

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, DECEMBER 15, 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
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, MMC, Clerk

Chairman Charles Wagner called the meeting to order.

Invocation was given by Supervisor Bobby Thompson.

Pledge of Allegiance was led by Supervisor David Cundiff.

RECOGNITION – SLEEPSAFE BEDS

Chairman Wagner presented a plaque to the SleepSafe Beds for coming to Franklin County and being recognized as one of the fastest growing industries according to *INC Magazine*.

CREEK FREAKS PRESENTATION

Al Flora, Chairman, Creek Freaks, presented a Wooden Paddle to Scott & Jennifer Martin for all they have done for Franklin County. Mr. Flora wished the couple the best in their future endeavors.

DAVID HURT/BOONE DISTRICT SUPERVISOR/RETIRING

Chairman Wagner presented David Hurt a token of the Board’s appreciation for all he has accomplished while on the Board. Mr. Wagner thanked him and wished him the best in his future endeavors. Mr. Hurt thanked the Board and wished them the best of luck.

PUBLIC COMMENT:

- ✓ Larry Neuhs – Crowell Gap Road Traffic – Mr. Neuhs, stated he was looking for help on Crowell Gap Road. Mr. Neuhs expressed his concerns due to the dangerous situation of the current road/traffic conditions on Crowell Gap. Mr. Neuhs requested the Board to authorize the posting of the speed limit for Crowell Gap Road. Mr. Neuhs reiterated the situation was bad.

CONSENT AGENDA

APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR – NOVEMBER 17, 2009
APPROPRIATIONS

<u>DEPARTMENT</u>	<u>PURPOSE</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Public Safety	Dept of Emergency Management		
	Grant	3505- 5464	2,301.00
Public Safety	Dept of Health: Course		
	Reimbursement	3505- 5540	2,142.00
Public Safety	Virginia Dept of Health Grant	3505- 5413	3,647.00
Public Safety	Fire Programs	30- 0147	118,453.00
Gener al Properties	Interest Earnings on Borrowing	30- 0174	1,020.00
General Properties	Sale of Light Fixtures	30- 0174	100.00
Parks and Recreation	Fish Virginia First Fees	78- 0502	10,559.72

of the Town and the WVWA. Legal documents shall require sign off by Franklin County legal counsel prior to execution.

WINDY GAP PARK EQUIPMENT & AMENITIES

Windy Gap Elementary School and Community Park is a 30-acre site located on Truman Hill Road. The park site is located adjacent to the school and is the only public park that serves the rapidly growing Truman Hill Road/Windy Gap Road area of the County. The nearest park to serve this part of the community is over 12 miles away in Rocky Mount or at Smith Mountain Lake.

The School System is permitting the public to access the park site during non-school hours. During these non-school hours, the schools are preventing public use and access of the existing playground. Given that the site is complete, and that the public is making extensive use of the trails and sports fields during non-school hours, it is recommendation of staff that the County complete installation of the park amenities proposed for this site within the park's master plan (adopted by the Board in 2006).

The park equipment that needs to be purchased and installed includes the following:

1. Baseball/Soccer Field Fencing (\$5,000)
2. Park Parking Lot Development (\$4,000)
3. Park & Interpretive Signage (\$3,000)
4. Bleachers (4 @ \$3,000 ea.)
5. Landscaping Cost (\$10,000)
6. Youth Playground (\$40,000)
 - a. **ACTIVO – LUXO Play System** (Viewed Below) by **PLAYWORLD SYSTEMS** Listed @ \$37,499.00
 - b. with Funtimber Border @ \$1,066.56 The Total would be: \$ 38,565.56
 - c. Adding a Green Grand Discount of \$12,00.00 it brings the **Total to : \$26,565.56**
 - d. Installation Cost: \$7,597.76
 - e. **TOTAL PLAYGROUND COST: \$ 34,163.32**

The County has \$117,202 remaining in the Windy Gap Community Park Development Capital Account (3000-030-0028-7004) to cover the cost of park completion. Staff estimates that \$70,000 will be necessary to acquire, and install, the park amenities listed above. If the Board authorizes staff to complete installation of these park amenities, the park can be completed by mid-March.

RECOMMENDATION:

Staff requests that the Board authorize County staff to acquire and install the park amenities listed above with the total amount not to exceed \$70,000, and ensuring that all adopted purchasing and bid processes and policies are followed.

ACTIVO – LUXO Play System by PLAYWORLD SYSTEMS



FRANKLIN COUNTY RECREATION PARK WATER SYSTEM

The present water system at the Franklin County Recreation Park is unable to serve the public for large community events held at the park. Over the past two years, the park has had a series of events where the existing well has been drawn down to the point that the public restrooms in the park had to be closed for public use. The park is still served by the one well that was installed when the park was originally opened in the late 1970's. Since the 1970's, use of the park, facilities at the park, and large events at the park have increased significantly. At present, given the lack of water we have to close the public restrooms in the park at any point when a large event is hosted in the area of the large shelter.

County staff has funding available in the Recreation Park Improvement Account to facilitate the installation of an additional well. Completion of this well will permit the permanent restrooms to be used for larger events. This will reduce, but not completely eliminate, the County's use of portable restrooms for larger events. The additional well will also ensure that the park has the water necessary to support dual events at the park over weekends without fear or concern that the existing well will go dry. Staff worked with the Virginia Department of Health to identify the necessary codes and regulations for permitting a new public well. Public wells have different requirements than private wells and that explains the difference in this cost versus a typical private well. Further, staff has secured bids for the installation of the well.

Three bids were received:

- Southern Well Drilling Inc. - \$5,750
- Wayne T. Jones Drilling - \$9,740
- Richard Simmons Drilling - \$10,325

Staff will pour a cement pad for the well in addition to the installation. The estimated total cost of the pad is \$500.

RECOMMENDATION:

Award the well drilling bid to Southern Well Drilling Inc. and direct staff to proceed with installation.

WESTERN VIRGINIA EMERGENCY MEDICAL SERVICES COUNCIL, INC.

Re-Appointment of Daryl Hatcher to the Western Virginia Emergency Medical Services Council, Inc./3-Year Term Expires January 2013.

CENTRAL ABSENTEE PRECINCT-VOTER REGISTRAR OFFICE PUBLIC HEARING

The Central Absentee Precinct and the Voter Registrar's office are currently located in the county owned Virgil H. Goode Building, located at 70 East Court Street, Rocky Mount, VA 24151.

The Franklin County Electoral Board and the Voter Registrar request to change the address of Central Absentee and the Office of Voter Registration from 70 East Court Street, Rocky Mount, to the Franklin County Government Center located at 1255 Franklin Street, Rocky Mount. The Electoral Board and Registrar feel that the location, parking, and traffic flow would make for a much safer and handicap accessible environment for voters. If approved the Department of Justice would require pre-clearance under Section 5 of the Voting Rights Act of 1965. Section 5 applies to any change affecting voting, such as a move of the voter registration office or a change of polling place. Virginia Election Law 24.2-306 and 24.2-307 requires notice to be published prior to enactment in a newspaper having general circulation in the election district or precinct once a week for two successive weeks. Notice of any adopted change shall be mailed to all registered voters at least 15 days prior to the next general election, special or primary in which the voters will be voting.

The cost estimate is submitted to include for the mailing of voter card notices totaling \$15,925.54.

RECOMMENDATION:

The Franklin County Electoral Board and Voter Registrar respectfully request the Board of Supervisors to authorize staff to advertise and hold a public meeting for the purpose of notifying the public of the address change of the Voter Registration and Central Absentee precinct and to authorize the appropriation of said funds from the County's Contingency Fund.

RESOLUTION FOR FRANKLIN COUNTY FAMILY YMCA NEW STRUCTURING OF BOND BORROWING

APPROVING RESOLUTION OF THE BOARD OF SUPERVISORS

WHEREAS, the Industrial Development Authority of the County of Franklin, Virginia (**the “Authority”**) has considered the request of the Franklin County Family Young Men’s Christian Association (**the “Borrower”**) whose principal place of business is 235 Technology Drive, Rocky Mount, Virginia 24151, that the Authority refinance the terms of the Authority’s Qualified Non-Profit Revenue and Refunding Bonds (Franklin County YMCA Project), Series of 2004, as modified (**the “2004 Bonds”**), which 2004 Bonds were issued to (i) refund the Authority’s Qualified Non-Profit Revenue Bond (Franklin County Family YMCA Project), Series of 1997 in the original principal amount of \$4,000,000 (**the “1997 Refunded Bonds”**) which 1997 Refunded Bonds financed an approximately 46,000 square foot facility to house the Borrower’s programs, including but not limited to, swimming facilities, gymnasium, indoor track, exercise area, fitness center, youth and activity room, community room and locker rooms (**the “Initial Facility”**) on a tract of real estate of approximately 8.438 acres known as Tract 6 of the Town of Rocky Mount Office and Technology Park and (ii) to finance the acquisition, construction and equipping of a new program center contiguous to the Borrower’s Initial Facility, including, but not limited to a youth center, park, and shelter and related improvements (**the “Expansion Facility”**) (**together, the Initial Facility and the Expansion Facility are referred to as the “Facility”**), which Facility is owned and operated by the Borrower and located at 235 Technology Drive in the Town of Rocky Mount, Virginia (**the “Town”**) for the citizens of Franklin County, Virginia (**the “County”**), issued pursuant to the Virginia Industrial Development and Revenue Bond Act (**the “Act”**), by the issuance of a revenue refunding bond or bonds in the maximum amount not to exceed \$3,500,000 (**the “Bond”**); and

