



Berryville Town Council

MEETING AGENDA

Berryville-Clarke County Government Center

101 Chalmers Court, Second Floor

Main Meeting Room

Regular Session

November 9, 2021

7:00 PM

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14. Closed Session

15. Adjourn

November 9, 2021 Report

The draft lease agreement was modified after the October 12, 2021 Town Council meeting to address Council comments.

The public hearing notice for this matter was published in the *Winchester Star*.

No public comment has been received on this proposal.

Attachment

- Draft Lease for 23 East Main Street

Recommendation

Staff recommends that the Council approve a lease agreement for 23 East Main Street, contingent on final review by legal counsel.

Sample Motion

I move that the Council of the Town of Berryville approve the attached lease for 23 East Main Street. The Council also authorizes the Town Manager to make minor amendments to the lease after consultation with legal counsel and to execute the lease on behalf of the Town.

October 12, 2021 Report

Overview

The property at 23 East Main Street was purchased by the Town of Berryville in 1935. A fire station was constructed on the site in 1936 and it was the home of John H. Enders Volunteer Fire Company from that time until it moved to its current location in 1958. Various Town functions were housed on the site including the Town Office, Police Department, and Public Works Department. The Town's Public Works Department moved from the site in 1988, the Planning Department and Town Council Chambers were established in rented space elsewhere in the early 1990's, and the Town Office and Police Department moved out of the space in 2008.

The first-floor space was renovated in 2009 and has been rented by Berryville Main Street since that time. In 2011, the lease between the Town and Berryville Main Street was amended to include the second floor. In that agreement the Town permitted Berryville Main Street to lease the second floor with the express purpose of them subleasing the space as a business incubator.

The current lease between the Town and Berryville Main Street for rental of 23 East Main Street will expire at the end of February 2022.

Berryville Main Street has been very pleased with the space and wants to continue leasing the property. The Town has found Berryville Main Street to be an excellent tenant.

Attachments

- The current lease agreement
- A draft lease agreement developed by staff
 - o meaning of highlighting:
 - yellow - text that has been amended by staff and
 - green – portions of the agreement about which staff requests guidance from the Council.

Recommendation

Staff recommends that the Council set a public hearing on this matter for their November 9, 2021 regular meeting.

Sample Motion

I move that the Council of the Town of Berryville set a public hearing regarding the leasing of 23 East Main Street for the November 9, 2021 regular Town Council meeting.

THIS LEASE, dated the _____ day of _____, 2022,
by and between the TOWN OF BERRYVILLE, VIRGINIA, hereinafter called
the Lessor, and DOWNTOWN BERRYVILLE, INC., a Virginia nonstock
corporation, dba Berryville Main Street, hereinafter called the Lessee.

W I T N E S S E T H:

The Lessor agrees to lease to the Lessee, and the Lessee agrees to lease
from the Lessor, the following described property under the following terms
and conditions:

1. DESCRIPTION:

A. The premises herein leased is a portion of the first and
second floor of the building located at 23 E. Main Street as shown on attached
Exhibit A (“the property” or “the premises”).

B. In addition, the Town Manager may extend written
revocable permission to Lessee to use the 70' by 25.33' parking area as
generally shown on attached Exhibit B and all or a portion of a building (livery
stable) not subject to this Lease for access to the leased premises and/or for
storage use.

2. TERM:

The term of this lease shall be for three (3) years, beginning on the 1st day of March, 2022, and ending on the 28th day of February, 2025.

3. RENT:

A. As rental for the property, the Lessee shall pay the Lessor the sum of \$550.00 per month for the first year of the lease, with the monthly rent increasing by \$20.00 on each March 1 during the term of the lease.

B. Rent shall be payable in advance on the first day of each month, beginning March 1, 2022.

C. If any rental payment is paid after the fifth (5th) day of the month but by the tenth (10th) day of the month, a penalty equal to five percent (5%) of the rental amount shall be due and payable to Lessor in addition to the rental payment. If any rental payment is not made by the tenth (10th) day of the month, a penalty equal to ten percent (10%) of the rental amount shall be due and payable to Lessor in addition to the rental payment. If any rental payment is not paid within thirty (30) days of the due date, the rental amount and penalty amount shall carry interest at ten percent (10%) per annum from the tenth (10th) day of the month in which the rental payment was

due, and, in addition, the Lessor shall have the remedies set forth in Paragraph 16 of this Lease.

4. SECURITY DEPOSIT:

Lessor agrees not to require Lessee to pay a security deposit.

5. ASSIGNMENT:

A. No sublease agreement permitted under this paragraph 5 shall have a term that extends beyond the term of this lease.

B. The Lessee may, without prior written consent of the Lessor, sublet first floor space to retail businesses. Sublet of the first-floor space for any use other than retail business requires prior written consent of the Lessor.

C. Lessee agrees that it will utilize the rear office of the second floor of the premises for its offices and may, without prior consent of Lessor, sublet the front office of the second floor of the premises for business incubation and development, provided that no sublessee may lease an incubation and development space for more than twenty-four (24) months. Upon expiration of such a lease, Lessee may permit a sublessee to lease the space on a month-to-month basis for not more than twelve (12) months.

D. All sublease agreements shall include the following:

(1) Indemnification of the Town of Berryville by sublessee;

and

(2) Naming of the Town of Berryville as an additional insured on sublessee's Commercial General Liability policy.

6. USE:

It is expressly agreed that this lease is executed in order that the Lessee may use the premises for Berryville Main Street offices and other activities to promote Berryville's downtown and the economic development of the Town of Berryville and Clarke County, and the property shall not be put to any other use without the written consent of the Lessor.

7. UTILITIES:

Lessee shall be responsible for all utility services to the premises including, but not limited to, electric, phone, cable, and water and sewer. Lessee shall also pay all charges for heating oil. Notwithstanding any provisions contained herein, Lessee shall be responsible for all costs associated with repairs required by damage caused by the failure of Lessee to keep heating oil supplied to the premises.

8. REPAIRS BY LESSOR:

A. The Lessor agrees that during the term of this lease and any renewal thereof, Lessor shall do the following:

(1) Keep the outer walls in proper and substantial repair;

(2) Keep the roof in proper and substantial repair;

(3) Make necessary major repairs (repairs in excess of \$700.00 each) to the heating and air conditioning systems.

(4) Maintain the exterior appearance of the building, except as herein provided.

B. It is agreed by the parties that Lessor is not an insurer and that Lessor's responsibility and liability for each of the items of maintenance and repair set forth above shall be to make the proper repairs within a reasonable time after the necessity, nature, and location thereof has been called to Lessor's attention by Lessee.

9. OPERATION/REPAIR/MAINTENANCE BY LESSEE:

In regard to the use and occupancy of the premises, Lessee shall (i) maintain the premises in good condition; (ii) except such repairs as are the responsibility of the Lessor as set forth above, make all necessary repairs to

the premises, including, without limitation, plumbing repairs and minor repairs (repairs up to \$700.00 each) to the heating and air conditioning systems; provided, however, the cost of necessary repairs paid by Lessee in excess of \$1,400.00 per lease year shall be reimbursed by Lessor if prior written approval for the repairs was given by Lessor; (iii) be responsible for prompt snow and ice removal from the sidewalk in front of the premises; (iv) keep the inside and outside of all glass in the doors and windows of the premises clean; (v) keep all exterior store front surfaces of the premises clean; (vi) replace promptly, at Lessee's expense, any cracked or broken plate or window glass of the premises with glass of like kind and quality; (vii) maintain the premises in a clean, orderly and sanitary condition and free of insects, rodents, vermin and other pests; (viii) keep any garbage, trash, rubbish or refuse in closed containers; (ix) repair promptly at its expense any damage to the premises caused by bringing into the premises any property for Lessee's use, or by the installation or removal of such property, or caused by any act or omission of Lessee, their agents, employees, contractors or invitees; (x) keep all mechanical apparatus free of vibration and noise which may be transmitted beyond the premises; (xi) comply with all laws, ordinances, rules and regulations of governmental authorities and all recommendations of the Fire

Underwriters Rating Bureau now or hereafter in effect; and (xii) conduct Lessee's business in all respects in a dignified manner.

10. EXTERIOR DESIGN AND SIGNS:

The Lessor shall have control of the exterior design of the premises and Lessee shall not paint or decorate any part of the exterior of the premises without first obtaining the written approval of Lessor. The Lessee shall have the right to erect and maintain on the exterior of the premises, at Lessee's own expense, signs, advertising matter, or a logo, including lettering or other advertising matter on the glass of the premises, necessary or appropriate to the conduct of the business of Lessee; provided, however, that no such signs or other matters shall be erected without the prior approval of Lessor as to design, size, color, and location, and without any necessary approval from the appropriate agency of the Town of Berryville.

11. ALTERATIONS AND IMPROVEMENTS BY LESSEE:

A. Lessee, prior to making any improvements or alterations to the premises, shall submit to the Lessor plans and specifications for such work (the "Construction Documents"), including, but not limited to, all electrical, plumbing, mechanical, and architectural plans and specifications. Lessor shall review the Construction Documents submitted by the Lessee, and,

if same are approved by Lessor, Lessee shall submit such Construction Documents to the appropriate governmental agencies together with an application for all permits and licenses necessary to commence such construction work. Lessor shall not be liable for any delay in obtaining such permits or licenses. The cost of any such permits or licenses shall be the responsibility of Lessee. Lessee shall be entitled to commence work in the premises upon receipt of all necessary permits and licenses.

B. In the event the Construction Documents submitted by Lessee are not acceptable to the Lessor or the appropriate governmental agencies for any reason, Lessor and Lessee shall cooperate in revising such Construction Documents to a point where they will be acceptable to Lessor and the appropriate governmental agency.

C. All improvements made by Lessee shall be considered a part of the real estate and as such the property of Lessor, except for items of tangible personal property not affixed to the demised premises.

12. PROCEDURES FOR LESSEE'S ALTERATION AND IMPROVEMENT WORK:

A. Prior to the commencement of any improvement work in the premises, Lessee shall:

(1) Obtain Lessor's written approval of the Construction Documents as set forth above;

(2) Have in its possession the permits and licenses necessary for the improvement work;

B. Lessee shall conduct the improvement work in the premises in accordance with reasonable rules and regulations promulgated by Lessor or its agent, including, but not limited to, the following:

(1) All work by Lessee shall conform to the Construction Documents as approved by Lessor and shall conform to all local, state, and national codes, laws, rules and regulations;

(2) Lessee shall not permit its construction activities to interfere with the quiet enjoyment of the building in which the demised premises are located, or of the adjoining buildings.

(3) Lessee shall, at Lessee's expense, remove from the premises and adjoining areas all trash and debris as same accumulates;

(4) Lessee shall not use or permit the use of any areas outside the premises for any construction activities unless expressly consented to in writing by Lessor; and

(5) Lessee shall, at all times, enforce strict

discipline and good order among their contractors, subcontractors, and employees.

C. In the event Lessee shall fail to perform the improvement work in accordance with the rules and regulations of Lessor, Lessor shall have the right to either (a) perform the obligation which Lessee have failed to perform, or (b) repair any damage caused by Lessee's failure to comply, including, without limitation, the correction of any deviation from the Construction Documents and the correction of any defects, and Lessee shall pay to Lessor on demand, all of Lessor's costs associated therewith. Lessee shall be responsible and liable for any and all damage to the premises caused either directly or indirectly by Lessee's construction activities.

13. ANTICIPATED WORK BY LESSOR

A. Lessor anticipates completing two projects on or adjacent to the premises within the next ten (10) years and hereby notifies Lessee of these projects. Lessor anticipates completing projects to:

- (1) Stabilize and improve the livery stable; and
- (2) Construct a vestibule outside of the second-floor

bathroom of the premises.

B. Lessor agrees to provide Lessee thirty (30) days written notice of the

commencement of the work on the livery stable.

C. Lessee agrees to the vestibule project by Lessor, and Lessor agrees to provide thirty (30) days written notice to Lessee of the commencement of work on the project.

14. DEFAULT:

A. If any rent shall be due or unpaid for a period of thirty (30) days, or if default shall be made in any of the conditions or covenants herein contained, or if the said premises or any part thereof shall be vacated by the Lessee during the term granted by this lease, the Lessor may recover and resume possession of said property, either by force or otherwise, without being liable to prosecution therefor, remove all persons and property therefrom, relet the said premises as agent for the Lessee, receive and collect the rents thereof, applying the same first to the payment of such expenses as the Lessor may have incurred in recovering the possession of the said property and reletting the same, secondly to the payment of any costs or expenses that the Lessor may have incurred, either for repairs or by reason of any condition or covenant being unfulfilled on the part of the Lessee, and then to the payment of any rent due or to become due under the terms of this lease, with interest, and the Lessee agrees to pay any deficiency which may arise.

B. Any and all remedies provided to Lessor for the enforcement of the provisions of this Lease are cumulative and not exclusive, and Lessor shall be entitled to pursue either the rights enumerated in this Lease or remedies authorized by law, or both. Lessee shall be liable for any breach of this Lease and for any costs or expenses, including attorney's fees, incurred by Lessor in enforcing the terms of this Lease, or in pursuing any legal action for the enforcement of Lessor's rights.

15. LIABILITY:

The Lessor shall not be liable for any injuries to any person or for any damages to any property on or about the demised premises. The foregoing shall apply to injuries or damages to any property of Lessee, except such injuries or damages as directly result from Lessor's failure to comply with the provisions of Paragraph 8 of this lease.

16. INDEMNITY:

Lessee shall indemnify Lessor against all expenses, liabilities, and claims of every kind, including reasonable counsel fees, by or on behalf of any person or entity arising out of either (1) a failure by Lessee to perform any of the terms or conditions of this lease, (2) any injury or damage happening on or about the demised premises, (3) failure to comply with any

law of any governmental authority, or (4) any mechanic's lien or security interest filed against the demised premises or equipment, materials, or alterations of buildings or improvements thereon, for property owned by or work done by Lessee.

17. DAMAGE OR DESTRUCTION:

If the demised premises shall, without fault of Lessee, be destroyed or be so damaged as to become wholly or partially untenable by fire or by providential means, then, if the Lessor shall elect to rebuilt or repair, this Lease shall remain in force and Lessor shall rebuild or repair the premises within a reasonable time after such election, putting premises in as good condition as they were at time of destruction or damage, and for that purpose they may enter said premises, and rent shall abate during time the premises are untenable; but if Lessor does not elect as aforesaid to rebuild or repair, then Lessor shall have possession of the premises hereby let, and Lessee shall deliver and surrender to Lessor such possession, and this Lease shall become void and the term hereby created end; and on such delivery and surrender being made or on the recovery of said premises by Lessor the Lessee shall receive a prorate refund of prepaid rent, or the obligation to pay rent shall cease, as applicable.

18. INSPECTION AND ACCESS:

A. The Lessor and its agents shall have the right during the term of this Lease to visit, inspect, and make necessary repairs to the leased premises at any reasonable hour.

B. The Lessor shall have the right during the term of the Lease to access the site in order to enter portions of the building not subject to the lease. Lessee agrees that such access must occur through leased space and agrees to provide access at any reasonable hour. The Lessee agrees to park only in identified spaces and not to block access to the rear of the building.

19. INSURANCE:

A. Minimum Insurance Coverage Requirements: Lessee shall, at its own expense, keep in full force and effect during the term of this lease, and during the term of any extension of this lease, insurance coverage in the following amounts:

Commercial General Liability:

\$1,000,000 each occurrence (Bodily Injury and Property Damage)
\$2,000,000 General Aggregate
\$2,000,000 Products/Completed Operations Aggregate
\$1,000,000 per person or organization (Personal and Advertising Injury)
\$1,000,000 each (CGL/AL/EL) occurrence/\$2,000,000 Annual Policy
Aggregate

Workers Compensation as required by Code of Virginia.

B. Lessee shall have the aforesaid insurance coverage apply to Lessee's use of non-leased premises pursuant to paragraph 1.B.

C. The Town shall be named as an additional insured on any policy obtained by Lessee pursuant to this paragraph. Lessee shall annually furnish the Town with a Certificate of Insurance documenting that the aforesaid insurance coverage has been obtained.

20. ENTIRE AGREEMENT:

This Lease constitutes the entire agreement among the parties and may not be amended except by written instruments executed by each of the parties.

21. CONSTRUCTION OF THE LEASE:

This Lease shall be construed and interpreted according to the laws of the Commonwealth of Virginia.

22. COMPUTATION OF TIME:

If the time period or date by which any right, option, or election provided under this Lease must be exercised, or by which any act required hereunder must be performed, expires or occurs on a Saturday, Sunday, or legal, bank, or Clarke County Circuit Court Clerk's Office holiday,

then such time period or date shall be automatically extended through the close of business on the next regularly scheduled business day.

23. BINDING:

The Lease shall inure to the benefit of, and be binding upon, the successors and assigns of the parties.

24. RIGHT TO RE-LEASE:

If the demised premises is to be available for lease by Lessor at the expiration of the three-year term of this Lease, or at the expiration of any subsequent one-year term, the Lessor shall give the Lessee the first right to re-lease the premises for a term of one (1) year, upon the same conditions, except the amount of rent, as contained in this Lease. If Lessee should desire to re-lease the premises at the expiration of the three-year term or any subsequent one-year term, Lessee shall so notify the Lessor in writing at least ninety (90) days prior to the expiration of term, and upon being so notified the Lessor shall inform the Lessee in writing at least sixty (60) days prior to the expiration of said term of the amount of rent for the new term. The Lessee shall then notify the Lessor in writing at least thirty (30) days prior to the expiration of said term as to whether or not the Lessee will elect to re-lease the premises.

25. NOTICES:

All notices, demands, or other communications that may be necessary or proper hereunder shall be deemed duly given if personally delivered, sent via certified mail, return receipt requested, or sent overnight courier service, such as Federal Express, UPS, or Airborne, addressed respectively as follows:

If to Lessor:

Town of Berryville, Virginia
ATTN: Town Manager
101 Chalmers Court, Suite A
Berryville, VA 22611

If to Lessee:

DBI / Berryville Main Street
ATTN: President
23 East Main Street
Berryville, VA 22611

TOWN OF BERRYVILLE, VIRGINIA, Lessor

BY: _____ (SEAL)
Keith R. Dalton, Town Manager

DOWNTOWN BERRYVILLE, INC, Lessee

BY: _____ (SEAL)

(Printed Name) (Position)

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

Item Title

Consent Agenda - Approval of Minutes

Prepared By

Background/History/General Information

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

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

Findings/Current Activity

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

Minutes of the 10.12.2021 Town Council regular meeting
Minutes of the 10.12.2021 Personnel Committee meeting
Minutes of the 10.25.2021 Community Development Committee meeting
Minutes of the 10.25.2021 Public Safety Committee meeting
Minutes of the 10.26.2021 Streets and Utilities Committee meeting

Financial Considerations

None.

Schedule/Deadlines

None. Prompt approval is recommended.

Other Considerations

Attachments

1. Consent Agenda

Recommendation

Approval.

Sample Motion

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

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
October 12, 2021
7:00 p.m.

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

Planning Commission: Present—Kim Kemp, Vice-chair; William Steinmetz; Gwen Malone; Michelle Marino; Sheryl Reid; Krish Mathur; Ryan Tibbens. Absent—Thomas J. Parker, Jr.

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

Press: Mickey Powell, *The Winchester Star*.

1. Call to Order

Mayor Arnold and Vice-chair Kemp called the Town Council and Planning Commission, respectively, to order at 7:00 p.m.

2. Pledge of Allegiance

3. Approval of Agenda

Mayor Arnold and Ms. Kemp requested motions of approval for the agendas of the two deliberative bodies.

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

Ms. Reid moved for approval of the Planning Commission agenda as presented, seconded by Ms. Malone. The motion passed by unanimous voice vote.

4. Presentations/Awards/Recognitions

None.

5. Public Hearings

Joint public hearing of Town Council and Planning Commission Regarding Annexation Area B-9

Proposed adoption of an Ordinance to provide for annexation of three areas aggregating approximately 130 acres, plus or minus, of the territory of Clarke County, Virginia, situated adjacent to the current corporate limits of the Town of Berryville. The area to be annexed will be referred to as Annexation Area B-9.

Proposed adoption of an Ordinance amending the Berryville Zoning Map to apply Town zoning to the proposed Annexation Area B-9 upon the effective date of annexation.

Adoption of an Ordinance pursuant to the Charter of the Town of Berryville, Chapter 1, Section 1.3, by which the Town of Berryville shall be divided into four (4) Wards, and by which Ordinance the boundaries of the four Wards shall be determined so as to evenly distribute the population of the Town of Berryville.

Mayor Arnold and Ms. Kemp opened the public hearings at 7:03 p.m.

Ms. Dunkle displayed maps of the areas and parcels under consideration: Area 1, the Berryville Public Works facility, comprising approximately nine acres; Area 2, 341 and 343 First Street, comprising approximately 10 acres; and Area 3, approximately 11 acres on Battletown Drive and the approximately 100 acres of Bel Voi Farm/Friant Enterprises.

