

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, JUNE 16, 2009, AT 1:30 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM IN THE COUNTY COURTHOUSE.

THERE WERE PRESENT: Charles Wagner, Chairman  
Wayne Angell, Vice-Chairman  
Leland Mitchell  
David Hurt Left at 5:00 P.M.  
David Cundiff  
Russ Johnson  
Bobby Thompson Left at 5:00 P.M.

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

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Chairman Charles Wagner called the meeting to order.  
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Invocation was given by Supervisor Bobby Thompson.  
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Pledge of Allegiance was led by Supervisor Charles Wagner.  
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**RESOLUTIONS OF RECOGNITION**

- ❖ Dr. Sam Campbell, Executive Director, Helping Hands – In Recognition of 15 years of Emergency Financial Assistance to Franklin County’s most needy and vulnerable and to Honor all Helping Hands Volunteers both Past and Present.
- ❖ Kurt Sisson– In Recognition and Commitment in Service as he retires from the Recreation Commission Board.
- ❖ Walter Hughes, Jr. & G. B. Washburn were also recognized, however, they were unable to attend the meeting.

**PUBLIC COMMENT:**

- ❖ Gerald Modaro – Requested the Board to keep St. Rt. 890 Green box Site open. Mr. Modaro expressed concern and opposition to Mr. Creed Law’s comments during the May 21, 2009 meeting. Mr. Modaro stated the safety of the site could be enhanced by cutting the rubbish around the greenbox site to become more visible from the road. Mr. Modaro requested the Board to leave the site open, because he felt it would be unfair to remove the site.
- ❖ Philip Sheridan – Virginia Sesquicentennial of the American Civil War Commission, shared with the Board an overview of the suggested structure of the local committee as well as some background information on the Virginia Sesquicentennial of the American Civil War Commission and its goals for the commemoration. Mr. Sheridan stated he is a member of the Civil War Roundtable in Roanoke. Mr. Sheridan requested the Board to establish a committee in Franklin County, appoint a Supervisor to serve on the committee, and the Board to budget \$2,500 as a line item in the budget of 2010 through 2015, to be used on projects developed by the Sesquicentennial Committee with proper oversight. The Board will discuss the request during their July meeting.

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**CONSENT AGENDA**

**APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR – MAY 19, 2009**

**APPROPRIATIONS**

<u>DEPARTMENT</u>	<u>PURPOSE</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Public Safety	Four for Life Funds	3505- 5540	56,096.00
Parks	Donation for North County Park	Capital Fund	1,535.00
Parks	Bass Master Reimbursement	8110- 5810	20,000.00
Parks	Disc Golf Donation	Capital Fund	1,500.00
Parks	Skateboard Competition Donation	7102- 5412	350.00
Sheriff	Insurance Reimbursement	Capital Fund	16,925.00

Sheriff	DARE Donations	3102-	5423	2,850.00
Sheriff – Corrections	Inmate Medical Co-Pay	3301-	3001	25,249.00
Animal Control	Spay/Neuter Project Donation	3501-	5620	1,383.00
Clerk of Court	Technology Funds	2106-	7003	25,456.00
General Properties	Sale of fixtures from Government	30-	0174	998.00
	Center			
	Total			\$152,342.00

#### Transfers Between Departments

None

### ANNUAL RESOLUTION OF APPROPRIATION OF THE COUNTY OF FRANKLIN FOR THE FISCAL YEAR ENDING JUNE 30, 2010

*A resolution to appropriate designated funds and accounts from specified estimated revenues for FY 2010 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 16<sup>th</sup> day of June, 2009 that, for the fiscal year beginning on July 1, 2009, and ending on June 30, 2010, the following sections are hereby adopted.

- Section 1. The cost centers shown on the submitted table labeled Appropriations Resolution, Exhibit A, are hereby appropriated from the designated estimated revenues as shown on the submitted table labeled Appropriations Resolution, Exhibit B.
- 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. All appropriations herein authorized shall be on the basis of cost centers for all departments and agencies including Schools.
- Section 4. 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 5. 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 6. All outstanding encumbrances, both operating and capital, at June 30, 2009 shall be reappropriated to the FY 2009-2010 fiscal year to the same cost center and account for which they are encumbered in the previous year.
- Section 7. 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 8. 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, 2009 and appropriations as they are made in the FY 2010 Budget. The

County Administrator is hereby authorized to approve construction change orders to contracts up to an increase of \$10,000.00 and approve all change orders for reduction of contracts.

- Section 9. 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, 2009 and appropriations in the FY 2010 Budget.
- Section 10. 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 11. 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 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, 2009.

APPROPRIATIONS RESOLUTION EXHIBIT A

**County of Franklin**  
**Adopted Expenditures (Excluding Capital Outlay)**  
**Fiscal Year 2009-2010**

**General Government Administration**

Board of Supervisors	\$	353,704	Family Resource Center	\$	268,018
			Aging Services		359,460
					<u>10,871,595</u>
<b>General and Financial Administration</b>			<b>Parks, Recreation and Cultural</b>		
County Administrator		386,477	Parks and Recreation		953,201
Commissioner of Revenue		578,408	Library Administration		863,685
Reassessment		175,000			<u>1,816,886</u>
Treasurer		500,286	<b>Community Development</b>		
Finance		278,245	Planning Agencies		584,469
Risk Management		353,735	Planning & Community Development		638,709
Human Resources		121,034	Economic Development		479,331
Information Technology		855,544	GIS and Mapping		202,463
Registrar		<u>220,681</u>	Franklin Center		200,610
		<u>3,823,114</u>	Tourism Development		95,000
			Virginia Cooperative Extension		<u>94,479</u>
<b>Judicial Administration</b>					<u>2,295,061</u>
Circuit Court		98,414	<b>Nondepartmental</b>		265,000
General District Court		10,886	<b>Transfers to Other Funds</b>		
Magistrate		2,075	Schools - Operations		25,798,013
Juvenile and Domestic Rel Court		20,450	Schools - Debt Service		2,987,997
Clerk of the Circuit Court		668,761	Schools - Canneries		32,986
Sheriff - Courts		519,076	Schools - Windy Gap		497,752
Juvenile Court Services		603,204	Elem Capital		621,980
Commonwealth Attorney		<u>677,006</u>	Utilities		1,197,105
		<u>2,599,872</u>	Debt Service		1,197,105
<b>Public Safety</b>			County and School Capital Projects		3,368,876
Sheriff - Law Enforcement		3,137,731	E911		<u>1,034,414</u>
Correction and Detention		4,888,175	Subtotal		<u>35,539,123</u>
Building Inspections		409,200	<b>Total General Fund</b>		<u>71,560,801</u>
Animal Control		307,830	<b>Other Funds</b>		
Public Safety		<u>2,824,986</u>	<b>E911</b>		1,080,414
		<u>11,567,922</u>	<b>Debt Service</b>		1,197,105
<b>Public Works</b>			<b>Law Library</b>		12,000
Road Viewers		450			
Public Works		287,946			
Solid Waste and Recycling		1,527,715			
General Buildings and Grounds		<u>966,117</u>			
		<u>2,782,228</u>			

<b>Health and Welfare</b>		<b>Courthouse</b>	
Health Department	360,000	<b>Maintenance</b>	12,000
Community Services	171,297	<b>Utilities</b>	729,740
Social Services	5,256,353	<b>Forfeited Assets</b>	25,000
CSA	4,456,467	<b>Schools</b>	<u>81,424,672</u>
			<u>\$ 156,041,732</u>

APPROPRIATIONS RESOLUTION EXHIBIT B

**County of Franklin**  
**Adopted Revenues**  
**Fiscal Year 2009 - 2010**

Real Estate	\$ 33,379,028	Shared Expenses Sheriff	\$ 2,961,240
Public Service Corp	679,204	Shared Expenses Comm of Revenue	170,130
Personal Property	6,093,443	Shared Expenses Treasurer	166,840
Machinery and Tools	430,000	Shared Expenses Registrar	59,752
Merchants Capital	660,000	Shared Expenses Clerk of Court	314,078
Penalties and Interest	320,000	Shared Expenses Jail Costs	292,310
Sales Tax	3,800,950	Public Assistance Grants	4,191,921
Communications Tax	2,450,000	VJCCCA Grant Family Resources	27,869
Consumer Utility Taxes	950,000	Grants Comprehensive Services Grant	192,465
County Business License	4,500	Selective Enforcement Grant	2,799,095
Franchise License Tax	200,000	Indoor Plumbing Grant Franklin Center	20,000
Motor Vehicle Decals	1,270,650	Grants	10,000
Bank Stock Taxes	99,000	Personal Property Tax Relief	63,000
Tax on Deeds	450,000	Library Grants	2,626,618
Hotel/Motel Trans Occupancy Tax 2%	39,000	Recordation Taxes - State	158,301
Hotel/Motel Trans Occupancy Tax 3%	61,000	Aging Services Grants	198,953
Meals Tax	800,000	Grantor Tax on Deeds Drug Enforcement Grants	229,977
Licenses and Fees	400,000	Park Land - Pymt in Lieu of Tax	142,000
Court Fines and Costs	11,000		16,328
Interest on Bank Deposits	800,000		10,079
Rent, Miscellaneous	350,000	Fund Balance	<u>497,752</u>
Clerk of Court Fees	134,523	Total General Fund	<u><u>71,560,801</u></u>
Commonwealth Attorney Fees	3,000	Capital Fund	3,368,876
Off Duty Pay for Sheriff Deputies	15,000	Asset Forfeiture Fund	25,000
Care of Prisoners	9,000	E911 Fund	1,080,414
Animal Control	5,000	Law Library	12,000

Fees

Landfill Fees	776,587	Debt Service Fund	1,197,105
Aging Services Local Revenue	25,233	Utilities Courthouse	729,740
Family Resource Center Donations	18,100	Maintenance Fund	12,000
Recreation Fees	90,000	Total - Other Funds	6,425,135
EMS Billing Revenue	900,000	Totals for all Funds	77,985,936
Library Fines and Fees	25,000		
Sale of Maps and Code	5,000	Schools Local	3,484,340
		State	40,918,853
Recovered Costs	437,450	Federal	7,684,747
		County	29,283,762
Motor Vehicle Carriers Tax	35,582	Canneries	52,970
		Total School Funds	81,424,672
Mobile Home Titling Tax	150,000		
Motor Vehicle Rental Tax	29,000		
Shared Expenses Comm Attorney	505,843		
			\$ 159,410,608

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**AWARD OF BID FOR LANDFILL GROUNDWATER PUMP & TREAT SYSTEM**

The groundwater pump and treat system to be installed at the Franklin County Landfill was designed in accordance with the Landfill Corrective Action Plan (CAP) as amended in 2006 by Joyce Engineering Inc. (JEI) on behalf of Franklin County. The CAP was required by the Virginia Department of Environmental Quality (DEQ) based upon groundwater contamination from the unlined landfill identified in monitoring well sampling. The groundwater contamination mandated a Nature and Extent Study (NES) and an Assessment of Corrective Measures (ACM) which were submitted to DEQ in 2003 and identified the groundwater contamination as Volatile Organic Compounds (VOCs) that extended beyond the facility property in the southeastern region of the property. Due to the migration of contaminate in the southeastern contaminant plume, DEQ required an aggressive mitigation method, for which the CAP proposed a groundwater pump and treat system. This CAP was approved by DEQ in 2008.

The groundwater pump and treat system at the Franklin County landfill as approved by DEQ will consist of 18 groundwater extraction wells, 6 performance wells, a water treatment building and associated piping. The groundwater extraction wells are arranged in a line perpendicular to the movement of groundwater contamination near the southeastern perimeter of the landfill property and form a hydraulic barrier to prevent further groundwater contaminant migration off of the property. These wells are currently installed and have a horizontal spacing of approximately 120 feet. The installation of the pump and treat system will allow groundwater to be pumped from these wells to a central treatment building where volatile organic compounds (VOCs) will be removed from the contaminated water with an air stripper. The air stripper unit will use pressurized air flow to volatilize the VOCs and remove them from the water. The treated water will then be discharged to an intermittent stream on the landfill property under the current Virginia Pollutant Discharge Elimination System (VPDES) permit for the site.

Franklin County completed the installation of the groundwater pump and treat extraction and performance wells in December 2008. The current project phase consists of the installation of the well pumps, treatment system and associated piping. This phase includes an estimated **\$350,000** of construction costs for system installation, an estimated **\$10,000** of bid phase services (JEI), and an estimated **\$35,000** of construction administration services (JEI). County personnel will be utilized for on-site construction supervision to help reduce costs. Advertising for the system installation bids took place on Friday April 24<sup>th</sup> in the Franklin News Post and Sunday April 26<sup>th</sup> in the Roanoke Times. Four (4) bids were received on May 27, 2009 at 3:30pm from the following:

Company:	Bid amount:
Steve Martin	\$452,144.00
Shamrock	\$383,898.00
Falwell Corporation	\$592,915.00
SCS Field Services	\$354,782.00

**RECOMMENDATION:**

It is recommended that the Board authorize the County Administrator to enter into a contract with SCS Field Services, the low bidder in the amount of \$354,782.00 for the Groundwater Pump and

Treat System at the Franklin County Landfill. Funds are currently available in the Landfill Capital Improvement account.

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**REQUEST FOR PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO CHAPTER 18: SOLID WASTE – ILLEGAL WASTE DISPOSAL**

The last adopted penalties for illegal disposal of waste in Franklin County was on May 18, 1995 with prior approvals adopted in the 1980's. Subsequent to that time, enforcement in Franklin County has not deterred illegal disposal in collection locations due to the small monetary fine authorized by the ordinance.

In 2007, the Board authorized the County Administrator to hire a part time staff member under the direction of Public Safety who would be authorized to monitor and enforce illegal waste disposal within Franklin County. For the first several months warnings were primarily issued providing citizens an opportunity to become familiar with the idea that the County was serious regarding illegal waste disposal at the convenience sites within the County. In January 2009, the emphasis was shifted from warnings to citations. Since January 2009, 182 citations have been issued. However, due to the minimal amount of the fine, the convenience sites are still being abused. It is staff's opinion that a rewrite of the provisions relating to illegal waste disposal is necessary to deter out-of-county misuse and to encourage in-county compliance.

**ARTICLE I. IN GENERAL**

**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 semi-liquids and garbage are not construction wastes.

**Convenience Center means locations in which collection containers, small green boxes, and/or large container boxes are located and maintained by the county for the purpose of collecting authorized waste for disposal.**

*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.

**Disposal Site means the county landfill.**

*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.

**Large container boxes means twenty-cubic-yard boxes and above that are located at county convenience centers.**

*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.

**Small Green Box 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.**

*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.

**The county administrator shall cause local governmental agencies having law-enforcement powers to carry out the provisions of this chapter. In addition, all local law-enforcement officers vested with police powers shall enforce the provisions of this chapter and regulations adopted hereunder, and are hereby empowered to arrest without**

**warrant, persons violating any provision of this chapter or any regulations adopted hereunder. The foregoing enforcement officers may serve and execute all warrants and other process issued by the courts in enforcing the provisions of this chapter and regulations adopted hereunder.**

(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 references:** 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 references:** 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 collection ~~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).~~ Stoves, refrigerators, and household furniture may only be deposited in large container boxes when present at convenience centers.

(Code 1974, § 8-23; Res. of 8-31-87)

**Sec. 18-14. Certain waste acceptable and nonacceptable for collection or disposal by Franklin County at the county landfill.**

(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, construction, industrial, and nonhousehold solid waste in a county-owned collection container 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 references:** Deposit of injurious or hazardous substances on highway, § 11-10.

