

(To view attachments, please click on highlighted areas)



Franklin County

A Natural Setting for Opportunity

AGENDA FRANKLIN COUNTY BOARD OF SUPERVISORS TUESDAY, JUNE 17, 2014

- 1:30 P.M. Call To Order, Chairman David Cundiff
- 1:31 Invocation, Supervisor Bobby Thompson
- 1:32 Pledge of Allegiance, Supervisor Charles Wagner
- 1:33 Presentations of Resolutions of Appreciation
- Master Trooper Tim Harris
 - Captain Marvin Woods
 - Stan Smith
- 1:39 Public Comment
- Oscar Pagans - Communications System, Economic Development, New Businesses and Employment in the County

1:42 CONSENT AGENDA (**REQUIRES ACTION**)

- REF: 1. Approval of Accounts Payable Listing, Appropriations, and Minutes for May 20, 2014
2. County Appropriation Resolution Adoption **(See Attachment #10)**
3. Award of 2016 General Reassessment Bid **(See Attachment #11)**
4. Award of 2014-2016 County Audit Proposal **(See Attachment #8)**
5. Award of 2014-2016 County Banking Services **(See Attachment #15)**
6. Part-Time Employees Weekly Hours **(See Attachment #16)**
7. Donation of Vehicle to Town of Rocky Mount Police Department **(See Attachment #4)**
8. 2014 JAKES Event/September 13, 2014 **(See Attachment #5)**
9. Retiree Health Insurance Proposal **(See Attachment #6)**
10. Health Department Request for Carry-Over of Funds **(See Attachment #1)**
11. Re-appointment of TLAC Members **(See Attachment #9)**
12. Appropriation of Auction Proceeds & Wal-Mart Mini Grant for Sheriff's Office **(See Attachment #7)**

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

- 1:45 Vincent Copenhaver, Director of Finance
REF: 1. Monthly Finance Report
2. State Budget Update
- 2:00 Gary Robertson, Western Virginia Water Authority
REF: 1. Burnt Chimney Water Tank (**Handout**)
- 2:30 Don Smith, Public Works Director
REF: 1. Illegal Dumping Fees (**See Attachment #17**)
- 2:35 Daryl Hatcher, Director of Public Safety
REF: 1. Fire/Rescue Vehicle Replacement 5-Year Plan (**See Attachment #13**)
- 2:50 Richard E. Huff, II, County Administrator
REF: 1. County Health Insurance (HRA) (**Handout**)
2. Radio System Update (**See Attachment #12**)
3. Other Matters
- 3:25 Other Matters by Supervisors
- Request for Closed Meeting in Accordance with 2.2-3711, a-1, Personnel, a-3, Acquisition of Land, 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.

APPOINTMENTS:

Social Services Board/4-Yr. Term

- ✓ Wendie Dungan Union Hall District
- ✓ Richard Kleckner Gills Creek District

Recess for Dinner

6:00 Call To Order, Chairman David Cundiff

6:01 Recess for Previously Advertised Public Hearings as Follows:

PETITION FOR SPECIAL USE - *Petition of David A. Layman; Petitioner/Owner requesting a special use permit for a +/- 34.5 acre parcel currently zoned A-1, Agricultural for a "storage yard" and associated shop structure. The subject property is located at 664 Red Valley Road (SR 664) in the Boone District of Franklin County; and is further identified as Tax Map # 18, Parcel # 86. (Case # SPEC-4-14-12859) (**See Attachment #14**)*

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing on **Tuesday, June 17, 2014** at approximately 6:00 PM. in the Board Room of the Franklin County Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, VA 24151 to solicit input on the proposed Enterprise Zone Application to the Virginia Department of Housing and Community Development due on Monday, June 30, 2014. The proposed zone boundaries and incentives will be available for discussion. All interested citizens are urged to attend. Maps of the proposed zone and the proposed incentives are available for review between 8:30AM and 5:00PM at the Franklin County Administration Office, Suite 112, Franklin County Government Center, 1255 Franklin Street, Rocky Mount, VA 24151 and will be available at the meeting. For additional information, contact Michael Burnette, Franklin County Director of Economic Development, at the above address or by calling (540) 483-3030. If you plan to attend and have any special needs requirements, please call (540) 483-3030. TDD/TYY assistance available by calling Virginia Relay at 7-1-1. **(See Attachment #2)**

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, June 17, 2014**, at the Government Center, Board of Supervisors Meeting Room located at 1255 Franklin Street, Suite 104, Rocky Mount, Virginia to consider the following proposed amendments to **Section 27-1, Fee schedule**, of the Franklin County Code: **(See Attachment #3)**

Adjournment Thereafter

RISE & SHINE GUESTS FOR JUNE ARE RONNIE THOMPSON & RICK

FRANKLIN COUNTY
Board of Supervisors



Franklin County
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EXECUTIVE SUMMARY

<u>AGENDA TITLE:</u> Health Department Carryover Request	<u>AGENDA DATE:</u> June 17, 2014	<u>ITEM NUMBER:</u>
<u>SUBJECT/PROPOSAL/REQUEST</u> Request from the Franklin County Health Department to Carry Over \$8,042 in Local Funds from Fiscal Year 2013-2014	<u>ACTION:</u>	<u>INFORMATION:</u>
<u>STRATEGIC PLAN FOCUS AREA:</u> <u>Goal #</u> <u>Action Strategy:</u>	<u>CONSENT AGENDA:</u> YES <u>ACTION:</u> YES	<u>INFORMATION:</u>
<u>STAFF CONTACT(S):</u> Messrs. Huff, Copenhaver	<u>ATTACHMENTS:</u>	
	<u>REVIEWED BY:</u> <i>RST</i>	

BACKGROUND:

Due to the Director position being vacant, the Franklin County Health Department anticipates having approximately \$3,217 remaining in local funds for the fiscal year ended June 30, 2014. The State will match these funds in the amount of \$4,825 so that the total potential benefit to Franklin County is \$8,042.

DISCUSSION:

The Health Department would like to utilize the remaining local funds in fiscal year 2014-2015 to finish the following projects:

- Add wall mounted children's play equipment in the waiting room.
- Add a new phlebotomy chair.
- Complete an HVAC upgrade in the lab area.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors to appropriate \$3,217 in local carryover funds to the Franklin County Health Department for the projects listed above.

FRANKLIN COUNTY
Board of Supervisors



Franklin County
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EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Public Hearing Concerning an Application for Franklin County-Rocky Mount Enterprise Zone Designation</p> <p><u>SUBJECT/PROPOSAL/REQUEST</u> Take comments from the public regarding potential Enterprise Zone designation application; review potential Enterprise Zone designated parcels and incentives; and approve submittal of application</p> <p><u>STRATEGIC PLAN FOCUS AREA:</u> <u>Goal #</u> <u>Action Strategy:</u></p> <p><u>STAFF CONTACT(S):</u> Messrs. Huff, Burnette</p>	<p><u>AGENDA DATE:</u> June 17, 2014</p> <p><u>ACTION:</u></p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u> Public Hearing</p> <p><u>ATTACHMENTS:</u></p> <p><u>REVIEWED BY:</u> <i>RETT</i></p> <p><u>ITEM NUMBER:</u></p> <p><u>INFORMATION:</u></p> <p><u>INFORMATION:</u></p>
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BACKGROUND:

The Virginia Enterprise Zone (VEZ) program is a partnership between state and local government that encourages job creation and private investment. VEZ accomplishes this by designating Enterprise Zones throughout the state and providing two grant-based incentives, the Job Creation Grant (JCG) and the Real Property Investment Grant (RPIG), to qualified investors and job creators within those zones, while the locality provides local incentives. Franklin County has never had a VEZ designated area while the Town of Rocky Mount had a Zone that expired on December 31, 2013. Since the Town received its designation twenty years ago, changes to the program eliminated the Town's ability to reapply for a Zone and requires that they fall under a County application. Therefore, an application for a Zone that encompasses parts of Franklin County and the Town of Rocky Mount was submitted in 2013, but was not approved. The 2014 application for a Zone is the County and Town's second attempt to procure a designation.

DISCUSSION:

Designation as a VEZ has been a boon for numerous communities within the state for decades. Having a Zone means that a business locating or expanding in a Zone can receive substantial state and local incentives that they cannot receive in a non-VEZ area. For larger projects, this can mean hundreds of thousands of dollars and can be the deciding factor when two communities are in close competition. A County zone, if approved, would be in place for twenty years with the opportunity to apply for renewal. The total acreage such a zone could include is 3,840 which encompasses both the Town and County areas. Enterprise Zone designations are awarded after a lengthy

application process and only a select few become available each year as older zones reach the end of their twenty-year life. The designation and the application are geared towards areas of economic hardship, such as communities with high unemployment rates. Franklin County's distress score is extremely low due to the low unemployment and higher incomes found in the area. For this reason, successfully obtaining one of the available zones this year, as it was last year, will be difficult. However, if unsuccessful again this year, the County can continue to reapply as more Zones become available in the coming years.

The area initially selected for designation within the Zone includes generally the same parcels that are currently within the Town of Rocky Mount's VEZ. The area in Town is approximately 864 acres in total. The proposed County Zone stretches generally along U.S. 220 from the Franklin County Commerce Center to an area between Rocky Mount and Boones Mill. It also takes in the Route 40 West area between the Town limits at the former 84 Lumber Building and Six Mile Post Road. Properties in these sections were identified due to the fact that they already housed businesses, were zoned business/commercial, were in the Route 220 Overlay, or had above average potential to one day be attractive business property. The County portion of the acreage would be approximately 1,931 acres. Taken together, the Town and County acreage would equal about 2,795 acres, leaving approximately 1,045 acres for future designation in other areas of the community.

An applicant community must also adopt a set of local incentives for use exclusively with new and expanding businesses within the zone. After review of local incentives by communities around the state and analysis of these and new ideas, a list of targeted, cost-effective local incentives have been proposed. These include:

- Building Permit and Zoning Fee Waivers
- Rehabilitated Real Estate Tax Exemption
- Accelerated Local Permitting
- Below Fair Market Value Sale of County-Owned Industrial Park Property
- Transfer Station Tipping Fee Reduction
- Broadband Liaison Connection Assistance
- Water / Sewer Tap Fee Reduction
- Other incentives that may be deemed appropriate

Though not required, the Town of Rocky Mount will also provide common-sense local incentives that will closely mirror those that have been provided during its previous Enterprise Zone term.

The application for designation must be submitted by June 30, 2014. County and Town staff have been working to complete the application and mapping for review by the Town Council and Board of Supervisors. The required June 17, 2014 public hearing by the Franklin County Board of Supervisors will give the public the opportunity to express support and concerns related to the application, the designated parcels, and the proposed incentives. Board members will also have the chance to make changes to these proposals as the Board wishes. It is hoped that after the public hearing and any changes that result from it, the Board will be able to adopt the zone boundaries and incentives and approve submission of them in an application to the Department of Housing and Community Development for an Enterprise Zone for the County and Town of Rocky Mount.

RECOMMENDATION:

County staff respectfully asks the Board to listen to public comment at the public hearing and then adopt or change the proposed Zone boundaries and incentives as they desire. Finally, to approval the submission of a designation application to the Department of Housing and Community Development.



Franklin County

A Natural Setting for Opportunity

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, JUNE 17, 2014 AT 1:30 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM LOCATED IN THE GOVERNMENT CENTER, 1255 FRANKLIN STREET, SUITE 104, ROCKY MOUNT, VIRGINIA.

THERE WERE PRESENT: David Cundiff, Chairman
Cline Brubaker, Vice-Chairman
Bob Camicia
Ronnie Thompson
Charles Wagner
Leland Mitchell
Bobby Thompson

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

WHEREAS, the Commonwealth of Virginia is accepting applications for new Enterprise Zone designations; and

WHEREAS, the County of Franklin strongly supports the need for an Enterprise Zone in the County and the Town of Rocky Mount to spur economic growth and desires to apply for a new Enterprise Zone designation

THEREFORE BE IT RESOLVED, that the County of Franklin is applying for a single jurisdiction Enterprise Zone designation; and

BE IT FURTHER RESOLVED, that the County of Franklin authorizes the County Administrator acting as program administrator to submit all information needed to apply for Enterprise Zone designation; and

BE IT FURTHER RESOLVED, that the County of Franklin authorizes the County Administrator acting as program administrator to carry out all program administrative and reporting requirements on its behalf, as defined by the Enterprise Zone Regulations, throughout the life of the Zone.

SHARON K. TUDOR, MMC
FRANKLIN COUNTY BOARD OF SUPERVISORS
JUNE 17, 2014

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

The Franklin County Board of Supervisors will hold a public hearing on **Tuesday, June 17, 2014** at approximately 6:00 PM. in the Board Room of the Franklin County Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, VA 24151 to solicit input on the proposed Enterprise Zone Application to the Virginia Department of Housing and Community Development due on Monday, June 30, 2014. The proposed zone boundaries and incentives will be available for discussion. All interested citizens are urged to attend. Maps of the proposed zone and the proposed incentives are available for review between 8:30AM and 5:00PM at the Franklin County Administration Office, Suite 112, Franklin County Government Center, 1255 Franklin Street, Rocky Mount, VA 24151 and will be available at the meeting. For additional information, contact Michael Burnette, Franklin County Director of Economic Development, at the above address or by calling (540) 483-3030. If you plan to attend and have any special needs requirements, please call (540) 483-3030. TDD / TYY assistance available by calling Virginia Relay at 7-1-1.

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

FRANKLIN NEWS POST:
Please publish in your Wednesday, June 4 & 11, 2014 editions

FRANKLIN COUNTY
Board of Supervisors

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Franklin County
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EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Stormwater Management fees</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u> Request to amend Chapter 27 to incorporate new Stormwater Management fees.</p> <p><u>STRATEGIC PLAN FOCUS AREA:</u></p> <p><u>Action Strategy:</u> N/A</p> <p><u>STAFF CONTACT(S):</u> Neil Holthouser, Director of Planning Ronnie Wilson, Development Review Coordinator</p>	<p><u>AGENDA DATE:</u> June 17, 2014</p> <p><u>ITEM NUMBER:</u></p> <p><u>ACTION:</u> <u>INFORMATION:</u></p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u></p> <p><u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u></p> <p><u>REVIEWED BY:</u> RETK</p>
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BACKGROUND:

On April 15, 2014, the Board of Supervisors adopted an amendment to the County Code to repeal Chapter 7: Erosion & Sediment Control, and replace it with a new Chapter 7: Erosion & Sediment Control and Stormwater Management. This code change effectively establishes a local Virginia Stormwater Management Program for Franklin County, effective July 1, 2014. (Franklin County will begin reviewing development plans for compliance with state stormwater management standards on July 1, 2014.)

At this time, it is also necessary to amend Chapter 27 of the County Code to incorporate new fees for the review of stormwater plans and the issuance of stormwater permits. The existing fee schedule for Erosion & Sediment Control will not be affected.

The Virginia Department of Environmental Quality (DEQ) has developed a recommended fee schedule for stormwater management, with different fee levels or "tiers" for different types of projects and different amounts of land disturbance. It should be noted that, under state law, 28% of the locally-charged fee must be remitted to DEQ to offset the state's administrative costs in overseeing the statewide stormwater management program. Franklin County will keep 72% of the gross fee.

Staff is not proposing any increase above the state's minimum recommended fee, nor is staff recommending anything lower than the state's recommendation. This is consistent with the direction being taken by all neighboring localities that have opted to create a local stormwater management program.

RECOMMENDATION:

Staff recommends that the Board of Supervisors approve the proposed amendments to Chapter 27 of the Franklin County Code, to incorporate stormwater management fees.

