



Berryville Town Council

MEETING AGENDA

Berryville-Clarke County Government Center

101 Chalmers Court, Second Floor

Main Meeting Room

Regular Session

June 11, 2024

7:00 PM

Item

Page

1. Call to Order

2. Pledge of Allegiance

3. Approval of Agenda

4. Presentations/Awards and Recognitions

5. Public Hearings

Public Hearing- Special Use Permit- Home Occupation at 108 Isaac Court (hair salon)

Public Hearing- Repeal and readopt Section 322 Erosion and Sediment Control

Public Hearing- Text amendments establishing street width and streetlight standards

6. Discussion of Public Hearing Items

7. Citizens' Forum

8. Consent Agenda

Minutes of Town Council Regular Meeting 14 May 2024
Minutes of Streets and Utilities Committee 28 May 2024
Minutes of Community Development Committee 28 May 2024

9. Unfinished Business

Adoption of Proposed Reserve Specifics
Adoption of Proposed Budget FY25

10. New Business

11. Council Member Reports

Mayor
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
 Cash Balance(s) Report
 ARPA Update
Deputy Town Manager
Town Manager

13. Committee Updates

Budget and Finance
Community Development
 Portable Storage Container Regulations
Personnel, Appointments, and Policy

Public Safety

Streets and Utilities

14. Closed Session

15. Adjourn

Item Title

Public Hearing – Special Use Permit – Home Occupation

Prepared By

Christy Dunkle

Rebekah Fowlds, Owner, is requesting a special use permit per Section 201.2(a) of the Berryville Zoning Ordinance in order to operate a home occupation (hair salon/personal services) at the property located at 108 Isaac Court, identified as Tax Map Parcel number 14A8-((4))-149, zoned R-1 Residential. SUP 02-24

Background/History/General Information

Ms. Fowlds is requesting a special use permit in order to operate a hair salon at her home on Isaac Court. She plans to operate her business from Monday through Friday with hours of operation from 7:00 a.m. until 5:00 p.m. and Saturdays from 9:00 a.m. to 3:00 p.m. She anticipates having one client on the property at a time, with three clients per day.

Adjacent Zoning

The adjacent property in the Hermitage subdivision is R-1 residential.

Parking

The property has four off-street parking spaces and a two-car garage.

Signage

Up to two (2) square feet of signage is permitted for a home occupation per Section 315.5(a) of the Berryville Zoning Ordinance.

Cosmetologists are regulated by the Virginia Department of Professional and Occupation Regulation and are required to have licensure from the Commonwealth.

Home occupations are regulated under Section 315 of the Berryville Zoning Ordinance. A copy of this section is included in the packet.

Section 503 of the Berryville Zoning Ordinance regulates special use permits. The Council may impose any conditions deemed appropriate in the public interest to secure compliance with the provisions of the ordinance. Once a special use permit is granted, the use shall not be enlarged, extended, increased in intensity or relocated unless authorized by the Council. The authorized activities shall be established within two (2) years of the date of approval with an extension of

one (1) additional year with Council approval, or such special use permit shall expire without notice.

Findings/Current Activity

Public hearing notices were published in the Winchester Star on Tuesday, May 28 and Tuesday, June 4, 2024. Adjacent property notices were mailed via first class mail on May 30, 2024. One comment was received when the public hearing was advertised for the Planning Commission meeting concerning off-street parking.

The Planning Commission held a public hearing at their May 28, 2024 meeting. They recommended that the request be approved with the following conditions:

1. Hours of operation Monday through Friday from 7:00 a.m. until 5:00 p.m. and Saturdays from 9:00 a.m. to 3:00 p.m.
2. A maximum of two (2) square feet of signage in the form of a nameplate per Section 315.5(a) of the Berryville Zoning Ordinance.
3. At least one off-street parking space is available for clients.

Schedule/Deadlines

N/A

Other Considerations

N/A

Recommendation

Approve the request with the conditions recommended by Planning Commission.

Sample Motion

I move that the Council of the Town of Berryville recommend approval of Special Use Permit 02-24 in order to operate a hair salon as a home occupation at 108 Isaac Court with the following conditions:

1. Hours of operation Monday through Friday from 7:00 a.m. until 5:00 p.m. and Saturdays from 9:00 a.m. to 3:00 p.m.

2. A maximum of two (2) square feet of signage in the form of a nameplate per Section 315.5(a) of the Berryville Zoning Ordinance.
3. At least one off-street parking space is available for clients.

Attachments:

- Letter from the applicant
- Site plan
- Section 315 Home Occupations, Home Offices of the Berryville Zoning Ordinance

Rebekah Fowlds

108 Isaac Ct.
Berryville, VA 22611
931-302-3204
Fowldsrij@icloud.com

April 16, 2024

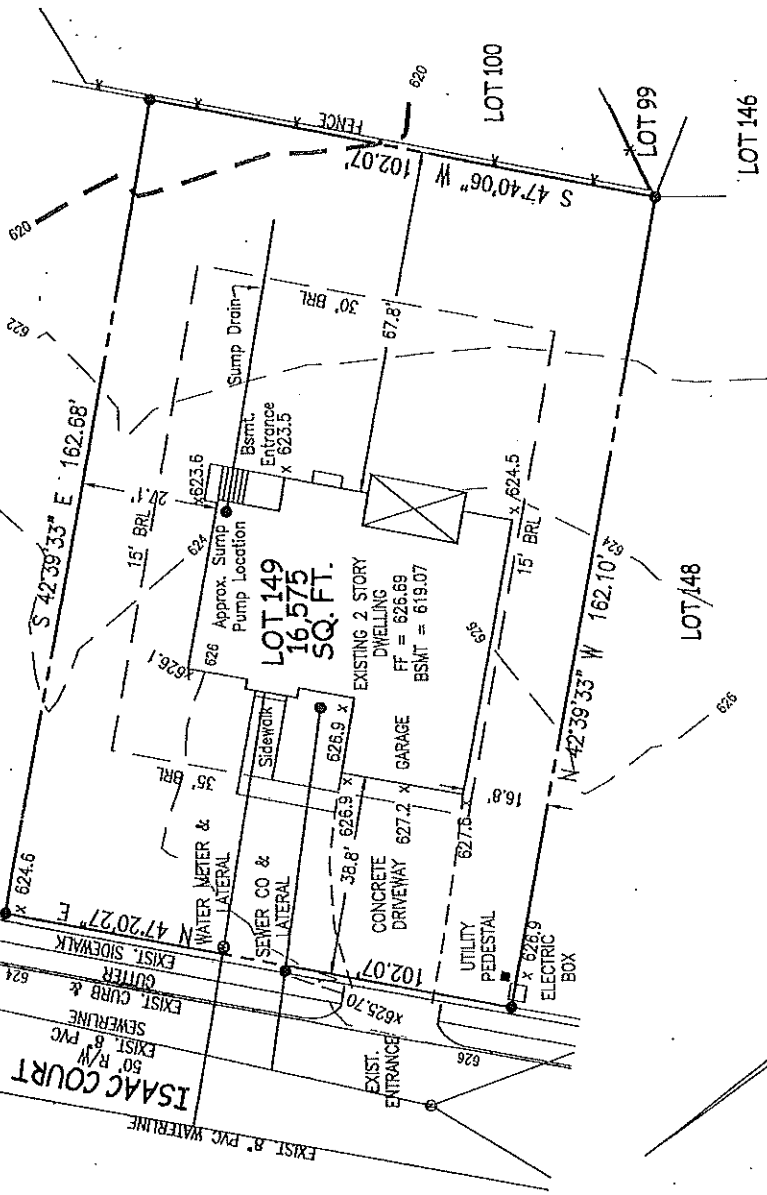
To whom it may concern:

I wish to operate a salon as a home occupation in the Town of Berryville.

I would like to have hours of operation from 7:00 a.m. until 5:00 p.m. Monday through Friday and 9:00 a.m. until 3:00 p.m. on Saturdays. I anticipate having one client on the property at a time, with up three clients per day.

Sincerely yours,

Rebekah Fowlds



Artz and Associates, P.C.
 A Subsidiary of Valley Engineering, P.C.
 LAND SURVEYING LAND PLANNING DEVELOPMENT
 16 East Piccadilly Street
 WINCHESTER, VA 22601-4740
 TEL 640-657-3233 FAX 640-657-9188
 TOLL FREE 1-800-755-7320

COMMONWEALTH OF VIRGINIA
Michael M. Artz
 MICHAEL M. ARTZ
 No. 1513
 5/16/05
 LAND SURVEYOR

- NOTES:
1. BOUNDARY SHOWN HEREON WAS DETERMINED BY A FIELD RUN SURVEY PERFORMED BY ARTZ & ASSOCIATES ON MAY 16, 2005.
 2. THIS PLAT IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
 3. UNDERGROUND UTILITIES, ARE SHOWN BASED UPON BEST AVAILABLE EVIDENCE.

ADDRESS:
 108 ISAAC COURT

ASBUILT SURVEY OF
LOT 149
 HERMITAGE ~ PHASE 4-B

TOWN OF BERRYVILLE
 CLARKE COUNTY, VIRGINIA
 SCALE: 1" = 30' DATE: MAY 16, 2005

(2/01) SECTION 315 – HOME OCCUPATIONS, HOME OFFICES

315.1 INTENT

The Town Council intends to allow Home Occupations and Home Offices in the town to foster economic activity. Through the application of this Ordinance, the Town Council intends to preserve the sanctity, tranquility, value, appearance, and ambiance of the residential neighborhoods, residential units, or residential uses in the Town and to prevent, eliminate, or discontinue home-based businesses that negatively impact residents living near, around, or next to the site of the home-based business.

315.2 ALLOWANCE OF HOME OCCUPATIONS AND HOME OFFICES

- (a) Under the terms of the Section, a Home Office may be conducted by right in any dwelling unit in any residence in the Town.
- (b) Home occupations are allowed in residences either by right or by Special Use Permit as permitted in a given zoning district.
- (c) No such use shall be instituted or maintained unless the Zoning Administrator has first issued a zoning permit for this use.

315.3 ADMINISTRATION AND ENFORCEMENT

- (a) The practitioner of the proposed Home Occupation or Home Office shall file a zoning permit application with the Zoning Administrator. The application shall include a description of the business to be conducted, the square footage of the dwelling unit and the square footage to be used for the Home Occupation or Home Office, and the names and addresses of the proposed owners.
- (b) A Home Occupation or Home Office may be conducted within a dwelling unit or accessory building only so long as the business use remains incidental and secondary to the use of the dwelling unit as a place of residence. The Zoning Administrator shall determine if a Home Occupation or Home Office is not, or stops being, incidental and secondary to the use of the dwelling unit as a place of residence if and when Town officers, or residents living near, around, or next to the dwelling unit used for a Home Occupation or Home Office may hear, see, smell, or detect the existence of this use, in such a manner as alters the residential character of the zoning district in which the Home Occupation or Home Office is located. In making this determination, the Zoning Administrator shall rely on the intent Section of the respective zoning district regulations, the Intent Section of this Article, and any public affidavits filed by such residents. If the Zoning Administrator determines that due to growth or change in the Home Occupation or Home Office, the Home Occupation or Home Office is no longer consistent with this Article and other relevant provisions of this Section, the Zoning Administrator may revoke the zoning permit issued to the person conducting the Home Occupation or Home Office. The person conducting this use shall cease operation after forty-five days written notice mailed by certified mail. During this time period the business owner may apply to the Board of Zoning Appeals for a determination of the Zoning Administrator's decision.

Section 315 – Home Occupations, Home Offices

- (c) The Town Treasurer shall refuse to issue a business license to any person conducting a Home Occupation or Home Office that the Zoning Administrator certifies is in violation of this Article.
- (d) No vested rights shall accrue to any person as to a Home Occupation or Home Office that begins as conforming to this Article and through growth or change becomes inconsistent with this Article and related provisions of this Section.

315.4 GENERAL RESTRICTIONS ON HOME OCCUPATIONS AND HOME OFFICES (2/01)

A use within a residential dwelling shall meet the following criteria in order to qualify as either a Home Occupation or Home Office:

- (a) Such use shall be clearly incidental to a dwelling and if located within the dwelling, it must not occupy more than twenty-five (25) percent of the floor area of the principal structure.
- (b) No Home Occupation conducted in any accessory building shall occupy more than four hundred (400) square feet, which area shall be included in the maximum square footage allowed in Section 315.4(a). If located within an accessory building, a landscaping plan must be submitted for review and approval by the Zoning Administrator. If a Special Use Permit is required, the landscaping plan will be reviewed by the Planning Commission.
- (c) Such use shall be carried on by a resident or residents of the premises. No person not a resident on the premises may be employed, nor may there be sub-contracting of any work performed at the premises.
- (d) No stock, commodity, equipment or process shall be used in the Home Occupation which creates noise, vibration, glare, fumes, odors, electromagnetic interference, or radio frequency interference detectable to the normal senses off the lot if the occupation is conducted in a detached single-family residence, or outside the dwelling unit if conducted in an attached residence.
- (e) There shall be no exterior evidence that the building is being used for any purpose other than a dwelling.
- (f) There shall be no motor vehicle regularly operated from the premises that carries advertising.
- (g) All applicable licenses and permits shall be secured and other local, state, and federal requirements satisfied.
- (h) A Town of Berryville business license shall be obtained in accordance with Chapter 9 of the Code of the Town of Berryville (if applicable).
- (i) Home Occupation/Home Office permits shall be automatically renewed annually; however, permit shall be reviewed upon receipt of complaints.

315.5 HOME OCCUPATIONS (12/92)

In addition to those requirements listed in Section 315.4 above, a use within a residential dwelling shall meet the following criteria in order to qualify as a Home Occupation:

- (a) There shall be no advertising sign displayed other than a nameplate not exceeding two (2) square feet in area on each face of said plate.

Section 315 – Home Occupations, Home Offices

- (b) No storage of explosive or hazardous material is permitted in quantities not normally found in a residence.
- (c) Vehicular repair is specifically prohibited as a Home Occupation.

315.6 HOME OFFICE

In addition to the requirements listed in Section 315.4, a Home Office shall be a permitted use in a residential dwelling when fully meeting each of the following criteria:

- (a) Customers shall not come to the premises in order to receive the service provided.
- (b) There shall be no signs identifying or advertising the Home Office either attached to the dwelling or posted in the yard.
- (c) There shall be no advertising of the street address.

SECTION 316 – PROVISIONS FOR CUL-DE-SAC LOTS

316 PROVISIONS FOR CUL-DE-SAC LOTS

The minimum width of any lot 15,000 square feet or greater in area that fronts on a cul-de-sac, as defined in Section IX of the Subdivision Ordinance, shall not be more than a twenty (20) percent reduction at the setback line as set forth in the appropriate zoning district regulations. (9/98)

SECTION 317 – KARST FEATURES (07/04)

- 317.1** Prior to the issuance of a Zoning Permit for principle structures or additions thereto on lots in subdivisions for which a Karst Plan has been prepared or lots of record on which karst features have been identified, a geotechnical study shall be conducted at the site of the principle structure or addition to determine the existence of karst features. If karst features are found, a remediation plan shall be prepared by a PE or PG in order to protect the health, safety, and welfare of the occupants of the structure. This remediation plan shall:
- a. provide for mitigation of all karst features and sinkholes, except those identified as Critical Environmental Areas, in accordance with the Virginia Department of Transportation's Location and Design Division Instructional and Informational Memorandum 228 (IIM-LD-228) or other applicable mitigation standard as recommended by a PE or PG and approved by the Town's Engineer and the Town's Zoning Administrator, or
 - b. the applicant shall submit a report prepared by a PE or PG that identifies subsurface conditions within one-hundred (100) feet, or an appropriate distance as determined by the Town Zoning Administrator and Town's Engineer, of the discernable edge of any sinkhole or karst feature and establishes a minimum recommended setback for structures and a minimum recommended ground water protection buffer approved by the Town's Engineer and the Town's Zoning Administrator shall review and approve the report before issuance of said permit. (7/04)

Item Title

Public Hearing – Repeal and Readopt Section 322 Erosion and Sediment Control

Prepared By

Christy Dunkle

The Berryville Planning Commission is sponsoring text amendments to the Berryville Zoning Ordinance in order to repeal and readopt Section 322 Erosion and Sediment Control updating the ordinance to align with updated laws and regulations of the Commonwealth of Virginia Department of Environmental Quality. TA 01-24

Background/History/General Information

In December of 2023, the Virginia Department of Environmental Quality (DEQ) sent a memorandum to local program administrators of Virginia Erosion and Sediment Control Programs (VЕСP) throughout the Commonwealth informing them of the consolidation of the stormwater management and erosion and sediment control programs under the Virginia Erosion and Stormwater Management Act (VESMA).

In 2016 and 2017, the smaller localities in the region opted to have the DEQ manage their stormwater programs leaving the erosion and sediment control programs to be managed locally. Accordingly, updates were made to the model ordinances of localities who administer the VЕСP program to reflect new laws and regulations. The ordinance under consideration has been modified to fit within the Town’s ordinance formatting and reflects recommended modifications from the DEQ.

Findings/Current Activity

Public hearing notices were published in the Winchester Star on Tuesday, May 28 and Tuesday, June 4, 2024. No comments were received in the Planning Office.

The Planning Commission held a public hearing on the matter at their May 28, 2024 meeting and recommended that Council repeal and readopt Section 322 Erosion and Sediment Control of the Berryville Zoning Ordinance.

Schedule/Deadlines

The effective date of the updated VESMA regulations is July 1, 2024. Updated local ordinances for the administration of an erosion and sediment control program will need to be updated by that time.

Other Considerations

N/A

Recommendation

Repeal and readopt Section 322 Erosion and Sediment Control as presented.

Sample Motion

I move that the Council of the Town of Berryville adopt the attached ordinance to repeal and readopt Section 322 Erosion and Sediment Control of the Town of Berryville Zoning Ordinance in order to update laws and regulations of the Commonwealth of Virginia Department of Environmental Quality.

Attachments:

- Letter from Megan Mayfield, Director of the Virginia DEA Division of Water Permitting
- Current Section 322
- Draft of updated Section 322

**AN ORDINANCE REPEALING AND READOPTING
SECTION 322 EROSION AND SEDIMENT CONTROL
OF THE TOWN OF BERRYVILLE ZONING ORDINANCE**

BE IT ORDAINED, by the Council of the Town of Berryville, that Section 322 Erosion and Sediment Control of the Berryville Zoning Ordinance be repealed and readopted in order to align with updated laws and regulations of the Commonwealth of Virginia Department of Environmental Quality as attached.

SIGNED: _____
Harry Lee Arnold, Jr., Mayor

ATTEST: _____
Erecka L. Gibson, Vice Mayor



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219

P.O. Box 1105, Richmond, Virginia 23218

(800) 592-5482

www.deq.virginia.gov

Travis A. Voyles
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

MEMORANDUM

To: All Local Virginia Erosion and Sediment Control Program Administrators
All Local Virginia Stormwater Management Program Administrators

From: Megan Mayfield, Director, Division of Water Permitting

Date: December 27, 2023

Subject: Virginia Erosion and Stormwater Management Program and Virginia Erosion and Sediment Control Program Model Ordinances

At the June 22, 2023 State Water Control Board (Board) meeting, the Board approved and adopted the Virginia Erosion and Stormwater Management (VESM) Regulation (9VAC25-875) and approved the repeal of the Erosion and Sediment Control Regulations (9VAC25-840), Erosion and Sediment Control and Stormwater Management Certification Regulations (9VAC25-850), and Virginia Stormwater Management Program Regulation (9VAC25-870). The VESM Regulation and repeal of the other regulations, will be effective July 1, 2024. The Final VESM Regulation was published on December 4, 2023 in the *Virginia Register of Regulations*, Volume 40 Issue 8. Below is a link to the final regulation:

[Vol. 40 Iss. 8 \(Final\) 9VAC25-840, Erosion And Sediment Control Regulations
December 04, 2023 \(virginia.gov\)](#)

Also on July 1, 2024, Chapters 68 and 758 of the 2016 Acts of Assembly become effective. Those Acts, referred to as the "Consolidation Bill," combine stormwater management and erosion and sediment control requirements under the Virginia Erosion and Stormwater Management Act (VESMA), §§ 62.1-44.15:24 through 62.1-44.15:50 of the Code of Virginia. Requirements for a Virginia Erosion and Sediment Control Program (VЕСP) are in the Erosion and Sediment Control Law (ESCL) for Localities Not Administering a Virginia Erosion and Stormwater Management Program, §§ 62.1-44.15:51 through 62.1-44.15:66 of the Code of Virginia. With the Consolidation Bill and VESM Regulation becoming effective on July 1, 2024, local ordinances for the administration of a Virginia Erosion and Sediment Control Program

(VESCP) or Virginia Stormwater Management Program (VSMP) will need to be updated to reflect both the new law and regulations.

Consistent with § 62.1-44.15:27 of the Code of Virginia, the Virginia Department of Environmental Quality (DEQ) has prepared a Virginia Erosion and Stormwater Management Program (VESMP) Model Ordinance and a Virginia Erosion and Sediment Control Program (VESCP) Model Ordinance to assist in the development of the appropriate local ordinance for your locality. The model ordinances incorporate requirements in the VESMA, ESCL for Localities Not Administering a Virginia Erosion and Stormwater Management Program, and VESM Regulation. Copies of each are attached for your use.

The DEQ is not required to review and/or approve the local ordinances, or associated documents, manuals, etc., prior to adoption. Please note that a locality may, by local ordinance adopted pursuant to § 62.1-44.15:33 or 62.1-44.15:65 of the Code of Virginia, establish more stringent local requirements. If a VESMP authority elects to adopt more stringent ordinances, the authority shall submit a letter report to the DEQ when more stringent stormwater management ordinances or more stringent requirements are authorized by such stormwater management ordinances. If a VESCP authority elects to adopt more stringent ordinances, the authority shall report to the DEQ when more stringent erosion and sediment control ordinances are determined to be necessary.

Please feel free to contact Rebecca Rochet if you have any questions or need additional assistance (Rebecca.Rochet@deq.virginia.gov or 804-801-2950).

322 EROSION AND SEDIMENT CONTROL ORDINANCE (9/17)

322.1 TITLE, PURPOSE, AND AUTHORITY

This ordinance shall be known as the “Erosion and Sediment Control Ordinance of the Town of Berryville”. The purpose of this chapter is to prevent degradation of properties, stream channels, waters and other natural resources of the Town of Berryville by establishing requirements for the control of soil erosion, sediment deposition and non-agricultural runoff, and by establishing procedures whereby these requirements shall be administered and enforced.

This Chapter is authorized by the Code of Virginia, Title 62.1, Chapter 3.1. Article 2.4, known as the Virginia Erosion and Sediment Control Law.

322.2 DEFINITIONS

Agreement in lieu of a plan – a contract between the plan-approving authority and the owner that specifies conservation measures that must be implemented in the construction of a single-family residence; this contract may be executed by the plan-approving authority in lieu of a formal site plan.

Applicant – any person submitting an erosion and sediment control plan for approval or requesting the issuance of a permit, when required, authorizing land-disturbing activities to commence.

Board – The Virginia State Water Control Board.

Certified inspector – an employee or agent of a program authority who (i) holds a certificate of competence from the Board in the area of project inspection, or (ii) is enrolled in the Board’s training program for project inspection and successfully completes such program within one year after enrollment.

Certified plan reviewer – an employee or agent of a program authority who (i) holds a certificate of competence from the Board in the area of a plan review, (ii) is enrolled in the Board’s training program for plan review and successfully completes such program within one year after enrollment, or (iii) is licensed as a professional engineer, architect, certified landscape architect or land surveyor pursuant to Article I (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 or a professional soil scientist as defined in § 54.1-22 of the Code of Virginia.

Certified program administrator – an employee or agent of a program authority who (i) holds a certificate of competence from the Board in the area of program administration or (ii) is enrolled in the Board’s training program for program administration and successfully completes such program within one year after enrollment.

Clearing – any activity which removes the vegetative ground cover including, but not limited to, root mat removal or top soil removal.

Department – the Department of Environmental Quality.

Development – means a tract of land developed or to be developed as a single unit under single ownership or unified control which is to be used for any business or industrial purpose or is to contain three or more residential dwelling units.

Director – means the director of the Department of Environmental Quality.

District or Soil and Water Conservation District – refers to the Lord Fairfax Soil and Water Conservation District.

Erosion and Sediment Control Plan or Plan – a document containing material for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, and appropriate soil and water plan inventory, and management information with needed interpretations and a record of decisions and all information deemed necessary by the VESCP plan approving authority to assure that the entire unit or units of land will be so treated to achieve the conservation objectives.

Erosion impact area – an area of land not associated with current land-disturbing activity but subject to persistent soil erosion resulting in the delivery of sediment onto neighboring properties or into state waters. This definition shall not apply to any lot or parcel of land of 10,000 square feet or less used for residential purposes.

Excavating – any digging, scooping or other methods of removing earth materials.

Filling – any depositing or stockpiling of earth materials.

Grading – any excavating or filling of earth material or any combination thereof, including the land in its excavated or filled conditions.

Land-disturbing activity – any man-made change to the land surface that may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands in the Commonwealth, including, but not limited to, clearing, grading, excavating, transporting and filling of land, except that the term shall not include:

- (1) Minor land-disturbing activities such as home gardens and individual home landscaping, repairs and maintenance work;
- (2) Individual service connections;
- (3) Installation, maintenance, or repair of any underground public utility lines when such activity occurs on an existing hard-surface road, street or sidewalk provided such land-disturbing activity is confined to the area of the road, street or sidewalk which is hard-surfaced;
- (4) Septic tank lines or drainage fields unless included in an overall plan for land-disturbing activity relating to construction of the building to be served by the septic tank system;
- (5) Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted pursuant to Title 45.1 of the Code of Virginia;

- (6) Tilling, planting, or harvesting or agricultural, horticultural, or forest crops, or livestock feedlot operations; including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or natural in accordance with the provisions of Chapter 11 (§ 10.1-1100 et seq.) of Title 10.1 of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in Subsection B of § 10.1-1163;
- (7) Repair or rebuilding of the tracks, rights-of-way, bridges, communication facilities and other related structures and facilities of a railroad company;
- (8) Agricultural engineering operations including but not limited to the construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds not required to comply with the provisions of the Dam Safety Act (Va. Code §10.1-604 et seq.), ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation;
- (9) Disturbed land areas of less than 10,000 square feet in size, or less than 2,500 square feet in all areas of the jurisdiction designated as subject to the Chesapeake Bay Preservation Area Designation and Management Regulations;
- (10) Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;
- (11) Shoreline erosion control projects on tidal waters when all of the land disturbing activities are within the regulatory authority of and approved by local wetlands boards, or the Marine Resources Commission or the United States Army Corps of Engineers; however, any associated land that is disturbed outside of this exempted area shall remain subject to this ordinance; and
- (12) Emergency work to protect life, limb or property, and emergency repairs; however, if the land-disturbing activity would have required an approved erosion and sediment control plan, if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of the plan-approving authority.

Land Disturbing Permit or approval – a permit issued by the Town of Berryville for clearing, filling, excavating, grading, transporting of land or for any combination thereof or for any other land disturbing activity.

Natural channel design concepts – the utilization of engineering analysis and fluvial geomorphic processes to create, rehabilitate, restore, or stabilize an open conveyance system for the purpose of creating or recreating a stream that conveys its bankfull storm event within its banks and allows larger flows to access its bankfull bench and its floodplain.

Owner – the owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of a property.

Peak Flow Rate – the maximum instantaneous flow from a given storm condition at a particular location.

Permit, state – an approval to conduct a land-disturbing activity issued by the Board in the form of a State stormwater individual permit or coverage issued under a State general permit.

Permittee – the person to whom the land-disturbing approval is issued or the person who certifies that the approved erosion and sediment control plan will be followed.

Person – any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town or other political subdivision of the Commonwealth, governmental body, including a federal or state entity as applicable, any interstate body, or any other legal entity.

Plan-approving authority, VESCP – the Zoning Administrator responsible for determining the adequacy of a plan submitted for land-disturbing activities on a unit or units or lands and for approving plans.

Program authority or VESCP Authority – the Town of Berryville which has adopted a soil erosion and sediment control program that has been approved by the Board.

Responsible Land Disturber or RLD – an individual holding a certificate issued by the department who is responsible for carrying out the land-disturbing activity in accordance with the approved ESC plan. The RLD may be the owner, applicant, permittee, designer, superintendent, project manager, contractor, or any other project or development team member. The RLD must be designated on the ESC plan or permit as a prerequisite for engaging in land disturbance.

Runoff volume – the volume of water that runs off the land development project from a prescribed storm event.

Single-family residence – a noncommercial dwelling that is occupied exclusively by one family.

