



TOWN COUNCIL SPECIAL WORK SESSION
Monday, March 6, 2023 @ 7:00pm in the Town Hall Conference Room
View meeting online LIVE at <https://www.frontroyalva.com/673/Town-Hall-Live>

1. Roll Call

- 7:00pm** 2. Presentation: Avtex Conservancy Trail Plan by W.C. Director of Economic Development – *Mayor Cockrell*
- 7:20pm** 3. Fleet Maintenance Building Project Procurement Award, Financing, & Budget Amendment – *BJ Wilson*
- 7:50pm** 4. Future Direction of Tourism – *Mayor Cockrell*
- 8:20pm** 5. Items Slated for Public Hearing:
A. Special Use Permit for a Commercial Outdoor Recreation Facility at 1847 N. Royal Avenue – *L Kopishke*
B. Ordinance Amendment to Chapter 4-1 to add an additional Work Session – *Mayor Cockrell*
- 8:30pm** 6. Discussion on Future use of the Town-Owned Caboose – *Vice Mayor Sealock*
- 8:40pm** 7. Liaison Committee Policy Amendments – *Mayor Cockrell*
- 8:50pm** 8. Open Discussion
- 9:00pm** 9. CLOSED MEETING
10. Adjourn



Work Session Agenda Statement

Item # 02

Meeting Date: March 6, 2023

Agenda Item: Presentation: Avtex Conservancy Trail Plan by W.C. Director of Economic Development

Summary: FR-WC Economic Development Authority will present an overview of the Avtex Conservancy Strategic plan to include next steps for implementation of the Plan.

Budget/Funding: N/A

Staff Recommendation: Council takes desired action.



Work Session Agenda Statement

Item # 03

Meeting Date: March 6, 2023

Agenda Item: Fleet Maintenance Building Project Procurement Award, Financing, & Budget Amendment

Summary: On February 9, 2023, the Town held a public opening for invitation for bids for the Fleet Maintenance Building Project in accordance with the Virginia Public Procurement Act.

Council will be requested to award the bid to purchase services for the fleet maintenance building project bid to the lowest responsive and responsible bidder, LCW Construction, out of Winchester, VA, in the amount of \$1,995,000.00. The Town is a procurement solicitation to obtain a loan in the amount of \$2,450,000 for a term of 20 years for the following items related to the project:

Rehabilitation of Fleet Maintenance Building	\$	1,995,000.00
35,000lb Alignment Lift & Accessories	\$	110,000.00
Tire Balancer for Large Trucks & Regular Tires	\$	27,000.00
Tire Changer for Automotive Tires	\$	19,000.00
Air Compressor	\$	15,000.00
Waste Oil Furnace	\$	15,000.00
A/C Recovery Machine	\$	14,000.00
66,000lb lift with center rolling jacks	\$	180,000.00
750kVA Pad Mount Transformer	\$	60,000.00
Welder Ventilation Machine	\$	15,000.00
SUBTOTAL		\$ 2,450,000.00

Staff will review results of solicitation for the loan procurement with Council during the March 6, 2023; results from solicitation were not available prior to deadline for work session agenda items.

In order to request Council's approval during the March 27, 2023 regular meeting, the Town will need to publish an advertisement by March 7, 2023 for the loan and budget amendment.

Budget/Funding: Project to be funded by 20-year loan;

1800-3410001	Debt Service Fund – Loan Proceeds	\$2,450,000.00
1800-47010	Fleet Maintenance Building	\$2,450,000.00

Annual Debt Service Payment to be included in FY24 Proposed Budget

1800-40001	Debt Service Fund Principal Debt Service	TBD
1800-40005	Interest on Debt Payment	TBD

Staff Recommendation: Staff recommends discussing any questions/concerns and to advertise for a public hearing to be held March 27, 2023.

VENDOR SPREAD SHEET



Town of Front Royal, VA

Bid Tabulation Summary
IFB #02-2023 Front Royal Maintenance Building
Bid Opening Date: 2/9/2023
Opening Time: 3:00 PM

	LCW CONSTRUCTION WINCHESTER, VA	H&W CONSTRUCTION WINCHESTER, VA	HAMMERHEAD CONSTRUCTION FRONT ROYAL, VA
Description	LUMP SUM	LUMP SUM	LUMP SUM
Construct Front Royal Maintenance Building	\$1,995,000.00	\$2,670,723.00	\$2,685,000.00

The VENDOR SPREAD SHEET is generated from the initial, raw information collected.

No award decision has been made.

Prepared by: Michelle Campbell, Purchasing Manager

Department of Purchasing
102 E Main Street
Front Royal, VA 22630
Website: www.frontroyalva.com
Phone 540-636-6889

BAUGHAN & BAUKHAGES, PLLC

LOWELL B. BAUGHAN, NCARB, AIA

FREDERICK E. BAUKHAGES, IV
(RETIRED MAY 2011)

One Cave Street Post Office Box 151
Luray, Virginia 22835
Tel 540-743-6493 • Fax 540-743-9587
baugbauk@embarqmail.com

February 16, 2023

Don McPaters
Vehicle/Equipment Maintenance
Town of Front Royal
800-C Crosby Road
Front Royal, VA 22630

Re: Front Royal Maintenance Building
Job No. 1808

Dear Don,

While we cannot guarantee that the Contractor has met the specifications, the Proposal Form is properly filled out and accompanied by the required 5% Bid Bond. We recommend the acceptance of the low bid from LCW Construction Company in the amount of \$1,995,000.00.

Regards,



L. B. Baughan, NCARB, AIA

MEMORANDUM

TO: B.J. Wilson, Director Finance.

FROM: Donald B McPaters, Director of Fleet Maintenance *DBM*

SUBJECT: Recommendation letter for Fleet Maintenance Building

DATE: February 14, 2023

We received three bids on the Fleet Maintenance Building project. Hammer Head Construction with a price of \$2,685,000.00 with a proposed time of completion 240 days. H&W Construction with a price of \$2,670,723.00 with a proposed time of completion 322 days. The third bid was LCW Construction with a price of \$1,995,000.00 with a proposed completion time of 450 days. My recommendation is LCW based on the lowest bid.



Work Session Agenda Statement

Item # 04

Meeting Date: March 6, 2023

Agenda Item: Future Direction of Tourism

Summary: After consultation with legal counsel pertaining to the proposed agreement with Discover Front Royal, Inc on January 23, 2023, it was agreed to continue discussion on the future direction of tourism at the next work session.

Budget/Funding: N/A

Staff Recommendation: Council takes desired action.



Work Session Agenda Statement

Item # 05A

Meeting Date: March 6, 2023

Agenda Item: Special Use Permit for a Commercial Outdoor Recreation Facility at 1847 N. Royal Avenue

Summary: A request for a Special Use Permit to allow for a commercial outdoor recreation facility located at 1847 N. Royal Avenue. Outdoor recreation facilities are permitted only by special use permit in the A-1 zone. The property is located at 1847 North Royal Avenue and is bordered to the north by the Shenandoah River. The property consists of over 12 acres of floodplain and riparian woodlands with direct access to the river, and proximity to Route 340 and Route 66. The entirety of the property included in this special use permit request is contained within FEMA's "floodway" and the flood zone.

Proposed Uses Include

Canoe and Kayak Rentals with Shuttle: We'd like to rent canoes and kayaks to guests, and include shuttling services upriver to Eastham Park, Karo Public Boat Landing or beyond, so guests can paddle back downriver to the North Royal Avenue Location.

Canoe, Kayak and SUP Rentals: During low water levels we'd also like to rent kayaks, canoes and Stand-Up Paddleboards (SUPS) to be launched at the property for guests to explore downstream backwaters to Warren Dam and return to the launch site.

Inner-tube Rentals: Nothing says hot summer weather like taking a refreshing float down the Shenandoah in an inner-tube. The section of river from Eastham Park (Luray Avenue) down to North Royal Ave is perfect for early summer inner tubing. The ledges, riffles and light rapids are sure to keep guests entertained as they enjoy a few hours on the river. We'd also like to develop shorter inner-tubing options for guests who would like a short trip, or when river levels become quite low and slow flowing in the summer and this will require access to the river through private property. We are already in discussions with landowners between Luray Avenue and the North Royal Avenue properties.

Camping: Low impact rustic camping and light Camper camping would give guests the ability to recreate in and explore Front Royal for several days. Campers also feed the seasonal recreational business.

The effective peak season for river activity, from which most vehicle trips will be generated, is Memorial Day to Labor Day, about 15 weeks out of the year. Campsites will be at least 30' wide and 1600 square feet as required by code.

Transportation/Parking: During peak river activity days, considering the size of the property, and parking we would like to have the capacity to serve about 1000 river users in any one of our various river activities. At the Harpers Ferry Adventure Center our surveys showed that guests averaged about 3 people per vehicle which in Front Royal, would translate into about 333 vehicles entering, and then 333 vehicles exiting, during our busiest handful of days per year. Those vehicle trips will be spread out between the hours of 8AM and 7PM. Most of the traffic between 8AM and 12 Noon will be incoming, and it switches over organically to most traffic departing between 2PM and 7PM. The facility will accept online reservations which will space out the number of cars entering and exiting the site throughout the day.

Budget/Funding: N/A

Staff Recommendation: Staff recommends approval during a public hearing with the following condition:

1. The applicant shall, shall comply with all requirements of the Virginia Department of Health and obtain all necessary permits prior to the commencement of the use.
2. The hours of operation for outdoor activities shall be submitted in writing to staff prior to commencement of use per 175-10.10-D.



TOWN OF FRONT ROYAL DEPARTMENT OF PLANNING & ZONING

STAFF REPORT FOR THE FEBRUARY 15, 2023, PLANNING COMMISSION MEETING

APPLICATION #:

2300021

APPLICANT:

Jeffrey Kelble

SUMMARY OF REQUEST:

A request for a Special Use Permit to allow for a commercial outdoor recreation facility located at 1847 N. Royal Avenue. Outdoor recreation facilities are permitted only by Special Use Permit in the A-1 zone.

GENERAL INFORMATION:

Site Addresses	1847 N. Royal Avenue
Property Owner(s)	J & J Shores, LLC
Existing Zoning	A-1, Agriculture and Open Space Preservation District
Proposed Use	Outdoor Recreation Facility
Tax Identification	20A3-1-1 & 2
Location	The property is located at 1847 North Royal Avenue and is bordered to the north by the Shenandoah River. The property consists of over 12 acres of floodplain and riparian woodlands with direct access to the river, and proximity to Route 340 and Route 66. The entirety of the property included in this Special Use Permit request is contained within FEMA's "floodway" (about 1/3 of the property) and the flood zone (about 2/3 of the property).

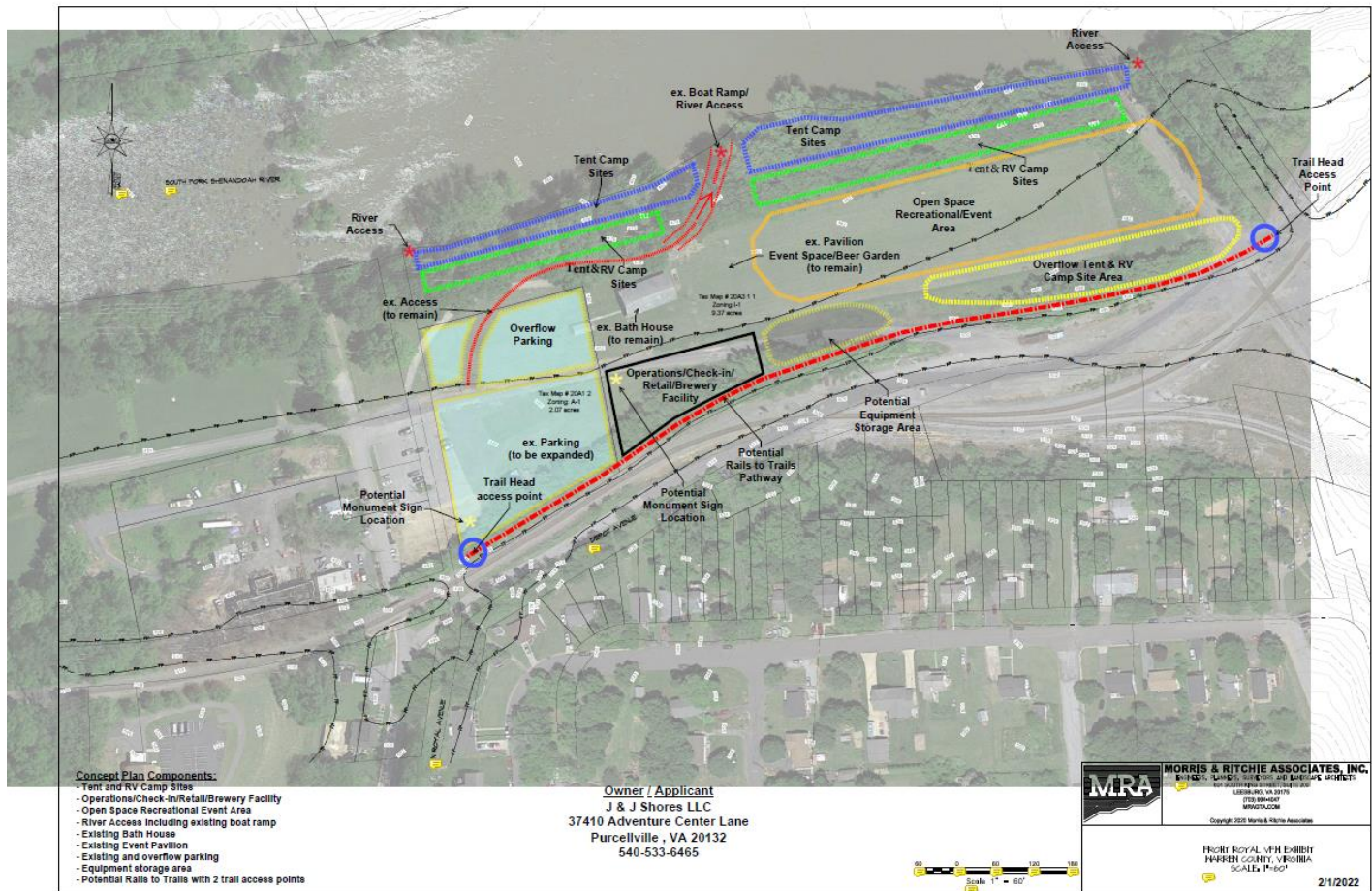
Vicinity Map (Warren County GIS)



