



Franklin County

A Natural Setting for Opportunity

AGENDA

FRANKLIN COUNTY BOARD OF SUPERVISORS

TUESDAY, FEBRUARY 18, 2014

- 1:30 P.M. Call To Order, Chairman David Cundiff
- 1:31 Invocation, Supervisor Bobby Thompson
- 1:32 Pledge of Allegiance, Supervisor Bobby Thompson
- 1:33 Presentation of Resolution of Appreciation
✚ In Memoriam of Jerry Custer, Callaway Fire Chief
- 1:35 Public Comment
- Oscar Pagans - Thoughts on Budget, Development, Water/Sewer

1:38 CONSENT AGENDA (**REQUIRES ACTION**)

- REF: 1. Approval of Accounts Payable Listing, Appropriations, and Minutes for January 21 & 23, & February 4, 2014
2. Aging Services Advisory Commission Bylaws (**See Attachment #16**)
3. Franklin County Emergency Operations Plan (**See Attachment #4**)
4. Westlake Station & Snow Creek Rescue Squad (**See Attachment #5**)
5. Appointment of Interim Building Official (**See Attachment #11**)
6. Bid Award for Waid Park Concession & Restrooms (**See Attachment #13**)
7. School Request to Appropriate \$77,520 for Property Evaluation (**See Attachment #10**)
8. Advertise for Solid Waste Collection (Garbage Truck) Proposals (**See Attachment #15**)
9. Bid Award/Landfill Service Truck (**See Attachment #14**)
10. Community Facilities Improvement Program (**See Attachment #12**)
11. Request to apply for American Civil War Sesquicentennial Marketing Program (**Attachment #9**)

RICHARD E. HUFF II
COUNTY ADMINISTRATOR
1255 FRANKLIN ST., SUITE 112
ROCKY MOUNT, VIRGINIA 24151
(540) 483-3030
www.franklincountyva.org

- 1:40 Vincent Copenhaver, Director of Finance
REF: 1. Monthly Finance Report
- 1:45 Kerry Smith, Vice-President, Wells Fargo Insurance Services
REF: 1. Employee HealthCare Benefit Strategic
- 2:25 Daryl Hatcher, Director of Public Safety
Mike McGannon, Engineering Associates
REF: 1. Radio Communication System Update
- 3:15 Jack Murphy, Engineer, Thompson & Litton
REF: 1. Request to Award Contract for Courthouse Project **(See Attachment #8)**
- 3:35 Richard E. Huff, II, County Administrator
REF: 1. Board Action from Public Hearing held on 1/21/2014/Personal Property Exemption World Relief Now Request **(See Attachment #1)**
2. Board Action from Public Hearing held on 1/21/2014/Section 11-47 Levy & Amount of Fee Ordinance Amendment **(See Attachment #6)**
3. Ratification of Declaration of Emergency **(See Attachment #17)**
4. FY' 2014-2015 Budget Update
5. Other Matters
- 4:00 Other Matters by Supervisors
- 4:05 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, or of Expansion of an Existing one, 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, Chairman David Cundiff
- 6:01 Recess for Previously Advertised Public Hearings as Follows:

PUBLIC NOTICE
CDBG GRANT/FERRUM COMMUNITY
FERRUM PLANNING GRANT STUDY—FIRST PUBLIC HEARING

Franklin County will hold a public hearing on **Tuesday, February 18th, 2014**, during the Board of Supervisors meeting at approximately 6:00 p.m. in the Board Meeting Room of the Franklin County Administration Building at 1255 Franklin Street, Suite 104, Rocky Mount, VA 24151 to solicit public input on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for a project proposed in the Ferrum section of our community. **(See Attachment #3)**

PUBLIC NOTICE
STORMWATER MANAGEMENT ORDINANCE

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M., on Tuesday, February 18, 2014**, in the Board of Supervisors Meeting Room in the Franklin County Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia to consider amending the Franklin County Code as follows: **(See Attachment #7)**

LEGAL NOTICE
NOTICE OF PUBLIC HEARING OF THE
FRANKLIN COUNTY BOARD OF SUPERVISORS

The Franklin County Board of Supervisors hereby gives notice of a public hearing to be held on **Tuesday, February 18, 2014**, at approximately 6:00 P.M. in the Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia, to receive public input pursuant to Virginia Code Section 15.2-1300 regarding the proposed cooperative agreement reorganizing the Tri-County Lake Administrative Commission to manage local government activities at the Smith Mountain Lake Project, which includes Leesville Lake, along with the counties of Bedford, Campbell and Pittsylvania and the execution of such agreement by Franklin County. **(See Attachment #2)**

Budget Review & Discussion

Adjournment Thereafter

RISE & SHINE GUESTS FOR FEBRUARY ARE LELAND MITCHELL & RICK

FRANKLIN COUNTY
Board of Supervisors

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Franklin County
A Natural Setting for Opportunity

EXECUTIVE SUMMARY

<u>AGENDA TITLE:</u> WORLD RELIEF NOW PERSONAL PROPERTY TAX EXEMPTION REQUEST	<u>AGENDA DATE:</u> FEBRUARY 18, 2015	<u>ITEM NUMBER:</u>
<u>SUBJECT/PROPOSAL/REQUEST</u> WORLD RELIEF NOW PERSONAL PROPERTY TAX EXEMPTION REQUEST ACTION FROM PUBLIC HEARING HELD ON TUESDAY, JANUARY 21, 2014	<u>ACTION:</u> YES	<u>INFORMATION:</u>
<u>STRATEGIC PLAN FOCUS AREA:</u> <u>Goal #</u> <u>Action Strategy:</u>	<u>CONSENT AGENDA:</u> <u>ACTION:</u>	<u>INFORMATION:</u>
<u>STAFF CONTACT(S):</u> Mr. Huff & Mrs. Tudor	<u>ATTACHMENTS:</u> YES	
	<u>REVIEWED BY:</u> REH, II	

BACKGROUND:

The Board held a public hearing on Tuesday, January 21, 2014 regarding the request from World Relief Now for personal property tax exemption (**See Attachment #1**). Board action was tabled after the advertised public hearing.

DISCUSSION:

After speaking with the Commissioner of Revenue, she has advised World Relief Now **has not** applied for any other tax exemption status to date.

Steven Huff, Founder, World Relief Now, has stated everyone who works with the foundation is on a volunteer basis. Mr. Huff advised the Board he had renovated a barn and is presently using this facility for storage of donated supplies (shoes, water filters, water, vitamins, vaccines, pre-natal vitamins, etc.) until mission trips are scheduled and the supplies would then be distributed by the volunteer organization.

In accordance with 58.1-3651 (**See Attachment #1**) the County may by designation or classification exempt from real/personal property taxes or both by ordinance adopted by the local governing body, owned by a non-profit organization that uses such property for religious, charitable, patriotic, historical, benevolent, cultural or public park and playground purposes.

The state code also provides for the Board to be able to consider "any other criteria, facts, and circumstances that the governing body deems pertinent" to granting the exemption. Franklin County does not currently use other criteria, but may wish to establish some by which all applications would be evaluated in the future.

RECOMMENDATION:

Board direction for the **World Relief Now Personal Property Tax Exemption** request is submitted for your review and consideration. Staff recommends approving this request and asking staff to consider and make a recommendation on whether additional criteria should be used in the future.

§ 58.1-3651. Property exempt from taxation by classification or designation by ordinance adopted by local governing body on or after January 1, 2003.

A. Pursuant to subsection 6 (a) (6) of Article X of the Constitution of Virginia, on and after January 1, 2003, any county, city, or town may by designation or classification exempt from real or personal property taxes, or both, by ordinance adopted by the local governing body, the real or personal property, or both, owned by a nonprofit organization that uses such property for religious, charitable, patriotic, historical, benevolent, cultural, or public park and playground purposes. The ordinance shall state the specific use on which the exemption is based, and continuance of the exemption shall be contingent on the continued use of the property in accordance with the purpose for which the organization is classified or designated. No exemption shall be provided to any organization that has any rule, regulation, policy, or practice that unlawfully discriminates on the basis of religious conviction, race, color, sex, or national origin.

B. Any ordinance exempting property by designation pursuant to subsection A shall be adopted only after holding a public hearing with respect thereto, at which citizens shall have an opportunity to be heard. The local governing body shall publish notice of the hearing once in a newspaper of general circulation in the county, city, or town where the real property is located. The notice shall include the assessed value of the real and tangible personal property for which an exemption is requested as well as the property taxes assessed against such property. **The public hearing shall not be held until at least five days after the notice is published in the newspaper. The local governing body shall collect the cost of publication from the organization requesting the property tax exemption.** Before adopting any such ordinance the governing body shall consider the following questions:

1. Whether the organization is exempt from taxation pursuant to § 501(c) of the Internal Revenue Code of 1954;

World Relief Now is tax exempt via it's 501 (C) 3 Status. EIN: 41-2185504

2. Whether a current annual alcoholic beverage license for serving alcoholic beverages has been issued by the Virginia Alcoholic Beverage Control Board to such organization, for use on such property;

World Relief Now does not have an alcoholic beverage license

3. Whether any director, officer, or employee of the organization is paid compensation in excess of a reasonable allowance for salaries or other compensation for personal services which such director, officer, or employee actually renders;

No one at World Relief Now is paid any compensation, it is a volunteer only work force.

4. Whether any part of the net earnings of such organization inures to the benefit of any individual, and whether any significant portion of the service provided by such organization is generated by funds received from donations, contributions, or local, state or federal grants. As used in this subsection, donations shall include the providing of personal services or the contribution of in-kind or other material services;

World Relief Now is a donations funded organization. No one at World Relief now receives any compensation. All funds are used to pay for projects.

5. Whether the organization provides services for the common good of the public;

World Relief Now provides services for the under privileged

6. Whether a substantial part of the activities of the organization involves carrying on propaganda, or otherwise attempting to influence legislation and whether the organization participates in, or intervenes in, any political campaign on behalf of any candidate for public office;

World Relief Now does not involve itself in political activities

7. The revenue impact to the locality and its taxpayers of exempting the property; and

Revenue amount is approximately \$500 per year

8. Any other criteria, facts and circumstances that the governing body deems pertinent to the adoption of such ordinance.

World Relief Now is happy to provide any additional info needed

C. Any ordinance exempting property by classification pursuant to subsection A shall be adopted only after holding a public hearing with respect thereto, at which citizens shall have an opportunity to be heard. The local governing body shall publish notice of the hearing once in a newspaper of general circulation in the county, city, or town. The public hearing shall not be held until at least five days after the notice is published in the newspaper.

D. Exemptions of property from taxation under this article shall be strictly construed in accordance with Article X, Section 6 (f) of the Constitution of Virginia.

E. Nothing in this section or in any ordinance adopted pursuant to this section shall affect the validity of either a classification exemption or a designation exemption granted by the General Assembly prior to January 1, 2003, pursuant to Article 2 (§ [58.1-3606](#) et seq.), 3 (§ [58.1-3609](#) et seq.) or 4 (§ [58.1-3650](#) et seq.) of this chapter. An exemption granted pursuant to Article 4 (§ [58.1-3650](#) et seq.) of this chapter may be revoked in accordance with the provisions of § [58.1-3605](#).

(2003, c. [1032](#); 2004, c. [557](#).)

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OGDEN UT 84201-0046

In reply refer to: 0423371862
Dec. 29, 2008 LTR 252C E0
41-2185504 000000 00 000
00004872
BODC: TE

WORLD RELIEF NOW
% STEVE HUFF
PO BOX 401
WIRTZ VA 24184-0401015



015546

Taxpayer Identification Number: 41-2185504

Dear Taxpayer:

Thank you for the inquiry dated Nov. 13, 2008.

We have changed the name on your account as requested. The number shown above is valid for use on all tax documents.

If you have any questions, please call us toll free at 1-877-829-5500.

If you prefer, you may write to us at the address shown at the top of the first page of this letter.

Whenever you write, please include this letter and, in the spaces below, give us your telephone number with the hours we can reach you. Also, you may want to keep a copy of this letter for your records.

Telephone Number () _____ Hours _____

Sincerely yours,

Karen E. Peat

Karen E. Peat
Dept. Manager, Code & Edit/Entity 3

Enclosure(s):
Copy of this letter

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: DEC 02 2006

WHEELS 2 AFRICA
C/O STEVE HUFF
PO BOX 401
WIRTZ, VA 24184-0401

Employer Identification Number:
41-2185504
DLN:
17053209026006
Contact Person:
RENEE RAILEY NORTON ID# 31172
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
DECEMBER 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
YES
Effective Date of Exemption:
OCTOBER 20, 2005
Contribution Deductibility:
YES
Advance Ruling Ending Date:
DECEMBER 31, 2009

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)

Tudor, Sharon

From: Jonathan.Craft@roanokeva.gov
Sent: Wednesday, January 22, 2014 1:09 PM
To: Tudor, Sharon
Cc: Stephanie.Moon@roanokeva.gov
Subject: Fw: HELP
Attachments: 1988 Resolution.tif

Sharon,

See the response below from our City Attorney.

Jonathan E. Craft, CMC
Deputy City Clerk
City of Roanoke
215 Church Avenue, S.W., Suite 456
Roanoke, Virginia 24011
p 540.853.1979
f 540.853.1145

----- Forwarded by Jonathan Craft/Employees/City_of_Roanoke on 01/22/2014 01:04 PM -----

From: Daniel J Callaghan/Employees/City_of_Roanoke
To: Jonathan Craft/Employees/City_of_Roanoke@City_of_Roanoke,
Cc: Stephanie Moon/Employees/City_of_Roanoke@City_of_Roanoke
Date: 01/22/2014 12:41 PM
Subject: Re: Fw: HELP

The answer to the question is that the locality, through its governing body, has the discretion to grant a request for an exemption. The discretion must be exercised in a fair and impartial manner. Roanoke requires applicants to submit the form (attached below). I am aware that localities may adopt a policy not allowing any such exemptions. For example, Lynchburg adopted a resolution opposing the issuance of any exemptions by the General Assembly (attached below).

I hope this helps.

Dan

[http://www.roanokeva.gov/85256A8D0062AF37/vwContentByKey/D05671DA0960801B85257B020066D947/\\$File/SamplePetition_forTaxExemption.pdf](http://www.roanokeva.gov/85256A8D0062AF37/vwContentByKey/D05671DA0960801B85257B020066D947/$File/SamplePetition_forTaxExemption.pdf)

From: Jonathan Craft/Employees/City_of_Roanoke
To: Daniel J Callaghan/Employees/City_of_Roanoke@City_of_Roanoke,
Cc: Stephanie Moon/Employees/City_of_Roanoke@City_of_Roanoke
Date: 01/22/2014 11:34 AM
Subject: Fw: HELP

Mr. Callaghan,

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FRANKLIN COUNTY
Board of Supervisors



Franklin County

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EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u></p> <p style="text-align: center;"><i>PUBLIC HEARING FOR WORLD RELIEF NOW TO RECEIVE TAX EXEMPT STATUS FOR FRANKLIN COUNTY'S PERSONAL PROPERTY TAXES</i></p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u></p> <p style="text-align: center;"><i>REQUEST FOR TAX EXEMPT STATUS OF PERSONAL PROPERTY TAXES FOR WORLD RELIEF NOW</i></p> <p><u>STAFF CONTACT(S):</u> Mr. Huff & Mrs. Tudor</p>	<p><u>AGENDA DATE:</u> <u>ITEM NUMBER:</u></p> <p style="text-align: center;">January 21, 2014</p> <p><u>ACTION:</u> YES <u>INFORMATION:</u></p> <p><u>CONSENT AGENDA:</u></p> <p style="text-align: center;"><u>ACTION</u> <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u> YES</p> <p><u>REVIEWED BY:</u> <i>RELX</i></p>
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BACKGROUND:

Mr. Steve Huff, Executive Director, World Relief Now, has submitted a request for the Board of Supervisors' approval for Personal Property Tax exemption status. The following is offered for your review and consideration:

TAX YEAR	PERSONAL PROPERTY ASSESSED VALUE	TAX DUE
2014	\$20,850 @ \$2.34/\$100 = \$487.89	\$503.64
	VEHICLE LICENSE FEE = \$15.75	Total: \$503.64

With the aforementioned request, Mr. Huff has submitted all pertinent information required by Section 58.1-3651 of the State Code (*attached hereto*).

During the December 17, 2013 Board meeting, the Board granted staff authorization to advertise for a public hearing to be set for the January 21, 2014 meeting.

RECOMMENDATION:

Staff respectfully requests Board action following the previously advertised public hearing for the requested Personal Property and Merchants' Capital Tax exemption status beginning with the 2014 tax year for World Relief Now.

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LEGAL NOTICE
NOTICE OF PUBLIC HEARING OF THE
FRANKLIN COUNTY BOARD OF SUPERVISORS

The Franklin County Board of Supervisors hereby gives notice of a public hearing to be held on *Tuesday, February 18, 2014*, at approximately 6:00 P.M. in the Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia, to receive public input pursuant to Virginia Code Section 15.2-1300 regarding the proposed cooperative agreement reorganizing the Tri-County Lake Administrative Commission to manage local government activities at the Smith Mountain Lake Project, which includes Leesville Lake, along with the counties of Bedford, Campbell and Pittsylvania and the execution of such agreement by Franklin County.

A copy of the Agreement may be viewed in the Clerk's Office, The Government Center, 1255 Franklin Street, Suite 111, Rocky Mount, Virginia and can be examined there between the hours of 8:30 a.m. and 5:00 p.m. Monday through Friday.

Sharon K. Tudor, MMC, Clerk
Franklin County Board of Supervisors

FRANKLIN NEWS POST: Friday, February 7 & 14, 2014
WEB PAGE: Friday, February 7, 2014

FRANKLIN COUNTY
Board of Supervisors



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EXECUTIVE SUMMARY

AGENDA TITLE: First Public Hearing on Ferrum Improvements CDBG Community Improvement Grant (CIG)	AGENDA DATE: February 18, 2014
SUBJECT/PROPOSAL/REQUEST: Hold a public hearing to take public comments regarding the proposed Ferrum Improvements CDBG CIG project	ITEM NUMBER:
STAFF CONTACT(S): Mr. Huff; Mr. Burnette; Ms. Bonnie Johnson, Contracted Grant Manager	ACTION: INFORMATION: X
	CONSENT AGENDA: ACTION: INFORMATION:
	ATTACHMENTS:
	REVIEWED BY: RCH

BACKGROUND:

The County has received funding from the Department of Housing and Community Development for a planning study in the Ferrum community with the intention that this study will lead to a Community Improvement Grant application to be submitted by March 26, 2014. The County has hired a Grant Administrator (Bonnie Johnson), an Engineer (Earth Environmental and Civil) and a Housing Rehab Specialist (Southeast Rural Community Assistance Project, Inc.) to perform the actions required during the planning grant phase and to prepare the CIG application. As a first step in the process to submitting the CIG application, the County is holding its first required public hearing at the February 18, 2014 Board of Supervisors meeting.

DISCUSSION:

The Board of Supervisors should hear public comment regarding this project and take those comments into account as they prepare a proposed project for the CIG application. During this public hearing, DHCD requires the County to: identify the applicant's community development and housing needs; the range of eligible project types funded through the CDBG program; the amount of money available to the applicant; the applicant's past performance (if applicable) in the CDBG program during the previous five years; and the range of activities that may be undertaken, including the estimated amount to be used for activities that will benefit low- and moderate-income persons, the proposed CDBG activities likely to result in displacement, plans for minimizing displacement of persons as a result of the CDBG project, and plans to assist persons actually displaced by the project.

To meet these requirements, staff will, at the beginning of the public hearing, inform the public of the

following:

- a. The location of the designated planning study area, including the perceived and reported community development and housing needs.
- b. The available types of CDBG grants and the County's intention to apply for a Comprehensive Community Development project.
- c. The available funding from CDBG for this type of project (up to \$1,400,000).
- d. The County's performance with various CDBG projects over the past five years.
- e. The range of activities that are proposed to be undertaken, which includes sidewalks and other pedestrian-related necessities; water system upgrades; housing rehabilitation; and signage/beautification efforts. This discussion will also include the most up-to-date budget breakdown available that identifies the types and amount of assistance to the LMI population within the study area.
- f. The most up-to-date information on possible displacement of persons due to the project, how this will be minimized, and how such persons will be assisted due to displacement.

RECOMMENDATION:

Staff respectfully recommends that the Board of Supervisors conduct the first public hearing on the Ferrum Improvements CIG application and receive comments from the public concerning this project.

FERRUM PLANNING GRANT STUDY—FIRST PUBLIC HEARING

Franklin County will hold a public hearing on **Tuesday, February 18th, 2014**, during the Board of Supervisors meeting at approximately 6:00 p.m. in the Board Meeting Room of the Franklin County Administration Building at 1255 Franklin Street, Suite 104, Rocky Mount, VA 24151 to solicit public input on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for a project proposed in the Ferrum section of our community.

Information on the amount of funds which may be available, the requirements on benefits to low- and moderate-income persons, eligible activities, and plans to minimize displacement and provide displacement assistance as necessary will be available. Citizens will also be given the opportunity to comment on Franklin County's past use of CDBG funds. All interested citizens are urged to attend. For additional information, contact Mrs. Lisa Cooper, Franklin County Senior Planner, 1255 Franklin Street, Suite 103, Rocky Mount, VA 24151. Her phone is 540-483-6642. If TDD is required, voice callers may call 711 or 1-800-828-1140. If hearing impaired, TTY/TDD only may call 711 or 1-800-826-1120.

If you plan to attend and have any special needs requirements, please call Mrs. Cooper at 540-483-6642 by Thursday, February 13th, 2014.

Please put in newspaper as non-legal ad on Monday, February 10, 2014. Please send certification to Sharon Tudor, Franklin County Clerk to the Board, 1255 Franklin Street, Rocky Mount, VA 24151.

SHARON K. TUDOR, MMC
CLERK
FRANKLIN COUNTY BOARD OF SUPERVISORS

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FRANKLIN COUNTY
Board of Supervisors



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EXECUTIVE SUMMARY

AGENDA TITLE: Franklin County Emergency Operations Plan	AGENDA DATE: 02/18/2014	ITEM NUMBER:
SUBJECT/PROPOSAL/REQUEST: Emergency Operations Plan Revision/Adopt revised Emergency Operations Plan	ACTION: Yes	INFORMATION:
STRATEGIC PLAN FOCUS AREA: <u>Goal # 4.3</u> <u>Action Strategy:</u> Provide services to the county during times of emergencies	CONSENT AGENDA: Yes ACTION:	INFORMATION:
STAFF CONTACT(S): Messrs. Huff, Hatcher	ATTACHMENTS:	
	REVIEWED BY: <i>REH</i>	

BACKGROUND: As outlined in the Code of Virginia in section §44-146.19 paragraph E , every county and city in Virginia is required to prepare and keep current an emergency operations plan for its area. Every four years, each locality is required to conduct a comprehensive review and revision of its emergency operations plan to ensure that the plan remains current, and the revised plan must be adopted by the locality's governing body. The adopted plan and a copy of the resolution must be submitted to the Virginia Department of Emergency Management. The emergency operations plan is implemented only through a declaration that a state of local emergency exists by the local Emergency Management Director which must ratified within 14 days of the declaration or during the next scheduled Board meeting. The current version of Franklin County's Emergency Operations Plan was last adopted on February 19, 2010.

DISCUSSION: During the past 12 months, Public Safety staff has worked with members of the Local Emergency Planning Committee (LEPC) to review the county's current emergency operations plan. Members of the LEPC reviewed the plan and made suggested revisions which were incorporated into the drafted plan. The primary revisions to the plan include:

- Updated personnel listings in the plan to reflect current county and town employees that provide oversight of essential functions when the plan is implemented.
- Revisions that include additional language relating to the notification of the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund as outlined in §44-146.19 for victims of criminal acts.
- Revisions to the Hazards and Risk Assessment section to reflect the 2013 revisions made to the Hazard Mitigations Plan adopted by the Board of Supervisors.
- Incorporates the 2010 Census data into the Risk Assessment section of the plan.
- Outlines the process and criteria for mass notification of citizens using the county Emergency Notification System, local media, and other public information outlets as required by §44-146.19.
- Updates Emergency Support Functions to reflect changes made in the structure of local government agencies and their responsibilities during declared local emergencies.

Upon completion of the revisions the plan was submitted to the regional planner for the Virginia Department of Emergency Management for review to ensure compliance with state laws and regulations in November 2013. In December 2014 the plan was returned with the recommended changes. Those recommendations were reviewed and included in the plan. The final draft of the plan was submitted to the county administrator for review in January 2014 and now is being submitted to the Board of Supervisors for approval.

RECOMMENDATION:

County Emergency Management staff respectfully recommends that the Board of Supervisors approve the resolution to adopt the Franklin County Emergency Operations Plan dated February 18, 2014.

Promulgation of the Franklin County Emergency Operations Plan

By virtue of the authority vested in me by authorizing policy/regulation as County Administrator of Franklin County and as the administrator ultimately responsible for emergency management of Franklin County. I hereby promulgate and issue the Franklin County Emergency Operations Plan ("the Plan") dated February 18, 2014. The Plan provides for Franklin County to respond to emergencies and disasters in order to save lives; to protect public health, safety, and property; to restore essential services; and to enable and assist with economic recovery.

The Plan complies with the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, as amended and is consistent with the National Incident Management System as implemented in the National Response Framework adopted January 2008.

The Director of Public Safety, on behalf of the County Administrator, is hereby authorized to activate the Franklin County Emergency Operations Center ("EOC") in order to direct and control Franklin County emergency operations. Augmentation of the EOC shall constitute implementation of the Plan.

Furthermore, the Director of Public Safety is hereby authorized, in coordination with the County Administrator, to amend the Plan as necessary to ensure the continued health and safety of the residents and property of the Franklin County.

Assigned in the Plan, the head of each designated Franklin County department or agency shall appoint a lead and at least one alternate for the department or agency.

This Promulgation rescinds the previous Emergency Operations Plan issued on February 19, 2010, by Richard E. Huff, II, Franklin County Administrator.

This Promulgation shall be effective upon its signing and shall remain in full force and effect until amended or rescinded by further promulgation.

Given under my hand and under the Seal of the Franklin County, this ____ day of _____, 2014.

County Administrator: _____

Attest: _____

Witness _____

Approval and Implementation

Resolution of Adoption of the Emergency Operations Plan

Resolution
Emergency Operations Plan

WHEREAS the Board of Supervisors of Franklin County, Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and

WHEREAS Franklin County has a responsibility to provide for the safety and well being of its citizens and visitors; and

WHEREAS Franklin County has established and appointed a Director and Coordinator of Emergency Management.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Franklin County Virginia, this Emergency Operations Plan as revised is officially adopted, and

IT IS FUTHER RESOLVED AND ORDERED that the Director of Emergency Management, or his/her designee, are tasked and authorized to maintain and revise as necessary this document over the next four (4) year period or until such time be ordered to come before this board.

Chairman, County Board of Supervisors

ATTEST:

Clerk
Franklin County Board of Supervisors

Adopted this ___ day of _____ 2014

Record of Changes

Change Number	Date of Change	Page or Section Changed	Summary of Change	Name of Person Authorizing Change
1				
2				
3				
4				
5				
6				
7				
8				
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10				

I. Introduction

A crisis or emergency can happen at anytime and could impact one individual, a single building or the entire community. This document is the Franklin County Emergency Operation Plan (EOP). Emergencies cause confusion and stress for all involved. In order to minimize these effects, initial activation and implementation of the emergency plan should always be handled in a calm, consistent manner. Efficient implementation of the plan will provide a clear direction, responsibility and continuity of control for key officials and administrators. The basic idea to any well constructed emergency plan is to minimize the possible threat to individuals and properties during an actual emergency. In order to minimize the threat of an emergency, annual evaluation and reviews need to be done to the emergency plan.

