



Berryville Town Council

MEETING AGENDA

**Berryville-Clarke County Government Center
101 Chalmers Court, Second Floor
Main Meeting Room**

Regular Session

February 13, 2024

7:00 PM

Item

Page

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Approval of Agenda**
4. **Presentations/Awards and Recognitions**
5. **Public Hearings**
6. **Discussion of Public Hearing Items**
7. **Citizens' Forum**
8. **Consent Agenda**
 Consent Agenda
9. **Unfinished Business**
10. **New Business**
 Proposed 198-unit Subdivision of Friant Enterprises property
11. **Council Member Reports**
 Mayor

- Vice Mayor
- Ward 1
- Ward 2
- Ward 3
- Ward 4

12. Staff Reports

- Public Works
 - Departmental Update
- Public Utilities
 - Departmental Update
- Police Department
 - Departmental Update
- Community Development
 - Departmental Update
 - Construction Update
- Administration and Finance
 - Departmental Update
 - American Rescue Plan Act of 2021
- Deputy Town Manager
- Town Manager
 - Spot Blight Abatement
 - Water Treatment Plant Upgrade Funding

13. Committee Updates

- Budget and Finance
- Community Development
 - Proposed Rose Hill Park Rules
- Personnel, Appointments, and Policy
 - Proposed Appointments to the Planning Commission
- Public Safety
 - Proposed Amendment of Berryville Code Section 10-9- Authority of fire department officers to direct traffic
- Streets and Utilities
 - Proposed Amendments to Construction Standards and Specifications Manual

14. Closed Session

15. Adjourn

**Berryville Town Council Item Report Summary
February 13, 2024**

Item Title

Consent Agenda - Consent Agenda

Prepared By

Background/History/General Information

Findings/Current Activity

The consent agenda comprises three items to be considered for approval:

- Minutes of the 9 January 2024 Town Council regular meeting
- Minutes of the 23 January 2024 Community Development Committee regular meeting
- Minutes of the 23 January 2024 Streets and Utilities Committee regular meeting

Financial Considerations

Schedule/Deadlines

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

Other Considerations

Attachments

1. Minutes of Town Council Regular Meeting 09 January 2024
2. Community Development Committee Minutes 23 January 2024
3. Streets and Utilities Committee Minutes 23 February 2024

Recommendation

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
January 9, 2024
7:00 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; 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.

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 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).

Ms. Dunkle read the public hearing notice and Mr. Dalton displayed maps and briefly summarized the proposed land transfer and rezoning as discussed in prior meetings. He replied in the negative to Mr. Mazzarino's question about whether difficulties with utility easements were expected.

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

Mr. Steinmetz as chair of the Planning Commission said that no opposition or reservations had been expressed in that body's deliberations.

Mr. Steinmetz moved 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

- 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.**

Mr. Steinmetz further moved that the Town Manager be 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. The motion passed by unanimous voice vote.

7. Citizens' Forum

Rick Figert addressed the Council regarding drainage problems on and near his property in Phase V of the Hermitage subdivision. He said he had discussed the matter with Town staff and had found this helpful but that the homeowners' association was not addressing the problem and that he was afraid that the Department of Environmental Quality would make him liable for the condition of a common area. Ms. Dunkle said DEQ handles stormwater matters in Berryville that she had been working with Mr. Figert and another homeowner to rectify the problem. A discussion established that staff efforts would continue.

8. Consent Agenda

The consent agenda comprised the minutes of the December 12 Town Council regular meeting, the

December 21 Town Council called meeting, the December 18 Personnel Committee meeting, and the December 19 Streets and Utilities Committee meeting.

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

9. Unfinished Business

None.

10. New Business

Ms. Dunkle directed the Council's attention to the attached resolution for requesting acceptance from the Commonwealth Transportation Board, which would entitle the Town for state maintenance funds for enumerated lane miles.

Mr. Dalton and Mr. Mazzarino briefly discussed the Town's maintenance obligations.

Ms. Harrison moved 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. The motion passed by unanimous voice vote.

11. Council Member Reports

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.

Mr. Mazzarino said he would like to speak further with Mr. Figert.

Mr. Tibbens said he had attended the December meeting of the County Board of Supervisors, representing the Council.

The other members had nothing to add.

12. Staff Reports

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

Community Development

Ms. Dunkle said the annual Virginia Commission for the Arts Creative Communities Partnership Grant would soon require the attention of the Community Development Committee.

Town Manager

Mr. Dalton briefly updated the Council on the progress of blight abatement work at 12 First Street, 225 Josephine Street, 229 Josephine Street, and 114 Josephine Street. He recommended that the Council set a definite deadline for compliance with measures agreed upon previously. The consensus of the Council was that Mr. Dalton should draft letters to the property owners for the Council to examine prior to its February meeting.

13. Committee Updates

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

Mayor Arnold said the Personnel Committee had met in December 18 and had interviewed multiple candidates for appointment to the Planning Commission, and that a recommendation in February was possible. He said the committee recommended the appointment of Nancy Merriman to the Clarke County Parks and Recreation Board to replace Ronald Huff, who did not wish to continue on that body after the expiry of his term on January 31.

Vice Mayor Gibson moved that the Council of the Town of Berryville recommend to the Clarke County Board of Supervisors that Nancy Merriman be appointed to the Clarke County Parks and Recreation Board for a term commencing on January 1, 2024 and ending December 31, 2027. The motion passed by unanimous voice vote.

A discussion established that the Streets and Utilities Committee would meet on January 23 at 3:00 p.m. to discuss signage related to truck traffic.

A discussion established that the Community Development Committee would meet on January 23 at 4:00 p.m.

14. Other

No other business was discussed.

15. Closed Session

Not applicable.

16. Adjourn

The Council adjourned at 7:40 p.m. on a motion by Vice Mayor Gibson.

Erecka L. Gibson, Vice Mayor

Keith Dalton, Town Manager

Berryville – Clarke County
Government Center
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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 9th 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

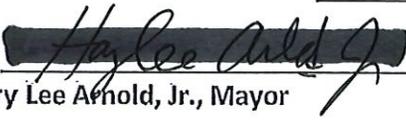
WHEREAS, the streets referenced above have been completed and are now eligible for VDOT maintenance funding; and

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 9th 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 9th 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

**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:

Arnold, Gibson, Steinmetz, Harrison, Mazzarino, & Tibbens

Nays:

None

Abstain:

None

Absent During Meeting:

None

SIGNED: 
Harry Lee Arnold, Jr., Mayor

Date: November 14, 2023

ATTEST: 
Erecka L. Gibson, Vice Mayor

Date: November 14, 2023

BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE
Berryville-Clarke County Government Center
MINUTES
23 January 2024

A meeting of the Berryville Town Council Community Development Committee was held on Tuesday, January 23, 2024 at 4:00 p.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

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

Staff participating: Christy Dunkle, Community Development Director; Paul Culp, Town Clerk; Police Chief Neal White

1. Call to Order

Mr. Tibbens called the meeting to order at 4:00.

2. Approval of Agenda

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

3. Zoning Regulations for Portable Storage Containers

Ms. Dunkle said Town staff had drafted zoning regulations for portable storage containers after receiving complaints about such containers, and read the draft ordinance.

The consensus of the committee was that a permit for a container should be required.

There was a discussion whether to have any verbiage that would differentiate between commercial and residential use. Mr. Tibbens recommended removal of the word “residential,” after which there was a discussion of how to regulate different sizes and of the timeframe for commercial use, including verbiage governing accessory structures. Ms. Dunkle said staff would make the necessary modifications, including some adjustments to suggested definitions of “portable storage container.”

Ms. Dunkle said the ordinance, if passed, would be retroactive.

4. Virginia Commission for the Arts Creative Communities Partnership Grant

The committee agreed that the Town should proceed with posting the application materials on its website as it has done in previous years.

5. Rules for Use of Town Property

Ms. Petti directed the committee's attention to the regulations with proposed changes in bold type.

The consensus of the committee was that the tobacco prohibition be dropped because of difficulty of enforcement, that "animals" be changed to "wildlife" at Chief White's recommendation, and that references to snow and ice be deleted in favor of verbiage indicating use of facilities at one's own risk under any conditions. The committee made no recommendations for changes to rules for the parking lots other than correction of minor typographical errors, and concluded that the matter was ready for presentation to the full Town Council if the town manager agreed to the proposed adjustments.

6. Other

None.

7. Adjournment

The committee adjourned by consensus at 4:42 p.m. on a motion by Ms. Harrison.

BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE
Berryville-Clarke County Government Center
MINUTES
January 23, 2024

A meeting of the Berryville Town Council Streets and Utilities Committee was held on Tuesday, January 23, 2024 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; Paul Culp, Town Clerk; Chief of Police Neal White

1. Call to Order

Ms. Harrison called the meeting to order at 3:04 p.m.

2. Approval of Agenda

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

3. Unfinished Business

Proposed Truck Route

Ms. Petti said VDOT's traffic engineering staff had agreed to the Town's request for establishment of the route and was working on appropriate signage. A brief discussion established that the matter would not require further action by the full Town Council.

Construction Standards Updates

Ms. Dunkle directed the committee's attention to proposed changes of verbiage in the relevant documents, to the effect that PVC pipe would no longer be permissible for water mains and appurtenances and that fiberglass hydrant marker flags must be installed by developers. She also noted changes to dimensions of water meter boxes and frames and to the identities of the suppliers thereof. A brief discussion established that matters pertaining to water mains and appurtenances and hydrant flags would require the attention of the full Council, preferably in its next meeting.

Streets and Street Lighting

Ms. Dunkle directed the committee's attention to the need for review of the right-of-way

size recommendations and street light placement recommendations. A brief discussion established that placement of lights could be determined by conditions at a given site, in the absence of legislative mandates.

4. Unfinished Business

None.

5. Other

The committee briefly discussed sidewalk buffer strips, snow shoveling, and snow emergency routes.

7. Adjournment

The meeting adjourned by consensus at 3:25 p.m. on a motion by Mr. Tibbens.

Town Council Agenda Item Report Summary

February 13, 2024

Item Title

Rezoning – Tax Map Parcels 14-A-80 and 14-A-112

Prepared By

Christy Dunkle

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

Background/History/General Information

The Planning Commission held a continued public hearing at their January 23, 2024 meeting. Commissioners made the recommendation that Council deny the request to include additional density created by a rezoning of the parcels identified as 14-A-80 and 14-A-112 due to the density being inappropriate for the proposed location and for the character of the Town of Berryville.

Previous staff reports that contain general information about process, the Berryville Area Plan, and other details are available on the Town's website, <https://www.berryvilleva.gov/2220/Planning-Commission-Agenda-Minutes> for the dates below:

- August 22, 2023 – set public hearing for October 24, 2023
- September 26, 2023 – work session
- October 24, 2023 – public hearing
- November 28, 2023 – continued public hearing
- January 23, 2024 – continued public hearing

Findings/Current Activity

A synopsis of modifications from the original request is below:

- The number of proposed lots was reduced from 214 lots to 198.

- Proposed lots have been removed from Sub-Area 16 as identified in the Berryville Area Plan. While this is not a preservation area, the limits of the Sub-Area were defined to create sufficient setbacks and buffers between future development and Bel Voi.
- Physical connections have been made from Battletown Drive to the proposed road through the Audley property and from the proposed road north of Bel Voi Drive to Battletown Drive per VDOT public street requirements. The roads will be gated, accessible to Emergency Services and Town personnel only. Town Council may choose to open these connections in the future if they are warranted. A vicinity map identifying the access points is included with this staff report.
- Cash proffers have been offered for a sidewalk connection on Battletown Drive to East Main Street (\$1,200 per lot) and to the Clarke County Public Schools (\$1,202 per lot).
- East Main Street improvements include a 100-foot taper and 100-foot turn lane on westbound Business 7 at the intersection of the proposed road from the Audley property, and sidewalk, curb, and gutter along the property lines as identified in the Master Zoning Plan.
- Design guidelines have been established through proffers which include a variety of materials, façade design, setbacks, colors, and planted buffer along the Route 7 Bypass. The guidelines are included with this staff report.

Reallocation of Residential Units

When the Berryville Area Plan (BAP) was first adopted in 1992, land uses by Sub-Area were applied to all parcels within Annexation Area B. The land uses were identified in each Sub-Area at a higher density than the zoning applied. This allows proffers to be offered by a developer in order to rezone the property at a higher number of lots.

The application of additional units is described in the Berryville Area Plan in Chapter II Berryville Area Plan Sub-Areas. The BAP states on page II-7 that the reallocation of the unused residential units may be used in other Sub-Areas in order to encourage development of flexible housing types and cluster development.

Sub-Areas 14 and 15 include specific language that identifies the inclusion of additional densities from the residual lots in these areas. Sub-Areas 13 through 17 descriptions, as well as the land use map from the current Berryville Area Plan, are included in this packet.

The full BAP is available at this link:

<https://www.berryvilleva.gov/DocumentCenter/View/351/2015-Berryville-Area-Plan->

Synopsis of Residential Units:

Approximate number of units under current zoning: (Sub-Area 15): 66

Please note: *Sub-Area 14 is currently zoned BP Business Park and could develop under regulations established in Section 612 of the Berryville Zoning Ordinance.*

Units identified in the Berryville Area Plan Land Use Table: (Sub-Areas 13, 14, and 15): 112

Please note: *The land use designation for Sub-Area 14 was modified in the 2015 update of the Berryville Area Plan from Light Industrial/Research to Medium-Low Density Residential (4 units/acre)*

Residual units identified in Annexation Area B: 160

- Sub-areas 3 and 4 – 89 lots
- Sub-area 19 – 45 lots
- Sub-area 25 - 6 lots
- Sub-area 27A - 20 lots

Comment Response

Following are responses to public comments voiced at the public hearings and submitted to Town staff:

- *Concerns about safety, speeds, and congestion on East Main Street that will be generated from the proposed development.*

Staff remains concerned about one point of ingress and egress from the proposed subdivision as well as average daily trips which would be generated from 198 homes in this location.

The Traffic Impact Analysis (TIA) assumes full build-out to be in 2026 and those figures are reflected in the TIA references in this report.

Below is information from the TIA referencing traffic-related impacts generated from the development (198-unit total):

- o Table 4-1 identifies the average daily trips (ADT) generated from the 198 houses as 1,892.
- o Figures 3-1 and 3-2 identify regional growth (2022-2026) and background future (2026) traffic forecasts without the development's impacts.
- o Section 7 offers detailed information on the future conditions without access from Battletown Drive (one point of ingress/egress).
- o Figures 7-1 Site Trip Assignments and 7-2 Total Future (2026) Traffic Forecasts. Staff believes that the eastbound and westbound splits would likely be at least 60-40, respectively, at the a.m. peak hour, not the 50/50 split identified in the TIA.
- o Turn Lane Warrants are identified on page 38 of the attached documents.

- *Growth in the Town is "out of control."*

Response: the Annexation Agreement between the Town and County was signed in 1988. At that time, the following items were agreed upon by both parties:

- o the Town agreed to supply public water and sewer to properties identified within Annexation Area B;
- o a joint administrative body (the Berryville Area Development Authority) would be formed;
- o the Berryville Area Plan would be created which included the study of a number of items including transportation, historical information, and physical aspects (e.g., slopes, wetlands); and
- o The Town and County zoning ordinances would align with the Sub-Areas identified in the BAP for property within Annexation Area B.

It is important to note that in order to maintain the sliding scale zoning in the County, it is critical that a growth area be identified that would take on the development in the community. With a population estimate in 2024 of 4,642 (the 2020 census recorded a population of 4,534), Berryville is currently growing at a rate of 0.59% annually with an increase in population of 2.38% since the 2020 census (SOURCE: World Population Review).

- *The developer constructed "ugly" subdivisions in the Town of Berryville previously.*

Response: The applicant has offered to implement design guidelines to modify setbacks, facades, colors, and buffers that would offer variety within the subdivision. All subdivisions and housing developments have a period of time in which land disturbance activity occurs. Over time, each home is personalized, landscaping is planted, and homes modified as determined by the respective property owner.

- *Internet speeds will be compromised with the addition of more residents.*

Response: A Comcast representative responded with the following statement: *"We are land-line based, and every time we build a new community, we add the additional equipment to meet the needs of the new addresses so no older customers are affected in any way. So, no this will not affect our existing customers or any new customers we build."*

- *Water and sewer capacities are not available.*

Response: The Town has sufficient water and sanitary sewer treatment capacities to accommodate the residential and commercial density identified in the Annexation Agreement with the County (identified as the Urban Services Area and signed in 1988) and the Berryville Area Plan. Both the water and sewer treatment plants are currently operating at approximately 50% capacity.

- *The current rezoning is not in conformance with the Berryville Area Plan.*

Response: The original Berryville Area Plan (BAP), adopted by the County Board of Supervisors and Town Council in 1992, identified a yield of commercial and residential development anticipated for the entirety of the annexation area (known as Annexation Area B). Rezoning did not occur which would have allowed for additional densities that were identified in the land use plan and table. The BAP was updated in 2015 and states that additional density should be considered that would allow for a portion of these units to be included in sub-areas 14 and 15.

- *Stormwater runoff will adversely affect Bel Voi Drive.*

Response: The Virginia Department of Environmental Quality conducted a cursory review of the proposed grading and indicated that what that applicant has proposed, which would include cut and fill to direct the water towards the ponds proposed to the north, will not adversely affect adjacent properties. A full review would not be conducted until the construction plans are submitted for approval.

Staff forwarded the technical memorandum and proposed pre- and post-development drainage scenarios to Pennoni Engineering, whose response is below:

We have reviewed the Technical Memorandum addressing the East Main Street/Battletown Drive Intersection Drainage. Our findings are that the proposed post-development drainage divides will indeed significantly reduce drainage away from the Battletown and Main Street drainage swales. The residential properties along Battletown and adjacent to the proposed project will not receive any new runoff from the proposed development. Additionally, the developer proposes to decrease the runoff from the existing drainage south of the project. This will further reduce the runoff from the existing condition. It will be incumbent on the developer to properly design the Stormwater Management facilities receiving this additional drainage at the time of subdivision plan design.

- *There are other areas of Town where residential developments can be built.*

Response: The Friant property is the last large parcel slated for residential development in Annexation Area B. Three parcels owned by two parties totaling 13.25 acres zoned DR-2 are located on South Church Street. One parcel, on the west side of US 340 south of the Town, is zoned DR-1 and contains 7.1 acres. The property is located within the Annexation Area but has not been annexed by the Town.

Updated School Information

Town staff has received updated information from the Clarke County Schools and an updated proffer statement from the applicant reflecting a post-renovation program capacity for Cooley Upper Campus of 242 students.

Updated Proffer Statement

The applicant has submitted an updated proffer statement which is included in this packet. Legal counsel will review and comment on the final document prior to Town Council consideration. The proffer statement is included with this staff report.

Utility Information

Below is a chart identifying different scenarios of development for the Friant property and the anticipated availability and users' fees. Please note that these figures only examine income to the utility enterprise funds.

	Number of residential units	Water availability fees	Sewer availability fees	Water user fees per month*	Water user fees per year*	Sewer user fees per month*	Sewer user fees per year*
Units proposed by D.R. Horton	198	\$ 3,212,748.00	\$ 3,449,754.00	\$ 9,682.20	\$ 116,186.40	\$ 20,516.76	\$ 246,201.12
Units "by right" under current zoning	66	\$ 1,070,916.00	\$ 1,149,918.00	\$ 3,227.40	\$ 38,728.80	\$ 6,838.92	\$ 82,067.04
"By right" under current zoning + 28 units from sub-area 14	94	\$ 1,525,244.00	\$ 1,637,762.00	\$ 4,596.60	\$ 55,129.20	\$ 9,740.28	\$ 116,883.36

*Based on average usage for a family of 4 (6k gal)

Master Zoning Plan (MZP)

The updated MZP identifies sidewalk along the proposed westbound turn lane and taper to the property line along East Main Street at the intersection of the proposed street on the Audley property.

Schedule/Deadlines

Per Section 314.4(c) of the Berryville Zoning Ordinance, Town Council has one year from the date of the application (August 11, 2023) to act on the request.

Other Considerations

N/A

Recommendation

Either set a work session for Monday, March 4 or Monday, April 1, 2024 or a public hearing for the March 12 or April 9 regular meeting.

Sample Motions

I move that the Council of the Town of Berryville set a **work session** to review the rezoning of the parcels identified as 14-A-80 and 14-A-112 from OSR Open Space Residential; DR-1 Detached Residential-1; DR-2 Detached Residential-2; and BP Business Park to DR-4 Detached Residential-4 for the **March 4, 2024 OR April 1, 2024** work session.

OR

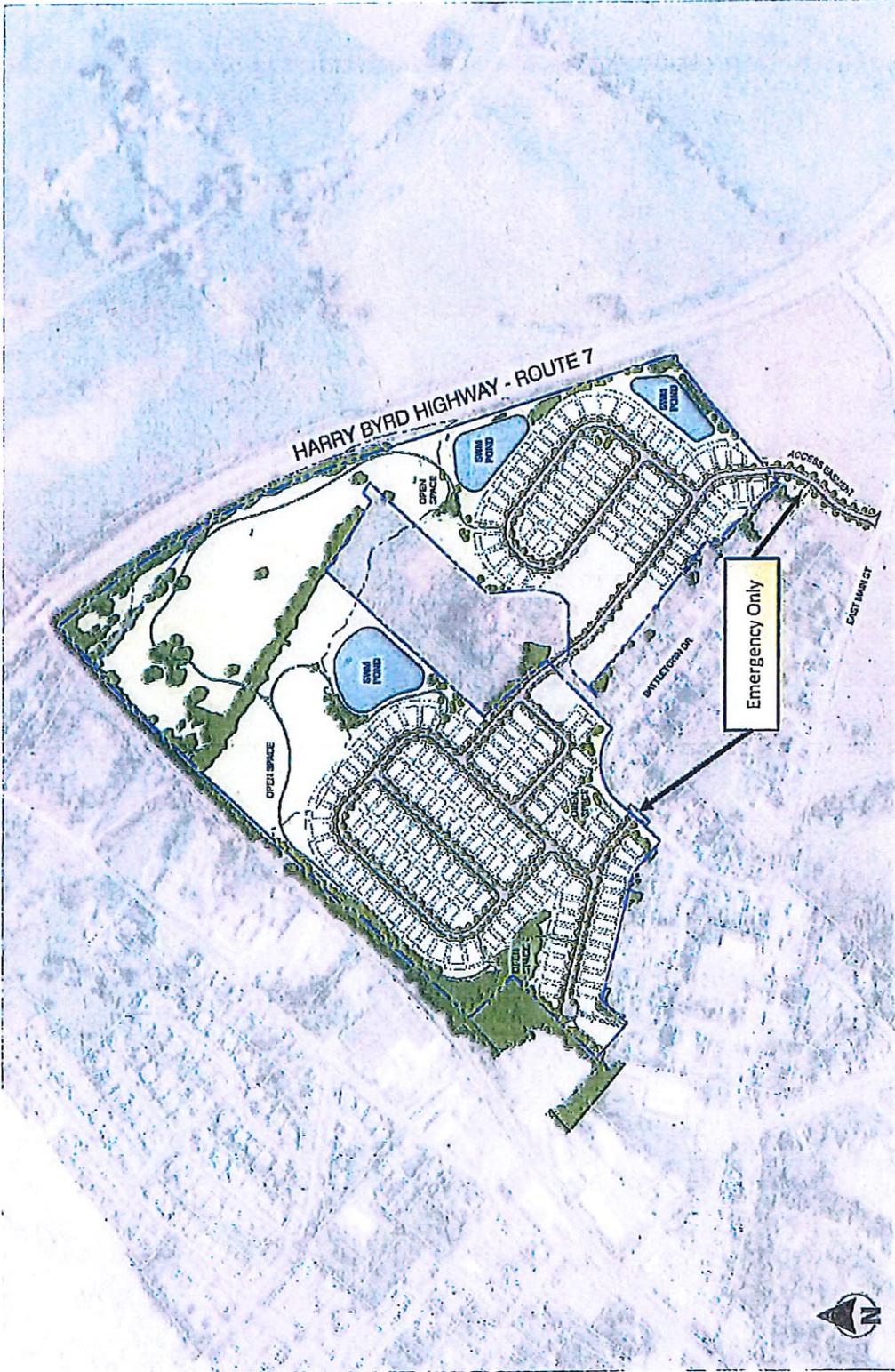
I move that the Council of the Town of Berryville set a **public hearing** for the rezoning of the parcels identified as 14-A-80 and 14-A-112 from OSR Open Space Residential; DR-1 Detached Residential-1; DR-2 Detached Residential-2; and BP Business Park to DR-4 Detached Residential-4 for the **March 12, 2024 OR April 9, 2024** meeting.

Attachments:

- Vicinity map identifying proposed gated emergency access points
- Portions of the Berryville Area Plan describing Sub-Areas 13 – 17
- Land Use Map from the Berryville Area Plan (2015)
- Master Zoning Plan
- Design Guidelines
- Portions of the Traffic Impact Analysis referenced in the staff report
- School Impact Analysis
- Updated proffer statement

VICINITY MAP ACCESS POINTS

PROPOSED PLAN UPDATES



Friant Property
Preliminary Layout-198 Lots



SUB-AREA 13

Name: BUCKMARSH RUN CONSERVATION AREA
Acreage: 32.4 acres
Land Use Designation: Environmental Conservation
Annexed: No

Sub-Area 13, containing approximately 32 acres, is bounded on the northwest by the railroad and on the northeast by Route 7 Bypass. Most of the southern boundary follows the floodplain of Buckmarsh Run, common with Sub-Areas 10, 11, and 12. The entire Sub-Area is located outside of Town limits and is currently undeveloped.

Given the marshy, flood-prone characteristics of the area, it is classified as an environmentally sensitive area and is currently zoned Open Space Residential (OSR). The Open Space Residential

District allows for by-right development of single-family dwellings on lots no smaller than ten (10) acres in size.

Similar to Sub-Area 12A and Sub-Area 12B, this Sub-Area is seasonally wet and has poorly drained bottom land character. The environmental make-up of the sub-area renders it unsuitable for urban land uses, and as such, the land should be viewed as having the lowest comparative development potentials in the Berryville Area. No urban land uses should be permitted for this land unit. Coordination of stormwater management plans with those of other Sub-Areas is critical to preserving the natural integrity of this Sub-Area; every step should be taken so that each Sub-Area detains its run-off on site. Alteration of the Buckmarsh Run stream channel is discouraged.

The southern boundary of this Sub-Area was developed using topographic maps and may include limited areas that are not considered critical environmental areas (e.g., floodplain or flood-prone). In the event that developable land is located along the southern boundary of this Sub-Area through site engineering and analysis, these areas may be considered developable as part of the adjacent Sub-Area.

SUB-AREA 14

Name: NORTHEAST RESIDENTIAL TRANSITION AREA
Acreage: 7.2 acres
Land Use Designation: Medium-Low Density Residential
Annexed: No

Sub-Area 14, containing approximately 7.2 acres, is located just to the southeast of the railroad right-of-way that also corresponds to the current boundary of the Town of Berryville. The Sub-Area is bordered on the south and east by existing development that includes an established neighborhood of single-family detached homes. The Sub-Area is bounded on the east by a well-defined natural swale, which drains into the lowlands of Sub-Area 13. The entire Sub-Area is currently located outside of Town limits.

The Sub-Area is undeveloped and the physiography of the site with limited transportation access is not conducive to intensive land uses, particularly industrial uses. Mixed hardwood vegetation is

scattered throughout the planning unit, affording opportunities for visual buffers for the residential area to the south. Future land uses should be clustered so as to preserve the site's natural drainage way.

Transportation planning for Sub-Area 14 shall provide for connections through the existing Battletown Subdivision as well as potential linkages into Sub-Area 15. Transportation planning should also consider the potential for any developer-funded local collector road options that could be identified to provide direct connectivity from this Sub-Area to East Main Street.

The Sub-Area is currently zoned Business Park (BP) and is adjacent to the Norfolk Southern Railroad. Modifying this land use and its zoning should be considered due to its lack of vehicular access. Access is currently from Cattleman's Lane which is owned by Norfolk Southern Railroad. This road is substandard in width and is not publicly maintained making it unsuitable for business access absent substantial investment in a new industrial collector road.

This Sub-Area, previously designated as Sub-Area 14A, was originally recommended for light industrial uses due to its proximity to the Norfolk-Southern Railroad. In conjunction with the 2015 Plan update, this Sub-Area is now recommended for development of medium-low density residential as a transition area between the railroad and the adjoining low-density residential uses recommended for Sub-Area 15. Given the challenges of developing safe and effective ingress/egress for industrial traffic, this Sub-Area would be better served by lower-capacity residential streets constructed as part of a phased development plan that could occur in the future in Sub-Area 15.

Zoning requirements should encourage that residential development be planned in clusters. Cluster design for the residential neighborhood would provide the opportunity to reserve sensitive environmental areas and natural drainage ways, which would in turn, provide for more efficient use of the land. Clustering would also be an important tool by which land disturbance and grading activities could be confined.

It should be noted that the majority of the land contained in the Sub-Areas 13, 14, and 15 are in common ownership as of the 2015 Berryville Area Plan update. This presents the potential opportunity of facilitating a master plan development for these Sub-Areas including, but not limited to, the following elements:

- Transportation connectivity and improvements (see discussion under Sub-Areas 15 and 17).
- Cluster design to reduce infrastructure costs and adverse environmental impacts.
- Walkability elements including sidewalks and walking trails.
- View shed protection.
- Master planning for public water, public sewer, and stormwater infrastructure.
- Cash proffers or other developer-funded improvements to mitigate the impact of new development on Town and County capital needs.

If supported by a master plan of development that effectively addresses these and other elements, Sub-Area 14 supports medium-low density residential development at a density of 4 units per acre. The maximum potential yield for this Sub-Area is 28 units. The original Berryville Area Plan

identified Future Land Uses in Table V-1 and included planned yields for respective commercial and residential development. Of the residential development that has occurred in Annexation Area B through 2015, 195 residential units of the planned yield had not been constructed. Additional density that would allow for a portion of these units to be included in this Sub-Area would come from these unused residential units.

SUB-AREA 15

Name:

NORTHEASTERN RESIDENTIAL GROWTH AREA

Acreeage:

63.1 acres

Land Use Designation: Low Density Residential

Annexed:

No

Sub-Area 15, containing approximately 63 acres, surrounds the large historic house, Bel Voi, and is bounded on its outer limits by the Route 7 Bypass and the lowlands of Sub-Area 13 to the north, a well-defined drainage way to the west and the Battletown Subdivision to the south. The land is currently zoned Detached Residential-1 (DR-1). The entire Sub-Area is located outside of Town limits. The boundaries of this Sub-Area were revised with the 2015 Plan update to incorporate previous Sub-Area 14B, which was recommended for medium-low density residential uses. The revised Sub-Area 15 is now recommended for low-density residential uses consistent with the DR-1 zoning.

Approximately one-third of the area has slopes greater than fifteen percent, with a portion of the slopes exceeding twenty-five percent. The Sub-Area has minor, scattered tree cover and several defined drainage swales which must be addressed from both a site planning and stormwater management standpoint.

The land is highly visible from the Route 7 Bypass. In this regard, future development must be carefully sited. Further, land use proposals should respect the location and scale of the existing historic residence on adjoining Sub-Area 16.

Transportation planning for the Sub-Area should emphasize sensitively located linkages to and through Battletown Subdivision and the other Sub-Areas that make up this quadrant. However, given the low capacity nature of Battletown's residential streets, additional access options to Sub-Area 15 should be explored. A primary access to serve the entire Sub-Area shall be developed through Sub-Area 17 providing an uninterrupted, direct connection to Route 7 Business. Access to Route 7 Bypass is restricted. The internal street system within Sub-Area 15 should be aligned to provide secondary connections to Sub-Areas 14 and 17 and Battletown Subdivision in the town to the south but only after the aforementioned primary access is accepted for public use.

This Sub-Area, with substantial contiguous frontage to Route 7 Bypass, is designated for Low Density Residential uses. Based on preliminary planning analysis, the Sub-Area has an estimated land holding capacity for approximately 81 residential units. The clustering of housing should be a design objective for this Sub-Area.

As previously noted, the majority of Sub-Areas 13, 14, and 15 are in common ownership as of the 2015 Berryville Area Plan update. This presents the potential opportunity of facilitating a master plan development for these Sub-Areas including, but not limited to, the following elements:

- Transportation connectivity and improvements (see discussion under Sub-Area 15 and 17).
- Cluster design to reduce infrastructure costs and adverse environmental impacts.
- Walkability elements including sidewalks and walking trails.
- Viewshed protection.
- Master planning for public water, public sewer, and stormwater infrastructure.
- Cash proffers or other developer-funded improvements to mitigate the impact of new development on Town and County capital needs.

If supported by a master plan of development that effectively addresses these and other elements, Sub-Area 15 could support medium-low density residential development at a density of 4 units per acre. The original Berryville Area Plan identified Future Land Uses in Table V-1 and included planned yields for respective commercial and residential development. Of the residential development that has occurred in Annexation Area B through 2015, 195 residential units of the planned yield have not been constructed. Additional density that would allow for a portion of these units to be included in this Sub-Area should be considered.

Transportation access to Sub-Area 15 is a challenging element due to the fact that the historic Bel Voi house is located on an 11.47 acre parcel that overlaps Sub-Areas 15 and 16 and extends northward to Buckmarsh Run and the planning boundary with Sub-Area 13. Connectivity between the west and east sides of Sub-Area 15 can only be achieved with future cooperation with the owner of the Bel Voi parcel. Absent this participation, the challenge will be to develop separate access plans that do not adversely impact existing transportation networks.

SUB-AREA 16

Name:	BEL VOI PRESERVATION AREA
Acreage:	8.9 acres
Land Use Designation:	Historical/Cultural Preservation
Annexed:	No

Sub-Area 16, containing approximately 9 acres, partially encompasses the property immediately surrounding the existing historic residence, Bel Voi, contiguous to Battletown Subdivision. The land is zoned Open Space Residential (OSR). The planning unit is surrounded on the west, north and east by Sub-Area 15 and on the south by the existing residential subdivision. The Sub-Area has not been annexed by the Town.

The Sub-Area is designated for planning purposes as historical and cultural preservation, recognizing the existing home and grounds, known as Bel Voi, for both its cultural and historical significance within the Berryville community (survey #21-142). The County's historic resources survey states that the north wing of the house was built circa 1825, with additions made in 1953 and 1971. In addition to the brick vernacular residence, a brick smoke house, and a 4-bay brick slave's quarters (renovated as a guest house) are also on the property. The geographical limits of the Sub-Area are so defined as to create sufficient setbacks and buffer opportunities from any

future development on the contiguous undeveloped property. Given its high visibility and unique architectural features, Bel Voi should be preserved and considered as a focal point around which any future land uses should be carefully sited.

It should be noted that the historic Bel Voi home lies on an 11.47 acre parcel that is mostly within Sub-Area 16 but also partially extends into Sub-Area 15 to Buckmarsh Run adjacent to the environmentally-sensitive Sub-Area 13. The boundaries of Sub-Area 15 were originally drawn not to capture the physical boundaries of this parcel, but to account for existing topography and viewsheds surrounding the historic home. As noted in the description for Sub-Area 15, the boundaries of the Bel Voi parcel present some challenges to the future master planning of development on adjacent Sub-Areas. Regardless of the participation of the owner of Bel Voi in a future development project, it is recommended that the boundaries and recommended development density of Sub Area 16 be retained and any adjoining development project shall provide appropriate mitigation measures (e.g., buffers, architectural features) to further protect the historic home.

SUB-AREA 17

Name: EASTERN GATEWAY
Acreage: 15.1 acres
Land Use Designation: Low Density Residential
Annexed: No

A residual portion of Audley Farm when the Route 7 Bypass was constructed, Sub-Area 17, containing approximately 16.0 acres, is located immediately west of the Route 7 Bypass/Route 7 Business intersection, at the easterly entrance into the Berryville Area. This land has its northern border defined by the Route 7 Bypass, southern and eastern borders defined by Route 7 Business, and Sub-Area 15 and Battletown Subdivision in the Town establishing its western limits. This Sub-Area is zoned Detached Residential-1 (DR-1) and has not been annexed by the Town.

The land is highly visible from the Route 7 Bypass/Business intersection and is considered the eastern entrance to the Town of Berryville. Future development should be designed with frontage roads, significant landscape buffers, or other devices to present the most attractive face of a development toward this important entry corridor.

Transportation planning for Sub-Area 17 should be analyzed for appropriate access. The priority in planning for the transportation element in this area (including Sub-Areas 13, 14, 15, 16, and 17) should be to explore an access point to Route 7 Business for a future local collector road system, in addition to the public rights-of-way through Battletown subdivision. This local collector road would serve as the primary means of ingress/egress for future development in the aforementioned Sub-Areas. The priority should be to develop a new access to Route 7 Business before accessing existing stub streets in the Battletown subdivision.

As previously noted, the majority of Sub-Areas 13, 14, and 15, are in common ownership as of the 2015 Berryville Area Plan update. This presents the potential opportunity of facilitating a master plan development for these Sub-Areas with the owner of Sub-Area 17 including, but not limited to, the following elements:

- Transportation connectivity and improvements (see discussion under Sub-Areas 15 and 17).
- Cluster design to reduce infrastructure costs and adverse environmental impacts.
- Walkability elements including sidewalks and walking trails.
- Viewshed protection.
- Master planning for public water, public sewer, and stormwater infrastructure.
- Cash proffers or other developer-funded improvements to mitigate the impact of new development on Town and County capital needs.

If supported by a master plan of development that effectively addresses these and other elements, Sub-Area 17 could support medium-low density residential development at a density of 4 units per acre.

SUB-AREA 18

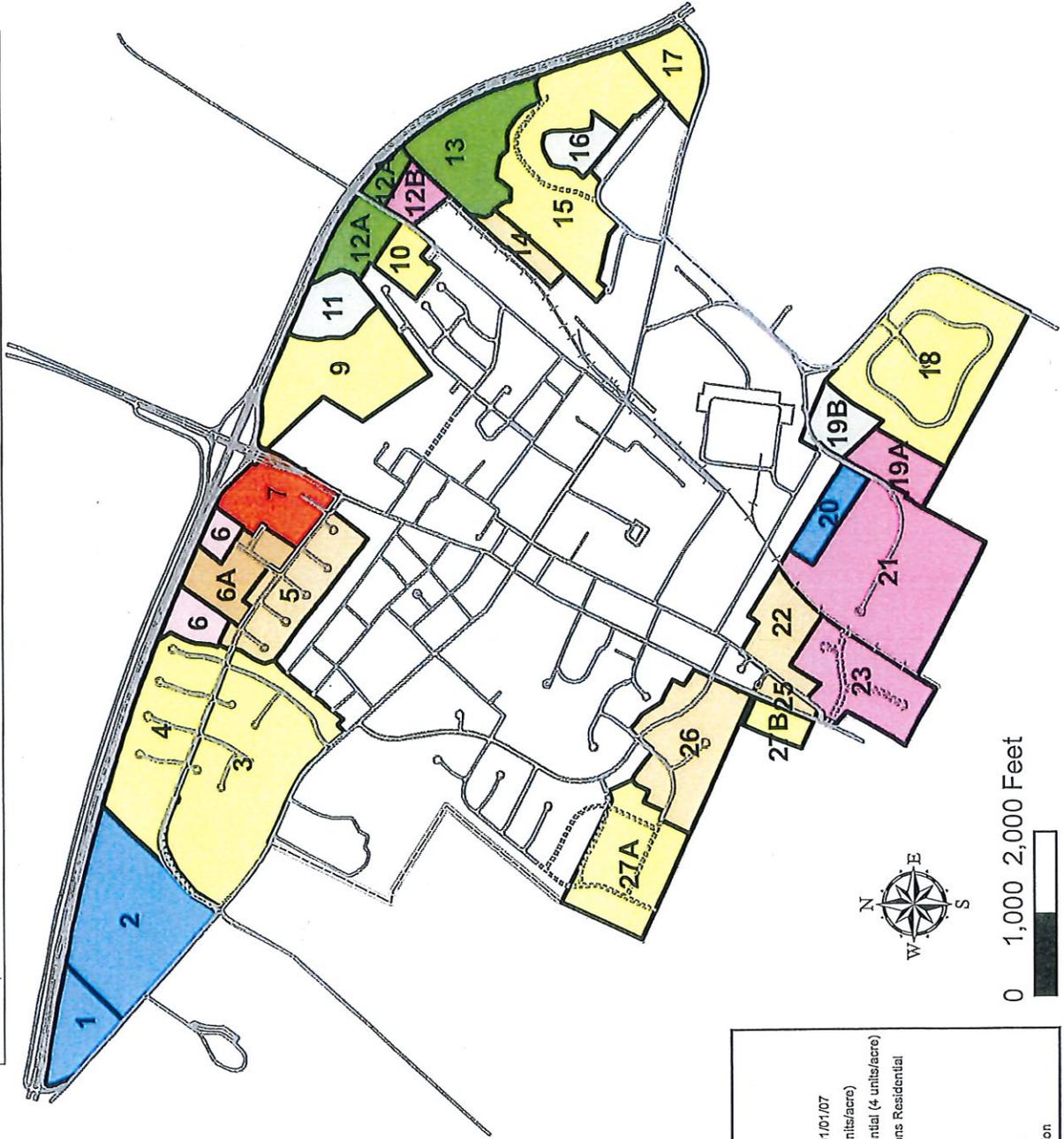
Name: BERRYVILLE GLEN
Acreage: 75.1 acres
Land Use Designation: Low Density Residential
Annexed: Yes

Sub-Area 18, containing approximately 75 acres, is situated on the southern side of Town and comprises the southeast limits of Annexation Area B. This Sub-Area is bounded on the northeast and southeast by Springsbury Road and on the southwest by the boundary of Annexation Area B. The remaining border generally follows the ridge of a drainage divide that embraces the entire northwest edge of the Sub-Area. The Sub-Area is adjacent to a historic property zoned Open Space Residential and a 12.57-acre parcel zoned Business Park BP. The zoning is Detached Residential-1 (DR-1). At the time of this Plan update, the Sub-Area, known as Berryville Glen, had been subdivided into 71 single-family lots and new homes are currently under construction. This Sub-Area has been annexed by the Town.

The land is generally well drained overland and does not pose significant runoff problems. This Sub-Area is designated for Low Density Residential uses. This is most easily supported by the property's proximity to agricultural zoning and land uses on three sides. Development of this Sub-Area for comparatively denser residential uses is justified by its proximity to existing development in the town and to public services, especially water. Land use proposals should incorporate the development of appropriate neighborhood open spaces and a landscaped, passive park internal to the development. Landscaping, setbacks, and home siting should be sensitive to the historical/cultural preservation uses programmed for Sub-Area 19B.

This Sub-Area was originally programmed for 116 single-family residential units. The overall development plan for Berryville Glen utilizes the entire Sub-Area for the development of the approved 71 lots, leaving 45 unused residential units from the original planned yield. Absent a future redevelopment plan of Berryville Glen, it would be appropriate to consider moving these unused residential units to another Sub-Area in order to maximize development potential.

MAP 4 -- Berryville Area Plan Land Uses (2015)



- Existing Roads
- Proposed Roads
- Railroads
- Berryville Town Limits as of 01/01/07
- Low Density Residential (2 units/acre)
- Medium-Low Density Residential (4 units/acre)
- Medium Density Older Persons Residential
- Highway-Visitor Commercial
- Business/Office
- Light Industrial/Research
- Institutional/Public
- Environmental Conservation
- Historical/Cultural Preservation



FRIANT

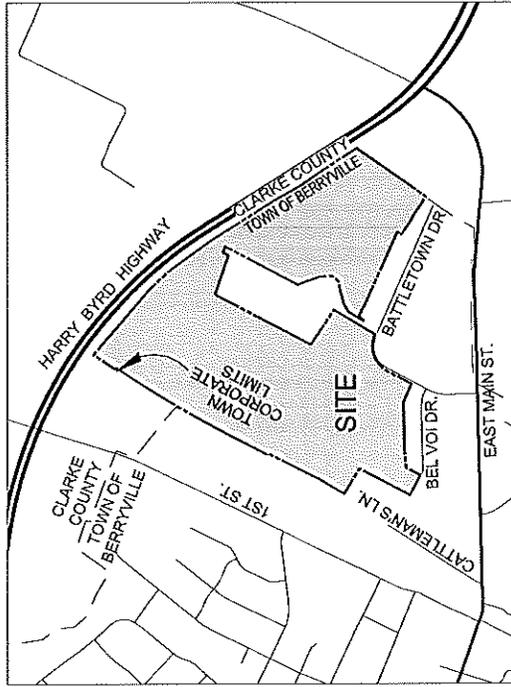
MASTER ZONING PLAN

TOWN OF BERRYVILLE
CLARKE COUNTY COUNTY, VIRGINIA

SUBJECT PARCELS: TAX MAP #14 A 80& 14 A 112

OWNER
FRIANT ENTERPRISES LP, LLP
1504 EARL RD.
CHARLES TOWN, WV 25414

DEVELOPER
D.R. HORTON
7625 JONES BRANCH DRIVE, SUITE #200
TYSONS, VA 22012
CONTACT: PRIYA TIWARI
(443) 225-3152
pd@friant.com



VICINITY MAP
SCALE: 1" = 500'

SHEET INDEX

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2.....	EXISTING CONDITIONS
3.....	ZONING PLAN
4.....	LAND USE PLAN
5.....	OPEN SPACE PLAN
6.....	UTILITY PLAN
7.....	TRANSPORTATION PLAN

FRIANT

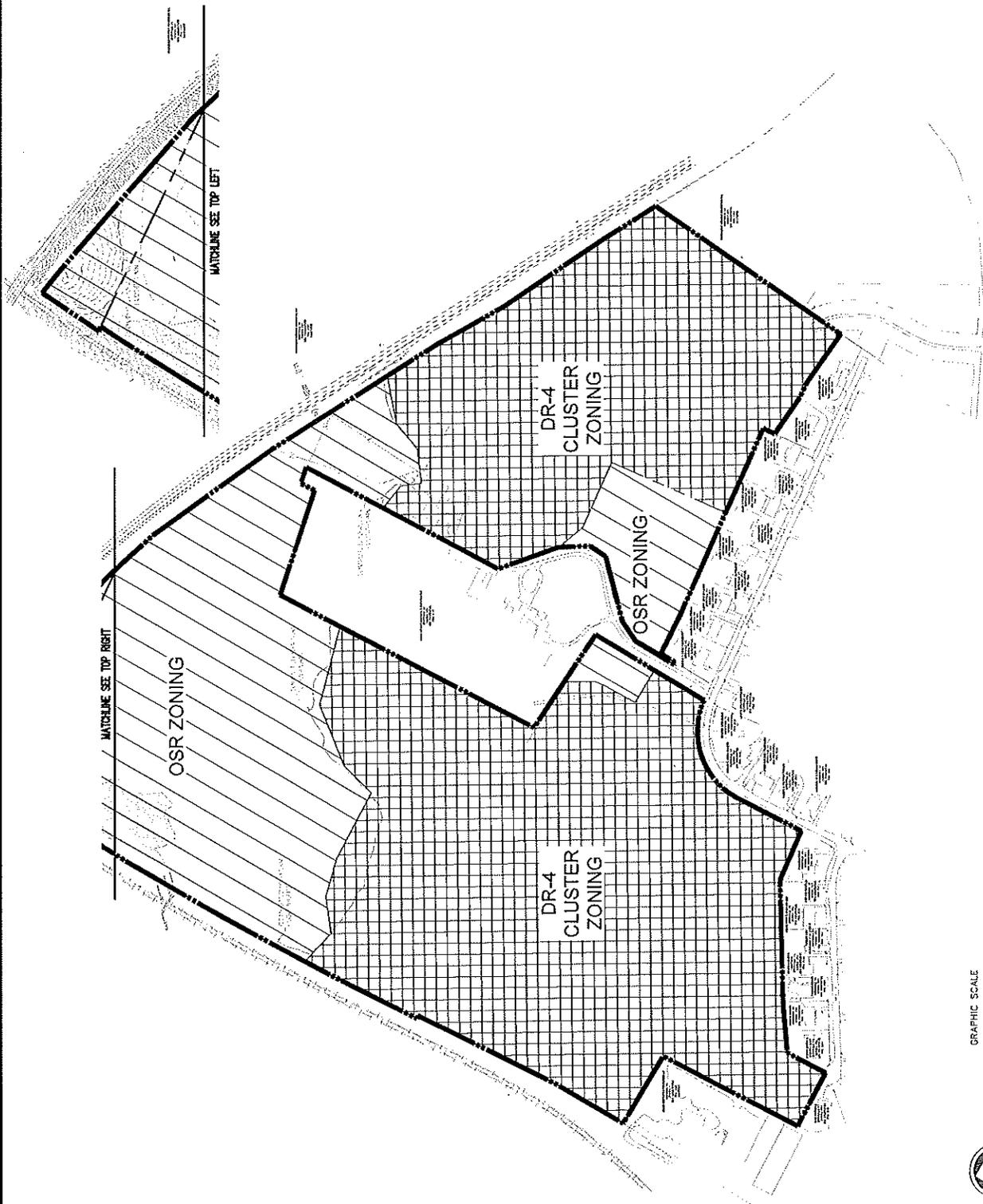
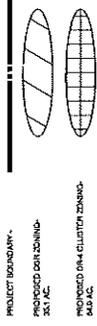
MASTER ZONING PLAN

DATE: 07/31/2023
REV. DATE: 11/8/2023
SHEET: 1 OF 7
TOWN OF BERRYVILLE, VIRGINIA
CLARKE COUNTY, STATE



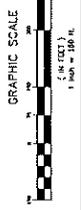
Dewberry
Engineers, Inc.

