



REGULAR TOWN COUNCIL MEETING

Monday, August 12, 2019 @ 7:00pm
Warren County Government Center

1. Pledge of Allegiance
 2. Moment of Silence
 3. Roll Call
 4. Approval of the Regular Council Meeting minutes of July 22, 2019
 5. Receipt of Petitions and/or Correspondence from the Public
 6. Reports:
 - a. Report of special committees or Town officials and Town Manager
 *** Pinning of New Police Officer Matthew Erd – Chief of Police**
 - b. Requests and inquiries of Council members.
 - c. Report of the Interim Mayor
 - d. Proposals for addition/deletion of items to the Agenda.
 7. **CONSENT AGENDA ITEMS** – (ROLL CALL VOTE REQUIRED)
 - A. COUNCIL APPROVAL – Bid for Okonite Cable for Leach Run Parkway Infrastructure
 - B. COUNCIL APPROVAL - Resolution to Request Department of Corrections to Schedule a Public Hearing for a Proposed Lease for a Probation and Parole Office on Jackson Street
 - C. COUNCIL APPROVAL – Budget Amendment to Receive Reimbursement and Increase Expenses Associated with Police Department Salaries from a Northwestern Community Services Board Grant to Assist with Staffing a Regional Crisis Intervention Community Services Board
 8. **PUBLIC HEARING** – Ordinance to Amend Chapter 4-19 Pertaining to Order of Business and Placement and Approval of Items on the Agenda (*1st Reading*)
 9. **COUNCIL APPROVAL** – Deed of Easement for Sanitary Sewer from School Board near Warren County Middle School on Heritage Drive.
 10. **CLOSED MEETING** – Specific Legal Matters
-

TOWN COUNCIL WORK SESSION *immediately following Regular Meeting*

COUNCIL/MAYOR RELATED ITEMS

1. Discussion Pertaining to the Joint Meeting with the Board of Supervisors on August 13
2. Police Department Financing
3. Purchase of Vehicle for Horticulture Department – *Town Manager*
4. Council Discussion/Goals

7A



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 7(A)

Meeting Date: August 12, 2019

Agenda Item: COUNCIL APPROVAL – Bid for Okonite Cable for Leach Run Parkway Infrastructure

Summary: Council is requested to approve a bid from Wesco for 1/0 Okonite cable in the amount of \$25,440 and to Anixter for 750 Okonite cable in the amount of \$36,471.60, to be used by the Energy Services Department for Leach Run Parkway Infrastructure.

Budget/Funding: Funding in Energy Services Department Leach Run Parkway line item 9401-47957.

Attachments: Memo from Purchasing Agent and Manager of Energy Services, and Vendor Spreadsheet

Meetings: None

Staff Recommendation: Approval ✓ Denial

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a bid from Wesco for 1/0 Okonite cable in the amount of \$25,440 and to Anixter for 750 Okonite cable in the amount of \$36,471.60 to be used by the Energy Services Department for Leach Run Parkway Infrastructure.

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance
*To be clear and concise, motions should be made in the positive

Approved By: JW



Town of Front Royal, Virginia

Purchasing, Department of Finance

MEMORANDUM

Date: August 5, 2019
To: Tina Presley, Senior Executive Assistant
Town Manager's Office
From: Alisa Scott, Purchasing Manager
RE: Request to Add Consent Agenda Item

The Purchasing Division responded to a request from the Energy Services Department to purchase cable for use on the Leach Run Parkway Infrastructure. On Friday, August 2, 2019, I held a bid opening for 2 types of brand specific Okonite Primary URD cable: 12,000 feet of 1/0 Cable, and 5,400 feet of 1/0 cable. I received three (3) responses to this request for quotes. The Department Manager, Carey Saffelle has reviewed the tabulation and recommends awarding the bid for 1/0 Okonite cable to Wesco in the amount of \$25,440 and Anixter's bid for 750 Okonite cable in the amount of \$36,471.60.

Due to the amount of the bid, Town Council is requested to award the purchase. Attached to this memo is the bid tabulation and recommendation memo from Energy Services. Please add this action item to the August 12th, 2019 Regular Town Council Meeting agenda.

Funding for this request is available in the Department of Energy Services' Leach Run Parkway line item 9401-47957.

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



TOWN OF FRONT ROYAL

DEPARTMENT OF ENERGY SERVICES

1101 MANASSAS AVENUE

P.O. BOX 1560

FRONT ROYAL, VA 22630-1560

www.frontroyalva.com

A. Carey Saffelle

Manager

csaffelle@frontroyalva.com

(540) 635-3027

(540) 631-3620 fax

To: Alisa Scott. Manager of Purchasing
From: Carey Saffelle, Manager of Energy Services
Date: August 5, 2019
Re: Okonite Cable Quote

I have evaluated the RFQ #18-2019 for Okonite Primary URD Cable. Both vendors have met our specifications on their quotes. Awarding WESCO, the purchase for the 12,000' of 1/0 Cable, and awarding Anixter the purchase for the 5400' of 750 Cable.

