

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
April 14, 2020
7:00 p.m.

The COVID-19 pandemic emergency prompted multiple changes to the customary meeting procedure. The meeting began at 7:00 p.m. rather than at 7:30 p.m. No more than ten people, including Council members, staff, media, and the public, were allowed in the meeting area at any time. Two members of the Council participated by telephone. No citizens' forum was held. The only allowance for in-person public comments was during the public hearing for the proposed 2020 tax levies. The meeting was livestreamed on YouTube.

Town Council: Present--Patricia Dickinson, Mayor; Harry Lee Arnold, Jr., Recorder; Diane Harrison; Kara Rodriguez. Participating remotely—Donna Marie McDonald and Erecka Gibson.

Staff: Present--Keith Dalton, Town Manager; Greg Jacobs, Assistant Town Manager/Treasurer; Christy Dunkle, Assistant Town Manager/Planner; Paul Culp, Town Clerk; Chief Neal White, Berryville Police Department

Press: Mickey Powell, *The Winchester Star*

1. Call to Order

Mayor Dickinson called the meeting to order at 7:03 p.m.

2. Pledge of Allegiance

Mayor Dickinson announced a modification of the order for agenda items to permit the motion to approve remote participation to occur before approval of the agenda.

3. Approve/Deny Remote Participation

Recorder Arnold moved that the Council of the Town of Berryville, with a quorum present in the Main Meeting Room of the Berryville-Clarke County Government Center, approve remote participation via telephone by Council members Donna Marie McDonald and Erecka Gibson at this meeting because of health concerns related to the COVID-19 virus. Ms. Rodriguez seconded. The motion passed by unanimous voice vote.

Mr. Dalton briefly clarified for Council the position in the agenda packet of various items required for the evening's business and made recommendations for the order of proceedings. He noted that some documents had received minor updates since issuance of the packet to Council.

3. Approval of Agenda

Ms. Harrison moved to approve the agenda, seconded by Ms. Rodriguez.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

The motion passed.

5. Public Hearings

Mayor Dickinson called to order the public hearing to consider tax rates for the 2020-2021 tax year. The clerk read the attached ordinance. Mr. Dalton noted that the proposed real estate tax rate reflected a decrease of .02259 per \$100 assessed valuation in order to sustain revenue neutrality after the reassessment performed by the County, and that the proposed personal property tax and machinery and tools tax rates reflected no change from the current rates.

No members of the public being present, Mayor Dickinson closed the public hearing.

Recorder Arnold moved that the Council of the Town of Berryville adopt the attached Ordinance setting the tax levies for tax year 2020 amending the Code of the Town of Berryville, Chapter 16—Taxation, Article 1—in General, Section 16-1 Annual Tax Assessments; valuation of property. Ms. Rodriguez seconded the motion.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

The motion passed.

6. Discussion of Public Hearing Items

The clerk read the attached resolution to provide for implementation of the 2004-2005 changes to the Personal Property Tax Relief Act of 1998 for the tax year 2020. Mr. Dalton noted that the tax relief remains unchanged from last year.

Recorder Arnold moved that the Council of the Town of Berryville adopt the attached resolution providing for the implementation of the 2004-2005 changes to the Personal Property Tax Relief Act of 1998 for the tax year 2020. Ms. Harrison seconded the motion.

Roll call vote as follows:

**McDonald: Aye
Harrison: Aye
Gibson: Aye
Rodriguez: Aye
Arnold: Aye
Dickinson: Aye**

The motion passed.

Mayor Dickinson recommended proceeding at this juncture with the setting of the public hearing on the Fiscal Year 2021 budget, rather than taking up the matter under new business as indicated in the agenda.

Ms. Rodriguez moved that the Council of the Town of Berryville set a public hearing for its May 12, 2020 meeting to hear public comment on the proposed FY2021 budget. Ms. Harrison seconded the motion.

Mayor Dickinson said she would like for Council to follow the example of the County Board of Supervisors Finance Committee, which anticipated a significant revenue loss, and conduct a line-item examination of the budget with an eye to cost-reduction opportunities, with funds then being set aside in a special contingency fund from which monies could be released as events unfold in an uncertain economy.

Recorder Arnold said he would prefer to see staff's recommendations brought to Council first. Mayor Dickinson said she understood Mr. Dalton to have done this already at a cursory level. She recommended that the Budget and Finance Committee consider the matter or that the full Council address it in a special work session.

Mr. Dalton said staff would need for Council to provide a specific figure for anticipated revenue reduction before proceeding, or guidance to make its own estimate and commence triage. The mayor said she would prefer that staff estimate revenue and determine potential impacts, using the Board

of Supervisors' procedures as guidance. She asked the opinion of Ms. Gibson, chair of the Budget and Finance Committee.

Ms. Gibson said a direct comparison between County and Town was not tenable. She endorsed the soundness of Mr. Jacobs' initial proposals and recommended not going beyond his recommendations for the time being.

Mr. Jacobs explained that he was already conducting analyses of these matters, using past economic downturns as bases for making projections. He said he was close to being able to present his findings to Council.

Mayor Dickinson said the public expects action on the budget. Mr. Jacobs said he and Mr. Dalton were already well along in examining opportunities to adjust the proposed budget in light of recent and current events. The mayor stated a preference for having matters formalized for review by Council, which could then provide the public with a supplement before the public hearing occurs. Mr. Jacobs concurred.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

The motion passed.

7. Citizens' Forum

No citizens' forum occurred.

8. Consent Agenda

The consent agenda comprised the minutes of the March 5 work session of the Budget and Finance Committee, the March 10 regular meeting of the Town Council, and the March 11 work session of the Town Council.

Ms. Rodriguez moved that the Council of the Town of Berryville approve the consent agenda as presented. Ms. Harrison seconded the motion.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye
Gibson: Aye
Rodriguez: Aye
Arnold: Aye
Dickinson: Aye

The motion passed.

9. Unfinished Business

A. Dunlap Drive Numbering/Name Change

Ms. Dunkle said the developer had committed to a scenario creating a future extension of Norris and a four-way intersection. There was a brief discussion of the intersection's characteristics.

Ms. Rodriguez moved that the Council of the Town of Berryville approve scenario B2 as shown in the packet, creating the future extension of Norris and a four-way intersection. Ms. Harrison seconded the motion.

