



TOWN COUNCIL WORK SESSION

TUESDAY, January 3, 2017 @ 7:00pm

Town Hall Conference Room

Town/Staff Related Issues:

1. Request to Name Alley – Sammy Campbell – *Town Manager*
2. Criser Road Trail Design Option – *Director of Planning/Zoning*
3. Resolution - Guidelines for Design-Build Construction Projects - *Town Attorney*
4. Vacation/Sale of Portion of 15th Street for Cool Harbor Motel – *Town Attorney*
5. Revise Resolution Pertaining to FOIA Officer – *Town Manager*
6. Update on the Disposition of Town Real Estate – *Town Manager*

Council/Mayor Related Items

7. Appointments to Various Committees/Vice Mayor
8. Letter of Support for Certificate of Public Need – Warren Memorial Hospital
9. Town Manager Hiring Process
10. Council Discussion/Goals (*time permitting*)

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Item No. ____1____

Town of Front Royal, Virginia Work Session Agenda Form

Date: January 3, 2017

Agenda Item: Request to Name Alley – Sammy Campbell

Summary: Staff has received a request from Sammy Campbell, an employee of Maddox Funeral Home, seeking to name the alley adjacent to the funeral home to Maddox Lane. The Department of Environmental Services and Energy Services see no issues with this request.

Council Discussion: Council takes desired action

Staff Evaluation: Staff will be in attendance

Budget/Funding: The cost of a new sign is estimated to be no more than \$100.00.

Legal Evaluation: Town Attorney will be in attendance

Staff Recommendations: None

Town Manager Recommendation: Town Manager will be in attendance

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

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

Work Session

From: Sammy Campbell <singerboy3550@yahoo.com>

Reply-To: "singerboy3550@yahoo.com" <singerboy3550@yahoo.com>

Date: Tuesday, November 29, 2016 at 3:17 PM

To: Joe Waltz <jwaltz@frontroyalva.com>

Subject: Naming of Alley Way

Dear Mr. Waltz, I am writing you for a request of naming an alley way that is located by Maddox Funeral Home. My name is Sammy Campbell and I have been an employee of Maddox Funeral Home for nearly 30 years. Mr. Arthur Maddox had mentioned the alley way being named after his family on several occasions. I would like to do this as a surprise to Mr. Maddox. I would like to see if it can be named Maddox Lane. I would appreciate your help in this matter. Thank you so much.

Sammy Campbell

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Town of Front Royal, Virginia
Work Session Agenda Form

Date: January 3, 2017

Agenda Item: Criser Road Trail Project
Director of Planning & Zoning

Summary:

Background:

Criser Road Trail is a planned urban trail that will run alongside E. Criser Road from its starting point near Criser Road Bridge to the intersection of E. Criser Road and South Royal Avenue. It will connect with Happy Creek Trail at its eastern extent, and with both Dickey Ridge Trail and Eastham Park Trail at its western extent. The trail is the final trail segment of the planned Royal Shenandoah Greenway.

[Attachment: A map is attached showing the location of Criser Road Trail in relationship with the other trail segments of the Royal Shenandoah Greenway.]

Criser Road Trail Project?

The primary purpose of this agenda item is for Town Staff to obtain input and direction from Town Council in regards to the design considerations that exist for the Criser Road Trail Project. This includes evaluation of the various design options that exist along the proposed route. It also includes consideration of the amount of public participation that should be involved in the design and construction phases.

[Attachment: There are four (4) distinctive segments of the trail that are illustrated on the attached exhibits. Each of these trail segment will be overviewed during the work session.]

Council Discussion: This agenda item is scheduled for a work session review on January 3, 2017.

Staff Evaluation: Town Staff will provide a presentation at the scheduled work session.

Budget/Funding: On November 28, 2016, Town Council approved funding for Criser Road Trail in the amount of \$400,000, and authorized Town Staff to proceed towards completing the design and constructing the trail. Funding was obtained from the General Fund, with a commitment to repay \$100,000 to the General Fund for the next four (4) years.

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

Town Manager: The Town Manager will be available at the work session for questions.

Council Recommendations:

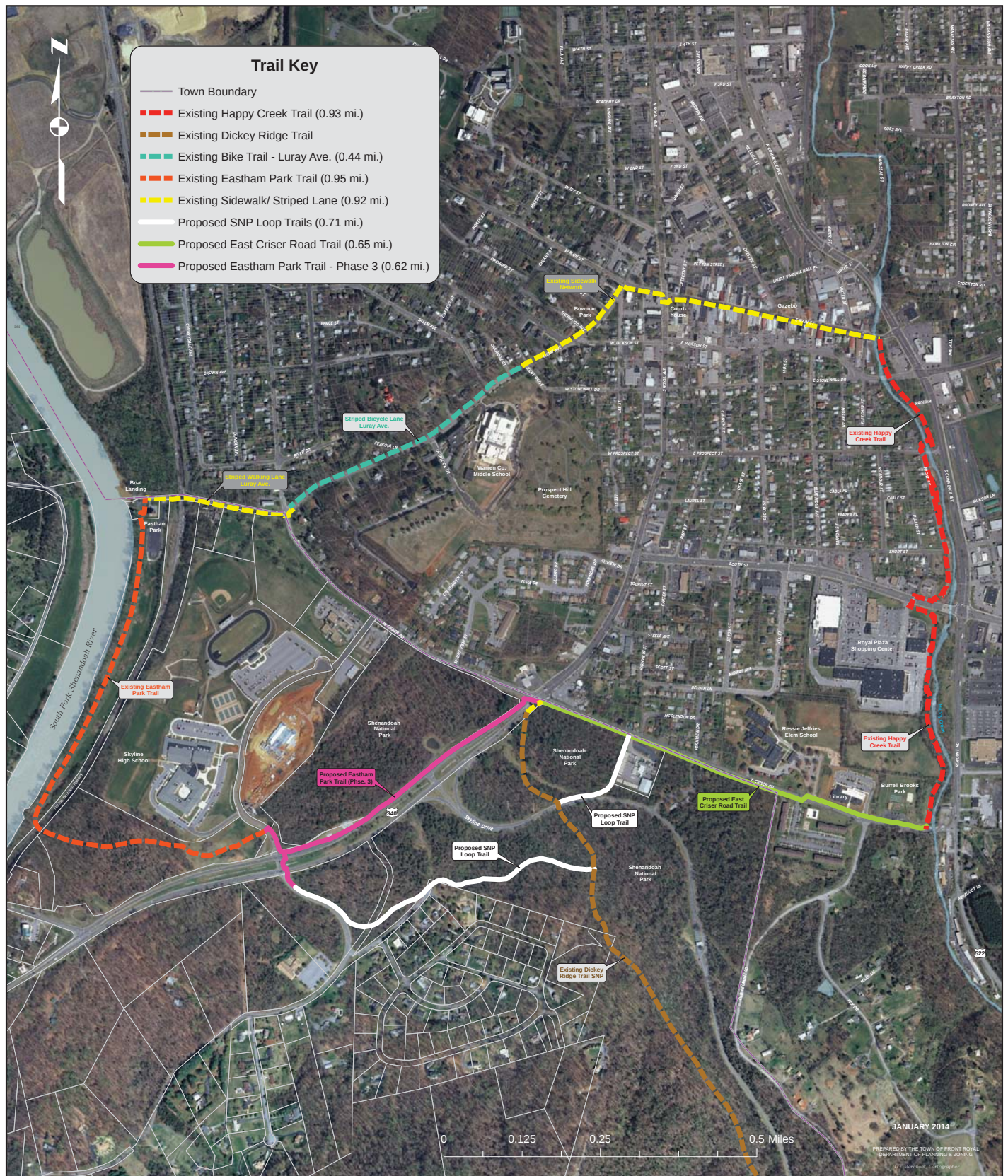
☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)

