



Berryville Town Council

MEETING AGENDA

Berryville-Clarke County Government Center

101 Chalmers Court, Second Floor

Main Meeting Room

Regular Session

January 9, 2024

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

3

The proposed transfer of .105 acres from Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville), .287 acres from Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville) to Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board), and .426 acres from 14-((A))-5 (owned by Paul Howell) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville), and the establishment of easements on Tax Map Parcels 14-((A))-5 (owned by Paul Howell) and 14-((A))-6 (owned by the Town of Berryville).

6. Discussion of Public Hearing Items

7. Citizens' Forum

8. Consent Agenda

Approval of Minutes

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**9. Unfinished Business**

**10. New Business**

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Vice Mayor

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Community Development

Personnel, Appointments, and Policy

Public Safety

Streets and Utilities

**14. Closed Session**

**15. Adjourn**

# BERRYVILLE TOWN COUNCIL PUBLIC HEARING NOTICE

The Berryville Town Council will hold the following public hearing at 7:00 p.m., or as soon after as this matter may be heard, on **Tuesday, January 9, 2024**, in the Main Meeting Room, Second Floor, of the Berryville-Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia to consider the following:

**The proposed transfer of .105 acres from Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville), .287 acres from Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville) to Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board), and .426 acres from 14-((A))-5 (owned by Paul Howell) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville), and the establishment of easements on Tax Map Parcels 14-((A))-5 (owned by Paul Howell) and 14-((A))-6 (owned by the Town of Berryville).**

Copies of the applications, amendments, and maps may be examined at the Town Business Office, Berryville-Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia during regular business hours or visiting [www.berryvilleva.gov](http://www.berryvilleva.gov). Additional information may be obtained by calling Keith Dalton, Town Manager, at 540.955.1099. Any person desiring to be heard on this matter should appear at the appointed time and place.

The Town of Berryville does not discriminate against disabled persons in admission or access to its programs and activities. Accommodations will be made for disabled persons upon prior request.

By order of the Berryville Town Council  
Keith R. Dalton, Town Manager

January 9, 2024  
Public Hearing

Boundary Line Adjustments Between Clarke County Public Schools, Paul Howell, and the Town of Berryville

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*Report of January 9, 2023*

The following reviews/approvals have occurred:

- Clarke County School Board approved the boundary line adjustments (with contingencies)
- Berryville Town Council approved two associated rezonings (with contingencies)

It is expected that the Town Council will review and approve the boundary line adjustments on January 9, 2024.

It is expected that the Berryville Area Development Authority will approve the boundary line adjustments at their meeting on January 24, 2024.

If the both the Town Council and the Berryville Area Development Authority act, then all of the necessary documents will be assembled, signed, and recorded.

Attachments

- Ordinance
- Rezoning Report (December 12, 2023)
- Draft boundary line adjustment deed and plat
- Draft deed of easement and plat

Recommended Action

Approve the boundary line adjustments with appropriate conditions.

Sample Motion

I move that the Council of the Town of Berryville adopt the attached ordinance approving the transfer of .105 acres from Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville), .287 acres from Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville) to Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board), and .426 acres from Tax Map Parcel 14-((A))-5 (owned by Paul Howell) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville), and the establishment of utility and access easements on Tax Map Parcels 14-((A))-5 (owned by Paul Howell) and 14-((A))-6 (owned by the Town of Berryville) contingent upon the following:

approval of the proposed boundary line adjustments by the Clarke County School Board, Paul R. Howell and the Berryville Area Development Authority and

the recordation of the boundary line adjustment and associated deeds completing this boundary line adjustments and transfer of property ownership in the land records of the Circuit Court of Clarke County.

I further move that the Town Manager is authorized to:  
    amend deeds and other pertinent documents after consultation with legal counsel  
    and  
    sign documents related to this matter on behalf of the Town.

*Report from June 13, 2023*

**History**

As a part of the site development and construction of the Clarke County High School at 627 Mosby Blvd., Mosby Blvd. (Mosby) from its temporary terminus near the eastern-most entrance to the CCHS site to its intersection with West Main Street was planned and constructed. Instead of dedicating a right-of-way for this final section of Mosby, Clarke County Public Schools (CCPS) chose to grant an easement for the street and associated improvements. This approach was employed to prevent the property north of Mosby from being subdivided from the rest of the school site.

Construction of the final section of Mosby stranded CCPS property along the west side of the street easement. As soon as this condition was discovered, efforts to remedy this matter began. Unfortunately, these efforts stalled and no action has been taken in this regard over the past eleven years.

**Proposal**

The Town of Berryville (TOB) and Paul Howell (Howell) propose that the CCPS agree to several boundary line adjustments to fine-tune property boundaries, facilitate orderly development, and provide for proper maintenance of properties in the area. The proposed boundary line adjustments have been configured in a manner that ensures that the CCPS is made whole once the adjustments have been approved and recorded.

The attached maps provide a graphical representation of the proposal.

**Proposal Specifics**

8,007 square feet of CCPS property situated along the west side of Mosby, along with 11,249 square feet of property owned by TOB, would be transferred to Howell.

4,565 square feet of CCPS property situated along the west side of Mosby would be transferred to TOB.

12,572 square feet of TOB property along TOB's common boundary with CCPS property would be transferred to CCPS.

These adjustments would:

- provide Howell with frontage along the west side of Mosby,

- provide TOB with additional frontage along the west side of Mosby north of its entrance (this will facilitate maintenance of sight distance),
- provide TOB with additional property south of its current boundary with Howell, and
- provide CCPS with an even trade for land transferred to Howell and TOB.

Summary of transfers with amounts

*In to* **Howell**

In 11,249 square feet from TOB  
 In 8,007 square feet from CCPS  
 Total in = 19,256 square feet

*Out from* **Howell**

Out 18,543 square feet to TOB  
 Total out = 18,743 square feet

**Howell:** + 713 square feet

*In to* **TOB**

In 4,565 square feet from CCPS  
 In 18,543 square feet from Howell  
 Total in = 23,108 square feet

*Out from* **TOB**

Out 11,249 square feet to Howell  
 Out 12,572 square feet to CCPS  
 Total out = 23,821 square feet

**TOB:** - 713 square feet

*In to* **CCPS**

In 12,572 square feet from TOB  
 Total in 12,572 square feet

*Out from* **CCPS**

Out 8,007 square feet to Howell  
 Out 4,565 square feet to TOB  
 Total Out = 12,572

**CCPS:** 0+/-

It is important to note that Howell may dedicate some frontage along West Main Street to ensure that existing street-related improvements are on the street right-of-way and accommodate extension of the sidewalk/path along the north side of West Main Street.

Other Considerations

Zoning/Jurisdictional Boundaries

The attached maps show the current zoning for each area property to be transferred and the new zoning that would need to be applied during this process (if applicable). The maps also show the jurisdiction in which the area of property to be transferred is located.

Boundary line adjustments will be administered by the Town's Community Development Department and reviewed/approved by the Berryville Area Development Authority (BADA).

The Berryville Planning Commission and Town Council will review/approve the rezoning of land transferred from the CCPS to the TOB (4,565 square feet from DR-4 to ITL) and the land transferred from TOB to the CCPS (12,572 square feet from ITL to DR-4).

#### Easements

Several utility easements will have to be established during this work.

Clarke County owns a water main that is located in the strip of land that TOB would transfer to Howell. An easement will be established for this main.

At least two service lines from the County main traverse the Howell property. If easements have not been established for these laterals, then they will need to be established during this project.

#### Cost to Implement Proposal

The cost of implementing the proposed boundary line adjustments and associated rezonings will be borne by Paul Howell and the Town of Berryville.

Howell will provide all necessary boundary line adjustment and easement plats and TOB will cover the cost of deeds, proposal review, and deed recordation.

#### Process/Tentative Schedule

##### **June 13, 2023**

Formally introduce proposal to the Berryville Town Council.

Purpose:

- 1) Provide the Town Council with details of proposal.
- 2) Determine if there are concerns/questions and address same.

Actions:

None

##### **June 19, 2023**

Formally introduce proposal to the Clarke County School Board.

Purpose:

- 1) Provide the School Board with details of proposal.
- 2) Determine if there are concerns/questions and address same.

Actions:

Authorize a public hearing on boundary line adjustments for August 28, 2023.

{Note: Plats and deeds will be provided to staff by July 12, 2023}

### **August 28, 2023**

School Board conducts public hearing on proposed boundary line adjustments.

Purpose:

- 1) Receive public comment on proposal.
- 2) Make determinations on the proposal.

Actions:

- 1) Conduct a public hearing and discuss the proposal.
- 2) Approve the proposed boundary line adjustments, contingent upon the following:
  - a. approval of the boundary line adjustments by the Berryville Town Council and Paul Howell, and
  - b. approval of rezonings as represented in the proposal.

### **September 26, 2023**

Formally introduce this matter to the Berryville Planning Commission.

Purpose:

- 1) Provide Planning Commission with details of proposal.
- 2) Determine if there are concerns/questions and address same.

Actions:

Set joint public hearing with the Berryville Area Development Authority for October 24, 2023.

### **September 27, 2023**

Formally introduce this matter to the Berryville Development Authority.

Purpose:

- 1) Provide Authority with details of proposal.
- 2) Determine if there are concerns/questions and address same.

Actions:

Set joint public hearing with the Berryville Planning Commission for October 24, 2023.

### **October 24, 2023**

Berryville Planning Commission and Berryville Area Development Authority conduct a public hearing on the proposed boundary line adjustments and rezonings.

Purpose:

- 1) Receive public comment on proposal.
- 2) Make determinations on the proposal.

Actions:

- 1) Conduct a public hearing and discuss proposal.
- 2) Approve the proposed boundary line adjustments, contingent upon the approval of rezonings as represented in the proposal.
- 3) Recommend approval of the proposed rezonings.

**November 14, 2023**

Proposed boundary line adjustments and rezonings placed before the Berryville Town Council.

Purpose:

- 1) Provide Council with details of proposal.
- 2) Determine if there are concerns/questions and address same.

Actions:

Set a public hearing for December 12, 2023.

**December 12, 2023**

Town Council makes determinations on proposed rezonings.

Purpose:

- 1) Receive public comment on proposal.
- 2) Make determinations on the proposal.

Actions:

Approve proposed boundary line adjustments and rezonings.

**December 13-22, 2023**

All documents are signed by CCPS, TOB, CC, and Howell.

Purpose:

Finalize boundary line adjustment plats and deeds.

Actions:

Secure all required signatures on boundary line adjustments and deeds.

**December 28, 2023**

All documents recorded in the land records of Clarke County.

Purpose:

Complete the transfer of property through boundary line adjustments.

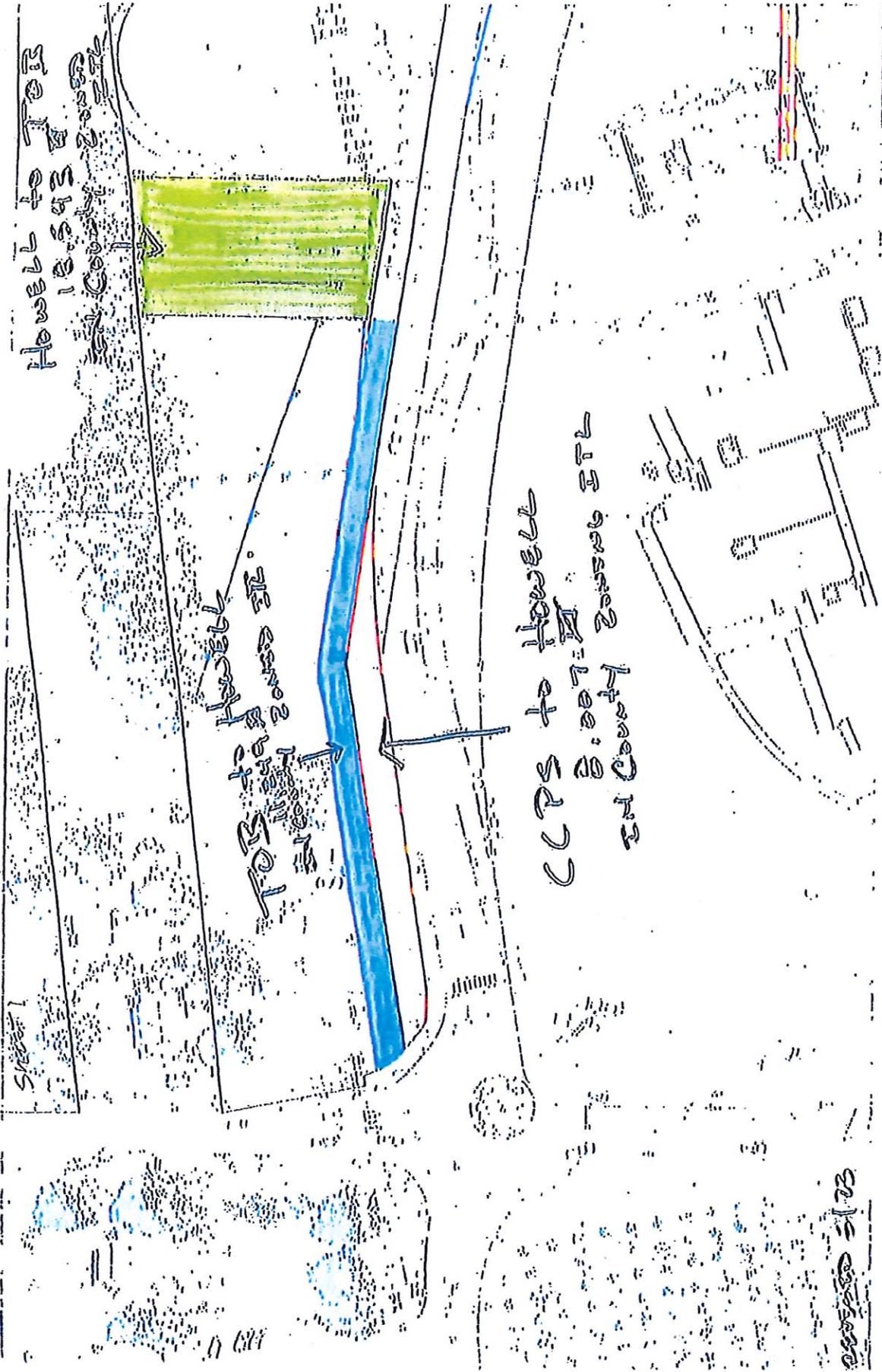
**Actions:**

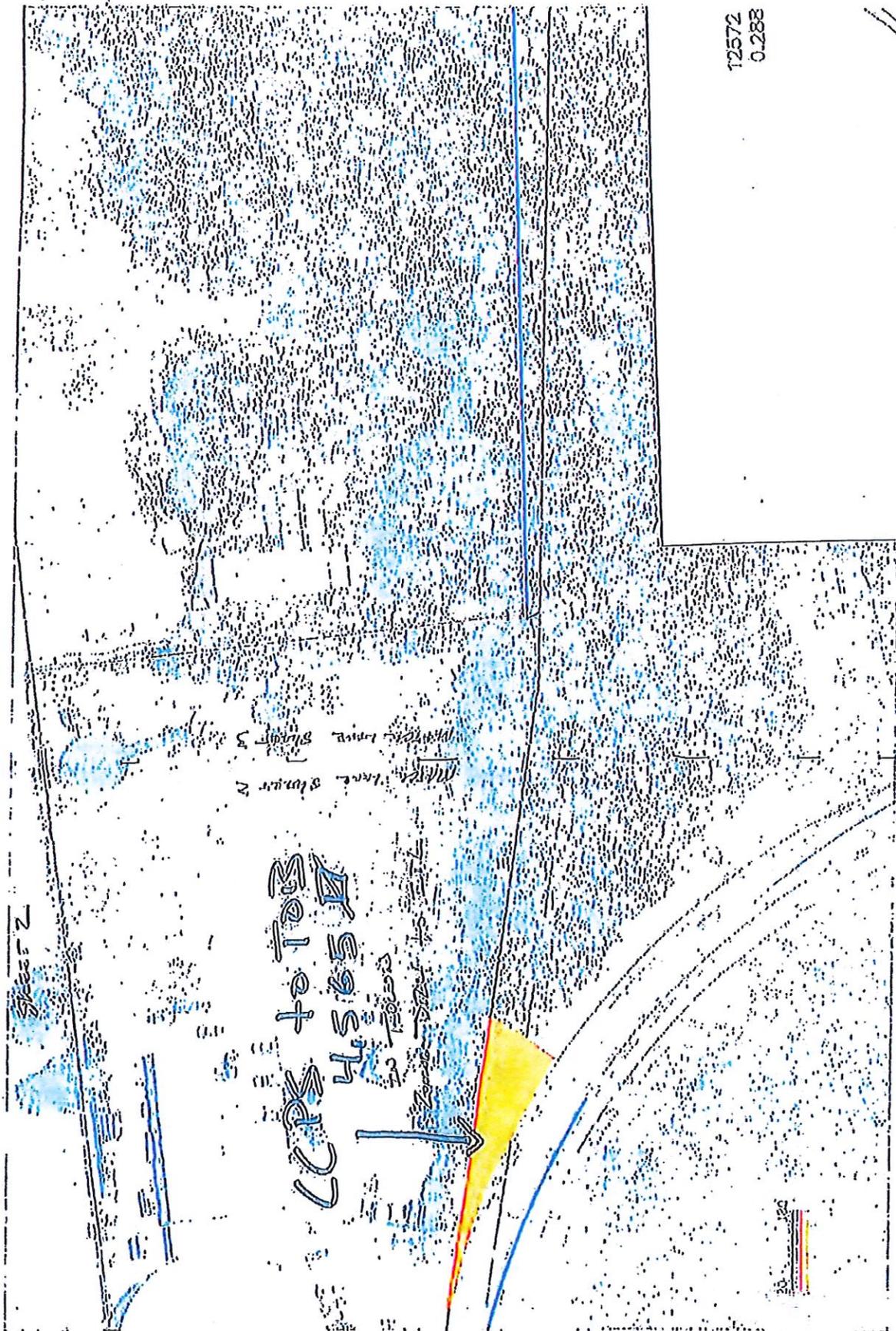
Finalize process by recording executed boundary line adjustment plats and deeds in the land records of the Clerk of the Circuit Court of Clarke County.