STORMWATER MANAGEMENT			
	Total Fee	VSMP Authority (Franklin County) portion	Virginia Department of Environmental Quality (DEQ) portion
General / Stormwater Management - Detached single-family home construction with land disturbance acreage less than five (5) acres.	\$209	\$209	0
General / Stormwater Management - Small Construction Activity / Land Clearing (areas within common plans of development or sale) with land disturbance acreage less than one (1) acre.	\$290	\$209	\$81
General / Stormwater Management - Small Construction Activity / Land Clearing with land disturbance acreage greater than or equal to one (1) acre but less than five (5) acres.	\$2,700	\$1,944	\$756
General / Stormwater Management - Large Construction Activity / Land Clearing with land disturbance greater than or equal to five (5) acres but less than ten (10) acres.	\$3,400	\$2,448	\$952
General / Stormwater Management - Large Construction Activity / Land Clearing with land disturbance greater than or equal to ten (10) acres but less than fifty (50) acres.	\$4,500	\$3,240	\$1,260
General / Stormwater Management - Large Construction Activity / Land Clearing with land disturbance greater than or equal to fifty (50) acres but less than one hundred (100) acres.	\$6,100	\$4,392	\$1,708
General / Stormwater Management - Large Construction Activity / Land Clearing with land disturbance greater than or equal to one hundred (100) acres.	\$9,600	\$6,912	\$2,688

PUBLIC NOTICE

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The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, June 17, 2014**, at the Government Center, Board of Supervisors Meeting Room located at 1255 Franklin Street, Suite 104, Rocky Mount, Virginia to consider the following proposed amendments to **Section 27-1, Fee schedule**, of the Franklin County Code:

STORMWATER MANAGEMENT			
	Total Fee	VSMP Authority (Franklin County) portion	Virginia Department of Environmental Quality (DEQ) portion
General / Stormwater Management - Detached single-family home construction with land disturbance acreage less than five (5) acres.	\$209	\$209	0
General / Stormwater Management - Small Construction Activity / Land Clearing (areas within common plans of development or sale) with land disturbance acreage less than one (1) acre.	\$290	\$209	\$81
General / Stormwater Management - Small Construction Activity / Land Clearing with land disturbance acreage greater than or equal to one (1) acre but less than five (5) acres.	\$2,700	\$1,944	\$756
General / Stormwater Management - Large Construction Activity / Land Clearing with land disturbance greater than or equal to five (5) acres but less than ten (10) acres.	\$3,400	\$2,448	\$952
General / Stormwater Management - Large Construction Activity / Land Clearing with land disturbance greater than or equal to ten (10) acres but less than fifty (50) acres.	\$4,500	\$3,240	\$1,260
General / Stormwater Management - Large Construction Activity / Land Clearing with land disturbance greater than or equal to fifty (50) acres but less than one hundred (100) acres.	\$6,100	\$4,392	\$1,708
General / Stormwater Management - Large Construction Activity / Land Clearing with land disturbance greater than or equal to one hundred (100) acres.	\$9,600	\$6,912	\$2,688

The amendments are intended to increase total revenue to bring the department closer to a self funding status.

A complete copy of the proposed amendments to said ordinance with the specifics of the proposed changes is available in the Office of the Board of Supervisor's Clerk, 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 with at least a 48 hour notice.

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

FRANKLIN NEWS POST

PLEASE PUBLISH IN YOUR **FRIDAY, JUNE 6 & 13, 2014** EDITIONS

FRANKLIN COUNTY
Board of Supervisors



Franklin County
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EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> TRANSFER OF SURPLUS VEHICLE</p> <p><u>SUBJECT / PROPOSAL / REQUEST:</u> REQUEST FROM ROCKY MOUNT POLICE DEPARTMENT TO TRANSFER A SURPLUS VEHICLE TO THE POLICE DEPARTMENT.</p> <p><u>STAFF CONTACT(S):</u> Messrs. Huff & Cundiff</p>	<p><u>AGENDA DATE:</u> June 17, 2014</p> <p><u>ITEM NUMBER:</u></p> <p><u>ACTION:</u></p> <p><u>CONSENT AGENDA:</u> YES</p> <p><u>ATTACHMENTS:</u></p> <ul style="list-style-type: none"> • Letter dated June 4, 2014 <p><u>REVIEWED BY:</u> <i>REH</i></p>
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BACKGROUND:

On June 4, 2014, Chief Cundiff, Town of Rocky Mount, received the attached letter from Franklin County Sheriff, Bill Overton. Sheriff Overton would like to donate to the Town of Rocky Mount Police Department a 2004 black Chevrolet Sport Utility (Tahoe) from the Sheriff's fleet.

DISCUSSION:

Per the attached request from the Rocky Mount Police department, the Board is being asked to transfer the title for the 2004 Chevrolet Sport Utility (Tahoe) (VIN# 1GNEK13Z4J203369) surplus vehicle formally assigned to the Franklin County Sheriff's department. A town investigator will utilize the vehicle.

RECOMMENDATION:

Staff recommends that the vehicle be transferred to the Rocky Mount Police department as is, where is condition, for their use per the attached request.

W. Q. "Bill" Overton, Jr.
Sheriff



Tel: (540) 483-6626
Fax: (540) 483-7757

Office of the Sheriff County of Franklin

June 4, 2014

Chief David R. Cundiff
Rocky Mount Police Department
1250 N. Main Street
Rocky Mount, VA 24151

Chief Cundiff,

The Office of the Sheriff would like to donate, to the Town of Rocky Mount Police Department, the 2004 black Chevrolet Sport Utility (Tahoe) that is currently in your possession. The vehicle identification number for this vehicle is 1GNEK13ZX4J203369. If you are willing to accept this donation, please make arrangements to present this to the County Board of Supervisors. If you have any questions or concerns please feel free to contact me.

Respectfully Submitted,

W.Q. "Bill" Overton Jr.
Sheriff

WQO/wf

FRANKLIN COUNTY
Board of Supervisors



Franklin County
A Natural Setting for Opportunity

EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Annual JAKES (Juniors Acquiring Knowledge, Ethics and Sportsmanship) event at Waid Recreational Area</p> <p><u>SUBJECT/PROPOSAL/REQUEST</u> Board's approval to allow the JAKES committee to conduct live firing of 20 gauge shotguns at this year's event.</p> <p><u>STAFF CONTACT(S):</u> Huff, Whitlow, Chapman</p>	<p><u>AGENDA DATE:</u> June 17, 2014</p> <p><u>ITEM NUMBER:</u></p> <p><u>CONSENT AGENDA:</u> YES</p> <p><u>ACTION:</u> YES</p> <p><u>ATTACHMENTS:</u> YES</p> <p><u>REVIEWED BY:</u> <i>REH</i></p>
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BACKGROUND:

For the past 14 years the Franklin County Longbeards Chapter of the National Wild Turkey Federation have held a JAKES, Juniors Acquiring Knowledge, Ethics and Sportsmanship event at Waid Recreational Area. Among the many worthwhile activities that happens at this event a popular one is of the live firing of shot guns. Each year the JAKES event committee has received permission from the Board of Supervisors to allow live firing in the park and they are once again coming to the Board for permission. This event is scheduled for September 13, 2014.

DISCUSSION:

This activity will be conducted under the strict supervision of the Franklin County Longbeards Chapter NWTF and an officer from the Town of Rocky Mount Police Department, who are qualified as instructors in firearm handling and safety. The group wishes to allow a live firing exercise with 20 gauge shotguns. Here are their requirements for participation in this exercise:

- Youths must be the ages of 11-17 years old to participate
- Each youth will be allowed to shoot a total of 2 rounds
- Each youth will be closely supervised, one on one by an adult committee member
- Youths will be shooting at a still target
- Eye and hearing protection will be required and provided.

The FC Longbeards Chapter of the NWTF also has their own insurance covering this event.

RECOMMENDATION:

Staff recommends approval for the FC Longbeards Chapter of the National Wild Turkey Federation to have permission to conduct this live fire exercise in conjunction with the JAKES event at Waid Recreational Area on September 13, 2014.



National Wild Turkey Federation

Franklin County Longbeards Chapter

623 Woodman Road

Rocky Mount, VA 24151

Billy Thurman
President
(540) 483-2732

Jack Watts
Vice-President
(540) 721-4804

Tom Brown
Treasurer
(540) 489-1315

Ben Morris
Scholarship Coordinator
(540) 489-8577

Travis Sink
Secretary
(540) 493-2570

Jon Holcomb
JAKES Coordinator
(540) 576-3867

Jack Watts
JAKES
Coordinator
[540]721-4804

Michael Stump
JAKES
Coordinator
[540]488-4418

Billy Thurman
Banquet Chairman
(540) 483-2732

Robert Dillon
Hunter Ed Instructor
(540)493-1302

May 22, 2014

To: Franklin County Board of Supervisors:
From: The Franklin County Longbeards:

We are making plans for our annual JAKES Event at the Franklin County Recreation Park (Waid Park). We would like to ask Permission to have live fire for the JAKES to shoot 20ga. shot guns at still targets. The Rocky Mount Town Police will be instruction the JAKES on safety and handling of a firearm. The event is on September 13, 2014. Location is Waid Park. We thank you for your support of our mission to share the safety and knowledge with future sportsman. JAKES (Juniors, Acquiring Knowledge, Ethics & Sportsmanship).

Thank You,
Billy Thurman
540-483-2732
540-580-3546

FRANKLIN COUNTY
Board of Supervisors

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Franklin County
A Natural Setting for Opportunity

EXECUTIVE SUMMARY

<u>AGENDA TITLE:</u> RETIREE HEALTH INSURANCE PROPOSAL	<u>AGENDA DATE:</u> JUNE 17, 2014
<u>SUBJECT/PROPOSAL/REQUEST:</u> PROVIDE INSURANCE COVERAGE TO RETIREES WHO MOVE OUT OF STATE	<u>ITEM NUMBER:</u>
<u>STRATEGIC PLAN FOCUS AREA:</u> <u>Goal #</u> <u>Action Strategy:</u>	<u>ACTION:</u> <u>INFORMATION:</u>
<u>STAFF CONTACT(S):</u> Mr. Huff & Ms. Barnes	<u>CONSENT AGENDA:</u> X <u>ACTION:</u> <u>INFORMATION:</u>
	<u>ATTACHMENTS:</u> <u>REVIEWED BY:</u> <i>REX</i>

BACKGROUND:

Franklin County has offered health and dental insurance, at the full monthly premium rate, to retiring employees who are under the age of 65 and have 12 years of service. County Health and Dental Insurance coverage ends when the employee becomes eligible for Medicare coverage. This past year, a retiree moved out of state and had in – network coverage issues with the Coventry Point of Service Health Plan (POS). The POS plan offers numerous in-network providers and services in Virginia only and anyone residing in a different state would incur mostly more expensive out of network costs for any services. Coventry indicated that they can provide the County with a national in-network plan which is a Preferred Provider Plan (PPO). The PPO plan has the same benefit coverage as the County's POS plan but would cover in-network benefits for employees who moved out of state. The PPO plan is more expensive than the County's POS plan, however, the County could add a PPO plan effective 7/1/2014, at no additional cost to the County, and make it available to retirees who moved out of Virginia.

DISCUSSION:

Franklin County has offered the Health and Dental insurance coverage to eligible retirees for many years. This option has provided employees with the ability to retire without worrying about obtaining good Health and Dental insurance coverage. This past year was the first year that the County had a Point of Service Health Insurance Plan (POS), which has excellent network coverage in Virginia at a less expensive rate than their national Preferred Provider Health Insurance Plan (PPO). The retiree pays the full premium for whatever plan they would elect to participate in.

RECOMMENDATION:

The County would like to continue to offer all retirees Health and Dental insurance coverage and make available Coventry's Preferred Provider Health Plan (PPO) option to retirees who move out of state. Staff respectfully requests that the Board continue to approve Coventry's POS plan for retirees residing in Virginia and approve that Coventry's "PPO" option be made available to retirees who move out of state. All retirees would continue to be responsible for the full premium cost for health and/or dental as requested by the retiree.

W. Q. "Bill" Overton, Jr.
Sheriff



Tel: (540) 483-6626
Fax: (540) 483-7757

Office of the Sheriff County of Franklin

To: Rick Huff/ Board of Supervisors

From: Major H.L. Clingenpeel

Reference: Request for Proceeds from Sheriff's Auction

Date: 06-05-14

On 05-31-14, the Sheriff's Office conducted an auction of abandoned, and seized property at the Impound Lot. The sale netted \$5,331.00. The Sheriff's Office incurred cost of \$919.00 for newspaper advertisement, and \$435.00 DMV fees. This leaves a profit balance of \$3,987.00 .

I am respectfully requesting the Sheriff's Office be allowed to retain the sale proceeds in order to cover the cost of the sale, and purchase a new K-9. Lt. Gawor's K-9 has recently been retired, and a replacement K-9 is needed. We had put in for funds in our proposed 2014-2015 Capital Budget, and this line item was cut from the budget. The cost of K-9s have dramatically increased, with an average cost of a proven Police K-9 of \$6500.00.

I have secured a mini grant from Wal-Mart for \$2500.00. The grant money along with the profit proceeds from the sale would accomplish our needs.

Your consideration is greatly appreciated.

Anticipated fees presented by Robinson Farmer Cox Associates are as follows:

Fiscal Year Ending	County Audit	Fire/Rescue Audits Per Agency	SML Chamber Audit Fee (if needed)	Cost Allocation Plan
2014	\$43,600 (same fee as paid for FY12-13 audit)	\$1,700	\$2,500	\$3,500
2015	\$45,350	\$1,750	\$2,600	\$3,500
2016	\$47,160	\$1,800	\$2,700	\$3,500

RECOMMENDATION:

Staff respectfully requests the Board's authorization to allow the County Administrator to execute the contract documents with Robinson, Farmer, Cox Associates to provide the County's Audit, Central Services Cost Allocation Plan and External Agency Audit Services for the fiscal years ending *FY' 2013-2014, 2014-2015, & 2015-2016* with an option to renew the contract for an additional two years.

FRANKLIN COUNTY
Board of Supervisors

9



Franklin County
A Natural Setting for Opportunity

EXECUTIVE SUMMARY

<u>AGENDA TITLE:</u> Reappointment of TLAC Members	<u>AGENDA DATE:</u> June 17, 2014	<u>ITEM NUMBER:</u>
<u>SUBJECT/PROPOSAL/REQUEST</u> Request to reappoint Franklin County representatives to newly reconstituted TLAC.	<u>ACTION:</u>	<u>INFORMATION:</u>
<u>STRATEGIC PLAN FOCUS AREA:</u>	<u>CONSENT AGENDA:</u> Yes	
<u>Goal #</u>	<u>ACTION:</u>	<u>INFORMATION:</u>
<u>Action Strategy:</u>		
<u>STAFF CONTACT(S):</u> Messrs. Huff,	<u>ATTACHMENTS:</u>	
	<u>REVIEWED BY:</u> <i>REH</i>	

BACKGROUND:

A new cooperative agreement goes into effect July 1, 2014 which will change some of the eligible members of the Tri-County Lake Administrative Commission thus requiring reappointment of the Franklin County appointees. Also, the Smith Mountain Lake Association appointee is a Franklin County resident and needs to be ratified by the Board of Supervisors as well.

DISCUSSION:

The existing appointees are:

Ms. Christine Mize – Citizen At Large

Mr. Bob Camicia – Supervisor

Mr. Richard Huff – Administrator

Additionally, the SMLA has asked for Franklin County resident Larry Iceman to represent their organization.

RECOMMENDATIONS:

Staff recommends that the names submitted above be reappointed to TLAC for a term July 1, 2014 to January 31, 2015.



Smith Mountain Lake: The Jewel of the Blue Ridge

TRI-COUNTY LAKE ADMINISTRATIVE COMMISSION

Memo

To: Mr. Otis Hawker, Interim Pittsylvania County Administrator
Mr. Rick Huff, Franklin County Administrator
Mr. David Laurrell, Campbell County Administrator
Mr. Mark Reeter, Bedford County Administrator

From: Mrs. Pam Collins, Lake Management and Project Coordinator

Date: June 11, 2014

Subject: Appointments to TLAC Board of Directors

As you know, on July 1st, the Tri-County Lake Administrative Commission shall be replaced by the Tri-County Lakes Administrative Commission and shall have a new Cooperative Agreement. It would be appropriate for each County to appoint or reappoint the Board members for the remainder of this year (from July 1, 2014 through January 31, 2015).

The following appointments are necessary for the respective Counties:

Bedford, Franklin and Pittsylvania:

Administrator, Supervisor and Citizen at Large

Campbell:

Administrator and Supervisor

Additional:

It is also anticipated that Franklin County will be asked to appoint/reappoint the Smith Mountain Lake Association representative.

Pittsylvania County has already appointed the Leesville Lake Association representative.

I would appreciate it if you would have the appropriate person forward an email or letter to me confirming the appointments, so that we will have the documentation in our files.

Thank you.

MEMORANDUM

TO: Board of Directors

FROM: Pam S. Collins, Lake Management and Project Coordinator

DATE: June 10, 2014

SUBJECT: Board Appointments and Overview of Operational Plans for TLAC

By our next meeting, the new Cooperative Agreement will be in place and this office will officially be the Tri-County Lakes Administrative Commission. Staff is working on making the necessary transitions. The greatest change will be with the development of a Leesville Lake Department in addition to the Smith Mountain Lake Department.

The membership of the TLAC Board will change as of July 1st and **it is necessary for the counties to appoint the members to this new Board for the remainder of 2014 (through January 31, 2015)**. Current members can officially be reappointed to TLAC, or new members can be appointed.

The Leesville Lake Association and the Smith Mountain Lake Association should each make a recommendation to the County for their representative, as this representative must be appointed by the Board of Supervisors of the County in which the representative lives. For example, Larry Iceman, a Franklin County resident, is currently the SMLA's representative to the Board. If the SMLA wishes to recommend Larry to continue in this role, then the SMLA should make the recommendation to Bob Camicia, Franklin County's Supervisor representative on the TLAC Board. Bob will then take the recommendation to the Franklin County Board of Supervisors for their consideration.