State waters – all waters on the surface and under the ground wholly or partially within or bordering the Commonwealth or within its jurisdictions.

Town – the incorporated Town of Berryville.

Transporting – any moving of earth materials from one place to another place other than such movement incidental to grading, when such movement results in destroying the vegetative ground cover either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.

Virginia Erosion and Sediment Control Program or VESCP – a program approved by the Board that has been established by a VESCP authority for the effective control of soil erosion, sediment deposition, and non-agricultural runoff associated with a land-disturbing activity to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources and shall include such items where applicable as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement where authorized in this article, and evaluation consistent with the requirements of this article and its associated regulations.

Water quality volume – the volume equal to the first one-half inch of runoff multiplied by the impervious surface of the land development project.

322.3

LOCAL EROSION AND SEDIMENT CONTROL PROGRAM

Pursuant to § 62.1-44.15:44 of the Code of Virginia, the Town of Berryville hereby establishes a VESCP program and adopts the regulations promulgated by the Board (for the effective control of soil erosion and sediment deposition to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources) and the *Virginia Erosion & Sediment Control Handbook*, third edition. In accordance with § 62.1-44.15:52 of the Code of Virginia, any plan approved prior to July 1, 2014 that provides for stormwater management that addresses any flow rate capacity and velocity requirements for natural or man-made channels shall satisfy the flow rate capacity and velocity requirements for natural or man-made channels if the practices are designed to (i) detain the water quality volume and to release it over 48 hours; (ii) detain and release over a 24-hour period the expected rainfall resulting from the one year, 24-hour storm; and (iii) reduce the allowable peak flow rate resulting from the 1.5-, 2-, and 10-year, 24-hour storms to a level that is less than or equal to the peak flow rate from the site assuming it was in a good forested condition, achieved through multiplication of the forested peak flow rate by a reduction factor that is equal to the runoff volume from the site when it was in a good forested condition divided by the runoff volume from the site in its proposed condition, and shall be exempt from any flow rate capacity and velocity requirements for natural or man-made channels.

- A. For plans approved on and after July 1, 2014, the flow rate capacity and velocity requirements for natural and man-made channels shall be satisfied by compliance with water quantity requirements specific in § 62.1-44.15:28 of the Stormwater Management Act and 9VAC25-870-66 of the Virginia Stormwater Management Program (VSMP) regulations, unless such land-disturbing activities are in accordance with the grandfathering provisions of the Virginia Stormwater Management Program (VSMP) Regulations.
- B. Pursuant to § 62.1-44.15:53 of the Code of Virginia, an erosion control plan shall not be approved until it is reviewed by a certified plan reviewer. Inspections of land-disturbing activities shall be conducted by a certified inspector. The Erosion Control Program of the Town of Berryville shall contain a certified program administrator, a certified plan reviewer, and a certified inspector (who may be the same person).
- C. The Town of Berryville hereby designates the Zoning Administrator as the plan-approving authority.

- D. The program and regulations provided for in this ordinance shall be made available for public inspection at the office of the Zoning Administrator.

322.4

SUBMISSION AND APPROVAL OF PLANS; CONTENTS OF PLANS

- A. Except as provided herein, no person may engage in any land-disturbing activity until he or she has submitted to the Zoning Administrator for the Town of Berryville an erosion and sediment control plan for the land-disturbing activity and such plan has been approved by the VESCP authority. No approval to begin land disturbing activity will be issued unless evidence of state permit coverage is obtained where it is required. Where land-disturbing activities involve lands under the jurisdiction of more than one VESCP, an erosion and sediment control plan, at the option of the applicant, may be submitted to the Department for review and approval rather than to each jurisdiction concerned. Where the land-disturbing activity results from the construction of a single-family residence, an "agreement in lieu of a plan" may be substituted for an erosion and sediment control plan if executed by the plan-approving authority.
- B. The standards contained within the "Virginia Erosion and Sediment Control Regulations", the Virginia Erosion and Sediment Control Handbook as amended is to be used by the applicant when making a submittal under the provisions of this ordinance and in the preparation of an erosion and sediment control plan. The plan-approving authority, in considering the adequacy of a submitted plan, shall be guided by the same standards, regulations and guidelines. When the standards vary between publications, the State regulations shall take precedence.
- C. The VESCP plan-approving authority shall review erosion and sediment control plans submitted to it and grant written approval within 60 days of the receipt of the plan if it determines that the plan meets the requirements of the Erosion and Sediment Control Law and the Board's regulations, and if the person responsible for carrying out the plan certifies that s/he will properly perform the measures included in the plan and will conform to the provisions of this ordinance. In addition, as a prerequisite to engaging in the land-disturbing activities shown on the approved plan, the person responsible for carrying out the plan shall provide the name of the responsible land disturber to the program authority, as provided by § 62.1-44.15:52 of the Virginia Erosion and Sediment Control Law, who will be in charge of and responsible for carrying out the land-disturbing activity. Failure to provide the name of the responsible land disturber prior to engaging in land-disturbing activities may result in revocation of the approval of the plan and the person responsible for carrying out the plan shall be subject to the penalties provided in this ordinance.
- D. When the plan is determined to be inadequate, written notice of disapproval stating the specific reasons for disapproval shall be communicated to the applicant within 45 days. The notice shall specify such modifications, terms, and conditions that will permit approval of the plan. If no action is taken within 45 days, the plan shall be deemed approved and the person authorized to proceed with the proposed activity.
- E. The VESCP authority shall act on any erosion and sediment control plan that has been previously disapproved within 45 days after the plan has been revised, resubmitted for approval, and deemed adequate.

- F. The VESCP authority may require changes to an approved plan when:
- (1) The inspection reveals that the plan is inadequate to satisfy applicable regulations; or
 - (2) The person responsible for carrying out the plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of this ordinance, are agreed to by the plan-approving authority and the person responsible for carrying out the plans.
- G. Variances: The VESCP plan approving authority may waive or modify any of the standards that are deemed to be inappropriate or too restrictive for site conditions by granting a variance. A variance may be granted under the following conditions:
- (1) At the time of plan submission, an applicant may request a variance to become part of the approved Erosion and Sediment Control Plan. The applicant shall explain the reasons for requesting variances in writing. Specific variances which are allowed by the plan-approving authority shall be documented in the plan.
 - (2) During construction, the person responsible for implementing the approved plan may request a variance in writing from the plan-approving authority. The plan-approving authority shall respond in writing either approving or disapproving such a request. If the plan-approving authority does not approve a variance within ten (10) days of receipt of the request, the request shall be considered to be disapproved. Following disapproval, the applicant may resubmit a variance request with additional documentation.
 - (3) The VESCP authority shall consider variance requests judiciously, keeping in mind both the need of the applicant to maximize cost effectiveness and the need to protect off-site properties and resources from damage.
- H. In order to prevent further erosion, the Town of Berryville may require approval of a plan for any land identified in the local program as an erosion impact area.
- I. When a land-disturbing activity will be required of a contractor performing construction work pursuant to a construction contract, the preparation, submission, and approval of an erosion and sediment control plan shall be the responsibility of the owner.
- J. In accordance with the procedure set forth in § 62.1-44.15:55(E) of the Code of Virginia, any person engaging, in more than one jurisdiction, in the creation and operation of wetland mitigation or stream restoration banks, which have been approved and are operated in accordance with applicable federal and state guidance, laws, or regulations for the establishment, use, and operation of wetland mitigation or stream restoration banks, pursuant to a mitigation banking instrument signed by the Department of Environmental Quality, the Marine Resources Commission, or the U.S. Army Corps of Engineers, may, at the option of that person, file general erosion and sediment control specifications for wetland mitigation or stream restoration banks annually with the Board for review and approval consistent with guidelines established by the Board. Approval of general erosion and sediment control specifications does not relieve the owner or operator from compliance with any other local ordinances and regulations including requirements to submit plans and obtain permits as may be required by such ordinances and regulations.

- K. State agency projects are exempt from the provisions of this ordinance except as provided in the Code of Virginia § 62.1-44.15:56.

322.5 PERMITS; FEES; SECURITY FOR PERFORMANCE

- A. Agencies authorized under any other law to issue grading, building, or other permits for activities involving land disturbing activities may not issue any such permit unless the applicant submits with his/her application an approved erosion and sediment control plan, certification that the plan will be followed, and evidence of state permit coverage where it is required.
- B. No person may engage in any land-disturbing activity until s/he has acquired a land-disturbing permit, unless the proposed land-disturbing activity is specifically exempt from the provisions of this ordinance, and has paid the fees and posted the required bond.
- C. An administrative fee of \$200.00 shall be paid to the Town of Berryville at the time of submission of the erosion and sediment control plan.
- D. No land-disturbing permit shall be issued until the applicant submits with his/her application an approved erosion and sediment control plan or agreement in lieu of an approved erosion and sediment control plan and certification that the plan will be followed.
- E. All applicants for permits shall provide to the Town of Berryville a performance bond, cash escrow, or an irrevocable letter of credit acceptable to the Zoning Administrator, to ensure that measures could be taken by the Town of Berryville at the applicant's expense should the applicant fail, after proper notice, within the time specified to initiate or maintain appropriate conservation measures required of the applicant by the approved plan as a result of his land-disturbing activity.

The amount of the bond or other security for performance shall not exceed the total of the estimated cost to initiate and maintain appropriate conservation action based on unit price for new public or private sector construction in the locality and a reasonable allowance for estimated administrative costs and inflation which shall not exceed twenty-five percent of the cost of the conservation action. Should it be necessary for the Town of Berryville to take such conservation action, the Town of Berryville may collect from the applicant any costs in excess of the amount of the surety held. Within sixty (60) days of adequate stabilization, as determined by the Zoning Administrator in any project or section of a project, such bond, cash escrow or letter of credit, or the unexpected or unobligated portion thereof shall be either refunded to the applicant or terminated, based upon the percentage of stabilization accomplished in the project or project section. These requirements are in addition to all other provisions relating to the issuance of permits and are not intended to otherwise affect the requirements for such permits.

322.6 MONITORING, REPORTS, AND INSPECTIONS

- A. The responsible land disturber, as provided by § 62.1-44.15:52, shall be in charge of and responsible for carrying out the land-disturbing activity and provide for periodic inspections of the land-disturbing activity. The Town of Berryville may require the person responsible for carrying out the plan to monitor the land-disturbing activity.

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The person responsible for carrying out the plan will maintain records of these inspections and maintenance, to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation.

- B. The Zoning Administrator shall periodically inspect the land-disturbing activity in accordance with Section 9VAC25-840-60 of the Virginia Erosion and Sediment Control Regulations to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation. The owner, permittee, or person responsible for carrying out the plan shall be given notice of the inspection.

If the Zoning Administrator determines that there is a failure to comply with the plan, notice shall be served upon the permittee or person responsible for carrying out the plan by mailing with confirmation of delivery to the address specified in the permit application or in the plan certification, or by delivery at the site of the land-disturbing activities to the agent or employee supervising such activities.

The notice shall specify the measures needed to comply with the plan and shall specify the time within which such measures shall be completed. Upon failure to comply within the specified time, the permit may be revoked and the permittee or person responsible for carrying out the plan shall be deemed to be in violation of this ordinance and shall be subject to the penalties provided by this ordinance.

- C. Upon issuance of an inspection report denoting a violation of Va. Code §§ 62.1-44.15:55, -44.15:56, the Zoning Administrator may, in conjunction with or subsequent to a notice to comply as specified in this ordinance, issue an order requiring that all or part of the land-disturbing activities permitted on the site be stopped until the specified corrective measures have been taken.

If land-disturbing activities have commenced without an approved plan, the Zoning Administrator may issue an order requiring that all of the land-disturbing activities be stopped until an approved plan or any required permits are obtained. Where the alleged noncompliance is causing or is in imminent danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth, or where the land disturbing activities have commenced without an approval plan or any required permits, such an order may be issued without regard to whether the permittee has been issued a notice to comply as specified in this ordinance. Otherwise, such an order may be issued only after the permittee has failed to comply with such a notice to comply.

The order shall be served in the same manner as a notice to comply, and shall remain in effect for a period of seven days from the date of service pending application by the enforcing authority or permit holder for appropriate relief to the Circuit Court of the County of Clarke. The Town of Berryville shall serve such order for disturbance without an approved plan or permits upon the owner by mailing with confirmation of delivery to the address specified in the land records. Said order shall be posted on the site where the disturbance is occurring, and shall remain in effect until permits and plan approvals are secured, except in such situations where an agricultural exemption applies.

If the alleged violator has not obtained an approved plan or any required permits within seven days from the date of service of the order, the Zoning Administrator may issue an order to the owner requiring that all construction and other work on the site, other than corrective measures, be stopped until an approved plan and any required permits have been obtained. Such an order shall be served upon the owner by mailing with confirmation of delivery to the address specified in the permit application or the land records of the Town of Berryville.

The owner may appeal the issuance of an order to the Circuit Court of the County of Clarke.

Any person violating or failing, neglecting or refusing to obey an order issued by the Zoning Administrator may be compelled in a proceeding instituted in the Circuit Court of the County of Clarke to obey same to comply therewith by injunction, mandamus or other appropriate remedy.

Upon completion and approval of corrective action or obtaining an approved plan or any required permits, the order shall immediately be lifted.

Nothing in this section shall prevent the Zoning Administrator from taking any other action authorized by this ordinance.

322.7 PENALTIES, INJUNCTIONS, AND OTHER LEGAL ACTIONS

- A. Violators of this ordinance shall be guilty of a Class I misdemeanor.
- B. Any person who violates any provision of Va. Code §§ 62.1-44.15:55, 62.1-44.15:56 shall, upon a finding of the District Court of the County of Clarke be assessed a civil penalty. The civil penalty for any one violation shall not be less than \$100 nor more than \$1,000, except that the civil penalty for commencement of land-disturbing activities without an approved plan shall be \$1,000. Each day during which the violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same operative set of facts result in civil penalties which exceed a total of \$10,000, except that a series of violations arising from the commencement of land-disturbing activities without an approved plan for any site shall not result in civil penalties which exceed a total of \$10,000. Any such civil penalties shall be in lieu of criminal sanctions and shall preclude the prosecution of such violation as a misdemeanor under subsection A of § 62.1-44.15:63.
- C. The Zoning Administrator or the owner or property which has sustained damage or which is in imminent danger of being damaged, may apply to the Circuit Court of the County of Clarke to enjoin a violation or a threatened violation of Va. Code §§ 62.1-44.15:55, -44.15:56, without the necessity of showing that an adequate remedy at law does not exist. However, an owner of property shall not apply for injunctive relief unless (i) he has notified in writing the person who has violated the local program, and the program authority, that a violation of the local program has caused, or creates a probability of causing, damage to his property, and (ii) neither the person who has violated the local program nor the program authority has taken corrective action within fifteen days to eliminate the conditions which have caused, or create the probability of causing, damage to his property.
- D. In addition to any criminal penalties provided under this ordinance, any person who violates any provision of this ordinance may be liable to the Town of Berryville in a civil action for damages.

- E. Without limiting the remedies which may be obtained in this section, any person violating or failing, neglecting, or refusing to obey any injunction, mandamus or other remedy obtained pursuant to this section shall be subject, in the discretion of the court, to a civil penalty not to exceed \$2,000 for each violation. A civil action for such violation or failure may be brought by the Town of Berryville.
Any civil penalties assessed by a court shall be paid into the treasury of the Town of Berryville except that where the violator is the locality itself, or its agent, the court shall direct the penalty to be paid into the state treasury.
- F. With the consent of any person who has violated or failed, neglected or refused to obey any regulation or condition of a permit or any provision of this ordinance, or order of the VESCP authority the Town of Berryville may provide for the payment of civil charges for violations in specific sums, not to exceed the limit specified in Subsection E of this section. Such civil charges shall be instead of any appropriate civil penalty which could be imposed under Subsection B or E.
- G. The Commonwealth's Attorney shall, upon request of the Town of Berryville legal action to enforce the provisions of this ordinance.
- H. Compliance with the provisions of this ordinance shall be prima facie evidence in any legal or equitable proceeding for damages caused by erosion, siltation or sedimentation that all requirements of law have been met, and the complaining party must show negligence in order to recover any damages.

322.8 APPEALS AND JUDICIAL REVIEW

- A. Final decisions of the Town of Berryville under this ordinance shall be subject to review by the County of Clarke Circuit Court, provided an appeal is filed within 30 days from the date of any written decision adversely affecting the rights, duties, or privileges of the person engaging in or proposing to engage in land disturbing activities.

322 EROSION AND SEDIMENT CONTROL ORDINANCE (9/17 XX/24)**322.1 TITLE, PURPOSE, AND AUTHORITY**

This ordinance shall be known as the “Erosion and Sediment Control Ordinance of the Town of Berryville.” The purpose of this ordinance is to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources of the Town of Berryville by establishing requirements for the effective control of soil erosion, sediment deposition, and non-agricultural runoff and by establishing procedures whereby these requirements shall be administered and enforced.

This ordinance is authorized by § 62.1-44.15:54 of the Code of Virginia.

322.2 DEFINITIONS

Agreement in lieu of a plan – a contract between the Town of Berryville and the owner that specifies conservation measures that must be implemented to comply with the requirements of this ordinance for the construction of a (i) single-family detached residential structure or (ii) farm building or structure on a parcel of land with a total impervious cover percentage, including the impervious cover from the farm building or structure to be constructed, of less than five percent; this contract may be executed by the Town of Berryville in lieu of a formal site plan.

Applicant – any person submitting an erosion and sediment control plan for approval in order to obtain authorization for land-disturbing activities to commence.

Board – The State Water Control Board.

Certified inspector for ESC – an employee or agent of the VESCP authority who (i) holds a certificate of competence from the department in the area of project inspection or (ii) is enrolled in the department’s training program for project inspection and successfully completes such program within one year after enrollment.

Certified plan reviewer for ESC – an employee or agent of a program authority who (i) holds a certificate of competence from the department in the area of a plan review, (ii) is enrolled in the department’s training program for plan review and successfully completes such program within one year after enrollment, or (iii) is licensed as a professional engineer, architect, landscape architect, or land surveyor pursuant to Article I (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia or a professional soil scientist as defined in § 54.1-2200 of the Code of Virginia.

Certified program administrator for ESC – an employee or agent of the VESCP authority who (i) holds a certification from the department in the classification or program administrator or (ii) is enrolled in the department’s training program for program administration and successfully completes such program within one year after enrollment.

Clearing – any activity which removes the vegetative ground cover including, but not limited to, root mat removal or topsoil removal.

Department – the Department of Environmental Quality.

Development – means a tract of land developed or to be developed as a single unit under single ownership or unified control which is to be used for any business or industrial purpose or is to contain three or more residential dwelling units.

District or Soil and Water Conservation District – refers to the Lord Fairfax Soil and Water Conservation District.

Erosion and sediment control plan or plan – a document containing material for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory and management information with needed interpretations, and a record of decisions contributing to conservation treatment. The plan shall contain all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives.

Erosion impact area – an area of land not associated with current land-disturbing activity but subject to persistent soil erosion resulting in the delivery of sediment onto neighboring properties or into state waters. This definition shall not apply to any lot or parcel of land of 10,000 square feet or less used for residential purposes.

Excavating – any digging, scooping or other methods of removing earth materials.

Filling – any depositing or stockpiling of earth materials.

Grading – any excavating or filling of earth material or any combination thereof, including the land in its excavated or filled conditions.

Land disturbance or land-disturbing activity – a man-made change to the land surface that may result in soil erosion or has the potential to change its runoff characteristics, including the clearing, grading, excavating, transporting, and filling of land.

Land Disturbing Permit or approval – a permit or an approval allowing a land-disturbing activity to commence issued by the Town of Berryville after the requirements of § 62.1-44.15:55 of the Code of Virginia have been met.

Natural channel design concepts – the utilization of engineering analysis and fluvial geomorphic processes to create, rehabilitate, restore, or stabilize an open conveyance system for the purpose of creating or recreating a stream that conveys its bankfull storm event within its banks and allows larger flows to access its bankfull bench and its floodplain.

Owner – the same as provided in § 62.1-44.3 of the Code of Virginia. For a land-disturbing activity that is regulated under Article 2.4 (§ 62.1-44.15:51 et seq.) of Chapter 3.1 of Title

62.1 of the Code of Virginia and this ordinance, “owner” also includes the owner or owners of the freehold of the premises or lesser estate therein, mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, or other person, firm, or corporation in control of a property.

Peak flow rate – the maximum instantaneous flow from a prescribed design storm at a particular location.

Percent impervious – the impervious area within the site divided by the area of the site multiplied by 100.

Permittee – the person to whom the permit is issued.

Person – any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town or other political subdivision of the Commonwealth, governmental body, including a federal or state entity as applicable, any interstate body, or any other legal entity.

Plan-approving authority or VESCP – the Zoning Administrator is responsible for determining the adequacy of a plan submitted for land-disturbing activities on a unit or units or lands and for approving plans.

Program authority or VESCP authority – the Town of Berryville which has adopted a soil erosion and sediment control program that has been approved by the Board.

Responsible Land Disturber or RLD – an individual holding a certificate issued by the department who is responsible for carrying out the land-disturbing activity in accordance with the approved ESC plan. The RLD may be the owner, applicant, permittee, designer, superintendent, project manager, contractor, or any other project or development team member. The RLD must be designated on the ESC plan or permit as defined in the Virginia Erosion and Stormwater Management Regulation (9VAC25-875) as a prerequisite for engaging in land disturbance. The RLD must be designated on the ESC plan or permit as defined in this ordinance as a prerequisite for engaging in land disturbance.

Runoff volume – the volume of water that runs off the land development project from a prescribed storm event.

Single-family detached residential structure – a noncommercial dwelling that is occupied exclusively by one family.

State waters – all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdictions, including wetlands.

Town – the incorporated Town of Berryville.

Transporting – any moving of earth materials from one place to another place other than such movement incidental to grading, when such movement results in destroying the vegetative ground cover either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.

Virginia Erosion and Sediment Control Program or VESCP – a program approved by the department that has been established by a VESCP authority for the effective control of soil erosion, sediment deposition, and non-agricultural runoff associated with a land-disturbing activity to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources and shall include such items where applicable as local ordinances, rules, policies and guidelines, technical materials, and requirements for plan review, inspection, and evaluation consistent with the requirements of the Erosion and Sediment Control Law (ESCL).

Virginia Erosion and Sediment Control Program authority or VESCP authority – the Town of Berryville that has been approved by the department to operate a Virginia Erosion and Sediment Control Program in accordance with Article 2.4 (§ 62.1-44.15:51 et seq.) of Chapter 3.1, the State Water Control Law, of Title 62.1 of the Code of Virginia.

VESCP plan-approving authority – the Department of Planning and Zoning is responsible for determining the adequacy of a plan submitted for land-disturbing activities on a unit or unit of lands and for approving plans.

VPDES Permit – a General Virginia Pollutant Discharge Elimination System Permit for Discharges of Stormwater from Construction activities, 9VAC25-880, issued by the department pursuant to § 62.1-44.15 of the Code of Virginia for stormwater discharges from a land-disturbing activity.

322.3

LOCAL EROSION AND SEDIMENT CONTROL PROGRAM

Pursuant to § 62.1-44.15:54 of the Code of Virginia, the Town of Berryville hereby establishes a Virginia Erosion and Sediment Control Program (VESCP) and adopts the regulations promulgated by the Board (for the effective control of soil erosion and sediment deposition to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources) and the *Virginia Erosion & Sediment Control Handbook*, third edition. In accordance with § 62.1-44.15:52 of the Code of Virginia, any plan approved prior to July 1, 2014 that provides for stormwater management that addresses any flow rate capacity and velocity requirements for natural or man-made channels shall satisfy the flow rate capacity and velocity requirements for natural or man-made channels if the practices are designed to (i) detain the water quality volume and to release it over 48 hours; (ii) detain and release over a 24-hour period the expected rainfall resulting from the one year, 24-hour storm; and (iii) reduce the allowable peak flow rate resulting from the 1.5-, 2-, and 10-year, 24-hour storms to a level that is less than or equal to the peak flow rate from the site assuming it was in a good forested condition, achieved through multiplication of the forested peak flow rate by a reduction factor that is equal to the runoff volume from the site when it was in a good forested condition divided by the runoff volume from the site in its proposed condition, and

shall be exempt from any flow rate capacity and velocity requirements for natural or man-made channels.

- A. For plans approved on and after July 1, 2014, the flow rate capacity and velocity requirements for natural and man-made channels shall be satisfied by compliance with water quantity requirements specified in 9VAC25-875-600, unless such land-disturbing activities are in accordance with the grandfathering provisions of 9VAC25-875-490.
- B. Pursuant to § 62.1-44.15:53 of the Code of Virginia, an erosion control plan shall not be approved until it is reviewed by a certified plan reviewer for ESC. Inspections of land-disturbing activities shall be conducted by a certified inspector for ESC. The Erosion Control Program of the Town of Berryville shall contain a certified program administrator and a certified inspector (who may be the same person).
- C. The Town of Berryville hereby designates the Zoning Administrator as the VESCP plan-approving authority.
- D. The program and regulations provided for in this ordinance shall be made available for public inspection at the office of the Zoning Administrator.

322.4 REGULATED LAND-DISTURBING ACTIVITIES

Land-disturbing activity that disturbs 10,000 square feet or more, is less than one acre, not in an area of a locality designated as a Chesapeake Bay Preservation Area, and not part of a common plan of development or sale, is subject to criteria defined in Article 2 (9VAC25-875-540 et seq.) of Part V of the Virginia Erosion and Stormwater Management Regulation.

322.5 SUBMISSION AND APPROVAL OF PLANS; CONTENTS OF PLANS

- A. Except as provided herein, no person may engage in any regulated land-disturbing activity until he or she has submitted to the Town of Berryville an erosion and sediment control plan for the regulated land-disturbing activity and such plan has been approved by the Town of Berryville. No approval to begin a land disturbing activity will be issued unless evidence of VPDES permit coverage is obtained where it is required.
Where the land-disturbing activity results from the construction of a (i) single-family detached residential structure or (ii) farm building or structure on a parcel of land with a total impervious cover percentage, including the impervious cover from the farm building or structure to be constructed, of less than five percent, an agreement in lieu of a plan may be substituted for an erosion and sediment control plan if executed by the VESCP plan-approving authority.
- B. The standards contained within the “Virginia Erosion and Sediment Control Regulation (9VAC25-875)” and the *Virginia Erosion and Sediment Control Handbook* as amended are to be used by the applicant when making a submittal under the provisions of this ordinance and in the preparation of an erosion and sediment control plan. The VESCP plan-approving authority, in considering the adequacy of a submitted plan, shall be guided by the same standards, regulations, and guidelines. When the standards vary between publications, the Virginia Erosion and Stormwater Management Regulation shall take precedence.
- C. The VESCP plan-approving authority shall review erosion and sediment control plans submitted to it and grant written approval within 60 days of the receipt of the plan if it determines that the plan meets the requirements of the Erosion and Sediment Control Law and the Board’s regulations, and if the person responsible for carrying out the plan

certifies that s/he will properly perform the measures included in the plan and will conform to the provisions of this ordinance. In addition, as a prerequisite to engaging in the land-disturbing activities shown on the approved plan, the person responsible for carrying out the plan shall provide the name of the responsible land disturber to the Town of Berryville, as provided by 9VAC25-875-300 and 9VAC25-875-550, who will be in charge of and responsible for carrying out the land-disturbing activity. Failure to provide the name of the responsible land disturber prior to engaging in land-disturbing activities may result in revocation of the approval of the plan and the person responsible for carrying out the plan shall be subject to the penalties provided in this ordinance.

- D. When the plan is determined to be inadequate, written notice of disapproval stating the specific reasons for disapproval shall be communicated to the applicant within 45 days. The notice shall specify such modifications, terms, and conditions that will permit approval of the plan. If no action is taken within 45 days, the plan shall be deemed approved and the person authorized to proceed with the proposed activity.
- E. The Town of Berryville shall act on any erosion and sediment control plan that has been previously disapproved within 45 days after the plan has been revised, resubmitted for approval, and deemed adequate.
- F. The Town of Berryville may require changes to an approved plan when:
 - (1) The inspection reveals that the plan is inadequate to satisfy applicable regulations; or
 - (2) The person responsible for carrying out the plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of this ordinance, are agreed to by the VESCP plan-approving authority and the person responsible for carrying out the plans.
- G. Variances: The VESCP plan-approving authority may waive or modify any of the standards that are deemed to be inappropriate or too restrictive for site conditions by granting a variance. A variance may be granted under the following conditions:
 - (1) At the time of plan submission, an applicant may request a variance to become part of the approved Erosion and Sediment Control Plan. The applicant shall explain the reasons for requesting variances in writing. Specific variances which are allowed by the VESCP plan-approving authority shall be documented in the plan.
 - (2) During construction, the person responsible for implementing the approved plan may request a variance in writing from the VESCP plan-approving authority. The VESCP plan-approving authority shall respond in writing either approving or disapproving such a request. If the plan-approving authority does not approve a variance within ten (10) days of receipt of the request, the request shall be considered to be disapproved. Following disapproval, the applicant may resubmit a variance request with additional documentation.
 - (3) The Town of Berryville shall consider variance requests judiciously, keeping in mind both the need of the applicant to maximize cost effectiveness and the need to protect off-site properties and resources from damage.
- H. In order to prevent further erosion, the Town of Berryville may require approval of a plan for any land identified in the local program as an erosion impact area.

