

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

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

Staff: Present--Keith Dalton, Town Manager; Christy Dunkle, Community Development Director; Chief Neal White, Berryville Police Department; 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 7:00 p.m.

2. Pledge of Allegiance

3. Approval of Agenda

Ms. Rodriguez moved that the Council of the Town of Berryville, with a quorum present in the Main Meeting Room of the Berryville-Clarke County Government Center, approve remote participation via telephone by Council member Grant Mazzarino at the meeting as he was unable to attend in person because of work conflict. The motion passed by unanimous voice vote.

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

4. Presentations/Awards/Recognitions

The mayor asked the clerk to read aloud the **attached** resolution honoring the Clarke County High School girls' soccer team for winning the state championship and the boys' team for winning the region title and a berth in the state championship tournament.

Ms. Rodriguez moved to approve the resolution. The motion passed by unanimous voice vote.

Mayor Arnold recognized the presence of Matt Bass of the Clarke County Board of Supervisors.

5. Public Hearing: Adoption of the Town of Berryville American Rescue Plan Act of 2021 Implementation Plan

Mr. Dalton noted that the Town was supposed to receive a total of approximately \$4.5 million in funding under ARPA and that allocation had been discussed in work sessions on April 5 and June 22, with some changes being made to the draft implementation plan since the latter meeting.

Ms. Rodriguez asked what changes in the plan pertained to utility account credits. Mr. Dalton explained that the Town's software provider had changed its position and concluded that a credit for usage would not be possible. Mr. Dalton said that the Town would instead provide a six-month moratorium on administrative fees.

Ms. Rodriguez asked how the Town would communicate to users regarding the cessation and eventual resumption of charges. Mr. Dalton said an insert of contrasting color would be included with bills and that the comment section of bills would also provide the starting and concluding dates of the moratorium.

Ms. Rodriguez asked about the cost of an eight-month pause compared with six months. Ms. Poulin said it would be \$240,000 versus \$169,000. Ms. Poulin and Ms. Harrison discussed when the six-month period would begin.

Berryville resident Corey Lucier asked what software difficulties would prevent a credit for usage. Mr. Dalton said the software provider had said this would create accounting problems in the absence of reprogramming that would not be possible within the necessary span of time.

Mayor Arnold opened and then closed the public hearing at 7:16, as no one addressed the meeting.

6. Discussion of Public Hearing Items

No discussion occurred.

Ms. Rodriguez moved that the Council of the Town of Berryville adopt the attached Town of Berryville American Rescue Plan Act of 2021 Implementation Plan and further moved that the Town Manager be directed to take steps necessary to effect and fulfill plan elements. The motion passed by unanimous voice vote.

7. Citizens' Forum

Mr. Lucier said that he and other residents with swimming pools had been adversely affected by high sewer fees related to the replacement of pool water at the beginning of the season and asked for the installation of separate meters not associated with the sewer system.

8. Consent Agenda

The consent agenda comprised the minutes of the June 8 Town Council regular meeting, the June 22 Town Council special session, and the June 28 meeting of the Community Development Committee.

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

9. Unfinished Business

None.

10. New Business

No new business came before the Council.

11. Council Member Reports

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

Ms. McDonald said she had received multiple complaints about speeding from her Ward 1 constituents. She said she had asked the complainants to report the matter to Chief White. Mr. Dalton said staff would perform surveys to obtain further details.

12. Staff Reports

Public Works

Mr. Dalton said the Rockcroft project as planned is essentially complete, and briefly described work still to be performed on the mains.

Public Utilities

Nothing was added to the written report.

Police

Chief White said the Old Dominion Alcohol Safety Action Program Board and the Old Dominion Community Criminal Justice Board had requested that the Town Council reappoint him to both boards for an additional three-year term each, the Council having initially appointed him to those positions in 2018.

Recorder Gibson moved that the Council of the Town of Berryville appoint Neal White to a three-year term on the Old Dominion Alcohol Safety Action Program Board with such term to begin immediately. The motion passed by unanimous voice vote.

Chief White explained that five of the eight state psychiatric hospitals were being closed to new patients, which he described as a catastrophic failure of the state imposed on localities. He said it would have a deleterious effect on provision of mental health treatment for the community in general and that it also would result in persons with emergency custody orders being held in emergency rooms under guard by law enforcement officers who therefore would no longer be available for other duties. Chief White asked that the Council write to legislators about the matter. The consensus of the Council was that staff should prepare a letter for Mayor Arnold's signature.

Community Development

Ms. Dunkle updated the Council on the activities of the various boards associated with planning, and on construction in local subdivisions. She said parking problems in the Hermitage subdivision had been resolved, that work to get the Mosby Boulevard sidewalk underway was continuing, and that she was proceeding with Transportation Alternatives Program grants for sidewalk work on East and West Fairfax Streets.

Mr. Dalton noted an upcoming staff meeting with County officials to discuss annexation as described in recent meetings of the Council.

Administration and Finance

Ms. Poulin had nothing to add to her report.

Town Manager

Mr. Dalton said he and other staff members would be meeting later in the week with the Town engineer discuss projects to be pursued with funding from the American Rescue Plan Act.

Mr. Dalton directed the Council's attention to the portion of the agenda packet containing a draft of amendments to the schedule of water and sewer fees and charges. He said the monthly administrative fee charge would increase by \$5.21 for water and \$2.40 for sewer, with a 2 percent increase in availability fees for each. He said he had also clarified multi-family residence charges and had proposed an increase in the cost of camera inspections for mains and laterals.

Mr. Dalton asked the Council to have a public hearing in September on the proposed changes to water and sewer fees and charges.