WHEREAS, the Authority is authorized to issue its revenue bonds on behalf of a non-profit organization as an “authority facility” under Section 15.2-4902(viii) of the Act and in accordance with the purposes expressed in Section 15.2-4901 of the Act for “the promotion of the safety, health, welfare, convenience and prosperity of the inhabitants of the Commonwealth of Virginia and to provide operations, recreational and activity centers and other facilities for use by the inhabitants of the Commonwealth of Virginia”; and

WHEREAS, the Borrower has represented to the Authority and to the Board of Supervisors of Franklin County, Virginia (**the “Board of Supervisors”**) that it is eligible to benefit from the issuance of qualified tax-exempt bonds or notes as a “qualified 501(c)(3) bond” under Section 141(e)(1)(G) of the Internal Revenue Code of 1986, as amended (**the “Tax Code”**); and

WHEREAS, Section 147(f) of the Tax Code and Section 15.2-4906 of the Act provides that the highest elected governmental unit of the locality having jurisdiction over the issuer of qualified 501(c)(3) bonds and over the area in which any facility financed with proceeds of qualified 501(c)(3) bonds is located must approve the issuance of the Bond and the Authority issues its bonds or notes on behalf of the County and the Facility is located in the County; and

WHEREAS, following the public hearing held by the Authority on December 9, 2009, the Authority adopted a resolution (**the “Authority Resolution”**) in which it recommended and requested that the Board of Supervisors as the highest elected governmental unit of the County, approve of the issuance of the Bond by the Authority; and

WHEREAS, a copy of the Authority Resolution, a brief summary of the Authority’s public hearing and the Applicant’s fiscal impact statement have been filed with the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY, VIRGINIA

1. The Board of Supervisors hereby approves the issuance of the Bond by the Authority in a principal amount not to exceed \$3,500,000 for the benefit of the Borrower, as required by Section 147(f) of the Tax Code and Section 15.2-4906 of the Act, to permit the Authority to assist in the refinancing of the Facility and the refunding of the 2004 Bonds.

2. The Board of Supervisors hereby allocates to the Authority for designation to the Bond (to be issued in calendar year 2009) as a “qualified tax-exempt obligation” for the purpose of Section 265(b)(3) of the Tax Code, \$3,500,000 of its calendar year 2009 qualified tax-exempt obligations and the Board of Supervisors hereby represents and covenants that not more than \$30,000,000 in bonds, notes, leases and other obligations of the County (including any subordinate issuing entities) will be issued in calendar year 2009 for the Borrower and that the County will not

designate or allocate for designation more than \$30,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Tax Code for the calendar year 2009 for the Borrower.

3. The approval of the issuance of the Bond does not constitute an endorsement to a prospective purchaser of the Bond as to, (a) creditworthiness of the Facility or the Borrower, (b) the ability of the Borrower to repay the Bond or (c) the successful operation of the Facility; but as required by Section 15.2-4909 of the Act, the Bond shall provide that neither the Authority nor the County shall be obligated to pay the Bond or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor and neither the faith and credit nor the taxing power of the Commonwealth of Virginia nor any political subdivision thereof, including, the Authority or the County shall be pledged thereto. Any purchaser of the Bond shall purchase such at its sole risk with the Authority and the Board of Supervisors having no knowledge of, nor interest in, the likelihood of success of the Facility, the Borrower or repayment of the Bond. The Borrower agrees by its acceptance of this resolution to indemnify and save harmless the Authority, the County, and their respective officers, supervisors, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, losses, costs and expenses in any way connected with the Facility or the issuance of the Bond.

4. Pursuant to the limitations contained in applicable U. S. Treasury regulations, this resolution shall remain in effect for a period of one year from the date of its adoption (or for a period of three years if a portion of the Bond is issued within such one year period).

5. This resolution shall take effect immediately upon its adoption.

ADOPTED: December 15, 2009

The Resolution set forth above was adopted by a majority of the Board of Supervisors in an open meeting, during a regular meeting of the Board of Supervisors of the County of Franklin, Virginia on December 15, 2009 in which a quorum was present at all times, by the following votes:

AYES:

NAYS:

ABSTENTIONS:

Clerk

BOARD OF SUPERVISORS ORGANIZATIONAL MEETING

MONDAY, JANUARY 4, 2010 @ 4:00 P.M.

COYOTE RESOLUTION

WHEREAS, the Board of Supervisors of Franklin County has concluded that the County has a serious problem with coyotes and that coyotes are a threat to the livestock industry; and

WHEREAS, the Virginia Cooperative Coyote Damage Control Program (VCCDCP) administered by the Virginia Department of Agriculture and Consumer Services (VDACS) and the USDA-APHIS-Wildlife Services (WS) was created in 1990 to address the threat of coyote depredations to Virginia's livestock industries;

WHEREAS, the State of West Virginia provides \$260,000 in state funding for a similar program; and

WHEREAS, funding support for the VCCDCP provided by VDACS was eliminated under Governor Tim Kaine's FY2010 Reduction Plan; and

WHEREAS, additional funding for the VCCDCP would provide the resources necessary to effectively address Virginia's livestock industries problems with coyotes.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Supervisors of Franklin County hereby requests VDACS funds be reinstated and increased to at least \$200,000 to cost share the federal funding for FY 2011; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Franklin County hereby requests that Virginia's Delegations at the state and federal levels seek additional federal and state funding for the VCCDCP to enhance this proven effective and efficient service to an appropriate staffing level statewide.



United States Animal and Plant Wildlife Services
 Department Health Inspection
 of Agriculture Service

105B Ponderosa Drive
 Christiansburg, VA 24073
 (540) 381-7387
 (540) 381-7359 fax

Virginia Cooperative Coyote Damage Control Program FACT SHEET and Update-December 2009

The United States Department of Agriculture-APHIS-Wildlife Services (WS) has provided direct control services to reduce coyote predation to livestock at over 993 livestock farms in western and south-side counties since 1990. The Virginia Department of Agriculture and Consumer Services (VDACS) and WS cost-share this important and effective program.

An average of 200 sheep, cattle, and goat farms are assisted each year to remove depredating coyotes. Each year, several educational programs are provided statewide to inform people of coyote biology and coyote damage management.

Sheep losses have been reduced from an average of 17 sheep killed per farm to less than 2 sheep killed per farm. A recent cost benefit analysis suggests that for every dollar spent on the program there is a \$5 dollar savings to the sheep industry alone in Virginia.

Table 1. Sources of funding for the Virginia Cooperative Coyote Damage Control Program in Federal Fiscal Years (FY) 2008, 2009, 2010 (Oct1-Sept30).

Source	FY2008	FY2009	FY2010
VA Sheep Industry Board	\$4,000	\$5,000	\$5,000
VDACS	\$120,000	\$0 ¹	\$0 ²
USDA-APHIS-Wildlife Services	\$164,000	\$164,000	\$200,000
Total	\$288,000	\$169,000	\$205,000

- 1 Governor Kaine/VDACS eliminated state FY2010 funds (July 1, 2009 to June 30, 2010)
- 2 The Virginia General Assembly will meet in January 2010 for FY2011 (July 1, 2010 to June 30, 2011)

On September 8, 2009, Governor Kaine/VDACS reduced VDACS funding for this program by 100%, effective July 1, 2009.

During the upcoming General Assembly, \$200,000 is required to maintain a cost-share status and to maintain current staffing levels due to increases in personnel and operational costs.

If state funds are not reinstated only federal funds will provide less than 2.5 staff years and service will only be available in the Shenandoah Valley, Alleghany Highlands, and parts of Southside Virginia. Wildlife Specialists will no longer be available to help reduce coyote predation in any area outside of these regions. Services will cease in all of Southwest Virginia and the New River Valley.

During the upcoming General Assembly in January 2010, \$200,000 is required to maintain a cost-share status and to maintain the coyote damage control program in Western and Southside Virginia. Additional funds would be required to operate the program statewide.

The State of West Virginia funds a similar program at \$260,000 in state funds alone protecting less than half as many sheep and 75% less in cattle than Virginia's livestock inventory.

