

MINUTES
BERRYVILLE TOWN COUNCIL
Tuesday, September 13, 2011
Berryville-Clarke County Government Center
Regular Meeting
7:30 p.m.

Roll:

Town Council:

Present: Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Mary Daniel; Allen Kitselman; David Tollett; Lawrence Russell, III

Staff: Keith Dalton, Town Manager; Desiree Moreland, Treasurer/ Assistant Town Manager; Neal White, Police Chief; Christy Dunkle, Assistant Town Manager/Planner; David Tyrrell, Director of Utilities; Celeste Heath, Town Clerk

Press: Val Van Meter, Winchester Star; Mike Dowling, ClarkeDailyNews.com

1. Public Hearing:

To present information and seek public comment on The Northern Shenandoah Valley Regional Water Supply Plan and the Town of Berryville Drought Ordinance.

The NSVRC will submit the Regional Water Supply Plan to the State Water Control Board on behalf of the jurisdictions within the planning region including the City of Winchester, the five counties of Clarke, Frederick, Page, Shenandoah, and Warren and the fourteen Towns therein. The Regional Water Supply Plan summarizes existing water sources and use and future demands to 2040 to identify the suitability of existing supplies to meet future water demands. The Drought Ordinance is prepared in response to section 120 of 9 VAC 25-780.

Mayor Kirby opened the public hearing at 7:30 p.m.

Mayor Kirby introduced Rhonda Turman from The Northern Shenandoah Valley Regional Commission who spoke about the water supply planning process. She noted that adoption of the plan also requires the adoption of a drought ordinance.

Mayor Kirby called for public comment.

Jay Hillerson, Kimball Road in Clarke County, said that he is a business owner in Berryville. Mr. Hillerson expressed concern about wastewater projections addressed at the last Town Council meeting and their effect on future business growth in town.

There being no additional public comment, upon motion by Council member Russell, seconded by Council member Tollett, the public hearing was closed at 7:40 p.m.

2. Call to Order: Wilson Kirby, Mayor

Mayor Kirby called the regular meeting to order at 7:40 p.m.

3. Approval of Minutes

August 3, 2011

Upon motion by Council member Daniel, seconded by Council member Kitselman, the minutes of the August 3, 2011 work session were approved with the correction of 3 typographic errors.

August 9, 2011

Upon motion by Mayor Kirby, seconded by Council member Kitselman, the minutes of the August 9, 2011 meeting were approved with the correction of 4 typographic errors.

4. Citizen's Forum

Stan Kerns, Barns of Rose Hill, reported that the Grand Opening events were well attended. He acknowledged the support for the project of the Town Council and staff and said he has enjoyed attending the Town Council meeting each month.

5. Report of the Mayor

Mayor Kirby said that it was his pleasure to honor Bonnie Dodson and Iva and Janie Longerbeam for their assistance to the Police Department. He recognized Chief Neal White to present them with a certificate of appreciation.

Chief White explained that Bonnie Dodson and Iva and Janie Longerbeam assisted the police in locating a missing elderly person on August 9. He commended them and said that they are a perfect example of community in action and that their actions show how a few people can make a difference. He then presented them with certificates of appreciation.

Mayor Kirby said that it was his pleasure to propose a resolution honoring Mrs. Viola Brown who will be 100 years old on October 4, 2011.

Upon motion by Council member Tollett, seconded by Council member Daniel the Council of the Town of Berryville unanimously adopted the attached Resolution:

RESOLUTION OF THE COUNCIL OF
THE TOWN OF BERRYVILLE, VIRGINIA

Viola Brown Centennial Celebration Day

WHEREAS, Mrs. Viola Brown will celebrate the occasion of her One Hundredth birthday on October 4, 2011; and

WHEREAS, Mrs. Brown has demonstrated a lifelong devotion to serving her family and community;

WHEREAS, Mrs. Brown was Treasurer of Zion Baptist Church for 37 years; serves as a Deaconess for the church and has served in many capacities for the church, including working with the youth group; and

WHEREAS, Mrs. Brown was employed by The Knoll for 27 years and was employed by The Clagett family for more than 30 years and is considered a much-beloved member of the Clagett family; and

WHEREAS, Mrs. Brown has resided in the same residence on Josephine Street for over forty years; and

WHEREAS, Mrs. Brown is well known for her delicious Christmas cookies, lemon meringue pie and excels at all types of cooking, so much so that a cookbook featuring her recipes titled, *Viola's Favorite Recipes*; was published in 1988; and

WHEREAS, When asked if she had a secret for a long and happy life Mrs. Brown's answer was "Put your trust in God and help others"; and

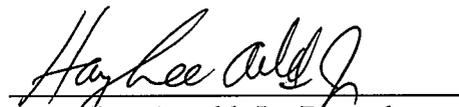
WHEREAS, Mrs. Brown's commitment to helping others has made our community a better place to live; and

WHEREAS, The Council of the Town of Berryville wishes to commend Mrs. Brown and recognize the positive impact she has had on our community and congratulate her on her One Hundredth birthday;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Berryville, that Tuesday, October 4, 2011, shall be, and hereby is officially declared to be commemorated as Viola Brown Centennial Celebration Day in the Town of Berryville, Virginia.

By order of the Town Council this thirteenth day of September, 2011.


Wilson Kirby, Mayor


Harry Lee Arnold, Jr., Recorder

6. Planning and Zoning Matters: Christy Dunkle

Public Hearing – To present information and seek public comment on The Northern Shenandoah Valley Regional Water Supply Plan and the Town of Berryville Drought Ordinance.

Ms. Dunkle noted that the citizen who spoke at the Public Hearing on the Water Supply Plan was referring to the sewer projection numbers that the Town Council has looked at several times and that these numbers are not part of the Water Supply Plan. She then presented three motions required to adopt the Water Supply Plan and implement a drought ordinance.

Council member Daniel asked for clarification of the numbers used in the sanitary sewer projections. Ms. Dunkle noted that the sewer projection numbers have nothing to do with the Water Supply Plan.

Upon motion by Recorder Arnold, seconded by Council member Kitselman the Council of the Town of Berryville adopted the attached Resolution Adopting the Northern Shenandoah Valley Regional Water Supply Plan. (Appendix 1.)

