

**MINUTES**  
**BERRYVILLE TOWN COUNCIL & CLARKE COUNTY BOARD OF SUPERVISORS**  
**Berryville-Clarke County Government Center**  
**Joint Work Session**  
**September 13, 2016**  
**6:30 p.m.**

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

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

**Others:** Franklin Roberts, Mayor, Town of Boyce; Matthew C. Ames, Hubacher & Ames

**Staff:** Keith Dalton, Town Manager; Neal White, Chief of Police; Ann Phillips, Town Clerk; David Ash, County Administrator; Gordon Russell, IT Director; Lora Walburn, Deputy Clerk of the Board

**Press:** Cathy Kuehner, Winchester Star

1. Call to Order

Mayor Dickinson called the Town Council meeting to order at 6:31 p.m.

Chair Weiss called the County Board of Supervisors meeting to order at 6:31 p.m.

2. Discussion – Cable Television Franchise Agreement

Mr. Dalton provided an overview of the issue and referenced the original 1984 agreement that is currently in effect. He introduced Mr. Matt Ames, Esquire, who is representing the Town and County during the lease renewal. Mr. Ames discussed the update to the existing franchise agreement saying that both federal and state law affect the agreement. He noted that the agreement is for a cable franchise and has no connection with broadband services.

He said considerable time had been spent working with Comcast to choose areas of the County that are underserved, but that the towns are well covered since they easily meet the required criteria of 30 homes per mile. Mr. Ames continued saying that Comcast's biggest expense is getting cable extended further down the road, so they look for the efficiency of choosing dense population areas. Supervisor Byrd asked if the 30 homes referred to one side or both sides of the road, and Mr. Ames responded that it refers to both sides.

Mr. Ames reviewed the key terms of the proposed renewal agreement (attached following this document). He said there is a separate agreement for the three jurisdictions which are: Clarke County, the Town of Berryville, and the Town of Boyce. He said the terms are for 15 years, but can be adjusted if the governing bodies so choose. He noted the agreement calls for a continuation of the 5% state communications tax or franchise fee if the tax were to be repealed. Mr. Ames also noted that the communities can require Comcast to provide two public, educational and governmental access channels on nine months' notice and added that if the request comes more than three years from the effective date of the new franchise agreement, the locality must pay the cost of building the connection between the origination site and the Comcast headend in Winchester.

Mr. Ames highlighted the remainder of the key terms of the franchise agreement, and reviewed the fiber lease agreement and the side letter addressing existing equipment.

The Council and Board members discussed the renewal. Mr. Dalton ask about the number of subscribers in each jurisdiction. Mr. Russell and Mr. Ames replied there about 800 subscribers in the County and 800 subscribers in the Town of Berryville.

Mr. Dalton said the next step will be a public hearing.

By consensus, the Council and Board agreed to hold the joint public hearing on October 18, 2016, at 6:30 p.m.

Chair Weiss thanked the staff for their efforts on the renewal agreement.

3. Adjourn

The Clarke County Board of Supervisors adjourned at 7:06 pm.

The Council of the Town of Berryville adjourned at 7:06 pm.

  
Harry Lee Arnold, Jr., Recorder

  
Ann W. Phillips, Town Clerk

## KEY TERMS OF PROPOSED COMCAST FRANCHISE RENEWAL

### 1. Franchise Agreement:

- a. Each jurisdiction will continue to have a separate agreement with Comcast.
- b. Term of franchise: 15 years.
- c. Comcast continues to pay existing 5% state communications tax, or franchise fee if tax is ever repealed.
- d. Clarke County and the Town of Berryville have right to require up to 2 public, educational and governmental ("PEG") access channels on 9 months' notice. Boyce would receive the County's channels.
  - i. One channel would be used by the local governments, the other by the County school system.
  - ii. If request more than 3 years from the effective date of the new franchise, must pay cost of building connection between origination site and Comcast headend in Winchester.
- e. Communities can require Comcast to pay PEG capital fee of \$0.50 per subscriber per month on 90 days' notice; this fee would be collected from subscribers as a separate line item on bills.
- f. Comcast to provide free cable service at public buildings listed in Ex. A, plus additional locations within 200 feet of their plant, upon request.
- g. Agreement includes updated customer service standards and improved enforcement provisions.
- h. Comcast must serve upon request any home located within 400 feet of the public right-of-way, where there are at least 30 homes per mile along the right-of-way.

### 2. Fiber lease agreement:

- a. Clarke County and the Town of Berryville to pay \$3600/year for right to use existing fiber network.
- b. Agreement runs as long as the Franchise Agreement.

### 3. Side letter:

- a. Comcast to provide all existing equipment, at no charge.
- b. Comcast to provide up to 3 converters or other equipment to serve new public buildings, at no charge. If request more than 3, Comcast will charge standard rates.

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**September 13, 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:** Cathy Kuehner

1. Call to Order

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

2. Pledge of Allegiance

3. Approval of Agenda

The agenda was approved as presented.

4. Approval of Minutes

Council member Gibson noted an omission in her remarks at the August meeting. Council member Tollett noted a correction to Mr. Echols' remarks at the August meeting. **Upon motion of Council member Kitselman, seconded by Council Member Gibson, the minutes of the August 9, 2016 meeting were approved with corrections as follows:**

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

Nay – None  
Absent – None

5. Citizens' Forum

The speakers were as follows:

Diana Kincannon, Chairman of the Board of the Barns of Rose Hill, who gave a report of recent activities at the Barns. She said the newly placed tourist signage has increased the number of people visiting the Barns. She added that the Barns' annual report is available at the Barns for anyone interested in having a copy.

Sue Ross, Executive Director of Berryville Main Street, who said the downtown area is experiencing a small renaissance. She highlighted the recent Cruise-In event and noted upcoming activities.

Susi Bailey, 2386 Springsbury Road, who said she represented both Berryville Main Street and The Barns. She noted the recent fifth anniversary of the Barns opening.

Brian McClemens, 333 East Fairfax Street, who reviewed the contents of emails between the Mayor and Alton Echols which he obtained under a FOIA request.

