



Berryville Town Council

MEETING AGENDA

Berryville-Clarke County Government Center

101 Chalmers Court, Second Floor

Main Meeting Room

Regular Session

March 9, 2021

6:30 PM

Item

Page

1. Call to Order

2. Closed Session

4

The Council of the Town of Berryville will enter closed session in accordance with §2.2-3711-A-6 of the Code of Virginia for consultation with legal counsel and in accordance with §2.2-3711-A-1 of the Code of Virginia to discuss personnel matters related to a specific employee.

- a. Adopt motion to enter closed session.
- b. Reconvene in open session.
- c. Adopt closed session resolution by roll-call vote.

3. Convene Open Session

Not to Occur Before 7:00 p.m.

4. Pledge of Allegiance	
5. Approval of Agenda	
6. Presentations/Awards and Recognitions	
7. Public Hearings	
8. Discussion of Public Hearing Items	
9. Citizens' Forum	
10. Consent Agenda	6
Approval of Minutes	
11. Unfinished Business	
Mosby Sidewalk Project /TAP Project	23
12. New Business	
Fiscal Year 2022 VCA Sub-grantee	27
Berryville Main Street	
13. Council Member Reports	
Mayor	
Recorder	
Ward 1	
Ward 2	
Ward 3	
Ward 4	
14. Staff Reports	
Public Works	53

Public Utilities	54
Police Department	59
Mutual Aid Agreement Between Town of Berryville and County of Clarke	65
Community Development	
Monthly Update	77
Construction Update	79
Hermitage Phase V Bond Amounts for Erosion and Sediment Control	80
Administration and Finance	
Town Manager	
Update on Livery Stable / 23 Main Street Project	84
Blight	98

15. Committee Updates

- Budget and Finance
- Community Development
- Personnel, Appointments, and Policy
- Public Safety
- Streets and Utilities

16. Adjourn

Motion to Enter Closed Session

I move that the Council of the Town of Berryville enter closed session in accordance with §2.2-3711-A-7 of the Code of Virginia for consultation with legal counsel and in accordance with §2.2-3711-A-1 of the Code of Virginia to discuss personnel matters related to a specific employee.

DATE: March 9, 2021

MOTION:

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: _____

Erecka Gibson, Recorder

TOWN COUNCIL
MOTION
CLOSED SESSION RESOLUTION

DATE: March 9, 2021

MOTION BY:

SECOND BY:

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

Resolution

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

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

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: _____
Erecka Gibson, Recorder

**Berryville Town Council Item Report Summary
March 9, 2021**

Item Title

Consent Agenda - Approval of Minutes

Prepared By

Background/History/General Information

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

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

Findings/Current Activity

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

Minutes of the 02/09/2021 regular meeting of the Town Council
Minutes of the 02/22/2021 meeting of the Community Development Committee
Minutes of the 02/23/2021 meeting of the Streets and Utilities Committee

Financial Considerations

None

Schedule/Deadlines

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

Other Considerations

None

Attachments

1. Consent Agenda 03.09.2021

Recommendation

Approval

Sample Motion

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

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
February 9, 2021
7:00 p.m.

Attendance being limited by pandemic restrictions, the meeting was livestreamed on the Town's YouTube channel.

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

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

Press: Mickey Powell, *The Winchester Star*.

1. Call to Order

Mayor Arnold called the meeting to order at 7:03 p.m.

2. Pledge of Allegiance

3. Approval of Agenda

Mayor Arnold noted the non-standard seating arrangement of Council members because of social-distancing protocols during the coronavirus pandemic.

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

4. Presentations/Awards/Recognitions

None.

5. Public Hearings

None.

6. Discussion of Public Hearing Items

None.

7. Citizens' Forum

Berryville resident Mary Ivie spoke about the January 25 meeting of the Community Development Committee at which the possibility of online parking meter payment had been discussed. She summarized the disadvantages of such a system as she saw it, emphasizing that according to her calculations the cost to the Town would outweigh any benefit.

8. Consent Agenda

The consent agenda comprised the minutes of the January 12 Town Council regular meeting, the January 12 meeting of the Budget and Finance Committee, and the January 25 meeting of the Community Development Committee.

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

9. Unfinished Business

None.

10. New Business

None.

11. Council Member Reports

Mayor

Mayor Arnold had nothing to add.

Recorder

Recorder Gibson had nothing to add.

Ward 1

Ms. McDonald had nothing to add.

Ward 2

Ms. Harrison had nothing to add.

Ward 3

Mr. Mazzarino had nothing to add.

Ward 4

Ms. Rodriguez had nothing to add.

12. Staff Reports

Public Works

Mr. Dalton said the department had ably handled a challenging water leak on North Church Street and also the recent snowstorm, and that it was preparing for the storm predicted for later in the week.

Public Utilities

Nothing was added to the written report.

Police

Nothing was added to the written report.

Community Development

Ms. Dunkle updated the Council on the meeting schedules of the various appointive bodies associated with planning and community development, and on construction in the Shenandoah Crossing and Fellowship Square subdivisions and in Hermitage Phase V.

Ms. Dunkle then directed the Council's attention to the report in the agenda packet in which she had explained a request by the developer of Robert Regan Village that the bond amount be reduced. She said Town staff and the engineering firm retained by the Town had conducted site visits and that the engineer had recommended a bond in the amount of \$38,762.83 to provide surety for unfinished work.

Ms. McDonald moved that the Council of the Town of Berryville reduce the public improvements bond for Robert Regan Village to a total of \$38,762.83. The motion passed by unanimous voice vote.

Administration and Finance

Mr. Jacobs said the Town's new utilities and refuse collection billing had proceeded well, as had the distribution of refuse containers under the Town's new refuse collection contract. He complimented Ms. Dunkle's oversight of the process.

Mr. Jacobs told Recorder Gibson that he would be able to provide amendments to the current budget by approximately February 18.

Town Manager

Mr. Dalton distributed a draft letter intended for the governor and local representatives in the General Assembly regarding Senate Bill 1157, which if passed by the Assembly would require all jurisdictions to have elections in November as of 2022. He noted that the Council had last discussed the matter in the spring of 2020 and had opposed deviation from Berryville's longstanding practice of holding May elections.

Ms. Rodriguez said she had asked to participate in a virtual meeting with the relevant legislative committee the following day and could read the letter to that gathering. She said that in her experience as a journalist she had noted the detrimental effects of November local elections in multiple jurisdictions. She said local elections lose their special character when held in conjunction with elections for state and national positions, as local issues thereby become lost and distorted by partisanship and a lack of concentration on purely local matters.

The consensus of the Council was that the letter should be sent and that Ms. Rodriguez be authorized to speak on the Town's behalf in the upcoming committee meeting.

Ms. Rodriguez moved that the Council of the Town of Berryville authorize the Town Manager to send the letter before the Council to Gov. Northam, Sen. Vogel, and Del. LaRock, stating the Berryville Town Council's opposition to Senate Bill 1157. The motion passed by unanimous voice vote.

13. Committee Updates

Budget and Finance

Recorder Gibson said the committee would meet on March 3 at 9:00 a.m. and that the full Council would have a budget work session on March 10 at 3:00 p.m.

Recorder Gibson said the committee needed to plan for reserves prior to considering the draft budget.

Community Development

Ms. Rodriguez said the committee would meet on February 22 at 9 a.m.

Personnel

Mayor Arnold and Ms. Dunkle briefly discussed openings on the Planning Commission, Tree Board, and Berryville Area Development Authority. Mayor Arnold asked for information on which appointees live in which wards, saying that he would like to assure even representation.

Public Safety

Ms. McDonald said the committee would meet on March 23 at 2:00 p.m.

Streets and Utilities

Ms. Harrison asked Mr. Dalton for a report on stormwater. They agreed that the committee should discuss the matter on February 23 at 1:30 p.m.

14. Closed Session

Recorder Gibson made the attached motion for the Council to enter closed session to discuss the performance of a specific individual. The motion passed by unanimous voice vote.

The Council entered closed session at 7:24 p.m. and returned to open session at 8:47 p.m.

Recorder Gibson made the attached motion certifying the closed session, which passed by unanimous roll-call vote.

15. Other

No further business came before the Council.

16. Adjourn

The Council adjourned by consensus on a motion by Recorder Gibson at 8:50 p.m.

Erecka L. Gibson, Recorder

Paul Culp, Town Clerk

BERRYVILLE TOWN COUNCIL SIGN-UP SHEET

Citizens' Forum
Tuesday, February 9, 2021
7:00 p.m.

Name:	Town of Berryville Resident?
MAY WIE	<input checked="" type="radio"/> Yes <input type="radio"/> No
	Yes No
	Yes No
	Yes No
	Yes No
	Yes No
	Yes No
	Yes No
	Yes No
	Yes No
	Yes No
	Yes No
	Yes No
	Yes No
	Yes No

Motion to Enter Closed Session

I move that the Council of the Town of Berryville enter closed session in accordance with §2.2-3711-A-1 of the Code of Virginia, to discuss the performance of a specific individual.

DATE: February 9, 2021

MOTION: Gibson

VOTE:

Aye: Unanimous voice vote

Nay:

Absent/Abstain:

ATTEST: _____
Erecka Gibson, Recorder

TOWN COUNCIL
MOTION
CLOSED SESSION RESOLUTION

DATE: February 9, 2021

MOTION BY: *Gibson*

SECOND BY:

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

Resolution

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

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

VOTE:

Aye: *Unanimous roll-call vote*

Nay:

Absent/Abstain:

ATTEST: _____
Erecka Gibson, Recorder

BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE
Berryville-Clarke County Government Center
MINUTES
February 22, 2021

A meeting of the Berryville Town Council Community Development Committee was held on Monday, February 22, 2021 at 9:00 a.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

Attendance:

Members of the committee present: Kara Rodriguez, chair; Diane Harrison

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

1. Call to Order

Ms. Rodriguez called the meeting to order at 9:02 a.m.

2. Approval of Agenda

The agenda was approved by consensus.

3. New Business

Ms. Dunkle directed the committee's attention to the agenda packet, which included applications from four local organizations seeking funding under the Virginia Commission for the Arts Creative Communities Partnership Grant. She noted that another applicant, the Clarke County Historical Society, was not eligible inasmuch as it is not considered a stand-alone arts organization. Organizations remaining to be considered were the Skyline Quilters/Northern Shenandoah Valley Quilt Show, the Main Street Chamber Orchestra, Barns of Rose Hill, and the Blue Ridge Studio for the Performing Arts.

A discussion established that funding could be divided as many ways as desired, though this would increase the complexity of the process, and that none of the applicants had requested specific amounts. Ms. Dunkle said she would track the usage of the funds to assure their proper application under the provisions of the grant.

Ms. Rodriguez said that as a dues-paying supporter of the Blue Ridge Studio she would recuse herself from consideration of that application.

Ms. Harrison said Skyline Quilters played a constructive role in the community and was multi-ethnic and popular across multiple age groups. She recommended that they receive funding.

Ms. Rodriguez noted that the quilters attract visitors from out of town whose commerce would benefit Berryville, and said it was good that the organization had specified equipment replacement as an area in which funding was desirable.

Ms. Harrison noted that Main Street Orchestra had not followed the directions properly and said that considering the necessity of following procedure in grant applications, this should lead to automatic exclusion. She noted that the orchestra's calendar was still in flux and suggested considering it again next year.

Ms. Rodriguez said she could understand the orchestra's position, especially with scheduling uncertainties occasioned by the pandemic, but Ms. Harrison said grant procedures must be followed strictly and that leniency would lead to further lapses. Ms. Rodriguez concurred.

Ms. Rodriguez noted that Barns of Rose Hill is familiar to the Council and plays a prominent role in local arts and music.

Ms Rodriguez said Barns of Rose Hill is proven and well-established, and commended its perseverance via online programs during the pandemic.

Ms. Harrison said Blue Ridge Studio is valuable to the community because of its work with children.

A discussion established that the other local dance studios, unlike Blue Ridge, are not non-profit.

There was further discussion of whether the studio is sufficiently involved with at-risk youth and low-income youth.

Ms. Harrison recommended awarding a large portion of the available funds to Barns of Rose Hill with smaller portions going to Blue Ridge and Skyline Quilters. She recommended considering Blue Ridge for a larger portion next year if it can be established that the studio is assisting low-income students sufficiently.

A discussion established that the total amount available would be \$9,000, with the Virginia Commission for the Arts and the Town of Berryville dividing that responsibility equally. The committee agreed to award \$1000 each to Blue Ridge and Skyline, with the remainder going to Barns of Rose Hill.

Ms. Dunkle said each recipient would be required to provide reports on its activities related to the funding.

4. Other

There was a brief discussion of the deployment of new graphics associated with the Town's branding and marketing campaign. Ms. Dunkle said that as a matter of practicality this was occurring on a case-by-case, as-needed basis rather than in one large launch.

There was a brief discussion of the process of implementing the Town's new trash collection and recycling arrangements.

5. Closed Session

None.

8. Adjournment

Ms. Harrison moved to adjourn, with the motion passing by consensus at 9:34 a.m.

BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE
Berryville-Clarke County Government Center
MINUTES
February 23, 2021

A meeting of the Berryville Town Council Streets and Utilities Committee was held on Tuesday, February 23 at 1:30 p.m. in the Berryville-Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

Member of the committee present: Diane Harrison, Chair; Kara Rodriguez

Other Town Council member present: Mayor Jay Arnold

Staff present: Keith Dalton, Town Manager; Paul Culp, Town Clerk; Christy Dunkle, Community Development Director

Also present: Ron Mislowsky, office director for Pennoni Associates

1. Call to Order

Ms. Harrison called the meeting to order at 1:41 p.m.

2. Approval of Agenda

The agenda was approved by consensus.

3. Unfinished Business

Discussion of Budgeting for Stormwater Concerns

Mr. Dalton said the purpose of the discussion was to determine what the committee would recommend to the full Town Council for funding stormwater management projects. He noted that Pennoni Associates had undertaken three studies for the Town: 1) the northwest quadrant, including Dorsey, Treadwell, and Walnut Streets and Ashby and Archer Courts; 2) the Town Run and how other projects would affect it; and 3) Virginia Avenue.

Mr. Dalton said he would begin with Virginia Avenue inasmuch as the situation there is fairly straightforward.

Mr. Dalton said there were two problem areas on the street: pavement failing in the street section between Main Street and the Town Run bridge, and drainage problems farther south along two bends in the street.

Mr. Dalton said that while crews were repairing the pavement, they had damaged the drainage pipe under the street. This damage had resulted from asphalt having been installed directly on top of a corrugated metal pipe. The drainage pipe had to be replaced and the street section repaired and paved at a cost of \$20,200.

Mr. Dalton then described drainage problems at the two bends of Virginia Avenue. He said the Town's engineer estimated the cost of remediation at \$42,000.

Mr. Dalton noted that the FY21 budget contains a line item that provides \$55,000 for paving Virginia Avenue and installing a hammerhead turnaround at its southern terminus.

Mr. Dalton said that if the Town Council wanted to fund both the \$20,200 repair and the \$42,000 drainage project from the storm water reserve, which now contains \$150,000, then the funds budgeted for paving, etc., could still be used for that purpose. If this was done the reserve would be reduced to \$87,800.

Taking up the matter of the northwest quadrant, Mr. Dalton said that drainage from Archer and Ashby Courts flows onto the rear of lots along Walnut Street by means of two level spreaders. He noted that the level spreaders are designed to convert concentrated flow into sheet flow. He said that the flow from these two level spreaders was to have combined and flowed toward Walnut Street but that a lot owner on Walnut Street had installed raised flower beds that prevented the discharge from Archer Court from reaching the desired destination. He said that currently the flow from Archer Court becomes trapped in the rear yard of a Walnut Street lot. Mr. Mislowsky described a plan to convey water from Archer and Ashby Courts to Walnut Street and east toward Buckmarsh Street. Mr. Dalton said the estimated cost of the project is just under \$80,000.

Mr. Dalton asked Mr. Mislowsky what happened to the water as it approached lots fronting on Buckmarsh Street. Mr. Mislowsky said the study did not explore that matter. Mr. Dalton noted that the matter would be addressed if the Town pursues that project.