Purpose

The purpose of this Basic Plan is to establish the legal and organizational basis for operations in Franklin County in response to any type of disaster or emergency situation. It assigns broad responsibilities to local government agencies and support organizations for disaster mitigation, preparedness, response, and recovery. These responsibilities are generally extensions of normal, day-to-day functions involving the same personnel and material resources. Supporting plans for peacetime and war-caused disasters set forth the concepts and procedures whereby the County can effectively apply available resources to ensure that casualties and property damage will be minimized and that essential services will be restored as soon as possible following such an emergency or disaster situation.

Plan Elements

This plan consists of the basic plan, the appendices, and the emergency support function and incident annexes. The basic plan provides an overview of the Franklin County approach to emergency response and operations. It explains the policies, organization and tasks that would be involved in response to an emergency. The appendices give definition to the terms and acronyms used throughout the basic plan, and are the location for any supporting figures, maps, and forms. The emergency support function annexes focus on detailing the specific responsibilities, tasks and operational actions to complete a specific emergency operations function; while the incident annexes focus on any additional special planning or response needs beyond the basic response plan for particular event scenarios.

Scope

This plan and all its contents applies to all Franklin County. Personnel or partners who have a roll will have access and be knowledgeable of the Emergency Operations Plan.

Situation Overview

Franklin County is part of the West Piedmont Planning District and as such, is included in the West Piedmont Planning District Hazard Mitigation Plan. U.S. highway 220 and the Norfolk Southern Railroad transverses the county from north to south and is a major transportation and freight artery that connects Roanoke Virginia to Greensboro North Carolina. Ferrum College, with its approximately 1600 student population, is also located in the western portion of the county in the village of Ferrum. Tourism is a significant industry as people travel to the county to visit Philpott Reservoir, a U.S. Army Corps of Engineers facility located on the southeastern boundary, and Smith Mountain Lake, an American Electric and Power lake, located on the northeastern boundary, that encompasses 20,000 acres. In addition, the Blue Ridge Parkway attracts thousands of visitors annually and the county hosts visitors to the Martinsville Speedway twice each year.

Background

Beginning in 2003, the Commonwealth of Virginia encouraged the twenty-one planning districts in the commonwealth to take the lead on development of local hazard mitigation plans. These plans, which are required by the Disaster Mitigation Act of 2000 (DMA2K), help local governments determine risks and vulnerabilities and identify projects to reduce these risks. The plan developed under the auspices of the West Piedmont Planning District Commission will include the counties of Franklin, Henry, Patrick and Pittsylvania; the cities of Danville and Martinsville; and the towns of Chatham, Boones Mill, Gretna, Hurt, Ridgeway, Rocky Mount and Stuart.

Hazard Identification and Risk Assessment

The Hazard Identification and Risk Assessment consist of three parts:

1. Identify what hazards that could affect the West Piedmont Planning District.
2. Profile hazard events and determine what areas and community assets are the most vulnerable to damage from these hazards.
3. Estimate losses and prioritize the potential risks to the community.

Hazards were ranked by the steering committee to determine what hazards they feel have the largest impact on their communities. Certain hazards were not addressed due to the infrequency of occurrence and/or limited impact. Table I-1 summarizes the results of the hazard identification.

Table I-1. West Piedmont Region Planning Consideration Levels

The Hazard Identification and Risk Assessment described each of the hazards in varying levels of detail consistent with each planning consideration level. The Hazard Identification and Risk Assessment shows that ice storms generally have greater impact than snow storms. According to the flood analysis, Pittsylvania County has the highest potential flood losses. Wind damages are more likely to result from tornadoes or thunderstorm winds than from hurricanes though the extent of damages due to hurricanes likely would be more widespread. In addition, rural areas are impacted more by drought and wildfire than urban areas.

There are eleven high hazard dams in the West Piedmont region. These dams are classified high hazard because of the impact they could create if they were breached.

The Blackwater, Pigg, Smith, and Roanoke Rivers are major waterways in Franklin County. Smith Mountain Lake and Philpott Lake are major reservoirs in Franklin County.

The major transportation routes in Franklin County are U.S. highway 220, state highways 40 and 116.

Based on a hazard analysis of the area, the primary hazards (in priority) in Franklin County are winter storms, floods, winds, dam failure, hazardous material incidents, severe storms, and interruption of electrical power.

The government of Franklin County is responsible for maintaining an emergency operations plan and response capability to protect the lives and property of its citizens from the effects of both man-made and natural disasters.

In accordance with the Virginia Emergency Services and Disaster Law of 2000, as amended, the Franklin County Emergency Operations Plan has been developed. This plan will be staffed, revised, exercised, readopted, and reissued once every four years.

Based on a hazard identification and risk assessment that was completed for Franklin County

Hazard indices and vulnerability assessments for moderate and significant risk events were developed for Franklin County. The hazard indices evaluated the extent to which the buildings were at risk from a particular hazard. The vulnerability assessments estimated the potential impacts if a particular area was affected by a specific hazard. These assessments are described in the West Piedmont Planning District Hazard Mitigation Plan.

Table I-1.

Hazard	Significance Ranking
Natural	
Winter Storms	Significant
Flood	Significant
Wind	Moderate
Drought	Moderate
Wildfire	Moderate
Tornado	Limited
Hurricane	Limited
Earthquake	Limited
Landslide/Erosion Control	Limited
Epidemic/Pandemic Disease Outbreak	Limited
Human-Caused	
Dams	Significant
High Voltage Transmission Lines	Moderate
Organic/Inorganic Spills	Moderate
Pipelines	Moderate
Agri-terrorism	Limited
Communication Failure	Limited

Capabilities Assessment

A local capability assessment readiness report for Franklin County is submitted annually to the Virginia Department of Emergency Management by the Franklin County Department of Public Safety.

Risk Assessment

According to the 2010 Census, the population of Franklin County is approximately 56,159 people with the following demographics:

- Size of household: 2.3 persons.
- Average age of resident: 44.1 years.
- Approximately 9,877 residents are >65 years old.
- Percentage of population <18 years old: 21%
- Percentage of population with pets: 64%

Terrain features that could affect the plan implementation include:

- The western portion of the Franklin County is bordered by the Blue Ridge Mountains that is mountainous with steep terrain. These areas are subject to flash flooding.
- The eastern and southern portion of the county/city is rolling hills with large portions of farmland. These areas are subject to significant weather events during the spring storm season.
- The majority of the population is located in the central and northern sections of Franklin County and within the independent towns of Boones Mill and Rocky Mount.
- Franklin County is bordered by Smith Mountain Lake in the northern and eastern portions of the county and by Philpott Reservoir in the southern portion of the county.

II. Assumptions

- Emergencies of various types, size, intensity, and duration may occur within or near the jurisdictional boundaries with or without warning. These emergencies can develop into disasters which affect the safety, health, and welfare of the population and cause damage or destruction to private and public property.
- Based on a hazards analysis of the area, the primary hazards in Franklin County are winter storms, floods, high winds, drought, wildfires, and dam failures.
- The government of Franklin County is responsible for maintaining an emergency plan and response capability to protect the lives and property of its citizens from the effects of both man-made and natural disasters. Government must continue to function throughout a disaster or emergency situation.
- The Virginia Emergency Services and Disaster Law of 2000, as amended, requires that each city and county prepare and keep current an emergency operations plan. This plan should be officially adopted by the local governing body and promulgated by the chief administrative official.
- The County will coordinate with Ferrum College, manufacturing plants, major institutions, and other facilities to ensure compatibility of plans and procedures, especially for those facilities where there exists an acknowledged hazard which could spread off site.
- The County will initiate and maintain any necessary agreements, inter-local agreements, contracts or other documents with industry, private resources, volunteer groups or other non-Franklin County government organizations to insure the ability to carry out the requirements of this plan.
- Where statements contained in this document conflict with other rules and regulations, the requirements and statements contained in this plan shall supersede all others. Where governed by applicable state and federal regulations, those state and federal regulations shall prevail and this document will be amended at the earliest convenience to rectify those conflicts.
- The County Administrator will mobilize resources and personnel as required by the situation.
- Incidents are managed at the local level.
- Franklin County will establish mutual aid agreements with neighboring jurisdictions.
- Franklin County will use the National Incident Management System (NIMS) and the Incident Command Structure (ICS).
- Special facilities (schools, nursing homes, adult day care and child care facilities) are required to develop emergency plans.
- Regulated facilities such as water treatment plants and power generating facilities, posing a specific hazard will develop, coordinate, and furnish emergency plans and procedures to local, county and state departments and agencies as applicable and required by codes, laws, regulations or requirements.

III. Organization and Assignment of Responsibilities

The Commonwealth of Virginia Emergency Services and Disaster Law of 2000, as amended, provides that emergency services organizations and operations are structured around existing constitutional government.

A successful local emergency management program involves local government officials, local government agencies, private sector and non-profit organizations. Their roles are summarized in the following sections.

Elected officials

- Protect the lives and property of citizens;
- Establish the local emergency management program;
- Appoint the local emergency manager; and
- Adopt and promulgate the Emergency Operations Plan (EOP).

County Administrator/Director of Emergency Management

- Determine the need to evacuate any endangered areas;
- Exercise direction and control from the EOC during disaster operations; and
- Hold overall responsibility for maintaining and updating the plan.

Public Safety Director/Coordinator of Emergency Management

- Ensure the local EOC is in a constant state of readiness;
- Develop and maintain EOP;
- Assume certain duties in the absence of the director of emergency management; and
- Ensure that the EOP is reviewed, revised and adopted every four years.

Local government agencies

- Develop and maintain detailed plans and standard operating procedures (SOPs);
- Identify sources of emergency supplies, equipment and transportation;
- Negotiate and maintain mutual aid agreements which are identified in the plan;
- Maintain records of disaster related expenditures and appropriate documentation;
- Protect and preserve records essential for the continuity of government; and
- Establish and maintain list of succession of key emergency personnel.

Emergency Support Functions (ESFs)

An ESF is a grouping of government and certain private-sector capabilities into an organizational structure to provide support, resources, program implementation, and emergency services that are most likely to be needed during emergencies. Operating agencies and local departments participate in the Emergency Support Functions (ESF) structure as coordinators, primary response agencies, and/or support agencies and/or as required to support incident management activities. The ESFs:

- Develop and maintain detailed plans and Standard Operating Procedures (SOPs) to support their functional requirements;
- Identify sources of emergency supplies, equipment and transportation;
- Maintain accurate records of disaster-related expenditure and documentation;
- Continue to be responsible for protection and preservation of records essential for continuity of government; and
- Establish a line of successions for key emergency personnel.

Citizen involvement

Volunteer organizations available for public participation include the following:

- Volunteer Emergency Medical Service agencies
- Volunteer Fire Departments
- Search and Rescue Team
- Medical Reserve Corps (MRC) activated through the Near Southwest Preparedness Alliance,
- Neighborhood Watch Groups

Franklin County has 19 volunteer fire departments and emergency medical service agencies with approximately 350 volunteers available to assist with emergency preparedness, response and recovery activities.

In Franklin County, volunteer fire departments and emergency medical service agencies have the responsibility to:

- Develop and maintain a listing of trained volunteers and support staff;
- Provide initial first response to events as requested and
- Assist in additional emergency response activities as requested by the Emergency Manager.

Private sector

The private sector may take on many different roles, which could include:

- Private owners of critical infrastructure (either a facility that could be impacted by a disaster or used as a resource);
- A response organization (e.g. private ambulance services, environmental clean-up services);
- A regulated or responsible party: owner operators of certain regulated facilities may have responsibility under law to prepare for and prevent incidents from occurring; or
- A Local Emergency Planning Group (LEPG) member.

The private sector has the responsibility to:

- Plan for personal and business disaster preparedness, mitigation, response and recovery;
- Have knowledge of local emergency response plans and procedures; and
- Implement protective actions as requested or required by the Emergency Manager.

Concept of Operations

General

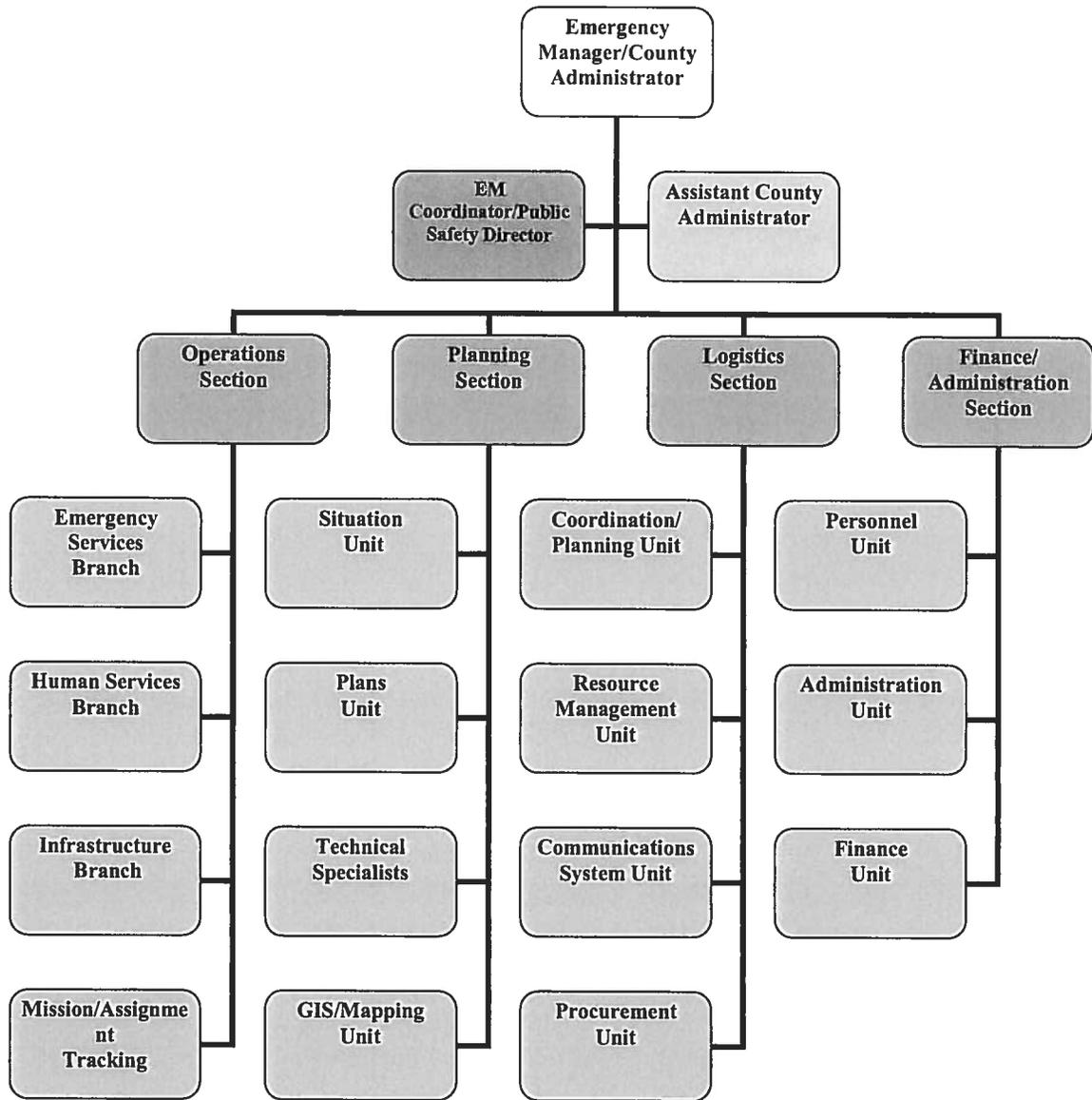
In the event an incident exceeds Franklin County emergency response capabilities, outside assistance is available, either through mutual support agreements with nearby jurisdictions and volunteer emergency organizations or, through the Virginia Emergency Operations Center (VEOC). A local emergency must be declared and local resources must be fully committed before state and federal assistance is requested. All emergencies will be managed using the operational concepts outlined in the National Incident Management System guidelines.



Emergency Operations Center

The Emergency Operations Center (EOC) is located at 1488 Franklin Street, Rocky Mount, Virginia. When the local emergency operations center (EOC) is activated, there should be coordination between the emergency manager and the incident commander to ensure a consistent response. Emergency Operations Center operations are based on the Incident Command System (ICS) and staffed with a representative for each of the Emergency Support Functions necessary to manage the incident.

Franklin County Emergency Operations Center Staff:



Emergency Support Functions (ESFs)

County of Franklin, Emergency Operations Plan Emergency Support Function Matrix March 1, 2010

ESF #1 – Transportation

Primary

- Office of the Sheriff

Support

- Rocky Mount Public Works,
- Rocky Mount Police Department,
- Virginia State Police,
- Virginia Department of Transportation
- Norfolk Southern Railroad

Primary Mission:

1. Liaison with State and civil transportation support
2. Provide security to major transportation infrastructure.
3. Transportation Safety
4. Coordination of restoration, recovery and reconstruction of transportation infrastructure
5. Movement restrictions
6. Damage and impact assessment

ESF #2 – Communications

Primary

- Franklin County Department of Information Technology
- Franklin County E-911 Center Manager
- Emergency Management Communications Coordinator

Support

- Franklin County Public Safety,
- Local Amateur Radio Groups,
- Virginia Defense Force
- B2X Communications
- Centurylink,
- Shentel

Primary Mission:

1. Coordination with telecommunications industry
2. Restoration/repair of telecommunications infrastructure
3. Protection, restoration, & maintenance of county cyber & information technology resources
4. Maintenance of county communication systems.

ESF #3 – Public Works and Engineering

Primary

- Franklin County Public Works Director,
- Rocky Mount Public Works,
- Franklin County Director of General Properties
- Western Virginia Water Authority
- Town of Boones Mill
- Ferrum Water & Sewer Authority

Support

- Parks and Recreation,
- VA Department of Environmental Quality,
- Franklin County Public Safety,
- VA Department of Health
- Appalachian Power Company

Primary Mission:

1. Infrastructure protection and emergency repair
2. Damage and impact assessment
3. Infrastructure restoration and reconstruction
4. Coordination of debris removal operations.
4. Engineering services, construction management
5. Critical infrastructure liaison
6. Recovery infrastructure assistance

ESF #4 – Firefighting

Primary

- Franklin County Public Safety

Support

- County Volunteer Fire Departments
- Virginia Department of Forestry,

Primary Mission:

1. Firefighting activities
2. Resource support to rural and urban firefighting
3. Provide training, guidance and assistance to citizens, the private/business sector and local governments in the promulgation and maintenance of appropriate fire protection programs and systems.

ESF #5 – Emergency Management

Primary

- Franklin County Public Safety
- Franklin County Administration
- Franklin County Board of Supervisors
- Franklin County Attorney

Support

- Town of Rocky Mount, Town Manager
- Town of Rocky Mount, Town Council
- Town of Boones Mill, Town manager

Primary Mission:

1. Coordination of incident management efforts
2. Issuance of mission assignments
3. Coordinate notification/deployment of human resources
4. Provide financial tracking of personnel costs, resource acquisition, and other incident related expenditures.
5. Requesting mutual-aid assistance through Emergency Management Assistance Compact (EMAC) requests to the state EOC.
6. Authorize supplemental staffing of key agencies by reassigning public employees as well as utilizing volunteer assistance when available.

ESF #6 – Mass Care, Housing, and Human Services

Primary

- Franklin County Social Services
- American Red Cross
- Franklin County Public Schools,
- Virginia Department of Health

Support

- Franklin County Public Safety,
- Franklin County Building Inspector
- Office of the Sheriff
- Franklin County Planning and Zoning,
- Ferrum College

Primary Mission:

1. Mass care and sheltering
2. Temporary housing
3. Coordination of repair and restoration of housing
4. Victim Assistance
5. Human services
6. Recovery assistance to individuals & households
7. Family Assistance

ESF #7 – Resource Support

Primary

- Franklin County Public Safety

Support

- Franklin County Finance Department
- Franklin County Attorney
- Franklin County General Properties Director,
- Franklin County Human Resources

Primary Mission:

1. Resource Support (facility space, office equipment and supplies, contracting services, etc.)
2. Coordination of Mutual Aid resources.
3. Compilation of resource vendor agreements.

ESF #8 – Health and Medical Services

Primary

- Franklin County Public Safety
- Franklin County Operational Medical Director
- VA Department of Health,
- Carilion Franklin Memorial Hospital
- Franklin County Volunteer EMS agencies,

Support

- American Red Cross
- Piedmont Community Services,
- Western Virginia EMS Council
- Near Southwest Preparedness Alliance
- Office of the Chief Medical Examiner, Western Division,
- Local Funeral Homes

Primary Mission:

1. Public health services
2. Medical services
3. Mental health services
4. Mortuary services

ESF #9 – Search and Rescue

Primary

- Office of the Sheriff
- Franklin County Public Safety

Support

- Franklin County Search & Rescue Team,
- Franklin County Swift Water Rescue Team,
- Roanoke Regional Heavy Tactical Rescue Team,
- Virginia Department of Game and Inland Fisheries,
- Franklin County Volunteer Fire Departments,
- Franklin County Volunteer EMS agencies,
- Roanoke Valley Regional Tactical Rescue Unit

Primary Mission:

1. Life-saving assistance
2. Search and rescue of lost or stranded persons
3. Location of persons trapped and/or missing in collapsed structures.

ESF #10 – Oil and Hazardous Materials Response

Primary

- Franklin County Public Safety
- Franklin County Volunteer Fire Departments,

Support

- Virginia Department of Emergency Management
- Virginia Department of Environmental Quality,
- Local Emergency Planning Committee (LEPC)

Primary Mission:

1. Oil & hazardous materials (chemical, biological, radiological, etc.) response
2. Environmental safety and short- and long-term cleanup
3. Health and safety of emergency workers

ESF #11 – Agriculture and Natural Resources

Primary

- Virginia Tech Cooperative Extension Service
- Franklin County Recreation Department

Support

- Virginia Department of Game and Inland Fisheries,
- Virginia Department of Health,
- Blue Ridge Soil & Water Conservation District,
- Franklin County Public Library,
- Franklin County Circuit Court Clerk,

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- Franklin County Social Services,
- Franklin County Animal Control,
- Local Veterinarians,

Primary Mission:

1. Nutrition assistance,
2. Animal and plant disease/pest response,
3. Food safety and security,
4. Natural & cultural resources protection & restoration,
5. Historic properties protection and restoration,
6. Animal care and control (pets, livestock, wildlife),
7. Dam failure management

ESF #12 – Energy

Primary

- Franklin County Public Safety (Liaison)

Support

- Appalachian Power Company

Primary Mission:

1. Energy infrastructure assessment, repair, and restoration
2. Energy industry utilities coordination
3. Energy forecasts

ESF #13 – Public Safety and Security

Primary

- Office of the Sheriff

Support

- Virginia State Police
- Rocky Mount Police Department
- Virginia Alcoholic Beverage Control Board
- Virginia Department of Game & Inland Fisheries,
- Ferrum College Police Department,

Primary Mission:

1. Facility and resource security
2. Security planning; technical & resource assistance
3. Public safety/security support
4. Support to access, traffic, and crowd control
5. Health and safety of disaster workers

ESF #14 – Recovery

Primary

- Franklin County Director of Planning and Zoning
- Franklin County Public Safety
- Franklin County Chief Building Official

Support

- Franklin County Commerce Director,
- Virginia Tech Extension Service,
- Rocky Mount Town Manager,
- Franklin County Finance Department,
- Franklin County Planning and Zoning,
- Franklin County Building Inspection Office
- Director, Franklin Center
- Blue Ridge Soil and Water Conservation District,
- Virginia Department of Forestry,
- VA Employment Commission,
- Franklin County Social Services,

Primary Mission:

1. Social and economic impact assessment including damage assessments,
2. Partner with FEMA and SBA for short term federal disaster assistance programs
3. Coordinate long-term community recovery assistance for County and Town governments & the private sector
4. Coordination of reconstruction and redevelopment of impacted areas
5. Mitigation analysis and program implementation

ESF #15 – External Affairs

Primary

- County Administration
- Franklin County Board of Supervisors,

Support

- Rocky Mount Town Council,
- Rocky Mount Town Manager
- Franklin County Public Safety
- Ferrum College
- Franklin Center
- VA. Department of Health
- Franklin County Social Services,
- Franklin County Office of the Sheriff
- Franklin County E911 Center

Primary Mission:

1. Emergency public information and protective action guidance
2. Incident information to the public

3. Media and community relations
4. Elected officials liaison

ESF #16 – Military Support

Primary

- VA. National Guard

Support

- Office of the Sheriff
- Franklin County Public Safety
- Virginia Defense Force

Primary Mission:

1. Translate civilian missions into military missions
2. Provide military resources
3. Plan, coordinate, and control mission assignments for military personnel

ESF #17 – Volunteer and Donations Management

Primary

- Office of the Sheriff-Citizens Patrol Unit,
- Franklin County Finance Director

Support

- Franklin County Dept. of Public Safety
- Goodwill Industries of the Roanoke Valley
- Franklin County General Properties Director
- Franklin County Schools
- Franklin County Finance Department

Primary Mission:

1. Assures expeditious delivery of donated good to affected areas.
2. Coordinates response and recovery efforts as related to volunteers, both convergent and pre-assigned.
3. Maintains records of goods and services donated and received.
4. Establishes a collection point for all donated goods and materials.
5. Secures adequate storage facilities for all donated goods and materials.
6. Establishes volunteer assistance collection center.
7. Implements credentialing process for all volunteer assistance.
8. Maintains a database of available volunteer assets. Reports those assets to the EOC.
9. Manages and maintains financial records of all donations received.

Sequence of Action

This section describes incident management actions ranging from initial threat notification, to early coordination efforts to assess and disrupt the threat, to preparatory activation of the ESF structure, to deployment of resources in support of incident response and recovery operations. These actions do not necessarily occur in sequential order; many may be undertaken concurrently in response to single or multiple threats or incidents.

Non-Emergency/Normal Operations

These are actions that are implemented during non-emergency or disaster periods that will prepare the locality for potential emergency response if necessary.

1. Public information and educational materials will be provided to the public via municipal newsletters, brochures, publications in telephone directories, municipal web-sites and other media outlets.
2. Develop, review and exercise emergency operations plans and standard operating procedures.
3. Assure the viability and accuracy of emergency contact lists, resource lists and emergency contracts.
4. Update, review, and maintain the Emergency Operations Plan (EOP)
5. Design, draft, and implement financial tracking policies and procedures for disaster related expenses relating to personnel costs, resource procurement costs, asset and equipment tracking, and other costs associated with emergency responses.
6. The Office of the Sheriff will provide coordination with the State Fusion Center for Information Collection, Analysis, and Dissemination related to local, state, and federal intelligence Information and will notify the County Administrator of any actionable intelligence received.

Pre-Incident Actions

These are actions that are implemented if the Emergency Management Coordinator receives notice of a potential emergency from the federal Homeland Security Advisory System, National Weather Service watches and warnings or other reliable sources.

Actions:

- *Communication alert & warning;*
 - *Public health and safety;*
 - *Responder health and safety;*
 - *Property protection; and*
 - *Possible partial activation of the EOC.*
1. Brief the local governing body of the impending situation.
 2. Alert emergency response personnel and develop a staffing pattern.
 3. Determine any protective action measures that need to be implemented in preparation for the situation.
 4. Report pre-incident measures being taken to the Virginia Emergency Operations center through the situational update process.

Response Actions

Examples of actions taken to preserve life, property, the environment, and the social, economic, and political structure of the community.

- Law enforcement;
- Protection of responder health and safety;

- Fire;
- Emergency medical services;
- Evacuations ;
- Dissemination of public information;
- Actions minimize additional damage;
- Urban search and rescue;
- Public health and medical services;
- Distribution of emergency supplies;
- Debris clearance; and
- Protection and restoration of critical infrastructure.