Ms. Dunkle also showed maps of proposed ward boundaries drawn according to population. She explained that new census data will likely necessitate the redrawing of all ward boundaries in the near future.

Mayor Arnold then invited comments from members of the public.

Cathy Mills Mann said she owned the property at 341 First Street, and noted that property owners in the annexation area would be required to pay Town taxes. She asked how they would benefit from the new arrangements. Mayor Arnold said the Council and Planning Commission had called the present hearing in order to listen to the public and not to present their own views, but that Town staff would be providing further information.

Turner Kobayashi noted that the area would be zoned for residential use and asked how many homes would be added, and who would be responsible for maintaining an easement on his property. Mayor Arnold reiterated his remarks to Ms. Mann.

Mayor Arnold then invited comments from Council.

Ms. Rodriguez asked how many units per acre were allowable under current zoning provisions for Area 3. Ms. Dunkle said approximately 113. Ms. Rodriguez asked whether any development was currently in progress, and Ms. Dunkle said there are no applications at present. Ms. Rodriguez asked whether the current utility capacity is sufficient for development, and Ms. Dunkle said yes.

With no other members of the public or the deliberative bodies expressing a desire to comment, Mayor Arnold and Ms. Kemp closed the public hearing at 7:10 p.m.

6. Discussion of Public Hearing Items

Mayor Arnold said the Planning Commission would discuss the matter on October 26 and that the Town Council needed the Planning Commission's recommendation in time to reach a decision in its regular meeting of November 9.

There being no further discussion, Ms. Kemp requested a motion for the Planning Commission to adjourn. Ms. Reid so moved, seconded by Ms. Malone, with the motion passing by voice vote at 7:11 p.m.

Mayor Arnold called a brief recess for the Council. The meeting resumed at 7:20 p.m.

7. Citizens' Forum

No one addressed the meeting.

8. Consent Agenda

The consent agenda comprised the minutes of the September 14 Town Council regular meeting and the September 28 meeting of the Budget and Finance Committee.

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

9. Unfinished Business

None.

10. New Business

None.

11. Council Member Reports

None of the Council Members had anything to report.

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 did not add to her written reports, other than noting that Skyline Quilters and Barns of Rose Hill had thanked the Town for the assistance they had received through the Virginia Commission for the Arts Creative Communities Partnership Grants and the Town's provision of matching funds.

Administration and Finance

Ms. Poulin added nothing to her written report other than a minor correction.

Town Manager

Update on American Rescue Plan Act of 2021

Mr. Dalton did not add to his written report.

Lease Renewal: 23 East Main Street

Mr. Dalton directed Council's attention to the draft lease in the agenda packet and noted that staff would need guidance from Council regarding the term of rent and the use of upstairs areas and leasing thereof. He said staff had added to the old lease sections of work to be performed by the lessor, including creation of a vestibule on the first floor and stabilization of the livery stable, and use of the parking lot.

Ms. Harrison, Mayor Arnold, and Mr. Dalton discussed the term of rent for Berryville Main Street and the entities sub-leasing. Mayor Arnold concurred with Ms. Harrison's suggestion that it would be reasonable to limit renters under the sub-lease to a term of 24 months, with the option of going month-to-month until a new occupant is found. Mr. Mazzarino asked how much notice the month-to-

month occupant should receive when a new occupant is found, and Ms. Harrison said 30 days would be appropriate.

Mayor Arnold and Mr. Dalton discussed use of the parking lot for events. Mr. Dalton said this could occur at the discretion of the town manager and that insurance coverage requirements would apply.

Mayor Arnold and Ms. Harrison discussed the importance of the incubator space.

The consensus of the Council was that BMS should be offered a three-year lease. Mr. Dalton recommended that two extensions of one year each be permitted.

Mr. Mazzarino asked about the historic level of demand, and there was a discussion of past occupants. Ms. Harrison said the incubator space has been successful and has achieved the goal business expansion in Berryville. The Council agreed that the 24-month lease on the incubator space should be extended by one year as a one-time measure prompted by pandemic conditions.

Recorder Gibson moved that the Council of the Town of Berryville set a public hearing regarding the leasing of 23 East Main Street for the November 9, 2021 regular meeting of the Town Council. The motion passed by unanimous voice vote.

13. Committee Updates

Budget and Finance

Recorder Gibson said the committee had met in September to discuss the budget calendar but would not meet this month. She and Mr. Dalton briefly discussed the timetable for standing committees to determine the budgetary needs for their areas of oversight.

Recorder Gibson moved that the Council of the Town of Berryville approve the attached budget calendar for FY 2022-23. The motion passed by unanimous voice vote.

Community Development

Ms. Rodriguez said the committee would meet on October 25 at 9:00 a.m.

Personnel

Mayor Arnold said the committee had met earlier in the evening to discuss vacancies and potential vacancies on appointive bodies and now recommended that the Council reappoint John Hudson to the Berryville Area Development Authority and Thomas R. Parker, Jr., to the Planning Commission, and that it appoint Kelly Wood-Brondstater to the Tree Board and ask the circuit court to appoint Gerald William Dodson to the Board of Zoning Appeals.

Recorder Gibson moved that the Council of the Town of Berryville reappoint John Hudson to the Berryville Area Development Authority for a three-year term that will expire on December 31, 2024. The motion passed by unanimous voice vote.

Recorder Gibson moved that the Council of the Town of Berryville reappoint Thomas R. Parker, Jr., to the Berryville Planning Commission for a four-year term that will expire on September 30, 2025. The motion passed by unanimous voice vote.

Recorder Gibson moved that the Council of the Town of Berryville appoint Kelly Wood-Brondstater to the Berryville Tree Board to complete the unexpired term of Derek Sprincis, which expires on December 31, 2023. The motion passed by unanimous voice vote.

Recorder Gibson moved that the Council of the Town of Berryville recommend to the Clarke County Circuit Court the appointment of Gerald William Dodson to the Berryville Board of Zoning Appeals for a five-year term beginning January 1, 2022. The motion passed by unanimous voice vote.

Public Safety

Committee Chair McDonald being absent, Mr. Mazzarino spoke for the committee, which he said had not met in September but would meet on October 25 at 1:30 p.m.

Streets and Utilities

Ms. Harrison said the committee had not met in September but would meet on October 26 at 1:30 p.m.

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 7:52 p.m.

Erecka L. Gibson, Recorder

Paul Culp, Town Clerk

DRAFT

BUDGET CALENDAR FY 2022-2023

ACTIVITY	RESPONSIBILITY	DATE
Standing Comm. Budget Priorities	Standing Committees	October 29, 2021
Council Budget Priorities	Town Council	November 30, 2021
Ask for Department & CIP Budget Requests	Town Manager Town Treasurer	January 12, 2022
Prepare Budget & CIP Requests	Department Heads	January 12, 2022 February 2, 2022
Submit Departmental & CIP Budget Requests to Treasurer	Department Heads	February 2, 2022
Prepare Initial Revenue Estimates for Upcoming FY	Town Treasurer	January 12, 2022 February 2, 2022
Review Department & CIP Budget Requests	Town Manager Town Treasurer	February 2, 2022 February 18, 2022
Prepare Non-departmental Budget Requests	Town Treasurer	January 12, 2022 February 2, 2022
Review/Revise Budget Estimates with Dept Heads	Town Manager	February 2, 2022 February 18, 2022
Budget Committee Work session	B&F Committee Town Staff	March 2 at 10:30 am A/B Meeting Room
Council Budget Work session	Town Council Town Staff	Mar 9 at 3:00 pm Main Mtg Room
PH Ad to Newspaper	Town Treasurer	March 29, 2022
Tax PH Notice Published	Town Staff	April 5, 2022
Public Hearing Real Estate Tax Rates	Town Council	April 12, 2022
Council Meeting Set 2022 Tax Rates	Town Council	April 12, 2022
Print & Proof Budget	Town Treasurer	April 12, 2022 April 29, 2022
PH Ad to Newspaper	Town Treasurer	April 19, 2022
Budget PH Notice Published	Town Staff	April 26 & May 3, 2022
Public Hearing FY 2022-2023 Budget	Town Council	May 10, 2022
Adopt Budget & Appropriate Funds	Town Council	June 14, 2022
Print & Distribute Approved Budget	Town Treasurer	June 15, 2022 June 30, 2022

TOWN COUNCIL SIGN-UP SHEET

Public Hearing

Tuesday, October 12, 2021

7:00 p.m.

Proposed adoption of an Ordinance to provide for annexation of three areas aggregating approximately 130 acres, plus or minus, of the territory of Clarke County, Virginia, situated adjacent to the current corporate limits of the Town of Berryville. The area to be annexed will be referred to as Annexation Area B-9.

Proposed adoption of an Ordinance amending the Berryville Zoning Map to apply Town zoning to the proposed Annexation Area B-9 upon the effective date of annexation.

Adoption of an Ordinance pursuant to the Charter of the Town of Berryville, Chapter 1, Section 1.3, by which the Town of Berryville shall be divided into four (4) Wards, and by which Ordinance the boundaries of the four Wards shall be determined so as to evenly distribute the population of the Town of Berryville.

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

Cathy Mills Mann Yes No

Turner Kobayashi 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

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
October 12, 2021
7:00 p.m.

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

Planning Commission: Present—Kim Kemp, Vice-chair; William Steinmetz; Gwen Malone; Michelle Marino; Sheryl Reid; Krish Mathur; Ryan Tibbens. Absent—Thomas J. Parker, Jr.

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

Press: Mickey Powell, *The Winchester Star*.

1. Call to Order

Mayor Arnold and Vice-chair Kemp called the Town Council and Planning Commission, respectively, to order at 7:00 p.m.

2. Pledge of Allegiance

3. Approval of Agenda

Mayor Arnold and Ms. Kemp requested motions of approval for the agendas of the two deliberative bodies.

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

Ms. Reid moved for approval of the Planning Commission agenda as presented, seconded by Ms. Malone. The motion passed by unanimous voice vote.

4. Presentations/Awards/Recognitions

None.

5. Public Hearings

Joint public hearing of Town Council and Planning Commission Regarding Annexation Area B-9

Proposed adoption of an Ordinance to provide for annexation of three areas aggregating approximately 130 acres, plus or minus, of the territory of Clarke County, Virginia, situated adjacent to the current corporate limits of the Town of Berryville. The area to be annexed will be referred to as Annexation Area B-9.

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Mayor Arnold and Ms. Kemp opened the public hearings at 7:03 p.m.

Ms. Dunkle displayed maps of the areas and parcels under consideration: Area 1, the Berryville Public Works facility, comprising approximately nine acres; Area 2, 341 and 343 First Street, comprising approximately 10 acres; and Area 3, approximately 11 acres on Battletown Drive and the approximately 100 acres of Bel Voi Farm/Friant Enterprises.

Ms. Dunkle also showed maps of proposed ward boundaries drawn according to population. She explained that new census data will likely necessitate the redrawing of all ward boundaries in the near future.

Mayor Arnold then invited comments from members of the public.

Cathy Mills Mann said she owned the property at 341 First Street, and noted that property owners in the annexation area would be required to pay Town taxes. She asked how they would benefit from the new arrangements. Mayor Arnold said the Council and Planning Commission had called the present hearing in order to listen to the public and not to present their own views, but that Town staff would be providing further information.

Turner Kobayashi noted that the area would be zoned for residential use and asked how many homes would be added, and who would be responsible for maintaining an easement on his property. Mayor Arnold reiterated his remarks to Ms. Mann.

Mayor Arnold then invited comments from Council.

Ms. Rodriguez asked how many units per acre were allowable under current zoning provisions for Area 3. Ms. Dunkle said approximately 113. Ms. Rodriguez asked whether any development was currently in progress, and Ms. Dunkle said there are no applications at present. Ms. Rodriguez asked whether the current utility capacity is sufficient for development, and Ms. Dunkle said yes.

With no other members of the public or the deliberative bodies expressing a desire to comment, Mayor Arnold and Ms. Kemp closed the public hearing at 7:10 p.m.

6. Discussion of Public Hearing Items

Mayor Arnold said the Planning Commission would discuss the matter on October 26 and that the Town Council needed the Planning Commission's recommendation in time to reach a decision in its regular meeting of November 9.

There being no further discussion, Ms. Kemp requested a motion for the Planning Commission to adjourn. Ms. Reid so moved, seconded by Ms. Malone, with the motion passing by voice vote at 7:11 p.m.

Mayor Arnold called a brief recess for the Council. The meeting resumed at 7:20 p.m.

7. Citizens' Forum

No one addressed the meeting.

8. Consent Agenda

The consent agenda comprised the minutes of the September 14 Town Council regular meeting and the September 28 meeting of the Budget and Finance Committee.

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

9. Unfinished Business

None.

10. New Business

None.

11. Council Member Reports

None of the Council Members had anything to report.

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 did not add to her written reports, other than noting that Skyline Quilters and Barns of Rose Hill had thanked the Town for the assistance they had received through the Virginia Commission for the Arts Creative Communities Partnership Grants and the Town's provision of matching funds.

Administration and Finance

Ms. Poulin added nothing to her written report other than a minor correction.

Town Manager

Update on American Rescue Plan Act of 2021

Mr. Dalton did not add to his written report.

Lease Renewal: 23 East Main Street

Mr. Dalton directed Council's attention to the draft lease in the agenda packet and noted that staff would need guidance from Council regarding the term of rent and the use of upstairs areas and leasing thereof. He said staff had added to the old lease sections of work to be performed by the lessor, including creation of a vestibule on the first floor and stabilization of the livery stable, and use of the parking lot.

Ms. Harrison, Mayor Arnold, and Mr. Dalton discussed the term of rent for Berryville Main Street and the entities sub-leasing. Mayor Arnold concurred with Ms. Harrison's suggestion that it would be reasonable to limit renters under the sub-lease to a term of 24 months, with the option of going month-to-month until a new occupant is found. Mr. Mazzarino asked how much notice the month-to-

month occupant should receive when a new occupant is found, and Ms. Harrison said 30 days would be appropriate.

Mayor Arnold and Mr. Dalton discussed use of the parking lot for events. Mr. Dalton said this could occur at the discretion of the town manager and that insurance coverage requirements would apply.

Mayor Arnold and Ms. Harrison discussed the importance of the incubator space.

The consensus of the Council was that BMS should be offered a three-year lease. Mr. Dalton recommended that two extensions of one year each be permitted.

Mr. Mazzarino asked about the historic level of demand, and there was a discussion of past occupants. Ms. Harrison said the incubator space has been successful and has achieved the goal business expansion in Berryville.

Recorder Gibson moved that the Council of the Town of Berryville set a public hearing regarding the leasing of 23 East Main Street for the November 9, 2021 regular meeting of the Town Council. The motion passed by unanimous voice vote.

13. Committee Updates

Budget and Finance

Recorder Gibson said the committee had met in September to discuss the budget calendar but would not meet this month. She and Mr. Dalton briefly discussed the timetable for standing committees to determine the budgetary needs for their areas of oversight.

Recorder Gibson moved that the Council of the Town of Berryville approve the attached budget calendar for FY 2022-23. The motion passed by unanimous voice vote.

Community Development

Ms. Rodriguez said the committee would meet on October 25 at 9:00 a.m.

Personnel

Mayor Arnold said the committee had met earlier in the evening to discuss vacancies and potential vacancies on appointive bodies and now recommended that the Council reappoint John Hudson to the Berryville Area Development Authority and Thomas R. Parker, Jr., to the Planning Commission, and that it appoint Kelly Wood-Brondstater to the Tree Board and ask the circuit court to appoint Gerald William Dodson to the Board of Zoning Appeals.

Recorder Gibson moved that the Council of the Town of Berryville reappoint John Hudson to the Berryville Area Development Authority for a three-year term that will expire on December 31, 2024. The motion passed by unanimous voice vote.

Recorder Gibson moved that the Council of the Town of Berryville reappoint Thomas R. Parker, Jr., to the Berryville Planning Commission for a four-year term that will expire on September 30, 2025. The motion passed by unanimous voice vote.

Recorder Gibson moved that the Council of the Town of Berryville appoint Kelly Wood-Brondstater to the Berryville Tree Board to complete the unexpired term of Derek Sprincis, which expires on December 31, 2023. The motion passed by unanimous voice vote.

Recorder Gibson moved that the Council of the Town of Berryville recommend to the Clarke County Circuit Court the appointment of Gerald William Dodson to the Berryville Board of Zoning Appeals for a five-year term beginning January 1, 2022. The motion passed by unanimous voice vote.

Public Safety

Committee Chair McDonald being absent, Mr. Mazzarino spoke for the committee, which he said had not met in September but would meet on October 25 at 1:30 p.m.

Streets and Utilities

Ms. Harrison said the committee had not met in September but would meet on October 26 at 1:30 p.m.

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 7:52 p.m.

Erecka L. Gibson, Recorder

Paul Culp, Town Clerk

BERRYVILLE TOWN COUNCIL PERSONNEL, APPOINTMENTS, AND POLICY COMMITTEE
Berryville-Clarke County Government Center
MINUTES
October 12, 2021

A meeting of the Berryville Town Council Personnel, Appointments, and Policy Committee occurred at 6:00 p.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

Attendance:

Members of the committee: Mayor Jay Arnold, Chair; Recorder Erecka Gibson

Staff participating: Christy Dunkle, Community Development Director

1. Call to Order

Mayor Arnold called the meeting to order at 6:28 p.m.

2. Approval of Agenda

Recorder Gibson moved to approve the agenda. The motion passed by consensus.

3. Closed Session

Recorder Gibson made the following motion to enter closed session:

Recorder Gibson moved that the Personnel Committee of the Council of the Town of Berryville enter closed session in accordance with §2.2-3711-A-1 of the Code of Virginia, to interview individuals being considered for appointment to Town Boards. The motion passed unanimously.

The committee returned to open session at 6:39 p.m. Recorder Gibson made the motion as follows:

Recorder Gibson moved that the Personnel Committee of 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 committee that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that the committee 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 committee.

The motion passed by roll-call vote:

Mayor Arnold: Aye

Recorder Gibson: Aye

4. Unfinished Business

The committee discussed appointments to the Board of Zoning Appeals and the Tree Board. The consensus was that they would make recommendations to Town Council that the Clarke County Circuit Court clerk appoint Gerald Dodson to the Board of Zoning Appeals and that Kelly Wood-Brondstater be appointed to the Tree Board.

5. New Business

Ms. Dunkle said that both John Hudson and Thomas Parker, Jr., had been appointed to the Berryville Area Development Authority and Planning Commission, respectively, in June to fill unexpired terms. The consensus was that the committee would make recommendations to Town Council for both candidates to continue on their respective boards.

6. Other

There was no other business.

7. Adjourn

The meeting was adjourned at 7:47 p.m.

BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE
Berryville-Clarke County Government Center
MINUTES
October 25, 2021

A meeting of the Berryville Town Council Community Development Committee was held on Monday, October 25, 2021 at 9:00 a.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

Attendance:

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

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

1. Call to Order

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

2. Approval of Agenda

The agenda was approved by consensus on a motion by Ms. Harrison.

3. Unfinished Business

Discussion: Blight Abatement

Mr. Dalton said he was preparing letters to send later in the week to owners of properties at 112, 114, 203, 225, and possibly 229 Josephine Street and 12 North First Street, notifying them that remedial measures for those properties would be necessary and requiring that plans for such measure be submitted to him within thirty days.

Mr. Dalton said he had scheduled a meeting for November 4 at 6:30 p.m. to explain the process. Ms. Harrison said she would attend, and characterized the meeting as intended to promote understanding of laws that apply to all properties in Berryville.

Mr. Dalton said the Planning Commission must approve plans for blight abatement, and recommended that the Town Council and the Planning Commission hold a joint public hearing. The committee concurred.

Discussion: Town Website

There was a brief discussion of the timeline of the redesign project for the website, which Ms. Dunkle said was supposed to be completed in mid-December.

4. New Business

Budget Goals for FY23: Wayfinding Signs

Ms. Dunkle noted that the Council had discussed the matter in the past and that a large infusion of additional funds had occurred via the American Rescue Plan Act, with the total cost estimated at approximately \$140,000. She said that the Virginia Department of Transportation had implemented new regulations since Frazier Associates had created a scope of work and provided a cost estimate in 2018, and that it would be advisable to continue dealing with Frazier and to obtain an updated estimate.

There was a brief discussion of the task group of community members, Town staff, and elected officials recommended by Frazier. Ms. Rodriguez said the group should focus on location initially instead of being diverted by design matters in the preliminary stages. Mr. Dalton and the committee agreed that final authority would rest with the Council and not with the task group.

A discussion established that the timeline for the project was unclear because of the necessity for VDOT reviews.

Ms. Rodriguez recommended convening the group in early 2022 and acting promptly in order to meet the established deadlines for use of ARPA funds. Mr. Dalton said the first priority would be conferring with Frazier again.

Anniversary of Berryville's Founding

Ms. Harrison noted that 2023 would mark the 225th anniversary of the establishment of Berryville and recommended planning some sort of commemorative event. Ms. Rodriguez concurred and recommended coordination with the Town's branding and marketing efforts. There was a brief discussion of what other jurisdictions have done in similar circumstances. The committee agree to take the matter to the full Council.