(RESOLUTION #01-12-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the consent agenda items as presented above with the following amended verbiage of the said Contract (Page 6 of 17 – last paragraph) for Rocky Mount to Construct Waterline from Wirtz Road to Shady Knoll Lane Contract:

Rocky Mount will not withhold approval for a Pass Through Extension except for reasons of engineering as addressed above. Water use at each Pass Through Extension will be metered by the Authority accounted for and credited to Rocky Mount towards water purchased from the Authority at the Authority's price to Rocky Mount. Such Pass Through

Extensions will be operated as consecutive systems unless agreed to otherwise by all parties and will require all parties to operate the consecutive systems cooperatively.

MOTION BY: Russ Johnson

SECONDED BY: David Hurt

VOTING ON THE MOTION WAS AS FOLLOWS:

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

VDOT – STATE ROUTE 40 ABANDONMENT/ADDITION – WRAY’S CHAPEL ROAD

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

WHEREAS, the Virginia Department of Transportation has provided the Board with a sketch depicting the additions and abandonment required in the secondary system of the state highways as a result of Project 0040-033-V11, C501, which sketches are hereby incorporated herein by references,

WHERE AS, the new roads serves the same citizens as those of the old road identified to be abandoned and those segments no longer serve a public need, and

NOW, THEREFORE, BE IT RESOLVED, this Board hereby abandons and adds those segments roadway, State Route 40, listed in the submitted VDOT Form AM-4.3 (two pages) reporting changes due to project 0040-033-V11, C501, which report is hereby incorporated herein by reference, and

BE IT FURTHER RESOLVED, this Board hereby guarantees the right of way of the new segments to be clear and unencumbered as well as necessary easements for drainage and maintenance as required, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution and all attachments be forwarded to the Residency Administrator for the Virginia Department of Transportation.

Report of Changes in the Secondary System of State Highways

Project/Subdivision **Project 0040 033 Vii Rw201, C501 Abandonment**

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

The following facilities of the Secondary System of State Highways are hereby ordered abandoned, pursuant to the statutory authority cited:

Reason for Change: **VDOT Project**
Pursuant to Code of Virginia Statute: **§33.1-155**

Street Name and/or Route Number

► **Wrays Chapel Rd., State Route Number 859**
Old Route Number: 859

- From: Intersection route 122
To: 0.04 mi. east route 122, a distance of: 0.04 miles.

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

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

Reason for Change: **VDOT Project**
Pursuant to Code of Virginia Statute: **§33.1-229**

Street Name and/or Route Number

► **Wrays Chapel Rd., State Route Number 859**
Old Route Number: 859

- From: Intersection route 122
To: 0.02 mi. west route 122, a distance of: 0.02 miles.

Right of Way width (feet) = 50

VDOT Form AM-4.3 (4/20/2007), Asset Management Division

Report of Changes in the Secondary System of State Highways

Type Change to the Secondary System of State Highways: Data Correction

This Board hereby requests the transfer of the following segment(s) of the Interstate or Primary System to this County's secondary system of state highways.

Reason for Change: **Route Re-numbering, VDOT Project**

Pursuant to Code of Virginia Statute: **§33.1-69**

Street Name and/or Route Number

► **Wrays Chapel Rd., State Route Number 1180**

Old Route Number: 859

- From: Intersection route 859
- To: 0.05 mi. east route 859, a distance of: 0.05 miles.

STATE ROUTE 634

WHEREAS, the Virginia Department of Transportation has provided the Board with a sketch depicting the additions and abandonment required in the secondary system of the state highways as a result of Project 0634-033-279, C502, which sketches are hereby incorporated herein by references,

WHERE AS, the new roads serves the same citizens as those of the old road identified to be abandoned and those segments no longer serve a public need, and

NOW, THEREFORE, BE IT RESOLVED, this Board hereby abandons and adds those segments roadway, State Route 634, listed in the submitted VDOT Form AM-4.3 (two pages) reporting changes due to project 0634-033-279, C502, which report is hereby incorporated herein by reference, and

BE IT FURTHER RESOLVED, this Board hereby guarantees the right of way of the new segments to be clear and unencumbered as well as necessary easements for drainage and maintenance as required, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution and all attachments be forwarded to the Residency Administrator for the Virginia Department of Transportation.

WHEREAS, the Virginia Department of Transportation has provided the Board with a sketch depicting the additions and abandonment required in the secondary system of the state highways as a result of Project 0634-033-279, C502, which sketches are hereby incorporated herein by references,

WHERE AS, the new roads serves the same citizens as those of the old road identified to be abandoned and those segments no longer serve a public need, and

NOW, THEREFORE, BE IT RESOLVED, this Board hereby abandons and adds those segments roadway, State Route 634, listed in the submitted VDOT Form AM-4.3 (two pages) reporting changes due to project 0634-033-279, C502, which report is hereby incorporated herein by reference, and

BE IT FURTHER RESOLVED, this Board hereby guarantees the right of way of the new segments to be clear and unencumbered as well as necessary easements for drainage and maintenance as required, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution and all attachments be forwarded to the Residency Administrator for the Virginia Department of Transportation.

Report of Changes in the Secondary System of State Highways

Project/Subdivision **0634-033-279,c-502**

Type Change to the Secondary System of State Highways: Abandonment

The following facilities of the Secondary System of State Highways are hereby ordered abandoned, pursuant to the statutory authority cited:

Reason for Change: **VDOT Project**
 Pursuant to Code of Virginia Statute: **§33.1-155**

Street Name and/or Route Number

▶ **Hardy Rd, State Route Number 634**

Old Route Number: 634

- From: 1.16 mi. NW SR 676
 To: 1.33 mi. NE SR 676, a distance of: 0.17 miles.

▶ **Moorman Rd, State Route Number 635**

Old Route Number: 635

- From: 1.27 mi. W SR 676
 To: 1.35 mi. W SR 676, a distance of: 0.08 miles.

▶ **Hardy Rd, State Route Number 634**

Old Route Number: 634

- From: 1.57 mi. NE SR 676
 To: 1.96 mi. NE SR 676, a distance of: 0.39 miles.

▶ **Hardy Rd., State Route Number 634**

Old Route Number: 634

- From: 0.18 mi. Int. SR 635
 To: 0.02 mi. W SR 635, a distance of: 0.02 miles.

VDOT Form AM-4.3 (4/20/2007), Asset Management Division

Report of Changes in the Secondary System of State Highways

Type Change to the Secondary System of State Highways: Addition

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

Reason for Change: **VDOT Project**
 Pursuant to Code of Virginia Statute: **§33.1-229**

Street Name and/or Route Number

▶ **Hardy Rd., State Route Number 634**

Old Route Number: 0

- From: 1.16 mi. NW SR 676
 To: 1.8 mi. NE SR 676, a distance of: 0.64 miles.
 Right of Way width (feet) = 50

▶ **Moorman Rd, State Route Number 635**

Old Route Number: 0

- From: 0.27 mi. E SR 681
 To: 0.34 mi. E SR 681, a distance of: 0.07 miles.
 Right of Way width (feet) = 50

▶ **Moorman Rd, State Route Number 635**

Old Route Number: 0

- From: 0.34 mi. E SR 681
 To: 0.39 mi. NE SR 681, a distance of: 0.05 miles.
 Right of Way width (feet) = 50

VDOT Form AM-4.3 (4/20/2007), Asset Management Division

County of Franklin, Date of Resolution: December 15, 2009

Report of Changes in the Secondary System of State Highways

Type Change to the Secondary System of State Highways: Data Correction

This Board hereby requests the transfer of the following segment(s) of the Interstate or Primary System to this County's secondary system of state highways.

Reason for Change: **Route Re-numbering, VDOT Project**

Pursuant to Code of Virginia Statute: §33.1-69

Street Name and/or Route Number

► **Moorman Rd, State Route Number 635**

Old Route Number: 634
• From: 0.39 NE SR 681
To: 0.45 mi. NE SR 681, a distance of: 0.06 miles.

► **, State Route Number 1429**

Old Route Number: 634
• From: 0.45 mi. NE SR 681
To: 0.63 mi. N SR 681, a distance of: 0.18 miles.

VDOT Form AM-4.3 (4/20/2007), Asset Management Division
County of Franklin, Date of Resolution: December 15, 2009

Report of Changes in the Secondary System of State Highways

Reason for Change: VDOT Project

Pursuant to Code of Virginia Statute: §33.1-69

Street Name and/or Route Number

► **Hardy Rd, State Route Number 634**

Old Route Number: 0
• From: Int. SR 676
To: 1.05 mi. NW SR 676, a distance of: 1.05 miles.

► **Hardy Rd, State Route Number 634**

Old Route Number: 0
• From: 1.05 mi. NW SR 676
To: 1.16 mi. NW SR 676, a distance of: 0.11 miles.

► **Moorman Rd, State Route Number 635**

Old Route Number: 0
• From: Int. SR 681
To: 0.27 mi. E SR 681, a distance of: 0.27 miles.

► **Moorman Rd, State Route Number 635**

Old Route Number: 0
• From: Int. SR 1429
To: 1.32 mi. NE Dead end, a distance of: 1.32 miles.

