



Berryville Town Council

MEETING AGENDA

Berryville-Clarke County Government Center

101 Chalmers Court, Second Floor

Main Meeting Room

Regular Session

January 10, 2023

7:00 PM

Item

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1. Call to Order
 2. Pledge of Allegiance
 3. Approval of Agenda
 4. Presentations/Awards and Recognitions
 5. Public Hearings
 6. Discussion of Public Hearing Items
 7. Citizens' Forum
 8. Consent Agenda
 - Approval of Minutes
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**Berryville Town Council Item Report Summary
January 10, 2023**

Item Title

Consent Agenda - Approval of Minutes

Prepared By

Background/History/General Information

A consent agenda is a tool utilized by the Town Council for grouping routine business and reports into one agenda item.

Any Council member may, as a matter of privilege, remove an item from the consent agenda and have it replaced with another agenda item.

Findings/Current Activity

The consent agenda comprises two items for consideration of approval:

Minutes of the December 5 called meeting of the Town Council.

Minutes of the December 13 regular meeting of the Town Council.

Financial Considerations

None

Schedule/Deadlines

No deadline. Prompt approval is recommended.

Other Considerations

None

Attachments

1. Consent Agenda

Recommendation

Approval

Sample Motion

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

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Called Meeting
December 5, 2022
3:00 p.m.

Town Council: Present--Harry Lee Arnold, Jr., Mayor; Erecka L. Gibson, Recorder; Diane Harrison; Kara Rodriguez. Absent—Grant Mazzarino. Ward 1 currently vacant.

Staff: Present—Keith Dalton, Town Manager.

Also present: William Steinmetz and Michael Bell, applicants for vacant Ward 1 seat.

Media: Mickey Powell, *The Winchester Star*

1. Call to Order

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

2. Approval of Agenda

Mayor Arnold invited a motion to approve the agenda.

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

3. Closed Session

Recorder Gibson moved that the Council of the Town of Berryville enter closed session for discussion, consideration, and interviews of prospective appointees to the Town Council in accordance with §2.2-3711-A-1 of the Code of Virginia. The motion passed by unanimous voice vote, and the Council entered closed session at 3:01 p.m.

4. Open Session

The Council returned to open session at 4:40 p.m.

Recorder Gibson moved that the Council of the Town of Berryville adopt the **attached resolution certifying the closed session. The motion passed by unanimous roll-call vote.**

Ms. Harrison moved that the Council of the Town of Berryville adopt the **attached** ordinance making an appointment to fill the unexpired term of Donna Marie McDonald as the Ward 1 representative on the Council. The motion passed by unanimous voice vote.

Mr. Dalton then read the ordinance.

5. Adjourn

The Council adjourned at 4:45 p.m. by unanimous roll-call vote on a motion by Recorder Gibson.

Town of Berryville
Town Council
MOTION TO ENTER CLOSED SESSION

Date: December 5, 2022

MOTION BY: Gibson

SECOND BY: _____

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

VOTE:

Aye: Unanimous voice vote

Nay: -

Attest:  _____

Erecka L. Gibson, Recorder

BERRYVILLE TOWN COUNCIL

MOTION

CLOSED SESSION RESOLUTION

DATE: December 5, 2022

MOTION BY: *Gibson*

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, THEREFORE, 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: *Unanimous roll-call vote*

Nay:

Absent/Abstain:

ATTEST:  _____

Erecka L. Gibson, Recorder

An ordinance appointing a Ward 1 Representative to the Town Council to fill the unexpired term of Donna Marie McDonald

Be it ordained, by the Council of Town of Berryville, that in accordance with §3.5 of the Charter of the Town of Berryville and § 24.2-228 of the Code of Virginia, the Council hereby appoints William Steinmetz to fill the unexpired term of Donna Marie McDonald as the Ward 1 representative on the Council with such term to begin on December 8, 2022 and expire on December 31, 2023.

VOTE:

Recorded Vote:

Ayes: *Unanimous voice vote.*

Nays:

Absent:

Abstain:

Absent During Vote:

SIGNED



Harry Lee Arnold, Jr., Mayor

Date: December 5, 2022

ATTEST:



Erecka L. Gibson, Recorder

Date: December 5, 2022

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
December 13, 2022
7:00 p.m.

Town Council: Present—Harry Lee Arnold, Jr., Mayor; Erecka L. Gibson, Recorder; William Steinmetz; Diane Harrison; Grant Mazzarino; Kara Rodriguez.

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

Press: Mickey Powell, *The Winchester Star*

Also present: Councilman-elect Ryan Tibbens; Matt Bass, Clarke County Board of Supervisors; Lindsey Watson, Director of Government Affairs, Rappahannock Electric Cooperative

1. Call to Order

Mayor Arnold called the meeting to order at 7:00 p.m. and welcomed Mr. Steinmetz, who was appointed to the Council on December 5, effective December 8, to complete the unexpired term of Donna McDonald, who had resigned on October 26 for health reasons.

2. Pledge of Allegiance

3. Approval of Agenda

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

4. Presentations, Awards, and Recognitions

At Mayor Arnold's request, the clerk read the **attached** resolution honoring Mrs. McDonald, who died shortly after leaving office in October.

Ms. Harrison moved that the Council of the Town of Berryville approve the resolution honoring the life of Donna Marie McDonald. The motion passed by unanimous voice vote.

Ms. Watson, by prior invitation, addressed the meeting, introducing herself and briefly citing figures on the size of Rappahannock Electric Cooperative's membership and service area, which she said was the second-largest in the United States. She said the co-op is working to determine the causes for supply-chain problems, and said in response to a question from Mr. Mazzarino that these difficulties

and inflation were contributors to an expected 4 percent residential rate increase in 2023. She said the co-op is working on matters related to broadband, indoor agriculture, and infrastructure upgrades, and encouraged the Council to communicate with her regularly.

5. Public Hearings

None.

6. Discussion of Public Hearing Items

None.

7. Citizens' Forum

Winchester attorney Susan French, legal counsel for the owner of the blighted property at 112 Josephine Street that had been discussed in multiple previous meetings, said the Council needed the services of an attorney. She said one of the documents she had obtained via a request for records under the Freedom of Information Act had contained verbiage from Mr. Dalton advising the Council of the need for a closed session to discuss possible litigation, which she said assumed to be a reference to a civil rights suit on behalf of her client, which Ms. French said is a government matter and not something she can bring about. Ms. French also said the scheduling of the November Council meeting on Election Day and its rescheduling for the following week had been handled in a manner indicating an insufficiency of legal acumen.

8. Consent Agenda

The consent agenda comprised the minutes of the November 9 Town Council regular meeting rescheduled from the previous day and the November 15 continuation of that meeting.

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

9. Unfinished Business

Town Council Policies

Mr. Dalton directed the Council's attention to the agenda packet, which included a set of policies adopted by the Council since 2016 to govern a variety of situations and activities. He said the upcoming change of Recorder Gibson's title to vice mayor, the appointment of a new Ward 1 representative, and the recent election of Mr. Tibbens suggested a timely reappraisal of the documents, which he said he was presenting to the Council with suggested revisions. Recorder Gibson ascertained that the policies would be redistributed to the Council after completion of the revisions.

Recorder Gibson moved that the Council of the Town of Berryville adopt the **attached** policies and that the new policies become effective on January 1, 2023 and supplant all previous versions on that date. The motion passed by unanimous voice vote.

10. New Business

None.

11. Council Member Reports

Mayor

Mayor Arnold said he had done the honors at the annual lighting of the Christmas tree. He thanked Berryville Main Street and everyone who volunteered, and added that the Christmas parade had been a success.

Recorder

Recorder Gibson had nothing to add.

Ward 1

Mr. Steinmetz said he was pleased to be on the Council.

Ward 2

Ms. Harrison said she was pleased that the anticipated Josephine Street water-sewer project would begin in January. She said the program for banners honoring veterans was approaching readiness, and congratulated Wild Hare Cidery on the opening of its tasting room.

Ward 3

Mr. Mazzarino welcomed Mr. Steinmetz to the Council.

Ward 4

Ms. Rodriguez, having not sought reelection and participating in the final meeting of her term on the Council, delivered the **attached** statement.

Mayor Arnold noted that the 225th anniversary of the founding of Berryville would occur in 2023, with a birthday party scheduled for January 15 at Johnson-Williams Middle School. He recommended visiting the Facebook page devoted to the anniversary.

12. Staff Reports

Nothing was added to the written reports for Public Works, Utilities, Police, Administration and Finance, or Community Development.

Mr. Dalton said the Josephine Street water-sewer project would begin on January 16 and that notices would be mailed to residents within a day or two, having already been posted on the Town website and the County Facebook page.

13. Committee Updates

Budget and Finance

Recorder Gibson noted that changes on the Council were resulting in new committee assignments. She said the committee would have a budget work session on February 28, with a budget work session for full Council on March 6.

Community Development

Ms. Rodriguez, chair of the committee, initiated a discussion of the agenda materials on plans to make improvements to Hogan's Alley via a grant Berryville Main Street had received from the Virginia Main Street/Virginia Department of Housing and Community Development. She said she and Ms. Dunkle had met with Michelle Marino of BMS to discuss the matter and that a vote by Council was needed for the project to proceed.

Ms. Marino said the area is heavily used and that the project plan was relatively simple, calling for benches, planters, a plaque honoring longtime Town Manager John Hogan, and a better surface for pedestrians. Mayor Arnold said the remembrance of Mr. Hogan was needed. Ms. Harrison recommended that the benches be equipped with a bar or arm in the middle to prevent people from lying down and sleeping on them.

Ms. Rodriguez asked Mr. Dalton if the alley would require any repair before commencement of the project, which must be finished by May 31, 2023. Mr. Dalton suggested the possibility of budgeting for new asphalt, drainage improvements, and improvements to the sidewalk along Main Street directly in front of the alley. Ms. Dunkle noted that any changes to the alley must allow for access by Public Works personnel.

Ms. Rodriguez moved that the Council of the Town of Berryville approve the proposed improvements to Hogan's Alley. The motion passed by unanimous voice vote.

Personnel

Mayor Arnold noted the need to fill two vacancies on the Tree Board and that a Planning Commission appointment would necessary to fill a seat soon to be vacated by either Mr. Steinmetz or Mr. Tibbens.

Public Safety

Mr. Mazzarino, assuming the chairmanship of the committee after Ms. McDonald's departure, said it would meet on December 19 at 3:00 p.m.

Streets and Utilities

Ms. Harrison said the committee had no pressing business.

17. Closed Session

Mayor Arnold invited a motion for the Council to enter closed session. Recorder Gibson made the **attached** motion, which passed by unanimous voice vote, and the Council entered closed session at 7:38 p.m.

The Council resumed open session at 8:27 p.m. Recorder Gibson read the **attached** motion certifying the closed session.

18. Adjourn

The Council adjourned at 8:30 p.m. on a motion by Ms. Rodriguez.

Erecka L. Gibson, Vice Mayor

Paul Culp, Town Clerk

BERRYVILLE TOWN COUNCIL SIGN-UP SHEET

Citizens' Forum

Tuesday, December 13, 2022

7:00 p.m.

Name: _____ Town of Berryville Resident?

Susan FRENCH _____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No



**A RESOLUTION OF THE COUNCIL OF THE TOWN OF BERRYVILLE
HONORING THE LIFE OF DONNA MARIE McDONALD**

**WHEREAS Donna Marie McDonald was born in Clarke County, Virginia, on October 3, 1956;
and**

**WHEREAS she was happily married to Lewis Allen McDonald from October 14, 1978 until
his death on August 21, 2019, and**

**WHEREAS Mr. and Mrs. McDonald were the proud parents of Erin, whom they raised in
Berryville; and**

WHEREAS Mrs. McDonald worked for Clarke County Social Services as a case worker; and

**WHEREAS Mrs. McDonald served with energy and distinction on the Berryville Town
Council from July 1, 2016 until October 26, 2022; and**

**WHEREAS Mrs. McDonald as the chair of the Town Council Public Safety Committee was a
tireless advocate for law enforcement; and**

**WHEREAS Mrs. McDonald carried out her duties as a Council Member with heartfelt
dedication to the needs and concerns of the people of her ward and of Berryville; and**

WHEREAS in all aspects of her life she emphasized the love of God and service to others;

**NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Berryville honors Donna
Marie McDonald for her many contributions to the community.**

By order of the Town Council this 13th day of December, 2022.

Harry Lee Arnold, Jr., Mayor

Erecka L. Gibson, Recorder



TOWN COUNCIL POLICIES

Compiled 12/01/22

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Town Council Policies

Electronic Participation in Meetings from Remote Locations

2016-01

Approved 7/16

Amended 4/20 &

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:

1. if, on or before the day of a meeting, the member notifies the Mayor or Chairman that he or she is unable to attend the meeting due to because of an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, and the public body
 - a. approves the member's participation by a majority vote of the members present at a meeting and
 - b. records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated.

In deciding whether or not to approve a member's request to participate from a remote location, the public body shall not consider the identity of the member making the request or the matters that will be considered or voted on at the meeting.

If a member's participation from a remote location is disapproved, such disapproval will be recorded in the minutes with specificity.

Such participation by a member shall be limited each calendar year to two meetings or 25 percent of the meetings of the public body, whichever is fewer; or

2. if a member notifies the Mayor or Chairman that he or she is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the public body records this fact and the remote location from which the member participated in its minutes.

A member may participate in a meeting by electronic means pursuant to this section only when:

- a quorum of the public body is physically assembled at the primary or central meeting location; and

- the public body makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

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, provided

- the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location, and
- the purpose of the meeting is to address the emergency.

If it holds a meeting pursuant to this section, the public body shall

- give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the public body;
- make arrangements for public access to the meeting;
- make available to the public, at the time of the meeting, agenda packets and all materials, unless exempt, that will be distributed to members of the public body and that have been made available to the public body's staff in sufficient time for duplication and forwarding to all locations at which public access will be provided;
- record minutes of the meeting; and
- record in the minutes votes taken by name in roll-call fashion.

For any meeting conducted pursuant to this section, the nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held, shall be stated in the minutes of the meeting. In addition, at such meetings the public body will make available to the public a public comment form prepared by the Virginia Freedom of Information Advisory Council.

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. 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, 2.2-3708.1, 2.2-3710.

Town Council Policies

Code of Conduct

2016-02

Approved: 8/16
Amended:

The Mayor, Town Recorder, Vice Mayor, and Councilors representing the four wards, hereinafter recognized as "the Council," acknowledge the following Code of Conduct. This Code of Conduct shall apply to The Council during all meetings, including committees, or and sub-committees while members are representing the Town of Berryville in any way, and while they are in contact with town staff.

1. The Council will treat fellow councilors, citizens, staff, employees, and committee members with respect, and will not make accusatory or disparaging remarks at official Council or committee meetings.
2. Members of the Council, as individuals, have no legal authority outside the meetings of the Council.
3. Members of the Council will not give direction to any Town staff. Any request for action will be submitted to the Town Manager for consideration by the Council if necessary.
4. The Council will forward any citizens' complaints to the Town Manager. If any issue matter cannot be resolved by the Town Manager, he or she may forward it to the Council for a resolution.
5. The Council will forward any concerns about employees or staff to the Town Manager. Concerns about the Town Manager will be forwarded to the Mayor, Town Recorder, Vice Mayor, and Chairman of the Personnel Committee.
6. The Council will forward any concerns about a fellow Councilor to the Mayor. Complaints involving the Mayor will be directed to the Town Recorder, Vice Mayor. The Mayor and/or Town Recorder, Vice Mayor will work to resolve any concerns.
7. The Council will not discuss any matter with the public that has been presented to the Council in closed session.
8. The Council recognizes that documents related to Town business, including all electronic transmittals sent or received in the performance of their duties as a Town Councilors, are subject to the requirements of the Freedom of Information Act.
9. To ensure the highest standards of respect and integrity during public meetings, The Council should:
 - A. Use formal titles. The Council should address the Council members such as Mayor, (Town) Recorder, Vice Mayor, or Mr., Mrs., or Ms., followed by the individual's last name.
 - B. Be respectful of others and their opinions, and allow for the debate of issues.

- C. Honor the role of the presiding officer in maintaining order and equity, and respect the his/her efforts to focus discussion on current agenda items.
- D. Refrain from engaging the citizens in dialogue during public comments or hearings. For clarification purposes, the Council may ask the person speaking for additional information when they that person makes a presentation.

If by affirmative vote of the majority of the Council a Councilor is deemed to be in violation of the Code of Conduct, the Councilor shall receive a warning from the Mayor or Town Recorder: Vice Mayor.

If a Councilor is found to be repeatedly in violation of the Code of Conduct, the Council may, by an affirmative vote of a majority of the Council, officially censure that Councilor.

Town Council Policies

Photography, Video Recording, and Audio Recording of Town Meetings 2016-03

Approved: 9/16

Amended:

Purpose:

Meetings of Town public bodies are intended to allow the public bodies to conduct public business in an open and transparent fashion. The Town may record public meetings for its purposes, and the public, including news media, may record meetings as allowed by law. This policy is to provide direction to Town officials regarding how Town recordings will be utilized, disseminated, and destroyed. The policy is also to provide direction to the presiding officers of public meetings regarding how recording and photography may occur during public meetings.

Policy:

A. Recording by Town Officials

All public Meetings of the Town Council, Planning Commission, Berryville Area Development Committee, and Board of Zoning Appeals, except duly constituted closed meetings held in accordance with the Code of Virginia, will be recorded. Committee meetings, except duly constituted closed meetings held in accordance with the Code of Virginia, may be recorded if either the Committee Chair or Town Manager determine that doing so is desirable.

The Meeting recordings may be used by the member of the Town staff responsible for preparing the minutes of the meeting. The Meeting recordings shall be destroyed after the meeting minutes have been approved by the public body; provided, however, if the recording it is determined by an affirmative vote of a majority of the membership of the public body that the a recording is of an enduring historically significant nature or describes the current function or organization of the Town's major administrative units, then the recording shall be considered a permanent record pursuant to the Virginia Public Records Act and shall be retained. The destruction of all recordings shall comply with the Virginia Public Records Act. Recordings that are the subject of a Freedom of Information Act request shall be retained in accordance with applicable requirements.

B. Recording of meetings and photography by the public

A member of the public may audio- or video-record or photograph the Town's public meetings. The public's recording activities may not disrupt the meeting. Disruptions would include noise, supplemental lighting (not approved in advance by the presiding officer), flash photography (not approved in advance by the presiding officer), or blocking the view of other members of the public. No person may position equipment or

personnel in a manner that the presiding officer deems an obstruction to emergency egress or to accessibility by for handicapped individuals.

Procedures:

A. Recording Meetings

The Town staff person tasked with taking minutes notes for the meeting will begin recording prior to the meeting being called to order and end recording upon meeting adjournment. When a public body enters a closed meeting, the recording will be stopped and recording will resume just prior to the presiding officer announcing that the public body has re-entered open session.

B. Equipment Failures

If during a meeting it is discovered that the recording device is not functioning properly, then the staff member recording the meeting will immediately notify the presiding officer of the problem. If the recording device can be made to function or if a backup recording device is available, then the remainder of the meeting will be recorded. Otherwise the meeting will proceed without being recorded. If it is discovered after a meeting that the recording device failed to record the meeting, then the staff member responsible for preparing meeting minutes will notify the presiding officer and the Town Manager of the problem.

Town Council Policies

Legal Advice/Opinion

2017-01

Approved: 4/17

Amended:

Purpose:

The Town Council utilizes attorneys, as needed, to provide legal support to the Town. The Town Council establishes this policy to provide cost-control measures and to ensure that any advice/opinion received from legal counsel is accessible to all members of the Council.

Policy:

- I. Except as provided in Section II of this Policy, below, the Town Manager will work closely with legal counsel and will seek advice/opinion in a manner consistent with the following:
 - A. The Town Manager is authorized to seek and receive legal advice/opinion as the Town Manager deems necessary to provide timely legal advice to the Town Council and staff as they conduct their duties. The Town Manager will utilize the Town's legal counsel in a cost-effective manner and in accordance with this Policy.
 - B. Any individual member of Town Council may seek legal advice/opinion by either:
 - a. Requesting that the Town Manager seek advice/opinion. The Town Manager may either:
 - i. Seek and receive the advice/opinion and provide information on the advice/opinion to the Town Council in accordance with this policy, or
 - ii. Request that the Town Council determine whether it will direct him/her to seek and receive the advice/opinion and provide information on the advice/opinion to the Town Council in accordance with this policy.
 - or
 - b. Requesting that the Town Council direct the Town Manager to seek and receive an opinion and that the Town Manager provide information on the advice/opinion to the Town Council in accordance with this policy.
 - C. Upon receipt of advice/opinion requested by the Town Council or member thereof, the Town Manager will provide the Town Council with a synopsis of the advice/opinion. The synopsis will be provided in a manner the Town Manager determines to be in the best interests of the Town. The Town Manager will also make any written advice/opinion available for review by Town Council members. The Town Council member may read and review

the advice/opinion with the Town Manager; but the advice/opinion may not be copied and shall not leave the Town Manager's possession.

- II. Any Town Council member who determines that legal advice/opinion should be sought regarding the employment status or discipline of the Town Manager must request that the Mayor and Recorder Vice Mayor seek the advice/opinion.
 - A. Upon receiving such a request, either the Mayor or Recorder Vice Mayor may either:
 - a. Seek and receive the advice /opinion and provide information on the advice/opinion to the Town Council in accordance with this policy,
or
 - b. Request that the Town Council determine whether it will direct the Mayor or Recorder Vice Mayor to seek and receive the advice/opinion and provide information on the advice/opinion to the Town Council in accordance with this policy.
 - B. Within 30 days of the receipt of advice/opinion requested by the Town Council or member thereof, the Mayor or Recorder Vice Mayor will share the opinion with the Town Council in a duly constituted closed session.
- III. The Town Council may at any time, at its own discretion, determine what legal advice/opinion may be made a public document provided that such a determination is not inconsistent with law. Otherwise legal opinions will remain exempt from disclosure as allowed by law.

Town Council Policies

Requests for work product

2018-01
Approved 4/18
Revised

Purpose:

To ensure that individual Town Council member requests to Town staff for work product align with the goals of the majority of the Council.

Policy:

Requests for Town staff work product such as information, research, reports, data, and project files by individual Council members shall be presented to the Town Manager. NOTE: This policy does not apply to responses to FOIA requests made by individual Council members.

The Town Manager will review requests and determine whether fulfilling the request would have an adverse effect on staff's ability to complete tasks for which they are responsible. The Town Manager will either fulfill the request or inform the Council member that the request may not be fulfilled or not fulfilled in a timely manner.

If the Town Manager determines that a task may not be fulfilled or not fulfilled in a timely manner, then he/she shall forward the request and determination to the Council.

Procedures:

Any Requests of an from individual Council member to Town staff for information, research, reports, data, projects, etc. (excluding FOIA requests by individual Council members) work product shall be presented to the Town Manager.

The Town Manager will review the request and evaluate whether fulfilling the request within ten business days would have a significant adverse effect on staff's ability to complete tasks for which they are responsible. The Town Manager will notify the requesting Council member that:

- :: the request will be fulfilled within ten business days,
- :: the request will be fulfilled, but the time required to do so will exceed ten business days (estimated time of request fulfillment provided), or
- :: the request cannot be fulfilled with placing undue strain on Town operations.

If the Town Manager informs the requesting Council member that the request will be fulfilled, but the time required to fulfill the request will

exceed ten business days and the Council member has no objection to the proposed schedule, then no further action is required.