{Note: Between September 1, 2023 and December 1, 2023 Clarke County will review/approve utility easements across Howell and TOB.}

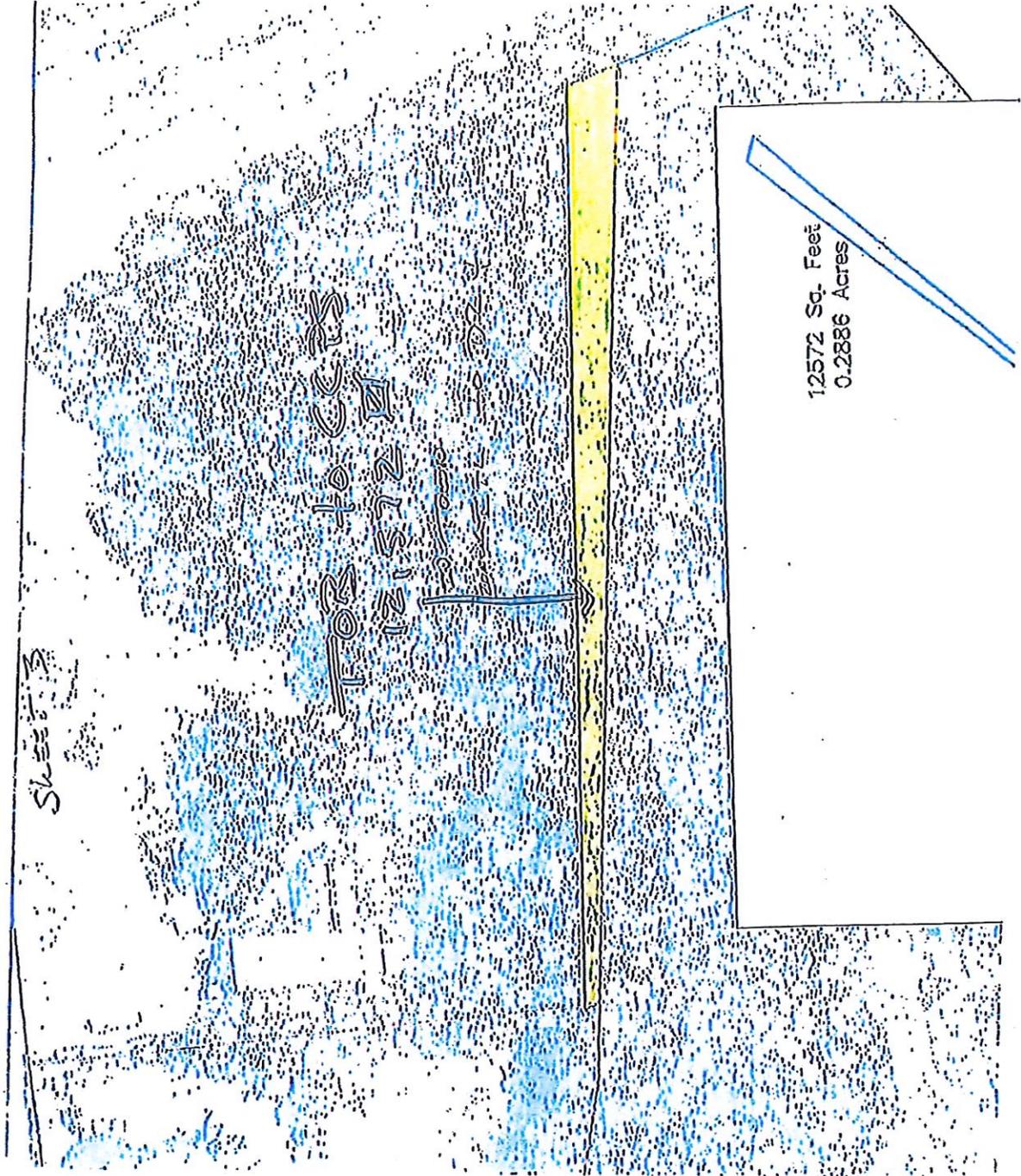
**Attachment**

- Three-part map on which proposed boundary line adjustments are represented
  - o TOB to Howell – BLUE
  - o CCPS to Howell – PINK
  - o Howell to TOB – GREEN
  - o CCPS to TOB – ORANGE
  - o TOB to CCPS – YELLOW





12572  
0.288



Sheet 3

FOR U.S.  
121572 N

12572 Sq. Feet  
0.2886 Acres

**AN ORDINANCE  
APPROVING THE ADJUSTMENT OF PROPERTY LINES OF AND  
THE TRANSFER OF LAND BETWEEN  
TAX MAP PARCELS 14-((A)) – 6, 14-((A)) – 7, AND 14-((A))- 5**

BE IT ORDAINED, by the Council of Town of Berryville, that it hereby approves the adjustment of boundary lines and associated transfer of property, and establishment of easements has described below:

- transfer of .105 acres from Tax Map Parcel 14-((A))- 7 (owned by the Clarke County School Board) to Tax Map Parcel 14-((A))- 6 (owned by the Town of Berryville, .
- transfer of .287 acres from Tax Map Parcel 14- ((A)) - 6 (owned by the Town of Berryville to Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board),
- transfer of .426 acres from Tax Map Parcel 14-((A))-5 (owned by Paul Howell) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville), and
- the establishment of utility and access easements on Tax Map Parcels 14-((A))-5 (owned by Paul Howell) and 14-((A))-6 (owned by the Town of Berryville).

VOTE:

Recorded Vote:

Ayes:

Nays:

Abstain:

Absent During Meeting:

SIGNED \_\_\_\_\_  
Harry Lee Arnold, Jr., Mayor

Date: November 14, 2023

ATTEST: \_\_\_\_\_  
Erecka L. Gibson, Vice Mayor

Date: November 14, 2023

## Town Council Agenda Item Report Summary

December 12, 2023

### Item Title

Public Hearing – Rezoning - Tax Map Parcels 14-A-6, 14-A-5, and 14A-7-A

### Prepared By

Christy Dunkle

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### Background/History/General Information

Mosby Boulevard was completed from its temporary terminus to West Main Street with the development of the Clarke County High School. An easement was granted from the Clarke County Public Schools for the street and associated improvements which resulted in school property being located on the west side of Mosby Boulevard.

The proposed actions to rectify the situation are identified in Keith Dalton's report dated June 13, 2023 (included in this packet) are as follows:

- Several boundary line adjustments which will be reviewed and approved by the Berryville Area Development Authority because of the location within Annexation Area B.
- Rezoning will be reviewed by the Planning Commission and approved by Town Council.
- Utility easements will be modified or established within this area.

Specific details and maps are included in Mr. Dalton's June 13<sup>th</sup> report.

### Findings/Current Activity

Public hearing notices were published in the Winchester Star on Tuesday, November 28 and Tuesday, December 5, 2023. Adjacent property owners were notified via first class mail on Monday, November 27, 2023. No comments were received in the Planning Office.

The Planning Commission held a public hearing on the matter at their October 24, 2023 meeting and recommended approval of the request as presented.

Clarke County Public Schools conditionally approved the request at their August 28, 2023 meeting.

### Schedule/Deadlines

N/A

## **Other Considerations**

N/A

## **Recommendation**

Approve the request as presented and forward the Boundary Line Adjustment request to the Berryville Area Development Authority for approval.

## **Sample Motion**

I move that the Council of the Town of Berryville approve the rezoning of 4,565 square feet of land that is to be transferred from the Clarke County School Board's property (Tax Map Parcel 14-((A))-7) to the Town of Berryville's property (Tax Map Parcel 14-((A))-6) from Detached Residential-4 (DR-4) to Institutional (ITL), and the rezoning of 12,572 square feet of land that is to be transferred from the Town of Berryville's property (Tax Map Parcel 14-((A))-6) to the Clarke County School Board's property (Tax Map Parcel 14-((A))-7) from Institutional (ITL) to Detached Residential-4 (DR-4), contingent upon the following:

- a. approval of the proposed boundary line adjustments by the Clarke County School Board, Berryville Town Council, and Paul R. Howell and the Berryville Area Development Authority and
- b. the recordation of the boundary line adjustment and associated deeds completing this boundary line adjustments and transfer of property ownership in the land records of the Circuit Court of Clarke County.

## **Attachments:**

- Public hearing notice published in the Winchester Star on Tuesday, November 28 and Tuesday, December 5, 2023
- Staff report and attachments by Mr. Dalton dated June 13, 2023.



DEED OF BOUNDARY LINE ADJUSTMENTS

THIS DEED OF BOUNDARY LINE ADJUSTMENTS, dated the \_\_\_\_\_ day of \_\_\_\_\_, 2023, is by and between the TOWN OF BERRYVILLE, VIRGINIA, the party of the first part (Grantor and Grantee); PAUL R. HOWELL, party of the second part (Grantor and Grantee); and SCHOOL BOARD OF CLARKE COUNTY, VIRGINIA, party of the third part (Grantor and Grantee).

WHEREAS, the Town of Berryville, Virginia ("Town") is the owner of a parcel of land located in Longmarsh District, Clarke County, Virginia containing 9.276 acres as shown on the Boundary Line Adjustment Plat of S. W. Marsh; L.S., dated \_\_\_\_\_, 2023, attached hereto and made a part hereof ("Attached Plat") and identified as Tax Map Parcel 14-A-6.

WHEREAS, Paul R. Howell ("Howell") is the owner of a parcel of land located in Longmarsh District, Clarke County, Virginia containing 2.040 acres as shown on the Attached Plat and identified as Tax Map Parcel 14-A-5.

WHEREAS, the School Board of Clarke County, Virginia ("School Board") is the owner of two parcels of land located in Longmarsh District,

Prepared By: Robert T. Mitchell, Jr., Esquire  
VSB No. 3190  
Hall, Monahan, Engle, Mahan & Mitchell  
9 East Boscawen Street  
Winchester, VA 22601

Title Company: None.

Clarke County, Virginia as shown on the Attached Plat as Tax Map Parcels 14-A-7, containing 13.567 acres, and Tax Map Parcel 14-A-7A, containing 44.984 acres.

WHEREAS, the parties desire to adjust the boundary between their aforesaid respective parcels as shown on the Attached Plat; and

NOW, THEREFORE, for good and mutual consideration, Howell, the School Board, and the Town hereby vacate certain current boundary lines between the aforesaid properties of the parties, the boundary lines as vacated being shown on the Attached Plat.

CONVEYANCE FROM THE TOWN TO HOWELL

The Town and Howell desire for the Town to convey 0.246 acres from the Town to Howell.

NOW, THEREFORE, the Town hereby conveys to Howell, in fee simple, a strip of land containing 0.246 acres as shown and described on the Attached Plat.

CONVEYANCE FROM THE SCHOOL BOARD TO HOWELL

The School Board and Howell desire for the School Board to convey 0.196 acres from the School Board to Howell.

NOW, THEREFORE, the School Board hereby conveys to Howell, in fee simple, a strip of land containing 0.196 acres as shown and described on the Attached Plat.

CONVEYANCE FROM HOWELL TO THE TOWN

Howell and the Town desire for Howell to convey 0.426 acres from Howell to the Town.

NOW, THEREFORE, Howell hereby conveys to the Town, in fee simple, a parcel of land containing 0.426 acres as shown and described on the Attached Plat.

CONVEYANCE FROM THE SCHOOL BOARD TO THE TOWN

The School Board and the Town desire for the School Board to convey 0.105 acres from the School Board to the Town.

NOW, THEREFORE, the School Board hereby conveys to the Town, in fee simple, a parcel of land containing 0.105 acres as shown and described on the Attached Plat.

CONVEYANCE FROM THE TOWN TO THE SCHOOL BOARD

The Town and the School Board desire for the Town to convey 0.287 acres from the Town to the School Board.

NOW, THEREFORE, the Town hereby conveys to the School Board, in fee simple, a parcel of land containing 0.287 acres as shown and described on the Attached Plat.

MERGER OF HOWELL'S PARCEL

2.040

Howell hereby merges his existing ~~1.614~~ acres with the 0.246 acres hereinabove conveyed to Howell by the Town and the 0.196 acres hereinabove conveyed to Howell by the School Board, less Howell's conveyance of 0.426 acres to the Town, to create a parcel containing 2.056 acres (Tax Parcel 14-A-5).

MERGER OF THE TOWN'S PARCELS

The Town hereby merges its existing 9.276 acres with the 0.426 acres hereinabove conveyed to the Town by Howell and the 0.105 acres conveyed to the Town by the School Board, less the Town's conveyance of 0.287 acres conveyed to the School Board, the Town's conveyance of 0.246 acres to Howell creating a Town parcel of 9.274 acres. (Tax Parcel 14-A-6)

MERGER OF THE SCHOOL BOARD'S TAX MAP PARCEL 14-A-7

The School Board's Tax Map Parcel 14-A-7 hereby merges the 0.287 acres conveyed to School Board Tax Map Parcel 14-A-7 by the Town, less the 0.105 acres conveyed by the School Board Tax Map Parcel 14-A-7 to the Town, creating a School Board Tax Map Parcel 14-A-7 of 13.749 acres.

WITNESS the following signatures and seals:

TOWN OF BERRYVILLE, VIRGINIA

By: \_\_\_\_\_ (Seal)  
\_\_\_\_\_

COMMONWEALTH OF VIRGINIA

\_\_\_\_\_ OF \_\_\_\_\_, To-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023, by \_\_\_\_\_, on behalf of the  
TOWN OF BERRYVILLE, VIRGINIA.

My Commission expires \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC  
Notary Registration No. \_\_\_\_\_

\_\_\_\_\_  
PAUL R. HOWELL (Seal)

COMMONWEALTH OF VIRGINIA

\_\_\_\_\_ OF \_\_\_\_\_, To-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023, by PAUL R. HOWELL.

My Commission expires \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC  
Notary Registration No. \_\_\_\_\_

SCHOOL BOARD OF CLARKE  
COUNTY, VIRGINIA

By: \_\_\_\_\_ (Seal)  
\_\_\_\_\_

COMMONWEALTH OF VIRGINIA  
\_\_\_\_\_ OF \_\_\_\_\_, To-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day  
of \_\_\_\_\_, 2023, by \_\_\_\_\_, on behalf of the  
SCHOOL BOARD OF CLARKE COUNTY, VIRGINIA.

My Commission expires \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC  
Notary Registration No. \_\_\_\_\_



COMPLETED DURING APRIL THROUGH JUNE 2023.

- BOUNDARY INFORMATION IS BASED ON DEEDS AND PLATS OF RECORD RECORDED IN CLARKE COUNTY, VA. THE RIGHT OF WAY FOR MOSSY BOULEVARD IS BASED ON VDOT PLANS AND MONUMENTS LOCATED BY ACTUAL FIELD SURVEY.
- HOWELL AND TOWN OF BERRYVILLE ARE COMPUTED BASED ON DEEDS AND PLATS OF RECORD AND AN ACTUAL FIELD SURVEY. SCHOOL BOARD OF CLARKE COUNTY AREAS BASED ON TAX RECORDS SHOWN ON CLARKE COUNTY GIS, NOT A NEW BOUNDARY SURVEY.
- THE INTENT OF THIS PLAT IS TO CLEAN UP REMNANT & UNUSED AREAS REMAINING ON WESTERLY SIDE OF MOSSY BOULEVARD ADJACENT TO AND CURRENTLY BEING MAINTAINED BY PAUL HOWELL BY EXCHANGING APPROXIMATELY EQUAL AREAS BETWEEN THE HOWELL PARCEL, THE TOWN OF BERRYVILLE PARCEL AND SCHOOL BOARD OF CLARKE COUNTY PARCELS.

