



Berryville Town Council

MEETING AGENDA

Berryville-Clarke County Government Center

101 Chalmers Court, Second Floor

Main Meeting Room

Regular Session

March 12, 2024

7:00 PM

Item

Page

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Approval of Agenda**
4. **Presentations/Awards and Recognitions**
 - Pennoni, regarding utility rates
 - Chief White, new officer introduction
5. **Public Hearings**
6. **Discussion of Public Hearing Items**
7. **Citizens' Forum**
8. **Consent Agenda**
 - Approval of Minutes
 - Town Council Regular Meeting 13 February 2024
 - Budget and Finance Committee Meeting 26 February 2024
 - Community Development Committee Meeting 27 February 2024
 - Town Council Work Session 4 March 2024

9. Unfinished Business

Resolution to Declare an Intent to Reimburse, Water Treatment Plant Project

10. New Business

11. Council Member Reports

Mayor and Vice Mayor

Ward 1

Ward 2

Ward 3

Ward 4

12. Staff Reports

Public Works

Departmental Update

Public Utilities

Departmental Update

Police Department

Departmental Update

Community Development

Departmental Update

Construction Update

Administration and Finance

Departmental Update

American Rescue Plan Act of 2021

Deputy Town Manager

Town Manager

Spot Blight Abatement

13. Committee Updates

Budget and Finance

Set Public Hearing on Tax Rates for Tax Year 2024

Community Development

Virginia Commission for the Arts Creative Communities Partnership Grant

Personnel, Appointments, and Policy

Public Safety

Proposed amendment to Berryville Code Section 10-9

Streets and Utilities

14. Closed Session

15. Adjourn

Town Council Agenda Item Report Summary

March 12, 2024

Item Title

Consent Agenda

Prepared By

Christy Dunkle

Background/History/General Information

N/A

Findings/Current Activities

The consent agenda comprises three items to be considered for approval:

- Minutes of the February 13, 2024 Town Council regular meeting
- Minutes of the February 26, 2024 Budget and Finance regular meeting
- Minutes of the February 27, 2024 Community Development meeting
- Minutes of the March 4, 2024 Town Council work session

Financial Considerations

N/A

Schedules/Deadlines

N/A

Other Considerations

N/A

Attachments

- Minutes of the February 13, 2024 Town Council regular meeting
- Minutes of the February 26, 2024 Budget and Finance regular meeting
- Minutes of the February 27, 2024 Community Development meeting
- Minutes of the March 4, 2024 Town Council work session

Recommendation

N/A

Sample Motion

I move that the Council of the Town of Berryville approve the consent agenda.

BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting Minutes
February 13, 2024

A meeting of the Berryville Town Council was held on Tuesday, February 13, 2024 at 7:00 p.m. at the Berryville-Clarke County Government Center in Berryville.

Attendance: Members of the Town Council present: Harry Lee Arnold, Jr., Mayor; Erecka Gibson, Vice Mayor; William Steinmetz, Grant Mazzarino, Ryan Tibbens

Absent: Diane Harrison

Staff present: Keith Dalton, Town Manager; Neal White, Chief of Police; Jean Petti, Deputy Town Manager; Cindy Poulin, Director of Finance and Administration/Treasurer; Christy Dunkle, Community Development Director

Press present: Mickey Powell, Winchester Star

1. Call to Order

Mayor Arnold called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

Mayor Arnold requested attendees stand for the pledge of allegiance.

3. Approval of Agenda

Vice Chair Gibson made the motion to approve the agenda as presented. The motion passed by voice vote.

4. Presentations/Awards and Recognitions

Mayor Arnold recognized Josh Roller, CPA with Robinson, Farmer, Cox, PLLC, who presented the FY 23 the audit report remotely. He referenced the audit and governance letter that Council members had at the dais. Mr. Roller said there were no new accounting policies adopted or implemented this year. He said there were no reclassifications. He stated that they had no difficulties in performing the audit adding that all requests for information were addressed and all questions were answered. He said some journal entries were adjusted and reclassified, similar to previous years. Mr. Roller discussed fixed asset depreciation noting that it is similar to the prior year.

Mr. Roller discussed the audit report including the auditor's opinion which was an unqualified opinion. He discussed the general fund balance sheet and statement of revenues and the water

and sewer funds balance sheet and revenue and expenses. He said the internal controls were tested and that they found no issues. He added that they conducted a single audit to review the federal government compliance piece in relation to the American Rescue Plan funds and found no issues. He asked if Council members had any questions. They did not. Mayor Arnold thanked Mr. Roller for his participation.

Mayor Arnold asked staff to read a resolution (attached) for Ronnie Huff, honoring him for his time representing the Town on the Clarke County Parks and Recreation Board.

Mr. Tibbens made the motion to approve the resolution honoring Ronnie Huff's service to the citizens of this community. The motion passed by voice vote.

5. Public Hearings

No hearings scheduled.

6. Discussion of Public Hearings

No hearings were held.

7. Citizens' Forum

Mayor Arnold recognized Tim Sinclair, Town resident. Mr. Sinclair spoke in opposition to the proposed Friant rezoning. He said the Clarke County Comprehensive Plan was the bedrock of the Berryville Area Plan. He said 66 by-right lots or 112 lots per the Berryville plan would look like an extension of the existing neighborhood. He said to ask the planning office for the traffic analysis submitted for the proposed development to see what that would look like. He said you will see a lot of money in this proposal, but what wasn't seen was the added cost of road improvements, school costs, and the liability that the streets and utilities will become to the Town and millions of dollars of obligations to maintain. Mr. Sinclair said the Planning Commission recommended denial of the request. He referenced additional units and said this area does not have easy access to Town like the Hermitage and Battlefield Estates subdivisions. He recommended sticking to the plan.

Mayor Arnold recognized Allan Springer, Town resident. Mr. Springer said he lives on Tyson Drive in Phase V of the Hermitage subdivision and that a number of residents are having issues with concrete spalling on their driveways. He said that the spalling is due to freeze/thaw cycles on the concrete that did not apply the correct PSI or finishing technique.

Mayor Arnold recognized William Woodruff. Mr. Woodruff said he owns the property located at 114 Josephine Street and asked why he needed to go underground to tap a pipe and to clean up rocks in his yard. There was a discussion about the original blight abatement correspondence. Mr. Dalton said that capping the sanitary sewer lateral connection is required because the public collection system could be compromised if this is not done correctly.

Mayor Arnold recognized Mary Ivie who declined to speak.

There were no other speakers.

8. Consent Agenda

Mayor Arnold asked for a motion to approve the consent agenda (minutes attached).

Mr. Steinmetz made the motion to approve the consent agenda as presented. The motion passed by voice vote.

9. Unfinished Business

There was no update.

10. New Business

Rezoning for a proposed 198-unit subdivision if the Friant property.

Ms. Dunkle said that the Planning Commission had recommended denial of the request at their January meeting. She requested that Town Council set a work session to discuss the application.

Mr. Mazzarino made the motion to set a work session to review the rezoning of the parcels identified as 14-A-80 and 14-A-112 from OSR Open Space Residential; DR-1 Detached Residential-1; DR-2 Detached Residential-2; and BP Business Park to DR-4 Detached Residential-4 for April 1, 2024 at 3:00 p.m. The motion passed by voice vote.

11. Council Member Reports

Ward 3 - Mr. Mazzarino said he had been contacted by a number of residents of Hermitage Phase V and Shenandoah Crossing about concrete damage on their driveways and sidewalks. He said that it his understanding that D.R. Horton's response was that the concrete was not under warranty. Mayor Arnold asked David Giovannacci (D.R. Horton) about the issue who indicated he was unaware of the concerns. Mr. Arnold asked that Mr. Giovannacci follow up on this matter and Mr. Giovannacci said that he would.

Ward 4 – Mr. Tibbens discussed community service efforts by the local cub scout troop.

There were no other reports.

12. Staff Reports

Nothing was added to the written reports for Public Works, Utilities, Administration and Finance, Police, or Deputy Town Manager.

Community Development

Ms. Dunkle referenced the department and construction updates. She said that the Tree Board was sponsoring an invasive species presentation on March 13.

Town Manager

Mr. Dalton updated Council on the blight abatement efforts at 225 and 114 Josephine Street. He recommended setting a final deadline on these properties to address outstanding items. He said the owner of 225 met with staff and felt he could finish the work in 30 days. Mr. Dalton said the owner of 114 did stop by the Government Center but he was at a meeting in Winchester. Mr. Dalton said that disconnecting the sewer lateral and basic clean up needed to occur at 114 and that a considerable amount of debris remains at 225 following the demolition of the structure. He said there is a suggested path that a final deadline for full compliance of both parcels would be set for April 9, 2024. Mr. Dalton added that no extensions or additional notice would be given and that the Town would move forward with the work. He said a lien would be placed on the respective properties for the cost of the work after that time.

Mr. Dalton said there is one other property he wanted to discuss that is located at 127 Cameron Street. He said some time ago, a tree fell on the structure and damaged the roof. He said the roof has remained tarped and partially open to the elements. He said he discussed the property with a citizen and sent a certified letter to the owner who did not pick up. Mr. Dalton said the HOA is moving ahead of the Town on this process and that on February 7, 2024, the general district court executed an order directing the owner to fix the roof by May 7, 2024. Mr. Dalton said that with a court order in place, they are closer to coming into compliance. There was no further discussion.

Mr. Dalton acknowledged Ms. French in attendance at the meeting. He said there is a letter in the packet to the owner of 229 Josephine Street adding that there is no plan or deadlines set for this property yet.

Mr. Tibbens asked about the cost of capping a sewer line. Mr. Dalton replied that it would depend on the conditions. He said that the plan approved by Council outlined this requirement and that the Town has to inspect the work prior to covering the work.

There being no further discussion, Mr. Tibbens made the motion that the Town of Berryville require the owners of 225 and 114 Josephine Street to fully comply with approved spot blight abatement plans on or before April 9, 2024. The Council hereby directs the Town Manager to provide notice to each of the property owners and inform them:

- **Of this deadline;**
- **That no further extensions will be granted;**
- **That no additional notice will be provided before the Town takes action to abate identified blight; and**
- **The town will abate the identified blight and file a lien on the respective properties in the amount of the cost of the blight abatement.**

The motion passed by voice vote.

Mr. Dalton discussed the financing of the water treatment plant upgrades. He said the bond counsel has recommended that two resolutions be adopted by Town Council. He said the first is to declare the Town's intent to reimburse funds already expended such as the Preliminary

Engineering Report and tree clearing which has been self-funded. He said the Town may chose to include some of these expenses in the loan, reimbursing the funds. He said the second resolution will give Mayor Arnold the authority to sign the application documents.

There being no further discussion, Vice Mayor Gibson made the motion to adopt the attached Resolution to Declare and Intent to Reimburse in relation to the on-going water treatment plant improvements project. The motion passed by voice vote. (resolution attached)

Vice Mayor Gibson made the motion to adopt the attached Resolution authorizing the mayor to execute USDA-RD documents in relation to the on-going water treatment plant improvements project. The motion passed by voice vote. (resolution attached)

13. Committee Updates

Budget and Finance

Ms. Gibson asked Mr. Dalton if there was a plan for unspent ARPA funds. Mr. Dalton said the adopted plan had identified that remaining funds go into capital projects.

Vice Mayor Gibson discussed two upcoming meeting dates for the budget process. She said the Budget and Finance Committee will hold a work session on Monday, February 26, 2024 at 3:00 p.m. and Town Council will hold their budget work session on Monday, March 4, 2024 at 3:00 p.m.

Community Development

Mr. Tibbens discussed the proposed rules for Rose Hill Park. Mr. Dalton said that while reviewing the updated information, he suggested further studying Section 13-37 of the Code. He said that the ordinance identifies proposed changes for 13-35 and 13-36 but it does not address items in 13-37. Mr. Dalton said the next step would be to discuss signage. Mr. Tibbens recommended further discussion at the next committee meeting scheduled for Tuesday, February 27 at 4:00 p.m.

Personnel, Appointments, and Policy

Mayor Arnold said the committee had met and interviewed four well-qualified candidates for the two positions on the Planning Commission. He said they are recommending two people for the Planning Commission.

Vice Mayor Gibson made the motion that the Council of the Town of Berryville appoint William M. Gilpin to the Berryville Planning Commission to fill the unexpired term of Ryan Tibbens which expires on September 30, 2024. The motion passed by voice vote.

Vice Mayor Gibson made the motion that the Council of the Town of Berryville appoint Dana S. Libby to the Berryville Planning Commission to fill the unexpired term of Krish Mathur which expires on June 30, 2024. The motion passed by voice vote.

Public Safety

Mr. Mazzarino said there is a need to review Section 10-9 concerning directing traffic during incidents. Mr. Dalton requested that they delay action until next month. No meeting was set for next month.

Streets and Utilities

Mr. Tibbens discussed proposed changes to two sections of the Construction Standards and Specifications Manual.

There being no further discussion, Mr. Tibbens made the motion that the Council of the Town of Berryville approve changes to Section 3 Water Mains and Appurtenances and Section 4 Valves and Hydrants of the Construction Standards and Specifications Manual as presented. The motion passed by voice vote. (amendments attached)

Mr. Tibbens asked that we keep the February 27 meeting date should Ms. Harrison want to meet.

14. Closed Session

There was no closed session.

15. Adjourned

Vice Mayor Gibson made the motion to adjourn the meeting. The meeting was adjourned at 7:50 p.m.

Erecka L. Gibson, Vice Mayor

Keith Dalton, Town Manager



**A RESOLUTION OF THE COUNCIL OF THE TOWN OF BERRYVILLE HONORING
RONNIE HUFF**

WHEREAS Ronnie Huff has been a dedicated supporter of and advocate for sports and recreation in Berryville and Clarke County for over four decades; and

WHEREAS he served as a coach, official, and volunteer for multiple youth sports disciplines from the 1970s until 1994, and has continued to recruit sponsors and mentor participants, coaches, and referees; and

WHEREAS Ronnie Huff was appointed as the representative for Town of Berryville to the Clarke County Parks and Recreation Advisory Board in January 1994 and continued in this position until December 2023; and

WHEREAS he served on the Steering and Building Committee, raising \$665,000 towards the construction of the Clarke County Recreation Center; and

WHEREAS Ronnie Huff also served on the Little League Lights committee, the Master Plan committee, the Honorees and Memorials committee, and the Operations Maintenance/Maintenance Standards committee; and

WHEREAS during his period of service, the following amenities and improvements were made to Clarke County parks: two Little League fields; a concession stand, lights, and restrooms to serve same fields; tennis courts; forty additional acres with an expanded and upgraded trail, passive recreation areas, and soccer fields; a new playground and tot lot; an Active Living Center; a dog park; and a Rotary Shelter.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Town of Berryville honors Ronnie Huff's tireless dedication to athletic excellence and to the joy and general wellbeing of the children and residents of Berryville and Clarke County.

By order of the Town Council this 13th day of February, 2024.

Harry Lee Arnold Jr., Mayor

Erecka L. Gibson, Vice Mayor

William Steinmetz
Ward 1

Council Members
Diane Harrison
Ward 2

Grant Mazzarino
Ward 3

Ryan Tibbens
Ward 4

Keith R. Dalton
Town Manager

RESOLUTION OF GOVERNING BODY OF
TOWN OF BERRYVILLE, VIRGINIA

The Governing Body of the Town of Berryville, consisting of six members, in a duly called meeting held on the 13th day of February 2024, at which a quorum was present, **RESOLVED** as follows:

BE IT HEREBY RESOLVED that in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development (the Government) in the development of a Water Treatment Plant Improvements Project to serve the community, the Governing Body does hereby adopt and abide by all covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that the Mayor be authorized to execute on behalf of the Town Council the above-referenced agreements, documents, and forms and to execute such other documents including, but not limited to, debt instruments, security instruments, and/or grant agreements as may be required in obtaining the said financial assistance.

This Resolution is hereby entered into the permanent minutes of the meetings of this Council.

TOWN OF BERRYVILLE

By: _____
Harry Lee Arnold, Jr., Mayor

Attest: _____
Erecka L. Gibson, Vice Mayor

CERTIFICATION

I hereby certify that the above Resolution was duly adopted by the Governing Body of the Town of Berryville, Virginia in a duly assembled meeting on the 13th day of February 2024.

Town Manager

Revised 08/23/2018

**RESOLUTION TO DECLARE AN INTENT TO REIMBURSE
(Water Treatment Plant Improvements Project)**

WHEREAS, the Town of Berryville, Virginia (the “Town”), is a public body politic and corporate and political subdivision duly created and validly existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the Town has determined that it is essential to finance all or any portion of the capital costs in connection with bond financing to (a) acquire, construct, rehabilitate, and equip various improvements to the Town’s water system facilities, including but not limited to the water treatment plant, and (b) pay costs of issuance in connection with the related financings (the “Project”).

WHEREAS, the Town reasonably anticipates to obtain long-term financing for all or any portion of the costs of the Project, and may undertake tax-exempt financing(s), as may be necessary or convenient, in one or more financings (the “Obligations”), and if so, the Town shall comply with the provisions of the Internal Revenue Code of 1986, as amended, so that interest on any bonds or notes issued by the Town, proceeds of which are used to fund a loan to the Town, will remain excludible from gross income for federal income tax purposes in accordance with law; and

WHEREAS, the Town now desires to declare its intent to use all or any portion of the proceeds of one or more Obligations to be issued, in one or more series, to reimburse certain expenditures in connection with the Project, among other things, all as required by federal tax laws, including Treasury Regulations § 1.150-2 in the Internal Revenue Code of 1986, as amended, all as further described below.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN, as follows:

1. The Town Council of the Town (the “Town Council”) hereby declares its intent and reasonable expectations for the Town to reimburse itself for costs and expenses relating to the Project with a portion of the proceeds of one or more Obligations. Accordingly, this Resolution shall constitute a declaration of “official intent” under Treasury Regulations § 1.150-2, and the Town may be reimbursed, if and when any Obligations shall be issued by the Town, to the extent permitted by law.

2. It is to be understood that such prior expenditures by the Town in connection with the Project will constitute capital expenditures (or would do so with a proper election under general federal income tax principles) or will otherwise comply with the requirements of Treasury Regulations § 1.150-2(d)(3).

3. The Town has paid or caused to be paid, beginning no earlier than sixty (60) days prior to adoption and effective date hereof, and will pay or cause to be paid, on and after such effective date hereof, certain expenditures (the “Expenditures”) in connection with the Project. Further, it has been determined that those moneys previously advanced no earlier than sixty (60) days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures related to the Project are available only for a temporary period and it is necessary to reimburse the Town for the Expenditures from the proceeds of one or more issues of Obligations. Accordingly, the Town Council hereby declares its intent to reimburse the Town with the proceeds of the Obligations for the Expenditures with respect to the Project made no earlier than sixty (60) days prior to the adoption of this Resolution. The Town reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Obligations.

4. If a tax-exempt financing is undertaken, the Town will make, or cause to be made, a reimbursement allocation, which is a written allocation that evidences the use of proceeds thereof to reimburse the Expenditures, no later than eighteen (18) months after the later of the date on which each Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which each Expenditure is paid. This declaration of intent to reimburse, as required by federal tax laws, shall take effect immediately.

5. The maximum principal amount of Obligations expected to be issued or incurred by the Town for the long-term funding of the Project is reasonably anticipated to be approximately \$12,500,000.

6. It is to be understood that no Obligations shall be issued, sold, or awarded by the Town unless and until the Town Council adopts an appropriate authorizing resolution and takes all other such further acts as may be required by law, in order for the Town to issue any long-term Obligations in connection with the Project.

