



## TOWN COUNCIL WORK SESSION

**TUESDAY**, February 18, 2014 @ 7:00p.m.

Front Royal Administration Building

### **Town/Staff Related Issues:**

1. Overview of Design Build of Police Headquarters by Lantz Construction (NO BACKUP)
2. Water Treatment Plant Final Payment – *Director of Environmental Services*
3. Snow Removal Expense Discussion – *Director of Environmental Service/Finance Director*
4. Resolution Pertaining to Land Use Permit Regulations of VDOT – *Director of Planning/Zoning*
5. Ordinance Amendment “Height & Setbacks for Wireless Telecommunications Towers –  
*Director of Planning/Zoning*
6. Ordinance Amendment “The Finished Side of Fences” – *Director of Planning/Zoning*
7. Shentel Request to Install Antennae to Water Tank – *Town Attorney*
8. Revision to Chapter 12 “Fees” – *Finance Director/Town Manager*
9. Setting Town Tax Rates

### **Council/Mayor Related Issues:**

10. Update on Comprehensive Plan – *Vice Mayor Parker*
11. Council Discussion/Goals *(time permitting)*
12. CLOSED MEETING – Consultation with Legal Counsel and Personnel Matter  
*(Community Development Director Position)*

### **Motion to go Into Closed Meeting**

I move that Council convene and go into Closed Meeting for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711.7 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 Position, pursuant to § 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.



Item No. 2

## Town of Front Royal, Virginia Work Session Agenda Form

Date: February 18, 2014

**Agenda Item:** Water Treatment Plant Upgrade – English Final Payment

**Summary:** The Department of Environmental Services Water Treatment Plant has held final payment to English Construction due to extensive roof leakage and a drainage issues.

**Council Discussion:** Council is requested to review the information submitted by the Department of Environmental Services regarding the final payment of \$60,000 to English Construction.

**Staff Evaluation:** The Water Treatment Plant staff has been working with English Construction to correct the roof leaks and drainage issues. The upgrade issues have been completed to the satisfactory of the Town. The issues were identified approximately two years ago when the final payment was withheld. Due to the significant time to correct the issues, the Purchase Order for the project was closed and the remaining funds were returned to the Water Reserve Fund. At the time the Purchase Order was closed, approximately \$100,000 was returned.

**Budget/Funding:** Funds will be required to be transferred from the Water Reserve Fund to complete this payment. The Finance Director will be available to address fiscal issues.

**Legal Evaluation:** The Town Attorney will be able to address any legal issues.

**Staff Recommendations:** Staff recommends approval of the final payment to English Construction as all upgrades and concerns have been finalized to contractual and staff standards.

**Town Manager Recommendation:** The Town Manager recommends the transfer of funds from Water Reserve Fund and approval of the final payment for improvements to the Water Treatment Plant.

**Council Recommendation:**

☐ Additional Work Session    ☐ Regular Meeting    ☐ No Action

Consensus Poll on Action: \_\_\_\_ (Aye) \_\_\_\_ (Nay)

Work Session



Item No. 3

## Town of Front Royal, Virginia Work Session Agenda Form

Date: 2-18-14

### Agenda Item: Snow Removal Expense Discussion

**Summary:** The Department of Environmental Services has depleted the budget line item 4500-5478 for snow removal and requests a transfer of \$57,000 (fifty seven thousand dollars) from the general fund to cover additional purchase of salt for two invoices already received through purchasing, an order of 220 tons, and an additional order of 220 tons for the rest of the winter months.

**Council Discussion:** Council is requested to review the information from Environmental Services regarding the snow removal expenses sustained by the department and the need for additional funds.

**Staff Evaluation:** Environmental Services has reviewed the purchases of salt this past fiscal year. Due to the extreme temperatures causing water breaks, snow, and ice the department has used more salt than anticipated. This has depleted our stock and with the weather continuing to be more severe than expected, additional purchases of salt are still needed to finish off the winter months.

**Budget/Funding:** To be determined by the Finance Director

**Legal Evaluation:** The Town Attorney will be able to address any legal questions or concerns

**Staff Recommendations:** Staff recommends the transfer of funds to cover invoices past due, salt on order, and additional salt purchases to complete the winter season ensuring the safety of our residents and visitors.

**Town Manager Recommendation:**

### Council Recommendation:

☐ Additional Work Session    ☐ Regular Meeting    ☐ No Action

Consensus Poll on Action: \_\_\_(Aye) \_\_\_(Nay)

Work Session



# Town of Front Royal, Virginia Work Session Agenda Form

Date: February 18, 2014

**Agenda Item:** Draft Resolution Pertaining to the Land Use Permit Regulations of the Virginia Department of Transportation (VDOT) - *Director of Planning & Zoning*

**Summary:** During VDOT's review of the site plan for Riverton Substation, VDOT commented that the latest performance surety to VDOT from the Town dates back to the year 1952. VDOT further commented that the previous agreements must now be updated, and then provided draft language for a new resolution. The attached resolution is the language requested by VDOT. In summary, it would be an on-going agreement between the Town and VDOT, with the following assurances provided to VDOT from the Town:

- A general assurance to VDOT that the Town will comply with all VDOT Land Use Permit Regulations when performing work within a state road.
- A specific assurance to VDOT that liability insurance will be provided by the Town for personal injury and property damage, including coverage of up to 1 million dollars for each occurrence to protect VDOT employees, and 75K for each occurrence to protect against lawsuits.
- A specific declaration that the Town Manager, or designee, is authorized to execute on behalf of the Town all land use permits and related documents required by VDOT, including procurement of insurance.
- Certain bonding and performance guarantee obligations for future firms contracted by the Town to do work within a state road.

**Council Discussion:** This agenda item is scheduled for discussion between Town Council and Staff during the February 18, 2014 Town Council Work Session.

**Staff Evaluation:** The Planning Director will be at the upcoming Town Council work session to answer questions that Town Council may have.

**Budget/Funding:** No direct budget impact is anticipated by passing the resolution VDOT requires.

**Legal Evaluation:** The Town Attorney will be available at the upcoming Town Council work session to answer questions that Town Council may have.

**Staff Recommendations:** Staff recommends placing the draft resolution required by VDOT on a future Town Council work session as either an independent agenda item or on the consent agenda, depending on the preference of Town Council.

**Town Manager Recommendation:** The Town Manager will be available at the upcoming work session for discussion and questions.

**Council Recommendation:**

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



## TOWN OF FRONT ROYAL

FRONT ROYAL ADMINISTRATION BUILDING  
102 E. MAIN STREET - P.O. BOX 1560  
FRONT ROYAL, VIRGINIA 22630-1560

### "RESOLUTION"

**WHEREAS**, it becomes necessary from time to time for the Town of Front Royal of Warren County to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,

**WHEREAS**, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the Town of Front Royal of Warren County by the Virginia Department of Transportation of said permits for the work aforesaid;

**NOW, THEREFORE, BE IT RESOLVED** by the Town of Front Royal Town Council this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**Section 1:** That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the Town of Front Royal of Warren County does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the Town of Front Royal of Warren County and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of Transportation or the Commonwealth of Virginia in the event of suit.

**Section 2:** That the Town Mayor, or their designee, be, and hereby is authorized to execute on behalf of the Town of Front Royal of Warren County all land use permits and related documents of the Virginia Department of Transportation.