**AREA COMPUTATION TABLES**

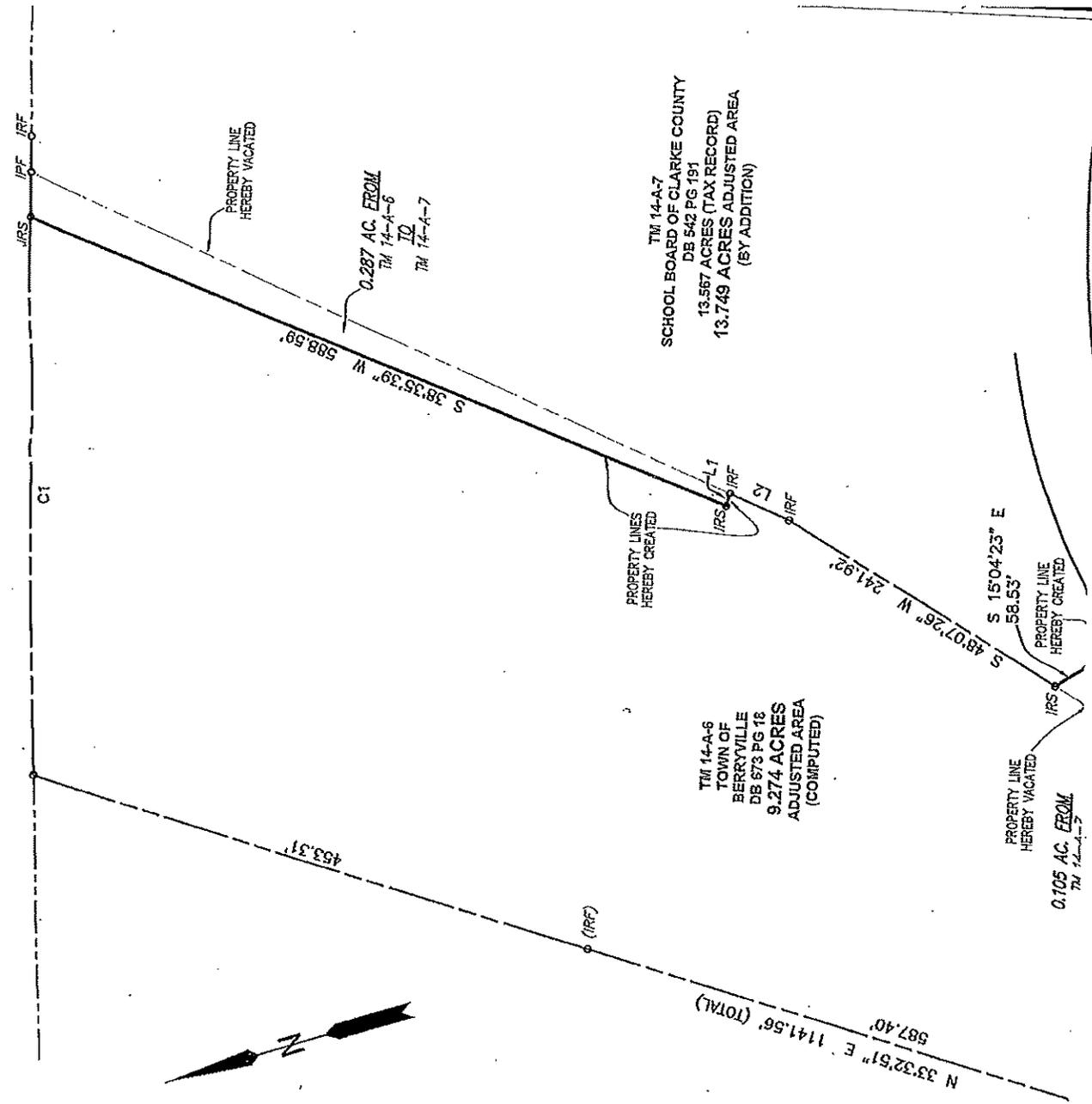
8.985 Ac.	ORIGINAL	TM 14-A-6 (Town of Berryville)
0.291 Ac.	ORIGINAL	20' Strip (Town of Berryville) DB 17 PG 166
0.426 Ac.	FROM	TM 14-A-5 (Howell)
0.105 Ac.	FROM	TM 14-A-7 (School Board)
0.287 Ac.	TO	TM 14-A-7 (School Board)
0.246 Ac.	TO	TM 14-A-5 (Howell)
<b>9.274 Ac.</b>	<b>ADJUSTED</b>	<b>TM 14-A-6 (Town of Berryville)</b>
2.040 Ac.	ORIGINAL	TM 14-A-5 (Howell)
0.426 Ac.	TO	TM 14-A-6 (Town of Berryville)
0.246 Ac.	FROM	20' Strip (Town of Berryville) DB 17 PG 166
0.196 Ac.	FROM	TM 14-A-7A (School Board)
<b>2.056 Ac.</b>	<b>ADJUSTED</b>	<b>(Remainder of Parcel West of Mossy Boulevard)</b>
		<b>TM 14-A-5 (Howell)</b>
13.587 Ac.	ORIGINAL	TM 14-A-7 (School Board)
0.287 Ac.	FROM	TM 14-A-6 (Town of Berryville)
0.105 Ac.	TO	TM 14-A-6 (Town of Berryville)
<b>13.749 Ac.</b>	<b>ADJUSTED</b>	<b>TM 14-A-7 (School Board)</b>
44.984 Ac.	ORIGINAL	TM 14-A-7A (School Board)
0.196 Ac.	TO	TM 14-A-5 (Howell)
<b>44.788 Ac.</b>	<b>ADJUSTED</b>	<b>(Remainder of Parcel West of Mossy Boulevard)</b>
		<b>TM 14-A-7A (School Board)</b>

OWNER SIGNATURES

Paul Howell  
 26  
 109

DATE

TM 14-A-2  
 RURIAN CLUB OF  
 CLARKE COUNTY  
 DB 305 PG 562



N 33°32'51" E 1141.56' (TOTAL)

TM 14-A-6  
 TOWN OF  
 BERRYVILLE  
 DB 673 PG 18  
 9.274 ACRES  
 ADJUSTED AREA  
 (COMPUTED)

TM 14-A-7  
 SCHOOL BOARD OF CLARKE COUNTY  
 DB 542 PG 191  
 13.587 ACRES (TAX RECORD)  
 13.749 ACRES ADJUSTED AREA  
 (BY ADDITION)

S 15°04'23" E  
 58.53'  
 PROPERTY LINE  
 HEREBY CREATED

PROPERTY LINE  
 HEREBY VACATED  
 0.105 AC. FROM  
 TM 14-A-7

0.287 AC. FROM  
 TM 14-A-6  
 TO  
 TM 14-A-7

S 38°35'39" W 598.59'

S 48°07'26" W 241.92'

C1

453.31'

(IRF)

L1  
 L2  
 PROPERTY LINES  
 HEREBY CREATED

IRS  
 IRF

THIS DEED OF EASEMENT, dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024, PAUL R. HOWELL, party of the first part, hereinafter referred to as "Owner", and the TOWN OF BERRYVILLE, VIRGINIA, a Virginia municipal corporation, party of the second part, hereinafter referred to as "Town".

WHEREAS, Owner is the owner of that certain parcel of land located on West Main Street in Clarke County, Virginia, identified as 810 West Street, and designated as Tax Parcel No. 14-A-5; said land being more particularly shown on the attached survey of the land of Paul Howell, recorded in the Office of the Circuit Court for Clarke County.

WHEREAS, the Town desires to obtain from Owner and Owner desires to convey to the Town two permanent twenty (20) ft. waterline easements.

NOW, THEREFORE, for the mutual covenants herein contained, Owner does hereby grant and convey unto the Town, its successors and assigns, two twenty (20) ft. wide waterline easements, including the right of ingress and egress to and from said waterline easements, for the construction, installation, operation, repair, maintenance, and replacement of the Town waterlines and associated appurtenances. The aforesaid twenty (20) ft. wide

waterline easements, are shown as “20’ WATER LINE EASEMENTS”, on the attached plat of S. W. Marsh, L.S., dated August 3, 2023.

The Owner retains the right to use their land which is subject to the waterline easements in such manner which shall not interfere with the use and enjoyment of such easement rights by the Owner. The Owner shall at all times have the right to cross over and upon the said waterline easements and to use the surface over the waterline easements in such manner as will neither injure nor interfere with the construction, installation, repair, maintenance, or replacement of the Town’s waterlines and related facilities, except that no building or other structure shall be erected over said waterline easements by the Owner or her successors, except with the written consent of the Town.

The Town shall have the right to trim, cut, and remove trees, shrubbery, fences, structures, or other obstructions or facilities in the waterline easements area herein conveyed, reasonably deemed by it to interfere with the proper and efficient construction, installation, operation, repair, maintenance, or replacement of said waterlines and related facilities; provided, however, that the Town at its own expense shall restore as nearly as possible to its original condition all land or premises which are disturbed in any manner by the construction, operation, repair, maintenance and replacement of said waterlines. Such restoration shall include the backfilling of trenches, the

replacement of fences and shrubbery; the reseeding or resodding of lawns within and outside the easement areas, and the replacement of structures and other facilities located outside the waterline easement areas, but shall not include the replacement of structures, trees, structures, and other facilities located within the waterline easement areas.

The Town and its agents shall have full and free use of the said easements for the purposes named, and shall have all rights and privileges reasonably necessary to the exercise of its easement rights and right of way.

The Town joins in this Deed of Easement to indicate its acceptance of this easement and the terms set forth herein.

**[signatures on next pages]**

\_\_\_\_\_(SEAL)  
PAUL R. HOWELL

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF \_\_\_\_\_, To-wit:

The foregoing document was acknowledged before me this \_\_\_\_  
day of \_\_\_\_\_, 2024, by PAUL R. HOWELL.

My Commission expires \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC  
Notary Registration No.: \_\_\_\_\_

TOWN OF BERRYVILLE, VIRGINIA

By: \_\_\_\_\_(SEAL)

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF \_\_\_\_\_, To-wit:

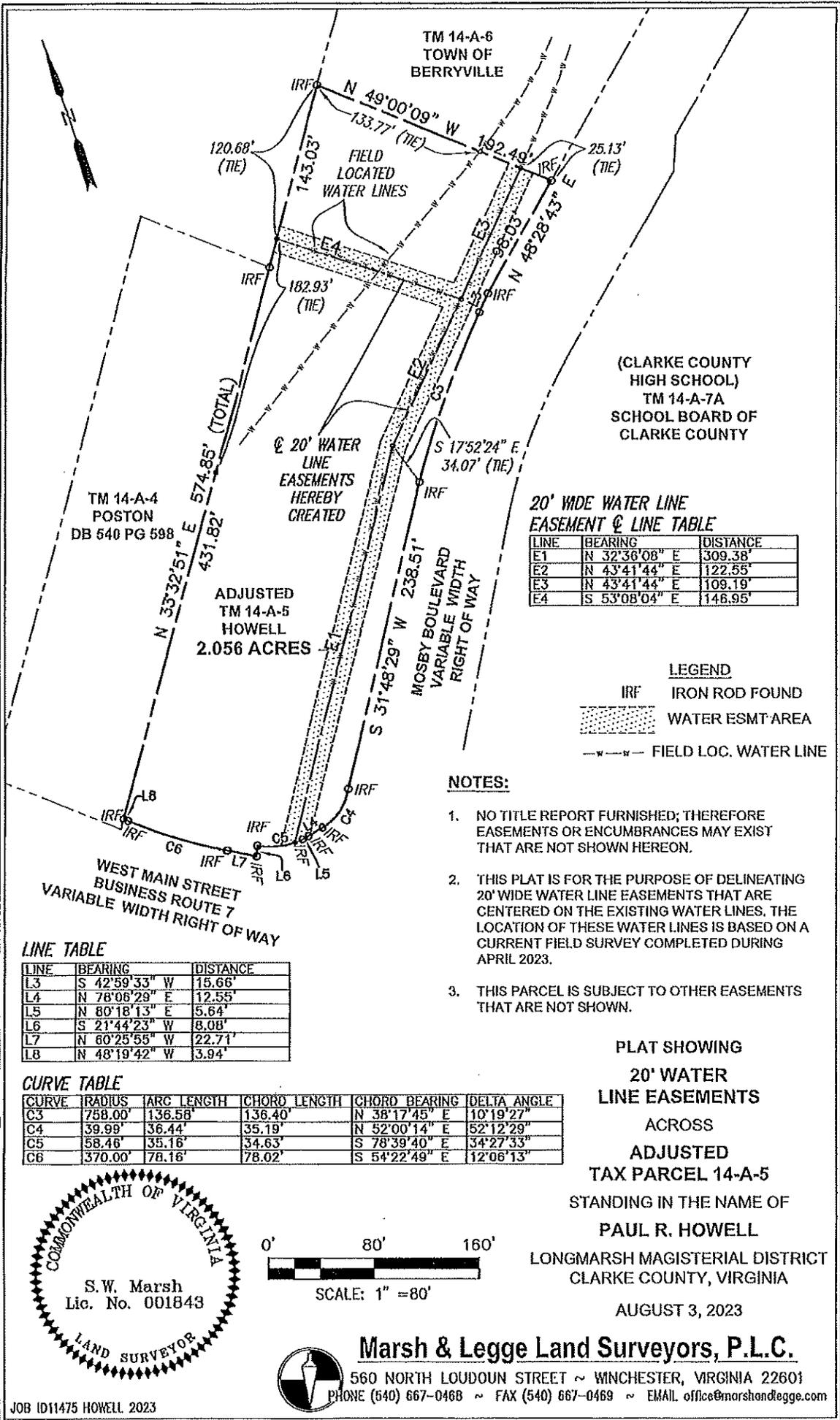
The foregoing document was acknowledged before me this \_\_\_\_  
day of \_\_\_\_\_, 2024, by \_\_\_\_\_, on  
behalf of TOWN OF BERRYVILLE, VIRGINIA.

My Commission expires \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC  
Notary Registration No.: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
ROBERT T. MITCHELL, JR.,  
Town Attorney



(CLARKE COUNTY HIGH SCHOOL)  
 TM 14-A-7A  
 SCHOOL BOARD OF CLARKE COUNTY

**20' WIDE WATER LINE EASEMENT @ LINE TABLE**

LINE	BEARING	DISTANCE
E1	N 32°36'08" E	309.38'
E2	N 43°41'44" E	122.55'
E3	N 43°41'44" E	109.19'
E4	S 53°08'04" E	146.95'

**LEGEND**

- IRF IRON ROD FOUND
- WATER ESMT AREA
- FIELD LOC. WATER LINE

**NOTES:**

1. NO TITLE REPORT FURNISHED; THEREFORE EASEMENTS OR ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN HEREON.
2. THIS PLAT IS FOR THE PURPOSE OF DELINEATING 20' WIDE WATER LINE EASEMENTS THAT ARE CENTERED ON THE EXISTING WATER LINES. THE LOCATION OF THESE WATER LINES IS BASED ON A CURRENT FIELD SURVEY COMPLETED DURING APRIL 2023.
3. THIS PARCEL IS SUBJECT TO OTHER EASEMENTS THAT ARE NOT SHOWN.

**LINE TABLE**

LINE	BEARING	DISTANCE
L3	S 42°59'33" W	15.66'
L4	N 78°06'29" E	12.55'
L5	N 80°18'13" E	5.64'
L6	S 21°44'23" W	8.08'
L7	N 60°25'55" W	22.71'
L8	N 48°19'42" W	3.94'

**CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C3	758.00'	136.58'	136.40'	N 38°17'45" E	10°19'27"
C4	39.99'	36.44'	35.19'	N 52°00'14" E	52°12'29"
C5	58.46'	35.16'	34.63'	S 78°39'40" E	34°27'33"
C6	370.00'	78.16'	78.02'	S 54°22'49" E	12°06'13"

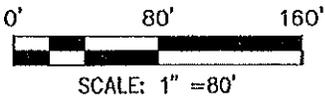
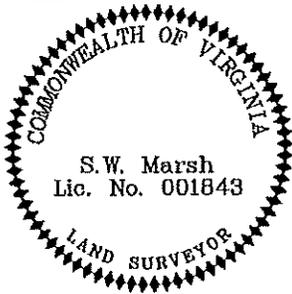
**PLAT SHOWING  
 20' WATER  
 LINE EASEMENTS  
 ACROSS  
 ADJUSTED  
 TAX PARCEL 14-A-5  
 STANDING IN THE NAME OF  
 PAUL R. HOWELL**

LONGMARSH MAGISTERIAL DISTRICT  
 CLARKE COUNTY, VIRGINIA

AUGUST 3, 2023

**Marsh & Legge Land Surveyors, P.L.C.**

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601  
 PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com



**Berryville Town Council Item Report Summary  
January 9, 2024**

**Item Title:**

Consent Agenda: Approval of Minutes

**Prepared By:**

Town Clerk

**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 four sets of minutes to be considered for approval:

- 12.12.23 Town Council regular meeting
- 12.21.23 Town Council called meeting
- 12.18.23 Personnel Committee meeting
- 12.19.23 Streets and Utilities Committee meeting

**Financial Considerations**

None.

**Schedule/Deadlines**

Timely approval of minutes is preferable, but no deadline for such approval exists.

**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**  
**Regular Meeting**  
**December 12, 2023**  
**7:00 p.m.**

**Town Council:** Present—Harry Lee Arnold, Jr., Mayor; Erecka L. Gibson, Vice Mayor, Grant Mazzarino, Ryan Tibbens. Absent—William Steinmetz and Diane Harrison

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

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

**1. Call to Order**

Mayor Arnold called the meeting to order at 7:00 p.m. and noted the absence of Mr. Steinmetz and Ms. Harrison.

**2. Pledge of Allegiance**

**3. Approval of Agenda**

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

**4. Presentations, Awards, and Recognitions**

None.

**5. Public Hearings**

**The Berryville Planning Commission recommends approval of the rezoning of land transferred from the Clarke County Public Schools to the Town of Berryville (4,565 square feet from DR-4 Detached Residential to ITL Institutional) and land transferred from the Town of Berryville to the Clarke County Public Schools (12,572 square feet from ITL Institutional to DR-4 Detached Residential) in order to accommodate boundary line adjustments between the properties identified as Tax Map Parcel numbers 14-A-5, 14-A-6, 14-A-7, and 14-A-7A. RZ 02-23**

Ms. Dunkle read the public hearing notice and Mr. Dalton displayed maps and briefly summarized the proposed rezoning as discussed in prior meetings.

Mayor Arnold opened the hearing at 7:05 and closed it immediately after ascertaining that no member of the public wished to speak.

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

No discussion occurred.