An overview of the Operational Plans, as well as the Organization Agreement for the new TLAC is attached. If you have other questions that are not addressed in either of these documents, please let me know prior to the meeting (by email is preferable – pamcollins@sml.us.com), and I will be pleased to share the answer with the full Board at the meeting.

**Tri-County Lakes Administrative Commission
for Smith Mountain Lake (SML) and Leesville Lake (LVL)**

Overview of Operational Plans

A. Organization

Executive Committee:

Bedford County Administrator
Campbell County Administrator
Franklin County Administrator
Pittsylvania County Administrator

Executive Committee's Role:

- Present annual budgets to their respective Counties
- Assist Executive Director in addressing essential business between meetings
- Review of potential Board meeting topics, when appropriate/necessary
- Support the Executive Director and assess his/her performance

Board members:

Member appointments are to be made annually by the respective Boards of Supervisors at the beginning of each calendar year.

Bedford County

- Administrator
- Supervisor
- Citizen at Large

Franklin County

- Administrator
- Supervisor
- Citizen at Large

Campbell County

- Administrator
- Supervisor

Pittsylvania County

- Administrator
- Supervisor
- Citizen at Large

Leesville Lake Association Representative
Smith Mountain Lake Association Representative
American Electric Power Company – ex-officio, non-voting

Total: 13 voting members, 1 non-voting member

Alternates allowed: Supervisors – another Supervisor from the respective County

Designees allowed: County Administrators may appoint a designee to attend meetings on their behalf

Guiding Principles:

- TLAC serves at the direction of the member counties
- One county shall be appointed as TLAC's fiscal agent and TLAC staff will be employees of that County
- A work program will be established annually to guide TLAC's activities

Duration of Cooperative Agreement:

The Cooperative Agreement is effective as of July 1, 2014 and shall run for a two year term. It shall automatically renew at the end of the two year term for another twenty-four months unless written notice of termination is provided by any of the parties to the agreement prior to the end of each two-year term.

B. Funding

TLAC shall be funded by the four member Counties. Two separate budgets shall be prepared annually.

SML projects shall be funded by Bedford, Franklin, and Pittsylvania Counties.

LVL projects shall be funded by Bedford, Campbell, and Pittsylvania Counties.

C. Staffing

The Executive Director will oversee both department operations. This position shall be funded through both lake budgets.

Currently, the SML Department has one full time and one part time Senior Administrative Associate. If these staff members assist with LVL Department operations, this time will be tracked and charged to the LVL Department budget.

The LVL Department shall have one part time Administrative Manager. This position shall be fully funded by the LVL Department budget.

D. Concept of Operations

Meetings:

Currently, Board meetings are scheduled for the second Tuesday of each month at 4:00 P.M. and are held at the TLAC office on Scruggs Road, Moneta, VA. If no meeting is required, as determined by the Chairman in coordination with the Executive Director, notification shall be emailed to all Board members within five days prior to the scheduled meeting.

Board meetings are open to the public.

Minutes are taken at all Board meetings.

Quorum:

A majority of the Board shall constitute a quorum and be necessary for the transaction of business.

Agendas:

Agendas shall be prepared by the Executive Director and approved by the Chairman of the Board.

Items for SML shall be prepared* by the Executive Director

Items for LVL shall be prepared* by the Administrative Manager, in coordination with the Executive Director

*Items may be prepared in coordination with the established volunteer Committees or other interested parties

Voting:

For decisions regarding SML issues, the Campbell County representatives will abstain from voting. Additionally, only two Pittsylvania County representatives will vote on SML issues, the third representative will abstain.

For decisions regarding LVL issues, the Franklin County representatives will abstain from voting.

Committees:

Citizen Committee appointments are for the calendar year. All members of the Committees, and the Chairman of each Committee, shall be appointed by the TLAC Board of Directors annually. Chairmen do not need to be TLAC Board members, but shall be expected to regularly attend TLAC Board meetings.

Committee agendas shall be prepared by the Executive Director (SML) or the Administrative Manager (LVL) in coordination with the Committee Chairman.

The Smith Mountain Lake Department currently has three Committees and two Subcommittees:

- Environmental Committee
 - Aquatic Vegetation Subcommittee and Debris Subcommittee
- Navigation Committee
- Vessel Pump Out Committee

It is anticipated that the Leesville Lake Department will establish two Committees in its first year:

- Environmental Committee
- Navigation Committee

Additional ad-Hoc Committees and Subcommittees shall be established as needed.

Recommendations from the Committees are forwarded to the Board for consideration of action.

Committee meetings are open to the public.

Minutes are taken at the Committee meetings.

ORGANIZATIONAL COOPERATIVE AGREEMENT CREATING THE TRI-COUNTY LAKES ADMINISTRATIVE COMMISSION (TLAC)

Creation of the Tri-County Lakes Administrative Commission ("TLAC")

This Cooperative Agreement is among the counties of Bedford, and Campbell, and Franklin, and Pittsylvania, for a joint administrative organization under the provisions of Section 15.2.1300 of the Code of Virginia, and is:

- to be known as the Tri-County Lakes Administrative Commission

PURPOSE: The purpose of the Tri-County Lakes Administrative Commission is to serve as an administrative department for the four counties surrounding Smith Mountain Lake and Leesville Lake, and is established to carry out lake planning duties as may be assigned by the respective Boards of Supervisors. Such duties may also include, but are not limited to, navigation marker issues, aquatic vegetation issues, debris cleanup issues, monitoring of License requirements, and coordination with American Electric Power on lake-related issues. The Tri-County Lakes Administrative Commission may also be directed by the Boards of Supervisors from time to time to perform specific projects which will require the coordination of lake volunteers in order to accomplish such activities. The Tri-County Lakes Administrative Commission shall serve as the first point of contact for lake-related issues and concerns and shall forward such concerns as are appropriate to the body or agency best able to respond to the citizen. Notwithstanding the above, the Tri-County Lakes Administrative Commission is authorized only to perform those duties as approved in the annual Work Plan and as amended, by its Board of Directors and which are not the responsibility of Appalachian Power Company/American Electric Power or its assigns and successors by virtue of its License with the Federal Energy Regulatory Commission.

MISSION: The mission of the Tri-County Lakes Administrative Commission is to assist in the development of a harmonious community at the lakes through the administration of the programs and projects delegated to it by the Boards of Supervisors of the affected counties and to study and advise the Boards of Supervisors on issues related to the overall well being of the lakes as directed by the member counties. It is the mission of the Tri-County Lakes Administrative Commission to do for the four counties in a more efficient and effective manner what any one of the member counties could do for themselves individually; and, to perform such duties and to exercise such appropriate powers and authority as may be delegated by the Boards of Supervisors of the member counties to the "TLAC" and not exceeding the limits of delegation as prescribed under the Code of Virginia.

GUIDING PRINCIPLES: (1) The "TLAC" shall serve at the direction of the member counties with input from the lakes community at large, and such other citizens who may wish to offer input into the public process of guiding lakes area concerns. (2) The four member counties shall agree as to a fiscal agent for the "TLAC" who will process all income and expenditures of the entity under the guidelines established by the fiscal agent and shall be reimbursed by the TLAC budget for reasonable costs experienced in providing this service. Employees assigned to staff the "TLAC" shall be employees of the fiscal agent and function in the same manner as all other employees of the fiscal agent. (3) A work program shall be approved annually by the "TLAC" Board and shall guide the activities of the "TLAC".

DURATION OF COOPERATIVE AGREEMENT: This Cooperative Agreement shall become effective immediately on approval and adoption of resolutions by Bedford, and Campbell, and Franklin, and Pittsylvania counties, and shall run for two year terms beginning July 1, 2014 or as the Cooperative Agreement may be amended or extended by action of parties to the Cooperative Agreement. This provision is to assure that the "TLAC's" effectiveness is regularly reviewed by member counties and recognizes that member counties may choose to supplant the TLAC with a modified organization or terminate the TLAC in favor of a new organization or entity. In the event written notice of termination is not given by any party to this agreement as provided herein, then this contract shall automatically renew for a term of twenty-four (24) months, and shall automatically renew at the end of each successive term thereafter, unless such notice is given.

ORGANIZATION OF THE TRI-COUNTY LAKES ADMINISTRATIVE COMMISSION: The "TLAC" shall be comprised of the three members each from the participating political subdivisions of Bedford, and Franklin, and Pittsylvania Counties. One member from each political subdivision shall be a member of the Board of Supervisors of that political subdivision whose voting district borders Leesville or Smith Mountain Lakes, or his/her alternate; the alternate for the Board of Supervisors from Bedford and Franklin and Pittsylvania Counties shall be another member of the respective Board of Supervisors: one member shall be a citizen at large who shall reside in a voting precinct whose area shall include the shoreline of Leesville or Smith Mountain Lakes; one member shall be the County Administrator, or his designee.

Campbell County, because of its smaller area involvement and financial responsibility, shall have two members appointed by its Board of Supervisors annually; these shall include: a county Board of Supervisors member whose voting district borders Leesville Lake, or his/her alternate. The other member shall be the County Administrator, or his designee.

There shall also be one member each from the Smith Mountain Lake Association (SMLA) and the Leesville Lake Association (LVLA) which shall annually recommend a member representative to the local Board of Supervisors.

There shall also be one member appointed by American Electric Power Company who will be an ex-officio, non-voting member.

There shall be a total of 13 voting members and 1 non-voting member.

- a) Appointments to "TLAC". The citizen members and Board members of the Tri-County Lakes Administrative Commission will be appointed by the Boards of Supervisors of the county which they represent. The SMLA and LVLA members shall be appointed by the Board of Supervisors of the county in which they reside. These members shall serve at the pleasure of the respective Boards of Supervisors. Appointments should be made at annual Board of Supervisors reorganization meetings and terms shall run from February 1 through January 31.
- b) Members of the "TLAC" shall elect a member as "TLAC" chairman, and a member as vice chairman, and a member as secretary at its next regularly scheduled meeting following February 1.
- c) Compensation of "TLAC" members. The respective member jurisdiction's Board of Supervisors shall determine compensation, if any, to be received by their respective appointed "TLAC" members.

FUNDING: The percentage of shoreline for each of the lakes, as it relates to the four counties, is as follows:

SMITH MOUNTAIN LAKE (SML)

Franklin 288 miles	- 57.5%
Bedford 192 miles	- 38.3%
Pittsylvania 21 miles	- <u>4.2%</u>
	100%

LEESVILLE LAKE (LVL)

Bedford 26 miles	- 25.0%
Campbell 12 miles	- 11.0%
Pittsylvania 67 miles	- <u>64.0%</u>
	100%

The budget amount for the Executive Director will be funded 80% by the SML counties according to the above percentages, and 20% by the LVL counties according to the above percentages, and be contained in each budget.

Funding for the SML budget and the LVL budget shall be the responsibility of the applicable counties in the proportion as set forth above. The lowest approved budget by each of these applicable counties for each lake shall be used. It is expressly understood however, that any County can fund the budget in a greater amount.

It is the intent of the parties that the historic function of TLAC continue, and that the budget for the SML counties continue to reflect primarily matters concerning SML and only those LVL issues relevant thereto. Therefore, the LVL budget shall include matters exclusive to LVL counties, including the expense for the LVL staff, as well as an estimate of any additional

expense (including time and mileage) of other TLAC staff devoted to LVL matters beyond the expense for the Executive Director. The LVL counties (in the proportions set forth above) shall be responsible for said cost for other TLAC staff.

EXECUTIVE COMMITTEE: The Executive Committee includes the four County Administrators. The purpose of the Executive Committee shall be to present an annual budget for the LVL counties and for the SML counties for the approval of their respective counties, to assist the Executive Director in addressing essential business between regular Board meetings, to take action on all matters which cannot or should not be deferred until the Board's next meeting, review of potential Board meeting topics when appropriate, support the Executive Director and assess his/her performance. The Executive Committee shall meet as often as necessary. A majority of the voting members shall constitute a quorum.

METHODS (CONCEPT) OF OPERATION: It is the intent of the parties hereto that TLAC operate under the following parameters:

- a) TLAC shall create citizen committees devoted to SML matters, and separate citizen committees devoted to LVL matters.
- b) The Executive Director shall segregate staff time devoted to LVL matters for accounting purposes.
- c) The TLAC representatives from Campbell County shall abstain from discussion or voting on matters regarding SML; and likewise, Franklin County representatives from matters regarding LVL.
- d) Only two Pittsylvania County representatives may vote on SML matters, in the following order: supervisor, administrator, citizen-at-large.
- e) Any activities, programs, or initiatives which pertain only to LVL shall be submitted to the LVL staff to be placed on the agenda for TLAC approval, and shall be funded by the LVL counties according to the aforesaid formula.

WITHDRAWALS FROM THIS COOPERATIVE AGREEMENT: Any party to this Cooperative Agreement shall have the right to withdraw from this Cooperative Agreement at any time after written notification to the "TLAC" of the party's intention to withdraw from the "TLAC". Written notification of intent to withdraw shall be tendered to the "TLAC" at least 180 days before the date of official withdrawal. This is restricted in that notice must be given at least 180 days before the end of the "TLAC's" then current fiscal year. In the event that any of the counties withdraw from the agreement, then the agreement will be terminated.

DISPOSITION OF PROPERTIES AND FUNDS OF THE TRI-COUNTY LAKES ADMINISTRATIVE COMMISSION UNDER TERMINATION: In the event of termination, funds, records, and tangible property, real and personal, that are held by the "TLAC", or are in custody of its administrative entity, its agents or assigns, shall be returned to the participating political subdivision pro rata

to their annual rates of contributions, or as otherwise agreed to by the member counties. Participating political subdivisions shall be defined as those that are members to the Cooperative Agreement on the day before termination shall become effective. Annual rate shall be that which the termination of this Cooperative Agreement shall occur.

COMMITTEES: The "TLAC" shall from time to time establish such special committees as deemed necessary for aiding in the effective implementation of the "TLAC's" responsibilities, duties and authorities. Committees shall report to the "TLAC". The Executive Committee of the "TLAC" may be utilized in communications between the "TLAC" and committees and between the committees and outside persons. The chair of any such committee need not be a member of "TLAC", unless deemed necessary by the Executive Committee, and all committee appointments shall be approved by the TLAC. The chairs are expected to attend TLAC Board meetings on a regular basis.

EFFECTIVE DATE OF THIS COOPERATIVE AGREEMENT: This Cooperative Agreement between the counties of Bedford and Campbell and Franklin and Pittsylvania shall be effective beginning on the 1st day of July, 2014.

**ANNUAL RESOLUTION OF APPROPRIATION OF THE COUNTY OF
FRANKLIN FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 AND ENDING
JUNE 30, 2015**

A resolution to appropriate designated funds and accounts from specified estimated revenues for FY 14-15 for the operating budget and the Capital Improvements Program for the County of Franklin and to authorize and empower County officers to expend funds and manage cash assets; and to establish policies under which funds will be expended and managed.

The Franklin County Board of Supervisors does hereby resolve on this 17th day of June, 2014 that, for the fiscal year beginning on July 1, 2014, and ending on June 30, 2015, the following sections are hereby adopted.

- Section 1. The cost centers shown on the attached table labeled Appropriations Resolution, Exhibit B, are hereby appropriated from the designated estimated revenues as shown on the attached table labeled Appropriations Resolution, Exhibit A.
- Section 2. Appropriations, in addition to those contained in this general Appropriations Resolution, may be made by the Board of Supervisors only if deemed appropriate and there is available in the fund unencumbered or unappropriated sums sufficient to meet such appropriations.
- Section 3. The School Board and the Social Services Board are separately granted authority for implementation of the appropriated funds for their respective operations. By this resolution the School Board and the Social Services Board are authorized to approve the transfer of any unencumbered balance or portion thereof from one classification of expenditure to another within their respective funds in any amount.
- Section 4. The County Administrator is expressly authorized to approve transfers of any unencumbered balance or portion thereof from one classification of expenditure to another within the same cost center for the efficient operation of government.
- Section 5. All outstanding encumbrances, both operating and capital, at June 30, 2014 shall be reappropriated to the FY 2014-2015

fiscal year to the same cost center and account for which they are encumbered in the previous year.

- Section 6. At the close of the fiscal year, all unencumbered appropriations lapse for budget items other than those involving ongoing operational projects, or programs supported by grants or County funds, which must be preapproved by the County Administrator or his designee. Such funds must be applied to the purpose for which they were originally approved.
- Section 7. Appropriations previously designated for capital projects will not lapse at the end of the fiscal year but shall remain appropriated until the completion of the project if funding is available from all planned sources, or until the Board of Supervisors, by appropriate ordinance or resolution, changes or eliminates the appropriation. Upon completion of a capital project, the County Administrator is hereby authorized to close out the project and return to the funding source any remaining balances. This section applies to all existing appropriations for capital projects at June 30, 2014 and appropriations as they are made in the FY14-15 Budget. The County Administrator is hereby authorized to approve construction change orders to contracts up to an increase not to exceed the budgeted project contingency and approve all change orders for reduction of contracts.
- Section 8. The approval of the Board of Supervisors of any grant of funds to the County shall constitute the appropriation of both the revenue to be received from the grant and the County's expenditure required by the terms of the grant, if any. The appropriation of grant funds will not lapse at the end of the fiscal year but shall remain appropriated until completion of the project or until the Board of Supervisors, by appropriate resolution, changes or eliminates the appropriation. The County Administrator may increase or reduce any grant appropriation to the level approved by the granting agency during the fiscal year. The County Administrator may approve necessary accounting transfers between cost centers and funds to enable the grant to be accounted for in the correct manner. Upon completion of a grant project, the County Administrator is authorized to close out the grant and return to the funding source any remaining balance. This section applies to appropriations for grants outstanding at June 30, 2014 and appropriations in the FY 14-15 Budget.