**Section 3:** That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

**Section 4:** That the Town of Front Royal of Warren County shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

**BE IT STILL FURTHER RESOLVED** that the Town Mayor, or their designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

APPROVED:

\_\_\_\_\_  
Timothy W. Darr, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer E. Berry, Clerk of Council

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia on its first reading, conducted \_\_\_\_\_ 2013, upon the following recorded vote:

|                  |        |                  |        |
|------------------|--------|------------------|--------|
| Thomas H. Sayre  | Yes/No | Bret W. Hrbek    | Yes/No |
| Hollis L. Tharpe | Yes/No | Eugene R. Tewalt | Yes/No |
| N. Shae Parker   | Yes/No | Daryl L. Funk    | Yes/No |

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Approved as to form and legality:

\_\_\_\_\_  
Douglas W. Napier, Town Attorney

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



# Town of Front Royal, Virginia Work Session Agenda Form

Date: January 20, 2013

**Agenda Item:** Ordinance Amendment (ORD13-03-216) – “Height & Setbacks for Wireless Telecommunication Towers” - *Director of Planning & Zoning*

**Summary:** The attached draft amendment, titled “Height & Setbacks for Wireless Telecommunication Towers” (Version 4), was recommended for adoption by the Planning Commission on December 18, 2013. It proposes changes to Sections 175-3 and 175-110.4. The proposed changes would modify the definition of Wireless Telephone Towers and include a provision that would allow Town Council to reduce the required tower setbacks under certain conditions when breakpoint technology is used. In no case would the setback (*the distance between property line and the tower*) be less than ½ the height of the tower.

The idea for this draft amendment was initially submitted by Donohue & Stearns, PLC on behalf of Community Wireless Structures (CWS). CWS recently obtained approval for upgrading an existing telecommunication tower on Guard Hill. If this amendment is approved, CWS would be able to build their proposed tower up to the Town Code maximum of 150’, rather than 115’ which is currently the maximum height allowed due to the current setback requirements.

**Council Discussion:** This agenda item is scheduled for discussion between Town Council and Staff during the January 20, 2014 Town Council Work Session.

**Staff Evaluation:** The Planning Director will be at the upcoming Town Council work session to answer questions that Town Council may have.

**Budget/Funding:** n/a

**Legal Evaluation:** The Town Attorney will be available at the upcoming Town Council work session to answer questions that Town Council may have.

**Staff Recommendations:** Staff recommends moving forward to a public hearing to consider adoption of the draft amendment.

**Town Manager Recommendation:** The Town Manager will be available at the upcoming work session for discussion and questions.

**Council Recommendation:**

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

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**DRAFT AMENDMENT – VERSION 4**

**HEIGHT & SETBACKS FOR WIRELESS TELECOMMUNICATION TOWERS**

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*This proposed ordinance amendment was initiated by a submission from Donohue & Stearns, PLC on behalf of Community Wireless Structures (CWS). As drafted, the proposed changes would modify the definition name of Wireless Telephone Towers and include a provision that would allow Town Council to reduce the required setback under certain engineering specifications.*

START -----

• **TOWN OF FRONT ROYAL MUNICIPAL CODE, Chapter 175, ZONING,**

○ **Section 175-3 DEFINITIONS**

**BREAKPOINT TECHNOLOGY** – means the particular design of a monopole wireless telecommunication tower, certified by an engineer licensed in the Commonwealth of Virginia, that devises a specified point of the structure, referred to as the breakpoint, to have stresses concentrated so that the breakpoint is at least five percent (5%) more susceptible to failure than any other point along the structure, so that in the event of a structural failure, the failure will occur at the breakpoint rather than at the base plate, anchor bolts, or any other point on the structure.

**FALL ZONE** – means an area around the base of a wireless telecommunication tower required to be kept clear of buildings, other than those accessory to the wireless telecommunication tower, for the purpose of containing debris in the event of a tower structural failure. The fall zone is measured by a circular radius around the wireless telecommunication tower that equals the structure's height.

**WIRELESS TELEPHONE (CELL PHONE) COMMUNICATIONS TELECOMMUNICATION TOWERS** - Facilities for the proviso of personal wireless services, as defined by 47 U.S.C Section 332 (Section 704 of the Telecommunications Act of 1996), including those Federal Communications Commission licensed commercial wireless telecommunications services such as cellular, personal communications services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), and unlicensed wireless services and common carrier wireless exchange access services; also referred to generally as "tower(s)" under Section 175-110.4.

○ **Section 175-110.4 PERFORMANCE STANDARDS FOR WIRELESS TELECOMMUNICATION TELEPHONE (CELL PHONE) COMMUNICATION TOWERS**

A. The following sites shall be considered by applicants as the preferred order of location of proposed broadcasting or communication facilities:

1. Existing wireless telecommunication ~~broadcasting or communications~~ towers.
2. Public structures, such as water towers, utility structures, fire stations, bridges, and other public buildings within all zoning districts not utilized primarily for residential uses.
3. New wireless telecommunication towers ~~structures~~.

- B. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of Town Council that no other existing tower or structure can reasonably accommodate the applicant's proposed antenna.
- C. The maximum height of any wireless telecommunication ~~telephone (cell phone) communications~~ tower shall be made a condition of the special permit, but in no event shall exceed one hundred fifty feet (150') above finished grade of the property upon which it stands.
- D. Wireless ~~telephone (cell phone) communications~~ telecommunication towers shall conform to each of the following minimum setback and minimum yard requirements:
  1. Towers shall have a minimum front, side and rear yard setback equal to the height of the tower; except that, Town Council may allow a reduction to these setback standards when it is designed with breakpoint technology. If the wireless telecommunication tower has been constructed using breakpoint technology, as defined, the minimum setback distance shall be equal to one hundred percent (100%) of the distance from the top of the structure to the height of the breakpoint, plus the standard minimum setback distance for the underlying zoning district; except that, in no case shall the setback be less than  $\frac{1}{2}$  the height of the entire tower.
  2. Towers guys and accessory structures shall satisfy the minimum setback requirements of the underlying zoning district.
  3. Towers shall not be located between the principal structure and a public street.
- E. All towers shall be designed, structurally, electrically and in other respects, to accommodate both the applicant's antennas and comparable antennas for at least two (2) additional users.
- F. Towers shall be illuminated as required by the Federal Communications Commission (FCC) and/or the Federal Aviation Administration (FAA), but no lighting shall be incorporated if not required by the FCC and/or FAA, other than essential security lighting. Site lighting shall not be directed toward adjacent properties.
- G. The use of any portion of a tower for signs other than warning or equipment information signs is prohibited.
- H. Before activating the facility into service the applicant/developer shall provide the Town with a certificate by a qualified consultant that the radio frequencies used by the facility shall not interfere with any other pre-existing radio

frequencies in use within the coverage area of the facility including, but not limited to, public safety communication frequencies.

- I. For any proposed tower, photographs shall be taken of a balloon test, which shall be conducted as follows:
  1. The applicant shall provide the Administrator with at least seven (7) days prior notice of the conducting of the test; provided that this deadline may be extended due to inclement weather or by the agreement of the applicant and the Administrator.
  2. The test shall consist of raising one or more balloons from the site to a height equal to the proposed facility.
  3. The balloons shall be of a color or material that provides maximum visibility.
  4. The photographs of the balloon test shall be taken from the nearest residence and from appropriate locations on abutting properties, along each publicly used road from which the balloon is visible, and other properties and locations as deemed appropriate by the Administrator.
- J. If antennas are proposed to be added to an existing structure, all existing antennas and other equipment on the structure, as well as all ground equipment, shall be identified by owner, type and size. The method(s) by which the antennas will be attached to the mounting structure shall be depicted.
- K. The Town shall require the review of the application by a third-party consultant retained by the Town at the expense of the applicant.
- L. The applicant shall execute a letter of intent to allow other parties to share space (co-locate) on their tower and negotiate in good faith with other interested parties, including the Town Council and the Board of Supervisors of Warren County for emergency services radio and telephone facilities.
- M. The tower construction shall be of a design that minimizes the visual impact of the tower and related facilities shall be camouflaged and/or screened from view from adjacent properties and rights-of-way to the greatest extent practicable. To this end, the application must provide for the retention of existing stands of trees and the installation of screening where existing trees do not mitigate the visual impact of the facility. Such screening shall, at a minimum, include a double row of evergreen trees at least two inches (2") in diameter at breast height separated by not further than ten feet (10') on center. The Planning Commission may recommend and the Council may require additional trees and screening when the minimum provisions do not mitigate adverse visual impacts of the facility.
- N. The electromagnetic fields produced by the facility and any attachments to the tower do not exceed the radio frequency emissions standards established by the American National Standards Institute (ANSI).
- O. The tower shall be inspected annually and certified as safe by a private firm acceptable to the Town and contracted for by the applicant. A copy of the

inspection report with a certification that the tower is structurally safe and all microwave equipment is in proper working condition shall be provided to the Town Manager.

