

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**December 14, 2021**  
**7:00 p.m.**

**Town Council:** Present—Harry Lee Arnold, Jr., Mayor; Erecka L. Gibson, Recorder; Donna McDonald; Diane Harrison; Grant Mazzarino. Absent--Kara Rodriguez

**Staff:** Present--Keith Dalton, Town Manager; Christy Dunkle, Community Development Director; Paul Culp, Town Clerk; Chief Neal White, Berryville Police Department

**Press:** Mickey Powell, *The Winchester Star*

**Also present:**

**1. Call to Order**

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

**2. Pledge of Allegiance**

**3. Approval of Agenda**

**Recorder Gibson moved to approve the agenda as presented. The motion passed by unanimous voice vote.**

**4. Presentations/Awards/Recognitions**

Chief David Huchler of the Metropolitan Washington Airport Authority, representing the Virginia Law Enforcement Professional Standards Commission, congratulated the Berryville Police Department for becoming the 101<sup>st</sup> law enforcement agency in the state to achieve accreditation. He explained that a department pursuing accreditation must meet 190 standards pertaining to administration, operations, and training, and commended the Berryville department for its excellence. He then presented Chief White with the certificate indicating the department's accreditation.

Mr. Dalton thanked Ms. McDonald, the current chair of the Council's Public Safety Committee, and past committee chairs Mary Daniel and David Tollett, for their role in a process that had begun more than a decade before. Mr. Dalton thanked the Council as a whole and the entire police department, and said the auditors had told him that Chief White's performance in the accreditation process had been one of unprecedented commitment. Mayor Arnold asked the clerk to read a resolution honoring Chief White.

**Ms. McDonald moved that the Council of the Town of Berryville approve the attached resolution commending Chief White on achieving full accreditation of the Berryville Police Department and thanking him for his commitment to this effort. The motion passed by unanimous voice vote.**

Mayor Arnold called for a brief recess. The Council recessed at 7:14 p.m. and resumed the meeting at 7:20 p.m.

Chief White explained that the police department had hired two new officers, Ryan Keyser and Dylan Miller, who would train with the BPD for several weeks before embarking on a nineteen-week course at the academy and twelve weeks of field training in Berryville. Clarke County Circuit Court Clerk April Wilkerson then administered the oath of office to Messrs. Keyser and Miller.

Mayor Arnold then directed the clerk to read a resolution honoring Clarke County Commissioner of Revenue Donna Peake on her years of service organizing the Christmas parade.

**Ms. Harrison moved that the Council of the Town of Berryville approve the attached resolution thanking Donna Peake for her fifteen-year service as the coordinator of the Berryville-Clarke County Christmas parade. The motion passed by unanimous voice vote.**

Mayor Arnold then directed the clerk to read a resolution honoring the Clarke County High School cross country teams on their successful 2021 season.

**Ms. Harrison moved that the Council of the Town of Berryville approve the attached resolution congratulating the Clarke County High School cross country team on a very successful year in which the girls' team captured a state championship and the boys' team finished second in the state. The motion passed by unanimous voice vote.**

Ms. Dunkle then introduced an Arbor Day proclamation that she said was a retroactive matter needed for continuation of the Town's Tree City USA status.

**Mr. Mazzarino moved that the Council of the Town of Berryville approved the attached proclamation declaring April 30, 2021 as Arbor Day in Berryville. The motion passed by unanimous voice vote.**

## **5. Public Hearings**

None.

## **6. Discussion of Public Hearing Items**

None.

## 7. Citizens' Forum

No one addressed the meeting.

## 8. Consent Agenda

The consent agenda comprised the minutes of the November 1 Town Council work session and the November 9 Town Council regular meeting.

**Recorder Gibson moved to adopt the consent agenda as presented. The motion passed by unanimous voice vote.**

## 9. Unfinished Business

Mr. Dalton referred to the ordinance, included in the agenda packet, required for moving Town elections to November as mandated by the General Assembly and also moving them to even-numbered years.

