



TOWN COUNCIL WORK SESSION

Monday, January 6, 2014

Front Royal Administration Building

Town/Staff Related Issues:

1. St Patrick's Day Celebration – *Ken Thurman*
2. Proposals for Power Supply Consulting Services – *Director of Energy Services*
3. Review of Riverton Substation – *Director of Energy Services/Director of Planning/Zoning*
4. Resolution to Regulate Tall Grass on Occupied Property – *Director of Planning/Zoning & Town Attorney*
5. Continued Discussion of nTelos Renewal Agreement – *Town Attorney*
6. Ordinance to Amend Election Districts – *Town Manager & Town Attorney*
7. MOA for Septage Agreement with the County – *Town Manager*
8. MOA for Bridge Lighting Agreement with the County – *Town Manager*
9. Public Hearing on Boundary Adjustment – Leach Run Parkway – *Town Manager*
10. Town Banking Services – *Director of Finance*

Council/Mayor Related Issues:

12. Liaison Committee Meeting Agenda Items
- ~~13.~~ Council Discussion/Goals *(time permitting)*
- ~~14.~~ CLOSED MEETING – Disposition of Town Property and Personnel Matters

Motion to go Into Closed Meeting

I move that Council convene and go into Closed Meeting for the discussion or consideration of the disposition of publicly held real property, specifically, property located on West Main Street and N. Royal Avenue, where discussion in an Open Meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711A.3. of the Code of Virginia; and, for the purpose of assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of a public body, specific to applications for the Community Development Director, pursuant to Section 2.2-3711 A. 1. of the Code of Virginia

Motion to Certify Closed Meeting at its Conclusion *[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]*

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Action as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Town of Front Royal, Virginia
Work Session Agenda Form

Date: January 6, 2014

Agenda Item: Proposals for Power Supply Consulting Services

Summary: The Town issued a request for proposals for power supply consulting services with the intent to enter into a contract for services related to the Town's power supply invoices, and possible additional services related to power supply services. The proposals were due on November 14 in which we received two responses; Burns & McDonnell (BM) and GDS Associates (GDS).

Council Discussion:

Staff Evaluation: Due to the withdrawl of the Town's membership in BRPA, the Town needs to secure the services of a power supply consultant. Both proposals met all the requirements in the RFP and they were evaluated on the following evaluation matrix: Experience of the firm, experience and qualifications of individuals assigned to the project, hourly rates, comparable jobs performed and basic monthly review of power bills.

Budget/Funding: Funding for power supply consulting is currently in this year budget as well as the FY14-15 budget.

Legal Evaluation:

Staff Recommendations: After final evaluation, both firms would be able to provide services for the Town of Front Royal. But with GDS's involvement in more similar sized utilities and with other experiences with other members with AMP, I would recommend that we pursue a contract with GDS Associates.

Town Manager Recommendation:

Council Recommendation:

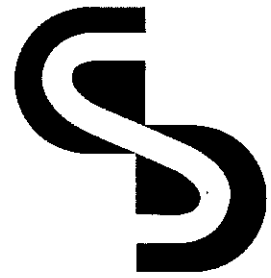
☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)



pursue a contract with GDS Associates. The contract will cover the review of our monthly wholesale bills for a lump sum of \$1,000.00. As the Town investigates future generation assets and market purchases, we would request a price from GDS to perform the analysis, studying and etc. Also in the next 12 months, the Town will need to perform another rate study case to evaluate our wholesale power cost and O&M of our operation to make sure our rates are recovering the true cost of providing services to our citizens.

Please let me know when we can meet to discuss this RFP and the evaluation for power supply consulting services.



GDS Associates, Inc.
Engineers and Consultants

Town of Front Royal, Virginia

Request for Proposals

Power Supply Consulting Services

November 14, 2013

GDS Associates, Inc.
1850 Parkway Place
Suite 800
Marietta, GA 30067
770.425.8100
770.426.0303 (Fax)
www.gdsassociates.com



Garrett D. Cole, P.E.
Principal – Power Supply Services

GDS Associates, Inc.
Engineers and Consultants

Ph: 770.425.8100
Fax: 770.426.0303
garrett.cole@gdsassociates.com

November 14, 2013

Mr. Joe Waltz
Director of Energy Services
520A E. 6th Street
P.O. Box 1560
Front Royal, VA 22630
Phone: (540) 635-3027
E-mail: jwaltz@frontroyalva.com

Dear Mr. Waltz:

GDS Associates, Inc. ("GDS") appreciates the opportunity to submit this proposal to the Town of Front Royal to provide power supply consulting services. GDS has assembled a highly experienced project team to complete the scope of work for this project.

GDS provides engineering and consulting services to clients around the country, covering a broad range of services in the areas of strategic planning, power supply planning, transmission access and deliverability, contract negotiations, risk management services, regulatory/legislative industry issues, wholesale and retail rates, generation development and monitoring, demand-side management, and others.

GDS has examined all parts of the RFP including the submittal requirements and the scope of services. As outlined in this proposal, GDS is well positioned to assist and support Front Royal's power supply planning efforts and we hope that GDS will be selected to assist Front Royal in this effort.

The GDS Team would be pleased to answer any questions about our proposal. I will serve as the single point of contact for further communication regarding the GDS Team proposal. My e-mail address and telephone number are provided above. Thank you again for this opportunity and we look forward to hearing from you.

Sincerely,

Garrett D. Cole, P.E.
Principal

Table of Contents

<i>1.0. EXECUTIVE SUMMARY.....</i>	<i>1</i>
<i>2.0. COMPANY INFORMATION.....</i>	<i>1</i>
<i>3.0. COMPANY QUALIFICATIONS AND EXPERIENCE.....</i>	<i>2</i>
<i>4.0. PERSONNEL INFORMATION.....</i>	<i>11</i>
<i>5.0. PRICING.....</i>	<i>11</i>
<i>6.0. OTHER APPLICABLE POWER SUPPLY EXPERIENCE.....</i>	<i>12</i>
<i>7.0. REFERENCES.....</i>	<i>24</i>

ATTACHMENT I – RESUMES OF PROPOSED PROJECT TEAM

ATTACHMENT II – FEE SCHEDULE

1.0. EXECUTIVE SUMMARY

GDS Associates, Inc. ("GDS") is a multi-service engineering and management consulting firm, headquartered in Marietta, Georgia, and registered as a Corporation in the State of Georgia. GDS has regional offices in Auburn, Alabama; Austin, Texas; Manchester, New Hampshire; Madison, Wisconsin; Orlando, Florida; and Augusta, Maine. Since its formation, GDS has gained experience helping clients succeed by anticipating and understanding their needs and efficiently delivering quality service with confidence and integrity. GDS has a long history of meeting client needs through hands-on initiatives and establishing long-term relationships by promoting a partnership perspective.

As outlined in the Request for Proposals, GDS proposes to: (1) Assist the Town of Front Royal with monthly review of power supply invoices to determine possible discrepancies between wholesale suppliers' contracts and forecast plans, (2) Provide monthly management reports delineating details of any aforementioned discrepancies, (3) Pursue any discrepancies with Front Royal's supplier to obtain a resolution and provide explanation to the Town regarding what actions were taken to resolve the discrepancy, and (4) Provide a monthly estimate of cost of services. In accordance with the proposal, basic fees will be negotiated according to Section 2.2-4304 of the Code of Virginia. Fees for additional services will be mutually agreed upon by the Contractor and Front Royal.

2.0. COMPANY INFORMATION

1. Legal Company Name and Address:

Firm Name: GDS Associates, Inc.
Mailing Address: 1850 Parkway Place, Suite 800
Marietta, GA 30067
Phone: (770) 425-8100
Website: www.gdsassociates.com

2. Dun & Bradstreet Number: 151012085

3. NAICS Number: 541330

4. Signed IRS W-9: This document is included in Attachment I.

5. Organizational structure: Corporation

6. Disclosure of potential conflicts of interest:

There are no potential conflicts of interest to GDS's knowledge.

3.0. COMPANY QUALIFICATIONS AND EXPERIENCE

GDS has worked on consulting projects in 49 states in the United States and in several foreign countries. Since its inception, the firm has enjoyed considerable growth and now employs a staff of approximately 170 who have extensive project management and consulting experience with energy projects. Over the years, GDS consultants have served hundreds of public utilities, industries, municipalities, joint action agencies, law firms, government agencies, and other consulting firms. GDS regularly works across personnel and offices, organizing and managing diverse skills to create the right team for a successful project.

Among the consulting areas in which GDS has specialized skills are:

Power Supply Planning Services	Securing adequate and reliable power resources is crucial to thriving in a more competitive electrical market. GDS has helped guide its clients through uncharted territory by providing power supply portfolio, resource planning, forecasting, financial and competitive analysis services.
Energy Efficiency and Demand Side Management Services	Our staff of highly qualified program design and analysis specialists assists clients with the complexities of multi-faceted energy efficiency planning, program implementation and evaluation.
Renewable Energy Resources, Distributed Generation, and Combined Heat and Power Services	GDS provides expertise in addressing the complex economic, engineering, scientific, and governmental issues associated with renewable and other distributed generation resources that impact utilities, government agencies, developers, and their customers.
Water and Wastewater Utility Consulting Services	GDS provides expert assistance to water and wastewater utility management and users of water resources by addressing the complex engineering, accounting, economic, management, operational, regulatory, and policy issues that impact the water industry. GDS serves a variety of clients including municipalities, investor-owned utilities, water districts, non-profit customer-owned systems, and government agencies.
Transmission/NERC Compliance Services	GDS Transmission Services assist load-serving entities, transmission providers, independent generating companies, and state regulatory agencies with their "open access" transmission issues. In addition to today's competitive issues, GDS also offers expertise in the areas of transmission maintenance, equipment procurement, and cost-of-service issues. GDS also provides assistance to clients in meeting their respective NERC Compliance requirements.
Generation Services	Greater competition has made effective control of power generation costs increasingly important. Over a span of more than 15 years, GDS has helped numerous power plant co-owners and non-utility generators reduce costs and achieve improved performance by identifying inefficiencies in power plant construction, operation and maintenance practices, and providing practical solutions.
Regulatory and Restructuring Services	GDS provides comprehensive regulatory and restructuring services to generators, transmitters, distributors, and large users of energy. Numerous state and federal restructuring initiatives have made regulatory planning and strategy development essential. To assist our clients with this task, GDS brings decades of expert regulatory experience in key areas such as rate design and litigation, contract negotiation, and transmission access.

Deregulation and Retail Energy Procurement Services	GDS provides a wide range of services to help clients plan for and benefit from participation in deregulated energy markets. These include, retail aggregation and energy procurement, merchant plant services, stranded cost analysis, and electric restructuring policy analysis.
Utility Privatization Services	GDS has successfully assisted clients throughout the country in their efforts to acquire the utility electric, gas, and water distribution systems.
Financial Analysis and Rate Services	The recent pace of regulatory change and uncertainty is unrivaled in the utility industry and requires equally unparalleled flexibility in ratemaking and regulatory strategies. GDS has been at the forefront of industry restructuring policy, offering broad expertise in regulatory accounting, economics, finance, and ratemaking.
Electric Planning and Design Services (Hi-Line Engineering, LLC)	Hi-Line Engineering, LLC, a GDS company, offers planning, mapping, and design services to the electric utility industry throughout the United States. We provide high-quality, personal service to rural electric cooperatives, investor-owned utilities, municipalities, and the U.S. military.
Environmental Management Services (GreenLine Environmental)	GreenLine Environmental, a division of Hi-Line Engineering, LLC, provides environmental services to utilities, municipalities, developers, industry, and the military. These services include right-of-way vegetation management, GPS and GIS mapping and inventory, environmental assessments, and urban forestry consulting.
Statistics and Market Research Services	GDS supplies wide-ranging statistical and market research services to a diverse client base. Our services stretch from proven survey design that captures demographic profiles of consumers and potential customers, to data mining and analysis of utility load information.
Information Technology Services	A complete understanding of client business problems and needs is critical to the implementation of successful IT systems. GDS specializes in understanding these issues and combines this knowledge with select technologies to create cost-effective IT solutions.

GDS has performed this type of power supply and transmission RFP and feasibility work for a number of clients in various markets across the United States.

A majority of GDS's clients are small publicly-owned electric utilities, either electric cooperatives or municipal systems. Consequently, GDS is keenly aware of the challenges faced by smaller utilities and, together with our clients, GDS has fashioned solutions to these challenges, thereby helping our clients succeed. In fact, this is the heart of our mission;

"To help our clients succeed, by anticipating and understanding their needs, and by efficiently delivering quality service with confidence and integrity."

- Mission Statement of GDS Associates, Inc.

Specific Related Power Supply Planning Projects (2012 – 2013):

Recent RTO Market Integration Experience coupled with Power Supply Planning or Master Plan Expertise (RTOs Only):

Benton Utilities (Arkansas): 2011-2012
North Little Rock Electric Department (Arkansas): 2011-13
City of Alexandria (Louisiana): 2012-13
City Morgan City (Louisiana): 2012-13
City of Houma (Louisiana): 2012-13
City of Natchitoches (Louisiana): 2013
City of Kirkwood (Missouri): 2012-13
East Texas Electric Cooperative (Texas): 2011-13
Northeast Texas Electric Cooperative (Texas): 2011-13
Borough of Chambersburg (Pennsylvania): 2011-13
Borough of Ephrata (Pennsylvania): 2011-13
Borough of Mont Alto (Pennsylvania): 2012
Borough of Perkasi (Pennsylvania): 2012-13
City of Cleveland (Ohio): 2012-13
Blue Ridge Power Agency (Virginia): 2011-13
Virginia Municipal Electric Association (Virginia): 2011-13
Central Virginia Electric Cooperative (Virginia): 2011-13

Other Recent RTO Market Integration Experience (Excluding Utilities Above):

Southern Mississippi Electric Power Association (SMEPA) (Mississippi) - LMP nodal analysis, including load, resource, congestion and ARR/FTR evaluation
East Texas Electric Cooperative (Texas)
Northeast Texas Electric Cooperative (Texas)
Tex-La Electric Cooperative (Texas)
– ERCOT nodal market transition
American Municipal Power - LMP congestion management analysis of coal plant delivery from MISO hub to newly redefined PJM/MISO Interface
Indiana Michigan Municipal Distributors Association (IMMDA)
- Power Supply Plan and Contract Negotiation for all IMMDA members (Signed long-term deal)
City of Dowagiac, Michigan - Power Supply Contract Negotiation (Energy only with pass-through MISO ancillary services)

Other Recent Non-RTO Market Municipal Power Supply Planning Experience:

City of Newnan (Georgia): 2012

North Carolina Eastern Municipal Power Agency: 2013

North Carolina Municipal Power Agency No. 1: 2013

Municipal Electric Authority of Georgia: 2013

Piedmont Municipal Power Agency: 2013

GDS Associates (GDS) assists numerous clients with strategic power supply and transmission issues in both unstructured and RTO markets throughout the U.S. and has significant experience providing these solutions in the MISO, SPP, PJM, ERCOT, TVA, Duke Energy, Progress Energy, Southern and Entergy Balancing Authorities.

With major regulatory/market transition occurring, GDS completely supports updating Front Royal's previously developed Power Supply Master Plan to account for the issues Front Royal will face in RTO markets, including congestion, Auction Revenue Rights (ARRs) and Financial Transmission Rights (FTRs), unbundled MISO ancillary service tariffs, Resource Adequacy requirements and credit/collateral requirements. GDS has provided Power Supply Planning Assistance or Power Supply Master Plans in "Day 2" markets to the following entities over the past two years:

Recent Power Supply Planning or Master Plan Expertise (RTOs Only):

Benton Utilities (Arkansas)¹: 2011-2012

North Little Rock Electric Department (Arkansas)¹: 2011-13

City of Alexandria (Louisiana)¹: 2012-13

City of Kirkwood (Missouri)²: 2011-13

East Texas Electric Cooperative (Texas)¹: 2011-13

Borough of Chambersburg (Pennsylvania)³: 2011-12

Borough of Ephrata (Pennsylvania)³: 2012

Borough of Mont Alto (Pennsylvania)³: 2012

Borough of Perkasie (Pennsylvania)³: 2012

City of Cleveland (Ohio)³: 2012-13

Blue Ridge Power Agency (Virginia)³: 2011

Virginia Municipal Electric Association (Virginia)³: 2011-12

Central Virginia Electric Cooperative (Virginia)³: 2011-12

1 A utility integrating into MISO 2 A utility already in MISO 3 A utility in another "Day 2" RTO market

Previous Power Supply Engagements for MISO clients:

Indiana and Michigan Municipal Distributors Association (IMMDA)

-Power Supply Plan and Contract Negotiation for all IMMDA members (Signed long-term deal)

City of Dowagiac, Michigan

-Power Supply Contract Negotiation (Energy only with pass-through MISO ancillary services)

Recent "Day 2" Market Integration Experience (Excluding Utilities Above):

Southern Mississippi Electric Power Association (SMEPA) (Mississippi)¹

-LMP nodal analysis, including load, resource, congestion and ARR/FTR evaluation

East Texas Electric Cooperative (Texas)¹

Northeast Texas Electric Cooperative (Texas)² – Integrating into SPP

American Municipal Power¹

-LMP congestion management analysis of coal plant delivery from MISO hub to newly redefined PJM/MISO Interface

1 A utility integrating into MISO 2 A utility integrating into another "Day 2" RTO market

As part of various Power Supply Master Plan reviews, GDS has worked extensively in the area of ARR/FTR planning. GDS utilizes Ventyx Promod to perform LMP forecasts and evaluate congestion from resources to load along with the mitigation provided by FTR congestion hedges. GDS has assisted a number of clients with ARR selection and nomination in order to maximize the benefit of congestion hedges.

GDS also has extensive history in developing short-term and long-term load forecasts to accompany and provide the basis for power supply plans for municipals and cooperatives, including smoothing, econometric, end-use, statistically adjusted end-use, and neural network methodologies. We also work on behalf of advocacy groups to review load forecasts in rate and IRP filings in several states.