- I. When a land-disturbing activity will be required of a contractor performing construction work pursuant to a construction contract, the preparation, submission, and approval of an erosion and sediment control plan shall be the responsibility of the owner.
- J. As an alternative to submitting soil erosion control and stormwater management plans pursuant to § 62.1-44.15:34 of the code of Virginia to the Town of Berryville any person engaging in more than one jurisdiction in the creation and operation of a wetland mitigation or stream restoration bank that has been approved and is operated in accordance with applicable federal and state guidance, laws, or regulations for the establishment, use, and operation of (i) a wetlands mitigation or stream restoration bank, pursuant to a mitigation banking instrument signed by the Department, the Marine Resources Commission, or the U.S. Army Corps of Engineers, or (ii) a stream restoration project for purposes of reducing nutrients or sediment entering state waters may submit standards and specifications for Department approval that describe how land-disturbing activities shall be conducted.

322.6 EROSION AND SEDIMENT CONTROL PLAN; CONTENTS OF PLAN

- A. An erosion and sediment control plan shall be filed for a development and the buildings constructed within, regardless of the phasing of construction. The erosion and sediment control plan shall be consistent with the criteria, techniques, and methods in 9VAC25-875-560. The erosion and sediment control plan shall contain all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives in 9VAC25-875-560. The erosion and sediment control plan may include:
 - (1) Appropriate maps;
 - (2) An appropriate soil and water plan inventory and management information with needed interpretations; and
 - (3) A record of decisions contributing to conservation treatment.
- B. The person responsible for carrying out the plan shall provide the name of an individual holding a certificate who will be in charge of and responsible for carrying out the land-disturbing activity to the VESMP authority.
- C. If individual lots or sections in a residential development are being developed by different property owners, all land-disturbing activities related to the building construction shall be covered by an erosion and sediment control plan or an Agreement in Lieu of a Plan signed by the property owner.
- D. Land-disturbing activity of less than 10,000 square feet on individual lots in a residential development shall not be considered exempt from the provisions of the VESMA, ESCL, or this ordinance if the total land-disturbing activity in the development is equal to or greater than 10,000 square feet.

322.7 PERMITS; FEES; SECURITY FOR PERFORMANCE

- A. Agencies authorized under any other law to issue grading, building, or other permits for activities involving land disturbing activities may not issue any such permit unless the applicant submits with his/her application an approved erosion and sediment control plan, certification that the plan will be followed, and evidence of state permit coverage where it is required.

- B. No person may engage in any land-disturbing activity until s/he has acquired a land-disturbing permit, unless the proposed land-disturbing activity is specifically exempt from the provisions of this ordinance, and has paid the fees, and posted the required bond.
- C. An administrative fee of \$200.00 shall be paid to the Town of Berryville at the time of submission of the erosion and sediment control plan.
- D. No land-disturbing permit shall be issued until the applicant submits with his/her application an approved erosion and sediment control plan or agreement in lieu of an approved erosion and sediment control plan and certification that the plan will be followed.
- E. All applicants for permits shall provide to the Town of Berryville a performance bond, cash escrow, or an irrevocable letter of credit acceptable to the Zoning Administrator to ensure that measures could be taken by the Town of Berryville at the applicant's expense should the applicant fail, after proper notice, within the time specified to initiate or maintain appropriate conservation measures required of the applicant by the approved plan as a result of his land-disturbing activity.

The amount of the bond or other security for performance shall not exceed the total of the estimated cost to initiate and maintain appropriate conservation action based on unit price for new public or private sector construction in the locality and a reasonable allowance for estimated administrative costs and inflation which shall not exceed twenty-five percent of the cost of the conservation action. Should it be necessary for the Town of Berryville to take such conservation action, the Town of Berryville may collect from the applicant any costs in excess of the amount of the surety held. Within sixty (60) days of adequate stabilization, as determined by the Zoning Administrator in any project or section of a project, such bond, cash escrow or letter of credit, or the unexpected or unobligated portion thereof shall be either refunded to the applicant or terminated, based upon the percentage of stabilization accomplished in the project or project section. These requirements are in addition to all other provisions relating to the issuance of permits and are not intended to otherwise affect the requirements for such permits.

322.8 MONITORING, REPORTS, AND INSPECTIONS

- A. The responsible land disturber, as provided by § 62.1-44.15:52, shall be in charge of and responsible for carrying out the land-disturbing activity and provide for periodic inspections of the land-disturbing activity. The Town of Berryville may require the person responsible for carrying out the plan to monitor the land-disturbing activity. The person responsible for carrying out the plan will maintain records of these inspections and maintenance, to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation.
- B. The Zoning Administrator shall periodically inspect the land-disturbing activity in accordance with Section 9VAC25-840-60 of the Virginia Erosion and Sediment Control Regulations to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation. The owner, permittee, or person responsible for carrying out the plan shall be given notice of the inspection.

If the Zoning Administrator determines that there is a failure to comply with the plan, notice shall be served upon the permittee or person responsible for carrying out the plan by mailing with confirmation of delivery to the address specified in the permit application or in the plan certification, or by delivery at the site of the land-disturbing activities to the agent or employee supervising such activities.

The notice shall specify the measures needed to comply with the plan and shall specify the time within which such measures shall be completed. Upon failure to comply within the specified time, the permit may be revoked and the permittee or person responsible for carrying out the plan shall be deemed to be in violation of this ordinance and shall be subject to the penalties provided by this ordinance.

- C. Upon issuance of an inspection report denoting a violation of Va. Code §§ 62.1-44.15:55, -44.15:56, the Zoning Administrator may, in conjunction with or subsequent to a notice to comply as specified in this ordinance, issue an order requiring that all or part of the land-disturbing activities permitted on the site be stopped until the specified corrective measures have been taken.

If land-disturbing activities have commenced without an approved plan, the Zoning Administrator may issue an order requiring that all of the land-disturbing activities be stopped until an approved plan or any required permits are obtained. Where the alleged noncompliance is causing or is in imminent danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth, or where the land disturbing activities have commenced without an approval plan or any required permits, such an order may be issued without regard to whether the permittee has been issued a notice to comply as specified in this ordinance. Otherwise, such an order may be issued only after the permittee has failed to comply with such a notice to comply.

The order shall be served in the same manner as a notice to comply, and shall remain in effect for a period of seven days from the date of service pending application by the enforcing authority or permit holder for appropriate relief to the Circuit Court of the County of Clarke. The Town of Berryville shall serve such order for disturbance without an approved plan or permits upon the owner by mailing with confirmation of delivery to the address specified in the land records. Said order shall be posted on the site where the disturbance is occurring, and shall remain in effect until permits and plan approvals are secured, except in such situations where an agricultural exemption applies.

If the alleged violator has not obtained an approved plan or any required permits within seven days from the date of service of the order, the Zoning Administrator may issue an order to the owner requiring that all construction and other work on the site, other than corrective measures, be stopped until an approved plan and any required permits have been obtained. Such an order shall be served upon the owner by mailing with confirmation of delivery to the address specified in the permit application or the land records of the Town of Berryville.

The owner may appeal the issuance of an order to the Circuit Court of the County of Clarke.

Any person violating or failing, neglecting or refusing to obey an order issued by the Zoning Administrator may be compelled in a proceeding instituted in the Circuit Court of the County of Clarke to obey same to comply therewith by injunction, mandamus or other appropriate remedy.

Upon completion and approval of corrective action or obtaining an approved plan or any required permits, the order shall immediately be lifted.

Nothing in this section shall prevent the Zoning Administrator from taking any other action authorized by this ordinance.

322.9 PENALTIES, INJUNCTIONS, AND OTHER LEGAL ACTIONS

- A. Any person who has violated or failed, neglected, or refused to obey any order, notice, or requirement of the Town of Berryville, any condition of a land-disturbance approval, or any provision of this ordinance shall, upon a finding of the District Court of the County of Clarke, be assessed a civil penalty. The civil penalty for any one violation shall not be less than \$100 nor more than \$1,000, except that the civil penalty for commencement of land-disturbing activities without an approved plan shall be \$1,000. Each day during which the violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same operative set of facts result in civil penalties which exceed a total of \$10,000, except that a series of violations arising from the commencement of land-disturbing activities without an approved plan for any site shall not result in civil penalties which exceed a total of \$10,000.
- B. The Zoning Administrator, or the owner or property which has sustained damage, or which is in imminent danger of being damaged, may apply to the Circuit Court of the County of Clarke to enjoin a violation or a threatened violation of §§ 62.1-44.15:55 or 62.1-44.15:58 of the Code of Virginia, without the necessity of showing that an adequate remedy at law does not exist.

However, an owner of property shall not apply for injunctive relief unless (i) s/he has notified in writing the person who has violated the local program, and the program authority, that a violation of the local program has caused, or creates a probability of causing, damage to his/her property, and (ii) neither the person who has violated the local program nor the program authority has taken corrective action within fifteen days to eliminate the conditions which have caused, or create the probability of causing, damage to his property.

- C. In addition to any criminal or civil penalties provided under this ordinance, any person who violates any provision of the Erosion and Sediment Control Law may be liable to the Town of Berryville in a civil action for damages.
- D. Without limiting the remedies which may be obtained in this section, any person violating or failing, neglecting, or refusing to obey any injunction, mandamus, or other remedy obtained pursuant to this section shall be subject, in the discretion of the court, to a civil penalty not to exceed \$2,000 for each violation. A civil action for such violation or failure may be brought by the Town of Berryville.

Any civil penalties assessed by court shall be paid into the treasury of the Town of Berryville, except that where the violator is the locality itself, or its agent, the court shall direct the penalty to be paid into the state treasury.

322.10 APPEALS AND JUDICIAL REVIEW

- A. Final decisions of the Town of Berryville under this ordinance shall be subject to review by the County of Clarke Circuit Court, provided an appeal is filed within 30 days from the date of any written decision adversely affecting the rights, duties, or privileges of the person engaging in or proposing to engage in land-disturbing activities.

Item Title

Public Hearing – Text Amendments establishing public street widths and street light standards

Prepared By

Christy Dunkle

The Berryville Planning Commission is sponsoring text amendments establishing street right-of-way widths and street light standards to Section 314.7(a) of the Berryville Zoning Ordinance and to Article IV, Section B of the Berryville Subdivision Ordinance.
TA 02-24

Background/History/General Information

In January, the Town Council Streets and Utilities Committee discussed staff recommendations to address right-of-way widths and street light standards.

Right-of-way widths

The following widths were recommended by the Streets and Utilities Committee and reviewed by VDOT representatives. In order to accommodate an increase in the width of current sidewalk widths (previously four-feet, now a five-foot minimum), the proposed right-of-way widths were increased to accommodate this change.

ROW WIDTH	ADT	Design Speed	Road Width (Parking 2 sides)	Curb & Gutter	Buffer Strip	Sidewalk Width
55'	Up to 2,000	25 mph	30'	CG-6	5'	5'
65'	2,001 to 4,000	25 mph	36'	CG-6	7'	5'

Staff is recommending that the chart above be included in the following documents:

- Construction Standards and Specifications Manual under *Section 2 General Design Standards, VIII Streets and Related Improvements in the Public Right-of-Way (please note: modifications to the Construction Standards and Specifications Manual are approved by Town Council and do not require a public hearing)*;
- *Section 314.7(a) Streets and Rights-of-Way* of the Berryville Zoning Ordinance; and
- *Article IV Subdivision Design Standards, Section B. Streets* of the Berryville Subdivision Ordinance.

Street light standards

Rappahannock Electric Coop does not have standards for distances between street lights on public roads. Staff reviewed a number of ordinances and did not find a definitive distance due to site-specific conditions (e.g., speed limits, street widths). The standards below reflect this research and recommendations:

Street Lights

The placement of street lights shall follow the guidelines below.

Residential

- *At intersections:*

In order to provide lighting within the intersection area of two local streets, a light pole shall be installed on one corner of any intersection or opposite the intersection in the case of a T-intersection.

- *Within cul-de-sac bulbs:*

A light pole shall be installed within the cul-de-sac bulb when the cul-de-sac street is longer than 200 feet measured from the intersection of the local street to the center of the cul-de-sac bulb.

- *Mid-block streetlights:*

A minimum number of mid-block streetlights shall be installed in order to achieve a desired pole spacing of approximately 250 feet. The maximum spacing between lights should not exceed 300 feet and the minimum spacing between lights should not be less than 200 feet unless otherwise approved by the Director of Public Works. Lights should desirably be located on or near property lines and not in front of structures when possible.

Commercial

Commercial street lighting will be reviewed on a performance-based review as part of the site plan review and based on guidelines established above.

Collector Street Lighting

Street lights on collector streets with rights-of-way of sixty 60 feet or more with average daily trips (ADT's) of 2,001 vehicles or more shall maintain separation based on the guidelines established above. Cobra head fixtures may be installed on these roadways.

Findings/Current Activity

A public hearing notice was published in the Winchester Star on Tuesday, May 28 and Tuesday, June 4, 2024. No comments were received in the Planning Office.

The Planning Commission held a public hearing at their May 28, 2024 meeting. They discussed concerns about the possibility of Cobra head lights being retrofitted on Hermitage Boulevard. They discussed the condition of Jack Enders Boulevard as a collector road. They recommended that Town Council approve the amendments as presented.

Schedule/Deadlines

Staff would like to get the ordinances updated by July 1, 2024.

Other Considerations

N/A

Recommendation

Approve the text amendments as presented.

Sample Motions

I move that the Council of the Town of Berryville adopt the attached ordinance for text amendments establishing requirements for street rights-of-way and street lighting standards in the Berryville Zoning Ordinance.

I move that the Council of the Town of Berryville adopt the attached ordinance for text amendments establishing requirements for street rights-of-way and street lighting standards in the Berryville Subdivision Ordinance.

I move that text amendments establishing requirements for street rights-of-way and street lighting standards be made to the Construction Standards and Specifications Manual under *Section 2 General Design Standards, VIII Streets and Related Improvements in the Public Right-of-Way*.

Attachments:

- Construction Standards and Specifications Manual under *Section 2 General Design Standards, VIII Streets and Related Improvements in the Public Right-of-Way*;
- *Section 314.7(a) Streets and Rights-of-Way* of the Berryville Zoning Ordinance; and
- *Article IV Subdivision Design Standards, Section B. Streets* of the Berryville Subdivision Ordinance

VI. Submission of Calculation Data in Digital Format

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

VII. Transferring of Pump Station Ownership

- A. Transfer of ownership of a pump station to the Town of Berryville will occur only after final acceptance in writing of a completed project. A project is considered complete for the purpose of transferal when 95% of the structures in the project area have a Certificate to Occupy. See Section 14 1 A of the Town of Berryville Construction Standards and Specifications for additional information on transferal / acceptance requirements.
- B. The developer will be responsible for any maintenance as a result of construction defects of said facilities for one year from the date of Final Acceptance.

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

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

Surety, of the Town of Berryville Subdivision Ordinance and Article III, Section 314.8 Construction and Bonding of the Town of Berryville Zoning Ordinance.

- E. Performance bonds shall be submitted to the Town of Berryville for review and approval for those streets in the Town's system (secondaries).
- F. Dedication and acceptance of public streets shall be in compliance with VDOT Memorandum SR-50-93, Guide for Additions, Abandonments, and Discontinuances, current edition.

G. The following chart identifies requirements for right-of-way widths:

ROW WIDTH	ADT	Design Speed	Road Width (Parking 2 sides)	Curb & Gutter	Buffer Strip	Sidewalk Width
55'	Up to 2,000	25 mph	30'	CG-6	5'	5'
65'	2,001 to 4,000	25 mph	36'	CG-6	7'	5'

H. Street Lighting

All outdoor lighting fixtures shall be shielded to prevent glare on adjacent properties or rights-of-way. No lighting fixtures shall exceed twenty-five (25) feet above the ground in height.

The placement of street lights shall follow the guidelines below:

Residential

- *At intersections:*

In order to provide lighting within the intersection area of two local streets, a light ball shall be installed on one corner of any intersection or opposite the intersection in the case of a T-intersection.

- *Within cul-de-sac bulbs:*

A light pole will be installed within the cul-de-sac bulb when the cul-de-sac street is longer than 200 feet measured from the intersection of the intersection local streets to the center of the cul-de-sac bulb.

- *Mid-block streetlights:*

A minimum number of mid-block streetlights shall be installed in order to achieve a desired pole spacing of approximately 250 feet. The maximum spacing between lights should not exceed 300 feet and the minimum spacing between lights should not be less than 200 feet unless otherwise approved by the Director of Public Works. Lights should desirably be located on or near property lines and not in front of structures when possible.

Collector Street Lighting

Street lights on collector streets with rights-of-way of sixty 60 feet or more with ADT's of 2,001 vehicles or more shall maintain separation based on the guidelines established above. Cobra head fixtures may be installed on these roadways.

Commercial

Commercial street lighting will be reviewed on a performance-based review as part of the site plan review and based on guidelines established above.

- (ii) A copy of all proposed homeowners' association by laws, and other covenants or maintenance documents where common ownership is anticipated.
- (jj) A copy of rezoning proffers, Special Use Permit conditions, or variances granted for the property shall be submitted with the site plan.
- (kk) Bond estimates for all required improvements.
- (ll) Any necessary notes required by the Agent to explain the purpose of specific items on the plan.
- (mm) Additional information as deemed necessary by the Administrative Body or the Agent.

314.7 IMPROVEMENTS AND MINIMUM STANDARDS

To further the intent of this Section and to protect public safety and general welfare, no site plan shall be approved until the Administrative Body is assured that improvements will be made which meet the following minimum standards:

- (a) Streets and Rights-of-Way
 1. Streets, driveways, access roads and rights-of-way shall be constructed and dedicated, and existing streets widened and improved as necessary, when the need for such streets and improvements is generated by the proposed development, or is indicated in the Berryville Comprehensive Plan and/or its Berryville Area Plan component.
 2. All street construction standards and geometric design standards shall be in accord with the standards of the Berryville Subdivision Ordinance, the Virginia Department of Transportation, or other standards provided by the Town of Berryville. However, the Authority or the Agent may modify standards for local, collector, and minor loop streets, provided that off-street parking sufficient to accommodate required parking ratios are provided to complement the street system, and approval of the modifications is obtained from the Virginia Department of Transportation, where applicable.
 3. All development must have direct access to public dedicated and State or Town-maintained roads. Sites or lots shall not have direct access to any arterial road, unless the physiography, shape, or size of the tract precludes other methods of access.
 4. Where traffic generated from an entire development exceeds 2,000 vehicle trips per day, such development shall provide connectors to existing public roads at two or more locations. Where only one connection is physically achievable, the connecting portion of the entrance road must be a four-lane divided road extending not less than two hundred fifty (250) feet into the development. No internal vehicular connection shall be permitted on this entrance section.
 5. Streets and rights-of-way shall permit access to adjoin properties in conformance with the Berryville Area Plan, Comprehensive Plan, and the satisfaction the Administrative Body or the Agent.
 6. Travel ways designed for on-site two-way vehicular traffic circulation shall in no case have a pavement width of less than twenty (20) feet.
 7. Street right-of-way widths shall conform to the following chart:

ROW WIDTH	ADT	Design Speed	Road Width (Parking 2 sides)	Curb & Gutter	Buffer Strip	Sidewalk Width
55'	Up to 2,000	25 mph	30'	CG-6	5'	5'
65'	2,001 to 4,000	25 mph	36'	CG-6	7'	5'

(b) Cul-de-Sacs

Cul-de-sacs shall be designed and constructed in accordance with the street standards of the Berryville Subdivision Ordinance, or with other standards provided by the Town of Berryville. Cul-de-sacs may not be used as parking areas.

(c) Parking

Parking bays shall be constructed to standards compatible with those of the adjoining public street, and shall be provided in a quantity according to the schedule set forth in the Berryville Zoning Ordinance. Off-street parking spaces shall be accessed via private travel ways, and not directly accessed from public rights-of-way.

(d) Sidewalks, Paths, and Walkways

Sidewalks, paths, and/or walkways shall be provided to enable the public to walk safely and conveniently from one building to another on the site, to and from adjacent sites, and to and from sidewalks in the public right-of-way. The construction material to be used must meet the approval of the Administrative Body or the Agent.

(e) Curb and Gutter

Curb and gutter (CG-6 or approved equivalent) shall be required on all new public streets. The Administrative Body may require curb and gutter on off-street parking areas, service drives, private streets, and around medians, where warranted by conditions. Upon recommendation from the Virginia Department of Transportation, the Administrative Body may waive the requirement for curb and gutter when in keeping with existing conditions on adjacent sites, and when safe travel and adequate stormwater management can be assured without curb and gutter.

(f) Utilities and Utility Easements

All utilities necessary to serve the proposed development shall be installed by the developer, and shall be installed underground in accordance with the adopted facilities plans of the Town of Berryville; provided however, that:

1. Equipment such as electric distribution transformers, switchgear, meter pedestals, and telephone pedestals, which are normally installed aboveground, may continue to be so installed;
2. Meters, connections, and similar equipment normally attached to outside walls may be so installed; and
3. Dedications of right-of-way easements shall be made for all utilities and facilities that are intended to be publicly maintained. Easements shall be clearly defined for the purposes intended. Minimum easement widths shall be as specified by the Administrative Body, the Agent, or utility company.

(g) Water and Sewer Systems

All water distribution and sewer collection systems shall be designed to accommodate normal and peak demand loads. All such systems shall be designed to meet or exceed the specifications of the Berryville Area Water and Sewerage Program. Regulations of the Virginia Department of Health and other state agencies shall also be met, as applicable.

(h) Stormwater Management

The stormwater runoff rate for a developed area shall be equal to or less than the runoff rate for the area prior to development. The policies and design criteria for meeting those goals are addressed in the Berryville Area Stormwater System Master Plan. Dedicated easements shall be provided for all facilities. As noted in the Master Plan, a pro-rata monetary contribution toward off-site drainage improvements may be substituted for on-site improvements, though only for those so designated in the Master Plan.

(i) Soil Suitability

The U.S. Department of Agriculture, Soil Conservation Service, shall be referred to for commenting on the suitability of soils for intended development, and on any special measures that are recommended for development on a certain soil classification. The applicant shall provide a generalized mapping of on-site soils and their engineering characteristics.

(j) Landscaping, Screening, Buffering

1. Where non-residentially zoned land is developed adjacent to land zoned for residential or open space uses, or where residentially zoned land is developed adjacent to a railroad or limited access highway, a landscaped buffer strip a minimum of ten (10) feet wide shall be provided along the common property line. The buffer shall include fencing and plant material. Fencing shall consist of a solid opaque wood fence or masonry wall six (6) feet in height. Plant material shall consist of deciduous trees, evergreen trees, and/or shrubs, in addition to ground cover, and shall be provided on at least one side of the fence.
2. All refuse containers shall be completely enclosed with a solid opaque wood fence or masonry wall at least six (6) feet high.
3. Mechanical equipment (including HVAC), energy conservation or collection equipment, or communications transmitting or receiving apparatus should be screened from public view.
4. Walls and fences used for screening should be composed of such traditional materials as brick, stone, or wood. Use of chain link, plastic, fiberglass, and plywood is discouraged.
5. For all uses, a landscaped buffer strip a minimum of ten (10) feet wide shall be provided along all public rights-of-way. The buffer shall include plant material consisting of deciduous trees, evergreen trees, and/or shrubs, in addition to living ground cover.
6. Where parking areas are adjacent to public rights-of-way, landscaping shall include shrubs and/or berms to screen parked automobiles.
7. New/replacement trees shall be spaced no farther apart than an average of fifty (50) feet, on center, and placed as close to the roadway as allowed in the

Virginia Department of Transportation's Guidelines for Planting Along Virginia's Roadways.

8. Parking lots containing ten or more spaces shall be planted with at least one (1) deciduous tree per eight (8) spaces, meeting the following requirements:
 - (a) Such required trees shall be surrounded by not less than forty (40) square feet of permeable, unpaved area.
 - (b) Other landscaping materials, including shrubs and groundcover, shall be included with the trees on parking islands.
 - (c) Each parking island shall have at least one (1) tree.
 - (d) Trees shall be at least ten (10) feet apart if on the same parking island.
9. Tree Specification:
 - (a) Required street and parking island trees shall be major deciduous hardwood trees (maple, oak, linden, sycamore, etc.) meeting the following requirements:
 - (i) Cast moderate to dense shadow; be long-lived (60+ years); be tolerant of pollution; be tolerant of direct or reflected heat; require little maintenance; be physically hardy and insect/disease resistant; be able to survive two years with no irrigation after establishment; be of native origin.
 - (ii) All deciduous trees shall have a minimum trunk diameter of two-inch caliper measured at 4.5 feet from the ground when planted.
 - (b) Any evergreen tree shall be a minimum of five (5) feet in height when planted.
10. The property owner shall be responsible for maintenance and replacement of such landscape material, as needed.

(k) Lighting

All outdoor lighting fixtures shall be shielded to prevent glare on adjacent properties or rights-of-way. No lighting fixtures shall exceed twenty-five (25) feet above the ground in height.

The placement of street lights shall follow the guidelines below:

Residential

- At intersections:

In order to provide lighting within the intersection area of two local streets, a light ball shall be installed on one corner of any intersection or opposite the intersection in the case of a T-intersection.

- Within cul-de-sac bulbs:

A light pole will be installed within the cul-de-sac bulb when the cul-de-sac street is longer than 200 feet measured from the intersection of the intersection local streets to the center of the cul-de-sac bulb.

- Mid-block streetlights:

A minimum number of mid-block streetlights shall be installed in order to achieve a desired pole spacing of approximately 250 feet. The maximum spacing between lights should not exceed 300 feet and the minimum spacing between lights should not be less than 200 feet unless otherwise approved by

the Director of Public Works. Lights should desirably be located on or near property lines and not in front of structures when possible.

Collector Street Lighting

Street lights on collector streets with rights-of-way of sixty 60 feet or more with ADT's of 2,001 vehicles or more shall maintain separation based on the guidelines established above. Cobra head fixtures may be installed on these roadways.

Commercial

Commercial street lighting will be reviewed on a performance-based review as part of the site plan review and based on guidelines established above.

(l) Erosion and Sediment Control

An erosion and sediment control plan for the entire disturbed area of a development shall be prepared in accordance with the Berryville Erosion and Sediment Control Ordinance, and must receive the approval of the Lord Fairfax Soil & Water Conservations District Board.

(m) Miscellaneous Design Criteria

All other criteria and specifications shall be in accordance with Town standards, where provided. Where Town standards are not provided, the Administrative Body shall provide those standards or shall rule upon the standards proposed by the developer.

314.8 CONSTRUCTION AND BONDING

- (a) No site improvement activities may occur unless all of the following have been met:
 - 1. Approval of final site plan and erosion and sediment control plan.
 - 2. Approval of erosion and sediment control bond, and installation of erosion and sediment control measures.
 - 3. Posting of construction bond.
- (b) All improvements required by this Section shall be installed at the cost of the Developer, except where cost sharing or reimbursement agreements between the Town and the applicant are appropriate, the same to be recognized by formal written approval prior to site plan approval.
- (c) The approval of a site plan and/or the installation of improvements shall not obligate the Town to accept the improvements for maintenance, repair, or operation. Acceptance shall be subject to Town and/or State regulations, where applicable, and dependent on the satisfactory nature of the improvements.
- (d) The applicant is required to post a bond or other acceptable surety covering the construction and satisfactory completion of all required on-site and off-site improvements. Such bond shall be posted under the provisions of Berryville Area Plan Bonding Agreement.

314.9 REVISIONS

The Agent may administratively approve changes to an approved site plan which the Agent determines are minor revisions, complying with all provisions of the Section and having no additional adverse impact on public facilities or adjacent properties. Major revisions

In furtherance of the purposes of this Ordinance, the following minimum subdivision design standards, as applicable, shall be required and delineated on final subdivision plats.

