Berryville Town Council

MEETING AGENDA

Berryville-Clarke County Government Center
101 Chalmers Court, Second Floor
Main Meeting Room
Regular Session

February 11, 2025

7:00 PM

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1.	**Call to Order**	
2.	**Pledge of Allegiance**	
3.	**Approval of Agenda**	
4.	**Presentations/Awards and Recognitions**	
	Josh Roller, CPA, of Robinson, Farmer, Cox Associates presents FY2024 Finance Report	
5.	**Public Hearings**	
6.	**Discussion of Public Hearing Items**	
7.	**Citizens' Forum**	
8.	**Consent Agenda**	**3**
	Minutes of Town Council Regular Meeting 14 January 2025 Minutes of combined Streets & Utilities and Community Development Committee 28 January 2025	
9.	**Unfinished Business**	
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	Consideration of Virginia Department of Health funding for the Water Treatment Plant Upgrade	20
10.	**New Business**	
	Proposed IFB#2025-01: Wayfinding Signs	30
11.	**Council Member Reports**	
	Mayor	
	Vice Mayor	

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Personnel, Appointments, and Policy

Public Safety

14. Closed Session **71**

The Council of the Town of Berryville will enter closed session in accordance with § 2.2-3711-A-3- Discussion or consideration of the acquisition of real property for a public purpose, or the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

15. Adjourn

Berryville Town Council

Report for 11 February 2025

Item Title: Consent Agenda

Prepared By: Jean Petti

Attachments:

1. Minutes of Town Council Regular Meeting 14 January 2025
2. Minutes of combined Streets & Utilities and Community Development Committee 28 January 2025

Recommendation:

Approval.

Sample Motion:

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

MINUTES
BERRYVILLE TOWN COUNCIL
Regular Meeting
January 14, 2025
7:00 p.m.

A meeting of the Berryville Town Council was held on Tuesday, January 14, 2025 at 7:00 p.m. at the Berryville-Clarke County Government Center in Berryville.

Town Council

Present: Harry Lee Arnold, Jr., Mayor; Erecka L. Gibson, Vice Mayor; William Steinmetz; Diane Harrison; Grant Mazzarino; Ryan Tibbens.

Absent: No one

Staff

Present: Keith Dalton, Town Manager; Brandel Kelsey, Town Clerk; Terry Russel, Community Development Director; Chief Neal White, Berryville Police Department.

Press Mickey Powell, *The Winchester Star*

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

2. Pledge of Allegiance
Mayor Arnold invited all those assembled to stand for the Pledge of Allegiance.

3. Approval of Agenda
Vice Mayor Gibson moved to approve the agenda as presented. The motion passed by voice vote.

4. Presentations, Awards, and Recognitions
Administration of Oath of Officer for Patrol Officer

Mayor Arnold recognized Chief Neal White

Chief White introduced the Honorable April Wilkerson and Patrol Officer Gabriel Puh Calmet.

Mrs. Wilkerson administered the oath of office to Patrol Officer Puh Calmet.

Mayor Arnold thanked Mrs. Wilkerson for attending and administering the oath of office.

Mayor Arnold welcomed Officer Puh Calmet and wished him good luck at the Police Academy.

5. Public Hearings
No hearing scheduled.

6. Discussion of Public Hearing Items
No hearing scheduled.

7. Citizens' Forum
Mayor Arnold called on citizens who have signed up to speak during the forum.

Mr. Cromer is an aerial photographer. Mr. Cromer has used a drone to take aerial pictures of over 5,000 places in the United States. He presented a framed, aerial shot of the Town of Berryville and offered it for sale.

8. Consent Agenda
Mr. Mazzarino moved to adopt the consent agenda as presented. The motion passed by voice vote.

9. Unfinished Business
No items

10. New Business
Town Council Committee Assignments Calendar 2025
Mayor Arnold provided a summary of the proposed standing committee assignments for 2025 and asked the Council for comments.

There were no comments.

Town Council Meeting Calendar 2025
Mayor Arnold sought comment and discussion concerning the draft meeting calendar.

Mr. Tibbens asked for the work session meetings to change from 3:00pm to 3:30pm. He also asked for the Streets and Utilities meetings to change from 3:00pm to 3:30pm.

Vice Mayor Gibson asked to strike the August Town Council meeting. Ms. Gibson also reminded Council about the work session scheduled for March 3rd which will be a Budget Meeting.

Mrs. Harrison asked to combine the Streets and Utilities Committee Meeting and the Community Development Committee Meetings on the calendar. That way they do not have to wait until the next meeting is scheduled to continue to the next Committee.

Mr. Steinmetz moved that the Council of the Town of Berryville approve the attached meeting calendar for 2025 as amended. The motion passed by voice vote.

11. Council Member Reports
Mr. Tibbens said he was happy with the plowing and clearing of the roads and sidewalks.

12. Staff Reports
Mayor Arnold asked Council members if they had any questions regarding reports that have been provided by the town manager, deputy town manager, and department heads.

Town Manager
Electronic Participation in Meetings from Remote Locations Policy Review
The general assembly passed legislation that not only amended details of the law concerning electronic participation in public meetings, but now also requires public bodies to review and re-approve their policies concerning this aspect of operations each year.

The draft policy that staff has prepared has stripped much of the detail from the policy and replaced that language with the requirement that such meeting participation conform to specific Virginia Code Sections. Staff is of the opinion that such an approach will make compliance with the Virginia Code easier.

Mayor Arnold recognized the town manager and he explained the changes/approach. Mayor Arnold invited the Council to discussed the matter/ask questions of Town staff.

Mr. Dalton spoke about the Electronic Participation in Meetings from Remote Locations Policy Review and the changes he made.

Mrs. Harrison moved that the Council of the Town of Berryville adopt the attached amended Electronic Participation in Meetings Policy and that said amended policy become effective on January 15, 2025. The motion passed by voice vote.

Water and Sewer Billing Adjustment Policy Review
During discussions about the Council's five-year water and sewer rate plan, Town staff recommended that the Water and Sewer Billing Adjustment Policy be reviewed.

Mayor Arnold recognized the town manager and he explained the changes/approach. Mayor Arnold invited the Council to discuss the matter/ask questions of Town staff.

Ms. Harrison asked to change the word Plumber to repairer.

Mr. Tibbens asked that a change of words happen for "copy of invoice", place "if applicable" after it.

Mayor Arnold asked if the Council should have the ability to adjust bills.

Ms. Harrison said she thinks the appeal process should go to the Streets and Utilities Committee first to figure things out, then it could go to the Town Council for finalization. This way it would not take

up a huge part of a Town Council meeting, the Council would just get the recommendation from the Streets and Utilities Committee. Ms. Gibson spoke about the Town Council approving an adjustment only one time in her 8 years on the Council. She also stated having the person go through the Streets and Utilities Committee first would delay the problem getting handled by one month due to where the meetings fall. Mayor Arnold discussed a "special meeting" to make the process go faster for the customer. Ms. Harrison said because of the time delay for the customer that it would be faster to bypass the Streets and Utilities Committee.

Mr. Dalton was asked to provide information on the adjustments that are permitted under the current policy. He reviewed the current policy.

Mr. Tibbens explained he thinks the Council should be able to make adjustments. He said the Council works for the people and if they have gone through all of the steps for an adjustment, then still went forward with coming to the Council, that the Council should be able to help them. Ms. Harrison said there needed to be guidelines if the Council was going to make adjustments. Ms. Gibson stated to be careful with too many guidelines, that sometimes it is better to leave it up to interpretation.

Mr. Dalton will amend the document and present it to the Council in February.

13. Committee Updates
Mayor Arnold recognized the chairs of each standing committee of the Town Council to introduce action items, provide updates, and impart additional information that they think may be helpful to the Council.

Budget and Finance Committee
Nothing to report.

Community Development Committee
Nothing to report.

Personnel, Appointments, and Policy
Nothing to report.

Public Safety
Nothing to report.

Streets and Utilities
Nothing to report.

Mr. Dalton reminded Council to turn in their COIA paperwork by January 22, 2025.

15. Closed Session
No closed session scheduled.

16. Adjourn
The Council adjourned at 7:44 p.m. on a motion by Vice Mayor Gibson.

_____ _____

Erecka L. Gibson, Vice Mayor Brandel Kelsey, Town Clerk

BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT / STREETS AND UTILITIES COMMITTEE MINUTES
Berryville-Clarke County Government Center
101 Chalmers Court, Berryville, VA 22611
Tuesday
January 28, 2025
3:30 pm

Members of the committee present: Diane Harrison, Chair; Ryan Tibbens

Staff present: Jean Petti, Deputy Town Manager; Terry Russell, Community Development Director; Brandel Kelsey, Town Clerk

1. Call to Order

Ms. Harrison called the meeting to order at 3:01 p.m.

2. Approval of Agenda

The agenda was approved by consensus on a motion by Mr. Tibbens.

3. Unfinished Business

Dumpster Enclosures

Ms. Harrison brought this back to committee as it had not been completed a few years ago when the town worked on the code for trash bins and such. The plan had been to give businesses with dumpsters about a year to comply with the screening requirements. She estimates probably about five dumpsters currently. This was to address the part of the businesses with dumpsters.

Mr. Tibbens asked if we make businesses purchase a dumpster because they have too many bins, will the Town lose revenue from that, do we have revenue data for this. Mr. Tibbens is fine with asking ones that already have a dumpster to enclose it, but doesn't want to force businesses to get a dumpster. Ms. Harrison recommended a grace period until May 2026 for everyone to have their dumpsters up to code. Committee moved to forward draft ordinance to TC.

Capital Planning

Mr. Tibbens discussed the projects that should be considered for completion within the next decade. The projects include the following: TAP Project- sidewalk extension along the frontage of 328 North Buckmarsh Street; Secure and develop/improve additional public parking in the downtown area; and Plan and complete crosswalk improvements in the downtown area.

Mr. Tibbens said there are a lot of children that have to cross 340 at the intersection, it is a huge safety hazard and the funding is not always available in the time frame it is needed for. Ms. Harrison said the place the crosswalk is needed is on VDOT property and they should fund for that crosswalk. Mr. Tibbens said he would like to increase the reserve fund now so that needs like these can be addressed as they arise rather than years later.

Mr. Tibbens talked about the parking lot at Crow St. It would be a long-term benefit for the Town, something that we use now, that if it was bought by a developer, then we would lose that prime parking area. Ms. Harrison said we could possibly lease the lot from the owner's wife too. This should be discussed in a closed session with Town Council.

Livery Stable Rose Hill

No update. Mrs. Petti said Mr. Dalton is having issues with contacting Damron Engineering & Consulting. Mr. Tibbens asked if the prefab bathroom can be placed in the building without taking out the back wall, he is worried it could take the whole building down. Ms. Harrison said the only drawback with this plan is the door in area one. Mrs. Petti said it is the back door only and the place the toters will go.

Rose Hill Park Pedestrian Bridge Replacement

Ms. Harrison discussed the replacement of the pedestrian bridge in Rose Hill Park. She only suggested that the sides be made of Trek instead of wood. Mrs. Petti said it is in the proposal to use Trek. Mr. Tibbens suggested decorative posts be made of brick to go with the rest of the brick in the park.

4. New Business

Sidewalk Snow Removal

Mrs. Petti spoke about the sidewalk snow removal volunteer program that the City of Winchester uses. Ms. Harrison said that it would help kids in school who need volunteer hours. Mr. Tibbens asked if there should be an age limit. Ms. Harrison said no, as long as a parent signed the form. Ms. Harrison said it should go in the newsletter. Mrs. Petti asked how we would make sure the person requesting the help was really disabled. Ms. Harrison said we would use the honor system. Mr. Tibbens asked what happens if someone signs up for the program and no comes to shovel their snow. Mrs. Petti said in the City of Winchester they have their Public Works department come out and shovel. So that could be something to talk about with Public Works. Committee recommended forwarding to Council.

VCA Creative Communities Partnership grant

Mr. Russell discussed it was time to start the process for the VCA Creative Communities Partnership grant. Ms. Harrison stated they received 4 applications last year. Ms. Harrison said we should put out a News Flash on the website and the Clarke County Facebook page.

5. Other

Wayfinding Signs

Ms. Harrison said the Bid documents were supposed to be in process with the Clerk's office. Ms. Harrison said there needs to be a call set up with Frazier, Ms. Harrison and Mr. Russell. Ms. Harrison noted that after we know the cost, we may need to do it in sections with the first group be the in-town areas, then the entrance to Berryville signs.

Snow Removal

Ms. Harrison said there are repeat offenders of people who refuse to shovel their sidewalks, is there a way we can be sure they are clear prior to school opening for the safety of the students. Ms. Harrison identified the Jackson Pond area and that the Middle School did not clear their sidewalks well either. This could lead to potential mishaps in the street. Ms. Harrison said she would like the handicap spots in town to be fully plowed, they are not being shoveled on the passenger side of the parking spots which a handicapped person could be using to exit the car.

7. Adjournment

The meeting adjourned by consensus at 5:08 p.m. on a motion by Mr. Tibbens.

Water and Sewer Billing Adjustment Policy Review

February 11, 2024 Report
At its January meeting the Town Council reviewed the draft policy and determined that several changes were required before it could be considered for approval.

Changes that the Council required included:
- Inclusion of language that better addressed repairs made by people who are not plumbers
- Provision of an appeal process above and beyond that which had been provided for review of the Town Manager's actions

The draft policy has been amended to address the Council's concerns.