Recorder Gibson moved that the Council of the Town of Berryville set a public hearing for its regular meeting in September to receive public comment on the **attached** draft Schedule of Water and Sewer Fees and Charges. The motion passed by unanimous voice vote.

13. Committee Updates

Budget and Finance

Recorder Gibson said the committee would meet on September 28 at 10:30 a.m.

Community Development

Ms. Rodriguez said the committee would next meet in October. She then resumed recent discussions of the proposed redesign of the Town website by referring to a PowerPoint presentation that provided statistics on the number and purpose of visits to the website.

Ms. Harrison showed the Council the template preferred by the committee and explained its advantages over the current one.

There was a discussion of the cost of hosting, of what proportion of the \$8,000 fee for the upgrade was associated with branding, and whether tech support would be included in the contract.

Ms. Gibson noted that the website had last been updated in 2016 and said the need for technological improvement was the most important justification for the redesign. Mr. Mazzarino noted that the website had been optimized for a browser that would soon be phased out altogether.

Personnel

Mayor Arnold said the committee would meet on September 28 at 9:00 a.m. to discuss vacancies on the Tree Board and Board of Zoning Appeals.

Public Safety

Ms. McDonald said the committee would next meet on September 28 at 2:00.

Streets and Utilities

Ms. Harrison said the committee would next meet on August 24 at 1:00 p.m.

14. Closed Session

Ms. Harrison moved that the Council of the Town of Berryville enter closed session in accordance with §2.2-3711-A-1 of the Code of Virginia, to discuss and evaluate the performance of a specific individual and to discuss prospective candidates for employment. The motion passed by unanimous voice vote.

The Council entered closed session at 7:58 p.m. and reconvened in open session at 9:37 p.m.

Ms. Rodriguez moved that the Council of the Town of Berryville adopt the **attached** 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. The motion passed by unanimous roll-call vote.

15. Other

No other business came before the Council.

16. Adjourn

The Council adjourned by unanimous voice vote on a motion by Recorder Gibson at 9:38 p.m.

Erecka L. Gibson, Recorder

Paul Culp, Town Clerk

BERRYVILLE TOWN COUNCIL SIGN-UP SHEET

Citizens' Forum

Tuesday, July 13, 2021

7:00 p.m.

Name: _____ **Town of Berryville Resident?**

COREY LUCIER Yes No

_____ Yes No



BERRYVILLE
EST. 1798 *Genuine* VIRGINIA

RESOLUTION HONORING THE CLARKE COUNTY HIGH SCHOOL SOCCER PROGRAM

WHEREAS the Clarke County girls' and boys' soccer programs enjoyed outstanding seasons even by the high standards established throughout the history of both programs; and

WHEREAS the Clarke County girls' soccer team defeated Radford 4-0 in the 2021 Class 2 championship game for the third state title in its history and first since 2006; and

WHEREAS the Clarke County girls' soccer team posted a perfect 13-0 record on the season; and

WHEREAS the Clarke County boys' soccer team reached the 2021 state semifinals after winning its first Bull Run district regular season title since 2012; and

WHEREAS the Clarke County boys' soccer team earned its first state tournament berth since 2012 and its first region title since 2006; and

WHEREAS the Clarke County boys' soccer team outscored its opponents 98-10 *en route* to a record of 11 wins and one loss; and

WHEREAS the stellar performance of the Clarke County High School soccer programs constitutes a noteworthy achievement for the participants, parents, coaches, and support personnel; and

WHEREAS the success of the Clarke County High School soccer program brings honor to the Clarke County School system and to Clarke County as a whole;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Berryville commends and congratulates the Clarke County High School girls' and boys' soccer teams for their superlative accomplishments during the 2021 season.

By order of the Town Council on this thirteenth day of July 2021.

Harry Lee Arnold, Jr., Mayor

Erecka L. Gibson, Recorder

Harry Lee Arnold, Jr.
Mayor

Erecka L. Gibson
Recorder

Donna Marie McDonald
Ward 1

Council Members
Diane Harrison
Ward 2

Grant Mazzarino
Ward 3

Kara C. Rodriguez
Ward 4

Keith R. Dalton
Town Manager

**Town of Berryville
American Rescue Plan Act of 2021
Implementation Plan
ADOPTED _____**

I. Overview

The Town of Berryville is slated to receive \$4,534,986 as a result of the passage of the American Rescue Plan Act of 2021 (ARPA).

The Town is ~~expected to received~~ 50% of the funds (\$2,267,493) in the near term on June 30, 2021 and the remaining funds (\$2,267,493) a year after the first grant is provided.

The period of performance for this grant ends on December 31, 2026, but funds may only be used to cover eligible costs from March 3, 2021 through December 31, 2024 (NOTE: This information is taken from Department of the Treasury, Appendix C Award Terms and Conditions. Other guidance also provided by the Department of Treasury states that funds committed by December 31, 2024 must be spent by December 31 2026). Accordingly, the Town will likely expend ARPA funds in the following fiscal years:

- FY22
- FY23
- FY24
- FY25
- FY26
- FY27 (first half)

ARPA funds must be used to:

- respond to the COVID-19 pandemic and its negative effects in order to assist households, businesses, and non-profits;
- provide for premium or hazard pay for employees;
- address reduced government revenues; and
- make necessary investments in water, sewer, and broadband infrastructure.

II. Approach to properly expending ARPA funds

After review of applicable federal regulations (31 CFR Part 35, RIN 1505-AC77 Coronavirus State and Local Fiscal Recovery Funds, Department of the Treasury, Interim final rule) the Town Council has made findings

regarding community needs and determined how ARPA funds awarded to the Town will be expended.

The Council has made every effort to structure its American Rescue Plan Act of 2021 Implementation Plan (Plan) in a manner that complies with federal laws and regulations and meets the needs of the citizens of Berryville.

