISM ZONE



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



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

§ 58.1-3851. Creation of local tourism zones.

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

2006, c. 642; 2008, c. 462; 2013, cc. 756, 793.

Tourism Zone Scenarios

Below are several scenarios for businesses that are considered eligible land uses under Table 16-9(c)(1) in proposed Section 16-9 of the Code of the Town of Berryville. Numbers are based on actual gross receipts from similar businesses currently operating in Berryville.

Summary

Tourism Zone incentives are economic development tools for certain uses and specific areas of Town as identified in three zones: Downtown Business; Entrance Corridor; and Community Business.

Incentives include **BPOL waiver; permit fee waiver; and availability fee incentive in which, depending on the criteria met, these fees may be paid off over as many as 10 years.** Staff is recommending that the first year availability fee payment be 25% of the total fee with incremental annual payments on the first of each year of eligibility. The incentives are based on amount of capital improvements and job creation as identified in Table 16-9(d)(1)(a) in proposed Code Section 16-9.

Restaurant

Scenario:

- Downtown Business Tourism Zone
- \$300,000 in capital investment
- 8 new jobs
- qualify for Tier 2 incentives
- Capital investment would include interior renovations only, signage, no site changes
- Total gross receipts: \$500,00

| | Total
Tax or Fee | Amount
To Town | Timeframe
for Incentive | Total Amount
to Business |
|--|---------------------|-------------------|----------------------------|-----------------------------|
| BPOL (.12, retail use, annual) | \$600 | 0 | 7 years | \$4,200 |
| Meals tax (4%, annual) | \$20,000 | \$20,000 | N/A | 0 |
| Beer/Wine License | \$20 | \$20 | Annual | 0 |
| Zoning permit fees
(minor site plan, sign permit) | \$150 | 0 | one time | \$150 |
| Machinery and Tools | TBD* | N/A | N/A | no tax first year |

*County assessor's office determines base value for machinery and tools

Convenience Store

Scenario:

- Entrance Corridor Tourism Zone
- \$1,820,000 in capital investment
- 18 jobs
- qualify for Tier 3 incentives
- new construction
- P&Z fees
- General contractor/sub-contractor BPOL additional revenue
- Gross receipts \$820,000

| | Total
Tax or Fee | Amount
To Town | Timeframe
for Incentive | Total Amount
to Business |
|--|-----------------------------|---------------------------|------------------------------------|-------------------------------------|
| BPOL (.12, retail use, annual) | \$984 | 0 | 10 years | \$9,840 |
| Meals tax (prepared food only; \$100,000; 4%, annual) | \$4,000 | \$4,000 | N/A | 0 |
| Beer/Wine License | \$20 | \$20 | Annual | 0 |
| Zoning permit fees**
(minor site plan, sign permit) | \$10,275 | 0 | one time | \$10,275 |
| Machinery and Tools | TBD* | N/A | N/A | no tax first year |
| Availability Fees*** | \$70,552.50 | 25% first year | 10 years | 0 |
| | | Equal annual payments | | |

*County assessor's office determines base value for machinery and tools

** *Planning and Zoning Fees*

- Site Development Plan, Commercial \$4,000
- Plus per parking space @\$125 based on 3,000sf building 28 spaces required 1 per 150sf plus 2 spaces for each gas pump based on four pumps \$3,500
- Sign permit \$25
- Zoning Permit \$250
- Assuming new entrance on public street LUP \$100, Entrance Permit \$150
- Total Planning and Zoning: \$10,275

*** *Availability Fees*

Assuming 1" water meter
 \$13,125 Water
 \$425 meter + \$127.50 30% admin fee
 \$56,875 Sanitary Sewer
 Total Availability fees: \$70,552.50 (first year payment (25%) \$17,638.13)

Microbrewery/Restaurant

Scenario:

- Community Business Tourism Zone
- \$800,000 in capital investment
- 25 jobs
- qualify for Tier 3 incentives
- adaptive reuse of existing structure with existing water and sanitary sewer availability fees
- P&Z fees
- General contractor/sub-contractor BPOL additional revenue
- Some items may be tax exempt due to state regulations for breweries
- Gross receipts \$520,000

| | Total
Tax or Fee | Amount
To Town | Timeframe
for Incentive | Total Amount
to Business |
|--|---------------------|-------------------|----------------------------|-----------------------------|
| BPOL (.12, retail use, annual) | \$624 | 0 | 10 years | \$6,240 |
| Meals tax (restaurant
\$250,000; 4%, annual) | \$10,000 | \$10,000 | N/A | 0 |
| Beer/Wine License | \$20 | \$20 | Annual | 0 |
| Zoning permit fees
(minor site plan, sign permit) | \$150 | 0 | one time | \$150 |
| Machinery and Tools | TBD* | N/A | N/A | no tax first year |

*County assessor's office determines base value for machinery and tools

Personal Services/Offices

Scenario:

- Entrance Corridor Tourism Zone
- Assume physical therapy use, new construction
- \$2,000,000 in capital investment
- 15 jobs
- qualify for Tier 3 incentives
- P&Z fees
- General contractor/sub-contractor BPOL additional revenue
- Medical equipment qualifies for M&T
- Gross receipts \$600,000

| | Total
Tax or Fee | Amount
To Town | Timeframe
for Incentive | Total Amount
to Business |
|---|-----------------------------|---------------------------|------------------------------------|-------------------------------------|
| BPOL (.25, professional)
office use, annual) | \$1,500 | 0 | 10 years | \$15,000 |
| Zoning permit fees** | \$10,275 | 0 | one time | \$10,275 |
| Machinery and Tools | TBD* | TBD* | N/A | no tax first year |
| Availability Fees*** | \$123,187.50 | 25% first year | 10 years | 0 |
| Equal annual payments | | | | |

*County assessor's office determines base value for machinery and tools

**** Planning and Zoning Fees**

- Site Development Plan, Commercial \$4,000
- Plus per parking space @\$125 based on 3,000sf building 28 spaces required 1 per 150sf plus 2 spaces for each gas pump based on four pumps \$3,500
- Sign permit \$25
- Zoning Permit \$250
- Assuming new entrance on public street LUP \$100, Entrance Permit \$150
- Total Planning and Zoning: \$10,275

***** Availability Fees**

Assuming 1.5" water meter

\$22,970 Water

\$525 meter + \$157.50 30% admin fee

\$99,535 Sanitary Sewer

Total Availability fees: \$123,187.50 (first year payment (25%) \$30,796.88)

Retail

Scenario:

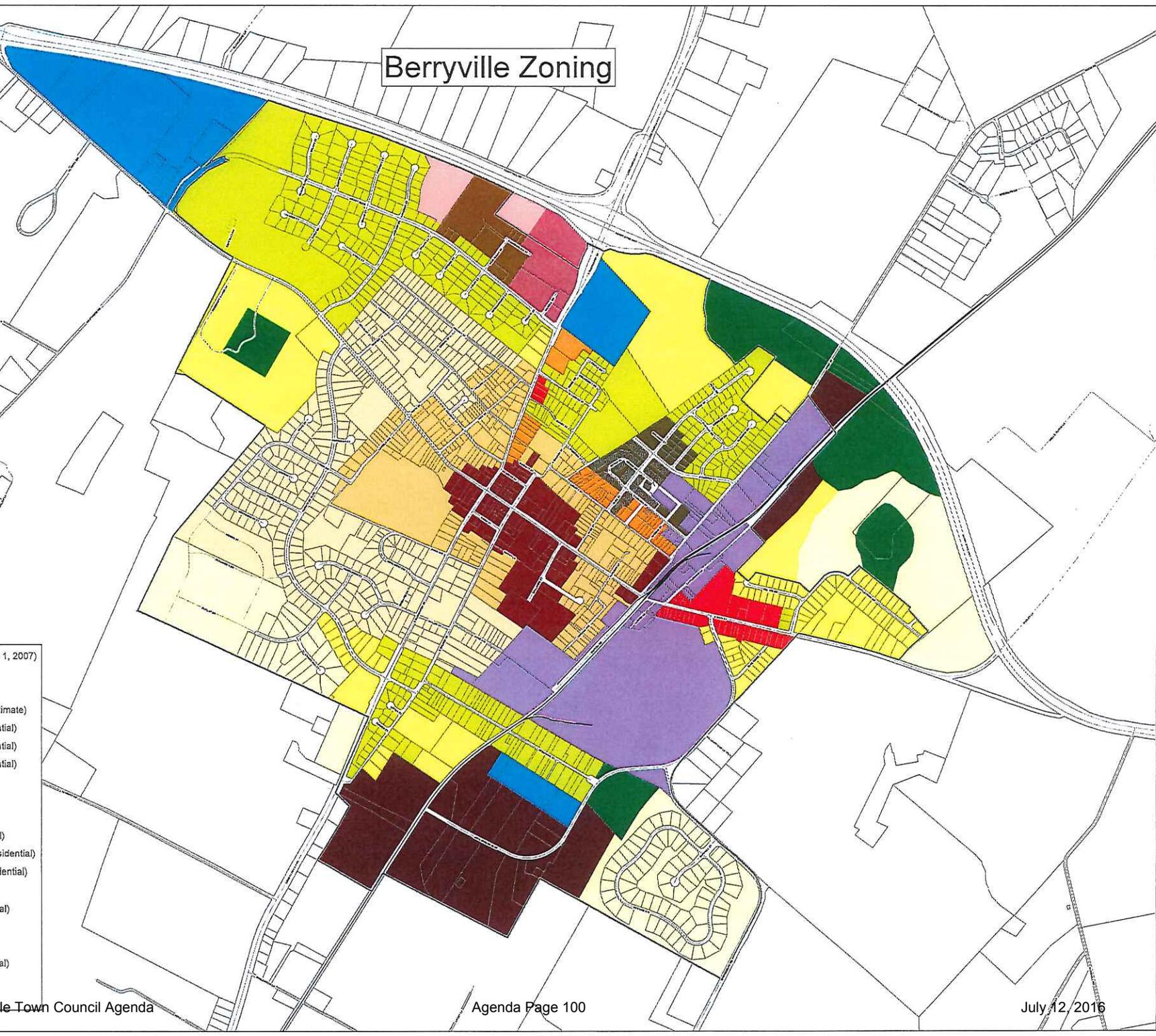
- Downtown Business Tourism Zone
- \$50,000 in capital investment
- 3 new jobs
- qualify for Tier 1 incentives
- Capital investment would include interior renovations only, signage, no site changes
- Gross receipts \$100,000

| | Total
Tax or Fee | Amount
To Town | Timeframe
for Incentive | Total Amount
to Business |
|--|---------------------|-------------------|----------------------------|-----------------------------|
| BPOL (.12, retail use, annual) | \$120 | 0 | 4 years | \$480 |
| Zoning permit fees
(minor site plan, sign permit) | \$150 | 0 | one time | \$150 |
| Machinery and Tools | TBD* | N/A | N/A | no tax first year |

*County assessor's office determines base value for machinery and tools

Berryville Zoning

- Town Boundary (January 1, 2007)
- Road
- Railroad
- Parcel Boundary (Approximate)
- DR-1 (Detached Residential)
- DR-2 (Detached Residential)
- DR-4 (Detached Residential)
- R-1 (Residential)
- R-2 (Residential)
- R-3 (Residential)
- AR (Attached Residential)
- OPR (Older Persons Residential)
- OSR (Open Space/Residential)
- B (Business)
- BC (Business Commercial)
- BP (Business Park)
- C-1 (Light Commercial)
- C (Downtown Commercial)
- L-1 (Light Industrial)
- ITL (Institutional)



BERRYVILLE TOWN COUNCIL

Set Public Hearing – Text Amendments to Sections 610 and 614 of the Berryville Zoning Ordinance

July 12, 2016

A.C. Echols, Owner/Agent, is requesting initiation of a text amendment to Article VI, Section 614 Older Person Residential (OPR), of the Berryville Ordinance to allow “Housing for Older Persons Residential: Single Family Detached; Single Family Attached – Duplexes, Tri-plexes, Quad plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet)” as a permitted use under Section 614.2(c) and removing “Housing for Older Persons, Medium Density: Single-Family Attached (Townhouses – 5 to 8 attached residential uses), Multi-family (including personal service uses of less than 500 square feet” from Section 614.4.(c). TA 04-16

A.C. Echols, Owner/Agent, is requesting initiation of a text amendment to Article VI, Older Person Residential (OPR), of Section 614.5 Maximum Density of the Berryville Zoning Ordinance in order to remove the maximum number of Older Person Residential units (300), including not more than one hundred twenty (120) multifamily units, permitted in the OPR Zoning District in Annexation Area B as shown on approved subdivision plats and site plans. TA-05-16

House of Lords, Inc. (Ding Wang, Contract Owner), A.C. Echols, Agent, is requesting initiation of a text amendment to Article VI, Section 610 Business Commercial (BC) of the Berryville Zoning Ordinance in order to remove Section 610.2(u) relating to retail stores and shops as an accessory use to the primary permitted use on the parcel and to establish sections 610.2(x) Financial Institutions, not to exceed 3,000 square feet per building unit; 610.2(y) Personal service establishments, retail stores, shops and quick-service stores, not to exceed 3,000 square feet per building unit and open only between 6 a.m. and 10 p.m.; and 610.2(z) Day care centers. TA 06-16

Due to time restraints, staff has not created resolutions to support these amendments. They will be available at the meeting.

Supporting documentation follows this report.

Recommendation

Discuss at the meeting.

Proposed Text Amendments to Sections 610 and 614 of the Berryville Zoning Ordinance

Section 610 Business Commercial (BC) District

(3/92) SECTION 610 BC BUSINESS COMMERCIAL

610.1 PURPOSE AND INTENT

The Business Commercial (BC) District is established to provide locations for highway commercial uses (such as retail uses dependent on automobile access, restaurants, motels), offices, and employment-related businesses within the precincts of the Berryville Area Plan. The BC District is further established to encourage innovative design of office, employment and retail-related development; and to these ends, development under this district is permitted only in accordance with a site plan.

The application of this district is intended for newly developing locations in the Berryville Area where office, retail, and similar activities are the principal use. High-quality business park and commercial site design principles are to be incorporated into the BC District uses. Highway-oriented commercial uses shall be located where they are pre-planned and creatively grouped in an efficient manner meeting the comprehensive planning objectives.

The specific uses permitted within the BC District must be in harmony with the cultural and environmental character of the Berryville Area. No use should be permitted which might be harmful to the adjoining land uses and the residential ambience of the community at large. Adequate transportation and site planning of all land uses shall have the goal of minimizing traffic conflicts with all other activities within the Berryville Area.

610.2 PERMITTED USES

- (a) Antique sales (indoor only)
- (b) Automobile service and repair establishments (including gas stations), with a convenience store (not occupying more than 3,000 square feet of gross floor area) as an accessory use, provided that all vehicle repair takes place in a fully enclosed building. **(04/16)**
- (c) Automobile sales
- (d) Broadcast stations, studios, and offices for radio and television
- (e) Car washes
- (f) Churches and other places of worship
- (g) Clubs or Lodges (including civic and public benefit organizations)
- (h) Day care centers
- (i) Financial institutions (with or without drive-through windows)
- (j) Funeral homes
- (k) Government and other public buildings (including police, fire, library, museum, and postal facilities; excluding retail and service uses except as provided in Section 610.2(u).
- (l) Grocery store (with at least 25,000 square feet gross floor area)
- (m) Hotels and motels
- (n) Laundromats
- (o) Medical care facilities, licensed
- (p) Offices, business or professional
- (q) Plant nurseries
- (r) Public utilities and related easements
- (s) Recreation facilities (indoor or outdoor), parks, playgrounds, fairgrounds, etc.

Section 610 Business Commercial (BC) District

- (t) Restaurants with or without drive-through
- ~~(u) Retail stores and shops as an accessory use to the primary permitted use on the parcel, provided:
 - ~~(1) the retail store or shop is directly related, ancillary, subordinate, and incidental to the primary permitted use;~~
 - ~~(2) the gross floor area of the retail store or shop (excluding storage) does not exceed ten (10) percent of the gross floor area of the primary permitted use;~~
 - ~~(3) the gross floor are of the retail store or shop (excluding storage) does not occupy more than 1,500 square feet; and~~
 - ~~(4) the gross floor area for storage related to the retail store or shop does not exceed 500 square feet. (8/01)~~~~
- (v) Schools, public and private
- (w) Veterinary hospitals (small animals), exclusive of outdoor boarding kennels
- (x) Financial Institutions, not to exceed 3,000 square feet per building unit (00/16)**
- (y) Personal service establishments, retail stores, shops and quick-service stores, not to exceed 3,000 square feet per building unit and open only between 6 a.m. and 10 p.m. (00/16)**
- (z) Day care centers (00/16)**

610.3 SPECIAL PERMIT USES

- (a) Conference centers
- (b) Pharmaceutical centers **(5/06)**
- (c) Scientific research and development establishments
- (d) Theatres, indoor

610.4 MAXIMUM DENSITY

The maximum density shall not exceed a floor area ratio (FAR) of .30, based on the net developable area of the lot.

610.5 MINIMUM DISTRICT SIZE

Minimum District size is four (4) acres.

610.6 LOT REQUIREMENTS

- (a) Minimum lot area: 20,000 square feet
- (b) Minimum lot width: 100 feet

610.7 BUILDING HEIGHT AND SETBACK REGULATIONS

- (a) Maximum building height: 40 feet
- (b) Minimum yard requirements:
 - (1) Front yard: 40 feet
 - (2) Side yard: 25 feet (40 feet on street side corner lot)
 - (3) Rear yard: 25 feet
 - (4) Where a lot is contiguous to property located in any residential district, all buildings shall have a minimum setback of 40 feet from common property lines.

Section 610 Business Commercial (BC) District

610.8 OPEN SPACE

- (a) A landscape and buffer plan shall be submitted with any application for site plan approval.
- (b) Twenty (20) percent of the gross site area shall be landscaped open space.

610.9 ADDITIONAL REGULATIONS

(a) Parking, Streets and Access

- (1) All parking requirements shall be met by off-street, on-site spaces and shall include designated spaces for the handicapped.
- (2) The location, spacing and number of private driveway entrances shall comply with Virginia Department of Transportation standards and shall be subject to final site plan approval.
- (3) Off-street parking spaces shall be accessed via private driveways and shall not be directly accessed from public rights-of-way.

(b) Buffering and Landscaping

- (1) Where a parcel in the BC District is contiguous to a residential zoning district or public right-of-way with limited access, a landscaped buffer strip fifteen (15) feet in width shall be provided.
- (2) Landscape materials and their placement shall be subject to final site plan approval. With the approval of the administrative body, walls, fences or wider buffer strips may be used in lieu of landscaping.

(c) Storage of Materials and Refuse

- (1) All refuse containers shall be screened by a solid wall or fence.
- (2) Any establishment involved with the storage of any fuel for sale, for on-site use, or for any other purposes, shall be permitted only if the fuel is stored underground, except where otherwise permitted under provisions granted and stipulations required by the administrative body.
- (3) All storage shall be conducted within the principal structure, which is to be completely enclosed.
- (4) There shall be not outdoor storage and/or display of goods with the exception of plant materials associated with nurseries.

(d) Uses, Facilities and Improvements

- (1) All business services (and storage) shall be conducted within the principal structure, which is to be completely enclosed.
- (2) Signing, mailboxes, site lighting and architectural materials shall be provided and installed by the property's owner-developer and shall be consistent and compatible with the scale and character of the development.
- (3) Private streets, street lighting, sidewalks, curbing and gutters, and parking bays shall be constructed to standards specified by the administrative authority or its agents.

(e) Site Plan

- (1) A site plan, which shall govern all development, shall be submitted for approval.
- (2) Site plans shall include provisions for the following:
 - (A) adequate public facilities;
 - (B) development phasing;
 - (C) stormwater management facilities to address the ultimate development coverage within the district;

Section 610 Business Commercial (BC) District

- (D) lighting and signing;
 - (E) building placement and lot configuration; and
 - (F) Other special site features and land use considerations deemed necessary to serve the district.
 - (G) Any site plan application which is not in strict conformance with the pre-existing approved site plan for the District shall require an amendment to that site plan and preliminary plat prior to site plan approval of the specific use.
- (3) All uses shall be subject to final site plan approval.

SECTION 614 - OLDER PERSON RESIDENTIAL (OPR)

614.1 PURPOSE AND INTENT

The Older Person Residential (OPR) District is created to provide for residential, office, and service uses for people over 55 years old at locations compatible with the Comprehensive Plan's goals for residential development in the Town of Berryville and within the precincts of the Berryville Area Plan. Maximum densities are established in this district to allow the various types of uses at a scale compatible with the general character of the Town and the nature of the uses. This district may be applied to development with the intent of preserving natural features and vegetation, promoting excellence in site planning and landscape design, and encouraging development with compatible scale, materials and architectural character. Development in the OPR District shall be sensitive to land physiography, provision of adequate public infrastructure, and development of high-quality transportation improvements while achieving optimal siting of dwellings, services, recreation areas, community facilities, and open space.

614.2 PERMITTED USES

- (a) Accessory structures less than one hundred fifty (150) square feet in size
- (b) Community buildings and association facilities, public and private, including recreation areas and other common area improvements associated with residential developments
- (c) Housing for Older Persons **Residential: Single Family Detached; Single Family Attached – Duplexes, Tri-plexes, Quad plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet).** ~~Low Density: Single Family Detached, Two Family Detached (Duplex), Single Family Attached (Triples and Quadplex – 3 to 4 attached residential units)~~
- (d) Public utilities
- (e) Recreation facilities (indoor or outdoor), including parks, playgrounds, golf courses, swimming pools, tennis courts, etc.

614.3 SPECIAL PERMIT USES

- (a) Day care centers
- (b) Government and other public buildings (including police, fire, library, museum, and postal facilities)
- ~~(c) Housing for Older Persons, Medium Density: Single Family Attached (Townhouses – 5 to 8 attached residential uses), Multi-family (including personal service uses of less than 500 square feet)~~
- (d) (Deleted 2010)
- (e) Medical care facilities, licensed
- (f) Places of worship
- (g) Schools, public and private, including nurseries, playgrounds, and related uses

Section 614 Older Person Residential (OPR) District

614.4 AGE REQUIREMENT

An age restriction enforcement plan shall be submitted with each subdivision or site plan application so as to ensure that all occupants of dwelling units conform to the age restrictions established for Housing for Older Persons. Such enforcement plans shall include:

- (a) the covenants, management regulations, or other similar legal instruments with enforcement by the property owner, homeowners association, or other private entity;
- (b) the identity of the private entity which shall be held responsible for any violation of the age restrictions for Housing for Older Persons;
- (c) a provision for an annual report to the Town of Berryville as to age status of the occupants of each unit; and
- (d) a provision which states that no person under nineteen (19) years of age shall reside in any unit for more than ninety (90) days in any calendar year.

614.5 MAXIMUM DENSITY

A Master Plan shall be submitted with a request for OPR zoning showing a general arrangement of uses and density for the subject property and all adjacent areas intended for OPR uses. The Master Plan shall show that the public service needs are no greater for the OPR uses than the public service needs for the uses planned for that sub-area. The number of average daily vehicle trips generated, the amount of sewage generated, the amount of water used, and demand on emergency services will be no greater with the proposed number of older person residential units and service uses than that generated by the maximum density of uses allowed by a property's land use designation. ~~However, not more than three hundred (300) Older Person Residential units (including not more than one hundred twenty (120) multifamily units) shall be allowed in Annexation Area B as shown on approved subdivision plats or site plans.~~

614.6 MINIMUM DISTRICT SIZE

Minimum district size: three (3) acres

614.7 MAXIMUM BUILDING HEIGHT

Maximum building height: forty (40) feet

614.8 REGULATIONS FOR SINGLE FAMILY DETACHED DWELLINGS

- (a) Minimum lot size: 7,500 square feet
- (b) Minimum lot width: 60 feet
- (c) Minimum yard requirements
 - (1) Front Yard: 20 feet
 - (2) Side yard: 10 feet, except for corner lots, the side yard facing the side street shall be 20 feet or more for both main and accessory buildings
 - (3) Rear yard: 40 feet

Section 614 Older Person Residential (OPR) District

- (d) Accessory structures of less than 150 square feet: 5 feet from side and rear lot lines
- (e) Parking Requirements
The number of required off-street parking spaces shall be a total of 2 per unit.

614.9 REGULATIONS FOR TWO FAMILY DETACHED (DUPLEX) DWELLINGS

- (a) Minimum lot size: 10,000 square feet for total duplex structure
4,500 square feet each separate unit within a duplex
- (b) Minimum lot width: 75 feet per duplex structure
35 feet for each unit of a duplex.
- (c) Minimum yard requirements
 - Front yard: 20 feet
 - Side yard: 10 feet, except for corner lots, the side yard facing the side street shall be 20 feet or more for both main and accessory buildings.
 - Rear yard: 40 feet
- (d) Accessory structures of less than 150 square feet: 5 feet from side and rear lot lines
- (e) Where a lot is to be subdivided into individual lots for the sale of single-family attached units, lot lines shall conform with party wall centerlines.
- (f) Maximum lot coverage: 35 percent
- (g) Open Space Requirements
 - 1. An open space plan shall be submitted with a subdivision application.
 - 2. At least 10% of the net site area shall be open space dedicated to common usage and ownership.
 - 3. Refer to Section 615.2 regarding critical environmental area and open space requirements
- (h) Parking Requirements
The number of required off-street parking spaces shall be a total of 2 per unit.

614.10 REQUIREMENTS FOR SINGLE FAMILY ATTACHED DWELLINGS (TRIPLEX & QUADPLEX AND TOWNHOUSES, 5 TO 8 UNITS PER STRUCTURE)

- (a) Minimum lot area per dwelling
 - Interior lot: 2,000 square feet
 - Corner lot: 2,400 square feet
 - Condominium: Not regulated
- (b) Minimum lot width
 - Interior lot: 20 feet
 - Corner lot: 35 feet
 - Condominiums: subject to site plan review and applicable performance zoning criteria
- (c) Minimum yard requirements
 - Front yard: 15 feet
 - Side yard: 15 feet
 - Rear yard: 30 feet
- (d) No side yard requirement shall be applied where dwellings share a party wall.

Section 614 Older Person Residential (OPR) District

- (e) Accessory structures of less than 150 square feet: 5 feet from side and rear lot lines.
- (f) Where a lot is to be divided into individual lots for the sale of single family attached dwelling units:
 - 1. Lot lines shall conform with party wall centerlines.
 - 2. Privacy yard, having a minimum of two hundred (200) square feet, shall be provided on each lot.
 - 3. Privacy yards shall include screening, fencing, patio paving and/or special landscaping treatment.
- (g) Open Space Requirements
 - 1. An open space plan shall be submitted with a site plan application.
 - 2. 25% of the net site area shall be open space dedicated to common usage and ownership.
 - 3. At least 20% of the required open space (5% of the net site area) shall be designed and developed as recreational and active community open space.
 - 4. Refer to Section 615.2 regarding critical environmental area and open space requirements.
- (h) Site Plan Requirements
 - 1. A site plan, which shall govern all development, shall be submitted for approval per Section 6.
 - 2. Site plans shall include provisions for:
 - A. Adequate public facilities, development phasing.
 - B. Storm water management facilities to address the ultimate development coverage within the district, lighting and signing.
 - C. Building placement and lot configuration, screening, buffering, and landscaping, and other special site features and land use considerations deemed necessary to serve the district.
 - D. Any site plan application which is not in strict conformance with a pre-existing approved master plan for the district shall require an amendment to that master plan and preliminary plat, if necessary, prior to site plan approval of the specific use.
 - E. All uses shall be subject to final site plan approval.
- (i) Parking and parking access
 - 1. The number of required off-street parking spaces shall be a total of 1.5 per unit and shall be located not more than one hundred (100) feet from the individual dwelling served.
 - 2. Parking bays shall be no closer than twelve (12) feet to any adjoining property line.
 - 3. Off-street parking spaces shall be accessed via private driveways and shall not be directly accessed from public rights of way.
- (j) Driveways
 - 1. Attached dwelling units shall have access to a private driveway with a minimum width of twenty-three (23) feet. The paved street shall be constructed according to Virginia Department of Transportation standards.
 - 2. No attached dwelling unit may be accessed directly from a public street unless approved by a special use permit.

Section 614 Older Person Residential (OPR) District

3. No private driveway shall be located within twelve (12) feet of any property line.
- (k) Setback, yards, buffering, separation and grouping of units
1. Where adjacent properties are zoned to a district other than the OPR District, all single family attached dwellings shall be set back at least forty (40) feet from the common property line(s).
 2. Where single family attached dwellings are adjacent to a private drive, parking area, and/or walkway intended for the common use of the development's occupants, there shall be a minimum building setback of 15 feet from that drive, area, and/or walk.
 3. Adjacent groupings of single family attached dwellings with their accompanying lots shall be separated from one another by a minimum of fifteen (15) feet. This separation shall allow an unobstructed fire lane on all sides of the structure.
 4. No more than four attached dwellings shall be included in any one physically contiguous grouping.
- (l) Maintenance of improvements, covenants and required improvements
1. All common improvements (including open space, recreational facilities, private streets, walkways, parking areas, and other community facilities) shall be maintained by and be the sole responsibility of the property owner until such time as the owner conveys such common area to a nonprofit (homeowner's) entity consisting of at least all of the individual owners of the dwelling units in the development.
 2. Deed restrictions and covenants shall be included with the conveyance to include, among other things, that assessments, charges and costs of maintenance of such common areas shall constitute a pro-rate share lien upon the individual dwelling lots, such lien inferior only to taxes and recorded trusts. Covenants shall specify the means by which the nonprofit entity shall govern and manage itself and maintain building exteriors, landscaping, lighting, recreation areas, walkways, parking areas, snow removal, and travel ways.
 3. All deed restrictions, covenants, nonprofit (homeowner's) entity incorporation documents, and information related to conveyance programs shall be submitted with the plat and plans, and reviewed by the Berryville Town Attorney.
- (m) General Regulations
1. All refuse shall be contained in completely enclosed and screened facilities.
 2. On-site lighting, signing, and mailboxes shall be of compatible scale, materials, and colors to the primary structures.
- (n) Condominiums
1. Any condominium development under the Condominium Laws of Virginia shall be subject to the following provisions:
 - A. Minimum lot size and yard and open space requirements of the district shall be met as if lot lines existed.

Section 614 Older Person Residential (OPR) District

- B. A site plan shall be required and subject to review by the Berryville Area Development Authority. The site plan shall govern the location of all structures and improvements.
- C. Setbacks, density and other district provisions shall be met.

614.11 REGULATIONS FOR MULTI-FAMILY AND NON-RESIDENTIAL USES:

- (a) Maximum Floor Area Ratio (FAR): .60 of net developable area
- (b) Minimum lot area: 20,000 square feet
- (c) Minimum lot width: 100 feet
- (d) Minimum yard requirements
 - Front yard: 25 feet
 - Side yard: 25 feet
 - Rear yard: 25 feet
- (e) Where a lot is contiguous to a property located in any residential district, a public right of way with limited access or a railroad right of way, all buildings shall have minimum setback of forty (40) feet from common property lines.
- (f) Open Space
 - 1. A landscape and buffer plan shall be submitted with any application for site plan approval.
 - 2. At least twenty-five percent (25%) of the gross site area shall be landscaped open space.
 - 3. Refer to Section 615.2 regarding critical environmental area and open space requirements.
- (g) Site Plan Requirements
 - 1. A site plan, which shall govern all development, shall be submitted for approval per Section 6.
 - 2. Site plans shall include provisions for:
 - A. adequate public facilities, development phasing, stormwater management facilities to address the ultimate development coverage within the district, lighting and signing, building placement and lot configuration, screening, buffering, and landscaping, and other special site features and land use considerations deemed necessary to serve the district.
 - 3. Any site plan application which is not in strict conformance with a pre-existing approved master plan for the district shall require an amendment to that master plan and preliminary plat, if necessary, prior to site plan approval of the specific use.
 - 4. All uses shall be subject to final site plan approval.
- (h) Parking Access and Private Drives
 - 1. A minimum of one parking space per unit shall be provided and shall be located not more than one hundred (100) feet from the individual dwelling served.
 - 2. Off-street parking spaces shall be accessed via private driveways and shall not be directly accessed from public rights of way.
 - 3. Parking bays and private drives shall be no closer than twelve (12) feet to any adjoining property line.