► **Hardy Rd, State Route Number 634**

Old Route Number: 0
• From: Int. SR 634
To: 0.14 mi. SW SR 634, a distance of: 0.14 miles.

► **, State Route Number 1429**

Old Route Number: 634
• From: 1.32 mi. SW Dead End
To: 0.18 mi. N SR 635, a distance of: 0.18 miles.

(RESOLUTION #02-12-2009)

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

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

CLEMENTS MILL BRIDGE UPDATE

Tony Handy, Resident Administrator, VDOT, Mr. Handy stated he did not have an update. Mr. Huff stated it was his understanding the Conference Committee has approved funding for the Clements Mill Bridge in the amount of \$950,000.00.

BRIDGE ON ST. RT. 122 – 6-YEAR PLAN

Mr. Handy asked the Board direction regarding bike and pedestrian lanes across the Gills Creek bridge. Mr. Handy stated implementation of these accommodations would have a high cost associated with it. General discussion ensued. The Board requested Mr. Huff to check the Blueway Trails plan to see what the details reflect. In lieu of official bike / pedestrian lanes, the Board also noted for staff to send a letter to VDOT requesting enough space for wider road shoulders as part of the bridge replacement project.

CROWELL GAP REPORT

Mr. Handy stated advisory road signs be placed on Crowell Gap noting the route is not recommended for GPS routing. Mr. Handy stated no speed limit signs would be placed due to VDOT policies. Mr. Handy stated through truck traffic approach could be utilized like the Board considered on St. Rt. 116. The Board requested VDOT to have the advisory signs placed and directed the County Administrator to contact Roanoke County and begin the process as followed for through traffic restriction on St. Rt. 116 Cooper's Cove area for Crowell Gap Road.

RISING OPPORTUNITIES UPDATE

Tillie Thompson, Co-Chairman, Rising Opportunities Follow Up, briefed the Board on a little background for special needs for disabled and mentally challenged individuals. Mrs. Thompson stated in the Spring of 2009 Didlake, Inc. announced that they would be closing their community inclusion program, a day support program for adults with intellectual disabilities, in Rocky Mount. This announcement caused great concern within the community and led to the organization of Rising Opportunities, Inc. Rising Opportunities (RO) is currently working closely with Didlake, Inc. and Piedmont Community Services (PCS) to transition into operating the day support program currently operated by Didlake, Inc. This requires that Rising Opportunities holds a license from the Department of Behavioral Health to operate the day support program.

One requirement of the license application is that RO have proof of funds to cover the first 90 days of operating expenses. The board of directors of Piedmont Community Services has agreed to allow PCS to front the funds if local government will act as guarantors. The approximate amount needed is \$60,000.00. The day support program will be eligible to bill Medicaid for services and it is projected that the billing cycle will be established within the first 45-60 days of operation; thereby decreasing the capital needed to maintain operation. It is anticipated that RO will have a license in April 2010 if start up funds are secured.

The County currently funds a similar, but differently focused program conducted by Goodwill Industries whereby the County provides scholarship funding for Day Support Services in the amount of \$53,500 annually. These funds support services for individuals who do not have Medicaid Waiver support, but who need the services.

Rising Opportunities Requests:

1. Franklin County Board of Supervisors to approve the guarantee of 75% of the \$60,000.00 start-up money, which equates to \$45,000.00. Piedmont Community Services has agreed to provide the funds if local government will guarantee.
2. Franklin County Board of Supervisors to provide funding to Rising Opportunities, Inc. in the amount of \$21,000.00 to support the development of opportunities in Franklin County for adults with intellectual disabilities.
3. To be included for funding in future budgets.

The Town of Rocky Mount has been requested to guarantee \$15,000 and the County, \$45,000 to cover the entire \$60,000. The Town is expected to act on the request on December 14, 2009.

Staff requested further details on what the conditions would be under which the County might be expected to have to cover the loan if defaulted on. Details will be available for the Board meeting, but RO advises that:

- loan repayment – within 24 months of initial draw of funds – approx. April 2012
- the draw will occur when RO is licensed – approximately April 2010
- if ROI has not been repaid at the end of 24 months – the county would repay 75% (Town – 25%) of the balance within 6 months – approx Oct. 2012

Submitted is some budget information that shows that at 12 participants, RO would run approximately a \$1600/month deficit and at 13, they would run approximately a \$2400 surplus. RO anticipates being able to show more formal commitments as to attendees by meeting time.

RECOMMENDATION:

Staff is concerned that there are other nonprofits with equally worthy programs that may need the board to do something similar for them as well. If the County decides to help Rising Opportunities, the policy will need to be identified and articulated as to how others might be considered under similar circumstances.

General discussion ensued.

(RESOLUTION #03-12-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the requested guarantee of \$45,000 of County funding to Piedmont Community Services for its financial assistance to the Rising Opportunities initiative with a 48 month step down re-payment.s subject to financial terms agreed upon by the County Administrator, Town of Rocky Mount, Rising Opportunities and Piedmont Community Services. Such \$45,000 of County funding is to be appropriated from the Board's contingency account. MOTION BY: Bobby Thompson

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

MOTION PASSES WITH A 5-2 VOTE.

SOCIAL SERVICES SPACE PLANNING

Linda Nisbet, Acting Director, Social Services, requested the Board's authorization to allow Social Services Department to relocate to the former Library on East Court Street. Ms. Nisbet presented recommendations for the Board's consideration. Ms. Nisbet requested to develop a remodel plan for Board consideration. Ms. Nisbet stated the proposed plan would not exceed \$5,000. General discussion ensued.

Richard E. Huff, II, County Administrator, shared with the board the Social Services Department makes their request to the Board to allow them to evaluate the former library (current Planning & Building Inspection Office). The question of our parking variance from the Town has to be kept in mind. When the Government Center opens, approximately 60 employees will move from this complex. Should the former library work out for DSS, they would bring roughly 60 employees plus their clients to the Courthouse Complex. In general, this would not allow much growth, but there shouldn't be a significant parking problem either.

The Board stated Ms. Nisbet could proceed with available funding within her current budget for the creation of the plan, however, the Board did not commit to the space request.

SMITH FARM PURCHASE

Richard E. Huff, II, County Administrator, advised the Board the 307-acre Smith Farm was bequeathed to the Virginia Community College System by James Turner Smith upon his death in 1979. The Smith Farm begins at the intersection of State Routes 668 and 944 in the Union Hall Magisterial District and includes 1,400 feet of shoreline on Smith Mountain Lake. This property came with a very strict will provision that it be used for education, training, and recreation and also requested that the land be preserved in its farm like and woodland condition to the largest extent possible. The Community College System determined that it could not logistically and financially use the property in keeping with the will provisions and sought the County as a possible partner to transfer the land to.

In exchange for the County committing to an interest free payment of \$100,000 per year for 10 years, Virginia Western Community College has agreed to use the proceeds for the establishment of an endowment for the "Franklin County Access Scholarship" which provides high school graduates with financial assistance for College Degree Programs, Career and Technical Training, and Certificate Programs. Virginia Western will (1) work with the Franklin County School Division to establish a process by which it will communicate the details of the scholarship program to students and families; (2) work with the Franklin Workforce Center to establish a process by which it will communicate the details of its various training and continuing education programs to the adult citizens of Franklin County, and (3) call on existing Franklin County industry to offer customized training programs for existing employees. In many and varied ways, the purchase of the Smith Farm will benefit the citizens of the County by offering scholarships to further their educational, training, and workforce pursuits. The County will coordinate with Virginia Western to finalize the requirements for scholarship awards.

Scholarships:

The process will be implemented during calendar year 2010 for the first Access scholarship applications to be taken in the Spring of 2010 for the Fall 2010 – Spring 2011 academic year at Virginia Western. In order to make scholarships immediately available, a portion of the first-year \$100,000 payment will be designated for scholarship payout and the balance will be invested toward the future endowment. (For example, staff has discussed a \$25,000/\$75,000 split for Year One.) Students will apply for financial aid through Virginia Western.

A number of programs, most notably the federally-funded Pell Grants, will provide the majority of financial aid assistance for the citizens of Franklin County and the Franklin County Access Scholarship will provide the last dollars on an as-needed basis. Staff is still working with Virginia Western to finalize guidelines that include opening the financial aid opportunities to a wider group of citizens to make the Franklin County Access Scholarship different from the other scholarships that are already established.

All citizens of Franklin County will be encouraged to pursue all opportunities for training and advanced education through VWCC, including career and technical training, certificates, and degree programs. The announcement of the Franklin County Access Scholarship will be used to generate community awareness, interest, and participation in these challenging economic times.

Uses of the Property:

Uses of the Smith Farm by the County must be in keeping with the will restrictions. Restrictions in the will of Mr. Smith make Franklin County an appropriate owner of the Smith Farm, given that his intentions were for the property to be used for educational and recreational purposes to benefit the community. The property will forever be known as the Smith Farm, in keeping with the requirement in the will that the property honor the sister of Mr. Smith, who predeceased him, yet shared his vision for the contribution of the property for the use and enjoyment of the public.

