

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, AUGUST 18, 2009, AT 1:30 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM IN THE COUNTY COURTHOUSE.

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

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

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Chairman Charles Wagner called the meeting to order.

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Invocation was given by Supervisor Bobby Thompson.

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**PRESENTATION OF APPRECIATION**

David Hurt, Boone District Supervisor, presented an appreciation award to the following individuals for their donation of the North Franklin County Park site:

- ❖ Ms. Sandy Davidson
- ❖ Dorothy Hamrick
- ❖ Ms. Doris LeGault

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Pledge of Allegiance was led by Supervisor Bobby Thompson.

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**PUBLIC COMMENT:**

- Joe Potter, St. Rt. 890 Dumpster Site, stated there has been three fires this year at the St. Rt. 890 Dumpster Site. Snow Creek Fire Department was called to extinguish the fire in January, February and July 29<sup>th</sup>. Mr. Potter stated on August 7<sup>th</sup> or 8<sup>th</sup>, someone placed a dead deer (passed pictures around for Board to see) inside the enclosure of the site, noting that such is a health hazard, with all the dead animals that have been placed there over the past years. Mr. Potter presented a petition of 118 more signatures making a total of 521 people that signed to CLOSE the dumpster site. Mr. Potter requested the Board to take a vote today to close this site.

The Chairman stated the Board would consider the request to place on the agenda at a future meeting.

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**CONSENT AGENDA**

**APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR – JULY 21, 2009**

**APPROPRIATIONS**

DEPARTMENT	PURPOSE	ACCOUNT	AMOUNT
Reassessment	Rollovers/Carry forwards		175,000.00
Registrar	Rollovers/Carry forwards		29,748.00
General District Court	Rollovers/Carry forwards		8,052.00
J and D Court	Rollovers/Carry forwards		1,856.00
Sheriff	Rollovers/Carry forwards		27,867.00
Domestic Violence	Rollovers/Carry forwards		15,824.00
Public Safety	Rollovers/Carry forwards		37,863.00
EMS Billing	Rollovers/Carry forwards		96,740.00
General Properties	Rollovers/Carry forwards		97,786.00
Public Works	Rollovers/Carry forwards		38,600.00
Solid Waste	Rollovers/Carry forwards		46,500.00
Planning Agencies	Rollovers/Carry forwards		60,608.00

Planning and Zoning	Rollovers/Carry forwards	120,500.00
Economic Development	Rollovers/Carry forwards	178,582.00
Franklin Center	Rollovers/Carry forwards	1,000.00
		Total 936,526.00
E911 Fund	Estimated Remaining Fund Balance	12,778.00
Forfeited Asset Fund	Estimated Remaining Fund Balance	115,817.00
Utility Fund	Estimated Remaining Fund Balance	734,824.00
Debt Service Fund	Estimated Remaining Fund Balance	13,478.00
Courthouse Maintenance Fund	Estimated Remaining Fund Balance	4,683.00
Law Library Fund	Estimated Remaining Fund Balance	43,839.00
		Total 925,419.00
E911	Microwave Link Grant	90,000.00
E911	GIS Upgrade Grant	58,025.00
Parks and Recreation	Donations	1,801.00
Planning	Ferrum Planning Grant Carryover	6,446.00
Clerk of Court	Library of Virginia Grant	4,720.00
		Total 160,992.00
Appropriate Capital funds already budgeted:		
PC Replacement		64,070.00
Infrastructure Upgrades		70,500.00
Wireless Broadband Infrastructure		65,000.00
IT Server Virtualization		20,000.00
Public Safety Contribution to Out of County Capital		25,000.00
Animal Shelter Maintenance		20,000.00
Marine Fire Boats		75,000.00
Westlake Fire Fighting Equipment		16,500.00
Aging Services Vehicle Match		9,600.00
Future Park Expansion		100,000.00
Economic Development Funds		200,000.00
Commerce Center Improvements		50,000.00
Landfill Engineering		90,000.00
Landfill Compliance		45,000.00
Landfill Equipment		218,680.00
Landfill Development		50,000.00
Collection Sites		55,000.00
Landfill Gas Control		25,000.00
New Landfill Construction		
		Total 199,350.00
To appropriate funds in the County Capital Fund which are currently budgeted		

Transfers Between Departments and Funds

None

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**REVISED SOLID WASTE MANAGEMENT PLAN**

The Virginia Waste Management Board requires that each locality to have a Resolution when a minor permit change is done to the Solid Waste Management Plan. The County previously developed and adopted a Solid Waste Management Plan in 1991; the current proposed plan is an update of that original plan. Both the Town of Rocky Mount and the Town of Boones Mill are included in the County’s solid waste management plan, and both Town Councils have to pass the resolutions of support for the plan.

A private company in the County, D.E. Worley Construction Company, intends to develop a commercial yard and vegetative waste composting facility on a 15-acre tract located on Fishburn Mountain Road, about 500-feet from the intersection of Fishburn Mountain Road and Virgil H. Goode Highway (U.S. Route 220) subject to being permitted in accordance with the requirements of the Virginia Department of Environmental Quality (Virginia Vegetative Waste Management Regulation 9 VAC 20-101). The facility will be sized to accept a maximum of 22,500 tons per year of vegetative waste with a maximum daily amount of 100 tons. The facility will accept waste from Virginia and North Carolina municipalities and counties as well as from private haulers and construction contractors. The facility will only accept vegetative wastes, yard wastes, and land clearing debris as defined in 9 VAC 20-101-10. No other solid waste will be accepted at this facility. The facility intends to use the open-air turned windrow method of composting and compost products will be sold to the general public in accordance with the approved "procedure for the marketing or utilizing the finished compost".

**RECOMMENDATION:** It is recommended that the Board of Supervisors adopt the attached resolution providing approval and support of the plan.

**RESOLUTION OF SUPPORT FOR THE REVISED  
FRANKLIN COUNTY SOLID WASTE MANAGEMENT PLAN, 2009**

**WHEREAS**, the Virginia Waste Management Board has adopted regulations which require every city, county, and town or region in the Commonwealth of Virginia to develop a solid waste management plan in accordance with 9VAC 20-130-10 et seq., effective August 1, 2001, and that this plan demonstrates how the locality or region will meet State mandated compose facility objectives; and

**WHEREAS**, Franklin County and its engineering consultants have prepared a "Revised Franklin County Solid Waste Management Plan, 2009" in accordance with State regulation; and

**WHEREAS**, achieving State mandated compose facility objectives and meeting the solid waste management needs of the Franklin County service area including the Town of Rocky Mount and the Town of Boones Mill require local government support of and commitment to the implementation of the local solid waste management plan; and

**WHEREAS**, the Board of Supervisors of Franklin County, Virginia, has considered the "Revised Franklin County Solid Waste Management Plan, 2009";

**NOW, BE IT RESOLVED**, that the Board of Supervisors of Franklin County, Virginia, adopts and supports the "Revised Franklin County Solid Waste Management Plan, 2009" and is committed to its successful implementation; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors of Franklin County agrees to cooperate with the Town Councils of Boones Mill and Rocky Mount to maintain, update, and implement the Plan adopted by the County of Franklin; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors of Franklin County recognizes that in order for the Plan to be successfully implemented, each jurisdiction has an obligation to support the compose facility and other solid waste management programmatic commitments in the adopted Plan and that implementation of the Plan may require cooperation between the Towns of Boones Mill and Rocky Mount, and the County of Franklin.

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**PIEDMONT COMMUNITY SERVICES FY' 2009-2010 PERFORMANCE CONTRACT**

As required by Virginia statute (37.2-508) Piedmont Community Services is required to provide to the localities (Franklin, Patrick, Henry Counties and the City of Martinsville) the FY 2009-10 Performance Contract between their agency and the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services. Piedmont Community Services is required to report to the Department the action taken by each locality.

The purpose of the contract is to establish requirements and responsibilities between Piedmont Community Services and the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services that are not established through other means, such as statute or regulation. The FY 2009-10 contract has not changed from previous years although reporting requirements continue to be simplified. Also the document has been split into three parts with the purpose of simplification:

- Performance Contract continues as the core financial and service agreement
- Partnership Agreement pulls out of the contract important policy

- understandings and  
General Requirements Document

Approval of the contract does not make Franklin County a party to the contract and creates no additional responsibility. The contract shall be in effect for a term of one year, commencing on July 1, 2009 and ending on June 30, 2010.

**RECOMMENDATION:**

Staff recommends that the Board of Supervisors, by resolution, authorize the County Administrator to execute the annual contract with Piedmont Community Services Board.

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**AUTHORIZATION TO REPLACE AMBULANCES FOR USE IN FERRUM & FRANKLIN COUNTY RESCUE SQUADS AND THE WESTLAKE STATIONS**

In 2007, Public Safety staff consulted volunteer EMS Captains as well as Public Safety providers to draft a list of ambulance specifications. These specifications were developed and agreed upon by all volunteer Captains. The ambulances recently placed into service have been well received by EMS providers who have found the design to be very functional in providing patient care.

In FY 2009 – 2010, three ambulances are scheduled for replacement. The vehicles to be replaced are located in the Ferrum and Franklin County Rescue Squad stations and at the Westlake public safety station. These vehicles are scheduled for replacement due to lack of reliability for EMS service and increased maintenance costs as well as mileage. The vehicles assigned to Ferrum and Franklin Co. Rescue Squads do not have 100,000 miles on them as they have not been reliable enough to provide daily service and break down frequently. The vehicle to be replaced at the Westlake station has in excess of 125,000 miles and was acquired for service from Scruggs Fire and EMS after they replaced their frontline vehicle in 2008.

Franklin County Rescue Squad responds to the highest volume of EMS calls in Franklin County and career staff are assigned to this station. As a result, the vehicles assigned to Franklin County Rescue incur high mileage in a short amount of time. The sheriff's office has made a request for the surplus vehicle to be used for law enforcement purposes.

