

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, JANUARY 15TH, 2008, AT 1:30 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM IN THE COUNTY COURTHOUSE.

THERE WERE PRESENT: Charles Wagner, Chairman
Leland Mitchell
David Hurt
David Cundiff
Russ Johnson
Bobby Thompson

ABSENT: Wayne Angell, Vice-Chairman

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

Chairman Charles Wagner called the meeting to order.

Invocation was given by Supervisor Bobby Thompson.

Pledge of Allegiance was led by Supervisor David Cundiff.

PUBLIC COMMENT:

Tracy Lee – Special Education

Good Afternoon. Let me first introduce myself. My name is Tracy Lee. I am speaking on behalf of the families and friends you see here today. We are all Franklin County residents. Most, like myself have been a Franklin County resident all of our lives.

I have been recently distressed by the inadequate education offered by Franklin Co. public schools to children with special needs. The majority of the parents here today have a child with autism. Let me give you a brief education in autism. Autism affects every 1 out of 150 children. 1 in 94 boys. The diagnosis of autism means that a child has a delay in 3 key areas. Those areas are speech, sensory issues and proper social interactions with others. Autism is the fastest growing epidemic we have in the United States. It out ranks diabetes and even cancer. There is no known "cure" for autism. The only treatment we have as parents of a child with autism is behavioral therapies, along with speech and occupational therapy. We have no magic pill to help our children.

We as parents and friends, are here today to request your attention and reaction. We must develop a more specific child based program in our local Special Education Program offered at all levels but especially at the preschool level. Pre-school is a key time frame to learn and develop the necessary tools for all special needs children. They need to be exposed daily to the proper scientifically research based interventions that are appropriate for that particular child. At this time others and myself see that our special needs children are being segregated. There is no full inclusion class offered to our preschoolers until the age of 4 years old. Most school systems address their needs at 2 years old. You might think that just 2 years is not a significant time frame but for our children with autism and other special needs its 2 years out of their short life that they could be developing the proper skills necessary to be successful in their future.

At this time we have been met with great resistance to get the proper services needed for our children. We request that you as our elected officials look seriously at this significant need. Our special Education program needs an education in offering the appropriate services to each and every child in Franklin County.

Franklin County is growing and changing at a rapid rate. If we want to entice potential new businesses that can bring economic growth to our area wouldn't it be a huge plus to have a top-notch education program for them to look at? This is to everyone's advantage for our special education program to be updated. But the biggest plus will go to our children who have parents and friends here today. Everyone hold up your pictures. These are the faces of Franklin County. These children are our future. These are your responsibility as well as our own.

So what will it take to have change? We are prepared to do whatever it takes to see this through.

Thank you very much for your time and attention today. I truly appreciate you hearing our words and thanks to all the families who took time out of their day to be here and represent the children who have no words of their own.

CONSENT AGENDA

APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR – NOVEMBER 20TH, 27TH, DECEMBER 20TH, 2007 & JANUARY 2ND 2008

APPROPRIATIONS:

<u>DEPARTMENT</u>	<u>PURPOSE</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Public Safety	RSAF Grant	3505- 7001	44,500.00
Parks and Recreation	Vending Machine Deposits	7102- 5809	1,329.00
E911	Regional VOIP Project	3000-035-	497,000.00
		0154-3002	
E911	Sale of Radio Equipment to Ferrum	3000-035	15,606.60
	College	0034-7001	
Animal Control	Donations Received to Date	3502- 5413	7,656.00
Clerk of Court	State Technology Trust Funds	2106- 7003	199,000.00
Sheriff	Domestic Violence Grant	3105- 1001	36,086.00
Total			<u>801,177.60</u>

Transfers Between Departments

None

COMPREHESIVE ECONOMIC DEVELOPMENT DOCUMENT

The US Economic Development Administration (EDA) requires that community’s wishing to seek EDA grants submit an annual list of economic development projects. In order to be eligible for EDA grants, the County’s elected body must approve and submit a list of economic development projects to the EDA annually. Action by the Board on this project list will ensure that the County may seek EDA grants. Projects on this list are ranked in three categories:

- I. Those construction or implementation projects that are in advanced stages of planning or ready to go.
- II. Construction or implementation projects in the formative stages of planning and which are not otherwise proceeding towards immediate implementation.
- III. Non-construction projects of special economic development purpose that may include special issue studies, basic data collection and analysis, feasibility studies, and technical assistance projects.

Approval of projects on this list does not commit the County to funding their completion. The list is intended to serve as a catch-all for projects that may be undertaken in 2008. Staff developed the list based on the approved capital planning previously adopted by the Board.

The proposed CEDS list is below.

Project	Priority	Description	Funding Source	Amount	Total	No. of Jobs
Franklin/Rocky Mount Ind. Park	1	Extension of industrial access, water and sewer, site improvements, and rail spur to serve expansion of existing park	EDA Local/GO Bonds Rail Access Fund	\$1,000,000 \$350,000 \$300,000	\$1,500,000	250-300
Ferrum Water System Improvements	1	Water system infrastructure improvements	USDA – RD Grant USDA – RD Loan Tobacco Commission Local			
Public Water System Development	1	Phased construction of basic water system infrastructure (Phases I & II)	USDA – RD Local	\$5,367,800 \$100,000	\$5,467,800	300

Park System Improvements	1	Improvements to Smith Mountain Lake, Waid, Gilley's, County Recreation, East County, Windy Gap, Brubaker, Lynch, and community park sites.	DCR Local VDOT	\$150,000 \$3,000,000 \$400,000	\$3,550,000	N/A
Ferrum Downtown Improvement	1	Develop sidewalks, railroad pedestrian bridge	TEA-21 VDOT Local	\$300,000 \$190,000 \$76,835	\$566,835	20-30
Commerce Center Land Purchase	1	Purchase remaining land under option	Local	\$905,109	\$905,109	500+
Commerce Center Site Improvements	1	Grading, site development, development of package-type treatment facility	CDBG/EDA Local	\$543,840 \$105,960	\$649,800	500+
Public Water Withdrawal Studies	1	Develop PER for water plant and prepare permit withdrawal application, purchase plant site	EPA/STAG Local	\$200,000 \$613,740	\$813,740	N/A
SML Water Withdrawal Intake	1	Construction of water withdrawal plant	EDA USDA - RD	\$473,440 \$1,893,760	\$2,367,200	N/A
Future County Regional Commerce Park	1	Acquisition of new commercial park in north County. Development, initial site grade work, roads, infrastructure. 200-500 acres	USDA - RD EDA Local Tobacco Comm.	\$500,000 \$500,000 \$2,000,000 \$1,000,000	\$4,000,000 +	500+
County Trail System	1	Development of trail system per adopted County Trail Plan	DCR Tobacco Comm. VDOT Local	\$150,000 \$100,000 \$200,000 \$100,000	\$550,000	N/A
Business Development Center	2	Development of an incubator center to spawn small business development in the County.	EDA DCHD Tobacco Comm. Local	\$1,000,000 \$250,000 \$250,000 \$500,000	\$100,000	50+
Public Water System - Phase III	2	Continuing phased development of county water system infrastructure	USDA - RD Local	\$24,085,590 \$400,000	\$24,485,590	N/A
Virtual Building	2	20,000 sf virtual building for Commerce Park	Tobacco VEDP Local	\$20,000 \$10,000 \$10,000	\$40,000	100+
New Business Park	3	Begin site study and evaluation for development of a new 500 acre Industrial/Business Park for Franklin County	Tobacco Local USDA - RD	\$40,000 \$50,000 \$25,000	\$115,000	1000
Community Center - Multi-purpose Center	3	Feasibility and Needs Analysis for Multi-Purpose Community Center to serve Rocky Mount and Franklin County	DCHD Local	\$25,000 \$25,000	\$50,000	10-20
Tourism Enhancement Program	3	Produce a research and marketing initiative to promote Franklin County as a tourist destination in conjunction with the Crooked Road, VTC, and Southside Tourism Initiative	EDA Local	\$25,000 \$20,000	\$45,000	N/A
Last-Mile Broadband Expansion	3	Study and implement a last-mile solution to provide County businesses and consumers fast, accessible, and affordable telecomm service	EDA Local State	\$25,000 \$25,000 \$25,000	\$75,000	100+
Village Development	3	Development of streetscape and pedestrian improvements for village centers	EDA Local DCHD	\$50,000 \$50,000 \$100,000	\$200,000	50+

RECOMMENDATION:

Review the list and direct the County Administrator to submit to the US Economic Development Administration for inclusion in the 2008 Economic Development Strategy.

SOLID WASTE COLLECTION TRUCK SOLICITATION FOR BIDS

The approved FY 2007-08 annual capital budget currently has funds available in the amount of \$191,524.00 to purchase a new solid waste collection truck. However, it is anticipated that bids may exceed \$200,000.00 due to vehicle demand, emission control standards and cost of materials. We will replace the 1993 Volvo with the new truck and use the 1995 for a spare backup truck.

We have seven (7) active collection trucks (including one (1) used for both garbage and recycling pickups). We use the vehicle about ten (10) years then assign them to backup for an additional three (3) to four (4) years. The one we need to move to backup now is a 1995 model Volvo that is one of our active collection trucks and has over 450,000/12481 hours showing on it. This equates to a usage life of sixteen (16) to seventeen (17) years. Mondays we operate seven (7) trucks. By keeping the 1993 and 1995 trucks in surplus we will operate with eight (8) trucks in our fleet providing the ability to perform routine maintenance and repairs.

RECOMMENDATION:

It is recommended that the Board of Supervisors authorize the County Administrator to advertise and accept bids for a new solid waste landfill truck. Bid results will be presented to the Board with a recommendation for the award of a purchase contract.