Roll call vote as follows:

McDonald: Aye
Harrison: Aye
Gibson: Aye
Rodriguez: Aye
Arnold: Aye
Dickinson: Aye

The motion passed.

B. Refuse and Recyclables Curbside Collection Request for Proposal

Mayor Dickinson asked Mr. Dalton for clarification of provisions of the RFP addressing multi-family properties. Mr. Dalton said his understanding was that properties comprising more than three units would no longer receive service. Mayor Dickinson noted that the RFP called for 84 commercial properties to receive once-weekly service. She said this seemed like a large number. Mr. Dalton said those properties are businesses in the C and C1 zoning districts.

There was a discussion of churches and of entities that produce large amounts of waste.

There was a discussion of the number of toters allowed to various types of units and of how to arrive at a manageable number, with particular attention to restaurants.

Mr. Dalton explained nomenclature pertaining to recycling.

There was a discussion of container types, sizes, and permissible numbers for different categories of users.

There was discussion of how to prevent placement of non-recyclable materials in recycling containers.

Mr. Dalton explained the relationship between the proposed fee structure and different levels of service. He noted that specific figures would not be available until the Town receives bids.

Ms. Rodriguez moved that the Council of the Town of Berryville approve the request for proposals, as amended, and authorize its issuance. Ms. Harrison seconded the motion.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

The motion passed.

10. New Business

A. Paving Request for Proposal

Mr. Dalton enumerated the areas to be paved, noting that the mildness of the winter had made an unaccustomed amount of funding available for paving. He said extensive work on sidewalks was planned for the upcoming new fiscal year. Ms. Dunkle clarified the status of VDOT approval of sidewalk repair and of the grant application pertaining to that project.

Ms. Rodriguez moved that the Council of the Town of Berryville authorize the issuance of IFB #2020-03, and further moved that the Town Manager be authorized to award a contract in this matter and execute all related instruments, provided that the low bidder meets the minimum standards established in the IFB and the bid does not exceed allocated funds. Recorder Arnold seconded the motion.

Roll call vote as follows:

McDonald: Aye
Harrison: Aye
Gibson: Aye
Rodriguez: Aye
Arnold: Aye
Dickinson: Aye

The motion passed.

B. COVID-19 Emergency-related Matters

The Council considered multiple pandemic-related items on which staff considered action desirable and which Council ultimately approved with one blanket motion:

1. Resolution Confirming Clarke County's Declaration of a Local Emergency
2. Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with the COVID-19 Pandemic Disaster
3. Resolution Authorizing the Adoption of Procedures for Electronic Public Meetings and Public Hearings to Ensure the Continuity of Government During the COVID-19 Pandemic Disaster
4. Amendment to the Berryville Town Council Operating Procedures: Electronic Participation in Meetings from Remote Locations
5. Town of Berryville Public Meeting and Public Hearing Practices and Procedures Applied During the COVID-19 Pandemic Disaster
6. Ordinance Temporarily Adjusting Late Fees and Interest Charged on Delinquent Real Estate Taxes
7. Ordinance Temporarily Suspending Late Payment Penalties, Interest, and Disconnection/Reconnection Fees on Delinquent Water and Sewer Bills
8. Town of Berryville Resolution Concerning Governor Northam's Proposal to Cancel and Reschedule Municipal Elections

Mayor Dickinson explained the series of actions necessary for a formal response to the emergency.

Mr. Dalton explained the purpose of each of the aforementioned documents.

There was a discussion of the procedure for public comment in meetings conducted electronically. Mr. Dalton explained that members of the public would be encouraged to submit comments in writing in advance but that a dedicated email account would also provide the opportunity to submit comments to be read aloud during the meeting. There was a discussion of how to provide sufficient time for comment without leaving the opportunity open-ended.

Mr. Dalton and Mr. Jacobs explained staff's preference for leaving the real estate tax deadline unmodified. Mr. Jacobs said the majority of payments come from mortgage companies and that the process would be disrupted by movement of the due dates, while setting penalties and interest to zero would provide relief where needed.

There was a discussion of payment procedures. Mr. Dalton explained how the drive-through would be managed. Mr. Jacobs said the online payment process has been popular and effective. Mr. Dalton said the drop-box and payments by post are also helpful.

Mr. Jacobs confirmed for Ms. Rodriguez that reports of delinquency were not being sent to credit agencies, but said that billing must continue because treasurers ultimately are responsible for collecting monies owed.

Mr. Dalton briefly clarified the provisions of the ordinance pertaining to water and sewer.

Mr. Dalton explained the drawbacks for Berryville of the governor's proposal that the May elections be delayed to November. He noted that ballots cast prior to the General Assembly's action on the matter would be discarded, that jurisdictions that had expended funds on the May elections would face a similar outlay for the rescheduled elections, that current candidates would have to requalify, and that new candidates would be permitted to contend for office. He said there is widespread resistance from jurisdictions that would be affected but that he had received information indicating that the governor intends to fend off opposition by attaching the measure to the state budget.

There was a discussion of refinements to the wording of the resolution against the governor's measure as presented to Council in the agenda packet.

The mayor said having the election in May would constitute a serious threat to public health and asked that verbiage of the resolution reflect the paramountcy of this issue.

There was a discussion of absentee voting and other electoral procedures.

Ms. Rodriguez moved that the Council of the Town of Berryville adopt the attached measures, as edited, to address the COVID-19 emergency. Ms. Harrison seconded the motion.

Roll call vote as follows:

McDonald: Abstain
Harrison: Aye
Gibson: Aye
Rodriguez: Aye
Arnold: Aye
Dickinson: Aye

The motion passed.

11. Council Member Reports

Recorder Arnold and Council members McDonald, Harrison, Gibson, and Rodriguez did not offer reports. Mayor Dickinson noted the cancellation of the Memorial Day celebration.

12. Staff Reports

The Police Department, the Administration and Finance Department, and the Departments of Public Works and Public Utilities did not offer reports beyond those included in the agenda packet.

Community Development

Mr. Dalton, Ms. Dunkle, and Ms. Rodriguez, chair of the Community Development Committee, concurred on the rescheduling of the next meeting of that committee from April 20 to April 27 at 2:00 p.m., with the meeting to be conducted electronically.

