

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, JULY 21, 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 5:30 P.M.
David Cundiff
Russ Johnson
Bobby Thompson

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

Chairman Charles Wagner called the meeting to order.

Invocation was given by Supervisor Bobby Thompson.

Pledge of Allegiance was led by Supervisor Bobby Thompson.

PUBLIC COMMENT:

✓ *Ms. Marie Wade, Snow Creek Missionary Baptist Church*

Ms. Waid, representing the Snow Creek Missionary Baptist Church, requested the Board to consider reviewing and subsequently lowering the speed limit along a portion of State Route 619 fronting the church.

Mr. Deacon Waid advised the Board entering from the Snow Creek Missionary Baptist Church onto Sontag Road was a very dangerous situation. Ms. Waid also stated an embankment on the right blocks the viewing of oncoming traffic and the left side is obstructed, because the driveway enters on to the highway at the top of a short hill, which prevents one from seeing approaching traffic.

Mr. Joe Witcher, Snow Creek Missionary Baptist Church bus driver, stated it is an accident waiting to happen.

The Board requested VDOT staff to research the request and report back to the Board whether such further action would be appropriate. .

✓ *Mr. Ray Klecz, State Route #890 Dumpsters,*

Mr. Klecz presented the Board a petition of 21 signatures opposing the removal of the State Route #890 dumpsters. Mr. Klecz stated he realizes the dumpster site can be dirty, especially on weekends. Mr. Klecz stated if someone would watch the site and issue citations, then they could have more control of the area.

✓ *Mr. Larry Fuda, General Contractor Concerns*

Mr. Fuda, shared with the Board concerns regarding the new building code requirements adopted as of May 1. Mr. Trent Boone expressed concern over the length of time it takes for plans to be approved. Mr. Boone stated the length of time it is taking to get a set of plans completed and returned is costing everyone. Mr. Dale Angle stated the department needed more help.

✓ *Mr. Joe Potter, State Route #890 Dumpster*

Mr. Potter stated he and his wife have lived on the Snow Creek road for the last 36 years. Mr. Potter urged the Board to close this dump site. Mr. Potter stated he believes Henry County residents deposit their trash, as well as out of state residents and contractors placing building debris at this site. Mr. Potter presented a petition with an additional 59 signatures encouraging the Board to close the dump site.

CONSENT AGENDA

APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR – JUNE 16, 2009

APPROPRIATIONS

<u>DEPARTMENT</u>	<u>PURPOSE</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Sheriff	Additional payments for off duty work	3102- 1010	14,970.00
Sheriff	Additional forfeited asset proceeds	3103- 5413	64,941.00
Sheriff	Forfeited asset carryover funds	3103- 5413	181,935.00
Public Safety	Virginia Dept of Emergency		
	Services Grant	3505- 5540	2,705.00
General Properties	Courthouse Maintenance	4401- 5850	14,139.00
	Carryover Funds		
	Total		\$278,690.00

Transfers Between Departments

See attached budget entries

County of Franklin**Budget Entry**

Purpose: To transfer funds from personnel contingencies to various departments

TRANSFER TO/FROM**ACCOUNT NUMBER****AMOUNT**

1201-1001	17,046
1201-1003	474
1201-2001	-1,201
1201-2002	2,030
1201-2003	840
1201-2005	2,822
1209-1001	-7,731
1209-2005	7,731
1213-2005	4,793
1214-1001	9,092
1214-2002	1,038
1214-2005	2,851
1220-1001	17,601
1220-2002	1,978
1220-2005	482
1302-1001	954
1302-2001	192
1302-2002	81
1302-2005	844
2101-1001	5,659
2101-2001	171
2101-2002	581
2101-2005	2,411
2106-2005	12,431
2107-1001	28,512
2107-2001	372
2107-2002	3,015
2107-2005	4,473
3102-1001	129,011
3102-2001	4,251
3102-2002	9,639
3102-2005	16,005
3301-1001	68,704
3301-2001	7,965
3301-2002	6,474

3301-2005	38,858
3401-1001	3,729
3401-2002	328
3401-2005	202
3501-1001	6,137
3501-2001	894
3501-2002	577
3501-2005	560
3505-1001	54,214
3505-2001	7,658
3505-2002	6,441
3505-2005	-3,060
4203-1001	2,549
4203-2001	2,212
4203-2005	3,310
4204-1001	25,012
4204-2001	1,987
4204-2002	3,101
4204-2005	12,167
4204-2007	145
4205-1001	-25,000
4205-2001	-2,180
4205-2002	-3,115
4205-2005	-10,234
4205-2007	-250
4206-1001	5,942
4206-2001	150
4206-2002	738
4206-2005	2,809
4207-1003	10,548
4207-2001	800
4207-2005	129
4302-1001	1,599
5309-1001	6,722
5309-2001	193
5309-2002	801
5309-2005	10,164
5310-1001	15,158
5310-2002	1,812
5310-2005	5,170
5310-2007	22
5311-1003	2,778
5311-1001	-11,000
7102-1001	34,747
7102-2001	426
7102-2002	3,996
7102-2005	5,670
7102-2007	63
7301-1001	22,284
7301-1003	12,811
7301-2001	1,761
7301-2002	2,044
7301-2005	-1,907
7302-1001	1,850
7302-2005	-15,558
8102-1001	-38,000
8102-2001	-6,600

8102-2002	-7,600
8102-2005	-10,575
8114-1001	6,214
8114-2002	564
8114-2005	5,159
8105-2002	447
8105-2005	878
8108-1001	9,190
8108-2001	98
8108-2002	1,141
8108-2005	705
8108-2007	5
8305-1001	10,260
8305-2002	376
3504-1001	37,011
3504-2001	487
3504-2002	4,248
9103-2300	-120,000
9103-9121	-175,000
9106-9836	41,746
20-0930	-41,746
1216-9121	-329,563
Column Totals	0.00

County of Franklin

Budget Entry

Purpose: To transfer funds from personnel contingencies to various departments

TRANSFER TO/FROM

<u>ACCOUNT NUMBER</u>	<u>AMOUNT</u>
1221-5204	18,164
2109-3001	45,964
2109-3003	356
2201-1001	-50,519
2201-2001	-7,127
2201-2002	-6,269
2201-2005	-4,899
2201-2007	-786
01-0615	69,600
3401-5408	1,128
5310-3005	2,745
5310-3006	1,000
5310-5501	7,854
5310-5751	2,390
5310-5414	562
8104-3002	-150,000
01-0802	150,000
08105-5901	-49,670
8110-5810	49,670
30-0158	388
30-0067	-388
30-0169	500
30-0067	-500
5102-5600	122,865
50-9116	-122,865

1216-9121	-80,163
Column Totals	0.00

STEP, INC. – UNEXPIRED TERM OF RANDY MATNEY/JOEY CORNWELL/EXPIRES 9/30/2011

Jon Morris, Executive Director, requested the Board to appoint Oden “Joey” Cornwell to serve on the STEP Board of Directors. Mr. Morris advised the Board Mr. Cornwell currently serves on the Board and is a diligent member. The STEP Board voted to request his designation be changed from “private business” to “local government” appointee. Therefore, we are respectfully request Oden Cornwell to fill the unexpired term of Randy Matney (9/30/2011).

FRANKLIN COUNTY FATALITY REVIEW TEAM/FCFRT ENDORSEMENT

Code of Virginia §32.1-283.3 (C) Any county or city, or combination of counties, cities or counties and cities may establish a family violence fatality review team to examine fatal family violence incidents and to create a body of information to help prevent future family violence fatalities. The team shall have the authority to review the facts and circumstances of all fatal family violence incidents that occur within its designated geographic area.

October 2005, the Department of Justice, Office on Violence Against Women awarded a federal grant to encourage arrest and enforcement of protection orders (GEAP) to the Commonwealth of Virginia. The resulting state partners, over the past three years, used the funding to provide training, technical assistance and resources to domestic violence stakeholders in various Virginia localities. One of the goals identified by the communities/localities is the establishment of a Domestic Violence Fatality Review Team (DVFRT) or other known as a Family Violence Fatality Review Team (FVFRT) in each locality/region.

In response to this identified goal, January 28, 2009, the Virginia Department of Health Office of the Chief Medical Examiner, held a training titled “Domestic Violence Fatality Review: Getting a Team Started” The facilitator of this training was Meg Norling, RN, BSN; Domestic Violence Fatality Review Coordinator for the state of Virginia. In attendance for our locality were: Cynthia Treadway, Patrick Nix and Megan Smith.

It was determined Cynthia Treadway would take lead in the process to establish a (DVFRT) in Franklin County. Representatives have been identified from the following areas: Commonwealth Attorney’s Office, Franklin County Sheriff’s Office, Rocky Mount Police Department, Ferrum College Police Department, Court Services Unit, Juvenile and Domestic Relations Court Judge, Probation and Parole, Carilion Franklin Memorial, DVAC, Family Resource Center, Franklin County Department of Social Services, CASA, and Piedmont Community Services.