(RESOLUTION #15-01-2008)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the consent agenda items as presented above.

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

VDOT – SANDERLING SUBDIVISION

Tony Handy, Resident Administrator, VDOT, presented the Board with the following resolution for their consideration:

Sanderling Subdivision - Journey's End Road (Route 670)

RESOLUTION

WHEREAS, the street(s) described on the submitted Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Franklin County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the submitted Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Report of Changes in the Secondary System of State Highways

Project/Subdivision **Sanderling Subdivision**

Type Change to the Secondary System of State Highways: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: **New subdivision street**
Pursuant to Code of Virginia Statute: **§33.1-229**

Street Name and/or Route Number

► **Journey's End Road, State Route Number 1435**
Old Route Number: 0

- From: Route 670
To: Cul de Sac, a distance of: 0.15 miles.

Recordation Reference: DB 466 Pages 709-716

Right of Way width (feet) = 50

(RESOLUTION #16-01-2008)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned resolution as presented.

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

REQUEST TO CARRYOVER FROM LOCAL APPROPRIATION FROM FY'2006-2007 TO FY' 2007-2008 SCHOOL BUDGET

Lee Cheatham, Director of Business & Finance, shared with the Board the following request:

Revenues – Carryover – Local Appropriation from 2006-07 \$599,950.37

Proposed Expenditures:

- | | | |
|-----|---|---------------------|
| 1. | Repair / Replacement of Facia at FCHS
Tech B Building | \$ 11,025.00 |
| 2. | Callaway Elementary – Water System Upgrade
& Construction of 12' x 12' Brick Building | 64,500.00 |
| 3. | Dudley Elementary – Convert Computer Lab into
Regular Classroom and Purchase Wireless
Portable Computer Lab | 35,172.98 |
| 4. | Secure Channel Radios | 24,000.00 |
| 5. | Energy Funds – Transportations Fuel, Electrical
Services and Heating Fuel | 159,452.39 |
| 6. | Electronic Locks – Exterior Doors – FCHS
Ramsey Building | 36,000.00 |
| 7. | Electronic Locks – Exterior Doors – FCHS
Law Building | 32,000.00 |
| 8. | Upgraded Camera Systems for Maintenance
& Transportation | 18,800.00 |
| 9. | Replacement of Maintenance Dump Truck | 37,000.00 |
| 10. | Replacement of Maintenance Bucket Truck | 35,000.00 |
| 11. | Reserve to Purchase Activboards for Windy Gap | <u>147,000.00</u> |
| | Total Proposed Expenditures | <u>\$599,950.37</u> |

Richard E. Huff, II, County Administrator, stated the Franklin County Board of Supervisors has requested in past years that we submit a request for carryover appropriation of any school funds remaining unspent at the end of any fiscal year. \$599,950.37 remains unspent from the County appropriation to the School Board for fiscal year 2006-07. The Franklin County Board of Supervisors has approved the previous carryover requests for funds remaining at the end of the 1992-93 through the 2005-06 years.

In years past, the Franklin County School System has requested that the Board of Supervisors consider approving an additional appropriation to the Schools from local revenues that were unspent in the previous fiscal year. These funds have been used for various small projects including additional funds for increased fuel costs, security upgrades at various schools and minor maintenance needs.

The current request from the Franklin County Public Schools is submitted for the Board's review. None of the projects identified on the request were included on the Schools CIP request for 2007-2008.

RECOMMENDATION:

Staff respectfully requests the Board's consideration of these projects. \$2,660,000 was utilized from the County's reserve funds in the current year to balance the 2007-2008 County budget.

General discussion ensued.

(RESOLUTION #17-01-2008)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned list of local appropriations from FY' 2006-2007 to FY 2007-2008 budget as presented.

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

THE MOTION PASSES WITH A 5-1-0-1 VOTE.

MASTER FACILITY PLAN RECOMMENDATIONS FOR SCHOOL SYSTEM

Ed Schmidt, Fanning Howey, presented the following PowerPoint presentation for the Master Facility Plan Recommendations for the School System



Agenda

- Task
- Process
- Product
- Findings
- Recommendations
- Summary



Task

The Franklin County School Board has deemed it appropriate to undertake a Comprehensive Facilities Plan to determine how the district can best utilize its facilities over the next 10 years.



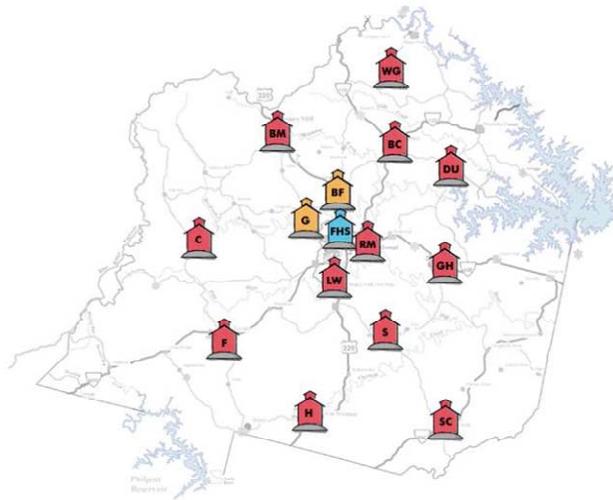
Task

- **Mission Statement**

The mission of the Franklin County Public Schools is to prepare students for future education and employment to enable them to participate as responsible family members and citizens of Franklin County and the world community. To accomplish this mission, the school system emphasizes instruction, technology and career choices.



Process





Product



Findings

- Facility Survey
- Demographic Analysis
- Facility Plan



Findings

- Facility Survey





Findings

- Demographic Analysis

	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08
Kindergarten	379	418	555	527	545	514	491	511	514	535	552	608	551
1st	569	623	749	712	700	706	709	693	690	737	755	766	708
2nd	515	590	688	632	647	637	656	650	630	659	659	657	673
3rd	600	617	688	611	627	650	619	668	653	700	618	645	643
4th	515	508	530	562	612	529	587	527	578	565	524	537	531
5th	565	537	523	523	504	607	520	588	547	555	569	538	541
6th	488	540	540	532	546	676	624	665	600	539	683	575	538
7th	538	499	562	568	516	448	590	611	567	552	544	508	505
8th	528	530	504	600	563	528	545	576	632	511	637	552	508
9th	554	601	609	671	660	624	664	661	725	791	744	716	653
10th	572	506	484	542	496	540	481	503	601	504	528	575	631
11th	435	447	418	425	452	429	485	451	440	463	471	496	470
12th	498	434	485	439	437	460	431	475	468	435	471	476	460
Phax	0	0	0	0	96	78	79	85	92	184	217	237	217
Enrollment	35	18	25	14	27	16	21	22	0	0	0	0	0
DISTRICT TOTAL	6,788	6,813	6,847	6,862	7,148	7,140	7,089	7,244	7,279	7,347	7,443	7,662	7,528
% Change		0.37%	0.50%	0.20%	4.10%	-0.11%	-0.72%	2.04%	0.48%	0.91%	1.31%	2.94%	-1.72%
% Change	0.81%	1.97%	0.22%	2.64%	0.59%	-0.57%	2.04%	0.36%	1.06%	1.31%	2.14%	0.90%	

	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Kindergarten	551	554	578	584	599	595	601	606	612	618	623
1st	608	614	634	638	655	611	617	623	628	634	640
2nd	571	612	575	588	603	600	615	621	627	633	639
3rd	542	567	597	562	571	590	595	601	607	613	619
4th	531	550	565	605	570	583	587	603	606	615	621
5th	604	548	584	611	612	578	587	604	610	616	622
6th	538	551	548	562	564	632	582	611	618	625	631
7th	604	548	581	572	572	624	603	603	622	629	635
8th	608	583	545	581	555	672	604	643	603	622	629
9th	663	612	657	649	668	661	681	718	700	717	740
10th	631	536	572	558	523	538	533	549	590	617	670
11th	495	496	466	468	496	486	484	477	486	513	546
12th	450	484	565	472	513	500	489	482	476	462	520
Phax	217	224	224	224	224	224	224	224	224	224	224
Enrollment	0	0	0	0	0	0	0	0	0	0	0
DISTRICT TOTAL	7,529	7,571	7,625	7,697	7,690	7,746	7,834	7,969	8,068	8,167	8,268
% Change		0.55%	0.71%	0.90%	-0.09%	0.72%	1.13%	1.62%	1.26%	1.23%	1.24%
% Change	0.56%	0.56%	0.71%	0.90%	-0.09%	0.72%	1.13%	1.62%	1.26%	1.23%	1.24%

	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	Change 2007-08
K-5th	3,319	3,253	3,300	3,333	3,350	3,358	3,211	3,345	3,226	3,261	3,254	3,350
6th-12th	488	540	540	632	546	576	624	565	600	536	583	576
Phax	1,067	1,105	1,090	1,119	1,090	1,120	1,130	1,137	1,138	1,193	1,193	1,128
En-12th	1,049	1,077	1,095	1,067	1,060	1,060	1,052	1,120	1,134	1,193	1,214	2,257
Enrollment	54	67	13	13	53	117	34	20	35	7	38	-6
% Change		25	8	-8	14	26	49	-28	28	-44	47	-29
Phax	-49	41	56	-21	-18	53	67	32	-28	-18	-34	37
En-12th	-23	19	-29	30	89	-14	68	14	59	31	83	-49