Attachment
- Amended Water and Sewer Adjustment Policy (Draft 02/11/25)

Suggested action
Adopt the amended policy effective February 12, 2025.

Sample motion
I move that the Council of the Town of Berryville adopt the attached amended Water and Sewer Adjustment Policy and that said amended policy become effective on February 12, 2025.

January 14, 2025 Report
Overview
The Town's Water and Sewer Adjustment Policy establishes the Town Manager's (or designee) authority to adjust water and sewer bills. The Policy also establishes:
- adjustment application procedures
- adjustment review procedures and criteria
- meter testing procedures, and
- appeal standards and procedures.

The current version of the Water and Sewer Adjustment Policy was adopted by the Town Council on March 12, 2015.

Proposal under review
The draft Water and Sewer Adjustment Policy under review includes the following significant amendments:
- addition of information regarding how customers may secure/review a copy of the Policy and adjustment request form,
- elimination of the requirement that adjustment requests include a certification from the applicant's home owner's insurance carrier stating that a claim had been

filed in this matter and providing the portion of the bill that will be covered under the applicant's policy,
- addition of a section that clearly states that the Town will not approve adjustments for abnormal usage attributable to toilets, and
- reduce the amount of the contested bill that must be paid prior to adjustment application review; provided that the customer enters into a payment plan with the Town.

Attachment
- Amended Water and Sewer Adjustment Policy

Suggested action
Adopt the amended policy effective January 15, 2025.

Sample motion
I move that the Council of the Town of Berryville adopt the attached amended Water and Sewer Adjustment Policy and that said amended policy become effective on January 15, 2025.

TOWN OF BERRYVILLE
Water and Sewer Billing Adjustment Policy

Purpose:
This policy applies to the adjustment of unusually high water and sewer bills resulting from water leaks or other circumstances resulting in abnormally high water usage. This policy enumerates the authority of the Town Manager, or designee, to grant adjustment of unusually high water and sewer bills upon request of the person or entity responsible for a water account. **This policy also establishes standards for appeals to the Town Council.**

Background:
In accordance with Chapter 17 of the Berryville Code (available at the Town Business Office and the Town's website (www.berryvilleva.gov), ~~W~~where properties are connected to the Town of Berryville's water and sewer systems, the customer is responsible for: 1) the proper provision, monitoring, operation, maintenance, repair, and replacement of all water lines and components of the system from the customer's side of the water meter and 2) the proper provision, monitoring, operation, maintenance, repair, and replacement of all sewer lines and components of the system from where it intersects the Town's main.

Burden of Proof:
The implicit burden of proof in the adjustment requests made pursuant to these policies rests with the customer, not the Town of Berryville. Failure to comply with the requirements of this policy will result in the denial of the adjustment request.

Procedure:
All requests for bill adjustment must be made within ~~ten~~ **fifteen** days of the billing date. **Said requests must be submitted to the Town Business Office.**

Requests must be made utilizing the Town of Berryville Water and Sewer Billing Adjustment Request Form **(available at the Town Business Office and the Town's website (www.berryvilleva.gov)).**

To the completed Town of Berryville Water and Sewer Billing Adjustment Request Form, the customer must ~~also provide a plumber's certification~~ **attach a written statement that includes the following information:**

- **the date and approximate time the plumber or repairer was contacted about the leak or potential leak,**

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- the date and approximate time the plumber or repairer responded to the customer's property,
- the date and approximate time the repair was completed,
- a description of the repairs that were made to stop the leak,
- the name and contact information of the person (or firm) who repaired the leak, and
- a copy of the repair invoice (if applicable).

~~and, when the abnormal usage is greater than three times the account's average usage, a letter from the property owner's insurance company verifying that a claim has been made in this matter and providing what portion of the water/sewer bill will be paid by the insurance company~~.

The Town Manager, or designee, will review the request and provide written notice of his/her decision. Most decisions will be rendered within 10 days of receipt of ~~the~~ a complete adjustment request. All decisions shall be rendered within 30 days of receipt of a complete adjustment request.

Limitations on adjustments

Only one bill adjustment may be made for the water portion of a bill on any account in any given twelve-month period.

The Town Manager, at his or her discretion, may grant a second adjustment to the sewer portion of a bill on an account within a given twelve-month period, if the Manager determines that the adjustment request meets this policy's review criteria and the owner took reasonable steps to prevent the second incident that led to unusually high usage.

Review Criteria:

The Town Manager, or designee, will review adjustment requests in accordance with the following criteria:

- For leaks occurring in the service line between the water meter and the building the meter serves, the Town may approve adjustment to the sewer usage if it is found that the leaking water did not enter the sewer system. Such adjustment may not exceed the difference between the account's average usage over the past twelve months and the high usage resulting from the leak. The Town may approve adjustment to the water usage if it finds that the leak was repaired in a timely fashion after discovery. Such adjustment may not exceed one-half of the difference between the account's average usage over the past twelve months and the high usage resulting from the leak.

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- For leaks or unintended usage from exterior hose connections, the Town may approve adjustment to the sewer usage if it finds that the leaking water did not enter the sewer system. Such adjustment may not exceed the difference between the account's average usage over the past twelve months and the high usage resulting from the leak.

- For abnormal water usage attributable to usage in or by faucets, pipes, water heaters, furnaces or other interior plumbing facilities within the building the water meter serves, the Town may adjust the sewer usage if it finds that the leaking water did not enter the sewer system. Such adjustment may not exceed the difference between the account's average usage over the past twelve months and the high usage resulting from the leak.

- **The Town will not approve adjustments for abnormal water or sewer usage attributable to use by toilets.**

- The Town will not approve adjustments for abnormal water usage attributable to filling of pools or watering of lawns or landscaping.

- The Town will not approve adjustments for abnormal water usage which has not or cannot be sufficiently explained.

When reviewing adjustment requests the Town will take into account, among other factors, whether any of the usage resulted from another party's negligence. Where negligence is found, the Town may determine that no adjustment is warranted. ~~As a part of request reviews the Town will also consider the insurance claim determination as a part of establishing an adjustment amount.~~

Meter Testing:

Customers may at any time request that their water meter be tested for accuracy. If a customer wants to have the water meter that serves their account to be tested, then they must contact the Town Business Office and request the test. At the time of the request the customer must pay a meter testing fee as established by the Town Council. The fee in question will be refunded if it is found that the meter in question does not meet American Water Works Association standards for accuracy. Further, if it is found that the meter does not meet American Water Works Association standards for accuracy, then the Town will review the account for possible adjustment.

Adjustment determinations made because a meter has been found to be inaccurate (after testing) may be appealed to the Town Council if the customer believes that the adjustment is not sufficient.

The Town Council will review all adjustment appeals and will provide written notice of their decision to the customer.

~~Appeals:~~
~~If the customer requesting the bill adjustment believes that the Town **Manager** has erred in making the adjustment decision or has not made a determination on an adjustment request in a timely manner, then he/she may appeal the matter to the Town Council. This appeal must be made in writing within ten days of the date of the decision on the adjustment or within thirty days of the original request if the appeal is based on the Town **Manager**'s failure to render a decision on the review request. If the appeal is based on the belief that the Town **Manager** erred in making its decision on the bill adjustment request, then the appeal request must specify the finding of fact or policy application the requester believes was made in error.~~

~~Adjustment determinations made because a meter has been found to be inaccurate (after testing) may be appealed to the Town Council if the customer believes that the adjustment is not sufficient.~~

~~The Town Council will review all adjustment appeals and will provide written notice of their decision to the customer.~~

Appeals to the Town Council
A customer seeking a water and sewer bill adjustment may request that their application be reviewed by the Town Council if 1) they believe that the Town Manager erred in making a decision on their adjustment application (which may include failing to render a decision within 30 days of the Manager's receipt of a complete adjustment application), or 2) said adjustment request does not qualify for adjustment under this policy's criteria, but the applicant believes that the circumstances that led to the high usage were extraordinary and not generally shared by other water/sewer customers in the Town's system, and the circumstances that led to the high usage were unforeseen and out of the control of the applicant.

If the applicant is submitting an appeal because they believe that the Town Manager erred in making a decision on their adjustment application, then they shall submit a detailed appeal to the Town Business Office in which the review errors are described. Such appeal shall be filed with the Town Business Office not more than

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10 days after the Town Manager's decision was communicated to the applicant or if the Town Manager has failed to make a decision in a timely manner, then the appeal shall be filed with the Town Business Office within 40 days of the submission of a complete adjustment request.

If the applicant is submitting an appeal and the Town Manager has informed them that the requested adjustment does not qualify under this policy's criteria, and the applicant thinks that the circumstances that led to the high usage were extraordinary and not generally shared by the other water/sewer customers in the Town's system, and the circumstances that led to the high usage were unforeseen and out of the control of the applicant, then such appeal shall be filed with the Town Business Office not more than 10 days after the Town Manager's decision was communicated to the applicant.

All appeals will be forwarded to the Town Council at their next regular meeting. The Council shall render a decision on the appeal within 45 days of the first regular meeting at which the appeal was heard. Appellant will be informed in writing of the Council's determination on the appeal.

Customer Responsible for Payment during Review:
While an adjustment request and/or appeal is being processed, the customer is responsible for:

- payment of the entire amount due ~~within the normal payment period or the customer may enter into a payment agreement with the Town.~~ **or**
- **payment of fifty (50) % of the bill and entry into a payment plan for the remainder of the bill.**

Such payment and/or entry into a payment plan must occur before the bill cut-off date. If the customer ~~neither~~ **fails to** makes payment during the ~~normal~~ payment period ~~nor enters into a payment plan with the Town~~ **as outlined above**, then the customer is subject to all applicable collection activities and termination of service.

Any refunds due to a customer as a result of the adjustment process will be credited to the account unless a refund is requested. If a refund is requested, then the refund will be paid within 20 days of request.

Any remaining payment due on account after the adjustment request has been finalized must either be paid in full not more than 30 days ~~of~~ from the bill adjustment decision or in accordance with the approved payment plan.

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~~Burden of Proof:~~

~~The implicit burden of proof in the adjustment request pursuant to these policies rests with the customer, not the Town of Berryville. Failure to comply with the requirements of this policy will result in the denial of the adjustment request.~~

Effective Date:

~~March 12, 2015~~ _____

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February 11, 2025
Discussion/Approval

Consideration of Virginia Department of Health Funding for the Water Treatment Plant Upgrade

Overview

The Town's Water Treatment Plant, raw water intake, and raw water transmission main are slated to be upgraded within the next several years. This work is required because the plant and related raw water facilities, which were constructed in 1984, are approaching the end of their useful life.

The Town of Berryville Utility Rate Study, which was completed in 2019, identified expenses related to the replacement/improvement/repair of this facility and the pumping station at the Shenandoah River. According that study, the plant and pumping station should be replaced/improved/repaired by the end of FY27.

In August 2022 the Town issued an offering to secure professional engineering services required for the design and construction of the water treatment plant upgrade. In December 2022, the Town contracted with Pennoni to provide those required engineering services.

On September 12, 2023 the Town Council approved a preliminary engineering report in which it was recommended that the Town upgrade the water treatment plant with membrane filtration units. That report was reviewed by the Virginia Department of Health. A revised report, addressing Department of Health comments, will be resubmitted on March 1, 2025. The new report eliminates the planned pre-sedimentation basins and provides for the construction of vertical clarifiers. These clarifiers will treat the water through flocculation prior to filtration by the membrane system.

The Town entered into an Order By Consent with the Virginia Department of Health because HAA5 (chlorination by-product) levels in the Town's water have consistently exceeded acceptable levels since 2023.

Revised Water Treatment Plant Upgrade Schedule*
(provided by Pennoni)

Task	Expected Completion
Design	March 1, 2025
VDH/EPA Review	November 2025
Advertise for Bids	February 2026
Bid Opening	March 2026
Award/Notice of Proceed	June 2026
Substantial Completion	November 2027
Final Completion	December 2027 (this represents delay of over 12 months

* staffing changes at Pennoni and the need for BABA waivers have resulted in project schedule modification

Town staff is awaiting receipt of an updated current cost estimate for design and construction of the upgrade. This information will be available at the meeting.

Current Review

The Virginia Department of Health has issued two BIL (FY2024 Bipartisan Infrastructure Law) Initial Offers. The first loan offer, which was dated October 26, 2023 provided a funding package of $6,385,000. The second loan offer, which was dated December 12, 2024 provided a funding package of $6,000,000. Accordingly, the loan offer from the Department of Health totals $12,385,000.

The terms of the loan (both offerings will close at the same time) are as follows:

Principal: $12,385,000

Term: 20 years

Rate: 1.0% below market rate

Draws: Loan funds may be draw monthly during the project. Interest will begin accruing when funds are drawn. Accordingly, no construction loan(s) should be required to complete the project.

The Town Council is asked to acknowledge that they remain interested in the BIL funding described in the initial offers dated October 26, 2023 and December 12, 2024. This action permits the offers to remain committed to this project, but the Town is not committed to borrowing the funds in question until the loan is closed. It is expected that the loan would be closed after the Town has received required VDH and EPA approvals and before the project is advertised.

Attachments

- BIL Initial Offer dated October 26, 2023
- BIL Initial Offer dated December 12, 2024
- Draft letter to VDH

Requested Action

Authorize the mayor to execute the attached letter.