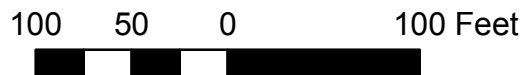
Work Session



BIKE ROUTE

Town of Front Royal, Virginia



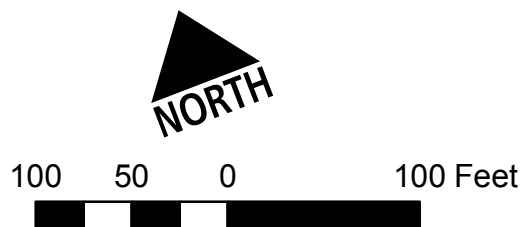
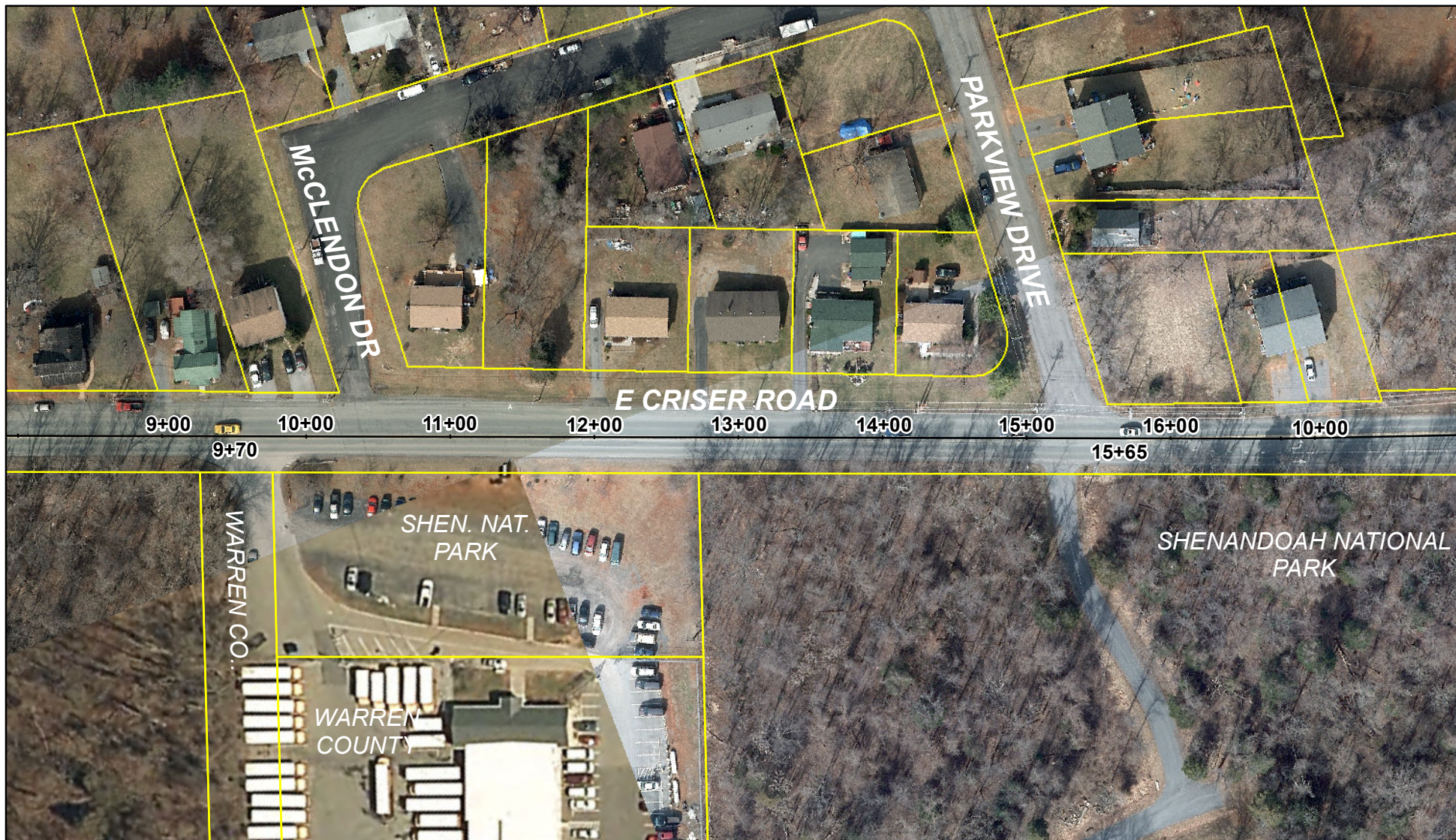


SEGMENT 1 - STA. 1+00 TO 9+70

East Criser Road Trail Project

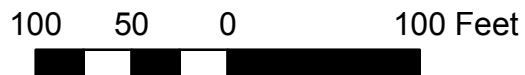
TOWN OF FRONT, VIRGINIA

December 2016



SEGMENT 2 - STA. 9+70 TO 15+65
East Criser Road Trail Project

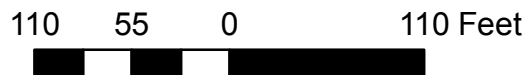
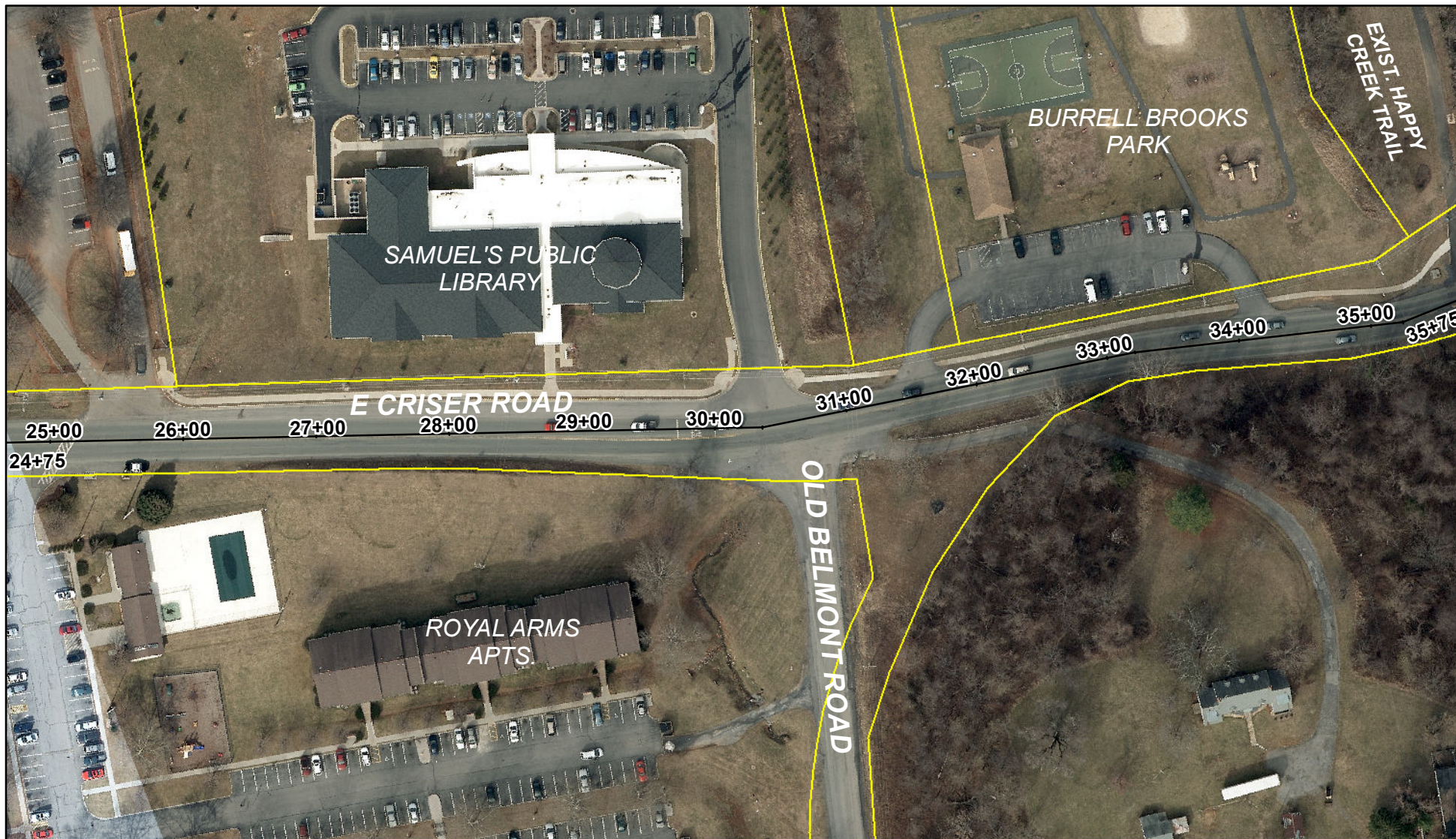
TOWN OF FRONT, VIRGINIA
December 2016