B. STREETS

1. Street standards and design

- a. All street and highway construction standards and geometric design standards shall be in accordance with those specified by the Virginia Department of Transportation and applicable Town Design and Construction Standards. In certain cases, the Town may modify street geometric design standards for local, collector, and minor loop streets with the provision that sufficient off-street parking be provided to complement the street system and approval for modification is obtained from the Virginia Department of Transportation where applicable.
- b. Specifications for improvements to proposed and planned streets shall be in accordance with the Virginia Department of Transportation and/or Town design standards and criteria established by the Town.
- c. All subdivisions must have direct access to publicly dedicated and publicly maintained roads, except that private roads may be permitted in accordance with the provisions in this Ordinance.
- d. Subdivisions shall be designed so that lots will not front any arterial road unless the physiography, shape or size of the tract would preclude other methods of providing access.

2. Street classifications

The classification of proposed streets shall be determined by an estimate of the anticipated vehicular traffic volume as currently prescribed, or as revised, by the Virginia Department of Transportation and shall apply to streets proposed by a subdivider and to all streets shown on the transportation element of the Berryville Area Plan.

3. Street layout

Streets in predominantly residential subdivisions shall be designed to discourage through traffic, but offset or jog streets shall be avoided.

4. Street width

~~a. The right-of-way width for all public streets shall conform to the widths designated on the transportation element of the Berryville Area Plan.~~

~~b. The right-of-way width for streets shall be not less than 50 feet.~~

Public street rights of way shall conform to the following requirements:

ROW WIDTH	ADT	Design Speed	Road Width (Parking 2 sides)	Curb & Gutter	Buffer Strip	Sidewalk Width
55'	Up to 2,000	25 mph	30'	CG-6	5'	5'

65'	2,001 to 4,000	25 mph	36'	CG-6	7'	5'
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5. Street right-of-way lines
Right-of-way lines shall conform to the property lines of lots and shall be parallel to the street center line.
6. Street grades
 - a. The grade of streets shall not exceed 8 percent unless approved by the Town Council, and in no case shall a street grade exceed 10 percent.
 - b. A minimum street grade of 0.5 percent shall be required.
7. Street approach angle
Streets shall intersect at near right angles of not less than 80 degrees, unless otherwise approved by the Town Council or its agent, or upon recommendation from the Virginia Department of Transportation for specific reasons of contour, terrain, or matching of existing patterns.
8. Curb and gutter requirements
Curb and gutter shall be required as provided in Article III Section 320 of the Berryville Zoning Ordinance. All curb and gutter sections shall be constructed in accordance with Virginia Department of Transportation Standards. **(9/05)**
9. Half-street sections
Half-street sections (streets of less than the full right-of-way required) along the property line of land proposed for subdivision shall not be permitted, unless approved by the Virginia Department of Transportation. When a new subdivision abuts one side of an existing or platted street, the subdivider shall dedicate at least half of the right-of-way necessary to make such street comply with the minimum width fixed for the same by this section. However, where half-streets exist on adjoining property, the provisions of the section may be satisfied by the dedication of the remaining required right-of-way upon which the subdivision in question abuts. No building shall be permitted without such dedication.
10. Cul-de-sacs
Cul-de-sacs (minor neighborhood streets designed to have one end permanently closed) shall not be longer than 600 feet. All cul-de-sacs must be terminated by a turnaround having a right-of-way radius of 50 feet and a paved radius (face of curb to face of curb) of 43 feet.
11. Coordination and continuation of streets adjacent to subdivision
 - a. Subdivision street layout shall allow for the planned continuation of existing streets in adjoining areas, and must not be such as to cause unnecessary hardship to owners of adjoining property which may be susceptible to future subdivision planning.
 - b. Subdivision streets shall be provided and designed to give access to adjoining acreage in conformance with the Berryville Area Plan and to the satisfaction of the Town.

- c. Any proposed street that will extend an existing street shall be improved in like manner as the existing street unless as otherwise directed by the Virginia Department of Transportation (VDOT). The type of improvement and the construction materials shall be in accordance with VDOT and/or applicable Town standards and criteria or as otherwise established by the Town.
 - d. There shall be no buffer or reserve strips (“hate strips” or “spite strips”) limiting access from existing or planned through streets, except under such limitations and conditions as may be in the form of a written approval from the Administrative Body. Such limitations and conditions in effect shall secure removal of the buffer or reserve strip whenever it is in the public interest that such be converted into a public street as an access or additional access to adjacent lands.
12. Street signs and names
- a. At each street intersection within or adjacent to the proposed subdivision one street identification sign of a design approved by the Town shall be installed by, and at the expense of, the subdivider/developer.
 - b. The Town shall approve all new subdivision street names.
 - c. Proposed streets that are obviously in alignment with other already existing and named streets shall bear the name of the existing streets. In no case shall the names of proposed streets duplicate existing streets irrespective of the use of the suffix street, avenue, boulevard, drive, way, place, lane, or court.
13. Subdivision entrances
- a. No subdivision shall be approved unless the principle means of access thereto, and all streets within, shall conform to the standards of the Virginia Department of Transportation.
 - b. Each entrance onto any public road for vehicular traffic to and from such subdivision shall be subject to the approval of the Administrative Body upon the advice of the Virginia Department of Transportation Highway Engineer and shall be constructed in accordance with the applicable design standards of the Town of Berryville and/or the Virginia Department of Transportation.
 - c. Where traffic generated from a subdivision exceeds 2,000 vehicle-trips per day, such subdivision shall provide connectors to any existing public road(s) at two locations. Where only one connection is feasible, the entrance roadway must be a four-lane divided road with a length of not less than 250 feet or as otherwise recommended by the Virginia Department of Transportation. There shall be no curb cuts along this four-lane divided entrance road.
14. Alleys
- a. Dead-end alleys and alleys in residential areas will not be permitted.
 - b. Privately maintained and properly documented alley easements in commercial zones may be permitted at the discretion of the town, provided there is documentation acceptable to the Town ensuring the

maintenance and upkeep of the alley easement. No such alley easement shall be less than 24 feet in width.

15. Service drives

- a. Whenever a proposed subdivision contains, or is adjacent to a minor or major arterial, sufficient land shall be reserved so as to provide for subsequent construction of service drives or service streets approximately parallel to such right-of-way; but the Administrative Body may, when consistent with the public convenience and necessity, waive the requirement of such provision.
- b. Except where impractical by reason of topographic hardship, the area between the drive and the major highway shall be sufficient to provide for scenic planting and screening. The dimension of the area between the service drive and a major highway and the points of access between the same shall be determined after due consideration of traffic safety requirements.

16. Streetlights

The placement of street lights shall follow the guidelines below.

a. Residential

- *At intersections:*

In order to provide lighting within the intersection area of two local streets, a light ball shall be installed on one corner of any intersection or opposite the intersection in the case of a T-intersection.

- *Within cul-de-sac bulbs:*

A light pole will be installed within the cul-de-sac bulb when the cul-de-sac street is longer than 200 feet measured from the intersection of the intersection local streets to the center of the cul-de-sac bulb.

- *Mid-block streetlights:*

A minimum number of mid-block streetlights shall be installed in order to achieve a desired pole spacing of approximately 250 feet. The maximum spacing between lights should not exceed 300 feet and the minimum spacing between lights should not be less than 200 feet unless otherwise approved by the Director of Public Works. Lights should desirably be located on or near property lines and not in front of structures when possible.

b. Commercial

Commercial street lighting will be reviewed on a performance-based review as part of the site plan review and based on guidelines established above.

c. Collector Street Lighting

Street lights on collector streets with rights-of-way of sixty 60 feet or more with ADT's of 2,001 vehicles or more shall maintain separation based on the guidelines established above. Cobra head fixtures may be installed on these roadways.

AN ORDINANCE AMENDING
ARTICLE III, SECTION 314.7 IMPROVEMENTS AND MINIMUM STANDARDS
OF THE TOWN OF BERRYVILLE ZONING ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, that Article III Supplementary Regulations, Section 314.7 IMPROVEMENTS AND MINIMUM STANDARDS, of the Town of Berryville Zoning Ordinance shall be amended as follows:

314.7 (a) 7. Street right-of-way widths shall conform to the following chart:

ROW WIDTH	ADT	Design Speed	Road Width (Parking 2 sides)	Curb & Gutter	Buffer Strip	Sidewalk Width
55'	Up to 2,000	25 mph	30'	CG-6	5'	5'
65'	2,001 to 4,000	25 mph	36'	CG-6	7'	5'

(k) Lighting

The placement of street lights shall follow the guidelines below:

Residential

- *At intersections:*

In order to provide lighting within the intersection area of two local streets, a light ball shall be installed on one corner of any intersection or opposite the intersection in the case of a T-intersection.

- *Within cul-de-sac bulbs:*

A light pole will be installed within the cul-de-sac bulb when the cul-de-sac street is longer than 200 feet measured from the intersection of the intersection local streets to the center of the cul-de-sac bulb.

- *Mid-block streetlights:*

A minimum number of mid-block streetlights shall be installed in order to achieve a desired pole spacing of approximately 250 feet. The maximum spacing between lights should not exceed 300 feet and the minimum spacing between lights should not be less than 200 feet unless otherwise approved by the Director of Public Works. Lights should desirably be located on or near property lines and not in front of structures when possible.

Collector Street Lighting

Street lights on collector streets with rights-of-way of sixty 60 feet or more with ADT's of 2,001 vehicles or more shall maintain separation based on the guidelines

established above. Cobra head fixtures may be installed on these roadways.

Commercial

Commercial street lighting will be reviewed on a performance-based review as part of the site plan review and based on guidelines established above.

SIGNED: _____
Harry Lee Arnold, Jr., Mayor

ATTEST: _____
Erecka L. Gibson, Recorder

AN ORDINANCE AMENDING
ARTICLE IV, SUBDIVISION DESIGN STANDARDS
OF THE TOWN OF BERRYVILLE SUBDIVISION ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, that Article IV Subdivision Design Standards, Section B. STREETS, of the Town of Berryville Subdivision Ordinance shall be amended as follows:

B. STREETS

4. Street width

- a. ~~The right-of-way width for all public streets shall conform to the widths designated on the transportation element of the Berryville Area Plan.~~
- b. ~~The right-of-way width for streets shall be not less than 50 feet.~~

Street right-of-way widths shall conform to the following chart:

ROW WIDTH	ADT	Design Speed	Road Width (Parking 2 sides)	Curb & Gutter	Buffer Strip	Sidewalk Width
55'	Up to 2,000	25 mph	30'	CG-6	5'	5'
65'	2,001 to 4,000	25 mph	36'	CG-6	7'	5'

16. Streetlights

The placement of street lights shall follow the guidelines below:

Residential

- *At intersections:*

In order to provide lighting within the intersection area of two local streets, a light ball shall be installed on one corner of any intersection or opposite the intersection in the case of a T-intersection.

- *Within cul-de-sac bulbs:*

A light pole will be installed within the cul-de-sac bulb when the cul-de-sac street is longer than 200 feet measured from the intersection of the intersection local streets to the center of the cul-de-sac bulb.

- *Mid-block streetlights:*

A minimum number of mid-block streetlights shall be installed in order to achieve a desired pole spacing of approximately 250 feet. The maximum spacing between lights should not exceed 300 feet and the minimum spacing between lights should not be less than 200 feet unless otherwise approved by the Director of Public

Works. Lights should desirably be located on or near property lines and not in front of structures when possible.

Collector Street Lighting

Street lights on collector streets with rights-of-way of sixty 60 feet or more with ADT's of 2,001 vehicles or more shall maintain separation based on the guidelines established above. Cobra head fixtures may be installed on these roadways.

Commercial

Commercial street lighting will be reviewed on a performance-based review as part of the site plan review and based on guidelines established above.

SIGNED: _____
Harry Lee Arnold, Jr., Mayor

ATTEST: _____
Erecka L. Gibson, Recorder

Town Council Agenda Item Report Summary

June 11, 2024

Item Title

Consent Agenda

Prepared By

Christy Dunkle

Background/History/General Information

N/A

Findings/Current Activities

The consent agenda comprises the following item to be considered for approval:

- Minutes of the May 14, 2024 Town Council regular meeting
- Minutes of the May 28, 2024 Streets and Utilities Committee meeting
- Minutes of the May 28, 2024 Community Development Committee meeting

Financial Considerations

N/A

Schedules/Deadlines

N/A

Other Considerations

N/A

Attachments

- Minutes of the May 14, 2024 Town Council regular meeting
- Minutes of the May 28, 2024 Streets and Utilities Committee meeting
- Minutes of the May 28, 2024 Community Development Committee meeting

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
May 14, 2024

A meeting of the Berryville Town Council was held on Tuesday, May 14, 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, 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; 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

Council member Steinmetz made the motion to approve the agenda as presented. The motion passed by voice vote.

4. Presentations/Awards and Recognitions

Ms. Petti read a resolution in honor of Darrell Ferrebee.

Council member Harrison made the motion to approve the attached resolution honoring the service of Darrell Ferrebee. The motion passed by voice vote.

5. Public Hearing

Public Hearing on Proposed Budget for FY25

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, May 14, 2024 to consider the following:

Proposed Fiscal Year 2024-2025 Budget as follows:

	APPROVED FY 23-24	REQUESTED FY 24-25
<u>Resources and Revenues</u>		
GENERAL FUND		
Fund Balance	\$ 0.00	\$ 558,169.00
Revenue from Local Sources	\$ 3,554,275.00	\$ 3,924,275.00
Revenue from State Sources	\$ 949,172.00	\$ 1,099,567.00
Revenue from Other Sources	\$ 1,000.00	\$ 1,000.00
Total	\$4,504,447.00	\$ 5,572,011.00
WATER FUND		
Fund Balance	\$ 615,000.00	\$ 0.00
Revenue from Local Sources	\$ 2,506,000.00	\$ 6,494,000.00
Availability Fees	\$ 30,500.00	\$ 0.00
Total	\$ 3,151,500.00	\$ 6,494,000.00
SEWER FUND		
Fund Balance	\$ 1,095,000.00	\$ 360,300.00
Revenue from Local Sources	\$ 1,835,000.00	\$ 2,167,500.00
Availability Fees	\$ 32,750.00	\$ 0.00
Total	\$ 2,963,250.00	\$ 2,527,800.00
TOTAL RESOURCES AND REVENUES	\$ 10,619,197.00	\$ 14,593,811.00

Expenses and Reserves

GENERAL FUND		
Maintenance and Operational	\$ 3,832,630.00	\$ 4,585,350.00
Debt Service	\$ 121,600.00	\$ 121,600.00
Capital Reserves and Expenses	\$ 435,238.10	\$ 727,500.00
Contingency	\$ 114,978.00	\$ 5,572,011.00
Total	\$ 4,504,447.00	\$ 5,572,011.00
WATER FUND		
Maintenance and Operational	\$ 1,283,410.00	\$ 1,267,315.00
Debt Service	\$ 0.00	\$ 0.00
Capital Reserves and Expenses	\$ 1,829,587.70	\$ 5,188,665.55
Contingency	\$ 38,502.30	\$ 38,019.45
Total	\$ 3,151,500.00	\$ 6,494,000.00

SEWER FUND

Maintenance and Operational	\$ 1,353,925.00	\$ 1,697,864.00
Debt Service	\$ 470,000.00	\$ 470,000.00
Capital Reserves and Expenses	\$ 1,098,707.25	\$ 309,000.00
Contingency	\$ 40,617.75	\$ 50,936.00
Total	\$ 2,963,250.00	\$ 2,527,800.00
 TOTAL EXPENSES AND RESERVES	 \$ 10,619,197.00	 \$ 14,593,811.00

Mr. Dalton read the public hearing notice. Mayor Arnold asked Council members if they had any questions of staff. There were none. Mayor Arnold opened the public hearing.

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

Vice Mayor Gibson requested a list of items in support of the fund balance for water and sewer funds.

6. Discussion of public hearing

Mayor Arnold said that Council will not vote on the budget this evening adding that it would take place at the June meeting.

7. Citizens' Forum

Mayor Arnold asked if anyone wished to speak. There were no speakers.

8. Consent Agenda

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

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

9. Unfinished Business

Update: IFB# 2024-01 – Paving, Milling, and Line Striping

Mr. Dalton updated Council members on the paving bid adding that the bid went well. He asked if there were any questions. There were no questions.

10. New Business

There was no new business.

11. Council Member Reports

Mayor Arnold said that he attended Sheriff Tony Roper's retirement event and presented him with the Council's resolution, wishing him well on their behalf.

There were no other reports.

12. Staff Reports

Nothing was added to the written reports for Public Works or Police departments.

Public Utilities

Ms. Petti said that the Town has been identified as a serious violator by the Virginia Department of Health (VDH) for exceedance of water quality issues, not the severity of such. She said that she contacted VDH for guidance on a response and they recommended preparing a summary of the issues and a response to the exceedance. Ms. Petti discussed previous exceedances in 2023 adding that we are not the only locality dealing with these concerns. She discussed actions taken by the Town thus far per VDH recommendations. She said that after changing the coagulant, the last sample showed a reduced amount of HAA5s, adding that the numbers are based on averages over four quarters. She said the second sampling took place today and that she would update Council members on the results. Ms. Petti said the Town has contracted a chemist to assist with the process who will evaluate actions taken. She said that while there has not been a single factor identified to remedy the issue, the best long-term solution was to complete the overhaul of the water treatment plant.

Council member Mazzarino asked whether VDH or other localities have the ability to pinpoint the source of the concerns. Ms. Petti said that Berryville has followed the steps recommended by VDH beginning with the distribution system and has not found anything. She hoped that the result of the testing today will be below the limits set by the Commonwealth. Council member Harrison asked if there was a website link available for additional information. Ms. Petti said the website was difficult to navigate adding that she would assist those who wish to review it.

Council member Tibbens asked about the next steps to VDH compliance. Ms. Petti said that the VDH has asked for a recommendation by the Town's chemist. Mr. Dalton said there would likely be a consent order issued by the VDH. There was a discussion about working through the process with the VDH and the Town's consulting engineer and additional services offered by the VDH under a consent order. Council member Harrison asked about information available to residents about water filtration systems. Mr. Dalton said the Town had posted information on the website previously, adding that staff could push the notice again.

Community Development

Ms. Dunkle said that no submissions had been received from D.R. Horton for a work session to discuss the Friant rezoning project. She said staff is recommending that the meeting be set for their October work session scheduled for Monday, October 7, 2024 at 3:00 p.m. with a deadline for submissions for the meeting of close of business on September 26, 2024. Mr. Dalton recommended that no additional work session postponements occur for this application.

Council member Tibbens made the motion that the Council of the Town of Berryville set a work session to discuss the proposed rezoning of the Friant Enterprises property for Monday, October 7, 2024 at 3:00 p.m. Council member Tibbens further moved that the

Council direct the applicant to provide all pertinent information to the Director of Community Development by the end of business on September 26, 2024. Council member Tibbens further moved that the Council direct the Director of Community Development to inform the applicant in writing that no additional work session postponements will be granted for the applicant. The motion passed by voice vote.

Ms. Dunkle requested that Town Council set a public hearing for a special use permit in order to operate a hair salon on Isaac Court.

Council member Mazzarino made the motion that the Council of the Town of Berryville set a public hearing for Tuesday, June 11, 2024 for a special use for a home occupation (hair salon) located at 108 Isaac Court. The motion passed by voice vote.

Ms. Dunkle requested that Town Council set a public hearing to repeal and readopt Section 322 Erosion and Sediment Control of the Town Zoning Ordinance in order to update Virginia Code references and regulations.

Council member Steinmetz made the motion that the Council of the Town of Berryville set a public hearing for Tuesday, June 11, 2024 for the repeal and readoption of Section 322 Erosion and Sediment Control of the Berryville Zoning Ordinance. The motion passed by voice vote.

Ms. Dunkle requested that Council set a public hearing for text amendments to the Berryville zoning and subdivision ordinances to establish requirements for street rights-of-way and street lighting standards.

Council member Harrison made the motion that the Council of the Town of Berryville set a public hearing for Tuesday, June 11, 2024 for text amendments establishing requirements for street rights-of-way and street lighting standards in the zoning and subdivision ordinances. The motion passed by voice vote.

Deputy Town Manager

Ms. Petti updated Council members on the status of Hogan's Alley.

Town Manager

Mr. Dalton updated Council members on the spot blight abatement. He said that Ms. French had contacted him about 229 Josephine Street. He said that the other two properties, 114 and 225 Josephine Street, are likely not going to comply by the May 1 deadline.

13. Committee Updates

Community Development

Council member Tibbens said the committee discussed the portable storage container ordinance included in the agenda packet. There was a discussion about enforcement and the 60-day

timeframe. Vice Mayor Gibson said that residents may require more than 60 days due to construction or if they are moving. It was determined that a committee meeting will be held at 4:00 p.m. on Tuesday, May 28, 2024.

Personnel, Appointments, and Policy

Mayor Arnold said there will soon be two Planning Commission openings and one on the Tree Board. Vice Mayor Gibson said that the Town Manager's performance evaluation should take place soon.

Public Safety

Council member Mazzarino asked Sergeant Bristol if he had any additional discussion items. He did not.

Streets and Utilities

There was no discussion. It was determined that a committee meeting will be held at 3:00 p.m. on Tuesday, May 28, 2024.

Mr. Dalton said that he had been contacted by Ms. French who will be in attendance at the June meeting to update Council members on 229 Josephine Street. He said that it appears that the owners of 114 Josephine Street and 225 Josephine Street have failed to meet the deadline set by Council. He added that a suit has been filed by the owner of 225 Josephine Street and recommended that, with Council's permission, he will hold off on enforcement out of respect for the court until after the May 20, 2024 court date. Council member Harrison asked if they should wait on action for 114 Josephine Street and Mr. Dalton recommended that they do so.

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 7:40 p.m.

Erecka L. Gibson, Vice Mayor

Keith Dalton, Town Manager

**BERRYVILLE TOWN COUNCIL
STREETS AND UTILITIES COMMITTEE
Berryville-Clarke County Government Center
Regular Meeting Minutes
May 28, 2024**

A meeting of the Berryville Town Council Streets and Utilities Committee was held on Tuesday, May 28, 2024 at 4:00 p.m. at the Berryville-Clarke County Government Center in Berryville.

Attendance: Diane Harrison, Chair; Ryan Tibbens

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

2. Approval of Agenda

Mr. Tibbens made the motion to approve the agenda as presented.

3. Old Business

Review of Proposed Truck Route

Ms. Petti discussed the truck route sign package that VDOT sent to Town staff. She asked if committee members had any input. Mr. Tibbens asked about the existing signs and whether they would remain in place. Chair Harrison said she was fine either way. There was a discussion about the industrial area identified on the signage. Mr. Tibbens discussed the lack of signage eastbound from the west of Berryville on the Route 7 Bypass and southbound from the north on U.S. 340. Ms. Petti said she would discuss the matter with Mr. Carter from VDOT. Chief White noted that GPS will usually route eastbound truck traffic away from East Main Street due to the railroad tracks. There was a discussion about the development along U.S. 340 in West Virginia and the anticipated road expansion into Clarke County.

4. New Business

Discussion of Additional Vehicular Signage

Chair Harrison asked if the Town could install a “no right turn” sign for tractor trailers on Josephine Street at South Church Street. Chief White said that the Town is able to do that. Chair Harrison suggested waiting until the other signs are installed to see if that makes a difference before adding additional signage in this location.

Mr. Tibbens asked how many tractor trailers were going down Church Street daily. Chair Harrison said that it varied from none to five or six a day.

5. Closed Session

No closed session was held.

6. Adjourn

Mr. Tibbens made the motion to adjourn the meeting at 3:22 p.m.

**BERRYVILLE TOWN COUNCIL
COMMUNITY DEVELOPMENT COMMITTEE
Berryville-Clarke County Government Center
Regular Meeting Minutes
May 28, 2024**

A meeting of the Berryville Town Council Community Development Committee was held on Tuesday, May 28, 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: Mickey Powell, Winchester Star

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. Discussion – Town Code Regulations for Portable Storage Containers

Chair Tibbens began the discussion referencing Vice Mayor Gibson's concerns about the 60-day time limit. Ms. Harrison said that the main goal was to focus on residential property owners that would place portable storage containers on their property. She recommended referencing the residential property location in the regulation. There was a discussion about residential use versus zoning districts. It was determined that the draft code should reference that the requirements are for residential properties. There was a discussion about the timeframes in which a portable storage container could stay on a property. It was determined that the recommendation would be to keep the 60-day time limit. Chief White suggested a caveat in which an extension could be possible if approved by the appropriate staff member. He said he would review the options with staff and make a recommendation.

4. Discussion – Town Code - Weeds

Chief White discussed the proposed changes to Section 13-32. He reviewed specific items including pollinator and native gardens, conservation areas, cultivated habitat, and woodland areas. He said he maintained the 12" maximum height requirement; the 300' boundary for properties without structures; and the penalty. Chief White said that Mr. Dalton has made comments and would like input from the committee members prior to rewriting the document.

Ms. Harrison referenced two related documents that were distributed to committee members. Chair Tibbens asked what we were trying to do with modified ordinances and Chief White responded by saying he would like to streamline the process. There was a discussion about charges for penalties and the additional fee for public works staff to cut the grass. Chief White described the timeline from the initial complaint, to certification, to notification of the property owner, to public works staff cutting the grass, and finally billing the completed work.

It was determined that committee members will review the draft ordinance and will discuss it at the next Community Development Committee meeting.

5. Discussion – Livery Stable and Restrooms

Chair Tibbens said that he and Mr. Dalton visited the site a couple of months ago adding that he has not come up with any good ideas for a use of the building. He said the size of the space makes it difficult to imagine an appropriate use. Ms. Petti said that the stabilization would need to occur soon as the lifespan of the study is at its end. There was a discussion about having a clean, accessible space to support activities in the park. Chair Tibbens said that there have been previous discussions about selling the building and that he would be open to talk about that further. Ms. Harrison suggested a space for a pop-up shop. There was a discussion about holiday events being held in the space in conjunction with the tree lighting and other activities. Ms. Harrison suggested discussing possible uses with Berryville Main Street.

There was a discussion about a walkway next to the building from Main Street and the associated costs.

There was a discussion about the restroom options. Committee members discussed having the restrooms, the bridge, and the proposed gate designed together with the same color palette. Ms. Petti talked about security and the possibility of the installation of lighting and cameras due to safety concerns next to the playground. She said that staff is requesting input on pre-approved species of trees for succession planting in the park.

There was a discussion about where to place security cameras and lights. Chair Tibbens said the temporary lighting used at the Christmas tree lighting worked well. There was a discussion about lighting at Rixey Moore Parking Lot.

6. Closed Session

No closed session was held.

7. Adjourn

Chair Tibbens adjourned the meeting at 4:56 p.m.

Adoption of proposed reserve specifics

Overview

The Town Council adopted a reserves policy in January 2021. That policy was last amended in December 2022.

The reserves policy provides for adoption of a fund reserve specifics document that will provide both policymakers and the public with a detailed information about self-encumbered reserves in the general, water, and sewer funds.

The proposed reserve specifics document has been amended to assign audited fund balances as of June 30, 2023.

Attachments

- Sample motion to adopt reserve specifics
- Proposed reserve specifics document
- Town Council Policy 2021-01: Reserves
- Budgeted Fund Use in the Proposed FY25 Budget

Recommended Action

Approve the reserves specifics document.

Sample Motion

I hereby move that the Council of the Town of Berryville adopt the attached reserve specifics, an approved copy of which shall be incorporated into and become a part of the official minutes of this meeting.

**Motion to Adopt
Fund Reserve Specifics**

Date: June 11, 2024

Motion By:

I hereby move that the Council of the Town of Berryville adopt the attached reserve specifics, an approved copy of which shall be incorporated into the and become a part of the official minutes of this meeting.

VOTE

Aye:



Nay:

Absent:

Abstain:

ATTEST

Erecka L. Gibson, Vice Mayor

Fund Reserve Specifics

Adopted _____

This document was adopted in accordance with the Town Council’s Reserves Policy.

General Fund

General Fund Reserve

This reserve is established in order to provide funding for unforeseen expenses and to supplement revenues as the Council deems necessary. General fund monies budgeted in a given year that are neither spent nor otherwise encumbered will be placed in this reserve. The interest income from all general fund reserves is placed in this reserve.

Reserve	\$314,808.42
Reserve goal	\$650,000.00
	50% of annual debt service +
	10% of FY 23 GF operational expenses

Property Improvements and Maintenance Reserve

The Town owns several properties for which the cost of improvement and maintenance falls solely on the general fund. These properties include 23 East Main Street (includes Livery), Hogan’s Alley, Crow Street Parking Lot, Rose Hill Park (including the John Rixey Moore Playground, Smithy Cottage but excluding the Barns of Rose Hill), Rixey Moore Parking Lot, and the old kennel located on the Wastewater Treatment Plant property.