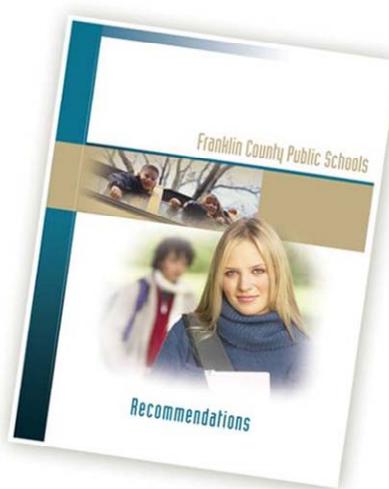
Findings

- Facility Plan



Recommendations

- Triggers
- Facilities
- Demographics
- Facility Plan





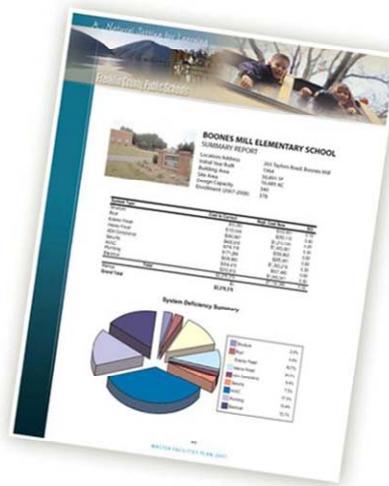
Recommendations

- Triggers
 - Replace vs. Correct ratio
 - 55% of replacement cost
 - Capacity vs. Enrollment ratio
 - At least two grade levels at 110% capacity
 - and, no grade level less than 90% capacity
 - Program Change
 - Implementation schedule



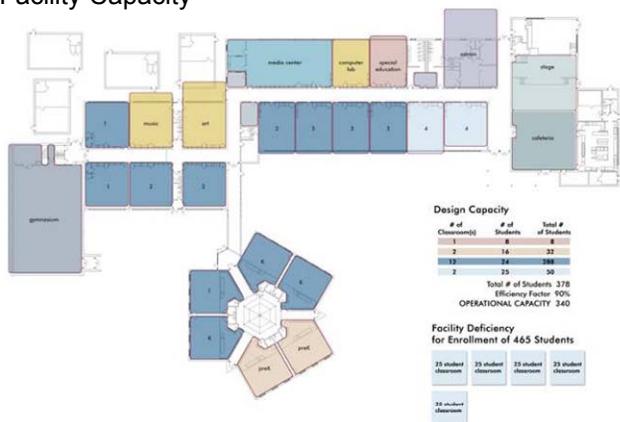
Recommendations

- Facility Condition



Recommendations

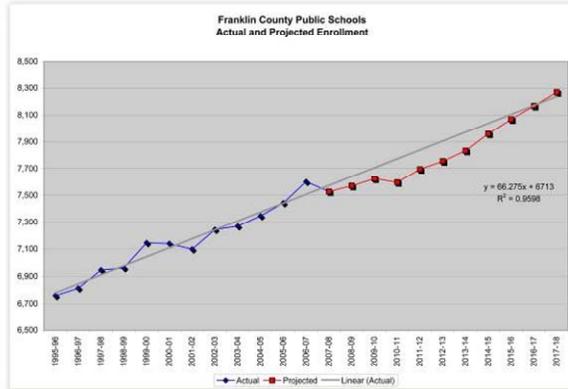
- Facility Capacity





Recommendations

- Demographic Analysis



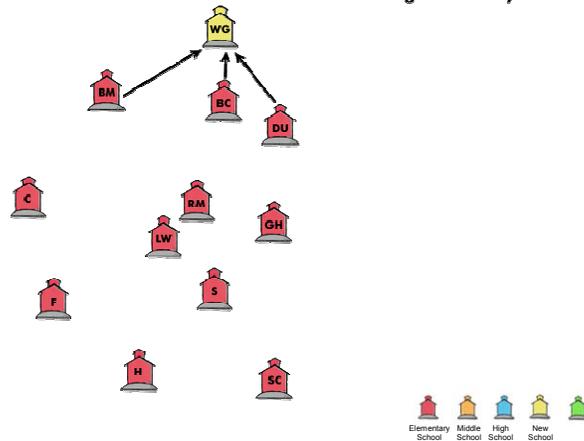
Recommendations - Facility Plan (Elementary Schools)

Issue	Recommendation	Implementation
Over Crowding	Adopt program to provide new teaching classrooms when justified by sustained enrollment levels – follow VA Ed guidelines	Construct new space – at targeted schools and/or add another elementary school in the Rocky Mount area and redistrict.
Use of Temporary Learning Cottages (TLC) as permanent solutions	Limit use of TLC allowing them only for temporary surges in enrollment	Continue to use TLC's and Art/Science Rms for classroom space for enrollment surges – not for sustained high levels. Follow trigger - indicators
Loss of Art / Science / Learning Resource Rooms	Re-commit to providing dedicated teaching classrooms for Music/Art and needed Resource Classroom spaces	
Site Safety / Building Security – Improvements are needed at most of the schools	Approve a safety/security program that also accomplishes needed ADA improvements as well	Obtain architectural and engineering services – Approve project(s)
Older building infrastructure is going out of date and Air Conditioning is not provided at most gyms and cafeterias	Provide all students and teachers with Air conditioned spaces	Complete the on-going program to provide AC in all gyms, cafeterias and corridors



Recommendations - Facility Plan (Elementary Schools)

Existing Elementary Schools





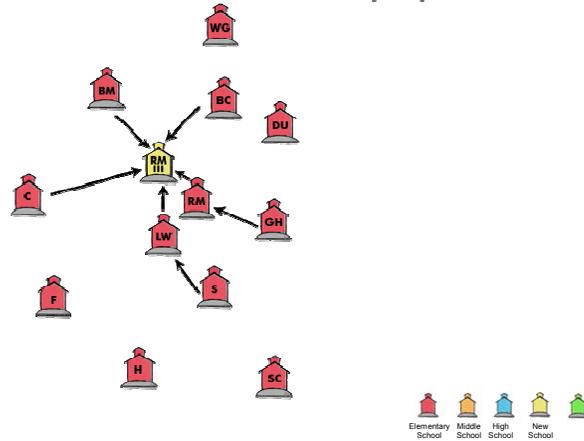
Recommendations - Facility Plan (Elementary Schools)

Demographic Activity



Recommendations - Facility Plan (Elementary Schools)

Long Range Recommendations



Recommendations - Facility Plan (Middle Schools)

Issue	Recommendation	Implementation
Over Crowding – Very serious at BFMS - West	Trigger has been met provide new space.	MS – HS Scenario No. 1 or MS – HS Scenario No. 2
Transition shock at grade level changes – disconnect with teachers and administrators	Re-align classes to traditional 6/7/8 school keep same teacher teams and administrators with students for the 3 yrs Look for ways to reduce the number of students per "grade" level at MS	MS – HS Scenario No. 1 or MS – HS Scenario No. 2
Loss of Learning Resource Rooms and over use of special spaces like gymnasium/cafeteria/special needs is seriously under served.	Re-commit to providing appropriate teaching spaces and environments including small group resource rooms.	MS – HS Scenario No. 1 or MS – HS Scenario No. 2
Gereau Center is limited to 8th grade and a few high school classes – has unused potential	Remove the distance issue Gereau Center into HS program	MS – HS Scenario No. 1 or MS – HS Scenario No. 2
Older building infrastructure and out-dated elements	Begin to look at updating worn out components	Integrate renovations into: MS – HS Scenario No. 1 or MS – HS Scenario No. 2

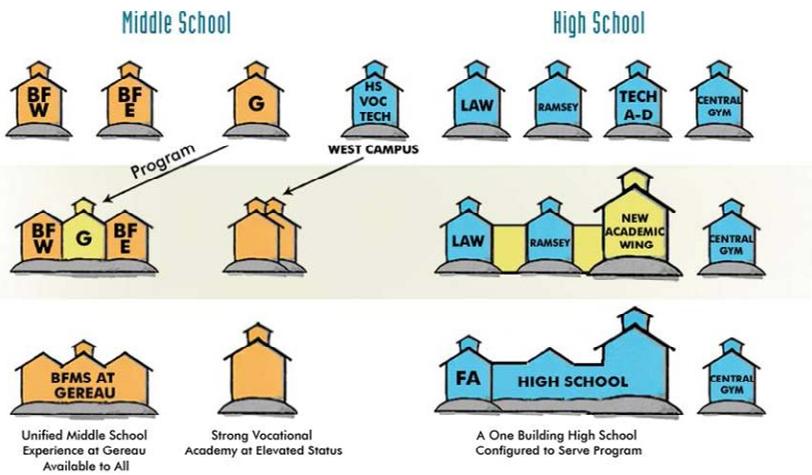


Recommendations - Facility Plan (High Schools)