Mr. Dalton directed Council's attention to Ms. Dunkle's report explaining that staff, per Council's approval, had returned to Richmond American Homes a cash bond in the amount of \$76,452.00 and that staff is now requesting that Council release a residual amount totaling \$11,024.04.

Ms. Rodriguez moved that the Council of the Town of Berryville release of the residual cash bond being held by the Town to Richmond American Homes in the amount of \$11,024.04. Ms. Harrison seconded.

Roll call vote as follows:

McDonald: Aye
Harrison: Aye
Gibson: Aye
Rodriguez: Aye
Arnold: Aye
Dickinson: Aye

The motion passed.

In response to a question from Mayor Dickinson, Ms. Dunkle confirmed that the grant for Barns of Rose Hill had been submitted.

Town Manager

Mr. Dalton briefly described the mission of each of the Town's departments and praised the performance of all during the crisis occasioned by the pandemic. He also commended the Town Council, the citizenry, local businesses, the Clarke County Board of Supervisors, firefighting and emergency medical services personnel, and the military for their response to the challenging conditions. He particularly noted Ms. Dunkle's efforts with the County, the Small Business Administration, and the Northern Shenandoah Valley Regional Commission in coordinating efforts to provide COVID-related assistance to those who require it. Mr. Dalton said the performance of all of the above is evidence that the Berryville area and its people are greatly blessed.

Mr. Dalton noted that many of the aforementioned people were exposed to significant risk in the performance of their duties and voluntary undertakings. He said it is important to maintain post-crisis the level of cooperation that has prevailed during the emergency. Mr. Dalton urged everyone to check on their neighbors, support local businesses when possible, give assistance when they can, seek assistance when they need it, be safe, and be kind.

Mayor Dickinson asked Mr. Dalton whether Town personnel have everything they need to carry out their duties safely. Mr. Dalton noted operational adjustments that had been made to foster safety. He said personal protective equipment was in use and that more was on order, albeit subject to unwelcome delay, and that hand sanitizer had been issued to various departments.

Mr. Dalton said a vocal minority of Town citizens had called for Town employees to stand down and repair to their homes during the crisis, and explained that the processes of government must continue even as Town employees practice social distancing vis-à-vis each other and the public as much as is feasible in the circumstances. He said many of the tasks of the Town government are associated with non-negotiable deadlines, such as those pertaining to tax rates, the budget, the trash collection RFP, and the paving RFP. Mr. Dalton said Town employees are attempting to do their work safely while doing their best for the citizenry.

13. Committee Updates

The committee chairs reported that no meetings were planned other than the Community Development Committee meeting at 2:00 p.m. on April 27.

Mayor Dickinson thanked Mr. Dalton and the Town staff for maintaining the operations of government during the emergency; the Government Center cleaning crew; the residents of Berryville for their compliance with stay-at-home orders; and business owners and managers for their efforts to

accommodate the public. She said there is a light at the end of the tunnel, and urged everyone to stay home, stay safe, and observe social distancing and wear masks when out and about.

15. Adjourn

Mayor Dickinson requested a motion to adjourn.

Ms. Rodriguez moved to adjourn, seconded by Ms. Harrison. The motion passed by consensus at 8:58 p.m.



Harry Lee Arnold, Jr., Recorder



Paul Culp, Town Clerk

**BERRYVILLE TOWN COUNCIL
PUBLIC HEARING NOTICE**

The Berryville Town Council will hold the following public hearing at 7:30 p.m., or as soon after as this matter may be heard, on **Tuesday, April 14, 2020**, in the Main Meeting Room, Second Floor, of the Berryville-Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia to consider the following:

1) Proposed Tax Rates for 2020

Listed below are the proposed tax rates for the tax year beginning January 1, 2020, on all real property, including real property and tangible personal property of public service corporations, and on all other tangible personal property, including machinery and tools.

- A. \$.17741 per \$100 assessed valuation on real estate, including real estate of public service corporations;
- B. \$1.25 per \$100 assessed valuation on tangible personal property except machinery and tools;
- C. \$1.30 per \$100 assessed valuation on tangible machinery and tools.

The proposed real estate tax rate reflects a decrease of \$.02259 per \$100 of assessed valuation. The proposed rate constitutes a 11.29% decrease in the real estate tax rate that was adopted in year 2019. The proposed personal property tax rate reflects no increase in the personal property rate that was adopted for the year 2019. The proposed machinery and tools tax rate reflects no increase in the machinery and tools rate that was adopted for the year 2019.

Copies of materials may be examined at the Town of Berryville Business Office, Berryville Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia during regular business hours. Additional information may be obtained by calling the Town Business Office at 540/955-1099.

Any person desiring to be heard regarding the above matter should appear at the appointed time and place. Written copies of statements at public hearings are requested but not required.

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

By order of the Town Council
Keith R. Dalton, Town Manager

Town of Berryville

**Resolution
To Provide for the Implementation of the 2004-2005
Changes to the Personal Property Tax Relief Act of 1998
For the Tax Year 2020**

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code § 58.1-3523 *et seq.* (“PPTRA”), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 505) and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly, being the 2005 revisions to the 2004-2006 Appropriations Act (“the 2005 Appropriations Act”); and

WHEREAS, the legislative enactments require the Town to take affirmative steps to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS, these legislative enactments provide for the Town of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to local personal property tax on such vehicles.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Berryville in accordance with the requirements set forth in Va. Code § 58.1-3524(C) (2) and § 58.1-3912(E), as amended by Chapter 1 of the 2005 Acts of Assembly (2004 Special Session 1) and as set forth in Item 503 of the 2005 Appropriations Act, that any qualifying vehicle having situs within the Town during the tax year which begins on January 1, 2020, shall receive personal property tax relief in the following manner:

1. Personal use vehicles valued at less than \$1,000 will be eligible of 100 percentage of tax relief set by the Town Council during its annual budget deliberations.
2. Personal use vehicles valued between \$1,001 and \$20,000 will be eligible for 70 percentage of tax relief set by the Town Council during its annual budget deliberations.
3. Personal use vehicles valued at \$20,001 or more will be eligible for 70 percentage of tax relief on the first \$20,000 of assessed value set by the Town Council during its annual budget deliberations.
4. All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for personal property tax relief under PPTRA.