Sample Motion

I move that the Council of the Town of Berryville authorizes the mayor to sign the attached draft letter to the Virginia Department of Health evidencing the Town's continued interest in securing a FY2024 Bipartisan Infrastructure Law loan for the completion of the project to upgrade the Town's Water Treatment Plant and related facilities.

DocuSign Envelope ID: BAF53995-928D-4819-B723-17C9A67E124E

COMMONWEALTH of VIRGINIA

Department of Health
P O BOX 2448
RICHMOND, VA 23218

Karen Shelton, MD
State Health Commissioner

TTY 7-1-1 OR
1-800-828-1120

R. Christopher Lindsay
Chief Operating Officer

October 26, 2023

Subject: Clarke County
Water – Town of Berryville
Water Treatment Plant Renewal
BIL 015S-24

Mr. Keith Dalton, Town Manager
Town of Berryville
101 Chalmers Court, Suite A
Berryville, Virginia 22611

Re: Virginia Drinking Water State Revolving Fund
FY 2024 Bipartisan Infrastructure Law (BIL)
BIL Initial Offer

Dear Mr. Dalton:

The Virginia Department of Health (VDH) has completed a preliminary review of your application for drinking water construction funds. The determination of the funding package is shown below; however, this determination and your inclusion in VDH's Intended Use Plan is contingent on the availability of federal and state funding as well as the conditions below. The VDH Division of Financial, Construction and Assistance Programs (FCAP) administers BIL funds.

Based on the information provided, VDH determined the total funding package for your project is estimated to be **$6,385,000**. The final loan amount will be set at loan closing. The funding package was determined using information provided in your loan application.

The funding package consists of a **100% loan at 1.0% below market rates for 20 years** (or the design life of the project, whichever is less). The interest rate on the loan will be set at 1.0% below the 20-year market rate in the month before loan closing, and the interest rate shall not be less than 1.0%. Recently, the 20-year market rate less 1.0% program subsidy has varied between 2.35% and 3.15%.

Your project may be eligible for an additional interest rate reduction of **0.2%** under our Expedited Closing Program (not to drop below a 1.0% interest rate). To qualify for the Expedited Closing Program, VDH requires your loan closing be completed within 12 months of our original award letter date. If this funding offer is accepted, then you will receive an award letter after this. If you plan to participate in this special program, please indicate that in your response letter.

DocuSign Envelope ID: BAF53995-928D-4819-B723-17C9A67E124E

This offer requires a commitment to evaluate revenues and adjust rates as necessary to ensure revenue growth that factors in increases (e.g., operational costs, inflation, etc.), other costs (e.g., asset/equipment replacements, technology upgrades, capital improvements, etc.), and takes into account other potential revenue reductions (e.g., future regulations, reductions from water conservation, etc.). VDH urges waterworks owners to establish and fund a capital reserve fund that adequately supports capital improvements and asset replacements.

The financial information submitted indicates the owner may need to adjust water rates; having adequate financial resources is crucial to maintaining a successful and sustainable waterworks. Furthermore, VDH recommends waterworks owners implement a revenue growth model that includes automatic annual rate adjustments that exceed inflation. VDH recommends waterworks self-evaluate their financial position using the attached ***Building Financial Sustainability/Financial Health Indicators*** to ensure they are able to provide for financial sustainability. You should begin to prepare your latest audited financial statement (fiscal year 2023) to avoid any delays in credit review and loan closing.

VDH recommends all waterworks maintain updated Waterworks Business Operation Plans, Asset Management Plans, and/or Capital Improvement Plans. The Financial and Construction Assistance Program (FCAP) requires a current Asset Management Plan (AMP) to receive funding. VDH may be able to make funds available for this plan if it was not included in the original budget. As part of the Technical, Managerial, and Financial (TMF) Capacity Review, ODW Capacity Development requires a Waterworks Business Operations Plan (WBOP). Please coordinate with Capacity Development on the AMP, WBOP, and for questions on the TMF review. These questions can be directed to Ms. Julie Floyd, Capacity Development Supervisor, at (540) 460-9348 or Julie.Floyd@vdh.virginia.gov. Mr. Barry Matthews, CPG, TCDO Division Director, is also available to answer questions on the TMF review and he can be reached at (804) 477-5171 or Barry.Matthews@vdh.virginia.gov.

Currently, the federal Drinking Water State Revolving Fund (DWSRF) appropriation and final requirements have not yet been finalized. However, all recipients should expect to comply with the Build America/Buy America Act (which includes American Iron and Steel requirements), Davis Bacon Prevailing Wage, and other provisions as required.

The funding package and loan closing are conditioned on and are subject to change based on (but not limited to) the following:

(1) The availability of federal and state match funds to support the DWSRF Program,
(2) New restrictions/conditions that the EPA or VDH may require in the use of the SRF funds or for participation in the Program,
(3) Changes to the purpose, benefit, or scope of the project from the Preliminary Engineering Report (PER) or the DWSRF Application; or if the VDH-ODW Field Office does not concur with the project purpose, benefit, or scope,
(4) Owner complying with the DWSRF Program requirements, and owner's progress to a timely closing according to a pre-negotiated schedule, or delays/changes in project readiness to proceed,
(5) Owner's history of activities with the ODW/DWSRF Program (i.e., late or non-payments or non-compliance),

DocuSign Envelope ID: BAF53995-928D-4819-B723-17C9A67E124E

(6) Owner obtaining user agreements from future water users in the project area (if applicable),
(7) The financial estimates provided in your loan application changing,
(8) Owner's ability to secure the loan. All loan offers will require an acceptable credit review by the Virginia Resources Authority,
(9) Owner soliciting other lenders for parity on this new debt,
(10) Owner being debarred or suspended from applying for state or federal funds,
(11) Waterworks maintaining compliance with the Virginia *Waterworks Regulations* and other applicable state/federal laws, regulations, policies, and procedures, and
(12) EPA mandates that all program assistance recipients demonstrate full technical, financial, and managerial capacity in order to receive funds. VDH may place special requirements on recipients in order to ensure capacity requirements are met prior to loan closing.

An acceptance of this funding offer reflects a commitment on your part to these requirements. VDH reserves the right to by-pass any project that has not executed financial agreements within 12 months from the date of VDH's original award letter.

Please notify me in writing as soon as possible but no later than December 1, 2023, at the address above of your acceptance of this initial funding package offer or any concerns and additional factors that should be considered. Failure to notify me can be deemed as your withdrawal from this program. Please use the above referenced project number and name on all correspondence. If necessary, I can be contacted at (804) 629-7206 or at Kelly.Ward@vdh.virginia.gov.

Sincerely,

DocuSigned by:
Kelly Ward
8C1C79E9EDA547F...

Kelly Ward, Director
Division of Financial, Construction & Assistance Programs

cc: Barry Matthews, CPG, Division Director – Training, Capacity Development and Outreach
Keith Kornegay, P.E., FCAP Project Team Leader, Lexington Field Office
Jeremy Hull, P.E., ODW Field Director, Culpeper Field Office
Joe Bergeron, VRA, Director of Financial Services and Investments

COMMONWEALTH of VIRGINIA

Department of Health
P O BOX 2448
RICHMOND, VA 23218

TTY 7-1-1 OR
1-800-828-1120

Karen Shelton, MD
State Health Commissioner

R. Christopher Lindsay
Chief Operating Officer

December 12, 2024

Subject: Clarke County
Water – Town of Berryville
Water Treatment Plant Improvements Phase 2
BIL-013S-25

Mr. Keith Dalton, Town Manager
Town of Berryville
101 Chalmers Court, Suite A
Berryville, Virginia 22611

Re: Virginia Drinking Water State Revolving Fund
FY 2025 Bipartisan Infrastructure Law (BIL)/Financial Assistance
BIL Initial Offer

Dear Mr. Dalton:

The Virginia Department of Health (VDH) has completed a preliminary review of your application for drinking water construction funds. The determination of the funding package is shown below; however, this determination and your inclusion in VDH's Intended Use Plan is contingent on the availability of federal and state funding as well as the conditions below.

Based on the information provided, VDH determined the total DWSRF funding package for your project is estimated to be **$6,000,000**. The final loan amount will be set at loan closing. The funding package was determined using information provided in your loan application.

The funding package consists of a **100% loan at 1.0% below market rates for 20 years** (or the design life of the project, whichever is less). The interest rate on the loan will be set at 1.0% below the 20-year market rate in the month before loan closing, and the interest rate shall not be less than 1.0%. **Recently, the 20-year market rate less 1.0% program subsidy has varied between 2.35% and 3.15%.**

Your project may be eligible for an additional interest rate reduction of **0.25%** under our Expedited Closing Program (not to drop below a 1.0% interest rate). To qualify for the Expedited Closing Program VDH requires your loan closing be completed within 12 months of our original award letter. If this funding offer is accepted, then you will receive an award letter after this. If you will participate in this special program, please indicate your plans for complying in your response letter.

This offer requires a commitment to evaluate revenues and adjust rates as necessary to ensure revenue growth that factors in increases (e.g., operational costs, inflation, etc.), other costs (e.g., asset/equipment replacements, technology upgrades, capital improvements, etc.), and takes into account other potential revenue reductions (e.g., future regulations, reductions from water conservation, etc.). VDH urges waterworks owners to establish and fund a capital reserve fund that adequately supports capital improvements and asset replacements.

The financial information submitted indicates the owner may need to adjust water rates; having adequate financial resources is crucial to maintaining a successful and sustainable waterworks. Furthermore, VDH recommends waterworks owners implement a revenue growth model that includes automatic annual rate adjustments that exceed inflation. VDH recommends waterworks self-evaluate their financial position using the attached ***Building Financial Sustainability/Financial Health Indicators*** to ensure they are able to provide for financial sustainability. **You should begin to prepare your latest audited financial statement (fiscal year 2024) to avoid any delays in credit review and loan closing.**

VDH recommends all waterworks maintain updated Waterworks Business Operation Plans, Asset Management Plans, and/or Capital Improvement Plans. As part of the Technical, Managerial, and Financial (TMF) Capacity Review, ODW Capacity Development requires a WBOP and an AMP. Please coordinate with Capacity Development on the AMP, WBOP, and for questions on the TMF review. These questions can be directed to Sarah Rowe, Capacity Development Sustainability Coordinator, by phone at (804) 965-4385 or by email at Sarah.Rowe@vdh.virginia.gov. Mr. Jarrett Talley, Capacity Development Supervisor, is also available to answer questions on the TMF review and he can be reached by phone at (804) 317-0140 or by email at Jarrett.Talley@vdh.virginia.gov.

Currently, the federal Drinking Water State Revolving Fund (DWSRF) appropriation and final requirements have not yet been finalized. However, all recipients should expect to comply with American Iron and Steel (AIS) requirements or Build America/Buy America Act (which includes AIS requirements), Davis Bacon Prevailing Wage, and other provisions as required.

The funding package and loan closing are conditioned on and are subject to change based on (but not limited to) the following:

(1) The availability of federal and state match funds to support the DWSRF Program,
(2) New restrictions/conditions that the EPA or VDH may require in the use of the SRF funds or for participation in the Program,
(3) Changes to the purpose, benefit, or scope of the project from the Preliminary Engineering Report (PER) or the DWSRF Application; or if the VDH-ODW Field Office does not concur with the project purpose, benefit, or scope,
(4) Owner complying with the DWSRF Program requirements, and owner's progress to a timely closing according to a pre-negotiated schedule, or delays/changes in project readiness to proceed,
(5) Owner's history of activities with the ODW/DWSRF Program (i.e., late or non-payments or non-compliance),
(6) Owner obtaining user agreements from future water users in the project area, (if applicable)
(7) The financial estimates provided in your loan application changing,

(8) Owner's ability to secure the loan. All loan offers will require an acceptable credit review by the Virginia Resources Authority,
(9) Owner soliciting other lenders for parity on this new debt,
(10) Owner being debarred or suspended from applying for state or federal funds,
(11) Waterworks maintaining compliance with the Virginia *Waterworks Regulations* and other applicable state/federal laws, regulations, policies, and procedures, and
(12) EPA mandates that all program assistance recipients demonstrate full technical, financial, and managerial capacity in order to receive funds. VDH may place special requirements on recipients in order to ensure capacity requirements are met prior to loan closing.

An acceptance of this funding offer reflects a commitment on your part to these requirements. VDH reserves the right to by-pass any project that has not executed financial agreements within 12 months from the date of VDH's original award letter.

Please notify me in writing as soon as possible but no later than January 13, 2025, at the address above of your acceptance of this initial funding package offer or any concerns and additional factors that should be considered. Failure to notify me can be deemed as your withdrawal from this program. Please use the above referenced project number and name on all correspondence. If necessary, I can be contacted by phone at (804) 584-0413 or by email at Anthony.Hess@vdh.virginia.gov .

Sincerely,

Anthony Hess (Dec 12, 2024 17:10 EST)

Anthony Hess, Director
Division of Financial, Construction & Assistance Programs

cc: Jarrett Talley, Capacity Development Supervisor – Training, Capacity Development and Outreach
Keith Kornegay, P.E., FCAP Project Team Leader, Lexington Field Office
Jeremy Hull, P.E., ODW Field Director, Culpeper Field Office
Joe Bergeron, VRA, Director of Financial Services and Investments

February 11, 2025

Ms. Kelly Ward, DWSRF Director
Virginia Department of Health
Office of Drinking Water
109 Governor Street, Room 630
Richmond, VA 23219

Dear Ms. Ward:

This letter is written concerning BIL 015S-24 (dated October 26, 2023) and BIL 013S-25 (dated December 12, 2024).