LEGEND:



**FRIANT
PROPOSED ZONING PLAN**

DATE: 07/21/2023
REV. DATE: 11/08/2023
SHEET: 3 OF 7
TOWN OF BERKEVILLE, VIRGINIA
CLARKE COUNTY, STATE



FRIANT

MASTER ZONING PLAN

TOWN OF BERRYVILLE
CLARKE COUNTY, VIRGINIA

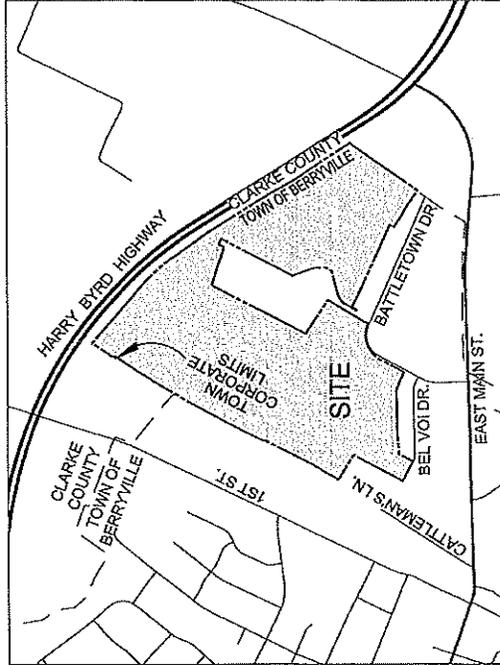
SUBJECT PARCELS: TAX MAP #14 A 80& 14 A 112

OWNER
FRIANT ENTERPRISES LP LLP
1804 EARL RD
CHARLES TOWN, WV 25414

DEVELOPER
D.R. HORTON
7823 JONES BRANCH DRIVE, SUITE 0200
TYSONS, VA 22092
CONTACT: RITA THARI
PH: 703-441-1153
rthari@ch2m.com

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7.....	TRANSPORTATION PLAN



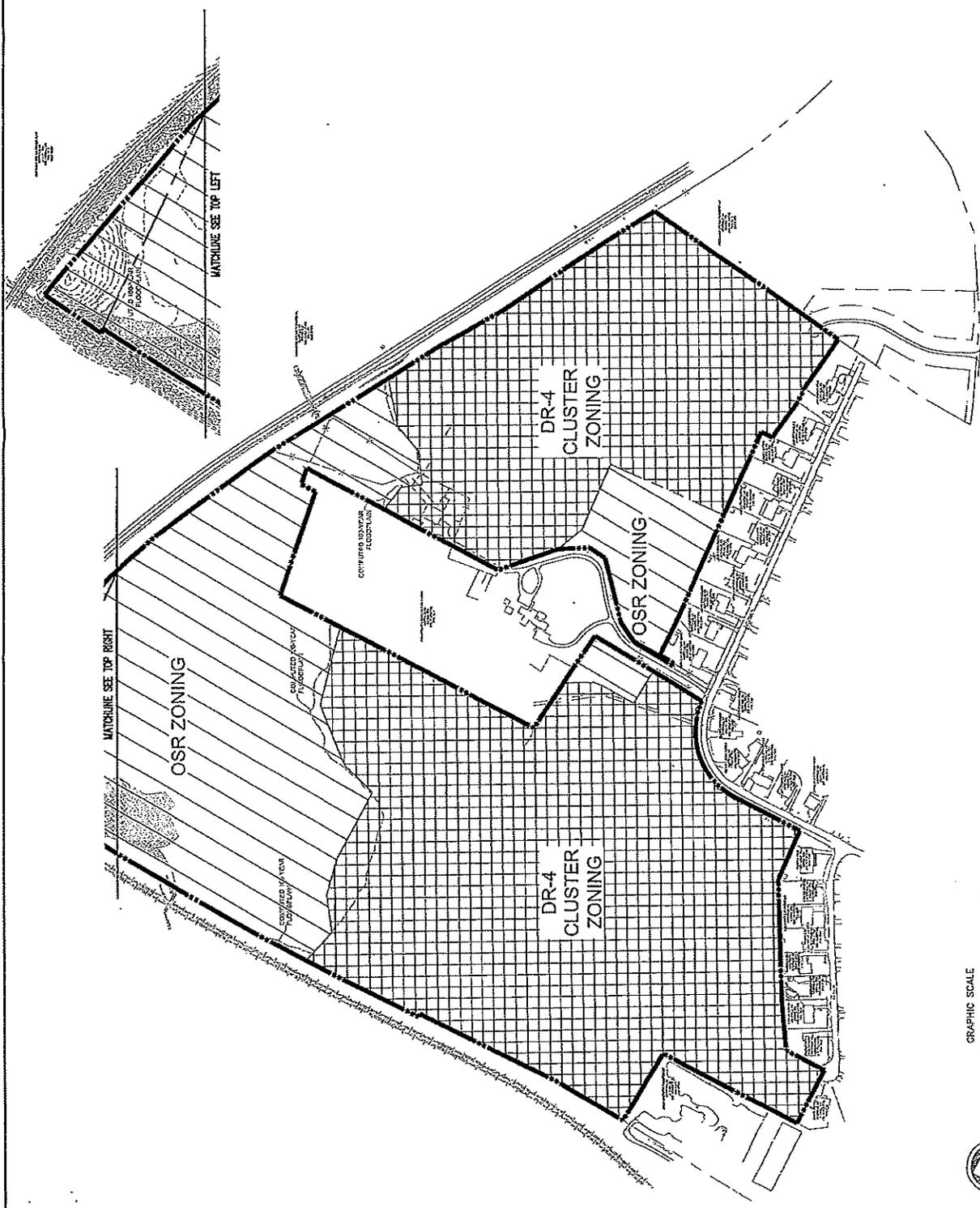
FRIANT MASTER ZONING PLAN

DATE: 07/31/2023
REV. DATE: 11/20/2023
SHEET: 1 OF 7
TOWN OF BERRYVILLE, VIRGINIA
CLARKE COUNTY, STATE



LEGEND:

- PROJECT BOUNDARY
- PROPOSED OSR ZONING
33.1 AC.
- PROPOSED DR-4 CLUSTER ZONING
84.8 AC.

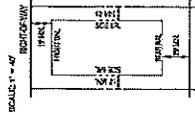


FRIANT
PROPOSED ZONING PLAN
 DATE: 07/31/2023
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 SHEET: 3 OF 7
 TOWN OF BERRVILLE, VIRGINIA
 CLARKE COUNTY, STATE





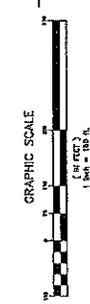
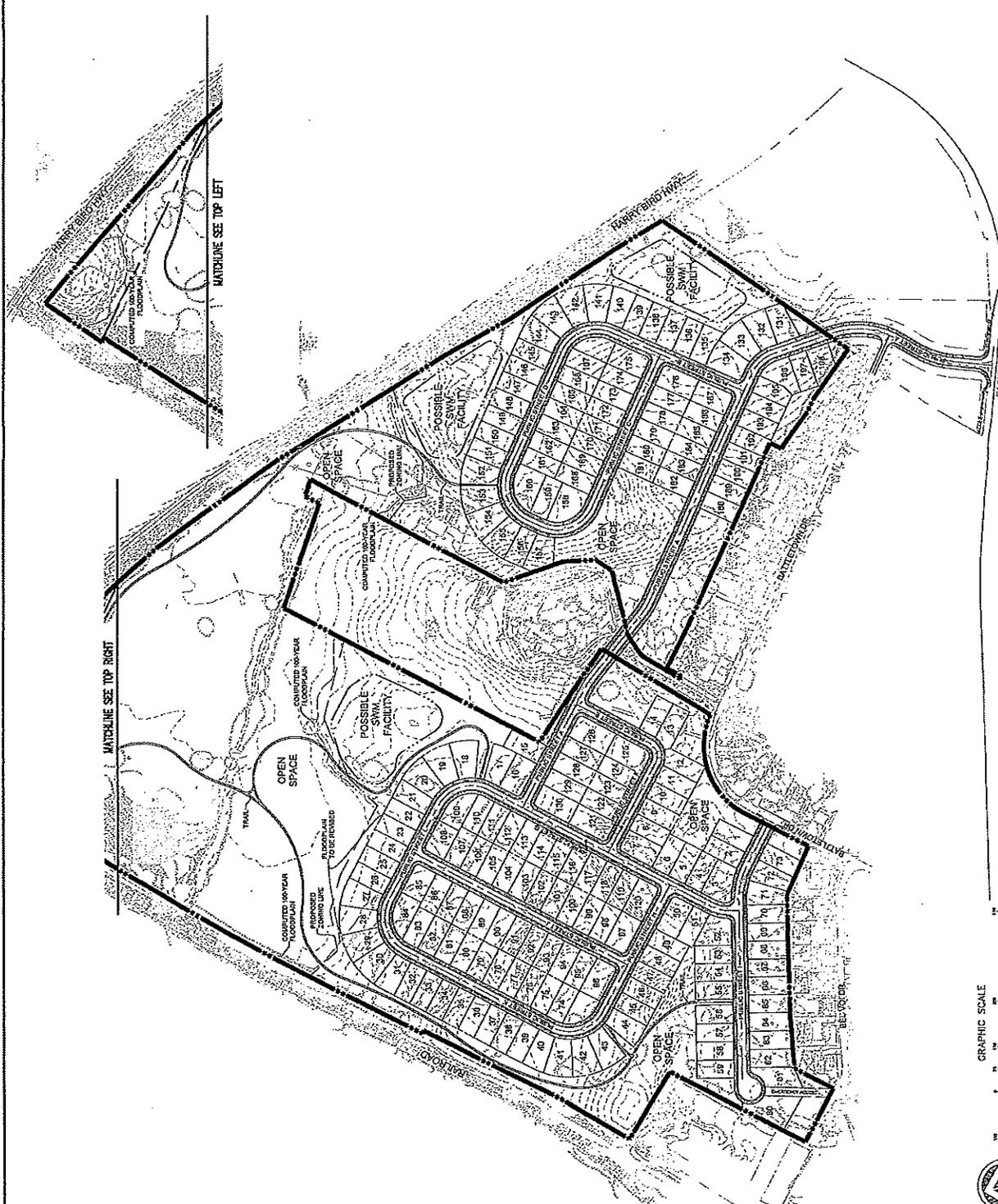
- NOTES:**
1. ALL DIMENSIONS, UNLESS OTHERWISE NOTED, ARE IN FEET.
 2. SHEET SIZE: A3 (11" x 16.5" A4).
 3. ALL DISTANCES ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
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 10. ALL DISTANCES ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
- TABULATIONS**
- PROPOSED DEVELOPMENT STANDARDS
- DR-4 CLUSTER DEVELOPMENT STANDARDS
- SINGLE-FAMILY DETACHED MINIMUM LOT AREA: 3,000 SF
 - SINGLE-FAMILY DETACHED MINIMUM LOT WIDTH: 30 FT
 - SINGLE-FAMILY DETACHED MINIMUM FRONT YARD: 10 FT
 - SINGLE-FAMILY DETACHED MINIMUM REAR YARD: 10 FT
 - SINGLE-FAMILY DETACHED MINIMUM SIDE YARD: 5 FT
 - SINGLE-FAMILY DETACHED MINIMUM FRONT PORCH STRUCTURE: 10 FT
 - SINGLE-FAMILY DETACHED MINIMUM REAR PORCH STRUCTURE: 10 FT
 - SINGLE-FAMILY DETACHED MINIMUM SIDE PORCH STRUCTURE: 10 FT
 - SINGLE-FAMILY DETACHED MINIMUM GARAGE STRUCTURE: 20 FT

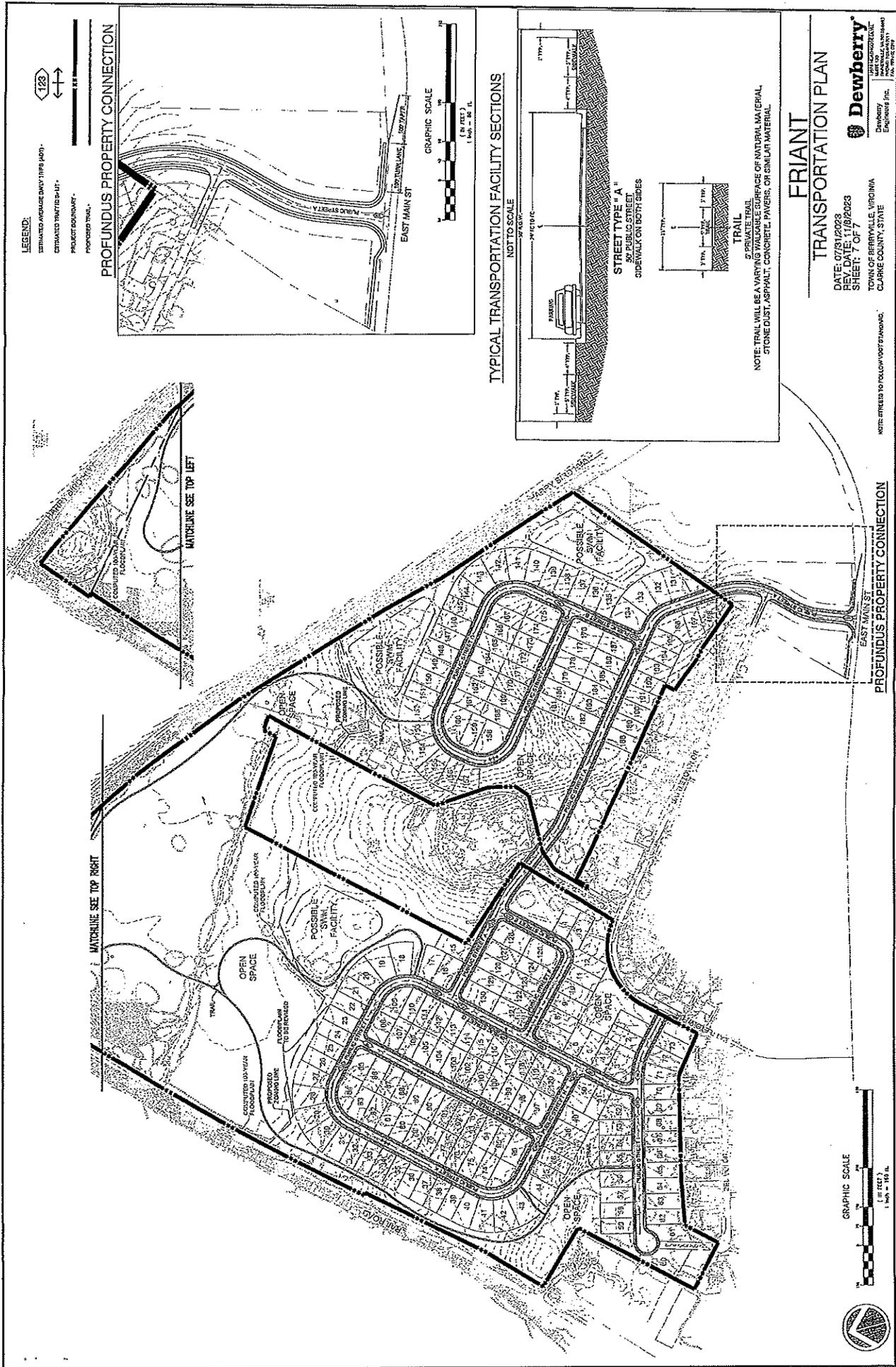


FRIANT LAND USE PLAN

DATE: 07/31/2023
 REV. DATE: 11/20/2023
 SHEET: 4 OF 7

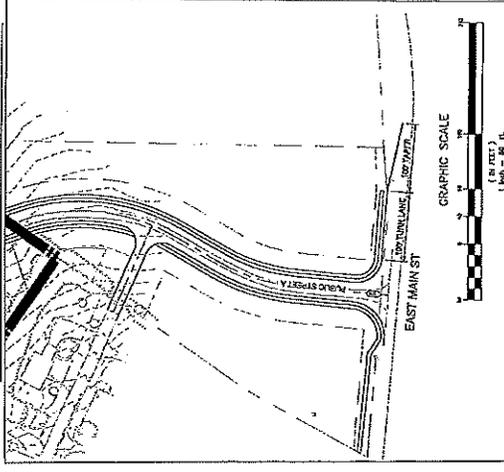
Dewberry
 CONSULTING ENGINEERS
 1000 EAST BERRYVILLE AVENUE
 BERRYVILLE, VIRGINIA 22834





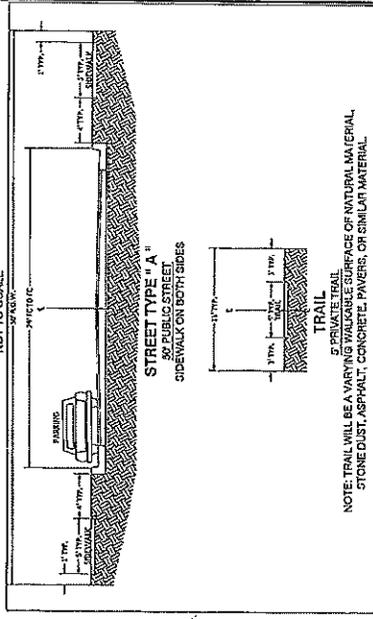
LEGEND:
 ESTIMATED AVERAGE DAILY TRIP (ADT)
 ESTIMATED TRAFFIC DELAY
 PROPOSED ROADWAY
 PROPOSED TRAIL

PROFUNDUS PROPERTY CONNECTION



GRAPHIC SCALE
 1" = 100' H.L.
 1" = 200' V.L.

TYPICAL TRANSPORTATION FACILITY SECTIONS



NOTE: TRAIL WILL BE A VARYING WALKABLE SURFACE OF NATURAL MATERIAL, STONE DUST, ASPHALT, CONCRETE, PAVERS, OR SIMILAR MATERIAL.

FRRIANT TRANSPORTATION PLAN

DATE: 07/31/2023
 REV. DATE: 11/09/2023
 SHEET: 7 OF 7
 TOWN OF BERRYVILLE, VIRGINIA
 CLARKE COUNTY, STATE



NOTE: REFER TO FOLLOWING STANDARDS

GRAPHIC SCALE
 1" = 100' H.L.
 1" = 200' V.L.



Erriandt

Design Guidelines

November 14, 2023

Town of Berryville, Virginia

ACKNOWLEDGEMENTS

Prepared For:



America's Builder

D.R. Horton, Inc.
7925 Jones Branch Drive Suite 6200
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Prepared By:



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13575 Heathcote Boulevard, Suite 130
Gainesville, VA 20155-6693



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SECTION 1: PROJECT SUMMARY

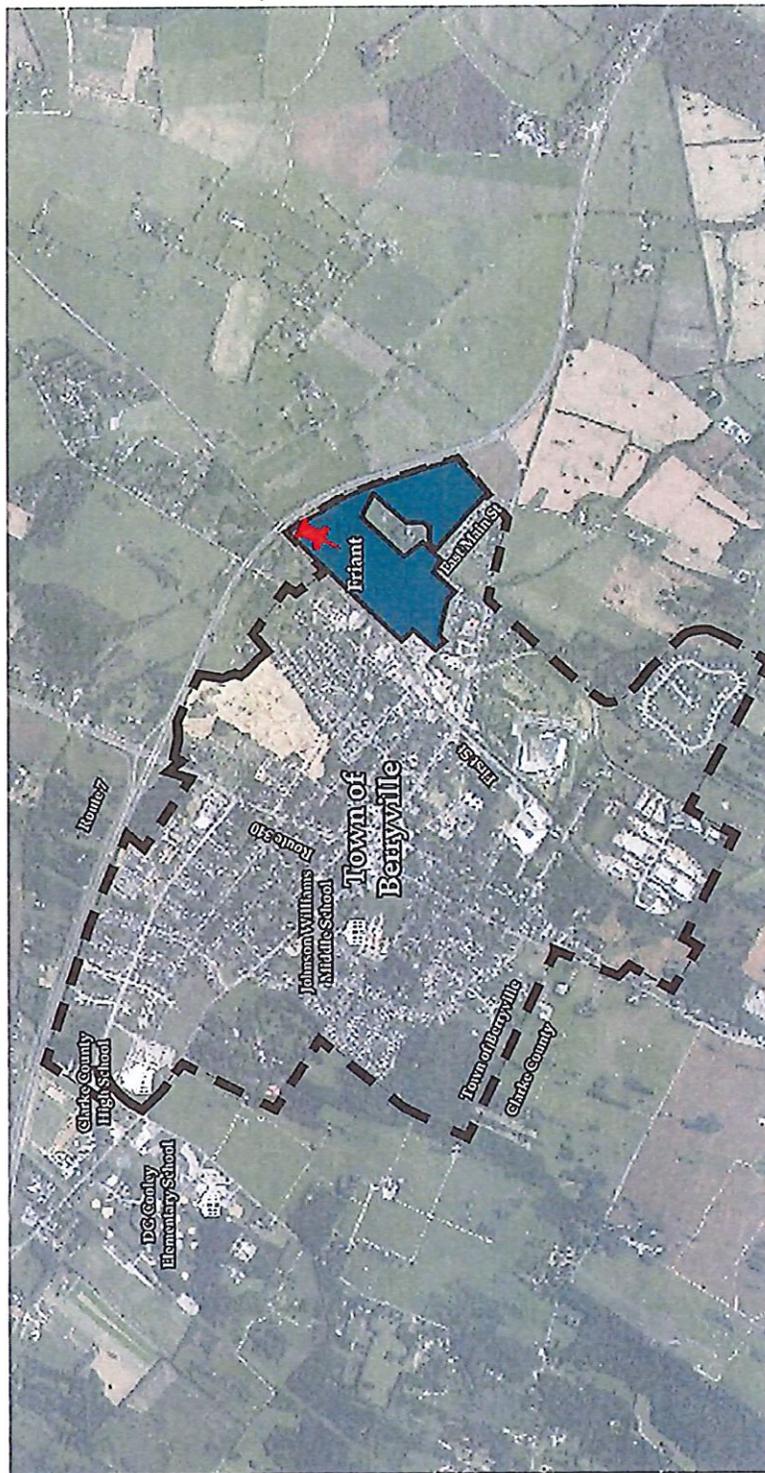


1.1 PROJECT INTRODUCTION

Friant is a proposed residential community located in the Town of Berryville, in Clarke County, VA. The Friant property is roughly 100 acres and is within the Berryville Area Plan's designated growth area. The single-family residential community is proposed to consist of 198 clustered residential lots and more than half of the property will become open space.

1.2 PROJECT LOCATION

As outlined in the introduction, Friant is located in the Town of Berryville. More specifically, it is located in the northeastern-most portion of the Town. Friant is well located for easy access to Route 7 while also being close to downtown Berryville and its local amenities and basic needs services, including public schools, which are only 2-3 miles from the Friant property.



1.3 BASIS OF DESIGN

The Friant development plan has been developed using the guiding principles of the Berryville Area Plan (the Plan). As outlined in this plan Clarke County and the Town of Berryville worked together to create a plan to protect the County's natural and historic resources, agricultural properties, and scenic beauty while at the same time preserving the Town's vibrancy as the primary growth area. Within the designated growth areas the Plan further outlines specific goals for designated sub-areas. The Friant project consists of sub-areas 13, 14, 15, and a portion of 16. Sub-area 13 is planned for environmental conservation which has been incorporated into the Friant development plan. Sub-Areas 14 and 15 are planned for medium-low density (2-4 units per acre) and low density (1-2 units per acre) residential development respectively. However, the plan does state that both areas 14 and 15 could support medium-low density residential development under a cohesive master plan for areas 13, 14, and 15. The Plan further states that planned residential density that was not constructed with previous projects within the growth area should be considered for area 15. It is also outlined in the Plan that connectivity between the east and west sides of area 15 is a challenge and can only be achieved with the cooperation of the owners of the Bel Voi parcel, sub-area 16. Sub-area 16 is planned for historic and cultural preservation. Based on the Plan's outline for these areas as well specific design elements for areas 14 and 15 outlined below as A-F the cohesive master plan of development was created for the Friant property.

SUB-AREA 14 + 15 DESIGN ELEMENTS

The following design elements outlined in the Berryville Area Plan were used as guiding principles in the development

- A** Transportation and Connectivity Improvements
- B** Cluster Design to reduce infrastructure costs and adverse environmental impacts.
- C** Walkability elements including sidewalks and walking trails.
- D** View shed protection.
- E** Master planning for public water, public sewer, and stormwater infrastructure
- F** Cash proffers or other developer-funded improvements to mitigate the impact of new development on Town and County capital needs.

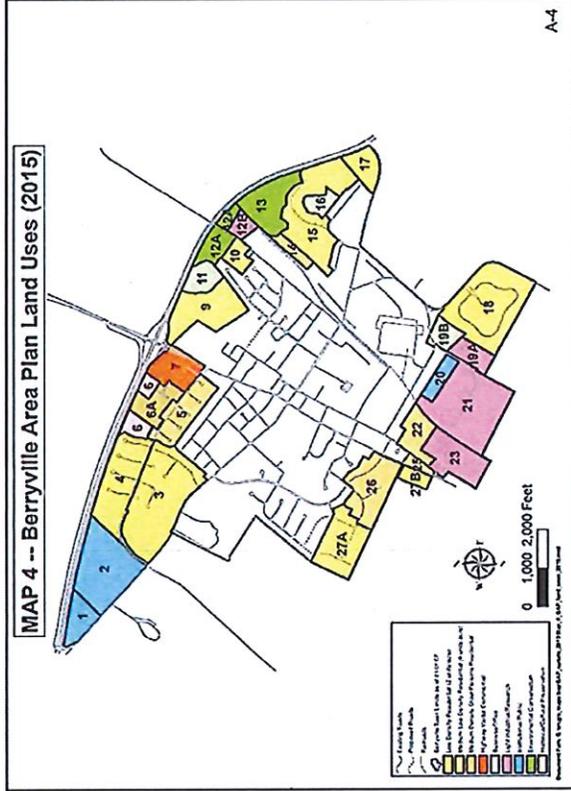


Image from the 2015 Berryville Area Plan

Berryville Area Plan Notes:

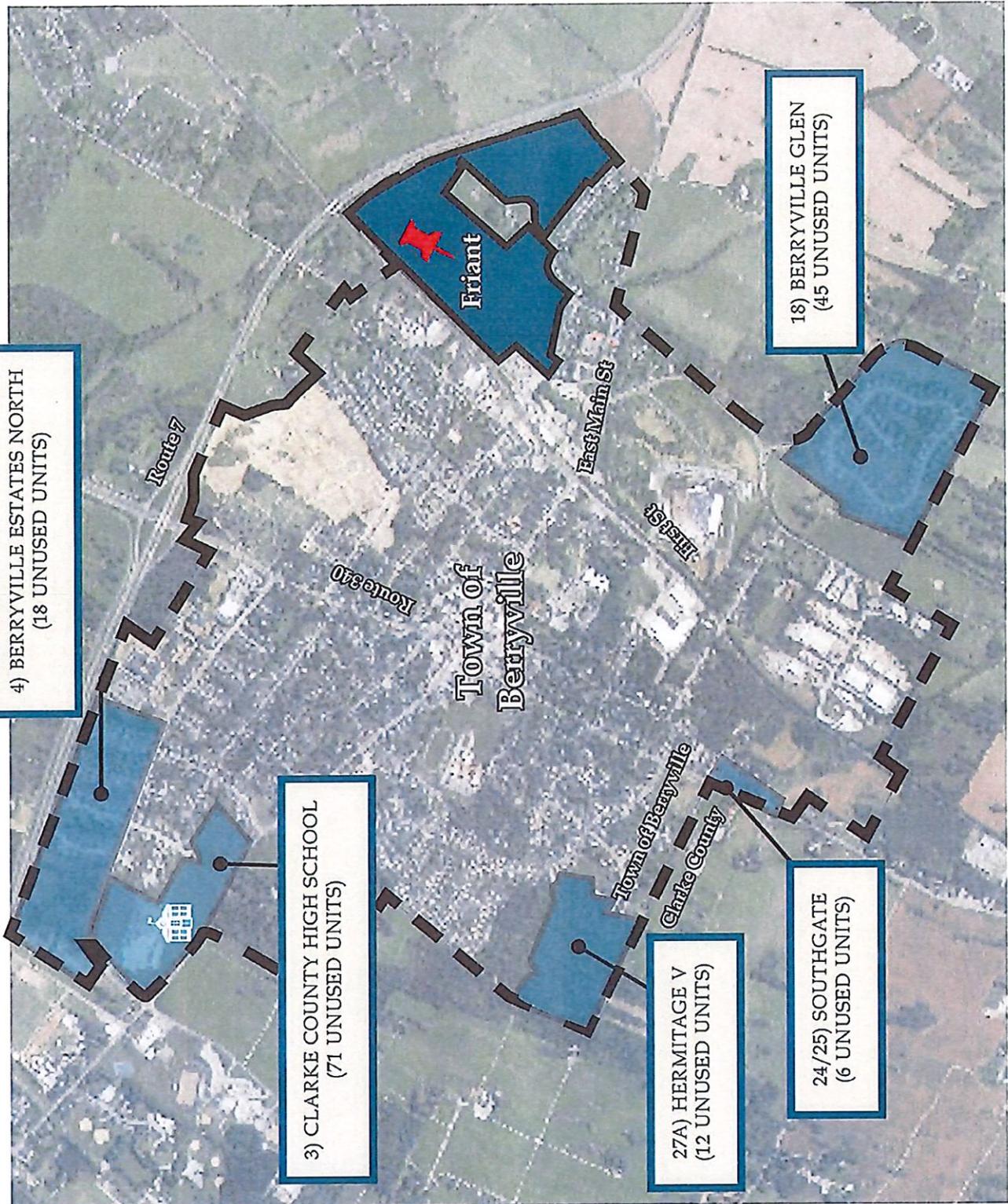
Note 1 - The Town of Berryville is ideally suited to provide urban levels of service as the County's primary designated growth area for residential and business uses.

Note 2 - If supported by a master plan of development that effectively addresses these and other elements, Sub-Area 15 could support medium-low density residential development at a density of 4 units per acre.

Note 3 - Of the residential development that has occurred in Annexation Area B through 2015, 195 residential units of the planned yield have not been constructed. Additional density that would allow for a portion of these units to be included in this Sub-Area should be considered.

Note 4 - Connectivity between the west and east sides of Sub-Area 15 can only be achieved with future cooperation with the owner of the Bel Voi parcel.

BERRYVILLE AREA PLAN UNUSED LOTS



UNUSED LOTS INFORMATION

SUB AREA	TITLE	PLANNED LAND USE	RES. TYPES	PLANNED DENSITY	REMAINING RES. UNITS
3	CCHS/ Battlefield Estates South	Low-Density Res.	SFD	2 RU/AC	71
4	Battlefield Estates North	Low-Density Res.	SFD	2 RU/AC	18
18	Berryville Glen	Low-Density Res.	SFD	2 RU/AC	45
24	Southgate/Northern Portion (REMOVED)				3
25	Southgate Residential Area	Med-Low Density Res	SFD	4 RU/AC	3
27A	Hermilage Residential Growth Area	Low-Density Res.	SFD	2 RU/AC	12

152
unused
lots
from the
Berryville
Area Plan

1.4 MASTER PLAN

Proposed
Density =
2.87 units
per net
developable
site area.

Proposed
Density =
1.98 units
per gross
site area



As outlined in the Berryville Area Plan the development is clustered to reduce infrastructure needs and preserve environmental resources. The development will have two new entrances but will primarily be accessed from a new entrance road that will connect to East Main Street and include a turn lane. The new entrance road will also provide a connection to the existing Battletown Drive to further enhance connectivity options within the Town. All the Friant residential streets will include sidewalks on both sides of the street and a trail system will be developed in the preserved open space areas to provide a generous internal pedestrian circulation system. As outlined on the Master Zoning Plan, a majority of the project will become open space. Select areas of this open space will be developed to provide active and passive recreation opportunities. Public water and sanitary sewer services will be provided to each home and on-site stormwater management will be provided.

ACHIEVED DESIGN ELEMENTS

A Goal: Transportation and Connectivity Improvements

The development will have two new entrances but will primarily be accessed from a new entrance road that will connect to East Main Street and include a turn lane. The new entrance road will also provide a connection to the existing Battletown Drive to further enhance connectivity options within the Town and maintain the secondary street network within the Town limits.

According to the Berryville Area Plan Chapter 2 Section C, "transportation planning for the Sub-Area should emphasize sensitively located linkages to and through Battletown Subdivision and the other Sub-Areas that make up this quadrant. However, given the low capacity nature of Battletown's residential streets, additional access options to Sub-Area 15 should be explored".

B Goal: Cluster Design to reduce infrastructure costs and adverse environmental impacts.

The Friant development is clustered to reduce infrastructure and preserved environmental resources, with a proposed density of 2.87 DU/AC

According to the Berryville Area Plan Chapter 2 Section C, "Zoning requirements should encourage that residential development be planned in clusters. Cluster design for the residential neighborhood would provide the opportunity to reserve sensitive environmental areas and natural drainage ways, which would in turn, provide for more efficient use of the land." This chapter also states that "Sub-Area 15 could support medium-low density residential development at a density of 4 units per acre. The original Berryville Area Plan identified Future Land Uses in Table V-1 and included planned yields for respective commercial and residential development. Of the residential development that has occurred in Annexation Area B through 2015, 195 residential units of the planned yield have not been constructed. Additional density that would allow for a portion of these units to be included in this Sub-Area should be considered."

C Goal: Walkability elements including sidewalks and walking trails.

All the Friant residential streets will include sidewalks on both sides of the street, creating about 3.5 miles of sidewalk. A trail system will also be developed in the preserved open space areas to provide an additional 1.5 miles of pedestrian circulation system.

According to the Berryville Area Plan Chapter 1 Section D, "communities that are walkable and that provide bicycling facilities provide benefits to their citizens by having a healthier and more active population, reduced transportation costs to citizens, improved air quality, and increased traffic to local businesses."

D Goal: View shed protection.

View shed protection of the property from Route 7 is being provided by locating a majority of the proposed development about a quarter of a mile away from Route 7. Where development has been planned closer to Route 7, the natural terrain of the property is elevated. Using this natural elevated area and supplementing it with an evergreen tree screen will provide view shed protection from Route 7.

According to the Berryville Area Plan Chapter 2 Section C, "the land is highly visible from the Route 7 Bypass. In this regard, future development must be carefully sited".

E Goal: Master planning for public water, public sewer, and stormwater infrastructure

Public water and sanitary sewer services will be provided to each home and on-site stormwater management will be provided through the implementation of three on-site stormwater management ponds.

F Goal: Cash proffers or other developer-funded improvements to mitigate the impact of new development on Town and County capital needs.

Cash proffers are being provided as outlined in the proffer statement.

PHASING PLAN



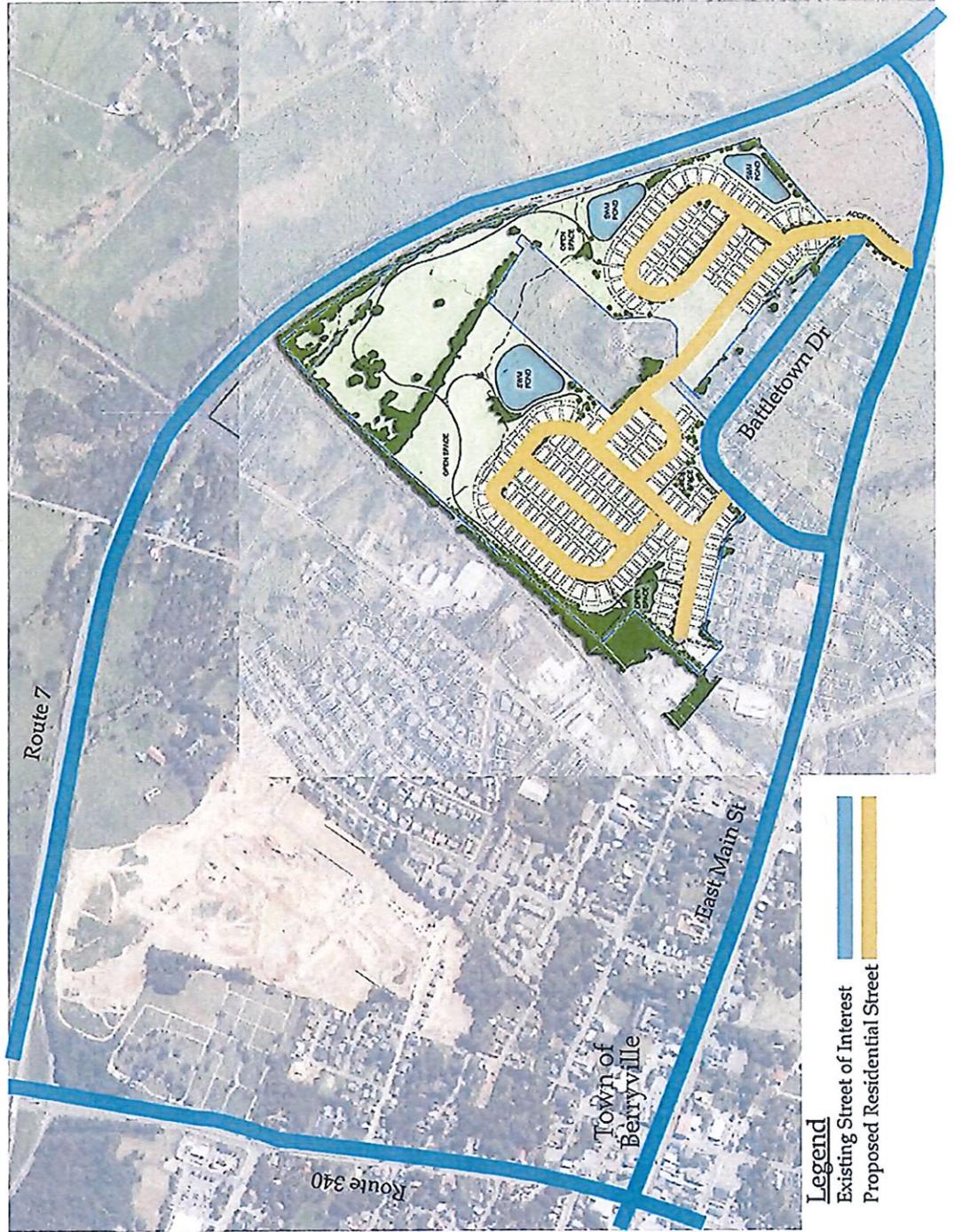
- A** Construction and vehicular access established across Bel Voi from East Main Street to provide interparcel connection and connectivity.
- B** Entrances to Battletown Drive constructed to Town of Berryville standards. Entrance shall remain closed and used for emergency vehicle access only until such time as outlined in the proffers.
- C** Right turn lane and taper shall be constructed and open to traffic when warranted.
- D** A left turn lane and taper shall be constructed and open to traffic when warranted.
- E** Prior to issuing the 100th occupancy permit the trail system shown herein shall be constructed and opened for use.
- F** The tot lot shown herein shall be constructed and open for use prior to the issuance of the 100th occupancy permit
- G** Construction entrance from E. Main St.

SECTION 2: TRANSPORTATION DESIGN

2.1 VEHICULAR TRANSPORTATION

The Friant project should consist of internal residential streets that provide two-way vehicular circulation with on-street parking. The project should be provided with two vehicular connection points, one from East Main Street which shall include a turn lane and one from Battletown Drive. In addition to those connections to the Friant development a connection should also be made from the end of existing Battletown Drive to the new connection road from East Main Street.

VEHICULAR TRANSPORTATION PLAN



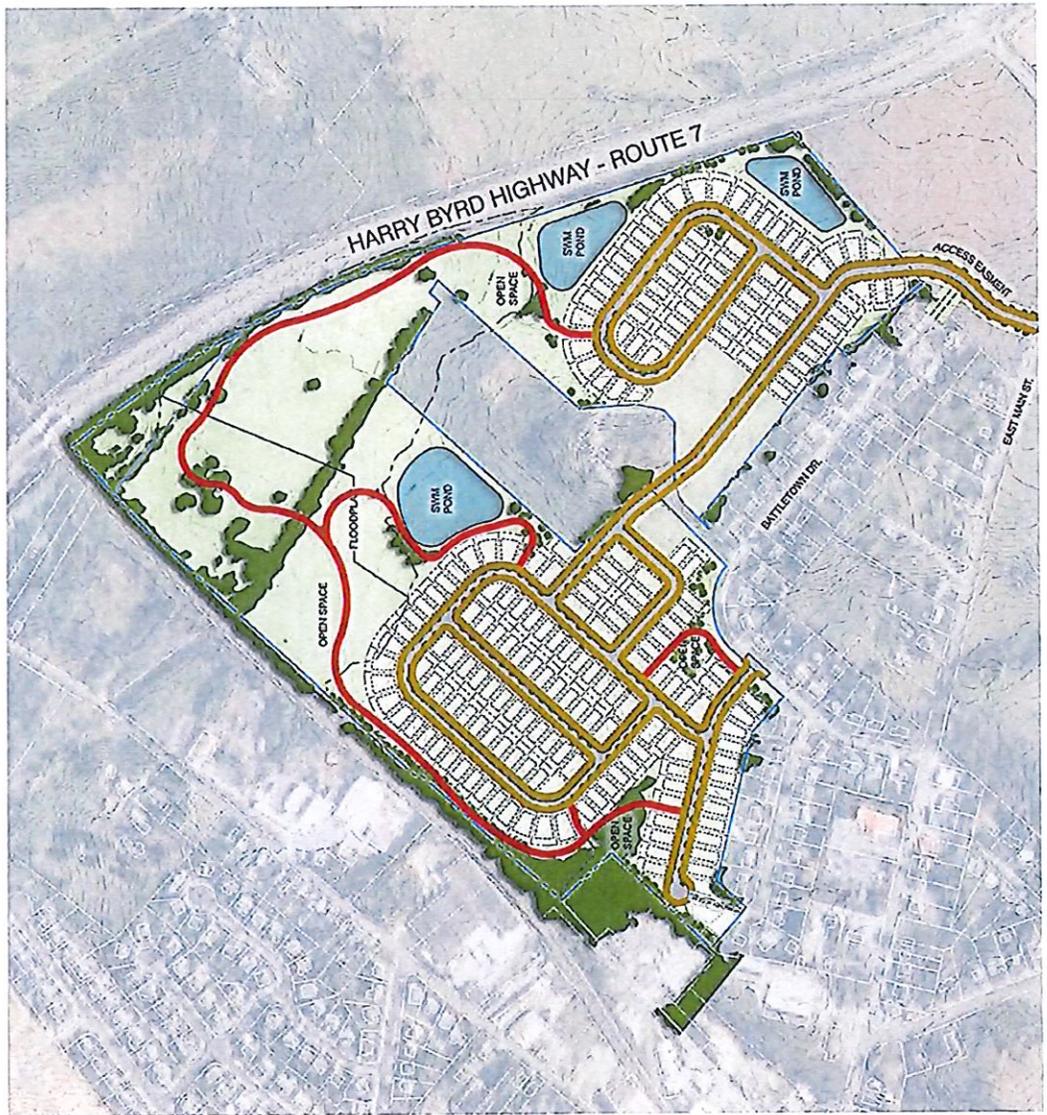
Legend
 Existing Street of Interest
 Proposed Residential Street



2.2 PEDESTRIAN TRANSPORTATION

The Friant project internal residential streets shall be provided with sidewalks on both sides of the proposed streets. Furthermore, pedestrian connections in the form of sidewalks, trails, and the like shall be provided amenity areas developed within the provided open space. The open space area shall also be enhanced with an internal trail system providing multiple trails systems and connections for public access to the open space areas.

PEDESTRIAN TRANSPORTATION PLAN



Proposed Sidewalk
+/- 18,000 FT = 3.5 MI

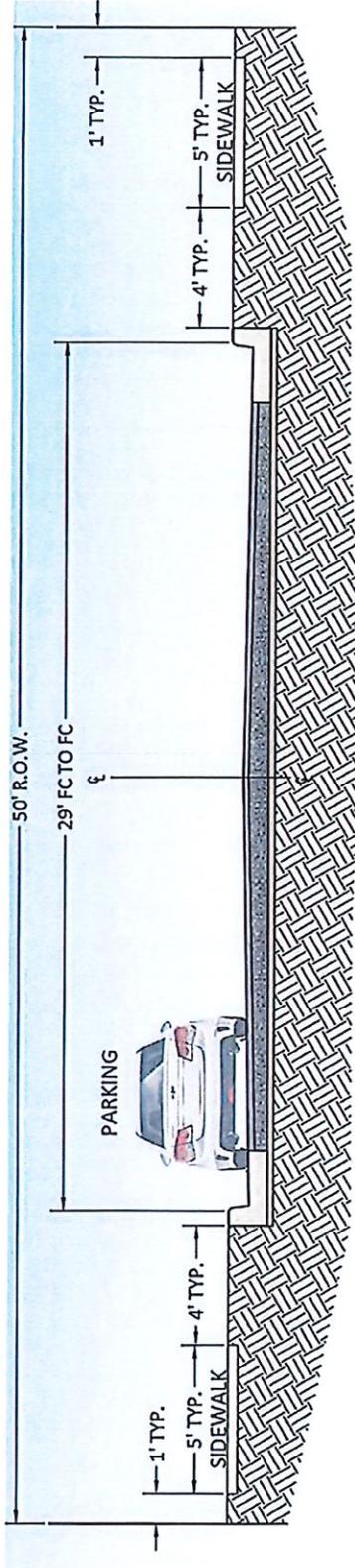
Proposed Trail
+/- 6,600 FT = 1.25 MI

2.3 STREET AND TRAIL DETAILS

The proposed streets within the Friant project site will include sidewalks and trails for safe pedestrian circulation.

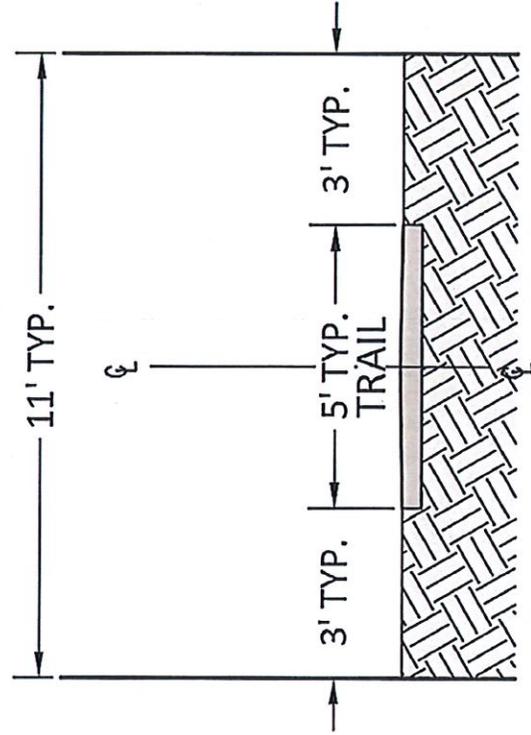
RESIDENTIAL STREET

50' Public Street with sidewalk on both sides



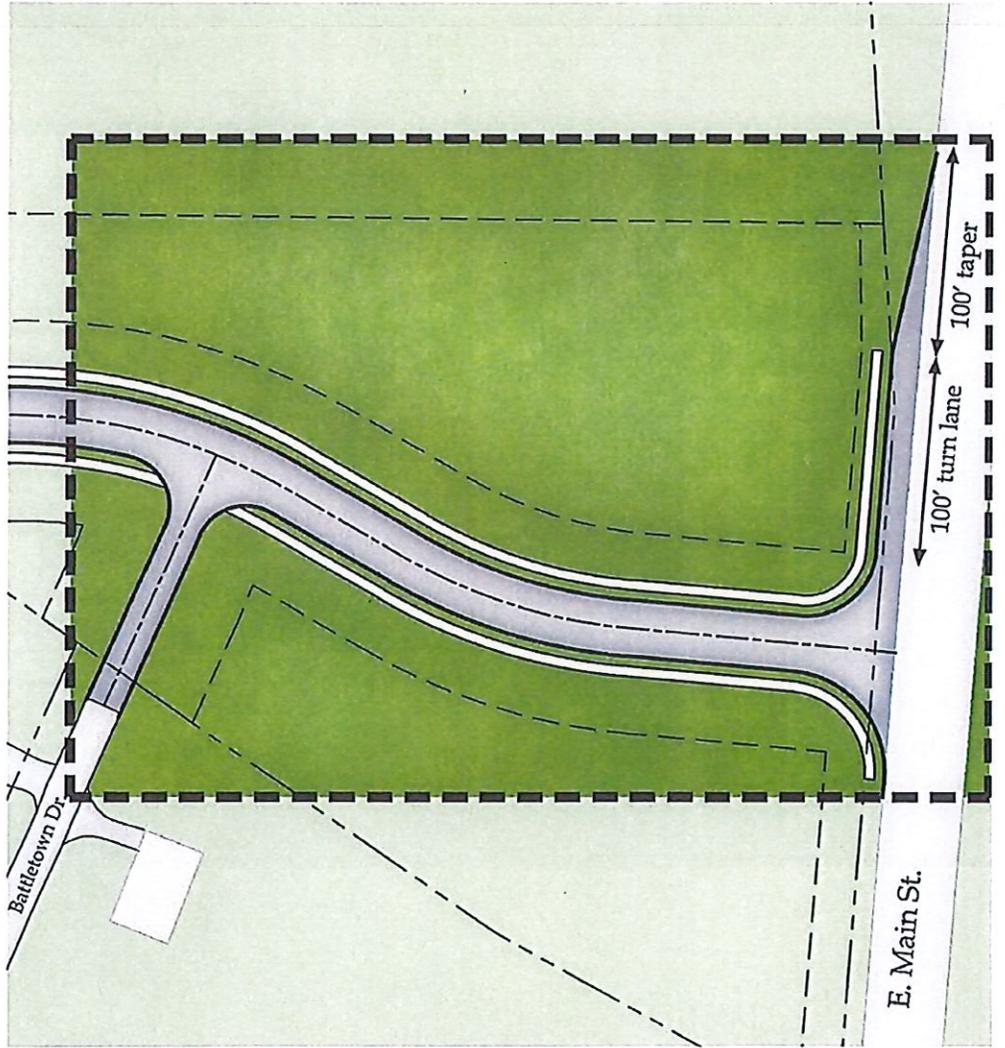
PRIVATE TRAIL

5' private trail with a variable walking surface of natural material, stone dust, asphalt, concrete, pavers, or similar material





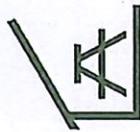
2.4 TURN LANE IMPROVEMENTS



SECTION 3: OPEN SPACE

3.1 OPEN SPACE AREA

In order to adhere to the cluster design principles of the Master Plan a majority of the Friant development should be developed and/or preserved as open space. Select areas within the open space should be provided with amenities to promote active and passive recreation for the public. Access to these facilities shall be provided with a trail system that connects to the proposed public street network.



52.2
Acres
of
Open
Space
or 52 %
of the
project

Legend
Planned Open Space



OPEN SPACE PLAN



3.2 OPEN SPACE AMENITIES

AMENITIES PLAN



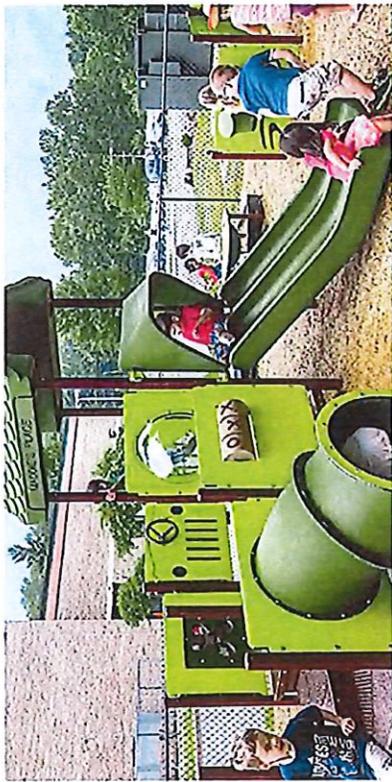
A Dog Park: An enclosed dog park with benches and seating for users



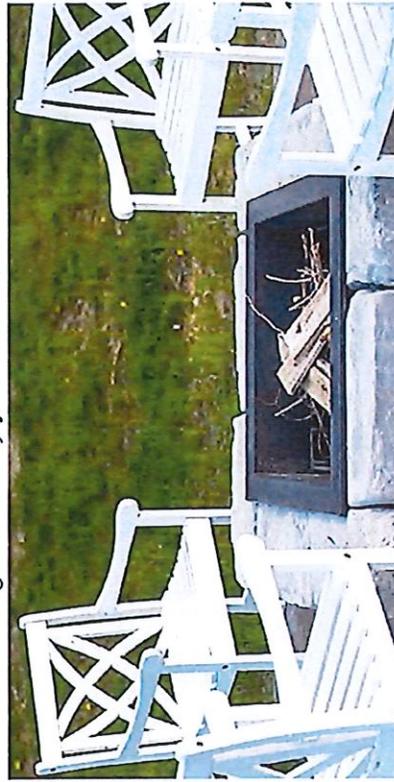
B Children's Playground Ages 5-12: A playground with age appropriate play equipment for children ages 5 to 12



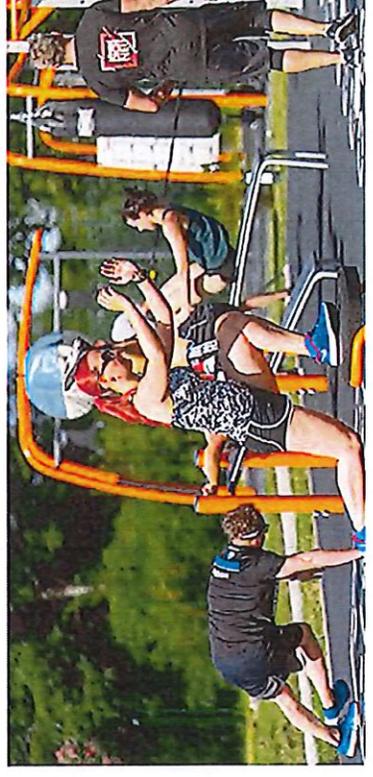
C Tot Lot: A tot lot is proposed for children ages 3 to 5 years old.



D Fire Pits + Pavilion: Fire pits will be proposed within an open space area, facing a wooded buffer, allowing users to enjoy a quiet evening or afternoon with friends around the fire. Pavilion structures are proposed near the trail to allow people to stop under a sheltered area, or for users to gather and enjoy the outdoors



E Exercise Equipment: Exercise equipment will be proposed along the trail, allowing users to enjoy the benefits of cardio and strength training in the outdoors



SECTION 4: LANDSCAPING

4.1 LANDSCAPE STANDARDS



1. PLANTING DESIGN GUIDELINES AND GENERAL REQUIREMENTS

A. Landscape material selections shall respond to the surrounding architecture and shall reinforce and define the public open space within the site. In general, street tree species shall correspond to the specific street type they are located on. This will help define the overall hierarchy of street connections and create clear pedestrian and vehicular zones. Overall, landscape selections will be based on year round interest, the ecology of the site, the need to define spaces, and the theme of the design.

B. Plants shall be selected based on their ultimate height, width, and growth habit in relation to the space where they will be planted. When planted adjacent to buildings, plantings should not obscure the building's architectural features.

C. To the extent possible, regional indigenous species are to be integrated into the planting designs.

D. Plant materials shall be resistant to disease and damage by deer and other fauna of the area.

E. There shall be a diverse mix of plant species to avoid monoculture and ensure seasonal interest. No more than 33% of plantings shall be of any one species.

F. Non-native species may be used in high visibility areas (e.g. entrance features, adjacent to buildings), however invasive and aggressively spreading species are not permitted.