If the Town Manager informs the requesting Council member that the request will be fulfilled, but the time required to fulfill the request will exceed ten business days and the Council member objects to the proposed schedule, then the Town Manager will forward the matter to the Council for review at their next regular session.

If the Town Manager informs the requesting Council member that the request can't be fulfilled without placing undue strain on Town operations and the requesting Council member objects to the determination, then the Town Manager will forward the matter to the Council for review at their next regular session.

~~If the Town Manager determines that responding to the request would have a significant adverse effect on the work-flow of Staff, the Town Manager shall refer the request to Council for Council to determine if the requested work-product should be provided, and, if so, a schedule for responding to the request.~~

Town Council Policies

Budget Contingencies

2018-02

Approved 5/18

Revised

Purpose:

~~The purpose of The Budget Contingency.~~ This policy is to be established to serve as a guideline and general approach to:

- Responding to unanticipated significant revenue shortfalls.
- Providing funding for unanticipated, non-recurring, expenditures that cannot be absorbed within the operating budget.
- Providing temporary funding for an unanticipated increase in operations or maintenance that cannot be absorbed within the operating budget.

Policy:

~~Expenditures drawn from contingency funds shall require prior approval from the Town Manager. Notice of such action will be presented to the Town Council at their next monthly meeting.~~

The Council will set budget contingencies in the general, water, and sewer funds of will be at least 3 percent of total operating requirements.

Procedure:

The Town Manager shall include at least a 3 percent contingency for the general, water, and sewer funds in his/her proposed budget. On the basis of an assessment of expenditure risk for the upcoming fiscal year, the Town Manager may recommend a higher level of contingency and include such recommendation in the proposed budget.

~~The Town Council holds final authority upon approval of~~ will determine the contingencies that will be budgeted and appropriated for the general, water, and sewer funds when it approves the annual budget.

Expenditures drawn from contingency funds shall require prior approval from the Town Manager. The Treasurer will provide notice of such action to the Council ~~will be presented to the Town Council at~~ its next monthly meeting.

Town Council Policies

Social Media

2019-01

Approved 3/19

Amended:

I. INTERNAL POLICY

A. Purpose

This document defines the social media and social networking policy for the Town of Berryville (Town) to address the fast-changing landscape of the Internet and the way the Town and its elected and appointed officials reach a broader audience.

This policy is intended to ensure that official social media and social networking use complies with applicable law.

B. Applicability

This policy shall apply to:

- Use of personal social media sites (including social networking and Web 2.0) by Town officials and employees, hereinafter referred to as Personal Social Media Site (see Section C below);
- Use of social media sites (including social networking and Web 2.0) by elected and appointed officials on which they utilize their Town Titles and discuss Town-related business, hereinafter referred to as Elected/Appointed Officials' Social Media Sites (see Section D below);
- Use of approved official Town social media sites (including social networking and Web 2.0) by Town employees, hereinafter referred to as Town Social Media Site (see Section E below).

C. Use of Personal Social Media Sites by Town Officials and Employees

All Town officials (elected or appointed) and employees may have Personal Social Media sites on which they do not use their titles and do not discuss Town-related business. These sites should remain personal in nature and be used to share personal opinions or non-work-related information.

Town officials and employees shall not use their titles or Town e-mail accounts or passwords in conjunction with a Personal Social Media Site.

If a Town official or employee decides to comment or post about Town business on his or her Personal Social Media Site, then it is recommended that the official or employee use a disclaimer such as: "The postings on this site are my own and do not reflect or represent the opinions or positions of the Town of Berryville."

D. Use of Elected/Appointed Officials' Social Media Sites

Town Elected and Appointed Officials may maintain Elected/Appointed Officials' Social Media Sites on which they utilize their Town titles and discuss Town business.

All Town-related communication through Elected/Appointed Officials' Social Media Sites shall be maintained and archived in accordance with the provisions of this policy and applicable law and should remain professional in nature and content.

Elected/Appointed Officials' Social Media Sites should not be used to conduct private commercial transactions or engage in private business activities.

Officials should be mindful that their use of Elected/Appointed Officials' Social Media Sites is subject to the Virginia Freedom of Information Act (FOIA). The Elected/Appointed Official is responsible for maintaining his/her site in a manner consistent with law.

Officials are encouraged to use a disclaimer such as: "The postings on this site are my own and do not represent the opinions or positions of the Berryville Town Council or Town of Berryville" on their Elected/Appointed Officials' Social Media Sites.

E. Publishing Content on Town Social Media Sites

Only individuals authorized by the Town Manager may publish content to a Town Social Media Site.

All posts or comments made on behalf of the Town shall conform to this policy and guidelines provided by the Town Manager.

Town Social Media Sites shall not be used for political purposes, to conduct private commercial transactions, or to engage in private business activities.

Town employees should be mindful that inappropriate use of Town Social Media Sites can be grounds for disciplinary action. If social media, Web 2.0, and other social computing technologies are used for official Town business, then the entire site, regardless of any personal views, is subject to best-practices guidelines and standards, including but not limited to the FOIA.

F. Social Media Site Approval and Content Archiving

All Town Social Media Sites shall be (1) approved by the Town Manager, (2) published using approved social networking platform and tools, (3) administered by the Town Clerk or other official designated as administrator by the Town Manager, and (4) archived in a manner that conforms to the requirements of FOIA and other applicable legal requirements.

The content of all Town Social Media Sites shall be archived in accordance with applicable law and the requirements of this policy.

All Town Officials who maintain Elected/Appointed Officials' Social Media Sites shall report them to the Town Manager and the Town Clerk immediately upon activation of the sites. The Elected/Appointed Official responsible for the site shall provide the Town Manager and Town Clerk with any and all information required for the archiving regimen approved by the Town Council. The content of such sites shall be archived in accordance with applicable law.

G. Oversight and Enforcement

Employees representing the Town on Town Social Media Sites must maintain a high level of ethical conduct and professional decorum. Failure to do so is grounds for revoking the privilege to post on Town sites, and for disciplinary action.

Information must be presented following professional standards for good grammar, spelling, brevity, clarity, and accuracy, and should avoid jargon, obscure terminology, or acronyms.

Town employees shall recognize that the content and messages they post on Town Social Media Sites are public and may be cited as official Town statements. Social media, Web 2.0, or other social computing technologies shall not be used to circumvent other Town policies or requirements.

Town employees representing the Town through Town Social Media Sites

may not publish information that includes:

- violations of local, state, or federal Law.
- sexually explicit content.
- confidential information.
- copyright violations.
- profanity or derogatory content or comments.
- partisan political views.
- commercial endorsements or spam.
- other content designated as prohibited by the Town.

H. Records Retention

Town Social Media Sites and Elected/Appointed Officials' Social Media Sites contain communications sent to or received by the Town, and such communications are therefore public records subject to the Virginia Freedom of Information Act. These retention requirements apply regardless of the form of the record (for example, digital text, photos, audio, and video).

The department or official maintaining a site shall preserve records pursuant to a relevant records retention schedule for the required retention period in a format that preserves the integrity of the original record and is easily accessible. Furthermore, retention of social media records shall fulfill the following requirements:

- Social media records must be captured with a frequency and in a fashion that will minimize potential loss of data due to deletion and/or changes on the social networking site.
- Social media records must be archived in a manner that preserves the context of communications, including conversation threads, to ensure completeness and availability of relevant information when records are accessed.
- Social media records must be indexed on the basis of specific criteria such as date, content type, and keywords to ensure that records can be quickly located and produced in an appropriate for distribution (e.g. PDF).
- FOIA Officers shall have access to all social media public records.

I. Cooperation with Other Organizations

Nothing in this policy shall be construed to prevent the Town from working with another party, such as the County of Clarke, to provide a social media presence, provided that legal requirements, including archiving, are met.

II. EXTERNAL POLICY

The following guidelines shall be displayed to users on all Town Social Media Sites or made available by hyperlink. Further, it is recommended that the following guidelines be displayed to users on all Elected/Appointed Officials' Social Media Sites or made available by hyperlink.

Moderation of Third-Party Content

This site serves as a *limited public forum*, and all content published is subject to monitoring. User-generated posts will be rejected or removed from view when the content:

- is off-subject or out of context.
- contains obscenity or material that appeals to the prurient interest.
- contains personal identifying information or sensitive personal information.
- contains offensive terms that target protected classes.
- is threatening, harassing, or discriminatory.
- incites or promotes violence or illegal activities.
- contains information that reasonably could compromise individual or public safety.
- advertises or promotes a commercial product or service, or any entity or individual.
- promotes or endorses political campaigns or candidates.

Public Records Law

Town Social Media Sites and Elected/Appointed Officials' Social Media Sites are subject to the Virginia Freedom of Information Act. Any content maintained in a social media format related to Town business, including communication posted by the Town and communication received from citizens, is a public record.

Town Council Policies

Requests for Service or Receipt of Concerns

2020-01
Approved 2/20
Revised

Purpose:

To establish policies and procedures for responding to public concerns and requests for service.

Town Council members will from time to time receive requests for service, expressions of concerns, and complaints from citizens. It is vital that these matters be addressed in a manner that is effective, efficient, timely, transparent, and respectful of the Town Manager's responsibilities to the entire Town Council and his/her role as the Town's Chief Administrative Officer. This policy is adopted to standardize the process by which these matters are communicated to the Town Council and staff. Further, the policy addresses how Town Council, Town Council members, and staff will work toward resolution of these matters and communicate with citizens in this regard.

Policy:

Upon receipt of a citizen request for service, expression of concern, or complaint, members of the Town Council shall notify the Town Manager (and designee if it is known the Town Manager is known to be unavailable) and Town Clerk.

The Town Manager shall acknowledge receipt of the concern, investigate the matter, take action as deemed appropriate, notify the citizen in question, and inform the Town Council of the actions taken (if any). While it is expected that the Town Manager may consult with individual Town Council members while reviewing a matter and working toward resolution, Town Council members should permit the Manager to perform his/her duties without interference.

Any Town Council member who is dissatisfied with the Town Manager's actions in the matter shall forward his/her concerns to the Town Manager. The Town Manager shall respond to the member in question. If any Town Council member remains dissatisfied with the resolution of the matter, then it should be forwarded to the appropriate standing committee chair for discussion at the next regularly scheduled Town Council meeting, at which time the Town Council will determine whether the Town Manager will be directed to take additional or different action in the matter.

Procedure:

Upon receipt of a citizen request for service, expression of concern, or complaint, members of the Town Council must:

Forward the following information (at a minimum) to the Town Manager and the Town Clerk in writing:

- Name of concerned citizen,
- Concerned citizen's contact information (preferably an email and cell phone number if available), and
- A detailed description of the concern expressed.

Note: If matter is deemed an emergency, then the Council member shall, as appropriate, advise the citizen to call 911 (fire, EMS, electrical lines down, or other eminent risk to life) or 955-1234 (water breaks, sewer blockages, street conditions, and the like) and call the Town Manager (or designee if it is known the Town Manager is known to be unavailable) on his/her cell phone, prior to providing written notice of the concern.

Note: If the concern expressed involves conduct of the Town Manager, then the matter shall be forwarded to the Personnel, Appointments, and Policy Committee chair, who shall notify the Town Council and address the matter with the Town Manager. After speaking with the Town Manager, the chair shall report his/her findings to the Town Council, and if necessary refer the matter to the Committee. The Committee may refer the matter to the full Town Council if this is deemed appropriate. Upon completion of review of the matter, the chair will provide appropriate follow-up to the citizen who contacted the Town Council member.

Upon receipt of such information from a Town Council member, the Town Manager must:

- Acknowledge receipt of the concern to the Town Council member in question and provide a copy of the acknowledgement to the rest of the Town Council.
- Investigate the matter (either personally or by staff) and:
 - o Take appropriate action to address the concern; or
 - o Notify the citizen in question of the Town's actions, planned action, or why the Town will not take action, including referrals if necessary; and
 - o Inform the Town Council regarding the matter's disposition.

Any Town Council member dissatisfied with the actions taken must detail his/her concerns in writing to the Town Manager. The Town Manager shall respond to the member in question (copy provided to the Town Council). If any Town Council member remains dissatisfied with the resolution of the matter, then the matter shall be forwarded to the appropriate standing committee chair for discussion at the next regularly scheduled Town Council meeting, at which time the Town Council will determine whether the Town Manager will be directed to take additional or different action in the matter.

Town Council Policies

Motions and Voting

2020 -02

Approved 7/20
Revised

Purpose:

To establish policies and procedures for Council voting.

This policy is established in accordance with §2-21 of the Berryville Code. In accordance with that section, matters not addressed by rules of procedure adopted by the Council are governed by the current edition of Robert's Rules of Order.

Policy:

It is vital to the operations of the Town that any member of the Council be able to place a matter before the body for a vote. Therefore no second is required to place a motion before the Council for a vote. Similarly, the member who made the motion may withdraw, amend, or permit amendment of a motion prior to the vote.

Each member of the Council shall vote on all motions before the Council, unless a member has been duly recused from the matter. Members not recused shall vote on motions by either voting "Yes" if supporting the motion, "No" if opposing the motion, or "Abstain" if choosing not to support or oppose the motion.

The Council will take action by voice vote, a show of hands, or roll-call vote, in accordance with the provisions of this policy and applicable law.

If the outcome of a voice vote cannot be determined or is in doubt, then any member may request that the presiding officer call for a show of hands or conduct a roll-call vote.

Once a motion is on the floor, the presiding officer shall call for discussion of the motion. Discussion on a motion may be ended when no members respond to the presiding officer's query as to whether there is any more discussion, or a majority of members assembled approve a motion to call the question (subsidiary motion).

Procedure:

Motions

When making a motion, a member should state the motion as clearly and succinctly as possible. Members making a motion shall begin by saying: "I move that the Council ..."

Members are encouraged to provide the Council and the Town Clerk with a written copy of complex or lengthy motions.

Votes

The Council will conduct its business by means of voice votes, a show of hands, or roll-call votes. All motions will be acted upon by use of voice vote unless:

- another form of voting is required by law in a particular instance,
- a member requests another form of voting prior to the vote, or
- in the opinion of any member of the Council the results of the vote were inconclusive.

Voice vote

When conducting a voice vote on a matter in accordance with this policy, the presiding officer shall:

- state the motion as it was moved,
- state "All in favor of the motion say Yes."
- state "All opposed say No."
- state "All abstaining say Abstain."
- announce the vote count and outcome.

Show of hands

When conducting a vote by a show of hands on a matter in accordance with this policy, the presiding officer shall:

- state the motion as it was moved,
- state "All in favor of the motion raise your hands until I have counted the votes."
- state "All opposed to the motion raise your hands until I have counted the votes."
- state "All abstaining from the vote on this motion raise your hands until I have counted the votes."
- announce the vote and outcome.

Roll-call vote

When conducting a roll-call vote on a matter in accordance with this policy, the presiding officer shall:

- state the motion as it was moved.
- direct the Town Clerk to perform the roll call vote.
 - o The Town Clerk will call for votes in the following order:
 - Ward 1 Council Member
 - Ward 2 Council Member
 - Ward 3 Council Member
 - Ward 4 Council Member
 - [REDACTED] Vice Mayor
 - Mayor
- Announce the results of the vote.

Town Council Policies

Council Members Conducting Business with the Town

2020 -03

Approved 7/20

Revised

Purpose:

To establish reporting requirements for when Town Council members, businesses owned wholly or in part by Town Council members, or businesses for which Council members are employed conduct business with the Town.

This policy is established to augment requirements contained in the Code of Virginia, Berryville Code, and the Town of Berryville Procurement Policy Manual.

Policy:

When Town Council members, businesses owned wholly or in part by Town Council members, or businesses for which a Council members work do business with the Town, the Town Manager shall cause the Treasurer to provide the following to the Council:

- Annually
 - o An explanation of relationship and types of items/services received.
 - o Any contract or agreement entered into by the parties.
 - o Offering, notice of award, and other pertinent documents. If utilizing cooperative procurement, include cooperative organization's documentation.

- Monthly
 - o Amount spent in the preceding month (listing of transactions [brief description and amount] and total).
 - o Total spent in fiscal year to date.

Procedure:

Required annual reports will be filed with the Council at the regular Council meeting in July of each year and made a part of the meeting minutes. The initial annual report will be filed with the Council at its regular meeting on September 1, 2020.

Required monthly reports will be filed with the Council at each regular Council meeting and made a part of the meeting minutes. If the Council does not hold a regular meeting within a given month, then the report will be filed with the Council at the next regular Council meeting.

Town Council Policies

Reserves

2021- 01

Approved: 6/8

Purpose:

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

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

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

Policy:

I. Reserve Policy and Fund Reserve Specifics

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

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

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

II. Use of Reserved Funds

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

III. Reporting

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

Procedure:

I. Reserve Policy and Fund Reserve Specifics

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

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

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

II. Use of Reserve Funds

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

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

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

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

III. Reporting

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

STATEMENT BY COUNCIL MEMBER KARA RODRIGUEZ

December 13, 2022

Four and a half years sure goes fast and there are a few groups of people I wanted to recognize before I hang up my council shoes for the time being.

I want to thank the residents of Ward 4 and throughout the Town for allowing me to be your representative for the last four-and-a-half years, whether you voted for me or not, or even lived in Town on May 1, 2018, back when you could still vote for any Town Council seat on the ballot. It has truly been an honor to be allowed to have a voice on some very important decisions the Council has made during this term, and I've always intended my vote to be representative of the best interests and desire of those in my Ward, and not my own personal opinions. I appreciate those who offered their feedback in whatever form that came, and even those who challenged me and vehemently disagreed with me. It has all been impactful.

I also want to thank the Town staff. What you all are able to do with very little support in terms of manpower, on a relatively small budget for a Town that is growing, is quite impressive. I think some members of the administrative staff have been unfairly criticized over the years, and I just want you to know I see the incredible amount of work that you do with often little fanfare, the many hats you wear and the balls you juggle, and you do it all with a love for this Town, whether you live within Town limits or not. Berryville is very lucky to have you.

To my colleagues on Council, you are some of the greatest people I've ever had the pleasure to work with. I've really enjoyed getting to know you all and working through some very important matters for Berryville. We have done some great work for the Town and that's not been because of any particular council member's personal agenda, but of our collective will to do what is best for the Town, and what is needed to provide the quality of life and services Town residents and businesses expect. I thank you all for continuing to serve and I'll be watching...because even though I won't be on the dais with you, I'm still a voter.

Lastly, the most important constituents in Berryville for me are my children. They are the reason I ran and the reason I serve. Even though they had very strong feelings about my need to attend so many meetings, I hope they will embrace the principle of putting service above self, and treating your community as an extension of your own family. While there was a healthy narrative spun by some detractors during my campaign about my ability to serve the Town as a mother of three children, I want them to know that I didn't get my work done in spite of them, but because of them. My desire to make their hometown thrive drove every decision I made, and will continue to influence how I get involved.

My final point, to anyone who has ever questioned your ability to serve in spite of your age, race, gender, experience, how stretched thin you are, or any other qualifier, there is always room for your voice at the table, so never hesitate to speak up, or to serve.

BERRYVILLE TOWN COUNCIL

MOTION

CLOSED SESSION RESOLUTION

DATE: December 13, 2022

MOTION BY: *Gibson*

SECOND BY: *[Signature]*

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, THEREFORE, 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: *Unanimous roll-call*

Nay:

Absent/Abstain:

ATTEST: _____

Erecka L. Gibson, Recorder

Town of Berryville
Town Council
MOTION TO ENTER CLOSED SESSION

Date: December 13, 2022

MOTION BY: *Gibson*

SECOND BY: *_____*

I move that the Council of the Town of Berryville enter closed session in accordance with §2.2-3711-A-29 of the Code of Virginia, to discuss award of a public contract involving the expenditure of public funds.

VOTE:

Aye: *Unanimous roll-call*

Nay:

Attest: _____

Erecka L. Gibson, Recorder

Town Council Committee/Board Assignments for Calendar 2023

Standing Committees of the Council

Budget & Finance	Erecka Gibson, Chair & Grant Mazzarino
Community Development	Ryan Tibbens, Chair & Diane Harrison
Personnel	Jay Arnold, Chair & Erecka Gibson
Public Safety	Grant Mazzarino, Chair & William Steinmetz
Streets & Utilities	Diane Harrison, Chair & Ryan Tibbens

Other

Northern Shenandoah Valley Regional Commission
Jay Arnold
Christy Dunkle (Alternate)

Berryville Main Street Liaison
Jay Arnold

Berryville-Clarke County Economic Development Committee
Diane Harrison
Jay Arnold

Planning Commission Liaison
William Steinmetz

Berryville Area Development Authority Liaison
Diane Harrison

2023 Schedule for Town Council Standing Committee Meetings

Fourth Monday of each month at 3:00 p.m.	Budget and Finance
Fourth Monday of each month at 2:00 p.m.	Personnel, Appointments and Policy
Fourth Tuesday of each month at 4:00 p.m.	Community Development
Fourth Tuesday of each month at 3:00 p.m.	Streets and Utilities
Jan. 17, April 13, July 18, Oct. 17 at 3:00 p.m.	Public Safety

If there are no agenda items for a respective meeting, then the meeting will be canceled.

If there is a need to meet outside of regularly scheduled meetings, then additional meetings will be scheduled.

Adjustments may have to be made for the November and December meetings because of the Thanksgiving and Christmas holidays.

2023 Schedule for Town Council Work Sessions

January no meeting

February 6 at 3:00 p.m.

March 6 at 3:00 p.m.

April 3 at 3:00 p.m.

May 1 at 3:00 p.m.

June 5 at 3:00 p.m.

July 5 at 3:00 p.m.

August no meeting

September 5 at 3:00 p.m.

October 2 at 3:00 p.m.

November 6 at 3:00 p.m.

December 4 at 3:00 p.m.

If there are no agenda items for a respective meeting, then the meeting will be canceled.

If there is a need to meet outside of regularly scheduled meetings, then additional meetings will be scheduled.

2023 Schedule for Town Council Member Attendance at Clarke County Board of Supervisors Meetings

January / July	Arnold
February / August	Gibson
March / September	Steinmetz
April / June / October	Harrison
May/ November	Mazzarino
December	Tibbens

Report of the Department of Public Works January 4, 2023

General Information

Last month we encountered our first round of winter weather in the form of an ice and snow mixture. The Town's snow and ice removal equipment operated in normal manner and we experienced no breakdowns or equipment failures.

Water

On December 24, 25, 26, and 27 our area experienced a severe cold snap. Over these several days the Town experienced several water-related problems.

On Christmas Eve we received a call about a possible water main break on Dorsey Street. Public Works personnel responded and found the four-inch line had broken and was losing a large amount of water. All Public Works personnel responded to the emergency call to repair the main. This repair took approximately 14 hours to fix the leak.

These conditions also resulted in quite a few frozen water pipes on the homeowners' side of the meter. Public Works responded to more than a dozen calls to turn off the water supply because of frozen and/or broken pipes for which the customer is responsible.

Sewer

We experienced several sewer pump station calls last month. All calls were minor in nature and needed no outside assistance to correct the problems.

**Berryville Town Council Item Report Summary
January 10, 2023**

Item Title

Staff Reports - Public Utilities

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

Recommendation

Sample Motion



BERRYVILLE POLICE DEPARTMENT

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

MEMO

DATE: 01/04/2023
TO: Town Council
FROM: Chief W. Neal White
CC:
RE: Police Department Monthly Report – 01/10/2023

Monthly Activity Report

The activity report for the month of December 2022 is attached to this document.

