



Berryville Town Council

MEETING AGENDA

Berryville-Clarke County Government Center

101 Chalmers Court, Second Floor

Main Meeting Room

Regular Session

May 11, 2021

7:00 PM

Item

Page

1. Call to Order

2. Pledge of Allegiance

3. Approval of Agenda

4. Presentations/Awards and Recognitions

Robinson, Farmer, Cox Associates Presentation of FY20 Audit

5. Public Hearings

Proposed FY2022 Budget

4

The Berryville Planning Commission is sponsoring a text amendment, as requested by applicant Alton C. Echols, 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

21

6. Discussion of Public Hearing Items

7. Citizens' Forum

8. Consent Agenda	33
Approval of Minutes	

9. Unfinished Business	51
Discussion: Taxes and Fees Owed by George Williams Estate (New Owner of Record, Milton Valley Cemetery)	

10. New Business	
Discussion: Amending Dates on Which Regular Town Elections Will Be Held	67

11. Council Member Reports

 Mayor

 Recorder

 Ward 1

 Ward 2

 Ward 3

 Ward 4

12. Staff Reports

 Public Works **73**

 Public Utilities **74**

 Police Department **79**

 Community Development

 Monthly Report **85**

 Construction Report **88**

Administration and Finance	89
Town Manager	
Update: Paving, Milling, and Line Striping IFB# 2021--001	100
Water Bill Adjustment Request	102

13. Committee Updates

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

14. Closed Session

112

The Council of the Town of Berryville will enter closed session in accordance with § 2.2-3711-A-7 of the Code of Virginia, for discussion with staff regarding a pending lawsuit.

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

15. Adjourn

**BERRYVILLE TOWN COUNCIL
PUBLIC HEARING NOTICE**

The Berryville Town Council will hold the following public hearing at 7:00 p.m., or as soon after as this matter may be heard, on **Tuesday, May 11, 2021**, to consider the following:

Proposed Fiscal Year 2021-2022 Budget as follows:

<u>Resources and Revenues</u>	AMENDED FY 20-21	REQUESTED FY 21-22
GENERAL FUND		
Fund Balance	\$ 145,235.00	\$ 152,000.00
Revenue from Local Sources	\$ 2,874,200.00	\$ 3,067,200.00
Revenue from State Sources	\$ 952,985.00	\$ 952,382.00
Revenue from Other Sources	\$ 1,000.00	\$ 1,000.00
Total	\$ 3,973,420.00	\$ 4,172,582.00
WATER FUND		
Fund Balance	\$ 0.00	\$ 550,500.00
Revenue from Local Sources	\$ 1,108,125.00	\$ 981,125.00
Availablity Fees	\$ 337,500.00	\$ 346,000.00
Total	\$ 1,445,625.00	\$ 1,877,625.00
SEWER FUND		
Fund Balance	\$ 0.00	\$ 0.00
Revenue from Local Sources	\$ 1,850,000.00	\$ 1,840,000.00
Availablity Fees	\$ 362,500.00	\$ 371,625.00
Total	\$ 2,212,500.00	\$ 2,161,625.00
TOTAL RESOURCES AND REVENUES	\$ 7,631,545.00	\$ 8,261,832.00

Expenses and Reserves

GENERAL FUND		
Maintenance and Operational	\$ 3,540,309.00	\$ 3,682,076.00
Debt Service	\$ 121,476.00	\$ 121,000.00
Capital Reserves and Expenses	\$ 201,335.00	\$ 258,962.00
Contingency	\$ 100,300.00	\$ 110,544.00
Total	\$ 3,973,420.00	\$ 4,172,582.00
WATER FUND		
Maintenance and Operational	\$ 800,915.00	\$ 828,884.00
Debt Service	0.00	0.00
Capital Reserves and Expenses	\$ 619,975.00	\$ 1,023,874.48
Contingency	\$ 24,735.00	\$ 24,866.52

Total	\$	1,445,625.00	\$	1,877,625.00
SEWER FUND				
Maintenance and Operational	\$	1,193,723.00	\$	1,274,730.00
Debt Service	\$	470,000.00	\$	470,000.00
Capital Reserves and Expenses	\$	512,197.00	\$	428,653.10
Contingency	\$	36,580.00	\$	38,241.90
Total	\$	2,212,500.00	\$	2,211,625.00
TOTAL EXPENSES AND RESERVES	\$	7,631,545.00	\$	8,261,832.00

Copies of materials may be examined at www.berryvilleva.gov. This information can also be obtained by calling Interim Director of Administration/Treasurer Cindy Poulin at the Town Business Office at (540) 955-1099 and arranging the best means of providing you with the information in question.

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

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

FY 2021-2022 DRAFT BUDGET PREPARATION HIGHLIGHTS

REVENUES

GENERAL FUND

- RE Tax revenue projection assumes increasing RE tax rate from \$.1774/100 of value to \$.20/100 of value, a 12.7% increase.
- No increase in Personal Property tax rate.
- PPTRA remains at 70%.
- No increase in Machinery & Tools tax rate.
- No increase in Vehicle License Fees.
- No increase in Business & Professional License rates.
- Water Tank Site Lease adjustments per agreements.
- No increase in Lodging Tax, Meals Tax or Cigarette Tax.

WATER FUND

- Expenses reflect expected increase in Admin/Facility fees in late November 2021.
- Twenty-five residential Availability Fees projected.

SEWER FUND

- Expenses reflect expected increase in Admin/Facility fees in late November 2021.
- Twenty-five residential and Availability Fees projected.

OPERATING EXPENSES

ALL FUNDS

- 1% COLA with Police Dept CDP payroll increases are proposed.
- New Police Sgt Position Created
- No increase in Health Care costs.
- Employer VRS did not increase.
- TOTAL BUDGET increase of 4.38%.

GENERAL FUND

- Increase in Maintenance & Operational Expenses of 4.0%.
- Contingency is 3% of the Operating Budget.
- General Fund total increase of 5.01 %.

WATER FUND

- Increase in Maintenance & Operational Expenses of 3.49%.
- There is currently no Debt Service in the Water Fund.
- Contingency is 3 % of the Operating Budget.
- Water Fund total increase of 29.86%

SEWER FUND

- Increase in Maintenance & Operational Expenses of 6.78%.
- Debt service reflects payments to VRA.
- Contingency is 3% of the Operating Budget.
- Sewer Fund total decrease of 0.03%

FY 21-22 BUDGET REVENUES

<u>Account Number</u>	<u>Account Description</u>	<u>FY</u> <u>2020-2021</u>	<u>FY 21-22</u> <u>REQUESTED</u> <u>2021-2022</u>
GENERAL FUND			
FUND BALANCE			
100-3000000-0000	FUND BALANCE FORWARD	\$ 145,235.00	\$ 152,000.00
	TOTAL FUND BALANCE	\$ 145,235.00	\$ 152,000.00
REVENUE FROM LOCAL SOURCES			
100-3110101-0000	CURRENT REAL ESTATE TAXES	\$ 1,006,000.00	\$ 1,147,000.00
100-3110102-0000	DEL REAL ESTATE TAXES	\$ 5,000.00	\$ -
100-3110201-0000	UTILITY REAL ESTATE TAXES	\$ 11,200.00	\$ 11,200.00
100-3110301-0000	CURRENT PERS PROP TAXES	\$ 300,000.00	\$ 346,000.00
100-3110302-0000	DEL PERS PROP TAXES	\$ 3,500.00	\$ -
100-3110401-0000	MACHINERY & TOOLS	\$ 155,000.00	\$ 175,000.00
100-3110601-0000	TAX PENALTIES	\$ 6,000.00	\$ 6,000.00
100-3110602-0000	TAX INTEREST	\$ 2,000.00	\$ 2,000.00
	TOTAL REV FROM LOCAL SOURCES	\$ 1,488,700.00	\$ 1,687,200.00
OTHER LOCAL TAXES			
100-3120101-0000	LOCAL SALES TAX	\$ 208,000.00	\$ 240,000.00
100-3120201-0000	CONSUMER UTILITY TAX	\$ 85,000.00	\$ 90,000.00
100-3120300-0000	BUSINESS LICENSE	\$ 200,000.00	\$ 200,000.00
100-3120402-0000	REC FRANCHISE FEES	\$ 35,000.00	\$ 35,000.00
100-3120501-0000	AUTO LICENSE	\$ 90,000.00	\$ 90,000.00
100-3120601-0000	BANK FRANCHISE TAXES	\$ 140,000.00	\$ 140,000.00
100-3120801-0000	CIGARETTE TAX (10¢)	\$ 18,000.00	\$ 15,000.00
100-3121001-0000	LODGING TAX (2%)	\$ 10,000.00	\$ 5,000.00
100-3121101-0000	MEALS TAX (4%)	\$ 312,000.00	\$ 312,000.00
	TOTAL OTHER LOCAL TAXES	\$ 1,098,000.00	\$ 1,127,000.00
PERMITS, FEES & LICENSES			
100-3130304-0000	LAND USE APPLICATION FEES	\$ 5,000.00	\$ 1,500.00
100-3130307-0000	ZONING & SUBDIVISION FEES	\$ 10,000.00	\$ 7,500.00
	TOTAL PERMITS, FEES & LICENSES	\$ 15,000.00	\$ 9,000.00
FINES & FORFEITURES			
100-3140101-0000	COURT FINES	\$ 25,000.00	\$ 16,000.00
100-3140102-0000	PARKING METER FINES	\$ 4,000.00	\$ 2,000.00
100-3140103-0000	ESUMMONS	\$ 1,500.00	\$ 1,000.00
	TOTAL FINES & FORFEITURES	\$ 30,500.00	\$ 19,000.00
REVENUE FROM MONEY OR PROP			
100-3150101-0000	INTEREST ON DEPOSITS	\$ 100,000.00	\$ 95,000.00
100-3150201-0000	RENTAL OF PROPERTY	\$ 12,000.00	\$ 12,000.00
100-3150205-0000	WATER TANK SITE LEASE	\$ 82,000.00	\$ 84,000.00
100-3150206-0000	CHARGE CARD REBATE	\$ 14,000.00	\$ 19,000.00
	TOTAL FROM MONEY OR PROP	\$ 208,000.00	\$ 210,000.00
CHARGES FOR SERVICES			
100-3160703-0000	PARKING METERS	\$ 16,000.00	\$ 10,000.00
100-3161502-0000	SALE OF PUBLICATIONS	\$ -	\$ -
	TOTAL CHARGES FOR SERVICES	\$ 16,000.00	\$ 10,000.00

	MISCELLANEOUS REVENUES				
100-3189905-0000	SALE OF SURPLUS	\$	18,000.00	\$	5,000.00
	TOTAL MISC REVENUES	\$	18,000.00	\$	5,000.00
	RECOVERED COSTS				
100-3190203-0000	REIMBURSABLE FEES	\$	-	\$	-
	TOTAL RECOVERED COSTS	\$	-	\$	-
TOTAL LOCAL REVENUES		\$	3,019,435.00	\$	3,219,200.00

REVENUE FROM THE COMMONWEALTH					
NON-CATEGORICAL AID					
100-3220107-0000	ROLLING STOCK TAX	\$	1,850.00	\$	1,850.00
100-3220109-0000	PPTRA	\$	209,917.00	\$	209,917.00
100-3220201-0000	COMMUNICATION TAX	\$	77,000.00	\$	77,000.00
	TOTAL NON-CATEGORICAL AID	\$	288,767.00	\$	288,767.00
CATEGORICAL AID					
100-3220108-0000	599 LAW ENFORCEMENT GRANT	\$	82,350.00	\$	82,350.00
100-3240103-0000	LE BLOCK GRANT	\$	1,000.00	\$	1,000.00
100-3240201-0000	FIRE FUND PROGRAM	\$	15,250.00	\$	15,250.00
100-3240300-0000	VDOT LANE MILE ALLOWANCE	\$	558,618.00	\$	558,615.00
100-3240301-0000	VDOT ROAD MAINTENANCE	\$	5,000.00	\$	-
100-3240302-0000	LITTER CONTROL GRANT	\$	2,000.00	\$	1,900.00
100-3240311-0000	ST EMERGENCY R&R	\$	-	\$	-
100-3240312-0000	VA COMMISSION FOR THE ARTS	\$	-	\$	4,500.00
100-3240710-0000	DMV ANIMAL FRIENDLY PLATES	\$	-	\$	-
	TOTAL CATEGORICAL AID	\$	664,218.00	\$	663,615.00
TOTAL FROM THE COMMONWEALTH		\$	952,985.00	\$	952,382.00

REVENUE FROM THE FEDERAL GOVERNMENT					
CATEGORICAL AID					
100-3340102-0000	FEDERAL FIRE FUND PROGRAM	\$	-	\$	-
100-3340311-0000	FEDERAL EMERGENCY R&R	\$	-	\$	-
	TOTAL CATEGORICAL AID	\$	-	\$	-
TOTAL FROM FEDERAL GOVERNMENT		\$	-	\$	-

REVENUE FROM OTHER SOURCES					
NON-REVENUE RECEIPTS					
100-3410201-0000	MISCELLANEOUS REVENUES	\$	1,000.00	\$	1,000.00
	TOTAL FROM OTHER SOURCES	\$	1,000.00	\$	1,000.00
TOTAL FROM OTHER SOURCES		\$	1,000.00	\$	1,000.00

TOTAL GENERAL FUND REVENUES \$ 3,973,420.00 \$ 4,172,582.00

WATER FUND

FUND BALANCE			
501-3000000-0000	FUND BALANCE	\$ -	\$ 550,500.00
	TOTAL FUND BALANCE	\$ -	\$ 550,500.00
REVENUE FROM MONEY OR PROP			
501-3150102-0000	INTEREST ON INVESTMENTS	\$ 30,000.00	\$ 30,000.00
	TOTAL FROM USE OF MONEY OR PROP	\$ 30,000.00	\$ 30,000.00
CHARGES FOR SERVICES			
501-3160110-0000	TREATMENT FEES	\$ 1,040,000.00	\$ 913,000.00
501-3160111-0000	DELINQUENT ACCT PENALTIES	\$ 30,000.00	\$ 30,000.00
501-3160112-0000	SECURITY DEPOSITS	\$ -	\$ -
501-3160113-0000	AVAILABILITY CHARGES	\$ 337,500.00	\$ 346,000.00
501-3160114-0000	CONNECTION CHARGES		
501-3160115-0000	METER FEES	\$ 8,125.00	\$ 8,125.00
	TOTAL CHARGES FOR SERVICES	\$ 1,415,625.00	\$ 1,297,125.00

TOTAL WATER FUND \$ 1,445,625.00 \$ 1,877,625.00

SEWER FUND

FUND BALANCE			
502-3000000-0000	FUND BALANCE	\$ -	\$ -
	TOTAL FUND BALANCE	\$ -	\$ -
REVENUE FROM MONEY OR PROP			
502-3150101-0000	INTEREST INCOME	\$ 50,000.00	\$ 50,000.00
	TOTAL REVENUE FROM MONEY OR PROP	\$ 50,000.00	\$ 50,000.00
CHARGES FOR SERVICES			
502-3160110-0000	TREATMENT FEES	\$ 1,800,000.00	\$ 1,790,000.00
502-3160112-0000	SECURITY DEPOSITS	\$ -	\$ -
502-3160113-0000	AVAILABILITY CHARGES	\$ 362,500.00	\$ 371,625.00
	TOTAL CHARGES FOR SERVICES	\$ 2,162,500.00	\$ 2,161,625.00

REVENUE FROM OTHER SOURCES

NON-REVENUE RECEIPTS			
502-3410401-0000	VRA LOAN	\$ -	\$ -
502-3410402-0000	WQIF Grant	\$ -	\$ -
502-3410404-0000	NUTRIENT CREDIT REBATE	\$ -	\$ -
	TOTAL NON-REVENUE RECEIPTS	\$ -	\$ -

TOTAL FROM OTHER SOURCES \$ - \$ -

TOTAL SEWER FUND \$ 2,212,500.00 \$ 2,211,625.00

TOTAL REVENUES ALL FUNDS \$ 7,631,545.00 \$ 8,261,832.00

FY 21-22 BUDGET EXPENSES

Account Number	Account Description	FY 2020-2021	FY 21-22 REQUESTED 2021-2022
GENERAL FUND			
TOWN COUNCIL			
100-4011100-1111	EXPENSE COMPENSATION	\$ 18,900.00	\$ 18,900.00
100-4011100-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 1,450.00	\$ 1,450.00
100-4011100-5540	TRAINING	\$ 4,000.00	\$ 4,000.00
100-4011100-5699	LOCAL CONTRIBUTIONS	\$ -	\$ -
100-4011100-5800	MISCELLANEOUS	\$ 5,000.00	\$ 5,000.00
100-4011100-5810	Dues	\$ 3,000.00	\$ 3,000.00
100-4011100-6017	TOWN CODE SUPPLEMENTS	\$ 2,000.00	\$ 2,000.00
100-4011100-6018	STATE CODE SUPPLEMENTS	\$ -	\$ -
	TOTAL TOWN COUNCIL	\$ 34,350.00	\$ 34,350.00
TOWN CLERK			
100-4011200-1114	SALARIES/WAGES/TNCLK	\$ 44,600.00	\$ 45,900.00
100-4011200-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 3,400.00	\$ 3,520.00
100-4011200-5510	MILEAGE	\$ 250.00	\$ 250.00
100-4011200-5540	EDUCATION/TRAINING	\$ 1,000.00	\$ 1,000.00
100-4011200-5810	DUES	\$ 100.00	\$ 100.00
	TOTAL TOWN CLERK	\$ 49,350.00	\$ 50,770.00
TOWN MANAGER			
100-4012110-1112	COMPENSATION	\$ 140,500.00	\$ 141,400.00
100-4012110-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 10,740.00	\$ 10,820.00
100-4012110-3399	BLIGHT ABATEMENT	\$ 17,000.00	\$ 20,000.00
100-4012110-5230	TELECOMMUNICATIONS	\$ 600.00	\$ 600.00
100-4012110-5510	MILEAGE	\$ -	\$ 150.00
100-4012110-5540	TRAINING	\$ -	\$ 1,000.00
100-4012110-5810	DUES	\$ 500.00	\$ 500.00
	TOTAL TOWN MANAGER	\$ 169,340.00	\$ 174,470.00
LEGAL SERVICES			
100-4012210-3150	PROFESSIONAL SERVICES	\$ 35,000.00	\$ 50,000.00
	TOTAL LEGAL SERVICES	\$ 35,000.00	\$ 50,000.00
PERSONNEL			
100-4012220-2210	VRS	\$ 147,950.00	\$ 154,400.00
100-4012220-2220	VMLIP - STD	\$ 700.00	\$ 740.00
100-4012220-2230	VMLIP - LTD	\$ 6,559.00	\$ 6,675.00
100-4012220-2250	Line of Duty Act	\$ 8,500.00	\$ 8,500.00
100-4012220-2300	HEALTH INSURANCE	\$ 216,400.00	\$ 227,000.00
100-4012220-2400	LIFE INSURANCE	\$ 15,850.00	\$ 16,550.00
100-4012220-2600	UNEMPLOYMENT INSURANCE	\$ 205.00	\$ 645.00
100-4012220-2700	WORKER'S COMPENSATION	\$ 39,000.00	\$ 64,000.00
100-4012220-3110	RANDOM DRUG SCREENING	\$ 750.00	\$ 750.00
100-4012220-9001	EMPLOYEE RECOGNITION	\$ -	\$ 2,000.00
	TOTAL PERSONNEL	\$ 435,914.00	\$ 481,260.00

	INDEPENDENT AUDITOR			
100-4012240-3120	CONTRACTUAL SERVICES	\$	16,050.00	\$ 16,500.00
	TOTAL INDEPENDENT AUDITOR	\$	16,050.00	\$ 16,500.00
	TOWN TREASURER			
100-4012410-1113	COMPENSATION	\$	93,000.00	\$ 93,700.00
100-4012410-2100	MATCHING FICA EXPENSE (7.65 %)	\$	7,100.00	\$ 7,170.00
100-4012410-3130	PROFESSIONAL SER/TAX CONV	\$	2,500.00	\$ 2,500.00
100-4012410-3150	PROFESSIONAL SER/VEC	\$	-	\$ -
100-4012410-5306	SURETY BONDS	\$	500.00	\$ 500.00
100-4012410-5540	TRAINING	\$	2,000.00	\$ 2,000.00
100-4012410-5810	DUES	\$	1,050.00	\$ 1,000.00
100-4012410-6015	AUTO DECALS	\$	-	\$ -
100-4012410-6020	CIGARETTE TAX STAMPS	\$	-	\$ -
	TOTAL TOWN TREASURER	\$	106,150.00	\$ 106,870.00
	FINANCE/ACCOUNTING			
100-4012430-1113	COMPENSATION	\$	132,400.00	\$ 135,500.00
100-4012430-2100	MATCHING FICA EXPENSE (7.65 %)	\$	10,127.00	\$ 10,346.00
100-4012430-5540	TRAINING	\$	3,500.00	\$ 3,400.00
	TOTAL FINANCE/ACCOUNTING	\$	146,027.00	\$ 149,246.00
	CENTRAL ADM/PURCHASING			
100-4012530-3320	MAINTENANCE CONTRACTS	\$	46,000.00	\$ 47,500.00
100-4012530-3400	WEBSITE RESERVE	\$	1,000.00	\$ 1,000.00
100-4012530-3501	NEWSLETTER	\$	1,000.00	\$ 1,000.00
100-4012530-3600	ADVERTISING	\$	8,000.00	\$ 8,000.00
100-4012530-5210	POSTAGE	\$	12,000.00	\$ 11,500.00
100-4012530-5230	TELECOMMUNICATIONS	\$	2,000.00	\$ 3,000.00
100-4012530-5250	SOCIAL MEDIA ARCHIVING	\$	2,700.00	\$ 2,700.00
100-4012530-5415	COPIER LEASE	\$	4,500.00	\$ 4,700.00
100-4012530-5540	TRAINING	\$	2,500.00	\$ 2,500.00
100-4012530-5699	CONTRIBUTION / CC SOCIAL MEDIA	\$	5,000.00	\$ 5,000.00
100-4012530-5810	DUES	\$	500.00	\$ 500.00
100-4012530-6001	OFFICE SUPPLIES	\$	10,250.00	\$ 10,150.00
	TOTAL CENTRAL ADM/PURCHASING	\$	95,450.00	\$ 97,550.00
	RISK MANAGEMENT			
100-4012550-5304	BLANKET EXCESS LIABILITY	\$	16,000.00	\$ 16,000.00
100-4012550-5305	AUTOMOBILE INSURANCE	\$	11,000.00	\$ 12,000.00
100-4012550-5308	SEMI-MULTI PERIL INS	\$	27,700.00	\$ 27,700.00
100-4012550-5800	INSURANCE DEDUCTABLES	\$	-	\$ -
	TOTAL RISK MANAGEMENT	\$	54,700.00	\$ 55,700.00
	ENGINEERING SERVICES			
100-4012600-3140	ENGINEERING SERVICES	\$	5,000.00	\$ 5,000.00
	TOTAL ENGINEERING SERVICES	\$	5,000.00	\$ 5,000.00
	ELECTIONS			
100-4013100-1125	ELECTION OFFICIALS	\$	2,500.00	\$ 2,000.00
100-4013100-6001	OFFICE SUPPLIES	\$	2,500.00	\$ 1,400.00
	TOTAL ELECTIONS	\$	5,000.00	\$ 3,400.00
	PUBLIC DEFENDER FEES			

