

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR ORGANIZATIONAL MEETING ON MONDAY, JANUARY 3<sup>RD</sup>, 2011, AT 4:00 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM LOCATED IN THE GOVERNMENT CENTER, 1255 FRANKLIN STREET, SUITE 104, ROCKY MOUNT, VIRGINIA.

THERE WERE PRESENT: Charles Wagner  
Russell Johnson  
Ronnie Thompson  
David Cundiff  
Wayne Angell  
Leland Mitchell  
Bobby Thompson

OTHERS PRESENT: Richard E. Huff, II, County Administrator  
Christopher Whitlow, Asst. Co. Administrator  
Larry Moore, Asst. Co. Administrator  
B. J. Jefferson, County Attorney  
Sharon K. Tudor, MMC, Clerk

\*\*\*\*\*

Richard E. Huff, II, County Administrator, called the meeting to order.

\*\*\*\*\*

Invocation was given by Supervisor Bobby Thompson.

\*\*\*\*\*

Pledge of Allegiance was led by Supervisor Ronnie Thompson.

\*\*\*\*\*

#### **CHAIRPERSON NOMINATIONS**

Richard E. Huff, County Administrator, opened the floor for nominations for 2011 Board Chairman.

Charles Wagner	Nominated by:	Leland Mitchell
David Cundiff	Nominated by:	Ronnie Thompson

\*\*\*\*\*

#### **(RESOLUTION #01-01-2011)**

BE IT THEREFORE RESOLVED by the Board to appoint Charles Wagner as 2011 Chairman to the Board of Supervisors.

MOTION BY:	Leland Mitchell
SECONDED BY:	No Second
VOTING ON THE MOTION WAS AS FOLLOWS:	
AYES:	Mitchell, Angell, Bobby Thompson & Wagner
NAYS:	Ronnie Thompson, Cundiff & Johnson

THE MOTION PASSED WITH A 4-3 VOTE.

\*\*\*\*\*

#### **VICE-CHAIRPERSON NOMINATIONS**

Chairman Wagner opened the floor for nominations for 2011 Vice-Chairman.

Russ Johnson	Nominated by:	Wayne Angell
--------------	---------------	--------------

#### **(RESOLUTION #02-01-2011)**

BE IT THEREFORE RESOLVED by the Board to appoint Russ Johnson as the 2011 Vice-Chairman.

MOTION BY:	Wayne Angell
SECONDED BY:	No Second
VOTING ON THE MOTION WAS AS FOLLOWS:	
AYES:	Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

\*\*\*\*\*

#### **BOARD MEETING DATES**

All County residents are hereby encouraged to attend public meetings of the Franklin County Board of Supervisors. To facilitate this public participation, the Board will meet on the following dates and times in **2011**

#### ***ADOPTED MEETING DATES FOR 2011***

All County residents are hereby encouraged to attend public meetings of the Franklin County Board of Supervisors. To facilitate this public participation, the Board will meet on the following dates and times in **2011**.

Tuesday, January 18, 2011 @ 1:30 P.M.  
Tuesday, February 15, 2011 @ 1:30 P.M.  
Tuesday, March 15, 2011 @ 1:30 P.M.

Tuesday, April 19, 2011 @ 1:30 P.M.  
 Tuesday, May 17, 2011 @ 1:30 P.M.  
 Tuesday, June 21, 2011 @ 1:30 P.M.  
 Tuesday, July 19, 2011 @ 1:30 P.M.  
 Tuesday, August 16, 2011 @ 1:30 P.M.  
 Tuesday, September 20, 2011 @ 1:30 P.M.  
 Tuesday, October 18, 2011 @ 1:30 P.M.  
 Tuesday, November 15, 2011 @ 1:30 P.M.  
 Tuesday, December 20, 2011 @ 1:30 P.M.

All meetings will be held in the Board Room of the new Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia unless otherwise duly noticed. All interested parties are encouraged to attend. All public hearings will be held at 6:00 P.M. for the convenience of the public. Any person with a disability who needs accommodations to fully participate in these public hearings should notify Sharon K. Tudor, MMC, Clerk, by calling (540) 483-3032 at least 7 days prior to the meetings.

**(RESOLUTION #03-01-2011)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned listing of meeting dates and time schedule for the Board of Supervisors during 2011:

MOTION BY: David Cundiff

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Cundiff, Angell, Johnson, Thompson & Wagner

\*\*\*\*\*

**2011 HOLIDAY SCHEDULE FOR COUNTY EMPLOYEES**

During the Franklin County Board of Supervisor's Organizational Meeting, held on *Monday, January 4, 2011 at 4:00 P.M.*, the Board adopted the 2011 State of Virginia's legal holidays plus any changes made by the Governor during the year for State employees. The following list is found in the Code of Virginia Section 2.2-3300.