Use of the property as future park land, possible partnerships with the 4H Center for Equestrian programming, demonstration projects for sustainable forest techniques, and other educational partnerships with Ferrum College and Virginia Tech are all possible under the will provisions.

Additionally, the County has been approached by Sustainable Communities Partnership, a regional non-profit organization, to illustrate potential uses for the property that showcase environment demonstration projects in partnership with numerous local, state, and national entities. They will present to the Board seeking guidance on partnership opportunities.

Legal Considerations:

The Board is being asked to approve several documents today. First is a real estate contract between VIRGINIA WESTERN COMMUNITY COLLEGE REAL ESTATE FOUNDATION, LLC, a Virginia limited liability company, as "Seller," and the BOARD OF SUPERVISORS, as "Purchaser" which sets forth the purchase price at \$1,000,000 to be paid beginning January 1, 2010 in ten equal installments interest free over ten years. It sets the closing date as December 29, 2009 and spells out the proceeds must be used for the benefit of Franklin County students for scholarships to attend Virginia Western Community College.

The second document is a resolution approving the purchase, approving the issuance of a note, subject to appropriation, an appropriation for the first of ten \$100,000 payments and authorizing staff to execute the necessary documents. The County Attorney has reviewed all of the documents for presentation before the Board.

RECOMMENDATION:

Staff recommends that the Board approve the submitted resolution to purchase the Smith Farm and authorize staff to execute the submitted contract, note, and associated documents subject to approval by the County Attorney.

IN THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY, VIRGINIA,
The 15th day of December, 2009.

No. _____

A RESOLUTION approving the purchase by Franklin County of the Smith Farm on Smith Mountain Lake.

WHEREAS, by his will dated December 2, 1978, James Turner Smith left the "Smith homeplace," consisting of some 300 acres of undeveloped property (the "Smith Farm") Franklin County, Virginia, to "the Commonwealth of Virginia, or one of its public agencies," to be held and used in accordance with the terms of his will; and,

WHEREAS, the Board of Supervisors has been offered the opportunity by VIRGINIA WESTERN COMMUNITY COLLEGE REAL ESTATE FOUNDATION, LLC, a Virginia limited

liability company, to purchase the Smith Farm for its promise to pay \$1,000,000 in ten payments of \$100,000 per year for ten years, without interest and subject to appropriation; and,

WHEREAS, the County Administrator in his Board Report has set out his plan for the purchase and use of the Smith Farm in keeping with the requirements of Mr. Smith as expressed in his will; and,

WHEREAS, VIRGINIA WESTERN COMMUNITY COLLEGE REAL ESTATE FOUNDATION, LLC has obligated itself in a proposed contract with Franklin County, the form of which has been presented to this meeting (the "Contract"), to provide an endowment in the total amount of the consideration to be paid for the Smith Farm, \$1,000,000, the principal and interest from which will be used to assist Franklin County Students in attending Virginia Western Community College.

WHEREAS, the Board of Supervisors has determined that such purchase and operation of the Smith Farm will be in the best interests of the citizens of Franklin County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Franklin County, Virginia as follows:

1. Approval of the Purchase of the Smith Farm. The Board of Supervisors hereby determines that it is in the best interests of the citizens of Franklin County that it enter into the Contract to purchase the Smith Farm for a total consideration of \$1,000,000, to be paid in ten (10) payments of \$100,000 per year for ten (10) years, without interest and subject to appropriation, and subject to a deed of trust made by the LLC, and to be satisfied by payments made by the County securing the deferred purchase price which would give the seller the ability to foreclose on the Smith Farm should the County for any reason not pay the Note in accordance with its terms..

2. Issuance of the County's Note Subject to Appropriation. The County Administrator is hereby authorized and directed, to issue and deliver the Note in payment for the Smith Farm; and, further, in preparing the County's annual budget in advance of each of the next ten (10) fiscal years, beginning with the Fiscal Year ending June 30, 2011, include the amount of principal that is scheduled to come due under this Note on the following January 1 in the annual budget submitted to the Board for the County's next ensuing fiscal year. Within ten (10) days after the adoption of each such budget, but not later than July 15 of each year, the County Administrator is directed to deliver to the holder of the County's Note to be issued in payment for the Smith Farm, a certificate stating whether the Board has appropriated an amount equal to the amount of principal that is scheduled to come due under this Note on the following January 1 in the County's annual budget adopted for such fiscal year.

The Board of Supervisors hereby undertakes a non-binding obligation to appropriate such principal amounts as may become due under the Note to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The Board of Supervisors, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby states its intent to make such appropriations in future fiscal years, and hereby recommends that future Boards of Supervisors do likewise.

Nothing herein contained is or shall be deemed to be a lending or the credit of Franklin County to VIRGINIA WESTERN COMMUNITY COLLEGE REAL ESTATE FOUNDATION, LLC or any other person, and nothing herein contained is or shall be deemed to be a pledge of faith and credit or the taxing power of Franklin County. Nothing herein contained shall bind or obligate the Board to appropriate funds to satisfy the payment obligations with respect to the Note for the purposes described herein.

3. Approval of Operation of the Smith Farm. The Board of Supervisors hereby determines that it is in the best interests of the citizens of Franklin County to own and to operate the Smith Farm as described in the Board Report of the County Administrator as submitted to the Board of Supervisors.

4. Action to Be Taken. The appropriate officers of Franklin County shall take all action necessary or convenient to purchase and operate the Smith Farm as described in the Board Report; to enter into and close on the Contract, and to operate the Smith Farm as described. Such officers are further authorized to take all such further action as may be necessary or convenient to carry out the intent and purpose of this Resolution.

5. Appropriation. The Board of Supervisors hereby appropriates the sum of \$100,000 from the County's Capital Fund for the first of ten payments for the purchase of the Smith Farm.

6. Effective immediately. This resolution shall take effect immediately upon its adoption.

ATTEST:

Clerk

NOTE – SUBJECT TO APPROPRIATION

\$1,000,000

Rocky Mount, Virginia

January 1, 2010

FOR VALUE RECEIVED, the undersigned **BOARD OF SUPERVISORS OF FRANKLIN COUNTY, VIRGINIA** (the "Board"), acting as the governing body of Franklin County, Virginia (the "County"), promises to pay, subject to appropriation, to the order of Virginia Western Community College Real Estate Foundation, LLC, the principal sum of One Million and 00/100 Dollars (\$1,000,000) without interest.

Principal hereunder shall be due in ten (10) payments of \$100,000 payable on the fifth day of each year for ten (10) years beginning January 5, 2010. Principal is payable at the offices of Virginia Western Community College Real Estate Foundation, LLC, P.O. Box 14007, Roanoke 24038-4007 or at such place as the holder hereof may designate in writing.

The Board has undertaken a non-binding obligation to appropriate such principal amounts as may become due under this Note to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The Board, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby states its intent to make such appropriations in future fiscal years, and hereby recommends that future Boards do likewise.

Nothing herein contained is or shall be deemed to be a lending of the credit of the County to the Virginia Western Community College Real Estate Foundation, LLC or any other person, and nothing herein contained is or shall be deemed to be a pledge of faith and credit or the taxing power of the County. Nothing herein contained shall bind or obligate the Board to appropriate funds to satisfy the payment obligations with respect to this Note for the purposes described herein.

IN WITNESS WHEREOF, the parties hereto have each caused this Agreement to be executed in their respective names as of the date first above written.

(RESOLUTION #04-12-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the execution of the aforementioned resolution and authorize staff to execute the submitted contract, note, and associated documents subject to approval by the County Attorney.
as presented.

MOTION BY: David Hurt

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

SUSTAINABLE COMMUNITIES PARTNERSHIP

Rob Glenn, Executive Director, and Swede McBroom, Chairman, Board of Directors, Sustainable Communities Partnership, made the following presentation:

SUSTAINABLE COMMUNITIES PARTNERSHIP
Smith Farm & Franklin County Access Scholarship
Tuesday, December 15, 2009

SLIDE 1: Smith Farm Aerial View

As our name indicates, our focus combines 3 timely issues:

- sustainability (including environmental practices and alternative energy)
- communities (all of southwest and western Virginia)
- partnership (reaching out to organizations and individuals in a very inclusive manner)

We achieve our mission by creating and implementing what we call 'demonstration projects' that provide hands-on opportunities for citizens to learn about sustainable practices and apply them in their daily life.

I congratulate the board and staff on securing the Smith Farm and ensuring that it will be forever protected for the enjoyment and education of the citizens and visitors of Franklin County.

Your scholarship program (the Franklin County Access Scholarship) is truly visionary – we are not aware of any locality that has forged such a visionary opportunity for the young leaders of tomorrow. Thank you for your commitment – particularly in these challenging economic times – when hope for a better tomorrow helps us persevere day by day.