RECOMMENDATION: Staff respectfully request Board endorsement on the proposed Family Violence Fatality Review Team.

REQUEST FOR PUBLIC HEARING TO ADOPT NEW/PROPOSED COUNTY PROBATE TAX ORDINANCE

During the budget process, staff evaluates any new sources of revenue that may be available to the County.

The Clerk of the Circuit Court has suggested that the County enact a local ordinance to be able to impose a county tax on the probate of every will or grant of administration as authorized by State Code section 58.1-1718. Such tax will be in an amount equal to one-third of the amount of the state tax on such probate of a will or a grant of administration. It is anticipated that approximately \$7,146 will be collected yearly from this tax.

RECOMMENDATION:

Staff respectfully requests the Board’s authorization to advertise for public hearing at the August 2009 Board of Supervisor’s meeting.

LAKWOOD FARM ANNUAL OUTDOOR OCCASION PERMIT FOR 2009

Jeff Woody, Promoter for the Lakewood Farm Annual Outdoor Occasion event, is requesting approval for his 2009 Annual Outdoor Occasion Permit for **Sunday, September 6th, 2009**. The submitted Outdoor Occasion Permit is enclosed for your review.

All pertinent agencies per County Code Section 13-29.2 have signed off on the 2008 Outdoor Occasion Permit scheduled for *Sunday, September 6th, 2009*.

Per County Code Section 13-29.4 the fee of \$100.00 has been paid (**Thursday, June 25, 2009**) and deposited with the County Treasurer's Office.

RECOMMENDATION:

Staff recommends approval of the application as submitted per County Code Section 13-29.1 as presented.

DON PALMER ANNUAL OUTDOOR OCCASION PERMIT FOR 2009

Don W. Palmer, Owner & Operator of the Motorcycle event is requesting approval for his 2009 Annual Outdoor Occasion Permit for *August 29 & 30, 2009*. The submitted Outdoor Occasion Permit for Mr. Palmer. is enclosed for your review and consideration.

All pertinent agencies per County Code Section 13-29.2 have signed off on the 2009 Outdoor Occasion Permit for Mr. Palmer.

Per County Code Section 13-29.4 the fee of \$100.00 has been remitted and deposited with the County Treasurer's Office.

RECOMMENDATION:

Staff request Board approval on the 2008 Outdoor Occasion Permit application as submitted per County Code Section 13-29.1.

JESSICA GAWOR/GILLS CREEK REPRESENTATIVE/RECREATION COMMISSION (TERM EXPIRES 6/30/2011)

10TH ANNUAL JAKES (JAKES)

For the past 9 years the Franklin County Longbeards Chapter of the National Wild Turkey Federation holds a JAKES, Juniors Acquiring Knowledge, Ethics and Sportsmanship event at Waid Recreational Area. Among the many worthwhile activities that happens at this event a popular one is of the live firing of the black powder (muzzleloading) and shot guns. Each year the JAKES event committee has gotten permission from the Board of Supervisors to allow live firing in the park and they are once again coming to the board for permission. This event is scheduled for September 26, 2009.

This is the 10th year for the JAKES event in Franklin County. Under the strict supervision of the Franklin County Longbeards Chapter NWTF and the Chief of Police for Rocky Mount, Erik Molin who is also an instructor and qualified in firearm handling and safety, the group wishes to allow a live firing exercise with muzzleloading and 20 gauge shotguns. Here are their requirements for participation in this exercise:

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

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

RECOMMENDATION:

Staff recommends approval for the FC Longbeards Chapter of the National Wild Turkey Federation to have permission to conduct this Live fire exercise in conjunction with the JAKES event at Waid Recreational Area on September 26, 2009.

CONTACT PROCLAMATION

PROCLAMATION

WHEREAS, CONTACT of the County of Franklin is a United Way funded non-profit agency serving Martinsville, Henry, Patrick and Franklin Counties; and

WHEREAS, CONTACT offers a telephone crisis line that is staffed 24 hours a day, 365 days a year by volunteers who have gone through intensive training and receive continuing education; and

WHEREAS, CONTACT also provides a reassurance line in which volunteers make daily calls to area elderly and shut-ins who have no one else to check on them; and

WHEREAS, CONTACT of County of Franklin is affiliated with CONTACT USA and Lifeline International and must abide by a stringent accreditation policy to retain its affiliation with those organizations; and

WHEREAS, CONTACT of County of Franklin was chartered in 1972 and has offered 35 years of continuous service to the communities it serves; now, therefore,

We, the Franklin County Board of Supervisors, Franklin County, Virginia, do hereby proclaim and declare, **August 9th, 2009** as

CONTACT SUNDAY

in the County of Franklin, hereby recognizing the contributions CONTACT has made to the communities of Martinsville, Henry, Patrick and Franklin Counties, and urging citizens to support the work of our local CONTACT organization.

ZONING – SUBDIVISION ORDINANCE REVISION CONTRACT AWARD

Franklin County's Strategic Plan, adopted by the Board of Supervisors in February 2009, calls for a comprehensive revision of the County's zoning and subdivision ordinances. (See *Attachment A: excerpts from Strategic Plan.*) The County's subdivision ordinance was originally adopted in 1979; the zoning ordinance was adopted in 1988. Both ordinances have been the subject of various amendments over time, but have not been comprehensively reviewed or revised since initial implementation.

In April 2009, the Board authorized staff to issue a Request for Proposals to solicit professional planning consultants to assist in the update of the zoning and subdivision ordinances. The RFP was issued on April 30, 2009, with proposals due by May 21, 2009. The County received proposals from seven (7) qualified firms, and selected three of the firms for further presentation and interview. Interviews were conducted on June 12, 2009.

Based on a review of the proposals, presentations, and interview performance, the staff interview panel unanimously selected the consulting team of Clarion Associates, Stone Engineering and McGuire Woods for further contract negotiations.

The selected consulting team consists of three firms:

- **Clarion Associates**, a national planning firm with offices in North Carolina, Pennsylvania, Ohio, Illinois, Colorado, and Florida.
- **Stone Engineering**, a Rocky-Mount, VA-based engineering firm with significant experience utilizing and implementing Franklin County's zoning and subdivision codes.
- **McGuire Woods**, a Virginia-based law firm with expertise in Virginia land use and planning law.

The Consultant's proposal calls for a six-phase approach spanning approximately 24 months. (See *Attachment B: Consultant's Proposal.*) Project phases include: 1) Project Initiation; 2) Demand and Capacity Analysis; 3) Diagnosis; 4) Public Outreach; 5) Recommendations; and 6) Drafting of Ordinance Language. It is anticipated that a draft code will be presented to the Board for consideration in early 2011, with the goal of adoption by June 2011.

Staff has negotiated a detailed Scope of Services with the consultant, with a not-to-exceed cost of \$87,500. A summary of the negotiated Scope of Services is attached to this memorandum as *Attachment C*. Funding for this project was initially allocated by the Board of Supervisors in Fiscal Year 2007-2008. Funding was carried forward into FY 2008-2009, and again to FY 2009-2010. The FY 2009-2010 Planning Department budget contains approximately \$143,732 for professional services (including prior-year carry-overs.) This amount is intended to fund the zoning and subdivision ordinance update, as well as other professional services not related to the code update (e.g. engineering review, planning studies, etc.). Staff anticipates that the project will span fiscal years 2009-2010 and 2010-2011. The not-to-exceed cost of \$87,500 will therefore be spread over two fiscal years.

Project highlights include the following:

- Expertise in planning and ordinance development provided by Clarion, a nationally-recognized planning firm with significant experience in the state of Virginia, including both rural and suburbanizing communities.
- Local input and facilitation provided by Stone Engineering, with Mr. Dean Stone available for frequent briefings, consultation, meeting facilitation, and hands-on review with individual stakeholders.