Additionally, GDS is experienced in negotiating Purchased Power Agreements (PPAs) utilizing the Edison Electric Institute (EEI) standard contract, which is now utilized for a majority of standard RTO power transactions. Unlike long-form PPAs negotiated in unstructured markets like EAI, the EEI contract has a set of initial terms and conditions from which counterparties modify. GDS has worked in conjunction with various attorneys in strategically negotiating the following key EEI terms and conditions:

Cross-Default Amounts, Closeout Setoffs, Credit Assurances, Collateral Threshold, Downgrade Events, Event of Default for Failure to Deliver, Calculation of Settlement Amounts, Net Out Settlement, Termination Payment to Defaulting Party, Netting of All Payments and Market Disruption Provisions.

GDS will provide the Town of Front Royal with the necessary contracting advice to position itself to take advantage of these negotiable provisions depending upon its established Power Supply Master Plan.

Rate Analysis

Electric Rate Analysis - Scope of Services

Revenue Requirement and Financial Analysis

The overall scope of services for the cost of service and retail rate study can be divided into three major phases. The first phase is an overall financial review to determine Front Royal's total revenue requirements. It is preferable to use an adjusted historical calendar test year for studies of this type in order to make use of the available detailed expense and customer billing data for the purpose of cost allocation and rate design. Both normalization and pro forma adjustments will be made to the actual test year revenues and expenses to produce a proper on-going financial position. The objective of this first phase is to determine the magnitude of overall revenue required to attain Front Royal's financial objectives and maintain a sound financial position.

There may be an interest in ensuring that the level of the rate change be adequate to provide revenues sufficient to meet Front Royal's financial requirements not only for the test year analysis, but also for a three to five-year period. GDS believes that it is prudent to conduct this analysis since it better ensures the longevity of rates. We have successfully conducted this type of financial analysis for other clients, and we have found that the analysis is most effective when it is well coordinated with on-going work related to the development of power supply arrangements. To that end, we will coordinate closely with the power supply analysis portion of the project to ensure that we have the best information available to model the longer run capabilities of a rate level to meet the desired financial targets. GDS will prepare pro forma income statements, balance sheets, and cash flow statements for the period of analysis so that Front Royal has a full understanding of the long-term adequacy of the proposed rate levels

Cost of Service

Cost of Service analysis would allocate Front Royal's utility plant investment (and other rate base items) and adjusted operating expenses to the retail rate classes, in order to determine the adequacy of the revenues provided by the rates applicable to those classes. From the results of this analysis, a more equitable determination of rate levels appropriate for each retail rate schedule can be made. The allocated cost of service analysis will provide both component cost data for rate design and a means by which to gauge the equity of the various retail rates in terms of the relative revenue requirements.

As part of the cost of service analysis, GDS will work with Front Royal to identify and estimate Front Royal's incremental costs of providing service for each of the production demand and energy-related functions as well as for transmission and distribution. These incremental costs will be compared to existing rate structures, the results of which can be considered in developing revised rates.

Development of Special Rates

TIME-BASED PRICING

GDS can assist Front Royal with evaluating the potential impacts of implementing Real-Time Pricing ("RTP"), Critical Peak Pricing, fixed price TOU, or any time-based rate structure. When evaluating such rates, it is necessary to weigh the expected costs of implementation against the potential benefits of implementing the rate. Time-based rates, especially RTP, can require new costs to administer the program with processes required to determine projected hourly costs, develop hourly prices and deliver those prices to the customer. New billing systems are required. In addition, the administration of RTP rates can also include communications from the customer to the utility in

regards to anticipated load levels. These program costs must be compared to potential benefits which result from the customer's shift in load in response to the hourly prices. It is not uncommon for utilities to implement pilot programs to better understand these issues for RTP rates.

GDS has worked with numerous systems to develop either new or revised fixed charge TOU rates. We

have evaluated the average and marginal energy costs incurred by the utility as well as peak demands during on-peak, shoulder and off-peak periods. Based on the results of this analysis as well as the overall average energy costs of the system, GDS has designed TOU rates to meet the desired price signal and revenue target.

ECONOMIC DEVELOPMENT RATES

Economic Development ("ED") Rates can take many different forms even though they have a common objective of offering incentives to encourage either new business to locate in the service area or to retain existing businesses. Generally, eligibility requirements are based on the size of the electric load and qualifying economic development activity such as the addition of new jobs. Discounts are then structured so that they are sufficient to achieve the desired objectives of the program, balanced with the adequate cost recovery. The amounts and term of the discount in the ED rate can be tied to power supply arrangements of the utility. Often the incentives of nearby utilities are considered to ensure competitiveness. GDS has experience with utilities in sorting through the multitude of the issues and developing incentive structures that help them meet economic development objectives.

CHARGES FOR MISCELLANEOUS SERVICES

Front Royal requests revisions to its miscellaneous charges for reconnection, late payment and other services as well as recommendations for other miscellaneous charges that Front Royal should implement. GDS will examine the current scope and amounts of Front Royal's charges for miscellaneous services and compare them to the scope of similar services charged by other neighboring utilities, and those used by utilities serving similar service territories. GDS will also evaluate the costs for Front Royal to provide the existing services as well as other services that may be charged in the future. With consideration of current fee levels, fees charged by other utilities, and the costs to provide such services, GDS will recommend any changes to the scope of miscellaneous services that should be billed, as well as the amount charged for each of the services.

Scope – Optional Services

The RFP includes the optional development of a PIPP (Percentage of Income Payment Plan), or similar rider for Front Royal to fund a low income assistance program. Although the exact scope of the rider is not known, it could consider matters such as riders of other similar programs, whether it is voluntary or mandatory, for which customer classes it would be applicable, and the anticipated levels of support provided by the program.

Note: The GDS proposal has not included any costs in this proposal to develop and recommend a PIPP rider. If Front Royal is interested in GDS conducting this analysis, then we will be happy to develop a mutually agreed upon scope of work and to provide Front Royal with an estimated cost to perform such scope.

4.0. PERSONNEL INFORMATION

Proposed Project Team:

GDS Consultant	Title
Garrett Cole	Principal
Jack Madden	Principal
Elizabeth Kaiser	Project Manager
Erin Shealy	Project Engineer

Officers:

GDS Officer	Office
Richard Spellman	President
Steve Shurbutt	Executive Vice President
David Brian	Vice President, Treasurer
Jim Daniel	Vice President, Secretary
Jack Madden	Vice President
Kevin Mara	Vice President
Rob Smith	Vice President, Assistant Treasurer

Resumes of the proposed project team are provided in Attachment I of this proposal.

5.0. PRICING

Each month Front Royal will be invoiced \$1,000 as a fixed fee for basic services (invoice review) with no detail or summary of hours provided. For all additional services, the attached fee schedule (Attachment II, GDS Fee Schedule) will be applied as approved by the GDS Board of Directors.

6.0. OTHER APPLICABLE EXPERIENCE

POWER SUPPLY PLANNING

Project Name: Power Supply Planning

Client Organization: East Texas Electric Cooperative, Inc. (ETEC)

Project Duration: 1989 to Present

Project Description: GDS has been responsible for the evaluation of multiple power supply proposals for base load, intermediate, and peaking power supply resources, as well as partial-requirements power supply agreements. Recently, GDS has been assisting ETEC with managing the transition of its resources, loads, and contracts to the SPP Day 2 Market as well as Entergy's proposed transfer to the MISO market. The firm has also been involved in the feasibility evaluation of new hydroelectric and renewable power projects and in the development of a comprehensive strategic plan for ETEC, including the possible purchase or construction of power supply resources for its member cooperatives and the construction of a cooperatively-owned transmission system. GDS has provided consulting services to ETEC since its inception and for its members for many years prior to the formation of ETEC.

Project Name: Power Supply Planning

Client Organization: Northeast Texas Electric Cooperative, Inc. (NTEC)

Project Duration: 1986 to Present

Project Description: GDS has provided consulting services to NTEC in the areas of power supply planning, resource acquisition and financing, wholesale rate proceedings at FERC, and development of rates to members. Recently, GDS has been assisting NTEC with preparing to transition its load and resources into SPP's Day 2 market, currently expected to occur in Spring 2014. In addition, GDS has been instrumental in helping NTEC manage a transition from a full-requirements PSA to a block purchase beginning in 2015. GDS has been evaluating power supply resource alternatives to meet NTEC's post-2014 deficiency as well as acquire the appropriate energy management and ancillary services. Additionally, GDS has experience working with NTEC to manage its SWPA hydro allocation which is delivered over SWPA-owned transmission.

Project Name: Power Supply Planning

Client Organization: North Little Rock Electric Department

Project Duration: 2006 to Present

Project Description: GDS has been responsible for the issuance and evaluation of multiple RFPs for the City of North Little Rock, Arkansas. GDS issued an RFP on North Little Rock's behalf in 2009 to replace North Little Rock's expiring full-requirements contract. This resulted in the successful negotiation of a new, competitive full requirements contract which is currently in existence. GDS' staff recently worked with the City of North

Little Rock, Arkansas to develop a long-term Integrated Resource Plan. The plan was developed in order to establish a planning guide that would help ensure an adequate, efficient, economical and reliable supply of power to North Little Rock's consumers. The plan included a 20-year electric load forecast, 20-year power supply plans, an analysis of demand side management as an alternative resource, an energy efficiency analysis and a transmission assessment to determine the ability of North Little Rock's transmission system to deliver capacity and energy from various sources. The Plan included conclusions and recommendations on the best approach for North Little Rock to implement the plan.

Project Name: Power Supply Master Plan

Client Organization: Conway Corporation

Project Duration: 2006 to Present

Project Description: GDS assisted Conway Corporation, the municipal utility in Conway Arkansas, in the development of a Power Supply Master Plan, to be a guide in future power supply planning decisions. The developed Power Supply Master Plan was designed to compare and contrast, using various proven power supply planning techniques, future power supply plans, including participation in various proposed power plants, market purchases, and fuel management to best manage the risks facing Conway while providing the lowest possible power cost to its customers. GDS has also assisted with various resource economic screenings and Balancing Authority structures after the integration of Entergy Arkansas into MISO.

Project Name: Power Supply RFP

Client Organization: Benton Utilities

Project Duration: 2007 to Present

Project Description: GDS was responsible for the issuance and evaluation of a Power Supply RFP for Benton Utilities. GDS negotiated a replacement contract most recently extending Benton's supply through 2019 at a fixed price and eliminating major risks contractually as Entergy Arkansas integrates into MISO.

Project Name: Power Supply Services

Client Organization: Osceola Municipal Light & Power

Project Duration: 2007 to Present

Project Description: GDS is responsible for assisting in the review of various Balancing Authority structures for Osceola after the integration of Entergy Arkansas into MISO. Previously, GDS has also assisted Osceola and other Arkansas municipals in aggregate power supply planning efforts.

Project Name: Power Supply Services

Client Organization: West Memphis Utilities

Project Duration: 2007 to Present

Project Description: GDS is responsible for assisting in the review of various Balancing Authority structures for West Memphis after the integration of Entergy Arkansas into MISO. Previously, GDS has also assisted West Memphis and other Arkansas municipals in aggregate power supply planning efforts and West Memphis specifically in the evaluation of wind supply and an intermediate/peaking power RFP.

Project Name: Power Supply Services

Client Organization: Blue Ridge Power Agency (BRPA)

Project Duration: 1986 to Present

Project Description: GDS has performed consulting services on behalf of BRPA (group of Virginia Municipals, including Central Virginia Electric Cooperative) for more than 25 years. Over the past 15 years GDS has issued solicitations for alternative power supply resources and negotiated contractual terms and conditions between BRPA and various power suppliers. After PJM was organized as an RTO, GDS began assisting some BRPA members with the pursuit of a resource portfolio in an effort to create resource diversification and avoid timing exposure to the wholesale markets. In 2006-07, GDS assisted some BRPA members in selecting AMP-Ohio as its preferred energy manager with additional rights to participate in new power projects. GDS has recently developed a Power Supply Master Plan for 4 members of BRPA and has also conducted multiple RFPs for long and short-term block energy.

Project Name: Power Supply Services

Client Organization: Virginia Municipal Electric Association, No.1 (VMEA)

Project Duration: 2007 to Present

Project Description: GDS assisted VMEA with planning for the replacement of its power supply agreement with VEPCO, which expired December 31, 2010. This assistance included determining future supply needs, preparing an RFP to solicit potential replacement power supply resources, evaluating responses from various suppliers, analyzing transmission availability from various resources within PJM, and assisting VMEA counsel in negotiating a new power supply contract. GDS is currently assisting VMEA with continuing contract compliance and billing issues.

Project Name: Power Supply Solicitation

Client Organization: North Carolina Municipal Power Agency Number 1

Project Duration: Currently Underway

Project Description: GDS is assisting NCMAPA1, the wholesale power supplier to 19 municipal utilities in the Piedmont region of North Carolina, in responding to a request for power supply proposals by a confidential municipal electric utility in the Progress Energy Carolinas control area. GDS assisted in the development of the structure of the full requirements power supply proposal, assessment of the potential competitors' bid price levels, as well as the evaluation of the potential benefits to NCMAPA1 of serving

the subject municipal utility loads. The proposal is currently being evaluated by the municipal utility's consultant.

Project Name: **Power Supply Analysis**
Client Organization: American Municipal Power
Project Duration: 2012 to Present
Project Description: GDS' staff has provided congestion analysis for American Municipal Power to build a better understanding of long-term congestion costs between AMP's Prairie State resource and the PJM-MISO border. Additionally, GDS provided detailed dispatch forecasts regarding the expected operational performance of Prairie State.

Project Name: **Power Supply Services**
Client Organization: City of Cleveland, OH
Project Duration: At Project Inception
Project Description: GDS is assisting Cleveland with a Beneficial Use Analysis of its power supply portfolio resources and the development of a power supply plan for future procurement efforts.

Project Name: **Power Supply Planning**
Client Organization: Borough of Ephrata, PA
Project Duration: 2009 to Present
Project Description: GDS' staff has recently provided power supply planning services to the Borough of Ephrata including the issuance of a RFP for long-term block energy as well as the development of a power block optimization analysis to determine appropriate block sizes in order to minimize risk. GDS also developed a Power Cost Sensitivity Analysis in order to identify factors having the greatest effects on power costs and to determine how those factors can be better mitigated to stabilize costs.

Project Name: **Power Supply Planning**
Client Organization: Borough of Perkasio, PA
Project Duration: 2010 to Present
Project Description: GDS' staff has recently provided power supply planning services to the Borough of Perkasio including the issuance of an RFP for short-term and long-term block energy as well as the development of a power block optimization analysis to determine appropriate block sizes in order to minimize risk. GDS also developed a Power Supply Portfolio Purchasing Plan to implement a strategy for purchasing power in the long-term and short-term that mitigates power rate volatility and market risk.

Project Name: **Power Supply RFP**
Client Organization: Borough of Chambersburg, PA
Project Duration: 2012 - Present

Project Description: GDS was responsible for the issuance and evaluation of a Power Supply RFP for Borough of Chambersburg. They are seeking block purchases for two 7x24 blocks with terms of one, three, and five years.

Project Name: **Power Supply Planning**

Client Organization: Borough of Mont Alto, PA

Project Duration: 2011 to 2012

Project Description: GDS' staff has recently provided power supply planning services to the Borough of Mont Alto including the issuance of an RFP for a long-term full requirement contract. GDS facilitated the RFP and contract negotiations and completed analysis on Mont Alto's ARR/FTRs to determine the value of selling those credits.

Project Name: **Power Supply RFP**

Client Organization: Bowling Green Municipal Utilities (BGMU)

Project Duration: 2003 to 2005

Project Description: GDS was responsible for the issuance and evaluation of a Power Supply RFP for Bowling Green Municipal Utilities (BGMU). BGMU considered leaving TVA and issued an RFP through GDS. The responses were evaluated and, ultimately, BGMU decided to stay with TVA.

Project Name: **Power Supply Planning**

Client Organization: Owensboro Municipal Utilities

Project Duration: 2008 to Present

Project Description: GDS has provided Owensboro Municipal Utilities with power supply services related to handling excess coal capacity in addition to transmission and NERC Compliance services. These services were related to termination of a long-standing partial requirements/coordination agreement, marketing excess coal energy, and transmission and other arrangements necessary to effectuate such sales.

Project Name: **Power Supply Services**

Client Organization: South Mississippi Electric Power Association (SMEPA)

Project Duration: Currently Underway

Project Description: GDS is assisting SMEPA in the full economic impact analysis of integrating their resources, currently in Entergy Mississippi, into MISO. This analysis detailed nodal pricing, generator margins, FTR valuation and various operating scenarios within the RTO.

Project Name: **Integrated Resource Planning, Power Supply Planning**

Client Organization: City of Alexandria, LA

Project Duration: 2009 to Present

Project Description: Beginning in 2009 GDS was tasked with assessing market alternatives for comparison to Alexandria's current requirements contract and assisting the City with negotiating a new power supply agreement. GDS is currently assisting Alexandria with the development of an Integrated

Resource Plan in advance of the expiration of their current requirements contract with CLECO. The overall project includes load forecast projections, identification of capacity/energy deficiencies, development and issuance of a RFP to assess power supply alternatives, including self-build alternatives, necessary transmission service requirements, and a study of retail rate impacts for the various alternatives.

Project Name: Integrated Resource Planning, Power Supply Planning

Client Organization: Terrebonne Parish Consolidated Government

Represents work with Houma, LA and Morgan City, LA

Project Duration: 2009 to Present

Project Description: In 2009 GDS completed a study to assess the optimal quantities of participation in proposed joint-venture combined cycle and peaking plants. As part of the analysis, GDS compared varying levels of participation in both units and market alternatives. The overall project included assessing transmission viability of alternatives in the region, determining TPCG's power supply cost operating as an independent balancing authority and also as a combined system with Morgan City LA (including optional retirement of native resources), and identifying an optimal generation site near either city for proposed new generation resources which would provide the greatest amount of incremental transfer capability from other power supply resources on the Entergy/CLECO systems.

Project Name: Power Supply Planning

Client Organization: Indiana Michigan Municipal Distributor's Association (IMMDA)
(Aggregation of many Indiana & Michigan municipal utilities)

Project Duration: 2004 to Present

Project Description: GDS assisted the IMMDA municipals in Indiana and Michigan in renegotiating wholesale contracts in an RFP process for long-term, cost-based supply from AEP. As a member of IMMDA, GDS has also provided direct assistance to Dowagiac, MI on power supply matters from time to time.