Public Safety Committee

The Public Safety Committee did not meet in December. The committee is scheduled to meet on January 17, 2023 at 3:00 pm in the A/B meeting room of the Joint Government Center.

Holiday Toy Drive

The holiday toy drive was another success this year. Several loads of toys were collected by the department and delivered to the Clarke County Department of Social Services for distribution. Thank you to all the members of the community who made this endeavor a success.

Employee Recognition

Sgt. Tim Bristol was recognized by our local VFW chapter on January 9, 2023 as an outstanding public safety professional. Tim has been a valuable employee of this department for the past fifteen years and is truly deserving of this recognition. Thank you to our local VFW chapter for recognizing the dedication and service of Sgt. Bristol.



BERRYVILLE POLICE DEPARTMENT

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



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: December 2022	Year To Date 2022	December 2022	November 2022
<u>Complaints Answered</u>			
911 Hang Up:	14	4	2
Alarms:	101	8	4
Animal Complaint:	130	4	6
Assault:	14	0	0
Assist County:	107	9	9
Assist EMS and Fire:	114	10	8
Auto Larceny:	2	0	0
Burglary:	2	0	0
Civil Complaints:	94	3	9
Disturbance:	41	2	3
Domestic Disturbance:	30	4	4
Driving Under the Influence	9	0	1
Drunk In Public:	8	0	1
Fraud:	31	1	4
Larceny:	32	2	3
Harassment/Intimidation:	36	1	1
Homicide:	0	0	0
Identity Theft	3	0	0
Juvenile Related:	30	2	3
Mental Health Crisis:	64	3	9
Narcotics Related:	5	0	0
Noise:	45	10	1
Public Service:	18	0	5
Sexual Assault:	2	1	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Suspicious Activity:	164	14	17
Trespassing:	13	0	1
Vandalism:	35	1	6
Welfare Check:	110	5	8
Miscellaneous Complaints:	589	60	51
Total Complaints Answered:	1843	144	156



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	December	November
	2022	2022	2022
<u>Traffic</u>			
Accidents Investigated:	50	1	2
Assist Motorist:	1	0	0
Child Safety Seat Install:	11	4	0
Funeral Escort:	37	5	4
Hit & Run:	8	1	2
Parking Tickets:	32	0	0
Traffic Warnings:	165	11	6
<u>Traffic Summons Issued</u>			
Defective Equipment:	1	0	0
Driving Suspended:	3	0	0
Expired Inspection:	2	1	0
Expired Registration:	2	0	0
Fail to Obey Highway Sign:	48	6	1
Fail to Obey Traffic Signals:	2	0	0
Fail to Stop/Lights & Siren:	0	0	0
Fail to Yield Right of Way:	9	0	0
Hit and Run:	1	0	0
No Liability Insurance:	0	0	0
No Operator's License:	6	0	0
No Seat Belt:	0	0	0
Reckless Driving:	6	0	0
Speeding:	43	0	2
Miscellaneous Summons:	8	0	0
Total Traffic Summons Issued:	131	7	3
<u>Found Open at Businesses in Town</u>			
Doors:	20	2	0
Windows:	0	0	0
Garage Doors:	0	0	0



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date 2022	December 2022	November 2022
<u>Criminal Papers Served</u>			
Abduction:	0	0	0
Arson:	0	0	0
Assault and Battery:	12	1	0
Assault and Battery on Police Officer:	0	0	0
Auto Larceny:	1	0	0
Breaking and Entering:	1	0	0
Capias:	8	0	0
Disorderly Conduct:	1	0	0
Driving Under the Influence:	7	0	1
Drunk In Public:	11	0	1
Fail to Obey Police Officer:	2	0	0
Fail to Pay Parking Ticket:	0	0	0
Forgery:	7	0	0
Fraud:	5	0	1
Homicide:	0	0	0
Illegal Drugs/Paraphernalia:	0	0	0
Larceny:	2	0	0
Possess Alcohol Underage:	0	0	0
Protective Order Violations:	8	2	1
Rape:	0	0	0
Resisting Arrest:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	7	2	1
Vandalism:	1	0	0
Weapons Violation:	0	0	0
Miscellaneous Criminal Arrests:	30	0	1
Juvenile Detention Order Totals:	7	0	0
Total Criminal Arrests:	110	5	6



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date 2022	December 2022	November 2022
<u>Response to Resistance</u>			
Total Community Interface	2399	169	175
Total Enforcement Contacts	404	23	15
Physical Custody	40	2	4
Reported Force Involved	2	0	0
Administrative Review - Justified	2	0	0
Administrative Review - Not Justified	0	0	0
Complaint of Injury - Arrestee	0	0	0
Medical Treatment for Injury - Arrestee	0	0	0
Complaint of Injury - Officer	0	0	0
Medical Treatment for Injury - Officer	0	0	0
<u>Type of Force Involved</u>			
Compliance Hold / Open Hands	0	0	0
Takedown	2	0	0
Strikes (Hands / Knees)	0	0	0
Chemical Sprays (O.C.)	0	0	0
Impact Weapon (Baton)	0	0	0
Mechanical Non-Lethal	0	0	0
Firearm	0	0	0
<u>Arrestee Demographics</u>			
White Male	24	1	2
Black Male	11	0	1
Other Male	0	0	0
White Female	10	0	1
Black Female	2	1	0
Other Female	0	0	0

Town Council Agenda Item Report Summary

January 10, 2023

Item Title

Community Development Update

Prepared By

Christy Dunkle

Planning Commission

The Planning Commission did not hold a meeting in December. Their organizational meeting is scheduled for Tuesday, January 24, 2023 at 7:00 p.m.

Berryville Area Development Authority

The BADA did not hold a meeting in December. Their January meeting is scheduled for Wednesday, January 25, 2023.

Architectural Review Board

The ARB did not hold a meeting in January. Their next meeting is scheduled for Wednesday, February 1, 2023 at 12:30 p.m. in the AB meeting room.

Tree Board

The Tree Board has not met since the last Council meeting.

Board of Zoning Appeals

The BZA will be holding an organizational meeting on Thursday, January 19, 2023 at 7:00 p.m.

Berryville Celebrates 225 Committee

The 225th anniversary celebration will be held Sunday, January 15, 2023 between 2:00 p.m. and 4:00 p.m. at Johnson-Williams Middle School.

A speakers' series and art show are planned at the Barns of Rose Hill for March and April, respectively.

T-shirts, pint glasses, and stemless wine glasses are for sale at the Barns of Rose Hill.

Town Council Agenda Item Report Summary

January 10, 2023

Item Title

Construction Project Update

Prepared By

Christy Dunkle

Shenandoah Crossing Subdivision

- 82 single-family homes
- Developed by D.R. Horton, Inc.
- Zoned DR-2 Detached Residential
- Cluster layout
- HOA-maintained facilities
- Construction has been completed or currently occurring on all of the lots
- Town staff identified concrete repairs needed prior to street acceptance
- Final paving has not occurred, snow removal will be the responsibility of the developer until the streets become part of the public road system
- Staff met on December 6 to discuss sidewalk repairs

Fellowship Square Subdivision

- 50 single-family homes
- Zoned DR-4 Detached Residential
- Cluster layout
- HOA-maintained facilities
- All 50 lots are constructed

Hermitage Phase V

- 71 single-family homes
- Final phase of Hermitage subdivision (started 2000)
- Zoned R-1 and DR-1
- Phase V will have HOA oversight, other phases will not be affected
- Property purchased by D.R. Horton, Inc. in March 2021
- Staff continues to meet with the contractors to assure state and local compliance

Commercial Site Plan – 410 Jack Enders Boulevard

- LGV Group, LLC began site work for two warehouse buildings approved by the BADA in May.
- Town staff conducted a site inspection in September to confirm erosion and sediment controls were in place prior to land disturbance.
- Footers will be poured prior to the Christmas holiday
- It is anticipated that the first structure will be completed by early 2023
- Structural steel has been completed on the first warehouse

ADMINISTRATION/FINANCE

Cash Balance Report

Period Ending 12/31/2022

Town of Berryville
1/5/2023 9:29 AM

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Bank 1	Bank of Clarke Operating Acct#- 1138499		
	Account		Balance
	100-1140000-0000 B/C OPR		-\$47,464.49
	501-1140000-0000 B/C OPR		\$5,925.96
	502-1140000-0000 B/C OPR		-\$24,572.26
		Bank 1	Total:
			-\$66,110.79
Bank 2	Bank of Clarke NOW Acct#- 1138502		
	Account		Balance
	100-1149000-0000 B/C NOW		\$9,309,432.90
	501-1149000-0000 B/C NOW		\$1,683,614.89
	502-1149000-0000 B/C NOW		\$6,239,170.65
		Bank 2	Total:
			\$17,232,218.44
Bank 3	Bank of Clarke Payroll Acct#- 1139510		
	Account		Balance
	100-1121000-0000 CASH/ BC PAYROLL		\$40,073.87
	501-1121000-0000 CASH/BC PAYROLL		-\$0.10
	502-1121000-0000 CASH/BC PAYROLL		\$0.00
		Bank 3	Total:
			\$40,073.77
Bank 4	Bank of Clarke CIP Acct#- 1138405		
	Account		Balance
	100-1123000-0000 BC/CIP CD		\$1,124,118.66
	501-1123000-0000 BC/CIP		\$3,202,038.85
	502-1123000-0000 BC/CIP		\$3,825,067.71
		Bank 4	Total:
			\$8,151,225.22
Bank 5	Bank of Clarke SW Acct#- 1138413		
	Account		Balance
	100-1128000-0000 BC/SWMGT CD		\$468,670.35
		Bank 5	Total:
			\$468,670.35
Bank 6	Bank of Clarke PDAF Acct#- 1138421		
	Account		Balance
	100-1131000-0000 PD ASSET FORFEITURE		\$27,457.03
		Bank 6	Total:
			\$27,457.03
Bank 7	Bank of Clarke DSR Acct#- 1138456		
	Account		Balance
	100-1124000-0000 BC/RDA DEBT SER RES		\$111,542.10
		Bank 7	Total:
			\$111,542.10
Bank 8	Bank of Clarke PPTRA Acct#- 1138464		
	Account		Balance

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Cash Balance Report

Period Ending 12/31/2022

Town of Berryville
1/5/2023 9:29 AM

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	100-1125000-0000 BC/PPTRA RES	\$239,086.36
	501-1125000-0000 BC/PPTRA RESERVE	\$0.00
	502-1125000-0000 BC/PPTRA RESERVE	\$0.00
	Bank 8 Total:	\$239,086.36
Bank 9	Bank of Clarke RAU Acct#- 1138472	
	Account	Balance
	100-1145000-0000 BCC Rau Account	\$946.78
	Bank 9 Total:	\$946.78
Bank 10	Bank of Clarke VRA Reserve Acct#- 6041647	
	Account	Balance
	502-1155000-0000 BC/VRA Reserve Account	\$470,000.00
	Bank 10 Total:	\$470,000.00
Bank 11	Bank of Clarke Proffer Reserve Acct#- 1897098	
	Account	Balance
	100-1126000-0000 Cash BC/Proffers Reserve	\$90,521.17
	501-1126000-0000 CASH/BC Proffers Reserve	\$0.00
	502-1126000-0000 CASH/BC Proffers Reserve	\$0.00
	Bank 11 Total:	\$90,521.17
Bank 12	Bank of Clarke Performance Bonds Acct#- 1910841	
	Account	Balance
	100-1135000-0000 B/C PERFORMANCE BONDS	\$11,287.82
	Bank 12 Total:	\$11,287.82
Bank 13	BB&T Acct#- 5137523525	
	Account	Balance
	100-1130000-0000 CASH/BB&T MM+	\$68,528.24
	501-1130000-0000 CASH/BB&T MM+	\$0.00
	502-1130000-0000 CASH/BB&T MM+	\$0.00
	Bank 13 Total:	\$68,528.24
Bank 14	Bank of Clarke PD Contributions Acct#- 5759859	
	Account	Balance
	100-1133000-0000 PD Contributions	\$3,474.39
	Bank 14 Total:	\$3,474.39
Bank 15	Bank of Clarke PSN Refund/Pmt. Acct. Acct#- 6079334	
	Account	Balance
	100-1146000-0000 BC PSN Refund Acct	\$0.00
	Bank 15 Total:	\$0.00
Bank 16	Bank of Clarke PSN Dep. Acct Acct#- 6079326	
	Account	Balance

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Cash Balance Report
Period Ending 12/31/2022

Town of Berryville
1/5/2023 9:29 AM

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100-1147000-0000 BC PSN Deposit Acct			-\$30.42
501-1147000-0000 BC PSN Deposit Acct.			\$10.65
502-1147000-0000 BC PSN Deposit Acct.			\$19.77
	Bank 16	Total:	\$0.00

Total Cash Balance:	\$26,848,920.88
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59 E



BERRYVILLE TOWN OF

December 01, 2022 - December 31, 2022

Purchasing Card

Company Statement

Account Information	Payment Information	Account Summary
Mail Billing Inquiries to: BANKCARD CENTER PO Box 660441 Dallas, TX 75266-0441 TTY Hearing Impaired: Dial "711" Outside the U.S.: 1.509.353.6656 24 Hours For Lost or Stolen Card: 1.888.449.2273 24 Hours	Statement Date 12/31/22 Payment Due Date 01/24/23 Days in Billing Cycle 31 Credit Limit \$500,000 Cash Limit \$0 Total Payment Due \$105,141.46	Previous Balance \$79,259.49 Payments -\$79,259.49 Credits -\$448.00 Cash \$0.00 Purchases \$105,589.46 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 \$105,141.46

Important Messages

Please do not send payment. Your automatic payment is scheduled to be credited to this account on 01/24/23.

Global Card Access - your card information whenever, wherever and however you need it. From the dashboard, you can quickly check your credit limit, balance, available credit and recent card activity. Other features like View PIN, Change PIN, Lock Card and Alerts help you keep your card secure. For added convenience, you can easily view or download your current statement up to 12 months of past statements. Visit www.bofa.com/globalcardaccess to register your card and start using Global Card Access today.

Cardholder Activity Summary

Account Number	Credits	Cash	Purchases and Other Debits	Total Activity
Credit Limit				

7925949 0514146 0514146 4715291201837237

Account Number [REDACTED]
 December 01, 2022 - December 31, 2022

Total Payment Due \$105,141.46
 Payment Due Date 01/24/23

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

59 F

Posting payments: Payments received by mail at the remittance address shown on the Payment Coupon portion of the face of this statement on a banking day will be posted to your account on the day received. If we receive your mailed payment on a non-banking day, we will post it to your account on the next banking day. There may be a delay of up to 5 banking days in posting payments made at a location other than the mailing address listed on the front of your payment coupon.

Service for the hearing impaired (TTY/TDD): We accept calls made through relay services (dial 711).

Telephone monitoring: For the purposes of monitoring and improving the quality of service, Bank's supervisory personnel may listen to and/or record telephone calls between Bank employees and any person acting on Company's behalf.

In case of errors or questions about your bill: Errors or questions about your bill must be received in writing no later than 60 days after we sent you the first statement on which the error or problem appeared. Please mail this information to BANKCARD CENTER, PO BOX 660441, DALLAS, TX 75266-0441. Your letter must include the following information:

- . The company name, cardholder name and account number in question.
- . The dollar amount of the suspected error.
- . A written description of the error and why you believe there is an error. If you need more information, describe the item you are unsure about.

Customer Service:	For questions regarding transactions, general assistance, and reporting lost and stolen cards, call:	
	<u>Within the U.S.</u> 1.888.449.2273	<u>Outside the U.S.</u> 1.509.353.6656 (collect calls accepted)

Thank you for your business.

Posting payments: Payments received by mail at the remittance address shown on the Payment Coupon portion of the face of this statement on a banking day will be posted to your account on the day received. If we receive your mailed payment on a non-banking day, we will post it to your account on the next banking day. There may be a delay of up to 5 banking days in posting payments made at a location other than the mailing address listed on the front of your payment coupon.

BERRYVILLE TOWN OF
 December 01, 2022 - December 31, 2022
 Page 3 of 6

Cardholder Activity Summary				
<i>Account Number</i>	<i>Credits</i>	<i>Cash</i>	<i>Purchases and Other Debits</i>	<i>Total Activity</i>
Credit Limit				
ALSBERRY, CONNER D				
500	0.00	0.00	21.04	21.04
ATWELL, BRADLEY				
500	0.00	0.00	17.80	17.80
BOOR, RICK				
15,000	448.00	0.00	9,476.68	9,028.68
BOOTH, KEVIN				
1,000	0.00	0.00	147.86	147.86
BRISTOL, TIM				
500	0.00	0.00	229.00	229.00
BUSSERT, ERNIE				
50,000	0.00	0.00	26,920.53	26,920.53
CULP, PAUL				
5,000	0.00	0.00	1,406.01	1,406.01
DALTON, KEITH				
50,000	0.00	0.00	12,845.18	12,845.18
DUNKLE, CHRISTY				
500	0.00	0.00	78.32	78.32
ELLIOTT, RALPH				
5,000	0.00	0.00	1,060.54	1,060.54
FERREBEE, DARRELL				
500	0.00	0.00	111.85	111.85
GRIFFITH, RICHARD A				
500	0.00	0.00	104.65	104.65
JOHNSON, KAREN				
1,000	0.00	0.00	0.59	0.59
KERN, JODI				
5,000	0.00	0.00	1,003.50	1,003.50
LINK, BRIAN				
1,500	0.00	0.00	30.31	30.31
MILLER, TAMARA				
50,000	0.00	0.00	49,826.81	49,826.81
POULIN, CYNTHIA				
1,000	0.00	0.00	293.85	293.85
SHEETZ, CULLEN				
500	0.00	0.00	217.15	217.15
STOVER, KEITH				
1,500	0.00	0.00	746.87	746.87
WHITE, NEAL				
15,000	0.00	0.00	1,050.92	1,050.92

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BERRYVILLE TOWN OF

December 01, 2022 - December 31, 2022

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Transactions							
Posting Transaction							
Date	Date	Description	Reference Number	MCC	Charge	Credit	
BERRYVILLE TOWN OF							Total Activity
Account Number: [REDACTED]							-\$79,259.49
12/23	12/23	AUTO PAYMENT DEDUCTION		0071		79,259.49	
ALSBERRY, CONNER D							Total Activity
Account Number: [REDACTED]							21.04
12/27	12/26	WAL-MART #1406 WINCHESTER VA	24226382361091001145087	5411	21.04		
ATWELL, BRADLEY							Total Activity
Account Number: [REDACTED]							17.80
12/29	12/28	GIANT MARTINS #6558 BERRYVILLE VA	24692162362109909379267	5411	17.80		
BOOR, RICK							Total Activity
Account Number: [REDACTED]							9,028.68
12/02	11/30	CLARKE COUNTY AUTOMOTIVE BERRYVILLE VA	24247602335200186163570	7538	379.24		
12/06	12/05	GRIFFITH ENERGY SERVIC 888-474-3391 MD	24941682339200757501205	4900	4,456.54		
12/09	12/08	ALTMED MEDICAL CTR-FR FRONT ROYAL VA	24493982342286693000130	8011	85.00		
12/14	12/13	LOWES #02724* Winchester VA	24692162347108124756903	5200	246.63		
12/14	12/13	FASTENAL COMPANY 01VAWIN WINCHESTER VA	24137462348600268422314	5085	303.18		
12/16	12/15	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412902349027013521820	5599	384.00		
12/16	12/15	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412902349027013521887	5599	448.00		
12/16	12/15	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	74412902349027013521874	5599		448.00	
12/19	12/16	RICE TIRE -06 WINCHESTER VA	24137462351600264054198	5532	2,250.00		
12/21	12/19	THE HOME DEPOT #4618 WINCHESTER VA	24943012354010192344576	5200	343.57		
12/26	12/24	FOX'S PIZZA BERRYVILLE 540-9553697 VA	24000972360215500149412	5812	96.37		
12/29	12/28	IN *SELECT SPECIALTY PROD434-2963937 VA	24692162362100189694889	5169	484.15		
BOOTH, KEVIN							Total Activity
Account Number: [REDACTED]							147.86
12/05	12/02	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801972337091402000016	5251	4.89		
12/08	12/07	BIG DADDY AUTOMOTIVE LLC BERRYVILLE VA	24247602341200201640240	7538	20.00		
12/12	12/09	GIANT MARTINS #6558 BERRYVILLE VA	24692162343105044805269	5411	20.46		
12/12	12/09	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801972344091406000809	5251	42.59		
12/23	12/22	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801972357091402000474	5251	26.62		
12/29	12/28	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801972363091402000021	5251	8.33		
12/30	12/29	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801972364091404000101	5251	24.97		
BRISTOL, TIM							Total Activity
Account Number: [REDACTED]							229.00
12/21	12/20	PAYPAL *PINNACLETCI 402-935-7733 VA	24492152354052286424171	7392	229.00		
BUSSERT, ERNIE							Total Activity
Account Number: [REDACTED]							26,920.53
12/01	11/30	IN *JOINER LABS, LLC 540-3477212 VA	24692162334100244329138	8734	176.50		
12/01	11/30	IN *JOINER LABS, LLC 540-3477212 VA	24692162334100244329146	8734	237.00		
12/01	11/30	IN *JOINER LABS, LLC 540-3477212 VA	24692162334100244329153	8734	88.00		
12/01	11/30	IN *JOINER LABS, LLC 540-3477212 VA	24692162334100244329161	8734	237.00		
12/01	11/30	IN *JOINER LABS, LLC 540-3477212 VA	24692162334100244329179	8734	237.00		
12/01	11/30	IN *JOINER LABS, LLC 540-3477212 VA	24692162334100244329187	8734	237.00		
12/01	11/30	USA BLUE BOOK 800-548-1234 IL	24940452334636000058994	5085	406.68		
12/05	12/02	TENCARVA MACHINERY CO 336-6651435 NC	24707802338018017175472	5085	1,658.50		
12/06	12/05	IN *JOINER LABS, LLC 540-3477212 VA	24692162339101711747997	8734	237.00		
12/06	12/05	IN *JOINER LABS, LLC 540-3477212 VA	24692162339101711748011	8734	237.00		
12/06	12/05	IN *JOINER LABS, LLC 540-3477212 VA	24692162339101711748029	8734	237.00		
12/08	12/07	COYNE CHEMICAL CROYDON PA	24137462341300753524735	5169	3,151.12		
12/08	12/07	COYNE CHEMICAL CROYDON PA	24137462341300753524818	5169	947.17		
12/09	12/08	IN *JOINER LABS, LLC 540-3477212 VA	246921623342104242069548	8734	88.50		
12/09	12/08	IN *JOINER LABS, LLC 540-3477212 VA	246921623342104242069555	8734	237.00		
12/09	12/08	USA BLUE BOOK 800-548-1234 IL	24940452342636000048970	5085	8,524.09		
12/12	12/09	CONTROL EQUIPMENT COMPANY540-4440386 VA	24000972343150105296551	5074	1,156.53		
12/12	12/10	AMZN Mktp US*P83RF5TF3 Amzn.com/billWA	24692162344105492978252	5942	69.70		
12/16	12/14	EXXONMOBIL 48197024 BERRYVILLE VA	24164052349378005809366	5542	22.19		
12/16	12/15	AMZN Mktp US*C67QH1NT3 Amzn.com/billWA	24692162349100183385854	5942	25.36		
12/16	12/15	RADIAL TIRE DISTRIB URBANURBANA MD	24137462349300791586292	7538	172.76		
12/19	12/16	USA BLUE BOOK 800-548-1234 IL	24940452350636000045503	5085	1,438.86		
12/19	12/18	AMZN Mktp US*FC5K495M3 Amzn.com/billWA	24692162352102194034558	5942	107.80		
12/21	12/20	DGS DCLS WATER TEST KITS 804-7860447 VA	24755422365123550624575	8734	1,316.54		
12/23	12/22	AMZN Mktp US*7Z9L84ZZ3 Amzn.com/billWA	24692162356105844104446	5942	230.88		
12/23	12/22	COYNE CHEMICAL CROYDON PA	24137462356300879877613	5169	2,929.35		
12/23	12/22	COYNE CHEMICAL CROYDON PA	24137462356300879877795	5169	2,218.00		
12/26	12/23	ATCO INTERNATIONAL 770-424-7550 GA	24559162357017028964548	5085	298.00		
CULP, PAUL							Total Activity
Account Number: [REDACTED]							1,406.01

