

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 Russell, 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

Mayor Arnold recognized Chief Neal White

Chief White introduced the Honorable April Wilkerson, Clarke County Circuit Court Clerk 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 taken 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 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. Mayor Arnold invited the Council to discuss 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. 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

Town Meetings 2025 Approved

Town Council Meeting

7 p.m. second Tuesday, monthly, Main meeting room

Jan 14

Feb 11

Mar 11

Apr 8

May 13

Jun 10

Jul 8

Sep 9

Oct 14

Nov 12

Dec 9

Town Council work session

3:30 p.m. first Monday, monthly, Main meeting room

Jan 6

Feb 3

Mar 3

Apr 7

May 5

Jun 2

Jul 7

Aug 4

Sep 8

Oct 6

Nov 3

Dec 1

TC Personnel Committee

2 p.m. fourth Monday, monthly, AB meeting room

Jan 27

Feb 24

Mar 24

Apr 28

May 19

Jun 23

Jul 28

Aug 25

Sep 22

Oct 27

TC Budget & Finance Committee

3 p.m. fourth Monday, monthly, AB meeting room

Jan 27

Feb 24

Mar 24

Apr 28

May 19

Jun 23

Jul 28

Aug 25

Sep 22

Oct 27

TC Community Development Committee/ Streets & Utilities Committee

3:30 p.m. fourth Tuesday, monthly, AB meeting room

Jan 28

Feb 25

Mar 25

Apr 22

May 27

Jun 24

Jul 22

Aug 26

Sep 23

Oct 28

TC Public Safety Committee

3 p.m. fourth Thursday, quarterly. AB meeting room

Feb 27

May 22

Aug 28

Oct 23

Town Council Policies

Electronic Participation in Meetings from Remote Locations

2016-01

Approved 7/16

Amended 1/25

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

I. Quorum Physically Assembled

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

II. Quorum Not Physically Assembled

The public body may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in accordance with Va. Code § 44-146.17, that said meeting is held in accordance with Va. Code § 2.2-3708.3.

III. Reporting

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

- the total number of electronic communication meetings held that year
- the dates and purposes of the meetings
- a copy of the agenda for each meeting
- the number of sites for each meeting
- the types of electronic communication means by which the meetings were held
- the number of participants, including members of the public, at each meeting location
- the identity of the members of the public body recorded as absent and those recorded as present at each meeting location

- a summary of any public comment received about the electronic communication meetings
- a summary of the public body's experience using electronic communication meetings, including its logistical and technical experience

IV. Review of Policy

The Council shall review and readopt this policy annually. Accordingly, the Council will review and re-adopt this policy at its regular meeting in January of each year.

V. EXCEPTIONS

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

Legal Ref.: Code of Virginia, 1950, as amended, 2.2-3708.2, 2.2-3708.3, 2.2-3710, 44-146.17.