Project Name: Analysis of Power Transactions

Client Organization: Municipal Energy Agency of Nebraska

Project Duration: Currently Underway

Project Description: Reviewed client procedures for transaction confirmation, deal capture and compliance and provided recommendations for process improvement.

LOAD FORECASTING

Project Name: Integrated Resource Plan –Load Forecast Review

Client Organization: Nova Scotia Power Inc. (NSPI)

Client Contact: Graeme MacKenzie

Nova Scotia Power Inc.
Halifax, Nova Scotia B3J 3S3
Phone: (877)-428-6230

Project Description: GDS, working with La Capra Associates, was retained by NSPI to assist the utility in preparation of its 2006 Integrated Resource Plan. Specifically, GDS was charged with the responsibility of performing an evaluation of NSPI's load forecasting function. John Hutts served as the project manager for the load forecast evaluation. The process included meetings with NSPI executive management and more detailed meetings and working sessions with NSPI and load forecasting staff. GDS provided in report form opinions regarding the strengths and weaknesses of NSPI's load forecasting function, including comparisons to industry standards. The project was completed on schedule and within budget.

Project Name: **Georgia Power Company**
Integrated Resource Plan – Load Forecast Review

Client Organization: Georgia Public Service Commission

Client Reference: Dan Cearfoss
47 Trinity Ave., SW, 6TH Floor
Atlanta, GA 30334
404-656-0948

Project Description: Evaluation of Georgia Power Company's 2003 Integrated Resource Plan filed with the Georgia Public Service Commission. The evaluation included a review of the company's short-term and long-term load forecast. Utilized EPRI's long-term forecasting packages (REEPS, COMMEND, INFORM, HELM) to evaluate the company's long-term energy sales forecast and peak demand. Used RER's MetrixND in evaluating the short-term energy sales forecast. Provided expert testimony before the Georgia Public Service Commission regarding load forecast issues.

Project Name: **Savannah Electric Power Company**
Integrated Resource Plan – Load Forecast Review

Client Organization: Georgia Public Service Commission

Client Reference: Dan Cearfoss
47 Trinity Ave., SW, 6TH Floor
Atlanta, GA 30334
404-656-0948

Project Description: Evaluation of SEPCO's 2003 Integrated Resource Plan filed with the Georgia Public Service Commission. The evaluation included a review of the company's short-term and long-term load forecast. Utilized econometrics to evaluate the company's long-term energy sales forecast and peak demand. Used RER's MetrixND in evaluating the short-term energy sales forecast. Provided expert testimony before the Georgia Public Service Commission regarding load forecast issues.

Project Name: Load Forecast

Client Organization: Northeast Texas Electric Cooperative (NTEC)

Client Reference: Rick Tyler
Northeast Texas Electric Cooperative, Inc.
1127 Judson Road, Suite 249
Longview, TX 75601
903-757-3282

Project Description: GDS developed the 2006 Load Forecast for Northeast Texas Electric Cooperative and each of the utility's six member distribution cooperatives. Project included the development of end-use models to project residential energy sales, econometric models to project commercial sales, and survey/judgment techniques to project industrial energy sales. GDS developed the corresponding economic outlook relative to the utilities' respective service areas, developed the load and energy forecasts, and presented the forecasts to each respective cooperative's management team. The project also involves participating in various load forecast planning activities and correspondence between NTEC and its power suppliers. GDS has provided load forecasting services to Northeast Texas Electric Cooperative and each of the associated member distribution cooperatives on an annual basis since 1986.

Project Name: Load Forecast

Client Organization: Big Rivers Electric Corporation

Client Reference: Bill Yeary
Big Rivers Electric Corporation
P. O. Box 24
Henderson, KY 42420-0024
502-827-2561

Project Description: Development of the 2005 Load Forecast for Big Rivers Electric Corporation and its three member distribution cooperatives. The project included the development of econometric models to analyze and forecast energy sales and peak demand, development of the corresponding economic outlook relative to the utilities' respective service areas, development of the load and energy forecasts, and presentation of the forecasts to each respective cooperative's management team. Similar projects were completed for Big Rivers in 1992, 1993, 1995, 1997, 2001, and 2003.

Project Name: Load Forecast

Client Organization: Santee Cooper (Public Service Authority of South Carolina)

Client Reference: Sylleste Davis
Santee Cooper
One River Drive
Moncks Corner, SC 29461
843-761-8000

Project Description: Development of the 2006 Load and Energy Forecast for Santee Cooper. Project included the development of econometric models to analyze and forecast energy sales and peak demand, development of the corresponding economic outlook relative to the utility service area, development of the load and energy forecast, and presentation of the forecast to Santee Cooper board members and staff. GDS has prepared load forecasts for Santee Cooper every year since 1996.

Project Name: **Load Forecast**

Client Organization: Tex-La Electric Cooperative of Texas, Inc. (TEX-LA)

Client Reference: Edd Hargett
Sam Rayburn G&T Electric Cooperative
P.O. Box 631623
Nacogdoches, TX 75963
936-560-9532

Project Description: GDS developed the 2006 Load Forecast for Tex-La Electric Cooperative of Texas and each of the utility's seven member distribution cooperatives. Project included the development of end-use models to project residential energy sales, econometric models to project commercial sales, and survey/judgment techniques to project industrial energy sales. GDS developed the corresponding economic outlook relative to the utilities' respective service areas, developed the load and energy forecasts, and presented the forecasts to each respective cooperative's management team. The project also involves participating in various load forecast planning activities and correspondence between TEX-LA and its power suppliers. GDS has provided load forecasting services to TEX-LA and each of its member distribution cooperatives on an annual basis since 1986.

Project Name: **Daily Load Forecasting System**

Client Reference: Steve Derouen
Lafayette Utilities System
P.O. Box 4017-C
Lafayette, LA 70502
337-291-5855

Project Description: GDS developed a neural network model designed to forecast hourly energy demand for a seven day forecast horizon. The model results provide key input to LUS staff for the pricing and scheduling of daily energy requirements. The models are based on daily and hourly equations that quantify the impacts of influential factors on power requirements at different times of the day. The modeling system was implemented at the client site and is currently run by utility staff. GDS performs periodic updates to the models that were originally developed in 2003.

Project Name: **Daily Load Forecasting System**

Client Reference: Bill Yeary

Big Rivers Electric Corporation
P. O. Box 24
Henderson, KY 42420-0024
502-827-2561

Project Description: GDS developed a neural network model to forecast hourly energy demand for a seven day forecast horizon. The model is used in scheduling power and transacting market sales on a daily basis. The models are based on daily and hourly equations that quantify the impacts of influential factors on power requirements at different times of the day. The modeling system was implemented at the client site and is currently run by utility staff. GDS performs periodic updates to the models that were originally developed in 2004.

Project Name: **Load Forecast**

Client Organization: Sam Rayburn G&T Electric Cooperative, Inc. (SRG&T)

Client Reference: Edd Hargett
Sam Rayburn G&T Electric Cooperative
P.O. Box 631623
Nacogdoches, TX 75963
936-560-9532

Project Description: GDS developed the 2006 Load Forecast for Sam Rayburn G&T and each of the utility's three member distribution cooperatives. Project included the development of end-use models to project residential energy sales, econometric models to project commercial sales, and survey/judgment techniques to project industrial energy sales. GDS developed the corresponding economic outlook relative to the utilities' respective service areas, developed the load and energy forecasts, and presented the forecasts to each respective cooperative's management team. The project also involves participating in various load forecast planning activities and correspondence between SRG&T and its power suppliers. GDS has provided load forecasting services to SRG&T on an annual basis since 1986.

BLOCK PURCHASE EXPERIENCE

Project Name: **Power Supply Services**

Client Organization: Blue Ridge Power Agency (BRPA)

Project Duration: 1986 to Present

Project Description: GDS has performed consulting services on behalf of BRPA (group of Virginia Municipals) for more than 25 years. Over the past 15 years GDS has issued solicitations for alternative power supply resources and negotiated contractual terms and conditions between BRPA and various power suppliers. After PJM was organized as an RTO, GDS began assisting some BRPA members with the pursuit of a resource portfolio in an effort to create resource diversification and avoid timing

exposure to the wholesale markets. In 2006-07, GDS assisted some BRPA members in selecting AMP-Ohio as its preferred energy manager with additional rights to participate in new power projects. GDS has also developed a Power Supply Master Plan for 4 members of BRPA and has conducted multiple RFPs for long and short-term block energy.

Project Name: Power Supply Planning

Client Organization: Borough of Ephrata

Project Duration: 2009 to Present

Project Description: GDS' staff has provided power supply planning services to the Borough of Ephrata including the issuance of a RFP for long-term block energy as well as the development of a power block optimization analysis to determine appropriate block sizes in order to minimize risk. GDS also developed a Power Cost Sensitivity Analysis in order to identify factors having the greatest effects on power costs and to determine how those factors can be better mitigated to stabilize costs.

Project Name: Power Supply Planning

Client Organization: Central Virginia Electric Cooperative (CVEC)

Project Duration: 1988-Present

Project Description: GDS has managed multiple RFP processes for CVEC over the past several years including block power RFPs, full requirements RFPs and recently, a capacity RFP. GDS has also been involved in resource feasibility analyses and has also developed a long-term Power Supply Master Plan on behalf of CVEC.

NEW GENERATION RECOMMENDATION PROJECTS

Project Name: Review of AMP Fremont Energy Center

Client Organization: Blue Ridge Power Agency/Borough of Ephrata

Project Duration: 2011

Project Description: GDS' staff completed a detailed review of the AFEC feasibility analysis and developed cost and rate analyses tailored to each client involved in the project to include capacity credit and congestion costs specific to the client's delivery location. GDS developed appropriate allocation sizes specific to each client based on their current energy requirements, energy purchases, and purchase strategy.

Project Name: Review of AMP Hydro Resources (AMP Hydro 1/Meldahl-Greenup)

Client Organization: Blue Ridge Power Agency/Borough of Ephrata

Project Duration: 2011

Project Description: GDS' staff completed a detailed review of the AMP Hydro feasibility analysis. GDS developed an in-depth economic feasibility analysis comparing Hydro resources to market and other resource options, such as coal and combined cycle. GDS included multiple cost sensitivities based on the volatility of gas price and the uncertainty of carbon tax. GDS reviewed allocation sizes appropriate to each client based on their load profile and potential renewable portfolio standard. GDS reviewed the contract documents associated with the purchase and determined any risks or red flags.

Project Name: **Review of AMP Solar Project**

Client Organization: The Town of Front Royal, Virginia

Project Duration: 2011

Project Description: GDS performed an economic analysis of the proposed solar resource as compared to multiple market cost sensitivities. A summary described the multiple options for solar installations in the town and described the expected hourly generation output. An analysis was completed to determine the level of transmission benefits at various capacity subscription levels. Additionally, the AMP solar power contract was reviewed in detail, and points of negotiation were brought up for discussion.

Project Name: **Review of AMP Blue Creek Wind Resource**

Client Organization: CVEC

Project Duration: 2012

Project Description: GDS' staff completed a feasibility screening on the wind project including review of the generation shape of a wind resource and high-level review of the type of turbines used. GDS reviewed PJM capacity value and congestion costs associated with the wind resource and reviewed estimated REC values. GDS developed participations levels appropriate for our client's load requirements.

Project Name: **Review of AMP Eastlake Project**

Client Organization: Cleveland Public Power, Blue Ridge Power Agency, Borough of Chambersburg, Borough of Ephrata, Borough of Perkasio

Project Description: GDS completed an unbiased, in-depth review of the Eastlake Peaking project offered through AMP and First Energy. GDS reviewed technical due diligence and feasibility analysis completed through AMP. GDS evaluated the specific benefit of the project to each client. During project due diligence, GDS developed a list of questions related to the project, which were brought to AMP's attention before the termination of the project.

7.0. REFERENCES

GDS provides service to a wide variety of public power utilities, including cooperatives and municipals all across the United States. If requested, we can certainly provide a number of additional references for power supply and transmission services. The references listed provide a variety of contacts at your discretion that span several different states with interesting and unique energy markets and power supply/transmission issues.

Ronald Pezon

Electric Superintendent
Borough of Chambersburg
100 South Second Street
Chambersburg, PA 17201
717-261-3238

Mark Petty

Director of Electric Department
City of Kirkwood
212 South Taylor Avenue
Kirkwood, MO 63122
314-822-5847

Edd Hargett

General Manager
East Texas Electric Cooperative, Inc.
Sam Rayburn G&T Electric Cooperative
Tex-La Electric Cooperative of Texas, Inc.
P.O. Box 631623
Nacogdoches, TX 75963
936-560-9532

Rick Tyler

General Manager
Northeast Texas Electric Cooperative, Inc.
1127 Judson Road
Suite 249
Longview, TX 75601
903-757-3282

Robert Thompson

Borough of Ephrata
124 South State Street
Ephrata, PA 17522
717-738-9202 Ext. 108

Jason Carter

General Manager
North Little Rock Electric Dept.
P.O. Box 159

North Little Rock, AR 72115
501-975-8762

Richie Arnold

City Manager
Conway Corporation
P.O. Box 99
Conway, AR 72033
501-450-6020

Brian O'Dell

General Manager
Virginia Municipal Electric Association
89 West Bruce Street
Harrisonburg, VA 22801
540-246-9675

Attachment I

Resumes of Proposed Project Team

EDUCATION: Master of Business Administration
Kennesaw State University, 2006

Master of Science, Industrial Engineering
Georgia Institute of Technology, 2003

Bachelor of Science, Industrial Engineering
Georgia Institute of Technology, 2002

ENGINEERING

REGISTRATION: Professional Engineer in the State of Georgia

PROFESSIONAL

MEMBERSHIP: Institute of Industrial Engineers

PROFESSIONAL

EXPERIENCE: GDS Associates, Inc. – May 2001 to Present

Mr. Cole started work as an intern and began full-time employment in May 2003. Currently employed as a Project Manager, specific experience includes economic feasibility analyses of long-term and short-term power supply alternatives for industrials, municipals, electric cooperatives and joint action agencies, transmission access and pricing, market power analysis, strategic planning, power procurement and contract negotiations, financial forecasts, operating budget preparation and projections, asset feasibility studies (including biomass, coal, combined cycle, combustion turbine, hydroelectric units, wind and solar generation), production cost dispatch modeling, legislation/regulatory risk modeling (Carbon tax or cap and trade impacts), risk management and hedging strategies, revenue requirement development and wholesale rate design.

PROJECT

EXPERIENCE: Power Supply Procurement

Mr. Cole has extensive experience in performing economic analyses of power supply alternatives, including preparation, issuance, management of RFP process and respondents, evaluation of proposals, and recommendation to clients based on varying electric requirements, power supply portfolios, regional market factors and risk management strategies. Mr. Cole has experience with the preparation and issuance of power supply requests for proposals in Entergy, ERCOT, MISO, PJM and SPP, and has conducted economic feasibility analysis of the proposals, assisted with procurement of transmission service, and negotiated terms and conditions of contracts with the successful respondents. This type of work has been performed on behalf of the following cooperative, municipal and state agency clients:

Municipal Utilities / State Agencies / Joint Action Agencies

- Blue Ridge Power Agency
- City of Benton, Arkansas
- City of Bowling Green, Kentucky
- City of Bristol, Virginia
- Indiana Michigan Municipal Dist. Assn.
- City of Kirkwood, Missouri
- City of North Little Rock, Arkansas
- Virginia Polytechnic Institute

Electric Cooperatives

- East Texas Electric Cooperative
- Northeast Texas Electric Cooperative
- Southern Maryland Electric Cooperative
- Kansas Electric Power Cooperative
- Old Dominion Electric Cooperative
- Tex-La Electric Cooperative

Short/Long-Term Power Supply Strategic Planning

Mr. Cole has assisted clients with the development of short/long-term power supply strategic plans through a complete assessment of forecasted electric load and resource requirements. In addition, Mr. Cole has provided clients with customized diversification and risk management strategies based on city/cooperative goals for providing electric service, including comments on transmission access and planning, retail/wholesale rate design, expected ISO/RTO market developments, legislative/regulatory risk surrounding potential Greenhouse Gas/CO2 emissions, among other topics. This type of work has been performed on behalf of the following clients:

- Blue Ridge Power Agency
- City of Conway, Arkansas
- City of North Little Rock, Arkansas
- East Texas Electric Cooperative
- City of Kirkwood, Missouri
- Northeast Texas Electric Cooperative
- Borough of Ephrata, Pennsylvania

Financial Planning, Operating Budget Projections and Billing Analysis

Mr. Cole has assisted clients with projections of revenues and operating expenses, long-term financial planning, regional power market projections and development of wholesale rates to member cooperatives. In addition, Mr. Cole monitors monthly billing for contract compliance and recommends short-term market purchases/sales to reduce cost and/or mitigate market and fuel pricing risks. This type of work has been performed on behalf of the following clients:

- Blue Ridge Power Agency
- City of North Little Rock, Arkansas
- East Texas Electric Cooperative
- Northeast Texas Electric Cooperative
- Sam Rayburn G&T Electric Cooperative
- Tex-La Electric Cooperative

Long-Term Asset Feasibility Analyses

Mr. Cole has assisted clients with long-term asset feasibility analyses, including complete review of cost of construction/purchase, construction financing and accumulated Interest During Construction (IDC), debt service analysis and long-term financing arrangements, fixed and variable Operations & Maintenance (O&M), and fuel efficiency and fuel costs. In addition, Mr. Cole has also provided detailed sensitivity and break-even analyses where useful to communicate to clients the key risk factors and the magnitude of impact that various variables might have on economic feasibility of a long-term power project. These key risk factors often include fuel price sensitivities, legislation/regulatory uncertainty sensitivities (eg. Environmental upgrades, Carbon cap and trade or tax legislation/regulation) and congestion/transmission deliverability sensitivities, depending upon the physical or financial treatment of transmission deliverability regionally.