Categories of expenditure under the Plan include: response to the pandemic and its negative effects in order to assist households, businesses, and non-profits; provision of premium pay to employees; addressing reduction in revenues to the Town; making necessary investments in water and sewer infrastructure; and pay for administrative costs related to the implementation of the Plan and associated projects.

The Council will monitor the expenditure of funds to ensure that the requirements of the Plan are met. The Council reserves the right to amend the Plan at any time as it deems such amendments necessary. The Council will also provide oversight of Plan implementation and make changes to administrative determinations as it considers such changes necessary.

The Council hereby tasks the Town Manager with management and oversight and management of the Plan. The Council acknowledges that the Manager will develop and adopt regulations, procedures, forms, agreements, and the like that are necessary to fully implement the Plan. The Council acknowledges that the Manager has tasked the Treasurer with compliance with record keeping and reporting requirements under the Plan and ARPA.

The Manager will provide a report on ARPA and the Plan at each regular meeting of the Town Council and at other times as considered necessary by the Council or the Manager. The Manager will cause a page on the Town website to be created and maintained where the Plan and Town Council updates will be posted.

Appeals of determinations and decisions of the Manager made in accordance with the Plan shall be made in writing to the Council within 15 days of the determination or decision in question. Such appeals will be heard by the Council within 60 days of receipt of the appeal. The Council

will issue a written determination on the appeal within 90 days of receipt of the appeal.

III. Attachments

Appendix A

31 CFR Part 35, RIN 1505-AC77 Coronavirus State and Local Fiscal Recovery Funds, Department of the Treasury, Interim final rule

Appendix B

Cost Estimates, Category Expenditure Limits, and Implementation Schedules

Appendix C

Description of Central Business District

Appendix D

Non-prioritized list of necessary water, sewer, and stormwater infrastructure projects approved for consideration

IV. **Response to the pandemic and its negative effects in order to assist households, businesses, and non-profits**

a. Findings

The Council finds that the Town's utility customers experienced difficulties meeting the challenges of paying bills during the pandemic and that credits toward utility bills over a period of time will mitigate some of the negative effects of the COVID-19 pandemic.

The Council finds that the Town's central business district was negatively affected by COVID-19 pandemic. The Council also finds that directional signage directing traffic into the central business district and façade/signage/accessibility improvements to central business district business occupancies will support that district and mitigate some of the negative effects of the COVID-19 pandemic.

The Council finds that non-profit organizations that are located in Town or serve the citizens of Berryville were negatively

affected by the COVID-19 pandemic. The Council also finds that non-profits can, in some instances, best mitigate the negative effects of the COVID-19 pandemic. The Council also finds that John H. Enders Volunteer Fire Department Company and Rescue Squad is an essential part of the response to the COVID-19 pandemic. Accordingly, the Council has determined that grants should be provided to non-profits that serve the citizens of the Town.

The Council finds that the COVID-19 pandemic revealed weaknesses in local government's ability to communicate with and serve the needs of its citizens. The Council also finds that that the COVID-19 pandemic revealed weaknesses in local government's ability to support its essential employees during emergencies, thus revealing a weakness in how well local government can serve its citizens during time of crisis. Accordingly, the Council has determined that emergency communications, cleaning/disinfecting equipment and supplies, life-sustaining supplies for essential employees, and communications with the general public should be improved through the use of ARPA funds.

b. Proposed projects/expenditures

- i. Pay balance on delinquent water and sewer account delinquencies that were 60 days or more in arrears as of June 22, 2021.

Implementation

Qualified account delinquencies would be paid within 10 business days of receipt of first payment from federal government.

- ii. Credit each water and sewer account in the Town system an amount equal to cost of 1,000 gallons of usage (water and sewer) and monthly administrative and facilities fees for the following 6 months.

August 2021

September 2021

October 2021

November 2021

~~December 2021~~
~~January 2022~~

Implementation

Credits would be applied to all qualifying accounts after meters are read in a given billing period.

- iii. Complete a wayfinding sign project to direct traffic to points of interest in central business district.

Implementation

A wayfinding (VDOT program) sign package will be planned and installed and complementary signage will be planned and installed at public parking facilities and Rose Hill Park.

- iv. Provide reimbursement funds for qualifying improvements to eligible commercial buildings in the central business district.

Implementation

Reimbursements of up to \$12,500 will be offered to owners of commercial buildings in the central business district for:

- accessibility improvements (with primary focus on providing access into businesses),
- business sign replacement or refurbishment,
- building façade beautification and improvement, and
- site cleaning and beautification

- v. Provide grants for non-profits that assisted Berryville residents through the difficulties of the COVID-19 pandemic and those non-profits that serve the citizens of Berryville and were negatively affected by the COVID-19 pandemic.

Implementation

Grants would be provided to non-profits serving the citizens of Berryville.

Grants for the following non-profits would be provided in two cycles over two years. Each year of the two-year cycle, the following grants will be available:

John H. Enders Volunteer Fire Department Company and Rescue Squad will receive \$40,000. The grant funds must be used for equipment purchase or maintenance and training.

Barns of Rose Hill will receive \$20,000.* Grant funds must be used as follows:

One-half of the grant must be used to provide reduced-cost or no-cost programming to the community. Such programming must endeavor to support businesses within the Central Business District.

One-half of the grant must be used for building and property improvement or maintenance.

*Non-profit must demonstrate financial harm from COVID-19 pandemic and that such financial harm was not already addressed under the CARES Act.

Grants for housing assistance would be provided in three cycles over three years. Each year of the three-year cycle, the following grants will be available:

A non-profit (or non-profits) will receive \$40,000 for completion of necessary improvements to owner-occupied dwellings within the Town. Household income of owners

receiving assistance from non-profit may not exceed 80% of this community's adjusted medium income (AMI) for the last year information is available. Qualifying improvements include:

- accessibility improvements,
- sanitation improvements,
- roof repair or replacement,
- weatherization,
- window repair or replacement,
- site grading to divert water from dwelling foundation, and
- property cleanup.