- Legal review provided by McGuire Woods, with Mr. Dan Slone serving as an expert on Virginia planning law, as well as the concepts of Smart Growth, New Urbanism, and sustainable development.
- Development of a dynamic demand and capacity (i.e. build-out) model for Franklin County, employing GIS to analyze historic data and trends to anticipate future growth scenarios for the community. It is anticipated that this model will facilitate a geographic approach to code development, with an emphasis on drafting ordinance language specific and appropriate to areas of varying character and intensity.
- Creation of a Technical Advisory Committee to review the technical aspects of code development, including growth scenario assumptions, code processes and procedures, and the content of code regulation. It is anticipated that this committee will represent a broad spectrum of community interests, including farmers, neighborhood leaders, environmentalists, business owners, developers, and frequent users of the code such as surveyors, architects, and engineers.
- Preparation of an annotated outline of the revised code, early in the process, in order to guide public discussion and content development. This outline will allow decision-makers to preview the code structure, identify critical issues, and ensure that all relevant topics – including legal requirements – are covered.
- Commitment to a robust public outreach process, using a geographic approach to ensure public participation in each of the County’s seven magisterial districts. It is anticipated that the public input process will include meetings at various locations around the county, using various meeting formats and methods of public participation. At least one community-wide public meeting will be held in addition to the geographically-specific meetings.
- Use of technology, including frequent website updates in order to convey information, report on the project’s progress, and solicit ideas from the community. The consultant also has the ability to use key-pad electronic polling devices to instantly survey public opinion during community meetings.
- Frequent briefings for decision makers, including regular project updates and opportunities for input and/or redirection. The consulting team’s local affiliate – Stone Engineering – will provide on-site support for the Technical Advisory Committee, Planning Commission, Board of Supervisors, and staff.
- Hands-on review and participation by the Board of Supervisors and Planning Commission, including a joint seminar to review key findings of the Demand/Capacity Analysis and explore alternate scenarios for growth and growth management. The consultant will lead a discussion of best planning practices, with an emphasis on cutting-edge planning tools designed to address specific needs in Franklin County.
- Detailed and comprehensive recommendations from the consultant related to land planning and code development. The consultants’ recommendations will be based on an analysis of data specific to Franklin County, but will also draw on best practices and experience in similarly-situated communities across the state and nation.
- Technical guidance provided by the consultant for code development. County staff will take the lead in drafting code language, with support and advice from the consulting team. County staff will also provide logistical support in the form of meeting coordination, mailings, advertisement, printing, and GIS modeling.

RECOMMENDATION:

Staff respectfully requests that the Board of Supervisors authorize the County Administrator to enter into contract with Clarion Associates, a planning consulting firm, for the purpose of providing professional planning services for the update of Franklin County’s zoning and subdivision ordinances, based upon the agreed scope of services, for an amount not to exceed \$87,500.

PURCHASE OF FIRE APPARATUS – GLADE HILL

On May 19, 2009 the Board of Supervisors authorized staff to solicit bids from vendors for a tanker apparatus for Glade Hill Fire Department. The specifications for this vehicle were drafted by all county Fire Chiefs in 2008 and meet NFPA standards.

Ten bid packages were mailed to various manufacturers at their request. Of these, two vendors returned bids. Slagle Fire Equipment offered the lowest bid to manufacture the vehicle at \$357,600.00. The volunteer fire apparatus CIP budget contains enough revenue to cover the purchase of a new tanker vehicle as specified in the bid. Staff has reviewed the bid and it is in compliance with specifications.

RECOMMENDATION:

Staff respectfully recommends that the Board of Supervisors accept the bid from Slagle Fire Equipment and award the bid for manufacture as budgeted.

TAX SOLUTION GAP ANALYSIS

The County has replaced most of the legacy (25-30 year old in-house written programs) applications with commercial software solutions with the exception of the few that support our largest revenue stream business processes – personal property and real estate assessment and collection. These legacy applications are vulnerable to failure, require a tremendous amount of support to complete monthly / annual activities and provide no mechanism for adding additional features such as online payment services. The legacy applications are also running on a platform that is no longer supported by the vendor, which means if that application server fails we have no recourse or support to fix the problem.

There are only a few commercial tax solutions on the market and only one solution is based on Virginia tax law. Avenity, Inc. of Reston VA worked with the Commissioners and Treasurers of Virginia to build a local government tax solution – RevenueOne. That solution is built upon the same architecture and with the same technologies that the County has set as our standard. The Treasurer and the Commissioner of Revenue have spent significant time evaluating the product and visiting other localities that have implemented the solution. Several localities in Virginia have executed contracts with Avenity that include a procurement clause allowing other localities to take advantage of the procurement process that has already been completed. Avenity has provided Franklin County with a quote which includes a broad contingency amount to cover customizations (\$75,000 - \$125,000) – above and beyond the base solution price.

Every commercial software solution implementation includes a ‘business process analysis’ or ‘gap analysis’ activity which identifies gaps between current business processes and the commercial solution. These gaps are then addressed by either a change in the business process and/or a customization of the software. Typically it is best to limit the customizations to avoid problems when applying future upgrades/updates to the software. However, today’s applications are more flexible and do provide more opportunity for customization without the traditional risks. Every software vendor will work with the customer to facilitate this process change or customization; however, some requested customizations can be time-consuming and costly. Even though all Virginia localities operate under the same tax laws, there are always some variation in the way the local government performs these business processes. It is important to remember that one of the reasons for purchasing commercial software is to benefit from ‘best practices’ which require a change in business process. We must be prudent with our requests to keep customization costs at a minimum while ensuring that we are supporting the business needs and to ensure we are not bypassing the best practices embedded in the solution by forcing the software to function as we currently do business.

The County requested Avenity to provide a Statement of Work to conduct the gap analysis prior to any purchase agreement. Conducting this analysis first will ensure that the County commits to a fixed price for the solution as all required customizations will be identified up front. This analysis will be conducted primarily with the Commissioner of Revenue’s and Treasurer’s Offices covering detailed business processes supporting assessment and tax collection. It is the intent that both the Commissioner of Revenue and the Treasurer will be fully aware of the costs of their customization requests and be prepared to defend those costs when staff comes back to the Board of Supervisors to request the purchase of the RevenueOne solution. In addition, the Information Technology staff will work closely with Avenity to identify all data conversion efforts and interfaces to existing applications such as our financial solution (GEMS).

RECOMMENDATION:

The staff respectively recommends and requests that the Board of Supervisors authorize the payment of \$25,000 to Avenity, Inc. to conduct a gap analysis to identify all requested/required customizations and a firm price for the RevenueOne solution. The payment for these services would be taken from the existing CIP set aside for a commercial tax solution. This expenditure

should enable us to determine a very close estimate of what changes, if any, will need to be made to the system, if we move forward, rather than get into the project and find out there is significant customization needed beyond what we expected.

(RESOLUTION #01-07-2009)

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

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

VACO UPDATE

Donald Hart, President, VACO, introduced himself and gave a brief history of his background and family. Mr. Hart stated Franklin County is very important to the State of Virginia and to VACO. Mr. Hart shared greetings from the Board of Supervisors from the County of Accomack from the Eastern Shore area. Mr. Hart advised the Board he was a country boy from the Eastern Shore and he offers his word and commitment to support Franklin County.

CLEMENTS MILL BRIDGE UPDATE

Tony Handy, Resident Administrator, VDOT, stated there wasn't any news regarding Clements Mill Bridge.

STATE ROUTE 116 JUBAL EARLY HIGHWAY THROUGH TRUCK TRAFFIC RESTRICTION

Tony Handy, Resident Administrator, VDOT, the Roanoke County Board of Supervisors has requested Franklin County to work with them on considering the restriction of through truck traffic along State Route 116. Mr. Handy presented a handout regarding the process to restrict through truck traffic on State Route 116 (Jubal Early Highway). Mr. Handy stated the study will take 9 months to a year for completion. Staff will contact the Roanoke County staff to insure both governing bodies are asking for the same action and bring back a prepared resolution to the Board during an upcoming Board meeting for their consideration and action.

CHILDREN AT PLAY SIGNS – AARON BURDICK, SENIOR PLANNER/CURRENT PLANNING MANAGER

Neil Holthouser, Director of Planning & Community Development, advised the Board the Watch for Children Sign Program is prescribed in Section 33.1-210.2 of the Code of Virginia and provides that a county or town may by resolution request that VDOT install and maintain signs alerting motorists that children may be at play nearby.

Many localities have a formal adopted policy by which residents petition the governing body requesting that "Watch for Children Signs" be installed. If the request meets the formal policy established by said locality, the locality submits a resolution to the VDOT Residency Administrator that identifies the source of the 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.

At the June 16, 2009 Board of Supervisors Meeting, Staff was asked to research VDOT guidelines for the installation of "Watch for Children Signs" and review the policies and criteria established by other localities.

The draft policy for Franklin County is in compliance with the VDOT policy for the installation of such signs; and was crafted in such a way as to prevent the proliferation of signs, as it has been suggested that sign proliferation results in signs being less effective in alerting oncoming motorists.

To the best of staff's knowledge the only "Watch for Children Sign" in Franklin County is located on the Franklin County/Henry County line, and was installed at the request of Henry County.

Please see the attached documents for the VDOT guidelines and example policies from other localities.

RECOMMENDATION: Staff respectfully requests the Board of Supervisors review and consider the draft policy for "Watch for Children Signs" and provide staff with further direction.