**Mr. Tibbens moved that the Council of the Town of Berryville approve the rezoning of 4,565 square feet of land that is to be transferred from the Clarke County School Board's property (Tax Map Parcel 14-((A))-7) to the Town of Berryville's property (Tax Map Parcel 14-((A))-6) from Detached Residential-4 (DR-4) to Institutional (ITL), and the rezoning of 12,572 square feet of land that is to be transferred from the Town of Berryville's property (Tax Map Parcel 14-((A))-6) to the Clarke County School Board's property (Tax Map Parcel 14-((A))-7) from Institutional (ITL) to Detached Residential-4 (DR-4), contingent upon the following:**

- a. approval of the proposed boundary line adjustments by the Clarke County School Board, Berryville Town Council, and Paul R. Howell and the Berryville Area Development Authority and**
- b. the recordation of the boundary line adjustment and associated deeds completing this boundary line adjustments and transfer of property ownership in the land records of the Circuit Court of Clarke County.**

**The motion passed by unanimous voice vote.**

## **7. Citizens' Forum**

No one addressed the meeting.

## **8. Consent Agenda**

The consent agenda comprised the minutes of the November 14 Town Council regular meeting.

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

## **9. Unfinished Business**

Mr. Dalton said the invitation for bids for tree and brush removal services as approved by the Council in its November meeting had been issued shortly thereafter, with pre-bid conference occurring on November 30 and addenda being issued a few hours before the present meeting. He said bid-opening would occur on December 18, and asked the Council to meet on the 21<sup>st</sup> to review the matter and possibly approve a notice of intent to award.

Vice Mayor Gibson moved that the Council of the Town of Berryville set a special meeting to be held on December 21, 2023 at 3:00 p.m. The motion passed by unanimous voice vote.

**10. New Business**

None.

**11. Council Member Reports**

Mayor Arnold said he had attended the Horseshoe Curve Benevolent Association recognition of Officer Joe Shoremount's recent completion of forensic investigation training, and thanked Berryville Main Street and all the volunteers who had made the Christmas parade and tree-lighting successful.

Mayor Arnold said the drought watch declaration of September 2 was still in effect and that staff remained in regular contact with the Department of Environmental Quality. He recommended that residents check the Town website regularly for updates.

At Mayor Arnold's request, the clerk read the **attached** resolution honoring Sheriff Tony Roper on the occasion of his retirement.

**Mr. Mazzarino moved that the Council of the Town of Berryville approve the attached resolution honoring Sheriff Tony Roper on the occasion of this retirement. The motion passed by unanimous voice vote.**

There was a brief discussion of committee assignments and Board of Supervisors meeting attendance for the coming year.

**12. Staff Reports**

Nothing was added to the written reports for Public Works, Utilities, Administration and Finance, or Deputy Town Manager.

**Police**

Chief White said a newly hired officer would join the department on January 8.

**Community Development**

Ms. Dunkle and Vice Mayor Gibson briefly discussed the recent completion of paving in Hermitage Phase V.

**Town Manager**

Mr. Dalton asked the Council to set a public hearing for its January meeting:

Vice Mayor Gibson moved that the Council of the Town of Berryville set a public hearing on January 9, 2024 to receive comment on the transfer of .105 acres from Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville), .287 acres from Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville) to Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board), and .426 acres from 14-((A))-5 (owned by Paul Howell) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville), and the establishment of easements on Tax Map Parcels 14-((A))-5 (owned by Paul Howell) and 14-((A))-6 (owned by the Town of Berryville). The motion passed by unanimous voice vote.

Mr. Dalton briefly updated the Council on the progress of blight abatement work at 12 First Street, 225 Josephine Street, and 114 Josephine Street.

Mr. Dalton said the process of securing funding for the approved upgrade of the water treatment plant was continuing.

### **13. Committee Updates**

Vice Mayor Gibson said the Budget and Finance Committee would not meet in December. Mr. Mazzarino said the same of Public Safety and Mr. Tibbens said the same of Community Development.

Mayor Arnold said the Personnel Committee would meet on December 18 at 2:00 p.m. to interview multiple candidates for appointment to the Planning Commission.

A discussion established that the Streets and Utilities Committee would meet on December 19 at 3:00 p.m.

### **14. Other**

No other business was discussed.

### **15. Closed Session**

Not applicable.

### **16. Adjourn**

The Council adjourned at 7:27 p.m. on a motion by Vice Mayor Gibson.

---

Erecka L. Gibson, Vice Mayor

---

Paul Culp, Town Clerk



**A RESOLUTION OF THE COUNCIL OF THE TOWN OF BERRYVILLE HONORING  
SHERIFF TONY ROPER ON THE OCCASION OF HIS RETIREMENT**

**WHEREAS Sheriff Tony Roper served with the Clarke County Sheriff's Office from 1978 to 1987 and then from 1989 through 2023; and**

**WHEREAS Sheriff Roper served in the Sheriff's Office as a radio communications officer and proceeded to serve as a correctional officer, road deputy, and investigator; and**

**WHEREAS he served as an investigator with the Loudoun County Sheriff's office from 1987 through 1989 and became an investigator with the Clarke County Sheriff's Office in 1989; and**

**WHEREAS Sheriff Roper served as Clarke County Sheriff from 2004 through 2023; and**

**WHEREAS he graduated from the Virginia Forensic Science Academy, the FBI National Academy, and the National Sheriffs' Institute; and**

**WHEREAS Sheriff Roper established the Northwest Virginia Regional Gang Task Force and was a founding member of the Northwest Virginia Regional Drug Task Force and the FBI Regional Crime Task Force; and**

**WHEREAS Sheriff Roper has served as president of the Virginia Sheriffs' Institute, chairman of the Skyline Regional Criminal Justice Academy Executive Board, and chairman of Northwest Virginia Regional Drug and Gang Task Force Command Board;**

**NOW, THEREFORE, BE IT RESOLVED, on the occasion of his retirement, that the Council of the Town of Berryville honors Sheriff Tony Roper's tireless dedication to professional excellence and to the wellbeing of the residents of Berryville and Clarke County.**

**By order of the Town Council this 12<sup>th</sup> day of December, 2023.**

---

**Harry Lee Arnold Jr., Mayor**

**Erecka L. Gibson, Vice Mayor**

**William Steinmetz**  
*Ward 1*

*Council Members*  
**Diane Harrison**  
*Ward 2*

**Grant Mazzarino**  
*Ward 3*

**Ryan Tibbens**  
*Ward 4*

**Keith R. Dalton**  
*Town Manager*

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Called Meeting**  
**December 21, 2023**  
**3:00 p.m.**

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

**Staff:** Present—Keith Dalton, Town Manager; Paul Culp, Town Clerk

**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.

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

**3. Closed Session**

Vice Mayor Gibson moved that the Council of the Town of Berryville enter closed session in accordance with §2.2-3711-A-29 of the Code of Virginia for discussion of a public contract involving the expenditure of public funds. The motion passed by unanimous voice vote, and the Council entered closed session at 3:02 p.m.

**4. Open Session**

The Council returned to open session at 3:16 p.m. on the following motion:

Vice Mayor 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 authorize the Town Manager to take the following actions concerning IFB #2023-03:

- enter into a contract with the low responsive responsible bidder, and
- execute all contract documents required to secure the services required by the project.

**5. Adjourn**

The Council adjourned at 3:18 p.m. by unanimous roll-call vote on a motion by Mr. Steinmetz.

## Notice of Special Meeting

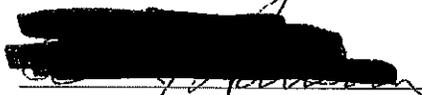
The Council of the Town of Berryville, Virginia will hold a special meeting on December 21, 2023 at 3:00 p.m., in the Berryville-Clarke County Government Center, 101 Chalmers Court, Berryville, VA.

By affixing my signature to this notice, I acknowledge that I have received notice of the special meeting, as required by Section 3.12 of the Town Charter.

  
\_\_\_\_\_  
Harry Lee Arnold, Jr., Mayor

  
\_\_\_\_\_  
Erecka L. Gibson, Vice Mayor

  
\_\_\_\_\_  
William Steinmetz, Ward 1

  
\_\_\_\_\_  
Diane Harrison, Ward 2

  
\_\_\_\_\_  
Grant Mazzarino, Ward 3

  
\_\_\_\_\_  
Ryan Tibbens, Ward 4

**Town of Berryville**  
**Town Council**  
**MOTION TO ENTER CLOSED SESSION**

Date: December 21, 2023

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 for discussion of the award of a public contract involving the expenditure of public funds.

VOTE:

Aye: *Unanimous voice vote*

Nay:

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

*[Redacted Signature]*  
Erecka L. Gibson, Vice Mayor

TOWN COUNCIL  
MOTION  
CLOSED SESSION RESOLUTION

DATE: December 21, 2023

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: *Y*

Aye: *Unanimous roll-call vote*

Nay:

Absent/Abstain:

ATTEST: 

Erecka Gibson, Vice Mayor

**BERRYVILLE TOWN COUNCIL PERSONNEL, APPOINTMENTS, AND POLICY COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**December 18, 2023**

---

A meeting of the Berryville Town Council Personnel, Appointments, and Policy Committee occurred at 2:00 p.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:**

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

Staff participating: Jean Petti, Deputy Town Manager; Paul Culp, Town Clerk

Also present: Planning Commission applicants William Gilpin, Dana Libby, and Tim Sinclair

**1. Call to Order**

Mayor Arnold called the meeting to order at 2:00 p.m.

**2. Approval of Agenda**

Vice Mayor Gibson moved to approve the agenda. The motion passed by consensus.

**3. Closed Session**

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

The committee entered closed session at 2:02 p.m. and returned to open session at 4:14 p.m. upon the approval of the **attached** motion and resolution read by Vice Mayor Gibson.

Mayor Arnold said the committee had now interviewed three candidates for appointment to the Planning Commission and would offer its recommendation of appointees for the two vacant seats when the full Council conducts its January meeting.

The mayor also said that long-time Clarke County Parks and Recreation Advisory Board member Ronnie Huff was nearing the end of his term and that the Town would verify whether he wished to

continue and would recommend another individual to the Board of Supervisors if Mr. Huff did not wish to remain in office.

**4. Other**

No other business came before the committee.

**5. Adjourn**

The meeting adjourned by consensus at 4:16 p.m. on a motion by Vice Mayor Gibson.

VM

Town of Berryville

Town Council

MOTION TO ENTER CLOSED SESSION

Date: December 18, 2023

MOTION BY: Gibson

SECOND BY:

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

VOTE:

Aye: Unanimous voice vote

Nay:

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

Erecka L. Gibson, Vice Mayor

**BERRYVILLE TOWN COUNCIL PERSONNEL COMMITTEE**

**MOTION**

**CLOSED SESSION RESOLUTION**

DATE: December 18, 2023

MOTION BY: *Gibson*

SECOND BY:

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

**Resolution**

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

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

VOTE:

Aye: *Unanimous roll-call vote*

Nay:

Absent/Abstain:

ATTEST: 

Erecka L. Gibson, Vice Mayor

**BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**December 19, 2023**

---

A meeting of the Berryville Town Council Streets and Utilities Committee was held on Tuesday, December 19, 2023 at 3:00 p.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

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

**Staff present:** Jean Petti, Deputy Town Manager; Christy Dunkle, Community Development Director; Rick Boor, Public Works Director; Paul Culp, Town Clerk; Chief of Police Neil White

**1. Call to Order**

Ms. Harrison called the meeting to order at 3:00 p.m.

**2. Approval of Agenda**

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

**3. Construction Standards Revision and Street Lighting**

Ms. Dunkle noted a change in the manufacturer of meter boxes, and referenced the committee's previous discussion of the change from PVC water pipes to ductile iron ones. Mr. Boor said the latter are far more durable, easier to repair, and now more readily available, and that the cost difference of \$20 per foot would be borne by developers, not by the Town.

The committee then discussed street lighting. Ms. Dunkle said Rappahannock Electric Cooperative had no specific requirements for spacing of lights, and Ms. Harrison said the level of brightness on the other hand is fixed.

There was a discussion of street light placement for intersections, mid-block locations, and cul-de-sacs. The consensus of the members and staff was that needs could vary according to location and circumstance and that the Town should therefore establish a minimum distance of two hundred to three hundred feet between lights and allow REC to determine spacing within the parameters set by that standard.

There was a brief discussion of street design requirements.

#### **4. Proposed Truck Route**

Ms. Petti said the proposals for signage discussed in the previous meeting had been sent to the traffic engineer for review.

#### **5. Other**

Ms. Petti said she had been researching the features and costs of prefabricated public restrooms for the park, and briefly reviewed some of the features of various products. She said implementation should wait until the refurbishment of the livery stable is farther along.

There was a discussion of work in progress at 23 Main Street. Ms. Petti said a new storm window had been ordered, some glass replaced, and estimates sought for HVAC for the second floor, and that more lighting, space heaters, and the construction of a vestibule were planned.

#### **7. Adjournment**

The meeting adjourned by consensus at 4:01 p.m. on a motion by Mr. Tibbens.

## Town Council Agenda Item Report Summary

January 9, 2024

### Item Title

Resolution – Secondary Street Acceptance into VDOT Urban System

### Prepared By

Christy Dunkle

---

### Background/History/General Information

In order to bring streets into the public street system and maintenance program, localities are required to request acceptance from the Commonwealth Transportation Board (CTB). Once this action has been approved by the CTB, the Town will receive maintenance funds from the state for lane miles identified in the submittal. The Town currently receives quarterly payments of approximately \$158,000.

### Findings/Current Activity

Staff has completed paperwork for the addition of the following streets into the VDOT Urban Highway System and Maintenance Inventory:

#### *Fellowship Square and Shenandoah Crossing*

- a portion of Fairfax Street
- Harper Drive
- McCormick Court
- Petal Drive
- Pulliam Court
- Weeks Court
- Wilson Drive

#### *Hermitage Phase V*

- Alexander Drive
- a portion of Dunlap Drive
- Jones Court
- Norris Street
- a portion of Tyson Drive

#### *Jack Enders Boulevard*

- a portion of Jack Enders Boulevard

**Financial Considerations**

The Town will receive lane mileage reimbursement funds from VDOT once the request has been approved by the CTB.

**Schedule/Deadlines**

The documentation must be submitted by the Town of Berryville to the residency by February 1, 2024 in order to be considered at the next CTB meeting.

**Other Considerations**

N/A

**Recommendation**

Adopt the resolution as presented.

**Sample Motion**

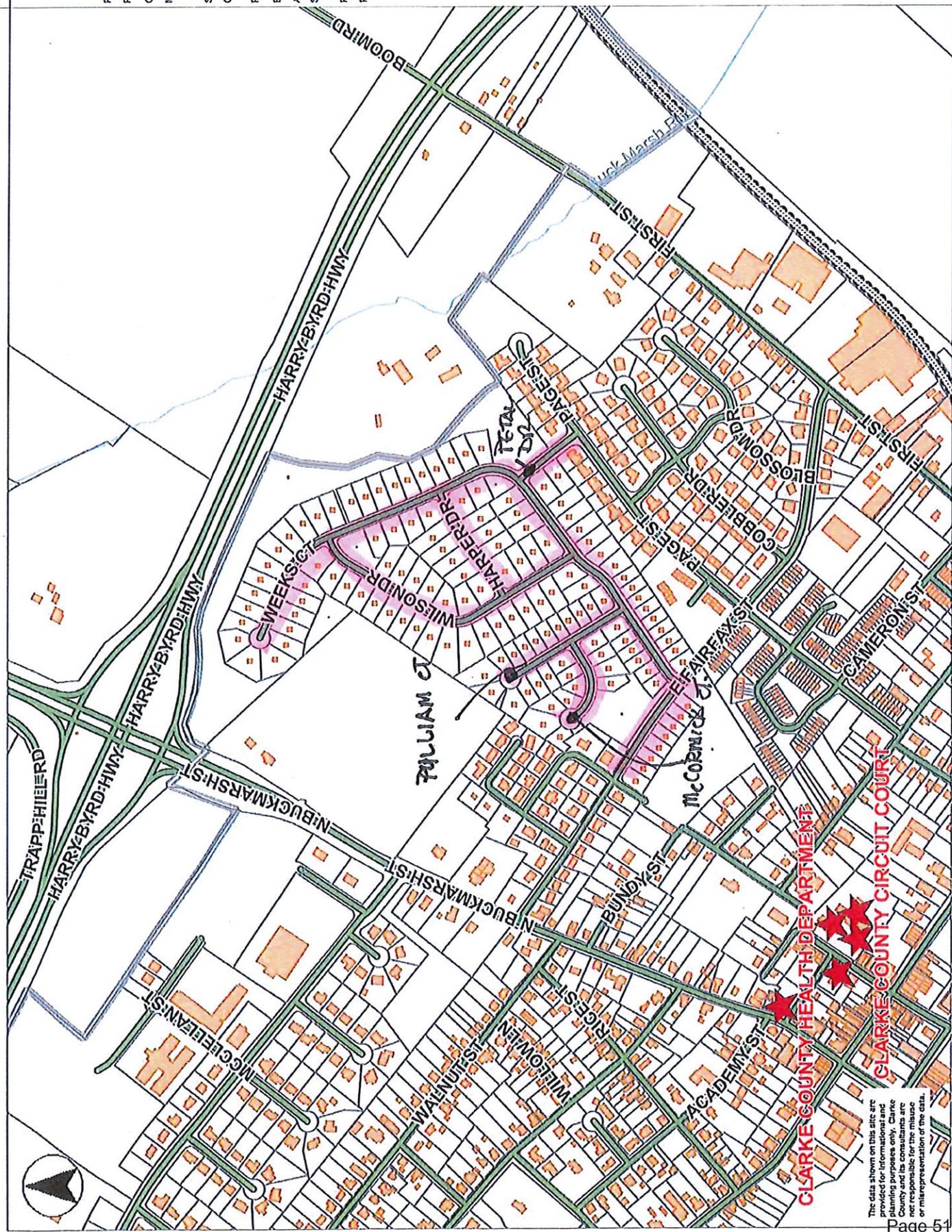
I move that the Council of the Town of Berryville adopt the attached resolution in order to request acceptance of the streets identified in the resolution into the VDOT Urban Highway System and Maintenance Inventory.