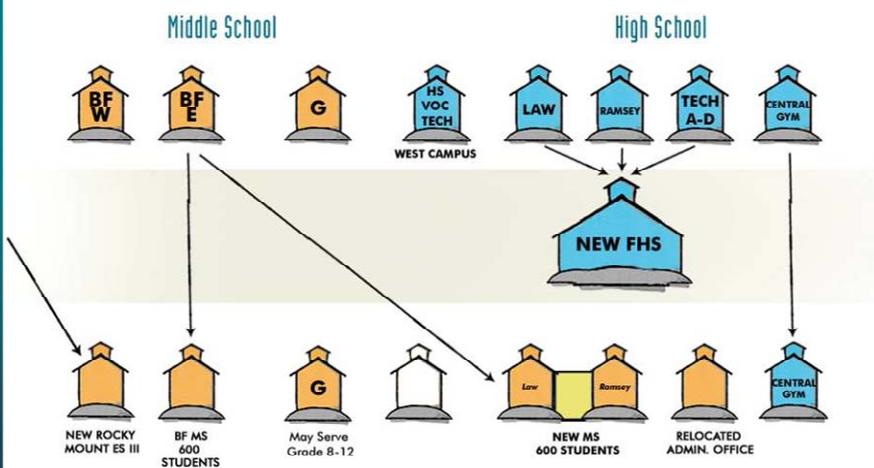
Issue	Recommendation	Implementation
Density	Add space - teaching spaces to reduce over crowded classes and provide scheduling options.	MS - HS Scenario No. 1 or MS - HS Scenario No. 2
Spaces do not support programs.	Provide spaces that support the programs.	MS - HS Scenario No. 1 or MS - HS Scenario No. 2
Student Support Logistics	Provide a school environment where all students get in and around the school safely and efficiently. Provide a locker to each student.	MS - HS Scenario No. 1 or MS - HS Scenario No. 2
Circulation Safety/Security	Remove the distance-to-class factor and the need to go outside and/or across the street to class Reduce exit and entry opportunities at the buildings	MS - HS Scenario No. 1 or MS - HS Scenario No. 2
Older building infrastructure and out-dated elements	Begin to look at updating worn out components	Integrate renovations into: MS - HS Scenario No. 1 or MS - HS Scenario No. 2



Recommendations - Facility Plan (Scenario 1)



Recommendations - Facility Plan (Scenario 2)





Summary

- As cost to maintain the school inventory increases, the cost to replace these facilities becomes inevitable:
 - Temporary classrooms should be replaced
- Even “slow steady” growth will cause overcrowding, capacity triggers must be monitored and followed:
 - Ben Franklin West has exceeded capacity and should be expanded or replaced
 - West Campus no longer has the capacity for the programs and should be replaced
- “... the school system emphasizes instruction, technology and career choices.”
 - The Gereau Center program should be co-located on the Middle School Campus
 - The High School should expand / replace the technology and career focused facilities



Further Considerations

“You are Land Locked”

- To Make this happen, seek to acquire property (hopefully) contiguous to the MS or HS properties

“You are Behind the Curve”

- Make a decision to follow recommendation scenario 1 or 2

A final report will be presented to the Board when it is complete.

SHERIFF’S OFFICE ORGANIZATIONAL CHANGE

Sheriff Ewell Hunt, stated the Franklin County Sheriff’s Office is a law enforcement agency with local jail and law enforcement responsibility.

It is incumbent upon the Sheriff’s Office to effectively provide safety and security while being fiscally responsible. In order to manage a law enforcement agency, it is necessary to have levels of supervision to facilitate all duties. It is the goal of the Sheriff’s Office to provide supervision at all times on all uniform shifts. All Deputies that are permanently assigned investigative duties within Criminal and Drug Investigations should be compensated equally within the pay grade parameters. In order to accomplish this, drug investigators should have the same pay grade as general investigators.

Effective January 31, 2008, a Sheriff’s Lieutenant position will be vacated as the result of retirement. This position would be replaced by a new road Deputy. The residual salary from the lower ranked position would be utilized to promote an existing employee to a uniform Sergeant and an existing drug investigator to Investigator pay grade position within the Sheriff’s Office. The funding of these positions has been confirmed through the County Finance Office and the State Compensation Board and found to be within the current salary budget with no new local funds needed.

General discussion ensued.

RECOMMENDATION:

Staff respectfully requests the Board authorize the restructuring of the above positions.

(RESOLUTION #18-01-2008)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the restructure as presented for the Sheriff's Supervisor Position.

MOTION BY: Russ Johnson
 SECONDED BY: Bobby Thompson
 VOTING ON THE MOTION WAS AS FOLLOWS:
 AYES: Mitchell, Hurt, Johnson, Thompson & Wagner
 NAYS: Cundiff
 ABSENT: Angell

PROPOSED AMENDMENTS TO CHAPTER 5: BUILDING CODE

Larry Moore, Assistant County Administrator, stated the last updated County adopted fee schedule was on June 18, 2002. Section 107 – of the Virginia Uniform Statewide Building Code grants authority for charging building permit fees. In accordance with Section 36-105 of the Code of Virginia, fees may be levied by the local governing body in order to defray the cost of the enforcement of the Virginia Statewide Building Code.

An analysis of building permit fees and expenditures of the Building Inspections Department shows an actual deficit of +\$88,000.00 for the fiscal year 2006-2007. The revised fee schedule and also some needed "house cleaning/clarification" for Chapter 5, Building Regulations of the Franklin County Code, is submitted and adoption of the proposed changes will bring the Building Inspections Department a step closer to being self supporting.

It is projected that the proposed fee recommendations will generate estimated additional fees of \$125,000.00/annually. This will cover current operating deficits and increased expenses due to the recent addition of staff as a result of County growth.

(See submitted points of discussion).

RECOMMENDATION:

Staff respectfully requests that the Board of Supervisors authorize the County Administrator to advertise for a public hearing in regard to the proposed amendments to Chapter 5, Building Regulations of the Franklin County Code (submitted).

As an option, the Board could delay the effective date of any changes until after the budget worksessions and hold the hearing as part of the budget public hearing in the event the possibility of other fees or taxes are recommended as part of the budget balancing strategy.

	Actual	Actual	Actual	Actual	Actual	Actual	Budget	Proposed Budget
	<u>2001-2002</u>	<u>2002-2003</u>	<u>2003-2004</u>	<u>2004-2005</u>	<u>2005-2006</u>	<u>2006-2007</u>	<u>2007-2008</u>	<u>2008-2009</u>
Building Permit Fees	254,971	372,892	381,793	439,204	475,012	364,764	415,000	564,400
Building Inspections Department	228,320	238,613	259,087	299,266	330,145	364,287	426,107	426,107
Indirect Costs Allocation	20,197	85,835	97,307	63,572	66,728	66,728	66,728	66,728
Capital: Vehicle Replacement	11,969	11,657	0	7,393	0	22,418	29,486	29,486
Total Expenditures	260,486	336,105	356,394	370,231	396,873	453,433	522,321	522,321
Difference in Revenues and Expenditures	(5,515)	36,787	25,399	68,973	78,139	(88,669)	(107,321)	42,079

Description	Existing Fees	Proposed Fees
Additions	When square footage is added to an existing building or structure, the fee shall be established as the same rate for the use group of the structure involved, and in no case less than the minimum fee for the use group.	
Plan Review fee	n/a	10% of building permit fee
All use groups other than Residential	\$0.11/sq ft.* \$50.00* minimum	\$0.15/sq ft.* \$65.00 * minimum
Alterations	\$5.00/\$1,000* \$50.00* minimum	\$10.00/\$1,000* \$65.00* minimum
Amusement Device	n/a	\$65.00*
Board of Building Code Appeals	n/a	\$250.00*
Boat Docks	\$0.11/sq ft.* \$50.00* minimum	\$0.15/sq ft.* \$65.00* minimum
Business Institutional Building Industrial Building & Assembly Building	\$0.11/sq ft.* \$50.00* minimum	\$0.15/sq ft.* \$65.00 * minimum
Commencing Work without a Permit Fee	n/a	A sum equal to twice the normal permit fee up to a maximum of \$2,500.00
Demolition	\$50.00*	\$65.00*
Distribution terminal and bulk plant facility license	\$150.00*	\$150.00*
Electrical - Change in Service 0 -400 amps 401 amps & over	\$50.00* \$75.00* + \$10.00/100 amps*	\$65.00* \$65.00* + \$10.00/100 amps*
Elevators	n/a	\$65.00*
Manufactured Homes Single-wide Double-wide Triple-wide	\$100.00* \$150.00* \$150.00*	\$200.00* \$150.00* \$250.00*
Mechanical 0-\$15,000.00 \$15,001.00 - up	\$50.00* \$50.00* + \$5.00*/\$1,000	\$65.00* \$65.00* + \$10.00*/\$1,000
Moving/Relocation	\$100.00*	\$100.00*
Permit Cancellation Fee (prior to commencement of inspection)	80% of original fee refunded	Refund of 100% fee less the administrative fee of \$65.00
Permit Renewal	\$50.00*	\$65.00 or 10% of the original permit, whichever is greater (to cover administrative costs) 1) Permit may be issued for 12 months per USBC 2) First permit issued before renewal - no charge 3) Future permits renewal fee applies

Plumbing	\$0.05 flat fee/sq ft.* \$40.00* minimum	\$10.00/\$1,000 minimum \$65.00*
Refunds for unexpired permits	80% of Permit Fee	In the case of revocation, abandonment or discontinuance; refunds for the portion of the work that was not completed will be made after written application to the Building Official. A minimum of \$65.00 retained.
Re-inspection Fee	\$25.00*	\$45.00*
Residential Buildings and Additions	\$0.11/sq ft.* \$50.00 * minimum	\$0.15/sq ft.* minimum \$65.00 *
Signs (with or without electricity)	\$50.00	\$65.00* flat fee
Storage Tanks 100 - 10,000 gallons 10,001 - 25,000 gallons 25,001 and over	\$50.00* \$75.00* \$125.00*	\$90.00* \$65.00* \$140.00*
Swimming Pool	\$50.00*	\$65.00*
Tent & Membrane structures over 900 sq ft	n/a	\$65.00*
Towers & Antennas	\$100.00*	\$100.00*
* State surcharge required by §36-139 of the Code of Virginia (1.75% currently) (Fee is rounded to the next dollar)		