“WATCH FOR CHILDREN SIGNS”

Minimum Criteria:

- The road must have a daily traffic count of at least 200 vehicles
- The road must be 750 feet or more in length
- The road must be classified by the Virginia Department of Transportation as a minor collector or a local road
- A written request to the District Supervisor from a person or persons residing on the minor collector or local road indicating the number of signs and their locations, and accompanied by a petition signed by an adult representative from at least 51% of the residences on said street stating that they support installation of the signs in the specific locations
- A \$50.00 review fee*
- Payment from the residents along the street equivalent to the cost of sign installation

*Optional-a review by staff to verify accuracy of the information submitted by the applicant/applicants related to the above referenced minimum criteria and considerations

Considerations:

- The kind of traffic the road carries
- The speed limit along the road
- Land uses along the road
- Demographic characteristics of the households along the road
- Physical characteristics of the road that could prevent motorists from being able to stop or slow down in time to avoid contact with a child

Procedures:

1. A request is made to District Supervisor by resident/residents
2. The District Supervisor directs the applicant to staff
3. Staff reviews the submitted information for eligibility and accuracy
4. Board Consideration of the request
5. If approved, the Board passes a resolution and notifies VDOT for the installation of signs

David Hurt, Boone District Supervisor, asked if there was a time limit on the sign and also if there was additional data/studies reflecting how effective the policy may be for other localities.

This item will be placed on the August agenda for the Board's consideration.

GOLF PRESENTATION

Bryon Perdue, Chairman, Franklin County Golf Foundation, presented the Board the following PowerPoint Presentation:



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Franklin County Golf Foundation

Presentation of Proposed Site Plan



Franklin County Golf Foundation

- Byron Perdue, Chair
- Dean Stone
- Eric Ferguson
- Linda Simpson
- Clyde Perdue
- Ray Hundley (RAC Representative)
- Jack Kubler
- Gary Stoneman
- Abe Naff
- Larry McCarty
- Sue Arrington
- Curtis Clayborn
- Ray Corron
- *Scott Martin (ex officio)*

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Golf Background

- 11th Most Popular Outdoor Sport – 36.7M participants
- Women, youth, and ethnic minorities are fastest growing participants
- Golfers spent \$24.3 billion in 2002 on equipment and fees.
- They spent \$19.7 billion on public and private green fees and dues. They spent \$4.7 billion on equipment (clubs, balls, bags, gloves, shoes).
- Avid golfers (25+ rounds annually) make up the smallest player segment (23 percent), but accounted for 63 percent of all golf-related spending in 2002.
- Golfers spent \$26.7 billion on travel for golf.
- Participation Rate Grows by about 1.7% per year.
- Golf Scoring
 - Avg Score – 98.3 Over 50% of golfers average 90-119
- Avg Cost
 - \$40.00 per 18/ \$22 per 9

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Franklin County Golf



- NGF market analysis determined market exists – 20,000 buckets per year projected.
- Youth Golf Continues to Grow
- Hosting State High School Championship this Fall
- Lack of Instructional Facility in Franklin County
- Lack of a Public Driving Range in Central County



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Instructional Facility

■ Teaching



- Instruction
- Club Fitting
- Full Shop
- Staff on Hand
- Aimed at All Ages and Abilities
- School Access
- Focus on Learning and Skill Development

■ Practice

- Driving Range with targets
- Executive Nine
- Large Putting Green
- Intermediate Practice Area
- Specialized Facilities Increase Market Reach

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What We're Not Going For



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Where We're Going



Process



- Completed market analysis
- Formed a Foundation with a broad range of membership from throughout the County
- Secured donations/county support to complete a site plan for the Waid Site
- Prepared to begin a fundraising/business development plan

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Project Approach

- **Phase I**
 - Engage Community on Interest & Appoint Leadership Team
- **Phase II**
 - Evaluate Local Market and Potential Site
- **Phase III**
 - Complete Site Engineering and Business Cost Estimates
- **Phase IV**
 - Identify and secure development support/partners
- **Phase V**
 - Receive Authorization and Enter into Operation/Development Agreement with BOS

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Franklin County Golf Facility MOU – Attachment A



Proposed Site Plan



DESIGN FEATURES:
 CLUB HOUSE AREA = 2,200 S.F.
 MEN'S AND WOMEN'S RESTROOMS (NO SHOWERS)
 SHACK BAR
 INDOOR AND OUTDOOR SITTING AREAS
 OFFICE
 MAIN ENTRANCE/GALL. WASHING ROOM
 EQUIPMENT SHED = 300 S.F.
 PRACTICE GREEN = 8,000 S.F.
 CHIPPING GREEN = 8,000 S.F. WITH SAND TRAPS
 DRIVING RANGE = 100 YD. WIDE X 300 YD. LONG
 10 COVERED SPACES (HEATING OPTIONAL)
 14 UNCOVERED SPACES (GRASS OR ARTIFICIAL)
 TARGET MARKERS AT 100, 150, 200, 250 YD.
 FACES: SOUTHWEST
PARKING LOT:
 67 SPACES
 10'X20' SPACES
 50' DRIVE ABLE
 EXECUTIVE PARKING COURSE:
 9 HOLES
 AVG. DISTANCE = 80 YDS
 ACCESS THROUGH GATED ENTRANCE OFF EXISTING
 GRAVEL DRIVE (TO BE IMPROVED)
 SIGN AT WEST PARK ROAD
 TO BE SERVED BY PRIVATE WELL AND DRAINFIELD
 NO GOLF CARTS
 NO LIGHTS ARE PROPOSED



Partnership Opportunities





Today's Request

- Request that the BOS review the site plan and offer comments.
- Authorize staff to assist the golf foundation with identifying potential grant, donation, funding sources
- Provide a letter of support to the Golf Foundation to be used in fund raising efforts
- Provide Golf Foundation with a three year period of exclusive rights to this area for development of a golf facility



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What's Next?

- Golf Foundation and staff fund raise and identify donors.
- Staff would complete a maintenance impact statement for BOS consideration.
- Return to BOS once fund raising is complete enough to permit development of Phase I of the site (driving range). Board would then review development proposal, grants, gifts, and have the authority to develop the operational agreement and green light development of the site.



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Where we're going





(RESOLUTION #02-07-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to assist the golf foundation with identifying potential grant, donation, funding sources, provide a letter of support to the Golf Foundation to be used in fund raising efforts and to provide the Golf Foundation with a three year period of exclusive rights to this area for development of a golf facility with full acceptance of the concept plan.

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

AV AWARD FOR GOVERNMENT CENTER

Jack Murphy, Architect, Thompson & Litton, advised the Board when the Government Center was awarded in late 2008, it was determined that the cabling and audio visual equipment would be bid separately in order to wait until closer to completion so that we could take advantage of falling electronic prices and better warranty coverage.

The bid package includes such items as the sound system and video displays in the Board room, projection equipment in select conference/training rooms, wiring for future video capability in the Board room, electronic message displays and speakers in two separate areas for overflow from the Board room if needed.

Bids were opened on Wednesday, July 15, 2009. Two bids were received, one from a Roanoke firm and one from North Carolina. Mr. Jack Murphy, with Thompson & Litton wanted to review the bids carefully before making a recommendation but both bids were more than 33% below our project budget for AV. Jack will bring the bids to the meeting and present them, answer any questions and ask for the Board to award the bid. The timing is important because of the need to install cabling prior to ceiling grid installation by the contractor.

Jack Murphy presented the following bids for the A/V Comparison as follows:

LEE HARTMAN			TI	DIFFERENCE
\$166,515.84		Base Bid	\$195,054.00	\$28,538.16
\$6,572.00		Remove Tax	\$0.00*	
\$159,943.84		Subtotal	\$195,054.00	\$35,110.16
\$7,981.02		Add Alt. #2	\$8,366.00	\$384.98
Estimate \$310.05		Remove Tax	\$0.00*	
\$167,614.81		Subtotal	\$203,420.00	\$35,805.19
\$0.00		1 Yr. Maintenance. & Service. Warranty	\$8,463.00	\$8,463.00
\$167,614.81		GRAND TOTAL	\$211,883.00	\$44,268.19

RECOMMENDATION:

Staff recommends award of the AV bid per the architect's recommendation with funding to come from the funds set aside and budgeted for the Government Center.

(RESOLUTION #03-07-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to award the contract to Lee Hartman in the amount of \$167,614.81 with Alternate #2 for the Franklin County Government Center A/V Bid award.

MOTION BY: Russ Johnson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

PHOEBE NEEDLES CENTER TAX EXEMPTION

Reverend John H. Heck, Executive Director, Phoebe Needles Center, has submitted a letter dated July 1, 2009, requesting the Board of Supervisors' approval for real estate tax exemption status on the following parcels of land:

MAP NUMBER	ACREAGE	LAND VALUE	TAX TICKET	BUILDING VALUE	TAX TICKET
07.00-016.00	59.253 acres	\$135,300	\$622.38	\$518,200	\$2,379.12
075.00-031.04	20 acres	\$61,000	\$280.60	\$147,400	\$678.04

In this request Reverend Heck has answered the eight (8) questions as outlined in Section 58.1-3651 of the State Code.

The Commissioner of Revenue advises the portion of this 61.309 acres that is entitled to and has received exempt status consists of 2.056 acres along with the rectory/parsonage, church and dorm. The assessed value is \$1,041,900.00. The remaining 59.253 acres has been determined by the Commissioner of Revenue as not eligible for exemption under State Law.