Ferrum Rescue Squad is the third busiest station in the county and responds to an average of 300 calls per year. The vehicle was manufactured by National Ambulance Builders, which since has gone out of business, and has been plagued with break-downs while on calls. The heating and air conditioning system for the patient care area has been replaced twice since 2006 and the vehicle currently does not have air conditioning in the patient compartment, thus it has been relegated to winter service only. Ferrum Rescue often receives simultaneous calls in their area during the fall and winter months and a reliable vehicle is needed to provide service.

The vehicle assigned to the Westlake station is a 2001 Ford, advanced life support, two wheel drive ambulance and is used daily and has provided reliable service. The vehicle has required two transmission replacements since it was placed into service at Westlake in 2008. Due to the mileage, the vehicle should be replaced and sent to surplus. The current vehicle at Westlake is a two wheel drive vehicle, but staff assigned to that station have experienced difficulty during inclement weather accessing patients and transporting patients. On three instances, the ambulance experienced difficulty getting to the patients residence on emergency calls and a four-wheel drive vehicle was dispatched to respond. Staff at Westlake have requested that the vehicle assigned to that station be equipped with four wheel drive. Since opening in 2008, the Westlake station responds to the second highest number of calls per station and has answered 190 calls in 2009, year to date.

In anticipation of replacing three ambulances this year and to reduce purchase costs, Public Safety contacted Wheeled Coach Industries. Wheeled Coach is the manufacturer that built the previous ambulances purchased. Wheeled Coach has agreed to extend the contract and build three ambulances at the same cost as those purchased in December 2007 and June 2008. The cost for a Ford F-450, four wheel drive, type I, ambulance is \$128,612.00. The state of Florida has a contract with Wheeled Coach that is open for any agency nationwide to purchase vehicles. Both the Ferrum Rescue Squad and Franklin County Rescue Squad Captains have been contacted regarding this proposal and have endorsed the purchase of the vehicles.

In an executive summary prepared for the Board of Supervisors in August 2006, information obtained from historical vehicle purchase data as well as emergency vehicle manufacturers noted that, on average, the cost of emergency vehicles increased between 8% – 10% yearly. If this request is approved, the county would realize a savings of \$36,000 by purchasing the vehicles

from the previous contract. The total cost for the purchase will be \$385,836.00. There is enough money in the FY 2009 - 2010 CIP budget allocated to purchase three ambulances, so no additional funds will be necessary.

**RECOMMENDATION:**

It should be noted that these vehicles have been reviewed by the vehicle committee and have received approval to proceed with the request to the full Board of Supervisors for approval (via "consent agenda" on August 18, 2009). It is further understood that this purchase will result in three (3) existing vehicles being removed from service. Staff respectfully recommends that the Board approve the purchase of three advanced life support ambulances as outlined in this request.

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**AUTHORIZATION TO ADVERTISE FOR PUBLIC HEARING TO CONSIDER AMENDMENTS TO CHAPTER 1-15: ASSESSMENT OF ADDITIONAL COSTS IN CRIMINAL OR TRAFFIC CASES FOR SUPPORT OF COURTHOUSE MAINTENANCE TO INCLUDE CIVIL CASES**

State Code 42.1-70 previously authorized a Law Library fee of \$4.00 and a Courthouse Maintenance fee of \$2.00 (State Code 17.1-281) on each criminal and traffic case. Recent legislation effective July 1, 2009, will allow the courthouse maintenance fee to be charged on civil cases as well.

Approximately 5,581 civil cases were filed in Franklin County during the past year. Allowing the \$2.00 Courthouse Maintenance fee to be charged on this number of cases would increase County revenues by \$11,162.00. These monies are accounted for in a separate fund and have been spent in the past on such things as the Circuit Court courtroom renovation and the most recent exterior painting of the Courthouse.

From reviewing the County code, it appears that the Courthouse Maintenance fee is incorrectly listed as \$4.00 per case. This change will reflect the correct amount of \$2.00 per case and to include civil cases. It was verified with the Courts that only the \$2.00 per case fee has been charged since the last change to the County code.

**RECOMMENDATION:**

Staff respectfully request Board authorization to advertise for public hearing during the Board's Tuesday, September 15, 2009 @ 6:00 P.M. meeting to consider the proposed amendments to County Code Section 1-15 to include civil cases for courthouse maintenance and to reflect a fee of \$2.00 as submitted and reviewed with an effective date of September 15, 2009.

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**COUNTY RABIES VACCINE CLINIC – SATURDAY OCTOBER 3, 2009**

In an effort to control the spread of the rabies virus, Franklin County in conjunction with local veterinarians and staff, previously sponsored a yearly rabies vaccination clinic to benefit citizens who ordinarily may not have an opportunity to obtain vaccinations for their pets. Traditionally the clinic is held in the fall prior to hunting season. The clinic, if approved, will be held in various locations throughout the county on October 3, 2009.

Sponsorship of a rabies vaccination clinic for pets in Franklin County will reduce the potential spread of the virus. The Code of Virginia relating to Animal Laws requires that two conditions be met before a canine or feline can be vaccinated outside the controlled environment of a certified veterinary facility. First, approval must be granted by the local health department. Second, the local governing body must declare the holding of such a clinic is for the health, safety, and welfare of the citizens to reduce the potential threat of rabies transmission in the area.

Once approved by the Board of Supervisors, staff will secure authorization from the local health department to conduct the clinic.

The clinic will only be available to Franklin County and Rocky Mount residents. A \$5.00 fee per vaccination has traditionally been charged to the owner to offset the associated expense in conducting the clinic.

Fees for dog licenses sold at the authorized locations will remain unchanged from that charged at the Franklin County Treasurer's Office.

Estimated costs and revenues generated from the rabies clinic held in 2008 were as follows:

Costs associated with two (2) veterinarians:	\$3140.57
*(This amount reflects the cost of the rabies vaccine, syringes, mileage,	

and 50% of the revenue generated from providing 355 vaccinations.)

Six (6) assistants, three (3) per veterinarian @ \$125.00 each.  
 \*(Assistants issue rabies receipt and collect fees for vaccination) \$750.00

Total cost: \$4099.83  
 Revenue received: (355vaccinations @ \$5.00 each) \$1775.00

**RECOMMENDATION:** Staff respectfully recommends and requests the Board of Supervisors declare the holding of this County Rabies Clinic is for the health, safety, and welfare of the citizens to reduce the potential threat of rabies transmission in the area and authorize the County Rabies Clinic to be held on October 3, 2009.

The fee for vaccination is requested to remain unchanged at \$5.00 per animal. The date, times, and locations of the clinic will be published in local newspapers for a minimum of five (7) editions. Flyers will also be distributed in various places throughout the county.

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**BLUE RIDGE MOUNTAIN GARDEN TRACTOR PULLERS SPECIAL ENTERTAINMENT PERMIT/2009**

This is the fourth year that the Blue Ridge Mountain Garden Tractor Pullers have held the state tractor pull in Franklin County. The show will be held at the Franklin County Recreation Park on October 17, 2009 (*Rain Date October 24, 2009*). Approximately three hundred attendees are expected with fifty to seventy pullers. This event has been held in prior years with no known significant problems, issues, or complaints.

This event has a good track record over the past three years of being a safe, family-oriented activity. The organization has completed the necessary permit application and received its temporary land use permit through the Planning Department. The organization has noted that food vendors will be required to contact the Health Department to meet any requirements and portable toilets will be on site in an adequate number. The plans for the event have been approved by the Health Department, Public Safety, Sheriff’s Office, Building Inspection Office and the Planning Department. In accordance with county Code Section 3-83 a fee of \$100.00 has been submitted.

**RECOMMENDATION:**

Staff respectfully requests approval of the 2009 Blue Ridge Mountain Garden Tractor Pullers Special Events Permit as submitted and to set a bond amount of \$500.00, as in years past.

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**COURTHOUSE MAINTENANCE FEE SURVEY**

Currently a minimal fee is assessed to all criminal and traffic cases (which result in a conviction) in our local courts. This “Courthouse Maintenance Fee” results in our County receiving annual revenue in the \$12,000 - \$14,000 range. These fees are applied towards upgrades to our Courthouse (most recently the exterior painting, etc.).

Recently, the Code of Virginia was amended to allow localities the possibility of assessing an additional three dollars (\$3.00) per case. In addition, an assessment may now be made to each civil action filed in the District or Circuit Court.

In order to be eligible for this additional assessment, it must be determined that the County operates a Courthouse not in compliance with the current safety and security guidelines contained within the Virginia Courthouse Facility Guidelines (17.1-281 Code of Virginia). To arrive at this determination, each locality is responsible for conducting an initial Facility Evaluation. This evaluation is fairly intensive and much focus is placed on courthouse security. Our locality can expect to be charged approximately \$1,400 for the Bureau of Capital Outlay management folks to process the evaluation and spend the day here verifying the report.

**RECOMMENDATION:**

Staff requests the Board of Supervisors approval to conduct a Facility Evaluation. The evaluation will be forwarded to the Bureau of Capital Outlay Management. Upon certification (or lack thereof), staff will report back to the Board of Supervisors for further action/direction.

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**REQUEST TO USE COUNTY PARKING LOT @ 40 WEST CHURCH STREET/RETAIL MERCHANTS**

The Franklin County Retail Merchants will be holding its annual “Farmer’s Day” on Saturday, October 3, 2009. This event will be held at the Farmer’s Market in Rocky Mount.

The County owns a parcel of land adjacent to the Farmer's Market. The Retail Merchants are requesting permission to use the parking lot behind the building at 40 West Church Street for the day of October 3, 2009. The use of the lot will supplement needed space for the event.