Sign Permit Cost Comparison

<u>Locality</u>	<u>Sign Permit Fee</u>	<u>Costs per sq ft/value</u>	<u>Building Department Fee</u>
Franklin County	\$50.00 Permanent \$ 0.0 Temporary (>15 days)		Footer and/or Electric \$51.00
Bedford County included	\$25.00 up to 100 sq ft \$50.00 - 101 to 200 sq ft \$100.00 – 201 sq ft and above	no additional	electrical and structural in sign fee
Roanoke County	\$25.00 Permanent Sign \$25.00 Temporary Sign	\$4.00 per \$1,000 of sign value \$ 0.00	included in fee
Roanoke City	\$50.00 permanent \$30.00 temporary		\$45.00 for 1 st \$1,000 of sign Value \$ 5.00 for ea. Additional \$1,000 from \$1,000 - \$50,000 (same sliding scale as building review fees) \$35.00 flat fee temporary
Montgomery County	\$75.00		\$35.00 for electrical

Comparison permit fee on a 2000 sq. ft. residence
Estimated Cost

2,000 sq. ft. – living	\$300,000
2,000 sq. ft. – basement	
Electrical -	\$20,000
Plumbing -	\$20,000

Mechanical -

\$10,000

Salem City	(1)	\$1,656.00
Botetourt County	(2)	\$1,646.00
Roanoke City	(3)	\$1,229.00
Montgomery County	(4)	\$997.00
Roanoke County	(5)	\$937.00
Bedford County	(6)	\$772.00
Franklin County –current	(7)	\$448.00
Franklin County – <i>PROPOSED</i>		\$611.00
Henry	(8)	\$326.00

**Comparison Permit Fee on a 2000 sq. ft. Residence
Estimated Cost**

Points of Discussion

Amusement Device Permits:

Amusement device inspections are outsourced to a certified third party inspector. This fee is designed to cover administrative costs of issuing the permit and maintaining the inspection records.

Board of Building Code Appeals:

In the event that an applicant desires to use the Board of Building Code Appeals process, this fee applies. The fee is designed to defray the cost of the notification of affected parties, public notice, and the public hearing. This fee is similar to the one required for the Board of Zoning Appeals.

Commencing Work without a Building Permit:

Currently there are no fines or repercussions if building activity commences without the issuance of a building permit. At the present, if an individual commences work without the required permit, that individual obtains the building permit at the same rate as an individual who complies with the law. In an effort to prevent work from commencing without a building permit and to prevent the loss of resources associated with court proceedings, this measure is recommended.

Elevator Permit:

Elevator inspections are outsourced to a certified third party inspector. This fee is designed to cover the administrative costs of issuing the permit and maintaining the inspection records.

Plan Review Fee (for permits other than one and two family residential):

This fee is designed to defray the cost of plan reviews made by the department. Currently no fee is charged for reviews made by the department. All non-residential permits and residential permits including hotels, condominiums, apartments (all R1, R2, & R3), and similar structures would be subject to the plan review fee. Single family homes, duplexes, and townhouses under the parameters of the International Residential Code (R4 & R5) may not be subject to this fee.

Permit Cancellation Fee (prior to the commencement of work):

Currently an individual who decides to cancel a permit is subject to receiving 80% of the original fee. With minimum value permits, this leaves a balance of approximately ten dollars to cover the administrative process associated with both the issuance and voiding of the permit. The intent of this change is to retain sufficient funds to cover the administrative expenses incurred with all permits.

Permit Renewal:

The purpose of this change is to create an incentive for applicants to complete the work in a timely manner. These closed files will in most cases generate a Certificate of Occupancy or a Final Inspection at the completion of the required inspections. This Final Inspection Certificate

will be necessary for most future Real Estate transactions. Additionally, the closed files will reduce the area required for active permit storage. The department currently has approximately 7,000 active permits. The USBC allows permits to be extended at intervals not to exceed one year.

Note: The Energov software that was recently purchased for the Planning/ Zoning and Building Inspection Departments will be implemented in early 2008. Once implementation is completed, the software is able to provide notification to applicants when the permit approaches its expiration date.

Plumbing Permits:

The current county code assesses the plumbing permit fee based on an area calculation. This is the wrong method for determining the applicable permit fee. As a revision, the fee will be determined by an estimated cost of the proposed work.

Refunds (for active/unexpired permits):

This item applies to a building project that is started, but not completed and followed by a request for a refund. An administrative fee of \$65.00 will be retained for all active permits that are cancelled. An additional percentage of the permit fee will be retained once inspections have been made by the department. This amount will reflect the number of inspections performed by the Building Inspections department. A site visit may be necessary to determine the amount of the refund. This determination will be made by the Building Official.

Sign Permits:

A flat fee of \$65.00 will be collected for sign permits. This fee will be identical for signs with or without electricity (lighting).

Tent and Membrane Structures:

Tents and similar structures over 900 square feet are required by the USBC to have a building permit. The purpose of this permit is to ensure that the structure has the proper fire rated materials, fire extinguishers in required locations, and proper egress (emergency exits from the structure).

New Chapter 5 Proposal

Wording with strike through – word(s) to be removed from original Chapter 5

(ex: ~~example~~)

ARTICLE I. IN GENERAL

Sec. 5-1. Appointment and general powers and duties of building official.

The building official, whose office is provided for in the building code adopted by section 5-22, shall be appointed by the county administrator. Such official shall have such powers and duties as are prescribed in such code, this chapter and other ordinances of the county.

(Code 1974, § 5-2)

Sec. 5-2. Permit for mobile homes.

It shall be unlawful and a Class 4 misdemeanor for any person to park, install or store a mobile home or trailer, which is designed and so constructed as to permit occupancy thereof as a dwelling or sleeping place for one (1) or more persons, on any site, lot, field or tract of land in the county, without first obtaining a ~~written~~ building permit ~~so to do~~ from the building official. ~~The fee for such permit shall be twenty five dollars (\$25.00).~~

(Code 1974, § 13-19; Ord. of 4-21-75; Ord. of 1-21-86)

Cross references: Penalty for Class 4 misdemeanor, § 1-11; mobile homes in floodway district, § 938; mobile homes, mobile home parks, Ch. 10.

Sec. 5-3. Removal, repair, etc., of dangerous structures.

(a) Owners of property within the county shall at such time or times as the county administrator or

his designee, the ~~chief building inspector~~ official, may prescribe, remove, repair or secure any building, wall or other structure which might endanger the public health or safety of other residents of the county.

(b) Franklin County, through its own agents or employees, may remove, repair or secure any building, wall or other structure which might endanger the public health or safety of other residents of the county when the owner of such property, after reasonable notice and a reasonable time to do so, has failed to remove, repair or secure such building, wall or other structure to the satisfaction of the building official. For purposes of this section, reasonable notice includes a written notice (i) mailed by certified or registered mail, return receipt requested, sent to the last known address of the property owner and (ii) published once a week for two (2) successive weeks in a newspaper having general circulation in the locality. No action shall be taken by the locality to remove, repair, or secure any building, wall, or other structure for at least thirty (30) days following the later of the return of the receipt or newspaper publication, except that the locality may take action to prevent unauthorized access to the building within seven (7) days of such notice if the structure is deemed to pose a significant threat to public safety and such fact is stated in the notice;

(c) In the event that Franklin County, through its own agents or employees, removes, repairs or secures any building, wall or other structure after complying with the notice provisions of this section, the cost or expenses thereof shall be chargeable to and paid by the owner of such property and may be collected by the county as taxes and levies are collected.

(d) Every charge authorized by this section with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property.

(Code 1974, § 5-11; Ord. of 2-27-07(8))

State law references: Authority for above section, Code of Virginia, § 15.2-906.

Sec. 5-4. Establishment of setback lines.

No building shall be constructed in the county within thirty-five (35) feet of any ~~street or roadway~~, right-of-way except when a large portion of existing buildings along a section of ~~street or roadway~~ the right-of-way is within thirty-five (35) feet of such ~~street or roadway~~ right-of-way. These provisions shall not apply within the limits of any town which has enacted a zoning ordinance or has adopted an ordinance establishing minimum setbacks.

(Res. No. 20-12-85, 12-16-85)

State law references: Similar provisions, Code of Virginia, § 15.1-29.2.

Secs. 5-5--5-20. Reserved.

ARTICLE II. BUILDING CODE

Sec. 5-21. Defined.

As used in this article or elsewhere in this Code, the term "building code" shall mean the building code adopted by section 5-22.

(Code 1974, § 5-1)

Sec. 5-22. Adopted; applicability; filing of copies; penalty provisions.

(a) There is hereby adopted by reference the Virginia Uniform Statewide Building Code, Volume I, ~~1993 Edition~~, the provisions of which shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings, and all other functions which pertain to the installation of any system (plumbing, electrical, mechanical, etc.) vital to all buildings and structures and their service equipment, as defined by such code, and which shall apply to existing and proposed buildings or structures in the county, including the towns of Rocky Mount and Boones Mill upon request by their respective councils. The Virginia Uniform Statewide Building Code, Volume I, including each component thereof, a copy of which is and shall remain on file in the office of the county administrator and another copy of which is and shall remain on file in the office of the building official, is hereby incorporated in and made a part of this section as fully as though each component part thereof were set out at length herein.

(b) There ~~is~~ are hereby adopted sections ~~405-0~~ relating to unsafe buildings and ~~section 408-5~~ relating to the identification of handicap parking spaces of ~~Volume II~~ of the Virginia Uniform Statewide Building Code, ~~1993 Edition~~, including each component thereof, a copy of

which is and shall remain on file in the office of the county administrator and another copy of which is and shall remain on file in the office of the building official, and said provisions are hereby incorporated in and made a part of this section as fully as though each component part of said sections were set out at length herein.