The following is a table reflecting the Transient Occupancy Tax which is also presented for the Board's consideration.

Transient Occupancy Tax (2008)		\$947.43
Transient Occupancy Tax (2009 thus far*) arriving	* Busy season just	\$571.08

RECOMMENDATION:

Margaret Torrence, Commissioner of Revenue, has indicated per State Code 58.1-3606 and 58.1-3617 State Law does not allow for the aforementioned tracts to be exempted. Staff respectfully requests Board authorization to fully research the request and report back to the Board their findings before scheduling a public hearing.

Reverend Heck stated he has questions and was seeking answers according to the current issues as hand.

(RESOLUTION #04-07-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to table the request as presented to allow County staff and counsel to research the request and bring back at a later date for review and consideration.

MOTION BY: Russ Johnson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

LIBRARY 5-YEAR STRATEGIC PLAN

David Bass, Library Director, shared with the Board every fifth year the Library must submit a five year plan to the Library of Virginia in partial fulfillment of its requirements for state aid. The current process, which began in 2008, coincided with the county's development of its 'Strategic Plan' for all services and departments. The Library Board took a formal approach to the process, beginning with a survey of the public conducted both in-house and on-line. With the responses and additional accumulated data, the Library Board conducted a planning retreat with an independent facilitator. The result was the determination of five areas of focus over the next five years. Finally, the staff came up with objectives to fulfill the Board's broad based goals.

The five areas designated by the Library Board for focus over the next five years are: (1) Stimulate Imagination: Reading, Viewing, and Listening for Pleasure; (2) Connect to the On-line World: Public Internet Access; (3) Nurture, Encourage, Develop Young Readers: Emergent Literacy; (4) Satisfy Curiosity: Lifelong Learning; and (5) Expand Access to Service. The staff,

then, developed both short term and long range objectives towards these goals. Many of the new activities and programs can be accomplished with current resources. The area where the greatest additional spending will be needed is in expanding access to service. By 2011 the Library hopes to offer more hours at each location, especially at Westlake where there is a strong demand for Monday hours. In addition, with the continued growth of the county, the Library will start planning for a second branch facility by no later than 2013.

RECOMMENDATION: No action required at this time. Report is for review purposes only.

Franklin County Public Library

STRATEGIC PLAN

Years 2009 - 2013

Approved By

Franklin County Public Library
Board of Trustees

Prepared By

The Library Board of Trustees, Franklin County Public Library
Library Director, Franklin County Public Library

Members of the Franklin County Public Library Board of Trustees

Karen Dillon, Chairman
William Mitchell, Vice Chairman
Bill Gibson, Secretary

Becky Mushko
Florence Quinn
Daniel Weeks
Peggy Woody

PREFACE

The Franklin County Public Library conducted a strategic planning process in 2008 with the collection and analysis of statistics, a survey of the community and a Library Board of Trustees planning retreat.

The Library Board of Trustees adopted the Strategic Plan on April 2, 2009. The Plan was developed to be an action plan for the Franklin County Public Library for the citizens of Franklin County during the period of 2009 - 2013. Library staff, with oversight by the Library Board of Trustees, will be responsible for accomplishing the goals and supervision of the plan. To ensure that the Strategic Plan is a viable and current document, the Library Director will submit a progress report to the Library Board of Trustees by June 30 of each year between 2009 and 2013.

ACKNOWLEDGMENTS

The Strategic Plan for the Franklin County Public Library was developed with the assistance of Franklin County residents who participated in the countywide survey. The Library Board of Trustees wishes to thank them for their participation and interest in the future of Library. The Board wishes thank the Library Director, David Bass, and members of the Franklin County Public Library staff for their work on the Strategic Plan as well as for continuing to provide the best possible library services to the citizens of Franklin County. A special thanks goes to Charlotte Hubbard, a county resident who facilitated the Library Board planning retreat.

Resources used during the planning process were the Public Library Association's *THE NEW PLANNING FOR RESULTS: A STREAMLINED APPROACH* (2002). Data sources were the Library of Virginia's Statistical Data for Virginia Public Libraries (<http://www.vpl.vimonia.gov/stats/01-06data.asp>) and the Institute of Museum and Library Services' Library Statistics (<http://harvester.census.gov/imls/publib.asp>).

MISSION STATEMENT

The mission of the Franklin County Public Library is to provide access to informational, educational, cultural and recreational materials and services in a variety of formats and

technologies; to promote reading, literacy, and lifelong learning; and to protect the public's right to know by resisting censorship and providing equal access to information.

GENERAL POLICY STATEMENT

This Library, supported by the people of Franklin County, helps answer the information needs of individuals and organizations in the county. It serves as a repository for print and non-print materials, as a center to respond to inquiries and to locate needed information, and as a liaison to provide access to statewide and national library resources through such media as interlibrary loan and telecommunications.

The Library's assistance to county residents includes, but is not restricted to, the following types of services:

- The Library supports educational, civic, and cultural activities of groups and organizations in the county.
- The Library provides opportunities for self-education to people of all ages.
- The Library seeks to identify community information needs, to provide programs of service to meet those needs, to co-operate with all county agencies and organizations which can assist in successfully conducting such programs.
- The Library provides opportunities for recreation through the use of its print and non-print collections.

Mindful of its role as an agent of the community, the Franklin County Library encourages all citizens to participate in library activities and to suggest additions to its collections or services in order to improve the library's effectiveness in the community.

SERVICE RESPONSES

During 2009-2013 the Franklin County Public Library System will give priority to services that address the following service responses:

- **Stimulate Imagination:** Residents who want materials to enhance their leisure will find a large variety at the library as well as materials available through inter-library loans and will have the help they need to make choices from among the options.
- **Connect to the Online World: Public Internet Access.** To ensure that everyone can take advantage of the ever-growing resources and services available through the Internet, residents will have high-speed access to the digital world with no unnecessary restrictions or fees.
- **Develop Young Readers: Emergent Literacy.** Preschool children will have programs and services designed to ensure that they will enter school ready to learn to read, write, and listen.

Satisfy Curiosity: Lifelong Learning. Residents will have the resources they need to explore topics of personal interest and continue to learn throughout their lives.

GOALS AND OBJECTIVES

GOAL I: Stimulate Imagination: Reading, Viewing and Listening for Pleasure

Need: Franklin County is growing and ranks fourth in population among a group of ten peer Virginia libraries.* While it ranks fourth in use of materials, it ranks eighth in number of materials held, expenditures and services hours per week. Interlibrary loans use is low; no electronic books are available to supplement the physical collections. The Library has opportunities for self-promotion, advocacy and strengthening relations with County leaders. The Library ranks high in total program attendance; program suggestions from users ranged from author events, movies, international foods, poetry readings to more art exhibits.

Objective: Residents will have access to increased selections of physical and virtual materials to enhance their leisure time.

Activity 1: By July 31, 2009, patrons will have access to a database, both in-house at the Library and through its website, for the purpose of downloading e-books, e-audio books, and other electronic formats, with a minimum 2% increase in downloads per year through June 30, 2013.

- Activity 2: By July 31, 2009, patrons will be able to search for downloadable materials through the Library's regular on-line catalog, with a minimum 2% increase in hits per year through June 30, 2013.
- Activity 3: By July 31, 2013, the main library will have average a minimum net growth of five thousand items a year, while the Westlake Branch will have a minimum net growth of one thousand, five hundred items a year.
- Activity 4: By June 30, 2010, the interlibrary loan service, through promotion and advertisement, will show a 2% growth annually in both requests and items filled.
- Activity 5: Beginning December 2009 and each December thereafter, the Library will present an annual 'state-of-the-library' report to the Board of Supervisors at its regular meeting.

Goal II: Connect to the Online World: Public Internet Access

- Need: The Library ranks high among peer libraries* in number of public Internet access computers. This service offers an opportunity for self-promotion to help the public become aware of this valuable resource within the community. According to users, issues exist related to computer workspace, noise and family use. The Library's Web presence is critical to the image of the Library and needs to be accessible, visible and interactive. Technology program suggestions included classes in technology and career development.
- Objective: Residents will have high-speed access to the digital world with no unnecessary restrictions or fees to ensure that everyone can take advantage of the ever-growing resources and services available through the Internet.
- Activity 1: By March 31, 2009, patrons will be able to take beginning computer classes during the day at the Library, with each session having a minimum of seven participants. Classes will be promoted for a minimum of three weeks ahead of the scheduled beginning through the media and in-house advertisements.
- Activity 2: By June 30, 2010, patrons will be able to reserve a librarian for one-on-one consultation during the day for research and computer questions. The consultation period will not exceed a half hour.
- Activity 3: By June 30, 2010, patrons will have access to at least ten more public computers in-house at the Library, including one station dedicated as an e-mail kiosk only.