- vi. Purchase equipment and supplies to aid in pandemic and other disaster response.

Implementation

The Town of Berryville will purchase items such as: disinfection and cleaning equipment and supplies, personal protective equipment, and material and supplies to sustain employees when working through emergencies.

- vii. Improve emergency communications/response and improve communication with the residents of Town.

Implementation

The Town will purchase both portable and mobile radios for its Police Department, contract to have the Town's website rebuilt, and make improvements in Town/County emergency communications/response.

V. Provide premium pay to qualifying Town employees

a. Findings

The Council finds that all Town employees were relied on to maintain continuity of operations of essential infrastructure sectors that are critical to protect the health and well-being of the residents of Berryville.

The Council also finds that all employees working on-site (excludes teleworking) during the period of time in question were involved in essential work and eligible for premium pay.

b. Proposed projects/expenditures

Implementation

Premium pay of \$400 per month for the period of time from January 1, 2020 to May 31, 2021.

To qualify for this payment, employees must:
have been full-time regular employees or introductory employees during the subject period of time;
be in the employ of the Town as of August 1, 2021;
have worked (excluding remote work) at least fourteen days in a month for which leave is paid; and
have not received other hazard pay for the same period of time.

VI. Address reduction in revenues to Town

a. Findings

After review of the matter, the Council finds that the Town experienced no significant loss as a result of the COVID-19 pandemic.

b. Proposed projects/expenditures

No project/expenditure is expected under this category.

Implementation

No action will be taken.

VII. Complete necessary water and sewer infrastructure projects

a. Findings

The Council finds that the projects enumerated in Appendix D, as may be amended by the Council, are necessary infrastructure projects that may be completed with ARPA funds.

b. Proposed projects/expenditures

Projects enumerated in Appendix D will be completed as funds and administrative capacity permit.

Implementation

The Town Manager will take actions to plan, initiate, and have completed the projects enumerated in Appendix D within the limitations of the Town of Berryville Procurement Policy.

VIII. Pay for administrative costs related to the implementation of the Plan and associated projects

a. Findings

The Council finds that administrative costs associated with implementation of the Plan may be paid from ARPA funds.

b. Proposed projects/expenditures

The Council directs staff to track staff and contractor time that is expended to develop and implement the Plan and manage associated projects, and to provide for required record-keeping and reporting.

Implementation

The Town Manager will cause administrative costs to be tracked and charged against ARPA funds at the end of each month.

IX. Unexpended Funds

Funds remaining unspent for projects or programs enumerated in Sections IV (Response to the pandemic and its negative effects in order to assist households, businesses, and non-profits), V (Provide premium pay to qualifying Town employees), VI (Address reduction in revenues to Town), and VIII (Pay for administrative costs related to the implementation of the Plan and associated projects), may be utilized for programs and projects enumerated in Section VII (Complete necessary water and sewer infrastructure projects).

American Rescue Plan Act of 2021 Implementation Plan Tracking
4/5/21 Town Council Work Session
6/22/21 Town Council Work Session (public hearing set for 7/13/21)

Federal government guidance not included.

DRAFT

Appendix B
Cost Estimates, Category Expenditure Limits, and
Implementation Schedules

7/17/21 changes

Response to the pandemic and its negative effects in order to assist,
households, businesses, and non - profits

Water and sewer bill accounts

Estimated cost of these actions:

- Payment of delinquent accounts	\$ 10,000.00
- Water and sewer account credits	\$ 169,100.00
- Total	\$ 179,100.00

Fiscal year (s)

FY22

Percentage of total federal grant	3.73%
Funds used from first payment	\$ 179,100.00
Funds used from second payment	\$ -
Funds remaining from first payment	\$ 2,088,393.00
Funds remaining from second payment	\$ 2,267,493.00

Signage

Estimated cost of these actions

- Signage	\$ 140,000.00
- Total	\$ 140,000.00

Fiscal year (s)

FY22, FY23&FY24

Percentage of total federal grant	3.00%
Funds used from first payment	\$ 60,000.00
Funds used from second payment	\$ 80,000.00
Funds remaining from first payment	\$ 2,028,393.00
Funds remaining from second payment	\$ 2,187,493.00

Improvements in Central Business District

Estimated cost of these actions	
- Facades, signs, accessibility	\$ 250,000.00
- Total	\$ 250,000.00
Fiscal year (s)	FY22, FY23&FY24
Percentage of total federal grant	5.50%
Funds used from first payment	\$ 125,000.00
Funds used from second payment	\$ 125,000.00
Funds remaining from first payment	\$ 1,903,393.00
Funds remaining from second payment	\$ 2,062,493.00

Non- Profits

Estimated cost of these actions	
- John H Enders FD	\$ 80,000.00
- Barns of Rose Hill	\$ 40,000.00
- Housing assistance	\$ 120,000.00
- Total	\$ 240,000.00
Fiscal year (s)	FY22, FY23 & FY24
Percentage of total federal grant	5.20%
Funds used from first payment	\$ 160,000.00
Funds used from second payment	\$ 80,000.00
Funds remaining from first payment	\$ 1,743,393.00
Funds remaining from second payment	\$ 1,982,493.00

Purchase of equipment and supplies

Estimated cost of these actions	
- Purchase of equipment, etc	\$ 25,000.00
- Total	\$ 25,000.00
Fiscal year (s)	FY22
Percentage of total federal grant	0.50%
Funds used from first payment	\$ 25,000.00
Funds used from second payment	\$ -
Funds remaining from first payment	\$ 1,718,393.00
Funds remaining from second payment	\$ 1,982,493.00