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Mary Daniel Allen Kitselman David Tollett Lawrence Russell, III
Nays:	None
Absent:	None
Abstain:	None
Absent During Vote:	None

RESOLUTION OF THE COUNCIL OF THE TOWN OF BERRYVILLE

A RESOLUTION ADOPTING THE NORTHERN SHENANDOAH
REGIONAL WATER SUPPLY PLAN.

WHEREAS, Virginia State Water Control Board Regulation 9 VAC 25-780, Local and Regional Water Supply Planning, requires all counties, cities and towns in the Commonwealth of Virginia to prepare and submit a water supply plan to the Department of Environmental Quality (DEQ); and

WHEREAS, the Town of Berryville is a participant in the Northern Shenandoah Valley Regional Water Supply Planning Group comprised of twenty jurisdictions including the City of Winchester; the five Counties of Clarke, Frederick, Page, Shenandoah, and Warren; and the fourteen Towns of Berryville, Boyce, Edinburg, Front Royal, Luray, Middletown, Mount Jackson, New Market, Shenandoah, Stanley, Strasburg, Stephens City, Toms Brook, and Woodstock; and

WHEREAS, on September 13, 2011, the Town of Berryville held a public hearing to accept public comment on the Regional Water Supply Plan; and

WHEREAS, the adopted Regional Water Supply Plan must be submitted to the DEQ on or before November 2, 2011.

NOW, THEREFORE BE IT RESOLVED that the Council of the Town of Berryville hereby adopts the Regional Water Supply Plan as it pertains to the Town of Berryville. Approval and adoption of this regional plan indicates support for and general agreement with the regional planning approach, but does not indicate approval or disapproval of conclusions and recommendations presented in the plan as they pertain to other localities. The Town of Berryville reserves the right to comment on specific water supply alternatives in the future even though such alternatives may be recommended in this adopted plan. The Town of Berryville will not be limited to specific water supply alternatives in this adopted plan and reserves the right to recommend additional alternatives for consideration in the future.

BE IT FURTHER RESOLVED that the Council of the Town of Berryville intends that the Regional Water Supply Plan shall be revised to reflect changes in relevant data at least once every five years and resubmitted to Virginia Department of Environmental Quality every ten years in accordance with the regulation and sound planning practice.

PASSED, APPROVED AND ADOPTED by the Council of the Town of Berryville at a meeting held on September 13, 2011.



Wilson L. Kirby, Mayor

I hereby certify that the foregoing Resolution was duly adopted by the Council of the Town of Berryville in meeting assembled September 13, 2011.

ATTEST:



Harry L. Arnold, Jr., Recorder

Upon motion by Council member Tollett, seconded by Council member Kitselman the Council of the Town of Berryville adopted the attached ordinance repealing Chapter 17 Water, Sewer and Sewage Disposal, Article II, Water Generally, Section 17-24, Emergency Restrictions.

VOTE:

Recorded Vote:

Ayes:

Wilson Kirby, Mayor
Harry Lee Arnold, Jr., Recorder
Mary Daniel
Allen Kitselman
David Tollett
Lawrence Russell, III

Nays:

None

Absent:

None

Abstain:

None

Absent During Vote:

None

AN ORDINANCE REPEALING
CHAPTER 17, WATER SEWER AND SEWAGE DISPOSAL;
ARTICLE II, WATER GENERALLY;
SECTION 17-24 EMERGENCY RESTRICTIONS

BE IT ORDAINED, by the Council of the Town of Berryville, that Chapter 17, Water, Sewer and Sewage Disposal; Article II, Water Generally, Section 17-24, Emergency Restrictions is repealed.

I HEREBY CERTIFY THAT THE FOREGOING Ordinance was duly adopted by the Council of the Town of Berryville in a meeting assembled on September 13, 2011.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Mary Daniel Allen Kitselman David Tollett Lawrence Russell, III
Nays:	None
Absent:	None
Abstain:	None
Absent During Vote:	None

SIGNED Wilson Kirby
Wilson Kirby, Mayor

Date: September 13, 2011

ATTEST: Harry Lee Arnold, Jr.
Harry Lee Arnold, Jr., Recorder

Date: September 13, 2011

Upon motion by Recorder Arnold, seconded by Council member Kitselman the Council of the Town of Berryville adopted the attached Ordinance Amending Chapter 17, Water, Sewer and Sewage Disposal; Article II, Water Generally; to add Section 17-25, Drought Response Ordinance.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Mary Daniel Allen Kitselman David Tollett Lawrence Russell, III
Nays:	None
Absent:	None
Abstain:	None
Absent During Vote:	None

AN ORDINANCE AMENDING
CHAPTER 17, WATER SEWER AND SEWAGE DISPOSAL;
ARTICLE II, WATER GENERALLY;
TO ADD SECTION 17-25 DROUGHT RESPONSE ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, that Chapter 17, Water, Sewer and Sewage Disposal; Article II, Water Generally is amended to add Section 17-25, Drought Response Ordinance as attached. (ATTACHMENT 1.)

I HEREBY CERTIFY THAT THE FOREGOING Ordinance was duly adopted by the Council of the Town of Berryville in a meeting assembled on September 13, 2011.

VOTE:

Recorded Vote: .

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Mary Daniel Allen Kitselman David Tollett Lawrence Russell, III
Nays:	None
Absent:	None
Abstain:	None
Absent During Vote:	None

SIGNED Wilson Kirby
Wilson Kirby, Mayor

Date: September 13, 2011

ATTEST: Harry Lee Arnold, Jr.
Harry Lee Arnold, Jr., Recorder

Date: September 13, 2011

Update- Rural Long Term Transportation Plan

Ms. Dunkle said that the Council was updated on the Northern Shenandoah Valley Rural Long Range Transportation Plan at their January meeting. She said that Mr. Dalton and Mr. Ash submitted comment letters on the first draft of the plan to the Northern Shenandoah Valley Regional Commission. She reported that a final plan has been developed. She said that a meeting will be held on Thursday, September 29, 2011 in Front Royal to discuss the final draft. She asked that if Council has any additional comments to submit them to her.