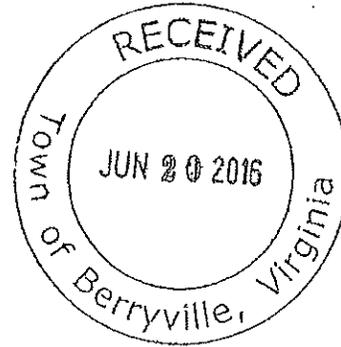
Section 614 Older Person Residential (OPR) District

- (i) Buffering and Landscaping
 1. Where a parcel is contiguous to a residential zoning district or public right of way with limited access, a landscaped buffer strip fifteen (15) feet in width shall be provided.
 2. Landscape materials and their placement shall be subject to final site plan approval. With the approval of the administrative body, walls, fences, or wider buffer strips may be used in lieu of landscaping.
- (j) Storage of Materials and Refuse
 1. All refuse containers shall be screened by a solid wall or fence.
 2. Any establishment involved with the storage of any fuel for sale, for on-site use, or for any other purposes, shall be permitted only if the fuel is stored underground, except where otherwise permitted under provisions granted and stipulations required by the administrative body.
 3. All storage shall be conducted within the principal structure, which is to be completely enclosed.
 4. There shall be no outdoor storage and/or display of goods, with the exception of retail display such as plant materials associated with nurseries.
- (k) Uses, Facilities, and Improvements
 1. All business services (and storage) shall be conducted within the principal structure which is to be completely enclosed.
 2. Signing, mailboxes, site lighting and architectural materials shall be provided and installed by the property's owner-developer and shall be consistent and compatible with the scale and character of the development.
 3. Private driveways, street lighting, sidewalks, curbing and gutters, and parking bays shall be constructed to standards specified by the administrative authority or its agent.

Original Text Amendment Applications Received June 20, 2016 and June 28, 2016

June 20, 2016

Mayor Town of Berryville
Members Berryville Town Council



Attention: Christy Dunkle

Berryville Town Planner

Christy:

Attached to my application for an Amendment to Section 614 – Older Person Residential (OPR) District in the Berryville Zoning Ordinance is a copy of my outstanding credit with the Town from a previous “Special Use” Application. The balance should be sufficient to cover this application. If however, you decide that a double fee is required, please let me know and I will bring a check for the difference of \$515.00.

In any event, I request that the application be placed as an agenda item before the Town Council at their July 14th, 2016 Tuesday meeting. Thank you for your attention to this request.

Respectfully,

A.C. Echols, Jr. Trustee

A.C. Echols, Jr., Trustee

LAND DEVELOPMENT APPLICATION TOWN OF BERRYVILLE

(Please print or type)

Current Property - Tax Map 14-5-251B, Section 2B of Battlefield Estates

Owner - A. C. Echols, Jr., Trustee

Owner's Address - 400 Custer Court, Berryville, Virginia 22611

Phone - 540-944-2618 or 703-777-4100

Agent (Contact Person) - A. C. Echols, Jr.

Agent's

Address - 400 Custer Court, Berryville, Virginia 22611

Phone 703-777-4100



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: x Zoning or Subdivision Ordinance
- ARB Certificate of Appropriateness
- Town of Berryville Utilities
- Other: _____

Complete As Applicable:

Text Amendment Request: SECTION 614 -- OLDER PERSON RESIDENTIAL (OPR)

An Amendment to Section 614.2 (Permitted Uses) Subsection (c) wherein it is changed to read as follows: Subsection (c) Housing for Older Persons Residential: Single Family Detached; Single Family Attached - Duplexes, Tri-plexes, Quad-plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet), and Section 614.5 - "Maximum Density" to delete the last sentence in the section which reads as follows: "However, not more than three hundred (300) Older Persons Residential units (including not more than one hundred twenty (120) multi-family units) shall be allowed in Annexation Area B as shown on approved subdivision plats or site plans."

Proposed # of Lots: one

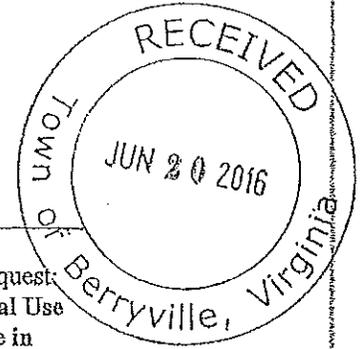
Existing Zoning - Older Person Residential (OPR)

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: 6/20/16

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

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> |
| TOTAL FUNDS SPENT | \$1,115.00 |

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 Penmoni Engineers dated April 18, 2016;
- Penmonoi invoice #689360 with fees highlighted by Penmoni staff; and
- Motion for action.

Recommendation

Discuss at the meeting.

LAND DEVELOPMENT APPLICATION TOWN OF BERRYVILLE

Rec'd PC mtg
062816

(Please print or type)

Current Property TAX Plat: 14-5-251 E

Owner HOUSE OF LORDS, INC. (Ding Wang, Land Contract Owner)

Owner's Address % 400 Custer Ct. Berryville, Virginia 22611

Phone 703-777-4100

Agent (Contact A. C. Echols, Jr.

Person)

Agent's

Address 400 Custer Ct. Berryville, Virginia

Phone 703-777-4100

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: _____

Complete As Applicable:

AMENDMENT TO SECTION 610 - BC - BUSINESS COMMERCIAL DISTRICT

- | | |
|-------------------------------------|--|
| Nature of Request/Proposal: | (1) Section 601.1 - Change the first sentence to read...The Business Commercial (BC) District is established to provide for both a neighborhood shopping center and highway commercial uses... |
| Tax Map & Parcel | (2) Delete Section 610.2 (u) - and substitute Section 608.2 - Permitted Uses and Section 608.3 - Special Permit uses as a replacement for (u) in the Berryville Zoning Ordinance of Section 610.2, |
| Number(s):
Size of Project Site: | (3) Section 610.7 - Change minimum yard requirements for side yard from 25ft. (40ft street side corner lot) to 10ft (25ft on street side). |
| 7.01 Acres | (4) Section 610.8 - Change the open space from Twenty (20%) to Fifteen (15%). |
| Proposed # of Lots: | Existing Zoning |
| 1 Lot (Zoned Business Commercial) | |

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: Alton C. Echols, Jr. Trustee Date: 6/28/2016

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

Berryville Town Council Agenda - Trustee Alton C. Echols, Jr. 6/28/2016

July 12, 2016

BERRYVILLE TOWN COUNCIL
Planning and Community Development
July 12, 2016

**Staff Correspondence dated July 6, 2016
Confirming Applicant's Requests
Sent via email at 11:51 a.m.**

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

July 6, 2016

Mr. A.C. Echols, Jr., Trustee

Mr. A.C. Echols, Jr., Agent

RE: Text Amendments 04-16 through 09-16

Mr. Echols:

I am in receipt of two applications for six text amendments to the Berryville Zoning Ordinance. You have indicated that you would like these applications to go to Town Council for initiation. Please note that while you have identified a specific parcel on all requests, these applications, if approved, would affect all parcels within the respective zoning districts.

Fees

\$700 has been applied to the application for TA 04-16 from a Special Use Permit application that was refunded to you as authorized by Town Council. A check for \$135.00 (PO #16307) was processed on June 22, 2016 and mailed to you shortly thereafter.

A check for \$700 (#773) was submitted with a second application and will be applied to TA 06-16. Additional fees (in the amount of \$2,800) are required for the other four amendments you have requested.

Synopsis

Below is a synopsis of the requests you have made since June 20, 2016:

1. TA 04-16 (First application) An amendment to Article VI, Section 614.2(c) as identified in red:

614.2 PERMITTED USES

(a) Accessory structures less than one hundred fifty (150) square feet in size

Patricia Dickinson
Mayor

Harry Lee Arnold, Jr.
Recorder

Council Members

Donna Marie McDonald
Ward 1

Allen Kitselman, III
Ward 2

Erecka L. Gibson
Ward 3

David L. Tollett
Ward 4

Keith R. Dalton
Town Manager
Agenda Page 120

- (b) Community buildings and association facilities, public and private, including recreation areas and other common area improvements associated with residential developments
- (c) Housing for Older Persons **Residential: Single Family Detached; Single Family Attached – Duplexes, Tri-plexes, Quad plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet).** ~~Low-Density: Single-Family Detached, Two-Family Detached (Duplex), Single-Family Attached (Triples and Quadplex – 3 to 4 attached residential units)~~
- (d) Public utilities
- (e) Recreation facilities (indoor or outdoor), including parks, playgrounds, golf courses, swimming pools, tennis courts, etc.

Please confirm that the following would be removed as a result of the above action:

614.3 SPECIAL PERMIT USES

- (a) Day care centers
- (b) Government and other public buildings (including police, fire, library, museum, and postal facilities)
- ~~(c) Housing for Older Persons, Medium Density: Single-Family Attached (Townhouses – 5 to 8 attached residential uses), Multi-family (including personal service uses of less than 500 square feet)~~
- (d) (Deleted 2010)
- (e) Medical care facilities, licensed
- (f) Places of worship
- (g) Schools, public and private, including nurseries, playgrounds, and related uses

+++++

2. TA 05-16 (First application) An amendment to Article VI, Section 614.5 as identified in red:

614.5 MAXIMUM DENSITY

A Master Plan shall be submitted with a request for OPR zoning showing a general arrangement of uses and density for the subject property and all adjacent areas intended for OPR uses. The Master Plan shall show that the public service needs are no greater for the OPR uses than the public service needs for the uses planned for that sub-area. The number of average daily vehicle trips generated, the amount of sewage generated, the amount of water used, and demand on emergency services will be no greater with the proposed number of older person residential units and service uses than that generated by the maximum density of uses allowed by a property's land use

designation. ~~However, not more than three hundred (300) Older Person Residential units (including not more than one hundred twenty (120) multifamily units) shall be allowed in Annexation Area B as shown on approved subdivision plats or site plans.~~

+++++

3. TA 06-16 An amendment to Article VI, Section 614.5 as identified in red:

PLEASE NOTE: this section does not reflect the text proposed for amendment. As the title reads "AMENDMENT TO SECTION 610 BC BUSINESS COMMERCIAL DISTRICT," I will assume your intention is to have Section 610.1 amended. Please modify the application and resubmit to identify the appropriate zoning district reference.

(4/92) SECTION 601 - OPEN SPACE RESIDENTIAL

601.1 PURPOSE AND INTENT

The Open Space Residential (OSR) District is created to preserve and protect two sensitive areas in the Town of Berryville and within the precincts of the Berryville Area Plan: (1) existing residential properties and estates which have cultural and/or historical value, and (2) property with critical environmental features, including 100-year floodplains, sinkholes, slopes in excess of fifteen (15) percent, and rock outcrops. The maximum density of one residence per ten (10.0) net developable acres establishes this district as one with a low-density residential character. This district shall have the intent of preserving valued residences, promoting open space, and protecting existing vegetation and sensitive environmental areas within the district boundaries.

Assumed Amendment TA-06-16

(3/92) SECTION 610 BC BUSINESS COMMERCIAL

610.1 PURPOSE AND INTENT

The Business Commercial (BC) District is established to provide ~~for both a neighborhood shopping center and locations for~~ highway commercial uses (such as retail uses dependent on automobile access, restaurants, motels), offices, and employment-related businesses within the precincts of the Berryville Area Plan. The BC District is further established to encourage innovative design of office, employment and retail-related development; and to these ends, development under this district is permitted only in accordance with a site plan.

The application of this district is intended for newly developing locations in the Berryville Area where office, retail, and similar activities are the principal use. High-quality business park and commercial site design principles are to be incorporated into the BC District uses. Highway-oriented commercial uses shall be located where they are pre-planned and creatively grouped in an efficient manner meeting the comprehensive planning objectives.

The specific uses permitted within the BC District must be in harmony with the cultural and environmental character of the Berryville Area. No use should be permitted which might be harmful to the adjoining land uses and the residential ambience of the community at large. Adequate transportation and site planning of all land uses shall have the goal of minimizing traffic conflicts with all other activities within the Berryville Area.

+++++

4. TA 07-16 An amendment to Article VI, Section 610.2(u). as identified in red:

610.2 PERMITTED USES

- (a) Antique sales (indoor only)
- (b) Automobile service and repair establishments (including gas stations), with a convenience store (not occupying more than 3,000 square feet of gross floor area) as an accessory use, provided that all vehicle repair takes place in a fully enclosed building. **(04/16)**
- (c) Automobile sales
- (d) Broadcast stations, studios, and offices for radio and television
- (e) Car washes
- (f) Churches and other places of worship
- (g) Clubs or Lodges (including civic and public benefit organizations)
- (h) Day care centers
- (i) Financial institutions (with or without drive-through windows)
- (j) Funeral homes
- (k) Government and other public buildings (including police, fire, library, museum, and postal facilities; excluding retail and service uses except as provided in Section 610.2(u).
- (l) Grocery store (with at least 25,000 square feet gross floor area)
- (m) Hotels and motels
- (n) Laundromats
- (o) Medical care facilities, licensed
- (p) Offices, business or professional
- (q) Plant nurseries
- (r) Public utilities and related easements
- (s) Recreation facilities (indoor or outdoor), parks, playgrounds, fairgrounds, etc.
- (t) Restaurants with or without drive-through
- ~~(u) Retail stores and shops as an accessory use to the primary permitted use on the parcel, provided:
 - ~~(1) the retail store or shop is directly related, ancillary, subordinate, and incidental to the primary permitted use;~~
 - ~~(2) the gross floor area of the retail store or shop (excluding storage) does not exceed ten (10) percent of the gross floor area of the primary permitted use;~~
 - ~~(3) the gross floor area of the retail store or shop (excluding storage) does not occupy more than 1,500 square feet; and~~
 - ~~(4) the gross floor area for storage related to the retail store or shop does not exceed 500 square feet. **(8/01)**~~~~

- (v) Schools, public and private
- (w) Veterinary hospitals (small animals), exclusive of outdoor boarding kennels
- (x) Financial institutions, not to exceed 3,000 square feet per building unit**
- (y) Personal service establishments, not to exceed 3,000 square feet per building unit**
- (z) Quick-service stores, not to exceed 3,000 square feet per building unit and open only between 6 a.m. and 10 p.m.**
- (aa) Day care centers (10/94)**

+++++

5. TA 08-16 An amendment to Article VI, Section 610.7(u). as identified in red:

610.3 BUILDING HEIGHT AND SETBACK REGULATIONS

- (a) Maximum building height: 40 feet
- (b) Minimum yard requirements:
 - (1) Front yard: 40 feet
 - (2) Side yard: **25 10** feet (~~40 25~~ feet on street side corner lot)
 - (3) Rear yard: 25 feet
 - (4) Where a lot is contiguous to property located in any residential district, all buildings shall have a minimum setback of 40 feet from common property lines.

+++++

6. TA 09-16 An amendment to Article VI, Section 610.8 as identified in red:

610.4 OPEN SPACE

- (a) A landscape and buffer plan shall be submitted with any application for site plan approval.
- (b) ~~Twenty (20)~~ **Fifteen (15)** percent of the gross site area shall be landscaped open space.

+++++

Process

Section 508 of the Berryville Zoning Ordinance includes the regulations for text amendments. Per Section 508.5, any proposed text amendment or rezoning/zoning map amendment shall be referred to the Planning Commission for their recommendation. Section 508.8 states that the Planning Commission shall act upon any proposed amendment referred to it within one hundred (100) days of the first meeting of the Planning Commission (i) after a resolution of the Town Council initiating the amendment, or (ii) after receipt of a complete application for a rezoning/zoning map amendment.

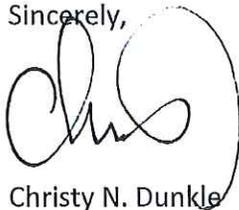
As the Business Commercial Zoning District is shared with the County of Clarke, Town staff will discuss the matter with County staff and the Berryville Area Development Authority prior to the meeting.

Please provide me with a letter with the specific amendments to be placed before Town Council or confirm in writing that these are the amendments you have requested in order to forward to Town Council for initiation. I have included both applications for reference.

As referenced previously, a total of \$2,800 in additional fees are required in order for the proposed amendments to be forwarded to Town Council for consideration.

Should you have additional questions, I can be contacted at planner@berryvilleva.gov or 540 955-4081.

Sincerely,



Christy N. Dunkle
Assistant Town Manager

CC: Town Council
Berryville Planning Commission
Berryville Area Development Authority
Keith Dalton
Ann Phillips
Brandon Stidham

Enc./2

LAND DEVELOPMENT APPLICATION TOWN OF BERRYVILLE

(Please print or type)

Current Property - Tax Map 14-5-251B, Section 2B of Battlefield Estates

Owner - A. C. Echols, Jr., Trustee

Owner's Address - 400 Custer Court, Berryville, Virginia 22611

Phone - 540-944-2618 or 703-777-4100

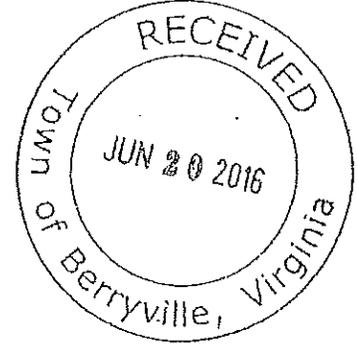
Agent (Contact - A. C. Echols, Jr.

Person)

Agent's

Address - 400 Custer Court, Berryville, Virginia 22611

Phone 703-777-4100



Check Appropriate Request:

- Subdivision - creating more than 2 lots
Minor Subdivision - single lot divided into 2 lots
Boundary Line Adjustment
Site Plan
Rezoning

- X Text Amendment: X Zoning or Subdivision Ordinance
ARB Certificate of Appropriateness
Town of Berryville Utilities
Other:

Complete As Applicable:

Text Amendment Request: SECTION 614 - OLDER PERSON RESIDENTIAL (OPR)

An Amendment to Section 614.2 (Permitted Uses) Subsection (c) wherein it is changed to read as follows: Subsection (c) Housing for Older Persons Residential: Single Family Detached; Single Family Attached - Duplexes, Tri-plexes, Quad-plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet), and Section 614.5 - "Maximum Density" to delete the last sentence in the section which reads as follows: "However, not more than three hundred (300) Older Persons Residential units (including not more than one hundred twenty (120) multi-family units) shall be allowed in Annexation Area B as shown on approved subdivision plats or site plans."

Proposed # of Lots: ONE

Existing Zoning - Older Person Residential (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: 6/20/16

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: A.C. Echols, Jr. - Trustee

Rec'd PC mtg
062816

LAND DEVELOPMENT APPLICATION TOWN OF BERRYVILLE

(Please print or type)

Current Property TAX Plat: 14-5-251 E

Owner HOUSE OF LORDS, INC. (Ding Wang, Land Contract Owner)
Owner's Address % 400 Custer Ct. Berryville, Virginia 22611

Phone 703-777-4100

Agent (Contact A. C. Echols, Jr.

Person)

Agent's

Address 400 Custer Ct. Berryville, Virginia

Phone 703-777-4100

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: _____

Complete As Applicable:

AMENDMENT TO SECTION 610 -BC - BUSINESS COMMERCIAL DISTRICT

- | | |
|-----------------------------------|--|
| Nature of Request/Proposal | (1) Section 601.1 - Change the first sentence to read...The Business Commercial (BC) District is established to provide for both a neighborhood shopping center and highway commercial uses... |
| Tax Map & Parcel | (2) Delete Section 610.2 (u) - and substitute Section 608.2 - Permitted Uses and Section 608.3 - Special Permit uses as a replacement for (u) in the Berryville Zoning Ordinance of Section 610.2, |
| Number(s): | (3) Section 610.7 - Change minimum yard requirements for side yard from 25ft. (40ft street side corner lot) to 10ft (25ft on street side). |
| Size of Project Site: | (4) Section 610.8 - Change the open space from Twenty (20%) to Fifteen (15%). |
| 7.01 Acres | |
| Proposed # of Lots: | Existing Zoning |
| 1 Lot (Zoned Business Commercial) | |

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: Alton C. Echols, Jr. Trustee Date: 6/28/2016

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

Berryville Town Council Agenda
Alton C. Echols, Jr. Trustee Agenda Page 126

July 12, 2016

**Applicant's Text Amendment Modifications
Received July 6, 2016 at 2:15p.m. and 4:15pm**

Rec'd 2:15pm
July 6, 2016

June 20, 2016

Mayor Town of Berryville
Members Berryville Town Council

Attention: Christy Dunkle

Berryville Town Planner

Christy:

§ 614.2(c), 614.3(c) and 614.5

Attached to my application for an Amendment to Section ~~614.2(c)~~ ~~614.3(c)~~ ~~614.5~~ (OPR) District in the Berryville Zoning Ordinance is a copy of my outstanding credit with the Town from a previous "Special Use" Application. The balance should be sufficient to cover this application. If however, you decide that a double fee is required, please let me know and I will bring a check for the difference of \$515.00.

In any event, I request that the application be placed as an agenda item before the Town Council at their July 14th, 2016 Tuesday meeting. Thank you for your attention to this request.

Respectfully,

A.C. Echols, Jr. - Trustee

A.C. Echols, Jr., Trustee

P.S. - \$700: 1ST FILING FEE 6/20/16 - Section 614.2(c) Amendment
6700: 2nd Filing Fee 7/6/16 - Section 614.3(c) Amendment
K 700: 2nd Filing Fee 7/6/16 - Section 614.5 Amendment

LAND DEVELOPMENT APPLICATION TOWN OF BERRYVILLE

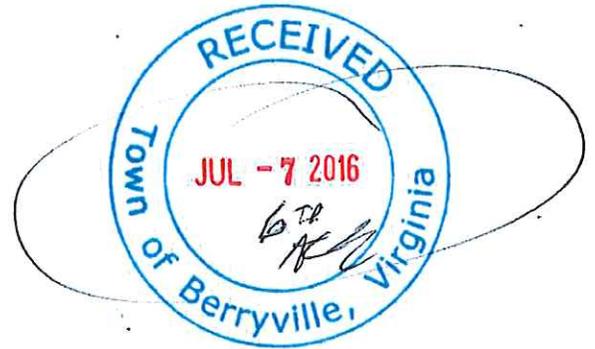
(Please print or type)

Current Property - Tax Map 14-5-251B, Section 2B of Battlefield Estates
 Owner - A. C. Echols, Jr., Trustee
 Owner's Address - 400 Custer Court, Berryville, Virginia 22611
 Phone - 540-944-2618 or 703-777-4100
 Agent (Contact Person) - A. C. Echols, Jr.
 Agent's Address - 400 Custer Court, Berryville, Virginia 22611
 Phone - 703-777-4100



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: x Zoning or Subdivision Ordinance
- ARB Certificate of Appropriateness
- Town of Berryville Utilities
- Other: _____



Complete As Applicable:

614.3 - Special Uses - Delete § 614.3 (c).

Text Amendment Request: SECTION 614 - ~~OLDER PERSON RESIDENTIAL (OPR)~~

An Amendment to Section 614.2 (Permitted Uses) Subsection (c) wherein it is changed to read as follows: Subsection (c) Housing for Older Persons Residential: Single Family Detached; Single Family Attached - Duplexes, Tri-plexes, Quad-plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet), and Section 614.5 - "Maximum Density" to delete the last sentence in the section which reads as follows: "However, not more than three hundred (300) Older Persons Residential units (including not more than one hundred twenty (120) multi-family units) shall be allowed in Annexation Area B as shown on approved subdivision plats or site plans."

Proposed # of Lots: one

Existing Zoning - Older Person Residential (OPR)

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Signature: A. C. Echols, Jr. - Trustee Date: 6/20/16

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

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

July 6, 2016

Mr. A.C. Echols, Jr., Trustee

Mr. A.C. Echols, Jr., Agent

RE: Text Amendments 04-16 through 09-16

Mr. Echols:

I am in receipt of two applications for six text amendments to the Berryville Zoning Ordinance. You have indicated that you would like these applications to go to Town Council for initiation. Please note that while you have identified a specific parcel on all requests, these applications, if approved, would affect all parcels within the respective zoning districts.

Fees

\$700 has been applied to the application for TA 04-16 from a Special Use Permit application that was refunded to you as authorized by Town Council. A check for \$135.00 (PO #16307) was processed on June 22, 2016 and mailed to you shortly thereafter.

A check for \$700 (#773) was submitted with a second application and will be applied to TA 06-16. Additional fees (in the amount of \$2,800) are required for the other four amendments you have requested.

Synopsis

Below is a synopsis of the requests you have made since June 20, 2016:

1. TA 04-16 (First application) An amendment to Article VI, Section 614.2(c) as identified in red:

614.2 PERMITTED USES

(a) Accessory structures less than one hundred fifty (150) square feet in size

Patricia Dickinson
Mayor

Harry Lee Arnold, Jr.
Recorder

Donna Marie McDonald
Ward 1

Council Members
Allen Kitselman, III
Ward 2

Erecka L. Gibson
Ward 3

David L. Tollett
Ward 4

Keith R. Dalton
Agenda Page 431

- (b) Community buildings and association facilities, public and private, including recreation areas and other common area improvements associated with residential developments
- (c) **Housing for Older Persons Residential: Single Family Detached; Single Family Attached – Duplexes, Tri-plexes, Quad plexs, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet). Low Density: Single-Family Detached, Two-Family Detached (Duplex), Single-Family Attached (Triples and Quadplex—3 to 4 attached residential units)**
- (d) Public utilities
- (e) Recreation facilities (indoor or outdoor), including parks, playgrounds, golf courses, swimming pools, tennis courts, etc.

6700
6/20/16

Please confirm that the following would be removed as a result of the above action:

614.3 SPECIAL PERMIT USES

- (a) Day care centers
- (b) Government and other public buildings (including police, fire, library, museum, and postal facilities)
- ~~(c) Housing for Older Persons, Medium Density: Single-Family Attached (Townhouses—5 to 8 attached residential uses), Multi-family (including personal service uses of less than 500 square feet)~~
- (d) (Deleted 2010)
- (e) Medical care facilities, licensed
- (f) Places of worship
- (g) Schools, public and private, including nurseries, playgrounds, and related uses

6700
7/6/16

+++++

2. TA 05-16 (First application) An amendment to Article VI, Section 614.5 as identified in red:

614.5 MAXIMUM DENSITY

A Master Plan shall be submitted with a request for OPR zoning showing a general arrangement of uses and density for the subject property and all adjacent areas intended for OPR uses. The Master Plan shall show that the public service needs are no greater for the OPR uses than the public service needs for the uses planned for that sub-area. The number of average daily vehicle trips generated, the amount of sewage generated, the amount of water used, and demand on emergency services will be no greater with the proposed number of older person residential units and service uses than that generated by the maximum density of uses allowed by a property's land use

6707
7/6/16

designation. ~~However, not more than three hundred (300) Older Person Residential units (including not more than one hundred twenty (120) multifamily units) shall be allowed in Annexation Area B as shown on approved subdivision plats or site plans.~~

+++++

3. TA 06-16 An amendment to Article VI, Section 614.5 as identified in red:

PLEASE NOTE: this section does not reflect the text proposed for amendment. As the title reads "AMENDMENT TO SECTION 610 BC BUSINESS COMMERCIAL DISTRICT," I will assume your intention is to have Section 610.1 amended. Please modify the application and resubmit to identify the appropriate zoning district reference.

(4/92) SECTION 601 - OPEN SPACE RESIDENTIAL

601.1 PURPOSE AND INTENT

The Open Space Residential (OSR) District is created to preserve and protect two sensitive areas in the Town of Berryville and within the precincts of the Berryville Area Plan: (1) existing residential properties and estates which have cultural and/or historical value, and (2) property with critical environmental features, including 100-year floodplains, sinkholes, slopes in excess of fifteen (15) percent, and rock outcrops. The maximum density of one residence per ten (10.0) net developable acres establishes this district as one with a low-density residential character. This district shall have the intent of preserving valued residences, promoting open space, and protecting existing vegetation and sensitive environmental areas within the district boundaries.

Assumed Amendment TA-06-16

(3/92) SECTION 610 BC BUSINESS COMMERCIAL

610.1 PURPOSE AND INTENT

The Business Commercial (BC) District is established to provide for both a neighborhood shopping center and locations for highway commercial uses (such as retail uses dependent on automobile access, restaurants, motels), offices, and employment-related businesses within the precincts of the Berryville Area Plan. The BC District is further established to encourage innovative design of office, employment and retail-related development; and to these ends, development under this district is permitted only in accordance with a site plan.

The application of this district is intended for newly developing locations in the Berryville Area where office, retail, and similar activities are the principal use. High-quality business park and commercial site design principles are to be incorporated into the BC District uses. Highway-oriented commercial uses shall be located where they are pre-planned and creatively grouped in an efficient manner meeting the comprehensive planning objectives.



Market and Fiscal Impacts Analyses
Battlefield Estates Senior Housing
Berryville, Virginia

Prepared for:

Mr. Francis Nance
Marlyn Development Corporation

June, 2015

S. Patz and Associates, Inc.
46175 Westlake Drive, Suite 400
Potomac Falls, Virginia 20165



■ S. PATZ & ASSOCIATES, INC ■
■ REAL ESTATE CONSULTANTS ■

June 8, 2015

Mr. Francis R. Nance
Vice President of Development
Marlyn Development Corporation
308 35th Street, Suite 101
Virginia Beach, Virginia 23451

Dear Mr. Nance:

This will submit our market study and fiscal impacts analysis for the proposed development of two commercial properties within the Battlefield Estates subdivision in Berryville, Virginia for new senior housing. The sites are planned for: (1) a 120-unit apartment building designed as affordable housing for active seniors; and (2) a 73-bed Assisted Living Facility for older adults who can no longer live independently. Both sites are planned for start of construction by mid-2016, for apartment unit delivery by year-end 2017.

The study to follow is separated into three sections, plus an Appendix. The Introduction, which is the initial part of the report, is a detailed analysis of the two sites within Battlefield Estates, and the determination of the quality of the sites for age-restricted housing. Also within the Introduction is a full description of the two development proposals.

Section I is a market analysis for affordable housing for active seniors and for assisted living apartment units and the level of demand that exists for each. The proposed apartment units are compared with existing, comparable housing to evaluate each proposal. The market analysis fully supports the two housing proposals, as planned. The market data presented in Section I was used to calculate the fiscal impacts of the developments on the Town of Berryville and Clarke County.

The Fiscal Impacts Analysis presented in Section II shows net annual fiscal benefits to the Town of Berryville of \$33,000+, at completion and lease-up of both facilities. This total is based on total taxes to be generated by the two senior housing complexes, minus annual costs to serve these communities. Data in the following two tables and in the full report may differ slightly due to rounding.

46175 Westlake Drive ■ Suite 400 ■ Potomac Falls, Virginia 20165 ■ 703.421.8101 ■ 703.421.8109 fax ■ spatzec@comcast.net

Battlefield Estates Senior Housing
 Mr. Francis R. Nance
 June 8, 2015

| <u>Summary of the Total Direct and Indirect Fiscal Impacts
for the Town of Berryville, Virginia, of the Proposed
Senior Housing at Battlefield Estates Senior Housing
Proposal</u> | | | |
|---|--------------------------------------|-----------------------------------|---------------------------------|
| <u>Type of Tax</u> | <u>Independent
Living</u> | <u>Assisted
Living</u> | <u>Total
Impacts</u> |
| Real Estate Tax | \$29,010 | \$16,480 | \$45,490 |
| Personal Property Tax | \$18,380 | \$9,830 | \$28,210 |
| Motor Vehicle Fees | \$3,270 | \$240 | \$3,510 |
| Sales Tax | \$1,000 | \$200 | \$1,200 |
| BPOL Taxes | \$3,530 | \$8,620 | \$12,150 |
| Meals Taxes | \$8,040 | \$1,200 | \$9,240 |
| Utility Taxes | <u>\$1,970</u> | <u>\$950</u> | <u>\$2,920</u> |
| Total Taxes | \$65,200 | \$37,520 | \$102,720 |
| Less Tax-supported Costs | <u>-\$41,290</u> | <u>-\$28,370</u> | <u>-\$69,660</u> |
| Net Fiscal Benefit | \$23,910 | \$9,150 | \$33,060 |

Clarke County will also benefit from site development in Battlefield Estates at \$210,000+, annually at project completion and occupancy, most of which will come directly from the Town of Berryville. However, outside Berryville, the fact that the County has no active plans for future growth areas means that only \$10,000 in indirect impacts will occur and this represents only a small portion of the full impacts that could be available with more growth area development in the County.

Battlefield Estates Senior Housing
 Mr. Francis R. Nance
 June 8, 2015

| <u>Summary of the Total Direct and Indirect Fiscal Impacts
for Clarke County, Virginia, Battlefield Senior Housing
Proposal</u> | | | |
|---|-------------------------------|----------------------------|--------------------------|
| | <u>Independent
Living</u> | <u>Assisted
Living</u> | <u>Total
Impacts</u> |
| Direct Impacts | | | |
| Tax Revenue | \$204,540 | \$95,800 | \$300,340 |
| Less Tax-supported Costs | <u>-\$59,200</u> | <u>-\$41,740</u> | <u>-\$100,940</u> |
| Net Fiscal Benefit | \$145,340 | \$54,060 | \$199,400 |
| Indirect Impacts | | | |
| Tax Revenue | \$11,350 | \$13,300 | \$24,650 |
| Less Tax-supported Costs | <u>-\$6,180</u> | <u>-\$8,020</u> | <u>-\$14,200</u> |
| Net Fiscal Benefit | \$5,170 | \$5,270 | \$10,450 |
| Total Impacts | | | |
| Tax Revenue | \$215,890 | \$109,100 | \$324,990 |
| Less Tax-supported Costs | <u>-\$65,380</u> | <u>-\$49,760</u> | <u>-\$115,140</u> |
| Net Fiscal Benefit | \$150,510 | \$59,330 | \$209,850 |
| Sources: Marlyn Development Corporation and S. Patz & Assoc. | | | |

The detailed market and economic data that support these findings and conclusions are presented in the attached report. Please call if additional data or clarification are needed. We remain available to continue to assist you with the successful development of the two attractive proposed senior housing communities.