- Section 9. The County Administrator may reduce revenue and expenditure appropriations related to programs funded all or in part by the Commonwealth of Virginia and/or the Federal Government to the level approved by the responsible state or federal agency.
- Section 10. The County Administrator is authorized to make transfers to the various funds for which there are transfers budgeted. The County Administrator shall transfer funds only as needed up to amounts budgeted or in accordance with any existing bond resolutions that specify the matter in which transfers are to be made.
- Section 11. Appropriations are hereby authorized for the Courthouse Maintenance Fund, the Forfeited Assets Program Fund, the Law Library Fund, the E911 Fund, the Debt Service Fund, the Utility Fund and EMS Billing Revenue equal to the total cash balance on hand at July 1, 2014, plus the total amount of receipts for the fiscal year 2014-2015. The County Administrator is also authorized to appropriate carryover funds from any designated revenues or donated funds.
- Section 12. The Treasurer may advance monies to and from the various funds of the County to allow maximum cash flow efficiency. The advances must not violate County bond covenants or other legal restrictions that would prohibit an advance.
- Section 13. All procurement activities with funds appropriated herein shall be made in accordance with the County purchasing ordinance and applicable state statutes.
- Section 14. It is the intent of this resolution that funds be expended for the purpose indicated in the budget; therefore, budgeted funds may not be transferred from operating expenditures to capital projects or from capital projects to operating expenses without the prior approval from the Board of Supervisors. Also, funds may not be transferred from one capital project to another without the prior approval of the Board of Supervisors.
- Section 15. The County Administrator is authorized, pursuant to State statute, to issue orders and checks for payments where funds have been budgeted, appropriated, and where sufficient funds are available. A listing of vendor payments shall be presented to the Board of Supervisors not less frequently than monthly.

- Section 16. Subject to the qualifications in this resolution contained, all appropriations are declared to be maximum, conditional and proportionate appropriations – the purpose being to make the appropriations payable in full in the amount named herein if necessary and then only in the event the aggregate revenues collected and available during the fiscal year for which the appropriations are made are sufficient to pay all the appropriations in full. Otherwise, the said appropriations shall be deemed to be payable in such proportions as the total sum of all realized revenue of the respective funds is to the total amount of revenue estimated to be available in the said fiscal year by the Board of Supervisors.
- Section 17. All revenues received by an agency under the control of the Board of Supervisors or by the School Board or by the Social Services Board not included in its estimate of revenue for the financing of the fund budget as submitted to the Board of Supervisors may not be expended by said agency under the control of the Board of Supervisors or by the School Board or by the Social Services Board without the consent of the Board of Supervisors being first obtained, and those sums appropriated to the budget. Any grant approved by the Board for application shall not be expended until the grant is approved by the funding agency for drawdown. Nor may any of these agencies or boards make expenditures which will exceed a specific item of an appropriation.
- Section 18. Allowances out of any of the appropriations made in this resolution by any or all County departments, commissions, bureaus, or agencies under the control of the Board of Supervisors to any of their officers and employees for expense on account of the use of such officers and employees of their personal automobiles in the discharge of their official duties shall be paid at the same rate as that established by the State of Virginia for its employees and shall be subject to change from time to time to maintain like rates.
- Section 19. All previous appropriation ordinances or resolutions to the extent that they are inconsistent with the provisions of this resolution shall be and the same are hereby repealed.
- Section 20. This resolution shall become effective on July 1, 2014.

County of Franklin
 Adopted Revenues
 Fiscal Year 2014 - 2015

Real Estate	\$ 35,484,134	Shared Expenses Sheriff	\$ 2,990,000
Public Service Corp	872,246	Shared Expenses Comm of Revenue	151,795
Personal Property	9,042,197	Shared Expenses Treasurer	149,892
Machinery and Tools	639,709	Shared Expenses Registrar	42,000
Merchants Capital	671,124	Shared Expenses Clerk of Court	356,829
Penalties and Interest	640,000	Shared Expenses Jail Costs	130,000
		Public Assistance Grants	4,552,606
Sales Tax	4,003,534	VJCCA Grant	20,040
Communications Tax	2,271,784	Family Resources Grants	119,438
Consumer Utility Taxes	973,782	Comprehensive Services Grant	3,200,042
County Business License	4,700	Selective Enforcement Grant	0
Franchise License Tax	220,000	Franklin Center Grants	67,000
Motor Vehicle License Fees	1,876,174		
Bank Stock Taxes	128,791		
Tax on Deeds	500,000	Personal Property Tax Relief	2,626,618
Hotel/Motel Trans Occupancy Tax 2%	32,750		
Hotel/Motel Trans Occupancy Tax 3%	49,213	Library Grants	153,449
Meals Tax	980,000	Recordation Taxes - State	159,000
		Aging Services Grants	125,322
Licenses and Fees	372,000	Grantor Tax on Deeds	124,000
		Drug Enforcement Grants	12,000
Court Fines and Costs	98,000	Park Land - Pymt in Lieu of Tax	17,031
Interest on Bank Deposits	1,029,323	Fund Balance	<u>693,670</u>
Rent, Miscellaneous	385,560	Total General Fund	<u>79,778,285</u>
Clerk of Court Fees	160,000	Capital Fund	3,235,501
Commonwealth Attorney Fees	5,000	Asset Forfeiture Fund	10,000
Off Duty Pay for Sheriff Deputies	40,000	E911 Fund	1,041,666
Care of Prisoners	5,000	Law Library	12,000
Animal Control Fees	5,000	Debt Service Fund	2,887,432
Landfill Fees	1,000,000	Utilities	545,326
Aging Services Local Revenue	12,000	Courthouse Maintenance Fund	<u>12,000</u>
Family Resource Center Donations	30,500	Total - Other Funds	<u>7,743,925</u>
Recreation Fees	82,757		
EMS Billing Revenue	1,294,564		
Library Fines and Fees	35,000		
Franklin Center Fees	8,400	Schools: Local (Cafeteria, Miscellaneous)	2,983,009
Sale of Maps and Code	800	State	38,707,535
		Federal	8,010,170
Recovered Costs	415,390	County	32,358,730
		Canneries	<u>51,168</u>
Motor Vehicle Carriers Tax	40,962	Total School Funds	<u>82,110,612</u>
Mobile Home Titling Tax	110,499		
Motor Vehicle Rental Tax	46,660		
Shared Expenses Comm Attorney	520,000		
			\$ <u><u>169,632,822</u></u>

County of Franklin
Adopted Expenditures (Excluding Capital Outlay)
Fiscal Year 2014-2015

General Government Administration

Board of Supervisors \$ 301,508

General and Financial Administration

County Administrator 428,119
 Commissioner of Revenue 576,024
 Reassessment 150,000
 Treasurer 457,498
 Finance 319,051
 Risk Management 367,963
 Human Resources 123,007
 Information Technology 1,202,336
 Registrar 270,292
4,195,798

Judicial Administration

Circuit Court 98,658
 General District Court 7,580
 Magistrate 2,000
 Juvenile and Domestic Rel Court 17,180
 Clerk of the Circuit Court 643,350
 Sheriff - Courts 354,398
 Juvenile Court Services 328,288
 Commonwealth Attorney 792,640
2,244,094

Public Safety

Sheriff - Law Enforcement 3,784,559
 Correction and Detention 4,986,428
 Building Inspections 505,136
 Animal Control 280,393
 Public Safety 3,643,698
13,200,214

Public Works

Road Viewers 450
 Public Works 236,352
 Solid Waste and Recycling 2,076,877
 General Buildings and Grounds 1,219,471
3,533,150

Health and Welfare

Health Department 338,705
 Community Services 199,860
 Social Services 5,820,263
 CSA 4,794,924

Family Resource Center \$ 215,900
 Aging Services 324,777

11,694,429

Parks, Recreation and Cultural

Parks and Recreation 994,905
 Library Administration 933,591
1,928,496

Community Development

Planning Agencies 573,988
 Planning & Community Development 643,887
 Economic Development 478,837
 GIS and Mapping 162,046
 Franklin Center 197,811
 Tourism Development 200,821
 Virginia Cooperative Extension 104,392
2,361,782

Nondepartmental

779,077

Transfers to Other Funds

Schools - Operations 29,708,271
 Schools - Debt Service 2,650,459
 Schools - Canneries 34,746
 Schools - Energy Fund Carryover 0
 County Capital: School CIP 1,220,000
 Utilities 538,326
 Debt Service 2,684,784
 County Capital: County CIP 2,015,501
 E911 989,158

Subtotal 39,841,245

Total General Fund

79,778,285

Other Funds:

E911 1,041,666
 Debt Service 2,887,432
 Capital Fund 3,235,501
 Law Library 12,000
 Courthouse Maintenance 12,000
 Utilities 545,326
 Forfeited Assets 10,000
 Schools 82,110,612

\$ 169,632,822

FRANKLIN COUNTY
Board of Supervisors



Franklin County

A Natural Setting for Opportunity

EXECUTIVE SUMMARY

<p>AGENDA TITLE:</p> <p style="text-align: center;">General Reassessment Contract Award</p> <p>SUBJECT/PROPOSAL/REQUEST:</p> <p style="text-align: center;">Award of the General Reassessment Contract for the assessment of all real property in Franklin County. New assessed values will be effective January 1, 2016.</p> <p>STAFF CONTACT(S): Messrs. Huff, Copenhaver, Mrs. Torrence & Mrs. Tudor</p>	<p>AGENDA DATE: June 17th, 2014 ITEM NUMBER:</p> <p>ACTION: INFORMATION:</p> <p>CONSENT AGENDA: YES INFORMATION:</p> <p>ACTION:</p> <p>ATTACHMENTS:</p> <p>REVIEWED BY: <i>REH</i></p>
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BACKGROUND:

On Tuesday, April 15th, 2014, the Board of Supervisors granted staff authorization to advertise and solicit proposals for the General Reassessment of all real estate located in Franklin County. Proposals were received Monday, June 2nd, 2014 @ 4:00 P.M.

DISCUSSION:

The General Reassessment Committee consisting of Rick Huff, County Administrator, Margaret Torrence, Commissioner of Revenue, Vincent Copenhaver, Director of Finance, and Sharon Tudor, Procurement Specialist, evaluated and interviewed the two firms that submitted proposals. Under the Virginia Public Procurement Act, the award of reassessment services falls under *Procurement of other than professional services* and allows the County to take into consideration more criteria than just price. The two firms were ranked by the committee and negotiations began with the two firms. The following table is offered for the Board's review and comparison:

Vendor	Parcel Assessment Rate (Total Parcel Count is 42,179)	Mobile Home Assessment Rate (Total Count is 4,341)	Digital Photos (quantity unknown)	Clerical/Data Entry Per Parcel	Per Parcel Cost of Processing and Mailing Notices	Field and Reassessment Cards	Office Space/Telephone Service/Furniture/Software	Board of Equalization Assistance
Wingate Appraisal Service	\$10.50	\$5.00	\$2.00 Charge for Any Photos that need Updating	\$2.45	\$0.52	No Charge	County Provides	No Charge for Assistance
Wampler Eanes Appraisal Group	\$14.10	\$5.00	No Charge	No Charge	No Charge	No Charge	County Provides	No Charge for Assistance

The Committee unanimously concluded that Wampler-Eanes Appraisal Group had the best proposal given the excellent service provided to the County during the previous three reassessments. They are very familiar with our properties as well as the market conditions throughout the County. It should be noted that there are no qualified firms located in Franklin County

that are licensed by the state to perform this work, however, several Wampler-Eanes employees reside in and around Franklin County. The firm is located in Botetourt County and currently assesses all new Building Permits for the County. Wampler-Eanes' negotiated price is a total of \$616,429 for this contract. The total cost presented by Wingate Appraisal Service is \$600,538 assuming 4,341 photos are needed. Their price is reduced by \$2.00 per photo not needed. Funds are available in the FY 2015 budget for this project as well as the Reassessment Capital Reserve account in the County's capital fund.

RECOMMENDATION:

Staff respectfully requests the Board's authorization for the County to enter into a contract with the Wampler-Eanes Appraisal Firm for the reassessment of all real property in Franklin County after all pertinent documents/contracts have been reviewed and approved by the County Attorney. This recommendation is based on the Commissioner of the Revenue's existing working relationship with Wampler Eanes which has been excellent with no problems encountered and their excellent customer service in the past working with both the Commissioner, Board Clerk and citizens.

Franklin County
Analysis of Reassessment Proposals
June 9, 2014

Wingate Appraisal Service			
	<u>Number of Parcels</u>	<u>Price Per Parcel</u>	<u>Total Cost</u>
Parcel Assessment	42,179	\$10.50	\$442,879.50
Clerical	42,179	\$2.45	\$103,338.55
Assessment of Mobile Homes	4,341	\$5.00	\$21,705.00
Mobile Homes Digital Photos	4,341	\$2.00	\$8,682.00
Mailing Costs - Assessment Notices	42,179	\$0.52	\$21,933.08
Updated RE Photos (Estimate)	1,000	\$2.00	\$2,000.00
		\$13.47	<u>\$600,538.13</u>

Wampler Eanes Appraisal Group			
	<u>Number of Parcels</u>	<u>Price Per Parcel</u>	<u>Total Cost</u>
Parcel Assessment	42,179	\$14.10	\$594,723.90
Clerical	No Charge		
Assessment of Mobile Homes	4,341	\$5.00	\$21,705.00
Mobile Homes Digital Photos	No Charge		
Mailing Costs	No Charge		
			<u>\$616,428.90</u>

\$15,890.77

FRANKLIN COUNTY
Board of Supervisors

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Franklin County
A Natural Setting for Opportunity

EXECUTIVE SUMMARY

<u>AGENDA TITLE:</u> RADIO SYSTEM UPDATE	<u>AGENDA DATE:</u> June 17, 2014	<u>ITEM NUMBER:</u>
<u>SUBJECT/PROPOSAL/REQUEST</u> Staff requests the Board to set a Worksession to Review Additional Research and Findings on Options.	<u>ACTION:</u>	<u>INFORMATION:</u>
<u>STRATEGIC PLAN FOCUS AREA:</u>	<u>CONSENT AGENDA:</u>	
<u>Goal #</u>	<u>ACTION:</u> Yes	<u>INFORMATION:</u>
<u>Action Strategy:</u>		
<u>STAFF CONTACT(S):</u> Messrs. Huff,	<u>ATTACHMENTS:</u>	
	<u>REVIEWED BY:</u> <i>REH</i>	

BACKGROUND:

Over the last two years, staff along with some citizen members, volunteer responders, and our consultants have been working to identify what upgrades to our public safety radio system would best serve the needs of the stakeholders. Prudent financial planning has attempted to keep an approximate cost figure in our long range financial forecast; however this budget number has fluctuated as additional information became available and certain options were ruled out. In many ways, it is not unlike asking how much will a house cost before you know how many square feet, number of bathrooms, and what neighborhood it will be in.

As the committee has worked through the myriad of options, one of the estimates included an addition to the 911 Communications Center and then it was removed as other alternatives were identified. It is unknown how many tower sites will be needed until the vendors make their proposals and tell us what their technology can do.

The biggest issue that has confronted the committee is what "frequency band" will deliver the best performance without interference from other jurisdictions in the area. In 2003, the County upgraded its system to a VHF band but only licensed one transmitter site. Since that time, the State Police has licensed a large number of frequencies in the region as have other jurisdictions such as Vinton, Danville, Henry County, etc. The newly licensed frequencies has made it almost impossible for Franklin County to get transmit frequencies at up to 10 additional tower sites without interference.

DISCUSSION:

In order to understand the licensing process, staff would like to set a worksession date with the Board and bring in Mr. Terry Hall who is the Chief of Emergency Communications for York-Poquoson-Williamsburg and soon to add New Kent and Gloucester County Regional Communications System. He is the past President of APCO International who is the organization that in Virginia ultimately makes recommendations to the FCC on licensing and is well known around the State for his expertise in Public Sector Radios. Mr. Hall has agreed to do a briefing for the Board and answer questions relative to our system options.

RECOMMENDATIONS:

Staff recommends that the Board set a worksession with Terry Hall and select from the following available dates:

- 1) Thursday, June 26th
- 2) Friday, June 27th

is recommended that the Radio Committee be invited to the worksession as well.