Aerial (Warren County GIS)



Site Plan



INFORMATION ON THE APPLICATION:

Project Summary & Staff Recommendation

The applicant is proposing the following activities:

Canoe and Kayak Rentals with Shuttle: “We’d like to rent canoes and kayaks to guests, and include shuttling services upriver to Eastham Park, Karo Public Boat Landing or beyond, so guests can paddle back downriver to the North Royal Avenue Location. “

Canoe, Kayak and SUP Rentals: “During low water levels we’d also like to rent kayaks, canoes, and Stand-Up Paddleboards (SUPS) to be launched at the property for guests to explore downstream backwaters to Warren Dam and return to the launch site.”

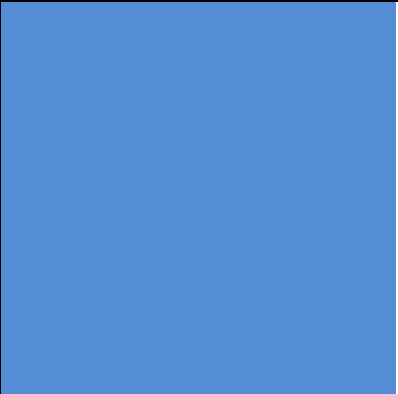
Inner-tube Rentals: “Nothing says hot summer weather like taking a refreshing float down the Shenandoah in an inner-tube. The section of river from Eastham Park (Luray Avenue) down to North Royal Ave is perfect for early summer inner-tubing. The ledges, riffles and light rapids are sure to keep guests entertained as they enjoy a few hours on the river. We’d also like to develop shorter inner-tubing options for guests who would like a short trip, or when river levels become quite low and slow flowing in the summer, and this will require access to the river through private property. We are already in discussions with landowners between Luray Avenue and the North Royal Avenue properties.”

Camping: “Low impact rustic camping and light Camper camping would give guests the ability to recreate in and explore Front Royal for several days. Campers also feed the seasonal recreational business.

The effective peak season for river activity, from which most vehicle trips will be generated, is Memorial Day to Labor Day, about 15 weeks out of the year.

Campsites will be at least 30’ wide and 1600 square feet as required by code.”

Transportation/Parking: “During peak river activity days, considering the size of the property, and parking we would like to have the capacity to serve about 1000 river users in any one of our various river activities. At the Harpers Ferry Adventure Center our surveys showed that guests averaged about 3 people per



vehicle which in Front Royal, would translate into about 333 vehicles entering, and then 333 vehicles exiting, during our busiest handful of days per year. Those vehicle trips will be spread out between the hours of 8AM and 7PM. Most of the traffic between 8AM and 12 Noon will be incoming, and it switches over organically to most traffic departing between 2PM and 7PM. The facility will accept online reservations which will space out the number of cars entering and exiting the site throughout the day."

STAFF RECOMMENDATION:

Staff recommends approval with the following conditions:

1. The applicant shall, comply with all requirements of the Virginia Department of Health and obtain all necessary permits prior to the commencement of the use.
2. The hours of operation for outdoor activities shall be submitted in writing to staff prior to commencement of use per 175-10.10-D-6.

ATTACHMENTS: A. Application and associated documents from the Applicant
B. Email Communication Between John Ware & the Applicant
C. Email Communication Between Public Works & the Applicant



TOWN OF FRONT ROYAL

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
102 EAST MAIN STREET
P.O. BOX 1560
FRONT ROYAL, VA 2263

Main: 540.635.4236

Fax: 540.631.2727

www.frontroyalva.com

SPECIAL USE PERMIT REQUEST

FRSPU _____

APPLICANT:

NAME Jeffrey Kelble PHONE (540) 533-6465

ADDRESS 3155 Swift Shoals Road, Boyce, VA 22620

E-MAIL jeffcashbygapadventures.com

PROPERTY OWNER:

NAME J&J Shores, LLC PHONE (540) 533-6465

ADDRESS 3155 Swift Shoals Road, Boyce, VA 22620

E-MAIL jeffcashbygapadventures.com

PROPERTY DESCRIPTION

PROPERTY ADDRESS 1847 North Royal Avenue, Front Royal VA 22630

TAX MAP 20 SECTION A3 BLOCK 1 LOT 1 (& 2 See Rezoning 5/13/2013)

SUBDIVISION NAME _____ ACREAGE 10.66

REQUEST

ZONING DISTRICT A-1

PROPOSED USE OF PROPERTY Commercial outdoor Recreation

SPECIFIC SPECIAL USE PERMIT REQUEST Seasonal recreational facilities for fire "livery" use, i.e. inner tubing, canoe/kayaking, rafting, boat rental and campground

ATTACHMENTS -- The following must be submitted with the application. Additional information may be required depending on the nature of the request.

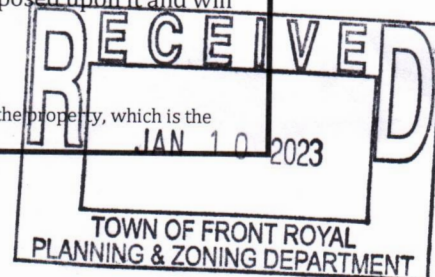
1. Survey/Plat of property showing all **existing** improvements.
(10 copies if larger than 11" X 17")
2. Site Plan Application (Pd)
3. Application Fee of \$400.00 Receipt # 01001885407 Date Paid 1-10-23
4. Additional information as required by the Dept. of Planning & Community Development.

CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge and should the special use permit be granted, the project will comply with the conditions imposed upon it and will be implemented only as approved by Town Council.

Signature Jeffrey Kelble Date 01/10/2023

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.

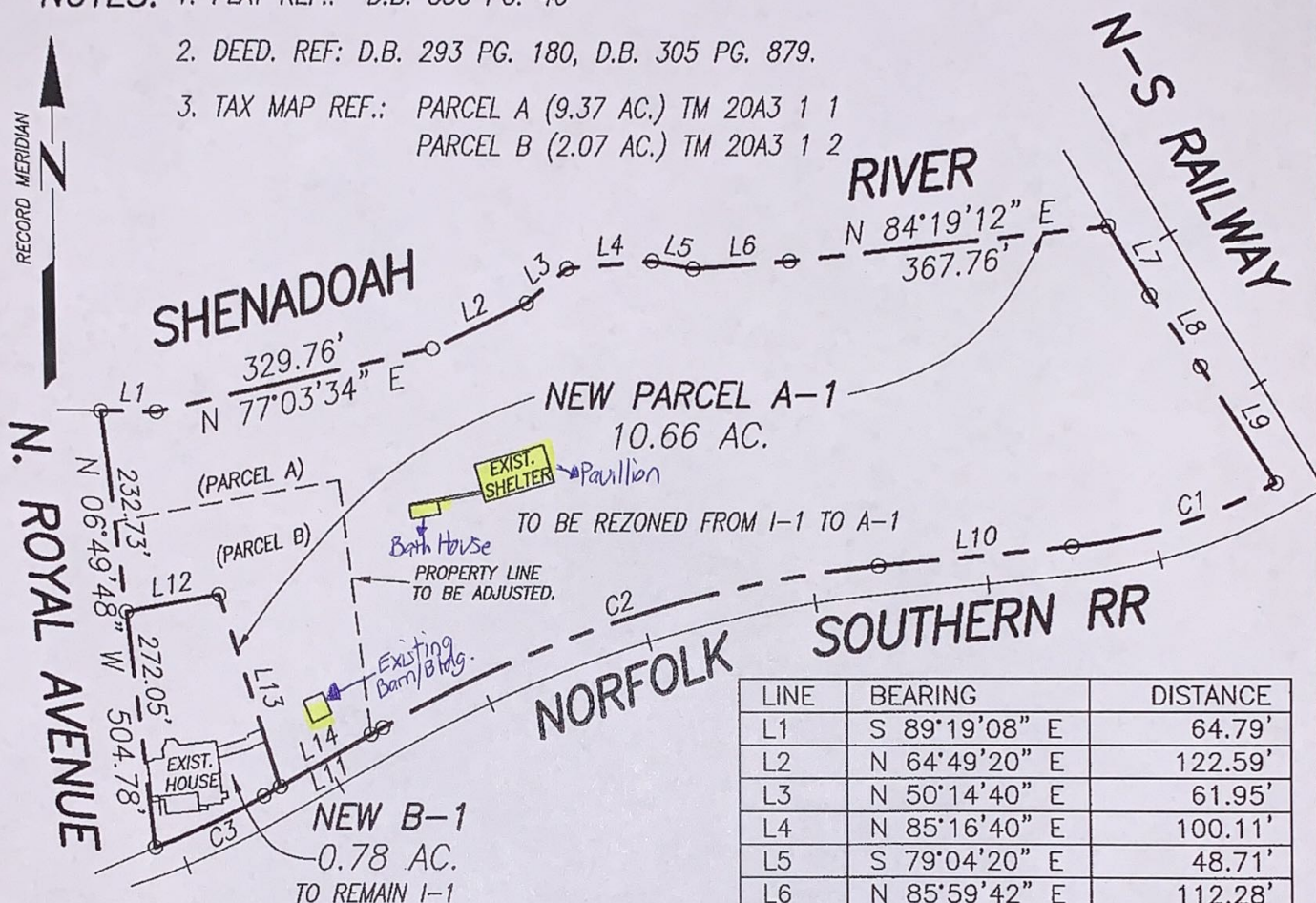


CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	604.27'	244.22'	242.56'	S 72°51'30" W	23°09'23"
C2	1465.69'	613.95'	609.47'	S 72°26'56" W	24°00'00"
C3	848.95'	139.79'	139.64'	S 65°09'06" W	09°26'05"

NOTES: 1. PLAT REF.: D.B. 336 PG. 46

2. DEED. REF.: D.B. 293 PG. 180, D.B. 305 PG. 879.

3. TAX MAP REF.: PARCEL A (9.37 AC.) TM 20A3 1 1
PARCEL B (2.07 AC.) TM 20A3 1 2



METES AND BOUNDS SHOWN HEREON
BASED ON DEEDS OF RECORD AND IS
NOT THE RESULT OF A CURRENT
BOUNDARY SURVEY.



LINE	BEARING	DISTANCE
L1	S 89°19'08" E	64.79'
L2	N 64°49'20" E	122.59'
L3	N 50°14'40" E	61.95'
L4	N 85°16'40" E	100.11'
L5	S 79°04'20" E	48.71'
L6	N 85°59'42" E	112.28'
L7	S 30°50'48" E	92.21'
L8	S 35°08'10" E	100.28'
L9	S 32°33'54" E	158.99'
L10	S 84°26'10" W	224.00'
L11	N 60°26'10" E	143.28'
L12	N 79°37'12" E	110.10'
L13	S 17°34'38" E	231.26'
L14	N 60°26'10" E	121.35'

ZONING PLAT

COL. SAMUEL R. MILLAR
POST 1860, INC., VFW

TOWN OF FRONT ROYAL
WARREN COUNTY, VIRGINIA

DATE: 20 FEBRUARY 2013

SCALE: 1" = 200'

0' 200' 400' 600'



From: [Lauren Kopishke](#)
To: [Connie Potter](#)
Subject: FW: J&J Shores Campground
Date: Thursday, February 9, 2023 12:58:34 PM
Attachments: [Campgrounds.pdf](#)

We need to include this in the PC packets

From: Jeff Kelble <jeff@ashbygapadventures.com>
Sent: Thursday, February 9, 2023 11:09 AM
To: John Ware <jware@frontroyalva.com>
Cc: Lauren Kopishke <lkopishke@frontroyalva.com>
Subject: Re: J&J Shores Campground

Yes John, simple answer. Naturally all acquire all permits and licenses and inspections necessary to meet state health codes. I'm quite familiar with them.