ADOPTED this 12th day of March, 2024

TOWN OF BERRYVILLE, VIRGINIA

By:

Harry Lee Arnold, Jr., Mayor
Town of Berryville, Virginia

Erecka L. Gibson, Vice Mayor
Town of Berryville, Virginia

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Town Council of the Town of Berryville, Virginia on the foregoing Resolution, duly adopted by the Town Council upon a roll-call vote at its regular public meeting held on March 12, 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Harry Lee “Jay” Arnold, Jr., Mayor				
Erecka L. Gibson, Vice Mayor				
William “Willy” Steinmetz				
Diane Harrison				
Grant Mazzarino				
Ryan Tibbens				

Dated: March 12, 2024

By: _____
Town Manager
Town of Berryville, Virginia

**BERRYVILLE TOWN COUNCIL
BUDGET AND FINANCE COMMITTEE
Berryville-Clarke County Government Center
Regular Meeting Minutes
February 26, 2024**

A meeting of the Berryville Town Council Budget and Finance Committee was held on Monday, February 26, 2024 at 3:00 p.m. at the Berryville-Clarke County Government Center in Berryville.

Attendance: Erecka Gibson, Chair; Grant Mazzarino

Staff present: Keith Dalton, Town Manager; Cindy Poulin, Director of Finance and Administration/Treasurer; Jean Petti, Deputy Town Manager; Christy Dunkle, Community Development Director

Press present: None

1. Call to Order

Chair Gibson called the meeting to order at 3:00 p.m.

2. Approval of Agenda

Mr. Mazzarino made the motion to approve the agenda as presented. The motion passed by voice vote.

3. Unfinished Business

None

4. New Business

Review of Proposed FY 25 Budget

Ms. Poulin presented budget highlights.

There was a discussion about leases on the water tanks.

Ms. Poulin discussed Personal Property Taxes. She said that business license fees and meals and lodging taxes are anticipated to increase adding that VDOT funding will also likely increase due to the addition of new streets into the public system.

Mr. Dalton discussed compensation expenditures. He reviewed the proposed Capital Improvement Plan. He discussed the Transportation Alternative Program grants for Mosby and East and West Fairfax Street.

Mr. Dalton reviewed water and sewer fund expenditures.

Mr. Dalton reviewed regular expenses including increases in property maintenance from the general fund and repair and maintenance in the sewer fund. He said general fund repairs include the work on the Smithy House and park signage. He also discussed sewer-related maintenance projects that need to be completed.

Mr. Dalton discussed reserve fund specifics and discussed proposed uses of reserved monies in the proposed budget. There was a discussion about the water tank storage reserve and upgrades to the water treatment plant. Mr. Dalton discussed upcoming water and sewer projects as well as the need to update crosswalks in the downtown area when VDOT paves Main and Buckmarsh Streets. He pointed out that the cost of reestablishing the enhanced crosswalks will be borne by the Town.

There was a discussion about proposed increases to the utility rates and availability fees.

5. Closed Session

No closed session was held.

6. Other

There was no other business.

7. Adjourn

Chair Gibson adjourned the meeting at 4:03 p.m.

**BERRYVILLE TOWN COUNCIL
COMMUNITY DEVELOPMENT COMMITTEE
Berryville-Clarke County Government Center
Regular Meeting Minutes
February 27, 2024**

A meeting of the Berryville Town Council Community Development Committee was held on Tuesday, February 27, 2024 at 4:00 p.m. at the Berryville-Clarke County Government Center in Berryville.

Attendance: Ryan Tibbens, Chair; Diane Harrison

Staff present: Neal White, Chief of Police; Jean Petti, Deputy Town Manager; Christy Dunkle, Community Development Director

Press present: None

1. Call to Order

Chair Tibbens called the meeting to order at 4:00 p.m.

2. Approval of Agenda

Ms. Harrison made the motion to approve the agenda as presented.

3. Town Code regulations for portable storage containers

Ms. Dunkle said that the first draft was intended to be part of the zoning regulations. She said upon discussion with staff, it was recommended that the regulations be in the Town Code. Chief White presented modifications to the proposed regulations. There was a discussion about the height of the structures and the zoning districts in which they would be regulated. There was a discussion whether the regulation should include shipping containers. It was determined that proposed Section 5-6 Portable Storage Containers would apply to residential zoning districts and that the height may not exceed 10 feet. Committee members requested that staff make the changes to the code section and the permit discussed at the meeting and present them to Town Council at the March meeting.

4. Virginia Commission for the Arts Creative Communities Partnership Grant

Ms. Dunkle discussed the four applications that were reviewed by Committee members. Ms. Harrison recommended that the Barns of Rose Hill and the Main Street Chamber Orchestra receive the funding for 2024. Mr. Tibbens abstained from the recommendation.

5. Other

Chief White discussed the regulations for Rose Hill Park. Mr. Dalton had asked Chief White to review Section 13-37 as it relates to these regulations. Chief White discussed graffiti and the

ramifications of catching the perpetrator, not catching the perpetrator, and the responsibility of private property owners to remove the graffiti. He added that it has not been problematic. There was a discussion on actions for private versus public property. It was determined that the Committee will meet again to finalize recommendations to Town Council concerning Section 13-37.

6. Closed Session

No closed session was held.

7. Adjourn

Chair Tibbens adjourned the meeting at 4:41 p.m.

BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Budget Work Session Minutes
March 4, 2024

A work session was held by the Berryville Town Council on Monday, March 4, 2024 at 3:00 p.m. at the Berryville-Clarke County Government Center in Berryville.

Attendance: Members of the Town Council present: Harry Lee Arnold, Jr., Mayor; Erecka Gibson, Vice Mayor; William Steinmetz, Diane Harrison, Grant Mazzarino, Ryan Tibbens

Absent: No one

Staff present: Keith Dalton, Town Manager; Neal White, Chief of Police; Jean Petti, Deputy Town Manager; Cindy Poulin, Director of Finance and Administration/Treasurer; Christy Dunkle, Community Development Director

Press present: Mickey Powell, Winchester Star

1. Call to Order

Mayor Arnold called the meeting to order at 3:00 p.m.

2. Approval of Agenda

Ms. Harrison made the motion to approve the agenda as presented. The motion passed by voice vote.

3. Other

There was no other business.

4. Unfinished Business

There was no unfinished business

5. New Business

Review of Proposed FY 25 Budget

Mr. Dalton gave an overview of documents presented to Council, including budget highlights, debt overview, and capital improvements narrative for FY 25.

Ms. Poulin reviewed the highlights. Vice Mayor Gibson inquired about the police department career development and payroll increases.

Mr. Dalton reviewed the amended water treatment plant costs and items in the CIP narrative. He explained the breakdown of proposed funding for Rose Hill Park, the Rixey Moore and Crow Street parking lots, and 23 East Main Street.

Ms. Harrison asked about the current personal property tax revenues. Ms. Poulin said that the personal property rate was unchanged and the revenue estimate is based on the previous fiscal year's revenues. Mr. Dalton added that this is also applied to other anticipated tax revenues.

Vice Mayor Gibson discussed the budget worksheet and requested that staff forward items from the Budget and Finance Committee work session to full Council.

Mr. Tibbens asked about water fund loan proceeds. Mr. Dalton referenced the CIP narrative and discussed the engineer's recommendations. Mr. Tibbens asked about the fund balance in the sewer fund. Ms. Pulin discussed upcoming expenses. Mr. Tibben asked about salaries for several vacant positions. Mr. Dalton said that he applied increases these positions because salaries need to be competitive with other employers in the region. Mr. Tibbens asked about the Town Manager salary and Mr. Dalton said it included both the Town Manager and Deputy Town Manager positions and the salaries were moved out of the water and sewer funds.

Mr. Tibbens asked about capital improvement funds allocated for John H. Enders Fire and Rescue. Mr. Dalton said that the reserve fund now totals \$75,000 and if the proposed budget is approved, another \$10,000 would be added. Mayor Arnold described the organization's plan for capital projects. Mayor Arnold added that the County also funds Enders annually.

Mr. Tibbens asked about street maintenance funding. Mr. Dalton said that the VDOT reimbursement is based on a lane-mile allocation. He noted that as new streets are accepted into the secondary system the allocation increases.

Mr. Steinmetz asked about public works site improvements. Mr. Dalton described anticipated site improvements. He noted that the FY24 budget included monies for the construction of a salt storage building, but that the work has not been completed. He stated that he is uncertain as to whether the work will be completed in the current year. There was a discussion about VDOT maintenance funds.

Mr. Dalton noted updated items on the spreadsheet including computer replacement, police patrol vehicle, public works equipment, and improvements to 23 East Main Street, Rose Hill Park and the Town's parking lots. There was a discussion about the proposed bathroom to be placed behind 23 East Main Street. Mr. Dalton discussed the need for a new bridge in Rose Hill Park that will need to address the ability for water to pass under the bridge, ADA compliance, and maintenance. He described improvements to the Rixey Moore Parking Lot and camera system in the park.

Mr. Dalton also discussed the proposed patrol officer position and the patrol vehicle fleet.

Mr. Tibbens discussed the livery and voiced concern about the long-term purpose of stabilizing the building. There was a discussion about the uses previously discussed by Council members and the historic value of the structure. Mr. Dalton suggested that the Community Development Committee discuss the programming of the livery stable. He stated that while the Council had tentatively agreed to a stabilization plan, it had not determined how the building would be used.

Mr. Dalton discussed the Transportation Alternatives Program (TAP) grant funding.

Ms. Poulin discussed the process of moving reserve funds after the Council approves the reserve specifics.

Mr. Dalton discussed water plant expenditures and a proposed water line replacement and paving on Bel Voi Drive. There was a discussion about items budgeted for the wastewater treatment plant including a gantry crane, permeate pump, and drum screen.

There was a discussion about ARPA projects, stormwater projects that were anticipated using these funds, and the timing of spending the money.

Vice Mayor Gibson discussed reserves and availability fees. Mr. Dalton discussed justification to continue the work to get smaller projects addressed in the utility plants. He also noted that the Utilities Department's budget request included a proposal to purchase a work order and inventory control program. There was a discussion about using such a system for the entire organization. The cost of annual maintenance was also discussed.

Mr. Tibbens discussed the proposed increase to availability and administrative fees. Mr. Dalton suggested having Tom Frederick, Pennoni Engineering, at the next meeting to discuss the matter. Council requested additional information including comparisons from the last 10 years in dollars and percentages, the number of users on the system, scenarios if increased rates and fees are modified, and funding sources for utility funds which include grants, availability fees, and utility rates. There was a discussion in the choice of treatment options for the water plant project.

Mr. Dalton reviewed the schedule as follows:

March 12, 2024	Set public hearing on tax levies.
April 9, 2024	Hold a public hearing on tax levies, set tax rates, and set a public hearing on the budget and changes to the schedule of water and sewer fees and charges.
May 14, 2024	Hold the public hearing on the budget and the schedule of water and sewer fees and charges.
June 11, 2024	Approval of the FY 25 budget appropriation of funds.

There was a discussion about an additional work session. It was the consensus of the Council that another work session would be set if it was deemed necessary.

6. Closed Session

There was no closed session.

7. Adjourn

Mr. Tibbens made the motion to adjourn. The motion passed by voice vote at 5:10 p.m.

Erecka L. Gibson, Vice Mayor

Keith Dalton, Town Manager

Resolution to Declare an Intent to Reimburse

Overview

The Town of Berryville is preparing to upgrade its water treatment plant that was completed in 1984.

The Town has self-funded the preparation of a preliminary engineering report (approved by the Town Council on September 12, 2023), various environmental reviews, and site planning for the new plant. Required tree clearing on the water treatment site, along the frontage of the water treatment plant property, and along the path of raw water transmission improvements are also being completed.

Funding for plant design and construction will be secured from either the Virginia Drinking Water State Revolving Fund or the United States Department of Agriculture / Rural Development. The preliminary engineering report and required environmental reviews have been submitted to both of the potential lenders. Review of those documents is underway.

Town staff and staff from the Town's consulting engineer are working with officials from both the Department of Health and Rural Development to finalize offers for consideration by the Council. It is expected that the Council will be asked to make a determination on this matter on or before April 9, 2024.

The Town's bond counsel recommended that the Council adopt the two resolutions related to water treatment plant funding. Those resolutions are:

- Resolution to Declare and Intent to Reimburse
- Resolution authorizing the mayor to execute USDA-RD documents

The Resolution to Declare and Intent to Reimburse will permit the Council to include some funds that have been spent on the project in question in the loan when it is finalized. In short, the Town would have the option to reimburse itself for certain expenditures from loan proceeds.

The Resolution authorizing the mayor to execute USDA-RD documents will streamline the loan application process.

At its February regular meeting the Council adopted both resolutions; however, the town manager failed to have the required roll call vote on the Resolution to Declare and Intent to Reimburse. Accordingly, the resolution needs to be approved again, this time with the vote being by roll call.

Recommended Action

Adopt the attached resolution by a roll call vote.

**RESOLUTION TO DECLARE AN INTENT TO REIMBURSE
(Water Treatment Plant Improvements Project)**

WHEREAS, the Town of Berryville, Virginia (the “Town”), is a public body politic and corporate and political subdivision duly created and validly existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the Town has determined that it is essential to finance all or any portion of the capital costs in connection with bond financing to (a) acquire, construct, rehabilitate, and equip various improvements to the Town’s water system facilities, including but not limited to the water treatment plant, and (b) pay costs of issuance in connection with the related financings (the “Project”).

WHEREAS, the Town reasonably anticipates to obtain long-term financing for all or any portion of the costs of the Project, and may undertake tax-exempt financing(s), as may be necessary or convenient, in one or more financings (the “Obligations”), and if so, the Town shall comply with the provisions of the Internal Revenue Code of 1986, as amended, so that interest on any bonds or notes issued by the Town, proceeds of which are used to fund a loan to the Town, will remain excludible from gross income for federal income tax purposes in accordance with law; and

WHEREAS, the Town now desires to declare its intent to use all or any portion of the proceeds of one or more Obligations to be issued, in one or more series, to reimburse certain expenditures in connection with the Project, among other things, all as required by federal tax laws, including Treasury Regulations § 1.150-2 in the Internal Revenue Code of 1986, as amended, all as further described below.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN, as follows:

1. The Town Council of the Town (the “Town Council”) hereby declares its intent and reasonable expectations for the Town to reimburse itself for costs and expenses relating to the Project with a portion of the proceeds of one or more Obligations. Accordingly, this Resolution shall constitute a declaration of “official intent” under Treasury Regulations § 1.150-2, and the Town may be reimbursed, if and when any Obligations shall be issued by the Town, to the extent permitted by law.

2. It is to be understood that such prior expenditures by the Town in connection with the Project will constitute capital expenditures (or would do so with a proper election under general federal income tax principles) or will otherwise comply with the requirements of Treasury Regulations § 1.150-2(d)(3).

3. The Town has paid or caused to be paid, beginning no earlier than sixty (60) days prior to adoption and effective date hereof, and will pay or cause to be paid, on and after such effective date hereof, certain expenditures (the “Expenditures”) in connection with the Project. Further, it has been determined that those moneys previously advanced no earlier than sixty (60) days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures related to the Project are available only for a temporary period and it is necessary to reimburse the Town for the Expenditures from the proceeds of one or more issues of Obligations. Accordingly, the Town Council hereby declares its intent to reimburse the Town with the proceeds of the Obligations for the Expenditures with respect to the Project made no earlier than sixty (60) days prior to the adoption of this Resolution. The Town reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Obligations.

4. If a tax-exempt financing is undertaken, the Town will make, or cause to be made, a reimbursement allocation, which is a written allocation that evidences the use of proceeds thereof to reimburse the Expenditures, no later than eighteen (18) months after the later of the date on which each Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which each Expenditure is paid. This declaration of intent to reimburse, as required by federal tax laws, shall take effect immediately.

5. The maximum principal amount of Obligations expected to be issued or incurred by the Town for the long-term funding of the Project is reasonably anticipated to be approximately \$12,500,000.

6. It is to be understood that no Obligations shall be issued, sold, or awarded by the Town unless and until the Town Council adopts an appropriate authorizing resolution and takes all other such further acts as may be required by law, in order for the Town to issue any long-term Obligations in connection with the Project.

ADOPTED this 12th day of March, 2024

TOWN OF BERRYVILLE, VIRGINIA

By:

Harry Lee Arnold, Jr., Mayor
Town of Berryville, Virginia

Erecka L. Gibson, Vice Mayor
Town of Berryville, Virginia

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Town Council of the Town of Berryville, Virginia on the foregoing Resolution, duly adopted by the Town Council upon a roll-call vote at its regular public meeting held on March 12, 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Harry Lee “Jay” Arnold, Jr., Mayor				
Erecka L. Gibson, Vice Mayor				
William “Willy” Steinmetz				
Diane Harrison				
Grant Mazzarino				
Ryan Tibbens				

Dated: March 12, 2024

By:

Town Manager
Town of Berryville, Virginia

Report of the Department of Public Works

March 5, 2024

General Information

Public Works is busy gearing up for our annual spring tune up of Rose Hill Park and playground area. We will be applying fresh paint to playground equipment and adding a fresh coating of the engineered wood fiber to the fall protection zones.

We will also be starting to paint fire hydrants and parking blocks and curbs within the next month.

Sewer

I mentioned in last month's report that we were experiencing a problem with the South Buckmarsh Pump Station vacuum pump system. We narrowed down the problem to be an issue with the suction lift pipes. Public Works personnel and a contractor replaced the suction lift pipes. The station was then placed back into service and is running normally.

Water

We experienced no water breaks or water related issues this past month.

Public Utilities Department Report
12 March 2024

Item Title: Department Update

Prepared By: Jean Petti

Water Treatment Plant Activity

The water plant, with approval of Virginia Department of Health, has transitioned to DelPAC as our primary coagulant. Compliance sampling will determine if this change reduces disinfection byproducts. A full listing of Berryville water quality test results is available at <https://vadwv.gecsws.com>.

The Southeast Tower was cleaned and inspected on February 6, the Northwest Tower was cleaned on February 27, and 3 Million Gallon ground reservoir cleaning is scheduled for March 11-12.

Wastewater Treatment Plant Activity With the assistance of Inboden Environmental Services (IES), we are preparing our VADEQ Permit renewal application, due July 2024. We anticipate no changes to the permit conditions or impediments to the renewal.

A plant shutdown was experienced March 2-3rd due to an airlock in the RAS Channel effluent line. Public Utilities operators thank Public Works staff for assistance in restoring normal operations.

Department General Activity There are (3) three vacancies in the department. IES has provided us a full-time Class 1 operator at our WWTP while we seek staff.



BERRYVILLE POLICE DEPARTMENT

101 Chalmers Ct., Suite A, Berryville VA 22611
(T) 540.955.3863 (F) 540.955.0207
policeadmin@berryvilleva.gov
W. Neal White – Chief of Police

MEMO

DATE: 03/06/2024
TO: Town Council
FROM: Chief W. Neal White 
CC:
RE: Police Department Monthly Report – 03/12/2024

Monthly Activity Report

The activity report for the month of February 2024 is attached to this report.

Public Safety Committee

The Public Safety Committee did not meet in February 2024.

Annual Report

The department annual report for 2023 is attached to this report for your review. It will be published on the town website after the council meeting.

Staffing

Herbert Hernandez accepted a sworn officer position with the department. He is currently a Virginia certified officer and is currently completing the department field training program. Officer Hernandez will attend the meeting to recite the Law Enforcement Officer Oath of Honor administered by Chief White.

