

**BERRYVILLE TOWN COUNCIL
MEETING AGENDA
Regular Meeting
Berryville-Clarke County Government Center
101 Chalmers Court, Second Floor
Main Meeting Room
Tuesday, August 9, 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. Approval of Agenda	
4. Public Hearing-	
The Berryville Town Council sponsors amendments 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 the Tourism Sone Incentives in the Berryville Code. TA 02-16	1↓
5. Approval of Minutes	
July 12, 2016 Regular Meeting	2
6. Citizens' Forum	
7. Report of Patricia Dickinson, Mayor	
Discussion concerning strategic planning work session	3
Safe Community Recognition	4
8. Report of Christy Dunkle, Asst. Town Manager for Community Development	
Planning Department Monthly Report	5↓
9. Report of Keith Dalton, Town Manager	
Town Council expectations for committee meeting minutes	6
Recording of Town Council meetings and posting meeting recordings on the Town's website	7
10. Report of H. Allen Kitselman, III - Berryville Area Development Authority Liaison	

<u>Item</u>	<u>Attachment</u>
11. Report of Erecka Gibson – Chair, Budget and Finance Committee	
Approval of Committee Meeting Minutes - July 20, 2016	8
Report of Desiree Moreland, Treasurer (Distributed at meeting)	
12. Report of Donna McDonald – Chair, Community Improvements Committee	
13. Report of Planning Commission Liaison	
14. Report of David Tollett – Chair, Police and Security Committee	
Approval of Committee Meeting Minutes – August 4, 2016	9
Police Chief’s Monthly Report	10
Use of General Fund Contingency Funds for Purchase of Police Vehicle	11↓
15. Report of Patricia Dickinson – Chair, Streets and Utilities Committee	
Approval of Committee Meeting Minutes – July 28, 2016	12
Public Utilities Director’s Report	13
Public Works Director’s Report	14
16. Report of Erecka Gibson – Chair, Personnel Committee	
Approval of Committee Meeting Minutes –	July 20, 2016 August 2, 2016 August 3, 2016
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Appointment to Planning Commission	16↓
17. Other	
18. Closed Session – No closed session scheduled	
19. Adjourn	

Attachment 1

BERRYVILLE TOWN COUNCIL

**Public Hearing – Text Amendment to Section 609 L-1 Industrial
Zoning District
August 9, 2016**

The Berryville Town Council is sponsoring amendments 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

Public hearing notices were published in the Winchester Star on Tuesday, July 26 and Tuesday, August 2, 2016. One property owner in the L-1 zoning district is supportive of the proposed amendments to the L-1 District (he is out of town for the meeting) and another property owner has voiced similar support through the County's Economic Development Coordinator. The Planning Commission held a public hearing on the matter at their June meeting recommended approval of the text amendments as presented and consideration for adoption of Section 16-9 of the Code of the Town of Berryville.

As discussed in previous meetings, modifications to the existing L-1 Industrial district are proposed that would allow for eligible land uses which would qualify for Tourism Zone incentives. **Please note that while it is appropriate to take public comment on Tourism Zone implementation, this public hearing is specifically for modifications to the L-1 Industrial Zoning District.**

Tourism Zone Implementation

Tourism Zones offer immediate benefits to businesses related to tourism to localities in the Commonwealth through reduced BPOL taxes and permit fees and the ability to pay water and sanitary sewer availability fees over time. Enabling legislation allows for localities to structure these Zones to encourage tourism-related businesses and services. Similar to conventional business enterprise zones, Tourism Zones allow for state and local tax credits and deductions not available elsewhere.

Proposed Tourism Zones have been identified on three maps included in this packet: Downtown; Entrance Corridor; and Community Business. Similar to those adopted in Front Royal, eligible land uses are identified that relate to tourism and adaptive reuse of parcels in the respective Zones. Incentives identified throughout the review process are based on number of jobs created; capital investment; and conformance to adopted plans and documents including the Comprehensive Plan; Berryville Area Plan; Zoning Ordinance; and Town Code.

Gap Financing Opportunities Through Tourism Zone Creation

An added benefit of the Tourism Zone program is the ability for businesses to qualify for the Commonwealth of Virginia Tourism Development Financing Program. The Virginia Tourism Corporation (VTC) offers opportunities for gap financing for tourism-related businesses as identified on the VTC web site (included in this report). The process

begins with the locality as the applicant, identifying a “tourism deficiency” in their local business community. A developer (who is the sole owner of all debt with Lenders and secures all financing including the gap financing for respective projects) works with the locality to identify positive financial impacts on the local business community through the creation and submission of a Tourism Development Plan. Working with the Virginia Resources Authority, the developer and locality verify developer financing and create and approve a performance agreement on said project. Tourism Zone creation and adoption is required as part of this effort as well as adopting the specific project for which gap financing is requested.

The following items are included in this report:

- Public hearing notice published in the Winchester Star on Tuesday, July 26 and Tuesday, August 2, 2016;
- Proposed amendments to Article VI, Section 609 L-1 Industrial of the Berryville Zoning Ordinance (identified in red);
- Resolution of support to initiate the text amendment adopted by Town Council at their May 10, 2016 meeting;
- Draft of Section 16-9 of the Berryville Town Code establishing Tourism Zone incentives;
- Proposed Tourism Zone Maps;
- Town of Front Royal Code Section 75-74;
- Screen shot of Virginia Tourism Corporation web site relating to the Commonwealth of Virginia Tourism Development Financing Program; and
- Ordinance and motion for text amendments to Section 609 of the Berryville Zoning Ordinance.

July 12, 2016 Staff Report

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.

Recommendation

Discuss at the meeting. A motion and ordinance follow this report.

8/2/16

Special Notices 107

Special Notices 107

Business Services 110

Business Services 110



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Notice of Availability
Notice is hereby given that the Federal Aviation Administration (FAA) has issued a "Finding of No Significant Impact" (FONSI) to the Winchester Regional Airport Authority, owner and operator of the Winchester Regional Airport (OKV), based upon the results of a Final Environmental Assessment (EA) prepared in July 2015. The Proposed Action involves the projects listed below:
1. Property Interest Acquisition
2. Obstruction (Tree) Removal
The FONSI indicates that the Proposed Action is consistent with existing environmental policies and objectives as set forth in the National Environmental Policy Act of 1969 in that it will not significantly affect the quality of the human environment. Copies of the FONSI and final EA are available for review for 30 days beginning July 18, 2016 during business hours at the following locations:
Winchester Regional Airport, Terminal Building (Operations Counter), 491 Airport Rd., Winchester, VA 22602; Handley Library, (Reference Desk), 100 W. Piccadilly St., Winchester, VA 2201; and on the Frederick County website: www.co.frederick.va.us

ADVANCED TAX SOLUTIONS
WELCOMES NEW CLIENTS!

- Bill Rice, EA
- Susan Nordgren, EA
- Kathraine Gunther, AFSB
- Jim Chapman, EA
- Eric Burstock, CPA

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Special Notices 107

Special Notices 107

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, August 9, 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 Town Council is sponsoring amendments 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

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

Special Notices 107

Business Services 110

The Frederick County Board of Zoning Appeals will meet on Tuesday, August 16, at 3:30pm in the Board Room of the Frederick County Administration Building at 107 N. Kent St. in Winchester, VA, to administer the following:
•Determination of a Quorum
•Minutes of July 19, 2016

PUBLIC HEARING
Variance Request #09-16 of J.H. Vost III for a 15 ft left and right side yard variance to a required 50 ft left and right side yard setback will result in a 35 ft left and right side yard setback. This property is located on Martinsburg Pike (Route 11 North) turn right on Brucestown Road (Route 667) turn right onto Rocky Ford Road (Route 667) and is identified with Property Identification Number 45-A-47 in the Stonewall Magisterial District.
Variance Request #10-16 of David and Katrina Dentel for a 15 ft front yard variance to a required 35 ft front yard setback which will result in a 20 ft front yard setback. This property is located at

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Notices 101-153

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Food Vendors All Day
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\$300 Prize
1115 AM Ball Pick Up
& Prizes
12-2 Hole in One Golf
Competition-
Bring Your Club
12-4 Games with Prizes-
Dunking Booth, Ring
Toss, Lollipop and Duck
Pick Up and Face
Painting/
Temporary Tattoos,
Horse Moon Balance
1-230 Children's
Horse Rides
12-4 Live DJ 130-245
Karaoke Contest
2 PM Corn Hole and
Horseshoe Tournaments
3-6PM Live Auction
Begins and 50/50 Winner
Announced
All Proceeds donated to
"WE LOVE REESE"



NOTICE OF PUBLIC HEARING

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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**
- (q) Hotels, motels, and accommodations**

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

Section 609 Industrial (L-1) District

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

609.11 STORAGE OF GOODS, MATERIALS, FUEL AND REFUSE

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

609.12 STREET ENTRANCES

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

609.13 SITE PLAN REQUIREMENTS AND PERFORMANCE STANDARDS

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

Section 609 Industrial (L-1) District

609.14 ADDITIONAL REQUIREMENTS

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

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

Keith R. Dalton
Town Manager

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 Berryville Area Plan.
- (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.

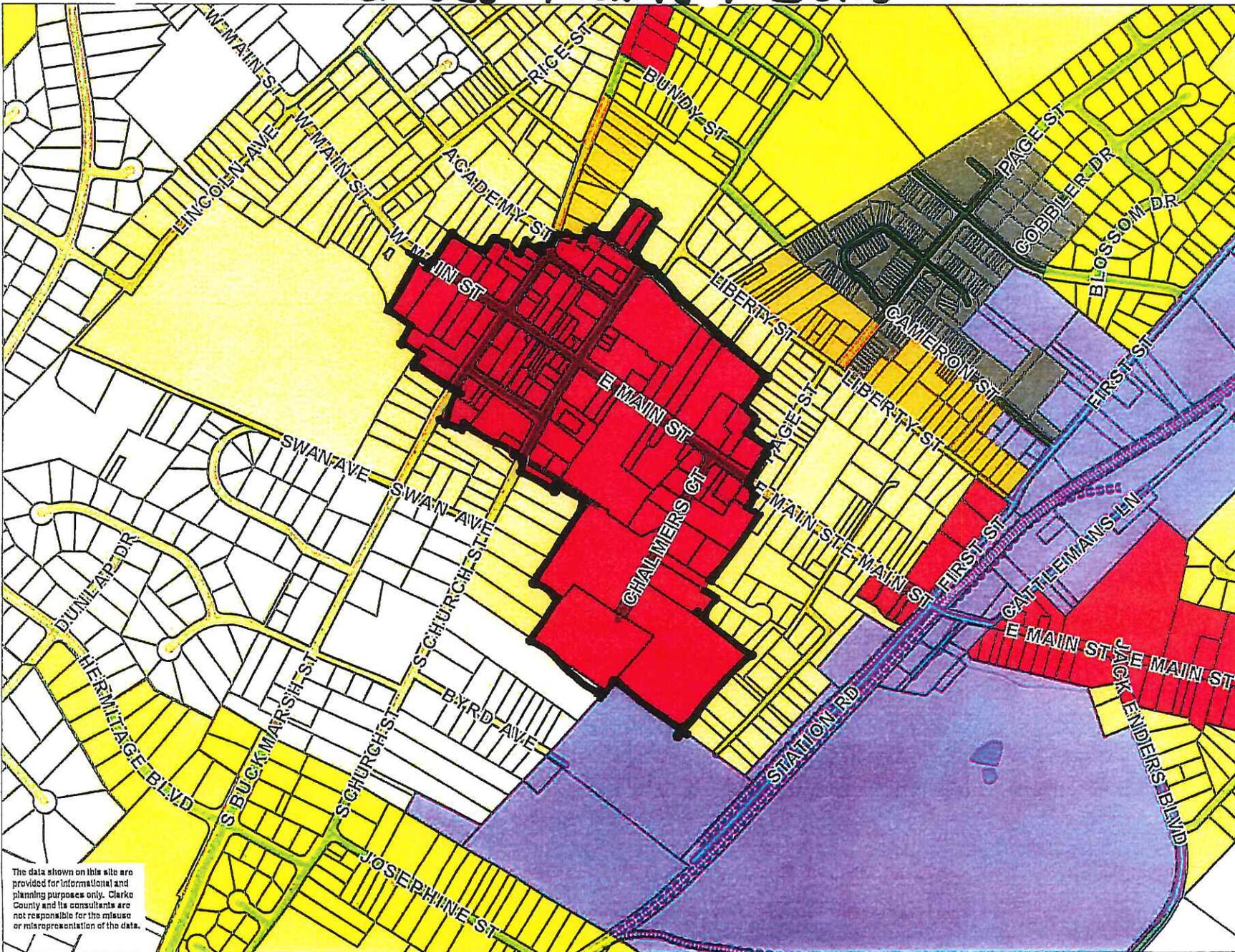
(2) Permit Fee Incentive. All eligible land uses may receive up to 100% reduction in permit fees with the Town of Berryville as identified in the Planning and Zoning Fee Schedule, as amended.

- (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.

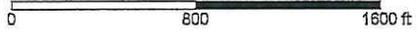
- (1) The Town Manager, or designee, is authorized to administer tourism zones.
- (2) Interpretations of this section shall be determined by the Town Manager after consultation with the Town Attorney.
- (3) All eligible businesses must submit an application for tourism incentives to the Town Business 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



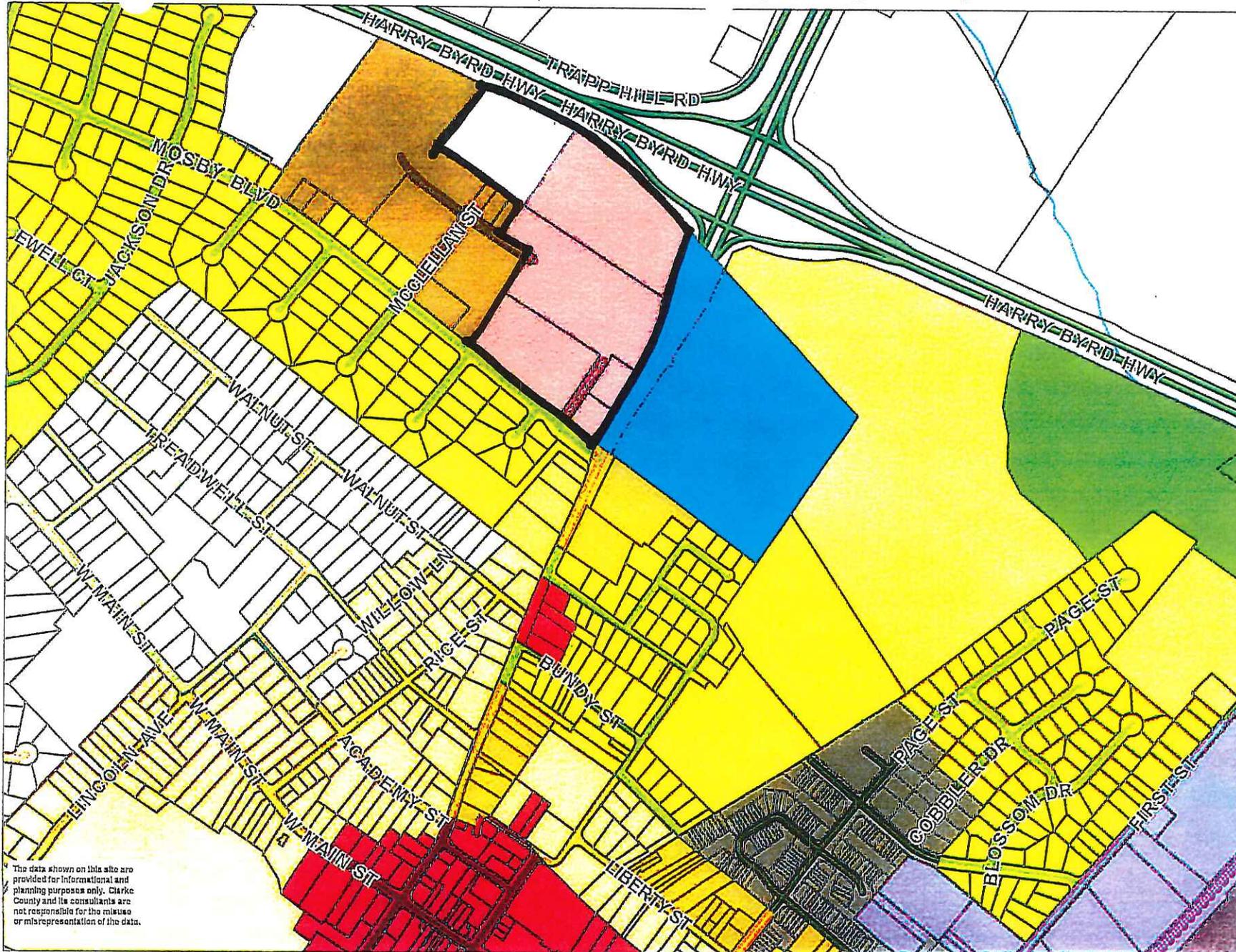
- Points of Interest
- Percels
- Berryville Zoning
 - Detached Res-1 (DR-1)
 - Detached Res-2 (DR-2)
 - Detached Res-4 (DR-4)
 - Residential-1 (R-1)
 - Residential-2 (R-2)
 - Residential-3 (R-3)
 - Attached Res (AR)
 - Older Persons Res (OP)
 - Open Space Res (OSF)
 - Business (B)
 - Business Park (BP)
 - Bus Commercial (BC)
 - Light Commercial (C-1)
 - Downtown Commercial (C-2)
 - Light Industrial (L-1)
 - 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
 - Potential Streams
 - Intermittent Streams
- Ponds
- Rivers

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ENTRANCE CORRIDOR TOURISM ZONE



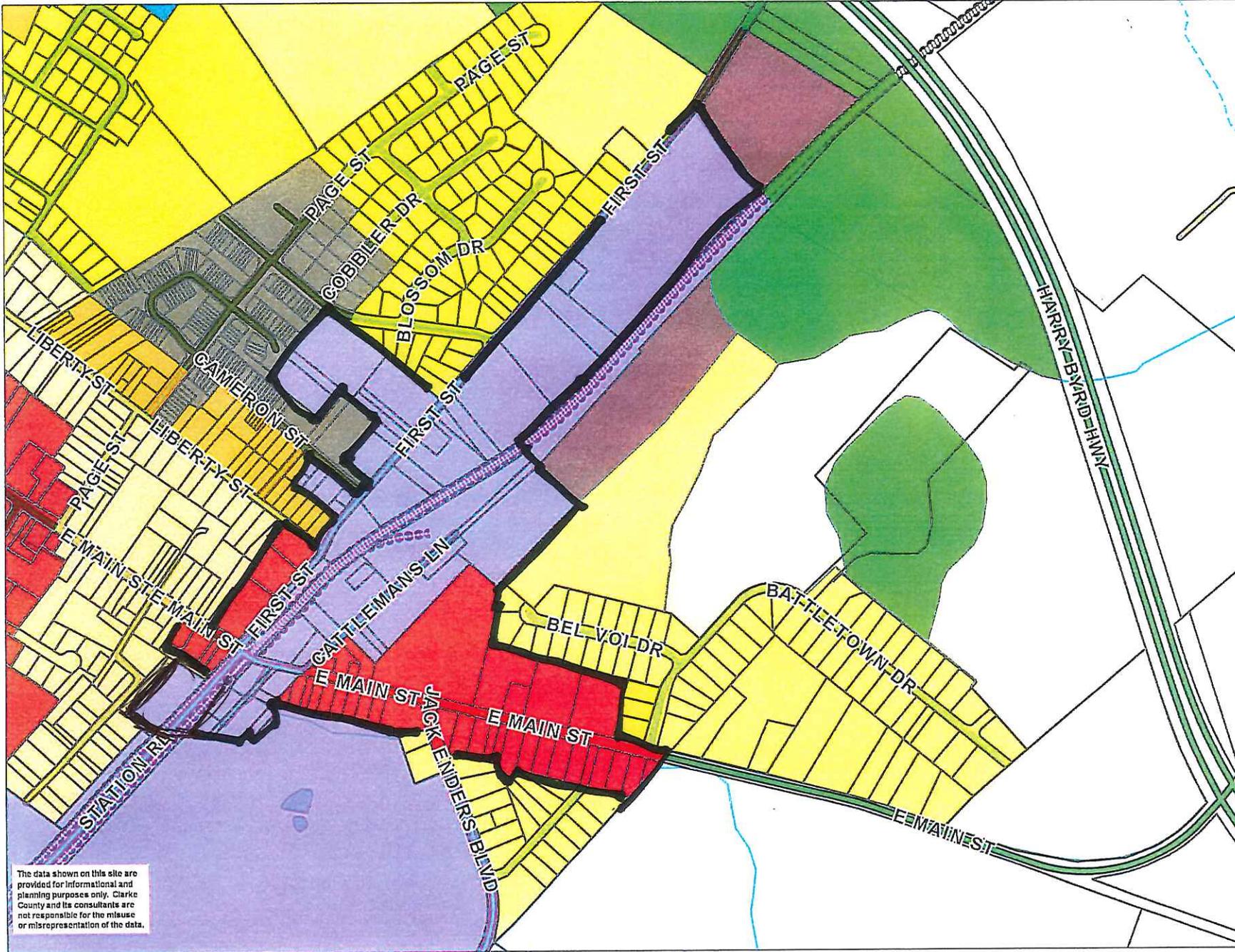
- Points of Interest
- Parcels
- Banyville Zoning
 - Detached Res-1 (DR-1)
 - Detached Res-2 (DR-2)
 - Detached Res-4 (DR-4)
 - Residential-1 (R-1)
 - Residential-2 (R-2)
 - Residential-3 (R-3)
 - Attached Res (AR)
 - Older Persons Res (OP)
 - Open Space Res (OSR)
 - Business (B)
 - Business Park (BP)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

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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
 - Potential Streams
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75-74 TOURISM ZONE INCENTIVES (Adopted 3-23-15)

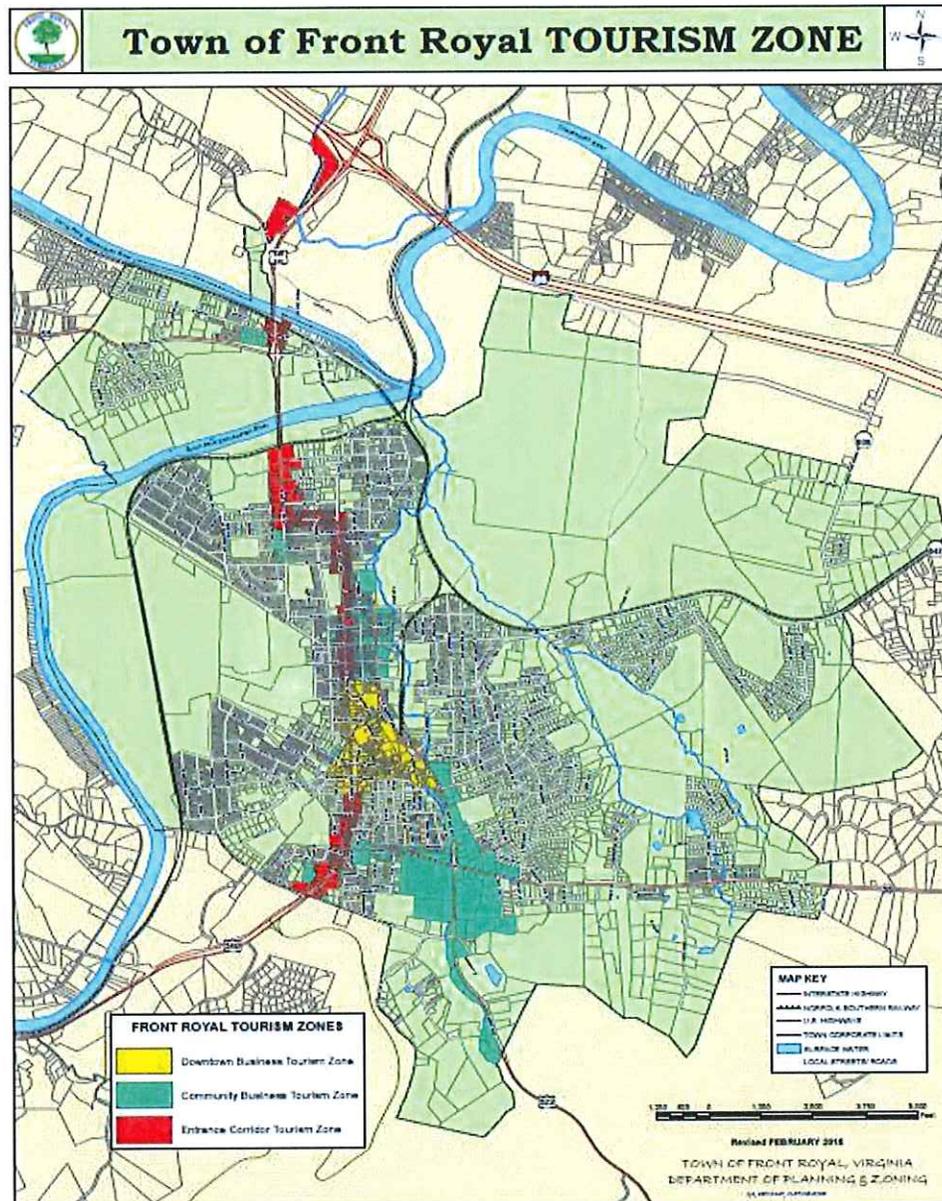
A. PURPOSE. The purpose for creating tourism zones is to encourage certain types of business growth in the Town that will attract visitors to the Town, increase tax revenue, and enhance the general welfare of Town citizens. Virginia Code §58.1-3851 grants the Town with the legal authority to establish 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 all the area designated as such on the map entitled "Town of Front Royal Tourism Zone," dated February 2015, attached hereto and incorporated herein. The intent of the Downtown Business Tourism Zone is to achieve the overall purpose of Section 75-74.A. by encouraging business growth and housing 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 all the area designated as such on the map entitled "Town of Front Royal Tourism Zone," dated February 2015, attached hereto and incorporated herein. The intent of the Entrance Corridor Tourism Zone is to achieve the overall purpose of Section 75-74.A. by encouraging business growth that enhances the unique character and assets of the entrance corridor area.