Campsites will be at least 30' wide and 1600 square feet as required. I haven't decided if they're all going to be completely primitive/rustic or if a portion will be rented and advertised as having access to the bath house, but a sinks and showers are not required for primitive/rustic sites, just toilets, and they provide a ratio chart to guide campground owners as part of the permit.

On thing that I want fo be clear is that parking for the rustic sites may or may not be near or next to the campsites. If parking is near it will likely be in the areas outlined as potential RV reserve. The campsites will mostly likely all be along the river front or on the edge of the wood line.

Jeff

Sent from my iPhone

On Feb 7, 2023, at 12:15 PM, John Ware <jware@frontroyalva.com> wrote:

Jeff,

The Special Use Permit for the Seasonal Recreational Facilities are subject to section 175-10.10.B of the Town Code (see attached). Under Section 175-10.10.B.5, it states that "Campgrounds, and similar facilities, shall comply with all the requirements of the Virginia Department of Health". The Planning Commission is questioning the size of campsites, parking availability and other requirements of the VDH.

I'm assuming you will apply to the VDH for the valid permit after approval of the SUP?

*John M. Ware, ESCA0307, SWPA0226, CZO
Deputy Zoning Administrator / Town Planner I*

From: [Robbie Boyer](#)
To: [Jeff Kelble](#); [Carol Buffa](#)
Cc: [Connie Potter](#); [Karen Williams](#)
Subject: RE: Public Works Information Request
Date: Thursday, February 9, 2023 8:57:37 AM
Attachments: [image001.png](#)

Jeff,

I responded below to each comment if you have any other questions or need anything else just let me know.

Thanks,

Robert B. Boyer
Director of Public Works
Town of Front Royal Public Works
PO Box 1560
800 Crosby Rd-Extended
Front Royal, VA 22630
540-635-7819 (P)
rboyer@frontroyalva.com
www.frontroyalva.com

From: Jeff Kelble <jeff@ashbygapadventures.com>
Sent: Friday, February 3, 2023 4:26 PM
To: Carol Buffa <cbuffa@frontroyalva.com>
Cc: Robbie Boyer <rboyer@frontroyalva.com>; Connie Potter <cpotter@frontroyalva.com>
Subject: Re: Public Works Information Request

Hi Robbie,

I'm sorry I missed you by phone earlier today. I called because I sat down to answer your questions and wanted to make sure my answers were most useful and most accurate to help your department with planning. I have preliminary thoughts but would find it helpful to talk so I can be sure I'm answering the questions properly. Until then here are my thoughts:

Will there be any changes to the existing utilities to meet new utility demands?

[My answer to this question may be uncertain due to unknown and un-anticipatable future business needs, and I'd hate to say I'm never going to need to change anything. That being said, for the purposed of this application I plan to make use of, and make due with, the existing water, sewer and electrical infrastructure. The existing infrastructure is what made this property desirable to purchase in the first place, which appears "out of the box" to be able to support the seasonal recreational uses I'm seeking permission to conduct".](#)

We were just curious if the existing 1" domestic water service would be enough to cover the demand, if there's any changes to the utility tap size then a In-town utility application would be needed.

Will the RV campsites have water and sewer connections or be dry camping only?

To be clear, I'm not proposing to create an RV park like the property recently rezoned for Mr. Poe, upriver next to the old Avtex property . My interests in outlining areas for RV's is that in my experience, we will receive requests from people on the road in RV's who want to be able to park their RV's and stay a few nights, while they participated in the recreational activities, and I'd like to be able to accommodate them. So I'm proposing dry camping at this time, with no development of decentralized water or sewer hookups. Naturally, we want to be able to make our bath house facilities accessible to anyone using the property which would include use of water through the faucets or a spigot/hose.

That's what we wanted to confirm that there won't be RV's connecting to the existing utility services there at this time because of the of existing utilities there.

Will the bath house be expanded to meet the new usage on site and will there be any other on site bathrooms?

[I am not proposing to expand the bath house at this time. I am also not proposing to build any other bathrooms on the site at this time. However I do anticipate the potential need to utilize portable bathroom facilities to accommodate peak usage periods on the property, to reduce the reliance on the bathhouse and to serve guests who might be camping further from the bathhouse than is convenient to walk at night.](#)

That sounds good, we just want to make sure the existing utilities on site can handle the demand of what's purposed, the existing utilities used to run the bath house and the main building that used to be there.

The underpass to access this property is only 12' wide under the railroad Trussell and is the only way to access the property currently.

[Well understood. I have experience operating a river outfitting business that relies on passing under a very similar underpass on Bakerton Road in Bolivar WV \(Harpers Ferry Area\). In my special use permit request I articulated a study that I performed of the Bakerton Road underpass making note of and traffic patterns and capacities. Even during my peak few days of the year, my anticipated traffic levels are at maximum, about 25% of what the underpass can accommodate without any form of traffic monitoring or a person conducting traffic.](#)

We mentioned the 12" access width because we know the Fire Marshall normally requires 16' if possible, I know with the trussell there it's very limiting.

Jeff

On Wed, Feb 1, 2023 at 8:37 AM Carol Buffa <cbuffa@frontroyalva.com> wrote:

Good morning,

I am forwarding you comments and questions from our Public Works Department regarding your Special Use permit. Please respond accordingly. You can reach Public Works at (540) 635-7819 if you have any questions or concerns.

Notes

Will there be any changes to the existing utilities to meet new utility demands. Will the RV campsites have water and sewer connections or be dry camping only. There's an existing town owned sewer main on site that follows the gravel access road.

01/31/2023

Will the bath house be expanded to meet the new usage on site and will there be any other on-site bathrooms.

The underpass to access this property is only 12' wide under the railroad trussell and is the only way to access this property currently.

Property Information

Parcel#: 20A3 1 1

J & J SHORES LLC

0

Zoning: I-1Lot: 1Block:

J & J SHORES LLC

37410 ADVENTURE CENTER LN

PURCELLVILLE, VA 20132

Thank you and have a great day

Carolyn S Buffa

Town of Front Royal | Dept of Planning & Zoning

102 E Main St

Front Royal VA 22630

(540)635-4236 (540)631-2727 Fax

cbuffa@frontroyalva.com

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Jeff Kelble - Guide and Owner
Harpers Ferry Adventure Center Inc.
& Ashby Gap Adventures, LLC
3155 Swift Shoals Road
Boyce, VA 22620

Phone (540) 955-7179

Email: info@ashbygapadventures.com

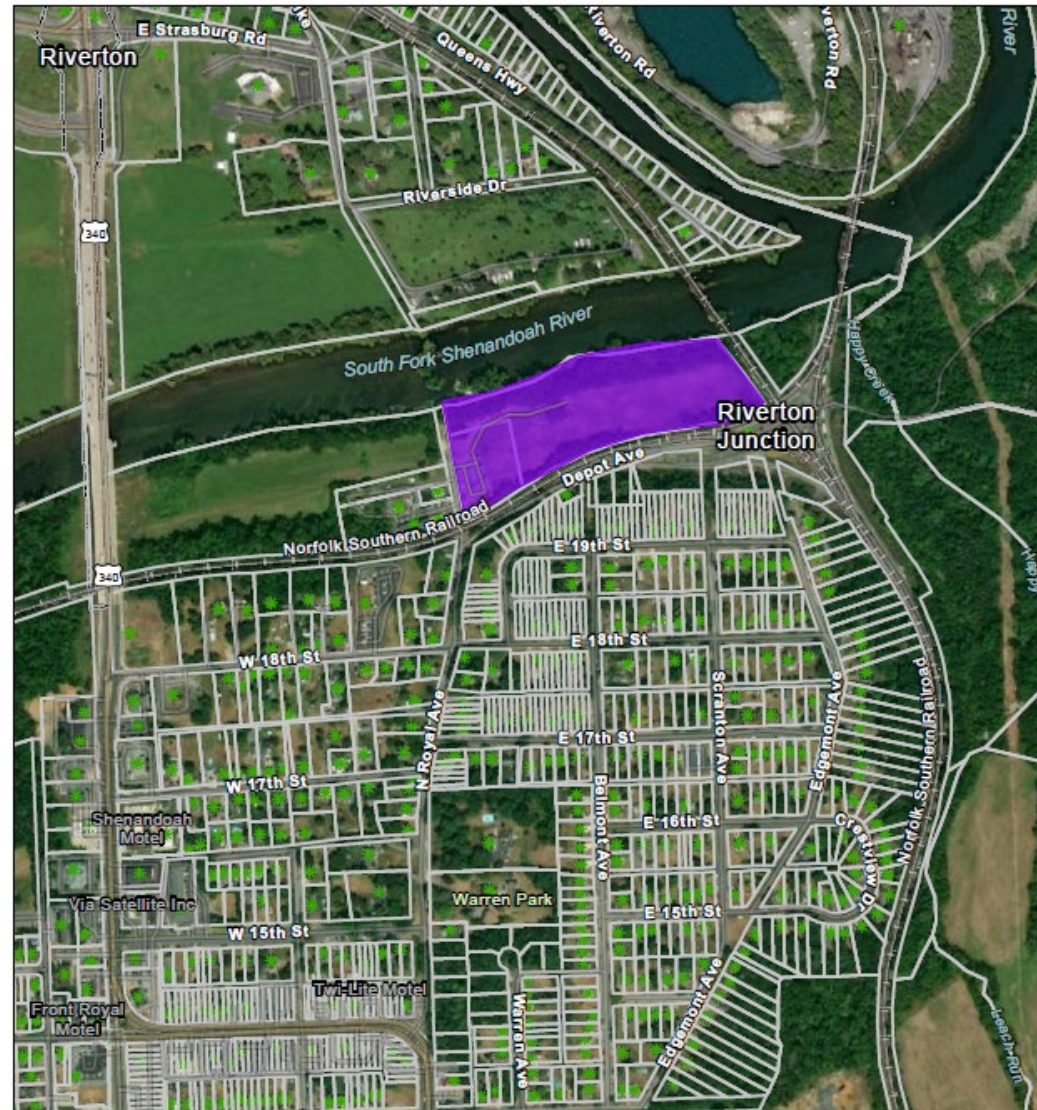
Instagram & Facebook: @AshbyGapAdventures

www.ashbygapadventures.com



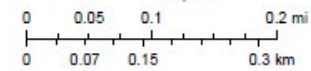
Ashby Gap Adventures is the DBA of Ashby Gap, LLC, a Limited Liability Company headquartered in Boyce, Virginia

