

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
May 14, 2019
7:30 p.m.

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

Staff: Keith Dalton, Town Manager; Desiree Moreland, Assistant Town Manager/Treasurer; Christy Dunkle, Assistant Town Manager/Planner; Chief Neal White, Berryville Police Department

Press: Mickey Powell, Winchester Star

1. Call to Order

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

2. Pledge of Allegiance

3. Approval of Agenda

Council member Harrison made the motion to approve the agenda as presented, seconded by Council member Rodriguez.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

Abstain: None

4. Public Hearing

Mayor Dickinson opened the following public hearing:

FY 2020 Budget

The Council of the Town of Berryville proposes to approve a budget and appropriate funds for FY 2020

There were no speakers. Mayor Dickinson closed the public hearing.

5. Citizens' Forum

Mayor Dickinson recognized Adam Packham, Heroes on the River. Mr. Packham said he operates a non-profit organization working with veterans and veterans' organizations and will be holding

the 4th Annual Heroes on the River event at Watermelon Park on Saturday, June 29, 2019. He said the event includes a cookout and music and is open to all veterans and their families.

Mayor Dickinson recognized Mary Ivie, Town resident. Ms. Ivie said it was that time of year for flooding to occur in her neighborhood. She said she is still having trouble with large runoff and property damage. She said the Town's 1997 storm water ordinance was not addressed at that time and the same problems are occurring today that were identified 40 years ago including water in the street.

6. Consent Agenda

Mayor Dickinson asked if any of the items should be removed. No items were removed. There being no further discussion, **Recorder Arnold made the motion to approve the consent agenda, seconded by Council member Harrison.**

Roll call vote as follows:

McDonald: Aye
Harrison: Aye
Gibson: Aye
Rodriguez: Aye
Arnold: Aye
Dickinson: Aye
Abstain: None

7. Presentations

No presentations were scheduled.

8. Report of Patricia Dickinson, Mayor

Mayor Dickinson discussed the annual Memorial Day Celebration on Sunday, May 26, 2019 beginning at 2:00pm. She said the theme this year is women veterans. She said there will be a luncheon at the VFW.

9. Report of Harry Lee Arnold, Jr., Recorder

Recorder Arnold said he had nothing to report.

10. Report of Christy Dunkle, Assistant Town Manager for Community Development

Ms. Dunkle said she had one action item. She said a minor subdivision will be occurring on East Main Street and the Subdivision Ordinance requires Town Council approval in order to obtain public right-of-way dedication. **Council member Harrison made the motion to approve the dedication of right-of-way on the north side of East Main Street (Business 7) for public use as identified on the attached plat, seconded by Council member Rodriguez.**

Roll call vote as follows:

McDonald: Aye
Harrison: Aye
Gibson: Aye

Rodriguez: Aye
Arnold: Aye
Dickinson: Aye
Abstain: None

11. Report of Keith Dalton, Town Manager

Mr. Dalton noted the passing of Earl Sutherland whom he had worked with for many years. He added that Mr. Sutherland was a friend to Berryville and many other towns in the Shenandoah Valley.

Mr. Dalton said that at the May 10, 2019 rate study work session, Council asked staff to design a schedule to include a work session, public input session, and public hearing. Mr. Dalton proposed the following schedule:

Work session: Monday, June 3, 2019 at 3:00pm to review/discuss Council's philosophy/approach as it relates to water and sewer rates and water and sewer availability fees.

Regular session: Tuesday, June 11, 2019 at 7:30pm to finalize approach and direct staff to develop a draft fee schedule and Notice/Executive Summary.

Regular session: Tuesday, July 9, 2019 at 7:30pm to review draft fee schedule and Notice/Executive Summary and to set the public hearing for the Tuesday, October 8, 2019 meeting at 7:00pm.

Thursday, August 15, 2019 Deadline for Notice/Executive Summary, final draft of rate schedule, and Rate Study to be posted on the Town's website in order to provide adequate review time by residents prior to the public input session and public hearing.

Thursday, August 22, 2019 Notice/Executive Summary of rate study sent with water/sewer bill to provide additional public notice prior to the public input session and public hearing.

Public Input session: Wednesday, September 11, 2019 from 7:00pm to 8:30pm to provide information to the public and provide a venue in which the public can interact with elected officials.

Public Hearing session: Tuesday, October 8, 2019 at the regular meeting and render a decision.

Wednesday, October 23, 2019 rates become effective.