G All plant beds shall be fully prepared as per the plan specifications.

H. Minimum Plant Size:
Street/Shade Trees: 2" - 2.5" cal.
Ornamental Trees: 1.5" - 1.75" cal.
Evergreen Trees: 6' height
Shrubs: 24"-36"



I. Plant Mixture:
Street/Shade Trees: Minimum of 40% of all trees.
Ornamental Trees: Minimum of 15% and maximum of 25% of all trees.
Evergreen Trees: Minimum of 35% of all trees (primarily located within screening areas).
Shrubs: Minimum of 50% shall be evergreen.

2. EXISTING VEGETATION

A. General Guidelines: Existing stands of vegetation shall be preserved whenever possible.

B. Buffer Credits: Existing vegetation may be used to meet landscape buffer requirements. To be credited, existing vegetation stands must meet the buffer width requirement and be in good health. Existing buffer areas shall be supplemented where necessary with planted trees and shrubs to achieve the minimum number of trees and shrubs required.

3. STREET TREES

A. General Requirements: Shade trees shall be planted as street trees along all rights-of-way within the project area.

B. Spacing: Shade trees shall be planted at a minimum, one tree approximately every 40 feet with the centerline of the roadway as the basis of measurement.

4. RESIDENTIAL LANDSCAPING

Landscape Plantings for individual homes should consist of a limited variety of trees, shrubs, and groundcovers to create an attractive well-organized cohesive landscape. Shrubs and groundcovers should be planted in masses of a single species or cultivar in sufficient numbers to create beds or drifts of plants.



4.2 RESIDENTIAL LANDSCAPE AND HARDSCAPE GUIDELINES

LANDSCAPING

Lot landscaping and screening can add a lot of value and create an aesthetically pleasing streetscape throughout the community. The following guidelines shall be considered:

- Foundation plantings must be included on every house prior to occupancy.
- Lots with walk-out basements or exposed foundations shall include landscaping to break up large architecture planes.
- Columnar or taller evergreens shall be used to "soften" the architecture.
- Corner lots or high vis lots shall have landscape screening to screen rear or sides of houses from the street.
- Lots that back to other lots shall include landscaping at the rear of the property to create a visual screen between adjacent lots. Landscape material shall be located outside drainage or utility easements.

FENCES

Fences will be permitted within the Friant community but must follow the guidelines below:

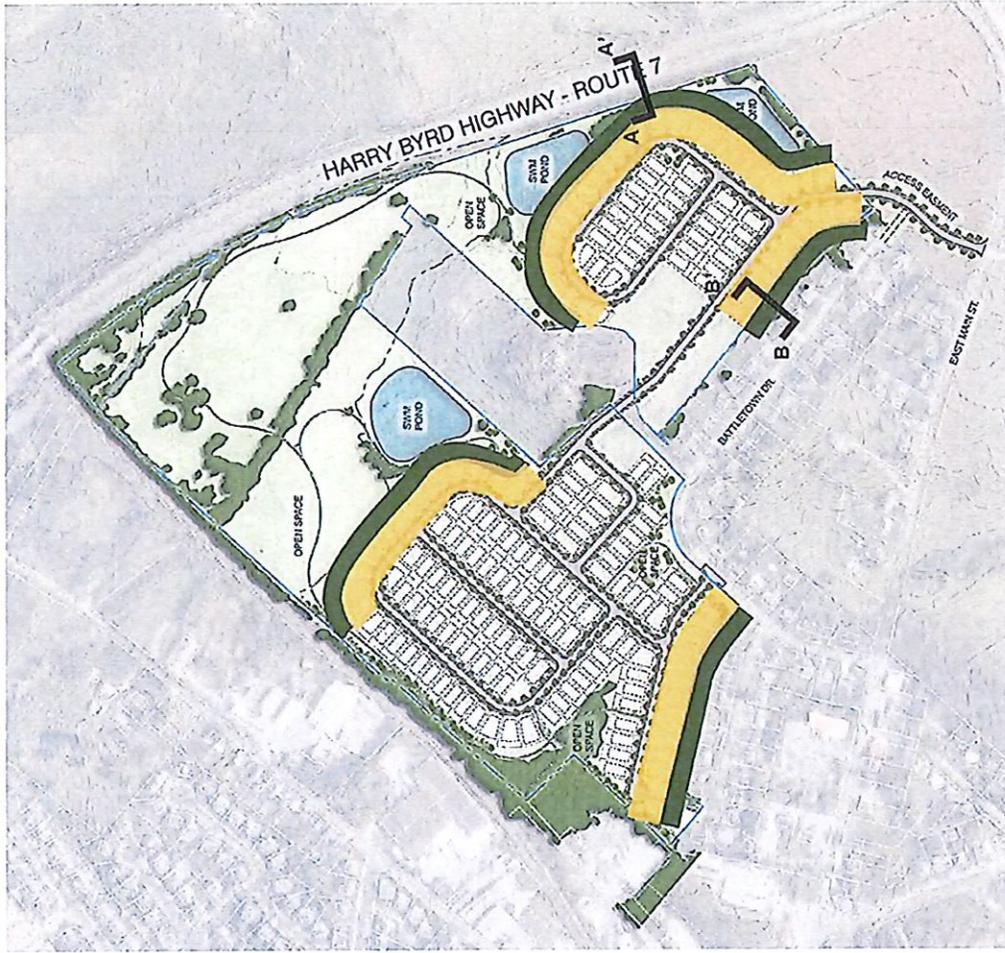
- Fence material shall be vinyl, wrought iron or aluminum.
- Vinyl fencing must be white; including vinyl covered picket fencing.
- Vertical vinyl covered black picket fencing is permitted.
- Maximum fence height shall be six (6) feet.
- Side yard fencing shall be a minimum of five (5) feet behind the front plane of the house.
- Corner lot fencing layout shall not extend beyond the front plane of the house on the perpendicular street.
- No front yard fencing shall be allowed.
- Fencing shall not be used to satisfy upgraded architectural requirements.

HVAC EQUIPMENT AND GENERATORS

- HVAC & generators shall be placed in the rear yard whenever possible.
- HVAC & generators shall be screened from view of the street or adjacent lots with a fence or opaque landscape screen.
- No equipment shall be placed on the side of the house that abuts two public streets.

4.3 SCREENING

SCREENING PLAN

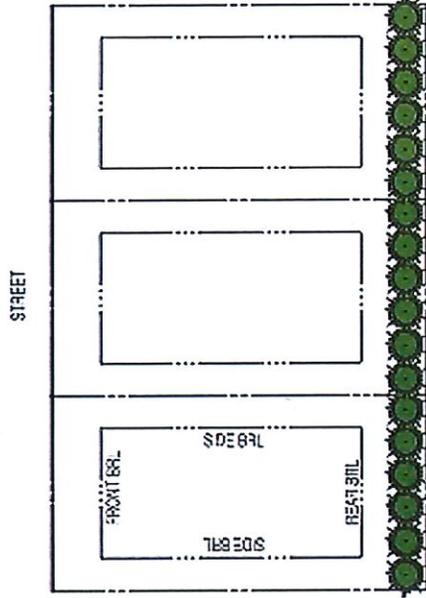


Legend

High Visibility Lot

Evergreen Screening Detail

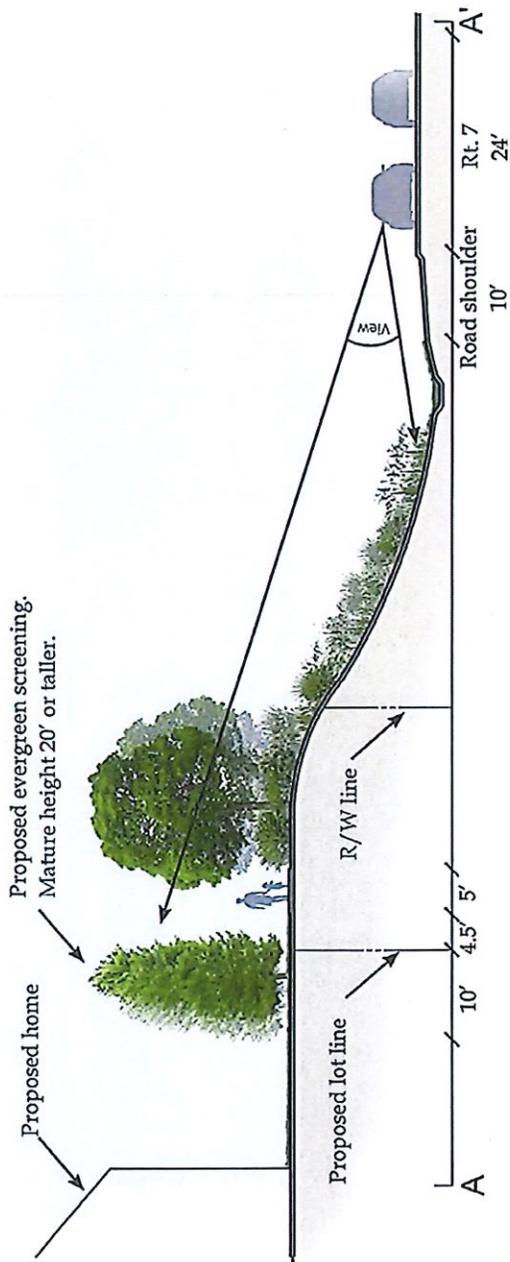
EXAMPLE EVERGREEN SCREENING DIAGRAM



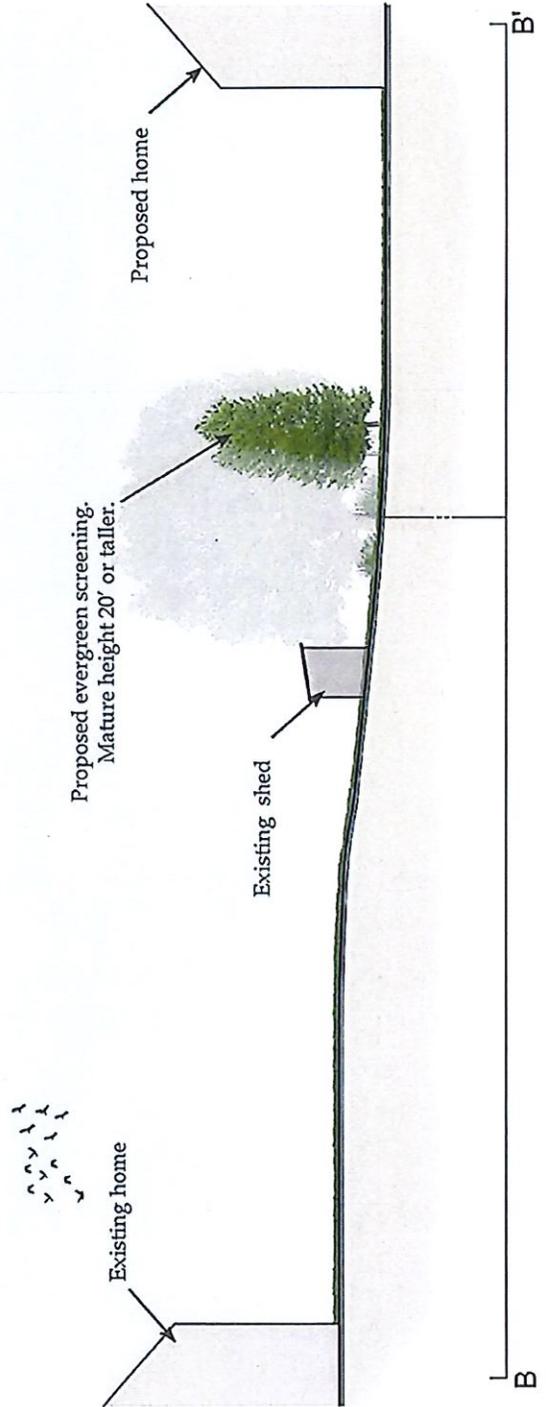
Notes:

- Green giant arborvitae, red cedar, variety of spruce species, and/or other similar evergreen species
- Each highlighted lot will include a minimum of 5 evergreen trees
- Evergreen trees may be located on or off the highlighted lots

ROUTE 7 CROSS SECTION A - A'



CROSS SECTION B - B'



4.4 PLANT PALETTE

EXAMPLE CANOPY TREES	
SCIENTIFIC NAME	COMMON NAME
<i>Liriodendron tulipifera</i>	Tulip Poplar
<i>Nyssa sylvatica</i>	Black Tupelo
<i>Quercus alba</i>	White Oak
<i>Quercus rubra</i>	Red Oak

Quercus rubra



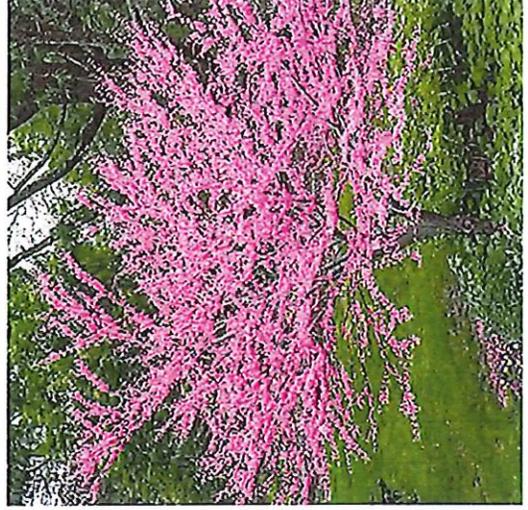
Nyssa sylvatica



EXAMPLE ORNAMENTAL TREES	
SCIENTIFIC NAME	COMMON NAME
<i>Amelanchier arborea</i>	Downey Serviceberry
<i>Cercis canadensis</i>	Redbud
<i>Magnolia virginiana</i>	Sweetbay Magnolia

EXAMPLE EVERGREEN TREES	
SCIENTIFIC NAME	COMMON NAME
<i>Juniperus virginiana</i>	Eastern Red Cedar
<i>Picea virginiana</i>	Virginia Pine
<i>Thuja x Green Giant</i>	Green Giant Arborvitae

Cercis canadensis



EXAMPLE SHRUBS	
SCIENTIFIC NAME	COMMON NAME
<i>Clethra alnifolia</i>	Summersweet
<i>Ilex glabra</i>	Inkberry
<i>Viburnum dentatum</i>	Arrowwood Viburnum

EXAMPLE HERBACEOUS	
SCIENTIFIC NAME	COMMON NAME
<i>Asclepias tuberosa</i>	Butterfly Weed
<i>Geranium maculatum</i>	Wild Geranium
<i>Rudbeckia hirta</i>	Black Eyed Susan

Thuja x Green Giant



Ilex glabra



Rudbeckia hirta



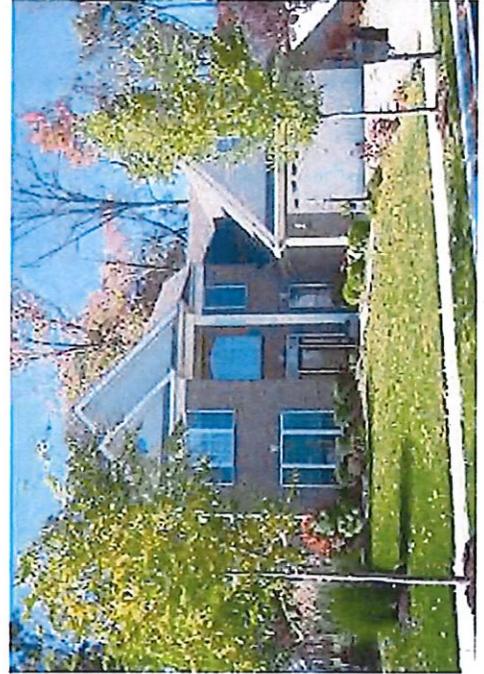
SECTION 5: RESIDENTIAL ARCHITECTURE DESIGN GUIDELINES

5.1 BUILDING DESIGN GUIDELINES



Building design guidelines seek to create a distinct yet coherent architecture that will foster a unique identity for Friant and form the backdrop to a rich street level experience. These guidelines will help distinguish the community, help define its character and eventually raise its value in the marketplace. The following set of principles will be applied to each of the buildings, irrespective of its use or location.

1. Build in the tradition of simple yet elegant designs. Building architecture and elevations promote a more contemporary nature through the use of simple unifying roof and window lines and careful selection of materials. The building aesthetic should emerge from elevation components and building details rather than from mere ornamentation.
2. Use traditional, high quality and durable materials throughout the community. - When walls are constructed of more than one material, changes in material shall be permitted along a horizontal or vertical line and should reinforce a base, middle and top for the building.



Building walls shall be of the following materials:

- Brick: A variety of traditional brick colors and modules and bonding variations are encouraged.
- Stone: Natural stone and stone veneer are permitted and shall be laid predominantly rectilinear stones in a horizontal pattern. Cast stone shall be permitted as sills, headers and accents.
- Siding: Cement or fiber board siding or high quality vinyl or its equivalent is the prescribed siding material where brick or stone is not utilized. Aluminum siding is not permitted. A variance in color and texture is encouraged.

3. Variety: No more than four (4) out of every ten (10) continuous lots can be the same elevation. In addition, lots next to, across or diagonally across the street from each other cannot be the same elevation. No identical color schemes for single family detached houses shall be repeated within three consecutive lots.

4. Emphasize main entries of each home regardless of elevation. The main entrance to each home should be easily identifiable from the main travel ways through the use of materials and forms.



5. Within the parameters of the principles as described herein, in addition to modern building practices and current market feasibility and projections, the architecture shall be complimentary, to the extent practical, to the architecture as typically found in Clarke County and the Town of Berryville

The architecture shown herein is a representation of builders' architecture that may be built in the Friant development but does not represent the full sampling of architecture that may be provided within the community.

WALK OUT BASEMENTS, EXPOSED FOUNDATIONS, AND SLAB TREATMENT

Lots with walk out basements or exposed foundations, including front porch or stoops, shall be finished with an architectural CMU or stone material.

Approved finishes included:

- Patterned form-liner; must also be painted to compliment architecture color scheme
- Stone or brick; must match the material being used as water table treatment
- Split-faced CMU block; color of block must compliment architecture color scheme. Zero barrier entry lots are housing designed to accommodate aging population and buyers with disabilities that affect mobility. To accommodate the need, these housing units limit architectural elements such as stoops and porches. Builders are encouraged to pull masonry materials up from the foundation to the bottom of the lowest window in the front façade across the entire front elevation.

If a zero-barrier entry house is proposed on a high visibility lot, the application will be managed on a case-by-case basis with the developer.

ELEVATIONS AND MATERIALS

Creating a unique and diverse streetscape throughout Friant is a high priority. Therefore, limitations are placed on the frequency and location of elevations that can be used on adjacent lots. The following guidelines shall be followed:

- Building elevations will be reviewed and approved by the developer prior to construction to ensure a cohesive theme throughout the community.
- No more than 4 (four) out of every 10 (ten) continuous lots can be the same elevation.
- Lots next to, across or diagonally across the street from each other can not be the same elevation.
- No identical color schemes for single family detached houses shall be repeated within three consecutive lots.
- Accent materials shall be varied to create more differentiation between lots.
- 1 level models shall add architectural features to the road facing roof to break up vast roof planes.
- Garage dominate elevations should utilize varying front yard setbacks and a mix of models and elevations to keep variety in the streetscape.

Accessory structures exterior color must match the main color of the primary structure.

- All driveways and lead walks shall be broom finished concrete or pavers. Traditional, high-quality and durable building materials shall be used throughout the community. Building materials shall meet all current Local, State, and Federal building codes and regulations.

PARKING

All single-family detached lots are to provide a minimum of two (2) off street parking spaces on a driveway with a minimum width and depth of eighteen (18) feet.

SINGLE FAMILY DETACHED HIGH VISIBILITY LOTS

High Visibility (HV) lots are corner / end units, or units that have the side or rear elevation facing a roadway. HV lots are not required if there is a thirty (30) feet or more landscape buffer between the lot and the roadway. HV lots will be required to provide the masonry treatment illustrated below. Three (3) additional architectural treatments listed below must also be provided.

Features required:

- Masonry water table; masonry used on the side elevation shall match masonry used on the front.

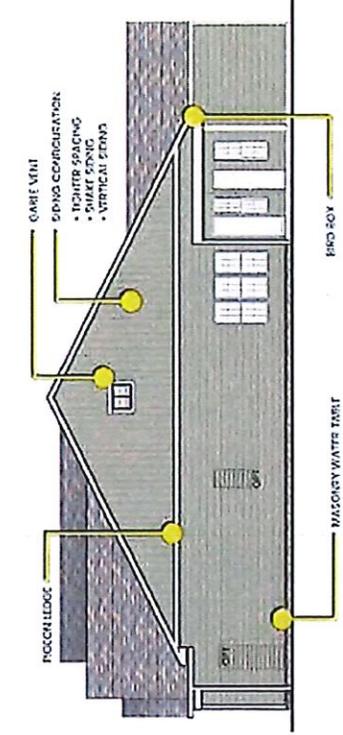
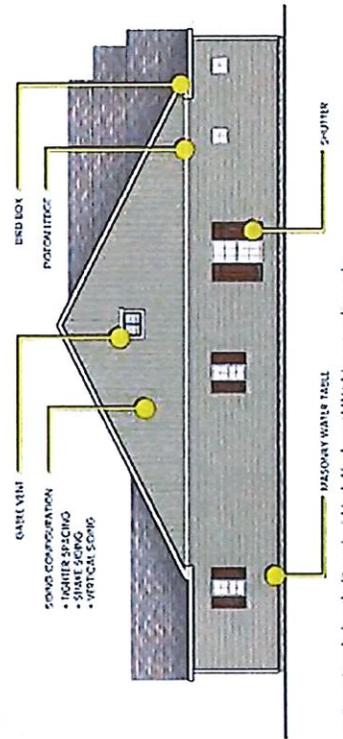
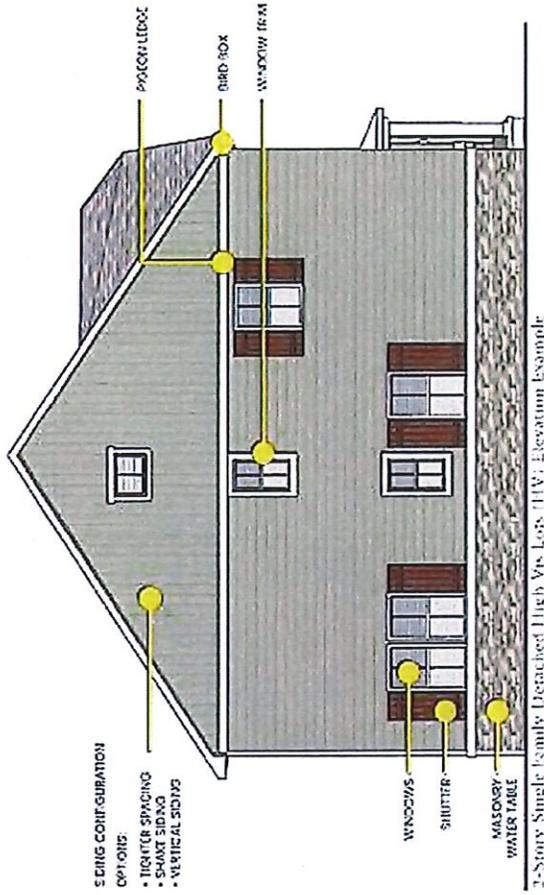
Optional features:

- Shutters
- Trimmed windows
- Pigeon ledge, which is a break in building elevation running eave to eave.
- Bird box, which is a return on the eave. See example (right)
- Siding above pigeon ledge shall be architecturally different from main portion of the house.

Pigeon ledge options include:

- Tighter spaced siding
- Shake siding
- Vertical siding

- A minimum of one optional feature shall be provided on each unit level



5.2 SINGLE FAMILY DETACHED LOT DEVELOPMENT STANDARDS

Each application shall be required to meet the setbacks requirements herein. The layouts shown are for demonstrative purposes only.

Minimum Side Yard, 10'

Minimum Rear Yard, 25'

Minimum Front Yard, 15'

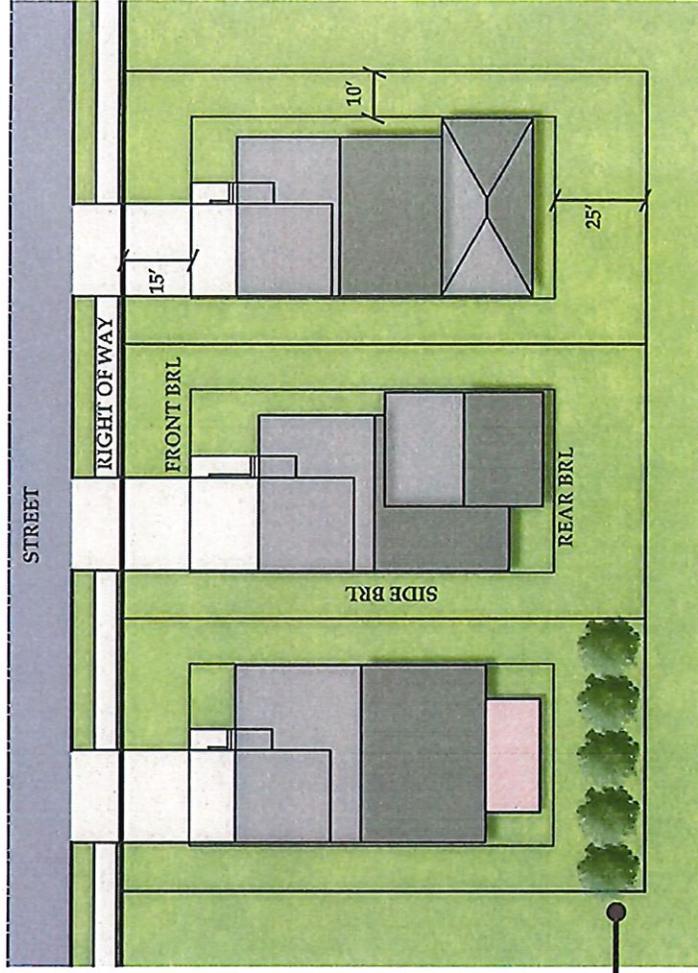
Minimum Front Yard for Garages, 25'

Minimum Lot Size, 7,500 SF

Maximum Lot Size, 20,000 SF

Minimum Lot Width, 60'

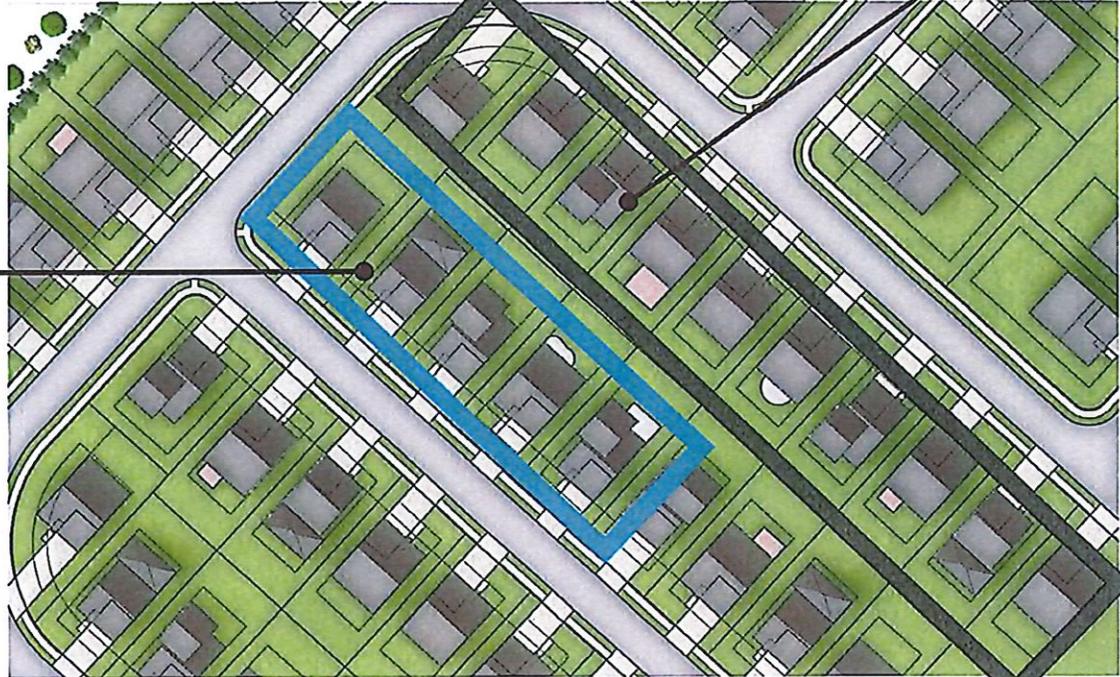
Minimum Corner Lot Width, 75'



* Example of lot sized with setback for illustrative purposes only

SCREENING TREATMENT FOR
HIGH VISIBILITY LOTS

3 LOTS OUT OF EVERY 5 LOTS TO BE STANDARD SETBACK
 2 LOTS OUT OF EVERY 5 LOTS TO BE ALTERNATE SETBACK



NO MORE THAN 4 LOTS OUT OF 10 LOTS SHALL HAVE THE SAME ELEVATION SAME SIDE OR ACROSS THE STREET

ELEVATION AND MATERIALS

Creating a unique and diverse streetscape throughout Friant is a high priority. Therefore, limitations are placed on the frequency and location of elevations that can be used on adjacent lots. The following guidelines shall be followed:

- No more than 4 (four) out of every 10 (ten) continuous lots can be the same elevation.
- Lots next to, across or diagonally across the street from each other can not be the same elevation.
- No identical color schemes for single family detached houses shall be repeated within three consecutive lots.
- Accent materials shall be varied to create more differentiation between lots.
- 1 level models shall add architectural features to the road facing roof to break up vast roof planes.
- Garage dominate elevations should utilize varying front yard setbacks and a mix of models and elevations to keep variety in the streetscape.
- Accessory structures exterior color must match the main color of the primary structure.

Traditional, high-quality and durable building materials shall be used throughout the community. Building materials shall meet all current Local, State, and Federal building codes and regulations.

Table 4-1
 Friant Property
 Site Trip Generation Analysis⁽¹⁾

Use	ITE Land Use Code	Amount	Units	AM Peak Hour		PM Peak Hour		ADT		
				In	Out	Total	In		Out	Total
Single Family Detached	210	198	DU	36	103	139	119	70	189	1,892

Notes:

(1) Trips generated using Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition.



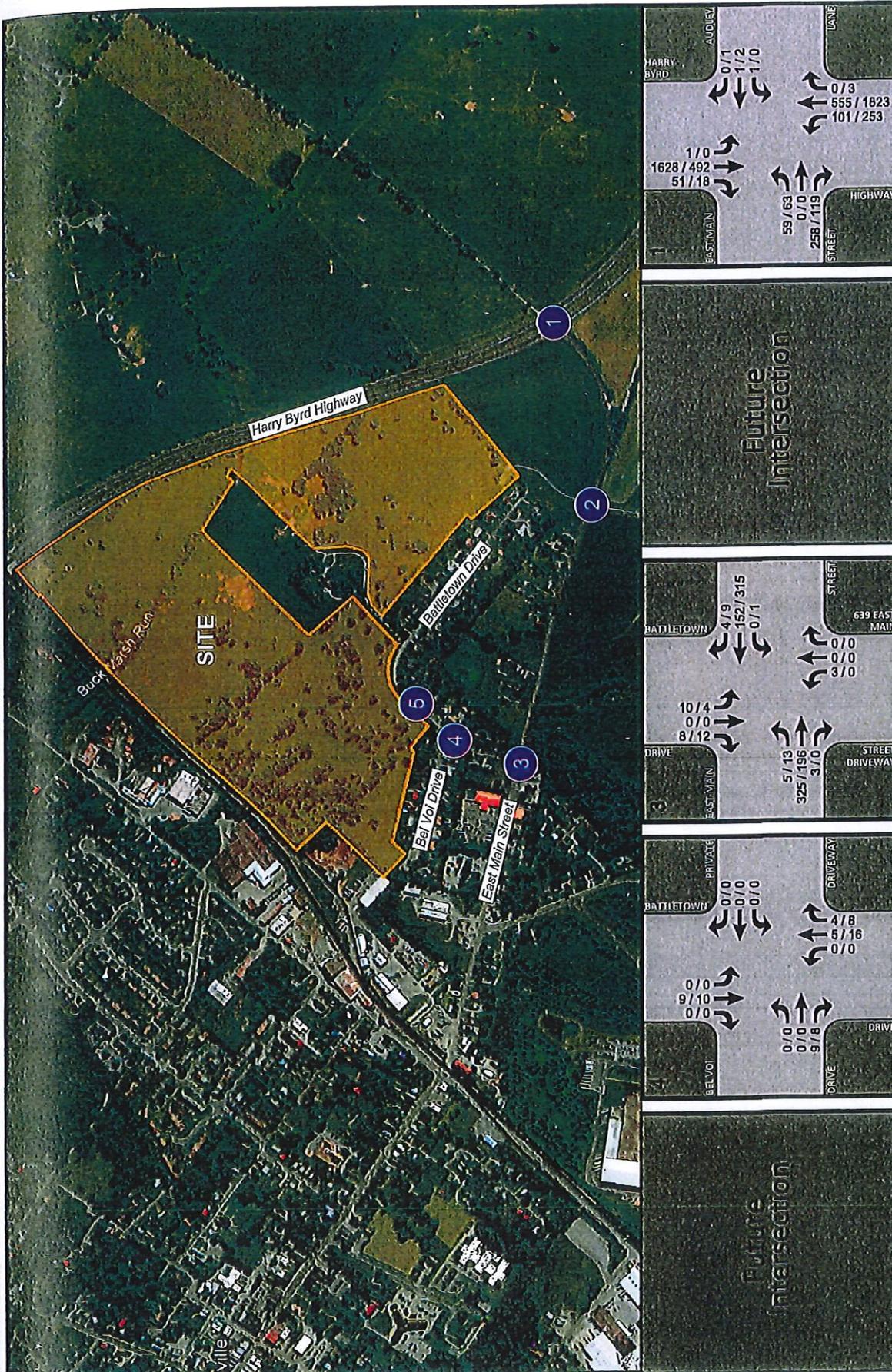


Figure 3-2
Background Future (2026) Traffic Forecasts

Friant Property
 Town of Berryville/Clarke County, Virginia



SECTION 7

TOTAL FUTURE (2026) CONDITIONS WITHOUT BATTLETOWN DRIVE ACCESS

Site Trip Assignments

The site trips generated by the proposed development were assigned to the study intersection according to the directional distributions below:

- Harry Byrd Highway to/from north 20%
- Harry Byrd Highway to/from south 30%
- E. Main Street to/from west 50%

The resulting site trip assignments are shown in Figure 7-1.

Total Future (2026) Traffic Forecasts without Battletown Drive Access

Total future (2026) traffic forecasts were developed by combining the background future (2026) traffic forecasts shown on Figure 3-2 and the site trip assignments shown on Figure 7-1. The resulting total future (2026) traffic forecasts are shown on Figure 7-2.

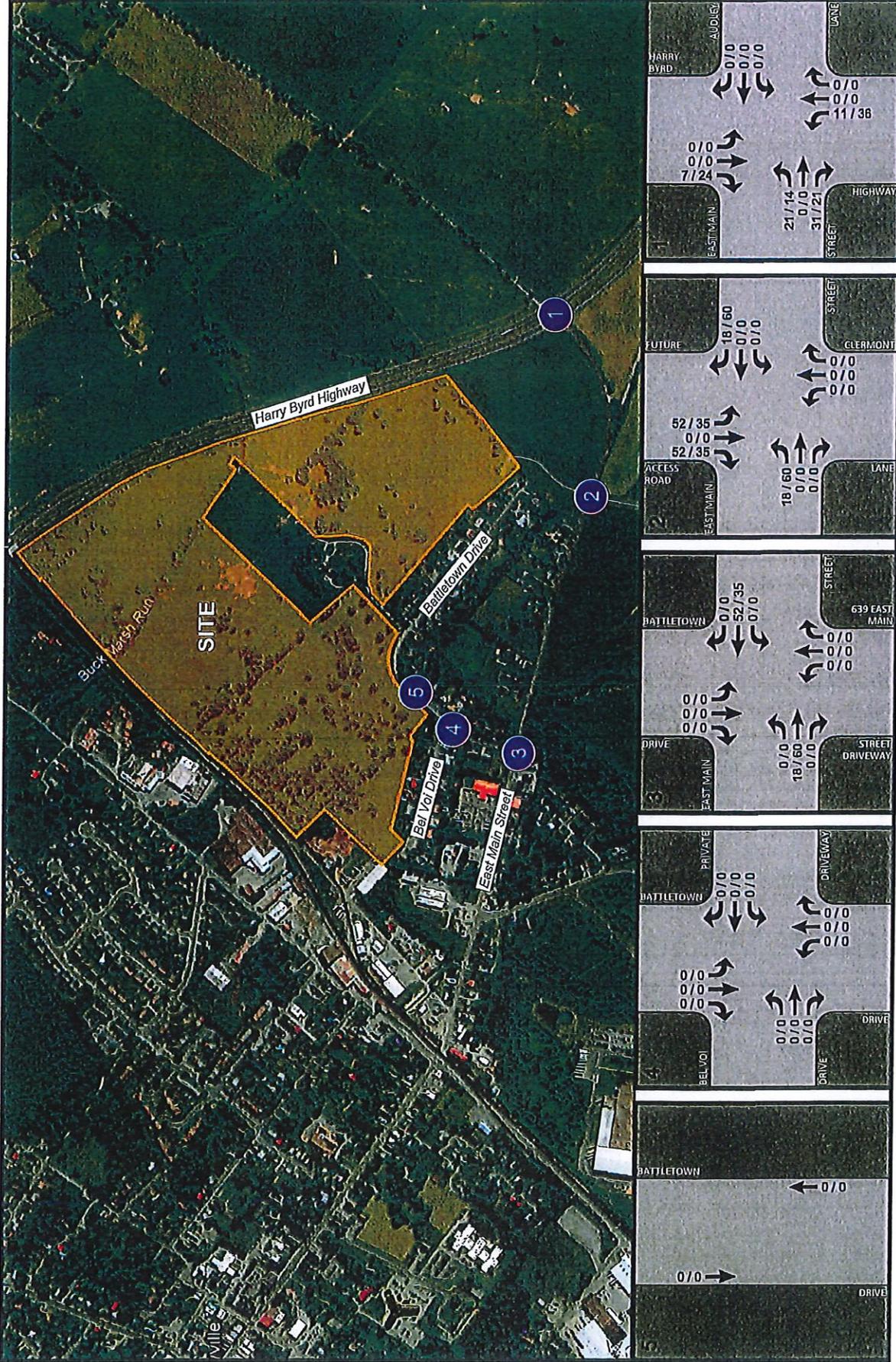
Total Future (2026) Levels of Service without Battletown Drive Access

Total future (2026) peak hour levels of service were estimated at the future study intersections based on the total future intersection lane usage and traffic controls shown on Figure 4-2, the total future (2026) traffic forecasts shown on Figure 7-2, and the Highway Capacity Manual methodologies using Synchro analysis files. The 2026 results are presented in Appendix I and summarized in Table 7-1.

Table 7-1 indicates that under total future (2026) conditions without Battletown Drive access, the signalized study intersection, intersection #1, operates at overall LOS "D", or better, during both the AM and PM peak hours. Of the unsignalized study intersection approaches, all critical turning movements operate at LOS "B" or better, during both the AM and PM peak hours, which is consistent with background future (2026) conditions without buildout of the site.

Total Future (2026) Queues without Battletown Drive Access

A queueing analysis was completed for total future (2026) conditions without Battletown Drive access for the study intersections. The queueing results are presented in Appendix I and summarized in Table 7-2. As shown in Table 7-2, total future (2026) conditions turning movement queues are contained within available storage lengths, which is consistent with background future (2026) conditions, without buildout of the site.

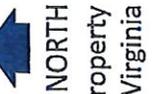
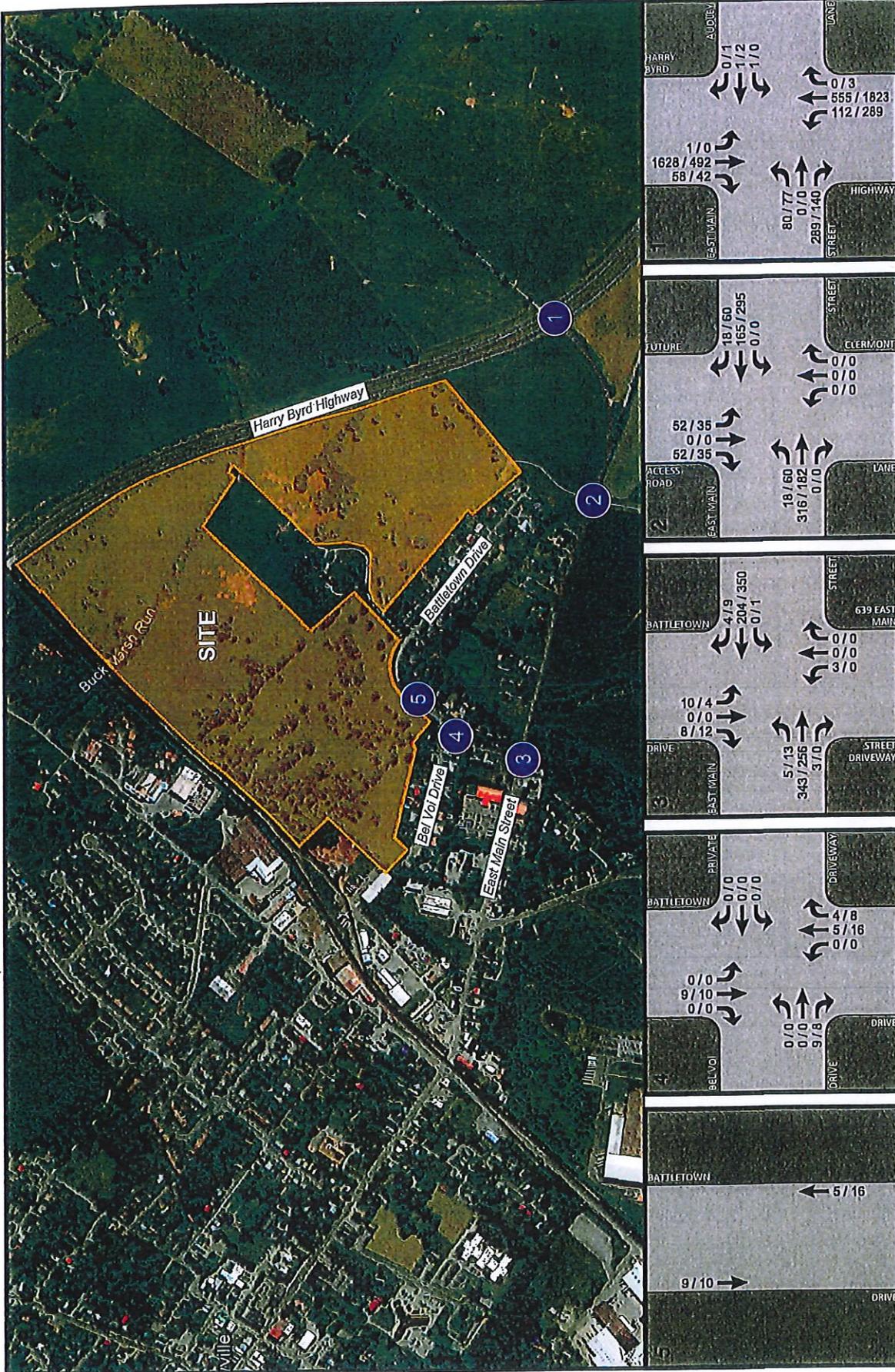


 NORTH
 Friant Property
 Town of Berryville/Clarke County, Virginia

AM PEAK HOUR
 PM PEAK HOUR
 000 / 000

Study Intersection

Figure 7-1
 Site Trip Assignments
 Without Battletown Drive Access



NORTH
Friant Property
Town of Berryville/Clarke County, Virginia

AM PEAK HOUR
PM PEAK HOUR
000 / 000

Figure 7-2
Total Future (2026) Traffic Forecasts
Without Battletown Drive Access



Turn Lane Warrants

Based on total future (2026) traffic forecasts shown on Figure 7-2, left and right turn lane warrants, per the VDOT RDM Appendix F, were evaluated for turning movements along East Main Street at the New Access Road (Study Int. #2). The turn lane warrant worksheets are presented in Appendix J and the results summarized below:

E. Main Street & New Access Road (Study Int. #2)

- E. Main Street eastbound left-turn: WARRANTED
- E. Main Street westbound right-turn: Taper Required (Full-width turn lane + taper provided)

For purposes of determining when turn lanes treatments would be warranted based on the buildout of the ultimate density, additional turn lane warrants were performed and summarized below:

185th Dwelling Unit:

E. Main Street & New Access Road (Study Int. #2)

- E. Main Street eastbound left-turn: NOT WARRANTED
- E. Main Street westbound right-turn: Taper Required (Full-width turn lane + taper provided)

117th Dwelling Unit:

E. Main Street & New Access Road (Study Int. #2)

- E. Main Street eastbound left-turn: NOT WARRANTED
- E. Main Street westbound right-turn: NOT WARRANTED

The turn lane warrant worksheets are presented in Appendix J for these threshold scenarios described above.

Beginning with the 118th dwelling unit, a westbound right-turn taper is warranted. Beginning with the 186th dwelling unit, an eastbound left-turn lane is warranted.

**FRIANT PROPERTY
TOWN OF BERRYVILLE
CLARKE COUNTY, VA**

SCHOOL IMPACT ANALYSIS

DECEMBER 18, 2023

PREPARED BY:

MUNICAP, INC.
— PUBLIC FINANCE —

**FRIANT PROPERTY
TOWN OF BERRYVILLE
CLARKE COUNTY, VA**

SCHOOL IMPACT ANALYSIS

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I. OVERVIEW

The purpose of this school impact analysis is to evaluate the impacts to the Clarke County Public School system as a result of the proposed development. The analysis is addressed in the two following sections:

- School proffer considerations – Evaluates projected capacity for Clarke County Public Schools based on projected incremental students added by the Development. Proffers only evaluate capital expenditures that will increase capacity and do not take into consideration operating costs. As such, this portion of the analysis only focuses on the Clarke County Public School facilities and potential capital improvements that will address capacity concerns, as identified in the Clarke County Capital Improvements Plan.
- School operating revenue considerations – Evaluates the projected annual allocation of operating revenues created by the Development and available to Clarke County Public Schools.

LEGISLATION PERTAINING TO RESIDENTIAL PROFFERS

The above noted school proffer considerations address one of the four categories of public improvements required to be addressed by the Residential Proffer Legislation. The remaining three categories as discussed below are not addressed in this analysis.

The amended and reenacted Section 15.2-2303.4 of the Code of Virginia (the “Residential Proffer Legislation”) effective after July 1, 2019 places certain limitations on proffers for residential rezoning cases. As stipulated by the Residential Proffer Legislation, and unless an applicant elects to apply for a rezoning pursuant to Subsection D of that statute, a local government may only request or accept a proffer if it addresses an impact that is specifically attributable to a proposed new residential development, and, if it is an offsite proffer, it addresses an impact to an offsite public facility, such that (a) (i) the new residential development creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning, and (b) (ii) each such new residential development applied for receives a direct and material benefit from a proffer made with respect to any such public facility improvements. For the purposes of the statute, a locality may base its assessment of public facility capacity on the projected impacts specifically attributable to the new residential development.

The Residential Proffer Legislation designates four categories of public improvements and facilities, which are as follows:

- **Public school facility improvements:** construction of new primary and secondary public schools or expansion of existing primary and secondary schools, to include all buildings, structures, parking, and other costs directly related thereto;
- **Public safety facility improvements:** construction of new law enforcement, fire, emergency, medical, and rescue facilities or expansion of existing public facilities, to include all buildings, structures, parking and other costs directly related thereto;

- **Public park facility improvements:** construction of public parks or improvements and/or expansion of existing public parks, with “public parks” including playgrounds and other recreational facilities;
- **Public transportation facility improvements:** construction of new roads; improvement or expansion of existing roads and related appurtenances as required by applicable standards of the Virginia Department of Transportation, or the applicable standards of a locality; and construction, improvement, or expansion of buildings, structures, parking, and other costs directly related to transit.

According to the Residential Proffer Legislation, no proffer shall be used for any operating expense of an existing public facility, such as ordinary maintenance or repair, or any capital improvement to an existing public facility, such as a renovation or technology upgrade, that does not expand the capacity of such facility. In addition, a proffer will only be deemed reasonable if it addresses an impact on public facilities that is specifically attributable to the proposed residential development and there will not be adequate existing capacity at such facilities for the impacts of the proposed residential development.

Subsequent sections include thorough explanations of the methodology employed in calculating both the school proffer and school operating revenues as previously described.

II. The Development

DEVELOPMENT SUMMARY

As proposed by D.R. Horton (the “Developer” or the “Applicant”), the Residential Development is a residential community that includes 198 single-family detached units. The Residential Development site is 100.4 acres.

The site is approved for 66 “by-right” single-family detached units, or units allowed under existing zoning.

THE SITE

The site is generally bounded to the northeast by Route 7, to the northwest by train tracks, to the southeast by East Main Street, to the south by residential development, and to the southwest by commercial development. The site includes parcels 14 A 80, 14 A 110, and 14 A 112.

Current Zoning

Current zoning for the parcels that comprise the site includes the following designations as described in the County Zoning Ordinance:

Open Space Residential District (“OSR”) – The OSR District is created to preserve and protect “existing residential properties and estates which have cultural and or historical value” and “properties with critical environmental features including 100 year floodplains, sink holes, slopes in excess of 15% and, rock outcrops.” OSR zoning allows for a maximum density of one residence per ten net developable acres.

Detached Residential - 1 District (“DR-1”) – The DR-1 District “is created to provide for single family detached residences in a carefully planned pattern compatible with the comprehensive plan’s goals for residential development in the Town of Berryville and within the precincts of the Berryville Area Plan.” DR-1 zoning allow for a maximum density of one unit per net developable acre.

Detached Residential – 2 District (“DR-2”) – The DR-2 District “is created to provide for single family detached residences in a carefully planned pattern compatible with the comprehensive plan’s goals for residential development in the Town of Berryville and within the precincts of the Berryville Area Plan.” DR-2 zoning allows for a maximum density of two units per net developable acre.

Business Park District (“BP”) – The BP district “is established to provide locations within the Berryville Area for a broad range of light industrial and business uses. “BP zoning does not allow for residential development.

Proposed Rezoning

The Applicant seeks rezoning of the site to facilitate the contemplated Residential Development. The requested zoning designations for the site are OSR (above) and DR-4:

Detached Residential – 4 District (“DR-4”) – The DR-4 District “is created to provide for the single-family detached residences at higher densities than other single family detached districts.” DR-4 zoning allows for a maximum density of four units per net developable acre.

III-A. Public School Impacts – Proffer Considerations

METHODOLOGY

To project impacts to public school facilities, Clarke County Public Schools provided the students per unit for their most recent residential developments on September 20, 2023 (see Appendix A), as seen below in Table III-A.1.

TABLE III-A.1
Student Generation Rate

<i>Development</i>	<i>Units^(a)</i>	<i>Students^(a)</i>	<i>Students Per Unit^(a)</i>
Shenandoah Crossing	83	35	0.422
Fellowship Square	50	17	0.340
Hermitage Phase V	53	35	0.660
Total	186	87	0.468

^(a)Based on information provided by Clarke County Public Schools on September 20, 2023.

MuniCap then applied the students per unit to the proposed units within the Residential Development that exceed development allowed under the current zoning designations. For purposes of this exercise, MuniCap assumed that all projected students are new to Clarke County, rather than relocated from elsewhere within the Clarke County Schools system.

Finally, MuniCap identified the schools that would be impacted by the Residential Development based on school boundaries, researched the maximum capacity at each applicable school, and determined whether the projected net student impacts represented a burden beyond current school capacity.

PROJECTED NET STUDENT IMPACTS

As previously described, the Residential Development includes 198 single-family detached units with 66 single-family detached units allowed by-right. This results in approximately 132 net single-family detached units at the site following the proposed rezoning. Based on the students per unit of 0.468 as provided by the County and shown in Table III-A.1, the proposed Residential Development would generate an estimated 61.78 students net of by-right, as shown in Table III-A.2.

TABLE III-A.2
Students Generated by Development Above By-Right

<i>Unit Type</i>	<i>Units</i>	<i>Students Per Unit^(a)</i>	<i>Total Projected Students</i>
Proposed new units subject to rezoning ^(b)			
Proposed single-family detached units	198	0.468	92.66
Less: units allowed by-right ^(a)	(66)	0.468	(30.89)
Total (net above by-right)^(c)	132		61.78

^(a)See Table III-A.1.
^(b)Represent new proposed units at the Development. Source: D.R. Horton.
^(c)Represent total students, net of units allowed by-right under existing zoning.