P. The tower shall be demolished and removed within ninety (90) days after abandonment. In order to ensure the demolition and removal of the tower, the applicant shall post and keep in place a renewable letter of credit or other security with adequate surety in a form acceptable to the Town Attorney and in an amount reasonably determined by the Town to be sufficient to pay for the costs of demolition and removal.

Q. Any equipment cabinet not located within an existing building shall be fenced only with the approval of the Administrator upon finding that the fence: (i) would protect the facility from trespass in areas of high volumes of vehicular or pedestrian traffic or in rural areas, to protect the facility from livestock or wildlife; (ii) would not be detrimental to the character of the area; (iii) would not be detrimental to the public health, safety or general welfare; and (iv) shall assist in the effective screening of the facility.

R. Each tower shall be constructed so that all cables, wiring and similar attachments that run vertically from the ground equipment to the antennas are placed on the pole to face the interior of the property and away from public view, as determined by the Administrator, or so that vertical cables, wiring and similar attachments are contained within the tower's structure.

S. The following shall be submitted to the Administrator after installation of the tower is completed and prior to issuance of a certificate of occupancy: (i) certification by a registered surveyor stating the height of the tower, measured both in feet above ground level and in elevation above mean sea level, using the benchmarks or reference datum identified in the application; and (ii) certification stating that any lightning rod's height does not exceed two (2) feet above the top of the tower and width does not exceed a diameter of one (1) inch.

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**Editorial Notes:** All language shown in highlight is proposed new text. All language shown in ~~strikethrough~~ is existing language that is proposed to be removed. Regular text shown is existing language with no changes proposed. Bulleted headings are only added as editorial notes for this document.

Drafted 06/19/2013 (JFC); 06/20/2013 (JFC); 11/12/2013 (JFC) per consultant comments; 11/22/13 per PC.

Town of Front Royal, Virginia  
Work Session Agenda Form

Date: January 20, 2013

**Agenda Item:** Ordinance Amendment (ORD13-11-217) – “The Finished Side of Fences”  
*Director of Planning & Zoning*

**Summary:** The attached draft amendment, titled “The Finished Side of Fences” (Version 2), was recommended for adoption by the Planning Commission on December 18, 2013. It proposes changes to Section 175-102. These changes would require that the finished side of a fence face neighboring residential properties and public streets. If adopted, it would only apply to new fences; not existing fences, or fences that have recently been approved and permitted prior to such adoption.

The idea for this draft amendment was initially referred to the Planning Commission by Town Council.

**Council Discussion:** This agenda item is scheduled for discussion between Town Council and Staff during the January 20, 2014 Town Council Work Session.

**Staff Evaluation:** The Planning Director will be at the upcoming Town Council work session to answer questions that Town Council may have.

**Budget/Funding:** n/a

**Legal Evaluation:** The Town Attorney will be available at the upcoming Town Council work session to answer questions that Town Council may have.

**Staff Recommendations:** Staff recommends moving forward to a public hearing to consider adoption of the draft amendment. During the Planning Commission’s public hearing, one citizen spoke out in opposition to the draft amendment.

**Town Manager Recommendation:** The Town Manager will be available at the upcoming work session for discussion and questions.

**Council Recommendation:**

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

**DRAFT AMENDMENT – VERSION 2**  
**THE “FINISHED” SIDE OF FENCES**

*This draft amendment was prepared by Town Staff based on the referral from Town Council. The proposed ordinance changes would require new fences to be constructed to face neighboring residential properties and public streets with the finished side.*

START -----

**TOWN OF FRONT ROYAL MUNICIPAL CODE, Chapter 175, ZONING**

**175-102 FENCES**

A. No fragile, readily flammable material, such as paper, cloth or canvas, shall constitute a part of any fence, nor shall any such material be employed as an adjunct or supplement to any fence.

B. Fences on corner lots shall meet the requirements of Section 175-101.

C. Fences in residential districts shall not exceed the height of four (4) feet in the required front yard or six (6) feet in the side or rear yard as measured from the top most point thereof to the ground or surface, along the center line of the fence.

D. Within commercial zoning districts, fences located within the front yard shall not exceed the height of six (6) feet as measured from the top most point thereof to the ground or surface, along the center line of the fence. Fences located within commercial zoning districts may be eight (8) feet in height when located within a side or rear yard. The Planning Director may authorize fences in the front yard to be up to eight (8) feet in height when the additional height is determined to be necessary for safety or screening purposes of permitted uses. Appropriate landscape screening may be required for approval of additional fence height in the front yard.

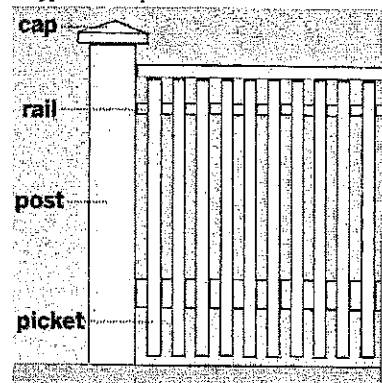
E. Fences surrounding industrial sites, public playgrounds, institutions or schools may not exceed a height of fourteen (14) feet.

F. No fence shall be constructed or altered to include protruding nails, or other materials, that would create a dangerous condition.

G. Notwithstanding the other requirements of this chapter, a finished fence side shall face toward improved public streets and adjoining lots used for residential purposes. For the purposes of this requirement, a finished fence side shall consist of the side covered with pickets, or similar material, such as, but not limited to, panels, wire, and/or fabric, if any, and opposite of a side with exposed rails, or similar supports, excluding posts and caps. Illustration 175-102.G. depicts a typical finished side of a fence.

**ILLUSTRATION 175-102.G.**

Typical Example of a Finished Fence Side



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52 **Editorial Notes:**

- 53 • Proposed new text is shown in highlighted font. Proposed deleted text is shown in ~~strikethrough~~ font.
- 54 • Drafted 11/14/13 (JFC)

## Town of Front Royal, Virginia Work Session Agenda Form

Date: February 18, 2014

**Agenda Item:** Request of Shenandoah Personal Communications, LLC (formerly Shenandoah Personal Communications Company) to install one (1) additional 28" RFS microwave dish antenna, for additional consideration, to their existing facilities located at the Town's Fairgrounds Road water tank.

**Summary:** Shenandoah Personal Communications, LLC (formerly Shenandoah Personal Communications Company) to install one (1) additional 28" RFS microwave dish antenna, for additional consideration, to its existing facilities located at the Town's Fairgrounds Road water tank. Shenandoah Personal Communications, LLC is currently under lease with the Town for use of the Town's Fairgrounds Road water tank and "floor space", through October 31, 2019, at a monthly rent of \$2,750.00, commencing November 1, 2014 (Shenandoah Personal Communications, LLC is currently paying \$2,500.00 per month). At the expense of Shenandoah Personal Communications, LLC, Tank Industry Consultants have conducted a structural evaluation, and has approved the proposed installation with recommendations.