- Blue Ridge Power Agency (Coal, Hydro)
- Central Virginia Electric Cooperative (Coal, Hydro)
- City of North Little Rock, Arkansas (Biomass, Coal, Combined Cycle, Wind)
- City of Conway, Arkansas (Coal)
- East Texas Electric Cooperative (Coal, Combined Cycle)
- Northeast Texas Electric Cooperative (Coal, Combined Cycle)
- Town of Front Royal, Virginia (Coal, Hydro, Solar)

EDUCATION: Master of Business Administration
Georgia State University, 1985
Bachelor of Industrial Engineering
Georgia Institute of Technology, 1984

ENGINEERING REGISTRATION: Registered Professional Engineer in the
State of Georgia

PROFESSIONAL MEMBERSHIP: Institute of Industrial Engineers
Beta Gamma Sigma Honor Society
National Society of Professional
Engineers

EXPERIENCE:

Mr. Madden has over twenty-four years of experience in the area of cooperative and municipal electric utility power supply planning, analysis and contracting. He has been responsible for production cost simulation (using industry standard computer models, such as STRATEGIST), Integrated Resource Planning and least-cost resource planning, performing economic analyses of long- and short-range power supply alternatives, operations budgeting, utility financing, financial forecasting, and fuel supply analyses. Mr. Madden was instrumental in the filing of an initial rate at the Federal Energy Regulatory Commission ("FERC") by a Generation & Transmission cooperative and has also provided support for wholesale rate filings at the Texas Public Utilities Commission. Mr. Madden has provided testimony on power supply and rate matters and an investigation into the readiness of the markets for retail competition before the Texas Public Utility Commission and has provided testimony on wholesale power supply and rate matters before the FERC.

Recently, Mr. Madden has been responsible for the preparation and issuance of several requests for proposals ("RFPs") as well as the evaluation of responses, contract negotiations with the successful respondents, and the acquisition of transmission and ancillary services agreements required to implement the new arrangements. These arrangements have included full and partial requirements purchases, unit power purchases, purchasing an ownership share in existing coal generation and the construction of new gas-fired combined-cycle generation and peaking.

Mr. Madden has also been involved in the development, contracting, and operation of several power plants, including natural gas-fired peaking and combined-cycle, coal-fired, biomass, and hydroelectric plants. This includes negotiating operating agreements, fuel arrangements, and marketing excess energy through RFP responses, bilateral arrangements and bidding into the market. Prior to joining GDS Associates, Inc., Mr. Madden was employed by a large defense contractor as an

Industrial Engineer. In this position, he was responsible for diverse activities such as manufacturing and test cost estimation, proposal preparation, estimating the cost and schedule impacts of change orders, budgeting, and tracking the cost and schedule status of manufacturing operations.

Specific Experience Includes:

East Texas Electric Cooperative, Inc. - Nacogdoches, Texas:

Mr. Madden has been responsible for the evaluation of responses to several of ETEC's RFPs for base load, intermediate and peaking power supply resources, as well as partial requirements services. He has also been involved in the feasibility evaluation of new hydroelectric projects for possible development. Mr. Madden has been involved in the development of a comprehensive strategic plan for ETEC, including the possible purchase or construction of power supply resources for its member cooperatives and the construction of a cooperatively-owned transmission system. He has been instrumental in negotiation of contracts for the purchase and/or construction of combined-cycle, peaking, biomass, hydroelectric and coal-fired load resources. Mr. Madden was also largely responsible for the development of a pooled rate for ETEC and the filing of ETEC's initial rate at the FERC. Mr. Madden is currently responsible for the power supply planning efforts of ETEC, which includes load on the Entergy ICT and in the Southwest Power Pool ("SPP"), and planning for migration into organized markets in SPP and/or MISO.

Mr. Madden assists ETEC on a continuing basis.

Northeast Texas Electric Cooperative – Longview, Texas:

Mr. Madden has been responsible for the evaluation of responses to several of NTEC's RFPs for intermediate and peaking power supply resources, as well as partial requirements services. Mr. Madden has been involved in the development of a comprehensive strategic plan for NTEC, including the possible purchase or construction of power supply resources for its member cooperatives and the construction of a cooperatively-owned transmission system. He has been instrumental in negotiation of contracts for the development, construction and operation of a natural gas-fired combined-cycle plant. Mr. Madden is currently responsible for the power supply planning efforts of NTEC and planning for migration into the SPP "Day 2" market.

Mr. Madden issued a solicitation seeking 150 MW of power. The project resulted in the client participating in joint-development of a gas-fired combined-cycle generating unit. Mr. Madden was extensively involved with all aspects of this joint development including negotiating all of the project documents between the owners, negotiating the Engineering, Procurement, and Construction contract, securing transmission and gas pipeline interconnection, securing water supply for the project, and securing financing from the federal government.

Mr. Madden assists NTEC on a continuing basis.

Blue Ridge Power Agency – Danville, Virginia:

Mr. Madden has been, for many years, responsible for the power supply planning and contracting efforts of BRPA, a joint-action agency comprised of municipal utilities, a state university and a distribution cooperative. This has included contracting for deregulated power supply, resulting in over \$100 million in savings over seven years, negotiation of replacement contracts and, more recently, negotiation of contracts whereby some members purchase power from an investor-owned utility under long term formula rate contracts and others joined AMP, a municipal joint action agency. For the AMP members, Mr. Madden has assisted BRPA in evaluating resources proposed by AMP, including a coal-fired resource, peaking generation, a combined-cycle unit, hydroelectric projects, wind energy, as well several market purchases. Mr. Madden was also instrumental in the negotiation of BRPA's transmission and ancillary services agreements. Mr. Madden continues to assist BRPA on a regular basis.

Sam Rayburn G&T Electric Cooperative, Inc. - Nacogdoches, Texas:

Mr. Madden has prepared studies on the feasibility of purchasing off-system power and reserves from Entergy Services, Inc. Mr. Madden has also assisted in the development and implementation of a resource scheduling system, and in the development of a new power supply arrangement with Gulf States Utilities, now Entergy. He has also been involved in budgeting and long range financial forecasting.

Sam Rayburn Municipal Power Agency - Livingston, Texas:

Mr. Madden has assisted in the preparation of an Engineer's Report which was used in the Agency's refinancing of approximately \$243 Million of long-term debt. Mr. Madden has been responsible for preparing the annual operating budgets for the Agency and assisting in the development of rates to members. He also has assisted in the preparation of the annual Comprehensive Engineering Report as required by the Agency's bond Indenture. Other power supply work Mr. Madden has performed for the Agency includes analyses of off-system purchases, the estimation and true-up of entitlement assignment payments and the feasibility of hydro project development. Mr. Madden has also assisted the Agency in its efforts to market excess capacity and energy.

Bristol Virginia Utilities – Bristol, Virginia:

Mr. Madden completed the negotiation of terms and conditions for a Power Sales Agreement between BVU and Cinergy Services, Inc. (135 MW total). The supply from Cinergy was selected in a competitive bidding process, which was managed by Mr. Madden. The power cost savings from the new arrangement approached \$70 million. Mr. Madden was also involved on behalf of BVU in Cinergy's filing for transmission service under Section 211 of the Federal Power Act and in negotiating settlement terms relating to a FERC stranded cost filing made by TVA against BVUB. TVA eventually withdrew the complaint. Mr. Madden also assisted BVU's move to the transmission

system of AEP and eventual return to TVA.

The City of Radford, Virginia:

Mr. Madden issued a solicitation seeking up to 75 MW of power. This project included development of the RFP, evaluating the proposals received, selecting the winning respondent(s), negotiating the resulting contracts, and assisting in the implementation of the chosen arrangement. The savings from the resulting contract with AEP Services, Inc. was expected to be in excess of \$30 million. Mr. Madden was responsible for the development of a solicitation to replace AEP current contract at its expiration in June 2006, resulting in Radford entering a long-term formula rate contract with an investor-owned utility.

The City of Dowagiac, Michigan:

Mr. Madden issued a solicitation seeking up to 20 MW of power, purchased from ComEd. This project included development of the RFP, evaluating the proposals received, selecting the winning respondent(s), negotiating the resulting contracts, negotiating the transmission contracts necessary, as well as making arrangements for dynamic scheduling of the load from a remote control area, and assisting in the implementation of the chosen arrangement. At the end of the ComEd contract, Mr. Madden assisted Dowagiac in replacing the power on a short-term basis, and Dowagiac's joining the Indiana Michigan Municipal Distributors' Association, and also entering a long-term formula rate contract with an investor-owned utility.

Holy Cross Energy – Glenwood Springs, Colorado

Yampa Valley Electric Association – Steamboat Springs, Colorado:

Mr. Madden has performed a study to determine whether these Colorado electric cooperatives should participate in a planned coal unit to be developed over several years with other cooperative and investor-owned utilities. Also, several other types of generation resources have been studied. The study has included the development of projected costs of these units and a comparison to the expected costs of continuing to purchase full requirements for the current wholesale supplier.

EDUCATION: Bachelor of Science, Mechanical Engineering
Georgia Institute of Technology, 2004

ENGINEERING REGISTRATION: Professional Engineer in the State of Georgia

PROFESSIONAL MEMBERSHIPS: American Society of Mechanical Engineers,
Society of Women Engineers

EXPERIENCE:

2007 – Present GDS Associates, Inc.

Mrs. Kaiser started full-time employment at GDS in October 2007 as a Project Engineer in the Power Supply department. Her experience includes projection of annual operating budgets, preparation and analysis of monthly power bills and billing programs, cost of service studies, rate forecasts, rate review studies, resource planning and analysis of long and short term power supply alternatives. This type of work has been performed on behalf of the following clients:

Blue Ridge Power Agency	East Texas Electric Cooperative
Cities of Benton, Conway,	Sam Rayburn G&T Electric Cooperative
North Little Rock, Osceola and West Memphis,	Tex-La Electric Cooperative
Arkansas	

Specific Project Experience:

Blue Ridge Power Agency – Danville, VA

Mrs. Kaiser has been involved in long-term power supply analyses for both the City of Martinsville and Central Virginia Electric Cooperative. The analyses included an evaluation of power supply contracts versus power supply investment options. She has also worked on cost of service studies for the Blue Ridge members to project and compare future power costs. She is involved in the monthly preparation and evaluation of the members' power bills and billing programs.

Sam Rayburn G&T Electric Cooperative, Inc. - Nacogdoches, Texas

Mrs. Kaiser has assisted in the preparation of the annual operating budget to project client revenues and expenses. She has also worked to project rate sensitivity studies based on forecasted gas prices and hydro generation. Mrs. Kaiser has been involved in rate review studies to evaluate and update the billing program to better suit the three SRG&T members. She has prepared monthly levelized billing presentations and given billing recommendations based on the needs of the members.

East Texas Electric Cooperative – Nacogdoches, Texas

Mrs. Kaiser has been involved in long-range resource planning and financial forecasting. She has also prepared fuel studies for each of the three G&Ts and ten co-operative members to illustrate their fuel diversity mixes. She has been involved in the preparation of exhibits for expert testimonies.

Cities of Benton, Conway, North Little Rock, Osceola and West Memphis, Arkansas

Mrs. Kaiser has prepared long-range resource planning analyses including the evaluation of self-build and contract options. The analyses included determination of long-term capacity and energy requirements, annual load duration curves and determination of load diversity and pooling benefits.

2005 – 2007 Integrated Environmental Services

Mrs. Kaiser was employed as an Engineer at Integrated Environmental Services directly following her graduation from Georgia Tech. In 2006, she was promoted to the position of Chief Engineer. Responsibilities included preparation of RFPs, development and design of new product lines, economic feasibility analyses of expanding product lines, design of remote control systems for on-site company recycling systems, project and product management and development and analysis of customer surveys. She was also responsible for the implementation and maintenance of the ISO 9001 quality management program for the company and was a certified Internal Auditor for the program.

Attachment II

GDS Fee Schedule

PRIVILEGED AND CONFIDENTIAL

GDS ASSOCIATES, INC.

FEE SCHEDULE

EFFECTIVE JANUARY 1, 2014 – DECEMBER 31, 2014

PERSONNEL

<u>CATEGORY/NAME</u>	<u>BILLING RATES</u>
OFFICERS AND PRINCIPALS	
1. J. STEVEN SHURBUTT	\$245
2. JAMES W. DANIEL	\$255
3. ROBERT C. SMITH	\$275
4. LYNN M. LANIER	\$235
5. JACK D. MADDEN	\$260
6. RICHARD F. SPELLMAN	\$275
7. DAVID M. BRIAN	\$260
8. KEVIN J. MARA	\$230
9. JOHN W. HUTTS	\$230
10. ROY M. LEWIS	\$230
11. BRUCE W. WALTER	\$250
12. SCOTT M. ALBERT	\$230
13. SETH W. BROWN	\$255
14. BRENT A. SAYLOR	\$225
15. RICHARD J. HACKNER	\$225
16. CHRISTOPHER C. DAWSON	\$225
17. ELLEN S. BLUMENTHAL	\$255
18. JOSEPH F. DANES	\$225
19. CHARLES E. LOY	\$225
20. MATTHEW S. PAMPERIN	\$220
21. JOHN W. CHILES	\$260
22. GARRETT D. COLE	\$225

Erin L. Shealy
Project Engineer

Borough of Ephrata – Ephrata, PA

Mrs. Shealy has been involved in the development of long-term and short-term power supply needs. Mrs. Shealy has also assisted in the procurement of long-term power supply needs through an RFP process. Additionally, she has developed all-in rate analyses and determined current and future market exposure to be procured in the short-term.

Borough of Mont Alto – Mont Alto, PA

Mrs. Shealy has assisted in the RFP process to acquire short-term power supply needs in the form of a fixed load shape or full requirements contract. She has analyzed historical ARR/FTR revenues and helped forecast the value of FTR revenues.

Attachment I

Resumes of Proposed Project Team

Erin L. Shealy
Project Engineer – Power Supply Services



EDUCATION

Georgia Institute of Technology, Bachelor of Science, Industrial and Systems Engineering – 2009

EXPERIENCE

GDS Associates, Inc., Marietta, GA
Project Engineer

2009 – Present

Mrs. Shealy started full-time employment at GDS in May 2009 as an Associate Engineer in the Power Supply department. Her experience includes projection of annual operating budgets, preparation and analysis of monthly power bills and billing programs, rate forecasts, rate review studies, resource planning and analysis of long and short term power supply alternatives. This type of work has been performed on behalf of the following clients:

SPECIFIC PROJECT EXPERIENCE:

Blue Ridge Power Agency – Danville, VA

Mrs. Shealy has been involved in long-term power supply analyses for both the City of Martinsville and Central Virginia Electric Cooperative. The analyses included an evaluation of power supply contracts versus power supply investment options. She has also worked on cost of service studies for the Blue Ridge members to project and compare future power costs. She is involved in the monthly preparation and evaluation of the members' power bills and billing programs.

City of North Little Rock, Arkansas

Mrs. Shealy has assisted in the preparation of the annual operating budgets to project client annual expenses, as well as financial forecasts to project revenues and expenses over a 20-year timeframe. She is also involved in the monthly preparation and evaluation of the members' power bills.

Sam Rayburn G&T Electric Cooperative, Inc. - Nacogdoches, Texas

Mrs. Shealy has assisted in the preparation of the annual operating budget to project client revenues and expenses. She has also worked to project rate sensitivity studies based on forecasted gas prices and hydro generation.

Borough of Chambersburg – Chambersburg, PA

Mrs. Shealy has assisted in the development of a long-term master plan for the Borough of Chambersburg outlining power purchasing strategies, future power supply contracting strategies, and PJM analysis related to transmission costs, capacity costs, and FTR/ARR credits. Mrs. Shealy has also provided assistance on Request for Proposals for fixed load shape and block power needs.

Borough of Perkasio – Perkasio, PA

Mrs. Shealy has been involved in the development of long-term power supply needs. Mrs. Shealy has also assisted in the procurement of long-term power supply needs through an RFP process.

Borough of Ephrata – Ephrata, PA

Mrs. Shealy has been involved in the development of long-term and short-term power supply needs. Mrs. Shealy has also assisted in the procurement of long-term power supply needs through an RFP process. Additionally, she has developed all-in rate analyses and determined current and future market exposure to be procured in the short-term.

Borough of Mont Alto – Mont Alto, PA

Mrs. Shealy has assisted in the RFP process to acquire short-term power supply needs in the form of a fixed load shape or full requirements contract. She has analyzed historical ARR/FTR revenues and helped forecast the value of FTR revenues.

Attachment II

GDS Fee Schedule

PRIVILEGED AND CONFIDENTIAL

GDS ASSOCIATES, INC.

FEE SCHEDULE

EFFECTIVE JANUARY 1, 2014 – DECEMBER 31, 2014

PERSONNEL

<u>CATEGORY/NAME</u>	<u>BILLING RATES</u>
OFFICERS AND PRINCIPALS	
1. J. STEVEN SHURBUTT	\$245
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20. MATTHEW S. PAMPERIN	\$220
21. JOHN W. CHILES	\$260
22. GARRETT D. COLE	\$225

Attachment III

Authorization to Do Business in Virginia

THIS PAGE MUST BE COMPLETED, SIGNED, AND RETURNED WITH PROPOSAL

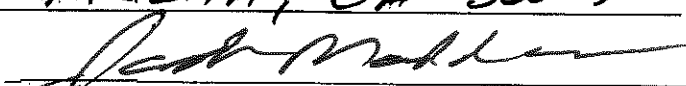
In compliance with this Request for Proposal and to all the conditions imposed herein, the undersigned offers and agrees to furnish the services in accordance with the attached signed proposal.

LEGAL NAME & ADDRESS OF FIRM:

GDS ASSOCIATES, INC.

1850 PARKWAY PLACE, STE 800

MARIETTA, GA 30067

By: 

Company's Legal Name Authorized Representative - Signature in Ink

Printed Name: JACK MADDEN

Title: VICE PRESIDENT

Date: 11-13-13

Phone: 770-799-2434

Email: jack.madden@gdsassociates.com

Fax: 866-611-3791

VA SCC Business Registration # F185726-9
"Proof of Authority to Transact Business in VA"

Town of Front Royal, Virginia
Work Session Agenda Form

Date: January 6, 2014

Agenda Item: Review of Riverton Substation

Summary: The Town approved funding for a new substation in the Riverton area during the FY10-11 budget. Staff then proceeded with land acquisition along Strasburg Road, which secured the Ramsey property on May 2013. After land acquisition, the Town submitted permits to Warren County and the planning commission held a public hearing on June 12, 2013. In preparation for the final permit, the Town issued an RFP for all below grade work required at the substation with a due date of November 7, 2013.

Council Discussion:

Staff Evaluation: The new substation is fully funded from previous budgets; all material is on site and waiting for final approval of permits from Warren County to start construction.