SEGMENT 3 - STA. 15+65 TO 24+75

East Criser Road Trail Project

TOWN OF FRONT, VIRGINIA
December 2016



SEGMENT 4 - STA. 24+75 TO 35+75
East Criser Road Trail Project

TOWN OF FRONT, VIRGINIA
December 2016

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Town of Front Royal, Virginia
Work Session Agenda Form

Date: January 3, 2017

Agenda Item: CRISER ROAD WALKING AND BIKING TRAIL: CONSIDERATION OF ADOPTION OF GUIDELINES FOR DESIGN-BUILD CONSTRUCTION PROJECTS

Summary: Town Council, at a recent Meeting, directed staff to expedite development of the Criser Road Walking and Biking Trail. The Town Manager met with Planning and Environmental Services staff and decided that a design-build method of procurement might be an expeditious method of designing and completing the project, as opposed to the other two other statutorily methods permitted by the Virginia Public Procurement act, that is, competitive sealed bidding and competitive negotiation. The statute governing the design-build process is governed by Va. Code § 2.2-4308, which states (sorry that it is lengthy and complicated, but it bears reading in order to understand the process):

Va. Code § 2.2-4308-- Design-build or construction management contracts for public bodies other than the Commonwealth; eligibility requirements; award of contract; records to be kept. —

A. While the competitive sealed bid process remains the preferred method of construction procurement for public bodies in the Commonwealth, any public body other than the Commonwealth may enter into a contract for construction on a fixed price or not-to-exceed price design-build or construction management basis provided the public body complies with the requirements of this section and has implemented procedures consistent with the procedures adopted by the Secretary of Administration for utilizing design-build or construction management contracts. Prior to making a determination as to the use of design-build or construction management for a specific construction project, the public body shall have in its employ or under contract a licensed architect or engineer with professional competence appropriate to the project who shall advise the public body regarding the use of design-build or construction management for that project and who shall assist the public body with the preparation of the Request for Proposal and the evaluation of such proposals.

Prior to issuing a Request for Proposal for any design-build or construction management contract for a specific construction project, the public body shall:

1. Have adopted, by ordinance or resolution, written procedures governing the selection, evaluation and award of design-build and construction management contracts. Such procedures shall be consistent with those described in this chapter for the procurement of nonprofessional services through competitive negotiation. Such procedures shall also require Requests for Proposals to include and define the criteria of such construction project in areas such as site plans; floor plans; exterior elevations; basic building envelope materials; fire protection information plans; structural, mechanical (HVAC), and electrical systems; and special telecommunications; and may define such other requirements as the public body determines appropriate for that particular construction project. Such procedures for:

a. Design-build construction projects shall include a two-step competitive negotiation process consistent with the standards established by the Division of Engineering and Buildings of the Department of General Services for state agencies.



b. Construction management projects shall include selection procedures and required construction management contract terms consistent with the procedures as adopted by the Secretary of Administration.

2. Have documented in writing that for a specific construction project (i) a design-build or construction management contract is more advantageous than a competitive sealed bid construction contract; (ii) there is a benefit to the public body by using a design-build or construction management contract; and (iii) competitive sealed bidding is not practical or fiscally advantageous.

B. The contract shall be awarded to the fully qualified offeror who submits an acceptable proposal determined to be the best value in response to the Request for Proposal.

To the knowledge of any Town employee, the Town has never entered into a design-build construction project. Consequently, Town Council has not adopted a resolution or ordinance setting out written procedures governing the selection, evaluation and award of design-build contracts. In addition, the Town no longer has a professional engineer in its employ, so the Town will have to enter into a contract with a professional engineer. The Procurement Act mandates that selection of an engineer must be accomplished by a separate competitive negotiation process prior to the engineer's hire, and prior to undertaking the design-build procurement process. To sum up, Town Council will (1) first have to adopt a resolution or ordinance (a resolution is faster) setting out written procedures for design-build procurement contracts; (2) enter into competitive negotiations with a professional engineer to assist the Town with the project; and (3) undertake a design-build construction project that shall include a two-step competitive negotiation process consistent with the standards established by the Division of Engineering and Buildings of the Department of General Services for state agencies.

Council Discussion: Council is requested to consider whether or not it wants to adopt the Town's official policies, or, guidelines, prior to its considering proposals by private entities to enter into public-private partnerships with the Town in order to finance, build and equip "qualifying projects."

Staff Evaluation: Whether or not the a design-build method of construction is Town Council's preferred mode of accomplishing Criser Road Trail, it may be worth considering adopting design-build procedures, passing them, and having them in place for the future, because there may well be a time when a design-build method will be the preferred way to go, even if not for the Criser Road Trail.

Budget/Funding: None at this time.

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

Staff Recommendations: Staff recommends that Town Council consider adoption of design-build procedures, passing them, and having them in place for the future, because there may well be a time when a design-build method will be the preferred way to go, even if not for the Criser Road Trail.

Town Manager Recommendation: The Town Manager concurs with staff's recommendation.

Council Recommendation:

☐ Additional Worksession ☐ Regular Meeting ☐ No Action

RESOLUTION

WHEREAS, Va. Code § 2.2-4308 allows localities the option of entering into a contracts for construction on a fixed price or not-to-exceed price design-build basis provided the public body complies with the requirements of this section and has implemented procedures consistent with the procedures adopted by the Secretary of Administration of the Commonwealth of Virginia for utilizing design-build or construction management contracts; and

WHEREAS, prior to issuing a Request for Proposal for any design-build contract for a specific construction project, the public body shall have adopted, by ordinance or resolution, written procedures governing the selection, evaluation and award of design-build contracts, in accordance with the requirements of Va. Code § 2.2-4308, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Front Royal, Virginia, a municipal corporation, does hereby resolve and adopt the written “Town of Front Royal Design-Build Procedures”, in accordance with the requirements of Va. Code § 2.2-4308.

THIS RESOLUTION THIS RESOLUTION was adopted by the following vote of Town Council, including the Vice-Mayor, all of whom were present and voting, of Town Council voting “Yes” below at a Regular Meeting of the Town Council of Front Royal, Virginia, on January , 2017:

Motion to Approve by: _____

Seconded by: _____

Town Council Members:

John P. Connolly _____ Bébhinn C. Egger _____

Jacob Meza _____

William A. Sealock _____ Eugene R. Tewalt _____

APPROVED AS TO FORM: _____

Douglas W. Napier, Town Attorney Date

TOWN OF FRONT ROYAL DESIGN-BUILD PROCEDURES

PURPOSE

The following procedures will govern the selection, evaluation and award of all design-build contracts.

BACKGROUND

Pursuant to the Code of Virginia § 2.2-4308, the Town of Front Royal, Virginia, a municipal corporation (the “Town”) may contract to secure Design-Build (“D-B”) services on a fixed price or not-to-exceed price basis.