Christina Kraybill, 317 First Street, who reiterated that the tourist signs recently placed on Route 7 have greatly increased visitors and sales at her business. She thanked the Mayor for participating in several ribbon cutting ceremonies.

Diane Harrison, 325 South Church Street, who noted the upcoming Clarke County Studio Tour highlighting 30 artists at 22 locations. She also noted the recently established Top of Virginia Artisan Trail.

Harold Rhode, Chief of John H. Enders Fire Company, who said the Company was glad to be able to participate the recent September 11 Remembrance. He said the Company will hold an open house on Sunday, October 9 from 1:00-4:00 pm and invited the public to attend.

6. Report of Patricia Dickinson, Mayor

The Mayor said she wished to streamline the Policy Committee and suggested the membership of the Committee be changed to include one elected member and one administrative member. Recorder Arnold said he is not in favor of a committee of one. He said too many changes are being made all at once, and that there is no great urgency to change everything in the first few months. He suggested choosing one or two priorities and bringing them to Council.

Council member Kitselman agreed, and said creating more bureaucracy is not the answer. He referred to recent emails from the Mayor and said the subject of the emails are not on the agenda, but can't be addressed in email without violating the public meeting requirement. He reminded the Council members that they should not reply to all in an email.

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

A. Rappahannock Electrical Cooperative Presentation – Ronnie Rutherford

Mr. Rutherford, Director of Member Services, gave an overview of the Cooperative's plans to install LED lights in Town as older fixtures are replaced. He said an earlier pilot program showed the lights were well received, and noted that costs are coming down. Mr. Rutherford also stated that REC had been working on a street light inventory and presented the Planner with a map of the Town with street lights located.

B. Planning Department Report

Ms. Dunkle noted the amendments to the Construction Standards and Specifications Manual. Mayor Dickinson asked why "streets and associated stormwater management facilities" had been added to Section 2 under Provision for Future Growth. Ms. Dunkle said these requirements are being established as a result of the Town taking responsibility of secondary street maintenance from VDOT in 2012. She added that these standards had been modeled after regulations from the City of Winchester and include testing obligations that developers are required to meet. The Mayor inquired whether anyone who understood the standards had reviewed them and further inquired whether or not a developer or a builder had reviewed them. Ms. Dunkle replied that she had reviewed the standards. **Council member**

Kitselman moved that the Council of the Town of Berryville approve amendments as follows to the Construction Standards and Specifications Manual in order to update Section 2 General Design Standards which regulates stormwater management facilities and to add standard details reflecting the updated narrative. Council member Tollett 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

## Section 2

### *General Design Standards*

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

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

#### *II. Phased Construction*

##### A. Delineation

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

##### B. Bonding

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

### III. Drainage

#### General

1. An evaluation shall be performed for all proposed drainage systems to ensure adequate hydraulic capacity for conveyance of the minimum ten-year event including, but not limited to, channels, storm water management facilities and conduits.
2. Hydraulic capacity must be verified with engineering calculations, in accordance with the procedures outlined in the *Virginia Erosion and Sediment Control Handbook*, the *Virginia Department of Transportation Drainage Manual*, *Town of Berryville Storm Water Management Ordinance*, and this manual. Submit two complete copies of drainage calculations with construction plans.  
Calculations shall include a copy of the site grading and drainage plan, at the plan scale, upon which the boundaries, acreages, time of concentration paths and C-factors of the interior drainage areas shall be shown. Calculations shall also include a map at an appropriate scale delineating the boundaries, acreages, time of concentration paths and C-factors of the drainage areas, upstream of the development, which would contribute storm water to the development.
3. Due consideration must be given to infrequent events (100-year) resulting in runoff quantities greater than minor system design capacity. The design for the major drainage system shall provide for overland relief of the 100-year event without flooding or damaging buildings and structures and without reliance upon the minor drainage system. The limits of the area affected by the 100-year event shall be represented on construction plans.
4. The drainage system shall be designed to honor all natural drainage divides and create no adverse impact on downstream properties; to account for all off-site storm water and; to convey discharge surface waters to the flow line of a natural watercourse or an existing underground or above-ground adequate conveyance system.
5. The owner or developer may not create a new discharge or concentrated storm water from a pipe, culvert, channel, or other drainage structure, onto or through lands of another, without first obtaining a permanent storm drainage easement and constructing improvements to guarantee continuity of an outfall from the point of discharge to the nearest natural or man-made watercourse.
6. If off-site downstream construction and easements are required to construct an adequate channel outfall, no plans shall be approved until such storm drainage easements, extending to the nearest natural or man-made watercourse, have been obtained and recorded. It will be the responsibility of the developer to obtain all off-site easements.
7. Energy dissipation devices and/or friction channel lining shall be used at and downstream of outfalls when discharge velocities exceed the maximum permissible as defined by the *Virginia Erosion and Sediment Control Handbook*.
8. Plans shall be prepared to preclude adverse impacts because of higher flow rates that may occur during construction.
9. Construction plans shall show the location, size, flow line elevations, profiles and details of all drainage facilities and structures, existing or proposed, including, but not limited to, swales, ditches, culverts under public streets and private drives, drop inlets, storm sewers and detention/retention ponds and pond outlet structures. Typical cross sections of all swales and ditches shall be shown.

10. Profiles of streets shall show profiles of storm sewers and cross sections of culverts together with point of intersection. Profiles shall show clearance of such drainage facilities with water mains and sanitary sewer.