5. Other

Ms. Harrison initiated a brief discussion of the Main Street mural project.

6. Adjournment

The committee adjourned by consensus at 9:45 a.m. on a motion by Ms. Harrison.

BERRYVILLE TOWN COUNCIL PUBLIC SAFETY COMMITTEE
Berryville-Clarke County Government Center
MINUTES
October 25, 2021

A meeting of the Berryville Town Council Public Safety Committee was held on Monday, October 25, 2021 at 1:30 p.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

Attendance:

Members of the Committee: Chair Donna McDonald; Grant Mazzarino

Staff: Keith Dalton, Town Manager; Paul Culp, Town Clerk; Chief Neal White, Berryville Police Department

Media: none

1. Call to Order

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

2. Approval of Agenda

Ms. McDonald invited a motion to approve the agenda. Mr. Mazzarino so moved, with the motion passing by consensus.

3. Unfinished Business

Open Positions

Chief White said two positions are open, one of them newly created and the other because of the resignation of an officer. He said the applicant pool is very small and that none of the applicants are certified, and that training requirements would mean that new hires would not be formally in service with the department until November of 2022. He said law enforcement personnel throughout the state are leaving the profession in large numbers, some as retirees and others for other types of work, with very few young people aspiring to law enforcement careers.

Mr. Mazzarino said most communities in the U.S. could expect to have law enforcement staffing problems for many years. Mr. Dalton said the profession had been maligned extensively during the previous two years and that this is a decisive factor. Mr. Mazzarino said the profession has become extremely hazardous physically and legally. Chief White and Ms. McDonald cited dangers to the mental wellbeing of personnel.

There was a discussion of recruiting and outreach. Chief White said such a small department lacks the resources for a job fair. He told Ms. McDonald that he has addressed eighth-grade groups for the last two years but that high schools are resistant to impositions on instructional time. He noted that the state code stipulates a minimum age of twenty-one for officers. Mr. Mazzarino said colleges and the military provide the best talent pool, and Chief White said he does contact military recruiters.

Mr. Dalton said Berryville has difficulty competing with larger jurisdictions, that it provides advantages in size and in pace and quality of life but that it must address the salary differential.

4. New Business

Department Report

Chief White said the accreditation assessors had visited on the 19th and 20th and had been favorably impressed. He said they would present their findings to the accreditation commission in early December, that he was optimistic about the outcome, and that a team would visit again in four years to complete the process. He said only about a fourth of Virginia's law enforcement agencies are accredited and that accreditation would help with recruiting.

Mr. Dalton said he had met the assessors and that they had been pleased with the department. Ms. McDonald and Mr. Mazzarino commended Chief White for his efforts.

Chief White said the portable radios the officers carry on their persons and the mobile radios in police cars have been ordered and will be paid for by funds made available by the American Rescue Plan Act. He said the mobile radios had not yet arrived and that some accessories for the portable units still had not yet been delivered.

Chief White said the closure of numerous mental health facilities had resulted in officers spending vast amounts of overtime dealing with mental health calls for people who in many cases never receive treatment. He said the department must sometimes run two shifts simultaneously because officers are unable to leave the side of detainees for whom there is no immediate treatment available. Chief White and Mr. Mazzarino agreed that localities are powerless to alter a situation that only the Commonwealth can address. A discussion established that Chief White's letters to elected officials had prompted only standardized responses.

Ms. McDonald asked whether persons other than law enforcement officers could legally carry out the required oversight of detainees. Chief White explained that any competent person over the age of eighteen was technically permitted to do so but that such a person must have the ability to restrain the detainee as necessary and that the prospect of litigation was also a deterrent for persons other than law officers.

Mr. Dalton noted that the application of so much manpower to mental health matters sometimes compromises enforcement in other areas.

FY23 Budget Goals

Chief White said the department is in good condition regarding capital projects but that it must address compensation needs if it is to retain experienced officers. He reiterated that overtime has become burdensome, and said that wholesale changes to the state code had resulted in a sharp increase in training hours also. He said raises of 5 to 8 percent would be advisable, and noted the current inflationary trend.

Mr. Dalton said other Town departments would need salary enhancement as well. There was a discussion of whether to make cost-of-living adjustments on a year-by-year basis or according to a multi-year plan.

The committee agreed to present to the full Council a proposal for an increase of 5 to 8 percent for police salaries in the coming budget cycle.

5. Other

Ms. McDonald said the committee would probably not need to meet until January 24 at 3:00 p.m. The committee decided to schedule its meetings for the fourth Monday in each month, as needed, at 3:00 p.m.

6. Closed Session

None.

7. Adjourn

The meeting adjourned at 2:31 p.m. on a motion by Mr. Mazzarino, which passed by consensus.

BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE
Berryville-Clarke County Government Center
MINUTES
October 26, 2021

A meeting of the Berryville Town Council Streets and Utilities Committee was held on Tuesday, October 26, 2021 at 1:30 p.m. in the Berryville-Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

Members 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

1. Call to Order

Ms. Harrison called the meeting to order at 1:32 p.m.

2. Approval of Agenda

The agenda was approved by consensus.

3. Unfinished Business

None.

4. New Business

Sidewalks

There was a discussion, prompted by an inquiry from a resident of Berryville Glen, regarding whether construction of sidewalks on Jack Enders Boulevard would be feasible, concluding with the determination that the expense would be very high. Mr. Dalton said the project can be considered when the Town is seeking grants from the Virginia Department of Transportation.

Ms. Dunkle said environmental applications were underway for the sidewalks on Mosby Boulevard.

There was a discussion of utility easements on East and West Fairfax Streets.

Street Lights

There was a discussion of a letter from a resident who said Mosby Boulevard near Early Drive was insufficiently lit. Ms. Dunkle said Rappahannock Electric Cooperative standards had been met. Mr. Dalton said he would respond to the resident.

Ms. Harrison expressed concern about insufficient lighting for the crosswalk at West Main Street and Hermitage.

Dangerous Trees

There was a discussion of the possibility of creating an ordinance dealing with dangerous trees. Ms. Harrison noted the presence of dead trees near power lines and of a sizable number of older trees within the Town limits. Ms. Rodriguez said it would be necessary to develop specific definitions for immediate and serious danger.

Mr. Dalton said the matter was challenging because danger is not always evident without consulting an arborist, which tends to be costly. He said ambiguities about enforcement were also problematic, along with liability concerns. He noted that the Town already has authority to deal with low-hanging branches that block signs, sidewalks, or streets.

Ms. Harrison suggested a request for proposals with an eye to addressing the matter in the long term.

FY23 Budget Goals

The committee agreed with Mr. Dalton that the completion of infrastructure projects launched with funding from the American Rescue Plan Act would be sufficient because of the number and magnitude of such projects.

5. Other

There was a discussion of the calendar for meetings of the Council's standing committees, and of the Streets and Utilities Committee's preferences for meeting times. The committee agreed with Mr. Dalton that the clerk should contact the entire Council with suggestions made thus far.

6. Closed Session

None.

7. Adjournment

The meeting adjourned by consensus at 1:53 p.m.

Standing Committee Budget Goals for FY 2023

The Town Council determined that it should adopt budget goals that the Town Manager is to address in the draft budget that he provides to the Council.

Standing Committee Budget Goals for FY 2023 are provided to the full Council for review.

The Council will determine which goals the Town Manager is to address as a part of the draft FY 2023 budget.

Attachment

- Draft Standing Committee Budget Goals for FY 2023

Recommendation

Staff recommends that the Council approve a list of the budget goals it wants to be included in the Town Manager's proposed FY 2023 budget.

Sample Motion

I move that the Council of the Town of Berryville approve the attached budget goals for FY 2023 and directs the Town Manager to include funding to meet these goals in a balanced draft budget.

Standing Committee Budget Goals for FY 2023

Budget and Finance Committee

No goals adopted

Community Development Committee

1) Complete wayfinding signage project

2) Celebration of the 225th anniversary of Berryville's founding (1798 – 2023)

This line item would provide seed money for a modest celebration of the Town's 225th birthday in 2023.

Personnel, Appointment, and Policy Committee

No goals adopted

Public Safety Committee

Provide for increases in compensation for Police Officers to address inflation and improve competitiveness of compensation package. This effort would provide for salary increases of at least 5%.

Streets and Utilities Committee

Complete infrastructure projects identified in the Town of Berryville American Rescue Plan Act of 2021 Implementation Plan adopted on July 13, 2021.

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

Item Title

New Business - Approval of Town Council Meeting Calendar for 2022

Prepared By

Paul Culp, Town Clerk

Background/History/General Information

The proposed schedule of meetings for the coming year is as follows:

Regular meetings of the Council will continue to be on the second Tuesday of each month at 7:00 p.m.
Work sessions will be on the first Monday at 3:00 p.m.
Community Development Committee fourth Monday at 9:00 a.m.
Streets and Utilities Committee fourth Monday at 10:00 a.m.
Public Safety Committee fourth Monday at 3:00 p.m.
Personnel Committee fourth Tuesday at 9:00 a.m.
Budget and Finance Committee fourth Tuesday at 10:00 a.m.

Findings/Current Activity

Slightly modified from this year, the new schedule should minimize the number of times members must come to the Government Center and also will limit lag-time between meetings on any given morning.

Financial Considerations

None.

Schedule/Deadlines

Prompt approval is recommended in order to secure room reservations.

Other Considerations

None.

Attachments

Recommendation

Approval.

Sample Motion

I move that the Council of the Town of Berryville approve the proposed schedule of Council meetings for 2022.

Report of the Department of Public Works

November 1, 2021

Water

We are in the process of continuing our water meter replacement program.

One large meter was replaced this month. Since the project was going to require a water interruption shutdown for the facility, the work was scheduled to coincide with a maintenance project the customer was undertaking.

Sewer

We had no significant problems with our pump stations last month.

During our routine video inspections of various sewer mains we identified an area as a possible source of I & I. We excavated and found a section of pipe was broken and was allowing ground water to enter the sewer main. We repaired the line with the use of a short section of PVC pipe and two furnco couplings.

General Information

Finley Asphalt has completed all the scheduled concrete sidewalk and curb/gutter replacement for FY21.

Phase V of Hermitage Subdivision is progressing at a good rate. The contractor has applied base asphalt to several sections of roadway, and D R Horton is starting the process to apply for a building permit for a model home.

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

Item Title

Staff Reports - Public Utilities

Prepared By

Dave Tyrrell, Utilities Director

Background/History/General Information

Operations Report for October 2021

The Water Treatment Facility produced 10.685 MG in the month of October. We treated an average of 0.396 MGD with a daily max flow of 0.504 MG. The Wastewater Facility treated a total of 8.57 MG of wastewater with an average daily flow of 0.28 MGD and a daily max of 0.41 MG. Two-hundred twelve maintenance work orders were completed between the two facilities, booster building, and water storage tanks.

One item of note: The general problems of the trucking industry are starting to have an effect on our ability to receive needed treatment chemicals, with industry wide delays starting to affect this area. We did see this coming and have made arrangements to store additional chemicals on site. While we have had problems with timely delivery, our additional storage methods have ensured our ability to provide service. We will continue to maintain the additional chemicals in our inventory to buffer us from any issues that may arise.

Findings/Current Activity

Water Treatment

It has been a quiet month for operations at the Water Plant. Several personnel are using leave, only basic operations and maintenance has been completed. We have been preparing the facility for winter by draining outside water lines and checking the heaters.

We had one problem with High Service Pump #1 in the booster building with a failed DC power supply and motor starter failure. Both of these units were replaced and the pump is back in service.

Wastewater Treatment

The wastewater plant has also been quiet and steady for the month of October. We have cleaned and taken membrane train #3 out of service and filled it with clean water. The permeate pump has been pulled and crated to be sent out to the factory for rebuild. All water lines outside have been drained, heaters tested, and heat trace turned on. We have had a vendor come in and service the HVAC and ventilation fans throughout the facility. We have dewatered 217,095 gallons of bio-solids in October.

Attached to this report are Page #1 of the WTP MOR and the WWTP DMR Data Sheet for your review. This data has not been verified for state reporting and not all data has been received from our contract lab.

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. 2021-10 Council Report Attachment

Recommendation

Sample Motion

FLOWS AND CHEMICAL DOSAGES

October 2021

No. Connections Served: 1738
 Population Served: 4185

DATE	Raw Water Treated MGD	Finished Water Produced MGD	Finished Water Delivered MGD	Hours in Service	Raw Water Chemicals										Finished Water Chemicals			
					Alum Lbs per Day mg/L	Carbon Lbs per Day mg/L	Chlorine Lbs per Day mg/L	Fluoride Lbs per Day mg/L	Polymer Lbs per Day mg/L	KMnO4 Lbs per Day mg/L	Soda Ash Lbs per Day mg/L	Chlorine Lbs per Day mg/L	Corr Inhibitor Lbs per Day mg/L					
1	0.536		0.484	15.7	66	14.7	2	0.5	9.7	2.17	0.090	0.013	6	1.3	21.5	4.8		
2	0.256		0.223	7.6	35	16.6	2	0.7	0.3	0.16	0.040	0.019	2.7	1.3	10.8	5.1		
3	0.532		0.462	14.5	61	13.7	4	0.8										
4	0.528		0.475	15.0	61	13.8	2	0.5	6.4	1.46	0.075	0.017	5.3	1.2	20.4	4.6		
5	0.552		0.483	15.0	66	14.3	4	0.9	6.1	1.32	0.066	0.014	5.3	1.2	21.5	4.7		
6	0.393		0.349	11.0	35	10.8	2	0.6	4.6	1.40	0.053	0.016	3.4	1.0	16.1	4.9		
7	0.530		0.481	15.0	56	12.6	4	0.9	6.4	1.45	0.064	0.014	4.4	1.0	22.6	5.1		
8	0.219		0.189	6.0	25	13.9	2	0.9	12.7	6.97	0.031	0.017	1.8	1.0	5.4	2.9		
9																		
10																		
11																		
12	0.518		0.468	14.8	61	14.1	2	0.6	6.0	1.38	0.075	0.017	4.4	1.0	17.2	4.0		
13	0.529		0.457	16.0	61	13.8	4	0.9	6.7	1.52	0.066	0.015	4.7	1.1	20.4	4.6		
14	0.525		0.476	15.5	71	16.2	5	1.2	6.3	1.44	0.080	0.018	4.6	1.1	19.4	4.4		
15	0.491		0.390	15.5	61	14.9	2	0.4	9.7	2.37	0.066	0.016	4.6	1.1	16.1	3.9		
16	0.259		0.223	7.5	30	14.1	2	0.7	3.2	1.48	0.035	0.016	2.2	1.0	7.5	3.5		
17																		
18	0.535		0.474	15.5	61	13.6	3	0.7	3.1	0.69	0.066	0.015	4.6	1.0	18.3	4.1		
19	0.566		0.488	16.0	76	16.1	4	0.8	10.8	2.29	0.071	0.015	4.7	1.0	18.3	3.9		
20	0.553		0.504	16.0	51	11.0	3	0.7	3.0	0.64	0.071	0.015	4.7	1.0	19.4	4.2		
21	0.524		0.452	15.5	71	16.2	4	0.8	6.5	1.48	0.071	0.016	3.0	0.7	17.2	3.9		
22	0.537		0.483	15.0	56	12.5	4	0.8	6.5	1.44	0.066	0.015	3.1	0.7	16.1	3.6		
23	0.385		0.301	9.0	35	12.7	1	0.3	4.0	1.44	0.044	0.016	1.9	0.7	10.8	3.8		
24	0.347		0.307	9.5	35	12.1	2	0.7	22.1	7.64	0.012	0.004	1.9	0.7	11.3	3.9		
25	0.503		0.440	13.5	50	11.9	4	1.0	2.5	0.60	0.029	0.007	2.7	0.6	15.6	3.7		
26	0.505		0.446	13.0	55	13.1	3	0.7	17.4	4.13	0.029	0.007	2.6	0.6	16.1	3.8		
27	0.518		0.453	14.0	50	11.6	5	1.1	5.9	1.37	0.066	0.015	2.8	0.6	15.1	3.5		
28	0.482		0.432	13.3	45	11.2	3	0.7	26.0	6.47	0.029	0.007	2.7	0.7	15.6	3.9		
29	0.371		0.334	10.3	30	9.8	3	1.0	4.2	1.36	0.066	0.021	2.1	0.7	10.7	3.5		
30	0.230		0.187	5.8	20	10.4	2	1.0	2.9	1.51	0.016	0.008	1.1	0.6	7.5	3.9		
31	0.231		0.224	7.3	25	13.0	1	0.6	6.3	3.27	0.026	0.013	1.5	0.8	7.5	3.9		
Total	12.103	0.000	10.685	342.5	1350	358.8	77	20.5	0.0	0.00	0.384	94	24.7	0.0	421.1	111.37	0.0	0.00
Maximum	0.566	0.000	0.504	16.0	76	16.6	5	1.2	0.0	0.00	0.021	6	1.3	0.0	22.6	5.11	0.0	0.00
Minimum	0.219	0.000	0.187	5.8	20	9.8	1	0.3	0.0	0.00	0.004	1	0.6	0.0	5.4	2.95	0.0	0.00
Average	0.448	0.000	0.396	12.7	50	13.3	3	0.8	#DIV/0!	#DIV/0!	0.014	3	0.9	#DIV/0!	15.6	4.12	#DIV/0!	#DIV/0!

SIGNED: (OPERATOR IN RESPONSIBLE CHARGE)

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

PRINTED NAME

David A Tyrell

Shenandoah River - Entire Month

TITLE: OPERATOR CLASSIFICATION
 DPOR CERTIFICATION NO.

Class 1
 1955002813

Berryville STP Monthly DMR Data

October 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
10/1/2021	0.273	7.4	21.5						7.3				
10/2/2021	0.275	7.3	21.6						9.2				
10/3/2021	0.156	7.2	22.2						8.3				
10/4/2021	0.283	7.3	21.9	2.00	2.14				7.8	4.31	0.84	0.90	5.15
10/5/2021	0.309	7.0	22.3	2.00	2.34				8.1				
10/6/2021	0.299	7.1	22.5						7.4				
10/7/2021	0.303	7.1	23.2	0.00	0.00			8.3	7.3	7.72	1.42	1.63	9.14
10/8/2021	0.287	7.1	23.1						7.5				
10/9/2021	0.238	7.1	23.1						7.8				
10/10/2021	0.191	7.2	23.0						7.1				
10/11/2021	0.213	7.4	22.9	1.00	0.81				7.3	4.58	1.48	1.19	6.06
10/12/2021	0.253	7.3	22.9	0.00	0.00	0.00	0.00		8.2				
10/13/2021	0.362	7.2	22.5						7.6				
10/14/2021	0.345	7.1	22.3	2.00	2.61			7.8	7.2	7.05	1.72	2.25	8.77
10/15/2021	0.304	7.1	22.5						7.5				
10/16/2021	0.278	7.0	23.3						8.0				
10/17/2021	0.278	7.2	22.2						9.1				
10/18/2021	0.226	7.2	20.9	0.00	0.00				8.4	3.81	1.29	1.10	5.10
10/19/2021	0.218	7.3	20.0	1.00	0.83				7.8				
10/20/2021	0.237	7.2	20.7						8.9				
10/21/2021	0.254	7.4	19.4	0.00	0.00			8.9	7.8	3.71	1.14	1.10	4.85
10/22/2021	0.254	7.3	21.0						9.0				
10/23/2021	0.192	7.3	19.8						7.7				
10/24/2021	0.208	7.2	20.1						7.3				
10/25/2021	0.256	7.1	20.7	2.00	1.94				8.3	3.59	1.13	1.09	4.72
10/26/2021	0.384	7.1	21.1						8.1				
10/27/2021	0.278	7.1	20.3						8.4				
10/28/2021	0.408	7.2	20.0					9.5	8.8				
10/29/2021	0.346	7.1	19.8						8.4				
10/30/2021	0.353	7.3	19.9						8.8				
10/31/2021	0.305	7.1	19.1						7.8				
Minimum	0.16	7.0	19.1	0.00	0.00	0.00	0.00	7.8	7.1	3.59	0.84	0.90	4.72
Maximum	0.41	7.4	23.3	2.00	2.61	0.00	0.00	9.5	9.2	7.72	1.72	2.25	9.14
Total	8.57	223.0	665.8	10.00	10.66	0.00	0.00	34.5	248.2	34.77	9.02	9.26	43.79
Average	0.28	7.2	21.5	1.00	1.07	0.00	0.00	8.6	8.0	4.97	1.29	1.32	6.26
Geo Mean	0.27	7.2	21.4	1.32	1.33	1.00	1.00	8.6	8.0	4.75	1.3	1.27	6.04