Some issues to consider at this point in the incident are:

- Daily functions of the government that do not contribute directly to the emergency operation may be suspended for the duration of the emergency response.
- Efforts and resources may be redirected to accomplish an emergency task.
- Implement evacuation orders as needed.
- Open and staff emergency shelters as needed.

Once immediate response missions and life-saving activities conclude, the emphasis shifts from response to recovery operations, and if applicable, hazard mitigation.

Provide information to the Virginia Emergency Operations Center through the situational update process.

Victim Assistance

The Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in this plan when there are victims as defined in § 19.2-11.01 of the Code of Virginia. The Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be the lead coordinating agencies for those individuals determined to be victims.

Contact Information for the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund is as follows:

Criminal Injury Compensation Fund

Mary Vail Ware, Director, CICF
Criminal Injuries Compensation Fund (CICF) Department
Virginia Workers' Compensation Commission
1000 DMV Drive
Richmond, VA 23220
CICF Toll Free: 1-800-552-4007
Phone: (804) 367-1018
Email: maryvail.ware@vwc.state.va.gov
804-399-8966 (after hours)

Shannon Freeman (alternate).
800-552-4007 (normal business hours)
804-614-5567 (after hours)

Virginia Department of Criminal Justices Services

Melissa Roberson
Training and Critical Incident Response Coordinator
1100 Bank Street

Richmond, VA 23219
 Phone: (804) 840-4276
 Fax: (804) 786-3414
 Link: <http://www.dcs.virginia.gov/research/reportemergency/>

Recovery Actions

These actions occur after the initial response has been implemented. These actions should assist individuals and communities return to a normal state as much as feasible. During the recovery period, some of the actions that may need to be implemented:

- Preliminary damage assessment
- Long-term recovery
- Cleanup and restoration of public facilities, businesses, and residences;
- Re-establishment of habitats and prevention of subsequent damage to natural resources; and
- Protection of cultural or archeological sites during other recovery operations.
- Open a Joint Field Office (JFO) to assist those impacted by the disaster if the event is declared a Federal Disaster. The JFO is the central coordination point among Federal, State and Local agencies and voluntary organizations for delivering recovery assistance programs.
- Within 72 hours of impact, complete an Initial Damage Assessment and submit to the VEOC.
- Assess local infrastructure and determine viability for re-entry of residents.
- Begin immediate repairs to electric, water and sewer lines and stations.
- Provide situational updates to the Virginia Emergency Operations Center.

Mitigation Actions

These actions are completed to reduce or eliminate long-term risk to people and property from hazards and their side effects. During the mitigation process, these issues will need to be addressed:

- Grant programs for loss reduction measures (if available);
- Delivery of loss reduction building-science expertise;
- Coordination of Federal Flood Insurance operations and integration of mitigation with other program efforts;
- Conducting flood recovery mapping to permit expedited and accurate implementation of both recovery and mitigation programs;
- Predictive modeling to protect critical assets;
- Early documentation of losses avoided due to previous hazard mitigation measures; and
- Community education and outreach necessary to foster loss reduction.
- Review the All-Hazard Mitigation Plan and update as necessary any mitigation actions that could be of assistance in preventing similar impacts for a future disaster.
- Work with the Virginia Department of Emergency Management Mitigation Program to develop mitigation grant projects to assist in areas most at risk.
- Implement mitigation measures in the rebuilding of infrastructure damaged in the event.

Declaration of a Local Emergency

The Board of Supervisors shall declare by resolution an emergency to exist whenever the threat or actual occurrence of a disaster is or threatens to be of sufficient severity and magnitude to require significant expenditure and a coordinated response in order to prevent or alleviate damage, loss, hardship or suffering. A local emergency may be declared by the Director of Emergency Management with the consent of the local governing board. If the governing body can not convene due to the disaster or other exigent circumstances, the director shall declare the existence of an emergency, subject to the confirmation by the governing Board of Supervisors within 14 days of the declaration or the next regularly scheduled Board of Supervisors meeting, whichever occurs first. Any declaration of a local emergency will be reported to the Virginia Emergency Operations Center.

Activation of the Emergency Operations Center (EOC)

The Emergency Manager or Coordinator may activate the EOC if the following conditions exist:

- There is an imminent threat to public safety or health on a large scale;
- An extensive multiagency/jurisdiction response and coordination will be required to resolve or recover from the emergency or disaster event;
- The disaster affects multiple political subdivisions within counties or cities that rely on the same resources to resolve major emergency events; and/or
- The local emergency ordinances are implemented to control the major emergency or disaster event.

Availability of staff and operational needs may allow or require positions to be combined, or positions to not be filled (responsibilities held by the next higher position).

Public Notification and Communications

Communication, Alert and Warning will be provided to the public via the Emergency Notification System (ENS), the Commercial Mobile Alert System (CMAS), local television and radio stations, and electronic billboards placed in strategic locations throughout the county. Staff should also utilize county social media websites to release preparedness information as well as emergency information to the public.

V. Administration, Finance and Logistics

All assets (human resources and facility and equipment resources) of the community will become the purview of the County Administrator of Franklin County to direct in any way to respond to an emergency.

The County Administrator may also appoint this authority to his designee or the Director of Public Safety as written in a formal Delegation of Authority statement on file.

The County Finance Director will maintain a system to track personnel compensation costs and asset acquisition costs that will be implemented in the event of a declaration of a local emergency.

VI. Plan Development and Maintenance

Plan Development

Commonwealth of Virginia Emergency Services and Disaster Law of 2000, as amended, requires jurisdictions to develop, adopt, and keep current a written crisis and emergency management plan;

Every four years, Franklin County shall conduct a comprehensive review and revision of its crisis and emergency management plan to ensure the plan remains current, and the revised plan shall be adopted formally by the Board of Supervisors.

Such review shall also be certified in writing to the Department of Emergency Management.

Drafting an emergency plan is a community effort and relies heavily on the Franklin County Administrator, Director of Public Safety, and experts to provide comprehensive guidance on hazard analysis, exercise design, evacuation planning, emergency management, mitigation, recovery, emergency preparedness, and educational awareness.

Emergency Operations Plan participants:

- Public Safety Director
- Local Emergency Planning Committee members
- Assistant County Administrator
- Representatives from County Departments:
 - Department of Finance,
 - Department of Human Resources,
 - Department of Purchasing, and
 - Department of Information Technology
- Chief Building Official
- Director of General Properties
- Franklin County Schools
- Director of the Franklin Center
- Public Works Director

Additional Representatives:

- Franklin County Emergency Medical Services,
- Franklin County Fire Department,
- Rocky Mount Police Department,
- Franklin County Office of the Sheriff,
- Carilion Franklin Memorial Hospital,
- American Red Cross,
- Virginia Department of Health,
- Virginia Department of Social Services,
- Western Virginia Emergency Medical Service Council,
- Near Southwest Preparedness Alliance,
- Ferrum College,
- Rocky Mount Fire Chief,
- U.S. Army Corps of Engineers,
- Virginia State Police,
- Virginia Department of Game and Inland Fisheries
- Virginia Department of Transportation,
- Western Virginia Water Authority
- County Landfill Operations Director
- Goodwill of the Roanoke Valley.

Plan Maintenance

The Director of Public Safety will update the Emergency Operations Plan annually. The Director of Public Safety will coordinate with each emergency resource organization and assure the development and maintenance of an appropriate emergency response capability.

It is the responsibility of the Director of Public Safety to assure that the plan is tested and exercised on a scheduled basis. At a minimum, this will include:

- A functional drill for some portion of the plan will be held annually
- A tabletop exercise of the plan will be held semi-annually; and a full-scale exercise will be held every four years.
- The Director of Public Safety will maintain the schedule and assure that the appropriate resources are available to complete these activities.
- After each drill, exercise or actual event, a hot wash and/or after-action review will take place. Any findings from these post-event reviews will be incorporated into an update of the plan.

VII. Exercise and Training

Trained and knowledgeable personnel are essential for the prompt and proper execution of the Franklin County Emergency Operations Plan and sub-plans. The Director of Public Safety will ensure that all response personnel have a thorough understanding of their assigned responsibilities in a disaster or emergency situation, as well as how their role and responsibilities interface with the other response components of the Franklin County Emergency Operations Plan. All personnel will be provided with the necessary training to execute those responsibilities in an effective and responsible manner.

The Deputy Emergency Management Coordinator is responsible for the development, administration, and maintenance of a comprehensive training and exercise program customized to the needs of Franklin County. This program will be comprised of a general, core, functionally specific, as well as on-going refresher training programs designed to attain and sustain an acceptable level of emergency preparedness for Franklin County.

Training will be based on federal and state guidance. Instructors will be selected from Franklin County government officials and staff, state and federal governments, private industry, the military, and volunteer groups trained in emergency services and response. All training and exercises conducted in Franklin County will be documented. Training needs will be identified and records maintained for all personnel assigned emergency response duties in a disaster.

The Deputy Emergency Management Coordinator will develop, plan, and conduct table top, functional and/or full-scale exercises annually. These exercises will be designed to not only test the Franklin County Emergency Operations Plan and sub-plans, but to train all appropriate officials, emergency response personnel, Franklin County, Town of Rocky Mount, and Boones Mill employees, and improve the overall emergency response organization and capability of Franklin County. Quasi-public and volunteer groups and/or agencies will be encouraged to participate. Deficiencies identified by the exercise will be addressed immediately.

Appendix 1 – Glossary of Key Terms

Amateur Radio Emergency Services

A public service organization of licensed amateur radio operators who have voluntarily registered their qualifications and equipment to provide emergency communications for public service events as needed

American Red Cross

A humanitarian organization led by volunteers, that provides relief to victims of disasters and helps prevent, prepare for, and respond to emergencies. It does this through services that are consistent with its Congressional Charter and the Principles of the International Red Cross Movement.

Command Section

One of the five functional areas of the Incident Command System. The function of command is to direct, control, or order resources, including people and equipment, to the best possible advantage.

Command Post

That location at which primary Command functions are executed; usually collocated with the Incident Base. Also referred to as the Incident Command Post.

Comprehensive Resource Management

Maximizes the use of available resources, consolidates like resources and reduces the communications load on the Incident Command Operation.

Coordination

The process of systemically analyzing a situation, developing relevant information, and informing appropriate personnel of viable alternatives for selection of the most effective combination of available resources to meet specific objectives.

Emergency

Any occurrence, or threat, whether natural or man-made, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property or natural resources and may involve governmental action beyond that authorized or contemplated by existing law because governmental inaction for the period required to amend the law to meet the exigency would work immediate and irrevocable harm upon the citizens or the environment of the Commonwealth or clearly defined portion or portions thereof.

Decontamination

The process of making people, objects, or areas safe by absorbing, destroying, neutralizing, making harmless, or removing the Hazardous Materials/HAZMAT

Emergency/Disaster/Incident

An event that demands a crisis response beyond the scope of any single line agency or service and that presents a threat to a community or larger area. An emergency is usually an event that can be controlled within the scope of local capabilities; a major emergency or disaster usually requires resources beyond what is available locally.

Emergency Alert System

A network of broadcast stations interconnecting facilities authorized by the Federal Communications Commission (FCC) to operate in a controlled manner to warn and inform the public of needed protective actions in the event of a disaster or emergency situation.

Emergency Operations Center

A facility from which government directs and controls its emergency operations; where information about the status of the emergency situation is officially collected, assimilated, and reported on; where coordination among response agencies takes place; and from which outside assistance is officially requested.

Emergency Operations Plan

A document which provides for a preplanned and coordinated response in the event of an emergency or disaster situation.

Emergency Management

The preparation for and the carrying out of functions (other than functions for which military forces are primarily responsible) to prevent, minimize, and repair injury and damage resulting from natural or manmade disasters. These functions include fire-fighting, police, medical and health, rescue, warning, engineering, communications, evacuation, resource management, plant protection, restoration of public utility services, and other functions related to preserving the public health, safety, and welfare.

Emergency Support Function

A functional area of response activity established to facilitate the delivery of Federal assistance required during the immediate response phase of a disaster to save lives, protect property and public health and maintain public safety.

Exercise

An activity designed to promote emergency preparedness; test or evaluate emergency operations plans, procedures, or facilities; train personnel in emergency response duties, and demonstrate operational capability. There are three specific types of exercises: tabletop, functional, and full scale.

Evacuation

Assisting people to move from the path or threat of a disaster to an area of relative safety.

Federal Disaster Assistance

Aid to disaster victims and/or state and local governments by federal agencies under provisions of the Robert T. Stafford Relief and Emergency Assistance Act of (PL 93-288).

Geographic Information System (GIS)

A computer system capable of assembling, storing, manipulating, and displaying geographically referenced information, i.e.-data identified according to their locations.

Hazardous Materials

Substances or materials which may pose unreasonable risks to health, safety, property, or the environment when used, transported, stored or disposed of, which may include materials which are solid, liquid, or gas. Hazardous materials may include toxic substances, flammable and ignitable materials, explosives, or corrosive materials, and radioactive materials.

Hazardous Materials Emergency Response Plan

The plan was developed in response to the requirements of Section 303 (a) of the Emergency Planning and Community Right-to-Know Act (Title III) of Superfund Amendments and Reauthorization Act of 1986. It is intended to be a tool for our community's use in recognizing the risks of a hazardous materials release, in evaluating our preparedness for such an event, and in planning our response and recovery actions. This plan is separate from the county's Emergency Operations Plan.

Incident Command System (ICS)

A model for disaster response that uses common terminology, modular organization, integrated communications, unified command structure, action planning, manageable span or control, pre-designed facilities, and comprehensive resource management. In ICS there are five functional elements: Command, Operations, Logistics, Planning and Finance/Administration.

Incident Commander

The individual responsible for the management of all incident operations.

Initial Damage Assessment Report

A report that provides information regarding overall damage to public and private property, thereby providing a basis for emergency declaration and/or disaster assistance.

Integrated Communications Plan

This plan coordinates the use of available communications means and establishes frequency assignments for certain functions.

Local Emergency

The condition declared by the local governing body when, in its judgment, the threat or actual occurrence of a disaster is or threatens to be of sufficient severity and magnitude to warrant coordinated local government action to prevent, or alleviate loss of life, property damage, or hardship. Only the Governor, upon petition of a local governing body, may declare a local emergency arising wholly or substantially out of a resource shortage when he deems the situation to be of sufficient magnitude to warrant coordinated local government action to prevent or alleviate the hardship or suffering threatened or caused thereby.

Local Emergency Planning Committee

Appointed representatives of local government, private industry, business, environmental groups, and emergency response organizations responsible for ensuring that the hazardous materials planning requirements of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III) are complied with.

Mitigation

Activities that actually eliminate or reduce the chance occurrence or the effects of a disaster. Examples of mitigation measures include, but are not limited to, the development of zoning laws and land use ordinances, State building code provisions, regulations and licensing for handling and storage of hazardous materials, and the inspection and enforcement of such ordinances, codes and regulations.

Mobile Crisis Unit

A field response team staffed and operated by mental health professionals specially trained in crisis intervention. The Mobile Crisis Unit is available to provide on-scene crisis intervention to incident victims and to follow up work with victims and formal Critical Incident Stress Debriefings for service providers after the incident has been brought under control.

Mutual Aid Agreement

A written agreement between agencies and/or jurisdictions in which they agree to assist one another, upon request, by furnishing personnel and/or equipment in an emergency situation.

National Response Framework

A guide to how the Nation conducts all-hazard response. It is built upon scalable, flexible and adaptable coordinating structures to align key roles and responsibilities across the nation.

National Weather Service

The federal agency which provides localized weather information to the population, and during a weather-related emergency, to state and local emergency management officials.

Preparedness

The development of plans to ensure the most effective, efficient response to a disaster or emergency. Preparedness activities are designed to help save lives and minimize damage by preparing people to respond appropriately when an emergency is imminent. Preparedness also includes establishing training, exercises and resources necessary to achieve readiness for all hazards, including Weapons of Mass destruction incidents.

Presidential Declaration

A presidential declaration frees up various sources of assistance from the Federal government based on the nature of the request from the governor.

Primary Agency

While several County departments will be performing varied and critical tasks during a disaster, in most cases only one agency will be considered the 'primary agency.' The primary agency shall be responsible for detailed planning, testing, and evaluation of their respective emergency support function. The Department Director of the primary agency shall serve as the principle advisor to the County Executive during the response and recovery phase. In addition, the Department Director or the primary agency must assure that essential operations of his/her agency will continue, unless otherwise directed by the County Executive or his/her designee.

Regional Information Coordination Center

The center facilitates communications and coordination among local, state, and federal government authorities to ensure an effective and timely response to regional emergencies and incidents, including coordination of decision-making regarding events such as closings, early release of employees, evacuation, transportation decisions, health response, etc.

Situation Report

A form which, when completed at the end of each day of local Emergency Operations Center operations, will provide the County with an official daily summary of the status of an emergency and of the local emergency response. A copy should be submitted to the State EOC via fax or submitted through the Virginia Department of Emergency Management website.

Span of Control

As defined in the Incident Command System, Span of Control is the number of subordinates one supervisor can manage effectively. Guidelines for the desirable span of control recommend three to seven persons. The optimal number of subordinates is five for one supervisor.

State of Emergency

The condition declared by the Governor when, in his judgment, a threatened or actual disaster in any part of the State is of sufficient severity and magnitude to warrant disaster assistance by the State to supplement local efforts to prevent or alleviate loss of life and property damage.

Superfund Amendments and Reauthorization Act of 1986

Established Federal regulations for the handling of hazardous materials.

Unified Command

Shared responsibility for overall incident management as a result of a multi-jurisdictional or multi-agency incident. In the event of conflicting priorities or goals, or where resources are scarce, there must be a clear line of authority for decision-making. Agencies contribute to unified command by determining overall goals and objectives, jointly planning for tactical activities, conducting integrated tactical operations and maximizing the use of all assigned resources.

Weapons of Mass Destruction

Any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than 4 ounces, or a missile having an explosive incendiary charge of more than 0.25 ounce, or mine or device similar to the above; poison gas; weapon involving a disease organism; or weapon that is designed to release radiation or radioactivity at a level dangerous to human life. (Source: 18 USC 2332a as referenced in 18 USC 921).

Appendix 2 – List of Acronyms

APHIS	Animal and Plant Health Inspection Service
CERT	Community Emergency Response Team
CFO	Chief Financial Officer
CR	Community Relations
DSCO	Deputy State Coordinating Officer
DHS	Department of Homeland Security
DRC	Disaster Recovery Center
DMME	Department of Mines, Minerals, and Energy
DRM	Disaster Recovery Manager
EAS	Emergency Alert System
EOC	Emergency Operations Center
ESF	Emergency Support Function
EPA	Environmental Protection Agency
ERT-A	Emergency Response Team – Advance Element
FBI	Federal Bureau of Investigation
FCO	Federal Coordinating Officer
FEMA	Federal Emergency Management Agency
ICS	Incident Command System
JIC	Joint Information Center
JFO	Joint Field Office
MACC	Multi-agency Command Center
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
NAWAS	National Warning System
NCR	National Capital Region
NGO	Nongovernmental Organization
NIMS	National Incident Management System
NOAA	National Oceanic and Atmospheric Administration
NRC	Nuclear Regulatory Commission
NRP	National Response Plan
NWS	National Weather Service
PDA	Preliminary Damage Assessment
PIO	Public Information Officer
POC	Point of Contact
RACES	Radio Amateur Civil Emergency Services
SAR	Search and Rescue
SCC	State Corporation Commission
SOP	Standard Operating Procedures
USACE	U.S. Army Corps of Engineers
USCG	U.S. Coast Guard
USDA	U.S. Department of Agriculture
VOAD	Voluntary Organizations Active in Disaster
WAWAS	Washington Area Warning System
WMD	Weapons of Mass Destruction

Appendix 3 – Authorities and References

Federal

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended

The Homeland Security Act

National Response Framework

Local and Tribal NIMS Integration: Integrating the National Incident Management System into Local and Tribal Emergency Operations Plans and Standard Operating Procedures, V. 1, Department of Homeland Security

State

Commonwealth of Virginia Emergency Services and Disaster Law of 2000 as amended.

The Commonwealth of Virginia Emergency Operations Plan, December 2012

Local

Regional or Local Hazard Mitigation Plan

Local Comprehensive Plan

Appendix 4 – Succession of Authority

Continuity of emergency operations is critical to the successful execution of emergency operations. Therefore, the following lines of succession are specified in anticipation of any contingency, which might result in the unavailability of the ranking member of the administrative hierarchy. The decision-making authority for each organization or service function is listed below by position in decreasing order.

Organization/Service Function Authority in Line of Succession

Chief Elected Official

1. Chairman, Board of Supervisors
2. Vice-Chairman, Board of Supervisors
3. Board of Supervisor members in order of seniority.

Director of Emergency Management:

1. County Administrator/Emergency Manager
2. Assistant County Administrator
3. Chairman, Franklin County Board of Supervisors
4. Board of Supervisors members in order of seniority.

Coordinator of Emergency Management

1. Public Safety Director/Emergency Management Coordinator
2. Deputy Emergency Management Coordinators

Emergency Public Information

1. County Administrator
2. Assistant County Administrator
3. Public Safety Director
4. Office of the Sheriff Public Information Officer
5. Public Safety Division Chief of Operations
6. Fire Marshal

Office of the Sheriff

1. Sheriff
2. Chief Deputy-Major
3. Senior Deputy-Captain
4. Shift Supervisor-Lieutenant
5. Platoon Supervisor-Sergeant

Fire Departments

1. Fire Chief
2. Assistant Chief
3. Captain

Rescue Squads

1. Captain
2. First Lieutenant
3. Second Lieutenant

School System

1. Superintendent
2. Director of Facilities and Operations
3. Support Services Specialists
4. Supervisor of Maintenance
5. Director of Administration

Building Inspections

1. Building Official
2. Building Inspector

Health Department

1. District Health Director
2. Administrator
3. District Nursing Supervisor

Social Services

1. Director
2. Social Work Supervisor
3. Eligibility Supervisor

Appendix 5 – Emergency Operations Plan Distribution List

County Administrator/Director of Emergency Management
 Director of Public Safety/Coordinator of Emergency Management
 Emergency Operations Center (EOC)
 Department of Public Safety
 Office of the Sheriff, Franklin County Virginia
 Assistant County Administrator
 Franklin County Fire Departments
 Director of Information Technology
 Western Virginia Water Authority
 Director of Planning and Zoning
 Director of Parks & Recreation
 Director of Public Works
 Commissioner of Revenue
 Director of Social Services
 Rocky Mount Town Manager
 Mayor of Boones Mill
 Unit Director - Extension Service
 Health Department
 County Attorney
 E911 Communications Center
 Franklin County Board of Supervisors
 Rocky Mount Town Council
 Boones Mill Town Council
 Franklin County Public Schools
 Franklin County Rescue Squads
 Damage Assessment Team
 Virginia Department of Transportation
 Virginia Department of Emergency Management
 Director of the Franklin Center

Appendix 6 – Continuity of Government

Court Records

The preservation of essential records for the locality is the responsibility of the Clerk of the Circuit Court. All essential records are to be stored in the records vault located in the Office of the Clerk of the Circuit Court. These records include the following:

Real Estate Records*
 Criminal Records
 Wills
 Civil Records
 Chancery Records
 Marriage Licenses

The evacuation of records in the event of an emergency will be accomplished only by approval of the Clerk of the Circuit Court.

The Office of the Sheriff shall provide transportation and security for any records relocated from the Circuit Court.

* A microfilm copy of all real estate records for the locality is stored in the Archives, State Library, Richmond, Virginia.

Agencies/Organizations

Each agency/organization within the structure of local government should establish its own records protection program. Those records deemed essential for continuing government functions should be identified and procedures should be established for their protection, such as duplicate copies in a separate location and/or the use of safe and secure storage facilities. Provisions should be made for the continued operations of automated data processing systems and records.

Appendix 7 – NIMS Resolution

Declaration of Adoption National Incident Management System

BE IT RESOLVED by the Franklin County Board of Supervisors as follows:

WHEREAS, at the request of the President, the Department of Homeland Security has developed the National Incident Management System (NIMS) for the purpose of unifying and coordinating all emergency responders' efforts during disasters; and

WHEREAS, the Department of Homeland Security has directed all Federal, State, Territorial, Tribal, and local entities involved in emergency response to adopt NIMS; and
Whereas the Governor of the State of Virginia has similarly endorsed NIMS by proclaiming it the official basis for management of incident response in Virginia; and

WHEREAS, the NIMS will enable responders at all levels to work together more effectively and efficiently to manage domestic incidents no matter what the cause, size or complexity, including catastrophic acts of terrorism and natural disaster; and

WHEREAS, Franklin County currently uses the Incident Command System (ICS) as referred to in NIMS; and

WHEREAS, the Franklin County recognizes the need for a single Incident Management System to be used by all local agencies and disciplines;

BE IT THEREFORE RESOLVED, that the Franklin County Board of Supervisors adopts the National Incident Management System. That this system will be used at all incidents and drills, taught in all Franklin County local training courses, and reflected in all emergency mitigation, preparedness, response and recovery plans and programs.

Chairman, Franklin County Board of Supervisors

Appendix 8 – Declaration of Local Emergency

WHEREAS, the Director of Emergency Management of Franklin City/County does/did hereby find:

1. That due to _____, Franklin County is facing/faced dangerous conditions;
2. That due to the _____, a condition of extreme peril to life and property necessitates/necessitated the proclamation of the existence of a local emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that an emergency does now/or did exists throughout Franklin County; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said emergency, the powers, functions, and duties of the Franklin County Department of Public Safety shall be/were those prescribed by State Law and the Ordinances, Resolutions, and approved plans of Franklin County in order to mitigate the effects of said emergency.

Date

County Administrator/Emergency Manager

Confirmed:

Date

Chairman, Franklin County Board of Supervisors

Attest: _____
Clerk, Board of Supervisors/Franklin County
Commonwealth of Virginia

FRANKLIN COUNTY
Board of Supervisors



Franklin County
A Natural Setting for Opportunity

EXECUTIVE SUMMARY

AGENDA TITLE: Ambulance replacement Westlake station and Snow Creek Rescue Squad	AGENDA DATE: 02/18/2014	ITEM NUMBER:
SUBJECT/PROPOSAL/REQUEST Ambulance Purchase/accept grant funds/authorize purchase from existing contract	ACTION: Yes	INFORMATION:
STRATEGIC PLAN FOCUS AREA: Goal # 4.3 Action Strategy: Use best practices to providing emergency medical service to citizens.	CONSENT AGENDA: Yes ACTION:	INFORMATION:
STAFF CONTACT(S): Messrs. Huff, Hatcher	ATTACHMENTS: REVIEWED BY: <i>REH</i>	

BACKGROUND: In 2011, Public Safety staff consulted volunteer EMS Captains to update the county ambulance specification and to assess which vehicles within the fleet would need replacement within the next 5 years. The county ambulance specifications, currently in use, were left unchanged as EMS providers have found the design to be very functional in providing patient care.

In FY 2013 – 2014, two ambulances were scheduled for replacement. The vehicles to be replaced are located in the Snow Creek Rescue Squad and the Westlake Fire & EMS station. Both of the vehicles to be replaced have already been removed from service for mechanical reasons.

In July 2013, public safety staff applied for 2 Rescue Squad Assistance Fund (RSAF) grants to assist with the purchase of these vehicles. The Virginia Office of EMS approved grant funding for the Westlake ambulance replacement and awarded \$135,200 toward the purchase of a new ambulance for that station.