Improve Communications

Estimated cost of these actions

- Website	\$	8,000.00
- Radios	\$	60,000.00
- Other imp.	\$	60,000.00
- Total	\$	128,000.00

Fiscal year (s)	FY22 & FY23
Percentage of total federal grant	2.82%
Funds used from first payment	\$ 128,000.00
Funds used from second payment	\$ -
Funds remaining from first payment	\$ 1,590,393.00
Funds remaining from second payment	\$ 1,982,493.00

Premium Pay

Estimated cost of these actions

- Provide premium pay	\$	172,000.00
- Total	\$	172,000.00

Fiscal year (s)	FY22
Percentage of total federal grant	3.70%
Funds used from first payment	\$ 172,000.00
Funds used from second payment	\$ -
Funds remaining from first payment	\$ 1,418,393.00
Funds remaining from second payment	\$ 1,982,493.00

Address reduction in revenues to Town

Estimated cost of these actions

-	\$	-
- Total	\$	-

Fiscal year (s)	
Percentage of total federal grant	
Funds used from first payment	\$ -
Funds used from second payment	\$ -
Funds remaining from first payment	\$ 1,418,393.00
Funds remaining from second payment	\$ 1,982,493.00

Complete necessary water and sewer infrastructure projects

Estimated cost of these actions

- Cost of the projects	\$ 3,077,986.00
- Total	\$ 3,077,986.00

Fiscal year (s)

FY22,FY23,FY24, FY25,FY26 & FY27

Percentage of total federal grant

67.90%

Funds used from first payment

\$ 1,278,393.00

Funds used from second payment

\$ 1,792,493.00

Funds remaining from first payment

\$ 140,000.00

Funds remaining from second payment

\$ 190,000.00

Pay for administrative costs

Estimated cost of these actions

- Administrative costs per FY (5.5)	\$ 60,000.00
- Total	\$ 330,000.00

Fiscal year (s)

FY22,FY23,FY24, FY25,FY26 & FY27

Percentage of total federal grant

7.27%

Funds used from first payment

\$ 140,000.00

Funds used from second payment

\$ 190,000.00

Funds remaining from first payment

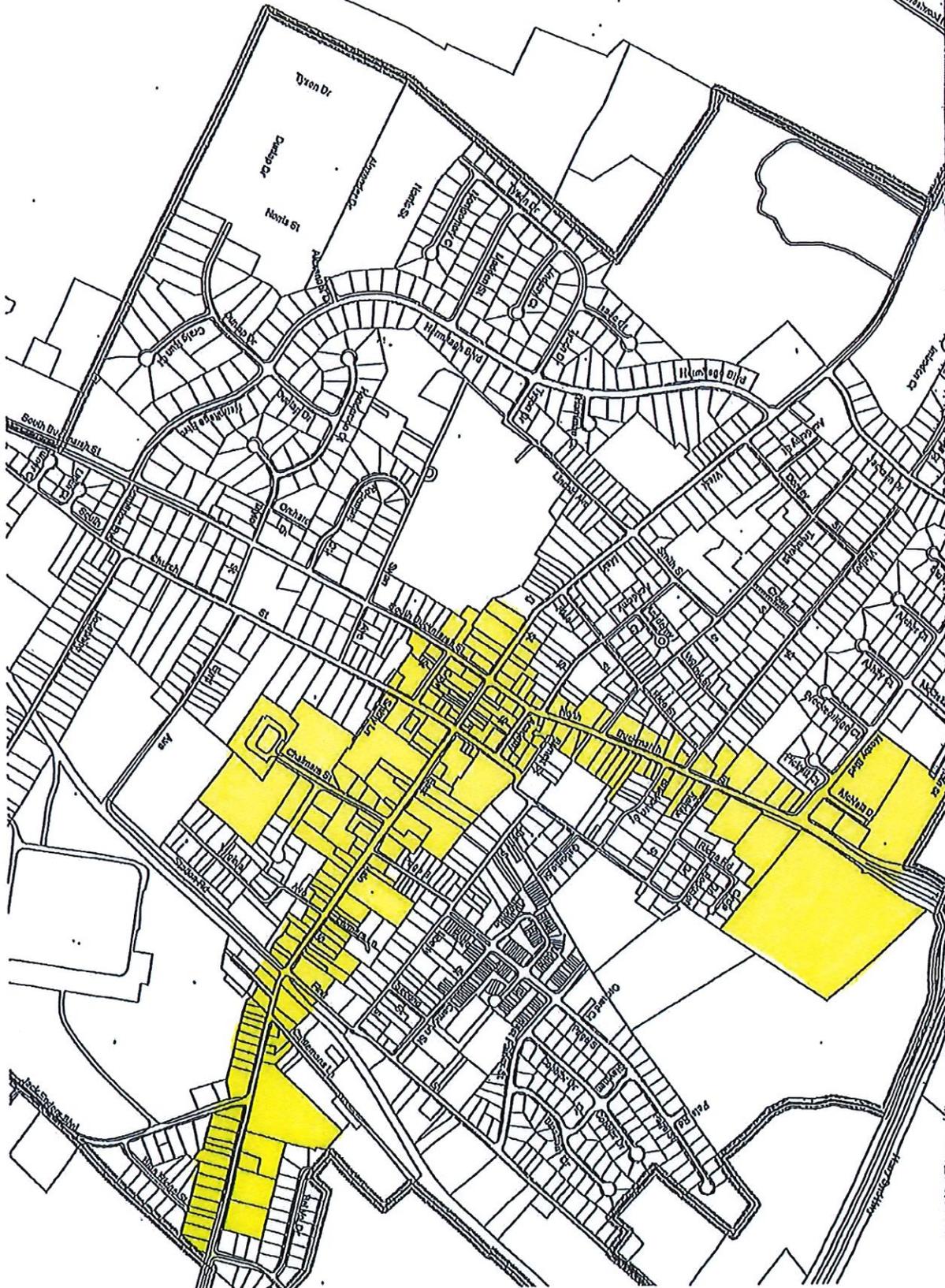
\$ -

Funds remaining from second payment

\$ -

DRAFT

Appendix C Description of Central Business District



DRAFT

Appendix D
Necessary water and sewer (including stormwater)
infrastructure projects

7/7/21 *Chunwa ES*

The following is a list of projects that should be prioritized for completion as a part of the Plan.

