

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
September 14, 2021
7:00 p.m.

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

Staff: Present--Keith Dalton, Town Manager; Christy Dunkle, Community Development Director; Paul Culp, Town Clerk; Cynthia Poulin, Treasurer

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 requested a motion for approval of remote participation by Ms. Rodriguez.

Recorder Gibson 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 Kara Rodriguez at this meeting because of COVID-19-related concerns. The motion passed by unanimous voice vote.

Mayor Arnold noted Ms. Harrison's absence.

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

4. Presentations/Awards/Recognitions

Tree Board Chairman William Bigelow and Vice-Chair Lilian Ledford described the history of the Board's activities and its role in the Town's Tree City USA status. They said the Board had been assigned to make recommendations about replacement of street trees in the downtown area, that it had identified 15 tree-planting areas and was recommending the removal of three trees, replacement of two, and addition of two. They said the approximate cost of two replacement trees, two new trees,

and two large cement containers would be \$1,900. They also noted that the Board needs to fill two vacancies.

5. Public Hearings

Proposed Changes to Schedule of Water and Sewer Fees and Charges

Mr. Dalton explained that the water fund and sewer fund are enterprise funds that must operate via revenue derived from user fees and availability fees or through borrowing or grants. He cited a rate study by the Town engineer that had evaluated the Town's needs for the next two decades and on which the Council had based rate adjustments in 2019 and 2020. He noted that the **attached** amended fee schedule used in the development of the Fiscal Year 2022 budget did not suggest any changes in user fees but that it called for increases of \$5.21 and \$2.40 for administrative fee charges for water and sewer respectively, increases of 2 percent in availability fees, an increase of 50 cents in the per-linear-foot camera inspection fee, an increase in the hydrant meter deposit from \$1,200 to \$1,500, and a requirement for account deposits to incorporate the increase in administrative and facilities fees. Mr. Dalton said the schedule also proposed establishment of a hydrant flow test fee.

Ms. Rodriguez said the Streets and Utilities Committee, responding to concerns expressed by residents with swimming pools or significant irrigation needs, had discussed what might be done to reduce the costs incurred by those residents but had determined that the Town would be unable to recoup the costs involved in making the suggested changes.

Mayor Arnold opened the public hearing at 7:12 p.m.

Berryville resident Mary Ivie said she had moved to Berryville in order to avoid rising costs elsewhere but that the Town had displayed a pattern of imposing small fee increases over the years in a manner harmful to persons living on fixed incomes. She said the Town overemphasized new development and neglected well-established residents.

No further comment from the public occurred, and Mayor Arnold closed the hearing at 7:15 p.m.

Public Information Meeting: East and West Fairfax Street Sidewalk Grants—Transportation Alternatives Program (TAP)

Mayor Arnold explained that he owns two properties that would be affected by action on the matter and read the **attached** statement of recusal. He then left the room for the remainder of the hearing, with Recorder Gibson presiding in his absence.

Recorder Gibson called the public information meeting to order at 7:18 p.m.

Ms. Dunkle explained that the Town had been approved by VDOT to move into the final round for consideration for a TAP grant that would fund projects on Fairfax Street on an 80/20 basis, with the

Town being responsible for 20 percent of the total cost. She said this now stands at \$19,844 for East Fairfax and \$260,375 for West Fairfax, with some increase likely because of the timeframe for approval. Ms. Dunkle said the deadline was October 1 for final submission, requirements for which include the present public information meeting, resolutions of support from the Council, and letters of support that she had requested from the Northern Shenandoah Valley Regional Commission and Clarke County.

Ms. Dunkle said the East Fairfax project would be located within the current right of way and would involve approximately 330 linear feet of sidewalk, that it would front twelve townhomes, with a crosswalk and detectable warning surfaces at Page and Fairfax Streets, that the new sidewalk would connect with the sidewalk constructed with the Fellowship Square development, and that the preliminary engineering report had been completed.

Ms. Dunkle said the West Fairfax project would entail approximately 800 linear feet of sidewalk with curb and gutter, twelve feet of right-of-way acquisition, upgrades to stormwater management, and reconfiguration of the intersection at North Buckmarsh and Fairfax Streets to accommodate a turn lane.

Mr. Dalton noted that the matter had been discussed by the Streets and Utilities Committee.

Marianne Casey, a resident of West Fairfax Street, said she would like more information on how residents would be compensated for the loss of property that would occur through the Town's acquisition of a 12-foot right of way, and more information on the location of stormwater management measures. She expressed concern about the damage to trees, and the associated cost. She said the costs of sidewalk work could have been absorbed by the developers of the Shenandoah Crossing and Fellowship Square subdivisions and not passed on to residents.