PROCEDURES FOR UTILIZING DESIGN-BUILD CONTRACTING

The following procedures shall be used for the procurement of Design- Build (“D-B”) contracts:

1. **LICENSED ARCHITECT OR ENGINEER:** Prior to making a determination regarding the use of D-B, the Town shall employ or contract with a licensed architect or engineer as provided by Virginia Code § 2.2-4308 and other applicable provisions of the Virginia Public Procurement Act, who shall assist the Town with the Request for Proposal and the evaluation of such proposals.
2. **DETERMINATION REGARDING USE OF D-B:** The Town’s Purchasing Agent (“Purchasing Agent”) must determine in writing that for a specific project a design-build contract is more advantageous than a separate design contract and a competitive sealed bidding construction contract (design, bid, build), that there is benefit to the Town in using a design-build contract, and that competitive sealed bidding is not practical or fiscally advantageous.
3. **D-B SELECTION:** On projects approved for D-B, procurement of the contract shall be a two-step competitive negotiation process. The following procedures shall be used in selecting a design-builder, negotiating and awarding the contract:

A. Selection Advisory Committee

The Purchasing Agent shall appoint a Selection Advisory Committee (SAC) of not fewer than three (3) members, one of whom shall be the architect or professional engineer employed by or under contract with the Town.

B. (STEP1) Selection of Qualified Offerors

i. The Purchasing Agent shall issue a written Request for Qualifications (RFQ) by advertising in a newspaper of general circulation in the Town and posting on the Town's website at least ten (10) days preceding the date set for the receipt of qualifications. In addition, qualifications may be solicited directly from potential offerors.

ii. The RFQ shall indicate in general terms that which is sought to be procured, specifying the factors which will be used in evaluating the potential offeror's qualifications, and containing or incorporating by reference the other applicable contractual terms and conditions, including any unique capabilities or qualifications which will be required of the offeror. The RFQ shall request of potential offerors only such information as is appropriate for an objective evaluation of all potential offerors.

iii. The RFQ shall contain procedures for comments concerning specifications or other provisions of the RFQ to be received and considered prior to the time set receipt of qualifications.

iv. The SAC shall evaluate each responding firm's submittals and any other relevant information. It shall then determine which firms are qualified on the basis of the selection criteria set forth in the RFQ. An offeror may be denied prequalification only upon the grounds specified in Virginia Code § 2.2-4317. The SAC shall determine a minimum of two (2) firms that are qualified; however, if only one (1) firm responds, the SAC may evaluate that submittal.

v. At least thirty (30) days prior to the date established for the submission of proposals, the Purchasing Agent shall advise in writing each offeror that sought prequalification whether that offeror has been prequalified. In the event that an offeror is denied prequalification, the written notification to such offeror shall state the reasons for such denial of prequalification and the factual basis for the denial.

c. (STEP II) Selection of D-B Contractor

i. The Purchasing Agent shall prepare a Request for Proposal (RFP) that shall:

(1) Define the pre-design, design phase, bid phase and/ or construction phase services to be performed by the design-builder;

(2) Include and define the requirements of the specific construction project in areas such as site plans, floor plans, exterior elevations, basic building envelope materials, fire protection information plans, structural, mechanical (HVAC) and electrical systems, special information technology, and audio, visual or telecommunication equipment;

(3) Specify the criteria that will be used in evaluating the proposals;

(4) Contain or incorporate by reference the applicable contractual terms and conditions, including any unique capabilities or qualifications that will be required of offerors;

(5) Contain procedures for comments concerning specifications or other provisions of the RFP to be received and considered prior to the time set receipt of proposals; and

(6) Include such other requirements as the Purchasing Agent deems appropriate for the construction project.

ii. At least ten (10) days prior to the date set for receipt of proposals, the Purchasing Agent shall invite those potential offerors determined to be qualified under Step 1 to submit sealed technical and cost proposals. An offeror's cost proposal shall be sealed and kept separately by the Purchasing Agent from its technical proposal. Cost proposals will be secured and kept sealed until evaluation of all technical proposals is completed.

iii. The SAC shall evaluate such technical proposals based on the criteria set forth in the RFP and select two or more offerors deemed to be fully qualified and best suited among those submitting proposals based on the criteria set forth in the RFP. (However, if only one

proposal is submitted, the SAC may proceed to discuss and evaluate that proposal.) The SAC shall hold discussions with each of the selected offerors, exercising care to discuss the same owner information with each offeror. In addition, the SAC shall not disclose any trade secret or proprietary information for which the offeror has invoked protection pursuant to Virginia Code§ 2.2-4342 (F).

iv. Upon completion of the discussions, the SAC shall determine whether any changes to the proposals should be requested to correct errors or omissions, to clarify ambiguities, or to incorporate project improvements or additional details identified by the SAC during its review. In response to the requested changes, offerors may submit revised technical proposals, as well as sealed modifications to their cost proposals. The SAC will complete its evaluations of the revised technical proposals, after which the Purchasing Agent shall publicly open and tabulate the cost proposals, including any modifications.

v. The SAC shall rank the proposals and make its recommendation, based upon its evaluation of the technical and cost proposals (and any amendments) according to the criteria included in the RFP, on the selection of a Design-Builder to the Town Manager. The contract shall be awarded to the offeror who is fully qualified and who has been determined to have provided the best value in response to the RFP.

vi. The Purchasing Agent shall place the item on the Town Council agenda to request approval of the proposed contract.

vii. The Purchasing Agent shall inform all offerors as to which offeror was selected.

4. **ADDITIONAL PROCEDURES:** The Purchasing Agent may promulgate such additional procedures, not inconsistent with these provisions or state law, and consistent with the procedures for the procurement of nonprofessional services through competitive negotiation, as deemed necessary and appropriate to effect the selection and evaluation of offerors and the award of D -B contracts.

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Town of Front Royal, Virginia Work Session Agenda Form

Date: January 3, 2017

Agenda Item: CONSIDERATION OF VACATION OR SALE OF 675 SQ. FT. OF 15TH STREET FOR COOL HARBOR MOTEL

Summary: Beginning on September 23, 2002, the Town of Front Royal entered into a series of leases with the then-owner, Solid Gold, Inc., of Cool Harbor Motel, (hereafter “Cool Harbor Motel”) for a portion of the right of way of 15th Street consisting of approximately 675 square feet (0.0155 acre, or a bit more than 1/100 acre). Monthly rental was agreed upon at \$300.00 per month. This lease was to allow the continuance of an encroachment of a small part of the Motel which apparently was erected by the original owner, Homer LeHew, when the Motel was originally built on or about 1949. It has apparently been leased from the Town to the owners of the Motel at least since 1956. The encroachment is on an unpaved, unused by the public, portion of the right of way of 15th Street, that is remained in this same condition since Cool Harbor Motel was built about 66+ years ago. The lease was most recently renewed in 2015 for a five (5) term with the then-owner, terminable at the will of the Town (in case the Town wishes to widen 15th Street). In February, 2016, the ownership of Cool Harbor Motel was transferred to Arihanna Corporation dba Cool Harbor Motel, Mahesh Patel, President. The new ownership wishes to upgrade the business by obtaining a Motel 6 franchise, which will entail physical improvements to the facility. Ownership wants to obtain a Small Business Administration loan to fund the improvements. SBA regulations require that the lease Cool Harbor Motel has with the Town be for the full length of the loan, 20 years, and not be terminable at will. This will cause issues with the Constitution of Virginia, below, if a lease is longer than five (5) years, or is terminable at will (that is, if the Town reserves the right to terminate the lease in order to widen and improve 15th Street).

A copy of documentation from the President of Cool Harbor Motel is attached, which further explains this situation.

Here is some of the law that governs this situation, and that the Town will need to consider going forward:

The Constitution of Virginia [1971] Article 7 Local Government

Section 9. Sale of property and granting of franchises by cities and towns. — No rights of a city or town in and to its waterfront, wharf property, public landings, wharves, docks, streets, avenues, parks, bridges, or other public places, or its gas, water, or electric works shall be sold except by an ordinance or resolution passed by a recorded affirmative vote of three fourths of all members elected to the governing body.