Update on Clarke County High School

Ms. Dunkle said that the sediment basin on the high school site has seen a lot of activity during the past week and that it is draining properly. She said that inclement weather has also impacted the open cut across West Main Street. She said that a modified design of the storm water pipe is currently underway. She said that a new structure between the existing water and sanitary sewer will be installed in order to allow for the new storm pipe to remain above the sanitary line along the north side of the road.

U-1 VDOT Submission

Ms. Dunkle reported that staff has been working on the submission of U-1 forms to VDOT. She said that these forms are used to determine maintenance reimbursements to the Town of Berryville.

Ms. Dunkle presented a Resolution Requesting U-1 Inventories to the Existing State Inventory and Acceptance of Streets into the Urban Highway System.

Upon motion by Council member Daniel, seconded by Council member Kitselman the Council of the Town of Berryville adopted the attached Resolution Requesting U-1 Inventories to the Existing State Inventory and Acceptance of Streets into the Urban Highway System.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Mary Daniel Allen Kitselman David Tollett Lawrence Russell, III
Nays:	None
Absent:	None
Abstain:	None
Absent During Vote:	None

RESOLUTION OF THE COUNCIL OF THE TOWN OF BERRYVILLE
A RESOLUTION REQUESTING U-1 INVENTORIES TO THE EXISTING STATE
INVENTORY AND ACCEPTANCE OF STREETS
INTO THE URBAN HIGHWAY SYSTEM

WHEREAS, the Town of Berryville population has increased above 3,500 in the 2010 Census; and

WHEREAS, the Town of Berryville will submit the attached U-1 forms to the Virginia Department of Transportation as inventory of the existing state maintained streets and those previously not in the states secondary street system; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Town of Berryville, Virginia hereby requests the Virginia Department of Transportation to accept the following streets as shown on the attached U-1 forms into the Urban Highway System for maintenance payments in accordance with § 33.1-41.1 of the Code of Virginia, 1950 as amended.

Passed this 13th day of September, 2011.



Harry Lee Arnold, Jr., Recorder

Use of Bond Proceeds for Mosby Boulevard

Ms. Dunkle said that staff sent Mr. Echols a letter in January of this year requesting that the portion of Mosby Boulevard included in Section 4B be completed by June 1, 2011 in order to accommodate the completion of the road through to West Main Street. She said that the VDOT project is anticipated to begin early in 2012. She said that a second letter was sent to Mr. Echols in August requesting the road be completed by September 15, 2011. She said that the bond amount being held for Section 4B is \$152,691.00.

Mayor Kirby recognized Alton Echols representing Ketocin Land Company.

Mr. Echols said that he received a letter in January requesting that the road be completed by June. He said he set up with Stuart Perry to get the work done and that he also put in a request to VDOT in February to make sure the road would be accepted if he completed it. He said that he has experience with completing roads and then they are not accepted by VDOT. Mr. Echols said that the upshot is that Bobby Boyce of VDOT said the road should not be completed until the school is finished. He also said that Perry could not schedule the work until December and that these two things have stopped him from completing the road.

Mr. Echols said that he doesn't believe that this situation warrants calling the bond. He said that it would be quite detrimental to his business.

Mayor Kirby said that while there is a bond that we can tap into, Mr. Boyce has indicated he prefers that the overlay be made all in one lay. He said that it makes sense because it eliminates a joint. He said that the question is should the Town Council allow Mr. Echols to wait until the construction of Mosby is complete to finish his portion of the road.

Council member Daniel asked if the Streets and Utilities Committee had addressed the matter. The Mayor said that they have not. Council member Kitselman said that we need to get with VDOT to determine exactly what the schedule is for Mosby and then give Mr. Echols a deadline. There was a general discussion of the matter.

Mr. Dalton said that staff is concerned about the worst case scenario in which the high school opens and we have a section of Mosby that only has bare asphalt and has raised manholes. He said that is why the communication was begun with Mr. Echols about the matter. He said that the problem is logistical because VDOT's project butts up to Mr. Echols' property. Mr. Dalton said that staff is concerned because there is a process that must be followed in order to compel Mr. Echols to complete the work. He said that this concern stems from previous problems with road completion on Mr. Echols' part. He said that this will be a problem for the town if the high school opens and this portion of the road is not completed.

Mr. Dalton said that staff has no desire to cause Mr. Echols problems with his business but they feel the need to set the stage to make sure that this section is completed by the time the high school opens. He said that we can wait until VDOT has a better idea of

their schedule but this can lead to a time crunch if council does have to pull the bond to get the work done and the town then has to scramble to hire a contractor to do the work. He said that staff cannot guarantee that they can make it work if we wait because of the process to pull the bond and the purchasing process required to hire a contractor.

Council member Kitselman said that we will have to determine the time frame for the worst case scenario and then pull the bond a month before that. Council member Daniel asked if this is a choice between taking a chance that the work doesn't get done at the same time as the rest of Mosby Boulevard versus forcing it through on a timetable that we do control and most likely getting second class work.

Mr. Dalton said that if it is the Town Council's desire to wait, staff can hold off until 2012 and try to coordinate with Mr. Echols and VDOT.

Mr. Echols said that he prefers to complete the road when the school board completes its portion of the road, not when VDOT completes theirs. Mr. Dalton said that he thinks that it's great if Mr. Echols wants to coordinate with the school.

Mayor Kirby recommended that this item should be placed on the March Town Council agenda because VDOT's construction schedule for Mosby Boulevard should be set by then. Council member Kitselman agreed. There was a consensus that the item should be placed on the March 2012 Town Council agenda.

6. Report of Town Manager

Darbybrook Homeowner's Association

Mr. Dalton presented a copy of the letter that the Council directed him to draft a letter outlining Town Council's concerns about the proposed agreement sent to the Council by the Darbybrook Homeowner's Association. (ATTACHMENT 2.)

Mr. Dalton said that the only other thing that has occurred on this matter is that Congressman Frank Wolfe received correspondence from a Darbybrook resident regarding the matter. (ATTACHMENT 3.)

Mayor Kirby said that he stands by his statement that there is a responsibility that the Darbybrook Homeowner's Association needs to adhere to. He said that membership in this HOA is not something that the Town of Berryville has forced them to do. He said that the HOA was placed on the subdivision by the developer and has failed because there has been no enforcement of the HOA regulations. He said that he is in favor of setting this item aside and that he doesn't think that the Town of Berryville should take responsibility for managing the common property.