Sincerely,



Stuart M. Patz
 President

SMP/mes

A. C. ECHOLS JR REVOCABLE TRUST
TTE ALTON C ECHOLS JR
400 CUSTER CT
BERRYVILLE, VA 22611

776
68-426/514

7/6/16 Date

PAY to the Order of TOWN of Berryville \$ 14000.00
Fifteen thousand 00/100 Dollars



For Sec m 614.315 x 614.5

Alton C Echols Jr

⑆05⑆404260⑆0000⑆57867075⑆00776

LAND DEVELOPMENT APPLICATION TOWN OF BERRYVILLE

PC meeting 062816

(Please print or type)

Current Property TAX Plat: 14-5-251 E

Owner HOUSE OF LORDS, INC. (Ding Wang, Land Contract Owner)
Owner's Address % 400 Custer Ct. Berryville, Virginia 22611

Phone 703-777-4100

Agent (Contact A. C. Echols, Jr.

Person)

Agent's

Address 400 Custer Ct. Berryville, Virginia

Phone 703-777-4100



4:19 pm

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: _____

Complete As Applicable:

AMENDMENT TO SECTION 610 -BC - BUSINESS COMMERCIAL DISTRICT

- | | |
|-----------------------------------|---|
| Nature of Request/Proposal | (1) Section 601.1 Change the first sentence to read: The Business Commercial (BC) District is established to provide for both a neighborhood shopping center and highway commercial uses... <i>ACE</i> |
| Tax Map & Parcel | (2) Delete Section 610.2 (u) - and substitute Section 608.2 - Permitted Uses and Section 608.3 - Special Permit uses as a replacement for (u) in the Berryville Zoning Ordinance of Section 610.2, |
| Number(s): | |
| Size of Project Site: | (3) Section 610.7 Change minimum yard requirements for side yard from 25ft. (40ft street side corner lot) to 10ft (25ft on street side). <i>ACE</i> |
| 7.01 Acres | (4) Section 610.8 Change the open space from Twenty (20%) to Fifteen (15%). <i>ACE</i> |
| Proposed # of Lots: | Existing Zoning |
| 1 Lot (Zoned Business Commercial) | |

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: Alton C. Echols, Jr. Trustee Date: 6/28/2016

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

Alton C. Echols, Jr. Trustee 6/28/2016
Berryville Town Council Agenda Agenda Page 139

July 12, 2016

designation. ~~However, not more than three hundred (300) Older Person Residential units (including not more than one hundred twenty (120) multifamily units) shall be allowed in Annexation Area B as shown on approved subdivision plats or site plans.~~

+++++

3. TA 06-16 An amendment to Article VI, Section 614.5 as identified in red:

PLEASE NOTE: this section does not reflect the text proposed for amendment. As the title reads "AMENDMENT TO SECTION 610 BC BUSINESS COMMERCIAL DISTRICT," I will assume your intention is to have Section 610.1 amended. Please modify the application and resubmit to identify the appropriate zoning district reference.

(4/92) SECTION 601 - OPEN SPACE RESIDENTIAL

601.1 PURPOSE AND INTENT

The Open Space Residential (OSR) District is created to preserve and protect two sensitive areas in the Town of Berryville and within the precincts of the Berryville Area Plan: (1) existing residential properties and estates which have cultural and/or historical value, and (2) property with critical environmental features, including 100-year floodplains, sinkholes, slopes in excess of fifteen (15) percent, and rock outcrops. The maximum density of one residence per ten (10.0) net developable acres establishes this district as one with a low-density residential character. This district shall have the intent of preserving valued residences, promoting open space, and protecting existing vegetation and sensitive environmental areas within the district boundaries.

Assumed Amendment TA-06-16

(3/92) SECTION 610 BC BUSINESS COMMERCIAL

610.1 PURPOSE AND INTENT

The Business Commercial (BC) District is established to provide ~~for both a neighborhood shopping center and locations for~~ highway commercial uses (such as retail uses dependent on automobile access, restaurants, motels), offices, and employment-related businesses within the precincts of the Berryville Area Plan. The BC District is further established to encourage innovative design of office, employment and retail-related development; and to these ends, development under this district is permitted only in accordance with a site plan.

The application of this district is intended for newly developing locations in the Berryville Area where office, retail, and similar activities are the principal use. High-quality business park and commercial site design principles are to be incorporated into the BC District uses. Highway-oriented commercial uses shall be located where they are pre-planned and creatively grouped in an efficient manner meeting the comprehensive planning objectives.

The specific uses permitted within the BC District must be in harmony with the cultural and environmental character of the Berryville Area. No use should be permitted which might be harmful to the adjoining land uses and the residential ambience of the community at large. Adequate transportation and site planning of all land uses shall have the goal of minimizing traffic conflicts with all other activities within the Berryville Area.

Request:

+++++

4. TA 07-16 An amendment to Article VI, Section 610.2(u). as identified in red:

610.2 PERMITTED USES

- (a) Antique sales (indoor only)
- (b) Automobile service and repair establishments (including gas stations), with a convenience store (not occupying more than 3,000 square feet of gross floor area) as an accessory use, provided that all vehicle repair takes place in a fully enclosed building. (04/16)
- (c) Automobile sales
- (d) Broadcast stations, studios, and offices for radio and television
- (e) Car washes
- (f) Churches and other places of worship
- (g) Clubs or Lodges (including civic and public benefit organizations)
- (h) Day care centers
- (i) Financial institutions (with or without drive-through windows)
- (j) Funeral homes
- (k) Government and other public buildings (including police, fire, library, museum, and postal facilities; excluding retail and service uses except as provided in Section 610.2(u).
- (l) Grocery store (with at least 25,000 square feet gross floor area)
- (m) Hotels and motels
- (n) Laundromats
- (o) Medical care facilities, licensed
- (p) Offices, business or professional
- (q) Plant nurseries
- (r) Public utilities and related easements
- (s) Recreation facilities (indoor or outdoor), parks, playgrounds, fairgrounds, etc.
- (t) Restaurants with or without drive-through

~~(u) Retail stores and shops as an accessory use to the primary permitted use on the parcel, provided:~~

- ~~(1) the retail store or shop is directly related, ancillary, subordinate, and incidental to the primary permitted use;~~
- ~~(2) the gross floor area of the retail store or shop (excluding storage) does not exceed ten (10) percent of the gross floor area of the primary permitted use;~~
- ~~(3) the gross floor are of the retail store or shop (excluding storage) does not occupy more than 1,500 square feet; and~~
- ~~(4) the gross floor area for storage related to the retail store or shop does not exceed 500 square feet. (8/01)~~

- (v) Schools, public and private
- (w) Veterinary hospitals (small animals), exclusive of outdoor boarding kennels
- (x) Financial institutions, not to exceed 3,000 square feet per building unit
- (y) Personal service establishments, not to exceed 3,000 square feet per building unit
- (z) Quick-service stores, not to exceed 3,000 square feet per building unit and open only between 6 a.m. and 10 p.m.
- (aa) Day care centers (10/94)

+++++

Exclude

5. TA 08-16 An amendment to Article VI, Section 610.7(u). as identified in red:

610.3 BUILDING HEIGHT AND SETBACK REGULATIONS

- (a) Maximum building height: 40 feet
- (b) Minimum yard requirements:
 - (1) Front yard: 40 feet
 - (2) Side yard: ~~25~~ 10 feet (~~40~~ 25 feet on street side corner lot)
 - (3) Rear yard: 25 feet
 - (4) Where a lot is contiguous to property located in any residential district, all buildings shall have a minimum setback of 40 feet from common property lines.

+++++

Exclude

6. TA 09-16 An amendment to Article VI, Section 610.8 as identified in red:

610.4 OPEN SPACE

- (a) A landscape and buffer plan shall be submitted with any application for site plan approval.
- (b) ~~Twenty (20)~~ Fifteen (15) percent of the gross site area shall be landscaped open space.

+++++

**Staff Correspondence dated July 7, 2016
Confirming Applicant's Modifications
Sent via email at 9:40 a.m.**

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

July 7, 2016

Mr. A.C. Echols, Jr., Trustee

Mr. A.C. Echols, Jr., Agent

RE: Modifications to Text Amendments 04-16 through 09-16

Mr. Echols:

I received two modifications to your two applications within the past 24 hours. Please review the following for accuracy and confirm these are the requests you are making by no later than 12:00 noon today in order to have them included in the Town Council agenda packet.

Changes to Proposed Text Amendments Submitted at 2:15pm on Wednesday, July 6, 2016

1. TA 04-16 (First application) An amendment to Article VI, Section 614.2(c) as identified in red:

614.2 PERMITTED USES

- (a) Accessory structures less than one hundred fifty (150) square feet in size
- (b) Community buildings and association facilities, public and private, including recreation areas and other common area improvements associated with residential developments
- (c) Housing for Older Persons **Residential: Single Family Detached; Single Family Attached – Duplexes, Tri-plexes, Quad plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet).** ~~Low-Density: Single-Family Detached, Two-Family Detached (Duplex), Single-Family Attached (Triples and Quadplex – 3 to 4 attached residential units)~~
- (d) Public utilities
- (e) Recreation facilities (indoor or outdoor), including parks, playgrounds, golf courses, swimming pools, tennis courts, etc.

Patricia Dickinson
Mayor

Harry Lee Arnold, Jr.
Recorder

Donna Marie McDonald
Ward 1

Council Members
Allen Kitselman, III
Ward 2

Erecka L. Gibson
Ward 3

David L. Tollett
Ward 4

Keith R. Dalton
Town Manager
Agenda Page 144

Your confirmation to delete Section 614.3(c) was identified in the previous correspondence as follows:

614.3 SPECIAL PERMIT USES

- (a) Day care centers
- (b) Government and other public buildings (including police, fire, library, museum, and postal facilities)
- ~~(c) Housing for Older Persons, Medium Density: Single Family Attached (Townhouses – 5 to 8 attached residential uses), Multi-family (including personal service uses of less than 500 square feet)~~
- (d) (Deleted 2010)
- (e) Medical care facilities, licensed
- (f) Places of worship
- (g) Schools, public and private, including nurseries, playgrounds, and related uses

PLEASE NOTE – I WOULD CONSIDER THIS ONE TEXT AMENDMENT AS YOU ARE REQUESTING THAT THE INFORMATION BE MOVED FROM 614.3(C) TO 614.2(C) WHICH WOULD REQUIRE ONE FEE

+++++

2. TA 05-16 (First application) An amendment to Article VI, Section 614.5 as identified in red:

614.5 MAXIMUM DENSITY

A Master Plan shall be submitted with a request for OPR zoning showing a general arrangement of uses and density for the subject property and all adjacent areas intended for OPR uses. The Master Plan shall show that the public service needs are no greater for the OPR uses than the public service needs for the uses planned for that sub-area. The number of average daily vehicle trips generated, the amount of sewage generated, the amount of water used, and demand on emergency services will be no greater with the proposed number of older person residential units and service uses than that generated by the maximum density of uses allowed by a property's land use designation. ~~However, not more than three hundred (300) Older Person Residential units (including not more than one hundred twenty (120) multifamily units) shall be allowed in Annexation Area B as shown on approved subdivision plats or site plans.~~

+++++

Changes to Proposed Text Amendments Submitted at 4:19pm on Wednesday, July 6, 2016

PLEASE REVIEW THE FOLLOWING FOR ACCURACY AND CONFIRM YOU WISH TO REMOVE THOSE ITEMS IDENTIFIED IN BLUE BELOW.

~~3. TA 06-16 An amendment to Article VI, Section 614.5 as identified in red:~~

~~PLEASE NOTE: this section does not reflect the text proposed for amendment. As the title reads "AMENDMENT TO SECTION 610 BC BUSINESS COMMERCIAL DISTRICT," I will assume your intention is to have Section 610.1 amended. Please modify the application and resubmit to identify the appropriate zoning district reference.~~

~~(4/92) SECTION 601 OPEN SPACE RESIDENTIAL~~

~~601.1 PURPOSE AND INTENT~~

~~The Open Space Residential (OSR) District is created to preserve and protect two sensitive areas in the Town of Berryville and within the precincts of the Berryville Area Plan: (1) existing residential properties and estates which have cultural and/or historical value, and (2) property with critical environmental features, including 100-year floodplains, sinkholes, slopes in excess of fifteen (15) percent, and rock outcrops. The maximum density of one residence per ten (10.0) net developable acres establishes this district as one with a low-density residential character. This district shall have the intent of preserving valued residences, promoting open space, and protecting existing vegetation and sensitive environmental areas within the district boundaries.~~

~~Assumed Amendment TA-06-16~~

~~(3/92) SECTION 610 BC BUSINESS COMMERCIAL~~

~~610.1 PURPOSE AND INTENT~~

~~The Business Commercial (BC) District is established to provide for both a neighborhood shopping center and locations for highway commercial uses (such as retail uses dependent on automobile access, restaurants, motels), offices, and employment related businesses within the precincts of the Berryville Area Plan. The BC District is further established to encourage innovative design of office, employment and retail related development; and to these ends, development under this district is permitted only in accordance with a site plan.~~

~~The application of this district is intended for newly developing locations in the Berryville Area where office, retail, and similar activities are the principal use. High quality business park and commercial site design principles are to be incorporated into the BC District uses. Highway-oriented commercial uses shall be located where they are pre-planned and creatively grouped in an efficient manner meeting the comprehensive planning objectives.~~

~~The specific uses permitted within the BC District must be in harmony with the cultural and environmental character of the Berryville Area. No use should be permitted which might be harmful to the adjoining land uses and the residential ambience of the community at large. Adequate transportation and site planning of all land uses shall have the goal of minimizing traffic conflicts with all other activities within the Berryville Area.~~

~~+++++~~

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- (b) Automobile service and repair establishments (including gas stations), with a convenience store (not occupying more than 3,000 square feet of gross floor area) as an accessory use, provided that all vehicle repair takes place in a fully enclosed building. **(04/16)**
- (c) Automobile sales
- (d) Broadcast stations, studios, and offices for radio and television
- (e) Car washes
- (f) Churches and other places of worship
- (g) Clubs or Lodges (including civic and public benefit organizations)
- (h) Day care centers
- (i) Financial institutions (with or without drive-through windows)
- (j) Funeral homes
- (k) Government and other public buildings (including police, fire, library, museum, and postal facilities; excluding retail and service uses except as provided in Section 610.2(u).
- (l) Grocery store (with at least 25,000 square feet gross floor area)
- (m) Hotels and motels
- (n) Laundromats
- (o) Medical care facilities, licensed
- (p) Offices, business or professional
- (q) Plant nurseries
- (r) Public utilities and related easements
- (s) Recreation facilities (indoor or outdoor), parks, playgrounds, fairgrounds, etc.
- (t) Restaurants with or without drive-through
- ~~(u) Retail stores and shops as an accessory use to the primary permitted use on the parcel, provided:
 - ~~(1) the retail store or shop is directly related, ancillary, subordinate, and incidental to the primary permitted use;~~
 - ~~(2) the gross floor area of the retail store or shop (excluding storage) does not exceed ten (10) percent of the gross floor area of the primary permitted use;~~
 - ~~(3) the gross floor are of the retail store or shop (excluding storage) does not occupy more than 1,500 square feet; and~~
 - ~~(4) the gross floor area for storage related to the retail store or shop does not exceed 500 square feet. **(8/01)**~~~~
- (v) Schools, public and private
- (w) Veterinary hospitals (small animals), exclusive of outdoor boarding kennels
- (x) Financial institutions, not to exceed 3,000 square feet per building unit**
- (y) Personal service establishments, not to exceed 3,000 square feet per building unit**
- (z) Quick-service stores, not to exceed 3,000 square feet per building unit and open only between 6 a.m. and 10 p.m.**
- (aa) Day care centers (10/94)**

+++++

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610.3 BUILDING HEIGHT AND SETBACK REGULATIONS

(a) Maximum building height: 40 feet

(b) Minimum yard requirements:

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(2) Side yard: 25 10 feet (40 25 feet on street side corner lot)

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(4) Where a lot is contiguous to property located in any residential district, all buildings shall have a minimum setback of 40 feet from common property lines.

+++++

6. TA 09-16 An amendment to Article VI, Section 610.8 as identified in red:

610.4 OPEN SPACE

(a) A landscape and buffer plan shall be submitted with any application for site plan approval.

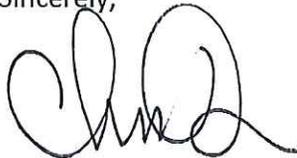
(b) Twenty (20) Fifteen (15) percent of the gross site area shall be landscaped open space.

+++++

PLEASE NOTE: Agenda packets for the meeting must be completed by 12:00 noon today and I will be unable to make any additional modifications after that time. Please confirm via email by that time to assure accuracy.

Should you have additional questions, I can be contacted at planner@berryvilleva.gov or 540 955-4081.

Sincerely,



Christy N. Dunkle
Assistant Town Manager

- CC: Town Council
- Berryville Planning Commission
- Berryville Area Development Authority
- Keith Dalton
- Ann Phillips
- Brandon Stidham

Enc./2

Email Correspondence July 7, 2016

Christy Dunkle

From: Alton Echols <aecholsjr@gmail.com>
Sent: Thursday, July 07, 2016 12:50 PM
To: patricia dickinson; David Tollett; Donna McDonald; Erecka G; H. Allen Kitselman III (FWD); Harry Lee Arnold Jr (FWD); Dan Garret; Sharon and Ronnie Strickland; Adrian O'Connor; Christy Dunkle; Keith Dalton
Subject: A.C.Echols,Jr.-Trustee Amendment ApplicationsFwd: Text Amendment modifications
Attachments: I-Echols TA modifications 070716.pdf; ATT00004.htm; Echols TA changes 070616 1415.pdf; ATT00005.htm; Echols TA changes 070616 1619.pdf; ATT00006.htm

Christy, Pat, et al: Your email sent at 9:43AM with a deadline of 12:00 was impossible to meet since I did not get notice of it's time factor until 12:20 PM-With respect to it's content, I submit the following: (1)-There is a fatal flaw to your understanding of my requested for amendment revisions, you failed to include the deletion of the 300/120 cap on senior housing in the Area B section of town-This is a fatal flaw to the approval process! Please correct before packet goes out, and (2)-Regarding the Commerical, the only amendment sought is to add "Retail business, Personal Service establishments, and Quick Service stores, not to exceed 3,000 feet per building unit (in a larger building) and open only between 6:00 a.m. and 10:00 p.m."-The applicable fees submitted were \$2,100 for 3 proposed amendments to the OPR District and \$700 for one amendment to the BC District-As stated earlier, please put both projects on appropriate fast tract cycles for Public Hearings and Recommendations and/or approvals or denials-If you need further commutations regarding either application, please personally call or text me at 703-777-4100.-If an email is required, please call or text after sending so I will know to check my email-Best Regards, Alton.

Sent from my iPhone

Begin forwarded message:

From: Christy Dunkle <planner@berryvilleva.gov>
Date: July 7, 2016 at 9:40:28 AM EDT
To: "aecholsjr@gmail.com" <aecholsjr@gmail.com>
Cc: Christy Dunkle <planner@berryvilleva.gov>
Subject: Text Amendment modifications

As attached.

Christy Dunkle
Assistant Town Manager/Planning Director
Town of Berryville
101 Chalmers Court, Suite A
Berryville, VA 22611

V 540 955 4081
F 540 955 4524

Christy Dunkle

From: Christy Dunkle
Sent: Thursday, July 07, 2016 1:07 PM
To: 'Alton Echols'; patricia dickinson; David Tollett; Donna McDonald; Erecka G; H. Allen Kitselman III (FWD); Harry Lee Arnold Jr (FWD); Dan Garret; Sharon and Ronnie Strickland; Adrian O'Connor; Keith Dalton
Subject: RE: A.C.Echols,Jr.-Trustee Amendment ApplicationsFwd: Text Amendment modifications
Importance: High

Per our discussion, please confirm this is your final request for amendments to the text below. The change you requested is in red below. You can discuss the fees with Town Council to make a determination.

A.C. Echols, Owner/Agent, is requesting initiation of a text amendment to Article VI, Section 614 Older Person Residential (OPR), of the Berryville Ordinance to allow “Housing for Older Persons Residential: Single Family Detached; Single Family Attached – Duplexes, Tri-plexes, Quad plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet)” as a permitted use under Section 614.2(c) and removing “Housing for Older Persons, Medium Density: Single-Family Attached (Townhouses – 5 to 8 attached residential uses), Multi-family (including personal service uses of less than 500 square feet” from Section 614.4.(c). TA 04-16

A.C. Echols, Owner/Agent, is requesting initiation of a text amendment to Article VI, Older Person Residential (OPR), of Section 614.5 Maximum Density of the Berryville Zoning Ordinance in order to remove the maximum number of Older Person Residential units (300), including not more than one hundred twenty (120) multifamily units, permitted in the OPR Zoning District in Annexation Area B as shown on approved subdivision plats and site plans. TA-05-16

House of Lords, Inc. (Ding Wang, Contract Owner), A.C. Echols, Agent, is requesting initiation of a text amendment to Article VI, Section 610 Business Commercial (BC) of the Berryville Zoning Ordinance in order to remove Section 610.2(u) relating to retail stores and shops as an accessory use to the primary permitted use on the parcel and to establish sections 610.2(x) Financial Institutions, not to exceed 3,000 square feet per building unit; 610.2(y) Personal service establishments, not to exceed 3,000 square feet per building unit; 610.2(z) **Retail and quick-service stores, not to exceed 3,000 square feet per building unit and open only between 6 a.m. and 10 p.m.; and 610.2(aa) Day care centers. TA 06-16**

From: Alton Echols [mailto:aecholsjr@gmail.com]
Sent: Thursday, July 07, 2016 12:50 PM
To: patricia dickinson <pbdcnksn@yahoo.com>; David Tollett <dtollet2@gmail.com>; Donna McDonald <Donna.McDonald@dss.virginia.gov>; Erecka G <ereckag@gmail.com>; H. Allen Kitselman III (FWD) <akitsel@mainstreetarch.com>; Harry Lee Arnold Jr (FWD) <jay@berryvilleautoparts.com>; Dan Garret <teachumc@yahoo.com>; Sharon and Ronnie Strickland <strick2five@comcast.net>; Adrian O'Connor <aoconnor@winchesterstar.com>; Christy Dunkle <planner@berryvilleva.gov>; Keith Dalton <townmanager@berryvilleva.gov>
Subject: A.C.Echols,Jr.-Trustee Amendment ApplicationsFwd: Text Amendment modifications

Christy, Pat, et al: Your email sent at 9:43AM with a deadline of 12:00 was impossible to meet since I did not get notice of it's time factor until 12:20 PM-With respect to it's content,I submit the following: (1)-There is a fatal flaw to your understanding of my requested for amendment revisions, you failed to include the deletion of the 300/120 cap on senior housing in the Area B section of town-This is a fatal flaw to the approval process! Please correct before packet

goes out, and (2)-Regarding the Commerical, the only amendment sought is to add "Retail business, Personal Service establishments, and Quick Service stores, not to exceed 3,000 feet per building unit (in a larger building) and open only between 6:00 a.m. and 10:00 p.m."-The applicable fees submitted were \$2,100 for 3 proposed amendments to the OPR District and \$700 for one amendment to the BC District-As stated earlier, please put both projects on appropriate fast tract cycles for Public Hearings and Recommendations and/or approvals or denials-If you need further commutations regarding either application, please personally call or text me at 703-777-4100.-If an email is required, please call or text after sending so I will know to check my email-Best Regards, Alton.

Sent from my iPhone

Begin forwarded message:

From: Christy Dunkle <planner@berryvilleva.gov>
Date: July 7, 2016 at 9:40:28 AM EDT
To: "aecholsjr@gmail.com" <aecholsjr@gmail.com>
Cc: Christy Dunkle <planner@berryvilleva.gov>
Subject: Text Amendment modifications

As attached.

Christy Dunkle
Assistant Town Manager/Planning Director
Town of Berryville
101 Chalmers Court, Suite A
Berryville, VA 22611

V 540 955 4081
F 540 955 4524

Christy Dunkle

From: Christy Dunkle
Sent: Thursday, July 07, 2016 1:18 PM
To: 'Alton Echols'; patricia dickinson; David Tollett; Donna McDonald; Erecka G; H. Allen Kitselman III (FWD); Harry Lee Arnold Jr (FWD); Dan Garret; Sharon and Ronnie Strickland; Adrian O'Connor; Keith Dalton
Subject: RE: text amendments for review
Importance: High

Please confirm correction in red below.

A.C. Echols, Owner/Agent, is requesting initiation of a text amendment to Article VI, Section 614 Older Person Residential (OPR), of the Berryville Ordinance to allow “Housing for Older Persons Residential: Single Family Detached; Single Family Attached – Duplexes, Tri-plexes, Quad plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet)” as a permitted use under Section 614.2(c) and removing “Housing for Older Persons, Medium Density: Single-Family Attached (Townhouses – 5 to 8 attached residential uses), Multi-family (including personal service uses of less than 500 square feet” from Section 614.4.(c). TA 04-16

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House of Lords, Inc. (Ding Wang, Contract Owner), A.C. Echols, Agent, is requesting initiation of a text amendment to Article VI, Section 610 Business Commercial (BC) of the Berryville Zoning Ordinance in order to remove Section 610.2(u) relating to retail stores and shops as an accessory use to the primary permitted use on the parcel and to establish sections 610.2(x) Financial Institutions, not to exceed 3,000 square feet per building unit; 610.2(y) Personal service establishments, not to exceed 3,000 square feet per building unit; 610.2(z) Retail stores, shops and quick-service stores, not to exceed 3,000 square feet per building unit and open only between 6 a.m. and 10 p.m.; and 610.2(aa) Day care centers. TA 06-16

From: Alton Echols [mailto:aecholsjr@gmail.com]
Sent: Thursday, July 07, 2016 1:15 PM
To: patricia dickinson <pbdcnksn@yahoo.com>; Christy Dunkle <planner@berryvilleva.gov>; David Tollett <dtollet2@gmail.com>; Donna McDonald <Donna.McDonald@dss.virginia.gov>; Erecka G <ereckag@gmail.com>; H. Allen Kitselman III (FWD) <akitsel@mainstreetarch.com>; Harry Lee Arnold Jr (FWD) <jay@berryvilleautoparts.com>; Dan Garret <teachumc@yahoo.com>; Sharon and Ronnie Strickland <strick2five@comcast.net>; Adrian O'Connor <aoconnor@winchesterstar.com>; Keith Dalton <townmanager@berryvilleva.gov>
Subject: Fwd: text amendments for review

Christy, the senior application looks right, the retail/convenience needs to

Sent from my iPhone

Begin forwarded message:

From: Christy Dunkle <planner@berryvilleva.gov>
Date: July 7, 2016 at 12:35:44 PM EDT
To: "aecholsjr@gmail.com" <aecholsjr@gmail.com>
Subject: text amendments for review

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Christy Dunkle
Assistant Town Manager/Planning Director
Town of Berryville
101 Chalmers Court, Suite A
Berryville, VA 22611

V 540 955 4081
F 540 955 4524

Christy Dunkle

From: Alton Echols <aecholsjr@gmail.com>
Sent: Thursday, July 07, 2016 1:34 PM
To: Christy Dunkle
Cc: patricia dickinson; David Tollett; Donna McDonald; Erecka G; H. Allen Kitselman III (FWD); Harry Lee Arnold Jr (FWD); Dan Garret; Sharon and Ronnie Strickland; Adrian O'Connor; Keith Dalton
Subject: Re: text amendments for review

Christy, the last revision looks satisfactory to enable all three neighborhood convenience shopping uses in the BC District. Thanks and best regards, Alton.

Sent from my iPhone

On Jul 7, 2016, at 1:30 PM, Christy Dunkle <planner@berryvilleva.gov> wrote:

A.C. Echols, Owner/Agent, is requesting initiation of a text amendment to Article VI, Section 614 Older Person Residential (OPR), of the Berryville Ordinance to allow “Housing for Older Persons Residential: Single Family Detached; Single Family Attached – Duplexes, Tri-plexes, Quad plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet)” as a permitted use under Section 614.2(c) and removing “Housing for Older Persons, Medium Density: Single-Family Attached (Townhouses – 5 to 8 attached residential uses), Multi-family (including personal service uses of less than 500 square feet” from Section 614.4.(c). TA 04-16

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From: Christy Dunkle
Sent: Thursday, July 07, 2016 1:29 PM
To: 'Alton Echols' <aecholsjr@gmail.com>
Cc: patricia dickinson <pbdcknsn@yahoo.com>; David Tollett <dtollet2@gmail.com>; Donna McDonald <Donna.McDonald@dss.virginia.gov>; Erecka G <ereckag@gmail.com>; H. Allen Kitselman III (FWD) <akitsel@mainstreetarch.com>; Harry Lee Arnold Jr (FWD) <jay@berryvilleautoparts.com>; Dan Garret <teachumc@yahoo.com>; Sharon and Ronnie Strickland <strick2five@comcast.net>; Adrian O'Connor

<aoconnor@winchesterstar.com>; Keith Dalton <townmanager@berryvilleva.gov>

Subject: RE: text amendments for review

Per our phone conversation, you wanted personal service establishments added to the retail stores, shops and quick service stores. Please confirm.

A.C. Echols, Owner/Agent, is requesting initiation of a text amendment to Article VI, Section 614 Older Person Residential (OPR), of the Berryville Ordinance to allow “Housing for Older Persons Residential: Single Family Detached; Single Family Attached – Duplexes, Tri-plexes, Quad plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet)” as a permitted use under Section 614.2(c) and removing “Housing for Older Persons, Medium Density: Single-Family Attached (Townhouses – 5 to 8 attached residential uses), Multi-family (including personal service uses of less than 500 square feet” from Section 614.4.(c). TA 04-16

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From: Alton Echols [<mailto:aecholsjr@gmail.com>]

Sent: Thursday, July 07, 2016 1:25 PM

To: Christy Dunkle <planner@berryvilleva.gov>

Cc: patricia dickinson <pbdcknsn@yahoo.com>; David Tollett <dtollet2@gmail.com>; Donna McDonald <Donna.McDonald@dss.virginia.gov>; Erecka G <ereckag@gmail.com>; H. Allen Kitselman III (FWD) <akitsel@mainstreetarch.com>; Harry Lee Arnold Jr (FWD) <jay@berryvilleautoparts.com>; Dan Garret <teachumc@yahoo.com>; Sharon and Ronnie Strickland <strick2five@comcast.net>; Adrian O'Connor <aoconnor@winchesterstar.com>; Keith Dalton <townmanager@berryvilleva.gov>

Subject: Re: text amendments for review

Christy, this looks o'kay-if Personal Service establishments was added before Retail, then only one \$700 fee would be assessed.

Best regards, Alton.

Sent from my iPhone

On Jul 7, 2016, at 1:17 PM, Christy Dunkle <planner@berryvilleva.gov> wrote:

Please confirm correction in red below.

A.C. Echols, Owner/Agent, is requesting initiation of a text amendment to Article VI, Section 614 Older Person Residential (OPR), of the Berryville Ordinance to allow “Housing for Older Persons Residential: Single Family Detached; Single Family Attached – Duplexes, Tri-plexes, Quad plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet)” as a permitted use under Section 614.2(c) and removing “Housing for Older Persons, Medium Density: Single-Family Attached (Townhouses – 5 to 8 attached residential uses), Multi-family (including personal service uses of less than 500 square feet” from Section 614.4.(c). TA 04-16

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From: Alton Echols [<mailto:aecholsjr@gmail.com>]

Sent: Thursday, July 07, 2016 1:15 PM

To: patricia dickinson <pbdcknsn@yahoo.com>; Christy Dunkle <planner@berryvilleva.gov>; David Tollett <dtollet2@gmail.com>; Donna McDonald <Donna.McDonald@dss.virginia.gov>; Erecka G <ereckag@gmail.com>; H. Allen Kitselman III (FWD) <akitsel@mainstreetarch.com>; Harry Lee Arnold Jr (FWD) <jay@berryvilleautoparts.com>; Dan Garret <teachumc@yahoo.com>; Sharon and Ronnie Strickland <strick2five@comcast.net>; Adrian O'Connor <aconnor@winchesterstar.com>; Keith Dalton <townmanager@berryvilleva.gov>

Subject: Fwd: text amendments for review

Christy, the senior application looks right, the retail/convenience needs to

Sent from my iPhone

Begin forwarded message:

From: Christy Dunkle <planner@berryvilleva.gov>

Date: July 7, 2016 at 12:35:44 PM EDT

To: "aecholsjr@gmail.com" <aecholsjr@gmail.com>

Subject: text amendments for review

A.C. Echols, Owner/Agent, is requesting initiation of a text amendment to Article VI, Section 614 Older Person Residential (OPR), of the Berryville Ordinance to allow “Housing for Older Persons Residential: Single Family Detached; Single Family Attached – Duplexes, Tri-plexes, Quad plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet)” as a permitted use under Section 614.2(c) and removing “Housing for Older Persons, Medium Density: Single-Family Attached (Townhouses – 5 to 8 attached residential uses), Multi-family (including personal service uses of less than 500 square feet” from Section 614.4.(c). TA 04-16

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Assistant Town Manager/Planning Director
Town of Berryville
101 Chalmers Court, Suite A
Berryville, VA 22611

V 540 955 4081

F 540 955 4524

BERRYVILLE TOWN COUNCIL

Discussion – Gray Water Systems in the Town of Berryville

July 12, 2016

Staff has been working with Wayne Webb, a resident of Berryville, on a project to use gray water from his roof. The Town Code addresses certain aspects of gray water collection and entry into the sanitary sewer system. Certain technical concerns exist including cross connections with the existing public water system, filtering of the grey water. The matter of billing will also need to be addressed as sanitary sewer is metered through the water meter.