J&J Shores Property



January 31, 2023

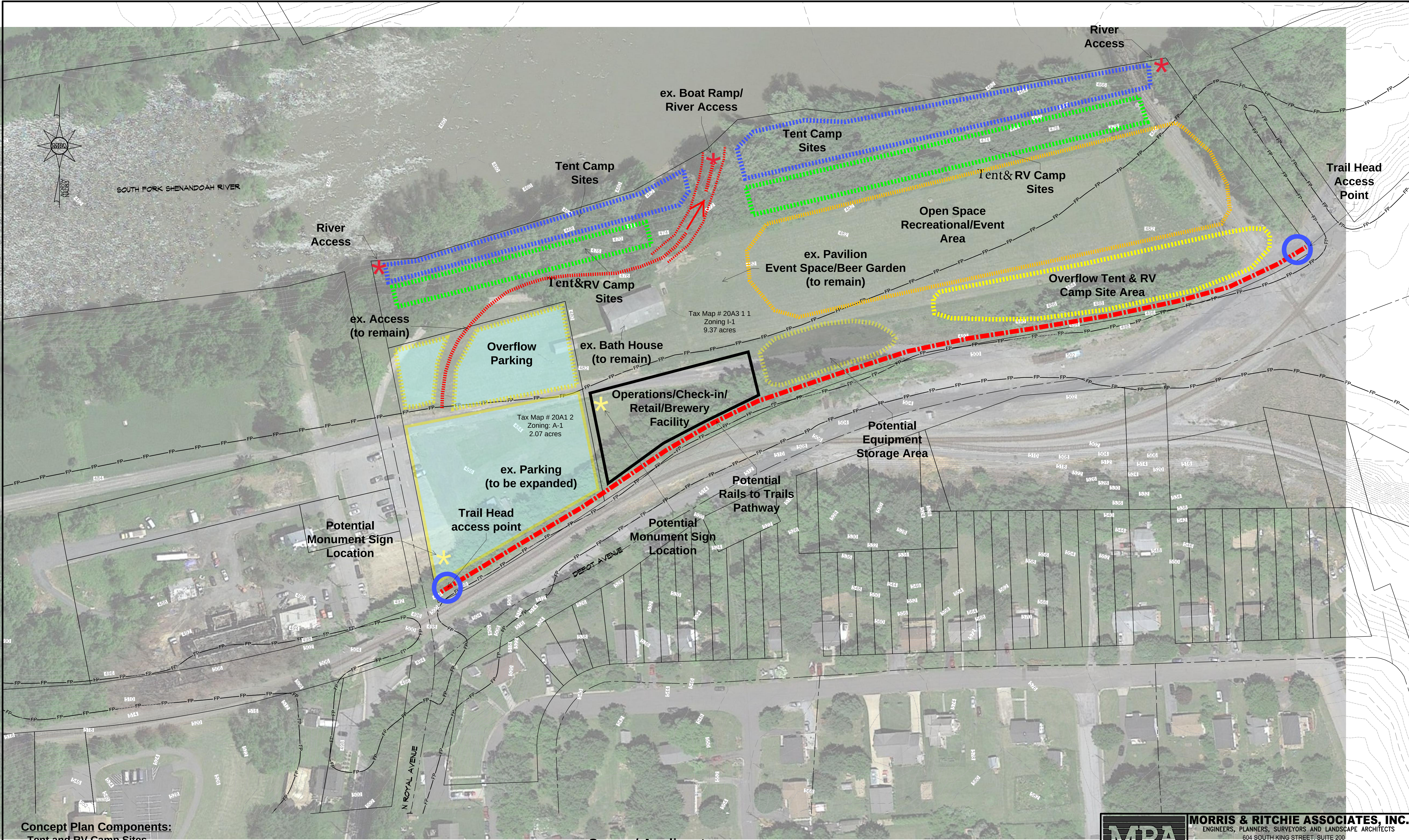
1:9,028



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

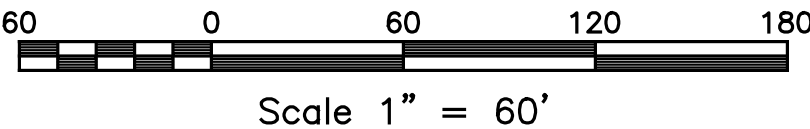






- Concept Plan Components:**
- Tent and RV Camp Sites
 - Operations/Check-in/Retail/Brewery Facility
 - Open Space Recreational Event Area
 - River Access including existing boat ramp
 - Existing Bath House
 - Existing Event Pavilion
 - Existing and overflow parking
 - Equipment storage area
 - Potential Rails to Trails with 2 trail access points

Owner / Applicant
J & J Shores LLC
37410 Adventure Center Lane
Purcellville , VA 20132
540-533-6465



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
604 SOUTH KING STREET, SUITE 200
LEESBURG, VA 20175
(703) 994-4047
MRAGTA.COM
Copyright 2020 Morris & Ritchie Associates

FRONT ROYAL VFW EXHIBIT
WARREN COUNTY, VIRGINIA
SCALE: 1"=60'

2/1/2022

**J&J Shores Special Use Permit Application-Statement of Justification
To Town Council of Front Royal, VA
Completed: January 10, 2022**

Statement of Justification:

Front Royal is the Canoe Capital of Virginia and is bordered by a lovely piece of the South Fork Shenandoah, nationally recognized for its recreational beauty and fishing. Front Royal enjoys several businesses which cater to the Appalachian Trail and somewhat to river recreation, but doesn't yet have a full-fledged Livery/Outfitting business located on the river.

Our company J&J Shores recently acquired the VFW property and is asking the Town Council to consider, and approve a request for a special use permit to operate a river business at that location. The applicant has nearly three decades of experience in the river business, first starting with the launch and operation of Playing Hookie Guide Service in 1999, and more recently stood up and run Ashby Gap Adventures in 2019, based in Clarke County Virginia, which successfully provides scenic river tours, guided hunting and fishing. From 2021 through 2022 the applicants were also owners of the Harpers Ferry Adventure Center in Loudon County Virginia, which provided rafting, innertubing, kayaking, zip lines and camping to about 20,000 guests per year. It's our hope that the Town Council will view our experience and this site favorably and help us to acquire our special use permit to operate a Seasonal Outdoor Recreational Business.

Location:

For generations the property at 1847 North Royal Avenue along the Shenandoah River has been synonymous with local veterans and the VFW Chapter 1860. The property has been a gathering place and recreational destination for the Front Royal Community and beyond. It seems few people in the area haven't attended an event there in the pavilion, played or attended a football game or paddled and fished the river on the property. And we all mourned the loss of the VFW Chapter House at the hands of an arsonist. But the property is beautiful, we believe it's an asset to the Town of Front Royal and despite any adversity the site has experienced, it is charming.

More recently, as it became clear the veterans would be unable to rebuild their Chapter House, we were honored by their decision to sell their property to us, in order to attempt to establish a river based seasonal recreational business. It's our goal to continue to have the property serve as a gathering place for local residents, and a destination for tourists hoping to spend time in the country, in Front Royal, and on the Shenandoah River. We are also determined to support the VFW and have their ongoing presence on the property.

With over 12 acres of floodplain and riparian woodlands to work with, direct access to the river, and proximity to Route 340 and Route 66, this property appears to be well suited for the establishment of a local business to serve the regional community. As experienced river outfitters and camping managers we also feel we're well suited to quickly build a business that draws tourism and to receive a special use permit to create another outdoor recreational hub of activity that we expect will also support the local hospitality industry, restaurants and shops.

The property has only a single residential neighbors since effectively, it's completely cut off from the town by the Railroad grade and railroad. It's our intention to continue with, and further develop the property to enrich the town's recreational options for tourism related guests and residents alike.

Proposed activities:

Canoe and Kayak Rentals with Shuttle: We'd like to rent canoes and kayaks to guests, and include shuttling services upriver to Eastham Park, Karo Public Boat Landing or beyond, so guests can paddle back downriver to the North Royal Avenue Location.

Canoe, Kayak and SUP Rentals: During low water levels we'd also like to rent kayaks, canoes and Stand Up Paddleboards (SUPS) to be launched at the property for guests to explore downstream backwaters to Warren Dam and return to the launch site.

Inner-tube Rentals: Nothing says hot summer weather like taking a refreshing float down the Shenandoah in an inner-tube. The section of river from Eastham Park (Luray Avenue) down to North Royal Ave is perfect for early summer inner tubing. The ledges, riffles and light rapids are sure to keep guests entertained as they enjoy a few hours on the river. We'd also like to develop shorter inner-tubing options for guests who would like a short trip, or when river levels become quite low and slow flowing in the summer and this will require access to the river through private property. We are already in discussions with landowners between Luray Avenue and the North Royal Avenue properties.

Camping: Low impact rustic camping and light Camper camping would give guests the ability to recreate in and explore Front Royal for several days. Campers also feed the seasonal recreational business.

Potential Future Activities (Not Being Requested In This Application):

Rail To Trail Program: There has been strong progress by conservationists to acquire the Norfolk Southern Railroad line from Front Royal to Broadway VA, with the goal of establishing a Rail To Trails assert. If this project were to receive funding, it is estimated that the trail would see approximately 700,000 users averaging one day of use, per year. We have committed to provide and allow for the public to use this property to access the Rail to Trail assets and have sketched in a potential path through our property for rail to trail guests to use. We've also met often with the Andreae's who own the upstream riparian property, and understand they're working to donate their land so that it can serve the rail to trail project with parking, and an open space park.

Limited Brewery: With 12 acres to play with, we can set aside 50% of the property for open space, grow choice ingredients to be used to brew beer, and build an amazing and unique brewery right near the heart of town, serving guests of our business, guests of the Rail To Trail asset and guests of the Town.

Transportation Needs:

If we are successful obtaining a special use for seasonal recreation, we hope to offer a variety of river recreational options ranging from on-site boat rentals, to offsite rentals/shuttle services for river-inner-tubing, canoeing and rafting. Each of these potential uses requires its own type of transportation in order to service the guests.

On-site boat rentals require no offsite transportation of guests since guests will launch their boats from our private river access point, paddle around in the slow portion of the Shenandoah adjacent to the property, and take out at the same location. This option will be available seasonally during low

water/slow flow conditions. Guests would enter the property, and park in our parking lot or at their campsite using their own vehicle.

Offsite tubing, canoeing and rafting would require transporting guests upstream to a variety of river access points. If the service patterns mirror those we see in our business in Harpers Ferry then we'll be transporting people in buses and vans, and also possibly "hay-wagon" style vehicles if we can establish a short tubing run using our property, and/or the Andreae's upstream property which effectively, has a half mile of river access.

Our buses would be DOT certified and as we grow we'd expect they'd be managed by a Transportation Manager. Our vans are also kept up to date with mechanical and cosmetic repairs. Most of the time buses and vans are pulling trailers behind containing the recreational boat of choice. Guest participating in this business will enter the property and park in our parking lot or at their campsite. Once signed-in, they will load themselves onto the transportation vehicle appropriate to the activity and be taken to the put-in. In almost all cases only **one** transportation event will be required per guest, since guests will navigate the river until they reach our take-out, at which point their trip is over and they are able to leave the property using their own vehicle. An understanding of this scenario is useful in calculating the number of vehicle trips estimated to occur in a day/hour.

Vehicle Trips

In this industry, vehicle trips will fluctuate greatly over the course of the season. The effective peak season for river activity, from which most vehicle trips will be generated, is Memorial Day to Labor Day, about 15 weeks out of the year.

Refining that generalization, Saturday is the busiest day of each week, followed closely by Sunday, and if the same dynamic occurs in Front Royal as has developed in Harpers Ferry, there will be 8-10 busy Saturdays per year, and 8-10 busy Sundays. Weekday traffic is about 1/5 of that on the weekends and will also be heaviest during 8-10 weeks of the year. Innertubing drives the highest volume of business, and innertubing is popular from the third week of June through the third week of August, about 8 weeks.

During peak river activity days, considering the size of the property, and parking we would like to have the capacity to serve about 1000 river users in any one of our various river activities. At the Harpers Ferry Adventure Center our surveys showed that guests averaged about 3 people per vehicle which in Front Royal, would translate into about 333 vehicles entering, and then 333 vehicles exiting, during our busiest handful of days per year. Those vehicle trips will be spread out between the hours of 8AM and 7PM. Most of the traffic between 8AM and 12 Noon will be incoming, and it switches over organically to most traffic departing between 2PM and 7PM. It should also be stated that peak traffic activity occurs between 10AM and 4PM, with very few people (Stragglers on the river) only leaving after 5PM.

Transportation Routes:

We anticipate needing an array of transportation routes to deliver our guests upstream, depending on what river trips become popular and whether the river levels and current flow are high/fast or low/slow. Here is a summary of our anticipated "put-in" locations for upriver trips (See Addendum for proposed/possible transportation routes through town):

A) Private river access on the property upstream of VFW Property, currently owned by the Andreaes. For this put-in we expect to use a hay-wagon trailer pulled by an off-road vehicle, or a “walk and put yourself in the river” option common in state and national parks. We would select the quietest and least intrusive option for this trip (approximately ¾ mile river trip)

B) As yet defined private put-in somewhere between Eastham Park and North Royal Avenue. A Half Way Point if you will (approximately 1.5 mile river trip)

C) Eastham Park/Luray Avenue Boat Ramp (approximately 3 mile river trip)

D) Gooney Creek/Karo, a VA DWR managed public river access (approximately 9.5 mile river trip)

E) Shenandoah River State Park (approximately 15 mile river trip)

F) Bentonville “Low Water Bridge”, Indian Hollow Road (approximately 18 mile river trip)

All of these upriver put in locations except option A require transportation on public roads and we’ve mapped what we feel are the safest and least disruptive routes. All commercial vehicle routes begin by leaving the property into North Royal Avenue heading south, passing under the railroad overpass, proceeding to the intersection of North Royal Avenue and Route 340, turning right (to avoid having to cross) on to route 340 and then proceeding to the subsequent routes serving each put-in. This initial portion of the route avoids the smaller neighborhood roads near our property, and attempts to minimize local disruption, and difficulties getting onto and off of Route 340. We will also attempt to route as many of the trips returning to the the Property so that our vehicles are proceeding northbound on Route 340 and turning right onto North Royal Avenue to again, avoid congestion and the complicated intersection between North Royal Avenue and Route 340.