**Ms. Harrison moved that the Council of the Town of Berryville adopt the attached ordinance amending Chapter 2 of the Berryville Code by creating a new section, "2-3 Election of Town Council at November General Election in Even-numbered Years." The motion passed by unanimous voice vote.**

## 10. New Business

Mr. Dalton explained the need for video security cameras at the Public Works yard and the water and wastewater treatment plants, and noted that the Council had expressed interest in upgrades to security there. He said the American Rescue Plan Act of 2021 (ARPA) implementation plan provided for completion of necessary infrastructure projects and that the security system met this description.

Mr. Dalton also said that staff would work to improve the entrance gates at both the wastewater treatment and water treatment plants as part of security improvements.

**Ms. McDonald moved that the Council of the Town of Berryville authorize the Town Manager to issue Request for Proposals 2022-01 and also authorize the Town Manager to review the submissions with a committee comprising staff, interview firms submitting proposals, and award a contract in accordance with this offering. The motion passed by unanimous voice vote.**

Mayor Arnold complimented Mr. Dalton on the new format for progress reports on ARPA matters, and Mr. Dalton thanked Recorder Gibson for the design.

## **11. Council Member Reports**

Mayor Arnold noted his participation in recent special events: the Veterans Day ceremony, the lighting of the Christmas tree, the Christmas parade, the Clarke County Community Band Christmas concert, and the bestowal of the Veteran of the Year plaque.

None of the other members had anything to report.

## **12. Staff Reports**

### **Public Works**

Nothing was added to the written report.

### **Public Utilities**

Nothing was added to the written report.

### **Police**

Nothing was added to the written report.

### **Community Development**

Ms. Dunkle briefly updated the Council on the activities of the various appointive boards associated with planning, and on construction in the Shenandoah Crossing, Fellowship Square, and Hermitage subdivisions.

### **Administration and Finance**

Nothing was added to the written report.

### **Town Manager**

#### **Update on American Rescue Plan Act of 2021**

Mr. Dalton briefly noted projects being pursued with ARPA funding. He said he hoped to issue an invitation for bids on construction projects next month.

Ms. Harrison and Mr. Dalton briefly discussed the purchase of police radios.

Ms. Harrison and Mr. Dalton briefly discussed grant funds to be distributed under ARPA. Mr. Dalton said the Town would soon be distributing the agreed-upon funds to Barns of Rose Hill and the John H.

Enders Fire Company but that the Town was not yet ready with the grants for building facades and improvements to low- and middle-income housing, and that few residents had expressed interest in grants for replacement of sump pumps.

Mr. Dalton briefly noted pending capital improvement projects.

### **13. Committee Updates**

#### **Budget and Finance**

Recorder Gibson said the committee would meet as the budget calendar dictates in the new year.

#### **Community Development**

Ms. Harrison, speaking for the committee in the absence of Ms. Rodriguez, said the committee had been overseeing upgrades to the Town website, with a probable January date for launch of the new site. She said the committee would meet on January 24 at 9:00 a.m.

#### **Personnel**

Mayor Arnold said the Council must make appointments to the Planning Commission and Tree Board and that the committee would meet to discuss this on December 28 at 9:00 a.m.

#### **Public Safety**

Ms. McDonald said the committee would meet on January 24 at 3:00 p.m. She thanked Chief White for his efforts and expressed pride in the police department.

#### **Streets and Utilities**

Ms. Harrison said the committee would meet on January 24 at 10:00 a.m.

### **14. Closed Session**

No closed session occurred.

### **15. Other**

No other business came before the Council.

**16. Adjourn**

The Council adjourned by consensus on a motion by Recorder Gibson at 7:49 p.m.

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Erecka L. Gibson, Recorder

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Paul Culp, Town Clerk

**A RESOLUTION OF THE COUNCIL OF THE TOWN OF BERRYVILLE HONORING  
CHIEF NEAL WHITE**

**WHEREAS Chief Neal White has led the Berryville Police Department wisely and energetically since January 1, 2006; and**

**WHEREAS the Council of the Town of Berryville identified attainment of professional accreditation as a priority goal for the police department; and**

**WHEREAS only twenty-nine percent of Virginia law enforcement agencies are accredited; and**

**WHEREAS the accreditation process spanned two years and involved thorough review of policy and procedures in keeping with the standards of the Virginia Department of Criminal Justice Services and the Virginia Law Enforcement Professional Standards Committee; and**

