

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**August 9, 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:** None

1. Call to Order

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

2. Approval of Agenda

The agenda was approved as presented.

3. Pledge of Allegiance

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 Zone Incentives in the Berryville Code.**  
TA 02-16

Ms. Dunkle gave an overview of the proposed amendments and said that two property owners in the affected area have voiced support for the amendments. Ms. Dickinson asked for clarification on the Tourism Zone adoption process and Ms. Dunkle explained the process.

Public Hearing speakers were as follows:

Alton Echols of 400 Custer Court, Berryville, who said he supports the proposed re-zoning to include uses that are appropriate to bring in tax revenue. He said there is a missed opportunity because the area in question is not a high traffic area, and said his property in the northwest part of town fronts both Route 7 and U.S. Rt. 340 and is zoned Business Commercial. He added that his property would benefit from allowable apartments that would provide housing for the people who work in the businesses there as well as teachers and police officers. He suggested tabling the idea and allowing the Planning Commission and the Economic Development Advisory Committee to address the issue.

Christina Kraybill of 317 First Street, Berryville, who said she is interested in seeing new building uses on First Street, but is concerned about the proposal for lodging or residential uses in the area. She said her neighbors on First Street are not aware of the plans for the area.

Mayor Dickinson closed the public hearing.

5. Approval of Minutes

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

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

Nay – None  
Absent – None

6. Citizens' Forum

The speakers were as follows:

Alton Echols, 400 Custer Court, Berryville, who referred to a handout he had distributed which showed the budgeted and proposed amounts of Meals Tax revenue. He said he is a supporter of senior housing and of downtown. He said senior housing residents can produce \$14,600 per year in meals tax revenue in the downtown area. Mr. Echols said the town needs to look at revenues as development happens. He cautioned the Council about looking at Front Royal's experience with Tourism Zones saying that it is a different area than Berryville.

Kathy Pierson, 24 Bundy Street, Berryville, who said she was representing Berryville Main Street. She noted the recent and upcoming Main Street events including the Cruise-In set for August 27, and the Small Business Development training scheduled for September 12 at Modern Mercantile. Ms. Pierson noted that the Fire House Gallery has doubled its revenues over the last few months.

7. Report of Patricia Dickinson, Mayor

The Mayor said she had a wonderful item to report saying that the 2016 SafeWise report of the safest cities in Virginia shows Berryville ranked as 11<sup>th</sup> in the state. She said Chief White and his staff are to be thanked for this achievement.

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

Ms. Dunkle noted the earlier public hearing and said a motion is included as an action item. **Council member Kitselman moved 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. Recorder Arnold seconded the motion which carried as follows:**

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

Nay – None

Absent – None

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-I 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

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Ms. Dunkle noted the request for a text amendment to Article VI, Section 610 Business Commercial. Mayor Dickinson invited the applicant, Alton Echols, to speak. Mr. Echols said there has been a long standing debate about whether retail at the Food Lion area will destroy downtown. He said the missing retail uses that could locate at his site need an allowable size of 7000 to 12,000 square feet of space and will bring revenue to the town. He said by locating drug stores and auto supply stores, people will be drawn off the highway and bring business to town.

Recorder Arnold cautioned the Council about increasing the square footage limits. He said he would agree to send the matter to the Planning Commission for a public hearing, but is concerned whether a 10,000 square foot store can be supported by the community. He cited the closure of a large drug store in Winchester which has resulted in a large building sitting empty.

Council member Kitselman said this request means the Town is looking at changing 30 years of successful planning. He reiterated that he would agree with letting the issue go to the Planning Commission, but is an opponent of the idea.

Recorder Arnold said the infrastructure for a 10,000 square foot building will be costly, and that a good master plan would be needed to ensure development is done correctly.

Council member Kitselman noted that Berryville is famous in the state for being a successful small town while many other Virginia towns have suffered by adding too much development on the edges of town and causing the downtowns to suffer.

Council member McDonald noted concerns about the Food Lion grocery store closing. Council member Kitselman said the sale of the Food Lion store is a corporate buyout issue. He said there will still be a grocery store in Town.

Council member Tollett said the issue had been in discussion for a while, and he wished to see it move to the Planning Commission for a hearing. **Council member Tollett moved 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 and ask them to address the matter in an expedited manner.** Council member Kitselman and Recorder Arnold expressed concern about asking the Planning Commission to expedite their process when the matter was a major change in the plan. **Council member Tollett amended the motion to exclude the request to address the matter in an expedited manner. Council member McDonald seconded the motion which carried as follows:**

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

Nay – None  
Absent – None

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

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9. Report of Keith Dalton, Town Manager

A. Mr. Dalton said the number of committee meetings has increased, and he asked for direction from the Council about the need for full minutes taken by the Town Clerk versus action only minutes kept by the senior staff person attending the meeting. He said minutes of committee meetings are not required, but action minutes have been kept unless a meeting merited more detailed minutes. By consensus, the Council agreed that action only minutes should be kept unless staff or the committee chair cited a need for full minutes at a particular meeting.