PASSED THIS 14th DAY OF APRIL 2020.


Patricia Dickinson, Mayor

ATTEST


Harry E. Arnold, Jr., Recorder

An Ordinance to Temporarily Suspend the Assessment of Late Payment Fees and Interest on Delinquent Real Estate Taxes

BE IT ORDAINED, by the Council of the Town of Berryville, in accordance with Sections 16-3 and 16-3.1 of the Berryville Code, that it hereby suspends the assessment of late fees and interest on delinquent real estate tax bills; with such suspension becoming effective on April 15, 2020 and remaining in effect until September 15, 2020.

VOTE:

Aye: *Unanimous*

Nay:

Abstain:

Absent:

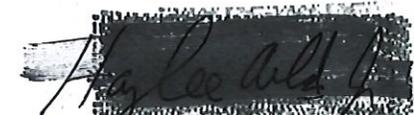
Signed:



Patricia Dickinson, Mayor

Date: *4-16-2020*

ATTEST:



Harry Lee Arnold, Jr. Recorder

Date: *4/15/2020*

An Ordinance to Temporarily Suspend the Assessment of Late Payment Fees, Interest, and Disconnection/Reconnection Fees on Delinquent Water and Sewer Accounts

BE IT ORDAINED, by the Council of the Town of Berryville, in accordance with Section 17-58 of the Berryville Code, that it hereby suspends the assessment of late fees, interest, and disconnection/reconnection fees on delinquent water and sewer accounts; with such suspension becoming effective on April 15, 2020 and remaining in effect until June 15, 2020.

VOTE:

Aye: *Unanimous*

Nay:

Abstain:

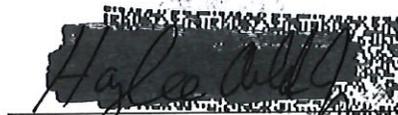
Absent:

Signed:


Patricia Dickinson, Mayor

Date: 4-16-2020

ATTEST:


Harry Lee Arnold, Jr. Recorder

Date: 4/15/2020

1.

**TOWN OF BERRYVILLE
RESOLUTION CONFIRMING CLARKE
COUNTY'S DECLARATION OF A LOCAL
EMERGENCY
COVID-19 Virus
Virginia Code § 44-146.21**

WHEREAS, President Trump declared a Public Health Emergency related to the COVID-19 virus on January 31, 2020 followed by two National Emergency Declarations on March 13, 2020; and

WHEREAS, the World Health Organization characterized the spread of the COVID-19 virus as a pandemic on March 11, 2020 and Governor Northam declared a state of emergency on March 12, 2020 related to the COVID-19 virus; and

WHEREAS, the COVID-19 virus and its continued spread pose an imminent threat to the public health and safety of the residents of Berryville and Clarke County, and the consequences of the virus are of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate any potential damage, hardship, suffering, or possible loss of life; and

WHEREAS, on March 17, 2020 the Clarke County Board of Supervisors adopted a Declaration of Local Emergency in which it found that the COVID-19 pandemic constitutes a "disaster as defined in Virginia Code § 44-146.21; and

WHEREAS, the Council finds that COVID-19 constitutes a real and substantial threat to the public health and safety and constitutes a "disaster" as defined in Virginia Code § 44-146.21, being a "communicable disease of public health threat."

NOW THEREFORE, BE IT RESOLVED, that the Berryville Town Council confirms the declaration of a local emergency by the Clarke County Board of Supervisors on March 17, 2020 and as much as is necessary also declares a local emergency because of the COVID-19 pandemic.

APPROVED

DATE


Patricia Dickinson, Mayor

April 16, 2020

ATTEST


Harry Lee Arnold, Jr., Recorder

TOWN OF BERRYVILLE

EMERGENCY ORDINANCE TO EFFECTUATE TEMPORARY CHANGES IN CERTAIN DEADLINES AND TO MODIFY PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES TO ADDRESS CONTINUITY OF OPERATIONS ASSOCIATED WITH THE COVID-19 PANDEMIC DISASTER.

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-one declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

WHEREAS, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

WHEREAS, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive "any state requirement or regulation" as appropriate; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

WHEREAS, on March 17, 2020, the Clarke County Board of Supervisors adopted a declaration of local emergency in which they specifically determined that the COVID-19 Pandemic constitutes a "disaster" as defined in

Virginia Code

§44-146.16, being a "communicable disease of public health threat;" and

WHEREAS, on April 14, the Berryville Town Council adopted a declaration of local emergency specifically finding that the COVID-19 pandemic constitutes a "disaster" as defined in Virginia Code § 44-146.16, being a "communicable disease of public health threat," and confirming the declaration of the Clarke County Board of Supervisors; and

WHEREAS, the Council finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a "disaster" as defined by Virginia Code §44-146.16 being a "communicable disease of public health threat;" and

WHEREAS, Virginia Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months; and

WHEREAS, Virginia Code § 44-146.21(C) further provides that a local director of emergency management or any member of a governing body in his absence may upon the declaration of a local emergency "proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to performance of public work;" and

WHEREAS, Virginia Code § 2.2-3708.2(A)(3) allows, under certain procedural requirements including public notice and access, that members of Council may convene solely by electronic means "to address the emergency;" and

WHEREAS, the open public meeting requirements of the Virginia Freedom of

Information Act (FOIA) are limited only by a properly claimed exemption provided under that Act or "any other statute;" and

WHEREAS, the Governor and Health Commissioner of the Commonwealth of Virginia and the President of the United States have recommended suspension of public gatherings of more than ten attendees; and

WHEREAS, the Attorney General of Virginia issued an opinion dated March 20, 2020 stating that localities have the authority during disasters to adopt ordinances to ensure the continuity of government; and

WHEREAS, this emergency ordinance in response to the disaster caused by the COVID-19 pandemic promotes public health, safety, and welfare and is consistent with the law of the Commonwealth of Virginia, the Constitution of Virginia, and the Constitution of the United States of America:

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Berryville, Virginia:

1. That the COVID-19 pandemic makes it unsafe to assemble in one location a quorum for public bodies including the Council, the Planning Commission, Berryville Area Development Authority, Board of Zoning Appeals, and all local and regional boards, commissions, committees, and authorities created by the Council or to which the Council appoints all or a portion of its members (collectively "Public Entities" and individually "Public Entity"), or for such Public Entities to conduct meetings in accordance with normal practices and procedures.
2. That in accordance with Virginia Code § 15.2-14.13, and notwithstanding any contrary provision of law, general or special, the following emergency procedures

are adopted to ensure the continuity of government during this emergency and disaster:

- a. Any meeting or activities which require the physical presence of members of the Public Entities may be held through real-time electronic means (including audio, telephonic, video, or other practical electronic medium) without a quorum physically present in one location; and
- b. Prior to holding any such electronic meeting, the Public Entity shall provide public notice of at least 3 days in advance of the electronic meeting, identifying how the public may participate or otherwise offer comment; and
- c. Any such electronic meeting of Public Entities shall state on its agenda and at the beginning of such meeting that it is being held pursuant to and in compliance with this Ordinance; identify Public Entity members physically and/or electronically present; identify the persons responsible for receiving public comment; and identify notice of the opportunities for the public to access and participate in such electronic meeting; and
- d. Any such electronic meeting of the Public Entities shall be open to electronic participation by the public and closed to in-person participation by the public; and
- e. For any matters requiring a public hearing, public comment may be solicited by electronic means in advance and shall also be solicited through telephonic or other electronic means during the course of the electronic meeting. All such public comments will be provided to members of the Public Entity at or before the electronic meeting and made part of the record for such meeting; and

f. The minutes of all electronic meetings shall conform to the requirements of law, identify how the meeting was conducted and members participating, and specify what actions were taken at the meeting. The Public Entities may approve minutes of an electronic meeting at a subsequent electronic meeting and shall later approve all such minutes at a regular or special meeting after the emergency and disaster has ended.

IT IS FURTHER ORDAINED that notwithstanding any provision of law, regulation, or policy to the contrary, any deadlines requiring action by a Public Entity, its officers, and employees of its organization, shall be suspended during this emergency and disaster. However, the Public Entities, officers, and employees thereof are encouraged to take such action as is practical and appropriate to meet those deadlines. Failure to meet any such deadlines shall not constitute a default, violation, approval, recommendation, or otherwise.

IT IS FURTHER ORDAINED, that non-emergency public hearings and action items of Public Entities may be postponed to a date certain provided that public notice is given so that the public are aware of how and when to present their views.

IT IS FURTHER ORDAINED, that the provisions of this Emergency Ordinance shall remain in full force and effect for a period of 60 days, unless amended, rescinded, or readopted by the Council in conformity with the notice provisions set forth in Virginia Code §15.2-1427, but in no event shall such ordinance be effective for more than 6 months. Upon rescission by the Council or automatic expiration as described herein, this emergency ordinance shall terminate and normal practices and procedures of government shall resume.

Nothing in this Emergency Ordinance shall prohibit Public Entities from holding in-person public meetings, provided that public health and safety measures as well as social distancing are taken into consideration.

An emergency is deemed to exist, and this ordinance shall be effective upon its adoption. ADOPTED by the Town Council on the 14th of April 2020.

APPROVED



Patricia Dickinson, Mayor

ATTEST:



Harry Lee Arnold, Jr., Recorder

RESOLUTION OF COUNCIL OF THE
TOWN OF BERRYVILLE

AUTHORIZING THE ADOPTION OF PROCEDURES FOR ELECTRONIC
PUBLIC MEETINGS AND PUBLIC HEARINGS TO ENSURE THE CONTINUITY
OF GOVERNMENT DURING THE COVID-19 PANDEMIC DISASTER

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-one declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus, (COVID-19) pandemic; and

WHEREAS, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

WHEREAS, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive "any state requirement or regulation" as appropriate; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

WHEREAS, on March 17, 2020, the Clarke County Board of Supervisors adopted a declaration of local emergency specifically finding that the COVID-19 pandemic constitutes a "disaster" as defined in Virginia Code § 44-146.16, being a "communicable disease of public health threat;" and

WHEREAS, on April 14, the Berryville Town Council adopted a declaration of local emergency specifically finding that the COVID-19 pandemic constitutes a "disaster" as defined in Virginia Code § 44-146.16, being a "communicable disease of public health threat" and confirming the declaration of the Clarke County Board of Supervisors; and

WHEREAS, Virginia Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months; and

WHEREAS, on April 14, 2020, the Town Council of the Town of Berryville, pursuant to Virginia Code § 15.2-1413, adopted an Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster ("Emergency Ordinance"); and

WHEREAS, through its Emergency Ordinance, the Council specifically found that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a "disaster" as defined by Virginia Code § 44-146.16, being a "communicable disease of public health threat;" and

WHEREAS, through its Emergency Ordinance, the Council further found that the COVID-19 pandemic makes it unsafe to assemble in one location a quorum for public bodies including the Council, the Planning Commission, Berryville Area Development Authority, Board of Zoning Appeals, and all local and regional boards, commissions, committees, and authorities created by the Council or to which

the Council appoints all or a portion of its members (collectively "Public Entities" and individually "Public Entity"), or for such Public Entities to conduct meetings in accordance with normal practices and procedures; and

WHEREAS, through its Emergency Ordinance, the Council adopted certain procedures to ensure the continuity of government during the COVID-19 pandemic disaster ("Continuity Procedures"), suspended any deadlines applicable to Public Entities and their staff during the COVID-19 disaster, and authorized Public Entities, at their discretion, to postpone non-emergency public hearings and action items during the disaster;

NOW, THEREFORE, BE IT RESOLVED that the Berryville Town Council hereby incorporates by reference and adopts the Continuity Procedures prescribed in the Emergency Ordinance, a copy of which is attached hereto; and

BE IT FURTHER RESOLVED that the Council of Town of Berryville hereby authorizes and directs its officers and staff to take all steps reasonably necessary or appropriate to implement such Continuity Procedures and to develop any specific procedures as applicable and appropriate for the Town of Berryville, provided that such specific procedures are consistent with the terms and conditions of the Emergency Ordinance; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and shall remain in effect during the pendency of the Emergency Ordinance including for any applicable period upon the re-adoption of the Emergency Ordinance by Council.