100-4021500-3150	PUBLIC DEFENDER FEES	\$	2,000.00	\$	2,000.00
	TOTAL PUBLIC DEFENDER FEES	\$	2,000.00	\$	2,000.00
	POLICE DEPARTMENT				
100-4031100-1139	COMPENSATION	\$	598,300.00	\$	663,000.00
100-4031100-2100	MATCHING FICA EXPENSE (7.65 %)	\$	45,770.00	\$	50,800.00
100-4031100-3110	MEDICAL EXAMINATIONS	\$	500.00	\$	500.00
100-4031100-3115	PRE EMPLOYMENT DRUG SCREEN	\$	500.00	\$	500.00
100-4031100-3190	INTERPRETER	\$	400.00	\$	400.00
100-4031100-3310	REPAIR & MAINTENANCE	\$	12,000.00	\$	12,000.00
100-4031100-3320	MAINTENANCE CONTRACTS	\$	14,500.00	\$	17,800.00
100-4031100-4082	WILDLIFE MANAGEMENT	\$	500.00	\$	500.00
100-4031100-5210	POSTAGE	\$	500.00	\$	500.00
100-4031100-5230	TELECOMMUNICATIONS	\$	4,600.00	\$	3,000.00
100-4031100-5415	COPIER LEASE	\$	3,400.00	\$	3,400.00
100-4031100-5540	TRAINING	\$	21,500.00	\$	14,000.00
100-4031100-5545	ACCREDITATION	\$	1,700.00	\$	1,000.00
100-4031100-5810	DUES	\$	700.00	\$	700.00
100-4031100-5815	COMMUNITY RELATIONS	\$	2,000.00	\$	2,000.00
100-4031100-6001	OFFICE SUPPLIES	\$	2,350.00	\$	1,600.00
100-4031100-6008	GASOLINE & OIL	\$	14,500.00	\$	15,500.00
100-4031100-6010	SUPPLIES	\$	13,500.00	\$	13,500.00
100-4031100-6011	UNIFORMS	\$	4,000.00	\$	4,000.00
	TOTAL POLICE DEPARTMENT	\$	741,220.00	\$	804,700.00
	TRAFFIC CONTROL				
100-4031300-5699	COUNTY CONT/CROSSING GD	\$	2,500.00	\$	2,500.00
	TOTAL TRAFFIC CONTROL	\$	2,500.00	\$	2,500.00
	EMERGENCY SERVICES				
100-4031400-5699	CONTRIBUTION/CC CENT ALRM	\$	5,000.00	\$	5,000.00
	TOTAL EMERGENCY SERVICES	\$	5,000.00	\$	5,000.00
	VOLUNTEER FIRE DEPARTMENT				
100-4032200-5699	CONTRIBUTION/JHEVFD	\$	30,000.00	\$	30,000.00
100-4032200-5707	FIRE FUND PROGRAM	\$	14,500.00	\$	15,250.00
100-4032200-88411	CAPITAL PROJECT RESERVE	\$	10,000.00	\$	10,000.00
	TOTAL VOLUNTEER FIRE DEPT	\$	54,500.00	\$	55,250.00
	CORRECTION & DETENTION				
100-4033200-5550	CONFINEMENT OF PRISONERS	\$	250.00	\$	-
	TOTAL CORRECTION & DETENTION	\$	250.00	\$	-
	PUBLIC WORKS ADMINISTRATION				
100-4041100-1140	COMPENSATION	\$	69,950.00	\$	71,300.00
100-4041100-2100	MATCHING FICA EXPENSE (7.65 %)	\$	5,350.00	\$	5,455.00
100-4041100-3110	MEDICAL EXAMS	\$	1,000.00	\$	1,000.00
100-4041100-3310	VEHICLE REP & MAINTENANCE	\$	11,000.00	\$	7,000.00
100-4041100-5120	PROPANE	\$	1,500.00	\$	2,000.00
100-4041100-5230	TELECOMMUNICATIONS	\$	5,000.00	\$	5,000.00
100-4041100-5415	COPIER LEASE	\$	2,665.00	\$	2,700.00
100-4041100-5540	TRAINING	\$	3,500.00	\$	1,500.00
100-4041100-6001	OFFICE SUPPLIES	\$	500.00	\$	500.00
	TOTAL PUBLI WKS ADMINISTRATION	\$	100,465.00	\$	96,455.00

	HWYS, STS BRIDGES & SDWLKS			
100-4041200-1183	COMPENSATION	\$	157,000.00	\$ 165,000.00
100-4041200-2100	MATCHING FICA EXPENSE (7.65 %)	\$	12,000.00	\$ 12,450.00
100-4041200-3310	EQUIPMENT MAINTENANCE	\$	12,000.00	\$ 12,000.00
100-4041200-3315	SIDEWALK MAINTENANCE	\$	15,000.00	\$ 15,000.00
100-4041200-3316	STREET SIGN MAINTENANCE	\$	-	\$ 1,000.00
100-4041200-5425	NORFOLK/SOUTHERN R-O-W'S	\$	1,100.00	\$ 1,100.00
100-4041200-6007	MATERIALS & SUPPLIES	\$	4,000.00	\$ 4,000.00
100-4041200-6008	GASOLINE & OIL	\$	20,000.00	\$ 20,600.00
100-4041200-6011	UNIFORMS	\$	6,000.00	\$ 5,000.00
	TOTAL HWYS, STS BRIDGES & SWLKS	\$	227,100.00	\$ 236,150.00
	VDOT STREET MAINTENANCE			
100-4041250-3300	VDOT STREET MAINTENANCE	\$	411,618.00	\$ 473,615.00
100-4041250-3310	EQUIPMENT MAINTENANCE (VDOT)	\$	10,000.00	\$ 10,000.00
100-4041250-8801	EQUIPMENT PURCHASE (VDOT)	\$	137,000.00	\$ 75,000.00
	TOTAL VDOT STREET MAINTENANCE	\$	558,618.00	\$ 558,615.00
	STREET LIGHTS			
100-4041320-5110	ELECTRICITY	\$	66,500.00	\$ 69,200.00
	TOTAL STREET LIGHTS	\$	66,500.00	\$ 69,200.00
	SNOW REMOVAL			
100-4041330-3220	CONTRACTUAL SERVICES	\$	16,000.00	\$ 16,000.00
100-4041330-6007	MATERIALS & SUPPLIES	\$	2,000.00	\$ 2,000.00
	TOTAL SNOW REMOVAL	\$	18,000.00	\$ 18,000.00
	PARKING METERS & LOTS			
100-4041340-6007	MATERIALS & SUPPLIES	\$	1,500.00	\$ 1,500.00
	TOTAL PARKING METERS & LOTS	\$	1,500.00	\$ 1,500.00
	STREET & ROAD CLEANING			
100-4042200-6007	MATERIALS & SUPPLIES	\$	500.00	\$ 1,000.00
	TOTAL STREET & ROAD CLEANING	\$	500.00	\$ 1,000.00
	REFUSE COLLECTION			
100-4042300-3220	CONTRACTUAL SERVICES	\$	203,000.00	\$ 211,000.00
100-4042300-6225	RECYCLING SERVICES	\$	75,000.00	\$ 77,000.00
	TOTAL REFUSE COLLECTION	\$	278,000.00	\$ 288,000.00
	REFUSE DISPOSAL			
100-4042400-3800	FCO LANDFILL CHARGES	\$	40,000.00	\$ 40,000.00
	TOTAL REFUSE DISPOSAL	\$	40,000.00	\$ 40,000.00
	GENERAL PROPERTIES			
100-4043200-3310	REPAIR & MAINTENANCE	\$	15,000.00	\$ 15,000.00
100-4043200-3325	HERMITAGE SWPOND MAINT	\$	4,100.00	\$ 4,100.00
100-4043200-6007	MATERIALS & SUPPLIES	\$	500.00	\$ 500.00
100-4043200-6017	HOLIDAY DÉCORATION	\$	500.00	\$ 500.00
	TOTAL GENERAL PROPERTIES	\$	20,100.00	\$ 20,100.00
	BUILDING SERVICES			
100-4064200-3150	PROFESSIONAL SERVICES	\$	2,500.00	\$ 2,600.00

100-4064200-3200	CONTRACTURAL SERVICES	\$	19,500.00	\$	20,000.00
100-4064200-5110	ELECTRICITY	\$	19,800.00	\$	20,600.00
100-4064200-5120	NATURAL GAS/HEAT	\$	3,200.00	\$	3,350.00
100-4064200-5130	WATER/SEWER	\$	800.00	\$	820.00
100-4064200-5230	TELECOMMUNICATIONS	\$	7,800.00	\$	9,000.00
100-4064200-5304	LIABILITY INSURANCE	\$	2,500.00	\$	2,700.00
100-4064200-7113	IN KIND COSTS	\$	13,000.00	\$	13,000.00
100-4064200-7115	SHARED MAINTENANCE	\$	19,000.00	\$	19,000.00
100-4064200-8411	CAPITAL ASSET RESERVES	\$	7,000.00	\$	7,000.00
	TOTAL BUILDING SERVICES	\$	95,100.00	\$	98,070.00
	PARKS & RECREATION				
100-4071310-3160	CONTRACTURAL SER/JN BLUE	\$	1,000.00	\$	1,000.00
100-4071310-5699	CONTRIBUTION/CCP&R	\$	-	\$	-
100-4071310-6017	HOLIDAY DECORATIONS ROSE HILL PARK	\$	1,500.00	\$	1,500.00
100-4071310-6018	ROSE HILL PARK MAINTENANCE	\$	5,000.00	\$	5,000.00
	TOTAL PARKS & RECREATION	\$	7,500.00	\$	7,500.00
	PLANNING				
100-4081100-1155	COMPENSATION	\$	93,350.00	\$	95,975.00
100-4081100-2100	MATCHING FICA EXPENSE (7.65 %)	\$	7,150.00	\$	7,345.00
100-4081100-3190	PROFESSIONAL SERVICES	\$	5,000.00	\$	3,000.00
100-4081100-3195	PREPAID APPLICATION FEES	\$	-	\$	-
100-4081100-3500	PRINTING	\$	200.00	\$	200.00
100-4081100-5510	MILEAGE	\$	100.00	\$	100.00
100-4081100-5540	TRAINING	\$	500.00	\$	200.00
100-4081100-5810	DUES	\$	500.00	\$	500.00
100-4081100-6001	OFFICE EQUIPMENT	\$	100.00	\$	100.00
100-4081100-6012	PUBLICATIONS	\$	100.00	\$	-
	TOTAL PLANNING	\$	107,000.00	\$	107,420.00
	BOARD OF ZONING APPEALS				
100-4081400-1110	EXPENSE COMPENSATION	\$	500.00	\$	500.00
100-4081400-5540	TRAINING	\$	500.00	\$	500.00
	TOTAL BOARD OF ZONING APPEALS	\$	1,000.00	\$	1,000.00
	ECONOMIC DEVELOPMENT				
100-4081500-3400	WEB SITE REDESIGN	\$	-	\$	-
100-4081500-3450	SE COLLECTOR EVALUATION	\$	-	\$	-
100-4081500-3650	MARKETING & BRANDING	\$	-	\$	-
100-4081500-5693	ARTS FUNDING MATCH	\$	4,500.00	\$	4,500.00
100-4081500-5695	TOWN/COUNTY ECONOMIC DEV	\$	17,500.00	\$	17,500.00
100-4081500-5696	ECONOMIC DEVELOPMENT RESERVE	\$	-	\$	2,500.00
100-4081500-5698	GRANT AND MATCHING FUNDS	\$	-	\$	-
100-4081500-5699	DBI/ECO DEV PROF SERVICES	\$	4,000.00	\$	-
100-4081500-5700	ANNEXATION AREA PROF SERVICES	\$	25,000.00	\$	10,000.00
	TOTAL ECONOMIC DEVELOPMENT	\$	51,000.00	\$	34,500.00
	PLANNING COMMISSION				
100-4081600-1111	EXPENSE COMPENSATION	\$	5,000.00	\$	5,000.00
100-4081600-5540	TRAINING	\$	1,000.00	\$	1,000.00
100-4081600-5810	DUES	\$	250.00	\$	250.00
	TOTAL PLANNING COMMISSION	\$	6,250.00	\$	6,250.00
	B'VILLE AREA DEV AUTHORITY				
100-4081700-1111	EXPENSE COMPENSATION	\$	2,500.00	\$	2,500.00

100-4081700-1111	MATCHING FICA EXPENSE (7.65 %)	\$	-	\$	-
100-4081700-5540	TRAINING	\$	250.00	\$	250.00
100-4081700-5810	DUES	\$	125.00	\$	-
	TOTAL B'VILLE AREA DEV AUTHORITY	\$	2,875.00	\$	2,750.00
	ARCHITECTURAL REVIEW BOARD				
100-4081800-5540	TRAINING	\$	500.00	\$	500.00
	TOTAL ARCHITECTURAL REVIEW BD	\$	500.00	\$	500.00
	TREE BOARD				
100-4081900-5800	MISCELLANEOUS	\$	500.00	\$	500.00
	TOTAL TREE BOARD	\$	500.00	\$	500.00
	CAPITAL OUTLAY				
100-4094200-8207	SOFTWARE UPGRADES	\$	-	\$	-
100-4094200-8225	COMPUTER REPLACEMENT/UPGRADES	\$	7,500.00	\$	7,500.00
100-4094200-8230	REPAIRS TO 23 E MAIN-LS RESERVE	\$	44,235.00	\$	-
100-4094200-8231	PATROL VEHICLE	\$	52,600.00	\$	56,000.00
100-4094200-8338	SNOW PLOW	\$	-	\$	13,000.00
100-4094200-8340	MOWER	\$	-	\$	-
100-4094200-8345	PW TON DUMP	\$	-	\$	27,500.00
100-4094200-8411	CAPITAL RESERVE	\$	-	\$	10,462.00
100-4094200-8602	3/4 TON TRUCK (PW)	\$	-	\$	12,000.00
100-4094200-8603	PD SERVER REPLACEMENT RESERVE	\$	6,000.00	\$	-
100-4094200-8702	WAYFINDING SIGNS RESERVE	\$	5,000.00	\$	5,000.00
100-4094200-8803	PUBLIC WORKS IMPROVEMENTS	\$	-	\$	-
100-4094200-8910	PD BODY CAMERA REPLACEMENTS	\$	-	\$	-
100-4094200-8911	VIRGINIA AVENUE	\$	55,000.00	\$	-
100-4094200-8912	POLICE MDT REPLACEMENT	\$	-	\$	-
100-4094200-8913	POLICE AV EQUIPMENT	\$	-	\$	-
100-4094200-8914	RIXEY MOOR PLAYGROUND IMP	\$	-	\$	-
100-4094200-8915	HOGAN'S ALLEY IMPROVE RESERVE	\$	1,000.00	\$	-
100-4094200-8919	STORM WATER MITIGATION	\$	-	\$	-
100-4094200-8950	FOUR WHEELER	\$	-	\$	-
100-4094200-8951	PD RADIO REPLACEMENT RESERVE	\$	20,000.00	\$	55,000.00
100-4094200-8955	TOWN RUN PER	\$	-	\$	-
100-4094200-8956	ASHBY/ARCHER PER	\$	-	\$	-
100-4094200-8958	ENDERS PROFFER RESERVES	\$	-	\$	-
100-4094200-8959	HOLIDAY DECOR REPLACEMENT	\$	10,000.00	\$	-
100-4094200-9002	JACKSON DR SWMA/DORSEY ST STMWATER	\$	-	\$	25,000.00
100-4094200-9003	BACKHOE (PW)	\$	-	\$	22,500.00
100-4094200-9004	MOSBY BOULEVARD SIDEWALK	\$	-	\$	25,000.00
	TOTAL CAPITAL OUTLAY	\$	201,335.00	\$	258,962.00
	CONTINGENCY				
100-4094300-5800	CONTINGENCY (3.00%)	\$	110,300.00	\$	110,544.00
	TOTAL CONTINGENCY	\$	110,300.00	\$	110,544.00
	DEBT SERVICE				
100-4095000-9110	RDA PRINCIPAL	\$	40,988.00	\$	43,200.00
100-4095000-9120	RDA INTEREST	\$	80,488.00	\$	77,800.00
100-4095000-9130	RDA DEBT SER RESERVE	\$	-	\$	-
	TOTAL DEBT SERVICE	\$	121,476.00	\$	121,000.00

TOTAL GENERAL FUND OPERATIONAL	\$	3,540,309.00	\$	3,682,076.00
TOTAL GENERAL FUND CONTINGENCY	\$	110,300.00	\$	110,544.00
TOTAL GENERAL FUND CAP OUTLAY	\$	201,335.00	\$	258,962.00
TOTAL GENERAL FUND DEBT SERVICE	\$	121,476.00	\$	121,000.00

TOTAL GENERAL FUND EXPENSES	\$	3,973,420.00	\$	4,172,582.00
------------------------------------	-----------	---------------------	-----------	---------------------

WATER FUND

PERSONNEL

501-4012220-1140	COMPENSATION	\$	39,350.00	\$	40,600.00
501-4012220-2100	MATCHING FICA EXPENSE (7.65 %)	\$	3,010.00	\$	3,110.00
501-4012220-2210	VRS	\$	32,810.00	\$	33,262.00
501-4012220-2220	VMLIP - STD	\$	154.00	\$	158.00
501-4012220-2230	VMLIP - LTD	\$	1,415.00	\$	1,438.00
501-4012220-2300	HEALTH INSURANCE	\$	47,910.00	\$	48,700.00
501-4012220-2400	LIFE INSURANCE	\$	3,510.00	\$	3,560.00
501-4012220-2600	UNEMPLOYMENT INSURANCE	\$	46.00	\$	139.00
501-4012220-2700	WORKER'S COMPENSATION	\$	8,500.00	\$	14,000.00
501-4012220-3170	MISS UTILITY	\$	1,500.00	\$	1,500.00
501-4012220-3320	HANDHELD MAINT	\$	4,500.00	\$	4,600.00
501-4012220-5210	POSTAGE	\$	4,400.00	\$	4,400.00
501-4012220-5540	TRAINING	\$	2,500.00	\$	2,500.00
501-4012220-6001	OFFICE SUPPLIES	\$	500.00	\$	500.00
	TOTAL PERSONNEL	\$	150,105.00	\$	158,467.00

TREATMENT

501-4012222-1147	COMPENSATION	\$	147,122.00	\$	160,100.00
501-4012222-2100	MATCHING FICA EXPENSE (7.65 %)	\$	11,255.00	\$	11,551.00
501-4012222-2830	CERTIFICATION FEES	\$	900.00	\$	600.00
501-4012222-2840	STATE CONNECTION FEES	\$	5,400.00	\$	5,700.00
501-4012222-2850	LAB TESTING	\$	8,500.00	\$	9,000.00
501-4012222-3110	MEDICAL EXAMS	\$	200.00	\$	200.00
501-4012222-3145	PROFESSIONAL SERVICES	\$	15,000.00	\$	10,000.00
501-4012222-3146	UTILITY RATE STUDY	\$	-	\$	-
501-4012222-3210	SLUDGE REMOVAL	\$	30,000.00	\$	27,000.00
501-4012222-3220	CLEAN RIVER INTAKE	\$	2,000.00	\$	2,000.00
501-4012222-3310	REPAIR & MAINTENANCE	\$	60,000.00	\$	60,000.00
501-4012222-3510	CONSUMER CONFIDENCE RPT	\$	500.00	\$	1,000.00
501-4012222-5110	ELECTRICITY	\$	61,500.00	\$	65,000.00
501-4012222-5120	PROPANE HEAT WTP	\$	3,500.00	\$	3,600.00
501-4012222-5230	TELECOMMUNICATIONS	\$	3,800.00	\$	4,200.00
501-4012222-5415	COPIER LEASE	\$	670.00	\$	700.00
501-4012222-5540	TRAINING	\$	2,500.00	\$	3,500.00
501-4012222-5690	DISCHARGE PERMIT RENEWAL	\$	650.00	\$	700.00
501-4012222-5810	DUES	\$	1,100.00	\$	1,000.00
501-4012222-6001	OFFICE SUPPLIES	\$	1,000.00	\$	1,000.00
501-4012222-6004	LAB SUPPLIES	\$	4,500.00	\$	4,500.00
501-4012222-6005	JANITORIAL SUPPLIES	\$	1,000.00	\$	1,000.00
501-4012222-6008	GASOLINE & OIL	\$	6,200.00	\$	6,200.00
501-4012222-6011	UNIFORMS	\$	1,300.00	\$	1,000.00
501-4012222-6014	TOOLS	\$	500.00	\$	500.00
501-4012222-6019	SAFETY EQUIPMENT	\$	2,000.00	\$	2,000.00
501-4012222-6020	PERSONAL EQUIPMENT	\$	600.00	\$	600.00
501-4012222-6025	CHEMICALS	\$	40,000.00	\$	40,000.00
	TOTAL TREATMENT	\$	411,697.00	\$	422,651.00

	DISTRIBUTION & MAINTENANCE			
501-4012224-1183	COMPENSATION	\$	138,300.00	\$ 139,000.00
501-4012224-2100	MATCHING FICA EXPENSE (7.65 %)	\$	10,600.00	\$ 10,600.00
501-4012224-3330	LINE REPAIR & MAINTENANCE	\$	50,000.00	\$ 50,000.00
501-4012224-6007	MATERIALS & SUPPLIES	\$	30,000.00	\$ 30,000.00
501-4012224-6019	SAFETY EQUIPMENT	\$	700.00	\$ 700.00
501-4012224-6030	NEW SERVICE SUPPLIES	\$	9,000.00	\$ 9,000.00
501-4012224-9008	STORAGE TANK MAINTENANCE CONTRACT	\$	-	\$ 8,466.00
	TOTAL DISTRIBUTION & MAINT	\$	238,600.00	\$ 247,766.00
	CAPITAL OUTLAY			
501-4094200-8102	TANK REPAIR & MAINT	\$	85,000.00	\$ 155,700.00
501-4094200-8105	PICKUP (1/2)	\$	15,000.00	\$ -
501-4094200-8118	WTP BACKWASH LAGOON REPAIR	\$	-	\$ 86,000.00
501-4094200-8167	SCADA			
501-4094200-8211	CAPITAL RESERVES	\$	208,488.00	\$ 149,674.48
501-4094200-8225	COMPUTER UPGRADE	\$	-	\$ 2,000.00
501-4094200-8340	MOWER (1/2)			
501-4094200-8345	PW ONE TON DUMP TRUCK			\$ 13,500.00
501-4094200-8360	HANDHELD METER READER	\$	7,000.00	\$ -
501-4094200-8361	WATER DIST SYSTEM UPGRADES	\$	115,000.00	\$ 400,000.00
501-4094200-8550	EQUIPMENT REPAIR RESERVE	\$	25,000.00	\$ -
501-4094200-8602	3/4 TON TRUCK	\$	-	\$ 12,000.00
501-4094200-8605	WTP BUILDING MAINTENANCE			
501-4094200-8704	WATER FINISH PUMP REPLACEMENT			
501-4094200-8953	UTILITY PLANT GATES			
501-4094200-8954	STORAGE BUILDING	\$	-	\$ -
501-4094200-8957	WTP EVALUATION & REPAIRS	\$	-	\$ -
501-4094200-8958	WATER METER REPLACEMENT	\$	165,000.00	\$ 165,000.00
501-4094200-9003	BACKHOE(PW)	\$	-	\$ 22,500.00
501-4094200-9004	SECURITY IMPROVEMENTS	\$	-	\$ 10,500.00
501-4094200-9005	WATER RIVER PUMP DISCONNECT ELIMINATION	\$	-	\$ 7,000.00
	TOTAL CAPITAL OUTLAY	\$	620,488.00	\$ 1,023,874.48
	CONTINGENCY			
501-4094300-5800	CONTINGENCY (3.00%)	\$	24,735.00	\$ 24,866.52
	TOTAL CONTINGENCY	\$	24,735.00	\$ 24,866.52
	TOTAL WATER FUND OPERATIONAL	\$	800,402.00	\$ 828,884.00
	TOTAL WATER FUND CONTINGENCY	\$	24,735.00	\$ 24,866.52
	TOTAL WATER FUND CAP OUTLAY	\$	620,488.00	\$ 1,023,874.48
	TOTAL WATER FUND EXPENSES	\$	1,445,625.00	\$ 1,877,625.00

SEWER FUND

PERSONNEL

502-4012220-1114	COMPENSATION	\$	39,350.00	\$ 40,560.00
502-4012220-2100	MATCHING FICA EXPENSE (7.65 %)	\$	3,010.00	\$ 3,105.00
502-4012220-2210	VRS	\$	51,785.00	\$ 52,500.00
502-4012220-2220	VMLIP - STD	\$	243.00	\$ 250.00
502-4012220-2230	VMLIP - LTD	\$	2,236.00	\$ 2,270.00
502-4012220-2300	HEALTH INSURANCE	\$	75,608.00	\$ 76,860.00
502-4012220-2400	LIFE INSURANCE	\$	5,545.00	\$ 5,620.00
502-4012220-2600	UNEMPLOYMENT INSURANCE	\$	71.00	\$ 220.00
502-4012220-2700	WORKER'S COMPENSATION	\$	13,500.00	\$ 22,000.00