It is my recommendation to advance for Council Approval. The money will come from PO#-00029695 and the remaining balance from Account # 9401-47957.

If you have question, please feel free to contact me.

VENDOR SPREAD SHEET



Town of Front Royal, VA

BID: 18-2019 OKONITE CABLE
 BID/PROPOSAL OPENING DATE: 8/2/2019
 BID/PROPOSAL OPENING TIME: 2:00 PM

QUANTITY & DESCRIPTION	Vendor Names		
	MARMON UTILITY, LLC SEYMOUR, CT	WESCO DISTRIBUTION RICHMOND, VA	ANIXTER RICHMOND, VA
QUANTITY & DESCRIPTION	QUOTATION	QUOTATION	QUOTATION
5,400 TOTAL FEET OR (3) 1,800' PER SPOOL 1/C UR-OJ 750-61X ALUM. FILLED STRAND SS-220 OKOGUARD EPR-040 SC EPR-THIRD NEUTRAL COPPER CONC. WIRES -080 OKOLENE PE W/3 RED STRIPES-SEQ. PRINT-15KV CAT #162-23-3096	\$33,953.04**	\$36,774.00	\$36,471.60
12,000 TOTAL FEET OR (3) 4,000' PER SPOOL 1/C UR-OJ 1/0-19X ALUM. OKOGUARD EPR-SC-220-030 15KV 16X #14BC W/50 OKOLENE R/S CAT# 161-23-3072	\$29,888**	\$25,440.00	\$25,464.00

** Denotes non-responsive bid

The VENDOR SPREAD SHEET is generated from the initial, raw information collected. No award decision has been made.


 Prepared by: Alisa Scott, PMP, MBA, VCA, VCO

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

7B



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 7(B)

Meeting Date: August 12, 2019

Agenda Item: COUNCIL APPROVAL – Resolution for Department of Corrections to Schedule a Public Hearing for a Proposed Lease for a Probation and Parole Office on Jackson Street

Summary: Council has received a notice from the Commonwealth of Virginia Department of Corrections that they are considering the lease of space at 23 E. Jackson Street or 30 E. Jackson Street for the Probation and Parole District #11 sub-office of the Department of Corrections. Council is requested to approve a Resolution requiring the Department of Corrections to hold a public hearing within the jurisdiction regarding the proposed lease of space, as presented.

Budget/Funding: None

Attachments: Letter from the Department of Corrections and Resolution

Meetings: Work Session held August 5, 2019

Staff Recommendation: Approval ✓ Denial

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a Resolution requiring the Commonwealth of Virginia Department of Corrections to hold a public hearing within the jurisdiction regarding the proposed lease of space for a Probation and Parole office at either 23 or 30 E. Jackson Street, as presented.

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance
*To be clear and concise, motions should be made in the positive

Approved By: JW

RESOLUTION

To request the Department of Correction to hold a Public Hearing within the Jurisdiction

WHEREAS, pursuant to Virginia Code §53.1-67.4 (B), the Interim Mayor received notice by letter dated July 17, 2019 from the Virginia Department of Corrections (attached hereto and made part hereof) regarding the proposed lease of space for a Probation and Parole District #11 sub-office within the Town of Front Royal at 23 E. Jackson Street or 30 E. Jackson Street, Front Royal, VA; and,

WHEREAS, pursuant to Virginia Code §53.1-67.4 (B), the local governing body in the jurisdiction where the facility is to be located may request that the Department of Corrections hold a public hearing within the jurisdiction regarding a proposed lease agreement; and,

WHEREAS, Town Council of the Town of Front Royal desires that the Department of Corrections hold such public hearing within the Town of Front Royal prior to entering into such lease agreement.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Front Royal, Virginia that Council hereby requests, pursuant to Virginia Code §53.1-67.4 (B), that the Virginia Department of Corrections hold a public hearing within the Town of Front Royal regarding the proposed lease of space for a Probation and Parole District #11 sub-office at 23 E. Jackson Street or 30 E. Jackson Street, Front Royal, Virginia prior to entering into such lease agreement, and further that adjacent property owners be notified of such hearing.

This Resolution shall be effective immediately upon adoption.