5. Community Business Tourism (CBT) Zone Created. There is hereby established the "Community Business Tourism Zone," consisting of all the area designated as such on the map entitled "Town of Front Royal Tourism Zone," dated February 2015, attached hereto and incorporated herein. The intent of the Community Business Tourism Zone is to achieve the overall purpose of Section 75-74.A. by encouraging general business growth in the Town of Front Royal that supports tourism.



C. ELIGIBILITY REQUIREMENTS.

1. **ELIGIBLE USES BY TOURISM ZONE.** The following land uses, as categorized within by each tourism zone, are eligible to receive the tourism zone incentives of Section 75-74.D., subject to compliance with all other code requirements of the Town Code.

TABLE 75-74.C.1.

SPECIFIC TOURISM ZONE	ELIGIBLE TYPE OF LAND USES
<u>Downtown Business Tourism (DBT)</u>	Retail Dining Lodging Entertainment* Culture & Arts Personal Services & Offices Condominiums**
<u>Entrance Corridor Tourism (ECT)</u>	Retail Dining Lodging Entertainment* Culture & Arts
<u>Community Business Tourism (CBT)</u>	Retail Dining Lodging Entertainment* Personal Services & Offices

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

** Excluding such uses that are located on the ground level.

2. INVESTMENT CRITERIA. Eligible land uses, as specified under Section 75-74.C.1, shown above, are eligible to receive the tourism zone incentives of Section 75-74.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 new (1) job.
- c. Conformance with the Town's Comprehensive Plan.
- d. Compliance 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 75-74.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 75-74.D.1.a.

Tier Group	Capital Investment	Jobs Created
Tier 1	\$10,000 - \$99,999	1-3
Tier 2	\$100,000 - \$499,999	4-10
Tier 3	\$500,000 or more	11 or more

b. The following table illustrates the duration that eligible land uses may receive BPOL tax reduction, based on the tier group they qualify for.

TABLE 75-74.D.1.b.

YE A R	1	2	3	4	5	6	7	8	9	10	11 +
Tier 1	✓	✓	✓	✓	X	X	X	X	X	X	X
Tier 2	✓	✓	✓	✓	✓	✓	✓	X	X	X	X
Tier 3	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X

Note: X = not eligible; ✓ = Eligible.

c. Eligible land uses may receive up to 100% BPOL tax reduction for the number of specified years they qualify for under Table 75-74.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 Front Royal.

3. Tap Fee Incentive. Eligible commercial land uses may be allowed to make payment of required tap 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. Eligible residential land uses may be allowed to delay payment of required tap fees at a point of time agreeable to the Town of Front Royal, but before all dwelling units are occupied, subject to a lien on the property, or other guarantee, for the specific time period.

E. ADMINISTRATION AND 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 zone incentives to the Town Manager's 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, Director of Finance, Director of Planning & Zoning, or 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, such as, 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 complied with.

(Added Entire Section 3-23-15-Effective Upon Passage)

75-75 HISTORIC DISTRICT INCENTIVES FOR REHABILITATION

- A. A partial exemption of real estate taxes for a period of ten (10) years shall be provided for the substantial rehabilitation of any structure [fifty (50) years or older] within a designated historic resource overlay area or to a structure which is listed on the National Register of Historic Places. For the purposes herein, substantial rehabilitation shall involve an investment of at least forty percent (40%) of the pre-rehabilitated assessed value of the structure.
- B. The partial exemption shall be equal to the increase in assessed value resulting from the rehabilitation. Rehabilitations cannot replace the original structure. Increases in total square footage may be permitted up to a maximum of fifty (50%) percent of the original structure.
- C. The exemption shall commence on January 1 of the year following completion of the rehabilitation and shall run with the real estate for a period of ten (10) years. An increase in an assessment occurring after the first year of the exemption shall not result in an increase in the exemption.



Home » Partnership Alliance Marketing » Tourism Development Financing Program

TOURISM DEVELOPMENT FINANCING PROGRAM

- [2 Tourism Development Plan](#)
- [3 VTC Application Fee](#)
- [4 Performance Agreement](#)
- [5 Tourism Zone Ordinance](#)

Contact

TDFP Administrator
Wirt Confroy
Director of Business Development
(804) 545-5552

Commonwealth of Virginia Tourism Development Financing Program

The Commonwealth of Virginia has established a financing program for qualified Virginia tourism development projects.

This program provides two different tiers of financing to compensate for a shortfall in project funding.

The purpose of the program is to provide a gap financing mechanism for projects that cannot, otherwise, find 100% funding or lending for a project.

Below is an outline of the TDFP application process, step-by-step, which is managed by VTC.

For more detailed information on the program or steps, please download *TDFP Full Overview 2016* found in the Related Links box, top-right on this page.

- 1 IDENTIFY A PROJECT**

 - The locality is the Applicant and identifies a tourism deficiency (void) in their local business community
 - The Developer is the sole owner of all debt with Lenders and secures all financing, including the gap loan

- 2 CREATE + SUBMIT TOURISM DEVELOPMENT PLAN**

 - Prove the project fills a tourism deficiency (void)
 - Identify positive \$ impact on local business community
 - VTC approves before Step 3

- 3 PAY APPLICATION FEE**

 - Submit \$500 application & processing fee to VTC for website maintenance

- 4 VERIFY THE FINANCING + FINALIZE PERFORMANCE AGREEMENT**

 - Work with Virginia Resources Authority to verify committed financing, debt structuring and gap reimbursement

- 5 CREATE AND VERIFY TOURISM ZONE ORDINANCE**

 - Pass A local ordinance creating a tourism zone in which the development project's footprint must be located

- 6 ADOPT PROJECT ORDINANCE**

 - Pass a local ordinance adopting Steps 1 through 5 including the specific development project by name

- 7 APPLICATION REVIEW STATE COMPTROLLER**

 - The State Comptroller reviews Steps 1 through 6
 - Sends certification letter when approved

- 8 ANNOUNCE PROJECT CERTIFICATION**

 - Coordinate news releases with VTC from the Governor's office, the Locality and the Developer

- 9 PAY DEBT > After business opening**

 - The Locality works with Dept. of Taxation to process partner payments for the life of the gap financing debt

Related Links

- [Code of Virginia](#)
- [TDFP Full Overview 2016](#)
- [Tourism Development Plan Template](#)

[Virginia is for Lovers Website](#)

[Virginia Film Office](#)

[Virginia Green](#)

[Log into Administration Tool](#)

[Virginia is for Lovers Store](#)

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(804) 545-5500, webmaster@virginia.org

VIRGINIA TOURISM CORPORATION

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TOURISM DEVELOPMENT FINANCING PROGRAM

- 2 Tourism Development Plan
- 3 VTC Application Fee
- 4 Performance Agreement
- 5 Tourism Zone Ordinance

Contact

TDFP Administrator
 Wirt Confroy
 Director of Business Development
 (804) 545-5552

Commonwealth of Virginia Tourism Development Financing Program

Tourism Zone Ordinance

Step 5 in applying for the TDFP is the creation and local adoption of a Tourism Zone.

Much like traditional business enterprise zone, a Tourism Zone allows for businesses to take advantage of state and local tax credits and deductions not available to businesses elsewhere. 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.

The goal of the incentives is to stimulate business attraction, growth, and increased employment opportunities within economically challenged areas of a locality. This can include, but is not limited: hiring credits, sales & use tax credits, expense and interest deductions, discount utilities hook-up and payment plans, sewer facility hookup payment plans and reduced parking requirements.

Tourism Zones are passed by local ordinance and contain both requirements and benefits for existing and new tourism businesses, including lodging, dining, retail, meeting and sports facilities, outdoor recreation areas, theme parks and event venues.

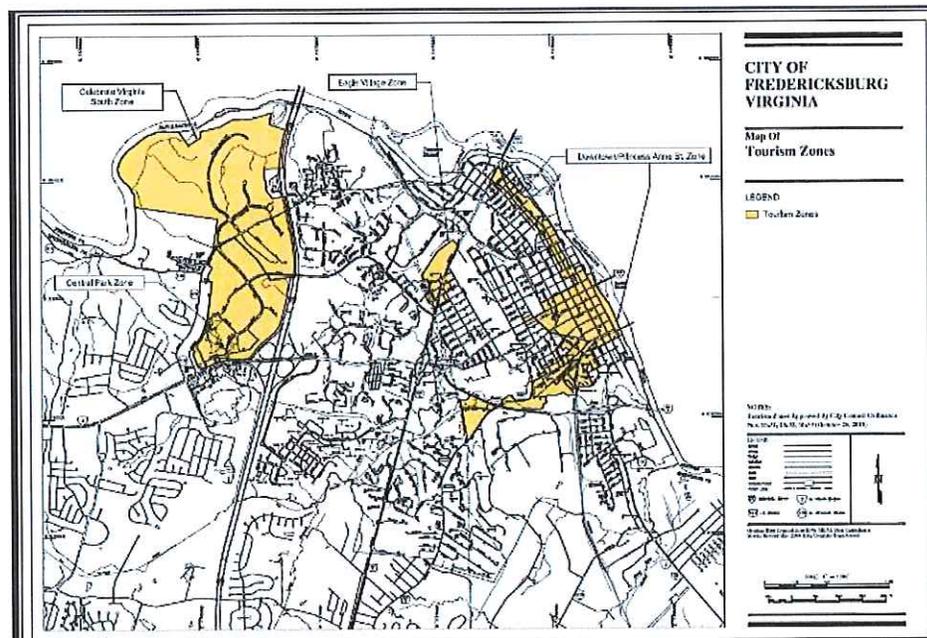
Localities can create a new Tourism Zone during the TDFP application process if one does not exist.

Localities that are interested in creating a Tourism Zone(s) will need to become familiar with:

Link » Virginia Code § 58.1-3851. Creation of local tourism zones.

Examples of Tourism Zones in Virginia are:

The City of Fredericksburg, VA » Link



Spotsylvania County, VA » Link

Spotsylvania County, VA Tourism Zone Program

The Tourism Zone Program serves both new and existing qualified businesses, affording tax rebates on Business, Professional and Occupational License (BPOL) and Machinery & Tools Tax (M/T). The qualified business is also placed in the County's Targeted Industry Program, initiating the Fast Track Development Review Process. There are three designated Tourism Zones in the County to encourage growth in Spotsylvania's Tourism sector.

Zone Maps

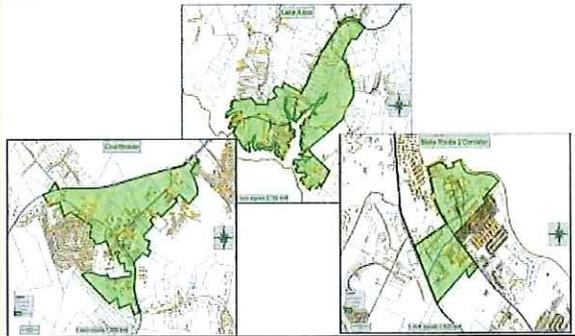
Qualifications

A Tourism Business

- Business whose primary purpose is to establish a desirable destination to attract tourists from outside of the community and create an environment for those visitors that will deliver a memorable experience or promote educational opportunities while increasing travel-related revenue.

Existing Tourism Businesses must meet **one** of the following criteria:

- Capital investment of at least \$250,000 over the base year.



City of Waynesboro » [Link](#)

Tourism Development Zone --- Downtown

A Tourism Development Zone is a designated geographic area of the city identified for increased growth in tourism related businesses. Targeted businesses, identified using the NAICS code, may be eligible for special incentives based on business criteria. To see if you qualify, refer to the detailed map and program description at www.WaynesboroBusiness.com, then, review each of the seven business criteria below and calculate points earned based on your new or expanding business. Possible incentives are listed on the back of this sheet.

Business Criteria			A	B	C	
1	Capital Improvement - new construction or improve existing facility	New	Level	\$250,000	\$500,000	\$750,000
			Points	5	10	15
		Rehab	Level	\$25,000	\$50,000	\$75,000
			Points	5	10	15
2	Job Creation FTE -- new construction or improve existing facility	New	Level	2	3	4
			Points	5	10	15
		Rehab	Level	1	2	3
			Points	5	10	15
3	Wage Level % Federal Min Wage	Level	175%	150%	175%	
		Points	0	0	5	
4	Employee Benefits	Level	None	None	Partial	
		Points	0	0	5	
5	Industry - Match to Strategic Plan	Yes / no	Y=5 N=0	Y=5 N=0	Y=5 N=0	
6	SWAM	Yes / no	Y=5 N=0	Y=5 N=0	Y=5 N=0	
7	Building	Own	Y=5 N=0	Y=5 N=0	Y=5 N=0	
8	Strategic Plan Industries name		Recreation, Retail, Restaurants, Arts & Culture, Museum, Winery, Brewery			
	Strategic Plan Industries NAICS		Reference application for specific four digit NAICS codes			

Notes	
1	Is the project a new construction or improvement to existing building
2	New FTE - Full Time Equivalent
3	Waynesboro Average Hourly Wage \$16.00. Federal Minimum Wage: \$7.25; 150% - \$10.88; 175% - \$12.69; 225% - \$16.31; 250% - \$18.13
4	Does the business provide health and other benefits for majority of employees
5	Does the business type match one of the target industries for that area
6	Small, women, or minority owned
7	Is the building owned by the business, or leased
8	Target businesses and NAICS codes (North American Industry Classification System)



Rockbridge County, VA » [Link](#)

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Tourism Zones

In an effort to promote tourism related business development the Board of Supervisors of Rockbridge County approved two Tourism Zones. One located in the Natural Bridge area of the County and the second one located in the Raphine area. The purpose of these zones is to incentivize tourism related development in these key areas.

[Tourism Zone Ordinance](#)
[Natural Bridge Tourism Zone Map](#)
[Raphine Tourism Zone Map](#)

[Virginia is for Lovers Website](#)

[Virginia Film Office](#)

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AN ORDINANCE AMENDING
ARTICLE VI, SECTION 609 OF THE
TOWN OF BERRYVILLE ZONING ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, that Article VI, Additional Districts, Section 609 L-1 Industrial, of the Town of Berryville Zoning Ordinance shall be amended as follows:

ARTICLE VI – DISTRICT REGULATIONS

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 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**
- (q) **Hotels, motels, and accommodations**

SIGNED: _____
Patricia Dickinson, Mayor

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

BERRYVILLE TOWN COUNCIL

**MOTION FOR ADOPTION OF TEXT AMENDMENTS TO ARTICLE VI,
SECTION 609, OF THE BERRYVILLE ZONING ORDINANCE**

Date: August 9, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville approve the attached ordinance amending Section 609 L-1 Industrial Zoning District in order to allow uses consistent with eligible land uses proposed in Tourism Zone incentives in the Code of the Town of Berryville.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

Harry Lee Arnold, Jr., Recorder

Attachment 2

**MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
July 12, 2016
7:30 p.m.**

Town Council: Present-Patricia Dickinson, Mayor; Harry Lee Arnold, Jr., Recorder; Donna Marie McDonald; Allen Kitselman; Erecka Gibson; David Tollett

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 Dickinson called the meeting to order at 7:30 p.m.

Upon motion of Council member Tollett, seconded by Council member Gibson, the agenda was unanimously approved.

2. Pledge of Allegiance

3. Public Hearings

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

Ms. Dunkle reviewed the public hearing notice. The speakers were as follows:

George Archibald, 27 West Main Street, Berryville, who said he was concerned about the Town or County being affected financially if the school building were allowed to be used by non-profit organizations. He requested that, when making a motion, a Council member include a statement saying there would be no financial impact and that the costs be the responsibility of the school board.

There were no others wishing to speak. Mayor Dickinson closed the public hearing.

4. Approval of Minutes

Upon motion of Recorder Arnold, seconded by Council Member Kitselman, the minutes of the June 14, 2016 regular meeting were approved as follows:

Aye – Patricia Dickinson
Harry Lee Arnold, Jr.
Donna Marie McDonald
Allen Kitselman
Erecka Gibson
David Tollett

Nay – None

Absent – None

Upon motion of Recorder Arnold, seconded by Council Member Gibson, the minutes of the June 29, 2016 continued meeting – joint meeting with the Clarke County Board of Supervisors were approved as follows:

Aye – Patricia Dickinson
Harry Lee Arnold, Jr.
Donna Marie McDonald
Erecka Gibson
David Tollett

Nay – None
Absent – None
Abstain - Allen Kitselman

Upon motion of Council Member Kitselman, seconded by Council Member Gibson, the minutes of the July 8, 2016 work session were approved as follows:

Aye – Patricia Dickinson
Harry Lee Arnold, Jr.
Donna Marie McDonald
Allen Kitselman
Erecka Gibson
David Tollett

Nay – None
Absent – None

5. Citizens' Forum

The speakers were as follows:

Wayne Webb, 510 Ewell Court, Berryville, who gave a PowerPoint presentation regarding E coli levels in the Town Run. He asked the Council to support additional testing conducted by the Friends of the Shenandoah River over the remaining summer months.

George Archibald, 27 West Main Street, Berryville, who commended the Mayor and Council members for their exemplary beginning. He said that as a career newspaper professional who has used the Freedom of Information Act for years, he wished to offer assistance to the Council. He provided a written copy of his remarks to the Clerk.

Diane Harrison, 325 South Church Street, Berryville, who thanked the Council for being stewards of the Town. She said her family had moved to Berryville 12 years ago to be a part of the community. Ms. Harrison noted Berryville Main Street, the Barns, Opus Oaks, and the Artisan Trail as being of particular interest, and encouraged the Council to continue to be good stewards of the community before making changes.

Susi Bailey, 2386 Springsbury Road, Berryville, who represents Berryville Main Street and said the organization will celebrate 25 years in existence next year. She said Berryville Main Street, which has received their 2016 accreditation, promotes preservation based development. She highlighted some of

the planned activities for the summer and fall, and welcomed the newly elected members of the Council.

Christina Kraybill, 317 First Street, Berryville, who said that she has been asked to take the place of president of Berryville Main Street following Jerry Johnson's resignation. She noted the recently completed business mapping project and said she has learned that there is a large number of service businesses in town, which she hopes can be creatively partnered with retail providers. Ms. Kraybill asked that moving forward, the new Council members appreciate the quality of what we have in downtown.

Alton Echols, 400 Custer Court, Berryville, who said he was not sure his item was on the agenda and distributed a packet of information and noted projections of income for a proposed senior housing project. He requested that the Council address the motion included in his packet saying it would allow him to qualify for a 4% tax credit arrangement.

Bryant Condrey, 203 West Main Street, Berryville, who said that he had video-recorded last month's Council meeting and posted the video on the internet. He said the camera cost about \$200, the editing software was free, and the Council could consider an inexpensive option for recording and posting public meetings.

Letty Mallery, 220 Tyson Drive, Berryville, who thanked the Council for serving and said that local governments have the most impact on citizens' lives. She said she read the newspaper article about the proposed changes to the Town budget and is very concerned. She asked if public hearings would be held and questioned whether the Council had the ability to make the budget changes after the fact. She said she loves small town Berryville and Main Street, and encouraged the new members to get to know the Town staff. Ms. Mallery concluded by reminding the Council that the previous Council had also been elected to represent the residents.

6. Report of Patricia Dickinson, Mayor

The Mayor said there were some issues she hoped to address. She noted the proposed Code of Conduct. **Recorder Arnold moved that the Council of the Town of Berryville, in accordance with Section 3.14 of the Berryville Charter adopt the attached Code of Conduct. Council member Kitselman seconded the motion which carried as follows:**

Aye – Patricia Dickinson
Harry Lee Arnold, Jr.
Donna Marie McDonald
Allen Kitselman
Erecka Gibson
David Tollett

Nay – None
Absent – None

Town of Berryville Code of Conduct

The Mayor, Town Recorder, and Councilors representing the four wards, hereinafter recognized as "The Council," acknowledge the following Code of Conduct. This Code of Conduct shall apply to The Council during all meetings, committees, or sub-committees while representing the Town of Berryville in any way, and while in contact with town staff.

1. The Council will treat fellow councilors, citizens, staff, employees, and committee members with respect, and will not make accusatory or disparaging remarks at official council or committee meetings.
2. Members of The Council, as individuals, have no legal authority outside the meetings of The Council.
3. Members of The Council will not give direction to any Town Staff. Any request for action will be submitted to the Town Manager for consideration by The Council if necessary.
4. The Council will forward any citizens' complaints to the Town Manager. If any issue cannot be resolved by the Town Manager, he or she may forward it to The Council for a resolution.
5. The Council will forward any concerns about employees or staff to the Town Manager. Concerns about the Town Manager will be forwarded to the Mayor, Town Recorder, and Chairman of the Personnel Committee.
6. The Council will forward any concerns about a fellow councilor to the Mayor. Complaints involving the Mayor will be directed to the Town Recorder. The Mayor and/or Town Recorder will work to resolve any concerns.
7. The Council will not discuss any matter with the public that has been presented to the council in closed session.
8. The Council recognizes that documents related to Town Business, including all electronic transmittals sent or received in the performance of their duties as a Town Councilor, are subject to the requirements of the Freedom of Information Act.
9. To ensure the highest standards of respect and integrity during public meetings, The Council should:
 - A. Use formal titles. The Council should address the Council members such as, Mayor, (Town) Recorder, or Mr., Mrs., or Ms., followed by the individual's last name.
 - B. Be respectful of others and their opinions, and allow for the debate of issues.
 - C. Honor the role of the presiding officer in maintaining order and equity. Respect the efforts to focus discussion on current agenda items.
 - D. Refrain from engaging the citizens in dialogue during public comments or hearings. For clarification purposes, The Council may ask the person speaking for additional information when they make a presentation.

If by affirmative vote of the majority of The Council, a Councilor is deemed to be in violation of the Code of Conduct, the Councilor shall receive a warning from the Mayor or Town Recorder.

If a Councilor is found to be repeatedly in violation of The Code of Conduct, The Council may, by an affirmative vote of a majority of The Council, officially censure that Councilor.