In order to further concentrate traffic onto North Royal Avenue, we will provide reservation based guests (90% or more of the activities in Harpers Ferry are by reservation) directions which will lead them in and out of our business through the intersection of North Royal Avenue and Route 340, again in an attempt to limit local traffic in the neighborhoods.

Transportation Through the Railroad Underpass

We have been advised to address the one-lane railroad underpass on Royal Avenue which lies between 340 and our proposed place of business, in this special use request. To inform our thinking, and our proposal, we’ve studied a similar (yet more complicated) underpass on Bakerton Road in Bolivar WV. During the summer, three river outfitters, one campground and thousands of residents use a similar one lane underpass to drive their cars through. We estimate that in addition to the residents which are isolated between the railroad and the river, several hundred campers staying at the Harpers Ferry Campground, the three outfitters transport approximately 1000 inner-tubers, and 500 whitewater rafters underneath that single lane overpass between 9AM and 3PM each busy day. Just like would happen in Front Royal, the tubers and rafters are in buses and vans. In over 20 years of operation using this single lane underpass, we haven’t observed a backup of more than three or four cars in any direction, even during peak weekend hours, in this underpass in Bolivar. From that we deduce that we would also not see a backup in the underpass on North Royal Avenue even during our busiest times.

To understand this capacity, we filmed the Bolivar underpass during busy hours. The Bolivar underpass is more complicated than the North Royal Avenue underpass because the Bolivar underpass meshes

traffic from three directions. Northbound traffic drives straight through, while southbound traffic is made up of east and west bound traffic that mesh at a stop sign, then drive south. Further complicating things, due to approach angle everyone is “blind” going through the underpass and instead of relying on visual line of site cues for when drivers can proceed, they use a system of mirrors and signals. Even with these complications, we observed vehicles moving through the underpass at a rate of between 4 and 10 cars per minute, which translates to 240 to 600 cars per hour in capacity. The differences depended on whether cars were driving in a “train” formation following each other in one direction through the underpass, or whether they had to alternate between northbound and southbound travel for each car.

Using those numbers, if the business operating on the J&J Shores property were to experience heavy periods of use, and even if the rail-to-trail system became a reality, we can’t contemplate how the underpass would exceed the need to accommodate more than 240 cars per hour, which was the low number we observed passing unaided through the Bolivar underpass. In our experience at the Harpers Ferry Adventure Center business, each car that comes to participate in one of our activities holds an average of 3 recreational guest users. So in essence the bridge underpass would be able to serve no fewer than 720 (240 cars x 3 people per car) recreational users guests per hour, or nearly 6,000 users in an 8 hour day, far and away exceeding even our proposed maximum parking capacity of our river business.

Transportation Conclusion:

We performed these somewhat extensive traffic analyses in order to anticipate and address what would be natural concerns over traffic issues associated with:

- 1) traffic backups at the underpass
- 2) traffic through the small neighborhood side roads
- 3) guests cars being “trapped” between the railroad and the river in the event of flooding.

We remain open to constructive feedback on how we might even better address these three traffic concerns.

Flooding Potential:

The entirety of the property included in this special use permit is contained within FEMA’s “floodway” (about 1/3 of the property) and the flood zone (about 2/3 of the property).

Minor Flooding. Based on statistical analysis of historic flooding on the South Fork Shenandoah, we are planning for the property to experience minor floodwater encroachment as frequently as once per year. At these levels the “lower” half of the property closest to the river would be covered in several feet of water. The primary action to be taken during minor flooding is to remove any mobile business equipment within the lower floodway, alert guests of the pending river rise, and remove campers from the small camping areas set aside along the river.

Moderate to Major flooding. Defined as a 100 year flood, would inundate the entire property with water over 10 feet high. This is the scenario which requires the greatest level of action. The last 100 year flood was 1996 in which case the water rose to reach what would be the pavilions ceiling level and in 100 years we’ve reached this approximate level three times, 1996, 1985, and 1942. All of these events would require removing guests and their vehicles and gear. Using all of the information recorded and analyzed by the National Weather Service ([This Link Provides the Entire National Weather Service Analysis](#)) around the 1996 Hurricane Fran flooding, we learned that residents and river users had between 38 and 50 hours of warning between when peak rains occurred and peak

flooding was reach. For a Seasonal Recreation Business, we would have been watching Hurricane Fran and changing business operations nearly a week out.

This Quote Is Pulled From the Page Linked above, from the National Weather Service Analysis of the Flooding from 1996 Hurricane Fran.

Predictability

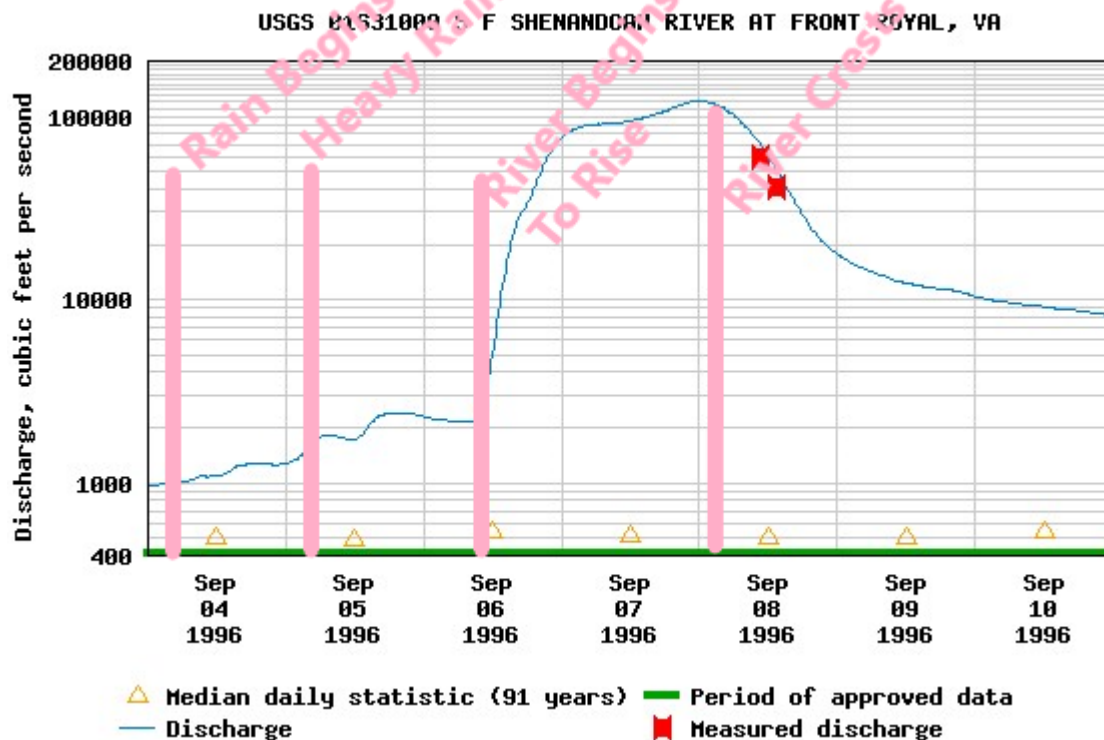
A full 24 hours before flooding began in Virginia, the Sterling NWS office issued an updated flood watch with strongly worded information, stating:

“Even heavier rains are likely later tonight and Friday as the remnants of Hurricane Fran approach the region. This may result in catastrophic flooding in some locations . . . particularly over the Piedmont and mountains of West Virginia.”

Warnings for the Potomac River were very timely, providing more than 12 hours lead time before flood stage was reached, and between 38 and 50 hours lead time prior to the peak level. This afforded people in Point of Rocks enough time to rent trucks and trailers to move belongings from the flood plain before flooding occurred.

Rains began falling in the Shenandoah on Wednesday September 4th, and the heaviest rains came Thursday September 5th and Friday September 6th. The strongly worded flood warning quoted above was issued Thursday afternoon September 5th, fully 24 hours before the river even began to rise, 36 hours before flood stage was reached and more than 48 hours before the river crested.

Furthermore, the South Fork Shenandoah River is a main stem river, not a tributary and so it is not subject to meaningful flash flooding, certainly not to the extent that would inundate the grassy areas of the property requiring evacuation. The river will conceivably always have 24 or more hours of warning before a flood event occurs, in this area. We provided the USGS graph of the river flow on the South Fork Shenandoah at Front Royal in the days leading up to the flooding form Hurricane Fran (as discussed) in 1996 to provide a visual representation of the rise in water level more than 24 hours after heavy rains set in.



For temporary evacuation and storage of vehicles there are many dozen on street parking options in the network or roads directly in the vicinity of the property, which remain unused at all times, according to dozens of observations over a 15 month period. Parking in these locations due to flooding would be a “once in a decade” event, and would be for 24 hours or less. In the unlikely event the on-street parking option doesn’t work, the Walmart business within two miles has an enormous excess of parking spots available and they famously allow RV overnight parking, and will be our back-up contingency. Outside of those two options the applicant owns private property in Clarke County Virginia within 20 minutes where dozens of vehicles could be parked.

Waste Disposal

The property and buildings are blessed to already be served by public water and sewer. There is currently existing a bath house with 4 toilets and two urinals within a bath house style building. Short of any infrastructural issues with water or sewer service experienced by the Town, we don’t expect issues with sanitary waste disposal. It is our intention to augment our bath house toilet facilities with portable units during the peak season.

For trash, the property owner J&J Shores, LLC currently has an account with the town for municipal waste disposal. If this proves to be insufficient in quantity or timing of pickup, we will contract with a company to have a commercial dumpster and removal services (like we do at the Harpers Ferry Adventure Center)

Preserving Views from Route 340

Front Royal is developing very nicely as a tourist destination and it’s important to preserve views and appearances. The drive on Route 340 South over the North and South Forks of the Shenandoah are a wonderful and beautiful entrance to Front Royal, and is worth preserving. Our property is approximately a quarter mile from 340, and lies on the South bank of the South Fork Shenandoah. From the bridge, while entering the town, if you look left (East) at the very last minute you can catch a very glimpse of portions of the property we are proposing to use for river activities. Much of the view is blocked by the mature line of trees that literally runs 50-100 feet deep along the entire South Fork. Additionally there are several large mature trees on the West side of the property that diminishes the view from the bridge.

However, for portions of the site that are in view, our plans for the site are such that we aren’t proposing any large lit signs or large buildings, but instead propose a short, modest sized sign in the range of 6-10 feet wide and no more than 10 feet off the ground, that we don’t believe are going to be visible from Route 340. Additionally, we expect to store boats neatly on trailers or in containers at all times. Our property is vast compared to the area we may develop and the extent of view effects will come from parked cars and/or one or two event style tents set up for shade and rain protection of guests.

Daily Operation, Flood Action Plan

Again, we rely on the Harpers Ferry Adventure Center to inform us how to best operate at this Front Royal Location. HFAC directs half of It’s tubing business in the summer to an off-site location in Millville West Virginia, a satellite location if you will. During the summer Millville serves up to 1000 tubers. It is this Millville location that we will emulate in Front Royal.

Our experience running the Millville flatwater tubing operation applies here because Millville is entirely in the Shenandoah’s Floodway, and we run the entire Millville operation out of mobile trailers, mobile

containers, and a few shade tents, as we're proposing to do in Front Royal. With over 90% of guests reserving their activity at least by the day before, this allows us to efficiently process guests through check-in and check-out, provide equipment and transport guests to and from their activities efficiently without being slowed down or without needing interior office space to process reservations. The Front Royal site has a distinct advantage over Millville in that the amount of property is much greater, it has a bath house (which Millville does not) and there is a 40' by 80' covered pavilion that can serve several hundred guests comfortably in the event of poor weather or hot sun.