SLIDE 2: Here is your Smith Farm (photo)

I am here to share a brief overview of a project that can demonstrate the opportunity for the County to move beyond passive land-banking to active land utilization of the Smith Farm in a manner totally consistent with the desires of Mr. Smith and his sister to forever preserve the hardwoods they loved. In fact, it is this very concept that has made the County of Franklin the rightful owners of this important piece of property, since the Smith Farm could not be developed in any traditional manner without violating the terms of the will.

We recommend creating a demonstration project that preserves the 175 acres of hardwood timberland on the farm. A sustainable forest would be created, which allows the forest – which has gone unmanaged for at least 30 years – to become an ongoing revenue generator for the County, while at the same time improving the health of the forest, preserving it forever, and teaching the public why this is important.

How can this happen? How can a forest be harvested and maintained at the same time?

The practice we propose is sustainable forestry, whereby active forestry management enables trees to reach their full potential – both as our natural air purifiers and as a source of income for all those who rely on wood products for their livelihood and enjoyment.

Active involvement is required for growing and maintaining a healthy forest. Trees are inventoried – the worst are harvested first. Preserving a forest does not mean leaving it alone and doing nothing to it. For a forest to be restored to health, the practice of selective harvesting enables young healthy trees to reach their full potential by removing trees that have lived beyond their useful life and are actually harming the health of the forest. Trees that are diseased – or damaged by lightning, ice, or wind – or shadow young saplings – are selected and carefully removed to prevent damage of the remaining trees.

This practice is known as selective cutting and is a critical component to sustainable forestry. Experience shows that selective cutting produces more income over time than clear cutting. The practice of clear cutting – which is prohibited by Mr. Smith's will – destroys a forest and leaves the typical landowner with no trees to harvest for 50 years.

SLIDE 3: This slide shows the difference between a sustainable forest and the destruction of a clear cut.

SLIDE 4: This slide shows the economic reality of selective cutting over clear cutting.

SLIDE 5: This slide shows the difference between an unmanaged forest and a sustainable forest where selective cutting practices have been used.

In summary, a sustainable forest on the Smith Farm will give the County a true 'win-win' scenario and will provide an active use of the land that can be enjoyed by its citizens and also used to full educational value. We envision the Smith Farm becoming a destination attraction for foresters, loggers, landowners, and students to learn about sustainable forestry. By creating a sustainable forest, the Smith Farm becomes an immediate economic development tool for the County.

Other opportunities for the wise use of the Smith Farm should be planned and implemented. These include:

- erosion control
- stream restoration
- lake water quality
- planting new agricultural products such as:
 - bamboo (an increasingly popular – and fast-growing – building product)
 - switchgrass (as a perennial alternative energy source)

- organic gardening practices that could be demonstrated in conjunction with providing your citizens with community farming opportunities right there on the Smith Farm
- testing plants that provide natural coloring alternatives to man-made dyes

The demonstration projects at the Smith Farm are only limited by our imagination. I cannot think of a more exciting and timely opportunity.

Now, Rob will talk to you about partnerships – before we answer any questions.

Thank you, Swede. Let me also congratulate the board and staff on this momentous day. As several of you know, the County has actively worked – and demonstrated great patience – for 15 years to see the acquisition of the Smith Farm become a reality. And let me thank the VCCS for supporting a truly creative scholarship opportunity. Your Smith Farm represents economic development in its purest form.

We encourage you to share this economic development opportunity with your citizens by the use of demonstration projects and partnerships.

As noted by the name of our non-profit, we believe community partnerships enable the involvement of all organizations that wish to participate. We also believe that partnerships are the most cost-effective way to make things happen without duplicating effort.

As Swede mentioned, the demonstration projects at the Smith Farm are limitless. Can we know – or should we know – all of the options at the present time? No. But, can we envision, plan, and work with knowledgeable partners to create appropriate projects right away? Yes.

Who might these partners be?

Sticking with the sustainable forestry example, we envision partnerships that include the following:

- An infrastructure and programs partner – the 4-H Center –which can provide lodging, meals, and meeting space for seminars and conference events related to the Smith Farm's demonstration projects – and the expansion of the equestrian programs at 4-H (For years, the County has understood the importance of the 4-H facility – and its executive director (Roger Ellmore) serves on our SCP board – we have already briefed its board chair (John Rocovich) and board member/county resident/equestrian enthusiast (Garnett Smith) on the County's desire to partner with them)
- Local education and training partners – VWCC, PHCC, Ferrum College, the School Division, the Workforce Center, and the County's Ag Committee – which can utilize the Smith Farm for education and training in conjunction with existing -- and new -- environmental programs – including a focus on Green Jobs that are real and meaningful for our community. (Bobby, David, Russ – all of you – serve active roles in these important partner organizations)
- A research and technology partner – Virginia Tech and other nationally known forestry schools – whose research and technology can turn the Smith Farm – with its unique proximity to Smith Mountain Lake – into an economic development destination spot for researchers and educators interested in the importance of forests to clean air and clean water – a natural component to any realistic discussion about environmental issues. (At VT, we have discussed the Smith Farm in detail with the head of its Foundation (Ray Smoot) and we have already briefed the new dean (Paul Winistorfer) of the College of Natural Resources about Tech's role in the Smith Farm research and technology applications)
- And numerous community partners – including:
 - adjacent Smith Farm landowners, Smith Mountain Lake property owners, owners of timberland acreage, loggers, sawmill operators
 - organizations such as Virginia Forest Watch, Pioneer Forest (Missouri), Healing Harvest Forest Foundation (Floyd), Appalachian Voices, Catawba Farm, the Menominee Indian Reservation (Wisconsin), the Ward Burton Wildlife Foundation,

the Virginia Departments of Forestry and Game and Inland Fisheries, the Western Virginia Water Authority.....

- o federal government and national foundation grant programs
- o Our organization – Sustainable Communities Partnership – is committed to helping you behind the scenes

In conclusion, Mr. Smith has provided a restricted property – whose time has come – and you have demonstrated great leadership and vision in its acquisition today. Many partnerships are available to assist you with immediate and appropriate uses that make economic development and education opportunities real and useful to your citizens.

This is an exciting day. Thank you for letting us join you today.

Rob Glenn, Executive Director, Sustainable Communities Partnership, spoke to the Board regarding partnerships.

The Board concurred with the request made by Rob Glen. The board directed staff to draft an RFP for the park management services of the Smith Farm with no course of action or funding to be involved.

RESOLUTION OF SUPPORT TO COMMUNITY COLLEGES
(RESOLUTION # 05-12-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to forward a resolution to the Community Colleges for their beneficial support in the development of the Smith Farm.

MOTION BY: Wayne Angell

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

VIRGINIA WAR MEMORIAL

Richard E. Huff, II, County Administrator, shared with the Board a letter from the Virginia War Memorial stating it is important that all our public officials throughout the Commonwealth know how the State is honoring its and your, sons and daughter who have sacrificed for our freedoms. The Virginia War Memorial's mission is encapsulated as *Honoring our Veterans, Preserving our History, Educating our Youth, and Inspiring Patriotism in All*. For over fifty years the War Memorial has honored Virginia's citizens who paid the ultimate sacrifice on the field of battle since World War II protecting our and others' freedoms. The last ten years has included teaching about those sacrifices and duty above self to youth and to the general public with its educational programs. Mr. Huff sated the following list of Franklin County's citizens names are engraved on the Shrine of Memory's glass and marble walls:



**VIRGINIA
WAR MEMORIAL**

***IN THIS SHRINE OF MEMORY ARE INSCRIBED
THE NAMES OF VIRGINIANS WHO GAVE THEIR
LIVES IN WORLD WAR II, KOREA, VIETNAM AND
THE PERSIAN GULF THAT LIBERTY MIGHT LIVE".***

Franklin County

World War II

James W. Altice	Alfred L. Arrington	Gold L. Arthur	Walter L. Beckner
Doye H. Blankenship	Carmon B. Boone	Frank E. Bowles	Hallie K. Bowles
Okie L. Bowling	Raoymond W. Bryant	Junie Byrd	George W. Cooper
Fred L. Cumie	Raymond Dillon	Jack B. Frith	Harold Dainiel Hancock
Ardie H. Hodges	Jasper T. Hodges	Sidney G. Hodges	Cova N. Holley
Russell D. Holt	Charles W. Janney	Vennor M. Jarrett	Carlin J. King
Clarence Elmo Kingery	Cecil C. La Prade	Howard H. La Prade	Earl F. Love
Warren Pershing Lucas	Herbert Nash Lumpkins	Lawrence Martin	William T. Mason
Charles T. McGuire	Richard E. Meade, Jr.	Hulet W. Montrief	Harold Barbour Moore
Robert J. Moore	Cabell Muse	Harold J. Perdue	Jack M. Perdue
Paul J. Perdue	Melvin F. Peters	Benjamin M. Plybon	Robert W. Prillaman
Wendell F. Puffer	Buren Davis Rakes	Lassie Thurman Scott	Kenneth C. Shelhamer
John T. Shockley	Grady A. Sigmon	Millard Sloan	Stewart Herbert Stanley
Benjamin C. Sutherland	Rufus Taylor	Gale G. Tinsley	Junior McTaw Turner
Webster Wade	Fred S. Webb	Vincent B. Witcher	Buford E. Wood
		Frank M. Wray	Melvin L. Young

Korea

James M. Bailey	Everette Holland	James W. Lawrence	Emmett L. Love
	Jimmie L. Wadkins	Perry W. Willis	George D. Woody

Vietnam

Michael D. Cannaday	John Clark Davidson	Sherman A. Furrow, Jr.	Richard Wayne Perdue
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(RESOLUTION #06-12-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to include in the Board's official minutes the engraved names submitted by the Virginia War Memorial.