B. Mr. Dalton said he had been tasked with researching the recording of Town Council meetings. He asked the Council for budget and quality expectations. He said there are legal aspects of the Town, the public, and the press doing the recording, and there is a need for a written policy.

Recorder Arnold said he is opposed to video recording, but said audio recording could be helpful with the minutes. He said recording may intimidate some speakers who wish to address the Council. He added he is not in favor of recordings being posted on the website, and suggested the issue needs more study.

Mayor Dickinson asked if there were a committee that would address the issue. Recorder Arnold suggested staff continue researching the matter and Mayor Dickinson offered to help. Mr. Dalton asked for the Council's direction regarding the budgeted amount. Mayor Dickinson advised keeping it simple and starting small with minimal investment.

Mr. Tollett said the policy should address why the recording is being done.

C. Mr. Dalton noted the need for the Council to meet jointly twice with the Clarke County Board of Supervisors regarding the Comcast Franchise Agreement. By consensus, a joint work session was set for September 13 at 6:30 pm and a public hearing was set for October 18 at 6:30 pm.

10. Report of H. Allen Kitselman, III – Berryville Area Development Authority Liaison  
Council member Kitselman said the BADA will meet on August 17.

11. Report of Erecka Gibson - Chair, Budget and Finance Committee

The minutes of the Budget and Finance Committee meeting on July 20, 2016, were approved unanimously.

Council member Gibson said she met with Mr. Weiss and Mr. McKay of the Clarke County Board of Supervisors to discuss Town contributions toward emergency medical services and CCPR. She said it was suggested that the County budget and finance committee make a presentation to the Town committee and she awaits scheduling of that meeting. She said she has shared her notes from her meeting with the Town Manager.

Recorder Arnold asked about the status of the need for an RFP for financial services that had been voted on at the July meeting. Council member Gibson said her committee will meet with the current auditor on August 18. Recorder Arnold stated he understood the current auditor could be asked to expand their services to provide the requested mapping. Mayor Dickinson said in the meantime, she has been contacting other accounting firms to gather information about their services. Council member

Kitselman said that the staff should do that task, and said she was not taking a healthy approach to the issue. He reminded the Mayor that she does not have authority to go out and talk to firms representing the full Council according to the adopted code of conduct. He suggested that the Mayor refer to the Town Code where her authority is clarified. Council member Kitselman said he has seen emails where the Mayor is stepping outside of her authority. He added that he is respectfully urging her to be careful and that he thinks she has gone way beyond her purview by attending county committee meetings and speaking for the Town regarding the elimination of the Berryville Area Development Authority.

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

Council member McDonald said the next meeting is set for August 30, 2016, at 6:00 pm.

13. Report of David Tollett – Planning Commission Liaison

Mayor Dickinson said Planning Commission issues had already been discussed.

14. Report of David Tollett – Police and Security Committee

The minutes of the Police and Security Committee meeting on August 4, 2016, were approved unanimously.

**Council member Tollett moved 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. Council member Gibson seconded the motion which carried as follows:**

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

Nay – None  
Absent – None

Council member Tollett said the next committee meeting will be September 6, 2016.

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

The Streets and Utilities Committee meeting minutes of July 28, 2016, were approved unanimously.

Mayor Dickinson noted the Swan Avenue sidewalk project is moving forward with the schools taking ownership of the maintenance of the sidewalk and approving the design. She said the water main project on Battletown Drive is almost complete, and the one on Academy court is in progress. She noted that crosswalks will be discussed with VDOT staff at a meeting on August 16. Recorder Arnold asked that East Main Street be discussed with VDOT staff at the same meeting.

16. Report of Erecka Gibson – Chair, Personnel Committee

The minutes of the Personnel Committee meetings on July 20, August 2, and August 3 were approved unanimously.

Council member Gibson noted the staff report that said Mayor Dickinson recommended appointing three individuals to the Planning Commission. She offered a correction saying the recommendation had been for four rather than three appointees. Council member Kitselman asked if the Council were changing the configuration of the Planning Commission. He said that doing so is not a power the Mayor has.

Recorder Arnold said in the interest of transparency, he wanted to explain how the committee chose the candidates to recommend. He said after the interviews, the committee had ranked the candidates while planning to make one appointment to fill one vacancy. He said that once the rankings were reviewed, the Mayor suggested appointing all the applicants which would effectively enlarge the Planning Commission. Recorder Arnold said that the Mayor said the Code would allow up to 15 members on the Commission. He said he is not in favor of expanding the Planning Commission.