Goal III: Nurture / Encourage / Develop Young Readers: Emergent Literacy

- Need: The Library ranks first among peer libraries* in program attendance by children; an excellent opportunity for self-promotion. The Library plays an important role in supplementing public, private and home schools; routine interaction with schools will produce a positive impression among County leaders and residents. As the County becomes more diverse, the Library should explore ways to address services to groups such as the growing Spanish speaking population.
- Objective: Preschool children will have programs and services designed to ensure that they will enter school ready to learn to read, write, and listen.
- Activity 1: By June 30, 2010, patrons will have access to a separate section of Spanish language materials of no less than 500 items, along with a Spanish paperback exchange and prominent informational posters in Spanish.
- Activity 2: By June 2010, activities and materials for the Spanish community will be promoted through the local media, as well as the Spanish language radio station in Roanoke.
- Activity 3: By June 2012, the Library will offer beginner computer classes to the public in Spanish, with a minimum of 5 participants per session.
- Activity 4: By June 30, 2010, parents will be able to attend emergent literacy programs sponsored by the Library, featuring lessons on material selection and reading to their children.

Activity 5: By June 30, 2010, home schooled students will have computer classes available at the Library, geared specifically towards their grade, ability level, and unique educational situation.

Goal IV: Satisfy Curiosity: Lifelong Learning

Need: The Library features regular, diverse displays which are popular with the community and integral to promoting lifelong learning. No centralized list of County organizations or community resources exists for use by clubs or fundraising groups. Interlibrary loan is a low-cost, customer- friendly service that supports diverse lifelong learning. Another opportunity for self-promotion is the Library's role in supporting career change and distance education with space and high-speed computer access. Author events are among the most desired of programs but have experienced uneven attendance in the past.

Objective: Residents will have the resources they need to explore topics of personal interest and continue to learn throughout their lives.

Activity 1: By June 30, 2010, the Library will enter into a joint plan with the Franklin Center to expand and coordinate joint programs at both facilities to enhance lifelong opportunities in the community.

Activity 2: By June 30, 2011, the public will be kept abreast of activities at the Library and the Franklin Center via strategically placed plasma screens at both Library locations.

Activity 3: To better serve the public and be kept abreast of the latest developments in librarianship, the staff will engage in a continuing series of in-house workshops, cross training and, on an individual basis, formal education.

Goal V: Expand access to service

Need: The Library has had ongoing challenges providing adequate staff coverage for public service hours and had been unable to expand public service hours as a result. Library leadership consists of one professional librarian and a branch manager who is pursuing a master's degree; no succession plans exist. Positive relationships with community leaders and government officials are integral to the Library's ability to provide adequate trained staff, hours, materials and facilities. Advocacy by the Friends, Library Board, Foundation and Capital Campaign Committee is important to ensuring a high quality, growing Library system.

Activity 1: By June 30, 2013, planning will have begun for a second branch facility to be located in an area that will accommodate the most citizens.

Activity 2: By July 1, 2011, the public will have at least five more hours of access to the existing facilities through extended hours of operation, made possible by an expanded staff. In addition, one person dedicated to graphics, publicity, and updating the website will be added to the staff. By December 31, 2011, access to the Library's website will be consolidated under one address and heading.

Activity 3: As an on-going activity, the public will have access to new services through the Library partnering with outside agencies.

Activity 4: To increase the public's involvement with the Library, the staff will endeavor to maintain the current number of volunteer hours at Westlake, while seeking to increase the number of volunteer hours each year at the main library by 5% through June 30, 2013.

Activity 5: As an on-going activity, the staff, Friends, Library Board, and volunteers will provide the public 5% more outreach programs each year through June 30, 2013. Outreach will provide age appropriate presentations for each specific group and include, but not be limited to, book talks, a review of library services and upcoming programs, discussions of library issues, etc. Groups targeted for monthly presentations will include, but not be limited to, daycares, nursing homes, schools, and civic groups.

Activity 6: By March 15, 2009, the public will be kept abreast of Library activities through a weekly column in the local newspaper.

Activity 7: As an on-going activity, the public will be informed of Library activities through the broadcast media, i.e. public service announcements, TV appearances, etc., and the distribution in-house of brochures, bookmarks, etc.

Appendix

Background

The Franklin County Public Library serves a population of 52,841 from facilities in the town of Rocky Mount and the Westlake community, along with a countywide bookmobile. In 2006, annual expenditures totaled \$844,636 from a combination of State Aid, County funds and donations. This amounted to \$16.86 per capita, of which \$9.60 was derived from local funds. Total circulation for the Library was 177,813 transactions from a collection of 110,878 items. There were 2.21 items per capita with a turnover rate of 1.60 per capita. Four hundred one programs were attended by 22,322 individuals. The Library system is staffed by 14 full-time equivalent employees, of which one is a librarian with a Masters in Library Science.

National and State Analysis of how the library compares with 10 Virginia peer libraries*:

4 th population	4 th collection turnover
8 th operating and per capita expenditures	8 th service hours per week
9 th local expenditures per capita	4 th number of programs
7 th holdings	1 st total program attendance;
5 th circulation	1 st children's program attendance

How Franklin County Library compared in 2005 with National and State peers*:

\$12.86 income per capita compared to

- ⇒ \$26.75 Virginia peer libraries
- ⇒ \$12.12 for national peer libraries
- ⇒ \$35.61 national average

5.36 interlibrary loans per capita compared to:

- ⇒ 94.54 for peer Virginia libraries
- ⇒ 20.55 Virginia average
- ⇒ 305.67 nationally

26 Public Internet computers compared to:

- ⇒ 19 Virginia peer libraries
- ⇒ 47 Virginia average
- ⇒ 21 national average

	Income Per Capita	Public Internet PCs	Interlibrary Loans/1000	ALA MLS Librarian	Total Staff
Franklin County	\$12.86	26	5.36	1	11
National Peer Libraries	\$12.12	19	94.54	9	9
Virginia Average	\$26.75	47	20.55	39	39
National Average	\$35.61	21	305.67	15	15

*Peer library systems in Virginia used as benchmarks for Franklin County: Bristol, Campbell County, Culpepper, Danville, Eastern Shore, Southside Regional, Tazewell County, Washington County, Wythe-Grayson Regional.

Russell Johnson, Gills Creek District, requested the Board to research volunteers vs. paid employees to increase hours at the Library and branch library.

David Hurt, Boone District, requested staff research possible e-libraries to utilize drop off sites within the County to insure book returns since we do live in such a rural area.

VIRGINIA SESQUICENTENNIAL OF THE AMERICAN CIVIL WAR COMMISSION

Debra Weir, Director of Tourism, advised the Board, Virginia has taken the national lead in the commemoration of the 150th or Sesquicentennial of the American Civil War. The Honorable William J. Howell, Speaker of the House of Delegates and Chairman of the Virginia Sesquicentennial American Civil War Commission along with Cheryl Jackson, Executive Director of the commission, has adopted a vision statement and mission for the commission. They formed and convened an Advisory Council plus established goals for the commemoration which includes Diversity, Inclusiveness, Statewide Accessibility and Education. The development of Sesquicentennial Civil War Committees within the state was initiated.

To date, 117 of 134 Virginia counties have formed committees. Committees are formally recognized by the Commonwealth once they, the Commission, receive a resolution of support from the Board of Supervisors. Committees are then working in a lead position to involve their respective communities in the state's commemoration efforts for the sesquicentennial period, roughly (2010-2015).

Mr. Philip Sheridan, Franklin County resident and Civil War enthusiast addressed the Board of Supervisors in June to request their authorization to recognize, by resolution, the appointment of a Civil War Sesquicentennial committee for Franklin County.

Franklin County has a number of assets that may receive additional study and national recognition from this significant anniversary event including Booker T. Washington National Monument and the Jubal A. Early Homestead. In many respects, the combination of these two nationally significant historic sites places Franklin County as a unique setting in which to study and reflect upon the impact of the Civil War on all people in the region, and the implications and outcomes of Reconstruction and the birth of the New economy that emerged in post-war Southside Virginia.

Mr. Sheridan has contacted many organizations to gain support for formation of a Committee in Franklin County. These organizations include:

- Dr. Francis Amos – Franklin County Historian
- Janie Hopkins – Franklin County Chamber of Commerce
- Lynda Stanley – Franklin County Historical Society
- Lillie Head – President of Friends of Booker T. Washington National Monument
- Gerald Via – Jubal Early Preservation Trust
- Fred Stump/Robert Barbour – Fincastle Rifles, SCV
- Brenda Muse/Beth Simmons – Benjamin Franklin Middle School
- Kevin Bezy – Gereau Center/Franklin County Schools
- Frank Chrzanowski – Manager, Hometown Bank – Westlake Branch
- Susan & Wayne Dudley – VA Tech Alumni, SML
- Clive Rice – Roanoke Sesquicentennial Committee Member
- John Graham – President, Roanoke Civil War Roundtable, Botetourt County Sesquicentennial Committee Members.
- Scott Martin/Debra Weir – Franklin County Commerce and Leisure Services

Mr. Sheridan is seeking Franklin County Board of Supervisor's approval to have an official committee formed with the following recommendations:

- Appoint a representative from the county's administrative staff to serve on the committee.
- Propose an annual budget of \$2,500 that can be used in matching grant efforts that will be offered throughout the 150th Commemoration.