Mrs. Harrison asked whether there was a drainage easement along these Walnut Street lots. Mr. Dalton and Mr. Mislowsky said they were not aware of any such easement. She then asked whether this project could be done in phases. Mr. Mislowsky said he believed water could be piped to the Walnut Street right of way and then the situation could be monitored to see if further improvements were needed.

Mr. Dalton then addressed drainage problems in the Dorsey and Treadwell Street areas. He noted that this area is very flat and receives a good deal of drainage from upstream and that there has been a problem with ponding water in the area for as long as the area has been developed. He said the committee had before it several proposals to address problems in the area. He said the Town's engineer had reviewed modification of the Jackson Drive pond involving installation of a pipe from the intersection of Dorsey Street and Academy Street Extended, and that installation of a series of

shallow drains in the area that would convey water to the storm drains in Main Street near the intersection of Smith Street.

Mr. Mislowsky reviewed the projects, and he and Mr. Dalton said the work on the Jackson Drive pond would divert some water from the areas in question and would afford the area additional protection in larger storm events. They agreed that the estimate for this work would be \$25,000.

Mr. Dalton then said that if the drainage work to convey water to the storm drains on Main was to be completed, the structure in Main Street would require upgrading prior to more water being conveyed to that point. Mr. Mislowsky confirmed that the culvert under Main Street near Smith Street would have to be upgraded at an estimated cost of \$53,000. He said additional work downstream was not required.

Mr. Dalton then moved onto another matter addressed in the Town Run study, explaining that there are concerns about the capacity of the structure near 36 and 37 East Main Street. Mr. Mislowsky explained the concerns about capacity and how installation of an elliptical pipe would provide more capacity without affecting the street profile. He also noted a concern about where the pipe in question is discharging. Mr. Dalton said the Town had contacted VDOT about the matter and that he expected VDOT to perform an inspection as soon as possible. Mr. Mislowsky said the cost for this project would be as much as \$120,000, depending on the approach taken.

Mr. Dalton noted that both pipes in Main Street are owned and maintained by VDOT and said the Town should work to get VDOT to partner with it to complete these projects.

Mr. Dalton said with reference to the three projects under discussion that Virginia Avenue was a necessity, that Walnut Street needed attention but possibly could be worked on in phases, and that Main Street would be a matter of timing. He said the Jackson Drive and Pond modification and the work at Academy Extended probably could be completed in the near term and would improve matters for residents in that drainage area.

Ms. Harrison asked whether Town personnel could remediate Dorsey and Treadwell Streets by removing silt. A brief discussion concluded that this would not cover sufficient territory and possibly would merely shift the location of the problem.

There was a discussion of particular properties associated with the various options.

Ms. Harrison asked Mr. Dalton what the aggregate cost would be. Mr. Dalton said he could calculate it and present it to the full Council.

Ms. Rodriguez asked about the timetable. Mr. Dalton said Virginia Avenue was already budgeted, and there was a discussion of which items were and were not budgeted.

Mr. Dalton recommended undertaking the Virginia Avenue paving and hammerhead from the current year's budget. The committee concurred. Mr. Dalton said he would prepare the necessary documentation for the full Council.

Ms. Rodriguez asked whether financing would be necessary for the remainder of the projects. Mr. Dalton said this would be likely, along with a tax increase for debt service. He said the stormwater reserve fund was now significantly depleted and that a realistic view of costs was necessary.

4. New Business

None.

5. Other

Mr. Dalton said recent snow removal operations had gone well and that the recent hiring of an additional Public Works employee had been fortuitous. He said Public Works and Ms. Dunkle were continuing to progress with the deployment of new refuse containers. He said a river pump had failed recently and that adjustments were being made to prevent recurrence.

Mr. Dalton said Public Works had recently obtained a new truck and would soon be selling some used equipment.

Mr. Dalton said the Town's purchase of property from the Ruritans was now final.

Ms. Dunkle said a resolution of the full Council would be necessary to finalize the grant for work on the Mosby Boulevard sidewalk. There was a brief discussion of the cost and timetable.

6. Closed Session

None.

7. Adjournment

The meeting adjourned by consensus at 2:44 p.m.

**Berryville Town Council Item Report Summary
March 9, 2021**

Item Title

Unfinished Business - Mosby Sidewalk Project /TAP Project

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. Mosby

Recommendation

Sample Motion

Town Council Agenda Item Report Summary
March 9, 2021

Item Title

VDOT Blanket Project Funding and Signature Authority

Prepared By

Christy Dunkle

Background/History/General Information

The Town of Berryville applied for a Transportation Alternatives Program (TAP) grant in September of 2019 in order to complete the sidewalk section on the north side of Mosby Boulevard from Hancock Court to McNeil Drive.

The Commonwealth Transportation Board (CTB) approved the grant request at their June 2020 meeting. The original grant request was approved in the amount of \$149,213 with the Town's 20% match totaling \$29,843.

Findings/Current Activity

VDOT is requesting that Town Council adopt a resolution for blanket project funding commitment and signature authority. In this resolution, the Town of Berryville is providing clear commitment for funding the locally administered projects and identifies the Town Manager as the signature authority for signing all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

Financial Considerations

The updated grant allocation as identified on the Standard Project Administration Agreement is \$154,191 and the Town's 20% match totals \$30,838.

Schedule/Deadlines

Staff anticipates that the project will begin within the next six months.

Other Considerations

N/A

Recommendation

Approve the attached resolution for blanket project funding commitment and signature authority.

Sample Motion

I move that the Council of the Town of Berryville adopt the attached resolution in order to commit to the local project share and signature authority of the Town Manager.

Attachment

- Resolution



TOWN OF BERRYVILLE

101 Chalmers Court, Suite A

Berryville, VA 22611

RESOLUTION

FOR BLANKET PROJECT FUNDING COMMITMENT AND FOR BLANKET SIGNATURE AUTHORITY

WHEREAS, the Town of Berryville administers transportation projects under agreement with the Virginia Department of Transportation; and

WHEREAS, the Town of Berryville desires to provide clear commitment for funding these transportation projects and clear signature authority for signing the Project Administration Agreements;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Berryville, Virginia, that:

1. the Town of Berryville hereby commits to fund its local share of preliminary engineering, right-of-way, and construction (as applicable) of the project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial document(s).
2. the Town Manger is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.
3. in the absence of the Town Manager, the Mayor is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.
4. such actions and authorizations are also in accordance with the Town of Berryville Council Resolution.

Adopted this 9th day of March, 2021.

Harry Lee Arnold, Jr. Mayor

ATTEST: _____

Paul Culp, Town Clerk

**Berryville Town Council Item Report Summary
March 9, 2021**

Item Title

New Business - Fiscal Year 2022 VCA Sub-grantee

Berryville Main Street

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. VCA

Recommendation

Sample Motion

Town Council Agenda Item Report Summary

March 9, 2021

Item Title

Virginia Commission for the Arts Creative Communities Partnership Grant Application
Recommendation

Prepared By

Christy Dunkle

Background/History/General Information

The Town of Berryville has applied for and received funds from the Virginia Commission for the Arts (VCA) since 2012 with the exception of 2019. The intent of the grant, now called the Creative Communities Partnership Grant, is to encourage local governments to support the arts. The grant funds are a 50/50 match between the VCA and the Town of Berryville in the amount of \$4,500 each for a total of \$9,000.

Findings/Current Activity

This year, the Community Development Committee recommended an application process through the Town in order to identify local arts organizations who may want to benefit from the grant. Five grant applications were received from the following entities:

- Clarke County Historical Association (CCHA)
- Skyline Quilters/Northern Shenandoah Valley Quilt Show
- The Main Street Chamber Orchestra, Inc.
- Barns of Rose Hill
- The Blue Ridge Studio for the Performing Arts

After discussing the applicants with VCA staff, it was determined that the CCHA was not eligible for consideration because it is not considered a stand-alone arts organization. Accordingly, staff has removed the application from review.

The Community Development Committee met on February 22, 2021 and reviewed the applications. They are making the following recommendations:

- \$1,000 to Skyline Quilters/Northern Shenandoah Valley Quilt Show
- \$1,000 to Blue Ridge Studio for the Performing Arts
- \$7,000 to Barns of Rose Hill

Schedule/Deadlines

A decision should be made at this meeting in order to meet the grant submission deadline of April 1, 2021.

Other Considerations

N/A

Recommendation

Discuss at the meeting.

Sample Motion

I move that the Council of the Town of Berryville direct staff to apply for the Virginia Commission for the Arts' Creative Communities Partnership Grant and, if awarded, fund the following sub-recipients in the following amounts:

- \$1,000 to Skyline Quilters/Northern Shenandoah Valley Quilt Show
- \$1,000 to The Blue Ridge Studio for the Performing Arts
- \$7,000 to The Barns of Rose Hill

Attachments:

Applications from the following groups:

- Skyline Quilters/Northern Shenandoah Valley Quilt Show
- The Main Street Chamber Orchestra, Inc.
- The Barns of Rose Hill
- The Blue Ridge Studio for the Performing Arts

RECEIVED

FEB 12 2021

Town of Berryville, VA

[T] 540/955-1099

[F] 540/955-4524

[E] info@berryvilleva.gov

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



BERRYVILLE
EST. 1798 *Genuine* VIRGINIA

**Creative Communities Partnership Grant
Participant Application
Deadline: February 17, 2021**

PLEASE NOTE: applicants must be a 501(c)3 organization whose primary purpose is the arts (production, presentation or support of dance, literary arts, media arts, music, theater, or visual or related arts), that are incorporated in Virginia. They must also have their headquarters and home seasons, or activities equivalent to a home season, within the state. Funding cannot be provided for payment to performers for specific performances. Proof of 501(c)3 status required with submission. For more information about the Virginia Commission for the Arts' Creative Communities Partnership Grant program, please visit http://www.arts.virginia.gov/grants_local.html or contact Community Development Director Christy Dunkle at planner@berryvilleva.gov or (540) 955-4081. Please forward completed application via email to planner@berryvilleva.gov by no later than 5:00 PM on February 17, 2021.

Name of Arts Organization: Skyline Quilters/Northern Shenandoah Valley Quilt Show

Applicant Name: Rezin Sharon
Last First M.I.

Address: 382 Chapel Road
Street Address Apartment/Unit#

Middletown VA 22645
City State ZIP Code

Phone: 540-533-3675

Has this organization received a Local Arts Grant from the Town of Berryville in the past?

Yes No

Harry Lee Arnold, Jr.
Mayor

Erecka L. Gibson
Recorder

Council Members

Donna Marie McDonald
Ward 1

Diane Harrison
Ward 2

Grant Mazzarino
Ward 3

Kara C. Rodriguez
Ward 4

Keith R. Dalton
Town Manager

Please give a brief description of the organization, proposed project, and who will participate.

The Skyline Quilters, Inc. hosts the Northern Shenandoah Valley Quilt Show with the help of three other local quilt clubs: Apple Valley Needle Threaders (Berryville), Shenandoah Piecemakers (Berryville) and Winchester Modern Quilters. The purpose is to showcase the quilting talent in the Shenandoah Valley and provide a venue for quilters to come together, learn new techniques, and enjoy the fruits of their labor. We hope to keep the art of quilting alive by sparking the interest of the next generations who come to our show. Furthermore, we love to see non-quilters coming to the show because they are always amazed by the talented artists in our area. At our show, you will see traditional quilts and modern quilts, tiny quilts and huge quilts, ones that are quilted by hand and ones that are quilted by machine, quilts for beds and quilts for walls, as well as quilts as wearable art.

<https://www.nsvquiltshow.com/>

This group has sponsored a quilt show in Berryville once every two years since 1981. Our equipment is very dated and not strong enough to hold the quilts made today for king size beds. Our goal is to use this grant to replace our home made wooden stands, poles and white sheets with pipes and drapes. The pipe and drape system (See attached picture) is much stronger, safer and makes for a beautiful backdrop to show off the quilts. Community quilters enter about 200 quilts for each show. We restrict the number of quilts registered because of our limited display equipment.

Please list the organization's officers, board of directors, and key staff.

2021 Core Committee-

Co-Chairs: Karen Yee and Sharon Rezin

Treasurer: Karen Yee

Secretary: Linda Suter

Registration: Barbara Corey

Webmaster: Alicia Stoltzfus

Publicity: Barbara Corey

Vendors: Kathleen O'Dell, Diane Hearne

Advertising: Alicia Stoltzfus & Loretta McDonald

Raffle Quilt: Elaine Breiner

Show Program: Pam Lakin

Demonstrations: Donna Heinz

Volunteer Coordinator: Heidi Haynes

Curator: Sharon Rezin, Trudi VanDyke

Door Prizes: Mary DeMott and Carol Oliveri

Ribbons: Elaine Breiner

And a total 70 Volunteers to hang and take down the show

How will the community benefit from the project?

Quilters, as a whole, are generous people. All of our supporting quilt groups believe in giving back to the communities in which we live. We support several local organizations by donating quilts and other handmade items. These organizations support the elderly, those fighting cancer, foster children, victims of abuse, low-income families, animal shelters, homeless people, dialysis centers, and military veterans. We donated over 170 quilts and handmade items in 2019-2020:

Valley Health - over 5000 Covid 19 face masks

Evan's Home for Children

Fauquier City Shelter

Froggy's Closet

Healthy Families

It's a Small Hand

Quilts of Valor

Royal Family Kid's Camp

Stitcher's Station

The Laurel Center

Winchester Medical Center Baby Drive

Winchester Medical Center Radiation Oncology

Please attach the organization's budget.

Any revenue made from the show is split between the clubs and a portion is retained to begin planning the next quilt show. The club funds are used to purchase fabric and batting for donation quilts. Each group also hires national and local teachers to lecture and demonstrate the most recent quilting ideas and techniques.

Budget is attached.

Please select the category that best describes your organization's primary focus.

- Arts Education
- Dance
- Multidisciplinary
- Music
- Opera
- Theater/Storytelling
- Visual Arts
- Other (please describe) Creative Arts- Quilting and Embroidery

Populations Benefitted

Please select any categories that, by your best estimate, will make up 25% or more of the population that will directly benefit from the award during the period of support.

Racial or Ethnic Groups

- American Indian/Alaskan
- Hispanic/Latino
- Asian/Pacific Islander
- White/Caucasian
- Black/African American
- Other

Other Distinct Groups

- Individuals with disabilities
- Individuals with limited English proficiency
- Individuals in institutions (hospitals, hospices, assisted care, etc.)
- Military veterans/active duty personnel
- Individuals below the poverty line
- Youth at risk

Age

- Children/Youth (0-18 years)
- Young adults (19-24 years)
- Adults (25-64)
- Older adults (65+ years)

Arts Education Choose the one item which best describes the funded activities.

- 50% or more of the funded activities are arts education directed to K through 12 students, higher education students, pre-kindergarten children, and/or adult learners (including teachers and artists)
- Less than 50% of the funded activities are arts education directed to K through 12 students, higher education students, pre-kindergarten children, and/or adult learners (including teachers and artists)
- None of the funded activities involve arts education



Signature

2/3/2021

Date

Northern Shenandoah Valley Quilt Show

Budget for 2019 Show

***Number of visitors for 3 days of show - 950

EXPENSES

Storage of materials (hanging racks, etc.)	\$ 50.00
New Poles, bases for hanging quilts	\$ 763.00
Facility Rental	\$ 1,385.00
Insurance	\$ 99.00
Raffle Quilt (materials and construction).	\$ 300.00
Printed materials (Programs, Raffle tickets.etc.)	\$ 1,070.00
Show Ribbons	\$ 164.00
Black Drape rental (for hanging quilts).	\$ 330.00
Table rentals for Vendors.	\$ 245.00
Misc. other costs.	\$ 145.00
Total.	<u>\$ 4,551.00</u>

SHOW INCOME (PROFITS)

Web ads	\$ 450.00
Vendor participation (14 in 2019 show).	\$ 2,460.00
Raffle Quilt (tickets purchased).	\$ 2,053.00
Program Ads (5 vendors).	\$ 200.00
Show Admissions for 3 days.	\$ 6,650.00

Total \$ 11,813.00

Profits are divided among the 4 Quilting groups to support having instructors and other costs related to making all the wonderful quilts for our local charities in our area,.....

[Home](#) > [Tax Exempt Organization Search](#) > Skyllne Quilters Inc.