Budget/Funding: Funding from previous budgets

Legal Evaluation:

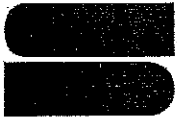
Staff Recommendations: Staff recommends that Council approve the contract with Lantz Construction after final approval from Warren County to start construction.

Town Manager Recommendation:

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)





Southeastern Consulting Engineers, Inc.

December 19, 2013

Mr. Joe Waltz
Town of Front Royal
P. O. Box 1560
Front Royal, Virginia 22630

Ref.: Riverton Substation Clearing, Earthwork, Foundations, Cable Trench,
Conduit, Ground Grid, Graveling and Fencing (Revised)

Dear Joe:

Three proposals were received from contractors solicited for the site and below grade construction for the Riverton Substation. A tabulation of the bids received and checked for mathematical errors is enclosed.

The lowest proposal was submitted by Lantz Construction Company of Winchester. Lantz has performed similar work for the Town on one of our projects and we believe they are qualified for this construction. Lantz also offered reasonable rates for rock removal and additional excavation should this work be needed.

Because the site construction plan has not been approved and could change the scope of work Lantz has agreed to perform, we recommend adding a contingency/change order fund of approximately 15% to their contract. This fund will only be used for reasonable changes, approved ahead of time, should they be required.

We recommend that you accept the proposal submitted by Lantz Construction, award them a contract in the amount of \$389,940.00 which includes a \$50,000.00 change order fund, and authorize us to prepare the necessary contract documents as soon as the site plan is approved.

If you have any questions, please call.

600 MINUET LANE P.O. BOX 240436 CHARLOTTE, NC 28224
PHONE: (704) 523-6045 FAX: (704) 523-8317

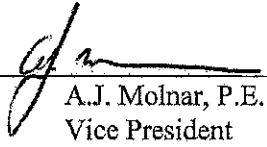
Town of Front Royal
Front Royal, Virginia

December 19, 2013
Page 2

Very truly yours,

SOUTHEASTERN CONSULTING ENGINEERS, INC.

By


A.J. Molnar, P.E.
Vice President

AJM/lc

Enclosure

cc: Mrs. Cindy Hartman

BID TABULATION

Cleaving, Earthwork, Foundation, Cable Trench, Conduit,
Ground Grid Installation, Graveling and Fencing
Riverton Substation

Town of Front Royal,
Front Royal, Virginia

Date: November 7, 2013
Time: 2:00 PM, EST

<u>Bidder</u>	<u>Lantz Construction</u> <u>Winchester, VA</u>	<u>CW Wright</u> <u>Chester, VA</u>	<u>MasTec</u> <u>Gaffney, SC</u>
I. Erosion and Sedimentation			
Control Measures			
II. Site Clearing	\$7,500.00	\$56,650.00	\$63,455.94
III. Earth Work	11,185.00	16,330.00	62,002.64
IV. Foundations:	152,814.00	112,316.00	237,572.78
Transformer	11,469.00	17,776.00	3,498.31
Equipment House	6,345.00	10,245.00	3,498.31
High Side Deadend			
Structure (F1)	10,104.00	12,168.00	13,993.24
Low Side Switch (F2)	2,874.00	3,540.00	6,996.62
Low Side Structure (F3)	12,933.00	15,930.00	31,484.79
Circuit Breaker (F6)	1,568.00	2,348.00	6,996.62
Voltage Regulators (F6)	8,416.00	10,232.00	6,996.62
High Side Breaker (F7)	1,064.00	1,699.00	3,498.31
V. Cable Trench Installation	19,930.00	12,081.00	24,200.88
VI. Ground Grid Installation	12,296.00	31,106.00	56,498.67
VII. Conduit Installation	18,139.00	40,841.00	104,757.50
VIII. Graveling	29,337.00	74,906.00	88,297.37
IX. Fencing	28,103.00	25,290.00	47,377.68
X. Landscaping	5,863.00	11,850.00	14,117.72
Total Installation	\$339,940.00	\$455,308.00	\$775,244.00

BID TABULATION

Cleaning, Earthwork, Foundation, Cable Trench, Conduit,
Ground Grid Installation, Graveling and Fencing
Riverton Substation

Town of Front Royal
Front Royal, Virginia

Date: November 7, 2013
Time: 2:00 PM, EST

<u>Bidder</u>	<u>Lantz Construction</u> <u>Winchester, VA</u>	<u>CW Wright</u> <u>Chester, VA</u>	<u>MasTec</u> <u>Gaffney, SC</u>
Additional Prices:			
Unit Adder for Additional Excavation	\$10.00/cu. yd.	\$4.50/cu. yd.	\$34.64/cu. yd.
Unit Adder for Additional Concrete w/Rebar	\$12.00/cu. ft.	\$37.00/cu. ft.	\$1,010.19/cu. ft.
Unit Adder for Rock Excavation	\$100.00/cu. yard	\$800.00/cu. yard	\$173.18/cu. yard
Bid Bond	5%	5%	5%

Town of Front Royal, Virginia Work Session Agenda Form

Date: January 6, 2014

Agenda Item: Resolution to Request the Amendment of Virginia Code Regarding the Authorization to regulate Tall Grass on Occupied Property.
Town Attorney/Planning & Zoning

Summary: Virginia Code § 15.2-901.A.3. enables the Town of Front Royal to require the cutting of grass, weeds and foreign growth existing on *vacant* developed or undeveloped property. Under the statute, only certain enumerated localities are authorized to require the cutting of grass, weeds and foreign growth existing on *occupied* properties. In other words, if someone is living in a house, the Town is not authorized to regulate high grass under the authority of this section of the Virginia Code. Upon evaluation, Town Planning & Zoning Staff and the Town Attorney's Office recommend that Town Council request an amendment to the Virginia Code to authorize the Town of Front Royal to regulate the cutting of grass, weeds and foreign growth on occupied properties.

Council Discussion: Should Town Council agree with the recommendation of the above referenced resolution, the Town Attorney has drafted the accompanying resolution for adoption during a Town Council regular meeting.

Budget/Funding: This agenda item requires no funding.

Legal Evaluation: The Town Attorney will be available at the scheduled work session.

Staff Recommendations: Staff will be available for questions at the upcoming work session.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)



RESOLUTION

WHEREAS, it has come to the attention of the Town Council of the Town of Front Royal, Virginia, that, while Virginia Code §15.2-901(A)(3) enables the Town of Front Royal to require owners of ***vacant*** developed or undeveloped property within the Town to cut grass, weeds and other foreign growth existing on their property, and while the Town has enacted §170-2, Code of the Town of Front Royal, Virginia, requiring owners of *vacant* developed or undeveloped property within the Town to cut grass, weeds and other foreign growth existing on their property, only those localities enumerated in Virginia Code §15.2-901(A)(3) are enabled to enact ordinances requiring owners to cut grass, weeds and other foreign growth existing on ***occupied*** properties, and,

WHEREAS, given the high percentage of owner-occupied and tenant-occupied properties within the Town, the inability of the Town to require the cutting of grass, weeds and other foreign growth on these properties presents a serious health, safety and welfare issue for the Town, and also presents an enforcement issue where the Town is perceived to be discriminate in its enforcement against unoccupied vis-à-vis occupied properties.

NOW, THEREFORE, BE IT, HEREBY, RESOLVED by the Town Council of the Town of Front Royal, Virginia, that the Town desires that Virginia Code §15.2-901(A)(3) be amended by adding the

words "**Front Royal**" to the third sentence of that paragraph, thereby enabling the Town to enact an ordinance requiring the owners of **occupied** properties within the Town to cut their grass, weeds and other foreign growth, and the Town requests the assistance of the Town's Delegation to the General Assembly by sponsoring the appropriate bill(s) during the 2014 term to amend Virginia Code §15.2-901(A)(3) accordingly.

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia, Town Council conducted on _____, upon the following recorded vote:

Hollis L. Tharpe	_____	N. Shae Parker	_____
Daryl Lee Funk	_____	Bret W. Hrbek	_____
Thomas H. Sayre	_____	Eugene R. Tewalt	_____

APPROVED:

Timothy W. Darr, Mayor

ATTEST:

Jennifer E. Berry, Clerk of Council

Approved as to form and legality:

Douglas W. Napier, Town Attorney
Date: ____ / ____ / ____

[prev](#) | [next](#)

§ 15.2-901. Locality may provide for removal or disposal of trash, cutting of grass and weeds; penalty in certain counties; penalty.

A. Any locality may, by ordinance, provide that:

1. The owners of property therein shall, at such time or times as the governing body may prescribe, remove therefrom any and all trash, garbage, refuse, litter and other substances which might endanger the health or safety of other residents of such locality; or may, whenever the governing body deems it necessary, after reasonable notice, have such trash, garbage, refuse, litter and other like substances which might endanger the health of other residents of the locality, removed by its own agents or employees, in which event the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the locality as taxes are collected;

2. Trash, garbage, refuse, litter and other debris shall be disposed of in personally owned or privately owned receptacles that are provided for such use and for the use of the persons disposing of such matter or in authorized facilities provided for such purpose and in no other manner not authorized by law;

3. The owners of vacant developed or undeveloped property therein, including such property upon which buildings or other improvements are located, shall cut the grass, weeds and other foreign growth on such property or any part thereof at such time or times as the governing body shall prescribe; or may, whenever the governing body deems it necessary, after reasonable notice as determined by the locality, have such grass, weeds or other foreign growth cut by its agents or employees, in which event the cost and expenses thereof shall be chargeable to and paid by the owner of such property and may be collected by the locality as taxes are collected. For purposes of this provision, one written notice per growing season to the owner of record of the subject property shall be considered reasonable notice. In the Counties of Dinwiddie, James City, and Prince George, the Cities of Colonial Heights, Hampton, Hopewell, Newport News, Williamsburg, and Winchester, and the Towns of Ashland, Cedar Bluff, Chincoteague, and Orange, and in a locality within Planning District 8, an ordinance adopted pursuant to this subdivision may also apply to owners of occupied property therein. No such ordinance adopted by any county shall have any force and effect within the corporate limits of any town. No such ordinance adopted by any county having a density of population of less than 500 per square mile shall have any force or effect except within the boundaries of platted subdivisions or any other areas zoned for residential, business, commercial or industrial use.

B. Every charge authorized by this section with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local taxes and enforceable in the same manner as provided in Articles 3 (§ 58.1-3940 et seq.) and 4 (§ 58.1-3965 et seq.) of Chapter 39 of Title 58.1. A locality may waive such liens in order to facilitate the sale of the property. Such liens may be waived only as to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner. All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed.

C. The governing body of any locality may by ordinance provide that violations of this section shall be subject to a civil penalty, not to exceed \$50 for the first violation, or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within 12 months of the first violation shall not exceed \$200. Each business day during which the same violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of \$3,000 in a 12-month period.

D. Except as provided in this subsection, adoption of an ordinance pursuant to subsection C shall be in lieu of criminal penalties and shall preclude prosecution of such violation as a misdemeanor. The governing body of any locality may, however, by ordinance provide that such violations shall be a Class 3 misdemeanor in the event three civil penalties have previously been imposed on the same defendant for the same or similar violation, not arising from the same set of operative facts, within a 24-month period. Classifying such subsequent violations as criminal offenses shall preclude the imposition of civil penalties for the same violation.

(Code 1950, § 15-14; 1962, cc. 400, 623, § 15.1-11; 1964, c. 31; 1968, c. 423; 1974, c. 655; 1978, c. 533; 1983, cc.

Town of Front Royal, Virginia Work Session Agenda Form

Date: January 6, 2014

Agenda Item: Second five (5) year renewal of Water Tank Site Lease Agreement, as amended, with Virginia PCS Alliance, L.C., a Virginia limited liability company, doing business as "NTELOS".

Summary: Virginia PCS Alliance, L.C., a Virginia limited liability company, doing business as "NTELOS", currently under lease with the Town for use of the Town's Fairgrounds Road water tank and associated "floor space", through February 28, 2014, has submitted to the Town for final acceptance an executed **Tower Site Lease Agreement-Second Renewal**, which provides for a second five (5) year renewal term pursuant to the terms of the agreement, commencing March 1, 2014. NTELOS is currently paying \$18,000.00 per year. The renewal agreement provides for a fifteen percent (15%) increase in annual rent to \$20,700.00 per year upon renewal.

Council Discussion: Town Council is asked to approve the executed **Tower Site Lease Agreement-Second Renewal**, which provides for a second five (5) year renewal term to the current NTELOS water tank lease at an annual rent of \$20,700.00, commencing March 1, 2014, and to authorize the Town Manager to execute the renewal agreement on behalf of the Town.

Staff Evaluation: None.

Budget/Funding: None.

Legal Evaluation: The Town Attorney will be available for legal questions.

Staff Recommendations: None.

Town Manager Recommendation: The Town Manager recommends approval of the executed **Tower Site Lease Agreement-Second Renewal** with NTELOS.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)

TOWER SITE LEASE AGREEMENT-SECOND RENEWAL

This Water Tank Site Lease Agreement-Second Renewal ("Second Renewal") is made by and between Town of Front Royal, Virginia ("Lessor") and Virginia PCS Alliance, L.C., a Virginia limited liability company, doing business as NTELOS ("Lessee").

WHEREAS, Lessor and Lessee entered into that certain Water Tank Site Lease Agreement ("Lease") attached hereto as Exhibit A, for use of Town property located at 395 Fairground Road, Warren County, Virginia ("Leased Premises"); and,

WHEREAS, the Lease provides for an initial term of ten (10) years, ending February 28, 2009, and for three (3) successive five (5) year renewal terms upon written request by the Lessee and written agreement by the Lessor; and,

WHEREAS, Lessor agreed to one (1) five year renewal of the Lease dated November 11, 2008 (Tower Site Lease Agreement-First Renewal, herein after "First Renewal") attached hereto as Exhibit B; and,

WHEREAS, Lessor is willing to agree to an additional one (1) five (5) year renewal of the Lease according to the terms herein provided; and

WHEREAS, Lessor and Lessee desire to amend the Lease to provide for one (1) five (5) year renewal term and for other terms herein provided; and,

WHEREAS, Lessor and Lessee hereby affirm that, as of the date hereof: (i) no breach or default by Lessor, or by Lessee to Lessor's knowledge, has occurred; and (ii) the Lease and all the terms, covenants, conditions, provisions and agreements thereof, except as expressly modified by this Second Renewal, are in full force and effect, with no defenses or offsets thereto.

NOW, THEREFORE, in consideration of the mutual covenants contained in the Lease, as amended by the First Renewal and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Lessor and Lessee hereby agree as follows:

1. Lessor and Lessee hereby ratify and affirm the terms and conditions of the Lease, as amended by the First Renewal and further acknowledge and agree that the Lease, as amended by the First Renewal is in full force and effect, and neither Lessor nor Lessee, to Lessor's knowledge, as of the date hereof, is in breach under the terms of the Lease, as amended by the First Renewal.
2. All capitalized terms shall have the meaning ascribed to them in the Lease, as amended by the First Renewal unless otherwise defined in this Second Renewal.
3. Notwithstanding any other provision of the Lease, as amended by the First Renewal, there shall be a second renewal term, which shall commence on the first day of March, 2014 and shall expire on the 28th day of February, 2019 ("Renewal Term"). Lessee agrees to pay as annual rent during the Renewal

Term the sum of Twenty Thousand Seven Hundred and No/100 Dollars (\$20,700.00), which shall be paid annually, in advance, beginning on March 1, 2014.

4. Paragraph 14 is hereby deleted in its entirety and replaced as follows:

14. Notices. All notices, requests, demands and other communications shall be in writing and are effective three (3) days after deposit in the U.S. mail, certified and postage paid, or upon receipt if personally delivered or sent by next-business-day delivery via a nationally recognized overnight courier to the addresses set forth below. Lessor and Lessee may from time to time designate any other address for this purpose by providing written notice to the other party.

If to Lessee, to:
Virginia PCS Alliance, L.C.
Attention: Senior Lease Administrator
1150 Shenandoah Village Drive
Waynesboro, VA 22980
Telephone: (540) 946-1852

With a copy to:
NTELOS
Attn: General Counsel, Legal Department
1154 Shenandoah Village Drive
Waynesboro, VA 22980
Telephone: (540) 946-3500

If to Lessor, to:
Town of Front Royal
Attention: Town Manager
16 N. Royal Avenue
Front Royal, VA 22630-2612

5. Except as expressly set forth in this Second Renewal, all other terms and conditions of the Lease, as amended by the First Renewal shall remain in full force and effect. To the extent any provision contained in this Second Renewal conflicts with the terms of the Lease, as amended by the First Renewal, the terms and provisions of this Second Renewal shall prevail. This Second Renewal may be executed in multiple counterparts. When at least one copy of this Second Renewal has been executed by each party to this Second Renewal, this Second Renewal shall be in full force and effect, and all of the counterparts shall be read together as a single agreement.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties execute and make effective this Second Renewal as of the date last signed by a party hereto.

LESSOR

TOWN OF FRONT ROYAL, VIRGINIA
A Municipal Corporation

By: _____

Name: _____

Title: _____

Date: _____

Tax ID No.: _____

Approved as to Form:

By: [Signature], 12/31/2013
Town Attorney Date

LESSEE

VIRGINIA PCS ALLIANCE, L.C.,
a Virginia limited liability company,
d/b/a NTELOS

By: [Signature]

Name: R.L. McAvoy

Title: EVP/CTO

Date: 12/12/13

Tax ID No.: 54-1740219

EXHIBIT A

Water Tank Site Lease Agreement

EXHIBIT B

Tower Site Lease Agreement-First Renewal



Town of Front Royal, Virginia Work Session Agenda Form

Date: January 6, 2013

Agenda Item: ORDINANCE AMENDMENTS TO TOWN ELECTION PRECINCTS, Chapter 34 of Town Code.

Summary: Because the Town is part of Warren County, the Town's Election Precincts boundaries are supposed to follow, inside the Town's boundaries, the boundaries of the County's Election Districts. The most applicable The Town may not be able to simply establish one Election Precinct in the Town, because State Code requirements are:

Va. Code § 24.2-308. Requirements for town precincts. — There shall be one precinct for each town unless the council by ordinance establishes more than one precinct.

Each town precinct shall be wholly contained within any election district used for the election of one or more council or school board members.