No franchise, lease, or right of any kind to use any such public property or any other public property or easement of any description in a manner not permitted to the general public shall be granted for a longer period than forty years, except for air rights together with easements for columns of support, which may be granted for a period not exceeding sixty years. Before granting any such franchise or privilege for

a term in excess of five years, except for a trunk railway, the city or town shall, after due advertisement, publicly receive bids therefore. ...

Va. Code § 15.2-2100. Restrictions on selling certain municipal public property and granting franchises. —

A. No rights of a city or town in and to its waterfront, wharf property, public landings, wharves, docks, streets, avenues, parks, bridges, or other public places, or its gas, water, or electric works shall be sold except by an ordinance passed by a recorded affirmative vote of three-fourths of all the members elected to the council, notwithstanding any contrary provision of law, general or special, and under such other restrictions as may be imposed by law. ...

B. No franchise, lease or right of any kind to use any such public property or any other public property or easement of any description, in a manner not permitted to the general public, shall be granted for a period longer than forty years....

Before granting any such franchise or privilege for a term in excess of five years, except for a trunk railway, the city or town shall, after due advertisement, publicly receive bids therefor, in such manner as is provided by § [15.2-2102](#), and shall then act as may be required by law.

2004 Va. AG 38 -- Article VII, § 9 of the Constitution of Virginia and § [15.2-2100](#) impose two distinct restrictions on cities. First, a city may not sell a park **[note: other case law makes it clear that this just as well could be a public street]** without “a recorded affirmative vote of three fourths of all members elected to the governing body.”³ This requirement applies to public places devoted to use by the public at large or by the municipality itself in carrying out its governmental functions.⁴ Second, the grant of any franchise, lease, or right to use city parks **[or streets]** “or any other public property or easement of any description in a manner not permitted to the general public”⁵ is limited to forty years in duration.⁶

TOWN CODE 1-22 SALE OF TOWN PROPERTY

A. No real estate owned by the Town shall be sold unless the following requirements have been complied with:

- 1. The Town Council shall hold a public hearing upon the question of the sale after two (2) publications in a newspaper published or having general circulation in the Town.*
- 2. The Town Council shall authorize by resolution the terms of the sale.*
- 3. Bids shall be accepted by the Purchasing Agent on the date such property is advertised for sale. 4. The Town Council shall authorize the acceptance, or rejection, of the best bid at the first available regular Town Council meeting.*

*C. Any deviation **[from the bidding requirement]** from the foregoing procedures shall be authorized by resolution adopted by the Town Council, with the reasons therefore stated therein.*

Council Discussion: The way I see it, there are a number of ways to approach this request (maybe someone can think of some other ways): (1) A lease could be granted Cool Harbor for the life of the SBA loan, that is, for 20 years, and the Town would first receive bids from the public. My understanding is

that Cool Harbor Motel is not requesting that this route be followed. (2) The right of way for the 675 sq. ft. encroachment area could be vacated, in the manner of the attached Town's Vacation of Streets/Alleys. (3) Town Council can sell the 675 sq. ft. of encroachment area to Cool Harbor Motel. To do this, Town Council should first hold a public hearing on the advisability of selling the property. In that manner, it gets the biggest time hurdle out of the way in the very beginning. A three-quarters (3/4) supermajority vote is required by State Code. Bids would not be required for a sale. (4) The Town could deny Cool Harbor Motel's request, in which case in order for Cool Harbor to proceed with SBA financing and obtaining its Motel 6 franchise, it would need to remove the encroachment by tearing down and removing this part of its building. According to the attached estimate, this would cost Cool Harbor Motel about \$31,000.

Staff Evaluation: Staff does not anticipate 15th Street being widened so as to require that Cool Harbor not be allowed to remain where it has been located for the past 65 or more years; however, this is clearly a call for Town Council to make.

Budget/Funding: None required.

Legal Evaluation: **Staff Recommendations:** See above.

Town Manager Recommendation: Town Manager concurs with staff.

Council Recommendation:

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

December 1st, 2016

Town of Front Royal
Attn: Douglas Napier, Town Attorney
102 East Main Street
Front Royal, VA 22630

Re: Cool Harbor Motel: Purchase of Land Encroachment

Dear Mr. Napier:

On February 18th, 2016, we purchased the Cool Harbor Motel located at 141 and 143 West 15th Street, Front Royal, Virginia. As part of that purchase, a portion of our financing is being made in conjunction with the Small Business Administration's (SBA) 504 Program, funding of which has been delayed due to the existing encroachment of a portion of our building on a town easement. Specifically, a portion of our existing building addition encroaches upon the dedicated right-of-way of 15th Street, approximately 220-260 feet East of its intersection with North Shenandoah Avenue.

We, along with the former owners, have had a long-standing lease with the town that has allowed for the encroachment, which is currently valid through June 30th, 2022. Typically, the SBA allows for these leases to exist; however, there are specific requirements that must be met. Namely, SBA requires that the lease between the town and property owner be for at least the length of the SBA loan (20 years), and the lease must not be terminated "at will" by the lessor. It is our understanding that the town is prohibited from fulfilling either of these requirements. Further, we have learned that affirmative title insurance coverage is not available on the portion of our building that is in the encroachment, since the lease will expire prior to the end of the SBA term loan. SBA will not provide funding without full title insurance coverage.

In order to finalize our purchase financing, we are formally expressing our interest in purchasing the small portion of the town's land that our building is situated on. The purchase will have a number of positive results for both our business and the town:

1. Allow us to finalize the purchase financing of the hotel property utilizing the SBA's 504 Program;
2. Allow us to perfect our ownership in the real estate property;
3. Provide sales income to the Town of Front Royal through the sale of the small portion of land;
4. Ensure our ongoing hotel operations, which benefits the economic development goals of the town with continued job creation and retention, as well as a continuation of tax revenue streams.

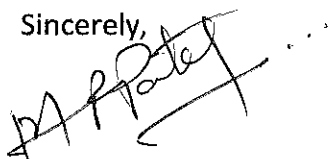
As you may also be aware, part of our goal within the next 12 months is to fully renovate the motel under the Motel 6 franchise flag, and perfecting our full ownership of the real estate is a

key part of that transition that must be completed as soon as possible. Once complete, the motel property is expected to generate increased revenue, which benefits our business and the town as a whole.

We would like to move forward with this as quickly and expeditiously as possible; our goal is to close on this by January 15th, 2017. The portion of our permanent financing to be provided by the SBA 504 Program is currently being held by Summit Bank under a temporary/bridge loan that matures in January 2017, so finalizing this purchase by then is vital to our ongoing business operations.

I have attached a copy of our property survey for your review. Please let me know what additional information you require from us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mahesh Patel', with a large, stylized flourish extending from the end of the signature.

Mahesh Patel

President

Ariahnna Corporation dba Cool Harbor Motel

141 and 143 West 15th Street

Front Royal, Virginia

Phone: 248-730-0913

Email: mahesh30patel@gmail.com

HORIZONS
GENERAL CONTRACTING
276-243-6768

Name Coll Harbor Motel
Address 141 West 15th ST.

Date 8-30-16
City Front Royal Va 22630

1. Scope of Work: After obtaining all necessary permits demolish one side of (2) story apts to remove back (49) feet to include roof line.