The maintenance costs for the Public Works Facility and the Berryville-Clarke County Government Center are shared by all three funds. The Berryville-Clarke County Government Center is jointly owned with Clarke County; therefore, a separate fund is established for care of that property.

These funds may be made available for improvements to or maintenance of town properties.

Reserve	\$1,250,000
Reserve goal	\$1,250,000

Berryville-Clarke County Government Center Reserve

The Town and Clarke County constructed the Berryville-Clarke County Government Center in 2008. The facility is owned and maintained by both jurisdictions.

The facility's note holder requires that a maintenance reserve be established to provide savings to address unforeseen maintenance-related expenses. Both the Town and County agreed to self-encumber funds that would be available for expenses incurred while repairing, maintaining, or improving the property at 101 Chalmers Court.

These funds may be made available for repair, maintenance, or improvement of the Berryville-Clarke County Government Center facility.

Reserve	\$325,000
Reserve goal	\$350,000

Flood Plain/Stormwater Mitigation Reserve

Berryville contains three major drainage areas. Each of these drainage areas contains a perennial stream: Town Run (known as Dog Run in the rest of Clarke County), Craig's Run, and Buckmarsh Run. Each of these drainage areas contains smaller contributing sub-drainage areas.

The flood plain and floodway have been identified and mapped within the Town Run drainage area. Stormwater management concerns have been identified in several sub-drainage areas of the Town Run drainage area.

These funds would be available for use on flood plain/stormwater mitigation projects.

Reserve	\$700,000
Reserve goal	\$750,000

Downtown Improvement Reserve

In recognition of the economic benefits of an attractive business district, the Council recognizes that improvements to the downtown area will pay dividends to the entire town.

The Town created this reserve, in full or in part, projects to improve the general appearance of the downtown, enhance directional signage, improve parking, improve accessibility, establish and maintain crosswalks that exceed VDOT standards, establish and maintain trees and or planters, and the like.

Reserve	\$225,000*
Reserve goal	\$175,000

* Reserve exceeds goal because \$50,000 from this fund will be used in FY25 to fabricate and install wayfinding signs.

Economic Development Reserve

This reserve was established to provide for savings that can be used to address economic development opportunities or needs that the Town Council determines should be funded.

Reserve	\$ 50,000
Reserve goal	\$100,000

Blight Abatement Reserve

The Berryville Code provides the Town Council and the Town Manager with authority to demolish/secure unsafe structures and abate blight. If the Town must address such problems, then the work is paid for with public funds and the cost billed to the property owner. If the property owner fails to pay for the work, then a tax lien is placed on the property. Generally, it takes several years for the Town to recoup any of the costs incurred addressing the unsafe conditions.

These funds would be available to pay for work required to secure or demolish unsafe structures and abate blight.

Reserve	\$100,000
Reserve goal	\$100,000

John H. Enders Vol. Fire Department Reserve

This reserve was established to provide savings that can be used to assist the John H. Enders Volunteer Fire Department and Rescue Squad, which the Town Council has declared to be an integral part of the official safety program of the Town, with capital projects.

Reserve	\$ 70,000
Reserve goal	\$100,000

Police Equipment Replacement Reserve

This reserve was established to fund new or replacement police department equipment.

Reserve	\$125,000
Reserve goal	\$125,000

Annexation Reserve

This reserve was established to provide savings that can be used to complete work required to affect annexations.

Reserve	\$50,000
Reserve goal	\$50,000

Town Street Reserve

This reserve is established to provide funds for maintenance of Town secondary streets that do not qualify for use of Virginia Secondary Street Reimbursement funds.

Reserve	\$125,000
Reserve Goal	\$125,000

Transportation Alternatives Program (TAP) Project Matching Funds Reserve

This reserve is established to provide required matching funds for TAP projects.

The Town has three TAP grant applications (two associated with a sidewalk project on Mosby Boulevard and one sidewalk/drainage project on Fairfax Street) in process. The Town will ultimately be responsible for 20% of the cost of TAP projects. The FY25-29 CIP provides for reserving \$50,000 in FY25, FY26, and FY27 to meet the reserve goal.

Reserve	\$380,000
Reserve Goal	\$530,000

Total General Fund Reserves = \$3,714,808.42

Water Fund

Water Fund Reserve

This reserve is established in order to provide funding for unforeseen expenses and to supplement revenues as the Council deems necessary. Water fund monies budgeted in a given year that are neither spent nor otherwise encumbered will be placed in this reserve. The interest income from all water fund reserves is placed in this reserve.

Reserve	\$232,067*
Reserve goal	\$185,000.00*
	100% of annual debt service + 15% of FY23 WF operational expenses

*Reserve amount exceeds reserve goal by 25%. Reserve goal will increase significantly in the near future, because the water fund will have debt that has to be serviced.

Water Storage Tank Reserve

The Town maintains three water tanks within its water distribution system. The Town has maintenance contracts for the three tanks, but given the importance of these improvements it is vital to provide a reserve to address unforeseen problems that may not be covered under the annual maintenance contract.

Reserve	\$550,000
Reserve goal	\$750,000

Water Treatment Plant Reserve

The Town's water treatment plant was constructed in 1984.

The Town of Berryville Utility Rate Study completed in 2019 identified expenses related to the replacement/upgrade of this facility and the pumping station at the Shenandoah River.

The plant and pumping station are slated for replacement/improvement. The Town has approved a preliminary engineering report for the plant improvements and is in the final stages of securing loan(s) needed to fund the project.

It is expected that the upgraded treatment plant will be operational by January 1, 2027.

It is estimated that project will cost \$12,600,000.

It is expected that the Town will utilize at least \$2,200,000 from this reserve for costs associated with this project. It is also expected that these reserve funds will be used to fund lender-required maintenance/loan repayment reserves. Further these reserve funds would likely be used to partially fund a membrane replacement fund.

Submitted to Town Council for Approval on June 11, 2024

These funds are also available to pay for unforeseen costs associated with the water treatment plant.

Reserve	\$3,000,000
Reserve goal	\$4,200,000

Water Distribution System Reserve

The Town maintains a system of pipes through which water is distributed from the water plant and throughout the Town. This system includes improvements such as water mains, laterals, meters and related improvements, valves, pumps, and fire hydrants. The Town of Berryville Utility Rate Study completed in 2019 identified expenses related to the replacement/upgrade of portions of the distribution system.

Reserve	\$1,200,000
Reserve goal	\$1,200,000

Total Water Fund Reserves = \$4,982,067.00

Sewer Fund

Sewer Fund Reserve

This reserve is established in order to provide funding for unforeseen expenses and to supplement revenues as the Council deems necessary. Sewer fund monies budgeted in a given year that are neither spent nor otherwise encumbered will be placed in this reserve. The interest income from all sewer fund reserves is placed in this reserve.

Reserve	\$702,827.29
Reserve goal	\$730,000
	100% of annual debt service +
	15% of FY23 SF operational expenses

Wastewater Treatment Plant Reserve

The Town's wastewater treatment plant became operational in 2012. The useful life of the plant is expected to be at least 25 years.

These funds may be made available to address unforeseen costs at the plant or begin a replacement/upgrade project.

Reserve	\$3,075,000
Reserve goal	\$7,500,000

Sewer Collection System Reserve

The Town maintains a system of pipes and other improvements through which wastewater is collected from customers and transmitted to the wastewater treatment plant. This system includes improvements such as sewer mains, manholes, and pump stations.

The Town of Berryville Utility Rate Study completed in 2019 identified expenses related to the replacement/upgrade of portions of the collection system.

Reserve	\$2,000,000
Reserve goal	\$2,500,000

Membrane Replacement Reserve

The Town's wastewater treatment plant utilizes ultrafiltration membranes as a part of the treatment process. These membranes have an expected useful life of eight to twelve years. The membranes were last replaced in 2023.

These funds may be made available to address the cost of membrane maintenance and replacement. A large portion of this reserve may not need to be established if the Town enters into a membrane pre-purchase program.

The CIP will have to provide for reserving \$105,000 in FY30, FY31, FY32, FY33, and FY34 to meet the reserve goal.

Reserve	\$ 975,000
Reserve goal	\$1,500,000

Total Sewer Fund Reserves = \$6,752,827.29**

**This amount does not include the \$470,000 reserve required by the wastewater treatment plant loan terms. These funds must be reserved separately and will be used for the last payment on the loan. That payment will be made on February 1, 2037.

Town Council Policy 2021-01: Reserves

Town Council Policies

Reserves

2021- 01

Approved: 6/8
Amended 12/22

Purpose:

The Town Council creates reserves in all three funds (general, water, and sewer). These reserves are self-encumbered to enable the Council to equalize revenue shortfalls, pay for unexpected expenses, and pay for planned projects and purchases.

This policy is intended to structure the Town's reserves in a manner that prepares for the scenarios enumerated above in a manner that is transparent and easily accessed by the public.

Because the reserve funds are self-encumbered, the Council reserves the right to utilize these funds at any time as it deems appropriate, provided that such use conforms to the laws of the Commonwealth of Virginia and the Town of Berryville.

Policy:

Reserve Policy and Fund Reserve Specifics

The Town Council establishes this policy in order to provide a framework for self-encumbering funds to meet the Town's needs. These funds are encumbered to enable the Council to equalize revenue shortfalls, pay for unexpected expenses, and pay for planned projects and purchases.

The Council will establish a Fund Reserve Specifics document in which it outlines the purpose of reserves and the amount encumbered in each reserve.

During the annual budget review and approval process and at other times it deems necessary, the Town Council will review this policy and the Funds Reserve Specifics to determine whether the Town's needs are met.

Use of Reserved Funds

Reserved funds may, in accordance with applicable provisions of law and the procedures contained in this policy, be expended as specifically enumerated within an approved budget or as needed during a budget year when the need for the funds was not expected.

Reporting

The Treasurer will provide the Council with regular reports regarding the status of reserved funds.

Procedure:**Reserve Policy and Fund Reserve Specifics**

As a part of the annual budgeting process, the Budget and Finance Committee of the Town Council will review this policy and the Fund Reserve Specifics and recommend any changes that it determines appropriate to the Town Council.

The Town Council will review the Fund Reserve Specifics as a part of its budget preparation and review. The Fund Reserve Specifics will be included in the approved budget document.

Changes may be made to the Fund Reserve Specifics at any time by an affirmative vote of the majority of the Council duly assembled.

Use of Reserve Funds

Reserve funds to be expended in a given year may be budgeted and appropriated as a part of a budget or budget amendment. The reserve to be used will be shown as a revenue and the project for which the funds will be used will be shown as an expense.

Reserve funds may be utilized within a budget year at the discretion of the Town Manager, provided that:

- a. the threshold requiring the advertisement of a budget amendment is not met and
- b. a full accounting of the expenditure or proposed expenditure is provided to the Council for review at its next regularly scheduled meeting.

Reserve funds may be utilized within a budget year at the discretion of the Council, provided that the use is approved by an affirmative vote of the majority of the Council duly assembled, and all budget amendment advertising requirements are met, if applicable.

Reporting

The Treasurer will provide the Council with an up-to-date account of reserves as a part of the Treasurer's monthly Town Council meeting packet report.

Budgeted Fund Reserve Use in FY25 Budget

Budgeted Fund Reserve Use in FY25 Budget

General Fund

Property Improvements and Maintenance Reserve

Reserve will be reduced by \$600,000

Remaining balance in reserve: \$650,000

Use: Repair of livery/23 East Main Street, purchase and siting of a bathroom for Rose Hill Park, design and construction of a new pedestrian bridge in Rose Hill Park, exterior repair work and painting of the Smithy Cottage, and other property maintenance work.

Downtown Improvement Reserve

Reserve will be reduced by \$50,000

Remaining balance in reserve: \$175,000

Use: Purchase and installation of wayfinding signage.

John H. Enders Vol. Fire Dept. Reserve

Reserve will be reduced by \$70,000

Remaining balance in reserve: \$0

Use: Transferred to JHEVFD for use in equipment purchase.

Sewer Fund

Wastewater Treatment Plant Reserve

Reserve will be reduced by \$361,000

Remaining balance in reserve: \$2,714,000

Use: Purchase and installation of a permeate pump, repair of the membrane tank gantry crane, installation of a bar screen, and completion of other maintenance projects.

**Motion for Approval
2024-2025 Fiscal Year Budget
of the Town of Berryville**

Date: June 11, 2024

Motion By:

I hereby move that the Council of the Town of Berryville adopt the attached budget for fiscal year 2024-2025, an approved copy of which shall be incorporated into the and become a part of the official minutes of this meeting, and further as set forth in this approved budget shall hereby be appropriated for fiscal year 2024-2025.

VOTE

Aye:

Nay:

Absent:

Abstain:

ATTEST

Erecka Gibson, Vice Mayor

FY 24-25 BUDGET REVENUES

Account Number	Account Description	FY23-24 APPROVED 2023-2024		FY24-25 DRAFT 2024-2025	
GENERAL FUND					
	FUND BALANCE				
100-3000000-0000	FUND BALANCE FORWARD	\$	-	\$	558,169.00
	TOTAL FUND BALANCE	\$	-	\$	558,169.00
REVENUE FROM LOCAL SOURCES					
100-3110101-0000	CURRENT REAL ESTATE TAXES	\$	1,355,575.00	\$	1,355,575.00
100-3110102-0000	DEL REAL ESTATE TAXES	\$	-	\$	-
100-3110201-0000	UTILITY REAL ESTATE TAXES	\$	11,200.00	\$	11,200.00
100-3110301-0000	CURRENT PERS PROP TAXES	\$	410,000.00	\$	600,000.00
100-3110302-0000	DEL PERS PROP TAXES	\$	-	\$	-
100-3110303-0000	REFUSE COLLECTION(EXTRA TOTERS)	\$	13,000.00	\$	13,000.00
100-3110401-0000	MACHINERY & TOOLS	\$	175,000.00	\$	180,000.00
100-3110601-0000	TAX PENALTIES	\$	8,000.00	\$	8,000.00
100-3110602-0000	TAX INTEREST	\$	2,000.00	\$	3,500.00
	TOTAL REV FROM LOCAL SOURCES	\$	1,974,775.00	\$	2,171,275.00
OTHER LOCAL TAXES					
100-3120101-0000	LOCAL SALES TAX	\$	280,000.00	\$	325,000.00
100-3120201-0000	CONSUMER UTILITY TAX	\$	100,000.00	\$	110,000.00
100-3120300-0000	BUSINESS LICENSE		240,000.00	\$	280,000.00
100-3120402-0000	REC FRANCHISE FEES	\$	35,000.00	\$	43,000.00
100-3120501-0000	AUTO LICENSE	\$	102,000.00	\$	102,000.00
100-3120601-0000	BANK FRANCHISE TAXES	\$	150,000.00	\$	175,000.00
100-3120801-0000	CIGARETTE TAX (10%)	\$	13,000.00	\$	13,000.00
100-3121001-0000	LODGING TAX (2%)	\$	10,000.00	\$	10,000.00
100-3121101-0000	MEALS TAX (5%)	\$	400,000.00	\$	430,000.00
	TOTAL OTHER LOCAL TAXES	\$	1,330,000.00	\$	1,488,000.00
PERMITS, FEES & LICENSES					
100-3130304-0000	LAND USE APPLICATION FEES	\$	1,000.00	\$	1,000.00
100-3130307-0000	ZONING & SUBDIVISION FEES	\$	10,000.00	\$	10,000.00
	TOTAL PERMITS, FEES & LICENSES	\$	11,000.00	\$	11,000.00
FINES & FORFEITURES					
100-3140101-0000	COURT FINES	\$	12,000.00	\$	12,000.00
100-3140102-0000	PARKING METER FINES	\$	2,000.00	\$	2,000.00
100-3140103-000	ESUMMONS	\$	1,000.00	\$	500.00
	TOTAL FINES & FORFEITURES	\$	15,000.00	\$	14,500.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
REVENUE FROM MONEY OR PROP			
100-3150101-0000	INTEREST ON DEPOSITS	\$ 95,000.00	\$ 105,000.00
100-3150201-0000	RENTAL OF PROPERTY	\$ 12,500.00	\$ 13,500.00
100-3150205-0000	WATER TANK SITE LEASE	\$ 86,000.00	\$ 92,000.00
100-3150206-0000	CHARGE CARD REBATE	\$ 17,000.00	\$ 14,000.00
	TOTAL FROM MONEY OR PROP	\$ 210,500.00	\$ 224,500.00
CHARGES FOR SERVICES			
100-3160703-0000	PARKING METERS	\$ 8,000.00	\$ 10,000.00
100-3161502-0000	SALE OF PUBLICATIONS	\$ -	\$ -
	TOTAL CHARGES FOR SERVICES	\$ 8,000.00	\$ 10,000.00
MISCELLANEOUS REVENUES			
100-3189905-0000	SALE OF SURPLUS	\$ 5,000.00	\$ 5,000.00
	TOTAL MISC REVENUES	\$ 5,000.00	\$ 5,000.00
TOTAL LOCAL REVENUES		\$ 3,554,275.00	\$ 4,482,444.00

REVENUE FROM THE COMMONWEALTH			
NON-CATEGORICAL AID			
100-3220107-0000	ROLLING STOCK TAX	\$ 1,850.00	\$ 1,900.00
100-3189999-0000	PPTRA	\$ 209,917.00	\$ 209,917.00
100-3220201-0000	COMMUNICATION TAX	\$ 65,000.00	\$ 62,000.00
100-3220106-0000	ARPA FUNDS (2ND TRANCHE)	\$ -	\$ -
	TOTAL NON-CATEGORICAL AID	\$ 276,767.00	\$ 273,817.00
CATEGORICAL AID			
100-3220108-0000	599 LAW ENFORCEMENT GRANT	\$ 90,600.00	\$ 95,000.00
100-3240103-0000	LE BLOCK GRANT	\$ 1,000.00	\$ 1,000.00
100-3240201-0000	FIRE FUND PROGRAM	\$ 15,250.00	\$ 15,250.00
100-3240300-0000	VDOT LANE MILE ALLOWANCE	\$ 503,000.00	\$ 635,000.00
100-3240301-0000	VDOT PRIM RD SNOW REMOVAL REIMB	\$ 55,555.00	\$ 60,000.00
100-3240302-0000	LITTER CONTROL GRANT	\$ 2,500.00	\$ 4,000.00
100-3240312-0000	VA COMMISSION FOR THE ARTS	\$ 4,500.00	\$ 4,500.00
100-3240710-0000	DMV ANIMAL FRIENDLY PLATES	\$ -	\$ -
	TOTAL CATEGORICAL AID	\$ 672,405.00	\$ 814,750.00
TOTAL FROM THE COMMONWEALTH		\$ 949,172.00	\$ 1,088,567.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
REVENUE FROM THE FEDERAL GOVERNMENT			
CATEGORICAL AID			
100-3340102-0000	FEDERAL FIRE FUND PROGRAM	\$ -	\$ -
100-3340311-0000	FEDERAL EMERGENCY R&R	\$ -	\$ -
	TOTAL CATEGORICAL AID	\$ -	\$ -
TOTAL FROM FEDERAL GOVERNMENT		\$ -	\$ -
REVENUE FROM OTHER SOURCES			
NON-REVENUE RECEIPTS			
100-3410201-0000	MISCELLANEOUS REVENUES	\$ 1,000.00	\$ 1,000.00
	TOTAL FROM OTHER SOURCES	\$ 1,000.00	\$ 1,000.00
TOTAL FROM OTHER SOURCES		\$ 1,000.00	\$ 1,000.00
TOTAL GENERAL FUND REVENUES		\$ 4,504,447.00	\$ 5,572,011.00
WATER FUND			
FUND BALANCE			
501-3000000-0000	FUND BALANCE	\$ 615,000.00	\$ -
	TOTAL FUND BALANCE	\$ 615,000.00	\$ -
REVENUE FROM MONEY OR PROP			
501-3150102-0000	INTEREST ON INVESTMENTS	\$ 65,000.00	\$ 130,000.00
	TOTAL FROM USE OF MONEY OR PROP	\$ 65,000.00	\$ 130,000.00
CHARGES FOR SERVICES			
501-3160110-0000	TREATMENT FEES	\$ 1,200,000.00	\$ 1,324,000.00
501-3160111-0000	DELINQUENT ACCT PENALTIES	\$ 40,000.00	\$ 40,000.00
501-3160113-0000	AVAILABILITY CHARGES	\$ 30,500.00	\$ -
501-3160114-0000	CONNECTION CHARGES	\$ -	\$ -
501-3160115-0000	METER FEES	\$ 1,000.00	\$ -
501-3160116-000	LOAN PROCEEDS	\$ 1,200,000.00	\$ 5,000,000.00
	TOTAL CHARGES FOR SERVICES	\$ 2,471,500.00	\$ 6,364,000.00
TOTAL WATER FUND		\$ 3,151,500.00	\$ 6,494,000.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024		FY24-25 DRAFT 2024-2025	
SEWER FUND					
FUND BALANCE					
502-3000000-0000	FUND BALANCE	\$	1,095,000.00	\$	360,300.00
	TOTAL FUND BALANCE	\$	1,095,000.00	\$	360,300.00
REVENUE FROM MONEY OR PROP					
502-3150101-0000	INTEREST INCOME	\$	35,000.00	\$	155,000.00
	TOTAL REVENUE FROM MONEY OR PROP	\$	35,000.00	\$	155,000.00
CHARGES FOR SERVICES					
502-3160110-0000	TREATMENT FEES	\$	1,800,000.00	\$	2,012,000.00
502-3160112-0000	SECURITY DEPOSITS	\$	-	\$	-
502-3160113-0000	AVAILABILITY CHARGES	\$	32,750.00	\$	-
	TOTAL CHARGES FOR SERVICES	\$	1,832,750.00	\$	2,012,000.00
REVENUE FROM OTHER SOURCES					
NON-REVENUE RECEIPTS					
502-3410401-0000	VRA LOAN	\$	-	\$	-
502-3410402-0000	WQIF Grant	\$	-	\$	-
502-3410404-0000	NUTRIENT CREDIT REBATE		500.00	\$	500.00
	TOTAL NON-REVENUE RECEIPTS	\$	500.00	\$	500.00
	TOTAL FROM OTHER SOURCES	\$	500.00	\$	500.00
	TOTAL SEWER FUND	\$	2,963,250.00	\$	2,527,800.00
	TOTAL REVENUES ALL FUNDS	\$	10,619,197.00	\$	14,593,811.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
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FY 24-25 BUDGET EXPENSES