Mayor Dickinson said the schedule was pretty aggressive. Council member McDonald asked whether Council should meet in August to expedite the process. Mayor Dickinson asked if her intention was to implement the new rates sooner. Council member McDonald said that was not her intent and asked staff if the proposed schedule was sufficient. Mr. Dalton said the proposed schedule would work without an August meeting and would give staff time to complete all of the requested tasks. There was a discussion about dates for public input sessions and delivery of public comments in the water bills or digitally.

Council member Harrison asked if a committee should be working on this effort. It was determined that the Streets and Utilities Committee would review the proposed utility rates and fees.

12. Report of Erecka Gibson – Chair, Budget and Finance Committee

Council member Gibson referenced Ms. Moreland's report. She said a memo in the report identifies state requirements for FOIA and conflict of interest training for Council members.

Council member Gibson said action is requested for a voluntary long-term care agreement with Virginia Retirement System (VRS) that is in the packet for discussion and approval which would enable employees to purchase long-term care through the VRS.

Council member Gibson made the motion to approve the attached Agreement between the Town and the Virginia Retirement System concerning participation in the Voluntary Long-Term Care Program that will be administered at no cost to the Town and that the Council authorize the Town Manager to execute the Agreement and other required instruments, seconded by Council member Harrison.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

Abstain: None

13. Report of Kara Rodriguez – Chair, Community Development Committee

Council member Rodriguez said the Committee discussed the economic development MOU with the County and followed up with Supervisor Daniel who indicated the Board would be discussing the matter. She said the Community Development Committee recommended Recorder Arnold and herself to represent the Town on the MOU Committee.

Council member Rodriguez made the motion to appoint Kara Rodriguez and Jay Arnold to represent the Town in Economic Development Memorandum of Understanding discussions with Clarke County, seconded by Council member Gibson.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

Abstain: None

Council member McDonald asked if other Council members could attend their meetings and participate.

Council member Rodriguez said the next Community Development Committee meeting is scheduled for Monday, June 24 at 2:00pm.

14. Report of Donna McDonald - Chair, Public Safety Committee

Council member McDonald said the Committee discussed chapters 8 and 20 of the Town Code at their last meeting. She discussed reducing proposed language including recycling and matters concerning business refuse collection. She recognized Chief White who discussed National Police Week.

Council member McDonald made the motion to approve the attached National Police Week Resolution. Seconded by Council member Harrison.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

Abstain: None

Chief White said the Coffee With a Cop event at Cordial Coffee organized by Officer Andrews was well received.

Chief White discussed the Memorandum of Agreement with the Northwestern Crisis Intervention Team Assessment Center (CITAC). He said the joint venture includes a large catchment area with approximately 20 law enforcement agencies. He said the CITAC is located at Winchester Medical Center and is open seven days a week. Chief White said the effort will enable police officers to get back on the streets rather than waiting for assessments which may take as long as eight hours. He added that the effort was funded through a grant from the Virginia Department of Health and Behavioral Services.

Chief White identified two agreements before Council. He said the first is a Memorandum of Agreement between all law enforcement agencies in the catchment area adding that transportation assistance will use a private vendor for transfers. Chief White said the second agreement was for CITAC staffing which allows for those qualified to assist with detention efforts. He said the Northwestern CITAC would reimburse each respective locality when grant funding is insufficient. Chief White concluded by saying the Northwestern CITAC is connected to but separate from the Emergency Room at Winchester Medical Center which allows for a more therapeutic setting for the detainee.

Council member McDonald made the motion to approve the attached Memorandum of Agreement concerning the Northwestern Crisis Intervention Team (CIT) Assessment Center, authorize the Town Manager to approve changes necessary to finalize the Agreement with the participating jurisdictions, and authorize the Chief of Police to execute the final Agreement and other required instruments on behalf of the Town.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

Abstain: None

Mayor Dickinson applauded the effort of those involved.

15. Report of Diane Harrison – Chair, Streets and Utilities Committee

Council member Harrison said the Committee did not meet in April. She said she discussed the public works facility upgrade with Mr. Boor and that the project is close to completion.

Council member Harrison said she observed how storm water functioned around the Town with varying results from driving rains and lighter, steady rains. She noted that the hard and fast rain resulted in Jackson Pond detaining water and the lack of street flooding with slower rainfall.

Mr. Dalton said the paving bid opening went well and will begin prior to the beginning of the next fiscal year. He said northwest water tank maintenance has begun. Mayor Dickinson asked if “Berryville” will be painted on the exterior. Mr. Dalton said it would not be. He said a few items from the 3-million gallon ground tank need to be completed but weather conditions have not favorable. Mayor Dickinson asked when the work on Mosby at McNeil would be completed. Mr. Dalton said it will likely be in the next week.