2. Rebuild the same and finish all interior space.

Total 30,795.⁰⁰

Micah T. McKinnon
MICAH T. MCKINNON,
GENERAL CONTRACTOR

8-30-16
DATE

[Signature]
CUSTOMER OF SERVICES

08/30/16
DATE

**G6 HOSPITALITY FRANCHISING LLC
FRANCHISE AGREEMENT TERMS SHEET**

Development Director: Rick Schaeffer

Date: June 22, 2016

Brand: Motel 6

Type: Conversion

Room Count: 60

Address, City and State: 141 West 15th Street, Front Royal, VA 22630

Franchisee (entity): Jigneshkumar Patel

Contact Name: Jigneshkumar Patel

If existing Franchisee, city, state and location # of other properties: Motel 6 Roanoke, VA #4824 and Lake Charles, LA #8703

Contract Terms (the following terms are only applicable if you sign and return the Franchise Agreement by 6/30/16):

1. Franchise Fee: \$23,000 (multi-unit owner discount). Franchise fee must be issued and returned with the execution of the Franchise Agreement.
2. Protected Territory: An eight (8) mile radius from the Approved Location.
3. Royalty Fee Structure: 4% for years 1 through 3; 3.5% for years 4 through 6; 4% for years 7 through 9; and 5% for the remainder of the Term.
4. Mutual Termination Windows: 5 and 10 years from the Opening Date.
5. Other Terms: (1) The Renovation Assistance Fee of \$5,000 is due 30 days after the Opening Date; (2) the software license fee of \$6,500 is waived; (3) liquidated damages will be capped at \$50,000; (4) a \$10,000 post-opening credit will be issued as follows: \$5,000 after the Opening Date and \$5,000 45 days after the Opening Date; (5) the transfer fee will be waived provided it is applied for within six (6) months from the Effective Date.

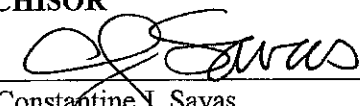
I have reviewed and agree in principal to the above-referenced terms and I understand that these terms are not binding on G6 Hospitality Franchising LLC until these terms are incorporated into a written, signed Franchise Agreement between the parties. No representation, understanding or agreement, oral or written, have been made or relied upon for this Franchise Agreement Term Sheet other than as specifically set forth herein. If this document is altered by the prospective franchisee, it shall become null and void.

FRANCHISEE

By: 

Name: Jigneshkumar Patel

FRANCHISOR

By: 

Name: Constantine J. Savas

Title: Executive Vice President, Franchise Development and Management



U. S. SMALL BUSINESS ADMINISTRATION
Virginia (Richmond) District Office
400 North 8th Street, Eleventh Floor
Richmond, VA 23219

November 7, 2016

Ariahnna Corporation dba Cool Harbor Motel (operating company)
Attention Mahesh Patel, President and Mahesh Patel & Ashika Deshpande, borrowers
141 and 143 West 15th Street
Front Royal, VA 22630

Dear Mr. Patel:

The purpose of this letter is to explain the Small Business Administration's position in objecting to an encroachment on the project collateral securing a loan to Mahesh Patel & Ashika Deshpande, borrowers dba Cool Harbor Motel.

By the terms and conditions of SBA's regulations, policies and most specifically, the loan authorization, SBA must be provided, in part, an unimpaired 2nd deed of trust lien position on project property located at 141 and 143 West 15th Street, Front Royal, VA. An encroachment has been identified of an improvement that has been built on land not owned by the borrower.

My job, as District Counsel, requires that I issue a legal opinion, supported by a valid title policy on the premises. Due to the encroachment, I could not opine on SBA's the required unencumbered lien position. The title company was unable to provide the necessary endorsement over this issue. SBA was not and is not will to bear the potential risk of loss due to such an encroachment. Moreover, a quick review of the lease showed that it could be terminated "at will" of the Town and was for only a fraction of the term of SBA's indebtedness.

Due to the discovery of this impediment in title on the project property, SBA will be unable to close on this loan. The only way that I can foresee resolution is for the borrower to purchase the land covering the encroachment from the Town of Front Royal. The Title Company at that time should be in a position to provide an adequate coverage in their policy without exception for this encroachment.

It is my hope that you will be successful in eliminating this encroachment so that we may proceed with closing.

Sincerely,

Dawn DiBenedetto
Attorney, U.S. Small Business Administration

c: J. DiStefano, President Rappahannock Certified Development Company



10 November 2016

Town of Front Royal
Attn: Douglas Napier, Town Attorney
102 East Main Street
Front Royal, VA 22630

RE: Cool Harbor Motel

Dear Mr. Napier:

Thank you for your assistance over these last several months as we have all worked towards the closing on Mahesh Patel's purchase of the Cool Harbor Motel.

As you may recall, Mr. Patel's purchase of that real estate property is being financed, in part, through the Small Business Administration's 504 Program, which our organization facilitates. Our closing has been delayed by several months due to the building's encroachment on the town's land, with those specific issues outlined in the SBA's letter dated November 7th. As a result, Mr. Patel is seeking to work with the town in purchasing that small section of land from the town, which is the only avenue available at this point in order to be eligible for financing under the SBA 504 Program.

Mr. Patel has also informed us that he is in the process of transitioning the hotel to operate under the Motel 6 flag. We believe this is a good move, as it provides national brand recognition to the business and will require several improvements to the property that will only increase its value and attractiveness. For the town, the potential for increased sales and real estate tax revenue is much greater, and the business's growth is also projected to create additional jobs, which is good for the town and is also an economic development goal for the SBA Program. We fully support that transition; however, we can only move towards that once we are able to finalize our financing, which requires the purchase of the additional land from the town.

I'm happy to help you and Mr. Patel in any way. If I can be of further assistance, or if you would like to discuss, please feel free to reach out to me.

Sincerely,

Joe DiStefano

Joe DiStefano
President
Rappahannock Economic Development Corporation
1125 Jefferson Davis Hwy, Suite 420
Fredericksburg VA 22406
Office: 540-373-2897
Cell: 540-226-6131

VACATION OF STREETS/ALLEYS

1. Vacation of Town streets and alleys shall be considered upon the written application of any person, or upon the motion of the Town Council.
2. All applications from private individuals shall be made to the Town Manager, shall be accompanied by a current plat of the street or alley (with a metes and bounds description) proposed for vacation. Applications shall also be accompanied by an administrative fee in the amount of one hundred dollars (\$100.00).
3. Upon receipt of the written request, the Clerk of Council shall notify the adjoining property owners of the request, allowing them thirty (30) days to submit, in writing, any comments/concerns they may have. This opportunity to submit comments/concerns shall be for the purpose of consideration of what inconveniences may occur by the Viewing Committee only. It shall be understood that application to vacate a street/alley is on a first come, first serve basis; and, that this comment period is not meant to allow the adjoining property owners to pre-empt the applicant.
4. Following this comment period, the Town Manager shall employ not less than three (3) nor more than five (5) viewers to examine the street or alley, and then to informally report what inconveniences shall result from the vacation and whether in their opinion the vacation should be approved. The Viewers shall be paid fifty dollars (\$50.00), with the applicant to reimburse the Town for this cost.
5. Upon receipt of the informal Viewers Committee report, the Town Manager shall contact the applicant to determine whether he/she wishes to continue the vacation process. If the applicant responds to the Town Manager's inquiry in the negative, the process shall be closed and the applicant shall be sent a bill for the costs incurred by the Town to date. If the applicant responds in the affirmative, the Town Manager shall engage the services of a real estate appraiser, certified to handle such appraisals (i.e. commercial appraiser in the case of commercial property), to guide the parties' understanding of the property's fair market value. The selection of the appraiser shall be at the sole discretion of the Town Manager. The Town Manager and the applicant shall meet with the appraiser prior to the commencement of the appraisal to outline the intended use of the property to be vacated. Any special instructions shall be given to the appraiser at that time. The applicant shall be required to reimburse the Town for the costs of the appraisal service. Upon the completion of the appraisal, both parties will be provided a copy of the appraisal report.
6. As a condition of the vacation, the Council may require that its streets, alleys, and/or other public rights-of-way be purchased at the property's fair market price or its contributory value to the abutting property, whichever is greater, or the

amount agreed to by the parties. The applicant shall make a formal offer to the Town Manager for purchase of street, alley or public right-of-way. The Town Manager shall, if appropriate, negotiate on behalf of Town Council in an attempt to arrive at a mutually agreeable purchase price.