**State law references:** 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 collection disposal container located at a convenience center "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 as follows: ~~fine of thirty-five dollars (\$35.00) plus court costs.~~

**(1.) Household waste and solid waste not originating in Franklin County disposed of by a private citizen.**

**TABLE INSET:**

<u>First Offense:</u>	<u>Civil Penalty</u>	<u>\$250.00</u>
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**(2.) Commercial, industrial, or agricultural waste, or construction waste disposed of in county owned collection containers.**

**TABLE INSET:**

<u>First Offense:</u>	<u>Civil Penalty</u>	<u>\$1,000.00</u>
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**The sentence imposed pursuant to subsections (1.) and (2.) 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 5-18-95)

Secs. 18-19--18-30. Reserved.

**Sec. 18-19. Improper disposal of solid waste; civil penalties.**

**A. It shall be the duty of all persons to dispose of their solid waste in a legal manner.**

**(B) Any owner of real estate in Franklin County, upon whose property a person improperly disposes of solid waste, without the landowner's permission, shall be entitled to bring a civil action for such improper disposal. When solid waste is improperly disposed of upon land owned by Franklin County, any resident shall have standing to bring a civil action for such improper disposal. When any person improperly disposes of solid waste upon land within the jurisdiction of Franklin County, the County shall have standing to bring a civil action for such improper disposal as outlined in § 10.1-1418.1 of the Code of Virginia.**

**(C). In any civil action brought pursuant to the provisions of this section, when the plaintiff establishes by a preponderance of the evidence that (i) the solid waste or any portion thereof had been in possession of the defendant prior to being improperly disposed of on any of the properties referred to in subsection B of this section and (ii) no permission had been given to the defendant to place the solid waste on such property, there shall be a rebuttable presumption that the defendant improperly disposed of the solid waste. When the solid waste has been ejected from a motor vehicle, the owner or operator of such motor vehicle shall in any civil action be presumed to be the person ejecting such matter. However, such presumption shall be rebuttable by competent evidence. This presumption shall not be applicable to a motor vehicle rental or leasing company that owns the vehicle.**

**(D). Whenever a court finds that a person has improperly disposed of solid waste pursuant to the provisions of this section, the court shall assess a civil penalty of no less than \$250 and no more than \$5,000 against such defendant. Any civil penalty assessed pursuant to this section in a civil action brought by Franklin County shall be paid to the Treasurer of Franklin County.**

**(E). A court may award any person or the County the cost of suit and reasonable attorney's fees.**

**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 18, Waste Disposal Regulations of the Franklin County Code.

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**AWARD OF COUNTY AUDIT BID PROPOSAL**

Staff has advertised, received proposals, and conducted interviews of two accounting firms, to provide Franklin County Auditing Services and Central Services Cost Allocation Plan Services for fiscal years ending June 30, 2009, 2010 & 2011.

County staff interviewed the two lowest cost proposers for auditing and cost allocation services. Robinson, Farmer Cox Associates submitted the low bid at \$38,810 which will be for the current fiscal year and the following two years. Creedle, Jones & Alga. PC submitted bids of \$44,000 for FY09, \$46,200 for FY10 and \$48,500 for FY11.

Staff was very favorably impressed with Robinson, Farmer, Cox Associates for the following reasons:

- 75% of their practice is devoted to local government.
- Clients include approximately 75% of the Counties in Virginia as well as 25% of the Cities.
- A quality review team, independent of our auditors, reviews all reports and workpapers.

**RECOMMENDATION:**

Staff respectfully requests the Board's authorization to contract with Robinson, Farmer, Cox Associates to provide the County's Audit and Central Services Cost Allocation Plan for the fiscal years ending June 30, 2009, 2010 & 2011 with an option to renew the contract for an additional two years and to allow the County Administrator to execute the contract documents. The County will request a change in the auditing team so that a fresh perspective can be obtained on the County's internal controls and financial procedures.

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**AUTHORIZATION TO EXTEND EXISTING PILOT FOR NEXT GENERATION – 911 SERVICES**

In May, 2007, Franklin County along with Patrick County and the Martinsville-Henry County E911 Center received a regional grant from the Virginia Wireless E911 Services Board in the amount of \$497,000. This grant was specifically to be used to enter into a pilot project to test the concept of IP based (Next Generation or NG911) E911 call routing and database provisioning from Intrado, Inc. The Wireless Board along with their staff within VITA dedicated another \$1 million to this and two other projects across the Commonwealth to ensure the projects could be completed. The results of the project, one of four across the nation, were anticipated to have statewide and even nationwide ramifications for E911.

When we began the project, it was decided to utilize VITA's public-private partnership with Northrop Grumman as the project procurement mechanism which allowed us to use a state contract. The project has proceeded as expected with extensive equipment installations, site upgrades and network testing. The three jurisdictions have now expended about half of the grant funds. We have completed the "non-live" testing phase of the project and are ready to begin cutting over actual E911 traffic. Although it was not anticipated to be a problem in the beginning Northrop Grumman is not a certified telephone service provider or carrier and thus does not have the same liability protections of such providers. Because of this issue, Northrop Grumman has recently decided to drop out of the project.

Staff is recommending that we continue the project directly with Intrado, Inc to fully test the system by cutting over live E911 traffic from the various telephone service providers. One carrier at a time would be cut over with extensive testing completed before the next carrier is cut. Our current system with Embarq would remain intact for the duration of the pilot to provide a complete drop back position. Should the new technology for E911 prove reliable and to the E911 standard of quality, staff further recommends at the conclusion of the testing the County remain on Intrado's network for our E911 Services.

Intrado is a certified E911 service provider in the Commonwealth of Virginia and thus has the same liability protections of any existing E911 Service providers such as our current provider, Embarq. They have been in the public safety services field for over 30 years, providing services such as Automatic Location Information (ALI) database management and provisioning for many of our current carriers. They are in fact the only certified provider that we have found that can provide this type of IP based NG911 services in Virginia and they have provided us with a letter to that effect.

Intrado has offered to continue the project for a cost of \$10,165 per month for the three jurisdictions, which is based on the number of telephone lines in the three jurisdictions. We anticipate we will complete the pilot portion of the project within 4 to 6 months, depending on connectivity issues with each of the various telephone carriers operating within the three jurisdictions. As this is a pilot, many issues have been identified and resolved throughout the project and we anticipate others may arise during the final testing phase. With that in mind, it would be difficult to predict exactly how long the project will ultimately take to complete. Since the quoted Intrado pricing is the same price they provided Northrop Grumman, with Northrop adding a management charge, the three jurisdictions would now save some funds by not having Northrop involved.

In discussions with the Patrick County E911 Coordinator, County Administrator and Attorney and the Director of the Martinsville-Henry County Consolidated E911 Center all have agreed that continuation of this project is in the best interest of the three jurisdictions and are recommending continuation. At the conclusion of the pilot project each jurisdiction will then have ample facts and test results to determine if they desire to continue with Intrado as their E911 Service provider or

switch back to their current provider, Embarq. As the fiscal agent for the pilot, it is up to Franklin County to authorize to contract with Intrado for the continuation.

Intrado has also provided Franklin County with a quote of \$4,135 per month should we decide to continue with them as our E911 service provider after the pilot is completed. This would equate to a savings of just over \$1,000 per month or \$12,000 per year over our current costs with Embarq.

Next Generation 911 is no longer truly "next generation", rather it is "now generation". The technology uses IP based call delivery which the County has been utilizing for the past two or three years for our County administrative phone lines through nTelos. The basic technology is Voice over Internet Protocol or VoIP and has been in use around the County for some time now. Since our pilot project began some two years ago, other jurisdictions across the nation, including our neighbor, Pittsylvania County have bypassed the pilot testing and gone to a direct change of providers to Intrado. Five Counties in Florida are now in the process of switching services with the aid of their State E911 staff. NG911 will provide us and our citizens after software upgrades in our system with many new advantages, such as the capability to text message and sending video or still pictures to E911 which are not available today, The call set-up time for calls for emergency help, although not truly noticeable to the caller, will be greatly reduced and much more efficient. We will have the capability to re-route E911 calls to any other place with network access "on-the-fly" should our PSAP need to be evacuated. The three E911 Centers see this as an opportunity to create a situation where we could provide backup or overflow capability to the others should the need arise. This can only be done now with a lot of pre-planning with the phone company and with a good deal of effort and time during the evacuation, which we would not normally have available.

**RECOMMENDATION:**

1. Declare Intrado the sole source provider for NG911 Services and authorize the County Administrator to enter into a contract to complete the regional pilot project directly with Intrado, Inc.
2. Authorize the County Administrator to determine if Intrado's NG911 system is equal to or better than our current system at the end of the pilot project and if so enter into a contract with Intrado to continue as our normal E911 service provider.

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**AUTHORIZATION TO PURCHASE MICROWAVE RADIO SYSTEM**

The County's Emergency Operations center is located within the Public Safety building west of Rocky Mount. Last year, the County, through grant funding, began setting up communications capability within the EOC, specifically establishing a two position dispatch area with radio communications consoles and CAD/mapping workstations. Another project currently on-going to upgrade our Dispatch Computer Aided Dispatch (CAD) system provides a redundant CAD software server should the primary server fail. This redundant server is located at the EOC and requires a direct connection to our primary server in Dispatch to remain synchronized. Connectivity between Dispatch and the EOC is currently a wireless internet connection from B2X. When the new IP phone system was installed, it was determined the B2X connection was no longer adequate to provide connectivity for the phone system and a commercial T1 data link was purchased from nTelos to provide this function. It also would not be adequate to maintain connectivity between the primary CAD server and the backup server. When the T1 circuit was installed, the B2X circuit was maintained to provide network connectivity other than phone for the Public Safety staff. Recently, that connection has been failing and continues to have limited capability. E911 sought and received a grant in the amount of \$90,000 to install a Public Safety grade 100 Mb microwave radio link between the two facilities from the Virginia Wireless E911 Services Board in May of this year. Grant funds will be available to be drawn down on or after July 1, 2009. This grant has no matching fund requirement from the County.

This new microwave radio link will provide the necessary connectivity between the two facilities not only for E911 backup and EOC operations, but for connectivity for all network access by Public Safety staff for general County business, including the IP phone system. It would be capable of replacing both the commercial T1 circuit now paid for by the Information Technology budget and the B2X connection, thus eliminating those costs.

The County radio system currently has installed several microwave radio links and it is recommended we purchase the same equipment from our radio and microwave system maintenance vendor, Radio Communications, Inc from Roanoke. By doing so, we would be able to share spare equipment and parts, thus reducing some maintenance costs for the system. Additionally, and perhaps the most compelling reason to purchase from the same vendor, is that

our radio system is very complex where maintenance issues are all interconnected. It is often extremely difficult to determine just which part of the system may be causing a repair issue. If we were to have several vendors installing or maintaining different part of the system, repairs and maintenance could be delayed and extremely complicated, with perhaps a lot of "finger pointing". Part of the new microwave equipment will replace the link between Dispatch and our primary radio site on Grassy Hill.

The equipment staff proposes to purchase is a Harris Stratex Networks 100 Mb microwave system which is what we currently have installed. All equipment and spares would be compatible and interchangeable with our existing microwave system. The proposed cost of **\$82,425** includes spare equipment that we currently lack within our system and is within the same cost figures of the original equipment. This would actually be two links, one from Dispatch to Grassy Hill and the other from Grassy Hill to Public Safety. This cost includes the necessary licensing fees and installation. Maintenance will be covered the first year by warranty with future maintenance contract cost coming from the existing E911 system maintenance budget.

The remainder of the grant funds would be utilized to upgrade existing network connectivity devices at Dispatch, Grassy Hill and the Public Safety building to allow the use of this much higher speed data network. This additional equipment would be purchased separately after receiving recommendations from our Information Technology staff and through existing state contracts. It would be compatible with existing Information Technology standards.

Installation would take place within 90 days of issuing a purchase order for the equipment.

**RECOMMENDATION:**

1. Declare Radio Communications, Inc the sole source provider for this equipment to maintain compatibility with existing equipment and maintenance standards.
2. Authorize the County Administrator or designated staff to issue a purchase order on or after July 1, 2009 for the purchase of the Harris Stratex microwave system from Radio Communications, Inc. at a cost of \$82,425 to be paid solely from the grant funds received.

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**AUTHORIZATION TO PURCHASE VIDEO CAMERAS FOR SHERIFF'S DEPARTMENT VEHICLES**

The Sheriff's office has for many years utilized in each of the patrol vehicles an analog video recording system using a single camera. The systems use a VCR recorder in the trunk of the vehicle taking up much needed trunk storage space. The units each use VHS video tapes which are expensive and very difficult to store with no central storage of the data. Most of the current systems are no longer functional and have been removed from the vehicles. In September, 2008, the Sheriff's office received a Law Enforcement Technology grant from the U.S. Department of Justice, Community Oriented Policing Services (COPS) in the amount of \$44,775 to upgrade our old systems with new digital recording cameras and systems. Additionally, the Sheriff's office, in 2007, submitted a CIP request for \$17,000 to purchase the 4 remaining camera systems to outfit the last four patrol vehicles. That CIP was approved by the Board of Supervisors and is currently waiting to be utilized. It was decided after the CIP was approved that adding to the already outdated camera systems was not a wise decision and thus, it was held over pending an upgrade or purchase of more modern systems.

Early this year, the Sheriff's office formed a committee to review different vendor's camera systems and make recommendations for selection. Four systems were reviewed, a system from Apollo Video Technology, another from Safety Vision Mobile Systems sold by Radio Communications in Roanoke, the third from L3 Communications and the fourth by International Police Technologies. After carefully reviewing all the systems, staff is recommending purchasing the initial 12 camera and recording systems from L3 Communications at a total cost of \$61,500. Installation of the systems in each of the 12 vehicles will be paid out of the FY10 Sheriff's department operational budget. The Sheriff's office continues to look for other grants to fund the replacement of the camera system in the remainder of the vehicles.

L3 Communications has been in the business of supplying camera systems for public safety vehicles for many years, unlike some of the other vendors we reviewed. Other jurisdictions in our region use L3 as their choice for vehicle video recording including the Town of Rocky Mount and all reports are that this system is the best for public safety. They are the only vendor we reviewed that offers automatic downloading of video to a central data storage PC using our existing County wireless network. This means, that upon pulling into the back parking lot of the Goode Building or any of the County's Fire or EMS stations, the system will automatically begin downloading to a central data storage PC. If the Deputy moves out of the wireless footprint before the download is

complete, the system automatically suspends the download at the current location and resumes upon re-entering into the wireless coverage area later. Upon successful download, the system will then automatically delete the files from the vehicle storage card to provide storage capacity to the next stream of data. L3 is also the only vendor that offered a fully solid state vehicle storage device using an SD media card, the same card used by most personal digital cameras. This allows the system to be fully solid state with no moving parts to wear out or otherwise need replacing. Spare SD media cards can be purchased locally at many places such as Wal-Mart, making them easily obtainable and inexpensive. The main part of the system is about the size of the mobile radio currently installed in each vehicle and will be installed in the front radio console next to the radio. The central video storage, which will be a PC installed in the Dispatch equipment room, will be available by Sheriff's office management staff for viewing of any specific incident at any time. All video will be automatically marked with the time, date and the Deputy's unit number for ease of searching. Further, the data is tamper proof so that it can be certified as evidence in Court trials and can be copied to a DVD or CD for long term storage or case file evidence.

The system we propose to purchase will come with 2 cameras and three microphones, one camera with a microphone for the front of the vehicle mounted on the vehicle headliner near the rear view mirror and the other camera with a microphone mounted on the back of the prisoner barrier cage looking back to the prisoner transport area. The third microphone will be wireless so it can be worn by the Deputy while outside of the vehicle.

The L3 systems are available on the Houston-Galveston Area Council (H-GAC) of Governments contract. This competitively bid contract is similar to the Federal GSA contract and is available for use by any local or state agency nationwide after registration and executing an agreement with H-GAC. The use of this contract is allowed by the Virginia Cooperative Procurement code. A fee is charged for use of the contract, but that cost is incurred by the vendor. Registration with H-GAC is a onetime requirement and Franklin County would then be eligible to utilize the many contracts available through this agency at any time in the future.