The Town of Berryville greatly appreciates the BIL Initial Offers that it has received from your department. The Town and its consulting engineer are working diligently to complete design and apply for any BABA waivers that will be required to complete its water treatment plant upgrade project utilizing the subject funds.

The Town of Berryville remains interested in utilizing BIL funds to complete its water treatment plant upgrade project. The design team and Town staff met with Anthony Hess and Leonardo Suarez-Parada last week and it appears that the project is now proceeding nicely.

If you need additional information from the Town of Berryville, then please contact either Keith Dalton, Town Manager or Jean Petti, Deputy Town Manager. Both Mr. Dalton and Mrs. Petti can be reached at 540.955.1099.

Sincerely,

Harry Lee Arnold, Jr.
Mayor

Town Council Agenda Item Report Summary

February 11, 2025

Item Title
Wayfinding signs

Prepared By
Terry Russell

Background/History/General Information

The Town signed a contract with Frazier Associates to complete a wayfinding program. A wayfinding task group was formed and a design was selected. Funding is a combination of General Funds and ARPA.

Findings/Current Activity
Frazier and Associates has completed its design work and VDOT review. In order to fabricate and install the wayfinding signs in 2025, it is time to begin the IFB (Information For Bid) process to obtain bids from fabricator/installers.

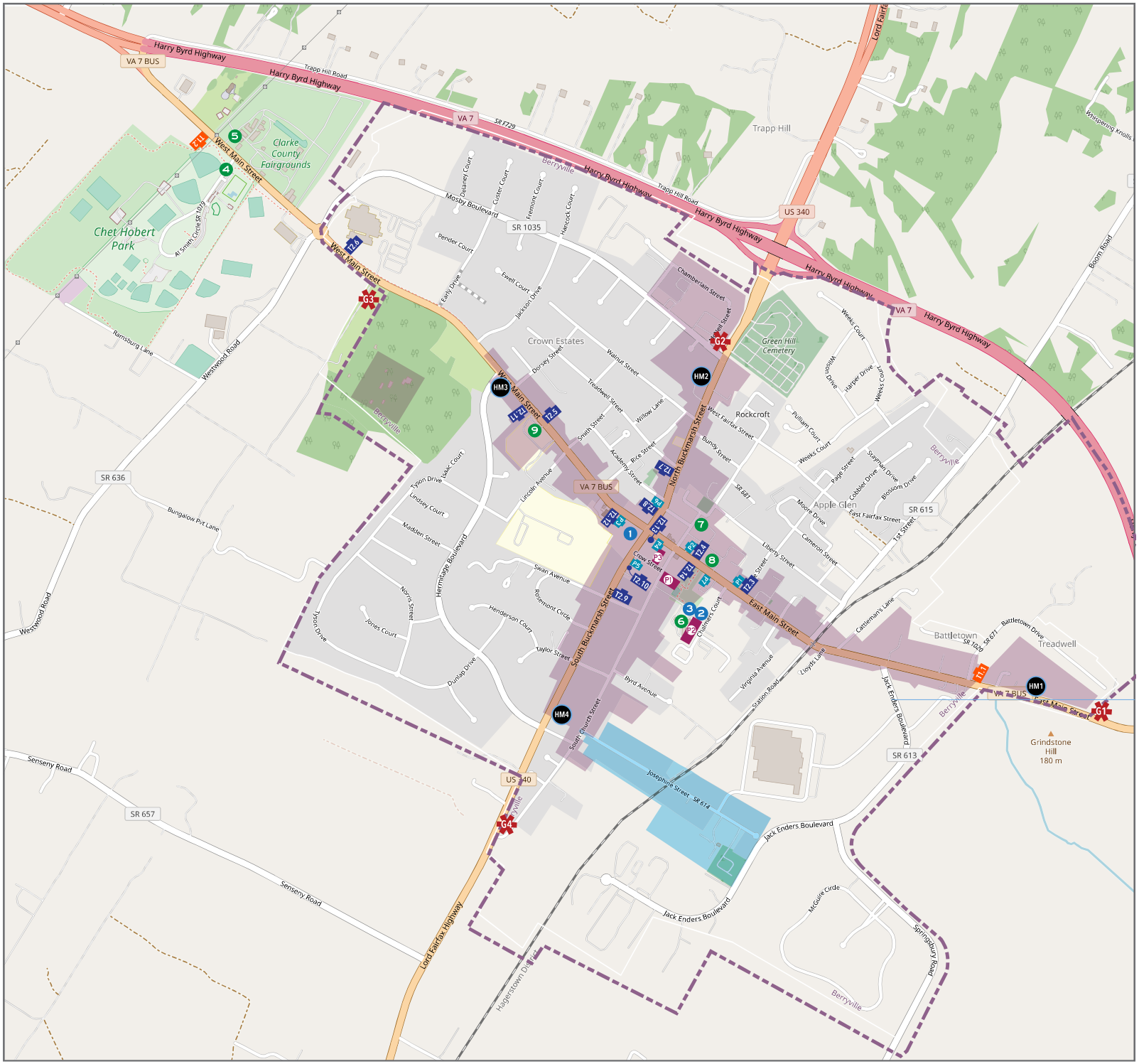
Schedule/Deadlines
It is proposed that IFB#2025-01: Wayfinding Signs be posted on February 21, 2015; that the Pre-Bid meeting be held on March 14, 2025; the sealed bids to be submitted to the Town by March 21, 2025 at 10:00 a.m. with the Bid Opening at 10:10 a.m. Bids to be reviewed by Council on April 8, 2025 and award April 11, 2025.

Other Considerations
N/A

Recommendation
Authorize Town Manager to make any necessary amendments and issue IFB#2025-01: Wayfinding.

Attachment

- Town of Berryville Wayfinding Sign System Construction Intent Documents
- IFB#2025-01: Wayfinding Signs will be available for Council review by Tuesday, February 11, 2025



LEGEND

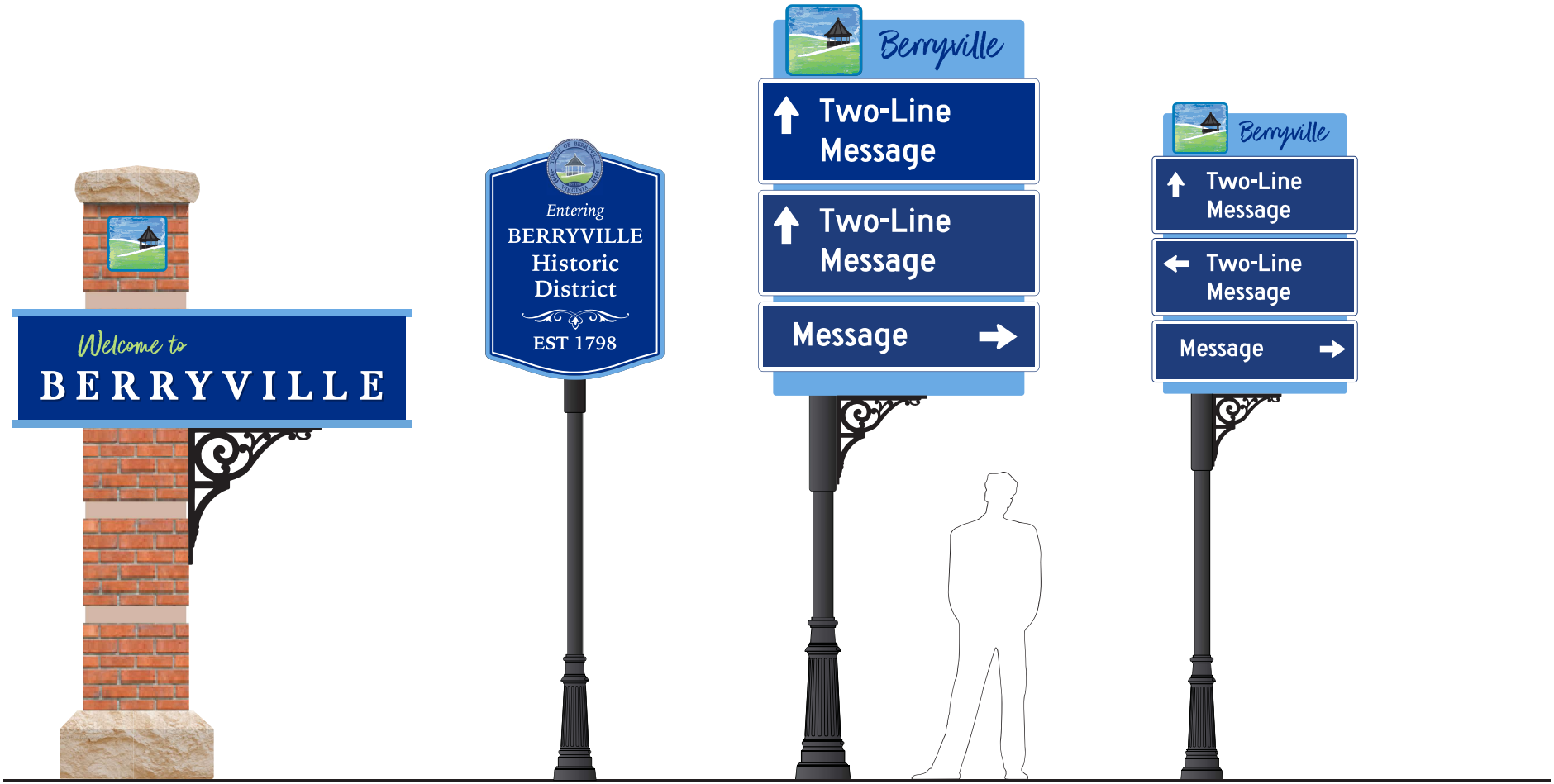
- Berryville Town Limits
- Berryville Historic District
- Josephine Historic District
- G#: Gateway Sign
- HM#: Historic Marker Sign
- T1.#: Large Trailblazer Sign
- T2.#: Small Trailblazer Sign
- P#: Parking Sign

DESTINATIONS:

1. Historic Downtown Berryville
2. Visitor Center
3. Barns of Rose Hill
4. Chet Hobert Park
5. Clarke Co Fairgrounds
6. Government Center
7. County Court House
8. Historical Association
9. Farmers Market May–Oct

Public Parking Lots

- P1: Municipal Lot
- P2: Govt Center Lot
- P3: Crow St Lot



G1: Gateway Sign

G2: Historic District Marker Sign

T1-Vehicular Trailblazer

T2-Vehicular Trailblazer

Parking Directional Sign

Public Parking Site Identification Signs

Report of the Department of Public Works
February 6, 2025

General Information

Berryville experienced numerous winter snow and ice events during last month, and, with the exception of a few minor mechanical issues, our snow removal equipment held up fine. We have restocked our bulk salt and chip stone and are ready for the next round of winter storms.

The pre-bid meeting for the Bel-Voi water improvement project was held last month; we had nine prospective bidders attend the meeting. This was a nonmandatory meeting so we may end up with additional bidders that did not attend the meeting.

Water

January was one of the coldest months in decades, and with that cold weather came numerous water-related issues. Most of the calls we responded to dealt with frozen water laterals and broken service lines inside private residences. We met with the property owners and advised them of their issues. Additional water loss indicated hidden leaks, so a third-party contractor that specializes in leak detection was utilized. They arrived on Monday Feb. 3 and have identified several areas of concern; we are in the process excavating and repairing the leaks they have located.

Sewer

We had no sewer blockages or pump station issues last month.

Public Utilities Department Report
11 February 2025

Item Title: Department Update
Prepared By: Jean Petti

Water Treatment Plant Activity
Testing results from samples collected on November 20, 2024 show that our system exceeded the standard, or maximum contaminant level (MCL), for Haloacetic Acids, with results of 0.061 mg/L at both monitoring locations. The standard for Haloacetic Acids is 0.060mg/L. Results are not yet available from non-compliance samples taken in January. The next HAA5 compliance sampling is scheduled for later this month. All water quality results are available at https://vadwv.gecsws.com/

The Consent Order went into effect on December 31, 2024. Our Corrective Action Plan submission is due by February 19th.

Efforts to resolve any "unknown" lines in our Lead Service Line Inventory continue. Residents may request an inspection of their line by calling the Town office or by emailing deputytownmanager@berryvilleva.gov.

Wastewater Treatment Plant Activity
The Fournier sludge presses are scheduled for service this month. Two full-time contractors with Inboden Environmental Services provide all staffing, including evenings and weekends.

Department General Activity
Many thanks to members of the Public Works Department, who have provided prompt maintenance assistance to the Public Utilities Department to increase cold-weather resilience, address frozen lines, and maintain safe access to facilities during inclement weather.

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: 02/06/2025
TO: Town Council
FROM: Chief W. Neal White
CC:
RE: Police Department Monthly Report – 02/11/2025

Monthly Activity Report

The activity report for the month of January 2025 is attached to this report.

Public Safety Committee

The Public Safety Committee did not meet in January 2025.

Staffing

The department continues to have one sworn law enforcement officer position vacancy.

Public Recognition

Officer First Class Kevin Bayliss was recognized by VFW Post 9760 for his outstanding contributions to the department and community on February 3, 2025. Congratulations to Officer First Class Bayliss for a job well done.