DISCUSSION: The Westlake Fire & EMS station is the second busiest station in Franklin County. The station is dispatched to an average of 1000 calls annually. Due to the high number of EMS calls received, ambulances assigned to the station incur significant mileage and normal wear and tear through daily use. The vehicle averages approximately 2500 miles per month as a result of the call volume and hospital transport distances. The previous ambulance, with 138,000 miles, assigned to the Westlake station suffered a catastrophic drivetrain failure in August 2013 at highway speeds. Repair estimates for the vehicle were in excess of \$10,000. There is only one ambulance assigned to Westlake. As such, the crew has been using a reserve ambulance to provide service to the community that already has in excess of 168,000 miles and was slated to be sent to surplus in September 2013. The crew has also been using secondary ambulances from Callaway, Red Valley, and Ferrum when the reserve ambulance has been out of service for repairs. Due to the high number of responses and typical wear and tear associated with daily use, staff is requesting a new ambulance be purchased for use in Westlake. The vehicle to be purchased is a 2014 Dodge 4500 modular chassis ambulance that will be built in accordance with county ambulance specifications.

The second ambulance to be purchased is for the Snow Creek Rescue Squad. The vehicle to be replaced is a

1991 Ford, Type III modular ambulance that had 86,000 miles on the chassis when it experienced an engine failure requiring a complete engine replacement. Staff decided against repairing the vehicle after repair costs exceeded \$9,000 and the vehicle was removed from service. This leaves one ambulance for use in the Snow Creek station. Snow Creek Rescue responds to approximately 120 calls annually. The vehicle to be replaced was reliable for use but experienced frequent mechanical failures when subjected to daily use. A RSAF grant was also requested for this vehicle replacement but was not funded at the state level. Two ambulances are needed for Snow Creek as the second vehicle located at that station is often used as a spare ambulance at other EMS stations when a primary ambulance is out of service for repairs. The squad is currently using an ambulance primarily assigned to Callaway Rescue as Snow Creek's remaining vehicle is being repaired as a result of a deer collision. The vehicle to be purchased is a 2014 Dodge 4500 modular chassis ambulance that will also be built in accordance with county ambulance specifications.

In July 2013, staff applied for RSAF grants to assist with the purchase of both ambulances slated for replacement in 2013. The Virginia Office of EMS approved the grant request for the Westlake ambulance but did not award funding toward the Snow Creek ambulance purchase. The grant awarded requires a 20% local funding match. The maximum amount awarded in the grant is for \$135,200 which must be used toward the Westlake ambulance purchase. Based on the cost quote received from Vest Sales and Service, the 20% county match would total \$34,300 to purchase the Westlake ambulance. The vehicle to be purchased must be a Dodge 4500 Type I modular ambulance in accordance with the grant requirements.

The purchase of these vehicles will be made under the terms and agreements of a procurement contract for Montgomery County Virginia. Montgomery County has an open contract for ambulance purchases that is effective until 12/2014 with Vest Sales and Service. Vest Sales and Service in Floyd County is an emergency vehicle distributor and repair center for Osage ambulances. An Osage ambulance built to Franklin County specifications is available for purchase for \$169,500.00 using the Montgomery County contract. There are adequate CIP funds available in the 2013 – 2014 budget in line items 3000-023-0147-7001 and 3000-023-0147 - 7005 to facilitate the purchase of both vehicles.

RECOMMENDATION:

Staff respectfully recommends that the Board of Supervisors accept the Rescue Squad Assistance Fund grant and approve the purchase of both ambulances as outlined in this request.

FRANKLIN COUNTY
Board of Supervisors



Franklin County
A Natural Setting for Opportunity

EXECUTIVE SUMMARY

<p>AGENDA TITLE: Vehicle License Fee</p> <p>SUBJECT/PROPOSAL/REQUEST: Antique and Vintage License Clarification</p> <p>STRATEGIC PLAN FOCUS AREA: Goal # Action Strategy:</p> <p>STAFF CONTACT(S): Messrs. Huff, Whitlow, Copenhaver</p>	<p>AGENDA DATE: February 18, 2014</p> <p>ITEM NUMBER:</p> <p>ACTION/INFORMATION:</p> <p>CONSENT AGENDA/ACTION:</p> <p>ATTACHMENTS:</p> <p>REVIEWED BY: <i>REH</i></p>
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BACKGROUND: During the January 21, 2014 Board of Supervisors meeting, a public hearing was held regarding proposed amendments to Chapter 11 (Motor Vehicles & Traffic), Article II (County Vehicle License Fee), Section 11-47 (Levy and Amount of Fee) of the County Code as follows:

Article II-County Vehicle License Fee
Section 11-47 – Levy and Amount of Fee

Effective for the 2014 calendar year the following fees will be reflected on 2014 Personal Property Tax bills which are due December 5, 2014.

- (a) ~~Thirty-four dollars and twenty-five cents (\$34.25)~~ **Twenty-five dollars (\$25.00)** on each motor vehicle.
- (b) ~~Thirty-one dollars and fifty cents (\$31.50)~~ **Twenty dollars (\$20.00)** on trailers and semitrailers with a gross vehicle weight of more than one thousand, five hundred pounds (1,500).
- (c) ~~Eighteen dollars and forty-nine cents (\$18.49)~~ **Thirteen dollars and fifty cents (\$13.50)** on antique or vintage licenses.
- (d) ~~Twenty-five dollars and twenty-five cents (\$25.25)~~ **Eighteen dollars (\$18.00)** on a motorcycle, with or without a sidecar.

During last month's meeting, a public hearing was opened, held, and then closed. Action was tabled.

DISCUSSION: During the public hearing, some questions were raised as to the differences between antique or vintage licenses. This matter was researched further with the County Attorney. Legal staff advises that no annual state registration fee is required for antique vehicles as there is an initial, one time registration fee (\$50.00).

Vintage licenses refer to license tags or plates that bear the same year number as the production year of the vehicle on which they are placed. These vehicles may be driven on the road on a routine basis, but such are charged an annual registration fee. That said, vintage licensed vehicles may be used strictly for show and driven only for special occasions, whereby the state can classify such vehicles as an antique vintage vehicle with the owner paying the initial, one time registration fee (\$50.00).

Legal staff advises since the Code allows imposition of a license fee on the annual registration fee charged by the Commonwealth, a vehicle license fee cannot be charged on an antique motor vehicle or on an antique vintage licensed vehicle, whereby such vehicles which used as noted above would only require a one-time registration fee rather than an annual fee. As such, "antique" could be stricken from the Code and addressed as follows:

(c) ~~Eighteen dollars and forty-nine cents (\$18.49)~~ **Thirteen dollars and fifty cents (\$13.50)** on ~~antique~~ **or** vintage licenses **on which an annual registration fee is paid.**

Code language regarding antique vehicles aside, recently the Board has had budget work session discussions regarding revenue generated from the motor vehicle license fee (i.e. change from existing \$34.25 to \$25.00) Please be advised finance staff notes every \$1 of the vehicle license fee equates to approximately \$58,000 in revenue. As such, the \$34.25 vehicle license fee rather than \$25.00 would generate approximately \$500,000 in revenue.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors to consider modification language to the proposed ordinance, thereby addressing antique and vintage licenses as noted above accordingly. Furthermore, as the proposed ordinance modifies the vehicle license fee rates and subsequent County revenue, staff respectfully requests the Board to consider the proposed amendments accordingly.

B. JAMES JEFFERSON

Attorney at Law
5 East Court Street, Suite 101
Rocky Mount, VA 24151
PHONE: 540-483-7475
FAX: 540-483-7926

January 31, 2014

Richard E. Huff II, Administrator
County of Franklin
1255 Franklin Street
Rocky Mount, VA 24151

RE: Vehicle license fees

Dear Rick:

Section 46.2-752 of the Virginia Code authorizes the imposition of license fees by localities. It further directs that such license fees may not be greater than the annual registration fee paid to the State for those same vehicles.

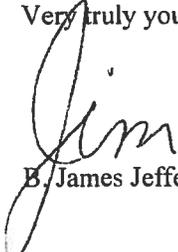
Antique motor vehicles are addressed in Section 46.2-730 of the Virginia Code and may only be licensed as such if the applicant owns or has use of another passenger vehicle or motorcycle. A one time \$50.00 registration fee is paid. No annual registration fee is prescribed.

As I understand it, vintage licenses refer to license tags/plates that bear the same year number as the production year of the vehicle on which they are placed. These vehicles may be driven on the road on a regular basis and, I believe, are charged an annual registration by the Commonwealth, if such is the case. However, a vintage licensed vehicle may be used for show and only driven for special events, in which case a vintage licensed vehicle may be treated by the Commonwealth as an antique vintage vehicle and the owner only pays a one-time \$50.00 registration fee and no annual fee is paid.

I believe that since the Code allows imposition of a license fee based on the annual registration fee charged by the Commonwealth, a license fee cannot be charged on an antique motor vehicle or on an antique vintage licensed vehicle, which is used as above and on which only a one-time registration fee is paid rather than an annual fee. I would, therefore, suggest that the proposed ordinance, (C) in each case, have "on antique" stricken from it or just address vintage licenses on which an annual registration fee is paid.

With kindest best regards, I am

Very truly yours,


B. James Jefferson

BJJ/dej

The Franklin County Board of Supervisors will hold a public hearing at approximately 6:00 P.M., on Tuesday, January 21, 2014, in the Board of Supervisors Meeting Room in the Franklin County Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia to consider the following proposed amendments to Article II - Section 11-47 Levy and Amount of Fee:

Article II-County Vehicle License Fee

Section 11-47 - Levy and Amount of Fee

Effective for the 2014 calendar year the following fees will be reflected on 2014 Personal Property Tax bills which are due December 5, 2014.

- (a) ~~Thirty-four dollars and twenty-five cents (\$34.25)~~ **Twenty-five dollars (\$25.00)** on each motor vehicle.
- (b) ~~Thirty-one dollars and fifty cents (\$31.50)~~ **Twenty dollars (\$20.00)** on trailers and semitrailers with a gross vehicle weight of more than one thousand, five hundred pounds (1,500).
- (c) ~~Eighteen dollars and forty-nine cents (\$18.49)~~ **Thirteen dollars and fifty cents (\$13.50)** on antique or vintage licenses.
- (d) ~~Twenty-five dollars and twenty-five cents (\$25.25)~~ **Eighteen dollars (\$18.00)** on a motorcycle, with or without a sidecar.

A complete copy of the proposed ordinance amendments is available in the Board Clerk's Office, 1255 Franklin Street, Suite 111, Rocky Mount, Virginia 24151.

All requests for reasonable accommodations due to a disability should be made to Sharon K. Tudor, MMC, Clerk with at least a 48 hour notice.

All interested parties are encouraged to attend.

SHARON K. TUDOR, MMC, CLERK
FRANKLIN COUNTY BOARD OF SUPERVISORS

FRANKLIN NEWS POST

PLEASE PUBLISH IN YOUR Friday, January 10 & 17, 2014 EDITIONS.

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing at approximately 6:00 P.M., on Tuesday, February 18, 2014, in the Board of Supervisors Meeting Room in the Franklin County Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia to consider amending the Franklin County Code as follows:

1. Repeal of Chapter 7, Erosion and Sediment Control, in its entirety, effective July 1, 2014; and
2. Adoption of a proposed new Chapter 7, Stormwater Management and Erosion and Sediment Control, effective July 1, 2014.

The purpose of the proposed amendment is to establish a local Stormwater Management Program and to continue existing regulations related to Erosion and Sediment Control, in accordance with state mandates.

A complete copy of the proposed ordinance amendments is available in the Franklin County Department of Planning and Community Development, 1255 Franklin Street, Suite 103, Rocky Mount, Virginia 24151.

All requests for reasonable accommodations due to a disability should be made to Sharon K. Tudor, MMC, Clerk with at least a 48 hour notice.

All interested parties are encouraged to attend.

SHARON K. TUDOR, MMC, CLERK
FRANKLIN COUNTY BOARD OF SUPERVISORS

FRANKLIN NEWS POST

PLEASE PUBLISH IN YOUR **Friday, February 7 & 14, 2014 EDITIONS.**

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- Sec. 7-2. Purpose of Chapter
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- Sec. 7-48. Stormwater Management Program Established, Submission and Approval of Plans; Prohibitions
- Sec. 7-49. Stormwater Pollution Prevention Plan: Contents of Plans
- Sec. 7-50. Stormwater Management Plan: Contents of Plan
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- Sec. 7-52. Review of Stormwater Management Plan
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- Sec. 7-54. Performance Bond
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- Sec. 7-61. Fees (optional)

ARTICLE I. - IN GENERAL
Division 1 Authority

Sec. 7-1. Title of chapter.

This chapter shall be known as the “Erosion and Sediment Control and Stormwater Management Ordinance of Franklin County, Virginia.”

Sec. 7-2. Purpose of chapter.

The purpose of this chapter is as follows:

1. Erosion and sediment conserves the land, water, air and other natural resources of Franklin County and the State of Virginia and to promote the health, welfare and convenience of county residents by establishing requirements for the control of erosion and sedimentation and by establishing procedures by which these requirements can be administered and enforced.
2. Stormwater Management provides the framework for the administration, implementation and enforcement of the Virginia Stormwater Management Act (VA SWM) and to delineate the procedures and requirements to be followed in connection with state permits issued by a Virginia Stormwater Management Program (VSMP) Authority, while at the same time providing flexibility for innovative solutions to stormwater management issues.

Sec. 7-3. Authority for chapter.

This article is adopted pursuant to the following:

1. Code of Virginia, 1950, as amended, Title 10.1, Chapter 5, Article 4 (§10.1-560 et seq.), known as the "Erosion and Sediment Control Law."
2. Code of Virginia, 1950, as amended, Title 10.1, Chapter 6, Article 1.1 (§10.1-603.2 et seq.) known as the “Stormwater Management Law.”

Such laws provide for a comprehensive statewide program, with standards and guidelines to control erosion and sedimentation and stormwater quantity and quality, which are implemented on a local level.

Sec. 7-4. Local control program established.

In accordance with the authority granted by the State of Virginia, Franklin County hereby establishes the following local control programs:

1. A Virginia Erosion and Sediment Control Program for the effective control of soil erosion, sediment deposition and nonagricultural runoff which must be met to prevent the degradation of properties, stream channels, waters and other natural resources. Franklin County hereby adopts this chapter, any regulations promulgated by the Virginia Soil and Water Conservation Board pursuant to Code of Virginia, as amended; and the Virginia Erosion and Sediment Control Handbook as currently in effect and amended from time to time. Franklin County hereby designates the Department of Planning and

Community Development as the Administrator of its Virginia Erosion and Sediment Control Program.

2. A Virginia Stormwater Management Program (VSMP) for land-disturbing activities and adopts the applicable regulations that specify standards and specifications for VSMP's promulgated by the State Board pursuant to the Code of Virginia, as amended; and the Virginia Stormwater Management Handbook as currently in effect and amended from time to time. Franklin County hereby designates the Department of Planning and Community Development as the Administrator of the Virginia Stormwater Management Program.

Sec. 7-5. Geographic Applicability.

This chapter shall apply to any land-disturbing activity in Franklin County and the incorporated Towns of Boones Mill and Rocky Mount.

Sec. 7-6. Severability.

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held illegal, invalid, or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereto. The Franklin County Board of Supervisors hereby declares that it would have enacted this chapter and each section, subsection, sentence, clause, and phrases hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared illegal, invalid, or unconstitutional.

Sec. 7-7. Shoreline Protection.

Notwithstanding any other provision of this chapter, any person who conducts land-disturbing activities, any part of which is within two hundred (200) feet of frontage along state waters must obtain a land-disturbing permit and must, as a requirement of the land-disturbing permit, install and maintain appropriate shoreline protective measures which, as a minimum, shall protect the land area from erosion caused by wave action, water level fluctuation or other water movement, and shall also protect the water from siltation resulting from erosion of the shoreline, subject to the approval of American Electric Power and the U.S. Army Corps of Engineers. A method of shoreline protection shall be proposed by the property owner or agent of the owner and shall be approved by the county based upon factors such as location of the property (i.e., main channel vs. cove), topography, existing natural protection such as rock, stable vegetation, etc., and other factors as deemed pertinent. Installation of riprap shall be according to standards set out in this chapter below.

It shall be the responsibility of the owner to consult with the U.S. Army Corps of Engineers and AEP for any requirements of those agencies.

Secs. 7-8 and 7-9. Reserved.

Division 2. Administration

Sec. 7-10. Permits.

The following permits may be issued pursuant to this chapter.

1. Erosion and Sediment Control Permit.
2. Stormwater Management Permit.

Sec. 7-11. Fees.

- (A) There shall be a reasonable fee charged for the processing of erosion and sediment control permit applications. The permit application review fee shall be due at the time of initial submittal of the erosion and sediment control plan / agreement in lieu of plan.
- (B) The application review fee shall cover costs associated with the implementation of the VSECP related to land disturbing activities as listed on the Fee Schedule for Planning & Community Development, which can be obtained from the Department of Planning and Community Development. Incomplete payments will be deemed as non-payments.
- (C) There shall be a reasonable fee charged for the processing of stormwater management permit applications. The permit application review fee shall be due at the time of initial submittal of the stormwater management plan.
- (D) The application review fee shall cover costs associated with the implementation of the VSMP related to land disturbing activities as listed on the Fee Schedule for Planning & Community Development, which can be obtained from the Department of Planning and Community Development. Incomplete payments will be deemed as non-payments. Interests may be charged on late payments, as a 10% late payment fee may be applied to delinquent accounts.

Sec. 7-12. Reference Documents.

The following reference documents to this chapter is as follows:

1. Virginia Erosion and Sediment Control Handbook.
2. Virginia Stormwater Management Handbook.
3. Franklin County Stormwater Management and Erosion Control Manual.

Secs. 7-13 and 7-14. Reserved.

Division 3. Definitions

Sec . 7-15. Definitions.

As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise:

"Administrator" means the VESCP & VSMP authority including the Franklin County staff person or department responsible for administering the VESCP & VSMP on behalf of the locality.

"Adequate channel" means a watercourse that will convey the designated frequency storm event without overtopping its banks or causing erosive damage to the bed, banks and overbank sections of the same.

"Agreement in lieu of" means a contract between the VESCP authority and the owner that specifies conservation measures that must be implemented in the construction of a single-family residence; this contract may be executed by the VESCP authority in lieu of an erosion and sediment control plan.

"Applicant" means any person submitting an application for a permit or requesting issuance of a permit under this Ordinance.

"Best management practice" or "BMP" means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

"Channel" means a natural stream or manmade waterway.

"Certification" means the process whereby the board, on behalf of the Commonwealth, issues a certificate to persons who have completed board-approved training programs and met any additional eligibility requirements of 9VAC25-850-50 related to the specified classifications (9VAC25-850-40) within the areas of ESC or SWM or in other ways demonstrated adequate knowledge and experience in accordance with the eligibility requirements of 9VAC25-850-50 in the specified classifications within the areas of ESC or SWM.

"Certified combined administrator for ESC" means an employee or agent of a VESCP authority who holds a certificate of competence from the board in the combined ESC classifications of program administrator, plan reviewer, and project inspector in the area of ESC. "Certified combined administrator for SWM" means an employee or agent of a VSMP authority who holds a certificate of competence from the board in the combined classifications of program administrator, plan reviewer, and project inspector in the area of SWM.

"Certified project inspector for ESC" means an employee or agent of a VESCP authority who holds a certificate of competence from the board in the classification of project inspector in the area of ESC.

"Certified project inspector for SWM" means an employee or agent of a VSMP authority who holds a certificate of competence from the board in the classification of project inspector in the area of SWM.

"Certified plan reviewer for ESC" means an employee or agent of a VESCP authority who: (i) holds a certificate of competence from the board in the classification of plan reviewer in the area of ESC; (ii) is licensed as a professional engineer, architect, certified landscape architect, or land surveyor pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia; or (iii) is a professional soil scientist as defined in Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the Code of Virginia.

"Certified plan reviewer for SWM" means an employee or agent of a VSMP authority who holds a certificate of competence from the board in the classification of plan reviewer in the area of SWM.

"Certified program administrator for ESC" means an employee or agent of a VESCP authority who holds a certificate of competence from the board in the classification of program administrator in the area of ESC.

"Certified program administrator for SWM" means an employee or agent of a VSMP authority who holds a certificate of competence from the board in the classification of program administrator in the area of SWM.

"Classification" refers to the four specific certificates of competence classifications within the areas of ESC or SWM that make up activities being performed (program administrator, plan reviewer, project inspector, and combined administrator).

"Combined administrator for ESC" means anyone who is responsible for performing the combined duties of a program administrator, plan reviewer and project inspector of a VESCP authority.

"Combined administrator for SWM" means anyone who is responsible for performing the combined duties of a program administrator, plan reviewer and project inspector of a VSMP authority.

"Clearing" any activity which removes the vegetative ground cover including, but not limited to, root mat removal and/or topsoil removal.

"Clean Water Act" or "CWA" means the federal Clean Water Act (33 U.S.C §1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

"Common plan of development or sale" means a contiguous area where multiple, separate and distinct construction activities may be taking place at different times on different schedules. (e.g., the operator is building on three half-acre lots in a 6-acre development). The "plan" in a common plan of development or sale is broadly defined as any announcement or piece of

documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that construction activities may occur on a specific plot.

"Control measure" means any best management practice or stormwater facility, or other method used to minimize the discharge of pollutants to state waters.

"County" means The County of Franklin.

"Denuded" means a term applied to land that has been physically disturbed and no longer supports vegetative cover.

"Department" means the Department of Environmental Quality.

"Development" means land disturbance and the resulting landform associated with the construction of residential, commercial, industrial, institutional, recreation, transportation or utility facilities or structures or the clearing of land for non-agricultural or non-silvicultural purposes.

"Director" means the Director of the Virginia Department of Environmental Quality.

"District" or "soil and water conservation district" means a political subdivision of the Commonwealth organized in accordance with the provisions of Article 3 (§ 10.1- 506 et seq.) of Chapter 5 of Title 10.1 of the Code of Virginia.

"Dormant" refers to denuded land that is not actively being brought to a desired grade or condition.

"ESC" means erosion and sediment control.

"ESC Act" means the Erosion and Sediment Control Law, Article 4 (§ 10.1-560 et seq.) of Chapter 5 of Title 10.1 of the Code of Virginia.

"Erosion and Sediment Control Plan" or "ESC plan" means a document containing material for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory and management information with needed interpretations, and a record of decisions contributing to conservation treatment. The plan shall contain all major conservation decisions and all information deemed necessary by the plan-approving authority to assure that the entire unit or units of land will be so treated to achieve the conservation objectives. All erosion and sediment control plans must be prepared by a professional engineer, certified landscape architect, or licensed surveyor.

"Erosion and Sediment Control Agreement". – An agreement authorized by the program administrator to be provided in lieu of a performance bond on single family home construction. See agreement in lieu of plans.

"Erosion Impact Area" An area of land not associated with current land-disturbing activity but subject to persistent soil erosion resulting in the delivery of sediment onto neighboring properties or into state waters. This definition shall not apply to any lot or parcel of land 10,000 square feet

or less used for residential purposes or to shorelines where the erosion results from wave action or other coastal processes.

"Excavating" Any digging, scooping or other method of removing earth materials.

"Filling" Any depositing or stockpiling of earth materials.

"General permit" means the state permit titled general permit for discharges of stormwater from activities found in Part XIV (9VAC25-880-1) of the Regulations authorizing a category of discharges under the CWA and the Act within a geographical area of the Commonwealth of Virginia.

"Grading" Any excavating or filling of earth materials or any combination thereof, including the land in its excavated or filled condition.

"Land disturbance or Land disturbing activity" – means any man-made change to the land surface that may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands in the Commonwealth, or that potentially changes its runoff characteristics including, but not limited to, clearing, grading, and excavation, transporting and filling of land except that the term shall not include those exemptions specified in Section 7-18 and Section 7-47.

"Land Disturbing Activity Permit" – See Permit for Land Disturbing Activity

"Layout" means a conceptual drawing sufficient to provide for the specified stormwater management facilities required at the time of approval.

"Licensed professional" or "professional registered in the Commonwealth of Virginia" means a person practicing with the appropriate area of competence and licensed to engage in the practice of engineering, land surveying, or landscape architecture pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.

"Live watercourse" means a definite channel with bed and banks within which concentrated water flows continuously.

"Locality" means a county, city or town.

"Minor modification" means an amendment to an existing general permit before its expiration not requiring extensive review and evaluation including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor general permit modification or amendment does not substantially alter general permit conditions, substantially increase or decrease the amount of surface water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

"Natural stream" means nontidal waterways that are part of the natural topography. They usually maintain a continuous or seasonal flow during the year and are characterized as being irregular in cross-section with a meandering course. Constructed channels such as drainage ditches or swales shall not be considered natural streams.

"Non-erodible" means a material, e.g., riprap, concrete, plastic, etc., that will not experience surface wear due to natural forces.

"Stormwater Management Guidance Manual" – means the documentation of policies and procedures for documentation and calculations verifying compliance with the Erosion and sediment control requirements as well as the water quality and quantity requirements, review and approval of Erosion and Sediment Control Plans, Stormwater Pollution Prevention Plans and Stormwater Management Plans, site inspections, obtaining and releasing bonds, reporting and record keeping and compliance strategies for reviews, enforcement, and long-term maintenance and inspection programs.

"Operator" means the owner or operator of any facility or activity subject to regulation under this Ordinance.

"Owner" The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of a property.

"Permit" or "VSMP Authority Permit" means an approval to conduct a land-disturbing activity issued by the Administrator for the initiation of a land-disturbing activity, in accordance with this Ordinance, and which may only be issued after evidence of general permit coverage has been provided by the Department.

"Permit for Land Disturbing Activity" A permit issued by the county authorizing the applicant to undertake a land-disturbing activity in accordance with the provisions of the VESCP or VSMP programs.

"Permittee" The person to whom the permit authorizing the land-disturbing activities is issued or the person who certifies that the approved erosion and sediment control plan and/or stormwater management plan will be followed.

"Person" means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town or other political subdivision of the Commonwealth, governmental body, including a federal or state entity as applicable, any interstate body, or any other legal entity.

"Program administrator" means the person or persons responsible for administering and enforcing the VESCP or VSMP of a VESCP authority or a VSMP authority as may be applicable in the areas of ESC or SWM.

"Project inspector" means anyone who, as a representative of a VESCP authority or a VSMP authority, is responsible for periodically examining the ESC or SWM activities and premises of a land-disturbing activity for compliance with the ESC Act and Regulations or the SWM Act and Regulations as may be applicable.

"Plan approving authority" The Department of Planning and Community Development of Franklin County.

"Post-development" refers to conditions that may be reasonably expected or anticipated to exist after completion of the land development activity on a specific site or tract of land.

"Pre-development" refers to conditions at the time the erosion and sediment control plan is submitted to the VESCP authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time the erosion and sediment control plan for the initial phase is submitted for approval shall establish pre-development conditions.

"Program Authority" refers to Franklin County, Virginia.

"Regulations" means the Virginia Stormwater Management Program (VSMP) Permit Regulations, 9VAC25-870, as amended.

Or **"VESCP Regulations"** means the Virginia Erosion and Sediment Control (VESC) Regulations, 9VAC25-840, as amended.

"Responsible Land Disturber" or RLD, An individual from the project or development team who will be in charge of and responsible for carrying out a land-disturbing activity covered by an approved Erosion and Sediment Control Plan or an Erosion and Sediment Control Agreement, who (i) holds a responsible land disturber certificate of competence, (ii) holds a current certificate of competence from the board in the areas of combined administration, program administration, inspection, or plan review, (iii) holds a current contractor certificate of competence for erosion and sediment control, or (iv) is licensed in Virginia as a professional engineer, architect, certified landscape architect or land surveyor pursuant to Article 1 (Code of Virginia, § 54.1-400 et seq.) of Chapter 4 of Title 54.1.

"Single-family residence" A noncommercial dwelling unit that is occupied exclusively by one family.

"Site" means the land or water area where any facility or land-disturbing activity is physically located or conducted, including adjacent land used or preserved in connection with the facility or land-disturbing activity. Areas channel ward of mean low water in tidal Virginia shall not be considered part of a site.

"Stabilized" means land that has been treated to withstand normal exposure to natural forces without incurring erosion damage.

"State" means the Commonwealth of Virginia.