#### Storm Sewer Systems

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

#### Final Inspection and Testing

- ~~1. All storm sewer lines shall be internally inspected by closed circuit television camera prior to acceptance. A copy of the inspection video and reports must be submitted to the Town of Berryville Public Works Director for review. All deficiencies noted~~

~~must be corrected and an additional televised inspection must be submitted to the Town for review and approval.~~

~~2. Such inspection shall be made after the storm sewer has been fully backfilled and the associated roadway sub-grade construction has been completed.~~

~~3. The cost of these inspections shall be borne by the project's owner.~~

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

## **1. General**

**A. The following minimum requirements are considered acceptable to the Town of Berryville for the collection and detention of stormwater runoff. Deviation from these may be allowed if: a) the deviation is in accordance with sound engineering standards; b) the deviation will not increase the likelihood of a system failure; c) the deviation will not adversely impact the environment or others.**

**B. As a general guideline, standards shall be those set forth in the latest editions of the Virginia Erosion and Sediment Control Handbook, the Virginia Stormwater Management Handbook, and the Virginia Department of Transportation Drainage Manual. If the standards set forth in this manual conflict for a particular application, the Director of Public Works shall determine which standard is to be applied.**

**C. When the Town of Berryville standards differ from state and/or federal requirements, the most stringent requirement shall apply.**

**D. All drawings, specifications, and engineer's reports submitted for approval shall be prepared by or under the supervision of a registered professional engineer with a current registration in the Commonwealth of Virginia in accordance with Title 54.1, Chapter 3 of the Code of Virginia, 1950, as amended. Where applicable, design may be performed under the direction of a certified Land Surveyor B, in accordance with § 54.1-408 of the above-cited code. The front cover of each set of drawings, of each copy of the engineer's report, and of each copy of the specifications submitted for review shall bear the signed imprint of the seal of the above licensed professional who prepared or supervised the preparation, and shall be signed with an original signature and date.**

**E. The engineer shall be responsible for obtaining the review and necessary approvals of all drawings and specifications by applicable Town, County, State and Federal agencies having jurisdiction. Copies of such approvals shall be submitted to the Town of Berryville Department of Public Works at the time of final approval.**

## **2. Stormwater Report**

**A. All drainage calculations shall be incorporated into a stormwater report, which shall present the following information as applicable. If the necessary calculations are minimal, they can be included on the plan sheets.**

**1. A description of the computer software used and references to charts and tables used. Computer spreadsheets or programs created "in-house," used in lieu of standard forms or standard manual calculations, shall be substantiated, at least initially, with manual calculations showing equivalent results. Acceptance of, or request for substantiation of "in-house"**

spreadsheets and programs will be the decision of the Director of Public Works.

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

watercourse, has been obtained and recorded. It will be the responsibility of the developer to obtain all off-site easements.

**B. Storm Sewer Systems**

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

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

#### **C. Easements**

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

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

1. Drop inlets shall be sized and spaced such that a minimum of one half of the travel way in each direction shall be free from flooding at the inlet design flow.
2. To properly drain sag vertical curves, it is required on roads classified as minor arterial or higher to place three inlets on each side of the road; one inlet at the low point and one flanking inlet on each side of the low point. The flanking inlets shall be placed so that they will limit the spread in the low gradient (flatter) approaches to the sag point and will act in relief of the sag inlet should it become clogged.
3. Drainage flowing in street gutters shall be intercepted 100 percent, at design flow, prior to entering an intersection with another public street.
4. Inlets which have bypass flows shall be clearly marked on the plans and bypass flow must be included in the total gutter flow contributing to the next downstream inlet.
5. Downstream flow for drop inlets in streets and parking areas shall be computed using the rational method and applying a rainfall intensity of four inches per hour. Design flow for grate inlets located near structures that

could be damaged by flooding shall be computed using the 100-year storm and assuming 50 percent blockage of the grate. Design flow for all other grate inlets shall be the same as street inlets but must assume 50 percent blockage.

#### **E. Stormwater Conveyance Channels**

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

#### **F. Stormwater Quantity**

- 1. To protect downstream properties and receiving waterways from flooding, the ten (10) year post-development peak rate and velocity of runoff from the land development shall not exceed the two (2) year pre-development peak rate of runoff.**
- 2. To protect downstream properties and receiving waterways from channel erosion, the two (2) year post-development peak rate and velocity of runoff from the land development shall not exceed the two (2) year pre-development peak rate and velocity of runoff.**
- 3. If the land development is in a watershed for which a hydrologic and/or hydraulic study has been conducted or a stormwater model developed, the program authority may modify the requirements of items 1 and 2 above so that runoff from the land development is controlled in accordance with the findings in the study or model, or to prevent adverse watershed storm flow timing, channel degradation, and/or localized flooding problems.**
- 4. The program authority may also require that the plan include additional measures to address damaging conditions to downstream properties and receiving waterways caused by the land development.**
- 5. Pre-development and post-development runoff rates shall be verified by calculations that are consistent with accepted engineering practices as determined by the program authority.**

#### **G. Stormwater Quality**

- 1. Best management practices shall be designed and sited to capture runoff from the entire land development project area and, in particular, areas of**

impervious cover within the land development, to the maximum extent practicable.

2. Best management practices shall be designed to remove the difference between post-development and pre-development total phosphorus loads in cases where post-develop loads exceed pre-development loads. The calculation method in Appendix 5D of the Virginia Storm Water Management Handbook shall be used to perform the calculations.

#### **4. Materials**

##### **A. Concrete Pipe**

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

##### **B. Corrugated Plastic Pipe**

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

##### **C. Drop Inlets**

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

##### **D. Manholes**

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

#### **5. Inspection and Testing**

**A. Concrete Pipe**

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

**B. Corrugated Plastic Pipe**

- 1. Corrugated plastic pipe shall be inspected visually during installation by the Director of Public Works or his/her designee.**
- 2. Following installation, the contractor shall perform cleaning and video inspection of the installed plastic pipe. The processes listed below shall be followed:**
  - a. The CCTV inspection must be completed per this manual and by an impartial, qualified and reputable Inspection Agency in the presence of a Town inspector. The Town reserves the right to reject an Inspection Agency.**
  - b. The Owner/Developer shall provide 48 hours notice to the Town prior to televising any pipe to allow an inspector to be on site.**
  - c. A written inspection report accompanied by visual recording shall be provided to the Town's Inspector at the end of each day of CCTB inspection. Visual recording shall be digital mpeg4 format. The written report shall be in both list form and plan view. PLEASE NOTE: VHS video tapes will not be accepted.**
  - d. It will be the Developer/Contractor's responsibility to demonstrate acceptable joint spacing.**
  - e. Deflection visible on the CCTV monitor will be assumed to be greater than 5%. The Developer/Contractor has the right to challenge this decision by direct measurement or by the use of a GO-NO-GO Mandrel. The pipe will be rechecked for damage after use of the Mandrel.**
  - f. The Developer/Contractor must repair all defects found during inspection. A follow-up CCTV inspection shall be performed by the Developer/Contractor to assure the repairs have been completed satisfactorily.**