FRANKLIN COUNTY
Board of Supervisors



Franklin County
A Natural Setting for Opportunity

EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Public Safety Fleet update</p> <p><u>SUBJECT /PROPOSAL/REQUEST</u> Fire & EMS fleet status report</p> <p><u>STRATEGIC PLAN FOCUS AREA:</u> <u>Goal # 4.3</u> <u>Action Strategy:</u> Provide reliable fire and EMS services to citizens</p> <p><u>STAFF CONTACT(S):</u> Messrs. Huff, Hatcher,</p>	<p><u>AGENDA DATE:</u> June 17, 2014 <u>ITEM NUMBER:</u></p> <p><u>ACTION:</u> No <u>INFORMATION:</u></p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u> <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u></p> <p><u>REVIEWED BY:</u> <i>RFH</i></p>
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CKGROUND: In 2006 the Board of Supervisors approved a measure to replace fire and EMS vehicles used by responders. All fire and EMS vehicles are titled to Franklin County. The vehicles purchased are based on standard county specifications established by the Chiefs and Captains during work sessions held in 2006 and 2007. A vehicle replacement plan is updated every 5 years from input received by the leadership of the volunteer fire and EMS agencies. During a work session in 2011 staff updated the Board of Supervisors regarding the status of the public safety fire and EMS vehicle fleet. The report included vehicle replacement criteria as well as a 5 year replacement plan for fleet vehicles. The purpose of this report is to update the current Board of Supervisors regarding the status of the fire and EMS vehicle fleet. In general, the fire apparatus fleet is reliable but there are a few vehicles that are in need of replacement to improve service whereas the EMS fleet is unreliable and needs serious attention to address major repair issues that are occurring frequently.

DISCUSSION: Since 2006, (eight years), the county has purchased 11 firefighting vehicles. The county has also replaced 8 ambulances in the EMS fleet. In addition to the ambulances already in service, the county also has two new ambulances on order with an anticipated delivery date in September. The two new vehicles will be assigned to the Snow Creek and Westlake stations. The ambulances these will replace have already been taken out of service due to major mechanical issues that were not cost effective to repair.

There is no nationally recognized standard that establishes a "best practice" approach for fire and EMS vehicle replacement. It is generally accepted practice by larger municipalities that emergency vehicles should not exceed 20 years of front line service. In general, Franklin County attempts to replace vehicle when they have reached 20 years of service or 125,000 miles. These stations are running a second due ambulance from other County station.

The county fire apparatus fleet is reliable but a few vehicles have experienced significant issues. There is a reserve fire engine incorporated into the fleet that is available for use when their front line engine is out of

service for repairs. The reserve fire engine is used by Ferrum Fire Department to respond to calls to maintain the vehicles readiness for service.

The county has done a good job in replacing aging fire apparatus and should continue to do so in order to maintain fleet reliability. In FY 2014-2015 the county is slated to purchase a fire tanker for Ferrum Fire Department, a brush truck for Henry Fire Department and a brush truck for Callaway Fire Department.

The EMS fleet receives a considerable amount of wear and tear annually. The county completed the first 5 year replacement plan ahead of schedule in 2010 and did not purchase an ambulance for 3 years. Prior to 2011 the county had two dedicated reserve ambulances in the fleet to use when front line ambulances were out of service. This created a problem in that the reserve ambulances were used on a frequent basis while ambulances in outlying EMS stations were not being utilized on a regular basis due to low call volumes. In 2012 staff met with volunteer Captains and established a plan to use the secondary ambulances located in outlying stations as reserve ambulances. These outlying vehicles had low mileage and were sitting idle in the stations, only being used when the primary vehicle was out of service for repairs. What staff found was that when subjected to daily use in busier stations, these vehicles began to experience mechanical issues as they were not accustomed to daily use.

Between 2007 and 2010, the county purchased eight ambulances built on the Ford 6.4 liter diesel F450 chassis. The vehicles have been plagued with repair issues that began while they were under warranty. None of these vehicles have been immune from major repair issues. This chassis has experienced frequent turbocharger failures, radiator failures, head gasket leaks, drivetrain problems, as well as complete engine failures. Franklin County is not the only locality that has experienced problems with this chassis. Other localities that purchased ambulances on the same chassis have experienced similar problems.

With a failing front line fleet and a secondary line of reserve vehicles that experience frequent breakdowns, staff is forced to relocate ambulances on a daily basis from outlying stations in order to maintain coverage. Currently, both front line ambulances assigned to the Franklin County Rescue Squad are out of service. Both vehicles are built on the Ford F450 chassis equipped with the 6.4 Navistar diesel engines. The ambulance assigned to the career staff has 108,032 miles and is currently having the engine replaced for the second time since being purchased. The ambulance primarily used by volunteer staff has 65,832 miles and is having the turbocharger replaced for the third time since being purchased. Both vehicles are out of warranty. Franklin County Rescue is currently using ambulances from Fork Mountain and Glade Hill that already have in excess of 100,000 miles on them to respond to calls until their primary ambulances are repaired.

In short, the county should consider accelerating the ambulance replacement schedule over the next 5 years. In some cases where the vehicle needing replacement has less than 5 years front line service it is feasible to remount the modular box onto a new chassis for half the cost to purchase a new ambulance. If the modular has been remounted more than once or has more than 10 years of service, it is more economical to completely replace the vehicle as the wiring, lights, electrical components, heating and air conditioning system have exceeded their anticipated serviceability and should be replaced. The average cost to purchase a new ambulance is established by the Office of Emergency Medical Services grant review committee at \$170,000. The cost to remount an ambulance is approximately \$100,000 including the cost of the new chassis.

RECOMMENDATION: Staff respectfully requests the Board considers the information presented in this report when considering funding for future fire and EMS vehicle purchases.

MEMORANDUM
Case # SPEC-4-14-12859



To: Franklin County Board of Supervisors
From: Neil Holthouser, Director of Planning & Community Development
Date: June 17, 2014
Tax Map#: 18-86 (#0180008600)
District: Boone District
Applicant: David A. Layman
Owners: David A. and Judy B. Layman

REQUEST:

PETITION FOR SPECIAL USE – Petition of David A. Layman; Petitioner/Owner requesting a special use permit for a +/- 34.5 acre parcel currently zoned A-1, Agricultural District, for a “Storage yard” and associated storage building. The subject property is located at 664 Red Valley Road (SR 657) in the Boone District of Franklin County; and is further identified as Tax Map # 18, Parcel # 86. The Future Land Use Map of Franklin County's Comprehensive Plan identifies this area as appropriate for Agricultural, Forestry, and Rural Residential uses, with a maximum residential density of two dwelling units per acre. The A-1 Agricultural District allows a maximum residential density of 1.25 dwelling units per acre. This petition for special use permit would not result in any residential development of the property nor any increase in the site's residential density. (Case # SPEC-4-14-12859)

RECOMMENDATION:

The Planning Commission held a public hearing in consideration of this request at its May 13, 2014, meeting. By vote of 5-0-2 (Mitchell, McGhee absent), the Planning Commission approved the following:

The Planning Commission recommends that the Board of Supervisors approve the request for Special Use Permit for a “Storage yard and associated storage building” with the following conditions:

1. Substantial conformity. *The site shall be developed in substantial conformity with the applicant's concept plan, entitled “Proposed Storage Bldg. + Yard,” and “Proposed Storage Building: Layman Electric and Plumbing,” which were prepared by the applicant and submitted along with the application for Special Use Permit.*
2. Limitation of Use. *The use “Storage yard and associated storage building” shall be limited to storage uses only. This use shall not be construed as allowing retail sales.*
3. Outdoor activities limited. *All activities shall take place within the proposed building and fenced compound shown on the proposed Concept Plan.*
4. Outdoor storage limited. *No tools, equipment, parts or supplies shall be stored outside of the proposed building or fenced compound as shown on the Concept Plan. Vehicles shall be parked within the fenced compound.*
5. Site Plan required. *This Special Use permit is subject to the review and approval of a Site Plan by the Department of Community Development, including any necessary reviews or approvals by the Virginia Department of Transportation and/or the Virginia Department of Health.*

**BACKGROUND:**

The petitioner requests a Special Use Permit for the purpose of allowing a "Storage yard" and associated storage building in order to store vehicles, equipment, and supplies in a location proposed on property he owns that lies adjacent to his residential property.

The subject property consists of approximately 34.5 acres, located at 664 Red Valley Road [SR 657], a public road in the north central portion of the County near the intersection of Bonbrook Mill Road [SR 635]. The subject parcel and many of the surrounding parcels are partly wooded lands in agricultural use with scattered rural residences and pasture. The property is diagonally divided by Bonbrook Mill Road, and the Layman residence is located on the portion that lies near the northeast corner of Bonbrook Mill Rd and Red Valley Road, about 1350 feet to the southeast of the proposed use. There is a cellular communications tower located on a separate parcel in the interior of the tract. The tower is accessed by a gravel road with an entrance on Red Valley Road and is buffered on three sides by mature woodland. The proposed storage building and fenced compound would be located on the only remaining open area adjacent to the cell tower, which is directly to the west. The nearest residence to the proposed use is located about six hundred fifty feet (650') to the northeast of the site (6625 Bonbrook Mill Rd) and is buffered from that area by woodlands.

Layman Electric and Plumbing is a family business operated by Mr Layman with his sons. The applicant intends to use the proposed 5,000 square foot structure to store electrical and plumbing equipment, tools, and supplies, and will park his vehicles in the proposed fenced 1-acre area. Currently all of these are stored at the Layman residence on Red Valley Road. The use will require a minor site plan to be approved in order to designate parking and storage areas for vehicles and equipment, and to facilitate review for other county agencies and departments for the proposed use.

A Special Use Permit was granted in August 2001 to US Cellular for the cell tower (see Final Order for SPEC-U01-08-02, included in packet). As far as staff is able to determine there were no conditions of that approval that could affect the location of this facility. The driveway that provides access for the cell tower site also provides an entrance for the storage facility, and will require a VDOT review of the existing commercial entrance. However, initial reviews with VDOT appear to indicate that the property will be able to meet sight distance for a low-volume entrance. The proposal will also have to meet VDH approval for water and septic system requirements, Public Safety and Fire Marshall review and approval, and will require a building permit.

The use, as requested by the applicant, is considered a "Storage yard" under the provisions of Sec. 25-179 of the Franklin County Zoning Ordinance, which requires a Special Use Permit for properties within the A-1 zoning district.



SITE STATISTICS:

Location: Approx. one thousand feet (1000') northwest of the Red Valley Road and Bonbrook Mill Road intersection in the Boone District.

Size: 1 acre portion of +/- 34.5 acres

Site access: Public road

Existing Land Use: Agricultural

Surrounding Zoning: A-1

Adjoining Land Uses: Residential, Woodlands, Pasture

Adj. Future Land Uses: Agriculture Forestry/Rural Residential

SITE / AREA PHOTOGRAPHS



Looking west on Red Valley Road toward the existing entrance to the cell tower site (not visible but in area of yellow arrow).



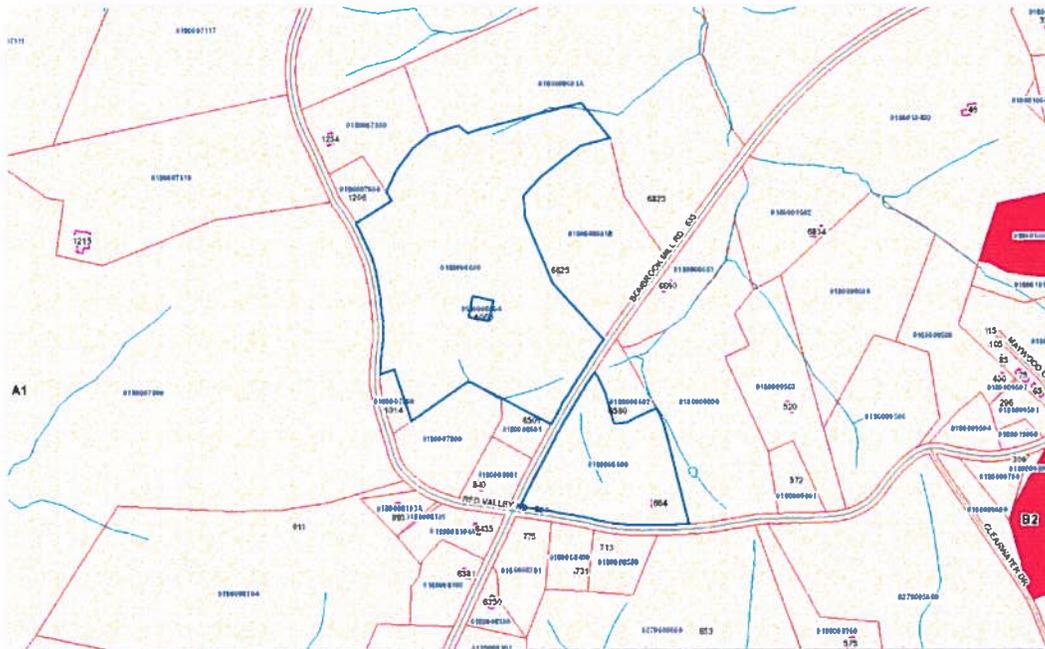
*Looking south on Bonbrook Mill Road toward the intersection with Red Valley Rd.
(A portion of the property is to the right).*

SITE / AREA MAPS





The location of the parcel where the Storage yard is proposed is shown outlined in blue.



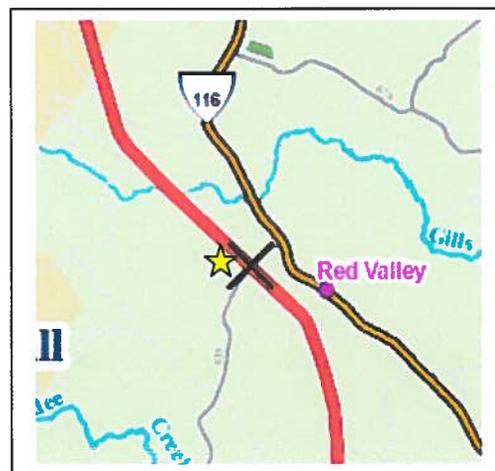
The surrounding zoning categories include A1 (Agricultural), with some B2 (Business District General) within a half-mile of the parcel

COMPREHENSIVE PLAN:

The 2025 Comprehensive Plan for Franklin County identifies this area as appropriate for Agriculture Forestry/Rural Residential uses. The current classification of the use falls into the Rural Residential portion of this designation. The Comprehensive Plan states the following related to Rural Residential areas:

Rural Residential

The rural areas of Franklin County outside of the built-up settlements will be a mix of agricultural and forestal uses interspersed with residential uses. Rural residential lots will support farm homes and individual single-family dwellings. Water and sewer typically will be provided by on-site well and septic systems. In general, development should be on side roads in order to preserve the open character





and safety of County roads by reducing the number of public access points. Developers or residents in these areas should not expect public facilities or utilities to be constructed for their benefit.

It should also be noted that the proposed site is just to the southwest of an area designated on the Future Land Use map as a possible interchange within the proposed I-73 corridor.

ZONING ORDINANCE:

Pursuant to Sec 25-179 of the Franklin County Zoning Ordinance, a Special Use Permit is required for approval of the use of a “Storage yard” in the A-1 Zoning District.

The Zoning Ordinance offers the following definition for “Storage yard”: *A space or place for storing materials that is unoccupied and unobstructed from the ground upward, except for the material being stored; provided, however than no material shall be stored within yards or setback areas required by other sections of this Zoning Ordinance.*

Special Use Permits are governed by the procedures and requirements set forth in Sec. 25-110, 25-111, and Sec 25-638 – 25-645 of the Franklin County Zoning Ordinance.

Sec. 25-638 of the Zoning Ordinance sets forth the County’s authority to issue special use permits for certain uses. The ordinance states that, in order to issue a special use permit, the Board of Supervisors must find that *“such use will not be of substantial detriment to adjacent property, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the purpose and intent of this chapter, with the uses permitted by-right in the zoning district, with additional regulations provided in sections 25-111 through 25-137, supplemental regulations, and amendments, of this chapter, and with the public health, safety, and general welfare.”*

Sec. 25-640 of the Zoning Ordinance sets forth the County’s authority to impose conditions for the issuance of special use permits. The ordinance states that the Board of Supervisors *“may impose upon any such permit such conditions relating to the use for which such permit is granted as it may deem necessary in the public interest...”* Conditions associated with a special use permit must be related to the particular land use which required the permit, and must be related to some impact generated by or associated with such land use.

Sec. 25-641 of the Zoning Ordinance states that a special use permit shall expire eighteen (18) months from the date of issuance if *“no commencement of use, structure or activity has taken place.”* The ordinance states that “commencement” shall consist of “extensive obligations or substantial expenditures in relation to the project,” including engineering, architectural design, land clearing, and/or construction.

ANALYSIS:

The request for Special Use Permit for a “Storage yard,” is generally consistent with the goals and objectives of the 2025 Comprehensive Plan, as stated in the Rural Residential



chapter. This request for Special Use Permit would not result in any increase in residential density.