ADOPTED by the Berryville Town Council on the 14th day of
April 2020.

APPROVED



Patricia Dickinson, Mayor

ATTEST:



Harry Lee Arnold, Jr., Recorder

Berryville Town Council
Operating Procedures

Electronic Participation In Meetings from Remote Locations #2016-7-1

Page 1 of 4

Except as provided hereafter, Town Public Bodies do not conduct meetings wherein the public business is discussed or transacted through telephonic, video, electronic, or other communication means where the members are not physically assembled.

I. Quorum Physically Assembled

A member of a Town public body may participate in a meeting through electronic communication means from a remote location that is not open to the public:

1. If, on or before the day of a meeting, the member notifies the Mayor or Chairman that he or she is unable to attend the meeting ~~due to~~ because of an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, and the public body

- a. approves the member's participation by a majority vote of the members present at a meeting and

- b. records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated.

In deciding whether or not to approve a member's request to participate from a remote location, the public body shall not consider the identity of the member making the request or the matters that will be considered or voted on at the meeting.

If a member's participation from a remote location is disapproved, such disapproval will be recorded in the minutes with specificity.

Such participation by a member shall be limited each calendar year to two meetings or 25 percent of the meetings of the public body, whichever is fewer; or

2. If a member notifies the Mayor or Chairman that he or she is unable to attend a meeting ~~due to~~ because of a temporary or permanent disability or other medical condition that prevents the member's physical attendance, and the public body records in the minutes this fact and the remote location from which the member participated ~~in its minutes~~.

A member may participate in a meeting by electronic means pursuant to this section only when:

- a quorum of the public body is physically assembled at the primary or central meeting location; and

Berryville Town Council
Operating Procedures

Electronic Participation In Meetings from Remote Locations #2016-7-1

Page 2 of 4

- the public body makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

II. Quorum Not Physically Assembled

The public body may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in accordance with Va. Code § 44-146.17, provided

- the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location, and
- the purpose of the meeting is to address the emergency.

If it holds a meeting pursuant to this section, the public body shall

- give public notice using the best available method given the nature of the emergency, contemporaneously with the notice provided members of the public body;
- make arrangements for public access to the meeting;
- make available to the public, at the time of the meeting, agenda packets and all materials, unless exempt, that will be distributed to members of the public body and that have been made available to the public body's staff in sufficient time for duplication and forwarding to all locations at which public access will be provided;
- record minutes of the meeting; and
- record in the minutes votes taken by name in roll-call fashion.

For any meeting conducted pursuant to this section, the nature of the emergency, the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the meeting. In addition, at such meetings the public body will make available to the public a public comment form prepared by the Virginia Freedom of Information Advisory Council.

Adopted by Berryville Town Council on July 08, 2016 (work session)

Page 173 of 198

III. Reporting

If the public body meets by electronic means, it shall make a written report of the following to the Virginia Freedom of Information Advisory Council and the Joint Commission on Technology and Science by December 15 of each year:

- the total number of electronic communication meetings held that year.
- the dates and purposes of the meetings.
- a copy of the agenda for each meeting.
- the number of sites for each meeting.
- the types of electronic communication means by which the meetings were held.
- the number of participants, including members of the public, at each meeting location.
- the identity of the members of the public body recorded as absent and those recorded as present at each meeting location.
- a summary of any public comment received about the electronic communication meetings.
- a summary of the public body's experience using electronic communication meetings, including its logistical and technical experience.

IV. EXCEPTIONS

Nothing in this policy shall prevent the Council from acting in accordance with special provisions of emergency declarations of the President of the United States or the Governor of Virginia and determinations of the Council made in accordance with said declarations. Where provisions of this policy conflict with such emergency declarations, the provisions of said declaration of the President or Governor and determinations made in accordance with said declarations shall apply.

Berryville Town Council
Operating Procedures

Electronic Participation In Meetings from Remote Locations #2016-7-1

Page 4 of 4

Adopted: 7/8/16

Revised:

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3708, 2.2-3708.1, 2.2-3710.

Adopted by Berryville Town Council on July 08, 2016 (work session)

Page 175 of 198

Page 84 of 207

TOWN OF BERRYVILLE
**Public Meeting and Public Hearing Practices and Procedures Applied During the COVID-19
Pandemic Disaster**

In accordance with the Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with the Pandemic Disaster adopted on April 14, 2020, the Council of the Town of Berryville establishes the following practices and procedures for public meetings and public hearings held by public bodies of the Town of Berryville during the declared COVID-19 Pandemic Emergency. These practices and procedures shall remain in effect as long as the Pandemic Disaster declaration is valid and in effect.

The Town of Berryville remains committed to transparent governance. This being the case, the Town Council and Town's appointed boards and commissions will encourage and facilitate a high level of public engagement and participation during this emergency while at the same time protecting the public health.

Public Meetings

All meetings of the Town's public bodies shall be open to the public, except for closed meetings called in accordance with the Virginia Freedom of Information Act. However, during this declared disaster, public meetings will be held electronically as necessary to protect the public health. Such meetings will be conducted in accordance with state and local COVID-19 pandemic Disaster determinations, orders, and ordinances.

Meetings held electronically will be open to electronic participation by the public but closed to in-person participation by the public. At a minimum, the Town shall broadcast the audio of public meetings in as close to real time as is possible with the Town's equipment and technology.

Notice of all public meetings shall be provided on the Town's website not less than three (3) days before the meeting. The notice of the meeting shall identify agenda items and how the public may participate or otherwise offer comment on matters being considered.

Minutes of all meetings shall be kept in accordance with adopted state and local COVID-19 pandemic disaster determinations, orders and ordinances. Adopted minutes shall be posted on the Town's website.

Public Hearings

Certain business that requires a public body to hold a public hearing must be conducted during the declared emergency. Such public hearings shall be limited to those matters necessary to continue vital services of government or meet legal obligations.

An Ordinance to Temporarily Suspend the Assessment of Late Payment Fees and Interest on Delinquent Real Estate Taxes

BE IT ORDAINED, by the Council of the Town of Berryville, in accordance with Sections 16-3 and 16-3.1 of the Berryville Code, that it hereby suspends the assessment of late fees and interest on delinquent real estate tax bills; with such suspension becoming effective on April 15, 2020 and remaining in effect until September 15, 2020.