< [Back to Search Results](#)

Skyllne Quilters Inc.

EIN: 54-1577745 | Berryville, VA, United States

> Other Names

Publication 78 Data

Organizations eligible to receive tax-deductible charitable contributions. Users may rely on this list in determining deductibility of their contributions.

On Publication 78 Data List: Yes

Deductibility Code: PC

Form 990-N (e-Postcard)

Organizations who have filed a 990-N (e-Postcard) annual electronic notice. Most small organizations that receive less than \$50,000 fall into this category.

> Tax Year 2019 Form 990-N (e-Postcard)

Tax Period:
2019 (01/01/2019 - 12/31/2019)

EIN:
54-1577745

Legal Name (Doing Business as):
Skyllne Quilters Inc

Mailing Address:
PO Box 343
Berryville, VA 22611
United States

Principal Officer's Name and Address:
Sherry Newcombe

PO Box 343
Berryville, VA 22611
United States

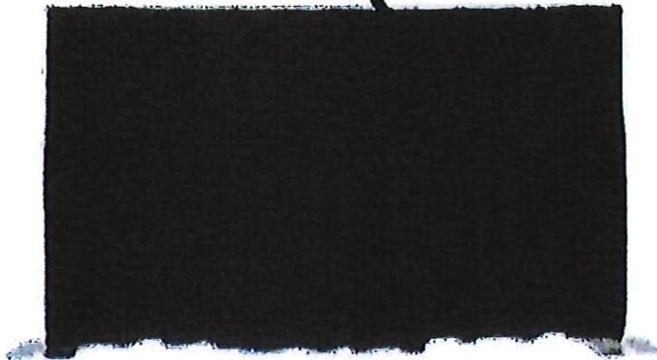
Gross receipts not greater than:
\$25,000

Organization has terminated:
No

Website URL:

> Tax Year 2018 Form 990-N (e-Postcard)

Many  Colors



Available

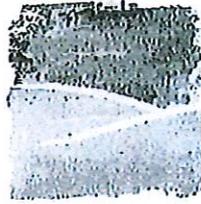
8x10 Premier Package

★★★★☆ 16 Reviews

**Our best selling pipe & drape
backdrop kit! 8 ft tall x 6-10 ft
wide with Poly Premier drapes**

~~**\$184.64**~~ **\$158.49**

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



RECEIVED
 FEB 14 2021
 Town of Berryville, VA

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

BERRYVILLE
 EST. 1798 *Genuine* VIRGINIA

**Creative Communities Partnership Grant
 Participant Application
 Deadline: February 17, 2021**

PLEASE NOTE: applicants must be a 501(c)3 organization whose primary purpose is the arts (production, presentation or support of dance, literary arts, media arts, music, theater, or visual or related arts), that are incorporated in Virginia. They must also have their headquarters and home seasons, or activities equivalent to a home season, within the state. Funding cannot be provided for payment to performers for specific performances. Proof of 501(c)3 status required with submission. For more information about the Virginia Commission for the Arts' Creative Communities Partnership Grant program, please visit http://www.arts.virginia.gov/grants_local.html or contact Community Development Director Christy Dunkle at planner@berryvilleva.gov or (540) 955-4081. Please forward completed application via email to planner@berryvilleva.gov by no later than 5:00 PM on February 17, 2021.

Name of Arts Organization: The Main Street Chamber Orchestra, Inc.J

Applicant Name: Goldberg Jon W
Last First M.I.

Address: 100 West Main Street #3
Street Address Apartment/Unit#
Berryville VA 22611
City State ZIP Code

Phone: (c) 202-255-3294

Has this organization received a Local Arts Grant from the Town of Berryville in the past?

Yes No

Harry Lee Arnold, Jr.
 Mayor

Brecka L. Gibson
 Recorder

Council Members

Donna Marie McDonald
 Ward 1

Diane Harrison
 Ward 2

Grant Mazzarino
 Ward 3

Kara C. Rodriguez
 Ward 4

Keith R. Dalton
 Town Manager

Please give a brief description of the organization, proposed project, and who will participate.

Please refer to the link in my cover email.

Please list the organization's officers, board of directors, and key staff.

Directors:

1. Jon Goldberg - biography attached
2. Helena Goldberg - B.M. Manhattan School of Music; owner of the Goldberg School of Music, Berryville, VA.
3. Adam Goldberg - B.S. University of Virginia; MBA University of Maryland; Branch Manager, Weapon Effects & Analysis, DOD

How will the community benefit from the project?

Please refer to the link in my cover email.

Please attach the organization's budget.

Please refer to the link in my cover email

Please select the category that best describes your organization's primary focus.

- Arts Education
- Dance
- Multidisciplinary
- Music
- Opera
- Theater/Storytelling
- Visual Arts
- Other (please describe) _____

Populations Benefitted

Please select any categories that, by your best estimate, will make up 25% or more of the population that will directly benefit from the award during the period of support.

Racial or Ethnic Groups

- American Indian/Alaskan
- Asian/Pacific Islander
- Black/African American
- Hispanic/Latino
- White/Caucasian
- Other

Other Distinct Groups

- Individuals with disabilities
- Individuals in institutions (hospitals, hospices, assisted care, etc.)
- Individuals below the poverty line
- Individuals with limited English proficiency
- Military veterans/active duty personnel
- Youth at risk

Age

- Children/Youth (0-18 years)
- Adults (25-64)
- Young adults (19-24 years)
- Older adults (65+ years)

Arts Education Choose the one item which best describes the funded activities.

- 50% or more of the funded activities are arts education directed to K through 12 students, higher education students, pre-kindergarten children, and/or adult learners (including teachers and artists)
- Less than 50% of the funded activities are arts education directed to K through 12 students, higher education students, pre-kindergarten children, and/or adult learners (including teachers and artists)
- None of the funded activities involve arts education



Signature

01/14/2021
Date

The **MISSION** of the Main Street Chamber Orchestra is to make classical orchestral music a relevant part of the cultural life in our community in northwest Virginia by presenting accessible, high quality professional chamber orchestra performances.

I believe in the transformative power of classical music to reach across all racial, economic and cultural divides, illuminating our shared humanity and reminding us that, in the words so powerfully expressed in Beethoven's Ninth Symphony, "All men are brothers".

I have founded the Main Street Chamber Orchestra to broaden the experience of classical music where I live, in northwest Virginia. Our name is intended to reflect that we are rooted in the community and our desire to make classical music a part of our communal lives. In addition to our Master Works concerts, each season will feature at least one free admission Family Concert, designed to attract and expose younger audiences to classical music. We will also explore other means to show the relevance of classical music through lectures, special events for youngsters and families and the creation of a regional youth orchestra.

Provided Covid restrictions are rescinded, we plan to present our first concert as a free admission family concert in December 2021, in Berryville, Virginia.

We are presently in conversations with Duncan Memorial Methodist Church and Grace Episcopal Church to present our concerts in their churches. I am confident we will reach an agreement to perform in one of these churches.

Our website is under construction with an anticipated launch date of March 1.

For fiscal 2022, the period your grant covers, we are planning three concerts. Two concerts will be part of our "Masterworks Series" and one concert will be a free admission family concert. These concerts will be designed to appeal to the broad and diverse population of Berryville and the surrounding community. The attached budget is for these three presentations.

How will the community benefit from the project?

During my tenure of three seasons as the Director of Classical Music at the Barns of Rose Hill, I was able to establish an ever expanding audience and growing financial support for professional classical music, specifically, a professional chamber orchestra.

While I have ended my association with the Barns, I have never stopped believing that our growing community deserves and desires high quality classical music. I have been particularly encouraged by the support of many like-minded members of our community who are willing to work with me for the success of the Main Street Chamber Orchestra.

With our dedication to a broad outreach to families with children who lack quality exposure to classical music, the beneficiaries of our project are first and foremost the residents of Berryville and Clarke County.

I anticipate that our local restaurants will also benefit as many members of the audience enjoy dining out before an evening concert, or after a weekend matinee.

The creation of a regional youth orchestra will be a tremendous benefit in raising the awareness and enjoyment of classical music with student and their families. While our local Clarke County High School and the public high schools in Frederick County have wonderful band and choral programs, they do not have an orchestral program. Our Regional Youth Orchestra will fill that gap and provide students with a learning experience not currently being offered in the schools.

The final benefit of our programs will be in raising the cultural life of our community. Most surveys have shown, that after jobs and affordable housing, the cultural life of a community is one of the most important determining factors in where people chose to live. Enhancing the cultural life of Berryville will help grow our community in ways that will reflect proudly on our town.

MAIN STREET CHAMBER ORCHESTRA - FISCAL 2022 BUDGET

Budget based on 3 performances (March, September, December)

September performance will be a free admission family concert

EXPENSES	
Musician fees	\$ 19,980.00
Soloist fees	\$ 1,000.00
Music rental	\$ 500.00
Performer hospitality	\$ 375.00
Printing	\$ 450.00
Advertising	\$ 200.00
Facility rental	\$ 450.00
Contingency (5%)	\$ 1,158.00
Total	\$ 24,113.00
INCOME	
Ticket sales	\$ 6,000.00
Foundations/Grants	\$ 9,000.00
Individual Sponosors	\$ 9,113.00
Total	\$ 24,113.00

(2 performances; \$30/ticket;100 tics/performance)

JON GOLDBERG

Mr. Goldberg is currently a Professor of Music at Northern Virginia Community College, Loudoun Campus. He serves as conductor of the NOVA Chamber Orchestra, as well as teaching music theory, music history and composition.

From 2018 to 2020 Mr. Goldberg served as Director of Classical Music and Conductor of the Rose Hill Chamber Orchestra at the Barns of Rose Hill in Berryville, VA. Mr. Goldberg also curated the Recital Series presenting both established artists and emerging younger talents.

Mr. Goldberg frequently presents entertaining and informative musical lectures that have garnered enthusiastic responses. His series of lectures for the Osher Life Long Learning Institute, sponsored by George Mason University, have proven so popular they have had to be moved from a GMU lecture room to a nearby hotel conference room.

Mr. Goldberg was a founding member and Music Director of the Endymion Ensemble, 1975-1979, a New York City based chamber orchestra that for four seasons gave a four concert series of performances in Carnegie Recital Hall, sponsored by the Carnegie Hall Corporation and the New York State Council on the Arts. These performances were met with critical acclaim by the New York Times. With the Endymion Ensemble Mr. Goldberg conducted the world premiere of *Song of Orpheus*, in the chamber orchestra version by William Schuman and Jon Goldberg. Mr. Goldberg also conducted the world premiere of the chamber orchestra suite of William Schuman's *Night Journey*, written for the Martha Graham Ballet. With the Endymion Ensemble, Mr. Goldberg recorded this work on the CRI label.

Mr. Goldberg has also conducted the Memphis Symphony, the Oklahoma City Symphony, the El Paso Pro Arte Orchestra, the Doctor's Orchestra of New York, and the Goldman Band in summer concerts at Lincoln Center.

Mr. Goldberg served as Musical Assistant to Leonard Bernstein on his Grammy winning recording of Tchaikovsky's Symphony #4 with the New York Philharmonic.

Mr. Goldberg began his conducting studies with Carlo Faria, a protégé of Guido Cantelli, and spent two summers as a conducting fellow at the Berkshire Music Center, Tanglewood, at the invitation by Leonard Bernstein.

Mr. Goldberg holds a Bachelor of Music, cum laude, from North Texas State University, and a Master of Music from the Manhattan School of Music. He also completed postgraduate theory studies at the Mannes School of Music.

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



BERRYVILLE
 EST. 1798 *Genuine* VIRGINIA

[T] 540/955-1099

[F] 540/955-4524

[E] info@berryvilleva.gov

RECEIVED

FEB 15 2021
 Town of Berryville, VA

**Creative Communities Partnership Grant
 Participant Application**

Deadline: February 17, 2021

PLEASE NOTE: applicants must be a 501(c)3 organization whose primary purpose is the arts (production, presentation or support of dance, literary arts, media arts, music, theater, or visual or related arts), that are incorporated in Virginia. They must also have their headquarters and home seasons, or activities equivalent to a home season, within the state. Funding cannot be provided for payment to performers for specific performances. Proof of 501(c)3 status required with submission. For more information about the Virginia Commission for the Arts' Creative Communities Partnership Grant program, please visit http://www.arts.virginia.gov/grants_local.html. Additional information can also be found on the Town of Berryville's web site at <http://berryvilleva.gov/>. Please forward completed application via email to planner@berryvilleva.gov by no later than 5:00 PM on February 17, 2021.

Name of Arts Organization: Barns of Rose Hill

Applicant Name: Ames, Sarah E

Last	First	M.I.
------	-------	------

Address: PO Box 738

Street Address	Apartment/Unit#
<u>Berryville</u>	<u>VA 22611</u>
City	State ZIP Code

Phone: 540-955-2004

Has this organization received a Local Arts Grant from the Town of Berryville in the past?

Yes No

Harry Lee Arnold, Jr.
 Mayor

Erecka L. Gibson
 Recorder

Council Members

Donna Marie McDonald
 Ward 1

Diane Harrison
 Ward 2

Grant Mazzarino
 Ward 3

Kara C. Rodriguez
 Ward 4

Keith R. Dalton
 Town Manager

Please give a brief description of the organization, proposed project, and who will participate.

The Barns of Rose Hill is a rural arts center, located in the heart of Berryville. Our venue is two previously restored Dalry Barns and houses the Berryville/Clarke County Visitor's Center.

The requested support from the town of Berryville would be used to continue to offer a diverse variety of free and affordable programs throughout the year. Our programs include live music, exhibits, films, workshops and classes, jam sessions, community programs, and more designed to fulfill our mission of enriching lives through the arts, education, and community. Despite the challenges of the pandemic, in 2020 Barns of Rose Hill presented 40 in-person events in 2020, which attracted 2,354 attendees. We presented over 48 virtual events through Facebook and YouTube. Programs included 28 concerts and 20 classes, workshops, and lectures. All virtual programming was and continues to be free to the public.

We are thrilled to be able to continue our virtual programming and small concerts throughout the ongoing pandemic. Our Exhibits and Visitor's Center safely continue to be open. During the second half of 2021 we intend to resume all in-person programs. Barns of Rose Hill operates on a budget of around \$250,000 annually. This is supported through grants, programming and tickets sales, and through donations from our community.

Please list the organization's officers, board of directors, and key staff.

Board Officers:

Michael Hobert-Chair (Attorney)

Lucy Dorick-Vice-Chair (International Fundraiser)

Pat Robinson-Secretary (Attorney)

Kelli Patterson-Treasurer (Retired Legal Administrator)

Staff:

Sarah Ames-Executive Director

Nathan Berger-Director of Operations

Morgan Morrison- Program Director

Tiwana Brooks-Office Manager

How will the community benefit from the project?

We offer a variety of free and affordable events and programs throughout the year including concerts, performances, films, talks and discussions, exhibits, and much more for our community members and visitors to enjoy.

We also partner with local organizations such as the Clarke County Community Band, the Clarke County Historical Association, Clarke County Lions Club, and local school choir departments to host programs and events to enrich and engage people of all ages. We also partner with the Clarke County Library to host programs including free Summer programs for children and other programs.

Through the Visitor's Center, we are able to support our Economic Development by highlighting our Berryville Main Street businesses.

Please attach the organization's budget.

Please select the category that best describes your organization's primary focus.

- Arts Education
- Dance
- Multidisciplinary
- Music
- Opera
- Theater/Storytelling
- Visual Arts
- Other (please describe) _____

Populations Benefitted

Please select any categories that, by your best estimate, will make up 25% or more of the population that will directly benefit from the award during the period of support.