Utilities staff has discussed the proposed effort with the Department of Environmental Quality and Virginia Department of Health, and has been researching other localities' ordinances to propose to the Streets and Utilities Committee. Staff will also discuss the requirements of the Clarke County Building Department.

Mr. Webb's proposal is included after this staff report. Mr. Webb has been asked to attend the meeting to answer specific questions about his proposal.

Recommendation

Forward the request to the Streets and Utilities Committee.

RAINWATER HARVESTING PLANS FOR 510 EWELL CT BERRYVILLE, VA

TABLE OF CONTENTS

2 SYSTEM SCHEMATIC DRAWING

3 PLAN VIEW SCHEMATIC

4 RAIN BARREL DETAIL

5 RAIN BARREL AND CISTERN TANK PICTURES

6 PLAN TEXT 1 OF 3

7 PLAN TEXT 2 OF 3

8 LOCATION PICTURES

9 PRACTICE PROXIMITY TO STORM DRAINS

10 PIPE FLOW CALCULATIONS

11 PLAN TEXT 3 OF 3

12 SCHEMATIC DIAGRAM OF THE TANK CONNECTED TO THE PUMP

13 SCHEMATIC DIAGRAM OF THE TANK RECEIVING RAIN WATER

14 MAINTENANCE FOR RAINWATER HARVESTING SYSTEM

15 ESTIMATED PROJECT COSTS

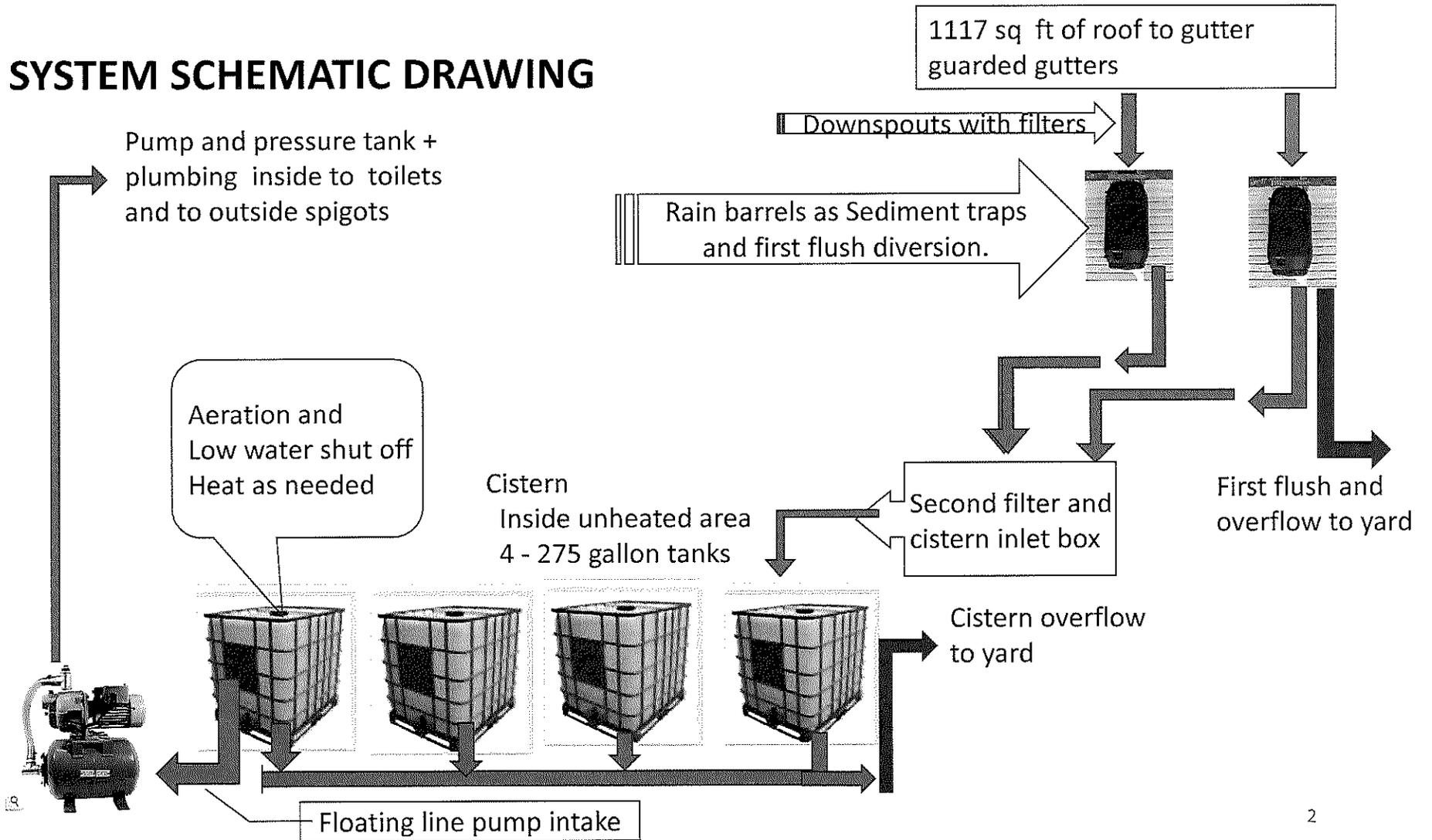
16 INSTALLATION SEQUENCE AND VOLUME CALCULATIONS.

17 WATER USE CALCULATIONS

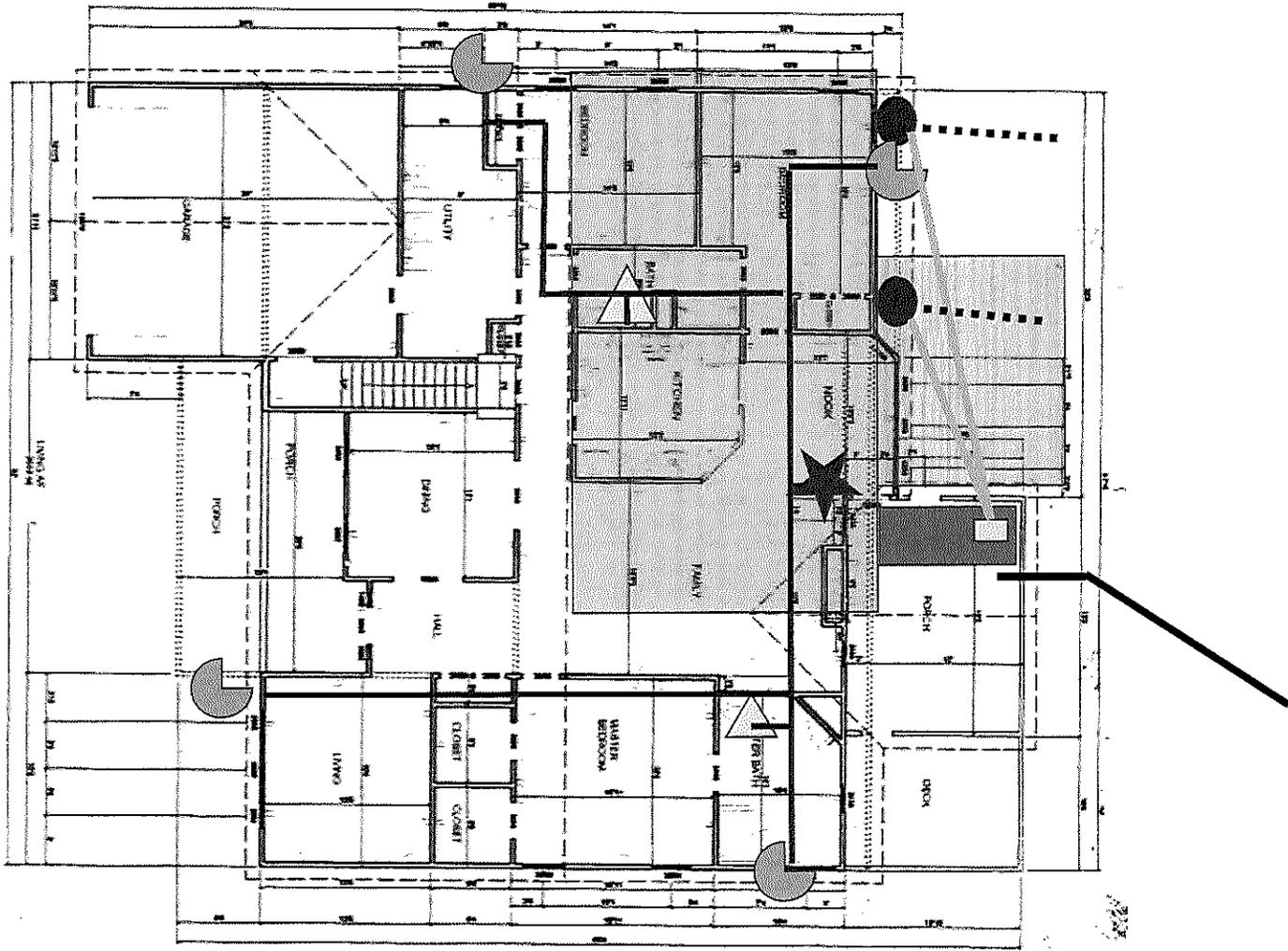
18 GRAPHS OF WATER USE

19 – 22 PICTURES OF SITE AND HARVESTING TANKS

SYSTEM SCHEMATIC DRAWING

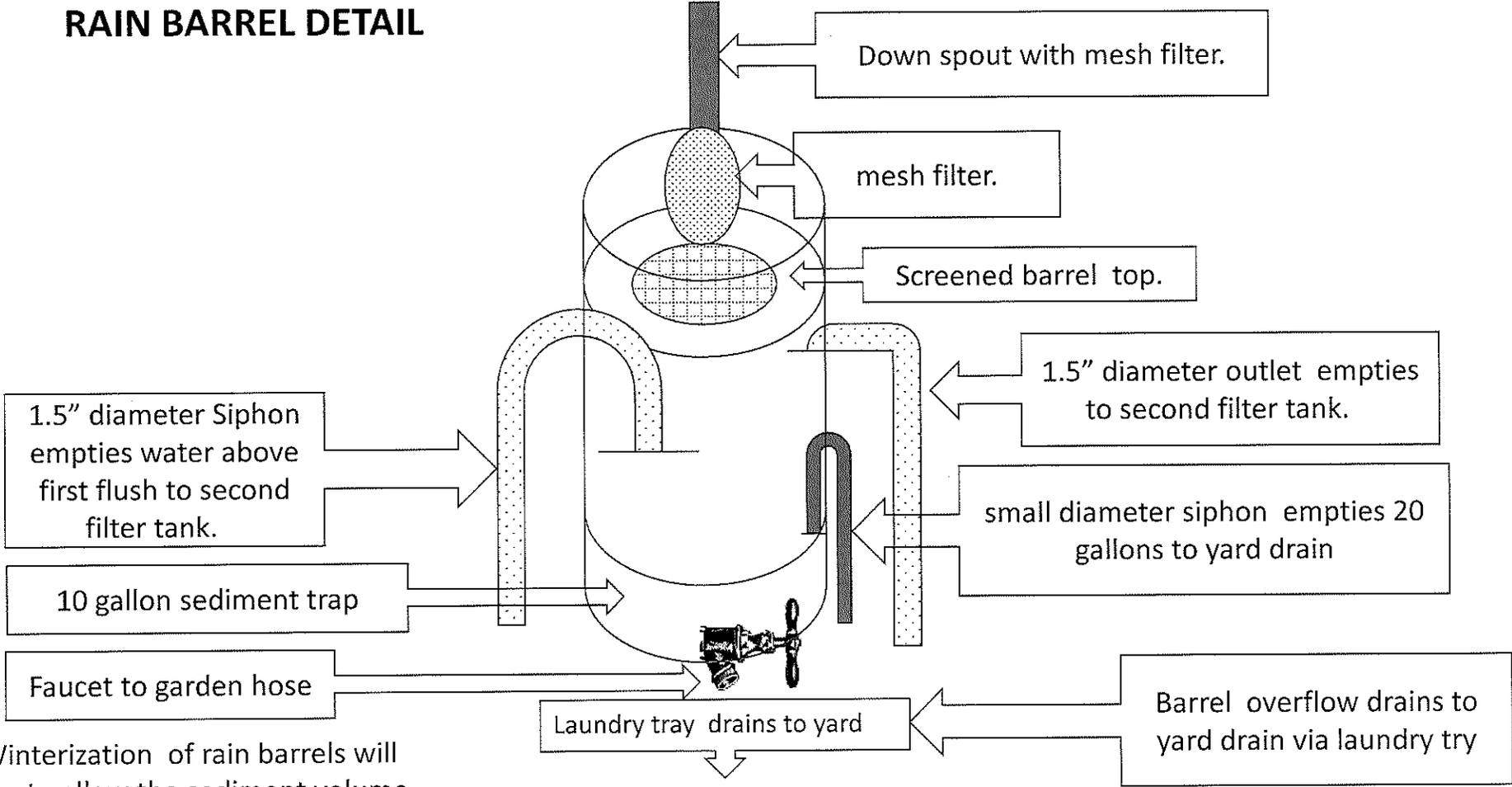


PLAN VIEW SCHEMATIC



- Roof area to cistern
- Deck
- Rain barrels
- Cistern on lower level
- Shallow well pump and pressure tank
- Toilet location
- Outdoor freeze proof spigot location
- Inside distribution system
- Second filtration
- Rain barrels to cistern
- Cistern over flow
- Existing down spout outlets

RAIN BARREL DETAIL

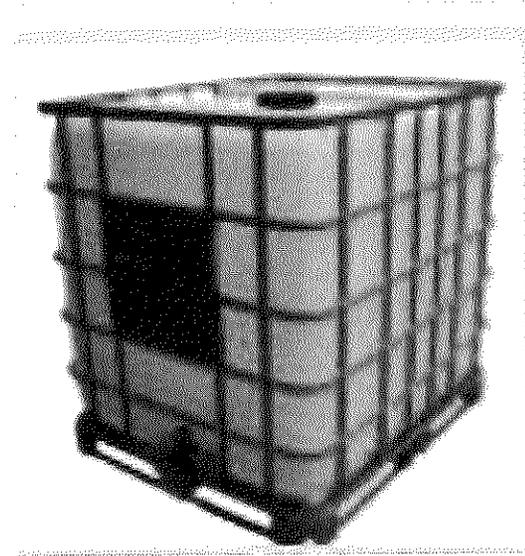


Winterization of rain barrels will be to allow the sediment volume To drain out over a period of 2 to 3 hours

RAINBARREL AND CISTERN TANK PICTURES



**24" X 36" H rain barrel will use
2 for first flush diversion**



275 Gallon Caged IBC Tote

**40" X 48" X 46" H rain tanks
will use 4 for cistern**

PLAN TEXT 1 OF 3

Rooftop Surface.

sloped roof 3 v to 5 h area to be captured 1117 sq ft

Roof materials are asphalt shingles. There will not be significant human exposure . Water is to be used for toilets and flower gardens and grass. All the roof runoff is now directed to a grass yard.

Collection and Conveyance System.

The collection and conveyance system consists of oversized aluminum gutters with gutter guard and no over hanging trees, and downspouts that channel stormwater runoff through mesh filters supported by a screen on the top of a rain barrel. The rain barrel acts as first flush diversion and splits the runoff between a sediment trap, first flush and the volume directed to the cistern. Two 1.5"ID plastic pipes will drain water for the cistern from the rain barrels to the second filter tank. The second filter tank drains directly into the cistern.

The existing gutters have been observed to contain rain fall rates of 2 inches per hour which exceed the 1 inch per hour specification .

If the rainfall exceeds the capacity of the pipes from the rain barrels to the cistern the rain barrels overflow be captured in a tray below the barrel and transmitted to the yard using existing pipes.

If the capacity of the cistern is exceeded the excess will be diverted to the yard from an over flow pipe. The frequency of the cistern being topped when the cistern is half full was about 60 times in the last 5 years.

Connection to public water supply. There will be no interconnections to the public water supply. When the toilets are connected to the harvesting system the public supply to the toilets will be removed.

In the unlikely event the harvesting system runs dry public supply water will be added to the cistern using a garden hose. The a back flow prevention device is currently installed on the public as required for connection to the public supply in Berryville. All harvest pipes will be colored purple and the spigots labeled non potable.

Pre-Treatment: Screening, First Flush Diverters and Filter Efficiencies.

The existing gutter guards meet the minimal requirement for pre-filtration of small systems, in addition the rain will pass through a settling tank and 2 fine mesh filters. The fine mesh filters will initially be partly hose constrained by a coarse mesh bag. The first filter is before the rain barrel and the second filter will be in the second filter tank. It is anticipated the fine filter will need to be replaced twice a year,

Simple first flush diverters require active management, by draining the first flush water volume to a pervious area following each rainstorm.

The initial first flush from the system is captured in the rain barrels before rainwater flows from the rain barrels to the storage tank. The volume of first flush water will be about 20 gallons per barrel which is equivalent to 0.06 inches of rain on the roof area. The first flush in each barrel will drain through a syphon to the yard over a period not less than 2 hours or more than 24 hours. This system allows for maintenance free, first flush diversion for rain every day. The first flush and any Rain barrel over flow will be directed from the tray under the barrel to the yard at the same location the roof drainage system is now directed.

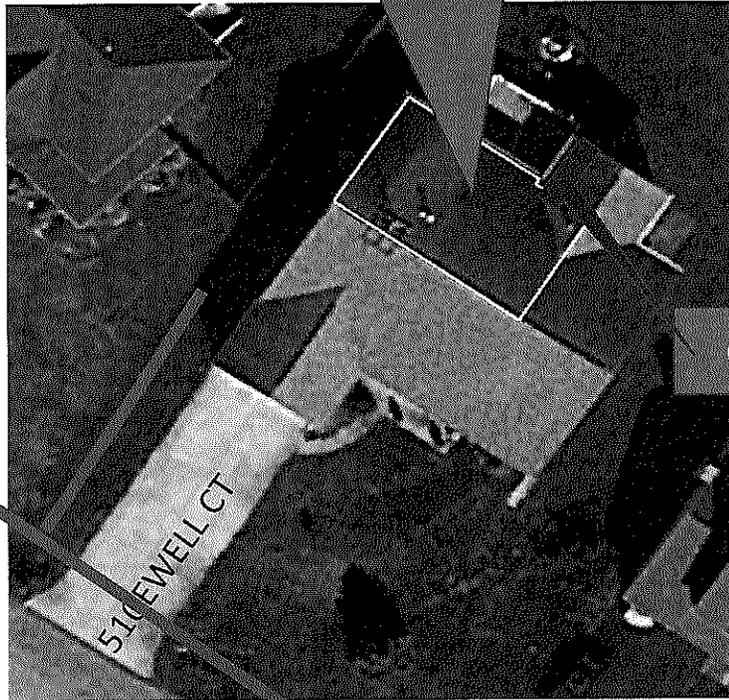
A design intensity of 1-inch/hour should be used for the purposes of sizing pre-tank conveyance and filter components.

1 inch per hour is equal to about 630 gallons per hour from the captured roof area or about 10 gpm. There will be 2 rain barrels and 2 ,1.5" diameter pipes leading to the second filter tank which acts as a roof washer. Each pipe has a capacity of about 35 gpm thus there is adequate pipe capacity to convey the rain to the cistern from the rain barrels. At maximum flow the each pipe will discharge about 5 gpm

LOCATION PICTURES

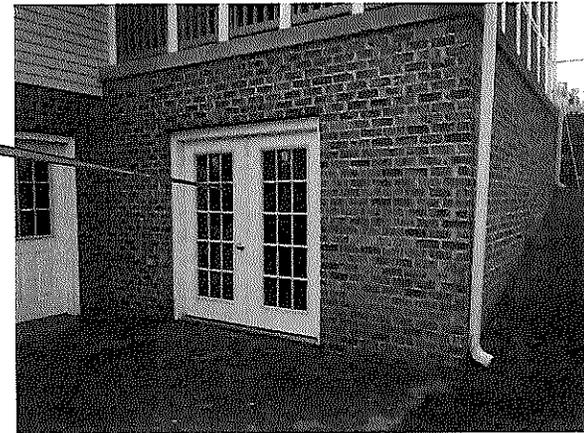
GUTTERS AND DOWN SPOUTS

ROOF AREA FOR RAIN
COLLECTION 1117 SQ. FT



CISTERN LOCATION

Existing storm drain





PIPE FLOW CALCULATIONS

Gravity-fed pipe flow

Hazen-Williams formula for a full pipe.

Engineering index
Civil Engineering index

Slope = a/b

Discharge rate

Diameter

the calc

The gravitational flow form of the Hazen-Williams equation is calculated to provide water velocity and discharge rate that can be achieved through a pipe with provided proportions.

| | | |
|--|----------------------------------|----------|
| Pipe diameter: | <input type="text" value="1.5"/> | inches ▾ |
| Roughness coefficient: | <input type="text" value="150"/> | |
| Pipe length (b): | <input type="text" value="30"/> | feet ▾ |
| Drop (a): | <input type="text" value="3"/> | feet ▾ |
| Velocity: <input type="text" value="6.42198"/> feet/second ▾ | | |
| Discharge rate: <input type="text" value="35.3715"/> gal(US)/min ▾ | | |
| Pipe slope: <input type="text" value="0.100000"/> | | |
| <input type="button" value="Calculate!"/> | | Add ⊕ |

notes

This calc is mainly for pipes full with water at ambient temperature and under turbulent flow.

If you know the slope rather than the pipe length and drop, then enter "1" in "Length" and enter the slope in "Drop". If the conduit is not a full circular pipe, but you know the hydraulic radius, then enter $(Rh \times 4)$ in "Diameter".

Typical values of the roughness (friction loss) coefficient include: 100 (concrete, cast iron); 120 (steel); 140 (cement); 150 (copper, plastics).

PLAN TEXT 3 OF 3

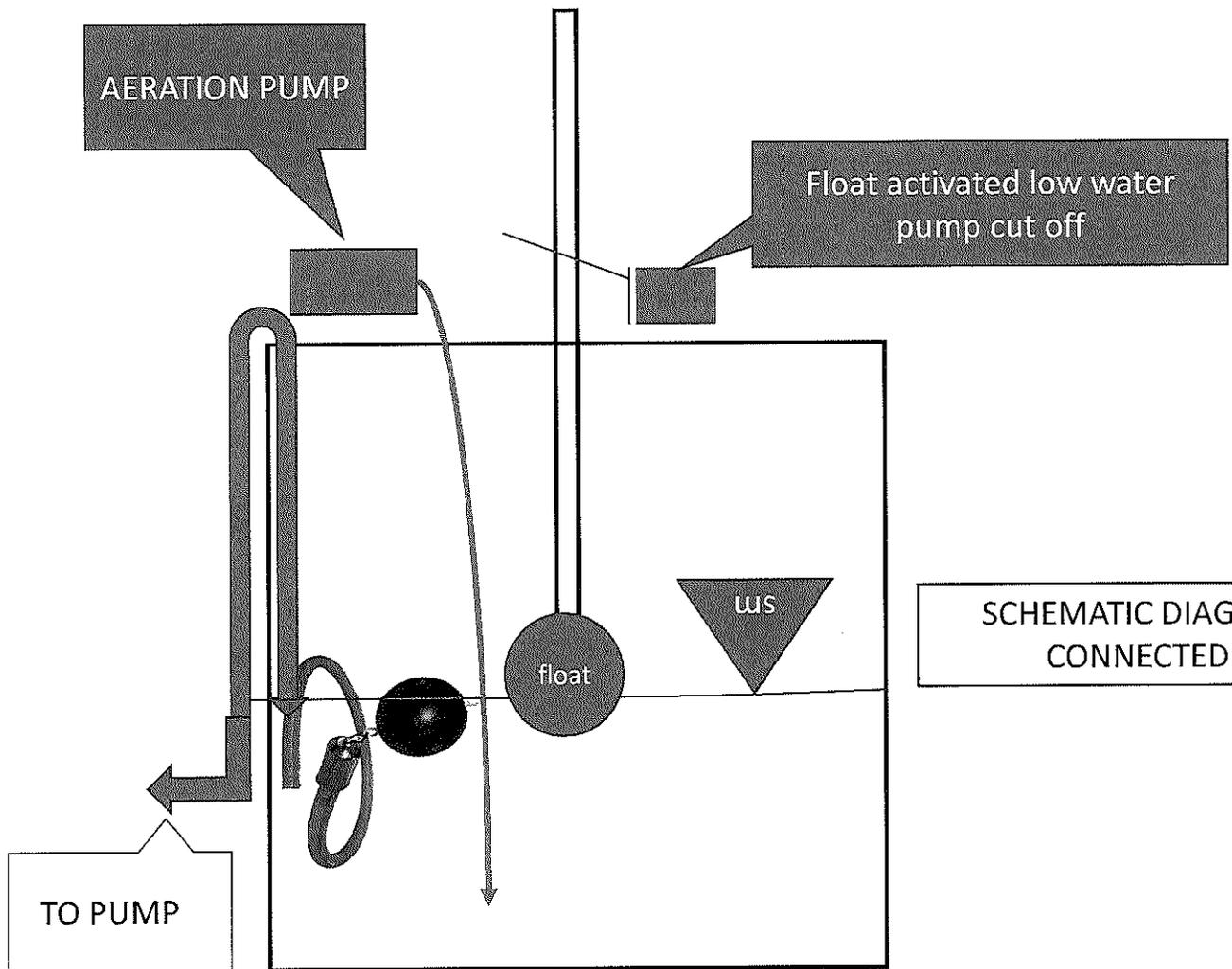
Storage Tanks. The storage tanks for the cistern consists of 4, 275 gallon tanks as shown on the schematic plan. The tanks are placed on a concrete floor adjacent to each other and connected with pipes to balance water levels. Total cistern storage on-site will be 1100 gallons. Storage tanks will be indoors, for UV protection and protected from direct sunlight to inhibit algae growth and will be capped to discourage mosquito breeding and reproduction.

Roof Washer. A roof washer (the second filter) will be placed above one of the storage tanks and used to filter small debris from harvested rainwater. The roof washer will be a utility basin fitted with a 2.5 in. drain leading to a calming device consisting of 2 concentric pipes with several 0.5 inch diameter holes throughout the length of the pipe with the first holes 0.5 feet. above the bottom of the pipes.

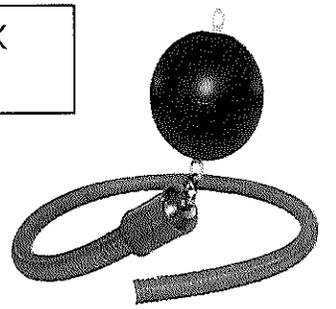
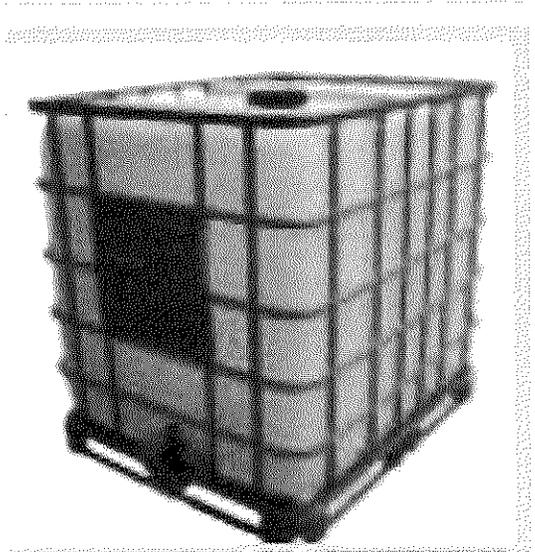
Distribution System The distribution system will be schedule 40 PVC pipes with pressure from a shallow well 110 volt pump and pressure tank located in a heated indoor location. The pipes will be painted purple to distinguish them as non-potable. The distribution system will lead to 2 toilets and 4 outside frost proof faucets. The pump intake will be a floating filter. There will be a low water shutoff for the pump. Aeration will be provided in the pump intake tank if needed.

Overflow

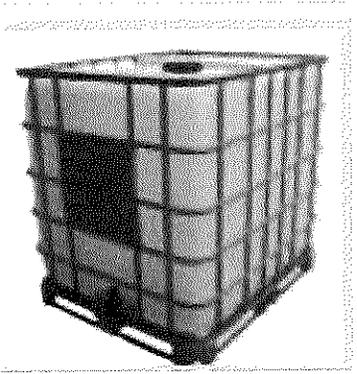
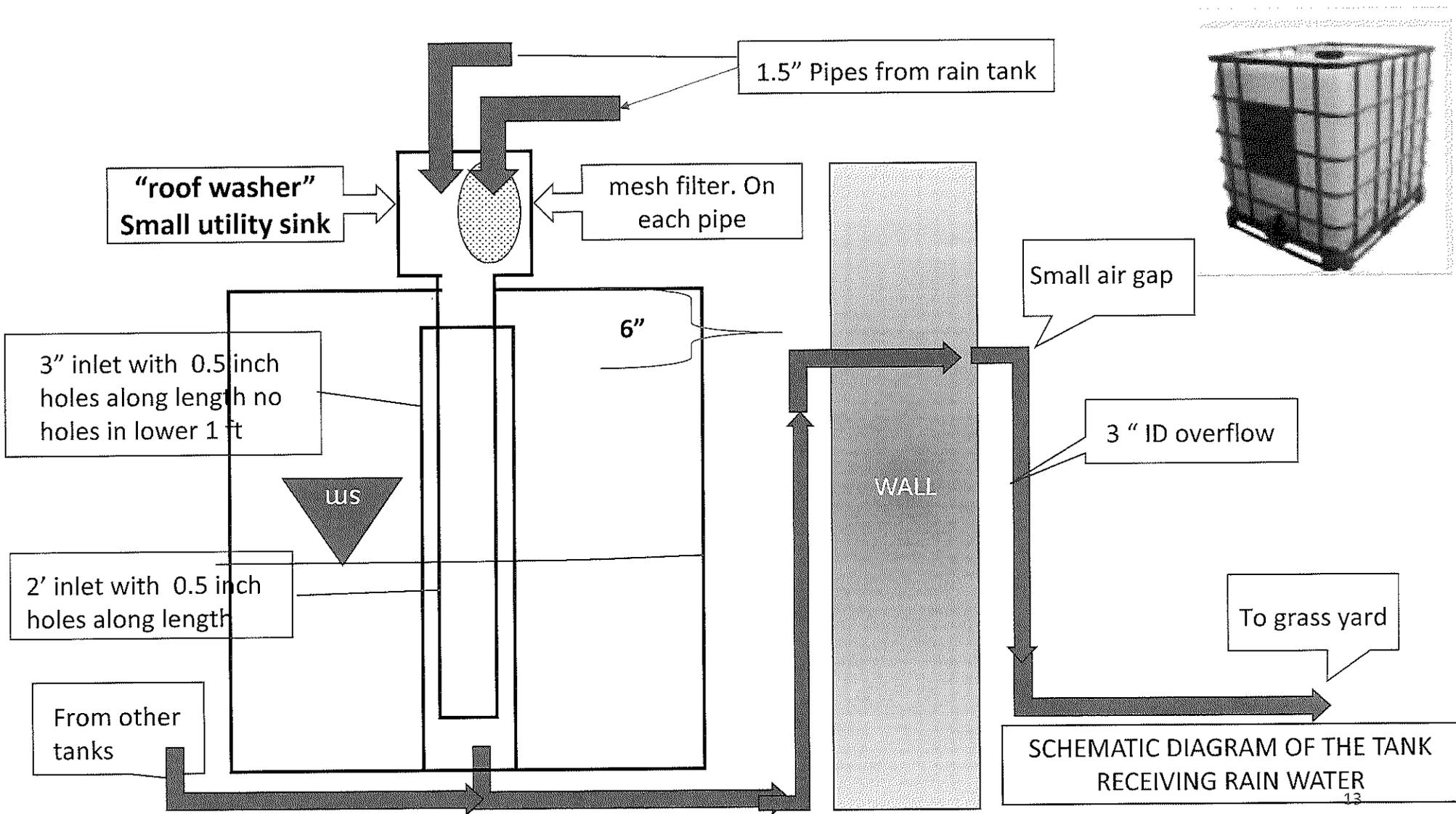
A cistern overflow will be included in the rainwater harvesting system in order to handle an individual storm event or multiple storms in succession that exceed the capacity of the tank. Overflow pipes will have a capacity equal to or greater than the inflow pipe(s) and have a 3" diameter and slope sufficient to drain the cistern while maintaining an adequate freeboard height. The overflow pipe will be screened to prevent access to the tank by rodents and birds



SCHMATIC DIAGRAM OF THE TANK CONNECTED TO THE PUMP



1-1/4" Stainless Steel Floating Filter with 1200 micron coarse screen, backflow preventer and 7' hose.