**PROPOSED HOLIDAYS FOR 2011**

Friday, January 14, 2011	<b>Lee Jackson Day</b>
Monday, January 17, 2011	<b>Martin Luther King, Jr. Day</b>
Monday, February 21, 2011	<b>Presidents' Day</b>
Monday, May 30, 2011	<b>Memorial Day</b>
Monday, July 4, 2011	<b>Independence Day</b>
Monday, September 5, 2011	<b>Labor Day</b>
Monday, October 10, 2011	<b>Columbus Day</b>
Friday, November 11, 2011	<b>Veterans Day</b>
Thursday, November 24, 2011	<b>Thanksgiving Day</b>
Friday, November 25, 2011	<b>Thanksgiving Friday</b>
Friday, December 23, 2011	<b>Christmas</b>
Monday, December 26, 2011	<b>Christmas</b>
Monday, January 2, 2012	<b>New Year's Day</b>

**(RESOLUTION #04-01-2011)**

BE IT THEREFORE RESOLVED by the Board to approve the aforementioned proposed holiday listing for **2011** plus any changes made by the Governor during the year for State employees.

MOTION BY: David Cundiff

SECONDED BY: Bobby Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Cundiff, Angell, Johnson, Thompson & Wagner

\*\*\*\*\*

**BOARD RULES OF PROCEDURE**

**FRANKLIN COUNTY BOARD OF SUPERVISORS  
 RULES OF PROCEDURE**

The following Rules of Procedure are adopted by the Franklin County Board of Supervisors to enable the Board to discharge its duties and responsibilities effectively and efficiently and to facilitate the exercise of its authority and powers in the Code of Virginia. It is the Board's intent to generally follow Robert's Rules of Order (Newly Revised, 10th Edition) unless superseded by state law or Board practice.

**1. ORGANIZATIONAL MEETING**

The Board shall elect a chairman and vice chairman at the Board's Organizational Meeting to be held on the first business day of January. Terms for chairman and vice chairman shall be for a one (1) year term.

## 2. **REGULAR MEETINGS**

The Board of Supervisors shall adopt a schedule of the times, dates, and places of its regular meetings, for each calendar year, at its organizational meeting. Should the Board's regular meeting day fall on a County holiday, the meeting will be held on the next business day following the holiday.

## 3. **SPECIAL MEETINGS**

The Board may hold special meetings by establishing a special meeting date, time, place and an agenda for said meeting at a regular meeting. The Clerk shall post and publish notice of the special meeting in accordance with the Virginia Freedom of Information Act, §2.2-3707 VA Code Ann., not less than three (3) days prior to the day of the special meeting.

A Called Meeting may be convened when called by the chairman or requested by two or more of the members of the board of supervisors. The call or request shall be made to the clerk, and shall specify the matters to be considered at the meeting. Upon receipt of such call or request, the clerk of the governing body, after consultation with the chairman, shall immediately notify each member of the governing body and the attorney for the county in writing delivered in person or to his place of residence or business to attend such meeting at the time and place stated in the notice. Such notice shall specify the matters to be considered at the meeting. No matter not specified in the notice shall be considered at such meeting, unless all members are present. The notice may be waived if all members of the governing body attend the special meeting or sign a waiver.

## 4. **VOTING**

Motions properly made cannot die for lack of a second and shall be voted on as though they had been seconded.

## 5. **REQUEST FOR FUNDS OUTSIDE OF NORMAL BUDGET CYCLE**

Whenever any delegation or individual shall make a request or appeal for County funds for the benefit of an outside or non-County agency or program, the following guidelines shall be followed.

### A. **Budget Preparation Calendar.**

Whenever possible, the request shall be submitted in accordance with the budget preparation calendar.

### B. **Explanation and Background.**

Any such request shall be accompanied by a brief narrative explanation of the request and background as needed.

### C. **Carry-over of Requests.**

If it is not possible to utilize the annual budget preparation calendar, the request shall be carried over to the next regular meeting following introduction to the Board.

### D. **Waiver of Carry-over.**

Waiver of the carry-over period shall be granted if the request is considered an emergency by the majority of the Board, or for any reason if approved unanimously by all Board members.

### E. **Emergency.**

Emergency is defined as an unforeseen circumstance or combination of circumstances that calls for immediate action to secure and protect the health, safety and general welfare of the inhabitants of Franklin County.