All positions within the department are now filled.



BERRYVILLE POLICE DEPARTMENT

101 Chalmers Ct., Suite A, Berryville VA 22611

(T) 540.955.3863 (F) 540.955.0207

policeadmin@berryvilleva.gov

W. Neal White – Chief of Police

Police and Security Report

Month/Year: February	Year To Date 2024	February 2024	January 2024
<u>Complaints Answered</u>			
911 Hang Up:	0	0	0
Alarms:	11	3	8
Animal Complaint:	17	7	10
Assault:	3	3	0
Assist County:	8	3	5
Assist EMS and Fire:	21	10	11
Auto Larceny:	0	0	0
Burglary:	12	0	12
Civil Complaints:	15	3	12
Disturbance:	12	4	8
Domestic Disturbance:	4	2	2
Driving Under the Influence	3	1	2
Drunk In Public:	0	0	0
Fraud:	8	2	6
Larceny:	8	5	3
Harassment/Intimidation:	6	5	1
Homicide:	0	0	0
Identity Theft	0	0	0
Juvenile Related:	5	2	3
Mental Health Crisis:	12	5	7
Narcotics Related:	1	0	1
Noise	3	2	1
Public Service:	4	2	2
Sexual Assault:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Suspicious Activity:	30	12	18
Trespassing:	1	1	0
Vandalism:	9	4	5
Welfare Check:	13	10	3
Miscellaneous Complaints:	114	59	55
Total Complaints Answered:	320	145	175



BERRYVILLE POLICE DEPARTMENT

101 Chalmers Ct., Suite A, Berryville VA 22611

(T) 540.955.3863 (F) 540.955.0207

policeadmin@berryvilleva.gov

W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date	February	January
	2024	2024	2024
<u>Traffic</u>			
Accidents Investigated:	7	1	6
Assist Motorist:	0	0	0
Child Safety Seat Install:	1	0	1
Funeral Escort:	7	3	4
Hit & Run:	1	1	0
Parking Tickets:	0	0	0
Traffic Warnings:	72	30	42
<u>Traffic Summons Issued</u>			
Defective Equipment:	0	0	0
Driving Suspended:	0	0	0
Expired Inspection:	0	0	0
Expired Registration:	0	0	0
Fail to Obey Highway Sign:	12	5	7
Fail to Obey Traffic Signals:	0	0	0
Fail to Stop/Lights & Siren:	0	0	0
Fail to Yield Right of Way:	0	0	0
Hit and Run:	0	0	0
No Liability Insurance:	0	0	0
No Operator's License:	0	0	0
No Seat Belt:	0	0	0
Reckless Driving:	1	0	1
Speeding:	13	7	6
Miscellaneous Summons:	5	2	3
Total Traffic Summons Issued:	31	14	17
<u>Found Open at Businesses in Town</u>			
Doors:	1	0	1
Windows:	0	0	0
Garage Doors:	0	0	0



BERRYVILLE POLICE DEPARTMENT

101 Chalmers Ct., Suite A, Berryville VA 22611

(T) 540.955.3863 (F) 540.955.0207

policeadmin@berryvilleva.gov

W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date	February	January
	2024	2024	2024
<u>Criminal Papers Served</u>			
Abduction:	0	0	0
Arson:	0	0	0
Assault and Battery:	1	1	0
Assault and Battery on Police Officer:	0	0	0
Auto Larceny:	0	0	0
Breaking and Entering:	0	0	0
Capias:	0	0	0
Disorderly Conduct:	0	0	0
Driving Under the Influence:	3	0	3
Drunk In Public:	1	0	1
Fail to Obey Police Officer:	0	0	0
Fail to Pay Parking Ticket:	0	0	0
Forgery:	0	0	0
Fraud:	1	1	0
Homicide:	0	0	0
Illegal Drugs/Paraphernalia:	0	0	0
Larceny:	3	3	0
Possess Alcohol Underage:	0	0	0
Protective Order Violations:	0	0	0
Rape:	0	0	0
Resisting Arrest:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	1	1	0
Vandalism:	0	0	0
Weapons Violation:	0	0	0
Miscellaneous Criminal Arrests:	4	2	2
Juvenile Detention Order Totals:	0	0	0
Total Criminal Arrests:	14	8	6



BERRYVILLE POLICE DEPARTMENT

101 Chalmers Ct., Suite A, Berryville VA 22611

(T) 540.955.3863 (F) 540.955.0207

policeadmin@berryvilleva.gov

W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date	February	January
	2024	2024	2024
<u>Response to Resistance</u>			
Total Community Interface	442	198	244
Total Enforcement Contacts	116	53	63
Physical Custody	5	1	4
Reported Force Involved	2	1	1
Administrative Review - Justified	2	1	1
Administrative Review - Not Justified	0	0	0
Complaint of Injury - Arrestee	0	0	1
Medical Treatment for Injury - Arrestee	0	0	0
Complaint of Injury - Officer	0	0	0
Medical Treatment for Injury - Officer	0	0	0
<u>Type of Force Involved</u>			
Compliance Hold / Open Hands	2	1	1
Takedown	0	0	0
Strikes (Hands / Knees)	0	0	0
Chemical Sprays (O.C.)	0	0	0
Impact Weapon (Baton)	0	0	0
Mechanical Non-Lethal	0	0	0
Firearm	0	0	0
<u>Arrestee Demographics</u>			
White Male	4	1	3
Black Male	0	0	0
Other Male	0	0	0
White Female	1	0	1
Black Female	0	0	0
Other Female	0	0	0



Berryville Police Department

2023 ANNUAL REPORT

The Berryville Police Department provides 24 hour law enforcement services to residents and visitors within the jurisdiction of the Town of Berryville.



MISSION

The mission of the Berryville Police Department is to enhance the quality of life for the citizens of Berryville through a true partnership with the community; provide quality law enforcement service to all without prejudice or bias, and increase public safety through visibility and vigilant enforcement of law thereby reducing the fear and incidence of crime.

CORE VALUES

Commitment – To providing the highest level of law enforcement services to the community.

Service – To a community that has entrusted matters of health, safety, and welfare to this department.

Integrity – Consistently doing the right things in the right way.

Excellence – Striving to be the best in all aspects of serving the citizens of Berryville.

Department Organization

The Berryville Police Department is composed of ten full-time sworn law enforcement officers including two Sergeants and a Chief. In addition, the department is supported by a civilian Administrative Assistant. The department maintains a fleet of six emergency service vehicles that are equipped with mobile data terminals, speed enforcement equipment, and in-car video cameras. All officers are issued body worn cameras which are utilized to record interactions while providing law enforcement services to the community.

All officers of the department have received and maintain their certification as a law enforcement officer through the Virginia Department of Criminal Justice Services. The department is a member agency of the Skyline Regional Criminal Justice Academy. Within the department, seven officers are certified as instructors through the Virginia Department of Criminal Justice Services.

The Chief of Police is the department head who reports to the Town Manager and provides updates to the Public Safety Committee of the Town Council. Funding for the department is derived through the town's general fund as well as a variety of grant sources.



Calls For Service

The department responded to a total of 1,918 calls for service in calendar year 2023. The chart on the next page details the main call types that officers responded to within the community.

Calls for service are requests received from the public which initiate a response from the department. The table on the next page does not include traffic enforcement initiated by officers or any other self-initiated activities such as the enforcement of parking violations.



2023 Calls For Service

Call Type					
911 Hang Up	9	Domestic Disturbance	32	Noise	38
Alarm	75	DUI	5	Public Service	9
Animal Complaint	131	Drunk In Public	1	Sexual Assault	1
Assault	21	Fraud	28	Robbery	0
Assist County	140	Larceny	40	Shoplifting	0
Assist EMS/Fire	111	Harassment	24	Suspicious Activity	138
Auto Larceny	0	Homicide	0	Trespassing	6
Burglary	3	Identity Theft	8	Vandalism	34
Civil Complaint	104	Juvenile Related	34	Welfare Check	112
Disturbance	40	Mental Health Crisis	94	Miscellaneous	676
		Narcotics Related	4	Total	1918

Reportable Incidents

The department responds to a wide variety of calls over the course of a year. Not all calls for service, made to the department, initiate an investigation or require the generation of a report. The department is guided by criteria established by the FBI Uniform Crime Report when determining the type of incidents that require the generation of a report.



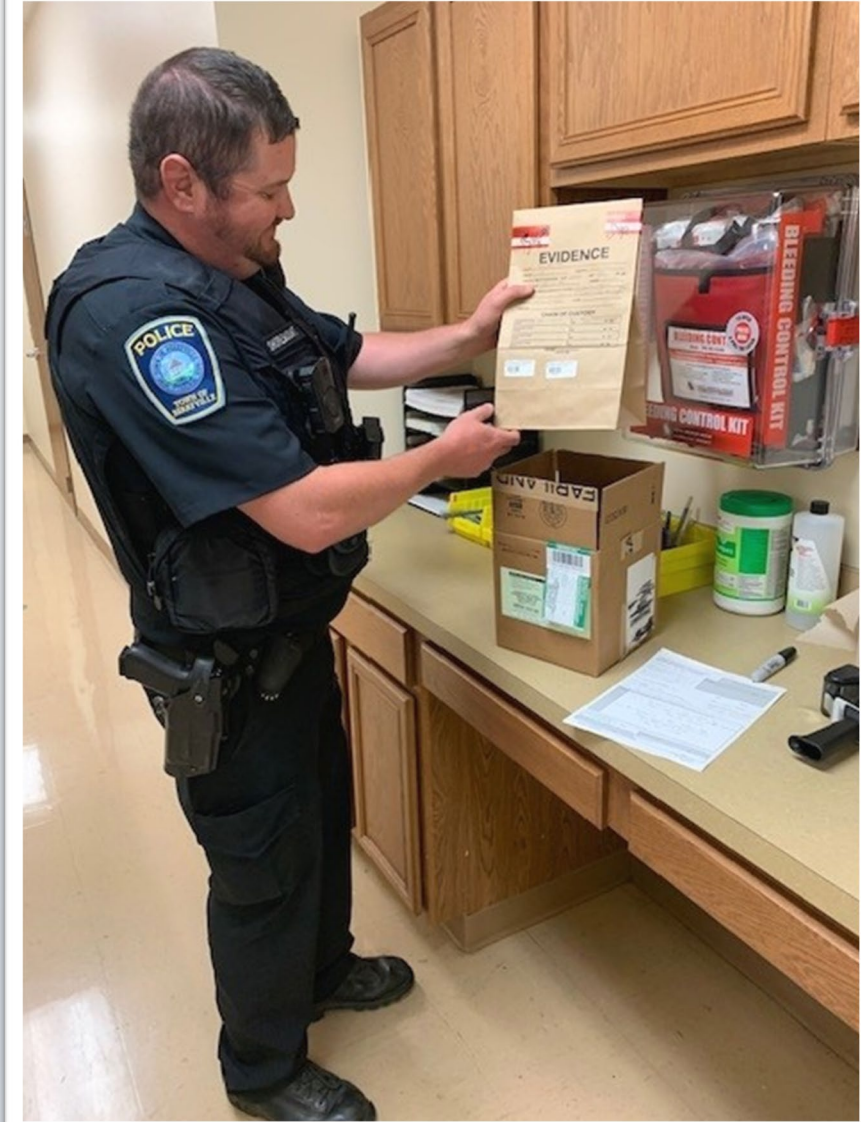
2023 Reportable Incidents

Offense					
Fondling	2	Shoplifting	5	Abandoned Vehicle	6
Sexual Assault	1	False Pretenses	16	Behavioral Issue - Adult	3
Simple Assault	32	Forgery	2	Behavioral Issue – Juv.	1
Aggravated Assault	2	Identity Theft	11	Death – Informational	7
Intimidation	2	Credit / ATM Fraud	4	Death - Investigation	1
Burglary	1	Destruction of Property	37	DUI	7
Theft From Building	1	Drug Violation	7	Disorderly Conduct	2
Theft From Vehicle	2	Animal Cruelty	2	Family Offense	1
Theft of Vehicle Parts	2	Extortion / Blackmail	1	Liquor Law Violation	4
All Other Larceny	18	Hacking / Computer	1	Trespass	2
		Other Stolen Property	1	Alcohol Underage	1

2023 Reportable Incidents

Call Type	
Mutual Aid – County	93
Mutual Aid – State	4
Animal Bite	5
Mental Health - ECO	11
Mental Health - TDO	5
Mental Health - VOL	12
Overdose	2
Police Information	30
Property – Found	22
Property - Lost	6

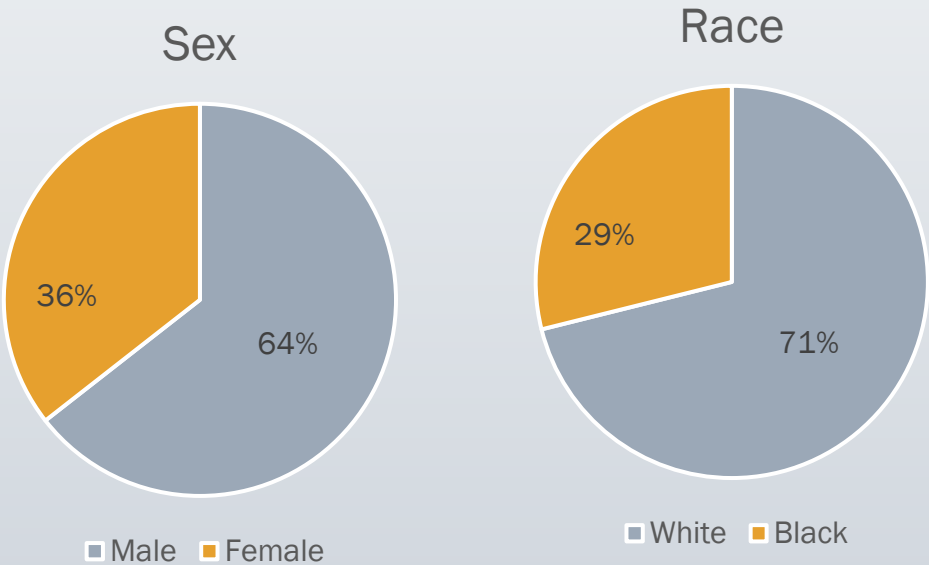
Civil Matter	1
Traffic - Crash	32
Hit and Run	16
Traffic Offense	7
Dog Complaint	6
Warrant Service	9
Missing Person	4
All Others	23
Total	478



Arrest Statistics

The Berryville Police Department executed 127 criminal papers on 45 individuals during calendar year 2023. The information contained on this page and the next illustrates the race and sex of those individuals arrested within the Town of Berryville.

The information includes only the primary offense for which the offender was arrested and does not account for all crimes that the individual may have been charged with as some offenders were alleged to have committed multiple offenses.



Primary Offense	White Male	Black Male	White Female	Black Female	Resident	Non-Resident
Simple Assault	3	3	6	1	10	3
Shoplifting	0	2	0	1	2	1
Stolen Property	0	0	1	0	1	0
Fraud	1	0	0	0	0	1
DUI	3	2	0	0	0	5
Disorderly Conduct	1	1	0	0	0	2
Destruction of Property	1	0	0	0	1	0
Liquor Law Violation	2	0	0	0	1	1
Animal Cruelty / Bites	1	0	4	0	5	0
Traffic Related	4	1	1	0	1	5
All Others	4	0	0	2	4	2
Totals	20	9	12	4	25	20

Traffic Enforcement



Offense	Count
Expired Inspection	3
No Operator License	9
Driving While Suspended	1
Expired / Improper Registration	2
Passing on Double Yellow	2
Fail To Yield Right of Way	4
Fail To Obey Highway Sign	69
Fail To Obey Traffic Light	1
Improper Passing	1
Following Too Closely	1
Reckless Driving	6
Speeding In 25 MPH Zone	50
Speeding in 35 MPH Zone	1
Speeding – Enhanced Fine	4
Totals	154

2023 Traffic Citations Issued

Offense	Count
Fail To Obey Traffic Light	2
Defective Equipment / Lights	11
Texting While Driving	4
Expired Registration	5
Expired License	11
Fail To Have Vehicle Inspected	6
Fail To Stop at Stop Sign	3
Fail to Obey Lane Markings	11
Fail To Obey Highway Sign	45
Fail To Yield Right of Way	3
Speeding In 25 MPH Zone	163
Other	3
Total	267



2023 Traffic Warnings Issued

Traffic Crashes

Crash Type	2023	2022	% Change
Reportable – Injury	4	2	100%
Reportable – Property Damage	22	20	10%
Non-Reportable	19	9	111%
Hit and Run	16	6	
Totals	61	37	65%

The department responded to a total of 61 motor vehicle crashes in 2023. The table shown here depicts the classification of the crashes and compares the data to 2022.

A reportable crash, as defined by the Code of Virginia, involves an injury and / or combined damage to the vehicles involved in excess of \$1,500.00

Response to Resistance

The table on this page denotes when department members were required to utilize force in order to overcome the resistance presented by individuals during the course of their apprehension. Officers are required to report all instances where force is necessary in order to place an individual into custody. These reports are administratively reviewed to ensure that the actions taken by the officer were lawful and in accordance with department policies and procedures.

	2023	2022	2021	2020
Physical Custody	29	40	36	57
Force Involved	3	2	3	4
Administrative Review - Justified	3	2	3	4
Administrative Review – Not Justified	0	0	0	0
Complaint of Injury - Arrestee	0	0	0	1
Medical Treatment - Arrestee	0	0	0	1
Complaint of Injury - Officer	0	0	0	1
Medical Treatment - Officer	0	0	0	1

Response to Resistance

Demographics Involved	2023	2022	2021	2020
White Male	1	2	2	2
Black Male	0	0	1	1
Other Male	0	0	0	0
White Female	2	0	0	1
Black Female	0	0	0	0
Other Female	0	0	0	0

Type of Force Involved	2023	2022	2021	2020
Compliance Hold / Open Hands	2	0	0	3
Takedown	1	2	1	0
Strikes – Hands / Knees	0	0	0	0
Chemical Sprays	0	0	0	0
Impact Weapon (Baton)	0	0	2	1
Mechanical Non-Lethal	0	0	0	0
Firearm	0	0	0	0

Officer Recognition

Sgt. Tim Bristol (top) was recognized by VFW Post 9760 for his dedicated work in the community and leadership within the department.

Officer Joe Shoremount (bottom) was recognized by the Horse Shoe Curve Benevolent Association as the Law Enforcement Officer of the Year for 2023 representing the Berryville Police Department.

Both of these officers exemplify the professionalism and dedication of officers serving the Berryville community.





Department Accreditation

The Berryville Police Department was awarded initial accreditation by the Virginia Law Enforcement Professional Standards Committee (VLEPSC) in November of 2021. This was a tremendous accomplishment for the department, joining only 104 other Virginia law enforcement agencies to attain this designation. Approximately 29% of all Virginia law enforcement agencies have received accreditation through VLEPSC.



Additional Information

The Berryville Police Department posts a weekly incident activity report on-line so residents can stay informed about incidents taking place in their neighborhood. These reports can be accessed by visiting the Town of Berryville website at

www.berryvilleva.gov

In addition to the activity reports, you can find information about programs offered by the police department and Town on the official website. Some of the programs offered by the police department include:

House Checks
Child Car Seat Inspections
Fingerprinting
Security Assessments



Town Council Agenda Item Report Summary

March 12, 2024

Item Title

Community Development Update

Prepared By

Christy Dunkle

Planning Commission

The Planning Commission held their regular meeting on Tuesday, February 27, 2024.

