

AGENDA
FRANKLIN COUNTY BOARD OF SUPERVISORS
TUESDAY, APRIL 21, 2009

- 1:30 P.M. Call To Order, Chairman Charles Wagner
- 1:31 Invocation, Supervisor Bobby Thompson
- 1:32 Pledge of Allegiance, Supervisor Wayne Angell
- 1:33 Special Recognition
- 1:40 Public Comment
- ❖ Michael Patterson - Franklin County Youth Center
 - ❖ Oscar Pagans - School Board Budget (*See Attachment #13*)
- 1:46 CONSENT AGENDA (**REQUIRES ACTION**)
- REF: 1. Approval of Accounts Payable Listing, Appropriations, and Minutes for **March 17, 24, 26 & 31, 2009**
2. 2009 SML Concession Bid Award (*See Attachment #17*)
 3. Blue Mountain Productions, Inc. 2009 Special Entertainment Application (*See Attachment #8*)
 4. CPMT Appointment/Ann Minnix (*See Attachment #9*)
 5. Department of Forestry/Parks & Recreation Pole Barn (*See Attachment #24*)
 6. Municipal Clerk's Week Proclamation (*See Attachment #12*)
 7. Piedmont Community Services Board Revision to By-Laws (*See Attachment #14*)
 8. Recreation Commission/Union Hall District/Greg Davis/Term Expires 6/30/2012
 9. 2009 Southwest Virginia Antique & Power Festival Application (*See Attachment #10*)
 10. Authorization to Advertise for Landfill Groundwater Pump & Treat System (*See Attachment #16*)
 11. 2010 Census Partner Proclamation (*See Attachment #18*)
 12. Courthouse Monument (*See Attachment #21*)
 13. Virgil H. Goode Building Roof Replacement (*See Attachment #22*)
 14. Identity Theft Prevention Policy (*See Attachment #25*)

- 1:50 Tony Handy, VDOT, Resident Administrator
REF: 1. 6-Year Secondary Work Session
• **(See Attachment #1)**
2. Future Speed Studies
3. Clements Mill Bridge Update
4. The Vineyard Subdivision **(See Attachment #19)**
- 2:30 Neil Holthouser, Director of Planning & Community Development
REF: 1. Zoning Revision Options **(See Attachment #27)**
2. Draft Overlay Ordinance for 220 Corridor **(See Attachment #20)**
3. Erosion & Sediment Control/Chapter 7 Proposed Updates **(See Attachment #26)**
- 3:10 Scott Martin, Director of Commerce & Leisure Services
REF: 1. Youth Athletics Fee Structure **(See Attachment #23)**
- 3:25 Wayne Strickland, Executive Director, Roanoke Valley Alleghany Regional Commission
REF: 1. Kerr Lake Regional Water System - Interbasin Transfer Notice of Public Hearing **(See Attachment #2)**
- 3:45 Christopher Whitlow, Assistant County Administrator
REF: 1. HR Management Policies Update **(See Attachment #28)**
- 4:00 Richard E. Huff, II, County Administrator
REF: 1. Other Matters
- 4:10 Other Matters by Supervisors
APPOINTMENTS:
- **Dan River ASAP/3-Year Term (See Attachment #3)**
 - **Library Board/4-Year Term (See Attachment #4)**
 - Rocky Mount District
 - Snow Creek District
 - Boone District
 - Union Hall District
 - **Piedmont Regional Community Services/3-Year Term (See Attachment #5)**
 - 2 Appointments
 - **Recreation Commission/3-Year Term (Expires 6/30/2009) (See Attachment #6)**
 - Snow Creek District
 - Boone District
 - **Social Services Board/4-Year Term (See Attachment #7)**
 - Blackwater District
 - Blue Ridge District
 - **STEP, Inc./2-Year Term (See Attachment #15)**

4:20 Request for Closed Meeting in Accordance with 2.2-3711, a-3, Acquisition of Land, a-5, Discussion of a prospective new business or industry and a-7, Consult with Legal Counsel, of the Code of Virginia, as Amended.

Certification of Closed Meeting in Accordance with 2.2-3712 (d), of the Code of Virginia, as Amended.

Recess for Dinner

6:00 Call To Order and Recess Thereafter for Previously Advertised Public Hearings As Follows:

PETITION of the Franklin County Board of Supervisors to amend Chapter 25, “Zoning,” of the Franklin County Code, to define and regulate wind energy facilities, by amending Article I, General Provisions, Division 3, Section 25-40, Principal definitions of the Zoning Ordinance, to include definitions for various types of wind energy facilities; Article II, Basic Regulations, Division 4, Section 25-128, Towers, antennas, and satellite dishes, to include supplemental regulations governing wind energy facilities; Article III, District Regulations, Division 1, Agricultural District (A-1), Section 25-178, Permitted uses, to allow for a small system wind energy facility by right; and Section 25-179, Special use permits, to allow for large system and utility scale wind energy facilities, with a special use permit; Division 9, Business District, General (B-2), Section 25-336, Special use permit, to allow for small system, large system, and utility scale wind energy facilities, with a special use permit; Division 10, Industrial District (M-1)-Light Industry, Section 25-354, Special use permits, to allow for small system, large system, and utility scale wind energy facilities, with a special use permit; and Division 11, Industrial District (M-2)-Heavy Industry, Section 25-373, Special use permits, to allow for small system, large system, and utility scale wind energy facilities, with a special use permit. (Case #A-02-09-01.)