Berryville STP Monthly DMR Data

October 2021

Date	Eff Total N KG/D	Eff Total P mg/l	Eff Total P KG/D	E-Coli No/100ml
10/1/2021				
10/2/2021				
10/3/2021				
10/4/2021	5.53	0.07	0.08	1
10/5/2021				1
10/6/2021				
10/7/2021	10.50	0.03	0.03	1
10/8/2021				
10/9/2021				
10/10/2021				
10/11/2021	4.89	0.03	0.02	1
10/12/2021				1
10/13/2021				
10/14/2021	11.47	0.09	0.12	1
10/15/2021				
10/16/2021				
10/17/2021				
10/18/2021	4.37	0.21	0.18	1
10/19/2021				1
10/20/2021				
10/21/2021	4.67	0.11	0.11	1
10/22/2021				
10/23/2021				
10/24/2021				
10/25/2021	4.58	0.09	0.09	1
10/26/2021				
10/27/2021				
10/28/2021				
10/29/2021				
10/30/2021				
10/31/2021				
Minimum	4.37	0.03	0.02	1
Maximum	11.47	0.21	0.18	1
Total	46.01	0.63	0.62	10
Average	6.57	0.09	0.09	1
Geo Mean	6.07	0.07	0.07	1



BERRYVILLE POLICE DEPARTMENT

101 Chalmers Ct., Suite A, Berryville VA 22611

(T) 540.955.3863 (F) 540.955.0207

policeadmin@berryvilleva.gov

W. Neal White – Chief of Police

Police and Security Report

Month/Year: October 2021	Year To Date 2021	October 2021	September 2021
<u>Complaints Answered</u>			
911 Hang Up:	12	1	1
Alarms:	86	10	7
Animal Complaint:	83	13	9
Assault:	20	2	3
Assist County:	36	6	3
Assist EMS and Fire:	119	4	13
Auto Larceny:	4	0	1
Burglary:	1	0	1
Civil Complaints:	58	2	11
Disturbance:	29	3	7
Domestic Disturbance:	20	4	1
Driving Under the Influence	9	1	0
Drunk In Public:	5	1	1
Fraud:	20	3	3
Larceny:	38	5	4
Harassment/Intimidation:	27	4	2
Homicide:	0	0	0
Identity Theft	7	0	0
Juvenile Related:	28	3	11
Mental Health Crisis:	55	4	7
Narcotics Related:	5	1	1
Noise:	45	5	4
Public Service:	8	0	1
Sexual Assault:	2	0	1
Robbery:	0	0	0
Shoplifting:	0	0	0
Suspicious Activity:	125	13	15
Trespassing:	19	2	1
Vandalism:	52	6	4
Welfare Check:	86	7	10
Miscellaneous Complaints:	424	51	34
Total Complaints Answered:	1423	151	156



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date	October	September
	2021	2021	2021
<u>Traffic</u>			
Accidents Investigated:	47	7	6
Assist Motorist:	2	2	0
Child Safety Seat Install:	13	0	2
Funeral Escort:	22	1	2
Hit & Run:	13	1	2
Parking Tickets:	84	4	6
Traffic Warnings:	62	2	7
<u>Traffic Summons Issued</u>			
Defective Equipment:	0	0	0
Driving Suspended:	1	0	0
Expired Inspection:	6	0	0
Expired Registration:	2	0	1
Fail to Obey Highway Sign:	35	1	7
Fail to Obey Traffic Signals:	1	0	0
Fail to Stop/Lights & Siren:	0	0	0
Fail to Yield Right of Way:	6	0	0
Hit and Run:	1	0	0
No Liability Insurance:	1	0	0
No Operator's License:	2	0	0
No Seat Belt:	0	0	0
Reckless Driving:	7	0	2
Speeding:	45	0	15
Miscellaneous Summons:	7	0	0
Total Traffic Summons Issued:	114	1	25
<u>Found Open at Businesses in Town</u>			
Doors:	15	0	2
Windows:	0	0	0
Garage Doors:	0	0	0



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Police and Security Report (Continued)

	Year To Date 2021	October 2021	September 2021
<u>Criminal Arrests Made</u>			
Abduction:	0	0	0
Arson:	0	0	0
Assault and Battery:	11	1	1
Assault and Battery on Police Officer:	1	0	0
Auto Larceny:	0	0	0
Breaking and Entering:	0	0	0
Capias:	3	0	0
Disorderly Conduct:	1	0	0
Driving Under the Influence:	7	0	0
Drunk In Public:	5	1	1
Fail to Obey Police Officer:	0	0	0
Fail to Pay Parking Ticket:	0	0	0
Forgery:	0	0	0
Fraud:	2	1	0
Homicide:	0	0	0
Illegal Drugs/Paraphernalia:	0	0	0
Larceny:	3	2	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:	2	0	1
Vandalism:	2	0	0
Weapons Violation:	0	0	0
Miscellaneous Criminal Arrests:	27	1	3
Juvenile Detention Order Totals:	24	9	0
Total Criminal Arrests:	89	15	6



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date 2021	October 2021	September 2021
<u>Response to Resistance</u>			
Total Community Interface	1573	164	196
Total Enforcement Contacts	226	9	38
Physical Custody	32	5	2
Reported Force Involved	2	1	1
Administrative Review - Justified	2	1	1
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)	2	1	1
Mechanical Non-Lethal	0	0	0
Firearm	0	0	0
<u>Arrestee Demographics</u>			
White Male	20	4	0
Black Male	2	1	1
Other Male	1	0	0
White Female	5	0	1
Black Female	4	0	0
Other Female	0	0	0

Letter Concerning Provision of Services to People Experiencing
Mental Health Crises

Discussion

November 9, 2021

On numerous occasions the Town Council has discussed its concerns about the strain that managing temporary detention orders (TDO's) is placing on local law enforcement agencies. The situation shows no sign of abating.

Mayor Arnold asked staff to draft a letter that could be sent to Senator Vogel and Delegates LaRock and Gooditis requesting action on this very important matter.

A draft letter is attached for the Council's review.

Attachment

- Draft letter concerning the Council's concerns about the provision of services to people experiencing mental health crises.

Recommendation

Staff recommends that the Council discuss this matter and approve correspondence to be sent to the community's elected representatives in Richmond.

Sample Motion

I move that the Council of the Town of Berryville approve the attached letter to be sent over Mayor Arnold's signature to Senator Vogel and Delegates LaRock and Gooditis.

The Council of the Town of Berryville respectfully requests the attention of you and your colleagues to a crisis that is affecting jurisdictions all across Virginia. The impact of providing mental health services to those in acute crisis is taking an extreme toll on communities of all sizes across the Commonwealth, and we call upon you to advocate for serious and extensive discussions about this matter in upcoming legislative sessions before any further harm befalls our communities.

This is not a new predicament, but one that has been neglected for far too long at the expense of a multitude of Virginians who suffer on a daily basis. The problem has been exacerbated by the COVID-19 pandemic as well as extreme bed and staffing shortages at state-operated mental health facilities. The current pandemic only highlighted the deficiencies in this system that were previously glaringly obvious to those who provide assistance to persons in acute mental health difficulties, such as law enforcement officers, community mental health services providers, and clients themselves.

These law enforcement officers, local service providers, and clients now find themselves lingering in an emergency department room of a local hospital for days waiting for a mental health bed to become available, without receiving any mental health services, only to be released back to their previous environments because the legally permitted period of involuntary detention had expired. These are the scenarios that are becoming increasingly the norm as opposed to the exception, and that is why the Council of the Town of Berryville implores you to take on this complex and demanding problem that requires immediate and thoughtful legislative action.

This broken system is placing law enforcement officers in local emergency departments boarding mental health clients instead of patrolling the streets of our communities, which puts the safety and welfare of the community in jeopardy. It also places much needed mental health services out of reach to those clients who so desperately need them during a time of crisis.

The vital importance of this topic cannot be understated. Throughout our nation, one in four individuals suffer, often in silence, from a mental health disorder, so this is not a matter that touches just a few. As you head back to chambers for the upcoming legislative session, please know that reform to the mental health system in the Commonwealth is a top priority and concern for our community and the Commonwealth.

Town Council Agenda Item Report Summary

November 9, 2021

Item Title

Community Development Update

Prepared By

Christy Dunkle

Planning Commission

The Planning Commission held a meeting on Tuesday, October 26, 2021. They recommended approval of Annexation B-9. A full report is included in this packet. Kim Kemp was elected chair and William Steinmetz was elected vice chair. Their next meeting is scheduled for Tuesday, November 30, 2021 at 7:00 p.m.

Berryville Area Development Authority

The BADA held a meeting on Wednesday, October 27 at 7:00 p.m. They set a public hearing for a site plan in order to construct three warehouses on Jack Enders Boulevard. The public hearing will be held on Wednesday, December 1 at 7:00 p.m.

Architectural Review Board

The Architectural Review Board did not hold a meeting in November. Their next meeting is scheduled for Wednesday, December 1 at 12:30 p.m. when they will be judging the Berryville Main Street parking meter contest.

Tree Board

The Tree Board did not hold a November meeting. Their next meeting is scheduled for Wednesday, December 1 at 6:00 p.m.

Board of Zoning Appeals

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

Town Council Agenda Item Report Summary
November 9, 2021

Item Title

Construction Project Update

Prepared By

Christy Dunkle

Shenandoah Crossing Subdivision

- 82 single-family homes
- Owned by D.R. Horton, Inc.
- To be developed by D.R. Horton, Inc.
- Zoned DR-2 Detached Residential
- Cluster layout
- HOA-maintained facilities
- Home construction and sales underway

Fellowship Square Subdivision

- 50 single-family homes
- Zoned DR-4 Detached Residential
- Cluster layout
- HOA-maintained facilities
- All 50 lots are either completed, under construction, or have grading plans submitted for review (the parking lot for the sales home is the only lot without applications submitted)
- Town staff conducted a site visit with the developer, the Town's engineer, and others to create a punch list of items that need to be repaired or reviewed (e.g., sidewalk repairs, ADA compliance) on September 9.

Hermitage Phase V

- 71 single-family homes
- Final phase of Hermitage subdivision (started 2000)
- Zoned R-1 and DR-1
- Phase V will have HOA oversight, other phases will not be affected
- Property purchased by D.R. Horton, Inc. in March 2021
- Land disturbance underway
- Grading plans have been submitted for individual lot development
- Staff continues to meet with the contractors to assure state and local compliance
- Street paving is underway, model home is anticipated to begin construction within several weeks

Town Council Agenda Item Report Summary

November 9, 2021

Item Title

Annexation B-9

Prepared By

Christy Dunkle

Background/History/General Information

Mayor Arnold wrote a letter to Clarke County Board of Supervisors chairman David Weiss on June 24, 2021 proposing the annexation of approximately 130 acres located within Annexation Area B. The letter identified the properties as follows:

- Area 1 Berryville Public Works – approximately 9 acres
- Area 2 341 and 343 First Street – total of approximately 10 acres
- Area 3 25 Battletown Drive – approximately 11 acres and Bel Voi Farm/Friant Enterprises – approximately 100 acres

Findings/Current Activity

The Planning Commission met on October 26 and recommended that Council approve the proposed Annexation B-9.

No additional public comments were received by Town staff. Mr. Dalton responded to the two speakers at the October 12, 2021 meeting addressing their questions.

October 12, 2021 Staff Report

The public hearing notice was published in the Winchester Star on Tuesday, September 28 and Tuesday, October 5, 2021. Adjacent property notices were mailed on September 24, 2021. Staff received one call from a property owner on Bel Voi Drive who requested additional information on the activity on the Friant property.

The Clarke County Board of Supervisors agreed to the Town's request to annex the properties identified above on September 21, 2021.

Town staff contacted each of the property owners in July letting them know of the Town's intent to annex their respective properties. Staff has discussed the matter with two of the property owners who had no issues with the action.

Legal counsel has advised that the Town and County are not required to have a joint public hearing on the matter.

Staff is working with County personnel and other agencies gathering information required by 1VAC50-20-540. Annexation of the Code of Virginia (e.g., school data, utility information, metes and bounds narrative). Draft ordinances (annexation, zoning, and ward boundaries) are included in this staff report.

Synopsis of each area:

Area 1 - Town of Berryville Public Works

Location: 201 Tom Whitacre Circle
Tax Map Parcel number: 14-((A))-6
Total Acreage: 8.985 acres
BAP Sub Area: 2
Proposed Use: Public Works facility
of Lots: 1
Zoning: Institutional (ITL)
Population: 0
Owner: Town of Berryville
Additional Information: 4.8538 acres was purchased from the Ruritan Club of Clarke County (2020), boundary line adjustment after the property acquisition (2020), sanitary sewer connected to the site with development of high school (2012); water on site since 1927

Area 2 - 341 and 343 First Street

Location: 341 and 343 First Street
Tax Map Parcel numbers: 14A2-((20))-A1 and 14A2-((20))-A
Total Acreage: .55 acres and 9.24 acres
BAP Sub Area: 10
Proposed Use: Residential
of Lots: 2
Zoning: Detached Residential-2 (DR-2)
Population: +/- 4
Owners: Catherine Mills Mann and Charles P Paret, respectively
Additional Information: Two residential properties, 343 currently advertised as Airbnb property

Bel Voi and Friant Properties

Location: 25 Battletown Drive; two adjacent parcels
Tax Map Parcel numbers: 14-A-81, 14-A-80, and 14 A 112
Total Acreage: 11.47 acres; 97.846 and 2.195 acres, respectively
BAP Sub Areas: 13-16
Proposed Use: Residential
of Lots: 3
Zoning: Open Space Residential (OSR) and Detached Residential-1 (DR-1); Detached Residential-1 and -2 (DR-1 and DR-2), Business Park (BP), and Open Space Residential (OSR)
Population: +/- 6

Owners: Robert Maxwell Emma (25 Battletown Drive); Friant Enterprises LP LLP
Additional Information: Friant Enterprises' parcels are on the market and residential development is anticipated

Financial Considerations

N/A

Schedule/Deadlines

Per the annexation agreement between the Town and County (attached), the proposed annexation would become effective on January 1, 2022.

Other Considerations

N/A

Recommendation

Approve the three motions below concerning the annexation, application of Town zoning, and modified ward boundary.

Sample Motion

I move that the Council of the Town of Berryville approve the attached annexation ordinance for Annexation B-9.

I move that the Council of the Town of Berryville approve the ordinance for the application of Town Zoning to parcels identified in Annexation B-9.

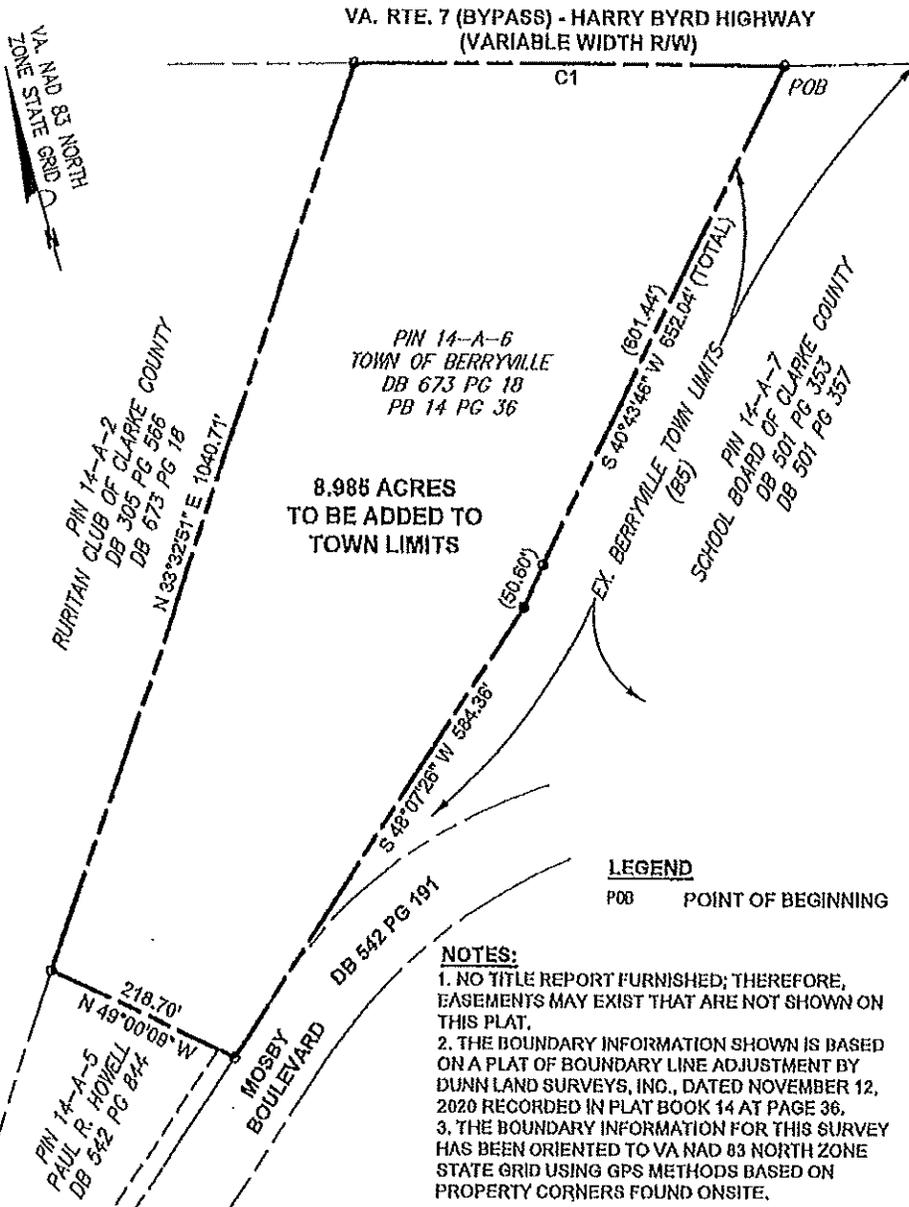
I move that the Council of the Town of Berryville approve the ordinance for the application of ward boundaries.

Attachments:

- Plats with metes and bounds information
- Draft annexation ordinance, application of Town zoning ordinance, and ward boundary ordinance

CURVE TABLE

CURVE	RADIUS	ARC	CHORD	BEARING	DELTA
C1	22850.31'	467.07'	467.06'	S 74°17'55" E	01°10'24"



**8.985 ACRES
TO BE ADDED TO
TOWN LIMITS**

LEGEND
POB POINT OF BEGINNING

NOTES:
1. NO TITLE REPORT FURNISHED; THEREFORE, EASEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.
2. THE BOUNDARY INFORMATION SHOWN IS BASED ON A PLAT OF BOUNDARY LINE ADJUSTMENT BY DUNN LAND SURVEYS, INC., DATED NOVEMBER 12, 2020 RECORDED IN PLAT BOOK 14 AT PAGE 36.
3. THE BOUNDARY INFORMATION FOR THIS SURVEY HAS BEEN ORIENTED TO VA NAD 83 NORTH ZONE STATE GRID USING GPS METHODS BASED ON PROPERTY CORNERS FOUND ONSITE.

ANNEXATION B-9 - AREA ONE
8.985 ACRES
TO BE ADDED TO
THE TOWN OF BERRYVILLE
CLARKE COUNTY, VIRGINIA



DATE: 09/20/2021 SCALE: 1"=160' SHEET 1 OF 1



Marsh & Legge Land Surveyors, P.L.C.