**WHEREAS a team of auditors from the VLEPSC praised the professionalism of the Berryville Police Department and commented on the noteworthiness of accreditation for an agency of the BPD's size; and**

**WHEREAS the auditors also praised Chief White for his active, personal role in readying the Berryville Police Department for this rare achievement;**

**NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Berryville honors Chief Neal White for the expertise and singular devotion to duty that enable the Berryville Police Department to serve the community in a highly professional manner consistent with the best practices of the profession and in accord with the laws, rules, and regulations of the nation and the Commonwealth.**

**By order of the Town Council this fourteenth day of December, 2021.**

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**Harry Lee Arnold, Jr., Mayor**

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**Erecka L. Gibson, Recorder**

**A RESOLUTION OF THE COUNCIL OF THE TOWN OF BERRYVILLE, VIRGINIA  
HONORING DONNA PEAKE**

**WHEREAS Donna Peake has resided in Clarke County for forty-five years; and**

**WHEREAS Ms. Peake has been Commissioner of Revenue for ten years; and**

**WHEREAS Ms. Peake volunteered for the role of Clarke County Christmas Parade Coordinator after learning that the parade might not occur because the position of Coordinator had become vacant; and**

**WHEREAS Ms. Peake has continued to coordinate the parade for fifteen years; and**

**WHEREAS during Ms. Peake's tenure as coordinator, the parade and public interest in the parade have increased markedly; and**

**WHEREAS Ms. Peake has displayed notable resourcefulness in overcoming such challenges as Santa going missing in action; and**

**WHEREAS Ms. Peake organized a successful 2020 parade despite obstacles posed by the COVID pandemic; and**

**WHEREAS Ms. Peake has decided that 2021 will be her final year as Parade Coordinator; now, therefore, be it**

**RESOLVED that the Council of the Town of Berryville honors and expresses its gratitude for the energy and expertise with which Donna Peake has promoted the Christmas spirit in her fifteen years as Christmas Parade Coordinator.**

**By order of the Town Council on this fourteenth day of December, 2021.**

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**Harry Lee Arnold, Jr., Mayor**

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**Erecka L. Gibson, Recorder**

**A RESOLUTION OF THE COUNCIL OF THE TOWN OF BERRYVILLE HONORING THE  
CLARKE COUNTY HIGH SCHOOL CROSS COUNTRY TEAMS**

**WHEREAS the Clarke County High School cross country teams have compiled a  
longstanding tradition of excellence; and**

**WHEREAS the 2021 girls' team finished the season as Bull Run District champions,  
Region 2(B) champions and Virginia Class 2A champions; and**

**WHEREAS the girls' team had also won the state championship in 2018 and has now  
made seven consecutive appearances in the state meet; and**

**WHEREAS the 2021 boys' team placed second in the Bull Run District, second in the  
region, and second in the state; and**

**WHEREAS 2021 marked the boys' team's highest finish in the state meet since 2009  
and its first appearance at the state meet since 2015; and**

**WHEREAS the Clarke County High School cross country teams have comported  
themselves in a manner worthy of champions;**

**NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Berryville  
honors the achievements of the Clarke County High School cross country  
teams and the dedication of the coaches, educators, family members, and  
friends who have contributed to these laudable attainments.**

**By order of the Town Council on this fourteenth day of December, 2021.**

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**Harry Lee Arnold, Jr., Mayor**

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**Erecka L. Gibson, Recorder**



**TREE CITY USA®**  
An Arbor Day Foundation Program

## Official Proclamation

- Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and
- Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and
- Whereas, Arbor Day is now observed throughout the nation and the world; and
- Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and
- Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and
- Whereas, trees in our town increase property values, enhance the economic vitality of business areas, and beautify our community; and
- Whereas trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, therefore be it resolved that the Council of the Town of Berryville does hereby proclaim April 30, 2021 as Arbor Day in the Town of Berryville.

Town Council urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands and urge all citizens to plant trees to promote the well-being of this and future generations.

By order of the Town Council this fourteenth day of December, 2021.