"State Board" means the State Water Control Board.

"State Permit" means an approval to conduct a land-disturbing activity issued by the State Board in the form of a state stormwater individual permit or coverage issued under a state general permit or an approval issued by the State Board for stormwater discharges from an MS4. Under these state permits, the Commonwealth imposes and enforces requirements pursuant to the federal Clean Water Act and regulations, the Virginia Stormwater Management Act and the Regulations.

"State Water Control Law" means Chapter 3.1 (§62.1-44.2 et seq.) of Title 62.1 of the Code of Virginia.

State Erosion and Sediment Control Program or State Program. The program administered by the Department of Environmental Quality pursuant to the state code including regulations designed to minimize erosion and sedimentation.

"State Waters" or "surface water" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

"Stormwater Detention" means the process of temporarily impounding runoff and discharging it through a hydraulic outlet structure to a downstream conveyance system.

"Stormwater Maintenance Facility" – means a control measure that controls stormwater runoff and changes the characteristics of that runoff including but not limited to, the quantity and quality, the period of release or velocity of flow.

"Stormwater Management Plan" or "SWM plan" means a document containing material describing methods for complying with the requirements of a VSMP and the SWM Act and its attendant regulations.

"SWM" means stormwater management.

"Stormwater" means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

"Stormwater Pollution Prevention Plan" or "SWPPP" means a document that is prepared in accordance with good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from the construction site, and otherwise meets the requirements of this Ordinance. In addition the document shall identify and require the implementation of control measures, and shall include, but not be limited to the inclusion of or the incorporation by reference of, an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan.

"Total Maximum Daily Load" or "TMDL" means the sum of the individual waste load allocations for point sources, load allocations for nonpoint sources, natural background loading and a margin of safety. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. The TMDL process provides for point versus nonpoint source trade-offs.

"Town" An incorporated town.

"Transporting" Any movement of earth material from one place to another, when such movement results in destroying the vegetative cover, either by tracking or the buildup of earth materials, to the extent that erosion and sedimentation will result from the area over which such transporting occurs.

"Virginia Erosion and Sediment Control Program" or "VESCO" means a program approved by the board that has been established by a VESCO authority for the effective control of soil erosion, sediment deposition, and nonagricultural runoff associated with a land-disturbing activity to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources and shall include such items where applicable as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement where authorized in the ESC Act and this chapter, and evaluation consistent with the requirements of the ESC Act and this chapter.

"Virginia Erosion and Sediment Control Program authority" or "VЕСP authority" means an authority approved by the board to operate a Virginia Erosion and Sediment Control Program. An authority may include a state entity, including the department; a federal entity; a district, county, city, or town; or for linear projects subject to annual standards and specifications, electric, natural gas and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, or authorities created pursuant to § 15.2-5102 of the Code of Virginia.

"Virginia Stormwater Management Act" or "SWM Act" means Article 1.1 (§10.1-603.2 et seq.) of Chapter 6 of Title 10.1 of the Code of Virginia.

"Virginia Stormwater BMP Clearinghouse website" means a website that contains detailed design standards and specifications for control measures that may be used in Virginia to comply with the requirements of the Virginia Stormwater Management Act and associated regulations.

"Virginia Stormwater Management Program" or "VSMP" means a program approved by the board after September 13, 2011, that has been established by a VSMP authority to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement, where authorized in the SWM Act and associated regulations, and evaluation consistent with the requirements of the SWM Act and associated regulations.

"Virginia Stormwater Management Program authority" or "VSMP authority" means an authority approved by the board after September 13, 2011, to operate a Virginia Stormwater Management Program or, until such approval is given, the department. An authority may include a locality; state entity, including the department; federal entity; or, for linear projects subject to annual standards and specifications in accordance with subsection B of § 10.1-603.5 of the Code of Virginia, electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, or authorities created pursuant to § 15.2-5102 of the Code of Virginia.

Article II Erosion and Sediment Control

- Sec. 7-18. Exemptions
- Sec. 7-19. Permit required for land disturbing activities
- Sec. 7-20. Erosion and Sediment Control Plan Required
- Sec. 7-21. Erosion Impact Areas
- Sec. 7-22. Submission and approval of Plans
- Sec. 7-23. Standards to be used in preparation and consideration
- Sec. 7-24. Responsibility of property owner when work is being done by a contractor
- Sec. 7-25. Approval or Disapproval
- Sec. 7-26. Variances
- Sec. 7-27. Changing an approved erosion and sediment control plan
- Sec. 7-28. Reserved

- Sec. 7-29. Performance Bond
- Sec. 7-30. Long term maintenance of Permanent Stormwater Facilities
- Sec. 7-31. Closure of Land Disturbing Activities
- Sec. 7-32. Monitoring and Inspections
- Sec. 7-33. Enforcement- Violations of Chapter – Penalty, injunctive relief, civil relief
- Sec. 7-34. Reserved
- Sec. 7-35. Appeals

Sec. 7-18. Erosion and Sediment Control Exemptions.

- (A) Except as provided herein, no person may engage in any land-disturbing activity until an erosion and sediment control permit has been issued by the Administrator in accordance with the provisions of this Ordinance.
- (B) Notwithstanding any other provisions of this Ordinance, the following activities are exempt, unless otherwise required by federal law:
 - (1) Minor activities such as home gardens and individual home landscaping, repairs and maintenance work.
 - (2) Individual utility service connections.
 - (3) Installation, repair and maintenance of any underground public utility lines when such activity occurs on an existing hard surfaced road, street or sidewalk provided the activity is confined to the area of the road, street or sidewalk which is hard surfaced.
 - (4) Septic tank lines or drainage fields unless included in an overall plan for land-disturbing activity relating to construction of the building to be served by the septic tank system.
 - (5) Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted pursuant to Title 45.1
 - (6) Tilling, planting, or harvesting of agricultural horticultural, or forest crops, or livestock feedlot operations, or as additionally set forth by the Board in regulation, including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11(10.1-1100 et seq.) or is converted to bona fide agricultural or improved pasture use as described in subsection B of 10.1-1163;
 - (7) Repair or rebuilding of the tracks, right-of-way, bridges, communication facilities and other related structures and facilities of a railroad company.
 - (8) Agricultural engineering operations, including but not limited to the construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds not required to comply with the provisions of the Dam Safety Act, Article 2 (10.1-604 et seq.)

- of Chapter 6, ditches, strip, cropping, lister furrowing, contour cultivating, contour furrowing, land drainage and land irrigation;
- (9) Disturbed land areas of less than 10,000 square feet in size or 2,500 square feet in all areas of the jurisdiction designated as subject to the Chesapeake Bay Preservation Act (10.1-2100 et seq.); however, the governing body of the program authority may reduce this exception to a smaller area of disturbed land or qualify the conditions under which this exception shall apply.
 - (10) Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles.
 - (11) Shoreline erosion control projects on tidal waters when all of the land-disturbing activities are within the regulatory authority of and approved by local wetlands boards, the Marine Resources Commission or the United States Army Corps of Engineers; however, any associated land that is disturbed outside of this exempted area shall remain subject to this article and the regulations adopted pursuant thereto; and
 - (12) Emergency work to protect life, limb or property and emergency repairs; however, if the land-disturbing activity would have required an approved erosion and sediment control plan, if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of the VESCP authority.

Sec. 7-19. Permit required for land-disturbing activities.

- (A) Except as otherwise provided in this article, no erosion and sediment control activity shall commence prior to the issuance of a land-disturbing permit by the program authority.
- (B) A erosion and sediment control permit is required if:
 - (1) The area of land disturbance is ten thousand (10,000) square feet or greater; or
 - (2) The area of land disturbance is three thousand (3,000) square feet or greater, and the area of land disturbance is located within two hundred (200) feet of any surface water.
- (C) A land-disturbing permit is not required if:
 - (1) The area of land disturbance is less than ten thousand (10,000) square feet, and such area is located more than two hundred (200) feet from any surface water; or
 - (2) The area of land disturbance is less than three thousand (3,000) square feet, and such area is located within two hundred (200) feet of any surface water.

Sec. 7-20. Erosion and Sediment Control Plan required.

- (A) Except as otherwise provided in this article, no erosion and sediment control permit for land-disturbing activity shall be issued without an approved Erosion and Sediment Control Plan.
- (B) An Agreement in lieu of may be substituted for an Erosion and Sediment Control Plan under the following conditions:

- (1) The land-disturbing activity is associated with the construction of a single family residence that is not part of a common plan of development or sale; and
- (2) The area of land disturbance is less than one (1) acre and
- (3) No additional proffers or conditions are required as part of a rezoning or special use permit which require low impact development techniques.

Sec. 7-21. Erosion Impact Areas.

In order to prevent further erosion, the program administrator may identify any land, whether or not disturbed by the building process, as an erosion impact area as defined above and require an approved Erosion and Sediment Control Plan.

Sec. 7-22. Submission and approval requirements.

- (A) Except as otherwise specifically provided, no person shall engage in any land-disturbing activity until an erosion and sediment control plan has been submitted and approved by the county, and a permit has been issued by the program administrator.
- (B) Any person whose land-disturbing activity involves lands which extend into the jurisdiction of another local erosion and sediment control program may submit an erosion and sediment control plan to the board for review and approval, rather than submission to each jurisdiction concerned. Such person shall comply with section 7-21 of this article. In such events, the applicant shall obtain permits for the land-disturbing activity from each jurisdiction.
- (C) No grading, land-disturbing activity, building or other permit shall be issued by the county for any work which involves land-disturbing activity for which permit is required unless the applicant submits with his application an Erosion and Sediment Control Plan for approval, and certifies, after approval, that the Erosion and Sediment Control Plan will be followed.
- (D) Where the land-disturbing activity results from the construction or location of a single-family residence, an Agreement in lieu of plans may be substituted for an Erosion and Sediment Control Plan if executed by the plan approving authority.
- (E) Prior to the issuance of any permit for land-disturbing activity, the person responsible for carrying out the Erosion and Sediment Control Plan shall provide the name of the responsible land disturber who will be in charge of and responsible for the projects land disturbance.
- (F) Electric, natural gas and telephone utility companies, interstate and intrastate natural gas pipeline companies and railroad companies shall file general erosion and sediment control specifications annually with the board for review and written comments. The specifications shall apply to:
 - (1) Construction, installation or maintenance of electric, natural gas and telephone utility lines and pipelines; and
 - (2) Construction of the tracks, rights of way, bridges, communication facilities and other related structures and facilities of the railroad company.
- (G) State agency projects are exempt from the provisions of this article.

Sec. 7-23. Standards to be used in preparation and consideration.

- (A) The most recent edition of the Virginia Erosion and Sediment Control Handbook and Virginia Erosion and Sediment Control Regulations and the Virginia Stormwater Management Handbook shall be available at the program administrators office as well as online and shall be used in preparing the Erosion and Sediment Control Plan required by this article. The county, in considering the adequacy of such Erosion and Sediment Control Plan, shall be guided by the standards set out in the handbooks and regulations and the Stormwater Management and Erosion Control Manual.
- (B) Shoreline rip-rap shall be installed according to the following specifications, subject to approval under American Electric Power's Smith Mountain Lake Shoreline Management Plan:
- (1) Materials and design as part of an engineered plan, based on standards in the handbook and VDOT manual and approved by the county; or,
 - (2) In the case of separate individual residential lots involving five hundred (500) feet or less of shoreline, the following minimum materials and design standards may be used:
 - a. Stone—Class B erosion stone, VDOT Class I, or equivalent
 - b. Plastic filter cloth—Exxon GTF-400 Geotextile or equivalent.
 - c. Temporary and permanent seeding, fertilization, and mulching rates as specified by the Virginia Erosion and Sediment Control Handbook.
 - d. Maximum slope ratio for riprap area—2.5 to 1.
 - e. Minimum vertical face height—Thirty-six (36) inches above full pond level (795-foot contour) or to the prevailing cut line.
 - f. Terrace width (if needed at top of rip rap slope) shall have a minimum width of twelve (12) feet.
 - g. Terrace back slope ratio—Maximum 2:1.
 - h. Minimum thickness of rip rap layer—Twelve (12) inches.
- (C) All installation of materials shall be according to the VESC Handbook and manufacturers specifications.

(Res. No. 10-05-2010, 5-18-10)

Sec. 7-24. Responsibility of property owner when work to be done by a contractor.

Whenever a land-disturbing activity is proposed to be conducted by a contractor performing construction work pursuant to a construction contract, the preparation, submission and approval of the required Erosion and Sediment Control Plan shall be the responsibility of the owner of the land.

Individuals who hold a Responsible Land Disturber Certification as issued by the Virginia Department of Conservation and Recreation (DCR) are hereby considered to be the person

responsible for carrying out the plan and upon repeated violations, will be reported to DCR for revocation of their certification. A Responsible Land Disturber is also accountable for any and all sanctions included in this chapter and is subject to the same penalties as the owner of the property.

Sec. 7-25. Approval or disapproval.

- (A) Upon receipt of an erosion and sediment control plan submitted under this chapter, together with the required fees, the program administrator shall act on such erosion and sediment control plan within forty-five (45) days, by either approving the Erosion and Sediment Control Plan in writing or by disapproving the Erosion and Sediment Control Plan in writing and giving specific reasons for disapproval. The program administrator shall approve the Erosion and Sediment Control Plan if the Erosion and Sediment Control Plan meets the conservation standards of the county E&S program and if the person responsible for carrying out the Erosion and Sediment Control Plan certifies that he will properly perform the erosion and sediment control measures included in the Erosion and Sediment Control Plan and will comply with all provisions of this chapter. If a temporary sediment basin, a permanent stormwater detention basin or any other permanent feature is a part of the approved Erosion and Sediment Control Plan, this same person must designate, in writing the person who will be liable for necessary long-term maintenance on these structures and that they follow the requirements as provided in the *SEC 7-55 Long term maintenance of permanent stormwater facilities*.
- (B) If an Erosion and Sediment Control Plan is disapproved, the program administrator shall specify such modifications, terms and conditions as will permit approval of the Erosion and Sediment Control Plan and shall communicate such requirements to the permit issuing authority.
- (C) If no action is taken by the plan approving authority within the time specified in subsection (a) above, the Erosion and Sediment Control Plan shall be deemed approved and the program administrator shall issue the land-disturbing permit.
- (D) If action is taken by the plan approving authority within the time specified in subsection (a) above, and the Erosion and Sediment Control Plan is deemed disapproved, the applicant must resubmit within six (6) months following the date of disapproval, or the Erosion and Sediment Control Plan shall be deemed abandoned. If an Erosion and Sediment Control Plan is deemed abandoned, the applicant may resubmit the Erosion and Sediment Control Plan after the six (6) month period, however, the following shall apply:
 - (1) The Erosion and Sediment Control Plan will be subject to a new review and all applicable fees must be paid.
 - (2) The Erosion and Sediment Control Plan will be reviewed under the current Department of Environmental Quality regulations in place at the time of resubmittal.
- (E) Should a land-disturbing activity not begin within 180 days following Erosion and Sediment Control Plan approval, or after the Erosion and Sediment Control Plan is ready for approval but the plan approval authority has not received the required performance

bond, the plan will be considered abandoned. If an Erosion and Sediment Control Plan is deemed abandoned, the following shall apply:

- (1) The Erosion and Sediment Control Plan will be subject to a new review and all applicable fees must be paid.
 - (2) The Erosion and Sediment Control Plan will be reviewed under the current Department of Environmental Quality regulations in place at the time of resubmittal.
- (F) Should a land-disturbing activity cease for more than one hundred eighty (180) days, the plan approval authority may evaluate the existing approved Erosion and Sediment Control Plan to determine whether the Erosion and Sediment Control Plan still satisfies local and state erosion and sediment control criteria and to verify that all design factors are still valid. Should the plan approval authority determine the Erosion and Sediment Control Plan is no longer valid, the Erosion and Sediment Control Plan shall be deemed abandoned. If an Erosion and Sediment Control Plan is deemed abandoned, the following shall apply:
- (1) The Erosion and Sediment Control Plan will be subject to a new review and all applicable fees must be paid.
 - (2) The Erosion and Sediment Control Plan will be reviewed under the current Department of Environmental Quality regulations in place at the time of resubmittal.

Sec. 7-26. Variances (9VAC25-840-50).

The VESCP authority may waive or modify any of the minimum standards that are deemed inappropriate or too restrictive for site conditions, by granting a variance. A variance may be granted under the following conditions:

1. At the time of plan submission, an applicant may request a variance to become part of the approved erosion and sediment control plan. The applicant shall explain the reasons for requesting variances in writing. Specific variances which are allowed by the VESCP authority shall be documented in the plan.
2. During construction, the person responsible for implementing the approved plan may request a variance in writing from the VESCP authority. The VESCP authority shall respond in writing either approving or disapproving such a request. If the VESCP authority does not approve a variance within 10 days of receipt of the request, the request shall be considered to be disapproved. Following disapproval, the applicant may resubmit a variance request with additional documentation.
3. The VESCP authority shall consider variance requests judiciously, keeping in mind both the need of the applicant to maximize cost effectiveness and the need to protect off-site properties and resources from damage.

Sec. 7-27. Changing an approved erosion and sediment control plan.

An Erosion and Sediment Control Plan that has been approved under this article may be changed by the program administrator in the following cases:

1. Where inspection has revealed that the Erosion and Sediment Control Plan is inadequate to satisfy applicable regulations.
2. Where the person responsible for carrying out the approved Erosion and Sediment Control Plan finds that because of changed circumstances or for other reasons the Erosion and Sediment Control Plan cannot be effectively carried out, and proposed amendments, consistent with the requirements of this chapter, are agreed to by the program administrator and the person responsible for carrying out the plan.

Sec. 7-28. Reserved.

Sec. 7-29. Performance Bond.

Except as otherwise provided in this chapter, no permit for land-disturbing activity shall be issued without the submittal and approval of a reasonable performance bond to secure the required erosion and sediment control measures. Such bond may take the form of surety, cash escrow, letter of credit, any combination thereof, or such legal arrangement acceptable to the program administrator. Such bond shall be held by the program authority. In the event that the applicant fails to initiate or maintain appropriate conservation actions which may be required of him by the approved Erosion and Sediment Control Plan, the county may utilize said bond to implement the appropriate conservation actions.

If the county takes such conservation action upon failure by the applicant or owner, the county may collect from the applicant or owner for the difference should the amount of the reasonable cost of such action exceed the amount of the security held. Within sixty (60) days of the achievement of adequate stabilization of the land-disturbing activity, such bond, cash escrow, letter of credit or other legal arrangement or the unexpended or unobligated portion thereof, shall be refunded to the applicant or owner or terminated. These requirements are in addition to all other provisions of law relating to the issuance of such permits and are not intended to otherwise affect the requirements for such permits.

For land-disturbing activities that are associated with the construction or location of a single-family residence, an Erosion and Sediment Control Agreement may be substituted for a performance bond to secure the required erosion and sediment control measures. The Erosion and Sediment Control Agreement shall include the following:

1. The title of the Erosion and Sediment Control Plan;
2. The name of the plan preparer;
3. The date the plan was prepared;
4. The name and license number of the Responsible Land Disturber; and
5. The signature of the property owner.

Sec. 7-30. Long term maintenance of Permanent Stormwater Facilities. – see stormwater management long term maintenance.

Sec. 7-31. Closure of Land Disturbing Activities. – 9VAC25-870-55

Construction Record Documents (Stormwater pond or pipes etc)

Development projects that provide permanent stormwater management facilities (pipes, channels, ditches, basins etc) are hereby required to submit, upon completion and stabilization of the project, construction record drawings for all manner of stormwater conveyance.

Certification shall be provided by a licensed professional and shall include language and/or record drawings as to the conformance of said structures to the plan, their stabilization and working order.

Sec. 7-32. Monitoring and Inspections.

- (A) The program administrator shall provide for periodic inspections of land-disturbing activity either through the district or through county personnel. The district may inspect, monitor and make reports to the county, but enforcement shall be the responsibility of the program administrator. The program administrator may require monitoring and reports from the person responsible for carrying out the ESC plan or Agreement in Lieu of plans to insure compliance with the approved plan and to determine whether the measures required in the approved plans are effective in controlling erosion and sediment. The owner, occupier or operator shall be given notice of the inspection and an opportunity to accompany the inspectors. Inspections shall be performed in accordance with the Virginia State Water Control Board's approved Alternative Inspection Program (AIP) for Franklin County, approved February 1, 2008.
- (B) If the program administrator determines that there is a failure to comply with the ESC plan or Agreement in Lieu of plans, notice shall be served upon the permittee or person responsible for carrying out the ESC plan or Agreement in Lieu of plans by registered or certified mail to the address specified in the permit application or in the plan certification, or by delivery, to the site of the land-disturbing activities, to the agent or employee supervising such activities. The notice shall specify the measures needed to comply with the ESC Plan or Agreement in Lieu of plans and shall specify the time within which such measures shall be completed. Upon failure to comply within the time specified, the permit may be revoked and the permittee or person responsible for carrying out the ESC Plan or Agreement in Lieu of plans shall be deemed to be in violation of this chapter, and upon conviction shall be subject to the penalties provided herein.
- (C) Upon receipt of a sworn complaint of a substantial violation of this chapter from a designated inspector of the county or the district, the program administrator may, in conjunction with or subsequent to a notice to comply as specified in subsection (b) above, issue an order requiring that all or part of the land-disturbing activities permitted on the site be stopped until the specified corrective measures have been taken, or, if land-disturbing activities have commenced without an approved erosion and sediment control plan or Agreement in Lieu of plans, requiring that all of the land-disturbing activities be stopped until an approved ESC plan- or Agreement in Lieu of plans, or any required permits are obtained. Where the alleged noncompliance is causing, or is in imminent danger of causing, harmful erosion of lands or sediment deposition in waters within the watersheds of the commonwealth, or where the land-disturbing activities have

commenced without an approved ESC plan, or any required permits, such an order may be issued whether or not the alleged violator has been issued a notice to comply order. The order shall be served in the same manner as a notice to comply and shall remain in effect for seven (7) days from the date of service, pending application by the enforcing authority or alleged violator for appropriate relief to the Circuit Court of Franklin County. Within seven (7) days from the service of the order, it shall be the responsibility of the owner to retain the services of a plan preparer to prepare and submit the required Erosion and Sediment Control Plan, and notify the program administrator that a plan preparer has been retained. Within this seven (7) day period temporary corrective measures shall be installed to prevent harmful erosion of lands or sediment deposition in waters within the watersheds of the commonwealth. Such temporary corrective measures shall be maintained until an approved ESC plan and any required permits have been obtained. If the alleged violator has not obtained a plan preparer and/or installed the necessary temporary corrective measures within seven (7) days from the date of service of the order, the program administrator may issue an order to the owner requiring that all construction and other work on the site, other than corrective measures, be stopped until an approved Erosion and Sediment Control Plan and any required permits have been obtained. The required Erosion and Sediment Control Plan shall be submitted within (30) thirty days from the date of service of the order, unless otherwise agreed to by the program administrator. Such an order shall be served upon the owner by registered or certified mail to the address specified in the permit application or the land records of the locality in which the site is located. The owner may appeal the issuance of an order to the Circuit Court of Franklin County. Any person violating or failing, neglecting or refusing to obey an order issued by the program administrator may be compelled in a proceeding instituted in the Circuit Court of Franklin County to obey same and to comply therewith by injunction, mandamus or other appropriate remedy. Upon completion and approval of corrective action or obtaining an approved Erosion and Sediment Control Plan or any required permits, the order shall immediately be lifted. Nothing in this section shall prevent the program administrator from taking any other action specified in section 7-33.

Sec. 7-33. Enforcement- Violations of Chapter – Civil Penalties.

- (A) A violation of any provision of this chapter shall be deemed a Class 1 misdemeanor.
- (B) The county, district, or board may apply to the Circuit Court of Franklin County for injunctive relief to enjoin a violation or a threatened violation of the chapter, without the necessity of showing that there is not an adequate remedy at law. Without limiting the remedies which may be obtained in this section, any person violating or failing, neglecting or refusing to obey any injunction, mandamus or other remedy obtained pursuant to this section shall be subject, in the discretion of the court, to a civil penalty not to exceed two thousand dollars (\$2,000.00) for each violation.
- (C) Civil penalties:
 - 1. A civil penalty in the amount listed on the schedule below shall be assessed for each violation of the respective offenses:

2. Commencement of a land-disturbing activity without an approved land-disturbing permit shall be not less than \$100.00/day and no more than (\$1,000.00)/day.
 3. Failure to comply with the vegetative measures, structural measures, watercourse measures or underground utility measures of the minimum standards found in the Virginia Erosion and Sediment Control Handbook shall be up to one hundred dollars (\$100.00)/violation/day.
 4. Failure to obey a stop work order shall be up to one hundred dollars (\$100.00)/day.
 5. Failure to stop work when a permit is revoked shall be up to one thousand dollars (\$1,000.00)/day.
- (D) Each day during which the violation is found to have existed shall constitute a separate offense. However, in no event shall a series of specified violations arising from the same operative set of facts result in civil penalties which exceed a total of ten thousand dollars (\$10,000.00), except that a series of violations arising from commencement of land-disturbing activities without an approved Erosion and Sediment Control Plan or an approved Erosion and Sediment Control Agreement for any site shall not result in civil penalties which exceed a total of ten thousand dollars (\$10,000.00). The assessment of civil penalties according to this schedule shall be in lieu of criminal sanctions and shall preclude the prosecution of such violation as a misdemeanor under subsection (a) of (§ 10.1-569).
- (E) Individuals who hold a Responsible Land Disturber Certification as issued by the Virginia Department of Conservation and Recreation (DCR) are hereby considered to be the person responsible for carrying out the plan and upon repeated violations, will be reported to DCR for revocation of their certification. A Responsible Land Disturber is also accountable for any and all sanctions included in this chapter and is subject to the same penalties as the owner of the property.
- (F) Any civil penalties assessed by the court shall be paid into the treasury of Franklin County, except that where the violator is the county itself, or its agent, the court shall direct the penalty to be paid into the state treasury.
- (G) With the consent of any person who has violated or failed, neglected or refused to obey any regulation or order of the program administrator, or any condition of a permit or any provision of this chapter, the administrator may provide, in an order issued by the program administrator against such persons, for the payment of civil charges for violations in specific sums not to exceed the limit specified in subsection (c) of this section. Such civil charges shall be in lieu of any appropriate civil penalty which could be imposed under subsection (c).
- (H) Except when land disturbance requiring a permit has begun without a permit, or when in the opinion of the administrator, conditions pose an imminent danger to life, limb, property, or to the waters of the commonwealth, this article shall be enforced as follows:
1. Issue a field correction notice listing the violations noted during inspection and the required corrective action.

2. Send a notice to comply by certified mail, return receipt required, identifying the violations noted in the correction letter which have not yet been corrected and allowing ten (10) days after the receipt of the notice for the implementation of the corrective actions.
3. Issue a stop work order by certified mail, return receipt required; requiring that all work on the site should be stopped until the corrective measures noted in the notice to comply are implemented. A maximum period of seven (7) days after the receipt of the order shall be allowed to correct the violations. In addition, the land-disturbing permit may be revoked during this period until the corrective actions are taken. Should this permit be revoked, all construction work on the site shall be stopped. Upon the completion of the corrective actions, the stop work order is rescinded and the permit is reinstated.
4. Imposition of criminal or civil penalties. Either, but not both, of these penalties may be imposed if the seven-day period in the stop work order passes without the implementation of necessary corrective actions. The time frame for computing the number of days in violation shall not begin until the seven (7) days allowed for corrective action has expired unless work was not stopped as ordered.
5. Such orders shall be issued in accordance with the Stormwater Management and Erosion Control Manual.

Sec. 7-34. Reserved.

Sec. 7-35. Appeals. –

Final decisions of the program administrator under this chapter shall be subject to review by the Franklin County Board of Supervisors, provided an appeal is filed within thirty (30) days from any written decision by the program administrator which adversely affects the rights, duties or privileges of the person engaging in or proposing to engage in land-disturbing activities.