They held the following public hearing:

Paul Perez and Gail Gallagher, Owners, are requesting a special use permit in order to operate a short-term rental at the property located at 116A South Church Street, identified as Tax Map Parcel number 14A5-((A))-69, zoned R-2 Residential. SUP 01-24

A full staff report is included in this packet. Their next meeting is scheduled for Tuesday, March 26, 2024 at 7:00 p.m.

Berryville Area Development Authority

The BADA held their regular meeting on Wednesday, February 28, 2024. They discussed the specific sub-areas and housing as part of the Berryville Area Plan update. This review will continue to their next meeting scheduled for Wednesday, March 27 at 1:00 p.m.

Architectural Review Board

The ARB held a meeting on Wednesday, March 6, 2024 at 12:30 p.m. They reviewed the following items:

Mural Review

Berryville Main Street (Christina Kraybill, Agent), is requesting a Certificate of Appropriateness in order to install a mural on the side of the building located at 19 East Main Street, identified as Tax Map Parcel number 14A5-((A))-6 and visible from Hogan's Alley, zoned C General Commercial. *Approved as presented.*

Sign Review

Connor Makee, Agent, is requesting a Certificate of Appropriateness for a freestanding sign for the Battletown Inn located at 102 West Main Street, identified as Tax Map Parcel number 14A1-((A))-51, zoned C General Commercial. *Approved as presented.*

The ARB received an application for a second sign however they deemed the application incomplete and directed staff to administratively approve the request when the full application has been completed.

Their next meeting is scheduled for Wednesday, April 3 at 12:30 p.m.

Tree Board

The Tree Board has not held a meeting since the last Town Council meeting.

They are sponsoring a presentation entitled "Managing Invasive Species" at 7 p.m. on Wednesday, March 13 at the Government Center. The free event features a presentation by Natali Walker of Blue Ridge PRISM, a non-profit organization dedicated to reducing the negative impact of invasive plants in the northern Blue Ridge Mountains of Virginia. Read more at <https://blueridgeprism.org>.

Their next meeting is scheduled for Wednesday, April 3, 2024 at 6:00 p.m.

Board of Zoning Appeals

The BZA has not held a meeting since the last Council meeting.

Planning Commission Agenda Item Report Summary

March 12, 2024

Item Title

Set Public Hearing – Special Use Permit – Short-term rental

Prepared By

Christy Dunkle

Paul Perez and Gail Gallagher, Owners, are requesting a special use permit in order to operate a short-term rental at the property located at 116A South Church Street, identified as Tax Map Parcel number 14A5-((A))-69, zoned R-2 Residential. SUP 01-24

Background/History/General Information

Mr. Perez and Ms. Gallagher own the property referenced above. They have undertaken the renovation of an accessory structure, the former summer kitchen, which they would like to operate as a short-term rental.

In October of 2023, Town Council adopted requirements that would require a special use permit in order to operate a short-term rental. Other requirements include obtaining a business license, submitting Transient Occupancy Taxes to the Town, and completing the short-term rental registration form. The following definition, which was adopted in October, is located in Article I of the Town Zoning Ordinance as follows:

10/23 short-term rental- The provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy. Advertisement or operation of a short-term rental unit requires registration, a business license, remittance of transient occupancy tax, and is limited to dwellings which hold a Clarke County Certificate of Occupancy. Events are prohibited. No food preparation or service may be provided to primary renter or guests of short-term rental.

Each short-term rental unit shall advertise and implement a maximum occupancy of no more than as permitted by the Virginia Uniform Statewide Building Code or two (2) persons per bedroom, whichever is less, and at no time exceed 13 individuals.

Findings/Current Activity

The Planning Commission held a public hearing on Tuesday, February 27, 2024 and recommended approval as presented.

The property is located within the local historic district as well as the national district.

Building Information

The renovation of the former summer kitchen is anticipated to be completed within the next month. At that time, a Certificate of Occupancy will be issued by the County Building Department for this structure.

Adjacent Zoning

The property to the north and the east is zoned C General Commercial, property to the south and the west is zoned R-2 Residential.

Parking

Section 305 of the Berryville Zoning Ordinance regulates parking. Section 305.9 identifies two spaces required for the dwelling and 1.25 for each guest room. Access to the property's driveway is off of Smithy Lane and offers a surplus of off-street parking to accommodate ordinance requirements.

Signage

Up to six (6) square feet of signage is permitted in the R-2 zoning district for a business with a special use permit per Section 307.3(f) of the Berryville Zoning Ordinance.

Schedule/Deadlines

Staff recommends that the Town Council set a public hearing for the April 9, 2024 meeting.

Other Considerations

N/A

Recommendation

Set a public hearing for the April 9, 2024 meeting.

Sample Motion

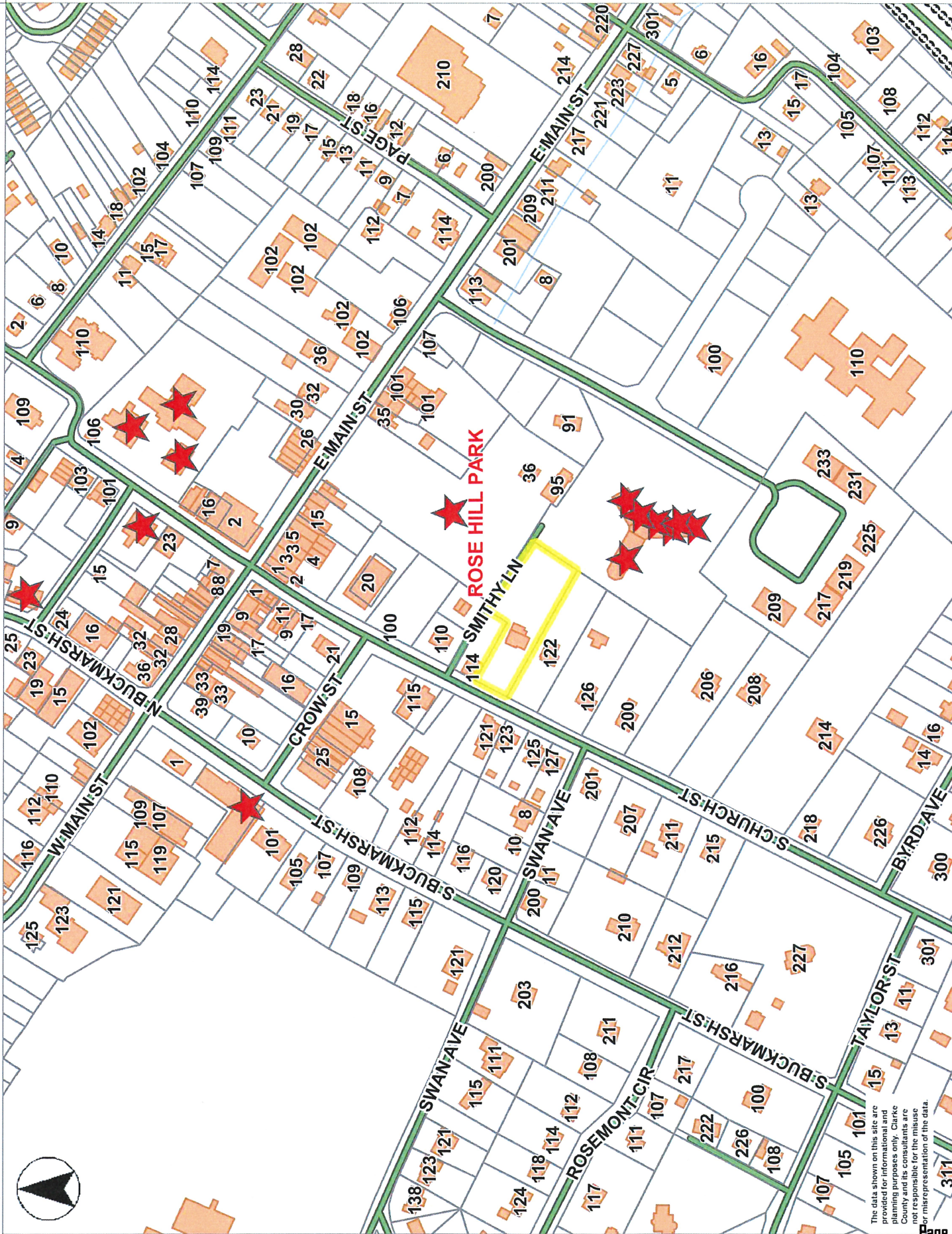
I move that the Council of the Town of Berryville set a public hearing to consider a special use permit in order to operate a short-term rental at 116A South Church Street for the April 9, 2024 meeting.

Attachments:

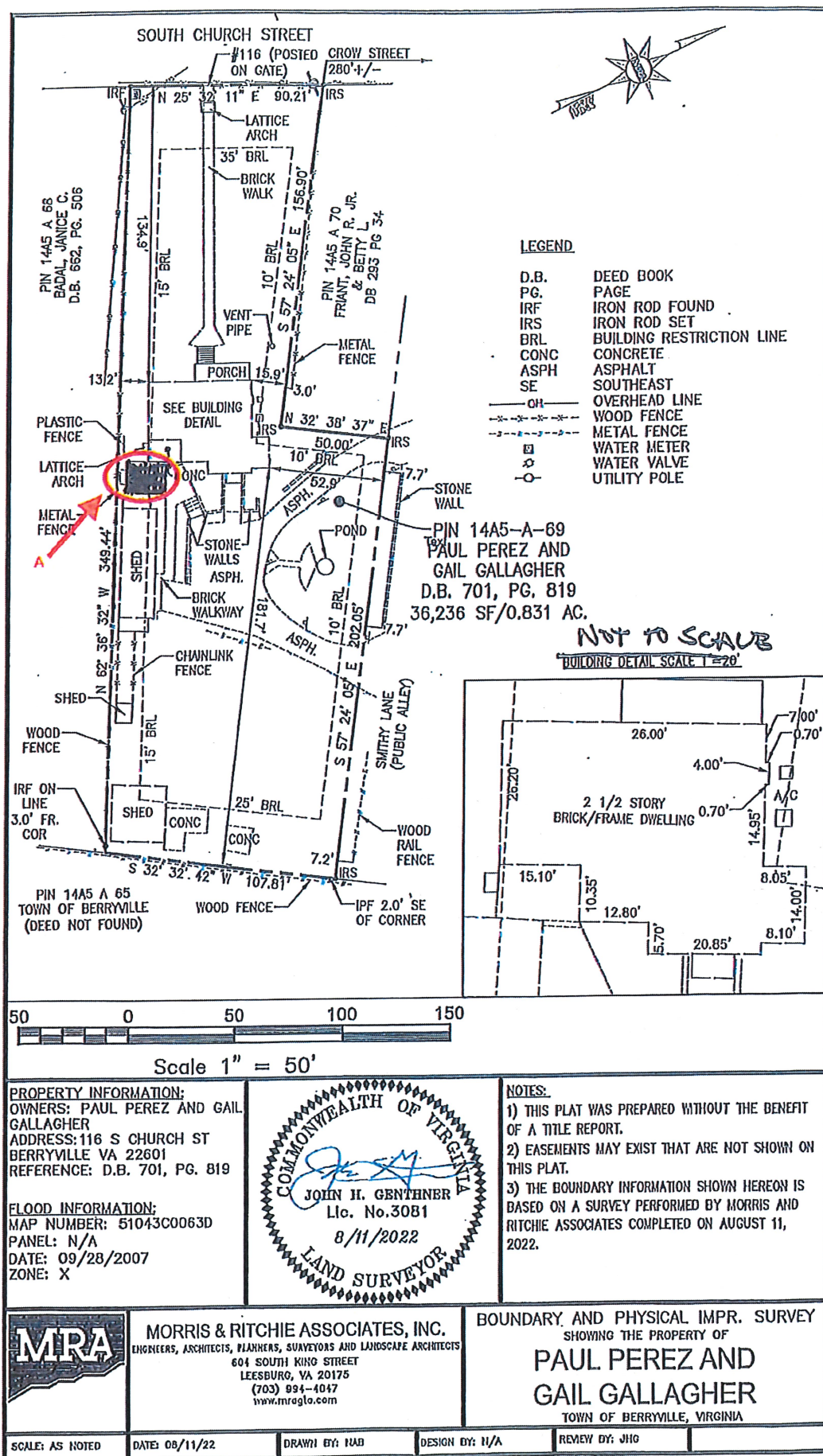
- Vicinity map
- Site plan
- Letter from the applicant
- Photos of the structure



- Public
- Parcels
- Clarke County Boundary
- Major Roads
- Interstate
- US Highway
- State Highway
- Surrounding Counties
- Clarke County Roads
- Private Roads
- Rail
- Buildings
- Appalachian Trail
- Streams
- Perennial Streams
- Intermittent Streams
- Ponds
- Rivers



The data shown on this site are provided for informational and planning purposes only. Clarke County is not responsible for the use or misuse of the data or misrepresentation of the data.



January 11, 2024

To Berryville Planning Commission,

After one look at the property at 116-118 South Church Street in May 2022, we knew that we had found our next home. One of the most appealing features were several outbuildings in the backyard. The one closest to the house was near the point of collapse with decaying wood siding and crumbling plaster. Because of the dire need and its suspected history, we began focusing on how to renovate it.

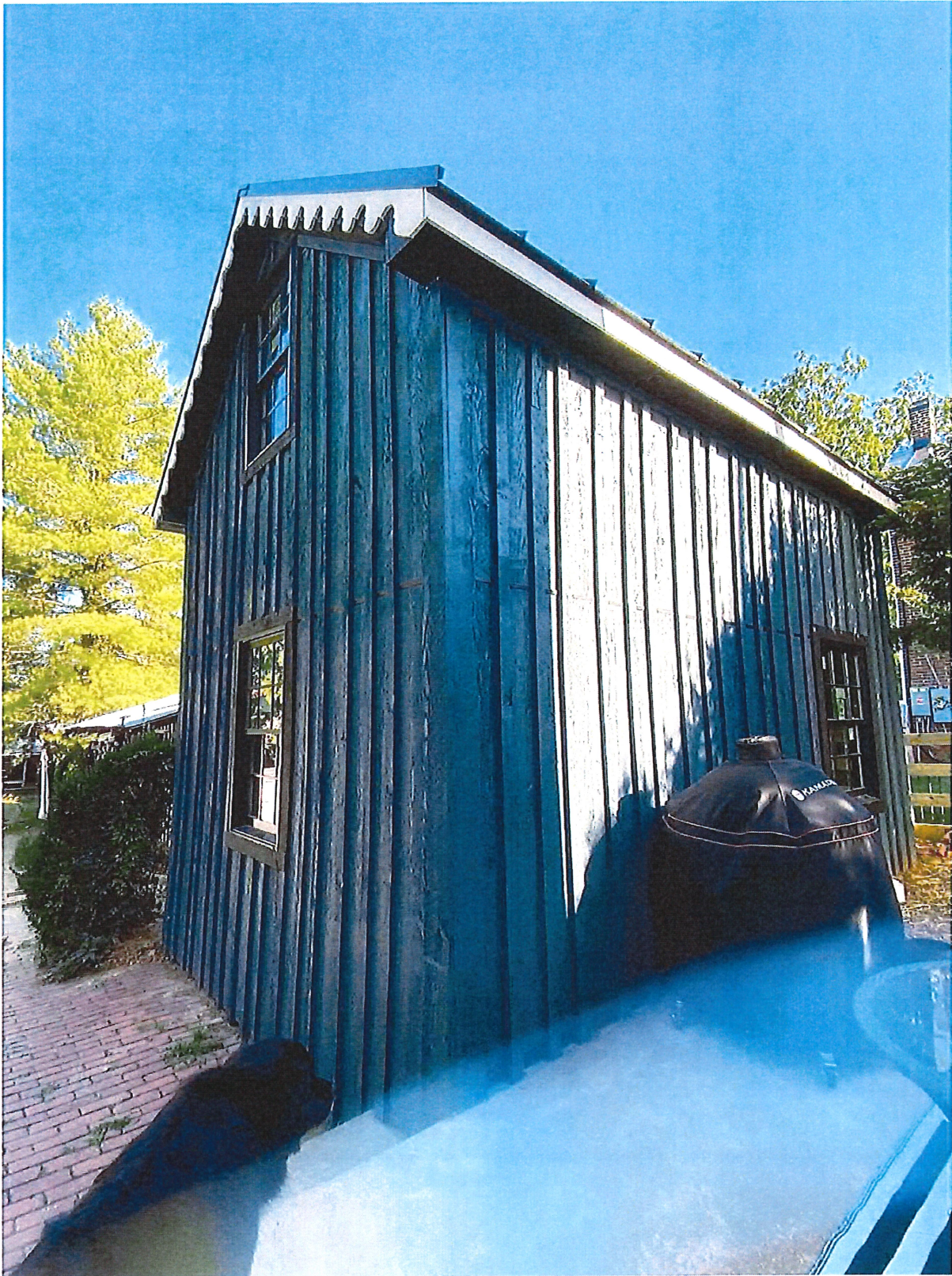
So far it has been a year-long process of architectural design, permits, and construction. During that time, we have gathered information that indicates the structure was built by 1870 at the latest and was likely used as a summer kitchen for the main house.

We have tried to salvage whatever we could and incorporate it back into the building, but we also brought it into the present by adding water, electricity and a bathroom. Every detail of the kitchen house has been carefully designed and selected.

Although we had not originally renovated for the purpose of a rental, we have decided to do this as an option for weekends. It is a prime location to anything in town and we have ample parking. Our property had formerly housed an antique store. (Originally the property was a carriage factory.) We hope to begin weekend rentals in the late spring or early summer of this year.

Most importantly, we would like to share this rare piece of history with others. It has been a blessing to be able to save this structure and imagine the joy that the people who worked here would have if they could return.

Sincerely,
Gail Gallagher and Paul Perez













Town Council Agenda Item Report Summary

March 12, 2024

Item Title

Construction Update

Prepared By

Christy Dunkle

Shenandoah Crossing Subdivision

- 82 single-family homes
- Zoned DR-2 Detached Residential
- HOA-maintained facilities
- All homes and paving have been completed
- Request for public street acceptance has been forwarded to VDOT
- Staff has followed up with a complaint about sidewalk spalling on Wilson Drive

Fellowship Square Subdivision

- 50 single-family homes
- Zoned DR-4 Detached Residential
- Cluster layout
- HOA-maintained facilities
- All homes and paving have been completed
- Request for public street acceptance has been forwarded to VDOT

Hermitage Phase V

- 71 single-family homes
- Final phase of Hermitage subdivision (started 2000)
- Zoned R-1 and DR-1
- Phase V will have HOA oversight, other phases will not be affected
- Town staff conducted a final walkthrough for sidewalk, curb, and gutter
- Request for public street acceptance has been forwarded to VDOT
- Staff and Council member Mazzarino met with DEQ and discussed the stormwater management facility between Tyson Drive and Jones Court. Council members received a copy of DEQ's inspection report.