**RECOMMENDATION:**

Staff recommends allowing the Retail Merchants group to use this lot. All County owned vehicles will be relocated for the day. In addition, staff will receive a necessary certificate of insurance from the group prior to the day of the event.

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**EMS BILLING REVENUE RECOVERY AMENDMENTS**

In 2006, Franklin County initiated revenue recovery for emergency medical service responses provided by volunteer EMS agencies. Franklin County Public Safety utilizes compassionate billing practices and observes the opinion of the Office of the Inspector General regarding co-payments and deductibles for county citizens. The opinion states:

*"If the Patient is a resident of the county their insurance co-pay and/or deductible can be written off due to the resident's tax payments to the county to offset the cost of the EMS service.*

*Therefore the patient would not receive a bill for the co-pay or deductible."*

Patients receive bills only if the patient has no insurance and/or have not provided the necessary information to bill their insurance therefore they must be billed. Otherwise the Center For Medicare and Medicaid Services views the county as fraudulently billing "selected patients" and/or presenting a "Kick Back" to patients with no insurance. For reference, a copy of the form sent to patients regarding revenue recovery is attached to this summary.

Property taxes paid by citizens' substitute for the co-payments and deductible for revenue recovery purposes. The rates for service are based on industry averages compared to the rates neighboring localities charge for service.

EMS revenue recovery rates should be visited on a regular basis in order to keep the rates within the industry average, as Medicare and Medicaid typically increase their maximum payment annually.

When revenue recovery for volunteer EMS services was approved in 2006, a formula to return a percentage of that revenue to county EMS agencies was adopted. These funds are in addition to county allocations provided to each EMS agency by the county. Sixty percent of these revenues are returned to the agencies as discretionary revenue.

As Medicare and Medicaid increase their payout for claims received, the EMS revenue recovery rates need to be amended. Medicaid and Medicare increase the amount paid for medical claims about 2.5% yearly on average. No matter what a locality advertises as their revenue recovery rate, Medicare and Medicaid will only pay a maximum allowable amount for claims. According to Diversified Ambulance Billing, (DAB), which processes all claims on behalf of the county, private insurance pays more per claim than Medicare and Medicaid offer. Local revenue recovery rates therefore, are a target rate for service and not a fixed rate. In the event a localities revenue recovery rate is less than the maximum allowable rate Medicare and Medicaid allows, Medicare and Medicaid will only pay the lower of the two amounts.

The current revenue recovery rate compared to Medicare/Medicaid allowable amounts are as follows:

Franklin County			
Current rates	Description	Current Allowable	Medicare Recommended Rate
\$ 9.00	Mileage	\$ 6.87	\$ 9.00
\$ 450.00	ALS 1 Emergency	\$ 389.81	\$ 525.00
\$ 350.00	BLS Emergency	\$ 328.26	\$ 425.00
\$ 600.00	ALS 2 Emergency	\$ 564.19	\$ 750.00

For comparison, current rates for revenue recovery are listed below by locality. In order to keep revenue recovery rates within the industry standard, they should be addressed regularly. To stay ahead of increases in Medicare and Medicaid, a locality should project a 2.5% increase per year. For example, if a locality wants to address revenue recovery once every 5 years, it would be safe to increase revenue recovery rates by as much as 12.5%. The current and suggested EMS revenue recovery rates for Franklin County and regional locality's are as follows:

	Martinsville	Roanoke	Roanoke Co.	Salem	Floyd	Botetourt	Franklin
BLS Current	\$280.00	\$280	\$280.00	\$280.00	\$350.00	\$571.00	\$300.00
2009 BLS Suggested	\$350.00	\$300.00	No Change	No Change	\$550.00	No Change	\$425.00
ALS 1 Current	\$330.00	\$330.00	\$330.00	\$330.00	\$450.00	713	\$450.00
2009 ALS 1 Suggested	\$450.00	\$360.00	No Change	No Change	\$550.00	No Change	\$525.00
ALS 2 Current	\$475.00	\$475.00	\$475.00	\$475.00	\$550.00	\$907.00	\$575.00
2009 ALS 2 Suggested	\$550.00	\$550.00	No Change	No Change	\$650.00	No Change	\$750.00
Mileage Current	9.00/MILE	9.00/MILE	9.47/MILE	9.00/MILE	8.50/MILE	8.42/MILE	\$9.00/MILE
2009 Mileage Suggested	9.00/MILE	9.00/MILE	No Change	No Change	10.00/MILE	No Change	\$9.00/MILE

It should be noted that revenue recovery does not provide 100% of the operating funds for EMS operations in Franklin County. Revenue recovery reduces taxpayer burdens by funding system improvements and offsetting operating expenses.

For example, an average call classified as an ALS-1 response, costs the county \$373 per call. This amount is based on vehicle and equipment purchase costs, medical supplies, as well as salary and personnel costs. This amount does not include costs for liability and worker's compensation insurance for volunteer providers, vehicle maintenance expenses, and training costs. Revenue recovery amounts are easily exceeded by the costs to provide care. On average, Franklin County recovers 70% of the claims handled by DAB, which equates to about \$315.00 per call. An ALS 1 call average was used in the study, as it is the median between the BLS and ALS 2 rates.

To determine how much the proposed increase would generate, Public Safety staff performed a study of EMS recovery rates for calendar year 2008. The study determined the number of responses per revenue recovery category for both career and volunteer calls. The study also breaks down the amounts collected per category. Using these figures the projected increase in revenue was determined based on the requested increased EMS billing rates. The proposed changes would result in a projected increase in revenue recovery as follows:

**Volunteer EMS billing revenue-\$19,225.00**  
**Career EMS billing revenue-\$38,875.00**

A large increase in revenue is not anticipated, but the revenue recovery changes will keep Franklin County in line with other counties and the industry average. By increasing the revenue recovery rate the county should not need to revisit recovery rates for at least 5 years.

In 2008, a meeting was held with EMS agency captains to discuss revenue recovery and the fire/EMS station plan. The meeting discussed changing the percentage of EMS billing revenue returned to each agency. Representatives from all county EMS agencies were present at the meetings. Currently, volunteer EMS agencies are reimbursed 45% of projected EMS recovery revenue. In an effort to fund fire and EMS station construction, EMS agencies agreed to lower the percentage of EMS recovery revenue returned to volunteer agencies provided the revenue would be used toward the replacement or renovation of fire and EMS stations in the county. All of the agencies, with the exception of Scruggs, Fork Mountain, and Cool Branch agreed to reduce their percentage to 5% of the recovery revenue received. Scruggs, Fork Mountain, and Cool Branch depend on revenue recovery for debt service and operational funding and preferred to keep the current formula.

Under the proposed formula, all EMS agencies that approved the changes would receive 5% of the revenue they generate, the remaining 40% would be returned to the county to fund station renovation or construction. This proposal also would allow Fork Mountain, Scruggs, and Cool Branch to continue to receive funding based on the current formula.

The current formula breaks down EMS revenue recovery in the following amounts:  
45% =returned to each agency as budget enhancement

- 7% = allocated for recruitment and retention of members
- 25% = EMS capital budget enhancement
- 6% = Medical supplies from central supply
- 2.5% = Continuing education/training of volunteer personnel
- 15% = Provides base funding of \$5,000 to each agency that responds to >75 calls/year.

The proposed change in the formula would be as follows:

- 5% = returned to each agency as budget enhancement
- 7% = allocated for recruitment and retention of members
- 65% = EMS capital budget enhancement
- 6% = Medical supplies from central supply
- 2.5% = Continuing education/training of volunteer personnel
- 15% = Provides base funding of \$5,000 to each agency that responds to >75 calls/year.

Included with this summary is a spreadsheet that outlines what amounts would be paid to each agency using the proposed formula. Note that amounts received by Fork Mountain, Scruggs, and Cool Branch will remain at their current levels. Boones Mill Fire and EMS and Glade Hill Rescue Squad operate under Public Safety's EMS license therefore their revenue recovery funds are already sent to the county. Both Glade Hill Rescue and Boones Mill Fire and EMS respond to greater than 75 calls per year so each will be eligible to receive the base funding of \$5,000 per year.