Final decisions of the board of supervisors under this chapter shall be subject to review by Circuit Court of Franklin County, provided an appeal is filed within thirty (30) days from the date of any written decision by the Franklin County Board of Supervisors which adversely affects the rights, duties or privileges of the person engaging in or proposing to engage in land-disturbing activities.

Article III Alternative Inspection Program

PURPOSE: The alternative inspection program described herein for the County of Franklin is designed to provide the oversight of urban land-disturbing activities by effectively utilizing local staff to meet specific urbanization trends while addressing specific environmental conditions within the locality.

AUTHORIZATION: 10.1-566 of Title 10.1 Chapter 5, Article 4 of the Code of Virginia and 9VAC25-870-30 of the Erosion and Sediment Control Regulations.

POLICY: To most effectively utilize local staff and protect the resources of the County of Franklin and the Commonwealth, the County of Franklin will implement an alternative

inspection program based on a system of priorities. The system of priorities will be based upon the amount of disturbed project area, site conditions, stages of construction, and site conditions noted on previous inspections.

IMPLEMENTATION:

1. The erosion and offsite environmental impact potential of regulated projects shall be determined by an evaluation of the topography soil characteristics, acreage disturbed, proximity to water resources, and proximity to adjacent property lines.
2. After plan review and a site visit, the plan reviewer and the program administrator will assign a classification number to the project.
3. Classification numbers will be assigned to projects which address site specific erosion potential and offsite environmental impact. These classification numbers will be used to determine the frequency of inspections. The classification numbers will range from one to three, one (1) requiring a less frequent inspection schedule and three (3) requiring a more frequent inspection schedule.
4. The classification of a project may be adjusted to a higher or lower classification by the program administrator based upon complaints, violations, inspections, and stages of construction.
5. The classification number shall be included on the approved plan, written on the file folder, written on the building permit application, and made a part of the project database.

BASIS FOR CLASSIFICATION: Project classifications shall be assigned to projects based on a preliminary site visit, plan review, and utilizing the Tabular Rating System:

CLASS 1 (LOW)	Projects typically with total acres disturbed under two acres; greater than 150 foot buffer between disturbed area and any property lines, water resources, or public streets; slopes are 0-7 percent and less than or equal to 300 feet; weighted soil K-factor is less than .23 within the limits of disturbance.
CLASS 2 (MED)	Projects typically with total acres disturbed under two acres; disturbed area is 50 feet to 150 feet from any property lines, water resources, or public streets; slopes are 7-15 percent and less than or equal to 150 feet; weighted soil K-factor is between .23 and .36 within the limits of disturbance.
CLASS 3 (HIGH)	Projects typically with total acres disturbed over two acres; disturbed area is less than 50 feet from any property lines, water resources, or public streets; slopes are greater than 15 percent and less than or equal to 75 feet; weighted soil K-factor is greater than .36 within the limits of disturbance.

FREQUENCY OF INSPECTIONS:

1. All permitted land-disturbing activities will be inspected at a minimum frequency according to the following schedule:

CLASS 1	At the beginning and completion of the project and every eight weeks.
CLASS 2	At the beginning and completion of the project and at least every five weeks.
CLASS 3	At the beginning and completion of the project and at least every two weeks.

2. All inspections will be documented on an inspection log maintained as a part of each project file. Project owners will receive copies of inspection reports with noted violations.
3. Inspection return frequency is not limited to the above schedule and will increase in frequency due to runoff producing storm events or documented violations.

TABULAR RATING SYSTEM - EROSION AND SEDIMENT CONTROL
FRANKLIN COUNTY, VIRGINIA

TOTAL DISTURBED ACREAGE	CHECK	RATING	DISTANCE TO WATERCOURSE	CHECK	RATING
Less than ½ acre		0	0—50 feet		5
½ acre to one acre		3	50—100 feet		3
1 to 2 acres		5	150—300 feet		1
>2 acres- Must inspect every two weeks (High Priority)			Greater than 300 feet		0
Soil Erodibility (base on K-Factor)			Distance—Downstream Adjacent Property		
Low (0.23 and lower)		1	Less than 50 feet		5
Moderate (0.24—.036)		3	50 feet to 150 feet		3
High (.037 and higher)		5	Greater than 150 feet		1
Buffer Vegetation Condition			Width of Buffer		
Very Good (Dense, grass, hayfield)		0	0—50 feet		5
Good (Avg. grass, forest good pasture)		1	50—150 feet		3
Fair (poor grass, fair pasture)		3	150—300 feet		1
Poor (Bare soil, pavement)		5	Greater than 300 feet		0

Critical Slope			Crossing Water Course		
Does the slope meet or exceed the following criteria			Yes—inspect every two weeks (High Priority)		
Grade of slope—0—7%, slope length>300 feet OR			No		0
Grade of slope—7—15%, slope length>150 feet OR					
Grade of slope—15%, slope length>75 feet					
If yes to any of these slope conditions, rating 3 If no, rating 0					
OVERALL RATING	INSPECTION RETURN FREQUENCY				
(TOTAL OF THE ABOVE CATEGORIES)					
If _____ is 26-33 then	_____ Once every two (2) weeks				
If _____ is 20-26 then	_____ Once every five (5) weeks				
If _____ is 13-19 then	_____ Once every eight (8) weeks				
If _____ is 12 or less then	_____ Frequency based on criteria below				

Note: Inspection return frequency is not limited to the above schedule and will increase in frequency due to run-off producing storm events or documented violations. Also, an inspection will be performed at the beginning and completion of all projects, regardless of rating.

Project Name: _____ Approved By: _____
Date: ___ / ___ / ___

(Res. No. 17-05-2009, 5-19-09; Res. No. 10-05-2010, 5-18-10)

Article IV Stormwater Management

- Sec. 7-47. Exemptions
- Sec. 7-48. Stormwater Management Program Established, Submission and Approval of Plans; Prohibitions
- Sec. 7-49. Stormwater Pollution Prevention Plan: Contents of Plans
- Sec. 7-50. Stormwater Management Plan: Contents of Plan

- Sec. 7-51. Pollution Prevention Plan: Contents of Plans
- Sec. 7-52. Review of Stormwater Management Plan
- Sec. 7-53. Technical Criteria for Regulating Land Disturbing Activity
- Sec. 7-54. Performance Bond
- Sec. 7-55. Long term maintenance of Permanent Stormwater Facilities
- Sec. 7-56. Closure of Land Disturbing Activities
- Sec. 7-57. Monitoring and Inspections
- Sec. 7-58. Enforcement - Violations of Chapter – Penalty, injunctive relief, civil relief
- Sec. 7-59. Hearings (optional)
- Sec. 7-60. Appeals
- Sec. 7-61. Fees (optional)
- Sec. 7-62. Reserved

Sec. 7-47. Stormwater Management Permit Requirement Exemptions

- (A) Except as provided herein, no person may engage in any land-disturbing activity until a Virginia Stormwater Management Program or VSMP authority permit has been issued by the Administrator in accordance with the provisions of this Ordinance.
- (B) Notwithstanding any other provisions of this Ordinance, the following activities are exempt, unless otherwise required by federal law:
 - (1) Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of Title 45.1 of the Code of Virginia;
 - (2) Clearing of lands specifically for agricultural purposes and the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations, or as additionally set forth by the State Board in regulations, including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§ 10.1-1100 et seq.) of Title 10.1

of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in Subsection B of § 10.1-1163 of Article 9 of Chapter 11 of Title 10.1 of the Code of Virginia;

- (3) Single-family residences separately built and disturbing less than one acre and not part of a larger common plan of development or sale, including additions or modifications to existing single-family detached residential structures
- (4) Land disturbing activities that disturb less than one acre of land area or activities that are part of a larger common plan of development or sale that is one acre or greater of disturbance
- (5) Discharges to a sanitary sewer or a combined sewer system;
- (6) Activities under a State or federal reclamation program to return an abandoned property to an agricultural or open land use;
- (7) Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this Subsection; and
- (8) Conducting land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the Administrator shall be advised of the disturbance within seven days of commencing the land-disturbing activity and compliance with the administrative requirements of Subsection (a) is required within 30 days of commencing the land-disturbing activity.

Sec. 7-48. Stormwater Management Program Established, Submission and Approval of Plans; Prohibitions.

- (A) Pursuant to § 10.1-603.3 of the Code of Virginia, Franklin County hereby establishes a Virginia stormwater management program for land-disturbing activities and adopts the applicable Regulations that specify standards and specifications for VSMPs promulgated by the State Board for the purposes set out in Section 7-2 of this Ordinance. Franklin County hereby designates the Department of Planning and Community Development as the Administrator of the Virginia Stormwater Management Program.
- (B) No VSMP authority permit shall be issued by the Administrator, until the following items have been submitted to and approved by the Administrator as prescribed herein:
 - (1) A permit application that includes a general permit registration statement;

- (2) An Erosion and Sediment Control Plan approved in accordance with the Franklin County Erosion and Sediment Control Ordinance Section 7-23, and;
 - (3) A Stormwater Management Plan that meets the requirements of Section 7-50 of this Ordinance.
- (C) No VSMP authority permit shall be issued until evidence of general permit coverage is obtained.
- (D) No VSMP authority permit shall be issued until the fees required to be paid pursuant to Section 7-61, are received, and a performance bond required pursuant to Section 7-54 of this Ordinance has been submitted.
- (E) No VSMP authority permit shall be issued unless and until the permit application and attendant materials and supporting documentation demonstrate that all land clearing; construction, disturbance, land development and drainage will be done according to the approved permit.
- (F) No grading, building or other local permit shall be issued for a property unless a VSMP authority permit has been issued by the Administrator.

Sec 30-41 STORMWATER POLLUTION PREVENTION PLAN; CONTENTS OF PLANS.

- (A) The Stormwater Pollution Prevention Plan (SWPPP) shall include the content specified by Section 9VAC25-870-54 and must also comply with the requirements and general information set forth in Section 9VAC25-880-70, Section II [Stormwater Pollution Prevention Plan] of the general permit.
- (B) The SWPPP shall be amended by the operator whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to state waters which is not addressed by the existing SWPPP.
- (C) The SWPPP must be maintained by the operator at a central location onsite. If an onsite location is unavailable, notice of the SWPPP's location must be posted near the main entrance at the construction site. Operators shall make the SWPPP available for public review in accordance with Section II of the general permit, either electronically or in hard copy.

Sec. 7-50. STORMWATER MANAGEMENT PLAN; CONTENTS OF PLAN.

- (A) The Stormwater Management Plan, required in Section 7-48 of this Ordinance, must apply the stormwater management technical criteria set forth in Section 7-53 of this Ordinance to the entire land-disturbing activity, consider all sources of surface runoff and all sources of subsurface and groundwater flows converted to surface runoff, and include the following information and as required by the VSMP Permit Regulations (9VAC25-870-55) and the Stormwater Management and Erosion Control Manual:
- (1) Information on the type and location of stormwater discharges; information on the features to which stormwater is being discharged including surface waters or karst features, if present, and the predevelopment and post development drainage areas;
 - (2) Contact information including the name, address, and telephone number of the owner and the tax reference number and parcel number of the property or properties affected;
 - (3) A narrative that includes a description of current site conditions and final site conditions;
 - (4) A general description of the proposed stormwater management facilities and the mechanism through which the facilities will be operated and maintained after construction is complete;
 - (5) Information on the proposed stormwater management facilities, including but not limited to:
 - (a) The type of facilities;
 - (b) Location, including geographic coordinates;
 - (c) Acres treated, and;
 - (d) The surface waters or karst features, if present, into which the facility will discharge.
 - (6) Hydrologic and hydraulic computations, including runoff characteristics;
 - (7) Documentation and calculations verifying compliance with the water quality and quantity requirements of Section 30-45 of this Ordinance and the Stormwater Management and Erosion Control Manual.
 - (8) A map or maps of the site that depicts the topography of the site and includes at a minimum:
 - (a) All contributing drainage areas;
 - (b) Existing streams, ponds, culverts, ditches, wetlands, other water bodies, and floodplains;
 - (c) Soil types, geologic formations if karst features are present in the area, forest cover, and other vegetative areas;

- (d) Current land use including existing structures, roads, and locations of known utilities and easements;
 - (e) Sufficient information on adjoining parcels to assess the impacts of stormwater from the site on these parcels;
 - (f) The limits of clearing and grading, and the proposed drainage patterns on the site;
 - (g) Proposed buildings, roads, parking areas, utilities, and stormwater management facilities; and
 - (h) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, including but not limited to planned locations of utilities, roads, and easements.
- (B) If an operator intends to meet the water quality and/or quantity requirements set forth in Section 7-53 of this Ordinance through the use of off-site compliance options, where applicable, then a letter of availability from the off-site provider must be included. Approved off-site options must achieve the necessary nutrient reductions prior to the commencement of the applicant's land-disturbing activity except as otherwise allowed by § 10.1-603.8:1 of the Code of Virginia.
- (C) Elements of the stormwater management plans that include activities regulated under Chapter 4 (§54.1-400 et seq.) of Title 54.1 of the Code of Virginia shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.
- (D) A construction record drawing for permanent stormwater management facilities shall be submitted to the Administrator except for stormwater management facilities for which maintenance agreements are not required pursuant to Section 30-55 (B) The construction record drawing shall be appropriately sealed and signed by a licensed professional registered in the Commonwealth of Virginia, pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia certifying that the stormwater management facilities have been constructed in accordance with the approved plan.

Sec. 7-51. POLLUTION PREVENTION PLAN; CONTENTS OF PLANS.

- (A) Pollution Prevention Plan, required by 9VAC25-870-56, shall be developed, implemented, and updated as necessary and must detail the design, installation, implementation, and maintenance of effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:
- (1) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;

- (2) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater; and
 - (3) Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.
- (B) The pollution prevention plan shall include effective best management practices to prohibit the following discharges:
- (1) Wastewater from washout of concrete, unless managed by an appropriate control;
 - (2) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
 - (3) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, and;
 - (4) Soaps or solvents used in vehicle and equipment washing.
- (C) Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls.

Sec. 7-52. REVIEW OF STORMWATER MANAGEMENT PLAN.

- (A) The Administrator or any duly authorized agent of the Administrator shall review stormwater management plans and shall approve or disapprove a stormwater management plan according to the following:
- (1) The Administrator shall determine the completeness of a plan in accordance with Section 7-50 of this Ordinance, and shall notify the applicant, in writing, of such determination, within 15 calendar days of receipt. If the plan is deemed to be incomplete, the above written notification shall contain the reasons the plan is deemed incomplete.
 - (2) The Administrator shall have an additional 60 calendar days from the date of the communication of completeness to review the plan, except that if a determination of completeness is not made within the time prescribed in subdivision (1), then plan shall be deemed complete and the Administrator shall have 60 calendar days from the date of submission to review the plan.
 - (3) The Administrator shall review any plan that has been previously disapproved, within 45 calendar days of the date of resubmission.
 - (4) For plans not approved by the Administrator, all return comments shall be addressed by the applicant within 90 calendar days. Plans that are not resubmitted

within this time period will be subject to a new application fee and review for current regulations.

- (5) During the review period, the plan shall be approved or disapproved and the decision communicated in writing to the person responsible for the land-disturbing activity or his designated agent. If the plan is not approved, the reasons for not approving the plan shall be provided in writing. Approval or denial shall be based on the plan's compliance with the requirements of this Ordinance and the Stormwater Management and Erosion Control Manual.
 - (6) If a plan meeting all requirements of this Ordinance is submitted and no action is taken within the time provided above in subdivision (2) for review, the plan shall be deemed approved.
- (B) Approved stormwater plans may be modified as follows:
- (1) Modifications to an approved stormwater management plan shall be allowed only after review and written approval by the Administrator. The Administrator shall have 60 calendar days to respond in writing either approving or disapproving such request.
 - (2) The Administrator may require that an approved stormwater management plan be amended, within a time prescribed by the Administrator, to address any deficiencies noted during inspection.
- (C) The Administrator shall require the submission of a construction record drawing for permanent stormwater management facilities. The Administrator may elect not to require construction record drawings for stormwater management facilities for which recorded maintenance agreements are not required pursuant to Section 7-55 (B)

Sec. 7-53. TECHNICAL CRITERIA FOR REGULATED LAND DISTURBING ACTIVITIES.

- (A) All land-disturbing activities shall comply with the technical criteria outlined in the Stormwater Management and Erosion and Control Plan Manual, latest edition.
- (B) Until June 30, 2019, any land-disturbing activity for which a currently valid proffered or conditional zoning plan, preliminary or final subdivision plat, preliminary or final site plan or zoning with a plan of development, or any document determined by the Locality as being equivalent thereto, was approved by the Franklin County prior to July 1, 2012, and for which no coverage under the general permit has been issued prior to July 1, 2014, shall be considered grandfathered by the Administrator and shall not be subject to the technical criteria of Part II B [of the Regulations], but shall be subject to the technical criteria of Part II C [of the Regulations] for those areas that were included in the approval, provided that the Administrator finds that such proffered or conditional zoning plan, preliminary or final subdivision plat, preliminary or final site plan or zoning with a

plan of development, or any document determined by the Locality as being equivalent thereto, (i) provides for a layout and (ii) the resulting land-disturbing activity will be compliant with the requirements of Part II C. In the event that the Locality-approved document is subsequently modified or amended in a manner such that there is no increase over the previously approved plat or plan in the amount of phosphorus leaving each point of discharge of the land-disturbing activity through stormwater runoff, and such that there is no increase over the previously approved plat or plan in the volume or rate of runoff, the grandfathering shall continue as before.

- (1) Until June 30, 2019, for local, state, and federal projects for which there has been an obligation of local, state, or federal funding, in whole or in part, prior to July 1, 2012, or for which the Department has approved a stormwater management plan prior to July 1, 2012, such projects shall be considered grandfathered by Franklin County and shall not be subject to the technical requirements of Part II B of the Regulations, but shall be subject to the technical requirements of Part II C of the Regulations for those areas that were included in the approval.
 - (2) For land-disturbing activities grandfathered under this Subsection, construction must be completed by June 30, 2019, or portions of the project not under construction shall become subject to the technical requirements of Subsection (a) above.
- (C) In cases where governmental bonding or public debt financing has been issued for a project prior to July 1, 2012, such project shall be subject to the technical requirements Part IIC of the Regulations, as adopted by the Locality in Subsection (b) of this Section.
- (D) The Administrator may grant exceptions to the technical requirements of Part II B or Part II C of the Regulations, provided that (i) the exception is the minimum necessary to afford relief, (ii) reasonable and appropriate conditions are imposed so that the intent of the Act, the Regulations, and this Ordinance are preserved, (iii) granting the exception will not confer any special privileges that are denied in other similar circumstances, and (iv) exception requests are not based upon conditions or circumstances that are self-imposed or self-created. Economic hardship alone is not sufficient reason to grant an exception from the requirements of this Ordinance.
- (1) Exceptions to the requirement that the land-disturbing activity obtain required VSMP authority permit shall not be given by the Administrator, nor shall the Administrator approve the use of a BMP not found on the Virginia Stormwater BMP Clearinghouse Website, or any other control measure duly approved by the Director.
 - (2) Exceptions to requirements for phosphorus reductions shall not be allowed unless offsite options otherwise permitted pursuant to 9VAC25-870-69 have been considered and found not available.

- (E) Nothing in this Section shall preclude an operator from constructing to a more stringent standard at their discretion.

Sec. 7-54. Performance Bond.

Prior to issuance of any permit, the Applicant shall be required to submit a reasonable performance bond with surety, cash escrow, letter of credit, insurance bond or any combination thereof, or such other legal arrangement acceptable to the county attorney, to ensure that measures could be taken by the County of Franklin at the Applicant's expense should he fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of him by the permit conditions as a result of his land disturbing activity. If the County of Franklin takes such action upon such failure by the Applicant, the Locality may collect from the Applicant for the difference should the amount of the reasonable cost of such action exceed the amount of the security held, if any. Within 60 days of the completion of the requirements of the permit conditions, such bond, cash escrow, letter of credit, insurance bond or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the Applicant or terminated.

Sec. 7-55. Long-term Maintenance of Permanent Stormwater Facilities.

- (A) The Administrator shall require the provision of long-term responsibility for and maintenance of stormwater management facilities and other techniques specified to manage the quality and quantity of runoff. Such requirements shall be set forth in an instrument recorded in the local land records prior to general permit termination or earlier as required by the Administrator and shall at a minimum:
- (1) Be submitted to the Administrator for review and approval prior to the approval of the stormwater management plan;
 - (2) Be stated to run with the land;
 - (3) Provide for all necessary access to the property for purposes of maintenance and regulatory inspections;
 - (4) Provide for inspections and maintenance and the submission of inspection and maintenance reports to the Administrator; and
 - (5) Be enforceable by all appropriate governmental parties.
- (B) At the discretion of the Administrator, such recorded instruments need not be required for stormwater management facilities designed to treat stormwater runoff primarily from an individual residential lot on which they are located, provided it is demonstrated to the satisfaction of the Administrator that future maintenance of such facilities will be addressed through an enforceable mechanism at the discretion of the Administrator.
- (C) If a recorded instrument is not required pursuant to Subsection 1-10 (b), the Administrator shall develop a strategy for addressing maintenance of stormwater

management facilities designed to treat stormwater runoff primarily from an individual residential lot on which they are located. Such a strategy may include periodic inspections, homeowner outreach and education, or other method targeted at promoting the long-term maintenance of such facilities. Such facilities shall not be subject to the requirement for an inspection to be conducted by the Administrator

Sec. 7-56. Closure of Land Disturbing Activities. (See Section 7-30).

Sec. 7-57. Monitoring and Inspections.

- (A) The Administrator or any duly authorized agent of the Administrator shall inspect the land-disturbing activity during construction for:
- (1) Compliance with the approved erosion and sediment control plan;
 - (2) Compliance with the approved stormwater management plan;
 - (3) Development, updating, and implementation of a pollution prevention plan; and
 - (4) Development and implementation of any additional control measures necessary to address a TMDL.
- (B) The Administrator or any duly authorized agent of the Administrator may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this Ordinance.
- (C) In accordance with a performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement or instrument, the Administrator may also enter any establishment or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions which are required by the permit conditions associated with a land-disturbing activity when a permittee, after proper notice, has failed to take acceptable action within the time specified.
- (D) Pursuant to § 10.1-603.12:2 of the Code of Virginia, the Administrator may require every VSMP authority permit applicant or permittee, or any such person subject to VSMP authority permit requirements under this Ordinance, to furnish when requested such application materials, plans, specifications, and other pertinent information as may be necessary to determine the effect of his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of this Ordinance. **[NOTE: Please see § 10.1-603.12:2 regarding protection of specified confidential information.]**
- (E) Post-construction inspections of stormwater management facilities required by the provisions of this Ordinance shall be conducted by the Administrator or any duly authorized agent of the Administrator pursuant to the Locality's adopted and State Board

approved inspection program, and shall occur, at minimum, at least once every five (5) years except as may otherwise be provided for in Section 7-55.

Sec. 758. Enforcement.

- (A) If the Administrator determines that there is a failure to comply with the VSMP authority permit conditions or determines there is an unauthorized discharge, notice shall be served upon the permittee or person responsible for carrying out the permit conditions by any of the following: verbal warnings and inspection reports, notices of corrective action, consent special orders, and notices to comply. Written notices shall be served by registered or certified mail to the address specified in the permit application or by delivery at the site of the development activities to the agent or employee supervising such activities.
- (1) The notice shall specify the measures needed to comply with the permit conditions and shall specify the time within which such measures shall be completed. Upon failure to comply within the time specified, a stop work order may be issued in accordance with Subsection (b) or the permit may be revoked by the Administrator.
- (2) If a permittee fails to comply with a notice issued in accordance with this Section within the time specified, the Administrator may issue an order requiring the owner, permittee, person responsible for carrying out an approved plan, or the person conducting the land-disturbing activities without an approved plan or required permit to cease all land-disturbing activities until the violation of the permit has ceased, or an approved plan and required permits are obtained, and specified corrective measures have been completed.
- (B) Such orders shall be issued in accordance with the Stormwater Management and Erosion Control Manual. Such orders shall become effective upon service on the person by certified mail, return receipt requested, sent to his address specified in the land records of the locality, or by personal delivery by an agent of the Administrator. However, if the Administrator finds that any such violation is grossly affecting or presents an imminent and substantial danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth or otherwise substantially impacting water quality, it may issue, without advance notice or hearing, an emergency order directing such person to cease immediately all land-disturbing activities on the site and shall provide an opportunity for a hearing, after reasonable notice as to the time and place thereof, to such person, to affirm, modify, amend, or cancel such emergency order. If a person who has been issued an order is not complying with the terms thereof, the Administrator may institute a proceeding for an injunction, mandamus, or other appropriate remedy in accordance with Subsection 7-58(C).

- (C) In addition to any other remedy provided by this Ordinance, if the Administrator or his designee determines that there is a failure to comply with the provisions of this Ordinance, they may initiate such informal and/or formal administrative enforcement procedures in a manner that is consistent with the Stormwater Management and Erosion Control Manual.
- (D) Any person violating or failing, neglecting, or refusing to obey any rule, regulation, ordinance, order, approved standard or specification, or any permit condition issued by the Administrator may be compelled in a proceeding instituted in Franklin County Circuit Court by the Locality to obey same and to comply therewith by injunction, mandamus or other appropriate remedy.
- (E) Any person who violates any provision of this Ordinance or who fails, neglects, or refuses to comply with any order of the Administrator, shall be subject to a civil penalty not to exceed \$32,500 for each violation within the discretion of the court. Each day of violation of each requirement shall constitute a separate offense.
- (1) Violations for which a penalty may be imposed under this Subsection shall include but not be limited to the following:
- (a) No state permit registration;
 - (b) No SWPPP;
 - (c) Incomplete SWPPP;
 - (d) SWPPP not available for review;
 - (e) No approved erosion and sediment control plan;
 - (f) Failure to install stormwater BMPs or erosion and sediment controls;
 - (g) Stormwater BMPs or erosion and sediment controls improperly installed or maintained;
 - (h) Operational deficiencies;
 - (i) Failure to conduct required inspections;
 - (j) Incomplete, improper, or missed inspections; and
 - (k) Discharges not in compliance with the requirements of Section 9VAC25-880-70 of the general permit.
- (2) The Administrator may issue a summons for collection of the civil penalty and the action may be prosecuted in the appropriate court.
- (3) In imposing a civil penalty pursuant to this Subsection, the court may consider the degree of harm caused by the violation and also the economic benefit to the violator from noncompliance.
- (4) Any civil penalties assessed by a court as a result of a summons issued by Franklin County shall be paid into the treasury of the Franklin County to be used for the purpose of minimizing, preventing, managing, or mitigating pollution of the waters of the locality and abating environmental pollution therein in such manner as the court may, by order, direct.

- (F) Notwithstanding any other civil or equitable remedy provided by this Section or by law, any person who willfully or negligently violates any provision of this Ordinance, any order of the Administrator, any condition of a permit, or any order of a court shall, be guilty of a misdemeanor punishable by confinement in jail for not more than 12 months or a fine of not less than \$2,500 nor more than \$32,500, or both.

Sec. 7-59. HEARINGS. (See Appeals Section 7-60).

Sec. 7-60. APPEALS.

Final decisions of the program administrator under this chapter shall be subject to review by the Franklin County Board of Supervisors, provided an appeal is filed within thirty (30) days from any written decision by the program administrator which adversely affects the rights, duties or privileges of the person engaging in or proposing to engage in land-disturbing activities.

Final decisions of the board of supervisors under this chapter shall be subject to review by Circuit Court of Franklin County, provided an appeal is filed within thirty (30) days from the date of any written decision by the Franklin County Board of Supervisors which adversely affects the rights, duties or privileges of the person engaging in or proposing to engage in land-disturbing activities.