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22001
PHONE (540) 667-0169 ~ FAX (540) 667-0169 ~ EMAIL office@marshandlegge.com

DRAWN BY: CAJ

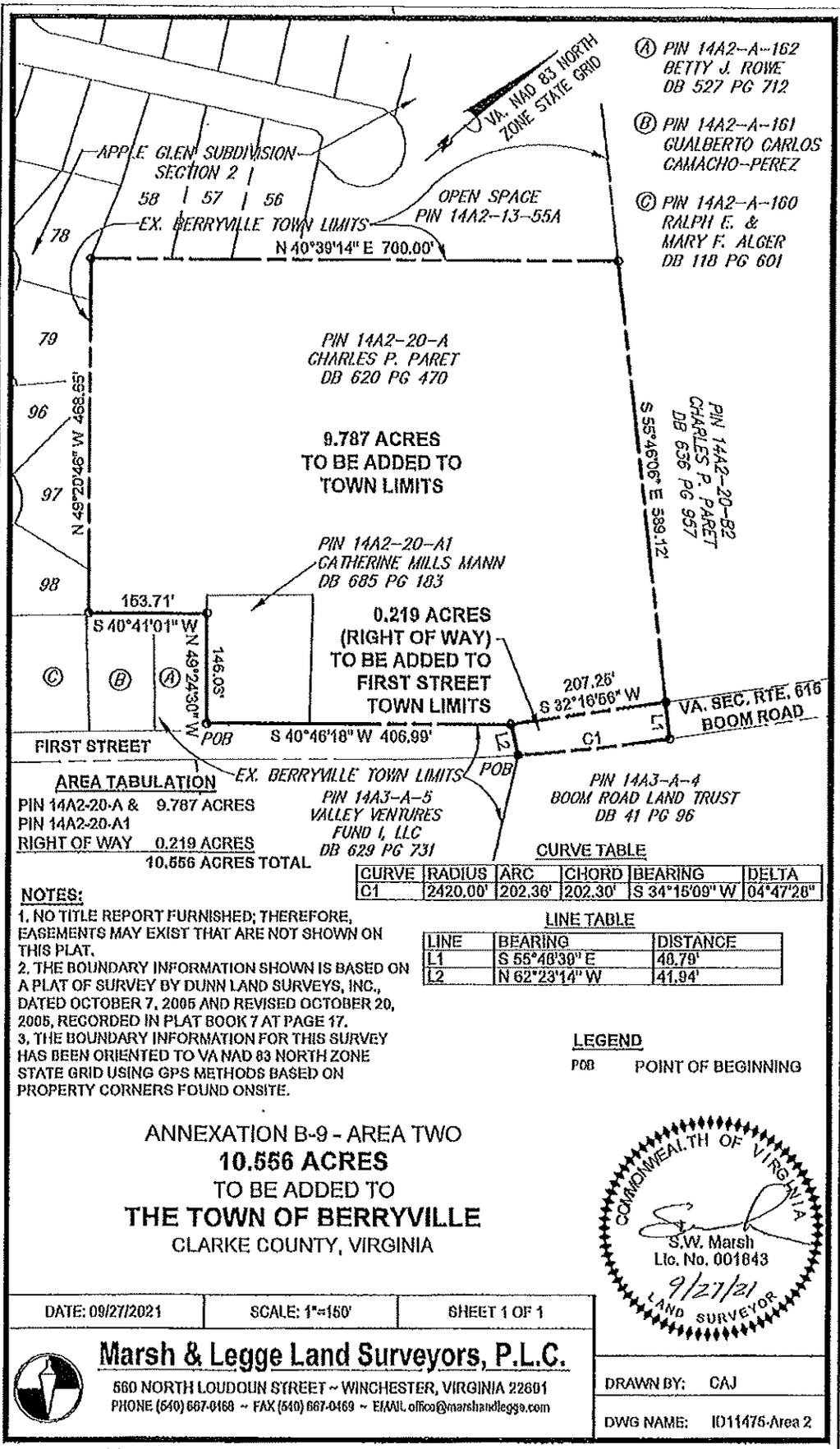
DWG NAME: ID11475-Area 1

TOWN OF BERRYVILLE
ANNEXATION B-9, AREA ONE

"Beginning at a point in the southerly right of way line of the Virginia Route 7 Bypass (Harry Byrd Highway), said point being at the northwesterly most corner of the School Board of Clarke County, Virginia Tax Parcel 14-A-7 and said point being in the existing Berryville Town Limits line; thence with the westerly line of the School Board of Clarke County, Virginia Tax Parcel 14-A-7 and the existing Berryville Town Limits line for the three following courses: S 40° 43' 46" W - 601.44 feet to a point; thence S 40° 43' 46" W - 50.60 feet to a point; thence S 48° 07' 26" W - 584.36 feet to a point along the westerly side of Mosby Boulevard, said point being the southeasterly corner of the Town of Berryville Tax Parcel 14-A-6; thence with the southerly line of the Town of Berryville Tax Parcel 14-A-6, and continuing with the northerly line of the Paul R. Howell Tax Parcel 14-A-5, N 49° 00' 09" W - 218.70 feet to a point in the easterly line of the Ruritan Club of Clarke County, Inc. Tax Parcel 14-A-2; thence with the easterly line of the Ruritan Club of Clarke County, Inc. Tax Parcel 14-A-2, N 33° 32' 51" E - 1,040.71 feet to a point in the southerly right of way line of the Virginia Route 7 Bypass (Harry Byrd Highway); thence with the southerly right of way line of the Virginia Route 7 Bypass (Harry Byrd Highway) with the arc of a curve to the right 467.97 feet (Radius = 22,850.31 feet; Chord Length = 467.96 feet; Chord Bearing = S 74° 17' 55" E) to the point of beginning."

Containing 8.985 Acres





- Ⓐ PIN 14A2-A-162
BETTY J. ROWE
DB 527 PG 712
- Ⓑ PIN 14A2-A-161
GUALBERTO CARLOS
CAMACHO-PEREZ
- Ⓒ PIN 14A2-A-160
RALPH E. &
MARY F. ALGER
DB 118 PG 601

PIN 14A2-20-A
CHARLES P. PARET
DB 620 PG 470

9.787 ACRES
TO BE ADDED TO
TOWN LIMITS

PIN 14A2-20-A1
CATHERINE MILLS MANN
DB 685 PG 183

0.219 ACRES
(RIGHT OF WAY)
TO BE ADDED TO
FIRST STREET
TOWN LIMITS

PIN 14A2-20-82
CHARLES P. PARET
DB 636 PG 957

AREA TABULATION

PIN 14A2-20-A & 9.787 ACRES
PIN 14A2-20-A1 0.219 ACRES
RIGHT OF WAY 0.219 ACRES
10.556 ACRES TOTAL

EX. BERRYVILLE TOWN LIMITS
PIN 14A3-A-5
VALLEY VENTURES
FUND I, LLC
DB 629 PG 731

CURVE TABLE

CURVE	RADIUS	ARC	CHORD	BEARING	DELTA
C1	2420.00'	202.36'	202.30'	S 34°15'09" W	04°47'28"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 55°48'39" E	48.79'
L2	N 62°23'14" W	41.94'

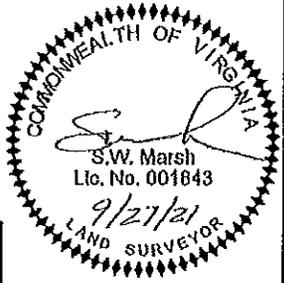
NOTES:

1. NO TITLE REPORT FURNISHED; THEREFORE, EASEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.
2. THE BOUNDARY INFORMATION SHOWN IS BASED ON A PLAT OF SURVEY BY DUNN LAND SURVEYS, INC., DATED OCTOBER 7, 2005 AND REVISED OCTOBER 20, 2005, RECORDED IN PLAT BOOK 7 AT PAGE 17.
3. THE BOUNDARY INFORMATION FOR THIS SURVEY HAS BEEN ORIENTED TO VA NAD 83 NORTH ZONE STATE GRID USING GPS METHODS BASED ON PROPERTY CORNERS FOUND ONSITE.

LEGEND

POB POINT OF BEGINNING

ANNEXATION B-9 - AREA TWO
10.556 ACRES
TO BE ADDED TO
THE TOWN OF BERRYVILLE
CLARKE COUNTY, VIRGINIA



DATE: 09/27/2021 SCALE: 1"=150' SHEET 1 OF 1



Marsh & Legge Land Surveyors, P.L.C.

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601
PHONE (540) 667-0168 ~ FAX (540) 667-0469 ~ EMAIL: office@marshandlegge.com

DRAWN BY: CAJ

DWG NAME: ID11475-Area 2

TOWN OF BERRYVILLE
ANNEXATION B-9, AREA TWO

"Beginning at a point in the westerly right of way line of First Street at the southeast corner of the Catherine Mills Mann Tax Parcel 14A2-20-A1, said point being in the existing Berryville Town Limits line on the northerly side of the Betty J. Rowe Tax Parcel 14A2-A-162; thence with the northerly line of Tax Parcel 14A2-A-162, N 49° 24' 30" W - 146.03 feet to a point at the northwesterly corner of Tax Parcel 14A2-A-161; thence with the northwesterly line of Tax Parcel 14A2-A-162 and the Gualberto Carlos Camacho-Perez Tax Parcel 14A2-A-161, S 40° 41° 01' W - 153.71 feet to the corner of Lot 98 of the Apple Glen Subdivision, Section 2; thence with the Apple Glen Subdivision, Section 2 and the existing Berryville Town Limits line for the two following courses: N 49° 20' 46" W - 468.65 feet to a point; thence N 40° 39' 14" E - 700.00 feet to a point in the southerly line of the Charles P. Paret Tax Parcel 14A2-20-B2; thence with the southerly line of Tax Parcel 14A2-20-B2, S 55° 46' 06" E - 589.12 feet to a point in the westerly right of way line of Virginia Secondary Route 615 (Boom Road); thence with the westerly right of way line of Boom Road, S 32° 16' 56" W - 207.25 feet to a point at the connection with the westerly right of way line of First Street and the existing Berryville Town Limits line; thence with the westerly right of way line of First Street, S 40° 46' 18" W - 406.99 feet to the point of beginning."

Containing 9.787 Acres



TOWN OF BERRYVILLE
FIRST STREET RIGHT OF WAY
ANNEXATION B-9, AREA TWO

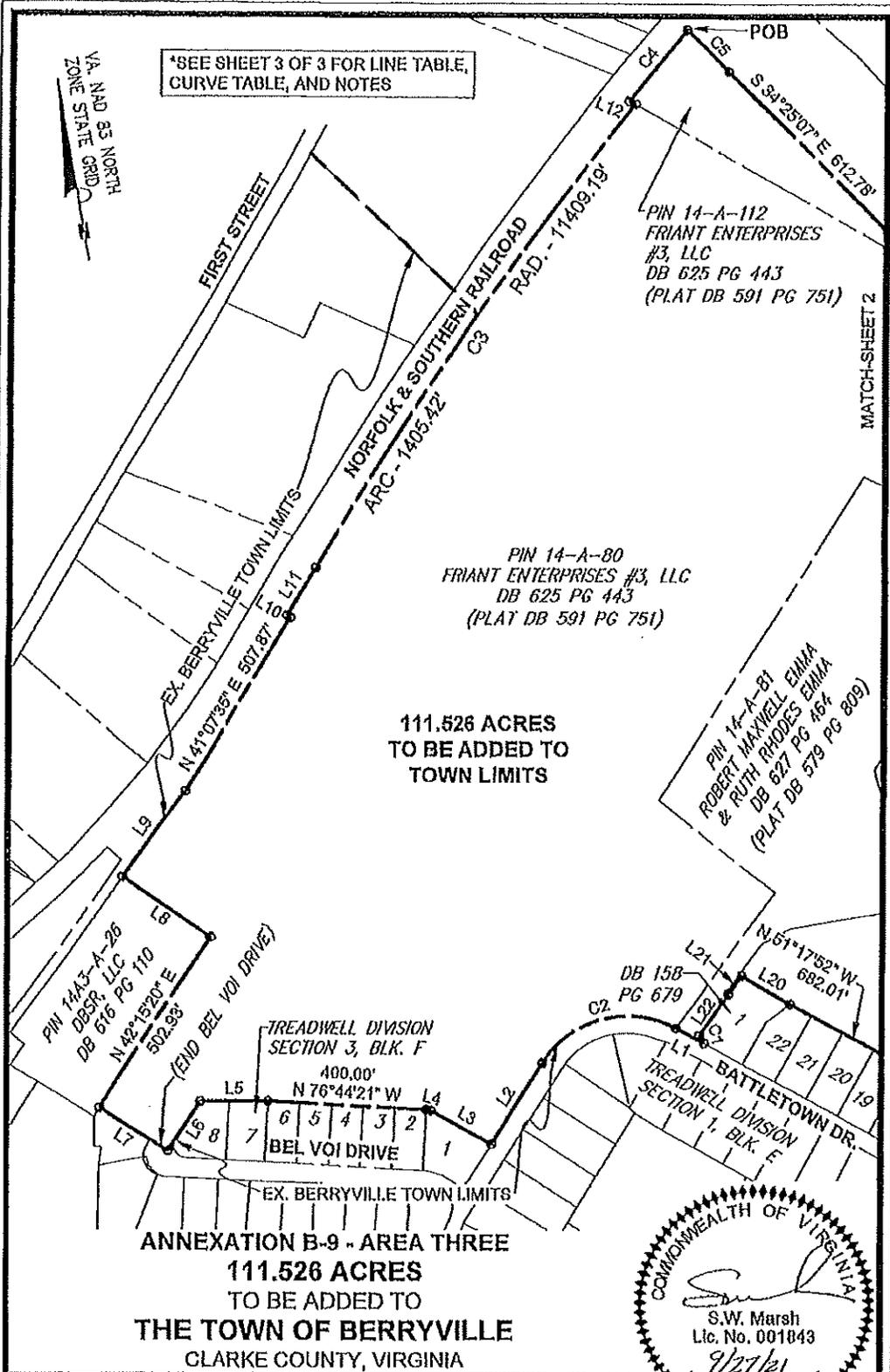
"Beginning at a point in the existing Berryville Town Limits at the easterly right of way line of First Street (maintained by the Town of Berryville) at the connection with the easterly right of way line of Virginia Secondary Route 615 (Boom Road), said point being the northwesterly corner of Valley Ventures Fund, LLC Tax Parcel 14A3-A-5; thence crossing First Street along the existing Berryville Town Limits, N 62° 23' 14" E - 41.94 feet to a point in the westerly line of First Street and in the existing Berryville Town Limits, said point being in the easterly line of the Charles P. Paret Tax Parcel 14A2-20-A at the connection with the westerly right of way line of Boom Road; thence with the westerly right of way line of Virginia Secondary Route 615 (Boom Road), N 32° 16' 56" W - 207.25 feet to the northeast corner of Tax Parcel 14A2-20-A; thence crossing Virginia Secondary Route 615 (Boom Road), S 55° 46' 39" E - 48.79 feet to a point in the easterly right of way line of Virginia Secondary Route 615 (Boom Road), said point being in the westerly line of the Boom Road Land Trust, LLC (Scott Smalley, Trustee) Tax Parcel 14A3-A-4; thence with the easterly right of way line of Virginia Secondary Route 615 (Boom Road) with the arc of a curve to the right 202.36 feet (Radius = 2,420.00 feet; Chord = 202.30 feet; Chord Bearing = S 34K 15' 09" W) to the point of beginning".

Containing 0.219 Acres



VA. NAD 83 NORTH
ZONE STATE GRID

*SEE SHEET 3 OF 3 FOR LINE TABLE,
CURVE TABLE, AND NOTES



111.526 ACRES
TO BE ADDED TO
TOWN LIMITS

ANNEXATION B-9 - AREA THREE
111.526 ACRES
TO BE ADDED TO
THE TOWN OF BERRYVILLE
CLARKE COUNTY, VIRGINIA



DATE: 09/27/2021 SCALE: 1"=300' SHEET 1 OF 3



Marsh & Legge Land Surveyors, P.L.C.

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601
PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com

DRAWN BY: CAJ

DWG NAME: ID11476-Area 3

*SEE SHEET 3 OF 3 FOR LINE TABLE,
CURVE TABLE, AND NOTES

VA. NAD 83 NORTH
ZONE STATE GRID

MATCH-SHEET 1

PIN 14-A-81
ROBERT MAXWELL EMMA
& RUTH RHODES EMMA
DB 627 PG 464
(PLAT DB 579 PG 809)

111.526 ACRES
TO BE ADDED TO
TOWN LIMITS

Ⓐ TREADWELL DIVISION
LOT 1-SECTION 2

682.01'
N 51°17'52" W
18
17
16
15
EX. BERRYVILLE TOWN LIMITS
BATTLETOWN DR.
TREADWELL DIVISION
SECTION 1, BLK. E

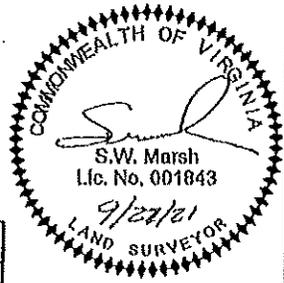
STAYMAN
STREET

BLACK TWIG STREET

PIN 14-A-110
PROFOUNDUS VIRGINIA
PROPERTIES
DB 165 PG 578

EX. ESM'T
DB 588 PG 849
PB 12 PG 4

ANNEXATION B-9 - AREA THREE
111.526 ACRES
TO BE ADDED TO
THE TOWN OF BERRYVILLE
CLARKE COUNTY, VIRGINIA



DATE: 09/27/2021 SCALE: 1"=300' SHEET 2 OF 3



Marsh & Legge Land Surveyors, P.L.C.

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601
PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandleggo.com

DRAWN BY: CAJ
DWG NAME: ID11476-Area 3

CURVE TABLE

CURVE	RADIUS	ARC	CHORD	BEARING	DELTA
C1	25.00'	22.80'	22.02'	S 26°10'20" E	52°16'05"
C2	261.30'	380.20'	344.98'	S 86°22'13" W	06°39'40"
C3	11409.18'	1405.42'	1404.53'	N 44°39'16" E	07°03'20"
C4	11442.19'	229.06'	229.05'	N 48°41'13" E	01°08'49"
C5	3739.72'	149.21'	149.20'	S 35°33'42" E	02°17'10"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 61°17'53" W	78.47'
L2	S 42°02'19" W	235.84'
L3	N 51°40'37" W	172.01'
L4	N 66°22'41" W	11.82'
L5	N 80°04'29" W	189.86'
L6	S 42°13'29" W	143.51'
L7	N 47°48'31" W	199.87'
L8	N 44°27'02" W	259.43'
L9	N 45°11'27" E	261.65'
L10	N 49°17'00" W	10.00'
L11	N 41°07'31" E	138.00'
L12	N 57°43'08" W	17.00'
L13	S 28°30'01" E	220.88'
L14	S 14°43'29" E	250.37'
L15	S 17°34'08" E	202.04'
L16	N 40°34'38" W	200.00'
L17	N 50°38'11" W	60.78'
L18	N 40°34'30" W	145.71'
L19	N 38°18'00" E	42.02'
L20	N 48°04'32" W	137.64'
L21	S 46°06'34" W	65.84'
L22	S 46°08'39" W	120.33'

AREA TABULATION

PIN 14-A-80 97.846 ACRES

PIN 14-A-81 11.485 ACRES

PIN 14-A-112 2.195 ACRES

111.526 ACRES TOTAL

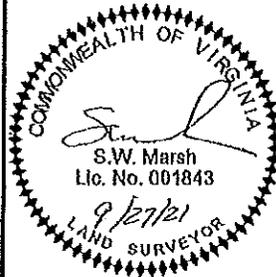
LEGEND

POB POINT OF BEGINNING

NOTES:

1. NO TITLE REPORT FURNISHED; THEREFORE, EASEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.
2. THE BOUNDARY INFORMATION SHOWN IS BASED ON A PLAT OF SURVEY BY DUNN LAND SURVEYS, INC., DATED JUNE 19, 2015 AND REVISED JULY 17, 2015, RECORDED IN DEED BOOK 691 AT PAGE 751, AND THE PLAT OF BOUNDARY SURVEY BY DUNN LAND SURVEYS, INC., DATED MAY 28, 2014, RECORDED IN DEED BOOK 570 AT PAGE 809.
3. THE BOUNDARY INFORMATION FOR THIS SURVEY HAS BEEN ORIENTED TO VA NAD 83 NORTH ZONE STATE GRID USING GPS METHODS BASED ON PROPERTY CORNERS FOUND ONSITE.
4. THE INDIVIDUAL PARCEL AREAS SHOWN ARE BASED ON THE AREAS REPORTED ON THE RECORDED SURVEY PLATS REFERENCED IN NOTE 2 ABOVE.

**ANNEXATION B-9 - AREA THREE
111.526 ACRES
TO BE ADDED TO
THE TOWN OF BERRYVILLE
CLARKE COUNTY, VIRGINIA**



DATE: 09/27/2021

SHEET 3 OF 3



Marsh & Legge Land Surveyors, P.L.C.