#### *IV. Water & Sewer*

##### A. General

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

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

##### B. Design Practices

###### 1. Scope

- a. This section is included for the clarification, information and benefit of the engineering design community, to act as a guide to the practices of the Town. This section is a compilation of a variety of typical practices to be followed in the layout and design of water distribution and wastewater collection systems of the Town. The information contained in this section must be applied in conjunction with the regulations of the Commonwealth of Virginia Department of Environmental Quality, Virginia Department of Health Waterworks Regulations and the other sections of this manual.
- b. Many criteria listed are minimums. Additional separations and clearances are to be furnished as practical to optimize each design. Attention shall be given to locating utilities so as to facilitate their re-excavation. The Town will consider factors such as depth and magnitude of facility in determining the adequacy of each design, and may relax or increase dimensional requirements accordingly. In general, a design is to be sought which minimizes length of piping and number of appurtenances, while providing a system which minimizes maintenance costs.
- c. Because of the wide variety of situations that arise, it is impossible to address all scenarios. The Town reserves the right to exercise engineering judgement and will have the final decision on the acceptability of design.
- d. The Town reserves the right to amend or modify this document without notice and to interpret the meaning of all statements made herein.

###### 2. Water Distribution

###### a. Design Flows

- (i) Fire Flows. The water distribution system piping and any extensions thereof shall have adequate capacity to supply the normal (average) and peak hour demands of all customers – domestic, public, commercial and industrial – while maintaining a pressure of not less than 30 pounds per square inch at all points of delivery. In addition, the piping system shall be capable of delivering on the day of maximum customer demand, flows required for fire protection to at least one (1) point within 300 feet of each building being served or proposed to be served by such system and extension, while maintaining a residual pressure of not less than 20 pounds per square inch at the point of service. Flows required for fire protection

shall be a minimum of 750 gpm for Single Family Detached Dwelling developments, 1,500 gpm for Attached Residential or Apartment (3 stories or less), and 2,000 gpm for Commercial and Industrial developments.

(ii) Daily Demands. The following criteria will be used in estimating demands for water and accomplishing hydraulic design of the system.

(a) Average day, maximum day and peak hour demands to be used in system hydraulic design will be estimated using the following parameters:

1. Residential Population  
= N = number of dwelling units x 2.75
2. Average daily water demand of residential population in gallons per day (g.p.d.)  
= R = N x 100
3. Average daily commercial and industrial water demand in g.p.d.  
= C = number of commercial and industrial employees x 100\*  
\*NOTE: Appropriate additional water demand allowance shall be made for commercial and/or industrial establishments of types having water demands in excess of 100 g.p.d. per employee.
4. Average daily school water demand in g.p.d.  
= S = number of staff employees and students x 20
5. Average daily water demand in g.p.d.  
= A = R + C + S
6. Maximum daily water demand in g.p.d.  
= M = A x 2
7. Peak hour demand in g.p.m. is calculated using the formula provided in the Waterworks Regulations 12 VAC 5-590-690  
= Q = 11.4 x N<sup>0.544</sup>

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

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

### 3. Wastewater Collection

#### a. Design Flows

(i) Tributary Population

(a) Sewer systems, which provide for a complete watershed, shall be designed and sized assuming the entire watershed to be completely developed according to present or planned land use designation whichever requires the greater capacity.

(b) Sewer systems initially developed for only a part of a complete watershed shall be sized to provide for the entire watershed. Otherwise, if acceptable to the Town, physical provision shall be made for future increased capacity. Proper modification to allow for the characteristics (i.e. domestic, commercial and industrial wastes, and ground water infiltration) of the area under consideration shall be made.

(ii) Capacities

(a) In determining the required capacities of sanitary sewers, the following factors shall be considered:

(1) Maximum hourly quantity of domestic sewage.

(2) Additional maximum sewage or waste from industrial plants and commercial areas.

(b) New sewer systems shall be designed on the basis of an average per capita flow of sewage from the equivalent population served of not less than 100 gallons per capita per day. Lateral and submain sewers shall be designed for a minimum of 400% of the average flow, main and trunk sewers shall be designed for a minimum of 250% of the average flow, and interceptors shall be designed for a minimum of 200% of the average flow.

(c) Computations shall use a roughness coefficient (n) in the Mannings Formula of 0.014. However, other values may be used for situations where sufficient engineering justification can be demonstrated.

(d) The 100 gallons per capita per day figure is assumed to cover normal infiltration, but an additional allowance shall be made where conditions are especially unfavorable.

(e) The minimum allowance for flow from single-family detached residences shall be based on 3.5 people per home. For single-family attached residences or dwelling units in multifamily structures, a basis of 3 people per unit may be used.

(f) Unless evidence is presented to prove a different flow from industry at ultimate development, the minimum allowance for industrial flow shall be determined by providing an equivalent population of 40 persons per acre or one (1) equivalent population per employee, whichever is the greater, in the industrial area. "Area" shall include the entire area zoned for industry, except public road, street, and highway rights-of-way, flood plains on which construction is prohibited, and "green zones" separating industrial from residential areas, on which construction is prohibited.

(g) The minimum allowance for flows from commercial areas shall be determined by providing an equivalent population of 30 persons per acre, or one-half (1/2) equivalent population per employee, whichever is the greater, in the commercial area. "Area" shall include entire area zoned for commercial development, including off-street parking and landscaped areas, but excluding the rights-of-way of public roads, streets and highways, flood plains of streams on which construction is

prohibited and “green zones” 100 feet or more wide separating commercial from residential areas, on which construction is prohibited.