The applicant has provided a Concept Plan that shows some attention toward mitigating any troublesome impacts of the proposed use. The Storage yard will be fenced, the applicant has proposed to plant trees on the south side that is visible from the road and is set back some distance from the public right-of-way. By locating the use directly adjacent to an existing cell tower site, it takes advantage of existing buffering that mitigates the tower site. In addition, the applicant plans to utilize the existing entrance so as not to increase traffic impacts or additional land disturbance.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public hearing in consideration of this request at its May 13, 2014, meeting. By vote of 5-0-2 (Mitchell, McGhee absent), the Planning Commission approved the following:

The Planning Commission recommends that the Board of Supervisors approve the request for Special Use Permit for a “Storage yard and associated storage building” with the following conditions:

1. *Substantial conformity. The site shall be developed in substantial conformity with the applicant's concept plan, entitled “Proposed Storage Bldg. + Yard,” and “Proposed Storage Building: Layman Electric and Plumbing,” which were prepared by the applicant and submitted along with the application for Special Use Permit.*
2. *Limitation of Use. The use “Storage yard and associated storage building” shall be limited to storage uses only. This use shall not be construed as allowing retail sales.*
3. *Outdoor activities limited. All activities shall take place within the proposed building and fenced compound shown on the proposed Concept Plan.*
4. *Outdoor storage limited. No tools, equipment, parts or supplies shall be stored outside of the proposed building or fenced compound as shown on the Concept Plan. Vehicles shall be parked within the fenced compound.*
5. *Site Plan required. This Special Use permit is subject to the review and approval of a Site Plan by the Department of Community Development, including any necessary reviews or approvals by the Virginia Department of Transportation and/or the Virginia Department of Health.*



SUGGESTED MOTIONS:

The following suggested motions are sample motions that may be used. They include language found in Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended.

- 1) (APPROVE) I find that the proposal will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare. Therefore I move to approve the petitioner's request for a Special Use Permit for "Storage yard," in accordance with Sec. 25-179 of the Zoning Ordinance, with conditions as recommended in the staff memorandum and by the Planning Commission.

OR

- 2) (DENY) I find that the proposal is of substantial detriment to adjacent property and that such use will not aid in the creation of a convenient, attractive, or harmonious community. Therefore I move to deny the request for the Special Use Permit.

OR

- 3) (DELAY ACTION) I find that the required information for the submitted petition is incomplete. Therefore I move to delay action until all necessary materials are submitted to the Board.

STATE OF VIRGINIA:

BEFORE THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY:

RECOMMENDATION:

A request for a Special Use Permit in the A1, Agricultural District for a "storage yard" and associated storage building, on a parcel consisting of approximately +/- 34.5 acres located at 664 Red Valley Road in the Boone District of Franklin County, identified and recorded as Tax Map # 18, Parcel # 86 in the Franklin County Real Estate Tax Records.

TO THE HONORABLE SUPERVISORS OF FRANKLIN COUNTY:

WHEREAS, the petitioner/**David A. Layman**; owners/**David A Layman and Judy B. Layman**, have filed with the Secretary of the Planning Commission a petition requesting a special use permit for a "storage yard" and associated storage building, for the property identified as Tax Map # 18, Parcel # 86; and

WHEREAS, the petition was entered into the record as Case # SPEC-4-14-12859; and

WHEREAS, the petition was referred to the Planning Commission on May 13, 2014, which after due legal notice as required by Section 15.2-2204 and Section 15.2-2205 of the Code of Virginia of 1950, as amended, a public hearing was held on May 13, 2014; and

WHEREAS, at that public hearing all parties in interest were afforded an opportunity to be heard; and

WHEREAS, the Planning Commission after due consideration, recommended that the special use permit referenced above be **APPROVED with the following conditions:**

1. Substantial conformity. The site shall be developed in substantial conformity with the applicant's concept plan, entitled "Proposed Storage Bldg. + Yard," and "Proposed Storage Building: Layman Electric and Plumbing," which were prepared by the applicant and submitted along with the application for Special Use Permit.
2. Limitation of Use. The use "Storage yard and associated storage building" shall be limited to storage uses only. This use shall not be construed as allowing retail sales.
3. Outdoor activities limited. All activities shall take place within the proposed building and fenced compound shown on the proposed Concept Plan.
4. Outdoor storage limited. No tools, equipment, parts or supplies shall be stored outside of the proposed building or fenced compound as shown on the Concept Plan. Vehicles shall be parked within the fenced compound.
5. Site Plan required. This Special Use permit is subject to the review and approval of a Site Plan by the Department of Community Development, including any necessary reviews or approvals by the Virginia Department of Transportation and/or the Virginia Department of Health.

NOW THEREFORE, be it resolved, that the Planning Commission recommends to the Franklin County Board of Supervisors that the above-referenced parcel(s) of land and the Petitioner/Owner(s), be granted the request for a Special Use Permit for a "storage yard" and

associated storage building in the A1, Agricultural District, subject to the conditions as outlined above.

The above action was adopted on the recommended motion of Mr. C. W. Doss, Jr., representative of the Blue Ridge District. The motion was seconded by, Mrs. Wendy Ralph, representative for the Union Hall District of Franklin County. The motion was approved as written above upon the following vote:

AYES: Law, Colby, Ralph, Doss, Webb

NAYES:

ABSTAIN:

ABSENT: McGhee, Mitchell

Bonnie D Shively Clerk
Franklin County Planning Commission

May 16, 2014 Date

- > Special use permit is effective immediately after action by the Board of Supervisors
- > Special use permits expire in 18 months if there is no commencement of the use or related activity

**FRANKLIN COUNTY
PETITION/APPLICATION FOR SPECIAL USE PERMIT
(Type or Print)**

I/We, David A. Layman, as Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Supervisors for a special use permit on the property as described below:

1. Petitioners Name: DAVID A. LAYMAN (LAYMAN Elect + Pllbg Inc)

2. Property Owner's Name: DAVID A. LAYMAN

Phone Number: 1-540-721-2046

Address: 664 Red Valley Rd.
Boones Mill, VA Zip: 24065

3. Exact Directions to Property from Rocky Mount: 220 North to Bonbrook Mill Road
on Right, proceed approx 6.5 miles to left on Red Valley Rd. to
cell tower on Rt. approx 1/4 mile

4. Tax Map and Parcel Number: 01800 Parcel # 08600

5. Magisterial District: Boone

6. Property Information:

A. Size of Property: 34.5 Acres

B. Existing Zoning: A1-Agricultural

C. Existing Land Use: yes

D. Is property located within any of the following overlay zoning districts:
 Corridor District Westlake Overlay District Smith Mountain Lake Surface District

E. Is any land submerged under water or part of a lake? Yes (No) If yes, explain.

7. Proposed Special Use Permit Information:

A. Proposed Land Use: Business Storage

B. Size of Proposed Use: Approx 1 Acre

C. Other Details of Proposed Use: Shop + Storage Yard

Checklist for completed items:

- _____ Application Form
- _____ Letter of Application
- _____ List of Adjoining Property Owners and Addresses
- _____ Concept Plan
- _____ Application Fee

I certify that this application for a special use permit and the information submitted herein is correct and accurate.

Petitioner's Name (Print): DAVID A. LAYMAN Pres. of

LAYMAN
Electric
PLBq.9n

Signature of Petitioner: David A. Layman

Date: April 4th 2014

Mailing Address: 664 Red Valley Road
Boones Mill VA. 24065

Telephone: 540-721-2046

Owner's consent, if petitioner is not property owner:

Owner's Name (Print): _____

Signature of Owner: _____

Date: _____

Date Received by Planning Staff: _____

Time: _____

Clerk's Initials: _____

CHECK #: _____

RECPT. #: _____

AMOUNT: _____

TO WHOM THIS MAY CONCERN,

This is a letter of application by David A Layman on behalf of Layman Electric & Plumbing to facilitate a storage building (50x 100) on a fenced lot approximately one acre to store equipment and materials essential to electric & plumbing contracting business. Retails sales will not originate from this facility.

There should be no direct affect on the surrounding areas. The reason for request is to move from residence to a separate location

Sincerely

David A Layman

David A Layman Pres. of Layman Elect & Plbg. Inc.



Approx 3/4 mi off Rt. 116

W

E

Franklin County, VA

Disclaimer: The information contained on this page is NOT to be construed or used as a survey or 'legal description'. Map information is believed to be accurate but accuracy is not guaranteed.

Parcels

Parcel ID: 0180008600
 Map: 01800
 Parcel: 08600
 Zoning: A1
 Owner: LAYMAN DAVID A OR JUDY B
 Owner address: 664 RED VALLEY ROAD
 City: BOONES MILL

Description 1: RT 635-BONBROOK MILL ROAD
 Description 2: RT 657-RED VALLEY ROAD
 Acres: 34.5043
 Land Value: 113800
 Building Value: 183900
 Sale Date: 8/12/2009

Deed book: 965
 Deed page: 2025
 Plat page: 0
 Instrument type: DG
 Instrument year: 2009
 Instrument number: 7260
 District: BN

S

Proposed Storage
Bldg. + Yard

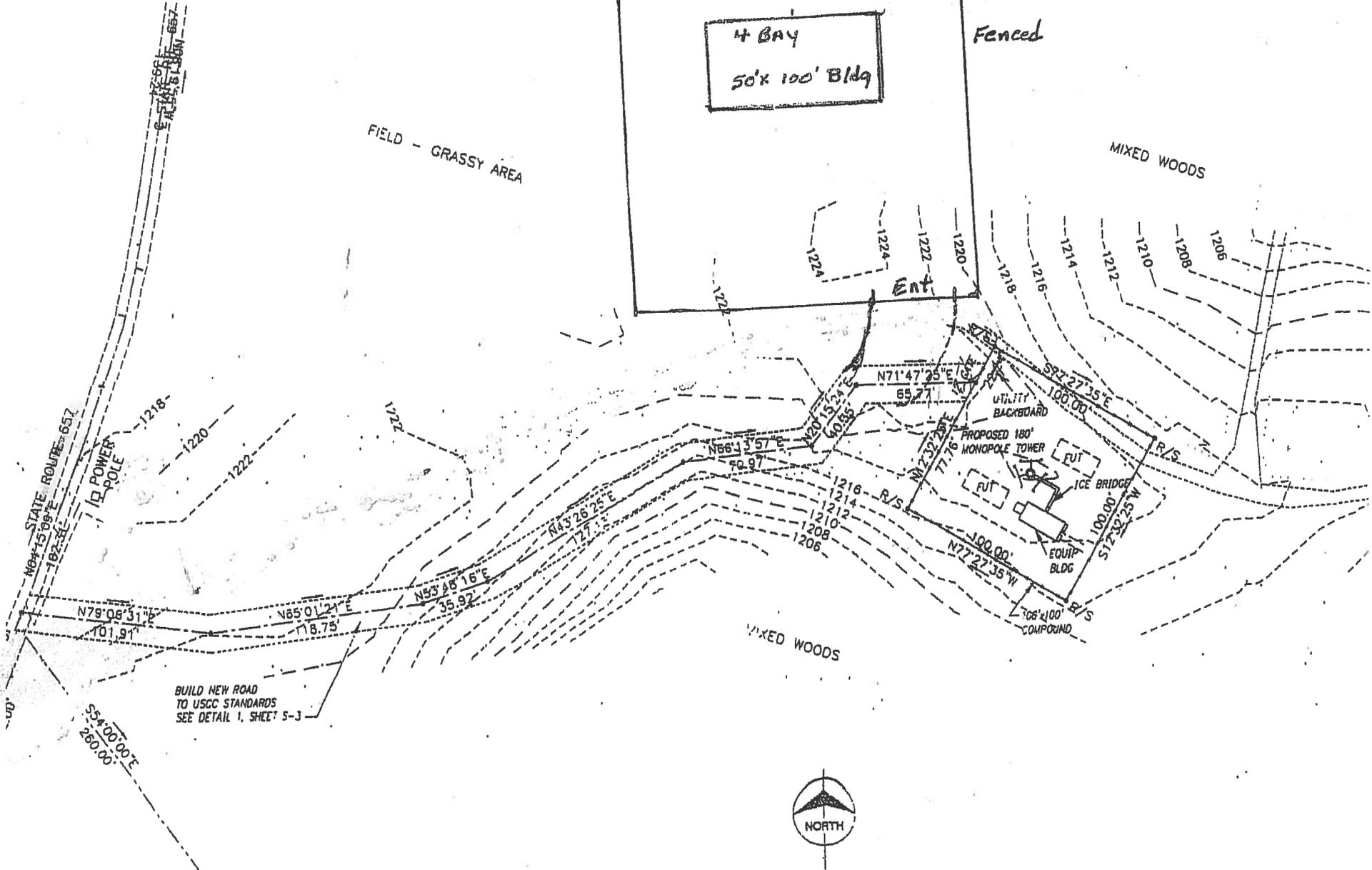
4 BAY

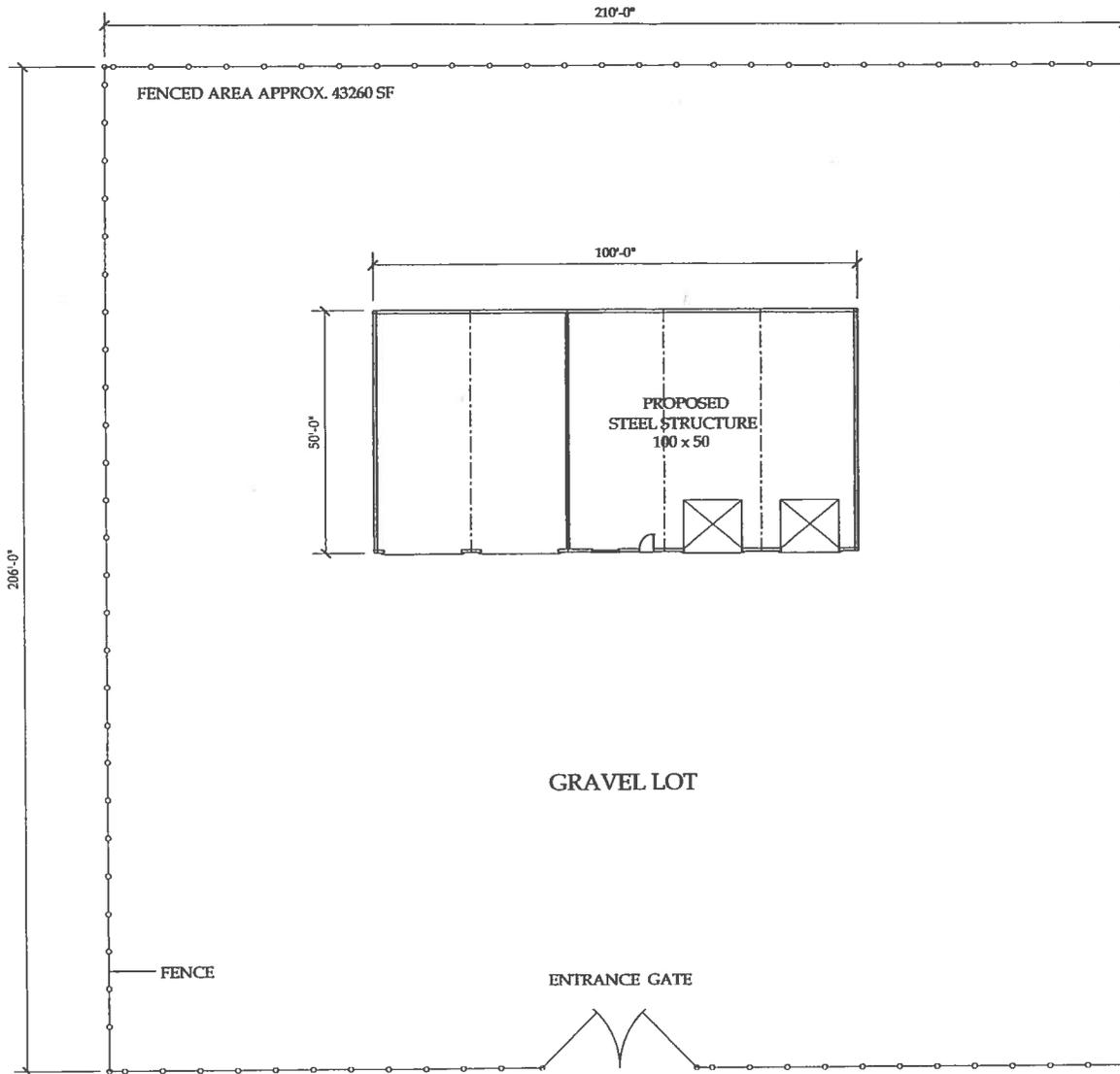
50' x 100' Bldg

Fenced

FIELD - GRASSY AREA

MIXED WOODS





No land needs to be cleared.

Driveway will be shared with existing cell tower drive.