BERRYVILLE POLICE DEPARTMENT

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

Police and Security Report

Month/Year: January	Year To Date 2025	January 2025	December 2024
Complaints Answered			
911 Hang Up:	2	2	2
Alarms:	2	2	9
Animal Complaint:	6	6	4
Assault:	2	2	1
Assist County:	9	9	8
Assist EMS and Fire:	13	13	10
Auto Larceny:	0	0	0
Burglary:	0	0	0
Civil Complaints:	8	8	11
Disturbance:	5	5	1
Domestic Disturbance:	1	1	0
Driving Under the Influence	3	3	0
Drunk In Public:	1	1	0
Fraud:	3	3	1
Larceny:	2	2	2
Harassment/Intimidation:	2	2	5
Homicide:	0	0	0
Identity Theft	1	1	0
Juvenile Related:	0	0	1
Mental Health Crisis:	6	6	7
Narcotics Related:	1	1	1
Noise	1	1	4
Public Service:	4	4	4
Sexual Assault:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Suspicious Activity:	21	21	27
Trespassing:	0	0	2
Vandalism:	3	3	1
Welfare Check:	3	3	7
Miscellaneous Complaints:	59	59	21
Total Complaints Answered:	158	158	129

BERRYVILLE POLICE DEPARTMENT

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

Police and Security Report (Continued)

	Year To Date 2025	January 2025	December 2024
Traffic			
Accidents Investigated:	11	11	3
Assist Motorist:	0	0	11
Child Safety Seat Install:	0	0	2
Funeral Escort:	1	1	3
Hit & Run:	1	1	1
Parking Tickets:	1	1	0
Traffic Warnings:	43	43	37
Traffic Summons Issued			
Defective Equipment:	0	0	0
Driving Suspended:	0	0	3
Expired Inspection:	0	0	0
Expired Registration:	1	1	1
Fail to Obey Highway Sign:	6	6	3
Fail to Obey Traffic Signals:	0	0	0
Fail to Stop/Lights & Siren:	0	0	0
Fail to Yield Right of Way:	0	0	0
Hit and Run:	0	0	0
No Liability Insurance:	0	0	0
No Operator's License:	1	1	0
No Seat Belt:	0	0	0
Reckless Driving:	0	0	1
Speeding:	4	4	4
Miscellaneous Summons:	1	1	5
Total Traffic Summons Issued:	13	13	17
Found Open at Businesses in Town			
Doors:	0	0	1
Windows:	0	0	0
Garage Doors:	0	0	0

BERRYVILLE POLICE DEPARTMENT

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

Police and Security Report (Continued)

	Year To Date 2025	January 2025	Decmber 2024
Criminal Papers Served			
Abduction:	0	0	0
Arson:	0	0	0
Assault and Battery:	0	0	0
Assault and Battery on Police Officer:	0	0	0
Auto Larceny:	0	0	0
Breaking and Entering:	0	0	0
Capias:	0	0	0
Disorderly Conduct:	0	0	0
Driving Under the Influence:	2	2	0
Drunk In Public:	1	1	0
Fail to Obey Police Officer:	0	0	0
Fail to Pay Parking Ticket:	0	0	0
Forgery:	0	0	0
Fraud:	0	0	0
Homicide:	0	0	0
Illegal Drugs/Paraphernalia:	0	0	0
Larceny:	1	1	0
Possess Alcohol Underage:	0	0	0
Protective Order Violations:	0	0	0
Rape:	0	0	0
Resisting Arrest:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	0	0	0
Vandalism:	0	0	0
Weapons Violation:	0	0	0
Miscellaneous Criminal Arrests:	1	1	0
Juvenile Detention Order Totals:	0	0	0
Total Criminal Arrests:	5	5	0

BERRYVILLE POLICE DEPARTMENT

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

Police and Security Report (Continued)

	Year To Date 2025	January 2025	December 2024
Response to Resistance			
Total Community Interface	231	231	187
Total Enforcement Contacts	61	61	54
Physical Custody	4	4	0
Reported Force Involved	1	1	0
Administrative Review - Justified	1	1	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
Type of Force Involved			
Compliance Hold / Open Hands	0	0	0
Takedown	1	1	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
Arrestee Demographics			
White Male	3	3	0
Black Male	0	0	0
Other Male	0	0	0
White Female	1	1	0
Black Female	0	0	0
Other Female	0	0	0

Town Council Agenda Item Report Summary

February 11, 2025

Item Title
Community Development Update

Prepared By
Terry Russell

Planning Commission
The Planning Commission held its 2025 organizational meeting on Tuesday, January 28, 2025. William Steinmetz was elected Chairman and Gwen Malone was elected Vice Chairman. The Commission approved its meeting calendar for 2025. There were no other action items on the agenda.

Berryville Area Development Authority
The BADA has not held a meeting since the last Council meeting. Its next meeting, is scheduled for Wednesday, February 26, 2025.

Architectural Review Board
The ARB held its organizational meeting on February 5, 2025. Susan Godfrey was elected Chairman and Robin McFillen was elected Vice Chairman. The Board adopted its meeting calendar for 2025. There were no other action items on the agenda.

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

Board of Zoning Appeals
The BZA has not held a meeting since the last Council meeting.

Administration and Finance Report
February 11, 2025

Item Title:
Report of the Administration and Finance Department

Prepared By:
Cynthia Poulin, Treasurer

Attachments

1. Cash Balance(s) Report
2. ARPA Update

Recommendation
Presented for Council review

Cash Balance Report

Period Ending 1/31/2025

Town of Berryville

2/4/2025 3:02 PM

	Bank Information	Balance
1	Bank of Clarke Operating Acct#- 1138499	-$36,522.49
2	Bank of Clarke NOW Acct#- 1138502	$9,631,591.69
3	Bank of Clarke Payroll Acct#- 1138510	$40,196.39
4	Bank of Clarke CIP Acct#- 1138405	$15,782,111.18
5	Bank of Clarke SW Acct#- 1138413	$486,103.32
6	Bank of Clarke PDAF Acct#- 1138421	$25,475.87
7	Bank of Clarke DSR Acct#- 1138456	$112,713.21
9	Bank of Clarke RAU Acct#- 1138472	$950.17
10	Bank of Clarke VRA Reserve Acct#- 6041647	$470,000.00
11	Bank of Clarke Proffer Reserve Acct#- 1897098	$90,359.03
12	Bank of Clarke Performance Bonds Acct#- 1910841	$11,317.09
13	TRUIST Acct#- 5137523525	$568,625.83
14	Bank of Clarke PD Contributions Acct#- 5759859	$8,746.12

Total Cash Balance:	$27,191,667.41

Check Listing

Date From: 1/1/2025 Date To: 1/31/2025
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Check Number	Bank	Vendor		Date	Amount
9548	1	BRIAN AUMULLER		01/08/2025	**$109.25**
9549	1	Capital Compressor		01/08/2025	**$1,065.00**
9550	1	CONVERGINT TECHNOLOGIES		01/08/2025	**$342.50**
9551	1	Dave Tyrrell		01/08/2025	**$225.00**
9552	1	Harry W. McCormick		01/08/2025	**$34.75**
9553	1	Jean Petti		01/08/2025	**$50.00**
9554	1	Keith Dalton		01/08/2025	**$50.00**
9555	1	ROBERTS OXYGEN CO		01/08/2025	**$158.00**
9556	1	The Hall Company		01/08/2025	**$1,675.71**
9557	1	The Winchester Star		01/08/2025	**$249.92**
9558	1	AT&T		01/15/2025	**$544.66**
9559	1	BODY ART TATTOOS		01/15/2025	**$860.00**
9560	1	Broy & Son Pump Service, Inc		01/15/2025	**$2,163.56**
9561	1	COMBS WASTEWATER MANAGEMENT LLC		01/15/2025	**$75.00**
9562	1	ELIZABETH STAGNER	VOIDED	01/15/2025	**$285.00**
9563	1	FRONT ROYAL FORD		01/15/2025	**$20.00**
9564	1	Hall, Monahan, Engle, Mahan & Mitchell		01/15/2025	**$162.50**
9565	1	HVT INC AS TRUSTEE FOR HLT 9498		01/15/2025	**$637.02**
9566	1	HVT INC AS TRUSTEE FOR HLT 9544		01/15/2025	**$23.08**
9567	1	Indian River Equipment Co.		01/15/2025	**$860.03**
9568	1	JACQUELINE VICTORIA ROBERTSON		01/15/2025	**$225.00**
9569	1	KENNETH ROBINSON	VOIDED	01/15/2025	**$270.00**
9570	1	Michelle M. Jones		01/15/2025	**$1,580.00**
9571	1	Pest Management Services, Inc. dba PMSI		01/15/2025	**$1,500.00**
9572	1	PRIMO WATER		01/15/2025	**$27.11**
9573	1	Quadient Inc		01/15/2025	**$15.00**
9574	1	Ridgeway Auto Body		01/15/2025	**$5,373.78**
9575	1	Select Specialty Products		01/15/2025	**$73.52**
9576	1	SHAH TRADEX INC 10989		01/15/2025	**$1,871.15**
9577	1	Southern Software, Inc.		01/15/2025	**$6,283.00**
9578	1	THOMSON REUTERS		01/15/2025	**$109.20**
9579	1	Treasurer of Frederick County		01/15/2025	**$5,724.36**

Check Listing

Date From: 1/1/2025 Date To: 1/31/2025
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Check Number	Bank	Vendor	Date	Amount
9580	1	US Postal Service	01/15/2025	**$350.00**
9581	1	Virginia Resources Authority	01/15/2025	**$235,000.00**
9582	1	Waterloo Electric Service, LLC	01/15/2025	**$1,231.96**
9583	1	TOWN OF BERRYVILLE	01/14/2025	**$285.00**
9584	1	TOWN OF BERRYVILLE	01/14/2025	**$270.00**
9585	1	BOTKINROSE PLC	01/22/2025	**$1,761.00**
9586	1	DONALD B RICE TIRE CO	01/22/2025	**$600.00**
9587	1	ELIZABETH STAGNER	01/22/2025	**$223.05**
9588	1	EMMART OIL CO	01/22/2025	**$55.00**
9589	1	INBODEN ENVIRONMENTAL SVCS	01/22/2025	**$20,505.19**
9590	1	KENNETH ROBINSON	01/22/2025	**$208.05**
9591	1	LEWIS MICHAEL A 11422	01/22/2025	**$721.46**
9592	1	MONOS, MATTHEW FRANCOIS 11772	01/22/2025	**$1,440.66**
9593	1	RIDDLEBERGER BROTHERS	01/22/2025	**$12,455.00**
9594	1	SAM RHODES	01/22/2025	**$131.10**
9595	1	Skyline Regional CJA	01/22/2025	**$195.22**
9596	1	THE POLICE AND SHERIFFS PRESS	01/22/2025	**$17.60**
9597	1	VIRASEC IT Support Services, Inc.	01/22/2025	**$3,795.62**
9598	1	VUPS	01/22/2025	**$46.00**
9599	1	BROOKS TOM S 8277	01/29/2025	**$324.50**
9600	1	CABRERA, CRISTIL & DAISY D 2976	01/29/2025	**$182.73**
9601	1	Country Roads Tire & Auto Inc	01/29/2025	**$264.00**
9602	1	Emory Russell	01/29/2025	**$72.92**
9603	1	Fire Protection Company, LLC	01/29/2025	**$658.20**
9604	1	MORTON SALT, INC.	01/29/2025	**$2,014.19**
9605	1	REED ELAINE ANGELICA & GREGORY J 8404	01/29/2025	**$419.10**
9606	1	SHEPPARD LISA T 6240	01/29/2025	**$19.80**
9607	1	The Hall Company	01/29/2025	**$576.75**
9608	1	UBEO MIDCO LLC	01/29/2025	**$1,564.11**
9609	1	Valley Automation	01/29/2025	**$11,596.12**
62		Checks Totaling -		**$329,627.43**

Checks	Voids	Total

Check Listing

Date From: 1/1/2025 Date To: 1/31/2025
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Check Number	Bank	Vendor	Date	Amount

Totals By Fund

	Checks	Voids	Total
100	$36,394.56		$36,394.56
501	$3,285.41	$183.15	$3,102.26
502	$289,947.46	$371.85	$289,575.61
Totals:	$329,627.43	$555.00	$329,072.43

BANK OF AMERICA

BERRYVILLE TOWN OF
[redacted]
January 01, 2025 - January 31, 2025

Purchasing Card

Company Statement

Account Information

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

Payment Information

Statement Date	01/31/25
Payment Due Date	**02/25/25**
Days in Billing Cycle	31
Credit Limit	$500,000
Cash Limit	$0
Total Payment Due	**$69,341.65**

Account Summary

Previous Balance	$86,736.27
Payments	-$86,736.27
Credits	$0.00
Cash	$0.00
Purchases	$69,341.65
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	$69,341.65

Important Messages

Please do not send payment. Your automatic payment is scheduled to be credited to this account on 02/25/25.

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 *Credit Limit*	*Credits*	*Cash*	*Purchases and Other Debits*	*Total Activity*

8673627 6934165 6934165 4715291201837237

Account Number [redacted]
January 01, 2025 - January 31, 2025

Total Payment Due $69,341.65
Payment Due Date 02/25/25

Enter payment amount

$.

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

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

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:	
	Within the U.S. 1.888.449.2273	Outside the U.S. 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.