Michelle Martin of Ridge Road also expressed concern about compensation for loss of property, and cited traffic problems and safety matters that she said would create a need for a suitable crossing of U.S. Route 340.

No other members of the public addressed the gathering, and Recorder Gibson closed the public information meeting at 7:31 p.m.

6. Discussion of Public Hearing Items

Ms. McDonald, Ms. Dunkle, and Mr. Dalton discussed the precise location of the proposed sidewalks.

Mr. Dalton, responding to Ms. Casey's comments, said that in 2005 the Town had discussed with the developer the possibility of proffers for improvements on West Fairfax, that public meetings on the matter had occurred but that the developer had not agreed to proceed, and that the legislature had subsequently curtailed the ability of localities to negotiate proffers.

A discussion established that adoption of the resolutions placed before the Council in support of the grant applications would move the process forward but that the Town, in the event of the application's approval, would not incur a binding commitment until it accepts funding.

There was a discussion of the time frame for initiating and completing the project.

Recorder Gibson asked about the Town's options for providing its share of the funds. Mr. Dalton said that realism and honesty required him to state that a one-time increase in taxes probably would be necessary. He said the Town would need to raise \$45,000 annually for seven years or \$60,000 annually for five years, and noted that 1 cent on the tax rate generates approximately the latter amount annually. He stressed that access control, stormwater management, and pedestrian safety on West Fairfax, which is part of the collector system, are reasonable objectives for a locality to pursue.

Ms. Dunkle said the grants are highly competitive and the Town is not guaranteed acceptance of its application.

Mr. Mazzarino initiated a brief discussion of the results of performing work on East Fairfax only.

Ms. Rodriguez said she was in favor of the grant applications but not necessarily in favor of a tax increase.

Mr. Mazzarino moved that the Council of the Town of Berryville adopt the attached resolution supporting a VDOT Transportation Alternatives Program Grant for sidewalk installation on East Fairfax Street. The motion passed by a unanimous voice vote of those present, Mayor Arnold having recused himself.

Mr. Mazzarino moved that the Council of the Town of Berryville adopt the attached resolution supporting a VDOT Transportation Alternatives Program Grant for sidewalk and additional facilities installation on West Fairfax Street. The motion passed, with Recorder Gibson, Mr. Mazzarino, and Ms. Rodriguez voting aye, Ms. McDonald nay, and Mayor Arnold having recused himself.

Mayor Arnold then returned to the room and his role as presiding officer.

No further discussion of public hearing or public information items occurred.

Recorder Gibson moved that the Council of the Town of Berryville approve the attached Schedule of Water and Sewer Fees and Charges and that the schedule become effective November 18, 2021. The motion passed by unanimous voice vote.

7. Citizens' Forum

Michelle Marino introduced herself as the new president of Berryville Main Street. She said she had lived in Berryville for twelve years and now serves on the Planning Commission. She said she wanted to rebrand BMS in a manner that would align it more closely with the Town and that she hoped to foster closer cooperation between the two.

8. Consent Agenda

The consent agenda comprised the minutes of the July 13 Town Council regular meeting and the August 24 meeting of the Streets and Utilities 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

Mr. Dalton said the Town Code provides for the Council to designate a particular date and time for trick-or-treating. He noted that he had sent the Council a memorandum earlier in the day and that the current guidelines from the Centers for Disease Control and the Health Department differed little from those of the previous year. The consensus of the Council was that it should act immediately rather than waiting until the October meeting.

Recorder Gibson moved that the Council of the Town of Berryville, in accordance with §13-38 of the Berryville Code, designate October 31, 2021 between the hours of 6:00 p.m. and 8:30 p.m. as the period in which trick-or-treating may occur within the Berryville town limits. Residents who wish to participate in giving treats should turn on their porch lights during designated hours. Trick-or-treaters should only visit homes at which a porch light is activated.

Individuals choosing to participate in trick-or treating are encouraged to follow CDC-recommended precautions, including distributing treats outside, maintaining sufficient social distance, wearing proper face coverings, avoiding direct contact between treat providers and trick-or-treaters, and washing hands/utilizing hand sanitizer frequently.

The motion passed, with Ms. McDonald voting nay and all other members aye.

11. Council Member Reports

Mayor

Mayor Arnold briefly noted some activities in which he had participated since the previous Council meeting, including a ribbon-cutting at Woody's Quick Stop, the opening of the County Fair, staffing of the Town's food booth at the fair, and the 9/11 memorial ceremony at the high school.