Trees can be planted on south side as a buffer.

PROPOSED STORAGE BUILDING
LAYMAN ELECTRIC AND PLUMBING

NTS
5000 SF

ADJACENT PROPERTY OWNERS

Adjacent property owners are mailed a notice of the request. Please provide each owner's name and mailing address plus zip code for every property adjacent to the site and directly across from any public right-of-way adjoining the site. Names and addresses are available in the County Real Estate office in the Courthouse.

NAME: ^{Robin Hubbard} Sheldon Layman ADDRESS: 6823 Bonbrook Mill Rd
Lynn
 TAX MAP NUMBER: 0180008601 Boones Mill, VA 2
 NAME: ^{Robin Lynn} Sheldon Layman ADDRESS: 6823 Bonbrook Mill
Lynn
 TAX MAP NUMBER: 0180008601A Boones Mill, VA
 NAME: ^{sheri Ann} Steven Layman ADDRESS: 6690 Bonbrook Mill
DALF
 TAX MAP NUMBER: 0180008601B Boones Mill, VA
 NAME: ^{Perce} James Thomas & Irene B. ~~Perce~~ ADDRESS: 1234 Red Valley Rd
 TAX MAP NUMBER: 0180007500 Boones Mill, VA
 NAME: Monroe Lewis Green ADDRESS: 1206 Red Valley Rd
 TAX MAP NUMBER: 0180007600 Boones Mill, VA
 NAME: ^{Sudin} Charles A & Margaret Harper ADDRESS: 1014 Red Valley Rd
 TAX MAP NUMBER: 0180007700 Boones Mill, VA
 NAME: Meira Poindexter ADDRESS: c/o Beulah G. Harper
 TAX MAP NUMBER: 0180007800 2402 Red Valley Rd Boones Mill, VA
 NAME: ^{Lynn Hubbard} Sheldon & Robin Layman ADDRESS: 6823 Bonbrook Mill Rd
 TAX MAP NUMBER: 0180008602 Boones Mill, VA
 NAME: David A & Judy B Layman ADDRESS: 664 Red Valley Rd
 TAX MAP NUMBER: 0180008604 Boones Mill, VA 24065
Gordon Tina Jerry W
 NAME: Dillon Dillon Dillon ADDRESS: 2944 Baker Dr
 TAX MAP NUMBER: 0180009000 Vinton, VA
 NAME: ~~John R~~ & Suzan Meeten ADDRESS: 1215 Red Valley Rd
 Tax Map #: 0180007000 Boones Mill, VA 24065
 NAME: John M & Lindsey Hull 6400 840 Red Valley Rd.
 Map # 0180008001 Boones Mill, VA 24065
 NAME: Edward D & Theresa Bishop 775 Red Valley Rd.
 Map # 018000 8301 Boones Mill, VA
 (OVER)

NAME: Gloria Jean Green
map # 0180008400

address 951 Clearwater Dr.
Boones Mill, VA

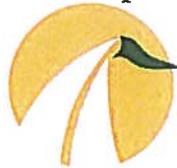
NAME: Christopher L. Cobbs
map # 0180008500

Address 713 Red Valley Rd.
Boones Mill, VA.

NAME: ~~Snyder~~ Holdings, LLC
map # 0270005600

Address 526 Anchor Dr
Moneta, VA

FRANKLIN COUNTY
Board of Supervisors



Franklin County
A Natural Setting for Opportunity

EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u></p> <p><i>AWARD OF COUNTY'S BANKING SERVICES July 1, 2014 and ending June 30, 2017</i></p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u></p> <p><i>AUTHORIZATION TO AWARD CONTRACT FOR COUNTY'S BANKING SERVICES July 1, 2014 and ending June 30, 2017</i></p> <p><u>STAFF CONTACT(S):</u> Messrs. Huff & Copenhaver, Mrs. Tudor & Mrs. Wray</p>	<p><u>AGENDA DATE:</u> June 17, 2014</p> <p><u>ITEM NUMBER:</u></p> <p><u>ACTION:</u></p> <p><u>CONSENT AGENDA:</u> YES</p> <p><u>ACTION:</u> YES</p> <p><u>ATTACHMENTS:</u></p> <p><u>REVIEWED BY:</u> RET</p> <p><u>INFORMATION:</u></p> <p><u>INFORMATION:</u></p>
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BACKGROUND:

On April 15, 2104, staff received authorization to solicit bids for the County's Banking Services for July 1, 2014 through June 30, 2017.

DISCUSSION:

The County received proposals from Carter Bank and Trust and SunTrust Bank.

Carter Bank and Trust did not propose any monthly service charges for processing checks, deposits or any other services the County may require of the bank. The interest rate the County would earn on the checking account balance will be based on the Prime Rate as quoted in the Wall Street Journal on the last day of each month minus 1 and 3/4%. The rate is subject to change on a monthly basis. Currently the rate is 1.50%. This is 1% reduction from the 2.50% rate the County currently receives and will result in a revenue shortfall of approximately \$411,729 in the FY14-15 budget.

The SunTrust proposal contains multiple fees for processing checks, deposits and other services and only offers an interest rate of 0.15%

RECOMMENDATION:

Staff respectfully requests the Board to award the Banking Services bid to Carter Bank & Trust for July 1, 2014 through June 30, 2017.

FRANKLIN COUNTY
Board of Supervisors



Franklin County
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EXECUTIVE SUMMARY

<p>AGENDA TITLE: POLICY REVISION: EMPLOYMENT TYPES POLICY #2.30.</p>	<p>AGENDA DATE: JUNE 17, 2014</p>
<p>SUBJECT/PROPOSAL/REQUEST REVISE SAID POLICY TO CHANGE THE HOURS OF A PART TIME EMPLOYEE TO LESS THAN 30 HOURS; AND CHANGE THE PROBATIONARY PERIOD FROM 6 – 9 MONTHS.</p>	<p>ITEM NUMBER:</p>
<p>STAFF CONTACT(S): Messrs, Mr. Huff ; Mr. Whitlow & Ms. Barnes</p>	<p>ACTION:</p> <p>CONSENT AGENDA: YES</p> <p>INFORMATION:</p> <p>ATTACHMENTS: YES</p> <p>REVIEWED BY: RSH</p>

BACKGROUND:

The number of part time employees has increased over the years as a cost effective method for flexibility in schedules and coverage. County department surveys indicated that some part time employees were working almost 37 hours a week and 37 ½ hours a week was considered full time. Staff surveyed part time hours classification in surrounding localities and the majority classified part time employees as working less than 30 hours a week. In addition to most localities, the Commonwealth of Virginia has further adopted such a revised part time policy definition accordingly. The County staff determined that in order to provide consistency for recruiting and benefits afforded to eligible part time employees, that part time hours should be changed from less than 37 ½ hours a week to less than 30 hours a week. Such a policy change was further recommended by Wells Fargo in a recent Board presentation. Part time employees working less than 20 hours a week would continue to be ineligible for part time benefits.

In reviewing the County’s personnel policies, staff further surveyed surrounding localities regarding their probationary period timeframes as some discussion was previously raised as to the need to extend the County’s current timeframe. The survey indicated that probationary periods ranged from 6 months to 12 months, depending on the type and/or level of the position. Due to the increasing complexity of County position functions and ever changing technology, the staff is recommending to extend the probationary period from 6 to 9 months. . This extended period will help employees learn more and become more comfortable in their new position, while assisting management to better determine whether such employee(s) are satisfactorily performing in their respective position.

DISCUSSION:

The recommended change in part time hours from less than 37 ½ hours a week to less than 30 hours a week is consistent with the changes in part time hours made in the Commonwealth of Virginia and surrounding localities. In addition, part time employees only have to work 20-29 hours a week to be eligible for ½ the benefits afforded full time employees for sick, vacation and holiday, which provides internal “benefit” equity.

Extending the probationary period provides additional training time needed for new employees to better understand their job functions and allows a longer period of time for the manager to evaluate the employees’ knowledge, skills and abilities in performing the job.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors to revise Policy # 2.30, Employment Types of the Human Resource Management Policies and Procedures Manual to reflect that the part-time status be classified as working less than 30 hours, and that the probationary period be extended from 6 to 9 months.

OBJECTIVE – The County will maintain standard definitions of employment and will classify employees in accordance with these definitions. To aid in continuity and ease of reading, masculine pronoun will be used throughout our policies to denote both male and female employees.

I. DEFINITION OF EMPLOYEE STATUS

A. Classified Employees – A classified employee is defined as any County employee.

B. Initial Probationary Period of Employment – This time period is for ~~six-nine~~ (69) months. Based on a satisfactory evaluation review, employee moves to regular status.

C. Regular – Employment in an approved budgeted full-time or part-time position which is meant to be part of the regular County work force.

D. Full-Time: Employment in an established position for not less than 37.5 hours per normal work week (Sunday 12:00 midnight to 11:59 PM Saturday)* and 52 weeks per fiscal year.

E. Part-Time: Employment in an established position requiring less than 37.530 hours per normal work week.

F. Salaried County Member: Employment as a member of the County Board of Supervisors which is paid on an annual salary basis.

G. Temporary: Employment in a position established for a specific period of time or for the duration of a specific project or group of assignments or employment as a substitute in the absence of the incumbent in a position classified as full-time or part-time for less than three (3) months.

**NOTE: Schedules other than those noted may be established by Department Heads provided that the alternate schedules are in writing and provided to the employees and to County Administration.*

II. EXTENT OF PARTICIPATION IN BENEFITS

A. Full-Time: Eligible to participate in all benefit programs.

B. Part-Time: Employees regularly scheduled to work 20 hours a week will pParticipate in prorated leave benefits, holidays ~~and~~ and after 5 years of service they can participate in a prorated portion of employer share of applicable medical. County employees hired prior to the implementation of this policy (i.e. October, 1985) and who received benefits, will not lose such benefits.

C. Temporary: Not eligible to participate in benefit programs.

D. Salaried County Board Member: Eligible to participate in all health and dental insurance programs.

~~Employees entitled to benefits will receive such benefits from the date of employment.~~

FRANKLIN COUNTY
Board of Supervisors



Franklin County
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EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Green Box Violation Fines</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u> Revise Green Box Violation Fines in County Code</p> <p><u>STRATEGIC PLAN FOCUS AREA:</u> County Government Services</p> <p><u>GOAL #4:</u> Develop and implement a system to insure that we extend the life of the landfill, considering education, recycling, and enforcement of non-County dumping policies.</p> <p><u>STAFF CONTACT(S):</u> Messrs. Huff, Whitlow, Smith</p>	<p><u>AGENDA DATE</u> June 17, 2014</p> <p><u>ITEM NUMBER:</u></p> <p><u>ACTION:</u> Yes</p> <p><u>CONSENT AGENDA:</u> <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u></p> <p><u>REVIEWED BY:</u> <i>REH</i></p>
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BACKGROUND:

Franklin County provides a free Green Box residential trash collection system for the County citizens. This system currently consists of 68 green box sites with 283 green boxes. 95 of these boxes are dumped twice a day. Despite having a daily cleanup crew staff has had a number of complaints from citizens about site conditions. This daily cleanup of material deposited on the ground as well as oversized material in the boxes cost approximately \$91,348 last year. Staff is receiving 20-25 illegally dumped tires at the landfill per day, whereby the County has to pay \$100 per ton to have such tires removed. Staff is cleaning up large brush piles dumped at the Green Box sites weekly. Boxes are filled with contractors' debris from both Franklin and neighboring counties. These items go from being revenues at the landfill gate to major expenses for county personnel to clean up and dispose. In addition to cleanup fees, contractor waste in the boxes (lumber) can be very damaging to the County's front load trucks (which cost approximately \$240,000 each). Chargeable landfill tons have decreased by 3535 tons (\$152,000) in the last fiscal year while green box tons have increased by 118 tons for the same period. Chapter 18 of the County Code (attached) addresses the appropriate disposal of solid waste, whereby violators of any such provisions shall constitute a Class 1 misdemeanor (fine up to \$2,500 or up to 12 months of jail confinement or both. Such violations could include non-household debris (i.e. construction waste, land clearing debris) being placed in the small green box containers. Out-of-county waste is not allowed period with a fine of \$35.

DISCUSSION

The County has had an increasing number of complaints from citizens about green box site conditions. As such, staff has worked the last several months to provide more cleanups of various sites, install additional warning signs, and has encouraged the Sheriff's Office to increase patrols.

The Sheriff's Office wrote several enforcement tickets at green box sites last year but the final court penalties were minimal. Recently \$2500 was appropriated to the Sheriff's Department from a DEQ Litter Grant to finance patrols for some of the green box sites. Scruggs and Windy Gap were specifically targeted as those are two of the biggest problem areas. As of June 6th, the Sheriff's Office reports that they recently put out an open assignment for off duty deputies to work dumpster detail whenever possible. As such, the Sheriff's Office reports they have written 1 Summons and 2 Warning Summons in the last two weeks. The Office further reports they have worked 2 dates for a total of 12 hours with no violations on those two dates in the last month.

In reviewing various adjoining County Codes, staff found varying degrees of penalties as several of the counties no longer have unmanned green box sites (i.e. Pittsylvania, Henry counties as attached). Henry County addresses out of county waste with a \$250 civil fine and prohibited commercial waste with a \$1000 civil fine. Pittsylvania County's sites are also monitored to prevent uncontrolled dumping but violators there can be charged with a Class III misdemeanor.

Solid waste disposal enforcement has been found to come in the form of criminal charges/fines (as currently adopted in Chapter 18 of the County Code) or with civil fines (as utilized in Henry County). Regardless of the enforcement method, history within Franklin County indicates a very small amount of summons or indictments being issued for violations to Chapter 18.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors discuss and offer guidance in addressing Chapter 18, Waste Disposal Regulations of the Franklin County Code.

Franklin County, Virginia, Code of Ordinances >> - CODE OF THE COUNTY >> Chapter 18 - SOLID WASTE >> ARTICLE I. IN GENERAL >>

ARTICLE I. IN GENERAL

Sec. 18-1. Definitions.

Sec. 18-2. Enforcement of chapter.

Sec. 18-3. Violations of chapter.

Sec. 18-4. Capacity of collection containers.

Sec. 18-5. Scavenging from collection containers.

Sec. 18-6. Deposit of dead animals in collection containers.

Sec. 18-7. Storage containers required.

Sec. 18-8. Specifications for storage containers.

Sec. 18-9. Interior of containers to be kept clean.

Sec. 18-10. Preparation for collection.

Sec. 18-11. Frequency of door-to-door collection.

Sec. 18-12. Collection vehicles to be covered.

Sec. 18-13. Certain waste to be separated and delivered to disposal site.

Sec. 18-14. Certain waste acceptable and nonacceptable for collection or disposal by county.

Sec. 18-15. Disposal fees.

Sec. 18-16. Unlawful disposal or storage generally.

Sec. 18-17. Littering.

Sec. 18-18. Unlawful disposal of out-of-county waste.

Secs. 18-19—18-30. Reserved.

Sec. 18-1. Definitions.

For the purposes of this chapter, the following words and terms shall have the meanings respectively ascribed to them by this section:

Abandoned material means any material that is:

- (1) Disposed of;
- (2) Burned or incinerated; or
- (3) Accumulated, stored or treated (but not recycled) before or instead of being abandoned by being disposed of, burned or incinerated.

Agricultural waste means all solid waste produced from farming operations or related commercial preparation of farm products for marketing.

Ashes means the residue resulting from the burning of wood, coke or other combustible material.

Collection container means the containers furnished by the county, its agency or a private agency approved by the county to collect, haul, transport or convey solid waste to an approved disposal site.

Commercial waste means all solid waste generated by establishments engaged in business operations other than manufacturing. This category includes, but is not limited to, solid waste resulting from the operation of stores, markets, office buildings, restaurants and shopping centers.

Compost means a stabilized organic produced by a controlled aerobic decomposition process in such a manner that the product can be handled, stored and/or applied to the land without adversely affecting public health or the environment. Composted sludge shall be as defined by the Virginia Sewerage Regulations.

Construction waste means solid waste which is produced or generated during construction of structures. Construction wastes consist of lumber, wire, sheetrock, broken brick, shingles, glass, pipes, concrete, and metal and plastics if the metal or plastics are a part of the materials of construction or empty containers for such materials. Paints, coatings, solvents, asbestos, any liquid, compressed gases or semiliquids and garbage are not construction wastes.

Debris waste means stumps, wood, brush and leaves from land clearing operations.

Demolition waste means that solid waste which is produced by the destruction of structures and their foundations and includes the same materials as construction wastes.

Discarded material means a material which is:

- (a) Abandoned material as defined in this section;
- (b) Recycled material as defined in this section; or
- (c) Considered inherently waste-like.

Disposal means the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste into or on any land or water so that such solid waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters.

Free liquids means liquids which readily separate from the solid portion of a waste under ambient temperature and pressure as determined by the Paint Filter Liquids Test, Method 9095, U.S. Environmental Protection Agency, Publication SW-846.