Cardholder Activity Summary

Account Number / Credit Limit	Credits	Cash	Purchases and Other Debits	Total Activity
AUMULLER, BRIAN [redacted]				
1,000	0.00	0.00	9.71	9.71
BOOR, RICK [redacted]				
15,000	0.00	0.00	2,123.85	2,123.85
BOOTH, KEVIN [redacted]				
1,000	0.00	0.00	632.80	632.80
BRISTOL, TIM [redacted]				
50,000	0.00	0.00	90.00	90.00
DALTON, KEITH [redacted]				
50,000	0.00	0.00	27.00	27.00
DORSEY, DANIEL [redacted]				
1,500	0.00	0.00	29.86	29.86
ELLIOTT, RALPH [redacted]				
50,000	0.00	0.00	6.00	6.00
GRIFFITH, RICHARD A [redacted]				
1,500	0.00	0.00	155.28	155.28
JOHNSON, KAREN [redacted]				
1,000	0.00	0.00	404.04	404.04
KELSEY, BRANDEL [redacted]				
1,000	0.00	0.00	95.00	95.00
LINK, BRIAN [redacted]				
50,000	0.00	0.00	229.54	229.54
MCCORMICK, HARRY [redacted]				
1,500	0.00	0.00	291.73	291.73
MILBURN, AUSTIN [redacted]				
1,500	0.00	0.00	74.88	74.88
PEARSON, MORGAN [redacted]				
1,000	0.00	0.00	657.00	657.00
PETTI, JEAN [redacted]				
50,000	0.00	0.00	13,415.39	13,415.39
POULIN, CYNTHIA [redacted]				
50,000	0.00	0.00	765.97	765.97
SHARP, BRIAN [redacted]				
1,500	0.00	0.00	232.65	232.65
SHEETZ, CULLEN [redacted]				
1,500	0.00	0.00	889.24	889.24
SHOREMOUNT, JOSEPH E [redacted]				
1,500	0.00	0.00	11.26	11.26
STOVER, KEITH [redacted]				
50,000	0.00	0.00	3,012.16	3,012.16
TYLER, LAURA A [redacted]				
50,000	0.00	0.00	43,060.50	43,060.50

Cardholder Activity Summary

Account Number / Credit Limit	Credits	Cash	Purchases and Other Debits	Total Activity
WHITE, NEAL [redacted]				
15,000	0.00	0.00	3,127.79	3,127.79

Transactions

Posting Date	Transaction Date	Description	Reference Number	MCC	Charge	Credit
BERRYVILLE TOWN OF						**Total Activity**
Account Number: [redacted]						**-$86,736.27**
01/24	01/24	AUTO PAYMENT DEDUCTION		0071		86,736.27
AUMULLER, BRIAN						**Total Activity**
Account Number: [redacted]						**9.71**
01/10	01/09	FISHER AUTO PARTS 009 BERRYVILLE VA	24431065010128223037283	5533	9.71	
BOOR, RICK						**Total Activity**
Account Number: [redacted]						**2,123.85**
01/06	01/04	LOWES #02724* Winchester VA	2469216500410646109 6013	5200	38.94	
01/09	01/08	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	2441290500802701326 0176	5599	816.10	
01/14	01/13	THE BLOSSMAN COMPANIES 228-872-8936 MS	2480166501303002394 3320	5983	958.63	
01/15	01/14	ALTMED MEDICAL CTR- FR FRONT ROYAL VA	2449398501406589702 0817	8011	85.00	
01/24	01/23	MARIO'S PIZZA BERRYVILLE VA	2433322502322164925 4139	5812	146.58	
01/30	01/29	I3B*COUNTY OF CLARKE CTR 540-955-5160 VA	2444500503000094486 2974	9399	78.60	
BOOTH, KEVIN						**Total Activity**
Account Number: [redacted]						**632.80**
01/03	01/02	BERRYVILLE TRUE VALUE BERRYVILLE VA	2480197500320115200 1827	5251	14.69	
01/03	01/02	BERRYVILLE TRUE VALUE BERRYVILLE VA	2480197500320115200 2189	5251	59.26	
01/09	01/08	LOWES #02724* Winchester VA	2469216500810964837 8441	5200	124.80	
01/09	01/08	FISHER AUTO PARTS 009 BERRYVILLE VA	2443106500912760204 7296	5533	134.32	
01/14	01/13	BERRYVILLE TRUE VALUE BERRYVILLE VA	248019750142119228 86115	5251	78.36	
01/15	01/14	JNO. S SOLENBERGER AND C WINCHESTER VA	2413829501407274903 9339	5251	117.26	
01/17	01/16	JNO. S SOLENBERGER AND C WINCHESTER VA	241382950160734650 40947	5251	38.50	
01/23	01/22	COSTCO WHSE #0239 WINCHESTER VA	2494300502313603782 9870	5300	42.10	
01/24	01/23	BERRYVILLE TRUE VALUE BERRYVILLE VA	2480197502422191799 0572	5251	23.51	
BRISTOL, TIM						**Total Activity**
Account Number: [redacted]						**90.00**
01/14	01/13	FESTIVAL CLEANERS BERRYVILLE VA	2402244501390001460 0073	7216	30.00	
01/20	01/18	FESTIVAL CLEANERS BERRYVILLE VA	2402244501990001510 0077	7216	60.00	
DALTON, KEITH						**Total Activity**
Account Number: [redacted]						**27.00**
01/03	01/02	BERRYVILLE TRUE VALUE BERRYVILLE VA	2480197500320115200 1900	5251	27.00	
DORSEY, DANIEL						**Total Activity**
Account Number: [redacted]						**29.86**
01/14	01/13	BERRYVILLE TRUE VALUE BERRYVILLE VA	248019750142119228 85901	5251	29.86	
ELLIOTT, RALPH						**Total Activity**
Account Number [redacted]						**6.00**
01/31	01/30	BERRYVILLE TRUE VALUE BERRYVILLE VA	2480197503122896506 7246	5251	6.00	
GRIFFITH, RICHARD A						**Total Activity**
Account Number: [redacted]						**155.28**
01/20	01/17	BERRYVILLE TRUE VALUE BERRYVILLE VA	248019750182160333042 43	5251	16.14	
01/22	01/21	BERRYVILLE TRUE VALUE BERRYVILLE VA	248019750222199348029 88	5251	139.14	
JOHNSON, KAREN						**Total Activity**
Account Number [redacted]						**404.04**
01/02	01/01	STAPLS7648620604000001 877-8267755 NJ	2416407500110544126 1526	5111	55.42	
01/03	01/02	Amazon web services aws.amazon.coWA	2469216500310481445 9625	7399	0.63	
01/03	01/02	USPS PO 5107560300 BERRYVILLE VA	2413746500300151613 5775	9402	39.00	
01/13	01/10	STAPLS7649043295000001 877-8267755 NJ	2416407501010544184 9410	5111	52.87	
01/13	01/12	STAPLS7649489413000001 877-8267755 NJ	2416407501210544116 1020	5111	70.15	
01/20	01/17	STAPLS7649838353000001 877-8267755 NJ	2416407501710544142 6923	5111	50.35	
01/27	01/25	STAPLS7909681532000001 877-8267755 NJ	2416407502610544120 0079	5111	86.97	
01/27	01/25	STAPLS7909739314000001 877-8267755 NJ	2416407502610544120 0087	5111	39.16	
01/27	01/26	STAPLS7909681532000002 877-8267755 NJ	2416407502610544125 5800	5111	9.49	
KELSEY, BRANDEL						**Total Activity**
Account Number: [redacted]						**95.00**
01/16	01/15	CROWN TROPHY WINCHESTER clover.com VA	2443565501505258324 0791	8999	10.00	
01/24	01/22	VWCC WORKFORCE WEB PAYMEN540-8576320 VA	2478930502307880237 4867	8220	85.00	
LINK, BRIAN						**Total Activity**
Account Number: [redacted]						**229.54**

Transactions

Posting Date	Transaction Date	Description	Reference Number	MCC	Charge	Credit
01/06	01/03	FISHER AUTO PARTS 009 BERRYVILLE VA	24431065004124587057189	5533	14.50	
01/16	01/15	JNO. S SOLENBERGER AND C WINCHESTER VA	24138295015073105041066	5251	75.78	
01/24	01/23	COLLIFLOWER INC HQ 410-686-1200 MD	24435655024054613064497	5085	139.26	
MCCORMICK, HARRY						**Total Activity**
Account Number: [redacted]						**291.73**
01/13	01/10	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975011209079080741	5251	25.05	
01/17	01/16	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975017214977018201	5251	35.25	
01/20	01/17	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975018216033304300	5251	26.44	
01/20	01/18	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975019217059277726	5251	24.27	
01/22	01/21	LOWES #02555* FRONT ROYAL VA	24692165021100490797997	5200	143.38	
01/27	01/24	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975025222957265791	5251	37.34	
MILBURN, AUSTIN						**Total Activity**
Account Number: [redacted]						**74.88**
01/09	01/07	BERRYVILLE AUTO PARTS BERRYVILLE VA	24431055008089669919720	5533	38.58	
01/16	01/15	GIANT MARTINS #6558 BERRYVILLE VA	24692165015105380352983	5411	18.95	
01/29	01/28	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975029226896941137	5251	7.34	
01/31	01/30	FISHER AUTO PARTS 009 BERRYVILLE VA	24431065031140892048645	5533	10.01	
PEARSON, MORGAN						**Total Activity**
Account Number: [redacted]						**657.00**
01/16	01/15	USPS PO 5107560300 BERRYVILLE VA	24137465016001503291420	9402	657.00	
PETTI, JEAN						**Total Activity**
Account Number: [redacted]						**13,415.39**
01/08	01/08	AMAZON MKTPL*Z516M8LF2 Amzn.com/billWA	24692165008109194809377	5942	38.48	
01/09	01/08	DGS DCLS WATER TEST KITS 804-7860447 VA	24755425009130097254090	8734	1,316.54	
01/10	01/09	GRAINGER 800-4724643 IL	24755425010730101230270	5085	270.70	
01/13	01/10	AMAZON MKTPL*ZD68C1Q60 Amzn.com/billWA	24692165010101103263404	5942	99.99	
01/13	01/11	USABlueBook Atlanta GA	24793385011000853269051	5085	159.27	
01/13	01/13	Amazon.com*Z58FE54Y0 Amzn.com/billWA	24692165013103357812594	5942	39.99	
01/16	01/15	AMZN Mktp US*Z52F405U0 Amzn.com/billWA	24692165015105514907397	5942	24.99	
01/16	01/15	BERRYVILLE AUTO PARTS BERRYVILLE VA	24431055016093114018443	5533	66.42	
01/17	01/16	AMZN Mktp US*Z55Q50CG1 Amzn.com/billWA	24692165016106273035973	5942	117.59	
01/17	01/17	EPSON *STORE 800-873-7766 CA	24692165017106581235769	5969	388.56	
01/17	01/17	EPSON *STORE 800-873-7766 CA	24692165017106692658362	5969	51.27	
01/20	01/18	USABlueBook Atlanta GA	24793385018000465313050	5085	159.95	
01/21	01/20	THREAD LOGIC 800-3471612 MN	24275395020900017985101	5137	410.30	
01/23	01/22	COYNE CHEMICAL 215-785-3000 PA	24435655022054257066362	5169	2,658.60	
01/24	01/23	THE POWER CONNECTION WWW VA	24055225023221546000045	1731	333.48	
01/24	01/22	VWCC WORKFORCE WEB PAYMEN540-8576320 VA	24789305023078802374842	8220	85.00	
01/24	01/22	VWCC WORKFORCE WEB PAYMEN540-8576320 VA	24789305023078802374859	8220	85.00	
01/24	01/22	VWCC WORKFORCE WEB PAYMEN540-8576320 VA	24789305023078802374875	8220	85.00	
01/28	01/27	COYNE CHEMICAL 215-785-3000 PA	24435655027055462073627	5169	1,395.90	
01/28	01/27	COYNE CHEMICAL 215-785-3000 PA	24435655027055462073635	5169	3,152.40	
01/29	01/28	COYNE CHEMICAL 215-785-3000 PA	24435655028055722049564	5169	2,104.80	
01/31	01/30	LOWES #00907* 866-483-7521 NC	24692165030104773492341	5200	371.16	
POULIN, CYNTHIA						**Total Activity**
Account Number: [redacted]						**765.97**
01/08	01/07	IN *TRUESHRED 888-7508783 VA	24692165007108997009319	7399	64.50	
01/09	01/08	VA DMV ONLINE BILLING PAY804-4977100 VA	24755425009130097342127	9399	400.00	
01/23	01/23	MSFT * E0100V32IV 800-6427676 WA	24204295023000800088042	5045	6.00	
01/23	01/22	MSFT * E0100V2Z6C msbill.info WA	24906415022220053770031	5045	282.97	
01/23	01/22	MSFT * E0100V2Z6D MSBILL.INFO WA	24430995022220633189773	5045	12.50	
SHARP, BRIAN						**Total Activity**
Account Number: [redacted]						**232.65**
01/02	12/30	BERRYVILLE AUTO PARTS BERRYVILLE VA	24431054366086265970981	5533	6.20	
01/03	01/02	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975003201152002312	5251	151.36	
01/07	01/06	JRE - STEPHENSON STEPHENSON VA	24269795006300519489487	5046	75.09	
SHEETZ, CULLEN						**Total Activity**
Account Number: [redacted]						**889.24**
01/02	12/31	LOWES #02724* Winchester VA	24692164366102915872963	5200	278.30	
01/03	01/02	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412905002027013421386	5599	79.90	
01/03	01/02	FISHER AUTO PARTS 009 BERRYVILLE VA	24431065003123954054762	5533	219.61	
01/06	01/03	FISHER AUTO PARTS 009 BERRYVILLE VA	24431065004124587057122	5533	99.95	
01/06	01/03	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975004202196213773	5251	30.36	
01/06	01/03	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975004202196214102	5251	25.45	
01/10	01/09	LOWES #02724* Winchester VA	24692165009100496016810	5200	71.92	
01/16	01/14	TIMBROOK HONDA OF WINCHE WINCHESTER VA	24251385015030044320423	5511	46.66	
01/16	01/15	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975016213935968102	5251	8.20	
01/16	01/15	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975016213935968409	5251	19.09	