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Mayor Dickinson said that additional committees would allow citizens more opportunities to participate in local government. She said a Town Administration Policy Committee would work with both the Town Code and procedures. **Council member McDonald moved that the Council of the Town of Berryville create a Town Administration Policy Committee and staff if according to the attached description. Council member Tollett seconded the motion.** Recorder Arnold asked if the committee would replace any committee. Mayor Dickinson said the committee would be supplemental. **The motion carried as follows:**

Aye – Patricia Dickinson
Harry Lee Arnold, Jr.
Donna Marie McDonald
Allen Kitselman
Erecka Gibson
David Tollett

Nay – None
Absent – None

Town Administration Policy Committee

The Town Administration Policy Committee is a standing committee with no fewer than two members of Town Council works in partnership with town administration managers to develop town-wide policies. A policy is a guide for discretionary action. Although sources for the formation of policy appear on many levels in the town, only the town council can adopt policies. Through its policies the council establishes purposes and directions for the town and directs the kinds of action the administration and staff may take. Where appropriate and possible, policies offer administrators sufficient freedom to use their professional knowledge and judgment.

The Town Manager, Town Attorney and Town Treasurer are ex-officio members of the Policy Committee. The Policy Committee meets as needed to formulate, review and recommend to Town Council policy recommendations.

Purpose:

The Town Administration Policy Committee is responsible for the creation of a Town Administration Policy Manual. The policies, and their associated procedures (as prepared by Town Staff), formalizes town council expectations and provides guidance to town administrators. Carefully considered and correctly implemented policies and procedures increases the likelihood of an organization achieving stated goals and objectives. Each policy statement must provide a rationale for the policy, including underlying philosophy of the policy and what the policy hopes to accomplish.

Major Committee Functions Include:

The committee shall create a Berryville Policy Manual that is published on the town website. The primary functions include:

- Develop a process and governance framework through which town policies are formulated, vetted, approved, reviewed, maintained, communicated and enforced.
- At the direction of Town Council, the Town Administration Policy Committee will respond to the need for policy review and will write new policies that might arise from administrative recommendations, citizen's requests, and/or statutory requirements or specific Council member concerns.
- Assess existing policies for coverage, including consistency or conflict with other policies, evaluate current practice of compliance with the policies, and distinguish between policies and procedures.

- Review procedure statements which accompany policies to ascertain conformance with town policy.

All decisions shall be reached by consensus or vote of a simple majority of the total membership of the committee. The group consensus and/or voting of the Town Administration Policy Committee will be summarized and presented to the Council for action.

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Council member Donna McDonald moved that the Council of the Town of Berryville create an Economic Development Advisory Committee and staff it according to the attached description. Council member Gibson seconded the motion. Council member Kitselman asked where the new committee would fit citing the County committee of the same name and the Berryville Main Street organization which does many of the same functions. He said that instead of re-creating, the Town could strengthen what it already has. Recorder Arnold said it is more productive to work with the County and also noted the duplicate committee name would need to be changed. Mayor Dickinson said the new committee would have a different purpose than the County committee and that she did not object to the name being changed. **Council member Kitselman moved that the previous motion be amended to state that at least one Berryville Main Street board member be on the proposed committee. Council member Gibson seconded the motion for the amendment which carried unanimously. Council member McDonald’s main motion, now amended, creating a Town Economic Development Advisory Committee passed as follows:**

Aye – Patricia Dickinson
 Harry Lee Arnold, Jr.
 Donna Marie McDonald
 Allen Kitselman
 Erecka Gibson
 David Tollett

Nay – None
 Absent – None

Economic Development Advisory Committee

The Economic Development Advisory Committee (EDAC) is an advisory committee authorized by the Town Council to provide advice on matters relating to the promotion of a sound economy for the Town. The Committee makes recommendations on new policies and programs to strengthen the Town’s commercial tax base by supporting the existing business community and encouraging new businesses to locate within the Town. The Committee supports its recommendations with research on the economic health of the Town and the business needs of the community.

Purpose

The EDAC is responsible to create a strategic vision of economic development in Berryville, develop long range strategic plans as well as tactical plans to realize the vision. The EDAC deliverables will be used to inform the Berryville Strategic Plan as well as annual tactical plans.

Goals

The strategic vision should address how to market Berryville as a business friendly community and recommend actions that will allow the town to compete and succeed in a regional economy. Advise Council and Town Administration on methods that will create an environment in which town government is viewed as a business ally and resource.

Some of the matters that the committee will address are town regulations, town procedures, economic development visions for target areas in the town, and the feasibility of various economic development tools such as Tourism Zones.

Committee Members

The Economic Development Advisory Committee is comprised of no fewer than five (5) members and no more than nine (9) members appointed, a non-voting Town Council Member liaison, and a non-voting secretary (Town Planner). Members of this committee must be residents of Berryville or have business interests in the town of Berryville, Clarke County or the immediate surrounding area. With the exception of the council liaison and secretary, each committee member is appointed to a two-year term. Once a year the Committee members elect a Chair and Vice Chair to oversee meetings and report to Council. The Chair and Vice Chair must be voting members.

The terms of the Council Member Liaison and of the town Planner shall be coextensive with the term of office to which he/she has been elected or appointed. The remaining members of the committee first appointed shall serve respectively for terms of one (1) year and two (2) years, divided equally, or as nearly equal as possible, between the members. Subsequent appointments shall be for terms of two (2) years each.

Any vacancy in the membership of the Economic Development Advisory Committee shall be filled by appointment by the council and such appointment shall be for the unexpired term.

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Mayor Dickinson said the FOIA Advisory Committee would provide an independent intermediary between citizens and Town Council and staff. Council member McDonald moved that the Council of the Town of Berryville create a FOIA Advisory Committee. Council member Gibson seconded the motion, and said she was on the fence about whether this committee would be necessary or effective. She said she would want the option to remove it later if necessary. Recorder Arnold said that he did not wish to have private citizens involved in legal matters. He said the committee is not necessary and he is not in favor of citizen mediation on legal matters. Mayor Dickinson noted that mediation had been removed from the committee's duties. Council member Kitselman said he still does not like the motion, and noted that staff is trained in FOIA procedures and has never been found to have done anything wrong in the area of FOIA. Council member Tollett said he is also on the fence about the committee. Council member McDonald moved that the Council of the Town of Berryville table the issue of the FOIA Advisory Committee, and Council member Gibson seconded the motion. Following further discussion of the Committee creation, Recorder Arnold suggested that the motion be withdrawn rather than tabled. Council member McDonald withdrew her previous motion.

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

A. Ms. Dunkle noted the action item following the public hearing. In reference to earlier comments, Council member Kitselman said that the modification would be of no financial cost to the Town. **Council member Kitselman moved 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. Council member Gibson seconded the motion which carried as follows:

Aye – Patricia Dickinson
Harry Lee Arnold, Jr.
Donna Marie McDonald
Allen Kitselman
Erecka Gibson
David Tollett

Nay – None
Absent – None

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

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B. Ms. Dunkle requested the Council to set a public hearing for Text Amendments to Section 609 L-1 Industrial zoning district in order to allow uses consistent with eligible land uses proposed in Tourism Zone Incentives. Mayor Dickinson said Tourism Zones and the possibility of reducing fees affects financing. A discussion of Tourism Zone Scenarios followed. By consensus, a public hearing was set for the August 9 meeting.

C. Ms. Dunkle noted the requests by Mr. Alton Echols for Text Amendments to Sections 610 and 614 of the Berryville Zoning Ordinance. She said Mr. Echols had requested at this meeting that the

amendments for the Section 610 be withdrawn. Council member Kitselman referenced the proposed change to Section 614 and asked what happens when the cap on multi-family units is removed. He said this area already has the highest density in town, and the Planning Commission has already said they prefer a mix of housing types.

Council member Kitselman asked if this change meant losing the ability to put conditions on proposed developments. Mr. Dalton said that if the use becomes a by-right use, then no conditions can be placed on it.

Council member Tollett moved that the Council of the Town of Berryville sponsor a text amendment as found in the attached document to Sections 614.2, 614.3, and 614.5 of the Berryville Zoning Ordinance as attached, and further moved that it be sent to the Planning Commission with a request to address the issue in an expedited manner with the Planning Commission public hearing being held no later than September 2016 allowing the Town Council public hearing and action no later than the October 2016 meeting. Council member Gibson seconded the motion. Recorder Arnold asked if the matter would go to the Berryville Area Development Authority, and Ms. Dunkle replied that it would not. Recorder Arnold asked if the amendment would affect the Berryville Area Plan, and Mr. Dalton replied that the change to Section 614.5 certainly deals with issues covered by the Berryville Area Plan. The motion carried as follows:

Aye – Patricia Dickinson
Harry Lee Arnold, Jr.
Donna Marie McDonald
Allen Kitselman
Erecka Gibson
David Tollett

Nay – None
Absent – None

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

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.~~

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D. Ms. Dunkle said staff has been working with Wayne Webb on a project to use gray water (rain water) from his roof. Ms. Dunkle said staff has concerns about cross connections in the water system and concerns about metering. Mr. Dalton suggested that the Streets and Utilities Committee could study the issue. Mr. Webb said he wants to use rain water to water his yard, but that billing for the sewer usage would have to be worked out.

E. Ms. Dunkle concluded her report noting the Berryville Main Street Cruise-In event planned for August 27.

8. Report of Keith Dalton, Town Manager
Mr. Dalton said he had nothing to report.

9. Report of H. Allen Kitselman, III – Berryville Area Development Authority Liaison
Council member Kitselman said no meeting had been held.

10. Report of Erecka Gibson - Chair, Budget and Finance Committee
Mrs. Moreland said that each July, the Council passes a resolution charging off uncollectable property taxes, and authorizes the publication of names of those delinquent for personal property and real estate taxes.

Council member Gibson moved that the Council of the Town of Berryville adopt the attached resolution to charge off delinquent personal property taxes for Tax Year 2010. Council member McDonald seconded the motion which carried as follows:

Aye – Patricia Dickinson
Harry Lee Arnold, Jr.
Donna Marie McDonald
Allen Kitselman
Erecka Gibson
David Tollett

Nay – None
Absent – None

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

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Council member Tollett moved that the Council of the Town of Berryville authorize the 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. Council member Gibson seconded the motion which carried as follows:

Aye – Patricia Dickinson
Harry Lee Arnold, Jr.
Donna Marie McDonald
Allen Kitselman
Erecka Gibson
David Tollett

Nay – None
Absent – None

Mayor Dickinson asked if anyone had ever paid taxes after seeing his or her name posted on the Town Office counter. Ms. Moreland responded affirmatively.

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-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	PEFFER 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	13820.75

TOTAL 59415.12

DELINQUENT PERSONAL PROPERTY TAXES

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	DIETHRICH 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
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
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 R	\$87.20
2013	HOLLINGSWORTH CHRISTOPHER JOHN	\$87.10
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
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	DIETRICH 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
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
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 CIPPORA-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
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 ANTWAIN TYREE	\$110.00
2015	PAYNE DEBORAH ANN	\$35.00
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 R	\$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

+ + + + + + + + + +

Council member Gibson introduced the added agenda items on the subject of the budget. Recorder Arnold suggested the action items be addressed separately and provided a handout with suggested separate motions for each line item topic.

Council member Gibson moved that the Council of the Town of Berryville withhold Compensation Increases for exempt employees for Fiscal Year 2017 budget pending review by the Budget and Finance Committee with a recommendation to the Town Council. Council member McDonald seconded the motion. There was a discussion of changing the budget and whether a public hearing would be necessary. Recorder Arnold said the staff members work hard. Council member McDonald said she was not disputing that staff works hard, but she wants them to know their goals. Mayor Dickinson said the proposed review would start the process of goal setting. Recorder Arnold questioned the possibility of offering a bonus or other compensation equal to a salary increase. Council member Gibson said that the idea of alternate compensation is suggested by the Best Practices of the GFOA. Council member Kitselman said that there is a difference between private sector employees who can excel and earn a bonus and local government employees who must do the job required. Following discussion regarding having the employees to wait for an increase that had already been budgeted and appropriated, Council member Tollett moved to amend the motion to include that a recommendation be made at or before the next Council meeting. The motion to amend passed unanimously. Council member Gibson said the Personnel Committee will meet on July 20, 2016, and will begin review of the Town staff job descriptions with the goal of setting minimum, middle, and maximum salaries for each position. She added that if an employee has maxed out the salary at his or her position, there is no reason to continue giving pay increases. Council member Kitselman suggested that the Council not withhold compensation already promised, but move forward with studying positions and pay scales in an appropriate time frame. Following further discussion, Council member Gibson withdrew her motion to withhold compensation.

Council member Gibson said Mr. Dalton had provided the Council with information about the planned Street Maintenance Equipment purchase. Recorder Arnold offered background information saying this purchase is made mainly with funds reimbursed to the Town by VDOT, and that if the purchase is not made, no savings are realized by the Town. He said that the Department of Public Works does a good job of taking care of equipment, but that the truck is needed for snow removal and other uses. Mayor Dickinson said the purpose of the motion is not to prohibit the purchase, but that a business case for the purchase is needed. Recorder Arnold cautioned that a delay may mean the truck is not here by snow removal season. Council member Kitselman said the new business case protocol could be used moving forward, but that Town staff knows what equipment is needed and this purchase should be made now. Mayor Dickinson said she is not comfortable taking the risk of purchasing the truck. Council member

Kitselman said there is no risk in taking the \$125,500 from VDOT. **Council member Gibson moved that the Council of the Town of Berryville withhold the VDOT Street Maintenance Equipment purchase of \$125,500 for Fiscal Year 2017 budget pending review by the Budget and Finance Committee with a recommendation to the Town Council. Council member McDonald seconded the motion which failed on a roll call vote:**

Donna Marie McDonald	-Nay
Allen Kitselman	-Nay
Harry Lee Arnold, Jr.	-Nay
Patricia Dickinson	-Abstain
Erecka Gibson	-Nay
David Tollett	-Nay

Council member Gibson said she is still in favor of a business plan for purchases.

Council member Gibson said the next item for discussion was the Public Works Improvements. Recorder Arnold offered background saying the long range plan has been to house the expensive equipment under cover at the Public Works Department. He said the project in question will be paid 75% by VDOT funds of \$62,250 and 25% paid by Town funds. Mr. Dalton added that the project would be put out for bid, and would not have to move forward if it comes in over budget. Mayor Dickinson said it is risky if a plan is not in place. She said she does not want to lose the opportunity, but she thinks the project is high risk. Council member Kitselman said this is how things are done in local government. He asked why Council would want to micromanage and hamstring this department. Mayor Dickinson said she is doing risk management and is asking how the Council will manage the project and set milestones. Council member Gibson asked Mr. Dalton how long it would take to get the requested information to Mayor Dickinson. Recorder Arnold asked Mr. Dalton to review the building project. Mr. Dalton said the shed at Public Works currently has five bays, and the plan is to add one bay, not enclosed on the east side. He said it is budgeted as a metal building open on one side. He added that the project had been delayed because a drain field, now relocated, was originally on the site. Mr. Dalton said that Mr. Boor, the Public Works Director, has studied the electrical component and has priced concrete. He added that up until the Town population reached 3500, the Town paid for all improvements at the Public Works Department, but that now VDOT will reimburse 75% of this project cost. Mayor Dickinson said the Council has to be responsible by setting milestones and budget run rates. Council member McDonald said that existing equipment needs to be protected. She said the Town already has an investment, and understands the need for a shed, but she hopes in the future a study can be done before building. Mayor Dickinson said she supports the project, but she wants to do smart projects, saying she had been elected to manage risk. She said the project had better not go over budget. **Council member Kitselman said there is not a lot of risk with this project. Council member Gibson moved that the Council of the Town of Berryville withhold Public Works Improvements of \$62,250 for Fiscal Year 2017 pending review by the Budget and Finance Committee with a recommendation to the Town Council. Council member McDonald seconded the motion which failed on a roll call vote:**

Donna Marie McDonald	-Nay
Allen Kitselman	-Nay
Harry Lee Arnold, Jr.	-Nay
Patricia Dickinson	-Aye
Erecka Gibson	-Nay
David Tollett	-Nay

There was discussion of withholding the purchase of a police cruiser which was identified in the approved budget. Recorder Arnold said that Chief White has reported that there is a definite need for the cruiser, and said the current fleet has only one all-wheel drive vehicle. Council member Gibson said Chief White's fleet status report was very well written and complete and compared it to the data that would be included in the business plan. She asked Council member Tollett his opinion. Council member Tollett said it is fine to come up with new ways to study things, but he is not in favor of holding up the purchase of a police car. Council member McDonald said she is not in favor of holding up the purchase of a police car. Council member Gibson said based on the discussion of the Council members she would not make a motion to withhold the purchase of a police cruiser.

Council member Gibson referred to the motion to withhold expenditures for Emergency Medical Services. She said that she and Mayor Dickinson will meet with Chair David Weiss and Supervisor Bev McKay of the Clarke County Board of Supervisors to determine if this gift should continue. She added that the payout to the County does not occur until January, so there is time to make this decision. Council member Kitselman said that he agrees there is time to make the decision, but that he does not want to pull the entire payment from the County at one time. He said the Town and County have very good relations and he does not want that jeopardized. He added that he will not vote against this expense since he voted for it when the budget was approved. **Council member Gibson moved that the Council of the Town of Berryville withhold expenditures for Emergency Medical Services \$50,000 for Fiscal Year 2017 pending review by the Budget and Finance Committee with a recommendation to the Town Council. Council member Tollett seconded the motion.** Recorder Arnold clarified that the Town Council will make the decision after receiving the Committee's recommendation. **The motion carried on the following roll call vote:**

Donna Marie McDonald	-Aye
Allen Kitselman	-Nay
Harry Lee Arnold, Jr.	-Aye
Patricia Dickinson	-Aye
Erecka Gibson	-Aye
David Tollett	-Aye

Recorder Arnold gave background for the budgeted \$5000 payment to the County. He said this long standing payment originated when the Town built a new water plant and was unable to give water away. He said the \$5000 was intended to offset the purchase of water for the swimming pool that benefits both Town and County residents. Council member Gibson said she and Mayor Dickinson will meet with Chair David Weiss and Supervisor Bev McKay of the Clarke County Board of Supervisors to ask why this gift should continue. She added that this cost does not reach even one percent of the County's budget, but she understands the County-Town relationship factor. **Council member Gibson moved that the Council of the Town of Berryville withhold expenditures for Clarke County Parks and Recreation \$5000 pending review by the Budget and Finance committee with a recommendation to the Town Council. Council member McDonald seconded the motion which carried on a roll call vote as follows:**

Donna Marie McDonald	-Aye
Allen Kitselman	-Nay
Harry Lee Arnold, Jr.	-Aye
Patricia Dickinson	-Aye
Erecka Gibson	-Aye
David Tollett	-Aye

Regarding the issue of mapping the Town's internal accounting controls, Recorder Arnold asked if Council member Gibson had reviewed past audits and she said that she had not done so, but that she planned to do so at the Budget and Finance Committee meeting when the auditors can attend. Mr. Dalton noted that the auditor is unavailable on the proposed meeting date but will offer other dates. Recorder Arnold said that he is not comfortable with spending \$25,000 on an additional auditing contract, and that if desired, a Request for Proposal would have to be issued prior to contracting for services. Council member Gibson asked if there were any concerns about issuing an RFP. Mr. Dalton asked if the intent of the Council is to authorize the Budget and Finance Committee to make an RFP or to task the Budget and Finance Committee with mapping the controls. He said there are two options: The committee could talk to the current auditors, Robinson Farmer Cox, and ask them to expand their scope of services, or if after talking with Robinson Farmer Cox, the Committee could return to Council with a recommendation for issuing an RFP. He said that perhaps an RFP is not necessary. Council member Gibson noted there are deficiencies including one signature checks when Town Code does not authorize them. There was discussion of tabling the issue. Recorder Arnold said he preferred not to see the issue tabled. **Council member Gibson moved that the Council of the Town of Berryville issue a Request for Proposal, if necessary, after receiving comment and recommendation from the Budget and Finance Committee following their meeting with the current auditors to explore the need for additional auditing services for mapping town accounting systems and internal controls. Council member Tollett seconded the motion which carried as follows:**

Aye – Patricia Dickinson
Harry Lee Arnold, Jr.
Donna Marie McDonald
Allen Kitselman
Erecka Gibson
David Tollett

Nay – None
Absent – None

11. Report of Donna McDonald - Chair, Community Improvements Committee

Council member McDonald said the committee did not meet.

12. Report of David Tollett – Planning Commission Liaison

Council member Tollett said he did not realize he was the liaison.

13. Report of Dave Tollett – Police and Security Committee

Council member Tollett deferred to Chief White who reported on the newly formed Skyline Regional Criminal Justice Academy, and asked Council to adopt the resolution authorizing the Berryville Police Department to withdraw from the Rappahannock Regional Criminal Justice Academy and join the new criminal justice academy. **Council member Tollett moved 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. Council member Gibson seconded the motion which carried as follows:**

Aye – Patricia Dickinson
Harry Lee Arnold, Jr.

Donna Marie McDonald
Allen Kitselman
Erecka Gibson
David Tollett

Nay – None
Absent – None

**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

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Chief White announced the Department will host National Night Out on August 2, 2016, in Rose Hill Park and invited everyone to stop by.

Chief White noted that the Department has recently received two letters of praise from citizens and noted they were included in the agenda packet.

14. Report of Patricia Dickinson – Chair, Streets and Utilities Committee

Mayor Dickinson said she had nothing to report.

15. Report of Erecka Gibson – Chair, Personnel Committee

Council member Gibson said the committee will meet on July 20, 2016, to begin reviewing job descriptions and salaries. Mayor Dickinson said the committee will be making several recommendations for appointments in the near future.

16. Adjourn

There being no other business, upon motion of Council member Tollett, seconded by Council member McDonald, the meeting was adjourned at 10:25 p.m.

Harry Lee Arnold, Jr., Recorder

Ann W. Phillips, Town Clerk

Attachment 3

Discussion

Discussion concerning strategic planning work session

Mayor Dickinson would like to schedule a Town Council work session in mid-September to discuss strategic planning. The Mayor expects the facilitated work session to last four hours.

Staff requests guidance from the Town Council as to how it wishes to proceed on this matter.

Keith Dalton

From: Patricia Dickinson (Mayor)
Sent: Tuesday, August 02, 2016 1:52 PM
To: Keith Dalton
Subject: Request: Work Session

Keith, I would like to hold a Work Session mid September. The topic is Strategic Planning. We will need either 9AM to 1PM (with a working lunch), 1:00 PM to 5:00 PM or 5:00 PM to 9:00 PM with a working dinner.

Thanks, Pat

Patricia Dickinson
Mayor, Berryville Virginia
101 Chalmers Court, Suite A
Berryville, VA 22611
540 955 1099
www.berryvilleva.gov

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

Attachment 4

Safe Community Recognition

In the 2016 SafeWise report of the safest cities in Virginia, Berryville was ranked eleventh. Please find attached information on the ranking and a congratulatory letter from U.S. Senator Mark Warner.

Each year SafeWise reviews FBI Crime Report statistics along with population data to identify the safest cities in Virginia. The citizens of Berryville and Clarke County are to be congratulated on this ranking. In this close knit community, neighbors look out for neighbors and citizens assist local law enforcement as they do the work of crime prevention and crime investigation. The Berryville Police Department, the Clarke County Sherriff's Department, and the Virginia State Police are to be congratulated on their cooperative efforts that make this such a great community.

MARK R. WARNER
VIRGINIA



RECEIVED

JUL 25 2016

UNITED STATES SENATOR
WASHINGTON, D.C.

July 21, 2016

The Honorable Patricia Dickinson
Mayor
Town of Berryville
101 Chalmers Court, Suite A
Berryville, VA 22611-1387

Dear Mayor Dickinson,

I am pleased to extend my warmest congratulations to the Town of Berryville upon being named one of Virginia's twenty safest communities by SafeWise.

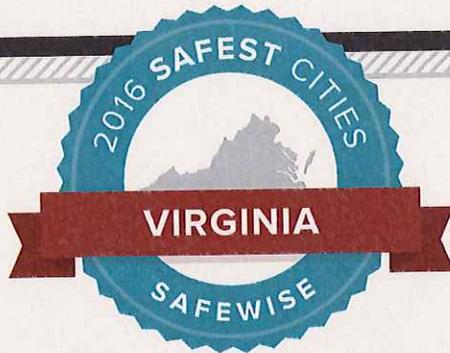
This honor recognizes the community's efforts that have resulted in the safety of your residents and visitors. In order to achieve this milestone, the police department, sheriff's office, local government, and greater community worked together towards the shared goal of a safer town. These efforts make new connections that bring us closer as families and as neighbors. Your commitment to the broader good is especially commendable.