Racial or Ethnic Groups

- American Indian/Alaskan
- Asian/Pacific Islander
- Black/African American
- Hispanic/Latino
- White/Caucasian
- Other

Other Distinct Groups

- Individuals with disabilities
- Individuals in institutions (hospitals, hospices, assisted care, etc.)
- Individuals below the poverty line
- Individuals with limited English proficiency
- Military veterans/active duty personnel
- Youth at risk

Age

- Children/Youth (0-18 years)
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- None of the funded activities involve arts education



Signature

2/15/2021

Date

BARNs OF ROSE HILL
Budget vs. Actuals: 2021 Budget - COLLAPSED
 January 2021

	<u>2021 Budget Total</u>
Income	
4000 Programming Income	
Total 4100 Performances	82,000.00
Total 4200 Films Income	2,600.00
Total 4300 Educational Workshops	3,000.00
Total 4400 Art Exhibits	3,200.00
Total 4500 Gift Shop Income	2,700.00
4600 Program Sponsorship	10,000.00
4610 Programming Sponsorship - Classical	15,000.00
Total 4000 Programming Income	118,400.00
Total Income	118,400.00
Cost of Goods Sold	
Total 5100 Performances	64,000.00
Total 5200 Films	1,026.00
Total 5300 Educational Workshops	2,000.00
Total 5400 Art Exhibits Costs	200.00
Total 5500 Gift Shop Expense	600.00
Total 6900 Other Programming Expenses	74,269.00
Total Cost of Goods Sold	131,984.00
Gross Profit	(13,584.00)
Expenses	
Total 6000 Compensation	108,888.00
Total 6100 Professional Fees	18,000.00
Total 6200 Occupancy Expenses	29,460.00
Total 6300 Office Expenses	16,000.00
Total 6400 General Expenses	16,485.00
Total Expenses	188,833.00
Net Operating Income	(202,416.00)
Other Income	
Total 7000 Other Income	18,700.00
Total 7100 Development Income	119,000.00
Total 7200 Special Events	80,000.00
Total 7300 Grants & Restricted Donations	225,000.00
Total 7500 Property Rental Income	7,000.00
Total Other Income	449,700.00
Total Other Expenses	66,150.00
Net Other Income	383,650.00
Net Income	181,136.00
Less: Perm Restricted Donations	(200,000.00)
(Increase)/Decrease in Temp Restricted	(18,000.00)
Add: Transfer From Endowment	25,000.00
Net Increase / (Decrease) in unrestricted net assets	<u>(1,866.00)</u>

no assurance is provided on these financial statements

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

JAN 06 2005

THE BARN OF ROSE HILL INC
PO BOX 738 894 MILTON VALLEY LN
BERRYVILLE, VA 22611

Employer Identification Number:
27-0103521
DLSN:
17053328033024
Contact Person:
RONALD D BELL ID# 31105
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
DECEMBER 31
Public Charity Status:
509(a)(2)
Form 990 Required:
YES
Effective Date of Exemption:
SEPTEMBER 29, 2004
Contribution Deductibility:
YES
Advance Ruling Ending Date:
DECEMBER 31, 2008

Dear Applicant:

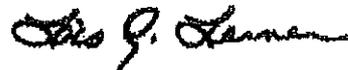
We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 9734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Enclosure: Information for Organizations Exempt Under Section 501(c)(3)
Form 972-C



Roster – Jan 2021

Name	Position	Occupation	Primary Phone	Email	Term Start	Mailing Address
Michael Hobert	Chair	Attorney	540-247-2130 (texts ok)	Johnmichaelhobert@gmail.com	Jan 2016, Jan 2019	24 East Main Street Berryville, VA 22611
Lucy Dorick	Vice-Chair	International Fundraiser	292-498-7732 (texts ok)	ldorick@aol.com	Jan 2016, Jan 2019	656 Senseny Rd Berryville, VA 22611
Pat Robinson	Secretary	Attorney	540-401-9885 (texts ok)	parobinson@outlook.com	Jan 2019	180 Briggs Rd Berryville, VA 22611
Kelli Patterson	Treasurer	Retired Legal Administrator	540-431-8320	kellyspatterson@yahoo.com	Jan 2021	216 Lewisville Rd Berryville, VA 22611
David Conrad	Director	IT Specialist	540-552-4396 (texts ok)	David.conrad@borh.org	Jan 2020	193 Triple J Road Berryville, VA 22611
Peter Cook	Director	Retired Banker	540-955-3118 home 540-401-9025	peterjcook2000@gmail.com	June 2019	211 Warner Washington L Berryville, VA 22611
John Hill	Director	Retired Counselor, Vice-Mayor Winchester	540-722-0931	John.v.hill@gmail.com	Jan 2019	509 South Street Winchester, VA 22601
Allen Kitselman	Director	Architect, Musician/Songwriter	540-955-1669 x210	akitsei@mainstreetarch.com	Jan 2021	315 S. Church Street Berryville, VA 22611
Julie Miles	Director	Artist	540-219-7341 (texts ok)	Jmiles414@icloud.com	May 2018	272 Berrys Ferry Rd White Post, VA 22663
Ronald (JC) Moore	Director	Tree Work	540-955-9511	Travel2light@protonmail.com	Jan 2021	2348 Springsbury Rd. Berryville, VA 22611
Barb Murry	Director	Retired School Teacher	703-901-4224 (texts ok)	Barbara.murry@borh.org	Sept 2019	11 Dorsey Street Berryville, VA 22611
Isreal Preston	Director	IT Specialist	703-310-7311	prestonisreal@gmail.com	Jan 2019	525 S Church Street Berryville, VA 22611
Roma Sherman	Director	Retired Business Owner	540-592-3998 home	romadsherman@gmail.com	Nov 2019	658 Federal Street Paris, VA 20130

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



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[E] info@berryvilleva.gov

RECEIVED
FEB 17 2021
Town of Berryville, VA

BERRYVILLE
EST. 1798 *Genuine* VIRGINIA

**Creative Communities Partnership Grant
Participant Application**
Deadline: February 17, 2021

PLEASE NOTE: applicants must be a 501(c)3 organization whose primary purpose is the arts (production, presentation or support of dance, literary arts, media arts, music, theater, or visual or related arts), that are incorporated in Virginia. They must also have their headquarters and home seasons, or activities equivalent to a home season, within the state. Funding cannot be provided for payment to performers for specific performances. Proof of 501(c)3 status required with submission. For more information about the Virginia Commission for the Arts' Creative Communities Partnership Grant program, please visit http://www.arts.virginia.gov/grants_local.html or contact Community Development Director Christy Dunkle at planner@berryvilleva.gov or (540) 955-4081. Please forward completed application via email to planner@berryvilleva.gov by no later than 5:00 PM on February 17, 2021.

Name of Arts Organization: The Blue Ridge Studio for the Performing Arts

Applicant Name: Niemann Cordelia A.
Last First M.I.

Address: 5 East main st.
Street Address Apartment/Unit#

Berryville VA 22611
City State ZIP Code

Phone: 540-955-2919 (office) 540-664-6664 (cell)

Has this organization received a Local Arts Grant from the Town of Berryville in the past?

Yes No

Harry Lee Arnold, Jr.
Mayor

Erecka L. Gibson
Recorder

Council Members

Donna Marie McDonald
Ward 1

Diane Harrison
Ward 2

Grant Mazzarino
Ward 3

Kara C. Rodriguez
Ward 4

Keith R. Dalton
Town Manager

Please give a brief description of the organization, proposed project, and who will participate.

The Blue Ridge Studios for the Performing Arts is a non-profit organization committed to providing quality dance training to children and adults in the Northern Shenandoah Valley. In June, our end-of-the-year stage production will be performed at the Ruritan Fair Grounds, and will be a celebration of our return to performing for the public. These four performances will be free of charge for the entire community, and all our students will participate.

Please list the organization's officers, board of directors, and key staff.

Cardelia Niemann - Director

Celeste Heath - Treasurer

Cheryl Donald - Asst. Director

How will the community benefit from the project?

This year has been particularly challenging for families everywhere, and our collective sense of community has been deeply affected. Our project this spring - ~~a free~~, a free, live performance by the children in our county, in a safe and healthy environment - is our way of giving back to the community that has supported us all these years, and our way of bringing the community together again.

Please attach the organization's budget.

Please select the category that best describes your organization's primary focus.

- Arts Education
- Dance
- Multidisciplinary
- Music
- Opera
- Theater/Storytelling
- Visual Arts
- Other (please describe) _____

Populations Benefitted

Please select any categories that, by your best estimate, will make up 25% or more of the population that will directly benefit from the award during the period of support.

Racial or Ethnic Groups

- American Indian/Alaskan
- Hispanic/Latino
- Asian/Pacific Islander
- White/Caucasian
- Black/African American
- Other

Other Distinct Groups

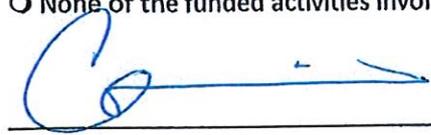
- Individuals with disabilities
- Individuals with limited English proficiency
- Individuals in institutions (hospitals, hospices, assisted care, etc.)
- Military veterans/active duty personnel
- Individuals below the poverty line
- Youth at risk

Age

- Children/Youth (0-18 years)
- Young adults (19-24 years)
- Adults (25-64)
- Older adults (65+ years)

Arts Education Choose the one item which best describes the funded activities.

- 50% or more of the funded activities are arts education directed to K through 12 students, higher education students, pre-kindergarten children, and/or adult learners (including teachers and artists)
- Less than 50% of the funded activities are arts education directed to K through 12 students, higher education students, pre-kindergarten children, and/or adult learners (including teachers and artists)
- None of the funded activities involve arts education



Signature

2/17/21

Date

The Blue Ridge Studio for the Performing Arts
Profit and Loss Budget
 January - December 2021

	Total
INCOME	
501 Tuition	\$ 103,000.00
510 Contributions Income	3,000.00
Recital Income	8,000.00
Total INCOME	\$ 114,000.00
Gross Profit	\$ 114,000.00
 EXPENSES	
Program expenses	
833 Instructor	\$ 22,000.00
Dancewear Supplies	8,000.00
Recital Expenses	2,300.00
Costumes	9,000.00
Facility Usage Fees	2,000.00
Total Recital Expenses	\$ 13,300.00
Scholarship Award & donations	300.00
Total Program Expenses	\$ 43,600.00
General & Administrative	
803 Advertising	1,450.00
Website Management	350.00
Total 803 Advertising	\$ 1,800.00
840 Books, Subscriptions, Dues	800.00
844 Meals, Meetings, Entertainment	900.00
855 Insurance - Liability, D and O	1,300.00
884 Office Expenses	1,400.00
813 Vantiv credit card Fees	1,900.00
884P Printing and Copying	300.00
885 Studio Software	1,000.00
889 Postage, Mailing Service	200.00
Total 884 Office Expenses	\$ 4,800.00
895 Facilities and Equipment	
895R Rent - Facilities	\$ 18,000.00
895U Utilities	5,000.00
898 Repairs & Maintenance	400.00
920i Internet Service	1,600.00
Total 895 Facilities and Equipment	\$ 25,000.00
906 Salary	30,000.00
Employee Benefits	3,000.00
Total 906 Salary	\$ 33,000.00
911 Supplies	800.00
915 Taxes	2,000.00
Total General & Administrative	\$ 70,400.00
Total Expenses	\$ 114,000.00
Net Income	\$ -

Report of the Department of Public Works
March 1, 2021

Water

We experienced one water break last month. On February 1st a member of the Public Works Crew identified a water break on North Church. The leak was found during one of our several snow events.

Since this leak occurred while Public Works personnel were divided into 12 hour snow shifts, I made the decision to wait 24 hours to repair the leak so we could have all PW Crew members on board to assist with the task. During this time we notified businesses and residents that would be affected by the excavation of the leak and the possibly they may be out of water during the repair.

Once we excavated we found the leak was on an old galvanized service line that apparently had been abandoned at the property, but not at the main. Once we determined the line was no longer in service we disconnected it at the water main and installed a stainless repair sleeve. Roadway restoration will be made in the summer.

Sewer

During the month of February we experienced one sewer pump station failure. This failure occurred on the South Buckmarsh Pump Station. The issue was the result of a faulty vacuum pump. With the assistance of a contractor we were able to replace the pump and return the station back into service.

General Information

Public Works Crews battled several snow and ice events last month. Each event required a great deal of work.

In the past two years we have been very fortunate to have added experienced personnel to our department. This experience aided us greatly in our snow removal effort.

We experienced very little equipment failure during our snow removal operations.

During the last week of February we received our 2021 HV International Dump Truck. This truck was ordered in July and took eight months to arrive. It is equipped with a salt spreader and plow and ready to put into service if needed.

Berryville Town Council Item Report Summary
March 9, 2021

Item Title

Staff Reports - Public Utilities

Prepared By

Background/History/General Information

The Berryville Utility Plants continue to function well and data received to date is in compliance for the month of February. The WTP has delivered 9.316 MG of water to the distribution system with a daily average of 0.423 MG and a daily max delivery of 0.674 MG. Our max is a little high this month as we ran 36 hour production cycle in preparation for storms mid month to increase water storage. The wastewater facility has produced a high quality effluent this month and has treated 10.5 MG total with an daily average of 0.38 MGD and a max of 0.67 MG.

Drought Conditions - The Shenandoah River has had plenty of flow this month and there are no concerns for drought at this time.

Findings/Current Activity

The WTP has had a fairly quiet operational month with no major issues. Salts in the water from snow melt and runoff have given us a little trouble with process adjustments but operations stayed on top of conditions well.

The WTP was inspected for the first time by the Culpepper VDH office. We have not yet received the report but I believe it went well. We will need to make a few minor changes to accommodate some differences in VDH office procedures but they appear to be good procedural changes and we are implementing them prior to receiving the report.

We have begun a "Spring Cleaning" of the water plant and are going through some of the old materials that have been sitting around and clearing old non functional equipment and supplies that are no longer used.

The new finish pumps have arrived and are currently stored at the WWTF. We are finalizing the SCADA work and receiving bids for the electrical install and hope to have everything on track for work to begin on the installations in March.

The Wastewater Facility is operating well. Flows have increased slightly towards the end on the month with snow melting and we had a good increase in flow on the 28th thanks to rains. WE had a peak flow of 880 gpm or about 1.2 MGD but the facility handled it well.

Membrane trains 2 and 3 received an acid recovery clean in February with no issues during the cleans. Train 4 will be completed in the next week and we will then move to hypo recovery cleans.

Drum screen #2 is once again not performing well. We have purchased and received materials to mount a deflector in the screen to prevent this problem from occurring and had scheduled the install for today

March 3. However influent flow rates are preventing the work and the new parts will be installed as soon as flow permits.

We did have a leak in our non-potable water system located in the effluent pup building. We have repaired the leak and the system is on line. We have also received an EQ pump sent to our contractor for rebuild. It has been returned to the spare parts inventory.

We have completed about 300 maintenance workorders in February between the two facilities.

Attached to this report are the first page of the MOR for the water facility and the DMR data sheets for the wastewater facility. Please note that data has not been reviewed prior to submittal to the state and that not all data has been received from our contract lab.

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. 2021-02 Council Report Attachment

Recommendation

Sample Motion

FLOWS AND CHEMICAL DOSAGES

February 2021
No. Connections Served: 1738
Population Served: 4185

DATE	Raw Water Treated MGD	Finished Water Produced MGD	Finished Water Delivered MGD	Hours in Service	Raw Water Chemicals										Finished Water Chemicals							
					Alum Lbs per Day mg/L	Carbon Lbs per Day mg/L	Chlorine Lbs per Day mg/L	Fluoride Lbs per Day mg/L	Polymer Lbs per Day mg/L	KMnO4 Lbs per Day mg/L	Soda Ash Lbs per Day mg/L	Chlorine Lbs per Day mg/L	Corr Inhibitor Lbs per Day mg/L									
1	0.457		0.440	13.5	25	6.5	2	0.8														
2	0.489		0.445	14.5	20	5.0	3	0.8														
3	0.499		0.423	14.8	25	6.0	3	0.7														
4	0.492		0.450	14.5	30	7.4	3	0.8														
5	0.510		0.443	15.8	25	6.0	3	0.8														
6	0.229		0.196	7.0	10	3.3	2	0.8														
7																						
8	0.494		0.442	13.8	30	7.4	4	1.1														
9	0.529		0.436	13.3	40	9.1	2	0.5														
10	0.456		0.384	13.3	25	6.6	4	1.1														
11	0.477		0.433	13.3	30	7.5	2	0.5														
12	0.499		0.454	14.0	30	7.3	2	0.6														
13																						
14																						
15																						
16	0.585		0.507	17.8	35	7.3	3	0.6														
17	0.775		0.674	23.5	45	7.0	2	0.3														
18	0.513		0.460	14.5	35	8.2	2	0.5														
19	0.544		0.475	16.8	56	12.3	2	0.4														
20	0.216		0.201	6.0	20	11.2	1	0.7														
21																						
22	0.518		0.445	13.5	56	12.9	1	0.3														
23	0.512		0.436	13.5	46	10.7	2	0.5														
24	0.523		0.465	14.5	46	10.5	2	0.6														
25	0.512		0.434	13.8	51	11.9	2	0.5														
26	0.529		0.469	14.8	56	12.7	2	0.5														
27	0.246		0.204	7.5	30	14.8	1	0.6														
28																						
29																						
30																						
31																						
Total	10.614	0.000	9.316	303.6	768	193.4	53	13.5	0.0	0.00	65.4	16.2	1.38	0.341	53	13.3	0.0	0.00	281.6	70.06	0.0	0.00
Maximum	0.775	0.000	0.674	23.5	55	14.8	4	1.1	0.0	0.00	4.9	0.9	0.11	0.019	13	3.2	0.0	0.00	22.6	3.73	0.0	0.00
Minimum	0.216	0.000	0.196	6.0	10	5.0	1	0.3	0.0	0.00	1.3	0.6	0.03	0.013	1	0.3	0.0	0.00	5.4	2.52	0.0	0.00
Average	0.482	0.000	0.423	13.8	35	8.8	2	0.6	#DIV/0!	#DIV/0!	3.0	0.7	0.06	0.015	2	0.6	#DIV/0!	#DIV/0!	12.8	3.18	#DIV/0!	#DIV/0!