Maintenance for Rainwater harvesting system

| Activity | Frequency |
|--|----------------------|
| Keep gutters and downspouts free of leaves and other debris | O: Twice a year |
| Inspect and clean pre-screening devices and first flush diverters | O: Four times a year |
| Inspect and clean storage tank lids, paying special attention to vents and screens on inflow and outflow spigots. Check mosquito screens and patch holes or gaps immediately | O: Once a year |
| Inspect condition of overflow pipes, overflow filter path and/or secondary runoff reduction practices | O: Once a year |
| Inspect tank for sediment buildup | I: Every third year |
| Clear overhanging vegetation and trees over roof surface | I: Every third year |
| Check integrity of backflow preventer | I: Every third year |
| Inspect structural integrity of tank, pump, pipe and electrical system | I: Every third year |
| Replace damaged or defective system components | I: Every third year |
| Key: O = Owner I = qualified third party inspector | |

Winterization The cistern tanks will be insulated and located in a un heated room adjacent to the house. Thermostatically controlled heat tapes will be added if needed. Temperature of the cistern will be monitored Using an ACU RITE Liquid & soil temperature Sensor connected to a home environmental display .

Estimated Project Costs for Webb RH-708 (line items):

by A Sloop, 6/15/16

| | Units needed | Unit Type | Cost/Unit | Total Est. Cost |
|--|--------------|------------|-----------|-------------------|
| Plumbing pipe and fittings | 1 | count | \$250.00 | \$ 250.00 |
| Cistern | 4 | count | \$499.00 | \$ 1,996.00 |
| Stainless steel floating filter with coarse screen | 1 | count | \$179.95 | \$179.95 |
| Thermostatically controlled heat tapes | 30 | linear ft. | \$1.30 | \$39.00 |
| Shallow well pump, pressure tank and appurtenances | 1 | count | \$600.00 | \$600.00 |
| ACU RITE temperature monitor system | 1 | count | \$150.00 | \$150.00 |
| Rain barrels (60 gal) | 2 | count | \$100.00 | \$200.00 |
| Project Cost Totals: | | | | \$3,414.95 |
| Additional 5% estimate | | | | \$170.75 |

Estimated Project Costs for SL-6 (Totals):

| | |
|--|-------------------|
| Total Project Cost estimate (all perceived costs of the project, but not all line items listed are eligible for reimbursement) | \$3,585.70 |
| Total Cost Share Reimbursement (flat rate of \$2 per gallon) | \$2,200.00 |
| (Total Project Cost Estimate) - (Total Cost Share Reimbursement) | \$1,385.70 |

| <u>Contributing Drainage Area (CDA)</u> | <u>Impervious Area Treated (IAT)</u> | <u>Downspouts Disconnected</u> |
|---|--------------------------------------|--------------------------------|
| 1117 sq. ft. | 1117 sq. ft. | 2 |

*** Budgetary cost estimate does not include tax or shipping/handling costs. ****
 Specific makes/models have been presented for estimating purposes only. Alternate or equivalent materials may be used, which may impact quantities and overall cost of the project implementation.

INSTALLATION SEQUENCE

- 1 Assemble a rain barrel and adjust appurtenances to assure functionality.
Out flow to yard via existing drain
- 2 Assemble cistern and with plumbing to shallow well pump and over flow.
- 3 Install indoor plumbing with the exception of connections to toilets .
- 4 Assemble second rain barrel and connect rain barrels to cistern via roof washer and connect indoor plumbing to pressure tank.
- 5 After local approval disconnect toilets from public water supply and connect the rain harvesting system to toilets.
- 6 Inspections as required.

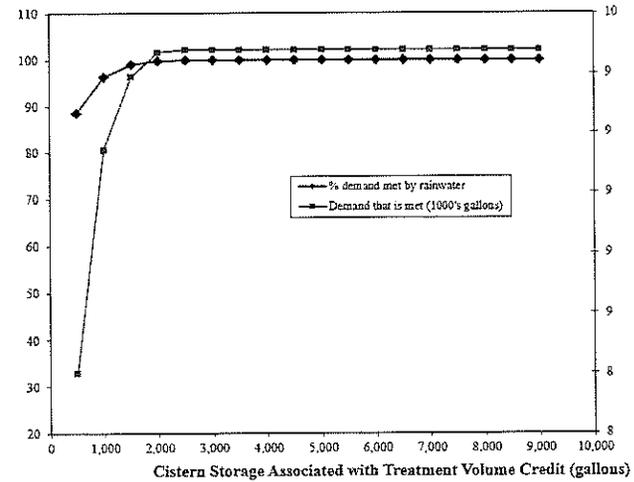
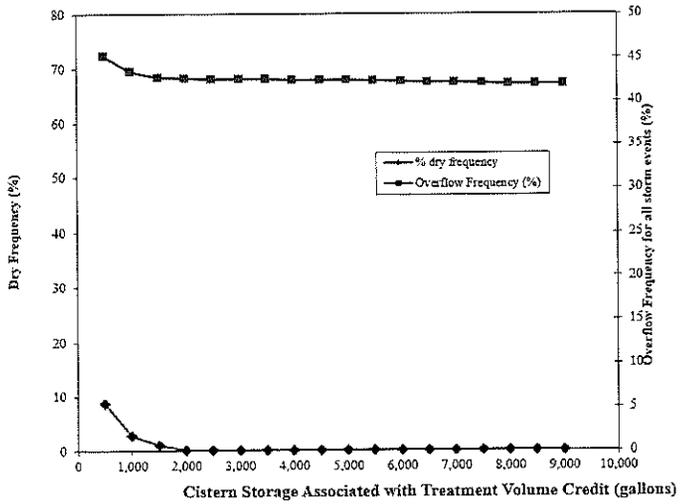
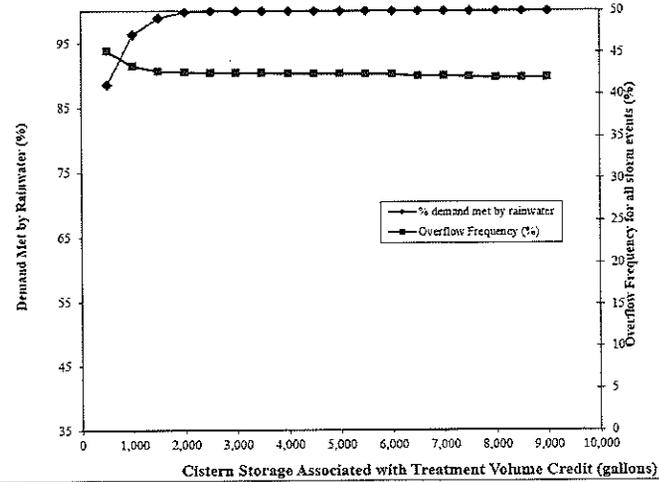
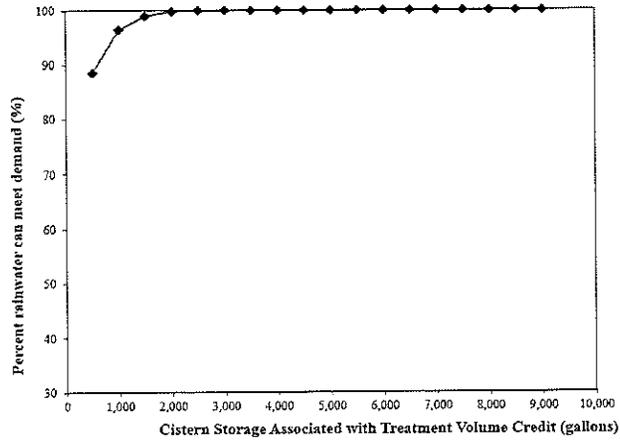
| Required storage | | | | | |
|-------------------------|---|------------|---|--------------------|--------------|
| roof area | | conversion | | runoff coefficient | reqd gallons |
| su ft | | 0.62 | | 0.95 | |
| 1117 | X | 0.62 | X | 0.95 | = 658 |
| Provided storage | | | | | |
| 4 - 275 gallon tanks '= | | | | | 1100 gallons |

Winterization

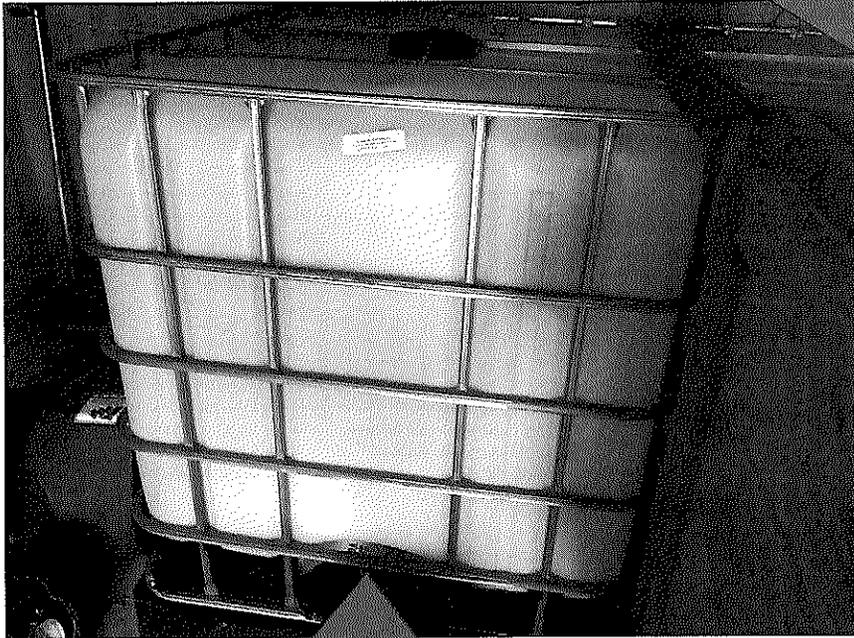
WATER USE CALCULATIONS

| Input | | | |
|---|-----------|--|--|
| REGIONAL LOCATION | | | INDOOR DEMAND - FLUSING TOILETS/URINALS |
| What region will the rainwater harvesting system be located closest to?
<small>(click drop down menu in green on the right for directions to appear)</small> | 4 | Water closet and urinal use (if only toilets are used, set urinals = 0) | |
| ROOF AREA | | How many people will use the building? | 2 |
| How big is the roof footprint (in sf)? | 1,117 | How much water does each urinal use? (set to 0, if no urinal) | 0.00 |
| IRRIGATION | | How much water does each toilet use? | 1.50 |
| What is the daily demand for irrigation in gallons? (if you do not know the daily demand, use the next two questions to generate an estimated demand) | 0 | Calculated daily water closet and urinal demand in gallons (if this has already been calculated, use this instead of the rows above) | 0 |
| How big is the area to irrigate? | 300 | Start day of the week (Monday=1, etc) | 1 |
| How many inches per week of irrigation are needed? | 1.00 | End day of the week (Monday=1, etc) | 7 |
| What day of the year does irrigation start? | 170 | Hours per day the building is used (i.e. 8 for a 9-5 office building; 24 for a shift-work factory) | 24 |
| What day of the year does irrigation end? | 262 | Total daily water closet and urinal demand (gallons) | 19 |
| Total daily irrigation demand (gallons) | 27 | | |

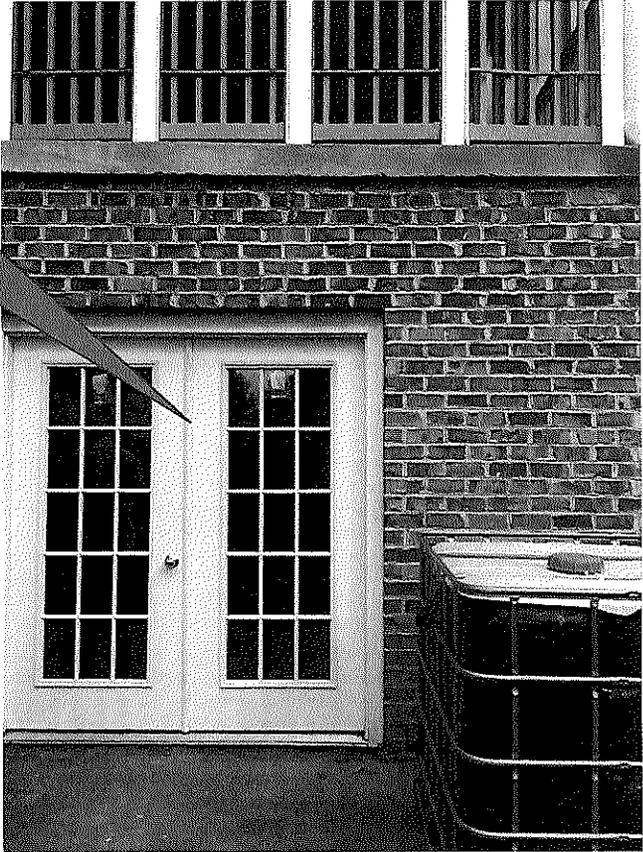
WATER USE CALCULATIONS



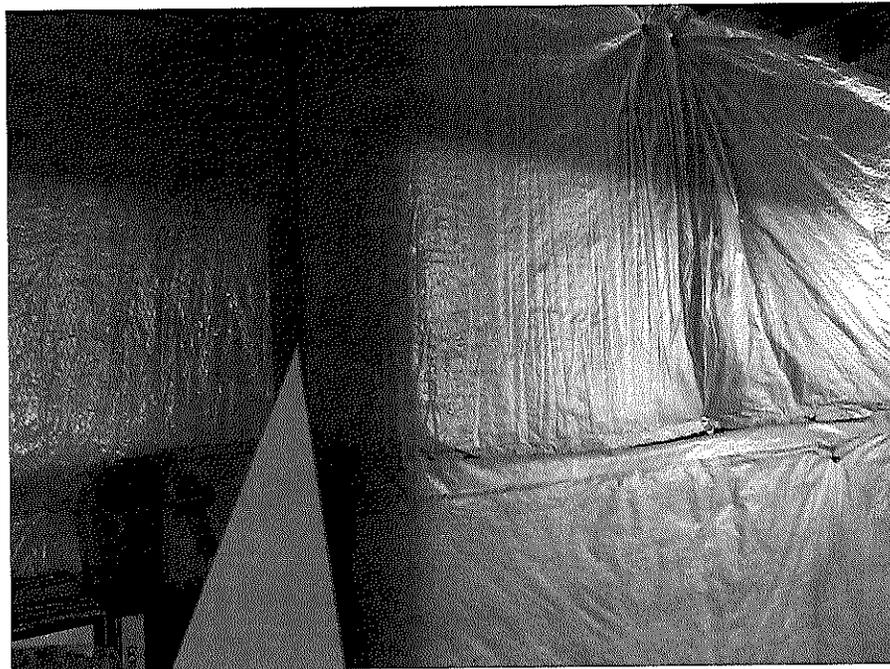
The storage area for the rainwater harvesting system, protected from the outside elements and placed on a level concrete slab.



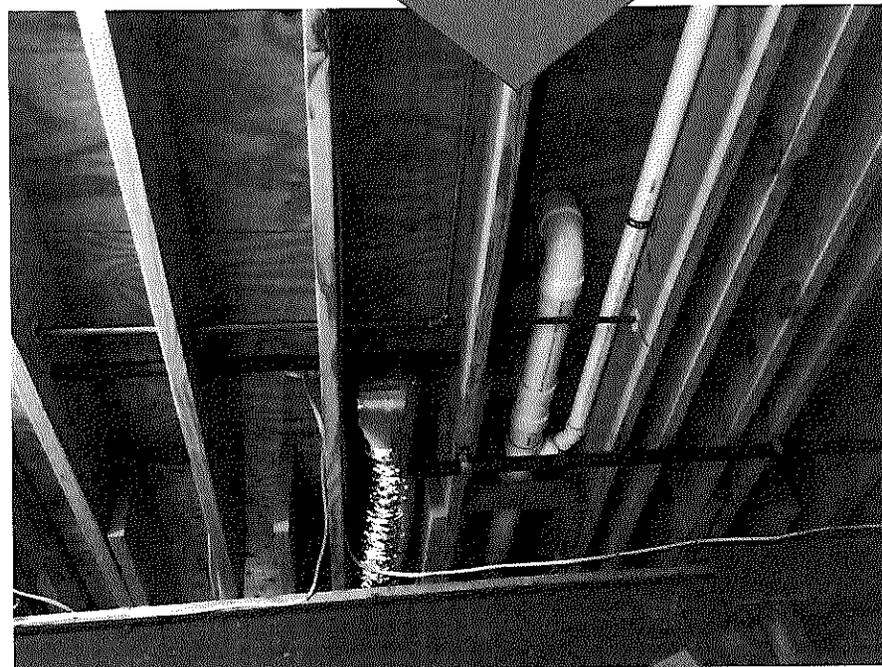
One of the four, 275 gallon tanks that will be connected as the rainwater harvesting system. A total of 1100 gallons will be used for this system.



The area of plumbing that will be disconnected from the city water lines to use the rainwater for the home's toilets. The rainwater line will be completely separate from the city water line once connected to the home toilets.



Other side of rainwater harvesting system storage room and wall where plumbing will come through to connect to toilets.



The rainwater line will be painted purple to distinguish it as a non-potable water source.

20



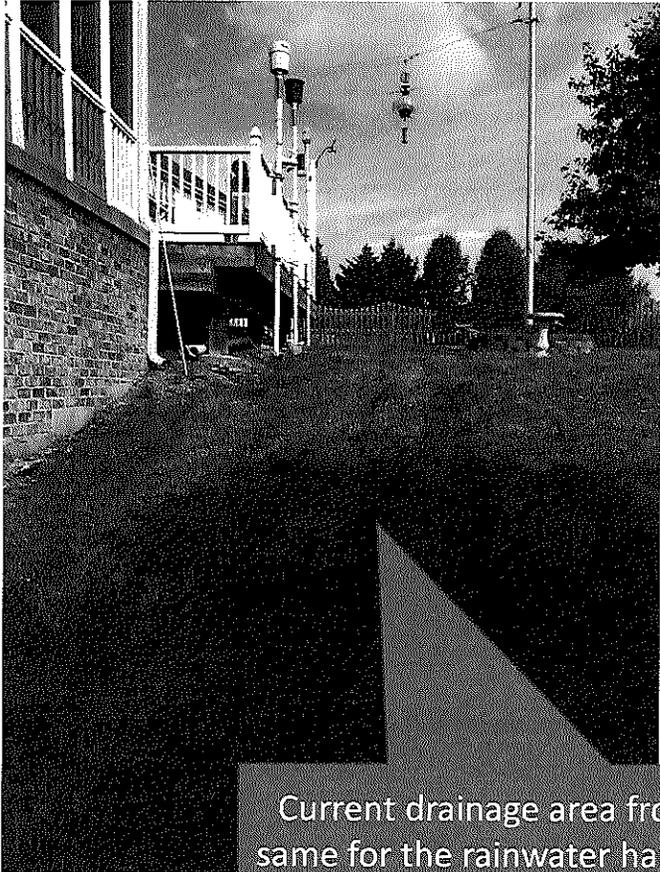
Downspout to be disconnected



2nd downspout to be disconnected

Contributing drainage area (CDA) = 1117 sq. ft.





Rain gauge and weather meter with indoor control system and info panel



Current drainage area from downspouts will stay the same for the rainwater harvesting overflow – the water will flow down this slope into a grass channel. Ground is not saturated and soils drain well.

BERRYVILLE TOWN COUNCIL
Update – Berryville Main Street Cruise In
July 12, 2016

The Summer Cruise In, which has been previously discussed at the May 10, 2016 Town Council meeting, is scheduled for Saturday, August 27, 2016 from 4:00pm to 7:00pm. Main Street will be closed from Page Street to Buckmarsh Street with local access to Washington Square Apartments and Chalmers Court. Chief White has submitted a Detour Plan to VDOT as part of the application. Ms. Phillips has been working with Berryville Main Street, the event sponsor, on obtaining VDOT approval. She has been contacted by the agency who indicated that the permit had been approved and will be forwarded to the Town within the next week.

Attachment 5

FINANCE AND ADMINISTRATION STAFF REPORT

TO: TOWN COUNCIL
FROM: DESIREE MORELAND, TREASURER
SUBJECT: CHARGE OFF OF UNCOLLECTABLE PERSONAL PROPERTY TAXES
PUBLICATION OF DELINQUENT TAXES
DATE: 7/5/2016
CC: KEITH DALTON, TOWN MANAGER

Each July Council passes a resolution charging off uncollectable personal property taxes. Section 58.1-3940 of the Code of Virginia, 1950, as amended, states that the collection of local personal property taxes shall only be enforceable for five years following December 31 of the year for which such taxes were assessed.

Currently we publish a list of delinquent taxes in the Winchester Star and post a copy of the published list in the Town Business Office.

VA Code §§ 58.1-3921 through 58.1-3924 address the publication of delinquent taxes. The delinquent list reflects the account status as of June 30 (§58.1-3922). Unpaid previous years can also be listed unless the statute of limitations has run out. For taxes other than Real Estate, the current year delinquencies plus five years can be listed; Real Estate delinquencies can be listed for 20 years. The Treasurer has the discretion to eliminate people who pay before the list is published or who are current on a valid installment plan.

Our delinquent list is scheduled for publication in the Winchester Star in August 2016 and will be made current prior to publication. Legally we do not have to remove anyone who pays after June 30.

VA Code § 58.1-3924 states that the governing body may cause this list to be published in a newspaper of general circulation in the town or to be made available on any internet site maintained by or for the town.

Kevin Appel, Legal Counsel for the Treasurers' Association of Virginia pointed out that keeping a website list current may be problematic for an office as small as ours. Should Council decide to put the list on our website, he suggested a disclaimer along these lines. "Delinquent taxes on this list conform to the facts as they existed on June 30, 2016, pursuant to Code of Virginia §58.1-3922.

If you have any questions please call me.

TOWN COUNCIL
MOTION FOR APPROVAL:
ADOPTION OF RESOLUTION TO CHARGE OFF
DELINQUENT PERSONAL PROPERTY TAXES FOR TAX YEAR 2010

Date: July 12, 2016

Motion By:

Second By:

I hereby move that the Council of the Town of Berryville adopt the attached resolution to charge off delinquent personal property taxes for Tax Year 2010.

VOTE:

Aye:

Nay:

Absent:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

TOWN OF BERRYVILLE
TOWN COUNCIL
RESOLUTION

WHEREAS, Section 58.1-3940 of the Code of Virginia, 1950, as amended, provides the collection of local personal property taxes shall only be enforceable for five years following December 31 of the year for which such taxes were assessed, and

WHEREAS, the attached personal property taxes assessed by the Town of Berryville, Virginia for tax year 2010, have remained delinquent for the year for which such taxes were assessed and are therefore rendered unenforceable,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Berryville, Virginia, in meeting duly assembled this twelfth day of July, 2016, that the attached list of delinquent personal property taxes for tax year 2010 shall be charged off the tax records of the Town of Berryville as uncollectible.

Patricia Dickinson, Mayor

I hereby certify that the foregoing Resolution was duly adopted by the Council of the Town of Berryville in meeting assembled July 12, 2016.

ATTEST:

Harry L. Arnold, Jr., Recorder

PERSONAL PROPERTY TO BE CHARGED OFF 7/12/2016

2010 DELINQUENT PERSONAL PROPERTY

| | |
|------------------------------------|-------------------|
| 2010 ALMENDAREZ VARGAS ADRIAN A | \$27.72 |
| 2010 BANKS CHAMEIKA D | \$90.96 |
| 2010 BESSER TIMOTHY W | \$12.68 |
| 2010 BEUCHERT PATRICIA N | \$425.84 |
| 2010 BROWN LARRY WILLIAM JR | \$78.91 |
| 2010 CHRISTAKOS DANIEL JOHN | \$69.70 |
| 2010 CLARK AMBER DAWN | \$49.87 |
| 2010 CORBIN JESSICA D | \$23.96 |
| 2010 CROMER JEANE MARIE | \$55.31 |
| 2010 DIETRICH JOHN WILLIAM | \$78.85 |
| 2010 FISHER-ARRINGTON LISA DIANE | \$135.84 |
| 2010 FRYE WILLIAM T & MEGHAN MARIE | \$203.69 |
| 2010 GONZALEZ-FLORES NANCY J | \$46.29 |
| 2010 GRIMM DEBORAH SUE | \$52.83 |
| 2010 JARQUIN SOTO AXEL RAMON | \$37.00 |
| 2010 JONES SALLIE RENEE | \$37.00 |
| 2010 MAIORANA CURTIS | \$38.52 |
| 2010 MILBOURNE ALICIA DAWN | \$52.50 |
| 2010 MILBOURNE DALTON T II | \$325.61 |
| 2010 MILLER PAUL GERHARD | \$62.53 |
| 2010 MONTGOMERY CLIFFORD G III | \$95.14 |
| 2010 MOVIE GALLERY US INC #1506 | \$167.16 |
| 2010 MOYA DORIAN N | \$39.70 |
| 2010 OLSON KENDRA C | \$14.70 |
| 2010 PARKER KURT | \$30.10 |
| 2010 PAYNE DEBORAH ANN | \$39.07 |
| 2010 PAYNE JAMES MARSHALL SR | \$74.30 |
| 2010 POOLE JAMES E III | \$109.89 |
| 2010 RAMEY CHARLES E | \$38.42 |
| 2010 ROBERTS CHESTER DENEIL | \$45.23 |
| 2010 RYDER BRIAN N | \$50.96 |
| 2010 SALGUERO OSCAR A | \$46.63 |
| 2010 SANDERS JR ROBERT D | \$66.46 |
| 2010 SCOTT JAMES | \$158.24 |
| 2010 SIPE RACHEL V NEWLIN | \$52.22 |
| 2010 SWARTZ MICHAEL A | \$30.31 |
| 2010 TAYLOR TREVOR M | \$89.52 |
| 2010 THORPE ROXANNE MARIE | \$126.73 |
| 2010 THORPE THOMAS SCOTT | \$64.36 |
| 2010 UNDERWOOD LAQUINTA DONETTE | \$12.82 |
| 2010 VANWART JENNIFER LYNN | \$36.91 |
| 2010 VIRGINIA SIDING INC | \$67.89 |
| 2010 WARNER JAMES ARNEZ | \$79.70 |
| 2010 WHITLOCK THERESA L | \$36.14 |
| 2010 WRIGHT CYNTHIA | \$123.23 |
| 2010 ZULLINGER DEBORAH BOWERS | \$61.18 |
| | \$3,662.62 |

| | |
|----------------------|-------------------|
| DMV FEE | \$400.00 |
| PERSONAL ADVERTISING | \$367.20 |
| PERSONAL INTEREST | \$639.16 |
| PERSONAL PENALTY | \$214.49 |
| PERSONAL PRINCIPLE | \$929.19 |
| VEHICLE LICENSE FEE | \$1,102.58 |
| VLF LATE FEE | \$10.00 |
| | \$3,662.62 |

TOWN COUNCIL
MOTION AUTHORIZING PUBLICATION OF
DELINQUENT REAL ESTATE AND PERSONAL PROPERTY TAXES

Date: July 12, 2016

Motion By:

Second By:

I hereby move that the Council of the Town of Berryville authorize publication of the names of those delinquent for personal property and real estate taxes pursuant to Section 58.1-3924 of the Code of Virginia, As Amended.

VOTE:

Aye:

Nay:

Absent:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

DELINQUENT TAXES

(TO BE PUBLISHED IN THE WINCHESTER STAR AUGUST 12, 2016)

Pursuant to Section 58.1-3924 of the Code of Virginia, 1950 (as Amended), I Desiree' A. Moreland, Treasurer of the Town of Berryville, in Clarke County Virginia, do swear that the forgoing list is, I verily believe, correct and just, that I have not received full payment of the taxes for which the real estate property therein mentioned is returned delinquent, although I have used diligence to collect such taxes.

Furthermore, following second publication as noted herein, I shall institute such legal rights and remedies as are available to the Town of Berryville for collection of delinquent taxes including judicial sale of real property for payment of delinquent taxes plus all accumulated penalties, interest and cost there on.

“Delinquent taxes on this list conform to the facts as they existed on June 30, 2016 pursuant to Code of Virginia 58.1-3922.”

Desiree' A. Moreland/Treasurer/Asst. Town Manager
Published by order of the Town Council

Date: August 12, 2016

DELINQUENT TAX LIST TO COUNCIL - JULY 12, 2016

No real estate improperly placed on the land book, or which is not ascertainable, with the amount of taxes charged to such property.