RECOMMENDATION:

Staff recommends that the Franklin County Historical Society should serve as lead collaborator for the formation of this committee. Once the membership of the committee is established, the Historical Society should return to the Board of Supervisors for a resolution of support and recognition of a formally constituted Civil War Sesquicentennial Committee for Franklin County. Staff recommends that membership on this committee be sought from the widest range of County residents and that public notice be posted that indicates that volunteers are being sought.

(RESOLUTION #05-07-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to support staff's recommendation with the Board of Supervisors ultimately naming the committee members.

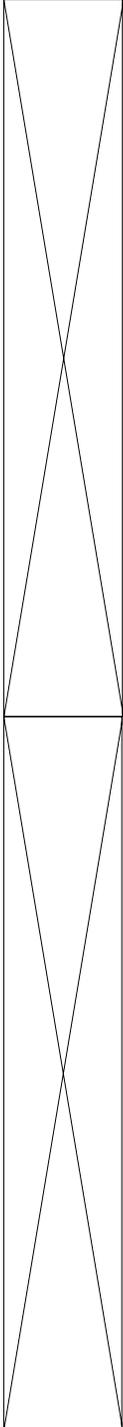
MOTION BY: Russ Johnson
SECONDED BY: Wayne Angell
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

GO GREEN CHALLENGE UPDATE

Richard E. Huff, II, County Administrator, shared with the Board a survey for Franklin County regarding 2009 Green Government Challenge as of 7-21-2009. Mr. Huff stated out of 200 possible points staff believes Franklin County is eligible for possibly 115 points according to the scoring from the survey. Mr. Huff stated he would keep the Board apprised of the continue process.

PRELIMINARY BUDGET FORECAST

Richard E. Huff, II, County Administrator, presented the following preliminary budget forecast:



**Franklin County
Budget Update**

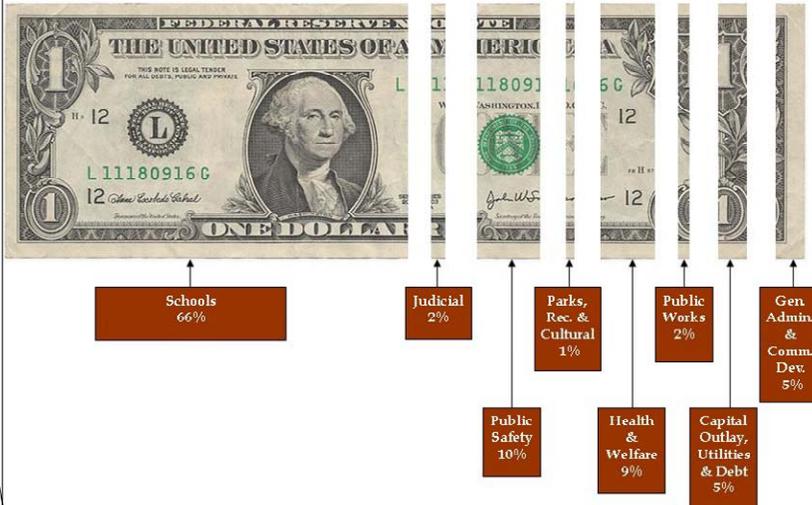
**July 21, 2009
Franklin County
Board of Supervisors**

How Did We Do in FY 09?

- **Total Revenues in the General Fund, on a cash basis, finished .63% ahead of October, 2008 revised budget estimates for year ending June 30, 2009.**
- **Undesignated Fund Balance finished June 30 at \$12.7 million (cash basis) which was 10% of the total FY09 budget.**
- **Expenditure Totals Not Yet Available to Determine Any Savings.**

How Does the County's Money Get Spent?

Franklin County FY 09-10 Adopted Expenditures



Where Does the County's Money Come From?

Franklin County FY 09-10 Adopted Revenues



State Budget Summary

According to *Fiscal Analytics, Ltd.*, headed by former Senate Finance Committee staff:

- A further slowing of revenues will require additional FY 2010 State Budget cuts to be made this summer / fall.
- Even if moderate revenue growth does begin to occur, expect a more daunting 2010-12 State Budget as the American Reinvestment & Recovery Act (ARRA) expires.
- K-12 re-benchmarking will most likely be modified or even eliminated -- including lower standards for support costs -- matching state resources to state spending.

State Budget Summary

- Medicaid and other health and human service costs are likely to grow, as the State unemployment rate has yet to reach a plateau, thereby putting additional pressure on the State Budget.
- How likely are State General Fund or Transportation tax increases?
- Governor Kaine has requested state agencies to prepare additional 5%, 10%, & 15% budget cut scenarios this FY2010.
- Prepare for other local aid cuts as well. Governor's Office currently planning to order state budget cuts on August 19th.
- No idea at this point what impact such cuts will have on aid to localities.

Further Concerns

**Richmond
Times-Dispatch**

July 14, 2009

Virginia Retirement System Loses Fifth of Value

"Under any scenario, VRS will be asking for higher contribution rates in the next biennium," said Robert P. Schultze, director of the pension system

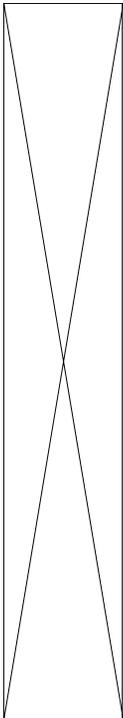
Schultze estimated that the General Assembly will have to appropriate \$63 million next year to supplement state employee contribution rates and \$139 million for teacher contribution rates.

Each 1% increase in Schools = \$413,098

Each 1% increase in Local Government = \$120,927

Wayne Turnage, Governor Kaine's Chief of Staff

"As in the past, we must ensure that we do not degrade essential services in public education or take actions that could compromise public safety, health, or welfare; however, the magnitude of the revenue decline will not permit us to ignore a critical review of these areas."



Next Steps

- County staff identifying options to deal with potential further state cuts. Some reduction was anticipated when revenue estimates were made which can buffer some level of reduced state aid
- Revenue estimates are being reviewed against end of year final collections
- Alert County and School staff to begin further scenarios for possible budget reductions in current year
- No function may be able to be held harmless, depending on the severity of the cuts
- Further updates as information is available

FY/COUNTY SET PRIORITIES TO GET BROADBAND FUNDS

Richard E. Huff, II, County Administrator, advised the Board federal stimulus monies are available. Mr. Huff stated the funds were ready for shovel ready projects only. Mr. Huff stated the County would be providing technical support with B2X deployment as they would be applying for the stimulus money. The Board concurred with the support.

DAIRY INDUSTRY CRISIS

David Hurt, Boone District Supervisor, stated there was a Dairy Industry crisis in the County and he requested staff to forward a letter of need and support to Congressman Tom Perriello to seek Federal help and to lend the County's voice of need to the Dairy Industry and to have the dairy Agent, VPI Extension Office give an update of the current status of the current dairy industry to the Board during their August meeting.

FEE TO THE SML PARK

David Hurt, Boone District, asked Scott Martin about the revenue generated from funds for SML Park fees. Mr. Martin advised the Board the forecast for revenue has dropped from 35% to 60% and a projected \$36,000 down to \$11-\$12,000 from generated fees implemented. General discussion ensued.

APPOINTMENTS:

❖ **WESTERN PIEDMONT DISABILITIES BOARD** (Term Expires 6/30/2012)

Chairman Wagner advised the Board he had received notification from Sidney Ratliff, Executive Director, stating the Board would be disbanded as of July 21, 2009.

CLOSED MEETING

(RESOLUTION #06-07-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711, a-5, Discussion of a Prospective New Business or Industry and a-7, Consult with Legal Counsel, of the Code of Virginia, as amended.

MOTION BY: Wayne Angell

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

MOTION: Russ Johnson

SECOND: Leland Mitchell

RESOLUTION: #07-07-2009

MEETING DATE July 21, 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, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

NAYS: NONE

ABSENT DURING VOTE: NONE

ABSENT DURING MEETING: NONE

Chairman Wagner recessed the meeting for dinner.

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

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M., on Tuesday, July 21, 2009**, in the Meeting Room located in the Courthouse, Rocky Mount, Virginia to consider proposed amendments to **Chapter 18: Solid Waste Illegal Waste Disposal**. Said amendments to the ordinance will amend, re-write and clarify definitions regarding provisions relating to illegal waste disposal and will impose civil penalties and codify the rights set forth in state code for individual property owners to seek civil penalties for illegal dumping on their properties.