**Council Discussion:** Town Council is asked to consider approving the request of Shenandoah Personal Communications, LLC to install one (1) additional 28" RFS microwave dish antenna, for additional consideration of \$250.00 per month, commencing March 1, 2014, to its existing facilities located at the Town's Fairgrounds Road water tank.

**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 Shenandoah Personal Communications, LLC's request to install one (1) additional 28" RFS microwave dish antenna, for additional consideration of \$250.00 per month, commencing March 1, 2014, to its existing facilities located at the Town's Fairgrounds Road water tank.

**Council Recommendation:**

☐ Additional Work Session    ☐ Regular Meeting    ☐ No Action

Consensus Poll on Action: \_\_\_\_ (Aye) \_\_\_\_ (Nay)

## George Sonnett

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**From:** Pamela Wilson <pwilson@nbcllc.com>  
**Sent:** Friday, December 06, 2013 9:25 AM  
**To:** George Sonnett  
**Subject:** 158 - Shentel MW Addition to Water Tank (395 Fairground Road)  
**Attachments:** 158 FCD 131126.pdf

Good morning George,

I hope this email finds you well.

I am writing to you because Shentel would like to propose adding a 2' microwave dish to their install at the above referenced water tank. For your reference, I have attached construction drawings (dated 11.26.13) showing this proposed improvement. A structural letter is in process and will be sent to you once complete.

I would like to get your feedback regarding next steps. In the past, Tank Industries reviewed the plans and structural, and then the proposed agreement went in front of the town board for approval and signature. Would that same process be required to obtain permission for this addition? Also, please let me know if you want me to draft the amendment, or if this is something you prefer to generate?

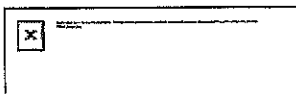
I look forward to working with you again!

Thank you,  
Pamela

**Pamela Wilson**  
*SA Consultant, Representing Shentel*

## NETWORK BUILDING + CONSULTING

7380 Coca Cola Drive | Suite 106 | Hanover, MD | 21076  
P 571.236.6429 | [networkbuilding.com](http://networkbuilding.com)





September 11, 2013

*Certified Mail -- Return Receipt*  
*No. 7011 1570 0000 4516 2899*

Steven M. Burke, Town Manager  
Town of Front Royal  
16 N. Royal Avenue  
Front Royal, VA 22630-2612

RE: Tower Site Lease Agreement – Shentel Site CDMA158  
Nineveh Water Tank – Fairgrounds Road, Front Royal

Dear Mr. Burke:

Pursuant to Section 2(a) of the Tower Lease Agreement dated the 14<sup>th</sup> day of October, 1999, between the Town of Front Royal, Lessor, and Shenandoah Personal Communications Company (now Shenandoah Personal Communications, LLC), Lessee, this letter will serve as Shenandoah Personal Communications, LLC's official notice of its intent to renew this lease for the third five-year renewal term, commencing on the 1<sup>st</sup> day of November, 2014. As set forth in the Agreement, rent shall be increased at the commencement of the renewal term accordingly.

To agree to this extension, please execute one original of this letter so indicating and return it to my attention to:

Shenandoah Personal Communications, LLC  
Post Office Box 459  
Edinburg, Virginia 22824

Thank you for your continued cooperation. If you have any questions, please contact Lynda Burner at (540) 984-3009.

Sincerely,

William L. Pirtle  
Vice President – Wireless

APPROVAL OF THIRD FIVE-YEAR RENEWAL TERM:

TOWN OF FRONT ROYAL

By:                     

Title:                     

Date:                     

JSMB

Town Manager

10/21/13 10/29/13



SHENANDOAH PERSONAL COMMUNICATIONS, LLC

## NETWORK VISION PROJECT

**SITE NUMBER: 158**

**SITE NAME: NINEVEH**

395 FAIRGROUNDS ROAD  
FRONT ROYAL, VA 22630  
TOWN OF FRONT ROYAL  
WARREN COUNTY



Know what's below.  
Call before you dig.

### DRAWING INDEX

|      |                                     |
|------|-------------------------------------|
| T-1  | TITLE SHEET                         |
| GN-1 | GENERAL NOTES                       |
| A-1  | COMPOUND PLAN & EQUIPMENT PLAN      |
| A-2  | ELEVATION & ANTENNA PLANS           |
| C-1  | CONSTRUCTION DETAILS & NOTES        |
| D-1  | ANTENNA DETAILS                     |
| D-2  | FIBER DISTRIBUTION BOX INSTALLATION |
| E-1  | ELECTRICAL DETAILS                  |
| G-1  | GROUNDING DETAILS                   |

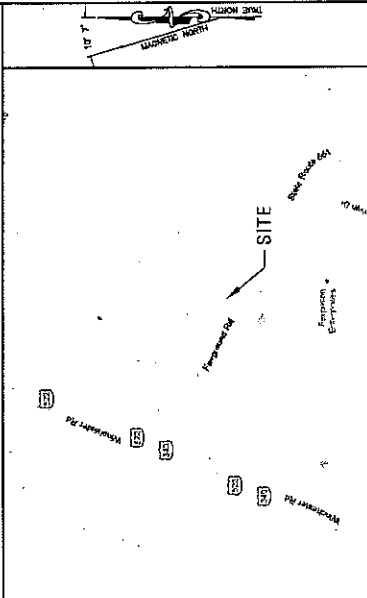
### DO NOT SCALE DRAWINGS

THESE DRAWINGS ARE FORWARDED TO THE LOCAL JURISDICTION FOR REVIEW. THE REVIEWER SHALL IMMEDIATELY NOTIFY THE DESIGNER ENGINEER IN WRITING OF ANY DISCREPANCIES BETWEEN THE DRAWING WITH THE LOCAL JURISDICTION. THE REVIEWER SHALL BE RESPONSIBLE FOR THE REVIEW AND FOR THE REVIEWER'S SIGNATURE TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

### APPROVAL BLOCK

|                      |      |          |          |             |        |
|----------------------|------|----------|----------|-------------|--------|
| PROPERTY OWNER       | DATE | APPROVED | AS NOTED | DISAPPROVED | REVISE |
| SITE ACQUISITION     | DATE |          |          |             |        |
| CONSTRUCTION MANAGER | DATE |          |          |             |        |
| ZONING               | DATE |          |          |             |        |
| RF ENGINEER          | DATE |          |          |             |        |

### VICINITY MAP



### DIRECTIONS

FROM 600 SHENTEL WAY, EDINBURG, VA 22644 TAKE 141 N TOWARD STRASBURG. MERGE ONTO I-48 E VIA EXIT 200. FOLLOW I-48 E TO EXIT 10. TURN RIGHT ONTO US-340 N. FOLLOW US-340 N TO US-224. TURN RIGHT ONTO US-224 N. FOLLOW US-224 N TO THE PROJECT SITE. CONTINUE TO FOLLOW US-340 NUS-224 N. TURN RIGHT ONTO FAIRGROUNDS RD. 395 FAIRGROUNDS RD IS ON THE LEFT.