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BERRYVILLE TOWN OF

December 01, 2022 - December 31, 2022

Page 5 of 6

Transactions						
<i>Posting Transaction</i>						
<i>Date</i>	<i>Date</i>	<i>Description</i>	<i>Reference Number</i>	<i>MCC</i>	<i>Charge</i>	<i>Credit</i>
12/02	12/01	AMZN Mktp US*6N5U25XL3 Amzn.com/billWA	24692162335100982661485	5942	129.98	
12/05	12/02	STAPLS7369458674000001 877-8267755 NJ	24164072336105010494386	5111	44.84	
12/05	12/04	AMZN Mktp US*5W2HQ8CK3 Amzn.com/billWA	24692162338100716447299	5942	62.83	
12/09	12/08	STAPLS7369869744000001 877-8267755 NJ	24164072342105070155184	5111	35.84	
12/12	12/09	STAPLS7370003569000001 877-8267755 NJ	24164072343105080325867	5111	63.41	
12/12	12/11	AMZN Mktp US*PT2EU11J3 Amzn.com/billWA	24692162345108300667565	6942	12.94	
12/15	12/14	AMZN Mktp US*5V0KD3GP3 Amzn.com/billWA	24692162348108991613194	5942	515.38	
12/15	12/14	USPS PO 5107560300 BERRYVILLE VA	24137462349001711122875	9402	38.40	
12/16	12/15	AMZN Mktp US*IC9107P23 Amzn.com/billWA	24692162349100090857789	6942	10.49	
12/19	12/16	STAPLS7370543491000001 877-8267755 NJ	24164072350105150192064	5111	45.74	
12/19	12/16	STAPLS7370564169000001 877-8267755 NJ	24164072350105150280588	5111	75.91	
12/19	12/16	STAPLS7370564169000002 877-8267755 NJ	24164072350105970280588	5111	17.39	
12/19	12/19	AMZN Mktp US*SQ4LY2YN3 Amzn.com/billWA	24692162353102908742826	5942	29.98	
12/20	12/19	USPS PO 5107560300 BERRYVILLE VA	24137462354001840784266	9402	24.27	
12/22	12/21	STAPLS7803465574000001 877-8267755 NJ	24164072355105200251303	5111	101.16	
12/29	12/28	VIRGINIAMUNICIPALLEAGU WWW.VML.ORG VA	24492162362000038812082	8699	160.00	
12/29	12/28	STAPLS7370999559000001 877-8267755 NJ	24164072362105270210347	5111	37.45	
DALTON, KEITH						Total Activity
Account Number:						12,845.18
12/06	12/05	RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231682339747002713042	4900	5,152.30	
12/21	12/20	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941662354083733647934	4900	7,692.88	
DUNKLE, CHRISTY						Total Activity
Account Number:						78.32
12/08	12/07	VISTAPRINT 866-207-4955 MA	24492162341715334217036	2741	78.32	
ELLIOTT, RALPH						Total Activity
Account Number:						1,060.54
12/09	12/08	CLARKE COUNTY AUTOMOTIVE BERRYVILLE VA	24247602342200176363801	7538	424.25	
12/09	12/08	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801972343091404000024	5251	36.34	
12/19	12/16	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412902350027013618184	5599	699.95	
FERREBEE, DARRELL						Total Activity
Account Number:						111.85
12/08	12/07	BIG DADDY AUTOMOTIVE LLC BERRYVILLE VA	24247602341200201839846	7538	20.00	
12/16	12/15	ALTMED MEDICAL CTR- FR FRONT ROYAL VA	24493982349286693200113	8011	85.00	
12/30	12/29	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801972364091404000176	5251	6.85	
GRIFFITH, RICHARD A						Total Activity
Account Number:						104.65
12/01	11/30	LOWES #02724* Winchester VA	24692162334100055008037	5200	89.97	
12/29	12/28	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801972363091402000401	5251	14.68	
JOHNSON, KAREN						Total Activity
Account Number:						0.59
12/05	12/03	Amazon web services aws.amazon.coWA	24692162337102786958774	7399	0.59	
KERN, JODI						Total Activity
Account Number:						1,003.50
12/02	12/01	VA DMV ONLINE BILLING PAY804-4977100 VA	24755422336133363807527	9399	400.00	
12/15	12/14	USPS PO 5107560300 BERRYVILLE VA	24137462349001711170395	9402	360.00	
12/21	12/20	LOWES #02724* Winchester VA	24692162354104344319341	5200	35.00	
12/23	12/22	MSFT *E0100LE9M MSBILL.INFO WA	24430992356400812116085	5045	202.50	
12/23	12/22	MSFT *E0100LE9BS msbill.info WA	24906412356163430376150	5045	6.00	
LINK, BRIAN						Total Activity
Account Number:						30.31
12/07	12/06	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801972341091400000012	5251	30.31	
MILLER, TAMARA						Total Activity
Account Number:						49,826.81
12/01	11/30	STICKER MULE STICKERMULE.CNY	24492162334000041106048	5111	449.63	
12/05	12/02	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941662336083715297297	4900	5,815.30	
12/05	12/03	COMCAST 800-COMCAST MD	24692162337102392865498	4899	117.91	
12/13	12/12	RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231682346747002979255	4900	339.98	
12/15	12/14	USPS PO 5107560300 BERRYVILLE VA	24137462349001711163200	9402	31.00	
12/16	12/15	RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231682349747003063106	4900	10,000.00	
12/16	12/15	RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231682349747003064302	4900	7,145.37	
12/16	12/15	RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231682349747003063296	4900	1,009.94	
12/21	12/20	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941662354083730770333	4900	5,060.11	
12/21	12/20	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941662354083754481650	4900	10,000.00	
12/21	12/20	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941662354083733647033	4900	7,951.20	
12/21	12/20	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941662354083719277466	4900	75.00	
12/23	12/22	VERIZON*ONETIMEPAYMENT 800-VERIZON FL	24692162356105684577446	4814	378.87	
12/23	12/22	VERIZON*ONETIMEPAYMENT 800-VERIZON FL	24692162356105684577479	4814	253.86	
12/23	12/22	VERIZONWRLSS*RTCCR VB 800-922-0204 FL	24692162356105668179336	4814	1,044.91	

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BERRYVILLE TOWN OF

December 01, 2022 - December 31, 2022

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Transactions							
<i>Posting Transaction</i>							
Date	Date	Description	Reference Number	MCC	Charge	Credit	
12/26	12/25	COMCAST	800-COMCAST MD	24692162359107753673293	4899	153.93	
POULIN, CYNTHIA						Total Activity	293.85
Account Number: [REDACTED]							
12/13	12/12	COSTCO WHSE #0239	WINCHESTER VA	24943002347898002068091	5300	46.93	
12/14	12/13	COSTCO WHSE #0239	WINCHESTER VA	24943002348898002061293	5300	60.92	
12/20	12/19	IN *TRUESHRED	888-7508783 VA	24692162353103573088974	7399	59.00	
12/21	12/20	VDOT LAND USE PERMITS	804-7860622 VA	24755422355123550624146	9399	112.00	
12/23	12/22	VIRGINIA STATE POLICE	804-2785305 VA	24755422357123572200550	9399	15.00	
SHEETZ, CULLEN						Total Activity	217.15
Account Number: [REDACTED]							
12/08	12/07	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801972342091402000118	5251	53.64	
12/16	12/15	FISHER AUTO PARTS 009	BERRYVILLE VA	24431062350200824500012	5533	26.28	
12/20	12/19	FISHER AUTO PARTS 009	BERRYVILLE VA	24431062354200824800095	5533	23.80	
12/28	12/27	GIANT MARTINS #6558	BERRYVILLE VA	24692162361109169785329	5411	15.34	
12/30	12/29	BERRYVILLE AUTO PARTS	BERRYVILLE VA	24327432363236200549394	5533	32.13	
12/30	12/29	FISHER AUTO PARTS 009	BERRYVILLE VA	24431062364200824500016	5533	65.96	
STOVER, KEITH						Total Activity	746.87
Account Number: [REDACTED]							
12/02	12/01	JNO. S SOLENBERGER AND C	WINCHESTER VA	24138292336400009423422	5251	558.92	
12/14	12/13	SHADE EQUIPMENT CO-WINCHE	WINCHESTER VA	24412902347027013146414	5599	187.95	
WHITE, NEAL						Total Activity	1,050.92
Account Number: [REDACTED]							
12/01	11/30	IACP	703-647-7279 VA	24801972334690420471514	8699	190.00	
12/05	12/02	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801972337091402000321	5251	29.85	
12/07	12/06	AMZN Mktp US*OP3Y428S3	Amzn.com/billWA	24692162340102260855816	5942	304.84	
12/07	12/06	BERRYVILLE AUTO PARTS	540-9551292 VA	24327432340136300388834	5533	95.72	
12/14	12/13	IN *SIGNS @ WORK INC	804-3387716 VA	24692162347108433270877	8999	125.00	
12/15	12/14	AMZN Mktp US*FC0107XJ3	Amzn.com/billWA	24692162348108964739455	5942	116.99	
12/16	12/15	AMZN Mktp US*TT3P81RZ3	Amzn.com/billWA	24692162349109958399511	5942	188.52	

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.

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Check Listing

Date From: 12/1/2022 Date To: 12/31/2022

Vendor Range: 4IMPRINT, INC. - ZENON ENVIRONMENTAL CORPORATION

Town of Berryville
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Check Number	Bank	Vendor	Date	Amount
7729	1	ARIKAN BEYTULLAH 6473	12/01/2022	\$7.48
7730	1	CARLY FISHER	12/01/2022	\$125.04
7731	1	CONNOLLY LAUREN KATHLEEN & LARKIN 5397	12/01/2022	\$394.80
7732	1	CROWN TROPHY LLC	12/01/2022	\$35.00
7733	1	GERVAIS ANDREW ALAN 8693	12/01/2022	\$40.20
7734	1	Green's Septic Service	12/01/2022	\$1,200.00
7735	1	HEFLIN BARBARA LEE 2246	12/01/2022	\$7.86
7736	1	James River Equipment	12/01/2022	\$139,558.38
7737	1	KRISTINA MONN WHITEHEAD	12/01/2022	\$84.20
7738	1	RAMEY EMILY MAE 9891	12/01/2022	\$37.12
7739	1	Red Bud Supply	12/01/2022	\$327.36
7740	1	The Hall Company	12/01/2022	\$1,461.24
7741	1	Treasurer of Virginia	12/01/2022	\$2,330.29
7742	1	VIRASEC IT Support Services, Inc.	12/01/2022	\$2,038.49
7743	1	WINCHESTER AMISH CONNECTION	12/01/2022	\$55.00
7744	1	ANDERSON LAWN CARE, INC.	12/08/2022	\$550.00
7745	1	BLOSSMAN GAS INC 4702	12/08/2022	\$190.95
7746	1	C T HARDESTY IV	12/08/2022	\$10,000.00
7747	1	DEBBIE ZIMMERMAN	12/08/2022	\$750.00
7748	1	DMV	12/08/2022	\$65.00
7749	1	FRAZIER & FRAZIER INC	12/08/2022	\$3,400.50
7750	1	HALL TIMOTHY SEAN 9761	12/08/2022	\$92.29
7751	1	HEFLIN AMY LONGERBEAM 7313	12/08/2022	\$117.21
7752	1	Instrulogic Corporation	12/08/2022	\$1,379.20
7753	1	JOHN E HUDSON	12/08/2022	\$6,800.00
7754	1	LOCKLEY RICHARD ALFONSO 5074	12/08/2022	\$29.90
7755	1	MILLER JASON P & LINDA R 7042	12/08/2022	\$205.74
7756	1	NADA JILL BUTLER	12/08/2022	\$750.00
7757	1	Nationwide Retirement Solutions	12/08/2022	\$475.00
7758	1	RADIAL TIRE DISTRIBUTORS	12/08/2022	\$569.72
7759	1	RYAN KEBLOR	12/08/2022	\$750.00

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Check Listing

Date From: 12/1/2022 Date To: 12/31/2022

Vendor Range: 4IMPRINT, INC. - ZENON ENVIRONMENTAL CORPORATION

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Check Number	Bank	Vendor	Date	Amount
7760	1	SHERWOOD-LOGAN & ASSOC	12/08/2022	\$12,500.00
7761	1	SYNNOTT JOAN CONCEPTA 11018	12/08/2022	\$50.20
7762	1	The Winchester Star	12/08/2022	\$569.40
7763	1	US Postal Service	12/08/2022	\$275.00
7764	1	VUPS	12/08/2022	\$81.90
7765	1	Waterloo Electric Service, LLC	12/08/2022	\$3,220.00
7766	1	WILLIAMS SANDRA K 5233	12/08/2022	\$115.61
7767	1	BETTY FRIANT	12/14/2022	\$12,500.00
7768	1	Daniel Dorsey	12/14/2022	\$152.99
7769	1	E. A. S. WINCHESTER, PLLC	12/14/2022	\$750.00
7770	1	Hall, Monahan, Engle, Mahan & Mitchell	12/14/2022	\$2,027.50
7771	1	HARRIS ROBERT W & AMANDA 10426	12/14/2022	\$472.20
7772	1	Michelle M. Jones	12/14/2022	\$1,362.16
7773	1	PENNONI ASSOCIATES INC	12/14/2022	\$2,690.00
7774	1	RODRIGUEZ RODRIGUEZ DIEGO 9572	12/14/2022	\$42.78
7775	1	Southern Software, Inc.	12/14/2022	\$1,125.00
7776	1	The Hall Company	12/14/2022	\$5,663.34
7777	1	BAHAMONDE MARTY J 6452	12/21/2022	\$38.98
7778	1	BUTLER JUSTIN BURKE 10358	12/21/2022	\$132.60
7779	1	Carmeuse Lime, Inc	12/21/2022	\$5,266.53
7780	1	COMBS WASTEWATER MANAGEMENT LLC	12/21/2022	\$75.00
7781	1	CROWN TROPHY LLC	12/21/2022	\$35.00
7782	1	D R HORTON INC 10130	12/21/2022	\$85.00
7783	1	DIEGO RODRIGUEZ RODRIGUEZ	12/21/2022	\$466.29
7784	1	EMMART OIL CO	12/21/2022	\$55.00
7785	1	FISHER CARLY FRAN 9729	12/21/2022	\$25.53
7786	1	FRONT ROYAL FORD	12/21/2022	\$1,547.48
7787	1	HENFIELD JOAN S 6640	12/21/2022	\$28.75
7788	1	KING TIFFANY ANN 8735	12/21/2022	\$26.66
7789	1	MERCER STEPHANIE J 10235	12/21/2022	\$446.50
7790	1	MID ATLANTIC CRANE AND EQUIPMENT CO	12/21/2022	\$4,666.88
7791	1	MILBURN JONATHAN ANDREW 5095	12/21/2022	\$35.40

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Check Listing

Date From: 12/1/2022 Date To: 12/31/2022
Vendor Range: 4IMPRINT, INC. - ZENON ENVIRONMENTAL CORPORATION

Town of Berryville
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Check Number	Bank	Vendor	Date	Amount
7792	1	Nationwide Retirement Solutions	12/21/2022	\$475.00
7793	1	OLMSTEAD HANNAH KIMBERLY 6724	12/21/2022	\$62.08
7794	1	Shade Equipment Company	12/21/2022	\$13,749.45
7795	1	STANTON BENJAMIN NEAL 11013	12/21/2022	\$14.15
7796	1	TRAN DAVIS 8572	12/21/2022	\$135.94
7797	1	US Postal Service	12/21/2022	\$1,000.00
7798	1	VALLEY REGIONAL ENTERPRISES, INC.	12/21/2022	\$45.00
7799	1	WILSON CHRISTOPHER SHANE 8884	12/21/2022	\$54.06
7800	1	BLANCO SALVADOR 6844	12/28/2022	\$54.64
7801	1	BREWER MILLA RUMENOVA 9654	12/28/2022	\$178.11
7802	1	CARTER PROPERTY LLC	12/28/2022	\$12,500.00
7803	1	JAMES DOUGLAS MOLER	12/28/2022	\$10,550.00
7804	1	Minnesota Life Insurance Co.	12/28/2022	\$194.13
7805	1	Nationwide Retirement Solutions	12/28/2022	\$475.00
7806	1	Treasurer of Frederick County	12/28/2022	\$5,638.30
7807	1	Waterloo Electric Service, LLC	12/28/2022	\$237.80
79	Checks Totaling -			\$275,721.31

Totals By Fund

	Checks	Voids	Total
100	\$156,907.92		\$156,907.92
501	\$46,181.18		\$46,181.18
502	\$72,632.21		\$72,632.21
Totals:	\$275,721.31		\$275,721.31

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January 10, 2023
Monthly Update

American Rescue Plan Act of 2021

Funds expended over the past month

The December 2022 expenditure report is attached.

Attachments

- December 2022 ARPA Expenditure Report
- ARPA Master List
- Project Status Reports

Dec-22

Water and sewer bill accounts

Estimated cost of these actions:

	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</u>
- Payment of delinquent accounts	\$ 10,000.00	\$ -	\$ 4,069.34	\$ 5,930.66	41%
- Water and sewer account credits	\$ 169,100.00	\$ -	\$ 171,191.48	\$ (2,091.48)	101%
- Total			\$ 175,260.82	\$ 179,100.00	\$ 3,839.18
Fund balance from first payment					

Signage

Estimated cost of these actions

- Signage	\$ 150,000.00	\$ 3,400.50	\$ 2,262.50	\$ 147,737.50	2%
- Total			\$ 5,663.00	\$ 147,737.50	

Fund balance from first payment

Fund balance from second payment				\$ 64,337.00	\$ 80,000.00
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Improvements in Central Business District

Estimated cost of these actions

- Facades, signs, accessibility	\$ 250,000.00	\$ 52,300.00	\$ 85,929.68	\$ 164,070.32	34%
- Total			\$ 125,000.00	\$ 250,000.00	

Fund balance from first payment

Fund balance from second payment				\$ -	\$ 111,770.32
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	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</u>
<u>Non-Profits</u>					
Estimated cost of these actions					
- John H Enders FD	\$ 80,000.00	\$ -	\$ 40,000.00	\$ 40,000.00	50%
- Barns of Rose Hill	\$ 40,000.00	\$ -	\$ 20,000.00	\$ 20,000.00	50%
- Housing assistance	\$ 120,000.00	\$ -	\$ 40,000.00	\$ 80,000.00	33%
- Total		\$ 100,000.00		\$ 240,000.00	
Fund balance from first payment				\$ -	
Fund balance from second payment				\$ 140,000.00	
<u>Purchase of equipment and supplies</u>					
Estimated cost of these actions					
- Purchase of equipment, etc	\$ 25,000.00	\$ -	\$ 9,864.76	\$ 15,135.24	39%
- Total		\$ 9,864.76		\$ 25,000.00	
Fund balance from first payment				\$ 15,135.24	
<u>Improve Communications</u>					
Estimated cost of these actions					
- Website	\$ 8,000.00	\$ -	\$ 5,845.29	\$ 2,154.71	73%
- Radios	\$ 60,000.00	\$ -	\$ 60,000.00	\$ -	100%
- Other imp.	\$ 60,000.00	\$ -	\$ 12,842.19	\$ 47,157.81	21%
- Total		\$ 78,687.48		\$ 128,000.00	
Fund balance from first payment				\$ 49,312.52	

	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</u>
<u>Premium Pay</u>					
Estimated cost of these actions					
- Provide premium pay	\$ 172,000.00		\$ 174,323.86	(2,323.86)	101%
- Total			\$ 174,323.86		\$ 172,000.00
Fund balance from first payment					\$ (2,323.86)

	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</u>
<u>Complete necessary water and sewer infrastructure projects</u>					
Estimated cost of these actions					
- Cost of the projects	\$ 3,060,886.00	-	\$ 779,935.11	\$ 2,280,950.89	25.48%
- Total			\$ 779,935.11		\$ 3,060,886.00
Fund balance from first payment					\$ 548,457.89
Fund balance from second payment					\$ 1,732,493.00

BUDGETED USED THIS MONTH TOTAL USED BALANCE PERCENT USED

Pay for administrative costs

Estimated cost of these actions					
- Administrative costs per FY (5.5)	\$ 330,000.00	\$ 1,822.50	\$ 35,091.11	\$ 293,086.39	11%
- Total		\$	\$ 36,913.61		
Fund balance from first payment				\$ 103,086.39	
Fund balance from second payment				\$ 190,000.00	

NOTES:

Administrative Costs:

Legal	\$ 692.34
	\$ 1,822.50

INFRASTRUCTURE COSTS:

Core & Main	\$ -	1st Tranche	\$ 2,267,493.00
Frazier Assoc	\$ 3,400.50	Used to date	\$ 1,485,648.64
Broy & Sons (River Pump #1)	\$ -	Balance	\$ 781,844.36
Enterprise Security	\$ -	2nd Tranche	\$ 2,267,493.00
GWP(Boom Road Generator)	\$ -	Used to date	\$ 13,229.68
Pennoni(Osborne, Church, Josephine)	\$ -	Balance	\$ 2,254,263.32
Pennoni (I&I, SSES Study)	\$ -		
Webster Nursery(Concrete walls)	\$ -		
Total	\$ 3,400.50		

ARPA MASTER LIST

1/10/2023

PROJECT NAME	BUDGET	SPENT TO DATE	BALANCE	%COMPLETE	COMPLETED PROJECTS (-/+)
1 Computers:Utility Clerk,PWs	\$ 2,437.90	\$ 2,437.90	\$ -	100% Admin	
2 Police Radio Replacements	\$ 75,000.00	\$ 72,842.19	\$ 2,157.81	100%	\$ 2,157.81
3 PW Compressor	\$ 25,000.00	\$ 23,629.05	\$ 1,370.15	100% Infra	\$ 1,370.15
4 Water Dist Sys Flushing Equip	\$ 7,500.00	\$ 9,844.38	\$ (2,344.38)	100% Infra	\$ (2,344.38)
5 Water Meter Reading Equip	\$ 25,000.00	\$ 11,902.18	\$ 13,097.82	65% Infrastr	
6 Grants for Improper Con to Sewer Sys	\$ 20,000.00	\$ 4,500.00	\$ 15,500.00	25% grant	
7 W/s Admin Fees	\$ 179,100.00	\$ 175,260.82	\$ 3,839.18	100% Neg Impac	\$ 3,839.18
8 Premium Pay for Employees	\$ 172,000.00	\$ 174,323.86	\$ (2,323.86)	100% premium p	\$ (2,323.86)
9 Grant John H Enders/Rescue Squad *	\$ 80,000.00	\$ 40,000.00	\$ 40,000.00	75% grant	
10 Grant to Barns of Rose Hill *	\$ 40,000.00	\$ 20,000.00	\$ 20,000.00	75% grant	
11 Grant for Façade Improvement	\$ 250,000.00	\$ 138,229.68	\$ 111,770.32	50% grant	
12 Website	\$ 8,000.00	\$ 5,845.29	\$ 2,154.71	100% Admin	\$ 2,154.71
13 Leak Study	\$ 9,000.00	\$ 8,662.50	\$ 337.50	100% Infra	\$ 337.50
14 SSES Study	\$ 125,000.00	\$ 62,810.94	\$ 62,189.06	20% Infra	
15 River Pumping Station Upgrade	\$ 25,000.00	\$ 28,538.55	\$ (3,538.55)	100% Infra	\$ (3,538.55)
16 Water Meter & Setter Replacements *	\$ 350,000.00	\$ 326,924.35	\$ 23,075.65	75% Infra	
17 Hermitage Pump Station	\$ 26,000.00	\$ 23,850.00	\$ 2,150.00	100% Infra	\$ 2,150.00
18 Booster Building Upgrade	\$ 20,000.00	\$ 22,985.85	\$ (2,985.85)	75% Infra	
19 WWTP Headworks Lighting Upgrade	\$ 5,000.00	\$ 4,764.00	\$ 236.00	100% Infra	\$ 236.00
20 Ridge Road Water Main	\$ 30,000.00	\$ 25,939.04	\$ 4,060.96	100% Infra	\$ 4,060.96
21 Water, Sewer and Drainage Projects	\$ 2,280,048.10	\$ 116,353.46	\$ 2,164,594.64	25% Infra	
22 Rockcroft Water Main Abandonment	\$ 10,000.00	\$ 10,550.96	\$ (550.96)	0% Infra	
23 Security Upgrades	\$ 125,000.00	\$ 85,820.91	\$ 39,179.09	100% Infra/adml	\$ 39,179.09
24 Drainage Dorsey, Walnut, Treadwell	\$ 310,000.00	\$ 1,500.00	\$ 308,500.00	5% Infra	
25 Bel Vol and Battletown Water Main Repl		\$ 11,612.50		Infra	
26 Wayfinding Signs	\$ 140,000.00	\$ 5,663.00	\$ 134,337.00	0%	
27 Raw Water Intake Land-Easement Acquisition	\$ 15,000.00	\$ 7,172.50	\$ 7,827.50	20% Infra	
28 Grant Housing (3 years)	\$ 120,000.00	\$ 40,000.00	\$ 80,000.00	33%	
Administrative /Legal Fees	\$ 60,000.00	\$ 36,913.61	\$ 23,086.39	50% Admin	
Total Encumbered	\$ 4,534,986.00	\$ 1,498,878.32	\$ 3,036,107.68		\$ 47,278.61
Total ARPA	\$ 4,534,986.00				

* Project For (2) two years
 ** Pending funds availability

Possible Projects

WWTP Harmonic Balancer **	\$	\$	\$	0%
SCADA Digital Upgrade 3 Pump Stations **	\$	\$	\$	0%

Project Status Report

Date: 1/10/2023

Project Name:
Water Meter Reading Equipment

Project Budget: \$25,000.00
Expected Completion Date: November 2022

Executive Summary:
To purchase new Toughbook computer and meter reading device.