MOTION BY: David Cundiff

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

BOARD OF SUPERVISORS REIMBURSEMENT POLICY & BOARDS & COMMISSIONS REIMBURSEMENT POLICY

Richard E. Huff, II, County Administrator, stated citizen participation and involvement in various Board and Commissions is critically important to the workings of the Franklin County Board of Supervisors. Over time, different Boards and Commissions have been treated differently with respect to whether the County reimburses for personal mileage incurred in serving on these Boards. Likewise, a clear policy for Board of Supervisors reimbursement has never been set.

Boards and Commissions – At the present time, mileage is reimbursed for the Planning Commission, Board of Zoning Appeals, Electoral Board, and the Social Services Board. We do not reimburse the Recreation Advisory Commission, the Library Board, or the Industrial Development Authority. Some Boards, such as West Piedmont and Roanoke Valley Alleghany Regional Planning District meetings require travel outside of the boundaries of Franklin County. We have just recently begun paying mileage for the PDC meetings.

Participation should be considered equally for all appointees and as such, the submitted draft policy is presented. This policy articulates that mileage only be reimbursed for out of County travel for all members of Boards and Commissions unless reimbursement funds are available from non-local sources such as the Electoral Board.

The *Board of Supervisors* is governed by state statute as it relates to what expenses can be reimbursed. At the present time, some members submit for reimbursement of mileage and some do not. A draft policy is presented for the Board's consideration that requires the Board to give direction as to the circumstances under which mileage would be reimbursed (pick one of the three choices).

The State Code does allow for reimbursement of that portion of a cell phone or land line phone that is attributed to County business. Whether or not the Board wants to continue that practice or not is before the Board in this draft policy. The reimbursement for internet service (or other expenses of maintaining an office) is not permitted by State Code except to the extent that such expenses are deducted from the salary paid such that the cumulative effect does not exceed the salary authorized for the position.

RECOMMENDATION:

Staff recommends that the Board consider the two policies, provide appropriate direction where there are choices as outlined, and adopt the policies with a stated effective date.

BOARD AND COMMISSIONS REIMBURSEMENT POLICY

Purpose:

The purpose of this policy is to establish rules, regulations and procedures for members of appointed Boards and Commissions in seeking reimbursement for expenses incurred in the conduct of official business for Franklin County.

Policy:

The County of Franklin values the contributions of all of its citizen Boards and Commissions. The donation of time, talents and expertise for the purpose of citizen involved, good government is important to the County.

Attendance at meetings of the appointed body are important. Civic duty is a component of accepting an appointment and therefore transportation to meetings is the responsibility of the appointee. Mileage shall only become reimbursable when out of County travel is required for attendance of scheduled or called meetings, or funds are available from non local sources. Such reimbursement should be eligible for mileage at the prevailing IRS approved rate.

(RESOLUTION #07-12-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to adopt the aforementioned Policy for Boards and Commissions as submitted.

MOTION BY: Leland Mitchell

SECONDED BY: David Hurt

VOTING ON THE MOTION WAS AS FOLLOWS:

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

BOARD OF SUPERVISORS REIMBURSEMENT POLICY

Purpose:

The purpose of this policy is to establish rules, regulations and procedures for members of the Board of Supervisors in seeking reimbursement for expenses incurred in the conduct of official business for Franklin County.

Policy:

A) Mileage Reimbursement:

Board members shall be eligible to be reimbursed for mileage at the prevailing IRS approved rate only for travel: (pick one)

- a) outside of the County, or
- b) related to County business, or

c) related to scheduled or called meetings of the Board.

B) Cell Phones:

Board members may choose to be reimbursed for the portion of their cell phone bill attributable to County business. Such reimbursement should be submitted to the Finance Department on an expense reimbursement form no less frequently than quarterly and shall state the percentage of the bill that is determined and certified to be County related.

C) Internet Service:

No Board member shall receive reimbursement for actual expenses incurred in maintaining an office including internet service except that such reimbursement shall be subtracted from the amount of salary due such official pursuant to Section 15.2-1414.2 of the Code of Virginia, as amended.

(RESOLUTION #08-12-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to table the Board of Supervisors Reimbursement Policy until the organizational meeting.

MOTION BY: David Cundiff

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

(RESOLUTION #09-12-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to deny the request for cell telephone and internet reimbursement by Board members.

MOTION BY: Leland Mitchell

SECONDED BY: Bobby Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Hurt, Angell, Thompson & Wagner

NAYS: Cundiff & Johnson

THE MOTION PASSED WITH A 5-2 VOTE.

YEARLY ROTATION OF CHAIRMANSHIP

Russ Johnson, Gills Creek District, Supervisor, shared with the Board a listing of Board Chairs for the past 40 years. Mr. Johnson stated during this time period the Gills Creek and Blue Ridge Districts have never had chairpersons from these districts. Mr. Johnson respectfully requested the Board to consider the rotation of the Chairmanship and distributed a current policy used by Bedford County for the Board's review and consideration. General discussion ensued.

NATURAL GAS PIPELINE

Mr. Johnson requested the Board's approval to forward a letter to Congressman Tom Perriello regarding a natural gas pipeline along the 220 corridor as follows:

The Franklin County Board of Supervisors is very appreciative of the interest you have taken in job creation throughout the 5th District and most especially in Franklin County. Your staff has been excellent in their communication and understanding of our requests. As you know, this Board's number one priority when requests were submitted in early 2009 was funds to construct a natural gas pipeline from its current terminus on the south end of Roanoke County to the Town of Rocky Mount along the Route 220 corridor. The County is currently studying the potential for a new Business Park in the Route 220 corridor and public waterline construction in area is nearing completion.

This project remains our number one priority and as such we wanted to redouble our efforts in assisting you in working with the Economic Development Administration to secure funding. Please let us know how we might be of service in moving this most important economic development effort forward.

Russ Johnson, Gills Creek District, Supervisor, shared with the Board the following:

Extension of a Natural Gas Pipeline to Franklin County

Franklin County has for sometime looked into the potential extension of a natural gas pipeline from the Clearbrook area of Roanoke County to the Town of Rocky Mount, Virginia. A pipeline would greatly enhance job recruitment opportunities along the Route 220 corridor as well as a heavy industrial site which is being developed in Rocky Mount. This pipeline would also overcome the screening deficiency of not having natural gas available for new businesses.

Franklin County, Virginia is home to 52,841 residents and a workforce of 25,000. Based on latest statistics, 41% of the County's workforce drives out of the County to work each day. Additionally, unemployment in the County as of October, 2009 is 7.7%.

The County has had some success in Economic Development with the location of McAirlaids' announcement to locate its North American Headquarters in Franklin County and invest \$85 million in plant and equipment. However, over and over again Franklin County is dropped from initial screening of sites due to the unavailability of natural gas in the County. Many companies as well as site selection consultants will use the presence of natural gas as a core requirement to make the first cut for possible locations. Unfortunately, the natural gas industry does not have the funding to extend pipelines into unserved areas in the absence of a significant end user and significant end users will not wait for the permitting and construction timelines when they are considering a site.

This project will construct 90,000 linear feet (17 miles) of natural gas pipe from the Clearbrook area of Roanoke County, Virginia to the Franklin County/Rocky Mount Industrial Park thus enabling businesses, in the community to consider an alternative to electrical or oil heating requirements and in doing so, enable Franklin County to compete on a more level playing field for business opportunities.

Exhibit C shows a map of the proposed project and the potential routes available. This project has been considered a number of times over the years but if funded would be put on a fast track to begin acquiring right of way and start the necessary engineering and permit acquisition. The project by virtue of coming down the Route 220 Corridor would serve the County's prime commercial corridor, a future business park designated in that corridor, and terminate in the County and Town's joint industrial park which currently has plans underway to grade for a heavy industrial site which already has rail access. (Cox Property)

This project needs federal support in order to overcome the "chicken or egg" syndrome of which comes first, the gas line or the significant end user. The 5th District would be greatly enhanced by this major infrastructure enhancement and further bolster job creation for our region.

If a natural gas pipeline were extended into Franklin County, the County or a public utility authority would maintain ownership of the line for at least the federally determined useful life of the project which is projected to be 20 to 30 years. The County or an Authority would not only own but operate the infrastructure. It is anticipated that the public owner would enter into a management agreement with either a utility or private provider for management of the day to day operations, maintenance, etc.