On November 14, 2023, Clarke County Public Schools provided additional information on the developments used to determine the students per unit, which provided the number of students that entered each school level (see Appendix B); (i.e., elementary, middle and high school). MuniCap then applied the percentage of students generated by each school level to the projected students from the Development, as seen on Table III-A.3.

TABLE III-A.3
Students Generated by School Type

<i>School Level</i>	<i>% Of Total Student Generation^(a)</i>	<i>Students Generated^(b)</i>	<i>Students By-Right^(c)</i>	<i>Students Above By-Right^(d)</i>
Elementary School	59%	54.39	(18.13)	36.00
Middle School	20%	18.13	(6.04)	12.00
High School	22%	20.14	(6.71)	13.00
Total	100%	92.66	(30.89)	61.00

^(a)Based on information provided by Clarke County Public Schools regarding enrollment allocations for the Shenandoah and Hermitage developments in the Town of Berryville.
^(b)Calculated as total students generated by proposed development identified in Table III-A.1 multiplied by % of total student generation.
^(c)Calculated as total students allowed by-right in Table III-A.1 multiplied by % of total student generation.
^(d)Students above by-right are rounded to the next whole number.

CURRENT CAPACITY OF PUBLIC SCHOOL FACILITIES

Based on proximity to the Residential Development, the potentially impacted County schools are D.G. Cooley Elementary School, Johnson-Williams Middle School and Clarke County High School. Clarke County Public Schools provided the program capacity for each school on November 14, 2023 as seen on Table III-A.4.

On February 25, 2019, the Clarke County School Board voted to consolidate the D.G. Cooley Elementary School into the lower campus and close the upper campus. During this vote, the Clarke County School Board agreed to continue to maintain the upper campus in case there is future enrollment growth providing capacity for future development (see Appendix C).

Elementary School Facilities

The Residential Development site is within the D.G. Cooley Elementary School boundaries. As previously mentioned, the D.G. Cooley Upper campus closed in 2020 therefore capacity is only based on the D.G. Cooley Lower campus. Based on information provided by Clarke County Public Schools, the program capacity for D.G. Cooley Lower campus is 496 students and a current enrollment of 464 meaning that D.G. Cooley Lower campus has excess capacity for 32 students. Therefore, four of the 36 students above by-right exceed existing capacity at the D.G. Cooley Lower campus and represent an additional need for Clarke County Public Schools.

As previously stated, D.G. Cooley Upper Campus is currently unoccupied but pursuant to the County vote is being maintained for future capacity.

Middle School Facilities

The Residential Development site is within the Johnson-Williams Middle School boundaries. Based on information provided by Clarke County Public Schools, the program capacity for Johnson-Williams Middle School is 574 and current enrollment is 427 meaning that Johnson-Williams school has excess capacity for 147 students. Therefore, the twelve students above by-right do not exceed existing capacity and does not represent an additional need for Clarke County Public Schools.

High School Facilities

The Residential Development site is within the Clarke County High School boundaries. Based on information provided by Clarke County Public Schools, the program capacity for Clarke County High School is 781 students and has a current enrollment of 710 students, meaning that Clarke County High School has excess capacity for 71 students. Therefore, the thirteen anticipated students above by-right do not exceed existing capacity and does not represent an additional need for Clarke County Public Schools.

Table III-A.4 on the following page provides the enrollment, capacity, projected students, and excess capacity including students allowed by-right.

TABLE III-A.4
Clarke County School Facilities – Current Capacity and Enrollment Consolidated

School	SY 2024 Enrollment ^(a)	Maximum Capacity ^(b)	Excess Capacity	Total Students Generated ^(c)	Total County		Excess Capacity with By-Right ^(e)	Proffer Consideration ^(f)
					Excess Capacity ^(d)	Students By-Right ^(c)		
D.G. Cooley Lower E.S.	464	496	32	54.39	(22)	(18.13)	(4)	Exceeds Capacity
D.G. Cooley Upper E.S.	-	-	-	-	-	-	-	-
Johnson-Williams M.S.	427	574	147	13.13	129	(6.04)	135	Meets Capacity
Clarke County H.S.	710	781	71	20.14	51	(6.71)	58	Meets Capacity
Total	1,601	1,851	250	93	157	(31)	189	

^(a)Based on information provided by the Clarke County Public Schools Superintendent as of October 13, 2023. Assumes enrollment is now 464, as Clarke County Public Schools stated that they have capacity for 32 additional elementary school students in a memo dated November 14, 2023.

^(b)Projected program capacity for each school serving the development. As provided by Clarke County Public Schools on September 20, 2023 and further updated on November 14, 2023. See Table III-A.2.

^(c)Represents total capacity for each county facility with the anticipated development, including units allowed by-right.

^(d)Represents capacity for each county facility with the anticipated development, less the students allowed by-right. Students are rounded to the next whole number.

^(e)D.G. Cooley Lower E.S. exceeds capacity by 22 students when evaluating the total students being generated and exceeds by 4 students when considering the students allowed by-right. Johnson-Williams M.S. and Clarke County H.S. meet capacity for total students generated and when considering students allowed by-right.

MITIGATION STRATEGIES

The Residential Proffer Legislation stipulates that proffers can only provide for needs exceeding existing capacity. As such, the four elementary students above by right are eligible for a proffer contribution to the extent D.G. Cooley Upper is deemed not available to absorb the excess capacity.

The Clarke County Public School Capital Improvement Plan identifies items that are elementary school related but specific to maintenance. Maintenance improvements will not increase capacity at the elementary school serving the site. As previously mentioned, the Residential Proffer Legislation stipulates that no proffer shall be used for any operating expense of an existing public facility, such as ordinary maintenance or repair, or any capital improvement to an existing public facility, such as a renovation or technology upgrade, that does not expand the capacity of such facility. As such, a proffer contribution has not been contemplated for these improvements.

On November 14, 2023, Clarke County Public Schools stated that D.G. Cooley Upper campus needs significant renovation and maintenance upgrades which would cost approximately \$2,000,000 - \$4,000,000 in order to reopen (see Appendix B). These improvements are not eligible for proffer contributions as mentioned above.

The Applicant has elected to provide additional proffers for two new school busses based on responses by Clarke County Public Schools on September 20, 2023 (see Appendix A). The Clarke County Capital Improvement Plan includes an allocation for a new bus. This study includes an additional proffer based on the estimated cost of two new busses, as seen on Table III-A.5 below.

TABLE III-A.5
Additional Proffer Contribution

School Impact for Proposed Rezoning	
School bus cost	
a) Approximate cost per bus ^(a)	\$119,000
b) Number of busses required ^(b)	2.00
c) Total projected students at Development ^(c)	92.66
d) Projected students at Development above by-right allocation ^(c)	61.78
e) Cost per student	\$2,568
f) School bus proffer contribution for Development (e × c)	\$238,000
Proffer contribution per single-family detached unit (f ÷ 198)	\$1,202
^(a) School bus replacement cost. Source: Clarke County Capital Improvement Plan FY 2024-2029. ^(b) Based on information provided by Clarke County Public Schools on September 20, 2023. Clarke County Public School suggests that the development would likely require a minimum of two additional busses. ^(c) See Table III-A.1.	

III-B. Public School Impacts – Operating Revenue Considerations

Estimated School Allocation of Tax Revenues

The purpose of the allocation of tax revenues is to estimate the projected increase in the percentage of revenues allocated to school operating as a result of the Development. These allocations are not taken into consideration when evaluating proffer impacts or eligible contributions, as proffer contributions are a one-time contribution specific to capital improvements that increase capacity as identified within the County Capital Improvement Plan.

Table III-B.1 evaluates the Clarke County Public School FY 24 Adopted School Budget and the percentage of revenues contributing to the Clarke County Public School Operating Fund.

TABLE III-B.1
Estimated Annual Allocation to School Operating Fund

	<i>Operating Budget¹</i>	<i>Percentage of Budget</i>
County School operating expenditures	\$27,585,063.00	100.00%
Revenues:		
Local (miscellaneous other revenues)	\$242,685.00	0.88%
State	\$11,492,196.00	41.66%
Federal	\$1,106,901.00	4.01%
Insurance recovery	\$3,500.00	0.01%
Total revenues before transfers	\$12,845,282.00	46.57%
General fund transfer to school operating fund	\$14,739,781.00	53.43%
Total school operating revenues	\$27,585,063.00	100.00%

¹Clarke County Public Schools FY 24 Adopted School Budget.

Table III-B.2 determines the percentage of total general fund revenues being transferred to the school operating fund.

TABLE III-B.2
Percentage of County General Fund Revenues

<i>Percentage of County General Fund Revenues</i>	
General fund transfer to schools ¹	\$14,739,781.00
Total County general fund local revenues ²	\$30,986,239.00
Percentage of total revenues	47.57%

¹Clarke County Public Schools FY 24 Adopted School Budget.
²Clarke County FY 24 Adopted Budget.

To determine the estimated annual allocation to schools from the development, Table III-B.3 applies the percentage identified on Table III-B.2 to the total estimated annual revenues.

TABLE III-B.3
Estimated Annual Allocation to School Operating Fund

	<i>Friant Development</i>
Units ¹	198
Estimated new residents ²	552
Average assessed value ¹	\$565,990
Real property tax rate ³	\$0.60
Annual tax per unit	\$3,396
Total development real property tax revenues	\$672,396
Cars per household ⁴	2.23
Total cars per development	442
Personal property tax per vehicle ⁵	\$1,313
Annual personal property tax	\$2,927
Total development personal property tax revenues	\$579,625
Per resident additional revenues ⁶	\$191
Total additional revenues	\$105,544
Total estimated annual revenues	\$1,357,565
Percentage allocation to school operating ⁷	47.57%
Estimated Annual allocation to school operating budget	\$645,777
¹ Provided by D.R. Horton. ² Source: Based on persons per unit estimate (2.79 per unit) provided by the United States Census Bureau, American Community Survey 2021 5-Year Estimates. ³ Represents the rate per \$100 for tax year 2023. Source: Clarke County CY 2023 Tax Rate Resolution. ⁴ Based on average number of vehicles per owner-occupied unit in the Town of Berryville. Source: U.S. Census Bureau, 2021 American Community Survey 5-Year Estimates. ⁵ Applies the personal property tax rate (\$4.271 per \$100) as identified in the CY2023 Tax Rate Resolution to the average assessed value per vehicle (\$30,736) as identified in the NADA Annual Report. ⁶ Based on Clarke County FY24 Budget. Anticipated revenues to be impacted include sales and use tax, meals tax, fees for ambulance and rescue services, recreation center fees, swimming pool fees, and parks program fees. Analysis evaluates resident impacts only and does not evaluate impacts from employees and total service population (i.e. employees and residents combined). ⁷ See Table 2.	

IV. Assumptions and Limitations

ASSUMPTIONS AND LIMITATIONS

In preparation of this narrative, MuniCap relied on multiple sources for the information presented and used herein. While these sources are believed to be reliable, MuniCap has not undertaken any efforts to independently verify the veracity of such information.

While the methodology employed, and the content provided herein, are believed to be consistent with applicable law, including the Residential Proffer Legislation, none of the statements in this document should be construed as legal advice.

Appendix A

Questions received from Christy Dunkle/ Berryville Planning Commissioners on August 29, 2023, regarding the Friant Development rezoning. (Questions in Black ink and CCPS responses in Bold Italics): *Responses as of 9/20/2023*

What school year was DG Cooley consolidated into one building K-5? If I recall correctly, it may have been for the 2017-2018 school year.

In the summer of 2019, pK was moved to Boyce Elementary and DG Cooley consolidated into one K-5 building for the 2019-2020 school year. The specific grade level breakdown over the years: (Cooley Lower = old High School)

2013-2014:	Berryville Primary: pK-1	Cooley Upper: 2-5
2014-2015:	Cooley Lower: pK-3	Cooley Upper: 4-5
2015-2016:	Cooley Lower: pK-3	Cooley Upper: 4-5
2016-2017:	Cooley Lower: 1-5	Cooley Upper: pK-K
2017-2018:	Cooley Lower: 1-5	Cooley Upper: pK-K
2018-2019:	Cooley Lower: 1-5	Cooley Upper: pK-K
2019-2020:	Cooley Lower: K-5	Cooley Upper: vacant, pK to Boyce
2020-2021:	Cooley Lower: K-5	Cooley Upper: vacant, pK to Boyce
2021-2022:	Cooley Lower: K-5	Cooley Upper: vacant, pK to Boyce
2022-2023:	Cooley Lower: K-5	Cooley Upper: vacant, pK to Boyce
2023-2024:	Cooley Lower: K-5	Cooley Upper: pK (and Headstart)

- Has the School Board expressed a desire to bring the preschool program into one of the school buildings with K-5 students? (I understand it just moved from Boyce back to the Cooley Upper Campus.)

The school board has not discussed the details, however, for many reasons, it would be ideal to have the preschool program in a consolidated K-5 school so that pK students have access to the total school community experience, services, administration, counselors, etc.

- What was the enrollment at Cooley Lower Campus the year it was first consolidated into one building?

CES Lower Campus (CLC) full-time enrollment for K-5 was 466 on 9/30/2019

- What is the current enrollment of Cooley Lower Campus? (Would also like to get the September 30th enrollment when that is available.)

The current enrollment at CLC for K-5 is 467 as of 9/18/2023

- What is the current total cost per pupil for CCPS?- What is the County funded share of the cost per pupil?

The cost per pupil is published in Table 15 of the Superintendent's Annual Report for Virginia. FY23 is not yet available. The breakdown for FY22 (the 2021-2022 school year):

TOTAL:	\$13,862
COUNTY:	\$ 7,249

- Does CCPS have capacity ratings for it's schools? Please provide.

In the summer of 2019, DG Cooley Elementary was consolidated into one K-5 building for the 2019-2020 school year, and the students were housed in DG Cooley Lower Campus (the old/former Clarke County High School at 240 Westwood Road). DG Cooley Upper Campus (34 Westwood Road) currently houses pre-K and Head Start and needs significant renovation before additional grade levels can be added back to the campus; therefore, the capacity for Cooley Elementary should be limited to the Cooley Lower Campus (CLC).

There are different capacity ratings to consider: Program Capacity vs. Building Capacity. Program capacity is based on the number of existing core classrooms and the specific unique programs assigned to a school that differ from the original design of the building. This capacity is recalculated every school year based on programmatic changes. Building capacity is based on the initial building design accommodations regarding the number of classrooms and ancillary spaces.

We are in the process of reviewing the current program capacity. The data documents provided by DR Horton determined capacity at all schools by using the maximum number of students enrolled in a school over a 10-year period. Using that methodology, the capacity of CLC would be 466, the enrollment at Cooley Lower Campus (CLC) on September 30, 2019. The current enrollment at CLC, as of 9/18/23, is 467.

- Would the 214 unit development proposal (estimated to generate 69 total students) require the addition of school buses or is there capacity in the existing fleet to provide transportation services? Does CCPS consider bus purchases a capital expense?

The additional students would likely require a minimum of 2 additional buses, routes, and drivers. School bus purchases are a capital expense and the last bus purchased was approx. \$110,000.00.

- Does CCPS have a way to calculate actual student generation from the newly occupied units in Berryville? Specifically, the homes in Hermitage Phase V, Fellowship Square, and Shenandoah Crossing.

CCPS has not completed a Student Generation Factor study. Instead of a study, we calculated the number of students enrolled from the most recent developments (see below) and determined a rate per single-family household.

<i>Shenandoah Crossing:</i>	<i>35 students</i>	<i>83 units</i>
<i>Fellowship Square:</i>	<i>17 students</i>	<i>50 units</i>
<i>Hermitage V:</i>	<i>35 students</i>	<i>53 units (71 total units are planned)</i>
<i>Total students/units:</i>	<i>87 students</i>	<i>186 units</i>
<i>Students Per Unit:</i>	<i>0.468</i>	

Developer projection: 214 units x 0.321 students per unit for 69 students.

Revised projection: 214 units x 0.468 students per unit for 100 students.

Appendix B

Berryville Planning Commission Additional Questions regarding Private Property from Christy Dunkle
(CCPS responses in bold italic):

November 14, 2023

1. Capacity numbers for JWMS and CCHS

Program capacity for all schools has been completed. JWMS is 574 and CCHS is 781. Cooley Lower Campus capacity was shared on October 13 and is 496.

2. Final updated student generation and breakdown on which school

The CCPS response to Student Generation Factor has not changed from the information previously provided on September 20. Here is that response:

CCPS has not completed a Student Generation Factor study. Instead of a study, we calculated the number of students enrolled from the most recent developments (see below) and determined a rate per single-family household.

Shenandoah Crossing: 35 students 83 units

Fellowship Square: 17 students 50 units

Hermitage V: 35 students 53 units (71 total units are planned)

Total students/units: 87 students 186 units

Students Per Unit: 0.458

Developer projection: 214 units x 0.321 students per unit for 69 students.

Revised (CCPS) projection: 214 units x 0.468 students per unit for 100 students.

3. - Difference between by right/rezoning student generation. I believe the current zoning would allow a by-right development of 56 homes. The Berryville Area Plan would allow up to 109 and the rezoning seeks 214. Can you provide the student generation number at each of these development levels with a breakdown on the number of students at each level (elementary, middle, high)?

The rate of students per single-family household (see the response above) is calculated at 0.468. Using that factor, the following is estimated:

66 homes - 31 students

109 homes - 51 students

214 homes - 100 students

Using the previously provided information, 59% of new students entered at the elementary level, 20% at the middle, and 21% at the high school. Using those factors, we could estimate the following:

66 homes - 31 students (18 at elem, 6 at middle, 7 at high)
109 homes - 51 students (30 at elem, 10 at middle, 11 at high)
214 homes - 100 students (59 at elem, 20 at middle, 21 at high)

4. - How many students would push Cooley to have to use more of the upper campus building
There is capacity for 32 more students at Cooley Lower if those students are spread across k-5. However, if new students are clustered at a grade level requiring a new classroom/teacher to a grade level, we do not have available general education classrooms at Cooley Lower; that scenario would require moving a grade level to Cooley Upper sooner rather than later.

5. and what capital costs would be required to bring the space into shape for that use?
See below, but our unofficial estimate to renovate Cooley Upper is a range of two to four million dollars. A full renovation isn't required to use more of the upper campus, but the building is in need of significant renovation (New roof, HVAC Rooftop units, kitchen equipment replacement, Restrooms, and other plumbing, etc.) Another factor to consider is Head Start, a valuable community resource utilizes some of Cooley Upper's space.

6. -Mine and Tom's questions are the same. The only other thing I would add what does the school want from Horton if they were to go over the program numbers? When I met with David from Horton for the site visit, he expressed to me that while the PC or the TOB could not ask for a proffer, David said the schools could. I would conclude that Horton wants to be able to provide needed items to the school system as part of this development. However, they don't know what those "items" are as he said they cannot get a straight answer from the schools.
Our most recent meeting with DR Horton was on October 21. Ty Lawson initiated the meeting and brought a representative from DR Horton, whom we hadn't previously met. This may have been David. From the onset of the meeting, he challenged the data we had previously provided and our approach/methodology to determine capacity in our schools. He asked for a dollar amount for renovating the Cooley Upper Campus. We responded that we have not had a consultant study the renovation costs, and it would not be appropriate to toss a number, but the cost would be significant. He insisted on a number and was told we did not have a reliable estimate. He never requested a list of "items"; rather, he debated our capacity methodology, disagreed with most of what we were saying, and wanted to know the fiscal impact of the development on the schools. Regarding proffers, DR Horton has already made public their offer of proffers to the TOB, and it is our understanding that what proffer money is put toward is something the developer and town Council will have to decide.

Appendix C

**Clarke County School Board
School Board Regular Meeting
February 25, 2019**

The Clarke County School Board met in the School Board Administrative Offices located at 317 West Main Street, Berryville, Virginia on February 25, 2019 for the purpose of holding a regular meeting.

Present:

Members

Ms. Katie Kerr-Hobert
Ms. Zara Ryan
Mr. Charles "Chip" Schutte
Ms. Monica Singh Smith
Mr. Jon Turkel

Staff

Dr. Chuck Bishop, Superintendent
Ms. Renée Weir, Clerk

1. OPENING OF THE MEETING

1.01 Call to Order

Ms. Singh-Smith called the meeting to order at 6:30 p.m.

1.02 Pledge of Allegiance

1.03 Review and Approval of Agenda

Mr. Schutte moved, seconded by Ms. Ryan, to approve the agenda as presented.

The motion carried as follows:

Ms. Kerr-Hobert	-	aye
Ms. Ryan	-	aye
Mr. Schutte	-	aye
Ms. Singh-Smith	-	aye
Mr. Turkel	-	aye

2. CONSENT AGENDA

2.01 Approval of Facility Use

2.02 Approval of Fundraising Requests

2.03 Approval of Donations

2.04 Approval of Overnight Field Trip

2.05 Approval of Minutes - January 28, 2019 and February 11, 2019

2.06 Approval of Consent Agenda

Mr. Turkel moved, seconded by Ms. Kerr-Hobert, to approve the February 25, 2019 Consent Agenda as presented.

The motion carried as follows:

Ms. Kerr-Hobert	-	aye
-----------------	---	-----

Ms. Ryan	-	aye
Mr. Schutte	-	aye
Ms. Singh-Smith	-	aye
Mr. Turkel	-	aye

3. PRESENTATIONS AND RECOGNITIONS

3.01 School Board Appreciation Month

In recognition of School Board Appreciation Month, the principals of each school presented items to the board members in appreciation for their commitment to the students and staff.

Boyce Elementary - Chip Schutte and Jon Turkel
 D.G. Cooley Elementary - Zara Ryan
 Johnson-Williams Middle School - Katie Kerr-Hobert
 CCHS - Monica Singh-Smith

3.02 Earth Right Energy Solar Proposal

Mr. Jim Brinkmeier and Mr. Brad Carlson, representatives of Earth Right Energy Solar, presented information to the Board regarding a program on solar energy. Mr. Brinkmeier emphasized there would be no cost to the division for implementing the system as all costs are borne by Earth Right Energy. He provided a list of benefits to the division and included information on where the solar panels can be installed. Mr. Carlson spoke on the energy savings costs, the installation, and sustainability of the panels. Mr. Carlson also spoke on the curriculum available on solar energy.

4. SUPERINTENDENT AND STAFF REPORTS

4.01 Finance Committee Report

Mr. Judge presented information on the February 13, 2019, Finance Committee meeting held jointly with the Board of Supervisors.

Mr. Judge spoke on the errors discovered in the October bills and claims reports. He stated his staff are reviewing all reports and is working to correct the problems. There are no errors in the system or claims, the issue is the formatting in providing the reports in a readable document. Corrected reports will be provided in the next finance committee meeting and then submitted to the Board in March.

4.02 Advisory Committee Reports/Minutes

Dr. Bishop spoke on the CTE Advisory Committee minutes provided in the packet for the board's information.

4.03 Superintendent's update

Dr. Bishop spoke on the dual enrollment statistics provided by Lord Fairfax Community College. He announced that the WOW event will be September 27, 2019 and STEM+ camp will be held June 24-28, 2019.

Other highlights included the Random Acts of Kindness celebrated by all schools, a student scholarship for post-secondary education in a technical field provided by Barrett Machine in Winchester, an upcoming visit by Vickie Tucci founder and creator of the

Competent Learner Model, a VA Museum of Fine Arts traveling exhibit that all 4th and 5th graders will attend, and the donation of greenhouse tables by the Claude Moore Foundation.

Ms. Singh-Smith asked Dr. Bishop for clarification regarding the notice of public meetings and packets, specifically §2.2-307 which refers to when the notice is posted, and when packets need to be made available to the public.

Dr. Bishop said that notice of the meetings are distributed immediately just after the organizational meeting. Notice of meeting is not the same as the distribution. Section F of §2.2-307 states the materials have to be available at the same time they are available to the board. We provide them to all at the same time and are in compliance.

Ms. Ryan asked if the after-school program will begin soon. Dr. Bishop replied it will start next week at Cooley and end just before spring break, lasting six weeks.

5. AUDIENCE COMMENTS

5.01 Audience Comments

No Comments

6. UNFINISHED BUSINESS

6.01 Consideration of Policy and Regulation Revisions 2nd Reading

Ms. Kerr-Hobert stated she received an email from a citizen who expressed concern that a local coordinator who is hosting a student under the supervision of another supervisor would not be able to host or supervise and she doesn't see where the policy states that. Is that a misinterpretation?

Dr. Bishop said the policy does not say that, the policy states that a local coordinator cannot host. It is the desire to have a single coordinator.

Ms. Kerr-Hobert said the local coordinator should not serve as a host family which is in the policy and that is a regulation that exists outside of Clarke County.

Dr. Bishop stated that is part of the guidelines.

Ms. Kerr-Hobert said that to clarify we are looking to have the coordinator be a Clarke County resident and asked Dr. Bishop to speak on that

Dr. Bishop said that for ease of communication, having someone who is connected to our schools, makes a difference than someone who is 40-50 miles away. It makes sense to have someone with a connection to the school system.

Mr. Schutte moved, seconded by Mr. Turkel, to accept Policy J-CCPS and Regulation J-CCPS-R for second reading.

Mr. Turkel said he is glad to see the program back.

The motion carried as follows:

Ms. Kerr-Hobert	-	aye
Ms. Ryan	-	aye

Mr. Schutte	-	aye
Ms. Singh-Smith	-	aye
Mr. Turkel	-	aye

7. NEW BUSINESS

7.01 Consideration of Proposed Consolidation of Cooley Upper Campus

Dr. Bishop presented information on the proposal to consolidate the Cooley campus into one building and closing Cooley Upper campus. Only nine of the 14 classes are used as regular classrooms, other rooms are used for specials but most of the rooms are vacant during the day. This will also be a more efficient use of staff.

Dr. Bishop spoke on several concerns about closing Boyce Elementary.

Mr. Schutte said leaving a building empty goes down. The building would be owned by the county, what would the county do with the property? Dr. Bishop said it would be wise not to do anything right now but to maintain it so that if there is potential growth in enrollment or curriculum prospects, the space would be available.

Dr. Bishop stated he is not sure if Head Start will be in our schools next year but he would make sure space is available if they request it.

Mr. Schutte moved, seconded by Ms. Kerr-Hobert, to approve the consolidation of Cooley Upper and Lower Campuses for FY20.

The motion carried as follows:

Ms. Kerr-Hobert	-	aye
Ms. Ryan	-	aye
Mr. Schutte	-	aye
Ms. Singh-Smith	-	aye
Mr. Turkel	-	aye

7.02 Consideration of the Superintendent's FY20 Revised Budget Proposal

Dr. Bishop reviewed some budget development factors including ADM and a line by line review of the school-based allocation methodology. He noted no new positions are proposed. He also provided an overview of salary and benefit increases since FY15 and the impact on the budget.

Dr. Bishop reviewed proposed initiatives for FY20 and spoke on the food service funds and capital projects funds. He spoke on the misrepresentation of the capital funds at the Board of Supervisors meeting.

Dr. Bishop spoke on the salary history of the division. He also provided a comparison scale with Winchester and Frederick County. He presented three options for salaries, 3% across the board, 4% across the board, or 4% for teachers and support staff with 3% for administrators. Dr. Bishop spoke on items that have been discussed but not included in the proposal such as increasing the percentage of health insurance paid by the division, and payment of advanced course fees.

Ms. Kerr-Hobert said there has been a complaint because of the drop of enrollment that there should not be an increase in salaries, while she does not see the correlation, are there any comments on that.

Dr. Bishop agreed the number of students does not necessarily impact compensation. Personnel adjustments are made every year. Positions are lost when enrollment is down, adjustments are always made. You still have to provide the services.

Mr. Schutte said he is glad that support staff is included.

Ms. Ryan stated she is hopeful about the proposal and offering the increase to our staff.

Ms. Singh-Smith asked the board to decide on which scenario they would like to propose.

Mr. Schutte moved, seconded by Mr. Turkel, to approve the fiscal budget as presented in the amount of \$27,888,154 which is inclusive of school operating, food service, debt service and school capital which is option 3.

Mr. Schutte stated he is not making this motion to denigrate the administrators but the numbers work to this being the best solution.

Mr. Turkel stated that it is pragmatic and in terms of option 3 it is not a denigration but in recognition in what staff has done and understanding we can't afford to slip in the valley. He said this speaks to our staff and administrators that we believe in you and we need to stay competitive. He looks forward to seeing comparative administrator scales in future discussions.

Ms. Singh-Smith said every budget year is difficult and Dr. Bishop does a great job in determining what is needed but we can only do so much. It was nice to have the Board on the same page in that priority is staff and while we cannot compare to Loudoun, we can try to keep up with Winchester and Frederick. It was very helpful staying in communication with the Board of Supervisors and believe they appreciate the effort in working together.

The motion carried as follows:

Ms. Kerr-Hobert	-	aye
Ms. Ryan	-	aye
Mr. Schutte	-	aye
Ms. Singh-Smith	-	aye
Mr. Turkel	-	aye

8. SCHOOL BOARD MEMBER REPORTS

8.01 Board Member Comments

Ms. Ryan said that as her first budget session, she really enjoyed the process, in particular the finance meetings, and working with the Board of Supervisors. The meetings were productive.

Ms. Kerr-Hobert said she is happy they went with a 4% increase for support and teachers. It is painful not to do that for administrators and looking toward next year, the Board needs to work on those scales comparing to surrounding counties. The Board has heard complaints that we offer more money to teachers with master's degrees but it is very small compared to the surrounding counties. Those counties offer other stipends for hours above the masters which Clarke does not. The stress and weight that administrators take home with them every day is a lot and we need to recognize that. The fact that it was not 4% for administrators does not mean they are not appreciated.

Mr. Turkel said he is less sympathetic towards the administrators as that is what they are paid for, but believes that we cannot afford to lose our administrators, we have good administrators and don't want to lose them. It is not his point to come across as negative. Mr. Turkel agrees that administrators pay structure needs to be reviewed. He thanked staff for the CTE minutes that was included in the packet.

Mr. Turkel spoke on an experience where one of our students was an attendant with the rescue squad who is in the health science program and it brought home to him that the future is now, these young students are stepping into a role and taking care of others now.

Mr. Schutte said that this is the tenth time he has been through a budget and the relationship between the two boards is the best than he can remember. The one thing he wished we could do is to fund the testing costs.

Ms. Singh-Smith said she attended the chorus kick-off fundraiser on Saturday, it was a great event. She thanked staff for what they do and stated the board makes the best decision they can.

9. CLOSED SESSION -

9.01 Convene Closed Session - 8:10 pm

Mr. Turkel moved, seconded by Ms. Kerr-Hobert, to convene a closed session to discuss personnel matters, including appointments, retirements, and resignations, pursuant to Code of Virginia § 2.2 - 3711 (A) (1). The estimated time required for closed session is 30 minutes and action is expected.

The motion carried as follows:

Ms. Kerr-Hobert	-	aye
Ms. Ryan	-	aye
Mr. Schutte	-	aye
Ms. Singh-Smith	-	aye
Mr. Turkel	-	aye

9.02 Reconvene Open Session

Ms. Kerr-Hobert moved, seconded by Mr. Turkel, to come out of closed session at 8:25 pm.

The motion carried as follows:

Ms. Kerr-Hobert	-	aye
Ms. Ryan	-	aye
Mr. Schutte	-	aye
Ms. Singh-Smith	-	aye
Mr. Jon Turkel	-	aye

9.03 Certification of Closed Session

WHEREAS, the Clarke County School Board has convened a closed meeting on this date pursuant to an affirmative vote and in accordance with the provisions of the Virginia Freedom of Information Act;

And WHEREAS, §2.2-3712 of the Code of Virginia requires certification by this School Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Clarke County School Board hereby certifies that to the best of each member's knowledge,

(1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed and,

(2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered.

Members verified by roll call:

- Ms. Kerr-Hobert - aye
- Ms. Ryan - aye
- Mr. Schutte - aye
- Ms. Singh-Smith - aye
- Mr. Jon Turkel - aye

9.04 Action Based on Closed Session Recommendation(s)

Mr. Turkel moved, seconded by Ms. Ryan, to approve the personnel agenda as presented (**ATTACHMENT A**).

The motion carried as follows:

- Ms. Kerr-Hobert - aye
- Ms. Ryan - aye
- Mr. Schutte - aye
- Ms. Singh-Smith - aye
- Mr. Jon Turkel - aye

10. ADJOURNMENT

10.01 Adjournment

Ms. Singh-Smith adjourned the meeting at 8:27 p.m.

Recorded by Renée Weir, Clerk

Monica Singh-Smith, Chair

Renée F. Weir, Clerk

Appendix D

D.R. Horton Additional Questions regarding Friant Property (*CCPS responses in bold italics*):
October 13, 2023

1. I understand you are working on the building capacity for Cooley. Can you please provide building capacity for all three schools? To the extent you all use a functional capacity, please provide it and the criteria used to create it.

We have been using the [VDOE Guidelines for School Facilities](#) (see Appendix F, G, H) document to work through our program capacity. This has been completed for elementary, and we are still working on middle and high. Once it's finished, we'll be sure to share the results. The Cooley Lower capacity calculation was 496.

2. There has been some discussion about school buses. Please provide the capacity for each school bus.

We currently have two different-sized buses for regular transportation.

64 passenger (11 rows of seats) and 17 passenger (13 rows of seats)

These capacity numbers are based on elementary students (13 bottoms) sitting 3 to a seat.

Middle and high school students are sitting 2 to a seat.

3. How many routes are there for the school buses, and what are the times for pick up for elementary school, middle school, and high school? Also, we believe it would be helpful if the Planning Commission and Council understood how those routes are adjusted from semester to semester or year to year as School Administrators react to varying class/school sizes and other factors such as children who walk to school and/or are driven to school.

We currently have 24 bus routes. We are 1 Tier Transportation (K-12 students ride on the same bus). Pick-up times in the AM range from 6:30 a.m. - 8:00 a.m. depending on the location within the Town/County.

4. Are the same bus drivers/buses used to transport students for several schools (i.e., high school students, then middle school students, and then elementary school students each morning and afternoon)?

Yes

5. How many students currently ride the bus that picks up students from the Battletown neighborhood? If you have the data, how has that ridership count and route changed to accommodate enrollment changes over the last five years?

Battletown Subdivision - Battletown Drive and Bel Voi Drive.

of students K-12 in 2013-2024 was 26. # of students K-12 in 2022-2023 is currently 25

6. Thank you for sharing the student information for Shenandoah and Hermitage. Can you share how many of those students attended elementary, middle, and high school?

54 to Elementary, 18 to Middle, 20 to High School, for a total of 92. Additional students have enrolled since the last update previously reported.

Appendix E



September 28, 2023

Rick Catlett
Clarke County Public Schools
317 West Main Street, Suite A
Berryville, VA 22611

RE: Friant Rezoning Project: Clarke County Schools

Rick,

Thank you for providing us with the Clarke County School Data. As you are aware, we met with the Planning Commission at a work session on Tuesday, September 26, 2023. The Planning Commission raised some good questions and points, and as a result of that, we are in the process of updating our school data and our presentation pertaining to schools. We appreciate all of your assistance throughout this process. We firmly believe that it is important for the Planning Commission and Council to have consistent, up to date school enrollment, capacity, and costing information. To that end, can you all respond to the questions below?

1. I understand you are working on the building capacity for Cooley. Can you please provide building capacity for all three schools? To the extent you all use a functional capacity, please provide it and the criteria used to create it.
2. There has been some discussion about school buses. Please provide the capacity for each school bus.
3. How many routes are there for the school buses and what are the times for pick up for elementary school, middle school, and high school? Also, we believe it would be helpful if the Planning Commission and Council understood how those routes are adjusted from semester to semester or year to year as School Administrators react to varying class/school sizes and other factors such as children who walk to school and/or are driven to school.
4. Are the same bus drivers/buses used to transport students for several schools (i.e., high school students then middle school students and then elementary school students each morning and afternoon)?
5. How many students currently ride the bus that picks up students from the Battletown neighborhood? If you have the data, how has that ridership count and route changed to accommodate enrollment changes over the last five years?



6. Thank you for sharing the student information for Shenandoah and Hermitage. Can you share how many of those students attended elementary, middle, and high school?

As always, we appreciate your time and assistance on providing us with the school data. We look forward to working with you through this process.

Sincerely,
Priya Tiwari
D.R. Horton, Inc.

Appendix F

Follow-up responses to DR Horton regarding Friant Property:

1) Neighborhood Data:

CCPS has not completed a Student Generation Factor study. Instead of a study, we calculated the number of students enrolled from the most recent developments (see below) and determined a rate per single-family household.

Shenandoah Crossing:	35 students	33 units
Fellowship Square:	17 students	50 units
Hermitage V:	35 students	53 units (71 total units are planned)
Total students/units:	87 students	106 units
Students Per Unit:	0.468	

Developer projection: 214 units x 0.321 students per unit for 69 students.

CCPS projection: 214 units x 0.468 students per unit for 100 students.

2) Capacity for Cooley:

In the summer of 2019, DG Cooley Elementary was consolidated into one K-5 building for the 2019-2020 school year, and the students were housed in DG Cooley Lower Campus (the old/former Clarke County High School at 240 Westwood Road). DG Cooley Upper Campus (34 Westwood Road) currently houses pre-K and Head Start and needs significant renovation before additional grade levels can be added back to the campus; therefore, the capacity for Cooley Elementary should be limited to the Cooley Lower Campus (CLC).

There are different capacity ratings to consider: Program Capacity vs. Building Capacity. Program capacity is based on the number of existing core classrooms and the specific unique programs assigned to a school that differ from the original design of the building. This capacity is recalculated every school year based on programmatic changes. Building capacity is based on the initial building design accommodations regarding the number of classrooms and ancillary spaces.

We are in the process of reviewing the current program capacity. The data documents provided by DR Horton determined capacity at all schools by using the maximum number of students enrolled in a school over a 10-year period. Using that methodology, the capacity of CLC would be 466, the enrollment at Cooley Lower Campus (CLC) on September 30, 2019. The current enrollment at CLC, as of 9/18/23, is 467.

PROFFER STATEMENT

REZONING: RZ# _____
Detached Residential – 1 (DR 1), Detached Residential – 2 (DS 2),
Business Park (BP) and Open Space Residential (OSR) to ___ acres
Detached Residential – 4 (DR 4) and _____ acres Open Space
Residential (OSR)

PROPERTY: 100.041 Acres +/-;
Tax Map Parcels 14-A-80 and 14-A-112 (the “Properties”)

RECORD OWNERS: Friant Enterprises #1, LLC, Friant Enterprises #2, LLC, and Friant
Enterprises #3, LLC (collectively, the “Owners”)

APPLICANT: D.R. Horton, Inc. (the “Applicant”)

ORIGINAL DATE
OF PROFFERS: _____, 2023

REVISION DATE(S): _____

The undersigned Owners hereby proffer that the use and development of the above-referenced parcels, which are requested to be rezoned, shall be in strict conformance with the following conditions, which shall supersede all other proffers on the Properties that may have been made prior hereto. In the event that the above-referenced conditional rezoning is not granted as applied for by the Owners, these proffers shall be deemed withdrawn and shall be null and void. Further, these proffers are contingent upon final rezoning of the Properties with “final rezoning” defined as that rezoning which is in effect on the day following the last day upon which the Town Council of the Town of Berryville, Virginia (the “Town”) decision granting the rezoning may be contested in the appropriate court. If the Town’s decision is contested, and the Owners elect not to submit development plans until such contest is resolved, the term rezoning shall include the day following entry of a final court order affirming the decision of the Town which has not been appealed, or, if appealed, the day following which the decision has been affirmed on appeal.

The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. The improvements proffered herein shall be provided at the time of development of that portion of the Properties adjacent to or including the improvement or other proffered requirement, unless otherwise specified herein. Any proffered conditions that would prevent the Owners from conforming with State and/or Federal regulations shall be considered null and void. The term “Owners” as referenced herein shall include within its meaning all future owners and successors in interest. When used in these Proffers, “MZP” shall refer to the plan entitled “Friant Master Zoning Plan” dated July 31, 2023 and revised November 8, 2023, and shall include the following:

1. LAND USE:

- 1.1 Residential development of the Properties shall be limited to a maximum of 198 single-family detached dwelling units in accordance with the requirements of the Town's Zoning Ordinance and Subdivision Ordinance.
- 1.2 The minimum amount of open space to be provided for the Properties, in their entirety, is twenty percent (20%) of the entire parcels subject to the rezoning which is generally 20.0082 acres as shown on the MZP.
- 1.3 The Properties shall be developed in general conformance with the MZP subject to minor modifications upon the time of final engineering.

2. SITE DEVELOPMENT:

- 2.1 Prior to the issuance of the 132nd occupancy permit, the Applicant shall install landscaping and screening to protect the viewshed of Bel Voi Manor located on the adjoining property identified as Clarke County Tax Map No. 14-A-81 in general conformance with the MZP.
- 2.2 Prior to the issuance of the 100th occupancy permit, the Applicant shall deliver a tot lot and workout stations which shall be installed on the Properties in general conformance with the MZP and design guidelines.
- 2.3 Prior to the issuance of the 100th occupancy permit, the Applicant shall deliver a public trail system which shall be installed on the Properties in general conformance with the MZP and design guidelines.
- 2.4 Prior to the issuance of the 132nd occupancy permit, the Applicant shall dedicate a portion of the open space in the subdivision as a scenic easement to an appropriate conservation authority or agency. The location of the scenic easement shall be in general conformance with MZP.
- 2.5 All development shall be in substantial conformance with the attached and incorporated Design Guidelines.

3. CREATION OF HOMEOWNERS' ASSOCIATION:

- 3.1 The Properties shall be made subject to a homeowners' association ("HOA") that shall be responsible for the ownership, maintenance and repair of all common areas, including any conservation areas that may be established in accordance herewith not dedicated to the Town or others, for each area subject to their jurisdiction, and shall be provided such other responsibilities, duties and powers as are customary for such associations or as may be required for such HOA herein. The HOA shall be created not later than the date upon which the first building permit is issued.
- 3.2 In addition to such other duties and responsibilities as may be assigned, the HOA shall have title to and responsibility for (i) all common open areas not otherwise

dedicated to public use, (ii) common buffer areas located outside of residential lots, and (iii) ownership and maintenance of stormwater management facilities. The HOA shall be responsible for all areas on the MZP that are not otherwise dedicated for public use.

4. SCHOOL/FIRE & SAFETY/POLICE/PROMOTION OF WALKABILITY:

4.1 The Applicant shall make a payment in the amount of One Thousand Two Hundred Two and 00/100 Dollars (\$1,202.00) per unit to be used to purchase new school bus[es] for Clarke County Schools, which was referenced in correspondence received from the Clarke County Schools Superintendent.

5. WATER & SEWER:

5.1 The Applicant shall be responsible for connecting the Properties to public water and sewer and for constructing all facilities required for such connection. All water and sewer infrastructure shall be constructed in accordance with the requirements of the Town.

5.2 The Applicant shall dedicate to the Town any and all water and sewer lines as well as any sewage pump stations constructed on the Properties, subject to the Town engineer's approval along with any necessary easements to permit access to and maintenance of said water lines, sewer lines, sewage pump stations, and any other associated public water and sewer improvements.

5.3 All provisions of Section 5 of the Proffers are also subject to the Town's existing water and sewer ordinances.

6. STORMWATER MANAGEMENT:

6.1 Stormwater management and Best Management Practices (BMP) for the Properties shall be provided in accordance with Virginia Stormwater Management Regulations and in substantial conformance with the MZP.

7. TRANSPORTATION:

7.1 Design of the roadway system shall be substantially consistent with the final approved MZP. The exact location and design of proffered improvements shall be subject to reasonable adjustment upon final engineering thereof, as approved by the Town Engineer.

7.2 Prior to the issuance of the first building permit, the Applicant shall install a temporary construction road and construction entrance from East Main Street through the adjoining property identified as Clarke County Tax Map No. 14-A-110 and across the property identified as Clarke County Tax Map No. 14-A-81 as needed and permitted to the Properties. Said temporary construction road and construction entrance shall be the sole means of access to and from the Properties

during the construction of the subdivision and the residential units. There shall be no construction traffic permitted to gain access to the subdivision via the existing Battletown community streets.

- 7.3 The connection from the Properties to Battletown Drive shall be designed to meet the Virginia Department of Transportation standards and shall be considered Emergency Access only unless otherwise acted upon by Council after all units are built out.
- 7.4 Within the Virginia Department of Transportation right of way and consistent with the terms of that agreement dated July 13, 1990 by and between Profundus Virginia Properties, Inc. and Friant Enterprises, and as recorded in Deed Book 207 at Page 44, in Deed Book 588 at Page 849, and in Plat Book 12 at Page 4, there will be the construction of a right turn taper on East Main Street that will be installed and/or construction of a left turn lane on East Main Street turning into the new entrance into the Profundus property when warranted by and approved by the Virginia Department of Transportation.
- 7.5 All public streets and roads shall be designed and constructed in accordance with the Virginia Department of Transportation subdivision street requirements and subject to review and approval by the Town.
- 7.6 All sidewalks shall be constructed in accordance with the Town's Zoning Ordinance and Subdivision Ordinance in the general locations as shown on the MZP to accommodate pedestrian movement.
- 7.7 There will be a payment to the Town in the amount of One Thousand Two Hundred and 00/100 Dollars (\$1,200.00) per unit to be used at the discretion of the Town and which is being made to allow for the installation of a sidewalk which shall connect the Properties along the existing right of way of Battletown Drive and to connect to the SmartScale sidewalk being installed on East Main Street.

8. ESCALATOR CLAUSE:

- 8.1 In the event the monetary contributions set forth in these Proffers are paid to the Town within eighteen (18) months of the approval of this rezoning, as applied for by the Owner, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in these Proffers which are paid to the Town after eighteen (18) months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor, such that at the time the contributions are paid, they shall be adjusted by the percentage change in the CPI-U from that date eighteen (18) months after the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid, subject to a cap of six percent (6%) per year, non-compounded.

9. EXCLUSION OF PUBLIC PROPERTY FROM PROFFERS:

9.1 Any portion of the Properties may hereafter be dedicated for public street purposes (or otherwise conveyed to a public entity) shall, upon such dedication, be excluded from the terms and conditions of these Proffers and the remainder of the Properties shall continue to be subject to the full force and effect of these Proffers.

10. SEVERABILITY:

10.1 In the event any portion of these Proffers are subsequently determined to be illegal or unenforceable, the remaining Proffers shall continue in full force and effect.

11. BINDING EFFECT:

11.1 These Proffers run with the land and shall be binding upon all heirs, executors, administrators, assigns and successors in interest of the Owners.

[The remainder of the page is intentionally left blank]

Respectfully submitted,

FRIANT ENTERPRISES #1, LLC

By:
Its:

STATE/Commonwealth of _____, AT LARGE
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____,
2023, by _____ of FRIANT ENTERPRISES #1,
LLC.

NOTARY PUBLIC

My commission expires: _____
Registration number: _____

FRIANT ENTERPRISES #2, LLC

By:

Its:

STATE/Commonwealth of _____, AT LARGE
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____,
2023, by _____, _____ of FRIANT ENTERPRISES #2,
LLC.

NOTARY PUBLIC

My commission expires: _____

Registration number: _____

FRIANT ENTERPRISES #3, LLC

By:
Its:

STATE/Commonwealth of _____, AT LARGE
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____,
2023, by _____, _____ of FRIANT ENTERPRISES #3,
LLC.

NOTARY PUBLIC

My commission expires: _____
Registration number: _____

D.R. HORTON, INC.

By:
Its:

STATE/Commonwealth of _____, AT LARGE
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____,
2023, by _____, _____ of D.R. HORTON, INC.

NOTARY PUBLIC

My commission expires: _____
Registration number: _____

Report of the Department of Public Works

February 6, 2024

Water

We experienced no water breaks or water related issues this past month. Public Works has continued with the meter replacement program and we are roughly 95% complete with the replacement of all water meters.

Sewer

We experienced a pump failure at the South Buckmarsh Pump Station. The vacuum pumps are having a difficult time creating a vacuum to start the suction lift pumps. I have been in contact with our Smith & Loveless pump supplier, and we are currently developing a plan to identify and abate the problem.

General Information

We encountered several snow events last month. During the snow removal operations, we experienced one equipment failure. The fly wheel on one of our small salt spreaders broke. We were able to replace the part and put the spreader back in service.

**Berryville Town Council Item Report Summary
February 13, 2024**

Item Title

Staff Reports - Public Utilities

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

Recommendation

Sample Motion

**Berryville Town Council Item Report Summary
February 13, 2024**

Item Title

Staff Reports - Departmental Update

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. Utilities Department Report for 13 February 2024

Recommendation

Sample Motion

Public Utilities Department Report
13 February 2024

Item Title: Department Update

Prepared By: Jean Petti

Water Treatment Plant Activity As we mark one year of HAA5 exceedance, staff wishes to provide a recap of the disinfection byproduct exceedance timeline. Historically, the Town experienced elevated HAA5 levels in the beginning of 2020. Under the direction of VDH and our consulting engineer, the Town reduced the residual chlorine levels in our distribution and added mixers to our water storage tanks. These actions brought us into compliance with standards from the summer of 2020 until this most recent issue.

When the HAA5 levels were again elevated in late 2022, the Town first evaluated the mixer functionality and the residual chlorine levels. The first quarter of 2023 reflected acceptable HAA5s, but they climbed later in the year. VDH and the engineering consultant initially focused on our distribution system, and we added routine flushing of water lines and lessened the amount of water we store. We also began an expanded testing regimen, with additional testing sites to try to identify the source(s) of the issue. No causative factors have been found to date within the distribution system.

After two quarters of these measures, VDH and engineers now hypothesize that current river conditions will require changes to operations at the water treatment plant to best manage disinfection byproducts. In late 2023, the Town began an evaluation of treatment protocols and is working with VDH and the consulting engineers to determine what changes to implement. A full listing of test results is available at <https://vadwv.gecsws.com>.

The clearwell was cleaned and inspected and the filter media and housing were inspected on January 24th. No concerns were identified.

The Southeast Tower was cleaned and inspected on February 6. The Northwest Tower and 3 Million Gallon ground reservoir is scheduled for later in February and early March.

Wastewater Treatment Plant Activity With the assistance of Inboden Environmental Services (IES), we are preparing our VADEQ Permit renewal application, due July 2024. We anticipate no changes to the permit conditions or impediments to the renewal.

The bushing were replaced on all membrane discharge sluice gates to avoid jams such as were experienced during January.

Department General Activity There are (3) three vacancies in the department. IES has provided us a full-time Class 1 operator at our WWTP while we seek staff.



BERRYVILLE POLICE DEPARTMENT

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

MEMO

DATE: 02/08/2024
TO: Town Council
FROM: Chief W. Neal White 
CC:
RE: Police Department Monthly Report – 02/13/2024

Monthly Activity Report

The activity report for the month of January 2024 is attached to this report.

Public Safety Committee

The Public Safety Committee did not meet in January 2024. The committee is slated to meet on February 22, 2024 at 3:00 pm.

Staffing

The department continues to have one vacancy for a sworn officer position.