### CODE COMPLIANCE

- ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.
- 2005 INTERNATIONAL BUILDING CODE
  - 2005 NATIONAL ELECTRICAL CODE
  - 2005 NFPA 101, LIFE SAFETY CODE
  - 2005 IPC
  - AMERICAN CONCRETE INSTITUTE
  - AMERICAN INSTITUTE OF STEEL CONSTRUCTION
  - MANUAL OF STEEL CONSTRUCTION, 5TH EDITION
  - ANSI/TIA-222-G
  - TIA 807
  - INSTITUTE FOR ELECTRICAL & ELECTRONICS ENGINEER 01
  - IEEE 02 NATIONAL ELECTRIC SAFETY CODE LATEST EDITION
  - TELECOMOR GR-325
  - ANSI/TIA 311

### SITE INFORMATION

PROJECT CONSISTS OF EXCHANGING OR INSTALLING EXISTING WIRELESS TELECOMMUNICATIONS FACILITY.

911 SITE ADDRESS: 395 FAIRGROUNDS ROAD FRONT ROYAL, VA 22630

TOWER OWNER ADDRESS: TOWN OF FRONT ROYAL 10 N. ROYAL AVENUE FRONT ROYAL, VA 22630

LATITUDE (NAD 83): 38.09811°

LONGITUDE (NAD 83): -78.12579°

SUBDIVISION: WARREN COUNTY

PARCEL/APP NUMBER: 6574-09-1546

PARCEL AREA: 2.35 ACRES

PARCEL OWNER ADDRESS: TOWN OF FRONT ROYAL 10 N. ROYAL AVENUE FRONT ROYAL, VA 22630

GROUND ELEVATION: 826.93 FEET (M.S.L.)

POWER PROVIDER: RAPPANNOCK ELECTRIC POWER 1-800-925-1608

BACKHAUL PROVIDER: CENTURYLINK - T1 PROVIDER ALLIANCE

SITE ACCESS PROCEDURES: GATE COMBO 44445

SHENTEL MOC: (540) 844-5220 (800) 785-5220

### PROJECT TEAM

APPLICANT: SHENANDOAH PERSONAL COMMUNICATIONS, LLC  
POST OFFICE BOX 489  
EDINBURG, VA 22684  
(540) 844-5220

PROJECT MANAGEMENT FIRM: NETWORK BUILDING & CONSULTING, LLC  
7200 COCA COLA DRIVE, SUITE 106  
HANDOVER, MD 21076  
(410) 712-7062

ENGINEERING FIRM: SHENTEL ENGINEERING SERVICES, LLC  
1000 W. 15th STREET, 106  
HANDOVER, MD 21076  
(410) 712-7062

**NBC+C**  
TOTALLY COMMITTED  
NBC ENGINEERING SERVICES, LLC  
1000 W. 15th STREET, 106  
HANDOVER, MD 21076  
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**SHENTEL**  
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158  
NINEVEH  
395 FAIRGROUNDS ROAD  
FRONT ROYAL, VA 22630  
WARREN COUNTY

### REVISIONS

| NO. | DATE     | DESCRIPTION             | BY  |
|-----|----------|-------------------------|-----|
| 1   | 11/19/15 | ISSUED FOR CONSTRUCTION | DAK |
| 2   | 11/19/15 | ADD T1 ANTENNA          | DAK |
| 3   | 11/19/15 | ADD T1 ANTENNA          | DAK |
| 4   | 11/19/15 | ADD T1 ANTENNA          | DAK |
| 5   | 11/19/15 | ADD T1 ANTENNA          | DAK |
| 6   | 11/19/15 | ADD T1 ANTENNA          | DAK |
| 7   | 11/19/15 | ADD T1 ANTENNA          | DAK |
| 8   | 11/19/15 | ADD T1 ANTENNA          | DAK |
| 9   | 11/19/15 | ADD T1 ANTENNA          | DAK |
| 10  | 11/19/15 | ADD T1 ANTENNA          | DAK |



PHILIP BURTNER, P.E.  
14179  
NO. 14179  
NO. 14179  
NO. 14179  
NO. 14179  
NO. 14179  
NO. 14179  
NO. 14179  
NO. 14179  
NO. 14179

### TITLE SHEET

T-1







1. ALL CONCRETE WORK SHALL CONFORM TO AC 318, "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE" AND TO THE PRESENT SPECIFICATIONS.
2. ALL CONCRETE IS TO BE NORMAL WEIGHT CONCRETE WITH A MAXIMUM SLUMP OF 4 INCHES. MAXIMUM AGGREGATE SIZE 3/4" WITH AN ADDITIONAL WASH SHALL BE ADDED TO THE CONCRETE AT THE JOB SITE.
3. PROVIDE AIR ENTRAINMENT OF 4 TO 6 PERCENT IN ALL EXPOSED CONCRETE WORK WITH AIR-ENTRAINING AGENT, CORRESPONDING WITH ASTM C 260. AT ALL EXPOSED FLOORS, DO NOT EXCEED AIR-ENTRAINMENT CONTENT OF 3 PERCENT.

- [illegible]

FOUNDATIONS HAVE BEEN DESIGNED TO BEAR ON UNDISTURBED RESIDUAL SOILS/COMPACTED STRUCTURE. THE CAPACITY OF EXISTING FOUNDATIONS NOT BEING ADEQUATE TO SUPPORT THE PROPOSED FOUNDATION SHALL BE CARRIED OUT BY EXCAVATION TO A DEEPER AND SHALL BE BACKFILLED WITH LEAN CONCRETE TO PLAN FOOTING BOTTOM. OR PROVISION OF FOUNDATIONS WILL BE MODIFIED AT THE DISCRETION OF THE ENGINEER.

- B. DESIGN, FURNISH AND INSTALL ALL TEMPORARY SHEETING, SHORING AND DRAINAGE NECESSARY TO MAINTAIN THE EXCAVATION AND PROTECT SURROUNDING STRUCTURES AND UTILITIES.
- C. THOROUGHLY COMPACT ALL BOTTOM OF FOOTINGS PRIOR TO PLACING ANY

2. REMARKS:

3.1. FORWARD:

4. CONCRETE CONSTRUCTION SHALL CONFORM TO "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS," (ACI 301-89).

- 12. REQUIREMENTS**
- A. REINFORCING STEEL ASTM A615, GRADE 60, YIELDED WIRE ASTM A615 (PLAT SHEET), LAPS OR BAR WELDINGS UNLESS NOTED. BARS SHALL BE SECURELY TIED IN APPROPRIATE POSITION BY SUITABLE ACCESSORIES, THE BARS, SUPPORT BARS, ETC. WORK LENGTHS SHALL BE 12 BAR DIAMETERS.
- B. FURNISHING SHALL CONFORM TO ACI 308 "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BALCONIES".

|                                                                                            |        |
|--------------------------------------------------------------------------------------------|--------|
| FOOTINGS & SLABS CAST AGAINST EXISTING CONCRETE TO BE IN CONTACT WITH GROUND OR WEATHER AT | 5"     |
| WALLS GREATER THAN 4"                                                                      | 3"     |
| AT BARS #5 OR LESS                                                                         | 1-1/2" |
| CONCRETE NOT TO BE EXPOSED TO GROUND OR WEATHER                                            | 1-1/2" |
| BEAMS, GIRDS & COLUMNS                                                                     | 1-1/2" |

NOTED:

- STAGES & WEIGHTS..... 5/4
- 1.1 CONT.-IN-PLACE-CONCRETE
- A. REINFER 28 DAY CYLINDER STRENGTH AND MAXIMUM SLUMP, PRIOR TO ADDITION OF SUPER PASTYCES, AS FOLLOWS:
- |                 | EQ (500) | SLUMP |
|-----------------|----------|-------|
| CLASS 1 FIBROUS | 400      | ✓     |
| CLASS 2 FIBROUS | 400      | ✓     |
| CLASS 3 FIBROUS | 400      | ✓     |

| CLASS V OTHER WORK | CLASS VI LEAN CONCRETE FOR OVER EXCAVATION OF FOUNDATIONS | 4"   | 8"   |
|--------------------|-----------------------------------------------------------|------|------|
| 4000               | 3000                                                      | 4000 | 3000 |

5. MIX DESIGN TO BE IN ACCORDANCE WITH AC 318, CHAPTER 5. NO CEMENTitious ADJUTANTS CONTAINING CHLORIDES SHALL BE USED IN ANY CONCRETE.