**Attachments**

- Vicinity maps
- Resolution requesting acceptance of the above streets into the VDOT Urban Highway System and Maintenance System



- Public
- Parcels
- Clarke County Boundary
- Major Roads
- US Interstate
- US Highway
- State Highway
- Surrounding Counties Open
- Clarke County Roads
- Private Roads
- Roads
- Rail
- Buildings
- Appalachian Trail
- Streams
- Perennial Streams
- Intermittent Streams
- Ponds
- Rivers



The data shown on this site are provided for informational and planning purposes only. Clarke County and its consultants are not responsible for the misuse or misrepresentation of the data.

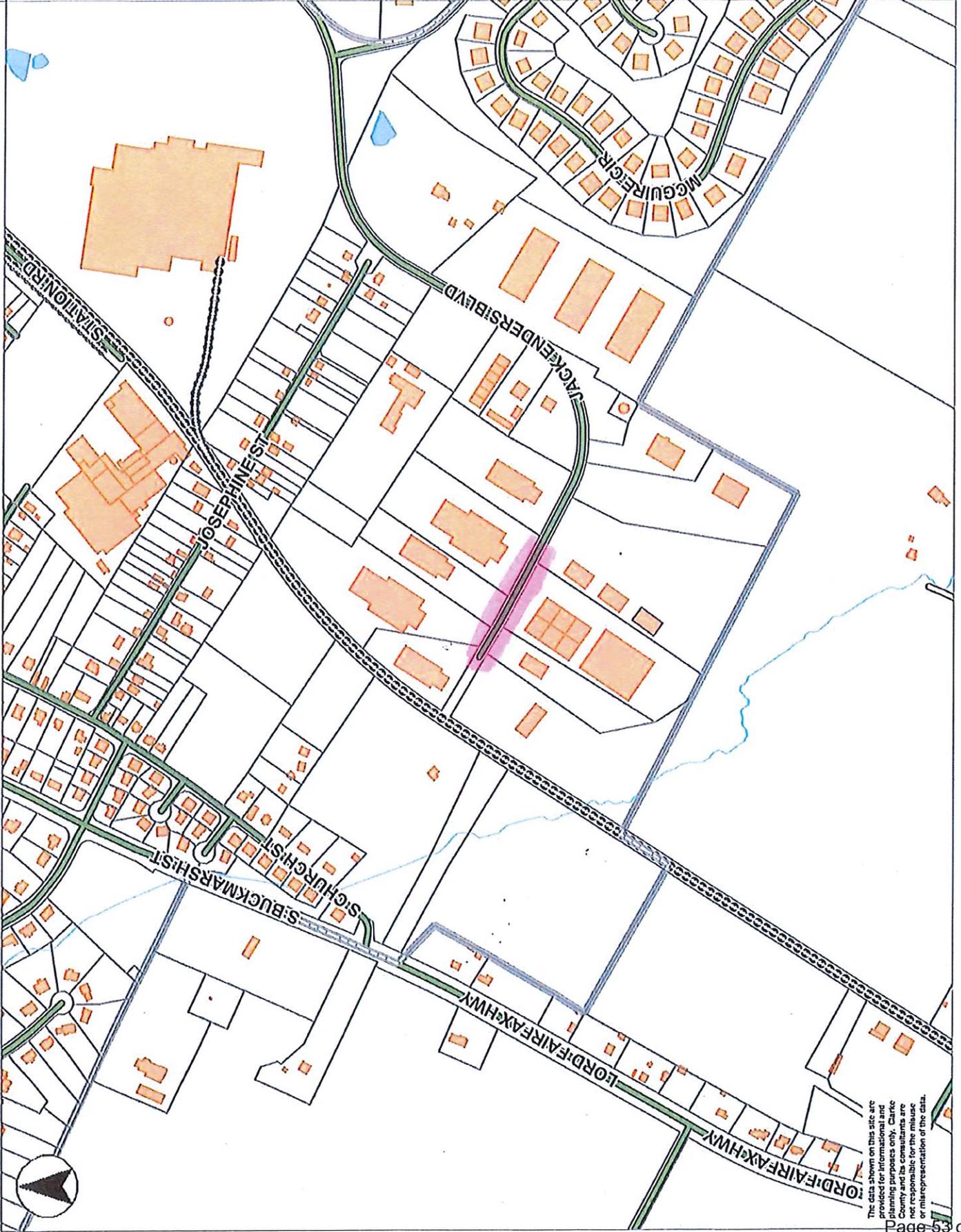


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- Public
- Parcels
- Clarke County Boundary
- Major Roads
- US Highway
- State Highway
- Surrounding Counties Ops
- Clarke County Roads
- Private Roads
- Roads
- Rail
- Buildings
- Association Trail
- Streams
- Perennial Streams
- Intermittent Streams
- Ponds
- Rivers



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



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**TOWN OF  
BERRYVILLE  
VIRGINIA**

**RESOLUTION OF GOVERNING BODY OF THE TOWN OF BERRYVILLE**

The governing body of the Town of Berryville, Virginia, consisting of six members, in a duly called meeting held on the 9<sup>th</sup> day of January, 2024 at which a quorum was present, RESOLVED as follows:

**A RESOLUTION: REQUESTING ACCEPTANCE OF ALEXANDER DRIVE, HARPER DRIVE, JONES COURT, McCORMICK COURT, NORRIS STREET, PETAL DRIVE, PULLIAM COURT, WEEKS COURT, WILSON DRIVE AND PORTIONS OF FAIRFAX STREET, TYSON DRIVE, DUNLAP DRIVE, AND JACK ENDERS BOULEVARD INTO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) URBAN HIGHWAY SYSTEM AND MAINTENANCE INVENTORY**

WHEREAS, the streets referenced above have been completed and are now eligible for VDOT maintenance funding; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Berryville, Virginia hereby requests VDOT to accept the streets referenced above as identified on the attached U-1 forms and accompanying documentation into the Urban Highway System and Maintenance Inventory for maintenance payments in accordance with § 33.1-41.1 of the Code of Virginia, 1950 as amended.

Passed this 9<sup>th</sup> day of January, 2024.

THE TOWN OF BERRYVILLE

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

By: Harry Lee Arnold, Jr., Mayor

**CERTIFICATION**

I hereby certify that the above resolution was duly adopted by the Council of the Town of Berryville, in a duly assembled meeting on the 9<sup>th</sup> day of January, 2024.

\_\_\_\_\_  
Erecka L. Gibson, Vice Mayor

**Harry Lee Arnold, Jr.**  
Mayor

**Erecka L. Gibson**  
Vice Mayor

**Council Members**

**William Steinmetz**  
Ward 1

**Diane Harrison**  
Ward 2

**Grant Mazzarino**  
Ward 3

**Ryan Tibbens**  
Ward 4

**Keith R. Dalton**  
Town Manager

## **Report of the Department of Public Works January 3, 2024**

### **General Information**

Leaf collection was extended until January 5. Public Works personnel will also clean leaves out of gutter pans and drop inlets (stormwater).

Snow is in the forecast for January 6 & 7. Snow removal equipment has been inspected and tested and will be ready to go onto service if needed.

### **Water**

We experienced one water break this past month. The water lateral that supplies service for a Crow Street occupancy developed a leak.

Public Works personnel excavated and found the connection on the Town side of the meter setter had ruptured. The restored the water supply. The leak was repaired and service restored to the customer.

The Rockcroft Water Improvement Upgrade Project was completed last month. Public Works personnel will need to return in the spring and take care of any soil restoration or ground settlement that may occur. All affected homeowners have received a letter informing them Public Works will be addressing any restoration matters in the spring.

### **Sewer**

The new pump station on Osborne Street was completed last month. The project had been delayed because a vital part could not be procured in a timely manner. The Town's engineer will inspect the station on January 4 and if all is in order, we will apply for the DEQ certificate to operate. Once that approval has been granted, the station will be placed in service.

**Public Utilities Department Report**  
**9 January 2024**

**Item Title:** Department Update

**Prepared By:** Jean Petti

**Water Treatment Plant Activity**

Staff continues twice monthly meetings with engineers and VDH staff to pursue additional remedial action for disinfection by-products (DBP) and other constituents.

The backup generator has been inspected and fitted with new belts, batteries, filters, and coolant to be ready for winter storms.

The addition of in-line valves is scheduled for this month in preparation for the replacement of finish pumps.

One of our river pumps faulted (failed to run) mid-December. This has been a persistent problem, and in the past required pump replacement ( $\geq$ \$7,000). Last year, additional screening and overheating safeguards were installed and, in this instance, prevented damage to the pump. After cleaning, the pump was restored to full functionality. Thank you to Director Boor and the Public Works Department for your assistance.

**Wastewater Treatment Plant Activity**

Discharge sluice gates on membrane trains #1-2 required repair after becoming nonfunctional in a closed position, preventing maintenance cleans. Operators were able to partially disassemble and manually lift the gates until repair parts could be machined. Membrane efficacy was restored within ten days and all sluice gates are now operational. Again, thank you to Public Works for your assistance.

The 92' long sludge conveyor belt was replaced. This belt was sourced summer 2023, but fabrication of new rollers and availability of an installer created delay.

**Department General Activity**

There are (3) three vacancies in the department. IES has provided us with a full-time Class 1 operator at the wastewater treatment plant as we seek additional staff.

**Attachments:** None

## Town Council Agenda Item Report Summary

January 9, 2024

### Item Title

Community Development Update

### Prepared By

Christy Dunkle

---

### Planning Commission

The Planning Commission held a meeting on Tuesday, November 28, 2023. They continued the following public hearing:

**Friant Enterprises #1, LLC; Friant Enterprises #2, LLC; Friant Enterprises #3, LLC (Owners) (Tony Free, Vice President, DR Horton, Inc., Agent) are requesting a rezoning of the properties identified as 14-A-80 and 14-A-112 consisting of approximately 100 acres. The properties are currently zoned OSR Open Space Residential; DR-1 Detached Residential-1; DR-2 Detached Residential-2; and BP Business Park. The proposed zoning for a portion of the properties identified above is DR-4 Detached Residential-4. RZ 01-23**

Action was deferred to their next meeting which is scheduled for Tuesday, January 23, 2024 at 7:00 p.m. per the applicant's request.

### Berryville Area Development Authority

The BADA has not held a meeting since the last Council meeting. Their next meeting is scheduled for Wednesday, January 24, 2024 at 5:00 p.m.

### Architectural Review Board

The ARB held a meeting on Wednesday, January 3, 2024. They reviewed the following request:

**Dorothy P. Davis and Helena Goldberg, Agents for Descendants of Clarke County Enslaved Committee, (Clarke Parish, Owner), is requesting a Certificate of Appropriateness in order to install a statue at the property located at 110 North Buckmarsh Street, identified as Tax Map Parcel number 14A2-((A))-41, zoned R-3 Residential. *The approved the concept as presented. Additional review for fencing, signage, and lighting will occur during the development process.***

Their next meeting is scheduled for Wednesday, February 7, 2024 at 12:30 p.m.

### Tree Board

The Tree Board held their organizational meeting on Wednesday, January 3, 2024. They discussed participation in the Clarke County Farmers' Market opening day to celebrate Arbor Day and workshops on invasive species. Their next meeting is scheduled for Wednesday, April 3, 2024 at 6:00 p.m.

### Board of Zoning Appeals

The BZA has not held a meeting since the last Council meeting.

## Town Council Agenda Item Report Summary

January 9, 2024

### 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
- Final paving is anticipated this summer
- All homes have been completed
- Staff continues to meet with the developer to discuss sidewalk repairs and bond reduction
- Paving took place in September
- Request for public street acceptance is included in this packet

#### Fellowship Square Subdivision

- 50 single-family homes
- Zoned DR-4 Detached Residential
- Cluster layout
- HOA-maintained facilities
- All 50 lots are constructed
- Paving took place in September
- Request for public street acceptance is included in this packet

#### 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
- Staff continues to meet with the contractors to assure state and local compliance
- Housing construction has been completed; one lot remains bonded by the Town for grading and final stabilization
- Town staff conducted a final walkthrough for sidewalk, curb, and gutter
- Request for public street acceptance is included in this packet

# **ADMINISTRATION/FINANCE**

# Cash Balance Report

Period Ending 12/31/2023

Town of Berryville

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Bank 1	Bank of Clarke Operating Acct# 1138499	Balance
	Account	
	100-1140000-0000 B/C OPR	-\$111,407.96
	501-1140000-0000 B/C OPR	-\$91,679.44
	502-1140000-0000 B/C OPR	\$138,664.78
	<b>Bank 1</b>	<b>Total:</b>
		<b>-\$64,422.62</b>
Bank 2	Bank of Clarke NOW Acct# 1138502	Balance
	Account	
	100-1149000-0000 B/C NOW	\$9,779,240.88
	501-1149000-0000 B/C NOW	-\$648,703.44
	502-1149000-0000 B/C NOW	\$5,280,025.12
	<b>Bank 2</b>	<b>Total:</b>
		<b>\$14,410,562.56</b>
Bank 3	Bank of Clarke Payroll Acct# 1139510	Balance
	Account	
	100-1121000-0000 CASH/ BC PAYROLL	\$39,669.24
	501-1121000-0000 CASH/BC PAYROLL	\$461.65
	502-1121000-0000 CASH/BC PAYROLL	\$0.00
	<b>Bank 3</b>	<b>Total:</b>
		<b>\$40,130.89</b>
Bank 4	Bank of Clarke CIP Acct# 1138405	Balance
	Account	
	100-1123000-0000 BC/CIP CD	\$1,341,992.42
	501-1123000-0000 BC/CIP	\$4,000,775.27
	502-1123000-0000 BC/CIP	\$5,079,942.33
	<b>Bank 4</b>	<b>Total:</b>
		<b>\$10,422,710.02</b>
Bank 5	Bank of Clarke SW Acct# 1138413	Balance
	Account	
	100-1128000-0000 BC/SWMGT CD	\$476,939.20
	<b>Bank 5</b>	<b>Total:</b>
		<b>\$476,939.20</b>
Bank 6	Bank of Clarke PDAF Acct# 1138421	Balance
	Account	
	100-1131000-0000 PD ASSET FORFEITURE	\$27,344.32
	<b>Bank 6</b>	<b>Total:</b>
		<b>\$27,344.32</b>
Bank 7	Bank of Clarke DSR Acct# 1138456	Balance
	Account	
	100-1124000-0000 BC/RDA DEBT SER RES	\$112,102.06
	<b>Bank 7</b>	<b>Total:</b>
		<b>\$112,102.06</b>
Bank 9	Bank of Clarke RAU Acct# 1138472	Balance
	Account	

# Cash Balance Report

Period Ending 12/31/2023

Town of Berryville  
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100-1145000-0000 BCC Rau Account		\$947.92
Bank 9		Total: \$947.92
Bank 10	Bank of Clarke VRA Reserve Acct# 6041647 Account	Balance
502-1165000-0000 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		\$90,629.66
501-1126000-0000 CASH/BC Proffers Reserve		\$0.00
502-1126000-0000 CASH/BC Proffers Reserve		\$0.00
Bank 11		Total: \$90,629.66
Bank 12	Bank of Clarke Performance Bonds Acct# 1910841 Account	Balance
100-1135000-0000 B/C PERFORMANCE BONDS		\$11,301.33
Bank 12		Total: \$11,301.33
Bank 13	TRUIST Acct# 5137523525 Account	Balance
100-1130000-0000 CASH/TRUIST		\$567,065.67
501-1130000-0000 CASH/TRUIST		-\$664.79
502-1130000-0000 CASH/TRUIST		-\$496.76
Bank 13		Total: \$565,904.12
Bank 14	Bank of Clarke PD Contributions Acct# 5759859 Account	Balance
100-1133000-0000 PD Contributions		\$6,018.04
Bank 14		Total: \$6,018.04
<b>Total Cash Balance:</b>		<b>\$26,570,167.50</b>

## Check Listing

Date From: 12/1/2023 Date To: 12/31/2023  
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville  
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Check Number	Bank	Vendor	Date	Amount
8638	1	STULTZ AMY VIRGINIA 7743	12/21/2023	\$40.89
8639	1	SULLIVAN BRIAN EDWARD 3273	12/21/2023	\$25.00
8640	1	Sunbelt Rentals	12/21/2023	\$492.50
8641	1	The Hall Company	12/21/2023	\$2,827.83
8642	1	THE POLICE AND SHERIFFS PRESS	12/21/2023	\$17.60
8643	1	The Power Connection, Inc.	12/21/2023	\$2,339.65
8644	1	Treasurer of Frederick County	12/21/2023	\$5,890.28
8645	1	TURNER YASMINE WANDA ANN 9958	12/21/2023	\$38.15
8646	1	VIRASEC IT Support Services, Inc.	12/21/2023	\$2,549.37
8647	1	WILLIAMS LARRY A 11408	12/21/2023	\$85.00
8648	1	WILLIS JAMES BRIAN REECE 9349	12/21/2023	\$358.30
8649	1	WILLIS JAMES BRIAN REECE 9595	12/21/2023	\$42.30
8650	1	ARMACOST IVAN R JR 3069	12/27/2023	\$25.82
8651	1	AUGUSTA ACTUATION LLC	12/27/2023	\$8,508.00
8652	1	BALCHS TRANSMISSION SERVICE	12/27/2023	\$102.05
8653	1	Carroll Construction Co.	12/27/2023	\$23,764.10
8654	1	JOHN SHEPPARD CAMPBELL	12/27/2023	\$139.95
8655	1	Marsh & Legge Land Surveyors, P.L.C.	12/27/2023	\$1,100.00
8656	1	MICHELLE MARINO	12/27/2023	\$80.98
8657	1	Minnesota Life Insurance Co.	12/27/2023	\$252.59
8658	1	PENNONI ASSOCIATES INC	12/27/2023	\$7,483.27
8659	1	The Hall Company	12/27/2023	\$1,584.89