- Project Goals:**
1. Reduce meter reading costs.
 2. Improve customer service.

Project Status:

Status item	Status	Summary
Budget 25,000.00	On Track	Total Spend: \$11,902.18
Schedule/Timeline	On Track	% Complete: 65

Project Milestones:

Description	% Complete	Status
1. Ordered tablet 9/27/2022	100%	Completed
2. Order meter reading device received 9/26/2022	100%	Completed
3. Tablet and Meter reading device has been deployed and waiting on second tablet	50%	On Track

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:
Grant for Improper Connections to Sewer System

Project Budget: \$20,000.00
Expected Completion Date: December 15,2022

Executive Summary:
Reimbursement grants to be made available for elimination of connections that transmit surface and ground water to the wastewater collection system.

- Project Goals:**
1. To eliminate unpermitted connections to the Town's wastewater collection system.
 2. To reduce flow within the collection system and to the wastewater treatment plant.

Project Status:

Status Item	Status	Summary
Budget 20,000	On Track	Total Spend: \$4,500.00
Schedule/Timeline	On Track	% Complete: 25

Project Milestones:

Description	% Complete	Status
1. Provided initial information to homeowners to complete paperwork & schedule inspection	100%	Completed
2. Town Rep and owner to meet at property to examine connection to the building/sewer.	100%	Completed
3. Town will make a determination as to whether work qualifies for reimbursement	100%	Completed
4. Reimbursement requests incomplete, owner given another opportunity to submit	0%	On Track
5. Reimbursement requests complete, Town to provide reimbursement check within 30 days of the request approval	0%	On Track

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:
Grant for John H. Enders Fire Dept and Rescue Squad (2022)

Project Budget: \$80,000.00
Expected Completion Date: January 2023

Executive Summary:
Provide funding to vital partner in Covid-19 response and public safety.

Project Goals:
1. Support John H. Enders Department's mission.

Project Status:

Status Item	Status	Summary
Budget 80,000.00	Completed	Total Spend: \$40,000.00
Schedule/Timeline	On Track	% Complete: 75

Project Milestones:

Description	% Complete	Status
1. Grant agreement provided to John H. Enders	100%	Completed
2. Execute agreement	100%	Completed
3. Disperse funds	50%	On Track
4. Track use of funds: Report for first pymt received	50%	On Track

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:

Grant to Barns of Rose Hill (2022)

Project Budget: \$40,000.00

Expected Completion Date: January 2023

Executive Summary:

Provide funding to Non-profit effected by Covid-19 pandemic and to support downtown businesses.

Project Goals:

1. Support Barns of Rose Hill mission.
2. Support downtown businesses.

Project Status:

Status Item	Status	Summary
Budget 40,000.00	Completed	Total Spend: \$20,000.00
Schedule/Timeline	On Track	% Complete: 75

Project Milestones:

Description	% Complete	Status
1. Grant agreement provided to Barns of Rose Hill	100%	Completed
2. Execute agreement	100%	Completed
3. Disperse funds	50%	On Track
4. Track use of funds -report for first pymt received	50%	On Track

Project Issues or Concerns:

Project Status Report

11

Date: 1/10/2023

Project Name:
Grant for Façade, Sign, and Accessibility Improvements

Project Budget: \$250,000.00
Expected Completion Date: June 2025

Executive Summary:
Assist downtown business district recover from Covid-19 pandemic.

Project Goals:
1. Improve facades, signage and accessibility at downtown businesses.

Project Status:

Status Item	Status	Summary
Budget 250,000.00	On Track	Total Spend: \$138,229.68
Schedule/Timeline	On Track	% Complete: 60

Project Milestones:

Description	% Complete	Status
1. Issue grant agreements	100%	Completed
2. Review applications	30%	On Track
3. Award grants	30%	On Track
4. Review work	30%	On Track
5. Reimburse owners for qualifying work	30%	On Track
		Choose an item.
Funds Encumbered to date IS \$250,000.00	100%	

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:
Sanitary System Evaluation Study (SSES)

Project Budget: \$125,000.00
Expected Completion Date: December 2022

Executive Summary:
Evaluate Town Wastewater collection system to identify inflow and infiltration(I&I) of groundwater and stormwater.

- Project Goals:**
1. Identify trouble areas in wastewater collection system.
 2. Develop strategy for addressing identified I & I.

Project Status:

Status Item	Status	Summary
Budget 125,000.00	On Track	Total Spend: \$62,810.94
Schedule/Timeline	On Track	% Complete: 80

Project Milestones:

Description	% Complete	Status
1. Request proposal from engineer	100%	Completed
2. Review proposal / authorize work	100%	Completed
3. Assist engineer during project	100%	Completed
4. Review study results	0%	On Track

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

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	On Track	Total Spend: \$326,924.35
Schedule/Timeline	On Track	% Complete: 75

Project Milestones:

Description	% Complete	Status
1. Order meters, setters, valves, plus other supplies	100%	Completed
2. Install meters / setters	70%	On Track

Project Issues or Concerns:

1. Multiyear project

Project Status Report

Date: 1/10/2023

Project Name:
Booster Building Upgrade

Project Budget: \$20,000.00
Expected Completion Date: February 2023

Executive Summary:
Install new valves, check valves and front room high service pumps.

- Project Goals:
1. Improve function of front room high service pumps to prepare for ground reservoir to be taken out of service for cleaning.

Project Status:

Status Item	Status	Summary
Budget 20,000.00	On Track	Total Spend: \$22,985.85
Schedule/Timeline	On Track	% Complete: 75

Project Milestones:

Description	% Complete	Status
1. Valve Installation	100%	Completed
2. Check valve Installation	100%	Completed
3. Purchase 2 pumps	100%	Completed
4. Installation of pumps will confirm completion and update	50%	On Track

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:

Water, Sewer and Drainage Utility Projects-Osborne, Virginia, North Church, Bundy, and Josephine

Project Budget: \$2,280,948 (ARPA) and \$254,052 (other)

Expected Completion Date: December 2024

Executive Summary:

Osborne: Replace 2-inch water line and laterals. Install sewer pump station, main, and laterals.

Virginia: Address Virginia Avenue drainage issues by directing water in to Town Run.

North Church & Bundy: Water main improvements including extension from 12-inch main on Liberty St along N Church and Bundy to the 6-inch main on N Buckmarsh. Replace water laterals.

Josephine: Replace 4-inch water mains with 12-inch main. Replace all water laterals. Install water main under Norfolk and Southern right of way. Reroute force main to Josephine East pump station.

Project Goals:

1. Improve stormwater management on Virginia.
2. Improve water service on Osborne
3. Provide public sewer on Osborne
4. Improve water distribution system on N Church, Bundy, and Josephine
5. Improve fire flow on N Church, Bundy, and Josephine
6. Pave streets after utility work is complete
- 7.

Project Status:

Status Item	Status	Summary
Budget	On Track	Total Spend: \$116,353.46
Schedule/Timeline	On Track	% Complete: 25

Project Milestones:

Description	% Complete	Status
1. Construction plans	100%	Completed
2. Develop IFB	100%	Completed
3. Secure Easements	50%	On Track
4. Issue offering/ review offering	100%	Completed
5. Select Contractor	100%	Completed
6. Complete project	0%	On Track

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:
Rockcroft subdivision water project

Project Budget: \$10,000.00 *
Expected Completion Date: June 2023

Executive Summary:
Eliminate small water main connections in back yards.

Project Goals:
1. Eliminate sources of potential water leaks.

Project Status:

Status Item	Status	Summary
Budget 10,000.00	On Track	Total Spend: \$10,550.96
Schedule/Timeline	On Track	% Complete: 50%

Project Milestones:

Description	% Complete	Status
1. Eliminate connections complete by April 2023 per Director of Public Works	50%	On Track
2. All materials are on site.	100%	Completed
3. Six laterals must still be disconnected.	0%	On Track
4. 4" main to abandoned	0%	On Track
5. * Director of Public Works now estimates that total project cost will approach \$20,500 (12/7/22)		

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:

Dorsey Street Drainage Improvement/Replacement of Drainage structures of West Main and Lincoln Walnut/Dorsey/Treadwell Streets Drainage Improvement

Project Budget: \$310,000.00

Expected Completion Date: December 2024

Executive Summary:

Construct improvements to convey stormwater from the intersection of Dorsey and Academy Extended to and existing stormwater conveyance.

Replace undersized stormwater piping at intersection of West Main and Lincoln (if needed).

Stormwater improvements for property owners on Walnut Street near Archer and Ashby courts. Drainage improvements along Walnut Street.

Stormwater improvements east of Dorsey and south of Treadwell streets. Allow for stormwater drainage to West Main Street.

Project Goals:

1. Improve stormwater drainage from Archer and Ashby courts to Walnut Street.
2. Improve stormwater drainage on Walnut Street to the east.
3. Replace storm pipe on West Main from Dorsey to the west side of Lincoln.

Project Status:

Status Item	Status	Summary
Budget 310,000	On Track	Total Spend: \$1,500.00
Schedule/Timeline	On Track	% Complete: 5

Project Milestones:

Description	% Complete	Status
1. Construction plans	0%	On Track
2. Develop IFB	0%	On Track
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:

Project Status Report

Date: 1/10/2023

Project Name:
 Bel Voi Drive and Battletown Dr Water Main Replacement

Project Budget: \$
Expected Completion Date: December 2024

Executive Summary:
 Water main replacement from an 4-inch to 8-inch. Water laterals.

Project Goals:

1. Improve fire flow.
2. Construct new mains in the public street whenever possible and abandon old mains.
3. Connect existing houses to the new mains.

Project Status:

Status Item	Status	Summary
Budget	On Track	Total Spend: \$11,612.50
Schedule/Timeline	Not Started	% Complete:

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:

Project Status Report

Date: 1/10/2023

Project Name:
Wayfinding Signs

Project Budget: \$150,000.00
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 150,000.00	On Track	Total Spend: \$5,663.00
Schedule/Timeline	On Track	0% Complete:

Project Milestones:

Description	% Complete	Status
1. Design	0%	On Track
2. Determine Sign locations	0%	Not Started
3. Secure VDOT approvals	0%	Not Started
4. Develop offering for design and construction/award/have signs fabricated	0%	Not Started
5. Secure contractor to install signs	0%	Not Started
6. Have signs installed	0%	Not Started
RFP ISSUED ON 6/30/2022 & COUNCIL AUTHORIZED THE TOWN MANAGER TO AWARD BID.		

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:

Raw Water Intake Land- Easement Acquisition

Project Budget: \$15,000.00

Expected Completion Date: Mid FY2023

Executive Summary:

Expand the raw water transmission line easement and intake structure parcels to prepare for WTP upgrade.

Project Goals:

1. Begin process of securing land and easements necessary for upgrade of intake and raw transmission line for WTP upgrade planned for FY26.

Project Status:

Status Item	Status	Summary
Budget 15,000.00	On Track	Total Spend: \$7,172.50
Schedule/Timeline	On Track	100% Complete: 50

Project Milestones:

Description	% Complete	Status
1. Survey	100%	Completed
2. Legal	75%	On Track
3. Tree Removal	100%	Completed
4. Easement Acquisition	0%	On Track
Draft deed, plat and boundary line adjustment provided to property owner for review.		
Draft deed of easement provided to property owner for review.		

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:
Grant for Housing

Project Budget: \$120,000
Expected Completion Date: June 2024

Executive Summary:
Grant to a non-profit organization(s) that will deliver housing assistance to low-income homeowners.

Project Goals:
1. To improve owner-occupied housing for low-income homeowners in the Town of Berryville

Project Status:

Status Item	Status	Summary
Budget: 120,000	On Track	Total Spend: \$40,000
Schedule/Timeline 3years	On Track	% Complete: 40

Project Milestones:

Description	% Complete	Status
1. Issue grant agreements	66%	On Track
2. Review applications	66%	On Track
3. Award grants	33%	On Track
		Choose an item.

Project Issues or Concerns:

Intentionally
Blank.

ARPA MASTER LIST

1/10/2023

PROJECT NAME	BUDGET	SPENT TO DATE	BALANCE	%COMPLETE	COMPLETED PROJECTS (-/+)
1 Computers:Utility Clerk,PWs	\$ 2,437.90	\$ 2,437.90	\$ -	100% Admin	
2 Polce Radio Replacements	\$ 75,000.00	\$ 72,842.19	\$ 2,157.81	100%	\$ 2,157.81
3 PW Compressor	\$ 25,000.00	\$ 23,629.85	\$ 1,370.15	100% Infra	\$ 1,370.15
4 Water Dist Sys Flushing Equip	\$ 7,500.00	\$ 9,844.38	\$ (2,344.38)	100% Infra	\$ (2,344.38)
5 Water Meter Reading Equip	\$ 25,000.00	\$ 11,902.18	\$ 13,097.82	65% Infrastr	
6 Grants for Improper Con to Sewer Sys	\$ 20,000.00	\$ 4,500.00	\$ 15,500.00	25% grant	
7 W/s Admin Fees	\$ 179,100.00	\$ 175,260.82	\$ 3,839.18	100% Neg Impac	\$ 3,839.18
8 Premium Pay for Employees	\$ 172,000.00	\$ 174,323.86	\$ (2,323.86)	100% premium p	\$ (2,323.86)
9 Grant John H Enders/Rescue Squad *	\$ 80,000.00	\$ 40,000.00	\$ 40,000.00	75% grant	
10 Grant to Barns of Rose Hill *	\$ 40,000.00	\$ 20,000.00	\$ 20,000.00	75% grant	
11 Grant for Façade Improvement	\$ 250,000.00	\$ 138,229.68	\$ 111,770.32	50% grant	
12 Website	\$ 8,000.00	\$ 5,845.29	\$ 2,154.71	100% Admin	\$ 2,154.71
13 Leak Study	\$ 9,000.00	\$ 8,662.50	\$ 337.50	100% Infra	\$ 337.50
14 SSES Study	\$ 125,000.00	\$ 62,810.94	\$ 62,189.06	20% Infra	
15 River Pumping Station Upgrade	\$ 25,000.00	\$ 28,538.55	\$ (3,538.55)	100% Infra	\$ (3,538.55)
16 Water Meter & Setter Replacements *	\$ 350,000.00	\$ 326,924.35	\$ 23,075.65	75% Infra	
17 Hermitage Pump Station	\$ 26,000.00	\$ 23,850.00	\$ 2,150.00	100% infra	\$ 2,150.00
18 Booster Building Upgrade	\$ 20,000.00	\$ 22,985.85	\$ (2,985.85)	75% Infra	
19 WWTP Headworks Lighting Upgrade	\$ 5,000.00	\$ 4,764.00	\$ 236.00	100% Infra	\$ 236.00
20 Ridge Road Water Main	\$ 30,000.00	\$ 25,939.04	\$ 4,060.96	100% infra	\$ 4,060.96
21 Water, Sewer and Drainage Projects	\$ 2,280,948.10	\$ 116,353.46	\$ 2,164,594.64	25% Infra	
22 Rockcroft Water Main Abandonment	\$ 10,000.00	\$ 10,550.96	\$ (550.96)	0% Infra	
23 Security Upgrades	\$ 125,000.00	\$ 85,820.91	\$ 39,179.09	100% Infra/adml	\$ 39,179.09
24 Drainage Dorsey, Walnut, Treadwell	\$ 310,000.00	\$ 1,500.00	\$ 308,500.00	5% infra	
25 Bel Vol and Battletown Water Main Repl		\$ 11,612.50		infra	
26 Wayfinding Signs	\$ 140,000.00	\$ 5,663.00	\$ 134,337.00	0%	
27 Raw Water Intake Land-Easement Acquisition	\$ 15,000.00	\$ 7,172.50	\$ 7,827.50	20% Infra	
28 Grant Housng (3 years)	\$ 120,000.00	\$ 40,000.00	\$ 80,000.00	33%	
Administrative /Legal Fees	\$ 60,000.00	\$ 36,913.61	\$ 23,086.39	50% Admin	
Total Encumbered	\$ 4,534,986.00	\$ 1,498,878.32	\$ 3,036,107.68		\$ 47,278.61
Total ARPA	\$ 4,534,986.00				

* Project For (2) two years
 ** Pending funds availability

Possible Projects

WWTP Harmonic Balancer **	\$	\$	\$	0%	
SCADA Digital Upgrade 3 Pump Stations **	\$	\$	\$	0%	

Dec-22

	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</u>
<u>Water and sewer bill accounts</u>					
Estimated cost of these actions:					
- Payment of delinquent accounts	\$ 10,000.00	\$ -	\$ 4,069.34	\$ 5,930.66	41%
- Water and sewer account credits	\$ 169,100.00	\$ -	\$ 171,191.48	\$ (2,091.48)	101%
- Total			\$ 175,260.82	\$ 179,100.00	
Fund balance from first payment				\$ 3,839.18	
<u>Signage</u>					
Estimated cost of these actions					
- Signage	\$ 150,000.00	\$ 3,400.50	\$ 2,262.50	\$ 147,737.50	2%
- Total			\$ 5,663.00	\$ 147,737.50	
Fund balance from first payment				\$ 64,337.00	
Fund balance from second payment				\$ 80,000.00	
<u>Improvements in Central Business District</u>					
Estimated cost of these actions					
- Facades, signs, accessibility	\$ 250,000.00	\$ 52,300.00	\$ 85,929.68	\$ 164,070.32	34%
- Total			\$ 125,000.00	\$ 250,000.00	
Fund balance from first payment				\$ -	
Fund balance from second payment				\$ 111,770.32	

	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</u>
<u>Non- Profits</u>					
Estimated cost of these actions					
- John H Enders FD	\$ 80,000.00	-	\$ 40,000.00	\$ 40,000.00	50%
- Barns of Rose Hill	\$ 40,000.00	-	\$ 20,000.00	\$ 20,000.00	50%
- Housing assistance	\$ 120,000.00	-	\$ 40,000.00	\$ 80,000.00	33%
- Total			\$ 100,000.00	\$ 240,000.00	
Fund balance from first payment				\$ -	
Fund balance from second payment				\$ 140,000.00	
<u>Purchase of equipment and supplies</u>					
Estimated cost of these actions					
- Purchase of equipment, etc	\$ 25,000.00	-	\$ 9,864.76	\$ 15,135.24	39%
- Total			\$ 9,864.76	\$ 25,000.00	
Fund balance from first payment				\$ 15,135.24	
<u>Improve Communications</u>					
Estimated cost of these actions					
- Website	\$ 8,000.00	-	\$ 5,845.29	\$ 2,154.71	73%
- Radios	\$ 60,000.00	-	\$ 60,000.00	\$ -	100%
- Other imp.	\$ 60,000.00	-	\$ 12,842.19	\$ 47,157.81	21%
- Total			\$ 78,687.48	\$ 128,000.00	
Fund balance from first payment				\$ 49,312.52	

	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</u>
<u>Premium Pay</u>					
Estimated cost of these actions					
- Provide premium pay	\$ 172,000.00		\$ 174,323.86	(2,323.86)	101%
- Total			\$ 174,323.86	\$ 172,000.00	\$ 172,000.00
Fund balance from first payment				\$ (2,323.86)	

Complete necessary water and sewer infrastructure projects

Estimated cost of these actions					
- Cost of the projects	\$ 3,060,886.00	-	\$ 779,935.11	\$ 2,280,950.89	25.48%
- Total			\$ 779,935.11	\$ 3,060,886.00	\$ 3,060,886.00
Fund balance from first payment				\$ 548,457.89	
Fund balance from second payment				\$ 1,732,493.00	

	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</u>
<u>Pay for administrative costs</u>					
Estimated cost of these actions					
- Administrative costs per FY (5.5)	\$ 330,000.00	\$ 1,822.50	\$ 35,091.11	\$ 293,086.39	11%
- Total		\$	\$ 36,913.61	\$	\$ 330,000.00
Fund balance from first payment				\$	\$ 103,086.39
Fund balance from second payment				\$	\$ 190,000.00

NOTES:

<u>Administrative Costs:</u>	\$ 692.34
Legal	\$ 1,822.50

INFRASTRUCTURE COSTS:

Core & Main	\$ -	1st Tranche	\$ 2,267,493.00
Frazier Assoc	\$ 3,400.50	Used to date	\$ 1,485,648.64
Broy & Sons (River Pump #1)	\$ -	Balance	\$ 781,844.36
Enterprise Security	\$ -	2nd Tranche	\$ 2,267,493.00
GWP(Boom Road Generator)	\$ -	Used to date	\$ 13,229.68
Pennoni(Osborne, Church,Josephine)	\$ -	Balance	\$ 2,254,263.32
Pennoni (I&I, SSES Study)	\$ -		
Webster Nursery(Concrete walls)	\$ -		
Total	\$ 3,400.50		

Project Status Report

5

Date: 1/10/2023

Project Name:

Water Meter Reading Equipment

Project Budget: \$25,000.00

Expected Completion Date: November 2022

Executive Summary:

To purchase new Toughbook computer and meter reading device.