SIGNED: (OPERATOR IN RESPONSIBLE CHARGE)

RAW WATER SOURCE(S) USED DURING MONTH: (SOURCE DATES)

PRINTED NAME
David A Tyrell

Shenandoah River - Entire Month

TITLE OPERATOR CLASSIFICATION
DPOR CERTIFICATION NO.

Class 1
1955002813

Berryville STP Monthly DMR Data
February 2021

Date	Eff. Total N KG/D	Eff. Total P mg/l	Eff. Total P KG/D	E. coli No./100ml
2/1/2021				
2/2/2021	4.98	0.11	0.11	1
2/3/2021				
2/4/2021				
2/5/2021	2.80	0.11	0.13	2
2/6/2021				
2/8/2021	2.00	0.08	0.10	1
2/9/2021				
2/10/2021				
2/11/2021	1.12	0.01	0.01	1
2/12/2021				
2/13/2021				
2/14/2021				
2/15/2021	1.06	0.05	0.05	1
2/16/2021				
2/17/2021				
2/18/2021				
2/19/2021				
2/20/2021				
2/21/2021				
2/22/2021	0.72	0.53	0.76	1
2/23/2021				
2/24/2021				
2/25/2021				
2/26/2021				
2/27/2021				
2/28/2021				
Minimum	0.72	0.01	0.01	1
Maximum	4.98	0.53	0.76	2
Total	12.67	0.89	1.17	9
Average	2.11	0.15	0.19	1
Geo Mean	1.69	0.08	0.09	1

**Berryville Town Council Item Report Summary
March 9, 2021**

Item Title

Staff Reports - Police Department

Prepared By

Background/History/General Information

Monthly Activity Report

The activity report for the month of February 2021 is attached to this memo.

Public Safety Committee

The Public Safety Committee did not meet in February 2021.

Patrol Vehicle

The department took delivery of the new fleet vehicle on February 25, 2021 and it is currently in service. The vehicle is a 2020 Ford SUV and replaces a 2011 Ford Crown Vic. You will note that the graphics on the vehicle have been updated to align with the new branding for the town.

Patch Design

In addition to the vehicle graphic redesign, the department has incorporated the new branding into the shoulder patches worn by officers. The department will transition into the new patches over the next several months.

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. Police and Security Report Feb 2021
2. New Cruiser

3. BERRYVILLE PD (VA) DEC 2020 (003)

Recommendation

Sample Motion

59A



Berryville Police Department

101 Chalmers Ct., Suite A, Berryville, Virginia 22611

policeadmin@berryvilleva.gov

(540) 955-3863 (540) 955-0207 (Fax)

W. Neal White – Chief of Police

Police and Security Report

Month/Year: February 2021	Year To Date 2021	February 2021	January 2021
<u>Complaints Answered</u>			
911 Hang Up:	1	0	1
Alarms:	19	14	5
Animal Complaint:	6	6	0
Assault:	4	1	3
Assist County:	6	0	6
Assist EMS and Fire:	28	16	12
Auto Larceny:	0	0	0
Burglary:	0	0	0
Civil Complaints:	3	1	2
Disturbance:	5	4	1
Domestic Disturbance:	4	2	2
Driving Under the Influence	0	0	0
Drunk In Public:	1	0	1
Fraud:	5	3	2
Larceny:	7	3	4
Harassment/Intimidation:	2	2	0
Homicide:	0	0	0
Identity Theft	4	2	2
Juvenile Related:	2	0	2
Mental Health Crisis:	12	8	4
Narcotics Related:	1	1	0
Noise:	10	3	7
Public Service:	2	2	0
Sexual Assault:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Suspicious Activity:	23	7	16
Trespassing:	2	1	1
Vandalism:	19	1	18
Welfare Check:	14	6	8
Miscellaneous Complaints:	61	39	22
Total Complaints Answered:	241	122	119



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date 2021	February 2021	January 2021
<u>Traffic</u>			
Accidents Investigated:	8	4	4
Assist Motorist:	0	0	0
Child Safety Seat Install:	3	0	3
Funeral Escort:	3	3	0
Hit & Run:	2	0	2
Parking Tickets:	0	0	0
Traffic Warnings:	13	11	2
<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:	2	1	1
Fail to Obey Traffic Signals:	1	1	0
Fail to Stop/Lights & Siren:	0	0	0
Fail to Yield Right of Way:	0	0	0
Hit and Run:	1	0	1
No Liability Insurance:	0	0	0
No Operator's License:	0	0	0
No Seat Belt:	0	0	0
Reckless Driving:	1	0	1
Speeding:	6	4	2
Miscellaneous Summons:	0	0	0
Total Traffic Summons Issued:	11	6	5
<u>Found Open at Businesses in Town</u>			
Doors:	3	1	2
Windows:	0	0	0
Garage Doors:	0	0	0



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date	February	January
	2021	2021	2021
<u>Criminal Arrests Made</u>			
Abduction:	0	0	0
Arson:	0	0	0
Assault and Battery:	3	1	2
Assault and Battery on Police Officer:	0	0	0
Auto Larceny:	0	0	0
Breaking and Entering:	0	0	0
Capias:	1	1	0
Disorderly Conduct:	0	0	0
Driving Under the Influence:	0	0	0
Drunk In Public:	1	0	1
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:	1	1	0
Rape:	0	0	0
Resisting Arrest:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	1	0	1
Vandalism:	0	0	0
Weapons Violation:	0	0	0
Miscellaneous Criminal Arrests:	3	1	2
Juvenile Detention Order Totals:	0	0	0
Total Criminal Arrests:	10	4	6



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date 2021	February 2021	January 2021
<u>Response to Resistance</u>			
Total Community Interface	264	138	126
Total Enforcement Contacts	44	28	16
Physical Custody	6	3	3
Reported Force Involved	0	0	0
Administrative Review - Justified	0	0	0
Administrative Review - Not Justified	0	0	0
Complaint of Injury - Arrestee	0	0	0
Medical Treatment for Injury - Arrestee	0	0	0
Complaint of Injury - Officer	0	0	0
Medical Treatment for Injury - Officer	0	0	0
<u>Type of Force Involved</u>			
Compliance Hold / Open Hands	0	0	0
Takedown	0	0	0
Strikes (Hands / Knees)	0	0	0
Chemical Sprays (O.C.)	0	0	0
Impact Weapon (Baton)	0	0	0
Mechanical Non-Lethal	0	0	0
Firearm	0	0	0
<u>Arrestee Demographics</u>			
White Male	5	3	2
Black Male	0	0	0
Other Male	0	0	0
White Female	1	0	1
Black Female	0	0	0
Other Female	0	0	0





Berryville Town Council Item Report Summary
March 9, 2021

Item Title

Police Department - Mutual Aid Agreement Between Town of Berryville and County of Clarke

Prepared By

Neal White, Chief of Police

Background/History/General Information

The Code of Virginia allows law enforcement agencies to enter into agreements to provide mutual assistance. The Clarke County Sheriff's Office and Berryville Police Department entered into such an agreement in 1995. Since that time there have been revisions to the state code that need to be addressed within the agreement. The agreement was reviewed by staff of both agencies, and a revised agreement was approved by the Clarke County Board of Supervisors in February 2021.

The revised agreement is attached to this report. The revision includes updates to the state code and clarifies the type of emergencies to which Berryville Police Department officers would respond when Clarke County Sheriff's Office resources are limited.

Findings/Current Activity

Financial Considerations

There are no financial considerations associated with this agenda item.

Schedule/Deadlines

There is not a deadline associated with this agenda item.

Other Considerations

Providing mutual aid to another agency does move law enforcement resources outside the jurisdictional boundaries of the Town of Berryville. A review of 2020 data showed that BPD responded to mutual aid requests in Clarke County 48 times and a majority of those incidents were within a few miles of town. The time spent outside of town boundaries while assisting Clarke County was also brief in duration.

However, staff felt it was important to establish clear response strategies within BPD policy to ensure that resources were only deployed outside of town when necessary for the safety of responding deputies and citizens. To accomplish that end, the BPD general order concerning mutual aid will also be revised to address issues of response, supervisor notification, and assistance duration.

Attachments

1. Mutual Aid Agreement - Clarke County SO
2. MOU Town Police SO 20201214
3. 13_Mutual Aid_BPD_Revision2021

Recommendation

It is recommended that the agreement be accepted as presented.

Sample Motion

THIS AGREEMENT made and entered into this 11th
day of July, 1995, by and between
the BOARD OF SUPERVISORS OF CLARKE COUNTY, VIRGINIA, acting
for and on behalf of the County of Clarke, Virginia (herein
"County"); and the COUNCIL OF THE TOWN OF BERRYVILLE,
VIRGINIA, acting for and on behalf of the Town of
Berryville, Virginia, a political subdivision of the
Commonwealth of Virginia (herein "Town").

W I T N E S S E T H

WHEREAS, the Town, as an incorporated town, is an
integral part of the County of Clarke, Virginia, and as
such is subject to the jurisdiction of the Sheriff's
Department of Clarke County, Virginia, and

WHEREAS, the town has a duly constituted police force;
and

WHEREAS, periodically a Deputy Sheriff of Clarke
County, Virginia, requests either in person, by radio, or
through Clarke County Communications, (the central dispatch
office), the secondary assistance of the Berryville Town
Police in the response to a call in Clarke County, Virginia,
outside the territorial limits of the Town; and

WHEREAS, 15.1-159.7 of the Code of Virginia 1950, as
amended, provides that the governing body of any county and
town whose boundaries are contiguous may enter into mutual
aid agreements for their mutual protection, defense and
maintenance of peace and good order; and

WHEREAS, 15.1-131.3 of the Code of Virginia, 1950, as amended, provides that the governing body of any county and town may enter into reciprocal agreement for cooperation in the furnishing of police services; and

WHEREAS, it is the desire of the parties hereto to cooperate one with the other in the furnishing of their police services for their mutual protection, defense and the maintenance of peace and good order.

NOW, THEREFORE, in consideration of the premises the mutual promises and obligations hereinafter set forth and the mutual benefits to accrue to the parties hereby, and pursuant to 15.1-159.7 and 15.1-131.3 of the Code of Virginia, 1950, as amended, the parties hereto agree as follows:

1. The Town agrees to authorize, furnish and make available members of its Police Department, their equipment and materials, to respond to calls for SECONDARY law enforcement assistance in Clarke County, Virginia, outside the territorial limits of the Town as requested by the Sheriff and/or Deputy Sheriffs of Clarke County, Virginia, provided, however, that such calls are not ROUTINE NON-EMERGENCY POLICE FUNCTIONS, and a county officer has first responded to the scene and made an evaluation to determine that said incident is of such a serious nature that it warrants additional manpower, and an attempt to summon additional county and state police officers has been

executed.

2. The County agrees to authorize, furnish and make available members of its Sheriff's Department, their equipment and materials, to respond to calls for secondary law enforcement assistance in the Town of Berryville Virginia as requested by the Chief of Police and/or Police Officers of the Town of Berryville, Virginia; provided however that such calls are not routine non-emergency police functions, and a Town Police officer has first responded to the scene and made an evaluation to determine that said incident is of such a serious nature that it warrants additional manpower and no other Town Police officers are available.

3. The County hereby reaffirms the responsibility of the Clarke County Sheriffs Department to furnish and make available members of its Department for assistance in addition to and not in lieu of any responsibilities within the Town of Berryville, Virginia, currently required by law of the Clarke County Sheriff's Department.

4. When acting pursuant hereto, all policemen, deputy sheriffs, law enforcement officials and agents of the cooperating departments shall have the same powers, rights, benefits, privileges and immunities in both jurisdictions, respectively, including the authority to make arrests in the two jurisdictions.

5. The County does further agree to indemnify and save harmless the Town on account of any liability which may accrue as a result of the acts of the members of the

Berryville Town Police Department furnishing law enforcement services and/or assistance to the Clarke County Sheriff's Department pursuant to this agreement.

5. Nothing contained herein shall in any way operate as an indemnification by the Town for the police services currently provided by the County through its Sheriffs Department by virtue of the Town's existence as an integral part of the County of Clarke, Virginia.

6. This agreement may be reviewed and/or terminated by either the Council of the Town of Berryville or the Board of Supervisors of Clarke County upon thirty (30) days written notice.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

Board of Supervisors of Clarke County
Virginia

By John D. Hirsty Seal
Chairman

Town of Berryville

By Richard G. Sponseller Seal
Mayor
Richard G. Sponseller

THIS AGREEMENT made and entered into this _____ day of _____, 2021, by and between the BOARD OF SUPERVISORS OF CLARKE COUNTY, VIRGINIA, acting for and on behalf of the County of Clarke, Virginia (herein "County"); and the COUNCIL OF THE TOWN OF BERRYVILLE, VIRGINIA, acting for and on behalf of the Town of Berryville, Virginia, a political subdivision of the Commonwealth of Virginia (herein "Town").

WITNESSETH

WHEREAS, the Town, as an incorporated town, is an integral part of the County of Clarke, Virginia, and as such is subject to the jurisdiction of the Sheriff's Office of Clarke County, Virginia, and,

WHEREAS, the Town has a duly constituted police force; and

WHEREAS periodically a Deputy Sheriff of Clarke County Virginia, requests assistance of the Berryville Town Police in the response to a call in Clarke County, Virginia, outside the territorial limits of the Town; and

WHEREAS §15.2-1737 of the Code of Virginia 1950, as amended, provides that the governing body of any county and town whose boundaries are contiguous may enter into mutual aid agreements for the mutual protection, defense, and maintenance of peace and good order; and

WHEREAS §15.2-1726 of the Code of Virginia 1950, as amended, provides that the governing body of any county and town may enter into reciprocal agreement for cooperation in the furnishing of police services; and

WHEREAS, it is the desire of parties hereto to cooperate one with the other in the furnishing of their police services for their mutual protection, defense and the maintenance of peace and good order.

NOW, THEREFORE, in consideration of the premises the mutual promises and obligations hereinafter set forth and the mutual benefits to accrue to the parties, hereby and pursuant to §15.2-1736 and §15.2-1726 of the Code of Virginia, 1950, as amended, the parties hereto agree as follows:

1. The Town agrees to authorize, furnish and make available members of its Police Department, their equipment and materials, to respond to calls for law-enforcement assistance in Clarke County, Virginia, outside the territorial limits of the Town as requested by the Sheriff and / or Deputy Sheriffs of Clarke County, Virginia, provided
 - a. There is an in-progress incident involving a crime against a person and based on the totality of the circumstances, additional law enforcement resources outside of those available to the assigned Deputy Sheriff would be necessary for the maintenance of peace and good order as well as the safety of citizens and the responding Deputy Sheriff, or
 - b. A determination is made by a Deputy Sheriff on the scene of an incident that additional assistance is needed, and the Sheriff's Office has no additional manpower to assist.
2. The County hereby reaffirms the responsibility of the Clarke County Sheriff's Office to furnish and make available members of its Office for assistance in addition to and not in lieu of any responsibilities within the Town of Berryville, Virginia, currently required by the law of the Clarke County Sheriff's Office.