**RECOMMENDATION:**

1. Authorize the County Administrator to enter into an agreement with H-GAC for use of existing contracts through that agency.
2. Appropriate the \$17,000 currently in the CIP for this project.
3. Authorize the County Administrator or designated staff to finalize the purchase agreement with L3 Communications for 12 digital vehicle camera systems for a total cost of \$61,500 through the H-GAC contract.

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**DECLARE VEHICLE SURPLUS**

In keeping with County policy, the Board of Supervisors is requested to officially declare all vehicles which are removed from service as "surplus". After this designation, these vehicles are assessed by our vehicle user group and disposed of in the best interest of the County (re-allocation, sale, etc.).

Recently, the Department of Public Works declared one vehicle (a 2001 Ford Crown Victoria, ID#01F8882) as available to be officially declared "surplus".

This vehicle was operated primarily by the previous County Engineer and has a long history of electronic/ignition related problems. While the mileage falls short of what is normally considered the threshold for declaring surplus, the prior mechanical experience is such that it is in the best interest to recommend declaring this vehicle as surplus and properly dispose of it.

**RECOMMENDATION:**

Staff respectfully requests that this vehicle be declared "surplus". Staff will review in depth the prior mechanical problem with our user group and dispose of the vehicle in the best interest of the County. This disposal will likely be that of an auction via GovDeals.com.

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**PIEDMONT COMMUNITY SERVICES BOARD APPOINTMENTS/TERMS EXPIRE 6/20/2012**

- Peggy Woody
- Jerry Thompson
- Charlotte Hubbard
- Diane Lovell (Re-Appointment)

**(RESOLUTION #01-06-2009)**

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

MOTION BY:

David Hurt

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

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**VDOT – WATCH FOR CHILDREN SIGN**

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

**Watch for Children Sign Program**

**How does a county request “Watch for Children” signs?**

The county formally submits a resolution to the VDOT Resident Administrator that identifies the source of funds and proposes locations for the signs. VDOT will review the field location to ensure the signs’ effectiveness.

Generally, WATCH FOR CHILDREN signs are installed only on secondary routes within residential areas. Any requests to install such signs on primary routes shall be forwarded to the State Traffic Engineer for review.

**How is the program funded?**

Funding for the installation of signs can come from any of the following:

1. Out of the secondary road system construction allocation
2. From direct contributions or grants made for such purpose to the governing body
3. From other source, as may be, provided by the governing body

In all cases the costs of maintaining such signs are paid out of the secondary road system maintenance allocation.

**COST OF THE “WATCH FOR CHILDREN SIGN” AND INSTALLATION IS APPROXIMATELY \$350.00**

**RESOLUTION**

**INSTALLATION OF “WATCH FOR CHILDREN” SIGN**

WHEREAS, Section 33.1-210.2 of the Code of Virginia provides for the installation and maintenance of signs by the Virginia Department of Transportation (VDOT), alerting motorists that children may be at play nearby, upon request by a local governing body; and

WHEREAS, Section 33.1-210.2 further requires that the funding for such signs be from the Secondary Road System Maintenance allocation for the County; and

WHEREAS, residents of Chestnut Hill Road (Route # 705) have requested that a “Watch for Children” sign be installed. Submitted is a map indicating the requested location of signs to be installed on Chestnut Hill Road (Route # 705).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Franklin County, Virginia, does hereby request that the Virginia Department of Transportation install and maintain two “Watch for Children” sign as requested with funds from the County’s secondary road system maintenance allocation.

The Board felt there should be criteria in place prior to approving the request for Watch for children Signs. Mr. Handy advised the Board he would forward State guidelines to the Board for their review and consideration.

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**STATE ROUTE 771 – WILL HILL ROAD RESOLUTION**

Tony Handy, Resident Administrator, VDOT, presented the following resolution reflecting the corrected total mileage as shown in revised resolution, for the Board’s review and consideration:

WHEREAS, Secondary Route 771, Will Hill Road, from 0.74 miles North East of the Intersection of Route 768, to the intersection of Route 767, a distance of 0.84 miles, appears to no longer serve public convenience warranting its maintenance at public expense and should be discontinued as a part of the Secondary System of Highways.

NOW, THEREFORE, BE IT RESOLVED, the Virginia Department of Transportation is hereby requested to take the necessary action to discontinue aforesaid portion of Route as part of the Secondary System of State Highways, pursuant to §33.1-150, Code of Virginia, 1950, as amended.

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

**(RESOLUTION # 02-06-2009)**

BE IT THEREFORE RESOLVED by the Board to approve the aforementioned resolution as submitted.

MOTION BY: David Hurt

SECONDED BY: Bobby Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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**SIX-YEAR SECONDARY & PRIMARY ROAD PLAN UPDATE**

Tony Handy, Resident Administrator, VDOT, stated in an effort to maximize the potential of Franklin County's Secondary Six-Year Plan, staff thoroughly researched all aspects of the plan. In doing so, staff found significant funding left over from completed projects that could be used to advance current projects and may allow for addition of projects(s) to next year's plan. Mr. Handy advised the Board there was \$444,000 of Unpaved Road Funds from unused funds of previously completed Unpaved Road projects to payoff existing projects currently in the 6-Year Plan. This should allow the availability to advance all Rural Rustic Projects in Plan from FY 2011 to 2010. This will free up Telecommunication Funds for use of \$166k, \$165k and \$113k in FY 11, 12 and 13 respectively (the \$ figures are estimated allocations and may increase or decrease due to actual revenues).

Below is a list of projects within Franklin County currently in the Draft Primary Six Year Plan. A more detailed summary for each project follows. New projects that have added to the draft plan are shown below in bold.

**UPC 92699 – Route 641 (ARRA) – Bridge superstructure replacement.  
(Advertisement Date Not Yet Determined)**

**UPC T8007 – Route 122 Bridge Replacement (Bridge Over Blackwater River)  
Unscheduled Construction**

**UPC 93461 – Route 40 (Ferrum) – HSIP Bike and Pedestrian project on Route 40 Ferrum  
Project is intended to construct and repair sections of sidewalk on Route 40 in  
Ferrum from Route 748 to Route 805. (Adv 2011)**

UPC 52515 – Add Right/Left Turn Lanes and Signal at Route 122 / 116  
(Currently Under Construction)

UPC 84934 – Clements Mill Bridge Project (Route 687). (Adv 2014)

UPC 90089 – Route 927 (Iron Bridge Road) Bridge Replacement (over NS Railroad). (Adv 2013)

UPC 82189 – Route 122 Bridge Replacement (Bridge Over Gills Creek). (Adv 2012)

UPC 90304 – Raise Grade and Add Right Turn Lane, Southbound Route 220/608  
Add right turn lane at the intersection of Route 220 Southbound Lane and Route 608.  
Raise the grade of the Southbound lane of Route 220 just prior to the Route 608  
intersection by adding additional pavement within the "dip", and thereby increase sight  
distance at the intersection. (Adv 2010)

UPC 56412 – Franklin County BOS – Route 40 Sidewalk at Ferrum (Old Enhancement Project)

**(RESOLUTION #03-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the transfer of \$444,000 of unpaved road funds from unused funds of previously completed Unpaved Road projects to payoff existing projects currently in the 6-Year Secondary Plan.

MOTION BY: Russ Johnson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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**CLEMENTS MILL BRIDGE UPDATE**

Tony Handy, Resident Administrator, VDOT, stated there was \$178,421 of State Funds which could be transferred to the Clements Mill Bridge project. Mr. Handy stated the transfer \$178,421 of State Funds to the Clements Mill Bridge project are unused funds of previously completed State Projects (this will fully fund Preliminary Engineering and Right of Way phases). Funding would be available to start construction phase of project in 2012, if the project estimate and allocations currently shown from the VDOT Centralized Bridge Fund remain unchanged.

**(RESOLUTION #04-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the transfer of \$178,421 to the Clements Mill Bridge project as presented.

MOTION BY: David Hurt

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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**REVENUE SHARING PROGRAM**

Tony Handy, Resident Administrator, VDOT, stated the Board of Supervisors has an adopted policy in place on the use of VDOT Revenue Sharing Funds. The Board's policy / procedure have been to advertise and receive proposals by the end of January. However, funds in previous years have been delayed, and VDOT has now opened up the next round (FY '10) and staff is therefore requesting to advertise once a week between June 22<sup>nd</sup> and July 8<sup>th</sup>, 2009, in order to meet the Commonwealth Transportation Board's submittal deadline of August 14, 2009. Therefore, it is once again time to solicit public interest in the program and set a deadline for submission of project applications by the public.

The County will receive any interest of the public and VDOT will work with the citizens on the cost to be anticipated, and what public share will be needed. It is explained to the citizens that the program is contingent on Board approval and VDOT approval and availability of VDOT funds. Applicants must submit their request along with a check for \$2,500 to the County Treasurer and a guarantee to provide the right-of-way to the County. The funds are held in escrow until it is determined whether the project will go forward. If it goes forward, the \$2,500 is applied to the project, and the applicants pay one-half the construction cost and any other costs that arise. Their funds must be deposited with the County prior to advertisement of the project.

Projects are prioritized to consider the number of homes served, the number of homes served per road mile, the age of the development, the unit cost of the road, whether there is a need for school bus and/or mail service, whether the project will open land to development. Staff and VDOT will provide the Board with a summary of the projects proposed by the public for its consideration, generally in February of the year.

**RECOMMENDATION:** Staff respectfully requests the Board of Supervisors authorize the County Administrator to proceed with advertisements during June and July regarding the VDOT revenue sharing program with applications to be submitted to the County Planning and Community Development Office by 4:30 p.m., Thursday, July 10, 2009.

**(RESOLUTION #05-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to advertise for 2010 Revenue Sharing Program with a deadline of Thursday, July 10, 2009.

MOTION BY: Bobby Thompson

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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**HALES FORD PARK**

Scott Martin, Director of Commerce & Leisure Services, stated, through the development and zoning approval process, the developers of Lakewatch Plantation proffered a 17-acre site within the master planned community for a county-owned and operated public community park. The County is now prepared to act on this proffer and begin the process of subdividing the parcel, completing a park master plan, and taking ownership of the site.

Lakewatch Plantation has prepared a draft proposal of the park's boundaries for consideration by the County. Staff seeks Board authorization to present this draft site to a local park design firm to evaluate, and master plan, potential development. The master plan is anticipated to cost \$5,000.

\$10,000 is presently reserved in the capital budget to complete the master plan. The type, scale, and ultimate build-out of this site will be directed by three processes:

- Site Constraints/Topography/Access
- Regional/Area Public Recreation Facility Deficiencies
- Budgetary Constraints/Timelines

**RECOMMENDATION:**

Direct staff to complete a Master Plan for this site as per the acreage provided by Lakewatch Plantation, LLC and complete necessary survey and deed work to complete the subdivision. Upon review of a favorable site plan, direct staff to complete the park dedication and land transfer.

**(RESOLUTION #06-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve staff's recommendation and appropriate \$5,000 to \$10,000 from the Capital budget to complete the master plan as presented.

MOTION BY: Russ Johnson

SECONDED BY: David Hurt

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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**VETERAN'S PARK PROJECT**

Scott Martin, Director of Commerce & Leisure Services, advised the Board, the low head dam at Veterans' Memorial Park in Rocky Mount is an existing safety hazard. During times of high water, a five-foot deep re-circulating hole develops below the dam. This hole could easily trap a boat or boater during times of high water. Further, increasing public use of the concrete platform adjacent to the dam site has created an additional need to provide for a safe river exit option should someone enter the river inadvertently.

Fortunately, there is an engineering solution that can successfully address this hazard. Staff requests that the Board consider funding a pilot in-stream project at this site. This in-water feature would be designed to eliminate the safety hazard, while concurrently preserving the dam AND permitting development of a boat/fish passage. The initial conceptual design for this site added features downstream of the existing dam that would back water up against the existing dam thus removing the catch hydraulic. A natural wave would replace the existing straight drop thus allowing boats to safely surf and pass while at the same time ensuring that anything that goes over the dam gets flushed downstream quickly. The features at the Vet's Park site would become part of the biomonitoring plan for the Pigg River Power Dam removal project and allow the agencies to test proposed whitewater designs before they are installed at Power Dam.

This project would also improve public access to the water at the site of the Vet's Park thus opening up fishing and water based recreation at the southern entry to Rocky Mount. The Ruritan Clubs have indicated interest in seeing this pilot project move forward as they see it as a way to enhance a special park that celebrates the sacrifices made by County residents in defense of our nation. Town staff has indicated support for the concept as it aligns with their plans for a Pigg River Heritage and Recreation area. The RAC has unanimously endorsed this concept, as it will deliver a recreational amenity to the County while the larger Pigg River Power Dam project moves forward. Further, construction of this facility would permit expansion of the Pigg River Ramble and other river based events in the heart of Franklin County.

Vet's Park is a much smaller project than the one proposed for Pigg River Dam. This project would be the first step in ensuring safe boat/logperch passage from Lynch Park to the site of the Pigg River Dam once the lower dam is removed. Funds for this initial design phase came from a transfer out of the Pigg River Power Dam account.

Staff contracted with Recreation, Engineering, & Planning (Boulder, Colorado) and Anderson & Associates (Blacksburg, Va), to complete this master plan.

The pilot project at Vet's Park will remove an existing safety issue, add a community amenity to support existing events and activities at the park, and permit the County to demonstrate techniques proposed for the Power Dam site. At some point a water passage facility will need to

be built at this site to allow for uninterrupted floating between Lynch Park and the site of the future park at Power Dam. This plan simply builds the Veteran's Park feature first.

Staff completed a master plan and began dialogue with the USFWS and other permitting agencies. The initial plan that called for features downstream met with strenuous rejections from some of the permitting agencies. With comments received from the regulators, the new plan before you was developed. The main revisions to the plan include moving the in-stream features up-stream so as not to interfere with potential critical Roanoke Logperch habitat immediately downstream of the existing dam. Further, the regulators requested a design that would better flush sediment through the site during periods of high water so as to leave a cobble bed present for native fish that could once again use this area as habitat.

The new design incorporates these elements and moves the proposed structures into an area that is consider presently impaired due to it being the backwater of the low head dam. Another benefit of moving the features upstream is that the work site can now be predominantly on County and Town land at Lynch and Veteran's Memorial Park. After construction is complete, the entirety of the river course will be paralleled by a new recreational trail that the Town is constructing to connect the two park sites. The end result of this project will be a greenway/blueway feature that will be absolutely unique in Virginia.

The requested revisions do add cost to the project as the complexity increases to some degree. Staff's current project estimates are \$316,000 for three drops/waves and three pool habitat areas. There is presently \$200,000 set aside for this project. Permitting is estimated to cost between \$20,000 and \$40,000 depending upon the requests made by the regulatory agencies once the plan is submitted. While this permitting phase is moving forward, staff will begin searching for partner and grant assistance for this project. Best case scenario, permits and final design could be complete by mid to late fall. The end result of this project is that it will take an existing, and very real safety hazard that is located at one of our county's most frequently visited parks and rivers, and turn it into a safe asset that will be enjoyed and cherished by residents and visitors alike.

**RECOMMENDATION:**

Staff requests authorization from the Board to complete final design and permitting for the Veteran's Park Low Head Dam River Passage project using the existing design contracts with Recreation, Engineering & Planning and Anderson & Associates Engineers in the amount not to exceed \$40,000. Upon a permit being issued and final designs being complete, staff will return to the Board for bid release consideration.