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Police and Security Report

	Year To Date	January	December
Month/Year: January	2024	2024	2023
<u>Complaints Answered</u>			
911 Hang Up:	0	0	0
Alarms:	8	8	7
Animal Complaint:	10	10	16
Assault:	0	0	0
Assist County:	5	5	12
Assist EMS and Fire:	11	11	8
Auto Larceny:	0	0	0
Burglary:	12	12	0
Civil Complaints:	12	12	10
Disturbance:	8	8	4
Domestic Disturbance:	2	2	2
Driving Under the Influence	2	2	0
Drunk In Public:	0	0	0
Fraud:	6	6	6
Larceny:	3	3	2
Harassment/Intimidation:	1	1	2
Homicide:	0	0	0
Identity Theft	0	0	0
Juvenile Related:	3	3	5
Mental Health Crisis:	7	7	5
Narcotics Related:	1	1	0
Noise	1	1	2
Public Service:	2	2	1
Sexual Assault:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Suspicious Activity:	18	18	16
Trespassing:	0	0	0
Vandalism:	5	5	2
Welfare Check:	3	3	12
Miscellaneous Complaints:	55	55	37
Total Complaints Answered:	175	175	149



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date 2024	January 2024	December 2023
<u>Traffic</u>			
Accidents Investigated:	6	6	8
Assist Motorist:	0	0	0
Child Safety Seat Install:	1	1	2
Funeral Escort:	4	4	2
Hit & Run:	0	0	4
Parking Tickets:	0	0	1
Traffic Warnings:	42	42	34
<u>Traffic Summons Issued</u>			
Defective Equipment:	0	0	0
Driving Suspended:	0	0	0
Expired Inspection:	0	0	0
Expired Registration:	0	0	0
Fail to Obey Highway Sign:	7	7	6
Fail to Obey Traffic Signals:	0	0	0
Fail to Stop/Lights & Siren:	0	0	0
Fail to Yield Right of Way:	0	0	0
Hit and Run:	0	0	0
No Liability Insurance:	0	0	0
No Operator's License:	0	0	0
No Seat Belt:	0	0	0
Reckless Driving:	1	1	0
Speeding:	6	6	2
Miscellaneous Summons:	3	3	1
Total Traffic Summons Issued:	17	17	9
<u>Found Open at Businesses in Town</u>			
Doors:	1	1	0
Windows:	0	0	0
Garage Doors:	0	0	0



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policeadmin@berryvilleva.gov

W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date 2024	January 2024	December 2023
<u>Criminal Papers Served</u>			
Abduction:	0	0	0
Arson:	0	0	0
Assault and Battery:	0	0	0
Assault and Battery on Police Officer:	0	0	0
Auto Larceny:	0	0	0
Breaking and Entering:	0	0	0
Capias:	0	0	2
Disorderly Conduct:	0	0	0
Driving Under the Influence:	3	3	1
Drunk In Public:	1	1	0
Fail to Obey Police Officer:	0	0	0
Fail to Pay Parking Ticket:	0	0	0
Forgery:	0	0	0
Fraud:	0	0	0
Homicide:	0	0	0
Illegal Drugs/Paraphernalia:	0	0	0
Larceny:	0	0	0
Possess Alcohol Underage:	0	0	0
Protective Order Violations:	0	0	0
Rape:	0	0	0
Resisting Arrest:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	0	0	0
Vandalism:	0	0	0
Weapons Violation:	0	0	0
Miscellaneous Criminal Arrests:	2	2	2
Juvenile Detention Order Totals:	0	0	0
Total Criminal Arrests:	6	6	5



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date	January
	2024	2024
<u>Response to Resistance</u>		
Total Community Interface	244	244
Total Enforcement Contacts	63	63
Physical Custody	4	4
Reported Force Involved	1	1
Administrative Review - Justified	1	1
Administrative Review - Not Justified	0	0
Complaint of Injury - Arrestee	1	1
Medical Treatment for Injury - Arrestee	0	0
Complaint of Injury - Officer	0	0
Medical Treatment for Injury - Officer	0	0
<u>Type of Force Involved</u>		
Compliance Hold / Open Hands	1	1
Takedown	0	0
Strikes (Hands / Knees)	0	0
Chemical Sprays (O.C.)	0	0
Impact Weapon (Baton)	0	0
Mechanical Non-Lethal	0	0
Firearm	0	0
<u>Arrestee Demographics</u>		
White Male	3	3
Black Male	0	0
Other Male	0	0
White Female	1	1
Black Female	0	0
Other Female	0	0

**Berryville Town Council Item Report Summary
February 13, 2024**

Item Title

Staff Reports - Departmental Update

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. Community Development department update 021324

Recommendation

Sample Motion

Town Council Agenda Item Report Summary

February 13, 2024

Item Title

Community Development Update

Prepared By

Christy Dunkle

Planning Commission

The Planning Commission held their organizational meeting on Tuesday, January 23, 2024. William Steinmetz and Kim Kemp were reappointed as chair and vice chair, respectively.

The following continued public hearing was held at the meeting:

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

Planning Commissioners voted to recommend denial of the request to Town Council. A full report is in this agenda packet.

They set a public hearing for the following request:

Paul Perez and Gail Gallagher, Owners, are requesting a special use permit in order to operate a short-term rental at the property located at 116A South Church Street, identified as Tax Map Parcel number 14A5-((A))-69, zoned R-2 Residential. SUP 01-24

The public hearing will be held at their next meeting which is scheduled for Tuesday, February 27, 2024 at 7:00 p.m.

Berryville Area Development Authority

The BADA held their organizational meeting on Wednesday, January 24, 2024. Allen Kitselman and George Ohrstrom were re-elected to chair and vice chair, respectively. They discussed the proposed timeline for the Berryville Area Plan update. They will discuss housing at their next meeting which is scheduled for Wednesday, February 28, 2024 at 1:00 p.m. (please note new time).

Architectural Review Board

The ARB did not hold a meeting in February. Their next meeting is scheduled for Wednesday, March 6, 2024 at 12:30 p.m.

Tree Board

The Tree Board has not held a meeting since the last Town Council meeting.

They are sponsoring a presentation entitled "Managing Invasive Species" at 7 p.m. on Wednesday, March 13 at the Government Center. The free event features a presentation by Natali Walker of Blue Ridge PRISM, a non-profit organization dedicated to reducing the negative impact of invasive plants in the northern Blue Ridge Mountains of Virginia. Read more at <https://blueridgeprism.org>.

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

February 13, 2024

Item Title

Construction Update

Prepared By

Christy Dunkle

Shenandoah Crossing Subdivision

- 82 single-family homes
- Zoned DR-2 Detached Residential
- HOA-maintained facilities
- All homes and paving have been completed
- Request for public street acceptance has been forwarded to VDOT
- Staff has followed up with a complaint about sidewalk spalling on Wilson Drive

Fellowship Square Subdivision

- 50 single-family homes
- Zoned DR-4 Detached Residential
- Cluster layout
- HOA-maintained facilities
- All homes and paving have been completed
- Request for public street acceptance has been forwarded to VDOT

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
- Town staff conducted a final walkthrough for sidewalk, curb, and gutter
- Request for public street acceptance has been forwarded to VDOT
- Staff and Council member Mazzarino met with DEQ and discussed the stormwater management facility between Tyson Drive and Jones Court. Council members received a copy of DEQ's inspection report.
- Staff is working with the developer and residents to address concrete spalling concerns on sidewalks and driveways

Cash Balance Report

Period Ending 1/31/2024

Town of Berryville

2/6/2024 10:14 AM

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Bank 1	Bank of Clarke Operating Acct#- 1138499	
	Account	Balance
	100-1140000-0000 B/C OPR	-\$98,815.59
	501-1140000-0000 B/C OPR	-\$63,679.54
	502-1140000-0000 B/C OPR	\$127,780.18
	Bank 1	Total:
		-\$34,714.95
Bank 2	Bank of Clarke NOW Acct#- 1138502	
	Account	Balance
	100-1149000-0000 B/C NOW	\$9,691,650.57
	501-1149000-0000 B/C NOW	-\$647,397.55
	502-1149000-0000 B/C NOW	\$5,098,481.78
	Bank 2	Total:
		\$14,142,734.80
Bank 3	Bank of Clarke Payroll Acct#- 1139510	
	Account	Balance
	100-1121000-0000 CASH/ BC PAYROLL	\$39,675.59
	501-1121000-0000 CASH/BC PAYROLL	\$461.65
	502-1121000-0000 CASH/BC PAYROLL	\$0.00
	Bank 3	Total:
		\$40,137.24
Bank 4	Bank of Clarke CIP Acct#- 1138405	
	Account	Balance
	100-1123000-0000 BC/CIP CD	\$118,423.09
	501-1123000-0000 BC/CIP	\$5,165,900.16
	502-1123000-0000 BC/CIP	\$5,153,877.77
	Bank 4	Total:
		\$10,438,201.02
Bank 5	Bank of Clarke SW Acct#- 1138413	
	Account	Balance
	100-1128000-0000 BC/SWMGT CD	\$477,648.08
	Bank 5	Total:
		\$477,648.08
Bank 6	Bank of Clarke PDAF Acct#- 1138421	
	Account	Balance
	100-1131000-0000 PD ASSET FORFEITURE	\$27,351.23
	Bank 6	Total:
		\$27,351.23
Bank 7	Bank of Clarke DSR Acct#- 1138456	
	Account	Balance
	100-1124000-0000 BC/RDA DEBT SER RES	\$112,149.66
	Bank 7	Total:
		\$112,149.66
Bank 9	Bank of Clarke RAU Acct#- 1138472	
	Account	Balance

Cash Balance Report

Period Ending 1/31/2024

Town of Berryville
2/6/2024 10:14 AM

Page 2/2

100-1145000-0000 BCC Rau Account		\$948.02
Bank 9		Total: \$948.02
Bank 10	Bank of Clarke VRA Reserve Acct#- 6041647 Account	Balance
502-1155000-0000 BC/VRA Reserve Account		\$470,000.00
Bank 10		Total: \$470,000.00
Bank 11	Bank of Clarke Proffer Reserve Acct#- 1897098 Account	Balance
100-1126000-0000 Cash BC/Proffers Reserve		\$90,638.90
501-1126000-0000 CASH/BC Proffers Reserve		\$0.00
502-1126000-0000 CASH/BC Proffers Reserve		\$0.00
Bank 11		Total: \$90,638.90
Bank 12	Bank of Clarke Performance Bonds Acct#- 1910841 Account	Balance
100-1135000-0000 B/C PERFORMANCE BONDS		\$11,302.48
Bank 12		Total: \$11,302.48
Bank 13	TRUIST Acct#- 5137523525 Account	Balance
100-1130000-0000 CASH/TRUIST		\$567,070.50
501-1130000-0000 CASH/TRUIST		-\$664.79
502-1130000-0000 CASH/TRUIST		-\$496.76
Bank 13		Total: \$565,908.95
Bank 14	Bank of Clarke PD Contributions Acct#- 5759859 Account	Balance
100-1133000-0000 PD Contributions		\$6,018.65
Bank 14		Total: \$6,018.65
Total Cash Balance:		\$26,348,324.08

Check Listing

Date From: 1/1/2024 Date To: 1/31/2024
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville
02/06/2024 10:16 AM

Page: 1 of 4

Check Number	Bank	Vendor	Date	Amount
8660	1	CONSOLIDATED ELECTRIC	01/03/2024	<u>\$4,354.00</u>
		501-2100000-0000	\$4,354.00	
8661	1	Hach Company	01/03/2024	<u>\$1,496.70</u>
		501-2100000-0000	\$1,496.70	
8662	1	INBODEN ENVIRONMENTAL SVCS	01/03/2024	<u>\$20,774.64</u>
		502-2100000-0000	\$20,774.64	
8663	1	Joiner Micro Laboratories, Inc.	01/03/2024	<u>\$380.00</u>
		502-2100000-0000	\$259.00	
		501-2100000-0000	\$121.00	
8664	1	OLD DOMINION BRUSH INC	01/03/2024	<u>\$83.39</u>
		100-2100000-0000	\$83.39	
8665	1	PETE MCLEAN	01/03/2024	<u>\$12,500.00</u>
		100-2100000-0000	\$12,500.00	
8666	1	POSM Software LLC	01/03/2024	<u>\$2,500.00</u>
		502-2100000-0000	\$2,500.00	
8667	1	ROBERTS OXYGEN CO	01/03/2024	<u>\$158.00</u>
		501-2100000-0000	\$158.00	
8668	1	SHERWOOD-LOGAN & ASSOC	01/03/2024	<u>\$2,000.00</u>
		502-2100000-0000	\$2,000.00	
8669	1	Stuart M. Perry, Inc	01/03/2024	<u>\$970.27</u>
		501-2100000-0000	\$970.27	
8670	1	USA Bluebook	01/03/2024	<u>\$5,388.09</u>
		501-2100000-0000	\$4,828.09	
		502-2100000-0000	\$560.00	
8671	1	Waterloo Electric Service, LLC	01/03/2024	<u>\$1,078.70</u>
		100-2100000-0000	\$1,078.70	
8672	1	AT&T	01/11/2024	<u>\$441.49</u>
		100-2100000-0000	\$441.49	
8673	1	AXON ENTERPRISE, INC.	01/11/2024	<u>\$347.88</u>
		100-2100000-0000	\$347.88	
8674	1	Broy & Son Pump Service, Inc	01/11/2024	<u>\$10,485.54</u>
		501-2100000-0000	\$10,485.54	
8675	1	CARSON RICHARD C 1906	01/11/2024	<u>\$25.00</u>
		100-2100000-0000	\$25.00	
8676	1	CARSON TERRIE DAWN 1957	01/11/2024	<u>\$25.00</u>
		100-2100000-0000	\$25.00	
8677	1	CHAUDHRY SHAHIDA 7202	01/11/2024	<u>\$25.00</u>
		100-2100000-0000	\$25.00	
8678	1	COMBS WASTEWATER MANAGEMENT LLC	01/11/2024	<u>\$75.00</u>

Check Listing

Date From: 1/1/2024 Date To: 1/31/2024
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville
02/06/2024 10:16 AM

Page: 2 of 4

Check Number	Bank	Vendor	Date	Amount
8679	1	CORE & MAIN LP	01/11/2024	<u>\$18,114.67</u>
8680	1	DS SERVICES OF AMERICA INC	01/11/2024	<u>\$63.35</u>
8681	1	FABIN RONALD 1971	01/11/2024	<u>\$25.00</u>
8682	1	FEARNOW JEFFREY ALEXANDER 9724	01/11/2024	<u>\$29.55</u>
8683	1	FRAZIER & FRAZIER INC	01/11/2024	<u>\$1,000.00</u>
8684	1	HOLSINGER STEPHEN PAUL 11707	01/11/2024	<u>\$25.00</u>
8685	1	Jean Petti	01/11/2024	<u>\$50.00</u>
8686	1	John H. Enders Fire Company	01/11/2024	<u>\$20,594.00</u>
8687	1	Keith Dalton	01/11/2024	<u>\$67.45</u>
8688	1	Michelle M. Jones	01/11/2024	<u>\$1,380.00</u>
8689	1	Rappahannock Electric Cooperative	01/11/2024	<u>\$2,895.00</u>
8690	1	ROSEN CHRISTOPHER LEE 11168	01/11/2024	<u>\$25.00</u>
8691	1	Skyline Regional CJA	01/11/2024	<u>\$327.50</u>
8692	1	The Hall Company	01/11/2024	<u>\$144.10</u>
8693	1	The Winchester Star	01/11/2024	<u>\$578.03</u>
8694	1	THOMSON REUTERS	01/11/2024	<u>\$104.00</u>
8695	1	US Postal Service	01/11/2024	<u>\$310.00</u>
8696	1	VALLEY ICE LLC	01/11/2024	<u>\$131.43</u>
8697	1	Virginia Resources Authority	01/11/2024	<u>\$235,000.00</u>
				<u>\$235,000.00</u>

Check Listing

Date From: 1/1/2024 Date To: 1/31/2024
Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville
02/06/2024 10:16 AM

Page: 3 of 4

Check Number	Bank	Vendor	Date	Amount
8698	1	VUPS	01/11/2024	<u>\$52.80</u>
		501-2100000-0000	\$52.80	
8699	1	Broy & Son Pump Service, Inc	01/17/2024	<u>\$130.00</u>
		502-2100000-0000	\$130.00	
8700	1	Griffith Energy Services, Inc.	01/17/2024	<u>\$3,857.80</u>
		501-2100000-0000	\$752.45	
		502-2100000-0000	\$3,105.35	
8701	1	PENNONI ASSOCIATES INC	01/17/2024	<u>\$134.00</u>
		100-2100000-0000	\$134.00	
8702	1	Southern Software, Inc.	01/17/2024	<u>\$6,160.00</u>
		100-2100000-0000	\$6,160.00	
8703	1	CLARKE COUNTY CIRCUIT COURT	01/22/2024	<u>\$52.00</u>
		501-2100000-0000	\$52.00	
8704	1	Blossman Gas	01/25/2024	<u>\$393.16</u>
		100-2100000-0000	\$393.16	
8705	1	Broy & Son Pump Service, Inc	01/25/2024	<u>\$455.00</u>
		502-2100000-0000	\$455.00	
8706	1	Commercial Press Inc	01/25/2024	<u>\$460.00</u>
		100-2100000-0000	\$460.00	
8707	1	DIANE M HARRISON	01/25/2024	<u>\$40.00</u>
		100-2100000-0000	\$40.00	
8708	1	ESS- Enterprise security solutions	VOIDED 01/25/2024	<u>\$15,118.39</u>
		502-2100000-0000	\$15,118.39	
8709	1	Gwen Malone	01/25/2024	<u>\$40.00</u>
		100-2100000-0000	\$40.00	
8710	1	H. Allen Kitselman	01/25/2024	<u>\$75.00</u>
		100-2100000-0000	\$75.00	
8711	1	H2O Pipe Cleaning LLC	VOIDED 01/25/2024	<u>\$2,270.27</u>
		501-2100000-0000	\$2,270.27	
8712	1	Jno. S. Solenberger & Co., Inc	01/25/2024	<u>\$373.18</u>
		501-2100000-0000	\$373.18	
8713	1	JOHN E HUDSON	01/25/2024	<u>\$40.00</u>
		100-2100000-0000	\$40.00	
8714	1	JOHNATHAN LONGERBEAM	01/25/2024	<u>\$198.47</u>
		501-2100000-0000	\$42.62	
		502-2100000-0000	\$155.85	
8715	1	Keith Dalton	01/25/2024	<u>\$32.66</u>
		100-2100000-0000	\$32.66	
8716	1	Kim S. Kemp	01/25/2024	<u>\$40.00</u>

Check Listing

Date From: 1/1/2024 Date To: 1/31/2024

Vendor Range: 1-800 FLOWERS - ZUKOWSKI FLEET SERVICES INC

Town of Berryville
02/06/2024 10:16 AM

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Check Number	Bank	Vendor	Date	Amount
8717	1	MICHAEL EUGENE BELL JR	01/25/2024	\$40.00
8718	1	Michelle K. Marino	01/25/2024	\$40.00
8719	1	Sheryl Reid	01/25/2024	\$40.00
8720	1	Thomas Randall Parker Jr.	01/25/2024	\$40.00
8721	1	Trojan Technologies	01/25/2024	\$2,612.16
8722	1	UBEO MIDCO LLC	01/25/2024	\$470.62
8723	1	Virginia Rural Water Association	01/25/2024	\$140.00
8724	1	William Steinmetz	01/25/2024	\$75.00
8725	1	Winchester Building Supply	01/25/2024	\$513.00
8726	1	ENTERPRISE SECURITY SOLUTIONS LLC	01/25/2024	\$15,118.39
8727	1	H2O Pipe Cleaning LLC	01/25/2024	\$1,300.00
8728	1	Stuart M. Perry, Inc	VOIDED 01/25/2024	\$970.27
69	Checks Totaling -			\$395,254.95

Totals By Fund

Fund	Checks	Voids	Total
100	\$50,920.96		\$50,920.96
501	\$46,405.21	\$3,240.54	\$43,164.67
502	\$297,928.78	\$15,118.39	\$282,810.39
Totals:	\$395,254.95	\$18,358.93	\$376,896.02

BERRYVILLE TOWN OF

January 01, 2024 - January 31, 2024

Purchasing Card

Company Statement

Account Information	Payment Information	Account Summary
Mail Billing Inquiries to: BANKCARD CENTER PO Box 660441 Dallas, TX 75266-0441 TTY Hearing Impaired: Dial "711" Outside the U.S.: 1.509.353.6656 24 Hours For Lost or Stolen Card: 1.888.449.2273 24 Hours	Statement Date 01/31/24 Payment Due Date 02/25/24 Days in Billing Cycle 31 Credit Limit \$500,000 Cash Limit \$0 Total Payment Due \$80,898.39	Previous Balance \$101,018.72 Payments -\$101,018.72 Credits -\$4,387.98 Cash \$0.00 Purchases \$85,286.37 Other Debits \$0.00 Overlimit Fee \$0.00 Late Payment Fee \$0.00 Cash Fees \$0.00 Other Fees \$0.00 Finance Charge \$0.00 <hr/> Current Balance \$80,898.39

Important Messages

Please do not send payment. Your automatic payment is scheduled to be credited to this account on 02/23/24.

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

Cardholder Activity Summary

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

0101872 8089839 8089839 4715291201837237


 BANK OF AMERICA
 PO BOX 15731
 WILMINGTON, DE 19886-5731


 BERRYVILLE TOWN OF ***N0010049
 STE A
 101 CHALMERS CT
 BERRYVILLE, VA 22611-1387

Account Number [REDACTED]
 January 01, 2024 - January 31, 2024

Total Payment Due \$80,898.39
Payment Due Date 02/25/24

Enter payment amount
 \$

Mail this coupon along with your check payable to:
 BANK OF AMERICA

⑆54999001⑆00051201837237⑈



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

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

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

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

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

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

Thank you for your business.

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



BERRYVILLE TOWN OF

January 01, 2024 - January 31, 2024

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Cardholder Activity Summary

Account Number Credit Limit	Credits	Cash	Purchases and Other Debits	Total Activity
BOOR, RICK [REDACTED]				
15,000	0.00	0.00	12,570.87	12,570.87
BOOTH, KEVIN [REDACTED]				
1,000	0.00	0.00	491.68	491.68
BUSSERT, ERNIE [REDACTED]				
45,728	0.00	0.00	320.10	320.10
COLE, HEIDI [REDACTED]				
50,000	0.00	0.00	36,514.54	36,514.54
CULP, PAUL [REDACTED]				
5,000	0.00	0.00	541.79	541.79
DALTON, KEITH [REDACTED]				
50,000	0.00	0.00	3,882.43	3,882.43
DORSEY, DANIEL [REDACTED]				
500	0.00	0.00	11.74	11.74
ELLIOTT, RALPH [REDACTED]				
5,000	0.00	0.00	1,675.33	1,675.33
FERREBEE, DARRELL [REDACTED]				
500	0.00	0.00	36.00	36.00
GRIFFITH, RICHARD A [REDACTED]				
500	0.00	0.00	229.23	229.23
JOHNSON, KAREN [REDACTED]				
1,000	0.00	0.00	476.60	476.60
LAMBERT, TRAE [REDACTED]				
500	0.00	0.00	96.31	96.31
LINK, BRIAN [REDACTED]				
5,000	0.00	0.00	600.90	600.90
MCCORMICK, HARRY [REDACTED]				
500	0.00	0.00	39.16	39.16
PEARSON, MORGAN [REDACTED]				
1,000	0.00	0.00	198.00	198.00
PETTI, JEAN [REDACTED]				
50,000	4,263.00	0.00	21,280.72	17,017.72
POULIN, CYNTHIA [REDACTED]				
5,000	0.00	0.00	648.50	648.50
SHARP, BRIAN [REDACTED]				
500	0.00	0.00	434.18	434.18
SHEETZ, CULLEN [REDACTED]				
500	0.00	0.00	272.63	272.63
STOVER, KEITH [REDACTED]				
5,000	124.98	0.00	2,317.93	2,192.95
WHITE, NEAL [REDACTED]				
15,000	0.00	0.00	2,647.73	2,647.73



BERRYVILLE TOWN OF

January 01, 2024 - January 31, 2024

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Transactions

Posting Transaction

Date	Date	Description	Reference Number	MCC	Charge	Credit
						Total Activity
BERRYVILLE TOWN OF						-\$101,018.72
Account Number: [REDACTED]						
01/23	01/23	AUTO PAYMENT DEDUCTION		0071		101,018.72
BOOR, RICK						Total Activity
Account Number: [REDACTED]						12,570.87
01/02	12/29	BROY & SON PUMP SERVICE 540-9553928 VA	24073143365900014700017	1799	2,481.06	
01/03	01/02	GRIFFITH ENERGY SERVIC 888-474-3391 MD	24941684002200757900912	4900	3,165.99	
01/05	01/04	ALTMED MEDICAL CTR- FR FRONT ROYAL VA	24493984004286693600199	8011	85.00	
01/05	01/04	SQ *COMMONWEALTH ENGINEER877-417-4551 VA	24692164004105727651309	1711	1,613.94	
01/09	01/08	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412904008027013075726	5599	2,266.70	
01/19	01/17	THE POWER CONNECTION 540-5740177 VA	24639234018900013008292	1731	2,459.74	
01/23	01/22	IN *SELECT SPECIALTY PROD434-2963937 VA	24692164022109699201059	5169	380.21	
01/25	01/24	FOXS PIZZA BERRYVILLE 540-9553697 VA	24000974024002001582224	5812	118.23	
BOOTH, KEVIN						Total Activity
Account Number: [REDACTED]						491.68
01/09	01/08	GIANT MARTINS #6558 BERRYVILLE VA	24692164008108948051628	5411	18.95	
01/10	01/09	FISHER AUTO PARTS 009 BERRYVILLE VA	24431064010200824000045	5533	61.08	
01/15	01/12	JRE - STEPHENSON STEPHENSON VA	24269794012300709836526	5046	360.57	
01/15	01/14	COSTCO WHSE #0239 WINCHESTER VA	24943004015898000069759	5300	49.46	
01/31	01/30	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974031091408000338	5251	1.62	
BUSSERT, ERNIE						Total Activity
Account Number: [REDACTED]						320.10
01/22	01/18	MCMASTER-CARR 630-834-9600 IL	24789304019977800035116	5085	273.20	
01/24	01/23	HARBOR FREIGHT TOOLS 595 WINCHESTER VA	24231684024400012641052	5251	46.90	
COLE, HEIDI						Total Activity
Account Number: [REDACTED]						36,514.54
01/03	01/03	COMCAST 800-COMCAST MD	24692164003104383441759	4899	122.91	
01/10	01/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664009083750820971	4900	4,442.82	
01/10	01/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664009083749600930	4900	10,000.00	
01/10	01/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664009083729975963	4900	10,000.00	
01/10	01/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664009083737548927	4900	10,000.00	
01/17	01/17	COMCAST 800-COMCAST MD	24692164017105319657644	4899	160.77	
01/29	01/27	VERIZONWRLSS*RTCCR VB 800-922-0204 FL	24692164027103147284390	4814	1,057.87	
01/29	01/27	VERIZON BILL PAYMENT 800-VERIZON FL	24692164027103152458921	4814	517.87	
01/29	01/27	VERIZON BILL PAYMENT 800-VERIZON FL	24692164027103152458939	4814	212.30	
CULP, PAUL						Total Activity
Account Number: [REDACTED]						541.79
01/08	01/07	STAPLS7622810785000001 877-8267755 NJ	24164074007105307479219	5111	159.91	
01/08	01/07	STAPLS7622944868000001 877-8267755 NJ	24164074007105328227001	5111	45.95	
01/15	01/14	STAPLS7623822127000001 877-8267755 NJ	24164074014105355564384	5111	117.69	
01/15	01/14	STAPLS7623813139000001 877-8267755 NJ	24164074014105430578508	5111	89.97	
01/17	01/16	AMZN Mktp US*R86EH6B40 Amzn.com/billVA	24692164016105125868139	5942	48.37	
01/17	01/16	USPS PO 5107560300 BERRYVILLE VA	24137464017001192011198	9402	8.80	
01/29	01/27	STAPLS7624519983000001 877-8267755 NJ	24164074028105413507361	5111	52.48	
01/31	01/30	USPS PO 5107560300 BERRYVILLE VA	24137464031001377595934	9402	18.62	
DALTON, KEITH						Total Activity
Account Number: [REDACTED]						3,882.43
01/10	01/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664009083732601515	4900	1,019.07	
01/10	01/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941664009083744495641	4900	2,820.00	
01/31	01/30	EXXON 7-ELEVEN 34514 BERRYVILLE VA	24003224031752011114024	5542	43.36	
DORSEY, DANIEL						Total Activity
Account Number: [REDACTED]						11.74
01/17	01/16	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974017091400000235	5251	11.74	
ELLIOTT, RALPH						Total Activity
Account Number: [REDACTED]						1,675.33
01/09	01/08	BERRYVILLE AUTO PARTS BERRYVILLE VA	24327434008931400913310	5533	19.73	
01/11	01/10	BROY & SON PUMP SERVICE BERRYVILLE VA	24073144010900015400010	1799	487.50	
01/15	01/12	TRACTOR-SUPPLY-CO #0697 WINCHESTER VA	24137464013001439591121	5599	84.98	
01/15	01/12	SPORTSMANS WAREHOUSE 280 WINCHESTER VA	24717054013640132532333	5941	758.12	
01/24	01/23	BROY & SON PUMP SERVICE 540-9553928 VA	24073144023900016300024	1799	325.00	
FERREBEE, DARRELL						Total Activity
Account Number: [REDACTED]						36.00
01/02	12/28	BERRYVILLE SERVICE CTR BERRYVILLE VA	24034543363003272638325	5541	36.00	
GRIFFITH, RICHARD A						Total Activity
Account Number: [REDACTED]						229.23
01/04	01/03	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974004091404000178	5251	14.68	
01/08	01/05	FISHER AUTO PARTS 009 BERRYVILLE VA	24431064006200824700152	5533	26.06	

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BERRYVILLE TOWN OF

January 01, 2024 - January 31, 2024

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Transactions

Posting Date	Transaction Date	Description	Reference Number	MCC	Charge	Credit	
01/29	01/26	THE HOME DEPOT #4618 WINCHESTER VA	24943014027010193619623	5200	188.49		
						Total Activity	476.60
JOHNSON, KAREN							
Account Number: [REDACTED]							
01/03	01/02	Amazon web services aws.amazon.coWA	24692164002103964900325	7399	0.60		
01/23	01/22	USPS PO 5107560300 BERRYVILLE VA	24137464023001312776342	9402	476.00		
						Total Activity	96.31
LAMBERT, TRAE							
Account Number: [REDACTED]							
01/03	01/02	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974003091402000049	5251	71.45		
01/16	01/15	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974016091408000063	5251	19.59		
01/25	01/23	DOLLAR-GENERAL #0394 BERRYVILLE VA	24445004024500416264204	5331	5.27		
						Total Activity	600.90
LINK, BRIAN							
Account Number: [REDACTED]							
01/05	01/04	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974005091406000423	5251	22.52		
01/09	01/08	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974009091404000066	5251	61.60		
01/11	01/10	JNO. S SOLENBERGER AND C WINCHESTER VA	24138294011400001117871	5251	79.72		
01/15	01/12	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974013091402000112	5251	41.09		
01/19	01/18	LOWES #02724* Winchester VA	24692164018106527158424	5200	395.97		
						Total Activity	39.16
MCCORMICK, HARRY							
Account Number: [REDACTED]							
01/31	01/30	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974031091408000130	5251	39.16		
						Total Activity	198.00
PEARSON, MORGAN							
Account Number: [REDACTED]							
01/04	01/03	USPS PO 5107560300 BERRYVILLE VA	24137464004001419802600	9402	198.00		
						Total Activity	17,017.72
PETTI, JEAN							
Account Number: [REDACTED]							
01/02	12/31	UPS*29CCE4183MM 800-811-1648 GA	24692163365102366633552	4215	8.50		
01/02	12/31	UPS*1Z30MT6H0316725824 800-811-1648 GA	24692163365102366721621	4215	485.88		
01/03	01/02	CUMMINS CSSNA - EV 812-377-4357 IN	24943004003838008232888	5085	811.24		
01/05	01/04	COYNE CHEMICAL 215-785-3000 PA	24137464004300737697932	5169	1,933.20		
01/08	01/05	DEPT OF ENVIRONMENTAL QUA804-6984166 VA	24755424006640061059750	9399	100.00		
01/08	01/06	USABlueBook Atlanta GA	24793384006001885306051	5085	365.75		
01/08	01/05	BAMBOO INK 804-2304515 VA	24750764007900018803707	2741	147.67		
01/08	01/07	UPS*ADJ00379554160141 800-811-1648 GA	74692164007107861994471	4215		150.50	
01/10	01/09	COYNE CHEMICAL CROYDON PA	24137464009300663478542	5169	2,516.78		
01/10	01/09	COYNE CHEMICAL CROYDON PA	24137464009300663478625	5169	1,205.60		
01/11	01/10	DEPT OF ENVIRONMENTAL QUA804-6984166 VA	24755424011640110979993	9399	100.00		
01/15	01/12	HACH COMPANY 970-663-1377 CO	24492154012715351385819	5169	4,112.50		
01/18	01/17	MARTIN ENGINEERING COMPAN309-8522384 IL	24717054017160177838590	5085	675.89		
01/19	01/18	COYNE CHEMICAL CROYDON PA	24137464018300738698339	5169	2,879.25		
01/23	01/22	THE BLOSSMAN COMPANIES I 228-872-8747 MS	24055234022063410520333	5983	1,227.46		
01/23	01/22	HACH COMPANY 9706631377 CO	74492154022719079158618	5169		4,112.50	
01/24	01/23	LOWES #00907* 866-483-7521 NC	24692164023100170312597	5200	432.51		
01/24	01/23	COYNE CHEMICAL 215-785-3000 PA	24137464023300696891044	5169	1,876.13		
01/24	01/23	COYNE CHEMICAL 215-785-3000 PA	24137464023300696891127	5169	1,317.07		
01/30	01/29	BTS*GLOBAL INDUSTRIAL SER800-645-2986 GA	24445004029300556785828	5085	154.49		
01/31	01/30	COYNE CHEMICAL CROYDON PA	24137464030300738333832	5169	930.80		
						Total Activity	648.50
POULIN, CYNTHIA							
Account Number: [REDACTED]							
01/08	01/06	MSFT * E0100QG4HC MSBILL.INFO WA	24430994006400816064158	5045	12.50		
01/10	01/09	IN *TRUESHRED 888-7508783 VA	24692164009109760888971	7399	62.00		
01/15	01/12	NORVAC LOCK TECHNOLOGY I WINCHESTER VA	24733094012400566000019	7399	10.00		
01/15	01/12	VA DMV ONLINE BILLING PAY804-4977100 VA	24755424013130139638315	9399	300.00		
01/23	01/23	MSFT * E0100QO3JT 800-6427676 WA	24204294023000800205052	5045	6.00		
01/23	01/22	MSFT * E0100QO3JU MSBILL.INFO WA	24430994022400816060354	5045	258.00		
						Total Activity	434.18
SHARP, BRIAN							
Account Number: [REDACTED]							
01/23	01/22	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974023091402000052	5251	60.74		
01/30	01/29	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974030091406000463	5251	23.49		
01/31	01/30	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412904030027013364023	5599	349.95		
						Total Activity	272.63
SHEETZ, CULLEN							
Account Number: [REDACTED]							
01/04	01/03	CLARKE COUNTY AUTOMOTIVE BERRYVILLE VA	24247604003200166811146	7538	129.64		
01/09	01/08	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974009091404000264	5251	18.21		
01/11	01/10	BERRYVILLE AUTO PARTS BERRYVILLE VA	24327434010940401091295	5533	28.78		
01/29	01/26	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974027091400000050	5251	96.00		
						Total Activity	2,192.95
STOVER, KEITH							
Account Number: [REDACTED]							



BERRYVILLE TOWN OF
 [REDACTED]
 January 01, 2024 - January 31, 2024
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Transactions

Posting Transaction							
Date	Date	Description	Reference Number	MCC	Charge	Credit	
01/03	01/02	LOWES #02724* Winchester VA	24692164002103869160017	5200	284.76		
01/03	01/02	SHADE EQUIPMENT CO-WINCHEWINCHESTER VA	24412904002027013210121	5599	445.00		
01/03	01/02	TRUCK PARTS UNLIMITED WINCHESTER VA	24035994002900015710470	5533	142.35		
01/05	01/04	BERRYVILLE AUTO PARTS 540-9551292 VA	24327434004914201256349	5533	185.71		
01/05	01/04	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801974005091406000076	5251	18.61		
01/10	01/08	GRAND RENTAL STATION WINCHESTER VA	24073144009900011400090	7394	319.00		
01/11	01/10	LOWES #02724* Winchester VA	24692164010100433831743	5200	209.58		
01/18	01/17	FISHER AUTO PARTS 009 BERRYVILLE VA	24431064018200824700042	5533	257.62		
01/21	01/22	HARBOR FREIGHT TOOLS 595 WINCHESTER VA	24231684023400026077088	5251	139.97		
01/24	01/23	TRUCK PARTS UNLIMITED WINCHESTER VA	24035994023900017508661	5533	43.80		
01/24	01/23	HARBOR FREIGHT TOOLS 595 WINCHESTER VA	24231684024400026077657	5251	34.98		
01/24	01/23	FISHER AUTO PARTS 009 BERRYVILLE VA	24431064024200824200037	5533	56.12		
01/24	01/23	HARBOR FREIGHT TOOLS 595 WINCHESTER VA	74231684024400026077603	5251		124.98	
01/30	01/29	COLLIFLOWER INC HQ 410-686-1200 MD	24435654029606000240093	5085	180.43		
						Total Activity	2,647.73

WHITE, NEAL

Account Number: [REDACTED]

01/10	01/09	BERRYVILLE AUTO PARTS BERRYVILLE VA	24327434009936100290363	5533	12.87		
01/12	01/11	THOMSON WEST* TCD 800-328-4880 MN	24692164011101163359177	8999	117.82		
01/12	01/11	GALLS 859-266-7227 KY	24435654011762259379783	5137	145.98		
01/15	01/12	USPS PO 5107560300 BERRYVILLE VA	24137464013001439576031	9402	8.56		
01/22	01/20	AMZN Mktp US*R84LA53C1 Amzn.com/billWA	24692164020107536248301	5942	1,575.00		
01/22	01/19	L-TRON CORPORATION 585-383-0050 NY	24223694021030075433741	5999	787.50		

Finance Charge Calculation

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

	Annual Percentage Rate	Balance Subject to Interest Rate	Finance Charges by Transaction Type
PURCHASES	0.00%	\$0.00	\$0.00
CASH	0.00%	\$0.00	\$0.00

V = Variable Rate (rate may vary), Promotional Balance = APR for limited time on specified transactions.

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**Budget Summary
As of 12/31/2023**

	Budget	YTD	Variance	%
100 GF				
Revenue	\$ 4,504,447	\$ 3,112,247	\$ (1,392,200)	69%
Expense	\$ 4,504,447	\$ 1,855,665	\$ (2,648,782)	41%
501 WF				
Revenue	\$ 3,151,500	\$ 810,085	\$ (2,341,415)	26%
Expense	\$ 3,151,500	\$ 1,936,069	\$ (1,215,431)	61%
502 SF				
Revenue	\$ 2,963,250	\$ 1,077,674	\$ (1,885,576)	36%
Expense	\$ 2,963,250	\$ 1,012,103	\$ (1,951,147)	34%

Line item variance explanation (greater than 100% AND \$10,000):

100-4031100-6010	Police Supplies variance \$28,359.73 waiting for reimbursement from DCJS
502-4012222-3145	Professional Services variance \$37,764.77 due to Inboden Environmental

Fund Or Attrib	Type	Disp Acct	Budget	YTD	Variance	Prcnt
100	Genel Revenues	100-3110101-0000 CURRENT REAL ESTATE TAXES	\$1,355,575.00	\$664,911.96	(\$690,663.04)	49.05%
100	Genel Revenues	100-3110201-0000 UTILITY REAL ESTATE TAXES	\$11,200.00	\$0.00	(\$11,200.00)	0.00%
100	Genel Revenues	100-3110301-0000 CURRENT PERS PROP TAXES	\$410,000.00	\$629,697.87	\$219,697.87	153.58%
100	Genel Revenues	100-3110303-0000 Refuse Collection Fees	\$13,000.00	\$7,571.20	(\$5,428.80)	58.24%
100	Genel Revenues	100-3110401-0000 MACHINERY & TOOLS	\$175,000.00	\$184,291.52	\$9,291.52	105.31%
100	Genel Revenues	100-3110601-0000 TAX PENALTIES	\$8,000.00	\$7,520.60	(\$479.40)	94.01%
100	Genel Revenues	100-3110602-0000 TAX INTEREST	\$2,000.00	\$5,044.23	\$3,044.23	252.21%
100	Genel Revenues	100-3120101-0000 LOCAL SALES TAX	\$280,000.00	\$149,344.61	(\$130,655.39)	53.34%
100	Genel Revenues	100-3120201-0000 CONSUMER UTILITY TAX	\$100,000.00	\$52,038.99	(\$47,961.01)	52.04%
100	Genel Revenues	100-3120300-0000 BUSINESS LICENSE	\$240,000.00	\$1,296.74	(\$238,703.26)	0.54%
100	Genel Revenues	100-3120402-0000 REC FRANCHISE FEES	\$35,000.00	\$21,936.06	(\$13,063.94)	62.67%
100	Genel Revenues	100-3120501-0000 AUTO LICENSE	\$102,000.00	\$91,429.53	(\$10,570.47)	89.64%
100	Genel Revenues	100-3120601-0000 BANK FRANCHISE TAXES	\$150,000.00	\$0.00	(\$150,000.00)	0.00%
100	Genel Revenues	100-3120801-0000 CIGARETTE TAX	\$13,000.00	\$6,035.00	(\$6,965.00)	46.42%
100	Genel Revenues	100-3121001-0000 LODGING TAX	\$10,000.00	\$5,899.58	(\$4,100.42)	59.00%
100	Genel Revenues	100-3121101-0000 MEALS TAX	\$400,000.00	\$219,454.40	(\$180,545.60)	54.86%
100	Genel Revenues	100-3130304-0000 Land Use Application Fees	\$1,000.00	\$210.00	(\$790.00)	21.00%
100	Genel Revenues	100-3130307-0000 ZONING & SUBDIVISION FEES	\$10,000.00	\$168,344.00	\$158,344.00	1,683.44%
100	Genel Revenues	100-3140101-0000 COURT FINES	\$12,000.00	\$5,203.08	(\$6,796.92)	43.36%
100	Genel Revenues	100-3140102-0000 PARKING METER FINES	\$2,000.00	\$1,132.70	(\$867.30)	56.64%
100	Genel Revenues	100-3140103-0000 ESUMMONS	\$1,000.00	\$113.00	(\$887.00)	11.30%
100	Genel Revenues	100-3150101-0000 INTEREST ON DEPOSITS	\$95,000.00	\$111,046.72	\$16,046.72	116.89%
100	Genel Revenues	100-3150201-0000 RENTAL OF PROPERTY	\$12,500.00	\$6,060.55	(\$6,439.45)	48.48%
100	Genel Revenues	100-3150205-0000 WATER TANK SITE LEASE	\$86,000.00	\$46,906.05	(\$39,093.95)	54.54%
100	Genel Revenues	100-3150206-0000 CHARGE CARD REBATE	\$17,000.00	\$16,997.58	(\$2.42)	99.99%
100	Genel Revenues	100-3160703-0000 PARKING METERS	\$8,000.00	\$4,976.26	(\$3,023.74)	62.20%
100	Genel Revenues	100-3189905-0000 SALE OF SURPLUS	\$5,000.00	\$39,031.27	\$34,031.27	780.63%
100	Genel Revenues	100-3189999-0000 PPTRA	\$209,917.00	\$209,916.73	(\$0.27)	100.00%
100	Genel Revenues	100-3220107-0000 ROLLING STOCK TAX	\$1,850.00	\$1,946.52	\$96.52	105.22%
100	Genel Revenues	100-3220108-0000 599 LAW ENFORCEMENT GRANT	\$90,600.00	\$69,394.67	(\$21,205.33)	76.59%
100	Genel Revenues	100-3220201-0000 Communication Tax	\$65,000.00	\$30,695.63	(\$34,304.37)	47.22%
100	Genel Revenues	100-3240102-0000 FIRE FUND PROGRAM	\$15,250.00	\$0.00	(\$15,250.00)	0.00%

Fund Or Attrib	Type	Disp Acct	Budget	YTD	Variance	Prcent
100 Genei Revenues		100-3240103-0000 LE BLOCK GRANT	\$1,000.00	\$3,430.00	\$2,430.00	343.00%
100 Genei Revenues		100-3240300-0000 VDOT LANE MILE ALLOWANCE	\$503,000.00	\$316,129.96	(\$186,870.04)	62.85%
100 Genei Revenues		100-3240301-0000 VDOT ROAD MAINTENANCE	\$55,555.00	\$7,500.00	(\$48,055.00)	13.50%
100 Genei Revenues		100-3240302-0000 LITTER CONTROL GRANT	\$2,500.00	\$5,104.00	\$2,604.00	204.16%
100 Genei Revenues		100-3240312-0000 Va Commission for the Arts	\$4,500.00	\$4,500.00	\$0.00	100.00%
100 Genei Revenues		100-3410201-0000 MISCELLANEOUS REVENUES	\$1,000.00	\$17,135.57	\$16,135.57	1,713.56%
		Total Revenues	\$4,504,447.00	\$3,112,246.58	(\$1,392,200.42)	69%
TOWN COUNCIL						
100 Genei Expenses		100-4011100-1111 EXPENSE COMPENSATION	\$18,900.00	\$9,450.00	\$9,450.00	50.00%
100 Genei Expenses		100-4011100-2100 MATCHING FICA	\$1,450.00	\$723.06	\$726.94	49.87%
100 Genei Expenses		100-4011100-5540 TRAINING	\$4,000.00	\$0.00	\$4,000.00	0.00%
100 Genei Expenses		100-4011100-5800 MISCELLANEOUS	\$5,000.00	(\$3,043.71)	\$8,043.71	-60.87%
100 Genei Expenses		100-4011100-5810 Dues	\$3,000.00	\$3,064.00	(\$64.00)	102.13%
100 Genei Expenses		100-4011100-6017 TOWN CODE SUPPLEMENTS	\$2,000.00	\$0.00	\$2,000.00	0.00%
TOWN CLERK						
100 Genei Expenses		100-4011200-1114 SALARIES/WAGES/TNCLK	\$52,100.00	\$26,204.86	\$25,895.14	50.30%
100 Genei Expenses		100-4011200-2100 MATCHING FICA EXPENSE	\$4,100.00	\$2,020.97	\$2,079.03	49.29%
100 Genei Expenses		100-4011200-5510 MILEAGE	\$250.00	\$0.00	\$250.00	0.00%
100 Genei Expenses		100-4011200-5540 EDUCATION/TRAINING	\$1,000.00	\$30.00	\$970.00	3.00%
100 Genei Expenses		100-4011200-5810 DUES	\$100.00	\$0.00	\$100.00	0.00%
OFFICE OF TOWN MANAGER						
100 Genei Expenses		100-4012110-1112 COMPENSATION	\$83,000.00	\$39,598.14	\$43,401.86	47.71%
100 Genei Expenses		100-4012110-2100 MATCHING FICA EXPENSE	\$6,500.00	\$2,175.29	\$4,324.71	33.47%
100 Genei Expenses		100-4012110-3399 Blight Abatement	\$50,000.00	\$0.00	\$50,000.00	0.00%
100 Genei Expenses		100-4012110-5230 TELECOMMUNICATIONS	\$600.00	\$350.00	\$250.00	58.33%
100 Genei Expenses		100-4012110-5510 MILEAGE	\$150.00	\$0.00	\$150.00	0.00%
100 Genei Expenses		100-4012110-5540 TRAINING	\$1,000.00	\$0.00	\$1,000.00	0.00%
100 Genei Expenses		100-4012110-5810 DUES	\$750.00	\$365.00	\$385.00	48.67%
LEGAL SERVICES						
100 Genei Expenses		100-4012210-3150 PROFESSIONAL SERVICES	\$50,000.00	\$12,980.00	\$37,020.00	25.96%
PERSONNEL						
100 Genei Expenses		100-4012220-2210 RETIREMENT	\$169,000.00	\$87,198.19	\$81,801.81	51.60%
100 Genei Expenses		100-4012220-2220 VMLIP - STD	\$650.00	\$305.57	\$344.43	47.01%
100 Genei Expenses		100-4012220-2230 VMLIP - LTD	\$6,900.00	\$3,531.86	\$3,368.14	51.19%

Fund Or Attrib	Type	Disp Acct	Budget	YTD	Variance	Prcent
100	Genel Expenses	100-4012220-2250 Line of Duty Act	\$8,500.00	\$8,108.00	\$392.00	95.39%
100	Genel Expenses	100-4012220-2300 HEALTH INSURANCE	\$227,000.00	\$113,591.24	\$113,408.76	50.04%
100	Genel Expenses	100-4012220-2400 LIFE INSURANCE	\$17,400.00	\$8,759.36	\$8,640.64	50.34%
100	Genel Expenses	100-4012220-2600 UNEMPLOYMENT INSURANCE	\$230.00	\$19.09	\$210.91	8.30%
100	Genel Expenses	100-4012220-2700 WORKER'S COMPENSATION	\$35,000.00	\$34,559.00	\$441.00	98.74%
100	Genel Expenses	100-4012220-3110 RANDOM DRUG SCREENING	\$750.00	\$50.00	\$700.00	6.67%
100	Genel Expenses	100-4012220-9001 EMPLOYEE RECOGNITION	\$2,000.00	\$106.67	\$1,893.33	5.33%
		INDEPENDENT AUDITOR				
100	Genel Expenses	100-4012240-3120 CONTRACTUAL SERVICES	\$20,000.00	\$0.00	\$20,000.00	0.00%
		TOWN TREASURER				
100	Genel Expenses	100-4012410-1113 COMPENSATION	\$85,500.00	\$42,617.04	\$42,882.96	49.84%
100	Genel Expenses	100-4012410-2100 MATCHING FICA EXPENSE	\$6,700.00	\$2,473.12	\$4,226.88	36.91%
100	Genel Expenses	100-4012410-3130 PROFESSIONAL SER/TAX CONV	\$2,500.00	\$0.00	\$2,500.00	0.00%
100	Genel Expenses	100-4012410-5306 SURETY BONDS	\$500.00	\$434.00	\$66.00	86.80%
100	Genel Expenses	100-4012410-5540 TRAINING	\$2,000.00	\$0.00	\$2,000.00	0.00%
100	Genel Expenses	100-4012410-5810 DUES	\$1,000.00	\$0.00	\$1,000.00	0.00%
		FINANCE / ACCOUNTING				
100	Genel Expenses	100-4012430-1113 COMPENSATION	\$130,000.00	\$42,222.41	\$87,777.59	32.48%
100	Genel Expenses	100-4012430-2100 MATCHING FICA EXPENSE	\$9,700.00	\$2,957.28	\$6,742.72	30.49%
100	Genel Expenses	100-4012430-5540 TRAINING	\$3,400.00	\$0.00	\$3,400.00	0.00%
		CENTRAL ADMIN/PURCHASING				
100	Genel Expenses	100-4012530-3320 MAINTENANCE CONTRACTS	\$52,250.00	\$37,080.28	\$15,169.72	70.97%
100	Genel Expenses	100-4012530-3400 WEB SITE	\$1,000.00	\$1.21	\$998.79	0.12%
100	Genel Expenses	100-4012530-3450 DIGITIZING	\$7,000.00	\$0.00	\$7,000.00	0.00%
100	Genel Expenses	100-4012530-3501 NEWSLETTER	\$1,000.00	\$0.00	\$1,000.00	0.00%
100	Genel Expenses	100-4012530-3600 ADVERTISING	\$8,000.00	\$6,572.59	\$1,427.41	82.16%
100	Genel Expenses	100-4012530-5210 POSTAGE	\$16,000.00	\$6,871.00	\$9,129.00	42.94%
100	Genel Expenses	100-4012530-5230 TELECOMMUNICATIONS	\$4,300.00	\$2,203.73	\$2,096.27	51.25%
100	Genel Expenses	100-4012530-5250 SOCIAL MEDIA ARCHIVING	\$3,300.00	\$0.00	\$3,300.00	0.00%
100	Genel Expenses	100-4012530-5415 COPIER LEASE	\$5,100.00	\$2,290.43	\$2,809.57	44.91%
100	Genel Expenses	100-4012530-5540 TRAINING	\$2,500.00	\$0.00	\$2,500.00	0.00%
100	Genel Expenses	100-4012530-5699 CONTRIBUTION/CC SOCIAL MEDIA	\$5,000.00	\$0.00	\$5,000.00	0.00%
100	Genel Expenses	100-4012530-5810 DUES	\$500.00	\$0.00	\$500.00	0.00%
100	Genel Expenses	100-4012530-6001 OFFICE SUPPLIES	\$15,000.00	\$6,897.55	\$8,102.45	45.98%