- d. COARSE AGGREGATE FOR NORMAL WEIGHT CONCRETE SHALL CONFORM TO ASTM C 33.
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- g. CONCRETE ADORNMENT SHALL CONFORM TO ASTM C 1057.
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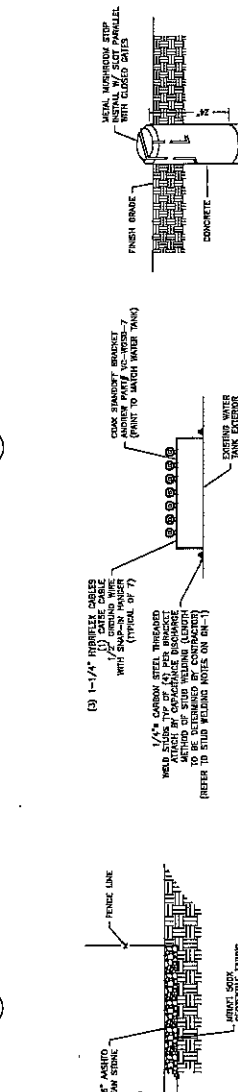
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CONSTRUCTION  
DETAILS

C-1









# TIC

## TANK INDUSTRY CONSULTANTS

7740 West New York Street  
Indianapolis, Indiana 46214  
317 / 271-3100 - Phone  
317 / 271-3300 - FAX

Bolingbrook, Illinois  
630 / 226-0745

El Paso, Texas  
915 / 790-0790

Houston, Texas  
281 / 367-3511

Pittsburgh, Pennsylvania  
412 / 262-1586

January 27, 2014

Shenandoah Personal Communications, LLC (Shentel)  
P.O. Box 459  
500 Shentel Way  
Edinburg, Virginia 22824  
Attn: Ms. Pamela Wilson, SA Consultant

Subject: Antenna Installation Review Report  
1,000,000 Gallon Fairground Road Fluted Pedestal Tank  
**Shentel Site 158 Nineveh**, 395 Fairgrounds Road  
Town of Front Royal, Virginia  
**TIC Project 14.005.E1500.001**

Ms. Wilson,

In fulfillment of Shentel Purchase Order 000998-1, this letter report will summarize TIC's evaluation, conclusions and recommendations with regard to the proposed installation of new RFS microwave dish antenna equipment on the subject tank in accordance with drawings, provided by Shentel.

### INTRODUCTION

The following documents were reviewed by TIC in preparing this summary report:

Shentel drawings T-1, GN-1, A-1 & A-2, C-1, D-1 & D-2, E-1 and G-1.  
All drawings were Rev. 6, dated 11/26/13.

As described in our January 6, 2014 proposal letter, TIC performed a Structural Evaluation of the antenna installation on the tank to assess the overall structural effects of the new antennas and also performed Design Review Services to review the methods of mounting the antennas on the tank for potential interferences to the operation and maintenance of the tank. Our conclusions and recommendations with respect to these topics are summarized as follows.

### CONCLUSIONS

#### *Structural Evaluation*

TIC evaluated the effects of the microwave dish antenna and associated wind loadings on the subject tank assuming the details shown on Shentel Drawing D-1. The antenna installer must ensure that these details are used before proceeding with the proposed work. Based on the assumed geometry, TIC

concludes that the structural effects of the proposed new Shentel antenna loads are acceptable without additional modification of the tank roof, shell, pedestal or anchorage components. Note that the structural analysis and the design of the antenna supports to the existing structures assumes that the existing structure has not deteriorated or been damaged since its construction.

The additional vertical dead loads of the proposed new antennas, microwave dish and associated cables are negligible in comparison to the dead loads of the tank and its contents on the tank foundation and the cylindrical and conical components of the steel tank and pedestal. The lateral loads due to the design wind on the proposed new antenna equipment increase the base shear and overturning moment on the tank by less than 0.2%.

The proposed new microwave dish and associated cables will increase the wind loading on the handrail structure at the center of the roof and on the roof itself. TIC concludes that the loads imposed by the new microwave dish are negligible in comparison to the strength of the handrail components and the roof on which the handrails are mounted.

### ***Design Review Services***

TIC concludes that the Shentel drawings are acceptable, providing that the following comments are addressed:

- 1) The installation Contractor must comply with all requirements of the Shentel drawings, including but not limited to the notes on Drawing GN-1 and the construction details on Drawing C-1. Installation of antenna equipment can damage the coatings on tanks and lead to corrosion and potential failure of these components. The Contractor must exercise care in the installation of the equipment and repair any damage to the coatings on the tank.
- 2) Any cables associated with the installation of the new microwave dish must be routed and attached to the tank so as not to obstruct access to the tank or create a safety risk. In particular, access to ladders and inspection openings must not be obstructed by the cables. Cables must be securely attached using devices designed for the purpose of routing and securing cable runs.

## **RECOMMENDATIONS**

### ***Structural Evaluation***

Installation of the proposed new microwave dish antenna may proceed in accordance with the Shentel drawings without additional structural modifications to the tank or roof handrail. Any deterioration or structural damage to the existing tank should be reported to the Engineer of Record before proceeding with the proposed antenna installation.

### ***Design Review Services***

Any new cables associated with the installation of the new microwave dish should be installed using existing cable trays and mounting devices. All antenna cables should be removed and temporarily supported whenever re-coating of the tank is performed. Note that any cables, galvanized metal, and/or thin gage metal items may be damaged by abrasive blast cleaning

anytime that tank maintenance or repainting activities occur. For this reason, TIC recommends that antenna and wireless carriers remove their equipment when the tank is next repainted, or if removal is not feasible, that such items be adequately protected from damage.

TIC recommends that a visual inspection be performed immediately following any severe storm or extreme high wind conditions, such as those due to a tornado or hurricane, as antenna equipment, mountings and cable trays/ladders have been known to experience damage in such extreme conditions. Loose or broken components can become projectiles in these high wind conditions.

Please contact me at (630) 226-0745 or [lieb@tankindustry.com](mailto:lieb@tankindustry.com) if there are any questions on the above.

Sincerely,

Tank Industry Consultants

*John M. Lieb*

John M. Lieb, P.E.  
Chief Engineer

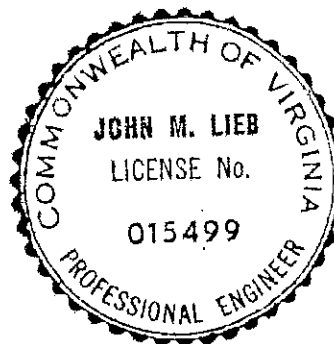
Cc: Stephen W. Meier, P.E., S.E./Gregory R. "Chip" Stein, P.E. – TIC Indianapolis  
Sabrina Fleming – TIC Bolingbrook

**PROFESSIONAL ENGINEER'S CERTIFICATION**

I hereby certify that this report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Virginia.

*John M. Lieb*  
John M. Lieb, P.E.

Date: *Jan 27, 2014*





## Town of Front Royal, Virginia Work Session Agenda Form

Date: February 18, 2014

### Agenda Item: Revision to Chapter 12 - Fees

**Summary:** Staff has reviewed the User Fees in Chapter 12 and is requesting three revisions. Two of the requests are from the Energy Services Director as presented. The Department is also requesting an amendment to Chapter 70 to add Section 70-23 (F) "Charges for Temporary Electric Service" to define these charges. The third request is from the Finance Director as presented. All amendments to the Town Code will require a public hearing, and be included in the FY14-15 Budget presentation.