VOTE:

Aye: *Unanimous*

Nay:

Abstain:

Absent:

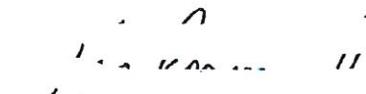
Signed:



Patricia Dickinson, Mayor

Date: *4-16-2020*

ATTEST:



Harry Lee Arnold, Jr. Recorder

Date: *4/15/2020*

An Ordinance to Temporarily Suspend the Assessment of Late Payment Fees, Interest, and Disconnection/Reconnection Fees on Delinquent Water and Sewer Accounts

BE IT ORDAINED, by the Council of the Town of Berryville, in accordance with Section 17-58 of the Berryville Code, that it hereby suspends the assessment of late fees, interest, and disconnection/reconnection fees on delinquent water and sewer accounts; with such suspension becoming effective on April 15, 2020 and remaining in effect until June 15, 2020.

VOTE:

Aye: *Unanimous*

Nay:

Abstain:

Absent:

Signed:

Patricia Dickinson, Mayor

Date: 4-16-2020

ATTEST:

Harry Lee Arnold, Jr. Recorder

Date: 4/15/2020



Town of Berryville
Resolution Concerning Governor Northam's Proposal to
Cancel and Reschedule the Municipal Elections

WHEREAS, Governor Northam proposes that municipal elections scheduled for May 5, 2020 be canceled and rescheduled for November 3, 2020 because of the COVID-19 emergency; and

WHEREAS, the Governor's proposal would necessitate discarding all ballots cast prior to the date the election is canceled; and

WHEREAS, the proposal would require candidates who have qualified for the election to re-qualify; and

WHEREAS, costs incurred to date by localities will have been spent needlessly and additional expense will be incurred in November; and

WHEREAS, the Town Council shares Governor Northam's desire to safeguard public health and preserve the right of each citizen to elect municipal representatives;

NOW THEREFORE, BE IT RESOLVED that the Berryville Town Council opposes cancelation of its May election; and

BE IT FURTHER RESOLVED, that if it is determined that conducting the election on May 5, 2020 is unsafe because of the COVID-19 emergency, then the election should be delayed to no later than necessary and in a manner that preserves votes that have been cast and maintains the integrity of the existing slate of candidates who have previously qualified.

APPROVED

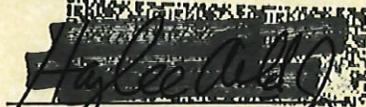
A black and white signature of Patricia Dickinson, appearing as a dense, textured scribble.

Patricia Dickinson, Mayor

DATE

4-16-2020

ATTEST:

A black and white signature of Harry Lee Arnold, Jr., appearing as a dense, textured scribble.

Harry Lee Arnold, Jr.

The Dunlap Drive Concerned Citizens Group
Dunlap Drive, Berryville, Virginia 22611

Mayor and Town Council
2020
101 Chalmers Court, Suite A
Berryville, Virginia 22611

April 7, 2020

Subject: Sense of the Council – Keep the Name Dunlap Drive

Dear Mayor and Council:

As you all know, we continue to work with the Hermitage developer, elected town officials, town staff, and appropriate agencies and authorities to retain the name "Dunlap Drive" as part of the next phase of the Hermitage development.

The cooperation, attitude, and willingness of all concerned to help achieve our goal is extraordinary. It is a textbook example of local civic cooperation.

At this point, the developer has submitted a revised option to the town planner that, we believe, satisfies safety, fire (GPS is particularly effective), police, emergency service and all other significant regulatory requirements.

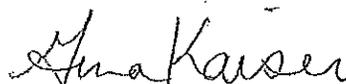
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With all concerns satisfied, the task remains to endorse the revision before submission to the Berryville Area Development Authority (BADA) and the Architectural Review Board (ARB).

We recommend a unanimous Sense of the Council vote on the following or similarly worded resolution: "The Mayor and Berryville Town Council unanimously support the current revision to the Hermitage Development Plan that retains the street name "Dunlap Drive." The Town Staff shall implement the revision immediately upon approval of the BADA and the ARB."

As mentioned above, all of us appreciate your willingness and flexibility in working with us to resolve the Dunlap Drive challenge.

Very Respectfully,

 Gina Kaiser 408 Dunlap

The Dunlap Drive Concerned Citizens Group

The Dunlap Drive Concerned Citizens Group
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Very Respectfully,



Sheriff Kaiser
408 Dunlap

The Dunlap Drive Concerned Citizens Group

The Dunlap Drive Concerned Citizens Group
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Very Respectfully,

Gabriella Kaiser

Gabriella Kaiser 408 Dunlap Dr

The Dunlap Drive Concerned Citizens Group

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Very Respectfully,


Trinity Walraven

411 Dunlap Drive

The Dunlap Drive Concerned Citizens Group

The Dunlap Drive Concerned Citizens Group
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Very Respectfully,



Kip Walraven

The Dunlap Drive Concerned Citizens Group

411 Dunlap Dr.

The Dunlap Drive Concerned Citizens Group
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Samantha Walraven *Samantha Walraven*
411 Dunlap Dr

The Dunlap Drive Concerned Citizens Group

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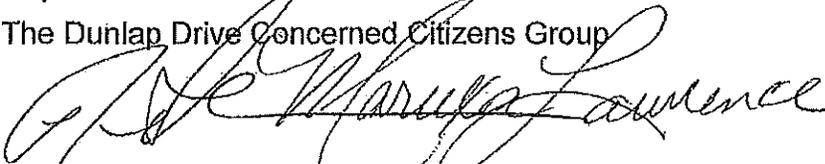
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Very Respectfully,

PETER AND MARUYA LAWRENCE
416 DUNLAP DRIVE

The Dunlap Drive Concerned Citizens Group



The Dunlap Drive Concerned Citizens Group
Dunlap Drive, Berryville, Virginia 22611

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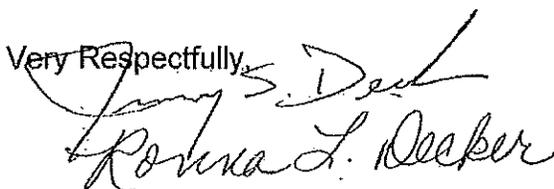
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Very Respectfully,