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
GENERAL FUND			
TOWN COUNCIL			
100-4011100-1111	EXPENSE COMPENSATION	\$ 18,900.00	\$ 18,900.00
100-4011100-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 1,450.00	\$ 1,450.00
100-4011100-5540	TRAINING	\$ 4,000.00	\$ 400.00
100-4011100-5699	LOCAL CONTRIBUTIONS	\$ -	\$ 5,000.00
100-4011100-5800	MISCELLANEOUS	\$ 5,000.00	\$ 5,000.00
100-4011100-5810	DUES	\$ 3,000.00	\$ 3,000.00
100-4011100-6017	TOWN CODE SUPPLEMENTS	\$ 2,000.00	\$ 2,000.00
100-4011100-6018	STATE CODE SUPPLEMENTS	\$ -	\$ -
	TOTAL TOWN COUNCIL	\$ 34,350.00	\$ 35,750.00
TOWN CLERK			
100-4011200-1114	SALARIES/WAGES/TNCLK	\$ 52,100.00	\$ 53,100.00
100-4011200-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 4,100.00	\$ 4,350.00
100-4011200-5510	MILEAGE	\$ 250.00	\$ 250.00
100-4011200-5540	EDUCATION/TRAINING	\$ 1,000.00	\$ 1,000.00
100-4011200-5810	DUES	\$ 100.00	\$ 100.00
	TOTAL TOWN CLERK	\$ 57,550.00	\$ 58,800.00
OFFICE OF TOWN MANAGER/DEP TM			
100-4012110-1112	COMPENSATION	\$ 83,000.00	\$ 240,000.00
100-4012110-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 6,500.00	\$ 18,000.00
100-4012110-3399	BLIGHT ABATEMENT	\$ 50,000.00	\$ 50,000.00
100-4012110-5230	TELECOMMUNICATIONS	\$ 600.00	\$ 1,200.00
100-4012110-5510	MILEAGE	\$ 150.00	\$ 150.00
100-4012110-5540	TRAINING	\$ 1,000.00	\$ 1,000.00
100-4012110-5810	DUES	\$ 750.00	\$ 750.00
	TOTAL TOWN MANAGER	\$ 142,000.00	\$ 311,100.00
LEGAL SERVICES			
100-4012210-3150	PROFESSIONAL SERVICES	\$ 50,000.00	\$ 50,000.00
	TOTAL LEGAL SERVICES	\$ 50,000.00	\$ 50,000.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
PERSONNEL			
100-4012220-2210	VRS	\$ 169,000.00	\$ 205,000.00
100-4012220-2220	VMLIP - STD	\$ 650.00	\$ 670.00
100-4012220-2230	VMLIP - LTD	\$ 6,900.00	\$ 8,800.00
100-4012220-2250	Line of Duty Act	\$ 8,500.00	\$ 8,200.00
100-4012220-2300	HEALTH INSURANCE	\$ 227,000.00	\$ 265,000.00
100-4012220-2400	LIFE INSURANCE	\$ 17,400.00	\$ 21,000.00
100-4012220-2600	UNEMPLOYMENT INSURANCE	\$ 230.00	\$ 180.00
100-4012220-2700	WORKER'S COMPENSATION	\$ 35,000.00	\$ 35,000.00
100-4012220-3110	RANDOM DRUG SCREENING	\$ 750.00	\$ 750.00
100-4012220-9001	EMPLOYEE RECOGNITION	\$ 2,000.00	\$ 2,000.00
	TOTAL PERSONNEL	\$ 467,430.00	\$ 546,600.00
INDEPENDENT AUDITOR			
100-4012240-3120	CONTRACTUAL SERVICES	\$ 20,000.00	\$ 21,000.00
	TOTAL INDEPENDENT AUDITOR	\$ 20,000.00	\$ 21,000.00
TOWN TREASURER			
100-4012410-1113	COMPENSATION	\$ 85,500.00	\$ 92,000.00
100-4012410-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 6,700.00	\$ 9,100.00
100-4012410-3130	PROFESSIONAL SER/TAX CONV	\$ 2,500.00	\$ 2,500.00
100-4012410-3150	PROFESSIONAL SER/VEC	\$ -	\$ -
100-4012410-5306	SURETY BONDS	\$ 500.00	\$ 500.00
100-4012410-5540	TRAINING	\$ 2,000.00	\$ 2,000.00
100-4012410-5810	DUES	\$ 1,000.00	\$ 1,000.00
100-4012410-6015	AUTO DECALS	\$ -	\$ -
100-4012410-6020	CIGARETTE TAX IMPS	\$ -	\$ -
	TOTAL TOWN TREASURER	\$ 98,200.00	\$ 107,100.00
FINANCE/ACCOUNTING			
100-4012430-1113	COMPENSATION	\$ 130,000.00	\$ 131,000.00
100-4012430-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 9,700.00	\$ 10,000.00
100-4012430-5540	TRAINING	\$ 3,400.00	\$ 3,400.00
	TOTAL FINANCE/ACCOUNTING	\$ 143,100.00	\$ 144,400.00
CENTRAL ADM/PURCHASING			
100-4012530-3320	MAINTENANCE CONTRACTS	\$ 52,250.00	\$ 69,000.00
100-4012530-3400	WEB SITE	\$ 1,000.00	\$ 1,000.00
100-4012530-3450	DIGITIZING	\$ 7,000.00	\$ 7,000.00
100-4012530-3501	NEWSLETTER	\$ 1,000.00	\$ 1,000.00
100-4012530-3600	ADVERTISING	\$ 8,000.00	\$ 8,000.00
100-4012530-5210	POSTAGE	\$ 16,000.00	\$ 17,000.00
100-4012530-5230	TELECOMMUNICATIONS	\$ 4,300.00	\$ 4,500.00
100-4012530-5250	SOCIAL MEDIA ARCHIVING	\$ 3,300.00	\$ 3,300.00
100-4012530-5415	COPIER LEASE	\$ 5,100.00	\$ 5,300.00
100-4012530-5540	TRAINING	\$ 2,500.00	\$ 2,500.00
100-4012530-5699	CONTRIBUTION / CC SOCIAL MEDIA	\$ 5,000.00	\$ 5,000.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
100-4012530-5810	DUES	\$ 500.00	\$ 500.00
100-4012530-6001	OFFICE SUPPLIES	\$ 15,000.00	\$ 17,000.00
	TOTAL CENTRAL ADM/PURCHASING	\$ 120,950.00	\$ 141,100.00
	RISK MANAGEMENT		
100-4012550-5304	BLANKET EXCESS LIABILITY	\$ 16,000.00	\$ 16,000.00
100-4012550-5305	AUTOMOBILE INSURANCE	\$ 13,000.00	\$ 15,500.00
100-4012550-5308	SEMI-MULTI PERIL INS	\$ 36,500.00	\$ 43,000.00
100-4012550-5800	INSURANCE DEDUCTABLES	\$ -	\$ -
	TOTAL RISK MANAGEMENT	\$ 65,500.00	\$ 74,500.00
	ENGINEERING SERVICES		
100-4012600-3140	ENGINEERING SERVICES	\$ 5,000.00	\$ 5,000.00
	TOTAL ENGINEERING SERVICES	\$ 5,000.00	\$ 5,000.00
	ELECTIONS		
100-4013100-1125	ELECTION OFFICIALS	\$ 2,500.00	\$ 3,500.00
100-4013100-6001	OFFICE SUPPLIES	\$ 1,500.00	\$ 1,500.00
	TOTAL ELECTIONS	\$ 4,000.00	\$ 5,000.00
	PUBLIC DEFENDER FEES		
100-4021500-3150	PUBLIC DEFENDER FEES	\$ 2,000.00	\$ 2,000.00
	TOTAL PUBLIC DEFENDER FEES	\$ 2,000.00	\$ 2,000.00
	POLICE DEPARTMENT		
100-4031100-1139	COMPENSATION	\$ 700,500.00	\$ 794,400.00
100-4031100-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 54,000.00	\$ 60,500.00
100-4031100-3110	MEDICAL EXAMINATION	\$ 900.00	\$ 500.00
100-4031100-3115	PRE EMPLOYMENT SCREENING	\$ 250.00	\$ 2,000.00
100-4031100-3190	INTERPRETER	\$ 400.00	\$ 400.00
100-4031100-3310	VEHICLE REPAIR & MAINTENANCE	\$ 12,000.00	\$ 16,000.00
100-4031100-3320	MAINTENANCE CONTRACTS	\$ 40,100.00	\$ 34,300.00
100-4031100-4081	RICH RAU SAFETY EQUIP & EDUCATION	\$ 5,000.00	\$ 5,000.00
100-4031100-4082	WILDLIFE MANAGEMENT	\$ 250.00	\$ 250.00
100-4031100-5210	POSTAGE	\$ 500.00	\$ 500.00
100-4031100-5230	TELECOMMUNICATIONS	\$ 3,000.00	\$ 5,600.00
100-4031100-5415	COPIER LEASE	\$ 4,400.00	\$ 5,300.00
100-4031100-5540	TRAINING	\$ 19,000.00	\$ 16,000.00
100-4031100-5545	OFFICE ACCREDIATION	\$ 500.00	\$ 500.00
100-4031100-5810	DUES	\$ 850.00	\$ 850.00
100-4031100-5815	COMMUNITY RELATIONS	\$ 2,000.00	\$ 2,000.00
100-4031100-6001	OFFICE SUPPLIES	\$ 1,600.00	\$ 1,800.00
100-4031100-6008	VEHICLE GASOLINE & OIL	\$ 20,000.00	\$ 20,000.00
100-4031100-6010	POLICE SUPPLIES	\$ 13,500.00	\$ 14,000.00
100-4031100-6011	UNIFORMS	\$ 3,000.00	\$ 5,000.00
100-4031100-6012	RECRUITMENT/ADVERTISING	\$	\$ 2,000.00
	TOTAL POLICE DEPARTMENT	\$ 881,750.00	\$ 986,900.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
	TRAFFIC CONTROL		
100-4031300-5699	COUNTY CONT/CROSSING GD	\$ 2,500.00	\$ 2,500.00
	TOTAL TRAFFIC CONTROL	\$ 2,500.00	\$ 2,500.00
	EMERGENCY SERVICES		
100-4031400-5699	CONTRIBUTION/CC CENT ALRM	\$ 5,000.00	\$ 5,000.00
	TOTAL EMERGENCY SERVICES	\$ 5,000.00	\$ 5,000.00
	VOLUNTEER FIRE DEPARTMENT		
100-4032200-5699	CONTRIBUTION/JHEVFD	\$ 30,000.00	\$ 30,000.00
100-4032200-5707	FIRE FUND PROGRAM	\$ 18,500.00	\$ 22,000.00
100-4032200-8411	CAPITAL PROJECT	\$ 10,000.00	\$ 80,000.00
	TOTAL VOLUNTEER FIRE DEPT	\$ 58,500.00	\$ 132,000.00
	CORRECTION & DETENTION		
100-4033200-5550	CONFINEMENT OF PRISONERS	-	-
	TOTAL CORRECTION & DETENTION	\$ -	\$ -
	PUBLIC WORKS ADMINISTRATION		
100-4041100-1140	COMPENSATION	\$ 38,000.00	\$ 61,500.00
100-4041100-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 2,900.00	\$ 4,700.00
100-4041100-3110	MEDICAL EXAMS	\$ 1,000.00	\$ 1,000.00
100-4041100-3310	VEHICLE REP & MAINTENANCE	\$ 11,000.00	\$ 11,000.00
100-4041100-5120	FUEL OIL/HEAT	\$ 3,000.00	\$ 3,000.00
100-4041100-5230	TELECOMMUNICATIONS	\$ 8,000.00	\$ 8,000.00
100-4041100-5415	COPIER LEASE	\$ 2,700.00	\$ 4,200.00
100-4041100-5540	TRAINING	\$ 6,000.00	\$ 4,000.00
100-4041100-6001	OFFICE SUPPLIES	\$ 500.00	\$ 500.00
	TOTAL PUBLIC WORKS ADMINISTRATION	\$ 73,100.00	\$ 97,900.00
	HWYS, STS BRIDGES & SDWLKS		
100-4041200-1183	COMPENSATION	\$ 191,000.00	\$ 205,000.00
100-4041200-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 14,800.00	\$ 16,000.00
100-4041200-3310	EQUIPMENT MAINTENANCE	\$ 12,000.00	\$ 18,000.00
100-4041200-3311	STREET TREES/SIDEWALKS	\$ 15,000.00	\$ 15,000.00
100-4041200-3315	SIDEWALK MAINTENANCE	\$ 16,000.00	\$ 16,000.00
100-4041200-3316	STREET SIGN MAINTENANCE	\$ -	\$ -
100-4041200-5425	NORFOLK/SOUTHERN R-O-W'S	\$ 1,200.00	\$ 1,200.00
100-4041200-6007	MATERIALS & SUPPLIES	\$ 6,000.00	\$ 8,000.00
100-4041200-6008	VEHICLE GASOLINE & OIL	\$ 24,000.00	\$ 24,000.00
100-4041200-6011	UNIFORMS	\$ 6,000.00	\$ 6,000.00
	TOTAL HWYS, STS BRIDGES & SWLKS	\$ 286,000.00	\$ 309,200.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
VDOT STREET MAINTENANCE			
100-4041250-3140	ENGINEERING	\$ 10,000.00	\$ 50,000.00
100-4041250-3310	EQUIPMENT MAINTENANCE	\$ 15,000.00	\$ 20,000.00
100-4041250-3311	STORM SEWER MAINTENANCE	\$ 15,000.00	\$ 20,000.00
100-4041250-3316	SIGN MAINTENANCE	\$ 10,000.00	\$ 10,000.00
100-4041250-5800	CONTINGENCY	\$ 25,000.00	\$ 27,000.00
100-4041250-6007	MATERIALS AND SUPPLIES	\$ 10,000.00	\$ 10,000.00
100-4041250-6050	STREET MAINTENANCE	\$ 125,000.00	\$ 135,000.00
100-4041250-6060	SIDEWALK REPLACEMENT	\$ 45,000.00	\$ 45,000.00
100-4041250-6135	MOWING/TREE REMOVAL	\$ 15,000.00	\$ 15,000.00
100-4041250-6207	STREET SWEEPING	\$ 18,000.00	\$ 18,000.00
100-4041250-6307	SNOW REMOVAL	\$ 60,000.00	\$ 180,000.00
100-4041250-8801	EQUIPMENT PURCHASE	\$ -	\$ 50,000.00
100-4041250-8803	PW SITE IMPROVEMENTS	\$ 150,000.00	\$ 50,000.00
100-4041250-8804	SAFETY EQUIPMENT	\$ 5,000.00	\$ 5,000.00
	TOTAL VDOT STREET MAINTENANCE	\$ 503,000.00	\$ 635,000.00
STREET LIGHTS			
100-4041320-5110	ELECTRICITY	\$ 90,000.00	\$ 90,000.00
	TOTAL STREET LIGHTS	\$ 90,000.00	\$ 90,000.00
SNOW REMOVAL - DOWNTOWN			
100-4041330-3220	CONTRACTUAL SERVICES	\$ 20,000.00	\$ 20,000.00
100-4041330-6007	MATERIALS & SUPPLIES	\$ 2,000.00	\$ 2,000.00
	TOTAL SNOW REMOVAL DOWNTOWN	\$ 22,000.00	\$ 22,000.00
PARKING METERS & LOTS			
100-4041340-6007	MATERIALS & SUPPLIES	\$ 2,000.00	\$ 3,000.00
	TOTAL PARKING METERS & LOTS	\$ 2,000.00	\$ 3,000.00
REFUSE COLLECTION			
100-4042300-3220	CONTRACTUAL SERVICES	\$ 240,000.00	\$ 250,000.00
100-4042300-6225	RECYCLING SERVICES	\$ 110,000.00	\$ 120,000.00
	TOTAL REFUSE COLLECTION	\$ 350,000.00	\$ 370,000.00
REFUSE DISPOSAL			
100-4042400-3800	FCO LANDFILL CHARGES	\$ 50,000.00	\$ 30,000.00
	TOTAL REFUSE DISPOSAL	\$ 50,000.00	\$ 30,000.00
GENERAL PROPERTIES			
100-4043200-3310	IMPROVEMENT,REPAIR,MAINTENANCE	\$ 47,000.00	\$ 50,000.00
100-4043200-3325	HERMITAGE SWPOND MAINT	\$ 4,100.00	\$ 5,400.00
100-4043200-6007	MATERIALS & SUPPLIES	\$ 500.00	\$ 500.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
100-4043200-6017	CHRISTMAS WREATHS	\$ 500.00	\$ 500.00
	TOTAL GENERAL PROPERTIES	\$ 52,100.00	\$ 56,400.00
	BUILDING SERVICES		
100-4064200-3150	PROFESSIONAL SERVICES	\$ 1,000.00	\$ 1,000.00
100-4064200-3200	CONTRACTURAL SERVICES	\$ 10,000.00	\$ 12,000.00
100-4064200-5110	ELECTRICITY	\$ 20,100.00	\$ 22,500.00
100-4064200-5120	NATURAL GAS/HEAT	\$ 3,000.00	\$ 3,100.00
100-4064200-5130	WATER/SEWER	\$ 800.00	\$ 1,000.00
100-4064200-5230	TELECOMMUNICATIONS	\$ 1,500.00	\$ 1,500.00
100-4064200-5304	LIABILITY INSURANCE	\$ 1,500.00	\$ 1,500.00
100-4064200-7113	IN KIND COSTS	\$ 13,000.00	\$ 13,000.00
100-4064200-7115	SHARED MAINTENANCE	\$ 19,000.00	\$ 20,000.00
100-4064200-8411	CAPITAL ASSET RESERVES	\$ 10,000.00	\$ 10,000.00
	TOTAL BUILDING SERVICES	\$ 79,900.00	\$ 85,600.00
	PARKS & RECREATION		
100-4071310-3160	CONTRACTURAL SER/JN BLUE	\$ 1,000.00	\$ 1,000.00
100-4071310-6017	CHRISTMAS LIGHTS	\$ 3,500.00	\$ 3,500.00
100-4071310-6018	ROSE HILL PARK MAINTENANCE	\$ 15,000.00	\$ 10,000.00
	TOTAL PARKS & RECREATION	\$ 19,500.00	\$ 14,500.00
	PLANNING		
100-4081100-1155	COMPENSATION	\$ 97,000.00	\$ 129,000.00
100-4081100-2100	MATCHING FICA EXPENSE (7.65%)	\$ 7,500.00	\$ 9,900.00
100-4081100-3190	PROFESSIONAL SERVICES	\$ 3,000.00	\$ 8,000.00
100-4081100-3195	PREPAID APPLICATION REVIEW FEES	\$ -	\$ -
100-4081100-3500	PRINTING	\$ 250.00	\$ 250.00
100-4081100-5510	MILEAGE	\$ 100.00	\$ 100.00
100-4081100-5540	TRAINING	\$ -	\$ 3,000.00
100-4081100-5810	DUES	\$ -	\$ -
100-4081100-6001	OFFICE EQUIPMENT	\$ 100.00	\$ -
100-4081100-6012	PUBLICATIONS	\$ -	\$ -
	TOTAL PLANNING	\$ 107,950.00	\$ 150,250.00
	BOARD OF ZONING APPEALS		
100-4081400-1110	EXPENSE COMPENSATION	\$ 500.00	\$ 500.00
100-4081400-5540	TRAINING	\$ 750.00	\$ 750.00
	TOTAL BOARD OF ZONING APPEALS	\$ 1,250.00	\$ 1,250.00
	ECONOMIC DEVELOPMENT		
100-4081500-5411	WAYFINDING SIGNS	\$ -	\$ 50,000.00
100-4081500-5693	VA COMMISSION FOR ARTS FUNDING	\$ 4,500.00	\$ 4,500.00
100-4081500-5695	TOWN/COUNTY ECONOMIC DEV	\$ 20,500.00	\$ 21,500.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
100-4081500-5696	ECONOMIC DEVELOPMENT RESERVE	\$ 2,500.00	\$ 2,500.00
100-4081500-5699	DBI/ECO DEV PROF SERVICES	\$ -	\$ 2,000.00
100-4081500-5700	ANNEXATION AREA PROF SERVICES	\$ -	\$ -
	TOTAL ECONOMIC DEVELOPMENT	\$ 27,500.00	\$ 80,500.00
	PLANNING COMMISSION		
100-4081600-1111	EXPENSE COMPENSATION	\$ 5,000.00	\$ 5,000.00
100-4081600-5540	TRAINING	\$ 1,500.00	\$ 2,000.00
100-4081600-5810	DUES	\$ -	\$ -
	TOTAL PLANNING COMMISSION	\$ 6,500.00	\$ 7,000.00
	B'VILLE AREA DEV AUTHORITY		
100-4081700-1111	EXPENSE COMPENSATION	\$ 2,500.00	\$ 2,500.00
100-4081700-5540	TRAINING	\$ 1,000.00	\$ 1,000.00
100-4081700-5810	DUES	\$ -	\$ -
	TOTAL B'VILLE AREA DEV AUTHORITY	\$ 3,500.00	\$ 3,500.00
	ARCHITECTURAL REVIEW BOARD		
100-4081800-5540	TRAINING	\$ 500.00	\$ 500.00
	TOTAL ARCHITECTURAL REVIEW BD	\$ 500.00	\$ 500.00
	TREE BOARD		
100-4081900-5800	MISCELLANEOUS	\$ -	\$ -
	TOTAL TREE BOARD	\$ -	\$ -

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
CAPITAL OUTLAY			
100-4094200-8225	COMPUTER REPLACEMENT	\$ 35,000.00	\$ 3,500.00
100-4094200-8231	PATROL VEHICLE	\$ 57,500.00	\$ 62,000.00
100-4094200-8338	SNOW PLOW(S)	\$ -	\$ -
100-4094200-8340	MOWER	\$ -	\$ 12,000.00
100-4094200-8341	ROSE HILL PARK REPAIRS (PW)	\$ 30,000.00	\$ -
100-4094200-8345	PW TON DUMP	\$ -	\$ -
100-4094200-8411	CAPITAL RESERVE	\$ 196,238.10	\$ -
100-4094200-8602	3/4 TON TRUCK (PW)	\$ -	\$ -
100-4094200-8702	WAYFINDING SIGNS RESERVE	\$ -	\$ -
100-4094200-8803	PUBLIC WORKS SITE IMPROVEMENTS	\$ -	\$ -
100-4094200-8915	HOGAN'S ALLEY IMPROVEMENTS	\$ 10,000.00	\$ -
100-4094200-8918	ROSE HILL PARK MASTERPLAN	\$ -	\$ 600,000.00
100-4094200-8951	PD RADIO REPLACEMENT RESERVE	\$ -	\$ -
100-4094200-8959	CHRISTMAS DECORATIONS FOR STS(PW)	\$ -	\$ -
100-4094200-9002	JACKSON DR SWMA/DORSEY ST STMWTR	\$ -	\$ -
100-4094200-9003	BACKHOE (PW)	\$ -	\$ -
100-4094200-9004	MOSBY BOULEVARD SIDEWALK	\$ 10,000.00	\$ -
100-4094200-9005	FAIRFAX (E&W) SIDEWALK RESERVE	\$ 60,000.00	\$ 50,000.00
100-4094200-9006	SECOND STREET REPAIRS	\$ -	\$ -
100-4094200-9007	INTERVIEW ROOM AV (PD)	\$ 6,500.00	\$ -
100-4094200-9008	SALT BUILDING (PW)	\$ -	\$ -
100-4094200-9009	TOWN STREET REPAIRS	\$ 20,000.00	\$ -
	TOTAL CAPITAL OUTLAY	\$ 435,238.10	\$ 727,500.00
ARPA EXPENSES			
100-4094300-5700	ARPA EXPENSES	\$ -	\$ -
	TOTAL ARPA EXPENSES	\$ -	\$ -
CONTINGENCY			
100-4094300-5800	CONTINGENCY (3.00%)	\$ 114,978.90	\$ 137,561.00
	TOTAL CONTINGENCY	\$ 114,978.90	\$ 137,561.00
DEBT SERVICE			
100-4095000-9110	RDA PRINCIPAL	\$ 46,500.00	\$ 48,400.00
100-4095000-9120	RDA INTEREST	\$ 75,100.00	\$ 73,200.00
100-4095000-9130	RDA DEBT SER RESERVE	\$ -	\$ -
	TOTAL DEBT SERVICE	\$ 121,600.00	\$ 121,600.00
	TOTAL GENERAL FUND OPERATIONAL	\$ 3,832,630.00	\$ 4,585,350.00
	TOTAL GENERAL FUND CONTINGENCY	\$ 114,978.90	\$ 137,561.00
	TOTAL GENERAL FUND CAP OUTLAY	\$ 435,238.10	\$ 727,500.00
	TOTAL GENERAL FUND DEBT SERVICE	\$ 121,600.00	\$ 121,600.00
TOTAL GENERAL FUND EXPENSES		\$ 4,504,447.00	\$ 5,572,011.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
WATER FUND			
PERSONNEL			
501-4012220-1140	COMPENSATION	\$ 130,000.00	\$ 60,000.00
501-4012220-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 9,950.00	\$ 4,600.00
501-4012220-2210	VRS	\$ 79,000.00	\$ 60,000.00
501-4012220-2220	VMLIP - STD	\$ 300.00	\$ 240.00
501-4012220-2230	VMLIP - LTD	\$ 3,200.00	\$ 2,200.00
501-4012220-2300	HEALTH INSURANCE	\$ 105,500.00	\$ 93,000.00
501-4012220-2400	LIFE INSURANCE	\$ 7,500.00	\$ 6,000.00
501-4012220-2600	UNEMPLOYMENT INSURANCE	\$ 110.00	\$ 75.00
501-4012220-2700	WORKER'S COMPENSATION	\$ 21,000.00	\$ 24,000.00
501-4012220-3170	MISS UTILITY	\$ 1,750.00	\$ 1,750.00
501-4012220-3320	HANDHELD MAINT	\$ 5,000.00	\$ 5,000.00
501-4012220-3450	DIGITIZING	\$ 7,000.00	\$ 7,000.00
501-4012220-5210	POSTAGE	\$ 500.00	\$ 5,500.00
501-4012220-5540	TRAINING	\$ 2,500.00	\$ 2,500.00
501-4012220-6001	OFFICE SUPPLIES	\$ 2,000.00	\$ 4,500.00
TOTAL PERSONNEL		\$ 379,510.00	\$ 276,365.00
TREATMENT			
501-4012222-1147	COMPENSATION	\$ 273,000.00	\$ 290,000.00
501-4012222-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 21,000.00	\$ 22,000.00
501-4012222-2830	CERTIFICATION FEES	\$ 600.00	\$ 300.00
501-4012222-2840	STATE CONNECTION FEES	\$ 5,900.00	\$ 5,900.00
501-4012222-2850	LAB TESTING	\$ 11,000.00	\$ 15,000.00
501-4012222-3110	MEDICAL EXAMS	\$ 200.00	\$ 100.00
501-4012222-3145	PROFESSIONAL SERVICES	\$ 10,000.00	\$ 10,000.00
501-4012222-3210	SLUDGE REMOVAL	\$ 27,000.00	\$ 24,000.00
501-4012222-3220	CLEAN RIVER INTAKE	\$ 3,000.00	\$ 4,000.00
501-4012222-3310	REPAIR & MAINTENANCE	\$ 75,000.00	\$ 125,000.00
501-4012222-3510	CONSUMER CONFERENCE RPT	\$ 1,000.00	\$ -
501-4012222-5110	ELECTRICITY	\$ 70,000.00	\$ 70,000.00
501-4012222-5120	PROPANE HEAT WTP	\$ 7,200.00	\$ 4,000.00
501-4012222-5230	TELECOMMUNICATIONS	\$ 4,700.00	\$ 4,700.00
501-4012222-5415	COPIER LEASE	\$ 1,300.00	\$ 1,800.00
501-4012222-5540	TRAINING	\$ 3,500.00	\$ 3,500.00
501-4012222-5690	DISCHARGE PERMIT RENEWAL	\$ 3,000.00	\$ -
501-4012222-5810	DUES	\$ 1,000.00	\$ 400.00
501-4012222-6001	OFFICE SUPPLIES	\$ 1,000.00	\$ 400.00
501-4012222-6004	LAB SUPPLIES	\$ 7,000.00	\$ 20,000.00
501-4012222-6005	JANITORIAL SUPPLIES	\$ 1,300.00	\$ 1,000.00
501-4012222-6008	VEHICLE GASOLINE & OIL	\$ 7,200.00	\$ 7,200.00
501-4012222-6011	UNIFORMS	\$ 1,000.00	\$ 1,500.00
501-4012222-6014	TOOLS	\$ 1,000.00	\$ 750.00
501-4012222-6019	SAFETY EQUIPMENT	\$ 2,000.00	\$ 2,000.00
501-4012222-6020	PERSONAL EQUIPMENT	\$ 600.00	\$ -
501-4012222-6025	CHEMICALS	\$ 50,000.00	\$ 50,000.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
	TOTAL TREATMENT	\$ 589,500.00	\$ 663,550.00
	DISTRIBUTION & MAINTENANCE		
501-4012224-1183	COMPENSATION	\$ 192,000.00	\$ 205,000.00
501-4012224-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 14,700.00	\$ 15,700.00
501-4012224-3330	LINE REPAIR & MAINTENANCE	\$ 50,000.00	\$ 50,000.00
501-4012224-6007	MATERIALS & SUPPLIES	\$ 30,000.00	\$ 30,000.00
501-4012224-6019	SAFETY EQUIPMENT	\$ 700.00	\$ 700.00
501-4012224-6030	NEW SERVICE SUPPLIES	\$ 2,000.00	\$ 1,000.00
501-4012224-9008	STORAGE TANK MAINT CONTRACT	\$ 25,000.00	\$ 25,000.00
	TOTAL DISTRIBUTION & MAINT	\$ 314,400.00	\$ 327,400.00
	CAPITAL OUTLAY		
501-4094200-8102	TANK REPAIR & MAINTENANCE	\$ -	\$ -
501-4094200-8105	PICKUP (1/2)	\$ -	\$ 20,000.00
501-4094200-8118	WTP BACKWASH LAGOON REPAIR		
501-4094200-8144	WATER TREATMENT PLANT UPGRADES	\$ 1,200,000.00	\$ 5,000,000.00
501-4094200-8211	CAPITAL RESERVES	\$ 11,587.70	\$ -
501-4094200-8225	COMPUTER UPGRADE	\$ 3,000.00	\$ 3,500.00
501-4094200-8340	MOWER (1/3)	\$ -	\$ -
501-4094200-8345	PW ONE TON DUMP TRUCK	\$ -	\$ 20,500.00
501-4094200-8360	HANDHELD METER READER	\$ -	\$ -
501-4094200-8361	WATER DIST SYSTEM UPGRADES	\$ 400,000.00	\$ 144,665.55
501-4094200-8602	3/4 TON TRUCK	\$ -	\$ -
501-4094200-8605	WTP BUILDING MAINTENANCE		
501-4094200-8704	FINISH PUMP PROJECT	\$ 50,000.00	\$ -
501-4094200-8958	WATER METER REPLACEMENT	\$ 165,000.00	\$ -
501-4094200-9003	BACKHOE(PUMP)	\$ -	\$ -
501-4094200-9004	SECURITY IMPROVEMENTS	\$ -	\$ -
501-4094200-9005	WATER RIVER PUMP DISCONNECT ELIM	\$ -	\$ -
501-4094200-9006	WTP UPGRADE- PER		
	TOTAL CAPITAL OUTLAY	\$ 1,829,587.70	\$ 5,188,665.55
	CONTINGENCY		
501-4094300-5800	CONTINGENCY (3.00%)	\$ 38,502.30	\$ 38,019.45
	TOTAL CONTINGENCY	\$ 38,502.30	\$ 38,019.45
	TOTAL WATER FUND OPERATIONAL	\$ 1,283,410.00	\$ 1,267,315.00
	TOTAL WATER FUND CONTINGENCY	\$ 38,502.30	\$ 38,019.45
	TOTAL WATER FUND CAP OUTLAY	\$ 1,829,587.70	\$ 5,188,665.55
	TOTAL WATER FUND EXPENSES	\$ 3,151,500.00	\$ 6,494,000.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
SEWER FUND			
PERSONNEL			
502-4012220-1114	COMPENSATION	\$ 130,000.00	\$ 61,000.00
502-4012220-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 10,000.00	\$ 4,600.00
502-4012220-2210	VRS	\$ 54,300.00	\$ 60,100.00
502-4012220-2220	VMLIP - STD	\$ 200.00	\$ 237.00
502-4012220-2230	VMLIP - LTD	\$ 2,250.00	\$ 2,400.00
502-4012220-2300	HEALTH INSURANCE	\$ 73,000.00	\$ 91,500.00
502-4012220-2400	LIFE INSURANCE	\$ 5,600.00	\$ 6,100.00
502-4012220-2600	UNEMPLOYMENT INSURANCE	\$ 75.00	\$ 72.00
502-4012220-2700	WORKER'S COMPENSATION	\$ 14,000.00	\$ 17,000.00
502-4012220-3320	HANDHELD MAINT	\$ 5,000.00	\$ 5,000.00
502-4012220-3450	DIGITIZING	\$ 7,000.00	\$ 7,000.00
502-4012220-5210	POSTAGE	\$ 500.00	\$ 7,700.00
502-4012220-6001	OFFICE SUPPLIES	\$ 2,500.00	\$ 4,000.00
	TOTAL PERSONNEL	\$ 311,425.00	\$ 266,709.00
TREATMENT			
502-4012222-1147	COMPENSATION	275,000.00	\$ 290,000.00
502-4012222-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 21,000.00	\$ 22,000.00
502-4012222-2830	CERTIFICATION FEES	\$ 600.00	\$ 600.00
502-4012222-2850	LAB TESTING	\$ 33,000.00	\$ 40,000.00
502-4012222-3145	PROFESSIONAL SERVICES	\$ 18,000.00	\$ 108,000.00
502-4012222-3210	LANDFILL-SOLIDS DISPOSAL	\$ 85,000.00	\$ 90,000.00
502-4012222-3310	REPAIR & MAINTENANCE	\$ 174,000.00	\$ 374,030.00
502-4012222-5110	ELECTRICITY	\$ 145,000.00	\$ 155,000.00
502-4012222-5230	TELECOMMUNICATIONS	\$ 6,500.00	\$ 6,600.00
502-4012222-5415	COPIER LEASE	\$ 4,300.00	\$ 5,300.00
502-4012222-5540	TRAINING	\$ 3,000.00	\$ 3,000.00
502-4012222-5690	DISCHARGE PERMIT RENEWAL	\$ 3,500.00	\$ 3,500.00
502-4012222-5810	DUES	\$ 600.00	\$ 625.00
502-4012222-6001	OFFICE SUPPLIES	\$ 1,500.00	\$ 1,000.00
502-4012222-6004	LAB SUPPLIES	\$ 6,200.00	\$ 5,000.00
502-4012222-6005	JANITORIAL SUPPLIES	\$ 3,500.00	\$ 3,500.00
502-4012222-6008	VEHICLE GASOLINE & DIESEL FUEL	\$ 10,000.00	\$ 2,000.00
502-4012222-6011	UNIFORMS	\$ 1,000.00	\$ 1,500.00
502-4012222-6014	TOOLS	\$ 1,500.00	\$ 1,000.00
502-4012222-6019	SAFETY EQUIPMENT	\$ 2,500.00	\$ 2,000.00
502-4012222-6020	PERSONAL EQUIPMENT	\$ 800.00	\$ -
502-4012222-6025	CHEMICALS	\$ 120,000.00	\$ 170,000.00
	TOTAL TREATMENT	\$ 916,500.00	\$ 1,284,655.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
	DISTRIBUTION & MAINTENANCE		
502-4012224-1183	COMPENSATION	\$ 95,000.00	\$ 105,000.00
502-4012224-1183	MATCHING FICA EXPENSE (7.65 %)	\$ 7,500.00	\$ 8,000.00
502-4012224-3310	EQUIPMENT MAINTENANCE	\$ 5,000.00	\$ 5,000.00
502-4012224-3330	REPAIR & MAINTENANCE	\$ 15,000.00	\$ 25,000.00
502-4012224-6007	MATERIALS & SUPPLIES	\$ 3,000.00	\$ 3,000.00
502-4012224-6019	SAFETY EQUIPMENT	\$ 500.00	\$ 500.00
502-4012224-6030	NEW SERVICE SUPPLIES	\$ -	\$ -
	TOTAL DISTRIBUTION & MAINT	\$ 126,000.00	\$ 146,500.00
	CAPITAL OUTLAY		
502-4094200-8105	PICK UP	\$	\$ 20,000.00
502-4094200-8110	WWTP UPGRADES	\$ 775,000.00	\$ -
502-4094200-8134	SEWER COLLECTION SYSTEM REHAB	\$ 100,000.00	\$ 100,000.00
502-4094200-8225	COMPUTER REPLACEMENT/UPGRADE	\$ 3,000.00	\$ 3,500.00
502-4094200-8340	MOWER (1/3)	\$ -	\$ -
502-4094200-8345	PW ONE TON DUMP TRUCK	\$ -	\$ 20,500.00
502-4094200-8360	HANDHELD METER READER		
502-4094200-8367	SEWER JET RODDER		
502-4094200-8411	CAPITAL RESERVES	\$ 707.25	\$ -
502-4094200-8540	MEMBRANE REPLACEMENT RESERVE		
502-4094200-8545	MEMBRANE PRE-PURCHASE	\$ -	\$ -
502-4094200-8550	EQUIPMENT REPAIR RESERVE		
502-4094200-8602	3/4 TON PICKUP (1/3 VINTAGE)	\$ -	\$ -
502-4094200-9003	BACKHOE PUMP	\$ -	\$ -
502-4094200-9006	WWTP BLOWERT DISCONNECT	\$ -	\$ -
502-4094200-9007	WWTP PERMEATE PUMPS	\$ -	\$ 40,000.00
502-4094200-9008	HARMONIC BALANCER	\$ 70,000.00	\$ -
502-4094200-9009	BAR SCREEN WWTP	\$ 150,000.00	\$ -
502-4094200-9010	WWTP MEMBRANE BATTERY		\$ 125,000.00
	TOTAL CAPITAL OUTLAY	\$ 1,098,707.25	\$ 309,000.00
	CONTINGENCY		
502-4094300-5800	CONTINGENCY (3.00%)	\$ 40,617.75	\$ 50,936.00
	TOTAL CONTINGENCY	\$ 40,617.75	\$ 50,936.00
	DEBT SERVICE		
502-4095000-9118	VRA PRINCIPAL	\$ 470,000.00	\$ 470,000.00
	TOTAL DEBT SERVICE	\$ 470,000.00	\$ 470,000.00
	TOTAL SEWER FUND OPERATIONAL	\$ 1,353,925.00	\$ 1,697,864.00
	TOTAL SEWER FUND CONTINGENCY	\$ 40,617.75	\$ 50,936.00