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601
PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com

DRAWN BY: CAJ

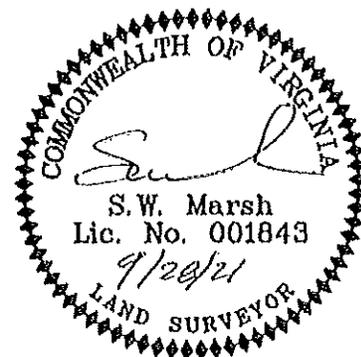
DWG NAME: ID11475-Area 3

TOWN OF BERRYVILLE
ANNEXATION B-9, AREA THREE

"Beginning at a point at the northwesterly corner of the Friant Enterprises #3, LLC Tax Parcel 14-A-112, said point being at the intersection of the easterly right of way line of the Norfolk Southern Railroad and the southwesterly right of way line of Virginia Route 7 (Harry Byrd Highway); thence with the northeasterly lines of Tax Parcels 14-A-112 and 14-A-80 along the southwesterly right of way line of the Harry Byrd Highway for the eight following courses: with the arc of a curve to the right 149.21 feet (Radius = 3,739.72 feet; Chord Length = 149.20 feet; Chord Bearing = S 35° 33' 42" E) to a point; thence S 34° 25' 07" E - 612.78 feet to a point; thence S 28° 30' 01" E - 220.88 feet to a point; thence S 21° 16' 07" E - 486.87 feet to a point; thence S 17° 37' 54" E - 654.63 feet to a point; thence S 14° 43' 29" E - 250.37 feet to a point; thence S 19° 22' 10" E - 400.01 feet to a point; thence S 17° 34' 08" E - 202.04 feet to a point at the northwesterly corner of the Profundus Virginia Properties Tax Parcel 14-A-110; thence with the westerly line of Tax Parcel 14-A-110, S 49° 22' 04" W - 746.62 feet to a point and at the northeasterly corner of the Treadwell Division 1, Section 2, said point being in the existing line of the Berryville Town Limits; thence with the northeasterly line of the Treadwell Division 1, Section 2, and the existing line of the Berryville Town Limits for the six following courses: N 40° 34' 38" W - 200.00 feet to a point; thence N 50° 36' 11" W - 50.78 feet to a point; thence N 40° 34' 38" W - 145.71 feet to a point; thence N 38° 19' 00" E - 42.02 feet to a point; thence N 51° 17' 52" W - 682.01 feet to a point; thence N 49° 04' 32" W - 137.64 feet to a point at the northwesterly corner of Lot 1, Treadwell Division, Section 1, Block E; thence with the westerly line of Lot 1 and continuing with the existing Berryville Town Limits for the three following courses: S 46° 06' 34" W - 55.84 feet to a point; thence S 46° 06' 39" W - 129.33 feet to a point; thence with the arc of a curve to the left 22.80 feet (Radius = 25.00 feet; Chord Length = 22.02 feet; Chord Bearing = S 25° 10' 20" E) to a point in the northeasterly right of way line of Battletown Drive; thence with the northeasterly right of way line of Battletown Drive for the three following courses: N 51° 17' 53" W - 78.47 feet to a point; thence with the arc of a curve to the left 380.20 feet (Radius =

251.36 feet; Chord Length = 344.98 feet; Chord Bearing = S 85° 22' 13" W) to a point; thence S 42° 02' 19" W - 235.84 feet to a point at the southeasterly corner of Lot 1 of the Treadwell Division, Section 3, Block F, said point being in the line of the existing Berryville Town Limits; thence with the northeasterly line of the Treadwell Division, Section 3, Block F, and continuing with the existing Berryville Town Limits for the five following courses: N 51° 40' 37" W - 172.01 feet to a point; thence N 66° 22' 41" W - 11.82 feet to a point; thence N 76° 44' 21" W - 400.00 feet to a point; thence N 80° 04' 29" W - 169.86 feet to a point at the northwesterly corner of Lot 8 of the Treadwell Division, Section 3, Block F; thence with the westerly line of Lot 8 and continuing to the northeasterly termination right of way line of Bel Voi Drive, S 42° 13' 29" - 143.51 feet to a point; thence continuing with the termination right of way line of Bel Voi Drive and the northeasterly line of Lot 11 of the Treadwell Division, Section 3, Block F along the existing Berryville Town Limits, N 47° 46' 31" W - 199.87 feet to a point in the southeasterly line of the DBSR, LLC Tax Parcel 14A3-A-26; thence continuing with the southeasterly lines of Tax Parcel 14A3-A-26 and the existing Berryville Town Limits for the two following courses: N 42° 15' 20" E - 502.93 feet to a point; thence N 44° 27' 02" W - 259.43 feet to a point in the easterly right of way line of the Norfolk Southern Railroad; thence with the easterly right of way line of the Norfolk Southern Railroad for the seven following courses: N 45° 11' 27" E - 261.65 feet to a point; thence N 41° 07' 35" E - 507.87 feet to a point; thence N 49° 17' 00" W - 10.00 feet to a point; thence N 41° 07' 31" E - 138.00 feet to a point; thence with the arc of a curve to the right 1,405.42 feet (Radius = 11,409.19 feet; Chord Length = 1,404.53 feet; Chord Bearing = N 44° 39' 15" E) to a point; thence N 57° 43' 08" W - 17.00 feet to a point; thence with the arc of a curve to the right 229.06 feet (Radius = 11,442.19 feet; Chord Length = 229.05 feet; Chord Bearing = N 48° 41' 13" E) to the point of beginning."

Containing 111.526 Acres



DRAFT
ANNEXATION ORDINANCE – 2022
AREA B-9

AN ORDINANCE TO PROVIDE FOR THE EXTENSION OF THE CORPORATE LIMITS OF THE TOWN OF BERRYVILLE, VIRGINIA, PURSUANT TO THE PROVISION OF ARTICLE 2, CHAPTER 32, OF TITLE 15.2 OF THE CODE OF VIRGINIA, BY ANNEXATION OF CERTAIN TERRITORY IN CLARKE COUNTY, VIRGINIA; TO DEFINE THE METES AND BOUNDS AND AREA OF THE TERRITORY TO BE ANNEXED; TO SET FORTH THE BASIS UPON WHICH SUCH ANNEXATION IS MADE; AND TO AFFECT THE ANNEXATION OF SUCH TERRITORY BY THE TOWN OF BERRYVILLE.

BE IT ORDAINED, by the Council of the Town of Berryville, Virginia:

DECLARATION OF ANNEXATION

The Council of the Town of Berryville, a Municipal Corporation of the Commonwealth of Virginia, hereby declares that the Town desires to annex certain territory in Clarke County, Virginia, adjacent to the corporate limits of the Town, pursuant to the Agreement Defining Annexation Rights between the Town of Berryville and County of Clarke.

AREA TO BE ANNEXED

Attached herewith as Exhibit A is a map of the Town of Berryville and vicinity indicating generally the existing Town borders and the area to be annexed, including the Town of Berryville Public Works site, two residential sites, and a residential manor house and vacant area, designated on such map as Areas One, Two, and Three, respectively. The metes and bounds of the area proposed to be annexed, identified as Area B-9, is set forth on attached Exhibit B. The area hereby annexed is estimated to contain approximately 130.0 acres with an estimated population of six (6) people as of the effective date of said annexation as provided herein.

PROCEEDINGS FOR ANNEXATION

On November 24, 1987, the Town of Berryville and Clarke County entered into an Agreement Defining Annexation Rights pursuant to Article 1.1, Chapter 10 of Title 15.1 (now Article 2, Chapter 32, of Title 15.2). The Agreement was thereafter filed with the Commission on Local Government. Following the conduct of a site visitation and public hearing, the Commission on Local Government issued its report on the proposed annexation agreement on or about November 17, 1988. On or about December 29, 1988, the Town of Berryville and Clarke County adopted the Agreement Defining Annexation Rights, as amended following the report of the Commission on Local

Government. Pursuant to said Agreement, the Town of Berryville annexed Area A by Ordinance effective January 1, 1989. The Town of Berryville subsequently annexed Area B-1, containing approximately 7.691 acres with an estimated population of zero (0) people, by Ordinance effective January 1, 1993; Area B-2, containing approximately 8.965 acres with an estimated population of eighteen (18) people, by Ordinance effective January 1, 1994; Area B-3, containing approximately 63.0898 acres with an estimated population of one hundred six (106) people, by Ordinance effective January 1, 1996; Area B-4, containing approximately 10.5316 acres with an estimated population of eleven (11) people; and Area B-5, containing approximately 196.5 acres with an estimated population of six (6) people, by Ordinance effective January 1, 2000; Area B-6, containing approximately 114.38 acres with an estimated population of three (3) people, by Ordinance effective January 1, 2003; Area B-7, containing approximately 41.81 acres with an estimated population of zero (0) people, by Ordinance effective January 1, 2005; and Area B-8, containing approximately 146 acres with an estimated population of eighteen (18) people, by Ordinance effective January 1, 2007.

On or about June 24, 2021, the Town of Berryville notified the governing body of Clarke County of the Town's intent to annex Area B-9, as such area is set forth in Exhibit A attached hereto. The Berryville Town Council held a public hearing on the proposed annexation of Area B-9 on October 12, 2021, which public hearing was duly advertised in the *Winchester Star*, a newspaper of general circulation in Clarke County, for two (2) successive weeks.

TERMS AND CONDITIONS

The annexation of Area B-9 territory will be assimilated into the Town's government and administration organization upon the effective date of annexation. The Town will provide the same level of general governmental and municipal service for the annexed area as are provided for the present Town within the framework of the Town's Charter and the general laws, and in accordance with the ordinance and regulations adopted and in force.

EFFECTING ANNEXATION

Pursuant to the Agreement Defining Annexation Rights entered into between the Town of Berryville and Clarke County, Virginia, the Town of Berryville hereby annexes that territory of Clarke County identified as Annexation Area B-9, as set forth on attached Exhibits A and B. Such annexation shall be effective as of 12:01 a.m., on January 1, 2022. The Town of Berryville further directs that this Ordinance be provided to the Clerk of the Circuit Court for Clarke County, and be recorded among the land records of Clarke County, Virginia.

EFFECTIVE DATE OF ORDINANCE

This Ordinance shall be in force and effective as of 12:01 a.m., January 1, 2022.

APPROVED this _____ day of _____, 2021.

SIGNED: _____
Harry Lee Arnold, Jr., Mayor

I hereby certify that the foregoing Ordinance was duly adopted by the Council of the Town of Berryville, Virginia, in a meeting duly assembled _____ 2021.

ATTEST: _____
Erecka L. Gibson, Recorder

CERTIFICATE

COMMONWEALTH OF VIRGINIA,
TOWN OF BERRYVILLE, CLARKE COUNTY, to wit:

I, Harry Lee Arnold, Jr., Mayor of the Town of Berryville, a Virginia Municipal Corporation, hereby certify that ERECKA L. GIBSON, whose name is signed to the foregoing Certificate, is and was at the time of signing the same, Town Recorder of the Town of Berryville, Virginia, duly qualified; that her attestation is in due form of law; that his signature is genuine, and all his official acts entitled to full faith and credit.

Given under my hand, this _____ day of _____, 2021.

SIGNED: _____
Harry Lee Arnold, Jr., Mayor
Town of Berryville, Virginia

COMMONWEALTH OF VIRGINIA,
TOWN OF BERRYVILLE, CLARKE COUNTY, to wit:

I, Erecka L. Gibson, Town Recorder of the Town of Berryville do hereby certify that HARRY LEE ARNOLD, JR., whose name is signed to the foregoing Certificate, is, and was at the time of signing same, Mayor of the Town of Berryville, Virginia, duly qualified.

Given under my hand, this _____ day of _____, 2021.

SIGNED: _____
Erecka L. Gibson, Recorder
Town of Berryville, Virginia

COMMONWEALTH OF VIRGINIA,
TOWN OF BERRYVILLE, CLARKE COUNTY, to wit:

I, the undersigned, a Notary Public in and for the aforesaid Jurisdiction do hereby certify that Harry Lee Arnold, Jr. and Erecka L. Gibson, whose names are signed to the foregoing instrument, bearing date of _____, 2021 have appeared before me and acknowledged the same in my aforesaid jurisdiction.

Given under my hand this _____ day of _____, 2021.

Notary Public

My Commission Expires: _____

DRAFT

**ORDINANCE APPLYING TOWN OF BERRYVILLE ZONING
TO ANNEXATION AREA B-9**

BE IT ORDAINED by the Town Council of the Town of Berryville amend the Zoning Map to apply Town Zoning to Annexation Area B-9 in the following manner:

For the approximate 9-acre area as described above as Area 1, currently zoned Institutional (ITL) by Clarke County, is proposed to be zoned Institutional (ITL) by the Town of Berryville.

For the approximate 10-acre area as described above as Area 2, currently zoned Detached Residential-2 (DR-2) by Clarke County, is proposed to be zoned Detached Residential-2 (DR-2) by the Town of Berryville.

For the approximate 112-acre area as described above as Area 3, the portion currently zoned Open Space Residential (OSR) by Clarke County, is proposed to be zoned Open Space Residential (OSR) by the Town of Berryville; the portion currently zoned Business Park (BP) is proposed to be zoned Business Park (BP) by the Town of Berryville; the portion currently zoned Detached Residential-1 (DR-1) is proposed to be zoned Detached Residential-1 (DR-1) by the Town of Berryville; and the portion currently zoned Detached Residential-2 (DR-2) is proposed to be zoned Detached Residential-2 (DR-2) by the Town of Berryville.

A Zoning Map showing zoning districts in the Town of Berryville, including zoning in Annexation Area B-9, is attached hereto as Exhibit A.

This ordinance shall become effective beginning January 1, 2022.

SIGNED: _____ DATE: _____
Harry Lee Arnold, Jr., Mayor

I hereby certify that the foregoing ordinance was duly adopted by the Town Council of the Town of Berryville, Virginia, in a meeting assembled **November 9, 2021**.

ATTEST: _____ DATE: _____
Erecka L. Gibson, Recorder

DRAFT
WARD BOUNDARY ORDINANCE

AN ORDINANCE ESTABLISHING BOUNDARIES FOR THE DIVISION OF THE TOWN OF BERRYVILLE INTO FOUR WARDS PURSUANT TO SECTION 1.3 OF THE CHARTER OF THE TOWN OF BERRYVILLE, VIRGINIA

WHEREAS, The Charter of the Town of Berryville, Chapter 1, Section 1.3, provides that the Town of Berryville shall be divided into four Wards, and further, that the boundaries of such wards shall be established by the Town Council by Ordinance; and

WHEREAS, The Charter of the Town of Berryville, Chapter 3, Section 3.1 provides, in pertinent part, that the Mayor and Recorder shall be elected from the Town at large, and further that the four Council members shall reside one in each ward of the Town, but shall be elected at large by all of the qualified voters of the Town; and

WHEREAS, federal and/or state constitutional requirements and legislation require that the ward boundaries effect an even distribution of population within a permitted deviation of plus or minus five percent of such population within each such ward; and

WHEREAS, The Town Council of the Town of Berryville finds it necessary to revise the boundaries of the four wards in town to include the one-hundred and thirty acres, plus or minus, of the territory of Clarke County, Virginia, identified as Annexation Area B-9, contiguous to the corporate limits of the Town of Berryville, such Annexation effective as of 12:01 a.m. on January 1, 2022;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Town of Berryville, that the boundaries of the four Wards of the Town of Berryville shall be, and hereby are established as set forth herein following and as set forth on the map of the Town of Berryville attached hereto (Exhibit A):

WARD ONE (1): All that property contained herein: beginning at the northeastern corner of the corporate limits and extending southward along the corporate limits to Business Route 7 (Main Street) then extending west along the northern side of Main Street to the corporate limits on the southern side of Main Street at the rear property lines of lots fronting on the east side of Blue Ridge Street then crossing Main Street then extending west on Main Street to the western boundary of Station Road then extending north along First Street to Cameron Street then extending west along Cameron Street to Page Street then extending south along Page Street to Liberty Street then extending west on Liberty Street to Price's Lane then extending north along Price's Lane to Osborne Street then extending west along Osborne Street to Church Street then extending north on Church Street to Bundy Street then extending west along Bundy Street to Buckmarsh Street then extending north along Buckmarsh Street to Bypass

Route 7 following the corporate limits along an easterly route to close the loop at the northeastern corporate boundary.

WARD TWO (2): All that property contained herein: beginning at the corporate boundary at the intersection of Church Street and Buckmarsh Street and extending north along Buckmarsh Street to Academy Street then extending east along Academy Street to Church Street then extending north along Church Street to Osborne Street then extending east along Osborne Street to Price's Lane then extending east along Liberty Street to page Street then extending north along Page Street to Cameron Street then extending east along Cameron Street to First Street then extending south along First Street to Main Street then extending east along Main Street to the rear property lines along lots fronting on the east side of Blue Ridge Street then extending in a generally southern direction along the corporate boundaries to the southeast corporate boundary and then extending in a generally western direction to close the loop at the corporate boundary at the intersection of Church Street an Buckmarsh Street.

WARD THREE (3): All that property contained herein: beginning at the southwestern corner of the corporate limits and extending generally in a northerly direction along the corporate limits to Business Route 7 (Main Street) then extending east along the south side of Main Street to Dorsey Street then extending north along the east side of Dorsey Street to Treadwell Street then extending east along the south side of Treadwell Street to Smith Street then extending south along the western side of Smith Street to Academy Street then extending east along the south side of Academy Street to Buckmarsh Street then extending south along the west side of Buckmarsh Street to close the loop with the southwestern corner of the corporate limits.

WARD FOUR (4): All that property contained herein: beginning at the northwestern corner of the corporate limits and running east along the corporate limits parallel with Bypass Route 7 then extending south then east along the corporate limits to Buckmarsh Street then extending south along the western side of Buckmarsh Street to Bundy Street then extending east along Bundy Street to Church Street then extending south along Church Street to Academy Street then extending west along Academy Street to Smith Street then extending north along Smith to Treadwell Street then extending west along Treadwell Street to Dorsey Street then extending south along Dorsey Street to Main Street then extending west along Main Street to the corporate boundary then closing the loop by extending west and north to the north western corner of the corporate limits.

Approved this 9th day of November, to be effective as of 12:01 a.m. on January 1, 2022.

SIGNED: _____
Harry Lee Arnold, Jr., Mayor

I hereby certify that the foregoing ordinance was duly adopted by the Town Council of the Town of Berryville, Virginia, in a meeting assembled November 9, 2021.

ATTEST: _____
Erecka L. Gibson, Recorder



Purchasing Card

BERRYVILLE TOWN OF
 October 01, 2021 - October 31, 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.: 1.509.353.6686 24 Hours For Lost or Stolen Card: 1.888.449.2273 24 Hours	Statement Date 10/31/21 Payment Due Date 11/23/21 Days in Billing Cycle 31 Credit Limit \$500,000 Cash Limit \$0 Total Payment Due \$94,276.48	Previous Balance \$108,698.10 Payments -\$108,698.10 Credits -\$169.95 Cash \$0.00 Purchases \$94,445.43 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 \$94,275.48

Important Messages

Please do not send payment. Your automatic payment is scheduled to be credited to this account on 11/23/21.

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
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0869810 9427548 9427548 4715291201837237

Account Number: [REDACTED]
 October 01, 2021 - October 31, 2021

Total Payment Due \$94,275.48
 Payment Due Date 11/23/21

Enter payment amount

\$ [REDACTED]

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

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

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

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> 1.888.449.2273	<u>Outside the U.S.</u> 1.509.353.6856 (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
 [REDACTED]
 October 01, 2021 - October 31, 2021
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Cardholder Activity Summary				
<i>Account Number</i>	<i>Credits</i>	<i>Cash</i>	<i>Purchases and Other Debits</i>	<i>Total Activity</i>
ALSBERRY, CONNER D [REDACTED]				
500	0.00	0.00	82.13	82.13
BOOR, RICK [REDACTED]				
15,000	0.00	0.00	3,609.54	3,609.54
BOOTH, KEVIN [REDACTED]				
1,000	0.00	0.00	234.42	234.42
BRAITHWAITE, JAY [REDACTED]				
500	0.00	0.00	31.33	31.33
BRISTOL, TIM [REDACTED]				
500	0.00	0.00	35.35	35.35
BUSSERT, ERNIE [REDACTED]				
15,000	0.00	0.00	6,254.68	6,254.68
GULP, PAUL [REDACTED]				
5,000	159.96	0.00	621.44	461.48
DORSEY, DANIEL [REDACTED]				
500	0.00	0.00	121.00	121.00
DUNKLE, CHRISTY [REDACTED]				
500	0.00	0.00	4.72	4.72
ELLIOTT, RALPH [REDACTED]				
5,000	0.00	0.00	1,012.17	1,012.17
FERREBEE, DARRELL [REDACTED]				
500	0.00	0.00	260.14	260.14
JOHNSON, KAREN [REDACTED]				
1,000	0.00	0.00	0.63	0.63
KELLEY, LESLIE [REDACTED]				
1,000	0.00	0.00	73.83	73.83
KERN, JODI [REDACTED]				
5,000	0.00	0.00	683.26	683.26
LINK, BRIAN [REDACTED]				
1,000	0.00	0.00	938.12	938.12
MILLER, TAMARA [REDACTED]				
50,000	0.00	0.00	47,026.22	47,026.22
PETTI, ROMAN [REDACTED]				
500	0.00	0.00	20.59	20.59
POULIN, CYNTHIA [REDACTED]				
1,000	0.00	0.00	289.00	289.00
STOVER, KEITH [REDACTED]				
1,000	9.99	0.00	905.32	895.33
TYRRELL, DAVE [REDACTED]				
35,000	0.00	0.00	30,206.70	30,206.70
WHITE, NEAL [REDACTED]				
15,000	0.00	0.00	2,034.84	2,034.84