Council member Kitselman said he would want to talk to other jurisdictions, the Town staff, and the Chair and Vice-Chair of the Planning Commission before deciding about increasing the size of the Commission.

Council member Gibson asked how the process of enlarging a commission was done in the past. Mr. Dalton said he had not seen the size of a board increased, but that it would be a Council decision made by appointing additional members.

Recorder Arnold repeated that the Mayor's desire to increase the size of the Commission was not made known until after the candidates had been ranked and the Mayor's rankings were different from the other two committee members who had ranked the candidates identically.

Mayor Dickinson said her rationale was to increase the diversity of representation on the Commission and added that most of the present Commission members live in the same part of town. Recorder Arnold said that while an effort is made to appoint members from all wards of town, qualifications and willingness to serve can skew the numbers at times. He added that the City of Winchester has only seven members on its Planning Commission.

Council member Kitselman said that this process has not been transparent, it had been sprung on the Council members, and he wants to hear from the Chair and Vice-Chair of the Planning Commission before the Council decides to increase the size of the Planning Commission.

Council member Gibson asked Council members Tollett and McDonald for their input. Council member Tollett asked if Council member Gibson was ready to make a recommendation to appoint one person to the vacancy on the Commission. He said he does not have an opinion on increasing the Commission's size until the Council hears from the Planning Commission.

Council member McDonald said she was in favor of filling the one vacancy and would defer to the Planning Commission to get a better feel about increasing the size. She said that one appointment should be made this evening.

Council member Gibson asked about upcoming openings, and Mr. Dalton explained that historically when a member's term was near expiring, the member was asked if he or she would accept re-appointment, and the Personnel Committee would then make a recommendation to the Town Council.

Council member Gibson said that a majority of Council wants to receive further input before increasing the size of the Planning Commission, but that she wished to move to appoint one person to fill the existing vacancy. **Council member Gibson moved 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 August 9, 2020. Recorder Arnold seconded the motion which carried as follows:**

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

Nay – None  
Absent – None

Council member Gibson noted that since Mr. Mathur was currently a member of the Board of Zoning Appeals, his departure from that board would leave an opening to be filled.

17. Other

There was no other business.

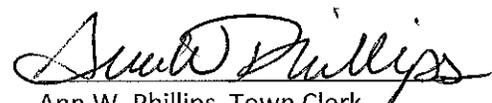
18. Closed Session

There was no closed session scheduled.

19. Adjourn

**There being no other business, upon motion of Council member Tollett, seconded by Council member Kitselman, the meeting was adjourned at 9:10 p.m.**

  
Harry Lee Arnold, Jr., Recorder

  
Ann W. Phillips, Town Clerk

**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.

**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.

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**BUDGET AND FINANCE COMMITTEE**  
**Berryville-Clarke County Government Center**  
**Called Meeting**  
**August 18, 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:** Josh Roller, Robinson Farmer Cox; Harry Lee Arnold, Jr., Gwen Malone; Brian McClemmons; Ralph Pierce

**Press:** None

1. Call to Order

Chair Gibson called the meeting to order at 10:00 a.m.

2. Discussion – RFC, Certified Public Accountants

Ms. Gibson said the purpose of the meeting was for the Committee to gain an understanding of how the Town's internal controls were assessed. She said there is a possibility that an RFP for mapping of the internal controls will be issued, and the Committee wants to understand what has been done in the past to address the issue.

Mr. Roller outlined the audit and testing procedures his firm uses. In regard to mapping, he said more extended procedures could be done, or additional and larger sampling could be added.

Ms. Dickinson asked if RFC has done full mapping of internal controls. Mr. Roller said RFC has done full mapping and it could be a separately arranged agreement.

Ms. Gibson asked if work papers from previous audits are accessible to the Town. Mr. Roller said that normal work papers are not available, but if a schedule or reconciliation is produced, those work papers would be available.

Ms. Dickinson asked Mr. Roller his opinion of the firm doing the regular audit also doing the mapping and assessment of internal controls. Mr. Roller said that doing both tasks is common and would not impair the independence of the audit.

Ms. Dickinson asked Mr. Roller to supply a list of clients for whom RFC has done mapping.

Ms. Dickinson asked Mr. Roller to identify the steps in doing the mapping. Mr. Roller said one to two days would be spent at the Town going through procedures and controls, and the report would be complete in approximately three weeks. Ms. Dickinson asked Mr. Roller to confirm

that the report would contain best practices recommendations in addition to the mapping, and Mr. Roller said that it would.