The council shall establish by ordinance one polling place for each precinct.

Va. Code § 24.2-305. Composition of election districts and precincts. —

A. Each election district and precinct shall be composed of compact and contiguous territory and shall have clearly defined and clearly observable boundaries.

B. A "clearly observable boundary" shall include (i) any named road or street, (ii) any road or highway which is a part of the federal, state primary, or state secondary road system, (iii) any river, stream, or drainage feature shown as a polygon boundary on the TIGER/line files of the United States Bureau of the Census, or (iv) any other natural or constructed or erected permanent physical feature which is shown on an official map issued by the Virginia Department of Transportation, on a United States Geological Survey topographical map, or as a polygon boundary on the TIGER/line files of the United States Bureau of the Census. No property line or subdivision boundary shall be deemed to be a clearly observable boundary unless it is marked by a permanent physical feature that is shown on an official map issued by the Virginia Department of Transportation, on a United States Geological Survey topographical map, or as a polygon boundary on the TIGER/line files of the United States Bureau of the Census.

The County amended Warren County Code Chapter 16, enclosed, which sets out the new boundaries of the County's Election Districts, in 2011. Chapter 34 of the Town Code, attached, which sets out the boundaries and polling places of each of the Town's Election Precincts, was last amended in 2002, and so the Town's Election Precinct boundaries are no longer necessarily the same as the County's.

Council Discussion: Council should direct staff to draft amendments to Chapter 34, Election Precincts, of the Town Code to cause it to parallel Chapter 16, Elections, Article I, Districts, of the County Code. Council should also decide if it wants staff to attempt to amend Town's Chapter 34 such that it parallels the wording of the County Code, with appropriate changes, as set forth in § 16-7.1 of the County Code, or if Council would prefer for staff to fully articulate the boundaries in the manner currently set out in Town Code Chapter 34.

Staff Evaluation: It should be noted that State Code prohibited town election precinct changes from February 1, 2009, through May 15, 2011.

Budget/Funding: None required.

Legal Evaluation: Council is required to either amend Chapter 34 of the Town Code to parallel it with the County Code, or if there are no more than 5,000 registered voters living within the Town

limits, the Town may be able to simply establish one Election Precinct in the Town. Va. Code § 24.2-307 allows no more than 5,000 registered voters in any one election precinct.

Staff Recommendations: Prepare draft amendments to Town Code Chapter 34, Election Precincts.

Town Manager Recommendation: Town Manager concurs with staff.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)

Chapter 34ELECTION PRECINCTS**Sections:**

- 34-1 DIVISION OF TOWN; DESIGNATIONS**
- 34-2 FORK PRECINCT**
- 34-3 HAPPY CREEK PRECINCT**
- 34-4 NORTH RIVER PRECINCT**
- 34-5 RIVERTON PRECINCT**
- 34-6 SHENANDOAH PRECINCT**
- 34-7 SOUTH RIVER PRECINCT**
- 34-8 POLLING PLACES**

Adopted by the Town Council of the Town of Front Royal 3-11-85 (*Chapter 23 of the 1965 Code*); amended in its entirety 2-24-92 by Ord. No. 2-92. Amendments noted where applicable.

34-1 DIVISION OF TOWN; DESIGNATIONS

There shall be six (6) voting precincts in the Town, which shall be known as the (1) "Town of Front Royal - Fork Precinct", the (2) "Town of Front Royal - Happy Creek Precinct", (3) the "Town of Front Royal - North River Precinct", (4) the "Town of Front Royal - Riverton Precinct", (5) the "Town of Front Royal - Shenandoah Precinct" and (6) the "Town of Front Royal - South River Precinct".

(Ord. No. 2-92 Amended 2-24-92-Effective Upon Passage)

34-2 FORK PRECINCT

The Town of Front Royal Fork Precinct shall include all that portion of the Fork Election District, as described in Section 16-3 of the Warren County, Virginia, Code, located within the corporate limits of the Town of Front Royal as follows:

Beginning at the point of intersection of Commerce Avenue and 6th Street, such point being at the intersection the Fork Election District, the North River Election District and the Shenandoah Election District, thence with the Shenandoah Election District and the center line of North Commerce Avenue southeastward to the center of East Main Street, thence with the center of East Main Street west to its intersection with South Royal which is at the northeastern corner of the Warren County property on which is located the Warren County Courthouse, thence with South River Election District as follows: the center of South Royal Avenue south-southwest at the intersection of South Royal Avenue and Criser Road thence with the center of Criser Road west-northwest to the intersection of Luray Avenue and Criser Road, thence along the center of Luray Avenue and then Luray Avenue extended west to the center of the South Fork of the Shenandoah River, thence downstream along the center line of the South Fork of the Shenandoah River northwest then northeast to a point where the center line of the South Fork of the

Shenandoah River intersects in the center line of Kendrick Lane extended, thence southeasterly with the center line of Kendrick Lane extended and then with the center line of Kendrick Lane southeasterly to its intersection with the center of 6th Street, thence with the center line of 6th Street easterly to its intersection with the center of North Commerce Avenue, at the point of beginning.

(Ord. No. 2-92 Amended 2-24-92-Effective Upon Passage)

(Ord. 6-02 Amended 2-25-02-Effective Upon Passage)

34-3 HAPPY CREEK PRECINCT

The Town of Front Royal Happy Creek Precinct shall include all that portion of the Happy Creek Election District, as defined by Section 16-3 of the Warren County, Virginia, Code, located within the corporate limits of the Town of Front Royal, as follows:

Beginning at a point on South Commerce Avenue at its intersection with East Stonewall Drive, such point being the intersection of South River Election District, Happy Creek Election District, and Shenandoah Election District, thence with the South River Election District as follows: south with the center line of South Commerce Avenue to its intersection with State Route 55 (John Marshall Highway), thence along the center of State Route 55 (John Marshall Highway) to its intersection with Biggs Drive, thence southerly up the center of Biggs Drive to the terminus of Biggs Drive, thence continuing with the South River Election District due south from a point being at the center of the terminus of the paved portion of Biggs Drive extended to its intersection with the Town boundary of the Town of Front Royal, thence along the Town boundary southeasterly then northerly then easterly then northerly to the intersection of the Town boundary and U. S. Route 55 (John Marshall Highway), thence crossing John Marshall Highway northerly then northwesterly then easterly then northerly along the Town boundary to its intersection with Happy Creek Road, thence westerly along the center of Happy Creek Road to its intersection with Polk Avenue, thence southeasterly along the center of Polk Avenue to its intersection with Braxton Road, then east along the center line of Braxton Road to its intersection with Leach Street, thence south along the center of Leach Street to its intersection with Horseshoe Drive, thence along the center of Horseshoe Drive east then south then west to the intersection of Horseshoe Drive and North Easterly Street, then south along the center of North Easterly Street to its intersection with East Stonewall Drive, then southwestly along the center of East Stonewall Drive to its intersection with South Commerce Avenue, to the point of beginning.

(Ord. No. 2-92 Amended 2-24-92-Effective Upon Passage)

(Ord. 6-02 Amended 2-25-02-Effective Upon Passage)

34-4 NORTH RIVER PRECINCT

The Town of Front Royal North River Precinct shall have the same boundaries as those of the Town - North River Precinct as defined by Section 16-7C (1) of the Warren County, Virginia, Code, as follows:

Beginning at the point of intersection of the center line of 6th Street and North Commerce Avenue, such point being the point of intersection of the Fork Election District, the North River Election District and the Shenandoah Election District, thence north with the Shenandoah Election District as follows: along the center of North Commerce Avenue to its intersection with the center of East 8th Street, thence east along the center of East 8th Street to its intersection with Happy Creek, thence northerly along the center of Happy Creek to the overpass of the Norfolk Southern Railroad, thence north with the center of the Norfolk Southern Railroad to a crossing in the railroad tracks, thence northeasterly along the center of that Norfolk Southern Railroad track which crosses the Shenandoah River just east of the confluences of the South Fork of the Shenandoah River and the North Fork of the Shenandoah River to the center line of the Shenandoah River, then along the center line of the Shenandoah River and the South Fork of the Shenandoah River to a point northwest from the center line of Kendrick Lane extended, thence southeast along the center line of Kendrick Lane extended and the center line of Kendrick Lane southeast to its intersection with East 6th Street, thence east along the center of East 6th Street to its intersection with North Commerce Avenue, the point of beginning.

(Ord. No. 2-92 Amended 2-24-92-Effective Upon Passage)

(Ord. 6-02 Amended 2-25-02-Effective Upon Passage)

34-5 RIVERTON PRECINCT

The Town of Front Royal Riverton Precinct shall include that portion of the North River Election District, as defined by Section 16-3 of the Warren County, Virginia, Code, located within the corporate limits of the Town of Front Royal, which is not included within the Town of Front Royal - North River Precinct, as defined by Section 16-7C(1) of the Warren County, Virginia, Code, as follows:

Beginning at a point in the center line of the Norfolk Southern Railroad track which crosses the Shenandoah River just east of the confluence of the South Fork of the Shenandoah River and the North Fork of the Shenandoah River, thence westerly along the center line of the Shenandoah River and the South Fork of the Shenandoah River to the confluence of Punch Run and the South Fork of the Shenandoah River, then northwesterly along the center line of Punch Run to the Town limits at the intersection of Punch Run and a power transmission line, then northeasterly along the power transmission line to the center line of the North Fork of the Shenandoah River, then easterly and southeasterly along the center line of the North Fork of the Shenandoah River to a point 545.88 feet west-northwest of the intersection of the center line of U. S. Routes 340/522 and the North Fork of the Shenandoah River, thence with the Town boundary of the Town of Front Royal northerly then northeasterly to the southern right-of-way of Interstate 66 then with the southern right-of-way line of Interstate 66 easterly and southerly to its intersection with the western right-of-way line of U. S. Routes 340/522, thence with the western right-of-way

line of U. S. Routes 340/522, southwesterly and southerly to its intersection with the center line of the North Fork of the Shenandoah River, thence easterly and southeasterly along the center line of the North Fork of the Shenandoah River and the Shenandoah River to the center line of the Norfolk Southern Railroad track which crosses the Shenandoah River being the point of beginning.

(Ord. No. 2-92 Amended 2-24-92-Effective Upon Passage)

(Ord. 6-02 Amended 2-25-02-Effective Upon Passage)

34-6 SHENANDOAH PRECINCT

The Town of Front Royal Shenandoah Precinct shall include all that portion of the Shenandoah Election District, as defined by Section 16-3 of the Warren County, Virginia, Code, located within the corporate limits of the Town of Front Royal, as follows:

Beginning at the point of intersection of the center lines of East 8th Street and North Commerce Avenue, such point being at the point of intersection of the North River Election District and the Shenandoah Election District, thence with the North River Election District as follows: easterly with the center line of East 8th Street to its intersection with Happy Creek, thence northerly with Happy Creek to the overpass of the Norfolk Southern Railroad, thence northerly along the center of the Norfolk Southern Railroad track to a crossing in the railroad tracks, thence north-eastward along the center of that Norfolk Southern Railroad track which crosses the Shenandoah River just east of the confluence of the North and South Forks of the Shenandoah River at a point in the Town boundary of the Town of Front Royal, thence southeasterly and southerly and easterly and northeasterly along the Town boundary to the center line of Shenandoah Shores Road, then south along the center line of Shenandoah Shores Road to a point where the Town boundary departs from Shenandoah Shores Road, then easterly and southerly along the Town boundary to the center line of Happy Creek Road, thence following the center of Happy Creek Road southwestward to its intersection with Polk Avenue, thence southeasterly along the center line of Polk Avenue to its intersection with Braxton Road, thence easterly along the, center of Braxton Road to its intersection with Leach Street thence south along the center of Leach Street to its intersection with Horseshoe Drive, thence along the center of Horseshoe Drive east then south then west to the intersection of Horseshoe Drive and North Easterly Street, thence south along the center of North Easterly Street to its intersection with East Stonewall Drive, thence southwesterly along the center line of East Stonewall Drive to its intersection with South Commerce Avenue, such point being the intersection of the Happy Creek Election District, the Shenandoah Election District, and the South River Election District, thence north along the center of North Commerce Avenue to its intersection with East 8th Street the point of beginning.

(Ord. No. 2-92 Amended 2-24-92-Effective Upon Passage)

(Ord. 6-02 Amended 2-25-02-Effective Upon Passage)

34-7 SOUTH RIVER PRECINCT

The Town of Front Royal South River Precinct shall include all that portion of the South River Election District, as defined by Section 16-3 of the Warren County, Virginia, Code, located within the corporate limits of the Town of Front Royal, as follows:

Beginning at a point in the center of East Main Street at its intersection with Royal Avenue, thence along the center of East Main Street to its intersection South Commerce Avenue, thence south along the center of Commerce Avenue to its intersection with East Stonewall Drive, thence with the Happy Creek Election District as follows: south along the center of Commerce Avenue to its intersection with State Route 55 (John Marshall Highway), thence east along the center of State Route 55 (John Marshall Highway) to its intersection with Biggs Drive thence southerly up the center of Biggs Drive to the terminus of Biggs Drive, thence due south from a point being at the center of the terminus at the paved portion of Biggs Drive extended to its intersection with the Town boundary of the Town of Front Royal, thence with the Town boundary northwesterly then westerly then southwesterly across U. S. Route 522 (Remount Road), then south then southwest then northwest then north along the Town boundary to its intersection with Criser Road thence with the center of Criser Road to the center of South Royal Avenue, thence with the center of South Royal Avenue northeast and north to its intersection with East Main Street, the point of beginning.

(Ord. No. 2-92 Amended 2-24-92-Effective Upon Passage)

(Ord. 6-02 Amended 2-25-02-Effective Upon Passage)

34-8 POLLING PLACES

The polling place for each Town of Front Royal election precinct shall be the same as the polling places enumerated for the corresponding town precincts set forth in Section 16-6 of the Warren County, Virginia, Code.

(Ord. No. 2-92 Amended 2-24-92-Effective Upon Passage)

Warren County, VA

Friday, July 12, 2013

Chapter 16. ELECTIONS

[HISTORY: Adopted by the Board of Supervisors of Warren County as Ch. 6 of the 1975 Code. Amendments noted where applicable.]

Article I. Districts

§ 16-1. Establishment.

[Amended 8-19-2008] Pursuant to authority contained in Code of Virginia 1950, as amended, § 15.2-1211, the election districts of the County are hereby created and established as set forth in this article.

§ 16-2. Enumeration.

The election districts are as follows:

- A. Fork Election District.
- B. Happy Creek Election District.
- C. North River Election District.
- D. Shenandoah Election District.
- E. South River Election District.

§ 16-3. (Reserved)

Editor's Note: Former § 16-3, Boundaries, as amended, was repealed 5-10-2011; see now § 16-3.1.

§ 16-3.1. Boundaries.

[Added 5-10-2011] *Editor's Note: This ordinance stated that it would take effect 5-16-2011.]* The boundaries of the respective election districts are as set forth below:

- A. Fork Election District: Beginning at the point of intersection of Manassas Avenue and 6th Street, such point being at the point of intersection of the Fork Election District, the North River Election District and the Shenandoah Election District, thence with the Shenandoah Election District and the center line of Manassas Avenue due south to the center of Happy Creek Road, thence west with the center of Happy Creek Road to its intersection with Commerce Avenue, thence south along the center line of Commerce Avenue to its intersection with East Main Street, thence westerly along the center line of East Main Street to its intersection with Royal Avenue, thence with the center of South Royal Avenue and the South River Election District south-southwest to the

intersection of South Royal Avenue and Criser Road, thence with the center of West Criser Road west-northwest to the intersection of Luray Avenue and West Criser Road, thence with the South River Election District and the center line of Luray Avenue and Luray Avenue extended west to the center of the South Fork of the Shenandoah River, thence with the center line of the meanders of the South Fork of the Shenandoah River up said river southwest for a distance of ten miles to the westernmost point of the third western bend of said river, thence around such bend in a southeasterly direction for a distance of approximately one thousand three hundred feet to a point due north of an unnamed run, thence south to the point where said run enters the South Fork of the Shenandoah River and with the center of said run south then west to the point where it is crossed by Panhandle Road (such point being approximately two and one-tenth road miles north from the center of the Route 613 low-water bridge), thence continuing with the center of said run to the point of its beginning which lies within the George Washington National Forest, thence continuing in a northwesterly direction up the slope of the Massanutten Mountain to the intersection of the Shenandoah County line, thence with the Shenandoah County line northeast and then northwest and over the Massanutten Mountain to the center of State Route 55 (Strasburg Road), at its intersection with the Shenandoah County/Warren County line, thence east-southeastward along the center of State Route 55 (Strasburg Road) to the intersection of State Route 55 (Strasburg Road) and the Town of Front Royal boundary, thence southwesterly with the Town of Front Royal boundary to the center of Punch Run, thence downstream with the center of Punch Run to its confluence with the South Fork of the Shenandoah River, thence westerly with the center line of the South Fork of the Shenandoah River to a point in the center line of Kendrick Lane extended, thence southeasterly with the center line of Kendrick Lane extended and then with the center line of Kendrick Lane southeasterly to its intersection with 6th Street, thence with 6th Street easterly to its intersection with Manassas Avenue, the point of beginning.