Approved:

Matthew A. Tederick, Interim Mayor

Attest:

Jennifer E. Berry, MMC, Clerk of Council

THIS RESOLUTION was adopted at a Regular Meeting of the Town Council of the Town of Front Royal, Virginia, held and conducted on _____, 2019 upon the following recorded vote:

William A. Sealock	<u>Yes/No</u>	Gary L. Gillispie	<u>Yes/No</u>
Eugene R. Tewalt	<u>Yes/No</u>	Jacob L. Meza	<u>Yes/No</u>
Chris Holloway	<u>Yes/No</u>	Letasha T. Thompson	<u>Yes/No</u>

Approved as to Form and Legality:

Douglas W. Napier, Town Attorney

Dated: _____



COMMONWEALTH of VIRGINIA

HAROLD W. CLARKE
DIRECTOR

Department of Corrections

P.O. Box 26963
RICHMOND, VIRGINIA 23261
(804) 674-3000

July 17, 2019

Mr. Matthew A. Tederick, Mayor
Front Royal, Virginia
P.O. Box 1560
Front Royal, Virginia 22630

Dear Mayor Tederick,

Notice
PROPOSED LEASE
PROBATION AND PAROLE DISTRICT #11
FRONT ROYAL, VIRGINIA 22630

In accordance with Section 53.1-67.4 (B) of the Code of Virginia, as amended, notice is hereby given that The Department of Corrections is considering the lease of space at 30 E. Jackson or 23 E. Jackson Street Front Royal, Virginia for the Probation and Parole District #11 sub-office of the Department of Corrections. No action will be taken for a period of at least 90 days from the date of this notice.

The local governing body of Front Royal is not required to, but may request that the Department hold a public hearing regarding this proposed lease renewal. The request must be received by the Department no later than the close of business on October 15, 2019 (90 days from date of public notice). The request must be authorized by the local governing body and signed by an authorized individual. A public hearing will be held within the jurisdiction, if so requested. The request shall be sent to:

James H. Thurston
Infrastructure and Environmental Management
Virginia Department of Corrections
P.O. Box 26963
Richmond, Virginia 23261-6963

A copy of this notice is being mailed on this date to adjacent property owners as reflected in the tax records of Front Royal, Virginia as shown on the list attached to this notice.

If you have any questions regarding this notice, please contact James Thurston at 804-887-8094.

Sincerely,

James H. Thurston
James H. Thurston

23 E. Jackson (20A7 430) Front Royal, Va. – Adjacent property owners

Warren County, Virginia
3 E. Main (20A7 430A)
Front Royal, Va.

Warren County, Virginia
1 E. Main St. (20A7 429)
Front Royal, Va.

30 E. Jackson Street Front Royal, Va. – Adjacent property owners

28 E. Jackson Street, Front Royal, Va.
John M. Appleton Et Ux
3519 Spring Lake Terrace
Fairfax, Virginia 22030

34 E. Jackson Street, Front Royal, Va.
Jean H. Queen and Teal Queen, Jr.
P.O. Box 159
Brandy Station, Va. 22714

7C



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 7(C)

Meeting Date: August 12, 2019

Agenda Item: COUNCIL APPROVAL – Budget Amendment to Receive Reimbursement and Increase Expenses Associated with Police Department Salaries from a Northwestern Community Services Board Grant to Assist with Staffing a Regional Crisis Intervention Community Services Board

Summary: The Police Department will be assisting with the staffing of a regional CITAC (Crisis Intervention Assessment Center) stemmed from a grant received by The Northwestern Community Services Board. The Police Department will be receiving reimbursement through the grant for overtime associated with staffing. Council is requested to approve a budget amendment in the amount of \$93,500.00 to receive the reimbursement and increase the expense associated with Police Salaries. This is an estimated amount and is subject to change as the project moves forward. The project is a collaboration between area law enforcement agencies, Northwestern Community Services Board, and Valley Health Systems.

Budget/Funding:	1000-3410209 General Fund Reimbursements	\$93,500.00
	3102-41002 Police Patrol Overtime	\$86,350.00
	3102-42001 Police Patrol FICA	\$ 7,150.00

Attachments: None

Meetings: Work Session held August 5, 2019

Staff Recommendation: Approval ✓ Denial

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a budget amendment in the amount of \$93,500.00 to receive reimbursement and to increase the expense associated with Police Salaries through a Northwestern Community Services Board Grant that will assist with staffing a regional Crisis Intervention Assessment Center (CITAC).

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JW

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Town of Front Royal, Virginia Council Agenda Statement

Page 1
Item No. 8

Meeting Date: August 12, 2019

Agenda Item: PUBLIC HEARING – An Ordinance Amendment to Chapter 4-19 Pertaining to Order of Business/Placement and Approval of Items on the Agenda (*1st Reading*)

Summary: Council is requested to affirm on its first reading an Ordinance to amend and re-enact Front Royal Town Code Chapter 4-19 pertaining to the order of business for Town Council meetings and the placement of items on the council agendas, as presented.

Budget/Funding: None

Attachments: Ordinance

Meetings: Work Session held July 1, 2019

Staff Recommendation: Approval ✓ Denial

Proposed Motion: I move that Council affirm on its first reading an Ordinance to amend and re-enact Front Royal Town Code Chapter 4-19 pertaining to the order of business for Town Council meetings and the placement of items on the council agendas, as presented.