On this important occasion, I join with your families, friends, and community in saluting Berryville's accomplishments and wishing you the very best for continued success in the years to come.

Sincerely,

A handwritten signature in blue ink that reads "Mark R. Warner".

MARK R. WARNER
United States Senator



SafeWise is proud to present this award to the city of

BERRYVILLE

for their efforts in **community safety** and **crime prevention**.

Berryville was ranked the 11th safest city in Virginia due to its commitment to the safety and security of its residents.

A handwritten signature in black ink, appearing to read "Clair Jones".

Clair Jones, Press and Strategic Partnerships



A handwritten signature in black ink, appearing to read "John Kinnear".

John Kinnear, President of SafeWise



Virginia certainly has a lot going for it. The Commonwealth boasts a diverse economy (<http://www.yesvirginia.org/KeyIndustries>) fueled by industries ranging from food processing to cybersecurity, and it is home to some of the wealthiest counties in the nation (<http://www.politifact.com/wisconsin/statements/2015/mar/02/scott-walker/scott-walker-says-most-10-richest-counties-are-aro/>). Virginia is also a historically rich state, where attractions like the Jamestown Settlement and Colonial Williamsburg draw visitors from across the county, and around the world, each year.

Virginia's safety record earns it even more kudos from the SafeWise security experts. According to the latest FBI crime data (<https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/tables/table-5>), Virginia's overall crime rate is 30 percent less than the national average. Analyzing the data further, we found that 15 of the 20 safest cities in the state reported fewer than 20 total violent crimes, 16 cited zero incidents of murders, and two cited no violent crime whatsoever. Bridgewater — making the top spot on our list for the first time — reported just one violent crime and a mere 14 property

crimes. Each of these cities clearly takes safety seriously, and 16 of them have made our list for the third year in a row.

From the Chesapeake Bay to the Appalachian Mountains, safe cities are scattered across the Old Dominion State. Whether you live in one of these communities or somewhere else in Virginia, SafeWise encourages you to make safety a priority. Consult our [Virginia Safety Directory](http://www.safewise.com/home-security/va) (<http://www.safewise.com/home-security/va>) to learn effective ways to help enhance your personal and home security.

How We Chose the Safest Cities in Virginia

To identify the 10 safest cities in Virginia, we reviewed the most recent FBI Crime Report statistics from 2014, along with population data. We eliminated all cities with fewer than 3,000 residents as well as any cities that failed to submit a complete crime report to the FBI.

*If your city made the list, share the news by embedding the “**Virginia Safest Cities**” badge on your site. [Click here to get the code](#), then just copy and paste.*

From there, we evaluated the remaining cities. We narrowed it down based on the number of reported violent crimes (aggravated assault, murder, rape, and robbery) and property crimes (burglary, arson, larceny-theft, and motor vehicle theft) in each city. To further level the playing field, we calculated the likelihood of these crimes occurring out of 1,000 people in each city.

[Learn more about how we rank our Safest Cities reports.](http://www.safewise.com/blog/the-safewise-safest-cities-our-methodology/) (<http://www.safewise.com/blog/the-safewise-safest-cities-our-methodology/>)

You can also see how the cities ranked in the past with the 2015 Safest Cities in Virginia report [here](http://www.safewise.com/blog/safest-cities-virginia-2015/) (<http://www.safewise.com/blog/safest-cities-virginia-2015/>).

1. Bridgewater ↑

Previous rank: 3

Violent Crimes per 1,000: 0.17

Property Crimes per 1,000: 2.36

2. Broadway ↓

Previous rank: 1

Violent Crimes per 1,000: 0.00

Property Crimes per 1,000: 3.43

3. Purcellville ↓

Previous rank: 2

Violent Crimes per 1,000: 0.11
Property Crimes per 1,000: 4.53

4. Lexington

Previous rank: 4

Violent Crimes per 1,000: 0.69
Property Crimes per 1,000: 7.64

5. Poquoson ↑

Previous rank: 7

Violent Crimes per 1,000: 1.07
Property Crimes per 1,000: 7.44

6. Blacksburg ↑

Previous rank: 8

Violent Crimes per 1,000: 0.75
Property Crimes per 1,000: 8.96

7. West Point ↓

Previous rank: 6

Violent Crimes per 1,000: 0.00
Property Crimes per 1,000: 9.87

8. Vienna ↑

Previous rank: 9

Violent Crimes per 1,000: 0.48
Property Crimes per 1,000: 9.80

9. Manassas Park ↑

Previous rank: 10

Violent Crimes per 1,000: 1.32
Property Crimes per 1,000: 9.15

10. Williamsburg ↑

Previous rank: 11

Violent Crimes per 1,000: 1.61
Property Crimes per 1,000: 11.62

11. Berryville

Previous rank: Not ranked

Violent Crimes per 1,000: 0.23
Property Crimes per 1,000: 13.01

12. Strasburg ↑

Previous rank: 13

Violent Crimes per 1,000: 1.38
Property Crimes per 1,000: 12.39

13. Herndon ↑

Previous rank: 14

Violent Crimes per 1,000: 1.94

Property Crimes per 1,000: 12.62

14. Leesburg

Previous rank: Not ranked

Violent Crimes per 1,000: 1.19

Property Crimes per 1,000: 14.84

15. Warrenton ↑

Previous rank: 19

Violent Crimes per 1,000: 0.91

Property Crimes per 1,000: 15.83

16. Falls Church

Previous rank: 16

Violent Crimes per 1,000: 1.30

Property Crimes per 1,000: 15.95

17. Fairfax City

Previous rank: 17

Violent Crimes per 1,000: 0.74

Property Crimes per 1,000: 17.09

18. Smithfield ↓

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Previous rank: 15

Violent Crimes per 1,000: 1.82
Property Crimes per 1,000: 16.85

19. Tazewell

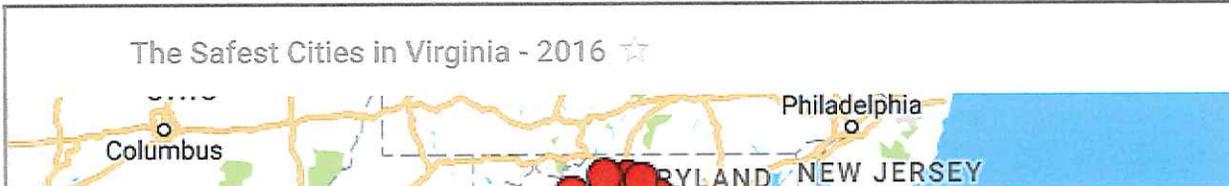
Previous rank: Not ranked

Violent Crimes per 1,000: 0.88
Property Crimes per 1,000: 17.92

20. Abingdon

Previous rank: Not ranked

Violent Crimes per 1,000: 1.71
Property Crimes per 1,000: 18.27





<http://www.safewise.com/blog/wp-content/uploads/SW-Safest-Cities-in-America-2016-FINAL-01.png>

<http://www.safewise.com/blog/the-safewise-safest-cities-our-methodology/>

The safety of a city can be a large factor in your decision to move, in the pride you feel towards your home, and in the well-being of you and your loved ones. We have evaluated the [100 Safest Cities in America \(http://www.safewise.com/safest-cities-america\)](http://www.safewise.com/safest-cities-america) and continue to release up-to-date Safest Cities rankings for each state, providing a comprehensive assessment of the general safety in each city that is reported on.

How the Cities Are Ranked

SafeWise uses the most up-to-date FBI Crime data as the backbone of our reports. We rely on information that cities across the nation report through the FBI Uniform Crime Reporting (UCR) program. If you don't see your city represented, it's possible that they reported incomplete data to the UCR or did not report data at all.

We also utilize a population threshold. We determine an appropriate threshold for each state and only report on cities with populations above this number. The number is based on the state's population as a whole and the number of cities to be included in the list. Using a population threshold reduces the risk of outliers, and lowers the likelihood of an extreme outlier skewing the data.

Before rankings can be assigned, we narrow down the list of eligible cities based on these criteria. This means that we leave out any city with a population below the established threshold, as well as any city that did not submit a complete crime report to the FBI.

Details on the Data

Once the field of eligible cities has been established, we then evaluate each remaining city based on its corresponding data.

This raw data that is used to calculate each city's safety score is comprised of information on violent crimes (aggravated assault, forcible rape, murder, robbery) as well as property crimes (arson, burglary, larceny-theft, motor vehicle theft).

In an effort to standardize the data, and level the playing field for cities of varying populations, each city is analyzed and scored to reflect crimes per 1,000 residents.

Here's what our safety formula looks like:

$(\text{Violent Crimes}/(\text{Population}/1,000)) + (\text{Property Crimes}/(\text{Population}/1,000))/2 = \text{Safety Score}$

Staying Safe

Year after year, SafeWise has focused on providing resources to help your community stay safe and the Safest Cities lists are no exception. With these reports, we have put ourselves into our reader's shoes in order to understand what makes us all feel safe or unsafe in a city. We feel that these rankings

Attachment 5

Planning and Community Development

Action Items

- **Public Hearing – Text Amendment to Section 609 L-1 Industrial**
- **Set Public Hearings – Proposed Text Amendments to the Business Commercial (BC)**

August 9, 2016

Planning Commission

The Planning Commission held a meeting on Tuesday, July 26, 2016. They set public hearings for text amendments to Section 614 Older Person Residential in order to remove the unit cap and to allow a number of housing options, including multifamily units, by right and to the General Commercial in order to allow veterinary hospitals as a use by Special Permit. Their next meeting is scheduled for Tuesday, August 23, 2016 at 7:30pm.

Berryville Area Development Authority

The BADA did not hold a July meeting. Their next meeting is scheduled for Wednesday, August 17, 2016 at 7:00pm.

Architectural Review Board

The Architectural Review Board held a meeting on Wednesday, August 3, 2016 to discuss the following:

Sign Review

Lisa Leach, Owner, is requesting a Certificate of Appropriateness in order to install a hanging sign at her business, Organic Plum Studio, 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.*

Their next meeting is scheduled for Wednesday, September 7, 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

Initiate Text Amendments to Section 610 of the Berryville Zoning Ordinance

August 9, 2016

House of Lords, Inc. (Ding Wang, Land Contract Owner, A.C. Echols, Jr., Agent) is requesting initiation of text amendments to Article VI, Section 610 Business Commercial, of the Berryville Zoning Ordinance in order to delete Section 610.2(u) retail stores and shops as an accessory use to the primary permitted use with provisions and establish Section 610.2(x) "Personal service establishments, retail stores and shops not to exceed 10,000 feet for each free-standing business or for each business in a shopping center or strip mall center." TA 06-16

Mr. Echols is requesting that retail up to 10,000 [square] feet for each free-standing business or business in a strip mall be permitted in the BC Business Commercial Zoning District. Please note that while the application identifies the applicant's 7 acre parcel, identified as Tax Map Parcel number 15-((5))-251B, this change would be applied to the entire Business Commercial zoning district.

The Town and County share BC zoning district language as these parcels are located in Annexation Area B.

The following items follow this report:

- Letter to Mayor Dickinson requesting two text amendments included in this report;
- Land Development Application for Text Amendments to Section 610.2 of the Berryville Zoning Ordinance;
- Proposed changes identified in red on page 6-32 of Section 610 of the Berryville Zoning Ordinance;
- Zoning Map;
- Resolution of Support to initiate text amendments; and
- Motion for Resolution

Recommendation

Discuss at the meeting. A resolution and motion for adoption follow this report.

Christy

July 18, 2016

Madam Mayor Dickinson
Keith Dalton, Town Manager
Attn: Christy Dunkle, Town Planner



Madam Mayor et al:

Attached is our application for a Two Text Amendments to the Berryville Zoning Ordinance. This replaces the previously filed amendments (June 20, 2016) which was withdrawn at Council's Meeting on July 12th, 2016 (since by mistake we were not placed on the agenda).

If there is a problem with this request, please respond promptly.

Thanking you in advance for your attention to this important matter.

Best Regards,

A handwritten signature in black ink that reads "Alton C. Echols, Jr.".

Alton C. Echols, Jr.

Cherty

LAND DEVELOPMENT APPLICATION TOWN OF BERRYVILLE

(Please print or type)

Current Property

Tax Plat # 14-5-251E

Owner

Owner's Address

House of Lords, Inc. – Ding Wang, Land Contract Owner
400 Custer Ct. Berryville, Virginia 22611

Phone

703-777-4100

Agent (Contact

Person)

Agent's

A.C. Echols, Jr

Address

400 Custer Ct. Berryville, Virginia 22611

Phone

540-955-2618



Check Appropriate Request:

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

Complete As Applica

TWO TEXT AMENDMENTS TO SECTION 611.2 (u) BERRYVILLE Zoning Ordinance – permitted uses in the Business Commercial District (BC):

Nature of Request/Pro]

First – Delete Sub-section (u) in the “Permitted Uses Section, and

Tax Map & Parcel

Second – Replace it with the following Text for Sub-section (u): “Personal service establishments, retail stores and shops not to exceed 10,000 feet for each free-standing business or for each business in a shopping center or strip mall center”.

Number(s):

Size of Project Site:

#15-5-251B

Proposed # of Lots:

7 Acre Parcel

1 Lot

(BC)

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. President Date: July 18, 2016

HOUSE OF LORDS, INC. by: A. C. Echols, Jr. President

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

House of Lords, Inc. by
Signature: Alvin C. Echols, Jr. - Pres

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 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) Personal service establishments, retail stores and shops not to exceed 10,000 feet for each free-standing business or for each business in a shopping center or strip mall center. (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.

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.

Section 610 Business Commercial (BC) District

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

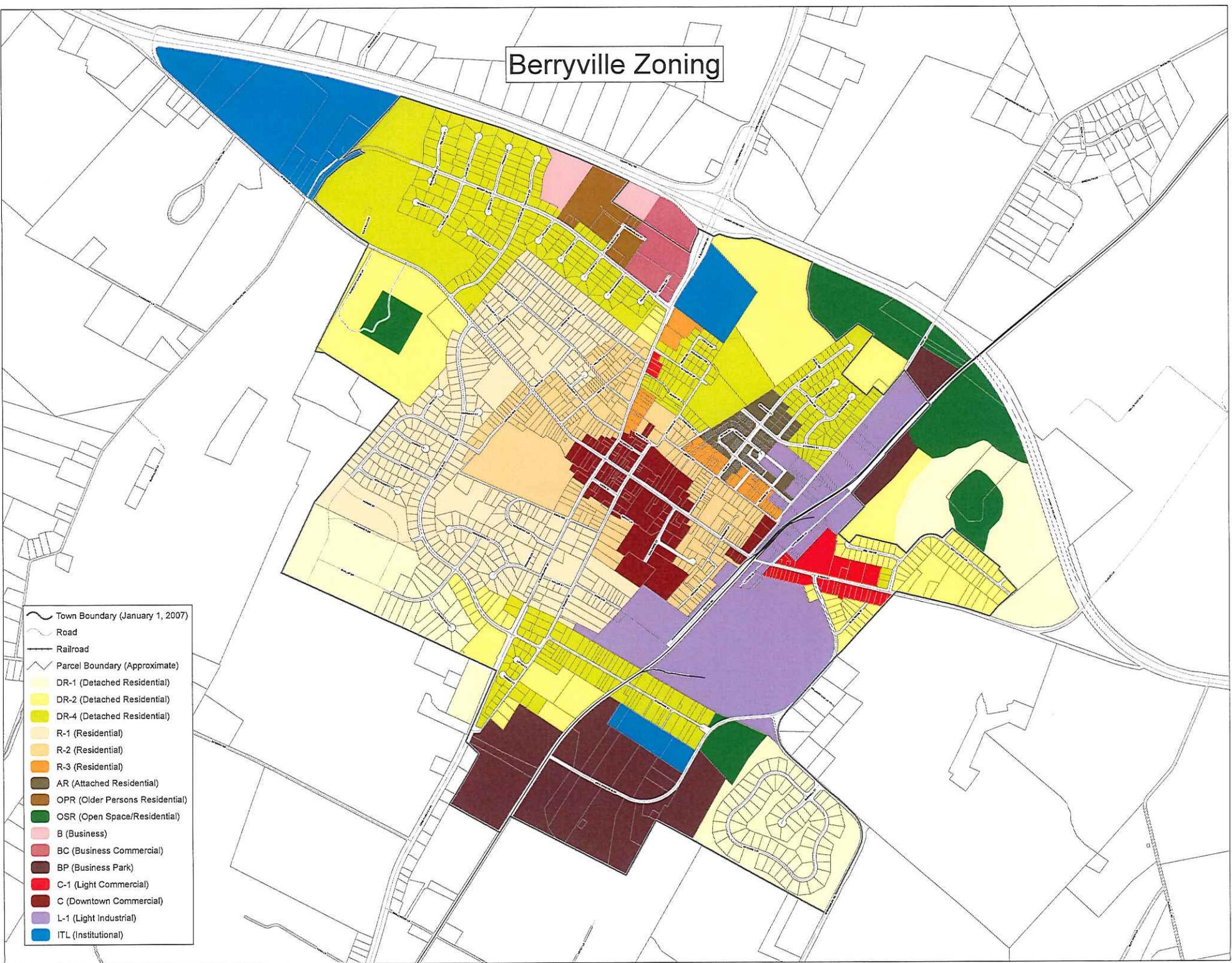
- (1) A site plan, which shall govern all development, shall be submitted for approval.
- (2) Site plans shall include provisions for the following:
 - (A) adequate public facilities;
 - (B) development phasing;
 - (C) stormwater management facilities to address the ultimate development coverage within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

Section 610 Business Commercial (BC) 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.

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)



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

RESOLUTION OF TOWN OF BERRYVILLE

The governing body of the Town of Berryville, Virginia, consisting of 6 members, in a duly called meeting held on the 9th day of August, 2016 at which a quorum was present, RESOLVED as follows:

A RESOLUTION: REMOVING SECTION 611.2(U) OF THE TOWN OF BERRYVILLE ZONING ORDINANCE CONCERNING RETAIL STORES AND SHOPS AS AN ACCESSORY USE WITH PROVISIONS AND ADDING "PERSONAL SERVICE ESTABLISHMENTS, RETAIL STORES AND SHOPS NOT TO EXCEED 10,000 FEET FOR EACH FREE-STANDING BUSINESS OR FOR EACH BUSINESS IN A SHOPPING CENTER OR STRIP MALL CENTER."

WHEREAS, the Council of the Town of Berryville supports retail development in the Business Commercial Zoning District; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Berryville, Virginia hereby initiates the modification of the Town of Berryville Zoning Ordinance allowing the uses identified above by right in the Business Commercial (BC) zoning district.

Passed this 9th day of August, 2016.

THE TOWN OF BERRYVILLE

Attest: _____

By: Patricia Dickinson, 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 9th day of August, 2016.

Harry Lee Arnold, Jr., Recorder

Patricia Dickinson
Mayor

Harry Lee Arnold, Jr.
Recorder

Council Members

Donna Marie McDonald
Ward 1

Allen Kitzelman, III
Ward 2

Erecka L. Gibson
Ward 3

David L. Tollett
Ward 4

Keith R. Dalton
Town Manager

BERRYVILLE TOWN COUNCIL

**MOTION FOR APPROVAL OF A RESOLUTION TO INITIATE TEXT
AMENDMENTS TO ARTICLE VI, SECTION 610, BUSINESS COMMERCIAL
OF THE BERRYVILLE ZONING ORDINANCE**

Date: August 9, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville approve the attached resolution and forward it to the Planning Commission to set a public hearing and to make recommendations on the proposed amendments to Section 610 of the Berryville Zoning Ordinance.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

Harry Lee Arnold, Jr., Recorder

Attachment 6

Town Council expectations for committee meeting minutes

It has been past practice for senior staff to take action minute notes at the majority of Town Council Committee meetings. Those minute notes are provided to the Town Clerk for creation of formal minutes. The Town Clerk attends meetings only when the Town Manager determines that the nature of the meeting will require someone specifically tasked with minute taking.

The Town Manager addressed this matter with the Budget and Finance Committee. He noted that he had the Town Clerk in attendance because of the nature of the meeting but would typically not have her attend every meeting. He noted that this is a matter of resource allocation.

Mayor Dickinson expressed concern about having only action minutes at committee meetings; therefore, staff wanted to discuss that matter with the Town Council to determine its expectations regarding committee minutes.

Attachment 7

Discussion

Recording of Town Council meetings and posting meeting recordings on the Town's website

Mayor Dickinson would like to begin the practice of recording Town Council meetings (see attached correspondence on this matter). It is her desire to make these recordings available to the public by posting them on the Town's website. Mayor Dickinson proposes that Town Council meeting recordings would be retained (and posted) for 12 months and then purged as allowed by law.

Staff has completed some research on this matter. Staff wanted to look at the legal, technical, and procurement issues that the Council may face if they determine they want to move forward with recording their meetings. Please find below what staff has found to date:

Legal

Staff has not consulted with legal counsel on this matter. Staff has checked with several localities that record their meetings and none of those contacted have a policy regarding this matter. These localities follow the Virginia Public Records Act regarding retention of recordings. As staff understands it, in accordance with the Virginia Public Records Act, recordings are not permanent records unless they are deemed to be of "historic value". It appears that recordings that have been the subject of a FOIA request must to be preserved for three years.

Staff recommends that prior to initiating meeting recording that the Town Council adopt a policy that at a minimum provides for:

- Where the recordings will be posted
- Destruction schedule for recordings
- How a meeting would be determined to have historic value
- How a FOIA request affects recording retention

It may be a good idea to also address recording by the general public (both video and audio) of Town meetings. Issues there might include:

- Consent (may be an issue for video)
- Non-interference with meeting (lighting or other disturbance)
- Locating equipment in a proper location so as not to interfere with safe ingress/egress

Staff requests guidance from the Town Council regarding its expectations for a policy addressing this matter.

Technical

Meetings can be recorded using a \$50 recorder or a several thousand dollar recording system.

Staff has checked with several localities that record their meetings. Those that post their recordings use a package system designed for this purpose. Companies such as Granicus, FOR THE RECORD, and Earth Channel have been identified as serving the recording needs of localities in the area.

As an example, the Town of Purcellville uses FOR THE RECORD to record their meetings. Purcellville has two permanently installed recording systems (main meeting room and conference room) and one portable recording system (for remote meetings and as a backup to be utilized if one of the permanently installed systems fails).

Staff requests guidance regarding their expectations regarding recording quality.

Procurement

Once Town Council has determined the desired level of sophistication it has in mind and has determined what the budget will be for this item then staff will have a better idea of the process that will need to be followed to complete this project.

Rec 7/5/16



MEMORANDUM

TO: KEITH DALTON, BERRYVILLE TOWN MANAGER
FROM: PATRICIA DICKINSON, BERRYVILLE MAYOR
SUBJECT: RECORDING OF TOWN COUNCIL MEETINGS
DATE: JULY 5, 2016

It is important that the citizens of Berryville engage with their local government. To this end, it is incumbent upon town council to make meeting information in a variety of formats readily available.

Currently, Town Council meeting minutes are posted as PDF files on the town website. To promote transparency and more fully inform our citizens, effective immediately, Council Meetings are to be audio-recorded and the recording posted on the town website. Please make the necessary arrangements in preparation of the July 12, 2016 Council Meeting..

If you have questions, or need more information regarding this request, please let me know.

Sincerely,



Patricia Dickinson
Mayor

M16-002

Keith Dalton

From: Patricia Dickinson (Mayor)
Sent: Thursday, July 21, 2016 1:14 PM
To: Keith Dalton
Subject: Query: Status of Meeting Recordings

Keith, I wanted to check in and see where you are with getting the town council meetings recorded. I would like to have August recorded.

thanks, Pat

Patricia Dickinson
Mayor, Berryville Virginia
101 Chalmers Court, Suite A
Berryville, VA 22611
540 955 1099
www.berryvilleva.gov

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

Keith Dalton

From: Keith Dalton
Sent: Thursday, July 21, 2016 3:58 PM
To: Patricia Dickinson (Mayor); Keith Dalton
Cc: Jay Arnold (Council); Donna McDonald; Allen Kitselman III; Erecka Gibson; David Tollett (Council)
Subject: FW: Query: Status of Meeting Recordings
Attachments: 20160721155339171.pdf

Pat:

Please find attached my response.