Sec. 7-61. Reserved.

FRANKLIN COUNTY
Board of Supervisors



Franklin County
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EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Courthouse Security Project</p> <p><u>SUBJECT/PROPOSAL/REQUEST</u> Request Board Approval to Approve Contract</p> <p><u>STRATEGIC PLAN FOCUS AREA:</u> Develop a master plan for Law Enforcement and Court Facilities Goal # 4 – Develop a Master Plan to guide public investment in facilities and infrastructure; coordinate the use, location, construction, operation and funding of facilities and infrastructure to maximize levels of service and advance the County’s desired build-out model.</p> <p><u>Action Strategy:</u></p> <p><u>STAFF CONTACT(S):</u> Messrs. Huff, Thurman</p>	<p><u>AGENDA DATE:</u> February 18, 2014</p> <p><u>ACTION:</u> YES</p> <p><u>CONSENT AGENDA:</u></p> <p><u>ACTION:</u></p> <p><u>ATTACHMENTS:</u></p> <p><u>REVIEWED BY:</u> REX</p>	<p><u>ITEM NUMBER:</u></p> <p><u>INFORMATION:</u></p> <p><u>INFORMATION:</u></p>
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BACKGROUND:

On May 15, 2012, the Board of Supervisors approved moving forward with a project aimed at making the Franklin County Courthouse more secure.

Work continued with regard to developing the exact scope of work and last January the Board received an update and was asked to give direction with regard to several issues which had arisen.

The major items discussed (which were somewhat beyond the original issues identified) were:

- The potential construction of a new stairwell which would serve all four levels of the building.
- Providing a backup generator to serve all or parts of the building.
- Providing additional space and incorporate renovations for the Circuit Court Clerk.

The Board authorized moving forward with both the new stair and upgrades to the Clerk’s Office. However it was decided the installation of a generator to serve the building would not be a part of this project.

As the design team began to take a closer look at the additional stair it was determined that such work was not feasible. The location for the stair was such that there is serious concern of how (and if) the adjoining original structure could be supported during construction.

DISCUSSION:

In May of last year the County entered into a contractual agreement with the design firm of Thompson-Litton for the purpose of preparing construction documents.

The plans include all work which was contained in the original scope as well as renovations to the Circuit Court Clerk's area. The plan also includes upgrading the "West" elevator which will serve as the public access to the upper two levels of the Courthouse.

The project was advertised for bid on January 19, 2014. On January 30, 2014 a mandatory "Pre Bid" meeting was held for interested contractors. A total of nine General Contractors were in attendance in addition to several sub contractors.

Bids were received at 4:00 p.m. on February 13, 2014 and the presentation at today's meeting will be to discuss those bid results.

RECOMMENDATIONS:

Current available funding (contained in Capital Account 3000-025-0055-7026) for this work is \$1,135,091. It should be noted that the revised cost estimates which you were given last January was \$1,410,288. This figure did include the additional stairwell which was removed from the project, as previously presented.

It is recommended to allow staff and Thompson-Litton to enter into negotiations with the lowest qualified bidder for the purpose of moving forward with the project.

Assuming such negotiations are successful it is further requested to allow Mr. Huff to execute the contract for construction.

FRANKLIN COUNTY
Board of Supervisors



Franklin County
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EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> American Civil War Sesquicentennial Marketing Program of the Virginia Sesquicentennial of the American Civil War Commission and the Virginia Tourism Corporation</p>	<p><u>AGENDA DATE:</u> February 18, 2014</p>	<p><u>ITEM NUMBER:</u></p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> Request for approval to apply for an American Civil War Sesquicentennial Marketing Program grant for local CW 150 programs.</p>	<p><u>ACTION:</u></p>	<p><u>INFORMATION:</u></p>
<p><u>STRATEGIC PLAN FOCUS AREA:</u> <u>Goal #</u> <u>Action Strategy:</u> Identify private and nonprofit partners for collaborative efforts in the statewide recognition of the American Civil War Sesquicentennial.</p>	<p><u>CONSENT AGENDA:</u> X <u>ACTION:</u></p>	<p><u>INFORMATION:</u></p>
<p><u>STAFF CONTACT(S):</u> Burnette</p>	<p><u>ATTACHMENTS:</u></p>	
	<p><u>REVIEWED BY:</u> REK</p>	

BACKGROUND:

Each year the Virginia Sesquicentennial of the American Civil War Commission and the Virginia Tourism Corporation offer grant opportunities to communities who have a recognized CW 150 Committee. The purpose of the grant is to help those community organizations, working in partnership with the local tourism industry, promote the commemoration of the sesquicentennial of the American Civil War. Since its inception, the Franklin County CW 150 Committee has had many successful programs, with the help of several partner organizations. With the Booker T. Washington National Monument, the CW 150 Committee co-hosted the Legacy Program – a Civil War document digital scanning program, the Civil War 150 History Mobile and the American Turning Point Panel Exhibition that was on display in the Board room at the Government Center, which had visitors from New York to Florida. Through the combined efforts of Franklin County, re-enactors and Civil War-related civic groups, one of the most successful events hosted to date is the annual Franklin County Civil War Days, which offers three days of living history, military demonstrations, education and more. The event draws visitors from throughout the state and beyond.

DISCUSSION:

The Franklin County CW 150 Committee/Franklin County Civil War Days Planning Committee is seeking the Franklin County Board of Supervisor’s approval to apply for grant from the American Civil War Sesquicentennial Marketing Program of the Virginia Sesquicentennial of the American Civil War Commission and the Virginia Tourism Corporation in an amount up to \$5,000. Grant funding will be used primarily for the marketing of the 2014 Franklin County Civil War Days event, Sept. 5-7, 2014 at LakeWatch Plantation in Moneta. The grant requires a 1:1 match of up to \$5,000. We are requesting permission to apply for up to \$5,000. The deadline for the grant application is March 4, 2014. Franklin County would provide the match through the 2014 Tourism MicroGrant Program or through the Office of Economic Development’s tourism operational budget.

RECOMMENDATION:

Staff requests approval to apply for a grant from the American Civil War Sesquicentennial Marketing Program of the Virginia Sesquicentennial of the American Civil War Commission and the Virginia Tourism Corporation in an amount up to \$5,000.

FRANKLIN COUNTY
Board of Supervisors



Franklin County
A Natural Setting for Opportunity

EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> School Appropriation Request –FCHS CTE Project</p>	<p><u>AGENDA DATE:</u> February 18, 2014 <u>ITEM NUMBER:</u></p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> Staff Analysis of the Schools Appropriation Request for Expenditures Related to the Franklin County High School Career and Technical Education Building Project</p>	<p><u>ACTION:</u> YES <u>INFORMATION:</u></p>
<p><u>STRATEGIC PLAN FOCUS AREA:</u> N/A <u>Goal #</u> <u>Action Strategy:</u></p>	<p><u>CONSENT AGENDA:</u> <u>ACTION:</u> <u>INFORMATION:</u></p>
<p><u>STAFF CONTACT(S):</u> Messrs. Huff, Copenhaver, Cheatham</p>	<p><u>ATTACHMENTS:</u> YES <u>REVIEWED BY:</u> <i>REH</i></p>

BACKGROUND:

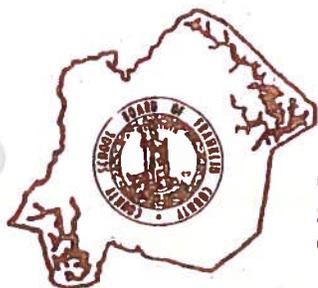
The Board of Supervisors has requested that County staff review all additional appropriation requests from the Franklin County Public Schools.

DISCUSSION:

The Board of Supervisors set aside \$1.5 million in the County’s capital fund last fiscal year to begin exploring the possibility of a new Career and Technical Education Building for the Franklin County Public Schools. Through January 23, 2014, the Schools have spent \$60,930.65 on property evaluation, aerial photography, mapping and a feasibility study. The Schools also have a remaining financial commitment with RRMM Architects for \$16,589.35 bringing the total requested for appropriation to \$77,520.00.

RECOMMENDATION:

Staff respectfully requests the Board’s consideration of the attached appropriation request from the Schools for expenditures related to the Franklin County High School Career and Technical Education Project in the amount of \$77,520.



FRANKLIN COUNTY PUBLIC SCHOOLS

OFFICE OF SUPERINTENDENT

25 Bernard Road • Rocky Mount, VA 24151-6614
(540) 483-5138 • FAX (540) 483-5806

January 23, 2014

To: Mr. Vincent K. Copenhaver, County Finance Director
From: Lee E. Cheatham, Director of Business & Finance **LEC**
Subject: Usage of \$1,500,000 Reserved for the FCHS CTE Project

Dear Vincent:

As we briefly discussed recently, we have had to incur expenditures relative to the FCHS CTE Project, primarily site investigation costs as follows:

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
RRMM Architects	FCHS Feasibility Study	\$10,000.00
RRMM Architects	Property Evaluation	5,996.40
RRMM Architects	Property Evaluation	22,737.75
RRMM Architects	Property Evaluation	9,196.50
Caldwell White Associates	Aerial Photography	3,400.00
Caldwell White Associates	Compilation of Mapping	<u>9,600.00</u>
Total		\$60,930.65

We have a remaining financial commitment with RRMM Architects totalling \$16,589.35 (\$54,520.00-\$37,930.65 = \$16,589.35) 16,589.35

Total Appropriation Needed for 2013-14 \$77,520.00

Please ask the Franklin County Board of Supervisors to consider approving this appropriation request totalling \$77,520.00 on their Consent Agenda at their next meeting to be held on Tuesday, February 18, 2014.

Please do not mention the specific property being evaluated during an open meeting.

I have attached copies of the support for the expenditures listed above.

Please let me know if you have any questions.

Attachments (6)

cc: Dr. W. Mark Church, Division Superintendent
Mrs. Suzanne M. Rogers, Assistant Superintendent
Ms. Sharon L. Tuttle, Assistant Director of Business & Finance
Mr. Jon D. Crutchfield, Director of Facilities & Transportation
Mr. Darryl K. Spencer, Supervisor of Buildings & Grounds

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FRANKLIN COUNTY
Board of Supervisors



Franklin County
A Natural Setting for Opportunity

EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Acting Building Official Appointment</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u> Acting Building Official Code Requirement</p> <p><u>STRATEGIC PLAN FOCUS AREA:</u> <u>Goal #</u> <u>Action Strategy:</u></p> <p><u>STAFF CONTACT(S):</u> Messrs. Huff, Whitlow</p>	<p><u>AGENDA DATE:</u> February 18, 2014</p> <p><u>ACTION:</u></p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u> Yes <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u></p> <p><u>REVIEWED BY:</u> REK</p>	<p><u>ITEM NUMBER:</u></p> <p><u>INFORMATION:</u></p>
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BACKGROUND: Recently, Peter Ahrens left the Building Inspections Department to assume a similar position in another locality. While staff is actively seeking Mr. Ahren's replacement, the County is required to appoint an interim building official.

DISCUSSION: The Statewide Building Code notes the following:

County's Building Official Section 105.1 - Appointment of building official. Every local building department shall have a building official as the executive official in charge of the department. The building official shall be appointed in a manner selected by the local governing body. DHCD (Virginia Department of Housing and Community Development) shall be notified by the appointing authority within 30 days of the appointment or release of a permanent or acting building official.

Staff looks to fill the permanent position as soon as possible, but needs to make an interim appointment at this time.

RECOMMENDATION: Staff respectfully requests the Board of Supervisors to appoint Jeff Scott, current Senior Building Inspector, as interim or acting building official until such time as a permanent Building Official is hired.

FRANKLIN COUNTY
Board of Supervisors



Franklin County
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EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Community Facilities Improvement Program</p>	<p><u>AGENDA DATE:</u> February 18, 2014</p>	<p><u>ITEM NUMBER:</u></p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> Staff seeks the Board's consideration of reactivating the Community Facilities Improvement Program with changes to the programs requirements and guidelines.</p>	<p><u>ACTION:</u> <u>CONSENT AGENDA:</u> YES</p>	
<p><u>STAFF CONTACT(S):</u> Huff, Whitlow, Chapman</p>	<p><u>ACTION:</u> YES <u>ATTACHMENTS:</u> YES <u>REVIEWED BY:</u> R&K</p>	

BACKGROUND

The Community Facilities Improvement grant program was started in 2008 to assist County non-governmental organizations with construction costs of community park and beautification projects. This grant was suspended soon thereafter in 2009 due to the recession and subsequent County-wide budget reductions. During this time, the Parks & Recreation Department significantly cut its capital budget for County park improvements, thereby budgeting little if any dollars toward upgrading County owned parks. As such, this grant program became inactive.

In response to recent requests for funding of school parks, staff sought the Franklin County Board of Supervisors' direction on the possibility of reactivating the Community Facilities Improvement grant program at the Board meeting on January 21, 2014. Furthermore, staff requested guidance as to any suggested changes the Board would like to see to the program if the grant was reactivated.

DISCUSSION

The Board indicated their support of reactivating the Community Facility Improvement grant program. The Board also gave guidance on changes to the grant program's requirements and guidelines.

These changes to the grant program's requirements and guidelines include: 1) Clarifying requirements for public access to the project site: The recommended requirement will read "all projects must benefit and be free and open to the general public without restricted use. School grounds that are closed to the public during operating hours are not eligible for funding." 2) Funding Limit: The grant funding limit per project will be reduced from \$8,000 to \$5,000. 3) Grant Administration: The grant process will be administered once per year instead of twice per year review.

RECOMMENDATION:

Staff respectfully requests the Franklin County Board of Supervisors' consideration of reactivating the Community Facility Improvement grant with the amended requirements and guidelines.

Franklin County Community Facilities Improvement Program

Program Guidelines

I. Purpose of the Community Facilities Improvement Program

The Program is designed to provide the means for nonprofits, neighborhood associations, community park groups, bodies of faith, and the County to join in partnership with each other to make physical improvements that will enrich the lives of our citizens, enhance the identity and quality of life, and encourage a strong sense of community.

The Program provides matching grants for a wide variety of projects and physical improvements. Some examples of eligible projects include the following:

- Park Development
- Public Recreational Facility Improvements
- Streetscape, ROW Beautification
- Engineering and planning studies
- Other items that will improve neighborhood livability and vitality

The Program is generally intended for capital construction projects and studies. The goal is to have projects constructed in a reasonable period so the neighborhood and community can point with pride to a completed project.

Applicants are encouraged to involve the youth of the community in the planning, design, and execution of the improvements. A limited amount of staff design assistance is available to applicants who request it. The design assistance will help the applicant refine the project scope and provide enough detail to receive estimates for fabrication, construction, and/or installation.

II. Eligible Applicants

Neighborhood Associations, non-profits, bodies of faith, community groups, and private citizens who sign an agreement to manage a facility for general public use are eligible to apply for grants for projects that are **within the county limits**.

Non-profit groups that engage with the purpose of maintaining and developing community recreational facilities should be constituted for the general welfare of and benefit of the residents in Franklin County. All associations must have written by-laws, hold regularly scheduled meetings, and be open to all residents.

III. Eligible Project Types

1. Park/Recreational Planning and/or Design Project —

Produce a plan, design, or report outlining specific actions that will serve as a guide for development of a community parks and recreation amenity.

2. Facility Physical Improvement (Construction) Project — Build, enhance, or renovate a structure or site that provides a public benefit.

Project examples

- Landscaping public places
- Beautification projects
- Park improvements
- New playground equipment
- Trails
- Professional Studies or analysis

IV. Project Requirements

Applications for projects must meet the following requirements to be eligible for consideration:

1. Provide a public benefit, resulting in a product that benefits the community. All projects must benefit and be free and open to the general public without restricted use. School grounds that are closed to the public during operating hours are not eligible for funding.
2. All projects must be compatible with adopted County plans and policies.
3. All projects must include a match of 25%. (Match may be either financial or in-kind; if in-kind the tasks and responsibilities must be documented.)
4. The number and size of awards will be limited by the amount of available funding.
5. All projects need to have a concept review by applicable agencies prior to their application. Documentation should be included with application.
6. Any applicable permit fees and approvals that may be required (e.g., street encroachment approval, and sign, building, erosion and soil permits) are the responsibility of the applicant and should be included in the total project cost.
7. Projects to be built on private property must identify an incorporated entity willing to assume all responsibility for project management, ownership and maintenance and all future liability.
8. Long term or routine maintenance must be addressed and provided for.
9. Generally, most projects not completed after three years will be canceled and all monies will go back into the Community Facilities Program budget to be awarded in the next program cycle.
10. Costs associated with social events, such as dinners, special events, lunches, receptions, etc., will not be funded through the Program
11. Costs associated with leasing of private land, equipment, or facilities for general park use will not be eligible. Leasing of equipment for construction purposes shall be an eligible expense.

V. Project Selection Criteria

All applications that meet the eligibility requirements will be evaluated according to a set of criteria. The following criteria for the program are designed to give priority to projects for grant awards. Please keep in mind that we anticipate more projects to be submitted than we can fund.

Selection/Funding Evaluation Worksheet & Criteria

Policy	Yes	No	Points (10 points Max)	Comments
Is the project consistent with the goals and policies of the Franklin County Comprehensive Plan?				
Does the project propose a good approach to a community liability or address a clear and pressing need?				
Will the project address identified parks and recreation system deficiencies in that area of the County?				
Does the project include in-kind contributions or a neighborhood match?				
Is long-term maintenance addressed and provided for?				
Is community support for the project well documented?				
Does the project include opportunities to involve neighbors in shaping and carrying out the project?				
Is the purpose and scope of work of the study clear?				
Does the project implement a specific policy recommendation of the Comprehensive Plan or town/village/overlay district plan?				
Is the land on which the project will be built secured for public access with no restrictions for use?				
Total				

The following "grades" will be used for evaluation:

- 100 to 90 Points Recommend approval to the Board of Supervisors
- 90 to 80 Points Recommend partial funding to the Board of Supervisors
- Below 80 Points Assist the Groups in Refining the Proposals Prior to Board Presentation

VI. Process

A. Application (see website for annual date)

Applicants will complete an application for grant funds and attach supporting documentation as necessary. The application should address all of the criteria above. Supporting documents that must be included are: Non-Profit status, Board members, by-laws, title of the land on which the proposed improvement are to occur, an agreement by the landowner that permits all improvements, a signed letter of commitment for maintenance and operation of the facility as proposed by the responsible parties.

B. Review and Selection

All applications must be submitted to the Department of Parks and Recreation. After meeting with the applicant(s), departmental staff will rank the applications and present their findings to the Recreation Advisory Commission (RAC) for their review and comments. A formal presentation to the Board of Supervisors and the request will be approved, denied, or amended.

C. Timelines

Applications will be received once annually.

Applicant's Written Request to Department Due	Applicant Meets with County Staff on Site	Staff Present Applicant Rankings to RAC	Formal Presentation to BOS	Grants Awarded
December 31	January	February	March	April

The Director of Parks and Recreation will have the responsibility to meet with the group to assist them in preparing for a presentation before the Board of Supervisors. County staff will prepare an executive summary of the request for the Board. Applicants will make a formal request for funding to the Board directly.

D. Project is undertaken

The payments in this Program are paid to group that submits the application. To receive payment, grantees will submit invoices and or receipts with a signed report from the executive officer that addresses (at a minimum) monies spent, work completed, work in progress, steps to completion of the project and projected completion date.

E. Tracking

Grantees will be required to give a status report of incomplete projects on a semi-annual basis. The report will address (at minimum) monies spent, work completed, work in progress, steps to completion of the project and projected completion date.

The Franklin County Finance Department will maintain a record on the fund. Staff shall complete an annual report to the Board of Supervisors on the fund and its projects. Projects not completed within three years will be canceled and monies shall revert to the program budget.

F. Grant Limits

Individual grants shall not be awarded in an amount to exceed \$5,000 unless otherwise directed by the Board of Supervisors.

FRANKLIN COUNTY
Board of Supervisors



Franklin County
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EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Waid Park Pavilion Project Award</p> <p><u>SUBJECT/PROPOSAL/REQUEST</u> Request permission to award contract for Waid Park Pavilion construction.</p> <p><u>STAFF CONTACT(S):</u> Huff, Whitlow, Chapman, Smith</p>	<p><u>AGENDA DATE:</u> <u>ITEM NUMBER:</u> February 18, 2014</p> <p><u>ACTION:</u> YES</p> <p><u>CONSENT AGENDA:</u> YES</p> <p><u>ACTION:</u></p> <p><u>ATTACHMENTS:</u> YES</p> <p><u>REVIEWED BY:</u> <i>REX</i></p>
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BACKGROUND:

Waid Park opened in 1991 and quickly became the most visited park in Franklin County. The park covers 450 acres and includes 2 baseball fields, 5 multi-use fields, 7 miles of trails, 2 picnic shelters and 2 playgrounds.

The multi-use fields at Waid Park are especially popular. A typical weekend in the spring or fall will serve between 40 to 45 teams and will have between 2,000 and 2,225 players and spectators. While this is one of the most heavily utilized areas in the park system, there are no permanent restrooms or concessions offered. While the park offers many excellent amenities, the lack of permanent restroom and concession facilities at the multi-use fields is inadequate and is the source of numerous complaints from park patrons. The need for a pavilion was also recognized by an external consulting agency. CHA Consulting reviewed all of Franklin County's parks in 2009 and recommended that restrooms and concessions were required, especially near the soccer fields.

To meet the need for permanent restroom and concession facility, the Parks and Recreation Department designed a pavilion and solicited bids in 2012. The bids received were much higher than the cost estimate so they were rejected so that an additional funding source could be found. Parks and Recreation applied for a grant from the Virginia Department of Conservation and Recreation (DCR) in December of 2012. The County fortunately was awarded the grant in the amount of \$100,000.00 to help offset the construction costs.

Staff worked with the engineering firm of Earth Environmental to design the project. The Waid Park pavilion's restroom and concession facilities were planned to be durable for heavy public use, while aesthetically pleasing and convenient for families. The pavilion will offer both men's and women's restrooms with multiple public and handicap accessible toilets.

In addition, the pavilion will include a full service concession area, covered picnic area with drinking fountain, heating units throughout so as to be used year-round, solar lighting to minimize electrical costs, and durable metal roofing to complement existing park structures.

Pre-bid cost estimates for this project were estimated by Earth Environmental at \$300,000.00. The cost of this project is largely driven for the following reasons: 1) Flood Plain: The construction site for the pavilion lies in the flood plain. This increased the survey, engineering, and construction costs as the structure had to be raised out of the flood plain to minimize flood risks as well as impacts to the Pigg River. 2) Drain Field: The drain field for the pavilion's restrooms and concession stand had to be located near the baseball fields to an area where the soil would perk. The distance and gain in elevation will require a forced main which will increase construction costs. While a pump out station was examined to minimize costs, it was determined that it would not be permitted by the Virginia Department of Health and would also have high maintenance costs (approx \$20,230.00 per year). 3) Commercial Construction: This building is designed unlike a residential building that has light use, but instead is designed out of durable materials, masonry construction, that can withstand heavy use and will require little maintenance for many years. Parks and Recreation staff reviewed the plans with the Public Works Department engineering staff, thereby analyzing any alternatives in construction that may reduce construction costs and determined that the current design was both practically designed as well as accurately estimated.

On December 19, 2013 the Board approved staff to solicit bids for the construction of the Waid Park Pavilion.

DISCUSSION

Since receiving approval to solicit bids, an advertisement was run in the Franklin News Post on Friday January 10, 2014 and the Roanoke Times on Sunday January 12, 2014. A mandatory pre-bid meeting was held on Thursday January 16, 2014. On Tuesday February 4, 2014 bids were publically opened at 4pm.

Five bids were received and are as follows:

Price Building	\$228,986.18
Duane Davis Foundations	\$249,500.00
Branson Construction:	\$252,884.00
F&S Building Innovations	\$274,460.00
Falwell Corporation	\$347,876.00

The majority of the bids were significantly lower than projected \$300,000.00 with the lowest bid coming in \$71,013.82 below the estimate.

Earth Environmental who is providing engineering services to the County has reviewed the bids for accuracy and adherence to the contract's requirements. Earth Environmental recommends awarding the contract to the lowest bidder, Price Building Inc (see attached letter).

Please be aware that the Virginia Department of Conservation and Recreation has reviewed and approved the plans for the Waid Park Pavilion and all permits have been obtained for construction. DCR again will be providing \$100,000.00 of funding toward this project significantly reducing the County's portion.

Total cost for construction:	\$228,986.18
DCR Grant funding:	-\$100,000.00
Cost to the County:	\$128,986.18

Funds for construction will come out of the following Parks and Recreation capital accounts:

<u>Account</u>	<u>Number</u>	<u>Existing</u>	<u>Applied</u>	<u>Remaining</u>
Recreation Maintenance Equipment	(3000-030-0013-7001)	\$117,953.00	\$25,000.00	\$92,953.00
Parks and Rec Master Plan	(3000-030-0138-3002)	\$93,000.00	\$55,000.00	\$38,000.00

Park Trails	(3000-030-0063-7028)	\$56,206.00	\$10,325.18	\$45,880.82
Community Park Development	(3000-030-0120-7026)	\$45,338.00	\$10,000.00	\$35,338.00
Lake Access Facility*	(3000-030-0142-7028)	\$20,000.00	\$15,000.00	\$5,000.00
Bowman Farm Clean Up**	(3000-030-0166-7026)	\$15,000.00	\$10,000.00	\$5,000.00
Waid Park Development	(3000-030-0227-7004)	\$3,661.00	\$3,661.00	\$0.00
	TOTAL P&R	\$619,227.00	\$128,986.18	\$395,566.00
	DCR:		\$100,000.00	
	GRAND TOTAL		\$228,986.18	

*This account is for the development a boat ramp at Smith Mountain Lake Community Park that was later found not to be feasible, however a less expensive canoe/kayak launch is currently being examined.

**This account is for some clean-up of the Bowman Farm area at Waid Park, whereby such clean-up is not yet ready to be completely undertaken at this time.

RECOMMENDATION:

Staff respectfully requests that the Board of Supervisors award the low bid of \$228,986.18 to Price Buildings, Inc. for the construction of the Waid Park Pavilion (restrooms and concessions facility), thereby appropriating \$100,000 from a recent grant award received from the Virginia Department of Conservation and Recreation into the Waid Park Development Capital Account #3000-030-0027-7004 and further appropriating such capital funds from existing Parks and Recreation capital accounts as previously noted.



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exceeding expectations confidently

February 10, 2014

Mr. Paul Chapman, CPRP
Director
Franklin County Parks and Recreation
2150 Sontag Rd.
Rocky Mount, VA 24151

RE: Restroom & Concession Stand
Waid Recreation Area
Project No. 11-045

Dear Mr. Chapman:

Bids for the construction of the Waid Recreation Area Restroom & Concession Stand were received on February 4, 2014. A total of five bids were received for the project. The bids ranged from \$228,986.18 to \$347,876.00. A copy of the bid tabulation is attached for your record. Our estimate for the project was approximately \$300,000.

The low bid was submitted by Price Buildings, Inc. of Rocky Mount, VA in the amount of \$228,986.18. Please note that Price Buildings did have four mathematical errors in their bid. The total for Item 2, Water Service Line, should have been \$1,589.00 based on the total quantity (350 LF) and the unit cost (\$4.54/LF) of water service line. The total for Item 4, Sewer Force Main, should have been \$24,508 based on the total quantity (2,200 LF) and the unit cost (\$11.14/LF) of sewer force main. The total for Item 5, Boring, should have been \$3,135.90 based on the total quantity (30 LF) and the unit cost (\$104.53/LF) of boring. The total for Item 9, Foundation Undercut & Select Backfill, should have been \$1,875.98 based on the total quantity (75 CY) and the unit cost (\$25.01/CY) of undercut and select backfill.