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JW

4-19 ORDER OF BUSINESS; PLACEMENT **AND APPROVAL** OF ITEMS ON ~~THE~~ AGENDAS

A. ORDER OF BUSINESS

1) At every regular meeting of the Council, the order of business shall be as follows:

Pledge of Allegiance.

Moment of Silence.

Roll Call

Approval of the Minutes of previous meetings

Receipt of Petitions and/or correspondence from the public.

Reports.

a. Report of Special Committees or Town Officials and ~~Report of the~~ Town Manager.

b. Requests and Inquiries of Council members.

c. Report of the Mayor

d. Proposals for addition/deletion of items to the Agenda.

Consent Agenda Items.

Items for Approval

Closed Meeting items (if applicable).

2)~~-B.~~ The order of business shall not be departed from except by the consent of two-thirds (2/3~~rds~~) of the members of the Council present and voting.

3)~~-C.~~ Consent Agenda Items: Items which appear under the heading "Consent Agenda Items" are intended to be routine business items which are not subject to individual debate or discussion, but are, instead, voted on as a group. However, at the time the presiding officer announces that the Consent Agenda portion of the order of business has been reached, any member of Council may request that any individual items or items may be removed from the Consent Agenda, and such item or items shall, thereafter, become the first item or items considered under the "Items for Approval" portion of the order of business.

4) **At every work session meeting of the Council, the order of business shall be determined by the Mayor, or in his absence, the Vice Mayor.**

B. PLACEMENT OF ITEMS ON AGENDAS

1)~~-D.~~ The following items shall be placed on a Council Agenda for a regular meeting **or work session** provided they are delivered to the office of the Town Manager. ~~and approved by the Mayor, or, in his absence, the Vice Mayor, no later than 12:00 Noon on the Tuesday before the meeting is scheduled.~~

a. Items ~~which come~~ from members of Town Boards or Commissions whose membership is appointed by the Council.

1. ~~Items which result from the application of a specific Town Code Section.~~

- b. ~~3.~~ Items required for decision by the Town Manager, to include citizen requests placed in writing by the citizen or by the **Town** Manager.

~~2. — Items such as proclamations which are handled on a routine basis.~~

- c. ~~5.~~ Items ~~which are~~ requested ~~for placement on the Agenda~~ by the Mayor ~~or a member of Council~~, to include citizen requests placed in writing **by the citizen or** by the Mayor ~~or Council Member~~.

d. Items requested by at least two (2) members of Council, to include citizen requests placed in writing by the citizen or by the Council members.

- e. ~~6.~~ **Items requested** ~~Requests~~ from citizens who have appeared at a previous meeting of Council, and who have placed their requests in writing and asked for the matter to be considered at ~~the next regular meeting.~~ **an upcoming meeting of Council.**

- f. ~~7.~~ Items ~~specially~~ requested for a joint ~~Work Session~~ meeting with another body, **that may include but not limited** to ~~such as~~ the Warren County Board of Supervisors, the Economic Development Authority, or a Town Board or Commission.

8. The Mayor shall cause items which do not meet the deadline and approval criteria specified in D, above, to be placed on an agenda for a regular meeting within thirty (30) days from the date of submission.

C. APPROVAL OF PLACEMENT OF ITEMS ON THE AGENDAS

- 1) **The Mayor, or in his absence, the Vice Mayor approves the final regular meeting and work session agendas before publication and shall not remove any item on said agendas placed by at least two (2) Council members.**
- 2) **No items may be placed on regular meeting or work session agendas after publication without unanimous vote from all members of Council present and voting.**

~~In addition, the Council may override the Mayor's disapproval of any item which has been submitted within the specified time limit by adopting a motion to place the item on its Agenda by a unanimous vote from all members of Council present and voting.~~

~~E. The following items may be placed on the Agenda for a Work Session of Council provided they are delivered to the office of the Town Manager and approved by the Mayor, or, in his absence, the Vice Mayor, no later than 12:00 Noon on the Tuesday Wednesday before the meeting is scheduled:~~

1. Items D (3), (5), and (6), above, as well as items specially requested for a joint Work Session with another body, ~~such as the Warren County Board of Supervisors, the Economic Development Authority, or a Town board or commission.~~

~~2. The Mayor shall cause items which do not meet the deadline and approval criteria specified in E, above, to be added to the Agenda for a Work Session within thirty (30) days of submission. In addition, the Council may override the Mayor's disapproval of an item which was submitted within the specified time limit by adopting a motion to do so on a majority vote from all members of Council present and voting.~~

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Town of Front Royal, Virginia Council Agenda Statement

Page 1
Item No. 9

Meeting Date: August 12, 2019

Agenda Item: COUNCIL APPROVAL – Deed of Easement for Sanitary Sewer from Warren County School Board near Middle School on Heritage Drive.