Project Goals:

1. Reduce meter reading costs.
2. Improve customer service.

Project Status:

Status Item	Status	Summary
Budget 25,000.00	On Track	Total Spend: \$11,902.18
Schedule/Timeline	On Track	% Complete: 65

Project Milestones:

Description	% Complete	Status
1. Ordered tablet 9/27/2022	100%	Completed
2. Order meter reading device received 9/26/2022	100%	Completed
3. Tablet and Meter reading device has been deployed and waiting on second tablet	50%	On Track

Project Issues or Concerns:

Project Status Report

6

Date: 1/10/2023

Project Name:

Grant for Improper Connections to Sewer System

Project Budget: \$20,000.00

Expected Completion Date: December 15,2022

Executive Summary:

Reimbursement grants to be made available for elimination of connections that transmit surface and ground water to the wastewater collection system.

Project Goals:

1. To eliminate unpermitted connections to the Town's wastewater collection system.
2. To reduce flow within the collection system and to the wastewater treatment plant.

Project Status:

Status Item	Status	Summary
Budget 20,000	On Track	Total Spend: \$4,500.00
Schedule/Timeline	On Track	% Complete: 25

Project Milestones:

Description	% Complete	Status
1. Provided Initial information to homeowners to complete paperwork & schedule inspection	100%	Completed
2. Town Rep and owner to meet at property to examine connection to the building/sewer.	100%	Completed
3. Town will make a determination as to whether work qualifies for reimbursement	100%	Completed
4. Reimbursement requests incomplete, owner given another opportunity to submit	0%	On Track
5. Reimbursement requests complete, Town to provide reimbursement check within 30 days of the request approval	0%	On Track

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:
Grant for John H. Enders Fire Dept and Rescue Squad (2022)

Project Budget: \$80,000.00
Expected Completion Date: January 2023

Executive Summary:
Provide funding to vital partner in Covid-19 response and public safety.

Project Goals:
1. Support John H. Enders Department's mission.

Project Status:

Status Item	Status	Summary
Budget 80,000.00	Completed	Total Spend: \$40,000.00
Schedule/Timeline	On Track	% Complete: 75

Project Milestones:

Description	% Complete	Status
1. Grant agreement provided to John H. Enders	100%	Completed
2. Execute agreement	100%	Completed
3. Disperse funds	50%	On Track
4. Track use of funds: Report for first pymt received	50%	On Track

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:

Grant to Barns of Rose Hill (2022)

Project Budget: \$40,000.00

Expected Completion Date: January 2023

Executive Summary:

Provide funding to Non-profit effected by Covid-19 pandemic and to support downtown businesses.

Project Goals:

1. Support Barns of Rose Hill mission.
2. Support downtown businesses.

Project Status:

Status Item	Status	Summary
Budget 40,000.00	Completed	Total Spend: \$20,000.00
Schedule/Timeline	On Track	% Complete: 75

Project Milestones:

Description	% Complete	Status
1. Grant agreement provided to Barns of Rose Hill	100%	Completed
2. Execute agreement	100%	Completed
3. Disperse funds	50%	On Track
4. Track use of funds -report for first pymt received	50%	On Track

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:
Grant for Façade, Sign, and Accessibility Improvements

Project Budget: \$250,000.00
Expected Completion Date: June 2025

Executive Summary:
Assist downtown business district recover from Covid-19 pandemic.

Project Goals:
1. Improve facades, signage and accessibility at downtown businesses.

Project Status:

Status Item	Status	Summary
Budget 250,000.00	On Track	Total Spend: \$138,229.68
Schedule/Timeline	On Track	% Complete: 60

Project Milestones:

Description	% Complete	Status
1. Issue grant agreements	100%	Completed
2. Review applications	30%	On Track
3. Award grants	30%	On Track
4. Review work	30%	On Track
5. Reimburse owners for qualifying work	30%	On Track
		Choose an item.
Funds Encumbered to date IS \$250,000.00	100%	

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:
Sanitary System Evaluation Study (SSES)

Project Budget: \$125,000.00
Expected Completion Date: December 2022

Executive Summary:
Evaluate Town Wastewater collection system to identify inflow and infiltration(I&I) of groundwater and stormwater.

- Project Goals:**
1. Identify trouble areas in wastewater collection system.
 2. Develop strategy for addressing identified I & I.

Project Status:

Status Item	Status	Summary
Budget 125,000.00	On Track	Total Spend: \$62,810.94
Schedule/Timeline	On Track	% Complete: 80

Project Milestones:

Description	% Complete	Status
1. Request proposal from engineer	100%	Completed
2. Review proposal / authorize work	100%	Completed
3. Assist engineer during project	100%	Completed
4. Review study results	0%	On Track

Project Issues or Concerns:

Project Status Report

16

Date: 1/10/2023

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	On Track	Total Spend: \$326,924.35
Schedule/Timeline	On Track	% Complete: 75

Project Milestones:

Description	% Complete	Status
1. Order meters, setters, valves, plus other supplies	100%	Completed
2. Install meters / setters	70%	On Track

Project Issues or Concerns:

1. Multiyear project

Project Status Report

Date: 1/10/2023

Project Name:
Booster Building Upgrade

Project Budget: \$20,000.00
Expected Completion Date: February 2023

Executive Summary:
Install new valves, check valves and front room high service pumps.

Project Goals:
1. Improve function of front room high service pumps to prepare for ground reservoir to be taken out of service for cleaning.

Project Status:

Status Item	Status	Summary
Budget 20,000.00	On Track	Total Spend: \$22,985.85
Schedule/Timeline	On Track	% Complete: 75

Project Milestones:

Description	% Complete	Status
1. Valve Installation	100%	Completed
2. Check valve Installation	100%	Completed
3. Purchase 2 pumps	100%	Completed
4. Installation of pumps will confirm completion and update	50%	On Track

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:

Water, Sewer and Drainage Utility Projects-Osborne, Virginia, North Church, Bundy, and Josephine

Project Budget: \$2,280,948 (ARPA) and \$254,052 (other)

Expected Completion Date: December 2024

Executive Summary:

Osborne: Replace 2-inch water line and laterals. Install sewer pump station, main, and laterals.

Virginia: Address Virginia Avenue drainage issues by directing water in to Town Run.

North Church & Bundy: Water main improvements including extension from 12-inch main on Liberty St along N Church and Bundy to the 6-inch main on N Buckmarsh. Replace water laterals.

Josephine: Replace 4-inch water mains with 12-inch main. Replace all water laterals. Install water main under Norfolk and Southern right of way. Reroute force main to Josephine East pump station.

Project Goals:

1. Improve stormwater management on Virginia.
2. Improve water service on Osborne
3. Provide public sewer on Osborne
4. Improve water distribution system on N Church, Bundy, and Josephine
5. Improve fire flow on N Church, Bundy, and Josephine
6. Pave streets after utility work is complete
- 7.

Project Status:

Status Item	Status	Summary
Budget	On Track	Total Spend: \$116,353.46
Schedule/Timeline	On Track	% Complete: 25

Project Milestones:

Description	% Complete	Status
1. Construction plans	100%	Completed
2. Develop IFB	100%	Completed
3. Secure Easements	50%	On Track
4. Issue offering/ review offering	100%	Completed
5. Select Contractor	100%	Completed
6. Complete project	0%	On Track

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:
Rockcroft subdivision water project

Project Budget: \$10,000.00 *
Expected Completion Date: June 2023

Executive Summary:
Eliminate small water main connections in back yards.

Project Goals:
1. Eliminate sources of potential water leaks.

Project Status:

Status Item	Status	Summary
Budget 10,000.00	On Track	Total Spend: \$10,550.96
Schedule/Timeline	On Track	% Complete: 50%

Project Milestones:

Description	% Complete	Status
1. Eliminate connections complete by April 2023 per Director of Public Works	50%	On Track
2. All materials are on site.	100%	Completed
3. Six laterals must still be disconnected.	0%	On Track
4. 4" main to abandoned	0%	On Track
5. * Director of Public Works now estimates that total project cost will approach \$20,500 (12/7/22)		

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:

Dorsey Street Drainage Improvement/Replacement of Drainage structures of West Main and Lincoln Walnut/Dorsey/Treadwell Streets Drainage Improvement

Project Budget: \$310,000.00

Expected Completion Date: December 2024

Executive Summary:

Construct improvements to convey stormwater from the intersection of Dorsey and Academy Extended to and existing stormwater conveyance.

Replace undersized stormwater piping at Intersection of West Main and Lincoln (if needed).

Stormwater improvements for property owners on Walnut Street near Archer and Ashby courts. Drainage improvements along Walnut Street.

Stormwater improvements east of Dorsey and south of Treadwell streets. Allow for stormwater drainage to West Main Street.

Project Goals:

1. Improve stormwater drainage from Archer and Ashby courts to Walnut Street.
2. Improve stormwater drainage on Walnut Street to the east.
3. Replace storm pipe on West Main from Dorsey to the west side of Lincoln.

Project Status:

Status Item	Status	Summary
Budget 310,000	On Track	Total Spend: \$1,500.00
Schedule/Timeline	On Track	% Complete: 5

Project Milestones:

Description	% Complete	Status
1. Construction plans	0%	On Track
2. Develop IFB	0%	On Track
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:

Project Status Report

Date: 1/10/2023

Project Name:
Bel Voi Drive and Battletown Dr Water Main Replacement

Project Budget: \$
Expected Completion Date: December 2024

Executive Summary:
Water main replacement from an 4-inch to 8-inch. Water laterals.

- Project Goals:**
1. Improve fire flow.
 2. Construct new mains in the public street whenever possible and abandon old mains.
 3. Connect existing houses to the new mains.

Project Status:

Status Item	Status	Summary
Budget	On Track	Total Spend: \$11,612.50
Schedule/Timeline	Not Started	% Complete:

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:

Project Status Report

26

Date: 1/10/2023

Project Name:
Wayfinding Signs

Project Budget: \$150,000.00
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 150,000.00	On Track	Total Spend: \$5,663.00
Schedule/Timeline	On Track	0% Complete:

Project Milestones:

Description	% Complete	Status
1. Design	0%	On Track
2. Determine Sign locations	0%	Not Started
3. Secure VDOT approvals	0%	Not Started
4. Develop offering for design and construction/award/have signs fabricated	0%	Not Started
5. Secure contractor to install signs	0%	Not Started
6. Have signs installed	0%	Not Started
RFP ISSUED ON 6/30/2022 & COUNCIL AUTHORIZED THE TOWN MANAGER TO AWARD BID.		

Project Issues or Concerns:

Project Status Report

Date: 1/10/2023

Project Name:

Raw Water Intake Land- Easement Acquisition

Project Budget: \$15,000.00

Expected Completion Date: Mid FY2023

Executive Summary:

Expand the raw water transmission line easement and intake structure parcels to prepare for WTP upgrade.

Project Goals:

1. Begin process of securing land and easements necessary for upgrade of intake and raw transmission line for WTP upgrade planned for FY26.

Project Status:

Status Item	Status	Summary
Budget 15,000.00	On Track	Total Spend: \$7,172.50
Schedule/Timeline	On Track	100% Complete: 50

Project Milestones:

Description	% Complete	Status
1. Survey	100%	Completed
2. Legal	75%	On Track
3. Tree Removal	100%	Completed
4. Easement Acquisition	0%	On Track
Draft deed, plat and boundary line adjustment provided to property owner for review.		
Draft deed of easement provided to property owner for review.		

Project Issues or Concerns:

Project Status Report

28

Date: 1/10/2023

Project Name:
Grant for Housing

Project Budget: \$120,000
Expected Completion Date: June 2024

Executive Summary:
Grant to a non-profit organization(s) that will deliver housing assistance to low-income homeowners.

Project Goals:
1. To Improve owner-occupied housing for low-income homeowners in the Town of Berryville

Project Status:

Status Item	Status	Summary
Budget: 120,000	On Track	Total Spend: \$40,000
Schedule/Timeline 3years	On Track	% Complete: 40

Project Milestones:

Description	% Complete	Status
1. Issue grant agreements	66%	On Track
2. Review applications	66%	On Track
3. Award grants	33%	On Track
		Choose an item.

Project Issues or Concerns:

January 10, 2023
Monthly Update

Spot Blight Abatement

Report of January 10, 2023

Update

On December 19, 2022 the Town Manager sent letters to the owners of 12 First Street, 225 Josephine Street, and 112 Josephine Street informing them that they had not meet required spot blight abatement milestones. The letters stated that the owners must comply with the plans approved for their property by January 3, 2023.

As of the writing of this report, the owner of 12 First Street has complied with currently applicable milestones/deadlines. The owners of 225 Josephine Street and 112 Josephine Street have not complied with their approved plans.

Attachments

- Recent correspondence related to 12 First Street (Mercer), 225 Josephine Street (Brown), and 112 Josephine Street (French).

Staff requests guidance from the Council in this regard.

Report December 13, 2022

112 Josephine Street

A demolition permit was issued for the structure's front porch. The front porch was removed. New stairs were installed at the front door.

As of the writing of this report, the owner of 112 Josephine Street has not met the December 15, 2022 milestone.

12 First Street

The owner provided the Town Manager with a list of repairs to be completed on the northern portion of the structure.

The owner secured a demolition permit for the southern portion of the building and has scheduled a pre-demolition conference with the Building Official on December 15, 2022.

The December 1, 2022 milestone for having all permits issued for work on the northern portion of the structure was not met.

225 Josephine Street

The December 1, 2022 milestone for having all permits issued for work on the structure was not met.

114 Josephine Street

The owner secured a demolition permit for the dwelling. A pre-demolition conference was held regarding this structure on October 17, 2022.

Town staff will send violation notices to owners who have not met required deadlines. These notices will provide a short period of time to comply with the approved spot blight abatement plan and outline the actions the Town will take if these extensions are not met.

Attachments

- Spot Blight Abatement Plan for 112 Josephine Street
- Spot Blight Abatement Plan for 12 First Street
- Spot Blight Abatement Plan for 225 Josephine Street
- Spot Blight Abatement Plan for 114 Josephine Street

Report November 8, 2022

On October 11, 2022, the Town Council reviewed a request to modify the approved spot blight abatement plan for 112 Josephine Street. The Council agreed to modify the plan in the following ways:

- Change the deadline for the first milestone from 9/15/22 to 12/15/22
- Change the deadline for the second milestone from 12/1/22 to 2/1/23

The spot blight abatement plan was amended and forwarded to the owner's legal counsel.

The owner's legal counsel contacted Town staff and expressed concerns that the plan modifications did not conform to the action taken by the Town Council. No further communication was received from the owner or her legal counsel.

Attachments

- Amended Spot Blight Abatement Plan for 112 Josephine Street (dated 10/25/22)
- Email thread regarding concerns about the amended plan

Report September 13, 2022

Update

On July 12, 2022, the Town Council approved spot blight abatement plans for 12 First Street, 112 Josephine Street, 114 Josephine Street, and 225 Josephine Street. The approved plans set the following schedule for required milestones:

12 First Street

Required Milestones / Schedule

Owner secures demolition permit for southern portion of structure by 9/15/22

List of repairs to be completed on the northern portion of the structure and a schedule for completion of that work provided to the Town Manager by 9/15/22*

All required permits issued for work on northern portion of structure by	12/1/22
Demolition of southern portion of structure commences by	2/1/23
Demolition of southern portion of structure completed by	3/15/23
Debris and trash removed from property and site stabilized by	3/15/23
All work completed (and required inspections passed) on northern portion of structure and site by	12/15/23

* If Town Manager does not approve the repairs and schedule, then the owner must resubmit information to secure approval. Owner remains responsible for meeting all deadlines beyond this milestone.

112 Josephine Street

Required Milestones / Schedule

List of repairs to be completed on the structure and a schedule for completion of that work provided to the Town Manager by	9/15/22*
All required permits issued for work on structure by	12/1/22
All work completed (and required inspections passed) on structure and site (including removal of debris and trash and stabilization of site) by	12/15/23

* If Town Manager does not approve the repairs and schedule, then the owner must resubmit information to secure approval. Owner remains responsible for meeting all deadlines beyond this milestone.

114 Josephine Street

Required Milestones / Schedule

Owner secures demolition permit for main structure by	9/15/22
Demolition of main structure commences by	2/1/23
Demolition of main structure completed by	3/15/23
Debris and trash removed from property and site stabilized by	3/15/23

225 Josephine Street

Required Milestones / Schedule

List of repairs to be completed on the structure and a schedule for completion of that work provided to the Town Manager by	9/15/22*
All required permits issued for work on structure by	12/1/22
All work completed (and required inspections passed) on	

structure and site by

12/15/23

* If Town Manager does not approve the repairs and schedule, then the owner must resubmit information to secure approval. Owner remains responsible for meeting all deadlines beyond this milestone.

Letters (with approved spot blight abatement plans attached) were sent by certified mail to each property owner on July 21, 2022. The letter for 12 First Street was delivered on July 26, 2022. The letter for 112 Josephine Street was delivered on July 26, 2022. The letter for 114 Josephine Street was delivered on July 23, 2022. The letter for 225 Josephine was delivered on July 22, 2022.

As of the writing of this report, staff has been contacted by the owners of 225 Josephine Street and 12 First Street.

The owner of 225 Josephine Street visited the Town Office on August 10, 2022. He met with the Town Manager. The Town Manager reviewed the required milestones / deadlines contained in the approved plan. The Town Manager highlighted the need for him to meet all deadlines established in the approved plan. The Town Manager agreed to provide the owner with a document that would meet the requirements of the first deadline. The Town Manager drafted a document and provided it to the property owner to review (it was requested that he review the document in detail (the Town Manager encouraged the property owner to seek assistance with this review if he was uncertain of any detail)), and return it signed if he found it acceptable. There has been no more contact from the property owner.

The owner of 12 First Street spoke to the Town Clerk on September 2, 2022 and stated that he would deliver his plan on Tuesday (September 6th presumably). The Town Manager emailed the landowner on September 3, 2022 and confirmed that delivery of the plan on Tuesday would be fine. No plan has been received.

The first deadline for all property owners is September 15.

Attachments

- July 21, 2022 letter and approved plan - 12 First Street
- July 21, 2022 letter and approved plan - 112 Josephine Street
- July 21, 2022 letter and approved plan - 114 Josephine Street
- July 21, 2022 letter and approved plan - 225 Josephine Street

Report July 12, 2022

Update

The Town Council held a public hearing on this matter on June 14, 2022. A record of the public comment received at the public hearing can be found in the draft minutes of the June 14, 2022 (Item 11 of this agenda packet).

Report – June 14, 2022

Update

The Town Council set a public hearing on this matter for the June 14, 2022 meeting. After the public hearing is held, it is expected that the Town Council will make determinations in this regard in July.

Report – May 10, 2022

Update

The Planning Commission reviewed this matter on April 26, 2022. The Planning Commission made determinations required under §5-5 of the Berryville Code for each property under review. The draft minutes of the April 26, 2022 meeting are attached to this report.

The Town Council is asked to set a public hearing on this matter for the June 14, 2022 meeting.

Attachment:

- Draft minutes of the April 26, 2022 Planning Commission meeting.

Recommended Action(s):

Set a public hearing on this matter for the June 14, 2022 Town Council meeting.

Sample Motion:

I move that the Council of the Town of Berryville set a public hearing on the matter of blight abatement on 12 First Street, 112 Josephine Street, 114 Josephine Street, and 225 Josephine Street for the June 14, 2022 meeting with such hearing to begin at 7:00 p.m. or as soon thereafter as the matter may be heard.

Report – April 12, 2022

Update

The Planning Commission held a public hearing on this matter at its March meeting. The Planning Commission determined that all of the properties under review are located in an area listed on the National Register of Historic Places. This determination requires that the Architectural Review Board be consulted in this matter.

The Architectural Review Board reviewed this matter and issued determinations on all four properties under review. The motions adopted by the Architectural Review Board are attached for the Council's review.

It is expected that the Planning Commission will complete their review of this matter at their April 26 meeting. At that time, they would make determinations required by the Berryville Code and forward the matter to the Council.

It is expected that this matter will be on the Town Council's agenda in May. At that time staff will request that the Council set a public hearing on this matter for their June 14th meeting.

Attachments

- Approved ARB motion for 12 First Street
- Approved ARB motion for 112 Josephine Street
- Approved ARB motion for 114 Josephine Street
- Approved ARB motion for 225 Josephine Street
- Draft ARB minutes from the April 6, 2022 meeting

Recommended Action(s):

- None

Sample Motion:

- None

Report – March 8, 2022

In the fall of 2021, the Town Manager made preliminary determinations of blight on six properties. The Town does not have approved spot blight abatement plans for four of those properties. Those properties are 12 First Street, 112 Josephine Street, 114 Josephine Street, and 225 Josephine Street. Blight abatement efforts that must be taken on these properties will be determined after completion of the process enumerated in Chapter 5 of the Berryville Code. The final determination as to what must be done on these properties, if anything, will be made by the Town Council.

The Architectural Review Board has discussed this matter at its last two meetings.

The Planning Commission has discussed this matter at its last two meetings. At its February meeting the Planning Commission set a public hearing on this matter for its March meeting. In accordance with the requirements of Chapter 5 of the Berryville Code, the Town Manager has submitted spot blight abatement plans for each property to the Planning Commission for their consideration. These plans provide for the demolition of the dwellings on the parcels in question.

The Architectural Review Board expects to discuss this matter in detail at its April 6, 2022 meeting.

It is expected that the Planning Commission will render its determination in this matter on April 26, 2022. The Planning Commission's determinations will be forwarded to the Town Council for its consideration.

Recommended Action(s):

- None

Sample Motion:

- None

Report – February 8, 2022

Overview

§5-5 of the Berryville Code provides a process by which spot blight may be abated.

In accordance with §5-5 of the Berryville Code, the Town Manager made a preliminary determination of blight on six properties in October/November 2021. Five of the property owners responded with a blight abatement plan as required by the process. These plans were not acceptable and in early December the Town Manager provided compromise plans to each property owner for their consideration. Two property owners signed a compromise plan.

Monthly Update

On January 25, 2022 the Town Manager briefed the Planning Commission on the process required for review of blight on the four properties for which no abatement plan has been approved. The Planning Commission will discuss this matter at their meeting on February 22, 2022 and is expected to set a public hearing for their March 22, 2022 meeting.

On February 2, 2022 the Town Manager briefed the Architectural Review Board on the process required for review of blight. It is expected that after its public hearing on March 22, 2022, the Planning Commission will determine that some of the properties being reviewed are located within an area listed on the National Register of Historic Places. When such a determination is made the Planning Commission will consult with the Architectural Review Board before it completes its work in this regard.

The Town Manager has prepared a tentative schedule for spot blight abatement plan review. If the schedule is accepted and followed, the Town Council will receive the Planning Commission's findings in these matters in early May 2022. It is expected that the Town Council will hold a public hearing on these matters on June 14, 2022.

Neither the Planning Commission nor the Architectural Review Board had any objections to the proposed review schedule. Both boards are aware that the schedule will be amended if necessary.

If the Town Council does not object, then the review schedule will be provided to the owners of the subject properties and posted on the Town's website.