Take care,

Keith

Keith R. Dalton, Town Manager
Town of Berryville, Virginia
101 Chalmers Court, Suite A
Berryville, VA 22611

V 540.955.1099

F 540.955.4524

From: Patricia Dickinson (Mayor)
Sent: Thursday, July 21, 2016 1:14 PM
To: Keith Dalton <townmanager@berryvilleva.gov>
Subject: Query: Status of Meeting Recordings

Keith, I wanted to check in and see where you are with getting the town council meetings recorded. I would like to have August recorded.

thanks, Pat

Patricia Dickinson
Mayor, Berryville Virginia
101 Chalmers Court, Suite A
Berryville, VA 22611
540 955 1099
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Memorandum

Date: 21 July 2016
To: Patricia Dickinson, Mayor
From: Keith R. Dalton, Town Manager 
Cc: Town Council
Desi Moreland, Treasurer
Subject: Your Memorandum M16-002 – Recording of Town Council Meetings – Expanded Response from 5 July 2016 Memorandum (8 July and 21 July)

Additional Comments 21 July 2016

I received your email this afternoon regarding recording the August Town Council meeting.

In my 8 July 2016 memorandum on this matter I stated:

“Staff requests authorization to study this matter and present findings and a recommendations to the Town Council. Staff also requests that the Council provide any guidance it can to narrow the scope of the research. It is expected that this research will include some expense, including discussions with legal counsel.”

This matter was discussed at the 8 July 16 Town Council meeting. Staff was directed to continue researching this matter; including looking into policies and additional microphones for staff.

Staff has continued to look into that matter. Recent or ongoing efforts include:

- Town Clerk has made contact with AVTECTURE – a firm that could provide a recording and management system – she is awaiting a return call.
- Town Clerk has spoken with VIRASEC regarding storage needs - VIRASEC is of the opinion that storage should not be a problem if only 12 months of Town Council meetings are stored.
- Town Clerk spoke with the Clerk from Shenandoah County – Shenandoah County utilizes Earth Channel to provide their recording and management system. Please note that they record video as well and post the file on their website.
- The Town Clerk has contacted several other local government clerks and the Virginia Municipal League regarding policies for recording meetings and posting them on websites - no policies found at this point.
- In the morning of 20 July 2016 I spoke with the Town Manager of Purcellville, VA regarding this matter – Purcellville has been recording their meetings for approximately 10 years and posting them to the website for approximately 18 months. They have no written policy regarding the recording of meetings or the storage/dissemination of the audio files. Purcellville utilizes the same website provider that Berryville does. Purcellville utilizes FOR THE RECORD as the hardware and software provider for meeting recordation. Purcellville has two permanently installed systems and a portable system (for remote meetings and a backup). In the Town Manager’s opinion the system works well.
- In the morning of 21 July I made contact with FOR THE RECORD but, as of the writing of this memorandum, have not heard back from them.

- In the afternoon of 21 July I spoke with Gordon Russell (Clarke County GIS) regarding microphones for staff tables. He is of the opinion that this matter can be addressed with minimal cost but will have to do some checking.

It was staff's understanding that it would report the information that had been collected to the Town Council at its August meeting. Please advise me if I misunderstood Town Council's direction.

Additional Comments 8 July 2016

The specific provisions of the policy adopted by the Town Council regarding the recording of meetings and posting of the recordings on the website will affect the details of how we proceed. Staff will begin searching for sample policies used by other localities within the Commonwealth.

It appears that the records do not have to be retained beyond the approval of the meeting minutes unless they are deemed historically significant. If deemed historically significant then they become a permanent record. The retention time established in the Town's policy would give us a feel for storage/memory needs. We believe that there will be options available for how the records are stored. With that said, there will be a cost associated with the storage of the records.

When the Town purchased the website package it uses, the function needed for this purpose was not purchased. In the time since the package was acquired, this function has been included in our level of service. This is not to say that there will be no costs associated with placing these records on the website but the functionality is in place.

Staff is unable to make a recommendation at this point regarding the purchase of a recording device/system.

Staff requests authorization to study this matter and present findings and a recommendations to the Town Council. Staff also requests that the Council provide any guidance it can to narrow the scope of the research. It is expected that this research will include some expense, including discussions with legal counsel.

5 July 2016 Memorandum

After receipt of your memorandum this afternoon I began work to address this matter.

I met with the Town Clerk to discuss the matter. I have directed the Town Clerk do the following:

- Contact VIRASEC (our IT contractor) regarding storage for audio files
- Contact CIVIC PLUS (our Website provider) regarding whether our existing platform will support the provision audio files and if not what upgrade will be necessary
- Contact the FOIA Council to confirm my understanding that the audio file will become a permanent record (information needed as we look at storage, policy, etc.)
- Contact the Virginia Municipal League regarding any issues/challenges other jurisdictions have encountered when they begin to record meetings and place them on their website. She is also to see what existing policies regarding audio files of meetings are available for our review.

I also spoke with Lora Walburn about the recording device the County Clarke uses. Staff will research this matter further to make sure we have a good solution available.

Staff will work to have information ready for discussion at the 8 July work session should you wish to discuss the matter at that time. I will update you soon on our progress in this regard.

I have one question at this point that will help us better discuss this matter with VIRASEC and CIVIC PLUS. Do we want to record Town Council meetings only or do we want to record (and make available of course) all Town meetings (e.g. Planning Commission, Berryville Area Development Authority, Board of Zoning Appeals, and Architectural Review Board)?

Attachment 8

MINUTES
BERRYVILLE TOWN COUNCIL
BUDGET AND FINANCE COMMITTEE
Berryville-Clarke County Government Center
Called Meeting
July 20, 2016
10:00 a.m.

Committee members: Present- Erecka Gibson, Chair; Patricia Dickinson

Staff: Keith Dalton, Town Manager; Desiree Moreland, Treasurer/Assistant Town Manager-Finance and Administration; Ann Phillips, Town Clerk

Others: Harry Lee Arnold, Jr., Alton Echols

Press: Jim McConville, Winchester Star

1. Call to Order

Chair Gibson called the meeting to order at 10:06 a.m.

2. Discussion – Mapping of the Town’s accounting systems and internal controls

Ms. Gibson said the Town Council had passed a motion to issue an RFP for additional auditing services if necessary. She said the next step is meeting with the current auditors. Ms. Moreland offered several dates on which the auditors could visit. Ms. Dickinson requested to discuss agenda item 3 before continuing the discussion of item 2. Ms. Gibson said there was no further discussion on the item, but a date to meet the auditors needed to be set. By consensus, the committee chose August 18 at 9 a.m. to meet with representatives of Robinson Farmer Cox to discuss how they conducted the audit and internal controls.

3. Discussion – Section 2-6 of the Code of Berryville – Signing of checks on town funds

Ms. Gibson said Mr. Dalton had provided the section of Town Code which she read to the committee. She opened the floor to Ms. Dickinson who said there have been several memos on the subject. She cited Mr. Dalton’s July 5 memo in which he explained the use of a particular bank account and she said it sounds like a petty cash account. She said she does not understand why there are 14 separate bank accounts. Ms. Moreland said there are checks on only three accounts. Ms. Gibson asked which accounts have checks. Ms. Dickinson referenced various documents from the bank, some showing one signature required and some showing two signatures required. Ms. Gibson said that policy states that other than payroll, all checks must be signed by the Treasurer or Town Manager and the Mayor or the Recorder. She asked if that is how the accounts are currently set up saying one signature checks do not meet the requirement. Mr. Dalton deferred to Ms. Moreland who said the accounts in question are used to move funds in to an operating account. Ms. Dickinson said this does not sound like petty cash given the amount of money in the accounts. She said more electronic transfer of funds happens now than when the code was written. Ms. Dickinson said she could not get access to an account at BB&T bank because she is not a signer on the account. She said only one person has access and control of all accounts. Ms. Gibson said that at the least, the Town should satisfy the code the way it is written. Ms. Dickinson said that adequate controls need to be in

place. Mr. Dalton said there were two issues, the so-called petty cash account, and the accounts used for ACH and electronic fund transfer. Ms. Dickinson said that two signatures are required on all accounts. Ms. Moreland said the Town is audited every year. Ms. Dickinson said that the auditors should have known about the required two signatures and she found no reference to the one signature account in the auditor's management reports. Ms. Gibson and Ms. Moreland agreed that the procedures can be easily arranged to meet the code.

Ms. Dickinson asked about the money in the account at the BB&T bank. Ms. Moreland said the account holds parking meter revenue because at the time, they were the only bank that accepted and counted the change from the parking meters. She said this account is now dormant. Ms. Dickinson said that three accounts at the Bank of Clarke County are also dormant. Ms. Dickinson asked how we assure the people of Berryville after many years of lack of internal controls that the finances are in order. Ms. Gibson said an auditor needs to be asked for that assurance. Ms. Dickinson said that asking an auditor is the only way, and it can't be the same auditor currently used because of a conflict of interest. Ms. Gibson said that the committee could look at bringing in a different firm. Ms. Dickinson said a forensic audit is what is called for and moved that the committee ask the Town Council to move forward with a full forensic audit. Ms. Gibson said she did not wish to join that motion today, and that there may be an intermediate step before choosing that option. She said she will look for guidance on the proper next step. Ms. Dickinson said the mapping is the first step, and she would want to make sure the same firm that does the mapping could also do the forensic audit. Ms. Gibson said the mapping could give an opinion on the internal controls before choosing the forensic audit. Ms. Gibson said she hoped the firm doing the mapping can do a forensic audit, if needed.

Ms. Gibson asked if the dormant accounts need action. Ms. Dickinson named three other accounts at Bank of Clarke County which she said were also dormant, and one with a 0 balance. There was discussion of these accounts, including the proffer reserve and performance bond accounts, and their disposition. Ms. Dickinson said the account at BB&T should be closed and the money moved to another account.

Ms. Gibson listed action items that had been agreed to:

- dual signatures for all accounts
- ensure the proffer reserve and performance bond accounts are not dormant
- ensure that the account with a zero balance is closed
- move the BB&T account funds to an operating account

Ms. Moreland asked about using electronic transfer of funds. Ms. Dickinson suggested a written proposal for requiring two signatures for electronic funds transfer. Ms. Moreland noted that she cannot write a check to the IRS as they require EFT. Ms. Gibson said a form requiring two signatures could be used to verify EFT. Ms. Moreland asked Ms. Gibson if she could supply a sample EFT form, and she agreed to send one.

Ms. Moreland clarified that the committee wished the BB&T account to have two signatures required before she transferred the funds to another account. Ms. Dickinson responded that the account should have two signatures required when the funds are removed.

Ms. Gibson addressed the action items and said the intent is to handle potential problems from the past. Ms. Dickinson said she is researching firms that can do a forensic audit.

4. Other

Ms. Gibson listed items for future discussion:

- Budget v. Actual report
- creation of a CIP status report to be completed quarterly
- a 5-year CIP plan which she obtained from Purcellville that is concise and informative that she wishes to develop for Berryville

Ms. Dickinson discussed a quarterly budget report saying it could be done more often and be the same report as the one Ms. Gibson mentioned.

Ms. Gibson said her vision is this report be given to the Town Council, not just to the Budget and Finance Committee. Ms. Dickinson said her suggestion is to start simple, draft it and get feedback, and not to duplicate the data.

5. Adjourn

There being no further business, the meeting was adjourned at 10:57 a.m.

Attachment 9

BERRYVILLE TOWN COUNCIL
Police and Security Committee
Thursday, August 4, 2016
Berryville-Clarke County Government Center
9:00 a.m.

MINUTES

Roll:

Town Council:

Present: Dave Tollett, Chair; Patricia Dickinson

Absent: Donna McDonald

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

Press: None; **Public:** None

1. Call to Order

The meeting was called to order at 9:00 a.m. by Committee Chair Tollett.

2. Report of the Chief

Chief White reported on the recent National Night Out event saying it was well attended. He said the department has an open position, and he is nearly ready to propose a candidate to the Town Manager.

3. Ordinance Revisions - Chapter 8 (Garbage and Refuse)

There was discussion regarding the commercial collector. Ms. Dickinson moved that the Police and Security Committee forward the revised Chapter 8 of the Town Code to legal counsel for review, and following review by legal counsel that it be forwarded to the Town Council for consideration. Mr. Tollett seconded the motion which carried unanimously.

4. Parking meters and handicap parking permits

The committee asked that when new parking meter stickers are ordered that they address handicap users having four hours free parking.

5. Purchase of a police vehicle

Ms. Dickinson moved that the Police and Security Committee recommend that the Town Council authorize the expenditure of not more than \$3,000 from the General Fund Contingency Line Item to supplement the funds budgeted for the purchase of a Police Cruiser. With the addition of the Contingency funds the amount authorized for the purchase of a Police Cruiser is \$46,530. Mr. Tollett seconded the motion which carried unanimously.

6. Other

There was a discussion of grass complaints and the response. Staff was directed to develop a recommendation for the next code section to be reviewed.

The next committee meeting is scheduled for September 6, 2016, at 9:00 a.m.

7. Adjourn

There being no further business, the meeting was adjourned at 9:50 a.m. on a motion by Ms. Dickinson, seconded by Mr. Tollett, and passed unanimously.

Attachment 10



Berryville Police Department

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

policeadmin@berryvilleva.gov

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

W. Neal White – Chief of Police

MEMO

DATE: 08/04/2016

TO: Town Council

FROM: Chief W. Neal White

CC:

RE: Police Department Monthly Report – 08/09/2016

Monthly Activity Report

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

Police and Security Committee

The Police and Security Committee met on August 4, 2016. Minutes from this meeting are attached. There were two items from the meeting that were voted on by the committee for approval by the full Council. The first matter involves revisions to Chapter 8 of the Berryville Town Code. The second item is for the approval of an additional \$3,000.00 from the contingency fund to be utilized for the purchase of a new police vehicle.

The committee will meet again on September 6, 2016 at 09:00 AM.

National Night Out

National Night Out was a huge success and received tremendous community support. Officer Joe Shoremount deserves special recognition for his planning and coordination of the event. The following businesses and partner agencies were also largely responsible for the success of the event:

Clarke County Sheriff's Office
John H. Enders Fire & Rescue
Clarke County Social Services
The Laurel Center
Boyce Fire Company
Virginia State Police
Camino Real
Berryville Grille
Waterloo Sheetz

Mt. Weather Police Department
Blue Ridge Fire & Rescue
Clarke County Animal Shelter
Clarke County Commonwealth's Attorney Office
Dewey's Towing
Mario's Pizza
Norton Embroidery
Double Tollgate 7-11
Boyd's Nest



Berryville Police Department

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

W. Neal White – Chief of Police

Audley Farms
Wayside Farm Fun
Berryville True Value
Berryville Dollar General
Costco

Lone Oak Tavern
Boyce Handy Mart
Winchester Grand Rentals
Berryville Food Lion



Berryville Police Department

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

W. Neal White – Chief of Police

POLICE AND SECURITY REPORT

Month: **July** **Year To Date** **July** **June**
Year: **2016** **2016** **2016** **2016**

Complaints Answered

911 Hang Up:	18	6	1
Alarms:	66	13	9
Animal Complaint:	55	10	9
Assault And Battery:	10	1	1
Assist County:	10	1	4
Auto Larceny:	2	0	0
Burglary:	5	0	1
Civil Complaints:	54	13	1
Disturbance (Non Violent):	37	9	6
Domestic Disturbance:	0	0	0
Drunk In Public:	7	0	2
Forgery & Uttering:	0	0	0
Fraud:	2	1	0
Grand Larceny:	5	2	1
Harassment/Intimidation:	18	6	2
Homicide:	0	0	0
Juvenile Related:	40	13	6
Noise:	24	5	5
Petty Larceny:	11	3	0
Public Service:	30	4	6
Rape:	0	0	0
Robbery:	0	0	0
Runaway:	1	0	0
Shoplifting:	0	0	0
Suspicious Activity:	90	8	15
Trespassing:	8	0	2
Vandalism:	18	3	5
Welfare Check:	86	15	13
Miscellaneous Complaints:	132	17	18
Total Complaints Answered:	729	130	101



Berryville Police Department

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W. Neal White – Chief of Police

Traffic

Accidents Investigated:	19	5	3
Assist Motorist:	23	4	4
Child Safety Seat Install:	15	0	3
Funeral Escort:	18	3	3
Hit & Run:	6	0	0
Parking Tickets:	83	15	36
Traffic Warnings:	151	35	27

Traffic Summons Issued

Defective Equipment:	1	0	0
Driving Suspended:	6	0	0
Expired Inspection:	3	2	0
Expired Registration:	4	1	0
Fail To Obey Highway Sign:	73	31	6
Fail To Obey Traffic Signals:	2	1	1
Fail To Stop/Lights & Siren:	0	0	0
Fail To Yield Right Of Way:	4	0	1
Hit And Run:	0	0	0
No Liability Insurance:	0	0	0
No Operator's License:	3	0	1
No Seat Belt:	0	0	0
Reckless Driving:	8	0	2
Speeding:	38	4	11
Miscellaneous Summons:	3	0	0
Total Traffic Summons Issued:	145	39	22



Berryville Police Department

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W. Neal White – Chief of Police

Criminal Arrests Made

Abduction:	0	0	0
Arson:	0	0	0
Assault And Battery:	8	0	2
A & B On Police Officer:	1	0	0
Auto Larceny:	0	0	0
Breaking And Entering:	1	0	0
Capias:	8	2	0
Disorderly Conduct:	1	1	0
Driving While Intoxicated:	4	0	1
Drunk In Public:	5	0	2
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	11	2	3
Petty Larceny:	1	0	0
Possess Alcohol Underage:	0	0	0
Protective Order:	19	6	2
Rape:	0	0	0
Resisting Arrest:	2	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	0	0	0
Vandalism:	0	0	0
Weapons Violation	0	0	0
Miscellaneous Criminal Arrests:	15	4	3
Juvenile Arrest Total:	0	0	0
Total Criminal Arrests:	80	15	13

Found Open At Business In Town

Doors:	12	2	1
Windows:	0	0	0
Garage Doors Found Open:	0	0	0

Attachment 11

Discussion

Purchase of a Police Vehicle

The approved FY 17 budget provides for the purchase of a police vehicle. The budgeted amount for this item is \$43,530.

The quote secured for the purchase places the cost of the vehicle at 46,493 (quote attached).

The Police and Security Committee discussed this matter and recommends that the Town Council authorize the use of up to \$3,000 from General Fund Contingency to make up the short fall.

A motion to authorize the use of General Fund Contingency funds make up the short fall is attached.

BERRYVILLE TOWN COUNCIL

MOTION TO AUTHORIZE EXPENDITURE OF GENERAL FUND
CONTINGENCY FUNDS TO SUPPLEMENT FUNDS BUDGETED FOR
PURCHASE OF A POLICE CRUISER

Date: August 9, 2016

Motion By:

Second By:

I move that the Council of the Town of Berryville authorize the expenditure of not more than \$3,000 from the General Fund Contingency Line Item to supplement the funds budgeted for the purchase of a Police Cruiser. With the addition of the Contingency funds the amount authorized for the purchase of a Police Cruiser is \$46,530.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

Harry Lee Arnold, Jr., Recorder

Town of Berryville
Capital Improvement Program (CIP) Project/Purchase
Quarterly Status Report

Report Date: 7/25/2016 amended 7/26/2016

Fiscal Year Budget Line Item(s): FY 17 100-4094200-8231

Project/Purchase Name: Police Cruiser Purchase

Project Description: Purchase of a new police cruiser with equipment (radar and in-car camera)

Project Location: N/A

Ward: N/A

Funding (e.g. General, Water, or Sewer): General

Status (e.g. Initiation/Planning/Design, Implementation, or Closeout): IPD

Budget:

Project Budget 43,530

Estimated Cost 46,493 (previous estimate was 45,017)

Costs to Date 0

Remaining in Project Budget 43,530

Expected Activity in Next Quarter: Establishment of final cost/seeking of additional funds if needed/order

Comments: Latest quote has exceeded budget and staff is working to reduce cost

Once staff has received a firm quote, then we expect to request authorization to utilize \$ 2,963 from GF Cont.

Submitted By: KRD

Date: 26-Jul-16

Distribution: Town Council, Town Manager, Department Heads

Sheehy Ford - Municipal Sales & Service

641 Johnston Willis Drive - Richmond, VA 23236-3954

Phone: (804) 419-1364 - Fax: (804) 378-3685

QUOTE

Sold To: Berryville PD
101 Chalmers Court
Berryville, VA 22611

Contact: Neal White
Phone: (540) 955-3863 **Ext.**
Fax:

R.O. No:	
Date	07/26/16
Quote #	AAAQ8801-01
P.O. Number	
C / I Pay:	INTERNAL
Customer No:	
Rep	Chet Smith

Year: Make: Model: V.I.N. Stock No:

QTY	Part Number	Product Description	MSRP	Unit Price	Ext. Price
1	K8A	2017 Ford Utility, Cargo Dome Light, Dark Car, LED Spotlight, Siuren Speaker, Pre-Wired Grille, Heated Sideview Mirrors, Reverse Sensing, SYNC, Remappable steering Wheel Switches, Rear Window Power Delete, Rear Door Handles/Locks Inoperable, Full Wheel Covers, FRONT & FRONT LIGHT SOLUTION	\$0.00	\$28,620.00	\$28,620.00
1	R1	Federal Signal, Ignition Sense Solenoid Relay Kit	\$68.00	\$51.89	\$51.89
2	615506-6	6 Way Fuse Blocks, Required For Installation Of Emergency Equipment With One Fuse Block Hot All The Time And One Fuse Block Ignition Controlled	\$16.38	\$14.63	\$29.26
1	UHF2150A	Whelen, Wig-Wags,(Alternating) Headlight/Grille Light Flasher, [4] Flash Patterns (For (+) or (-) Switching)	\$69.00	\$52.16	\$52.16
2	RSB03ZCR	Whelen "TIR3" Blue Wlith Clear Lens",Horizontal Super LED With Black Flange, Surface Mount/ Grill / Door / Pushbumper Lighthead, Scan- Lock Flash Patterns Including Steady Burn And Synchronize Feature MOUNTED 2 IN GRILLE	\$96.00	\$72.50	\$145.00
1	RBKT1	Whelen, (Sold In Pairs) Grill Brackets	\$25.00	\$18.29	\$18.29
2	MCRNSB	Micron, Super LED, Surface Mount, Clear Lens, BLUE LED, Black Flange. MOUNTED TO FRONT FASCHIA FOR FRONT CORNER STROBE EFFECT.	\$158.00	\$120.40	\$240.80
1	IX8FLB	Whelen, Liberty II Series Super LED 48.50" Light Bar, Clear Lens/Blue Diodes, Take Down & Alley Light, Traffic Advisor function. CONSOLE & INTERIOR	\$3,250.00	\$2,275.02	\$2,275.02
1	295SDA1	Whelen, Dual Tone Siren Amplifier Single Unit Control Head, with 8-Switch Light Control and Standard Switching, With Timed Out Relay, Traffic Advisor, and 20 Programmable Siren Tones	\$926.00	\$696.96	\$696.96
1	425-6193	Ford Police Interceptor Utility (PI Utility) Police Equipment Console - Contour (2013+) The Ford Police Interceptor Utility Contour Console will mount up to 16" of equipment. This console offers a 12" faceplate opening with a 26 degree viewing angle and a 4" horizontal faceplate opening - providing a total of 16" of mountable equipment space. Equipment mounting depth on this console varies, with over 10" at the top, down to 5" at the bottom. The console also relocates the OEM USB/MP3 inputs as well as two (2) OEM 12v outlets and is pre-set for mounting an optional Arm Rest (425-6260). Console utilizes OEM trim pieces to give the Contour Console fit and finish. With mounting locations for the Computer Side Mount (425-5542) Each console comes standard with 16" of faceplates.	\$420.00	\$323.00	\$323.00
1	425-5071	Jotto, 3-Hole (Side Mounted) DC Power Supply Outlets	\$20.00	\$16.75	\$16.75
1	425-6260	Arm Rest - Upper Structure 7.7 x 8 x 8	\$68.00	\$52.20	\$52.20
1	425-3704	4", ABS Dual Cup Holder Faceplate	\$52.00	\$42.00	\$42.00
1	425-6117	3", Faceplate Motorola XLT2500 & APX6500	\$37.00	\$0.00	\$0.00
1	425-6141	3", Faceplate Kustom Signal Digital Eyewitness G3	\$0.00	\$0.00	\$0.00
1	425-6096	4", Faceplate Whelen 295SLSA6 Controller	\$0.00	\$0.00	\$0.00