Fund Or Attrib	Type	Disp Acct	Budget	YTD	Variance	Prcnt
		RISK MANAGEMENT				
100 GeneI Expenses		100-4012550-5304 BLANKET EXCESS LIABILITY	\$16,000.00	\$12,720.00	\$3,280.00	79.50%
100 GeneI Expenses		100-4012550-5305 AUTOMOBILE INSURANCE	\$13,000.00	\$14,855.00	(\$1,855.00)	114.27%
100 GeneI Expenses		100-4012550-5308 SEMI-MULTI PERIL INS	\$36,500.00	\$39,968.00	(\$3,468.00)	109.50%
		ENGINEERING SERVICES				
100 GeneI Expenses		100-4012600-3140 ENGINEERING SERVICES	\$5,000.00	\$0.00	\$5,000.00	0.00%
		ELECTIONS				
100 GeneI Expenses		100-4013100-1125 ELECTION OFFICIALS	\$2,500.00	\$1,769.02	\$730.98	70.76%
100 GeneI Expenses		100-4013100-6001 OFFICE SUPPLIES	\$1,500.00	\$0.00	\$1,500.00	0.00%
		PUBLIC DEFENDER FEES				
100 GeneI Expenses		100-4021500-3150 PUBLIC DEFENDER FEES	\$2,000.00	\$0.00	\$2,000.00	0.00%
		POLICE DEPARTMENT				
100 GeneI Expenses		100-4031100-1139 COMPENSATION	\$700,500.00	\$333,206.44	\$367,293.56	47.57%
100 GeneI Expenses		100-4031100-2100 MATCHING FICA EXPENSE	\$54,000.00	\$25,404.00	\$28,596.00	47.04%
100 GeneI Expenses		100-4031100-3110 MEDICAL EXAMINATIONS	\$900.00	\$0.00	\$900.00	0.00%
100 GeneI Expenses		100-4031100-3115 PRE EMPLOYMENT DRUG SCREEN	\$250.00	\$0.00	\$250.00	0.00%
100 GeneI Expenses		100-4031100-3190 INTERPRETER	\$400.00	\$2.56	\$397.44	0.64%
100 GeneI Expenses		100-4031100-3310 REPAIR & MAINTENANCE	\$12,000.00	\$6,860.04	\$5,139.96	57.17%
100 GeneI Expenses		100-4031100-3320 MAINTENANCE CONTRACTS	\$40,100.00	\$18,301.46	\$21,798.54	45.64%
100 GeneI Expenses		100-4031100-4081 RICH RAU SAFETY FUND	\$5,000.00	\$2,198.53	\$2,801.47	43.97%
100 GeneI Expenses		100-4031100-4082 WILDLIFE MANAGEMENT	\$250.00	\$0.00	\$250.00	0.00%
100 GeneI Expenses		100-4031100-5210 POSTAGE	\$500.00	\$57.66	\$442.34	11.53%
100 GeneI Expenses		100-4031100-5230 TELECOMMUNICATIONS	\$3,000.00	\$2,583.58	\$416.42	86.12%
100 GeneI Expenses		100-4031100-5415 COPIER LEASE	\$4,400.00	\$2,290.43	\$2,109.57	52.06%
100 GeneI Expenses		100-4031100-5540 TRAINING	\$19,000.00	\$11,653.09	\$7,346.91	61.33%
100 GeneI Expenses		100-4031100-5545 OFFICE ACCREDITATION	\$500.00	\$0.00	\$500.00	0.00%
100 GeneI Expenses		100-4031100-5810 DUES	\$850.00	\$275.00	\$575.00	32.35%
100 GeneI Expenses		100-4031100-5815 COMMUNITY RELATIONS	\$2,000.00	\$640.00	\$1,360.00	32.00%
100 GeneI Expenses		100-4031100-6001 OFFICE SUPPLIES	\$1,600.00	\$449.55	\$1,150.45	28.10%
100 GeneI Expenses		100-4031100-6008 GASOLINE & OIL	\$20,000.00	\$7,279.06	\$12,720.94	36.40%
100 GeneI Expenses		100-4031100-6010 POLICE SUPPLIES	\$13,500.00	\$41,859.73	(\$28,359.73)	310.07%
100 GeneI Expenses		100-4031100-6011 UNIFORMS	\$3,000.00	\$371.99	\$2,628.01	12.40%

Fund Or Attrib	Type	Disp Acct	Budget	YTD	Variance	Prcnt
100 GeneI Expenses		TRAFFIC CONTROL				
100-4031300-5699	COUNTY CONT/CROSSING GD		\$2,500.00	\$0.00	\$2,500.00	0.00%
100 GeneI Expenses		EMERGENCY SERVICES				
100-4031400-5699	CONTRIBUTION/CC CENT ALRM		\$5,000.00	\$0.00	\$5,000.00	0.00%
100 GeneI Expenses		VOLUNTEER FIRE DEPARTMENT				
100-4032200-5699	CONTRIBUTION/JHEVFD		\$30,000.00	\$0.00	\$30,000.00	0.00%
100 GeneI Expenses		100-4032200-5707	\$18,500.00	\$0.00	\$18,500.00	0.00%
100 GeneI Expenses		100-4032200-8411	\$10,000.00	\$0.00	\$10,000.00	0.00%
		PUBLIC WORKS ADMINISTRATION				
100 GeneI Expenses		100-4041100-1140	\$38,000.00	\$29,198.05	\$8,801.95	76.84%
100 GeneI Expenses		100-4041100-2100	\$2,900.00	\$2,365.97	\$534.03	81.59%
100 GeneI Expenses		100-4041100-3110	\$1,000.00	\$405.00	\$595.00	40.50%
100 GeneI Expenses		100-4041100-3310	\$11,000.00	\$9,632.86	\$1,367.14	87.57%
100 GeneI Expenses		100-4041100-5120	\$3,000.00	\$0.00	\$3,000.00	0.00%
100 GeneI Expenses		100-4041100-5230	\$8,000.00	\$4,368.24	\$3,631.76	54.60%
100 GeneI Expenses		100-4041100-5415	\$2,700.00	\$1,898.81	\$801.19	70.33%
100 GeneI Expenses		100-4041100-5540	\$6,000.00	\$0.00	\$6,000.00	0.00%
100 GeneI Expenses		100-4041100-6001	\$500.00	\$213.06	\$286.94	42.61%
		HWTS,ST,BRIDGES & SDWLKS				
100 GeneI Expenses		100-4041200-1183	\$191,000.00	\$93,995.94	\$97,004.06	49.21%
100 GeneI Expenses		100-4041200-2100	\$14,800.00	\$7,232.90	\$7,567.10	48.87%
100 GeneI Expenses		100-4041200-3310	\$12,000.00	\$18,842.74	(\$6,842.74)	157.02%
100 GeneI Expenses		100-4041200-3311	\$15,000.00	\$0.00	\$15,000.00	0.00%
100 GeneI Expenses		100-4041200-3315	\$16,000.00	\$0.00	\$16,000.00	0.00%
100 GeneI Expenses		100-4041200-5425	\$1,200.00	\$1,298.67	(\$98.67)	108.22%
100 GeneI Expenses		100-4041200-6007	\$6,000.00	\$6,862.65	(\$862.65)	114.38%
100 GeneI Expenses		100-4041200-6008	\$24,000.00	\$14,000.71	\$9,999.29	58.34%
100 GeneI Expenses		100-4041200-6011	\$6,000.00	\$2,805.88	\$3,194.12	46.76%
		VDOT STREET MAINTENANCE				
100 GeneI Expenses		100-4041250-3140	\$10,000.00	\$0.00	\$10,000.00	0.00%
100 GeneI Expenses		100-4041250-3310	\$15,000.00	\$6,587.41	\$8,412.59	43.92%
100 GeneI Expenses		100-4041250-3311	\$15,000.00	\$0.00	\$15,000.00	0.00%
100 GeneI Expenses		100-4041250-3316	\$10,000.00	\$1,272.86	\$8,727.14	12.73%
100 GeneI Expenses		100-4041250-5800	\$25,000.00	\$0.00	\$25,000.00	0.00%
100 GeneI Expenses		100-4041250-6007	\$10,000.00	\$0.00	\$10,000.00	0.00%

Fund Or Attrib	Type	Disp Acct	Budget	YTD	Variance	Prcent
100 Genei Expenses		100-4041250-6050 STREET MAINTENANCE	\$125,000.00	\$93,598.18	\$31,401.82	74.88%
100 Genei Expenses		100-4041250-6060 SIDEWALK REPLACEMENT	\$45,000.00	\$0.00	\$45,000.00	0.00%
100 Genei Expenses		100-4041250-6135 MOWING/TREE REMOVAL	\$15,000.00	\$0.00	\$15,000.00	0.00%
100 Genei Expenses		100-4041250-6207 STREET SWEEPING	\$18,000.00	\$0.00	\$18,000.00	0.00%
100 Genei Expenses		100-4041250-6307 SNOW REMOVAL	\$60,000.00	\$6,957.75	\$53,042.25	11.60%
100 Genei Expenses		100-4041250-8803 PW SITE IMPROVEMENTS	\$150,000.00	\$0.00	\$150,000.00	0.00%
100 Genei Expenses		100-4041250-8804 SAFETY EQUIPMENT	\$5,000.00	\$24.35	\$4,975.65	0.49%
		STREET LIGHTS				
100 Genei Expenses		100-4041320-5110 ELECTRICITY	\$90,000.00	\$34,902.31	\$55,097.69	38.78%
		SNOW REMOVAL - DOWNTOWN				
100 Genei Expenses		100-4041330-3220 CONTRACTUAL SERVICES	\$20,000.00	\$0.00	\$20,000.00	0.00%
100 Genei Expenses		100-4041330-6007 MATERIALS & SUPPLIES	\$2,000.00	\$0.00	\$2,000.00	0.00%
		PARKING METERS & LOTS				
100 Genei Expenses		100-4041340-6007 MATERIALS & SUPPLIES	\$2,000.00	\$3,220.11	(\$1,220.11)	161.01%
		REFUSE COLLECTION				
100 Genei Expenses		100-4042300-3220 CONTRACTUAL SERVICES	\$240,000.00	\$112,461.64	\$127,538.36	46.86%
100 Genei Expenses		100-4042300-6225 RECYCLING SERVICES	\$110,000.00	\$66,849.20	\$43,150.80	60.77%
		REFUSE DISPOSAL				
100 Genei Expenses		100-4042400-3800 FCO LANDFILL CHARGES	\$50,000.00	\$20,002.30	\$29,997.70	40.00%
		GENERAL PROPERTIES				
100 Genei Expenses		100-4043200-3310 REPAIR & MAINTENANCE	\$47,000.00	(\$1,288.00)	\$48,288.00	-2.74%
100 Genei Expenses		100-4043200-3325 HERMITAGE SWPOND MAINT	\$4,100.00	\$2,700.00	\$1,400.00	65.85%
100 Genei Expenses		100-4043200-6007 MATERIALS & SUPPLIES	\$500.00	\$0.00	\$500.00	0.00%
100 Genei Expenses		100-4043200-6017 CHRISTMAS WREATHS	\$500.00	\$0.00	\$500.00	0.00%
		BUILDING SERVICES				
100 Genei Expenses		100-4064200-3150 PROFESSIONAL SERVICES	\$1,000.00	\$0.00	\$1,000.00	0.00%
100 Genei Expenses		100-4064200-3200 CONTRACTUAL SERVICES	\$10,000.00	\$7,280.88	\$2,719.12	72.81%
100 Genei Expenses		100-4064200-5110 ELECTRICITY	\$20,100.00	\$11,287.19	\$8,812.81	56.16%
100 Genei Expenses		100-4064200-5120 NATURAL GAS/HEAT	\$3,000.00	\$1,647.67	\$1,352.33	54.92%
100 Genei Expenses		100-4064200-5130 WATER/SEWER	\$800.00	\$400.88	\$399.12	50.11%
100 Genei Expenses		100-4064200-5230 TELECOMMUNICATIONS	\$1,500.00	\$460.89	\$1,039.11	30.73%
100 Genei Expenses		100-4064200-5304 LIABILITY INSURANCE	\$1,500.00	\$1,034.97	\$465.03	69.00%
100 Genei Expenses		100-4064200-7113 IN KIND COSTS	\$13,000.00	\$0.00	\$13,000.00	0.00%
100 Genei Expenses		100-4064200-7115 SHARED MAINTENANCE	\$19,000.00	\$5,280.48	\$13,719.52	27.79%
100 Genei Expenses		100-4064200-8411 CAPITAL ASSET RESERVES	\$10,000.00	\$0.00	\$10,000.00	0.00%

Fund Or Attrib	Type	Disp Acct	Budget	YTD	Variance	Pront
PARKS & RECREATION						
100 Gene: Expenses		100-4071310-3160 CONTRACTURAL SER/JN BLUE	\$1,000.00	\$450.00	\$550.00	45.00%
100 Gene: Expenses		100-4071310-6017 CHRISTMAS LIGHTS	\$3,500.00	\$2,649.53	\$850.47	75.70%
100 Gene: Expenses		100-4071310-6018 ROSE HILL PARK MAINTENANCE	\$15,000.00	\$199.40	\$14,800.60	1.33%
PLANNING						
100 Gene: Expenses		100-4081100-1155 COMPENSATION	\$97,000.00	\$50,353.42	\$46,646.58	51.91%
100 Gene: Expenses		100-4081100-2100 MATCHING FICA EXPENSE	\$7,500.00	\$3,890.85	\$3,609.15	51.88%
100 Gene: Expenses		100-4081100-3145 REIMBURSABLE CONST FEES	\$0.00	\$15,433.00	(\$15,433.00)	0.00%
100 Gene: Expenses		100-4081100-3190 PROFESSIONAL SERVICES	\$3,000.00	\$405.00	\$2,595.00	13.50%
100 Gene: Expenses		100-4081100-3500 PRINTING	\$250.00	\$138.98	\$111.02	55.59%
100 Gene: Expenses		100-4081100-5510 MILEAGE	\$100.00	\$0.00	\$100.00	0.00%
100 Gene: Expenses		100-4081100-6001 OFFICE EQUIPMENT	\$100.00	\$237.11	(\$137.11)	237.11%
BOARD OF ZONING APPEALS						
100 Gene: Expenses		100-4081400-1110 EXPENSE COMPENSATION	\$500.00	\$0.00	\$500.00	0.00%
100 Gene: Expenses		100-4081400-5540 TRAINING	\$750.00	\$0.00	\$750.00	0.00%
ECONOMIC DEVELOPMENT						
100 Gene: Expenses		100-4081500-5693 ARTS FUNDING MATCH	\$4,500.00	\$9,000.00	(\$4,500.00)	200.00%
100 Gene: Expenses		100-4081500-5695 TOWN/COUNTY ECONOMIC DEV	\$20,500.00	\$0.00	\$20,500.00	0.00%
100 Gene: Expenses		100-4081500-5696 ECONOMIC DEVELOPMENT RESERVE	\$2,500.00	\$0.00	\$2,500.00	0.00%
PLANNING COMMISSION						
100 Gene: Expenses		100-4081600-1111 EXPENSE COMPENSATION	\$5,000.00	\$1,640.00	\$3,360.00	32.80%
100 Gene: Expenses		100-4081600-5540 TRAINING	\$1,500.00	\$0.00	\$1,500.00	0.00%
B'VILLE AREA DEV AUTHORITY						
100 Gene: Expenses		100-4081700-1111 EXPENSE COMPENSATION	\$2,500.00	\$310.00	\$2,190.00	12.40%
100 Gene: Expenses		100-4081700-5540 TRAINING	\$1,000.00	\$0.00	\$1,000.00	0.00%
ARCHITECTURAL REVIEW BOARD						
100 Gene: Expenses		100-4081800-5540 TRAINING	\$500.00	\$103.81	\$396.19	20.76%
ARPA						
100 Gene: Expenses		100-4093000-3000 ARPA GF EXPENSES	\$0.00	\$55,022.00	(\$55,022.00)	0.00%
CAPITAL OUTLAY						
100 Gene: Expenses		100-4094200-8209 POLICE CRUISER CAMERA	\$0.00	\$6,682.96	(\$6,682.96)	0.00%
100 Gene: Expenses		100-4094200-8225 COMPUTER REPLACEMENT/UPGRADES	\$35,000.00	\$24,056.86	\$10,943.14	68.73%
100 Gene: Expenses		100-4094200-8231 PATROL VEHICLE	\$57,500.00	\$0.00	\$57,500.00	0.00%
100 Gene: Expenses		100-4094200-8341 B-BALL COURT REPAIRS	\$30,000.00	\$7,040.00	\$22,960.00	23.47%
100 Gene: Expenses		100-4094200-8411 CAPITAL RESERVE	\$196,238.10	\$0.00	\$196,238.10	0.00%

Fund Or Attrib	Type	Disp Acct	Budget	YTD	Variance	Prct
100 Gene: Expenses		100-4094200-8915 HOGAN'S ALLEY IMPROVEMENTS	\$10,000.00	\$1,397.65	\$8,602.35	13.98%
100 Gene: Expenses		100-4094200-9004 MOSBY BOULEVARD SIDEWALK	\$20,000.00	\$21,501.80	(\$1,501.80)	107.51%
100 Gene: Expenses		100-4094200-9005 FAIRFAX ST SIDEWALK RESERVE	\$60,000.00	\$0.00	\$60,000.00	0.00%
100 Gene: Expenses		100-4094200-9007 INTERVIEW ROOM AV (PD)	\$6,500.00	\$0.00	\$6,500.00	0.00%
100 Gene: Expenses		100-4094200-9009 TOWN STREET REPAIRS	\$20,000.00	\$0.00	\$20,000.00	0.00%
100 Gene: Expenses		CONTINGENCY				
100 Gene: Expenses		100-4094300-5800 CONTINGENCY	\$114,978.90	\$1,100.00	\$113,878.90	0.96%
100 Gene: Expenses		DEBT SERVICE				
100 Gene: Expenses		100-4095000-9110 RDA PRINCIPAL	\$46,500.00	\$22,950.21	\$23,549.79	49.36%
100 Gene: Expenses		100-4095000-9120 RDA INTEREST	\$75,100.00	\$37,787.79	\$37,312.21	50.32%
		Total Expenses	\$4,504,447.00	\$1,855,665.29	\$2,648,781.71	41%
Fund Or Attrib: 501 Water Fund						
Type: Revenues						
501 Water: Revenues		501-3000000-0000 FUND BALANCE	\$615,000.00	\$0.00	(\$615,000.00)	0.00%
501 Water: Revenues		501-3150102-0000 INTEREST ON INVESTMENTS	\$65,000.00	\$80,192.21	\$15,192.21	123.37%
501 Water: Revenues		501-3160110-0000 TREATMENT FEES	\$1,200,000.00	\$664,227.72	(\$535,772.28)	55.35%
501 Water: Revenues		501-3160111-0000 DELINQUENT ACCT PENALTIES	\$40,000.00	\$29,560.00	(\$10,440.00)	73.90%
501 Water: Revenues		501-3160112-0000 SECURITY DEPOSITS	\$0.00	(\$257.03)	(\$257.03)	0.00%
501 Water: Revenues		501-3160113-0000 AVAILABILITY CHARGES	\$30,500.00	\$31,362.15	\$862.15	102.83%
501 Water: Revenues		501-3160115-0000 METER FEES	\$1,000.00	\$4,999.60	\$3,999.60	499.96%
501 Water: Revenues		501-3160116-0000 LOAN PROCEEDS	\$1,200,000.00	\$0.00	(\$1,200,000.00)	0.00%
		Total Revenue	\$3,151,500.00	\$810,084.65	(\$2,341,415.35)	26%
Type: Expenses						
PERSONNEL						
501 Water: Expenses		501-4012220-1140 COMPENSATION	\$130,000.00	\$64,945.65	\$65,054.35	49.96%
501 Water: Expenses		501-4012220-2100 SOCIAL SECURITY	\$9,950.00	\$4,412.87	\$5,537.13	44.35%
501 Water: Expenses		501-4012220-2210 RETIREMENT	\$79,000.00	\$24,520.53	\$54,479.47	31.04%
501 Water: Expenses		501-4012220-2220 VMLIP - STD	\$300.00	\$103.98	\$196.02	34.66%
501 Water: Expenses		501-4012220-2230 VMLIP - LTD	\$3,200.00	\$807.79	\$2,392.21	25.24%
501 Water: Expenses		501-4012220-2300 HEALTH INSURANCE	\$105,500.00	\$36,449.18	\$69,050.82	34.55%
501 Water: Expenses		501-4012220-2400 LIFE INSURANCE	\$7,500.00	\$2,489.47	\$5,010.53	33.19%
501 Water: Expenses		501-4012220-2600 UNEMPLOYMENT INSURANCE	\$110.00	\$19.09	\$90.91	17.35%
501 Water: Expenses		501-4012220-2700 WORKER'S COMPENSATION	\$21,000.00	\$22,994.00	(\$1,994.00)	109.50%
501 Water: Expenses		501-4012220-3170 MISS UTILITY	\$1,750.00	\$705.25	\$1,044.75	40.30%
501 Water: Expenses		501-4012220-3320 HANDHELD MAINT	\$5,000.00	\$1,558.75	\$3,441.25	31.18%

Fund Or Attrib	Type	Disp Acct	Budget	YTD	Variance	Prcent
501 Water Expenses		501-4012220-3450 DIGITIZING	\$7,000.00	\$0.00	\$7,000.00	0.00%
501 Water Expenses		501-4012220-5210 POSTAGE	\$4,700.00	\$3,358.67	\$1,341.33	71.46%
501 Water Expenses		501-4012220-5540 TRAINING	\$2,500.00	\$0.00	\$2,500.00	0.00%
501 Water Expenses		501-4012220-6001 OFFICE SUPPLIES	\$2,000.00	\$2,804.51	(\$804.51)	140.23%
TREATMENT						
501 Water Expenses		501-4012222-1147 COMPENSATION	\$273,000.00	\$93,743.70	\$179,256.30	34.34%
501 Water Expenses		501-4012222-2100 MATCHING FICA EXPENSE	\$21,000.00	\$7,204.69	\$13,795.31	34.31%
501 Water Expenses		501-4012222-2830 CERTIFICATION FEES	\$600.00	\$0.00	\$600.00	0.00%
501 Water Expenses		501-4012222-2840 STATE CONNECTION FEES	\$5,900.00	\$5,636.00	\$264.00	95.53%
501 Water Expenses		501-4012222-2850 LAB TESTING	\$11,000.00	\$15,086.51	(\$4,086.51)	137.15%
501 Water Expenses		501-4012222-3110 MEDICAL EXAMS	\$200.00	\$0.00	\$200.00	0.00%
501 Water Expenses		501-4012222-3145 PROFESSIONAL SERVICES	\$10,000.00	\$8,013.41	\$1,986.59	80.13%
501 Water Expenses		501-4012222-3210 SLUDGE REMOVAL	\$27,000.00	\$0.00	\$27,000.00	0.00%
501 Water Expenses		501-4012222-3220 CLEAN RIVER INTAKE	\$3,000.00	\$1,375.00	\$1,625.00	45.83%
501 Water Expenses		501-4012222-3310 REPAIR & MAINTENANCE	\$75,000.00	\$61,210.57	\$13,789.43	81.61%
501 Water Expenses		501-4012222-3510 CONSUMER CONFIDENCE RPT	\$1,000.00	\$0.00	\$1,000.00	0.00%
501 Water Expenses		501-4012222-5110 ELECTRICITY	\$70,000.00	\$32,448.69	\$37,551.31	46.36%
501 Water Expenses		501-4012222-5120 FUEL/OIL HEAT	\$7,200.00	\$0.00	\$7,200.00	0.00%
501 Water Expenses		501-4012222-5230 TELECOMMUNICATIONS	\$4,700.00	\$2,351.96	\$2,348.04	50.04%
501 Water Expenses		501-4012222-5415 COPIER LEASE	\$1,300.00	\$1,142.89	\$157.11	87.91%
501 Water Expenses		501-4012222-5540 TRAINING	\$3,500.00	\$1,550.59	\$1,949.41	44.30%
501 Water Expenses		501-4012222-5690 DISCHARGE PERMIT RENEWAL	\$3,000.00	\$0.00	\$3,000.00	0.00%
501 Water Expenses		501-4012222-5810 DUES	\$1,000.00	\$383.00	\$617.00	38.30%
501 Water Expenses		501-4012222-6001 OFFICE SUPPLIES	\$1,000.00	\$286.06	\$713.94	28.61%
501 Water Expenses		501-4012222-6004 LAB SUPPLIES	\$7,000.00	\$15,048.50	(\$8,048.50)	214.98%
501 Water Expenses		501-4012222-6005 JANITORIAL SUPPLIES	\$1,300.00	\$321.96	\$978.04	24.77%
501 Water Expenses		501-4012222-6008 GASOLINE & OIL	\$7,200.00	\$3,087.83	\$4,112.17	42.89%
501 Water Expenses		501-4012222-6011 UNIFORMS	\$1,000.00	\$1,590.34	(\$590.34)	159.03%
501 Water Expenses		501-4012222-6014 TOOLS	\$1,000.00	\$67.61	\$932.39	6.76%
501 Water Expenses		501-4012222-6019 SAFETY EQUIPMENT	\$2,000.00	\$624.61	\$1,375.39	31.23%
501 Water Expenses		501-4012222-6020 PERSONAL EQUIPMENT	\$500.00	\$0.00	\$500.00	0.00%
501 Water Expenses		501-4012222-6025 CHEMICALS	\$50,000.00	\$16,091.27	\$33,908.73	32.18%

Fund Or Attrib	Type	Disp Acct	Budget	YTD	Variance	Prcnt
DISTRIBUTION & MAINTENANCE						
501 Water Expenses		501-4012224-1183 COMPENSATION	\$192,000.00	\$90,963.17	\$101,036.83	47.38%
501 Water Expenses		501-4012224-2100 MATCHING FICA EXPENSE	\$14,700.00	\$6,958.74	\$7,741.26	47.34%
501 Water Expenses		501-4012224-3330 LINE REPAIR & MAINTENANCE	\$50,000.00	\$28,776.77	\$21,223.23	57.55%
501 Water Expenses		501-4012224-6007 MATERIALS & SUPPLIES	\$30,000.00	\$4,505.76	\$25,494.24	15.02%
501 Water Expenses		501-4012224-6019 SAFETY EQUIPMENT	\$700.00	\$0.00	\$700.00	0.00%
501 Water Expenses		501-4012224-6030 NEW SERVICE SUPPLIES	\$2,000.00	\$0.00	\$2,000.00	0.00%
501 Water Expenses		501-4012224-9008 STORAGE TANK MAINTENANCE CONTR	\$25,000.00	\$21,153.00	\$3,847.00	84.61%
ARPA						
501 Water Expenses		501-4093000-3000 ARPA WF EXPENSES	\$0.00	\$1,231,830.17	(\$1,231,830.17)	0.00%
CAPITAL OUTLAY						
501 Water Expenses		501-4094200-8144 WATER TREATMENT PLANT UPGRADES	\$1,200,000.00	\$101,118.32	\$1,098,881.68	8.43%
501 Water Expenses		501-4094200-8211 CAPITAL RESERVES	\$11,587.70	\$0.00	\$11,587.70	0.00%
501 Water Expenses		501-4094200-8225 COMPUTER UPGRADES	\$3,000.00	\$1,610.87	\$1,389.13	53.70%
501 Water Expenses		501-4094200-8361 WATER DIST SYSTEM UPGRADES	\$400,000.00	\$8,492.00	\$391,508.00	2.12%
501 Water Expenses		501-4094200-8704 FINISH PUMP REPLACEMENT	\$50,000.00	\$0.00	\$50,000.00	0.00%
501 Water Expenses		501-4094200-8958 WATER METER REPLACEMENT	\$165,000.00	\$8,225.07	\$156,774.93	4.98%
CONTINGENCY						
501 Water Expenses		501-4094300-5800 CONTINGENCY	\$38,502.30	\$0.00	\$38,502.30	0.00%
Total Expenses			\$3,151,500.00	\$1,936,068.80	\$1,215,431.20	61%
Fund Or Attrib: 502 Sewer Fund						
Type: Revenues						
502 Sewe Revenues		502-3000000-0000 FUND BALANCE FORWARD	\$1,095,000.00	\$0.00	(\$1,095,000.00)	0.00%
502 Sewe Revenues		502-3150101-0000 Interest Income	\$35,000.00	\$28,964.11	(\$6,035.89)	82.75%
502 Sewe Revenues		502-3160110-0000 TREATMENT FEES	\$1,800,000.00	\$999,747.75	(\$800,252.25)	55.54%
502 Sewe Revenues		502-3160112-0000 SECURITY DEPOSITS	\$0.00	(\$176.48)	(\$176.48)	0.00%
502 Sewe Revenues		502-3160113-0000 AVAILABILITY CHARGES	\$32,750.00	\$48,890.85	\$16,140.85	149.29%
502 Sewe Revenues		502-3410404-0000 NUTRIENT CREDIT REBATE	\$500.00	\$247.68	(\$252.32)	49.54%
Total Revenue			\$2,963,250.00	\$1,077,673.91	(\$1,885,576.09)	36%
Type: Expenses						
PERSONNEL						
502 Sewe Expenses		502-4012220-1114 COMPENSATION	\$130,000.00	\$64,960.42	\$65,039.58	49.97%
502 Sewe Expenses		502-4012220-2100 SOCIAL SECURITY	\$10,000.00	\$4,336.81	\$5,663.19	43.37%
502 Sewe Expenses		502-4012220-2210 RETIREMENT	\$54,300.00	\$18,074.95	\$36,225.05	33.29%
502 Sewe Expenses		502-4012220-2220 VMLIP - STD	\$200.00	\$66.04	\$133.96	33.02%

Fund Or Attrib	Type	Disp Acct	Budget	YTD	Variance	Prcent
502 Sewe Expenses		502-4012220-2230 VMLIP - LTD	\$2,250.00	\$485.27	\$1,764.73	21.57%
502 Sewe Expenses		502-4012220-2300 HEALTH INSURANCE	\$73,000.00	\$25,052.00	\$47,948.00	34.32%
502 Sewe Expenses		502-4012220-2400 LIFE INSURANCE	\$5,600.00	\$1,761.72	\$3,838.28	31.46%
502 Sewe Expenses		502-4012220-2600 UNEMPLOYMENT INSURANCE	\$75.00	\$9.55	\$65.45	12.73%
502 Sewe Expenses		502-4012220-2700 WORKER'S COMPENSATION	\$14,000.00	\$14,997.00	(\$997.00)	107.12%
502 Sewe Expenses		502-4012220-3320 HANDHELD MAINT	\$5,000.00	\$1,558.75	\$3,441.25	31.18%
502 Sewe Expenses		502-4012220-3450 DIGITIZING	\$7,000.00	\$0.00	\$7,000.00	0.00%
502 Sewe Expenses		502-4012220-5210 POSTAGE	\$7,500.00	\$2,379.87	\$5,120.13	31.73%
502 Sewe Expenses		502-4012220-6001 OFFICE SUPPLIES	\$2,500.00	\$1,658.24	\$841.76	66.33%
TREATMENT						
502 Sewe Expenses		502-4012222-1147 COMPENSATION	\$275,000.00	\$80,416.09	\$194,583.91	29.24%
502 Sewe Expenses		502-4012222-2100 MATCHING FICA EXPENSE	\$21,000.00	\$6,606.25	\$14,393.75	31.46%
502 Sewe Expenses		502-4012222-2830 CERTIFICATION FEES	\$600.00	\$380.00	\$220.00	63.33%
502 Sewe Expenses		502-4012222-2850 LAB TESTING	\$33,000.00	\$15,843.40	\$17,156.60	48.01%
502 Sewe Expenses		502-4012222-3145 PROFESSIONAL SERVICES	\$18,000.00	\$55,764.77	(\$37,764.77)	309.80%
502 Sewe Expenses		502-4012222-3210 LANDFILL-SOLIDS DISPOSAL	\$85,000.00	\$50,465.46	\$34,534.54	59.37%
502 Sewe Expenses		502-4012222-3310 REPAIR & MAINTENANCE	\$174,000.00	\$181,720.39	(\$7,720.39)	104.44%
502 Sewe Expenses		502-4012222-5110 ELECTRICITY	\$145,000.00	\$72,863.29	\$72,136.71	50.25%
502 Sewe Expenses		502-4012222-5230 TELECOMMUNICATIONS	\$6,500.00	\$3,754.01	\$2,745.99	57.75%
502 Sewe Expenses		502-4012222-5415 COPIER LEASE	\$4,300.00	\$2,290.43	\$2,009.57	53.27%
502 Sewe Expenses		502-4012222-5540 TRAINING	\$3,000.00	\$915.23	\$2,084.77	30.51%
502 Sewe Expenses		502-4012222-5690 DISCHARGE PERMIT RENEWAL	\$3,500.00	\$3,180.00	\$320.00	90.86%
502 Sewe Expenses		502-4012222-5810 DUES	\$600.00	\$500.00	\$100.00	83.33%
502 Sewe Expenses		502-4012222-6001 OFFICE SUPPLIES	\$1,500.00	\$531.41	\$968.59	35.43%
502 Sewe Expenses		502-4012222-6004 LAB SUPPLIES	\$6,200.00	\$2,349.93	\$3,850.07	37.90%
502 Sewe Expenses		502-4012222-6005 JANITORIAL SUPPLIES	\$3,500.00	\$442.80	\$3,057.20	12.65%
502 Sewe Expenses		502-4012222-6008 DIESEL FUEL	\$10,000.00	\$874.01	\$9,125.99	8.74%
502 Sewe Expenses		502-4012222-6011 UNIFORMS	\$1,000.00	\$944.76	\$55.24	94.48%
502 Sewe Expenses		502-4012222-6014 TOOLS	\$1,500.00	\$22.53	\$1,477.47	1.50%
502 Sewe Expenses		502-4012222-6019 SAFETY EQUIPMENT	\$2,500.00	\$174.42	\$2,325.58	6.98%
502 Sewe Expenses		502-4012222-6020 PERSONAL EQUIPMENT	\$800.00	\$0.00	\$800.00	0.00%
502 Sewe Expenses		502-4012222-6025 CHEMICALS	\$120,000.00	\$88,451.55	\$31,548.45	73.71%

Fund Or Attrib	Type	Disp Acct	Budget	YTD	Variance	Prcnt
DISTRIBUTION & MAINTENANCE						
502 Sewe Expenses		502-4012224-1183 COMPENSATION	\$95,000.00	\$46,960.93	\$48,039.07	49.43%
502 Sewe Expenses		502-4012224-2100 MATCHING FICA EXPENSE	\$7,500.00	\$3,592.69	\$3,907.31	47.90%
502 Sewe Expenses		502-4012224-3310 EQUIPMENT MAINTENANCE	\$5,000.00	\$291.35	\$4,708.65	5.83%
502 Sewe Expenses		502-4012224-3330 REPAIR & MAINTENANCE	\$15,000.00	\$15,262.42	(\$262.42)	101.75%
502 Sewe Expenses		502-4012224-6007 MATERIALS & SUPPLIES	\$3,000.00	\$1,343.18	\$1,656.82	44.77%
502 Sewe Expenses		502-4012224-6019 SAFETY EQUIPMENT	\$500.00	\$0.00	\$500.00	0.00%
ARPA						
502 Sewe Expenses		502-4093000-3000 ARPA SF EXPENSES	\$0.00	\$4,630.25	(\$4,630.25)	0.00%
CAPITAL OUTLAY						
502 Sewe Expenses		502-4094200-8110 WWTP UPGRADES	\$775,000.00	\$1,190.50	\$773,809.50	0.15%
502 Sewe Expenses		502-4094200-8134 SEWER SYSTEM UPGRADES	\$100,000.00	\$0.00	\$100,000.00	0.00%
502 Sewe Expenses		502-4094200-8225 COMPUTER REPLACEMENT/UPGRADE	\$3,000.00	\$0.00	\$3,000.00	0.00%
502 Sewe Expenses		502-4094200-8411 CAPITAL RESRVE	\$707.25	\$0.00	\$707.25	0.00%
502 Sewe Expenses		502-4094200-9008 HARMONIC BALANCER	\$70,000.00	\$0.00	\$70,000.00	0.00%
502 Sewe Expenses		502-4094200-9009 BAR SCREEN WWTP	\$150,000.00	\$0.00	\$150,000.00	0.00%
CONTINGENCY						
502 Sewe Expenses		502-4094300-5800 CONTINGENCY	\$40,617.75	\$0.00	\$40,617.75	0.00%
DEBT SERVICE						
502 Sewe Expenses		502-4095000-9118 VRA PRINCIPAL	\$470,000.00	\$235,000.00	\$235,000.00	50.00%
Total Expenses			\$2,963,250.00	\$1,012,102.67	\$1,951,147.33	34%

February 13, 2024
Monthly Update

American Rescue Plan Act of 2021

Funds expended over the past month

The January 2024 expenditure report is attached.

Attachments

- January 2024 ARPA Expenditure Report
- ARPA Master List
- Project Status Reports

Jan-24

Water and sewer bill accounts

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

Signage

Estimated cost of these actions					
- Signage	\$ 150,000.00	\$ 1,000.00	\$ 26,655.50	\$ 122,344.50	18%
- Total			\$ 27,655.50		
Fund balance from first payment					\$ 42,344.50
Fund balance from second payment					\$ 80,000.00

Improvements in Central Business District

Estimated cost of these actions					
- Facades, signs, accessibility	\$ 250,000.00	\$ 12,500.00	\$ 125,000.00	\$ 53,814.92	66%
Total			\$ 71,185.08		
Fund balance from first payment					\$ 196,185.08
Fund balance from second payment					\$ 53,814.92

Non-Profits

	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</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

Purchase of equipment and supplies

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

Improve Communications

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

Premium Pay

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

Complete necessary water and sewer infrastructure projects

Estimated cost of these actions					
- Cost of the projects	\$ 3,060,886.00	-	\$ 1,328,393.00	\$ 219,220.10	47.65%
Total			\$ 1,513,272.90		
Fund balance from first payment			\$ 2,841,665.90		
Fund balance from second payment				\$ -	
				\$ 219,220.10	

Pay for administrative costs

Estimated cost of these actions						
- Administrative costs per FY (5.5)	\$	330,000.00	\$	-	\$	45,055.39
- Total					\$	45,055.39
					\$	284,944.61
						14%
					\$	330,000.00
					\$	330,000.00
Fund balance from first payment					\$	94,944.61
Fund balance from second payment					\$	190,000.00

NOTES:

<u>Administrative Costs:</u>	\$	-
<u>Legal</u>	\$	-

<u>INFRASTRUCTURE COSTS:</u>					
Frazier Assoc. (Wayfinding)	\$	1,000.00		1st Tranche	\$ 2,267,493.00
General Excavation(Josephine)	\$	-		Used to date	\$ 2,084,240.81
VA RIGGERS	\$	-		Balance	\$ 183,252.19
Pete Mclean	\$	12,500.00		2nd Tranche	\$ 2,267,493.00
Norfolk Southern	\$	-		Used to date	\$ 1,664,457.98
Pannoni(Osborne, Church, Josephine)	\$	-		Balance	\$ 603,035.02
Pannoni (I&I, SSES Study)	\$	-			
Webster Nursery(Concrete walls)	\$	-			
Total	\$	13,500.00			

ARPA MASTER LIST

1/31/2024

	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 Dist Sys Flushing Equip	\$ 7,500.00	\$ 9,844.38	\$ (2,344.38)	100% infra	\$ (2,344.38)
5	Water Meter Reading Equip	\$ 25,000.00	\$ 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	\$ 196,185.08	\$ 53,814.92	78% 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 Drainage 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/admi	\$ 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	\$ 27,655.50	\$ 112,344.50	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	\$ 3,748,698.79	\$ 786,287.21		\$ 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

Date: 2/13/2024

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

Date: 2/13/2024

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

Date: 2/13/2024

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: 2/13/2024

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: \$196,185.08
Schedule/Timeline	On Track	% Complete: 78

Project Milestones:

Description	% Complete	Status
1. Issue grant agreements	100%	Completed
2. Review applications	75%	On Track
3. Award grants	75%	On Track
4. Review work	75%	On Track
5. Reimburse owners for qualifying work	75%	On Track
		Choose an item.
Funds Encumbered to date IS \$250,000.00	100%	

Project Issues or Concerns:

Project Status Report

Date: 2/13/2024

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: 2/13/2024

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: 2/13/2024

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

Date: 2/13/2024

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: 2/13/2024

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: 2/13/2024

Project Name:

Bel Voi Drive and Battletown Dr Water Main Replacement

Project Budget: \$

Expected Completion Date: December2024

Executive Summary:

Water main replacement from an 4-nch 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: 2/13/2024

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: \$27,655.50
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

Date: 2/13/2024

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: 2/13/2024

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:

**Berryville Town Council Item Report Summary
February 13, 2024**

Item Title

Staff Reports - Deputy Town Manager

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

Recommendation

Sample Motion

Spot Blight Abatement

Report of February 13, 2024

12 First Street

Work to dress the site continues.

225 Josephine Street

The owner was sent a letter informing him that this matter would be discussed by the Town Council at its February meeting.

The property owner contacted Town staff and asked to meet about this matter. The owner and Town staff met on February 6, 2024. At that meeting the owner stated that we needed at least 30 days to complete work on the site. Staff encouraged the owner to attend the February Town Council meeting.

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

114 Josephine Street

The owner was sent a letter informing him that this matter would be discussed by the Town Council at its February meeting.

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

229 Josephine Street

The owner's representative (Susan French) provided an update on plans for addressing the condition of the property. A copy of Ms. French's letter of February 7, 2024 letter is attached to this report.

127 Cameron Street

The roof at 127 Cameron Street was damaged by a falling tree. The roof has remained either open to the elements or covered in a tarp for months.

The Battletown Homeowners Association has tried to get the owner of the property to repair the roof. He has taken no action to bring the property into compliance with their standards. The HOA filed suit and on February 7, 2024 the Clarke County General District Court executed an order directing the owner to repair the roof by May 7, 2024.

Because the General Court has issued its order, Town staff is addressing this matter with the Council to keep them informed, but is seeking no action in this regard.

Attachments

225 Josephine Street:

Letter to owner from Dalton dated January 29, 2024

Letter to owner from Dalton dated October 5, 2023 (with attachments)

114 Josephine Street:

Letter to owner from Dalton dated January 29, 2024

Letter to owner from Dalton dated October 5, 2023 (with attachments)

229 Josephine Street

Letter to Town of Berryville from Susan French dated February 7, 2024

127 Cameron Street

Letter to owner from Dalton date January 16, 2024 (with attachment)

Warrant In Debt and Order in the matter of Battletown Homeowners Association v. Bryan K. Lake

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 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.

Previous Reports not included



COPY



TOWN OF
BERRYVILLE

VIRGINIA
CERTIFIED MAIL

January 29, 2024

Mr. Thomas Brown
121 Josephine Street
Berryville, VA 22611

Dear Mr. Brown:

This letter is written regarding your property at 225 Josephine Street.

On October 5, 2023 you were provided a final notice in which you were informed that the property in question must be brought into compliance with the approved spot blight abatement plan by December 15, 2023.

The required work has not been completed. Accordingly, this matter will be forwarded to the Berryville Town Council on February 13, 2024 (meeting begins at 7:00 p.m.). At that time, Town staff will request that the Town Council agree to proceed with having contractors working for the Town complete the required work. Please note that if the Town causes the work to be completed, then a **lien will be placed on the property in question in the amount of the cost incurred completing the work required by the approved plan.**

The Town Council meeting referenced above is open to the public and you are encouraged to attend.

Sincerely,

Keith R. Dalton
Town Manager

Attachments:

Letter dated October 5, 2023 to Brown from Dalton

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



COPY



**TOWN OF
BERRYVILLE**

VIRGINIA

CERTIFIED MAIL

October 5, 2023

Mr. Thomas Brown
121 Josephine Street
Berryville, VA 22611

Dear Mr. Brown:

This letter is written to specify a time by which your property at 225 Josephine Street must be brought into compliance with the spot blight abatement plan approved by the Berryville Town Council on July 12, 2022. **This letter will serve as the final notice that the Town will provide on this matter.**

On July 12, 2022 the Berryville Town Council approved a spot blight abatement plan for your property at 225 Josephine Street. That plan required that all enumerated work be completed by December 15, 2023. On September 26, 2022 you agreed to a schedule for compliance with the approved spot blight abatement plan. You have failed to meet the June 1, 2023 deadline to which you agreed on September 26, 2022. The December 15, 2023 deadline is now only seventy-one days away and no work has been completed on the property.

Accordingly, you are hereby notified that if the work identified in the approved spot abatement plan is not completed by December 15, 2023, the Town of Berryville will, without further notice, cause the work in question to be completed. A lien will be placed on the property in question in the amount of the cost incurred completing the work required by the approved plan.

Please note that if you wish to complete the work before this final deadline, 1) the Town

Harry Lee Arnold, Jr.
Mayor

Erecka L. Gibson
Vice Mayor

Council Members

William Steinmetz
Ward 1

Diane Harrison
Ward 2

Grant Mazzarino
Ward 3

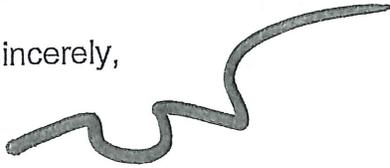
Ryan Tibbens
Ward 4

Keith R. Dalton
Town Manager

must inspect the abandoned and capped water and sewer laterals (if applicable) before they are covered up and 2) the Town has documented the condition of the street in front of your property and will charge you for repair of any damage to the pavement or curb.

If you have any questions or concerns, then please feel free to contact me at townmanager@berryvilleva.gov or 540.955.1099.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Keith R. Dalton'. The signature is stylized with a large, sweeping flourish that extends upwards and to the right.

Keith R. Dalton
Town Manager

Attachments:

Approved a spot blight abatement plan
List of actions to be taken on 225 Josephine Street and schedule for completion
of work dated September 26, 2022

Cc:

Town Council
Rick Boor, Director of Public Works
Cindy Poulin, Director of Finance

Town of Berryville
Blight Abatement Plan
225 Josephine Street
Berryville, VA

Overview

This Blight Abatement Plan (Plan), prepared in accordance with § 5-5 of the Berryville Code, provides for the repair of the structure and the removal of all trash and refuse from the subject property.

Permitting

Owner will obtain all necessary permits (including building and erosion and sedimentation control).

Utilities

As applicable owner will:

Request disconnection of all non-Town utilities and verify the work has been completed.

Disconnect sewer service by cutting and capping lateral near the property line at the front of the property.

Disconnect water service by cutting lateral on house side of meter cock. Provide protection for existing water meter cock.

Erosion and Sedimentation Control

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

Repair of the Structure/Removal of Debris

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

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

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

Owner will properly abandon any on-site sewer treatment system discovered on the site. Said improvements will be abandoned in accordance with Virginia Department of Health regulations and recommended best practices.

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.

Clearing and Removal of Plant Material

Owner will cause the site will be cleared of brush, weeds, and trees as needed to access the site and complete work. Owner will cause any trees that the Town Manager determines to be hazardous to adjoining properties to be removed.

Owner will cause all material from clearing and plant material to be removed from the site and disposed of in accordance with applicable regulations and laws.

Stabilization

Owner will cause all disturbed areas to be stabilized in accordance with the Virginia Erosion and Sediment Control Handbook.

Unforeseen Hazards

If other health hazards are discovered during blight abatement work, then the owner will take action to abate those hazards. Unless an extension is granted in writing by the Town Manager, all such hazard abatement will be completed by the deadline for completion of all work on the site, as provided herein.

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.

Costs Incurred Abating Blight

The property owner is responsible for all costs incurred during blight abatement work.

Town Action if Owner Fails to Meet Deadlines

Unless an extension is approved in writing by the Town Manager, if the owner fails to meet all deadlines enumerated above, then the Town will proceed with demolition of the structure and cleaning of the site. If the Town completes work to abate blight, then it will file a lien on the subject property in accordance with the provisions of Chapter 5 of the Berryville Code.

APPROVED:

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

ATTEST:

7-26-2022
Date

Erecka L. Gibson
Erecka L. Gibson, Recorder

7/21/22
Date

**List of actions to be taken on 225 Josephine Street and
schedule for completion of work**

This document is submitted to the Town of Berryville to satisfy the requirements of the first required milestone of the blight abatement plan approved for 225 Josephine Street. The plan in question was approved by the Berryville Town Council on June 12, 2022.

Before December 1, 2022

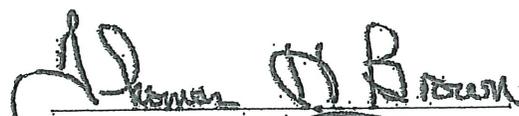
- Owner will secure a zoning permit and building permit for an accessory building to be constructed on the site.
- Owner will secure a demolition permit for the house.

Before June 1, 2023

- Owner will construct or locate an accessory building on the property in accordance with approved zoning and building permits.

Before December 15, 2023

- Owner will complete all work on the site including demolition of the house and site cleanup.

Submitted by:  9-26-22
Thomas Brown, Owner Date

Approved by:  9-26-22
Keith R. Dalton, Town Manager Date

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



COPY



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

TOWN OF
BERRYVILLE
VIRGINIA

CERTIFIED MAIL

January 29, 2024

Mr. William J. Woodruff
1110 Elden Street, F-110
Herndon, VA 20170

Dear Mr. Woodruff:

This letter is written regarding your property at 114 Josephine Street.

On October 5, 2023 you were provided a final notice in which you were informed that the property in question must be brought into compliance with the approved spot blight abatement plan by December 15, 2023.

The required work has not been completed. Accordingly, this matter will be forwarded to the Berryville Town Council on February 13, 2024 (meeting begins at 7:00 p.m.). At that time, Town staff will request that the Town Council agree to proceed with having contractors working for the Town complete the required work. Please note that if the Town causes the work to be completed, then a **lien will be placed on the property in question in the amount of the cost incurred completing the work required by the approved plan.**

The Town Council meeting referenced above is open to the public and you are encouraged to attend.

Sincerely,


Keith R. Dalton
Town Manager

Attachments:

Letter dated October 5, 2023 to Woodruff from Dalton

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



COPY



**TOWN OF
BERRYVILLE**
VIRGINIA

CERTIFIED MAIL

October 5, 2023

Mr. William J. Woodruff
1110 Elden Street, F-110
Herndon, VA 20170

Dear Mr. Woodruff:

This letter is written to specify a time by which your property at 114 Josephine Street must be brought into compliance with the spot blight abatement plan approved by the Berryville Town Council on July 12, 2022. **This letter will serve as the final notice that the Town will provide on this matter.**

On July 12, 2022 the Berryville Town Council approved a spot blight abatement plan for your property at 114 Josephine Street. That plan required that all work enumerated in the plan be completed by March 15, 2023. While the majority of work has been completed, some tasks remain unfinished.

On July 10, 2023 Town staff met with you on the property and outlined the work that needed to be completed by August 31, 2023. Town staff followed up on that meeting with two emails dated July 13, 2023 and August 5, 2023. The remaining work that was addressed at the July 10, 2023 meeting and in the subsequent emails has not been completed.

Accordingly, you are hereby notified that if the work identified in the July 13, 2023 email is not completed by December 15, 2023, the Town of Berryville will, without further notice, cause the work in question to be completed. A lien will be placed on the property in question in the amount of the cost incurred completing the work required by the approved plan.

Please note that if you wish to complete the work before this final deadline, 1) the Town must inspect the sewer lateral before it is covered up and 2) the Town has

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

documented the condition of the street in front of your property and will charge you for repair of any damage to the pavement or curb.

If you have any questions or concerns, then please feel free to contact me at townmanager@berryvilleva.gov or 540.955.1099.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Keith R. Dalton'. The signature is stylized with a long horizontal stroke at the top and a wavy line below it.

Keith R. Dalton
Town Manager

Attachments:

Approved a spot blight abatement plan
July 6, 2023 email
July 13, 2023 email
August 5, 2023 email

Cc:

Town Council
Rick Boor, Director of Public Works
Cindy Poulin, Director of Finance

Town of Berryville
Blight Abatement Plan
114 Josephine Street
Berryville, VA

Overview

This Blight Abatement Plan (Plan), prepared in accordance with § 5-5 of the Berryville Code, provides for the demolition of the main structure and the removal of all trash and refuse from the subject property.

Permitting

Owner will obtain all necessary permits (including demolition and erosion and sedimentation control).

Utilities

As applicable owner will:

Request disconnection of all non-Town utilities and verify the work has been completed.

Disconnect sewer service by cutting and capping lateral near the property line at the front of the property.

Disconnect water service by cutting lateral on house side of meter cock. Provide protection for existing water meter cock.

Erosion and Sedimentation Control

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

Demolition of the Main Structure/Removal of Debris

Owner will cause the main structure to be demolished. All work must be completed in accordance with provisions of the demolition permit. All work must be completed in a manner that does not endanger the public that is utilizing Josephine Street. Josephine Street may not be blocked at any time unless a Town of Berryville Land Use Permit has been issued for such activity.

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

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

Owner will properly abandon any on-site sewer treatment system discovered on the site. Said improvements will be abandoned in accordance with Virginia Department of Health regulations and recommended best practices.

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.

Clearing and Removal of Plant Material

Owner will cause the site will be cleared of brush, weeds, and trees as needed to access the site and complete work. Owner will cause any trees that the Town Manager determines to be hazardous to adjoining properties to be removed.

Owner will cause all material from clearing and plant material to be removed from the site and disposed of in accordance with applicable regulations and laws.

Stabilization

Owner will cause all disturbed areas to be stabilized in accordance with the Virginia Erosion and Sediment Control Handbook.