- B. Shenandoah Election District: Beginning at the point of intersection of the center lines of Manassas Avenue and Happy Creek Road, such point being at the point of intersection of the Fork Election District and the Shenandoah Election District, thence northerly with the center line of Manassas Avenue and with the lines of the Fork Election District and the North River Election District to its crossing of the Norfolk and Western Railroad, thence with the North River Election District and with the center line of the Norfolk and Western Railroad in a northern and northeast direction to the Clarke County line, thence with the Clarke County line east to the Fauquier County line, thence with the Fauquier County line southwest to a point where the center line of Freezeland Road crosses the Fauquier County line, such point being approximately one thousand feet southwest of the intersection of Freezeland Road and a subdivision road currently named High Top Road, thence with Freezeland Road and the Happy Creek Election District northeasterly to its intersection with High Top Road, thence with the center line of High Top Road to its intersection with a subdivision road currently known as Crossway Lane, thence westerly with the center line of Crossway Lane, to its intersection with a subdivision road currently known as High Top Road, thence with the center of High Top Road southwesterly to its intersection with a subdivision road currently known as Cappy Road, thence west with the center of Cappy Road approximately three hundred seventy-five feet where it crosses an unnamed stream and drainageway, thence north with the center of the unnamed stream to its confluence with Howellsville Branch, thence westerly with the center of Howellsville Branch to where it is crossed by Howellsville Road, thence southwesterly with the center of Howellsville Road until Howellsville Road connects with Oregon Hollow Road, thence southerly with the center of Oregon Hollow Road to its intersection with Dismal Hollow Road, thence westerly with the center of Dismal Hollow Road to where it is crossed

by Interstate 66, thence northerly with Interstate 66 to where it crosses over Happy Creek Road/Morgan Ford Road, thence westerly with the center of Happy Creek Road to its intersection with Polk Avenue, thence southerly with the center of Polk Avenue to its intersection with Braxton Road, thence easterly with the center line of Braxton Road to its intersection with Leach Street, thence southerly with the center line of Leach Street to its intersection with Horseshoe Drive, thence east, south and west around the curve of Horseshoe Drive and along its center line to its intersection with North Easterly Street, thence south along the center line of North Easterly Street to its intersection with East Stonewall Drive, thence west along the center line of East Stonewall Drive to its intersection with Commerce Avenue, thence north along the center line of Commerce Avenue to its intersection with Happy Creek Road, thence east and north along the center line of Happy Creek Road to its intersection with Manassas Avenue, the point of beginning.

C. Happy Creek Election District: Beginning at a point in the center of Commerce Avenue at its intersection with East Stonewall Drive, thence with the South River Election District south with the center line of Commerce Avenue to its intersection with John Marshall Highway, thence east along the center line of John Marshall Highway to its intersection with ESA Lane, thence south along the center line of ESA Lane and ESA Lane extended to the center line of Longhill Road extended, thence south and southeasterly along the center line of Longhill Road extended and Longhill Road to its intersection with Rivinus Road, thence southeasterly along the center line of Rivinus Road to its intersection with Intake Road, thence east along the center line of Intake Road and Intake Road extended to the Fauquier County line, thence northerly along the Fauquier County line to a point where the center line of Freezeland Road crosses the Fauquier County line, such point being approximately one thousand feet southwest of the intersection of Freezeland Road and a subdivision road currently named High Top Road, thence with Freezeland Road and the Shenandoah Election District northeasterly to its intersection with High Top Road, thence with the center of High Top Road to its intersection with a subdivision road currently known as Crossway Lane, thence westerly with the center of Crossway Lane, to its intersection with a subdivision road currently known as High Top Road, thence with the center of High Top Road southwesterly to its intersection with a subdivision road currently known as Cappy Road, thence west with the center of Cappy Road approximately three hundred seventy-five feet where it crosses an unnamed stream and drainageway, thence north with the center of the unnamed stream to its confluence with Howellsville Branch, thence westerly with the center of Howellsville Branch to where it is crossed by Howellsville Road, thence southwesterly with the center of Howellsville Road until Howellsville Road connects with Oregon Hollow Road, thence southerly with the center of Oregon Hollow Road to its intersection with Dismal Hollow Road, thence westerly with the center of Dismal Hollow Road to where it is crossed by Interstate 66, thence northerly with Interstate 66 to where it crosses over Happy Creek Road/Morgan Ford, thence westerly with the center of Happy Creek Road to its intersection with Polk Avenue, thence southerly with the center of Polk Avenue to its intersection with Braxton Road, thence easterly with the center line of Braxton Road to its intersection with Leach Street, thence southerly with the center line of Leach Street to its intersection with Horseshoe Drive, thence east, south and west around the curve of Horseshoe Drive and along its center line to its intersection with North Easterly Street, thence south along the center line of North Easterly Street to its intersection with East Stonewall Drive, thence west along the center line of East Stonewall Drive to its intersection with Commerce Avenue, the point of beginning.

D. South River Election District: Beginning at a point in the center of Commerce Avenue at its intersection with East Main Street, thence with the center line of Commerce Avenue to its intersection with John Marshall Highway, thence east along the center line of John Marshall

Highway to its intersection with ESA Lane, thence south along the center line of ESA Lane and ESA Lane extended to the center line of Longhill Road extended, thence south and southeasterly along the center line of Longhill Road extended and Longhill Road to its intersection with Rivinus Road, thence southeasterly along the center line of Rivinus Road to its intersection with Intake Road, thence east along the center line of Intake Road and Intake Road extended to the Fauquier County line, thence southwesterly with the Fauquier County line and the Rappahannock County line to the intersection of the Page County line into the Rappahannock County line, thence with the Page County line northwest to the Shenandoah County line, thence with the Shenandoah County line northeast to the Fork Election District, thence with the Fork Election District southeast with the center of an unnamed run to the point where it is crossed by Panhandle Road (such point being approximately two and one-tenth road miles north from the center of the Route 613 low-water bridge), thence continuing with the center of said run east then north to the point where it enters the South Fork of the Shenandoah River, thence due north to the center of the South Fork of the Shenandoah River, thence with the Fork Election District down the center of the meanders of the South Fork of the Shenandoah River northeast to the center of Luray Avenue extended, thence easterly along the center line of Luray Avenue extended and Luray Avenue and the Fork Election District to the center of West Criser Road, thence east-southeast with the center of West Criser Road and the Fork Election District to the center of South Royal Avenue, thence with the center of South Royal Avenue and with the Fork Election District north-northwest to the center of East Main Street, thence with the center of East Main Street and the Fork Election District east to the intersection of East Main Street and Commerce Avenue, the point of beginning.

E. North River Election District: Beginning at the point of intersection of the center lines of 6th Street and Manassas Avenue, such point being at the point of intersection of the Fork Election District, the North River Election District and the Shenandoah Election District, thence northerly with the center line of Manassas Avenue to the crossing of the Norfolk and Western Railroad, thence with the Shenandoah Election District and with the center line of the Norfolk and Western Railroad in a northeast direction to the Clarke County line, thence with the Clarke County line west-northwest to the intersection of the Clarke County line into the Frederick County line, thence with the Frederick County line south-southwest to a point near Nineveh, thence with the Frederick County line west to the intersection of the Frederick County line with the Shenandoah County line, thence with the Shenandoah County line to the center line of Strasburg Road, thence east with the center line of Strasburg Road to the overhead electric transmission lines that are the boundary line of the Town of Front Royal, thence southwesterly along the Town of Front Royal boundary line to the center of Punch Run, thence downstream with Punch Run to its confluence with the South Fork of the Shenandoah River, thence westerly with the center line of the South Fork of the Shenandoah River to a point in the center line of Kendrick Lane extended, thence southeasterly with the center line of Kendrick Lane extended, and then with the center line of Kendrick Lane southeasterly to its intersection with Sixth Street, thence with Sixth Street easterly to its intersection with Manassas Avenue, the point of beginning.

§ 16-4. Number of Supervisors to be elected.

One Supervisor shall be elected from each election district created by this article.

Article II. Precincts

[Amended 10-20-1981]

§ 16-5. Establishment.

[Amended 8-19-2008] Pursuant to authority contained in Code of Virginia 1950, as amended, §§ 24.2-307 and 24.2-310 through 24.2-310.1, the precincts and their respective polling places for the County are hereby created and established as set forth in this article.

§ 16-6. (Reserved)

Editor's Note: Former § 16-6, Enumeration; polling places, as amended, was repealed 5-10-2011; see now § 16-6.1.

§ 16-6.1. Enumeration; polling places.

[Added 5-10-2011] *Editor's Note: This ordinance stated that it would take effect 5-16-2011.*] The precincts for each election district and the polling place for each precinct shall be as set forth below:

A. Fork Election District:

Precinct	Polling Place
Town - Fork	Warren County Government Center
Otterburn	Rivermont Volunteer Fire Department

B. Happy Creek Election District:

Precinct	Polling Place
Happy Creek and Town - Happy Creek	Warren County High School
Linden	Linden Volunteer Fire Co. Fire Hall

C. North River Election District:

Precinct	Polling Place
Town - North River	Old Warren County Middle School (15th Street)
Riverton	North Warren Volunteer Fire Department

D. Shenandoah Election District:

Precinct	Polling Place
West Shenandoah and Town - West Shenandoah	Front Royal Volunteer Fire Department
East Shenandoah	Youth Center

E. South River Election District:

Precinct	Polling Place
Bentonville	South Warren Volunteer Fire Department

Precinct**Polling Place**

Browntown

Browntown Baptist Church Fellowship Hall

South River and Town - South River

Skyline High School

F. Central Absentee Precinct. The Central Absentee Voting Precinct, for the purpose of receiving, counting, and recording absentee ballots cast in Warren County for all elections, is established and is to be held at the Warren County Government Center, 220 North Commerce Avenue, Town of Front Royal, County of Warren, Virginia.

§ 16-7. (Reserved)

Editor's Note: Former § 16-7, Boundaries, as amended, was repealed 5-10-2011; see now § 16-7.1.

§ 16-7.1. Boundaries.

[Added 5-10-2011 *Editor's Note: This ordinance stated that it would take effect 5-16-2011.* **]** The boundaries of the respective precincts are as set forth:

A. Fork Election District.

- (1) Town - Fork Precinct: All that portion of the Fork Election District that lies within the corporate limits of the Town of Front Royal.
- (2) Otterburn Precinct: All that portion of the Fork Election District that lies outside the corporate limits of the Town of Front Royal.

B. Happy Creek Election District.

- (1) Happy Creek Precinct: All that portion of the Happy Creek Election District lying within the corporate limits of the Town of Front Royal, together with the following portion of the Happy Creek Election District lying outside of the corporate limits of the Town of Front Royal: Beginning at a point on the Fauquier County line where it is intersected by the Town — Happy Creek Election Precinct line being a line extended southeasterly from the southern terminus of Shenandoah Valley Drive, then with the Fauquier County line generally southwestward to a point where Intake Road extended intersects with the Fauquier County line, thence west along the center of Intake Road extended and Intake Road to its intersection with Rivinus Road, thence northwesterly along the center of Rivinus Road to Longhill Road extended, thence northwesterly along the center of Longhill Road extended and Longhill Road to ESA Lane, thence north along the center of ESA Lane and the eastern boundary of the Town of Front Royal to Happy Creek Road, thence east along the center of Happy Creek Road to the point where Interstate 66 passes over Happy Creek Road, thence south and east along the center of Interstate 66 to Dismal Hollow Road, thence easterly with the center of Dismal Hollow Road to Gore Road, thence southwest along the center of Gore Road to its intersection with John Marshall Highway, thence along the center of John Marshall Highway west to its intersection with Massanutten Mountain Drive, thence along the center of Massanutten Mountain Drive southeast and south then southwest to its intersection with Club House Drive, then south along the center of Club House Drive to its intersection with Skyline View Drive, then south along the center of Skyline View Drive to its intersection with the Short Piece Lane, thence

east-northeast along the center of Short Piece Lane to its intersection with Shenandoah Valley Drive, then south then southeast along the center of Shenandoah Valley Drive and Shenandoah Valley Drive extended to the Fauquier County line, the point of beginning.

For town elections, there shall be an election precinct to be known as the Town of Front Royal - Happy Creek Precinct, which shall consist of that portion of the Happy Creek Election District lying within the corporate limits of the Town of Front Royal.

- (2) Linden Precinct: Beginning at a point on the Fauquier County line where it is intersected by the Town — Happy Creek Election Precinct line being a line extended southeasterly from the southern terminus of Shenandoah Valley Drive, then with the Fauquier County line generally eastward and northward to a point where the center line of Freezeland Road crosses the Fauquier County line, such point being approximately one thousand feet southwest of the intersection of Freezeland Road and a subdivision road currently named High Top Road, thence with the Shenandoah Election District as follows: along the center of Freezeland Road northeasterly to its intersection with High Top Road, thence with the center of High Top Road to its intersection with a subdivision road currently known as Crossway Lane, thence westerly with the center of Crossway Lane to its intersection with a subdivision road currently known as Cappy Road, thence west with the center of Cappy Road approximately three hundred seventy-five feet where it crosses an unnamed stream and drainageway, thence north with the center of the unnamed stream to its confluence with Howellsville Branch, thence westerly with the center of Howellsville Branch to where it is crossed by Howellsville Road thence southwesterly with the center of Howellsville Road until Howellsville Road connects with Oregon Hollow Road, thence southerly with the center of Oregon Hollow Road to its intersection with Dismal Hollow Road, thence along the Town — Happy Creek Election Precinct line as follows: along the center line of Dismal Hollow Road south and then east-southeast to its intersection with Gore Road, thence southwest along the center of Gore Road to its intersection with John Marshall Highway, thence along the center of John Marshall Highway west to its intersection with Massanutten Mountain Drive, thence along the center of Massanutten Mountain Drive southeast and south then southwest to its intersection with Club House Drive, then south along the center of Club House Drive to its intersection with Skyline View Drive, then south along the center of Skyline View Drive to its intersection with the Short Piece Lane, thence east-northeast along the center of Short Piece Lane to its intersection with Shenandoah Valley Drive, then south then southeast along the center of Shenandoah Valley Drive and Shenandoah Valley Drive extended to the Fauquier County line, the point of beginning.

C. North River Election District.

- (1) Town - North River Precinct: All that portion of the North River Election District that lies within the boundary of the Town of Front Royal.
- (2) Riverton Precinct: All that portion of the North River Election District that lies outside the boundary of the Town of Front Royal.

D. Shenandoah Election District.

- (1) West Shenandoah Precinct: All that portion of the Shenandoah Election District lying within the corporate limits of the Town of Front Royal, together with all that portion of the Shenandoah Election District lying outside of the corporate limits of the Town of Front Royal which is west

of the Shenandoah River.

For Town elections, there shall be an election precinct to be known as the Town — West Shenandoah Precinct, which shall consist of that portion of the Shenandoah Election District lying within the corporate limits of the Town of Front Royal.

- (2) East Shenandoah Precinct: All that portion of the Shenandoah Election District lying outside the corporate limits of the Town of Front Royal which is east of the Shenandoah River.

E. South River Election District:

- (1) Bentonville Precinct: Beginning at a point on the South Fork of the Shenandoah River at its intersection with Gooney Creek, thence with the meanders of the Shenandoah River westerly for a distance of three and six-tenths miles to the westernmost point of the first western bend of said river, thence around such bend in a southeasterly direction for a distance of approximately one thousand three hundred feet to a point due north of an unnamed run, thence south to the point where said run enters the South Fork of the Shenandoah River and with the center of said run and the Fork Election District south then west to the point where it is crossed by Panhandle Road (such point being approximately two and one-tenth road miles north from the center of the Route 613 low-water bridge), thence continuing with the center of said run to the point of its beginning which lies within the George Washington National Forest, thence continuing in a northwesterly direction up the slope of the Massanutten Mountain to the intersection of the Shenandoah County line, thence with the Shenandoah County line southwest to the point of intersection of the Page County - Warren County boundary line with the Shenandoah County - Warren County boundary line, thence southeasterly with the Page County line to its intersection with Mathews Arm Road, thence northerly with Mathews Arm Road to its intersection with Gimlet Ridge Trail, thence northerly with Gimlet Ridge Trail to the boundary of Shenandoah National Park, thence northerly along an unnamed trail to a point on Bentonville Road approximately 2,000 feet east of its intersection with Jennings Lane, thence easterly on Bentonville Road to its intersection with William Vincent Road, thence northerly with William Vincent Road to its intersection with Buck Mountain Road, thence westerly, then northerly along Buck Mountain Road approximately 4,000 feet to its intersection with Forest Court, thence northerly with Forest Court to its end and then continuing with an unnamed trail to Gooney Creek, thence along Gooney Creek to the South Fork of the Shenandoah River and the place of beginning.
- (2) Browntown Precinct: Beginning at a point on Stonewall Jackson Highway (U. S. Route 340) where it crosses over Gooney Creek, a corner to the Bentonville Precinct, thence north along the center line of Stonewall Jackson Highway (U. S. Route 340) to where it crosses Dry Run, thence with Dry Run to a point on Skyline Drive, thence with the line of Skyline Drive in a southerly direction to the Rappahannock County line, thence with the Rappahannock County line southwesterly to the intersection of the Page County line and Rappahannock County line, thence northerly along the Page County line to its intersection with Mathews Arm Road, thence northerly with Mathews Arm Road to its intersection with Gimlet Ridge Trail, thence northerly with Gimlet Ridge Trail to the boundary of Shenandoah National Park, thence northerly along an unnamed trail to a point on Bentonville Road approximately 2,000 feet east of its intersection with Jennings Lane, thence easterly on Bentonville Road to its intersection with William Vincent Road, thence northerly with William Vincent Road to its intersection with Buck Mountain Road, thence westerly, then northerly along Buck Mountain approximately

4,000 feet to its intersection with Forest Court, thence northerly with Forest Court to its end and then continuing with an unnamed trail to Gooney Creek, thence along Gooney Creek to where it crosses Stonewall Jackson Highway (U. S. Route 340), the place of beginning.

- (3) South River Precinct: Beginning at a point in the center of Commerce Avenue at its intersection with East Main Street, thence with the center line of Commerce Avenue to its intersection with John Marshall Highway, thence east along the center line of John Marshall Highway to its intersection with ESA Lane, thence south along the center line of ESA Lane and ESA Lane extended to the center line of Longhill Road extended, thence south and southeasterly along the center line of Longhill Road extended and Longhill Road to its intersection with Rivinus Road, thence southeasterly along the center line of Rivinus Road to its intersection with Intake Road, thence east along the center line of Intake Road and Intake Road extended to the Fauquier County line, thence southwesterly with the Fauquier County line and the Rappahannock County line southwest to its intersection with Skyline Drive, thence northwards along the centerline of Skyline Drive to Dry Run, thence northeasterly downstream along Dry Run to where it crosses under Stonewall Jackson Highway (U. S. Route 340), thence south along the center of Stonewall Jackson Highway (U. S. Route 340) to where it crosses over Gooney Creek, thence west along the center of Gooney Creek to the center of the South Fork of the Shenandoah River, thence down the center of the meanders of the South Fork of the Shenandoah River northeast to the center of Luray Avenue extended, thence easterly along the center line of Luray Avenue extended and Luray Avenue and the Fork Election District to the center of West Criser Road, thence east-southeast with the center of West Criser Road and the Fork Election District to the center of South Royal Avenue, thence with the center of South Royal Avenue and with the Fork Election District north-northwest to the center of East Main Street, thence with the center of East Main Street and the Fork Election District east to the intersection of East Main Street and Commerce Avenue, the point of beginning.