- (h) Sewer size shall not be less than eight inches in diameter, except under the following condition:
  - 1. Laterals serving six connections or fewer on cul-de-sacs or as sidewalk collector lines may be six inches in diameter.

- (i) Minimum Gravity Sewer Slopes

Sewer Size Minimum Slope in Feet per 100 Feet

Nonsettled Sewage

3 inch .....	Not Allowed
4 inch .....	Not Allowed
6 inch .....	0.49
8 inch .....	0.40
10 inch .....	0.28
12 inch .....	0.22
14 inch .....	0.17
15 inch .....	0.15
16 inch .....	0.14
18 inch .....	0.12
21 inch .....	0.10
24 inch .....	0.08
27 inch .....	0.067
30 inch .....	0.058
36 inch .....	0.046

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

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

*V. Easements*

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

- A. Town utilities approved such that they will not be in the public right-of-way shall be located in easements conveyed to the Town of Berryville. Such easement shall include language and conditions as required by the Town and will be approved by the Town prior to recordation.

- B. Easements shall be located so as to provide access to all parts of the utility without interference from abutting buildings, fences, and other private improvements.
- C. Easements shall not be centered on property lines but shall run parallel to boundary lines to the greatest degree practical. Easements may straddle boundaries, provided that the associated channel or pipeline is offset from the boundary.
- D. Easements must remain clear of buildings, trees, fences, and other improvements, and underground structures other than the designated utility. Fence sections may be erected across an easement section so long as the section contained within the easement is a gate through which personnel and equipment may enter the property. Trees planted in and/or improvements erected within a utility easement that are damaged or destroyed in the course of utility inspection, maintenance, or reconstruction will not be replaced or paid for by the Town of Berryville.
- E. Easements shall be a minimum of twenty (20) feet in width; however, the Town reserves the right to require wider easements as deemed necessary.
- F. Town utility easements are exclusive. Other utilities may only cross the town's easement, and such crossings must be at or near a 90-degree angle.

*VI. Submission of Calculation Data in Digital Format*

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

*VII. Transferring of Pump Station Ownership*

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

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

- A. All activity performed in the public right-of-way requires an approved permit from VDOT or the Town of Berryville. VDOT maintains public primary roadways (Business Route 7 and SH 340). The Town of Berryville maintains public secondary roadways.
- B. All work performed under a permit issued by the Town of Berryville must be performed in accordance with the following as applicable:
  - 1. Berryville Town Ordinances
  - 2. Berryville Construction Standards and Specifications
  - 3. VDOT Road and Bridge Standards, current edition
  - 4. VDOT Road and Bridge Specifications, current edition
  - 5. Manual on Uniform Traffic Control Devices (MUTCD) including the VDOT supplement
  - 6. VDOT Manuals on Planting and Irrigation in the Right-of-Way
  - 7. VDOT Land Use Permit Manual
  - 8. Virginia Erosion and Sediment Control Handbook
- C. Right-of-way dedication and acceptance of public streets not maintained by VDOT shall be evidenced by authorized signatures on the deed of dedication or other instrument deemed acceptable by the Town of Berryville.
- D. In order to obtain guarantee of performance to assure timely completion and competent construction of physical improvements, the applicant is required to post a bond or other acceptable surety as identified in Article VII, Performance Surety, of the Town of Berryville Subdivision Ordinance and Article III, Section 314.8 Construction and Bonding of the Town of Berryville Zoning Ordinance.
- E. Performance bonds shall be submitted to the Town of Berryville for review and approval for those streets in the Town's system (secondaries).
- F. Dedication and acceptance of public streets shall be in compliance with VDOT Memorandum SR-50-93, Guide for Additions, Abandonments, and Discontinuances, current edition.

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Ms. Dunkle noted there were several public hearings which she requested the Council to set. In reference to the public hearing for a special use permit at 208 North Buckmarsh Street, Mayor Dickinson said she thought the costs for the zoning process were high. There was discussion of the zoning ordinance, and permitted uses and those uses which require a Special Use Permit. By consensus, the Council agreed to set a public hearing on October 11 for a special use permit at 208 North Buckmarsh Street. By consensus, the Council agreed to set a public hearing on October 11 for a text amendment to Section 204.2 of the Berryville Zoning Ordinance. By consensus, the Council agreed to set a public hearing on October 11 for a text amendment to Section 614.2 of the Berryville Zoning Ordinance. By consensus, the Council agreed to set a public hearing on October 11 for a text amendment to Section 614.5 of the Berryville Zoning Ordinance. Council member Kitselman said he wished to go on record as saying he is not in favor of the last two text amendments. Recorder Arnold asked the Mayor to explain the last two items to the members of the public. Council member Tollett asked if the applicant's letter can be included in the packet for the public hearing since a letter of opposition was included in this information packet. Ms. Dunkle replied that she had not received a letter from the applicant, but would include one if it is received.

Mr. Dalton addressed the issue of rain harvesting as a citizen has inquired about installing such a system for his personal use. He said staff is supportive of the idea and has been working through the issues including compliance with chapter 17 of the Berryville Code, compliance with cross-connection / backflow prevention requirements, and provision of an equitable means by which the Town would bill for wastewater leaving the home but not metered through the water meter. He presented the issue for discussion, but noted that staff will be spending more time on the matter. He added that the use of a rain harvesting system makes sense, but the Town's water and sewer systems need to be protected both physically and fiscally. Recorder Arnold said the idea may be ahead of its time and will be costly to the Town. Council member Kitselman disagreed saying the idea is the wave of the future and will be good for the environment. He added that the additional meters will be expensive. Council member Tollett asked whether there is any role for the Streets and Utilities Committee in the discussion and Mayor Dickinson replied that there was a role. Council member Gibson asked if any other residents have inquired about such a system and Mr. Dalton said that no others have come forward yet, but that he expects there will be more in the future. Recorder Arnold said accommodating the system will take time, but is possible. Council members Kitselman and McDonald urged staff take the necessary time to study the request without rushing. By consensus, the Council agreed that staff should report back at the November meeting.