16. Report of Harry Lee Arnold, Jr. – Chair, Personnel, Appointments, and Policy Committee

Recorder Arnold said they have scheduled interviews for the Assistant Town Manager/Treasurer position for May 28, 2019.

17. Closed Session – No closed session scheduled

18. Other

Mayor Dickinson asked the status of the veterans’ plaque for the Government Center. Mr. Dalton said he believed that the Building Committee put it in the hands of Mr. Ash as the building manager adding that he would follow up with Mr. Ash. She said the Town had not thanked those involved with the effort and wanted to send an official correspondence to

representatives of the VFW, American Legion, and Marine Corps League who made up the Centennial Committee and donated the plaque. Mayor Dickinson said she would draft a letter and distribute to Council members for comment.

There was a discussion about Committee meetings which were scheduled as follows:

Personnel, Appointments, and Policy Committee: Tuesday, May 28, 2019 beginning at 2:00pm

Public Safety Committee: Wednesday, June 26, 2019 at 2:00pm

Streets and Utilities Committee: Tuesday, June 25, 2019 at 10:30am

Community Development Committee: Monday, June 24, 2019 at 2:00pm

Budget and Finance Committee: no meeting scheduled

Recorder Arnold asked about meeting with Rappahannock Electric Cooperative representatives. Council member Harrison said she would like to discuss downtown lighting. There was a discussion about scheduling a meeting. Mayor Dickinson said that REC initiated a meeting to discuss LED lighting. She said she was disappointed in the previous responses from REC staff and contacted Board member Chris Shipe. There was a discussion about costs, lighting alternatives, and safety.

19. Adjourn

There being no further business, **Council member Gibson made the motion to adjourn the meeting, seconded by Council member Rodriguez.**

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

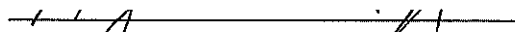
Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

Abstain: None

The meeting adjourned at 8:31pm.


Harry Lee Arnold, Jr., Recorder


Christy Dunkle, Recording Secretary

BERRYVILLE TOWN COUNCIL WATER AND SEWER WORK SESSION
Berryville-Clarke County Government Center
MINUTES
May 10, 2019

A work session of the Berryville Town Council was held on Tuesday, May 10, 2019 at 9:00am in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

Attendance: Members of Town Council present: Pat Dickinson, Mayor; Harry Lee Arnold, Jr., Recorder; Donna McDonald; Diane Harrison; Erecka Gibson; Kara Rodriguez

Staff present: Keith Dalton, Town Manager; Desiree Moreland, Treasurer/Assistant Town Manager; Christy Dunkle, Planner/Assistant Town Manager; David Tyrrell, Director of Utilities; Rick Boor, Director of Public Works

Press present: Mickey Powell

Mayor Dickinson called the meeting to order at 9:00am.

Approval of Agenda

Council member McDonald made the motion to approve the amended agenda as presented, seconded by Council member Rodriguez, the motion was approved by consensus.

Discussion: Draft Water and Sewer Study

Tom Frederick, Pennoni Engineering, gave a brief background of the study. Mr. Frederick said they looked at each of the systems and their capacities. He said the Town is in very good shape to supply future growth adding there is old infrastructure in the system that will need to be rehabilitated or replaced. He commended the Town on conducting the study to identify assets, future needs, and associated costs. He said they identified utility needs as far as 20 years into the future using historical data collected which identified a population growth rate of one half a percent annually.

There was a discussion about maintaining asset records. Mayor Dickinson asked if loss of produced water occurred at the ground reservoir. Mr. Dalton said there is no indication that there is water loss in this location and the holes in the floor developed during sand blasting. Mr. Frederick said that inaccurate meters is the reason for most water loss throughout the industry and that meter replacement was identified in the CIP. There was a discussion about other sources of water loss that may not be accounted for including fire fighting, testing, and water used at the plant (e.g., mixing chemicals and cleaning equipment).

Mr. Frederick discussed population projections and reiterated that the Town was in good shape with capacity. There was a discussion about the hydraulic model. Ron Mislowsky said they updated the Town's model using GIS information from the County. He said the updated model will confirm and identify items including pipe information (e.g., size, material), improvements to the system, and tank

information. He added that this is an important tool to address specific issues within the distribution system.

There was a discussion about asset evaluation. Mr. Frederick said they have identified the Town's vertical and horizontal assets.