**Council Discussion:** Council is requested to consider the proposed changes in Town fees.

**Staff Evaluation:** Staff has evaluated the costs for services for the existing fees and proposes the recommended changes, as well as the new fee to be considered by Council.

**Budget/Funding:** The Director of Finance will be available to discuss fiscal issues.

**Legal Evaluation:** Town Attorney will be available to discuss legal issues.

**Staff Recommendations:** Staff recommends adoption of the fees as presented to be included in the FY14-15 Budget.

**Town Manager Recommendation:** Town Manager recommends adoption of the fees as presented to be included in the FY14-15 Budget.

### Council Recommendation:

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

Chapter 12FEES**Sections:**

- 12-1 ENERGY SERVICES FEES**
- 12-2 ENVIRONMENTAL SERVICES FEES**
- 12-3 FINANCE FEES**
- 12-4 PLANNING AND ZONING FEES**
- 12-5 POLICE DEPARTMENT FEES**
- 12-6 MISCELLANEOUS FEES**

Adopted by the Town Council of the Town of Front Royal 4-25-83 by Ord. No. 2-83. Amendments by Resolutions 1-26-04 and 9-13-04. Other amendments noted where applicable.

**12-1 ENERGY SERVICES FEES**

|                                                            |                        |
|------------------------------------------------------------|------------------------|
| Electric Meter Inspections (1 <sup>st</sup> within 12 mo.) | No Charge              |
| Electric Meter Inspection (after 12 months)                | \$25.00 per inspection |
| Installation of Pole for Dusk-to-Dawn Light                | \$150.00               |
| Underground Utility Inspection                             | \$50.00 per inspection |

(Ord. No. 6-08 Codified Fees 6-23-08-Effective Upon Passage)  
(Amended Title 6-25-12-Effective July 1, 2012)

**12-2 ENVIRONMENTAL SERVICES FEES**

|                                                                                    |                                                        |
|------------------------------------------------------------------------------------|--------------------------------------------------------|
| After hours shut-off calls (water)                                                 | \$25.00                                                |
| Construction Specifications                                                        | \$15.00                                                |
| Excavation for Sewer Clean Out Installation                                        | \$350.00                                               |
| Freon Removal<br>(white goods commercial or residential)                           | \$15.00                                                |
| Grease Trap Inspection (3 <sup>rd</sup> and all subsequent)                        | \$50.00 per inspection                                 |
| On-Call Refuse Collection                                                          | Can be found in §85-3(E) of the Front Royal Town Code  |
| Recreational Vehicle Septic Tank Dump                                              | \$17.50 each                                           |
| Right-of-Way Utilization Fee                                                       | \$25.00 plus bond and insurance                        |
| Septic Tank Waste                                                                  | \$50.00 per 1,000 gallons                              |
| Temporary Hydrant Meter Deposit (an agreement for reading of water must be signed) | \$400.00 5/8" and smaller<br>\$1,500 greater than 5/8" |
| Tires without Rim, not to exceed 16.5 inches                                       | \$1.50 per tire                                        |
| Tires on Rim, not to exceed 16.5 inches                                            | \$2.50 per tire                                        |
| Tires over 16.5 inches with or without Rim                                         | \$3.00 per tire                                        |
| Water Meter Test (2 <sup>nd</sup> or subsequent test)                              | \$25.00 each                                           |

|                                                  |                                              |
|--------------------------------------------------|----------------------------------------------|
| White Goods Disposal, Commercial                 | \$15.00 per item plus \$15.00 per Freon item |
| White Goods Disposal, Residential                | No Charge plus \$15.00 per Freon item        |
| Yard Waste Disposal, Commercial, Lg. Truck       | \$50.00                                      |
| Yard Waste Disposal, Commercial, Pickup Tk       | \$25.00                                      |
| Yard Waste Disposal, Residential<br>(Town Decal) | No Charge                                    |

(Ord. No. 6-08 Codified Fees 6-23-08-Effective Upon Passage)

(Ord. No. 7-09 Removed "Sale of Mulch" 7-13-09-Effective Upon Passage)

(Ord. No. 8-09 Increased Tire Fee 7-13-09-Effective Upon Passage)

(Amended Title & Fee for "On-Call Refuse Collection" 6-25-12-Effective July 1, 2012)

### 12-3 FINANCE FEES

**A. FEE FOR RETURNED CHECK:** If any check or other means of payment tendered to the Town in the course of its duties is not paid by the financial institution on which it is drawn, because of insufficient funds in the account of the drawer, no account is in the name of the drawer, or the account of the drawer is closed, and the check or other means of payment is returned to the Town unpaid, the amount thereof shall be charged to the person on whose account it was received, and his liability and that of his sureties shall be as if he had never offered any such payment. A penalty of \$35.00 or the amount of any costs, whichever is greater, shall be added to such amount, and said penalty shall be in addition to any other penalty provided by law.

There is hereby added to any amount due to the Town a fee of 2.35% when payment of such amount is tendered by either credit card or debit card or any other means of payment by which the Town incurs a charge.

### B. ADDITIONAL FINANCE FEES:

|                                                         |                 |
|---------------------------------------------------------|-----------------|
| Penalty on Utility Bill after Original Due Date         | 2%              |
| Late Fee on Utility Bill after 2 <sup>nd</sup> Due Date | \$10.00         |
| Reconnection Fee (non-payment)                          | \$50.00         |
| Work Order Fee                                          | \$5.00          |
| Tampering with Electric or Water Meter Fee              | \$1,000.00      |
| Copies                                                  | \$0.15 per page |

(Ord. No. 13-02 Amended "Returned Check" 8-12-02-Effective Upon Passage)

(Ord. No. 6-08 Amended "Returned Check" 6-23-08-Effective Upon Passage)

(Added New Section to Codify Fees 6-25-12-Effective July 1, 2012)

### 12-4 PLANNING AND ZONING FEES

Can be found in §148-58 and §175-137 of the Front Royal Town Code.

(Added New Section 6-25-12-Effective July 1, 2012)

**12-5 POLICE DEPARTMENT FEES**

|                 |        |
|-----------------|--------|
| Accident Report | \$5.00 |
|-----------------|--------|

(Ord. No. 6-08 Codified Fees 6-23-08-Effective Upon Passage)  
(Added New Section 6-25-12-Effective July 1, 2012)

**12-6 MISCELLANEOUS FEES**

|                                        |                  |
|----------------------------------------|------------------|
| Town Code, hardcopy                    | \$100.00         |
| Update Town Code, hardcopy             | \$40.00 per year |
| Town Right-of-Way Vacation Application | \$100.00         |

Freedom of Information Act (FOIA) requests for available information shall be submitted to the appropriate department that maintains the records sought for processing. Any request for records or documents from the Town is considered a FOIA request. All FOIA requests shall be communicated by the Department of the Town Manager and Town Attorney. FOIA regulations allow the Town to assess a reasonable charge for the costs to access, search, duplicate, and supply the requested materials if they exist. The Town shall not assess fees if staff time is less than thirty (30) minutes and ten pages of 8 ½ x 11 paper. An individual requesting materials through a FOIA request will be notified as soon as practicably possible. The Town shall conform to all FOIA regulations established by the Commonwealth of Virginia to ensure access to all available Town documents.