Based on our review of the bids, we recommend that the County award the project to Price Buildings, Inc. in the amount of the corrected bid total of \$228,986.18.

We are hereby providing a copy of our recommendation along with a copy of the submitted bid by Price Building, Inc. to the County's attorney, James Jefferson, for his review and concurrence.

We are also hereby returning the original bid documents to Sharon Tudor for her records.

Earth Environmental and Civil, Inc.
35 Claiborne Ave.
Rocky Mount, VA 24151

Phone: (540) 483-5975
Toll Free: (888) 663-9719
Fax: (540) 483-2221

Email: earth@earthenv.com
Website: www.earthenv.com





If you have any question regarding our recommendation or the project, please do not hesitate to contact me.

Sincerely,

Earth Environmental and Civil

Christopher S. Fewster, PE
Senior Engineer

cc – James Jefferson
Sharon Tudor



Wald Park Restroom and Concession Stand
Franklin County, VA

Bid Tabulation
February 4, 2014

Base Bid Item No.	Item	Quantity	Unit	8ranson Construction		F. & S Building Innovations		Price Buildings		Falwell Corporation		Duane Davis Foundations	
				Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
1	Mobilization	1	LS	\$2,554.00	\$2,554.00	\$10,000.00	\$10,000.00	\$12,319.05	\$12,319.05	\$15,000.00	\$15,000.00	\$25,125.00	\$25,125.00
2	Water Service Line	350	LF	\$5.17	\$1,809.50	\$4.42	\$1,547.00	\$4.54	\$1,589.00	\$11.00	\$3,850.00	\$9.50	\$3,325.00
3	Water Meter	1	LS	\$1,788.00	\$1,788.00	\$1,330.00	\$1,330.00	\$1,367.54	\$1,367.54	\$1,250.00	\$1,250.00	\$3,500.00	\$3,500.00
4	Sewer Force Main	2,200	LF	\$12.71	\$27,962.00	\$10.85	\$23,870.00	\$11.14	\$24,508.00	\$10.75	\$23,650.00	\$7.25	\$15,950.00
5	Boring	30	LF	\$101.93	\$3,057.90	\$88.00	\$2,640.00	\$104.53	\$3,135.90	\$28.00	\$840.00	\$100.00	\$3,000.00
6	Septic System & Pump Station	1	LS	\$30,894.00	\$30,894.00	\$27,500.00	\$27,500.00	\$27,092.06	\$27,092.06	\$31,780.00	\$31,780.00	\$26,500.00	\$26,500.00
7	Restroom/Concession Building	1	LS	\$147,349.00	\$147,349.00	\$188,173.00	\$188,173.00	\$130,338.12	\$130,338.12	\$224,730.00	\$224,730.00	\$125,000.00	\$125,000.00
8	Sitework	1	LS	\$34,790.00	\$34,790.00	\$18,500.00	\$18,500.00	\$26,760.53	\$26,760.53	\$44,451.00	\$44,451.00	\$45,000.00	\$45,000.00
9	Foundation Undercut & Select Backfill	75	CY	\$35.76	\$2,682.00	\$12.00	\$900.00	\$25.01	\$1,875.98	\$31.00	\$2,325.00	\$28.00	\$2,100.00
	Total Base Bid				\$252,886.40		\$274,460.00		\$228,986.18		\$347,876.00		\$249,500.00

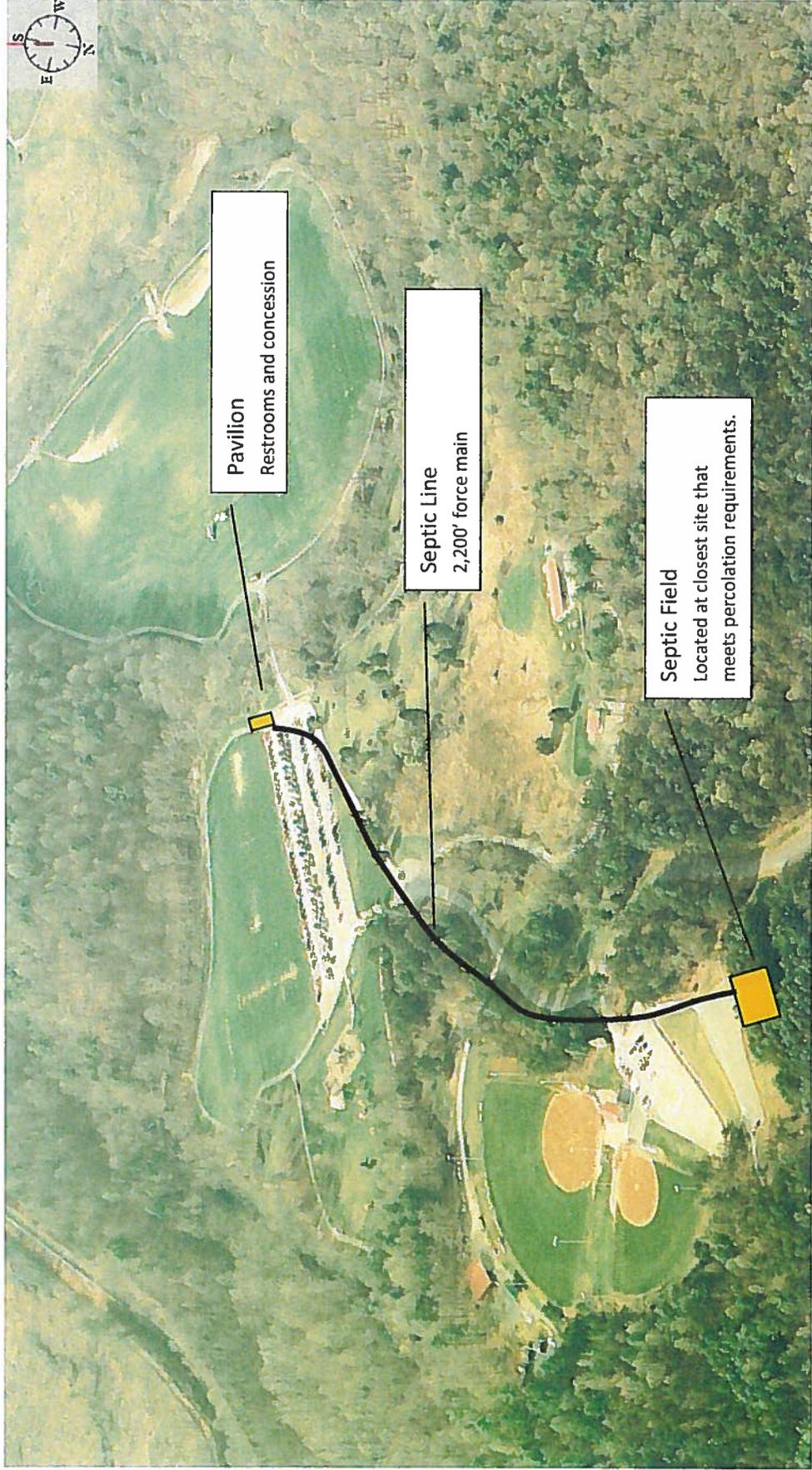
(see note 1)

(see note 2)

Notes:

1. Error was made in totaling the figures. Corrected figures are shown in tabulation. Bid form listed \$252,884.00 as total base bid.
 Total for Item Number 2, Water Service Line, is listed as \$1,810.00 on Bid Form
 Total for Item Number 4, Sewer Force Main, is listed as \$27,958.00 on Bid Form
 Total for Item Number 5, Boring, is listed as \$3,058.00 on Bid Form
2. Error was made in totaling the figures. Corrected figures are shown in tabulation. Bid form listed \$228,994.70 as total base bid.
 Total for Item Number 2, Water Service Line, is listed as \$1,588.18 on Bid Form
 Total for Item Number 4, Sewer Force Main, is listed as \$24,517.14 on Bid Form
 Total for Item Number 5, Boring, is listed as \$3,136.04 on Bid Form
 Total for Item Number 9, Foundation Undercut & Select Backfill, is listed as \$1,876.03 on Bid Form

Waid Park Pavilion - Construction Site Map



FRANKLIN COUNTY
Board of Supervisors



Franklin County
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EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Landfill Service Truck</p>	<p><u>AGENDA DATE</u> February 18, 2013</p>	<p><u>ITEM NUMBER:</u></p>
<p><u>SUBJECT/PROPOSAL/REQUEST:</u> Purchase Sanitation and Waste Removal Service Truck</p>	<p><u>ACTION:</u> <u>CONSENT AGENDA:</u> Yes</p>	<p><u>INFORMATION:</u></p>
<p><u>STRATEGIC PLAN FOCUS AREA:</u> County Government Services</p>	<p><u>ATTACHMENTS:</u> Yes</p>	
<p><u>GOAL #:</u></p>	<p><u>REVIEWED BY:</u> REX</p>	
<p><u>ACTION STRATEGY:</u></p>		
<p><u>STAFF CONTACT(S):</u> Messrs. Huff, Whitlow, Smith, Catlett, Sink</p>		

BACKGROUND:

Franklin County operates a Municipal Solid Waste Landfill and greenbox waste collection system for the benefit of Franklin County citizens and businesses. Methods and Requirements for the operation of the landfill are established in Virginia Solid Waste Permits #72 and #577. Daily landfill work requires the use of cleated steel wheel trash compactors and heavy earth moving equipment with steel tracks. These machines require at a minimum an engine oil change every 250 running hours (approximately 6 weeks). Currently the existing working landfill is close enough to the mechanics shop that the equipment is driven to the shop for these services. Last year Franklin County constructed the first of several new cells in the new landfill that will accept waste for the next several decades. The new landfill is located at a significant distance away from the existing maintenance shop (located at the old landfill). When operations moved into the new cell this summer it became extremely inefficient and created excessive undercarriage wear to "walk" the equipment back to the shop for routine maintenance and small repairs. Such excessive transports will damage the riding surface on the new stone road to the cell, thereby loosening the stone and causing erosion resulting in more road stone to be purchased. The county also operates as many as 6 trash collection trucks on any one day. These trucks cover approximately 320,000 miles annually. Currently the

county has no means of servicing a breakdown or flat tire on one of these trucks while it is on its route. After discussions with the County's consulting engineers, a service truck was recommended as a viable solution to reach and repair various equipment within the new landfill cells as well as handle route breakdowns with the collection trucks.

The truck would have an oil vacuum to avoid belly pan removal and a small crane to aid in radiator removal and handling of truck tires to prevent employee injuries.

DISCUSSION

At the May 21, 2013 Board of Supervisors Meeting the Board approved seeking proposals for a Landfill Equipment Service Truck. Staff advertised for proposals for a new and/or late model used service truck twice. The initial advertisement received no responses. With the second advertisement, staff received four proposals from three different vendors. Three prices were for used trucks and one was for a new truck. The new truck (2013 Ford-750) was \$138,600. The used prices were \$38,100 (2003 Freightliner with 255,000 miles), \$89,199 (2006 Ford-F750 with 107,000 miles), and \$92,199 (2007 Ford F-750 with 135,000 miles). Upon field testing of trucks and their accompanying equipment the 2006 Ford F-750 was determined as the best buy. This was based on mileage, body shape and rust, use wear and hours on welders, cranes, air compressors and outriggers and general driving condition. Funds were budgeted for this vehicle as a lube and service truck in the 2013 Landfill Equipment Capital Budget. The lube trailer for this rig has already been purchased for \$15,000, and therefore our entire unit will have \$104,199 invested which is substantially lower than budget and should serve the County's Solid Waste disposal needs for many years.

RECOMMENDATION:

Staff recommends the Board of Supervisors authorize the County Administrator to award the purchase of the 2006 Ford F-750 for \$89,199 to Atkinson Trucks. Funding for such purchase was budgeted and is available in the Landfill Equipment Capital Account #3000-036-0004-7001.

Atkinson Truck Sales

11541 US HWY 29, Chatham, VA. 24531, Ph: 434-432-9770,
 Email: atkinson@atkinsontrucksales.com, Fax: 434-432-9774



2006 Ford F750

Stock# J#356762

Engine: C7 Caterpillar 210 HP

Transmission: Manual 6 Speed

Suspension: Spring

Price: \$89,900.00

Axles: Single Axle

Rear Axle(s): 21,000

W/B: 158"

Mileage: 107,007

Front Axle: 10,000

Wheels: All Steel

Description:

11' IMT Dominator Body, IMT 5525 10,500 lbs. Crane, 28" Work Platform, IMT Hydraulic Air Compressor, Hydraulic Outriggers, Miller Bobcat 250 Welder/Generator

Features:

Air Brake

Fuel Tank

Tilt Steering Wheel

Air Conditioning

Reese Hitch with Electric Brakes

Air Ride Seats

Radio: AM/FM

Single Stack

Cruise Control

Power Steering

All Specifications Are Based On Sources Believed To Be Reliable; But The Accuracy Thereof Cannot Be Guaranteed.

[Go Back](#)



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BID SHEET FORM FOR

LANDFILL MECHANIC'S TRUCK

DATE/TIME OF BID OPENING: THURSDAY, FEBRUARY 6, 2014 @ 3:00 P.M.

VENDOR RESPONDING	TYPE OF TRUCK	MILEAGE	BID QUOTE
EXCAVATING SOLUTIONS, INC.	2003 Freightliner	255,000	\$38,100.00
ATKINSON TRUCK SALES	2006 Ford 2007 Ford	107,007 135,021	\$89,900.00 \$91,199.00
COLONIAL FORD TRUCK SALES	2013 F750 XLT	NEW	\$138,600.00

I hereby certify that the above responses to the bid or services request were received in a timely fashion and opened in public on 2, 6, 2014.

Signature

BIDSHEETFORMS/sharon0

FRANKLIN COUNTY
Board of Supervisors



Franklin County
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EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Request to seek proposals for a Solid Waste Collection Truck.</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u> Authorize the County Administrator to seek proposals for a front loader solid waste collection truck.</p> <p><u>STRATEGIC PLAN FOCUS AREA:</u> County Government Service</p> <p><u>GOAL #:</u> Customer Service</p> <p><u>ACTION STRATEGY:</u> Define and implement operational methods for delivering County Services to citizens.</p> <p><u>STAFF CONTACT(S):</u> Messrs. Huff, Whitlow, Smith, Sink,</p>	<p><u>AGENDA DATE</u> February 18, 2014</p> <p><u>ACTION:</u></p> <p><u>CONSENT AGENDA:</u> Yes</p> <p><u>ATTACHMENTS:</u> No</p> <p><u>REVIEWED BY:</u> <i>RKH</i></p> <p><u>ITEM NUMBER:</u></p> <p><u>INFORMATION:</u></p>
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BACKGROUND: The approved FY2013-14 annual capital budget currently has funds available in the landfill equipment account(#3000-03600004-7001) for the purchase of a solid waste front loader collection truck. The existing 2003 Volvo is one of the County's active collection trucks and has 361,604 miles. The purchase of a new replacement truck is estimated at approximately \$300,000.

DISCUSSION: The Landfill currently has seven (7) active collection trucks (including one (1) used for both garbage and recycling pickups). When a collection truck is retired from its daily route such truck is then assigned as a backup truck for an additional four (4) to five (5) years. As such, the existing truck (2003 Volvo) will be assigned to the backup position. The existing, older backup truck will then be considered for surplus or scrap options.

RECOMMENDATION: Staff respectfully requests that the Board of Supervisors authorize the County Administrator to advertise and accept proposals for a solid waste front loader collection truck. Proposal results will be presented to the Board with a recommendation for the award of a purchase contract at a forthcoming Board Meeting.

FRANKLIN COUNTY
Board of Supervisors



Franklin County
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EXECUTIVE SUMMARY

<u>AGENDA TITLE:</u>	<u>AGENDA DATE:</u>	<u>ITEM NUMBER:</u>
Aging Services Advisory Commission Bylaws	February 18, 2014	
<u>SUBJECT/PROPOSAL/REQUEST</u>	<u>ACTION:</u> YES	
Request adoption of the bylaws for the Aging Services Advisory Commission	<u>CONSENT AGENDA:</u> YES	
<u>STAFF CONTACT(S):</u>	<u>ACTION:</u>	
Huff, Whitlow, Chapman	<u>ATTACHMENTS:</u> Aging Services Advisory Commission Bylaws	
	<u>REVIEWED BY:</u> REK	

BACKGROUND:

The Aging Services Activities Advisory Board has long served to provide guidance to County staff as they deliver services to the County's senior population. In 2011, County staff presented the Board of Supervisors with an overview of the various challenges facing Aging Services. More specifically, the challenge of meeting the needs of an increasing aging population was noted. The Board of Supervisors recognized this need and therefore requested that the Aging Services Activities Advisory Board develop an Aging Services Strategic Plan. This plan was developed through stakeholder meetings, public input sessions, and individual interviews and will be presented to the Board for review in December 2013.

In addition to the completion of the Aging Services Strategic Plan another significant event occurred in July 2013 when the Aging Services Department merged with the Parks and Recreation Department. This merger was done not to detract from the importance of Aging Services, but to instead support and increase the services provided to Franklin County's senior population.

DISCUSSION

The Aging Services Activities Advisory Board bylaws have been amended in response to recent work to expand senior services as well as recent organizational changes within the County's structure. The bylaws have been amended in the following areas:

- 1) Name: the group had been called the "Aging Services Activities Advisory Board", however to provide continuity with the Recreation Advisory Commission, it is recommended that the name be changed to, "Aging Services Advisory Commission" (ASAC).

- 2) Meeting Schedule: This advisory group had a once a year scheduled meeting. These bylaws recommend establishing regular quarterly meetings to ensure timely feedback from ASAC members as the Aging Services Strategic Plan is implemented.
- 3) Coordination with the Recreation Advisory Commission (RAC): These recommended updates will urge RAC and ASAC members to attend each other's meeting that encompass issues which may affect their specific area of interest. These two advisory commissions will have equal influence on the Parks and Recreation Department.
- 4) Terms: The prior terms for the commission had all members' terms expire at the same time. The new terms will follow the district's Board of Supervisors terms starting the following July 1 of that year.

The Aging Services Commission met on February 12, 2014 and voted to support these changes to the bylaws.

RECOMMENDATION:

Staff respectfully requests that the Board of Supervisors approve the proposed changes to the Aging Services Advisory Commission's Bylaws.

**BY-LAWS OF THE
FRANKLIN COUNTY AGING SERVICES ADVISORY COMMISSION
AS ADOPTED BY
THE FRANKLIN COUNTY BOARD OF SUPERVISORS**

Article I

Name

The name of this organization shall be the Franklin County Aging Services Advisory Commission (hereafter referred to as the ASAC). The principal office of the ASAC shall be located within the principal offices of the Franklin County Parks & Recreation Department.

Article II

Section 1

Objective

The objective of the ASAC shall be to function as an advisory body to the Franklin County Parks & Recreation Department (hereafter called the Department) and the Franklin County Board of Supervisors (hereafter called the Board). The Franklin County Board of Supervisors permits the ASAC to operate in the following capacity:

- By recommending the establishment of relevant policies for the development and enhancement of programs and facilities for senior citizens.
- By assisting the Department and the Board in improving relationships between the community and the Department through civic, business and other community representatives within their respective districts.
- By providing an additional resource for evaluating existing and proposed Departmental programs and facilities.
- By assisting the Director in the development of strategic plans for implementation of long-term goals and objectives to meet anticipated community needs.
- By providing the Director with general advice on the operation and implementation of senior programming and facilities.

Section 2

Contracts

The ASAC shall have no authority to enter into any contract in the name of the ASAC, the Department or the County unless it shall have first obtained the formal approval of the Board.

Section 3

Loans

No loans shall be contracted on behalf of the ASAC, the Department or the County.

Section 4

Fiscal Year

The ASAC shall conduct its fiscal affairs in conformance with applicable financial standards promulgated by the Auditor of Public Accounts of the Commonwealth of Virginia and the Board. The fiscal year for the ASAC shall be from July 1 to June 30 of each year, unless otherwise specified by the Auditor of Public Accounts or the Board.

Section 5

Power to Dissolve

Whenever it is deemed advisable by the Board, it may dissolve the ASAC.

Section 6

Final Authority

The Board shall possess ultimate and final authority on any matter recommended for action by the ASAC.

Section 7

Recreation Advisory Commission Representation

A representative from Recreational Advisory Commission shall be urged to attend each ASAC meeting that encompasses issues which may affect their specific area of interest. The purpose of this representation is to insure prompt feedback from this commission on pertinent issues.

Article III

Membership

Section 1

The membership of the ASAC shall be limited to eight (8) members.

Section 2

Method of Appointment

Each member of the ASAC shall be appointed by the Board and shall be elected in the following manner: one (1) members shall be appointed from each electoral district, provided that one (1) member shall be appointed at-large; irrespective of his/her residence within any particular electoral district. The Board may modify the requirement for appointment by electoral district for original appointments to the ASAC.

Section 3

Term of Appointment

Each member of the ASAC shall be appointed for a term of four (4) years. Each member's term shall follow their district's Board of Supervisors term starting the following July 1 of that year.

Section 4

Resignation of Members

Any member of the ASAC may resign for any reason he/she deems appropriate by submission in writing to the Parks and Recreation Director 30 days in advance of resignation date. It shall be the responsibility of the Director to promptly notify the Board and the Administrator's Office of the resignation of any member.

Section 5

Removal/Substitution By The Board

The Board for just cause may remove any member of the ASAC. Just cause shall also include mandatory attendance by members of the ASAC of not less than 75% of all meetings annually. Failure to do so may constitute an automatic removal from the Commission. Within the ASAC's fiscal year, should a member miss more than 25% of the meetings, the matter will be reviewed under executive session at the ASAC's next scheduled meeting. At that time a decision will be made whether or not official notice will be sent to that particular member and their respective Board Representative. Within the specified executive session, the member in question will have an opportunity to provide justification for his/her absences.

Leave of Absence

Should a member experience a personal hardship which causes him/her to miss more than 25% of the annual meetings, then under executive session, the remainder of the ASAC may elect to grant a leave of absence (no more than 6 months). Under a Leave of Absence, the ASAC may elect to request that the respective Board member appoint a temporary substitute for the time period in question.

Section 6

Vacancies

The Board may in conformance with Article III, Section 2 of these By-Laws, appoint members to fill the unexpired term of any position which becomes vacant for any reason.

Section 7

Compensation For Members

Upon the formal adoption of a Resolution by the ASAC and the consent of the Board, any member may be paid for any expense incurred in the performance of his/her duties in behalf of the ASAC, provided that circumstances warrant such reimbursement.

Article IV

Section 1

Officers

The officers of the ASAC shall be a Chairman, a Vice-Chairman, a Secretary and/or a Treasurer. At the pleasure of the ASAC, it may appoint a staff member of the Department to serve as Secretary/Treasurer. These officers shall perform the duties prescribed by these By-Laws and by the parliamentary authority adopted by the ASAC.

Section 2

When Elected

At the regular meeting held in January, officers of the ASAC shall be elected.

Section 3

Duties of the Chair

This person shall be the principle officer and spokesman of the ASAC. His/her actions shall be guided by the ASAC and he/she shall be empowered to supervise the programs and affairs of the ASAC and shall consult with the Director, the Board, or its agent, on matters of concern to the ASAC. The Chairman shall, when present, preside at all meetings of the ASAC and shall perform all duties incidental to the office of Chairman and any other such duties as required by the ASAC.

Section 4

Duties of the Vice-Chair

This person shall perform the duties of the Chair in his/her absence or whenever the Chair is unable to perform the duties of his/her office.

Section 5

Duties of the Secretary

The Secretary shall keep the minutes of all ASAC meetings; forward notices of ASAC meetings to appropriate persons and agencies in a manner prescribed by the ASAC; act as custodian for all records, correspondence and minutes of the ASAC, and; perform all duties incidental to the office of Secretary and other duties as may be prescribed by the ASAC or assigned by the Chair.

Section 6

Duties of the Treasurer

The Treasurer shall maintain accurate records of all receipts and disbursements of the Department and/or the ASAC on forms prescribed for this purpose by the Franklin County Administrator; accurately account for all funds received from any source and shall transmit all funds to the Treasurer of the County with copies of such records of transmittal to be forwarded to the County Administrator; periodically review the accounts maintained by the Department for the ASAC for review.

Article V

Section 1

Meetings

The regular meeting of the ASAC shall be held on dates specified by the ASAC and shall be held on a quarterly basis, unless otherwise ordered by the ASAC, but not less than quarterly. Additionally, an annual work session will be scheduled each January or February to review and evaluate the overall operation of the Department. Meeting dates and times may be either modified or cancelled by the Chair.

Section 2

Place and Time of Regular and Open Public Forum Meetings

The regular meetings of the ASAC shall be held at a place & time designated in advance by the ASAC. Open Public Forums shall be permitted at the beginning of each meeting.

Section 3

Special Meetings

Special Meetings may be called by the Chair and/or the Director of the Department or may be called upon the written request of two members of the ASAC; the purpose of the special meeting shall be stated in the request submitted by the member(s) requesting it. Notice of said meeting shall be given to all members of the ASAC by the Secretary and the purpose of the meeting shall be disclosed to each member at the time of contact.

Section 4

Quorum

Five members of the ASAC shall constitute a quorum.

Section 5

Formal Actions of the ASAC

A majority vote of the ASAC present and voting shall be recognized as the formal action of the ASAC.

Article VI

Parliamentary and Statutory Authority

The rules in the current edition of Robert’s Rules of Order Newly Revised shall govern the ASAC in all cases to which they are not inconsistent with these By-Laws and any special rules of order the ASAC may adopt. Relevant provisions contained in the Code of Virginia, as amended, shall govern the ASAC in all cases to which they are applicable.

Article VII

Amendments

These By-Laws may be amended at any regular or special meeting of the ASAC by three fourths of then voting members provided that such amendments so adopted are subject to the final approval by the Board.

Date of Adoption **Aging Services Advisory Commission** **Date**

Date of Adoption **Board of Supervisors** **Date**

Attest Chair

Attest Director

Aging Services Advisory Commission

The Aging Services Advisory Commission is appointed by the Franklin County Board of Supervisors to serve four year terms.

Dr. Susan Beatty
842 Park Place
Moneta, Virginia 24121

Gills Creek District
Term Expiration: 7/1/15

Mr. Benny Russell
70 East Court Street
Rocky Mount, Virginia 24151

Boone District
Term Expiration: 7/1/17

VACANT

Union Hall District
Term Expiration: 7/1/15

Mrs. Pauline A. Nickelston
193 Storey Creek Lane
Rocky Mount, Virginia 24151

Blue Ridge District
Term Expiration: 7/1/15

Lynn Meyers
130 Hickman Road
Rocky Mount, Virginia 24065

Blackwater District
Term Expiration: 7/1/15

Johnny Greer
1256 Beulah Road
Rocky Mount, Virginia 24151

Snow Creek District
Term Expiration: 7/1/17

Johnny L. Smith
15 Holly Knoll Drive
Rocky Mount, Virginia 24151

Rocky Mount District
Term Expiration: 7/1/17

Maggie Gray
129 Leeward Drive
Moneta, VA 24121

At-Large
Term Expiration: 7/1/17

WHEREAS, the Director of Emergency Management of Franklin City/County does/did hereby find:

- 1. That due to an impending winter storm, Franklin County is facing/faced dangerous conditions;
- 2. That due to the impending winter storm, a condition of extreme peril to life and property necessitates/necessitated the proclamation of the existence of a local emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that an emergency does now/or did exists throughout Franklin County; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said emergency, the powers, functions, and duties of the Franklin County Department of Public Safety shall be/were those prescribed by State Law and the Ordinances, Resolutions, and approved plans of Franklin County in order to mitigate the effects of said emergency.

February 12, 2014
Date

Richard E. Hoff 10⁰⁰A.M 2/12/14
County Administrator/Emergency Manager

Confirmed:

Date

Chairman, Franklin County Board of Supervisors

Attest: _____
Clerk, Board of Supervisors/Franklin County
Commonwealth of Virginia