3. When acting pursuant hereto, all policemen, deputy sheriffs, law enforcement officials and agents of the cooperating departments shall have the same powers, rights, benefits, privileges, and immunities in both jurisdictions, respectively, including the authority to make arrests in the two jurisdictions.
4. The County does further agree to indemnify and save harmless the Town on any liability which may accrue as a result of the acts of the members of the Berryville Town Police Department furnishing law enforcement services and / or assistance to the Clarke County Sheriff's Office pursuant to this agreement.
5. Nothing contained herein "shall in any way operate as an indemnification by the Town for the police services currently provided by the County through its Sheriff's Office by virtue of the Town's existence as an integral part of the County of Clarke, Virginia.
6. This agreement may be reviewed and / or terminated by either the Council of the Town of Berryville, Virginia, or the Board of Supervisors of Clarke County upon thirty (30) days written notice.
7. This agreement shall expire five (5) years from the date of execution.

WITNESS THE FOLLOWING SIGNATURE AND SEALS:

BOARD OF SUPERVISORS OF CLARKE COUNTY, VIRGINIA

By _____ Seal
Chairman

TOWN OF BERRYVILLE, VIRGINIA

By _____ Seal
Mayor

ADMINISTRATIVE ORDER13

MUTUAL AID

ADM 13.01 Mutual Aid

1. The Chief of Police has the authority to enter mutual aid agreements in accordance with §15.2-1724 Code of Virginia.
2. As necessary, all formal mutual aid agreements will be reviewed by the Chief of Police, Town Manager, legal counsel for the Town of Berryville, and Town of Berryville Council prior to execution.
 - 2.1. All original executed mutual aid agreements will be maintained by the Chief of Police.
 - 2.2. Department members will review mutual aid agreements during their initial field training.
 - 2.3. The Chief of Police will be responsible for disseminating information concerning any newly executed, revised, or dissolved mutual aid agreements.
3. When called upon, members of the Berryville Police Department may travel outside the territorial limits of the Town of Berryville to provide mutual aid to another agency, with the approval of a supervisor, in accordance with §15.2-1724 Code of Virginia:
 - 3.1. In response to any law enforcement emergency involving the immediate threat to life or public safety,
 - 3.2. During the execution of orders for temporary detention or emergency custody for mental health evaluation, or
 - 3.3. During any emergency resulting from the existence of a state of war, internal disorder, or fire, flood, epidemic or other public disaster.
4. Mutual aid may be requested from or provided to another law-enforcement agency by the department at the discretion of the on-duty supervisor; officers must remember, however, that they are primarily responsible for providing law-enforcement services to our jurisdiction.
 - 4.1. In the absence of an on-duty supervisor, the officer who receives the mutual aid request must make the initial determination concerning response based on the totality of circumstances involved in the request, to include:
 - 4.1.1. The primary responsibility to provide law-enforcement services to our jurisdiction,
 - 4.1.2. The number of officers deployed within our jurisdiction at the time of request,
 - 4.1.3. The nature of the incident necessitating the response of additional resources, and

- 4.1.4. The availability of other law-enforcement resources able to respond to the request.
5. There are generally three levels of mutual aid assistance as follows:
 - 5.1. Short duration, approximately thirty minutes or less, where additional resources are necessary to stabilize a scene or provide an additional show of force.
 - 5.2. Medium duration, approximately one to four hours. A supervisor for the department must be alerted to all medium duration requests for assistance and make a determination if department personnel will remain engaged in fulfilling the mutual aid request.
 - 5.3. Long duration, more than four hours. The chief of police shall immediately be notified, and in consultation with the agency requesting assistance, determine the extent to which members of the department can provide resources based on the nature of the request and available department resources.
6. Exigent requests, such as an officer down or in-progress felonies against person will be given highest priority and initiate a response without delay.
7. Members rendering aid under a mutual aid agreement shall abide by the rules and regulations, personnel policies, general orders, and standard operating procedures of this department. This applies even if a member receives a contradictory order from a member of the requesting agency.
 - 7.1. All members shall respond to mutual aid requests in accordance with the provisions of response procedures in Operations Order 01.01.
8. The department has established a mutual aid agreement with the Clarke County Sheriff's Office to provide assistance within Clarke County. Requests for mutual aid assistance outside of Clarke County requires a supervisor's approval prior to response, unless the request is considered an exigent request as defined in section 6 above.
9. Occasionally it is necessary to request assistance from a federal law-enforcement agency when a major crime has occurred and the suspect may have left the state. The chief of police shall decide whether or not to notify the FBI or other appropriate agency.
10. National Guard
 - 10.1. If the department, with the help of neighboring law-enforcement agencies and the State Police, is unable to cope with an emergency such as a riot or civil disturbance, the chief of police may contact the governor's office for National Guard assistance.
 - 10.2. Only the governor has the authority to call out the National Guard to active duty. Federal equipment and personnel can be used to support local emergencies or to protect life and property in natural disasters, protect against invasion or insurrection, per the governor's authorization. The chief of police shall contact the governor if National Guard assistance is required.

11. Reporting

- 11.1. All requests for mutual aid shall be assigned an incident number and a report shall be completed by the responding officer in RMS prior to the end of their shift. The report shall detail the agency requesting assistance, officer/deputy making the request, date, time, location, and actions taken by the responding officer(s).
- 11.2. The chief of police, or his designee, shall review all mutual aid reports to ensure that department policies and procedures, regulations, and general orders were followed.

12. Review

- 12.1. The chief of police shall periodically review all mutual aid agreements for compliance with federal and state laws, regulations, and ordinances. This review will also include analysis of the impact of mutual aid response on department resources and the frequency of department requests for mutual aid.

**Berryville Town Council Item Report Summary
March 9, 2021**

Item Title

Community Development - Monthly Update

Construction Update

Hermitage Phase V Bond Amounts for Erosion and Sediment Control

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. ComDev Multi

Recommendation

Sample Motion

Town Council Agenda Item Report Summary

March 9, 2021

Item Title

Community Development Update

Prepared By

Christy Dunkle

Planning Commission

The Planning Commission held their organizational meeting on Tuesday, February 23, 2021 at 7:00 p.m. Doug Shaffer and Kim Kemp were re-elected to serve as chair and vice chair, respectively. The Planning Commission discussed the following items:

Boundary Line Adjustment

Jeremy W. and Shannon W. Tipton and D.R. Horton, Inc. are requesting a boundary line adjustment between two lots identified as Tax Map Parcel numbers 14A2-((2))-18 and 14G-((2))-40, zoned DR-4 Detached Residential. *BLA 01-21 Approved as presented.*

Set Public Hearing - Text Amendment

Alton C. Echols is requesting sponsorship of a text amendment to Section 614.8(c)(3) Rear Yard requirement of the Berryville Zoning Ordinance decreasing the rear yard setback for single-family detached dwellings from 40 feet to 30 feet in the Older Person Residential (OPR) zoning district. *TA 01-21 Set a public hearing for their March 23, 2021 meeting, will make recommendation to Town Council.*

Blight Abatement *Discussed spot blight abatement process with Planning Commission members.*

Business Park Zoning District *Discussed uses and prohibited uses in the Business Park (BP) zoning district with Planning Commission members in order to identify current and future community needs.*

Zoning Districts with Senior Housing and Facilities *Discussed senior housing and facilities previously addressed at the November 2020 Town Council Work Session.*

They will continue discussing the zoning regulations identified above.

Their next meeting is scheduled for Tuesday, March 23, at 7:00 p.m.

Berryville Area Development Authority

The BADA did not hold a meeting in February. Their next meeting is scheduled for Wednesday, March 24, 2021 at 7:00 p.m.

Architectural Review Board

The Architectural Review Board held their organizational meeting on Wednesday, February 3, 2021 at 12:30 p.m. Susan Godfrey and Robin McFillen were re-elected to serve as chair and vice chair, respectively. They discussed the following item:

Glenn Skillman, Owner, is requesting a Certificate of Appropriateness in order to construct an accessory structure located at 307 East Main Street, identified as Tax Map Parcel number 14A5-((A))-100, zoned C General Commercial. *The request was approved.*

The next Architectural Review Board meeting is scheduled for Wednesday, March 3, at 12:30 p.m.

Tree Board

The organizational meeting for the Berryville Tree Board will be held on Wednesday, March 3, at 7:00 p.m.

Board of Zoning Appeals

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

Town Council Agenda Item Report Summary

March 9, 2021

Item Title

Construction Project Update

Prepared By

Christy Dunkle

Shenandoah Crossing Subdivision

- 82 single-family homes
- Owned by D.R. Horton, Inc.
- To be developed by D.R. Horton, Inc.
- Zoned DR-2 Detached Residential
- Cluster layout
- HOA-maintained facilities
- Utility and paving installation under way

Fellowship Square Subdivision

- 50 single-family homes
- Zoned DR-4 Detached Residential
- Cluster layout
- HOA maintained facilities
- The first Certificate of Occupancy and sale occurred in November
- Fairfax Street opened to the public on December 14, 2020 and now connects First Street to North Buckmarsh Street
- 12 grading plans submitted in the last two weeks
- 46 of the 50 lots are either completed or under construction.
- Sales continue to be brisk

Hermitage Phase V

- 71 single-family homes
- Currently owned by Silver Lake Development
- Final phase of Hermitage subdivision (started 2000)
- Zoned R-1 and DR-1
- Rezoning approved by Town Council at the September 10, 2019 meeting to align new layout with proposed parcel lines
- Phase V will have HOA oversight, other phases will not be affected
- Review of construction plans completed
- DEQ stormwater permitting approved
- Final plat approved by Planning Commission and BADA on Wednesday, July 22, 2020
- Deed of dedication reviewed and approved
- Bond approved by Town Council at their October meeting
- Modifications to the conservation area are under review by DEQ

Town Council Agenda Item Report Summary

March 9, 2021

Item Title

Update – Hermitage Phase V Bond Amounts for Erosion and Sediment Control

Prepared By

Christy Dunkle

Background/History/General Information

At the October 13, 2020 meeting, the Town Council set the following bonds for the fifth and final stage of the Hermitage subdivision:

Public Improvements:	\$ 6,359,560.00
Erosion and Sediment Control:	\$ 211,768.38

The contract purchaser, D.R. Horton, Inc., has made modifications to the grading of the conservation area located on the southwest portion of the property. Erosion and sediment control requirements are established by the Commonwealth of Virginia and activities are overseen by certified Town staff.

The public improvements bond will remain the same.

Findings/Current Activity

An updated grading plan increased the area of disturbance and, accordingly, the erosion and sediment controls that are to be installed. The grading plan and bond estimates have been reviewed and approved by a third-party engineer. DEQ is currently reviewing the final plans after receiving updated comments. Town staff will not release any plats or plans until final DEQ approval has been given.

Changes to the erosion and sediment controls include:

- Additional silt fence
- Modifications to the diversion dike
- The addition of a temporary culvert
- Additional seed and straw
- The need for stabilization matt and gravel

The bond amounts for erosion and sediment control have increased by \$ 93,496.

There are no changes to the final plat.

Financial Considerations

The bond to be held by the Town for erosion and sediment control is \$ 305,264.38.

Schedule/Deadlines

It would be appropriate to take action at this meeting.

Other Considerations

N/A

Recommendation

Approve the updated erosion and sediment control bonds as presented.

Sample motion

I move that the Council of the Town of Berryville approve updated erosion and sediment control bonds for the Hermitage V subdivision in the amount of \$ 305,264.38.

Attachment: Updated bond estimates

**Town of Berryville
EROSION AND SEDIMENT CONTROL
BOND ESTIMATE AND BOND REDUCTION FORM**

PROJECT NAME: Hermitage Phase 5
 PREPARED BY: M. Gimbel

FIRM: Pennoni Associates, Inc.

DATE: March 3, 2021

ITEM	BOND ESTIMATE				REDUCTION ESTIMATE		
	UNIT	UNIT COST	QUANTITY	EXTENSION	QUANTITY	EXTENSION	% COMPLETE
CONSTRUCTION ENTRANCE	EA	\$2,290.00		\$0.00			
WITH WASH RACK	EA	\$3,620.00	1	\$3,620.00			
SILT FENCE	LF	\$3.60	3500	\$12,600.00			
REINFORCED SILT FENCE	LF	\$12.00	5270	\$63,240.00			
DIVERSION DIKE	LF	\$3.60	2865	\$10,314.00			
TREE PROTECTION	LF	\$3.60	0	\$0.00			
SEDIMENT TRAP	EA	\$420.00	2	\$840.00			
PIPE OUTLET TRAP	EA	\$1,330.00	0	\$0.00			
SEDIMENT BASIN	EA	\$4,580.00	1	\$4,580.00			
INLET PROTECTION	EA	\$180.00	45	\$8,100.00			
OUTLET PROTECTION	EA	\$300.00	7	\$2,100.00			
STONE CHECK DAM	EA	\$300.00	0	\$0.00			
RIP RAP CLASS 1	SY	\$60.00	60	\$3,600.00			
PIPE SLOPE DRAIN	LF	\$7.80	0	\$0.00			
TEMPORARY CMP CULVERT	LF	\$40.00	40	\$1,600.00			
UTILITY STREAM CROSSING	EA	\$1,810.00	0	\$0.00			
PERMANENT SEEDING INCLUDES							
STRAW MULCH	AC	\$2,410.00	43.25	\$104,232.50			
SOIL STABILIZATION MAT	SF	\$1.20	22300	\$26,760.00			
GRAVEL ACCESS ROAD (6" DEPTH)	SY	\$10.50	250	\$2,625.00			

ESTIMATE OF
COMPLETED
WORK

TOTAL: \$244,211.50
 + 25% CONTINGENCIES: \$61,052.88
GRAND TOTAL: \$305,264.38

**Berryville Town Council Item Report Summary
March 9, 2021**

Item Title

Town Manager - Update on Livery Stable / 23 Main Street Project

Blight

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. Town manager

Recommendation

Sample Motion

Livery stable

In early 2018, the Town received a report on the condition of the livery stable that is located south of the old town office/ old fire house building located at 23 East Main Street. The executive summary from that report is attached to this report.

The engineer who evaluated the building recommended that stabilization work be commenced in approximately three years. The Town Council has reserved funds to complete work on the east wall (masonry), roof, and timber supports. The estimated cost of the work was \$150,500 (2018 \$).

Staff seeks guidance from the Town Council regarding whether to complete other work to facilitate use of the structure after stabilization. Staff also seeks guidance regarding whether the Council wishes to pursue improvements to 23 East Main Street prior to or at the same time as work on the livery.

Staff would like to review this matter in some detail, get guidance from the Council, and proceed with the project in the near-term.

Executive Summary

The Livery Stable ("The Stable") is attached to the rear of the structure located at 23 East Main Street in Berryville, Virginia. It is a two story wood framed structure. Based on the condition of the structure and type of materials used, it is estimated that The Stable was constructed between 1860 and 1900 and has served many functions for the Town since its original construction. Currently the facility is unoccupied except for two restrooms that were recently added to the facility on the first and second levels of 23 East Main Street.

This report was issued by the Town of Berryville to accomplish the following:

- Structurally assess the condition of the framing elements
- Develop dimensioned plan drawings of the existing conditions
- Develop repair documents for items found deficient during the assessment
- Provide construction cost data for any repairs to be implemented on the facility

Damron Engineering and Consulting llc ("DEC") performed multiple field visits to measure existing elements, document any deficiencies, and record overall condition of The Stable. Documentation was visual in nature for each visit, no demolition was performed to document conditions. Subsurface investigations were not performed to document soil conditions or gather detailed information about below grade building elements.

Overall, The Stable is structural sound and in no danger of eminent failure. There are no repairs requiring immediate attention. However, near term and far term repairs have been identified based on the conditions viewed. Near term repairs are those that should be completed within the next two to five years, far term repairs are more cosmetic in nature and could be done in conjunction with the near term items or separate as funding allows. Near term repairs recommended include interior wythe of brick masonry repairs on the east wall, floor system modifications, and addressing building envelop repairs. Far term repairs include replacement of the metal panel siding with wood and restoring the west wall framing to original condition. It is estimated that the total cost for near term repairs is \$150,347 and far term repairs estimated at \$304,692.