Water and sewer

Purchase and install security improvements at water and sewer facilities

Osborne Street, North Church, Bundy Street water and sewer improvements

Purchase and install upgrades to the water and sewer system monitoring and communication network

Computer upgrades at Business Office, Water Treatment Plant, and Wastewater Treatment Plant

Water

Conduct a leak study on the water distribution system to identify problems and provide additional information regarding infrastructure projects that need to be completed and which projects should be prioritized over others

Josephine Street water system improvements

Replace water meter retrofitters/meter setters

Provide for bi-product stripping, aeration, and/or power venting in storage facilities

Booster building repairs (includes pump replacement, pump control, valve replacement, and ventilation)

Water treatment plant improvements (includes replacement of lagoon liners, replacement of pumps, repair of settling basins, eliminating river pump disconnects, and addressing erosion from road stormwater runoff at water intake)

Replace water meters

Rockcroft subdivision water improvements

Bel Voi Street water improvements, including water improvements through True Value property

Battletown Drive water improvements

Replace South Church Street water main from Taylor Street to Crow Street

Construct a water main in Crow Street connecting the mains in Buckmarsh and Church Streets

Acquire and deploy meter reading technology

Replace transmission main from WTP

Sanitary Sewer

Conduct an inflow and infiltration (I&I) study in sewer collection system to identify problems and provide additional information regarding infrastructure projects that need to be completed and which projects should be prioritized over others.

Create a sump pump/sewer system connection abatement program

Upgrade Hermitage sewer pump station and add emergency generator

Upgrade Berryville Glen sewer pump station and add emergency generator

Upgrade First Street (Boom Road) pump station and replace or overhaul emergency generator.

Water treatment plant improvements (including replacement of membranes, crane repair/replacement, elimination of blower disconnects, replacement/refurbishment of pumps, lagoon cleaning and repair

Rehabilitate manholes (may be identified as needing repair or replacement in I&I study)

Repair/replace sewer mains (may be identified as needing repair or replacement in I&I study)

Storm Sewer

Complete work to eliminate ponding on Virginia Avenue

Complete work to modify Jackson Drive pond to divert stormwater from Dorsey Street

Complete piping to convey stormwater from Academy Street Extended to a defined channel

Complete work to convey stormwater from the end of Ashby and Archer Courts to a defined channel

Complete work to convey stormwater from Dorsey and Treadwell Streets to the stormwater collection system in Main Street and upgrade the storm structure that conveys water from a point west of Smith Street to the Town Run at Lincoln Avenue

Improve storm structure in Main Street west of 36 and 37 East Main Street to convey stormwater to the Town Run at Chalmers Court

Address necessary maintenance of Town Run and its tributaries to ensure proper flow of stormwater

Modify stormwater management areas to improve performance

Repair or modify stormwater conduits under sidewalks to address blockages

Reconstruct bridge in Rose Hill Park to reduce restriction of Town Run

Complete work to improve stormwater management on Crow Street

TOWN OF BERRYVILLE
SCHEDULE OF WATER AND SEWER FEES AND CHARGES

Effective November 19, 2020

Proposed to be effective November 18, 2021

I. USER FEES

A. WATER

1. Within corporate limits or the limits of an approved annexation area: \$8.15 per 1,000 gallons of usage. Minimum charge \$5.00 per month for usage under 1,000 gallons during billing period.
2. Other: \$10.18 per 1,000 gallons of usage. Minimum charge \$6.25 per month for usage under 1,000 gallons during billing period.

B. SEWER

1. Within corporate limits or the limits of an approved annexation area: \$17.27 per 1,000 gallons of usage. Minimum charge \$15.00 per month for usage under 1,000 gallons during billing period.
2. Other: \$21.58 per 1,000 gallons of usage. Minimum charge \$18.75 per month for usage under 1,000 gallons during billing period.

II. ADMINISTRATIVE AND FACILITIES FEES AND DEPOSITS

A. ADMINISTRATIVE AND FACILITIES FEES

Monthly Administrative and Facilities Fees, charged with usage:

Water \$7.13 12.34

Sewer \$4.82 7.22

Late Fee: 10% of bill amount

Service Disconnection/Reconnection Fee: \$50

Returned Check/ACH Fee: \$50

B. DEPOSITS

Residential: individually metered single-family units, town homes, and duplexes: \$240 255

Residential: multi-family with master meter: \$185 200 per unit

Business/Commercial excluding restaurants and laundries: \$240 255

Restaurant: \$835 850*

Laundry: \$4,560 4,575*

Institutional: \$1,580 1,595*

Industrial: \$5,600 5,615*

*Town Manager may increase or decrease on the basis of actual usage.

Note: Town Manager may establish reasonable deposit amounts for use types not anticipated by this schedule.