Transactions

Posting Date	Transaction Date	Description	Reference Number	MCC	Charge	Credit
01/17	01/15	BERRYVILLE AUTO PARTS BERRYVILLE VA	24431055016093176996866	5533	9.80	
SHOREMOUNT, JOSEPH E						**Total Activity**
Account Number: [redacted]						**11.26**
01/20	01/17	USPS PO 5107560300 BERRYVILLE VA	24137465018001664721759	9402	11.26	
STOVER, KEITH						**Total Activity**
Account Number: [redacted]						**3,012.16**
01/03	01/02	BATTLEFIELD BOOTS WINCHESTER VA	24755425002170022477157	5661	144.46	
01/10	01/09	LOWES #00656* WINCHESTER VA	24692165009100497746845	5200	598.50	
01/10	01/09	TRUCK PARTS UNLIMITED 540-8693303 VA	24035995009900017120504	5533	174.62	
01/16	01/15	MALLOY FORD OF WINCHESTERWINCHESTER VA	24013395015003081011096	5511	353.50	
01/16	01/15	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412905015027013445976	5599	87.90	
01/16	01/15	WINCHESTER METALS INC WINCHESTER VA	24755425015260159317683	5051	64.00	
01/17	01/16	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412905016027013494148	5599	18.95	
01/17	01/16	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412905016027013494130	5599	256.30	
01/17	01/16	WINCHESTER METALS INC WINCHESTER VA	24755425016270165232478	5051	135.00	
01/17	01/16	FISHER AUTO PARTS 009 BERRYVILLE VA	24431065017132451053197	5533	49.50	
01/20	01/17	FISHER AUTO PARTS 009 BERRYVILLE VA	24431065018133082061665	5533	70.84	
01/20	01/17	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975018216033304235	5251	48.86	
01/20	01/17	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975018216033304268	5251	1.08	
01/22	01/21	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801975022219934803077	5251	9.79	
01/23	01/22	FISHER AUTO PARTS 009 BERRYVILLE VA	24431065023136027038329	5533	35.16	
01/24	01/23	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412905023027013321029	5599	389.85	
01/24	01/23	HARBOR FREIGHT TOOLS 595 WINCHESTER VA	24231685024221949993946	5251	104.99	
01/27	01/23	STAPLES 00103515 WINCHESTER VA	24164075024105441950436	5943	33.97	
01/27	01/23	BATTERY MART WINCHESTER VA	24325455024900011023451	5999	9.90	
01/27	01/24	JRE - STEPHENSON STEPHENSON VA	24269795024300638772266	5046	16.26	
01/27	01/24	JNO. S SOLENBERGER AND C WINCHESTER VA	24138295024076211045557	5251	126.85	
01/29	01/28	JRE - STEPHENSON STEPHENSON VA	24269795028300580417478	5046	36.06	
01/31	01/30	LOWES #00656* WINCHESTER VA	24692165030104773557622	5200	141.92	
01/31	01/30	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412905030027013645220	5599	103.90	
TYLER, LAURA A						**Total Activity**
Account Number: [redacted]						**43,060.50**
01/06	01/03	COMCAST 800-COMCAST MD	24692165003105031596370	4899	126.07	
01/06	01/03	COMCAST 800-COMCAST MD	24692165003105031596578	4899	161.15	
01/06	01/03	RAPPAHANNOCK ELECTRIC EBILL.MYREC.CVA	24231685003747009244304	4900	5,114.42	
01/16	01/15	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941665015092990115125	4900	4,188.99	
01/23	01/22	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941665022096024154878	4900	30,865.55	
01/23	01/22	USPS PO 5107560300 BERRYVILLE VA	24137465023001371337819	9402	657.00	
01/24	01/23	VERIZON BILL PAYMENT 800-VERIZON FL	24692165023101670034696	4814	310.19	
01/24	01/23	VERIZON BILL PAYMENT 800-VERIZON FL	24692165023101670034753	4814	408.34	
01/24	01/23	VERIZONWRLSS*RTCCR VB 800-922-0204 FL	24692165023101778025174	4814	1,060.98	
01/27	01/25	COMCAST 800-COMCAST MD	24692165025100367667527	4899	167.81	
WHITE, NEAL						**Total Activity**
Account Number: [redacted]						**3,127.79**
01/10	01/09	THOMSON WEST*TCD 800-328-4880 MN	24692165009100522760951	8999	123.71	
01/13	01/11	AMZN Mktp US*Z52940HJ2 Amzn.com/billWA	24692165011101629073617	5942	26.78	
01/13	01/10	GALLS 859-266-7227 KY	24435655010051315012952	5137	113.56	
01/17	01/16	BERRYVILLE AUTO PARTS BERRYVILLE VA	24431055017093573021069	5533	2,552.75	
01/21	01/21	AMAZON MKTPL*Z533Z3QI1 Amzn.com/billWA	24692165021109994236378	5942	5.99	
01/23	01/21	SAFE KIDS WORLDWIDE 202-6620600 DC	24388945022630188005454	8398	55.00	
01/23	01/22	IN *POLICE AND SHERIFFS P912-5370780 GA	24692165022101355366331	7399	15.00	
01/23	01/22	IACP 703-836-6767 VA	24801975023221034122985	8699	220.00	
01/24	01/23	HSI EMERGENCY CARE SOLUTI800-4473177 OR	24717055023270237507256	8299	15.00	

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.

February 11, 2025
Monthly Update

American Rescue Plan Act of 2021

Funds expended over the past month
The January 2025 expenditure report is attached.

Attachments
- January 2025 ARPA Expenditure Report
- ARPA Master List
- Project Status Reports

Jan-25

	BUDGETED	USED THIS MONTH	TOTAL USED	BALANCE	PERCENT USED	
Signage						
Estimated cost of these actions						
- Signage	$ 140,000.00	$ -	$ 43,280.00	$ 96,720.00	31%	$ 140,000.00
- Total			$ 43,280.00			$ 140,000.00
Fund balance from first payment						$ 31,135.34
Fund balance from second payment						$ 65,584.66
Complete necessary water and sewer infrastructure projects						
Capital Projects						
Estimated cost of these actions						
- Cost of the projects	$ 3,495,500.79	$ -	$ 1,435,229.91	$ -	85.00%	$ 3,485,953.17
			$ 1,551,645.75	$ 508,625.13		$ 3,485,953.17
Total			$ 2,986,875.66			
Fund balance from first payment						$ -
Fund balance from second payment						$ 508,625.13
Pay for administrative costs						
Esimated cost of these actions						
- Administrative costs per FY (5.5)	$ 60,000.00	$ -	$ 44,407.40	$ 15,592.60	74%	$ 60,000.00
- Total			$ 44,407.40			$ 60,000.00
Fund balance from first payment						$ 15,592.60

NOTES:

INFRASTRUCTURE COSTS:			
Frazier Assoc.(Wayfinding)	$ -	1st Tranche	$ 2,267,493.00
Core & Main	$ -	Used to date	$ 2,220,765.06
VA RIGGERS	$ -	Balance	$ 46,727.94
Pete McLean	$ -		
Norfolk Southern	$ -	2nd Tranche	$ 2,267,493.00
Marsh & Legge Casey Tree	$ -	Used to date	$ 1,693,283.21
Pennoni (Water Projects Bel Voi & Battletown)	$ -	Balance	$ 574,209.79
Webster Nursery(Concrete walls)	$ -		
Total	$ -		

ARPA MASTER LIST

1/31/2025

	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%	
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	$ -	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	$ 43,280.00	$ 96,720.00	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	$ 34,660.37	$ 508,625.13	0%	
	Administrative /Legal Fees	$ 60,000.00	$ 45,055.39	$ 15,592.60	75%	Admin
	Total Encumbered	$ 4,534,986.00	$ 3,914,048.27	$ 620,937.73		
	Total ARPA	$ 4,534,986.00				

* Project For (2) two years

Project Status Report 16

Date: 2/11/2025

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: 2/11/2025

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: $43,280.00
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

29

Date: 2/11/2025

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: $34,660.37
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:

Berryville Town Council
Report for 11 February 2025

Item Title: Sidewalk Snow Removal

Prepared By: Jean Petti

Background/History General Information: Berryville delegates responsibility for sidewalk snow removal to the adjacent property owner (TOB §15-16, *Duty of property owners or occupants to remove snow and ice from sidewalks*).

Findings/Current Activity: In December of 2023, the City of Winchester launched a program that matches elderly or disabled residents with volunteers to shovel their sidewalks. They have 221 residents receiving assistance from 42 volunteers to shovel only sidewalks (no walkways or driveways). If participating residential addresses are not cleared by their designated volunteer, Public Works staff clears and treats the sidewalk.

The recommendation of the combined Streets & Utilities and Community Development Committee is to consider adoption of a similar program in Berryville.

Considerations: Potential liability, staff time to launch and oversee program, finding enough volunteers, vetting/denying requests for assistance.

Attachments:

1. TOB §15-16, *Duty of property owners or occupants to remove snow and ice from sidewalks*
2. *City of Winchester*, Snow Shoveling Assistance Request and Waiver Form
3. *City of Winchester*, Snow Shoveling Volunteer Sign up and Waiver Form

Sec. 15-16. - Duty of property owners or occupants to remove snow and ice from sidewalks.

(a) The owner of any building or lot of land abutting on any curbed or paved sidewalk within the corporate limits of the town, or any tenant or other person to whom the owner has delegated responsibility therefor, shall remove the snow, sleet, and ice from such sidewalk within twelve (12) hours after the snow, sleet, or other precipitation has ceased to fall when the total accumulation is six (6) inches or less and within twenty-four (24) hours after the snow, sleet, or other precipitation has ceased to fall when the total accumulation is greater than six (6) inches. In cases of ice that cannot be removed without injury to the pavement of the sidewalk, the sidewalk shall be covered within twelve (12) hours after the precipitation has ceased to fall with a material which will render the sidewalk safe for travel.

(b) Upon failure to comply with the provisions of subsection (a), the chief of police or his designee shall immediately notify the owner, tenant, or other person to whom the owner has delegated responsibility for the property in question. Such notification shall be served either in person or by posting on the subject property by a member of the police department.

(c) If the provisions of subsection (a) are not complied with within eight (8) hours from the time of service or posting of the notice as provided in subsection (b), the town may cause the conditions to be complied with by utilizing Town of Berryville personnel or by hiring a contractor to remove the snow, sleet, and ice from the sidewalk. The cost thereof, including an established administrative fee, shall be charged to and collected from the owner of the property in any manner provided by law for the collection of state and local taxes. Every charge authorized by this section in excess of two hundred dollars ($200.00) which has been assessed against the owner of any such property and which remains unpaid shall constitute a lien against such property. Such liens shall have the same priority as other unpaid local taxes and shall be enforceable in the same manner as provided in Code of Virginia §§ 58.1-3940 et seq. and 58.1-3965 et seq. The town may waive such liens in order to facilitate the sale of the property. Such liens may be waived only as to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner. All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed.

(Code 1971, § 15-5; Ord. of 12-10-96; Ord. of 2-15-15)

Editor's note— An ordinance adopted Feb. 15, 2015, changed the title of § 15-16 from "Removal of snow and ice from sidewalks" to read as herein set out.

State Law reference— Authority for above section, Code of Virginia, § 15.2-1115.

Sec. 15-17. - Snow or ice not to be deposited on streets or sidewalks.

(a) It shall be unlawful for the owner, occupant or any person having the care of any building or lot of land abutting on any street within the town, or any other person acting as an agent of the owner or occupant of any such building or lot, to shovel, plow or deposit any snow, ice or sleet on any paved sidewalk or in the traffic lanes or travelway of any street, as such traffic lanes or travelways have been cleared of snow, ice or sleet by agents of the town, within the corporate limits of the town.

(b) Any person convicted of a violation of this section shall be fined not more than twenty-five dollars ($25.00) for each offense.

(Code 1971, § 15-6; Ord. of 12-10-96)

SNOWBUSTERS
Winchester Virginia

ıg Assistance
/AIVER FORM

Snowbusters snow clearance assistance is available to Winchester city senior citizens or disabled residents only.

By completing this form, you attest that you are a senior citizen (62 years or older) or disabled. You also agree to share your address and contact information with the City of Winchester, who will share it with volunteers. Volunteers, if available, will be assigned to assist you with the removal of snow from the public walkways near your property. This is a free service, and there should be no exchange of money and/or goods.

NOTE: We will do everything we can to connect volunteers with property owners in need of assistance, but assistance upon applying is not guaranteed. Please remember that, according to City Code, Chapter 26, Section 15, property owners are responsible for clearing their sidewalks of snow/ice, whether Snowbusters volunteers provide assistance or not.