DELINQUENT REAL ESTATE TAXES

DELINQUENT REAL ESTATE-JULY 1, 2016**1995-2004 DELINQUENT REAL ESTATE**

| | |
|-----------------------------|-------------------|
| 2004 GEORGE WILLIAMS ESTATE | \$4,366.46 |
| | \$4,366.46 |

2005 DELIQUENT REAL ESTATE

| | |
|-----------------------------|-----------------|
| 2005 GEORGE WILLIAMS ESTATE | \$207.42 |
| 2005 HARRIS-PROCTOR LINDA | \$82.23 |
| | \$289.65 |

2006 DELIQUENT REAL ESTATE

| | |
|-----------------------------|-----------------|
| 2006 GEORGE WILLIAMS ESTATE | \$429.88 |
| 2006 HARRIS-PROCTOR LINDA | \$176.42 |
| | \$606.30 |

2007 DELIQUENT REAL ESTATE

| | |
|-----------------------------|-------------------|
| 2007 GEORGE WILLIAMS ESTATE | \$1,099.32 |
| 2007 HARRIS-PROCTOR LINDA | \$171.76 |
| | \$1,271.08 |

2008 DELIQUENT REAL ESTATE

| | |
|-----------------------------|-----------------|
| 2008 GEORGE WILLIAMS ESTATE | \$781.30 |
| 2008 HARRIS-PROCTOR LINDA | \$150.02 |
| | \$931.32 |

2009 DELIQUENT REAL ESTATE

| | |
|-----------------------------------|-------------------|
| 2009 GEORGE WILLIAMS ESTATE | \$2,122.05 |
| 2009 HARRIS-PROCTOR LINDA | \$146.83 |
| 2009 MOTEN CONSTANCE | \$191.18 |
| 2009 TRI COUNTY FARM SERVICES LLC | \$211.15 |
| | \$2,671.21 |

2010 DELIQUENT REAL ESTATE

| | |
|-----------------------------------|-------------------|
| 2010 GEORGE WILLIAMS ESTATE | \$395.28 |
| 2010 HARRIS-PROCTOR LINDA | \$84.22 |
| 2010 MOTEN CONSTANCE | \$171.68 |
| 2010 PAIGE WILLIAM H | \$3,773.54 |
| 2010 TRI COUNTY FARM SERVICES LLC | \$370.40 |
| | \$4,795.12 |

2011 DELIQUENT REAL ESTATE

| | |
|-----------------------------|------------|
| 2011 GEORGE WILLIAMS ESTATE | \$1,091.22 |
| 2011 HARRIS-PROCTOR LINDA | \$80.76 |
| 2011 LABADIE RICKY | \$143.87 |
| 2011 MOTEN CONSTANCE | \$164.30 |
| 2011 RATCLIFFE RAYMOND EST | \$26.84 |

| | |
|-----------------------------------|-------------------|
| 2011 TRI COUNTY FARM SERVICES LLC | \$353.00 |
| | \$1,859.99 |

2012 DELIQUENT REAL ESTATE

| | |
|-----------------------------------|--------------------|
| 2012 GEORGE WILLIAMS ESTATE | \$800.20 |
| 2012 HARRIS-PROCTOR LINDA | \$80.38 |
| 2012 LABADIE RICKY | \$215.74 |
| 2012 MOTEN CONSTANCE | \$159.04 |
| 2012 RATCLIFFE RAYMOND EST | \$30.22 |
| 2012 TRI COUNTY FARM SERVICES LLC | \$333.26 |
| 2012 WOODRUFF WILLIAM | \$9,983.60 |
| | \$11,602.44 |

2013 DELIQUENT REAL ESTATE

| | |
|-----------------------------------|-------------------|
| 2013 BROWN THOMAS H & ROSA C | \$36.88 |
| 2013 HARRIS-PROCTOR LINDA | \$77.88 |
| 2013 LABADIE RICKY | \$204.32 |
| 2013 MOTEN CONSTANCE | \$151.46 |
| 2013 RATCLIFFE RAYMOND EST | \$31.28 |
| 2013 TRI COUNTY FARM SERVICES LLC | \$313.92 |
| 2013 WILLIAMS GEORGE ESTATE | \$660.40 |
| | \$1,476.14 |

2014 DELIQUENT REAL ESTATE

| | |
|-------------------------------------|-------------------|
| 2014 ALLEN FENTON ESTATE | \$90.09 |
| 2014 ALLIANTEC LTD | \$214.58 |
| 2014 BROWN THOMAS H & ROSA C | \$102.40 |
| 2014 FRANKMANN HARRY C LIVING TRUST | \$167.91 |
| 2014 GILLISON MARY L & ROBERT JR & | \$243.12 |
| 2014 HARRIS-PROCTOR LINDA | \$77.18 |
| 2014 LABADIE RICKY | \$213.68 |
| 2014 MCCOOL PHYLLIS N | \$250.27 |
| 2014 MCGEE HOLDINGS LLC | \$581.24 |
| 2014 MOTEN CONSTANCE | \$156.10 |
| 2014 PEPPER SCOTT B | \$148.62 |
| 2014 RATCLIFFE RAYMOND EST | \$25.42 |
| 2014 REAVIS MICHAEL | \$104.04 |
| 2014 RITTER ELIZABETH A | \$90.09 |
| 2014 SOUERS JOSEPH & BRITTANY BRYAN | \$106.69 |
| 2014 TRI COUNTY FARM SERVICES LLC | \$332.82 |
| 2014 WILLIAMS GEORGE ESTATE | \$655.75 |
| | \$3,560.00 |

2015 DELIQUENT REAL ESTATE

| | |
|------------------------------|----------|
| 2015 ALLEN FENTON ESTATE | \$333.98 |
| 2015 ALLIANTEC LTD | \$260.86 |
| 2015 BROWN THOMAS H & ROSA C | \$119.92 |

| | |
|---|--------------------|
| 2015 BUCK CHARLES U | \$493.10 |
| 2015 DUNNING THOMAS H B | \$810.72 |
| 2015 ELMORE NOBLE N JR | \$121.48 |
| 2015 FRANKMANN HARRY C LIVING TRUST | \$259.44 |
| 2015 GILLISON MARY L& ROBERT JR& | \$342.76 |
| 2015 GILLISON WILLIAM T & JOHN W | \$90.89 |
| 2015 HARRIS-PROCTOR LINDA | \$88.04 |
| 2015 HART BRENT L III | \$321.02 |
| 2015 JACKSON EFFIE H & WALTER H | \$282.62 |
| 2015 JOHNSON GEORGE F JR | \$247.98 |
| 2015 LABADIE RICKY | \$259.44 |
| 2015 LEWIS AND BURKE REAL ESTATE LLC | \$101.32 |
| 2015 MASON JEANNIE C | \$240.30 |
| 2015 MCCOOL PHYLLIS N | \$382.58 |
| 2015 MCGEE HOLDINGS LLC | \$2,985.90 |
| 2015 MOTEN CONSTANCE | \$187.12 |
| 2015 PAIGE CHAZ D | \$554.75 |
| 2015 PAYNE CHARLES M | \$259.62 |
| 2015 PEFFER SCOTT B | \$193.24 |
| 2015 POTTS ROY E III & PATRICIA R | \$346.66 |
| 2015 RATCLIFFE RAYMOND EST | \$22.06 |
| 2015 REAVIS MICHAEL | \$257.78 |
| 2015 RITTER ELIZABETH A | \$247.98 |
| 2015 SHAKE MICHAEL H & DEBRA G | \$408.74 |
| 2015 SOUERS JOSEPH & BRITTANY BRYAN | \$334.77 |
| 2015 TRI COUNTY FARM SERVICES LLC | \$409.78 |
| 2015 TURNER MICHAEL M | \$122.78 |
| 2015 WILLIAMS GEORGE ESTATE | \$404.49 |
| 2015 WINDISCH SUSAN & EDWARD F | \$198.14 |
| 2015 WRYE PAUL STEPHEN & TESA BRODY-WRY | \$474.40 |
| | \$12,164.66 |

2016 DELIQUENT REAL ESTATE

| | |
|----------------------------------|----------|
| 2016 3425 TUCKAHOE LLC | \$72.44 |
| 2016 ALLEN FENTON ESTATE | \$115.51 |
| 2016 ALLIANTEC LTD | \$99.40 |
| 2016 ARCADIA-BERRYVILLE GLEN LLC | \$440.01 |
| 2016 BROWN THOMAS H & ROSA C | \$26.85 |
| 2016 BUCK CHARLES U | \$212.27 |
| 2016 BUCKMARSH ENTERPRISES LLC | \$262.59 |
| 2016 BUCKMARSH ENTERPRISES LLC | \$254.70 |
| 2016 BUKOSKI MICHAEL | \$398.21 |
| 2016 CHAUDHRY ZAHID | \$582.16 |
| 2016 DUNNING THOMAS H B | \$227.85 |
| 2016 DUNNING THOMAS H B | \$442.44 |
| 2016 ELMORE NOBLE N JR | \$93.81 |
| 2016 FANNING JENNIFER D | \$150.57 |

| | |
|---------------------------------------|----------|
| 2016 FRANKMANN HARRY C LIVING TRUST | \$99.19 |
| 2016 FRONTIER ENTERPRISES LLC | \$299.45 |
| 2016 FRONTIER ENTERPRISES LLC | \$84.23 |
| 2016 GILLISON MARY L& ROBERT JR& | \$117.83 |
| 2016 GILLISON WILLIAM T & JOHN W | \$53.18 |
| 2016 GUITIERREZ ANTONIO V & MARIA B | \$94.66 |
| 2016 HARRIS-PROCTOR LINDA | \$31.59 |
| 2016 HART BRENT L III | \$208.52 |
| 2016 HINKLE MILTON P | \$161.73 |
| 2016 HOLMES CHARLES A JR | \$6.32 |
| 2016 HOLMES CHARLES H ET AL | \$122.25 |
| 2016 JACKSON EFFIE H & WALTER H | \$124.99 |
| 2016 JOHNSON GEORGE F JR | \$93.71 |
| 2016 KAISERWEBB LC | \$507.29 |
| 2016 KEEFE NEIL J & BOBBIE J TRUSTS | \$525.61 |
| 2016 LABADIE RICKY | \$99.19 |
| 2016 LEWIS AND BURKE REAL ESTATE LLC | \$27.38 |
| 2016 LIBBY DANA S & MARK K | \$243.83 |
| 2016 LINGELBACH ZACHARIAH | \$103.84 |
| 2016 LUKU EDMOND & LILJANA | \$93.71 |
| 2016 MASON JEANNIE C | \$98.55 |
| 2016 MCCOOL PHYLLIS N | \$137.51 |
| 2016 MOTEN CONSTANCE | \$31.59 |
| 2016 NELSON JACOB ESTATE | \$5.11 |
| 2016 OHIGGINS STEELE T | \$13.00 |
| 2016 OHIGGINS STEELE T | \$4.32 |
| 2016 OLIVER THOMAS HUNTON | \$139.83 |
| 2016 PAIGE ALBERT ESTATE | \$26.85 |
| 2016 PAIGE CHAZ D | \$80.55 |
| 2016 PAYNE CHARLES M | \$102.86 |
| 2016 PEFFER SCOTT B | \$98.66 |
| 2016 POE GLEN R | \$278.50 |
| 2016 POE GLEN R | \$52.65 |
| 2016 POE GLEN R | \$52.65 |
| 2016 POTTS ROY E III & PATRICIA R | \$106.35 |
| 2016 RATCLIFFE RAYMOND EST | \$31.59 |
| 2016 REAVIS MICHAEL | \$281.42 |
| 2016 RICHMOND AMERICAN HOMES | \$435.48 |
| 2016 RIESGRAF DONALD R | \$300.71 |
| 2016 RILEY MEADOWS STABLES LLC | \$567.46 |
| 2016 RILEY MEADOWS STABLES LLC | \$63.17 |
| 2016 RILEY MEADOWS STABLES LLC | \$63.17 |
| 2016 RITTER ELIZABETH A | \$93.71 |
| 2016 RODGERS SEAN D | \$399.00 |
| 2016 ROSENBERG KAREN SHEILA & KEN | \$540.66 |
| 2016 ROSENBROOK TERENCE J & KATHRYN S | \$334.30 |
| 2016 SARDILIS PATRICIA A | \$158.46 |

| | |
|---|--------------------|
| 2016 SAUNDERS TODD R & LAURIE M | \$91.07 |
| 2016 SHAKE MICHAEL H & DEBRA G | \$150.05 |
| 2016 SHEPPARD LISA T & FRANK TRUMBOWER | \$13.69 |
| 2016 SHIPLEY JAMES R | \$405.36 |
| 2016 SOUERS JOSEPH & BRITTANY BRYAN | \$115.92 |
| 2016 STARSHIP 14221 LLC | \$156.38 |
| 2016 STARSHIP 14221 LLC | \$148.56 |
| 2016 TIGNEY PRESTON W | \$145.51 |
| 2016 TOWNSEND DONALD P II & JOANNA SUE | \$158.57 |
| 2016 TRI COUNTY FARM SERVICES LLC | \$190.16 |
| 2016 TURNER MICHAEL M | \$214.47 |
| 2016 WALLACE WILLIAM E & LORIE M | \$161.88 |
| 2016 WILLIAMS GEORGE ESTATE | \$225.83 |
| 2016 WINDISCH SUSAN & EDWARD F | \$84.23 |
| 2016 WOLDORF PAUL & CLARE | \$39.60 |
| 2016 WOODRUFF WILLIAM | \$26.33 |
| 2016 WRYE PAUL STEPHEN & TESA BRODY-WRY | \$517.72 |
| | \$13,820.75 |

DELINQUENT REAL ESTATE TAXES

| | |
|-----------|-----------------|
| 1995-2004 | 4366.46 |
| 2005 | 289.65 |
| 2006 | 606.3 |
| 2007 | 1271.08 |
| 2008 | 931.32 |
| 2009 | 2671.21 |
| 2010 | 4795.12 |
| 2011 | 1859.99 |
| 2012 | 11602.44 |
| 2013 | 1476.14 |
| 2014 | 3560 |
| 2015 | 12164.66 |
| 2016 | <u>13820.75</u> |

TOTAL 59415.12

DELINQUENT PERSONAL PROPERTY TAXES

PP-Council
Delinquent Tax Report-July 1, 2016

2010 DELINQUENT PERSONAL PROPERTY

| | |
|------------------------------------|-------------------|
| 2010 ALMENDAREZ VARGAS ADRIAN A | \$27.72 |
| 2010 BANKS CHAMEIKA D | \$90.96 |
| 2010 BESSER TIMOTHY W | \$12.68 |
| 2010 BEUCHERT PATRICIA N | \$425.84 |
| 2010 BROWN LARRY WILLIAM JR | \$78.91 |
| 2010 CHRISTAKOS DANIEL JOHN | \$69.70 |
| 2010 CLARK AMBER DAWN | \$49.87 |
| 2010 CORBIN JESSICA D | \$23.96 |
| 2010 CROMER JEANE MARIE | \$55.31 |
| 2010 DIETRICH JOHN WILLIAM | \$78.85 |
| 2010 FISHER-ARRINGTON LISA DIANE | \$135.84 |
| 2010 FRYE WILLIAM T & MEGHAN MARIE | \$203.69 |
| 2010 GONZALEZ-FLORES NANCY J | \$46.29 |
| 2010 GRIMM DEBORAH SUE | \$52.83 |
| 2010 JARQUIN SOTO AXEL RAMON | \$37.00 |
| 2010 JONES SALLIE RENEE | \$37.00 |
| 2010 MAIORANA CURTIS | \$38.52 |
| 2010 MILBOURNE ALICIA DAWN | \$52.50 |
| 2010 MILBOURNE DALTON T II | \$325.61 |
| 2010 MILLER PAUL GERHARD | \$62.53 |
| 2010 MONTGOMERY CLIFFORD G III | \$95.14 |
| 2010 MOVIE GALLERY US INC #1506 | \$167.16 |
| 2010 MOYA DORIAN N | \$39.70 |
| 2010 OLSON KENDRA C | \$14.70 |
| 2010 PARKER KURT | \$30.10 |
| 2010 PAYNE DEBORAH ANN | \$39.07 |
| 2010 PAYNE JAMES MARSHALL SR | \$74.30 |
| 2010 POOLE JAMES E III | \$109.89 |
| 2010 RAMEY CHARLES E | \$38.42 |
| 2010 ROBERTS CHESTER DENEIL | \$45.23 |
| 2010 RYDER BRIAN N | \$50.96 |
| 2010 SALGUERO OSCAR A | \$46.63 |
| 2010 SANDERS JR ROBERT D | \$66.46 |
| 2010 SCOTT JAMES | \$158.24 |
| 2010 SIPE RACHEL V NEWLIN | \$52.22 |
| 2010 SWARTZ MICHAEL A | \$30.31 |
| 2010 TAYLOR TREVOR M | \$89.52 |
| 2010 THORPE ROXANNE MARIE | \$126.73 |
| 2010 THORPE THOMAS SCOTT | \$64.36 |
| 2010 UNDERWOOD LAQUINTA DONETTE | \$12.82 |
| 2010 VANWART JENNIFER LYNN | \$36.91 |
| 2010 VIRGINIA SIDING INC | \$67.89 |
| 2010 WARNER JAMES ARNEZ | \$79.70 |
| 2010 WHITLOCK THERESA L | \$36.14 |
| 2010 WRIGHT CYNTHIA | \$123.23 |
| 2010 ZULLINGER DEBORAH BOWERS | \$61.18 |
| | \$3,662.62 |

2011 DELINQUENT PERSONAL PROPERTY

| | |
|------------------------------------|----------|
| 2011 ALMENDAREZ VARGAS ADRIAN A | \$10.89 |
| 2011 ANDERSON JEROME D | \$157.02 |
| 2011 ANDREJKO DAVID ALAN | \$47.93 |
| 2011 BANKS CHAMEIKA D | \$36.56 |
| 2011 BECKWITH TRACY A | \$82.21 |
| 2011 BEUCHERT PATRICIA N | \$206.97 |
| 2011 BROWN LARRY WILLIAM JR | \$92.25 |
| 2011 CHRISTAKOS DANIEL JOHN | \$85.90 |
| 2011 CLARK AMBER DAWN | \$87.91 |
| 2011 CORBIN JESSICA D | \$49.45 |
| 2011 CROMER JEANE MARIE | \$7.45 |
| 2011 DIETRICH JOHN WILLIAM | \$13.39 |
| 2011 FISHER-ARRINGTON LISA DIANE | \$54.64 |
| 2011 FRYE WILLIAM T & MEGHAN MARIE | \$298.09 |
| 2011 GRIMM DEBORAH SUE | \$54.73 |
| 2011 JONES JAMES DALLAS | \$89.36 |
| 2011 JONES SALLIE RENEE | \$44.50 |
| 2011 KIRBY CATHERINE LESLEY | \$126.37 |
| 2011 MAIORANA CURTIS | \$86.21 |
| 2011 MANUEL CHRISTINA ANN | \$85.10 |
| 2011 MCMANAMAY AIMEE MICHELLE | \$95.16 |
| 2011 MILBOURNE DALTON T II | \$311.95 |
| 2011 MILLER PAUL GERHARD | \$60.42 |
| 2011 MONTGOMERY CLIFFORD G III | \$102.97 |
| 2011 MOYA DORIAN N | \$46.28 |
| 2011 PARKER KURT | \$40.10 |
| 2011 PAYNE DEBORAH ANN | \$40.10 |
| 2011 PAYNE JAMES MARSHALL SR | \$25.92 |
| 2011 PIERCE BRANDON MICHAEL | \$90.03 |
| 2011 POOLE JAMES E III | \$111.83 |
| 2011 RAMEY CHARLES E | \$46.04 |
| 2011 ROBERTS CHESTER DENEIL | \$8.51 |
| 2011 SALGUERO OSCAR A | \$34.35 |
| 2011 SCHEMERING SUSAN CAROLE | \$70.99 |
| 2011 SCOTT JAMES | \$143.10 |
| 2011 SIPE RACHEL V NEWLIN | \$56.36 |
| 2011 SMITH KATRINA DIANE | \$50.64 |
| 2011 SURFACE TAMMY L | \$123.02 |
| 2011 SWANK DEBRA L | \$117.07 |
| 2011 SWARTZ MICHAEL A | \$49.50 |
| 2011 TAYLOR TREVOR M | \$6.27 |
| 2011 THOMPSON AMY M | \$4.32 |
| 2011 THORPE ROXANNE MARIE | \$23.80 |
| 2011 THORPE THOMAS SCOTT | \$77.83 |
| 2011 UNDERWOOD LAQUINTA DONETTE | \$10.22 |
| 2011 VIRGINIA SIDING INC | \$66.55 |
| 2011 WARD KAREN DENISE | \$80.10 |
| 2011 WARNER JAMES ARNEZ | \$6.46 |

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|------------------------------------|-------------------|
| 2011 WHITLOCK THERESA L | \$40.10 |
| 2011 WOOD-FLEMING CYNTHIA BROWNING | \$81.94 |
| 2011 WRIGHT CYNTHIA | \$94.83 |
| | \$3,833.69 |

2012 DELINQUENT PERSONAL PROPERTY

| | |
|---------------------------------------|----------|
| 2012 ALMENDAREZ VARGAS ADRIAN A | \$14.68 |
| 2012 ANDERSON JEROME D | \$115.45 |
| 2012 ANDREJKO DAVID ALAN | \$41.96 |
| 2012 BANKS CHAMEIKA D | \$33.84 |
| 2012 BELCHER BRENT BRANDON | \$54.85 |
| 2012 BROWN LARRY WILLIAM JR | \$92.45 |
| 2012 BROWN STEVEN M & LINDA M | \$198.37 |
| 2012 CHRISTAKOS DANIEL JOHN | \$86.95 |
| 2012 CLEMENTS CHRISTOPHER LEE | \$50.01 |
| 2012 CLOVERLEAF ENVIRONMENTAL CONSULT | \$22.88 |
| 2012 COCONIS DAVID H | \$115.77 |
| 2012 CORBIN JESSICA D | \$6.40 |
| 2012 CRIM TRACEY L | \$177.70 |
| 2012 DAVIS TINA M | \$233.30 |
| 2012 DESHEROW MICHAEL P | \$139.34 |
| 2012 DMUCHOWSKY ERIC | \$86.18 |
| 2012 FISHER-ARRINGTON LISA DIANE | \$40.93 |
| 2012 FRYE WILLIAM T | \$167.23 |
| 2012 FRYE WILLIAM T & MEGHAN MARIE | \$77.51 |
| 2012 GRIMM DEBORAH SUE | \$49.84 |
| 2012 HALL CIIPPORA-KARRENA E | \$193.37 |
| 2012 HUNTER MARK WILLIAM | \$32.51 |
| 2012 HUSTED DEBORAH RUTH | \$50.01 |
| 2012 HUSTED MICHAEL DAVID | \$57.77 |
| 2012 IN & OUT AUTO SERVICE | \$52.50 |
| 2012 JONES JAMES DALLAS | \$11.13 |
| 2012 KIRBY CATHERINE LESLEY | \$4.72 |
| 2012 KIZER RICHARD | \$103.85 |
| 2012 MACBETH JONELL SCOTT | \$100.60 |
| 2012 MAIORANA CURTIS | \$46.51 |
| 2012 MANUEL CHRISTINA ANN | \$11.75 |
| 2012 MCCLEMENS FREDERICK W | \$104.34 |
| 2012 MCMANAMAY AIMEE MICHELLE | \$92.20 |
| 2012 MILBOURNE DALTON T II | \$268.31 |
| 2012 MILLER PAUL GERHARD | \$59.94 |
| 2012 MONTGOMERY CLIFFORD G III | \$99.69 |
| 2012 MOYA DORIAN N | \$46.10 |
| 2012 PARKER KURT | \$80.93 |
| 2012 PAYNE DEBORAH ANN | \$40.93 |
| 2012 PIERCE BRANDON MICHAEL | \$14.35 |
| 2012 POOLE JAMES E III | \$110.03 |
| 2012 PRUITT RICHARD EUGENE JR | \$50.94 |
| 2012 RAMEY CHARLES E | \$9.91 |
| 2012 SALGUERO OSCAR A | \$32.78 |

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|---------------------------|-------------------|
| 2012 SCOTT JAMES | \$143.17 |
| 2012 SHAIN BOBBI D | \$13.26 |
| 2012 SIPE RACHEL V NEWLIN | \$54.84 |
| 2012 SMITH ANGELA F | \$95.01 |
| 2012 SMITH KATRINA DIANE | \$8.31 |
| 2012 STANTON JONATHAN P | \$128.09 |
| 2012 STRADY MARY L | \$94.40 |
| 2012 SURFACE TAMMY L | \$107.95 |
| 2012 SWANK DEBRA L | \$71.25 |
| 2012 SWARTZ MICHAEL A | \$50.92 |
| 2012 THOMAS LOGAN D | \$70.29 |
| 2012 THOMPSON AMY MARIE | \$52.93 |
| 2012 THORPE THOMAS SCOTT | \$0.74 |
| 2012 TILLERY DEBBIE MARIE | \$86.51 |
| 2012 VIRGINIA SIDING INC | \$61.99 |
| 2012 WARD KAREN DENISE | \$40.93 |
| 2012 WHITLOCK THERESA L | \$40.93 |
| 2012 WOLDORF JUSTIN DAVID | \$80.93 |
| 2012 WRIGHT CYNTHIA | \$52.69 |
| | \$4,735.95 |

2013 DELINQUENT PERSONAL PROPERTY

| | |
|---------------------------------------|----------|
| 2013 ALMENDAREZ VARGAS ADRIAN A | \$13.48 |
| 2013 ANDERSON JEROME D | \$110.16 |
| 2013 ANDREJKO DAVID ALAN | \$6.60 |
| 2013 BANKS CHAMEIKA D | \$27.58 |
| 2013 BELCHER BRENT BRANDON | \$15.20 |
| 2013 BERRYVILLE MILLWORK | \$117.69 |
| 2013 BOWIE LARRY E | \$46.44 |
| 2013 BROWN LARRY WILLIAM JR | \$89.14 |
| 2013 BROWN STEVEN M | \$104.08 |
| 2013 CHRISMAN JOSHUA JACOB | \$22.78 |
| 2013 CHRISTAKOS DANIEL JOHN | \$128.40 |
| 2013 CLEMENTS CHRISTOPHER LEE | \$49.95 |
| 2013 CLOVERLEAF ENVIRONMENTAL CONSULT | \$22.99 |
| 2013 COCONIS DAVID H | \$72.93 |
| 2013 CRIM TRACEY L | \$132.73 |
| 2013 CROSSLEY NICHOLAS R | \$64.44 |
| 2013 DAVIS TINA M | \$111.96 |
| 2013 DENNIS BILLY M | \$58.10 |
| 2013 DESJARDINS STEVEN P | \$123.92 |
| 2013 DMUCHOWSKY ERIC | \$49.97 |
| 2013 DMUCHOWSKY KATRINA | \$87.48 |
| 2013 DRAKE NICOLE PAIGE | \$17.07 |
| 2013 FRYE WILLIAM T | \$179.97 |
| 2013 FRYE WILLIAM T & MEGHAN MARIE | \$73.26 |
| 2013 GALLAGHER MICHAEL J | \$102.18 |
| 2013 HALL CIIPPORA-KARRENA E | \$139.92 |
| 2013 HARWELL STEPHEN B | \$87.20 |
| 2013 HOLLINGSWORTH CHRISTOPHER JOHN | \$87.10 |

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|-----------------------------------|-------------------|
| 2013 HUSTED MICHAEL DAVID | \$41.50 |
| 2013 JOHNSON GEORGE F JR | \$45.61 |
| 2013 KIZER RICHARD | \$61.36 |
| 2013 MCALISTER GLENN ALLEN | \$105.20 |
| 2013 MCCOY MICHEAL L | \$56.47 |
| 2013 MCMANAMAY AIMEE MICHELLE | \$91.58 |
| 2013 MILBOURNE DALTON T II | \$235.33 |
| 2013 MILLER PAUL GERHARD | \$59.65 |
| 2013 MONTGOMERY CLIFFORD G III | \$92.40 |
| 2013 MOYA DORIAN N | \$86.52 |
| 2013 MULLINS HOLLY NICOLE | \$142.10 |
| 2013 PARKER KURT | \$83.92 |
| 2013 PAYNE DEBORAH ANN | \$41.96 |
| 2013 POOLE JAMES E III | \$108.41 |
| 2013 POWELL JESSE P JR | \$129.56 |
| 2013 SALGUERO OSCAR A | \$71.94 |
| 2013 SCHEMERING SUSAN CAROLE | \$46.33 |
| 2013 SCOTT JAMES | \$142.64 |
| 2013 SIPE RACHEL V NEWLIN | \$92.40 |
| 2013 SMITH ANGELA F | \$12.47 |
| 2013 SOUTHERN AIR TEMP | \$983.20 |
| 2013 STRADY MARY L | \$64.86 |
| 2013 SURFACE TAMMY L | \$105.20 |
| 2013 SWANK DEBRA L | \$67.55 |
| 2013 SWARTZ MICHAEL A | \$52.74 |
| 2013 THOMPSON PHILLIP CHRISTOPHER | \$136.22 |
| 2013 VIRGINIA SIDING INC | \$52.23 |
| 2013 WHITLOCK THERESA L | \$81.96 |
| 2013 WOLDORF JUSTIN DAVID | \$41.96 |
| 2013 WRIGHT CYNTHIA | \$50.20 |
| | \$5,526.19 |

2014 DELINQUENT PERSONAL PROPERTY

| | |
|---------------------------------------|----------|
| 2014 ALMENDAREZ VARGAS ADRIAN A | \$8.09 |
| 2014 ANDERSON JEROME D | \$99.20 |
| 2014 ANDREJKO DANIELLE PENDLETON | \$107.72 |
| 2014 ANDREJKO DAVID ALAN | \$84.24 |
| 2014 BANKS CHAMEIKA D | \$18.91 |
| 2014 BATTLETOWN INN | \$406.90 |
| 2014 BOWIE LARRY E | \$38.61 |
| 2014 BRANDT KIMBERLY MARIE | \$76.35 |
| 2014 BROWN LARRY WILLIAM JR | \$81.45 |
| 2014 BROWN STEVEN M | \$82.30 |
| 2014 CHAPMAN ELIZABETH HERTY | \$27.58 |
| 2014 CHRISMAN JOSHUA JACOB | \$57.45 |
| 2014 CHRISTAKOS DANIEL JOHN | \$77.22 |
| 2014 CLEMENTS CHRISTOPHER LEE | \$44.85 |
| 2014 CLEMENTS HEATHER MARIE | \$23.82 |
| 2014 CLOVERLEAF ENVIRONMENTAL CONSULT | \$19.08 |
| 2014 COCONIS DAVID H | \$32.96 |

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|-------------------------------------|----------|
| 2014 COX AUTUMN L | \$78.61 |
| 2014 CRIM TRACEY L | \$78.52 |
| 2014 CROSSLEY NICHOLAS R | \$38.61 |
| 2014 DAVIS TINA M | \$84.85 |
| 2014 DESJARDINS STEVEN P | \$38.61 |
| 2014 DIETHRICH JOHN WILLIAM | \$88.19 |
| 2014 DURHAM BRENDA J | \$23.69 |
| 2014 FORD TIMOTHY SPENCER | \$120.92 |
| 2014 GALLAGHER MICHAEL J | \$58.47 |
| 2014 GALLAHAN WANDA MAY | \$15.57 |
| 2014 GALVEZ LADISLAO | \$139.97 |
| 2014 GORDON LAVARN D | \$7.14 |
| 2014 GROOMS JENNIFER RAE | \$13.28 |
| 2014 HALL CIIPPORA-KARRENA E | \$122.40 |
| 2014 HOLLINGSWORTH CHRISTOPHER JOHN | \$55.04 |
| 2014 HUSTED MICHAEL DAVID | \$4.91 |
| 2014 JENKINS LINDA S | \$82.92 |
| 2014 JOHNSON GEORGE F JR | \$199.60 |
| 2014 JONES JOHN A | \$50.13 |
| 2014 KIZER RICHARD | \$57.07 |
| 2014 MAGUIRE JUSTIN A | \$31.37 |
| 2014 MALICK KENNETH R JR | \$88.72 |
| 2014 MANAHAN BRETT A | \$80.09 |
| 2014 MCMANAMAY AIMEE MICHELLE | \$82.85 |
| 2014 MILBOURNE DALTON T II | \$193.06 |
| 2014 MILLER PAUL GERHARD | \$54.07 |
| 2014 MONTGOMERY CLIFFORD G III | \$83.38 |
| 2014 MOYA DORIAN N | \$38.61 |
| 2014 MULLINS HOLLY NICOLE | \$118.32 |
| 2014 MUZAK LLC (07) | \$8.80 |
| 2014 PARKER KURT | \$38.61 |
| 2014 PAYNE DEBORAH ANN | \$38.61 |
| 2014 PAYNE VIRGINIA ANN | \$87.05 |
| 2014 POOLE JAMES E III | \$91.13 |
| 2014 POWELL JESSE P JR | \$80.45 |
| 2014 PRUITT JR RICHARD EUGENE | \$78.61 |
| 2014 ROBERTS MARCELLA HARPER | \$78.61 |
| 2014 SCHEMERING SUSAN CAROLE | \$6.49 |
| 2014 SIPE RACHEL V NEWLIN | \$11.44 |
| 2014 SMITH VIOLA B | \$84.67 |
| 2014 SOUTHERN AIR TEMP | \$788.58 |
| 2014 STRADY MARY L | \$22.32 |
| 2014 SURFACE TAMMY L | \$86.28 |
| 2014 SWANK DEBRA L | \$59.88 |
| 2014 SWARTZ MICHAEL A | \$45.92 |
| 2014 TABB LORETTA H | \$96.77 |
| 2014 THOMPSON PHILLIP CHRISTOPHER | \$88.21 |
| 2014 VICHARE SAPTARSHI VIVEK | \$49.07 |
| 2014 VIRGINIA SIDING INC | \$85.44 |
| 2014 WELTON ELTON VAN JR | \$78.61 |

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|---------------------------|-------------------|
| 2014 WHITLOCK THERESA L | \$38.61 |
| 2014 WOLDORF JUSTIN DAVID | \$81.62 |
| 2014 WRIGHT CYNTHIA | \$44.58 |
| | \$5,586.06 |

2015 DELINQUENT PERSONAL PROPERTY

| | |
|-----------------------------------|----------|
| 2015 ANDERSON JEROME D | \$87.51 |
| 2015 ANDREJKO DANIELLE PENDLETON | \$97.90 |
| 2015 ANDREJKO DAVID ALAN | \$90.20 |
| 2015 ANYTIME FITNESS | \$260.59 |
| 2015 AVALOS CLARA P | \$201.44 |
| 2015 BALDWIN PHILLIP A | \$49.50 |
| 2015 BALLARD GEOFFREY WAYNE | \$216.56 |
| 2015 BALLARD JAMIE A | \$76.44 |
| 2015 BARNES ELIZABETH MARIE | \$214.69 |
| 2015 BATTLETOWN INN | \$441.98 |
| 2015 BAUSERMAN PEGGY A | \$3.23 |
| 2015 BIERLEIN DAVID JON | \$271.40 |
| 2015 BOLDEN CANDACE L | \$98.10 |
| 2015 BON MATIN | \$74.94 |
| 2015 BOSS MECHANICAL SERVICES LLC | \$99.17 |
| 2015 BOWIE LARRY E | \$35.00 |
| 2015 BRIAN DENNIS WAYNE | \$35.00 |
| 2015 BRITTINGHAM MICHAEL R | \$316.04 |
| 2015 BROWN CLYDE A | \$150.00 |
| 2015 BROWN LARRY WILLIAM JR | \$70.00 |
| 2015 BROWN STEVEN M | \$75.71 |
| 2015 BRYAN ALLISON LEIGH | \$67.23 |
| 2015 BUCK CHARLES U | \$40.18 |
| 2015 CARNAHAN CHARLES D | \$174.57 |
| 2015 CARR SHAWN H | \$78.04 |
| 2015 CHAOS FAB SHOP | \$144.78 |
| 2015 CHAPMAN ELIZABETH HERTY | \$81.33 |
| 2015 CHAPMAN ELLIS LEROY | \$59.77 |
| 2015 CHILDS BRADEN CLAY | \$75.00 |
| 2015 CHILDS JANET MARIE | \$74.02 |
| 2015 CHRISTAKOS DANIEL JOHN | \$70.00 |
| 2015 CLARK MICHELLE L | \$35.00 |
| 2015 CLARK MICHELLE L | \$83.49 |
| 2015 CLARK PATSY J | \$140.78 |
| 2015 CLARK PATSY J | \$88.03 |
| 2015 CLAY DAVID KARLOS | \$110.23 |
| 2015 CLEMENTS CHRISTOPHER LEE | \$40.85 |
| 2015 CLOVERLEAF ENVIRONMENTAL | \$17.00 |
| 2015 COCONIS DAVID H | \$65.42 |
| 2015 COLLIER CHARLOTTE W | \$95.76 |
| 2015 CONOPCO INC | \$2.89 |
| 2015 COPPAGE RYAN P | \$136.83 |
| 2015 CORBIN JESSICA D | \$39.34 |
| 2015 CORUM JEANETTE M | \$126.52 |