BERRYVILLE TOWN OF
 October 01, 2021 - October 31, 2021
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Transactions							
Posting	Transaction						
Date	Date	Description	Reference Number	MCC	Charge	Credit	
BERRYVILLE TOWN OF							Total Activity
Account Number: [REDACTED]							\$108,698.10
10/25	10/25	AUTO PAYMENT DEDUCTION		0071		108,698.10	
ALSBERRY, CONNER D							Total Activity
Account Number: [REDACTED]							02.13
10/04	10/01	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971275091408000495	5251	6.52		
10/08	10/08	WAL-MART #1406 WINCHESTER VA	24226381280360454118499	5411	76.61		
BOOR, RICK							Total Activity
Account Number: [REDACTED]							3,609.64
10/20	10/19	BROY & SON PUMP SERVICE 540-9553928 VA	24073141292900014200010	1799	910.00		
10/21	10/19	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767891293391400090506	5533	28.10		
10/26	10/25	CLARKE COUNTY AUTOMOTIVE BERRYVILLE VA	24247601298200140580593	7538	341.45		
10/28	10/26	BROY & SON PUMP SERVICE 540-9553928 VA	24073141300900015000013	1799	502.00		
10/28	10/26	GRIFFITH ENERGY SERVIC 410-956-3000 MD	24258021300017018746293	5983	1,827.99		
BOOTH, KEVIN							Total Activity
Account Number: [REDACTED]							234.42
10/06	10/05	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971279091406000188	5251	14.68		
10/08	10/07	BIG DADDY AUTOMOTIVE LLC BERRYVILLE VA	24247601280200121135839	7538	51.00		
10/11	10/08	BIG DADDY AUTOMOTIVE LLC BERRYVILLE VA	24247601281200132249263	7538	20.00		
10/12	10/11	BATTLEFIELD BOOTS WINCHESTER VA	24755421284172841805889	5661	148.74		
BRAITHWAITE, JAY							Total Activity
Account Number: [REDACTED]							31.33
10/29	10/28	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971302091402000167	5251	31.33		
BRISTOL, TIM							Total Activity
Account Number: [REDACTED]							36.36
10/20	10/19	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971293091404000620	5251	35.35		
BUSSERT, ERNIE							Total Activity
Account Number: [REDACTED]							8,264.88
10/01	09/29	MCMMASTER-CARR 630-834-9600 IL	24789301273308900101193	5085	74.63		
10/13	10/12	LOWES #02724* WINCHESTER VA	24692161285100843080562	5200	25.96		
10/13	10/12	USA BLUE BOOK 800-548-1234 IL	24940451285636000062898	5085	219.12		
10/15	10/13	MCMMASTER-CARR 630-834-9600 IL	24789301287367100164116	5085	337.55		
10/18	10/14	COYNE CHEMICAL 215-785-3000 PA	24137461288500988287399	5169	787.40		
10/18	10/14	COYNE CHEMICAL 215-785-3000 PA	24137461288500988287472	5169	479.94		
10/18	10/15	COYNE CHEMICAL 215-785-3000 PA	24137461289501230163759	5169	1,896.95		
10/19	10/18	LOWES #02724* WINCHESTER VA	24692161291100487685470	5200	54.87		
10/20	10/19	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971293091404000059	5251	8.55		
10/21	10/19	COYNE CHEMICAL 215-785-3000 PA	24137461293500851774625	5169	1,934.15		
10/21	10/19	MCMMASTER-CARR 630-834-9600 IL	24789301293392000108528	5085	203.09		
10/21	10/19	MCMMASTER-CARR 630-834-9600 IL	24789301293392000128831	5085	205.47		
10/25	10/22	NORVAC LOCK TECHNOLOGY I WINCHESTER VA	24733091295400564000015	7399	27.00		
CULP, PAUL							Total Activity
Account Number: [REDACTED]							461.48
10/01	09/30	STAPLS7338281198002001 877-8267755 NJ	24164071273105290251941	5111	39.99		
10/01	09/30	STAPLS7338050415002001 877-8267755 NJ	24164071273105290255983	5111	119.97		
10/01	09/30	STAPLS7338281198001001 SOUTH HACKENSNJ	74164071273105300288346	5111		39.99	
10/04	10/02	STAPLS0194903901000002 877-8267755 NJ	24164071276105970265581	5111	119.97		
10/14	10/13	EBERT REPRODUCTION & SUPPWINCHESTER VA	24428061286200181247419	5999	15.33		
10/18	10/16	STAPLS7338050415001001 SOUTH HACKENSNJ	74164071288105250679709	5111		119.97	
10/20	10/18	NATIONAL INSITUTE OF GOVE703-7368900 VA	24639231292900015000100	8699	299.00		
10/27	10/26	USPS PO 5107560300 BERRYVILLE VA	24137461300001398944897	9402	27.18		
DORSEY, DANIEL							Total Activity
Account Number: [REDACTED]							121.00
10/01	09/30	ABC-NV 913-8954600 KS	24270741273900017354385	8999	121.00		
DUNKLE, CHRISTY							Total Activity
Account Number: [REDACTED]							4.72
10/20	10/19	USPS PO 5107560300 BERRYVILLE VA	24137461293001437618493	9402	4.72		
ELLIOTT, RALPH							Total Activity
Account Number: [REDACTED]							1,012.17
10/13	10/12	CLARKE COUNTY AUTOMOTIVE BERRYVILLE VA	24247601285200163121744	7538	409.70		
10/20	10/19	JNO. S SOLENERGER AND C WINCHESTER VA	24138291293400007631524	5251	84.19		
10/22	10/21	CLARKE COUNTY AUTOMOTIVE BERRYVILLE VA	24247601294200134854693	7538	295.55		
10/22	10/21	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971295091408000238	5251	222.73		
FERREBEE, DARRELL							Total Activity
Account Number: [REDACTED]							280.14
10/04	10/01	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971275091408000461	5251	27.98		
10/04	10/01	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767891276317100245471	5533	20.10		

BERRYVILLE TOWN OF
 October 01, 2021 - October 31, 2021
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Transactions

Posting Transaction		Date	Date	Description	Reference Number	MCC	Charge	Credit	
10/07	10/06	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801971280091408000324	5251		17.58		
10/11	10/07	BERRYVILLE AUTO PARTS INCBERRYVILLE	VA	24767891281342100111567	5533		12.39		
10/13	10/12	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801971286091400000482	5251		28.67		
10/20	10/19	FISHER AUTO PARTS 009	BERRYVILLE VA	24431061293200824100070	5533		129.23		
10/27	10/25	BERRYVILLE AUTO PARTS INCBERRYVILLE	VA	24767891299416200074451	5533		24.19		
JOHNSON, KAREN								Total Activity	0.63
Account Number:									
10/04	10/03	Amazon web services	aws.amazon.coWA	24692161276100949571390	7399		0.63		
KELLEY, LESLIE								Total Activity	73.83
Account Number:									
10/27	10/26	OUTBACK 4112	MYRTLE BEACH SC	24692161299100522430710	5812		29.75		
10/27	10/26	THE BOWERY	MYRTLE BEACH SC	24607941300286188800472	5812		22.25		
10/29	10/28	CROOKED HAMMOCK MYRTLE	302-2780100 SC	24540451302189831501340	5812		21.83		
KERN, JODI								Total Activity	683.26
Account Number:									
10/04	10/01	AMZN Mktp US*2C2DF99U1	Amzn.com/blllWA	24692161275100818769192	6942		119.99		
10/04	10/01	STAPLS7340607997000001	877-8267755 NJ	24164071274105300518023	5111		69.63		
10/06	10/05	VA DMV ONLINE BILLING	PAY804-4977100 VA	24755421279132791707938	9399		50.00		
10/11	10/09	STAPLS7341210411000001	877-8267755 NJ	24164071203105000383266	5111		48.99		
10/22	10/22	MSFT * E0100G7YCG	800-642-7676 WA	24430991295400818009868	5045		170.00		
10/25	10/23	STAPLS7342097857000001	877-8267755 NJ	24164071297105210323541	5111		39.65		
10/26	10/26	UVA COOPER CNTR CONF WEB	434-9825714 VA	24755421299132999895697	8220		185.00		
LINK, BRIAN								Total Activity	938.12
Account Number:									
10/06	10/05	FISHER AUTO PARTS 009	BERRYVILLE VA	24431061279200824900022	5533		47.82		
10/07	10/06	FISHER AUTO PARTS 009	BERRYVILLE VA	24431061280200824000077	5533		19.40		
10/07	10/06	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801971280091408000365	5251		12.53		
10/11	10/08	BATTLEFIELD BOOTS	WINCHESTER VA	24755421281262818513914	5661		148.74		
10/15	10/14	SHADE EQUIPMENT CO-WINCHEWINCHESTER	VA	24412901287027012815823	5599		678.20		
10/18	10/15	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801971289091406000103	5251		19.40		
10/19	10/18	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801971292091402000235	5251		12.03		
MILLER, TAMARA								Total Activity	47,026.22
Account Number:									
10/20	10/19	REPUBLIC SERVICES TRASH	866-576-5548 AZ	24941661292083740328814	4900		125.00		
10/20	10/19	RAPPAHANNOCKELECTRICCOOP	EBILL.MYREC.CVA	24231681292747008823479	4900		9,644.62		
10/20	10/19	RAPPAHANNOCKELECTRICCOOP	EBILL.MYREC.CVA	24231681292747008823255	4900		5,201.67		
10/20	10/19	RAPPAHANNOCKELECTRICCOOP	EBILL.MYREC.CVA	24231681292747008823529	4900		4,635.23		
10/20	10/20	COMCAST	800-COMCAST MD	24692161293100758388380	4899		120.03		
10/20	10/20	COMCAST	800-COMCAST MD	24692161293100758388505	4899		149.95		
10/21	10/20	VERIZON*ONETIMEPAYMENT	800-VERIZON FL	24692161293100887264593	4814		188.14		
10/21	10/20	VERIZON*ONETIMEPAYMENT	800-VERIZON FL	24692161293100887264841	4814		412.91		
10/21	10/20	VZWRLSS*MY VZ VB P	800-922-0204 FL	24692161293100891087899	4814		1,246.19		
10/26	10/25	REPUBLIC SERVICES TRASH	866-576-5548 AZ	24941661298083751984749	4900		10,000.00		
10/26	10/25	REPUBLIC SERVICES TRASH	866-576-5548 AZ	24941661298083707703680	4900		6,903.63		
10/26	10/25	REPUBLIC SERVICES TRASH	866-576-5548 AZ	24941661298083749048847	4900		8,273.85		
10/26	10/25	REPUBLIC SERVICES TRASH	866-576-5548 AZ	24941661298083725066540	4900		125.00		
PETTI, ROMAN								Total Activity	20.59
Account Number:									
10/04	10/01	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801971275091408000339	5251		1.01		
10/06	10/05	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801971279091406000097	5251		19.58		
POULIN, CYNTHIA								Total Activity	289.00
Account Number:									
10/13	10/12	IN *TRUESHRED	888-7508783 VA	24692161285100105631169	7399		54.00		
10/18	10/15	UVA COOPER CNTR CONF WEB	434-9825714 VA	24755421289732892138313	8220		160.00		
10/18	10/15	UVA COOPER CNTR CONF WEB	434-9825714 VA	24755421289732892136362	8220		75.00		
STOVER, KEITH								Total Activity	895.33
Account Number:									
10/04	10/01	FISHER AUTO PARTS 009	BERRYVILLE VA	24431061275200824600089	5533		12.05		
10/06	10/05	FISHER AUTO PARTS 009	BERRYVILLE VA	24431061279200824900139	5533		175.92		
10/07	10/06	JNO. S SOLENBERGER AND C	WINCHESTER VA	24138291280400007570883	5251		77.87		
10/08	10/07	ALTMED MEDICAL CTR- FR	FRONT ROYAL VA	24493981280286693000045	8011		85.00		
10/13	10/12	SHADE EQUIPMENT CO-WINCHEWINCHESTER	VA	24412901285027012644274	5599		113.85		
10/15	10/14	LOWES #02724*	WINCHESTER VA	24692161287100452473676	5200		183.40		
10/15	10/14	FISHER AUTO PARTS 009	BERRYVILLE VA	24431061280200824700207	5533		81.24		
10/18	10/15	SHADE EQUIPMENT CO-WINCHEWINCHESTER	VA	24412901288027013207292	5599		112.00		
10/21	10/20	BERRYVILLE TRUE VALUE	BERRYVILLE VA	24801971294091406000056	5251		17.63		
10/26	10/25	BIG DADDY AUTOMOTIVE LLC	BERRYVILLE VA	24247601298200140580916	7538		20.00		
10/26	10/25	FISHER AUTO PARTS 009	BERRYVILLE VA	24431061299200824600073	5533		12.66		

BERRYVILLE TOWN OF
 706478001
 October 01, 2021 - October 31, 2021
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Transactions

Posting Date	Transaction Date	Description	Reference Number	MCC	Charge	Credit
10/26	10/25	FISHER AUTO PARTS 009 BERRYVILLE VA	74431061299200824600128	5533		9.99
10/29	10/28	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971302091402000092	5251	13.70	

TYRRELL, DAVE Total Activity
 Account Number: [REDACTED] 30,206.70

10/06	10/05	IN *JOINER LABS, LLC 540-3477212 VA	24692161278100820630727	8734	220.00	
10/06	10/05	IN *JOINER LABS, LLC 540-3477212 VA	24692161278100820630735	8734	185.00	
10/06	10/05	IN *JOINER LABS, LLC 540-3477212 VA	24692161278100820630743	8734	220.00	
10/06	10/05	IN *JOINER LABS, LLC 540-3477212 VA	24692161278100820630750	8734	220.00	
10/06	10/05	EAHEART INDUSTRIAL SERVI 804-3557943 VA	24760621279470000168130	1799	198.35	
10/07	10/06	AERZEN USA CORP. 484-718-3503 PA	24692161279100307541765	5046	2,900.00	
10/08	10/06	COYNE CHEMICAL 215-785-3000 PA	24137461280500877977804	5169	1,439.00	
10/12	10/11	IN *CONSOLIDATED ELECTRIC540-6625994 VA	24692161284100363258981	1731	5,400.00	
10/12	10/11	IN *CONSOLIDATED ELECTRIC540-6625994 VA	24692161284100363258979	1731	520.00	
10/12	10/11	IN *CONSOLIDATED ELECTRIC540-6625994 VA	24692161284100363258987	1731	531.00	
10/13	10/12	AMZN Mktp US*273WG76Q0 Amzn.com/billWA	24692161285100038382666	5942	98.25	
10/13	10/12	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941661285083713741000	4900	3,021.14	
10/13	10/12	TOTAL PEST SERVICES WINCHESTER VA	24013391285001246760237	7342	158.00	
10/13	10/12	IN *CONSOLIDATED ELECTRIC540-6625994 VA	24692161285100105712845	1731	4,764.00	
10/15	10/14	IN *JOINER LABS, LLC 540-3477212 VA	24692161287100605066872	8734	220.00	
10/15	10/14	IN *JOINER LABS, LLC 540-3477212 VA	24692161287100605066880	8734	215.00	
10/15	10/14	IN *JOINER LABS, LLC 540-3477212 VA	24692161287100605066898	8734	170.00	
10/15	10/14	IN *JOINER LABS, LLC 540-3477212 VA	24692161287100605066906	8734	220.00	
10/15	10/14	IN *JOINER LABS, LLC 540-3477212 VA	24692161287100605066914	8734	220.00	
10/19	10/18	IN *DENNIS INSPECTION, IN540-5355170 VA	24692161291100739316452	7299	625.00	
10/20	10/18	CARMEUSE LIME & STON PITTSBURGH PA	24258021292018012740803	5039	4,690.03	
10/20	10/19	WATER - COFFEE DELIVERY 800-4928377 GA	24717051282272921080262	5199	42.53	
10/25	10/24	AMZN Mktp US*2Y6PROMO2 Amzn.com/billWA	24692161297100128896068	5942	30.44	
10/26	10/25	IN *JOINER LABS, LLC 540-3477212 VA	24692161298100141313322	8734	220.00	
10/26	10/25	IN *JOINER LABS, LLC 540-3477212 VA	24692161298100141313330	8734	220.00	
10/26	10/25	IN *JOINER LABS, LLC 540-3477212 VA	24692161298100141313348	8734	220.00	
10/26	10/25	IN *JOINER LABS, LLC 540-3477212 VA	24692161298100141313355	8734	45.00	
10/26	10/25	IN *JOINER LABS, LLC 540-3477212 VA	24692161298100141313363	8734	140.00	
10/27	10/26	ATCO MANUFACTURING COMPAN770-4247550 GA	24275391299900015832704	2842	135.00	
10/27	10/26	IN *JOINER LABS, LLC 540-3477212 VA	24692161299100904775690	8734	85.00	
10/27	10/26	IN *JOINER LABS, LLC 540-3477212 VA	24692161299100904775724	8734	20.00	
10/28	10/26	COYNE CHEMICAL 215-785-3000 PA	24137461300500863942310	5169	2,292.20	
10/28	10/26	MCMMASTER-CARR 630-834-9800 IL	24789301300421100170715	5085	198.65	
10/29	10/27	BERRYVILLE AUTO PARTS INC800-4498012 VA	24767891301424800108337	5533	259.99	
10/29	10/27	BERRYVILLE AUTO PARTS INC800-4498012 VA	24767891301424800108345	5533	63.12	

WHITE, NEAL Total Activity
 Account Number: [REDACTED] 2,034.84

10/21	10/19	IJ CANNAS AMERICAN GRILLE WINCHESTER VA	24036261293029010520855	5812	132.64	
10/21	10/21	SANTORINI GRILL BERRYVILLE VA	24801971294091082000149	5812	23.16	
10/22	10/21	DROPBOX*7LHHC3NW4KL4 DROPBOX.COM CA	24692161294100598605844	4816	119.88	
10/22	10/20	EXXONMOBIL 47561691 WINCHESTER VA	24164051294837001996748	5541	28.14	
10/25	10/19	TOWNEPLACE SUITES WINCHESTER VA	24692161296100588988331	3740	208.90	
		Arrival: 10/19/21				
10/25	10/19	TOWNEPLACE SUITES WINCHESTER VA	24692161296100588988349	3740	208.90	
		Arrival: 10/19/21				
10/25	10/19	TOWNEPLACE SUITES WINCHESTER VA	24692161296100588988356	3740	208.90	
		Arrival: 10/19/21				
10/25	10/23	ADOBE ACROPRO SUBS 408-536-6000 CA	24943001296700863583744	5734	179.88	
10/26	10/25	AT&T PREMIER EBILL 800-331-0500 TX	24055231299812419986040	4814	229.44	
10/26	10/25	FBI LEEDA INC 877-7727712 PA	24559301298900010147659	8398	695.00	

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.

Total deposits 321,498.08
 Deposited in October 316,446.56

On-Line Pmts - October 2021

Deposit Date	On Line Batch date	Checks		Credit Card		Bank Acq Trans	Total	
		Date to bnk	Amount	Date to Bnk	Amount			
10/5/2021	10/1/2021		1,371.71		2,633.28		3,984.99	UB Online Pmt deposited on 10/5/2021 Batch#18443
10/7/2021	10/3/2021		584.66		307.12		891.78	UB Online Pmt deposited on 10/7/2021 Batch#18444
10/6/2021	10/2/2021		203.36		177.94		381.30	UB Online Pmt deposited on 10/6/2021 Batch # 18485
10/8/2021	10/4/2021		1,000.32		330.56		1,330.88	UB Online Pmt deposited on 10/8/2021 Batch#18486
10/12/2021	10/5/2021		553.82		390.40		944.22	UB Online Pmt deposited on 10/12/2021 Batch#18491
10/12/2021	10/6/2021		254.20		305.04		559.24	UB Online Pmt deposited on 10/12/2021 Batch#18505
10/12/2021	10/7/2021		350.46		365.74		716.20	UB Online Pmt deposited on 10/12/2021 Batch#18507
10/12/2021	10/8/2021		0.00		40.00		40.00	TAX(PP) Online Pmt deposited on 10/12/2021 Batch#18544
10/12/2021	10/8/2021		305.04		280.10		585.14	UB Online Pmt deposited on 10/12/2021 Batch#18545
10/13/2021	10/9/2021		0.00		96.87		96.87	UB Online Pmt deposited on 10/13/2021 Batch#18546
10/14/2021	10/10/2021		838.86		355.88		1,194.74	UB Online Pmt deposited on 10/14/2021 Batch#18547
10/15/2021	10/11/2021		387.04		525.65		912.69	UB Online Pmt deposited on 10/15/2021 Batch#18548
10/18/2021	10/12/2021		172.52		779.33		951.85	UB Online Pmt deposited on 10/18/2021 Batch#18552
10/18/2021	10/13/2021		623.55		304.88		928.43	UB Online Pmt deposited on 10/18/2021 Batch#18557
10/18/2021	10/14/2021		1,220.16		1,489.52		2,709.68	UB Online Pmt deposited on 10/18/2021 Batch#18565
10/19/2021	10/15/2021		2,744.05		1,842.30		4,586.35	UB Online Pmt deposited on 10/19/2021 Batch#18569
10/20/2021	10/16/2021		461.24		160.00		621.24	UB Online Pmt deposited on 10/20/2021 Batch#18570
10/21/2021	10/17/2021		76.26		364.98		441.24	UB Online Pmt deposited on 10/21/2021 Batch#18572
10/20/2021	10/17/2021		931.05		0.00		931.05	TAX(PP) Online Pmt deposited on 10/20/2021 Batch#18573
10/21/2021	10/18/2021		203.04		585.34		788.38	UB Online Pmt deposited on 10/21/2021 Batch#18579
10/25/2021	10/19/2021		76.26		492.08		568.34	UB Online Pmt deposited on 10/25/2021 Batch#18580
10/25/2021	10/20/2021		111.85		231.32		343.17	UB Online Pmt deposited on 10/25/2021 Batch#18586
10/25/2021	10/21/2021		167.77		194.80		362.57	UB Online Pmt deposited on 10/25/2021 Batch#18590
10/26/2021	10/22/2021		53.88		335.11		388.99	UB Online Pmt deposited on 10/26/2021 Batch#18595
10/27/2021	10/23/2021		373.51		362.62		736.13	UB Online Pmt deposited on 10/27/2021 Batch#18596
10/28/2021	10/24/2021		111.85		293.85		405.70	UB Online Pmt deposited on 10/28/2021 Batch#18597
10/29/2021	10/25/2021		419.47		782.17		1,201.64	UB Online Pmt deposited on 10/29/2021 Batch#18609
11/1/2021	10/26/2021		1,012.58	-223.7	1,709.50		2,498.38	UB Online Pmt deposited on 11/1/2021 Batch#18615
11/1/2021	10/27/2021		51.00		291.78		342.78	UB Online Pmt deposited on 11/1/2021 Batch#18625
11/1/2021	10/28/2021		137.26		238.00		375.26	UB Online Pmt deposited on 11/1/2021 Batch#18636
11/2/2021	10/29/2021		126.13		89.00		215.13	UB Online Pmt deposited on 11/2/2021 Batch#18645
11/3/2021	10/30/2021		0.00		184.74		184.74	TAX(RE) Online Pmt deposited on 11/3/2021 Batch#18644
11/3/2021	10/30/2021		25.42		-		25.42	UB Online Pmt deposited on 11/3/2021 Batch#18646
11/4/2021	10/31/2021		0.00		330.36		330.36	UB Online Pmt deposited on 11/4/2021 Batch#18647
0.00								
31,574.88								
1,130.91								
<u>30,443.97</u>								