III. AVAILABILITY FEES

A. WATER

Meter Size (Inches)	Demand Ratio	Avail. Fee (Corp. Limits or Annex. Area)	Avail. Fee (Other)	Meter Cost
5/8	1	\$ 13,840.00	\$ 17,300.00	Meter Fee
3/4	1.5	\$ 20,760.00	\$ 26,950.00	Meter Fee
1	2.5	\$ 34,600.00	\$ 43,250.00	Meter Fee
1.5	4.375	\$ 60,560.00	\$ 75,688.00	Meter Fee
2	8	\$ 110,720.00	\$ 138,400.00	Meter Fee
3	16	\$ 221,144.00	\$ 276,800.00	Meter Fee
4	25	\$ 346,000.00	\$ 432,500.00	Meter Fee
6	50	\$ 692,000.00	\$ 865,000.00	Meter Fee

Greater than 6", Demand Ratio (AWWA M22) multiplied by fee for Demand Ratio 1.

Meter Size (Inches)	Demand Ratio	Avail. Fee (Corp. Limits or Annex. Area)	Avail. Fee (Other)	Meter Cost
5/8	1	\$ 14,118	\$ 17,648	Meter Fee
3/4	1.5	\$ 21,177	\$ 26,472	Meter Fee
1	2.5	\$ 35,295	\$ 44,120	Meter Fee
1.5	4.375	\$ 61,766	\$ 77,210	Meter Fee
2	8	\$ 112,944	\$ 141,184	Meter Fee
3	16	\$ 225,888	\$ 282,368	Meter Fee
4	25	\$ 352,950	\$ 441,200	Meter Fee
6	50	\$ 705,900	\$ 882,400	Meter Fee

Greater than 6", Demand Ratio (AWWA M22) multiplied by fee for Demand Ratio 1.

Notes:

(a) Multi-family residences are defined as any master-metered group of apartment, townhouse, condominium, or other residential units with each unit having separate kitchen facilities.

(b) In cases in which a master meter serves multi-family residences or a combination of multi-family and commercial units, the applicant will pay a fee based on the higher of A) an amount derived by multiplying the unit charge of \$11,072.8 by the applicable water availability fee for demand ratio 1 for a multi-family residence times the total number of residential and commercial units to be served by a single meter, or B) an amount based on the meter size as specified above.

(c) Meter fee is calculated by adding the cost of the meter and a 30% (of meter cost) handling fee.

B. SEWER

Meter Size (Inches)	Demand Ratio	Avail. Fee (Corp. Limits or Annex. Area)	Avail. Fee (Other)
5/8	1	\$ 14,865.00	\$ 18,581.00
3/4	1.5	\$ 22,298.00	\$ 27,872.00
1	2.5	\$ 37,163.00	\$ 46,453.00
1.5	4.375	\$ 64,960.00	\$ 81,200.00
2	8	\$ 118,920.00	\$ 148,650.00
3	16	\$ 237,840.00	\$ 297,300.00
4	25	\$ 371,625.00	\$ 464,531.00
6	50	\$ 743,250.00	\$ 929,050.00

Greater than 6", Demand Ratio (AWWA M22) multiplied by fee for Demand Ratio 1.

Meter Size (Inches)	Demand Ratio	Avail. Fee (Corp. Limits or Annex. Area)	Avail. Fee (Other)
5/8	1	\$ 15,162	\$ 18,952
3/4	1.5	\$ 22,743	\$ 28,428
1	2.5	\$ 37,905	\$ 47,380
1.5	4.375	\$ 66,334	\$ 82,915
2	8	\$ 121,296	\$ 151,616
3	16	\$ 242,592	\$ 303,232
4	25	\$ 379,050	\$ 473,800
6	50	\$ 758,100	\$ 947,600

Greater than 6", Demand Ratio (AWWA M22) multiplied by fee for Demand Ratio 1.

IV. LATERAL OR CONNECTION FEES

Connection to the Town's water distribution and/or sewer collection system may be completed only if the following conditions are met:

- Party applying to connect to the system agrees to assume all costs associated with connection to the systems, including excavation, taps, vaults, traffic control, restoration (including pavement), testing, inspections, etc.
- Contractor responsible for completing work has been vetted and approved by the Town.

- Plans for the work, including restoration, have been approved by the Town.
- Required surety has been approved and provided to the Town.
- Required insurance coverage is in place and documentation thereof provided to the Town.
- Required permits have been issued by the Town, Virginia Department of Transportation, or other applicable agency.

V. INSPECTIONS

A. Sanitary Sewer Camera Service and Storm Sewer Camera Inspection Service

1. Mains and Laterals Over 4 Inches in Diameter

Mobilization Fee: \$300

Camera Fee: ~~\$2.50~~ 3.00 per linear foot

2. 4-Inch Laterals

Laterals Under 50 Feet in Length: \$150

Laterals 50 Feet in Length or Greater: \$150 plus ~~\$2.50~~ 3.00 per linear foot

B. Inspections

Town staff: \$65 per hour (1 hour minimum for any inspection then billed at ½ hr. increments thereafter)

Licensed professional engineer or approved third-party inspector: Cost

C. Hydrant Flow Tests

\$65 per hour (1 hour minimum for any test then billed at ½ hr. increments thereafter) plus cost of water (includes water and sewer charges)

Notes:

Cleaning of lines will be required prior to camera use: Line cleaning is the responsibility of the applicant. If lines are not clean and camera crew must remobilize later to perform the inspection, a second mobilization fee will be charged.

Hydrant flow tests: Hydrant flow tests must be scheduled with the Director of Public Works no less than three work days in advance of test. Contractor will supply gauges and will be responsible for recording results. Town personnel will operate hydrant.

VI. SIGNIFICANT INDUSTRIAL USER FEES

Sewer system discharge permit: \$500

VII. WATER METER TESTING

5/8" meter: \$100

All other meters: \$100 + cost

Note: Fee is refunded if meter is found to be over-registering.