EMS CALL COST BREAKDOWN (ALS 1)				
Description	Unit cost	ALS 1 (Diabetic)	ALS 1 (Trauma)	Description:
CPAP	\$84.00			Used to treat breathing difficulty patients when positive pressure is needed. COPD, Emphysema
Head Immobilizer (disposable)	\$11.55		\$11.55	Used to immobilize patients head. Disposable to prevent cross contamination.
Endo-tracheal tube	\$2.00		\$2.00	Used to secure the patients airway. Single use.
Endotracheal tube holder	\$8.00		\$8.00	Disposable. Single use to prevent cross contamination. Used to secure ET tube.
Nasal Cannula	\$2.00			Single use. Low flow oxygen administration.
Nebulizer	\$2.00			Single use. Used to administer inhaled medications.
Non-rebreather O2 mask	\$2.88	\$2.88	\$2.88	Single use. Used to administer hi-flow oxygen to conscious patient.
"King" airway	\$48.50			Single use. Used to secure patient airway in unconscious patient.
Pocket mask	\$7.80			Single use. Used to provide rescue breathing during CPR by rescuer.
Bag valve mask (adult)	\$18.00		\$18.00	Single use. Used to provide artificial respirations to non-breathing patients.
Bag valve mask (pediatric)	\$42.00			Single use. With pop off valve (required) to prevent over-pressurization of patient's lungs.
Defibrillator combination pads	\$38.65			Single use. Used to defibrillate patient, monitor heart rhythm, external pacemaker.
Pediatric Defib. Combo pads	\$38.65			Single use
EKG electrodes	\$3.83	\$3.83	\$3.83	Pack of 12. Single use. Used to monitor 12 lead EKG.
EKG paper	\$0.72	\$0.72	\$0.72	Per roll. Used to record EKG tracings. (\$7.20/roll, 10 calls per roll)
EZ-IO IV needle	\$105.00		\$105.00	each. Used when conventional IV attempts fail on critical patients.
IV needle	\$4.50	\$4.50	\$4.50	each. Catheter used to pierce the skin to administer IV solutions and meds.
3 way stop cock	\$4.75	\$4.75	\$4.75	each. Used on every IV to allow medication administration thru IV line.
IV solution	\$3.00	\$3.00	\$3.00	each. Acts as vehicle to deliver medications to patients. Used to rehydrate patients.
IV start kit	\$18.50	\$18.50	\$18.50	each. Single use. Tubing used to connect IV solution bag to IV needle.
IV Drip extension set	\$16.00	\$16.00	\$16.00	Used to administer IV meds in a controlled dosage over time.
Dextrose 50% IV	\$5.00	\$5.00		each. Medication used to increase patient blood sugar level.
Glucogen	\$113.50	\$113.50		each. 2nd line medication used to treat diabetic patients.
Latex gloves	\$1.50	\$1.50	\$1.50	Box of 50. At least 4 used per call. Infectious disease contamination prevention. (\$10.50 per box)
<b>Equipment:</b>				
Blood Glucose monitor	\$1.00	\$1.00		Used to determine blood sugar level in patients. (Average 100 calls per lifespan) (\$100/each)
Blood Glucose test strips	\$2.00	\$2.00		Box of 24 strips. Used with blood glucose meter. (\$49.95 per box)
Monitor Defibrillator	\$19.30	\$19.30	\$19.30	Used to monitor patient vitals including EKG, Oxygen saturation, blood pressure. (\$31,000 each) (5 yrs 1606 calls)
Ambulance cot	\$2.02	\$2.02	\$2.02	Used to move patient to/from vehicle. (\$6,800 each)
Ambulance	\$80.00	\$80.00	\$80.00	\$128,500 per vehicle. 125,000 miles/40 miles per call=3212 calls over 10 years service.
VHF Radio	\$1.20	\$1.20	\$1.20	Mobile VHF radio used to communicate among providers and dispatch. (\$4,500 each) (Based on 3212 calls)
VHF radio	\$2.50	\$2.50	\$2.50	Portable VHF radio "walkie-talkie" used for providers to communicate with dispatch. (\$1,500 each) (200 call lifespan)
Pager	\$2.50	\$2.50	\$2.50	Low band VHF pager/monitor. Minitor V, Motorola. (\$495. each) (200 call lifespan)
Sharps container	\$0.16	\$0.16	\$0.16	each. Multi-use. Used to store and dispose of needles. (Stores 40 sharps on avg)
Backboard	\$1.25	\$1.25	\$1.25	Used to immobilize patients with suspected back injuries. (\$125 each)
Diesel fuel	\$19.20	\$19.20	\$19.20	gallon. Average 8 gallons/call.
<b>Personnel Costs:</b>				
Paramedic/Firefighter	\$37.12	\$37.12	\$37.12	Per hour. Base salary. 2 hours/call. 2 persons/truck minimum.
Benefits	\$14.24	\$14.24	\$14.24	40% of salary. Based on medical/dental/employment taxes. (x2)
Uniforms	\$5.00	\$5.00	\$5.00	Includes pants, class B shirt, safety boots. (x2)
<b>TOTAL Expense:</b>	<b>\$769.83</b>	<b>\$361.68</b>	<b>\$384.73</b>	
<b>Base cost of diabetic call (ALS 1 level)**</b>				
	\$361.68			
<b>Base cost of trauma call (ALS 1 level)</b>				
	\$384.73			

level)\*\*

<b>Average Cost (ALS 1) 50% trauma/50% medical</b>	<b>\$373.20</b>	(Average cost per call between 50% trauma and 50% medical) (ALS 1 level)
--	-----------------	--

\*\*Does not include training costs, insurance costs, vehicle maintenance cost, and some miscellaneous supplies.\*\*  
 Items highlightes were used to determine a diabetic emergency (ALS 1) response cost.  
 Items outlined in grid were used to determine a traumatic injury emergency (ALS 1) response cost.

Revenue recovery (average)	\$270.00	Based on 60% collection rate of full payment, if \$450 is received. (\$450 x 60%)
Revenue recovery (high average)	\$315.00	Based on 70% collection rate of full payment, if \$450 is received. (\$450 x 70%)

EMS Volunteer Revenue Projections												
	Total Collected during period	1/1/2008 - 6/30/2008			7/1/2008 - 12/31/2008			1/1/2009 - 6/30/2009				
		4th cycle	Base	Rev.	Total	5th cycle	Base	Rev.	Total	6th cycle	Base	Rev.
		Jan-Jun 2008	(>75 calls/yr)	Recovery Payment	Collected Jul-Dec 2008	payout	(>75 calls/yr)	Recovery Payment	Collected Jan-Jun 2009	payout	(>75 calls/yr)	Recovery Payment
Franklin Co.	\$58,310.19	\$2,915.50	\$2,500.00	\$5,415.50	\$57,337.84	\$2,866.89	\$2,500.00	\$5,366.89	\$45,823.65	\$2,291.18	\$2,500.00	\$4,791.18
Ferrum	\$12,956.55	\$647.83	\$2,500.00	\$3,147.83	\$13,773.12	\$688.66	\$2,500.00	\$3,188.66	\$11,173.58	\$558.68	\$2,500.00	\$3,058.68
Glade Hill(**)	N/A		\$2,500.00	\$2,500.00	N/A		\$2,500.00	\$2,500.00	N/A		\$2,500.00	\$2,500.00
Callaway	\$8,886.19	\$444.31	\$2,500.00	\$2,944.31	\$5,831.27	\$291.56	\$2,500.00	\$2,791.56	\$1,943.16	\$97.16	\$2,500.00	\$2,597.16
Snow Creek	\$7,957.35	\$397.87	\$2,500.00	\$2,897.87	\$7,553.92	\$377.70	\$2,500.00	\$2,877.70	\$7,090.81	\$354.54	\$2,500.00	\$2,854.54
Boones Mill(**)	N/A		\$2,500.00	\$2,500.00	N/A		\$2,500.00	\$2,500.00	N/A		\$2,500.00	\$2,500.00
Fork Mountain (*)	\$8,925.46	\$4,016.46	\$2,500.00	\$6,516.46	\$14,198.26	\$6,389.22	\$2,500.00	\$8,889.22	\$13,176.92	\$5,929.61	\$2,500.00	\$8,429.61
Red Valley	\$9,975.37	\$498.77	\$2,500.00	\$2,998.77	\$6,456.38	\$322.82	\$2,500.00	\$2,822.82	\$5,035.99	\$251.80	\$2,500.00	\$2,751.80
Scruggs (*)	\$9,479.08	\$4,265.86	\$2,500.00	\$6,765.86	\$7,268.63	\$3,270.88	\$2,500.00	\$5,770.88	\$4,458.81	\$2,006.46	\$2,500.00	\$4,506.46
Cool Branch (*)	\$5,928.07	\$3,444.00	N/A	\$3,444.00	\$6,407.17	\$2,772.00	N/A	\$2,772.00	\$5,082.08	\$3,108.00	N/A	\$3,108.00
					(C + D)			(G + H)				(K + L)
Total	\$122,418.26	\$16,630.60	\$22,500.00	\$39,130.60	\$118,826.59	\$16,979.73	\$22,500.00	\$39,479.73	\$93,785.00	\$14,597.43	\$22,500.00	\$37,097.43
Rev. recovery - Payout				\$83,287.66				\$79,346.86				\$56,687.57

(b25-e25)

(f25-i25)

(j25-m25)

(\*) Squads to remain at 45% (Fork Mountain, Scruggs, Cool Branch)

(\*\*) Agencies operating under Public Safety EMS license do not receive revenue enhancement, except the >75 calls per year base amount. (Boones Mill, Glade Hill)

**RECOMMENDATION:**

Staff respectfully recommends that the EMS Revenue Recovery schedule be amended as proposed. Staff also suggests that the volunteer EMS revenue recovery percentages be amended for all EMS agencies, to be used for fire and EMS building improvements, with the exception of Scruggs, Fork Mountain, and Cool Branch as proposed.

\*\*\*\*\*

**CHILDREN AT PLAY SIGN**

During the regular monthly Board meeting in June, a request was made for the County to investigate "Watch for Children" signs. Working with VDOT, staff subsequently researched various policies from some other jurisdictions in Virginia and then drafted a "Watch for Children" sign policy. At its July 21, 2009 meeting, the Board of Supervisors reviewed the draft policy and requested staff to remove any staff review fee from the policy. In addition, the Board requested staff to research whether or not there should be a time limit for how long such signs can stay up before they are removed, or until a subsequent review for renewal.

Staff has removed reference to a staff review fee, and has included Item #6 under procedures generally stating that the sign shall remain for 5 years, at such time a new application will be

required, or the sign will be removed. Staff did not find any reference to a life span for these signs in any of the research. Please find the revised policy attached.

Additionally, the Board asked staff to find any available studies or data showing the effectiveness of the Watch for Children sign programs.

Both Planning Staff and VDOT found limited information regarding the effectiveness of the sign program. However, the one source that both Staff and VDOT discovered was the attached document from Wisconsin DOT, referencing research from several transportation agencies, which comes to the general conclusion that “There is no evidence that special warning signs of this sort reduce driver speeds or crash rates. This claim is supplemented by a number of often-cited “common sense” observations that such signs do not give clear and enforceable guidance to drivers, provide a false sense of security to parents and children that may increase risk, expose the government to liability, give the false impression that areas without signs do not have children, represent an unnecessary cost that then propagates as additional signs are requested and violate the principle that signage should be based on engineering, not political, decision making.”

**RECOMMENDATION:** Based upon evidence collected, the staff would respectfully recommend the Board of Supervisors not consider moving forward with adopting any new policies or programs at this time.