502-4012220-3320	HANDHELD MAINT	\$	2,800.00	\$	3,000.00
502-4012220-5210	POSTAGE	\$	7,500.00	\$	7,500.00
502-4012220-6001	OFFICE SUPPLIES	\$	1,000.00	\$	1,000.00
	TOTAL PERSONNEL	\$	202,648.00	\$	214,885.00
	TREATMENT				
502-4012222-1147	COMPENSATION	\$	323,614.00	\$	363,445.00
502-4012222-2100	MATCHING FICA EXPENSE (7.65 %)	\$	24,756.00	\$	27,800.00
502-4012222-2830	CERTIFICATION FEES	\$	500.00	\$	900.00
502-4012222-2850	LAB TESTING	\$	36,000.00	\$	36,000.00
502-4012222-3145	PROFESSIONAL SERVICES	\$	18,000.00	\$	18,000.00
502-4012222-3146	UTILITY RATE STUDY	\$	-	\$	-
502-4012222-3210	LANDFILL-SOLIDS DISPOSAL	\$	48,000.00	\$	65,000.00
502-4012222-3310	REPAIR & MAINTENANCE	\$	110,000.00	\$	120,000.00
502-4012222-5110	ELECTRICITY	\$	135,000.00	\$	140,000.00
502-4012222-5230	TELECOMMUNICATIONS	\$	6,000.00	\$	6,500.00
502-4012222-5415	COPIER LEASE	\$	3,900.00	\$	3,900.00
502-4012222-5540	TRAINING	\$	3,000.00	\$	3,000.00
502-4012222-5690	Discharge Permit Renewal	\$	3,000.00	\$	3,500.00
502-4012222-5810	DUES	\$	500.00	\$	600.00
502-4012222-6001	OFFICE SUPPLIES	\$	1,000.00	\$	1,200.00
502-4012222-6004	LAB SUPPLIES	\$	5,400.00	\$	5,800.00
502-4012222-6005	JANITORIAL SUPPLIES	\$	1,200.00	\$	1,500.00
502-4012222-6008	GASOLINE & DIESEL FUEL	\$	9,000.00	\$	9,300.00
502-4012222-6011	UNIFORMS	\$	1,300.00	\$	1,000.00
502-4012222-6014	TOOLS	\$	1,500.00	\$	1,500.00
502-4012222-6019	SAFETY EQUIPMENT	\$	2,000.00	\$	2,500.00
502-4012222-6020	PERSONAL EQUIPMENT	\$	800.00	\$	800.00
502-4012222-6025	CHEMICALS	\$	90,000.00	\$	80,000.00
	TOTAL TREATMENT	\$	824,470.00	\$	892,245.00
	DISTRIBUTION & MAINTENANCE				
502-4012224-1183	COMPENSATION	\$	138,250.00	\$	139,000.00
502-4012224-1183	MATCHING FICA EXPENSE (7.65 %)	\$	10,575.00	\$	10,600.00
502-4012224-3310	EQUIPMENT MAINTENANCE	\$	5,000.00	\$	5,000.00
502-4012224-3330	REPAIR & MAINTENANCE	\$	10,000.00	\$	10,000.00
502-4012224-6007	MATERIALS & SUPPLIES	\$	2,500.00	\$	2,500.00
502-4012224-6019	SAFETY EQUIPMENT	\$	-	\$	500.00
502-4012224-6030	NEW SERVICE SUPPLIES	\$	-	\$	-
	TOTAL DISTRIBUTION & MAINT	\$	166,325.00	\$	167,600.00
	CAPITAL PROJECTS				
	TOTAL CAPITAL PROJECTS	\$	-	\$	-
	CAPITAL OUTLAY				
502-4094200-8105	PICKUP (1/2)	\$	15,000.00	\$	-
502-4094200-8110	WWTP UPGRADES				
502-4094200-8123	SCADA				
502-4094200-8225	COMPUTER UPGRADE	\$	-	\$	2,000.00
502-4094200-8134	Sewer Collection Sys Rehab	\$	115,000.00	\$	100,000.00
502-4094200-8340	MOWER (1/2)				
502-4094200-8345	PW ONE TON DUMP TRUCK			\$	13,500.00
502-4094200-8360	HANDHELD METER READER	\$	7,000.00	\$	-
502-4094200-8411	CAPITAL RESERVES	\$	243,477.00	\$	115,153.10
502-4094200-8540	MEMBRANE REPLACEMENT RESERVE	\$	10,000.00	\$	-
502-4094200-8545	MEMBRANE PRE-PURCHASE	\$	90,000.00	\$	110,000.00
502-4094200-8550	EQUIPMENT REPAIR RESERVE	\$	25,000.00	\$	-
502-4094200-8602	3/4 TON PICKUP (1/2 VDOT)	\$	-	\$	12,000.00

502-4094200-8604	STORM SEWER CAMERA (1/2 VDOT)			
502-4094200-8952	COMMUNICATION NET FOR UTILITIES			
502-4094200-8953	UTILITY PLANT GATES			
502-4094200-8954	INVENTORY LOCKUP FENCING	\$	-	\$ -
502-4094200-8955	WWTP BUILDING REPAIR/JOINT RESERVE	\$	7,000.00	\$ -
502-4094200-9003	BACKHOE (PW)	\$	-	\$ 22,500.00
502-4094220-9004	SECURITY IMPROVEMENTS	\$	-	\$ 10,500.00
502-4094200-9006	WWTP BLOWERT DISCONNECTS	\$	-	\$ 8,000.00
502-4094200-9007	WWTP PERMEATE PUMPS	\$	-	\$ 35,000.00
	TOTAL CAPITAL OUTLAY	\$	512,477.00	\$ 428,653.10
	CONTINGENCY			
502-4094300-5800	CONTINGENCY (3.00%)	\$	36,580.00	\$ 38,241.90
	TOTAL CONTINGENCY	\$	36,580.00	\$ 38,241.90
	DEBT SERVICE			
502-4095000-9118	VRA PRINCIPAL	\$	470,000.00	\$ 470,000.00
	TOTAL DEBT SERVICE	\$	470,000.00	\$ 470,000.00
	TOTAL SEWER FUND OPERATIONAL	\$	1,193,443.00	\$ 1,274,730.00
	TOTAL SEWER FUND CONTINGENCY	\$	36,580.00	\$ 38,241.90
	TOTAL SEWER FUND CAP OUTLAY	\$	512,477.00	\$ 428,653.10
	TOTAL SEWER FUND DEBT SERVICE	\$	470,000.00	\$ 470,000.00

TOTAL SEWER FUND EXPENSES \$ 2,212,500.00 \$ 2,211,625.00

TOTAL EXPENSES ALL FUNDS \$ 7,631,545.00 \$ 8,261,832.00

5 YEAR CAPITAL IMPROVEMENTS PROGRAM
Town of Berryville
FY 2022-2026

Expenditures	Town of Berryville- FY 2022-2026														
	2022			2023			2024			2025			2026		
	General	Water	Sewer	General	Water	Sewer	General	Water	Sewer	General	Water	Sewer	General	Water	Sewer
Capital Reserves	10,462	149,674	115,153												
Computer Replacements	7,500	2,000	2,000	7,500	2,000	2,000	7,500	2,000	2,000	7,500	2,000	2,000	7,500	2,000	2,000
Mobile Data Terminals (PD)															
Interview Room AV (PD)							5,000								
Pistols (PD)				8,500											
Portable and Mobile Radios (PD)	55,000														
Patrol Vehicle (PD)	56,000						57,500								
Large Dump Truck (PW)															
1 Ton Dump Truck (PW)	27,500	13,500	13,500												
3/4 Ton Truck (PW)	12,000	12,000	12,000	12,000	12,000	12,000									
1/2 Ton Truck (PU)								15,000							
Snow Plow (PW)	13,000			6,000											
Salt Spreader (PW)															
Backhoe (PW)	22,500	22,500	22,500	2,000	2,000	2,000							55,000	55,000	55,000
Mower (PW or PU)				10,000			10,000						10,000		
Wayfinding Signs (CD)				12,000											
Holiday Decorations for Streets (PW)															
Security Improvements				10,500		10,500									
Virginia Avenue (PW)															
Water Treatment Plant Upgrade															
Water Distribution System Upgrades		400,000				170,000					220,000			2,200,000	
Water Storage Tank Improvements		155,700												100,000	
Water Meter Replacement		165,000				165,000									
Wastewater Treatment Plant Membrane Replace			110,000											670,000	115,000
Sewer Collection System Upgrades			100,000			100,000								100,000	100,000
Water Treatment Plant Backwash Lagoon Repair		86,000													
Water River Pump Disconnect Elimination		7,000													
Wastewater Treatment Plant Blower Disconnects			8,000												
Jackson Drive SWMA / Dorsey Street Srmwater	25,000														
Fairfax Street (East and West) sidewalk															
Mosby Boulevard sidewalk	25,000			10,000											
Wastewater Treatment Plant Permeate Pumps			35,000												
Reserved for future use															
Funds to be used have been reserved in full or part															
VDOT Reimbursement Funds will be used															
Amount reflects Town portion of project (TAP Funds)															
Total	258,962	1,023,874	428,655	68,000	351,000	226,000	140,000	402,000	787,000	155,000	2,316,000	251,000	133,000	22,765,000	280,000

Town Council Agenda Item Report Summary

May 11, 2021

Item Title

Public Hearing - Text Amendment to Section 614 Older Person Residential

Prepared By

Christy Dunkle

The Berryville Planning Commission is sponsoring a text amendment, as requested by applicant Alton C. Echols, 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

Background/History/General Information

April 13, 2021 Staff Report

This amendment would decrease the rear yard setback for single-family detached dwellings in the Older Person Residential (OPR) zoning district from 40 feet to 30 feet. The Berryville Planning Commission initiated the request by Mr. Echols and held a public hearing on the matter at their March 23, 2021 meeting. There were no public comments on the matter. The Planning Commission voted to recommend approval of the request to Town Council.

Findings/Current Activity

The public hearing notice was published in the Winchester Star on Tuesday, April 27 and Tuesday, May 4, 2021. No comments were received in the Planning Office.

April 13, 2021 Staff Report

The minimum lot size for detached single-family dwellings in this district is 7,500 square feet. Staff believes that a 30-foot rear yard setback is appropriate for lots this size. The DR-4 Detached Residential zoning district includes a similar minimum lot size (10,000 square foot minimum for conventional lots and 7,500 square feet for cluster development lots) with 30- and 25-foot rear yard setbacks, respectively.

Parcels included in the OPR district are located in the northwestern quadrant of town. There are currently five single-family detached parcels that would be affected by this change.

Section 508 of the Berryville Zoning Ordinance requires that either the Planning Commission or Town Council sponsor text amendments. Both bodies are required to hold a public hearing on the matter.

Financial Considerations

N/A

Schedule/Deadlines

N/A

Other Considerations

N/A

Recommendation

Approve as presented.

Sample Motion

I move that the Council of the Town of Berryville adopt the attached ordinance modifying Article VI 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.

Supporting documents:

- Public hearing noticed published Tuesday, April 27 and Tuesday, May 4, 2021 in the Winchester Star
- Section 614 Older Person Residential (OPR) zoning information
- Vicinity map of property zoned OPR
- Ordinance

BERRYVILLE TOWN COUNCIL PUBLIC HEARING NOTICE

The Berryville Town Council will hold the following public hearing at 7:00 p.m., or as soon after as this matter may be heard, on **Tuesday, May 11, 2021**, in the Main Meeting Room, Second Floor, of the Berryville/Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia to consider the following:

The Berryville Planning Commission is sponsoring a text amendment, as requested by applicant Alton C. Echols, 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

Copies of the applications, amendments, and maps may be examined at the Town Business Office, Berryville/Clarke County Government Center (101 Chalmers Court), First Floor, Berryville, Virginia during regular business hours. Additional information may be obtained by calling Community Development Director Christy Dunkle at 540 955-4081. Any person desiring to be heard on this matter should appear at the appointed time and place.

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

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

Section 614 Older Person Residential (OPR) District

SECTION 614 - OLDER PERSON RESIDENTIAL (OPR)

614.1 PURPOSE AND INTENT

The Older Person Residential (OPR) District is created to provide for residential, office, and service uses for people over 55 years old at locations compatible with the Comprehensive Plan's goals for residential development in the Town of Berryville and within the precincts of the Berryville Area Plan. Maximum densities are established in this district to allow the various types of uses at a scale compatible with the general character of the Town and the nature of the uses. This district may be applied to development with the intent of preserving natural features and vegetation, promoting excellence in site planning and landscape design, and encouraging development with compatible scale, materials and architectural character. Development in the OPR District shall be sensitive to land physiography, provision of adequate public infrastructure, and development of high-quality transportation improvements while achieving optimal siting of dwellings, services, recreation areas, community facilities, and open space.

614.2 PERMITTED USES

- (a) Accessory structures less than one hundred fifty (150) square feet in size
- (b) Community buildings and association facilities, public and private, including recreation areas and other common area improvements associated with residential developments
- (c) Housing for Older Persons Residential: Single Family Detached; Single Family Attached – Duplexes, Tri-plexes, Quad plexes, Townhouses, and Multi-family Apartments (including personal service uses of less than 500 square feet) (10/16)
- (d) Public utilities
- (e) Recreation facilities (indoor or outdoor), including parks, playgrounds, golf courses, swimming pools, tennis courts, etc.

614.3 SPECIAL PERMIT USES

- (a) Day care centers
- (b) Government and other public buildings (including police, fire, library, museum, and postal facilities)
- (c) (Deleted 2016)
- (d) (Deleted 2010)
- (e) Medical care facilities, licensed
- (f) Places of worship
- (g) Schools, public and private, including nurseries, playgrounds, and related uses

Section 614 Older Person Residential (OPR) District

614.4 AGE REQUIREMENT

An age restriction enforcement plan shall be submitted with each subdivision or site plan application so as to ensure that all occupants of dwelling units conform to the age restrictions established for Housing for Older Persons. Such enforcement plans shall include:

- (a) the covenants, management regulations, or other similar legal instruments with enforcement by the property owner, homeowners association, or other private entity;
- (b) the identity of the private entity which shall be held responsible for any violation of the age restrictions for Housing for Older Persons;
- (c) a provision for an annual report to the Town of Berryville as to age status of the occupants of each unit; and
- (d) a provision which states that no person under nineteen (19) years of age shall reside in any unit for more than ninety (90) days in any calendar year.

614.5 MAXIMUM DENSITY

A Master Plan shall be submitted with a request for OPR zoning showing a general arrangement of uses and density for the subject property and all adjacent areas intended for OPR uses. The Master Plan shall show that the public service needs are no greater for the OPR uses than the public service needs for the uses planned for that sub-area. The number of average daily vehicle trips generated, the amount of sewage generated, the amount of water used, and demand on emergency services will be no greater with the proposed number of older person residential units and service uses than that generated by the maximum density of uses allowed by a property's land use designation. However, not more than two hundred (200) Older Person Residential units (including not more than one hundred eighty (180) multifamily units) shall be allowed in Annexation Area B as shown on approved subdivision plats or site plans. (10/16)

614.6 MINIMUM DISTRICT SIZE

Minimum district size: three (3) acres

614.7 MAXIMUM BUILDING HEIGHT

Maximum building height: forty (40) feet

614.8 REGULATIONS FOR SINGLE FAMILY DETACHED DWELLINGS

- (a) Minimum lot size: 7,500 square feet
- (b) Minimum lot width: 60 feet
- (c) Minimum yard requirements
 - (1) Front Yard: 20 feet
 - (2) Side yard: 10 feet, except for corner lots, the side yard facing the side street shall be 20 feet or more for both main and accessory buildings
 - (3) Rear yard: 40 30 feet
- (d) Accessory structures of less than 150 square feet: 5 feet from side and rear lot lines

Section 614 Older Person Residential (OPR) District

- (e) Parking Requirements The number of required off-street parking spaces shall be a total of 2 per unit.

614.9 REGULATIONS FOR TWO FAMILY DETACHED (DUPLEX) DWELLINGS

- (a) Minimum lot size: 10,000 square feet for total duplex structure
 4,500 square feet each separate unit within a duplex
- (b) Minimum lot width: 75 feet per duplex structure
 35 feet for each unit of a duplex.
- (c) Minimum yard requirements
 - Front yard: 20 feet
 - Side yard: 10 feet, except for corner lots, the side yard facing the side street shall be 20 feet or more for both main and accessory buildings.
 - Rear yard: 40 feet
- (d) Accessory structures of less than 150 square feet: 5 feet from side and rear lot lines
- (e) Where a lot is to be subdivided into individual lots for the sale of single-family attached units, lot lines shall conform with party wall centerlines.
- (f) Maximum lot coverage: 35 percent
- (g) Open Space Requirements
 - 1. An open space plan shall be submitted with a subdivision application.
 - 2. At least 10% of the net site area shall be open space dedicated to common usage and ownership.
 - 3. Refer to Section 615.2 regarding critical environmental area and open space requirements
- (h) Parking Requirements
The number of required off-street parking spaces shall be a total of 2 per unit.

614.10 REQUIREMENTS FOR SINGLE FAMILY ATTACHED DWELLINGS (TRIPLEX & QUADPLEX AND TOWNHOUSES, 5 TO 8 UNITS PER STRUCTURE)

- (a) Minimum lot area per dwelling
 - Interior lot: 2,000 square feet
 - Corner lot: 2,400 square feet
 - Condominium: Not regulated
- (b) Minimum lot width
 - Interior lot: 20 feet
 - Corner lot: 35 feet
 - Condominiums: subject to site plan review and applicable performance zoning criteria
- (c) Minimum yard requirements
 - Front yard: 15 feet
 - Side yard: 15 feet
 - Rear yard: 30 feet
- (d) No side yard requirement shall be applied where dwellings share a party wall.
- (e) Accessory structures of less than

Section 614 Older Person Residential (OPR) District

- 150 square feet: 5 feet from side and rear lot lines.
- (f) Where a lot is to be divided into individual lots for the sale of single family attached dwelling units:
1. Lot lines shall conform with party wall centerlines.
 2. Privacy yard, having a minimum of two hundred (200) square feet, shall be provided on each lot.
 3. Privacy yards shall include screening, fencing, patio paving and/or special landscaping treatment.
- (g) Open Space Requirements
1. An open space plan shall be submitted with a site plan application.
 2. 25% of the net site area shall be open space dedicated to common usage and ownership.
 3. At least 20% of the required open space (5% of the net site area) shall be designed and developed as recreational and active community open space.
 4. Refer to Section 615.2 regarding critical environmental area and open space requirements.
- (h) Site Plan Requirements
1. A site plan, which shall govern all development, shall be submitted for approval per Section 6.
 2. Site plans shall include provisions for:
 - A. Adequate public facilities, development phasing.
 - B. Storm water management facilities to address the ultimate development coverage within the district, lighting and signing.
 - C. Building placement and lot configuration, screening, buffering, and landscaping, and other special site features and land use considerations deemed necessary to serve the district.
 - D. Any site plan application which is not in strict conformance with a pre-existing approved master plan for the district shall require an amendment to that master plan and preliminary plat, if necessary, prior to site plan approval of the specific use.
 - E. All uses shall be subject to final site plan approval.
- (i) Parking and parking access
1. The number of required off-street parking spaces shall be a total of 1.5 per unit and shall be located not more than one hundred (100) feet from the individual dwelling served.
 2. Parking bays shall be no closer than twelve (12) feet to any adjoining property line.
 3. Off-street parking spaces shall be accessed via private driveways and shall not be directly accessed from public rights of way.
- (j) Driveways
1. Attached dwelling units shall have access to a private driveway with a minimum width of twenty-three (23) feet. The paved street shall be constructed according to Virginia Department of Transportation standards.
 2. No attached dwelling unit may be accessed directly from a public street unless approved by a special use permit.

Section 614 Older Person Residential (OPR) District

3. No private driveway shall be located within twelve (12) feet of any property line.
- (k) Setback, yards, buffering, separation and grouping of units
1. Where adjacent properties are zoned to a district other than the OPR District, all single family attached dwellings shall be set back at least forty (40) feet from the common property line(s).
 2. Where single family attached dwellings are adjacent to a private drive, parking area, and/or walkway intended for the common use of the development's occupants, there shall be a minimum building setback of 15 feet from that drive, area, and/or walk.
 3. Adjacent groupings of single family attached dwellings with their accompanying lots shall be separated from one another by a minimum of fifteen (15) feet. This separation shall allow an unobstructed fire lane on all sides of the structure.
 4. No more than four attached dwellings shall be included in any one physically contiguous grouping.
- (l) Maintenance of improvements, covenants and required improvements
1. All common improvements (including open space, recreational facilities, private streets, walkways, parking areas, and other community facilities) shall be maintained by and be the sole responsibility of the property owner until such time as the owner conveys such common area to a nonprofit (homeowner's) entity consisting of at least all of the individual owners of the dwelling units in the development.
 2. Deed restrictions and covenants shall be included with the conveyance to include, among other things, that assessments, charges and costs of maintenance of such common areas shall constitute a pro-rate share lien upon the individual dwelling lots, such lien inferior only to taxes and recorded trusts. Covenants shall specify the means by which the nonprofit entity shall govern and manage itself and maintain building exteriors, landscaping, lighting, recreation areas, walkways, parking areas, snow removal, and travel ways.
 3. All deed restrictions, covenants, nonprofit (homeowner's) entity incorporation documents, and information related to conveyance programs shall be submitted with the plat and plans, and reviewed by the Berryville Town Attorney.
- (m) General Regulations
1. All refuse shall be contained in completely enclosed and screened facilities.
 2. On-site lighting, signing, and mailboxes shall be of compatible scale, materials, and colors to the primary structures.
- (n) Condominiums
1. Any condominium development under the Condominium Laws of Virginia shall be subject to the following provisions:
 - A. Minimum lot size and yard and open space requirements of the district shall be met as if lot lines existed.

Section 614 Older Person Residential (OPR) District

- B. A site plan shall be required and subject to review by the Berryville Area Development Authority. The site plan shall govern the location of all structures and improvements.
- C. Setbacks, density and other district provisions shall be met.

614.11 REGULATIONS FOR MULTI-FAMILY AND NON-RESIDENTIAL USES:

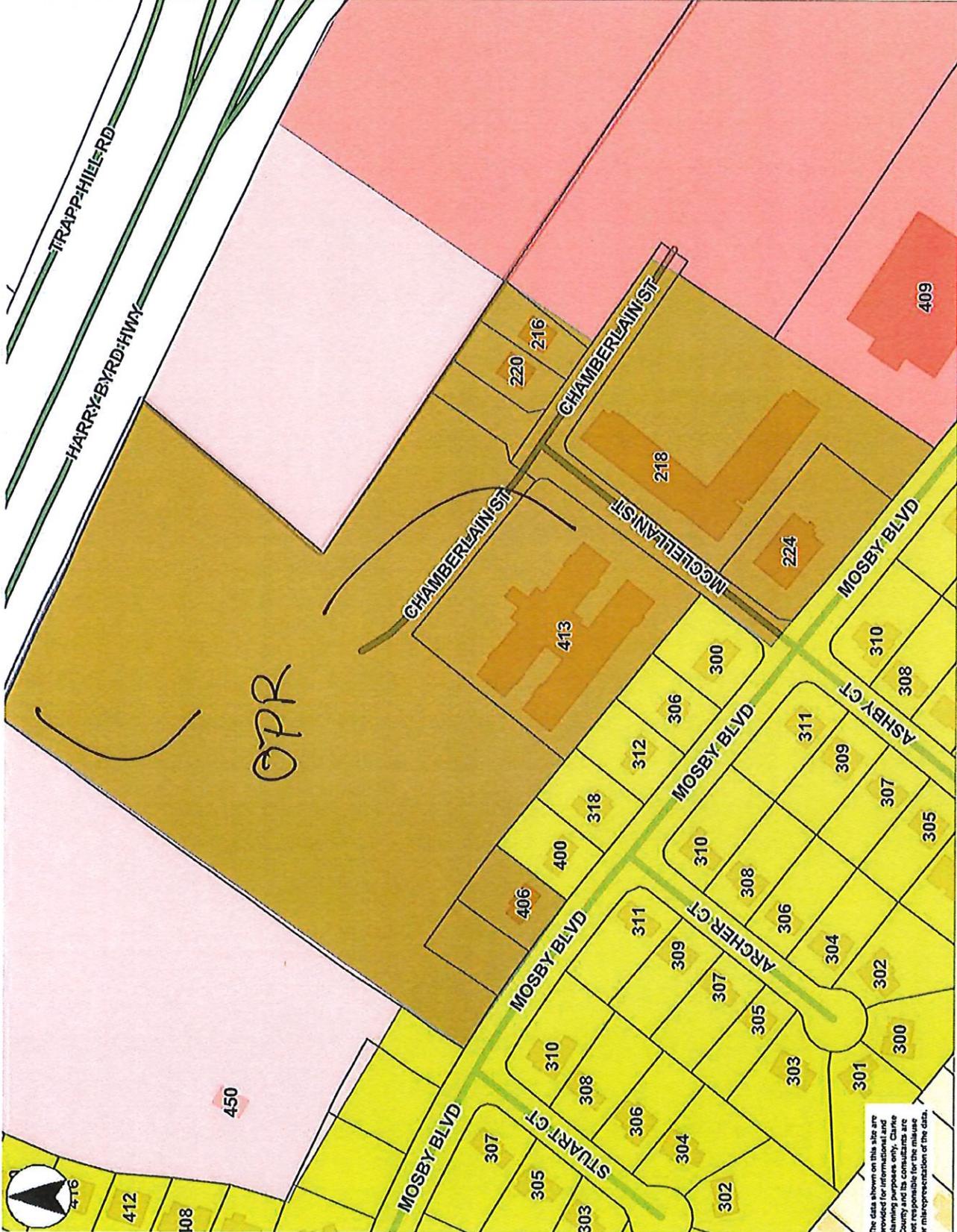
- (a) Maximum Floor Area Ratio (FAR): .60 of net developable area
- (b) Minimum lot area: 20,000 square feet
- (c) Minimum lot width: 100 feet
- (d) Minimum yard requirements
 - Front yard: 25 feet
 - Side yard: 25 feet
 - Rear yard: 25 feet
- (e) Where a lot is contiguous to a property located in any residential district, a public right of way with limited access or a railroad right of way, all buildings shall have minimum setback of forty (40) feet from common property lines.
- (f) Open Space
 - 1. A landscape and buffer plan shall be submitted with any application for site plan approval.
 - 2. At least twenty-five percent (25%) of the gross site area shall be landscaped open space.
 - 3. Refer to Section 615.2 regarding critical environmental area and open space requirements.
- (g) Site Plan Requirements
 - 1. A site plan, which shall govern all development, shall be submitted for approval per Section 6.
 - 2. Site plans shall include provisions for:
 - A. adequate public facilities, development phasing, stormwater management facilities to address the ultimate development coverage within the district, lighting and signing, building placement and lot configuration, screening, buffering, and landscaping, and other special site features and land use considerations deemed necessary to serve the district.
 - 3. Any site plan application which is not in strict conformance with a pre-existing approved master plan for the district shall require an amendment to that master plan and preliminary plat, if necessary, prior to site plan approval of the specific use.
 - 4. All uses shall be subject to final site plan approval.
- (h) Parking Access and Private Drives
 - 1. A minimum of one parking space per unit shall be provided and shall be located not more than one hundred (100) feet from the individual dwelling served.
 - 2. Off-street parking spaces shall be accessed via private driveways and shall not be directly accessed from public rights of way.
 - 3. Parking bays and private drives shall be no closer than twelve (12) feet to any adjoining property line.