Summary: Council is requested to approve a 20-foot Deed of Easement for Sanitary Sewer Utilities from the Warren County School Board near Warren County Middle School located on Heritage Drive, as presented.

Budget/Funding: None

Attachments: Letter from Robert Light and Deed of Easement

Meetings: None

Staff Recommendation: Approval ✓ Denial

Proposed Motion: I move that Council approve a 20-foot Deed of Easement for Sanitary Sewer Utilities from the Warren County School Board near Warren County Middle School located on Heritage Drive, as presented.

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance
*To be clear and concise, motions should be made in the positive

Approved By: JW

THIS DEED PREPARED
WITHOUT BENEFIT OF
TITLE EXAMINATION BY:

Robert J. Light, Esq.
VA State Bar No. 43553
Joseph F. Silek, Jr., P.C.
43 Chester Street
P.O. Box 602
Front Royal, Virginia 22630
Tel.: (540) 635-9415
Fax: (540) 635-9421
Email: rlight@silekpc.com

This deed is exempt from the recordation taxes imposed by §58.1-801 and §58.1-803 of the Code of Virginia, 1950, pursuant to §58.1-811.A.3

THIS DEED OF EASEMENT FOR SANITARY SEWER UTILITIES is made and entered into this ____ day of _____, 2019, by and between the **SCHOOL BOARD OF WARREN COUNTY, VIRGINIA**, a body corporate of the Commonwealth of Virginia, herein referred to as “Grantor”, and **TOWN OF FRONT ROYAL, VIRGINIA**, a municipal corporation, herein referred to as the “Grantee”.

W I T N E S S E T H:

THAT FOR AND IN CONSIDERATION of the sum of ONE DOLLAR (\$1.00) cash in hand paid by the Grantee to the Grantor, receipt whereof is hereby acknowledged, the Grantor grants and conveys unto the Grantee, its successors and assigns, the following rights in real property situated in the Town of Front Royal, Warren County, Virginia, to-wit:

The privilege and easement in perpetuity for rights-of-way to construct, lay, maintain, repair, inspect, improve, and operate within the easement strips hereinafter described and referred to, those works and systems for the collection, drainage, and

transmission of storm water, and/or waste water, over, upon, across, and under the property of the Grantor known and designated as that cross-hatched area marked "20' WIDE SANITARY SEWER EASEMENT TO BE DEDICATED OT THE TOWN OF FRONT ROYAL PER THIS PLAT," on that certain plat intended to be filed and recorded herewith in the Clerk's Office of the Circuit Court of Warren County, Virginia, which plat is titled: "PLAT SHOWING CENTERLINE OF NEW 20' WIDE SANITARY SEWER EASEMENT OVER THE LAND OF THE SCHOOL BOARD OF WARREN COUNTY, VIRGINIA DESIGNATED AS TAX MAP 20A14-2 PARCEL 1, Happy Creek Magisterial District, Town of Front Royal, Warren County, Virginia", Prepared by Joseph G. Brogan, Jr., Land Surveyor and dated July 17, 2019. **TAX MAP NO.: 20A14-2 Parcel 1**

The further terms and conditions of this grant are as follows:

- (a) Granting of the easements hereinafter described neither expressly or impliedly constitutes any payment, nor the waiver of any obligation for the payment, by the Grantor or its successors or assigns, or any cut-in fee or charge, tax, assessment or other charge or obligation whatsoever now due or heretofore due or hereafter to become due and payable to the Grantee or to any person, firm or other corporation whatsoever.
- (b) Should excavations be carried on pursuant to this easement and any large sized rocks or boulders are unearthed and are not buried in said excavation, such brush, undergrowth grant and easements herein contained as may be requisite, trees, large-sized rocks and boulders shall at the expense of Grantee be removed from Grantor's property.
- (c) Grantor shall have no right, title, interest, estate or claim whatsoever in or to any of the lines, pipes, or other equipment and accessories installed by virtue hereof. All lines, pipes, and other equipment and accessories installed or constructed shall remain the property of the Grantee.
- (d) Grantee shall have the right to inspect, rebuild, remove, repair, improve and make such changes, alterations, additions to or extensions of its sewerage facilities within the boundaries of said easement as are consistent with the purpose expressed herein.
- (e) Grantee shall exercise reasonable care to protect Grantor's property from damage or injury occasioned in the enjoyment of the easements and rights herein granted, and to promptly repair the said property or reimburse the Grantor for any property damaged beyond repair completion of any activity by Grantee upon the easement, Grantee shall restore the Property as nearly as possible to its original condition as is practicable, including backfilling, and compaction of trenches, repaving, reseeding or re-sodding of lands, replacement of equipment and facilities of Grantor, removal of trash and debris, and removal of Grantee's equipment, accessories or appurtenances not inconsistent with the construction,

maintenance or operation of said sewerage facilities or the exercise of any rights or privileges expressed herein, and will make a good faith effort to minimize any damage. Grantee shall maintain said easement and sewerage facilities in such repair as not to endanger or otherwise limit the enjoyment or use of the Property, including ingress, egress or parking in, on and over driveways, roads, or parking lots.