Continued on Next Page

Quote No:

Page 1 of 2

QTY	Part Number	Product Description	MSRP	Unit Price	Ext. Price
1	425-5023/414 3	Ford Police Interceptor Utility Laptop Mount (2013+) The laptop tray will rotate 360 degrees at the end of the straight arm. Using a straight arm, our industry first feature allows you to sit and work comfortably in driver or passenger seat and store the computer screen up against dash while driving. Stand height is adjustable and can be removed from Base in seconds when not needed.	\$525.00	\$401.05	\$401.05
1	Supplied Doc	Supplied Docking Station	\$0.00	\$0.00	\$0.00
1	3423	G3 Vision Value Package: 64GB SSD, AWM/Monitor/Control, ICM, Simul-Rec, GPS, Rear Facing Interior Camera, Crash Record, All Cables & Mounting Brackets, 1 Year Warranty, Berryville PD specs, Q#1260991579634ET.	\$6,830.00	\$5,325.00	\$5,325.00
1	57SC	Golden Eagle II, Radar Dual KA DCA Band Antenna, Serial Port, Three Speed Display Windows, Target Speed Lock, Patrol Speed Blank, Stop Watch Mode, Fastest Vehicle Mode, Same Direction, Tuning Forks, Wireless Remote, PRISONER TRANSPORT & WEAPONS RETENTION	\$2,828.00	\$1,644.00	\$1,644.00
1	P4700UINT1 3A	Pro-Gard 2013+ Interceptor Utility Prisoner Partition, Passenger Half Sliding Polycarbonate Window, Side Curtain Airbag Compatible	\$626.00	\$473.76	\$473.76
1	S4705UINT1 3	Charcoal Grey ABS, Standard Transp. Seat (straight back) w/ 7 Ga. Steel Screen Window Cargo Barrier & Seat Mount. Kit	\$1,532.00	\$1,098.47	\$1,098.47
1	RP47UINT13	Pro-Gard, Ford Utility Interceptor 2013+ Recessed Panel (Space Saver)	\$102.00	\$77.72	\$77.72
1	SP47BS13	Pro-Gard 2013+ Utility Interceptor, Pair 20", 14 Gauge Steel Extension Panels, For Recessed Center Panel	\$80.00	\$60.96	\$60.96
1	SC-917-D-5- S-A	Santa Cruz, Dual Weapon Setup on the partition wall, 2 x SC-5 gun locks (specify key: #2 or handcuff), 2 x SC-1900 or 1901 butt plate, 2 x SC-502 18" long flat bars, 2 x SC-9301 bottom hinges, nuts and bolts CARGO AREA - empty SIDE & REAR LIGHT SOLUTION	\$512.00	\$333.38	\$333.38
4	RSB03ZCR	Whelen "TIR3" Blue With Clear Lens", Horizontal Super LED With Black Flange, Surface Mount/ Grill / Door / Pushbumper Lighthouse, Scan- Lock Flash Patterns Including Steady Burn And Synchronize Feature MOUNTED AS FOLLOWS: 1 EACH SIDE WINDOW IN CARGO AREA 1 ON EACH SIDE OF REAR LICENSE PLATE, VERTICLE ORIENTATION.	\$96.00	\$77.84	\$311.36
1	RBKT1	Whelen, (Sold In Pairs) Grill Brackets	\$25.00	\$18.29	\$18.29
1	VTX609R	Whelen, Vertex, "RED" (Sold In Pairs), Hide-A-Way Super-LED Lights, Single Self Contained Lighthoods With 25 Scan-Lock Flash Patterns & Steady Burn MOUNTED ONE IN EACH BRAKE LIGHT ASSEMBLY.	\$270.00	\$204.12	\$204.12
2	MCRNSB	Micron, Super LED, Surface Mount, Clear Lens, BLUE LED, Black Flange. MOUNTED TO BOTTOM OF REAR LIFT GATE FOR REAR ILLUMINATION WHEN GATE IS OPEN.	\$158.00	\$120.40	\$240.80
1	BPDGP	Berryville PD 3M Reflective Graphics	\$0.00	\$0.00	\$0.00

Within Scope of Bluefield Contract C091412,
 Equipment Installation Labor Rate
 is \$ 62.00 Per Hour,
 Richmond Market for Ford Warranty Rate
 is \$109.00 Per Hour.
 This Quote is Valid Trough the Period
 Noted in Description.

Parts	\$42,752.24
Labor (Hours/Amt)	36.70 \$2,275.40
Shipping	\$421.72
Outside Contractor Work	\$750.00
Required Misc. Install Supplies	\$293.60
Total	\$46,492.96

Attachment 12

BERRYVILLE TOWN COUNCIL
Streets and Utilities Committee
Thursday, July 28, 2016
Berryville-Clarke County Government Center
9:00 a.m.

MINUTES

Roll:

Town Council:

Present: Patricia Dickinson, Chair; David Tollett

Absent: Donna McDonald

Staff: Keith Dalton, Town Manager; Rick Boor, Director of Public Works; Christy Dunkle, Planner; Ann Phillips, Town Clerk

Press: None

Pubic: Stan Kerns, Chuyen Kochinsky, Gwen Malone

1. **Call to Order**

Chair Dickinson called the meeting to order at 9:00 a.m. It was agreed to rearrange the order of some items on the agenda to accommodate the members of the public attending the meeting.

2. **Discussion – Projects in Process: Swan Avenue Sidewalk (Safe Routes to School)**

Ms. Dunkle provided background on the project saying in 2012 a stakeholder team was assembled to create a School Travel Plan in order to apply for funding for a Safe Routes to School Infrastructure grant. She noted the existing sidewalk is in disrepair, has no curb and gutter and is too close to the travel lane per VDOT standards. She said the bid opening was in April 2016, and there was a funding shortfall. Ms. Dunkle said staff recommends re-scoping the project, and recommends there be two phases to complete the project. She said she will attend a VDOT meeting at the Regional Commission tomorrow to learn more about additional funding options.

Mr. Dalton said the re-scoping will involve removing the demolition portion from the first phase of the project and seeking additional funding for that task. Ms. Dickinson asked about the cost. Ms. Dunkle said she has current figures, and said that the engineering work has stopped until Council provides further direction. Ms. Dickinson asked whether the school board has approved the planned sidewalk drawing. Ms. Kochinsky, school board chair, said her board had approved only the easement. Mr. Dalton offered clarification saying he is not sure what the school board has received, but that school staff has been involved throughout the project. Ms. Dickinson said the drawing does not look like a sidewalk that kids will use. Mr. Dalton said factors including rock, mature trees, and the ADA requirements resulted in the design of the

sidewalk and that keeping it on the street would be much more expensive as that location would require curb and gutter.

Ms. Dunkle said the review process was long and with the estimates being done three years ago. She noted various funding deadlines and options. Mr. Dalton said revenue sharing, which is a match of funds, is a source of funding that the Town has used before. Ms. Dunkle added that the Regional Commission may be a source for creative funding options.

Ms. Dickinson questioned the design. Ms. Dunkle said it was intended for parents with strollers and for those with disabilities as well as for school children. Mr. Tollett said the only other alternative is to build on the street and construct curb and gutter. Ms. Dunkle said that option would bring its own problems at U.S. Route 340 with handling storm water. Mr. Dalton agreed the design of the sidewalk is unusual and not ideal, but said it is the best option and has been designed by engineers. When Ms. Dickinson offered an optional path, Mr. Dalton reiterated that the path is designed specifically to avoid other issues.

Ms. Dickinson asked for the total cost. Mr. Tollett said the means to find the total cost is included in the proposed motion. Ms. Dunkle said the engineers need to be re-engaged in order to generate new costs. Ms. Dickinson said a lot had been spent on engineering. Ms. Dunkle said the costs are driven by requirements by the federal government. Ms. Dickinson said this will be the most expensive sidewalk in Virginia and she struggles with that. Ms. Dunkle said she would like to re-engage the engineers. Ms. Dickinson said the engineering will cost more than the sidewalk. Mr. Tollett asked if the re-scope will include all the costs. Ms. Dickinson asked for the cost of the engineering to re-scope, and Ms. Dunkle said it was not available. Mr. Tollett asked if the engineers could provide an explanation of why the sidewalk is designed as it is shown, and Ms. Dunkle replied that it could be provided. Ms. Dickinson said she would feel more comfortable if the schools could approve the design. Mr. Dalton said the schools have the design plan. Ms. Dickinson asked about capping the engineering fee. Ms. Dunkle noted the original request had more money allocated to engineering than the re-scoping request, and that the project cannot move forward without engineers to establish costs. She added the funding cycle for VDOT grants begins August 1. Ms. Dickinson said completing this project may keep another project from being done since there is a limited amount of money. Ms. Dunkle said there was a verbal estimate of no more than \$10,000 for additional engineering.

Ms. Kochinsky said she found no documentation for the project on the school side. She said she had obtained some data from VDOT, and had spoken to the principal at Johnson-Williams Middle School who said there is less use of the sidewalk on Swan Avenue now than there had been. Ms. Dunkle said the purpose of the School Travel Plan and the SRTS program is also to encourage walking and educate children and parents about using bike and pedestrian facilities. Ms. Kochinsky said the schools

support the project. Ms. Dunkle added that the Town has done many programs and partnerships with the schools over the years to implement non-infrastructure programming identified in the School Travel Plan.

Ms. Dunkle said the project will only get more expensive with delay. Mr. Dalton added that while the SRTS grant will not die in the immediate future, VDOT standards may change, and delays may require further federal reviews, both of which would increase costs. He reiterated that for a federally funded project, the Town must follow the dictates of the federal government. He said the project either moves forward or it dies, and there are no guarantees that everything will be as planned.

Mr. Tollett moved that the Streets and Utilities Committee, with support of Clarke County Public Schools, re-scope, identify phasing, and re-bid the Johnson-Williams Middle School Safe Routes to School infrastructure project, and to seek additional funding to complete the task. Ms. Dickinson seconded the motion which carried unanimously. She added that she wants written school support for the project.

Discussion – Projects in Process: Battletown Drive Water Main

Mr. Dalton provided background on the project saying the Town has been long planned to improve fire protection and abandon a main which is not in an easement. He said two properties are affected that have been served off the back of their properties.

Mr. Dalton said following recent paving on the street, there are concerns from some homeowners about how the shoulder was re-established. He noted that one of the homeowners, Stan Kerns, was in attendance at the meeting. Mr. Dalton said that when a water line is installed, Town staff works to re-establish grass. He said when a rural street section (meaning one with a grass ditch line and no curb or gutter) is paved, typically a stone shoulder is added to get the shoulder re-established, to back up the pavement, allow for drainage, and to help with erosion control. Mr. Dalton said Mr. Kerns is concerned about the stone application. He added that staff has also met with another homeowner on this issue. He noted the photos in the agenda packet that show stone shoulders on several other recently paved Town streets. Mr. Dalton said the stone application is typical, that Town staff has consulted with VDOT, and this is normal procedure for paving operations on rural street sections. He added that he is asking whether staff is doing what Council wants them to do.

Ms. Dickinson asked Mr. Kerns to comment. Mr. Kerns said the street is ugly and that stone has been introduced into the residents' front yards. He said he wants the Town to remove the gravel, replace it with topsoil and seed it. He added that the dirt was not put back in his yard properly. He said he cannot imagine that if grass is re-seeded there will be an erosion problem. Mr. Kerns said he is requesting that in front of 6 Battletown Drive, the gravel be removed and replaced with grass.

Mr. Dalton said he realizes that grass has not taken root yet, and some of this restoration cannot take place until fall. He said the Town doesn't want the residents' yards being ugly.

Ms. Dickinson asked Mr. Tollett for his thoughts. Mr. Tollett said he knew that gravel had to be added when paving is done. Ms. Dickinson said she knows this is not the time to plant grass and said she would like to see a 60-90 day plan. Mr. Dalton asked whether staff should leave the gravel in place. Ms. Dickinson said she wants the Committee to come back with a plan. Mr. Dalton said that the Town is not trying to harm the property owner, and on any rural street section in town stone will be found under the grass along the shoulder. He added that doing the street work causes drastic change, but the grass does grow over in time. Mr. Dalton said he has talked to the other concerned homeowner who is content with the gravel, but wants some soil added in his yard. He noted this homeowner will be affected by further work to abandon the old water main, unlike Mr. Kerns.

Mr. Dalton said if the committee wants guidance from staff, he needs to know the committee's desired plan.

Mr. Kerns said the project had been convoluted and delayed. He said assurances had been given that lawns would be restored, and gravel had not been mentioned. He said it makes people angry when the Town does not do what it says it will do. Mr. Kerns said the street is ugly now with the gravel, and he wonders why it was not done right the first time.

Ms. Dickinson said she would like to see the homeowners' properties restored. She suggested doing a survey of the homeowners to see what each of them needs. Saying that their perception is the Town's reality, she suggested a punch list of homeowners' concerns. She said she will follow up with Mr. Kerns in the next two weeks.

Discussion – East Main Street Improvements

Mr. Dalton said there has been a long time discussion of improvements to East Main Street. He said in 1998, the idea had been that from Jack Enders Blvd west to the railroad, Main Street would be similar to Jackson Drive, and from Jack Enders Blvd. east to Route 7, Main Street would be similar to Mosby Blvd. Mr. Dalton noted that he and Mr. Kerns have talked about the issue and that VDOT has been in to review the matter. He said the big issue pedestrian safety, and other issues include drainage and uncontrolled access. He suggested with the new Council and committee, it is a good time to have VDOT in to talk about the issue. Ms. Dunkle noted that VDOT controls this road, and may provide funding. Mr. Tollett asked if VDOT does sidewalks, and Ms. Dunkle said they include sidewalks in their projects. She asked about addressing the timing of the extension of Jack Enders Blvd. through to U.S. Route 340. Mr. Dalton noted that discussions would need to include the Board of Supervisors and the state representatives, saying this is a \$6 million project.

Mr. Dalton said that in his opinion, East Main Street improvements need to be moved above West Main Street improvements on the county's priority list. He said the improvement of East Main Street was discussed approximately 18 years ago with a public hearing being held. He said that the public was split with some homeowners objecting to loss of property for the improvements. Ms. Dickinson asked if there was a priority list. Mr. Dalton said the Town has a maintenance priorities list passed by Council with this project being the first priority. He said that HB2 has changed how projects are funded from the 6-year plan process used in the past. He said full effort should be made to get HB2 funding for this project, and suggested having VDOT staff come speak on this subject. Ms. Dickinson said the Town has to move from intention to action items with strategies.

Ms. Dunkle said there are often inequalities in allocation of funds with the more urban areas in the state getting funding priority. She reiterated having VDOT staff speak on the issue.

Mr. Dalton discussed safety concerns on East Main Street. Mr. Kerns agreed, saying the street presents the greatest danger of any town street to pedestrians.

Discussion – School crosswalk at Main and Hermitage

Ms. Dickinson said she has noticed more kids walking and crossing at Main and Hermitage, and noted plans for the Primary school including an internet café will draw more foot traffic. Mr. Dalton said this matter has been discussed several times in recent years, and would also be an appropriate topic for a VDOT meeting. He said the issue is the width of a street that is not controlled by a signal, and sidewalk ramps. He referred to a drawing, initiated by former Council member Mary Daniel, with an area of refuge in the middle to aid in crossing. The committee discussed the drawing.

Mr. Dalton again suggested putting the topic on the agenda for a meeting with VDOT staff.

There was discussion of the walking trail located on the north side of West Main Street.

Ms. Dickinson asked if there were a strategic plan for crosswalks. Ms. Dunkle said that the Town had taken over the streets only four years ago. She said there are studies showing complacency if there are too many crosswalks. Mr. Dalton mentioned that the Planning Commission previously completed a study of sidewalk improvements.

Ms. Kochinsky said she is concerned for the safety of kids. She noted there is no yield sign at the Hermitage and Main crosswalk.

Mr. Tollett said the crosswalk at Hermitage and Main is not good for visibility.

Discussion – Crosswalk signal at Buckmarsh Street and Swan Avenue

Ms. Dunkle said the crosswalk was a priority selected in the School Travel Plan, the Town applied for revenue sharing funds, and VDOT officials have indicated that funding has been approved. Mr. Dalton said an engineer should be engaged to review the project and confirm the budget. He said the revenue sharing is a 50-50 match and the intent was to share the local cost with the schools. Mr. Dalton said moving forward, the numbers need to be firmed up, and funding commitment from the schools needs to be confirmed.

Mr. Dalton explained that this signal was planned as an activated signal, not one that flashes all the time which may lead to drivers disregarding it. He said the project planning includes solar power, easement dedication, legal work, purchase of the signal, and installation.

Mr. Dalton again said that to move forward, engineers need to firm up the numbers and funding commitment from the schools needs to be confirmed.

Ms. Dickinson said she wants to see the project plan and how the project is structured. Ms. Dunkle asked if Ms. Dickinson were referring to costs broken out by phase. Ms. Dickinson asked whether all costs were reflected in the application and Ms. Dunkle's response was yes. Mr. Dalton asked about the time frame for accepting or denying the grant and Ms. Dunkle said she would check. Ms. Dickinson asked if the project fits in with the strategic plan and Ms. Dunkle said the School Travel Plan did identify the project as the second priority after the Johnson-Williams Middle School / Swan Avenue sidewalk project.

Ms. Kochinsky said she has discussed the project with Dr. Bishop, the superintendent of schools, and they do plan to put it in the budget and help with funding.

Mr. Dalton said there were two critical crossings that he and Dr. Bishop had discussed. After this crossing, the next priority will be the crossing at West Main Street and Lincoln Avenue.

When Mr. Dalton inquired how long funding from the school board would take, Ms. Kochinsky said it would happen as soon as possible when requested because they are aware of the project.

Mr. Tollett moved that the Streets and Utilities Committee recommend that Council move forward with the crosswalk signal at the intersection of South Buckmarsh Street and Swan Avenue that has been awarded Revenue Sharing funds from the Virginia Department of Transportation and to determine the Clarke County School Board will be financially committed to assisting with the revenue sharing. Ms. Dickinson seconded the motion which carried unanimously.

Discussion – Capital Improvement Program Projects Quarterly Status Report

Mr. Dalton noted that there is a quote for the purchase of the police cruiser. He recommended that the committee take the matter to Council with a request to take the additional nearly \$3000 from General Fund contingency funds to cover the difference in cost. After discussion, the committee decided to send the matter to the Police and Security Committee which meets on August 4.

Discussion – WWTP Membrane Replacement Proposal

Mr. Dalton explained that this matter was on the agenda to start a discussion and that Mr. Tyrrell was not present to review the matter with the committee. Ms. Dickinson said she would like to see an annual cost for five and ten years. Mr. Dalton said the Mr. Tyrrell can discuss the issue at the next committee meeting. He said that now, funds are being set aside to purchase replacement membranes. The proposal before the committee would constitute purchasing the membranes now from GE. He added the advantage of this method of purchase is to be able to budget for a known cost.

Discussion – Amendments to Section 2 of the Construction Standards

Ms. Dunkle said the proposed amendments were prompted by the Town taking over public street maintenance and gleaned from the City of Winchester Public Services Standards Manual. Ms. Dickinson said she wanted more time to understand and review the document. Ms. Dunkle said the standards will be employed on a few projects. Mr. Boor said a one month delay would be alright with him.

Discussion – Rainwater Harvesting

Ms. Dickinson noted the citizen's request for use of rain water for toilets and said the issue should also be addressed by the Budget and Finance Committee. The committee discussed backflow concerns. Mr. Dalton noted that the Utilities Director has said the use gray water is not allowed under the code. Mr. Dalton said the code may have to be amended to permit this use. Ms. Dickinson asked if other towns have addressed the issue. Mr. Dalton said there is not much available from other towns, but he is not inclined to recommend gray water or rain water use without the review of the Department of Environmental Quality and the Department of Health. Ms. Dickinson said she sees several issue including finance and liability. She said she would like to see the strategies that other communities have used. Ms. Dickinson requested that Ms. Dunkle communicate with Mr. Webb, the citizen requesting to use rain water, saying that this was a complex project that needs some time to address and asking for Mr. Webb's patience while the Town responds.

Discussion – Academy Court Water Main

Mr. Dalton provided background on the project and plans for its completion. Ms. Dickinson asked how long the above ground temporary water line would be in place, and Mr. Boor replied between 30-45 days. She asked if there were any risk. Mr. Dalton

and Mr. Boor replied the only concern was the temperature of the water, and to address that, the line would be flushed regularly.

Mr. Dalton gave an overview of other issues pertinent to Academy Court. He said the sewer main needs to be replaced. He added that there is a sewer line under a house that will require the matter be addressed with trenchless technology. Mr. Boor stated that the estimated cost of the lining work is \$32,000. He added that there is a storm sewer under the corner of a house that will need attention.

Ms. Dunkle noted the water main issues in surrounding jurisdictions and said there may be ground shifting this time of year due to high temperatures that can cause problems.

Discussion –Parking meters and handicap parking permits

Ms. Dickinson said she is sensitive to this issue and suggests a sticker be placed on the meters telling handicapped drivers that they do not have to pay for parking. The committee discussed use of handicapped spaces and enforcement issues. The committee agreed to forward this matter to the Police and Security Committee for review.

Other

Mr. Dalton suggested inviting VDOT staff to meet on August 16 at 10:00am. The committee agreed.

There being no further business, the committee adjourned upon motion of Mr. Tollett at 11:18 am.

Attachment 13

Memo

To: Town Council

From: David Tyrrell

Date: August 2, 2016

Re: July 2016 Operations Report

The water treatment plant is in compliance for July 2016 with its monthly parameters per test received to date. We sent a total of 9.544 MG water to the system with a daily average production of 0.382 MGD and a daily max of 0.762 MG.

The week of July 10 we started a turnover of the stored water in the 3MG tank by first overflowing the tank for a few hours to skim the water surface then allowing the Town to run on the stored water for five days. We allowed the system to drain down to a little less than 9 foot of water. On July 15th when we restarted the plant, we had an issue where permanganate was getting into the finished water clear well. The chemical line injection point for the permanganate clogged and allowed the chemical to back feed into the chlorine injection line. With the help of public works with a back hoe, the line was uncovered, repaired including some damage to the line, and returned to service. A large crock for future access is installed at the injection point for the chemical. Also a back flow valve has been ordered and will be installed once it arrives to prevent this from happening in the future. As part of the cleanup process from this incident, the water plant clear well was drained, cleaned, sanitized and placed back into service.

Planning and scheduling of the backwash lagoon and pre-sediment basin cleaning is underway with a tentative date of July 29, 2016 for the lagoon cleaning. Dates will be finalized once the contractor can give us definite days for the lagoon cleaning.

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

The wastewater plant is in compliance with its discharge permit for July per the data received to date. We have treated a total of 8.89 MG with a daily average of 0.29 MGD and a daily max of 0.47 MG.

Both overhead cranes have been repaired by Mid-Atlantic Crane. A replacement safety switch is installed in the headworks crane and a new wire rope was installed on the membrane crane. Both are back in full service.

We have continued to have issues with the air conditioning in the sludge building electrical room. After much investigating, a stiff wind blew and tripped the unit. What we learned is that if a strong wind comes from just the right direction, a lack of air flow is registered by the air flow sensor and shuts the unit down. To reset we simply need to breaker down the unit and start it back up. We have set the air flow sensor to the factory recommended settings for the unit. The electrical contractors during construction had set the sensors much lower. This has reduced failures of the system.

The non-potable water system has been fully repaired and returned to full service.

A new hypochlorite pump has arrived and will be installed in the coming days.

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.