Section 614 Older Person Residential (OPR) District

- (i) Buffering and Landscaping
 1. Where a parcel is contiguous to a residential zoning district or public right of way with limited access, a landscaped buffer strip fifteen (15) feet in width shall be provided.
 2. Landscape materials and their placement shall be subject to final site plan approval. With the approval of the administrative body, walls, fences, or wider buffer strips may be used in lieu of landscaping.
- (j) Storage of Materials and Refuse
 1. All refuse containers shall be screened by a solid wall or fence.
 2. Any establishment involved with the storage of any fuel for sale, for on-site use, or for any other purposes, shall be permitted only if the fuel is stored underground, except where otherwise permitted under provisions granted and stipulations required by the administrative body.
 3. All storage shall be conducted within the principal structure, which is to be completely enclosed.
 4. There shall be no outdoor storage and/or display of goods, with the exception of retail display such as plant materials associated with nurseries.
- (k) Uses, Facilities, and Improvements
 1. All business services (and storage) shall be conducted within the principal structure which is to be completely enclosed.
 2. Signing, mailboxes, site lighting and architectural materials shall be provided and installed by the property's owner-developer and shall be consistent and compatible with the scale and character of the development.
 3. Private driveways, street lighting, sidewalks, curbing and gutters, and parking bays shall be constructed to standards specified by the administrative authority or its agent.



- Public
- Points of Interest
- Parcels
- Berryville Zoning
- Detached Res-1 (DR)
- Detached Res-2 (DR)
- Detached Res-3 (DR)
- Residential-1 (R-1)
- Residential-2 (R-2)
- Residential-3 (R-3)
- Attached Res (AR)
- Older Persons Res (OPR)
- Open Space Res (OS)
- Green Space Res (GR)
- Business Park (BP)
- Business (B)
- Bus Commercial (BC)
- Light Commercial (LC)
- Driveway Commercial (DC)
- Light Industrial (L-1)
- Industrial (I-1)
- Industrial (I-2)
- Industrial (I-3)
- Clarke County Boundary
- Major Roads
- Interstate
- US Highway
- State Highway
- Surrounding Counties
- Clarke County Roads
- Private Roads
- Roads
- Rail
- Buildings
- Appalachian Trail
- Streams
- Perennial Streams
- Intermittent Streams
- Ponds
- Rivers



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

Printed on 05/05/2021 at 11:34 AM

540 ft
270

AN ORDINANCE AMENDING
ARTICLE VI, SECTION 614.8(c)(3) REAR YARD SETBACK
OF THE TOWN OF BERRYVILLE ZONING ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, that Article VI, Older Person Residential, Section 614.8 Regulations for Single Family Detached Dwellings, of the Town of Berryville Zoning Ordinance shall be amended as follows:

ARTICLE VI

614.8 REGULATIONS FOR SINGLE FAMILY DETACHED DWELLINGS

- (a) Minimum lot size: 7,500 square feet
- (b) Minimum lot width: 60 feet
- (c) Minimum yard requirements
 - (1) Front Yard: 20 feet
 - (2) Side yard: 10 feet, except for corner lots, the side yard facing the side street shall be 20 feet or more for both main and accessory buildings
 - (3) Rear yard: 40 ~~40~~ 30 feet
- (d) Accessory structures of less than 150 square feet: 5 feet from side and rear lot lines
- (e) Parking Requirements: The number of required off-street parking spaces shall be a total of 2 per unit.

SIGNED: _____
Harry Lee Arnold, Jr., Mayor

ATTEST: _____
Erecka L. Gibson, Recorder

**Berryville Town Council Item Report Summary
May 11, 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 04.05.2021 Town Council work session.

Minutes of the 04.13.2021 regular meeting of the Town Council

Minutes of the 04.26.2021 meeting of the Community Development 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

Recommendation

Approval of consent agenda.

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
Work Session
April 5, 2021
3:00 p.m.

Town Council: Present--Harry Lee Arnold, Jr., Mayor; Erecka L. Gibson, Recorder; Diane Harrison; Kara Rodriguez

Staff: Present—Keith Dalton, Town Manager; Paul Culp, Town Clerk; Cynthia Poulin, Finance Clerk.

Press: Mickey Powell, *The Winchester Star*

1. Call to Order

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

2. Approval of Agenda

Mayor Arnold invited a motion to approve the agenda.

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

3. Unfinished Business

None.

4. New Business

Discussion of the American Rescue Plan Act of 2021

Mr. Dalton directed the Council's attention to the agenda packet containing his memorandum on the allocation of funds the Town reportedly is to receive under the American Rescue Plan Act. He said the Town had not yet received any disbursement nor any definitive guidance regarding how the funds may and may not be used. He said the amount initially cited, approximately \$3.9 million, was also in doubt but that a discussion of priorities would still be useful, as would his having broken down the \$3.9 million into the percentages to be allocated to particular Town projects and needs.

Mr. Dalton said the dates provided in the memorandum were not to be treated as a definite timetable, with the exception of the need to set a firm date for eligibility of relief for residents with delinquent water and sewer accounts. Recorder Gibson expressed approval of this reasoning.

Mr. Dalton explained that the Town was to receive 50 percent of the funds within 60 days, could request the remainder after a year, and must spend the funds before the end of 2024. He said the funds could be spent on pandemic relief for households, businesses, and non-profits, hazard pay for Town employees, offsetting of reduced Town revenues, and necessary investments in water, sewer, and broadband infrastructure. He said the Town could begin spending the funds in Fiscal Year 2021, barring delay, and continue doing so through the first half of FY25.

Mr. Dalton projected 10.1 percent of the funding being spent on providing \$37.37 monthly for six months for each water/sewer account 60 or more days in arrears as of April 1, 2021, with no additional grant funds being allocated for that purpose. He said these credits would cover the cost of administrative fees and 1,000 gallons of water and sewer usage. He and Recorder Gibson discussed the desirability of breaking figures down into separate water and sewer figures.

Mr. Dalton said his recommendations called for 6 percent of the funding to be spent on community development matters: completion of a wayfinding sign project and a program to provide reimbursement funds for qualifying improvements to eligible commercial buildings, excluding home occupations, fronting on Main, Buckmarsh, Crow, and Church Streets, with individual grants not to exceed \$7,500.

Ms. Harrison said the grants would benefit the owners of the buildings but not necessarily the owners of the businesses. Mr. Dalton explained the manner in which business owners would benefit from improvements to the buildings. They discussed the possibility of allowing the businesses to apply for the grants with the approval of the business owners.

Mayor Arnold said enhancement of the attractiveness of the downtown area would be conducive to economic development.

Mr. Dalton said it would be important to consider the role of the Architectural Development Board.

Mr. Dalton and Ms. Harrison discussed the possibility of aid to business owners who rent their places of business. Mayor Arnold recommended determining what grants the County had made under the CARES Act and avoiding overlap of recipients.

Mr. Dalton said the Town should also consider spending 5.8 percent of the funding on hazard pay for Town employees, as Town personnel had remained at their posts and discharged their duties with minimal deviation from normal procedure during the pandemic. He recommended hazard pay of \$400 per month for the period from March 2020 to April 2021 for full-time regular or introductory employees working for the Town as of April 13, 2021 who had worked at least fourteen days in a month for which leave is paid and had not received any other hazard pay for the same period.

Mr. Dalton said the clearest guidance from the federal government this far had been with regard to hazard pay. Ms. Harrison asked whether the amount under discussion included Social Security, and Mr. Dalton said yes. Mr. Dalton and Recorder Gibson discussed what \$400 per month would

represent per hour. Mr. Dalton said \$2.30 per hour, and Recorder Gibson said this was in line with what other organizations had been doing.

Ms. Rodriguez and Mr. Dalton discussed the administrative processes associated with grants, and the complexity thereof, and whether the Town could set funds aside and allow the County to handle some of the administrative process via mechanisms already established.

Mayor Arnold and Mr. Dalton discussed the County's consideration of funding broadband as a means of helping the greatest number of people, and the possibility of setting aside money for Hogan's Alley.

There was a discussion of grants for non-profits, concerning which Mr. Dalton's memorandum had suggested expenditure of 3 percent of the federal grant. Ms. Rodriguez recommended that grants to non-profits not overlap to any great degree with grants for building improvements, considering the complexity of the processes. Mr. Dalton acknowledged the complexity but said timeliness is crucial. Ms. Rodriguez recommended giving priority to the non-profits.

There was a discussion of various non-profits and their contributions to the community, and of whether the Town Council could set aside funds rather than a grant process being required.

Mr. Dalton then noted that the Town had experienced revenue deficits during the pandemic and that his memorandum suggested allocation of 1.6 percent of the federal grant, or \$63,162, be applied to replacement of those funds.

Mr. Dalton said the allocations discussed thus far would leave \$2,917,319, or 73.4 percent of the federal grant, for necessary water and sewer infrastructure products. His list of such projects included studies and evaluations of systems; purchase of safety and decontamination equipment; sump pump abatement; water system improvements in certain parts of Town in particular need of attention; water meter replacement; upgrades to processing facilities; lining and replacement of sewer mains; and replacement of the transmission main from the water treatment plant.

Mr. Dalton recommended giving priority to studies identifying problem areas, in order to set future priorities.

Mr. Dalton explained the benefits of sump pump abatement and that residents would be reimbursed for the work required for disconnection.

Mr. Dalton said that he and the treasurer would provide monthly reports in ARPA activity in the Council's agenda packets, and other reports as needed.

There was a discussion of the possibility of website upgrades, improved accessibility for Rose Hill Park, and whether the purchase of livestreaming equipment for Council meetings could be treated as a pandemic response.

Ms. Rodriguez and Mr. Dalton discussed whether the ARPA funds would cover the increased water/sewer administrative fee scheduled to take effect in November.

Recorder Gibson recommended completion of the budget process before making any commitments for the federal grant funds. She said the Town should not move away from programmed utility rate increases and should put more in reserves for needed projects. She and Mr. Dalton discussed whether budget amendments would be necessary.

5. Other

Mr. Dalton said he had been considering the potential effects of the General Assembly's recent passage of legislation requiring that elections be held in November rather than in the spring. He said the Town would also be required either to abandon the ward system or require that voting no longer be on an at-large basis if the ward system remains in place. He said it might be possible to hold municipal elections in odd-numbered years, to coincide with state elections, but that this raised numerous complications, including whether it would be legal to stretch or shorten a current term in order to align it with the establishment of a new election year.

Recorder Gibson stressed the importance of continuing to have staggered elections.

There was a discussion of the likelihood of increased partisanship in November elections, and of complications likely to arise from modification of the ward system.

6. Closed Session

There was no closed session.

7. Adjourn

Mayor Arnold requested a motion to adjourn.

Adjournment occurred by consensus at 3:55 p.m.

Erecka L. Gibson, Recorder

Paul Culp, Town Clerk

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
April 13, 2021
7:00 p.m.

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; 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 7:00 p.m.

2. Pledge of Allegiance

3. Approval of Agenda

Mayor Arnold noted the non-standard seating arrangements occasioned by pandemic protocols.

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

4. Presentations/Awards/Recognitions

None.

5. Public Hearings

Tax Rates for Tax Year 2021

Mayor Arnold opened the public hearing at 7:03 p.m.

Mr. Dalton said the Town offices had received no comments on the matter since publication of the notice.

Berryville resident Lonnie Grimes said he was displeased by the Town's intention to expend revenues on the addition of a deputy town manager position and an additional police officer. He said the crime

rate did not merit the latter and that the former would be ill-advised in the absence of annexation that would add to the Town's tax base.

Mayor Arnold closed the public hearing at 7:05 p.m.

6. Discussion of Public Hearing Items

No further discussion occurred.

Recorder Gibson offered the **attached** motion and ordinance setting tax levies for tax year 2021. The motion and ordinance passed by unanimous voice vote.

Recorder Gibson moved for the approval of the **attached** resolution providing for implementation of the 2005 changes to the Personal Property Tax Relief Act of 1998 for the Tax Year 2021. The motion passed by unanimous voice vote.

7. Citizens' Forum

No one addressed the meeting.

8. Consent Agenda

The consent agenda comprised the minutes of the March 9 Town Council regular meeting, the March 10 Town Council work session, the March 3 meeting of the Budget and Finance Committee, and the March 23 meeting of the Public Safety Committee.

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

9. Unfinished Business

Set Public Hearing on Proposed FY22 Budget

Mr. Dalton directed the Council's attention to an amended document correcting an error in the amount of funding stipulated for work on the Mosby Boulevard Sidewalk.

Recorder Gibson made the **attached** motion setting the public hearing for the May 11 regular meeting of the Council. The motion passed by unanimous voice vote.

10. New Business

None.

11. Council Member Reports

Mayor Arnold, Recorder Gibson, Ms. McDonald, Mr. Mazzarino, and Ms. Rodriguez had nothing to add.

Ms. Harrison requested that a discussion of the Josephine Street cemetery occur at the next regular meeting.

12. Staff Reports

Public Works

Nothing was added to the written report.

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 that the Planning Commission was sponsoring a text amendment that would decrease the rear yard setback for single-family detached dwellings in the Older Person Residential zoning district from forty feet to thirty feet, and that the Council must have a public hearing on the matter.

Recorder Gibson moved that the Council of the Town of Berryville set a public hearing on the proposed tax amendment to Section 614 Older Person Residential for the May 11, 2021 meeting. The motion passed by unanimous voice vote.

Ms. Dunkle explained that the appointments of Tree Board members Howard Morrison and William Bigelow were expiring on April 30 and that Mary Serock's Architectural Review Board appointment would expire on June 30. She said they had all expressed interest in continuing to serve.

Recorder Gibson moved that the Council of the Town of Berryville reappoint Howard Morrison and William Bigelow to the Tree Board for four-year terms ending March 31, 2025, and Mary Serock to the Architectural Review Board for a four-year term ending on June 30, 2025. The motion passed by unanimous voice vote.

Administration and Finance

Nothing was added to the written report.

Town Manager

Invitation for Bids for Paving, Milling, and Striping

Mr. Dalton directed the Council's attention to the report in the agenda packet enumerating the sites to be paved, and asked the Council to authorize him as Town Manager to issue the IFB, award the bid, and execute related documents. He said the projects would be paid for with VDOT-reimbursable funds and that he hoped for completion before the end of FY21. A brief discussion between Mr. Dalton and Ms. Harrison established that Virginia Avenue would be taken care of next year.

Recorder Gibson moved that the Council of the Town of Berryville authorize the issuance of IFB#2021-01 and authorize the Town Manager to Award the IFB if the lowest responsible bidder's total price does not exceed funds available for this purpose and to execute any documents related to this matter. The motion passed by unanimous voice vote.

13. Committee Updates

Budget and Finance

Recorder Gibson said the committee would not meet in April.

Community Development

Ms. Rodriguez said the committee would meet on April 26 at 9:00 a.m.

Personnel

Mayor Arnold said the committee would meet on April 27 at 9:00 a.m. to discuss a Planning Commission vacancy.

Public Safety

Ms. McDonald said the committee would henceforth be meeting quarterly and would have to find an alternative venue before its next meeting in June because of room-booking conflicts arising from the need to meet on Tuesdays rather than on Mondays.

Streets and Utilities

Ms. Harrison said the committee would not need to meet in April.

14. Other

No further business came before the Council.

15. Adjourn

The Council adjourned by consensus on a motion by Recorder Gibson at 7:23 p.m.

Erecka L. Gibson, Recorder

Paul Culp, Town Clerk

**Town of Berryville
Town Council
Motion and Ordinance setting the tax levies for tax year 2021**

I hereby move that the Council of the Town of Berryville adopt the attached ordinance setting the tax levies for tax year 2021 amending the Code of the Town of Berryville, Chapter 16 – Taxation, Article I – In General, Section 16-1 Annual Tax Assessments; valuation of property.

ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, Virginia, that for the tax year 2021 there is hereby levied:

- 1) A tax rate of \$.20 per \$100 of assessed valuation on all real estate located within the Town of Berryville, such levy being also applicable to the real estate and tangible personal property of public service corporations;
- 2) A tax rate of \$1.25 per \$100 of assessed valuation on all taxable, tangible personal property, except machinery and tools, located within the Town of Berryville;
- 3) A tax rate of \$1.30 per \$100 of assessed valuation on tangible machinery and tools located within the Town of Berryville.

All tax levies shall be due and payable pursuant to the Code of the Town of Berryville, Chapter 16, Article I, Section 16-3.

Date: April 13, 2021

Motion by:

Vote:

Aye:

Nay:

Abstain:

Absent:

ATTEST: Erecka Gibson, Recorder

Town Council

Motion for approval: Resolution to provide for the implementation of the 2004-2005 changes to the Personal Property Tax Relief Act of 1998 for the Tax Year 2021

I hereby move that the Council of the Town of Berryville adopt the attached resolution providing for the implementation of the 2005 changes to the Personal Property Tax Relief Act of 1998 for the Tax Year 2021.

Date:

Motion by:

Vote:

Aye:

Nay:

Abstain:

Absent:

ATTEST:

Erecka Gibson, Recorder

Town of Berryville

**Resolution
To Provide for the Implementation of the 2004-2005
Changes to the Personal Property Tax Relief Act of 1998
For the Tax Year 2021**

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code § 58.1-3523 *et seq.* (“PPTRA”), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 505) and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly, being the 2005 revisions to the 2004-2006 Appropriations Act (“the 2005 Appropriations Act”); and

WHEREAS, the legislative enactments require the Town to take affirmative steps to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS, these legislative enactments provide for the Town of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to local personal property tax on such vehicles.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Berryville in accordance with the requirements set forth in Va. Code § 58.1-3524(C) (2) and § 58.1-3912(E), as amended by Chapter 1 of the 2005 Acts of Assembly (2004 Special Session 1) and as set forth in Item 503 of the 2005 Appropriations Act, that any qualifying vehicle having situs within the Town during the tax year which begins on January 1, 2021, shall receive personal property tax relief in the following manner:

1. Personal use vehicles valued at less than \$1,000 will be eligible of 100 percentage of tax relief set by the Town Council during its annual budget deliberations.
2. Personal use vehicles valued between \$1,001 and \$20,000 will be eligible for 70 percentage of tax relief set by the Town Council during its annual budget deliberations.
3. Personal use vehicles valued at \$20,001 or more will be eligible for 70 percentage of tax relief on the first \$20,000 of assessed value set by the Town Council during its annual budget deliberations.
4. All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for personal property tax relief under PPTRA.

PASSED THIS 13th DAY OF APRIL 2021.

Harry L. Arnold, Jr., Mayor

ATTEST:

Erecka Gibson, Recorder

Town Council
Motion to set a public hearing of the Fiscal 2021-2022 Budget

I hereby move that the Council of the Town of Berryville set a public hearing for the Fiscal Year 2021-2022 Budget on May 11, 2021 at 7:00 p.m. or as soon thereafter as the matter may be heard.

Date: April 13, 2021

Motion by:

Vote:

Aye:

Nay:

Abstain:

Absent:

ATTEST:

Erecka Gibson, Recorder

BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE
Berryville-Clarke County Government Center
MINUTES
April 26, 2021

A meeting of the Berryville Town Council Community Development Committee was held on Monday, April 26, 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

Other Town Council member present: Mayor Jay Arnold

Staff participating: Keith Dalton, Town Manager; Christy Dunkle, Community Development Director; Paul Culp, Town Clerk; Chief Neal White, Berryville Police Department

1. Call to Order

Ms. Rodriguez called the meeting to order at 9:04 a.m.

2. Approval of Agenda

The agenda was approved by consensus.

3. New Business

Blight Abatement

Mr. Dalton said he had little to add to previous discussions. He said he and Chief White had recently been dealing with the aftermath of an explosion and fire at a particular residence on Main Street. He said \$20,000 is being budgeted for blight abatement in the coming fiscal year and that he recalled that the newly adjusted blight abatement reserve would have \$50,000.

Parking Meters

Chief White directed the committee's attention to the memorandum outlining his findings from discussions with three vendors of contactless parking payment systems. He said such systems are primarily a convenience paid for by the end user, but that the Town would incur some monthly costs that could cause a significant negative impact if the system is not used extensively. He noted that most of the people parking downtown are local residents and that visitors from out of town probably are not from a youthful demographic that would suggest extensive use of contactless meters.

Ms. Dunkle concurred, and expressed concerns about staff time involved in operating the program.

Chief White described the process of administering such a system, and recommended contacting the Winchester Parking Authority for further details. He said the Public Works, Finance, and Police Departments would all be involved in operating the system. Chief White said the vendors themselves had expressed doubt about the need for a contactless payment system in a town with only 99 meters. He said the current system meets the Town's needs.

Ms. Rodriguez suggested revisiting the matter if/when the Town receives a larger influx of tourists during the week.

4. New Business

The committee having asked for a discussion of updates to the Town website, Ms. Dunkle asked what specific changes the members had in mind beyond adjustments to branding and aesthetics in line with the Town's branding and marketing campaign that had commenced in 2020.

Ms. Harrison mentioned her favorable view of the websites of specific municipalities served by the same vendor as the one used by the Town of Berryville. She said that analytics should be used to determine which pages are seeing frequent use and which could be eliminated due to light traffic.

Other suggestions from the committee included improvement of the payment section; addition of a community events calendar, a page or section for prospective businesses, a page on economic development, and a page on recreational opportunities; addition of a packet for new residents; and more convenient display of news items.

5. Other

Ms. Dunkle said the Town would receive its Tree City USA recognition and designation on the following Saturday at 10:00 a.m. at the farmers' market.

The committee agreed to meet again at 9:00 a.m. on June 28.

8. Adjournment

Ms. Harrison moved to adjourn, with the motion passing by consensus at 9:47 a.m.

**Berryville Town Council Item Report Summary
May 11, 2021**

Item Title

Unfinished Business - Discussion: Taxes and Fees Owed by George Williams Estate (New Owner of Record, Milton Valley Cemetery)

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. George Williams Estate Cemetery

Recommendation

Sample Motion

Taxes and Fees owed by George Williams Estate (new owner of record Milton Valley Cemetery)

History

The Town and Clarke County were in the process of having the property in question (identified as Tax Map Parcel 14A6-((3))-B-3) sold at auction for back taxes. The Town is owed:

\$ 1,557.14 for unpaid taxes from 2002 to 2020
\$ 7,658.91 for unpaid property maintenance
\$ 258.91 for advertising
\$ 9,140.26 for interest
\$ 781.98 penalties

\$19,397.20 TOTAL

The tax sale process includes completion of a title search on the subject property.

The title search revealed that the property had been transferred to Milton Valley Cemetery in the 19th century. Seemingly, neither the County nor Milton Valley Cemetery were aware of the transfer. The tax sale process was suspended until the matter could be investigated fully.

It appears that in 1889 the property was purchased at tax auction by Mr. George Ricamore for taxes owed by Mr. Philip Williams. In 1891 Mr. Ricamore conveyed the property to the Milton Valley Cemetery Company. Apparently neither the Milton Valley Cemetery nor the County of Clarke acknowledged or knew about this transfer or the terms of the transfer were not met. Accordingly, the property was not occupied by Milton Valley and was carried in the County's tax roles as having stayed in the Williams family (last listed as George Williams Estate (George Williams died in 1918)).

On March 3, 2021 the Milton Valley Cemetery Association filed a Deed of Confirmation in the land records of the Circuit Court of Clarke County to clarify ownership of the parcel.

On March 16, 2021 the Clarke County Board of Supervisors voted to exonerate all taxes owed to the County for the parcel in parcel (penalties and interest will be forgiven by the Clarke County Treasurer). The County Commissioner of the Revenue has changed its tax roles to 1) reflect that the lot is owned by the Trustees of Milton Valley Cemetery and 2) that the property is now tax-exempt.

In accordance with §58.1-3916 of the Virginia Code, the Town's Treasurer will exonerate the penalties and interest owed to the Town totaling \$9,922.24. This action will be taken because the delinquency in this instance was not the fault of the taxpayer.