Cash Balance Report

Period Ending 2/29/2024

Town of Berryville

3/7/2024 3:03 PM

Page 1/1

	Bank Information	Balance
1	Bank of Clarke Operating Acct#- 1138499	-\$60,426.27
2	Bank of Clarke NOW Acct#- 1138502	\$14,187,375.01
3	Bank of Clarke Payroll Acct#- 1139510	\$82,618.45
4	Bank of Clarke CIP Acct#- 1138405	\$10,438,201.02
5	Bank of Clarke SW Acct#- 1138413	\$477,648.08
6	Bank of Clarke PDAF Acct#- 1138421	\$27,351.23
7	Bank of Clarke DSR Acct#- 1138456	\$112,149.66
9	Bank of Clarke RAU Acct#- 1138472	\$948.02
10	Bank of Clarke VRA Reserve Acct#- 6041647	\$470,000.00
11	Bank of Clarke Proffer Reserve Acct#- 1897098	\$90,638.90
12	Bank of Clarke Performance Bonds Acct#- 1910841	\$11,302.48
13	TRUIST Acct#- 5137523525	\$565,913.77
14	Bank of Clarke PD Contributions Acct#- 5759859	\$6,018.65

Total Cash Balance:	\$26,409,739.00
---------------------	-----------------

Check Listing

Date From: 2/1/2024 Date To: 2/29/2024
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville
03/07/2024 03:01 PM

Page: 1 of 3

Check Number	Bank	Vendor	Date	Amount
8729	1	AMHERST FAMILY PRACTICE	02/01/2024	<u>\$134.00</u>
8730	1	AUGUSTA ACTUATION LLC	02/01/2024	<u>\$2,459.75</u>
8731	1	CORE & MAIN LP	02/01/2024	<u>\$23,093.79</u>
8732	1	E. A. S. WINCHESTER, PLLC	02/01/2024	<u>\$850.00</u>
8733	1	EMMART OIL CO	02/01/2024	<u>\$643.52</u>
8734	1	GLOCK PROFFESSIONAL INC	02/01/2024	<u>\$680.00</u>
8735	1	H.T. HACKNEY	02/01/2024	<u>\$1,477.00</u>
8736	1	MORTON SALT, INC.	02/01/2024	<u>\$1,903.64</u>
8737	1	Skyline Regional CJA	02/01/2024	<u>\$206.80</u>
8738	1	Treasurer of Frederick County	02/01/2024	<u>\$5,658.70</u>
8739	1	DS SERVICES OF AMERICA INC	02/07/2024	<u>\$27.11</u>
8740	1	Hach Company	02/07/2024	<u>\$1,575.92</u>
8741	1	HARRISON CUSTOM ENGINEERING LLC	02/07/2024	<u>\$83.84</u>
8742	1	HVT INC AS TRUSTEE FOR HLT 9547	02/07/2024	<u>\$214.06</u>
8743	1	INBODEN ENVIRONMENTAL SVCS	02/07/2024	<u>\$17,961.20</u>
8744	1	Jean Petti	02/07/2024	<u>\$50.00</u>
8745	1	Keith Dalton	02/07/2024	<u>\$50.00</u>
8746	1	Minnesota Life Insurance Co.	02/07/2024	<u>\$252.59</u>
8747	1	ROSEMONT MANOR LLC	02/07/2024	<u>\$7,998.64</u>
8748	1	Sunbelt Rentals	02/07/2024	<u>\$1,127.35</u>
8749	1	THOMSON REUTERS	02/07/2024	<u>\$104.00</u>
8750	1	UNIVAR SOLUTIONS LLC	02/07/2024	<u>\$606.00</u>
8751	1	URBAN MEGAN ELIZABETH 11883	02/07/2024	<u>\$83.51</u>
8752	1	VIRGINIA RIGGERS INC	02/07/2024	<u>\$13,622.00</u>
8753	1	A & E Towing	02/14/2024	<u>\$200.00</u>
8754	1	AT&T	02/14/2024	<u>\$534.67</u>
8755	1	CONSOLIDATED ELECTRIC	02/14/2024	<u>\$665.00</u>
8756	1	Hall, Monahan, Engle, Mahan & Mitchell	02/14/2024	<u>\$1,355.50</u>
8757	1	Keith Dalton	02/14/2024	<u>\$30.00</u>
8758	1	Kidwell Fencing	02/14/2024	<u>\$4,800.00</u>
8759	1	LANGUAGE LINE SERVICES INC	02/14/2024	<u>\$3.84</u>
8760	1	Michelle M. Jones	02/14/2024	<u>\$1,040.00</u>

Check Listing

Date From: 2/1/2024 Date To: 2/29/2024

Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville
03/07/2024 03:01 PM

Page: 2 of 3

Check Number	Bank	Vendor	Date	Amount
8761	1	PENNONI ASSOCIATES INC	02/14/2024	\$21,400.46
8762	1	TENCARVA	02/14/2024	\$3,816.98
8763	1	The Hall Company	02/14/2024	\$1,574.90
8764	1	Total Pest Services, Inc	02/14/2024	\$312.00
8765	1	VINCENT TIFFANY M 6809	02/14/2024	\$305.36
8766	1	VIRASEC IT Support Services, Inc.	02/14/2024	\$2,527.49
8767	1	COMBS WASTEWATER MANAGEMENT LLC	02/22/2024	\$75.00
8768	1	Commercial Press Inc	02/22/2024	\$341.00
8769	1	CORE & MAIN LP	02/22/2024	\$10,845.07
8770	1	EMMART OIL CO	02/22/2024	\$264.62
8771	1	Fire Protection Company, LLC	02/22/2024	\$1,365.75
8772	1	John H. Enders Fire Company	02/22/2024	\$30,000.00
8773	1	Municipal Safety Sales	02/22/2024	\$510.21
8774	1	PLAYGROUND GUARDIAN LLC	02/22/2024	\$675.00
8775	1	The Hall Company	02/22/2024	\$1,911.24
8776	1	The Winchester Star	02/22/2024	\$2,532.58
8777	1	Treasurer of Frederick County	02/22/2024	\$4,987.94
8778	1	UNIVAR SOLUTIONS LLC	02/22/2024	\$2,224.00
8779	1	VUPS	02/22/2024	\$29.90
8780	1	Red Beard Diesel LLC	02/22/2024	\$11,615.59
8781	1	Shade Equipment Company	02/22/2024	\$1,189.76
8782	1	BLOSSMAN GAS INC	02/29/2024	\$1,204.07
8783	1	BRENDA LEE TEDDER	02/29/2024	\$12.63
8784	1	CIE INTERNATIONAL	02/29/2024	\$103.46
8785	1	CIVICPLUS	02/29/2024	\$650.00
8786	1	Clarke County Animal Shelter	02/29/2024	\$32.57
8787	1	CORE & MAIN LP	02/29/2024	\$5,942.94
8788	1	CROWN TROPHY LLC	02/29/2024	\$20.00
8789	1	DANA LIBBY	02/29/2024	\$40.00
8790	1	DOWDY NAUMANN S III 2950	02/29/2024	\$50.00
8791	1	Gwen Malone	02/29/2024	\$40.00
8792	1	Hach Company	02/29/2024	\$142.43

Check Listing

Date From: 2/1/2024 Date To: 2/29/2024
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville
03/07/2024 03:01 PM

Page: 3 of 3

Check Number	Bank	Vendor	Date	Amount
8793	1	JUNE A ORESIK	02/29/2024	<u>\$142.21</u>
8794	1	Kim S. Kemp	02/29/2024	<u>\$40.00</u>
8795	1	RIDDLEBERGER BROTHERS	02/29/2024	<u>\$3,054.00</u>
8796	1	Sheryl Reid	02/29/2024	<u>\$40.00</u>
8797	1	SIGNET MARKETING	02/29/2024	<u>\$180.00</u>
8798	1	Sunbelt Rentals	02/29/2024	<u>\$1,127.35</u>
8799	1	Total Pest Services, Inc	02/29/2024	<u>\$164.00</u>
8800	1	TRUSSELL SARAH REGINA 9954	02/29/2024	<u>\$243.46</u>
8801	1	Tyler Technologies	02/29/2024	<u>\$271.40</u>
8802	1	UBEQ MIDCO LLC	02/29/2024	<u>\$15.00</u>
8803	1	VIRASEC IT Support Services, Inc.	02/29/2024	<u>\$2,810.36</u>
8804	1	WELLIVER RALPH M & JENNIFER A 519	02/29/2024	<u>\$277.10</u>
8805	1	WILLIAM MITCHELL GILPIN	02/29/2024	<u>\$40.00</u>
8806	1	William Steinmetz	02/29/2024	<u>\$75.00</u>
78	Checks Totalling -			\$204,715.26

Totals By Fund

	Checks	Voids	Total
100	\$86,387.62		\$86,387.62
501	\$71,817.14		\$71,817.14
502	\$46,510.50		\$46,510.50
Totals:	\$204,715.26		\$204,715.26



Purchasing Card

BERRYVILLE TOWN OF
February 01, 2024 - February 29, 2024

Company Statement

Account Information	Payment Information	Account Summary
Mail Billing Inquiries to: BANKCARD CENTER PO Box 660441 Dallas, TX 75266-0441 TTY Hearing Impaired: Dial "711" Outside the U.S.: 1.509.353.6656 24 Hours For Lost or Stolen Card: 1.888.449.2273 24 Hours	Statement Date 02/29/24 Payment Due Date..... 03/25/24 Days in Billing Cycle 29 Credit Limit \$500,000 Cash Limit \$0 Total Payment Due \$82,245.86	Previous Balance \$80,898.39 Payments -\$80,898.39 Credits -\$51.45 Cash \$0.00 Purchases \$82,297.31 Other Debits \$0.00 Overlimit Fee \$0.00 Late Payment Fee \$0.00 Cash Fees \$0.00 Other Fees \$0.00 Finance Charge \$0.00 Current Balance \$82,245.86

Important Messages

Please do not send payment. Your automatic payment is scheduled to be credited to this account on 03/25/24.

Global Card Access - your card information whenever, wherever and however you need it. From the dashboard, you can quickly check your credit limit, balance, available credit and recent card activity. Other features like View PIN, Change PIN, Lock Card and Alerts help you keep your card secure. For added convenience, you can easily view or download your current statement up to 12 months of past statements. Visit www.bofa.com/globalcardaccess to register your card and start using Global Card Access today.

Cardholder Activity Summary				
Account Number	Credits	Cash	Purchases and Other Debits	Total Activity
Credit Limit				

8089839 8224586 8224586 4715291201837237

BANK OF AMERICA
PO BOX 15731
WILMINGTON, DE 19886-5731

BERRYVILLE TOWN OF
STE A
101 CHALMERS CT
BERRYVILLE, VA 22611-1387

Account Number: [REDACTED]
February 01, 2024 - February 29, 2024

Total Payment Due..... \$82,245.86
Payment Due Date..... 03/25/24

Enter payment amount

\$ [REDACTED]

Mail this coupon along with your check payable to:
BANK OF AMERICA

Posting payments: Payments received by mail at the remittance address shown on the Payment Coupon portion of the face of this statement on a banking day will be posted to your account on the day received. If we receive your mailed payment on a non-banking day, we will post it to your account on the next banking day. There may be a delay of up to 5 banking days in posting payments made at a location other than the mailing address listed on the front of your payment coupon.

Service for the hearing impaired (TTY/TDD): We accept calls made through relay services (dial 711).

Telephone monitoring: For the purposes of monitoring and improving the quality of service, Bank's supervisory personnel may listen to and/or record telephone calls between Bank employees and any person acting on Company's behalf.

In case of errors or questions about your bill: Errors or questions about your bill must be received in writing no later than 60 days after we sent you the first statement on which the error or problem appeared. Please mail this information to BANKCARD CENTER, PO BOX 660441, DALLAS, TX 75266-0441. Your letter must include the following information:

- . The company name, cardholder name and account number in question.
- . The dollar amount of the suspected error.
- . A written description of the error and why you believe there is an error. If you need more information, describe the item you are unsure about.

Customer Service:	For questions regarding transactions, general assistance, and reporting lost and stolen cards, call:
-------------------	--

<u>Within the U.S.</u> 1.888.449.2273	<u>Outside the U.S.</u> 1.509.353.6656 (collect calls accepted)
--	---

Thank you for your business.

Posting payments: Payments received by mail at the remittance address shown on the Payment Coupon portion of the face of this statement on a banking day will be posted to your account on the day received. If we receive your mailed payment on a non-banking day, we will post it to your account on the next banking day. There may be a delay of up to 5 banking days in posting payments made at a location other than the mailing address listed on the front of your payment coupon.

BERRYVILLE TOWN OF
February 01, 2024 - February 29, 2024
Page 3 of 6

Cardholder Activity Summary

Account Number Credit Limit	Credits	Cash	Purchases and Other Debits	Total Activity
BOOR, RICK [REDACTED]				
15,000	0.00	0.00	9,698.86	9,698.86
BOOTH, KEVIN [REDACTED]				
1,000	0.00	0.00	361.58	361.58
BUSSETT, ERNIE [REDACTED]				
47,379	0.00	0.00	3,921.52	3,921.52
COLE, HEIDI [REDACTED]				
50,000	0.00	0.00	28,859.92	28,859.92
CULP, PAUL [REDACTED]				
1	0.00	0.00	44.30	44.30
DALTON, KEITH [REDACTED]				
50,000	0.00	0.00	15,013.33	15,013.33
DORSEY, DANIEL [REDACTED]				
500	0.00	0.00	72.77	72.77
DUNKLE, CHRISTY [REDACTED]				
500	0.00	0.00	268.94	268.94
FERREBEE, DARRELL [REDACTED]				
500	0.00	0.00	140.93	140.93
GREEN, CONNOR [REDACTED]				
500	0.00	0.00	80.00	80.00
GRIFFITH, RICHARD A [REDACTED]				
500	0.00	0.00	367.82	367.82
JOHNSON, KAREN [REDACTED]				
1,000	0.00	0.00	265.72	265.72
LINK, BRIAN [REDACTED]				
5,000	0.00	0.00	71.99	71.99
MCCORMICK, HARRY [REDACTED]				
500	0.00	0.00	484.37	484.37
PETTI, JEAN [REDACTED]				
50,000	0.00	0.00	17,705.18	17,705.18
POULIN, CYNTHIA [REDACTED]				
5,000	0.00	0.00	770.66	770.66
SHARP, BRIAN [REDACTED]				
500	0.00	0.00	75.45	75.45
SHEETZ, CULLEN [REDACTED]				
500	0.00	0.00	72.29	72.29
SHOREMOUNT, JOSEPH E [REDACTED]				
500	0.00	0.00	26.98	26.98
STOVER, KEITH [REDACTED]				
5,000	51.45	0.00	1,805.47	1,754.02
WEATHERHOLT, EUGENE W [REDACTED]				
500	0.00	0.00	52.48	52.48

Cardholder Activity Summary

Account Number	Credits	Cash	Purchases and Other Debits	Total Activity
WHITE, NEAL				
15,000	0.00	0.00	2,136.75	2,136.75

Transactions

Posting Date	Transaction Date	Description	Reference Number	MCC	Charge	Credit
BERRYVILLE TOWN OF						Total Activity
Account Number: [REDACTED]						-\$80,898.39
02/23	02/23	AUTO PAYMENT DEDUCTION		0071		80,898.39
BOOR, RICK						Total Activity
Account Number: [REDACTED]						9,698.86
02/05	02/02	BROY & SON PUMP SERVICE 540-9553928 VA	24073144033900016900011	1799	2,395.54	
02/05	02/02	GRIFFITH ENERGY SERVIC 888-474-3391 MD	24941684033200757002225	4900	3,105.35	
02/05	02/02	GRIFFITH ENERGY SERVIC 888-474-3391 MD	24941684033200757002258	4900	2,034.28	
02/08	02/07	SHENANDOAH SAND LLC 540-6671660 VA	24013394038000784032722	5099	1,170.15	
02/08	02/07	WWP*PEST MGMT SRVS. 703-723-2899 VA	24445004038300583956714	7342	74.00	
02/23	02/22	SQ *COMMONWEALTH ENGINEER877-417-4551 VA	24692164053100829839480	1711	467.14	
02/23	02/22	SQ *COMMONWEALTH ENGINEER877-417-4551 VA	24692164053100833759138	1711	357.76	
02/23	02/22	THE BLOSSMAN COMPANIES I 228-875-2261 MS	24055234053063409686816	5983	94.64	
BOOTH, KEVIN						Total Activity
Account Number: [REDACTED]						361.58
02/01	01/31	BERRYVILLE AUTO PARTS BERRYVILLE VA	24327434031032201037879	5533	22.38	
02/02	01/31	GIANT MARTINS #6558 BERRYVILLE VA	24692164032106920236977	5411	18.95	
02/23	02/22	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974054091404000292	5251	135.38	
02/26	02/23	GIANT MARTINS #6558 BERRYVILLE VA	24692164054101854546304	5411	16.16	
02/28	02/27	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974059091404000065	5251	72.93	
02/29	02/28	FISHER AUTO PARTS 009 BERRYVILLE VA	24431064060200824300097	5533	95.78	
BUSSERT, ERNIE						Total Activity
Account Number: [REDACTED]						3,921.52
02/02	01/31	MCMaster-CARR 630-834-9600 IL	24789304032034900170337	5085	1,961.01	
02/13	02/12	Emmart Oil Company 540-6623835 VA	24193044044005033896137	5983	264.62	
02/14	02/13	USABlueBook Atlanta GA	24793384044001711332051	5085	1,030.68	
02/26	02/24	USABlueBook Atlanta GA	24793384055002176557055	5085	234.16	
02/28	02/27	USABlueBook Atlanta GA	24793384058003162347052	5085	431.05	
COLE, HEIDI						Total Activity
Account Number: [REDACTED]						28,859.92
02/01	02/01	COMCAST 800-COMCAST MD	24692164032106860211592	4899	126.07	
02/12	02/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664040083716106565	4900	4,847.50	
02/12	02/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664040083746454753	4900	1,620.00	
02/12	02/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664040083728361448	4900	10,000.00	
02/12	02/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664040083751558092	4900	9,912.07	
02/12	02/09	USPS PO 5107560300 BERRYVILLE VA	24137464041001599666628	9402	340.00	
02/22	02/22	COMCAST 800-COMCAST MD	24692164053100572033091	4899	160.77	
02/22	02/22	COMCAST 800-COMCAST MD	24692164053100572033133	4899	126.07	
02/23	02/22	VERIZONWRLSS*RTCCR VB 800-922-0204 FL	24692164053100626831490	4814	1,057.87	
02/23	02/22	VERIZON BILL PAYMENT 800-VERIZON FL	24692164053100632969672	4814	405.12	
02/23	02/22	VERIZON BILL PAYMENT 800-VERIZON FL	24692164053100632969680	4814	264.45	
CULP, PAUL						Total Activity
Account Number: [REDACTED]						44.30
02/05	02/02	STAPLS7625100886000001 877-8267755 NJ	24164074033105742065340	5111	44.30	
DALTON, KEITH						Total Activity
Account Number: [REDACTED]						15,013.33
02/01	01/31	RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231684031747007873301	4900	5,013.33	
02/12	02/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664040083715224294	4900	10,000.00	
DORSEY, DANIEL						Total Activity
Account Number: [REDACTED]						72.77
02/05	02/04	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974036091408000069	5251	37.01	
02/08	02/07	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974039091404000292	5251	35.76	
DUNKLE, CHRISTY						Total Activity
Account Number: [REDACTED]						268.94
02/13	02/12	FRAMEITEASY.COM 888-983-2670 CT	24492154043713662927919	5999	89.66	
02/13	02/12	FRAMEITEASY.COM 888-983-2670 CT	24492154043743664979162	5999	179.28	
FERREBEE, DARRELL						Total Activity
Account Number: [REDACTED]						140.93
02/09	02/08	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974040091406000081	5251	79.33	
02/15	02/14	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974046091408000489	5251	41.60	