- (f) Grantee may (but is not required to) trim, cut, remove, and keep clear all trees, limbs, undergrowth, and any and all other obstructions, within the said rights-of-way or easement that may in any manner, in Grantee's judgment, endanger or interfere with the proper and efficient operation of the water facilities therein or thereon and the Grantee shall have all such other rights and privileges as are reasonably necessary or convenient for the full enjoyment and use of the easement herein granted for the aforesaid purpose.
- (g) If the Grantee does cut or fell any brush, undergrowth or trees, or should excavations be carried on pursuant to this easement and any large-sized rocks or boulders are unearthed and are not buried in said excavation, such brush, undergrowth, trees, large-sized rocks and boulders shall be the expense of Grantee be removed from the Property.
- (h) This permanent easement shall run with the land of Grantor, and shall be binding upon the heirs, executors, administrators, successors, and assigns of the Grantor and the Grantee.

Grantor further covenants that it has the right to convey the easements aforesaid; that Grantee shall have quiet and peaceful enjoyment and possession of said easements, and that Grantor will execute such further assurances of the said of the said grant and easements herein contained as may be requisite.

In accordance with Section 22.1-129(B) of the Code of Virginia, 1950, as amended, the School Board of Warren County, Virginia by resolution duly adopted at its meeting held on _____, 2019, (a) authorized the grant of the easement described in this instrument and (b) authorized the Chairperson of the School Board of Warren County, Virginia to act on its behalf in conveying such easement to the Town. A copy of the resolution of the School Board of Warren County, Virginia is attached hereto as Exhibit 1.

WITNESS the following signature and seal:

**SCHOOL BOARD OF
WARREN COUNTY, VIRGINIA,
A body corporate of the
Commonwealth of Virginia**

By: _____ (SEAL)
**Catherine R. Bower
Its Chairperson**

**COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:**

I, _____, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that Catherine R. Bower, Chairperson of the School Board of Warren County, Virginia, whose name is signed on the foregoing Deed of Easement dated this ____ day of _____ 2019, has this day personally appeared and acknowledged the same before me in my State and in the County aforesaid.

Given under my hand this ____ day of _____, 2019.

My commission expires on the ____ day of _____, _____.

Notary Registration No. : _____

NOTARY PUBLIC

The foregoing conveyance is hereby accepted by the Town of Front Royal, Virginia, as evidenced by the signature of undersigned, who is authorized to accept this conveyance on behalf of the Town, as evidenced by a Resolution adopted by the Town Council.

WITNESS the following signature:

TOWN OF FRONT ROYAL, VIRGINIA

By: _____
Hon. Matthew A. Tederick, Interim Mayor

ATTEST:

Jennifer E. Berry, Clerk of Council

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:

I, _____, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that Matthew A. Tederick, Interim Mayor, and Jennifer E. Berry, Clerk of Council, whose names are signed on behalf of the Town of Front Royal, Virginia to the foregoing Deed of Easement dated this ____ day of _____ 2019, have each this day personally appeared and acknowledged the same before me in my State and in the County aforesaid.

Given under my hand this ____ day of _____, 2019.

My commission expires on the ____ day of _____, _____.

Notary Registration No. : _____

NOTARY PUBLIC

APPROVED AS TO FORM:

Town Attorney

Date

NAD 83



SCALE 1" = 200'

TAX MAP 20A14-2 PARCEL 2
N/F FRITTS PER D.B. 182/630

LOC. FEMA FLOOD ZONE

APPROX.

285.87'

S 89°24'31" E

EXISTING PIPE

602.62'

S 58°59'20" W
59.44'

PROPOSED NEW SANITARY SEWER LINE

EXISTING 20' WIDE
SAN SEWER EASEMENT

20' WIDE SANITARY SEWER
EASEMENT TO BE DEDICATED
TO THE TOWN OF FRONT
ROYAL PER THIS PLAT

APPROX. LOC. FEMA FLOOD ZONE

TAX MAP 20A14-2 PARCEL 1
SCHOOL BOARD OF WARREN COUNTY, VIRGINIA
PER INSTRUMENT # 9504890



DENOTES EXISTING SANITARY SEWER MANHOLE.



DENOTES EXISTING PIN OR PIPE.

DENOTES OVERHEAD WIRES.



DENOTES NEW 20' WIDE SAN. SEWER EASEMENT.

TIE 467.47'

S 00°14'28" E

EXISTING PIN

BUCKINGHAM CT.