8. Report of Keith Dalton, Town Manager

In reference to a Policy Regarding Photography, Video Recording, and Audio Recording of Town Meetings, Mr. Dalton noted the two versions of the policy included in the agenda packet. He said Version 1 calls for recording of meetings to assist with minutes only while Version 2 calls for the audio files to be posted on the Town website for 12 months. Council member Gibson asked which members had a concern about posting the files on the website. Recorder Arnold said he did not see an advantage to posting the files. Council member Tollett asked why recording of the meetings was being suggested and the Mayor responded that the reason was transparency. Recorder Arnold said the Council has always had transparency. There was a discussion of the use of the files and whether all public meetings should be recorded or only Town Council and Planning Commission meetings. **Recorder Arnold moved that the Council of the Town of Berryville adopt Version 1 of the policy regarding photography, video recording, and audio recording of Town meetings. Council member McDonald seconded the motion. Mayor Dickinson asked for a roll call vote. The motion carried as follows:**

|                          |     |
|--------------------------|-----|
| Recorder Arnold          | Aye |
| Council member McDonald  | Aye |
| Council member Kitselman | Aye |
| Council member Gibson    | Aye |
| Council member Tollett   | Aye |
| Mayor Dickinson          | Nay |

*{Version 1 – No Posting}*  
**Town of Berryville Policy**  
**Photography, Video Recording, and Audio Recording of Town Meetings**

**I. Purpose**

Meetings of Town public bodies are intended to allow the public bodies to conduct public business in an open and transparent fashion. The Town may record public meetings for its purposes, and the public, including news media, may record meetings as allowed by law. This policy is to provide direction to Town officials regarding how Town recordings will be utilized, disseminated, and destroyed. The policy

is also to provide direction to the presiding officers of public meetings regarding how recording and photography may occur during public meetings.

## II. Policy

### A. Recording by Town Officials

All public meetings of the Town Council and the Planning Commission, except duly constituted closed meetings held in accordance with the Code of Virginia, will be recorded. The recording may be used by the member of the Town staff responsible for preparing the minutes of the meeting. The recording shall be destroyed after the meeting minutes have been approved by the public body; provided, however, if the recording is determined by an affirmative vote of a majority of the membership of the public body that the recording is of an enduring historically significant nature or describes the current function or organization of the Town's major administrative units, then the recording shall be considered a permanent record pursuant to the Virginia Public Records Act and shall be retained. The destruction of all recordings shall comply with the Virginia Public Records Act. Recordings that are the subject of a Freedom of Information Act request shall be retained in accordance with applicable requirements.

### B. Recording of meetings and photography by the public

A member of the public may audio or video record or photograph the Town's public meetings. The public's recording activities may not disrupt the meeting. Disruptions would include noise, supplemental lighting (not approved in advance by the presiding officer), flash photography (not approved in advance by the presiding officer), or blocking the view of other members of the public. No person may position equipment or personnel in a manner that the presiding officer deems an obstruction to emergency egress or accessibility by handicapped individuals.

## III. Procedures

### A. Recording Meetings

The Town staff person tasked with taking minutes notes for the meeting will begin recording prior to the meeting being called to order and end recording upon meeting adjournment. When a public body enters a closed meeting, the recording will be stopped and recording will resume just prior to the presiding officer announcing that the public body has re-entered open session.

### B. Equipment Failures

If during a meeting it is discovered that the recording device is not functioning properly, the staff member recording the meeting will immediately notify the presiding officer of the problem. If the recording device can be made to function or if a backup recording device is available, the remainder of the meeting will be recorded. Otherwise, the meeting will proceed without being recorded. If it is discovered after a meeting that the recording device failed to record the meeting, then the staff member responsible for preparing meeting minutes will notify the presiding officer and the Town Manager of the problem.

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Mr. Dalton introduced the calendar of Town Council / Town Council Standing Committee meetings for the Council's approval. He noted that at each Town Council meeting, Standing Committees would indicate whether or not they planned to meet during the month on their scheduled meeting date. Following a discussion of the calendar, **Council member Gibson moved that the Council of the Town of**

**Berryville adopt the following Calendar of Town Council and Town Council Standing Committee Meetings. Council member Tollett 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

### **Calendar of Town Council / Town Council Standing Committee Meetings**

Meeting date and time, packet schedule, and staffing (staff with principal responsibility for meeting):

1<sup>st</sup> Monday / 3:00 p.m. – **Town Council Work Session** (held as needed \*) {Packet delivered on Friday prior}

Staff: **Town Manager, Town Clerk, Planner, Treasurer, Public Works Director, Public Utilities Director, and Police Chief**

2<sup>nd</sup> Tuesday / 7:30 p.m. – **Regular Town Council Meeting** {Packet delivered on Friday prior}

Staff: **Town Manager, Town Clerk, Planner, Treasurer, Public Works Director, Public Utilities Director, and Police Chief**

4<sup>th</sup> Monday / 7:00 p.m. **Community Improvements Committee Meeting** (held as needed \*\*) {Packet Delivered Friday prior}

Staff: **Planner and Town Clerk**

4<sup>th</sup> Tuesday / 9:00 a.m. – **Personnel Committee Meeting** (held as needed \*\*) {Packet delivered Friday prior}

Staff: **Town Manager and Town Clerk**

4<sup>th</sup> Tuesday / 10:30 a.m. – **Budget and Finance Committee Meeting** (held as needed \*\*) {Packet delivered Friday prior}

Staff: **Treasurer, Town Manager, and Town Clerk**

4<sup>th</sup> Tuesday / 12:00 p.m. – **Streets and Utilities Committee** (held as needed \*\*) {Packet delivered Friday prior}

Staff: **Town Manager, Town Clerk, Public Works Director, Public Utilities Director, and Planner**

4<sup>th</sup> Thursday / 9:00 a.m. – **Police and Security Committee Meeting** (held as needed \*\*) {Packet delivered Monday prior}

Staff: **Chief of Police, Town Manager, Town Clerk**

\* Each month at its regular meeting, the Town Council will determine whether a work session will be scheduled for the subsequent month.