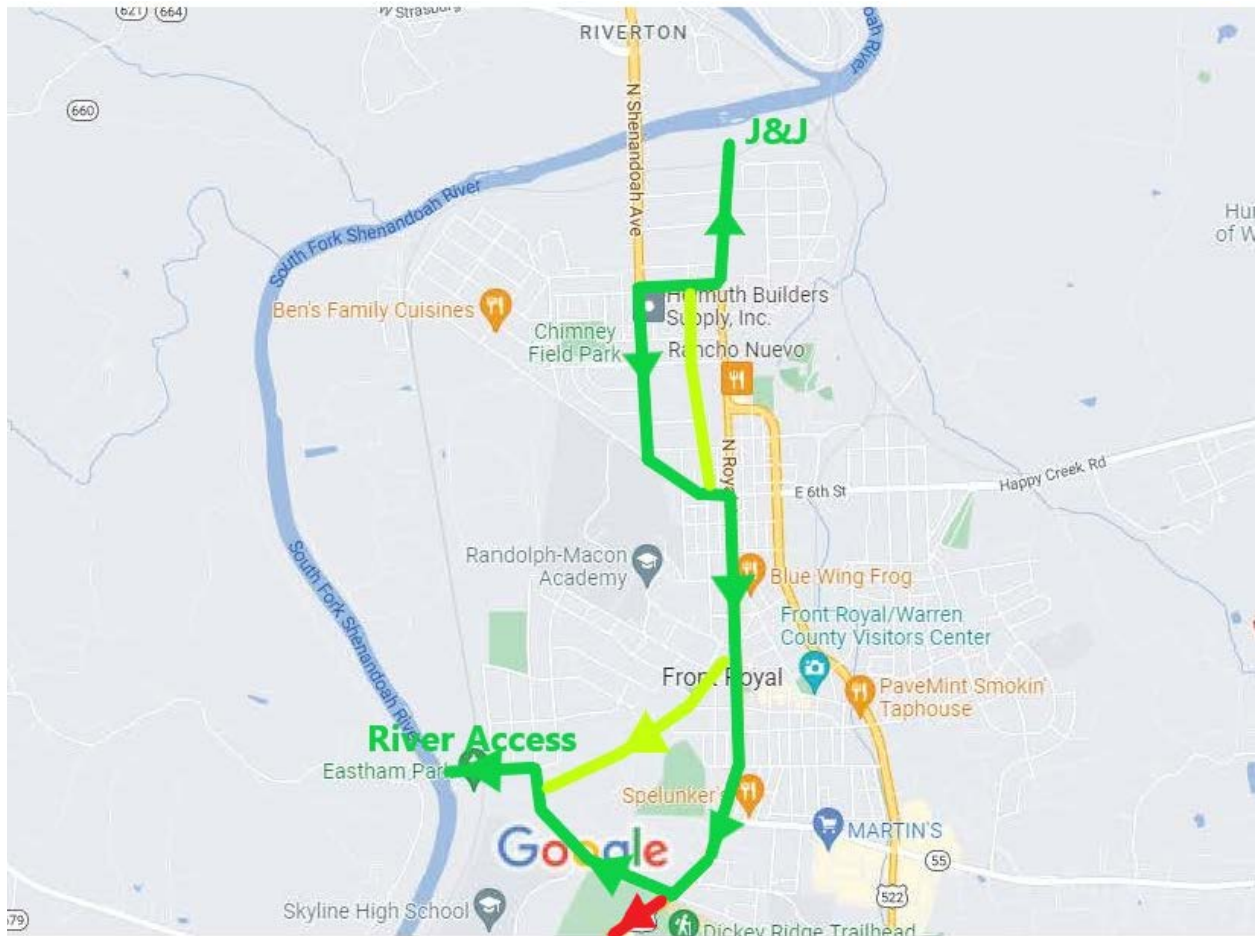
Additionally, by having our business assets in mobile vehicles, we are always in the position to protect our business assets in anticipation of flooding.

Flood Action Plan

In the event of flooding we will initiate our flood action plan which involves the following steps

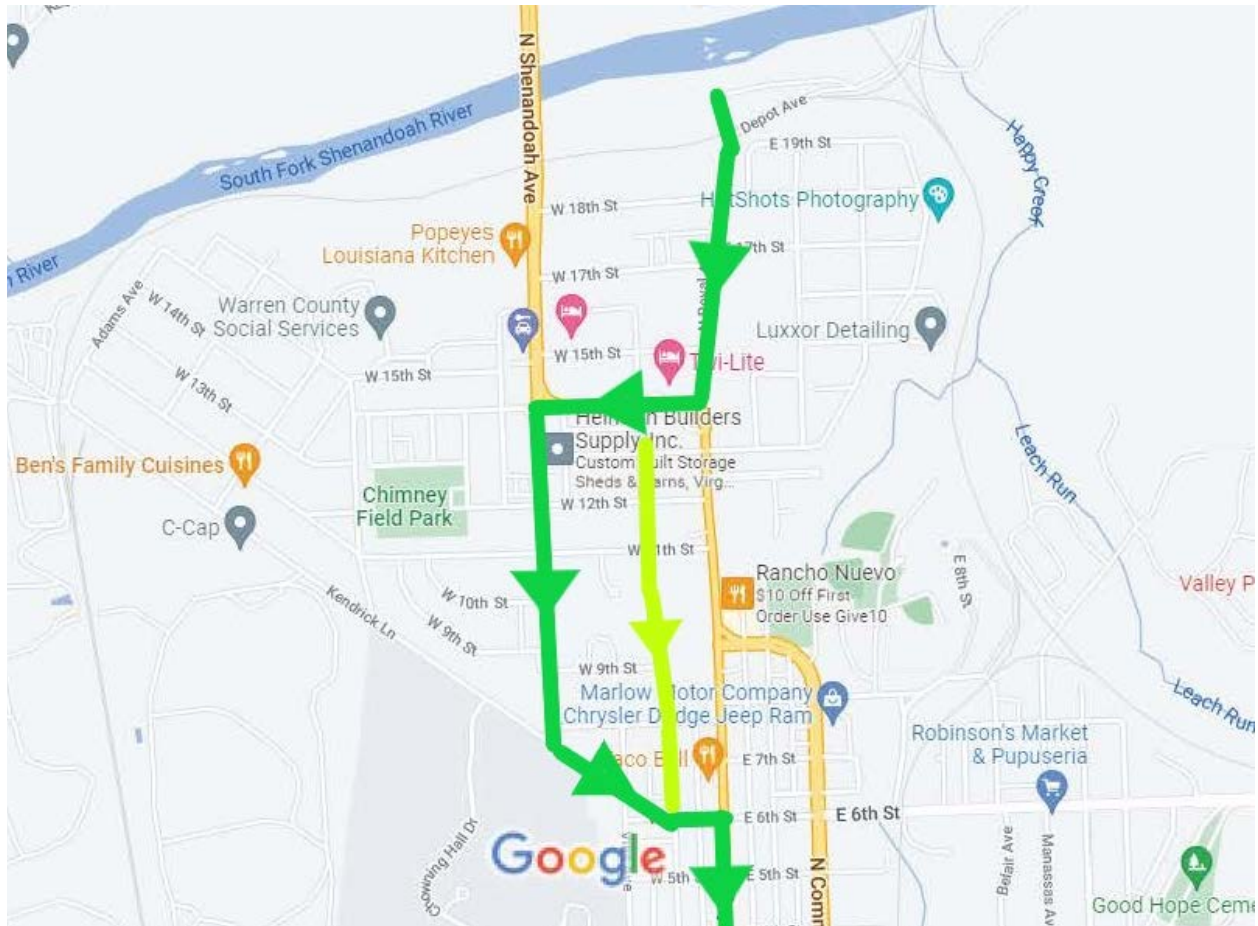
- Identify the location of all guests on the river and on the property in order to provide instructions for ending their activity, and leaving the property, according to the type of activity they are involved in
- Guests on the river will need to complete their activity by finishing their trip to the property, or stop and take out at an intermediary river access point as they pass them.. Then they will be instructed to depart from the property within a given time frame.
- Camping or on-site guests will be informed of the risk of flood and given a window of time to get their gear in order and to leave the property until flooding risk passes.
- Staff will scour the entire property including all areas along the river to make sure we've found and connected with all guests, and communicate the above evacuation request. Parking lot will be monitored as indication of guests not yet found or evacuated
- If there are more than 100 cars on property then staff will position themselves at the railroad underpass in order to direct traffic one way exiting the floodplain area.
- Mobile business assets at risk of being flooded will be relocated to high ground near where the original VFW headquarters was positioned, or nearby pre-determined parking lot in the event of a major flood.
- If necessary first responders will be contacted in the event assistance is needed to find guests or evacuate.
- It should be noted that it's highly unlikely that we'll have guests on the river during a main stem river flooding event. These events are normally associated with snow melt (not likely during the season) or tropical low systems that we would be tracking vigilantly and nearly constantly. During the season, we are monitoring water levels, and weather, always on a daily basis, often on an hourly basis. As shown earlier in our application, flood waters take at least 24 hours from peak rains to reach Front Royal and none of our proposed river activities take more than 6 hours to complete. During periods where heavy rains are predicted, we are very used to moderating or curtailing the length of activities our guests participate in. And so while not impossible, it's highly unlikely that with multiple redundant precautionary systems in place that guests will be on the river during river flooding. It is our goal for that never to happen and in 25 years of operation in Harpers Ferry there hasn't been a single occurrence.

Addendum (3 Maps)



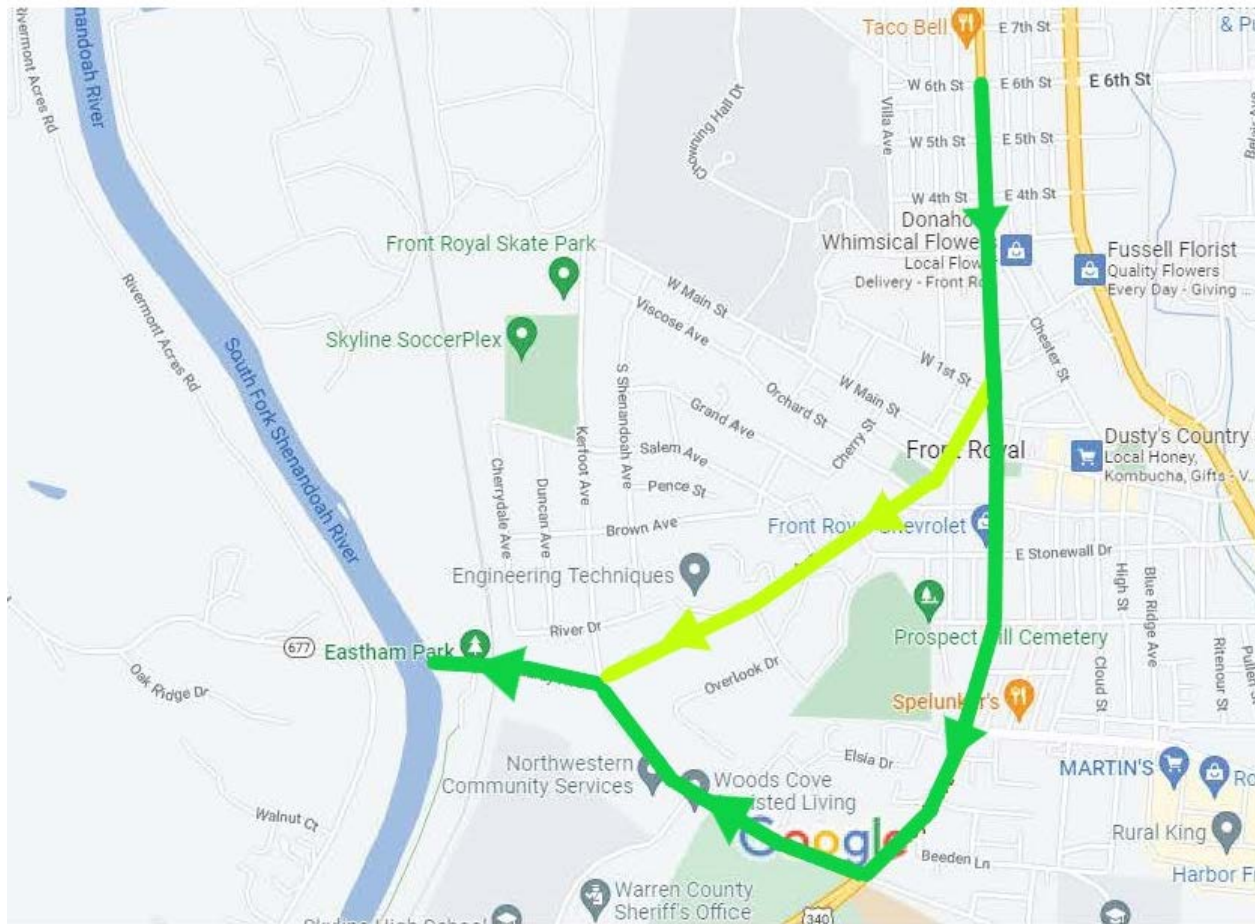
Map Of Entire Route to Luray Avenue/Eastham Park River Access

- **Dark Green Route is Proposed**
- **Light Green Route is Optional**
- **Red Route Continues to Upriver Access Points: Karo, Shenandoah State Park, Bentonville etc.**



(Closeup) Map Of First Part Of The Route to Luray Avenue/Eastham Park River Access

- **Dark Green Route is Proposed**
- **Light Green Route is Optional**



(Closeup) Map Of 2nd Portion of The Route to Luray Avenue/Eastham Park Access

- **Dark Green Route is Proposed**
- **Light Green Route is Optional**

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on May 13, 2013, in the Warren County Government Center's Board Meeting Room. Mayor Darr led Council and those attending in the Pledge of Allegiance to the flag and a Moment of Silence. The roll was called at 7:00 p.m.