T.M. 20A15-6-JJ LOT 3
N/F MOREY PER
INST. # 130005705

N/F MONSEN PER INST. # 150004152
T.M. 20A15-6-K LOT 2

N/F LARSEN PER INST. # 120000413
T.M. 20A15-6-K LOT 3

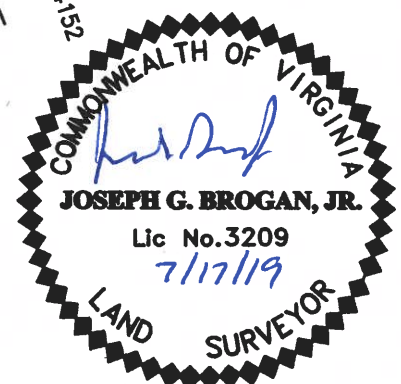
NO TITLE REPORT FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

PLAT SHOWING CENTERLINE OF NEW 20' WIDE
SANITARY SEWER EASEMENT OVER THE LAND OF
THE SCHOOL BOARD OF WARREN COUNTY, VIRGINIA
DESIGNATED AS TAX MAP 20A14-2 PARCEL 1

HAPPY CREEK MAGISTERIAL DISTRICT

TOWN OF FRONT ROYAL
WARREN COUNTY, VA.

PREPARED BY
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578, FRONT ROYAL, VA. 22630
tel&fax (540) 635-5657
JULY 17, 2019



TAX MAP 20A21-2 PARCEL 1
HEPTAD LLC PER INST. # 090004959

JOSEPH F. SILEK, JR., P.C.

43 CHESTER STREET
POST OFFICE BOX 602
FRONT ROYAL, VIRGINIA 22630
TELEPHONE: (540) 635-9415
FACSIMILE: (540) 635-9421
EMAIL: RLIGHT@SILEKPC.COM

July 30 2019

Douglas W. Napier, Esquire
Town Attorney
Town of Front Royal
102 East Main Street
Front Royal, Virginia 22630

Email: dnapier@frontroyalva.com

RE: Request for Approval – Sanitary Sewer Easement

DELIVERED BY ELECTRONIC MAIL ONLY

Dear Doug:

As you are aware, I represent Ramsey, Inc. As a follow up to our prior conversation, please find enclosed with this letter a copy of a proposed sanitary sewer easement to be conveyed by the Warren County School Board to the Town. As background, my client is beginning the process of developing a new phase of the Happy Creek Knolls subdivision. The enclosed sanitary sewer easement is a necessary component of my client's development plans.

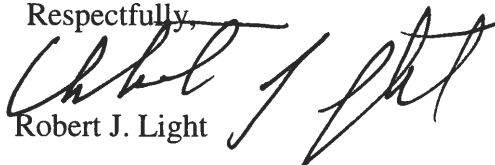
It is my understanding that the enclosed easement is scheduled for consideration during the School Board's regular August 7 meeting. My client does not anticipate any objections. I will update you after the August 7 meeting.

During our conversation, you have indicated that the next scheduled meeting of the Town Council will take place on August 12, and that the Council could consider the enclosed easement at that time. On behalf of Ramsey, Inc., please treat this letter as a request for approval and acceptance by the Town Council of the enclosed sanitary sewer easement.

Douglas W. Napier, Esquire
July 30, 2019
Page Two (2)

If you require more information or have any additional questions, please contact me to discuss.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert J. Light", written over the printed name.

Robert J. Light

Enclosure

Cc (w/ enclosure): Ramsey, Inc.

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**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 10

Meeting Date: August 12, 2019

Agenda Item: CLOSED MEETING – Specific Legal Matters

Summary: Council is to go into a Closed Meeting for consultation with legal counsel employed or retained by a public body regarding specific legal matters, specifically the Town/EDA lawsuit, requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 8. of the Code of Virginia

Budget/Funding: None

Attachments: None

Meetings: None

Staff Recommendation: Approval ☒ Denial ☐

Motion to Go into Closed Meeting

I move that Council convene and go into Closed Meeting for consultation with legal counsel employed or retained by a public body regarding specific legal matters, specifically the Town/EDA lawsuit, requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 8. 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 Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JW

WORK

SESSION

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Work Session Agenda Form

Item #2

DATE: August 12, 2019

AGENDA ITEM: Discussion on Permanent Financing for Police Department

SUMMARY: Currently the construction of the new police department is financed by the Front Royal-Warren County Economic Development Authority. In order to pursue permanent financing the Town must obtain a written payoff amount from the E.D.A. Town staff continues to work with the E.D.A. to obtain a written payoff amount for the construction of the police department and hopes to be able to file application with the Virginia Resource Authority's Pooled Financing Program in February 2020.

BUDGET/FUNDING: N/A

STAFF RECOMMENDATION: Allow staff to continue to work with the E.D.A. to obtain a written payoff and hopefully pursue financing with V.R.A. in February 2020.