\*\* Each month at the regular Town Council meeting, the Committee will determine whether a committee meeting will be held that month.

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Mr. Dalton noted the need to appoint a representative to the Northern Shenandoah Valley Regional Commission, and Recorder Arnold said the appointment should be addressed during the Personnel Committee report.

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

10. Report of Erecka Gibson - Chair, Budget and Finance Committee  
Council member Gibson noted that the Committee had met with the auditors to discuss the mapping of internal accounting controls. She said the Town has also received a letter of engagement from Yount Hyde and Barbour. She added the Committee will meet on September 21 at 2:00pm, and said that Mr. Dalton scheduled a joint meeting with the County finance committee on October 14. **The minutes of the Committee meeting of August 18, 2016, were approved unanimously.** Ms. Moreland said that the auditors will be here the week of September 19.

11. Report of Donna McDonald - Chair, Community Improvements Committee  
Council member McDonald said the next Committee meeting will be September 26, 2016, at 7:00pm. She thanked all who attended the previous meeting. **The minutes of the Committee meeting of August 30, 2016, were approved unanimously.**

12. Report of David Tollett – Planning Commission Liaison  
Council member Tollett said that after checking with the members of the Planning Commission, there is no interest in adding to the current number of members on the Commission. He added that Berryville has the largest planning commission in the surrounding area.

13. Report of David Tollett – Police and Security Committee  
Council member Tollett said that no meeting will be held this month.

14. Report of Patricia Dickinson – Chair, Streets and Utilities Committee  
Mayor Dickinson noted the reports in the packet from the Director of Public Utilities and the Director of Public Works. **The Committee meeting minutes of August 16, 2016, were approved unanimously.**

15. Report of Erecka Gibson – Chair, Personnel Committee  
Council member Gibson said she would like the Town Manager and Recorder Arnold to identify areas to add to the “market basket” for comparison to the Town during a compensation study. She said that Town job descriptions are still being updated. She added that a Committee meeting will be held on October 24. Council member Gibson noted that there is an opening on the Board of Zoning Appeals now that Mr. Mathur has been appointed to the Planning Commission, and this opening will be discussed at the meeting.

Council member Kitselman moved that the Council of the Town of Berryville appoint Pat Dickinson to the Northern Shenandoah Valley Regional Commission Board of Directors for a one year term ending on September 12, 2017. Recorder Arnold seconded the motion which carried unanimously. Council member Kitselman moved that the Council of the Town of Berryville re-appoint Christy Dunkle as an alternate to the Northern Shenandoah Valley Regional Commission Board of Directors for a one year term ending on September 12, 2017. Recorder Arnold seconded the motion which carried unanimously.

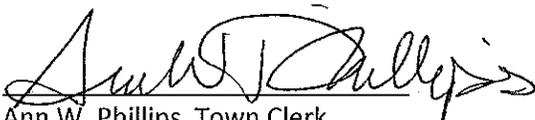
16. Adjourn

There being no other business, upon motion of Council member Kitselman, seconded by Council member Tollett, the meeting was adjourned at 9:21 p.m.



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Harry Lee Arnold, Jr., Recorder



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Ann W. Phillips, Town Clerk

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**BUDGET AND FINANCE COMMITTEE**  
**Berryville-Clarke County Government Center**  
**Called Meeting**  
**September 21, 2016**  
**2:00 p.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., Allan McWilliams

**Press:** Cathy Kuehner, Winchester Star

1. Call to Order

Chair Gibson called the meeting to order at 2:00 p.m.

2. Discussion – Mapping of Internal Controls

Ms. Gibson provided a recap of the mapping discussion saying that the Town Council has passed a motion authorizing an RFP be issued if necessary to solicit mapping services. She said the Committee met with Robison Farmer Cox to discuss expanding the scope of the current audit, the Town has received a letter of engagement from Yount Hyde and Barbour, and has also received information from Robinson Farmer Cox outlining the scope of their offer to map internal controls.

Ms. Gibson said the first item in the agenda packet is titled “Internal Controls, PBC.” Ms. Moreland said that the document was prepared by Robinson Farmer Cox with information gained by interviewing staff members.

Ms. Gibson said that she understood that an RFP for additional services could be issued after the Committee met with Robinson Farmer Cox.

Ms. Gibson noted the engagement letter in the packet and said it offered a preliminary analysis including sampling statements and accounting records, analytical procedures on revenues collected, and testing of disbursements for a fee of \$5000 to \$7500. She noted that this is not an assessment of internal controls, and asked what the intent of the service would be.

Ms. Dickinson said that Jennifer Files at Yount Hyde and Barbour recommended three steps: a preliminary analysis, mapping of internal controls, and a full audit. She said that if the preliminary analysis looks good, then the mapping would not be needed. She added that Ms. Files of YHB said that typically such agreements go through the Town Attorney. In answer to Ms. Gibson’s question, Ms. Dickinson said that her understanding is when using the attorney, any outcome of the analysis requiring legal review could be addressed before the report

becomes a public record. Ms. Dickinson said that the preliminary analysis is an interim step that cuts the mapping step in half.

Ms. Gibson asked if using the attorney added costs, and whether the Town Attorney has spoken to YHB. Ms. Gibson said that because the engagement letter was issued before the Committee met with the current auditors, the Committee may be ahead of itself. Ms. Dickinson said that this was a more formal response than she had expected in answer to her request for information.

Ms. Gibson asked for the cost of the regular financial audit, and Ms. Moreland said that the budgeted cost is approximately \$13,000.

Ms. Gibson said that she wants to be conscious of the cost and what is received. She said that if mapping is done, the Town will get more value in the future, and will still get an assessment as part of the end product. She added that if money is being spent, she wants to see the Town receive a product that can be used, is not in favor of spending on a preliminary step, and that said she prefers to see mapping done. Ms. Dickinson said that she agreed.