Mr. Dalton discussed the financial analysis and the identification of projects and associated budget needs. There was a discussion about smart meters; the costs; the return on investment; and benefits to customers.

There was a discussion about revenue requirements and future rates. Mr. Frederick discussed rate and availability fees in adjacent localities, noting the importance of identifying approximately 60% of the customers using 3,000 gallons of water or less per month. He described AWWA methodology in determining the recommended rates. Mayor Dickinson requested tables identifying out-of-town users and residential and commercial users.

Mr. Frederick reviewed rate development information; flow of funds for water and wastewater revenues and expenditures; and operating reserves. He acknowledged Ms. Moreland for maintaining operating reserves in amounts over the industry-standard 60 day timeframe.

Mr. Frederick discussed rate design and identified three options including 1. Flat rate; 2. Declining rate; 3. Inclining rate. There was a discussion about the methodology to be considered by Council.

There was a discussion about fixed costs; utility rates; and surcharges for out of town customers. Mr. Dalton said it is critical to look at water and sewer enterprise funds as businesses and separate from tax revenues. Council member Harrison asked about residents who have water accounts without sanitary sewer connections.

Council member Rodriguez asked what the next steps were. Staff said that since the proposed FY20 budget has been advertised without modifications to utility rates or availability fees, the proposed budget should move forward with adoption and appropriation. Ms. Moreland referenced state code requirements for budget amendments. Mayor Dickinson recommended segmenting the availability fees, rates, deposits, etc. in order to not get bogged down. There was a discussion about process including scheduling a work session; public input sessions; and a public hearing. Council members requested an executive summary for residents. Mr. Dalton advised Council members that it was important to have the consulting engineers in each meeting and said he would review the costs for their meeting attendance.

It was determined that Mr. Dalton would draft a schedule for consideration by Council members beginning with a work session in June.

Closed Session

There was no closed session.

Adjourn

There being no further discussion, the meeting was adjourned to 23 East Main Street at 11:20am.

The meeting was reconvened at 23 East Main Street at 11:20am. Those in attendance:

Mayor Dickinson

Recorder Arnold

Council member McDonald

Council member Harrison

Council member Rodriguez

Absent: Council member Gibson

Staff: Keith Dalton, Christy Dunkle

Press: Mickey Powell, Winchester Star

Call to Order – Mayor Pat Dickinson

Mayor Dickinson called the meeting to order at 11:20am.

Tour/Discussion – 23 East Main Street

Mr. Dalton said there was a structural study completed on the livery stable approximately a year and a half ago with stabilization to be completed within three years of the study's completion. He said stabilization costs are included in the FY 19 and FY 20 budgets and in the CIP for the FY 21 budget. He described the areas of the livery that needed to be stabilized. He continued the tour to the second floor of the property where a discussion occurred including the configuration of the incubator space, the creation of a vestibule, and modifications to the HVAC systems.

Adjourn

There being no further discussion, Council member Rodriguez made the motion to adjourn the meeting, seconded by Council member Harrison. The meeting was adjourned at 11:43am.

BERRYVILLE TOWN COUNCIL PERSONNEL, APPOINTMENTS, AND POLICY COMMITTEE
Berryville-Clarke County Government Center
MINUTES
May 28, 2019

A called meeting of the Berryville Town Council Personnel, Appointments, and Policy Committee was held on Tuesday, May 28, 2019 at 2:00pm in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

Attendance: Members of the Committee present: Harry Lee Arnold, Jr., Chair; Erecka Gibson, Pat Dickinson

Staff present: Keith Dalton, Town Manager

1. Call to Order

Harry Lee Arnold, Jr. called the meeting to order at 2:00pm.

2. Approval of Agenda

Ms. Gibson made the motion to approve the agenda as presented, seconded by Ms. Dickinson, the motion was approved.

3. Closed Session

- a. Ms. Gibson made the motion that the Personnel, Appointments, and Policy Committee of the Town of Berryville enter a closed session in accordance with §2.2-3711-A-1, Code of Virginia, for discussion, consideration, or interviews of prospective candidates for appointment, seconded by Ms. Dickinson. The motion passed unanimously.

- b. The Committee reconvened in open session and adopted the following:

RESOLUTION

WHEREAS, §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.

- c. Adoption of closed session resolution by roll call as follows:

Gibson: Aye

Dickinson: Aye

Arnold: Aye

4. Other

There was no other business.

5. Adjourn

The meeting was adjourned at 6:37pm.