7. Following submission of the applicant's final offer, the Town Manager shall reconvene the Viewing Committee to review the appraisal and any conditions that may have been negotiated between the Town Manager and the applicant. The Viewing Committee shall then formally report, in writing, what inconveniences will result from the vacation and whether in their opinion the vacation should be approved.
8. Following receipt of the Viewers Report, the Clerk of Council shall advertise a notice of public hearing (including date, time and place of the hearing) for the proposed vacation, said notice to be published at least twice in a newspaper having general circulation in the Town, with at least six days lapsing between the first and second publication. The applicant shall reimburse the Town for the costs of the advertisement.
9. At the same time as the initiation of the advertisement, the Clerk of Council shall notify the adjoining property owner(s), by certified mail, of the public hearing date, time and place, with the Town being reimbursed for said costs by the applicant.
10. During the public hearing, the Town Council shall hear the public's views, consider the Viewer's Report, review any recommendation of the Town Manager and vote on the proposed vacation. When the applicant requests the vacation to accommodate the expansion or development of an existing or proposed business, the Council may condition the vacation upon the commencement of the expansion or development within a specified period of time. If the applicant fails to commence the expansion or development within the specified time, at the option of the Council, the vacation may be voided. No such vacation shall be concluded until the agreed purchase price has been paid.
11. Any appeal of the Council's action with regard to the vacation request shall be filed within sixty (60) days of said action with the Warren County Circuit Court.

(Council approval – June 12, 2000)

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Town of Front Royal, Virginia Work Session Agenda Form

Date: January 3, 2017

Agenda Item: Revise Resolution Pertaining to Designation of FOIA Officer

Summary: On June 27, 2016 Council passed a Resolution designating the Town Manager as Front Royal's FOIA (Freedom of Information Act) Officer due to legislation passed that required this designation effective July 1, 2016. Interim Joe Waltz is seeking to add the words "or his designee" to the resolution to give the Town Manager now and in the future more flexibility to insure that FOIA requests get processed in a timely manner if the situation so arises. The Town Manager will also insure that the designee will abide by the FOIA Policy and be trained annually as indicated in the Resolution.

Council Discussion: Council takes desired action

Staff Evaluation: Staff will be in attendance

Budget/Funding: None

Legal Evaluation: Town Attorney will be in attendance

Staff Recommendations: None

Town Manager Recommendation: Town Manager will be in attendance

Council Recommendation:

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

Work Session



Town of Front Royal, Virginia



**RESOLUTION
DESIGNATION OF FOIA OFFICER**

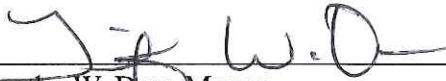
WHEREAS, the Commonwealth of Virginia adopted HB 818 that requires each county, city, and Town to designate and identify a local FOIA officer and to provide information on the website on FOIA on the Town's homepage; and,

WHEREAS, the person designated as the FOIA Officer have specific knowledge of the provisions of FOIA and must be trained annually either by the Town Attorney or by the FOIA Advisory Council;

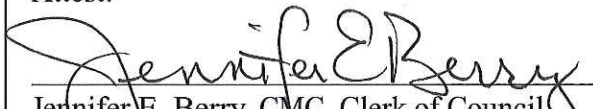
NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Front Royal, Virginia hereby designate the Town Manager as the FOIA Officer for the Town of Front Royal and hereby direct staff to add the Town's FOIA Policy to the Town's website.

Adopted this 27th day of June, 2016

APPROVED:


Timothy W. Darr, Mayor

Attest:


Jennifer E. Berry, CMC, Clerk of Council

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council on 6-27- 2016, upon the following recorded vote:

Hollis L. Tharpe	☒ Yes ☐ No	Bret W. Hrbek	☒ Yes ☐ No
Eugene R. Tewalt	☒ Yes ☐ No	Bébhinn C. Egger	☒ Yes ☐ No
John P. Connolly	☒ Yes ☐ No	Jacob L. Meza	☒ Yes ☐ No

Approved as to Form and Legality:


Douglas W. Napier, Esq., Town Attorney

6-27-16
Date

Rights & Responsibilities:

The Rights of Requesters and the Responsibilities of the Town of Front Royal under the Virginia Freedom of Information Act

The Virginia Freedom of Information Act (FOIA), located § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials, and public employees.

A public record is any writing or recording -- regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format -- that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, statutory exemption applies.

The policy of FOIA states that the purpose of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

Your FOIA Rights

- You have the right to request to inspect **or** receive copies of public records (unless specific exemptions are provided by law), or both.
- You have the right to request that any charges for the requested records be estimated in advance.
- If you believe that your FOIA rights have been violated, you may file a petition in district or circuit court to compel compliance with FOIA. Alternatively, you may contact the FOIA Council for a nonbinding advisory opinion.

Making a Request for records from the Town

- You may request records by U.S. Mail, fax, e-mail, in person, or over the phone. FOIA does not require that your request be in writing, nor do you need to specifically state that you are requesting records under FOIA.
 - From a practical perspective, it is helpful to both you and the person receiving your request to put your request in writing. This allows you to create a record of your request. It also gives us a clear statement of what records you are requesting, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to your FOIA request if you elect to not put it in writing.

- Your request must identify the records you are seeking with "reasonable specificity." This is a common-sense standard. It does not refer to or limit the volume or number of records that you are requesting; instead, it requires that you be specific enough so that we can identify and locate the records that you are seeking.
- Your request must ask for existing records or documents. FOIA gives you a right to inspect or copy records; it does not apply to a situation where you are asking general questions about the work of the Town, nor does it require the Town to create a record that does not exist.
- You may choose to receive electronic records in any format used by the Town in the regular course of business.
 - For example, if you are requesting records maintained in an Excel database, you may elect to receive those records electronically, via e-mail or on a computer disk, or to receive a printed copy of those records
- If we have questions about your request, please cooperate with staff's efforts to clarify the type of records that you are seeking, or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but we may need to discuss your request with you to ensure that we understand what records you are seeking.

To request records from the Town, you may direct your request to the Town Manager. The Town Manager can be reached at **Steven Burke, PE, 102 East Main Street, PO Box 1560, (540) 635-8007 (O), (540) 636-7475 (F), sburke@frontroyalva.com**. You may also contact him with questions you have concerning requesting records from the Town. If you are unsure whether the Town has the record(s) you seek, please contact Town Manager directly. In addition, the Freedom of Information Advisory Council is available to answer any questions you may have about FOIA. The Council may be contacted by e-mail at foiacouncil@dls.virginia.gov, or by phone at (804) 225-3056 or [toll free] 1-866-448-4100.

The Town's Responsibilities in Responding to Your Request

- The Town must respond to your request within five working days of receiving it. "Day One" is considered the day after your request is received. The five-day period does not include weekends or holidays.
- The reason behind your request for public records from the Town is irrelevant, and you do not have to state why you want the records before we respond to your request. FOIA does, however, allow the Town to require you to provide your name and legal address in the Commonwealth of Virginia.

- FOIA requires that the Town make one of the following responses to your request within the five-day time period:
 - 1) We provide you with the records that you have requested in their entirety.
 - 2) We withhold all of the records that you have requested, because all of the records are subject to a specific statutory exemption. If all of the records are being withheld, we must send you a response in writing. That writing must identify the volume and subject matter of the records being withheld, and state the specific section of the Code of Virginia that allows us to withhold the records.
 - 3) We provide some of the records that you have requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide you with the remainder of the record. We must provide you with a written response stating the specific section of the Code of Virginia that allows portions of the requested records to be withheld.
 - 4) We inform you in writing that the requested records cannot be found or do not exist (we do not have the records you want). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response to you.
 - 5) If it is practically impossible for the Town to respond to your request within the five-day period, we must state this in writing, explaining the conditions that make the response impossible. This will allow us seven additional working days to respond to your request, giving us a total of 12 working days to respond to your request.
- If you make a request for a very large number of records, and we feel that we cannot provide the records to you within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to your request. However, FOIA requires that we make a reasonable effort to reach an agreement with you concerning the production of the records before we go to court to ask for more time.