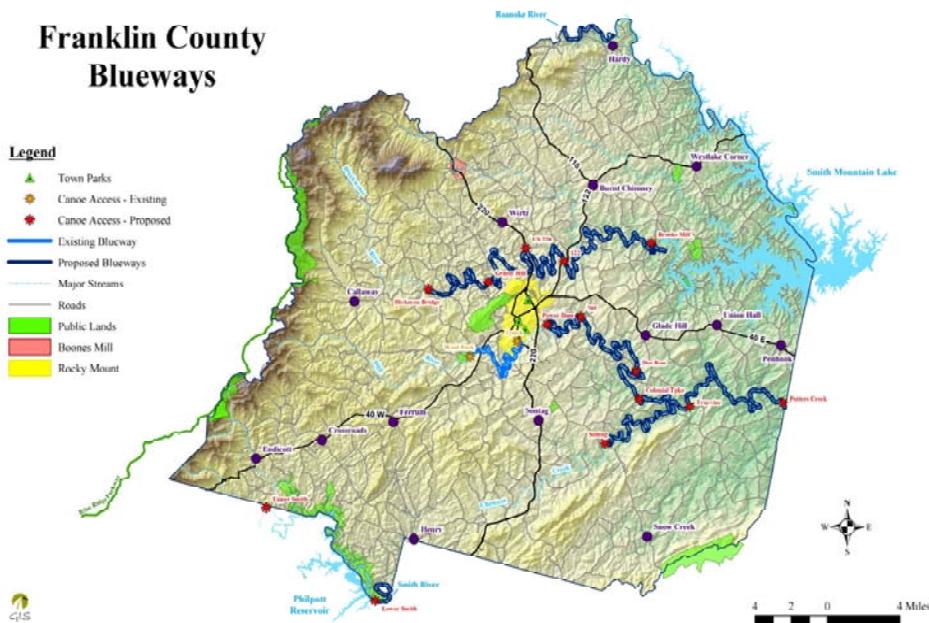
Scott Martin, Director of Commerce and Leisure Services, shared with the Board the following PowerPoint presentation:



## Action Timeline

- Board directed staff to complete a rough design and vet it with the agencies and partners in Summer 2008.
- Pre-permitting meetings completed from October 2008-February 2009.
- Redesign of initial project completed in March to assuage regulatory agency concerns
- Final design received by staff on May 29.
- Opportunity to discuss other site options aside from river park design should an alternative approach be the Board's direction.

### Franklin County Blueways





## Four Site Options Big Differences

- Complete Dam Removal
- Dam Facing
- In-Stream Park
- No Action



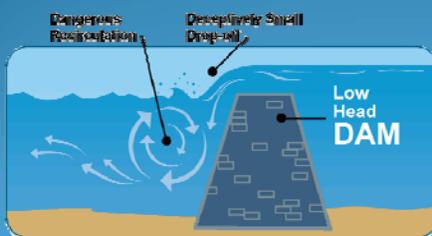
## Complete Dam Removal



## Complete Dam Removal Summary

- Significantly Lower Cost - \$100-\$125,000
- Permitting is much, much, much smoother and quicker
- Complete removal of hazard
- Would result in total removal of water holding capacity in the area
- Permits full passage for fish and boats
- Possibility of significant federal/state grants to support.

## Dam Facing/Retrofitting



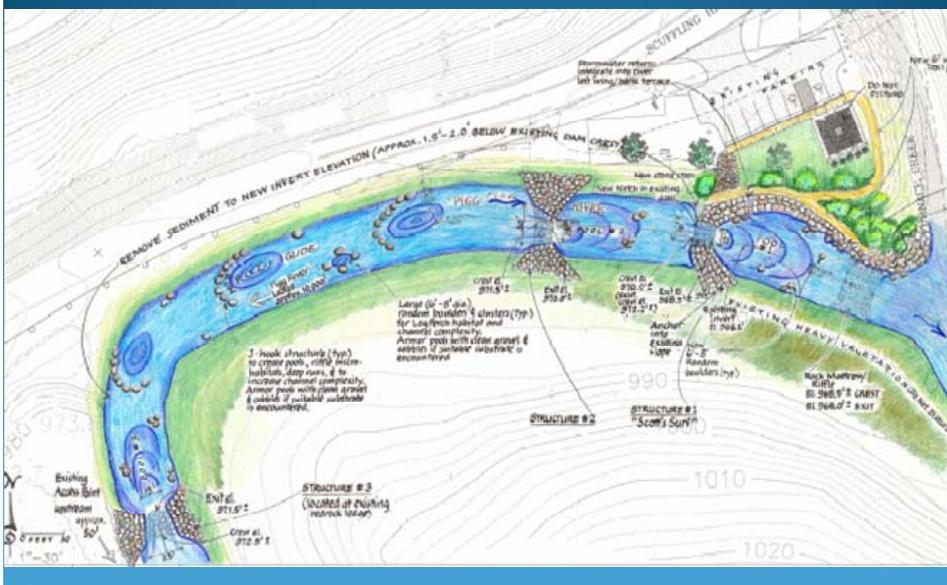
## Dam Retrofitting Summary

- Significantly Lower Cost - \$20,000
- Permitting is much, much smoother and quicker
- Preserves water holding capacity behind dam
- Does not permit passage of boats and fish.
- Removes hazard of entrapment and hydraulic.
- Can be removed if/when dam is removed at some later time with not a significant cost increase

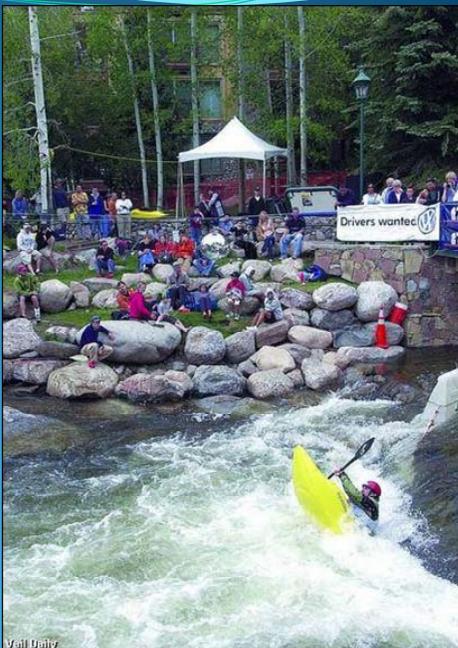
## In-Stream Park Concept



## Veteran's Park Low Head Dam



# Low Head Dam Removal Projects



## In-Stream Park Summary

- Most capital and permitting intensive of the proposals. (est. cost of \$316,000)
- Regulatory and permitting is challenging – will require first-of-its-kind studies and practices
- Produces a safe, and unique, community asset that will define passive recreation in this area of the county
- Allows for fish and boat passage
- Increases recreational use of the river corridor in association with the Town's trail component
- Can be phased.
- Allows for future water withdrawal at the site by the Town.



**Franklin County**  
*A Natural Setting for Opportunity*

### Board Action Requested for Staff:

- No Action. If no action, when/if do you want it revisited.
- Seek Design/Funding/Permitting for Dam Removal with Town. No County cost share at this time aside from staff time.
- Seek Design/Funding/Permitting for Dam Facing with Town. Minimal County cost for retrofit – contribution of County staff time
- Complete final design and submit permits with in-stream park. \$40K of design and permitting work. Aim for permits issued in late Fall 2009.

General discussion ensued. The Board stated they would like to have additional time to consider the proposed plans prior to moving forward with the removal of the dam. The Board did instruct County staff to approach the Town of Rocky Mount (the Town owns the dam) and get their views on a possible partnership.

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### **COOL CITY COALITION PRESENTATION**

Kenneth Cronin, Director of General Services/Sustainability City of Roanoke, presented the following PowerPoint presentation



## Starting a Green Program in your Community

*Presented by:* Ken Cronin, City of Roanoke

June 16, 2009

### Motivation for Change

Whether counties are motivated by global warming, air quality, national security, sustainability or financial savings, they are taking action to reduce harmful greenhouse gas emissions (GHG). Environmental risks and potential costs for inaction, meeting shrinking budgets and saving taxpayer dollars, moving the country toward energy independence – pick the goal you'd like, but the bottom line is counties are more aware today of emissions than ever before.

*~ County News Online – February 25, 2008*

### First Things First...

- Get commitment to do something
- Assign a person or a group to oversee actions taken
- Track energy usage

## What are Communities doing to “Get Started”?

Some of the basics:

- Determining the organization’s carbon footprint
- Local legislation involving energy incentives
- Employee and community involvement
- New energy-efficient buildings
- The big R’s: reforestation, relighting, retrofitting and recycling
- Alternative energy use

## Defining your Carbon Footprint

Roanoke joined ICLEI- Local Governments for Sustainability in September, 2006. ICLEI is an international organization dedicated to improving the global environment through local government initiatives.

As part of this process, Roanoke is partnering with the Shenandoah Valley Air Quality Initiative (SHENAIR) at James Madison University and Virginia Tech’s Green Engineering Program to evaluate the City’s options for climate improvement.

## The ICLEI Model: 5 Milestones

1. Conduct a baseline emissions inventory and forecast. Commonly called a “Carbon Footprint.”
2. Adopt an emission reduction target for the forecast year.
3. Develop a Local Action Plan.
4. Implement policies and procedures.
5. Monitor and verify results.

## Virginia ICLEI Members

- Albemarle County
- Arlington County
- Frederick County
- James City County
- City of Alexandria
- City of Charlottesville
- City of Falls Church
- City of Harrisonburg
- City of Norfolk
- City of Roanoke
- Roanoke County
- Town of Abingdon
- Town of Altavista
- Town of Warrenton
- Town of Blacksburg

## Roanoke City Council Initiative: Tax Break for Energy-Efficient Buildings

- Roanoke was the first city in Virginia to adopt this special tax rate
- Provides a five year, 10% real estate tax decrease if building is 30% more energy efficient than required by the Virginia Uniform Statewide Building Code
- Certification as an energy-efficient building must be made by a qualified, registered design professional or contractor not related to the applicant
- Exemption commences on July 1<sup>st</sup> following the approval date

## Roanoke City Council Initiative: Clean and Green Campaign

- Designed to accelerate efforts already in place to make Roanoke attractive and *environmentally sound*
- Challenges businesses, civic organizations, neighborhoods and citizens to get involved in cleaning up their properties and *protecting the environment*
- Expectations and goals for appearance of the community will be established with the intent that they will be officially adopted as community standards
- Inspired creation of the Roanoke Business Environmental Leadership Coalition

## Roanoke's First LEED Project

· WILLIAMSON ROAD FIRE STATION ·



LEED Projects:

- Optimize Site Potential
- Minimize non-renewable energy consumption
- Use environmentally preferable products
- Protect and conserve water
- Enhance indoor environmental air quality
- Optimize operational and maintenance practices

## Reforestation of Roanoke



- Goal of increasing the City's tree canopy from 32% to 40% over the next 10 years.
- Planted 500 trees, exceeding tree losses by 100 trees per year
- Reforested 3 acres of Thrasher Park

## Safe Route to Schools

City of Roanoke Public Schools

- \$25,000 grant received to purchase 70 bicycles that will help PE teachers recently trained in the BikeSmart Virginia curriculum to educate students how to ride bikes safely
- \$325,982 received to make biking and walking safer and more appealing at one middle school by constructing new shared use paths, sidewalks, curb ramps and lighting along existing greenway.



## Compact Fluorescent Lights



Compact Fluorescent Light

- City of Roanoke has replaced over 700 of our incandescent lights with CFL's.
- CFL's last at least five times as long and use 75% less energy.

### Old T12 Lamps with Magnetic Ballasts in Municipal South



### New T8 Lamps with Electronic Ballasts

T8 lamps are 10% more efficient than T12

Electronic Ballasts are 30% more efficient than Magnetic



City Jail Pneumatic Controls

Before ↓

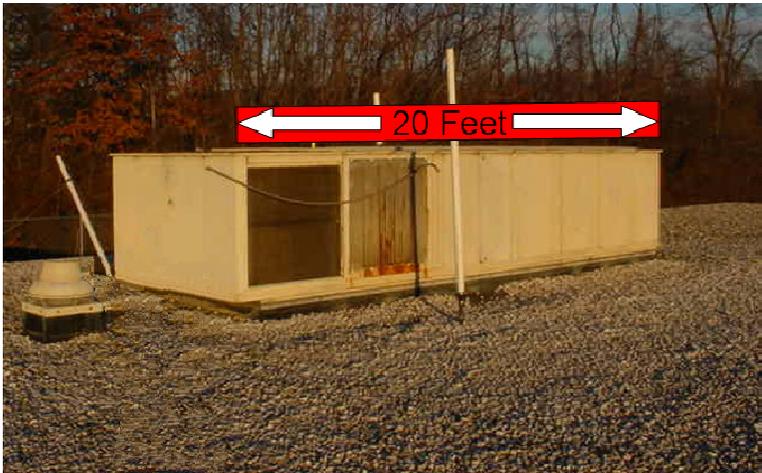


Direct Digital Controls (DDC)

After →



Melrose Library (before)  
Electric Air Conditioner



Melrose Library (after)  
Roof top Heat Pump



## Roanoke: First Local Government in SW Virginia to Use Biodiesel



- Biodiesel is biodegradable and non-toxic.
- Biodiesel typically produces 60% less net carbon dioxide than petroleum based diesel.
- Biodiesel makes the USA less dependent on foreign oil.

## Roanoke: First Local Government in SW Virginia to use Ethanol



*Pumping Ethanol from Corn 1933*

- City currently uses 10% Ethanol blend
- Corn Ethanol produces 22% less net Carbon Dioxide than Gasoline
- Ethanol makes the USA less dependent on foreign oil

## City of Roanoke's New Electric Vehicles

Electric Pickup-Parks & Recreation

Electric Car- Housing & Neighborhood Services



2 loader bucket scoops of mulch

## Electric Car



## Propane Lawn Mowers



- City has purchased 3 replacement propane mowers to test
- Propane mowers reduce ozone emissions and can be used on “ozone action days.”
- 85% of propane is produced domestically making us less dependent on foreign oil.

## LED Traffic Lights



- Replacing incandescent lights with LED lights at 60 major intersections.
- LED's use 85% to 90% less energy and have a significantly longer bulb life.



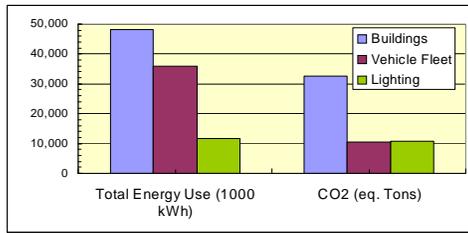
Products that have the Energy Star rating prevent greenhouse gas emissions by meeting strict energy efficiency guidelines. The City of Roanoke purchases the following Energy Star rated products:

Computers	New Lights
Monitors	HVAC Equipment

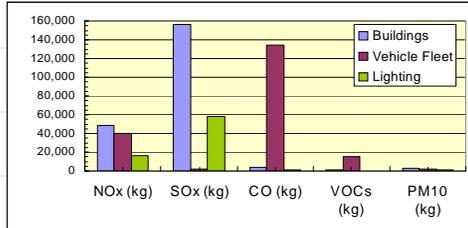
## Okay...