BERRYVILLE TOWN OF

February 01, 2024 - February 29, 2024

Page 5 of 6

Transactions

Posting Transaction

Date	Date	Description	Reference Number	MCC	Charge	Credit
02/23	02/22	BERRYVILLE AUTO PARTS BERRYVILLE VA	24327434053149101043824	5533	20.00	
GREEN, CONNOR						Total Activity
Account Number: [REDACTED]						80.00
02/28	02/26	VA DPOR 804-3678597 VA	24755424058280586072603	9399	80.00	
GRIFFITH, RICHARD A						Total Activity
Account Number: [REDACTED]						367.82
02/16	02/15	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974047091400000080	5251	22.02	
02/29	02/28	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412904059027013508302	5599	345.80	
JOHNSON, KAREN						Total Activity
Account Number: [REDACTED]						265.72
02/05	02/02	Amazon web services aws.amazon.coWA	24692164033108364317460	7399	0.61	
02/12	02/09	STAPLS7625760599000001 877-8267755 NJ	24164074040105656076300	5111	207.38	
02/12	02/10	STAPLS7625760599000002 877-8267755 NJ	24164074042105656076308	5111	13.24	
02/19	02/17	STAPLS7626402013000001 877-8267755 NJ	24164074049105343420383	5111	44.49	
LINK, BRIAN						Total Activity
Account Number: [REDACTED]						71.99
02/13	02/12	BERRYVILLE FARM AND PET SBERRYVILLE VA	24761474043027010412524	5995	19.99	
02/26	02/23	BERRYVILLE AUTO PARTS 540-9551292 VA	24327434054155101394348	5533	52.00	
MCCORMICK, HARRY						Total Activity
Account Number: [REDACTED]						484.37
02/02	02/01	SUNCOASTLEARNING.COM 800-269-1181 GA	24801974032872113506860	8299	375.00	
02/19	02/18	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974050091406000062	5251	29.37	
02/27	02/24	VA DPOR 804-3678597 VA	24755424057170578354476	9399	80.00	
PETTI, JEAN						Total Activity
Account Number: [REDACTED]						17,705.18
02/02	02/01	COYNE CHEMICAL CROYDON PA	24137464032300854213915	5169	1,933.20	
02/06	02/05	IN *DENNIS INSPECTION, IN540-5355170 VA	24692164036100706158170	7299	3,300.00	
02/07	02/06	WL *VUE*Testing Exam 953-6813000 MN	24906414037193067256261	8299	85.00	
02/07	02/06	COYNE CHEMICAL CROYDON PA	24137464037300739325574	5169	1,205.60	
02/07	02/06	COYNE CHEMICAL 215-785-3000 PA	24137464037300739325657	5169	60.00	
02/14	02/13	Amazon.com*RI3I18F02 Amzn.com/billWA	24692164044103582587322	5942	6.29	
02/15	02/14	IN *JOINER LABS, LLC 800-262-3246 CA	24692164045104738923675	8734	35.00	
02/15	02/14	IN *JOINER LABS, LLC 800-262-3246 CA	24692164045104738952864	8734	35.00	
02/15	02/14	COYNE CHEMICAL CROYDON PA	24137464045300848204942	5169	7,618.26	
02/15	02/14	COYNE CHEMICAL CROYDON PA	24137464045300848205022	5169	202.50	
02/28	02/26	MCMaster-CARR 630-834-9600 IL	24789304058175700124252	5085	243.98	
02/28	02/27	COYNE CHEMICAL CROYDON PA	24137464058300764001235	5169	2,980.35	
POULIN, CYNTHIA						Total Activity
Account Number: [REDACTED]						770.66
02/02	02/01	VA DMV ONLINE BILLING PAY804-4977100 VA	24755424033730332443334	9399	425.00	
02/07	02/06	IN *TRUESHRED 888-7508783 VA	24692164037101500609730	7399	62.00	
02/26	02/23	MSFT * E0100R1P4D MSBILL.INFO WA	24430994054400819019952	5045	6.00	
02/26	02/23	MSFT * E0100R1O4N MSBILL.INFO WA	24430994054400819027682	5045	12.50	
02/26	02/23	MSFT * E0100R1QGT MSBILL.INFO WA	24430994054400819098394	5045	265.16	
SHARP, BRIAN						Total Activity
Account Number: [REDACTED]						75.45
02/02	02/01	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974033091402000209	5251	5.38	
02/16	02/15	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974047091400000163	5251	41.60	
02/26	02/23	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974055091406000075	5251	7.90	
02/26	02/23	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974055091406000018	5251	20.57	
SHEETZ, CULLEN						Total Activity
Account Number: [REDACTED]						72.29
02/15	02/14	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974046091408000067	5251	44.04	
02/23	02/22	BERRYVILLE AUTO PARTS BERRYVILLE VA	24327434053149101043782	5533	20.00	
02/23	02/22	FISHER AUTO PARTS 009 BERRYVILLE VA	24431064054200824800094	5533	8.25	
SHOREMOUNT, JOSEPH E						Total Activity
Account Number: [REDACTED]						26.98
02/05	02/02	USPS PO 5107560300 BERRYVILLE VA	24137464034001535382859	9402	9.68	
02/19	02/16	USPS PO 5107560300 BERRYVILLE VA	24137464048001552097459	9402	17.30	
STOVER, KEITH						Total Activity
Account Number: [REDACTED]						1,754.02
02/05	02/02	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412904033027013969968	5599	363.85	
02/07	02/06	LOWES #02724* Winchester VA	24692164037101413486523	5200	176.33	
02/08	02/06	A SIGN PLACE/PERSONALIZE WINCHESTER VA	24223694038030034542476	5099	157.00	
02/09	02/08	LOWES #02724* Winchester VA	24692164039100036931244	5200	51.45	
02/12	02/09	LOWES #02724* Winchester VA	24692164040100655521158	5200	51.45	
02/12	02/09	LOWES #02724* Winchester VA	24692164040100655521257	5200	119.00	

Transactions

Posting Transaction

Date	Date	Description	Reference Number	MCC	Charge	Credit
02/12	02/09	COLLIFLOWER INC HQ 410-686-1200 MD	24435654040606000228663	5085	420.02	
02/12	02/09	LOWES #02724* Winchester VA	74692164040100655521633	5200		51.45
02/15	02/14	COLLIFLOWER INC HQ 410-686-1200 MD	24435654045606000205690	5085	156.64	
02/21	02/20	LOWES #02724* Winchester VA	24692164051109357819642	5200	48.24	
02/21	02/20	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974052091400000397	5251	4.59	
02/23	02/22	LOWES #02724* Winchester VA	24692164053101037907853	5200	78.44	
02/26	02/24	BATTLEFIELD BOOTS WINCHESTER VA	24755424055270557886365	5661	178.46	

WEATHERHOLT, EUGENE W

Total Activity

Account Number [REDACTED] 52.48

02/16	02/15	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974047091400000205	5251	41.60	
02/23	02/22	FISHER AUTO PARTS 009 BERRYVILLE VA	24431064054200824800128	5533	10.88	

WHITE, NEAL

Total Activity

Account Number [REDACTED] 2,136.75

02/14	02/13	BERRYVILLE AUTO PARTS 540-9551292 VA	24327434044095900339867	5533	1,211.05	
02/14	02/14	AMAZON.COM*RI6A97630 SEATTLE WA	24431064045083740519762	5942	100.00	
02/15	02/14	THOMSON WEST*TCO 800-328-4880 MN	24692164045104652892013	8999	117.82	
02/19	02/18	Amazon.com*RI53A2242 Amzn.com/billWA	24692164049107507723214	5942	174.00	
02/21	02/20	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974052091400000231	5251	16.00	
02/22	02/21	VISTAPRINT 866-207-4955 MA	24492154052743178542728	2741	106.59	
02/27	02/26	MES/WARREN FIRE/LAWMEN MESFIRE.COM CT	24055224058956405700505	5099	125.00	
02/28	02/26	KUSTOM SIGNALS 913-492-1400 KS	24247604058500548066614	5065	238.00	
02/28	02/27	BERRYVILLE AUTO PARTS BERRYVILLE VA	24327434058177700210234	5533	16.99	
02/29	02/27	AXON 800-9782737 AZ	24121574059510035792262	5085	31.30	

Finance Charge Calculation

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

	Annual Percentage Rate	Balance Subject to Interest Rate	Finance Charges by Transaction Type
PURCHASES	0.00%	\$0.00	\$0.00
CASH	0.00%	\$0.00	\$0.00

V = Variable Rate (rate may vary), Promotional Balance = APR for limited time on specified transactions.

March 12, 2024
Monthly Update

American Rescue Plan Act of 2021

Funds expended over the past month

The February 2024 expenditure report is attached.

Attachments

- February 2024 ARPA Expenditure Report
- ARPA Master List
- Project Status Reports

Feb-24

Water and sewer bill accounts

Estimated cost of these actions:

- Payment of delinquent accounts	\$ 10,000.00	\$ -	\$ 4,069.34	\$ 5,930.66	41%	\$ 10,000.00
- Water and sewer account credits	\$ 169,100.00	\$ -	\$ 171,191.48	\$ (2,091.48)	101%	\$ 169,100.00
- Total		\$	\$ 175,260.82			\$ 179,100.00
Fund balance from first payment						\$ 3,839.18

Signage

Estimated cost of these actions

- Signage	\$ 150,000.00	\$ -	\$ 27,655.50	\$ 122,344.50	18%	\$ 150,000.00
- Total		\$	\$ 27,655.50			\$ 150,000.00

Fund balance from first payment

Fund balance from second payment						\$ 42,344.50
						\$ 80,000.00

Improvements in Central Business District

Estimated cost of these actions

- Facades, signs, accessibility	\$ 250,000.00	\$ -	\$ 125,000.00	\$ 53,814.92	66%	\$ 250,000.00
Total		\$	\$ 71,185.08			\$ 250,000.00
		\$	\$ 196,185.08			

Fund balance from first payment

Fund balance from second payment						\$ -
						\$ 53,814.92

Non- Profits

Estimated cost of these actions

- John H Enders FD	\$ 80,000.00	\$	-	\$ 80,000.00	\$	-	100%	\$ 80,000.00
- Barns of Rose Hill	\$ 40,000.00	\$	-	\$ 40,000.00	\$	-	100%	\$ 40,000.00
- Housing assistance	\$ 120,000.00	\$	-	\$ 80,000.00	\$	40,000.00	67%	\$ 120,000.00
- Total				\$ 200,000.00				\$ 240,000.00

Fund balance from first payment

Fund balance from second payment

Purchase of equipment and supplies

Estimated cost of these actions

- Purchase of equipment, etc	\$ 25,000.00	\$	1,575.00	\$ 9,864.76	\$	15,135.24	39%	\$ 25,000.00
- Total				\$ 11,439.76				\$ 25,000.00

Fund balance from first payment

Improve Communications

Estimated cost of these actions

- Website	\$ 8,000.00	\$	-	\$ 5,845.29	\$	2,154.71	73%	\$ 8,000.00
- Radios	\$ 60,000.00	\$	-	\$ 60,000.00	\$	-	100%	\$ 60,000.00
- Other imp.	\$ 60,000.00	\$	4,800.00	\$ 17,642.19	\$	42,357.81	29%	\$ 60,000.00
- Total				\$ 83,487.48				\$ 128,000.00

Fund balance from first payment

\$ 44,512.52

	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</u>
<u>Premium Pay</u>					
Estimated cost of these actions					
- Provide premium pay	\$ 172,000.00		\$ 174,323.86	\$ (2,323.86)	101%
- Total			\$ 174,323.86		\$ 172,000.00
Fund balance from first payment				\$ (2,323.86)	
<u>Complete necessary water and sewer infrastructure projects</u>					
Estimated cost of these actions					
- Cost of the projects	\$ 3,060,886.00	\$ 9,361.00	\$ 1,328,393.00	\$ 209,859.10	47.65%
Total			\$ 1,522,633.90	\$ 3,060,886.00	
Fund balance from first payment			\$ 2,851,026.90	\$ -	
Fund balance from second payment				\$ 209,859.10	

Pay for administrative costs

Estimated cost of these actions					
- Administrative costs per FY (5.5)	\$	330,000.00	\$	-	\$
- Total					14%
			\$	45,055.39	\$
			\$	45,055.39	\$
Fund balance from first payment					\$
Fund balance from second payment					\$
					330,000.00
					330,000.00
					94,944.61
					190,000.00

NOTES:

<u>Administrative Costs:</u>	\$	-	
<u>Legal</u>	\$	-	
	-		
INFRASTRUCTURE COSTS:			
Frazier Assoc.(Wayfinding)	\$	-	1st Tranche \$ 2,267,493.00
Core & Main	\$	6,806.00	Used to date \$ 2,090,615.81
VA RIGGERS	\$	-	Balance \$ 176,877.19
Pete McLean	\$	-	2nd Tranche \$ 2,267,493.00
Norfolk Southern	\$	-	Used to date \$ 1,673,818.98
Pennonni(Osborne, Church,Josephine)	\$	2,555.00	Balance \$ 593,674.02
Pennonni (I&I, SSES Study)	\$	-	
Webster Nursery(Concrete walls)	\$	-	
Total	\$	9,361.00	

ARPA MASTER LIST

2/29/2024

	PROJECT NAME	BUDGET	SPENT TO DATE	BALANCE	%COMPLETE	COMPLETED PROJECTS (-/+)
1	Computers:Utility Clerk,PWs	\$ 2,437.90	\$ 2,437.90	\$ -	100% Admin	
2	Police Radio Replacements	\$ 75,000.00	\$ 72,842.19	\$ 2,157.81	100%	\$ 2,157.81
3	PW Compressor	\$ 25,000.00	\$ 23,629.85	\$ 1,370.15	100% infra	\$ 1,370.15
4	Water Dist Sys Flushing Equip	\$ 7,500.00	\$ 9,844.38	\$ (2,344.38)	100% infra	\$ (2,344.38)
5	Water Meter Reading Equip	\$ 25,000.00	\$ 12,458.03	\$ 12,541.97	100% infrastr	\$ 12,541.97
6	Grants for Improper Con to Sewer Sys	\$ 20,000.00	\$ 4,500.00	\$ 15,500.00	25% grant	
7	W/s Admin Fees	\$ 179,100.00	\$ 175,260.82	\$ 3,839.18	100% Neg Impac	\$ 3,839.18
8	Premiuim Pay for Employees	\$ 172,000.00	\$ 174,323.86	\$ (2,323.86)	100% premium p	\$ (2,323.86)
9	Grant John H Enders/Rescue Squad *	\$ 80,000.00	\$ 80,000.00	\$ -	75% grant	
10	Grant to Barns of Rose Hill *	\$ 40,000.00	\$ 40,000.00	\$ -	75% grant	
11	Grant for Façade Improvement	\$ 250,000.00	\$ 196,185.08	\$ 53,814.92	78% grant	
12	Website	\$ 8,000.00	\$ 5,845.29	\$ 2,154.71	100% Admin	\$ 2,154.71
13	Leak Study	\$ 9,000.00	\$ 8,662.50	\$ 337.50	100% infra	\$ 337.50
14	SSES Study	\$ 125,000.00	\$ 116,240.44	\$ 8,759.56	20% infra	
15	River Pumping Station Upgrade	\$ 25,000.00	\$ 28,538.55	\$ (3,538.55)	100% infra	\$ (3,538.55)
16	Water Meter & Setter Replacements *	\$ 350,000.00	\$ 341,100.37	\$ 8,899.63	75% infra	
17	Hermitage Pump Station	\$ 26,000.00	\$ 23,850.00	\$ 2,150.00	100% infra	\$ 2,150.00
18	Booster Building Upgrade	\$ 20,000.00	\$ 22,985.85	\$ (2,985.85)	100% infra	\$ (2,985.85)
19	WWTP Headworks Lighting Upgrade	\$ 5,000.00	\$ 4,764.00	\$ 236.00	100% infra	\$ 236.00
20	Ridge Road Water Main	\$ 30,000.00	\$ 25,939.04	\$ 4,060.96	100% infra	\$ 4,060.96
21	Water, Sewer and Drainage Projects	\$ 2,280,948.10	\$ 2,115,283.88	\$ 165,664.22	30% infra	
22	Rockcroft Water Main Abandonment	\$ 10,000.00	\$ 10,550.96	\$ (550.96)	0% infra	
23	Security Upgrades	\$ 125,000.00	\$ 96,195.91	\$ 28,804.09	100% infra/admi	\$ 35,179.09
24	Drainage Dorsey, Walnut, Treadwell	\$ 310,000.00	\$ 1,500.00	\$ 308,500.00	5% infra	
25	Bel Voi and Battletown Water Main Repl		\$ 11,612.50		infra	
26	Wayfinding Signs	\$ 140,000.00	\$ 27,655.50	\$ 112,344.50	0%	
27	Raw Water Intake Land-Easement Acqisltion	\$ 15,000.00	\$ 7,172.50	\$ 7,827.50	50% infra	
28	Grant Housing (3 years)	\$ 120,000.00	\$ 80,000.00	\$ 40,000.00	66%	
	Administrative /Legal Fees	\$ 60,000.00	\$ 45,055.39	\$ 14,944.61	50% Admin	
	Total Encumbered	\$ 4,534,986.00	\$ 3,764,434.79	\$ 770,551.21		\$ 40,292.76
	Total ARPA	\$ 4,534,986.00				
*	Project For (2) two years					
**	Pending funds availability					
	<u>Possible Projects</u>					
	WWTP Harmonic Balancer **	\$ -	\$ -	\$ -	0%	
	SCADA Digital Upgrade 3 Pump Stations **	\$ -	\$ -	\$ -	0%	

Project Status Report

6

Date: 3/12/2024

Project Name:

Grant for Improper Connections to Sewer System

Project Budget: \$20,000.00

Expected Completion Date: December 15,2022

Executive Summary:

Reimbursement grants to be made available for elimination of connections that transmit surface and ground water to the wastewater collection system.

Project Goals:

1. To eliminate unpermitted connections to the Town's wastewater collection system.
2. To reduce flow within the collection system and to the wastewater treatment plant.

Project Status:

Status Item	Status	Summary
Budget 20,000	On Track	Total Spend: \$4,500.00
Schedule/Timeline	On Track	% Complete: 25

Project Milestones:

Description	% Complete	Status
1. Provided initial information to homeowners to complete paperwork & schedule inspection	100%	Completed
2. Town Rep and owner to meet at property to examine connection to the building/sewer.	100%	Completed
3. Town will make a determination as to whether work qualifies for reimbursement	100%	Completed
4. Reimbursement requests incomplete, owner given another opportunity to submit	0%	On Track
5. Reimbursement requests complete, Town to provide reimbursement check within 30 days of the request approval	0%	On Track

Project Issues or Concerns:

Project Status Report

9

Date: 3/12/2024

Project Name:

Grant for John H. Enders Fire Dept and Rescue Squad (2022)

Project Budget: \$80,000.00

Expected Completion Date: January 2023

Executive Summary:

Provide funding to vital partner in Covid-19 response and public safety.

Project Goals:

1. Support John H. Enders Department's mission.

Project Status:

Status Item	Status	Summary
Budget 80,000.00	Completed	Total Spend: \$80,000.00
Schedule/Timeline	On Track	% Complete: 75

Project Milestones:

Description	% Complete	Status
1. Grant agreement provided to John H. Enders	100%	Completed
2. Execute agreement	100%	Completed
3. Disperse funds	100%	Completed
4. Track use of funds: Report for SECOND pymt	50%	On Track

Project Issues or Concerns:

Project Status Report

10

Date: 3/12/2024

Project Name:

Grant to Barns of Rose Hill

Project Budget: \$40,000.00

Expected Completion Date: January 2023

Executive Summary:

Provide funding to Non-profit effected by Covid-19 pandemic and to support downtown businesses.