Costs

- A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. All charges for the

supplying of requested records shall be estimated in advance at the request of the citizen as set forth in subsection F of § 2.2-3704 of the Code of Virginia.

- You may have to pay for the records that you request from the Town. FOIA allows us to charge for the actual costs of responding to FOIA requests. This would include items like staff time spent searching for the requested records, copying costs, or any other costs directly related to supplying the requested records. It cannot include general overhead costs.
- If we estimate that it will cost more than \$200 to respond to your request, we may require you to pay a deposit, not to exceed the amount of the estimate, before proceeding with your request. The five days that we have to respond to your request does not include the time between when we ask for a deposit and when you respond.
- You may request that we estimate in advance the charges for supplying the records that you have requested. This will allow you to know about any costs upfront, or give you the opportunity to modify your request in an attempt to lower the estimated costs.
- If you owe us money from a previous FOIA request that has remained unpaid for more than 30 days, the Town may require payment of the past-due bill before it will respond to your new FOIA request.

Commonly used exemptions

The Code of Virginia allows any public body to withhold certain records from public disclosure. The Town commonly withholds records subject to the following exemptions:

- Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
- Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
- Vendor proprietary information (§ 2.2-3705.1 (6))
- Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))

Policy regarding the use of exemptions

State any written policy your agency may have regarding when statutory exemptions will be invoked to withhold records. For example:

- The general policy of the Town is to invoke the personnel records exemption in those instances where it applies in order to protect the privacy of employees and officials of the Town.
- The general policy of the Town is to invoke the contract negotiations exemption whenever it applies in order to protect The Town's bargaining position and negotiating strategy.

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Town of Front Royal, Virginia Work Session Agenda Form

Date: January 3, 2017

Agenda Item: Update on the Disposition of Town Real Estate

Summary: In preparation for the sale of the former Electric building, staff has advertised for a public hearing on January 9, 2017 according to Town Code section 1-22 Sale of Town Property. Town Council will need to determine next step for sale with a resolution on the terms of sale.

Council Discussion:

Staff Evaluation: Staff will be available

Budget/Funding: N/A

Legal Evaluation: Town Attorney will be available

Staff Recommendations: See below

Town Manager Recommendation: Recommends passing a resolution on the terms of the sale for potential offers for the sale of former Electric Building located at 520A E. 6th Street.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

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

Work Session

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Town of Front Royal, Virginia Work Session Agenda Form

Date: January 3, 2017

Agenda Item: Various Council Appointments

Summary: Below is a list of various Committees that require Council attention. All terms expired December 31, 2014. Approval of all appointments will be placed on the January 9, 2017 Regular Council Agenda for formal approval

- Vice Mayor - Once appointed, term will end December 31, 2018.
- Northern Shenandoah Valley Regional Commission (NSVRC) Elected Representative – to serve on the NSVRC to fill an expired term left vacant by former Councilman Hrbek. The said term will expire when the representatives' term expires.
- Audit/Finance Committee – the committee is composed of the Mayor, two councilmembers, the Finance Director, the Town Manager and the Town's Auditor. Terms for the two councilmembers is one year, ending December 31, 2017. Former Councilman Hrbek and Councilman Tewalt were elected to this committee November 23, 2015 for calendar year 2016.

Council Discussion: Council takes desired action at the Regular Council Meeting on January 9, 2016.

Staff Evaluation: N/A

Budget/Funding: N/A

Legal Evaluation: N/A

Staff Recommendations: N/A

Town Manager Recommendation: N/A

Council Recommendation:

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

Work Session

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Town of Front Royal, Virginia Work Session Agenda Form

Date: January 3, 2016

Agenda Item: Letter of Support for Certificate of Public Need – Warren Memorial Hospital

Summary: Staff has received a request from Floyd R. Heater, President of Warren Memorial Hospital seeking a Letter of Support from the Town of Front Royal for Warren Memorial Hospitals Certificate of Public Need (COPN) Application to introduce Cardiac Catheterization Services to the community located in and around Front Royal.

Council Discussion: Council takes desired action. Formal action will be on January 9, 2017

Staff Evaluation: Staff will be in attendance

Budget/Funding: None

Legal Evaluation: Town Attorney will be in attendance

Staff Recommendations: None

Town Manager Recommendation: Town Manager will be in attendance

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

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

From: "Condon, Jennifer A." <jcondon@valleyhealthlink.com>

Date: December 22, 2016 at 3:18:30 PM EST

To: "Condon, Jennifer A." <jcondon@valleyhealthlink.com>

Subject: **LETTER OF SUPPORT NEEDED FOR CERTIFICATE OF PUBLIC NEED DEADLINE BY JANUARY 23 BY 5PM**

Sent on behalf of Floyd Heater
Good afternoon,

I am writing to let you know that the Valley Health System Board of Directors has approved for us to move forward establishing cardiac catheterization services at Warren Memorial Hospital. This decision was motivated by the fact that patients in our region (Warren, Page, Rappahannock and Shenandoah counties) are 125%, 132%, 102% and 110%, respectively, higher than the Virginia average for Acute Myocardial Infarction mortality. Currently, these patients must travel more than 25 miles to Winchester Medical Center to receive cardiac catheterization services. This distance presents considerable geographic and financial barriers to patients in need of a potentially life-saving service. We have submitted our letter of intent to Virginia Department of Health (VA DOH) which will be followed by our application for a Certificate of Public Need (COPN). As part of our application package, we would like to include letters of support from our former Board members, Foundation Board members, community representatives, physicians, employees etc. VA DOH holds these letters in high regard when making their decision.

WE NEED YOUR HELP! YOUR SUPPORT IS IMPORTANT!

Please take the ***attached Letter of Support template*** and copy onto your letterhead, sign and email or fax back to Jennifer at jcondon@valleyhealthlink.com or 540-636-0258.

The COPN application needs to be mailed on Thursday, January 26 so all **letters need to be sent to Jennifer by Monday, January 23 at 5:00PM**

Should you have any questions regarding the proposed project or require additional information, please do not hesitate to contact me at 540-636-0298 or fheater@valleyhealthlink.com. Thank you for helping us to make a difference by improving health care provided in our community.

Sincerely,

Floyd

Floyd R. Heater, FACHE

President, Warren Memorial Hospital

VHS Vice President, Southern Region

1000 North Shenandoah Avenue

Front Royal, VA 22630

540-636-0298 (Office)

540-335-4860 (Mobile)

fheater@valleyhealthlink.com

[Community Leader Letterhead]

[Date]

Mr. Peter Boswell
Division of Certificate of Public Need
Virginia Department of Health
9960 Mayland Drive, Suite 401
Henrico, VA 23233-1463

Re: Warren Memorial Hospital's COPN Application to Introduce Cardiac Catheterization Services

Dear Mr. Boswell:

I am writing to you in support of Warren Memorial Hospital's (WMH's) Certificate of Public Need (COPN) application to introduce cardiac catheterization services. This project will allow WMH to expand its heart and vascular services by providing cardiac catheterization to the community located in and around Front Royal, Virginia.

Currently, patients residing in WMH's service area must travel more than 25 miles to Winchester Medical Center to receive cardiac catheterization services. This distance presents considerable geographic and financial barriers to patients in need of a potentially life-saving service. Also, because cardiac catheterization procedures require sedation, patients must rely on a family member or friend for transportation. This presents another barrier, often leading to delays in needed care.

For these reasons, I request that you recommend approval of WMH's application, which will improve access and quality of care to patients who require cardiac catheterization in and around Front Royal, Virginia. Thank you for your consideration.

Sincerely,

Name of Community Leader

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