**Changes were made...**  
**What difference did it make?**

## Roanoke Municipal Baseline Summary



Roanoke Municipal Greenhouse Gas Emission Summary by Sector (2005)

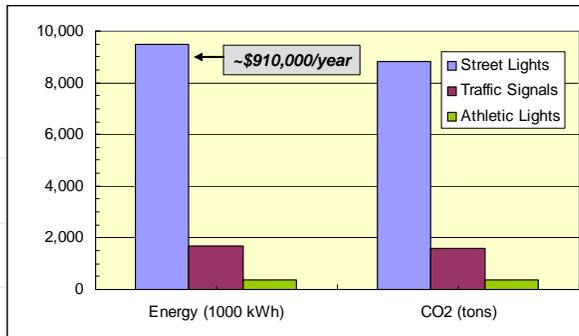


Roanoke Municipal Criteria Air Pollutant Emission Summary by Sector (2005)



## Roanoke Municipal Baseline Summary

- **Lighting Sector**
  - Streetlights (~10,000)
  - Traffic signals (~150)
  - Athletic facility lights



Roanoke Municipal Greenhouse Gas Emission Lighting Summary (2005)

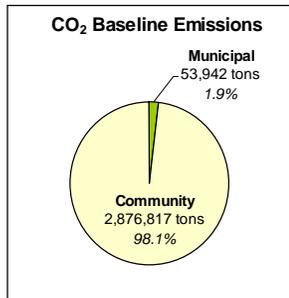


## Roanoke Municipal Measures - Implemented

Measure	CO <sub>2</sub> (eq. tons)
<b>1. Municipal South Building Upgrade</b>	
• HVAC upgrade (~50% energy reduction)	-217
• 694 40W T-12 lights changed to 32W T-8 lights (~20% energy reduction)	-135
<b>2. Eureka Park Recreational Center Boiler Upgrade</b>	
• 40-yr old boiler replaced with new, efficient boiler (~10% energy reduction)	-5
<b>3. Light Bulbs</b>	
• 460 - 60 W incandescent light bulbs replaced with 14 W CFL bulbs	-86
• 300 - 90 W exterior halogen lights replaced with 23 W CFL bulbs	-82
<b>4. Vehicles</b>	
• Low-sulfur diesel (LSD) fuel replaced by ultra-low sulfur diesel (ULSD)	
• Biodiesel blend increased first to 2% (B-2) and then to 5% (B-5)	-303
• Ford Escape hybrid SUV's purchased to replace standard gasoline sedans	-5
<b>TOTALS</b>	<b>-833</b>
<b>Emission Reduction Relative to 2005 Baseline</b>	<b>-1.5%</b>



# Municipal Emissions Are A Small Contribution To The Overall Community Baseline



Roanoke Municipal – Community Baseline Emission Comparison (2005)

Sector	NO <sub>x</sub> (tons)	SO <sub>x</sub> (tons)	CO (tons)	VOC (tons)	PM10 (tons)
Municipal	116	238	154	18	6
Community	6,391	9,736	24,821	2,600	250
<b>Municipal (%)</b>	<b>1.8%</b>	<b>2.4%</b>	<b>0.6%</b>	<b>0.7%</b>	<b>2.3%</b>

## City Council Action (Milestone 2 ICLEI)

- Emissions reduction target of 12.5% for municipal operations and 10% for the community over 5 years

**CLEAN AND GREEN**

**COMMUNITY SUMMIT on GREENING THE CITY**

Tuesday, Sept. 23 • 6 p.m.  
 Roanoke Civic Center Exhibit Hall

Light refreshments will be served. There is no charge to attend.

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The Community Summit on Greening the City will seek community input to identify ways to develop an *action plan* to protect Roanoke's environment.

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### Citizens for



- Appointed by City Administration in January 2009 to develop ways to reduce Roanoke's carbon dioxide emissions
- Comprised of 12 citizens, 1 staff member and 1 technical advisor
- Ideas so far:
  - “Clean and Green Campaign Pledge”
  - “Fill Your Bin and Win”
  - “The Greatest Loser”

### Business Leader

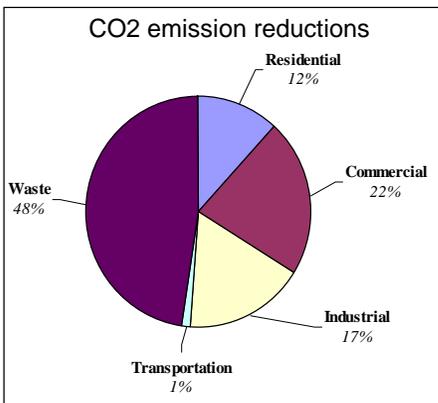


- Formed in March 2008 by a City Council Member and a CEO from a local general contractor
- Includes 10 of the largest employers within the City of Roanoke
- Participating business were asked to:
  - Conduct a Carbon emission inventory
  - Encourage conservation through business practices
  - Purchase environmentally sound products and supplies
  - Designate a staff member to serve as a champion for the environment on behalf of the business.

## Roanoke Potential Measures - Community

- **Conservative options analyzed in all 5 community sectors:**
  1. **Waste – increased recycling of solid waste**
    - Increase total recycling of municipal solid waste (paper, glass, metal, plastic) by 1% (weight) each year (2008 – 2012).
  2. **Residential – increased use of CFL lights**
    - Replace one 75 W incandescent bulb with an equivalent 20 W compact fluorescent light bulb (CFL) in each Roanoke household each year (2008 – 2012).
  3. **Commercial and Industrial – energy efficiency measures**
    - Reduce total commercial and industrial electricity usage by 1% each year (2008 – 2012).
  4. **Transportation – increased use of public transportation**
    - Replace one automobile trip with one public transportation trip per week for 1% of Roanoke's population each year (2008 – 2012).

# Roanoke Potential Measures Results



Sector	Equiv. CO2 (tons)
Residential	-15,656
Commercial	-28,595
Industrial	-22,653
Transportation	- 1,347
Waste	-62,475
<b>TOTALS</b>	<b>- 130,726</b>
Community Total	2,876,827
5 yr. Reduction (%)	-4.5%

- These are simple examples of potential measures that the community could undertake to reduce emissions and energy use - *and save money at the same time.*
- Further analysis and discussion with city staff is required to determine best use of money and resources (ICLEI steps 3 and 4).

## Tips for Getting Started. . .

1. Assign a point person responsible to coordinate the work
2. Determine your carbon footprint
3. Get some help. . .colleges and universities have skilled staff to do this work
4. Start doing some stuff. . .do the big R's, reforestation, relighting, retrofitting, recycling
5. Work with your Technology staff to ensure that computer monitors and large printers go into a "power-save" (not screen-saver) mode 30 minutes after last use.

## Tips for Getting Started. . .

6. Start an employee recycling initiative.
7. Get the junk out of your fleet...buy hybrids if possible.
8. Install new carpet that is made from recycled materials. Get the manufacturer to commit to pick up old carpet and recycle it.
9. Install low flow or water free urinals.
10. Use biodiesel.

\*\*\*\*\*

### RAIL SOLUTIONS – STEEL INTERSTATE

Harriett Hodges, Rail Solutions, presented the following resolution for the Board review and consideration:

### RESOLUTION

*Petitioning Virginia's Federal representatives to sponsor legislation to fund a comprehensive study of the proposed "Steel Interstate" rail system pilot project between Knoxville, TN, and Harrisburg, PA, as a part of a National Steel Interstate System that would bring fast rail freight and passenger service to the nation*

**WHEREAS**, Congress is considering investments in transportation, public health, renewable energy, energy efficiency, fuel conservation, greenhouse gas abatement, and public infrastructure as fiscal stimulus, and a National Steel Interstate rail system will promote all these goals, and

**WHEREAS**, Steel Interstate rail service would reduce Interstate truck traffic and dependence on imported oil, while enhancing safety, national security, and economic competitiveness, and

**WHEREAS**, a Steel Interstate System offers the nation greater transportation productivity at lower cost compared to equivalent interstate highway expansion, and

**WHEREAS**, today, no passenger rail service, diminishing airline service, and limited intercity public bus service exists within the I-81 corridor and surrounding region but Steel Interstate service allows for harmonious fast passenger and freight operation, and

**WHEREAS**, Steel Interstate technology offers positive advantages for communities, the Commonwealth, other Interstate 81 states, and the United States relating to cost, safety, economic growth, tourism development, and varied freight and passenger service options, and

**WHEREAS**, when electrified, the Steel Interstate System offers the U.S. opportunity to employ domestic, renewable energy sources and efficiency to drive transportation, and

**WHEREAS**, forty-nine Virginia and four Tennessee governing bodies have previously voted support for improved rail service over massive widening of I-81;

**NOW, THEREFORE, BE IT RESOLVED**, that we, the Franklin County Board of Supervisors of the County of Franklin, urgently petition our congressional delegation to work in concert with other I-81 Corridor representatives to sponsor and secure funding for a comprehensive study for the pilot segment (between Knoxville and Harrisburg) of a National Steel Interstate System.

**BE IT FURTHER RESOLVED** that the Franklin County Board of Supervisors' asserts that the following should be included in the comprehensive study: 1) user surveys to identify attractive and cost-effective services to divert the most truckloads to rail and of potential passengers in this corridor, based on 79 MPH track speeds; 2) engineering and design to determine required infrastructure improvements, options, costs, and speed improvement potential; 3) determination of appropriate environmental permitting; 4) exploration of financing, repayment, ownership and partnership scenarios; and 5) review of appropriate state/federal/private or other cooperative agreements.

**AND BE IT FURTHER RESOLVED** that the Franklin County Board of Supervisors strongly urges the Norfolk-Southern Corporation, as owner of the current rail right-of-way and provider of rail service in the I-81 corridor, to support and participate in the undertaking of the comprehensive study.

Staff advised the Board the Rail Solutions organization is requesting local governments in western Virginia to adopt a resolution promoting rail facilities in the region. The Roanoke Valley – Alleghany Regional Commission (RVARC) adopted a resolution at its meeting in March, but such resolution was different from the sample resolution provided by Rail Solutions. RVARC's resolution called for rail related improvements to benefit both freight and passenger service, but also made it clear that these improvements should complement the widening of Interstate 81 and not replace improvements to this critical highway in our region.

Staff reviewed the two resolutions and briefly spoke with Mark McCaskill at the Regional Commission, and hereby offer the following analysis of the differences: The resolution presented by Rail Solutions takes the tone that rail improvements essentially make future road improvements unnecessary, implying that they would relieve the road network to an extent that future road improvements, such as widening of I-81, will not be necessary. Additionally, this resolution heavily favors the implementation of specific technologies (i.e. roll on/roll off). Richard Caywood (VDOT) did not fully support the Rail Solutions resolution because of its tone (that rail

improvements are a substitute for roadway improvements). However, Caywood has supported RVARC's alternative resolution.

RVARC's alternative resolution (submitted) states that rail improvements should not be a substitute for roadway improvements, but should be complimentary. This resolution is technology neutral, stating that the Regional Commission supports multiple technologies, including roll on/roll off, double stack intermodal containers, and other strategies and technologies.

**RECOMMENDATION:** Should the Board of Supervisors entertain adoption of the "Steel Interstate" Resolution presented by Ms. Hodges of Rail Solutions, County staff strongly recommends the Board consider an alternative resolution modeled after and recently adopted by the Roanoke Valley – Alleghany Regional Commission (RVARC).

**RESOLUTION**

*To Reconfirm Support for Rail Alternatives to Complement Planned Improvements to I-81*

WHEREAS, the I-81 corridor is increasingly the route of choice for trucks traveling between the northeast and the south/southwest because of congestion on I-95 and expanding shipments generated by the North American Free Trade Act;

WHEREAS, roadway improvements alone are not projected to adequately address forecasted congestion levels on I-81 during the time horizon of the current Long-Range Transportation Plan;

WHEREAS, improvements to rail infrastructure near the I-81 corridor may be thought of as investing in a "Steel Interstate" that would provide additional freight capacity to complement I-81;

WHEREAS, various technologies including but not limited to: tractor-trailer on rail car, trailer on rail car, double stack intermodal container, and other strategies or technologies would benefit from increased freight rail capacity in or near the I-81 corridor;

WHEREAS, rail improvements can complement existing national policy initiatives by reducing dependence on imported fuel, providing modal redundancy, enhancing national security, and—when electrified—offering the U.S. opportunity to employ domestic renewable energy sources and efficiency to drive transportation;

WHEREAS, rail improvements offer positive advantages for communities, the Commonwealth, neighboring I-81 states, and the United States relating to cost, safety, economic growth, tourism development, decreased fuel consumption and greenhouse gas emissions, improved air quality and public health, and varied freight and passenger service options;

WHEREAS, rail improvements offer added capacity potential for possible future passenger rail service in the I-81 corridor; and

NOW, THEREFORE BE IT RESOLVED that the Roanoke Valley-Alleghany Regional Commission strongly petitions for the development of rail improvements, that benefit both freight and passenger rail service options, parallel to I-81, to complement highway-widening and to move a large volume of the long-distance freight traffic from trucks on I-81 to freight trains parallel to I-81.

Ms. Hodges shared with the Board a listing of 46 local governments and regional planning and economic development bodes have, since January 2009, passed resolutions endorsing RAIL Solutions request for a 21<sup>st</sup>-Centruy Steel interstate railroad pilot project. The resolution asks Congress to fund a demonstration section in the I-81 Corridor states to show the nation that a cheaper, cleaner, safer, faster, more flexible rail transport system would benefit both business and the environment.

**(RESOLUTION #07-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned resolution adopted by The Roanoke Valley Alleghany Regional Commission.

MOTION BY: Wayne Angell

SECONDED BY: David Hurt

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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**WINDY GAP ELEMENTARY CONSTRUCTION PROJECT COSTS/CARRYOVER FUNDS**

Lee Cheatham, Director of Business & Finance, presented the Board with the following request of carryover funds for Windy Gap Elementary School Construction:

<u>Revenues Needed:</u>	<u>School</u>
Literary Fund VPSA Subsidy Loan	\$ 7,500,000
BB & T Loan	4,862,893
Interest Earned	343,972
School Food Service Equipment Funds	264,306
Sale of Land to Noel	4,250
County Capital Improvement Plan Funds	<u>0</u>
 Total Revenues Needed	 <u>\$12,975,421</u>
 <u>Estimated Costs:</u>	
Base Bid – Avis Construction Company, Inc.	\$12,074,000
Less Deduct	<u>(50,000)</u>
Adjusted Base Bid	12,024,000
Architectural / Engineering Contract	495,500
Architectural / Engineering Contract – Additional Services	5,201
Architectural / Engineering Contract – Additional Costs	13,296
Architectural / Engineering Contract – Reproductions & Other Costs	16,704
Inspections & Testing	60,000
Recommended Construction Contingency – 3%	360,720
County Park Improvements & Bio-retention Pond	<u>0</u>
 Total Estimated Costs	 <u>\$12,975,421</u>

I am writing to respectfully request that the Franklin County Board of Supervisors consider approving the Windy Gap Elementary School Project funding carryover request into the 2009-10 fiscal year as follows:

Project Budget	\$12,975,421
Less Total Expenditures Through 6/9/08	<u>(3,370,743)</u>
Balance Carried Over Into 2008-09	9,604,678
Less Portion of Contingency Funds Allocated to the CEED Project (Approved by the Board of Supervisors On 1/20/09)	(189,635)
Less Expenditures in 2008-09	<u>(7,886,507)</u>
Balance Carried Over Into 2009-10	<u>\$ 1,528,536</u>

**(RESOLUTION #08-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the Windy Gap Elementary School Construction Project Costs – Carryover Funds request as presented.

MOTION BY: David Hurt

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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**SCHOOL REQUEST TO CARRYOVER FUNDING FOR ENERGY, SCHOOL CAPITAL, PURCHASE OF ADDITIONAL ACREASE ADJACENT TO EXISTING SCHOOL**

Lee Cheatham, Director of Business & Finance, presented the following carryover funding for Energy, School Capital and Purchase of Additional Acreage Adjacent to an Existing School:

1. Energy Fund – Electricity, Transportation Fuel and Heating Fuel \$376,544
2. Purchase of Additional Acreage Adjacent to an Existing School  
(Previously approved by the Franklin County Board of Supervisors on 6/19/07.) \$ 50,000
3. School Capital Project – Enclose the Rear Lot at the FCHS West

Campus with Walls & Roof to Provide Additional All-Weather Instructional Spaces for the Auto Body & Masonry Career & Technical Instructional Spaces (Previously approved by the Franklin County Board of Supervisors on 10/21/08)

\$139,950

These three carry over items will be funded from funds that will remain unspent from 2008-09.