## 6. **CITIZEN COMMENT PERIOD**

Any citizen of the County that wishes to address the Board on any topic may do so by calling the Board Clerk's Office one (1) week in advance of the meeting and requesting that their name and topic be added to the agenda. Walk-ins will be allowed to speak if time is available under the same conditions. The citizen will be granted 3 minutes to present their issue and if the Board wishes to schedule further time, may direct staff to place the subject on the next available agenda. Only one person per side (position), per topic will be allowed to speak under the Citizen Comment Period per Meeting. A total of 15 minutes will be allowed for Citizen's Comments on the agenda. Public Comments will be received by the Board during the 3<sup>rd</sup> Tuesday meeting at 1:30 P.M., and at 6:00 p.m. at the 4<sup>th</sup> Tuesday meeting prior to public hearings unless a citizen can clearly demonstrate that an earlier time is necessary. **(Amended/Resolution # 21-06-20116 & # 07-01-2011)**

#### **7. MOTIONS TO RECONSIDER**

Motions to reconsider an action by the Board must be made by a member of the Board who previously voted with the prevailing side when the reconsidered motion was originally voted on. Since a second is not required, any member may second the motion to reconsider and the motion shall be decided by a majority vote of the members present.

#### **8. PLACING OF AGENDA ITEMS**

The County Administrator, based on input from the Board, shall develop the agenda for each meeting.

Individual Board members who wish to address the Board on a topic may do so under "Other Matters from Supervisors". If the Board wishes to investigate a topic further, it can direct staff to place the topic on a future agenda, bring back a staff report with the appropriate research, or take action as it see fit. **(Amended/Resolution #07-01-2011)**

#### **9. PUBLIC HEARINGS**

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views at public hearings and to treat all speakers equally and with courtesy. While it is often necessary to have a presentation by an applicant or staff, it is the desire of the Board to hear from the public, and therefore, the applicant and staff presentations shall be as brief as possible.

Each speaker shall be limited to three minutes unless speaking for a larger group in which case, 5 minutes shall be allotted.

Speakers shall direct their presentations/comments/questions to the Board and not the audience.

#### **10. APPOINTMENTS TO BOARDS AND COMMISSIONS**

County staff shall maintain an up to date listing of available vacancies on Boards and Commissions and shall publish such list to the County's web site and make available in the Office of the County Administrator. 60 days in advance of scheduled vacancies, staff shall make the Board aware of upcoming vacancies and shall advertise such vacancies throughout the County. All candidates shall be required to complete a County application to serve on a Board or Commission and applications shall be distributed to the Board as soon as is practical.

#### **(RESOLUTION #05-01-2011)**

BE IT THEREFORE RESOLVED by the Board to approve the Board's Rules of Procedure for 2011 as submitted.

MOTION BY: Russ Johnson

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Cundiff, Angell, Johnson, Thompson & Wagner

\*\*\*\*\*

#### **OLDE DOMINION AG COMPLEX DONATION**

#### **(RESOLUTION #06-01-2011)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appropriate \$10,000 to the Olde Dominion Ag Complex with funds to come from the Board's Contingency Fund.

MOTION BY: David Cundiff

SECONDED BY: Bobby Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Cundiff, Angell, Johnson, Thompson & Wagner

\*\*\*\*\*

**WAID PARK SILO –SURPLUS PROPERTY**  
**(RESOLUTION #07-01-2010)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to declare the silo at Waid Park as surplus property and the authorize staff to work with details on the disposal of said silo.

MOTION BY: Wayne Angell

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Cundiff, Angell, Johnson, Thompson & Wagner

\*\*\*\*\*

**BILL JONES FAMILY LETTER**

Wayne Angell requested the Board to forward a letter from the Board expressing their sincere condolences to the family of Bill Jones, former dispatcher, Sheriff’s Department.

\*\*\*\*\*

**CLOSED MEETING**  
**(RESOLUTION #08-01-2011)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711, a-7, Consult with Legal Counsel, of the Code of Virginia, as amended.

MOTION BY: Russ Johnson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Cundiff, Angell, Johnson, Thompson & Wagner

\*\*\*\*\*

MOTION: David Cundiff

SECOND: Leland Mitchell

**RESOLUTION: #09-01-2011**

MEETING DATE January 3, 2011

WHEREAS, the Franklin County Board of Supervisors has convened an closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act: and

WHEREAS, Section 2.2-3712(d) of the Code of Virginia requires a certification by this Franklin County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of Supervisors hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Franklin County Board of Supervisors.

VOTE:

AYES: Mitchell, Thompson, Cundiff, Angell, Johnson, Thompson & Wagner

NAYS: NONE

ABSENT DURING VOTE: NONE

ABSENT DURING MEETING: NONE

\*\*\*\*\*

Chairman Wagner recessed the meeting.

\*\*\*\*\*

Chairman Wagner called the meeting to order.

\*\*\*\*\*

Cline Brubaker thanked the Board for granting the Farm Bureau an opportunity to meet with the Board and share comments and concerns regarding Agriculture in Franklin County. General discussion ensued.

Chairman Wagner adjourned for dinner hosted by Farm Bureau.

\*\*\*\*\*