PETITION of the Franklin County Board of Supervisors to amend Chapter 25 “Zoning” of the Franklin County Code, to define and regulate outdoor lighting as follows: amend Article I, General Provisions, Division 3, Definitions, Section 25-40, Principal definitions of the Zoning Ordinance, to include definitions pertaining to “outdoor lighting”; amend Article II, Basic Regulations, Division 4.1, Sign Regulations, Section 25-156.5, Sign permits, item (f), to delete references to lighting fixtures, foot candles and setbacks to lighting; amend Article V. Procedure, Division 4, Site Development Plan, Section 25-677, Minimum Standards and Improvements Required, item (l) Outdoor lighting and street lights, to delete references to design theme, foot candles and height pertaining to lighting; establish new supplemental regulations under Article II, Division 4.2, Outdoor Lighting, Section 25.157.1, Intent; 25.157.2, Applicability; 25.157.3, Exempt; 25-157.4, Street Lighting; 25.157.5, Site Lighting; 25-157.6, Building Lighting; 25-157.7, Sign Lighting; 25-157.8, Landscaping Lighting; and 25.157.9, Nonconforming Outdoor Lighting;. (Case #A-01-09-01)

NOTICE OF PUBLIC HEARING

Notice is hereby given that Franklin County, Virginia (the “County”) will conduct a public hearing regarding (i) the proposed transfer by the County of all its

right, title and interest in an existing water line system serving portions of the Central and Smith Mountain Lake area of the County, to the Western Virginia Water Authority (the "Authority"), (ii) the assignment of certain contract rights and obligations to the Authority related to the purchase of water from Bedford County, Virginia and (iii) the proposed approval of a service contract between the County and the Authority and the establishment, at the request of the Authority, of rates, charges and requirements associated with the availability of water and sewer services to County residents. In addition, the County will consider the adoption of a Resolution authorizing the refinancing of its \$2,966,000 Wastewater System Revenue Bond ("Westlake Project") Series 2008 (the "Bond") issued to finance the purchase of a wastewater treatment system to be operated by the Authority and the sale of such refunding bond in an amount not to exceed \$3,500,000 to the Virginia Resources Authority or any other interested purchasers thereof. All of such actions are being taken to facilitate the County's transfer of operational responsibility for all of the County's water and sewer systems to the Authority.

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, April 21, 2009**, in the Meeting Room located in the Courthouse, Rocky Mount, Virginia to consider the proposed amendment to Section 22-36 (c). The proposed adoption would continue to include **Section 22-36 (c)** "Mandatory Connection of New Construction in the West Lake Overlay District and all other areas of Franklin County where Western Virginia Water Authority has been or shall be approved to operate". This section would be modified by changing "the County's Public Water System" to "the Western Virginia Water Authority Public Water System". This would require new systems, within a reasonable distance, to connect to Western Virginia Water Authority and adopt by reference all Western Virginia Water Authority regulations:

PUBLIC NOTICE

In accordance with the provisions of U. S. Department of Justice, Office of Justice Programs, Award Number: #16.804 titled *Edward Byrne Memorial Justice Assistance Grant VA-DJ*, notice is hereby given to all interested parties that the Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, April 21, 2009 @ 6:00 P.M.**, in the Meeting Room, 275 South Main Street, Room 221, located in the Courthouse, Rocky Mount, Virginia to consider disbursement of approximately \$28,000.00 in Federal Grant funds for part-time deputies to provide Court Room Security.

PUBLIC NOTICE

The County of Franklin will hold a public hearing on **Tuesday, April 21, 2009**, at approximately **6:00 p.m.**, in the Board of Supervisor's meeting room to consider granting three (3) easements to The Town of Rocky Mount for improvements associated with and appurtenant to the Town of Rocky Mount Uptown Revitalization Plan across the following properties pursuant to Virginia Code 15.2-1800. (**See Attachment #11**)

Tax Map # 2070071100, which is owned by Franklin County
Town of Rocky Mount Easement Description (Uptown Revitalization)