Request

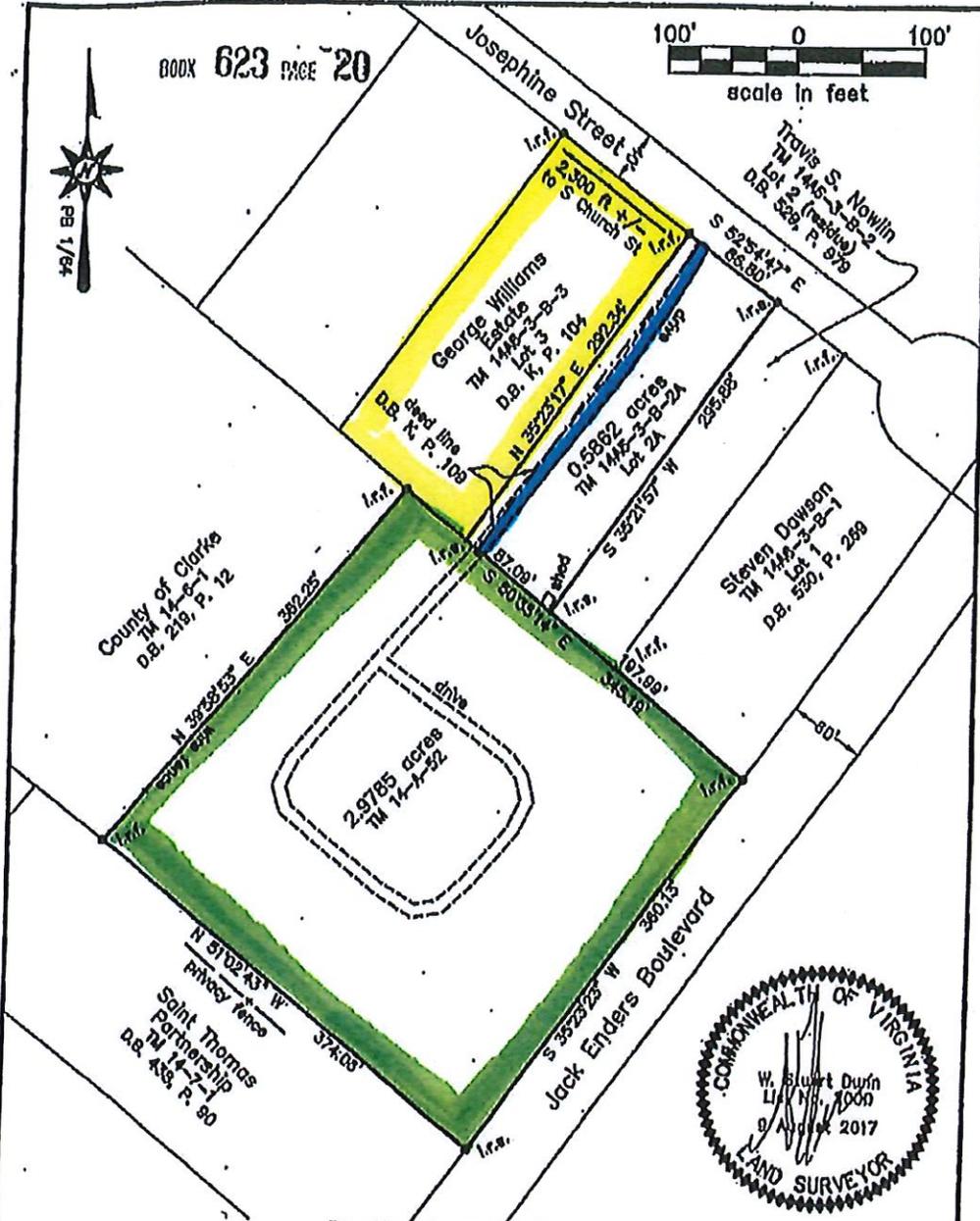
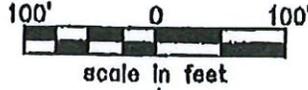
The Trustees of the Milton Valley Cemetery Association request that the Town exonerate and forgive back taxes, maintenance fees, and other charges that make up the tax lien on the parcel. Once the penalties and interest are subtracted from the total, the current tax lien totals \$9,474.96. Of that, \$1,557.14 is tax principal.

Attachments

- Plat
 - o Tax Map Parcel 14A6-((3))-B-3 in YELLOW
 - o Milton Valley Cemetery in GREEN
 - o Access easement serving MVC in BLUE
- Correspondence from the Trustees of Milton Valley Cemetery Association dated March 4, 2021 containing request to consider lien forgiveness.
- Deed of Confirmation dated March 1, 2021
- Milton Valley Cemetery Association Tax Exoneration Resolution passed by the Clarke County Board of Supervisors on March 16, 2021.
- Draft resolution for the Town Council to review and consider

Sample motion

I move that the Council of the Town of Berryville adopt the attached resolution exonerating the taxes and fees owed on Tax Map Parcel 14A6-((3))-B-3 as of this date.



Boundary Survey of the Lands of Trustees of Milton Valley Cemetery

Tox Map 14-A-52 Dead Book P, Page 162
Lot 2A, Josephine City
Tox Map 14A6-3-B-2A
Dead Book V, Page 24 Dead Book P, Page 163
Dead Book K, Page 109
Town of Berryville, Clarke County, Virginia

Notes:

- (1) No Title Report furnished, Easements of record not shown may exist.
- (2) i.p.f. = iron pipe found; i.r.f. = iron rod found; i.r.s. = iron rod set; TM = tax map identification number
- (3) These lands are in Flood Zone X, established from FIRM Community Panel no. 81043C0083D, effective September 28, 2007.

Survey no. 245

This instrument of writing was produced to me or the...
I, the undersigned, do hereby certify that the...
acknowledgment thereto attached was admitted to record.

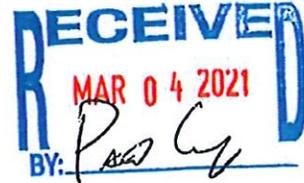
W. Stuart Dunn
W. Stuart Dunn, Clerk

Dunn Land Surveys, Inc.
108 North Church Street
Berryville, Virginia 22611
Tel: 540-955-3388
May 25, 2017
Revised August 9, 2017

The Trustees of the Milton Valley Cemetery Association

PO Box 729
Berryville, Virginia 22611

March 4, 2021



To: **The Town Council of Berryville,**
Members:
(Jay) Harry Lee Arnold, Jr., Erecka L. Gibson, Donna Marie McDonald,
Diane Harrison, Grant Mazzarino, and Kara C. Rodriguez

RE: Accounts # 1187 (inactive) and 5627 (active)
Property 14A63B3, Lot 3, Josephine City

Dear Mr. Mayor and Councilors:

The Trustees of the Milton Valley Cemetery Association are the owners of the subject property, designated as Josephine City, Lot 3. This property, originally owned by the McCormick Estate, was conveyed and assigned to Philip Williams by deed and plat recorded on the 26th day of November, 1870, which deed is of record in the Office of the Clerk of the Circuit Court for Clarke County, Virginia in Deed Book K, at page 104.

The property was subsequently conveyed to George Ricamore, grantee, after a public sale for delinquent taxes owed by Philip Williams for the years 1878, 1879, and 1880, by deed recorded on the 14th day of December, 1889, which deed is of record in the aforesaid Clerk's Office in Deed Book U, at page 264.

The final conveyance recorded for the subject property was to Milton Valley Cemetery Company by George Ricamore, grantor, by deed recorded on the 2nd day of July, 1981, which deed is of record in the aforesaid Clerk's office in Deed Book V, at page 24.

Upon information and belief, the County of Clarke incorrectly recorded that the George Williams Estate owned the subject lot, which error was perpetuated in 1989 when Josephine City was annexed into the Town of Berryville and added to its tax rolls. As tax rolls are derived from the deeds filed with the Circuit Court for the County of Clarke, it is unclear why the lot ownership was recorded incorrectly as there have been no further conveyances of the property since 1891.

The boundaries of the subject lot were confirmed, in the plat and survey prepared by W. Stuart Dunn, dated May 25, 2017, revised August 9, 2017, which plat is of record in the aforesaid Clerk's Office in Plat Book 623, at page 18. It appears that the surveyor also relied upon the tax rolls to identify the owners, as the subject lot is labeled "George Williams Estate."

Pursuant to Va. Code § 58.1-3313, "Every commissioner, in making out his land book, shall correct any mistake made in any entry therein. But land which has been correctly charged to one person shall not afterwards be charged to another without evidence of record that such charge is proper." A Deed of Confirmation was recorded on the 3rd day of March, 2021, which deed is of record in the aforesaid Clerk's Office in Deed Book 674, at page 980, and confirms the Trustees of the Milton Valley Cemetery Association are the grantors of the subject lot. This should result in the correction of the information contained on the tax records for the County of Clarke and the Town of Berryville.

With respect to the delinquent tax account, pursuant to Va. Code §58.1-3103, the tax commissioners for their respective jurisdictions have an obligation to "provide in writing to each applicable taxpayer: (i) the amount of the assessment and a description of the property; (ii) the valuation method used; (iii) the date the applicable taxes will be due; and (iv) a description of the procedures available to the taxpayer and the records required should he wish to appeal the assessment."

Further, pursuant to Va. Code §58.1-3912, the treasurers for the respective jurisdictions have an obligation to provide to "each taxpayer assessed with taxes and levies for that year a bill or bills setting forth the amounts due."

But for the mistake on the tax rolls, the Trustees would have had notice of their tax obligations and complied therewith. The Association takes pride in maintaining its properties and has complied with the obligations for they have been given notice. The mistake in the tax rolls was, at best, an inadvertent clerical error, over which Milton Valley Cemetery Association have no control.

Upon information and belief, beginning in 2001, the taxes went unpaid. Based upon a review of a Tax Statement of Account for the subject accounts, dated January 27, 2021, a delinquency of \$19,166.83 is owed, consisting of: principle, in the amount of \$7,111.55; interest, in the amount of \$8,909.89; penalties, in the amount of \$781.98; advertising fees, in the amount of \$258.91; and mowing/cleanup fees in the amount of \$2,104.50.

It is unclear why the delinquency continued and the debt was allowed to accumulate for 17 years before action was undertaken to collect the taxes owed. This action, which included a review of the deed books resulted in the identification of the proper owners of the property, against whom a suit was filed in Clarke County Circuit Court, and the resulting Order of Publication in the August 16, 2018 Winchester Star was the first time the Trustees became aware of the existence of the debt after said Order was noticed by Trustee

Deborah Liggins. It is notable that, since receipt of that notice, the Trustees have assumed responsibility for the maintenance of the property, and no further mowing/cleanup fees have been incurred.

In consideration of the above, the Trustees of The Milton Valley Cemetery Association respectfully request the Town Council find that the assessments on Lot #3 for the period from 2000 through 2018 are invalid, for the failure of the commissioners to provide notices of the assessments on and taxes due for the subject lot, and exonerate the Milton Valley Cemetery Association from the payment of the amounts due for those tax years, \$19,026.97. This would leave a balance owing of \$139.86 for tax years 2019 and 2020. The Trustees have been unfairly prejudiced because they had no notice of the assessments or the tax obligations, and no longer have the ability to contest either for those years. The Trustees believe that the authority to take such action is vested in the Town Council pursuant to Va. Code § 58.1-3353.

If the Council does not concur with the above, it is noteworthy that many taxes administered by the Department of Taxation and other state agencies are required to be assessed within three years from the date that they become due and payable (Va. Code §§ 58.1-634, 58.1-2285, 58.1-2299.16). While this period of limitation is not expressly stated for local taxing authorities, the Trustees believe this obligation should be implied as being applicable to local taxing authorities, and would respectfully request that the Town Council invalidate the assessments for 2000 – 2017 and exonerate the Association from the payment of the amounts due for those tax years, which would result in a balance owing of \$605.69 for tax years 2018, 2019, and 2020.

Should the Council be unwilling to grant either of the above requests, the Trustees would respectfully request that the Town Council waive all amounts owed, save the principle, and permit the Association to enter into a payment plan in the amount of not more than \$10.00 per month, or \$120.00 per year, without interest, until the principle of \$7,111.55 is paid in full. The only income to the Association is that received pursuant to a burial in the Milton Valley Cemetery.

Moving forward, cemeteries are, pursuant to Va. Code §58.1-3606, exempt from taxation. It is arguable whether the provision of this statute which provides an exemption for property owned by religious bodies that is “used for ancillary and accessory purposes as allowed under the local zoning ordinance, the dominant purpose of which is to support or augment the principal religious worship use” can be applied to Lot #3, which is zoned for residential use. The Trustees will contact the Assistant Town Manager for Community Development and Operations to determine what acceptable uses of the property are, and whether the property may be eligible for a tax exemption pursuant to the intended use.

Thank you for your time consideration of this request.

Sincerely,

On behalf of The Trustees of The Milton Valley Cemetery Association

Deborah Liggins
Deborah Liggins, Trustee

21-662

QD Deborah Liggins (DecDae)

BOOK 674 PAGE 980

DEED OF CONFIRMATION

This Deed is exempt from recordation taxes pursuant to Va. Code Ann. 58.1-811(K).

Tax Map Reference Numbers: TM-14-A-52, TM-14A6-3-B-2A, and TM-14A6-3-B-3

THIS DEED OF CONFIRMATION made and entered into this 1st day of March, 2021, by and between THE TRUSTEES OF THE MILTON VALLEY CEMETERY ASSOCIATION, Grantors, parties of the first part, and THE TRUSTEES OF THE MILTON VALLEY CEMETERY ASSOCIATION, Grantees, parties of the second part.

WITNESSETH:

By Order of the Circuit Court of the County of Clarke, Virginia entered on October 31, 2018, recorded in Order Book 28, page 649, Kevin Talley, Dorothy Davis, Curtis Liggins, Lynelle Wilkins and Deborah Liggins were duly appointed as the Trustees of the Milton Valley Cemetery Association. Trustee Kevin Talley is deceased, having passed away on October 7, 2019.

That for no monetary consideration, the Grantors hereby confirm the conveyance unto the said Grantees any and all right, title, and interest they may possess in and to the following described real estate, to-wit:

All that certain lot or parcel of land, together with all appurtenances and hereditaments thereunto belonging or in anyways appertaining, lying and being situate in Josephine City, Town of Berryville, Clarke County, Virginia, identified on the Tax Map as TM-14-A-52; and known as Milton Valley Cemetery, which was established in 1874 on approximately three acres purchased from the E. G. Hebb family on land that was once part of the adjacent Milton Valley Farm, which real property which was conveyed and assigned to "the President and Officers of the Milton Valley Cemetery" by A. Moore, Jr., grantor, by deed recorded on the 11th day of August, 1880 in Deed Book P, at page 152 in the Office of the Clerk of the Circuit Court for Clarke County, Virginia; and further confirmed in the plat and survey prepared by W. Stuart Dunn, dated May 25, 2017, revised August 9, 2017, and recorded in Deed Book 623, at page 18.

All that certain lot or parcel of land, together with all appurtenances and hereditaments thereunto belonging or in

anyways appertaining, lying and being situate in Josephine City, Town of Berryville, Clarke County, Virginia, identified on the Tax Map as TM-14A6-3-B-2A, designated as Lot 2A, to which a right of way was conveyed and assigned to "Milton Valley Cemetery Company" by George Williams, grantor, by deed recorded on the 11th day of August, 1880 in Deed Book P, at page 153 in the Office of the Clerk of the Circuit Court for Clarke County, Virginia; which boundaries are confirmed, in the plat and survey prepared by W. Stuart Dunn, dated May 25, 2017, revised August 9, 2017, and recorded in Deed Book 623, at page 18.

All that certain lot or parcel of land, together with all appurtenances and hereditaments thereunto belonging or in anyways appertaining, lying and being situate in Josephine City, Town of Berryville, Clarke County, Virginia, identified on the Tax Map as TM-14A6-3-B-3, designated as Lot 3, which was conveyed and assigned Philip Williams by deed and plat recorded on the 26th day of November, 1870, which deed is of record in the Office of the Clerk of the Circuit Court for Clarke County, Virginia in Deed Book K, at page 104; and then conveyed to George Ricamore, grantee, after a public sale for delinquent taxes owed by Philip Williams for 1878, 1879, and 1880, by deed recorded on the 14th day of December, 1889, which deed is of record in the aforesaid Clerk's Office in Deed Book U, at page 264; and then conveyed to "Milton Valley Cemetery Company" by George Ricamore, grantor, by deed recorded on the 2nd day of July, 1891 in Deed Book V, at page 24; The boundaries of said property are further confirmed in the plat and survey prepared by W. Stuart Dunn, dated May 25, 2017, revised August 9, 2017, and recorded in Deed Book 623, at page 18, but are incorrectly identified as belonging to the "George Williams Estate."

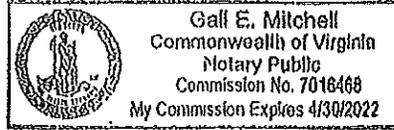
The aforesaid properties are the identical real estate conveyed to "Milton Valley Cemetery," "President and Officers of Milton Valley Cemetery Company," and "Milton Valley Cemetery Company," in deeds which are of record in the aforesaid Clerks' Office, for which the "Trustees of the Milton Valley Cemetery Association" is the proper name.

This conveyance is made expressly subject to the restrictions, conditions, rights-of-way, and easements, if any, contained in the deeds, plats and other instruments constituting constructive notice in the chain of title to the property conveyed herein, which have not expired by a time limitation contained therein or have otherwise become ineffective, and to matters visible upon inspection.

Deborah Liggins (SEAL)

Deborah Liggins, Trustee

The Milton Valley Cemetery Association



COMMONWEALTH OF VIRGINIA

TOWN/COUNTY OF BERRYVILLE/CLARKE, to-wit:

I, Gail E Mitchell, a Notary Public in and for the Commonwealth of Virginia at Large, do hereby certify that Deborah Liggins, a Trustee for The Milton Valley Cemetery Association, whose name is signed to the foregoing Deed of Confirmation has sworn to and acknowledged the same in the Town/County aforesaid, before me, the undersigned Notary Public, this 1st day of March, 2021.

Given under my hand this 1st day of March, 2021.

Gail E. Mitchell

Notary Public

My Commission Expires: April 30, 2022

Notary registration no.: 7016468

This instrument was prepared by Karen M. Anderson Holman, Esquire, and the preparer did not perform a title examination in connection with the preparation of this instrument.

Dorothy L. Davis (SEAL)

Dorothy Davis, Trustee

The Milton Valley Cemetery Association

BOOK 674 PAGE 983

CECILIA RAE ORNDORFF
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
REG. #7719421
MY COMMISSION EXPIRES 7-31-21

COMMONWEALTH OF VIRGINIA

TOWN/COUNTY OF BERRYVILLE/CLARKE, to-wit:

I, Cecilia Rae Orndorff, a Notary Public in and for the Commonwealth of Virginia at Large, do hereby certify that Dorothy Davis, a Trustee for The Milton Valley Cemetery Association, whose name is signed to the foregoing Deed of Confirmation has sworn to and acknowledged the same in the Town/County aforesaid, before me, the undersigned Notary Public, this 2 day of March, 2021.

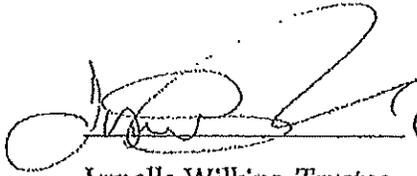
Given under my hand this 2 day of March, 2021.

CRL
Notary Public

My Commission Expires: 7-31-21

Notary registration no.: 7719421

This instrument was prepared by Karen M. Anderson Holman, Esquire, and the preparer did not perform a title examination in connection with the preparation of this instrument.

 (SEAL)

Lynelle Wilkins, Trustee
The Milton Valley Cemetery Association



COMMONWEALTH OF VIRGINIA

TOWN/COUNTY OF BERRYVILLE/CLARKE, to-wit:

I, Stephanie Andrews, a Notary Public in and for the Commonwealth of Virginia at Large, do hereby certify that Lynelle Wilkins, a Trustee for The Milton Valley Cemetery Association, whose name is signed to the foregoing Deed of Confirmation has sworn to and acknowledged the same in the Town/County aforesaid, before me, the undersigned Notary Public, this 2nd day of March, 2021.

Given under my hand this 2nd day of March, 2021.



Notary Public

My Commission Expires: 12/31/22

Notary registration no.: 7780283

This instrument was prepared by Karen M. Anderson Holman, Esquire, and the preparer did not perform a title examination in connection with the preparation of this instrument.

Curtis Liggins (SEAL)

BOOK 674 PAGE 985

Curtis Liggins, Trustee
The Milton Valley Cemetery Association

COMMONWEALTH OF VIRGINIA

TOWN/COUNTY OF BERRYVILLE/CLARKE, to-wit:

I, Michael H. Carter, a Notary Public in and for the Commonwealth of Virginia at Large, do hereby certify that Curtis Liggins, a Trustee for The Milton Valley Cemetery Association, whose name is signed to the foregoing Deed of Confirmation has sworn to and acknowledged the same in the Town/County aforesaid, before me, the undersigned Notary Public, this ____ day of March, 2021.

Given under my hand this 2nd day of March, 2021.

Michael H. Carter

Notary Public

My Commission Expires: 11/30/22

Notary registration no.: 300282

VIRGINIA: In the Clerk's Office of the Clarke County Circuit Court this 3rd day of MARCH, 2021 This Deed was presented and with the annexed certificate of acknowledge admitted to record at 3:20 PM. The taxes imposed by Section 58.1-802 in the amount of \$ _____ and by Section 58.1-801 of the Code of Virginia have been paid.

TRUSTE: April Wickerson Clerk

This instrument was prepared by Karen M. Anderson Holman, Esquire, and the preparer did not perform a title examination in connection with the preparation of this instrument.

Clarke County Board of Supervisors



Berryville Voting District
Matthew E. Bass
(540) 955-5175

Millwood Voting District
Terri T. Cottle
(540) 837-2328

Russell Voting District
Doug Lawrence
(540) 955-2144

Buckmarsh Voting District
David S. Weiss – Chair
(540) 955-2151

White Post Voting District
Bev B. McKay – Vice Chair
(540) 837-1331

County Administrator
Chris Boies
(540) 955-5175

Milton Valley Cemetery Association Tax Exoneration Resolution 2021-03R

WHEREAS, the Trustees of the Milton Valley Cemetery Association are the owners of property located in the Town of Berryville and identified as Tax Parcel No. 14A6-3-B-3 ("the Property"); and

WHEREAS, the Property was deeded to Milton Valley Cemetery Company in 1891; and

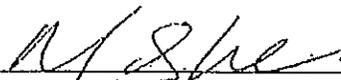
WHEREAS, the Property was nevertheless has been carried on the County tax rolls as owned by the George Williams Estate; and

WHEREAS, no real estate tax bills through calendar year 2020 were sent to the Milton Valley Cemetery Association and there are unpaid taxes on the Property through calendar year 2020 in the principal amount of \$9,584.13.

NOW, THEREFORE, BE IT RESOLVED that the Milton Valley Cemetery Association, having received no real estate tax bills or notices through calendar year 2020, the real estate taxes through calendar year 2020 in the principal amount of \$9,584.13 are hereby exonerated.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the Clarke County Board of Supervisors' members assembled on the 16th day of March 2021.

ATTEST 2021-03R



David S. Weiss, Chair

MILTON VALLEY CEMETERY TAX EXONERATION RESOLUTION

WHEREAS, the Trustees of the Milton Valley Cemetery Association are the owners of property located in the Town of Berryville and identified as Tax Parcel No. 14A6-((3))-B-3 ("the Property"); and

WHEREAS, the Property was deeded to Milton Valley Cemetery Company in 1891; and

WHEREAS, the Property has nevertheless been carried on the County tax rolls as owned by the George Williams Estate; and

WHEREAS, no real estate tax bills through calendar year 2020 were sent to the Milton Valley Cemetery Association and there are unpaid taxes on the Property through calendar year 2020 and the Town periodically maintained the Property;

WHEREAS, the unpaid tax principal, maintenance fees, and advertising fees total \$9,474.96.

NOW, THEREFORE BE IT RESOLVED that the Milton Valley Cemetery Association having received no real estate bills or notices through calendar year 2020, the real estate taxes through calendar year, property maintenance fees, and advertising fees, in the principal amount of \$9,474.96, are hereby exonerated.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the Berryville Town Council members assembled on the 11th day of May 2021.

APPROVED:

Harry Lee Arnold, Jr., Mayor

ATTEST:

Erecka Gibson, Recorder

**Berryville Town Council Item Report Summary
May 11, 2021**

Item Title

New Business - Discussion: Amending Dates on Which Regular Town Elections Will Be Held

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. Elections

Recommendation

Sample Motion

Background

SB1157 removed retention of May municipal elections as an option for Virginia municipalities. This prohibition against May elections will be effective January 1, 2022.

Under Va. Code §24.2-222.1, local governments have the authority to adopt an ordinance transitioning May elections to November, notwithstanding their Charter provisions. This authority is eliminated by SB1157 (effective July 1, 2021).

The Council has previously expressed concerns about moving municipal elections to November because they may become lost in national elections (even-numbered years) and state elections (odd-numbered years). The sentiment of Council appears to be that if elections must occur in November, then having the Town's elections in odd-numbered years is preferable.

What happens if the Town Council takes no action in this regard?

If the Council takes no action, then as of January 1, 2022 Town elections will move to November in even-numbered years.

The next two regular Town elections would occur according to the schedule below:

November 2022 Election	November 2024 Election
Recorder/Vice Mayor	Mayor
Ward 2	Ward 1
Ward 4	Ward 3

Terms will begin on January 1 following elections.

If in the future the Council wants to move its elections to odd-numbered years, then it will have to request an amendment to the Town Charter. Such an amendment would likely take the form of shortening the terms of a future council to align with odd-numbered year November elections.

What happens if the Town Council takes action in this regard?

The Council would adopt an ordinance changing Town elections from even numbered years to odd numbered years. If this is done, then the next two regular Town elections would occur according to the schedule below:

November 2021 Election	November 2023 Election
Recorder/Vice Mayor	Mayor
Ward 2	Ward 1
Ward 4	Ward 3

Terms will begin on January 1 following elections.

Timing

If the Council chooses to act (i.e., changing Town elections to the November general election in odd-numbered years), then it must do so quickly because candidates for a November 2021 election would have to qualify by June 8, 2021. Accordingly, a special meeting has been set for May 17, 2021 at 7:00 p.m. to discuss this matter. A public hearing on this matter was advertised for that special meeting.