For Town elections, there shall be an election precinct to be known as the Town —South River Precinct, which shall consist of that portion of the South River Election District lying within the corporate limits of the Town of Front Royal.



Town of Front Royal, Virginia Work Session Agenda Form

Date: January 6, 2014

Agenda Item: Septage Receiving Station MOA

Summary: As Town continues design of the improvements to the Wastewater Treatment Plant, staff have developed a Memorandum of Agreement between the Town and Warren County that would update the 1991 Septage Agreement with Warren County. The updated agreement addresses construction of the new Septage Receiving Station, treatment of septage material, collection of fees by the County, and communication of disruption of treatment at the plant. The current version includes proposed changes from both Town and County staff

Council Discussion: Council is requested to consider an update to the MOA for receiving and treatment of septage material at the Wastewater Treatment Plant.

Staff Evaluation: The proposed MOA has been reviewed by County staff. The Town has not received confirmation of approval of the current version from the County.

Budget/Funding: The Finance Director will be available to address fiscal issues.

Legal Evaluation: The Town Attorney will be available to address legal issues.

Staff Recommendations: Staff recommends consideration of the MOA to define responsibilities for the receiving and treatment of septage material at the Wastewater Treatment Plant.

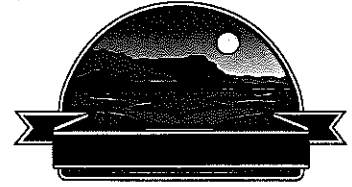
Town Manager Recommendation: The Town Manager recommends consideration of the MOA to define responsibilities for the receiving and treatment of septage material at the Wastewater Treatment Plant.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)



MEMORANDUM OF AGREEMENT SEPTAGE RECEIVING STATION



This Memorandum of Agreement, made and executed in two original copies on this _____ day of _____, 2013, by and between the **Town of Front Royal**, a Virginia municipal corporation (hereinafter the "Town") and the **County of Warren**, a political subdivision of the Commonwealth of Virginia (hereinafter the "County") confirms the following:

WHEREAS, the Town owns and operates the Town's Wastewater Treatment Plant (WWTP); and

WHEREAS, the Town has been receiving and treating septage from County residents based upon the agreement executed in 1991; and,

WHEREAS, the Town and County wish to cooperate to provide for the efficient design, construction, operation, and maintenance of a new septage receiving station; and

WHEREAS, the Town and County wish to establish an understanding for the receipt and treatment of septage.

NOW, THEREFORE, WITNESSETH, to that end, and in consideration of the premises and the mutual covenants contained herein, and to the extent permitted by the Constitution and the Code of Virginia, the parties hereto agree as follows:

1. The Town and County agree that the Town's WWTP is to provide an effective and reliable means for septage haulers operating in the County of Warren to dispose of septage in a safe manner. To that end, the Town and County wish to jointly set forth the terms for the design, construction, operation, and maintenance of a septage receiving station to achieve the aforementioned purpose.
2. This MOA shall remain in effect for five (5) years from the date executed, and shall automatically renew in five (5) year increments. This agreement shall not be terminated unless the WWTP is closed by the Virginia Department of Environmental Quality or the United States Environmental Protection Agency for reasons relating to operational deficiencies in the WWTP and/or the Septage Receiving Station that cause or would cause the WWTP to be in violation of its permits; the Town ceases operations at the WWTP; or alternative septage treatment facilities are established. In such an event, written notice shall be sent providing explanation and cause for the termination of the agreement. Upon receipt of such notice, the notified party shall have the option to evaluate and pursue remedies that would negate the need for such a termination of the agreement. The parties shall resolve any outstanding capital investments and terminate this agreement.
3. The Town shall manage the design and construction of a septage receiving station that delivers septage into the Town's WWTP with the County providing comments and approval of the design. The County shall reimburse the Town for the cost to design and construct the septage receiving

station through the annual appropriation and payment of the debt service due the Town for the design and construction of the septage receiving station improvements.

4. The ownership, operation, and maintenance of the septage receiving station shall be by the Town.
5. The Town shall recover all operation and maintenance costs for the receipt and treatment of septage through a fee for a select volume received from each hauler. The County shall recover all capital costs through a fee for a select volume received from each hauler. The Town and County shall review their individual fees annually.
6. The County shall administer collection of recovery fees for both the Town and County. On a monthly basis, the Town shall provide volume discharged from each hauler. The County shall calculate the amount due to the Town and County based upon the current rates and the volume discharged. The County shall forward the invoices to the haulers and shall collect the amounts due from such haulers, including any delinquent charges. Within thirty (30) days of receipt of payments from the haulers, the County shall remit the Town's share to the Town and the County shall retain their share of payments made. Failure by a hauler to remit payment within thirty (30) days of invoice shall result in their suspension from discharge at the receiving station.
7. The Town shall cease receipt of septage from the septage receiving station if transmission of septage would introduce substances harmful to or degrade the WWTP's function, would disrupt the WWTP's operation, would damage the WWTP's equipment, or would violate the WWTP's permits. Except in the event of an emergency, the Town shall provide the County reasonable advance notice of cessation of operation, not to be less than three (3) days prior to such a cessation. In the event of an emergency, the Town shall notify the County within two (2) hours of the cessation of the ability to receive septage at the septage receiving station. The County shall notify haulers of such a situation as timely as possible.
8. The County shall ensure that only licensed, approved septage haulers are issued permits to discharge to the septage receiving station. The County shall revoke issued permits upon request by the Town for demonstrated violations or failure to remit payment by septage haulers.
9. The County shall provide to the Town a list of licensed, approved septage haulers that are permitted to discharge to the septage receiving station within ten (10) calendar days of any addition or deletion of approved cleaner.
10. The County shall provide to each licensed, approved septic systems cleaner a copy of all operational procedures and regulations established by the Town.
11. The Town shall maintain records of septage deliveries made to the septage receiving station, and shall invoice the County monthly for septage received.

WITNESS the following signatures:

For the Town of Front Royal, Virginia:

For the County of Warren, Virginia:

Timothy W. Darr, Mayor

Archie A. Fox, Chairman

For the Town of Front Royal, Virginia:

For the County of Warren, Virginia:

Attest:

Attest:

Steven M. Burke
Town Manager

Douglas P. Stanley
County Administrator

Approved as to form:

Approved as to form:

Douglas W. Napier, Esq.
Town Attorney

Blair D. Mitchell, Esq.
County Attorney

TOWN-COUNTY
SEPTAGE TREATMENT
AGREEMENT

The Town Council of the Town of Front Royal ("Town") and the Board of Supervisors of the County of Warren ("County") hereby agree to the following:

1. The Town agrees to accept and treat septage at the Town sewage treatment plant (STP) from septic tanks located within Warren County.
2. The County agrees to construct and pay for the necessary physical modifications to the Town STP which are necessary to accept and treat septage.
3. The Town will charge a fee to the individuals bringing in septage for treatment. This fee would be designed to cover the cost of septage treatment and operation and maintenance of the septage handling equipment and would be reasonably comparable to fees charged for similar services in surrounding localities.
4. The County will pay for these improvements with funds derived from the Vehicle License Taxes levied on County citizens residing outside the Town of Front Royal.
5. The physical modifications to the Town STP will be designed to handle an average daily volume of 22,000 gallons of septage brought in from the unincorporated area of Warren County. In the event that this volume is exceeded on a weekly volume basis and this excess volume causes operational difficulties for the Town, the Town may limit the weekly usage to the design capacity.
6. The County agrees to accept sludge from the Town STP provided that the sludge meets all state and federal requirements for it to be deposited in municipal landfills. The County would accept an average daily volume of up to 20 cubic yards. In the event that the amount of sludge delivered to the Landfill by the Town exceeds this amount on a monthly basis and this causes operational difficulties for the County, the County may limit the amount of sludge accepted to the maximum enumerated above.
7. The County plans to ask the Town, in the future, to treat Landfill leachate at the Town's STP. The County recognizes that such leachate would have to be pretreated to acceptable standards. The Town and County agree to negotiate a reasonable agreement wherein the County could treat leachate at the Town STP under conditions mutually acceptable to the Town and County which would not pose a problem for the safe and efficient operation of the Town STP.

Paul J. Vint, Jr.
Mayor, Town of Front Royal, Virginia

7/16/91
Date

Bernard J. Stacey
Chairman, Board of Supervisors,
County of Warren, Virginia

7-18-91
Date

Attest:

Blondel Ruth ⁷⁻¹⁶⁻⁹¹
Clerk, Town Council Date
Town of Front Royal, Virginia

J. Ronald Lyle ^{7/18/91}
Clerk, Board of Supervisors Date
County of Warren, Virginia

Town of Front Royal, Virginia Work Session Agenda Form

Date: January 6, 2014

Agenda Item: Bridge Lighting Cost Sharing MOA

Summary: As VDOT prepares for the reconstruction of the South Fork Bridge, staff have developed a Memorandum of Agreement that would share the costs of maintenance and operation of lighting on both the North and South Fork Bridges by the Town and County. The Town would be responsible for the physical maintenance and invoice the County for half of the expense each year. The MOA provides that the expense for electricity will be the Town's wholesale cost.

Council Discussion: Council is requested to consider a the MOA to share expenses for maintenance and operation of lighting the North and South Fork Bridges with Warren County.

Staff Evaluation: The proposed MOA has been reviewed by County staff, and the language appears acceptable to accomplish sharing of the expense of lighting VDOT bridges in Warren County by the Town.

Budget/Funding: Funding for maintenance and operation of the bridge lighting is included in the annual budget for the Department of Energy Services. The Finance Director will be available to address fiscal issues.

Legal Evaluation: The Town Attorney will be available to address legal issues.

Staff Recommendations: Staff recommends consideration of the MOA to share maintenance and operation costs of bridge lighting for the North and South Fork Bridges with Warren County.

Town Manager Recommendation: The Town Manager recommends consideration of the MOA to share maintenance and operation costs of bridge lighting for the North and South Fork Bridges with Warren County.

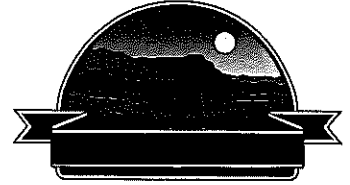
Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)





**MEMORANDUM OF AGREEMENT
BRIDGE LIGHTING & MAINTENANCE
EXPENSE COST SHARING
NORTH & SOUTH FORK BRIDGES**



This Memorandum of Agreement, made and executed in two original copies on this _____ day of _____, 2013, by and between the **Town of Front Royal**, a Virginia municipal corporation (hereinafter the "Town") and the **County of Warren**, a political subdivision of the Commonwealth of Virginia (hereinafter the "County") confirms the following:

WHEREAS, the Town and County recognize the need to enhance public safety to motorists on both the North Fork and South Fork Bridges along North Shenandoah Avenue/Route 340 & 522 through the installation of lighting; and

WHEREAS, the Town and County recognize the benefit of enhancing the aesthetic appearance of the entrance corridor to the Town through the installation of similar light fixtures on both bridges; and,

WHEREAS, the Town and County recognize that both bridges are located outside the Town limits within the County of Warren; and

WHEREAS, the Town and County recognize the financial and service benefits by the lighting on both bridges being served and maintained by the Town's Department of Energy Services; and

WHEREAS, the Town and County recognize the benefit share in the expenses occurred for lighting the bridges, which are estimated at \$8,200 at the time of this agreement.

NOW, THEREFORE, WITNESSETH, to that end, and in consideration of the premises and the mutual covenants contained herein, and to the extent permitted by the Constitution and the Code of Virginia, the parties hereto agree as follows:

1. The Town and County shall share the expense to provide power to the bridge lighting and to maintain the bridge lighting and all appurtenances thereto at a rate of 50% of all expenses.
2. The Town shall invoice the County for all bridge lighting expenses the first week of July. The County shall share in the wholesale cost of electricity incurred by the Town at a rate of 50% of all costs.
3. The County shall remit their share of the expenses within sixty (60) days of issuance of invoice by the Town.
4. The Town and County shall share the cost to upgrade/update the light fixtures as advanced technology warrants.
5. All lighting shall be night-sky compliant

WITNESS the following signatures:

For the Town of Front Royal, Virginia:

Timothy W. Darr, Mayor

Attest:

Steven M. Burke
Town Manager

Approved as to form:

Douglas W. Napier, Esq.
Town Attorney

For the County of Warren, Virginia:

Archie A. Fox, Chairman

Attest:

Douglas P. Stanley
County Administrator

Approved as to form:

Blair D. Mitchell, Esq.
County Attorney

Town of Front Royal, Virginia
Work Session Agenda Form

Date: January 6, 2014

Agenda Item: Boundary Adjustment - Leach Run Properties

Summary: As part of the design of the Leach Run Parkway and the new Middle School, a number of parcels that are currently located in both the Town and County or that should be located in the Town as a result of acquisition for the construction of the Parkway have been designated to be boundary adjusted into the Town limits. The Town will conduct a public hearing on January 13th to consider the agreement with Warren County to adjust these properties.

Council Discussion: Council is requested to consider the agreement with Warren County to proceed with the boundary adjustment.

Staff Evaluation: The proposed agreement will adjust the properties associated with construction of the Leach Run Parkway, the Middle School, and the hospital among other properties. The total area is approximately 84 acres.

Budget/Funding: The Finance Director will be available to address fiscal issues.

Legal Evaluation: The Town Attorney will be available to address legal issues.

Staff Recommendations: Staff recommends consideration of the boundary adjustment agreement with Warren County.

Town Manager Recommendation: The Town Manager recommends consideration of the boundary adjustment agreement with Warren County.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)

Work Session





**TOWN OF FRONT ROYAL
NOTICE OF PUBLIC HEARING**

The Town Council of the Town of Front Royal, Virginia will hold a public hearing on Monday, January 13, 2014, at 7:00 p.m. in the Warren County Government Center's Board Meeting Room, to consider **AN AGREEMENT TO RELOCATE A PORTION OF THE BOUNDARY LINE BETWEEN THE TOWN OF FRONT ROYAL AND THE COUNTY OF WARREN**. If approved, the Town of Front Royal ("Town") and the County of Warren ("County") agree to adjust and change the boundary line between the Town and County just south of Happy Creek Road, just east of its intersection with Shenandoah Shores Road, as follows:

Proposed Agreement to Relocate a Portion of the Boundary Line between the Town of Front Royal and the County of Warren for Parcels split by the Town-County Line just South of Happy Creek Road for the Proposed Leach Run Parkway, New Warren County Middle School, and proposed Hospital Site. The proposed new boundary will include within the Town approximately 84 acres of land now outside the Town boundary, including portions of the former Rutherford Lands property (approx. 3 acres), purchased by the County for the future second middle school site; the former Ramsey Inc. (approx. 2 acres) and NVA Properties (approx. 1 acre) parcels purchased by the Economic Development Authority for the Leach Run Parkway; and the former Duncan property (approx. 78 acres) purchased by Warren Memorial Hospital for a future hospital site. A plat and a metes and bounds description showing the proposed new boundary is on file for public inspection during normal business hours in the Warren County Administrator's Office, Warren County Government Center, 220 North Commerce Avenue, Suite 100, Front Royal, Virginia. Any person who wishes to speak on this item is invited to attend the hearing.

Copies of the above proposed Agreement to Relocate a Portion of the Boundary Line Between the Town of Front Royal and the County of Warren are available for public inspection in the Clerk of Council's Office located in the Town Administration Building. All interested citizens are invited to attend this hearing to express their views.

**MAYOR AND TOWN COUNCIL
TOWN OF FRONT ROYAL, VIRGINIA**

Publish: Northern Virginia Daily – December 28, 2013 and January 4, 2014
Warren Sentinel – January 9, 2014

Town of Front Royal, Virginia
Work Session Agenda Form

Date: January 2014

Agenda Item: Town Banking Services

Summary: Banking service RFP was issued during the late fall of 2013, this is a process that is completed ever 5 years [or sooner if we are not satisfied with provider]. The Town received 7 responses from Banking institutions located within the Town limits.

Council Discussion: To approve continuing services with Union First Market located at 437 South Street, Front Royal.

Staff Evaluation: Review of all responses was completed with comparing rate structures and services available to both the Town and our citizens. The Town has had services with Union First Market for the past 5 years with outstanding services both in day to day transactions and the Town's investment portfolio.

Budget/Funding: No budget funding or obligations required.

Legal Evaluation: Town Attorney will be available for any questions.

Staff Recommendations: Based on the response to the RFP the staff recommends the Town continue the relationship with Union First Market.

Town Manager Recommendation:

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ___(Aye) ___(Nay)





Town of Front Royal, Virginia
Work Session Agenda Form

Date: January 6, 2014

Agenda Item: Liaison Committee Items for January 16, 2014 Meeting

Summary: Council is requested to add items to the Liaison Committee Meeting Agenda scheduled for January 16, 2014. Items will be voted on at the regularly scheduled meeting on January 13, 2014. The list of items from the November Liaison Committee meeting is attached.

Council Discussion: Council takes desired action

Staff Evaluation: N/A

Budget/Funding: N/A

Legal Evaluation: N/A

Staff Recommendations: N/A

Town Manager Recommendation: N/A

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)



AGENDA
TOWN/COUNTY LIAISON
COMMITTEE MEETING
Warren County Government Center

November 21, 2013
6:00 P. M.



- A. Call to Order – Archie Fox, Board of Supervisors Chairman**
- B. Report – Catlett Mountain Landfill Improvements**
- C. Report - Building Inspections Software**
- D. Report – Leach Run Parkway**
- E. Report – Waste Water Treatment Plant/Septage Receiving Facility**
- F. Discussion – South Fork Bridge Lighting – Agreement for Installation & Maintenance**
- G. Discussion - Blue Ridge Shadows Proffer Amendment**
- H. Report – Channel 16**
- I. Report – Route 340/522 North Corridor**
- J. Report – Front Royal Limited Partnership**
- K. Report – Riverton Substation (WC Plan Review Update)**
- L. Discussion – Proposed Park-n-Ride Location**
- M. Discussion – Property Boundary Adjustment Process**
- N. Discussion – Betty West/Assisted Living Facility**
- O. Adjournment**