Council member Kitselman said that he takes umbrage at this group sending an e-mail to a Congressman stating that members of the Town Council are commenting anonymously on the Clarke Daily News. He said that the citizens of Berryville are being asked to take over a responsibility that these homeowners don't wish to shoulder, so he is baffled at why they would take such a stance.

Recorder Arnold said that the HOA needs to try to solve their problems internally before coming to the citizens of Berryville for a solution.

Council member Tollett said that he is hard pressed to put this burden on the taxpayers of Berryville.

Upon motion by Council member Daniel, seconded by Council member Russell the Council of the Town of Berryville directed the Town Manager to communicate with the legal representative of the Darbybrook Homeowner's Association indicating that the Town Council declines to enter into the draft agreement delivered by the Darbybrook Homeowner's Association to the Town Council on July 27, 2011.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Mary Daniel Allen Kitselman David Tollett Lawrence Russell, III
Nays:	None
Absent:	None
Abstain:	None
Absent During Vote:	None

Spot Blight Abatement

Mr. Dalton explained that at last month's Town Council Meeting, the Town Council agreed to have a public hearing concerning the blight abatement plan for 23 Josephine Street. He said that this public hearing was set in anticipation of a recommendation on the matter being forwarded from the Planning Commission. The Planning Commission determined that it would provide the property owner with three more months to develop a blight abatement plan. He said that because of this, the public hearing before the Town Council was canceled. He said that the Planning Commission will address the matter again at their November 22 meeting.

Mr. Dalton said that he is continuing to work with two other property owners concerning the condition of their property. He said that the Planning Commission will hold a public hearing on the blight abatement plan for 109 Liberty Street at their September meeting. He said that he has been in contact with the property owner and that they had a good conversation. He said that the property owner's intent has been to demolish the structure.

Mr. Dalton said that he has been working with the property owner at 12 First Street and that work began but has now stopped. He said that if the condition of the property is not

addressed then it is anticipated that the Planning Commission will hold a public hearing regarding a plan for 12 First Street in October.

Halloween

Mr. Dalton said that in accordance with § 13-38 of the Berryville Code, Town Council may designate the date and hours during which Halloween night will be celebrated in Town. He said that he recommends that Halloween night be celebrated on Monday, October 31 from the hours of 6 p.m. to 8:30 p.m. Upon motion by Council member Daniel, seconded by Council member Kitselman the Town Council unanimously approved the suggested hours.

Holiday Schedule/Amendment to Employee Handbook

Mr. Dalton requested that the Town Council review the holiday schedule and determine if the Town will observe the holidays as observed by the Commonwealth of Virginia. He said that this year the Commonwealth has added the following holidays: Wednesday, November 23, closing at noon and Friday, December 23, all day.

He also asked the Town Council to consider returning the language of the Berryville Employee Handbook section on Holidays to where it was many years ago. He explained that the section once provided that Holidays declared by the President of the United States, Governor of Virginia or the Town Council were also observed. In November 1995 the Town Council removed the language where declarations of the President and Governor were included. Essentially this required Town Council to approve any such declarations. This was done because it was felt that Virginia's Governor at the time was declaring too many holidays. He said that since that time he could only recall one or two times where the Town Council did not follow the declarations of Virginia's Governor.

Mayor Kirby said that he has always been in favor of following the Commonwealth's calendar.

Upon motion by Council member Russell, seconded by Council member Tollett the Council of the Town of Berryville adopted the attached change to Section 305 of the Town of Berryville Employee Handbook.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Mary Daniel Allen Kitselman David Tollett Lawrence Russell, III
Nays:	None
Absent:	None
Abstain:	None

Absent During Vote: None

Town of Berryville Employee Handbook

305 Holidays

Effective Date:

12/18/1998

Revision Date:

09/13/2011

The Town of Berryville will grant holiday time off to all employees on the holidays listed below:

- * New Year's Day (January 1)
- * Martin Luther King, Jr. Day (third Monday in January)
- * Presidents' Day (third Monday in February)
- * Memorial Day (last Monday in May)
- * Independence Day (July 4)
- * Labor Day (first Monday in September)
- * Columbus Day (second Monday in October)
- * Veterans' Day (November 11)
- * Thanksgiving (fourth Thursday in November)
- * Day after Thanksgiving
- * Christmas (December 25)

In addition, any other day so declared by the President, Governor of Virginia or the Town Council.

The Town of Berryville will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- * Regular full-time employees

To be eligible for holiday pay, employees must be on pay status the day immediately preceding and the first scheduled day immediately following the holiday.

If the nature of services of a department requires that department operate on a holiday, alternative plans for providing an equal number of holidays to employees of the department may be authorized by the Town Manager.

Eligible non-exempt employees who, due to a work schedule of a continuous operation, are unable to observe any of the above scheduled or approved alternative holidays, are eligible for pay for overtime work at a rate of twice their regular hourly or equivalent hourly rate. This provision for holiday overtime pay shall apply to employees who, due to the nature of services of the employee's department, are requested to work on a scheduled or approved alternative holiday

by the department head, with approval of the Town Manager.

Exempt employees may accrue compensatory time for holidays worked at the direction of the Town Manager.

A recognized holiday that falls on a Saturday will be observed the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Paid time off for holidays will be counted as hours worked for the purposes of determining whether overtime pay is owed.

7. Standing Committee Reports

a) BADA Liaison – Allen Kitselman

Council member Kitselman reported that the BADA is considering a site plan amendment for a social hall at St. Bridget's church at their next meeting. He said that the BADA was also approached about the request from the Darbybrook Homeowner's Association. He said that he consulted with his County counterpart on the BADA and the item was not considered by the BADA.

b) Budget Finance / CIP – Jay Arnold

Ms. Moreland said that field work for the audit will be complete on October 11. She said that the auditors will make a presentation at the November meeting and that this presentation is required because the Town's population is now over 3500.