Garbage means readily putrescible discarded materials composed of animal, vegetable or other organic matter.

Hazardous waste means a "hazardous waste," as described by the Virginia Hazardous Waste Regulation or the EPA.

Household waste means any waste material, including garbage, trash and refuse, derived from households. Households include single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds and day-use recreation areas.

Inert waste means solid waste which is physically, chemically and biologically stable from further degradation and considered to be nonreactive. Inert wastes include rubble, concrete, broken bricks and blocks.

Infectious waste means solid wastes which contain pathogens with sufficient virulence and quantity so that exposure to the waste by a susceptible host could result in an infectious disease.

Institutional waste means all solid waste emanating from institutions such as, but not limited to, hospitals, nursing homes, orphanages, and public or private schools. It can include infectious waste from health care facilities and research facilities.

Municipal solid waste means that waste which is normally composed of residential, commercial and institutional solid waste.

Premises means land, a building or other structure, vehicle, watercraft, or parts thereof upon or in which solid waste is stored.

Putrescible waste means solid waste which contains material capable of being decomposed by micro-organisms.

Recycled material means a material which is used, reused or reclaimed.

Refuse means all solid waste products having the character of solids rather than liquids and which are composed wholly or partially of materials such as garbage, trash, rubbish, litter, residues from clean up of spills or contamination, or other discarded materials.

Residential waste means household waste.

Rubbish means combustible or slowly putrescible discarded materials which include, but are not limited to, trees, wood, leaves, trimmings from shrubs or trees, printed matter, plastic and paper products, grass, rags and other combustible or slowly putrescible materials not included under the term "garbage."

Scrap metal means bits and pieces of metal parts such as bars, rods, wire or metal pieces that may be combined together with bolts or soldering which are discarded material and can be recycled.

Sludge means any solid, semisolid or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant or air pollution control facility.

Solid waste means all solid waste, except body waste, and shall include garbage, ashes and rubbish.

Storage container means a container furnished by a household, institution or commercial establishment to store, haul, transport or convey solid waste to collection containers or an approved disposal site.

Trash means combustible and noncombustible discarded materials and is used interchangeably with the term rubbish.

White goods means any stoves, washers, hot water heaters, other large appliances.

(Code 1974, § 8-22; Res. of 6-19-89)

Sec. 18-2. Enforcement of chapter.

The county administrator, with the advice of the Virginia Department of Waste Management and the health department, shall be responsible for the enforcement of this chapter.

(Code 1974, § 8-35; Rev. of 6-19-89)

Sec. 18-3. Violations of chapter.

Unless otherwise specifically provided, a violation of any provision of this chapter shall constitute a Class 1 misdemeanor.

(Code 1974, § 8-34)

Cross reference— Penalty for Class 1 misdemeanor, § 1-11.

Sec. 18-4. Capacity of collection containers.

Collection containers for rural areas and commercial or industrial establishments shall be of four (4), six (6), eight (8), twenty (20), thirty (30), forty (40) and fifty (50) cubic yards capacity, as furnished or approved by the county or its agency.

(Code 1974, § 8-24; Res. of 8-31-87)

Sec. 18-5. Scavenging from collection containers.

It shall be unlawful for any person, except a duly authorized agent of the county, to remove from, sift through, sort out or recover from any collection container any of the contents of such container. Nothing herein shall prohibit any person from recovering or attempting to recover any item which that person may have inadvertently deposited in a collection container or any item which that person reasonably believes was lost in such container, but such recovery or attempted recovery shall not be in such manner as to violate section 18-17.

(Ord. of 2-16-82)

Sec. 18-6. Deposit of dead animals in collection containers.

It shall be unlawful for any person to deposit the body, refuse or remains, or any parts thereof, of any dead animal in any collection container.

(Res. of 8-31-87)

Cross reference— Burial or cremation of dead animals, § 4-8; depositing dead animal on road, § 4-9.

Sec. 18-7. Storage containers required.

Every person in the county having solid waste shall provide himself with storage containers meeting the requirements of section 18-8 and shall place and keep all solid waste therein, except as otherwise provided in this chapter.

Sec. 18-8. Specifications for storage containers.

Solid waste storage containers for door-to-door residential or commercial collection shall be of not more than 32-gallons' capacity, constructed of galvanized metal or plastic, and shall have a close-fitting lid with handle. Such containers shall be constructed with no inside baffles to facilitate the discharge of solid waste. The maximum weight of any one (1) such container shall not exceed forty (40) pounds. Storage containers previously used for the storage or containment of hazardous materials are not acceptable.

(Code 1974, § 8-25; Res. of 6-19-89)

Sec. 18-9. Interior of containers to be kept clean.

It shall be unlawful for any person to permit the accumulation or residues of liquids, solids or a combination of such material on the bottom or sides of collection containers or storage containers, it being the intention of this provision that the interior of such containers shall be kept clean by thorough rinsing and draining as often as necessary.

(Code 1974, §§ 8-24, 8-25)

Sec. 18-10. Preparation for collection.

- (a) Solid waste shall be prepared for collection as follows:
- (1) All solid waste shall be drained free of excess and harmful liquids before being placed in storage containers.
 - (2) Garbage shall be placed in paper bags, boxes or plastic bags prior to placing in collection containers.
 - (3) Rubbish shall be placed in approved storage containers, except as otherwise provided in this chapter.
- (b) The county administrator may require special preparation of solid waste which causes damage or excessive wear and tear on solid waste disposal equipment or which will present special hazards or problems in storage or disposal.

(Code 1974, § 8-23)

Sec. 18-11. Frequency of door-to-door collection.

In areas where door-to-door collection is authorized by the county, solid waste shall be collected once a week from residential premises. Motels, restaurants, institutions and commercial establishments may require more frequent collection, if determined by the board of supervisors, its agency or by the health department to be essential to protect the health of the public. Sanitary storage of solid waste may be required.

(Code 1974, § 8-27)

Sec. 18-12. Collection vehicles to be covered.

All vehicles used for the collection of solid waste shall have covered bodies or shall have enclosed cargo space. It shall be unlawful for any person to collect, haul, transport or convey refuse in open or uncovered vehicles.

(Code 1974, § 8-28)

Sec. 18-13. Certain waste to be separated and delivered to disposal site.

Solid waste such as stumps, trees, brush, lumber or lumber scraps, automobile or truck bodies or chassis, all tires and casings, old furniture, appliances and other objects of like or similar nature, infected or hazardous materials, metal objects, building materials (i.e., brick, sheet rock, concrete, etc.) are not allowed in small green box containers. No refuse of any kind may be placed around the outside of green box containers. Bulky and large loads must be taken to either the landfill or large container boxes (i.e., twenty-cubic-yard boxes and above).

(Code 1974, § 8-23; Res. of 8-31-87)

Sec. 18-14. Certain waste acceptable and nonacceptable for collection or disposal by county.

- (a) *Acceptable waste.* The following solid waste shall be considered acceptable for collection or disposal by the county:
- (1) Agricultural waste.
 - (2) Ash.
 - (3) Commercial waste.
 - (4) Compost.
 - (5) Construction waste.
 - (6) Debris.
 - (7) Demolition waste.
 - (8) Discarded material.
 - (9) Garbage.
 - (10) Household waste.
 - (11) Industrial waste meeting all criteria contained herein, and within the regulations set forth by the Virginia Department of Waste Management.
 - (12) Inert waste.
 - (13) Institutional waste except anatomical waste from health care facilities or infectious waste as specified in waste management board's regulations governing infectious waste.
 - (14) Municipal solid waste.
 - (15) Putrescible waste.
 - (16) Refuse.
 - (17) Residential waste.
 - (18) Rubbish.
 - (19) Scrap metal.
 - (20) Sludge.
 - (21) Trash.
 - (22) White goods.
 - (23) Nonregulated hazardous wastes by specific approval only.
- (b) *Nonacceptable waste.* The following solid waste shall be considered nonacceptable for collection or disposal by the county:
- (1) Free liquids of any kind.
 - (2) Regulated hazardous wastes.
 - (3) Solid wastes, residues or soils containing more than 1.0 parts per billion (ppb) of Dioxins.
 - (4) Solid wastes, residues or soils containing 50 parts per million (ppm) or more of PCB's.
 - (5) Unstabilized sewage sludge or sludges that have not be dewatered.
 - (6) Pesticide containers that have not been triple rinsed and crushed.
 - (7) Drums that are not empty, properly cleaned and opened at both ends.
 - (8) Waste oil that has not been adequately absorbed through site cleanup.

(Code 1974, § 8-30; Rev. of 6-19-89)

Sec. 18-15. Disposal fees.

- (a) Fees associated with the disposal of waste using county facilities will be established by resolution of the Franklin County Board of Supervisors. Adjustments in fees may be recommended from time-to-time by solid waste management staff to the board of supervisors for their consideration, based upon current circumstances. Any fee schedule adopted by the board of supervisors will indicate the date of adoption and the most recently adopted fee schedule shall be the prevailing charges for the items listed and approved.
- (b) The fees prescribed in this section shall be due and payable prior to the disposal of any solid waste enumerated above and shall be collected by the superintendent of the landfill prior to deposit at the landfill. Corporate and/or regular users of the landfill will be permitted to arrange a monthly payment procedure satisfactory to the county administrator.

(Ord. of 4-20-81; Ord. of 7-27-81, § E; Rev. of 6-19-89; Res. No. 29-06-90, 6-18-90; Res. No. 30-05-91, 5-28-91; Res. No. 19-04-94, 4-19-94)

Sec. 18-16. Unlawful disposal or storage generally.

- (a) It shall be unlawful for any person to dump, destroy or otherwise dispose of or abandon solid waste within the county, except at the county landfill or by other methods approved by the state health department.
- (b) The owner or occupant of any premises within the county shall be responsible for sanitary conditions of the premises occupied by him, and it shall be unlawful for any person to place, deposit or allow to be placed or deposited on his premises any solid waste, except as designated by the terms of this chapter.
- (c) It shall be specifically prohibited to place commercial and nonhousehold solid waste in a county-owned dumpster at all times.
- (d) It shall be specifically prohibited to place commercial and nonhousehold solid waste from another locality in a county-owned container and/or the Franklin County Landfill without prior written approval by the board of supervisors.

(Code 1974, §§ 8-31, 8-33; Ord. of 3-17-86; Rev. of 6-19-89)

Sec. 18-17. Littering.

- (a) It shall be unlawful for any person to dump or otherwise dispose of any solid waste or other unsightly matter on a public highway, right-of-way, property adjacent to such highway or right-of-way, on any other public property or on private property, into and/or on a stream, lake or body of water without the written consent of the owner thereof or his agent.
- (b) When any person is arrested for a violation of this section, and the matter alleged to have been dumped or disposed of has been ejected from a motor vehicle, the arresting officer may comply with the provisions of section 46.2-936 of the Code of Virginia in making such arrest.
- (c) When a violation of the provisions of this section has been observed by any person and the matter dumped or disposed of has been ejected from a motor vehicle, boat and/or other method or means, the owner or operator of such motor vehicle, boat and/or method or means shall be presumed to be the person ejecting such matter; provided, however, that such presumption shall be rebuttable by competent evidence.

(Code 1974, §§ 8-26, 8-33; Rev. of 6-19-89)

Cross reference— *Deposit of injurious or hazardous substances on highway, § 11-10.*

State law reference— *Similar provisions and authority of county to adopt above section, Code of Virginia, §§ 10.1-2107, 10.1-2108, 10.1-2110, 33.1-346.*

Sec. 18-18. Unlawful disposal of out-of-county waste.

- (a) No person shall deposit or cause to be deposited solid waste within any disposal container located at a "convenience area" or "green box" site or other location maintained by Franklin County except those persons who own or tenants living on real property in Franklin County depositing waste as permitted under this chapter. The board of supervisors may authorize any person or persons to have use of county collection facilities by resolution subject to those terms and conditions stated in any such resolution. Any such resolution may provide for the issuance of a permit or permits to authorize the use of these sites.
- (b) The penalty for a violation of this section shall be a fine of thirty-five dollars (\$35.00) plus court costs.

(Ord. of 5-18-95)

Secs. 18-19—18-30. Reserved.

Henry County

Sec. 10-205. Use, limits to use, prohibition.

The solid waste depositories or receptacles owned and maintained by the County are for the exclusive use of residents of Henry County for waste originating in Henry County. It is for household waste, not commercial, industrial waste, or construction debris. Residents of other localities are prohibited from disposing of garbage and other solid waste originating from outside Henry County.

(Ord of 10-29-02 Ord. of 10-26-04)

Sec. 10-206. Penalties for unauthorized use.

Any person or business entity found to be in violation of the prohibitions set forth herein shall be subject to the following penalties:

- A. Household waste not originating in Henry County disposed of by a private citizen.

First Offense:	Civil Penalty	\$250.00
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- B. Commercial, industrial waste, or construction debris disposed of in household waste sites.

First Offense:	Civil Penalty	\$1,000.00
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The sentence imposed pursuant to subsections A. and B. of this section shall not be suspended in whole or in part.

Any subsequent offense by any person found in violation of the prohibitions herein shall be deemed willful violations of the code and as such, shall be prosecuted as a Class I misdemeanor and shall be punishable by up to twelve (12) months in jail, a fine of no more than two thousand five hundred dollars (\$2,500.00), either or both.

(Ord of 10-29-02 Ord of 6-24-03; Ord of 12-15-03, Ord of 10-26-04)

Sec. 10-207. Payment of penalties.

Any civil penalty levied under section 10-206 above shall be remitted within thirty (30) days of violation to the Henry County Treasurer. Fines levied by any court hereunder shall be collected and disbursed in accordance with established procedures.

(Ord of 10-29-02)

Affidavit of Vacancy. The Affidavit of Vacancy form shall be provided by the Pittsylvania County Commissioner of Revenue's Office. The Affidavit of Vacancy shall be perpetual and continuing in nature. If there is no change in occupancy of a vacant unit/residence, rental or non-rental, the Affidavit of Vacancy does not have to be submitted/resubmitted annually. If a previously vacant unit/residence, rental or non-rental, becomes occupied, the owner of said property shall notify the Commissioner of Revenue's Office within thirty (30) days of said change in occupancy. Any misstatement, falsehood, or misrepresentation on the Affidavit of Vacancy shall be deemed fraud, prosecuted by the appropriate County entity to the fullest extent of the law, and may subject the Affiant(s) to criminal/civil penalties, fines, and incarceration. Failure to notify the Commissioner of Revenue's Office within thirty (30) days of occupation of a unit/residence, rental or non-rental, shall be deemed fraud, prosecuted by the appropriate County entity to the fullest extent of the law, and may subject the owner of the property to criminal/civil penalties, fines, payment of back Solid Waste Disposal fees and interest, and incarceration. For all rental and non-rental property, said fee shall be pro-rated if verification of residency, via a notarized Affidavit of Vacancy filed with the Commissioner of Revenue's Office, is less than twelve (12) months. (B.S.M. 10/7/13)

SEC. 17-20. SOLID WASTE DISPOSAL REGULATIONS; SCAVENGING; OWNERSHIP OF SOLID WASTE.

It shall be unlawful to dump, destroy, or otherwise dispose of solid waste within the jurisdictional limits of the County of Pittsylvania, Virginia, except at approved and designated solid waste disposal facilities, subject to the following limitations and conditions:

- A. Only household trash, residential waste, and compactable refuse shall be deposited at solid waste convenience centers.
- B. No business, industrial, construction, demolition, medical, automotive, yard or landscaping, or commercial waste shall be deposited at solid waste convenience centers.
- C. No solid waste shall be deposited at solid waste convenience centers by non-County residents, except as provided or by local, state, or federal anti-littering programs.
- D. Unless subject to a special contract approved by the Pittsylvania County Board of Supervisors, no solid waste generated or originating from outside of the County shall be deposited in the Landfill.
- E. The following items shall also not be deposited at solid waste convenience centers:
 - 1.) Explosives, gasoline, kerosene, and waste oil.

- 2.) Furniture or other bulky residential items that will not fit into a compactor chamber.
 - 3.) Dead animals.
 - 4.) Materials which constitute a hazard to personnel handling solid waste or to the public.
- F. It shall be unlawful to scavenge or attempt to salvage materials from waste delivered to or deposited at a convenience center site or the Landfill.
- G. Upon delivery of solid waste to an approved disposal site, all rights of ownership and exclusive possession to lawfully deposited solid waste shall vest in Pittsylvania County.

SEC. 17-21. VIOLATIONS OF CHAPTER.

A violation of the provisions of this Article shall constitute a Class 3 misdemeanor. Each day's continuance of a violation of this Ordinance is considered to be a separate offense. (B.S.M.10/7/13)

SEC. 17-22. SEVERABILITY.

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Adopted by the Board of Supervisors May 7, 2012.

Amended by the Board of Supervisors March 19, 2013.

Amended by the Board of Supervisors June 18, 2013.

Amended by the Board of Supervisors October 7, 2013.