The County of Franklin will grant a three foot (3') wide by thirty foot long (30') easement starting at the southwest corner of the property and running along the southern edge adjacent to the exterior wall of the existing building owned by the Franklin County Perinatal Education Center and shown as Tax Map Number 207.00-712.00 for the purpose of underground utility conduit placement and maintenance to serve the building; an easement along the western boundary of the property seven and a half foot (7.5') from the back of curbing adjacent to South Main Street across Municipal Facilities Drive or approximately twenty-eight feet (28') for the purpose of underground utility conduit placement and maintenance; and a twenty-eight foot easement from back of curbing starting at the northern edge of Municipal Facilities Drive and running to the northern property line or approximately ten feet (10') for proposed underground utilities, new sidewalks, street lights, landscaping, and hardscaping areas. The Town of Rocky Mount will be responsible for the maintenance of all landscaping material. The purpose of said easement is to allow the Town of Rocky Mount to construct all appurtenances associated with the Rocky Mount Uptown Revitalization Project. Any impacts to ingress and egress of the property or for access to adjoining properties shall be temporary and specifically for construction or maintenance activities only. The location of underground utility conduit and landscaping areas are shown on the Plans titled "Town of Rocky Mount Uptown Revitalization." The easements herein addressed and being considered by the Franklin County Board of Supervisors shall not be used in such a way as to interfere with reasonable access by Franklin County or any of its invitees or guests as to accessing any County property which benefits from the easement areas or of which the easement areas are a part.

Tax Map # 2070071000, which is owned by Franklin County
Town of Rocky Mount Easement Description (Uptown Revitalization)

The County of Franklin will grant a twenty-eight foot (28') easement along the western property line from the back of curbing of South Main Street for the length of the property or approximately thirty-nine feet (39'). The easement includes proposed underground utilities, new sidewalks, street lights, landscaping, and hardscaping areas around the entrance to the existing parking lot. The purpose of said easement is to allow the Town of Rocky Mount to construct all appurtenances associated with the Rocky Mount Uptown Revitalization Project. The Town of Rocky Mount will be responsible for the maintenance of all landscaping material. Any impacts to ingress and egress of the property or for access to adjoining properties shall be temporary and specifically for construction or maintenance activities only. No work under this easement shall interfere with the entrance and use of existing parking facilities on said property. The easements herein addressed and being considered by the Franklin County Board of Supervisors shall not be used in such a way as to interfere with reasonable access by Franklin County or any of its invitees or guests as to accessing any County property which benefits from the easement areas or of which the easement areas are a part.

**Tax Map # 2070070800, which is owned by Franklin County
Town of Rocky Mount Easement Description (Uptown Revitalization)**

The County of Franklin will grant a twenty-eight foot (28') easement starting at the southwest corner of the property along the western property line from the back of curbing along South Main Street approximately forty-two feet (42') to the edge of the existing building owned by Naff Properties LLC and shown as Tax Map Number 207.00-709.00 for for the purpose of constructing new sidewalk, streetlights, connection of adjacent building with underground utility conduit, placement of an electric pad mounted transformer, flush mounted utility handholes, and landscaping elements; an easement four feet from back of curb along South Main Street in front of the existing building occupied by Main Street Coffee Shop and the Virginia Department of Forestry, not to include footprint of building, for purposes of underground utilities; an easement four feet (4') wide by thirty (30') feet long from back of curb along the north side of the existing building, not including building footprint, for the purpose of providing utilities to said building; an easement on the western property line seven and a half feet (7.5') from back of curb along South Main Street for approximately one hundred and twenty feet to the intersection of South Main Street and East Court Street for proposed underground utilities, new sidewalks, street lights, and park bench; and an easement along the northern property line seven and a half foot (7.5') from back of curb along East Court Street starting at the intersection with South Main Street for approximately two hundred and seventy-three feet (273'), not to include any building footprint or alter existing building entrances, for purposes of installing underground utilities to connect to existing above ground utilities. The easement is as shown on the Plans titled "Town of Rocky Mount Uptown Revitalization." The Town of Rocky Mount will be responsible for the maintenance of all landscaping material. Any impacts to ingress and egress of the property or for access to adjoining properties shall be temporary and specifically for construction or maintenance activities only. No work under this easement shall interfere with the entrance and use of existing parking facilities on said property. The easements herein addressed and being considered by the Franklin County Board of Supervisors shall not be used in such a way as to interfere with reasonable access by Franklin County or any of its invitees or guests as to accessing any County property which benefits from the easement areas or of which the easement areas are a part.

The purpose of these utility easements will be to provide underground utility transmission service to Franklin County and adjacent property owners as well as streetscape improvements in the Uptown section of Historic Rocky Mount.

Call To Order and Action As Deemed Appropriate from Public Hearings

Recess until **6:00 P.M., Tuesday, April 28, 2009** for Adoption of Proposed FY' 2009-2010 County Budget in the BOS Meeting Room

RISE & SHINE GUESTS FOR APRIL ARE CHARLES WAGNER & RICK