Ms. Moreland then presented proposed ordinance changes that staff recommends regarding permanent auto decals. She said that some of the changes are housekeeping, changing the word "fee" to "tax" to coincide with State Code language, as well as changing the word "plate" to "decal". She said that the other suggested changes deal with pro-ration of the tax for those who acquire a vehicle halfway through the year. She said the suggested changes would also change the due date of the decal tax from February 15 to December 5 to coincide with the date that Personal Property taxes are due.

Upon motion by Recorder Arnold, seconded by Council member Kitselman the Council of the Town of Berryville adopted the attached ordinance repealing and re-enacting Chapter 10, Motor Vehicles and Traffic; Article II, Vehicle License, of the Code of the Town of Berryville, as attached.

VOTE:

Recorded Vote:

Ayes:

Wilson Kirby, Mayor
Harry Lee Arnold, Jr., Recorder
Mary Daniel
Allen Kitselman
David Tollett
Lawrence Russell, III

Nays:

None

Absent:

None

Abstain:

None

Absent During Vote:

None

AN ORDINANCE TO REPEAL AND RE-ENACT
CHAPTER 10, MOTOR VEHICLES AND TRAFFIC;
ARTICLE II, VEHICLE LICENSE OF
THE CODE OF THE TOWN OF BERRYVILLE

BE IT ORDAINED, by the Council of the Town of Berryville, that Chapter 10, Motor Vehicles and Traffic; Article II, Vehicle License, of the Code of the Town of Berryville, is repealed and re-enacted as attached.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Mary Daniel Allen Kitselman David Tollett Lawrence Russell, III
Nays:	None
Absent:	None
Abstain:	None
Absent During Vote:	None
Ayes:	

SIGNED



Wilson Kirby, Mayor

Date: September 13, 2011

ATTEST:



Harry Lee Arnold, Jr., Recorder

Date: September 13, 2011

ARTICLE II. VEHICLE LICENSE*

***Cross references:** Licenses generally, Ch. 9.

Sec. 10-27. License tax imposed.

Except as provided by state law, there is hereby imposed upon all vehicles, all motor vehicles, trailers, or semitrailers normally garaged, stored, or parked in the town a license fee pursuant to this article. If it cannot be determined where any motor vehicle, trailer, or semitrailer is normally garaged, stored, or parked, the situs for the imposition of licensing fees under this article shall be the domicile of its owner.

(Ord. of 2-6-96)

State law references: Local license taxes on vehicles, § 46.2-752A.

Sec. 10-28. Tax levied.

There is hereby levied, assessed and charged, upon all motor vehicles, trailers and semitrailers required to be licensed under this article annual license taxes as follows:

(1) Upon each automobile, station wagon, motor home, truck or tractor, twenty-five dollars (\$25.00).

(2) Upon each motorcycle, twelve dollars (\$12.00).

(3) Upon each trailer or semitrailer, eight dollars (\$8.00).

(Code 1971, § 11-65; Ord. of 12-11-73; Ord. of 12-12-78; Ord. of 7-11-89; Ord. of 4-12-05)

(4) If any license tax imposed by this article is not paid by December 5 of each year or the due date as indicated on the personal property tax bill of any license year, there shall be added to such license fee a delinquent charge of \$10.00 to be assessed and paid along with the license fee.

Cross references: Taxation generally, Ch. 16.

State law references: Authority for above tax of Virginia, § 46.2-752

Sec. 10-29. Proration of taxes.

Should a vehicle be acquired or newly garaged in town after July 1, the fee shall be one-half the rate set forth in this article.

Editor's note: The Ord. of Sept. 8, 2009(3), repealed former § 10-29 in its entirety which pertained to a proration of tax and derived from the Code 1971, § 11-66; Ord. of 12-11-73; Ord. of 12-12-78; Ord. of 7-11-89; Ord. of 4-12-05.

Sec. 10-30. Payment of personal property taxes as prerequisite to licensing.

No motor vehicle, trailer or semitrailer shall be licensed under this article unless and until the applicant for such license shall have produced satisfactory evidence that all personal

property taxes upon the vehicle to be licensed have been paid and satisfactory evidence that any delinquent motor vehicle, trailer, or semitrailer personal property taxes, which have been properly assessed or are assessable against the applicant by the town, have been paid.

(Code 1971, § 11-68; Ord. of 12-11-73)

State law references: Authority for above section, Code of Virginia, § 46.2-752)

Sec. 10-31. Issuance of decal.

Any person owning a motor vehicle, trailer or semitrailer required to be licensed under this article, with reference to which there has been issued a state license, and regardless of the month in which issued by the state, shall present the state registration card for the vehicle to the town treasurer upon acquisition or garaging of a vehicle. Upon such presentation and upon payment of the tax prescribed by this article and compliance with section 10-30, the town shall issue to such person a town license decal for the vehicle covered by the state registration card so presented.

(Code 1971, § 11-67; Ord. of 12-11-73; Ord. of 9-8-09(1))

Sec. 10-32. Contents of decal.

Each decal issued pursuant to this article shall, at a minimum, contain the name of the town and the number assigned the vehicle for which issued.

(Code 1971, § 11-70; Ord. of 12-11-73; Ord. of 9-8-09(2))

Sec. 10-33. Display of decal generally.

(a) A license decal issued under this article shall be securely attached to the vehicle for which issued in such a manner that it shall be clearly visible from the rear thereof, except a vehicle with a windshield, in which case the decal shall be placed on the windshield to the right and adjacent to the state inspection sticker, no higher than three (3) inches from the bottom of the windshield of such vehicle.

(Code 1971, § 11-71; Ord. of 12-11-73)

Sec. 10-34. Failure to display license; display of expired license.

It shall be unlawful for any owner or operator of a motor vehicle, trailer or semitrailer to fail to obtain and display the license or decal required by this article or to display upon such motor vehicle, trailer or semitrailer any license of the town after its expiration dated. Any violation of this section shall constitute a misdemeanor punishable by a fine not exceeding the penalty for a violation of a Class 4 misdemeanor. Officers of the Berryville Police Department, in addition to any other law enforcement officers authorized by law, are authorized to issue citations, summonses, parking tickets, or uniform traffic summonses for violations of this section. A violation of this section may not be discharged by payment of the fine except upon presentation of satisfactory evidence that the required license has been obtained.