VIII. HYDRANT METERS

Nonrefundable account establishment fee: \$50

Meter deposit: \$1,200 1,500 (deposit refunded upon return of undamaged meter)

Note: Usage metered through hydrant meters will be billed for both water and sewer user fees.

IX. UNAUTHORIZED USE OF SERVICE

For unauthorized water withdrawals from fire hydrants or any other part of the Town water system, or when a customer willfully takes steps to reactivate service after service has been disconnected by the Town because of nonpayment of any charge owed to the Town, and the Town must take action to discontinue service again by removal of the meter or by any other necessary measures, a \$250 charge for unauthorized use of services will be imposed. This charge will be in addition to any other charge for water and sewer services owed to the Town, and in addition to any legal remedies the Town may pursue for unauthorized use of service.

Approved by Town Council on ~~September 8, 2020~~. EXPECTED on or about September 14, 2021.

Motion to Enter Closed Session

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

DATE: July 13, 2021

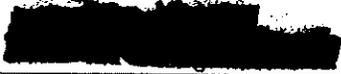
MOTION: Harrison

VOTE:

Aye: Unanimous voice vote.

Nay:

Absent/Abstain:

ATTEST: 

Erecka Gibson, Recorder

TOWN COUNCIL
MOTION
CLOSED SESSION RESOLUTION

DATE: July 13, 2021

MOTION BY: *Rodriguez*

SECOND BY:

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

Resolution

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

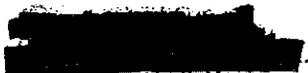
NOW, THEREFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii)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

VOTE:

Aye: *Unanimous roll-call vote.*

Nay:

Absent/Abstain:

ATTEST: 

Erecka Gibson, Recorder

BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE
Berryville-Clarke County Government Center
MINUTES
August 24, 2021

A meeting of the Berryville Town Council Streets and Utilities Committee was held on Tuesday, August 24, 2021 at 1:30 p.m. in the Berryville-Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

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

Staff present: Keith Dalton, Town Manager; Paul Culp, Town Clerk; Christy Dunkle, Community Development Director; Neil White, Chief of Police; David Tyrrell, Utilities Director

1. Call to Order

Ms. Harrison called the meeting to order at 1:30 p.m.

2. Approval of Agenda

The agenda was approved by consensus after Mr. Dalton asked to add a discussion of new construction standards for wastewater pumping stations and suggested a change in the order of items to accommodate a staff member who had been unavoidably delayed.

3. New Business

Mr. Dalton directed the committee's attention to a draft of the aforementioned construction standards. He said the new measures would help provide more efficient use of resources and improved conditions at the pumping stations and that he planned to present them to the full Town Council in September. Ms. Rodriguez asked whether a public hearing would be necessary, and Mr. Dalton said it would not be.

Ms. Harrison then addressed the agenda item related to complaints the Council had received about truck traffic on South Church Street and assorted other locations in town. There was a discussion of control measures including re-routing, signage, and the imposition of weight limits for restricting certain types of commercial traffic.

There was a discussion of enforcement procedure and police protocols.

Mr. Dalton said the Virginia Department of Transportation allows localities considerable latitude in regulating such matters on secondary streets but that it would be affected by control measures in some of the areas under discussion and that its expertise would be needed. He said he and Chief White would have further discussions and would involve VDOT, with a Council work session and

public hearing possibly resulting. Mr. Dalton said he would attempt to arrange one with VDOT in October.

There was a discussion of street lighting, particularly problem areas about which residents had contacted members of the Town Council. Mr. Dalton said he would prepare particular recommendations for discussion in the September 14 regular meeting.

Mr. Dalton then took up the agenda item on water/sewer billing related to pool filling. He noted that a petition had been circulated by a resident who had spoken during citizens' forum in the July meeting of the Council, and briefly described policies applied by certain other municipalities to residents who use large quantities of water for swimming pools or irrigation. He noted complexities that arise as consequences of those policies, including excessing expenditure of staff time on the reading of separate meters.

Ms. Rodriguez expressed concern about staff time and revenue loss associated with such a policy. Ms. Harrison noted that persons with swimming pools would incur considerable expense in filling those pools, whether via tanker truck or Town water. She said revenue must be raised and that residents who do not own pools should not be made to supply an unfair share. She said the Council had held public hearings on utility rates and the structure thereof and that no one had expressed concern about the cost of pool filling.

Mr. Dalton said the cost of establishing new measures would have to be passed along to users of the system.

The committee agreed to mention the present discussion in the September meeting of the full Council, when a public hearing on utility rates would occur.

4. Unfinished Business

Mr. Dalton briefly updated the committee on the status of projects being undertaken with funding from the American Rescue Plan Act, including a leak study for the water system; sanitary sewer study; assorted projects on Osborne, Bundy, Josephine, and North Church Streets and Ridge Road; water meter replacement; computer replacement in the administrative department; acquisition of new radios for the police department; upgrades to the Hermitage pump station; alleviation of draining problems on Virginia Avenue and in the Northwest Quadrant; and updates to the Town website.

Ms. Rodriguez said she had not seen many recycling totes in use and asked whether it would be possible to communicate further with residents regarding the availability of upgraded containers. Mr. Dalton said he was planning to suggest that ARPA funding be applied to a variety of communications initiatives and that a newsletter or something of that nature could be developed to provide the public with more information about the Town's recycling program.

Ms. Dunkle provided updates on the impending overhaul of the Town website; the Mosby Boulevard sidewalk grant and other grants associated with development; and street trees. She said she was doing research on the annexation the Council had decided to pursue.

5. Other

The committee agreed to meet again on October 26 at 1:30 p.m.

6. Closed Session

None.

7. Adjournment

The meeting adjourned by consensus at 2:59 p.m.