(c) The penalty provisions as set forth in Volume I of the Virginia Uniform Statewide Building Code and for sections 105.0 and 108.5 of Volume II of the Virginia Uniform Statewide Building Code, 1993 Edition, are hereby adopted. Said penalty provisions provide for a fine of up to twenty-five hundred dollars (\$2,500.00) for a violation of these sections.

(Code 1974, § 5-1; Amend. of 3-19-96)

State law references: Virginia Uniform Statewide Building Code, Code of Virginia, § 36-97 et seq.

Secs. 5-23, 5-24. Reserved.

Editor's note: Sections 5-23 and 5-24 were deleted as being covered by the provisions enacted March 19, 1996, which amended § 5-22 above.

Sec. 5-25. Fire limits.

Due to the absence of areas of highly congested business, commercial manufacturing and industrial uses, as well as the absence of areas in which residences, retail stores, business and amusement activities exist or are developing in such manner as to present any significant fire hazard, the board of supervisors finds that the designation of fire limits, as contemplated in the building code, is unnecessary and the board hereby designates the area of the whole county as outside fire limits.

(Code 1974, § 5-3)

Sec. 5-26. Permit exemption.

Ordinary repairs as defined below shall be exempt from the permit requirements provided that there are no violations of the Uniform Statewide Building Code.

Further explanations can be found in exceptions from application for permit, in the Virginia Uniform Statewide Building Code. All exceptions are subject to building official concurrence.

Exemptions:

- 1) Painting;
- 2) Roofing when not exceeding one hundred (100) square feet of roof area;
- 3) Glass when not located within specific hazardous conditions and all glass repairs in use group R-3 buildings;
- 4) Doors when not in fire-rated wall assemblies or exit ways or in single-family detached buildings;
- 5) Floor coverings and porch flooring;
- 6) Repairs to cracks in plaster and interior tile work and the like;
- 7) Cabinets installed in residential occupancies.

(Ord. of 3-17-80; Ord. of 1-21-86)

Sec. 5-27. Permit fees.

For all buildings, structures, alterations, and/or renovations requiring building permits, the following fees shall be paid:

- (a) *Residential construction* (Use groups R-1, R-2, R-3, R-4, R-5):

The fee shall be ~~eleven cents (\$0.11)~~ fifteen cents (\$0.15) flat fee per square foot of gross floor area including submitted decks and covered areas.

Minimum fee — ~~\$50.00~~ --\$65.00

- (b) *Nonresidential construction* (Use groups A, B, E, F, H, I, M, S, U):

The fee shall be ~~eleven cents (\$0.11)~~ fifteen cents (\$0.15) flat fee per square foot.

Minimum fee — ~~\$50.00~~ --\$65.00

- (c) *Additions* (All use groups):

When square footage is added to an existing building or structure the fee shall be established as the same rate for the use group of the structure involved, and in no case less than the minimum fee for the use group.

- (d) *Alterations, renovations, and/or related repairs* (All use groups): The fee shall be ~~five dollars (\$5.00)~~ ten dollars (\$10.00) per thousand dollars (\$1,000.00)

of value. Minimum fee ~~—\$50.00~~ --\$65.00

(e) *Manufactured housing units* (Single, doublewide, and triple-wide manufactured homes, mobile office units, etc., with approved factory labels):

- (1) Singlewide manufactured home, flat fee ~~\$100.00~~ \$150.00
 ~~All other manufactured homes, flat fee \$150.00~~
- (2) Doublewide manufactured homes, flat fee \$200.00
- (3) Triplewide manufactured homes, flat fee \$250.00

Basement fees shall be established at the same rate as for the use group of the structure involved, and in no case less than the minimum fee for that use group.

(f) *Moving building or structures* (All use groups):

Relocation--\$100.00

Basement fees shall be established at the same rate as for the use group of the structure involved, and in no case less than the minimum fee for that use group.

(g) *Demolition of buildings and structures:*

A demolition permit will be required with a ~~fifty-dollar (\$50.00)~~ sixty-five dollar (\$65.00) fee for commercial structures; structures demolished by a commercial demolisher; or demolitions which require an inspection by the building official.

(h) *Towers, antennas, and similar regulated structures:*

Structural fee--\$100.00

(i) *Swimming pools or similar regulated structures:*

Flat fee ~~—\$50.00~~ --\$65.00

(j) *Docks* (Residential and nonresidential):

The fee shall be ~~eleven cents (\$0.11)~~ fifteen cents (\$0.15) flat fee per square foot of ~~gross~~ dock ~~perimeter~~ area. Minimum Fee ~~—\$50.00~~ --\$65.00

(k) *Miscellaneous building and/or structures* (All use groups):

Buildings and structures not specifically covered by this schedule shall be classified by the Building Official with fees to be determined by that classification.

(l) *Tent and membrane structure over 900 sq. ft.* - \$65.00

(m) *Electrical:*

The permit fee for installation of new electrical systems based on service size shall be as follows:

0—400 amps . . . ~~\$50.00~~ \$65.00

401 amps and up, \$65.00 plus \$10.00 per additional 100 amps or portion thereof
~~\$75.00~~

Electrical permits--No service involved:

For all electrical permits in which no service is involved a base fee of ~~fifty dollars (\$50.00)~~ sixty-five dollars (\$65.00).

(n) *Plumbing:*

- (1) The fee for kitchen and/or bathroom alterations, renovations, and/or regulated repairs shall be ~~five cents (\$0.05) flat fee per square foot of gross floor area~~ \$10.00 per \$1000.00 of value.

Minimum Fee -- ~~\$40.00~~ --\$65.00

- (2) A base fee of ~~forty dollars (\$40.00)~~ sixty-five dollars (\$65.00) for installation or replacement of fixtures or any plumbing device listed by definition or as determined by the building official to be a fixture and shall include commercial as well as domestic equipment.

(o) *Mechanical:*

The permit fee for installation of new mechanical equipment is based on equipment cost:

\$0.00--\$15,000.00 . . . ~~\$50.00~~ \$65.00

\$15,001.00--up, ~~\$50.00~~ \$65.00 plus ~~\$5.00~~ \$10.00 per additional \$1,000.00 or part thereof.

(p) *Distribution terminal and bulk plant facility license:*

License fee per year--\$150.00

(q) *Re-inspection fees:*

A re-inspection fee of ~~twenty-five dollars (\$25.00)~~ forty-five dollars (\$45.00) shall be charged for each additional inspection when any of the following reasons are the cause but not limited to:

- (1) Wrong address.
- (2) Repairs or corrections not made when re-inspection requested.
- (3) Work not ready when inspection requested.
- (4) Premises locked or inaccessible.

(r) Renewal of permits prior to expiration shall be sixty-five dollars (\$65.00) or 10% of the original permit, whichever is greater. The permit is valid for a period of twelve (12) months after issuance. The first renewal of the permit will be made at no charge to the applicant. Additional renewals are subject to this fee. (After expiration, a new permit shall be issued).

(s) In the case of a revocation of a permit or abandonment or discontinuance of a building project, refunds for the portion of the work that was not completed will be made after written application to the Building Official. An inspection of the site may be required to determine the status of the work. Calculations for the percentage of work complete and amount of refund will be made by the Building Official. A minimum fee of \$65.00 will be retained by the County from each permit to cover the administrative costs for issuance and cancellation of the permit and inspection of the site.

(t) Board of Building Code Appeals, application from a decision of the Building Official is \$250.00. In the event that an applicant desires to use the Board of Building Code Appeals process, this fee applies. The fee is designed to defray the cost of the notification of affected parties, public notice, and the public hearing.

(u) Any person who commences any work for which a permit is required, prior to obtaining the permit, shall pay a sum equal to twice the normal permit fee up to a maximum of \$2,500.00 and payment thereof shall not relieve such person from prosecution as described in Title 36, Chapter 6, Section 106 of the Code of Virginia for violating the building code by commencing work without a permit (emergency repairs excluded if guidelines in the USBC are followed).

(v) Plan review – When the details of the proposed construction requires a plan to be submitted to the Building Official, a Plan Review Fee shall be paid to the Building Inspections Department at the time of submission of the plans and specifications for review. The Plan Review Fee shall be equal to one-tenth (10%) of the building permit fee as shown in this schedule. The Plan Review Fee may be revised during the technical review process and the Plan Review Fee is in addition to the permit fee.

(w) Amusement Device Permits – This fee shall be a flat fee of \$65.00.

(x) Elevators – This fee shall be a flat fee of \$65.00.

(y) Storage Tanks –

100 – 10,000 gallons	\$65.00
10,001 – 25,000 gallons	\$90.00
25,001 – + gallons	\$140.00

(z) Signs – This shall be a flat fee of \$65.00.

NOTE: Flat fee covers all electrical, plumbing, mechanical and structural work. All fees must be paid before certificate of occupancy will be issued.

Sec. 5-28. State surcharge on building fees.

In addition to any local fees required by section 5-27, there shall be a state surcharge required by Code of Virginia, § 36-137, as amended, which shall be added to the local fees collected, with such surcharge forwarded to the state as prescribed by Code of Virginia § 36-139, as amended.

(Ord. of 6-18-02)

Sec. 5-29. Reserved.

(RESOLUTION #19-01-2008)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to advertise for public hearing the proposed amendments to Chapter 5 during the Board's February 26th, 2008 meeting as submitted.

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

OUTDOOR OCCASION ORDINANCE FOR RACETRACKS

Larry Moore, Assistant County Administrator, advised the Board the Franklin County Speedway was opened by Mr. Whitey Taylor in 1993. Mr. Moore stated the track is a 3/8 mile asphalt oval track which runs late model stock, limited sportsman, mod four (4), street stock and UCAR races. The preliminary race dates are April 15, 2008 through September 13, 2008. Their website, www.franklincountyspeedway.com lists over thirty (30) division sponsors and hundreds of individual race car sponsors. This track is considered as a track for future NASCAR drivers including Ward Burton and Dave Blaney's sons. The track was purchased by Mr. Richard Gluth, the promoter in 2006/2007.