117	Checks Totalling	\$152,171.73
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### Totals By Fund

	Checks	Voids	Total
100	\$63,335.68		\$63,335.68
501	\$44,675.72		\$44,675.72
502	\$44,160.33		\$44,160.33
<b>Totals:</b>	<b>\$152,171.73</b>		<b>\$152,171.73</b>

## Check Listing

Date From: 12/1/2023 Date To: 12/31/2023  
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville  
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Check Number	Bank	Vendor	Date	Amount
8520	1	BABAIIE JAFAR & KAREN S 415	12/06/2023	\$1,068.10
8521	1	CONSOLIDATED ELECTRIC	12/06/2023	\$2,522.00
8522	1	CORE & MAIN LP	12/06/2023	\$3,117.50
8523	1	DALTON NATHAN E & REBECCA L 8303	12/06/2023	\$905.40
8524	1	DONOVAN SEAN 11307	12/06/2023	\$1,499.60
8525	1	GREEN HILL CEMETARY OF CLARKE CO 4441	12/06/2023	\$20.00
8526	1	INBODEN ENVIRONMENTAL SVCS	12/06/2023	\$8,870.00
8527	1	MAY GREGORY ALLEN 10533	12/06/2023	\$28.51
8528	1	Michelle M. Jones	12/06/2023	\$1,600.00
8529	1	Minnesota Life Insurance Co.	12/06/2023	\$194.13
8530	1	REPUBLIC SERVICES # 976	12/06/2023	\$4,838.73
8531	1	RIDDLEBERGER BROTHERS	12/06/2023	\$6,326.00
8532	1	SEAN DONOVAN	12/06/2023	\$1,630.07
8533	1	THOMSON REUTERS	12/06/2023	\$104.00
8534	1	Treasurer of Clarke County	12/06/2023	\$1,769.02
8535	1	Treasurer of Virginia	12/06/2023	\$1,487.13
8536	1	VRSA Virginia Risk Sharing Association	12/06/2023	\$4,985.00
8537	1	ANDERSON LAWN CARE, INC.	12/13/2023	\$600.00
8538	1	AT&T	12/13/2023	\$466.85
8539	1	BARDALES CORTEZ IVAN ALEXANDER 10563	12/13/2023	\$27.54
8540	1	BELTZ MICHBLE LEIGH 7232	12/13/2023	\$27.34
8541	1	Broy & Son Pump Service, Inc	12/13/2023	\$1,040.00
8542	1	COMBS WASTEWATER MANAGEMENT LLC	12/13/2023	\$75.00
8543	1	Commonwealth Engineering & Sales	12/13/2023	\$700.50
8544	1	CORE & MAIN LP	12/13/2023	\$1,101.01
8545	1	Dennis Inspection, Inc.	12/13/2023	\$1,800.00
8546	1	DEVLIN ALEXANDER LEIGH 8954	12/13/2023	\$31.18
8570	1	BYLES WILLIAM HERBERT 10753	12/13/2023	\$47.37
8571	1	FRAZIER & FRAZIER INC	12/13/2023	\$1,067.50
8572	1	FRONT ROYAL FORD	12/13/2023	\$7,500.24
8573	1	Hall, Monahan, Engle, Mahan & Mitchell	12/13/2023	\$537.50
8574	1	HUMMER KEVIN KEITH 3619	12/13/2023	\$46.86

## Check Listing

Date From: 12/1/2023 Date To: 12/31/2023  
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville  
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Check Number	Bank	Vendor	Date	Amount
8575	1	IBRAHIM MOHAMMED ACQUAH 10424	12/13/2023	\$609.00
8576	1	INBODEN ENVIRONMENTAL SVCS	12/13/2023	\$1,925.63
8577	1	Jean Pettl	12/13/2023	\$50.00
8578	1	Keith Dalton	12/13/2023	\$50.00
8579	1	KELLY CHARLES N 6190	12/13/2023	\$44.06
8580	1	MITCHELL KATHLEEN M 6713	12/13/2023	\$27.06
8581	1	RADIAL TIRE DISTRIBUTORS	12/13/2023	\$558.16
8582	1	Red Bud Supply	12/13/2023	\$41.85
8583	1	SHENDOW CAMRYN GRAY 11849	12/13/2023	\$27.64
8584	1	Southern Police Equipment	12/13/2023	\$6,000.00
8585	1	The Winchester Star	12/13/2023	\$285.45
8586	1	Virginia Municipal Clerks Association	12/13/2023	\$30.00
8587	1	VUPS	12/13/2023	\$377.45
8588	1	Waterloo Electric Service, LLC	12/13/2023	\$456.64
8589	1	Wilson's Asphalt Maint, L.C.	12/13/2023	\$7,040.00
8590	1	ANDERSON KATHERINE-MYLAN 9628	12/21/2023	\$40.15
8591	1	BECK WITH LISA EDEN 5715	12/21/2023	\$47.13
8592	1	BLOSSMAN GAS INC	12/21/2023	\$867.84
8593	1	BOUTCHER MELANIE A 5733	12/21/2023	\$25.00
8594	1	BRACKEN-PENLEY KAREN C 3582	12/21/2023	\$36.44
8595	1	BROOKS SCOTT G 1086	12/21/2023	\$241.60
8596	1	CAMACHO PEREZ GUALBERTO CARLO 7144	12/21/2023	\$33.80
8597	1	CAMACHO-PEREZ GUALBERTO CARLOS 8284	12/21/2023	\$184.24
8598	1	CHAFFIN CAROL ANN 8639	12/21/2023	\$32.59
8599	1	CHRESOHO AGLAIA 2821	12/21/2023	\$26.44
8600	1	COLGER AMBER LYNN 7806	12/21/2023	\$30.03
8601	1	Commercial Press Inc	12/21/2023	\$179.63
8602	1	COOPER DANIEL DAVID & 10174	12/21/2023	\$293.50
8603	1	CORIA CHAPARRO MARCO ANTONIO 7538	12/21/2023	\$26.50
8604	1	CRUTCHFIELD HILLARY ANN 4965	12/21/2023	\$31.16
8605	1	D R HORTON INC 10081	12/21/2023	\$85.00
8606	1	DAVIS AARON & JENNIFER 10179	12/21/2023	\$365.70

## Check Listing

Date From: 12/1/2023 Date To: 12/31/2023  
Vendor Range: I-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville  
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Check Number	Bank	Vendor	Date	Amount
8607	1	DEVLIN ALEXANDER L 9240	12/21/2023	\$237.90
8608	1	Duncan Parking Technologies, Inc.	12/21/2023	\$3,038.42
8609	1	ECO PEST SOLUTIONS LLC 6169	12/21/2023	\$27.16
8610	1	ESSEX MEGAN ELISE 10751	12/21/2023	\$38.56
8611	1	FISHER RICHARD CRAIG & JENNIFER KERSEY 10383	12/21/2023	\$387.10
8612	1	FRASER DIANA LOUISE TRUSTEE 11316	12/21/2023	\$278.50
8613	1	GALATI KRISTIE ANN-MARIE 9740	12/21/2023	\$347.94
8614	1	GALLAGHER ANNE 10303	12/21/2023	\$195.80
8615	1	GRUBB-MCCLEMENS HEIDI & BRIAN 311	12/21/2023	\$378.90
8616	1	HONAKBR ROBERT MICHAEL & 10213	12/21/2023	\$429.50
8617	1	Instrulogic Corporation	12/21/2023	\$3,940.50
8618	1	JIMMY YOUNG	12/21/2023	\$207.24
8619	1	Joiner Micro Laboratories, Inc.	12/21/2023	\$121.00
8620	1	MAXFIELD DANIEL REX 11423	12/21/2023	\$85.00
8621	1	MCCLAFFERTY LESLIE I 4514	12/21/2023	\$28.27
8622	1	MEDINA RODRIGO GERMAN RIVERO 10399	12/21/2023	\$325.50
8623	1	MICHELS RYAN P 8383	12/21/2023	\$147.90
8624	1	MILES TERRI ANN TOLITHA 9448	12/21/2023	\$325.70
8625	1	MILLER JASON P 6711	12/21/2023	\$32.50
8626	1	MONTALVO REYES DAVID 11433	12/21/2023	\$228.70
8627	1	NAECKER LOUIS T & MARGARET M 52	12/21/2023	\$396.60
8628	1	NEWBY JASON TYLER 11429	12/21/2023	\$85.00
8629	1	PEACOCK STAR SERVICES	12/21/2023	\$2,875.00
8630	1	PENNONI ASSOCIATES INC	12/21/2023	\$2,278.00
8631	1	RAMOS RAFAEL A & MARLENE M 437	12/21/2023	\$463.30
8632	1	ROHDE SHAUN PAUL 10028	12/21/2023	\$441.10
8633	1	SCHENK HANS 10363	12/21/2023	\$255.50
8634	1	SLOANE LOUIS R & MARY L 242	12/21/2023	\$59.00
8635	1	SMATHERS THOMAS LESTER 10357	12/21/2023	\$389.40
8636	1	SNYDER EMILY ELIZABETH 7442	12/21/2023	\$28.85
8637	1	STEINMETZ WILLIAM M 1371	12/21/2023	\$245.60



**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.

<b>Customer Service:</b>	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)

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**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, 2023 - December 31, 2023  
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<b>Cardholder Activity Summary</b>				
<i>Account Number</i>	<i>Credits</i>	<i>Cash</i>	<i>Purchases and Other Debits</i>	<i>Total Activity</i>
<b>BOOR, RICK</b> ██████████ 15,000	0.00	0.00	6,320.07	6,320.07
<b>BOOTH, KEVIN</b> ██████████ 1,000	0.00	0.00	350.20	350.20
<b>BRISTOL, TIM</b> ██████████ 6,000	0.00	0.00	299.00	299.00
<b>BUSSERT, ERNIE</b> ██████████ 47,688	0.00	0.00	1,933.38	1,933.38
<b>COLE, HEIDI</b> ██████████ 50,000	0.00	0.00	44,117.85	44,117.85
<b>CULP, PAUL</b> ██████████ 6,000	0.00	0.00	84.98	84.98
<b>DALTON, KEITH</b> ██████████ 50,000	0.00	0.00	20,000.00	20,000.00
<b>ELLIOTT, RALPH</b> ██████████ 5,000	0.00	0.00	1,390.46	1,390.46
<b>FERREBEE, DARRELL</b> ██████████ 600	0.00	0.00	138.00	138.00
<b>GRIFFITH, RICHARD A</b> ██████████ 600	0.00	0.00	266.42	266.42
<b>JOHNSON, KAREN</b> ██████████ 1,000	0.00	0.00	694.91	694.91
<b>LAMBERT, TRAE</b> ██████████ 600	0.00	0.00	18.60	18.60
<b>LINK, BRIAN</b> ██████████ 6,000	0.00	0.00	124.33	124.33
<b>MCGORMICK, HARRY</b> ██████████ 500	0.00	0.00	93.08	93.08
<b>PETTI, JEAN</b> ██████████ 50,000	0.00	0.00	20,828.77	20,828.77
<b>POULIN, CYNTHIA</b> ██████████ 6,000	0.00	0.00	816.83	816.83
<b>SHARP, BRIAN</b> ██████████ 600	0.00	0.00	166.39	166.39
<b>SHEETZ, CULLEN</b> ██████████ 500	0.00	0.00	484.94	484.94
<b>STOVER, KEITH</b> ██████████ 6,000	0.00	0.00	330.84	330.84
<b>WEATHERHOLT, EUGENE W</b> ██████████ 500	0.00	0.00	212.02	212.02
<b>WHITE, NEAL</b> ██████████ 15,000	0.00	0.00	2,659.65	2,659.65

**BERRYVILLE TOWN OF**

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Transactions						
Posting Transaction	Date	Description	Reference Number	MCC	Charge	Credit
<b>BERRYVILLE TOWN OF</b>						<b>Total Activity</b>
Account Number:						<b>-\$108,433.40</b>
12/22 12/22		AUTO PAYMENT DEDUCTION		0071		108,433.40
<b>BOOR, RICK</b>						<b>Total Activity</b>
Account Number:						<b>6,320.07</b>
12/18 12/15		BERRYVILLE TRUE VALUE BERRYVILLE VA	24801973350091400000042	6251	20.01	
12/20 12/19		BROY & SON PUMP SERVICE 540-9553928 VA	24073143335900013900010	1799	1,012.50	
12/29 12/28		CORE & MAIN - WV004 304-263-6986 WV	24445003362300575353274	5074	3,519.72	
12/29 12/28		CORE & MAIN - WV004 304-263-6986 WV	24445003362300575353357	6074	1,787.84	
<b>BOOTH, KEVIN</b>						<b>Total Activity</b>
Account Number:						<b>350.20</b>
12/04 12/01		BERRYVILLE TRUE VALUE BERRYVILLE VA	24801973336091402000072	5251	7.34	
12/04 12/01		BERRYVILLE TRUE VALUE BERRYVILLE VA	24801973336091402000197	5251	8.08	
12/04 12/02		COSTCO WHSE #0239 WINCHESTER VA	24943003337898002024920	5300	42.10	
12/12 12/11		FISHER AUTO PARTS 009 BERRYVILLE VA	24431063346200024700104	5533	224.00	
12/13 12/12		FISHER AUTO PARTS 009 BERRYVILLE VA	24431063347200824800143	5533	23.14	
12/27 12/26		BERRYVILLE TRUE VALUE BERRYVILLE VA	24801973361091400000155	5251	25.46	
12/29 12/28		BERRYVILLE AUTO PARTS 540-9551292 VA	24327433362884300897194	5533	20.00	
<b>BRISTOL, TIM</b>						<b>Total Activity</b>
Account Number:						<b>299.00</b>
12/19 12/18		NJ CRIMINAL 402-935-7733 NJ	24492153352852673298125	8244	299.00	
<b>BÜSSERT, ERNIE</b>						<b>Total Activity</b>
Account Number:						<b>1,933.38</b>
12/08 12/07		Amazon.com*N18TF1F33 Amzn.com/billWA	24692163341104256175398	5942	162.72	
12/26 12/23		USABlueBook 847-3775150 GA	24793383357000551579055	5085	716.00	
12/26 12/23		USABlueBook 847-3775150 GA	24793383357001356314052	5085	159.95	
12/26 12/26		MCMMASTER-CARR 630-834-9800 IL	24789303361878000091253	5085	73.37	
12/28 12/27		USABlueBook Atlanta GA	24793383361001371462054	5085	821.34	
<b>COLE, HEIDI</b>						<b>Total Activity</b>
Account Number:						<b>43,117.85</b>
12/04 12/01		USPS PO 5107660300 BERRYVILLE VA	24137463336001625290779	9402	264.00	
12/13 12/13		COMCAST 800-COMCAST MD	24692163347109782041773	4899	160.79	
12/19 12/18		RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231683352747006327419	4900	10,000.00	
12/19 12/18		RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231683352747006328532	4900	10,000.00	
12/19 12/18		RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231683352747006330405	4900	8,487.22	
12/20 12/19		REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941683353083742170406	4900	9,893.71	
12/20 12/19		REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941683353083729967055	4900	2,970.00	
12/26 12/23		VZWRLSS*MY VZ VB P 800-922-0204 FL	24692163357108256430110	4814	1,597.69	
12/29 12/28		VERIZON BILL PAYMENT 800-VERIZON FL	24692163362109816826507	4814	480.38	
12/29 12/28		VERIZON BILL PAYMENT 800-VERIZON FL	24692163362109816826523	4814	264.05	
<b>CULP, PAUL</b>						<b>Total Activity</b>
Account Number:						<b>84.99</b>
12/04 12/03		STAPLS7620704476000001 877-8267755 NJ	24164073337105489849277	5111	49.04	
12/28 12/27		AMZN Mkip US*IR6U37RJ3 Amzn.com/billWA	24692163361109285287871	5942	35.94	
<b>DALTON, KEITH</b>						<b>Total Activity</b>
Account Number:						<b>20,000.00</b>
12/20 12/19		REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941683353083740664749	4900	10,000.00	
12/20 12/19		REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941683353083732805458	4900	10,000.00	
<b>ELLIOTT, RALPH</b>						<b>Total Activity</b>
Account Number:						<b>1,390.40</b>
12/01 11/30		BROY & SON PUMP SERVICE BERRYVILLE VA	24073143334900012700017	1799	260.00	
12/01 11/29		A SIGN PLACE/PERSONALIZE WINCHESTER VA	24223693334030038189295	5099	15.50	
12/08 12/06		A SIGN PLACE/PERSONALIZE WINCHESTER VA	24223693341030037044722	5099	1,101.00	
12/28 12/27		BERRYVILLE TRUE VALUE BERRYVILLE VA	248019733362091402000053	5251	13.96	
<b>FERREBEE, DARRELL</b>						<b>Total Activity</b>
Account Number:						<b>136.00</b>
12/05 12/04		ALTMED MEDICAL CTR- FR FRONT ROYAL VA	24493903338286693400094	8011	85.00	
12/19 12/18		BERRYVILLE AUTO PARTS 540-9551292 VA	24327433352841000482489	5533	51.00	
<b>GRIFFITH, RICHARD A</b>						<b>Total Activity</b>
Account Number:						<b>266.42</b>
12/13 12/12		FISHER AUTO PARTS 009 BERRYVILLE VA	24431063347200824800077	5533	1.35	
12/19 12/18		BERRYVILLE AUTO PARTS BERRYVILLE VA	24327433352841000482455	5533	20.00	
12/29 12/28		WAL-MART #3344 WINCHESTER VA	24226303363091006481939	5411	58.93	
12/29 12/28		TOTAL IMAGE WORKINGMANS SWINCHESTER VA	24755423363133633725065	5699	186.14	
<b>JOHNSON, KAREN</b>						<b>Total Activity</b>
Account Number:						<b>694.91</b>
12/01 11/30		SCREEN GRAPHICS MOTO/IPT 800-3464420 FL	24275393334900012414491	7399	699.32	