(Ord. No. 6-08 Codified Fees 6-23-08-Effective Upon Passage)  
(Added New Section 6-25-12-Effective Upon Passage)  
(Amended to add FOIA Information 1-28-13-Effective Upon Passage)

February 12, 2014

Tina:

Chapter 12 ~ Town of Front Royal Municipal Code

12-3 B Additional Finance Fees:

Just a clarification on item "Reconnection Fee" (non Payment) our code states \$50.00

This is a tiered project and I think the code should reflect that

1<sup>st</sup> turn off ~ \$20.00

2<sup>nd</sup> turn off ~ \$30.00

3<sup>rd</sup> turn off ~ \$40.00

More than 4 ~ \$50.00

Please let me know if you need anything else.

kgb

Kim Gilkey-Breeden

Town of Front Royal  
Energy Services  
P.O. Box 1560  
Front Royal, Virginia 22630-1560  
(540) 635-3027 Fax: (540) 635-5497



# Memo

**To:** Steve Burke, Town Manager  
**From:** Joseph Waltz, Director of Energy Services  
**Date:** January 10, 2014  
**Re:** Adjustment to the fee charged for meter-testing

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As part of the budget process, staff has evaluated all the fees associated with the Energy Services Department. All fees were appropriate except the meter-testing fee. The Town currently offers one (1) free test a year and additional requested tests are charged twenty-five dollars (\$25.00) each.

After evaluation, it was determined that the Town will need to raise this fee to forty dollars (\$40.00) to recover all costs associated with this activity. The following is a brief summary:

|                     |                |
|---------------------|----------------|
| Labor w/ overhead   | \$ 34.25       |
| Vehicle & Equipment | <u>\$ 8.00</u> |
| Total               | \$ 42.25       |

If you have any questions, please feel free to call me.

Town of Front Royal  
Energy Services  
P.O. Box 1560  
Front Royal, Virginia 22630-1560  
(540) 635-3027 Fax: (540) 635-5497



# Memo

**To:** Steve Burke, Town Manager  
**From:** Joseph Waltz, Director of Energy Services  
**Date:** February 11, 2014  
**Re:** Additional fee to Chapter 12 and Chapter 70-23 on Temporary Electrical Service

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The Town charges our customers \$65.00 to establish a temporary electrical service. It came to my attention late last week that this service fee is not in the Town code. After research, we have been using this fee since the mid 1990's but nothing was put into the code. Staff evaluated the temporary electrical service fee and the current rate of \$65.00 will cover the cost of residential temporary electrical service. The cost will not support a larger residential or commercial temporary service.

I propose to add the following to the Town code section Chapter 12 and 70-23 Electric rates:

F. Charges for Temporary Electrical Service

1. For residential temporary electrical service not to exceed 100 amperes in capacity and requiring one service drop off existing distribution facilities will be charged a fee of \$65.00.
2. For larger residential and commercial temporary services, the charge will be at the customer expense. The Town will perform the installation and bill the customer for the actual costs of such installation, including labor, vehicle usage and materials used, less the value of any salvageable materials recovered during the removal process of the temporary service.

If you have any questions, please feel free to call me.



## Town of Front Royal, Virginia Work Session Agenda Form

Date: February 18, 2014

**Agenda Item:** Setting Town Tax Rates

**Summary:** Based upon items discussed for consideration in the FY2014-2015 Budget, Council needs to determine the tax rates to fund the proposed projects.

|                                                     |           |
|-----------------------------------------------------|-----------|
| Real Estate Tax - \$0.01 per \$100 Value =          | \$110,000 |
| Personal Property Tax - \$0.01 per \$100 Value =    | \$19,000  |
| Police Headquarters Estimated Annual Debt Service = | \$400,000 |
| Building Inspections Annual Operating Estimate =    | \$100,000 |
| Leach Run Parkway Estimated Annual Debt Service =   | \$250,000 |

**Council Discussion:** Council is requested to discuss funding of the proposed major expenses.

**Staff Evaluation:** New revenue sources has not been identified to cover the anticipated costs for these major projects. Timing of the debt service can be adjusted if the construction of the new Police Headquarters is not completed until the FY2015-2016 Budget. The construction of Leach Run Parkway is not anticipated to be completed until the FY2015-2016 Budget. In addition, Council can dedicate the approximate \$75,000 of revenue associated with the previous Real Estate Tax increase for the Local Connector Road. A summary of the possible General Fund Cash Flow is provided as requested by Council at the February 3rd Work Session.

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

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

**Staff Recommendations:** Staff recommends that Council discuss and establish consensus on the proposed FY2014-2015 Tax Rates.

**Town Manager Recommendation:** The Town Manager recommends that Council discuss and establish consensus on the proposed FY2014-2015 Tax Rates.

**Council Recommendation:**

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

# GENERAL FUND CASH FLOW

(Does not account for other Revenue or Expenditure needs)

|                                        | FY11-12 | FY12-13 | FY13-14 | FY14-15   | FY15-16   | FY16-17   | TOTAL     |
|----------------------------------------|---------|---------|---------|-----------|-----------|-----------|-----------|
| <b>Police Headquarters<sup>1</sup></b> |         |         |         |           |           |           |           |
| Revenue                                | 75,000  | 75,000  | 75,000  | 75,000    | 75,000    | 75,000    | 450,000   |
| Expenditure                            | 5,903   | 8,108   | 41,336  | 35,000    | 400,000   | 400,000   | 890,346   |
| Cash Summary                           | 69,097  | 135,990 | 169,654 | 209,654   | (115,346) | (440,346) | 28,703    |
| <b>Leach Run Parkway<sup>2</sup></b>   |         |         |         |           |           |           |           |
| Revenue                                | 75,000  | 75,000  | 75,000  | 75,000    | 75,000    | 75,000    | 450,000   |
| Expenditure                            | 66,553  | 85,698  | 65,060  | 75,000    | 250,000   | 250,000   | 792,311   |
| Cash Summary                           | 8,447   | (2,251) | 7,689   | 7,689     | (167,311) | (342,311) | (488,048) |
| <b>Local Connector Road</b>            |         |         |         |           |           |           |           |
| Revenue                                | 75,000  | 75,000  | 75,000  | 75,000    | 75,000    | 75,000    | 450,000   |
| Expenditure                            | 0       | 0       | 0       | 0         | 0         | 0         | 0         |
| Cash Summary                           | 75,000  | 150,000 | 225,000 | 300,000   | 375,000   | 450,000   | 1,575,000 |
| <b>Building Inspection</b>             |         |         |         |           |           |           |           |
| Revenue                                |         |         |         | 10,000    | 10,000    | 10,000    | 30,000    |
| Expenditure                            | 0       | 0       | 0       | 130,000   | 100,000   | 100,000   | 330,000   |
| Cash Summary                           | 0       | 0       | 0       | (120,000) | (210,000) | (300,000) | (630,000) |
| <b>Administration Building</b>         |         |         |         |           |           |           |           |
| Revenue                                | 150,000 | 150,000 | 150,000 | 150,000   | 150,000   | 150,000   | 750,000   |
| Expenditure                            | 150,000 | 150,000 | 150,000 | 150,000   | 150,000   | 150,000   | 750,000   |
| Cash Summary                           | 0       | 0       | 0       | 0         | 0         | 0         | 0         |
| <b>2005 EDA Bond</b>                   |         |         |         |           |           |           |           |
| Revenue                                |         |         |         |           | 251,000   | 251,000   | 502,000   |
| Expenditure                            | 251,000 | 251,000 | 251,000 | 251,000   | 0         | 0         | 1,004,000 |
| Cash Summary                           | 0       | 0       | 0       | 0         | 251,000   | 251,000   | 502,000   |

1 - Police Headquarters assumed schedule is design in FY14-15 and construction completed in FY15-16

2 - Leach Run Parkway assumed schedule is design in FY13-14 and construction completed in FY15-16