Water and sewer bill accounts

Estimated cost of these actions:							
- Payment of delinquent accounts	\$	<u>BUDGETED</u>	<u>USED THIS MONTH</u>	<u>TOTAL USED</u>	<u>BALANCE</u>	<u>PERCENT USED</u>	
- Water and sewer account credits	\$	10,000.00	-	\$ 4,069.34	\$ 5,930.66	41%	\$ 10,000.00
- Total	\$	169,100.00	21,613.20	\$ 64,487.00	\$ 104,613.00	38%	\$ 169,100.00
Funds used from first payment				\$ 68,556.34			\$ 179,100.00
							\$ 110,543.66

Signage

Estimated cost of these actions							
- Signage	\$	140,000.00	-	\$ -	\$ 140,000.00	0%	\$ 140,000.00
- Total	\$	140,000.00		\$ -			\$ 140,000.00
Funds used from first payment							\$ 60,000.00
Funds used from second payment							\$ 80,000.00

Improvements in Central Business District

Estimated cost of these actions							
- Facades, signs, accessibility	\$	250,000.00	-	\$ -	\$ 250,000.00	0%	\$ 250,000.00
- Total	\$	250,000.00		\$ -			\$ 250,000.00
Funds used from first payment							\$ 125,000.00
Funds used from second payment							\$ 125,000.00

Non-Profits

Estimated cost of these actions											
- John H Enders FD	\$	80,000.00	\$	-	\$	-	\$	80,000.00	0%	\$	80,000.00
- Barns of Rose Hill	\$	40,000.00	\$	-	\$	-	\$	40,000.00	0%	\$	40,000.00
- Housing assistance	\$	120,000.00	\$	-	\$	-	\$	120,000.00	0%	\$	120,000.00
- Total										\$	240,000.00

Funds used from first payment	\$	150,000.00
Funds used from second payment	\$	80,000.00

Purchase of equipment and supplies

Estimated cost of these actions											
- Purchase of equipment, etc	\$	25,000.00	\$	-	\$	-	\$	25,000.00	0%	\$	25,000.00
- Total										\$	25,000.00

Funds used from first payment	\$	25,000.00
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Improve Communications

Estimated cost of these actions											
- Website	\$	8,000.00	\$	-	\$	5,845.29	\$	2,154.71	73%	\$	8,000.00
- Radios	\$	60,000.00	\$	-	\$	-	\$	60,000.00	0%	\$	60,000.00
- Other Imp.	\$	60,000.00	\$	-	\$	-	\$	60,000.00	0%	\$	60,000.00
- Total						5,845.29		128,000.00		\$	128,000.00

Funds used from first payment	\$	122,154.71
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Premium Pay

Estimated cost of these actions										
- Provide premium pay	\$	172,000.00	\$	174,323.86	\$	(2,323.86)	101%	\$	172,000.00	
- Total									\$	172,000.00

Funds used from first payment	\$	(2,323.86)
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Complete necessary water and sewer infrastructure projects

Estimated cost of these actions						
- Cost of the projects	\$ 3,077,986.00	\$	19,536.99	\$ 189,818.22	\$ 2,868,630.79	5.80%
- Total				\$ 209,355.21		\$ 3,077,986.00
Funds used from first payment						\$ 1,069,037.79
Funds used from second payment						\$ 1,792,493.00

Pay for administrative costs

Estimated cost of these actions						
- Administrative costs per FY (5.5)	\$ 60,000.00	\$	875.95	\$ 4,498.40	\$ 54,625.65	9%
- Total				\$ 5,374.35		\$ 330,000.00
Funds used from first payment						\$ 134,625.65
Funds used from second payment						\$ 195,374.35

NOTES:

Administrative Costs: 14.5 Hours Total
 10 Hours Osborne Street Project
 4.5 Hours Grant agreements for non-profits & List of ARPA Projects for Treasurer

Cash Balance Report

Period Ending 10/31/2021

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Bank 1	Bank of Clarke Operating Acct#- 1138499	
	Account	Balance
	100-1140000-0000 B/C OPR	-\$96,402.37
	501-1140000-0000 B/C OPR	-\$20,453.92
	502-1140000-0000 B/C OPR	-\$13,700.86
	Bank 1	Total:
		-\$130,557.15
Bank 2	Bank of Clarke NOW Acct#- 1138502	
	Account	Balance
	100-1149000-0000 B/C NOW	\$5,203,942.45
	501-1149000-0000 B/C NOW	\$1,393,204.65
	502-1149000-0000 B/C NOW	\$4,805,954.85
	Bank 2	Total:
		\$11,403,101.95
Bank 3	Bank of Clarke Payroll Acct#- 1139510	
	Account	Balance
	100-1121000-0000 CASH/ BC PAYROLL	\$40,044.82
	501-1121000-0000 CASH/BC PAYROLL	\$0.00
	502-1121000-0000 CASH/BC PAYROLL	\$0.00
	Bank 3	Total:
		\$40,044.82
Bank 4	Bank of Clarke CIP Acct#- 1138405	
	Account	Balance
	100-1123000-0000 BC/CIP CD	\$945,744.64
	501-1123000-0000 BC/CIP	\$2,427,957.95
	502-1123000-0000 BC/CIP	\$3,527,130.75
	Bank 4	Total:
		\$6,900,833.34
Bank 5	Bank of Clarke SW Acct#- 1138413	
	Account	Balance
	100-1128000-0000 BC/SWMGT CD	\$464,401.48
	Bank 5	Total:
		\$464,401.48
Bank 6	Bank of Clarke PDAF Acct#- 1138421	
	Account	Balance
	100-1131000-0000 PD ASSET FORFEITURE	\$30,245.89
	Bank 6	Total:
		\$30,245.89
Bank 7	Bank of Clarke DSR Acct#- 1138456	
	Account	Balance
	100-1124000-0000 BC/RDA DEBT SER RES	\$111,330.21
	Bank 7	Total:
		\$111,330.21
Bank 8	Bank of Clarke PPTRA Acct#- 1138464	
	Account	Balance

Cash Balance Report

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	100-1125000-0000 BC/PPTRA RES	\$403,692.40
	501-1125000-0000 BC/PPTRA RESERVE	\$0.00
	502-1125000-0000 BC/PPTRA RESERVE	\$0.00
	Bank 8 Total:	\$403,692.40
Bank 9	Bank of Clarke RAU Acct#- 1138472 Account	Balance
	100-1145000-0000 BCC Rau Account	\$944.35
	Bank 9 Total:	\$944.35
Bank 10	Bank of Clarke VRA Reserve Acct#- 6041647 Account	Balance
	502-1155000-0000 BCVRA Reserve Account	\$470,002.00
	Bank 10 Total:	\$470,002.00
Bank 11	Bank of Clarke Proffer Reserve Acct#- 1897098 Account	Balance
	100-1126000-0000 Cash BC/Proffers Reserve	\$90,476.74
	501-1126000-0000 CASH/BC Proffers Reserve	\$0.00
	502-1126000-0000 CASH/BC Proffers Reserve	\$0.00
	Bank 11 Total:	\$90,476.74
Bank 12	Bank of Clarke Performance Bonds Acct#- 1910841 Account	Balance
	100-1135000-0000 B/C PERFORMANCE BONDS	\$11,281.43
	Bank 12 Total:	\$11,281.43
Bank 13	BB&T Acct#- 5137523525 Account	Balance
	100-1130000-0000 CASH/BB&T MM+	\$68,520.27
	501-1130000-0000 CASH/BB&T MM+	\$0.00
	502-1130000-0000 CASH/BB&T MM+	\$0.00
	Bank 13 Total:	\$68,520.27
Bank 14	Bank of Clarke PD Contributions Acct#- 5759859 Account	Balance
	100-1133000-0000 PD Contributions	\$2,757.93
	Bank 14 Total:	\$2,757.93
Bank 15	Bank of Clarke PSN Refund/Pmt. Acct. Acct#- 6079334 Account	Balance
	100-1146000-0000 BC PSN Refund Acct	\$0.00
	Bank 15 Total:	\$0.00
Bank 16	Bank of Clarke PSN Dep. Acct Acct#- 6079326 Account	Balance

Cash Balance Report

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100-1147000-0000 BC PSN Deposit Acct			-30.42
501-1147000-0000 BC PSN Deposit Acct.			\$10.65
502-1147000-0000 BC PSN Deposit Acct.			\$19.77
	Bank 16	Total:	\$0.00

Total Cash Balance:	\$19,867,075.66
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Check Listing

Date From: 10/1/2021 Date To: 10/31/2021

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

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Check Number	Bank	Vendor	Date	Amount
6925	1	CORE & MAIN LP	10/08/2021	\$3,765.00
6926	1	CROWN TROPHY LLC	10/08/2021	\$25.00
6927	1	Hall, Monahan, Engle, Mahan & Mitchell	10/08/2021	\$992.50
6928	1	Indian River Equipment Co.	10/08/2021	\$2,950.47
6929	1	MARGIE CHRISTIAN OR RICHARD BERRYMAN	10/08/2021	\$25.00
6930	1	Marsh & Legge Land Surveyors, P.L.C.	10/08/2021	\$6,500.00
6931	1	Roy's Upholstery	10/08/2021	\$392.15
6932	1	The Winchester Star	10/08/2021	\$1,092.10
6933	1	Treasurer of Clarke County	10/08/2021	\$98,085.00
6934	1	Treasurer of Frederick County	10/08/2021	\$5,082.31
6935	1	USPS	10/08/2021	\$150.00
6936	1	VALLEY REGIONAL ENTERPRISES, INC.	10/08/2021	\$83.00
6937	1	Bureau for Child Support Enforcement	10/14/2021	\$875.00
6938	1	CORE & MAIN LP	10/14/2021	\$2,890.00
6939	1	Gwen Malone	10/14/2021	\$40.00
6940	1	H. Allen Kitselman	10/14/2021	\$75.00
6941	1	Keith Dalton	10/14/2021	\$50.00
6942	1	Kim S. Kemp	10/14/2021	\$40.00
6943	1	Krishan Mathur	10/14/2021	\$40.00
6944	1	LASER PRINT PLUS WY, LLC	10/14/2021	\$3,000.00
6945	1	Michelle K. Marino	10/14/2021	\$40.00
6946	1	PENNONI ASSOCIATES INC	10/14/2021	\$16,072.50
6947	1	RYAN PATRICK TIBBENS	10/14/2021	\$40.00
6948	1	Sheryl Reid	10/14/2021	\$40.00
6949	1	The Hall Company	10/14/2021	\$1,343.65
6950	1	VIRASEC IT Support Services, Inc.	10/14/2021	\$2,437.90
6951	1	William Steinmetz	10/14/2021	\$40.00
6952	1	ANDERSON LAWN CARE, INC.	10/18/2021	\$825.00
6953	1	COMBS WASTEWATER MANAGEMENT LLC	10/18/2021	\$75.00
6954	1	Michelle M. Jones	10/18/2021	\$875.00
6955	1	Minnesota Life Insurance Co.	10/18/2021	\$220.40
6956	1	Nationwide Retirement Solutions	10/18/2021	\$735.00

Check Listing

Date From: 10/1/2021 Date To: 10/31/2021

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

Town of Berryville
11/01/2021 03:45 PM

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Check Number	Bank	Vendor	Date	Amount
6957	1	PENNONI ASSOCIATES INC	10/18/2021	\$2,347.50
6958	1	Treasurer of Virginia - DEQ	10/18/2021	\$600.00
6959	1	VUPS	10/18/2021	\$204.75
6960	1	Catherine Levi	10/18/2021	\$1,105.44
6961	1	Bureau for Child Support Enforcement	10/28/2021	\$875.00
6962	1	Commercial Press Inc	10/28/2021	\$185.50
6963	1	CORE & MAIN LP	10/28/2021	\$3,065.00
6964	1	Dunn Land Surveys, Inc.	10/28/2021	\$625.00
6965	1	Instrulogic Corporation	10/28/2021	\$21,168.00
6966	1	KEVIN W MANAHAN	10/28/2021	\$199.58
6967	1	LESLIE KELLEY	10/28/2021	\$51.32
6968	1	MELANIE GAYLE NEITZ HARP	10/28/2021	\$148.74
6969	1	Nationwide Retirement Solutions	10/28/2021	\$735.00
6970	1	Select Specialty Products	10/28/2021	\$566.31
6971	1	Stuart M. Perry, Inc	10/28/2021	\$92,117.50
6972	1	VIRASEC IT Support Services, Inc.	10/28/2021	\$2,249.89

48

Checks Totaling -

\$275,141.51

Totals By Fund

	Checks	Voids	Total
100	\$216,352.77		\$216,352.77
501	\$49,628.45		\$49,628.45
502	\$9,160.29		\$9,160.29
Totals:	\$275,141.51		\$275,141.51

American Rescue Plan Act of 2021

Monthly Update

Staff efforts in October 2021

- Staff continued working with the public on elimination of connections to the Town's sewer collection system that introduce storm water into the system.
- Staff continued efforts to secure necessary utility easements for one project.
- Staff is proceeding with meter replacement.
- Staff has received all of the supplies for the Ridge Road water project and has had the easements in question identified.
- The Town's engineer continued their work developing utility project plans.
- Staff is developing an RFP for security improvements at critical infrastructure sites.
- Staff is working with CIVIC PLUS to complete the update of the Town's website.
- Staff has provided John H. Enders Volunteer Fire Company and Rescue squad and the Barns of Rose Hill with grant packages.
- Staff has received a portion of the Police Department radio package.
- Staff has received computers for the Utility Clerk and the Public Works Foreman. A refurbished computer (from the Utility Clerk) has been placed in service in the ARPA office.
- The lighting in the wastewater treatment plant headworks building has been replaced.
- The pump disconnects at the river intake have been eliminated.

Funds expended over the past month

The October 2021 expenditure report is attached.

Staff initiatives expected in the near-term

- Staff will finalize the housing grant process (to be finalized and posted on website by November 15, 2021 (changed from September 15).
- Staff will continue to develop the first group of infrastructure projects and purchases.
- Staff will begin to develop façade improvement reimbursement grant process (expected to be finalized and posted by November 15, 2021).
- Staff will continue efforts to secure necessary easements for utility projects.
- Ridge Road water project is expected to be completed by late-November.
- Staff will continue working with the public on elimination of connections to the Town's sewer collection system that introduce storm water into the system.
- The Town Manager and Treasurer will finalize one-page updates for active projects and provide them as a part of monthly American Rescue Plan Act of 2021 updated beginning in December (changed from November).
- Staff expects to receive the rest of the Police Department radio order and begin the process of mobile radio installation and portable radio deployment.

Attachments:

- October 2021 ARPA Expenditure Report

Water and sewer bill accounts

Estimated cost of these actions:

	BUDGETED	USED THIS MONTH	TOTAL USED	BALANCE	PERCENT USED
- Payment of delinquent accounts	\$ 10,000.00	\$ -	\$ 4,069.34	\$ 5,930.66	41%
- Water and sewer account credits	\$ 169,100.00	\$ 21,613.20	\$ 64,487.00	\$ 104,613.00	38%
- Total			\$ 68,556.34		
Funds used from first payment					\$ 179,100.00
					\$ 110,543.66

Signage

Estimated cost of these actions

- Signage	\$ 140,000.00	\$ -	\$ -	\$ 140,000.00	0%
- Total			\$ -		
Funds used from first payment					\$ 140,000.00
Funds used from second payment					\$ 140,000.00

Improvements in Central Business District

Estimated cost of these actions

- Facades, signs, accessibility	\$ 250,000.00	\$ -	\$ -	\$ 250,000.00	0%
- Total			\$ -		
Funds used from first payment					\$ 250,000.00
Funds used from second payment					\$ 250,000.00

Non- Profits

Estimated cost of these actions

- John H Enders FD	\$ 80,000.00	\$	-	\$	-	\$ 80,000.00	0%	\$ 80,000.00
- Barns of Rose Hill	\$ 40,000.00	\$	-	\$	-	\$ 40,000.00	0%	\$ 40,000.00
- Housing assistance	\$ 120,000.00	\$	-	\$	-	\$ 120,000.00	0%	\$ 120,000.00
- Total		\$	-	\$	-			\$ 240,000.00

Funds used from first payment

Funds used from second payment

\$ 160,000.00
\$ 80,000.00

Purchase of equipment and supplies

Estimated cost of these actions

- Purchase of equipment, etc	\$ 25,000.00	\$	-	\$	-	\$ 25,000.00	0%	\$ 25,000.00
- Total		\$	-	\$	-			\$ 25,000.00

Funds used from first payment

\$ 25,000.00

Improve Communications

Estimated cost of these actions

- Website	\$ 8,000.00	\$	-	\$ 5,845.29	\$ 2,154.71		73%	\$ 8,000.00
- Radios	\$ 60,000.00	\$	-	\$	\$ 60,000.00		0%	\$ 60,000.00
- Other imp.	\$ 60,000.00	\$	-	\$	\$ 60,000.00		0%	\$ 60,000.00
- Total		\$	-	\$ 5,845.29				\$ 128,000.00

Funds used from first payment

\$ 122,154.71

Premium Pay

Estimated cost of these actions

- Provide premium pay	\$ 172,000.00	\$	\$ 174,323.86	\$ (2,323.86)			101%	\$ 172,000.00
- Total		\$	\$ 174,323.86					\$ 172,000.00

Funds used from first payment

\$ (2,323.86)

Complete necessary water and sewer infrastructure projects

Estimated cost of these actions
 - Cost of the projects \$ 3,077,986.00 \$
 - Total 19,536.99 \$ 189,818.22 \$ 2,868,630.79
 6.80% \$ 3,077,986.00

Funds used from first payment \$ 1,069,037.79
 Funds used from second payment \$ 1,792,493.00

Pay for administrative costs

Estimated cost of these actions
 - Administrative costs per FY (5.5) \$ 60,000.00 \$
 - Total 875.95 \$ 4,498.40 \$ 54,625.65
 9% \$ 60,000.00

Funds used from first payment \$ 134,625.65
 Funds used from second payment \$ 195,374.35

NOTES:

Administrative Costs: 14.5 Hours Total
 10 Hours Osborne Street Project
 4.5 Hours Grant agreements for non-profits & List of ARPA Projects for Treasurer

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

Item Title

Town Manager - Blight Update

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
November 9, 2021

Item Title

Personnel, Appointments, and Policy - Appointments to Northern Shenandoah Valley Regional Commission

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

Recommendation

Sample Motion

Town Council Agenda Item Report Summary

November 9, 2021

Item Title

Berryville Planning Commission Reappointment

Prepared By

Christy Dunkle

Background/History/General Information

Mr. Steinmetz was appointed by Town Council to fill an unexpired term on the Planning Commission in July of 2015. He was reappointed in November of 2017.

Findings/Current Activity

Mr. Steinmetz is a Berryville native and local realtor. He has been active in community activities for a number of years. He was elected vice chair of the Planning Commission at their October, 2021 meeting.

Financial Considerations

N/A

Schedule/Deadlines

Mr. Steinmetz's appointment expires in January, 2022. The Planning Commission meets on the fourth Tuesday of the month.

Other Considerations

N/A

Recommendation

Reappoint Mr. Steinmetz to a four-year term on the Planning Commission to expire on December 31, 2025.

Sample Motion

I move that the Council of the Town of Berryville reappoint William Steinmetz to the Berryville Planning Commission to a four-year term which expires on December 31, 2025.