

**BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT / STREETS AND UTILITIES COMMITTEE
MINUTES**

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

**Tuesday
April 22, 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; Frank Kelsey, Director of Utilities; Brandel Kelsey, Town Clerk

1. Call to Order

Mr. Tibbens called the meeting to order at 3:30 p.m.

2. Approval of Agenda

The agenda was approved by consensus on a motion by Mrs. Harrison

3. Unfinished Business

Downtown Apartment Parking

Mr. Russell spoke about the parking around Town that is available for residents. There are 43 spaces in the Rixey Moore parking lot, 12 in the Crow St lot, and all metered spots are free after 5:00 p.m. Mr. Russell spoke with the Chief of Police, Neil White who said he would rather a decal sticker verses a hanging tag for the cars if the Town were to give out parking passes to residents of apartments. Mr. Russell said he talked to the resident who made the complaint a few months ago and what she is looking for is a space right in front of her apartment. That space would be a metered spot. The Town has historically reserved metered spots for patrons of shops and restaurants. Mrs. Petti stated that she spoke with Chief White about tickets given over night and he said the Town does not give tickets to cars parked overnight. Mr. Tibbens stated with the new knowledge of how many spaces there are for residents to park and the fact that the Town Police Department does not give out tickets for overnight parking, there do not need to be any parking passes at this time.

4. New Business

Bond Release Reduction Request from DR Horton

Mrs. Petti spoke about the Bond release reduction for 3 subdivisions: Fellowship Square, Shenandoah Crossing and Hermitage V. DR Horton has asked for full release of Bonds for all three subdivisions. July 1, 2025 is the one-year mark from the Town acceptance of all three subdivision streets. The Town holds the funds for warranty purposes only, the funds cannot be held for issues from the lack of maintenance from the HOA's. Mr. Russell went around to the different locations with the Director of Public Works, Rick Boor. The staff would like the Town Council to see this information at the May 2025 Council meeting and have it voted on at the June 2025 meeting for potential release by July 1, 2025.

Chapter 17 Code Revision

Mrs. Petti introduced Chapter 17, which Town Manager Keith Dalton recommended be reviewed and updated. Mrs. Harrison had significant suggested revisions. She began by noting that kiddie pools are listed as ineligible for filling and recommending that this restriction be expanded to include swimming pools. She continued with suggesting that businesses and residences should be considered separately in drought enforcement. Mrs. Harrison noted that the intent was to rein in high water users and permit the Town to disconnect excessive users. Mrs. Harrison then recommended a complete revision to the availability fees section of the code, noting that she will be one of the impacted homeowners, and strongly discouraged requiring residents who currently have septic systems to connect to the sewer and pay availability fees. She opined that the homes in question have senior citizens, may be low-income, or be recent purchases by residents who were not anticipating the cost of connection. Mrs. Harrison continued with a discussion of the fairness of requiring property owners whose homes were annexed in 1989 to connect to the system of a Town that they were not previously part of. She feels that these costs were not apparent to the homeowners and they should not be compelled to connect. If connection is required, she feels strongly that the fees are too high. Mr. Tibbens asked if there are grants to help the people who still have septic, but cannot afford to pay the fees to go to sewer. Mr. Kelsey stated he did not find anything but would look into it further. Mrs. Petti asked if the residents should be able to replace a septic tank or if they should then have to switch over to sewer since the cost would be about the same. This question was not resolved at the meeting. Mrs. Harrison said there was a spot where it uses the word superintendent in the water section, but needs to say the same word in the sewer section. She also noted that 17.36 Item D needs to be reworded.

5. Other

None

7. Adjournment

The meeting adjourned by consensus at 4:44 p.m. on a motion by Mrs. Harrison