

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR ORGANIZATIONAL MEETING ON MONDAY, JANUARY 4TH, 2010, AT 4:00 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM IN THE COUNTY COURTHOUSE.

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

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

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

Invocation was given by Supervisor Charles Wagner.

Pledge of Allegiance was led by Supervisor Wayne Angell.

Russ Johnson stated he has been surprised by some of the Board's discussion and the articles in the paper regarding the rotation of chair. Mr. Johnson stated if the Board chose to follow Bedford County's format it would be Mr. Johnson's turn to serve as chair and Mr. Mitchell serve as vice-chair. However, if the Board does not choose to rotate the chair, then he certainly understands and it was the Board's prerogative.

Mr. Huff advised the Board State Law states the Chairman is to conduct the affairs of the meeting of the Board of Supervisors. The Chairman is called on to do other meetings other than the Board of Supervisors. General discussion ensued.

Mr. Johnson closed his remarks by stating, this was not meant to be a personal attack on anyone, he simply felt that it was the only fair and healthy way for the County.

CHAIRPERSON NOMINATIONS

Richard E. Huff, County Administrator, opened the floor for nominations for Board Chairman for 2010.

Russ Johnson Nominated by: David Cundiff
Bobby Thompson Nominated by: Ronnie Thompson
Charles Wagner Nominated by: Bobby Thompson

(RESOLUTION #01-01-2010)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to close nominations for Chairman.

MOTION BY: David Cundiff
SECONDED BY: Leland Mitchell
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Thompson, Cundiff, Angell, Johnson, Thompson & Wagner

(RESOLUTION #02-01-2010)

BE IT THEREFORE RESOLVED by the Board to appoint Russ Johnson as 2010 Chairman to the Board of Supervisors.

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

THE MOTION FAILS WITH A 2-5 VOTE.

(RESOLUTION #03-01-2010)

BE IT THEREFORE RESOLVED by the Board to appoint Bobby Thompson as 2010 Chairman to the Board of Supervisors.

MOTION BY: Ronnie Thompson

SECONDED BY: No Second

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Ronnie Thompson

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

THE MOTION FAILS WITH A 1-6 VOTE.

(RESOLUTION #04-01-2010)

BE IT THEREFORE RESOLVED by the Board to appoint Charles Wagner as 2010 Chairman to the Board of Supervisors.

MOTION BY: Wayne Angell

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Angell, Bobby Thompson & Wagner

NAYS: Ronnie Thompson, Cundiff & Johnson

THE MOTION PASSES WITH A 4-3 VOTE.

VICE-CHAIRPERSON NOMINATIONS

Chairman Wagner opened the floor for Vice-Chairman nominations for 2010.

Russ Johnson Nominated by: David Cundiff

Wayne Angell Nominated by: Leland Mitchell

(RESOLUTION #05-01-2010)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to close nominations for Vice-Chairman.

MOTION BY: David Cundiff

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

(RESOLUTION #06-01-2010)

BE IT THEREFORE RESOLVED by the Board to appoint Russ Johnson as the 2010 Vice-Chairman.

MOTION BY: David Cundiff

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Ronnie Thompson, Cundiff & Johnson

NAYS: Mitchell, Angell, Thompson & Wagner

THE MOTION FAILS WITH A 3-4 VOTE.

(RESOLUTION #07-01-2010)

BE IT THEREFORE RESOLVED by the Board to appoint Wayne Angell as the 2010 Vice-Chairman.

MOTION BY: Leland Mitchell

SECONDED BY: No Second

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Angell, Thompson & Wagner

NAYS: Ronnie Thompson, Cundiff & Johnson

THE MOTION PASSES WITH A 4-3 VOTE.

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 **2010**

ADOPTED MEETING DATES FOR 2010

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 **2010**.

Tuesday, January 19, 2010 @ 1:30 P.M.

Tuesday, January 26, 2010 @ 6:00 P.M.

Tuesday, February 16, 2010 @ 1:30 P.M.

Tuesday, February 23, 2010 @ 6:00 P.M.

Tuesday, March 16, 2010 @ 1:30 P.M.
 Tuesday, March 23, 2010 @ 6:00 P.M.
 Tuesday, April 20, 2010 @ 1:30 P.M.
 Tuesday, April 27, 2010 @ 6:00 P.M.
 Tuesday, May 18, 2010 @ 1:30 P.M.
 Tuesday, May 25^h, 2010 @ 6:00 P.M.
 Tuesday, June 15, 2010 @ 1:30 P.M.
 Tuesday, June 22, 2010 @ 6:00 P.M.
 Tuesday, July 20, 2010 @ 1:30 P.M.
 Tuesday, July 27, 2010 @ 6:00 P.M.
 Tuesday, August 17, 2010 @ 1:30 P.M.
 Tuesday, August 24, 2010 @ 6:00 P.M.
 Tuesday, September 21, 2010 @ 1:30 P.M.
 Tuesday, September 28, 2010 @ 6:00 P.M.
 Tuesday, October 19, 2010 @ 1:30 P.M.
 Tuesday, October 26, 2010 @ 6:00 P.M.
 Tuesday, November 16, 2010 @ 1:30 P.M.
 Tuesday, November 23, 2010 @ 6:00 P.M.
 Tuesday, December 21, 2010 @ 1:30 P.M.