Berryville STP Monthly DMR Data

July 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
7/1/2016	0.31	7.5	24.0										
7/2/2016	0.26	7.3	25.0										
7/3/2016	0.27	7.7	24.0										
7/4/2016	0.27	7.4	24.0										
7/5/2016	0.40	7.4	24.0	2.00	3.01	1.00	1.50			1.18	0.56	0.84	1.74
7/6/2016	0.33	7.5	24.0	0.00	0.00								
7/7/2016	0.29	7.6	25.0	0.00	0.00								
7/8/2016	0.29	7.5	25.0										
7/9/2016	0.28	7.5	25.0										
7/10/2016	0.26	7.7	24.0										
7/11/2016	0.27	7.6	24.0										
7/12/2016	0.27	7.6	25.0	1.00	1.02								
7/13/2016	0.25	7.6	25.0	1.00	0.93								
7/14/2016	0.28	7.7	23.0	1.00	1.04								
7/15/2016	0.24	7.5	26.0										
7/16/2016	0.26	7.6	25.0										
7/17/2016	0.26	7.5	23.0										
7/18/2016	0.27	7.5	26.0										
7/19/2016	0.26	7.5	26.0	0.00	0.00	0.00	0.00			1.52	0.62	0.60	2.14
7/20/2016	0.24	7.5	26.0	0.00	0.00								
7/21/2016	0.24	7.5	25.0	0.00	0.00								
7/22/2016	0.24	7.5	26.0										
7/23/2016	0.25	7.5	27.0										
7/24/2016	0.25	7.6	26.0										
7/25/2016	0.29	7.6	26.0										
7/26/2016	0.36	7.8	26.0										
7/27/2016	0.29	7.6	26.5										
7/28/2016	0.32	7.5	26.6										
7/29/2016	0.47	7.6	26.1										
7/30/2016	0.35	7.5	26.0										
7/31/2016	0.35	7.5	26.0										
Minimum	0.24	7.3	23.0	0.00	0.00	0.00	0.00			1.18	0.56	0.60	1.74
Maximum	0.47	7.8	27.0	2.00	3.01	1.00	1.50			1.52	0.62	0.84	2.14
Total	8.89	233.9	780.2	5.00	6.01	1.00	1.50			2.70	1.18	1.44	3.88
Average	0.29	7.5	25.2	0.56	0.67	0.50	0.75			1.35	0.59	0.72	1.94
Geo Mean	0.28	7.5	25.1	1.08	1.13	1.00	1.23			1.34	0.6	0.71	1.93

Berryville STP Monthly DMR Data

July 2016

Date	Eff Total N KG/D	Eff Total P mg/l	Eff Total P KG/D	E-Coli No/100ml
7/1/2016				
7/2/2016				
7/3/2016				
7/4/2016				
7/5/2016	2.62	0.21	0.32	1
7/6/2016				
7/7/2016				
7/8/2016				
7/9/2016				
7/10/2016				
7/11/2016				
7/12/2016				1
7/13/2016				
7/14/2016				
7/15/2016				
7/16/2016				
7/17/2016				
7/18/2016				
7/19/2016	2.08	0.28	0.27	1
7/20/2016				
7/21/2016				
7/22/2016				
7/23/2016				
7/24/2016				
7/25/2016				
7/26/2016				
7/27/2016				
7/28/2016				
7/29/2016				
7/30/2016				
7/31/2016				
Minimum	2.08	0.21	0.27	1
Maximum	2.62	0.28	0.32	1
Total	4.70	0.49	0.59	3
Average	2.35	0.25	0.29	1
Geo Mean	2.34	0.24	0.29	1



Berryville Biweekly InSight Report

Date: 7/20/2016

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

System Equipment

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

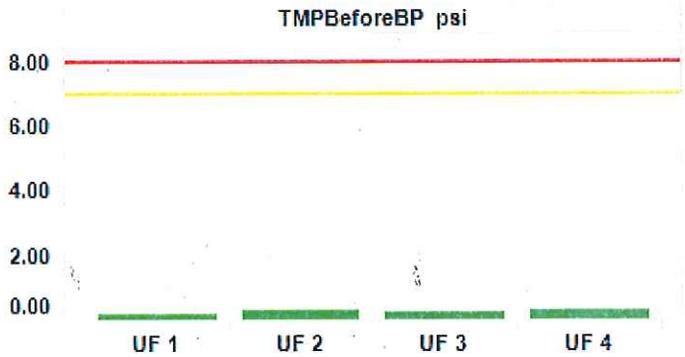
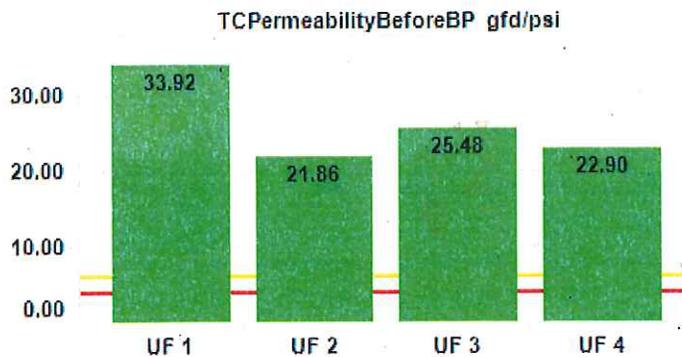
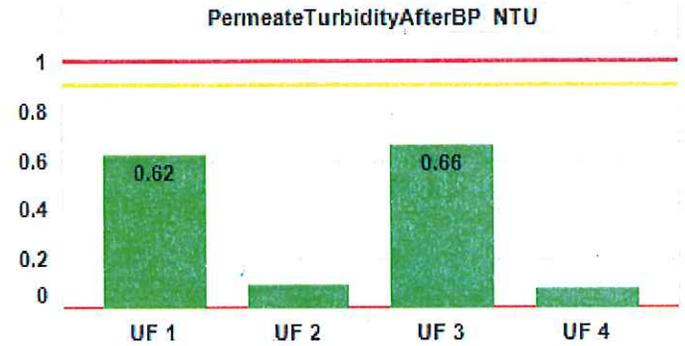
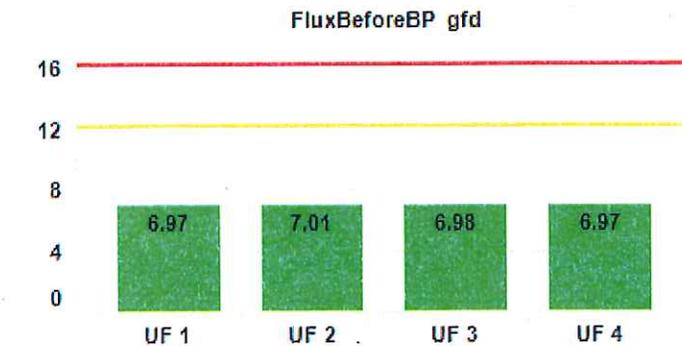
Cleaning Strategy

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





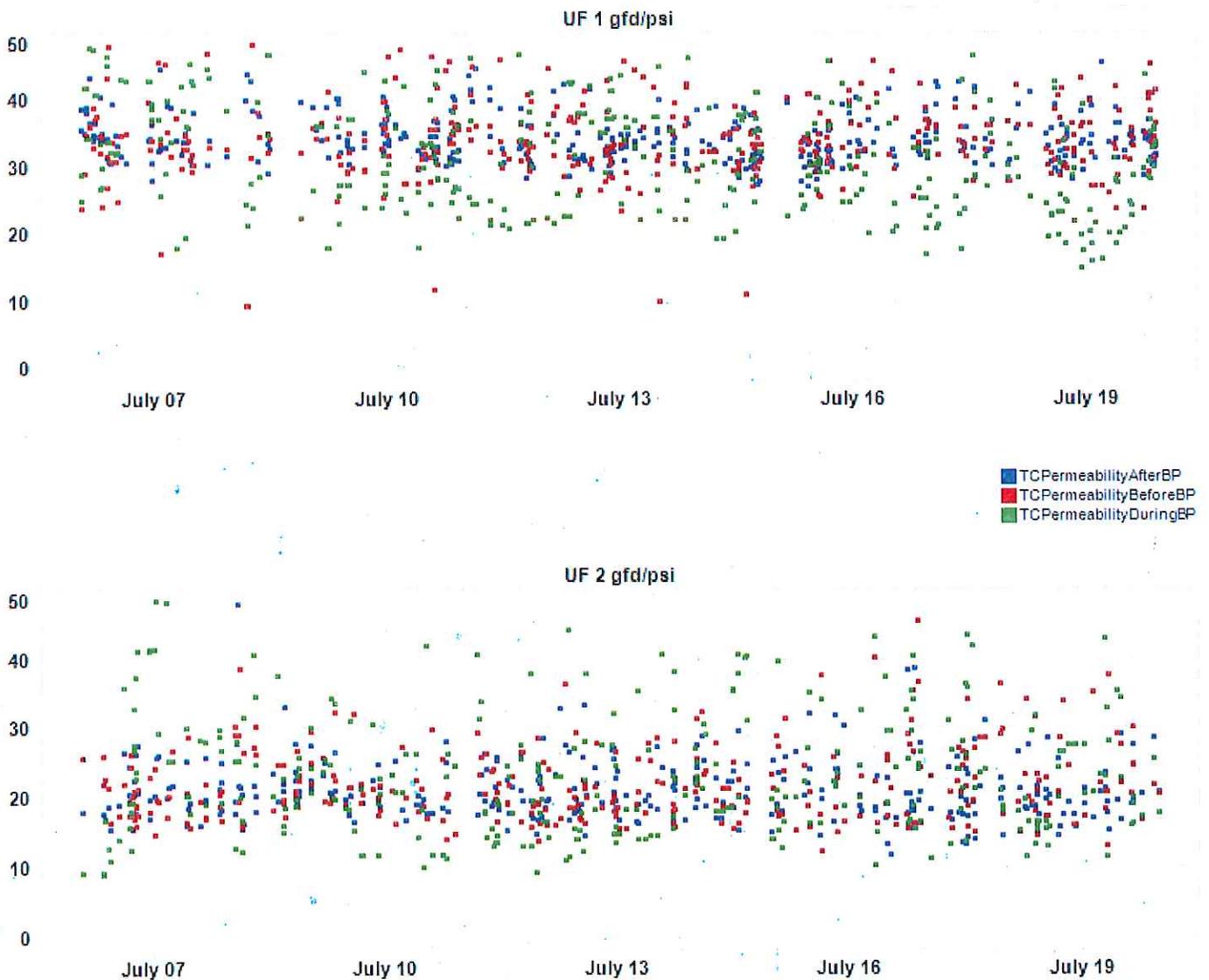
Plant Summary

The average daily plant permeate flow in the last two weeks was 273,900 Gallons with the highest flow at 316,400 Gallons on July 6th. Flows were equally distributed among the four trains. Trains operated well in relax mode.

Trains operated at an average production flux of 7 gfd, production TMPs were <1 psi at these flows. There was an acceptable level of decline in permeability since the last round of recovery cleans; Temperature corrected permeability was still excellent at ~25 gfd/psi across all four trains. Maintenance cleans were performed regularly across all the trains.

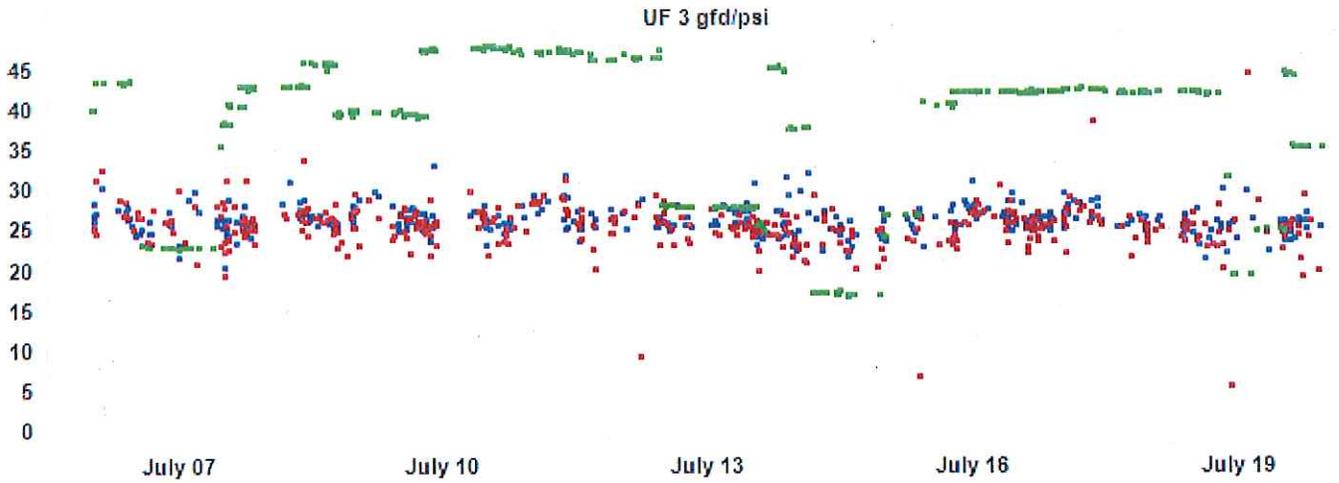
There was a jump in permeate turbidity readings from 0.1 NTU to 0.7-0.8 NTU from Trains 1 and 3 around July 7th. Please have the turbidimeters cleaned and calibrated for accurate readings.

TC Permeability Trends By Train

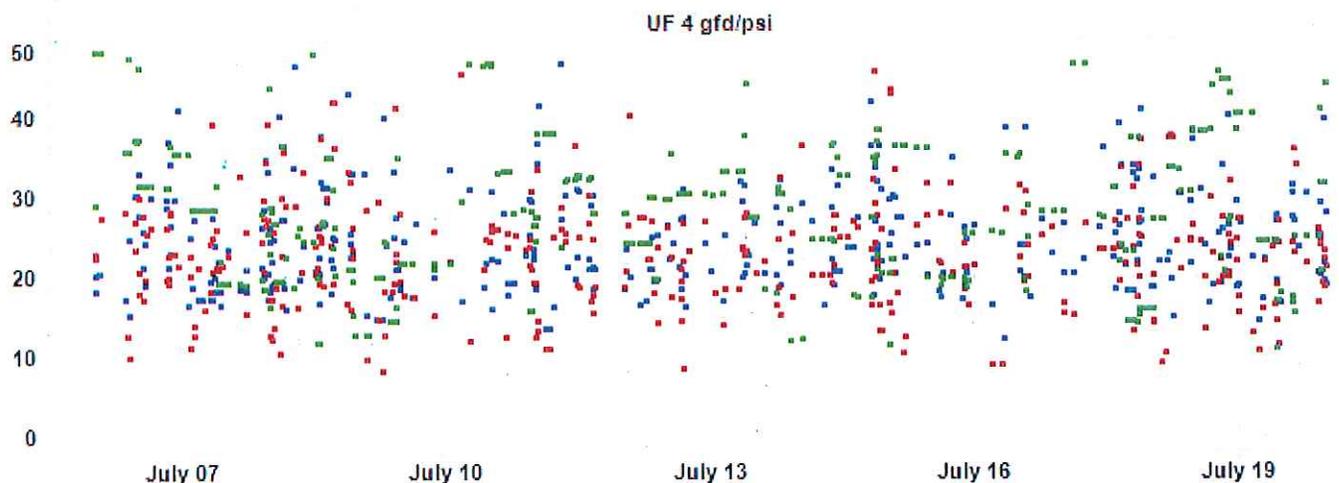




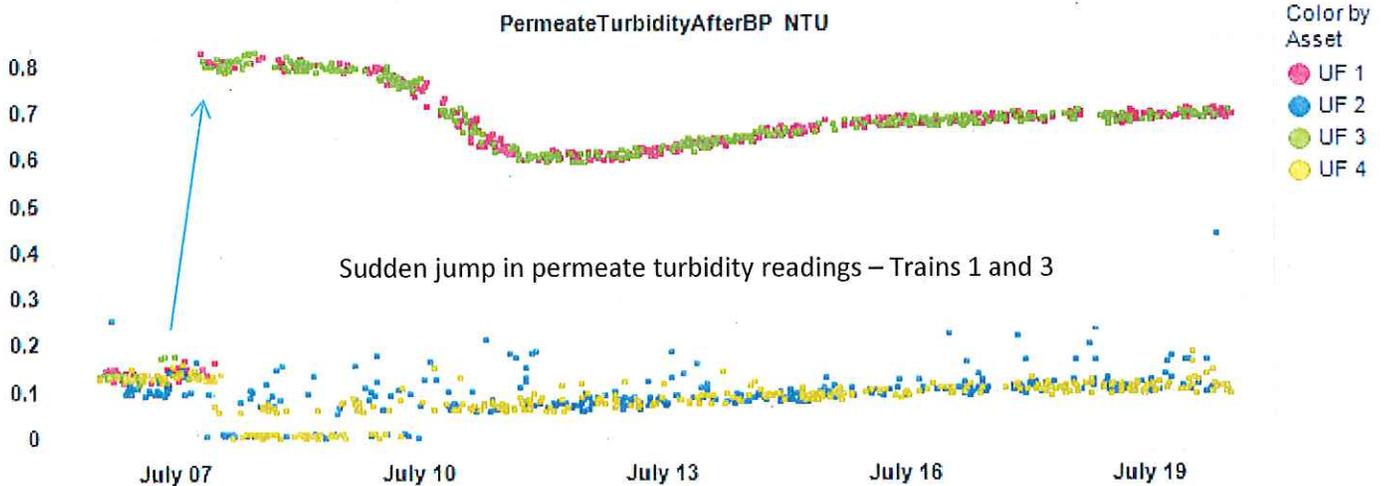
■ TCPermeabilityAfterBP
■ TCPermeabilityBeforeBP
■ TCPermeabilityDuringBP



■ TCPermeabilityAfterBP
■ TCPermeabilityBeforeBP
■ TCPermeabilityDuringBP

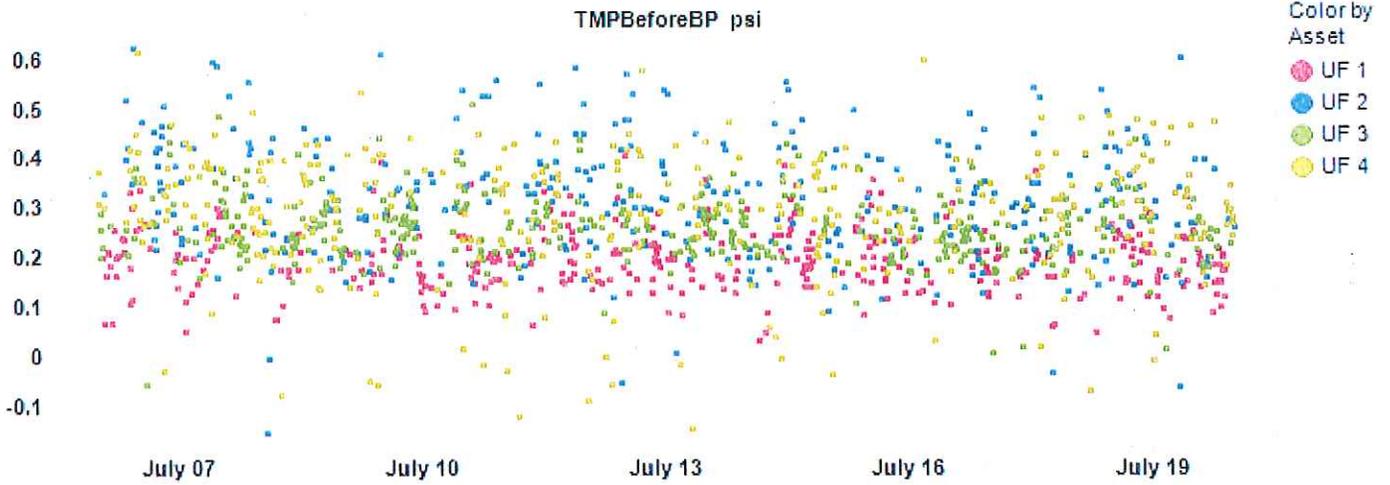


Permeate Turbidity Trend

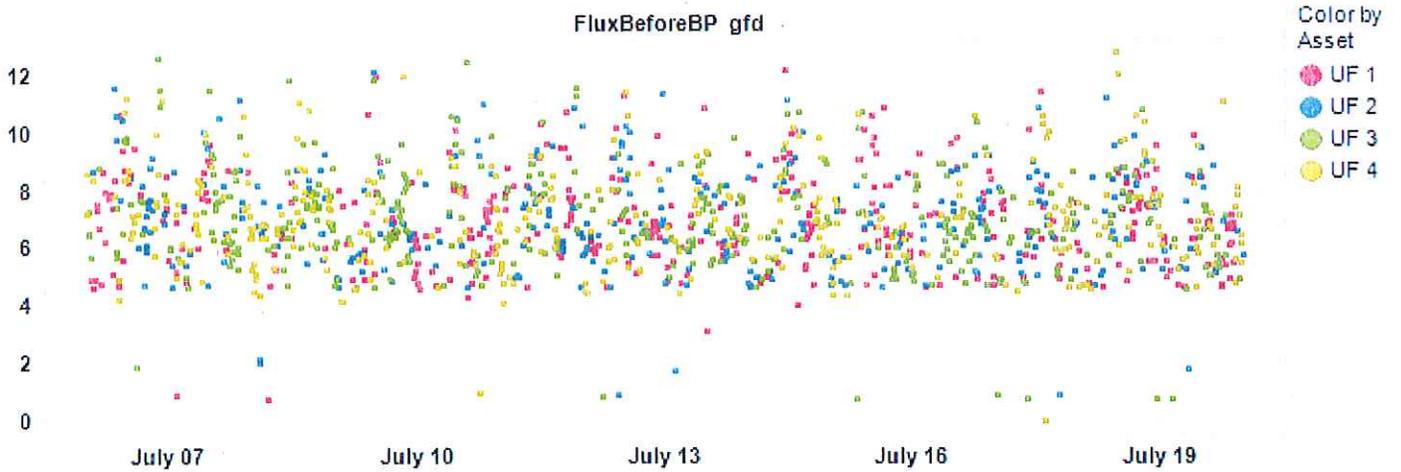




Before BPTMP Trend

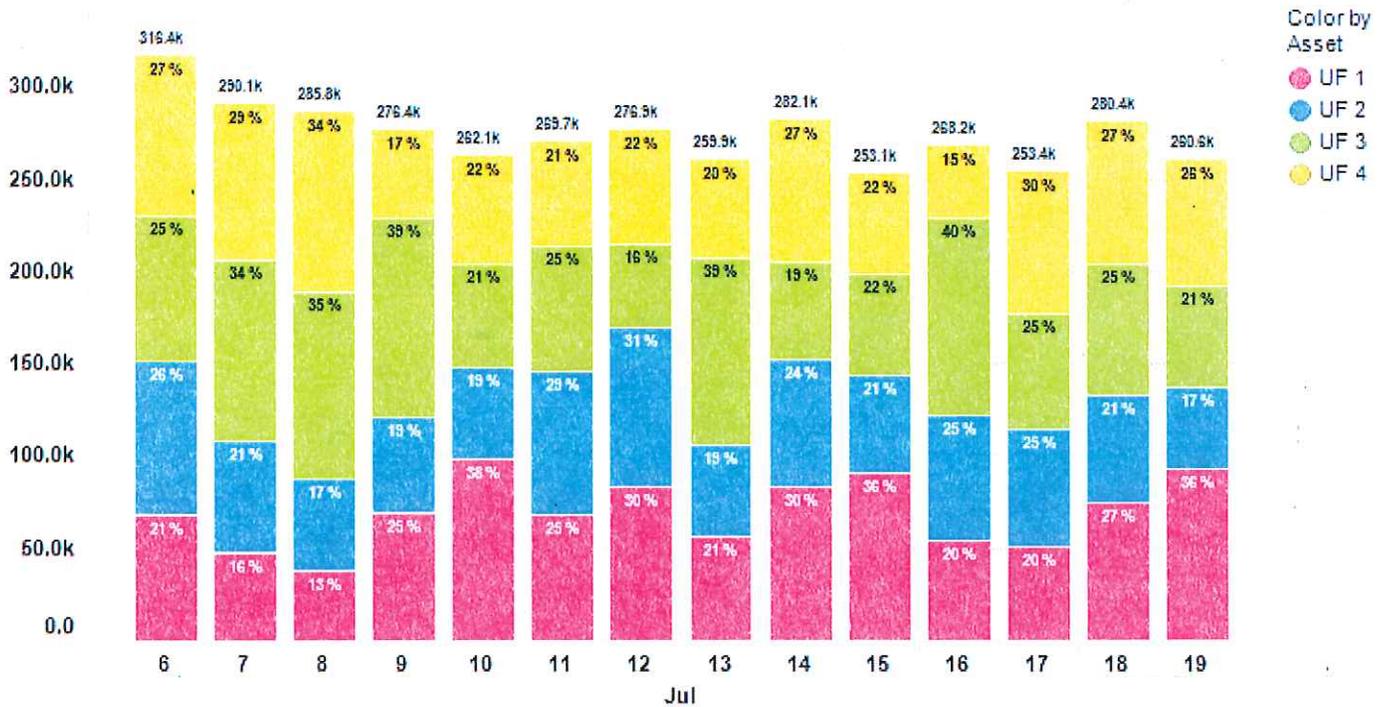


Before BP Flux Trend





Daily Permeate Flow



Average Daily permeate flow from 7/6/2016 to 7/19/2016 is 273.9k gal with a maximum daily flow of 316.4k gal.