Mr. Gluth has requested by letter dated December 18, 2007 (submitted) that the present Franklin County ordinance be modified to permit practice at the speedway from Tuesday through Saturday, no more than eight (8) hours per day, and no earlier than nine (9) a.m. and no later than thirty (30) minutes before dark.

He is also requesting that they be able to incorporate two (2) consecutive race days in one (1) week and be able to run races no more than two (2) Sundays per season to make up for cancelled races due to rain.

With an ASA track member sanction program, this program LM stock drivers will compete in a national points system that will weigh their skills against thirty-six (36) other tracks in the country. A national champion will receive an additional \$15,000.00 and test session with a Sprint Cup Team. One of the reasons to go with ASA is that the insurance program promotes letting younger drivers race. In the four (4) cylinder classes they can start drivers at twelve (12) years old and in late model fourteen (14) years old. This will bring drivers from North Carolina whose parents are involved in Sprint Cup. In 2008, Ward Burton and Dave Blaney's sons are looking to run at Franklin County Speedway. What this will do for our local drivers is get people looking at their skills that have Cup connections. ASA is also helping to promote this.

RECOMMENDATION:

It is the recommendation of staff that the County Administrator be authorized to advertise for a public hearing to amend County ordinance Chapter 13, Article II – "Outdoor Occasion Ordinance Governing Racetracks", as to show unity and objectivity for a broad group of Franklin County citizens.

ARTICLE II. OUTDOOR OCCASION ORDINANCE GOVERNING RACETRACKS*

***Editor's note:** Res. No. 25-03-90, adopted March 19, 1990, amended Ch. 13, Art. II in its entirety to read as herein set out. This resolution also numbered the provisions of Art. II as §§ 13-25--13-34. Inasmuch as Art. III of this chapter already contained provisions designated as §§ 13-30--13-34, the editor, at his discretion, has renumbered the provisions enacted by Res. No. 25-03-90 as §§ 13-30--13-34 as §§ 13-29.1--13-29.5. The original numbering of these provisions is reflected in the history citation following each section and in the Code Comparative Table.

DIVISION 1. GENERAL PROVISIONS**Sec. 13-25. Short title.**

This article may be cited as the "Outdoor Occasion Ordinance Governing Racetracks."

(Res. No. 25-03-90, § 13-25, 3-19-90)

Sec. 13-26. Purpose.

This article is enacted pursuant to section 15.1-510 and section 15.514.2 of the Code of Virginia, as amended in the interest of public health, safety and welfare of the citizens of Franklin County.

(Res. No. 25-03-90, § 13-26, 3-19-90)

Sec. 13-27. Definitions.

All terminology used in this article, not defined below, shall be given the meaning as defined in the most current edition of Webster's Dictionary.

Board of supervisors shall mean the Franklin County Board of Supervisors.

Health department shall mean the Franklin County Health Department.

Practice shall mean that period of time commencing when any vehicle designed to race on the track or for which the track was built has access to the track during any time other than for which a permit has been issued to conduct a race.

Raceway shall mean a location where contests such as tractor pulls, drag races, mud slings, automobile races, motorcycle races, go-kart races, and similar events occur where entrants are judged on speed, endurance, distance or similar measures.

Security guard shall mean one who is employed by a security company and licensed by the Virginia Department of Commerce and approved by the sheriff of Franklin County.

(Res. No. 25-03-90, § 13-27, 3-19-90; Res. No. 24-02-91, 2-19-91)

Sec. 13-28. Violations of article.

Any person or persons who violates any provision of this article shall be guilty of a Class 1 misdemeanor.

(Res. No. 25-03-90, § 13-28, 3-19-90)

Sec. 13-29. Prohibited acts.

It shall be unlawful to:

(1) Operate between the hours 12:00 midnight and 9:00 a.m. and ~~before 1:00 p.m. on no more than two~~ (2) *Sundays a month to make up cancelled races due to rain.*

(2) Run ~~practices more than two (2) days~~ *five (5) days other than Tuesday through Saturday per week or operate during more than two (2) consecutive days regardless of whether it is in the same week and hours of practice shall be limited to a total of six (6) hours which shall be six (6) consecutive hours on each of the two (2) practice days* *five (5) days Tuesday through Saturday, no more than eight (8) hours a day no earlier than nine (9) a.m. and no later than thirty (30) minutes before dark as set out above.*

(3) Operate without the permit as outlined in this article.

(4) Receive a permit for or operate a raceway in any fashion that does not have a fence or other barrier sufficient to prevent vehicular access of any nature to the track area.

(5) Operate after having been notified that any of the provisions required by the application requirements of section 13-29.2 are no longer in compliance according to the approving authority.

(Res. No. 25-03-90, § 13-29, 3-19-90; Res. No. 24-02-91, 2-19-91; Amend. of 12-17-02(1))

DIVISION 2. PERMIT

Sec. 13-29.1. Application generally.

Application for a permit required by this division shall be in writing, on forms as designated by the county administrator, or his agent, and filed with the county administrator at least sixty (60) days before the date of the event. If the event is a weekly or seasonal event, application shall be made annually at least sixty (60) days before the first event of the calendar year. All permits issued under this section shall be granted by the board of supervisors prior to the event.

(Res. No. 25-03-90, § 13-30, 3-19-90)

Sec. 13-29.2. Application requirements.

No permit shall be issued under this division unless the following conditions are met and the following items, plans, statements and approvals are submitted to the county administrator with the application for the permit.

(1) Statement as to names and addresses of the promoter of the event as well as the property owner(s) and tax map and parcel location of the property.

(2) A plan for adequate sanitation facilities and sewage disposal methods as approved by an agent of the Franklin County Health Department.

(3) A plan for adequate disposal of solid waste other than county-owned dumpsters as approved by the county administrator.

(4) A plan for adequate security personnel as approved by the sheriff. Adequate security personnel shall mean a minimum of four (4) uniformed security guards at each occasion and, in addition, one (1) uniformed officer for each one thousand (1,000) number of persons attending.

(5) A statement specifying whether any outdoor lights or lighting are to be used and if so, a plan indicating the location of such lights so as to prevent unreasonable glow or glare onto adjoining properties. All lighting must comply with the National Electrical Code and shall be approved by the county building official.

(6) A plan for adequate parking facilities and traffic control in and around the event area and shall be approved by the sheriff.

(Res. No. 25-03-90, § 13-31, 3-19-90)

Sec. 13-29.3. Applicant to furnish written permission for entry.

No permit shall be issued under this division unless the applicant shall furnish to the board of supervisors written permission for the board of supervisors, its lawful agents and duly constituted law-enforcement officers to go on the property at any time for the purpose of determining compliance with the provisions of this article.

(Res. No. 25-03-90, § 13-32, 3-19-90)

Sec. 13-29.4. Fee.

The fee for a permit required by this division shall be ~~one hundred dollars (\$100.00)~~ *two hundred fifty dollars (\$250.00)*, which fee shall be to help cover the expenses of investigations and inspections made with respect to the application for the permit. Such fee shall be paid prior to issuance of the permit.

(Res. No. 25-03-90, § 13-33, 3-19-90)

Sec. 13-29.5. Revocation.

The county administrator shall have the authority to suspend for a period of not more than thirty (30) days a permit issued under this division for failure to comply with any of its provisions and conditions with the suspension being subject to review by the board of supervisors at their next regular meeting.

(Res. No. 25-03-90, § 13-34, 3-19-90; Amend. of 12-17-02(1))

(RESOLUTION #20-01-2008)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to advertise for public hearing the proposed amendments to Chapter 13: Outdoor Occasion Ordinance during the February 26th, 2008 meeting.

MOTION BY: Leland Mitchell

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

ABSENT: Angell

WESTERN VIRGINIA WATER AUTHORITY

Larry Moore, Assistant County Administrator, stated, Franklin County adopted a resolution on April 16, 2007, whereby the Western Virginia Water Authority (WVWA), Roanoke County and Franklin County authorized the continued discussion regarding the Route 220 waterline extension. It was agreed by resolution that the officers of the respective organizations would take the necessary action to negotiate an agreement among the jurisdictions and otherwise plan the development, financing and construction of the waterline extension; provided however, that no jurisdiction shall be legally bound until it has explicitly approved the terms and conditions of the agreement.

Staff has negotiated an agreement with WVWA and Roanoke County specifically identifying the cost, financing, capital contributions, water service rates, sharing of fees, and term of the contract. The contract also addresses the issues relating to the County's retained right to approve future extensions, proposed improvements to the system and authorized water restrictions. Currently the WVWA is working on the development plan and the negotiation of financing options (less Franklin County's STAG grant of one (1) million dollars).

Key elements of contract include:

- Twenty (20) year agreement
- Costs are shared proportionate to mileage of line in each jurisdiction
- Future extensions into the county must be approved by the Board of Supervisors
- Twenty-five percent (25%) of any rate difference between Franklin County's published rates and Authority rates will be retained by the Authority until such time as volume in

Franklin County reaches 200,000 gallons per day. This retainage is to cover the cost of flushing the lines due to low water usage.