Account Number	Account Description	FY23-24 APPROVED 2023-2024	FY24-25 DRAFT 2024-2025
	TOTAL SEWER FUND CAP OUTLAY	1,098,707.25 \$	309,000.00
	TOTAL SEWER FUND DEBT SERVICE	\$ 470,000.00 \$	470,000.00
	TOTAL SEWER FUND EXPENSES	\$ 2,963,250.00 \$	2,527,800.00
	TOTAL EXPENSES ALL FUNDS	\$ 10,619,197.00 \$	14,593,811.00

Report of the Department of Public Works

June 5, 2024

General Information

Stuart M. Perry was the low bidder for this year's milling, striping, and paving offering. We have been in contact with Perry's asphalt superintendent and they are planning to starting paving operations mid-June and be completed in mid-July. They will complete the work in two mobilizations. As soon as we have their schedule, we will post the information on the Town's webpage.

Public Works was able to complete the majority of our line and curb painting projects before Memorial Day weekend. We also refurnished the playground area and painted the equipment and repaired the picnic tables in Rose Hill Park.

Water

Public Works Department staff will be meeting with Mr. Dalton and other Town staff to discuss water distribution system improvements that the we hope to complete in the coming months. Once the project details are refined and a schedule for work established, notice will be provided to property owners who will be affected by the work.

Sewer

We experienced a pump station problem last month. The station's emergency stand-by generator failed to start during a routine maintenance check. The Town's generator maintenance contractor responded and found that the generator's battery and radiator need to be replaced. The required work will be completed when parts arrive.

Public Utilities Department Report
11 June 2024

Item Title: Department Update

Prepared By: Jean Petti

Water Treatment Plant Activity

Samples drawn 14 May 2024 for HAA5 screening revealed a value of 0.064 mg/L and 0.063 mg/L. This exceeds the primary maximum contaminant level of 0.060 mg/L and continues our exceedance. Notification of customers and posting of results will be performed under the direction of VDH.

The 2023 Annual Drinking Water report will be distributed with this month's utility invoices. Copies will be hand-delivered to non-billed consumers and the report will be posted on our website.

A chemist was retained in April to develop an optimized treatment protocol and train operators in monitoring raw water conditions. Virginia Department of Health has been conducting onsite visits and inspections. We are currently subject to rigorous water quality monitoring and are cooperating fully.

Routine lead sampling is underway. This requires 40 water customers to collect a sample upon first use of the day. Public Utilities staff is grateful for the cooperation of representative customers throughout the Town.

Wastewater Treatment Plant Activity With the assistance of Inboden Environmental Services (IES), our VADEQ Permit renewal, due July 2024, is completed and undergoing review. We anticipate no changes to the permit conditions or impediments to the renewal.

Many thanks are due to members of Public Works, who lifted and cleaned the membrane filters under the direction of Inboden.

Berryville Town Council Item Report Summary
June 11, 2024

Item Title

Staff Reports - Departmental Update

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. June2024_Council Memo
2. May 2024 Police and Security Report

Recommendation

Sample Motion



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: 06/06/2024
TO: Town Council
FROM: Chief W. Neal White
CC:
RE: Police Department Monthly Report – 06/11/2024

Monthly Activity Report

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

Public Safety Committee

The Public Safety Committee did not meet in May 2024.



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W. Neal White – Chief of Police

Police and Security Report

Month/Year: May	Year To Date 2024	May 2024	April 2024
<u>Complaints Answered</u>			
911 Hang Up:	10	3	5
Alarms:	28	4	7
Animal Complaint:	48	9	12
Assault:	7	2	2
Assist County:	59	21	17
Assist EMS and Fire:	57	17	11
Auto Larceny:	0	0	0
Burglary:	12	0	0
Civil Complaints:	52	13	13
Disturbance:	21	2	4
Domestic Disturbance:	12	4	3
Driving Under the Influence	4	0	1
Drunk In Public:	1	0	1
Fraud:	19	4	0
Larceny:	20	3	5
Harassment/Intimidation:	13	3	4
Homicide:	0	0	0
Identity Theft	1	1	0
Juvenile Related:	11	4	1
Mental Health Crisis:	24	5	4
Narcotics Related:	1	0	0
Noise	11	2	4
Public Service:	17	5	4
Sexual Assault:	0	0	0
Robbery:	2	0	2
Shoplifting:	0	0	0
Suspicious Activity:	74	8	20
Trespassing:	5	2	2
Vandalism:	15	2	4
Welfare Check:	39	8	9
Miscellaneous Complaints:	305	77	55
Total Complaints Answered:	868	199	190



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date	May	April
	2024	2024	2024
<u>Traffic</u>			
Accidents Investigated:	15	3	2
Assist Motorist:	0	0	0
Child Safety Seat Install:	1	0	0
Funeral Escort:	14	2	3
Hit & Run:	3	1	1
Parking Tickets:	10	1	0
Traffic Warnings:	256	51	70
<u>Traffic Summons Issued</u>			
Defective Equipment:	0	0	0
Driving Suspended:	4	2	2
Expired Inspection:	7	2	4
Expired Registration:	3	3	0
Fail to Obey Highway Sign:	36	12	8
Fail to Obey Traffic Signals:	0	0	0
Fail to Stop/Lights & Siren:	0	0	0
Fail to Yield Right of Way:	2	2	0
Hit and Run:	0	0	0
No Liability Insurance:	0	0	0
No Operator's License:	11	7	2
No Seat Belt:	0	0	0
Reckless Driving:	4	0	2
Speeding:	43	8	16
Miscellaneous Summons:	13	5	1
Total Traffic Summons Issued:	123	41	35
<u>Found Open at Businesses in Town</u>			
Doors:	2	1	0
Windows:	0	0	0
Garage Doors:	0	0	0



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policeadmin@berryvilleva.gov

W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date	May	April
	2024	2024	2024
<u>Criminal Papers Served</u>			
Abduction:	0	0	0
Arson:	0	0	0
Assault and Battery:	3	0	1
Assault and Battery on Police Officer:	3	0	0
Auto Larceny:	0	0	0
Breaking and Entering:	0	0	0
Capias:	4	1	1
Disorderly Conduct:	0	0	0
Driving Under the Influence:	4	0	1
Drunk In Public:	2	0	1
Fail to Obey Police Officer:	0	0	0
Fail to Pay Parking Ticket:	0	0	0
Forgery:	2	2	0
Fraud:	2	1	0
Homicide:	0	0	0
Illegal Drugs/Paraphernalia:	2	2	0
Larceny:	9	5	0
Possess Alcohol Underage:	0	0	0
Protective Order Violations:	1	0	1
Rape:	0	0	0
Resisting Arrest:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	1	0	0
Vandalism:	0	0	0
Weapons Violation:	1	0	1
Miscellaneous Criminal Arrests:	9	3	1
Juvenile Detention Order Totals:	0	0	0
Total Criminal Arrests:	43	14	7



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date	May	April
	2024	2024	2024
<u>Response to Resistance</u>			
Total Community Interface	1305	309	305
Total Enforcement Contacts	425	110	112
Physical Custody	17	4	4
Reported Force Involved	2	0	0
Administrative Review - Justified	2	0	0
Administrative Review - Not Justified	0	0	0
Complaint of Injury - Arrestee	0	0	0
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	0	0
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	9	3	4
Black Male	5	0	0
Other Male	0	0	0
White Female	8	1	0
Black Female	0	0	0
Other Female	0	0	0

Town Council Agenda Item Report Summary

June 11, 2024

Item Title

Community Development Update

Prepared By

Christy Dunkle

Planning Commission

The Planning Commission held a meeting on Tuesday, May 28, 2024 at 7:00 p.m. They held the following public hearings:

Rebekah Fowlds, Owner, is requesting a special use permit per Section 201.2(a) of the Berryville Zoning Ordinance in order to operate a home occupation (hair salon/personal services) at the property located at 108 Isaac Court, identified as Tax Map Parcel number 14A8-((4))-149, zoned R-1 Residential. SUP 02-24

Repeal and Readopt Section 322 Erosion & Sediment Control of the Berryville Zoning Ordinance

The Berryville Planning Commission is sponsoring text amendments to the Berryville Zoning Ordinance in order to repeal and readopt Section 322 Erosion and Sediment Control updating the ordinance to align with updated laws and regulations of the Commonwealth of Virginia Department of Environmental Quality. TA 01-24

Text Amendments establishing secondary public street widths and street light standards

The Berryville Planning Commission is sponsoring text amendments establishing street right-of-way widths and street light standards to Section 314.7(a) of the Berryville Zoning Ordinance and to Article IV, Section B of the Berryville Subdivision Ordinance. TA 02-24

Full staff reports and recommendations are included in this staff report.

The Planning Commission's next meeting is scheduled for Tuesday, June 25, 2024 at 7:00 p.m.

Berryville Area Development Authority

The BADA held a meeting on May 22, 2024. The contingently approved a minor subdivision for a property on South Church Street. They continued the residential component review of the Berryville Area Plan. Their next meeting is scheduled for Wednesday, June 26, 2024 at 1:00 p.m.

Architectural Review Board

The ARB held a meeting on June 5, 2024. They reviewed the following items:

Sign Review

Christina Kraybill (Berryville Main Street) is requesting a Certificate of Appropriateness for a projecting sign at the property located at 23 East Main Street, identified as Tax Map Parcel number 14A5-((A))-77 zoned C General Commercial. *Approved as presented.*

Architectural Review

Jonathan Fausey, Agent (VLM Properties, LLC), is requesting a Certificate of Appropriateness in order to construct an addition at the property located at 15 Academy Street, identified as Tax Map Parcel number 14A2-((A))-64, zoned C General Commercial. *Approved as presented.*

Their next meeting is scheduled for Wednesday, July 3, 2024 at 12:30 p.m.

Tree Board

The Tree Board has not met since the last Council meeting. Their July 3 meeting will be rescheduled due to the July 4 holiday.

Board of Zoning Appeals

The BZA held a meeting on Thursday, May 23, 2024. Gwen Malone and Gerald Dodson were reappointed as chair and vice chair, respectively. They heard the following variance request:

Bradley J. Gable and Melinda D. Gable, Owners, are requesting a variance from Section 604.5(b)(1), minimum lot width for an interior lot, of the Town of Berryville Zoning Ordinance in order to allow a minor subdivision of the property located at 512 and 516 South Church Street, identified as Tax Map Parcel number 14-((A))-43 zoned DR-4 Detached Residential-4. VR 01-24 *The request was approved.*

They do not have a meeting scheduled at this time.

Town Council Agenda Item Report Summary

June 11, 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

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.
- Concrete testing is ongoing to determine repairs to spalling sidewalks and driveways

Cash Balance Report

Period Ending 5/31/2024

Town of Berryville

6/5/2024 11:14 AM

Page 1/1

	Bank Information	Balance
1	Bank of Clarke Operating Acct#- 1138499	-\$76,210.94
2	Bank of Clarke NOW Acct#- 1138502	\$14,334,283.12
3	Bank of Clarke Payroll Acct#- 1139510	\$40,159.63
4	Bank of Clarke CIP Acct#- 1138405	\$10,498,882.90
5	Bank of Clarke SW Acct#- 1138413	\$480,430.84
6	Bank of Clarke PDAF Acct#- 1138421	\$27,374.32
7	Bank of Clarke DSR Acct#- 1138456	\$112,335.66
9	Bank of Clarke RAU Acct#- 1138472	\$949.40
10	Bank of Clarke VRA Reserve Acct#- 6041647	\$470,000.00
11	Bank of Clarke Proffer Reserve Acct#- 1897098	\$90,675.96
12	Bank of Clarke Performance Bonds Acct#- 1910841	\$11,307.98
13	TRUIST Acct#- 5137523525	\$568,587.75
14	Bank of Clarke PD Contributions Acct#- 5759859	\$6,121.06

Total Cash Balance:	\$26,564,897.68
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Check Listing

Date From: 5/1/2024 Date To: 5/31/2024
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville
06/05/2024 11:16 AM

Page: 1 of 3

Check Number	Bank	Vendor	Date	Amount
8932	1	Berryville Main Street	VOIDED 05/01/2024	<u>\$11,439.92</u>
8933	1	Commercial Press Inc	05/01/2024	<u>\$127.50</u>
8934	1	DS SERVICES OF AMERICA INC	05/01/2024	<u>\$16.23</u>
8935	1	DSS ENTERPRISES, LC	05/01/2024	<u>\$297.75</u>
8936	1	Hach Company	05/01/2024	<u>\$305.80</u>
8937	1	JONES JOSHUA WADE 9548	05/01/2024	<u>\$65.51</u>
8938	1	Keith Dalton	05/01/2024	<u>\$53.55</u>
8939	1	Minnesota Life Insurance Co.	05/01/2024	<u>\$254.94</u>
8940	1	MOYER CHRISTINE M 4627	05/01/2024	<u>\$65.45</u>
8941	1	UBEO MIDCO LLC	05/01/2024	<u>\$503.97</u>
8942	1	UNIVAR SOLUTIONS LLC	05/01/2024	<u>\$1,563.00</u>
8943	1	WASHINGTON FIRE PROTECTION ENG	05/01/2024	<u>\$910.00</u>
8944	1	Berryville Main Street	05/09/2024	<u>\$11,244.92</u>
8945	1	BROY & SON PUMP SERVICE INC	05/09/2024	<u>\$195.00</u>
8946	1	FRAZIER & FRAZIER INC	05/09/2024	<u>\$247.00</u>
8947	1	Jean Petti	05/09/2024	<u>\$50.00</u>
8948	1	Keith Dalton	05/09/2024	<u>\$50.00</u>
8949	1	Marsh & Legge Land Surveyors, P.L.C.	05/09/2024	<u>\$1,100.00</u>
8950	1	The Hall Company	05/09/2024	<u>\$1,903.78</u>
8951	1	The Winchester Star	05/09/2024	<u>\$1,487.20</u>
8952	1	Total Pest Services, Inc	05/09/2024	<u>\$300.00</u>
8953	1	Valley Automation	05/09/2024	<u>\$504.20</u>
8954	1	ANDERSON LAWN CARE, INC.	05/15/2024	<u>\$3,717.97</u>
8955	1	AT&T	05/15/2024	<u>\$618.52</u>
8956	1	Broy & Son Pump Service, Inc	05/15/2024	<u>\$25,933.55</u>
8957	1	COMBS WASTEWATER MANAGEMENT LLC	05/15/2024	<u>\$75.00</u>
8958	1	CORE & MAIN LP	05/15/2024	<u>\$13,277.62</u>
8959	1	DEHAVEN WILLIAM L 12148	05/15/2024	<u>\$12.89</u>
8960	1	DSS ENTERPRISES, LC	05/15/2024	<u>\$297.75</u>
8961	1	GAMETIME	05/15/2024	<u>\$3,043.49</u>
8962	1	Hach Company	05/15/2024	<u>\$191.70</u>
8963	1	Hall, Monahan, Engle, Mahan & Mitchell	05/15/2024	<u>\$2,367.50</u>

Check Listing

Date From: 5/1/2024 Date To: 5/31/2024
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville
06/05/2024 11:16 AM

Page: 2 of 3

Check Number	Bank	Vendor	Date	Amount
8964	1	James River Equipment	05/15/2024	\$5,399.62
8965	1	Lewin Asphalt, Inc	05/15/2024	\$1,147.80
8966	1	Lyndon Rosenberry	05/15/2024	\$75.00
8967	1	Michelle M. Jones	05/15/2024	\$2,053.70
8968	1	MILLER BENJAMIN LEE 10910	05/15/2024	\$92.29
8969	1	MUNICIPAL EMERGENCY SERVICES INC	05/15/2024	\$1,535.00
8970	1	NATIONAL CAPITAL INDUSTRIES IN	05/15/2024	\$34,987.54
8971	1	PENNONI ASSOCIATES INC	05/15/2024	\$190.00
8972	1	POLICE AND SHERRIFS PRESS	05/15/2024	\$17.60
8973	1	RADIAL TIRE DISTRIBUTORS	05/15/2024	\$924.44
8974	1	Select Specialty Products	05/15/2024	\$463.44
8975	1	THOMSON REUTERS	05/15/2024	\$109.20
8976	1	VALLEY REGIONAL ENTERPRISES, INC.	05/15/2024	\$50.00
8977	1	VIRGINIA NUTRIENT CREDIT EXCHANGE ASSOC	05/15/2024	\$625.00
8978	1	VUPS	05/15/2024	\$74.75
8979	1	Broy & Son Pump Service, Inc	05/23/2024	\$1,332.50
8980	1	CSM CRANE LLC	05/23/2024	\$5,262.30
8981	1	DS SERVICES OF AMERICA INC	05/23/2024	\$33.11
8982	1	LISA SNOOKS	05/23/2024	\$24.57
8983	1	PENNONI ASSOCIATES INC	05/23/2024	\$17,936.75
8984	1	Treasurer of Frederick County	05/23/2024	\$7,504.42
8985	1	UBEO MIDCO LLC	05/23/2024	\$30.00
8986	1	VIRASEC IT Support Services, Inc.	05/23/2024	\$3,029.44
8987	1	ALLAN MCWILLIAMS	05/30/2024	\$40.00
8988	1	ALLEN DARALYN BRAIG 9619	05/30/2024	\$46.30
8989	1	DANA LIBBY	05/30/2024	\$40.00
8990	1	Dandridge B. Allen	05/30/2024	\$40.00
8991	1	DIANE M HARRISON	05/30/2024	\$40.00
8992	1	DSS ENTERPRISES, LC	05/30/2024	\$297.75
8993	1	Gerald William Dodson	05/30/2024	\$40.00
8994	1	Gwen Malone	05/30/2024	\$115.00
8995	1	H. Allen Kitselman	05/30/2024	\$75.00

Check Listing

Date From: 5/1/2024 Date To: 5/31/2024
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville
06/05/2024 11:16 AM

Page: 3 of 3

Check Number	Bank	Vendor	Date	Amount
8996	1	Hach Company	05/30/2024	<u>\$2,572.50</u>
8997	1	Jeff Sheppard	05/30/2024	<u>\$173.34</u>
8998	1	JOHN E HUDSON	05/30/2024	<u>\$40.00</u>
8999	1	Michelle K. Marino	05/30/2024	<u>\$40.00</u>
9000	1	PETERS DYLAN LEO 10946	05/30/2024	<u>\$297.13</u>
9001	1	Thomas Randall Parker Jr.	05/30/2024	<u>\$40.00</u>
9002	1	WEED MAN	05/30/2024	<u>\$950.00</u>
9003	1	WILLIAM MITCHELL GILPIN	05/30/2024	<u>\$40.00</u>
9004	1	William Steinmetz	05/30/2024	<u>\$75.00</u>
9005	1	WILLIE JAY BRIGGS	05/30/2024	<u>\$40.00</u>
74	Checks Totaling -			\$170,122.20

Totals By Fund

	Checks	Voids	Total
100	\$101,757.37	\$11,244.92	\$90,512.45
501	\$54,081.54	\$195.00	\$53,886.54
502	\$14,283.29		\$14,283.29
Totals:	\$170,122.20	\$11,439.92	\$158,682.28

Purchasing Card

BERRYVILLE TOWN OF
May 01, 2024 - May 31, 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 05/31/24 Payment Due Date 06/25/24 Days in Billing Cycle 31 Credit Limit \$500,000 Cash Limit \$0 Total Payment Due \$95,380.28	Previous Balance \$74,129.52 Payments -\$74,129.52 Credits -\$17.34 Cash \$0.00 Purchases \$95,397.62 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 \$95,380.28

Important Messages

Please do not send payment. Your automatic payment is scheduled to be credited to this account on 06/25/24.

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				

7412952 9538028 9538028 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
May 01, 2024 - May 31, 2024

Total Payment Due \$95,380.28
Payment Due Date 06/25/24

Enter payment amount

\$

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>	<u>Outside the U.S.</u>
	1.888.449.2273	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
May 01, 2024 - May 31, 2024
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Cardholder Activity Summary

Account Number	Credits	Cash	Purchases and Other Debits	Total Activity
Credit Limit				
BOOR, RICK				
15,000	0.00	0.00	10,947.53	10,947.53
BOOTH, KEVIN				
1,000	0.00	0.00	904.79	904.79
BUSSERT, ERNIE				
47,425	0.00	0.00	643.02	643.02
COLE, HEIDI				
50,000	0.00	0.00	17,014.23	17,014.23
DALTON, KEITH				
50,000	0.00	0.00	31,141.87	31,141.87
DORSEY, DANIEL				
500	0.00	0.00	65.80	65.80
ELLIOTT, RALPH				
5,000	0.00	0.00	1,629.59	1,629.59
FERREBEE, DARRELL				
500	0.00	0.00	103.62	103.62
GREEN, CONNOR				
500	0.00	0.00	131.47	131.47
JOHNSON, KAREN				
1,000	0.00	0.00	430.62	430.62
LAMBERT, TRAE				
1	0.00	0.00	32.21	32.21
LINK, BRIAN				
5,000	0.00	0.00	673.04	673.04
MCCORMICK, HARRY				
500	7.34	0.00	7.34	0.00
PETTI, JEAN				
50,000	0.00	0.00	27,213.98	27,213.98
POULIN, CYNTHIA				
5,000	0.00	0.00	1,259.50	1,259.50
SHEETZ, CULLEN				
500	0.00	0.00	183.84	183.84
STOVER, KEITH				
5,000	10.00	0.00	2,197.62	2,187.62
WEATHERHOLT, EUGENE W				
500	0.00	0.00	88.78	88.78
WHITE, NEAL				
15,000	0.00	0.00	728.77	728.77

Transactions

Posting Transaction	Date	Date	Description	Reference Number	MCC	Charge	Credit
BERRYVILLE TOWN OF							Total Activity
Account Number							-\$74,129.52
05/24	05/24		AUTO PAYMENT DEDUCTION		0071		74,129.52