PRESENT: Mayor Timothy W. Darr
Vice Mayor N. Shae Parker
Councilman Daryl L. Funk
Councilman Bret W. Hrbek
Councilman Thomas H. Sayre
Councilman Eugene R. Tewalt
Councilman Hollis L. Tharpe
Town Manager Steven M. Burke, P.E.
Town Attorney Douglas W. Napier
Clerk of Council Jennifer E. Berry, CMC

(The above listed members represent the full body of Council as authorized in the Town Charter.)

Vice Mayor Parker moved, seconded by Councilman Tewalt, that Council approve the Regular Council Meeting minutes of April 22, 2013 and the Special Meeting minutes of April 29, 2013 as presented.

Councilman Sayre noted that in the minutes of April 22nd it had referenced *one* email; he noted that there were actually about two emails regarding *one* specific topic.

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

There were no receipts of petitions or correspondence from the public.

REPORT OF THE MAYOR, COUNCIL & STAFF

Mr. Burke:

- Stated that Saturday, May 18th would be Main/Chester would be closed for Virginia Wine & Craft Festival, and the Town's Administration Building's drive thru would be closed;
- Reminded Council and the public that hydrants would be flushed in the coming days;
- Noted that the Town would be replacing the drop box for after hour payments soon;
- Announced that the Town offices would be closed for Memorial Day, and he noted the revised refuse/recycling arrangements;
- Stated that the Leach Run Parkway proposals are being reviewed and a recommendation would be forthcoming soon; and
- Reminded the citizenry that Town Taxes are due June 5th.

The Northern Shenandoah Valley Regional Director, Martha Shickle:

- Noted that the Annual Spring Dinner would be June 20th at LFCC;

- Stated that a special workshop would be held with DEQ with regard to the Biosolids Application Process; and
- Reported that they will have a Staff Member regarding the FEMA approved hazard mitigation plan.

Director of Finance Kim Gilkey Breeden:

- Noted that Council received their monthly reports recently;
- Stated that the overall revenue was up about 4% over last year;
- Commented that the 2014 budget did not contain these projected increases;
- Noted that they will be reviewing debt service payments;
- Reported that 2013 fiscal year end work soon begins;
- Noted that the RFP for Financial Software is due back in a few weeks;
- Stated that she would be attending the Virginia GFOA next week;
- Announced that the Finance Department lobby was open until 4:30; though their phone lines were open until 5 p.m.; and
- Noted that the drive thru usage is increasing each month.

Vice Mayor Parker asked about the Town's anniversary plans and whether they could include the Appalachian Trail Community. He noted that he would like to ensure that they are aware of the Town's receptiveness to the Appalachian Trail Community and hikers that come through the area.

Mr. Burke stated that Founders Day includes a Town coordinated event with the Appalachian Trail Community. He noted that Staff could look at other opportunities to work with the AT Community to ensure they are welcomed in the Town of Front Royal.

Councilman Hrbek stated that as the property swap for trail parcel has now occurred, he asked the timeline for the process. Mr. Burke noted that Staff meets tomorrow to determine if all the cost estimates have been covered. He stated that the trail construction is being evaluated for lighting and then Staff would bring that amount to Council for review.

Councilman Tewalt noted that he had already requested that matter move forward onto a worksession. Mr. Burke stated that Energy Services had noted that they would need more time, adding that the \$100,000 would not include the lighting; and more funding would be needed. He added that they would be looking into going with standard acorn lights to minimize maintenance in the area.

In response to Councilman Sayre's questions, Mr. Napier noted that Judge Swersky upheld again that he and Judge Peatross had ruled correctly that the Town of Front Royal previously had been dismissed with prejudice as a party defendant. He added that the plaintiffs were barred from re-filing against the Town, there was nothing new that was attempted to be added to the lawsuit in the plaintiffs' amended complaint anyway, no new allegations made, concerning the Town that in anyway caused the Town to be brought into this case.

Mr. Napier clarified that the judge ruled that there were simply no defamatory statements made against anyone, and that the recent Supreme Court case cited by the plaintiffs as being grounds for overturning his previous ruling against the plaintiffs was neither a statement of new law by the Supreme Court, nor did it apply factually to the SolAVerde case in

any event. He added that the court entered a Final Order, which the plaintiffs did not appeal; and the case is now over.

Vice Mayor Parker noted that Items 10, 11 and 12 on the agenda, regarding donations of fees, perhaps should be reviewed in detail. He stated that there seemed to be general concern to bring these sections of Code with the fees back to worksession and perhaps have the Code include language that non-profits would be exempt, for example.

Mayor Darr noted that the Town had presented the Paint the Town Purple proclamation recently. He encouraged the community to participate in the Relay for Life events throughout Front Royal.

Mayor Darr stated that the Town was awarded the Tree City USA designation for the for 14th year at the Arbor Day celebration.

Mayor Darr noted that he and others had received many emails and phone calls regarding the Appalachian Trail Community's concern with the recent Board of Supervisor's decision. He noted that he responded to the concerns, noting that decisions regarding Lake Front Royal were under Warren County, not the Town of Front Royal. He stated that he also had the Clerk send them the link to the Warren County website.

Mayor Darr stated that he would not add it to Liaison Meeting agenda, but would bring it up at the meeting to make the Supervisors aware of the correspondence they had received on the matter.

Mayor Darr asked if there were any proposals for additions or deletions to the agenda.

Councilman Funk moved, seconded by Councilman Sayre, that Council remove Item #11 & 12 (Gazebo Gathering & Farmers Market) until a worksession could be held on the items.

Mr. Burke noted that they would notify each entity that action would be delayed, adding that he does not believe it would set their schedules back any.

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Darr did not vote as there was no tie to require his vote)

(BY ROLL CALL)

CONSENT AGENDA ITEMS

A. COUNCIL APPROVAL – Acceptance of Byrne Justice Assistance Grant – Police Dept

B. COUNCIL APPROVAL – Liaison Committee Meeting Items

- 1) Catlett Mountain Landfill
- 2) Building Inspections Software
- 3) Leach Run Parkway RFP
- 4) Channel 16
- 5) McKay Property Historical Investigation
- 6) Town/County/EDA Park & Ride Locations

- 7) Rt. 340/522 Corridor
 - 8) FRLP Annexation
 - 9) Hatch Act Designation
 - 10) Front Royal Volunteer Fire & Rescue Department Funding
 - 11) Request to use McKay Springs as a Trout Fishery
 - 12) WWTP - Septage Receiving (Update Agreement)
 - 13) South Fork Bridge Lighting (Develop Agreement)
 - 14) Riverton Substation (WC Plan Review Update)
- C. COUNCIL APPROVAL – Bid – Vehicles for Police Department
- D. COUNCIL APPROVAL – Bid - Pickup Truck for DES WWTP
- E. COUNCIL APPROVAL - Bid - Relocation of Electric Facilities for VDOT South Fork Bridge Project
- F. COUNCIL APPROVAL - Bid - Substation Equipment & Building

Vice Mayor Parker moved, seconded by Councilman Funk, that Council approve the Consent Agenda as presented.

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)
(By Roll Call)

COUNCIL APPROVAL – Rezoning Application from VFW Post 1860 (2nd Reading)

Summary: Council is requested to approve on its second and final reading a rezoning application (REZ12-07-68) submitted by Col. Samuel R. Millar, VFW Post 1860, requesting that the Town downzone 10.66 acres from the I-1 District to the A-1 District, including all of Parcel A and a portion of Parcel B. Proffers are submitted that would restrict manufactured housing and tenant housing

Councilman Tewalt moved, seconded by Councilman Tharpe, that Council approve on its second and final reading a rezoning application (REZ12-07-68) submitted by Col. Samuel R. Millar, VFW Post 1860, to downzone 10.66 acres from the I-1 District to the A-1 District, including all of Parcel A and a portion of Parcel B, with proffers that would restrict manufactured housing and tenant housing.

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)

COUNCIL RECOMMENDATION – Board of Zoning Appeals (BZA)

Summary: Council is requested to consider a recommendation to the Judge of the Warren County Circuit Court for appointment to the Front Royal Board of Zoning Appeals (BZA) to fill a five-year term ending May 1, 2018.

Vice Mayor Parker moved, seconded by Councilman Funk that Council recommend Stephen McKee to the Judge of the Warren County Circuit Court for appointment to the Front Royal Board of Zoning Appeals (BZA) to fill a five-year term ending May 1, 2018.

Councilman Sayre stated that many good people had come forward to interview and he thanked them and noted that they would continue to keep their applications on file.

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)

COUNCIL APPROVAL - Donation of Fireworks Display Permit Fee for Annual Fireman's Carnival – Front Royal Volunteer Fire & Rescue Department

Summary: Council has received a request from the Front Royal Volunteer Fire & Rescue Department seeking a donation of a \$50.00 Fireworks Display Permit Fee for their Fireworks Display scheduled for Thursday, July 18, 2013 at the Walter M. Duncan Public Works Center and Property Yard. The Special Event Permit for the Carnival is approved by the Town Manager. Per Front Royal Town Code 80-3, a Fireworks Display Permit requires Council approval.

Councilman Tewalt moved, seconded by Councilman Tharpe, that Council approve a donation of \$50.00 for a Fireworks Display Permit Fee for the Front Royal Volunteer Fire & Rescue Department's Annual Fireworks Display scheduled for Thursday, July 18, 2013 at the Walter M. Duncan Public Works Center and Property Yard.

In response to Councilman Hrbek's questions, Mr. Burke noted that firework certificates were granted in concert with approval from Warren County's Fire Marshall and the approval of the Town Council.

Councilman Funk noted that it is his understanding it that they have granted this approval in the past. He stated that he would like all fees considered that are similar in this category. Mr. Funk added that he was supportive of the Farmer's Market and the Blue Ridge Arts Council, though he would like all the fees reviewed during the worksession.

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe.
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)
(By Roll Call)

CLOSED MEETING – 1) Property Acquisition and 2) Consultation with Legal Counsel specific to Annexation

Motion to Go Into Closed Meeting

Vice Mayor Parker moved, seconded by Councilman Tewalt that Council convene and go into Closed Meeting for the purpose of 1) discussion or consideration of the acquisition of real property for a public purpose or the disposition of publicly held real property, where discussion in an Open Meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711. A. 3. of the Code of Virginia and 2) consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, Annexation, pursuant to Section 2.2-3711. A. 7. of the Code of Virginia

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Darr did not vote as there was no tie to require his vote)

(By Roll Call)

Motion to Certify Closed Meeting at its Conclusion

Vice Mayor Parker moved, seconded by Councilman Tewalt 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.

Vote: Yes – Darr, Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – N/A

(By Roll Call)

There being no further business, the Mayor declared the meeting adjourned at 8:01 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council



Work Session Agenda Statement

Item # 05B

Meeting Date: March 6, 2023

Agenda Item: Ordinance Amendment to Chapter 4-1 to Add an Additional Work Session

Summary: On February 13, 2023 Council agreed to add an additional work session a month, specifically the first Monday of each month beginning at 7:00pm. To reflect this change, the Town Code is to be amended which requires a public hearing to be held.

Budget/Funding: N/A

Staff Recommendation: Council takes desired action to advertise for a public hearing to be held at the March 27, 2023 regular council meeting.

**ORDINANCE TO AMEND FRONT ROYAL TOWN CODE CHAPTER 4 PERTAINING
TO CHAPTER 4-1.D. TO ADD AN ADDITIONAL WORK SESSION**

WHEREAS, the Front Royal Town Council is requesting to amend Chapter 4-1.D. of the Town Code to add an additional Work Session on the first Monday of each month; and,

WHEREAS, if approved Town Council will have two regular work sessions a month to begin at 7:00pm on the first and second Monday of each month; and,

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Front Royal, Virginia that Chapter 4-1.D. of the Front Royal Town Code hereby be amended as follows:

4-1 TIME OF MEETINGS

D. The Council shall hold ~~one~~ **two** regular work sessions in the Town Hall on the **first and** second Monday of each month at **7:00 p.m unless otherwise** ~~a time~~ specified on the agenda except for the regular work session in December which shall be held on the first Monday of that month. In the event that a regular work session cannot be held due to circumstances beyond the Town's control the Council may either cancel the regular work session or reschedule the regular work session to another date, time and location.