Asset Summary

KPI Parameters	Value/Change	UF 1	UF 2	UF 3	UF 4
FluxBeforeBP gfd	Value	6.97	7.01	6.98	6.97
	Change	-3.06 %	-6.63 %	-4.20 %	-6.19 %
PermeateTurbidityAfterBP NTU	Value	0.62	0.10	0.66	0.08
	Change	77.82 %	-31.90 %	78.54 %	-54.26 %
TCPermeabilityBeforeBP gfd/psi	Value	33.92	21.86	25.48	22.90
	Change	0.44 %	3.02 %	-4.33 %	-6.99 %
TMPBeforeBP psi	Value	0.20	0.32	0.26	0.29
	Change	-10.73 %	-14.31 %	-6.23 %	-7.24 %
TotalPermeateFlowDaily gal	Value	69.65k	61.85k	75.66k	66.78k
	Change	-12.93 %	-42.24 %	-4.74 %	-19.28 %

Plant Summary

KPI Parameters	Value/Change	UF Plant
PermeateTemperature °F	Value	71.99
	Change	5.31 %
TotalPermeateFlowDaily gal	Value	273.94k
	Change	-18.83 %



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

Town of Berryville
PWSID 2043125

FLOWS AND CHEMICAL DOSAGES

July 2016

No. Connections Served: 1620
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	0.48		0.444	14.3	46	11.4	3	0.8			6.8	1.71	0.119	0.030	6	1.5			16.6	4.2		
2	0.261		0.224	7.8	30	14.0	3	1.2			3.4	1.56	0.075	0.034	0.0	0.0			8.4	3.9		
3	0.216		0.204	6.0	20	11.3	2	1.0			3.4	1.89	0.044	0.024	0.0	0.0			6.5	3.6		
4	0.243		0.213	7.0	25	12.5	1	0.6			3.4	1.68	0.040	0.020	2.0	1.0			7.6	3.7		
5	0.457		0.415	13.8	35	9.3	3	0.8			3.6	0.96	0.070	0.018	4.0	1.0			13.8	3.6		
6	0.509		0.462	15.0	46	10.7	3	0.8			6.7	1.59	0.097	0.023	4.0	0.9			15.6	3.7		
7	0.502		0.453	15.0	46	10.9	4	1.1			6.7	1.59	0.101	0.024	4.0	1.0			15.6	3.7		
8	0.382		0.343	11.3	25	8.0	3	0.9			3.5	1.11	0.084	0.026	0.0	0.0			11.7	3.7		
9	0.222		0.206	6.5	15	8.2	1	0.6			3.3	1.76	0.040	0.021	0.0	0.0			6.8	3.7		
10					#####		#DIV/0!				#####		#DIV/0!		#DIV/0!					#####		
11					#####		#DIV/0!				#####		#DIV/0!		#DIV/0!					#####		
12					#####		#DIV/0!				#####		#DIV/0!		#DIV/0!					#####		
13					#####		#DIV/0!				#####		#DIV/0!		#DIV/0!					#####		
14					#####		#DIV/0!				#####		#DIV/0!		#DIV/0!					#####		
15	0.516		0.464	15.5	61	14.1	4	0.9			6.7	1.57	0.137	0.032	8.0	1.9			16.2	3.8		
16	0.325		0.297	10.5	35	13.1	2	0.7			10.1	3.73	0.088	0.033	0.0	0.0			1.0	0.4		
17	0.313		0.280	9.8	41	15.5	2	0.8			3.4	1.32	0.088	0.034	8.0	3.1			10.2	3.9		
18	0.413		0.225	9.0	46	13.2	3	0.9			3.6	1.04	0.082	0.024	0.0	0.0			9.4	2.7		
19	0.817		0.742	24.0	91	13.4	5	0.8			10.0	1.47	0.174	0.026	0.8	0.1			25.0	3.7		
20	0.828		0.762	24.0	101	14.7	5	0.8			10.1	1.47	0.143	0.021	2.0	0.3			25.0	3.6		
21	0.638		0.583	19.5	76	14.3	5	1.0			6.9	1.30	0.110	0.021	1.0	0.2			20.3	3.8		
22	0.549		0.504	16.0	56	12.2	4	1.0			6.8	1.48	0.080	0.017	6.0	1.3			16.7	3.6		
23	0.264		0.236	7.5	25	11.5	2	0.7			3.3	1.51	0.037	0.017	0.0	0.0			7.8	3.5		
24	0.276		0.254	8.0	30	13.2	1	0.5			10.9	4.74	0.055	0.024	6.0	2.6			8.3	3.6		
25	0.453		0.404	12.0	46	12.1	3	0.8			3.2	0.85	0.084	0.022	0.0	0.0			12.5	3.3		
26	0.445		0.413	13.0	51	13.7	3	0.9			7.0	1.88	0.040	0.011	0.0	0.0			13.5	3.6		
27	0.461		0.417	13.3	51	13.2	3	0.7			3.3	0.85	0.066	0.017	8.0	2.1			13.8	3.6		
28	0.454		0.414	13.0	51	13.4	2	0.6			3.5	0.92	0.066	0.017	0.0	0.0			13.5	3.6		
29	0.456		0.418	13.0	51	13.3	3	0.7			6.6	1.74	0.066	0.017	8.0	2.1			13.5	3.6		
30					#####		#DIV/0!				#####		#DIV/0!		#DIV/0!					#####		
31	0.19		0.167	5.8	20	12.8	2	1.0			0.2	0.13	0.029	0.018	0.0	0.0			6.2	3.9		
Total	10.670	0.000	9.544	310.3	1120	#####	74	#DIV/0!	0.0	0.00	136.6	#####	2.02	#DIV/0!	68	#DIV/0!	0.0	0.00	315.6	#####	0.0	0.00
Maximum	0.828	0.000	0.762	24.0	101	#####	5	#DIV/0!	0.0	0.00	10.9	#####	0.17	#DIV/0!	8	#DIV/0!	0.0	0.00	25.0	#####	0.0	0.00
Minimum	0.190	0.000	0.167	5.8	15	#####	1	#DIV/0!	0.0	0.00	0.2	#####	0.03	#DIV/0!	0	#DIV/0!	0.0	0.00	1.0	#####	0.0	0.00
Average	0.427	0.000	0.382	12.4	45	#####	3	#DIV/0!	#####	#####	5.5	#####	0.08	#DIV/0!	3	#DIV/0!	#####	#DIV/0!	12.6	#####	#####	#####

SIGNED: (OPERATOR IN RESPONSIBLE CHARGE) _____

PRINTED NAME David A Tyrrell

TITLE: OPERATOR CLASSIFICATION Class 1
DPOR CERTIFICATION NO. 1955002813

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

Shenandoah River - Entire Month

Attachment 14

Report of the Department of Public Works
August 4, 2016

We experienced no water breaks during the past month. During our monthly reading of the water meters we found several customers who had high water usage. If a meter shows abnormal usage we go back and do a re-read of the meter. Once the meter reading is confirmed we then contact the property owner and inform them they have a possible leak on their side of the meter. Most of the time a customer will request a work order and a Public Works employee will meet the customer and try to identify the problem. In most cases we can give the customer much needed information their plumber can use to abate the problem.

We had no sewer related problems this past month. Merritt's Sanitation pumped and cleaned the grease out of South Buckmarsh, South Gate and Boom Road Pump Stations. These three stations need to be cleaned at least quarterly. I am in the process of contacting several companies for pricing to rehabilitate several sewer mains and line some manholes. Once I get all the information and pricing put together I will forward it to Keith and to the Streets and Utilities Committee for review.

Public Works has been busy painting all the crosswalks and stop bars throughout the Town. We are centering our work in the school zones first. We should have all the painting done by August 15th.

Attachment 15

MINUTES
BERRYVILLE TOWN COUNCIL
PERSONNEL COMMITTEE
Berryville-Clarke County Government Center
Called Meeting
July 20, 2016
9:00 a.m.

Committee members: Present- Erecka Gibson, Chair; Patricia Dickinson; Harry Lee Arnold, Jr.
Staff: Keith Dalton, Town Manager; Christy Dunkle, Planner/Assistant Town Manager-Operations; Neal White, Chief of Police; Ann Phillips, Town Clerk
Press: None

1. Call to Order

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

2. Discussion – Review of Job Descriptions and Employee Classifications

Chair Gibson noted the information items received by the Committee as follows:

- listing of the salary and raises for four exempt salaried employees
- job descriptions for those four exempt employees
- employee salary classifications for FY 2016
- task descriptions for the Planner and the Police Chief
- salary survey from the APA
- police department salary study
- Compensation Study for Clarke County from 2014

Chair Gibson inquired as to the goal of the review of job descriptions and classifications and what was to be accomplished. Ms. Dickinson said the goal was to set minimum, middle, and maximum salaries for each category or classification, not per person. Mr. Arnold said classifications has already been done, and Mr. Dalton noted those were included in the agenda packet. Ms. Gibson asked how the classifications had been developed. Mr. Dalton said the classifications were based on the salaries at the time and were updated annually. Ms. Dickinson asked what data was used in the development of the classifications. Mr. Dalton said the classifications were based on where the salaries were at the time, and have been updated with inflation and significant market increases. Ms. Dickinson asked when the salaries were originally set, what info was used. Mr. Dalton said that when the classifications were developed, the original salaries were the basis. Ms. Dickinson asked when the classifications had first been developed and what method was used. Mr. Dalton said the classifications were developed in the early 2000s and existing salaries were the basis, and that no formal study had been done. Ms. Dickinson asked what could be done if one of the newly increased salaries fell outside the existing range. Mr. Dalton said that no salaries are outside the range for FY 16. Ms. Gibson asked if the Town had ever done a compensation study like the one for Clarke County. Mr. Dalton replied that no Town study has been done, but that periodically the Town Manager and Treasurer are asked to participate in surveys with the understanding that the results will be shared. He said a good compensation study is expensive, comprehensive, and informative, but the art is finding the right comparables. He added that sometimes a locality will choose comparison localities and go through the process, but may not do the funding to adopt the study's recommendations. Ms. Dickinson said she is looking for a balance and for return on investment. She said she is not sure she wants to spend thousands.

Mr. Arnold suggested deciding whether salaries are out of alignment before deciding whether to do a compensation study. Mr. Dalton said VML may have helpful salary information. He noted there is employee market pressure in all job categories but is the greatest in the Police Department where a trained officer can go to Purcellville or Leesburg and make \$12,000 to \$20,000 more per year. Mr. Dalton said the Utilities Department will be under more pressure as every small town has to build a high-tech treatment facility and will need to keep them staffed with certified trained technicians. He added that the availability of a take-home vehicle for both the Police and Utilities Departments is also a factor in retaining employees. Mr. Arnold noted the LEOS program that had been long deliberated, very costly and was intended to help retain trained officers. Ms. Gibson said with no residency requirement, employees can go other places to work. Ms. Dunkle noted that our location in the Washington Metropolitan Statistical Area also affects our employment pool. Ms. Gibson noted that the next step is setting the minimum, middle, and maximum salaries for each job classification. She said the Police and Security Committee is reviewing police department salaries. Mr. Dalton inquired whether he should draft something asking Mr. Tollett as the Police and Security chair to report salary study results to the Budget and Finance Committee. Mr. Arnold asked whether the Streets and Utilities Committee will be reviewing the salaries in the Public Works Department. It was agreed the Committees will have input, but this Committee will take the lead. Ms. Gibson asked what the goal was in terms of pay philosophy. Mr. Arnold said if the Town has qualified employees and wants to keep them, retaining them is a cost. Ms. Gibson said she wanted the salary designations to be at least at the market rate. Ms. Dickinson said she has a different perspective in that aside from retaining employees, it is dangerous to set the salary for the person rather than the job. Ms. Gibson said the goal is to be competitive with the market. Ms. Dickinson said her approach is to begin with the end and ask what the final report will look like, what the approach should be, what data will be used, and who will be involved. Ms. Gibson suggested that Ms. Dickinson should be the project manager. Ms. Dunkle said that Chief White has a lot of information already gathered. Ms. Gibson said the committee will be looking at all the resources and add some resources also. She said the next step is a project plan.

Ms. Dickinson said the committee will begin with the salary classifications and see if these will be retained by pulling information from the other committees and assessing each position's unique and specific skills and the market for those skills. Mr. Arnold asked if the Town Council will raise salaries if it is learned that salaries are too low. Ms. Gibson said that if all salaries are found to be low, they may not all be raised at one time.

Ms. Dickinson said there are two separate things being worked on: getting a report in place, and determining a comparison of where the market is. Mr. Dalton said the Town has a job description software and is in the process of loading and updating employee job descriptions. He offered to provide updated job descriptions by the end of August. Ms. Gibson said that would be helpful and noted there needed to be updates citing the Planner's job description as having a supervisory role when she was not supervising anyone. Mr. Dalton said the descriptions need to remain flexible and that at some point planning department support staff may be re-established. Ms. Dickinson said she will do a project approach, and asked what the final deliverable will look like. Ms. Gibson said she would defer to an example, and it would have analysis and recommendation of minimum, middle, and maximum salaries. Ms. Dickinson and Ms. Gibson discussed what the report would contain. Ms. Dunkle inquired whether there is a difference between government and corporate job descriptions and classifications. Mr. Dalton said the legal aspect is the biggest difference and his aim is to reduce liability. Ms. Dunkle asked if the study of classifications meshes with the Employee Handbook. Mr. Dalton said that aspect would have to be reviewed.

3. Discussion – Appointments to fill vacancies

Mr. Dalton noted that there is currently a vacancy on the Planning Commission and explained previous methods for filling these positions. Ms. Gibson listed the current applicants. Ms. Gibson said she wished to interview those interested applicants. By consensus, August 2 from 9:00am to noon was chosen as the date to schedule interviews, with evening times offered to those unable to meet in the morning.

4. Other

Mr. Dalton noted that historically, the Town Council committee meeting minutes have consisted of very brief action only minutes taken by the staff member in attendance (usually the Town Manager), and that this was a personnel resource issue. He said he had asked the Town Clerk to take minutes for this meeting today, but it was up to the committee whether the action minutes or detailed minutes is preferred. Ms. Dickinson said detailed minutes are needed. Ms. Gibson said she would address the matter later.

5. Adjourn

There being no further business, the meeting was adjourned at 10:05 a.m.

MINUTES
BERRYVILLE TOWN COUNCIL
PERSONNEL COMMITTEE
Berryville-Clarke County Government Center
Called Meeting
August 2, 2016
10:15 a.m.

Committee members: Present- Erecka Gibson, Chair; Patricia Dickinson; Harry Lee Arnold, Jr.

Staff: Keith Dalton, Town Manager

Press: None

Other: Krish Mathur

1. Call to Order

Chair Gibson called the meeting to order at 10:21 a.m.

2. Closed Session

Mr. Arnold moved that the Personnel Committee of the Council of the Town of Berryville enter Closed Session pursuant to Section 2.2-3711.A.1 of the Code of Virginia, 1950, As Amended, for the purpose of reviewing candidates for town boards and commissions. Ms. Gibson seconded the motion which carried unanimously.

The meeting was reconvened in open session. **Ms. Dickinson moved that the Personnel Committee of the Council of the Town of Berryville adopt the following resolution certifying it 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. Mr. Arnold seconded the motion which carried on a roll call vote as follows:**

Ms. Dickinson	-	Aye
Mr. Arnold	-	Aye
Ms. Gibson	-	Aye

Certification of Closed Session

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

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

3. Discussion

The Committee discussed the applicant.

4. Adjourn

There being no further business, the meeting was adjourned at 10:49 a.m. on a motion by Ms. Dickinson, seconded by Mr. Arnold.

MINUTES
BERRYVILLE TOWN COUNCIL
PERSONNEL COMMITTEE
Berryville-Clarke County Government Center
Called Meeting
August 3, 2016
3:15 p.m., recessed and reconvened at 7:00 p.m.

Committee members: Present- Erecka Gibson, Chair; Patricia Dickinson; Harry Lee Arnold, Jr.

Staff: Keith Dalton, Town Manager

Press: None

Others: Kara Rodriguez, Daniel Garrett, Bryant Condrey

1. Call to Order

Chair Gibson called the meeting to order at 3:15 p.m.

2. Closed Session

Mr. Arnold moved that the Personnel Committee of the Council of the Town of Berryville enter Closed Session pursuant to Section 2.2-3711.A.1 of the Code of Virginia, 1950, As Amended, for the purpose of reviewing candidates for town boards and commissions. Ms. Dickinson seconded the motion which carried unanimously.

The meeting was reconvened in open session. **Ms. Dickinson moved that the Personnel Committee of the Council of the Town of Berryville adopt the following resolution certifying it 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. Mr. Arnold seconded the motion which carried on a roll call vote as follows:**

Ms. Dickinson	-	Aye
Mr. Arnold	-	Aye
Ms. Gibson	-	Aye

Certification of Closed Session

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

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

3. Discussion

The Committee discussed the applicant.

4. Recess

The committee recessed until 7:00 p.m. on August 3, 2016.

5. Reconvene

Chair Gibson reconvened the meeting at 7:00 p.m.

6. Closed Session

Ms. Dickinson moved that the Personnel Committee of the Council of the Town of Berryville enter Closed Session pursuant to Section 2.2-3711.A.1 of the Code of Virginia, 1950, As Amended, for the purpose of reviewing candidates for town boards and commissions. Mr. Arnold seconded the motion which carried unanimously.

The meeting was reconvened in open session. Mr. Arnold moved that the Personnel Committee of the Council of the Town of Berryville adopt the following resolution certifying it 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. Ms. Dickinson seconded the motion which carried on a roll call vote as follows:

Ms. Dickinson	-	Aye
Mr. Arnold	-	Aye
Ms. Gibson	-	Aye

Certification of Closed Session

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

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

7. Discussion

Ms. Dickinson proposed moving forward with a slate of four names for appointment as the Town Code provides for up to 15 members on the Planning Commission. The committee discussed the matter. By consensus, the committee recommended to Town Council to make appointment of Mr. Mathur, Ms. Rodriguez, and Mr. Condrey to the Planning Commission with each person to be voted on separately.

8. Adjourn

There being no further business, the meeting was adjourned at 8:39 p.m.

Attachment 16

Appointment(s) to Planning Commission

The Personnel Committee met to interview applicants for appointment to the Planning Commission. At present, there is a vacancy on the Planning Commission because Russ Heikes chose not to be re-appointed.

The Personnel Committee conducted 4 interviews. After the interviews were completed the Committee discussed the matter. Mayor Dickinson stated her interest in appointing 3 of the individuals that were interviewed to the Planning Commission. She noted that the Berryville Code provides for a Planning Commission with up to fifteen members. At present the Planning Commission has 9 members (8 positions filled and one vacancy). Mayor Dickinson stated that she wants to see the Commission expanded to increase diversity of thought, improve geographical representation, and to better reflect the opinions of those who voted in the majority in the last Town Council election.

The Committee discussed the matter at length and by consensus agreed to forward three names to the Town Council for consideration. They noted that each potential appointment should be addressed with a separate motion.

Please find attached motions for appointment of the following individuals to the Planning Commission:

Krishan Mathur
Bryant Condrey
Kara Rodriguez

Please also find attached Chapter 2, Article VI of the Berryville Code.

BERRYVILLE TOWN COUNCIL
MOTION TO APPOINT TO
THE BERRYVILLE PLANNING COMMISSION

DATE: August 9, 2016

MOTION BY:

SECOND BY:

I move that the Council of the Town of Berryville appoint Krishan Mathur to the Berryville Planning Commission for a four year term to begin August 9, 2016 and end on August 9, 2020.

VOTE:

Aye:

Nay:

Absent

Abstain:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

BERRYVILLE TOWN COUNCIL
MOTION TO APPOINT TO
THE BERRYVILLE PLANNING COMMISSION

DATE: August 9, 2016

MOTION BY:

SECOND BY:

I move that the Council of the Town of Berryville appoint Kara Rodriguez to the Berryville Planning Commission for a four year term to begin August 9, 2016 and end on August 9, 2020.

VOTE:

Aye:

Nay:

Absent

Abstain:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

BERRYVILLE TOWN COUNCIL
MOTION TO APPOINT TO
THE BERRYVILLE PLANNING COMMISSION

DATE: August 9, 2016

MOTION BY:

SECOND BY:

I move that the Council of the Town of Berryville appoint Bryant Condrey to the Berryville Planning Commission for a four year term to begin August 9, 2016 and end on August 9, 2020.

VOTE:

Aye:

Nay:

Absent

Abstain:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

ARTICLE VI. - PLANNING COMMISSION

FOOTNOTE(S):

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Cross reference— Zoning ordinance, App. A; subdivision ordinance, App. B.

State Law reference— Local planning commissions, Code of Virginia, § 15.1-427.1 et seq.

Sec. 2-78. - Created.

A planning commission is hereby created for the town.

(Code 1971, § 14-1)

State Law reference— Duty to create planning commission, Code of Virginia, § 15.1-427.1.

Sec. 2-79. - Composition; qualifications of members.

The planning commission shall consist of not less than five (5) nor more than fifteen (15) members, as may be determined from time to time by the council, all of whom shall be residents of the town, qualified by knowledge and experience to make decisions on questions of community growth and development. At least one-half (½) of the members shall be freeholders. One member may be a member of the town council and one member may be a member of the administrative branch of the town government.

(Code 1971, §. 14-2; Ord. of 12-11-79)

State Law reference— Similar provisions, Code of Virginia, § 15.1-437.

Sec. 2-80. - Appointment of members.

All members of the planning commission shall be appointed by the council.

(Code 1971, § 14-3)

State Law reference— Similar provisions, Code of Virginia, § 15.1-437.

Sec. 2-81. - Terms of members; filling of vacancies.

(a) The terms of the councilmanic member and of the town administrative member of the planning commission shall be coextensive with the term of office to which he has been elected or appointed, unless the council, at the first regular meeting of any year, appoints others to serve as their representatives. The remaining members of the commission first appointed shall serve respectively for terms of one year, two (2) years, three (3) years and four (4) years, divided equally, or as nearly equal as possible, between the membership. Subsequent appointments shall be for terms of four (4) years each.

(b) Any vacancy in the membership of the planning commission shall be filled by appointment by the council and such appointment shall be for the unexpired term.

(Code 1971, §§ 14-4, 14-5; Ord. of 12-11-79)

State Law reference— Similar provisions, Code of Virginia, § 15.1-437.

Sec. 2-82. - Reserved.

Editor's note— An ordinance adopted June 12, 1990, repealed former § 2-82, relative to members of the planning commission serving without compensation, which derived from Code 1971, § 14-7.

Sec. 2-83. - Removal of members.

Members of the planning commission may be removed, for malfeasance in office, by the council.

(Code 1971, § 14-6; Ord. of 12-11-79)

State Law reference— Similar provisions, Code of Virginia, § 15.1-437.

Sec. 2-84. - Powers, duties and functions.

The planning commission shall have the functions, powers and duties which are prescribed for it by state law or by ordinance of the town.

(Code 1971, § 14-8)