Work Session



TOWN OF FRONT ROYAL

DEPARTMENT OF FINANCE

102 E. MAIN STREET

P.O. BOX 1560

Front Royal, Va. 22630

B.J. Wilson
Director of Finance
bwilson@frontroyalva.com

(540) 635-7799
(540) 635-2298 fax

DATE: AUGUST 6, 2019

TO: FRONT ROYAL MAYOR & TOWN COUNCIL

FROM: B. J. WILSON, DIRECTOR OF FINANCE

RE: UPDATE ON PERMANENT FINANCING FOR POLICE DEPARTMENT

The V.R.A. pooled financing was selected by Town Council as being the primary option for the source of permanent financing on the construction of the new Police Department. The Town was not be in a position to make application to the Virginia Resource Authority by August 5, 2019 deadline. Staff is hopeful that we may be in a better position to make application for the next deadline of February 2020.

The Town will need an official written payoff amount from the E.D.A. in order to obtain financing and an amount agreed to by both the Town & the EDA. The Town received a draft outline of expenses associated with the Police Department Construction from the E.D.A. on July 24th, 2019; but the document does not match Town records and includes items that staff feels the Town should not be obligated to pay. Some of the disputed items include legal fees associated with a line of credit established October 2018, fees for draws taken, inspection fees, interest rates exceeding 1.5% annually, and an unknown charge to principal.

On August 2nd, 2019, I provided the E.D.A. with amounts that staff feels should be the Town's responsibility related to the construction of the Police Department. I am awaiting a reply from the E.D.A.

Town staff continues to work with the E.D.A. to obtain an agreeable amount for which the Town owes the E.D.A. on the Police Department and intends to update Town Council when more information becomes available.

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Work Session Agenda Form

Item # 3

DATE: August 12, 2019

AGENDA ITEM: Purchase of Vehicle for Horticulture Department

SUMMARY: Council has received a request from the Purchasing Manger to purchase one (1) 2019 Ford F250 pickup truck from Colonial Ford Truck Sales, Inc. on Virginia State Contract in the amount of \$33,610.70. The new pickup will replace a pickup truck with over 115,000 miles. The older vehicle will be pulled from the Town's fleet and added to the Town's public auction.

Memos from the Purchasing Manager and Director of Fleet Management attached

BUDGET/FUNDING: Horticulture Division of Public Works Department has a budgeted vehicle expense for this truck of \$40,000 in FY20 line item 44305-47005

STAFF RECOMMENDATION: Staff approves the purchase of this vehicle.

Work Session



Town of Front Royal, Virginia

Purchasing, Department of Finance

MEMORANDUM

Date: July 19, 2019
To: Tina Presley, Senior Executive Assistant
Town Manager's Office
From: Alisa Scott, Purchasing Manager
RE: Request to Add Consent Agenda Item

Purchasing responded to a request from the Director of Fleet Management to purchase one (1) 2019 Ford F250 pickup truck from Colonial Ford Truck Sales, Inc. on Virginia State Contract E194-73326. The new pickup truck will be replacing a pickup truck with over 115,000 miles. The older vehicle will be pulled from the Town's fleet and added to items for public auction.

The Colonial Ford contract is competitively bid by the State of Virginia's Office of Fleet Management Services and authorizes localities to make such purchases to improve their own fleet.

Town Council is requested to approve this purchase that is recommended by staff in the amount of \$33,610.70.

The Horticulture Division of the Public Works Department has budgeted a total vehicle expense for this truck of \$40,000. Funding is available in the Horticulture Division's FY20 line item 44305-47005.

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

MEMORANDUM

TO: Alisa Scott, Purchasing Agent

FROM: Donald B McPaters, Director of Fleet Management. *DSM*

SUBJECT: Purchase of Public Works Pickup Budget 2020.

DATE: July 17, 2019

I have reviewed the state contract for ¾ quart tone pickups for the replacement of #716 2003 Chevy Silverado Pickup 2500HD that has 115,000 miles. I compared the two venders on the State Contract. RK Chevrolet Virginia Beach and Colonial Ford of Richmond Virginia. Colonial Ford was the lowest price of \$33,610.00 compared to RK Chevrolet a price of \$35,026.00. The Budget 2020 was approve for \$40,000.00 for the Horticulture Department Pickup #716.

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2019 Town Council Goals

Ranking	Goals
	Workforce Housing
	Afton Inn
	Crooked Run West
	Happy Creek Area
	Old Town Hall
	Health Insurance
	Code Enforcement
	I & I issue
	Streets and infrastructure improvement (curb, gutter, and sidewalks)
	Local EDA effort
	Property Maintenance
	Pedestrian Safety
	Parking (meters)
	Compensation Study - Year 3 implementation
	Rt. 522 Corridor Water Reliability/Redundancy project
	EDA projects and finances (debt service)
	EDA Lawsuit
	Project budgets
	Valley Health Pilot
	Reduce Town Government Expense