Recorder and Wards 1, 2, and 4

Recorder Gibson had nothing to add. Ms. McDonald had nothing to add. Ms. Harrison was absent. Ms. Rodriguez had nothing to add.

Ward 3

Mr. Mazzarino said residents had expressed concern about utility rates. He said the matter is complex and that he has no objection at present to the Town's position but that it should be revisited in future budget deliberations.

12. Staff Reports

Public Works

Nothing was added to the written report.

Public Utilities

Nothing was added to the written report.

Police

Mr. Dalton noted that Chief Neal White's reappointment to the Old Dominion Community Criminal Justice Board had not occurred in the July meeting as planned because the wording of the motion for his appointment to that body and to the Old Dominion Alcohol Safety Action Program Board had not provided all of the necessary verbiage.

Recorder Gibson moved that the Council of the Town of Berryville appoint Neal White to a three-year term on the Community Criminal Justice Board, with such term to begin immediately. The motion passed by unanimous voice vote.

Community Development

Departmental Report and Construction Update

Ms. Dunkle briefly updated the Council on the activities of the various boards associated with planning and community development, and on the progress of the Shenandoah Crossing, Fellowship Square, and Hermitage Phase V subdivisions.

There were discussions of stormwater in Hermitage, traffic on Page Street, and upkeep of an undeveloped property in Fellowship Square.

Annexation

Ms. Dunkle said the County had agreed to the annexation, discussed in previous meetings, of the Berryville Public Works acreage, properties at 341 and 343 First Street, 25 Battletown Drive, and Bel Voi Farm/Friant Enterprises. She said the property owners have been notified and that the Town and County were not required to hold a joint public hearing on the matter but that the Council would hold one in its October meeting. She said the annexation, if approved, would become effective on January 1, 2022.

Ms. Dunkle and Mr. Dalton confirmed that the most recent annexation had occurred on January 1, 2007.

Recorder Gibson moved that the Council of the Town of Berryville set a public hearing for its next regular meeting on October 12, 2021 to hear public comment on proposed annexation to become effective on January 1, 2022. The motion passed by unanimous voice vote.

Bond Release: Robert Regan Village

Ms. Dunkle said the Council in March 2019 had set the bonds for public improvement and erosion and sediment control in Robert Regan Village at an amount totaling \$292,174.68 and had reduced the bond in its February 2021 meeting, retaining \$38,762.83 for public improvements and items identified by the Town engineer, including stormwater detention facilities and sidewalks. She said all of the items had been addressed and resolved, and recommended release of the bond.

Recorder Gibson moved that the Council of the Town of Berryville approve the bond release for the Robert Regan Village in the amount of \$38,762.83. The motion passed by unanimous voice vote.

Updates to Town of Berryville Construction Standards and Specifications Manual

Ms. Dunkle directed the Council's attention to the report in which she had explained the changes recommended for verbiage pertaining to sanitary sewer pump stations.

Recorder Gibson moved that the Council of the Town of Berryville approve the proposed changes to the Construction Standards and Specifications Manual as presented. The motion passed by unanimous voice vote.

Administration and Finance

Ms. Poulin introduced the resolution to charge off delinquent personal property taxes for tax year 2015.

Recorder Gibson moved that the Council of the Town of Berryville adopt the attached resolution to charge off delinquent personal property taxes for Tax Year 2015. The motion passed by unanimous voice vote.

Town Manager

Mr. Dalton did not add to his written report. He thanked Ms. Marino of Berryville Main Street for her remarks and said that in a recent meeting with him she had requested that the Town renew BMS's lease on the property owned by the Town at 23 Main Street. He recommended a public hearing on the matter in November.

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 had met in July to discuss the agreed-upon upgrade of the Town website and that it likely would meet in October and November.

Personnel

Mayor Arnold said the committee would meet on September 28 at 9:00 a.m. to discuss vacancies on appointive bodies.

Public Safety

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

Streets and Utilities

Ms. Rodriguez said the committee had met in August to discuss stormwater projects being carried out with funding from the American Rescue Plan Act, and sewer fees. She said she would consult Ms. Harrison, the committee chair, about the date of the next meeting.

14. Closed Session

No closed session occurred.

15. Other

No other business came before the Council

16. Adjourn

The Council adjourned by consensus on a motion by Recorder Gibson at 8:37 p.m.