The scheduled January 19 & 26 and February 16 & 23, 2010 meetings will be held in the Franklin County Board of Supervisors Meeting Room in the Courthouse, 275 S. Main Street, Room 221, Rocky Mount Virginia unless otherwise duly noticed. The scheduled meetings for March – December 2010 will be held in the Board Room of the new Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia. All interested parties are encouraged to attend. 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 hearings.

(RESOLUTION #08-01-2010)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned listing meeting dates and time schedule for the Board of Supervisors meetings during 2010:

MOTION BY: Russ Johnson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

2010 HOLIDAY SCHEDULE FOR COUNTY EMPLOYEES

During the Franklin County Board of Supervisor's Organizational Meeting, held on *Monday, January 4, 2010 at 4:00 P.M.*, the Board adopted the 2010 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.

ADOPTED HOLIDAYS FOR 2010

Friday, January 15, 2010	Lee Jackson Day
Monday, January 18, 2010	Martin Luther King, Jr. Day
Monday, February 15, 2010	Presidents' Day
Monday, May 31, 2010	Memorial Day
Monday, July 5, 2010	Independence Day
Monday, September 6, 2010	Labor Day
Monday, October 11, 2010	Columbus Day
Thursday, November 11, 2010	Veterans Day
Thursday, November 25, 2010	Thanksgiving Day
Friday, November 26, 2010	Thanksgiving Friday
Friday, December 24, 2010	Christmas
Friday, December 31, 2010	New Year's Day

(RESOLUTION #09-01-2010)

BE IT THEREFORE RESOLVED by the Board to approve the aforementioned holiday listing for 2010 plus any changes made by the Governor during the year for State employees.

MOTION BY: David Cundiff

SECONDED BY: Russ Johnson

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 3rd Tuesday meeting at 1:30 P.M., and at 6:00 p.m. at the 4th Tuesday meeting prior to public hearings unless a citizen can clearly demonstrate that an earlier time is necessary. ***(Amended/Resolution # 21-06-20106 & # 07-01-2010)***

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 #07-01-2010)***

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 #10-01-2010)

BE IT THEREFORE RESOLVED by the Board to approve the Board's Rules of Procedure for 2010 as submitted.

MOTION BY: Leland Mitchell
 SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

BOARD OF SUPERVISORS REIMBURSEMENT POLICY

Richard E. Huff, II, County Administrator, presented the following policy to be considered:

General discussion ensued.

Board of Supervisors Reimbursement Policy

Purpose:

The purpose of this policy is to establish rules, regulations and procedures for members of the Board of Supervisors in seeking reimbursement for expenses incurred in the conduct of official business for Franklin County.

Policy:

A) Mileage Reimbursement:

Board members shall be eligible to be reimbursed for mileage at the prevailing IRS approved rate only for travel: (pick one)

- a) outside of the County, or
- b) related to County business, or
- c) related to scheduled or called meetings of the Board.

B) Cell Phones:

Board members may choose to be reimbursed for the portion of their cell phone bill attributable to County business. Such reimbursement should be submitted to the Finance Department on an expense reimbursement form no less frequently than quarterly and shall state the percentage of the bill that is determined and certified to be County related.

C) Internet Service:

No Board member shall receive reimbursement for actual expenses incurred in maintaining an office including internet service except that such reimbursement shall be subtracted from the amount of salary due such official pursuant to Section 15.2-1414.2 of the Code of Virginia, as amended.

The Board will review revised verbiage from staff during their January 19, 2010 meeting.

TLAC BOARD REPRESENTATIVE APPOINTMENT (TERM EXPRIES 1/31/2010)

David Cundiff

(RESOLUTION #11-01-2010)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint David Cundiff to serve on the TLAC Board with said term to expire 1/31/2011.

MOTION BY: Russ Johnson

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

JOINT SCHOOL BOARD MEETING JANUARY 12, 2010 @ 6:00/FRANKLIN CENTER

Richard E. Huff, II, County Administrator, advised the Board of the set joint School Board meeting with the Board of Supervisors to be held on January 12, 2010 @ 6:00 P.M., at The Franklin Center. Mr. Huff asked direction from the Board what type of meeting they were expecting. The Board stated there was no way to estimate working budget figures until after the General Assembly meets. The Board directed staff to advise the School Board the meeting will be a budget work session between the two Boards with no public comments at this time.

Richard E. Huff, II, County Administrator, shared a note of "Thanks" from David Hurt expressing his gratitude for the backpack and gift certificate presented to him during his last Board meeting as the Boone District Supervisor.

Chairman Wagner adjourned the meeting.

CHARLES WAGNER, CHAIRMAN
CHAIRMAN

RICHARD E. HUFF, II
COUNTY ADMINISTRATOR