Any such violation of this section may be satisfied, in full, by payment to the town treasurer of twenty-five dollars (\$25.00) within fifteen (15) days of such violation, thirty-five dollars (\$35.00) within thirty (30) days of such violation or forty-five dollars (\$45.00) after thirty (30) days of such violation provided further, that, in each such case, such person provide satisfactory evidence that the local license required by section 10-34,

or the license of another locality required under ordinance enacted pursuant to Section 46.2-752 of the Code of Virginia, has been obtained.

(Ord. of 7-8-86; Ord. of 3-9-93; Ord. of 2-6-96; Ord. of 9-9-97; Ord. of 4-10-01(1))

State law references: Authority for above section, Code of Virginia, § 46.2-752G.

Sec. 10-35. Replacement decals.

For each replacement vehicle license decal, where the original decal has become mutilated, the applicant shall pay to the town the sum of one dollar (\$1.00).

(Code 1971, 11-72; Ord. of 12-11-73)

Sec. 10-36. Transfer of decal.

License decals issued under this article may not be transferred from one vehicle to another, unless the vehicles are owned by the same applicant and the applicant notifies the town treasurer of his intention to so transfer such plate or decal. A fee of one dollar (\$1.00) shall be paid for each such transfer.

(Code 1971, § 11-73; Ord. of 12-11-73)

Sec. 10-37. Reserved.

Editor's note: An Ordinance adopted Feb. 6, 1996, renumbered former section 10-37 as 10-39.

Sec. 10-38. License tax exemption for certain volunteer members of fire departments and rescue squads.

(a) The town treasurer shall issue a decal without charging a tax for one (1) motor vehicle which is regularly used by each active volunteer rescue squad member or active volunteer fire department member to respond to calls or to perform other duties for the John H. Enders Volunteer Fire Company and Rescue Squad, provided that all other requirements of the ordinance are met and that such active volunteer shall furnish to the treasurer a certification by the chief or head of the volunteer organization that the said active volunteer is an active member of the volunteer rescue squad or volunteer fire department who regularly responds to calls or regularly performs other duties for the rescue squad or fire department, and the motor vehicle is identified as regularly used for such purposes. For purposes of this section an "active volunteer member" shall be defined as one meeting specified eligibility standards for such designation as determined by the volunteer organization and as approved by the town treasurer.

(b) Application by an active volunteer for such exempt tax license shall be made between March 15th and April 15th or within thirty (30) days of registration with the Commonwealth of Virginia. The treasurer shall not issue such tax exempt license to applicants who fail to apply within this prescribed period.

(c) The prerequisites set forth in section 10-30 herein shall apply to any motor vehicle license issued pursuant to these provisions.

(Ord. of 8-14-90)

State law references: Similar provisions, Code of Virginia, § 46.2-752.A.

Sec. 10-39. Regional compact for cross-jurisdictional enforcement of local motor vehicle licensing requirements.

Pursuant to section 46.2-752.K of the Code of Virginia, the Town of Berryville shall be a member of the Regional Compact for Cross-Jurisdictional Enforcement of Local Motor Vehicle Licensing Requirements with the City of Winchester, the Counties of Clarke and Frederick, and the Towns of Boyce, Middletown and Stephens City.

(Code 1971, § 11-69; Ord. of 12-11-73; Ord. of 3-14-95; Ord. of 2-6-96)

Note: See editor's note, § 10-37.

Secs. 10-40--10-47. Reserved.

c) Community Improvements – Allen Kitselman

Mr. Kitselman said that there was a committee meeting today at 6:00 p.m. and that four concept designs for directional signage were presented by Frasier and Associates in conjunction with Virginia Main Street.

d) Planning Commission – Lawrence Russell - Nothing to add to Planner's report.

e) Police and Security – Mary Daniel –

Council member Daniel said that the next committee meeting will be on October 5. Chief White said that a child safety seat event will take place at Food Lion on September 24 and that there will be a National Drug Take Back Day on October 29 at the Enders parking lot.

f) Streets and Utilities – Wilson Kirby

Nothing to add.

g) Personnel / Appointments – Jay Arnold

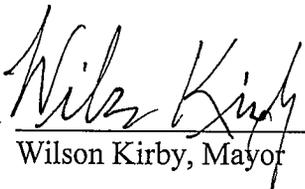
Nothing to add.

8. Other

Mayor Kirby reported that there will be a session about local government for the Berryville Primary students at the Government Center on Thursday.

9. Adjourn

Upon motion by Council member Russell, seconded by Council member Kitselman and passed, the Council meeting was adjourned at 8:53 p.m.



Wilson Kirby, Mayor



Harry Lee Arnold, Jr., Recorder

Section 17-25 DROUGHT RESPONSE ORDINANCE**(A) DROUGHT SUPPLY SITUATIONS**

The Town of Berryville acknowledges that there may be situations where the water supply to the Town's water system is reduced by a variety of factors. In recognition of this, the Town intends to apply educational, and ultimately enforcement actions, to achieve water conservation measures of varying degrees. This plan should enable appropriate water usage by appropriate water users at reduced consumption levels during these periods as declared by the Town Council of Berryville, Virginia.

(B) DROUGHT WATER SUPPLY RESPONSE PLAN

The Town Council of Berryville adopts by reference the current version of the Northern Shenandoah Valley Regional Commission (NSVRC) Drought Response Plan. The adoption of this plan, or a substitution plan authorized by the Town Council, is pursuant to, and authorized by, applicable sections of the Virginia Code (as required by 9VAC 25-780-120; and as authorized by Code of Virginia §15.2-923(ii) – Local Water-Saving Ordinances, and §15.2-924 – Water Supply Emergency Ordinances).

(C) CONSTRUCTION SITE STABILIZATION DURING DROUGHT CONDITIONS

To stabilize construction sites during drought conditions, strict adherence to the Erosion and Sediment Control (ESC) Minimum Standards and the Virginia ESC Handbook, along with frequent site inspection, must be applied. The Virginia Department of Conservation and Recreation Erosion & Sediment Control Technical Bulletin No. 3 recommends the following construction site stabilization methods during drought conditions:

- (1) Preserve established vegetation on construction sites.
- (2) Establish new vegetation to stabilize construction sites while conserving water.
- (3) Stabilize construction sites using non-vegetative methods.
- (4) Research other water conservation resources as identified on the bulletin.