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|-------------------------------------|----------|
| 2015 CREAMER JAMICHAEL R | \$59.02 |
| 2015 CRIM TRACEY L | \$69.33 |
| 2015 CUELLAR STEVEN A | \$56.46 |
| 2015 CURTIS MATTHEW R | \$161.06 |
| 2015 DAVIS LARRY V JR | \$80.70 |
| 2015 DAVIS TINA M | \$119.48 |
| 2015 DESJARDINS STEVEN P | \$70.00 |
| 2015 DIETHRICH JOHN WILLIAM | \$45.39 |
| 2015 DIETZEL MALISSA MARIE | \$123.01 |
| 2015 ERWIN RACHEL A | \$76.17 |
| 2015 ESPAROLINI MONA C | \$79.43 |
| 2015 EVANS MARGARET E | \$80.64 |
| 2015 FLICK SARA KATHERINE | \$80.44 |
| 2015 FOCACCIA ITALIAN GRILL | \$478.86 |
| 2015 FORD TIMOTHY SPENCER | \$110.54 |
| 2015 FREEMAN WILLIAM E JR | \$85.14 |
| 2015 GALLAGHER MICHAEL J | \$55.54 |
| 2015 GALLAHAN WANDA MAY | \$35.00 |
| 2015 GALVEZ LADISLAO | \$95.03 |
| 2015 GILLISON CHANEL LY'NAE | \$20.49 |
| 2015 GILLISON MARY L | \$55.00 |
| 2015 GOODMAN BRENDA LEE | \$106.62 |
| 2015 GREELEY JEANNETTE H | \$100.19 |
| 2015 GRIMES LAWRENCE M | \$110.00 |
| 2015 GUSTAFSON ERIC A | \$76.91 |
| 2015 HALL CIIPPORA-KARRENA E | \$108.36 |
| 2015 HALLEX MATTHEW LOGAN | \$79.09 |
| 2015 HARE DEBBIE J | \$87.72 |
| 2015 HART MELANIE S | \$3.44 |
| 2015 HEFLIN BARBARA LEE | \$54.45 |
| 2015 HEFLIN JEFFREY W | \$170.11 |
| 2015 HEISHMAN JASON J | \$60.36 |
| 2015 HELINSKI CARISA A | \$62.75 |
| 2015 HICKOK SHANNIE KAY | \$81.02 |
| 2015 HIGDON SEAN WILLIAM | \$118.15 |
| 2015 HINKLE MILTON P | \$95.54 |
| 2015 HOLLINGSWORTH CHRISTOPHER JOHN | \$50.00 |
| 2015 HUNTER APRIL M | \$106.23 |
| 2015 JACKSON JAIME N | \$12.97 |
| 2015 JENKINS LINDA SUE | \$59.74 |
| 2015 JOHNSON DAVID C | \$88.55 |
| 2015 JOHNSON DWAYNE ANTHONY | \$94.96 |
| 2015 JOHNSON GEORGE F JR | \$62.18 |
| 2015 JONES JOHN A | \$45.98 |
| 2015 JP MORGAN CHASE BANK NA | \$118.92 |
| 2015 KEISTER KEITH T JR | \$90.00 |
| 2015 KERNS ALEXANDER H | \$75.00 |
| 2015 KERNS KEVIN M | \$83.08 |
| 2015 KESSINGER BRIAN K II | \$75.00 |
| 2015 KIRBY SOPHIA L | \$72.54 |

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|----------------------------------|----------|
| 2015 KITLER JOHN E | \$240.30 |
| 2015 KIZER RICHARD | \$54.23 |
| 2015 KUSHNIR DAVID W | \$75.00 |
| 2015 LA ROCHE KATHRYN A | \$8.67 |
| 2015 LANDER JONATHAN J | \$39.34 |
| 2015 LEE BRIAN ANTHONY | \$81.14 |
| 2015 LEE JOSEPH WAYNE | \$201.36 |
| 2015 LEE TOUAZENG | \$133.42 |
| 2015 LEVI EDWARD K | \$277.02 |
| 2015 LYONS JESSICA E | \$43.43 |
| 2015 MADDEN MARY K | \$75.00 |
| 2015 MALICK KENNETH R JR | \$45.39 |
| 2015 MANAHAN BRETT A | \$93.53 |
| 2015 MASON MICHAEL TODD | \$50.58 |
| 2015 MASQUITH MICHAEL JOSEPH | \$39.90 |
| 2015 MAYNARD BRETT S | \$82.11 |
| 2015 MCALISTER GLENN ALLEN | \$35.00 |
| 2015 MCCARTY JASON T | \$118.11 |
| 2015 MCCAULEY BARBARA J | \$201.20 |
| 2015 MCFARLAND JOHN T | \$122.35 |
| 2015 MCINTYRE MICHAEL PAUL | \$52.68 |
| 2015 MCINTYRE MICHAEL PAUL | \$37.83 |
| 2015 MCMANAMAY AIMEE MICHELLE | \$75.64 |
| 2015 MCMURRER MICHAEL P | \$55.70 |
| 2015 MCMURRER MICHAEL P | \$292.44 |
| 2015 MILBOURNE DALTON T II | \$193.05 |
| 2015 MILLER DAVID MONROE II | \$169.64 |
| 2015 MILLER JESSE PAUL | \$48.90 |
| 2015 MILLER PAUL GERHARD | \$49.52 |
| 2015 MONTGOMERY CLIFFORD G III | \$76.33 |
| 2015 MOORE DONALD J M | \$229.05 |
| 2015 MORGAN HILTON NATHANIEL SR | \$80.54 |
| 2015 MORGAN NANCY A | \$30.29 |
| 2015 MOSER BRANDON S | \$111.57 |
| 2015 MOYA DORIAN N | \$35.00 |
| 2015 MOYER CHRISTINE M | \$82.20 |
| 2015 MULLINS HOLLY NICOLE | \$49.36 |
| 2015 MURPHY ANGELA C | \$14.75 |
| 2015 MUZAK LLC (07) | \$1.79 |
| 2015 NELSON DANIEL E | \$107.57 |
| 2015 NELSON STEPHANIE A | \$75.09 |
| 2015 NISSAN NORTH AMERICA INC 07 | \$139.94 |
| 2015 NIX MALCOLM E | \$79.74 |
| 2015 NORTON MARCUS REED | \$47.33 |
| 2015 OLSEN EDWIN LEO JR | \$75.00 |
| 2015 PAIGE HOPE JEANNE | \$120.04 |
| 2015 PAIGE WESLEY A | \$61.95 |
| 2015 PARKER KURT | \$35.00 |
| 2015 PAYNE ANTWAINE TYFEE | \$110.00 |
| 2015 PAYNE DEBORAH ANN | \$35.00 |

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|-----------------------------------|----------|
| 2015 PAYNE VIRGINIA ANN | \$43.25 |
| 2015 PERKINS WILLIAM ELVIN III | \$33.60 |
| 2015 PETERSON AFTON ENGELINA | \$42.29 |
| 2015 PIERCE MOLLY CATHRYN | \$128.27 |
| 2015 PLUMMER ALISON R | \$76.37 |
| 2015 POOLE JAMES E III | \$83.34 |
| 2015 POTTERS BARBER SHOP | \$23.88 |
| 2015 POWELL JESSE P JR | \$79.72 |
| 2015 PRUITT RICHARD EUGENE JR | \$90.06 |
| 2015 QUEEN DAVID BRUCE | \$84.30 |
| 2015 QUILLING ANDREW L | \$129.08 |
| 2015 RAY WILBER G | \$83.98 |
| 2015 RITTER DARRIN MICHAEL | \$242.35 |
| 2015 ROBERTS ANTONIO FRANKLIN | \$77.30 |
| 2015 ROBERTS MARCELLA HARPER | \$35.00 |
| 2015 ROONEY KEVIN | \$59.45 |
| 2015 RUSSELL DENISE L | \$87.80 |
| 2015 SANTMYER RON E | \$87.18 |
| 2015 SEE KIMBERLY D | \$76.17 |
| 2015 SHAKE JOSEPH W | \$49.88 |
| 2015 SHANAHAN GERALD EDWARD | \$44.86 |
| 2015 SHIPLEY JAMES ROBERT | \$30.24 |
| 2015 SIMMS MARVIN VERNELL JR | \$195.70 |
| 2015 SMITH JUSTIN LEE | \$76.59 |
| 2015 SMITH VIOLA B | \$40.13 |
| 2015 SOUTHERN AIR TEMP | \$566.59 |
| 2015 SPOONER MARK K | \$75.00 |
| 2015 STAFFIERI JONATHAN P | \$8.59 |
| 2015 STRADY MARY L | \$49.70 |
| 2015 SURETTE JULIE A | \$63.90 |
| 2015 SURFACE TAMMY L | \$84.11 |
| 2015 SWARTZ MICHAEL A | \$38.90 |
| 2015 TABB LORETTA H | \$6.85 |
| 2015 TANKS CLARENCE LEROY JR | \$102.81 |
| 2015 TANNER TRISHA DAWN | \$85.73 |
| 2015 TAYLOR JOHN STEVENSON | \$278.99 |
| 2015 THOMPSON PHILLIP CHRISTOPHER | \$41.44 |
| 2015 TRAPNELL JESSICA MARSHALL | \$50.27 |
| 2015 TRIBBY TYLER N | \$117.57 |
| 2015 TURNER MARTIN G | \$75.93 |
| 2015 TURNER MIMI LAURA | \$95.43 |
| 2015 TURNER-DOUGLAS PAMELA | \$156.78 |
| 2015 VICHARE SAPTARSHI VIVEK | \$52.93 |
| 2015 VIRGINIA SIDING INC | \$42.64 |
| 2015 WALKER ROBIN M | \$95.64 |
| 2015 WALLACE BENJAMIN BRUCE | \$82.57 |
| 2015 WATSON VIRGINIA T | \$200.25 |
| 2015 WEBB JAMES SIMS | \$492.08 |
| 2015 WEEKS WILHELMINA B | \$5.78 |
| 2015 WHALEN ELIZABETH J | \$61.70 |

| | |
|---------------------------------|--------------------|
| 2015 WHATLEY MARIA ALEXANDROVNA | \$318.59 |
| 2015 WHIRLEY CHAD R | \$19.45 |
| 2015 WHIRLEY CHARLES RICHARD | \$53.92 |
| 2015 WHITE ANTHONY REINARD | \$160.45 |
| 2015 WHITE MATTHEW D | \$215.15 |
| 2015 WHITLOCK THERESA L | \$35.00 |
| 2015 WOLDORF JUSTIN DAVID | \$146.95 |
| 2015 WOMBLE JOHN CURTIS HUNTER | \$3.57 |
| 2015 WOMBLE KATIE LYNN | \$3.86 |
| 2015 WOODWARD ROGER W | \$174.91 |
| 2015 WRIGHT CYNTHIA | \$40.23 |
| 2015 ZALEWSKI ADAM H | \$179.09 |
| 2015 ZOLLICOFFER DIONYA C | \$209.48 |
| | \$20,282.69 |

DELINQUENT PERSONAL PROPERTY TAXES

| | | |
|--|-------------------|-----------------|
| | 2010 | 3662.62 |
| | 2010 (charge off) | -3662.62 |
| | 2011 | 3833.69 |
| | 2012 | 4735.95 |
| | 2013 | 5526.19 |
| | 2014 | 5586.06 |
| | 2015 | <u>20282.69</u> |
| | TOTAL | 39964.58 |

Attachment 6

TOWN OF BERRYVILLE
TOWN COUNCIL
MOTION TO WITHHOLD EXPENDITURES FROM THE
FISCAL YEAR 2017 BUDGET

DATE: July 12, 2016

MOTION BY:

SECOND BY:

I move that the Council of the Town of Berryville withhold the following expenditures from the Fiscal Year 2017 Budget pending review by the Budget and Finance Committee:

- Compensation Increases for non-exempt employees
- VDOT Street Maintenance Equipment Purchase (\$125,500)
- Public Works Improvements (\$62,250)
- Purchase of Police Cruiser (\$43,350)

I further move that the Budget and Finance Committee is hereby directed to review the above-referenced budget items and provide the Town Council with a recommendation regarding whether the monies for the budget items should be spent.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

Attachment 7

TOWN OF BERRYVILLE
TOWN COUNCIL
MOTION TO WITHHOLD
EXPENDITURES (PAYMENTS TO CLARKE COUNTY) FROM THE
FISCAL YEAR 2017 BUDGET

DATE: July 12, 2016

MOTION BY:

SECOND BY:

I move that the Council of the Town of Berryville withhold the following expenditures from the Fiscal Year 2017 Budget pending review by the Budget and Finance Committee:

- Emergency Medical Services (\$50,000)
- CC Parks and Recreation (\$5,000)

I further move that the Budget and Finance Committee is hereby directed to review the above-referenced budget items and provide the Town Council with a recommendation regarding whether the monies for the budget items should be spent.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

Attachment 8

TOWN OF BERRYVILLE
TOWN COUNCIL
MOTION TO CONTRACT WITH AN ACCOUNTING FIRM TO MAP TOWN
ACCOUNTING SYSTEMS AND INTERNAL CONTROLS

DATE: July 12, 2016

MOTION BY:

SECOND BY:

I move that the Council of the Town of Berryville contract with a qualified accounting firm to map town accounting systems and internal controls for a cost not to exceed \$25,000.

I further move that the Budget and Finance Committee is hereby authorized and directed to hire the qualified accounting firm to conduct the mapping and provide project oversight.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

Attachment 9



Berryville Police Department

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

policeadmin@berryvilleva.gov

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

W. Neal White – Chief of Police

MEMO

DATE: 07/06/2016

TO: Town Council

FROM: Chief W. Neal White

CC:

RE: Police Department Monthly Report – 07/12/2016

Monthly Activity Report

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

Police and Security Committee

The June 30, 2016 meeting of the Police and Security Committee was cancelled.

Skyline Regional Criminal Justice Academy

A resolution is included with this report to withdraw from membership with the Rappahannock Regional Criminal Justice Academy and establish membership with the Skyline Regional Criminal Justice Academy. It is requested that Council take action this evening for the adoption of the resolution.

Chief executives of the charter members for the SRCJA have been meeting monthly to draft and establish the operational documents for the academy. Several committees have been formed and routinely report out at these meetings. SRCJA is on track to begin operation on July 1, 2017.

National Night Out

The department has been preparing for another evening of community engagement in Rose Hill Park. National Night Out will be held on August 2, 2016 from 6:00 – 8:00 pm. There will be displays from local law enforcement, fire and rescue, community support agencies, food, music, and activities for the children. We typically have a very good crowd for the event and hope that the unpredictable summer weather will give us clear skies for the evening.



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W. Neal White – Chief of Police

AED Grant Update

The automatic external defibrillator (AED) grant that was applied for recently unfortunately was not funded. I will continue to work on this important project in order to have at least one AED for use by officers while they are on patrol.

Public Praise

I have attached two letters that I have received this month concerning the actions of Sgt. Bristol, Officer Mason, and Officer Shoremount. All officers of the department work hard every day to project an image of professionalism and courtesy to the community and these letters of praise are perfect examples of the dedication of members of this department.



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W. Neal White – Chief of Police

POLICE AND SECURITY REPORT

| Month: June | Year To Date | June | May |
|-----------------------------------|--------------|------------|------------|
| Year: 2016 | 2016 | 2016 | 2016 |
| <u>Complaints Answered</u> | | | |
| 911 Hang Up: | 12 | 1 | 2 |
| Alarms: | 53 | 9 | 13 |
| Animal Complaint: | 45 | 9 | 9 |
| Assault And Battery: | 9 | 1 | 2 |
| Assist County: | 9 | 4 | 2 |
| Auto Larceny: | 2 | 0 | 0 |
| Burglary: | 5 | 1 | 2 |
| Civil Complaints: | 41 | 1 | 11 |
| Disturbance (Non Violent): | 28 | 0 | 6 |
| Domestic Disturbance: | 0 | 0 | 0 |
| Drunk In Public: | 7 | 2 | 1 |
| Forgery & Uttering: | 0 | 0 | 0 |
| Fraud: | 1 | 0 | 0 |
| Grand Larceny: | 3 | 1 | 1 |
| Harassment/Intimidation: | 12 | 2 | 1 |
| Homicide: | 0 | 0 | 0 |
| Juvenile Related: | 27 | 6 | 6 |
| Noise: | 19 | 5 | 2 |
| Petty Larceny: | 8 | 0 | 3 |
| Public Service: | 26 | 6 | 8 |
| Rape: | 0 | 0 | 0 |
| Robbery: | 0 | 0 | 0 |
| Runaway: | 1 | 0 | 0 |
| Shoplifting: | 0 | 0 | 0 |
| Suspicious Activity: | 82 | 15 | 14 |
| Trespassing: | 8 | 2 | 3 |
| Vandalism: | 15 | 5 | 3 |
| Welfare Check: | 71 | 13 | 17 |
| Miscellaneous Complaints: | 115 | 18 | 16 |
| Total Complaints Answered: | 599 | 101 | 122 |



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W. Neal White – Chief of Police

Traffic

| | | | |
|----------------------------|-----|----|----|
| Accidents Investigated: | 14 | 3 | 3 |
| Assist Motorist: | 19 | 4 | 4 |
| Child Safety Seat Install: | 15 | 3 | 1 |
| Funeral Escort: | 15 | 3 | 1 |
| Hit & Run: | 6 | 0 | 2 |
| Parking Tickets: | 68 | 36 | 4 |
| Traffic Warnings: | 116 | 27 | 10 |

Traffic Summons Issued

| | | | |
|--------------------------------------|------------|-----------|-----------|
| Defective Equipment: | 1 | 0 | 1 |
| Driving Suspended: | 6 | 0 | 1 |
| Expired Inspection: | 1 | 0 | 1 |
| Expired Registration: | 3 | 0 | 1 |
| Fail To Obey Highway Sign: | 42 | 6 | 4 |
| Fail To Obey Traffic Signals: | 1 | 1 | 0 |
| Fail To Stop/Lights & Siren: | 0 | 0 | 0 |
| Fail To Yield Right Of Way: | 4 | 1 | 1 |
| Hit And Run: | 0 | 0 | 0 |
| No Liability Insurance: | 0 | 0 | 0 |
| No Operator's License: | 3 | 1 | 0 |
| No Seat Belt: | 0 | 0 | 0 |
| Reckless Driving: | 8 | 2 | 1 |
| Speeding: | 34 | 11 | 4 |
| Miscellaneous Summons: | 3 | 0 | 1 |
| Total Traffic Summons Issued: | 106 | 22 | 15 |



Berryville Police Department

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

W. Neal White – Chief of Police

Criminal Arrests Made

| | | | |
|---|----|----|---|
| Abduction: | 0 | 0 | 0 |
| Arson: | 0 | 0 | 0 |
| Assault And Battery: | 8 | 2 | 3 |
| A & B On Police Officer: | 1 | 0 | 1 |
| Auto Larceny: | 0 | 0 | 0 |
| Breaking And Entering: | 1 | 0 | 0 |
| Capias: | 6 | 0 | 1 |
| Disorderly Conduct: | 0 | 0 | 0 |
| Driving While Intoxicated: | 4 | 1 | 0 |
| Drunk In Public: | 5 | 2 | 1 |
| Fail To Obey Police Officer: | 0 | 0 | 0 |
| Fail To Pay Parking Ticket: | 4 | 0 | 0 |
| Forgery: | 0 | 0 | 0 |
| Fraud: | 0 | 0 | 0 |
| Grand Larceny: | 0 | 0 | 0 |
| Homicide: | 0 | 0 | 0 |
| Illegal Drugs/Paraphernalia | 9 | 3 | 0 |
| Petty Larceny: | 1 | 0 | 0 |
| Possess Alcohol Underage: | 0 | 0 | 0 |
| Protective Order: | 13 | 2 | 1 |
| Rape: | 0 | 0 | 0 |
| Resisting Arrest: | 2 | 0 | 1 |
| Robbery: | 0 | 0 | 0 |
| Shoplifting: | 0 | 0 | 0 |
| Trespassing: | 0 | 0 | 0 |
| Vandalism: | 0 | 0 | 0 |
| Weapons Violation | 0 | 0 | 0 |
| | 11 | 3 | 0 |
| Miscellaneous Criminal Arrests: | | | |
| Juvenile Arrest Total: | 0 | 0 | 0 |
| Total Criminal Arrests: | 65 | 13 | 8 |
|
<u>Found Open At Business In Town</u> | | | |
| Doors: | 10 | 1 | 0 |
| Windows: | 0 | 0 | 0 |
| Garage Doors Found Open: | 0 | 0 | 0 |

BERRYVILLE TOWN COUNCIL

MOTION TO ADOPT THE RESOLUTION AUTHORIZING
WITHDRAWAL FROM THE RAPPAHANNOCK REGIONAL CRIMINAL
JUSTICE ACADEMY AND ESTABLISHING MEMBERSHIP IN THE
SKYLINE REGIONAL CRIMINAL JUSTICE ACADEMY

Date: July 12, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville adopt the attached resolution authorizing the Chief of the Berryville Police Department to take all necessary steps to withdraw from membership in the Rappahannock Regional Criminal Justice Academy and to establish membership in the Skyline Regional Criminal Justice Academy.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

Harry Lee Arnold, Jr., Recorder

**Resolution authorizing the Chief of the Berryville Police Department
to take all necessary steps to withdraw from membership in the
Rappahannock Regional Criminal Justice Academy and to establish membership in
the Skyline Regional Criminal Justice Academy**

WHEREAS, the Town of Berryville has been a training member of the Rappahannock Regional Criminal Justice Academy since 1998 or thereafter; and

WHEREAS, the Town of Berryville has enjoyed an excellent relationship with the other localities participating in the Academy, and has received thorough and effective training for its law enforcement/communications officers at the Academy; and

WHEREAS, an analysis of the current training needs by the Berryville Police Department has revealed that participation in the Skyline Regional Criminal Justice Academy would provide a Department of Criminal Justice Services curriculum and result in cost savings; and

WHEREAS, the Chief of the Berryville Police Department has determined that it is in the best interest of the Berryville Police Department and the Town of Berryville to withdraw from membership in the Rappahannock Regional Criminal Justice Academy and establish membership in the Skyline Regional Criminal Justice Academy; and

WHEREAS, Section 15.2-1747(D) of the Code of Virginia, 1950, as amended, provides that a governmental unit may withdraw from an academy created under this section or § 15.2-1300 only by two-thirds vote of the board of directors of the academy. The governing body of the governmental unit seeking to withdraw from the academy shall signify its desire by resolution or ordinance. The board of directors shall consider requests to withdraw in October 2016, and in October of every fifth year thereafter. No requests to withdraw shall be considered at any other time, unless agreed to unanimously. Any withdrawal approved by the board of directors shall be effective on June 30 of the following year; and

WHEREAS, at the regular May 12, 2016 meeting of the Criminal Justice Service Board unanimous agreement was given to allow the withdrawal of the Berryville Police Department from Rappahannock Regional Criminal Justice Academy membership and allow membership in Skyline Regional Criminal Justice Academy, effective June 30, 2017; now, therefore, be it

RESOLVED by the Town of Berryville that it hereby expresses its desire for the Town to withdraw from the Rappahannock Regional Criminal Justice Academy and to establish membership in the Skyline Regional Criminal Justice Academy for criminal justice purposes; and

BE IT FURTHER RESOLVED the Chief of the Berryville Police Department be, and is hereby, directed to take all actions necessary to effect the withdrawal from the membership of the Rappahannock Regional Criminal Justice Academy and to establish membership in the Skyline Regional Criminal Justice Academy for criminal justice purposes; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Rappahannock Regional Criminal Justice Academy and to the Director of the Virginia Department of Criminal Justice Services.

Adopted at the regular town council meeting of the Town of Berryville, Virginia held on July 12, 2016

Patricia Dickinson, Mayor

Harry Lee Arnold, Jr., Recorder

KERNS

6

ASSOCIATES, INC

June 21, 2016

Chief Neal White
Berryville Police Department
101 Chalmers Court
Berryville, VA 22611

Dear Neal,

On June 14, 2016 we had an emergency at the Kerns residence and I called 911. Officer J.E. Shoremount was the first person to respond to the call and the last person to leave. I'm writing to thank Officer Shoremount for his time with me as well as acknowledge to you his professionalism and compassion in a very difficult situation.

As you are aware, I have been very critical of the Berryville Police Department due to an earlier experience involving a Berryville policeman. Officer Shoremount demonstrated that your department has well-trained officers that are competent as well as compassionate. He represented your police department with class and distinction. Thank you Officer Shoremount.

Sincerely,



Stanley M. Kerns

were successful in removing
the make, then left to
give it a new home.

Thank each of you,
and all the force, for
your care.

Sincerely,

Margaret Binstel

June 23, 2016

Police Department -

Chief,

Dear Ned,

My thanks for the
prompt response to my
request to Laura when I
called yesterday afternoon
(6/22/16) and asked if
anyone there could take
care of a make at my
house.

Jason policeman Binstel
and Mason came and

Attachment 10

Memo

To: Town Council
From: David Tyrrell
Date: July 1, 2016
Re: June 2016 Operations Report

The water treatment plant is in compliance for June 2016 with its monthly parameters per test received to date. We sent a total of 10.077 MG water to the system with a daily average production of 0.413 MGD and a daily max of 0.503 MG.

The river intake structure was cleaned as scheduled. No new issues were found and all valves were exercised and are working.

The fluoride saturator quit working and was torn down and repaired. It is back on line but we are looking to relocate the saturator to eliminate a buildup of fluoride in the piping between the saturator and the injection point. This will require some electrical work to accomplish.

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

The wastewater plant is in compliance with its discharge permit for June per the data received to date. Total flows are not yet recorded but we have treated a total of 8.36 MG with a daily average of 0.32 MGD and a daily max of 0.44 MG as of June 26, 2016. Influent flow rates continue to run slightly above dry weather rates.

This has been a busy month at the WWTP. We have dug up the alum feed line and found a break in the pipe and repaired it. We can now feed alum to both locations as designed. We tore down cyclic valve 210-3 to see if there was a physical obstruction in the valve. Nothing was found and we further adjusted the valve controls and sensors in an attempt to reduce false call backs for the valve failing. The Air conditioning in the Sludge building MCC has failed twice this month and is currently out of service. Riddlebergers has been called to make another repair. Non-potable water pump #2 failed. It was torn down and we found the impeller was completely eaten away. We have replaced the wet assembly with the rebuilt spare we had in stock. The pump is back in service and parts have been ordered to rebuild the

assembly removed from the pump. We also had control issues with the plant water system and called Tencarva in to help. The controls are now working as designed. We had the overhead cranes inspected by Atlantic Crane for their yearly safety review. The crane in the headworks building failed the inspection due to a backup safety switch not functioning. Atlantic Crane has ordered the part and will install once it is in.

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.

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 | 0.4542 | | 0.414 | 13.0 | 41 | 10.7 | 3 | 0.7 | | | 6.7 | 1.77 | 0.090 | 0.024 | 8 | 2.1 | | | 11.9 | 3.1 | | |
| 2 | 0.4402 | | 0.397 | 12.8 | 35 | 9.7 | 3 | 0.8 | | | 3.6 | 0.99 | 0.130 | 0.035 | 0.0 | 0.0 | | | 11.7 | 3.2 | | |
| 3 | 0.441 | | 0.397 | 12.8 | 41 | 11.0 | 2 | 0.7 | | | 6.7 | 1.81 | 0.084 | 0.023 | 6.0 | 1.6 | | | 11.7 | 3.2 | | |
| 4 | 0.282 | | 0.256 | 8.3 | 25 | 10.8 | 2 | 0.9 | | | 3.4 | 1.45 | 0.054 | 0.023 | 0.0 | 0.0 | | | 7.6 | 3.2 | | |
| 5 | | | | | ##### | | #DIV/0! | | | | ##### | | #DIV/0! | | #DIV/0! | | | | ##### | | | |
| 6 | 0.4509 | | 0.410 | 13.0 | 41 | 10.8 | 3 | 0.8 | | | 6.7 | 1.79 | 0.109 | 0.029 | 8.0 | 2.1 | | | 11.9 | 3.2 | | |
| 7 | 0.477 | | 0.438 | 14.0 | 10 | 2.5 | 3 | 0.8 | | | 6.7 | 1.68 | 0.119 | 0.030 | 6.0 | 1.5 | | | 14.6 | 3.7 | | |
| 8 | 0.444 | | 0.383 | 13.8 | 56 | 15.1 | 3 | 0.7 | | | 7.1 | 1.91 | 0.084 | 0.023 | 2.0 | 0.5 | | | 13.8 | 3.7 | | |
| 9 | 0.478 | | 0.430 | 14.3 | 71 | 17.8 | 4 | 0.9 | | | 3.3 | 0.84 | 0.090 | 0.023 | 8.0 | 2.0 | | | 17.8 | 4.5 | | |
| 10 | 0.4799 | | 0.435 | 14.0 | 66 | 16.5 | 3 | 0.8 | | | 6.7 | 1.67 | 0.097 | 0.024 | 6.0 | 1.5 | | | 17.5 | 4.4 | | |
| 11 | 0.2521 | | 0.229 | 8.0 | 51 | 24.1 | 2 | 1.1 | | | 3.4 | 1.62 | 0.040 | 0.019 | 0.0 | 0.0 | | | 9.4 | 4.5 | | |
| 12 | 0.2452 | | 0.224 | 7.3 | 0 | 0.0 | 2 | 0.8 | | | 3.4 | 1.66 | 0.570 | 0.279 | 0.0 | 0.0 | | | 8.5 | 4.1 | | |
| 13 | 0.4726 | | 0.426 | 13.5 | 81 | 20.6 | 4 | 0.9 | | | 6.7 | 1.71 | 0.079 | 0.020 | 6.0 | 1.5 | | | 15.8 | 4.0 | | |
| 14 | 0.422 | | 0.382 | 11.8 | 35 | 10.1 | 3 | 0.8 | | | 3.6 | 1.01 | 0.070 | 0.020 | 0.0 | 0.0 | | | 12.7 | 3.6 | | |
| 15 | 0.4752 | | 0.431 | 13.8 | 35 | 9.0 | 4 | 0.9 | | | 6.7 | 1.70 | 0.079 | 0.020 | 8.0 | 2.0 | | | 14.3 | 3.6 | | |
| 16 | 0.5031 | | 0.453 | 14.3 | 46 | 10.9 | 4 | 0.9 | | | 19.8 | 4.72 | 0.110 | 0.026 | 0.0 | 0.0 | | | 13.1 | 3.1 | | |
| 17 | 0.4379 | | 0.396 | 12.8 | 0 | 0.0 | 3 | 0.9 | | | 3.6 | 0.98 | 0.079 | 0.022 | 8.0 | 2.2 | | | 11.7 | 3.2 | | |
| 18 | 0.242 | | 0.209 | 6.2 | 20 | 10.0 | 4 | 2.0 | | | 3.3 | 1.65 | 0.030 | 0.015 | 6.0 | 3.0 | | | 6.2 | 3.1 | | |
| 19 | | | | | ##### | | #DIV/0! | | | | ##### | | #DIV/0! | | #DIV/0! | | | | ##### | | | |
| 20 | 0.4414 | | 0.405 | 14.0 | 71 | 19.3 | 4 | 1.1 | | | 6.6 | 1.80 | 0.074 | 0.020 | 0.0 | 0.0 | | | 13.9 | 3.8 | | |
| 21 | 0.495 | | 0.446 | 14.2 | 41 | 9.8 | 4 | 1.1 | | | 3.6 | 0.86 | 0.090 | 0.022 | 6.0 | 1.5 | | | 14.6 | 3.5 | | |
| 22 | 0.419 | | 0.379 | 12.3 | 41 | 11.6 | 3 | 0.8 | | | 3.5 | 1.00 | 0.084 | 0.024 | 4.0 | 1.1 | | | 12.3 | 3.5 | | |
| 23 | 0.261 | | 0.243 | 7.8 | 20 | 9.3 | 2 | 0.9 | | | 3.3 | 1.53 | 0.055 | 0.025 | 0.0 | 0.0 | | | 7.7 | 3.6 | | |
| 24 | 0.396 | | 0.360 | 11.8 | 30 | 9.2 | 3 | 0.8 | | | 6.6 | 1.99 | 0.095 | 0.029 | 8.0 | 2.4 | | | 11.7 | 3.6 | | |
| 25 | 0.265 | | 0.246 | 7.8 | 20 | 9.2 | 2 | 0.9 | | | 3.3 | 1.51 | 0.071 | 0.032 | 0.0 | 0.0 | | | 7.7 | 3.5 | | |
| 26 | | | | | ##### | | #DIV/0! | | | | ##### | | #DIV/0! | | #DIV/0! | | | | ##### | | | |
| 27 | 0.487 | | 0.441 | 14.3 | 46 | 11.2 | 3 | 0.8 | | | 3.6 | 0.90 | 0.109 | 0.027 | 0.0 | 0.0 | | | 16.0 | 3.9 | | |
| 28 | 0.489 | | 0.447 | 14.5 | 51 | 12.4 | 7 | 1.8 | | | 2.1 | 0.51 | 0.108 | 0.026 | 10.0 | 2.5 | | | 16.9 | 4.1 | | |
| 29 | 0.423 | | 0.371 | 12.8 | 50 | 14.2 | 3 | 0.9 | | | 6.8 | 1.93 | 0.087 | 0.025 | 0.0 | 0.0 | | | 12.8 | 3.6 | | |
| 30 | 0.483 | | 0.429 | 13.5 | 96 | 23.9 | 4 | 0.9 | | | 6.5 | 1.61 | 0.103 | 0.026 | 6.0 | 1.5 | | | 14.6 | 3.6 | | |
| 31 | | | | | ##### | | #DIV/0! | | | | ##### | | #DIV/0! | | #DIV/0! | | | | ##### | | | |
| Total | 11.157 | 0.000 | 10.077 | 325.9 | 1120 | ##### | 86 | #DIV/0! | 0.0 | 0.00 | 147.5 | ##### | 2.79 | #DIV/0! | 106 | #DIV/0! | 0.0 | 0.00 | 338.3 | ##### | 0.0 | 0.00 |
| Maximum | 0.503 | 0.000 | 0.453 | 14.5 | 96 | ##### | 7 | #DIV/0! | 0.0 | 0.00 | 19.8 | ##### | 0.57 | #DIV/0! | 10 | #DIV/0! | 0.0 | 0.00 | 17.8 | ##### | 0.0 | 0.00 |
| Minimum | 0.242 | 0.000 | 0.209 | 6.2 | 0 | ##### | 2 | #DIV/0! | 0.0 | 0.00 | 2.1 | ##### | 0.03 | #DIV/0! | 0 | #DIV/0! | 0.0 | 0.00 | 6.2 | ##### | 0.0 | 0.00 |
| Average | 0.413 | 0.000 | 0.373 | 12.1 | 41 | ##### | 3 | #DIV/0! | ##### | ##### | 5.5 | ##### | 0.10 | #DIV/0! | 4 | #DIV/0! | ##### | #DIV/0! | 12.5 | ##### | ##### | ##### |