This ordinance shall become effective upon passage.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2023 upon the following recorded vote:

Melissa DeDomenico-Payne __ Yes __ No

H. Bruce Rappaport __ Yes __ No

Joshua L. Ingram __ Yes __ No

Duane R. "Skip" Rogers __ Yes __ No

Amber F. Morris __ Yes __ No

R. Wayne Sealock __ Yes __ No

A public hearing on the above was held on _____ having been advertised in the Northern Virginia Daily on _____.

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____



Work Session Agenda Statement

Item # 06

Meeting Date: March 6, 2023

Agenda Item: Discussion on future use of the Town-Owned Caboose

Summary: Vice-Mayor Sealock has requested a discussion on the future use of the Town caboose for a meeting venue or other opportunities to utilize the Caboose for the community. The Caboose was built in 1969 and was donated to the Town in 1988/89 by Norfolk and Western Railroad. Staff has provided several photos of the outside and inside of the caboose.

History:

By the 1850s, the Southern Railway reached Front Royal in northwestern Virginia. The railroad was destroyed during the Civil War but resumed operation in 1870. A train depot was built, and passenger trains arrived daily through the WWI years. But the advent of the automobile signaled the decline of rail transportation, and the last passenger train into Front Royal was in 1946. The end of the line for freight service was in 1959.

Today, the old train station serves as the Front Royals Visitor's Center. Only a remnant of the track remains and on it sits a NW 518568 caboose. The caboose was given to the town by the Norfolk & Southern Railway Co. in 1988/89.

Budget/Funding: No funding currently in the budget

Staff Recommendation: Staff has concerns with the Caboose being ADA compliant if used as a public meeting area. At this time, staff needs direction on the vision for the caboose for we can evaluate the use and prepare cost projections for improvements.



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518568



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518568

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Work Session Agenda Statement

Item # 07

Meeting Date: March 6, 2023

Agenda Item: Liaison Committee Policy Amendment

Summary: During the Front Royal-Warren County Liaison Committee Meeting held on January 19, 2023, the committee suggested changes to the policy and asked the Clerk of Council to make the changes. The revisions must be jointly approved by the Board of Supervisors and Town Council to become effective. The following are suggested for revision:

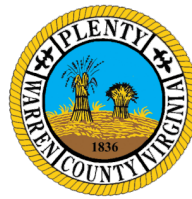
- Inviting members of Town Council and Board of Supervisors to attend all meeting and participate in discussion rather than selecting members to attend
- Clarifying the deadline of placing items on an agenda
- Removing the first sentence of the last bullet under Meeting Agenda.

It was also expressed at the Liaison Committee Meeting that the Town Manager and County Administrator give an oral report quarterly to each other's board as stated in the current policy.

It was also clarified that the meeting schedule would be rotated every other month between the Town and County. Therefore, January and July would be the Town Council and April and October would be the County.

Budget/Funding: N/A

Staff Recommendation: Council takes desired action: 1) place on the next regular meeting for formal approval by Town Council or 2) take back to the Liaison Committee Meeting scheduled for April 20th for further review.



FRONT ROYAL-WARREN COUNTY LIAISON COMMITTEE MISSION STATEMENT and POLICIES

March 2023

PURPOSE OF THE LIAISON COMMITTEE

The purpose of the Front Royal-Warren County Liaison Committee is to offer a venue whereby the leadership of the Town of Front Royal and the County of Warren can discuss issues of mutual interest and inform each other of positions taken and decisions made by each public body that may affect both localities. The Committee is NOT designed to be an environment where decisions are made, but one where issues are discussed, and Board and Council members take them back to their respective bodies for further discussion and recommendation.

MEMBERSHIP

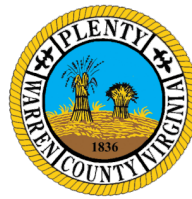
The Liaison Committee shall include the Mayor of the Town of Front Royal, the Chairman of the Warren County Board of Supervisors, the Front Royal Town Manager, and the Warren County Administrator. **Members of Town Council and the Board of Supervisors are invited to attend all meetings and participate in discussions.** ~~one (1) Front Royal Town Council member and one (1) Warren County Board of Supervisors member. The latter two (2) members shall rotate between its various members from meeting to meeting.~~

MEETING SCHEDULE

Meetings shall be held on the third Thursday every quarter at 6:00 p.m. unless otherwise agreed upon by the Town and County. The meetings shall be rotated every six months between the Town and County. Wherever the meetings are held, the host shall be responsible for the preparation of the agenda and provide a person who will take formal minutes of the meeting.

MEETING AGENDA

- Meetings of the Liaison Committee shall at all times be subject to the terms of the Virginia Freedom of Information Act.
- Meeting agendas shall be provided by the Town Manager and County Administrator upon consultation with the Mayor and Board Chairman respectively.
- Any request to place an item on the agenda shall be made by 1:00 p.m. on Tuesday **of** the week prior to the Liaison meeting.
- All requests to place an item on the agenda must be accompanied by a written summary of the request which can be placed in the agenda packet.



- The agendas shall be distributed by the host on Monday or Tuesday prior to the Liaison Committee meeting.
- ~~In order for an item to be formally discussed on the Liaison agenda, it must be first agreed upon by the Town Council or Board of Supervisors.~~ The Liaison Committee may amend a meeting agenda by agreement.

MEETING POLICY AND PROCEDURES

- The Mayor of the Town shall be Chairman of the Committee when the meetings are hosted by the Town, and the Chairman of the Board of Supervisors shall be Chairman of the Committee when the meeting is hosted by the County.
- The Chairman shall make procedural or parliamentary decisions which may be overruled by a majority vote of the Committee.
- The Town and/or County may invite any of their staff personnel, including attorneys, to attend meetings that either feels would be helpful for the issues and items scheduled to be addressed.
- This mission statement and policies shall be adopted by a majority of the Board of Supervisors and the Town Council. They may be amended by a majority vote of the Town Council and Board of Supervisors.

MANAGER AND ADMINISTRATOR REPORTS

Quarterly, at a regular meeting of the Front Royal Town Council, the Warren County Administrator shall give an oral report of the County to the Council, and at a regular meeting of the Warren County Board of Supervisors, the Front Royal Town Manager shall give an oral report of the Town to the Board. This will not be a question-and-answer period.

Approved by the Warren County Board of Supervisors September 7, 2010

Approved by the Front Royal Town Council September 13, 2010

Approved by the Front Royal Town Council March 9, 2020

Approved by the Warren County Board of Supervisors March 17, 2020

Approved by the Front Royal Town Council February 22, 2021

Approved by the Warren County Board of Supervisors March 2, 2021



TOWN COUNCIL/WARREN COUNTY BOARD OF SUPERVISORS LIAISON COMMITTEE MEETING MINUTES

Monday, January 19, 2023 @ 6:00PM in the Town Hall Conference Room

The following minutes are a summary of items on the agenda.

This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com.

PRESENT FROM TOWN: Mayor Lori A. Cockrell
Councilwoman Amber F. Morris
Town Manager Joseph E. Waltz

PRESENT FROM COUNTY: Chair Vicky L. Cook
Vice Chair Cheryl L. Cullers
County Administrator Edwin "Ed" Daley

OTHERS PRESENT: Clerk of Council Tina L. Presley
Members of the audience including but not limited to councilmembers,
supervisors and Town/County staff

Mayor Cockrell called the meeting to order.

Review of Liaison Committee Meeting Policy – Mayor Cockrell gave the following suggested revisions:

- Membership should include the invitation of entire council and board instead of rotating one member from each entity.
- Meeting Schedule shall be rotated between entities: January/July at Town Hall and April and October at Government Center
- Meeting Agenda - add the word "of" after Tuesday and remove the first sentence on the last bullet.
- Bring back the reports from the Town Manager and the County Administrator beginning in April

There was discussion that everyone of both entities deserves a seat at the table. Everyone agreed to the changes and Clerk of Council Tina Presley agreed to write the revision for both entities to approve at their respective meetings.

Review of MOU for Use of Board Meeting Room – Clerk of Council explained the need for a schedule of those who use the Board Meeting Room on a continuing basis. After researching it was noted that a schedule was supposed to be included with the MOU. Mr. Daley advised that he would make sure the Town receives a copy. Supervisor Cullers questioned the purchase of new chairs for the Board Room. It was agreed that Mr. Waltz and Mr. Daley would discuss costs and report back.

Tourism Business/Marketing Plan Update and Next Steps for DMO – MOU between Town and Discover Front Royal – An overview of Tourism was given beginning with the MOU signed by both Town and County in April 2022. The tax revenue from the lodging tax was explained in that requirements for spending the percentage was different in the County than it was in the Town. It was noted that an MOU between the

Town and Discover Front Royal was currently being reviewed and that it would be go before Council at their February 13th work session with a possible approval in March.

Water Capacity Update – Mr. Daley advised that there was not a lot of data or “traction” on this item. It was confirmed that this was not related to the redundant waterline the Town was currently constructing. Mrs. Cullers voiced concern over a second water source. Mr. Waltz explained that there was a water source in Harmony Hollow and McKay Springs. He noted that the infrastructure was already in place at Harmony Hollow if needed. He noted that there were storage tanks and a “lake” at the Water Treatment Plant that water could be pulled from. Mrs. Oates voiced concern of capacity along the west side of Rt. 522 in the corridor as well as the need for sewer on the industrial side. McKay Spring was discussed and Mr. Waltz advised that the quality of water was not an issue only the flow. There was continued discussion regarding short and long-term goals, possible joint committee to study the costs and benefits as prospects come forward. The Committee suggested that Mr. Daley and Mr. Waltz discuss this subject offline and report back. Place on April agenda by removing the word “capacity”.

Town and County Comprehensive Plans Update – Planning Directors Lauren Kopishke [Town] and Matt Wendling [County] gave an update of their respected Comprehensive Plans. The Town’s Plan is slated to be approved by Council in April. The County’s Plan was moving forward but with no timeline at this time. There was discussion that both groups come together with a possible joint meeting for more brainstorming to include a Rt. 340/522 Corridor Plan, Transportation Plan, Tourism and Agritourism. It was noted to make certain plans mirror each other. There was great concern regarding transportation in the Town and County.

Alternative Access to Shenandoah Shores Road and Mary’s Shady Lane – there was consensus that this area was of great importance to the Town and County with emphasis on health and safety for those who live in this area. It was discussed that people were needed to come together to brainstorm and come up with a solution then take to the state level advising that it was holding up growth. Taryn Logan advised of the Happy Creek Charette Report that was completed 20 years ago but could shed light on some of the questions tonight. She advised that she would email that out to the committee members. There were numerous items discussed including a flyover, connector road and an emergency access to Interstate 66. It was agreed to form a committee that could discuss short term goals and return to the April meeting with a report. The committee would be: Councilman Josh Ingram, Councilwoman Amber Morris, Supervisor Cheryl Cullers, Town Manager Joe Waltz and County Administrator Ed Daley.

Front Royal-Warren County EDA Negotiations/Next Steps – Mayor Cockrell noted various aspects of this item and advised that Town Finance Director continues to work on numbers.

Report from Front Royal/Warren County Anti-Litter Council – Planning Director Matt Wendling gave a report that included various awards, grants, and purchases for Town and County.

Discussion of Youth Activities/Reinstitution of Youth Center – Mayor Cockrell thanked the County for the reduction of fees. Councilman Rappaport gave a history of the youth center and asked that the Town and County assist in reinstating the youth center. Mrs. Oates advised the collaboration the Drug Protection Committee was planning for use of the youth center. It was noted that the youth should be part of the collaboration. Mr. Daley advised that the youth center needed renovating and there was a limited budget. He suggested an Ad Hoc Committee to discuss usage as well as donations and community resources. Director of Parks/Recreation Dan Lenz introduced Tiffany Walker who gave an overview of the activities that are currently being offered.

Joint Towing Advisory Board – Mr. Waltz explained that the board needed to be reappointed as the Town appointed them in June; however, the County did not and now there were several changes and an opening for a citizen representative. It was agreed that Mr. Daley and Mr. Waltz would discuss.

Disposition of McKay Springs Property – WCEDA Director Joe Petty gave a presentation. It was noted that the EDA would like to move quickly on boundary adjustments of the parcels as there is continued interest in the property.

Addition to the Agenda - Avtex Conservancy Strategic Plan – Mr. Petty gave a presentation explaining that the EDA wanted to convey the parcels to the County. It was being presented to Council because it was located in the Town limits and could impact the Town citizens. Mr. Petty noted that the covenants associated with the land allows some recreation but no excavation.

Meeting adjourned at 9:27pm.



Work Session Agenda Statement

Item # 09

Meeting Date: March 6, 2023

CLOSED MEETING

Motion to go into Closed Meeting

[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes]

I move that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose: pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, 1) proposed proffer amendments for Anna Swan Estates (HEPTAD LLC), 2) proposed proffer statement for Sayre (NVR, Inc.) rezoning.

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 Act 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.