Erecka L. Gibson, Recorder

Paul Culp, Town Clerk

TOWN COUNCIL SIGN-UP SHEET
Public Information Meeting on East and West Fairfax Street Sidewalk Grants
September 14, 2021

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

Marianne Casey Yes No

Michelle Martin Yes No

_____ Yes No

BERRYVILLE TOWN COUNCIL SIGN-UP SHEET

Citizens' Forum

Tuesday, September 14, 2021

7:00 p.m.

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

Michelle Marino, Berryville Main Street Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

_____ Yes No

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	\$ 25,950.00	Meter Fee
1	2.5	\$ 34,600.00	\$ 43,250.00	Meter Fee
1.5	4.375	\$ 60,550.00	\$ 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.

Disqualification Made in Accordance with §2.2-3112 of the Virginia Code

I am aware the Town of Berryville is considering applying for a Transportation Alternatives Program grant from the Virginia Department of Transportation to construct public improvements along Fairfax Street. The first step in this grant process is for the Town Council, of which I am a member, to review public comment and Town staff's recommendation and determine whether the Town will apply for grant funds. If the grant is awarded, then the Town will be responsible for 20% of the cost of the project.

I am the owner of two improved properties with frontage on West Fairfax Street that will be affected by the proposed project. I have determined that I have an interest in this transaction.

Accordingly, I hereby disqualify and recuse myself from participating in this matter as a member of the Berryville Town Council.

Harry Lee Arnold

Date

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BERRYVILLE
EST. 1798 *Genuine* VIRGINIA

RESOLUTION OF GOVERNING BODY OF THE TOWN OF BERRYVILLE

A RESOLUTION: IN SUPPORT OF THE VDOT TRANSPORTATION ALTERNATIVES PROGRAM GRANT FOR SIDEWALK INSTALLATION ON EAST FAIRFAX STREET

WHEREAS, the Council of the Town of Berryville ("Council") will be requesting Transportation Alternatives Program (TAP) grant funding in order to fund the construction of a new sidewalk on the south side of East Fairfax Street between Page Street and the Fellowship Square development; and

WHEREAS, Council has identified the need for pedestrian connectivity along Fairfax Street to accommodate safe pedestrian access by residents of new and existing multi- and single-family residential development; and

WHEREAS, Council has committed to provide the 20% match and provide future maintenance and upkeep of the completed project.

NOW, THEREFORE BE IT RESOLVED that the Council of the Town of Berryville, Virginia hereby supports the Transportation Alternatives Program grant application for the installation of sidewalk on the south side of East Fairfax Street between Page Street and the Fellowship Square development.

Passed this 14th day of September, 2021.

Attest:  By: Harry Lee Arnold, Jr., Mayor

CERTIFICATION

I hereby certify that the above resolution was duly adopted by the Council of the Town of Berryville, in a duly assembled meeting on the 14th day of September, 2021.


Erecka L. Gibson, Recorder

Harry Lee Arnold, Jr.
Mayor

Erecka L. Gibson
Recorder

Council Members

Donna Marie McDonald
Ward 1

Diane Harrison
Ward 2

Grant Mazzarino
Ward 3

Kara C. Rodriguez
Ward 4

Keith R. Dalton
Town Manager

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BERRYVILLE
EST. 1798 *Genuine* VIRGINIA

RESOLUTION OF GOVERNING BODY OF THE TOWN OF BERRYVILLE

A RESOLUTION: IN SUPPORT OF THE VDOT TRANSPORTATION ALTERNATIVES PROGRAM GRANT FOR SIDEWALK AND ADDITIONAL FACILITIES INSTALLATION ON WEST FAIRFAX STREET.

WHEREAS, the Council of the Town of Berryville (“Council”) will be requesting Transportation Alternatives Program (TAP) grant funding in order to fund the construction of sidewalk and associated improvements on West Fairfax Street between North Church Street and North Buckmarsh Street (US 340); and

WHEREAS, Council has identified the need for pedestrian connectivity along Fairfax Street to accommodate safe pedestrian access by residents of new and existing multi- and single-family residential development; and

WHEREAS, Council has committed to provide the 20% match and provide future maintenance and upkeep of the completed project.

NOW, THEREFORE BE IT RESOLVED that the Council of the Town of Berryville, Virginia hereby supports the Transportation Alternatives Program grant application for the installation of a sidewalk and associated improvements and on West Fairfax Street.

Passed this 14th day of September, 2021.

Attest: _____ By: Harry Lee Arnold, Jr., Mayor

CERTIFICATION

I hereby certify that the above resolution was duly adopted by the Council of the Town of Berryville, in a duly assembled meeting on the 14th day of September, 2021.