Project Goals:

1. Support Barns of Rose Hill mission.
2. Support downtown businesses.

Project Status:

Status Item	Status	Summary
Budget 40,000.00	Completed	Total Spend: \$40,000.00
Schedule/Timeline	On Track	% Complete: 75

Project Milestones:

Description	% Complete	Status
1. Grant agreement provided to Barns of Rose Hill	100%	Completed
2. Execute agreement	100%	Completed
3. Disperse funds	100%	Completed
4. Track use of funds -report for second pymt	50%	On Track

Project Issues or Concerns:

Project Status Report

11

Date: 3/12/2024

Project Name:

Grant for Façade, Sign, and Accessibility Improvements

Project Budget: \$250,000.00

Expected Completion Date: June 2025

Executive Summary:

Assist downtown business district recover from Covid-19 pandemic.

Project Goals:

1. Improve facades, signage and accessibility at downtown businesses.

Project Status:

Status Item	Status	Summary
Budget 250,000.00	On Track	Total Spend: \$196,185.08
Schedule/Timeline	On Track	% Complete: 78

Project Milestones:

Description	% Complete	Status
1. Issue grant agreements	100%	Completed
2. Review applications	75%	On Track
3. Award grants	75%	On Track
4. Review work	75%	On Track
5. Reimburse owners for qualifying work	75%	On Track
		Choose an item.
Funds Encumbered to date IS \$250,000.00	100%	

Project Issues or Concerns:

Project Status Report

14

Date: 3/12/2024

Project Name:

Sanitary System Evaluation Study (SSES)

Project Budget: \$125,000.00

Expected Completion Date: December 2022

Executive Summary:

Evaluate Town Wastewater collection system to identify inflow and infiltration(I&I) of groundwater and stormwater.

Project Goals:

1. Identify trouble areas in wastewater collection system.
2. Develop strategy for addressing identified I & I.

Project Status:

Status Item	Status	Summary
Budget 125,000.00	On Track	Total Spend: \$116,240.44
Schedule/Timeline	On Track	% Complete: 80

Project Milestones:

Description	% Complete	Status
1. Request proposal from engineer	100%	Completed
2. Review proposal / authorize work	100%	Completed
3. Assist engineer during project	100%	Completed
4. Review study results	0%	On Track

Project Issues or Concerns:

Project Status Report

16

Date: 3/12/2024

Project Name:

Water Meter and Setter Replacements

Project Budget: \$350,000.00

Expected Completion Date: June 2023

Executive Summary:

Upgrade ¼ of the Town's water Meters and setters.

Project Goals:

1. Improve capture of water use.
2. Improve back flow protection.
3. Reduce meter reading costs.

Project Status:

Status Item	Status	Summary
Budget \$350,000.00	On Track	Total Spend: \$341,100.37
Schedule/Timeline	On Track	% Complete: 85

Project Milestones:

Description	% Complete	Status
1. Order meters, setters, valves, plus other supplies	100%	Completed
2. Install meters / setters	85%	On Track

Project Issues or Concerns:

1. Multiyear project

Project Status Report

21

Date: 3/12/2024

Project Name:

Water, Sewer and Drainage Utility Projects-Osborne, Virginia, North Church, Bundy, and Josephine

Project Budget: \$2,280,948 (ARPA) and \$254,052 (other)

Expected Completion Date: December 2024

Executive Summary:

Osborne: Replace 2-inch water line and laterals. Install sewer pump station, main, and laterals.

Virginia: Address Virginia Avenue drainage issues by directing water in to Town Run.

North Church & Bundy: Water main improvements including extension from 12-inch main on Liberty St along N Church and Bundy to the 6-inch main on N Buckmarsh. Replace water laterals.

Josephine: Replace 4-inch water mains with 12-inch main. Replace all water laterals. Install water main under Norfolk and Southern right of way. Reroute force main to Josephine East pump station.

Project Goals:

1. Improve stormwater management on Virginia.
2. Improve water service on Osborne
3. Provide public sewer on Osborne
4. Improve water distribution system on N Church, Bundy, and Josephine
5. Improve fire flow on N Church, Bundy, and Josephine
6. Pave streets after utility work is complete
- 7.

Project Status:

Status Item	Status	Summary
Budget	On Track	Total Spend: \$2,115,283.88
Schedule/Timeline	On Track	% Complete: 50

Project Milestones:

Description	% Complete	Status
1. Construction plans	100%	Completed
2. Develop IFB	100%	Completed
3. Secure Easements	50%	On Track
4. Issue offering/ review offering	100%	Completed
5. Select Contractor	100%	Completed
6. Complete project	0%	On Track

Project Issues or Concerns:

Project Status Report

22

Date: 3/12/2024

Project Name:

Rockcroft subdivision water project

Project Budget: \$10,000.00 *

Expected Completion Date: June 2023

Executive Summary:

Eliminate small water main connections in back yards.

Project Goals:

1. Eliminate sources of potential water leaks.

Project Status:

Status Item	Status	Summary
Budget 10,000.00	On Track	Total Spend: \$10,550.96
Schedule/Timeline	On Track	% Complete: 50%

Project Milestones:

Description	% Complete	Status
1. Eliminate connections complete by April 2023 per Director of Public Works	50%	On Track
2. All materials are on site.	100%	Completed
3. Six laterals must still be disconnected.	0%	On Track
4. 4" main to abandoned	0%	On Track
5. * Director of Public Works now estimates that total project cost will approach \$20,500 (12/7/22)		

Project Issues or Concerns:

Date: 3/12/2024

Project Name:
Dorsey Street Drainage Improvement/Replacement of Drainage structures of West Main and Lincoln
Walnut/Dorsey/Treadwell Streets Drainage Improvement

Project Budget: \$310,000.00

Expected Completion Date: December 2024

Executive Summary:
Construct improvements to convey stormwater from the intersection of Dorsey and Academy Extended to and existing stormwater conveyance.
Replace undersized stormwater piping at intersection of West Main and Lincoln (if needed).
Stormwater improvements for property owners on Walnut Street near Archer and Ashby courts. Drainage improvements along Walnut Street.
Stormwater improvements east of Dorsey and south of Treadwell streets. Allow for stormwater drainage to West Main Street.

- Project Goals:**
- 1. Improve stormwater drainage from Archer and Ashby courts to Walnut Street.
 - 2. Improve stormwater drainage on Walnut Street to the east.
 - 3. Replace storm pipe on West Main from Dorsey to the west side of Lincoln.

Project Status:

Status Item	Status	Summary
Budget 310,000	On Track	Total Spend: \$1,500.00
Schedule/Timeline	On Track	% Complete: 5

Project Milestones:

Description	% Complete	Status
1. Construction plans	0%	On Track
2. Develop IFB	0%	On Track
3. Secure Easements	0%	Not Started
4. Issue offering/ review offering	0%	Not Started
5. Select Contractor	0%	Not Started
6. Complete project	0%	Not Started

Project Issues or Concerns:

Date: 3/12/2024

Project Name:
Bel Voi Drive and Battletown Dr Water Main Replacement

Project Budget: \$
Expected Completion Date: December2024

Executive Summary:
Water main replacement from an 4-nch to 8-inch. Water laterals.

- Project Goals:
- 1. Improve fire flow.
 - 2. Construct new mains in the public street whenever possible and abandon old mains.
 - 3. Connect existing houses to the new mains.

Project Status:

Status Item	Status	Summary
Budget	On Track	Total Spend: \$11,612.50
Schedule/Timeline	Not Started	% Complete:

Project Milestones:

Description	% Complete	Status
1. Construction Plans	0%	Not Started
2. Develop IFB	0%	Not Started
3. Secure Easements	0%	Not Started
4. Issue offering/ review offering	0%	Not Started
5. Select Contractor	0%	Not Started
6. Complete project	0%	Not Started

Project Issues or Concerns:

Project Status Report

26

Date: 3/12/2024

Project Name:
Wayfinding Signs

Project Budget: \$150,000.00

Expected Completion Date: December 2023

Executive Summary:

Design, construct, and install entrance and wayfinding signs.

Project Goals:

1. To improve business environment in downtown business district.

Project Status:

Status Item	Status	Summary
Budget 150,000.00	On Track	Total Spend: \$27,655.50
Schedule/Timeline	On Track	0% Complete:

Project Milestones:

Description	% Complete	Status
1. Design	0%	On Track
2. Determine Sign locations	0%	Not Started
3. Secure VDOT approvals	0%	Not Started
4. Develop offering for design and construction/award/have signs fabricated	0%	Not Started
5. Secure contractor to install signs	0%	Not Started
6. Have signs installed	0%	Not Started
RFP ISSUED ON 6/30/2022 & COUNCIL AUTHORIZED THE TOWN MANAGER TO AWARD BID.		

Project Issues or Concerns:

Project Status Report

27

Date: 3/12/2024

Project Name:

Raw Water Intake Land- Easement Acquisition

Project Budget: \$15,000.00

Expected Completion Date: Mid FY2023

Executive Summary:

Expand the raw water transmission line easement and intake structure parcels to prepare for WTP upgrade.

Project Goals:

1. Begin process of securing land and easements necessary for upgrade of intake and raw transmission line for WTP upgrade planned for FY26.

Project Status:

Status Item	Status	Summary
Budget 15,000.00	On Track	Total Spend: \$7,172.50
Schedule/Timeline	On Track	100% Complete: 50

Project Milestones:

Description	% Complete	Status
1. Survey	100%	Completed
2. Legal	75%	On Track
3. Tree Removal	100%	Completed
4. Easement Acquisition	0%	On Track
Draft deed, plat and boundary line adjustment provided to property owner for review.		
Draft deed of easement provided to property owner for review.		

Project Issues or Concerns:

Date: 3/12/2024

Project Name:
Grant for Housing

Project Budget: \$120,000
Expected Completion Date: June 2024

Executive Summary:
Grant to a non-profit organization(s) that will deliver housing assistance to low-income homeowners.

Project Goals:
1. To improve owner-occupied housing for low-income homeowners in the Town of Berryville

Project Status:

Status Item	Status	Summary
Budget: 120,000	On Track	Total Spend: \$80,000
Schedule/Timeline 3years	On Track	% Complete: 66

Project Milestones:

Description	% Complete	Status
1. Issue grant agreements	66%	On Track
2. Review applications	66%	On Track
3. Award grants	33%	On Track
		Choose an item.

Project Issues or Concerns:

Spot Blight Abatement

Report of March 12, 2024

On February 13, 2024, the Council set a final deadline of April 9, 2024 for the owners of 114 and 225 Josephine Street comply with approved spot blight abatement plans.

Report of February 13, 2024

12 First Street

Work to dress the site continues.

225 Josephine Street

The owner was sent a letter informing him that this matter would be discussed by the Town Council at its February meeting.

The property owner contacted Town staff and asked to meet about this matter. The owner and Town staff met on February 6, 2024. At that meeting the owner stated that we needed at least 30 days to complete work on the site. Staff encouraged the owner to attend the February Town Council meeting.

No work has been completed on property since the last Town Council meeting.

114 Josephine Street

The owner was sent a letter informing him that this matter would be discussed by the Town Council at its February meeting.

No work has been completed on property since the last Town Council meeting.

229 Josephine Street

The owner's representative (Susan French) provided an update on plans for addressing the condition of the property. A copy of Ms. French's letter of February 7, 2024 letter is attached to this report.

127 Cameron Street

The roof at 127 Cameron Street was damaged by a falling tree. The roof has remained either open to the elements or covered in a tarp for months.

The Battletown Homeowners Association has tried to get the owner of the property to repair the roof. He has taken no action to bring the property into compliance with their standards. The HOA filed suit and on February 7, 2024 the Clarke County General District Court executed an order directing the owner to repair the roof by May 7, 2024.

Because the General Court has issued its order, Town staff is addressing this matter with the Council to keep them informed, but is seeking no action in this regard.

Attachments

225 Josephine Street:

Letter to owner from Dalton dated January 29, 2024

Letter to owner from Dalton dated October 5, 2023 (with attachments)

114 Josephine Street:

Letter to owner from Dalton dated January 29, 2024

Letter to owner from Dalton dated October 5, 2023 (with attachments)

229 Josephine Street

Letter to Town of Berryville from Susan French dated February 7, 2024

127 Cameron Street

Letter to owner from Dalton date January 16, 2024 (with attachment)

Warrant In Debt and Order in the matter of Battletown Homeowners Association v. Bryan K. Lake

Recommended Action

Establish a final deadline for required work to be completed on 225 and 114 Josephine Street.

Sample Motion

I move that the Council of the Town of Berryville require the owners of 225 and 114 Josephine Street to fully comply with approved spot blight abatement plans on or before April 9, 2024. The Council hereby directs the town manager to provide notice to each of the property owners and inform them:

- of this deadline,
- that no further extensions will be granted,
- that no additional notice will be provided before the Town takes action to abate identified blight, and
- the Town will abate the identified blight and file a lien on the respective properties in the amount of the cost of the blight abatement.

Report of January 9, 2024

12 First Street

The structure in question has been demolished and the debris removed from the site.

Work to dress the site continues and one dumpster remains on site.

225 Josephine Street

It does not appear that any work has been completed on the property since the last Town Council meeting.

A considerable amount of building debris and other material must still be removed from the site.

Council will recall that the owner told staff that we will continue to clean up the site, but needs to have a little time to build up his coffers before that work can be completed.

114 Josephine Street

No work has been completed on property since the last Town Council meeting.

Council will recall that the owner told staff that the work would be completed before the end of December.

229 Josephine Street

The owner's representative is working with a contractor to schedule work to address the blight. A copy of Ms. French's email is attached to this report.

Recommended Action

Establish a final deadline for required work to be completed on 225 and 114 Josephine Street.

Sample Motion

I move that the Council of the Town of Berryville require the owners of 225 and 114 Josephine Street to fully comply with approved spot blight abatement plans on or before April 9, 2024. The Council hereby directs the town manager to provide notice to each of the property owners and inform them:

- of this deadline,
- that no further extensions will be granted,
- that no additional notice will be provided before the Town takes action to abate identified blight, and
- the Town will abate the identified blight and file a lien on the respective properties in the amount of the cost of the blight abatement.

Previous Reports not included

BERRYVILLE TOWN COUNCIL

MOTION TO SET PUBLIC HEARING FOR APRIL 9, 2024 ON
PROPOSED TAX RATES 2024

Date: March 12, 2024

Motion By:

Second By:

I move that the Council of the Town of Berryville set a public hearing for its April 9, 2024 meeting to hear public comment on the proposed tax rates for tax year 2024.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

Erecka L. Gibson, Vice Mayor

Public Hearing Notice

**BERRYVILLE TOWN COUNCIL
PUBLIC HEARING NOTICE**

The Berryville Town Council will hold the following public hearing at 7:00 p.m., or as soon after as this matter may be heard, on **Tuesday, April 9, 2024**, in the Main Meeting Room, Second Floor, of the Berryville-Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia to consider the following:

Proposed Tax Rates for 2024

Listed below are the proposed tax rates for the tax year beginning January 1, 2024, 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. \$.20 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 no increase in the real estate rate that was adopted for the year 2023.

The proposed personal property tax rate reflects no increase in the personal property rate that was adopted for the year 2023. It is proposed that for tax year 2024 the personal property tax relief discount be set at 35%. The proposed relief discount is unchanged from the discount adopted for the year 2023.

The proposed machinery and tools tax rate reflects no increase in the machinery and tools rate that was adopted for the year 2023.

Copies of materials related to this matter may be examined at the Town of Berryville Business Office, Berryville Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia during regular business hours and on the Town's website www.berryvilleva.gov. Additional information may also 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

**Motion and Ordinance
Tax Rates
For April 9, 2024 Meeting**

TOWN COUNCIL
MOTION FOR APPROVAL: ORDINANCE SETTING TAX LEVIES FOR TAX
YEAR 2024

Date: April 9, 2024

Motion By:

Second By:

I hereby move that the Council of the Town of Berryville adopt the attached Ordinance setting the tax levies for tax year 2024 per the Code of the Town of Berryville, Chapter 16- Taxation, Article I – In General, Section 16-1 Annual Tax Assessments; valuation of property.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST:

Erecka L. Gibson, Vice Mayor

TOWN OF BERRYVILLE
TOWN COUNCIL
AN ORDINANCE SETTING TAX LEVIES FOR TAX YEAR 2024

Date: April 9, 2024

Motion By:

Second By:

BE IT ORDAINED, by the Council of the Town of Berryville, Virginia, that for the tax year 2024 there is hereby levied:

(1) A tax of \$.20 per \$100 assessed valuation on all real estate located within the Town of Berryville, such levy being also applicable to the real estate and tangible personal property of public service corporations;

(2) A tax rate of \$1.25 per \$100 assessed valuation on all taxable, tangible personal property, except machinery and tools, located in the Town of Berryville;

(3) A tax rate of \$1.30 per \$100 assessed valuation on tangible machinery and tools located in the Town of Berryville.

All tax levies shall be due and payable pursuant to the Code of the Town of Berryville, Chapter 16, Article I, Section 16-3.

VOTE:

Aye:

Nay:

Absent:

SIGNED:

Harry Lee Arnold, Jr., Mayor

Date: April 9, 2024

ATTEST:

Erecka L. Gibson, Vice Mayor

Date: April 9, 2024

Motion and Resolution
PPTRA
For April 9, 2024 Meeting

TOWN COUNCIL
MOTION FOR APPROVAL: RESOLUTION TO PROVIDE FOR THE
IMPLEMENTATION OF THE 2004-2005 CHANGES TO THE PERSONAL
PROPERTY TAX RELIEF ACT OF 1998 FOR THE TAX YEAR 2024

Date: April 9, 2024

Motion By:

Second By:

I hereby move 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 2024.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: Erecka L. Gibson, Vice Mayor

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 2024**

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, 2024, 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 35 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 35 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 9th DAY OF APRIL 2024.

Harry L. Arnold, Jr., Mayor

ATTEST:

Erecka L. Gibson, Vice Mayor

Town Council Agenda Item Report Summary

March 12, 2024

Item Title

Virginia Commission for the Arts Creative Communities Partnership Grant Application
Recommendation by the Community Development Committee

Prepared By

Christy Dunkle

Background/History/General Information

The Town of Berryville has applied for and received funds annually from the Virginia Commission for the Arts (VCA) since 2012 with the exception of 2019. The intent of the grant, now called the Creative Communities Partnership Grant, is to encourage local governments to support the arts. A line item totaling \$4,500 is included in the proposed budget. If approved, the grant is matched by the VCA in the same amount.

Additional information can be found at this link: <https://vca.virginia.gov/grant/creative-communities-partnership-grants/>.

Findings/Current Activity

In 2021, the Community Development Committee recommended an application process through which the Town identifies local arts organizations who may want to benefit from the grant. Four grant applications were received for this cycle.

The Community Development Committee met on Tuesday, February 27, 2024 to review the applications. Committee members recommended that the Barns of Rose Hill (requested \$4,500) and the Main Street Chamber Orchestra (requested \$2,000) receive the funding this year. Per the respective requests, the Barns of Rose Hill would receive \$2,500 and the Main Street Chamber Orchestra \$2,000 for a total of \$4,500. Should the Town of Berryville receive the grant from the Virginia Commission for the Arts, the amounts identified will be doubled with their match.