If after the public hearing the Council wishes to act, then they should take action at the meeting on May 17 to permit as much time as necessary for candidates to qualify. The Town's Legal Counsel and the Clarke County Registrar will be present at the meeting.

It is important to note that the special meeting/public hearing was set to provide the Council with options in this regard. If the Council determines that it has no interest in moving the election date at this time, then the special meeting/public hearing can be canceled.

Attachments

- Public hearing notice
- SB 1157
- Va. Code §24.2-222.1
- Draft Ordinance that would move Town elections to the November general election date in odd-numbered years

**BERRYVILLE TOWN COUNCIL
PUBLIC HEARING NOTICE**

The Berryville Town Council will hold the following public hearing at 7:00 p.m., or as soon after as this matter may be heard, on **Tuesday, May 17, 2021**, to consider the following:

Proposal that the Council of the Town of Berryville adopt an ordinance establishing Town regular elections on the general election date in November of odd-numbered years.

If this ordinance is adopted, elections that are scheduled for November 2022 and November 2024 would be held in November 2021 and November 2023 respectively. If this ordinance is passed, then candidate qualification for the election in November 2021 will have to occur by 7:00 p.m. on June 8, 2021.

Copies of materials may be examined at www.berryvilleva.gov. This information can also be obtained by calling Paul Culp, Town Clerk at the Town Business Office at (540) 955-1099 and arranging the best means of providing you with the information in question.

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

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

Instructions:

Please publish in the *Winchester Star* on May 3, 2021 and May 10, 2021.

If you have questions, please call Paul Culp, Town Clerk (955-1102).

2021 SPECIAL SESSION I

ENROLLED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 15.2-1400 of the Code of Virginia, relating to time of certain local elections.

[S 1157]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-1400 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1400. Governing bodies.

A. The qualified voters of every locality shall elect a governing body for such locality. The date, place, number, term, and other details of the election shall be as specified by law, general or special. Qualification for office is provided in *Article 4* (§ 15.2-1522 et seq.) of *Chapter 15*.

B. The governing body of every locality shall be composed of not fewer than three nor more than ~~eleven~~ 11 members.

C. Chairmen, mayors, supervisors, and councilmen are subject to the prohibitions set forth in §§ 15.2-1534 and 15.2-1535.

D. A governing body may punish or fine a member of the governing body for disorderly behavior.

E. Notwithstanding the provisions of §§ 24.2-222 and 24.2-222.1, any city or town charter, or any other provision of law, general or special, beginning with any election held after January 1, 2022, elections for mayor, members of a local governing body, or members of an elected school board shall be held at the time of the November general election for terms to commence January 1.

2. That any city or town currently providing for the election of its mayor, governing body, or school board at a May election shall, by ordinance, provide for the transition of such elections to the November general election date. No term of a mayor, a member of council, or a member of a school board shall be shortened in implementing the change to the November election date. Mayors and members of a council or school board who were elected at a May general election and whose terms are to expire as of June 30 shall continue in office until their successors have been elected at the November general election and have been qualified to serve.

ENROLLED

SB1157ER

Code of Virginia
 Title 24.2. Elections
 Chapter 2. Federal, Commonwealth, and Local Officers

§ 24.2-222.1. Alternative election of mayor and council at November general election in cities and towns.

A. Notwithstanding the provisions of § 24.2-222, and notwithstanding any contrary provisions of a city or town charter, the council of a city or town may provide by ordinance that the mayor, if an elected mayor is provided for by charter, and council shall be elected at the November general election date of any cycle as designated in the ordinance, for terms to commence January 1. No such ordinance shall be adopted between January 1 and the May general election date of the year in which city or town elections regularly are scheduled to be held therein.

B. Alternatively, the registered voters of a city or town may file a petition with the circuit court of the city or of the county within which the town is located asking that a referendum be held on the question of whether the city or town should elect the mayor, if an elected mayor is provided for by charter, and council members at the November general election date of any cycle as designate in the petition. The petition shall be signed by registered voters equal in number to at least ten percent of the number registered in the city or town on the January 1 preceding the filing.

The court, pursuant to § 24.2-684, shall order the election officials on a day fixed in the order to conduct a referendum on the question, provided that no such referendum shall be scheduled between January 1 and the May general election date of the year in which city or town elections regularly are scheduled to be held therein. The clerk of the court shall publish notice of the referendum once a week for the three consecutive weeks prior to the referendum in a newspaper having general circulation in the city or town, and shall post a copy of the notice at the door of the courthouse of the city or county within which the town is located. The question on the ballot shall be:

"Shall the (city or town) change the election date of the mayor (if so provided by charter) and members of council from the May general election to the November general election (in even-numbered or odd-numbered years or as otherwise designated in the petition)?"

If members of the school board in the city or town are elected by the voters, the ballot question also shall state that the change in election date applies to the election of school board members.

The referendum shall be held and the results certified as provided in § 24.2-684. If a majority of the voters voting in the referendum vote in favor of the change, the mayor and council thereafter shall be elected at the November general election date for terms to commence January 1.

C. Except as provided in subsection D, no term of a mayor or member of council shall be shortened in implementing the change to the November election date. Mayors and members of council who were elected at a May general election and whose terms are to expire as of June 30 shall continue in office until their successors have been elected at the November general election and have been qualified to serve.

D. In any city or town that elects its council biennially or quadrennially and that changes to the November general election date in odd-numbered years from the May general election date in even-numbered years, mayors and members of council who were elected at a May general election shall have their term of office shortened by six months but shall continue in office until their successors have been elected at the November general election and have been qualified to serve.

2000, c. 1045; 2002, c. 30; 2016, c. 402.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

5/7/202

Berryville Code Section 2-23

Election of Town Council at November general election in odd-numbered years.

- A. *Pursuant to Virginia Code §24.2-222.1 and notwithstanding the provisions of Town Charter §§3.2 and 3.3 and Virginia Code §24.2-222, the election of members of Town Council shall be held on the general election date in November of odd-numbered years, beginning in November, 2021, and biennially thereafter, in accordance with the following cycles:*
1. *The election for the Vice Mayor, the Council member from Ward 2, and the Council member from Ward 4 shall be held on the November 2021 general election date and every four (4) years thereafter;*
 2. *The election for the Mayor, the representative from Ward 1, and the representative from Ward 3 shall be held on the November 2023 general election date and every four (4) years thereafter.*
 3. *In accordance with the provisions of Virginia Code §24.2-222.1(D), the members of the Town Council elected at a May general election shall have their term of office shortened by six months but shall continue in office until their successors have been elected at the November general election and have been qualified to serve.*
 4. *The terms of office for those elected at the November general election shall commence on January 1 immediately following said election.*

Report of Department of Public Works

May 4, 2021

Water

We experienced two water related issues this past month. Public Works was notified by a plumber that the meter setter for a home on W. Main would not turn off.

We responded and found the meter setter was inoperative and was in need of replacement. We used our freeze machine to freeze the line and replaced the meter setter. Once the new setter was in place the plumber was able to replace the lateral to the house.

The two inch line that supplies water to several businesses on Crow Street developed a leak. This leak was a result of the age of the galvanized pipe and was repaired by using a stainless steel repair sleeve.

Sewer

The South Buckmarsh Street Pump Station experienced a pump failure last month. The pump had a seal failure and needed to be pulled out and sent out for repair.

Within two weeks we were notified the pump was repaired and ready for us to pick up. The pump was then installed and the station is now operating normally.

On the April 24th, I received a call from Central Alarm about a possible water main break on First Street. The break was actually on the sewer force main from Boom Road Pump Station.

Once we excavated we found the four-inch cast-iron line had split apart at the bottom of the pipe. We were able to repair the force main with the use of a four-inch stainless steel repair sleeve.

General Information

Public Works responded to several calls due to emergencies situations last month. The first call was for a structure fire on West Main Street. We responded to turn off the water supply for the resident.

The second call was for down tree branches and trees as the result of high winds. Public Personnel responded and cleared fallen debris from the roadways and sidewalks.

This year's asphalt and milling contract was advertised and we received 6 bids for the offering. The Town Manager is in the process of reviewing the bid documents prior to awarding the contract.

**Berryville Town Council Item Report Summary
May 11, 2021**

Item Title

Staff Reports - Public Utilities

Prepared By

Background/History/General Information

The WTP has produced a total of 9.802 MG in April with an average flow of 0.446 MGD. The wastewater plant has treated a total of 10.87 MG with a daily average flow of 0.35 MGD. River conditions have been favorable in April and there is no concern for drought at this time. Weather for April has created several issues with power ranging from brown outs and surges to and loss of power on multiple occasions. To date the worst effect is the loss of a couple UPS units and surge protectors.

Findings/Current Activity

Water Treatment

The Water Treatment Facility has performed well in April. A chemical leak was found in the Hypochlorite feed line which has been repaired.

The air compressor for the process control valves started short cycling and was unable to produce the needed air supply. We put the backup compressor on line and called in a vendor to trouble shoot. A few parts are on order and the main compressors should be back on line soon.

The generator at the booster building has been returned to full service after its failure last month. The issue was a faulty relay.

We have flushed all dead ends of the water system in April with the exception of the Hermitage subdivision. This will be completed in May.

We have also completed the hand deliveries of the Consumer Confidence report for 2020. Those customers receiving bills were sent a copy in the mail. Thanks for the help Jodi...

Wastewater Treatment

We have had a very busy month at the Wastewater Facility with repairs. First, we received the new pressure sensor for Membrane train #4 and installed the unit and returned the train to full service. We have also completed a hypo recover clean on membrane train #1 with the others following this month.

EQ #1 mixer has been repaired and returned to service from a wiring issue in the junction box on the mixer tower. As part of prepping to complete this work we drained and cleaned both EQ tanks.

The four influent wetwell level sensors have not been working well and we have serviced and calibrated the units. They are all now within 0.1 feet of each other and controlling the levels well.

A 2-hour load bank test of the Wastewater Facility generator has been completed. The unit ran well and

produced a good even power supply throughout the test cycle. A load bank test is needed to run the generator under enough of a load for an extended period of time to ensure the exhaust piping is kept free of buildup. This prevents the unit from literally catching fire in the exhaust piping during an extended use run. The generator is also monitored during this time to ensure it produces the proper voltages under different loading conditions. We are scheduling load bank test for the Booster Building and Boom Rd generators as well the coming months.

Raw sewage pump #3 is currently out of service and is being repaired on site. We are now waiting on a new wear plate to return the pump to service.

Operations staff have completed 364 maintenance work orders and have processed 345,509 gallons of biosolids in April.

Attached are the first page of the WTP MOR and the DMR data report with information available to date for review.

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. 2021-04 Council Report Attachment

Recommendation

Sample Motion

April 2021

No. Connections Served: 1738
 Population Served: 4185

FLOWS AND CHEMICAL DOSAGES

DATE	Raw Water Treated MGD	Finished Water Produced MGD	Finished Water Delivered MGD	Hours in Service	Raw Water Chemicals										Finished Water Chemicals							
					Alum	Carbon	Chlorine	Fluoride	Polymer	KMnO4	Soda Ash	Chlorine	Chlorine	Corr Inhibitor								
	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L		
1	0.531		0.487	15.3	45	10.2	2	0.4														
2	0.504		0.444	14.0	45	10.7	3	0.7														
3																						
4	0.517		0.472	15.5	46	10.6	2	0.4														
5	0.328		0.290	9.8	30	11.2	1	0.4														
7	0.489		0.444	15.3	46	11.0	2	0.5														
8	0.519		0.467	15.3	46	10.5	2	0.5														
9	0.546		0.486	16.5	46	10.0	2	0.4														
10	0.268		0.245	7.5	20	9.4	1	0.4														
11																						
12	0.531		0.464	16.0	61	13.7	2	0.5														
13	0.564		0.498	17.0	71	15.1	2	0.4														
14	0.542		0.487	15.0	81	18.0	2	0.4														
15	0.563		0.483	15.0	86	14.3	2	0.4														
16	0.517		0.468	14.0	61	14.1	2	0.4														
17																						
18																						
19	0.508		0.444	15.5	56	13.2	3	0.8														
20	0.502		0.461	15.6	61	14.5	1	0.3														
21	0.511		0.425	15.5	51	11.9	2	0.4														
22	0.529		0.477	15.5	56	12.6	3	0.7														
23	0.485		0.435	15.0	46	11.1	2	0.4														
24																						
25																						
26	0.529		0.478	15.5	51	11.5	2	0.5														
27	0.453		0.385	12.0	41	10.7	2	0.4														
28	0.527		0.476	15.0	51	11.5	2	0.5														
29	0.554		0.489	16.5	56	12.1	2	0.5														
30																						
31																						
Total	11.016	0.000	9.802	321.2	1129	267.9	43	10.3	0.0	0.00	120.2	28.6	1.48	0.353	78	18.6	0.0	0.00	346.1	82.55	0.0	0.00
Maximum	0.564	0.000	0.498	17.0	81	18.0	3	0.8	0.0	0.00	11.0	2.5	0.13	0.030	4	1.0	0.0	0.00	22.6	4.80	0.0	0.00
Minimum	0.258	0.000	0.245	7.5	20	9.4	1	0.3	0.0	0.00	0.2	0.0	0.03	0.007	2	0.6	0.0	0.00	7.5	2.54	0.0	0.00
Average	0.501	0.000	0.446	14.6	51	12.2	2	0.5	#DIV/0!	#DIV/0!	5.5	1.3	0.07	0.016	4	0.8	#DIV/0!	#DIV/0!	15.7	3.75	#DIV/0!	#DIV/0!

SIGNED: (OPERATOR IN RESPONSIBLE CHARGE)

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

PRINTED NAME

David A Tyrrell

Shenandoah River - Entire Month

TITLE: OPERATOR CLASSIFICATION
 DPOR CERTIFICATION NO.

Class 1
 1955002813

Berryville STP Monthly DMR Data

April 2021

Date	Effluent Flow MGD	Eff pH SU	Eff Temp Deg C	Eff CBOD mg/l	Eff CBOD KG/D	Eff TSS mg/l	Eff TSS KG/D	Effluent DO River mg/l	Effluent DO WWTP mg/l	Eff NO2 / NO3 mg/l	Eff TKN mg/l	Eff TKN KG/D	Eff Total N mg/l
4/1/2021	0.409	7.4	16.3	0.00	0.00			10.0	9.6	0.23	0.88	1.36	1.11
4/2/2021	0.410	7.5	15.3						10.3				
4/3/2021	0.409	7.5	16.8						9.9				
4/4/2021	0.410	7.5	16.9						10.0				
4/5/2021	0.239	7.5	15.6	4.00	3.62				9.6	0.57	0.84	0.76	1.41
4/6/2021	0.377	7.5	16.1	2.00	2.85				9.4				
4/7/2021	0.297	7.5	17.1						9.2				
4/8/2021	0.361	7.4	17.3	4.00	5.47			10.4	9.7	0.72	1.14	1.56	1.86
4/9/2021	0.411	7.5	17.3						9.1				
4/10/2021	0.322	7.4	17.9						9.4				
4/11/2021	0.559	7.4	18.2						9.1				
4/12/2021	0.434	7.4	17.9	2.00	3.29				8.6	0.46	0.80	1.31	1.26
4/13/2021	0.388	7.5	17.8	1.00	1.47	0.00	0.00		8.8				
4/14/2021	0.397	7.5	18.0						8.9				
4/15/2021	0.397	7.4	17.8	1.00	1.50			10.0	8.9	1.94	1.04	1.56	2.98
4/16/2021	0.524	7.4	18.4						6.9				
4/17/2021	0.354	7.4	17.7						8.5				
4/18/2021	0.332	7.4	17.5						8.3				
4/19/2021	0.354	7.3	17.1	2.00	2.68				8.9	1.18	0.89	1.19	2.07
4/20/2021	0.243	7.3	17.7	2.00	1.84				8.0				
4/21/2021	0.244	7.3	17.9						8.7				
4/22/2021	0.245	7.3	16.9	3.00	2.78			9.7	8.5	1.30	1.09	1.01	2.39
4/23/2021	0.290	7.2	17.2						8.8				
4/24/2021	0.293	7.2	16.7						8.6				
4/25/2021	0.284	7.2	17.0						8.9				
4/26/2021	0.461	7.3	17.2	3.00	5.23				8.7	1.00	0.93	1.62	1.93
4/27/2021	0.358	7.4	18.1						8.7				
4/28/2021	0.384	7.3	19.0						8.7				
4/29/2021	0.379	7.5	20.1					9.7	9.0				
4/30/2021	0.303	7.5	19.8						8.5				
Minimum	0.24	7.2	15.3	0.00	0.00	0.00	0.00	9.7	6.9	0.23	0.80	0.76	1.11
Maximum	0.56	7.5	20.1	4.00	5.47	0.00	0.00	10.4	10.3	1.94	1.14	1.62	2.98
Total	10.87	221.9	524.6	24.00	30.73	0.00	0.00	49.8	268.2	7.40	7.61	10.38	15.01
Average	0.36	7.4	17.5	2.18	2.79	0.00	0.00	10.0	8.9	0.93	0.95	1.30	1.88
Geo Mean	0.35	7.4	17.5	2.02	2.55	1.00	1.00	10.0	8.9	0.77	0.9	1.26	1.79

Berryville STP Monthly DMR Data

April 2021

Date	Eff Total N KG/D	Eff Total P mg/l	Eff Total P KG/D	E-Coli No/100ml
4/1/2021	1.72	0.09	0.14	1
4/2/2021				
4/3/2021				
4/4/2021				
4/5/2021	1.28	0.11	0.10	1
4/6/2021				1
4/7/2021				
4/8/2021	2.55	0.05	0.07	1
4/9/2021				
4/10/2021				
4/11/2021				
4/12/2021	2.07	0.07	0.12	1
4/13/2021				1
4/14/2021				
4/15/2021	4.48	0.11	0.17	1
4/16/2021				
4/17/2021				
4/18/2021				
4/19/2021	2.78	0.13	0.17	1
4/20/2021				1
4/21/2021				
4/22/2021	2.22	0.28	0.26	1
4/23/2021				
4/24/2021				
4/25/2021				
4/26/2021	3.37	0.21	0.37	1
4/27/2021				
4/28/2021				
4/29/2021				
4/30/2021				
Minimum	1.28	0.05	0.07	1
Maximum	4.48	0.28	0.37	1
Total	20.47	1.05	1.39	11
Average	2.56	0.13	0.18	1
Geo Mean	2.39	0.11	0.15	1

**Berryville Town Council Item Report Summary
May 11, 2021**

Item Title

Staff Reports - Police Department

Prepared By

Background/History/General Information

Monthly Activity Report

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

Public Safety Committee

The Public Safety Committee did not meet in April 2021.

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. Copy of Police and Security Report April 2021

Recommendation

Sample Motion



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: April 2021	Year To Date 2021	April 2021	March 2021
<u>Complaints Answered</u>			
911 Hang Up:	2	0	1
Alarms:	37	11	7
Animal Complaint:	32	13	13
Assault:	7	1	2
Assist County:	9	1	2
Assist EMS and Fire:	54	9	17
Auto Larceny:	0	0	0
Burglary:	0	0	0
Civil Complaints:	21	9	9
Disturbance:	6	0	1
Domestic Disturbance:	9	2	3
Driving Under the Influence	1	1	0
Drunk In Public:	2	0	1
Fraud:	8	1	2
Larceny:	18	2	9
Harassment/Intimidation:	12	4	6
Homicide:	0	0	0
Identity Theft	5	1	0
Juvenile Related:	6	1	3
Mental Health Crisis:	24	8	4
Narcotics Related:	1	0	0
Noise:	25	7	8
Public Service:	3	0	1
Sexual Assault:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Suspicious Activity:	46	14	9
Trespassing:	6	0	4
Vandalism:	25	4	2
Welfare Check:	37	13	10
Miscellaneous Complaints:	160	46	53
Total Complaints Answered:	556	148	167



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 (Continued)

	Year To Date 2021	April 2021	March 2021
<u>Traffic</u>			
Accidents Investigated:	13	0	5
Assist Motorist:	0	0	0
Child Safety Seat Install:	7	2	2
Funeral Escort:	6	3	0
Hit & Run:	6	1	3
Parking Tickets:	34	13	21
Traffic Warnings:	28	11	4
<u>Traffic Summons Issued</u>			
Defective Equipment:	0	0	0
Driving Suspended:	1	1	0
Expired Inspection:	1	1	0
Expired Registration:	1	1	0
Fail to Obey Highway Sign:	17	15	0
Fail to Obey Traffic Signals:	1	0	0
Fail to Stop/Lights & Siren:	0	0	0
Fail to Yield Right of Way:	5	5	0
Hit and Run:	1	0	0
No Liability Insurance:	0	0	0
No Operator's License:	0	0	0
No Seat Belt:	0	0	0
Reckless Driving:	3	2	0
Speeding:	8	1	1
Miscellaneous Summons:	3	0	3
Total Traffic Summons Issued:	41	26	4
<u>Found Open at Businesses in Town</u>			
Doors:	6	2	1
Windows:	0	0	0
Garage Doors:	0	0	0



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 (Continued)

	Year To Date	April	March
	2021	2021	2021
<u>Criminal Arrests Made</u>			
Abduction:	0	0	0
Arson:	0	0	0
Assault and Battery:	5	2	0
Assault and Battery on Police Officer:	0	0	0
Auto Larceny:	0	0	0
Breaking and Entering:	0	0	0
Capias:	2	0	1
Disorderly Conduct:	1	0	1
Driving Under the Influence:	1	1	0
Drunk In Public:	2	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	0	0
Rape:	0	0	0
Resisting Arrest:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	1	0	0
Vandalism:	2	2	0
Weapons Violation:	0	0	0
Miscellaneous Criminal Arrests:	11	0	8
Juvenile Detention Order Totals:	1	1	0
Total Criminal Arrests:	27	6	11



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 (Continued)

	Year To Date	April	March
	2021	2021	2021
<u>Response to Resistance</u>			
Total Community Interface	579	148	167
Total Enforcement Contacts	102	44	14
Physical Custody	16	7	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	11	3	3
Black Male	0	1	0
Other Male	0	0	0
White Female	1	3	0
Black Female	4	0	0
Other Female	0	0	0

**Berryville Town Council Item Report Summary
May 11, 2021**

Item Title

Community Development - Monthly Report

Construction Report

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. Community Development

Recommendation

Sample Motion

Town Council Agenda Item Report Summary

May 11, 2021

Item Title

Community Development Update

Prepared By

Christy Dunkle

Planning Commission

The Planning Commission held a meeting on Tuesday, March 23, 2021. They discussed the following items:

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 *Recommended Town Council approve the text amendment as presented. A full staff report is included in this packet.*

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 continued their discussion about the Business Park (BP) zoning district and senior housing and facilities at their April 27, 2021 meeting. Their next meeting is scheduled for Tuesday, May 25, 2021.

Berryville Area Development Authority

The BADA held a meeting on Wednesday, April 28, 2021. They discussed the update of the Berryville Area Plan. Town staff presented draft text amendments being discussed by the Berryville Planning Commission in the Business Park (BP) zoning district. Their next meeting is scheduled for Wednesday, May 26, 2021 at 7:00 p.m.

Architectural Review Board

The Architectural Review Board will hold a meeting on Wednesday, May 5, 2021 to discuss the following item:

Forrest Pritchard, Applicant, is requesting a Certificate of Appropriateness for signage and a mural for RSP Enterprises/Smith Meadows at the property located at 20 West Main Street, identified as Tax Map Parcel number 14A5-((A))-1 zoned C General Commercial.

The next Architectural Review Board meeting is scheduled for Wednesday, June 2, at 12:30 p.m.

Tree Board

The Tree Board held their annual Arbor Day celebration at the opening day of the Clarke County Farmers' Market on Saturday, May 1, 2021. There was a presentation of the Town's Tree City USA signage by Virginia Department of Forestry staff to Mayor Arnold and Chair William Bigelow and Tree Board members (photo attached). Their next meeting is scheduled for Wednesday, July 7, 2021.