(D) DECISIONS/DECLARATIONS AND DATA SOURCES

- (1) The Town Council reserves the right to interpret local water system data, and have sole control over the declaration of a drought/low water supply Watch, Warning, or Emergency. Likewise, the Town Council reserves the right to reduce, rescind, or eliminate any such declaration. The Mayor and Town Manager may make the following declarations in accordance with provisions of this section.

WATCH

When a 10% reduction **or more** in available water supply is observed. Under a Watch declaration, the following voluntary measures are sought:

- a. Voluntary water conservation
 - i. Residents/businesses are asked to review their water usage and be aware of and limit high water use including but not limited to overwatering lawns, washing sidewalks and driveways.
 - ii. Residents/businesses are asked to only water on even or odd days based on their address. If their address is an even number, water on even numbered days, if their address is an odd number, water on odd numbered days.

WARNING

When a 15% reduction **or more** in available water supply is observed. Under a Warning declaration, the following voluntary measures are sought:

- a. Voluntary water conservation
 - i. Residents/businesses are asked to review their water usage and be aware of and limit high water use.
- b. Mandatory water restrictions
 - i. Residents shall only water on even or odd days based on their address as specified above.
 - ii. Where possible, non-vegetative Erosion and Sediment Control methods shall be employed as identified in the Virginia Department of Conservation and Recreation Erosion & Sediment Control Technical Bulletin No. 3. Drought bond is in an amount designated by the Community Development Director.
 - iii. No car washing or outdoor washing. Commercial carwashes utilizing public water will be permitted to operate if they can demonstrate that at least 50% of the water used is recycled during the car washing process. Commercial carwashes where well water is used may operate as usual but shall post signs at the business indicating such water source.
 - iv. No washing of streets, driveways, parking lots, service station aprons, office buildings, exteriors of homes or apartments or other outdoor surfaces.
 - v. No operation of any outdoor fountain or other structure making a similar use of water.
 - vi. No filling of swimming and/or wading pools.
 - vii. No use of water from fire hydrants for any purpose other than fire suppression or other public emergency.

EMERGENCY

When a 20% reduction **or more** in available water supply is observed. Under an Emergency declaration the following are mandatory restrictions

- a. Mandatory water restrictions
 - i. Public/businesses are required to conserve. Penalties/sanctions are enforceable pursuant to Town Ordinance for failure to comply with restrictions as listed.
 - ii. Public notification will be posted of "Mandatory water restrictions in effect."
 - iii. All mandatory restrictions listed under the Warning Level shall be enforced.
 - iv. High water uses (those consistently using more than 1,000 gal/day) shall have prepared curtailment plans demonstrating how they shall respond to emergency situations and shall implement such.
 - v. No car washing or outdoor washing. Commercial carwashes will be permitted to operate if they can demonstrate that at least 50% of the water used is recycled during the car washing process. Commercial carwashes where well water is used may operate as usual but shall post signs at the business indicating such water source.
 - vi. No lawn watering. Use of gray water permitted for plants, shrubs and gardens in accordance with Virginia Department of Health and Virginia Department of Environmental Quality standards.
 - Definitions of gray water
 - Relatively clean waste water, such as from kitchen, bathroom (not the toilet), and laundry cycles. This water can be reused or recycled with little or no treatment for landscape irrigation and other non-potable uses.
 - waste water discharged from residential lavatories, bathtubs, showers, clothes washers, and laundry trays.
 - vii. No "topping off" of swimming pools.

- (2) The Town Council shall choose their local data sources, establish their local trigger points for the varying declarations, and evaluate various information sources prior to enabling or rescinding any noted declaration.
- (3) Should the NSVRC Drought Response Plan become unsuitable to the Town of Berryville, the Council reserves the right to substitute its own drought/low water supply response plan (as approved by the Commonwealth) in lieu of Section 15-25(b).
- (4) Should the water usage reduction measures implemented by the Town, either voluntary or mandatory, prove inadequate, the Town Council of Berryville shall have the authority to impose additional measures to achieve the water usage reduction goals.

(e) ENFORCEMENT

- (1) Violations of this section shall constitute an offense as outlined herein. The Berryville Police Department shall be charged with enforcing this ordinance.
- (2) During a **WATCH** declaration:
 - a. Verbal reminder for any noted issues.
- (3) During a **WARNING** declaration enforcement for mandatory restrictions:
 - a. First offense Verbal warning
 - b. Second offense Written warning notice
 - c. Third offense Disconnection of service and initiation of legal action
- (4) During an **EMERGENCY** declaration enforcement for mandatory restrictions:
 - a. First offense Written warning notice
 - b. Second offense Disconnection of service
 - c. Third offense Disconnection of service and Initiation of legal action
- (5) Reconnect fees shall apply to any customer whose service was disconnected under in violation of the Emergency declaration.
- (6) Flagrant and/or repeat offenders of any declaration may, by decision of the Town Manager, initiate legal action of this provision.

(f) **ENFORCEMENT ACTIONS**

Any person who shall violate any of the provisions of this section, or of any of the conservation regulations promulgated by the mayor and town manager pursuant thereto, shall upon conviction thereof, be fined not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500.00). Each act or each day's continuation of the violation shall be considered a separate offense. In addition to the foregoing, the town manager may suspend water service to any person continuing to violate the provisions of this section or the regulations promulgated hereunder. If such water service is terminated, the person shall pay a reconnection fee as established by Town Council before service will be restored.

(g) **APPEAL PROCESS**

- (1) If a customer wishes to appeal any decision by the Town Manager, they may present their case before the Town Council.
- (2) If a customer wishes to appeal any decision by the Town Council, they may present their case before the Circuit Court.

(h) **NOTIFICATION**

- (1) The Mayor and Town Manager, upon rendering a decision pursuant to this Chapter, may make such decision known to the public by a variety of media

sources such as newspaper, local television access channel, written notices, and/or telephone contacts.

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



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

www.berryvilleva.gov

September 14, 2011

E. Scott Smalley, Esquire
 Church Street
 Berryville, VA 22611

Dear Mr. Smalley:

The Berryville Town Council received your letters of July 27, 2011 and July 28, 2011 concerning the Darbybrook Homeowners Association.