Schedule/Deadlines

A decision on subrecipients and amounts should be made at this meeting as the Creative Communities Partnership Grant application is due by April 1, 2024.

Other Considerations

N/A

Recommendation

Discuss at the meeting and determine subrecipients and amounts.

Sample Motion

I move that the Council of the Town of Berryville approve the recommended funding in the amount of \$2,500 for the Barns of Rose Hill and \$2,000 for the Main Street Chamber Orchestra.

Attachment

Recommended grant applications

RECEIVED

FEB 23 2024

Berryville – Clarke County
Government Center
101 Chalmers Court, Suite A
Berryville, VA 22611



Town of Berryville, Virginia

[T] 540/955-1099

[F] 540/955-4524

[E] info@berryvilleva.gov

BERRYVILLE
EST. 1798 *Genuine* VIRGINIA

**Creative Communities Partnership Grant
Participant Application**

Deadline: February 23, 2024

PLEASE NOTE: applicants must be an organization whose primary purpose is the arts (production, presentation or support of dance, literary arts, media arts, music, theater, or visual or related arts), that are incorporated in Virginia. They must also have their headquarters and home seasons, or activities equivalent to a home season, within the state. Funding cannot be provided for payment to performers for specific performances. For more information about the Virginia Commission for the Arts' Creative Communities Partnership Grant program, please visit <https://vca.virginia.gov/grant/creative-communities-partnership-grants/>. Additional information can also be found on the Town of Berryville's web site at <http://berryvilleva.gov/>.

Name of Arts Organization: Barns of Rose Hill

Applicant Name: Reynolds Martha F.
Last First M.I.

Address: 95 Chalmers Court
Street Address Apartment/Unit#
Berryville VA 22611
City State ZIP Code

E-Mail: martha.reynolds@borh.org

Phone: (540) 955-2004

Has this organization received a Local Arts Grant from the Town of Berryville in the past?

☒ Yes ☐ No

Grant amount requested: (maximum \$4,500) \$4,500.00

Harry Lee Arnold, Jr.
Mayor

Erecka L. Gibson
Vice Mayor

William Steinmetz
Ward 1

Diane Harrison
Ward 2

Grant Mazzarino
Ward 3

Ryan Tibbens
Ward 4

Keith R. Dalton
Town Manager

Please give a brief description of the organization, proposed project, and who will participate.

Barns of Rose Hill is a 501(c)(3) nonprofit arts and community center located in the pastoral town of Berryville in Clarke County, VA. Beginning in 2004, members of our community rallied to transform two historic dairy barns into the state-of-the-art performing and visual arts venue we are today. Since our doors opened in 2011, we have presented a wide variety of free and affordable programs for audiences of all ages, establishing a loyal following of local supporters while simultaneously attracting regional tourists. As the official Visitors Center for the Town of Berryville and Clarke County, we also strive to support the locally-owned businesses and restaurants that provide essential services for our audiences, thereby helping us remain a destination for residents across the Northern Shenandoah Valley.

In 2023, thanks to the Town's Creative Communities Partnership Grant award, the Barns of Rose Hill presented 121 programs—ranging from concerts, classes, and exhibit openings to community events, film screenings, and acoustic jams—38 of which were free to attend. Two exhibits and more than half a dozen free programs were presented in partnership with the "Berryville Celebrates" 225 Anniversary Committee to honor the Town's milestone birthday, which, all combined, attracted 465 local residents.

As part of our 2024-2026 Strategic Plan, we intend to focus additional energies on community-driven educational programs. This year, for instance, our Annual Programming Plan goals include 50 community events, including twice-monthly acoustic jams, and 20 educational programs, including classes and lectures. Compared to 2023, this goal accounts for a 14% increase in community and educational events at the Barns of Rose Hill in 2024.

In order to support this strategic growth while keeping registration fees at a minimum, we are appealing to the Town for grant funding through the VCA Creative Community Partnership program. Although program costs vary, community and educational program expenses typically average \$250 per event. If awarded, these funds would allow the Barns of Rose Hill to present as many as 18 programs oriented toward community engagement and education, with a particular emphasis on health and wellness, environmental education, and family-friendly activities in addition to arts instruction. At the center of this idyllic, rural community, the Barns of Rose Hill is perfectly situated to serve local residents of all ages, backgrounds, and interests with a wide assortment of free and affordable programming.

Please list the organization's officers, board of directors, and key staff as applicable.

Board of Directors

Howard Means, *Board Chair*

David Conrad, *Co-Vice Chair*

Patricia Robinson, *Co-Vice Chair*

Kelli Patterson, *Treasurer*

Laurine Kennedy, *Secretary*

Susi Bailey

Peter Cook

Lucy Dorick

Alice Irvan

Allen Kitselman

Jennifer Lee

Jordan Liskey

Ronald "JC" Moore

Paul Perez

Bruce Ruscio

Alphonso Young

Staff

Martha Reynolds, *Executive Director*

Nathan Borger, *Director of Operations and Programs*

Jillian Cash, *Office Coordinator*

How will the community benefit from the project?

Residents of the Town of Berryville, Clarke County, and, more broadly, the Northern Shenandoah Valley enjoy year-round programming at the Barns of Rose Hill. In 2023, those programs drew more than 8,800 people to Berryville. Although widely known and highly regarded as a live music venue, we take pride in engaging and uniting the community in shared learning experiences.

Regular trivia nights, presented in partnership with the Clarke County Historical Association, call attention to local history, promote cooperation, and support area businesses that provide prizes for winning teams. Quarterly Paint Nights, led by local artist Carol Erickson, teach practical painting skills and techniques to transform even the most reserved amateurs into the most confident artists. Crafting opportunities bring young children and families closer together through creative collaboration. Yoga for hip mobility develops participants' physical and mental strength.

In addition to enhancing access to the arts and improving quality of life, Barns of Rose Hill programs benefit area businesses and the local economy by driving regional tourism. Audiences from adjoining counties, including Frederick, Loudoun, Fauquier, Shenandoah, and Warren—and even from across state lines—visit Berryville throughout the year to attend programs at the Barns. Event email reminders encourage ticket holders and registrants to visit a local restaurant for lunch or dinner while in town. Brochures and menus made available in the Visitors Center entice visitors to stay in the area and have even been known to inspire Northern Virginia urbanites to move to Clarke County in favor of small-town charm and a slower way of life.

According to the recently released Arts & Economic Prosperity 6 (AEP6) economic and social impact study, 89% of arts program attendees agreed that the activity or venue inspired a sense of pride in the neighborhood or community. In addition to bolstering nonlocal spending—which can exceed twice that of local counterparts—communities with vibrant arts and cultural programs have been proven to keep residents spending locally. Undoubtedly, the many participatory programs that we intend to present at the Barns of Rose Hill in 2024-25, with the support of this funding award, will benefit the community both directly and indirectly.

Please attach the organization's budget.

See attached.

Please select the category that best describes your organization's primary focus.

☐ Arts Education

☐ Dance

☒ Multidisciplinary

☐ Music

☐ Opera

☐ Theater/Storytelling

☐ Visual Arts

☐ Other (please describe) _____

Populations Benefitted

Please select any categories that, by your best estimate, will make up 25% or more of the population that will directly benefit from the award during the period of support.

Racial or Ethnic Groups

☐ American Indian/Alaskan

☐ Hispanic/Latino

☐ Asian/Pacific Islander

☒ White/Caucasian

☐ Black/African American

☐ Other

Other Distinct Groups

☐ Individuals with disabilities

☐ Individuals in institutions
(hospitals, hospices, assisted
care, etc.)

☐ Individuals below the
poverty line

☐ Individuals with limited English
proficiency

☐ Military veterans/active
duty personnel

☐ Youth at risk

Age

☐ Children/Youth (0-18 years)

☒ Adults (25-64)

☐ Young adults (19-24 years)

☒ Older adults (65+ years)

Arts Education Choose the one item which best describes the funded activities.

☐ 50% or more of the funded activities are arts education directed to K through 12 students, higher education students, pre-kindergarten children, and/or adult learners (including teachers and artists)

☒ Less than 50% of the funded activities are arts education directed to K through 12 students, higher education students, pre-kindergarten children, and/or adult learners (including teachers and artists)

☐ None of the funded activities involve arts education



Signature

2/20/2024

Date

2024 Budget: Barns of Rose Hill

Income	
4000 Programming Income	
Total 4100 Performances	\$122,000.00
Total 4300 Educational Workshops	\$6,500.00
Total 4400 Art Exhibits	\$7,500.00
4500 Gift Shop Income	\$4,000.00
4600 Program Sponsorship	\$20,000.00
4610 Programming Sponsorship - Classical	\$8,000.00
Total 4000 Programming Income	\$168,000.00
Total Income	\$168,000.00
Cost of Goods Sold	
Total 5100 Performances	\$101,500.00
Total 5200 Films	\$500.00
Total 5300 Educational Workshops	\$3,500.00
Total 5400 Art Exhibits Costs	\$6,550.00
5500 Gift Shop Expense	\$3,000.00
Total 5900 Other Programming Expenses	\$48,100.00
Total Cost of Goods Sold	\$163,150.00
Gross Profit	\$4,850.00
Expenses	
Total 6000 Compensation	\$196,210.00
Total 6100 Professional Fees	\$20,825.00
Total 6200 Occupancy Expenses	\$54,900.00
Total 6300 Office Expenses	\$20,200.00
Total 6400 General Expenses	\$33,920.00
Total Expenses	\$326,055.00
Net Operating Income	\$(321,205.00)
Total 7000 Other Income	\$43,480.00
Total 7100 Development Income	\$155,000.00
Total 7200 Special Events	\$55,000.00
Total 7300 Grants & Restricted Donations	\$270,000.00
Total 7500 Property Rental Income	\$9,000.00
Total Other Expenses	\$20,750.00
Net Other Income	\$511,730.00
Net Income	\$190,525.00
Less: Perm Restricted Donations	\$(200,000.00)
(Increase) in Temp Restricted Prior to endowment distribution	\$(43,480.00)
Add: Transfer From Endowment	\$52,000.00
Net Increase / (Decrease) in unrestricted net assets	\$(955.00)

RECEIVED

FEB 23 2024

Berryville - Clarke County
Government Center
101 Chalmers Court, Suite A
Berryville, VA 22611

[T] 540/955-1099
[F] 540/955-4524
[E] info@berryvilleva.gov

Town of Berryville, Virginia

BERRYVILLE
EST. 1798 VIRGINIA

**Creative Communities Partnership Grant
Participant Application**

Deadline: February 23, 2024

PLEASE NOTE: applicants must be an organization whose primary purpose is the arts (production, presentation or support of dance, literary arts, media arts, music, theater, or visual or related arts), that are incorporated in Virginia. They must also have their headquarters and home seasons, or activities equivalent to a home season, within the state. Funding cannot be provided for payment to performers for specific performances. For more information about the Virginia Commission for the Arts' Creative Communities Partnership Grant program, please visit <https://vca.virginia.gov/grant/creative-communities-partnership-grants/>. Additional information can also be found on the Town of Berryville's web site at <http://berryvilleva.gov/>.

Name of Arts Organization: Main Street Chamber Orchestra

Applicant Name: Goldberg Ton W
Last First M.I.

Address: 323 South Church St.
Street Address Apartment/Unit#

Berryville VA 22611
City State ZIP Code

E-Mail: jgoldberg@mainstreetchamberorchestra.org

Phone: 202-255-3294

Has this organization received a Local Arts Grant from the Town of Berryville in the past?

☒ Yes ☐ No

Grant amount requested: (maximum \$4,500) \$2,000.00

Harry Lee Arnold, Jr.
Mayor

Erecka L. Gibson
Vice Mayor

William Steinmetz
Ward 1

Council Members
Diane Harrison
Ward 2

Grant Mazzarino
Ward 3

Ryan Tibbens
Ward 4

Keith R. Dalton
Town Manager

Please select the category that best describes your organization's primary focus.

☐ Arts Education

☐ Dance

☐ Multidisciplinary

☒ Music

☐ Opera

☐ Theater/Storytelling

☐ Visual Arts

☐ Other (please describe) _____

Populations Benefitted

Please select any categories that, by your best estimate, will make up 25% or more of the population that will directly benefit from the award during the period of support.

Racial or Ethnic Groups

☐ American Indian/Alaskan

☐ Asian/Pacific Islander

☒ Black/African American

☐ Hispanic/Latino

☒ White/Caucasian

☐ Other

Other Distinct Groups

☐ Individuals with disabilities

☐ Individuals in institutions
(hospitals, hospices, assisted
care, etc.)

☐ Individuals below the
poverty line

☐ Individuals with limited English
proficiency

☐ Military veterans/active
duty personnel

☐ Youth at risk

Age

☒ Children/Youth (0-18 years)

☒ Adults (25-64)

☐ Young adults (19-24 years)

☐ Older adults (65+ years)

Arts Education Choose the one item which best describes the funded activities.

☐ 50% or more of the funded activities are arts education directed to K through 12 students, higher education students, pre-kindergarten children, and/or adult learners (including teachers and artists)

☒ Less than 50% of the funded activities are arts education directed to K through 12 students, higher education students, pre-kindergarten children, and/or adult learners (including teachers and artists)

☐ None of the funded activities involve arts education



Signature

02/23/2004

Date

Please give a brief description of the organization, proposed project, and who will participate.

See attached sheet

Please list the organization's officers, board of directors, and key staff as applicable.

See attached sheet

How will the community benefit from the project?

See attached sheet

Please attach the organization's budget.

See attached sheet

Please give a brief description of the organization, proposed project, and who will participate

The Main Street Chamber Orchestra (MSCO) was founded in December, 2020, to make classical music a relevant part of life for everyone in our community. We believe in the power of classical music to reach beyond the social, economic, and racial divides and unite us in our common humanity. Our name is intended to reflect that we are rooted in the community and our desire to make classical music a part of our communal lives. Today, we are the only organization that consistently presents high quality professional orchestral performances in our community.

Our proposed project consists of three (3) concerts to be presented during the 2024-2025 season. Our first concert is titled "Wolf Tales" and will feature a performance of Prokofiev's ever popular *Peter and the Wolf*, as well as other "wolf" inspired compositions. The performance will take place on October 26 at Grace Episcopal Church in Berryville. This concert is presented as our annual "Family Concert" and as such, all children under 18 will be admitted free of charge, and accompanying adults will have reduced price tickets.

Our second concert is scheduled for February 1, 2025 and will feature the wind section of the orchestra in a performance of one of Mozart's greatest works, his *Gran Partita* for twelve winds and double bass. This is Mozart at his most sublime, with an outpouring of unforgettable melodies sure to touch everyone's heart.

Our third concert features a performance of Mahler's Symphony #1, "The Titan", on April 13, 2025. Our performance of Mahler's Symphony #4 this season was met with such overwhelming audience response, there seems to be eager enthusiasm for another Mahler symphony. Like our Mahler #4 performance, we will once again perform a chamber orchestra version of this work.

**MAIN STREET CHAMBER ORCHESTRA
OFFICERS AND DIRECTRS
February, 2024**

OFFICERS

Jon Goldberg, President
Justin Ivatts, Treasurer
Helena Goldberg, Secretary

DIRECTORS

Jon goldberg
Helena Goldberg
Justin Ivatts
Diana Kincannon
Lawrence Goldstein
Donovan Stokes

ADDRESSES

Jon Goldberg
323 S Church St.
Berryville, VA 22611

Helena Goldberg
100 West Main St.
Berryville, VA 22611

Lawrence Goldstein
12010 Cedar Lane
Reston, VA 20191

Justin Ivatts
The Rectory
115 North Church St.
Berryville, VA 22611

Diana Kincannon
P.O.Box 191
Berryville, VA 22611

Donvan Stokes
913 Allen Dr.
Winchester, VA 22601

How will the community benefit from the project?

We believe in the transformative power of classical music to enrich our lives and illuminate our shared humanity, reminding us that in the words expressed in Beethoven's Ninth Symphony, "All men are brothers".

Our success in drawing crowds to our concerts, particularly our "Family Concerts", demonstrates that our community wants access to great classical music for themselves and their families. Our performance of *The Messiah* on December 3, 2023 in Grace Episcopal Church in Berryville brought together an audience of over 300 people. The more people that are exposed to great classical music, the greater the chances of overcoming the social, economic and cultural barriers that divide us.

While our local schools have wonderful band and choral programs, there are no orchestral classes. Our performances may represent the only opportunity many children will have to hear a classically played violin or cello and become inspired to take up that instrument.

I have heard from our local restaurant owners how our musicians fill up their restaurants on our rehearsal days, and our concerts always mean a full restaurant on the evening we perform.

I have personally manned our booth at the Berryville Farmers Market and have heard firsthand how proud people are that Berryville supports a professional orchestra. I would like to believe that we play a small part in building the civic pride so many of us feel in our community.

**MAIN STREET CHAMBER ORCHESTRA
2024-2025 BUDGET**

EXPENSES			
Musician Fees	\$ 16,320.00	(3 concerts)	
Music rental/purchase	\$ 800.00		
Printing	\$ 900.00		
Advertising	\$ 450.00		
Insurance	\$ 300.00		
Hospitality	\$ 300.00		
Farmers Market	\$ 100.00		
Misc	\$ 200.00		
TOTAL	\$ 19,370.00		
REVENUE			
Grants			
VCA	\$ 2,500.00		
Berryville Creative Communities	\$ 2,000.00		
Bank of Clarke	\$ 1,500.00		
CFNSV Boxley-Fox Endowment	\$ 1,000.00		
Total	\$ 7,000.00		
Tickets Sales	\$ 6,950.00		
Individual Contributions	\$ 5,420.00		
TOTAL INCOME	\$ 19,370.00		

Public Safety Committee Meeting Report

March 12, 2024

Item Title:

Proposed amendment of Berryville Code section 10-9 – Authority of fire department officers to direct traffic.

Findings/Current Activity

The Public Safety Committee recommends the following revision to sec. 10-9 of the Town Code. These revisions are necessary to better clarify the authority vested in fire department personnel at the scenes of emergencies with respect to traffic control.

Sec. 10-9. – Authority of fire department officials to direct traffic.

Personnel of the fire department, at the direction of the incident fire officer in charge, may direct or assist the police in directing traffic at or in the immediate vicinity of a fire or emergency incident and, while so acting, shall have all the authority granted in Code of Virginia §27-15.1.

(Ord. of 1-9-18(2))

Financial Considerations

None.

Schedule/Deadlines

None

Recommendation

Approval.

Sample Motion

I move that the Council of the Town of Berryville adopt the attached ordinance amending Section 10-9 of the Berryville Code in order to clarify the personnel who may assist with the direction of traffic.

AN ORDINANCE
Amending the Berryville Code Section 10-9 – Authority of fire department officers to direct traffic

BE IT ORDAINED, by the Council of Town of Berryville, that it hereby approves the following amendment of Berryville Code Section 10-9 – Authority of fire department officers to direct traffic:

Sec. 10-9. - Authority of fire department officers officials to direct traffic.

Officers Personnel of the fire department, at the direction of the incident fire officer in charge, may direct or assist the police in directing traffic at or in the immediate vicinity of a fire or emergency incident and, while so acting, shall have all the authority of police officers granted in Code of Virginia §27-15.1.

(Ord. of 1-9-18(2))

VOTE:

Recorded Vote:

Ayes:

Nays:

Abstain:

Absent During Meeting:

SIGNED _____
Harry Lee Arnold, Jr., Mayor

Date: March 12, 2024

ATTEST: _____
Erecka L. Gibson, Vice Mayor

Date: March 12, 2024