Board of Zoning Appeals

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



PROVIDED BY CLARKE COUNTY

Tree City

Matt Wolanski of the Virginia Department of Forestry (center) makes official Berryville's Tree City USA designation at the Clarke County Farmers' Market on Saturday. Accepting a plaque and a Tree City USA street sign from Wolanski are Berryville Mayor Jay Arnold and Berryville Tree Board chair William Bigelow. Standing at left are Tree Board members Sharon Strickland and Howard Morrison. Standing at right are Tree Board vice chair Lillian Ledford and arborist Aaron Piselli of Bartlett Tree Experts who distributed free seedlings at the market

Town Council Agenda Item Report Summary

May 11, 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
- Home construction underway

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
- All 50 lots are either completed, under construction, or have grading plans submitted for review

Hermitage Phase V

- 71 single-family homes
- 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
- Property purchased by D.R. Horton, Inc. on March 24, 2021
- Bonds and Construction and Bonding Agreement submitted, awaiting final deed of dedication
- Modifications to the conservation area have been approved by the DEQ
- Pre-construction meeting was held on April 8, 2021
- Land disturbance permit has been issued and work has begun on the storm water management facilities

Check Listing

Date From: 4/1/2021 Date To: 4/30/2021
Vendor Range: 4IMPRINT, INC. - ZENON ENVIRONMENTAL CORPORATION

Town of Berryville
05/06/2021 09:35 AM

Page: 1 of 2

Check Number	Bank	Vendor	Date	Amount
6621	1	ArchiveSocial, Inc.	04/07/2021	\$2,388.00
6622	1	ATLANTIC TACTICAL INC	04/07/2021	\$437.68
6623	1	CLARKE COUNTY GENERAL DISTRICT COURT	04/07/2021	\$240.00
6624	1	CORE & MAIN LP	04/07/2021	\$59,023.57
6625	1	DOLI/Boiler Safety Commonwealth of Virginia	04/07/2021	\$100.00
6626	1	Douglas A. Shaffer	04/07/2021	\$40.00
6627	1	Gwen Malone	04/07/2021	\$40.00
6628	1	Hall, Monahan, Engle, Mahan & Mitchell	04/07/2021	\$2,325.00
6629	1	Kim S. Kemp	04/07/2021	\$40.00
6630	1	Krishan Mathur	04/07/2021	\$40.00
6631	1	Michelle K. Marino	04/07/2021	\$40.00
6632	1	PLAYGROUND GUARDIAN LLC	04/07/2021	\$675.00
6633	1	RYAN PATRICK TIBBENS	04/07/2021	\$40.00
6634	1	Sheryl Reid	04/07/2021	\$40.00
6635	1	Stuart M. Perry, Inc	04/07/2021	\$571.28
6636	1	The Winchester Star	04/07/2021	\$159.00
6637	1	Treasurer of Clarke County	04/07/2021	\$14,559.00
6638	1	VUPS	04/07/2021	\$164.85
6639	1	William Steinmetz	04/07/2021	\$40.00
6640	1	ATLANTIC TACTICAL INC	04/14/2021	\$437.68
6641	1	Bureau for Child Support Enforcement	04/14/2021	\$875.00
6642	1	COMBS WASTEWATER MANAGEMENT LLC	04/14/2021	\$75.00
6643	1	Douglas A. Shaffer	04/14/2021	\$75.00
6644	1	H. Allen Kitzelman	04/14/2021	\$75.00
6645	1	Keith Dalton	04/14/2021	\$50.00
6646	1	Michelle M. Jones	04/14/2021	\$1,330.00
6647	1	MORTON SALT, INC.	04/14/2021	\$1,654.12
6648	1	Nationwide Retirement Solutions	04/14/2021	\$1,380.00
6649	1	The Hall Company	04/14/2021	\$1,522.63
6650	1	The Winchester Star	04/14/2021	\$168.80
6651	1	Treasurer of Frederick County	04/14/2021	\$5,338.98
6652	1	ANGELA ROHRER	04/22/2021	\$136.79

Check Listing

Date From: 4/1/2021 Date To: 4/30/2021

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

Town of Berryville
05/06/2021 09:35 AM

Page: 2 of 2

Check Number	Bank	Vendor	Date	Amount
6653	1	ART SISK TRBE & LANDSCAPING	04/22/2021	\$2,675.00
6654	1	Commercial Press Inc	04/22/2021	\$199.00
6655	1	DAVID PETROSKY	04/22/2021	\$2,458.02
6656	1	ECONO SIGNS, LLC	04/22/2021	\$158.79
6657	1	EMILY MCKINNON	04/22/2021	\$129.00
6658	1	JESSICA BROWER EVERHART	04/22/2021	\$187.63
6659	1	Jno. S. Solenberger & Co., Inc	04/22/2021	\$146.59
6660	1	KENDRA PAGE SARDELIS	04/22/2021	\$124.84
6661	1	Kidwell Fencing	04/22/2021	\$13,800.00
6662	1	Minnesota Life Insurance Co.	04/22/2021	\$345.68
6663	1	PBNNONI ASSOCIATES INC	04/22/2021	\$4,977.50
6664	1	Robinson Farmer Cox Associates PLLC	04/22/2021	\$16,050.00
6665	1	The Hall Company	04/22/2021	\$75.00
6666	1	Treas Association of Virginia	04/22/2021	\$160.00
46	Checks Totalling			\$135,569.43

Totals By Fund

	Checks	Voids	Total
100	\$66,460.32		\$66,460.32
501	\$59,997.36		\$59,997.36
502	\$9,111.75		\$9,111.75
Totals:	\$135,569.43		\$135,569.43

April 2021 Deposits

Deposit Date	Batch Date	Batch #	Deposit	PayPal	ACH/EFT	ADI	Bank Ref Trans	TOTAL
4/2/2021	3/31/2021	16744	3,079.15	212.95			KAREN1 daily receipts for Wednesday 3/31/21 - Deposited to bank lobby Friday 4/2/21 - Batch#16744	3,292.10
4/2/2021	4/1/2021	16750	11,160.37	1,700.06			FRONT daily receipts for Thursday 4/1/21 - Deposited to bank lobby Friday 4/2/21 - Batch#16750	12,860.43
4/6/2021	4/2/2021	16758	5,013.28	191.85			KAREN daily receipts for Friday 4/2/21 - Deposited to bank lobby Tuesday 4/6/21 - Batch#16758	5,205.13
4/6/2021	4/5/2021	16774	29,092.17	940.57			DRIVETHRU daily receipts Monday 4/5/21 - Deposited to bank lobby Tuesday 4/6/21 - Batch#16774	30,032.74
4/8/2021	4/6/2021	16790	3,416.41	147.07			FRONT daily receipts for Tuesday 4/6/21 - Deposited to bank lobby Thursday 4/8/21 - Batch#16790	3,563.48
4/13/2021	4/7/2021	16796	383,417.00	37.13			KAREN1 daily receipts for Wednesday 4/7/21 - Deposited to bank lobby Thursday 4/8/21 - Batch#16796	383,454.13
4/13/2021	4/8/2021	16802	7,252.06	232.01			DRIVETHRU daily receipts for Thursday 4/7/21 - Deposited to bank lobby Tuesday 4/13/21 - Batch#16802	7,484.07
4/13/2021	4/9/2021	16815	4,497.97	87.37			KAREN1 daily receipts for Friday 4/9/21 - Deposited to bank lobby Tuesday 4/13/21 - Batch#16815	4,585.34
4/13/2021	4/12/2021	16828	15,957.20	508.19	37.37		FRONT daily receipts for Monday 4/12/21 - Deposited to bank lobby Tuesday 4/13/21 - Batch#16828	16,502.76
4/15/2021	4/13/2021	16830	12,657.95	517.12			KAREN daily receipts for Tuesday 4/13/21 - Deposited to bank lobby Thursday 4/15/21 - Batch #16830	13,175.07
4/15/2021	4/14/2021	16850	4,049.76	493.37			FRONT daily receipts for Wednesday 4/14/21 - deposited to bank lobby Thursday 4/15/21 Batch#16850	4,543.13
4/19/2021	4/15/2021	16862	37,523.85	1,042.06			DRIVETHRU daily receipts for Thursday 4/15/21 - deposited to bank lobby Monday 4/19/21 Batch#16862	38,565.91
4/19/2021	4/16/2021	16875	7,116.21	151.00			KAREN1 daily receipts for Friday 4/16/21 - deposited to bank lobby Monday 4/19/21 Batch#16875	7,267.21
4/22/2021	4/19/2021	16888	34,148.14	660.08			KAREN1 daily receipts for Monday 4/19/21 - deposited to bank lobby Thursday 4/22/21 Batch #16888	34,808.22
4/22/2021	4/20/2021	16902	5,406.50	252.68			KAREN1 daily receipts for Tuesday 4/20/21 - deposited to bank lobby Thursday 4/22/21 Batch#16902	5,659.18
4/22/2021	4/21/2021	16923	3,584.77	188.57			DRIVETHRU daily receipts for Wednesday 4/21/21 - deposited to bank lobby Thursday 4/22/21 Batch #16923	3,773.34
4/27/2021	4/22/2021	16932	1,110.50	62.37			FRONT daily receipts for Thursday 4/22/21 - deposited to bank lobby Tuesday 4/27/21 Batch#16932	1,172.87
4/27/2021	4/23/2021	16942	1,691.61	31.95			KAREN daily receipts for Friday 4/23/21 - deposited to bank lobby Tuesday 4/27/21 Batch#16942	1,723.56
4/27/2021	4/26/2021	16950	8,717.75	240.00			KAREN1 daily receipts for Monday 4/26/21 - deposited to bank lobby Tuesday 4/27/21 Batch#16950	8,957.75
4/30/2021	4/27/2021	16960	2,345.35	0.00			DRIVETHRU daily receipts for Tuesday 4/27/21 - deposited to bank lobby Friday 4/30/21 Batch#16960	2,345.35
4/30/2021	4/28/2021	16981	127.92	240.00			FRONT daily receipts for Wednesday 4/28/21 - deposited to bank lobby Friday 4/30/21 Batch#16981	367.92
4/30/2021	4/29/2021	16992	2,335.09				KAREN1 daily receipts for Thursday 4/29/21 - deposited to bank lobby Friday 4/30/21 Batch#16992	2,335.09

0.00	0.00	0.00	583,800.81	7,956.20	37.37	0.00	591,774.38
------	------	------	------------	----------	-------	------	------------

On-Line Prints - April 2021

Deposit Date	On Line Batch date	Checks		Credit Card		Total	Bnk Ref
		Amount	Date to Bnk	Amount	Trans		
4/1/2021	3/28/2021	88.21		213.79		302.00	UB Online Pmt Sunday 3/28/21 Batch#16670
4/2/2021	3/29/2021	43.62		146.67		190.29	TAX(PP) Online Pmt Monday 3/29/21 Batch#16678
4/2/2021	3/29/2021	391.73		717.63		1,109.36	UB Online Pmt Monday 3/29/21 Batch#16679
4/5/2021	3/30/2021	347.58		302.00		649.58	UB Online Pmt Tuesday 3/30/21 Batch#16743
4/5/2021	3/31/2021	311.42		1,496.91		1,808.33	UB Online Pmt Wednesday 3/31/21 Batch#16474
4/5/2021	4/1/2021	785.62		632.46		1,418.08	UB Online Pmt Thursday 4/1/21 Batch#16756
4/5/2021	4/1/2021			40.83		40.83	TAX(RE) Online Pmt Thursday 4/1/21 Batch#16757
4/6/2021	4/2/2021	442.57		434.11		876.68	UB Online Pmt Friday 4/2/21 Batch#16776
4/6/2021	4/3/2021			40.20		40.20	TAX(PP) Online Pmt Saturday 4/3/21 Batch#16780
4/7/2021	4/2/2021	52.23		40.20		92.43	TAX(PP) Online Pmt Friday 4/2/21 Batch #16781
4/7/2021	4/3/2021	284.74		78.42		363.16	UB Online Pmt Saturday 4/3/21 Batch#16777
4/8/2021	4/4/2021	151.00		37.37		188.37	UB Online Pmt Sunday 4/4/21 Batch#16778
4/8/2021	4/4/2021	0.00		129.62		129.62	TAX(PP) Online Pmt Sunday 4/4/21 Batch#16783
4/9/2021	4/5/2021	245.74		278.10		523.84	UB Online Pmt Monday 4/5/21 Batch#16795
4/12/2021	4/6/2021			265.32		265.32	UB Online Pmt Tuesday 4/6/21 Batch#16800
4/12/2021	4/7/2021	198.99		0.00		198.99	UB Online Pmt Wednesday 4/7/21 Batch#16803
4/12/2021	4/7/2021			99.49		99.49	TAX(PP) Online Pmt Wednesday 4/7/21 Batch#16804
4/13/2021	4/8/2021	320.04		225.58		545.62	UB Online Pmt Thursday 4/8/21 Batch#16824
4/13/2021	4/9/2021	213.79		41.28		255.07	TAX(PP) Online Pmt Friday 4/9/21 Batch#16823
4/14/2021	4/10/2021	290.05		480.89		770.94	UB Online Pmt Friday 4/9/21 Batch#16825
4/15/2021	4/11/2021	576.20		239.21		815.41	UB Online Pmt Saturday 4/10/21 Batch#16826
4/16/2021	4/12/2021	160.10		128.91		289.01	UB Online Pmt Sunday 4/11/21 Batch#16827
4/19/2021	4/13/2021	447.15		261.78		708.93	UB Online Pmt Monday 4/12/21 Batch#16829
4/19/2021	4/14/2021	1,210.27		699.89		1,910.16	UB Online Pmt Tuesday 4/13/21 Batch#16849
4/20/2021	4/15/2021	2,054.56		1,708.45		3,763.01	UB Online Pmt Wednesday 4/14/21 Batch#16861
4/21/2021	4/16/2021	284.63		893.12		1,177.75	UB Online Pmt Thursday 4/15/21 Batch#16876
4/22/2021	4/17/2021	0.00		68.95		68.95	TAX(PP) Online Pmt Saturday 4/17/21 Batch#16885
4/22/2021	4/18/2021	0.00		125.58		125.58	UB Online Pmt Sunday 4/18/21 Batch#16887
4/23/2021	4/19/2021	62.79		2,867.50		2,930.29	UB Online Pmt Monday 4/19/21 Batch#16901
4/26/2021	4/20/2021	430.21		74.74		504.95	UB Online Pmt Tuesday 4/20/21 Batch#16922
4/26/2021	4/21/2021	0.00		30.21		30.21	TAX(PP) Online Pmt Wednesday 4/21/21 Batch#16930
4/27/2021	4/23/2021	88.21		474.10		562.31	UB Online Pmt Wednesday 4/21/21 Batch#16931
4/28/2021	4/25/2021	0.00		153.63		153.63	UB Online Pmt Friday 4/23/21 Batch#16953
4/28/2021	4/22/2021	69.32		160.23		229.55	TAX(PP) Online Pmt Thursday 4/22/21 Batch#16941
4/28/2021	4/24/2021	0.00		59.65		59.65	UB Online Pmt Thursday 4/22/21 Batch#16940
4/29/2021	4/24/2021	456.04		69.00		525.04	TAX(PP) Online Pmt Saturday 4/24/21 Batch#16957
4/30/2021	4/25/2021	0.00		339.21		339.21	UB Online Pmt Saturday 4/24/21 Batch#16954
4/30/2021	4/26/2021	4.23		120.00		124.23	UB Online Pmt Sunday 4/25/21 Batch#16955
4/30/2021	4/26/2021	189.89		113.63		303.52	TAX(PP) Online Pmt Monday 4/26/21 Batch#16958
							TAX(RE) Online Pmt Monday 4/26/21 Batch#16959

5/3/2021	4/27/2021	187.37	214.90	402.27	US Online Prnt Tuesday 4/27/21 Batch#16980
5/3/2021	4/27/2021	0.00	157.44	157.44	TAX(PP) Online Prnt Tuesday 4/27/21 Batch#16979
5/3/2021	4/28/2021	309.52	278.10	581.62	US Online Prnt Wednesday 4/28/21 Batch#16991
5/3/2021	4/29/2021	254.49	273.73	528.22	US Online Prnt Thursday 4/29/21 Batch#17010
5/3/2021	4/29/2021	0.00	75.00	75.00	TAX(RE) Online Prnt Thursday 4/29/21 Batch#17009
5/4/2021	4/30/2021	302.26	515.47	617.73	US Online Prnt Friday 4/30/21 Batch#17017
5/4/2021	4/30/2021	0.00	92.90	92.90	TAX(RE) Online Prnt Friday 4/30/21 Batch#17016

28,377.74	TOTAL
2,465.18	DEPOSITED IN MAY
25,912.56	TOTAL DEPOSITED IN APRIL

Purchasing Card

BERRYVILLE TOWN OF
 [REDACTED]
 April 01, 2021 - April 30, 2021

Company Statement

Account Information	Payment Information	Account Summary
Mail Billing Inquiries to: BANKCARD CENTER PO Box 660441 Dallas, TX 75266-0441 TTY Hearing Impaired: Dial "711" Outside the U.S.: 1.509.353.6656 24 Hours For Lost or Stolen Card: 1.888.449.2273 24 Hours	Statement Date 04/30/21 Payment Due Date 05/26/21 Days in Billing Cycle 30 Credit Limit \$500,000 Cash Limit \$0 Total Payment Due \$90,022.81	Previous Balance \$100,697.79 Payments -\$100,697.79 Credits \$0.00 Cash \$0.00 Purchases \$90,022.81 Other Debits \$0.00 Overlimit Fee \$0.00 Late Payment Fee \$0.00 Cash Fees \$0.00 Other Fees \$0.00 Finance Charge \$0.00 Current Balance \$90,022.81

Important Messages
 Please do not send payment. Your automatic payment is scheduled to be credited to this account on 05/26/21.

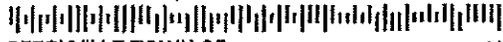
Global Card Access – your card information whenever, wherever and however you need it. From the dashboard, you can quickly check your credit limit, balance, available credit and recent card activity. Other features like View PIN, Change PIN, Lock Card and Alerts help you keep your card secure. For added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

Cardholder Activity Summary

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

0069779 9002281 9002281 4715291201837237


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

 **N001176V
 BERRYVILLE TOWN OF
 STE A
 101 CHALMERS CT
 BERRYVILLE, VA 22611-1387

Account Number: [REDACTED]
 April 01, 2021 - April 30, 2021

 Total Payment Due \$90,022.81
 Payment Due Date 05/26/21

 Enter payment amount

 \$

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

⑆5499900⑆ 1⑆0005⑆ 20 1837237⑈



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

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

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

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

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

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

Thank you for your business.

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

BERRYVILLE TOWN OF
 April 01, 2021 - April 30, 2021
 Page 3 of 6

Cardholder Activity Summary				
<i>Account Number</i>	<i>Credits</i>	<i>Cash</i>	<i>Purchases and Other Debits</i>	<i>Total Activity</i>
BOOR, RICK [REDACTED]				
15,000	0.00	0.00	11,823.42	11,823.42
BRAITHWAITE, JAY [REDACTED]				
500	0.00	0.00	369.74	369.74
BRISTOL, TIM [REDACTED]				
500	0.00	0.00	206.00	206.00
BUSSERT, ERNIE [REDACTED]				
15,000	0.00	0.00	7,434.50	7,434.50
CULP, PAUL [REDACTED]				
5,000	0.00	0.00	307.52	307.52
DORSEY, DANIEL [REDACTED]				
500	0.00	0.00	39.95	39.95
DUNKLE, CHRISTY [REDACTED]				
500	0.00	0.00	289.92	289.92
ELLINGSWORTH, JAMES [REDACTED]				
500	0.00	0.00	15.67	15.67
ELLIOTT, RALPH [REDACTED]				
5,000	0.00	0.00	1,286.15	1,286.15
FERREBEE, DARRELL [REDACTED]				
500	0.00	0.00	260.50	260.50
GREEN, CONNOR [REDACTED]				
500	0.00	0.00	213.00	213.00
GRIFFITH, RICHARD A [REDACTED]				
500	0.00	0.00	12.00	12.00
HASH, RANDALL [REDACTED]				
500	0.00	0.00	381.93	381.93
JOHNSON, KAREN [REDACTED]				
1,000	0.00	0.00	0.60	0.60
KERN, JODI [REDACTED]				
5,000	0.00	0.00	350.00	350.00
LINK, BRIAN [REDACTED]				
1,000	0.00	0.00	666.00	666.00
MCCORMICK, HARRY [REDACTED]				
500	0.00	0.00	219.85	219.85
PETTI, ROMAN [REDACTED]				
500	0.00	0.00	63.14	63.14
POULIN, CYNTHIA [REDACTED]				
50,000	0.00	0.00	48,112.98	48,112.98
SHEETZ, COLLEN [REDACTED]				
500	0.00	0.00	74.32	74.32
STOVER, KEITH [REDACTED]				
1,000	0.00	0.00	430.63	430.63



BERRYVILLE TOWN OF
 April 01, 2021 - April 30, 2021
 Page 4 of 6

Cardholder Activity Summary

Account Number	Credit Limit	Credits	Cash	Purchases and Other Debits	Total Activity
TYRRELL, DAVE					
35,000		0.00	0.00	16,108.06	16,108.06
WHITE, NEAL					
15,000		0.00	0.00	1,356.93	1,356.93

Transactions

Posting Date	Transaction Date	Description	Reference Number	MCC	Charge	Credit
BERRYVILLE TOWN OF						Total Activity
Account Number: [REDACTED]						-\$100,697.79
04/23	04/23	AUTO PAYMENT DEDUCTION		0071		100,697.79
BOOR, RICK						Total Activity
Account Number: [REDACTED]						11,823.42
04/01	03/31	BROY & SON PUMP SERVICE 540-9553928 VA	24073141090900010900013	1799	41.88	
04/01	03/31	BROY & SON PUMP SERVICE 540-9553928 VA	24073141090900010900021	1799	921.14	
04/02	04/01	MCCARTHY TIRE 28, WINCHESTER VA	24261371091018023156527	5533	2,055.00	
04/07	04/08	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971097091402000356	5251	94.06	
04/12	04/09	VIRGINIA TRACTOR WINCHESTER 540-7226638 VA	24067201101410150009977	5046	373.64	
04/12	04/11	WM SUPERCENTER #3344 WINCHESTER VA	24445001102400173857624	5411	48.27	
04/13	04/12	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971103091404000315	5251	17.61	
04/15	04/14	VALLEY HEALTH OCCUPATIONA866-5248401 VA	24755421105121054009371	8099	83.00	
04/20	04/19	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971110091408000023	5251	8.00	
04/27	04/26	JNO. S SOLENBERGER AND C WINCHESTER VA	24138291117400006808945	5251	88.10	
04/28	04/27	WINCHESTER ELECTRIC 540-6872040 VA	24073141118900011900010	5065	3,627.08	
04/29	04/27	GRIFFITH ENERGY SERVIC 410-956-3000 MD	24258021118017034268815	5983	3,538.90	
04/30	04/28	BROY & SON PUMP SERVICE 540-9553928 VA	24073141119900012800010	1799	915.00	
04/30	04/29	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971120091408000211	5251	11.74	
BRAITHWAITE, JAY						Total Activity
Account Number: [REDACTED]						360.74
04/01	03/30	WILKINS SHOECENTER WINCHESTER VA	24269791090500672028743	5681	148.74	
04/12	04/09	DEPARTMENT OF PROFESSIONA804-3678597 VA	24755421099280992351459	9399	100.00	
04/22	04/21	ABC-NV 913-6954600 KS	24270741111900011394565	8999	121.00	
BRISTOL, TIM						Total Activity
Account Number: [REDACTED]						206.00
04/01	03/31	FESTIVAL CLEANERS BERRYVILLE VA	24022441090900011500065	7216	7.00	
04/22	04/21	STREETCOP 732-281-3330 NJ	24492151112852646449889	8244	199.00	
BUSSERT, ERNIE						Total Activity
Account Number: [REDACTED]						7,434.50
04/01	03/30	BERRYVILLE AUTO PARTS INC BERRYVILLE VA	24767891090488000122716	5533	27.69	
04/05	04/01	COYNE CHEMICAL 215-785-3000 PA	24137461092501029288758	5169	1,086.73	
04/06	04/05	USA BLUE BOOK 800-548-1234 IL	24940451095636000060579	5085	760.03	
04/07	04/05	COYNE CHEMICAL 215-785-3000 PA	24137461098500828028641	5169	1,619.47	
04/12	04/08	MCMaster-CARR 630-834-9600 IL	24789301099535400178935	5085	311.56	
04/16	04/14	COYNE CHEMICAL 215-785-3000 PA	24137461105500819584223	5169	1,399.40	
04/23	04/21	COYNE CHEMICAL 215-785-3000 PA	24137461112500835317029	5169	1,079.70	
04/23	04/21	COYNE CHEMICAL 215-785-3000 PA	24137461112500835317102	5169	717.20	
04/23	04/21	COYNE CHEMICAL 215-785-3000 PA	24137461112500835317284	5169	399.94	
04/23	04/22	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971113091404000370	5251	32.78	
CULP, PAUL						Total Activity
Account Number: [REDACTED]						307.52
04/05	04/03	STAPLS7327932746000001 877-8267755 NJ	24164071094105020110828	5111	52.50	
04/16	04/15	STAPLS7328741820000001 877-8267755 NJ	24164071105105140478466	5111	69.34	
04/19	04/17	STAPLS7328877525000001 877-8267755 NJ	24164071108105160200664	5111	76.29	
04/29	04/28	STAPLS7329562398000001 877-8267755 NJ	24164071118105270333502	5111	109.39	
DORSEY, DANIEL						Total Activity
Account Number: [REDACTED]						30.05
04/08	04/07	JNO. S SOLENBERGER AND C WINCHESTER VA	24138291098400006711779	5251	9.60	
04/21	04/20	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971111091400000350	5251	30.35	
DUNKLE, CHRISTY						Total Activity
Account Number: [REDACTED]						289.82
04/23	04/27	MEADOWS FARMS - WING-22 540-7224141 VA	24073141118900016725230	5261	244.93	
04/29	04/27	MEADOWS FARMS - WING-22 540-7224141 VA	24073141118900016725255	5261	44.89	
ELLINGSWORTH, JAMES						Total Activity
Account Number: [REDACTED]						15.87
04/08	04/07	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971098091404000478	5251	15.87	