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Harry Lee Arnold, Jr., Mayor

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Erecka L. Gibson, Recorder

AN ORDINANCE ADOPTING  
ORDINANCE SECTION 2-23 OF THE BERRYVILLE CODE –  
ELECTION OF TOWN COUNCIL AT NOVEMBER GENERAL  
ELECTION IN EVEN-NUMBERED YEARS

BE IT ORDAINED, by the Council of Town of Berryville, that the Code of the Town of Berryville, is amended to add Section 2-23 Election of Town Council at November General Election in Even-Numbered Years as follows:

- A. *Pursuant to Virginia Code §24.2-222.1 and notwithstanding the provisions of Town Charter §§3.2 and 3.3 and Virginia Code §24.2-222, the election of members of Town Council shall be held on the general election date in November of even-numbered years, beginning in November, 2022, and biennially thereafter, in accordance with the following cycles:*
1. *The election for the Vice Mayor, the Council member from Ward 2, and the Council member from Ward 4 shall be held on the November 2022 general election date and every four (4) years thereafter;*
  2. *The election for the Mayor, the representative from Ward 1, and the representative from Ward 3 shall be held on the November 2024 general election date and every four (4) years thereafter.*
  3. *In accordance with the provisions of Virginia Code §24.2-222.1(C), the members of the Town Council elected at a May general election shall have their term of office lengthened by six months and shall continue in office until their successors have been elected at the November general election and have been qualified to serve.*
  4. *The terms of office for those elected at the November general election shall commence on January 1 immediately following said election.*

VOTE: *Motion by Harrison*

Aye – *Unanimous roll-call*

Nay –

Absent - Rodriguez

ATTEST:   
Erecka L. Gibson, Recorder

DATE: 12/14/21

**BERRYVILLE TOWN COUNCIL PERSONNEL, APPOINTMENTS, AND POLICY COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**December 28, 2021**

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A meeting of the Berryville Town Council Personnel, Appointments, and Policy Committee occurred at 9:00 a.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:**

Members of the committee: Mayor Jay Arnold, Chair; Recorder Erecka Gibson

Staff participating: Christy Dunkle, Community Development Director; Paul Culp, Town Clerk

Also present: Michael E. Bell, Jr.

**1. Call to Order**

Mayor Arnold called the meeting to order at 9:00 a.m.

**2. Approval of Agenda**

Recorder Gibson moved to approve the agenda. The motion passed by unanimous voice vote.

**3. Closed Session**

Recorder Gibson made the following motion to enter closed session:

**Recorder Gibson moved that the Personnel Committee of the Council of the Town of Berryville enter closed session in accordance with §2.2-3711-A-1 of the Code of Virginia for discussion, consideration, or interviews of prospective candidates for appointment. The motion passed by unanimous voice vote.**

The committee returned to open session at 9:32 a.m.

**Recorder Gibson moved that the Personnel Committee of 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 committee that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that the committee 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 committee.

The motion passed by roll-call vote:

Mayor Arnold: Aye

Recorder Gibson: Aye

### 4. Unfinished Business

The consensus was that the committee recommend to the full Town Council the appointment of Michael E. Bell, Jr. to the Planning Commission.

### 5. New Business

Ms. Dunkle said there are vacancies to be filled on the Tree Board and Board of Zoning Appeals.

### 6. Other

There was no other business.

### 7. Adjourn

The meeting adjourned by consensus at 9:35 a.m. on a motion by Recorder Gibson.

Town of Berryville  
Personnel, Appointments, and Policy Committee  
MOTION TO ENTER CLOSED SESSION

Date: December 28, 2021

MOTION BY: *Gibson*

SECOND BY:

I move that the Personnel, Appointments, and Policy Committee of the Council of the Town of Berryville enter a closed session in accordance with § 2.2-3711-A-1, Code of Virginia, for discussion, consideration, or interviews of prospective candidates for appointment.

VOTE:

Aye: *All*

Nay:

Attest: \_\_\_\_\_

Erecka L. Gibson, Recorder

Town of Berryville  
Personnel, Appointments, and Policy Committee  
CLOSED SESSION RESOLUTION

Date: December 28, 2021

MOTION BY: *Gibson*

SECOND BY:

I move that the Personnel, Appointments, and Policy Committee of 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 § 2.2-3712-D, Code of Virginia, requires a certification by this Committee that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED, that the Committee 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 Committee.

ROLL CALL VOTE:

Aye: *All*

Nay:

Attest: \_\_\_\_\_

Erecka L. Gibson, Recorder