Unforeseen Hazards

If other health hazards are discovered during blight abatement work, then the owner will take action to abate those hazards. Unless an extension is granted in writing by the Town Manager, all such hazard abatement will be completed by the deadline for completion of all work on the site as provided herein.

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

Costs Incurred Abating Blight

The property owner is responsible for all costs incurred during blight abatement work.

Town Action if Owner Fails to Meet Deadlines

Unless an extension is approved in writing by the Town Manager, if the owner fails to meet all deadlines enumerated above, then the Town will proceed with demolition of the main structure and cleaning of the site. If the Town completes work to abate blight, then it will file a lien on the subject property in accordance with the provisions of Chapter 5 of the Berryville Code.

APPROVED:

ATTEST:

Harry Lee Arnold, Jr. Mayor

Date

Erecka L. Gibson, Recorder

Date

Keith Dalton

From: Keith Dalton
Sent: Thursday, July 6, 2023 3:40 PM
To: William Woodruff
Cc: Rick Boor; Paul Culp
Subject: Blight Abatement- 114 Josephine Street

Importance: High

Mr. Woodruff:

This confirms our meeting at 114 Josephine Street to determine what needs to be done to finalize this matter and close the file on the blight abatement action.

Meeting:
Where: 114 Josephine Street
Date: July 10, 2023
Time: 10:30 a.m.

I will have someone from the Town's Public Works Department with me at the meeting.

Thanks and take care,

Keith

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

Office Phone: 540.955.1099

Keith Dalton

From: Keith Dalton
Sent: Thursday, July 13, 2023 2:28 PM
To: William Woodruff
Cc: Rick Boor; Paul Culp
Subject: 114 Josephine Street
Attachments: 20230713150154939.pdf

Importance: High

Mr. Woodruff:

Thank you for meeting with Rick Boor and me earlier this week. You have made great progress with your property at 114 Josephine Street. Thank you for your efforts.

When we met, we discussed a few things that still need to be completed to permit me to close the spot blight abatement plan that was approved by the Berryville Town Council. Below I will list those items and a reference the portion of the approved plan that applies (the number corresponds with numbered sections on the attached plan).

Those items are:

- Cap the sewer lateral (1) Note: This work must be inspected by the Berryville Public Works Department prior to backfilling.
- Remove the remaining debris from the property (2)
- Establish grade (that will shed water) and stabilize the area in which the house stood (3) Note: I think this can be accomplished with stone or dirt.

I request that these item be completed by August 31, 2023. I further request that great care be taken to complete the work enumerated above without damaging the surface of Josephine Street (this assumes that the new pavement will be installed in the near future). Any undue damage to the new street surface will be repaired at the expense of the party responsible for the activity in which the damage occurred.

Please call me if you have any questions or concerns.

Take care,

Keith

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

Office Phone: 540.955.1099

Town of Berryville
Blight Abatement Plan
114 Josephine Street
Berryville, VA

Overview

This Blight Abatement Plan (Plan), prepared in accordance with § 5-5 of the Berryville Code, provides for the demolition of the main structure and the removal of all trash and refuse from the subject property.

Permitting

Owner will obtain all necessary permits (including demolition and erosion and sedimentation control).

Utilities

As applicable owner will:

Request disconnection of all non-Town utilities and verify the work has been completed.

①

Disconnect sewer service by cutting and capping lateral near the property line at the front of the property.

Disconnect water service by cutting lateral on house side of meter cock. Provide protection for existing water meter cock.

Erosion and Sedimentation Control

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

Demolition of the Main Structure/Removal of Debris

Owner will cause the main structure to be demolished. All work must be completed in accordance with provisions of the demolition permit. All work must be completed in a manner that does not endanger the public that is utilizing Josephine Street. Josephine Street may not be blocked at any time unless a Town of Berryville Land Use Permit has been issued for such activity.

②

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

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

Owner will properly abandon any on-site sewer treatment system discovered on the site. Said improvements will be abandoned in accordance with Virginia Department of Health regulations and recommended best practices.

Plan Approved by Town Council On 7/12/22

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.

Clearing and Removal of Plant Material

Owner will cause the site will be cleared of brush, weeds, and trees as needed to access the site and complete work. Owner will cause any trees that the Town Manager determines to be hazardous to adjoining properties to be removed.

Owner will cause all material from clearing and plant material to be removed from the site and disposed of in accordance with applicable regulations and laws.

Stabilization

3

Owner will cause all disturbed areas to be stabilized in accordance with the Virginia Erosion and Sediment Control Handbook.

Unforeseen Hazards

If other health hazards are discovered during blight abatement work, then the owner will take action to abate those hazards. Unless an extension is granted in writing by the Town Manager, all such hazard abatement will be completed by the deadline for completion of all work on the site as provided herein.

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

Costs Incurred Abating Blight

The property owner is responsible for all costs incurred during blight abatement work.

Town Action if Owner Fails to Meet Deadlines

Unless an extension is approved in writing by the Town Manager, if the owner fails to meet all deadlines enumerated above, then the Town will proceed with demolition of the main structure and cleaning of the site. If the Town completes work to abate blight, then it will file a lien on the subject property in accordance with the provisions of Chapter 5 of the Berryville Code.

APPROVED:


Harry Lee Arnold, Jr., Mayor

ATTEST:

7-27-2022 
Date Erecka L. Gibson, Recorder

7/21/22
Date

Page 2 of 2

Keith Dalton

From: Keith Dalton
Sent: Saturday, August 5, 2023 1:03 PM
To: William Woodruff
Cc: Rick Boor; Paul Culp
Subject: FW: 114 Josephine Street
Attachments: 20230713150154939.pdf

Importance: High

Mr. Woodruff:

This email is sent to remind you of the work that needs to be completed on your property at 114 Josephine Street by August 31, 2023.

Please let me know if you have any questions about this matter.

Thank you for your work in this regard and take care,

Keith

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

Office Phone: 540.955.1099

From: Keith Dalton
Sent: Thursday, July 13, 2023 2:28 PM
To: William Woodruff <woodysquickstop@yahoo.com>
Cc: Rick Boor <directordpw@berryvilleva.gov>; Paul Culp <townclerk@berryvilleva.gov>
Subject: 114 Josephine Street
Importance: High

Mr. Woodruff:

Thank you for meeting with Rick Boor and me earlier this week. You have made great progress with your property at 114 Josephine Street. Thank you for your efforts.

When we met, we discussed a few things that still need to be completed to permit me to close the spot blight abatement plan that was approved by the Berryville Town Council. Below I will list those items and a reference the portion of the approved plan that applies (the number corresponds with numbered sections on the attached plan).

Those items are:

- Cap the sewer lateral (1) Note: This work must be inspected by the Berryville Public Works Department prior to backfilling.
- Remove the remaining debris from the property (2)

- Establish grade (that will shed water) and stabilize the area in which the house stood (3) Note: I think this can be accomplished with stone or dirt.

I request that these items be completed by August 31, 2023. I further request that great care be taken to complete the work enumerated above without damaging the surface of Josephine Street (this assumes that the new pavement will be installed in the near future). Any undue damage to the new street surface will be repaired at the expense of the party responsible for the activity in which the damage occurred.

Please call me if you have any questions or concerns.

Take care,

Keith

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

Office Phone: 540.955.1099

SUSAN L. FRENCH

361 Quiet Meadow Lane
Winchester, VA 22603
susan@susanlfrench.com

February 7, 2024
Keith Dalton
Town Manager
Mr. Harry Arnold
Mayor
Ms. Erecka Gibson
Deputy Mayor
Council Members
Town of Berryville
101 Chalmers Court
Berryville, VA 22611

Re: 229 Josephine Street – Richard Jenkins

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

I am writing this letter on behalf of Richard Jenkins to provide an update on work performed at 229 Josephine Street. We have discussed the content. This letter is a request from the Town Manager to provide a list of work performed on 229 Josephine Street.

Work performed on the house at 229 includes:

- Windows were boarded up at the Town's request both in 2010 and 2022 according to Richard Jenkins. He is somewhat confused why now he has been asked to "un-board" the windows and, if necessary, repair them;
- In 2023 and once before recently, many limbs and trees have been cut down and trimmed that encroached on the house;
- Front porch was removed;
- Opening in siding on front of house was covered;
- Side foundation opening was determined to be an intentional ventilation opening so a frame with screening was installed to prevent ingress of animals;
- Seamed tin roof on front of house was damaged and new roofing was installed;
- Small cistern in back yard was filled with gravel; and
- Front door has been determined to be in good condition and is locked.

About the windows – we are switching contractors and the new contractor cannot repair/install windows until April 2024 as he currently is working on restoration of an historic church hand crafting windows and doors. From discussions with Mr. Jenkins and others, the window situation is believed to be as follows:

- Front three windows: frames exist but some panes need replacement; small upper side window needs to be replaced, side lower and upper window are sound. Moreover, we were gifted two windows from 114 Josephine Street should we need to install sound windows.

Mr. Jenkins regrets not being able to be present but he has no means to travel to Berryville, VA.

Regards,



Susan French

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



COPY



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

**TOWN OF
BERRYVILLE
VIRGINIA**

CERTIFIED MAIL

January 16, 2024

Bryan K. Lake
127 Cameron Street
Berryville, VA 22611

Dear Mr. Lake:

This letter is written concerning your property at **127 Cameron Street** (also identified as Tax Map Parcel 14A2-((18))-F-7). Specifically, the Town is aware that the roof of the townhouse on your property sustained significant damage several months ago, but has not been repaired.

On February 13, 2024, I will present this matter to the Berryville Town Council. I will request that the Council review this matter to determine whether enforcement under provisions of Chapter 5 of the Berryville Code is warranted. A copy of Chapter 5 of the Berryville Code is attached to this letter.

Please either call me or send me an email and let me know what you are doing to effect repairs to your roof.

I may be contacted at townmanager@berryvilleva.gov and 540.955.1099.

Sincerely,

Keith R. Dalton
Town Manager

Cc: Town Council
Legal Counsel

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

Chapter 5 - BUILDING REGULATIONS

Footnotes:

--- (1) ---

Cross reference— *Fire prevention and protection, Ch. 6; restrictions on building operations at night, §§ 11-13, 11-14; street numbers for buildings, § 15-5; placing building materials on street or sidewalk, § 15-7; use of sidewalk during construction or demolition operations, § 15-8; construction and preparation of sidewalks, curbs and gutters, § 15-35 et seq.; water, sewers and sewage disposal, Ch. 17; zoning ordinance, App. A; subdivision ordinance, App. B.*

State Law reference— *General authority of town to regulate construction and repair of buildings, Code of Virginia, §§ 15.1-863, 15.1-864, 15.1-869; razing or repair of unsafe buildings, § 15.1-867.*

ARTICLE I. - IN GENERAL

Sec. 5-1. - Building code.

- (a) There is hereby adopted by the town council the Virginia Uniform Statewide Building Code and all amendments thereto, the provisions of which shall control all matters concerning the construction, alteration, repair, removal, demolition, equipment, use and occupancy of all buildings and structures and all other functions which pertain to the installation of plumbing, electrical and mechanical systems vital to all buildings and structures and their service equipment, as defined by such code, including permits and penalties, and such code is hereby incorporated in and made a part of this section as fully as if set out at length herein and the provisions thereof shall be applicable throughout the town.
- (b) The provisions of the code adopted by this section shall be enforced by the county building official.
- (c) Any person violating any provision of the code adopted by this section shall be guilty of a misdemeanor and, upon conviction thereof, punished by a fine of not more than one thousand dollars (\$1,000.00).

State Law reference— *Uniform Statewide Building Code, Code of Virginia, § 36-97 et seq.*

Sec. 5-2. - Approval of building permits by zoning administrator.

Each permit issued by the county for construction within the town shall be approved by the town zoning administrator for compliance with the zoning ordinance of the town.

(Ord. of 1-8-74)

Cross reference— *Zoning ordinance, App. A.*

Sec. 5-3. - Removal, repair, etc., of buildings and other structures.

- (a) Notwithstanding any provision of section 5-1 to the contrary, owners of property in the town shall, at such time or times as council may prescribe, remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of the town.
- (b) Agents or employees of the town council are hereby authorized and empowered to remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of the town, if the owner and lien holder of such property, after reasonable notice and a reasonable time to do so, has failed to remove, repair or secure said building, wall or other structure. The aforesaid reasonable notice shall be a written notice (i) mailed by certified or registered mail, return receipt requested, to the last known address of the property owner, or personally served on the owner by a person authorized to serve process under the Code of Virginia, and (ii) published once a week for two (2) successive weeks in a newspaper having general circulation in the town. No action shall be taken by the town to remove, repair, or secure any building, wall or other structure for at least thirty (30) days following the later of (i) the date of receipt shown on the return receipt, or the date of personal service, or (ii) the last date of newspaper publication.
- (c) In the event that the town council, through its agents or employees, removes, repairs or secures any building, wall or any other structure after complying with the notice provisions of this section, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the town as taxes and levies are collected.
- (d) Every charge authorized by this section with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid town taxes and enforceable in the same manner as provided in Articles 3 (Section 58.1-3940 et seq.) and 4 (Section 58.1-3965 et seq.) of Chapter 39 of Title 58.1, Code of Virginia, 1950, as amended. Council may waive such liens in order to facilitate the sale of the property. Such liens may be waived only as to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner. All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed.

(Ord. of 10-15-91; Ord. of 8-16-94; Ord. of 6-11-96; Ord. of 12-9-97; Ord. of 12-9-97; Ord. of 7-11-00, §§ 1—4; Ord. of 7-11-00; Ord. of 6-11-02)

State Law reference— Authority for above section, Code of Virginia, Section 15.2-906.

Sec. 5-4. - Action to secure property.

The town council of the Town of Berryville hereby ordains and prescribes that whenever the chief of police certifies in writing to the town manager that any building or any other structure in the town has remained unsecured for a continuous period of forty-eight (48) hours so as to permit the entry of any person, the town manager is authorized to proceed to secure the property pursuant to section 5-3 of the Code of the Town of Berryville.

(Ord. of 6-11-96; Ord. of 6-11-02)

Sec. 5-5. - Spot blight abatement.

- (a) The Town of Berryville, in accordance with Code of Virginia § 36-49.1:1, may acquire or repair any blighted property, as defined in (b), below, by purchase or the exercise of the power of eminent domain provided in Chapter 2 of Title 25.1 of the Code of Virginia, and, further, shall have the power to hold, clear, repair, manage, or dispose of such property for purposes consistent with this section. In addition, the town may recover the cost of any repair or disposal of such property from the owner or owners of record, determined in accordance with Virginia Code § 36-27(B).
- (b) "Blighted property" means any individual commercial, industrial, or residential structure or improvement that endangers the public's health, safety or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards.
- (c) The town manager, or his/her designee, shall make a preliminary determination that a property is blighted in accordance with this section. The town manager or his/her designee shall send notice to the owner or owners of record, determined in accordance with Virginia Code § 36-27(B), specifying the reasons why the property is blighted. The owner or owners of record shall have thirty (30) days from the date the notice is sent in which to respond in writing with a spot blight abatement plan to address the blight within a reasonable time.
- (d) If the owner or owners of record fail to respond within the thirty (30) day period with a written spot blight abatement plan that is acceptable to the town manager or his/her designee, the town (i) may request the planning commission to conduct a public hearing and make findings and recommendations that shall be reported to town council concerning the repair or other disposition of the property in question; and (ii) in the event a public hearing is scheduled, shall prepare a written spot blight abatement plan for the repair or other disposition of the property.
- (e) Not less than three (3) weeks prior to the date of the public hearing before the planning commission, the commission shall provide, by regular and certified mail, notice of such hearing to (i) the owner of the blighted property or the agent designated by him for receipt of service or notices concerning the payment of real estate taxes within the town; (ii) the abutting property

owners in each direction, including those property owners immediately across the street or road from the property; and (iii) the representative neighborhood association, if any, for the immediate area. The notice shall include the plan for the intended repair or other disposition of the property. The notice of the public hearing shall be published at least twice, with not less than six (6) days elapsing between the first and second publication in a newspaper published or having general circulation in the town. The notice shall be posted on the property. The notice shall specify the time and place of the public hearing at which persons affected may appear and present their views, not less than six (6) days nor more than twenty-one (21) days after the second publication.

- (f) The planning commission, following the public hearing, shall determine whether:
- (1) The property is blighted;
 - (2) The owner has failed to cure the blight or present a reasonable plan to do so;
 - (3) The plan for the repair or other disposition of the property is in accordance with the town's comprehensive plan, zoning ordinance, and any other applicable land use regulation;
 - (4) The property is located within an area listed on the National Register of Historic Places. In such instances, the planning commission shall consult with the architectural review board regarding the proposed repair or other disposition of the property by the town council.
- (g) The planning commission shall report its findings and recommendations concerning the property to the town council. The town council, upon receipt of such findings and recommendations, may, after an advertised public hearing, affirm, modify, or reject the planning commission's findings and recommendations. If the repair or other disposition of the property is approved, the town may carry out the approved plan to repair or acquire and dispose of the property in accordance with the approved plan, the provisions of this section, and applicable law.
- (h) The town shall have a lien on all property so repaired or acquired, under an approved plan to recover the cost of (i) improvements made by the town to bring the blighted property into compliance with applicable building codes and (ii) disposal, if any. The lien authorized by this section shall be filed in the circuit court of Clarke County and shall be subordinate to any prior liens of record. The town council may recover its costs of repair from the owner or owners of record of the property when the repairs were made at such time as the property is sold or disposed of by such owner or owners. If the property is acquired by the town through eminent domain, the cost of repair may be recovered when town council sells or disposes of the property. In either case, the costs of repair shall be recovered from the proceeds of any such sale.
- (i) If the blighted property is occupied for personal residential purposes, town council, in approving the spot blight abatement plan, shall not acquire by eminent domain such property if it would result in a displacement of the person or persons living in the premises. The provisions of this subsection shall not apply to acquisition, under an approved spot blight abatement plan, by the Town of property which has been condemned for human habitation for more than one year. In

addition, upon the town exercising the powers of eminent domain in accordance with Title 25.1 of the Code of Virginia, it may provide for temporary relocation of any person living in the blighted property provided the relocation is within the financial means of such persons.

(j) In lieu of the acquisition of blighted property by the exercise of eminent domain, and in lieu of the exercise of other powers granted in subsections (a) through (i), town council by ordinance, may declare any blighted property to constitute a nuisance, and thereupon abate the nuisance pursuant to Virginia Code § 15.2-900 or 15.2-1115. Such ordinance shall be adopted only after the written notice by certified mail to the owner or owners of the property at the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records.

(k) The provisions of this section shall be cumulative and shall be in addition to any remedies for spot blight abatement that may be authorized by law.

(Ord. of 12-12-06)



WARRANT IN DEBT (CIVIL CLAIM FOR MONEY)
Commonwealth of Virginia VA. CODE § 16.1-79

CITY OR COUNTY: Clarke County General District Court
104 N Church Street Berryville, VA 22611
STREET ADDRESS OF COURT

TO ANY AUTHORIZED OFFICER: You are hereby commanded to summons the Defendant(s).
TO THE DEFENDANT(S): You are summoned to appear before this Court at the above address on
01/25/2024 09:00 AM to answer the Plaintiff(s)' civil claim (see below)
RETURN DATE AND TIME

DATE ISSUED: 12/8/2023
[] CLERK [X] DEPUTY CLERK [] MAGISTRATE
E. Foxworth

CLAIM: Plaintiff(s) claim that Defendant(s) owe Plaintiff(s) a debt in the sum of
\$ 0.00 net of any credits, with interest at 6.00 % from date of Judgment until paid,
\$ 60.00 costs and \$ Reasonable attorney's fees with the basis of this claim being
[] Open Account [] Contract [] Note [X] Other (EXPLAIN)
Motion for Judgment
Injunction action to enjoin violations of homeowners governing documents set forth in Affidavit

HOMESTEAD EXEMPTION WAIVED? [] YES [X] NO [] cannot be demanded
12/04/2023 DATE
[] PLAINTIFF [X] PLAINTIFF'S ATTORNEY [] PLAINTIFF'S EMPLOYEE/AGENT
Erik W. Fox VSB #65456

CASE DISPOSITION
JUDGMENT against [] named Defendant(s) []
for \$ net of any credits, with interest at % from date
of until paid, \$ costs and \$ attorney's fees
[] and \$ costs for Servicemember Civil Relief Act counsel fees
HOMESTEAD EXEMPTION WAIVED? [] YES [] NO [] CAN NOT BE DEMANDED
[] JUDGMENT FOR [] NAMED DEFENDANT(S) []

[] NON-SUIT [] DISMISSED 01/25/24
Defendant(s) Present: 1 NO [] YES
01/07/24 DATE
Dumfries JUDGE
01/25/24 02/10/24
changed by attorney
in preparation
in by reference

FORM DC-412 (FRONT) REVISED 10/18
Org | Court | Return

CASE NO. GVA300022000
Battletown Homeowners Association
PLAINTIFF(S) (LAST NAME, FIRST NAME, MIDDLE INITIAL)
c/o Rees Broome, PC
1900 Gallows Road, Suite 700
Tysons Corner, VA 22182
Lake, Bryan K.
DEFENDANT(S) (LAST NAME, FIRST NAME, MIDDLE INITIAL)
127 Cameron Street
Berryville, VA 22611

WARRANT IN DEBT

TO DEFENDANT: You are not required to appear, however, if you fail to appear, judgment may be entered against you. See the additional notice of the reverse about requesting a change of trial location.

[] To dispute this claim, you must appear on the return date to try this case.
[X] To dispute this claim, you must appear on the return date for the judge to set another date for trial.

Bill of Particulars ORDERED DUE
Grounds of Defense ORDERED DUE

ATTORNEY FOR PLAINTIFF(S)
c/o Rees Broome, PC Erik W. Fox
Collection@reesbroome.com (703) 790-1911-Office

ATTORNEY FOR DEFENDANT(S)

HEARING DATE AND TIME

01/25/2024

09:00AM

02/07/24
@ 2:00 pm
Attly to
submit order
for endorsement
re. injunctive
relief

JUDGMENT PAID OR SATISFIED PURSUANT TO ATTACHED NOTICE OF SATISFACTION.

DATE

CLERK

DISABILITY ACCOMMODATIONS for loss of hearing, vision, mobility, etc., contact the court ahead of time.

RETURN

VIRGINIA:

**IN THE GENERAL DISTRICT COURT OF CLARKE COUNTY
Civil Division**

BATTLETOWN HOMEOWNERS
ASSOCIATION

Plaintiff

v.

BRYAN K. LAKE

Defendant

Case No.: GV23000220-00

ORDER

HAVING APPEARED before the court on January 25, 2024, upon the application for an injunction and an award of attorneys' fees and costs filed herein by Battletown Homeowners Association (the "Plaintiff" or the "Association"), and

IT APPEARING that the Court having reviewed all evidence related to the subject of this application for an injunction and an award of attorney's fees and costs; and

IT APPEARING that an injunction should be issued, directing Bryan K. Lake (the "Defendant") to remediate certain conditions on the property located at 127 Cameron Street, Berryville, VA 22611 (the "Property") which constitute violations of the Plaintiff's Governing Documents, as detailed below:

- a. Tarp on the roof of the dwelling structure on the Property;
- b. The roof of the dwelling structure on the Property has holes in it which must be repaired; and

- c. Any unknown roof damage issues on the roof of the dwelling structure of the property which are hidden by the tarp must be repaired.

IT APPEARING that the Defendant's Property is not in compliance with Article VIII of the Plaintiff's Declaration of Covenants and Restrictions; and

IT APPEARING that the Plaintiff has complied with all due process requirements related to providing Defendant with notice and more than one opportunity to correct and be heard regarding the above-stated violations and required corrective action; and

IT APPEARING that the above-stated violations/conditions on the Property continue to exist and the Defendant has not taken appropriate and previously requested remedial action to cure said violations, as of the date of this Order; and

IT APPEARING that an injunction should issue upon the above-stated grounds, and for good and sufficient cause, it is hereby:

ADJUDGED, ORDERED AND DECREED that Defendant, Bryan K. Lake, shall correct the following conditions of the property located at 127 Cameron Street, Berryville, VA 22611, which constitute violations of Article VIII of the Association's Declaration within ninety (90) days of the date of this Order, to the reasonable satisfaction of the Plaintiff and in full compliance with the Declaration as referenced in the Affidavit filed in this matter, as well as the terms set forth below:

- a. The tarp must be removed from the roof of the dwelling structure on the Property;
- b. Any missing or damaged shingles on the roof of the dwelling structure on the Property must be replaced with shingles of a matching style and color

including replacing or repairing sufficient roof board sheeting to support the shingles; and

- c. Any other damage to the roof of the dwelling structure on the Property which is hidden by the tarp must be repaired.

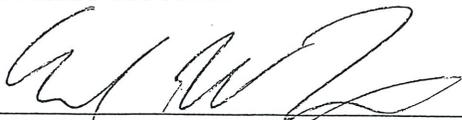
And it is further **ORDERED** that a judgment is awarded in favor of the Plaintiff against the Defendant for court costs in the amount of \$60.00, and attorney's fees in the amount of Three Thousand Four Hundred Ninety-Two and 00/100 (\$3,492.00) or _____, as provided for in Va. Code §§ 55.1-1828(A) and 55.1-1819(A) and shown in an affidavit submitted to this Court.

ENTERED this 7th of February, 2024


GENERAL DISTRICT COURT JUDGE

cc: ✓ Enk W. Fox, Esquire
✓ Bryan Lane
02/07/24

I ASK FOR THIS:



Erik W. Fox, Esq. (VSB No. 64546)
Counsel for Battletown Homeowners Association
Rees Broome, PC
1900 Gallows Rd., Ste. 700
Tyson's Corner, VA 22182
P: (703) 790-1911
F: (703) 848-2530
efox@reesbroome.com

SEEN and _____

Did not appear in Court on 01/25/24 or 02/07/24

Bryan K. Lake
Defendant, Pro Se
127 Cameron Street
Berryville, VA 22611

Water Treatment Plant Upgrade Funding

Overview

The Town of Berryville is preparing to upgrade its water treatment plant that was completed in 1984.

The Town has self-funded the preparation of a preliminary engineering report (approved by the Town Council on September 12, 2023), various environmental reviews, and site planning for the new plant. Required tree clearing on the water treatment site, along the frontage of the water treatment plant property, and along the path of raw water transmission improvements are also being completed.

Funding for plant design and construction will be secured from either the Virginia Drinking Water State Revolving Fund or the United States Department of Agriculture / Rural Development. The preliminary engineering report and required environmental reviews have been submitted to both of the potential lenders. Review of those documents is underway.

Town staff and staff from the Town's consulting engineer are working with officials from both the Department of Health and Rural Development to finalize offers for consideration by the Council. It is expected that the Council will be asked to make a determination on this matter on or before April 9, 2024.

The Town's bond counsel recommends that the Council adopt the two attached resolutions. Those resolutions are:

- Resolution to Declare and Intent to Reimburse
- Resolution authorizing the mayor to execute USDA-RD documents

The Resolution to Declare and Intent to Reimburse will permit the Council to include some funds that have been spent on the project in question in the loan when it is finalized. In short, the Town would have the option to reimburse itself for certain expenditures from loan proceeds.

The Resolution authorizing the mayor to execute USDA-RD documents will streamline the loan application process.

Recommended Actions

Adopt both of the attached resolutions.

Sample Motions

I move that the Council of the Town of Berryville adopt the attached Resolution to Declare and Intent to Reimburse in relation to the on-going water treatment plant improvements project.

I move that the Council of the Town of Berryville adopt the attached Resolution authorizing the mayor to execute USDA-RD documents in relation to the on-going water treatment plant improvements project.

**RESOLUTION TO DECLARE AN INTENT TO REIMBURSE
(Water Treatment Plant Improvements Project)**

WHEREAS, the Town of Berryville, Virginia (the “Town”), is a public body politic and corporate and political subdivision duly created and validly existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the Town has determined that it is essential to finance all or any portion of the capital costs in connection with bond financing to (a) acquire, construct, rehabilitate, and equip various improvements to the Town’s water system facilities, including but not limited to the water treatment plant, and (b) pay costs of issuance in connection with the related financings (the “Project”).

WHEREAS, the Town reasonably anticipates to obtain long-term financing for all or any portion of the costs of the Project, and may undertake tax-exempt financing(s), as may be necessary or convenient, in one or more financings (the “Obligations”), and if so, the Town shall comply with the provisions of the Internal Revenue Code of 1986, as amended, so that interest on any bonds or notes issued by the Town, proceeds of which are used to fund a loan to the Town, will remain excludible from gross income for federal income tax purposes in accordance with law; and

WHEREAS, the Town now desires to declare its intent to use all or any portion of the proceeds of one or more Obligations to be issued, in one or more series, to reimburse certain expenditures in connection with the Project, among other things, all as required by federal tax laws, including Treasury Regulations § 1.150-2 in the Internal Revenue Code of 1986, as amended, all as further described below.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN, as follows:

1. The Town Council of the Town (the “Town Council”) hereby declares its intent and reasonable expectations for the Town to reimburse itself for costs and expenses relating to the Project with a portion of the proceeds of one or more Obligations. Accordingly, this Resolution shall constitute a declaration of “official intent” under Treasury Regulations § 1.150-2, and the Town may be reimbursed, if and when any Obligations shall be issued by the Town, to the extent permitted by law.

2. It is to be understood that such prior expenditures by the Town in connection with the Project will constitute capital expenditures (or would do so with a proper election under general federal income tax principles) or will otherwise comply with the requirements of Treasury Regulations § 1.150-2(d)(3).

3. The Town has paid or caused to be paid, beginning no earlier than sixty (60) days prior to adoption and effective date hereof, and will pay or cause to be paid, on and after such effective date hereof, certain expenditures (the “Expenditures”) in connection with the Project. Further, it has been determined that those moneys previously advanced no earlier than sixty (60) days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures related to the Project are available only for a temporary period and it is necessary to reimburse the Town for the Expenditures from the proceeds of one or more issues of Obligations. Accordingly, the Town Council hereby declares its intent to reimburse the Town with the proceeds of the Obligations for the Expenditures with respect to the Project made no earlier than sixty (60) days prior to the adoption of this Resolution. The Town reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Obligations.

4. If a tax-exempt financing is undertaken, the Town will make, or cause to be made, a reimbursement allocation, which is a written allocation that evidences the use of proceeds thereof to reimburse the Expenditures, no later than eighteen (18) months after the later of the date on which each Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which each Expenditure is paid. This declaration of intent to reimburse, as required by federal tax laws, shall take effect immediately.

5. The maximum principal amount of Obligations expected to be issued or incurred by the Town for the long-term funding of the Project is reasonably anticipated to be approximately \$12,500,000.

6. It is to be understood that no Obligations shall be issued, sold, or awarded by the Town unless and until the Town Council adopts an appropriate authorizing resolution and takes all other such further acts as may be required by law, in order for the Town to issue any long-term Obligations in connection with the Project.

ADOPTED this 13th day of February, 2024

TOWN OF BERRYVILLE, VIRGINIA

By:

Harry Lee Arnold, Jr., Mayor
Town of Berryville, Virginia

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Town Council of the Town of Berryville, Virginia on the foregoing Resolution, duly adopted by the Town Council upon a roll-call vote at its regular public meeting held on February 13, 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Harry Lee "Jay" Arnold, Jr., Mayor				
Erecka L. Gibson, Vice Mayor				
William "Willy" Steinmetz				
Diane Harrison				
Grant Mazzarino				
Ryan Tibbens				

Dated: February 13, 2024

By: _____
Town Manager
Town of Berryville, Virginia

**RESOLUTION OF GOVERNING BODY OF
TOWN OF BERRYVILLE, VIRGINIA**

The Governing Body of the Town of Berryville, consisting of six members, in a duly called meeting held on the 13th day of February 2024, at which a quorum was present, **RESOLVED** as follows:

BE IT HEREBY RESOLVED that in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development (the Government) in the development of a Water Treatment Plant Improvements Project to serve the community, the Governing Body does hereby adopt and abide by all covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that the Mayor be authorized to execute on behalf of the Town Council the above-referenced agreements, documents, and forms and to execute such other documents including, but not limited to, debt instruments, security instruments, and/or grant agreements as may be required in obtaining the said financial assistance.

This Resolution is hereby entered into the permanent minutes of the meetings of this Council.

TOWN OF BERRYVILLE

By: _____
Harry Lee Arnold, Jr., Mayor

Attest: _____
Erecka L. Gibson, Vice Mayor

CERTIFICATION

I hereby certify that the above Resolution was duly adopted by the Governing Body of the Town of Berryville, Virginia in a duly assembled meeting on the 13th day of February 2024.

Town Manager

Revised 08/23/2018

Proposed Amendments to Berryville Code Chapter 13 establishing rules for Town-owned properties

February 13, 2024 Report

After the Town Council discussed this matter at its June 13, 2023 and September 12, 2023 meetings, the Community Development Committee was tasked with review of the proposed changes to Chapter 13 of the Berryville Code.

The Committee reviewed the proposed changes on October 19, 2023 and January 23, 2024. The draft documents attached to this report have been amended to conform to the Committee's comments.

The Committee also reviewed draft rules that the Town Manager will establish for several Town-owned properties and provided comment. The draft rules recommended by the Committee are attached to this report.

Attachments

- Draft of a new Sec. 13-35. – Regulation of Use and Conduct in Rose Hill Park
- Draft of a new Sec. 13-36. – Town manager authorized to establish rules for the use and restrict access to town-owned property
- Draft of Rules for Rose Hill Park
- Draft of Rules for the John Rixey Moore and Crow Street Municipal Parking Lots

Recommended action

Approve the proposed changes to Chapter 13 of the Berryville Code.

Sample Motion

I move that the Council of the Town of Berryville pass the attached ordinance amending Chapter 13 of the Berryville Code in order to establish rules for the use of Rose Hill Park and to authorize the town manger to establish rules for and restrict access to town-owned property.

June 13, 2023 Town Council Report

Overview

Mrs. Harrison contacted Town staff to discuss goings-on in Rose Hill Park about which she has received complaints. For the most part, the concerns expressed by the citizens with which Mrs. Harrison spoke were noise and vandalism related.

This discussion prompted review of Berryville Code Section §13-35. The town manager and chief of police are also discussing other aspects of this topic.

Current discussion

Town staff reviewed Berryville Code Section §13-35 and has developed draft language for several code amendments.

Staff's draft reduces the regulations that are enumerated in the code and authorizes the town manager to adopt rules for the park. The draft also authorizes the town manger to adopt rules for other Town properties.

Staff seeks the Council's input and guidance in this regard. Once the Council has determined whether it wishes to amend the sections in question, then proposed language will be reviewed by legal counsel.

After the language is reviewed by legal counsel the matter will be returned to the Council for review and determination.

Attachments

- Draft Berryville Code §13-35 and §13-36
- Draft Rules for the John Rixey Moore and Crow Street Municipal Parking Lots and Rose Hill Park.
- Current Berryville Code §13-35

Recommended action

Review the draft language and provide Town staff with direction in this regard.

Sec. 13-35. - Regulation of Use and Conduct in Rose Hill Park

It shall be unlawful for any person or persons to violate the following regulations pertaining to the use of Rose Hill Park.

- (a) Park is open from dawn until dusk unless hours are extended by the town council or town manager. Use of or presence in park when closed will be considered trespassing.
- (b) Consumption of alcoholic beverages is prohibited, unless approved by the Virginia Alcoholic Control Authority and the town manager as a part of a special event. Consumption of other intoxicants, including but not limited to marijuana and products derived therefrom, is prohibited.
- (c) Glass containers are prohibited.
- (d) Fires may not be built except in grills designed for food preparation or for special ceremonies as authorized by the town manager.
- (e) Camping is prohibited.
- (f) Relic hunting or use of metal detectors or similar devices, except by authorized town employees or contractors, is prohibited.
- (g) Littering is prohibited.
- (h) Hunting ,trapping, feeding, or release of wildlife, except by authorized town employees or contractors, is prohibited.
- (i) Discharge of firearms except by law enforcement personnel while in performance of their official duties, or by authorized town employees or contractors, is prohibited. Nothing in this section prohibits the firing of military salutes as a part of an event approved by the town council or town manager.
- (j) Use of bow and arrow, slingshots, or other similar devices, except by authorized town employees or contractors, is prohibited.
- (k) Motorized vehicles, except those driven by authorized law enforcement personnel, emergency services personnel, town employees, contractors, or persons staffing approved events, are prohibited. At no time may any motorized vehicle drive across the park's paved paths or picnic table pads.
- (l) The town manager shall cause these rules to be posted in the park. Such posting shall include the following statement "Patrons use the park at their own risk. Use of or presence in park during inclement weather is not recommended."
- (m) The police department and the town manager are authorized to eject any person violating the rules enumerated above. The town manager is authorized to revoke future use of the park by persons who violate the rules enumerated above.

Any person violating any provision of this section shall be guilty of a Class 4 misdemeanor.

Sec. 13-36.- Town manager authorized to establish rules for use of and restrict access to town-owned property.

- (a) The town manager is authorized to establish and enforce rules for use of town-owned property. Rules established by the town manager shall be posted in a conspicuous location on said property.
- (b) The town manager is authorized to restrict access to town-owned property.
- (c) The police department and the town manager are authorized to eject any person violating rules established in accordance with this section. The town manager is authorized to revoke future use of the said property by persons who violate the rules established in accordance with this section.

13-37 renumbered to 13-38

13-38 renumbered to 13-39

13-39 renumbered to 13-40

Rules for Rose Hill Park Established by the Town Manager

The following rules and regulations concerning the use of town property were adopted by the town manager in accordance with Sections 13-36 and 13-37 of the Berryville Code.

Unless permitted as a part of a special event, no amplified sound that is detectable outside of the boundaries of Rose Hill Park or that disturbs the peace of other park patrons, is permitted.

Making loud noises, yelling, or use of profanity that is detectable outside the boundaries of Rose Hill Park or that disturbs the peace of other park patrons, is prohibited.

Application of paint, tape, chalk, or other non-permanent or permanent markings to the gazebo, basketball court, walkways, or other surfaces in the park is prohibited, unless authorized by the town manager.

Play in Town Run (Dog Run) is prohibited.

Shoes are required to be worn at all times.

Pet excrement deposited in the park must be collected by the owner or custodian of the animals and disposed of in litter receptacles.

No wheeled or tracked conveyances, with or without a motor, including but not limited to bicycles, scooters, rollerblades, roller skates, skateboards, or the like are permitted in the basketball court or gazebo. Non-motorized bicycles, scooters, rollerblades, roller skates, skateboards, or the like may be used in other areas of the park, provided that they are operated in a safe manner. Nothing in this section shall be construed to prohibit the use of personal assistance mobility devices anywhere in the park.

Hanging on basketball rim, nets, or goals is prohibited.

Pets are prohibited from the basketball court.

Access to basketball court is determined on a first-come-first-served basis. Use of court is limited to one hour when others are waiting.

The police department and the town manager are authorized to eject any person violating these rules. The town manager is authorized to revoke future use of the park by persons who violate these rules.

Rules for the John Rixey Moore and Crow Street Municipal Parking Lots established by the Town Manager

Unless permitted as a part of an approved special event, no amplified sound that is detectable outside of the boundaries of the parking lots or that disturbs the peace of other parking lot patrons, is permitted.

Making loud noises, yelling, or use of profanity that is detectable outside the boundaries of the parking lots or that disturbs the peace of other parking lot patrons, is prohibited.

Application of paint, tape, chalk, or other non-permanent or permanent markings to surfaces in the parking lot is prohibited unless authorized by the town manager.

Wheeled or tracked conveyances, with or without a motor, including but not limited to bicycles, scooters, rollerblades, roller skates, skateboards, or the like used in the parking lots may not be operated in an unsafe manner in the parking lots. Such conveyances may be used for traveling through the parking lots, but play or sporting events are not permitted, unless authorized by the town manager as a part of a special event. Motorized toy vehicles are prohibited from being operated in the parking lots, unless authorized by the town manager as a part of a special event. Nothing in this section shall be construed to prohibit the use of personal assistance mobility devices anywhere in the parking lot.

Consumption of alcoholic beverages is prohibited, unless approved by the Virginia Alcoholic Control Authority and the town manager as a part of a special event. Consumption of other intoxicants, including but not limited to marijuana and products derived therefrom, is prohibited.

Camping is prohibited.

Littering is prohibited.

Parking of vehicles in a manner that utilizes more than one parking space or blocks travel ways, is prohibited, unless authorized by the town manager as a part of a special event.

Those parking in these lots must abide by posted parking time limitations and, where applicable pay meter fees as required, unless authorized by the town manager as a part of a special event.

The police department and the town manager are authorized to eject any person violating these rules. The town manager is authorized to revoke future use of the park by persons who violate these rules.

AN ORDINANCE

Amending the Berryville Code Sections 13-35 – Regulation of use and conduct on town basketball court, 13-36 - Regulation of use and conduct in Rose Hill Park, and 13-37 – Damage or defacement of recreational facilities

BE IT ORDAINED, by the Council of Town of Berryville, that it hereby approves the following amendment of Berryville Code Sections 13-35 – Regulation of use and conduct on town basketball court, 13-36 - Regulation of use and conduct in Rose Hill Park, and 13-37 – Damage or defacement of recreational facilities:

~~Sec. 13-35. - Regulation of use and conduct on town basketball court.~~

~~It shall be unlawful for any person or persons to violate the following regulations, which shall be posted, pertaining to the use and the behavioral conduct of any such person or persons upon the town basketball courts:~~

- ~~(a) — No bicycles, skateboards or skating permitted on the court.~~
- ~~(b) — No trespassing between the hours of 6:00 p.m. to 7:00 a.m. from September 1 to June 1, or between the hours 9:00 p.m. to 7:00 a.m. from June 1 to September 1, except by special permission from the town.~~
- ~~(c) — No alcoholic beverages or glass containers.~~
- ~~(d) — No loud and abusive or obscene language.~~
- ~~(e) — No hanging on basketball rims.~~
- ~~(f) — No bare feet.~~
- ~~(g) — Except by special, advance permission for organized, group-sponsored activities,
 - ~~(1) — Use shall be limited to half-court if other groups or individuals are waiting to play.~~
 - ~~(2) — No individuals or group shall monopolize the court for a period of more than one (1) hour if other groups or individuals are waiting to play.~~~~
- ~~(h) — The Town of Berryville is not responsible for injuries.~~
- ~~(i) — The police department is authorized to eject and revoke future use of the court by any person violating these rules or in any other manner behaving in a disorderly fashion.~~

Regulation of Use and Conduct in Rose Hill Park

It shall be unlawful for any person or persons to violate the following regulations pertaining to the use of Rose Hill Park.

- (a) Park is open from dawn until dusk unless hours are extended by the town council or town manager. Use of or presence in park when closed will be considered trespassing.**
- (b) Consumption of alcoholic beverages is prohibited, unless approved by the Virginia Alcoholic Control Authority and the town manager as a part of a special event. Consumption of other intoxicants, including but not limited to marijuana and products derived therefrom, is prohibited.**
- (c) Glass containers are prohibited.**
- (d) Fires may not be built except in grills designed for food preparation or for special ceremonies as authorized by the town manager.**

- (e) Camping is prohibited.
- (f) Relic hunting or use of metal detectors or similar devices, except by authorized town employees or contractors, is prohibited.
- (g) Littering is prohibited.
- (h) Hunting, trapping, feeding, or release of wildlife, except by authorized town employees or contractors, is prohibited.
- (i) Discharge of firearms except by law enforcement personnel while in performance of their official duties, or by authorized town employees or contractors, is prohibited. Nothing in this section prohibits the firing of military salutes as a part of an event approved by the town council or town manager.
- (j) Use of bow and arrow, slingshots, or other similar devices, except by authorized town employees or contractors, is prohibited.
- (k) Motorized vehicles, except those driven by authorized law enforcement personnel, emergency services personnel, town employees, contractors, or persons staffing approved events, are prohibited. At no time may any motorized vehicle drive across the park's paved paths or picnic table pads.
- (l) The town manager shall cause these rules to be posted in the park. Such posting shall include the following statement "Patrons use the park at their own risk. Use of or presence in park during inclement weather is not recommended."
- (m) The police department and the town manager are authorized to eject any person violating the rules enumerated above. The town manager is authorized to revoke future use of the park by persons who violate the rules enumerated above.

Any person violating any provision of this section shall be guilty of a Class 4 misdemeanor.

Cross reference— Penalty for a Class 4 misdemeanor, § 1-11.

State Law reference— Similar provisions, Code of Virginia, §§ 15.2-1800, 15.2-1806.

~~Sec. 13-36. - Regulation of use and conduct in Rose Hill Park.~~

~~It shall be unlawful for any person or persons to violate the following regulations which shall be posted pertaining to the use and the behavioral conduct of any such person or persons in Rose Hill Park.~~

- ~~(a) No trespassing from dusk until dawn. Hours may be extended by the town council or town manager as the need arises.~~
- ~~(b) No alcoholic beverages or glass containers.~~
- ~~(c) No bare feet.~~
- ~~(d) Playground equipment is intended for use only by children twelve (12) years old or younger.~~
- ~~(e) Do not use equipment when it is wet.~~
- ~~(f) No, pushing, shoving or other dangerous play.~~
- ~~(g) Do not use equipment improperly.~~
- ~~(h) No camping.~~

- (i) ~~No building of fires except in park grills designed for food preparation, or for the purposes of special ceremonies with permission from the town manager.~~
- (j) ~~No relic hunting or use of metal detectors or similar devices.~~
- (k) ~~No littering.~~
- (l) ~~Waste from domestic animals must be immediately collected and disposed of properly.~~
- (m) ~~No skateboarding.~~
- (n) ~~No hunting or discharge of firearms, fireworks, explosives, bow and arrows, slingshots, or similar weapons and devices. This section does not preclude the firing of military salutes as a part of an event authorized by the town.~~
- (o) ~~No vehicles are permitted in the park unless authorized by the town manager or designee. Driving over or parking on walkways or picnic table pads is prohibited.~~
- (p) ~~The Town of Berryville is not responsible for injuries. This area to be used with adult supervision only.~~

Town manager authorized to establish rules for use of and restrict access to town-owned property.

- (a) The town manager is authorized to establish and enforce rules for use of town-owned property. Rules established by the town manager shall be posted in a conspicuous location on said property.**
- (b) The town manager is authorized to restrict access to town-owned property.**
- (c) The police department and the town manager are authorized to eject any person violating rules established in accordance with this section. The town manager is authorized to revoke future use of the said property by persons who violate the rules established in accordance with this section.**

Any person violating **rules established in accordance with** any provision of this section shall be guilty of a Class 4 misdemeanor.

Cross reference— Penalty for Class 4 misdemeanor, § 1-11.

State Law reference— Similar provisions, Code of Virginia, §§ 15.2-1800, 15.2-1806.

Sec. 13-37. - Damage or defacement of ~~recreational~~ facilities.

It shall be unlawful for any person to willfully and maliciously damage or deface any real or personal property constituting the recreational public or **private** facilities set forth in section 13-35 and section 13-36 of this chapter **within the corporate limits of the town.**

A violation of this section shall constitute a Class 1 misdemeanor.

Cross reference— Penalty for Class 1 misdemeanor, § 1-11.

State Law reference— Similar provisions, Code of Virginia, § 15.2-1812.2.

VOTE:

Recorded Vote:

Ayes:

Nays:

Abstain:

Absent During Meeting:

SIGNED _____
Harry Lee Arnold, Jr., Mayor

Date: February 13, 2024

ATTEST: _____
Erecka L. Gibson, Vice Mayor

Date: February 13, 2024

Town Council Agenda Item Report Summary

February 13, 2024

Item Title

Berryville Planning Commission Appointments

Prepared By

Christy Dunkle

Background/History/General Information

There are two vacancies on the Planning Commission. The Personnel Committee is recommending the appointment of William M. Gilpin and Dana S. Libby.

Findings/Current Activity

Mr. Gilpin is a business owner and is a resident of Ward 3. With deep family roots in the community, Mr. Gilpin returned to Berryville in 2022.

Mr. Libby is a resident of Ward 2. He is retired and has significant experience in local government in Fairfax County.

Financial Considerations

N/A

Schedule/Deadlines

The Planning Commission meets the fourth Tuesday of each month.

Other Considerations

N/A

Recommendation

Appoint both applicants to the Berryville Planning Commission.

Sample Motions

I move that the Council of the Town of Berryville appoint William M. Gilpin to the Berryville Planning Commission to fill the unexpired term of Ryan Tibbens which expires on September 30, 2024.

I move that the Council of the Town of Berryville appoint Dana S. Libby to the Berryville Planning Commission to fill the unexpired term of Krish Mathur which expires on June 30, 2024.

Town Council Agenda Item Report Summary

February 13, 2024

Item Title

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Prepared By

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Mr. Libby is a resident of Ward 2. He is retired and has significant experience in local government in Fairfax County.

Financial Considerations

N/A

Schedule/Deadlines

The Planning Commission meets the fourth Tuesday of each month.

Other Considerations

N/A

Recommendation

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Sample Motions

I move that the Council of the Town of Berryville appoint William M. Gilpin to the Berryville Planning Commission to fill the unexpired term of Ryan Tibbens which expires on September 30, 2024.

I move that the Council of the Town of Berryville appoint Dana S. Libby to the Berryville Planning Commission to fill the unexpired term of Krish Mathur which expires on June 30, 2024.

Public Safety Committee Meeting Report 13 February 2024

Item Title:

Proposed Amendment of Berryville Code Section 10-9 Authority of fire department officers to direct traffic

Findings/Current Activity

The Public Safety committee recommends the following revision to sec. 10-9 of the Town Code. These revisions are necessary to better clarify the authority vested in fire department personnel at the scenes of emergencies with respect to the control of traffic.

Sec. 10-9. - Authority of fire department officers officials to direct traffic.

Officers Personnel of the fire department, at the direction of the incident fire officer in charge, may direct or assist the police in directing traffic at or in the immediate vicinity of a fire or emergency incident and, while so acting, shall have all the authority of police officers granted in Code of Virginia §27-15.1.

(Ord. of 1-9-18(2))

Financial Considerations

None

Schedule/Deadlines

None

Recommendation

Approval.

Sample Motion

I move that the Council of the Town of Berryville revise Section 10-9 of the Berryville Town Code as presented above.

Town Council Agenda Item Report Summary

February 13, 2024

Item Title

Construction Standards Updates

Prepared By

Christy Dunkle

Background/History/General Information

Staff is recommending modifications to the Town of Berryville Construction Standards and Specifications Manual. The Streets and Utilities Committee discussed these amendments at their January meeting and approved of the changes.

Findings/Current Activity

The following documents require Town Council approval prior to implementation. Proposed amendments are identified in red in the following chapters:

- Section 3 Water Mains and Appurtenances (removal of references to PVC pipes for water mains)
- Section 4 Valves and Hydrants (installation of hydrant markers)

The following items are not required to be approved by Town Council and are included for your information:

- Materials Specifications
- Construction Standards Details

Schedule/Deadlines

N/A

Other Considerations

N/A

Recommendation

Approve as presented.

Sample Motion

I move that the Council of the Town of Berryville approve the attached changes to Section 3 Water Mains and Appurtenances and Section 4 Valves and Hydrants of the Construction Standards and Specifications Manual as presented.

Attachments

- Section 3 Water Mains and Appurtenances
- Section 4 Valves and Hydrants
- Materials Specifications
- Construction Standards Details

Section 3

Water Main and Appurtenances

I. General

- A. This section includes construction of distribution system mains, service laterals, and other associated appurtenances. Also included are testing and disinfection requirements.
- B. All mains shall be cement mortar lined ductile iron ~~or PVC (C909)~~, with a minimum diameter of six inches (6"). The pipe shall have rubber gasket push-on joints, and all fittings shall be mechanical joint except as approved by the Town. Where special fabrication of ductile iron pipe is required to fit water mains within vaults, structures and buildings, the Contractor shall submit fully dimensioned drawings showing the piping in full detail with exact locations, dimensions, and schedules of all pipe, fittings, hangers, supports, and appurtenances before starting fabrication of the pipe and/or fittings. Where special fittings are required, they shall be shown in detail with all necessary dimensions. The design of such installations shall provide adequate space within the housing, and around the fittings to allow easy disassembly of pipe sections or other appurtenances.
- C. Utility Locations: Water mains shall be located a minimum of three (3) feet from the gutter of the streets with curb and gutter; or three (3) feet within the pavement edge of streets without curb and gutter. Whenever practical, sewer mains shall be located in the center of the street. A minimum 10 foot horizontal separation (outside to outside), or 6 feet horizontal separation with at least 1.5 foot vertical separation from bottom of water to top of sewer, shall be provided between all water lines and sanitary sewer lines. Should conditions require the water and sewer lines to be installed in the same trench, the water line must rest on a shelf of undisturbed earth to one side of the sewer with at least 18 inches of vertical separation between the top of the sewer line and bottom of the water line. Approval from the Town Engineer and Director of Public Works must be acquired before same trench installation is permitted: Typical minimum cover of four feet is to be provided for water mains. For short distances, reduced cover of as little as three feet may be approved, so as to preclude locating water below a crossing utility.