Larry Moore, Assistant County Administrator, stated the last adopted ordinance revision regarding penalties for illegal disposal of waste if 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.

At the June 16, 2009 meeting the Board of Supervisors approved staff to advertise for a public hearing to be held on July 21, 2009 at 6:00pm in which these amendments would allow citizens to voice their questions or concerns.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors to adopt the Chapter 18 amendments regarding increased penalties for violations under Chapter 18, Waste Disposal Regulations of the Franklin County Code. Staff would like to bring to the Board's attention that as requested, Section 18-19 paragraphs (B) and (E) have been worded differently for clarification purposes. Noted changes are identified in red as follows:

(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, the County 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.

(E). The court may award the plaintiff or the County bringing suit pursuant to this section the cost of suit and reasonable attorney's fees.

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 semiliquids 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, **the County** 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 **the plaintiff or the County bringing suit pursuant to this section** the cost of suit and reasonable attorney's fees.*

The Board expressed their desires to educate and advise the public and meet with groups to enlighten individuals of the proposed amendments to Chapter 18.

Lester Thompson, stated when the dump site was relocated on 40 West he felt like it was due to the lack of dumpsters needed at this site. Mr. Thompson stated that the proposed fine being advertised is an over kill being imposed to citizens and out of county citizens

General discussion ensued.

(RESOLUTION #08-07-2009)

BE IT THEREFORE ORDAINED, by the Board of Supervisors to table the aforementioned amendments to Chapter 18 until August Board meeting.

MOTION BY: Russ Johnson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

ABSENT: Hurt

COUNTY OF FRANKLIN, VIRGINIA
ANNOUNCEMENT OF PUBLIC HEARING
TO CONSIDER CONVEYANCE OF COUNTY PROPERTY

In accordance with the provisions of Section 15.2-1800 of the Code of Virginia, as amended, notice is hereby given to all interested parties that the Board of Supervisors of the County of Franklin, Virginia will conduct a public hearing on a proposal to convey the County's 75% undivided interest in 7.414 acres of land, more or less, being part of the Franklin County/Rocky Mount Industrial Park. The proposed conveyance to TSG/Empire Foods, LLC is for economic development. This property is part of the Franklin County/Rocky Mount Industrial Park, located at 515 Weaver Street, Rocky Mount, Virginia and in Deed Book 369, Page 2375, Real Estate Map Parcel 203-1.1, and shown on plat survey prepared Ingram Land Services, January 20, 2009, Project Number #08087, located in the Clerk's Office of the County Courthouse, Rocky Mount, Virginia.

Scott Martin, Director of Commerce & Leisure Services, stated the Board of Supervisors are being asked to complete conveyance of public land in the Franklin County/Rocky Mount Industrial Park for two purposes: 1) Permit widening, alignment, and extension of Weaver Street to serve the Cox Heavy Industry Development Site, and 2) convey land to TSG Empire Foods for development of a 30,000sf production facility that will employ 85 individuals. The County holds a 75% interest in the land that will be conveyed and thus is required to hold public hearings prior to conveyance of the land assets.

The land transfer conveyance to Empire Foods TSG of a portion of Parcel 203-1.1 into a new Parcel "A" of 7.414 acres (see submitted plat of survey). Conveyance of this land is subject to the existing performance agreement between the County of Franklin, the Town of Rocky Mount, and TSG Empire Foods of Columbus, Ohio.

RECOMMENDATION:

Direct and authorize staff to complete all necessary recordation and transfers needed to complete realignment/extension of Weaver Street and creation of a new 7.414 acre parcel within County Parcel 203-1.1 that shall be conveyed to Empire Foods for the purpose of incensing new economic development within the County.

No one spoke for or against the proposed

(RESOLUTION #09-07-2009)

BE IT THEREFORE ORDAINED, by the Board of Supervisors to authorize the necessary recordation and land transfer conveyance to Empire Foods TSG of a portion of Parcel 203-1.1 into a new Parcel "A" of 7.414 acres (see submitted plat of survey Conveyance of this land is subject to the development and execution of a job creation and capital investment performance agreement between the County of Franklin, the Town of Rocky Mount, and TSG Empire Foods of Columbus, Ohio.

MOTION BY: Wayne Angell

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Cundiff, Angell, Johnson, Thompson & Wagner

ABSENT: Hurt

COUNTY OF FRANKLIN, VIRGINIA
ANNOUNCEMENT OF PUBLIC HEARING
TO CONSIDER CONVEYANCE OF COUNTY PROPERTY

In accordance with the provisions of Section 15.2-1800 of the Code of Virginia, as amended, notice is hereby given to all interested parties that the Board of Supervisors of the County of Franklin, Virginia will conduct a public hearing on a proposal to convey the County's 75% undivided interest in the following parcels to the Newbold Corporation for the purpose of economic development. This property is part of the Franklin County/Rocky Mount Industrial Park, located in Deed Book 369 Page 2375, Real Estate Map Parcel 203-1.1, and shown on plat survey prepared Cornerstone Land Surveying, Inc., January 16, 2009, Drawing Number C-2493, located in the Clerk's Office of the County Courthouse, Rocky Mount, Virginia.

Parcel A: 0.471 AC. A portion of Weaver Street that the Town of Rocky Mount and the County of Franklin acquired from the Commonwealth of Virginia and is to be conveyed to Newbold Corporation and combined with Tax No. 204-384.1

Parcel B. 0.212 AC. A portion of Tax No. 203-1.1 owned by the Town of Rocky Mount and the County of Franklin and is to be conveyed to Newbold Corporation and combined with Tax No. 204-384.1

In accordance with the provisions of Section 15.2-1800 of the Code of Virginia, as amended, notice is hereby given to all interested parties that the Board of Supervisors of the County of Franklin, Virginia will conduct a public hearing on a proposal to convey the County's 75% undivided interest in the following parcels to the Town of Rocky Mount for the purpose of dedication for public street purposes. This property is part of the Franklin County/Rocky Mount Industrial Park, located in Deed Book 369, Page 2375, Real Estate Map Parcel 203-1.1, and shown on plat survey prepared Cornerstone Land Surveying, Inc., January 16, 2009, Drawing Number C-2493, located in the Clerk's Office of the County Courthouse, Rocky Mount, Virginia, as follows:

Parcel C. 0.487 AC. A portion of Tax No. 203-1.1 owned by the Town of Rocky Mount and the County of Franklin and is to be dedicated to Public Use for Street Purposes.

Parcel E. 0.110 AC. A portion of Tax No. 203-1.2 owned by the Town of Rocky Mount and the County of Franklin and is to be dedicated to public use for street purposes.

In accordance with the provisions of Section 15.2-1800 of the Code of Virginia, as amended, notice is hereby given to all interested parties that the Board of Supervisors of the County of Franklin, Virginia will conduct a public hearing on a proposal to convey the County's 75% undivided interest in the following parcels to Weaver Mirror Company, Inc. for the purpose of economic development. This property is part of the Franklin County/Rocky Mount Industrial Park, located in Deed Book 568, Page 1521, Real Estate Map Parcel 203-1.2, and shown on plat survey prepared Cornerstone Land Surveying, Inc., January 16, 2009, Drawing Number C-2493, located in the Clerk's Office of the County Courthouse, Rocky Mount, Virginia, as follows:

Parcel D. 0.144 AC. A portion of Tax No. 203-1.2 owned by the Town of Rocky and the County of Franklin and is to be conveyed to Weaver Mirror Company, Inc. and combined with Tax No. 204-384.2.

In accordance with the provisions of Section 15.2-1800 of the Code of Virginia, as amended, notice is hereby given to all interested parties that the Board of Supervisors of the County of Franklin, Virginia will conduct a public hearing for the purpose of economic development, as follows:

Parcel F. 0.004 AC. (182 Sq. Ft.) A portion of Tax No. 203-1.2 owned by the Town of Rocky Mount and the County of Franklin and is to be retained and combined with Tax No. 203-1.1

This property is part of the Franklin County/Rocky Mount Industrial Park, located in Deed Book 568, Page 1521, Real Estate Map Parcel 203-1.2, and shown on plat survey prepared Cornerstone Land Surveying, Inc., January 16, 2009, Drawing Number C-2493, located in the Clerk's Office of the County Courthouse, Rocky Mount, Virginia.

No one spoke for or against the conveyance as advertised.

(RESOLUTION #10-07-2009)

BE IT THEREFORE ORDAINED, by the Board of Supervisors to authorize staff to complete all necessary recordation and transfers needed to complete permit widening, alignment and extension of Weaver Street to serve the Cox Heavy Industry Development Site, as advertised.

MOTION BY: Wayne Angell

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

ABSENT: Hurt

Chairman Wagner adjourned the meeting.

CHARLES WAGNER
CHAIRMAN

RICHARD E. HUFF, II
COUNTY ADMINISTRATOR