**BERRYVILLE TOWN OF**

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**Transactions**

Posting Transaction				Reference Number	MCC	Charge	Credit	
Date	Date	Description						
12/04	12/03	Amazon web services	aws.amazon.coWA	24692163337100711235367	7399	0.64		
12/18	12/15	USPS PO 6107560300	BERRYVILLE VA	24137463350001870898673	9402	34.95		
<b>LAMBERT, TRAE</b>							<b>Total Activity</b>	<b>18.60</b>
Account Number:								
12/04	12/01	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801973336091402000312	5251	18.60		
<b>LINK, BRIAN</b>							<b>Total Activity</b>	<b>129.33</b>
Account Number:								
12/12	12/11	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801973346091402000310	5251	98.86		
12/13	12/12	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801973347091404000051	5251	25.47		
<b>MCCORMICK, HARRY</b>							<b>Total Activity</b>	<b>93.08</b>
Account Number:								
12/13	12/12	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801973347091404000440	5251	93.08		
<b>PETTI, JEAN</b>							<b>Total Activity</b>	<b>20,028.77</b>
Account Number:								
12/04	12/01	COYNE CHEMICAL	215-785-3000 PA	24137463335300902979844	5169	1,276.91		
12/04	12/01	COYNE CHEMICAL	215-785-3000 PA	24137463335300902979927	5169	4,266.10		
12/11	12/08	FT; HOMESPUN	170-38423082 VA	24492163342000048153934	5734	30.75		
12/11	12/08	SQ *THE SWEET ELEPHANT BA	Berryville VA	24692163342105790407509	5462	30.00		
12/11	12/08	SQ *THE TEA CART	Berryville VA	24692163342105813751784	5814	30.00		
12/11	12/08	SQ *SWEET BASIL THAI	Berryville VA	24692163342105814763309	5812	30.00		
12/11	12/08	GOLDEN DRAGON CHINESE RE	BERRYVILLE VA	2476501334201000256269	5812	30.00		
12/11	12/08	CAMINO REAL MEXICAN RE	540-9554730 VA	24000973342798602130078	5812	15.00		
12/11	12/08	CAMINO REAL MEXICAN RE	540-9554730 VA	24000973342798602130086	5812	15.00		
12/11	12/08	MARIO'S PIZZA	BERRYVILLE VA	24333223343286000000903	5812	30.75		
12/11	12/08	ZEN RAMEN	BERRYVILLE VA	24036203344030039761137	5812	15.00		
12/11	12/08	ZEN RAMEN	BERRYVILLE VA	24036203344030039761145	5812	15.00		
12/12	12/11	SQ *CORDIAL COFFEE CO.	Berryville VA	24692163345108276977323	5814	30.00		
12/12	12/11	Subway 33254	Berryville VA	24793383345002265170077	5814	60.00		
12/12	12/11	FOX'S PIZZA BERRYVILLE	540-9553697 VA	24000973346811200190454	5812	30.00		
12/12	12/11	DGS DCLS WATER TEST KITS	804-7860447 VA	24755423346133468154409	8734	1,316.54		
12/12	12/12	SANTORINI GRILL	BERRYVILLE VA	24801973346091081000045	5812	30.00		
12/12	12/11	MCDONALD'S F38495	BERRYVILLE VA	24427333345720249569960	5814	30.00		
12/14	12/12	SUECATS	BERRYVILLE VA	24692163347109918427881	5812	30.00		
12/14	12/12	NEIGHBORHOOD ITALIAN K	540-2772974 VA	24000973347817601407221	5812	30.00		
12/21	12/20	REPUBLIC SERVICES TRASH	866-576-5548 AZ	24941663354083750961240	4900	6,714.11		
12/21	12/20	COYNE CHEMICAL	215-785-3000 PA	24137463354300821851062	5169	519.80		
12/21	12/20	COYNE CHEMICAL	CROYDON PA	24137463354300821851146	5169	1,550.18		
12/28	12/27	COYNE CHEMICAL	CROYDON PA	24137463361300700734133	5169	2,939.13		
12/28	12/27	COYNE CHEMICAL	CROYDON PA	24137463361300700734216	5169	1,504.20		
12/29	12/28	IN *JOINER LABS, LLC	540-3477212 VA	24692163362100333470705	8734	60.50		
<b>ROULIN, CYNTHIA</b>							<b>Total Activity</b>	<b>818.83</b>
Account Number:								
12/12	12/11	VA DMV ONLINE BILLING	PAY804-4977100 VA	24755423346133468242489	9399	375.00		
12/13	12/12	IN *TRUESHRED	888-7508783 VA	24692163346109476285153	7399	59.00		
12/13	12/12	WM SUPERCENTER #2566	CHARLES TOWN WV	24445003347400217053850	5411	118.83		
12/26	12/22	MSFT * E0100Q9NXB	MSBILL.INFO WA	24430993356400816013625	5045	6.00		
12/26	12/22	MSFT * E0100Q9YER	MSBILL.INFO WA	24430993356400816072878	5045	258.00		
<b>SHARR, BRIAN</b>							<b>Total Activity</b>	<b>156.39</b>
Account Number:								
12/29	12/28	TOTAL IMAGE WORKINGMANS	SWINCHESTER VA	24755423363133633725339	5699	156.39		
<b>SHEETZ, CULLEN</b>							<b>Total Activity</b>	<b>484.94</b>
Account Number:								
12/01	11/30	AUTOZONE #3199	WINCHESTER VA	24137463335600390336804	5533	38.96		
12/07	12/06	GIANT MARTINS #6558	BERRYVILLE VA	24692163340103679283638	5411	18.95		
12/22	12/21	BERRYVILLE FARM AND PET	SBERRYVILLE VA	24761473355027010500199	5995	75.73		
12/22	12/21	BERRYVILLE FARM AND PET	SBERRYVILLE VA	24761473355027010500157	5995	99.98		
12/27	12/26	BERRYVILLE AUTO PARTS	BERRYVILLE VA	24327433360076300850600	5533	17.67		
12/27	12/26	FISHER AUTO PARTS 009	BERRYVILLE VA	24431063361200824900027	5533	88.28		
12/28	12/27	GIANT MARTINS #6558	BERRYVILLE VA	24692163361109228003573	5411	20.16		
12/28	12/27	FISHER AUTO PARTS 009	BERRYVILLE VA	24431063362200824000108	5533	38.57		
12/28	12/27	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801973362091402000368	5251	27.42		
12/29	12/28	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801973363091404000092	5251	59.22		
<b>STOVER, KEITH</b>							<b>Total Activity</b>	<b>330.84</b>
Account Number:								
12/01	11/30	LOWES #00656*	WINCHESTER VA	24692163334108120566358	5200	195.42		
12/07	12/06	FISHER AUTO PARTS 009	BERRYVILLE VA	24431063341200824300041	5533	122.61		
12/15	12/14	FISHER AUTO PARTS 009	BERRYVILLE VA	24431063349200824000015	5533	12.81		

BERRYVILLE TOWN OF  
 December 01, 2023 - December 31, 2023  
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Transactions						
Posting Transaction						
Date	Date	Description	Reference Number	MCC	Charge	Credit
						Total Activity
WEATHERHOLT, EUGENE W						
Account Number: [REDACTED]						
12/27	12/26	CLARKE COUNTY AUTOMOTIVE BERRYVILLE VA	24247603360200118455322	7538	204.68	
12/27	12/26	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801973361091400000536	5251	7.34	
						Total Activity
WHITE, NEAL						
Account Number: [REDACTED]						
12/01	11/30	VISTAPRINT 866-207-4955 MA	24492163334719030341014	2741	100.87	
12/07	12/06	ZIPRECRUITER, INC. 855-747-5493 CA	24492153340719113821215	7361	264.00	
12/12	12/11	IACP 703-647-7279 VA	24801973345690488687485	8609	190.00	
12/12	12/11	FBI LEEDA INC 877-7727712 PA	24559303345900016382580	8398	50.00	
12/13	12/12	THOMSON WEST TCD 800-328-4800 MN	24692163346109308052126	8999	117.82	
12/13	12/12	BERRYVILLE AUTO PARTS 540-9551292 VA	24327433346015001213902	5533	1,514.49	
12/13	12/12	AT&T PAYMENT 800-331-0600 TX	24055233347812480284026	4814	288.60	
12/19	12/18	USPS PO 5107660300 BERRYVILLE VA	24137463353001795227500	9402	25.81	

**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.

Dec-23

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	\$	\$
Fund balance from first payment				\$	\$ 3,839.18

Signage

Estimated cost of these actions

- Signage	\$ 150,000.00	\$ 1,067.50	\$ 25,588.00	\$ 123,344.50	17%
- Total			\$ 26,655.50	\$	\$ 150,000.00

Fund balance from first payment

Fund balance from second payment

	\$	\$	\$ 43,344.50	\$	\$
					\$ 80,000.00

Improvements in Central Business District

Estimated cost of these actions

- Facades, signs, accessibility	\$ 250,000.00	\$ -	\$ 125,000.00	\$ 66,314.92	66%
Total			\$ 58,685.08	\$	\$ 250,000.00
Fund balance from first payment			\$ 183,685.08	\$	\$
Fund balance from second payment				\$	\$ -
				\$	\$ 66,314.92

	<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	\$ -	\$ 80,000.00	\$ -	100%
- Barns of Rose Hill	\$ 40,000.00	\$ -	\$ 40,000.00	\$ -	100%
- Housing assistance	\$ 120,000.00	\$ -	\$ 80,000.00	\$ 40,000.00	67%
- Total			\$ 200,000.00	\$ -	
Fund balance from first payment				\$ -	
Fund balance from second payment				\$ 40,000.00	
<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	\$ -	
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	\$ -	
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	\$ 26,182.00	\$ 1,328,393.00	\$ 219,220.10	47.65%
Total			\$ 1,513,272.90		\$ 3,060,886.00
Fund balance from first payment				\$ -	
Fund balance from second payment				\$ 219,220.10	

	<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	\$ -	\$ 45,055.39	\$ 284,944.61	14%
- Total		\$ -	\$ 45,055.39		\$ 330,000.00
Fund balance from first payment					\$ 94,944.61
Fund balance from second payment					\$ 190,000.00

**NOTES:**

Administrative Costs: \$ -  
Legal: \$ -

INFRASTRUCTURE COSTS:

Frazier Assoc.(Wayfinding)	\$ 1,067.50		1st Tranche	\$ 2,267,493.00
General Excavation(Josephine)	\$ -		Used to date	\$ 2,083,240.81
VA RIGGERS	\$ -		Balance	\$ 184,252.19
Kenneth Harper	\$ -		2nd Tranche	\$ 2,267,493.00
Norfolk Southern	\$ 24,952.00		Used to date	\$ 1,651,957.98
Pennoni(Osborne, Church,Josephine)	\$ 1,230.00		Balance	\$ 615,535.02
Pennoni (I&I, SSES Study)	\$ -			
Webster Nursery(Concrete walls)	\$ -			
<b>Total</b>	\$ 27,249.50			

ARPA MASTER LIST

12/12/2023

	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	\$ 23,629.85	\$ 1,370.15	100% Infra	\$ 1,370.15
4	Water Dst 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	\$ 12,458.03	\$ 12,541.97	100% Infrastr	\$ 12,541.97
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	\$ 80,000.00	\$ -	75% grant	
10	Grant to Barns of Rose Hill *	\$ 40,000.00	\$ 40,000.00	\$ -	75% grant	
11	Grant for Façade Improvement	\$ 250,000.00	\$ 183,685.08	\$ 66,314.92	60% 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	\$ 116,240.44	\$ 8,759.56	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	\$ 334,294.37	\$ 15,705.63	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)	100% Infra	\$ (2,985.85)
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 Drainoge Projects	\$ 2,280,948.10	\$ 2,112,728.88	\$ 168,219.22	30% Infra	
22	Rockcroft Water Main Abandonment	\$ 10,000.00	\$ 10,550.96	\$ (550.96)	0% Infra	
23	Security Upgrades	\$ 125,000.00	\$ 89,820.91	\$ 35,179.09	100% Infra/adml	\$ 35,179.09
24	Drainage Dorsey, Walnut, Treadwell	\$ 310,000.00	\$ 1,500.00	\$ 308,500.00	5% Infra	
25	Bel Voi and Battletown Water Main Repl	\$ -	\$ 11,612.50	\$ -	Infra	
26	Wayfinding Signs	\$ 140,000.00	\$ 26,655.50	\$ 113,344.50	0%	
27	Raw Water Intake Land-Easement Acquisition	\$ 15,000.00	\$ 7,172.50	\$ 7,827.50	50% Infra	
28	Grant Housing (3 years)	\$ 120,000.00	\$ 80,000.00	\$ 40,000.00	66%	
	Administrative /Legal Fees	\$ 60,000.00	\$ 45,055.39	\$ 14,944.61	50% AdmIn	
	Total Encumbered	\$ 4,534,986.00	\$ 3,735,198.79	\$ 799,787.21		\$ 40,292.76
	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

6

Date: 1/9/2024

**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

9

Date: 1/9/2024

**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: \$80,000.00
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	100%	Completed
4. Track use of funds: Report for SECOND pymt	50%	On Track

**Project Issues or Concerns:**

# Project Status Report

10

Date: 1/9/2024

**Project Name:**

Grant to Barns of Rose Hill

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: \$40,000.00
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	100%	Completed
4. Track use of funds -report for second pymt	50%	On Track

**Project Issues or Concerns:**

# Project Status Report

Date: 1/9/2024

**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: \$183,685.08
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

14

Date: 1/9/2024

**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: \$116,240.44
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: 1/9/2024

**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: \$334,294.37
Schedule/Timeline	On Track	% Complete: 85

**Project Milestones:**

Description	% Complete	Status
1. Order meters, setters, valves, plus other supplies	100%	Completed
2. Install meters / setters	85%	On Track

**Project Issues or Concerns:**

1. Multiyear project

# Project Status Report

Date: 1/9/2024

**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: \$2,112,728.88
Schedule/Timeline	On Track	% Complete: 50

**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

22

Date: 1/9/2024

**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: 1/9/2024

**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

25

Date: 1/9/2024

**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: 1/9/2024

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: \$26,655.50
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

27

Date: 1/9/2024

**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: 1/9/2024

**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: \$80,000
Schedule/Timeline 3years	On Track	% Complete: 66

**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:**

Spot Blight Abatement

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*Report of January 9, 2024*

12 First Street

The structure in question has been demolished and the debris removed from the site.

Work to dress the site continues and one dumpster remains on site.

225 Josephine Street

It does not appear that any work has been completed on the property since the last Town Council meeting.

A considerable amount of building debris and other material must still be removed from the site.

Council will recall that the owner told staff that we will continue to clean up the site, but needs to have a little time to build up his coffers before that work can be completed.

114 Josephine Street

No work has been completed on property since the last Town Council meeting.

Council will recall that the owner told staff that the work would be completed before the end of December.

229 Josephine Street

The owner's representative is working with a contractor to schedule work to address the blight. A copy of Ms. French's email is attached to this report.

**Recommended Action**

Establish a final deadline for required work to be completed on 225 and 114 Josephine Street.

**Sample Motion**

I move that the Council of the Town of Berryville require the owners of 225 and 114 Josephine Street to fully comply with approved spot blight abatement plans on or before April 9, 2024. The Council hereby directs the town manager to provide notice to each of the property owners and inform them:

- of this deadline,
- that no further extensions will be granted,
- that no additional notice will be provided before the Town takes action to abate identified blight, and
- the Town will abate the identified blight and file a lien on the respective properties in the amount of the cost of the blight abatement.

*Report of December 12, 2023*

12 First Street

Work has begun to demolish the remaining structure.

Construction equipment and dumpsters are on site.

The new owner told staff that he expects to have the structure down before December 15, 2023.

225 Josephine Street

The dwelling has been demolished.

A considerable amount of building debris and other material must still be removed from the site.

The owner told staff that we will continue to clean up the site, but needs to have a little time to build up his coffers before that work can be completed.

114 Josephine Street

No work has been completed on property since the last Town Council meeting.

The owner told staff that the work would be completed before the end of the month.

229 Josephine Street

Staff will continue to monitor activity on the site.

*Report of November 14, 2023*

12 First Street

It appears that no work has occurred on the remaining structure subsequent to the last update to the Council.

The December 15, 2023 deadline for bringing the property into compliance with applicable law will be reached just after the December Town Council meeting.

225 Josephine Street

It appears that no work has been completed on the site subsequent to the last update to the Council.

The December 15, 2023 deadline for bringing the property into compliance with applicable law will be reached just after the December Town Council meeting.