SIGNED: (OPERATOR IN RESPONSIBLE CHARGE) _____

PRINTED NAME David A Tyrrell

TITLE: OPERATOR CLASSIFICATION Class 1

DPOR ID: 1955002813

RAW WATER SOURCE(S) USED DURING MONTH: (SOURCE/DATES)

Shenandoah River - Entire Month

Berryville STP Monthly DMR Data

June 2016

| Date | Effluent Flow
MGD | Eff pH
SU | Eff Temp
Deg C | Eff CBOD
mg/l | Eff CBOD
KG/D | Eff TSS
mg/l | Eff TSS
KG/D | Effluent DO
River
mg/l | Effluent DO
WWTP
mg/l | Eff NO2/
NO3
mg/l | Eff TKN
mg/l | Eff TKN
KG/D | Eff Total N
mg/l |
|-----------|----------------------|----------------|-------------------|------------------|------------------|-----------------|-----------------|------------------------------|-----------------------------|-------------------------|-----------------|-----------------|---------------------|
| 6/1/2016 | 0.30 | 7.4 | 22.0 | 1.00 | 1.14 | | | 9.7 | 9.4 | | | | |
| 6/2/2016 | 0.31 | 7.2 | 21.9 | 1.00 | 1.16 | | | 9.3 | 9.0 | | | | |
| 6/3/2016 | 0.34 | 7.3 | 21.7 | | | | | 9.0 | 8.7 | | | | |
| 6/4/2016 | 0.30 | 7.1 | 21.9 | | | | | 9.2 | 8.7 | | | | |
| 6/5/2016 | 0.33 | 7.6 | 22.3 | | | | | 9.4 | 9.2 | | | | |
| 6/6/2016 | 0.38 | 7.6 | 22.4 | | | | | 9.1 | 8.3 | | | | |
| 6/7/2016 | 0.30 | 7.6 | 22.5 | 2.00 | 2.24 | 0.00 | 0.00 | 8.8 | 8.4 | 2.02 | 0.61 | 0.68 | 2.63 |
| 6/8/2016 | 0.28 | 7.7 | 22.0 | 0.00 | 0.00 | | | 9.9 | 8.7 | | | | |
| 6/9/2016 | 0.29 | 7.6 | 21.8 | 0.00 | 0.00 | | | 10.4 | 9.4 | | | | |
| 6/10/2016 | 0.34 | 7.6 | 21.6 | | | | | 8.7 | 7.8 | | | | |
| 6/11/2016 | 0.37 | 7.5 | 22.2 | | | | | 8.3 | 7.8 | | | | |
| 6/12/2016 | 0.26 | 7.6 | 23.3 | | | | | 9.8 | 7.7 | | | | |
| 6/13/2016 | 0.26 | 7.5 | 22.6 | | | | | 8.4 | 7.8 | | | | |
| 6/14/2016 | 0.25 | 7.6 | 22.6 | 4.00 | 3.83 | | | 9.1 | 7.9 | | | | |
| 6/15/2016 | 0.24 | 7.7 | 23.0 | | | | | 8.9 | 8.0 | | | | |
| 6/16/2016 | 0.36 | 7.6 | 23.3 | | | | | 8.2 | 8.5 | | | | |
| 6/17/2016 | 0.39 | 7.5 | 23.1 | | | | | 7.8 | 7.3 | | | | |
| 6/18/2016 | 0.29 | 7.5 | 22.6 | | | | | 8.5 | 5.8 | | | | |
| 6/19/2016 | 0.28 | 7.6 | 22.9 | | | | | 7.8 | 7.2 | | | | |
| 6/20/2016 | 0.30 | 7.5 | 22.8 | | | | | 7.4 | 7.1 | | | | |
| 6/21/2016 | 0.43 | 7.5 | 23.8 | | | | | 9.0 | 7.5 | | | | |
| 6/22/2016 | 0.42 | 7.4 | 25.4 | | | | | 7.1 | 6.7 | | | | |
| 6/23/2016 | 0.44 | 7.5 | 23.4 | | | | | | | | | | |
| 6/24/2016 | 0.35 | | | | | | | | | | | | |
| 6/25/2016 | 0.31 | | | | | | | | | | | | |
| 6/26/2016 | 0.29 | | | | | | | | | | | | |
| 6/27/2016 | | | | | | | | | | | | | |
| 6/28/2016 | | | | | | | | | | | | | |
| 6/29/2016 | | | | | | | | | | | | | |
| 6/30/2016 | | | | | | | | | | | | | |
| Minimum | 0.24 | 7.1 | 21.6 | 0.00 | 0.00 | 0.00 | 0.00 | 7.1 | 5.8 | 2.02 | 0.61 | 0.68 | 2.63 |
| Maximum | 0.44 | 7.7 | 25.4 | 4.00 | 3.83 | 0.00 | 0.00 | 10.4 | 9.4 | 2.02 | 0.61 | 0.68 | 2.63 |
| Total | 8.36 | 172.7 | 521.1 | 8.00 | 8.37 | 0.00 | 0.00 | 193.8 | 176.9 | 2.02 | 0.61 | 0.68 | 2.63 |
| Average | 0.32 | 7.5 | 22.7 | 1.33 | 1.39 | 0.00 | 0.00 | 8.8 | 8.0 | 2.02 | 0.61 | 0.68 | 2.63 |
| Geo Mean | Berryville 1.32 | Council Agenda | 22.6 | 1.41 | 1.50 | 1.00 | 1.00 | 8.8 | 8.0 | 2.02 | 0.6 | 0.68 | 2.63 |

Berryville STP Monthly DMR Data

June 2016

| Date | Eff Total N
KG/D | Eff Total P
mg/l | Eff Total P
KG/D | E-Coli
No/100ml |
|-----------|---------------------|---------------------|---------------------|--------------------|
| 6/1/2016 | | | | |
| 6/2/2016 | | | | |
| 6/3/2016 | | | | |
| 6/4/2016 | | | | |
| 6/5/2016 | | | | |
| 6/6/2016 | | | | |
| 6/7/2016 | 2.95 | 0.08 | 0.09 | 1 |
| 6/8/2016 | | | | |
| 6/9/2016 | | | | |
| 6/10/2016 | | | | |
| 6/11/2016 | | | | |
| 6/12/2016 | | | | |
| 6/13/2016 | | | | |
| 6/14/2016 | | | | 1 |
| 6/15/2016 | | | | |
| 6/16/2016 | | | | |
| 6/17/2016 | | | | |
| 6/18/2016 | | | | |
| 6/19/2016 | | | | |
| 6/20/2016 | | | | |
| 6/21/2016 | | | | |
| 6/22/2016 | | | | |
| 6/23/2016 | | | | |
| 6/24/2016 | | | | |
| 6/25/2016 | | | | |
| 6/26/2016 | | | | |
| 6/27/2016 | | | | |
| 6/28/2016 | | | | |
| 6/29/2016 | | | | |
| 6/30/2016 | | | | |
| Minimum | 2.95 | 0.08 | 0.09 | 1 |
| Maximum | 2.95 | 0.08 | 0.09 | 1 |
| Total | 2.95 | 0.08 | 0.09 | 2 |
| Average | 2.95 | 0.08 | 0.09 | 1 |
| Geo Mean | 2.95 | 0.08 | 0.09 | 1 |



Berryville Biweekly InSight Report

Date: 6/24/2016

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

System Equipment

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

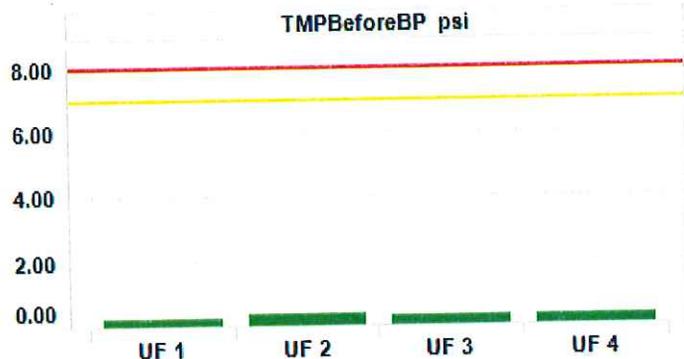
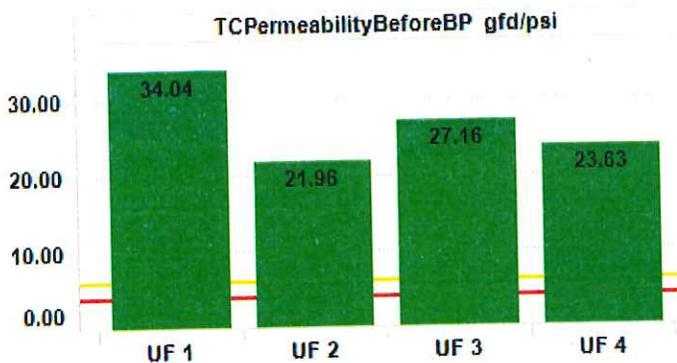
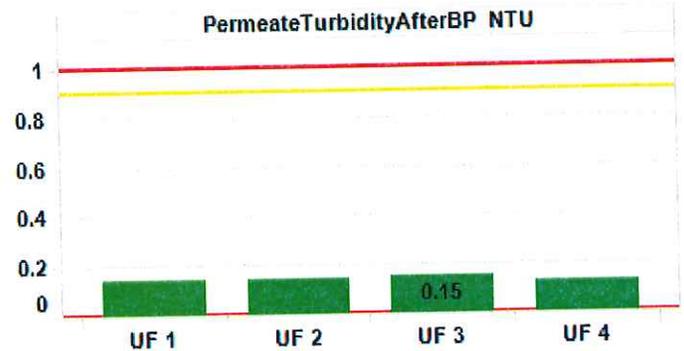
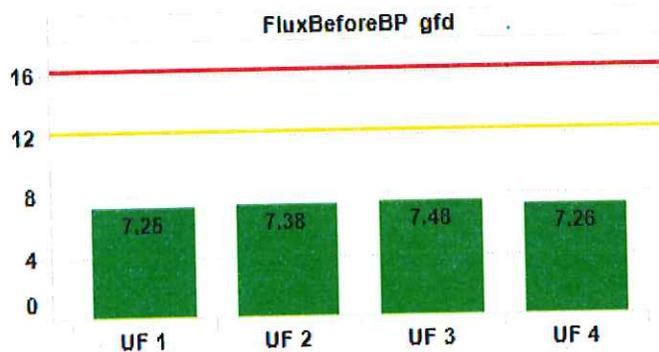
Cleaning Strategy

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

- Action Required
- Caution
- No Limits
- Normal





Plant Summary

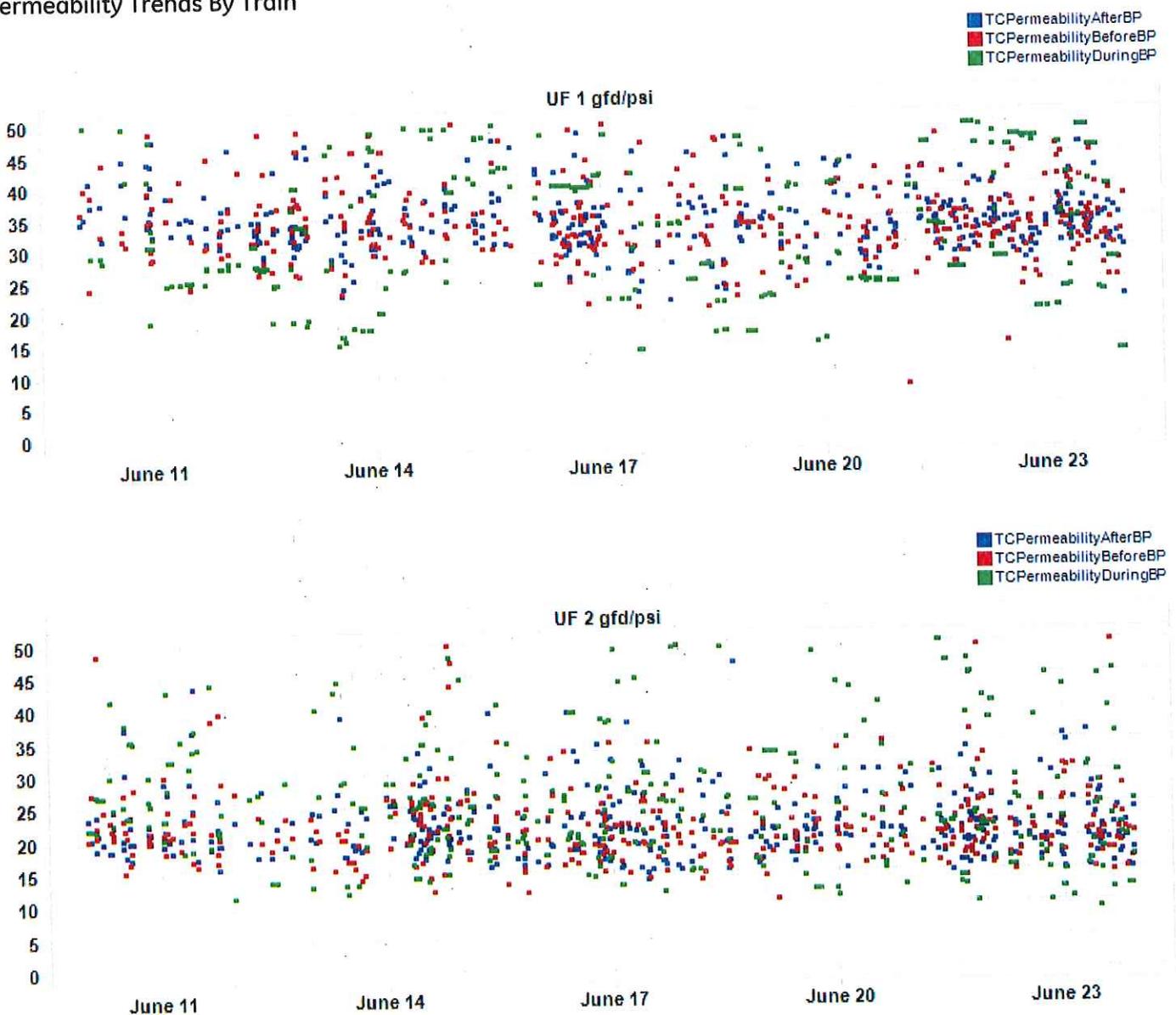
The average daily plant permeate flow in the last two weeks was 324, 180 gallons. Flows were the highest at 452,800 Gallons on June 23rd. Flows were equally distributed among the trains for majority of the time.

Production TMPs saw a decline with an increase in feed temperature. Membrane performance was excellent during this time period.

Permeate quality was excellent from all four trains. Readings were <0.3 NTU majority of the time. There was a brief spike in permeate turbidity on June 19th when trains went into production from standby conditions. Turbidity dropped to <0.2 NTU over the course of operation.

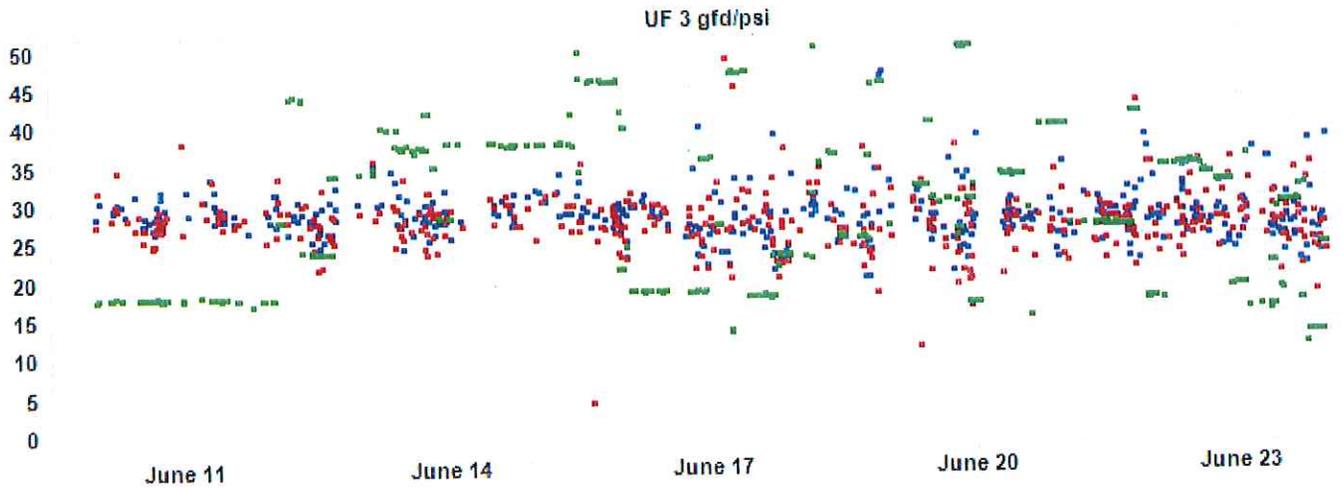
Regular maintenance cleans resumed on train 4 at a frequency of 2 cleans per week.

TC Permeability Trends By Train

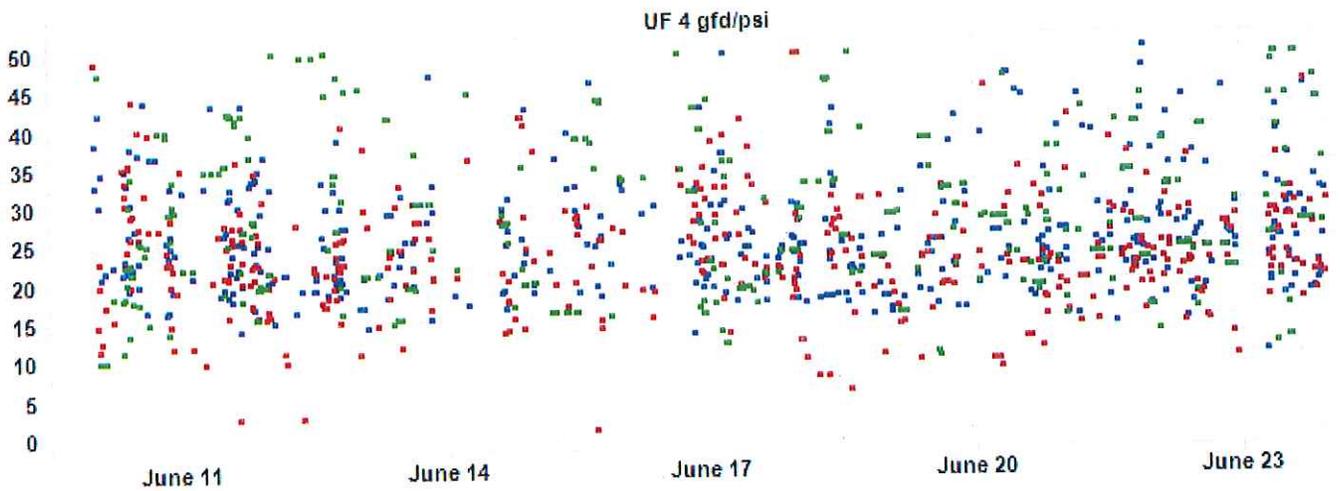




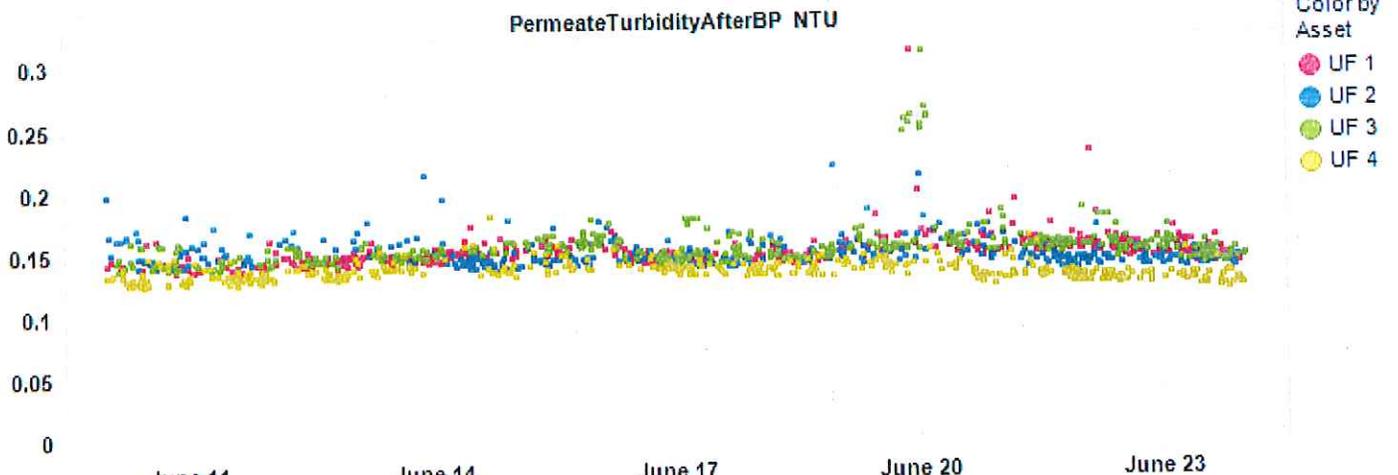
■ TCMPermeabilityAfterBP
■ TCMPermeabilityBeforeBP
■ TCMPermeabilityDuringBP



■ TCMPermeabilityAfterBP
■ TCMPermeabilityBeforeBP
■ TCMPermeabilityDuringBP

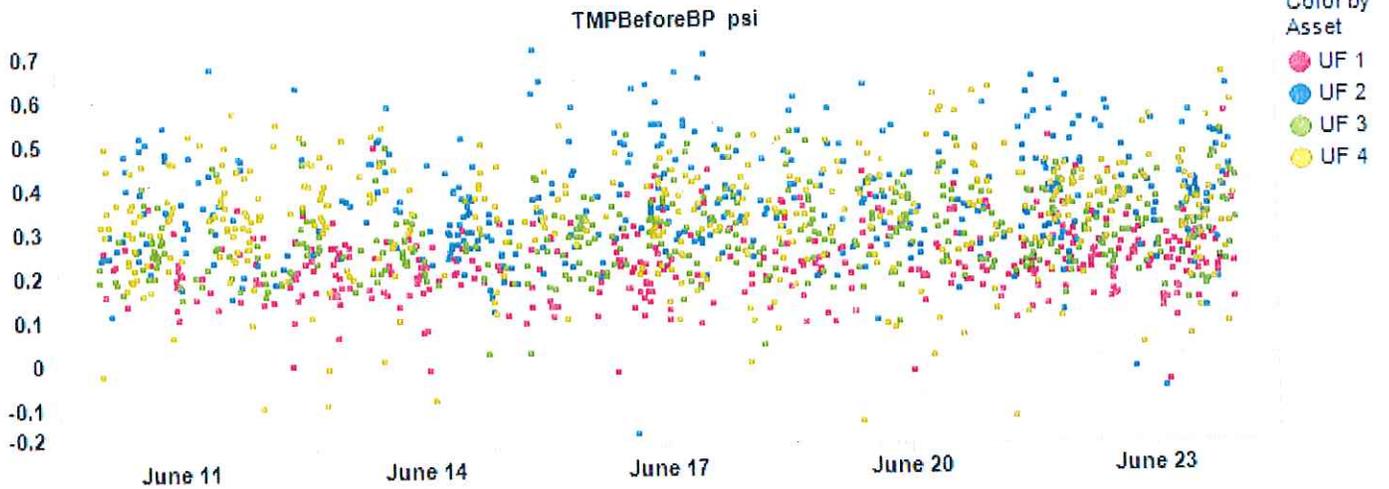


Permeate Turbidity Trend

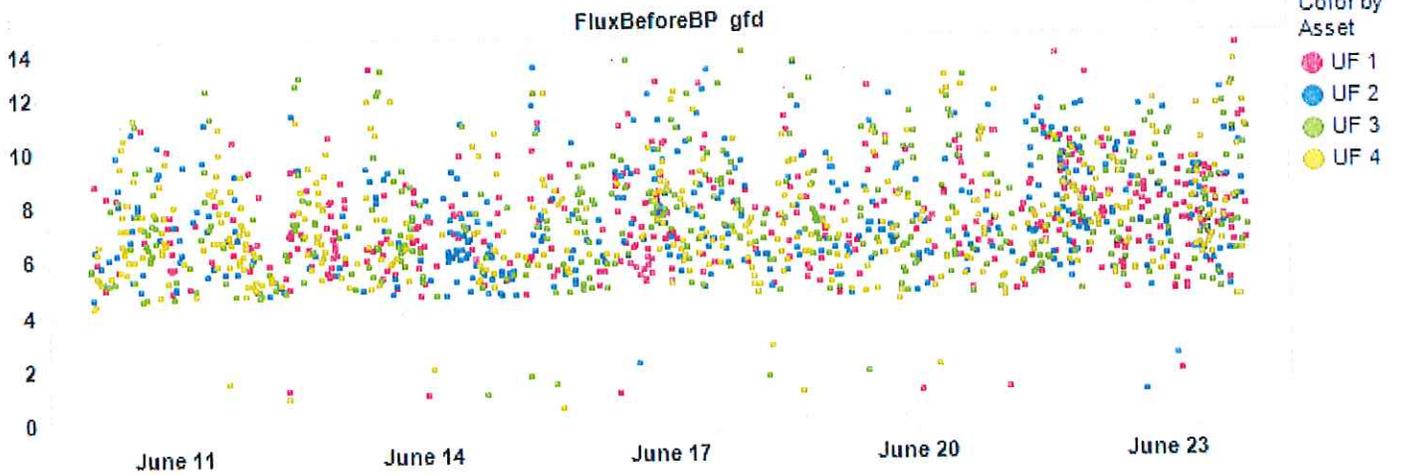




Before BPTMP Trend

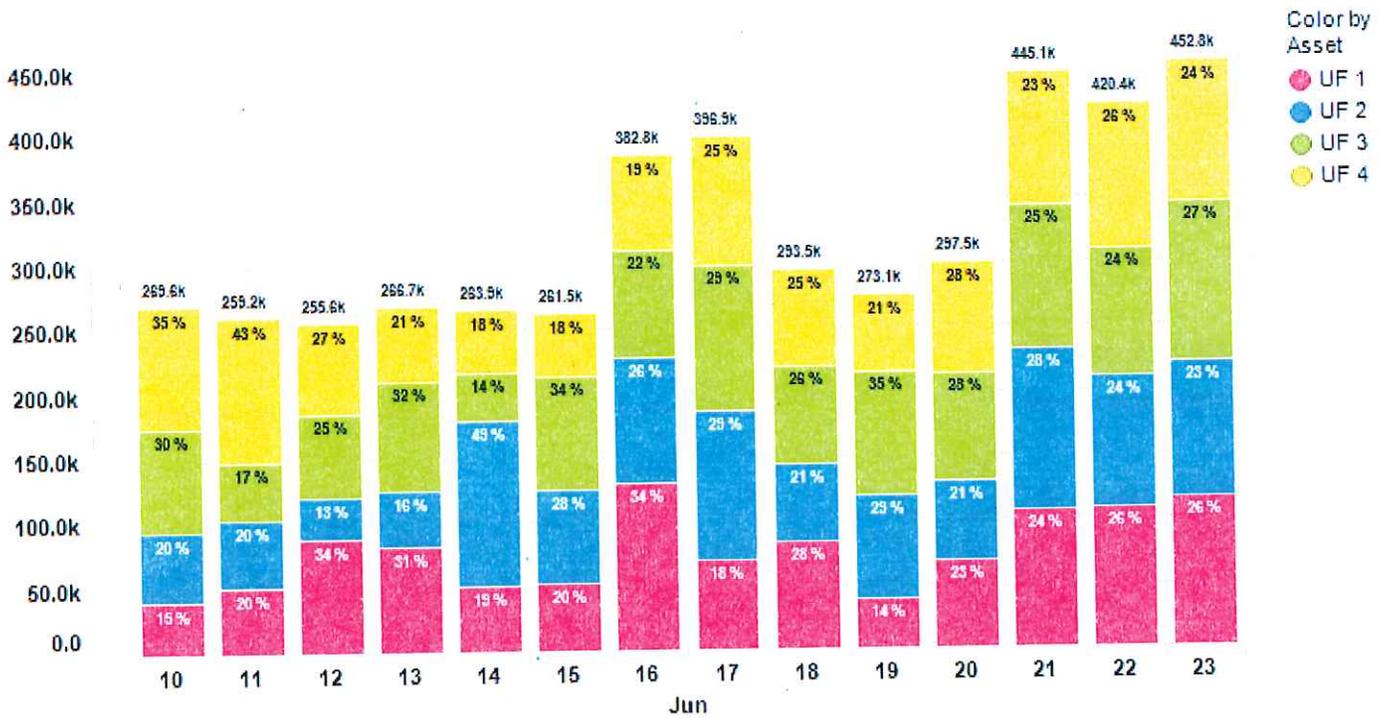


Before BP Flux Trend





Daily Permeate Flow



Average Daily permeate flow from 6/10/2016 to 6/23/2016 is 324.2k gal with a maximum daily flow of 452.8k gal.

Asset Summary

| KPI Parameters | Value/Change | UF 1 | UF 2 | UF 3 | UF 4 |
|--------------------------------|--------------|----------|---------|---------|---------|
| FluxBeforeBP gfd | Value | 7.25 | 7.38 | 7.48 | 7.26 |
| | Change | -3.07 % | -2.40 % | 0.50 % | -0.63 % |
| PermeateTurbidityAfterBP NTU | Value | 0.15 | 0.15 | 0.15 | 0.13 |
| | Change | 7.82 % | 1.20 % | 9.34 % | 0.27 % |
| TCPermeabilityBeforeBP gfd/psi | Value | 34.04 | 21.96 | 27.16 | 23.63 |
| | Change | 3.94 % | 0.65 % | -2.20 % | -6.33 % |
| TMPBeforeBP psi | Value | 0.22 | 0.36 | 0.29 | 0.32 |
| | Change | -13.06 % | -7.20 % | -3.26 % | 0.28 % |
| TotalPermeateFlowDaily gal | Value | 77.51k | 80.72k | 84.78k | 81.16k |
| | Change | -8.92 % | 6.04 % | 3.26 % | -0.68 % |



Plant Summary

| KPI Parameters | Value/Change | UF Plant |
|-----------------------------------|---------------------|-----------------|
| PermeateTemperature °F | Value | 66.06 |
| | Change | 5.64 % |
| TotalPermeateFlowDaily gal | Value | 324.18k |
| | Change | 0.05 % |

Contract Expiry Date : 09/26/2018

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

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

Attachment 11

Report of the Department of Public Works July 5, 2016

We had no water breaks during the last month. The installation of the new eight inch main on Battletown Drive is completed. The new fire hydrant installed at the corner of Battletown Drive and Bel-Voi is now in service. A private contractor will be installing the water laterals for 8 & 10 Battletown Drive. Once these connections are made the Public Works Department we relocate the laterals for 22 & 100 Battletown Drive to a new two inch line. When all these connections are completed we will then abandon the existing four inch line that runs behind the houses on the east side of Battletown Drive. Our next improvement project will be to finish the water line upgrade on Academy Court. We will be connecting to the existing eight inch water line on Treadwell Street and extend it to the south and connect to the four inch main on Academy Street.

We experienced one sewer related issue this past month. The Boom Road pump station encountered a power surge which caused the station to go off line. We were able to reset the breakers and put the station back into normal operation within 3 hours of the failure. The sewer pump station on North Church Street has been improved to reduce I & I and improve reliability.

The second and final phase of this year's asphalt contracts is now underway. Scheduled to be paved are Lincoln Avenue, Academy Street, Battletown Drive from East Main to Bel-Vol, and Smith Street from West Main to Academy Street. All these projects should be paved by July 8th. After numerous delays and scheduling conflicts the stamped crosswalks have been installed.