The following pages provide more detail on the scope of work, investigation methods, recommendations and costs associated with each item. Native CADD drawings for the facility are provided electronically to the Town Manager.

Background Information

The exact date of construction is not known for The Stable. There are photographic images that place the structure in use as the stable at the turn of the 1900's. It was potentially in use for an extended period of time prior to taking those images. Since serving as an operating livery, the Stable and 23 East Main Street have housed town offices, served as Police storage, the Public Works office and other services for the Town of Berryville. The Stable currently is unoccupied and primarily serves as a storage facility for the town and houses the mechanical equipment for the occupied spaces of 23 East Main Street.

The barn has undergone multiple renovations and currently has both timber and masonry load bearing elements. Timber framing was the primary construction method used in the United States in the 1700's and 1800's until balloon framing began to be more popular in the mid 1800's. Timber framing uses larger wood members spaced at larger intervals and are joined with wood connections. Wood connections typically are comprised of mortise and tenon joinery. The mortise (female) is the space in timber A that receives the tenon (male) from timber B. Tenons are typically 1-2" wide and are centered on the end of the timber. Both the mortise and tenon have holes so that a trunnel (peg) is inserted to keep the two timbers joined. Figure 1 is a diagram depicting common timber frame members and their terminologies, the shaded members in the diagram all together constitute a bent. The Stable was originally constructed of two interior and two gable end bents.

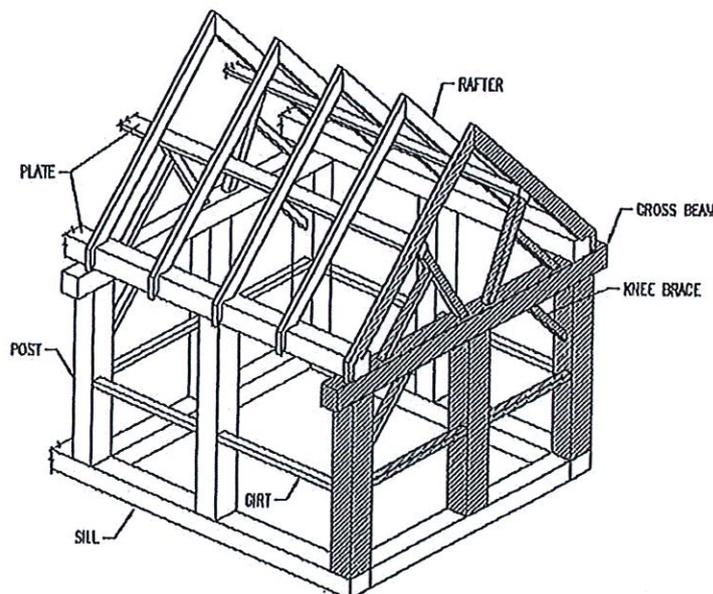


Figure 1 - Timber Frame Terminology

Several construction methods were visible in the barn. We used connection methodologies and lumber planing to aid in the dating process. The barn uses three types of wood connectors: timber frame, manufactured nails, and wire nails. The use of timber frame construction indicates a pre-1900's date. There are two types of nails used in the barn: machined and wire. Wire nails began to be used at the beginning of the 1900's. Machined nails became available in

the early 1800's. Throughout the structure, the lumber used is solid sawn, or rough planed, with no evidence of bark or rounded edges to the timbers. Planing machines were available in the early and mid 1800's, but were not widely used due to craftsman prejudices against early designs. The machines were modified and improved in the mid 1800's. Planing in the barn suggests a date later than 1860. Because of the civil war beginning in 1860 and lasting until 1865, the date of the barn is approximated as between 1870-1900.

Methods of Investigation

Inspection, measuring, and photographic documentation of the barn occurred over several days in October and November by Damron Engineering & Consulting llc. Not only was the structural integrity examined, but also time was spent determining the best methods to create a weather-tight structure and what features could be maintained and or improved.

Description of Structure

This section will describe the framing systems utilized and any deficiencies found during our field investigations. We will discuss the following systems: roof, floor, walls, and foundations.

Roof System

The roof is covered with a steel crimp seamed panel system. The panels are approximately 23 inches wide and are attached to the roof framing with concealed fasteners below each seam. Light steel flashing is present where the barn abuts the 23 East Main street walls, and flashing is present surrounding the chimney penetration in the Stable. Against the abutted building the roof covering changes to a more modern pattern of steel roofing. The roof panels drain to steel gutters fastened to the roof by means of straps attached on top of the panels to the roof purlins below the panels. The panels show no signs of significant damage, but appear to have been in place longer than their anticipated useful life. The structure below shows signs of previous water leaks, but no active leaks were evident from the staining.

The roof panels are attached to longitudinal roof purlins ranging in size from solid sawn 1-inch by 6-inch boards to 1-inch by 10-inch boards. Purlins are spaced randomly, due to the variety of sizes used, not more than 16 inches on center. There are members that show water stains from previous leaks in the roof, but upon physical inspection of random samples the purlins are sound and do not need to be replaced.

Rafters make up the primary structural element for the roof system. The rafters are solid sawn 2 inch by 5 inch boards and are spaced 2 feet on center. At the peak of the roof the rafters are miter cut to the roof pitch and fastened together. To restrain lateral forces at the base of the rafter each pair is tied together with a 1 inch by 4-inch collar tie located 3 feet 10 inches below the bottom of the peak joint. Additionally, at alternating pairs the peak is reinforced with a solid sawn 1-inch by 10-inch board nailed to the southern face of the peak and a 2-inch by 4-inch vertical that runs from the peak to the floor system. The rafters bear on solid sawn beams that will be described in the wall systems.

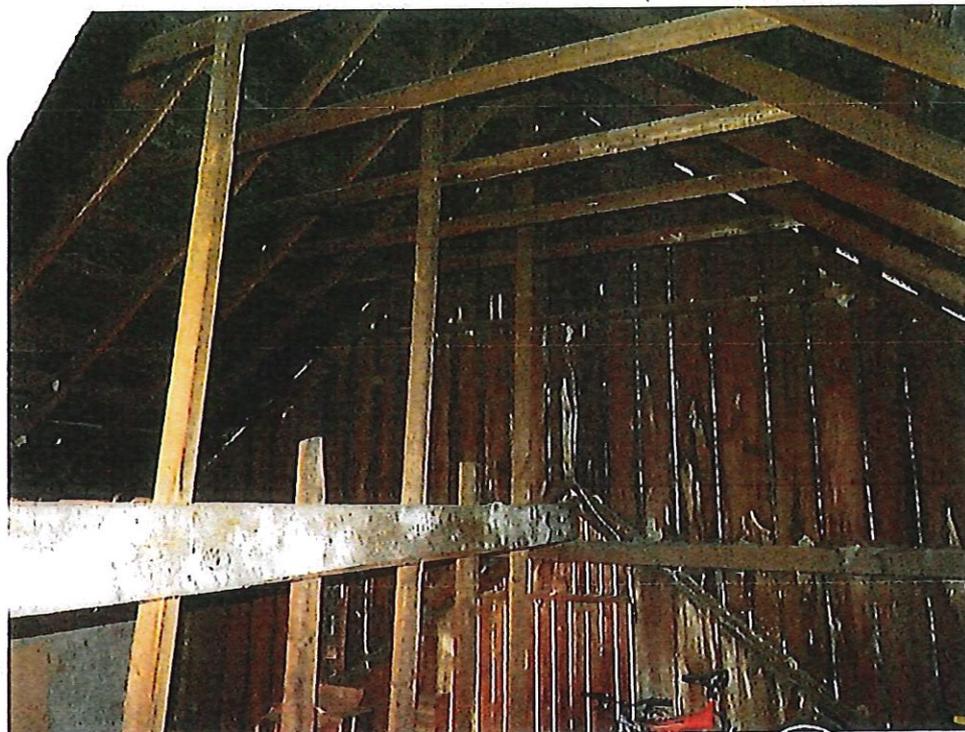


Figure 2 - Roof framing showing rafters, collar ties, and additional framing elements

Based on the visual observations, framing members making up the roof system appear to be sound and capable of withstanding snow loads applied to the system.

Roof Deficiencies

- a. Evidence of water infiltration present at the false ridge line on the south gable end. Flashing and roof covering should be replaced.
- b. On the main roof along the south gable, closure trim is missing or damaged that protects the ends of the roof purlins.
- c. Daylight is visible between the roof purlins along the south gable end. Will require closure to prevent moisture infiltration.
- d. Spray foam insulation has been installed to mitigate intrusion of pests into the building. This foam has the potential of trapping moisture should it get wet and could damage the wood members.
- e. Although the existing gutters are functional, the attachment of the gutters should be below the metal panel roofing to promote longevity of the system.

Floor System

The wearing surface for the floor system is comprised of 1-inch nominal planks attached to floor joists. These planks are butted together to form a continuous surface. In the finished space for the upper level an additional layer of plywood has been installed for a smooth wearing surface. A floor hatch was installed to allow access to the at-grade level just outside the door from the finished to unfinished area of the second floor. This hatch attaches to the top side of the decking with the opening framed between two floor joists. The only deficiency noted in the floor

deck are six areas where the deck has been removed, which totals twenty-four square feet, each location is approximately 2-feet by 2-feet. These openings currently have light-gage metal or street signs covering each. Once a use has been determined for the space, these openings should be filled in with like decking material to form a more uniform wearing surface.



Figure 3 - View of floor framing.

The wearing surface is supported by solid sawn floor joists. Joists bearing on the east wall of the building are 2-inch by 8 7/8-inch boards that bear in joist pockets in the brick wall. Joists bearing on the west wall are 2-inch by 10-inch members bearing on a 4-inch by 6-inch beam framed into the wall system. A transition in the floor is made roughly 12 feet 5 inches from the inside face of the east wall. At this transition the joists bearing on the western wall are stacked on top of those from the east. This transition results in an 11-inch step in the floor. The floor is supported at the transition by two separate means. First, by the concrete masonry wall that forms the electric room and bathroom. And second, south of the masonry wall, a flat 2-inch by 8-inch board supported by four columns with varied spacing. An additional flat support beam was also installed four inches away from the face of brick, it is also supported by columns, five with varied spacing.

Floor Deficiencies:

- a. The fifth joist from the south gable end has forty-four (44) inches removed starting fifty-four (54) inches from the face of brick.
- b. Fourteenth (14th) joist from the south end has evidence of previous infestation where the end of the joist has deteriorated. This is on the low joist and is not in the bearing region for the joist, but affects the connection to the high joist at that location.

- c. Near the rotten joist end, the band board shows similar infestation and has resulted in member deterioration. As with the joist, it is not an active situation.
- d. At the floor transition, the flat beam is not sufficient to support the floor if you apply the minimum code required live load. It will support the dead load of the system, as it has been, but it will not support live load should the floor be used.

Wall Systems

West Wall

The west wall exhibits the characteristics of traditional timber framing. It has a continuous beam, 4-inch by 4-inch solid sawn, at the top of the wall supporting the roof rafters. This beam has mortice splice joints over the primary and secondary columns that are 4-inch by 6-inch members. Below the roof beam is a floor beam that is a 4-inch by 6-inch member, again with mortice joints at each primary and secondary column.



Figure 4 - Typical west wall framing above floor level.

Below the floor beam, significant modifications to the wall framing has been made. It is unclear as to the reasoning behind these modifications. Each of the columns have been cut to different lengths and propped by multiple members. Between the columns below the floor beam random wall girts have been installed. These girts, and the framing supporting the columns, are fastened with wire nails, indicating work completed since the early 1900's. All of the new members' bear on a solid sawn 2-inch by 8-inch wood plate that is attached to a cast-in-place stem wall. The concrete stem wall abuts the existing building to the north and travels south to within 12 inches of the southwest corner of the building. As with the other columns along this

wall, the corner column has been cut with multiple members attached to it and carrying it to grade where it rests on stones from an original foundation wall.

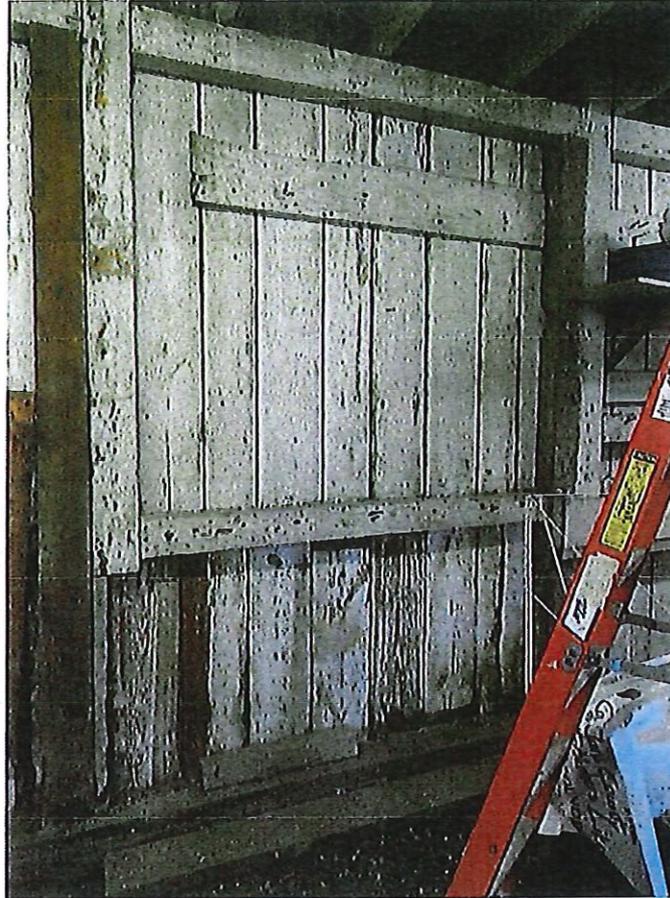


Figure 5 - West wall framing example below floor.

The exterior of the west wall is covered with a metal panel siding backed by solid sawn 1-inch planking. This planking and metal siding extends approximately one inch below the top of the concrete stem wall. Where the stem wall stops, additional planking has been added to grade.

The lateral bents are tied to the primary columns on this wall via morticed joints. Lateral bents are made from 4-inch by 6-inch continuous members. They are tied to the roof rafters by diagonal braces. Knee braces are attached to each primary column with wire nails. The north end abutting the adjacent building does not have a bent. The second interior bent was cut to form the finished space. This bent is nailed to the stud wall and has a larger, 1-inch by 8-inch, diagonal brace to the roof rafter.

East Wall

The wall is constructed of a multi-wythe common (American) bond with a header course every six courses. The brick wall is supported by a stone foundation wall. Window openings on the at-grade level of the Stable utilize a Jack Arch to support the loads above. The window on the upper floor is flush to the rafter bearing assembly. The wall is continuous from the level of the stone foundation to rafter bearing. On the visible portions of the wall it is evident that the interior

face has been skimmed with a coating of mortar/plaster. It covers the entire exposed area of the second floor. On the at-grade level the coating is only visible on a small portion of the wall, but there are indications that it covered the entire wall at one time. The exterior surface of the wall has been painted in its entirety.