BERRYVILLE TOWN OF
 [REDACTED]
 April 01, 2021 - April 30, 2021
 Page 5 of 6

Transactions								
Posting	Transaction	Date	Date	Description	Reference Number	MCC	Charge	Credit
ELLIOTT, RALPH								Total Activity
Account Number: [REDACTED]								1,286.16
04/02	04/01			KIMBALL MIDWEST PAYEEZY 800-233-1294 OH	24072801091083346971872	5072	397.67	
04/08	04/07			CLARKE COUNTY AUTO BERRYVILLE VA	24755421097280973979427	8999	573.02	
04/16	04/15			THE BLOSSMAN COMPANIES IN228-872-8932 MS	24247601105300570961140	4900	220.79	
04/21	04/20			KIMBALL MIDWEST PAYEEZY 800-233-1294 OH	24072801110083755684551	5072	87.68	
04/26	04/23			HARBOR FREIGHT TOOLS 595 WINCHESTER VA	24231681114400024247994	5251	6.99	
FERREBEE, DARRELL								Total Activity
Account Number: [REDACTED]								260.60
04/05	04/02			ANDERSON'S NURSERY BERRYVILLE VA	24061061094016031488837	5261	222.00	
04/09	04/08			BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971099091406000459	5251	11.07	
04/28	04/27			BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971118091404000094	5251	27.43	
GREEN, CONNOR								Total Activity
Account Number: [REDACTED]								213.00
04/09	04/07			VIRGINIA TRACTOR WINCHEST540-7226638 VA	24067201098408150001339	5046	92.00	
04/19	04/17			ABC-NV 913-8954600 KS	24270741108800010921330	8999	121.00	
GRIFFITH, RICHARD A								Total Activity
Account Number: [REDACTED]								12.00
04/05	04/02			BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971093091406000059	5251	12.00	
HASH, RANDALL								Total Activity
Account Number: [REDACTED]								381.93
04/02	04/01			LOWES #00656* WINCHESTER VA	24692161091100866398127	5200	251.95	
04/02	04/01			HARBOR FREIGHT TOOLS 595 WINCHESTER VA	24231681092400024203894	5251	14.99	
04/13	04/12			FISHER AUTO PARTS 009 BERRYVILLE VA	24431061103200824000106	5533	114.99	
JOHNSON, KAREN								Total Activity
Account Number: [REDACTED]								0.60
04/05	04/03			Amazon web services aws.amazon.coVA	24692161093100087398954	7399	0.60	
KERN, JODI								Total Activity
Account Number: [REDACTED]								350.00
04/14	04/13			VA DMV ONLINE BILLING PAY804-4977100 VA	24755421104131040101597	9399	75.00	
04/19	04/16			USPS PO 5107580300 BERRYVILLE VA	24137461107001106661796	9402	275.00	
LINK, BRIAN								Total Activity
Account Number: [REDACTED]								666.00
04/05	04/01			ANDERSON'S NURSERY BERRYVILLE VA	24061061092016031921144	5261	222.00	
04/05	04/01			ANDERSON'S NURSERY BERRYVILLE VA	24061061092016031921169	5261	222.00	
04/05	04/01			ANDERSON'S NURSERY BERRYVILLE VA	24061061092016031921151	5261	222.00	
MCCORMICK, HARRY								Total Activity
Account Number: [REDACTED]								219.85
04/22	04/21			USA BLUE BOOK 800-548-1234 IL	249404511116360000668196	5085	192.47	
04/29	04/28			BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971119091406000844	5251	27.38	
PETTI, ROMAN								Total Activity
Account Number: [REDACTED]								63.14
04/16	04/15			TRACTOR-SUPPLY-CO #0697 WINCHESTER VA	24137461106001342152015	5599	63.14	
POULIN, CYNTHIA								Total Activity
Account Number: [REDACTED]								48,112.98
04/05	04/02			IN *TRUESHRED 888-7608783 VA	24692161093100106655177	7399	54.00	
04/07	04/05			IN *TRUESHRED 888-7608783 VA	24692161096100136392293	7399	54.00	
04/08	04/07			RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231681097747002924635	4900	4,810.89	
04/08	04/07			RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231681097747002924684	4900	2,747.38	
04/08	04/07			RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231681097747002924601	4900	5,079.07	
04/08	04/07			RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231681097747002924666	4900	10,000.00	
04/23	04/22			REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941661112083702540438	4900	100.00	
04/23	04/22			REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941661112083736468390	4900	23,845.98	
04/23	04/22			VA DEPARTMENT OF STATE P0804-6742000 VA	24755421112171123563636	9399	16.00	
04/26	04/23			VERIZONWRLS*RTCCR VB 800-922-0204 FL	24692161113100913043977	4814	819.09	
04/26	04/23			VERIZON*ONETIMEPAYMENT 800-VERIZON FL	24692161113100956949957	4814	182.49	
04/26	04/23			VERIZON*ONETIMEPAYMENT 800-VERIZON FL	24692161113100956949965	4814	405.08	
SHEETZ, CULLEN								Total Activity
Account Number: [REDACTED]								74.32
04/15	04/14			BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971105091408000020	5251	74.32	
STOVER, KEITH								Total Activity
Account Number: [REDACTED]								430.63
04/06	04/05			BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971096091400000151	5251	6.16	
04/14	04/12			VIRGINIA TRACTOR WINCHESTWINCHESTER VA	24067201103413160101132	5046	51.50	
04/14	04/13			LOWES #00656* WINCHESTER VA	24692161103100875821180	5200	29.88	
04/14	04/13			LOWES #00656* WINCHESTER VA	24692161103100875821289	5200	238.00	
04/14	04/13			HARBOR FREIGHT TOOLS 595 WINCHESTER VA	24231681104400011873242	5251	24.99	



BERRYVILLE TOWN OF
 April 01, 2021 - April 30, 2021
 Page 6 of 6

Transactions

Posting Transaction								
Date	Date	Description	Reference Number	MCC	Charge	Credit		
04/15	04/13	BERRYVILLE AUTO PARTS INC BERRYVILLE VA	24767891104559700100261	5533	13.49			
04/26	04/23	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971114091406000369	5251	66.61			
TYRRELL, DAVE							Total Activity	
Account Number: [REDACTED]							16,108.00	
04/01	03/30	IN *JOINER LABS, LLC 540-3477212 VA	24692161090100672463082	8734	85.00			
04/02	03/31	MCMASER-CARR 630-834-9600 IL	24789301091494500126143	5085	144.10			
04/02	04/01	SQ *COMMONWEALTH ENGINEER gosq.com VA	24692161092100014468744	1711	525.24			
04/02	04/01	AMZN Mktp US*KQ5WE2E83 Amzn.com/billWA	24692161092100054353263	5942	239.96			
04/05	04/01	IN *JOINER LABS, LLC 540-3477212 VA	24692161092100263787764	8734	220.00			
04/05	04/01	IN *JOINER LABS, LLC 540-3477212 VA	24692161092100263787772	8734	220.00			
04/05	04/02	TOTAL PEST SERVICES 540-8771224 VA	24013391092000239303263	7342	158.00			
04/05	04/03	KIMBALL MIDWEST PAYEEZY 800-233-1294 OH	24072801093083356060683	5072	1,032.65			
04/05	04/02	BERRYVILLE AUTO PARTS INC 800-4498012 VA	24767891094504300172932	5533	24.60			
04/08	04/07	WATER - COFFEE DELIVERY 800-4928377 GA	24717051097170978069367	5199	23.98			
04/08	04/07	AMAZON.COM*JA46S9LL3 AMZNAMZN.COM/BILLWA	24431061097083713944883	5942	91.89			
04/08	04/07	EAHEART INDUSTRIAL SERVI 804-3557943 VA	24760621098470000173519	1799	875.00			
04/12	04/09	AMZN Mktp US*6T7D76JL3 Amzn.com/billWA	24692161100100007630338	5942	169.95			
04/12	04/09	INNOVATIVE ACCESS TECHNOL 540-5465625 VA	24037821099900011900019	4812	126.00			
04/12	04/09	IN *JOINER LABS, LLC 540-3477212 VA	24692161100100172840837	8734	170.00			
04/12	04/09	IN *JOINER LABS, LLC 540-3477212 VA	24692161100100172840845	8734	210.00			
04/12	04/09	CURTIS POWER SOLUTIONS 757-6737000 VA	24073141101900011200014	7399	1,309.50			
04/12	04/09	RIDDLEBERGER BROTHERS 540-434-1731 VA	24638181101017039832985	1711	765.05			
04/15	04/14	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941661104083726163001	4900	3,230.61			
04/16	04/14	IN *JOINER LABS, LLC 540-3477212 VA	24692161105100834207107	8734	220.00			
04/16	04/14	IN *JOINER LABS, LLC 540-3477212 VA	24692161105100834207123	8734	85.00			
04/19	04/16	ATCO MANUFACTURING COMPAN 770-4247550 GA	24276391106900011887085	2842	66.90			
04/19	04/18	AMZN Mktp US*AV2PB3D73 Amzn.com/billWA	24692161109100370187355	5942	49.02			
04/20	04/19	IN *JOINER LABS, LLC 540-3477212 VA	24692161109100384543816	8734	60.00			
04/20	04/19	IN *JOINER LABS, LLC 540-3477212 VA	24692161109100384543824	8734	220.00			
04/20	04/19	IN *JOINER LABS, LLC 540-3477212 VA	24692161109100384543832	8734	225.00			
04/20	04/19	INNOVATIVE ACCESS TECHNOL 540-5465625 VA	24037821109900012100013	4812	126.00			
04/22	04/21	USA BLUE BOOK 800-548-1234 IL	24940451111636000067434	5085	409.80			
04/22	04/21	Emmart Oil Company 540-6623835 VA	24193041112001385387034	5983	65.00			
04/29	04/27	BERRYVILLE AUTO PARTS INC BERRYVILLE VA	24767891118629800110594	5533	23.01			
04/29	04/28	A & A SALES ASSOCIATES 215-852-9651 PA	24039841118207748000029	5137	276.60			
04/29	04/27	CARMEUSE LIME & STON CLEAR BROOK VA	24258021118018010204192	5039	4,417.60			
04/29	04/28	IN *CONSOLIDATED ELECTRIC 540-8625994 VA	24692161119100050219681	1731	260.00			
04/30	04/29	GIANT MARTINS #6558 BERRYVILLE VA	24692161120100699476947	5411	12.60			
WHITE, NEAL							Total Activity	
Account Number: [REDACTED]							1,366.93	
04/09	04/08	SQ *BRAZEN SHEEP Berryville VA	24692161099100190693005	5691	57.00			
04/12	04/09	KUSTOM SIGNALS 913-492-1400 KS	24247601100501000734313	5065	238.00			
04/12	04/09	BERRYVILLE AUTO PARTS INC 800-4498012 VA	24767891101539900123886	5533	257.24			
04/13	04/12	INTOXIMETERS INC 314-429-4000 MO	24412951102207567900265	8734	790.00			
04/27	04/26	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971117091402000303	5251	14.69			

Finance Charge Calculation

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

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

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

Update May 11, 2021

At its regular meeting in April the Council authorized the issuance of the IFB. The Council also authorized the Town Manager to award a bid in this matter if the bid did not exceed funds available for this work.

The Town issued an addendum to the IFB to extend the required completion date for all projects from July 1, 2021 to August 15, 2021. This change was made after receiving a request to extend the work deadline. The deadline change was approved by VDOT.

The Town received five responsive bids. The lowest bid was \$114,832.50 and the highest bid was \$216,429.60. The average of the bids was \$153,256.24.

The Town has issued a Notice of Intent to Award to the apparent low bidder. Staff is scheduled to meet with that bidder on Monday May 10, 2021.

The lowest bid is within the perimeters provided by the Council for the Town Manager to award the contract

April 13, 2021 Report

Town staff requests approval of IFB# 2021-01 and authorization for Town staff to issue the offering and award a contract provided that certain conditions are met. The work enumerated in the offering, which will be funded with VDOT Secondary Maintenance Reimbursement Funds, is to be completed in FY21.

Overview

IFB# 2021-01 does not differ significantly from paving offerings issued by the Town in recent years. Prices are sought for specific work and for unit pricing to be used for work that is not specifically identified in the scope of work. The projects enumerated in the offering are the re-paving of:

W. Fairfax Street from N. Buckmarsh Street to N. Church Street

Ridge Road from W. Fairfax Street to Circle Drive

Rockcroft Drive and N. Church Street from Ridge Road to W. Fairfax Street

Circle Drive from Ridge Road to end of pavement

Chalmers Court from E. Main Street to entrance of Orchard Court Apartments

Blue Ridge Street from Jack Enders Boulevard to end of pavement

Litten Court from S. Church Street to end of cul-de-sac

Turner Court from S. Church Street to end of cul-de-sac

Harriman Court from Hermitage Boulevard to end of cul-de-sac

The work on W. Fairfax Street differs slightly from other projects because it calls for the installation of a scratch coat prior to installation of the top coat of asphalt. A scratch coat is a lift of asphalt applied (at varying depths) to pavement to provide a uniform surface on which to place the top coat of asphalt. This step is required because of the condition of the existing pavement.

Sample Motion

I move that the Council of the Town of Berryville authorize the issuance of IFB#2021-01 and authorize the Town Manager to:

- Award the IFB if the lowest responsible bidder's total price does not exceed funds available for this purpose.
- Execute any documents related to this matter.

Water Bill Adjustment Request

History

Bill Johnston of Lord Fairfax Highway experienced a significant water use spike in the 10/27/20 to 11/23/20 billing period. The usage in that cycle, 17,500 gallons, was more than double the they typical water usage for this account.

Mr. Johnston engaged the Town to determine what occurred and what could be done about the bill (Note: this is a water only account). The subject water meter was tested and determined to be accurate. No leaks were found. Water usage has returned to normal.

Mr. Johnston requested adjustment to the water bill. The request for adjustment was denied because the abnormal water usage has not or cannot be sufficiently explained.

Mr. Johnson requested that the Town Council review an appeal in this matter. With Mr. Johnston's agreement, staff determined that it would be best to see if water usage stayed at normal levels before the matter was forwarded to the Council.

In the months since the abnormal usage was discovered, water usage has remained within the normal range for this account.

Request

Mr. Johnston requests adjustment to the water bill for the period of 10/27/20 to 11/23/20.

Water and Sewer Billing Adjustment Policy

The Town's Water and Sewer Billing Adjustment Policy authorizes the Town Manager to approve adjustments to water and sewer bills in specific instances. The Policy specifically provides that no bill adjustment may be made in instances where the cause of the abnormal water usage has not or cannot be sufficiently explained. Mr. Johnston's request for adjustment was denied in accordance with this provision of the Policy.

The Policy provides for an appeal to the Town Council if the customer believes that the Town Manager erred in making the decision or has not made a determination on an adjustment request in a timely manner.

It is staff's opinion that the determination to deny the adjustment request was proper and made in accordance with the Policy.

Attachments

- Correspondence from William Johnston
- Water use history on account in question
- Water and Sewer Billing Adjustment Policy

Sample Motions

Approve appeal

I move that the Council of the Town of Berryville finds that the Town erred when it denied William Johnston's request for adjustment to his water bill for the period of 10/27/20 to 11/23/20 and therefore authorizes the adjustment of the subject account for _____ gallons of water usage.

Deny appeal

I move that the Council of the Town of Berryville finds that the Town did not err in its denial of Mr. William Johnston's request for adjustment to his water bill for the period of 10/27/20 to 11/23/20 and therefore denies the appeal of the Town Manager's decision in this matter.

February 26, 2021

Keith Dalton
Berryville Town Manager
101 Chalmers Court Suite A
Berryville VA 22611

Re: Your email dated Feb 13, 2021.

Keith,

Per our conversations and correspondence, please find the enclosed letter to the town requesting relief from our \$1,788.63 water bill in November.

Please convey it to the appropriate people.

Thanks again for your assistance.

Sincerely,


Bill Jenkinson

February 26, 2021

Keith Dalton
Berryville Town Manager
101 Chalmers Court Suite A
Berryville VA 22611

Subject: Request for Relief

Dear Keith,

With regard to our on-going conversations about the very large water bill, I am asking for relief.

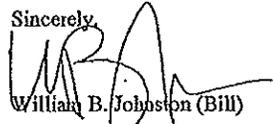
First, I appreciate your cooperation in providing information and in having the meter tested.

Based on the size of the bill and the current economic conditions, I am requesting relief from paying the total amount. Following is a summary of the situation and background for those who may need to be aware of the situation.

- I received a bill dated Nov 23, 2020 for \$1,788.63 – 175,000 gallons of water. Our normal bill is \$50-\$70 - 5,000 to 6,000 gallons per month.
- I immediately checked my meter and notified Public works. The meter was still and was so at the time the meter was read, according to Public Works.
- I discussed the situation with the Town Manager who agreed to have my meter checked. This was done on Jan 5, 2021 – the meter tested normal.
- The cause remains a mystery:
 - We have not seen any evidence of leakage or puddling, that would account for 175,000 gallons of water.
 - We have not heard any sounds of water running – we have remained at home every day due to COVID-19.
 - There was never a drop in water pressure.
 - We had our septic tanks cleaned shortly afterwards and there was no indication an unusually large amount water had flowed through.
- This is not covered by my home owners insurance (please see attached.)
- I paid the bill via automatic bank draft on December 15, 2020.

I hope the town will be able to provide relief.

Sincerely,



William B. Johnston (Bill)

Lord Fairfax Hwy
Berryville VA 22611

Attachments: Claims Coverage Decision – USAA Jan 13, 2021
Water bill Nov 23, 2020

Account Consumption History

Curr Read	Calc Usage	Avg Use Amt	Bill Date
2093	4000	8444	3/22/2021
2134	4000	8405	
2089	2000	8646	2/17/2021
2134	4000	8405	
2087	2000	13425	1/26/2021
2085	6000	13997	12/29/2020
2079	175000	14418	11/23/2020
1904	5000	5497	10/26/2020
1899	5000	5527	9/21/2020
1894	4000	5560	8/24/2020
1890	7000	5664	7/27/2020
1883	7000	5569	6/26/2020
1876	7000	5469	5/21/2020
1869	7000	5331	4/24/2020
1862	5000	5180	3/24/2020
1857	4000	5198	2/26/2020
1853	5000	5332	1/28/2020
1848	4000	5374	12/30/2019
1844	4000	5571	11/25/2019
1840	4000	5714	10/29/2019
1836	7000	6000	9/25/2019
1829	2000	5800	8/28/2019
1827	6000	6437	7/29/2019
1821	12000	6447	6/25/2019
1809	5000	6321	5/29/2019
1804	4000	6352	4/29/2019
1800	4000	6409	3/25/2019

Account Consumption History

Curr Read	Calc Usage	Avg Use Amt	Bill Date
1796	5000	6468	2/27/2019
1791	4000	6505	1/25/2019
1787	7000	6570	12/26/2018
1780	20000	6559	11/28/2018
1760	14000	6196	10/29/2018
1746	5000	5980	9/27/2018
1741	8000	6008	8/29/2018
1733	8000	5950	7/27/2018
1725	7000	5888	6/27/2018
1718	3000	5854	5/29/2018
1715	6000	5947	4/27/2018
1709	4000	5946	3/28/2018
1705	5000	6014	2/26/2018
1700	8000	6051	1/29/2018
1692	4000	5979	12/28/2017
1688	4000	6056	11/28/2017
1684	6000	6139	10/30/2017
1678	6000	6145	9/28/2017
1672	4000	6152	8/29/2017
1668	9000	6403	7/28/2017
1659	10000	6280	6/28/2017
1649	3000	6095	5/26/2017
1646	6000	6258	4/27/2017
1640	4000	6273	3/29/2017
1636	6000	6407	2/27/2017
1630	5000	6433	1/27/2017
1625	5000	6529	12/29/2016

Account Consumption History

Curr Read	Calc Usage	Avg Use Amt	Bill Date
1620	4000	6539	11/29/2016
1616	3000	6943	10/28/2016
1613	8000	7164	9/29/2016
1605	4000	7088	8/29/2016
1601	5000	7397	7/27/2016
1596	6000	7664	6/29/2016
1590	4000	7873	5/27/2016
1586	6000	8427	4/27/2016
1580	6000	8832	3/28/2016
1574	8000	9399	2/16/2016
1566	4000	9749	12/30/2015
1562	4000	11666	11/23/2015
1558	5000	15500	10/27/2015
1553	26000	26000	9/30/2015
13939	56000	56000	

TOWN OF BERRYVILLE
Water and Sewer Billing Adjustment Policy

Purpose:

This policy applies to the adjustment of unusually high water and sewer bills resulting from water leaks or other circumstances resulting in abnormally high water usage. This policy enumerates the authority of the Town Manager, or designee, to grant adjustment of unusually high water and sewer bills upon request of the person or entity responsible for a water account.

Background:

Where properties are connected to the Town of Berryville's water and sewer systems, the customer is responsible for: 1) the proper provision, monitoring, operation, maintenance, repair, and replacement of all water lines and components of the system from the customer's side of the water meter and 2) the proper provision, monitoring, operation, maintenance, repair, and replacement of all sewer lines and components of the system from where it intersects the Town's main.

Procedure:

All requests for bill adjustment must be made within ten days of the billing date utilizing the Town of Berryville Water and Sewer Billing Adjustment Request Form. The customer must also provide a plumber's certification and, when the abnormal usage is greater than three-times the account's average usage, a letter from the property owner's insurance company verifying that a claim has been made in this matter and providing what portion of the water/sewer bill will be paid by the insurance company.

The Town Manager, or designee, will review the request and provide written notice of his/her decision. Most decisions will be rendered within ten days of receipt of the adjustment request.

Only one bill adjustment may be made for any account in any given twelve month period.

Review Criteria:

The Town Manager, or designee, will review adjustment requests in accordance with the following criteria:

- For leaks occurring in the service line between the water meter and the building the meter serves, the Town may approve adjustment to the sewer usage if it is found that the leaking water did not enter the sewer system. Such adjustment

may not exceed the difference between the account's average usage over the past twelve months and the high usage resulting from the leak. The Town may approve adjustment to the water usage if it finds that the leak was repaired in a timely fashion after discovery. Such adjustment may not exceed one-half of the difference between the account's average usage over the past twelve months and the high usage resulting from the leak.

- For leaks or unintended usage from exterior hose connections, the Town may approve adjustment to the sewer usage if it finds that the leaking water did not enter the sewer system. Such adjustment may not exceed the difference between the account's average usage over the past twelve months and the high usage resulting from the leak.
- For abnormal water usage attributable to usage in or by faucets, pipes, water heaters, furnaces or other interior plumbing facilities within the building the water meter serves, the Town may adjust the sewer usage if it finds that the leaking water did not enter the sewer system. Such adjustment may not exceed the difference between the account's average usage over the past twelve months and the high usage resulting from the leak.
- The Town will not approve adjustments for abnormal water usage attributable to filling of pools or watering of lawns or landscaping.
- The Town will not approve adjustments for abnormal water usage which has not or cannot be sufficiently explained.

When reviewing adjustment requests the Town will take into account, among other factors, whether any of the usage resulted from another party's negligence. Where negligence is found the Town may determine that no adjustment is warranted. As a part of request reviews the Town will also consider the insurance claim determination as a part of establishing an adjustment amount.

Meter Testing:

Customers may at any time request that their water meter be tested for accuracy. If a customer wants to have the water meter that serves their account to be tested, then they must contact the Town Business Office and request the test. At the time of the request the customer must pay a meter testing fee as established by the Town Council. The fee in question will be refunded if it is found that the meter in question does not meet American Water Works Association standards for accuracy. Further, if it is found that

the meter does not meet American Water Works Association standards for accuracy then the Town will review the account for possible adjustment.

Appeals:

If the customer requesting the bill adjustment believes that the Town has erred in making the adjustment decision or has not made a determination on an adjustment request in a timely manner, then he/she may appeal the matter to the Town Council. This appeal must be made in writing within ten days of the date of the decision on the adjustment or within thirty days of the original request if the appeal is based on the Town's failure to render a decision on the review request. If the appeal is based on the belief that the Town erred in making its decision on the bill adjustment request, then the appeal request must specify the finding of fact or policy application the requester believes was made in error.

Adjustment determinations made because a meter has been found to be inaccurate (after testing) may be appealed to the Town Council if the customer believes that the adjustment is not sufficient.

The Town Council will review all adjustment appeals and will provide written notice of their decision to the customer.

Customer Responsible for Payment during Review:

While an adjustment request and/or appeal is being processed, the customer is responsible for payment of the entire amount due within the normal payment period or the customer may enter into a payment agreement with the Town. If the customer neither makes full payment during the normal payment period nor enters into a payment plan with the Town, then the customer is subject to all applicable collection activities and termination of service.

Burden of Proof:

The implicit burden of proof in the adjustment request pursuant to these policies rests with the customer, not the Town of Berryville. Failure to comply with the requirements of this policy will result in the denial of the adjustment request.

Effective Date:

March 12, 2015

**Berryville Town Council Item Report Summary
May 11, 2021**

Item Title

Town Manager - Update: Paving, Milling, and Line Striping IFB# 2021--001

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

Recommendation

Sample Motion

Berryville Town Council Item Report Summary
May 11, 2021

Item Title

Town Manager - Water Bill Adjustment Request

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

Recommendation

Sample Motion

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, to consult with staff regarding a pending lawsuit.

DATE: May 11, 2021

MOTION:

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: _____

Erecka Gibson, Recorder

TOWN COUNCIL
MOTION
CLOSED SESSION RESOLUTION

DATE: May 11, 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