Attachment:

- Draft Spot Blight Abatement Review Schedule

ATTACHMENTS

CERTIFIED MAIL

December 19, 2022

Mr. Scott Mercer
[REDACTED]
[REDACTED]

Dear Mr. Mercer:

This letter is written to inform you that you have not met the requirements of the third milestone of the spot blight abatement plan for 12 First Street (approved by the Town Council on 7/12/22).

The third milestone contained in the approved spot blight abatement plan for 12 First Street (approved by the Town Council on 7/12/22) required you to secure all required permits for work on the northern portion of the structure in question by December 1, 2022. According to the Clarke County Building Department only a demolition permit for the southern portion of the structure in question has been issued.

Please secure the required permits by the end of business on January 3, 2023. If required permits are not secured by January 3, 2023, you will be deemed to be in violation of the approved spot blight abatement plan.

If you are deemed to be in violation of the approved spot blight abatement plan, then the Town will begin work to enforce the plan in accordance with the plan section titled "Town Action if Owner Fails to Meet Deadlines." The Town will file a lien against the property to recover the costs incurred to enforce the approved plan.

Sincerely,

Keith R. Dalton
Town Manager

Cc: Town Council

Keith Dalton

From: Keith Dalton
Sent: Wednesday, December 28, 2022 3:32 PM
To: Scott Mercer
Cc: Jamie Royston; Christy Dunkle; Paul Culp
Subject: Blight Abatement 12 First Street

Scott:

Demolition of southern portion of the structure

Remember that:

- this work must commence by February 1, 2023 and
- all work on this portion of the site must be completed by March 15, 2023.

Repair of the northern portion of the structure

I spoke with Jamey and he confirmed that visited the site and that you may replace siding, facia, roofing, windows, and doors without any permits from him. Jamey stated that he informed you that any structural work will require permits and inspections.

Because the work required by the plan does not require the issuance of permits from the Building Official, I hereby conclude that you have met the third milestone of the approved spot blight abatement plan for 12 First Street.

Remember that this work must be completed by December 15, 2023.

Thanks and take care,

Keith

Keith R. Dalton, Town Manager
Town of Berryville, VA
101 Chalmers Court, Suite A
Berryville, VA 22611

Office Phone: 540.955.1099

From: Scott Mercer <[REDACTED]>
Sent: Wednesday, December 28, 2022 1:46 PM
To: Keith Dalton <townmanager@berryvilleva.gov>
Subject: 12 first st building

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Keith it is Wednesday dec.28th I just met with Jamie about my pre demolition inspection and I also showed him the southern side that I'm keeping I do not need and permits for what I am doing to the building do you need something from him stating this or are we ok .thanks and Happy New Year.

CERTIFIED MAIL

December 19, 2022

Mr. Thomas Brown
[REDACTED]
[REDACTED]

Dear Mr. Brown:

This letter is written to inform you that you have not met the requirements of the second milestone of the spot blight abatement plan for 225 Josephine Street (approved by the Town Council on 7/12/22).

The second milestone contained in the approved spot blight abatement plan for 225 Josephine Street (approved by the Town Council on 7/12/22) required you to secure all required permits for work on the structure in question by December 1, 2022. The submission that you and I signed on September 26, 2022 stated that you would secure a zoning permit and building permit for an accessory building to be constructed on the site and a demolition permit for the house. According to the Clarke County Building Department no building permits have been issued for the property.

Please secure the required permits by the end of business on January 3, 2023. If required permits are not secured by January 3, 2023, you will be deemed to be in violation of the approved spot blight abatement plan.

If you are deemed to be in violation of the approved spot blight abatement plan, then the Town will begin work to enforce the plan in accordance with the plan section titled "Town Action if Owner Fails to Meet Deadlines." The Town will file a lien against the property to recover the costs incurred to enforce the approved plan.

Sincerely,

Keith R. Dalton
Town Manager

Cc: Town Council

SUSAN L. FRENCH

304 [REDACTED] Lane
[REDACTED]
[REDACTED]

December 14, 2022
Keith Dalton
Town Manager
Mr. Harry Arnold
Mayor
Ms. Erecka Gibson
Town Recorder
Council Members
Town of Berryville
101 Chalmers Court
Berryville, VA 22611

Re: Ms. Donna Richardson: Jacob Nelson Estate -112 Josephine Street

Mr. Dalton, Mr. Arnold, Ms. Gibson, Council Members:

This letter is on behalf of my client Donna Richardson and presents a slightly revised timeline (milestones) to the September 26, 2022 submission for remaining repairs to 112 Josephine Street. Ms. Richardson's goals are to obtain clear title, which she is pursuing, and place 112 in a nonprofit that allows it to receive funding towards restoration to make it available as a mini museum. These actions take money and time. Again, I will remind all of you how long "the barns" sat untouched and the manor house burned while owned by the Town of Berryville before it was reconstructed and placed in use about 50 years later.

To date, Ms. Richardson and other private individuals have financed stabilizing the front corner foundation and removing the front porch. These two repairs are the only items on Mr. Dalton's original list, the only list until Council's July 12, 2022 vote that, in our opinion, actually fall under Section 5.5 "Spot Blight Abatement" of the Berryville Town Ordinance that reads, in part:

(b) "Blighted property" means...a residential structure or improvement that endangers the public's health, safety, or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards."

Section 5.5 of the Town Ordinance sets out a process that, in part, is to provide due process to a property owner who has been notified that her or his property is slated for

demolition and what is required to prevent that action. (Attachment A) The Notice of action proposed by the Town is set out in the Town Manager's Notice (Attachment B) and includes the list of repairs. The process, in brief, is:

- 5.5(c): Town Manager makes a preliminary determination and sets out facts that allegedly support a property is blighted (this letter addresses only 112 Josephine Street). In this instance, Mr. Dalton did not include a building inspector or architectural historian/preservationist to view and analyze the property (although not required seems necessary for an accurate assessment) as does Clarke County (I understand). His preliminary list did NOT include the 1960s back addition or chinking. Both items magically were announced by Mr. Dalton at the July 12, 2022 Council meeting as additional repairs although never before on the repair list or before the advisory bodies or known before either public hearing. Mr. Dalton walked the entire 112 property in January 2021, although he denied this at the September 2022 Council meeting when asked by a Council member. I sent you three emails between Mr. Dalton and Ms. Richardson establishing she gave permission to Mr. Dalton to walk the property, a second establishing Mr. Dalton had set January 15, 2021 to walk the property, and a third email from Mr. Dalton thanking Ms. Richardson. Neither item fall under the "Blighted Property" definition. Mr. Dalton sent a Notice of Blight to Ms. Richardson in November 2021.
- 5.5 (d) establishes a timeframe for owners to respond. Ms. Richardson responded within 30 days but the Town Manager did not accept her proposed plan. Because, Ms. Richardson never had an in-person meeting with Mr. Dalton and she did not agree to his timeline or list sent in November 2021, Mr. Dalton sent his proposal/list to the Planning Commission ("PC") to schedule a public hearing.
- 5.5 (e) requires notices to be sent out to owners, neighbors, civic associations, if any, and specifies to whom and that the proposed plan for repair (again, this did not include back addition or chinking). The PC considers the Town Manager's list and proposal, holds a public hearing after complying with required newspaper notice publication, refers the matter to the Architectural Review Board (no one really seems to know why but it is required by Ordinance). The ARB reports to PC its limited findings and recommends an extension of time for the 112 "repairs" but does not modify the "list".
- 5.5 (f) (note there is an amusing typo in attached copy of Section 5.5) directs the PC to make findings related to specific factors set out in Section 5.5. The PC addressed the factors and recommended that 112 Josephine Street be removed from Blighted Property list. The back addition and chinking were never on the list for the PC public hearing and never discussed by the PC.
- 5.5 (g) directs the PC to report its findings to Council. Council after holding a public hearing may accept, reject, or modify findings of PC. The record indicates there was limited reference to the PC's recommendation that 112 be removed

from the Blight List. One Council member asked Mr. Dalton if another listed property had been removed from the list and he responded it had not but did not advise that 112 had been removed. The Council public hearing apparently used the same initial list prepared by the Town Manager that did not include the rear addition or chinking.

- At the July 12, 2022 Council Meeting, immediately before the vote on blight abatement, Mr. Dalton stated the required repairs for each "blighted" property to avoid demolition and simply announced that for 112 Josephine Street that removing the 1960s back addition and repair of chinking would be required. A Council member included these items in the motion and it was approved. According to the written minutes, Council never discussed or explained why new items for repair of 112 magically appeared on the repair "list."

There is no authority under Section 5.5 for the Town Manager (who, according to minutes added these items and apparently to exercise more leverage and control over my client and 112 Josephine Street) to amend the repair list *sua sponte* and deprive the land owner of notice and the right to defend his or her property. Accordingly, these two items need to be removed from the list.

Timeline

This is a tentative timeline and begins with an overview of Ms. Richardson's ongoing efforts:

- Ms. Richardson had cleanup, stabilization, building security, and foundation work completed before the July 2022 Council action. Cleanup, including cutting back trees growing close to the foundation and boarding up windows that had been smashed by vandals was completed in September 2021. An orange security fence was placed around the structure in early 2022 and was recently replaced due to damage. In April 2022, Ms. Richardson signed a contract to repair the front left foundation and the work was completed in May (or early June 2022).
- Ms. Richardson, beginning in September 2021, has been researching and consulting with experts regarding appropriate restoration of various aspects of 112 Josephine Street.
- Ms. Richardson has been researching, since early 2022, contractors with specialized expertise to perform work and soliciting estimates for the work to be performed.
- Ms. Richardson has been investigating attorneys to initiate a quiet title action to secure clear title to 112 Josephine Street to enable it to be placed in a legal status that allows for grants and donations to fully restore 112 Josephine Street.
- Ms. Richardson had the front porch removed November 8-11, 2022 and wood entry steps constructed.

Town Manager-Council "Repair" Requirements

Permitting

Council: Owner will obtain all necessary permits (including building, demolition, and erosion and sedimentation control).

Ms. Richardson: I do not believe any remaining work requires a permit as the back addition is not a lawful amendment.

Utilities

Council: As applicable the owner will: Request disconnection of all non-Town utilities and verify the work has been completed.

- Disconnect sewer service by cutting and capping lateral near the property line at the front of the property.
- Disconnect water service by cutting lateral on the house side of the meter crock. Provide protection for existing water meter crock.

Ms. Richardson: Unlikely that this is applicable as there are no utilities in use (i. e. electric, water, sewage...) or connected at this time. However; I will ensure that if capping is necessary, that will occur no later than 11/30/2023.

Erosion and Sedimentation Control *****

Council: As applicable, owner will have all required erosion and sedimentation controls installed on the property. All such controls will be maintained during the project and removed after the site is stabilized.

Ms. Richardson: There has never been an erosion or sedimentation issue with the property so no action is required.

Repair of a Portion of the Structure/Demolition of a Portion of the Structure/Removal of Debris ****

Council: Owner will cause the front porch of (on southern exposure) and the addition to (northern exposure) the structure to be repaired or demolished. All work must be completed in accordance with provisions of the demolition/building permit.

Ms. Richardson: The front porch was removed November 8-11, 2022. The back addition was not lawfully added to the "repair" list. Moreover, it does not fall under Section 5.5 (b) definition of blighted property as it does not pose a safety or health risk to the public. Eventually, with funding available, the back addition will be removed for historic preservation purposes.

Owner will Cause Main part of the Structure to be repaired

Council: and rendered secure and weather-tight in accordance with applicable building code and zoning requirements. Owner will: ***cause the structure's door and window openings to be secured, utilizing windows and doors (structure's windows and doors may not be boarded up after project is completed) and repair chinking as needed.***

Ms. Richardson: The main structure's front foundation was meticulously restored and the structure's main supports rest on a stabilized and secure foundation. Each stone was numbered upon removal (photos available) and placed back in their original location. This restoration work was performed and completed by Historic Restorations LLC, on or about June 15, 2022. The Project Scope is outlined below:

Repointing and resetting loose and or shifted and fallen stones on the west foundation wall to the right side of the brick chimney. Softened mortar will be used. Mortar will be struck deep to facilitate pointing at a later date. Stones that do not appear to have moved or shifted will remain in their current position. Any portion of the foundation wall that needs to be rebuilt by accessing the interior side of the building.

Ms. Richardson:

I have a contractor who will be measuring within the next two weeks the windows and front door for repair. Upon reflection, I do not believe either in their present condition violate Section 5.5 although I am inclined to do the following:

- Install a period appropriate front door
- Repair upper small windows
- Install Board and Batten shutters to protect the windows
- These repairs do not require permits
- My present deadline to complete the windows and door is July 2023, but, earlier if we locate an antique door and raise funds to install Board and Batten shutters.

Chinking has never been on a repair list and similar to the back addition was added by Mr. Dalton moments before Council voted. All of the objections based on lack of due process are adopted in objection to chinking. Moreover, the chinking will be the final part of the restoration so it is not damaged or cracked when other work is performed. It is not a blight issue as it does not endanger the public health, safety, or welfare.

Abandonment of On-Site Sewer Treatment System and/or Well Cistern

Ms. Richardson: Not applicable

Clearing and Removal of Plant Material*****

Council: Owner will cause the site to be cleared of brush, weeds, and trees as needed to access the site and complete work. Owner will cause any trees that the Town Manager determines to be hazardous to adjoining properties to be removed. Owner will cause all material from clearing and plant material to be removed from the site and disposed of in accordance with applicable regulations and laws

Ms. Richardson: Initial work performed in September 2021 and completed Spring of 2022. However, I will continue maintaining the property.

Other:

Council: If the Town Manager does not approve the repairs and schedule, then the owner must resubmit information to secure approval. Owner remains responsible for meeting deadlines beyond this milestone.

Ms. Richardson: I have had a contentious relationship with the Town Manager. I have continuously been subjected to "add-ons and additions" to my "to do list." Yet, I have been taking actions in advance of the recent deadlines. I am committed to the stabilization and restoration of 112 Josephine Street as an important historic structure in Berryville, Clarke County, Virginia, and this nation. I request fairness, support, and flexibility from Council and Mr. Dalton.

Regards,

Susan French
Counsel for Donna Richardson
(Seen and approved by DR)

CERTIFIED MAIL

December 19, 2022

Ms. Susan L. French

[REDACTED]
[REDACTED]

Email: [REDACTED]

Dear Ms. French:

I am in receipt of your letter dated December 14, 2022. The letter in question was addressed to Mayor Arnold, Recorder Gibson, and the Council Members of the Town of Berryville.

This letter is written to inform you that the above-referenced letter does not fulfill the requirements of the first milestone of the spot blight abatement plan for 112 Josephine Street (approved by the Town Council on 7/12/22 and modified on 10/11/22).

The first milestone contained in the approved spot blight abatement plan for 112 Josephine Street (approved by the Town Council on 7/12/22 and modified by the Council on 10/11/22) requires the owners to provide the Town Manager with a list of repairs to be completed on the structure and a schedule for completion of that work. That information was to have been submitted to and approved by the Town Manager by December 15, 2022.

Again, your letter of December 14, 2022 does not fulfill the requirements of the first milestone. The letter contains a great deal of argument, but little substance regarding when specific required work will be completed.

Please submit a concise list of repairs (as required by the approved plan) that will be completed on the property and an unambiguous schedule for the completion of those repairs. I ask that you provide that list and schedule to me by the end of business on January 3, 2023. If a list and schedule are not submitted and approved by January 3, 2023, your client will be deemed in violation of the approved spot blight abatement plan.

French
December 19, 2022
Page 2

If your client is deemed to be in violation of the approved spot blight abatement plan, then the Town will begin work to enforce the plan in accordance with the plan section titled "Town Action if Owner Fails to Meet Deadlines." The Town will file a lien against the property to recover the costs incurred to enforce the approved plan.

Sincerely,

Keith R. Dalton
Town Manager

Cc: Town Council

Keith Dalton

From: susan french <[REDACTED]>
Sent: Tuesday, December 20, 2022 11:38 AM
To: Keith Dalton; Jay Arnold (Mayor); Erecka Gibson; Diane Harrison; Grant Mazzarino; Kara Rodriguez; Paul Culp; [REDACTED]
Subject: 112 Josephine Street Matters
Attachments: dec202022ltrcouncildalton.pdf; dec142022timelinecouncilrevised.docx; French Letter 12.19.22.pdf

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All,
Please see the attached letter sent on behalf of my client Ms. Donna Richardson with additional referenced attachments.
Thank you for your attention to this matter. It is extremely important to my client.
Susan French

SUSAN L. FRENCH

[REDACTED]
[REDACTED]
[REDACTED]

December 20, 2022
Mr. Keith Dalton
Town Manager
Mr. Harry Lee Arnold, Jr.
Mayor
Ms. Erecka L. Gibson
Recorder
Council Members
Town of Berryville
101 Chalmers Court
Berryville, VA 22611

Re: Ms. Donna Richardson: Jacob Nelson Estate -112 Josephine Street Blight Concerns

Mr. Dalton, Mr. Mayor, Ms. Recorder, and Council Members:

Yesterday, I received a letter from Mr. Dalton in response to my client's December 14, 2022 revised timeline and stated legal concerns with respect to the two last minute additions of expensive repair work to 112 Josephine Street (December 14, 2022 letter-Attachment A). Mr. Dalton's letter (Attachment B) is nonresponsive to our principal concerns. We also have no idea what is meant by his assertion that Ms. Richardson has failed to be specific and we seek an explanation. My client is very weary of the Town's ongoing threats to tear down 112 Josephine Street despite her ongoing work on the structure and \$15,000 investment in the property.

Ms. Richardson has accomplished the two main structural repairs from Mr. Dalton's original list as well as the maintenance items (land growth issues). The only remaining repair item from the original and ONLY list she has been presented with up until July 2022 is the front door and windows. Ms. Richardson's December 14, 2022 submission discusses her current efforts as to the door and windows repair and establishes a performance date of July 2023.

Please explain to my client why the Town (see Dalton December 19,2022 letter) insists on threatening the demolition of her family's historic property with ambiguous and/or nonresponsive communications. We raised legal concerns in the December 14,2022 submission. Perhaps, engaging legal counsel would be productive?

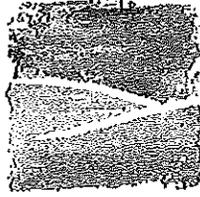
Moreover, my client and other owners/residents of land on Josephine Street just received notices about the utility work to be performed on Josephine Street beginning in January 2023 and continuing through late 2023. Everyone is perplexed why work is scheduled to commence on Josephine Street in the Winter. Consequently, with respect to repair work on structures, my client cannot understand how the Town can demand repair work when access will probably be impaired or not possible due to the utility work and a torn up street?

Regards,

A handwritten signature in cursive script, appearing to read "Susan French".

Susan French
Counsel for Donna Richardson

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



[T] 540/955-1099
[F] 540/955-4524
[E] info@berryvilleva.gov
www.berryvilleva.gov

BERRYVILLE
EST. 1798 *Genuine* VIRGINIA

December 22, 2022

Ms. Susan L. French

[REDACTED]
Winchester, VA 20181

Email: susan@frenchlaw.com

Dear Ms. French:

I am in receipt of your letter dated December 20, 2022. The letter in question was addressed to Mayor Arnold, Recorder Gibson, the Council Members of the Town of Berryville, and me.

This letter is written to inform you that the above-referenced letter does not fulfill the requirements of the first milestone of the spot blight abatement plan for 112 Josephine Street (approved by the Town Council on 7/12/22 and modified on 10/11/22).

The first milestone contained in the approved spot blight abatement plan for 112 Josephine Street (approved by the Town Council on 7/12/22 and modified by the Council on 10/11/22) requires the owners to provide the Town Manager with a list of repairs to be completed on the structure and a schedule for completion of that work.

In an effort to assist you in this effort, at the end of this letter I have included an agreement that incorporates portions of the approved plan and added sentences (in red) that you may complete. If you or your client execute this agreement and the dates that you have added conform to the requirements of the approved plan, then I should be able to determine that your client has met the requirements of milestone 1.

Please submit a concise list of repairs (as required by the approved plan) that will be completed on the property and an unambiguous schedule for the completion of those

Harry Lee Arnold, Jr.
Mayor

Erecta L. Gibson
Recorder

William M. Steinmetz
Ward 1

Council Members
Diane Harrison
Ward 2

Grant Mazzarino
Ward 3

Kara C. Rodriguez
Ward 4

Keith R. Dalton
Town Manager

French
December 22, 2022
Page 2

repairs (please feel free to use the attached agreement). I ask that you provide that list and schedule to me by the end of business on January 3, 2023. If a list and schedule are not submitted and approved by January 3, 2023, your client will be deemed in violation of the approved spot blight abatement plan.

If your client is deemed to be in violation of the approved spot blight abatement plan, then the Town will begin work to enforce the plan in accordance with the plan section titled "Town Action if Owner Fails to Meet Deadlines." The Town will file a lien against the property to recover the costs incurred to enforce the approved plan.

With regard to the concern that you expressed about potential conflicts between utility work on Josephine Street and work on the property in question, where such conflicts arise, the Town will work with the contractors to best meet the goals and schedules of both parties.

With regard to your concern about a utility project being commenced during the winter, I can only say that such activities occur year-round. I will also add that the timing of such projects does not diminish the quality of work.

Sincerely,



Keith R. Dalton
Town Manager

Cc: Town Council

Agreement to Meet the Requirements of Milestone 1 of the Approved Spot Blight Abatement Plan for 112 Josephine Street

Owner will cause the front porch of (on southern exposure) and the addition to (northern exposure) the structure to be repaired or demolished. All work must be completed in accordance with provisions of the demolition/building permit.

Removal or repair of addition will be completed by _____.

Owner will cause the main part of the structure to be repaired (rendered secure and weather-tight) in accordance with applicable building code and zoning requirements. Owner will:

- cause the structure's door and window openings to be secured, utilizing windows and doors (structure's windows and doors may not be boarded up after project is completed) and repair chinking as needed.

All tasks completed by _____.

Owner will cause all material left over from the repair of the structure, as well as other trash and refuse collected from the site, to be removed from the site and landfilled in accordance with applicable regulations and laws.

Task completed by _____.

I agree to complete the tasks enumerate above by the dates provided.

By _____ Date _____

Printed Name _____

This agreement meets the requirements of milestone 1.

By _____ Date _____

Printed Name Keith R. Dalton, Town Manager

Keith Dalton

From: susan french [REDACTED]
Sent: Monday, January 2, 2023 8:16 AM
To: Keith Dalton
Subject: Matters

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr. Dalton:

I will not be able to respond to your letter until later this week - waiting on contractor information etc. However, I do need a response on the points set out in my last few letters and the December 14, 2022 submission so I can more accurately respond.

Happy New Year,
SFrench

Water Treatment Plant Upgrade

January 10, 2023 Report Update

On November 8, 2022 the Town Council authorized the Town Manager to negotiate with the highest ranked offeror that responded to RFP #2022-03, end negotiations with the highest ranked offeror if negotiations do not meet a satisfactory conclusion and begin negotiations with the offeror ranked second, and execute all contract documents required to secure the services of an offeror.

The process by which an engineer for this project is secured was completed on December 27, 2022.

A contract has been signed with Pennoni to assist the Town through this process, from completing the preliminary engineering report to completing conformed plans after the plant has been constructed. The contract amount is \$847,350. It is important to note that there will be other planning related costs that are not included in this contract. Items that not included include legal costs, easement acquisition costs, costs associated with planning for a major re-build of the water intake facility (if required), contingency allowance, overtime costs (Public Utilities Department and Public Works Department), etc.