### “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
- Payment from the residents along the street equivalent to the cost of sign installation

#### 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
6. The sign shall be allowed to remain for a period of five (5) years from the date of Board resolution, at which time the residents along the street must begin the process again by making a request to the District Supervisor of their desire to have the sign remain and the process will start over; otherwise the sign will be removed.

\*\*\*\*\*

#### **SML COMMUNITY PARK MITIGATION PROJECT**

Franklin County secured 37-acres from the Commonwealth of Virginia Department of Conservation and Recreation to serve as a community park in 2002. Since acquiring this site, the County has developed a lake access facility featuring a beach, fishing pier, bathroom facility, picnic shelter, playground, and hiking trail.

The County sought bids in September 2006 for the Phase II development at the park. This phase included construction of the park access road, fishing pier trail, picnic shelter, parking area, utility infrastructure, septic system, potable water system, and an all-season restroom facility.

The County has completed portions of Phase III including the beach, additional parking areas, and picnic shelter. Given that the beach was constructed below the 800 foot contour, AEP permits were required for construction. The Shoreline Management Plan requires replacement of any vegetation removed by a landowner under the 800 foot contour. The applicant in this event is required to replace the amount of native plant material removed inch of caliper for inch of caliper. This means over 700 new trees and shrubs will be planted in the park. AEP took over one year to approve the County's proposed mitigation plan. AEP has now given the County authorization to move forward with the required, and accepted, tree replacement plantings.

The Project's retained engineering firm (Earth Environmental Consultants, Rocky Mount, Va), assembled the mitigation project bid package. Because of the planting season time line (October being the best time), staff requests the Board to permit advertising and staff award for this project. The County must complete this mitigation plan per the shoreline management plan. The funding for this effort is presently set aside in the County's Smith Mountain Lake Community Park Capital account. All selected plants are native to the region.

Earth Environmental Consultants, along with County staff, will serve as the construction administration team. The County's Park System Manager will complete daily field inspections to minimize the total administrative costs.

**RECOMMENDATION:**

Staff requests that the Board provide the County Administrator, or his designee, with authorization to award the tree planting project as long as the accepted proposal is within the proposed budget, and the proposed accepted bidder meets all required county procurement processes and policies.

\*\*\*\*\*

**SPEED LIMIT REDUCTION – SNOW CREEK MISSIONARY BAPTIST**

Tony Handy, VDOT, Resident Administrator, advised the Board he and CB Reynolds reviewed the entrance in the field, our findings are as follows:

Route 619 (Sontag Road) is unposted at the entrance, therefore the speed limit is statutory 55/45.

The sight distance at the entrance is limited due to the vertical and horizontal roadway alignment. Clearing and/or grading will not provide any significant improvement to sight distance.

We do not feel that a traffic study would result in findings appropriate for a reduced speed zone at this location. We will be happy to request the study if it is the wish of the Board, but would not anticipate favorable results.

We recommend that the Church consider constructing a new entrance onto Oriole Road (Route 885) and close the entrance off of Route 619 (Sontag Road). I have submitted a drawing with the general idea of what we would recommend.

**Snow Creek Missionary Baptist Church**



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**(RESOLUTION #01-08-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned consent agenda items as presented with the removal of EMS Billing Revenue Recovery Amendments.

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

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**(RESOLUTION #02-08-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve EMS Billing Revenue Recovery Amendments as presented.

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

\*\*\*\*\*

**220 SOUTH RAMP UPDATE**

Tony Handy, Resident Administrator, VDOT, stated the 220 South ramp will be open by the end of the day.

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**CLEMENTS MILL BRIDGE UPDATE**

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

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**DAIRY CRISIS IMPACT UPDATE**

Charlie Brown & Mark Barnhart, stated, "It's pretty bleak at this time" and a lot of guys are just hanging on. Mr. Brown stated in 10-12 months there will be dairies closing in the County. Mr. Brown closed his remarks, stating, "We have had lean and good times, but this is probably the worst". Ms. Beverly Cox, Dairy Extension, VPI Extension, stated there were a few options offered to assist the current dairy crisis, however, one option for the industry includes a quota system to raise prices or set prices based on input of producing the milk. James Cook, Dairyman, Union Hall District, stated the dairy crisis is mainly a fall out from world-wide economic problems. Mr. Cook advised the board he has spoken with Congressman Perriello and the dairy crisis is one of the pressing issues facing the Congress.

\*\*\*\*\*

**(RESOLUTION #03-08-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to forward a resolution of support to the Secretary of Agriculture, Federal and State representatives working in conjunction with Farm Bureau representatives in support of the dairymen.

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

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**SCHOOL APPROPRIATION OF CARRYOVER & ADDITIONAL STATE & FEDERAL REVENUES FOR 2009-2010**

Lee Cheatham, Director of Business & Finance, School Division, presented the following school appropriation request:

Revenues

Carryovers-

Title I Federal Grant	\$532,643.25
Title V Federal Grant	10,934.61
Title VI - B Federal Handicapped Grant	49,842.87
Title VI - B Federal Handicapped Grant	552,435.30
Title VI - B Federal Handicapped Grant - ARRA Funds	586,659.00
Reading First Federal Grant	68,653.20
State Remediation Grant Funds - PIR (1)	41,408.69
Title II Federal Grant	102,771.43
State Technology Grants 2008-09	291,176.00

Additional-

Title I Federal Grant	314,524.00
Virginia Advanced Study Strategies Advanced Placement Grant	71,429.00
State Regional Adult Education - GAE Grant (2)	54,647.00
State Regional Adult Education - Race to GED Grant (2)	75,000.00
State Regional Adult Education Program - Assessment Specialist Grant (2)	50,000.00
State Regional Adult Education Program - Manager Grant (2)	100,000.00
State Regional Adult Education Program - ABE Corrections & Institutions Grant (2)	11,965.61
State Regional Adult Education Program - ABE Grant (2)	429,714.25
State Regional Communities for Opportunities - CFO Grant (2)	17,000.00
State Regional Expanded GED Grant (2)	9,882.50
State Regional ESL Civics Grant (2)	<u>100,000.00</u>

Total Revenues \$3,470,686.71

Notes: 1. These State remediation funds were received during 2008-09 and must be carried over into 2009-10 as required by State law in the amount of \$41,408.69.

2. Franklin County Public Schools is the fiscal agent for the State Regional Adult Education Program for Franklin County, Henry County, Pittsylvania County, Martinsville City, and Patrick County Public Schools so funds are received and are passed through to these school divisions.

Expenditures:

Instruction \$3,470,686.71

**(RESOLUTION #04-08-2009)**

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

MOTION BY: David Hurt

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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### **BRIDGE TO LIFE WITH CHAMPS**

Mrs. Florella Johnson and Mrs. LaVerne Tiggle, Director and Co-Director, shared with the Board a brochure enlightening the program to Bridge to Life With C.H.A.M.P.S. Mrs. Johnson stated the mission of the Bridge-to-Life with C.H.A.M.P.S. Program is to help students of PROMISE begin preparing "Early" for a positive and successful future by providing academic enrichment opportunities and nurturing activities. Further, it will address the variables that challenge the participants and hopefully help them to see their worth in school and in society.

Mrs. LaVerne Tiggle, stated the program was launched early in July at the 4-H Center and a pledge was recited every morning. Mrs. Tiggle stated there were 11 students, known as the Ambassadors and hopefully will build up to 30 students years following. The program will start with the 7<sup>th</sup> graders and will continue with them through graduation. An application is given to the selected students and they are followed through with them on a longevity schedule.

\*\*\*\*\*

### **TOURISM ACTIVITY UPDATE/CAROLINA ROAD INITIATIVE**

Debra Weir, Tourism Director, stated in 2005 28 tourism industry partners as well as representatives from state and local governments from Western Virginia met to create a unique, thematic tourism product. Beginning in Winchester, Virginia and reaching to the Cumberland Gap the Wilderness Road: Virginia's Heritage Migration Route was developed. The Wilderness Road or Great Wagon Road was first used by the bison and Native Americans who called it the "Great Warrior Path." As colonies were being developed and thriving along the east coast the Appalachian Barriers remained a formidable barrier to the rest of the country. This Wilderness Road led settlers who were migrating from Pennsylvania to Daniel Boones Trail and the Cumberland Gap into Kentucky. In the area now known as Roanoke, the road also went south to what is known as the Carolina Road. As a partner with the Roanoke Valley Convention and Visitors Bureau we are proud to be a part of the "*Crossroads to Settlement*" tourism initiative. Over 43 million Americans can trace their heritage to families who have traveled the Wilderness Road. We are fortunate to have the only preserved section of the original Carolina Road in Franklin County. A place where visitors can walk the same paths that Native Americans hunted, settlers on their way south traversed and later the Conestoga wagon and weary travelers rested at the numerous stage coach stops.

With the regional tie in with RVCVB and the "*Crossroads to Settlement*" tourism initiative it is our hope to package Franklin County as a premier heritage location. This will include the Franklin County Historical Society, the Blue Ridge Institute and Museum, Booker T. Washington National Monument, the Town of Rocky Mount and the plethora of cultural activities that Franklin County has to offer.

The tourism office is in the process of looking for grant opportunities to increase awareness of the Carolina Road and perhaps place interpretive markers on the trail at Waid Recreational Area.

**RECOMMENDATION:** Staff respectfully submits this summary for review and consideration of the Board of Supervisors.



# CROSSROADS TO SETTLEMENT

Part of the Wilderness Road

## Wilderness Road Virginia's Heritage Migration Route

**Who We Are**  
The region represented by the Wilderness Road Partnership

THE WILDERNESS ROAD IS AN EPIC SAGA ABOUT THE EARLY MIGRATION AND SETTLEMENT OF AMERICA.  
THERE ARE FOUR MAIN AND TWO SPUR SEGMENTS THAT MAKE UP THE WILDERNESS ROAD.