Resident's Full Name: _____

Residential Address: _____

City: _____ Zip Code: _____

Phone: _____ Alternative Phone: _____

Email: _____

I qualify for assistance with snow shoveling because I am:

☐ An older adult (over 62) ☐ A person with a disability/physical challenge

WAIVER:

I have carefully read the waiver on the back of this form and fully understand its contents. I am aware that this is a release of liability and a contract between the City of Winchester, VA, and me, and I sign it of my free will. I understand that the City is not responsible for any mishap or unforeseen occurrence that results from the assignment of a Snowbusters volunteer. I also understand that assistance is not guaranteed and that I am responsible for clearing the snow from my sidewalks.

☐ Yes ☐ No

City of Winchester ❄ 15 N. Cameron Street ❄ kit.redmer@winchesterva.gov ❄ 720-289-1830

RELEASE & WAIVER:

As the recipient of snow removal assistance (the “Activity"), I hereby recognize and acknowledge that the volunteer snow shoveler performing the Activity is not an agent, servant, or employee of the City of Winchester, VA. The Volunteer is not performing the Activity at the behest of, or under the control or supervision of, the City of Winchester, but rather at my request of and under my exclusive control and direction.

Therefore, I agree that any claims or suits that I might pursue against the Volunteer as a result of my participation in the Activity specified herein, including but not limited to claims of property damage, personal injury, and intentional tort, are my sole responsibility. I release the City of Winchester, the Department, and its officers, employees, attorneys, and agents from any judgments, payments, damages, and claims, including all costs, expenses, and attorneys’ fees incurred by me in pursuing any such claim. I further release the City of Winchester, the Department, and its officers, employees, attorneys, and agents, from any liability whatsoever for any and all acts or omissions of the Volunteer, under any theory of vicarious liability or otherwise.

I further agree to assume the full risk of any property damage or personal injuries that I may sustain as a result of participating in the Activity. I hereby waive, release, and discharge any and all claims for property damage and personal injury, including death, which I may have or which may hereafter accrue to me as a result of my participation in the Activity. I agree to indemnify and to hold harmless the City, the Department, and its officers, employees, attorneys, and agents from any loss, liability, damage, cost, or expense which they may incur as the result of my death, injury, or property damage that I sustain while participating in the Activity. This waiver, release, and assumption of risk is binding upon my heirs and assigns.

I further agree that if any claim or suit is pursued by me or on my behalf as a result of injuries from the Activity specified herein against the City of Winchester, the Department, and its officers, employees, attorneys, and agents, I will Indemnify and Hold Harmless these parties from all judgments, payments, damages, and claims, including all costs, expenses and attorneys’ fees incurred by these parties in defending against such claim.

RESIDENT SIGNATURE:

_____ _____

Signature Date

_____

Print Name

SNOWBUSTERS
Winchester Virginia

ng Volunteer
AIVER FORM

Thank you for your interest in the City's Snowbusters Program and for volunteering to shovel snow from public walkways for Winchester's elderly and physically challenged residents. This is a free program, and there should be no exchange of money and/or goods.

NOTE: Waivers for volunteers under age 18 must be signed by a parent/legal guardian.

Volunteer's Full Name: _____

Business (if applicable): _____

Address: _____

City: _____ Zip Code: _____ Phone: _____

Volunteer's Email: _____

If Under 18, Parent/Guardian's Full Name: _____

Parent/Guardian Phone: _____ Email: _____

AVAILABILITY/SUPPLIES/TRANSPORTATION:

Please mark all times you are available below.

	Morning	Afternoon	Evening
Weekdays	☐	☐	☐
Weekends	☐	☐	☐

I can bring a shovel/equipment to assist.

☐ Yes ☐ No

I am available to help with shoveling:

☐ Anywhere in the city

☐ In a particular ward/area

WAIVER:

I have carefully read the waiver on the back of this form and fully understand its contents. I am aware that this is a release of liability and a contract between the City of Winchester, VA, and me, and I sign it of my free will. I am aware that the City can cancel my participation as a volunteer at their discretion.

☐ Yes ☐ No

RELEASE & WAIVER:

As an independent volunteer who has made myself available to Winchester city residents in need of assistance with snow removal (the “Activity”), I hereby recognize and acknowledge that I am not an agent, servant, or employee of the City of Winchester, VA. I am not performing the Activity at the behest of, or under the control or supervision of, the City of Winchester, but rather at the request of and under the exclusive control of the resident to whom I am voluntarily providing services.

Therefore, I agree that any claims or suits that I might pursue against the Volunteer as a result of my participation in the Activity specified herein, including but not limited to claims of property damage, personal injury, and intentional tort, are my sole responsibility. I release the City of Winchester, the Department, and its officers, employees, attorneys, and agents from any judgments, payments, damages, and claims, including all costs, expenses, and attorneys’ fees incurred by me in pursuing any such claim. I will not seek legal representation, contribution, or indemnification from the City of Winchester in connection with any such claim under any theory of vicarious liability or otherwise.

I further recognize and acknowledge that there are certain risks of physical injury associated with the Activity, and I agree to assume the full risk of any injuries, including death, damages, or loss which I may sustain as a result of participating in the Activity on a volunteer basis. I hereby waive, release, and discharge any and all claims for personal injury, death, or property damage which I may have or which may hereafter accrue to me as a result of my participation in the Activity. I agree to indemnify and to hold harmless the City, the Department, and its officers, employees, attorneys, and agents from any loss, liability, damage, cost, or expense which they may incur as the result of my death, injury, or property damage that I sustain while participating in the Activity. This waiver, release, and assumption of risk is binding upon my heirs and assigns.

I further agree that if any claim or suit is pursued by me or on my behalf as a result of injuries from the Activity specified herein against the City of Winchester, the Department, and its officers, employees, attorneys, and agents, I will Indemnify and Hold Harmless these parties from all judgments, payments, damages, and claims, including all costs, expenses and attorneys’ fees incurred by these parties in defending against such claim.

VOLUNTEER SIGNATURE:

_____ _____

Adult Volunteer or Parent/Guardian Signature Date

_____ _____

Print Name (Signed) Print Volunteer Name (Under 18)

Berryville Town Council
Report for 11 February 2025

Item Title: Dumpster Enclosures

Prepared By: Jean Petti

Background/History General Information: In 2019-2020, Town Council discussed the idea of requiring properties with dumpsters to erect enclosures within a prescribed timeframe. The requirement was not passed at that time.

At their January 2025 meeting, the combined Streets & Utilities and Community Development Committee reviewed the draft ordinance and recommended forwarding it to Council for discussion. The committee also recommends a grace period until at least May 2026 for compliance.

Attachments:

1. Appendix 3: Dumpsters, Dumpster Enclosures, and Toter/Container Enclosures Draft 1/20/2020

Garbage and Refuse, Recyclables, and Yard Waste Policy

Appendix 3
Dumpsters, Dumpster Enclosures, and Toter/Container Enclosures
Draft 1/30/20

I. Permit to locate dumpster - generally

A. No dumpster may be located, either temporarily or permanently, in the town without an approved zoning permit.

B. Applications to locate dumpsters, along with any application fees, shall be submitted to the Zoning Administrator.

C. The Zoning Administrator will review applications for compliance with the Berryville Code, Berryville Zoning Ordinance, and this Policy and will issue zoning permits when all requirements are met.

II. Temporary placement or location of dumpsters:

A. Placement of a dumpster shall be deemed temporary if said placement does not exceed 180 days.

B. Within street right-of-way (Town) – Zoning Administrator may condition approval on provision of safety measures deemed necessary, proof of insurance, and maximum time dumpster may remain on right-of-way. No dumpster may be located in the public right-of-way within the Special Flood Hazard Area as identified on the Flood Insurance Rate Map.

C. Within street right-of-way (VDOT) – Zoning Administrator may condition approval on VDOT approval, provision of safety measures deemed necessary, proof of insurance, and maximum time dumpster may remain on right-of-way. No dumpster may be located in the public right-of-way within the Special Flood Hazard Area as identified on the Flood Insurance Rate Map.

D. On private property or public property not within street rights-of-way – Zoning Administrator may condition approval on provision of safety measures deemed necessary and maximum time dumpster may remain on property. No dumpster may be located within the Special Flood Hazard Area as identified on the Flood Insurance Rate Map unless the Zoning Administrator determines that necessary steps will be taken to secure the dumpster in a manner that will prevent it from becoming a hazard during a flood event.

III. Permanent placement or location of dumpsters (in excess of 180 days):

A. Placement of a dumpster shall be deemed permanent if said placement exceeds 180 days in any calendar year.

B. Within street right-of-way (Town) - No dumpster may be placed or located in a street right-of-way for a period exceeding 180 days. The exact period of time such a dumpster may be located may be limited by the Zoning Administrator as a condition of a zoning permit.

C. Within street right-of-way (VDOT) – No dumpster may be placed or located in a street right-of-way for a period exceeding 180 days. The exact period of time such a dumpster may be located may be limited by the Zoning Administrator as a condition of a zoning permit.

D. On private property or public property not within street rights-of-way – Zoning Administrator will condition approval upon siting and construction of any required screening or enclosure. No dumpster may be sited in such a way that the collection of solid waste or recyclable materials will impede pedestrian or vehicular traffic on public rights-of-way or otherwise create a safety hazard. No dumpster may be located within the Floodway portion of the Special Flood Hazard Area as identified on the Flood Insurance Rate Map unless the Zoning Administrator determines that necessary steps will be taken to secure the dumpster in a manner that will prevent it from becoming a hazard during a flood event. The exact period of time such a dumpster may be located may be limited by the Zoning Administrator as a condition of a zoning permit.

IV. Maintenance of dumpsters, dumpster pads, dumpster enclosures, and surrounding area

A. All dumpsters, and the immediate area around them, shall be kept clean and sanitary at all times.

B. Solid waste shall be completely contained within such container, all doors of the unit shall be kept closed, and all drain plugs shall be tightly secured.

C. Solid waste shall be removed at intervals necessary to prevent a condition that might endanger the health of residents of the Town or constitute a nuisance.

V. Dumpster enclosure minimum standards

A. Dumpster enclosures erected and maintained within the Town shall meet the following minimum standards:

1. Properties Zoned and Used for Residential, Commercial, or Institutional Use

a. Slab

4" inch concrete pad with wire mesh installed on a 4" course of compacted 21B stone (minimum standard – may be exceeded)

b. *Walls*

Enclosure walls must consist of opaque wood fence (either solid or board of board) or masonry walls 6 feet in height with two openings: one large enough to permit siting and servicing the dumpster or dumpsters and the other pedestrian entrance.

c. *Gates*

The two enclosure wall openings must be screened by gates which are also opaque and can be securely closed when not in use.

d. *Protective bollards*

Protective bollards at least 3 feet in height must be installed on the front (side of large opening for servicing dumpsters) corners of the enclosure.

2. Properties Zoned for Business or Industrial Use

a. *Slab*

4" inch concrete pad with wire mesh installed on a 4" course of compacted 21B stone (minimum standard may be exceeded)

b. *Walls*

Enclosure walls must consist of chain link fence with opaque slats, opaque wood fence (either solid or board of board) or masonry walls 6 feet * in height with two openings: one large enough to permit siting and servicing the dumpster or dumpsters and the other pedestrian entrance.

* Administrative Body or Zoning Administrator may require fence or wall in excess of 6 feet in height but no greater than 14 feet in height.

c. *Gates*

The two enclosure wall openings must be screened by gates which are also opaque and can be securely closed when not in use.

d. *Protective bollards*

Protective bollards at least 3 feet in height must be installed on the front (side of large opening for servicing dumpsters) corners of the enclosure.

VI. Permit to construct a toter/container enclosure:
- A. No toter/container enclosure required in accordance with Chapter 8 of the Berryville Code may be constructed without an approved zoning permit.
- B. Applications to construct such enclosures, along with any application fees, shall be submitted to the Zoning Administrator.
- C. The Zoning Administrator will review applications for compliance with the Berryville Code, Berryville Zoning Ordinance, and this Policy and will issue zoning permits when all requirements are met.

VII. Maintenance of toter/container enclosures:
- A. Toter/container enclosures shall be kept clean and sanitary at all time
- B. Toters, containers, and all waste shall be completely contained within the enclosure and all gates shall be kept closed.
- C. Solid waste shall be removed at intervals necessary to prevent a condition that might endanger the health of the residents of the Town or constitute a nuisance.

VIII. Toter/container enclosure minimum standards
- A. Toter/container enclosures erected and maintained within the Town shall meet the following minimum standards:
  - a. Base or slab

    No requirement.

  - b. Walls

    Enclosure walls must consist of opaque wood fence (either solid or board on board) or masonry walls 5 feet in height, with a gated opening sufficiently sized to service the containers.

Town of Berryville

Town Council

MOTION TO ENTER CLOSED SESSION

Date: February 11, 2025

MOTION BY:

SECOND BY:

I move that the Council of the Town of Berryville enter closed session in accordance with §2.2-3711-A-3 – Discussion or consideration of the acquisition of real property for a public purpose , or the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

VOTE:

Aye:

Nay:

Attest: _____

Erecka L. Gibson, Vice Mayor

TOWN COUNCIL
MOTION
CLOSED SESSION RESOLUTION

DATE: February 11, 2025

MOTION BY:

SECOND BY:

I move that the Council of the Town of Berryville adopt the following resolution certifying it has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act:

Resolution

WHEREAS, Section 2.2-3712.D of the Code of Virginia requires a certification by this Council that such closed meeting was conducted in conformity with Virginia law,

NOW, THERFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: _____
Erecka L. Gibson, Vice Mayor