Robert L. Decker

401 Dunlap Drive
Berryville, VA 22611

The Dunlap Drive Concerned Citizens Group

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Dunlap Drive, Berryville, Virginia 22611

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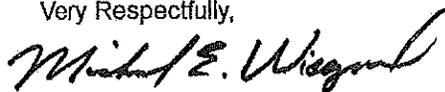
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Very Respectfully,



MICHAEL E. WIEGAND

420 DUNLAP DRIVE

The Dunlap Drive Concerned Citizens Group

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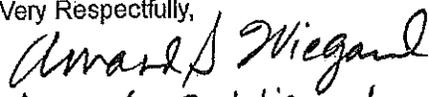
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Very Respectfully,


Amanda S. Wiegand
420 Dunlap Drive

The Dunlap Drive Concerned Citizens Group

The Dunlap Drive Concerned Citizens Group
Dunlap Drive, Berryville, Virginia 22611

Mayor and Town Council
101 Chalmers Court, Suite A
Berryville, Virginia 22611

April 7, 2020

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Tiffany Robinson

321 Dunlap DR Berryville VA

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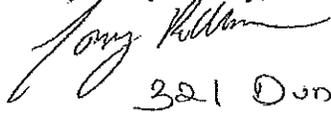
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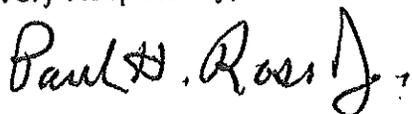
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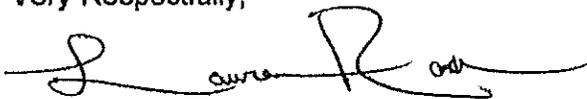
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Very Respectfully,

Katherine

Rose

412

Dunlap

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Edward F. Windisch, 329 Dunlap Drive
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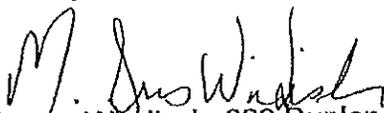
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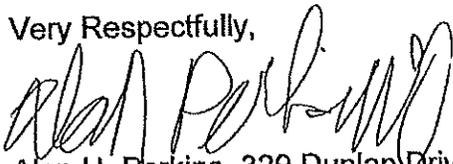
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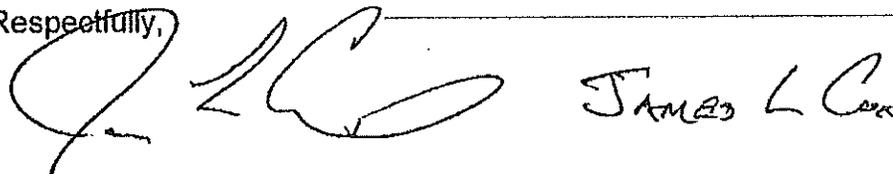
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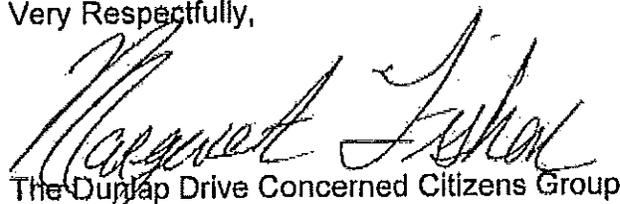
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Margaret Fisher
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Karla R. Jordan
320 Dunlap Dr.

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Herbert Jordan
320 Dunlap Drive

The Dunlap Drive Concerned Citizens Group

BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE
Berryville-Clarke County Government Center
MINUTES
April 27, 2020

A meeting of the Berryville Town Council Community Development Committee was held on Monday, April 27, 2020 at 2:00 p.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia. All participation was by telephone because of the COVID-19 pandemic, with the meeting being livestreamed on the Town's YouTube channel.

Attendance:

Members of the committee: Chair Kara Rodriguez, Diane Harrison, Donna McDonald

Staff participating in meeting: Christy Dunkle, Assistant Town Manager/Planner

Staff present in meeting room for technical support: Paul Culp, Town Clerk

1. Call to Order

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

2. Approval of Agenda

Ms. McDonald moved for approval of the agenda as submitted, seconded by Ms. Harrison. The motion passed by consensus.

3. Unfinished Business:

Chair Rodriguez invited a motion to enter closed session as provided by the agenda. Ms. Harrison made the attached motion, seconded by Ms. McDonald. The motion passed by unanimous voice vote, and the committee entered closed session at 2:02 p.m.

The committee reentered open session at 2:33 p.m., Ms. Harrison having made the attached motion, seconded by Ms. McDonald, with the motion passing by unanimous voice vote.

4. New Business

There was no new business.

5. Other

Ms. McDonald and Ms. Dunkle briefly discussed the number of businesses and new residences in Berryville.

6. Adjourn

Chair Rodriguez invited a motion to adjourn. Ms. Harrison so moved, seconded by Ms. McDonald, with the meeting adjourning by consensus at 2:34 p.m.

Town of Berryville
Community Development Committee
MOTION TO ENTER CLOSED SESSION

DATE: April 27, 2020

MOTION BY: Harrison

SECOND BY: McDonald

I move that the Community Development Committee of the Town of Berryville enter a closed session in accordance with §2.2-3711-A-29 Code of Virginia, for discussion related to review and recommendation of Requests for Proposals for Graphic Design Branding Services.

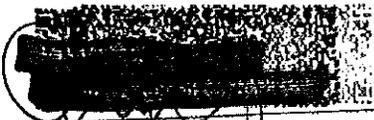
VOTE:

Aye: Unanimous voice vote

Nay:

Absent/Abstain:

ATTEST: _____


Christy Dunkle, Community Development Director

**BERRYVILLE TOWN COUNCIL
COMMUNITY DEVELOPMENT COMMITTEE**

MOTION

CLOSED SESSION RESOLUTION

DATE: April 27, 2020

MOTION BY: Harrison

SECOND BY: McDonald

I move that the Community Development Committee 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:

Resolution

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.

VOTE:

Aye: Unanimous voice vote

Nay:

Absent/Abstain:

ATTEST: _____

Christy Dunkle, Community Development Director