II. Mains

- A. Ductile Iron Pipe
 - 1. Ductile iron pipe shall be manufactured in accordance with ANSI A21.51/ AWWA C151. All pipe shall have a minimum Class 52 thickness.
 - 2. End designs shall conform to the ANSI/AWWA C 111/ A21.11 – “Rubber Gasket Joints Ductile Iron and Gray Iron Pressure Pipe and Fittings” Push-on

joints shall be "Tyton," "Super Bell Tite" or "Fast-Tite" joint, or approved equal.

3. The inside of the pipe shall be cement lined in accordance with ANSI/AWWA C 104/ A21.
4. Flanged connections shall only be permitted where indicated on construction plans and pre-approved by the Town, and shall conform to ANSI/AWWA C115/A21.15.

B. PVC (C909) Pipe Backfill and Bedding

1. Select Backfill

- a. There shall be 24" of select backfill above the stone aggregate which shall be compacted in eight-inch lifts. The maximum particle size of the backfill material shall be no greater than one (1) inch. Backfill shall be compacted to 95% of maximum density.
- b. Above the select backfill, material shall be deposited in lifts not to exceed two (2) feet, and have a compaction to 95% of maximum density.
- c. A six (6) inch wide magnetized locating ribbon labeled "WATER LINE BURIED BELOW" shall be placed above the select fill.
- d. No rock shall be used in the select backfill. Any rock used *above* the select backfill shall be no larger than six (6) inches in diameter.
- e. A #12-gauge wire shall be placed next to the PVC (C909) line during installation of the main. This wire must maintain positive continuity at all times.

2. Stone Bedding

1. For excavation in dirt or clay, there must be six (6) inches of stone under and over the pipe.
2. For excavation through rock, there shall be twelve (12) inches of stone under and over pipe in rock trenches.

C. Fittings

1. All fittings shall be cast of ductile iron, and shall conform to ANSI/AWWA C153/A21.53. Fittings shall be made with mechanical joint ends in accordance with ANSI/AWWA C 111/A21.11.
2. A sufficient number of bolts, nuts, glands and gaskets shall be provided for each fitting. These accessories shall be of the proper dimensions for the size pipe. The bolts shall be made of high strength low alloy steel in accordance with ANSI/AWWA C 111/ A21.11.
3. The cement lining, shall conform to ANSI/AWWA C 104/A21.4.

III. Handling Ductile Iron Pipe and Fittings

- A. It shall be the responsibility of the pipe manufacturer to thoroughly inspect each length of pipe according to the applicable ANSI and AWWA standards and other requirements as set forth in these specifications.

- B. Ductile iron pipe, fittings, valves and accessories shall be handled in strict accordance with the provisions of ANSI/AWWA C 600, so as to ensure that these items are sound, undamaged, and entirely suitable in all aspects to the specified requirements of each particular fitting, pipe and accessory. Particular care shall be taken not to injure either the coating, the pipe or threads. Equipment, tools and methods used in loading, reloading, unloading, hauling and lying pipe and fittings shall be such that no damage is done to the pipe or the coatings. Where hooks are used for lifting, they shall have broad well-padded contact surfaces. Repair of defective or damaged coatings or linings shall be made under the direct supervision of a representative of the pipe manufacturer. No field repair work may be done on any damaged pipe coating or lining without the prior approval of the Town. Any bituminous pipe coating that is damaged by shipment or by the Contractor shall be repaired, prior to installation or placing of any backfill or hanging within hangers. Repairs shall be made by removing all damaged coating, then wire brushing to expose the metal, and applying two coats of coal tar coating material of a type and quality equal to that used originally for the bituminous coating of the pipe.
- C. Cutting, cleaning and inspecting ductile iron pipe: The cutting pipe for closure pieces or for other reasons shall be done in a neat and workmanlike manner by a method that will not damage the pipe or its lining. Sections shall be thoroughly swabbed or cleaned of all foreign matter before being installed into the system and shall be kept clean during and after installation. Before installation of any pipe or fitting, each piece shall be inspected for defects. All defective, damaged or unsound pipe or fittings shall be rejected.

IV. Installation

- A. Pipe laying shall be conducted in strict accordance with the provisions of ANSI/AWWA C 600. The lay shall proceed with the bell end of the pipe pointing in the direction of the next pipe joint to be laid. Each pipe shall be laid true to line and grade and in such manner as to form a close concentric joint with the adjoining pipe and to prevent sudden offsets of the flow line. Proper precautions shall be taken to keep the interior of the pipe free of all dirt and superfluous materials of every description as the work progresses.
- B. Trenches shall be kept free from water until the pipe jointing is complete. At all times when work is not in progress, open ends of pipe and fittings shall be securely closed to the satisfaction of the Town so that no trench water, earth or other substance will enter the pipe or fittings. Adequate backfill shall be deposited on the pipe to prevent floating. Any pipe which has floated shall be removed from the trench and be re-laid.
- C. All tees, bends and dead ends shall be restrained by means of concrete blocking, and be installed with Megalug™ retainer gland or approved equal.

- D. ScotchMark Electronic Marker System (EMS 1257) or approved equal shall be included with the installation of all water mains. The markers shall respond to a frequency of 145.7 kHz, with placement as follows:
 - 1. 50-foot intervals on mains.
 - 2. Each bend
 - 3. The end on each joint that is deflected and each "T"
 - 4. Any additional location directed by the Town of Berryville
- E. A six-inch wide magnetized location ribbon labeled [water line buried below] shall be installed above the select backfill.
- F. A #12 gauge wire shall be placed next to all main lines and service laterals. The wire shall maintain continuity at all times.

V. Separation of Water Lines and Sewers

- A. General – The following factors shall be considered in providing adequate separation:
 - 1. Materials and types of joints for water and sewer pipes.
 - 2. Service branch connections into the water line and sewer lines.
 - 3. Space for repairs and alterations of water and sewer pipes.
 - 4. Avoiding offset of pipes around manholes.
- B. Parallel Installation
 - 1. Normal Conditions – Water lines shall be laid at least ten feet horizontally from a sewer or sewer manhole wherever possible. The distance shall be measured edge-to-edge.
 - 2. Unusual Conditions – When local conditions prevent a horizontal separation of ten feet, the water line may be laid closer to a sewer or sewer manhole provided that:
 - a. The bottom (invert) of the water main shall be at least 18 inches above the top (crown) of the sewer. Should conditions require the water and sewer lines to be installed in the same trench, the water line must rest on a shelf of undisturbed earth to one side of the sewer with at least 18 inches of vertical separation between the top of the sewer line and bottom of the water line. Approval from the Town Engineer and Director of Public Works must be acquired before same trench installation is permitted.
 - b. The sewer manhole shall be of watertight construction and tested in place.
 - c. Where vertical separation of at least 18 inches cannot be maintained between the bottom of the waterline and the top of the sewer, the sewer line shall be constructed of water pipe conforming to AWWA C 900 and shall be pressure tested in place, as specified in AWWA standard C 600, with a minimum test pressure of 30 psi. Leakage is not permitted during the AWWA C600 pressure testing.
 - d. When sanitary sewers cross over water lines, the sewer joints must also be centered at the point of crossing so that joints are equidistant and as far as possible from the water line.

- e. Sewer Manholes and Drainage Structures —A minimum of 10 feet (outside to outside) of separation shall be provided between water pipes and sanitary sewer manholes. Where this distance cannot be maintained, the manhole shall be of watertight construction and tested in place. A minimum of 6 feet of separation shall be maintained between waterlines and drainage structures.

C. Crossings

1. Normal Conditions – Water lines crossing sanitary and storm sewers shall be laid to provide a separation of at least 18 inches between the bottom of the water line and the top of the sewer.
2. Unusual Conditions – When local conditions prevent a vertical separation described in C.1., or where waterline must cross below sanitary sewers, the sewer line shall be constructed of water pipe conforming to AWWA C 900 and shall be pressure tested in place, as specified in AWWA standard C 600, with a minimum test pressure of 30 psi. Water lines passing under sewers shall, in addition, be protected by providing:
 - i) A vertical separation of at least 24-inches between the bottom of the sanitary sewer and the top of the water line.
 - ii) Adequate structural support for the sewer to prevent excessive deflection of the joints and the settling on and breaking of the water line.
 - iii) That the length of the water line be centered at the point of the crossing so that joints shall be equidistant and as far as possible from the sewer.
 - iv) When conditions do not allow for water lines to pass over storm sewers, a minimum of 18 inches clearance shall be maintained from top of water line to bottom of storm sewer.
 - v) If conditions do not allow for separation during installation around existing structures, bridging or other methods of protecting water quality and pipe integrity may be submitted and considered for approval by the Town Engineer. New Construction must maintain required separations.
3. Stream Crossing and highway crossings shall be installed as shown in the Standard Details unless otherwise specified. The crossing shall be made in such a manner to minimize erosion and blockage of the stream flow. Backfill under the rip-rap shall be compacted to ninety percent density.

VI. Testing and Disinfection of Water Lines

A. General

The Contractor will supply the water used for flushing, disinfection, and testing. If Town water is used, the water shall be metered and the contractor shall pay the Town for its cost. Filling of water lines may not be performed until permission has been obtained from the Town Superintendent. The contractor is not permitted to operate valves on any existing water line.

B. Testing

1. All new water mains and hydrant connections shall be subject to a hydrostatic pressure test after thrust restraints have been installed, the line has been backfilled, and at least 3 days after the last concrete reaction anchor has been poured and all water house connections have been installed (lateral from main to meter box). Testing shall be in accordance with AWWA C-600. Water mains shall be filled with clean water at a velocity of approximately 1 foot per second while necessary measures are taken to eliminate all air. A hydrostatic pressure of not less than 150 psi or 150% of normal operating pressure, whichever is greater, shall be maintained for two (2) hours. Lines of different sizes shall be tested separately. Hydrants shall be in the closed position. All high points in the portion of the system under test shall be vented and air shall be expelled from the system prior to beginning the test.
2. After the portion of the system under test has reached the required pressure as stated herein, the pressure shall be maintained for two (2) hours. At the conclusion of the pressure test, the volume of the makeup water required to refill the pipeline shall be determined by measurement with a displacement meter or by pumping from a vessel of known volume.
3. All visible leakage must be eliminated by the contractor, regardless of the amount. Should test results show displacement, damage or leakage in excess of the allowable amount (see table below for representative values), the contractor shall repair the displacement and damage to eliminate the leakage. The contractor shall retest until the specified conditions are met to the satisfaction of the Town Superintendent.

Allowable Leakage per 1,000 feet of Pipeline – gph
 Nominal Pipe Diameter – in

Psi	4	6	8	10	12	16
250	0.47	0.71	0.95	1.19	1.42	1.90
225	0.45	0.68	0.90	1.13	1.35	1.80
200	0.43	0.64	0.85	1.06	1.28	1.70
175	0.40	0.59	0.80	0.99	1.19	1.59
150	0.37	0.55	0.74	0.92	1.10	1.47

The above table is presented for convenience only. Please refer to AWWA C600 for complete up-to-date table.

C. Disinfection

1. After leakage testing, and before final inspection of the completed systems, water mains shall be flushed and then disinfected in accordance with ANSI/AWWA C-651 standards. All disinfection procedures and final testing shall be carried out under the observation of a utility inspector approved by the Town Superintendent. Either the tablet method or continuous feed method shall be used.
 - a) The tablet method can only be used if the pipes and appurtenances are kept clean and dry during construction. The mains should be filled at the rate of 1 ft/sec or less. Water must remain in the main for a minimum of 24 hours when the water temperature is 41 F (5 C) or more. If the water temperature drops below this then the water must remain a minimum of 48 hours. A detectable chlorine residual should be found at each sampling point after the prescribed contact time.
 - b) If the continuous feed method is to be used, a pre-flushing shall be accomplished at a flow velocity of not less than 2.5 feet per second. All valves, hydrants, and water house connection shall be operated during this operation. Clean water shall be flushed throughout the system until there is no trace of cuttings, oil, dirt, or other foreign matter flowing out of the pipe. The water shall be chlorinated so that after the 24-hour contact time, a free chlorine residual of not less than 10 ppm is maintained.
2. Final flushing will occur as soon as practically possible after the required contact time to prevent damage to the pipe lining or to prevent corrosion damage to the pipe itself. When the chlorine residual has been reduced to within the range of 0.2 and 2.0 ppm, bacteriological samples can be collected.
3. Bacteriological Sampling – Water samples for bacteriological analysis shall be taken by the contractor at regular intervals not exceeding 2,000 feet, as approved by the Town, witnessed by the utility inspector, and analyzed by a certified laboratory. Two satisfactory bacteriological samples, collected twenty-four hours apart must be obtained prior to placing the lines in service. Satisfactory samples are those that indicate the presence no coliform bacteria. If contamination is found in one or both sets of samples, the entire disinfection and bacteriological sampling procedure must be repeated.
4. It is expected that any water flushed from the mains will have to be dechlorinated with a neutralizing chemical to ensure that environmental damage will not occur. The recommended neutralizing chemicals, and procedural guidelines for dechlorination are explained in the ANSI/AWWA C-651 standards. The contractor shall be responsible for the proper application of the neutralizing chemicals to reduce the chlorine residual to a non-detectable level. The contractor shall assume full responsibility for the discharge of all water used during any flushing, and shall be responsible for any environmental damage including, but not limited to, vegetation, trees, streams, ponds, lakes, or any other damage to public or private property.

VII. Service Laterals

A. General

1. All material used shall meet or exceed ANSI/AWWA C800 standards.
2. All taps made on ductile iron mains shall be made direct, without a saddle, unless otherwise specified or approved by the Town.
3. Where applicable, and when tapping PVC mains, a Ford Style FS202 or approved equal shall be used.
4. All water services shall be installed as per Standard Detail shown in Specification Detail section.
5. Service lines shall be type 200 psi HDPE copper tubing sized piping conforming to ANSI/ASTM standard specifications. The line shall be one continuous piece from corporation stop to meter setter and the line will be equal to the size of the corporation stop. Line must be accompanied by a twelve-gage copper tracer wire.
6. Meter boxes will be set on the street side at the property line, unless approved by the Town.

B. ¾-Inch Water Service

1. Corporation stop shall be ¾" ball style and conforming to the requirements of the AWWA Standards. Connection at the corporation stop shall be compression.
2. The meter box shall be 18 inches in diameter, and 30 inches in depth, with an 18-inch diameter frame and 11½ inch diameter lid. The frame and lid shall be made of cast iron, and lid shall include the FP cast iron plug where applicable.
3. The meter setter shall consist of a copper setter, inlet angle valve, and outlet angle ASSE approved dual check valves (top loading).

C. 1 Inch Water Service

1. Corporation stop shall be 1 inch in size and ball style and conforming to the requirements of the ANSI/AWWA B88 Standards. Connection at the corporation stop shall be compression type.
2. The meter box shall be 18 inches in diameter, and 30 inches in depth, with an 18-inch diameter frame and 11½ inch diameter lid. The frame and lid shall be made of cast iron, and lid shall include the FP cast iron plug where applicable.
3. The meter setter shall consist of a copper setter, inlet angle valve, and outlet angle ASSE approved dual check valves (top loading).

D. 1½ and 2 Inch Water Services

1. Service shall be taken off the main by means of a wet tap or an anchoring tee, with 6-inch branch and a 6 inch branch valve. A tapped mechanical joint plug shall be used in the downstream side of this valve, with a male IPT to compression adapter.
2. The meter shall be set in a custom box with a custom meter setter consisting of a flanged angle valve on the inlet and an ASSE approved dual check valve on the outlet. The setter shall include a by-pass with ball valve and locking cap.

3. Meter vault shall conform to the dimensions shown in the Standard Details, or as approved by the Town.

VIII. Backflow Prevention Assemblies

- A. Each metered service connection must have an A.S.S.E. (American Society of Sanitary Engineers) approved backflow prevention device installed for service line protection. The Town must approve the type of device submitted based on the degree of hazard of the planned use.
 1. Metered service lines with a low degree of hazard must be provided with a double-check valve backflow prevention assembly that is tagged, stamped, or embossed to indicate it meets A.S.S.E. Standard No. 1015.
 2. Metered service lines with a high degree of hazard must be provided with a reduced pressure zone device that is tagged, stamped, or embossed to indicate it does meet A.S.S.E. Standard No. 1013.
 3. Backflow prevention devices that require yearly inspection must be installed above grade and/or in a location not subject to flooding. The location of a backflow prevention device is to be approved by the Town's Director of Utilities.
- B. Each fire line service connection must have an A.S.S.E. approved backflow prevention device with leak detector installed for fire service line protection. The Town must approve the type of device submitted based on degree of hazard of the planned fire service.
 1. Fire lines with a low degree of hazard (no additives or antifreeze) must be provided with a detector double check backflow prevention assembly with A.S.S.E. Standard No. 1048 identification made part of the device.
 2. Fire lines with a high degree of hazard (additives or antifreeze) must be provided with a reduced pressure assembly with A.S.S.E. Standard No. 1047 identification made part of the device.
- C. All detector (metered) assemblies are required to have a meter that is compatible with the Town's meter reading device.
- D. All backflow prevention devices must be inspected annually by the owner and a report submitted to the Town's Director of Utilities for review. Residential premises without secondary uses, exclusive of multifamily that present a low degree of hazard (no additives or anti-freeze), are not required to submit annual reports.

A written request to the Director of Public Works is required for necessary inspections for acceptance of improvements. The request shall include as-built drawings, easements and other pertinent information as deemed necessary by the Department of Public Works and the Town's Engineer. A response from the Department of Public Works after review will be forwarded to the applicant outlining deficiencies or for approval of the project.

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Section 4

Valves and Hydrants

I. General

- A. Valve or hydrant manufacturer shall be regularly engaged in the design, manufacture, and maintenance of valves or hydrants of the type specified, and shall have furnished valves or hydrants of the same general design, type, and comparable size specified herein, which have been used and proved satisfactory under similar test, service, and operating conditions for at least five years. The manufacturer shall furnish satisfactory evidence of adequate facilities for furnishing parts for repairs and for maintenance of the hydrants or valves furnished. Unless otherwise indicated, valves shall be designed to provide tight shut-off at the following pressure differential: 250 psi upstream and 0 psi downstream in either direction. Design flows shall be a minimum 15 feet per second for opening and closing.
- B. All valves furnished through 12 inches shall be resilient wedge-valves with non-rising stems. Valves larger than 12 inches shall be butterfly type unless otherwise required by the Town.
- C. A valve box shall be provided for each buried valve. Boxes shall be screw type. Telescoping type are prohibited. Extension stems shall be provided for valves where the operating nut is greater than 4'-0" below grade. The stem shall extend to a minimum of 2'-0" below finished grade.
- D. Unless otherwise specified herein, 4-inch and larger valves and all hydrants shall have mechanical joint ends.

II. Gate Valves

A. General

1. Gate Valves shall be manufactured to meet, and/or exceed, all the requirements of ANSI/AWWA C509-01 or ANSI/AWWA C515 Standard for resilient wedge ductile iron gate valves.
2. The manufacturer must provide a ten (10) year warranty against defective material and workmanship.

III. Specifications

Valves shall meet the following minimum design criteria:

1. Valve body shall be manufactured of ductile iron, and have a working pressure of 250 psi.
2. All ferrous components shall be ductile iron, body, wrench nut, stuffing box, and valve wedge.
3. The marking "DI" or "ductile iron" shall be cast into the valve body along with "250W" or "250 psi".

4. The valve wedge shall be ductile iron, encapsulated with nitrite rubber. The wedge shall be symmetrical and seal equally well with flow in either direction.
5. Valves shall have a fusion-bonded epoxy coating inside and out for maximum corrosion resistance, complying with ANSI/AWWA C550 Standard, applied electrostatically prior to assembly.
6. The valve shall have a smooth full diameter waterway with no recesses to trap debris or obstruct flow.
7. Valve stem shall be high strength corrosion resistant bronze. Stem shall be sealed by three o-rings. The top two o-rings shall be replaceable with valve fully open and while subject to full rated working pressure. O-ring set in a cartridge shall not be allowed.
8. Sealing gaskets shall be pressure energized o-rings.
9. Torque minimizing thrust washers located with one (1) above, and one (1) below the thrust collar, to assure trouble free operation of the valve.
10. Valves shall conform to (U.L.) Underwriters Laboratories, and (F.M) Factory Mutual Research Corporation. Valves shall be NSF standard G1 certified.
11. Bolting materials shall develop the physical strength requirements of ASTM A307 Standard, and may have either regular square or hexagonal heads with dimensions conforming to ANSI B18.2.1 Standard. Metric size socket head cap screws are not allowed. Bolts and nuts securing valve bonnets, stems and operating nuts shall be stainless steel.
12. Operating nut shall have four flats at stem connection to assure even input torque to the stem.
13. Flanged valves shall be O S & Y 125 lb. flanges. The manufacturer shall be able to furnish 250 lb. flanges upon request.

IV. Tapping Sleeves

- A. Mechanical joint tapping sleeves meet the following design criteria:
 1. Sleeves shall be the split type mechanical joint with side and end gaskets, manufactured of ductile iron.
 2. Sleeves shall conform to all applicable requirements of ANSI/AWWA C110 A21.10; ANSI/AWWA C111 A21.11; and ANSI B16.11 Class 125 flange.
 3. When sleeves are to be installed on pipe that is larger than 12", field verification by the contractor of the existing pipe's outside diameter shall be required before ordering said sleeve.
 4. All tapping sleeves shall be iron, mechanical joint tapping sleeves unless otherwise approved by the Town's Superintendent. Stainless steel tapping sleeves will be considered where the existing main is PVC pipe, or cast iron of irregular outside diameter.

V. Fire Hydrants

- A. General
 1. Fire hydrants shall be the dry-barrel type manufactured to meet, and/or exceed, all the requirements of ANSI/AWWA C502-94 Standard.

2. Drainage capability must be provided for fire hydrant weep holes. If areas of high water table are encountered, the contractor shall contact the Director of Public Works or the Town Engineer to relocate the hydrant to prevent possible cross contamination.
3. Fire hydrants shall be painted in accordance with standards established in the Materials Specifications document.
4. The manufacturer must provide a ten (10) year warranty against defective material and workmanship.
5. Fire hydrants shall be located as follows:
 - a. At street intersections and at intermediate locations where deemed necessary by the Town Director of Public Works and/or the State Fire Marshall's Office after consultation with the Fire Chief.
 - b. At the end of all cul-de-sacs in a location determined by the Town Superintendent.
 - c. No closer than fifty (50) feet and no further away than one hundred (100) feet of any standpipe or sprinkler system fire department connections.
 - d. As required by the following schedule according to use group. The distance shall be measured along an unobstructed path around the structure, to the most remote part of the structure that the hydrant will serve.

Industrial Buildings	250 feet
School Buildings	300 feet
Commercial, Church and Office Buildings	350 feet
Apartments, Multifamily, and Town Houses	250 feet
Single-Family Detached and Two-Family Attached Dwellings	400 feet
 - e. All hydrants shall be a minimum of fifty (50) feet away from any buildings other than single-family detached and two-family attached dwellings unless deemed appropriate by the Town Superintendent.
 - f. In no case shall the distance between fire hydrants, measured along the centerline of accessible streets, be greater than six hundred (600) feet.
6. No landscaping shall be permitted within five (5) feet of a fire hydrant, with the "no landscape" area indicated on the plat.
- 7. Fiberglass hydrant marker flags shall be installed by the developer and approved by the Director of Public Works.**

B. Specifications

Hydrants shall meet the following minimum design criteria:

1. Hydrant shall have a rated working pressure of 200 psi with a test pressure of 400 psi.
2. The main valve closure shall be of the compression type, opening against the pressure and closing with the pressure.
3. Traffic feature to be designed so that the nozzle section of the hydrant can be rotated (by degree) to full 360 circle during field installations, if necessary.
4. The main valve opening shall not be less than 5 ¼" and be designed so that removal of seat, drain valve mechanism, internal rod, and all working parts,

can be removed through the top of the hydrant, without disturbing the ground line joint or the nozzle section of the hydrant.

5. The bronze seat shall be threaded into mating threads of bronze for easy field removal.
6. The draining system of the hydrant shall be bronze, and activated by the main stem without the use of auxiliary rods, toggles, pins, etc. The drain mechanism shall be completely closed after no more than three turns of the operating nut in the opening direction, allowing throttling of the hydrant as needed. Provide a minimum of two inside ports and four drain port outlets to the exterior of the hydrant, to insure positive drain when closed. Drain shut-offs shall be by direct compression closure.
7. The operating nut, main stem, coupling, and main valve assembly shall be capable of withstanding input torque of 200 ft/lbs in opening or closing directions.
8. There shall be an internal top housing with triple o-rings to seal operating threads from the waterway and accommodate an antifriction washer.
9. Nozzle sections of the hydrant shall be designed to permit field replacement of damaged threads without special tools, excavation, or disturbing the ground line joint. Bronze nozzles are to be locked into the hydrant barrel with locking lugs, and be sealed by heavy duty 0-rings. The operating nut size, as well as hose and pumper threads, shall conform to National Standard Specifications.
10. Hydrants shall conform to (U.L.) Underwriters Laboratories U.L. 246 standards, and (F.M) Factory Mutual Research Corporation.
11. The maximum friction loss through the hydrant shall not exceed 2.8 psi at 1000 gpm through the pumper nozzle. The flow test and certification of this feature shall be conducted by an independent testing laboratory, and be in accordance with ANSI/AWWA C502-94 standard. The records of all tests performed shall be made available to the Town upon request.
12. The standard depth of bury shall be a minimum of 4' to a maximum of 7' without the use of extensions. When the water main is deeper than the standard depth, the use of quarter and eighth bends between the tee at the main and the fire hydrant will be required to bring it to the proper grade.

VI. Installation

A. Valves

1. Valves shall be carefully erected in their respective positions and free from all distortion and strain with stems vertical. The valve box shall be set over the operating nut and shall have its top flush with the final surface. The valve box top section shall overlap the lower section by at least 6 inches.
2. Restraint of valves shall be performed by the Contractor in accordance with the Standard Details, or as specified by the Town Engineer.
3. Where valves occur on the end of the pipeline, a mechanical joint plug shall be placed and secured in the exposed bell before backfilling the trench.

4. The contractor shall backfill and compact under and around valve boxes to ensure no vertical loads are transmitted to the valve operators.
5. All valves shall be installed with Megalug™ retainer gland or approved equal.

B. Fire Hydrants

1. Fire hydrants shall be installed where indicated on the Plans, in accordance with the Standard Details, and set plumb, with bury line at finished grade. The pumper outlet shall be placed facing the street.
2. Bollards shall be installed as shown on plans or as directed by the Town.
3. Every effort shall be made to avoid the use of barrel extensions, and such extensions shall only be used when approved on a case-by-case basis by the Director of Public Works.
4. A 6-inch valve shall be provided in the lead of each hydrant. This valve shall be restrained to the main by an anchoring tee or anchoring coupling. Where a hydrant is used to terminate the main, restraint of this valve shall be by means of a dead-end anchor, cast around the main.
5. All privately owned hydrants shall have stenciled on the hydrant the word "PRIVATE" to identify the unit as a privately owned hydrant. The stenciling shall be sized and placed to be easily seen from the direction of hydrant access.
6. Hydrants shall be located no more than ten (10) feet from the face of curb and at least ten (10) feet from any entrance or driveway.
7. Prior to acceptance, hydrants shall be flow tested under Town supervision to assure compliance with the Town of Berryville Construction Standards Manual. The flow report shall be submitted to the Town Director of Public Works for review and approval.

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WATER DISTRIBUTION SYSTEM * April 2015 (Listed in order of preference)

Updated December, 2023

Items for Water Distribution	Manufacturer	Model #	ANSI/AWWA spec.* or other Requirement
Water lines	Griffin Atlantic States JM Eagle		C151/A121.5 AWWA C151 C0909
Fire Hydrants	Mueller Centurion American Flow Control	Super Centurion 200 B62B 4' D.O.B.	AWWA C502
Gate Valves R.S. Ductile Iron	Mueller American Flow Control	A2361 AFC 2500	AWWA C502
Swing Check Valves	Mueller American Flow Control	A 2600-6 AFC 2100	AWWA C508
Combination Air Release & Air Vacuum Valves	Valmatic Apco	VM 201 C & VM 202 C 143C & 145C	ASTM A126 Class B
Valves Boxes	Tyler Union Pipe Bingham and Taylor	564S BT 22	AWWA C110 ASTM A438-62
Valve Box Adapter	Adapter, Inc.	Valve Box Adapter II (VBAll)	N/A
Bolts and Gasket Kits	Stewart Carson	S-FBK-FF-1/8 C-FBK-FF-1/8	
Mechanical Joint Fittings	Tyler Union Pipe Star	Compact	AWWA C153
Mech. Joint Restraints Mega Lug Glands	EBAA Iron Mega Lugs Ford Meter Box Co.	1100 Series 1400 Series	ASTM A536-80
Wall pipe/Sleeve/Flg Spools – Ductile Iron Pipe and Flanges	Higgins Eng. Davis K Clow		AWWA C115
Service Line Fittings	Ford Meter Box Co. Mueller	C44 Series 110 Series	compression AWWA C800
Service Tubing	Mueller Howell	HDPE	CTS 200 PSI
Threaded Fittings	Trenton Lee Brass	Red Brass Red Brass	ANSI B16.15

(Continued)

*Must meet the requirements of the ANSI/AWWA and/or ASTM standards as described.

Changes to the Materials listing & Detail Sheet Sections

Meter Box Section

Delete all reference to Mid-States Plastics meter boxes

Add the following to replace Mid-States Plastics

Single service 5/8"	Bingham & Taylor	18"x30"	High Density Plastic
Single service 1"	Bingham & Taylor	24"x30"	High Density Plastic

Meter Box Frame and Cover Section

Add the following to this section

Single service 5/8"	AY McDonald	Style 74M32CRG	Cast Iron
Single service 5/8"	Bingham & Taylor	Style # 180-18-C	Cast Iron

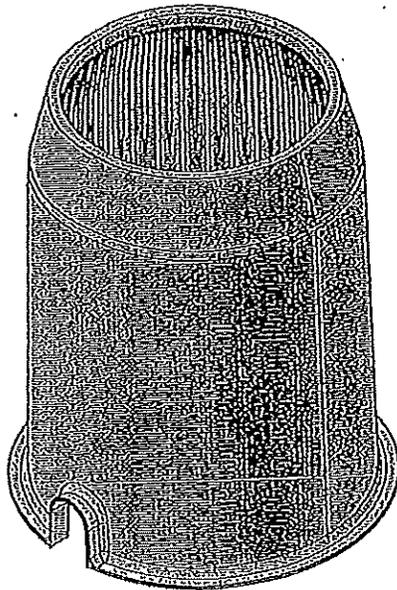
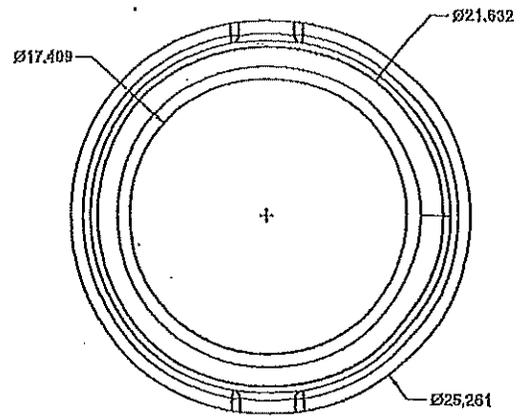
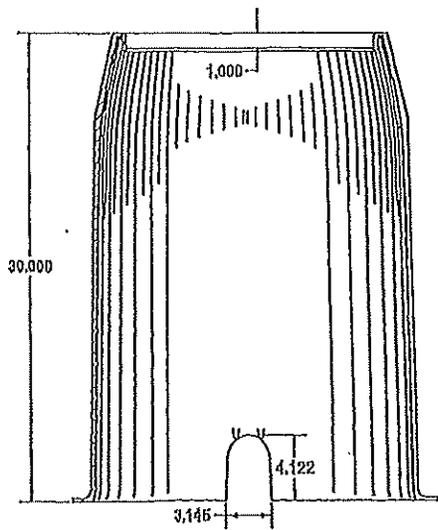
Detail Sheets Meter Boxes

Delete all details sheets of Mid-States Meter Boxes

Replace the meter box detail sheets with the attached meter box details

Detail Sheets for Meter Box Frame and Covers

Add the attached detail sheets to the meter box frame & cover section



NOTES- ALL EDGES HAVE A 1/16 RADIUS TOLERANCE ± .0825		
REV.	DATE	COMMENT
A		RELEASED
 Bingham & Taylor <small>EST. 1918</small>		BINGHAM & TAYLOR MMP182230
Molded Meter Pit 18x22x30		J. Klopp 02/18/16 0 lbs
VPZ/WHL		DOE
VPZ/WHL		DOE

18x22x30 Molded Meter Box
Figure 32

Town of Berryville
Water and Sewer Construction Standards and Specifications 2024 Update

WATER DISTRIBUTION SYSTEM * April 2015 (Listed in order of preference)

Updated December, 2023

Items for Water Distribution	Manufacturer	Model #	ANSI/AWWA spec.* or other Requirement
Service Saddles	Ford Meter Box Co. FS 202 Mueller	Double Strap H10500	Stainless Steel Bands
Ball Corporation Stops	Ford Meter Box Co. Mueller	FB 1000 Series 300 Series	AWWA C800
Coppersettlers			
Single Service 1 ^{1/2} "	Ford Meter Box Co.	VBHH76-15C11-66NL	AWWA C800
Single Service 5/8"	Ford Meter Box Co.	VBHC172-12WW443NL	W/ dual bypass
Single Service 1"	Ford Meter Box Co.	VBHC174-15W444NL	check valve
Double Service 5/8"	Ford Meter Box Co.	VBHC172-12W1433NL	
Single Service 2"	Ford Meter Box Co.	VBHH77-15BHC 11-77NL	
Dual Cartridge Style Check	Ford Meter Box Co.	HHC Series	AWWA C800
Meter Box			
Single Service 5/8"	Mid-States-Plastics Bingham & Taylor	18" x 30"	ASTM-D1505 High density plastic
Single Service 1"	Mid-States-Plastics Bingham & Taylor	24" x 30"	High density plastic
Double Service 5/8"	Mid-States-Plastics	36" x 36"	Polyethylene
Meter Box Insulation Pads	Mid-States-Plastics	TP 18, 24, 36 Series	Polyethylene
Meter Box Frame and Cover			
5/8" to 2"	Ford Meter Box Co.	Style M32C PW REC	Cast Iron
5/8" to 2"		MC36 or M36	
Single service 5/8"	AY McDonald	Style 74M32CRG	Cast Iron
Single service 5/8"	Bingham & Taylor	Style #180-18-C	Cast Iron
Meter Box Cover	Ford Meter Box Co.	NO#1	Extensions
Extension Rings	MBC	NO 18-24	Cast Iron
Cold Water Meters	Neptune	T-10	AWWA C700
Blow-off Hydrants	Kupferle Foundary	#77	
Sampling Stations	Kupferle Foundary	NO88-WC (Eclipse)	
Mechanical Joint Connections	Infact Corporation	Foster Adaptor	
Backflow Assemblies Low Hazard	Ames Watts	3000 SS 709 DCA	ASSE 1048
Backflow Assemblies High Hazard	Ames Watts	5000 SS 909 RPDA	ASSE 1047

*Must meet the requirements of the ANSI/AWWA and/or ASTM standards as described

SEWER COLLECTION SYSTEM * April 2015 (Listed in order of preference)

Items for Sewer Collection	Manufacturer	Model #	ANSI/AWWA spec.* or other Requirement
Gravity Sewer Mains PVC	J.M. Eagle	C909/905	AWWA C909 ASTM F1483
Gravity Sewer laterals 4" through 6"	National NAPCO	DR25 PVC	ASTM D3139
Force Main (PVC) 6" through 12"	J.M. Eagle	C909	AWWA C909
Force Main PVC Pressure Pipe 1 1/2" through 4"	J.M. Eagle	C900	AWWA C900
Sewer Main Fittings Gravity	HARCO	C900 Fittings	PVC ASTM D 1784
Mechanical Joint Fittings 3" through 12"	Tyler Union Pipe Star	Compact	AWWA C153
Ball Curb Stops 2"	Ford Meter Box, Inc. Mueller	B11 Series	AWWA C800
Manhole Frames And Cover 24" diameter	Neenah	Watertight R1916-F Standard R1642	ASTM-A-48 Class 35B Gray Iron

(Continued)

*Must meet the requirements of the ANSI/AWWA and/or ASTM standards as described.

SEWER COLLECTION SYSTEM * April 2015 (Listed in order of preference)

Items for Sewer Collection	Manufacturer	Model #	ANSI/AWWA spec.* or other
Hour Meters	Cramer		
Flow Meters	Polysonics		
Pumps	Gorman-Rupp		
Ball Valve	Geneco	EST ST-3.0	ASTM A-36
Extension Stems	Trumble		84A
Gate Valves R5	AFC 2500	250 PSI R. S.	AWWA C515
Ductile Iron	Mueller A 2361	Ductile Iron	
Air Release and Air Vacuum Valve	Valmatic APCO	801 BW, 802 BW	ASTM A126 Class B
Valve Boxes	Tyler Union Bingham & Taylor	24" x 36" 36" x 48"	Cast Iron
Gate Valve	Geneco	EST ST-3.0	ASTM A-36-84A
Extension Stems	Trumble		
Clean Out Adapters and Plug	Jones Manufacturing	C.I. Clean Out Adapter	Cast Iron
Clean Out Wye Fabricated	HARCO	SDR 21 Long Sweed T-Wye	ASTMD-1784
Clean Out Frame and Cover	Capital Foundaries	Lamp Pole Frame and Cover	Cast Iron
Manhole Internal And External	N.P.C., Inc. Cretex		
Chimney Seals	Wrapid		

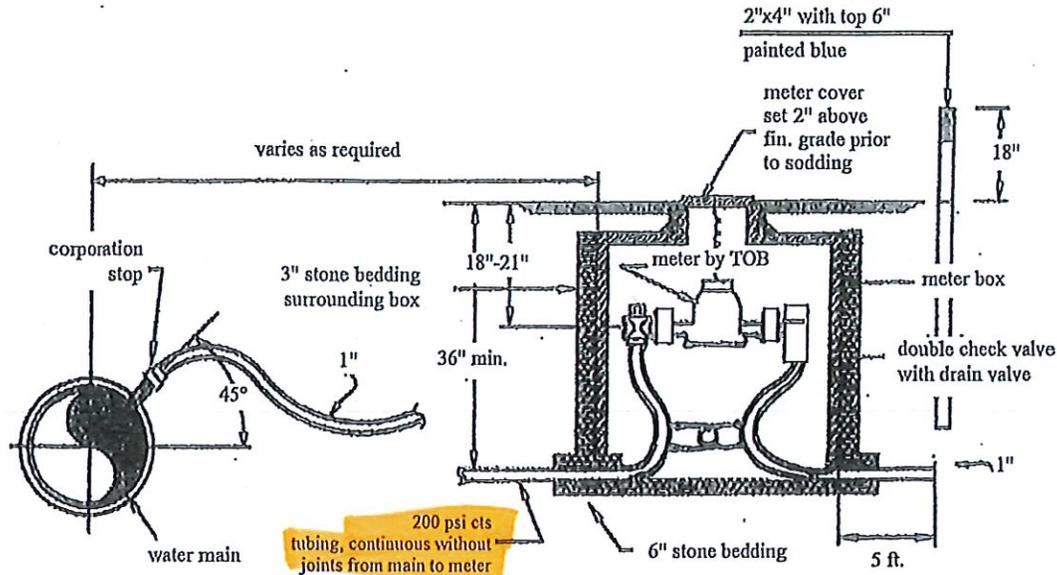
*Must meet the requirements of the ANSI/AWWA and/or ASTM standards as described.

STREET SIGNAGE * November 2019

Items for Street Signage	Manufacturer	Model #	Specifications
Standard public street name sign	N/A	N/A	MUTCD D3-1 3M Green background, white letters white rounded corners
Standard private street name sign	N/A	N/A	MUTCD D3-1 3M3430EGP3430 brown background, white letters white rounded corners
Perforated traffic post	Trinity Highway	SQR-LOC	2" square 14 gauge Aluminum, FHWA approved breakaway support
Enforcement and warning sign posts	N/A	N/A	2" square 14 gauge galvanized yellow post
Sign slot hardware	N/A	N/A	Standard sign 5.6" sign slot 5.6" t slot
Sign T slot hardware	N/A	N/A	

METER BOX & COVER

Meter Size	Meter Box		Meter Box Cover
5/8"x3/4" or 3/4"	18 in Dia.	Non-Traffic	M32C-PW + FP cast iron plug
		Traffic	A32HH-T
1"	24 in Dia.	Non Traffic	MC-24 (Frame) WITH RML-1-T (Top Lid)
		Traffic	MC-24 (Frame) WITH RML-12-T (Top Lid)



METER SETTING PARTS		
SERVICE PIPING DIA.	METER SIZE	FORD METER SETTER
3/4"	5/8"x3/4" (20 GPM)	VBHC 72 12W 4433
1"	5/8"x3/4" (20 GPM)	VBHC 72 15W 44-44B4
1"	3/4" (30 GPM)	VBHC 72 15W 44-44B4
1"	1" (50 GPM)	VBHC 74 15W 4444

NOTE: Equivalent meter setters by other manufacturers may be installed with prior approval of the Director of Public Works.

INSTALLATION NOTES:

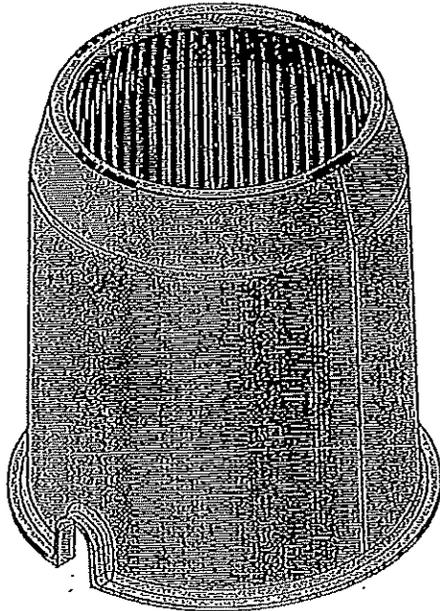
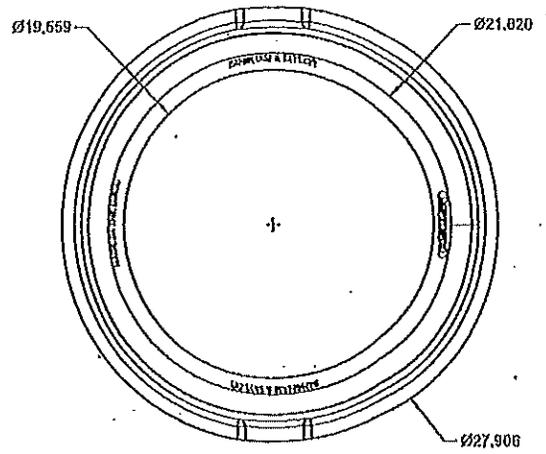
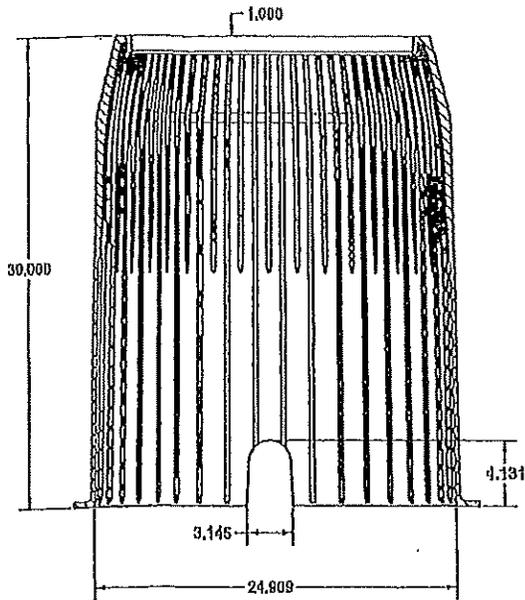
1. Exact location of meter box assembly to be approved prior to installation.

5/8" x 3/4", 3/4" & 1" Meter Installation

Figure 5

Town of Berryville

Water and Sewer Construction Standards and Specifications 2015



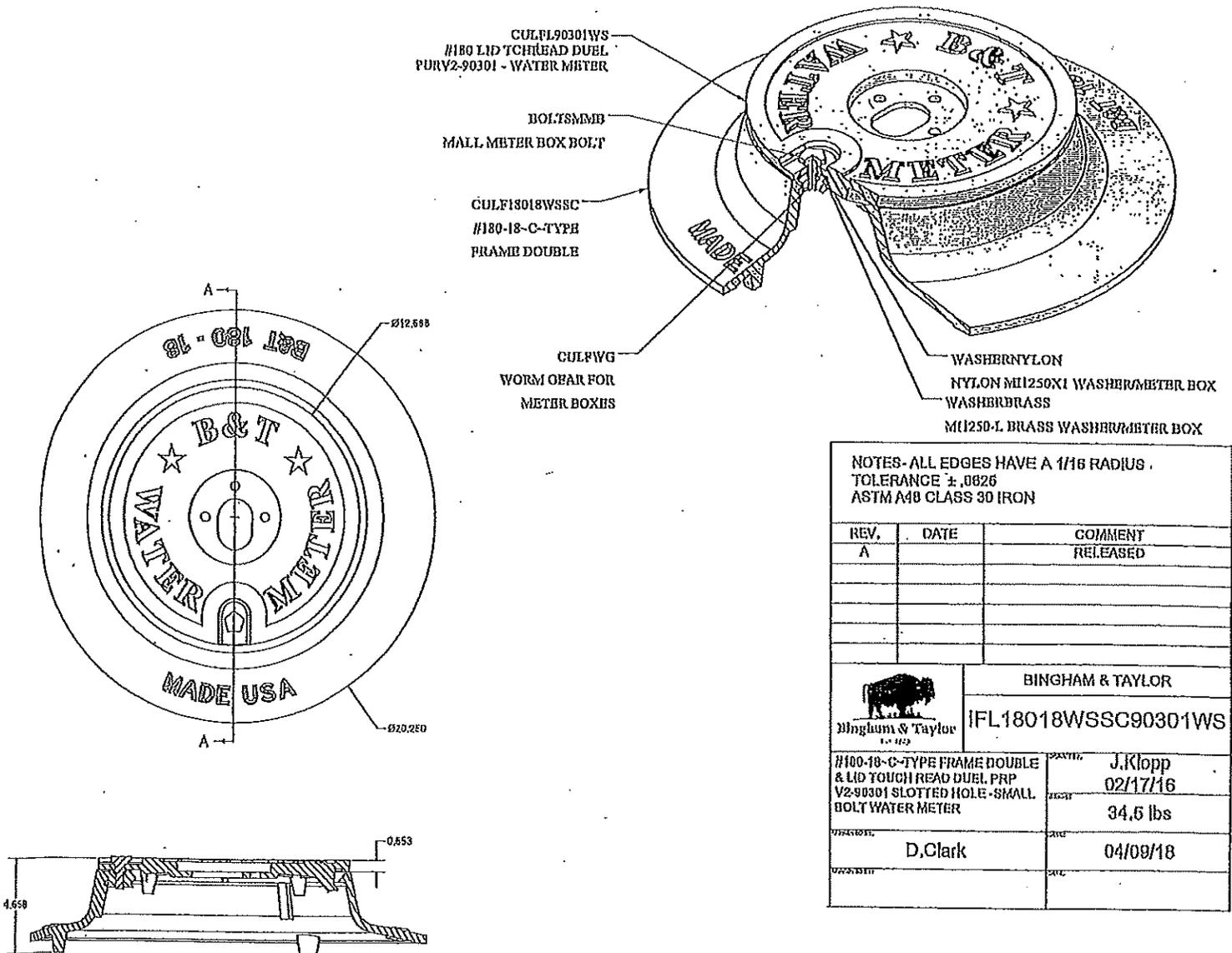
NOTES- ALL EDGES HAVE A 1/16 RADIUS
TOLERANCE ± .0825

REV.	DATE	COMMENT
A		RELEASED
 Bingham & Taylor 1872		BINGHAM & TAYLOR
		MMP202430
Molded Meter PII 20x24x30		DATE: J. Klopp 02/18/16
		WEIGHT: 20.0 lbs
		DATE: 11/27/17

20x24x30 Molded Meter Box

Figure 31

Town of Berryville
Water and Sewer Construction Standards and Specifications 2024 Update

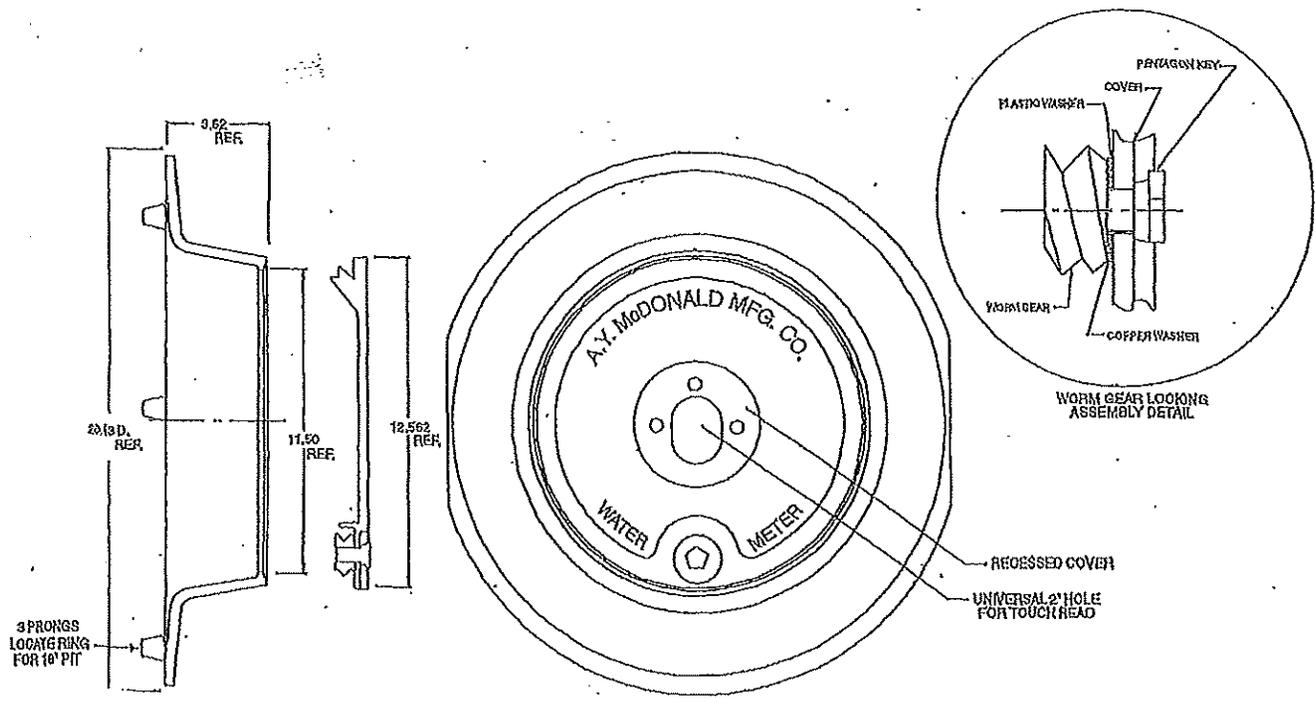


NOTES - ALL EDGES HAVE A 1/16 RADIUS .
TOLERANCE ± .0025
ASTM A48 CLASS 30 IRON

REV.	DATE	COMMENT
A		RELEASED
		BINGHAM & TAYLOR
#100-18-C-TYPE FRAME DOUBLE & LID TOUCH READ DUEL PRP V2-90301 SLOTTED HOLE - SMALL BOLT WATER METER		J.Klopp 02/17/16 34.5 lbs
D.Clark		04/09/18

#180-18-C-Type Frame Double and Lid Touch Read Cast Iron Meter Cover
Figure 33

Town of Berryville
Water and Sewer Construction Standards and Specifications 2024 Update



Cast Iron Meter Box Frame and Cover
Figure 34

Town of Berryville
Water and Sewer Construction Standards and Specifications 2024 Update