- MAIN**
  - THE GREAT WAGON ROAD
  - CROSSROADS TO SETTLEMENT
  - FRONTIER TRAIL
  - DANIEL BOONE WILDERNESS TRAIL
- SPUR**
  - FINCASTLE TURNPIKE
  - CAROLINA ROAD

**WILDERNESS ROAD**

**Vision**

To be recognized as a unique thematic tourism trail that realizes the Wilderness Road: Virginia's Heritage Migration Route's historic significance and full tourism potential.

**WILDERNESS ROAD**

## Mission

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To promote the Wilderness Road: Virginia's Heritage Migration Route through tourism marketing, utilizing partnerships and historic resources in a way that advances economic development throughout Western Virginia.

**WILDERNESS ROAD**

## Great Wagon Road Partners

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- Winchester/Frederick County
- Shenandoah County
- Harrisonburg/Rockingham County
- Staunton
- Lexington/Rockbridge County

**WILDERNESS ROAD**

## Crossroads to Settlement Partners

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- Botetourt County
- Roanoke/Roanoke County
- Salem
- Franklin County

**WILDERNESS ROAD**

### Frontier Trail Partners

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- Blacksburg/Christiansburg
- Radford
- Pulaski County
- Wytheville
- Smyth County
- Abingdon
- Bristol

WILDERNESS ROAD

### Daniel Boone Wilderness Trail Partners

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- Gate City
- Duffield
- Scott County
- Lee County

WILDERNESS ROAD

### Fincastle Turnpike Partners

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- Botetourt County
- Craig County
- Giles County
- Bland County
- Tazewell County
- Russell County

WILDERNESS ROAD

## Carolina Road

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- Roanoke County
- Rocky Mount
- Franklin County
- Martinsville
- Henry County

**WILDERNESS ROAD**

## Partnership Opportunities

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- Potential to market co-operatively with Regional Marketing organizations
- Potential to partner with similar thematic tourism trails
- Potential for seeking Scenic Byway Status
- Collaboration with other similar projects in neighboring states

**WILDERNESS ROAD**

## Our Carolina Road The Future

- ▶ Scenic Byway designation on the State and National level
- ▶ Interpretive panels at Waid Park to make trail more interactive.
- ▶ Brochure development
- ▶ Community involvement.
- ▶ “*Crossroads To Settlement*” website  
[www.crossroadstosettlement.com](http://www.crossroadstosettlement.com)

## Our Carolina Road

- ▶ Franklin County is recognized as having the only preserved section of the Carolina Road still in existence today.
- ▶ Tremendous opportunity to partner regionally and compete for grant funding.
- ▶ Promotes Scot- Irish and German Heritage.
- ▶ Helps conduct media “buy downs” for partners to help further promote the county.
- ▶ Promotes county as a whole.

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### **TRANSFERRING OF ASSETS TO WESTERN VA. WATER AUTHORITY/BEDFORD COUNTY**

Richard E. Huff, II, County Administrator, advised the Board he was seeking Board authorization to execute and confirm the assignment contract from Franklin County to the Western Virginia Water Authority with the effective date of 12:01 a.m. on May 15, 2009. Also a water sales agreements between Bedford “BCPSA”, Franklin County and Western Virginia Water Authority, with a *second amendment*, which has been drafted by Counsel and the County Administrator ; whereby the original water agreement would revert to Franklin County in the event Western Virginia Water Authority was no longer providing services.

#### **(RESOLUTION #04-08-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to execute the aforementioned water sales agreements and second amendment as presented.

MOTION BY: Russ Johnson

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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### **B2X AGREEMENT**

Richard E. Huff, II, County Administrator, advised the Board staff was seeking Board approval for submittal of an application to the Tobacco Indemnification and Community Revitalization Commission’s Reserve Fund Grant Program for \$325,957 to help cover the 20% local match in funds for a \$2.9M project.

#### **(RESOLUTION #05-08-2009)**

**BE IT THEREFORE RESOLVED**, the Franklin County Board of Supervisors does hereby adopt the following resolution concerning an application to the Tobacco Indemnification and Community Revitalization Commission (TICRC):

The Franklin County Board of Supervisors hereby authorizes the submittal of an application to the Tobacco Indemnification and Community Revitalization Commission's Reserve Fund Grant Program in the amount of \$325,957 for the B2X-Franklin-Bedford Project. This \$2,954,783 project will expand the existing successful Franklin County-B2X partnership by making the appropriate investment to extend wireless broadband service into nine additional areas of Franklin and Bedford Counties. If received, funding from the TICRC will be forwarded to B2X on a reimbursement basis to match a federal stimulus grant applied for by B2X in the amount of \$2,363,826. The County Administrator is authorized to sign on behalf of the County in relation to the TICRC Reserve Fund grant and is responsible for the accuracy of the application and appropriate use of funds, if granted.

**BE IT THEREFORE RESOLVED**, by the Board of Supervisors to authorize staff to apply for Tobacco Grant in the amount of \$325,957 to help cover the 20% local match in funds for a \$2.9M project for B2X.

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

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#### **FINANCIAL UPDATE**

Richard E. Huff, II, County Administrator, advised the Board the Governor will present budget cuts after Labor Day. Mr. Huff will report back to the Board at a later date.

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#### **WORKFORCE CONSTORTIUM TOBACCO GRANT APPLICATION**

Richard E. Huff, II, County Administrator, advised the Board the Franklin Center for Advanced Learning and Enterprise seeks authorization to make application and request funds in the amount of \$596,400 from the Virginia Tobacco Indemnification and Community Revitalization Commission to support the construction and completion of the lower level of The Franklin Center for Advanced Learning and Enterprise that will enable the County to meet the rising demand of educational and training needs in Franklin County among the workforce and business communities..

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

**BE IT THEREFORE RESOLVED**, by the Board of Supervisors to authorize staff to make application and request funds in the amount of \$596,400 from the Virginia Tobacco Indemnification and Community Revitalization Commission to support the construction and completion of the lower level of The Franklin Center for Advanced Learning and Enterprise that will enable the County to meet the rising demand of educational and training needs in Franklin County among the workforce and business communities. The County Administrator is authorized to sign on behalf of the County in relation to the Tobacco Indemnification and Community Revitalization Commission Education Grant Program and is responsible for the accuracy of the application and appropriate use of funds, if granted.

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

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#### **SOCIAL SERVICES SPACE NEEDS**

Walter Zaumseil, Director of Social Services, presented the following PowerPoint presentation:

# Franklin County Department of Social Services

Office Space  
Report to Board of Supervisors  
August 18, 2009

## Current Space Photos: Main



## Current State of Office Space

Two sites (3 ½ miles apart):

- Main Building: 11161 Virgil Goode Hwy.  
Approximately 8,000 sq. ft.; 39 staff
- Annex: 139 E. Court Street Rocky Mount,  
Approximately 3,800 sq. ft.; 20 staff
- Current, combined annual rent: \$70,000







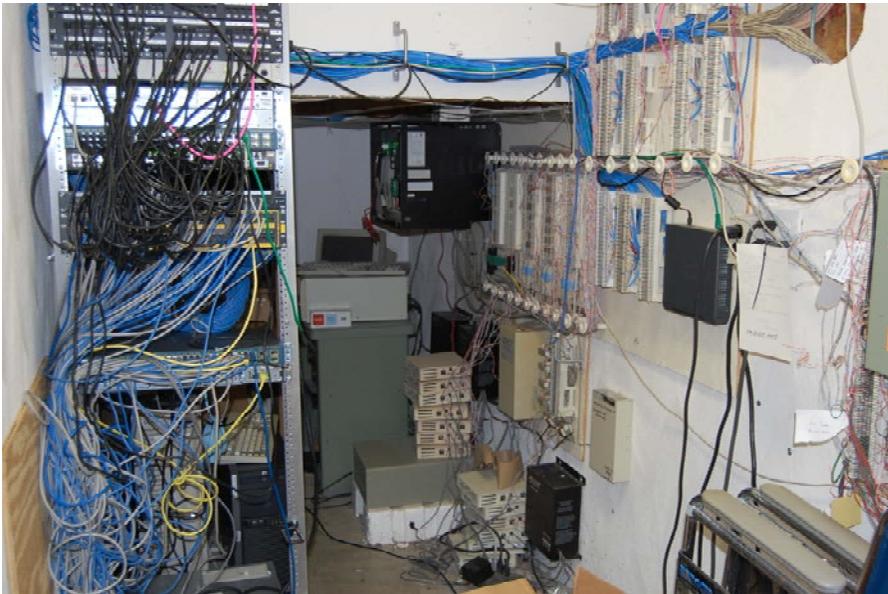












### Current Space Photos: Annex





## Space Requirement:

- Consolidated site in Rocky Mount
- Separate office and interview areas
- Receiving room (for children coming into care)
- Family visitation rooms
- Secure file storage

### Cost Comparison Growth Needs

New Construction			
	Current Needs	Immediate Needs	5-10yr Future Needs
Number of Employees	59	67	91
Square Footage Needs	18,867	22,177	30,121
Construction costs: \$210/sqft	3,962,070	4,657,170	6,325,410
Site Costs @ 12% of Construction Costs:	\$475,488	558,860	759,049
Other Related Costs: 15%	594,311	698,576	948,812
Furniture & Equipment costs: \$15/sqft	283,005	332,655	451,815
Data costs: \$5/sqft	94,335	110,885	150,605
<b>Total Construction Costs:</b>	<b>5,409,209</b>	<b>6,358,146</b>	<b>8,635,691</b>
Land Acquisition			\$\$\$\$ not identified

Franklin County Social Services Space Assessment



### Cost Comparison Growth Needs

Renovation*			
	Current Needs	Immediate Needs	5-10yr Future Needs
Number of Employees	59	67	91
Square Footage Needs	21,774	25,594	31,674
Construction costs: \$175/sqft	3,810,450	4,478,950	5,542,950
Site Costs @ 8% of Construction Costs:	304,836	358,316	443,436
Other Related Costs: 10%	381,045	447,895	554,295
Furniture & Equipment costs: \$15/sqft	283,005	332,655	451,815
Data costs: \$5/sqft	94,335	110,885	150,605
<b>Total Construction Costs:</b>	<b>4,873,671</b>	<b>5,728,701</b>	<b>7,143,101</b>
Land & Building Acquisition			\$\$\$\$ not identified

\*Renovation is typically 20% less efficient due to existing column/bay spaces, wall thickness, layout, etc.