**(RESOLUTION #09-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the Energy, School Capital Purchase of Additional Acreage Adjacent to the Existing School (FCHS West Campus) as presented.

MOTION BY: Wayne Angell

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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**SCHOOL FOOD SERVICES ADDITIONAL FUNDING REQUEST FOR 2008-2009**

Lee Cheatham, Director of Business & Finance, presented the following additional funding request for the 2008-2009 fiscal year:

Revenues – School Food Services \$42,060

Expenditures – School Food Services \$42,060

These additional expenditures will be funded from School Food Services revenues. Additional County revenues are not being requested.

This request is necessary primarily because additional meals are being served and food costs have risen.

**(RESOLUTION #10-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the School Food Services and to carry over the \$42,060 as requested.

MOTION BY: David Hurt

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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**CEED PROJECT 2009-2010 CARRYOVER FUNDING**

Lee Cheatham, Director of Business & Finance, presented the following additional carryover funding request for the CEED Project into the 2009-2010 fiscal year:

Revenues:

Interest Earned on Windy Gap Financing:	
VA SNAP 10/31/08	\$538,718
BB&T 10/31/08	79,898
Additional Interest to be Earned	<u>22,760</u>
Total	641,376
Less Interest Originally Committed to Windy Gap	(343,972)
Less Glade Hill Water Storage Tank Project	<u>(69,850)</u>
Balance of Uncommitted Interest	227,554
Uncommitted Windy Gap Construction Contingency	189,635
Federal Department of Energy Grant (11/23/04)	213,137
Federal Department of Energy Grant (12/26/07)	196,800
Donations – Appalachian Power Co.	10,000
Other School Funds	<u>2,208</u>

Balance of Total Revenues Appropriated in 2008-09 \$839,334

Proposed Expenditures:

CEED Project at The Gereau Center (Project originally approved 1-20-09) \$839,334

**(RESOLUTION #11-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the carryover funding from CEED Project in the 2009 -2010 budget.

MOTION BY: Russ Johnson

SECONDED BY: David Hurt

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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**UPTOWN REVITALIZATION PROJECT WASTE DISPOSAL**

Jim Lovell, Engineer, Earth Environmental Consultants, Inc., advised the Board Earth Environmental Consultants, Inc. is working with the Town of Rocky Mount in the bidding process for the Uptown Revitalization Project. Mr. Lovell requested the County's assistance in waiving the tipping fee for landfill disposal of solid waste from the project. The specific materials will be demolished for the new construction includes existing asphalt pavement and concrete associated with sidewalks and curb and gutter. Mr. Lovell stated the estimated quantify for asphalt is 1,115 tons and concrete is 340 tons. The combined weight at the disposal rate of \$32 per ton is \$46,500.

The Board asked for more precise wording and will report back to the Board.

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**SHERIFF'S REQUEST FOR PAY & CLASSIFICATION SYSTEM REVISION**

Sheriff Ewell Hunt stated he is in the process of restructuring his department and in doing so, wishes to create a new job title in his department of "Chief Deputy". This position would eliminate the former job title of "Major" and would be classified in the same pay range as the former "Major" position. A copy of the new job description is submitted for the Board's review. The Board's practice has been to review and approve new position descriptions that are created in lieu of staff doing so. At the May meeting, Supervisor Cundiff asked for additional information related to Sheriff Hunt's request.

1. What impact will approving this request have on the pay scale?

**ANSWER:** *In talking with our classification consultant, it was confirmed that the position will be compared with the Chief Deputy position in other localities and therefore the rank that the position carries is of no regard. For instance, according to Sheriff Hunt the Chief Deputy position in Pittsylvania County carries the rank of Lt. Colonel whereas, Henry County carries the rank of Major. All of these positions would be comparable when pay studies are done based on the job duties of the Chief Deputy.*

2. How many times can a department request the Board to approve a re-organization?

**ANSWER:** *Unless new positions are being created, the County Administrator is authorized to approve a re-organization of existing positions. There is currently no Board policy on limiting the number of requests to add new position descriptions in a department.*

**RECOMMENDATION:** Sheriff Hunt will be available for this agenda topic to answer questions as needed. The Compensation Board has indicated that the promotion of a former Captain into the Chief Deputy position will allow the County to recoup the cost of the promotion plus an additional \$2,094.

**Chief Deputy Sheriff - FINAL**

**GENERAL DEFINITION**

The incumbent is responsible for overseeing and making decisions concerning all operational activities of the Sheriff's Office. This includes performing work of considerable difficulty in supervising and coordinating the Administrative, Operations, Corrections and Communication Divisions of the Sheriff's Office. The incumbent coordinates activities involving Federal, local and state agencies and serves as Chief Deputy and chief advisor to the Sheriff.

**ORGANIZATIONAL RELATIONSHIP**

This is an appointed, executive & professional level position. The incumbent assumes command of the Sheriff's Office in the absence of or at the direction of the Sheriff, makes decisions and performs all the Sheriff's functions. Work is performed under the general supervision of the Sheriff with the rank of Lieutenant Colonel.

### **TYPICAL TASKS**

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- Supervises employees, performing related human resource functions and completing necessary paperwork.
- Assures that each sworn officer in the Franklin County Sheriff's Office maintains the ability to perform the essential job functions of a sworn law enforcement officer/corrections officer as described under the "Deputy Sheriff" job description, regardless of his/her current assignment.
- Assumes command, as required, in all major activities or emergency situations.
- Oversees the implementation and enforcement of the policies, philosophies and directives of the Sheriff.
- Serves as liaison officer between the Sheriff's Office and other Franklin County departments.
- Assists in financial operations of the Sheriff's Office, including assisting Sheriff with the development and monitoring of the budget.
- Supervises, coordinates and ensures the efficient operation of all activities of the Sheriff's Office.
- Serves as chairperson on internal decision making committees and volunteers on various community boards as a representative of the Sheriff's Office.
- Prepares reports, makes presentations, and represents the Sheriff's Office in the community.
- Provides direction and resources to staff.
- Meets with staff and assists with creating, developing and establishing goals and objectives for each division.
- Meets with staff to help coordinate training in an effort to accomplish goals and objectives of the Sheriff's Office.
- Oversees the responsible collection and dissemination of all intelligence information, both internal as well as to other agencies.
- Supervises work of all divisions of the Sheriff's Office.
- Assists in the planning, direction, coordination, control and staffing of the Sheriff's Office.

### **ESSENTIAL KNOWLEDGE, SKILLS AND ABILITIES**

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Thorough knowledge of rules and regulations of the department; thorough knowledge of approved principles, practices and procedures of police work; thorough knowledge of pertinent federal and state laws and municipal ordinances; considerable knowledge of the principles, practices and techniques of modern police administration, investigative operations, organizational management, and personnel management. Comprehensive skill in supervising personnel, planning and evaluating police activities and service in developing and maintaining effective working relationships of all divisions within the Sheriff's Office and other law enforcement agencies. Must be an effective communicator, both written and orally. Ability to deal with the public courteously, but firmly and to maintain satisfactory public relations. Ability to plan, organize and direct complex programs and operational activities. Ability to rapidly analyze situations and make sound decisions with due regard for surrounding hazards and circumstances. Ability to maintain physical agility and endurance, as required and maintains skills in the use of firearms.

**TRAINING, EDUCATION AND EXPERIENCE**

Associate's Degree in a related field is required. Must have at least eight (8) years of increasingly responsible law enforcement experience in a sworn position including supervision. A Bachelor's degree is preferred. Any equivalent combination of training and experience comparable to the above is acceptable.

**SPECIAL REQUIREMENTS AND RELATED OBLIGATIONS**

Successfully complete and maintain all Department of Criminal Justice Services state mandated requirements. The successful applicant will possess and maintain a valid Virginia Motor Vehicle Operator's License. Note: Applicant must have and maintain a driving record acceptable to Franklin County and its insurance carrier(s). Serves at the will of the Sheriff.

**PHYSICAL DEMANDS**

Shift work, including weekends, nights and holidays, must be able to work beyond normal schedule. This position requires the ability to spend a considerable amount of time at a desk using a personal computer and the ability to carry out all the objectives of the Sheriff's Office.

**WORK ENVIRONMENT**

The work environment is typical office environment with desk, seating, and lighting for performing personal computer work as well as all operations. Performs complex service work in the Sheriff's Office involving an element of personal danger.

*This description provides information regarding the essential functions of the designated job, and the general nature and level of work associated with the job. It should not be interpreted to describe all the duties whose performance may be required of such employees or be used to limit the nature and extent of assignments such an individual may be given. (May 1, 2009)*

FLSA Status: \_\_\_\_\_  Exempt

Pay Grade \_\_\_\_\_ Non-Exempt  
30

Recommended by: \_\_\_\_\_  
Dept. Head Date

Reviewed by: \_\_\_\_\_  
Date Human Resources

Approved by: \_\_\_\_\_  
County Administrator Date

Note: Chief Deputy is a Grade 30 (54,946 min)

General discussion ensued.

**(RESOLUTION #12-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the re-classification of the Major position to the new classification of Chief Deputy as presented.

MOTION BY: Leland Mitchell

SECONDED BY: David Hurt

VOTING ON THE MOTION WAS AS FOLLOWS:

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

NAYS: Cundiff

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**DARYL HATCHER/ANIMAL CONTROL REPORT**

Daryl Hatcher, Director of Public Safety, stated, in May, the Board of Supervisors requested an update of the Animal Control division goals and objectives.

Staff prepared the following report to be delivered to Board members during their June 16, 2009 meeting.

The Animal Control Division of Public Safety continues to improve services available to the community while fulfilling its mission. The division is responsible for operating the animal shelter, investigating dog bite and domesticated animal nuisance complaints, investigating animal

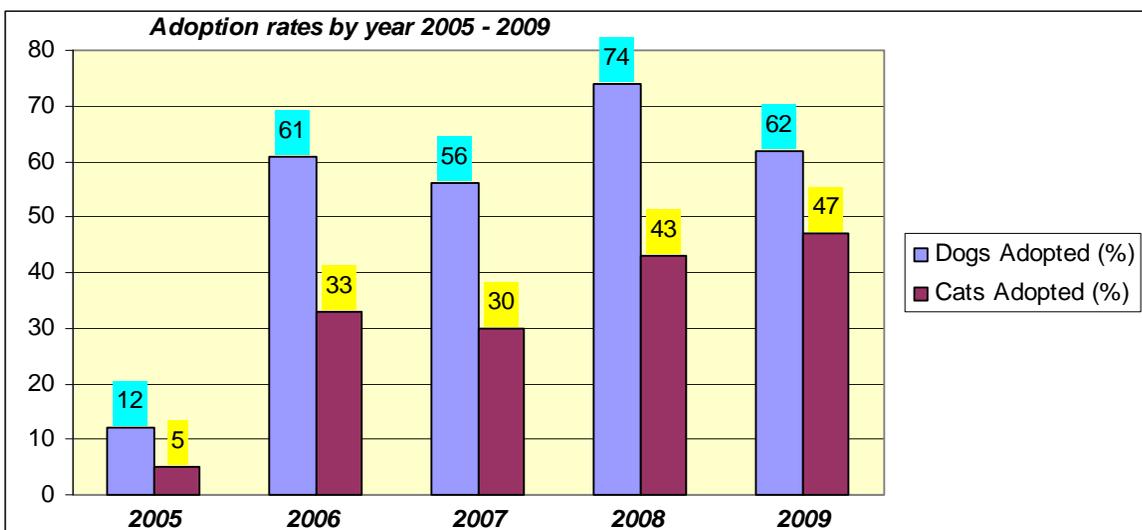
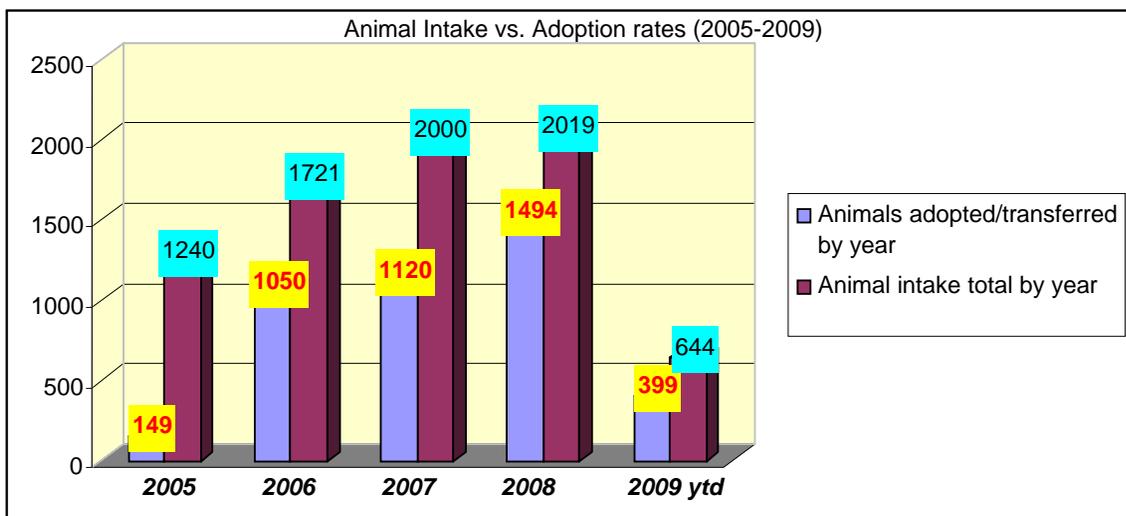
abuse/neglect cases, conducting inspections for dog tag and rabies vaccination compliance, protecting public health and welfare through enforcement, and promoting responsible pet ownership practices.

Accomplishments of the animal control division include:

- Operating the animal shelter in compliance with state regulations while continuing to improve adoption rates of shelter animals.
- Providing spay/neuter assistance to county residents through the Spay/Neuter Assistance Program. (SNAP)
- Working with local and regional animal welfare agencies to relocate adoptable animals, which reduce euthanasia rates.
- Improved public health by conducting annual rabies vaccination clinics to decrease the spread of the disease.
- Conducted inspections of commercial pet dealers to ensure compliance with state and federal regulations.
- Promoting responsible pet ownership practices through public presentations and media articles.
- Designed a pet evacuation program that addresses the problem of housing pets of evacuees during emergencies.

**Animal Adoption and volunteerism:**

In 2009, the animal shelter has noticed a 12% decline in dog adoptions and a 4% increase in cat adoptions when compared to prior years. Staff attributes the decrease in dog adoptions to the declining economy and the public’s hesitation to take on unnecessary personal expenses. Data regarding animal intakes, year-to-date, suggests that the shelter will see fewer animals this year than in previous years. This assumption may be premature since the summer season has always been the busiest for animal intake.



The shelter is defined by the Code of Virginia as a municipal pound. As such, euthanasia will always be necessary and a 100% adoption rate is impossible to achieve. One of the goals of the shelter is to decrease or eliminate euthanasia of adoptable animals. Adoptable animals are those that display no aggressive tendencies, have no major health issues, and are disease free. In July 2007, the Adoption Specialist began conducting classification testing of animals to determine if

the animal would make a suitable pet prior to adoption. This prevents the accidental adoption of an aggressive animal that could pose a threat to the public or spread disease.

The spay/neuter assistance program has been implemented to assist citizens with the expense of having their pets spayed or neutered. This program was made possible as a result of a pre-adoption spay/neuter grant received from PetSmart charities as well as revenues generated in 2007 from dog license sales. Since its inception 166 spay/neuter procedures have been performed with the assistance of the program. The goal of this program is to reduce indiscriminate breeding of pets, which is aimed at lowering the number of stray animals received at the shelter. This program will also decrease the public burden of dealing with stray or unwanted animals abandoned on private and public property.