When Ms. Dickinson asked for the cost estimate, Mr. Roller said he would check with the firm and send the estimate to the Town. He added that it would be less expensive than a regular audit fee.

Ms. Gibson asked for clarification on the audit testing procedures parameters. Mr. Roller explained the procedures.

Ms. Dickinson asked if electronic transfers are audited and Mr. Roller said that electronic transfers are tested if they are over a certain threshold, but are not randomly sampled.

Ms. Gibson asked RFC to supply a cost estimate for the mapping and a list of the planned procedures. She also requested an example of what the deliverable product will look like.

Ms. Dickinson said the mapping is half of what is needed, but she also wants recommendations for such things as segregation of duties since the staff is so small.

Ms. Gibson said the staff is too small for segregation of duties, but she expects compensatory controls will be recommended.

In response to Ms. Gibson's question, Mr. Roller said the firm would not issue an opinion on the internal controls without going through the audit process. He said if a problem is discovered, the firm would recommend further action to address the problem.

Ms. Gibson asked whether it is common for mapping to be requested. Mr. Roller said it is not common, and that larger clients may do it internally.

Mr. Roller said he could have the requested items to Town staff within the next week.

Mr. Dalton re-stated the items requested as:

- an estimate for the mapping and best practices recommendation
- an example of the deliverable product
- references from mapping service clients

### 3. Adjourn

There being no further business, the meeting was adjourned at 10:18 a.m.

**MINUTES  
BERRYVILLE TOWN COUNCIL  
COMMUNITY IMPROVEMENTS COMMITTEE  
Berryville-Clarke County Government Center  
Called Meeting  
August 30, 2016**

**Committee members:** Present- Donna Marie McDonald, Chair; Allen Kitselman, David Tollett

**Staff:** Keith Dalton, Town Manager

**Press:** Cathy Keuhner, Winchester Star

**Others:** Patricia Dickinson, Janice Coon, Karen Anderson, Wayne Webb, and Alton Echols

1. Call to Order

Chair McDonald called the meeting to order at 6:00 p.m. She greeted everyone and provided time for introductions.

2. Discussion – Town Run Water Quality

Chair McDonald recognized Wayne Webb. Mr. Webb reviewed the results of water testing that he has performed in Craig's Run (in the Hermitage SWMA) and in Town Run (in Rose Hill Park). He advised that he recommended posting signs in Rose Hill Park that alerted the public to the presence of E-Coli in the Town Run. He further recommended that the Town fund testing to be performed under the auspices of the Friends of the Shenandoah River. He estimated the cost of the testing for a year to be \$600. There was a general discussion about impaired waters and what can be done to improve water quality in urbanized waterways. Karen Anderson provided information to the committee on stream impairment. The committee expressed gratitude to Mr. Webb for his proactive approach and agreed to discuss this matter with the full Council.

3. Discussion – Committee Priorities

Chair McDonald discussed her desire to set Committee priorities that addressed community needs and asked for suggestions. Mr. Kitselman advised that the results of the last community summit would be a good place to start. Staff was asked to provide those results to the Town Council.

The committee discussed having a public input session and performing a community survey, both intended to reveal public needs and priorities.

Chair McDonald noted that she has spoken with Habitat for Humanity and has been advised that they are working to fill the void left by the closure of Help with Housing. She noted that they do very good work and will be a real asset for the community.

The committee set their regular meeting, to be held as needed, for the 4th Monday of each month at 7:00 p.m.

Ms. Dickinson noted that the Committee needs to be ready to address issues that arise such as the concerns about the Darbybrook HOA and the water quality issues the committee just discussed with Mr. Webb and Ms. Anderson.

4. Other

Chair McDonald noted that Robin Betz was present and wanted to discuss her concerns about the Darbybrook HOA. Mr. Kitselman stated that this matter has been reviewed by the Town Council previously. He also noted that this matter is ultimately a legal matter and that caution was warranted during discussions. Ms. Betz stated that the residents of Darbybrook were surprised when they found out that seven lots were not a part of the association. She said she thinks that there is something amiss here and that the lots in question not being in the HOA is harmful. The Committee requested that the Town Manager review the matter surrounding the exclusion of the seven lots from the HOA and report back to them.

Mr. Kitselman suggested that the Town Council commission a structural assessment of the livery stable behind 23 East Main Street. The importance of the structure was discussed and the committee expressed general support for the concept.

The committee again discussed the idea of having a public input session as well as a survey. Staff was asked to speak with Berryville Main Street to see if they could obtain the results of recent surveys completed by that organization.

Ms. Coon discussed all of the good work that FISH was doing in the community.

Ms. Dickinson discussed the concept of quiet zones that are intended to reduce horn noise from railroad operations.

5. Adjourn

There being no further business, the meeting was adjourned at 7:17 p.m.