Franklin County Social Services Space Assessment



**Our Next Step**

- I. Renovation vs. New
- II. Identify Possible Sites/Buildings
- III. Visit & Analyze Sites
- IV. Decide on Final Location
- V. Prepare Preliminary Floor Plans
- VI. Revise Cost Estimate

**Franklin County Social Services Space Assessment**



General discussion ensued.

\*\*\*\*\*

**CLOSED MEETING**  
**(RESOLUTION #07-08-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711,a-3, Acquisition of Land, 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: Leland Mitchell

SECONDED BY: David Hurt

VOTING ON THE MOTION WAS AS FOLLOWS:

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

\*\*\*\*\*

MOTION: David Cundiff

**RESOLUTION: #08-08-2009**

SECOND: Leland Mitchell

MEETING DATE August 18, 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

\*\*\*\*\*

Mr. David Hurt left the meeting for the evening.

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

Petition of **Dale L. and Cynthia Bower, Petitioners/Owners**, requesting to rezone property consisting of +/- 7.85 acres currently zoned RE, Residential Estates to A-1, Agricultural for the purpose of providing a second single-family dwelling unit for the housing needs of an immediate family member and agriculture. The subject portion of these properties currently zoned RE, Residential Estates, does not prescribe a specific density. The future land use map of the adopted 2025 Comprehensive Plan for Franklin County designates the area as Agriculture Forestry/Rural Residential. The category of developed areas described as rural residential are inter-dispersed with residential uses that will support farm homes and individual single family

homes, however, there is no prescribed density for this category of developed area. The property is located off Route 876 to Ty Valley Lane, in the Union Hall Magisterial District of Franklin County and identified as Tax Map # 64.1, Parcel # 27. (Case # REZO-5-09-4801)

Aaron Burdick, Senior Planner/Current Planning Manger, presented the following staff report:

**SITE DETAILS**

Tax Map Number:  
64.1-27

Size:  
+/-7.85 acres

Zoned:  
Residential Estates

Union Hall Magisterial District

Applicant and Owner:  
Dale L. Bower and  
Cynthia Bower



8/18/2009

BOWER REZONE

2

**EXISTING CONDITIONS**

- Single-Story Single Family Home

- Fenced pasture land

- Three accessory structures

- Frontage on Byrds Mill Road (Route 876) and Ty Valley Lane (Private Road)



8/18/2009

BOWER REZONE

3



8/18/2009

BOWER REZONE

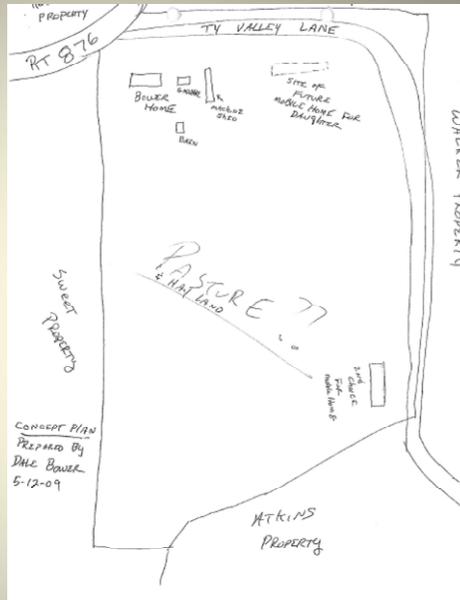
4

## REQUEST

CASE# REZO-5-09-4801

•Rezone from RE (Residential Estates) to A-1 (Agricultural District) with proffers

•Provide a second single-family dwelling unit (mobile home) on the property for the housing needs to an immediate family member



8/18/2009

BOWER REZONE

5

## ZONING ORDINANCE

8/18/2009

BOWER REZONE

6

## RESIDENTIAL ESTATES, RE

The current zoning is RE:

- Lots have areas ranging from five (5) acres to twenty (20) acres
- Designed to stabilize and protect the essential characteristics of the district, promote and encourage a suitable environment for rural family life
- Limited to relatively low concentration and permitted uses are limited to basically single-unit detached dwellings
- Most restrictive residential zoning district, in which mobile homes are prohibited, and second single-family dwelling units are allowed through Special Use Permit

8/18/2009

BOWER REZONE

7

## AGRICULTURAL DISTRICT, A-1

The requested zoning is A-1, which requires:

- 35,000 square foot minimum lot size on public roads
- Minimum road frontage of 125' along public roads
- 5-acre minimum lot size on private roads

8/18/2009

BOWER REZONE

8

## A-1 (Continued)

- Density
  - May *“logically develop residentially at low density.”*
  - Comprehensive Plan defines low density as 1 to 2 dwelling units per acre
- Mobile homes allowed by-right
- Second dwelling units are allowed as a provisional use-dwelling unit is occupied by immediate family member or persons who derive their principal means of livelihood from work on the farm on which the dwelling is situated

8/18/2009

BOWER REZONE

9



## ADJACENT ZONING

RE, A1, and R1

8/18/2009

BOWER REZONE

10



## LAND USES

- Class Code 2- Agriculture- 0-20 acres
- Class Code 5- Agriculture- 20-99 acres
- Class Code 6- Agriculture- + 99 acres

8/18/2009

BOWER REZONE

11

## COMPREHENSIVE PLAN

- Agriculture & Forestry/Rural Residential
  - Low density residential development occurs by right at one to two dwelling units per acre
  - A mix of agricultural and forestal uses are interspersed with residential uses
  - Residential lots will support farm houses and individual single-family dwellings
  - No expectation of public facility or utility construction

8/18/2009

BOWER REZONE

12

## CONSIDERATIONS

- Property could be subdivided through a Family Division of the Subdivision Ordinance
  - Parent tract must meet minimum lot size of the zoning district (and subdivision ordinance) in which the lot is located (RE=5 acres)
  - Newly created tract must be at least 35,000 square feet
  - The applicants may not transfer the newly created lot to any person other than a member of the immediate family for a period of three (3) years, other than for the purpose of securing financing

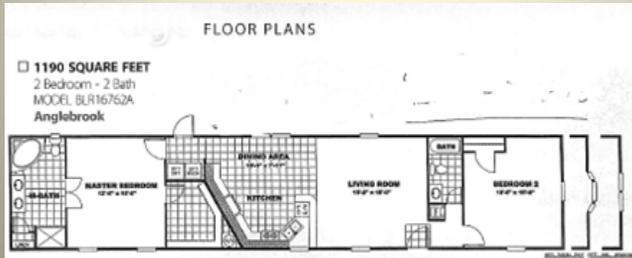
8/18/2009

BOWER REZONE

13

## CONSIDERATIONS (continued)

- Current RE Zoning does not permit mobile homes; second single-family detached dwelling units require a Special Use Permit
- Adjacent properties are zoned RE, A1, and R1



8/18/2009

BOWER REZONE

14

## APPLICANT SUBMITTED PROFFERS

1. The second dwelling unit will be for the housing needs of immediate family and will be removed when no longer used for the housing needs of an immediate family member.
2. The second home site will be in the approximate location as shown on the concept plan prepared by Dale Bower and Dated 5-12-2009. However, if the property will not perk at this site, the second home will be placed along Ty Valley Lane, near the Atkins Property (Tax Map #64, Parcel #81). If the home is placed within 100 feet of the Atkins Property (Tax Map # 64, Parcel #81), a 50 foot natural buffer shall be maintained between the Bower Property (Tax Map #64.1, Parcel #27) and the Atkins Property (Tax Map #64, Parcel #81).

8/18/2009

BOWER REZONE

15

Public Hearing was opened. No one spoke for or against the proposed ordinance. Public Hearing was closed.

### **(RESOLUTION #09-08-2009)**

BE IT THEREFORE ORDAINED, by the Board of Supervisors to approve the aforementioned rezoning with proffers, whereby the proposed rezoning will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare, will promote good zoning practice and is in accord with Section 25-730 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended with the following proffers and deviations:

### **Proffers for Case # REZO-5-09-4801, Dale L. and Cynthia Bower:**

1. The second dwelling unit will be for the housing needs of immediate family and will be removed when no longer used for the housing needs of an immediate family member.
2. The second home site will be in the approximate location as shown on the concept plan prepared by Dale Bower and dated 5-12-09. However, if the property will not perk at this site, the second home will be placed along Ty Valley Lane, near the Atkins property (Tax Map # 64, Parcel # 81). If the home is place within 100 feet of the Atkins property a 50 foot natural buffer shall be maintained between the Bower Property (Tax Map # 64.1, Parcel # 27) and the Atkins property (Tax Map # 64, Parcel # 81).