The volunteer program at the shelter is strong and is a key to the increased adoption rates since 2005. Volunteers at the shelter continue to assist staff in caring for animals at the shelter by promoting responsible pet ownership practices, transferring adoptable animals to pet rescue agencies and submitting pet friendly articles to local newspapers. This year to date 484 hours have been donated by 15 volunteers. The shelter works with various local and regional pet rescue agencies. These include, but are not limited to, Planned Pethood/Franklin County SPCA, Angels of Assisi, and the Martinsville-Henry County SPCA. Plans are to continue to work with these agencies while seeking out new partnerships to assist in achieving increased adoption and transfer rates. The efforts of rescue groups and volunteers are credited for the overall increase in cat adoption rates since 2005.

**Shelter facility:**

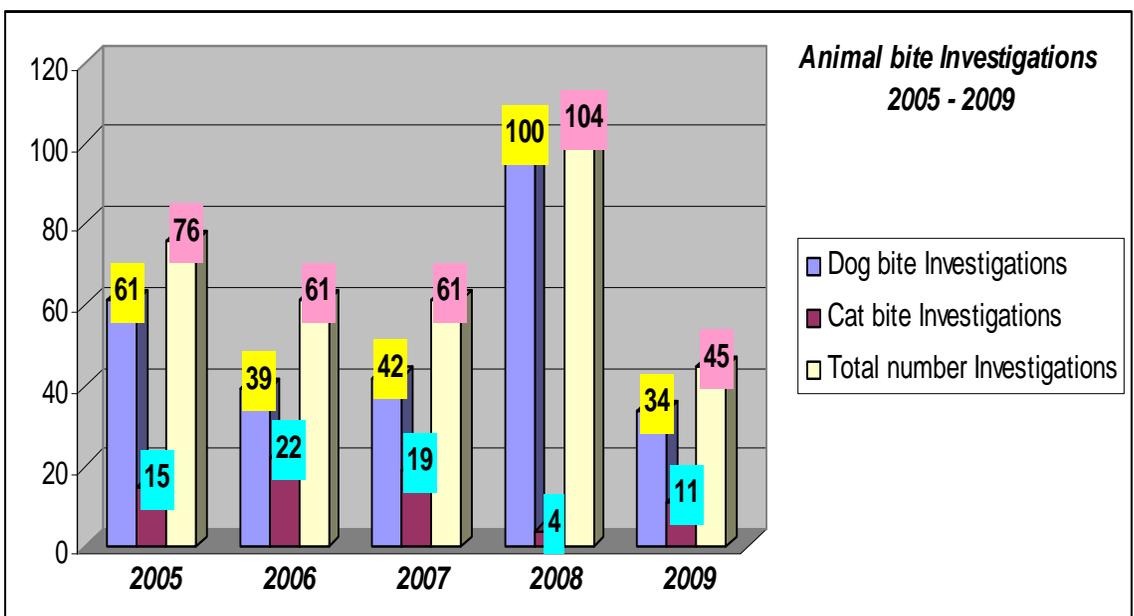
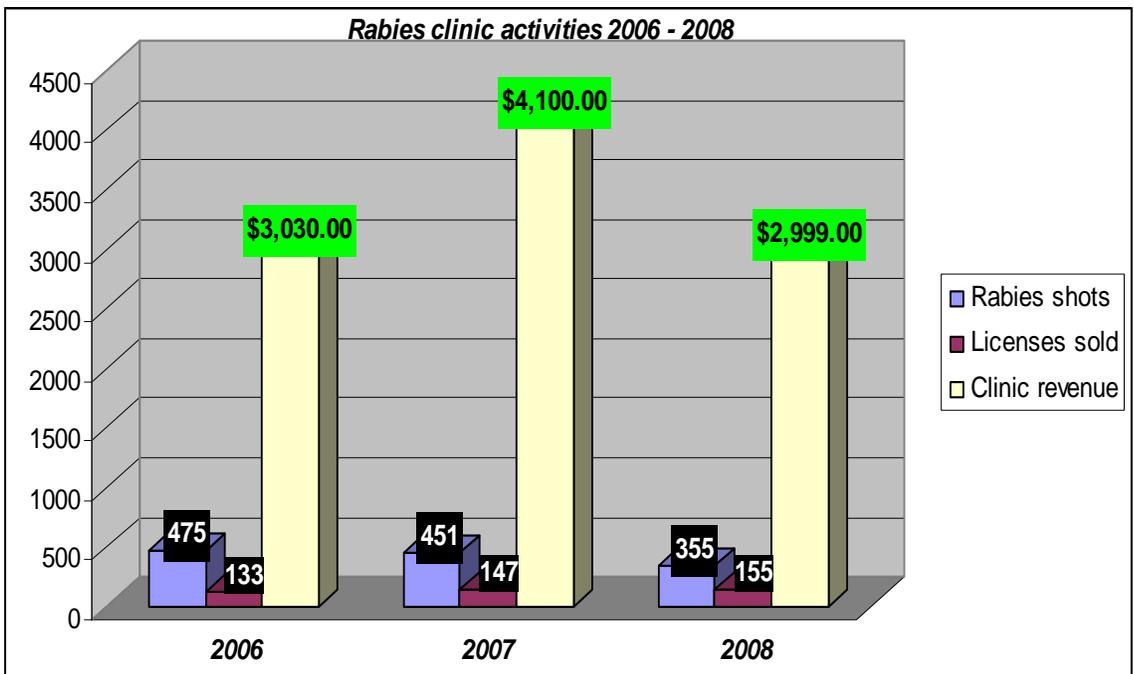
Limited office space at the shelter creates difficult working conditions for staff and volunteers especially during inclement weather. Shelter staff and volunteers know that facility expansion will not be possible in the 2009 - 2010 budget, but are hopeful that the economy will recover and future expansion will be possible. Future improvements should include an increase in the number of dog runs, increased cat holding areas, a puppy holding facility, increased isolation areas, and increased quarantine capacity. The suggested improvements will increase overall shelter capacity while reducing the chance of spreading disease among the animals. Improvements should also include energy efficient measures aimed to reduce electric bills at the shelter. State regulations mandate the shelter temperature be maintained at a comfortable level for every animal. During winter months, heating demands create a substantial increase in electricity bills.

State officials recently conducted an inspection and the shelter facility was fully compliant with state regulations for all 108 criteria. A suggestion was made to increase quarantine space and that has been accomplished at minimal cost. During the renovations, gate height distances were decreased to prevent small dogs and puppies from injury when attempting to crawl under gates.

**Public Health and regulation compliance:**

A county sponsored rabies clinic is conducted every fall to provide rural access to rabies vaccinations for dogs. A tremendous amount of preparation and coordination is necessary for the event to take place. The goal of the event is focused on providing convenient access of pet vaccinations to citizens in an effort to reduce the spread of rabies in the community. Dog licenses are offered to citizens to promote compliance with county ordinances. Franklin County is unique in that county staff and veterinarians go to various communities throughout the county to offer this service. Other localities offer a yearly rabies clinic, but the clinics are based out of veterinarian offices and are no more convenient to citizens than a regular veterinarian visit.

In conjunction with State Health Department officials, animal control officers investigate animal bite cases. In these cases, the officer ensures the animal has been vaccinated against rabies and that the animal is no further danger to the public. Typically, a non-complaint owner is issued a summons to appear in court where it will be determined if the animal is a danger to the community or if the circumstances of the case warrant inclusion of the dog on the state dangerous dog registry. In 2008, a sharp increase in the number of dog bite cases was noted and 2009 looks to maintain that trend.



Because of legislation passed in 2008, the responsibility of conducting inspections of commercial pet dealers was delegated to localities. Animal control officers have conducted three inspections this year. Numerous violations were noted relating to record keeping practices and false advertising of animal standards. Two of the businesses were obtaining animals from illegal breeding establishments while the third maintained no records of the origin of the animals it offered for sale. In cases where records were maintained, officers traced the origin of some of the animals to illegally operated puppy mills in other localities. Investigations into these cases are ongoing with the assistance of the state veterinarian and federal officials.

**Emergency preparedness and animal welfare:**

In October 2006, federal guidelines regarding evacuation shelters for citizens mandates that each locality include provisions in its Emergency Operations Plan that include methods for evacuating and caring for companion animals. Franklin County is one of only a handful of localities statewide that has taken the initiative to design and implement a pet sheltering disaster program. In this program, a portable shelter will be established at the evacuation shelter. In the event the portable animal shelter is filled to capacity, agreements with local veterinarians and animal boarding facilities have been established to handle any overload that the county shelter cannot house. Negotiations are underway with neighboring jurisdictions to establish a regional pet sheltering agreement. This pet sheltering plan was partially implemented in February this year when Emergency Management officials considered opening evacuation shelters because of record low temperatures and major power outages in Franklin County. Officials were fortunate in that power was quickly restored to the majority of customers and shelters were not needed.

**Summary:**

Nothing compares to the satisfaction staff feels when they are able to reunite a lost animal with its owner or provide a family with a pet that is suitable to their individual circumstances. These are merely every-day responsibilities of the animal control staff that they are proud to provide. Animal control has evolved into a multi-faceted program responsible for protecting public health and

welfare as well as enforcement of ordinances and regulations that promote responsible and safe breeding practices. Franklin County is unique in that elected officials provide expanded services to citizens through Spay Neuter Assistance programs and the creation of an adoption friendly shelter. Other localities do not offer cat control measures to citizens, as this is an option some localities have not chosen to pursue. Community programs are offered that promote responsible pet ownership and an annual rabies clinic is made available in the community. The animal control staff has established a record of providing dependable service even in the face of economic downfall. Staff continues to find ways to improve services while working with community partners that share similar objectives.

**RECOMMENDATION:**

This report is for update purposes and staff requests no action from the Board regarding this report.

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**GO GREEN SUSRVEY RESULTS**

Larry Moore, Assistant County Administrator, stated, at the Board's request, staff discussed, with the assistance of Charles Catlett and Jake Schad, collectively has gathered additional information regarding the "Go Green" challenge. In summary, the VML Go Green challenge started as a friendly competition to encourage the study and implementation of specific environmental policies and practical actions that reduce the carbon emissions generated by local government, school divisions and the broader community. Cities, towns, counties, and school districts can become "Green Governments". Governor Kaine has urged local governments and school divisions to register and participate in the friendly competition which we have implemented.

Completing the challenge and earning "green points" is accomplished by implementing new actions and adopting new policies that will increase one's total score. Amassing at least 100 "green points" out of a possible 200 will earn the certification of "Green Government". There are eleven (11) broad categories which were previously presented:

- Government Policy Adoption
- Energy Efficiency
- Green Buildings
- Waste Management
- Vehicles
- Land Use/Transportation
- Water/Air Quality
- Employee Incentives
- Education/Community Participation
- Schools
- Innovation

Each category has points assigned for specific action, implementation, adoption and development which results in total possible points. Franklin County is registered in the challenge at: [www.gogreenva.org](http://www.gogreenva.org).

Subsequent to our initial pass through, further information was researched on the internet as well as other jurisdictions. We also made a quick contact with the following people in various organizations and departments in Franklin County:

- Schools – Darryl Spencer and Steve Oakes
- County Departments – Rick Huff, Scott Martin, Pat Barnes, Sharon Tudor, Mike Thurman, Donnie Bryant, Aaron Burdick and Amanda Carter
- Trane Energy/Engineering

After consultation and analysis, we have identified that the following categorical conclusions **may** result in the credit of further points. Please note that documentation and adoption of policies **may** be necessary to receive credit.

We have potentially identified a total of 100 green points out of the possible 200 without any additional cost or expense to the County. Further points may be awarded with adoption of new policies or procedures.

Currently, the following represents the identified categories for credit:

**Action 4:** Conduct an energy audit of two or more of your government facilities and implement at least two recommendations.

**We have completed an energy use analysis with AEP**

**Action 7:** Develop a policy to utilize energy efficient and dark sky compliant outdoor light fixtures.

**We adopted a planning and zoning ordinance on April 21, 2009**

**Action 10:** Approve or build a LEED certified government or school building OR renovate an existing building to the LEED certified level.

CEED has been approved for construction at the Gereau Center and we are currently reviewing our participation with the regional jail

**Action 11:** Implement an internal government program that reduces, reuses, and recycles paper, plastic and other materials.

We are currently recycling paper and aluminum cans within several County buildings

**Action 13:** Establish a community-wide recycling collection program.

We currently have 11 recycling sites within the County and participated in an E-Waste Day

**Action 16:** Adopt land-use plans that allow higher-density development either near public transit nodes or in areas with existing infrastructure AND encourage mixed-use communities.

Adopted by the Board of Supervisors

**Action 17:** Promote the use of permanent conservation easements on private property within your community and/or implement a permanent conservation easement on public land.

Adopted by the Board of Supervisors

**Action 18:** Adopt a land use or development tool that preserves open space, farmland and forests such as Purchase of Development Rights (PDRs) or Transfer of Development Rights (TDRs).

Adopted by the Board of Supervisors

**Action 19:** Develop and implement a plan for tree preservation & planting.

Zoning review for site plans and proffers required by the Planning Department

**Action 20:** Adopt a Low Impact Development (LID) storm water management policy and/or Environmental Site Design (ESD) guidelines.

Planning and Zoning Department adoption of 25.293 (Residential Planned Unit Development District (PUD))

**Action 21:** Adopt an anti-idling policy for school/government fleet vehicles.

Yes, per Steve Oakes

**Action 23:** Adopt a policy that a minimum of 20% of the eligible workforce should participate in alternative work schedules or telework by 2010 (consistent with the current VA State policy).

School summer program, IT department and schools already using alternative flexible work schedules

**Action 26:** Develop and implement an education program for the local community dealing with the environment and energy conservation.

The Gereau Center – wind and solar energy in use for demonstration and community involvement

**Action 28:** Establish clubs or waste management teams dealing with the environment or energy conservation in at least half of your high schools.

Yes, per Steve Oakes

**Action 29:** Implement a program in one or more schools that connects students to local farms and/or local produce (such as the Farm to School program).

Yes – FFA, 4-H and the newly formed Agricultural committee

**Action 30:** Innovations (Examples)

- Septic Pump-Out Program
- Farmers Market Programs
- Water Conservation (on County web site)
- Franklin Center (Video Conferencing)

Innovations points are assigned by the government completing the Go Green Challenge, a maximum of 25 points can be earned. We believe our actions completed under this category **may** total 15 points, however, this is subject to review and may be adjusted by judges of the “Go Green” program.

Our calculations show that Franklin County **may** qualify for the minimum required score of 100 points to receive recognition of being a “Green Government”. To make certain of this, it is staff’s recommendation that the Board Of Supervisors consider actions within the “Go Green” challenge which will require the adoption/establishment of written policies that coincide with the County’s adopted codes and ordinances. Actions that **may** be implemented are:

**Action 1:** Formal adoption of a sustainability plan, climate protection resolution, or similar commitment by the governing body.

(i.e.: commitment to meet Green initiatives)

**Action 2:** Create an Energy Improvement Plan (EIP).

New technology and energy efficiency programs

**Action 3:** Conduct a baseline greenhouse gas emissions inventory of your government facilities using an assessment tool, such as those available from ICLEI or EPA's Energy Star program.

**Work in conjunction with local educational organizations**

**Action 8:** Establish an energy manager position/responsibility or management team within the government.

**Requires BOS approval**

**Action 12:** Establish a procurement policy of a minimum of 30% post-consumer recycled content for everyday office paper use (consistent with the current federal government policy).

**Requires BOS action**

**Action 14:** Adopt a "Green Fleet" policy that incorporates, at a minimum, the purchase of low emitting fuel-efficient vehicles for vehicle fleet replacement and the use of alternative fuels (biodiesel, natural gas, ethanol) in fleet operations.

**Requires an analysis of associated costs, benefits and BOS policy approval**

**Action 24:** Develop an employee education program on policies/practices relating to the environment and energy conservation.

**Requires discussion with Human Resources and BOS support**

There are other categories that would require additional funding or restructuring of tax rates and would not be recommended at this time. Staff will continue addressing the necessary actions to qualify for points and present additional information to the Board.