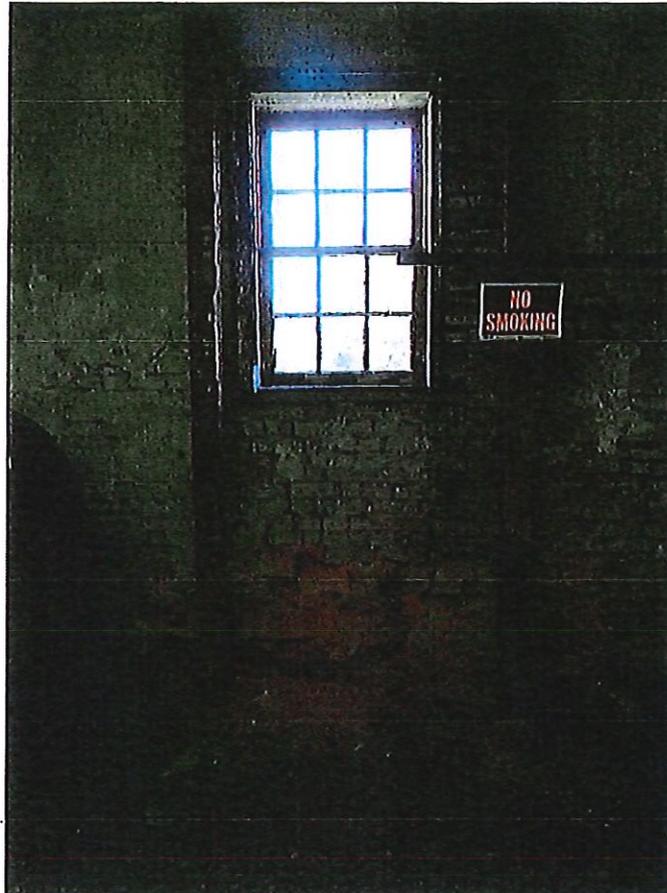


Figure 6 - Brick deterioration on east wall below floor.

Rafter bearing is accomplished by multiple 4-inch by 6-inch boards. The first is set flush with the outside of the wall, leaving a 4-inch ledge on the inside of the wall. The second member is set so it overhangs the outside face of brick by one inch. There is a 2-inch separation between the two members accomplished by spacer blocks randomly placed between the two. The collar beam is morticed into the lower of the two members of the assembly. No knee braces are associated with the east wall.

South Gable Wall

The south gable end is timber framed and has two distinct compositions. The first is from the roof to a false roof, which is made up of floor to rafter 1-inch planking with one intermediate girt 4-feet 10-inches above the collar bent. Below the false roof an additional layer of horizontal framing pushes the wall out an additional 5-inches and is covered with 1-inch nominal vertical planking. Within this wall is framed an opening for a sliding door and passage door on the at-grade level.

Interior Partitions

On the second level the partitions are framed of solid sawn 2-inch by 4-inch members resting on a 4-inch by 6-inch bottom plate. On the at-grade level, 4-inch concrete masonry units form the interior partitions. These partitions rest on a cast-in-place concrete slab.



Figure 7 - Interior CMU partition, settlement cracking both sides of corner.

Wall System Deficiencies

West and South Walls

- a. Rotten sill plate located under the primary column assembly of the second interior bent from the south gable.
- b. Water damage evident on the exterior plank siding along the south gable end.
- c. Flashing replacement required on the false gable on the south wall.
- d. Condensate drain pipe from the mechanical equipment on the second floor drains to grade. This has left an area of erosion directly below the drain. Recommend this drain be routed to the gutter drain to prevent further erosion.

East Wall

- a. Mortar/plaster skim coat above the second floor has multiple floor to top of wall cracks and shows signs of delaminating from the wall bricks.
- b. Mortar/plaster skim coat delaminating on the remaining wall surfaces that have it.
- c. Mortar joint deterioration resulting from water infiltration or salt accumulation requiring 100 square feet of joint replacement/repointing. This deterioration has resulted in bricks loosening and dislodging from the wall.
- d. Coving and crumbling of bricks on the interior wythe below the southernmost window of the wall. Most likely caused by water infiltration.

- e. Minor settlement cracks on the exterior of the brick wall south of the southern most window. Approximately 10-feet of cracking.

Interior Partitions

- a. The exterior wall of the finished area on the second floor shows evidence of animal infestation/nesting.
- b. Settlement crack visible emanating from western corner of the south concrete masonry wall.

Foundation Systems

The original foundation system for the building would have been stone walls. It is evident that the stone foundation walls are present along the east wall and appear in good condition from the exterior. On the west wall a concrete stem wall approximately two feet tall was installed on top of the original stone wall. Rod probing was used to verify the presence of foundation walls below grade to a depth of 20 inches. Foundations for interior columns and partitions is assumed to be cast-in-place concrete, but the depth of footings and size was not able to be determined during the study.

Foundation System Deficiencies

- a. Along the west wall at approximately 23-feet 8-inches the stone foundation under the stem wall was not able to be verified. We are unable to assess if the original foundations were removed or damaged, but it is our opinion that the stem wall from that point on to the north bears directly on grade.
- b. Stones are loose and shifting on the interior face of the foundation wall on the east wall. This occurs from the northern edge of the southernmost window to the south gable wall.
- c. Evidence of burrowing into the soil adjacent to the foundation wall is evident between the first and second windows on the southern end of the elevation.
- d. Grade along the east and west side has little to no slope way from the building allowing for water to potentially pond against the foundation walls.

Basis of Evaluation and Design

In order to evaluate and design repairs for the structure applicable building codes, materials, and loading requirements must be determined. The following is a list of applicable codes, possible required materials for repairs, and applicable loads on the structure as set in the building codes.

Codes

- a) International Building Code, 2012
- b) Virginia Uniform Statewide Building Code, VUSBC 2014
- c) ASCE 7-10, "Minimum Design Loads for Buildings and Other Structures"
- d) ACI 318-05, "Building Code Requirements for Structural Concrete"

- e) NDS, "National Design Specification for Wood Construction," 2001 Edition

Materials

- a) Cast-in-place Concrete, NLWT, $F'_c = 4000$ psi
- b) Timber, Mixed Oak, NELMA No. 1, $F_b = 825$ psi

Loads

- a) Dead Load: self-weight +superimposed = actual+10 psf
- b) Floor Live Load: light storage = 50 psf
- c) Snow Load: ground snow load = 30 psf
- d) Wind Load: basic wind speed = 110 mph

Repair Recommendations

Typically, we place repairs in three categories, immediate, near term, and far term. Immediate repairs are those required to maintain structural stability and protect human life. Near term repairs can be categorized as routine maintenance items required to maintain the functional aspects of the facility. Far term repairs are those that would be required to change the occupancy or improve the visual aesthetics of the facility. Based on our observations we consider the Stable to be in stable condition and repairs required fall into the near or far term category as described in this section.

Near Term Repairs

Roof System

The primary concern with the roof system is to replace elements that have been in service beyond their useful life and to provide closure to the system. To accomplish this we recommend replacing the roof panels and providing new flashing and guttering to match the system. This will ensure protection from the elements and improve the prevention of pests from entering the building.

The replacement will involve removing the existing metal panels, flashing, and trim pieces and replacing them with a new standing seam roof system. Additionally, the eaves and end overhangs will be enhanced with soffit that matches the period. The existing gutters are assumed to be in usable condition, they will be removed and re-installed with hangers below the roof panels. While this study found no evidence of damaged roof purlins, the cost estimate and documents provide for an allowance of replacing 5% of the purlins.

Floor System

In order to carry minimum design loads required by code for the second floor we recommend replacing the flat 2-inch by 8-inch boards and columns with a traditional beam system. These beams would utilize rough sawn timbers, 8-inch by 12-in at the floor transition and 6-inch by 10-inch offset from the east wall. Each beam would be supported by solid sawn 6-inch square columns. The beams would be joined to the columns by mortice joints and be equipped with knee braces for lateral support. We propose that the columns be offset from each end to allow for economy of member sizing while maintaining as much open space as possible within the

room. The columns would bear on spread footings cast such that the top of footing would be flush with the top of the existing gravel floor.

For the beam with a section removed, we recommend attaching a member of similar size to the existing for support. This attached member would but cut so it extends 16-inches beyond each side of the section removed. It would be attached with twelve 16d nails, six on each face.

Walls Systems

The most challenging repairs required for the Stable involve the brick restoration of the east wall. This will require complete replacement of the interior wythe in some locations and reparging the entire interior surface once the repairs are completed. To accomplish the repairs it will be necessary to support the roof and floor gravity loads as well as providing lateral bracing of the exterior wythe to prevent out of plumb movement of the brick during repairs. We anticipate the contractor using scaffolding for the full height of the wall to accomplish this. Once the elements are shored, the contractor will remove bricks as necessary and replace loose bricks to the floor level. We do not anticipate removal of any brick above the floor level. Once this is completed the contractor will remove the parging on the upper level and any remaining on the at-grade level and provide a new 1/2" thick coating to the entire exposed surface of brick. It should be noted that for this repair the existing fuel tank will have to be relocated temporarily in order to complete the repairs.

Timber repairs to the south and west walls include the following. Replace the existing wood siding below the false roof line of the south gable end. Additionally, for the area on the west wall that is not covered by metal panels, we recommend the existing timbers be removed and replaced closing any gaps that would allow for pests to enter the building. Finally, along the west wall below the column supporting the second interior bent, the wood sill will be replaced in kind with like material. The column and girts will have to be shored to accomplish this task.

Foundations

Prior to repairing the interior wythe of brick on the east wall, and after the wall has been shored, we recommend the foundation stones be cleaned of any debris from the brick wall, loose stones be repositioned and secured with mortar. While this is going on, any burrow holes found should be filled with soil and terminated.

We recommend the condensate drain on the west side of the building be extended to drain into the drain pipes carrying rainwater from the gutters away from the site.

Far Term Restorations

There is currently no plan for the future use of the Stable. Once a program has been established there are repairs to consider that bring the building more in line with its historic character. As these are more substantial restoration efforts, construction details have not been provided, but are reflected for budget purposes. First would be to remove the metal panel siding on the south and west walls and replace it with a more traditional board and batten system that would be typical of the period. At this point you would also restore the west and south wall framing to its original condition. This would entail removal of all the miscellaneous

bracing members and splice the existing members so that they function as originally intended without the need for multiple members.

As the occupancy is determined, in order to meet performance requirements, the concrete stem wall on the west elevation will have to bear below frost. In order to do this, we would recommend installing helical piers on the inside of the Stable attached to the bottom of the stem wall to provide the support needed. Once this has been completed we recommend evaluating grade around the Stable and regrade as necessary to provide positive drainage away from the foundations to prevent water intrusion issues.

Cost Estimate Data

All of the repairs recommended above would be categorized as near term restorations or items that repair damage and maintain structural stability. Based on the repairs recommended it is logical to break the cost data up into three categories: masonry restoration, roof restoration, and timber restoration. The cost for each category are summarized below.

Category	Cost
Masonry Restoration	\$71,311.11
Roof Restoration	\$58,034.42
Timber Restoration	\$20,981.77

Far term repairs would take on the duties of bringing the structure entirely back to a specific time period condition with items such as removing the metal panel siding and replacing it with traditional board and baton siding. At this time, you would undertake a complete restoration of the west and south gable walls removing members not in kind and rebuilding. The next item could be to demolish the finished space on the second floor and reconstruct Bent 2 and the north gable end to their original condition. The far term items would require substantial design effort and would be estimated at \$304,692 including design and administration fees.

Conclusion

Damron Engineering and Consulting llc has performed a comprehensive survey of the existing Livery Stable behind 23 East Main Street in Berryville, Virginia. Based on our observations we consider the Stable overall to be in stable condition with a few areas of concern. We have identified near term repairs required to maintain the integrity of the facility. Once these near term repairs have been completed we are confident that the facility can accommodate any program requirements the Town may assign to it.

March 9, 2021 Report

227 Josephine Street

The work at 227 Josephine Street continued at a good pace despite tough conditions created by a very wet February. The site still contains a small amount of debris and must be stabilized.

Other properties

Action regarding the other blighted properties has been paused while staff is conducting additional research. It is expected that notices will go out to property owners in the week of March 14.

February 9, 2021 Report

227 Josephine Street

At its January 12, 2021 meeting the Town Council determined that that the dwelling located at 227 Josephine Street might endanger the public health or safety residents of the Town, and directed the Town Manager to provide notice of this finding and the Council's intent to demolish the dwelling as required in Chapter 5 of the Berryville Code. The Council also authorized the Town Manager to proceed with action in this regard, including demolition of the dwelling, if the owner of record has not abated the danger upon the expiration of the required notice period.

The notice required by §5-3 for action on 227 Josephine Street has been provided. Notice was published in the *Winchester Star* on January 16 and January 23. The certified letter was received by the owner on January 16. This establishes the date after which action may be taken as February 23, 2021.

The Town Manager met with the property owners on January 15, 2021. The meeting went well and the owners are anxious to address this matter.

The Town Manager, Town Planner, Director of Public Works, and the Clarke County Building Official met with the contractor who had purportedly been hired to raze the structure and remove the demolition debris. A demolition permit was secured.

Prior to completing this report, staff visited the site and discovered that the building has been demolished. Work is underway to remove the debris from the site. The gentleman who is doing the work (not the person with whom staff met previously) and the owner have been alerted to staff's concerns about the water service for the property.

12 First Street

The Town Manager met with the property owner on January 21, 2021. The meeting went well and the owner is interested in completing work to abate the blight. He wants to repair the structure and requested time to complete the work.

The next step in this matter will be for the Town Manger to respond to the property owner.

112 Josephine Street

The Town Manager met with a property owner on January 15, 2021. The meeting went well and the owner is anxious to address this matter in a manner in which materials from the structure can be salvaged for use in the future. The owner requested time to demolish the structure.

The next step in this matter will be for the Town Manger to respond to the property owner.

114 Josephine Street

The owner did not respond to the Town Manager's request for a meeting. The owner contacted the Planning Department on February 3, 2021 and requested a copy of the letter that was sent regarding blight.

The next step in this matter will be for the Town Manager to make a preliminary determination of blight and begin the formal procedures required by §5-5.

203 Josephine Street

The Town Manager met with the property owner on January 21, 2021. The meeting went well. The owner understands that at least the rear addition on the building will have to be demolished and that considerable work will have to be done on the main portion of the building. The owner requested time to address the Town's concerns.

The next step in this matter will be for the Town Manger to respond to the property owner.

January 12, 2021 Report

Eight improved properties in Town have been flagged as being properties of concern because of the condition of their improvements. Please find attached the blight abatement report that was provided to the Community Development Committee on November 16, 2020.

Staff was tasked with determining which properties are the highest priority and initiating a process for having the identified blight abated in accordance with §5-5 of the Berryville Code.

Staff has prioritized the following properties for enforcement under §5-5 of the Berryville Code:

- 12 First Street
- 112 Josephine Street

- 114 Josephine Street
- 203 Josephine Street
- 227 Josephine Street*

* Staff recommends that the Council consider pursuing action in accordance with §5-3 of the Berryville Code because of the dire condition of the dwelling on the property. This matter is addressed in more detail below.

These properties were prioritized in large part because of the condition of the roofs of the improvements. The exception to that standard is 112 Josephine, which appears to be in significant systemic decline.

Certified letters have been sent to the owners of record of each property. The letters state that the Town Manager is considering making a preliminary determination that their property is blighted and requests that the owners meet with Town staff in the third week of January. A draft blight abatement plan was provided with each letter.

If the Town Manager and the owner are not able to agree on a timely resolution of the blight, then the Manager will make preliminary findings as required by §5-5 of the Berryville Code and thereby initiate the required spot blight abatement process.

227 Josephine Street

The recent snow event caused a partial collapse of the dwelling's roof. Last week a portion of the dwelling's western wall collapsed.

Staff recommends that the Council consider pursuing action in accordance with §5-3 of the Berryville Code because of the dire condition of the dwelling on the property.

If the Council determines that the dwelling might endanger the public health or safety of residents of the Town, then it may, after following a specific process, raze the structure and abate the public health risk.

If the Council wishes to pursue action in this matter then the following steps must be taken:

- The Town Council determines that the dwelling might endanger the public health or safety of other residents of the Town.
- Notice is provided to the owner of record by certified mail.
- Publication of a notice in a newspaper of general circulation.
- Owner fails to abate the danger within 30-days of the last newspaper publication.

If these steps are followed and the owner does not abate the danger, then the Town may take action to abate the danger and take steps to recover costs incurred.

Current photos of the properties in question will be available at the meeting.

Attachment:

- Blight Abatement Report from the November 16, 2020 Community Development Committee agenda packet.

Sample motion:

I move that the Council of the Town of Berryville, in accordance with §5-3 of the Berryville Code, finds that the dwelling located at 227 Josephine Street might endanger the public health or safety residents of the Town, and that the Town Manager is hereby directed to provide notice of this finding and the Council's intent to demolish the dwelling as required in Chapter 5 of the Berryville Code. The Town Manager is hereby authorized to proceed with action in this regard, including demolition of the dwelling, if the owner of record has not abated the danger upon the expiration of the required notice period.