114 Josephine Street

It appears that no work has been completed on the site subsequent to the last update to the Council. Staff has become aware of the fact that the letter that was sent to the

owner of 114 Josephine Street just prior to the October Council meeting was lost and was not delivered to the property owner. A new notice has been mailed.

The December 15, 2023 deadline for bringing the property into compliance with applicable law will be reached just after the December Town Council meeting.

229 Josephine Street

Please find attached correspondence from Susan French dated November 9, 2023.

#### Update

*Report of October 10, 2023*

12 First Street

The property was sold in late September.

The new owner is aware of the December 15, 2023 deadline. The Town Manager told the new owner that the Town may be amendable to a brief extension to give the new owner a little longer to achieve compliance with the plan. Staff is under the impression that the remaining structure will be razed.

Town staff will follow up with the new owner to ensure that required work is completed.

225 Josephine Street

No work has been completed on the site subsequent to the last update to the Council.

Staff provided the property owner with another notice (by certified mail) confirming the December 15, 2023 deadline for bringing the property into compliance with applicable law. If the property owner does meet this deadline, then the Town will begin work to bring the property into compliance.

114 Josephine Street

Town staff met with the property owner to discuss the work that needs to be completed. Staff followed up from the meeting with emails to the property owner on July 13 and August 5.

The property owner has not addressed the issues outlined with him when he met with staff (as confirmed in the email of July 13).

Staff provided the owner with another notice (by certified mail) and set a deadline of December 15, 2023 for completion the enumerated work. If the work in question is not completed by the deadline date, then the Town will take action of bring the property into compliance.

229 Josephine Street

No work has been completed on the site subsequent to the last update to the Council. Ms. French has had no further contact with the Town in this regard.

Staff has prepared a draft preliminary determination of blight for this property. The draft determination is attached to this report.

Attachments

- Recent correspondence relating to 225 Josephine Street
- Recent correspondence relating to 114 Josephine Street
- Draft preliminary determination of blight for 229 Josephine Street

*Report of September 12, 2023*

225 Josephine Street

No work has been completed on the site subsequent to the last update to the Council.

Staff will provide the property owner with another notice (by certified mail) confirming the December 15, 2023 deadline for bringing the property into compliance with applicable law. If the property owner does meet this deadline, then the Town will begin work to bring the property into compliance.

114 Josephine Street

Town staff met with the property owner to discuss the work that needs to be completed. Staff followed up from the meeting with emails to the property owner on July 13 and August 5.

The property owner has not addressed the issues outlined with him when he met with staff (as confirmed in the email of July 13).

Staff will provide the owner with another notice (by certified mail) and set a deadline for completion the enumerated work. If the work in question is not completed by the deadline date, then the Town will take action of bring the property into compliance with applicable law.

203 Josephine Street

The structure has been razed and the materials removed from the site.

229 Josephine Street

No work has been completed on the site subsequent to the last update to the Council.

Staff will prepare a draft preliminary determination of blight for this property. That draft will be placed before the Town Council for comment on October 10, 2023.

Attachments

- 114 Josephine correspondence (emails from July 13, 2023 and August 5, 2023)

*Report of July 11, 2023*

Update

225 Josephine Street

Staff spoke with the property owner and was told that he is working:

- 1) with a contractor to raze the house in the fall,
- 2) to erect an accessory building on the property, and
- 3) to get materials that have been removed from the house off of the property.

114 Josephine Street

Town staff is scheduled to meet with the property owner to discuss work that needs to be completed to close this matter.

203 Josephine Street

The property owner has secured a surveyor to document the non-conforming structure before it is razed.

229 Josephine Street

At its June meeting, the Council requested that staff be able to inspect the cistern located at 229 Josephine Street before July 11 or it would initiate action under §5-3 of the Berryville Code. No such inspection was permitted.

The property owner's intermediary represented to the Town that the cistern has been filled.

#### Attachments

- 229 Josephine correspondence from June 13 to July 6

*Report of June 13, 2023*

#### Update

225 Josephine Street

The owner has secured a zoning permit for an accessory building that he plans to erect on the property. He has not secured a building permit for that building.

A demolition permit has been secured for the dwelling.

The approved plan requires that the dwelling be demolished and the site cleaned by December 15, 2023.

The owner removed building material and the like from the dwelling and is storing the material on the lot. Staff will discuss lot maintenance with the owner in the coming weeks.

12 First Street

The southern portion of the building has been demolished. The next abatement plan milestone, completion of work making the structure (the remaining northern portion) weather-tight and cleaning site of construction debris and the like, must be completed by December 15, 2023.

#### 114 Josephine Street

The dwelling has been razed and the building materials have been removed from the site.

Town staff will attempt to meet with the owner on site in the coming weeks to determine if the property now complies with the approved abatement plan.

#### 203 Josephine Street

Town staff is working with owner of 203 Josephine to bring the property into compliance with the Berryville Code. Staff was informed that the owner is working to secure a contractor to raze the structure and remove the debris from the site.

Over the coming weeks Town staff will work with the owner to establish a schedule for completion of the work. The Town manager hopes to have the blight abated no later than October 1, 2023. If the required work is not completed by that time, then it is likely that a preliminary blight determination will be issued. This would start the formal process by which a spot blight abatement plan is reviewed/approved by the Town Council.

#### 229 Josephine Street

Town staff has been working with a representative of the owner of 229 Josephine Street to bring the property into compliance with the Berryville Code. Recent correspondence with that representative is attached to this report.

On June 6, 2023 the Town received a letter from the from the property owner. In that letter the owner claimed:

- The town manager will not engage him regarding the property.
- He thought that the repair work that he did was sufficient to comply with the requirements of the Berryville Code.
- He was asked to board up the windows and now the Town is saying the boards need to be removed.
- The town manager has now asked about a cistern on the property.
- The cistern is small, shallow, and only useful as a rain collector.
- He intends to make sure that the building stays standing.

In response to the claims enumerated above, Town staff offers the following:

- On several occasions the town manager has attempted to contact the owner by phone. Because the town manager found it difficult to reach the owner (please note: property owner does not communicate through email and has not been able to make it to the area for a meeting with Town staff), he has been working with Susan French who agreed to be an intermediary between the town manager and the property owner.
- Staff does not know how the owner came to believe that his work to date was sufficient to comply with the requirements of the Berryville Code.
- Information provided to the owner since 2021 has not requested that the owner cover the door and window openings with plywood. In fact, plans to which the property owner agreed (on 1/14/22 and 1/26/23) to comply, included the following

statement "Owner will cause the structure to be secured utilizing widows and doors (structure may not be boarded up after project is completed)".

- With regard to the implied claim that the town manager has just recently broached the matter of cistern abandonment, plans to which the owner agreed (on 1/14/22 and 1/26/23) to comply, included the following heading and statement: "Abandonment of on-site sewer treatment system and/or well or cistern ... Owner will properly abandon any well or cistern discovered on the site. Said improvements will be abandoned in accordance with Virginia Department of Health regulations and recommended best practices."
- The cistern is not secured and therefore may present a hazard. If the cistern is small and shallow, then it should be relatively easy to abandon. With regard to the owner's statement that the cistern is "only being useful as a rain collector," cisterns are reservoirs used for collecting and storing rainwater.

Because the owner's representative claimed (in an email dated 5/18/23) that the owner was confused about what has to be done to get the property in question into compliance with the requirements of the Berryville Code, on 5/22/23 the Town Manager provided a draft letter that outlines what he has determined to be the obvious violations of the requirement of Chapter 5 of the Berryville Code. It is important to note that the town manager has not been permitted to enter the property to conduct an inspection; therefore he must rely on what can be seen from the street and the adjoining property (to the east and south).

The town manager requests that the Council review the draft letter referenced above and determine whether it wants to review the items listed as potential violations of §5-3 of the Berryville Code. If the Council determines that conditions on the property violate §5-3 of the Berryville Code, then the it would also direct Town staff to provide required notice.

With regard to blight issues (§5-5 of the Berryville Code), unless the owner abates the blight by October 1, 2023, the town manager will likely issue a preliminary determination of blight for the property. This would start the formal process by which a spot blight abatement plan is reviewed/approved by the Town Council.

#### Attachments

- 229 Josephine Street correspondence

#### Requested action

The town manager requests that the Council review the draft letter referenced above and determine whether it wants to review the items listed as potential violations of §5-3 of the Berryville Code.

If the Council determines that conditions on the property violate §5-3 of the Berryville Code, then the it would also direct Town staff to provide required notice.

If the Council determines that the enumerated conditions should be abated through the process outlined in §5-5 of the Berryville Code, then the draft preliminary determination would be amended to include these items.

*Report of May 9, 2023*

112 Josephine Street

Staff recommends that the Council adopt the following motion:

I move that the Council of the Town of Berryville make the following findings and determinations concerning the property at 112 Josephine Street:

- On November 5, 2021, in accordance with provisions of §5-5 of the Berryville Code, Berryville's Town Manager provided notice to the Jacob Nelson Estate that a preliminary determination of blight had been made for the property.
- In the November 5, 2021 letter, the town manager enumerated the reasons for the preliminary determination of blight.
- Work completed since November 5, 2021 has addressed the reasons for the preliminary determination of blight.
- Accordingly, the Council finds that the property owner has met the requirements of the approved spot blight abatement plan (plan approved by the Town Council on 7/12/22 and last amended on 1/10/23).

The property owner's legal counsel requested that the Town Council declare that the property is no longer blighted. This language was not included in the sample motion.

225 Josephine Street

The owner has secured a zoning permit for an accessory building that he plans to erect on the property. He has not secured a building permit for that building.

A demolition permit has been secured for the dwelling.

The approved plan requires that the dwelling be demolished and the site cleaned by December 15, 2023.

12 First Street

The southern portion of the building has been demolished. The next abatement plan milestone, completion of work making the structure (the remaining northern portion) weather-tight and cleaning site of construction debris and the like, must be completed by December 15, 2023.

114 Josephine Street

The dwelling has been razed, but the building materials have not been removed from the site.

Town staff has met with the owner and contacted him several times (by email and also by phone). Staff and the owner spoke by phone on May 3, 2023 and it appears that the owner is no closer to getting the site cleaned up than when they last spoke. The owner stated that he could not get dumpsters in the area because of the utility work that is in progress on Josephine Street. The owner had not contacted the Director of Public Works (as had been requested) to make sure refuse dumpsters could be sited in the area. When asked details about the dumpster contractor the owner had secured to provide the dumpsters, the owner was unable to provide details like the dumpster contractor's name.

If the site has not been cleaned by the Town Council meeting, then staff will address the Council about proceeding with Town action to clean the property.

229 and 203 Josephine Street

Town staff is still working with a representative of the owner of 229 and the owner of 203. Staff is of the opinion that the discussions that it is having regarding both properties are progressing well.

#### Attachments

- Recent correspondence regarding the properties in question

*Report of April 11, 2023*

#### Update

112 Josephine Street

The next abatement plan milestone, completion of work making the structure weather-tight and clearing site of construction debris and the like, must be completed by December 15, 2023.

225 Josephine Street

The Council extended the deadline for securing all required permits for work on the property to April 3, 2023.

The owner has secured a zoning permit for an accessory building that he plans to erect on the property. He has not secured a building permit for that building.

A demolition permit has been secured for the dwelling.

The approved plan requires that the dwelling be demolished and the site cleaned by December 15, 2023.

12 First Street

The southern portion of the building has been demolished. The next abatement plan milestone, completion of work making the structure (the remaining northern portion)

weather-tight and cleaning site of construction debris and the like, must be completed by December 15, 2023.

114 Josephine Street

The dwelling has been razed, but the building materials have not been removed from the site.

Staff will attempt to contact the property owner prior to the meeting. Staff will gather more information before the Council meeting and discuss setting a new deadline for site cleanup.

229 and 203 Josephine Street

The plan executed by the owner of 229 Josephine Street required that an evaluation of the structure, a list of repairs to be completed on the structure, and a schedule for the work to be provided to the town manager by February 27, 2023. No submission was provided. The owner and town manager spoke on the phone and the owner is to contact the manager with an update on the plan for the property. Staff hopes that a plan of action will have been fleshed out before the May Town Council meeting. If that can't be accomplished, then staff may discuss initiating the formal spot blight review process.

The owner of 203 Josephine Street and the town manager have spoken about demolition plans but they have not been finalized. The owner has contacted the zoning administrator to discuss limitations to rebuilding on the property after the structure in question is demolished. Staff hopes that a plan of action will have been fleshed out before the May Town Council meeting. If that can't be accomplished, then staff may discuss initiating the formal spot blight review process.

*Report of March 14, 2023*

Update

112 Josephine Street

The next abatement plan milestone, completion of work making the structure weather-tight and cleaning site of construction debris and the like, must be completed by December 15, 2023.

225 Josephine Street

The Council extended the deadline for securing all required permits for work on the property to April 3, 2023.

The owner has secured a zoning permit for an accessory building that he plans to erect on the property. He has not secured a building permit for that building.

No demolition permit has been secured for the dwelling.

Town staff has met with the owner several times and discussed the requirements of the plan and the process by which requisite permits may be secured. On at least two occasions, Town staff has also met with the owner and Clarke County Building

Department staff, to facilitate compliance with the April 3, 2023 deadline. The most recent of those meetings occurred on March 7, 2023.

#### 12 First Street

The southern portion of the building has been demolished. The next abatement plan milestone, completion of work making the structure (the remaining northern portion) weather-tight and cleaning site of construction debris and the like, must be completed by December 15, 2023.

#### 114 Josephine Street

Town staff contacted the owner to determine if work had occurred on the site over the past month. The owner informed staff that he had secured a sample of building material and submitted it for mandatory testing on March 1, 2023. The owner stated that when he receives the test results, he will then secure the assistance needed to remove the structure.

Town staff and the owner again discussed the need for the owner to work with the owner of the overhead utility that is connected to the structure to have the wires disconnected. The owner committed to contact the utilities.

It is clear that the owner will not meet the March 15, 2023 deadline for having the building demolished.

#### 229 and 203 Josephine Street

The plan executed by the owner of 229 Josephine Street required that an evaluation of the structure, a list of repairs to be completed on the structure, and a schedule for the work to be completed be provided to the town manager by February 27, 2023. No submission was provided. The owner and town manager spoke on the phone and the owner is to contact the manager with an update on the plan for the property.

The owner of 203 Josephine Street and the town manager have not spoken regarding the Town's letter dated January 20, 2023. Staff hopes that such a discussion will have occurred prior to the Council's March meeting.

#### *Report of February 14, 2023*

##### Update

At its January 10, 2023 meeting, the Council amended the approved spot blight abatement plans for both 112 and 225 Josephine Street. The Council approved changes to the schedules incorporated into each plan. These changes were approved to provide the owners with more time to comply with certain milestones.

#### *112 Josephine Street*

The Council extended the deadline for providing the Town Manager with a list of repairs to be completed on the structure and a schedule for completion of that work to February

6, 2023. The Council also extended the deadline for securing all required permits for work on the property to April 3, 2023.

The owner submitted a letter to the Town on February 6, 2023. The Council is asked to determine whether this submission satisfies the first milestone.

Construction activity is occurring on the property.

*225 Josephine Street*

The Council extended the deadline for securing all required permits for work on the property to April 3, 2023.

The owner has secured a zoning permit for an accessory building that he plans to erect on the property. He has not secured a building permit for that building.

No demolition permit has been secured for the dwelling.

*12 First Street*

The southern portion of the building has been demolished.

The December 1, 2022 milestone for having all permits issued for the work on the northern portion of the structure has been met because it was determined that no permits are necessary for the planed work.

*114 Josephine Street*

Demolition activity was to have commenced on the site by February 1, 2023. Because no activity was evident on the site, I contacted the owner and he informed me that he has begun removing salvageable portions of the structure and that the project will be completed by the March 15, 2023 deadline.

*229 and 203 Josephine Street*

Letters were sent to the owners of these properties on January 20, 2023. In those letters the Town Manager asked the owners to enter into an agreement to address the blight on the property. The owners were asked to return an executed plan to the Town by February 6, 2023.

The owner of 229 Josephine Street executed a plan that provides for the repair of the structure and cleanup of the site. The Town has received no response from the owner of 203 Josephine Street.

Attachments

- Photos taken on February 6, 2023 of 112 Josephine Street, 225 Josephine Street, 12 First Street, 114 Josephine Street, 229 Josephine Street, and 203 Josephine Street.
- Letter from Susan French to Town officials dated February 6, 2023 and blight abatement plan for 112 Josephine Street (last modified by Town Council on 1/10/23).
- Letter from Town Manager to owner of 229 Josephine Street dated January 20, 2023. Letter from Town Manager to owner of 229 Josephine Street dated February 6, 2023 and executed blight abatement plan.
- Letter from Town Manager to owner of 203 Josephine Street dated January 20, 2023.

Recommended Action(s):

Review letter submitted to the Town Manager by the owner of 112 Josephine Street on February 6, 2023 and determine whether the letter satisfies the February 6, 2023 milestone of the 112 Josephine Street Blight Abatement Plan.

Sample Motions:

I move that the Council of the Town of Berryville find that the letter submitted to the Town Manager by the owner of 112 Josephine Street on February 6, 2023 satisfies the February 6, 2023 milestone of the 112 Josephine Street Blight Abatement Plan.

Or

I move that the Council of the Town of Berryville find that the letter submitted to the Town Manager by the owner of 112 Josephine Street on February 6, 2023 does not meet the requirements of the February 6, 2023 milestone of the 112 Josephine Street Blight Abatement Plan and that the Town Manager is hereby directed to begin enforcement action to bring the subject property into compliance with the Berryville Code.

*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 6<sup>th</sup> 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 14<sup>th</sup> 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