Expenses under this contract in FY23 are expected to be approximately \$123,000. The approved FY23 budget provides \$200,000 for this purpose.

The first steps in this process will be development of a preliminary engineering report and completion of applications for funding the water plant project. The engineer is working with Town staff on both of these tasks. It is expected that the Town will begin applying for funding in the spring. The preliminary engineering report is to be completed before July 1, 2023.

Attachments

- December 23, 2022 Letter from Pennoni to Keith Dalton outlining scope of services, costs, and schedule.
- Excerpts from the FY2023, FY2024, FY2025, and FY2026 Capital Improvements Program
- Excerpt from the current Reserve Specifics document
- Water Treatment Plant Upgrade Schedule (last revised 8/15/22)

Staff is working to complete a reimbursement resolution that can be reviewed by the Council on January 10.

Recommended Action

No action is sought until the reimbursement resolution is submitted to the Council.

Sample motion

None

November 8, 2022 Report

Award of contract for engineering services for construction of new water treatment plant and related improvements (RFP #2022-03)

History

The Roy E. Potts, Jr. Memorial Water Treatment Facility of the Town of Berryville, which was completed in 1984, is slated for replacement in 2026 because it close to exceeding its useful life.

The Town of Berryville Capital Improvement Program anticipates:

- expenditures in FY23 (current FY) to complete the preliminary engineering report,
- expenditures in FY24 for project design, and
- expenditures in FY25 and FY26 for construction.

The first step in the process to replace the facility is to secure an engineering firm that will complete a preliminary engineering report, provide assistance securing funding, provide project management, complete design, assist with permitting, assist with bidding process, assist with contract administration, provide inspection services, assist with commissioning and start up, administer and oversee abandonment of facilities, and create conformed plans.

In August 2022, the Town issued an RFP for engineering services for construction of new water treatment plant and related improvements (RFP #2022-03). The Town received three submissions in response to its RFP.

A work group interviewed two firms. Town staff will provide the Town Council with its recommendation in this regard on November 8, 2022.

Recommended action

Authorize the Town Manager to negotiate with the Town Council's top-ranked firm. Authorize the Town Manager to terminate negotiations with the top-ranked firm if negotiations are not successful and then negotiate with the firm that was ranked second. Authorize the Town Manager to execute contract documents.

Sample motion

I move that the Council of the Town of Berryville authorize the Town Manager to:

- negotiate with the highest ranked offeror that responded to RFP #2022-03,

- end negotiations with the highest ranked offeror if negotiations do not meet a satisfactory conclusion and begin negotiations with the offeror ranked second, and
- execute all contract documents required to secure the services of an offeror.

ATTACHMENTS



117 East Piccadilly Street
Winchester, VA 22601
T: 540-667-2139
F: 540-665-0493

www.pennoni.com

TBVLL22002

December 23, 2022

Kelth Dalton, Town Manager
Town of Berryville
101 Chalmers Court, Suite A
Berryville, VA 22611

RE: Professional Engineering Services – Water Treatment Plant | RFP # 2022-03
Engineering Services Proposal

Dear Mr. Dalton,

In response to your request for Professional Engineering Services for RFP #2022-03 dated August 22, 2022, please find herein a proposal to provide professional services to the Town for the Water Treatment Plant. This proposal is being prepared pursuant to Pennoni's selection as the top ranked firm for the WTP during the Engineering Procurement. This letter provides a specific scope of work with options and a fee for this project.

Scope of Services

Professional engineering services for the design, financial support, permitting, bidding, construction phase engineering and inspection, and commissioning of the complete renewal of water treatment plant and raw water and intake facilities through the rehabilitation or replacement of units that make up these facilities, including the existing package plant and building enclosure. The condition of the clear well shall be evaluated with a recommendation to replace, rehabilitate, or expand. The existing intake screens and raw water pumping station shall be evaluated with recommendations to replace or rehabilitate. The high service pumping station will be reviewed, and recommendations provided. Except for certain work that may be needed at the intake and raw water pumping site, the Town desires that all proposed improvements under this project be within the property owned by the Town that serves as the location of the current water treatment plant.

Engineering services for repair and rehabilitation of the existing intake screens and raw water pumping station is included in this scope. However, if these facilities must be replaced, Pennoni will submit to the Town a revised scope of services to address those needs.

Project Management

Manage the project team and subconsultants, manage regular communication and coordination with Town staff, project budget and schedule, quality assurance and quality control, and other management activities necessary to meet the Town's project objectives.

Fee... \$38,000.00, Time and Materials Not to Exceed

Funding Assistance

Provide advice and guidance to the Town on available opportunities for grant funding, loan forgiveness, or below market rate loans through the Virginia Department of Health (VDH) and the U S Department of Agriculture (USDA) available to assist with the financing of the project. Assist with funding applications and approval processes authorized by the Town, to include a required funding application meeting; conform to any funding agency covenants to which the Town is obligated in all phases of engineering services. Engineer to provide technical information for a potential loan or grant application, the Town will submit the application and handle any financial parts of the application.

Should the Town elect to receive funding from an agency that requires a format for the Engineering Services agreement different from this Agreement, the parties agree to negotiate appropriate modifications to this Agreement.

Fee... \$16,000.00, Time and Materials Not to Exceed

Preliminary Engineering Report

Perform a study phase evaluation and prepare a preliminary engineering report (PER) to include: (1) all PER requirements of the Virginia Department of Health (VDH) and USDA; (2) future water demand forecasting and recommendation for the capacity of new water treatment facilities; (3) an evaluation of the water intake and raw water pump station with an identification and evaluation of alternative improvements and a recommendation; (4) identification and evaluation of a maximum of 3 alternatives for rehabilitation or replacement of the water treatment facilities from chemical feed and rapid mix through filtration; (5) evaluation of both current condition and sufficient capacity of the clear well and make recommendations which may include rehabilitation or replacement at either current capacity or an increased capacity; (6) evaluation of the general condition of the pre-sedimentation basin and the backwash/chemical sludge lagoon with recommendations for any structural or process rehabilitation or improvements; (7) review and make recommendations regarding the high service pumps based upon replacement that is currently scheduled under a separate project; review adequacy of existing surge protection for the high service transmission line within the water treatment plant site and provide appropriate recommendations; (8) a recommended basis of design including other equipment (chemical storage and feed, control systems and SCADA, electrical systems, HVAC and plumbing systems, etc.); (9) a basic site plan for the recommended alternative and other feasible alternatives considered and a floor plan for any new proposed buildings and/or rehabilitation of the current water plant building; (10) identification of environmental impacts and mitigation associated with the project; (11) identification of construction challenges to include operational continuity for the plant to maintain water service during construction and proposed mitigation; cost estimates for feasible alternatives and include a life cycle estimate for the preferred alternative; (12) identify permits required; (13) identify project schedule; and (14) identify how sustainability is addressed.

The evaluation of the condition of the existing intake will include an underwater inspection by a diver qualified to conduct an engineering inspection. The site inspection will also include a general observation of the streambank at the raw water pumping station with general suggestions for potential improvements. Design of improvements to the streambank are not included in this Agreement and would be subject to additional fees.

Alternatives evaluated for filtration at the water treatment plant will include an alternative that provides membrane filtration compared against new or rehabilitated mixed media conventional filtration.

The evaluation of the intake facilities will include alternatives for providing an air compressor and tank and piping to permit the plant operator to initiate existing air backwash of the intake screens from controls at the Water Treatment Plant. The evaluation will also include contacting Rappahannock Electric Cooperative and determine the feasibility of providing a separate electrical service to the existing raw water pumping station.

The PER will be formatted to conform with the requirements of funding agencies the Town has elected to consider for funding the project.

Prepare an Environmental Report (ER) for categorical exclusion for USDA loan projects, an additional fee would be \$9,350. The additional work covers, compliance with USDA document ER Guide, run databases and evaluate effects of project to various resources and submit letters of coordination to nine federal and state agencies plus three Indian tribes, prepare formally classified lands maps draft report and revise per USDA comments. All the environmental work, including the services described above, are based upon the assumption of what we currently best believe will be a categorical exclusion.

A draft of the PER and ER will be provided to the Town, VDH, and the Town's chosen funding agency for review and any agreed changes will be incorporated into a final report.

Fee... \$107,350.00, Time and Materials Not to Exceed

Preliminary Design

For the water treatment plant and other improvements described by the recommended alternative in the approved PER, (including the raw water pump station, intake and raw water transmission improvements): complete topographic and site field surveying (to include boundary survey of water plant property) and geotechnical services, confirm floodway and floodplain conflicts, confirm if any property acquisition is required (if property must be acquired, including easements, the ENGINEER will provide plats of property to be acquired at an additional cost, additional cost of an easement plat is approximately \$950.00), confirm environmental impacts and coordinate specification of any remedial requirements, perform required archaeological/historic/cultural resource review and coordinate specification of any remedial requirements, perform subsurface utility engineering, evaluate electrical demand of proposed improvements and confirm adequacy of supply front electrical grid, provide preliminary design drawings of all major structures and equipment to include structural, mechanical and electrical requirements, prepare an outline of technical specifications required, and develop preliminary process monitoring and control requirements. Prepare a Preliminary Opinion of Total Project Costs and an updated Project Schedule. Updated costs and schedule provided to the Town Manager.

The geotechnical borings are estimated for 10 borings with 140 lineal feet of drilling planned, lab testing and report preparation. It will be an additional \$475/boring for if any additional borings are required for the project.

Fee... \$97,000.00, Time and Materials Not to Exceed

Final Design

Prepare complete drawings, technical specifications, and front-end documents necessary for obtaining required permits and delivering complete Bid Documents in accordance with the Town's objectives as agreed at the completion of preliminary design. Provide the Town Manager with a detailed confidential Probable Opinion of Total Project Cost.

Fee... \$158,000.00, Time and Materials Not to Exceed

Agency Permitting

Prepare applications for all required federal, state, and local permits (except permits appropriately specified for contractor to obtain) for Town's signature, monitor permit application review and approvals, provide all documents including revisions to drawings or specifications deemed necessary to obtain approvals.

Attend regulatory agency meetings and provide support to Town staff before, during, and after such meetings. A meeting with VDH will likely be required at the onset of developing the PER.

Prepare final Site Plan and Special Use Permit application for initial submission and one agency review to Clarke County. The Site plan will include necessary improvements for stormwater management, utility profiles, vehicular circulation and site access, and erosion and sediment control as required for county approval. Prepare Storm Water Protection Plan and Land Disturbance Permit application as necessary for land disturbance permitting prior to construction begin.

Additional unanticipated services may result from advancing the project through the Clarke County Special Use Permit and public hearing approval process. Any significant Site Plan revisions resulting from extended public hearing debate and unanticipated conditions of approval may trigger additional services beyond the design team's control. A Not-To-Exceed allowance of \$35,000, included in the fee below, is proposed should additional services be warranted.

In accordance with the Town's request, the ENGINEER will avoid decisions that would require a DEQ Water Protection Permit by limiting recommendations to within the scope of the Town's "grandfathered" provisions, if possible, without compromising continued future operation of the facilities at existing capacity. Should the ENGINEER identify the need for Work that would require a permit, such recommendation shall be made to the Town and the Town will determine if the work should be authorized. Any permits for withdrawal or instream work at the raw water intake, including a DEQ Water Protection Permit application and support documents, are NOT included in the fee below and will be additional cost. A cost proposal would be presented and approved before any additional permit applications are prepared.

It is assumed that environmental impacts and remediation, if any, will be limited to temporary impacts that can be permitted through a US Army Corps of Engineers Nationwide Permit. If the discovery should identify impacts requiring a more extensive individual permit, as would be required by the permitting agencies, such work will be considered beyond the initial scope for which would be an additional cost. A cost proposal would be presented and approved before any additional permit applications are prepared.

Fee... \$30,000.00, Time and Materials Not to Exceed

Bid Phase Assistance

Prepare a solicitation for Required Prequalification of Contractors to bid the Work, preparing specifications for the minimum requirements for qualification as prescribed by the Virginia Public Procurement Act and assist the Town with advertising the Prequalification period. Identify potential bidders to invite to present qualifications. Review inquiries from bidders, prepare addenda if needed, and review all prequalification application received and recommend to the Town which applications meet the stated qualifications and should be deemed as approved.

Assist Town with advertising of the project for bids, hold and preside over pre-bid conference, receive, and address all questions and concerns from approved prequalified bidders and issue appropriate addenda, attend bid opening, evaluate bids for responsiveness and prepare a recommendation to the Town for contract award. Prepare a Conformed Set of Drawings issued for construction that are updated to include any addenda or changes issued during the bid process.

Fee... \$29,000.00, Time and Materials Not to Exceed

Construction Administration

Provide necessary engineering services during construction to include coordinating the proper execution of construction contracts, scheduling and presiding over a preconstruction conference, serve as Owner's representative in managing and interpreting the construction contract, conduct submittal and shop drawing reviews as ENGINEER, preside over periodic progress meetings, provide construction observation services, receive and interpret RFIs, prepare and coordinate execution of necessary change orders, review applications and recommend progress payments, and prepare minutes and other necessary documentation.

Fee... \$60,000.00, Time and Materials Not to Exceed

Inspection Services During Construction

Provide on-site Resident Project Representative (RPR) services as deemed necessary during construction to monitor the contractor's work being performed. Duties and limitations of the RPR shall be as defined Attachment C Included with this proposal. For budgetary purposes these efforts are anticipated to consist of 2,000 manhours over a one-year period. This scope does not include services of a third-party inspection firm to perform sampling and testing of materials such as soils, concrete, or asphalt; special inspections of welding, structural steel or other building elements requiring special inspections. It is intended that those services will be specified to be performed by a qualified firm provided by the contractor.

Fee... \$222,000.00 Time and Materials Not to Exceed

Commissioning and Start-Up

Provide contract requirements for commissioning and observe implementation and interpretation of contract documents. Prepare an Operations and Maintenance Manual that incorporates equipment O&M Manuals meeting the requirements of the Virginia Department of Health and enforce contract requirements for operator training by various equipment manufacturers. Also provide Town staff assistance with plant start up.

Fee... \$20,000.00, Time and Materials Not to Exceed

Demolition of Abandoned Facilities

Provide inspection and construction observation for demolition of abandoned facilities at the time appropriate when old facilities will no longer be required. For budgetary purposes these efforts are anticipated to consist of 200 inspection manhours over a two-month period.

Fee... \$25,000.00, Time and Materials Not to Exceed

Record Set of Plans

Provide Record Drawings to the Town. Record Drawings will be developed utilizing drawings issued for construction as modified during the construction phase based on mark-ups prepared by the Contractor as periodically reviewed by the ENGINEER. Record drawings will reflect the conditions certified by the Contractor as the as-built conditions.

Fee... \$10,000.00, Time and Materials Not to Exceed

Summary of Engineering Costs is as follows:

Task Description	Estimated Cost
Project Management	\$38,000
Funding Assistance	\$16,000
Preliminary Engineering Report	\$107,350
Preliminary Design	\$97,000
Final Design	\$158,000
Agency Permitting	\$30,000
Bid Phase Assistance	\$29,000
Construction Administration	\$60,000
Inspection Services	\$222,000
Commissioning and Start Up	\$20,000
Demolition of Abandoned Facilities	\$25,000
Record Set of Plans	\$10,000
*Clark County Permit Allowance	\$35,000

Total Estimated Cost = \$847,350

*Refer to Page 4 Under Agency Permitting

Proposed Schedule

- Funding Agency Meetings -- January or February 2023
- Preparation, Review, Approval of PER -- January 2023 to June 2023
- Preliminary Budget Estimates for Funding - January 2023 to April 2023
- Preliminary Design -- July 2023 to September 2023
- 90% Final Design & Permits -- September 2023 to February 2024
- Final Design Completion -- February 2024 to March 2024
- Procure Contractor -- April 2024 to September 2024
- Construction, Commissioning, Demolition of Facilities -- October 2024 to June 2026

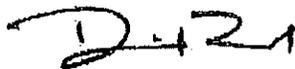
The work shall be performed pursuant to the conditions defined by EJCDC contract documents, attached, and made part of this contract. All plan or application submission fees will be paid by the client. Hourly efforts and reimbursable expenses such as printing, and mileage shall be compensated in accordance with Pennoni's HOURLY RATE SCHEDULE.

If this proposal is acceptable, please sign the EJCDC Contract Document, indicating the entity authorized to transact business in the Commonwealth of Virginia, which will be a party to this agreement. Please return an executed copy so that we can proceed.

Should you have any questions or require additional information, please contact us through Matt Youngblood, Project Manager at 540-771-2091.

Sincerely,

PENNONI ASSOCIATES INC.



David Frank, PLA
Office Director



Matthew Youngblood, PE
Project Manager

Enclosures - Attachment A - EJCDC Contract Documents

FY 23

Water Treatment Plant Upgrade \$200,000

Public Utilities

This item would provide funds for a preliminary engineering report that will be required to begin the process of upgrading the Town's Water Treatment Plant and raw water intake and raw water transmission main.

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

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

The plant and pumping station are slated for replacement/improvement in FY26.

It is estimated that the preliminary engineering report and system construction plans will cost \$2,200,000. Work on this aspect of the project is expected to begin in FY23 and be completed in FY24.

It is estimated that construction will cost \$22,600,000. Construction is expected to begin in FY25 and be completed in FY26.

Water Distribution System Upgrades \$150,000

Public Works Department

These funds are utilized to complete water distribution system upgrades during the subject fiscal year. Funds that remain unspent at the end of the fiscal year are placed in the water fund's water distribution system reserve.

Sewer Fund FY22-23

Capital Reserves \$546,752

Administration

This item provides for savings to address unforeseen expenses and fund planned projects and purchases.

Computer Replacement \$3,000

Administration

This item provides for the purchase of replacement computer workstations within the Town's Public Works, Public Utilities, and Administrative Departments.

FY24 \$60,000
 FY25 \$60,000
 FY26 \$60,000
 FY27 \$60,000

Water Fund FY24

Capital Reserves \$

Administration

This item provides for savings to address unforeseen expenses and fund planned projects and purchases.

Computer Replacement \$3,000

Administration

This item provides for the purchase of replacement computer workstations within the Town's Public Works, Public Utilities, and Administrative Departments.

Water Treatment Plant Upgrade \$2,000,000

Public Utilities

This item would provide funds for development of plans, bid documents, and contract documents that will be necessary to upgrade the Town's Water Treatment Plant and raw water intake and raw water transmission main.

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

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

The plant and pumping station are slated for replacement/improvement in FY26.

It is estimated that the preliminary engineering report and system construction plans will cost \$2,200,000. Work on the PER is expected to begin in FY23. The preliminary engineering report, plans, bid documents, and contract documents are expected to be completed in FY24.

It is estimated that construction will cost \$22,600,000. Construction is expected to begin in FY25 and be completed in FY26.

FY25

Water Treatment Plant Upgrade \$7,500,000

Public Utilities

This item would provide funds for the upgrade the Town's Water Treatment Plant and raw water intake and raw water transmission main.

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

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

The plant and pumping station are slated for replacement/improvement in FY26.

It is estimated that the preliminary engineering report and system construction plans will cost \$2,200,000. Work on the PER is expected to begin in FY23. The preliminary engineering report, plans, bid documents, and contract documents are expected to be completed in FY24.

It is estimated that construction will cost \$22,600,000. Construction is expected to begin in FY25 (\$7,500,000) and be completed in FY26 (\$15,100,000).

Water Distribution System Upgrades \$100,000

Public Works Department

These funds are utilized to complete water distribution system upgrades during the subject fiscal year. Funds that remain unspent at the end of the fiscal year are placed in the water fund's water distribution system reserve.

Sewer Fund FY25

Capital Reserves \$

Administration

This item provides for savings to address unforeseen expenses and fund planned projects and purchases.

Computer Replacement \$3,000

Administration

This item provides for the purchase of replacement computer workstations within the Town's Public Works, Public Utilities, and Administrative Departments.

Water Fund FY26

Capital Reserves _____ \$

Administration

This item provides for savings to address unforeseen expenses and fund planned projects and purchases.

Computer Replacement _____ \$3,500

Administration

This item provides for the purchase of replacement computer workstations within the Town's Public Works, Public Utilities, and Administrative Departments.

Three-quarter-ton truck _____ \$13,000

Public Works

This item provides for the purchase of a three-quarter-ton pickup truck.

The Public Works Department maintains three three-quarter-ton pickup trucks. The truck purchased with these funds will replace one of those trucks. The truck that is taken out of service will be sold at auction.

This purchase will be funded as follows:

General Fund \$13,000 (VDOT reimbursement funds)

Water Fund \$13,000

Sewer Fund \$13,000

Water Treatment Plant Upgrade _____ **\$15,100,000**

Public Utilities

This item would provide funds for the upgrade the Town's Water Treatment Plant and raw water intake and raw water transmission main.

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

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

The plant and pumping station are slated for replacement/improvement in FY26.

It is estimated that the preliminary engineering report and system construction plans will cost \$2,200,000. Work on the PER is expected to begin in FY23. The preliminary engineering report, plans, bid documents, and contract documents are expected to be completed in FY24.

It is estimated that construction will cost \$22,600,000. Construction is expected to begin in FY25 (\$7,500,000) and be completed in FY26 (\$15,100,000).

Water Distribution System Upgrades \$100,000

Public Works Department

These funds are utilized to complete water distribution system upgrades during the subject fiscal year. Funds that remain unspent at the end of the fiscal year are placed in the water fund's water distribution system reserve.

Sewer Fund FY26

Capital Reserves \$

Administration

This item provides for savings to address unforeseen expenses and fund planned projects and purchases.

Computer Replacement \$3,500

Administration

This item provides for the purchase of replacement computer workstations within the Town's Public Works, Public Utilities, and Administrative Departments.

Three-quarter-ton truck \$13,000

Public Works

This item provides for the purchase of a three-quarter-ton pickup truck.

The Public Works Department maintains three three-quarter-ton pickup trucks. The truck purchased with these funds will replace one of those trucks. The truck that is taken out of service will be sold at auction.

This purchase will be funded as follows:

General Fund \$13,000 (VDOT reimbursement funds)

Water Fund

Water fund reserve

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

Reserve	\$190,108.78
Reserve goal	\$190,000
	100% of annual debt service +
	15% of annual WF operational expenses

Water storage tank reserve

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

Reserve	\$225,000
Reserve goal	\$500,000

Water treatment plant reserve

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

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

The plant and pumping station are slated for replacement/improvement in FY26.

It is estimated that the preliminary engineering report and system construction plans will cost \$2,200,000. Work on this aspect of the project is expected to begin in FY23 and be completed in FY24.

It is estimated that construction will cost \$22,600,000. Construction is expected to begin in FY25 and be completed in FY26.

These funds will be available to fund engineering work or address unforeseen costs during construction.

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

Reserve	\$1,541,000
Reserve goal	\$2,200,000

Water distribution system reserve

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

Reserve	\$ 860,000.00
Reserve goal	\$ 1,200,000.00

Water Treatment Plant Upgrade

<u>Task</u>	<u>Timeframe</u>	<u>Fiscal Year(s)</u>
Procuring Engineering Firm	Aug. 2022 to Dec. 2022	FY23
Preliminary Engineering Report (report and review by VDH)	Jan. 2023 to June 2023	FY23
Design (completion of design and review by VDH)	July 2023 to March 2024	FY24
Procuring contractor	April 2024 to Sept. 2024	FY 24 & FY25
Construction	Oct. 2024 to June 2026	FY25 & FY26

It is likely that the Town will secure funding for project in FY24.

Revised: 8/15/22