Your July 27 letter communicated your client's position concerning an agreement to transfer two parcels of land currently owned by your client to the Town of Berryville. The letter indicates that any such agreement needs to be approved by the "full Homeowners Association".

With regard to the draft agreement submitted with the July 27 letter, we provide the following questions:

- How would such an agreement benefit/affect the property owners of Darbybrook?
- How would such an agreement benefit/affect all of the citizens of Berryville?
- How did your client arrive at the \$20,000 payment figure?
- Did your client intend to require the Town of Berryville to maintain the "recreational lot" as a recreational area in perpetuity?
- Did your client intend to provide no means of accessing costs of significant repairs or maintenance once the payment funds have been exhausted?
- Who will maintain the entrance features located at the intersection of Fairfax and First Streets?
- Who will maintain the private lane that serves the lots along First Street?

Your July 28, 2011 letter was written in response to the Town's request for the Darbybrook HOA Disclosure Packet. In that letter you communicated your client's decision to deny our request. The Town Council finds it very difficult to reconcile your client's position considering their interest in transferring HOA property to the Town of Berryville. Simply put, your client desires to transfer property to the Town of Berryville but does not believe the Town should have access to information that should be available to any property owner in Darbybrook.

Wilson Kirby
 Mayor

Harry Lee Arnold, Jr.
 Recorder

Council Members

Lawrence Russell, III
 Ward 1

H. Allen Kitzelman, III
 Ward 2

Mary L.C. Daniel
 Ward 3

David L. Tollett
 Ward 4

Keith R. Dalton
 Town Manager

E. Scott Smalley
September 14, 2011
Page 2

If a response to this letter is received by the Town of Berryville before September 30, 2011, then this matter will be placed on the October 11, 2011 Town Council agenda for discussion.

Please contact Keith Dalton, Town Manager if you have any questions concerning this matter.

Sincerely,

Wilson Kirby
Mayor

Cc: Town Council
Keith Dalton, Town Manager
Christy Dunkle, Asst. Town Manager

FRANK R. WOLF
10TH DISTRICT, VIRGINIA



241 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4810
(202) 225-5139

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:

CHAIRMAN—COMMERCE-JUSTICE-SCIENCE

TRANSPORTATION-HUD

STATE AND FOREIGN OPERATIONS

CO-CHAIR—TOM LANTOS
HUMAN RIGHTS COMMISSION

13873 PARK CENTER ROAD
SUITE 130
HERNDON, VA 20171
(703) 709-8800
(800) 945-8863 (IN STATE)

110 NORTH CAMERON STREET
WINCHESTER, VA 22601
(540) 667-0800
(800) 850-3463 (IN STATE)

wolf.house.gov

Congress of the United States
House of Representatives

September 8, 2011

Mr. David Ash
County Administrator
Clarke County
PO Box 1262
Berryville VA 22611

Dear Mr. Ash:

I am writing to you on behalf of my constituent, Robin Betz, who has requested my assistance concerning her dissolution of her homeowners association.

While I cannot speak to the merits of Ms. Betz' concerns, I would appreciate it if you would review the enclosed material and address the issues which it discusses. It would be helpful if you would send your response to my staff assistant, Judy McCary, of my Herndon office at 13873 Park Center Road, Suite 130, Herndon, Virginia 20171.

Thank you for your time and attention to this matter.

With kind regards,

Best wishes.

Sincerely,

Frank R. Wolf
Member of Congress

FRW:jm

P.S. If you would like to receive periodic e-mail updates from me on legislative issues, visit my Web site (wolf.house.gov) and subscribe to the e-newsletter. You can also access my voting record on that site and also stay connected with my office by following my daily posts on Facebook (facebook.com/repfrankwolf).

McCary, Judy

From: Webform Submissions
 Sent: Monday, August 22, 2011 3:21 PM
 To: VA10FWIMA
 Subject: New Email From Web Site

<APP>CUSTOM

<PREFIX>Ms.</PREFIX>
 <FIRST>Robin</FIRST>
 <MIDDLE></MIDDLE>
 <LAST>Betz</LAST>
 <SUFFIX></SUFFIX>
 <ADDR1>418 Cobbler Drive</ADDR1>
 <ADDR2></ADDR2>
 <CITY>Berryville</CITY>
 <STATE>VA</STATE>
 <ZIP>22611</ZIP>
 <ZIP4>1234</ZIP4>
 <ISSUE>WEBGOV</ISSUE>
 <EMAIL>rbetz@~~XXXXXXXXXX~~
 <PHONE>(540) ~~XXXXXXXXXX~~
 <AFFL>EMAIL.OPTIN</AFFL>

<MSG>

I appreciate your responsiveness in the past and believe you to be a good man so hopefully you can help.

Why are there laws on the books allowing for HOA dissolution when local gov'ts won't work with a community when the HOA votes to dissolve with a 67% majority of eligible voters , as the Darbybrook HOA had on Oct. 8, 2010 ?

I would not have agreed to part of such a community and will strongly discourage others from doing so in the future.

I thought you should know how local governments are treating their citizens and may be able to help.

I believe it may be unconstitutional as well that the town required the builder to have an HOA and now it wishes to be dissolved and none of the council members live in an HOA themselves. The mayor had stated previously that he had when he lived in Leesburg with much success. All of the HOA BOD had previously lived in HOA's that worked well. Darbybrook's does not.

I have included the local press coverage to demonstrate how the citizen's really had nothing to say about the dissolution UNTIL I posted my "letter to the editor". Since so many were from pseudo-names it makes me wonder if they might really be council members comments because they are pretty ugly and don't really address the facts, either it's retaliation or ignorance.

Of course the clarke county supervisor, Mr. Weiss I sent a request to hasn't responded either.

<http://www.clarkedailynews.com/darbybrook-wants-to-ditch-the-hoa-but-theres-a-catch/12370>
<http://www.clarkedailynews.com/town-council-re-hears-darbybrook-plea/22649>

<http://www.clarkedailynews.com/enders-parking-lot-approved-darbybrook-meets-resistance/23646>
<http://www.clarkedailynews.com/letter-to-the-editor-darbybrook/23665>

Thanks for your time and consideration