- Half (1/2) of all availability fees shall be returned to the County for a period of twenty (20) years to help offset the initial capital investment. The current availability fees are:

Meter Size	Availability Fee
5/8"	\$2,400.00
3/4"	\$3,600.00
1"	\$6,000.00
1 1/2"	\$12,000.00
2"	\$19,200.00
3"	\$36,000.00
4"	\$72,000.00
6"	\$144,000.00
8"	\$216,000.00
10"	\$360,000.00
12"	\$480,000.00

RECOMMENDATION:

It is the recommendation of staff that the Board of Supervisors authorize the County Administrator to execute the contract regarding the planning, operation and maintenance services to be provided by Western Virginia Water Authority (WVWA).

(RESOLUTION #21-01-2008)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to table until the January 22nd, 2008 Board meeting for further discussion.

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

NEW TOURISM WEBSITE AND AWARD

Debra Wier, Tourism Coordinator, shared with the Board the 2007 Summit Award Silver Blue Ridge Chapter Award recently received. The award was received for the website development-average budget.

Ms. Wier walked the Board through the new Franklin County Tourism Website.

WESTLAKE BRANCH LIBRARY

Richard E. Huff, II, County Administrator, advised the Board the County has agreed on its definition of a "core library" and in the case of the Westlake Library, this definition represents a needed appropriation of \$208,500 for capital costs once verified.

The Fund raising committee for the Branch has requested that the County establish what the County is going to provide and they have indicated they would then seek donations for items that would be considered above "core Library" levels.

Additionally, before a purchase order can be signed, an appropriation will be needed to move forward. At this time, there is still additional information being gathered on equipment, shelving, furniture, etc., however prior to next month's meeting some items will be ready to order.

RECOMMENDATION:

Staff recommends that the Board formally communicate its commitment of capital support for the Branch as a not to exceed \$208,500 level and ask them to proceed for items considered beyond "core library" capital.

Further staff recommends that the Board appropriate \$100,000 from its contingency fund to allow ordering of long lead time items before the February meeting. Additional funding requests will be brought forward as better details become available.

(RESOLUTION #22-01-2008)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appropriate \$100,000 from the Board's contingency fund into the Capital Account for the Westlake Branch Library with the following funds to follow as the project proceeds.

MOTION BY: Russ Johnson
 SECONDED BY: David Cundiff
 VOTING ON THE MOTION WAS AS FOLLOWS:

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

TAX RELIEF FOR THE ELDERLY & DISABLED

Richard E. Huff, II, County Administrator, shared with the Board the County’s ordinance (Sec. 20-18) pertaining to Tax Relief for the Elderly and the Totally and Permanently Disabled was last updated on January 18, 2005. The 2005 changes included:

- Changing the amount of qualifying land, including the principal dwelling, eligible for exemption from one acre to five acres.
- Raising the combined income exemption from \$21,000 to \$25,000 with the first \$3,500 of income from other relatives living in the home not being included in the total.
- Increasing the combined net worth exemption from \$50,000 to \$80,000.

State code allows the Combined Gross Income limit to be a maximum of \$50,000 and the combined net worth limit to be a maximum of \$200,000. Comparative information from other localities is presented as an attachment to this executive summary.

Approximately 600 tax relief applications are filed with the Commissioner of Revenue every year. The number of those actually receiving relief and the total dollar amount of relief is presented below:

<u>Year</u>	<u>Number Receiving Relief</u>	<u>Total Dollar Value of Relief</u>
2002	248	\$51,058
2003	248	\$48,571
2004	262	\$55,133
2005	397	\$81,803
2006	365	\$78,159
2007	349	\$76,653

The Commissioner of Revenue begins accepting applications in early February with the final deadline being May 1. The last increase in 2005 resulted in a 50% increase in the number of taxpayers receiving relief as well as an approximate 48% increase in the total dollar value of relief.

RECOMMENDATION:

This information is presented for the Board’s consideration and review. Should the Board consider a change to the current County ordinance, this change would need to be advertised and a public hearing held at the February 2008 Board meeting.

Franklin County
Comparison Chart for Various Tax Relief Programs
January 15, 2008

State Code Allows a combined gross income limit of \$50,000 and a combined new worth limit of \$200,000.

Any amount up to \$10,000 of income of each relative living in the dwelling may be excluded in determining total combined income.

The net combined financial worth of the owners excluding the value of the dwelling and the land, not exceeding 10acres upon which it is situated shall not exceed \$200,000. Furnishings may also be excluded in the net worth calculation.

<u>Locality</u>	<u>Combined Gross Income</u>	<u>Combined Net Worth</u>	<u>Relief Plan/Exemption</u>					
			<u>Net Worth</u>					
<u>Franklin County</u>	25,000 first \$3,000 exempt	80,000						
			<u>Income</u>	\$0- 12,000	\$12,001- 25,000	25,001- 35,000	35,001- 50,000	50,001- 80,000
			\$0 - 5,000	95%	85%	75%	65%	40%
			5,001 - 9,000	85%	75%	65%	40%	30%
			9,001 - 12,000	75%	65%	50%	30%	20%
			12,001 - 15,000	65%	55%	40%	20%	10%
			15,001 - 18,000	55%	45%	30%	10%	10%
			18,001 - 25,000	45%	35%	20%	10%	10%
			<u>Bedford County</u>	24,000	77,500			
			<u>Income</u>	\$0- 15,500	\$15,501 - 31,000	\$31,001- 46,500	\$46,501- 62,000	62,000 - 77,500

\$0 - 6,000	95%	85%	75%	65%	55%
6,001 - 12,000	85%	75%	65%	55%	45%
12,001 - 18,000	75%	65%	55%	45%	35%
18,001 - 24,000	65%	55%	45%	35%	25%

Botetourt County	30,000	100,000	Income	Exemption
first \$6,500 exempt			\$0 - 14,000	80%
for disabled homeowners			14,001 - 19,000	60%
			19,001 - 24,000	40%
			24,000 - 30,000	20%

Henry County	16,000	50,000	Income	Exemption
first \$4,000 exempt			\$0 - 9,000	90%
for occupants other			9,001 - 9,961	80%
than applicant or			9,962 - 11,000	70%
spouse			11,001 - 12,000	60%
			12,001 - 13,000	50%
			13,001 - 14,000	40%
			14,001 - 15,000	30%
			15,001 - 16,000	20%
			(Maximum: \$300)	

Montgomery County	25,000	80,000	Income	Exemption
			\$0 - 16,000	100%
			16,001 - 20,000	60%
			20,001 - 25,000	40%
			Deferral: Up to 100%	

Pittsylvania County	18,000	60,000	Income	Exemption
first \$4,000 exempt			\$0- 10,000	90%
			10,001 - 11000	80%
Maximum amount of relief is \$300			11,001 - 12000	70%
			12,001 - 13,000	60%
			13,001 - 14,000	50%
			14,001 - 15,000	40%
			15,001 - 16,000	30%
			16,001 - 18,000	20%

Pulaski County	20,000	45,000	Income	Exemption
first \$2,500 exempt			\$0 - 12,000	80%
			12,001 - 14,500	60%
			14,501 - 17,000	40%
			17,001 - 20,000	20%

Roanoke County 56,566 125,000 Exemption is equal to the amount by which the property tax exceeds the tax for the year in which the owner became 65. Any owner who became 65 before December 31, 1974, is eligible for first \$6,500 exemption in the amount of tax exceeding that levied on the property in 1974. Value is frozen at year qualified.

Supervisor David Hurt offered proposed adjustments to the income levels for the Tax Relief for the Elderly & Disabled Ordinance. General discussion ensued.

(RESOLUTION #23-01-2008)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to advertise for public hearing the proposed amendment to the income levels for the Tax Relief for the Elderly & Disabled Ordinance.

MOTION BY: David Hurt

SECONDED BY: David Cundiff

Supervisor Hurt withdrew his motion and discussion will be held further during the January 22, 2008 meeting.

CIP WORK SESSION CALENDAR

The CIP work session will be held during the January 22, 2008 meeting.

PROPOSED 2008-2009 BUDGET CALENDAR

Richard E. Huff, II, County Administrator, shared with the Board the proposed 2008-2009 Budget Calendar. General discussion ensued.

A Joint Meeting has been set for February 12, 2008 with the School Board to discuss the proposed budget for FY' 2008-2009.

**TLAC CITIZEN APPOINTMENT TERM WILL EXPIRE 1/31/2009
(RESOLUTION #24-01-2008)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint Bob Camicia to serve on the TLAC Board with said term to expire 1/31/2009.

MOTION BY: Russ Johnson

SECONDED BY: David Hurt

VOTING ON THE MOTION WAS AS FOLLOWS:

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

ABSENT: Angell

**EXTENSION LEADERSHIP COUNCIL APPOINTMENT/2 YEAR TERM
(RESOLUTION #25-01-2008)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint David Cundiff to fill the 2-Year Term on the Extension Leadership Council.

MOTION BY: David Hurt

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

ABSENT: Angell

RPD ORDINANCE REVAMP

Russ Johnson, Gills Creek District, requested the RPD Ordinance, be placed on the February agenda for review and discussion. The Board concurred.

**CLOSED MEETING
(RESOLUTION #26-01-2008)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711, a-3, Discussion of the Acquisition or Disposition of Public Property, a-7, Consult with Legal Counsel, & a-29, Discussion of the award of a public contract involving the expenditure of public funds, of the Code of Virginia, as amended.

MOTION BY: Leland Mitchell

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

ABSENT: Angell

MOTION: Leland Mitchell

SECOND: David Cundiff

RESOLUTION: #27-01-2008

MEETING DATE January 15, 2008

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

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

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

VOTE:

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

NAYS: NONE

ABSENT DURING VOTE: Angell

ABSENT DURING MEETING: Angell

Chairman Wagner adjourned the meeting.

CHARLES WAGNER
CHAIRMAN

RICHARD E. HUFF, II
COUNTY ADMINISTRATOR