Erecka L. Gibson, Recorder

Harry Lee Arnold, Jr.
Mayor

Erecka L. Gibson
Recorder

Council Members

Donna Marie McDonald
Ward 1

Diane Harrison
Ward 2

Grant Mazzarino
Ward 3

Kara C. Rodriguez
Ward 4

Keith R. Dalton
Town Manager

TOWN COUNCIL
MOTION FOR APPROVAL:
ADOPTION OF RESOLUTION TO CHARGE OFF
DELINQUENT PERSONAL PROPERTY TAXES FOR TAX YEAR 2015

Date: September 14, 2021

Motion By:

Gibson

Second By:

I hereby move that the Council of the Town of Berryville adopt the attached resolution to charge off delinquent personal property taxes for Tax Year 2015.

VOTE:

Aye:

Unanimous voice vote

Nay:

Absent:

ATTEST: _____

Erecka L. Gibson, Recorder

TOWN OF BERRYVILLE
TOWN COUNCIL
RESOLUTION

WHEREAS, Section 58.1-3940 of the Code of Virginia, 1950, as amended, provides the collection of local personal property taxes shall only be enforceable for five years following December 31 of the year for which such taxes were assessed, and

WHEREAS, the attached personal property taxes assessed by the Town of Berryville, Virginia for tax year 2015, have remained delinquent for the year for which such taxes were assessed and are therefore rendered unenforceable,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Berryville, Virginia, in meeting duly assembled this fourteenth day of September, 2021, that the attached list of delinquent personal property taxes for tax year 2015 shall be charged off the tax records of the Town of Berryville as uncollectible.

Harry Lee Arnold, Jr., Mayor

I hereby certify that the foregoing Resolution was duly adopted by the Council of the Town of Berryville in meeting assembled September 14, 2021.

ATTEST:

Erecka L. Gibson, Recorder

BERRYVILLE TOWN COUNCIL BUDGET AND FINANCE COMMITTEE
Berryville-Clarke County Government Center
MINUTES
September 28, 2021

A meeting of the Berryville Town Council Budget and Finance Committee was held on Tuesday, September 28, 2021 at 10:30 a.m. in the Berryville-Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

Attendance: Members of the Committee present: Recorder Erecka Gibson, Chair; Donna McDonald

Staff present: Keith Dalton, Town Manager; Cynthia Poulin, Treasurer; Paul Culp, Town Clerk

Other Town Council member present: Mayor Jay Arnold

Press present: none

1. Call to Order

Recorder Gibson called the meeting to order at 10:30 a.m.

2. Approval of Agenda

Ms. McDonald moved to approve the agenda. The motion passed by consensus.

3. Unfinished Business

Budget Software and Reporting

Mr. Dalton said Ms. Poulin had been using the software and that the Town Council must decide precisely what type of reporting it desires. Recorder Gibson said Council member Kara Rodriguez had requested a three-to-five-year plan for all revenue and expenses. She said she considered three years more desirable, and that such reporting could begin after completion of the current budget cycle. Ms. McDonald concurred with this. Ms. Poulin said she would determine the method for generating such a report.

Recorder Gibson said the current type of budget-versus-actual report is easy to use. She asked for the addition of a summary of each fund, and for brief line-variance explanations where needed.

Recorder Gibson said the staff should continue with quarterly reports and that members of the Council who need information between reports could contact the staff with questions.

Budget Amendments

Ms. Poulin said the auditor had informed her that no amendments would be necessary for the use of funds obtained under the American Rescue Plan Act (ARPA). Mr. Dalton requested written confirmation as a matter of record-keeping.

4. New Business

Budget Calendar and Process

Recorder Gibson said the budget calendar in the agenda packet might eliminate the need for meeting in some circumstances. She said each committee should have the opportunity to express its desires for the budget, and Ms. McDonald concurred. There was a discussion of when to schedule discussions of the budget in the next few months.

Recorder Gibson said the Council should be mindful of the additional administrative load created by the infusion of ARPA funds. Mr. Dalton said the Town had not yet been able to fill some of the staff positions for which the Council had provided budgeting.

Reserves

Recorder Gibson said it is important to update the specifics annually and provide indications of how funds are to be applied in the future.

5. Other

None.

6. Closed Session

None.

7. Adjourn

Recorder Gibson invited a motion to adjourn. Ms. McDonald so moved, with the meeting adjourning by consensus at 11:18 a.m.