Ms. Gibson said it is important to issue the RFP, and added that for clarification, the request should be for review and assessment of internal controls and mapping of procedures. She offered an example from George Washington University that she said is very detailed, and said that perhaps it could be used as template when writing the RFP.

The Committee and staff discussed the RFP process, and Ms. Gibson noted that in order to cut costs, the scope of the project could be narrowed and only certain areas mapped. She further suggested that the Town could find someone qualified, such as a retired accountant, to use the example from George Washington University as a guide to document the Town's controls, and then contract with an auditor to review the assessment and make recommendations. Ms. Dickinson said she liked the idea of limiting the scope, but it would not be easy to find a citizen to do the work pro-bono.

Mr. Dalton entered the meeting, and Ms. Gibson reviewed the discussion thus far. In answer to Ms. Gibson's question, Mr. Dalton said that the attorney, Mr. Mitchell, had not spoken to YHB as of their last conversation.

Ms. Gibson said that she and Ms. Dickinson agreed to mapping of the internal controls rather than the preliminary analysis as offered by YHB. The Committee agreed to limit the scope of the mapping services to cash disbursements and purchases. Ms. Gibson noted that she is keeping in mind the scale of audit costs and that this service is not budgeted for. She asked Mr. Dalton and Ms. Moreland for their thoughts on the process.

Mr. Dalton asked whether with the scope is limited to cash disbursements and purchases, the project could be done under the current auditor's contract. Ms. Dickinson said there is value in

doing an RFP where the Town can clearly articulate what is wanted. Mr. Dalton asked about the timing and the nature of the recommendations in regard to what the Committee may want to send to Town Council. He suggested that the Committee clarify with Council how the project will be funded, such as from the General Fund Contingency fund. Ms. Dickinson said if the Committee issues the RFP, the responses would be taken back to Town Council.

Ms. Gibson asked if the current auditor could be given the project, and Ms. Moreland said the current contract can be amended increasing the cost by no more than 25% of the current contract value.

Mr. Dalton suggested that the Council take the proposal back to the Town Council with funding options since the focus has changed.

Ms. Dickinson said the Committee would want a motion to document the change in scope, the funding, and a decision that the Budget and Finance Committee will select the firm.

Mr. Dalton clarified the process including his recommendations to send the issue back to Town Council.

The Committee agreed that the date of the deliverable product may be part of the evaluation process.

Ms. Gibson inquired what the Committee and staff thought of the template example from George Washington University. Ms. Dickinson said she liked it. Ms. Moreland said that she liked it but thought it was more detailed than the Town needs. Ms. Gibson said she liked the mapping and the list of inherent risks, and said using the template would let the Town document what it is already doing.

### 3. Other

Ms. Dickinson asked whether the waste water plant pre-purchase would be brought to this Committee. Mr. Dalton provided a brief overview of the issue regarding the necessity of replacing the membrane(s) at the WWTP with a cost of \$1.2 million to \$1.4 million. He said a pre-purchase agreement is being considered, but that Utilities Director Dave Tyrrell is still working on numbers. The Committee agreed to discuss the matter at the next meeting.

Ms. Moreland said she has received notice of the Pcard rebate for this year which is \$10,335.04.

### 4. Adjourn

There being no further business, the meeting was adjourned at 2:43 p.m.

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**COMMUNITY IMPROVEMENTS COMMITTEE**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**September 26, 2016**

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

**Staff:** Keith Dalton, Town Manager; Christy Dunkle, Planner

**Press:** Cathy Keuhner, Winchester Star

**Others:** Paula Le Duigou; Susan Schoonover; Cathy Pierson, Berryville Main Street; Brian McClemens

1. Call to Order

Chair McDonald called the meeting to order at 7:00 p.m.

2. Discussion – Darbybrook Homeowners Association

Chair McDonald recognized citizens from the Darbybrook Subdivision and told them that she wanted to make sure that those who were working to constitute a HOA Board had a chance to speak to this issue since Mrs. Betz had appeared before the committee last month.

Mrs. Le Duigou stated that the HOA has not been dissolved and the work before the residents at present is to meet and to elect a new HOA Board of Directors. She added that a meeting has been called to address that matter.

Chair McDonald thanked those in attendance for taking the time to speak to this issue and wished the residents luck as they worked to reorganize the HOA Board of Directors.

3. Discussion – Town Hall Meeting

Chair McDonald stated that she wanted to pin down a date for the Town Hall Meeting of the Committee. She stated that the meeting was intended to provide a forum in which citizens could provide input on what community issues and projects were important to them.

Mr. Kitselman stated that the Committee should utilize a facilitator for such a meeting. Cathy Pierson stated that she believed that Virginia Main Street may offer facilitator services to its members. The Committee agreed that the meeting should have facilitator and thanked Ms. Pierson for her offer so help secure one for the meeting. Ms. Pierson agreed to put Ms. Dunkle in the loop as this matter was discussed.

The Committee agreed to look at December 6, 7, & 8, from 6:00 p.m. to 8:00 p.m., as possible Town Hall Meeting dates. Chair McDonald stated that she would like to have refreshments in the lobby prior to the meeting.

There was a general discussion about the nature of the meeting and the Committee agreed that this would essentially be a visioning process.

4. Christmas Tree

Chair McDonald stated that she would like to see additional work done this year to make the Town's Christmas Tree even better. She stated that she would like to seek \$1,000 in additional funds for improved lighting. Ms. Dunkle discussed working with not for profits to make such improvements.

5. Other

There was a discussion about examining CDBG funds for downtown improvements.

Chair McDonald stated that she wanted the Committee to examine whether a Town Walk could be created that would get citizens and visitors out to see some of the lovely buildings in town. There was a general discussion regarding the Studio Tour, Christmas House Tour, Haunted Building Tour, and the self-guided Walking Tour.

There was a general discussion about the assessment and use of the livery stable at 23 East Main Street.

There was a general discussion about accessibility of downtown buildings.

There was a general discussion about blighted properties in Town.

6. Adjourn

Chair McDonald thanked everyone for attending and asked that everyone stay involved as we move forward. There being no further business, the meeting was adjourned at 7:58 p.m.