BERRYVILLE TOWN OF

May 01, 2024 - May 31, 2024

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Transactions

Posting Transaction

Date	Date	Description	Reference Number	MCC	Charge	Credit
BOOR, RICK						Total Activity
Account Number: [REDACTED]						10,947.53
05/17	05/16	IN *RED BEARD DIESEL LLC 540-5395030 VA	24692164137107763850332	7538	3,311.87	
05/20	05/18	LOWES #02724* Winchester VA	24692164139109341078012	5200	144.40	
05/20	05/19	TOTAL IMAGE WORKINGMANS SWINCHESTER VA	24755424141121417021352	5699	230.34	
05/20	05/19	TOTAL IMAGE WORKINGMANS SWINCHESTER VA	24755424141121417021360	5699	92.64	
05/23	05/22	WWP*PEST MGMT SRVS. 703-723-2899 VA	24445004143300630953997	7342	74.00	
05/30	05/29	JNO. S SOLENBERGER AND C 540-974-4336 VA	24138294151400218869017	5251	268.82	
05/31	05/30	CORE & MAIN - WV004 304-263-6986 WV	24445004151300636109247	5074	2,405.89	
05/31	05/30	CORE & MAIN - WV004 304-263-6986 WV	24445004151300636109320	5074	3,500.00	
05/31	05/30	CORE & MAIN - WV004 304-263-6986 WV	24445004151300636109403	5074	919.57	
BOOTH, KEVIN						Total Activity
Account Number: [REDACTED]						904.79
05/07	05/06	FISHER AUTO PARTS 009 BERRYVILLE VA	24431064128200824200024	5533	13.38	
05/08	05/07	HARBOR FREIGHT TOOLS 595 WINCHESTER VA	24231684129400026307314	5251	27.97	
05/09	05/08	LOWES #02724* Winchester VA	24692164129100902589036	5200	149.74	
05/10	05/09	TRACTOR-SUPPLY-CO #0697 WINCHESTER VA	24137464131001674248525	5599	29.16	
05/13	05/10	JNO. S SOLENBERGER AND C WINCHESTER VA	24138294132400002114780	5251	467.89	
05/17	05/16	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974138091400000437	5251	53.57	
05/21	05/20	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974142091408000490	5251	87.48	
05/24	05/23	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974145091404000020	5251	34.29	
05/27	05/24	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974146091406000167	5251	17.58	
05/30	05/29	JNO. S SOLENBERGER AND C WINCHESTER VA	24138294151400002188624	5251	23.73	
BUSSERT, ERNIE						Total Activity
Account Number: [REDACTED]						643.02
05/01	04/29	ATCO INTERNATIONAL 770-424-7550 GA	24559164121017017337517	5085	167.15	
05/03	05/02	B2B Prime*9R9HC1QF3 Amzn.com/billWA	24692164123105881210971	5968	179.00	
05/20	05/17	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974139091402000939	5251	19.00	
05/22	05/21	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974143091400000174	5251	14.69	
05/24	05/23	USABlueBook Atlanta GA	24793384144002661023053	5085	259.49	
05/29	05/28	AMAZON.COM*4D0340UH3 SEATTLE WA	24431064150083701838475	5942	3.69	
COLE, HEIDI						Total Activity
Account Number: [REDACTED]						17,014.23
05/02	05/01	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664122083746570062	4900	6,466.22	
05/02	05/01	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664122083750633988	4900	2,440.00	
05/02	05/01	RAPPAHANNOCK ELECTRIC EBILL.MYREC.CVA	24231684122747001323006	4900	4,950.87	
05/03	05/02	COMCAST 800-COMCAST MD	24692164123105434939670	4899	126.07	
05/03	05/02	VERIZONWRLSS*RTCCR VB 800-922-0204 FL	24692164123105514524343	4814	1,055.48	
05/22	05/21	COMCAST 800-COMCAST MD	24692164142101377698818	4899	160.58	
05/23	05/22	VERIZON BILL PAYMENT 800-VERIZON FL	24692164143102295213754	4814	422.94	
05/23	05/22	VERIZON BILL PAYMENT 800-VERIZON FL	24692164143102295213762	4814	210.52	
05/23	05/22	VERIZONWRLSS*RTCCR VB 800-922-0204 FL	24692164143102285111463	4814	1,055.48	
05/30	05/29	COMCAST 800-COMCAST MD	24692164150104990821196	4899	126.07	
DALTON, KEITH						Total Activity
Account Number: [REDACTED]						31,141.87
05/02	05/01	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664122083753641392	4900	10,000.00	
05/02	05/01	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664122083750627865	4900	10,000.00	
05/02	05/01	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664122083719811527	4900	9,841.87	
05/07	05/06	VCU WEB CENTER PUBLIC POL804-8282292 VA	24755424128131289663832	8220	650.00	
05/08	05/07	VCU WEB CENTER PUBLIC POL804-8282292 VA	24755424129731290887830	8220	650.00	
DORSEY, DANIEL						Total Activity
Account Number: [REDACTED]						65.80
05/22	05/21	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974143091400000349	5251	5.87	
05/27	05/24	BERRYVILLE AUTO PARTS BERRYVILLE VA	24327434145679800333217	5533	39.36	
05/27	05/24	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974146091406000266	5251	20.57	
ELLIOTT, RALPH						Total Activity
Account Number: [REDACTED]						1,629.59
05/02	05/01	BROY & SON PUMP SERVICE BERRYVILLE VA	24073144122900012600039	1799	760.00	
05/09	05/08	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974130091404000233	5251	19.59	
05/20	05/16	A SIGN PLACE/PERSONALIZE WINCHESTER VA	24223694138030041148423	5099	850.00	
FERREBEE, DARRELL						Total Activity
Account Number: [REDACTED]						103.62
05/16	05/15	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974137091408000505	5251	5.67	
05/20	05/17	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974139091402000350	5251	97.95	
GREEN, CONNOR						Total Activity
Account Number: [REDACTED]						131.47
05/07	05/06	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974128091400000348	5251	29.60	
05/14	05/13	USPS PO 5107560300 BERRYVILLE VA	24137464135001469857189	9402	0.03	

BERRYVILLE TOWN OF

May 01, 2024 - May 31, 2024

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Transactions

Posting Transaction

Date	Date	Description	Reference Number	MCC	Charge	Credit
05/14	05/13	USPS PO 5107560300 BERRYVILLE VA	24137464135001469857262	9402	1.84	
05/22	05/21	DEPARTMENT OF PROFESSIONA804-3678597 VA	24755424142271429238392	9399	100.00	

JOHNSON, KAREN

Account Number: [REDACTED] Total Activity 430.62

05/03	05/02	Amazon web services aws.amazon.coVA	24692164123106080297140	7399	0.64	
05/14	05/13	AMZN Mktp US*EC4HG2YY3 Amzn.com/billWA	24692164134104768902039	5942	21.98	
05/16	05/15	USPS PO 5107560300 BERRYVILLE VA	24137464137001604146454	9402	408.00	

LAMBERT, TRAE

Account Number: [REDACTED] Total Activity 32.21

05/01	04/30	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974122091408000080	5251	32.21	
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LINK, BRIAN

Account Number: [REDACTED] Total Activity 673.04

05/13	05/10	LOWES #02724* Winchester VA	24692164131102588068877	5200	289.92	
05/15	05/14	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974136091406000292	5251	4.78	
05/23	05/22	LOWES #02724* Winchester VA	24692164143102501972607	5200	204.05	
05/29	05/28	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974150091404000014	5251	30.85	
05/30	05/29	FISHER AUTO PARTS 009 BERRYVILLE VA	24431064151200824100109	5533	129.94	
05/31	05/30	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974152091408000554	5251	13.50	

MCCORMICK, HARRY

Account Number: [REDACTED] Total Activity 0.00

05/06	05/03	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974125091404000156	5251	7.34	
05/06	05/04	BERRYVILLE TRUE VALUE BERRYVILLE VA	74801974126091406000182	5251		7.34

PETTI, JEAN

Account Number: [REDACTED] Total Activity 27,213.88

05/02	05/01	COYNE CHEMICAL CROYDON PA	24137464122300903019926	5169	3,040.35	
05/03	05/02	GLOBALTEST SUPPLY 9104422164 NC	24116414123067174726039	5085	521.70	
05/03	05/02	AMZN Mktp US*QL2TJ3JV3 Amzn.com/billWA	24692164123105851237079	5942	83.96	
05/06	05/03	UPS*1Z6YF8T20321781822 800-811-1648 GA	24692164124106530744666	4215	127.76	
05/06	05/03	UPS*299HR1H54OG 800-811-1648 GA	24692164124106530765257	4215	8.50	
05/06	05/05	UPS*29411J4CJKS 888-520-9090 NB	74537884126108340394323	4215	0.79	
05/06	05/06	05/06 1.08 CAD 1.367088				
05/07	05/06	THREAD LOGIC 800-3471612 MN	24275394127900012543058	5137	382.50	
05/08	05/07	COYNE CHEMICAL CROYDON PA	24137464128300796238462	5169	16,515.00	
05/09	05/08	UPS*1Z7EP72T6830201026 888-520-9090 NB	74537884129100669507129	4215	36.24	
05/09	05/08	05/09 49.68 CAD 1.370860				
05/10	05/10	AMAZON.COM*PX7M823V3 SEATTLE WA	24431064131083713924911	5942	47.75	
05/10	05/10	ULINE *SHIP SUPPLIES 800-295-5510 WI	24692164131102125692387	5964	36.33	
05/13	05/10	GIANT MARTINS #6558 BERRYVILLE VA	24692164131102724686749	5411	8.40	
05/13	05/12	UPS*ADJ00379554161942 888-520-9090 NB	74537884133104125716245	4215	21.72	
05/13	05/12	05/13 29.60 CAD 1.362799				
05/14	05/13	COYNE CHEMICAL CROYDON PA	24137464134300770703541	5169	2,980.35	
05/15	05/14	AMZN Mktp US*YR34Y4P93 Amzn.com/billWA	24692164135105556975110	5942	104.98	
05/15	05/14	COYNE CHEMICAL CROYDON PA	24137464135300782058198	5169	795.80	
05/15	05/14	COYNE CHEMICAL 215-785-3000 PA	24137464135300782058271	5169	628.37	
05/16	05/15	USABlueBook Atlanta GA	24793384136003308669050	5085	232.57	
05/20	05/18	AMZN Mktp US*YI8FJ7VWX3 Amzn.com/billWA	24692164139108963715372	5942	12.82	
05/20	05/19	AMAZON RET* 114-184659 WWW.AMAZON.COWA	24011344140000044417947	5331	41.28	
05/22	05/21	IN *JOINER LABS, LLC 540-3477212 VA	24692164142101931382891	8734	25.00	
05/27	05/25	ONE ACRE FUND 773-313-2977 IL	24116414146712070982185	8398	845.50	
05/27	05/25	USABlueBook Atlanta GA	24793384146001760823056	5085	716.31	

POULIN, CYNTHIA

Account Number: [REDACTED] Total Activity 1,259.50

05/02	05/01	VA DMV ONLINE BILLING PAY804-4977100 VA	24755424123731233883629	9399	900.00	
05/09	05/08	VIRGINIA STATE POLICE 804-2785305 VA	24755424130121306031630	9399	15.00	
05/23	05/23	MSFT * E0100S8GFO 800-6427676 WA	24204294144000800978066	5045	264.00	
05/23	05/22	MSFT * E0100S8GZM MSBILL.INFO WA	24430994143400814010405	5045	6.00	
05/23	05/22	MSFT * E0100S8FL4 MSBILL.INFO WA	24430994143400814015966	5045	12.50	
05/29	05/28	IN *TRUESHRED 888-7508783 VA	24692164149104722590014	7399	62.00	

SHEETZ, CULLEN

Account Number: [REDACTED] Total Activity 183.84

05/06	05/03	NOVA OCCUPATIONAL HEALTH,MANASSAS VA	24228994126017024390893	8099	114.00	
05/16	05/15	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974137091408000463	5251	18.22	
05/21	05/20	GIANT MARTINS #6558 BERRYVILLE VA	24692164141101195291052	5411	20.16	
05/24	05/23	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974145091404000426	5251	31.46	

STOVER, KEITH

Account Number: [REDACTED] Total Activity 2,187.62

05/01	04/30	LOWES #02724* Winchester VA	24692164121104039393146	5200	420.84	
05/03	05/02	MSI - WINCHESTER VA WINCHESTER VA	24943004124207450200013	4812	109.59	

BERRYVILLE TOWN OF

May 01, 2024 - May 31, 2024

Page 6 of 6

Transactions

Posting Transaction

Date	Date	Description	Reference Number	MCC	Charge	Credit
05/06	05/02	TIMBROOK HONDA OF WINCHE WINCHESTER VA	24251384124030055479911	5511	40.33	
05/07	05/06	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412904127027013377664	5599	380.90	
05/08	05/07	JNO. S SOLENBERGER AND C WINCHESTER VA	24138294129400002102152	5251	160.99	
05/08	05/07	TRACTOR-SUPPLY-CO #0697 WINCHESTER VA	24137464129001596769982	5599	762.93	
05/13	05/09	TRACTOR-SUPPLY-CO #0697 WINCHESTER VA	74137464131001842755505	5599		10.00
05/14	05/13	FISHER AUTO PARTS 009 BERRYVILLE VA	24431064135200824800048	5533	33.96	
05/14	05/13	TRACTOR SUPPLY #2536 WINCHESTER VA	24137464135001469828974	5599	61.44	
05/15	05/14	TRACTOR-SUPPLY-CO #0697 WINCHESTER VA	24137464136001489702547	5599	74.97	
05/16	05/15	FISHER AUTO PARTS 009 BERRYVILLE VA	24431064137200824000068	5533	53.52	
05/16	05/15	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974137091408000257	5251	25.35	
05/20	05/17	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974139091402000368	5251	2.94	
05/24	05/23	SHERWIN WILLIAMS 705251 WINCHESTER VA	24943004144981000320598	5231	37.07	
05/30	05/29	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974151091408000193	5251	32.79	

WEATHERHOLT, EUGENE W

Account Number: [REDACTED] Total Activity 88.78

05/01	04/30	GIANT MARTINS #6558 BERRYVILLE VA	24692164121103963271880	5411	20.16	
05/10	05/09	GIANT MARTINS #6558 BERRYVILLE VA	24692164130101632460008	5411	18.95	
05/16	05/15	BERRYVILLE FARM AND PET SBERRYVILLE VA	24761474136027010454185	5995	8.99	
05/27	05/24	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974146091406000043	5251	20.52	
05/31	05/30	GIANT MARTINS #6558 BERRYVILLE VA	24692164151106164405630	5411	20.16	

WHITE, NEAL

Account Number: [REDACTED] Total Activity 728.77

05/07	05/06	THOMSON WEST*TCO 800-328-4880 MN	24692164127109277617480	8999	117.82	
05/10	05/09	BERRYVILLE AUTO PARTS 540-9551292 VA	24327434130593501105922	5533	556.91	
05/15	05/14	AMZN Mktp US*LD1A059Y3 Amzn.com/billWA	24692164135105961270529	5942	32.49	
05/17	05/16	AMZN Mktp US*WG1O34V33 Amzn.com/billWA	24692164137107732122433	5942	16.45	
05/29	05/28	USPS PO 5107560300 BERRYVILLE VA	24137464150001581609450	9402	5.10	

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.

JUNE 11, 2024
Monthly Update

American Rescue Plan Act of 2021

Funds expended over the past month

The May 2024 expenditure report is attached.

Attachments

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

May-24

Water and sewer bill accounts

Estimated cost of these actions:

- Payment of delinquent accounts	\$ 4,069.34	\$	4,069.34	\$	-	100%	\$ 4,069.34
- Water and sewer account credits	\$ 169,100.00	\$	171,191.48	\$	-	101%	169,100.00
- Total		\$	175,260.82				175,260.82
Fund balance from first payment							\$ -

Signage

Estimated cost of these actions

- Signage	\$ 140,000.00	\$	247.00	\$	41,503.00	30%	\$ 140,000.00
- Total		\$		\$	41,750.00		\$ 140,000.00

Fund balance from first payment

Fund balance from second payment							\$ 32,665.34
							\$ 65,584.66

Improvements in Central Business District

Estimated cost of these actions

- Facades, signs, accessibility	\$ 196,185.08	\$	-	\$	125,000.00	100%	\$ 196,185.08
Total		\$		\$	71,185.08		\$ 196,185.08
		\$		\$	196,185.08		

Fund balance from first payment

Fund balance from second payment							\$ -
							\$ -

Non- Profits

	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</u>
Estimated cost of these actions					
- John H Enders FD	\$ 80,000.00	\$ -	\$ 80,000.00	\$ -	100%
- Barns of Rose Hill	\$ 40,000.00	\$ -	\$ 40,000.00	\$ -	100%
- Housing assistance	\$ 40,000.00	\$ -	\$ 40,000.00	\$ -	100%
- Total	\$	\$	\$ 160,000.00	\$	\$ 160,000.00
Fund balance from first payment				\$ -	-
Fund balance from second payment				\$ -	-

Purchase of equipment and supplies

Estimated cost of these actions					
- Purchase of equipment, etc	\$ 23,629.85	\$ -	\$ 23,629.85	\$ -	100%
- Total	\$	\$	\$ 23,629.85	\$	\$ 23,629.85
Fund balance from first payment				\$ -	-

Improve Communications

Estimated cost of these actions					
- Website	\$ 5,845.29	\$ -	\$ 5,845.29	\$ -	100%
- Radios	\$ 75,000.00	\$ -	\$ 75,000.00	\$ -	100%
- Other imp.	\$ 43,203.27	\$ -	\$ 29,240.31	\$ 9,547.62	68%
- Total	\$	\$	\$ 110,085.60	\$	\$ 110,085.60
Fund balance from first payment				\$	\$ 9,547.62

	<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	\$ -	101%
- Total			\$ 174,323.86	\$	\$ 172,000.00
Fund balance from first payment				\$	-
 <u>Complete necessary water and sewer infrastructure projects</u>					
<u>Capital Projects</u>					
Estimated cost of these actions					
- Cost of the projects	\$ 3,485,953.17	\$ 1,100.00	\$ 1,435,229.91	\$ -	85.00%
Total			\$ 1,543,262.76	\$ 507,460.50	\$ 3,485,953.17
Fund balance from first payment			\$ 2,978,492.67	\$	-
Fund balance from second payment				\$	\$ 507,460.50

	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</u>
<u>Pay for administrative costs</u>					
Estimated cost of these actions					
- Administrative costs per FY (5.5)	\$ 60,000.00	\$ -	\$ 45,055.39	\$ 14,944.61	75%
- Total			\$ 45,055.39	\$	\$ 60,000.00
Fund balance from first payment				\$	14,944.61

NOTES:

<u>Administrative Costs:</u>	\$ -				
<u>Legal</u>	\$ -				
	-				
<u>INFRASTRUCTURE COSTS:</u>					
Frazier Assoc.(Wayfinding)	\$ 247.00	1st Tranche		\$ 2,267,493.00	
Core & Main	\$ -	Used to date		\$ 2,210,335.43	
VA RIGGERS	\$ -	Balance		\$ 57,157.57	
Pete McLean	\$ -				
Norfolk Southern	\$ -	2nd Tranche		\$ 2,267,493.00	
Marsh & Legge Casey Tree	\$ -	Used to date		\$ 1,694,447.84	
Pennoni (I&I, SSES Study)	\$ 1,100.00	Balance		\$ 573,045.16	
Webster Nursery(Concrete walls)	\$ -				
Total	\$ 1,347.00				

ARPA MASTER LIST

5/14/2024

	PROJECT NAME	BUDGET	SPENT TO DATE	BALANCE	%COMPLETE
1	Computers:Utility Clerk,PWs	\$ 2,437.90	\$ 2,437.90	\$ -	100% Admin
2	Police Radio Replacements	\$ 75,000.00	\$ 75,000.00	\$ -	100%
3	PW Compressor	\$ 23,629.85	\$ 23,629.85	\$ -	100% infra
4	Water Dist Sys Flushing Equip	\$ 7,500.00	\$ 9,844.38	\$ -	100% Infra
5	Water Meter Reading Equip	\$ 12,458.03	\$ 12,458.03	\$ -	100% infrastr
6	Grants for Improper Con to Sewer Sys	\$ 4,500.00	\$ 4,500.00	\$ -	100% grant
7	W/s Admin Fees	\$ 175,260.82	\$ 175,260.82	\$ -	100% Neg Impact
8	Premiuim Pay for Employees	\$ 172,000.00	\$ 174,323.86	\$ -	100% premium pay
9	Grant John H Enders/Rescue Squad *	\$ 80,000.00	\$ 80,000.00	\$ -	100% grant
10	Grant to Barns of Rose Hill *	\$ 40,000.00	\$ 40,000.00	\$ -	100% grant
11	Grant for Façade Improvement	\$ 196,185.08	\$ 196,185.08	\$ -	100% grant
12	Website	\$ 5,845.29	\$ 5,845.29	\$ -	100% Admin
13	Leak Study	\$ 8,662.50	\$ 8,662.50	\$ -	100% infra
14	SSES Study	\$ 117,868.73	\$ 117,868.73	\$ -	100% infra
15	River Pumping Station Upgrade	\$ 25,000.00	\$ 28,538.55	\$ -	100% Infra
16	Water Meter & Setter Replacements *	\$ 350,000.00	\$ 350,000.00	\$ -	95% infra
17	Hermitage Pump Station	\$ 26,000.00	\$ 26,000.00	\$ -	100% infra
18	Booster Building Upgrade	\$ 20,000.00	\$ 22,985.85	\$ -	100% infra
19	WWTP Headworks Lighting Upgrade	\$ 4,764.00	\$ 4,764.00	\$ -	100% infra
20	Ridge Road Water Main	\$ 25,939.04	\$ 25,939.04	\$ -	100% infra
21	Water, Sewer and Drainage Projects	\$ 2,228,476.76	\$ 2,228,476.76	\$ -	100% infra
22	Rockcroft Water Main Abandonment	\$ 10,000.00	\$ 10,550.96	\$ -	100% infra
23	Security Upgrades	\$ 125,000.00	\$ 100,995.91	\$ 647.99	100% infra/admin70
24	Drainage Dorsey, Walnut, Treadwell	\$ 1,500.00	\$ 1,500.00	\$ -	100% infra
25	Bel Voi and Battletown Water Main Repl	\$ -	\$ 11,612.50	\$ -	100% infra
26	Wayfinding Signs	\$ 140,000.00	\$ 41,750.00	\$ 98,250.00	30%
27	Raw Water Intake Land-Easement Acquisition	\$ 13,672.50	\$ 13,672.50	\$ -	100% infra
28	Grant Housing (3 years)	\$ 40,000.00	\$ 40,000.00	\$ -	100%
29	Capital Projects	\$ 543,285.50	\$ 26,925.37	\$ 516,360.13	0%
	Administrative /Legal Fees	\$ 60,000.00	\$ 45,055.39	\$ 14,944.61	75% Admin
	Total Encumbered	\$ 4,534,986.00	\$ 3,904,783.27	\$ 630,202.73	
	Total ARPA	\$ 4,534,986.00			
*	Project For (2) two years				

Project Status Report

16

Date: 6/11/2024

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	Completed	Total Spend: \$350,000.00
Schedule/Timeline	On Track	% Complete: 95

Project Milestones:

Description	% Complete	Status
1. Order meters, setters, valves, plus other supplies	100%	Completed
2. Install meters / setters	90%	On Track

Project Issues or Concerns:

1. Multiyear project

Project Status Report

26

Date: 6/11/2024

Project Name:
Wayfinding Signs

Project Budget: \$140,000.00

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 140,000.00	On Track	Total Spend: \$41,750.00
Schedule/Timeline	On Track	Complete: 30%

Project Milestones:

Description	% Complete	Status
1. Design	0%	On Track
2. Determine Sign locations	0%	Not Started
3. Secure VDOT approvals	80%	On Track
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

Date: 6/11/2024

Project Name: Capital Projects

Project Budget: \$543,285.50

Expected Completion Date:

Project List Under Consideration:

- Bel Voi Water Main Replacement
- Bar Screen at STP
- North Crow Street Drainage
- Rose Hill Park Bridge

Project Goals:

Project Status:

Status Item	Status	Summary
Budget \$543,285.50	Not Started	Total Spend: \$26,925.37
Schedule/Timeline	Not Started	% Complete: 5

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:

Item Title

Discussion – Portable Storage Container regulations

Prepared By

Christy Dunkle

Background/History/General Information

The Community Development Committee has discussed the regulations of portable storage containers within the Town of Berryville at several of their meetings. It was determined that the regulation should be included in the Town Code.

Findings/Current Activity

Below is the updated draft regulation that was prepared by staff after the May 28, 2024 Community Development Committee meeting:

Revision 05/29/2024 Post Community Development Committee Comments

Berryville Town Code

Section 5-6. – PORTABLE STORAGE CONTAINERS

- (a) A portable storage container is defined as a purpose-built, enclosed box-like container that is designed for temporary storage of household goods and equipment.
- (b) Notwithstanding any contrary provisions of the Town Code, portable storage containers located outside of a fully enclosed building or structure shall be permitted in all zoning districts, subject to the following restrictions **for residential uses**:
 - i. A **Portable Storage Container Permit** is required for any portable storage container placed on property in the Town of Berryville.
 - ii. A maximum of two (2) portable storage containers may be allowed on a **lot property** for a period no longer than fifteen (15) days in any consecutive 12-month period. A maximum of one (1) portable storage container may be allowed on a **lot property** for a period no longer than sixty (60) days in any consecutive 12-month period. **The property owner may request an extension of these time periods by submitting a written request to the Town Zoning Administrator. Upon review of the request, the Town Zoning Administrator may grant a one-time extension up to thirty (30) days.**
 - iii. Where there is a change in ownership of the **lot property**, the date upon which title to the **lot property** is conveyed shall begin a new 12-month period.

- iv. The portable storage container must be at least five (5) from the property line or on the driveway of the ~~lot~~ **property**.
 - v. One (1) portable storage container may be placed in a ~~legal~~, on-street parking space when space is not available on site for a maximum of seven (7) days.
 - vi. A portable storage container may not exceed the following dimensions: twenty (20) feet in length, ten (10) feet in width, and eight (8) feet in height.
 - vii. All portable storage containers shall be maintained in a condition free from rust, peeling paint, and other forms of deterioration.
 - viii. Portable storage containers intended for long-term or permanent use require an approved zoning permit for an accessory structure.
 - ix. **A portable storage container shall not be permitted on any property that does not contain a principal structure.**
- (c) A first violation of this section shall constitute a Class 4 misdemeanor. A second or subsequent violation by the same person shall constitute a Class 3 misdemeanor. Each day of violation shall constitute a separate offense.

Schedule/Deadlines

N/A

Other Considerations

Town Council is not required to hold a public hearing for modifications to the Town Code.

A draft permit application is included with this staff report.

Recommendation

Discuss at the meeting.

Sample Motion

I move that the Council of the Town of Berryville adopt the attached ordinance establishing Section 5-6 of the Code of the Town of Berryville in order to establish regulations for portable storage containers in residential areas.

Attachments:

- Ordinance
- Draft permit application

AN ORDINANCE AMENDING
CHAPTER 5 BUILDING REGULATIONS, ARTICLE 1 IN GENERAL, ESTABLISHING SECTION 5-6
OF THE CODE OF THE TOWN OF BERRYVILLE

BE IT ORDAINED, by the Council of the Town of Berryville, that Section 5-6 – Portable Storage Containers is established in the Code of the Town of Berryville as follows:

Section 5-6. – PORTABLE STORAGE CONTAINERS

- (a) A portable storage container is defined as a purpose-built, enclosed box-like container that is designed for temporary storage of household goods and equipment.
- (b) Notwithstanding any contrary provisions of the Town Code, portable storage containers located outside of a fully enclosed building or structure shall be permitted in all zoning districts, subject to the following restrictions for residential uses:
 - i. A Portable Storage Container Permit is required for any portable storage container placed on a residential property in the Town of Berryville.
 - ii. A maximum of two (2) portable storage containers may be allowed on a residential property for a period no longer than fifteen (15) days in any consecutive 12-month period. A maximum of one (1) portable storage container may be allowed on a residential property for a period no longer than sixty (60) days in any consecutive 12-month period. The property owner may request an extension of these time periods by submitting a written request to the Town Zoning Administrator. Upon review of the request, the Town Zoning Administrator may grant a one-time extension up to thirty (30) days.
 - iii. Where there is a change in ownership of the residential property, the date upon which title to the residential property is conveyed shall begin a new 12-month period.
 - iv. The portable storage container must be at least five (5) from the property line or on the driveway of the residential property.
 - v. One (1) portable storage container may be placed in an on-street parking space when space is not available on site for a maximum of seven (7) days.
 - vi. A portable storage container may not exceed the following dimensions: twenty (20) feet in length, ten (10) feet in width, and eight (8) feet in height.
 - vii. All portable storage containers shall be maintained in a condition free from rust, peeling paint, and other forms of deterioration.
 - viii. Portable storage containers intended for long-term or permanent use require an approved zoning permit for an accessory structure.
 - ix. A portable storage container shall not be permitted on any property that does not contain a principal structure.
- (c) A first violation of this section shall constitute a Class 4 misdemeanor. A second or subsequent violation by the same person shall constitute a Class 3 misdemeanor. Each day of violation shall constitute a separate offense.

SIGNED: _____
Harry Lee Arnold, Jr., Mayor

ATTEST: _____
Erecka L. Gibson, Recorder

DRAFT
060624



Portable Storage Container Permit

Permit Number _____ Date _____

Contact Information

Applicant Name _____ Cell/Home Phone _____

Address _____ Town _____ State/Zip _____

E-mail _____

Property Owner Name _____ Cell/Home Phone _____

(if not applicant) Address _____ Town _____ State/Zip _____

E-mail _____

of portable storage containers _____

By initialing below, I hereby agree to place, locate, and maintain a portable storage container on the above-referenced residential property in full compliance with the regulations set forth below, pursuant to Section 5-6 of the Code of the Town of Berryville:

- _____ The placement of any portable storage container on a property shall be permitted only upon issuance of this permit;
- _____ A portable storage container shall not be permitted on any property that does not contain a principal structure;
- _____ A maximum of one (1) storage container may not exceed 60 days or maximum of two (2) portable storage containers may not exceed 15 days in any 12-month period;
- _____ One (1) portable storage container may be placed in an on-street parking space when space is not available on site for a maximum of seven (7) days;
- _____ Portable storage containers must be at least five (5) feet from any property line or on the driveway of the property;
- _____ Dimensions of the portable storage container may not exceed twenty (20) feet in length, eight (8) feet in width, or ten (10) feet in height;
- _____ All portable storage containers shall be maintained in a condition free from rust, peeling paint, and other forms of deterioration.
- _____ A placard indicating the date of delivery shall be affixed to the portable storage container by the owner and clearly visible from the public right-of-way;

Please attach a plat of the property identifying the location of the portable storage container.

Violations of this permit regulations and Section 5 -6 are punishable as a Class 4 misdemeanor for first offense and Class 3 misdemeanor for second or subsequent offenses.

By my signature, I acknowledge that I have read and understand Section 5-6 of the Code of the Town of Berryville and agree to abide by the same.

Applicant Signature _____ Date _____

This permit is hereby ☐ **Approved** ☐ **Denied** for the use described herein.

Zoning Administrator Signature _____ Date _____