MOTION BY:

David Cundiff

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

\*\*\*\*\*

Petition of **Melvin E. Higgins, Jr., Petitioner/Owner**, requesting a special use permit consisting of +/- 2.667 acres, currently zoned R-1, Residential Suburban for the purpose of providing a second single-family dwelling unit for the housing needs of an immediate family member. The future land use map of the adopted 2025 Comprehensive Plan for Franklin County designates this area as appropriate for Low Density Residential development and has prescribed densities of one to two dwelling units per acre. The property is located on State Road 616, Scruggs Road, in the Gills Creek Magisterial District of Franklin County and is identified on Franklin County Real Estate Tax Records as Tax Map # 32.2, Parcel # 4.1. (Case # SPEC-6-09-4872)

Aaron Burdick, Senior Planner/Current Planning Manger, presented the following staff report:

**SITE DETAILS**

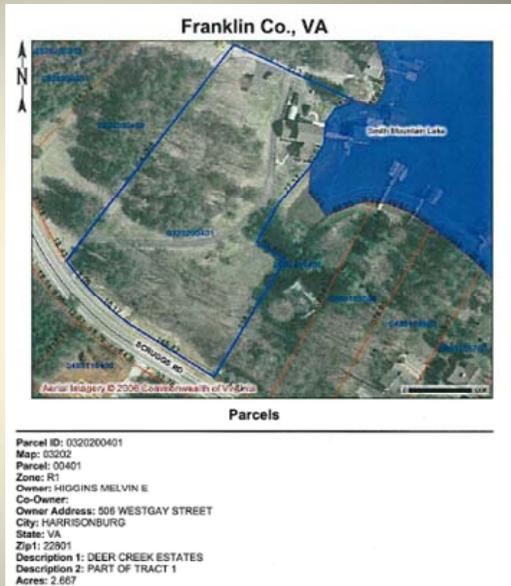
Tax Map Number:  
32.2-4.1

Size:  
+/-2.667 acres

Zoning:  
Residential Suburban District,  
R-1

Gills Creek Magisterial  
District

Owner and Applicant:  
Melvin E. Higgins, Jr.



8/18/2009

Higgins SUP Request

2

**REQUEST**

- CASE# SPEC-6-09-4872
- Special Use Permit to provide a second single-family dwelling unit (2,000 square feet) for the housing needs of an immediate family member.



8/18/2009

Higgins SUP Request

3

# REQUEST

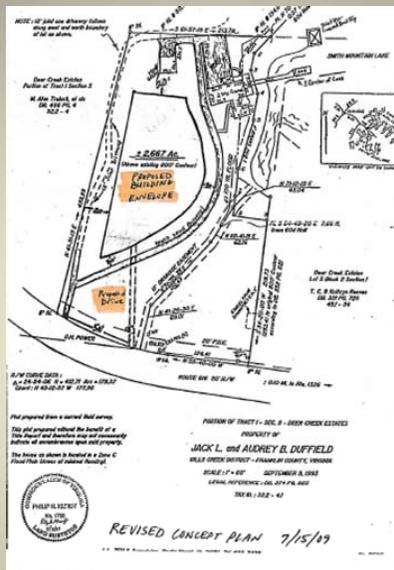
- CASE# SPEC-6-09-4872
- Special Use Permit to provide a second single-family dwelling unit (2,000 square feet) for the housing needs of an immediate family member.



8/18/2009

Higgins SUP Request

3



## Concept Plan

8/18/2009

Higgins SUP Request

4

# ZONING ORDINANCE

8/18/2009

Higgins SUP Request

5

## SPECIAL USE PERMITS

- *Such use will not be of substantial detriment to adjacent property, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the purpose and intent of this chapter, with uses permitted by right in the zoning district, with additional regulations provided in section 25-111 through 25-137, supplemental regulations and amendments, of this chapter, and with the public health, safety, and general welfare.”*

8/18/2009

Higgins SUP Request

6

## SPECIAL USE PERMITS (Continued)

- Board of Supervisors *“may impose upon any such permit such conditions relating to the use for which such permit is granted as it may deem necessary in the public interest...”*



8/18/2009

Higgins SUP Request

7

## SPECIAL USE PERMITS (Continued)

- A special use permit shall expire eighteen months from the date of issuance if *“no commencement of use, structure, or activity has taken place.”*



8/18/2009

Higgins SUP Request

8

## COMPREHENSIVE PLAN

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

8/18/2009

Higgins SUP Request

9

## CONSIDERATIONS

- The property could be subdivided under the Franklin County Subdivision, however, the Deer Creek Estates' restrictions prohibit the further subdivision of lots.
- VDOT has recommended that the application not be approved unless the applicant is able to adequately demonstrate that no more than two dwellings will be serviced by a single drive. The applicant is willing to install a new entrance, which is shown on the revised concept plan.

8/18/2009

Higgins SUP Request

10

## CONSIDERATIONS

- Staff believes the applicant's request for a Special Use Permit to construct a second single-family dwelling unit is consistent with the intent of the R-1 Zoning district, the criteria to issue a Special Use Permit, and Franklin County's 2025 Comprehensive Plan.

8/18/2009

Higgins SUP Request

11

## PLANNING COMMISSION SUGGESTED CONDITIONS

- **Concept Plan.** The property shall be developed in substantial conformance with the concept plan, which shows the locations of the principal dwelling, a proposed building envelope for second single-family dwelling unit, and proposed driveway.
- **Access.** The applicant shall construct a new entrance onto Route 616 to serve the principal dwelling unit per VDOT Regulations, or extinguish access to Tax Map and Parcel# 32.2-4. In no case shall an individual entrance serve more than two (2) dwelling units.

8/18/2009

Higgins SUP Request

12

## PLANNING COMMISSION SUGGESTED CONDITIONS (Cont.)

- **Removal of Dwelling Unit.** The second dwelling unit shall be only used for the housing needs of an immediate family member, and shall be removed when no longer used for the housing needs of immediate family members.
- **Setbacks.** The applicant shall maintain a minimum twenty (20) feet setback between the proposed second single-family dwelling unit with all associated porches, stoops, and decks, and the property line between Tax Map and Parcel Number 32.2-4.1 and Tax Map and Parcel Number 32.2-4.

8/18/2009

Higgins SUP Request

13

## PLANNING COMMISSION SUGGESTED CONDITIONS (Cont.)

- **Removal of Dwelling Unit.** The second dwelling unit shall be only used for the housing needs of an immediate family member, and shall be removed when no longer used for the housing needs of immediate family members.
- **Setbacks.** The applicant shall maintain a minimum twenty (20) feet setback between the proposed second single-family dwelling unit with all associated porches, stoops, and decks, and the property line between Tax Map and Parcel Number 32.2-4.1 and Tax Map and Parcel Number 32.2-4.

8/18/2009

Higgins SUP Request

14

## PLANNING COMMISSION SUGGESTED CONDITIONS (Cont.)

- **Removal of Dwelling Unit.** The second dwelling unit shall be only used for the housing needs of an immediate family member, and shall be removed when no longer used for the housing needs of immediate family members.
- **Setbacks.** The applicant shall maintain a minimum twenty (20) feet setback between the proposed second single-family dwelling unit with all associated porches, stoops, and decks, and the property line between Tax Map and Parcel Number 32.2-4.1 and Tax Map and Parcel Number 32.2-4.

8/18/2009

Higgins SUP Request

15

Public Hearing was opened. Eric Ferguson, Attorney, representing Mr. Higgins, presented the special use permit as advertised.

No one spoke for or against the proposed ordinance. Public Hearing was closed.

### **(RESOLUTION #10-08-2009)**

**NOW THEREFORE BE IT ORDAINED**, by the Board of Supervisors to approve the special use permit with the conditions as discussed for uses as provided in this chapter finding by the Franklin County Board of Supervisors that such use will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare and in accord with the requirements of Section 25-638 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended. Further the proposal encourages economic development activities that provide desirable employment and enlarges the tax base. Approval with the following conditions:

#### **Conditions for Case # SPEC-6-09-4872, Melvin E. Higgins, Jr.:**

1. The property shall be developed in substantial conformance with the concept plan, which shows the locations of the principal dwelling and proposed second single-family dwelling unit.
2. The applicant shall construct a new entrance onto Route 616 to serve the principal dwelling unit per VDOT regulations, or extinguish access to Tax Map and Parcel # 32.2-4. In no case shall an individual entrance serve more than two (2) dwelling units.
3. The second dwelling unit shall be only used for the housing needs of an immediate family member, and shall be removed when no longer used for the housing needs of immediate family members.
4. The applicant shall maintain a minimum twenty feet setback between the proposed second single-family dwelling unit with all associated porches, stoops, and decks, and the property line between Tax Map and Parcel # 32.2-4.1 and Tax Map and Parcel # 32.2-4.

MOTION BY: Russ Johnson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

ABSENT: Hurt

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### **PUBLIC NOTICE**

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, August 18, 2009**, in the Meeting Room located in the Courthouse, Rocky Mount, Virginia to consider the adoption of an ordinance titled **Tax on Probate of Will** as follows:

#### **SECTION 20-133**

- (a) In accordance with and as allowed by State Code Section 58.1-1718, there is hereby imposed a county tax on the probate of every will or grant of administration in an amount equal to one-third of the amount of the state tax on such probate of a will or grant of administration. State tax authorized by State Code Section 58.1-1712.
- (b) The clerk of the circuit court collecting the tax imposed under (a) above shall pay the same into the treasury of the county. The clerk shall be entitled to compensation for such service in an amount equal to five percent (5%) of the amount collected and remitted.

Chairman Wagner recessed the meeting for the schedule public hearing.

Public Hearing was opened. No one spoke for or against the proposed ordinance. Public Hearing was closed.

**(RESOLUTION #11-08-2009)**

BE IT THEREFORE ORDAINED, by the Board of Supervisors to adopt the aforementioned advertised ordinance Section 20-133: Tax on Probate of Will, as presented.

MOTION BY: David Cundiff

SECONDED BY: Bobby Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Cundiff, Angell, Thompson & Wagner

NAYS: Johnson

ABSENT: Hurt

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Chairman Wagner adjourned the meeting.

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CHARLES WAGNER  
CHAIRMAN

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RICHARD E. HUFF, II  
COUNTY ADMINISTRATOR