Please review the submitted document and advise if we may have overlooked any County initiatives, financial commitments or participation which should be reviewed under the parameters of the "Go Green" challenge. We look forward to being of service and will continue review of this opportunity. If we may be of further service in this regard, or should you have any suggestions, please feel free to contact us.

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**COLLECTION OF YARD WASTE**

Russ Johnson, Gills Creek District, advised the Board he had received a few calls requesting yard waste collection. General discussion ensued.

\*\*\*\*\*

**WINDY GAP PARK/JOINT AGREEMENT**

David Hurt requested Board approval for the Chairman and himself to jointly meet with the Boone District School Representative and School Board Chairman to discuss specifics regarding a joint agreement for Windy Gap Park. Staff will set the meeting and notify the prospective parties.

\*\*\*\*\*

**APPOINTMENTS:**

- **Dan River ASAP** 3-Yr. Term (Term Expires 6/30/2009)
- **Library Board** 4-Yr. Term Boone District (Term Expires 6/30/2009)
- **Recreation Commission** 3-Yr. Term Boone District & Unexpired Term of Gills Creek District (Term Expires 6/30/2009)

**(RESOLUTION #13-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint Tom Webster to the Dan River ASAP Board with said term to expire 6/30/2012.

MOTION BY: David Hurt

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

\*\*\*\*\*

**LIBRARY BOARD APPOINTMENT**

**(RESOLUTION #14-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint Bill Gibson to serve on the Library Board representing the Boone District with said term to expire June 30, 2013.

MOTION BY: David Hurt

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

\*\*\*\*\*

**RECREATION COMMISSION APPOINTMENT**

**(RESOLUTION #15-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint Richard Arrington to serve on the Recreation Commission representing the Boone District with said term to expire June 30, 2012.

MOTION BY: David Hurt

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

\*\*\*\*\*

**ROANOKE COUNTY INVITATION TO STUDY TRACTOR TRAILERS CROSSING ST. RT. 116**

Richard E. Huff, II, County Administrator, shared with the Board, a letter of invitation from Roanoke County to study the elimination of tractor trailers crossing State Route 116 at Windy Gap. Mr. Huff stated staff will be attending the meeting and Supervisor David Hurt will be attending on Tuesday, July 14, 2009 @ 4:00 P.M. @ the Roanoke County Administration Building.

\*\*\*\*\*

Chairman Wagner recessed the meeting for the previously advertise public hearings as follows:

**PUBLIC NOTICE**

The County of Franklin will hold a public hearing on **Tuesday, June 16, 2009**, at approximately **6:00 p.m.**, in the Board of Supervisor's meeting room to consider granting three (3) easements to utility companies, including but not limited to, Appalachian Power Company, Embarq, JetBroadband, nTelos, and Mid-Atlantic Broadband, for improvements associated with and appurtenant to the Town of Rocky Mount Uptown Revitalization Plan across the following properties pursuant to Virginia Code 15.2-1800.

Jared Web, Consultant, presented the request.

No one spoke for or against the proposed easement.

**(RESOLUTION #13-06-2009)**

BE IT THEREFORE ORDAINED, by the Board of Supervisors to approve the granting of three (3) easement to utility companies, including but not limited to, Appalachian Power Company, Embarq, JetBroadband, nTelos, and Mid-Atlantic Broadband, for improvements associated with an appurtenant to the Town of Rocky Mount Uptown Revitalization Plan across the following properties pursuant to Virginia Code 15.2-1800.

MOTION BY: Wayne Angell

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

ABSENT: Hurt & Thompson

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**PETITION of Gary Bowman, James E. Bryant, Jr & C. Lee Meador as Petitioners/Owners**, requesting to rezone properties consisting of +/- 2.26 acres, currently zoned B-2, Business District General, with proffers, to A-1, Agriculture for the purpose of single family residential and agriculture. The subject portion of these properties are currently zoned B-2; the B-2 zoning district does not prescribe a specific density. The future land use map of the adopted 2025 Comprehensive Plan for Franklin County designates the area as Low Density Residential and has a prescribed density of one to two dwelling units per acre. The intended land use is A-1, Agricultural District, for which the zoning ordinance does not prescribe a specific density, but states that this rural district may logically develop residentially at low density. The properties are located on State Route 697, Wirtz Road, in the Gills Creek Magisterial District of Franklin County and are identified on Franklin County Real Estate Tax Records as portions of Tax Map # 35, Parcel # 7 and Tax Map # 35, Parcel # 13. (Case # REZO – 4-09-4524)

Aaron Burdick, Senior Planner/Current Planning Manager, presented the following PowerPoint presentation for the Board:

# Franklin County Board Of Supervisors

June 16, 2009

Case:

REZO-04-09-4524

## SITE DETAILS

Tax Map Numbers:  
Portions of 35-7  
and  
Portions of 35-13

Size:  
+/-2.26 acres

Gills Creek Magisterial District

Applicant and Owner:  
Gary Bowman  
James Bryant and  
C. Lee Meador



6/16/2009

Bowman, Bryant, Meador Rezone

2

## EXISTING CONDITIONS

- 2 Single Family Homes
- Detached Storage Building
- 3 driveways off Route 697
- Farmland
- Surrounded by A-1 properties



6/16/2009

Bowman, Bryant, Meador Rezone

3



**Surrounding Land Use**

S= Single Family Subdivision  
 F= Agriculture more than 100 acres  
 A= Agriculture 20 to 100 acres

6/16/2009

Bowman, Bryant, Meador Rezone

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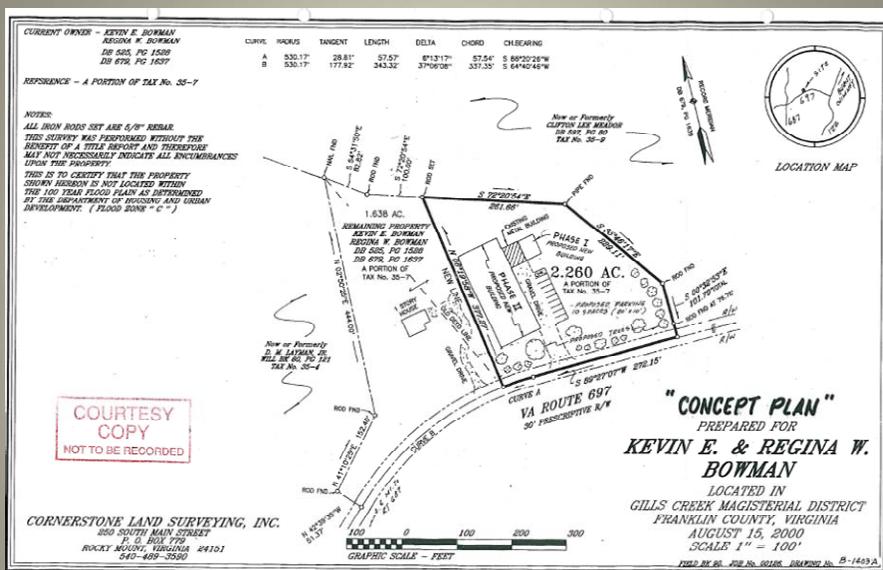
# PREVIOUS LAND USE ACTIONS

- Rezone from A-1 to B-2 (Tax Map #35-7)
  - August 2000
  - Woodworking Business and Office Space
  - Proffers
  - Concept Plan
- Land Swap
  - January 2009
  - Transferred .566 acres zoned B-2 to Tax Map #35-13
  - Transferred .615 acres zoned A-1 to Tax Map #35-7

6/16/2009

Bowman, Bryant, Meador Rezone

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**Old Concept Plan**

5/12/2009

Bowman, Bryant, and Meador Rezone

6

**REQUEST**

**CASE# REZO-04-09-4524**

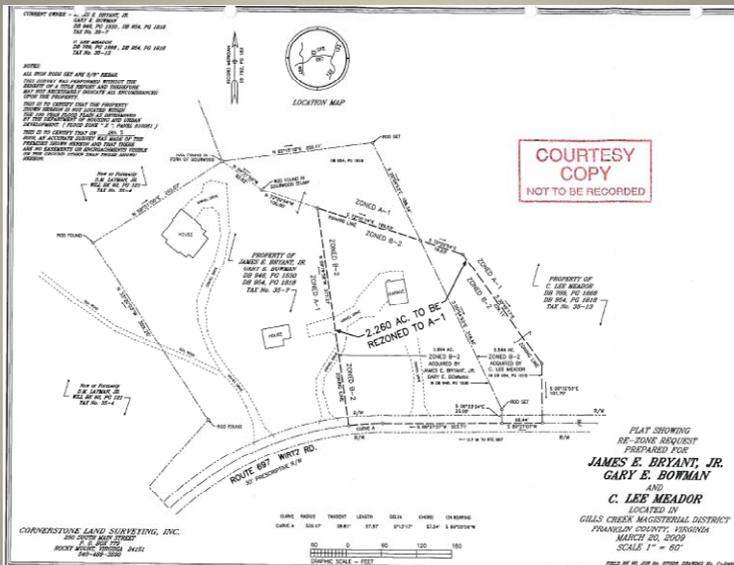
- Rezone from B-2 to A-1
- Construct additional single-family home on Tax Map #35-7
- Return portion of Tax Map 35-13, currently being used for agricultural purposes, back to the A-1 zoning



5/12/2009

Bowman, Bryant, Meador Rezone

7



**New Concept Plan**

6/16/2009

Bowman, Bryant, Meador Rezone

8

**ZONING ORDINANCE**

6/16/2009

Bowman, Bryant, Meador Rezone

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## General Business District, B-2

- Provides locations for general business and commercial enterprise whereby the public has frequent access
- Uses should be oriented to service the entire county or a substantial portion thereof
- This district is limited to commercial, retail, and wholesale establishments which may have outdoor display of products and storage.

5/12/2009

Bowman, Bryant, Meador Rezone

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## Agricultural District, A-1

- This district is established for the purpose of facilitating existing and future farming operations.
- It is expected that desirable rural areas may logically develop residentially at low density. It is the intent to discourage random scattering of residential, commercial, or industrial uses.

5/12/2009

Bowman, Bryant, Meador Rezone

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## COMPREHENSIVE PLAN

- **Low Density Residential**
  - Intended to allow two dwelling units per acre in general proximity to residential support services.
  - It is envisioned that public water and/or sewer will someday serve these areas.



5/12/2009

Bowman, Bryant, Meador Rezone

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## STAFF CONCLUSIONS

- The rezoning request presents an opportunity to have the property revert to a zoning district that is consistent with adjacent properties and the Future Land Use Map of the 2025 Comprehensive Plan.



5/12/2009

Bowman, Bryant, Meador Rezone

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## CONSIDERATIONS

- Staff suggested that the applicants not include proffers in the application, and simply request full rights under the A-1 Zoning District.
- Proffers are presented as a way to nullify negative impacts the project may present to the surrounding area.
- Staff does not believe that reverting the property back to by-right A-1 will cause negative impacts.

6/16/2009

Bowman, Bryant, Meador Rezone

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## PC Recommendation

- Planning Commission Recommends the APPROVAL of the rezoning request from B-2, with proffers, to A-1, by a vote of 5-0.

6/16/2009

Bowman, Bryant, Meador Rezone

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Mr. Bowman concurred with staff recommendation.

**(RESOLUTION #14-06-2009)**

BE IT THEREFORE ORDAINED, by the Board of Supervisors to approve the aforementioned rezoning with proffers, whereby the proposed rezoning 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, will promote good zoning practice and is in accord with Section 25-730 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended as follows:

WHEREAS, after full consideration at the hearing held on June 16, 2009, the Franklin County Board of Supervisors determined that the rezone, as listed above, be **GRANTED without proffers**.

NOW, THEREFORE BE IT RESOLVED that the aforementioned parcels of land, which are contained in the Franklin County Tax Records as Tax Map # 35, Parcel # 7 and Tax Map # 35, Parcel # 13 be granted the request to rezone for the purpose of single family residential and agriculture.

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

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#### **PUBLIC NOTICE**

In accordance with State Code Section 15.2-1800 (B), the Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M., on Tuesday, June 16, 2009**, in the Franklin County Courthouse Supervisor's Meeting Room, Rocky Mount, Virginia to consider releasing and extinguishing an easement regarding fiber optic in downtown Rocky Mount by Franklin County as follows:

A non-exclusive 5 foot wide permanent and perpetual public utility easement (PUE) and right of way for the installation of network fiber optic cable and all associated appurtenances as depicted on Franklin County's Network Fiber Optic Connectivity Plan Sheets dated February 18, 2008, through or under the lands of Roberson, 455 Franklin, LLC, in the Rocky Mount Magisterial District of Franklin County, Virginia. Being a right of way and easement on the property of Roberson 455 Franklin, LLC, and further identified as Franklin County Tax Parcel No. 2070105700.

Staff advised the Board Thomas Roberson has requested that the County rescind and give back the public utility easement (PUE) and right of way for installation of network fiber optic cable on the property of Roberson 445 Franklin, LLC indentified as Franklin County Tax Parcel No. 2070105700 (Cox Clothing). The right of way and easement are recorded in the Clerk's Office of Franklin County (BK 939, PG 269). This easement was provided by Mr. Roberson to facilitate the installation of the fiber to the Franklin County Government Center.

Subsequent to receiving the easement further planning indicated a better/more cost effective route for installation. This easement will not be necessary to Franklin County.

#### **RECOMMENDATION:**

It is the recommendation of staff that the Board of Supervisors hold a public hearing to consider releasing this easement and transferring it back to Mr. Roberson. The transfer shall be drafted and approved by Franklin County legal counsel.

Larry Moore, Assistant County Administrator, presented the request.

No one spoke for or against the proposed.

#### **(RESOLUTION #15-06-2009)**

BE IT THEREFORE ORDAINED, by the Board of Supervisors to release the said easement and authorize the transferring of said easement back to Roberson 445 Franklin, LLC as advertised.

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

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#### **CLOSED MEETING**

#### **(RESOLUTION #16-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711, a-1, Personnel, a-5 Discussion of a prospective new business or industry, a-7, and Consult with Legal Counsel of the Code of Virginia, as amended.

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

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MOTION: Russ Johnson **RESOLUTION: #17-06-2009**  
SECOND: David Cundiff MEETING DATE June 16, 2009

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, Cundiff, Angell, Johnson, & Wagner  
NAYS: NONE  
ABSENT DURING VOTE: Hurt & Thompson  
ABSENT DURING MEETING: Hurt & Thompson

\*\*\*\*\*

**UPTOWN REVITALIZATION PROJECT WASTE DISPOSAL**

Jim Lovell, Engineer, Earth Environmental Consultants, Inc., advised the Board Earth Environmental Consultants, Inc. is working with the Town of Rocky Mount in the bidding process for the Uptown Revitalization Project. Mr. Lovell requested the County’s assistance in waiving the tipping fee for landfill disposal of solid waste from the project. The specific materials will be demolished for the new construction includes existing asphalt pavement and concrete associated with sidewalks and curb and gutter. Mr. Lovell stated the estimated quantify for asphalt is 1,115 tons and concrete is 340 tons. The combined weight at the disposal rate of \$32 per ton is \$46,500.

The Board expressed their concerns with the construction debris going into the County landfill due to the excessive amount of valuable space it would incur.

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**(RESOLUTION #18-06-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve up to \$46,000 from the Board’s Contingency Fund, with possible reduction in costs if negotiations result with a lesser amount, related to disposal charges, in lieu of waiving the requested landfill fees, for the Uptown Revitalization Project as requested by the Town of Rocky Mount.

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

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Chairman Wagner adjourned the meeting.

\_\_\_\_\_  
CHARLES WAGNER  
CHAIRMAN

\_\_\_\_\_  
RICHARD E. HUFF, II  
COUNTY ADMINISTRATOR