While a definitive number is not known, it is known that at least three major business prospects have rejected Franklin County as a business development site due to the lack of natural gas. Additionally, there is no way to determine how many internet searches by prospects have ruled out Franklin County without the County's knowledge because natural gas is not available. We are aware of one business who has indicated that their existing electric utilities are out of control and has indicated that an alternative needs to be made available. The availability of natural gas for business retention is an issue. Businesses in other areas of the state have experienced \$5,000 to \$19,000 per month savings when natural gas was made available.

Franklin County has met on several occasions with representatives of Roanoke Gas and have received their commitment and full cooperation to assist with engineering and management services for the design of a natural gas line to Rocky Mount.

Included in exhibit A are projected: (submitted)

- Material costs
- Labor costs
- Other costs
- Overhead costs
- Engineering and Project Management costs

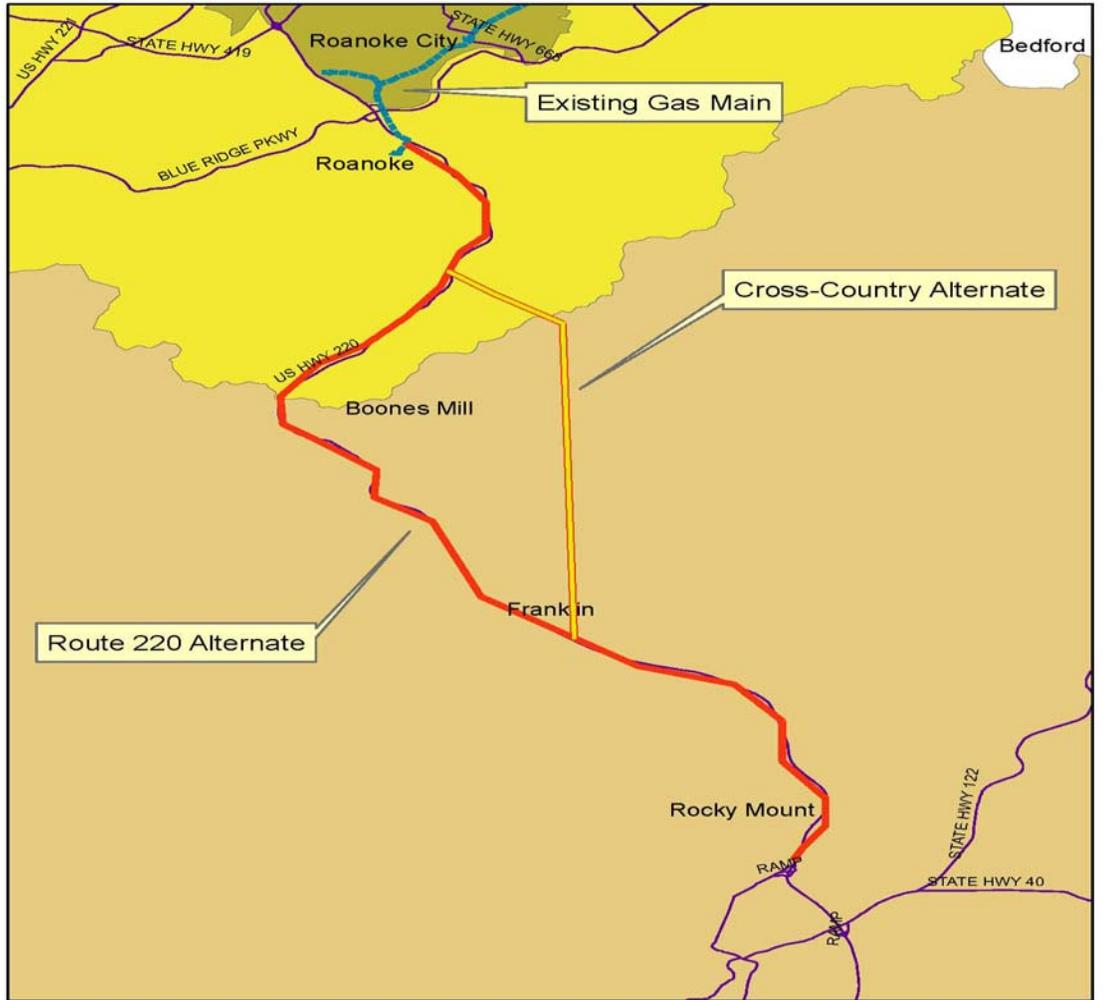
The estimated time to complete the project is slightly over two years from start to finish and this assumes that all or a large majority of the pipeline will be installed within the Route 220 right-of-way. If additional right-of-way and easements are required it could possibly extend the project

an additional six months to a year. Engineering will include any environmental component which is a significant part of the development. Environmental review is a very important part of the process.

In summary, Franklin County has proven to be an innovative, progressive and integral part of Southwestern, Virginia but we badly need to have the ability to build the infrastructure necessary to maintain a viable and healthy community. The jobs created would provide the opportunity for Franklin County and Rocky Mount, Virginia to continue its positive contribution to Southwestern Virginia and create a window for private investment. Again, it cannot be overstated that numerous inquiries for business relocations are passed on by our region because of the inquiring company's requirement for natural gas. To open up competition in rural areas, a level playing field must be developed through the provision of infrastructure to serve business.

Material	Qty.	Type	Price per Unit	Total
12" coated steel pipe, X42, .250 wall Pritec	90,000	ft.	\$38.00	\$3,420,000.00
18" Steel casing	100	ft.	\$40.00	\$4,000.00
Rock Shield (50% of total length}	45,000	ft.	\$2.00	\$90,000.00
Stone	89,248	ft.	\$3.94	\$351,637.12
Misc. Fittings	1	qty	\$12,000.00	\$12,000.00
Joint Seal	2,250	kit	\$20.00	\$45,000.00
Subtotal Material				\$3,922,637.12
Labor				
Installing 12" steel	89,248	ft.	\$39.10	\$3,489,596.80
railroad bore - 18" casing	100	ft.	\$150.00	\$15,000.00
Road bore - 12" pipe	452	ft.	\$75.00	\$33,900.00
Rock excavation (based on 2'x4' @ \$132.61/cy)	45,000	ft.	\$39.29	\$1,768,050.00
Rock Bore -12" Steel	200	ft.	\$200.00	\$40,000.00
Seeding			Included in install price	
Welder			Included in install price	
Clearing	5	acres	\$8,000.00	\$40,000.00
Pavement (includes sawing and asphalt)	2,000	ft.	\$18.38	\$36,768.89
Traffic Control	4,200	hrs	\$120.00	\$504,000.00
Subtotal Labor				\$5,423,315.69
Other				
Land for Gate Station	1	ea	\$33,000.00	\$33,000.00
Gate Station	1	ea	\$82,500.00	\$82,500.00
Right-of-Way purchase	20,000	ft.	\$30.00	\$600,000.00
Cathodic protection	1	ea	\$22,000.00	\$22,000.00
State permits	1	qty	\$4,495.00	\$4,495.00
Subtotal Other				\$741,995.00
Cost of project				\$10,087,947.81
Contingency and Overheads @ 25%				\$2,521,986.95
				\$12,609,934.76
Project Cost				
Engineering and Project Management @7%				\$882,695.43
Total Project Cost				\$13,492,630.19

Proposed Pipeline



— Franklin County / Rocky Mount Natural Gas Project

The Board concurred with the request to forward the submitted letter to Congressman Perriello requesting assistance for a Natural Gas Pipeline as discussed.

WESTLAKE LIBRARY ADDITIONAL LIBRARY SPACE

Russ Johnson, Gills Creek District Supervisor, asked the Board to consider the appropriation of \$2,100 to allow the Westlake Library to utilize adjoining space located next door for storage. Mr. Johnson stated Ron Willard has offered the Branch the additional space for 1 year and the \$2,100 would be used for air, heat and water costs. General discussion ensued.

The Board stated they would make the request an agenda item for discussion during their January meeting.

APPOINTMENT:

- TLAC Board/Citizen (Term Expires 1/31/2010) 1-Yr. Term
- Southern Area Agency on Aging (Term Expires 12/31/2009) 3-Yr. Term
- Western Virginia Regional Jail Authority (Term Expires 12/31/2009) 1-Yr. Term
- West Piedmont Planning Commission (Term Expires 12/31/2010) Unexpired Term of Marshall Blair

(RESOLUTION #11-12-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re- appoint Bob Camicia to serve on the TLAC Board with said term to expire 1/31/2011.

MOTION BY: Russ Johnson

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

(RESOLUTION #12-12-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint Felicia Woods to serve on the Southern Area Agency on Aging board with said term to expire 12/31/2012.

(RESOLUTION #13-12-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint Charles Wagner and Chris Whitlow to serve on the Western Virginia Regional Jail Authority with said terms to expire 12/31/2010.

MOTION BY: David Hurt

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

CLOSED MEETING**(RESOLUTION #14-12-2009)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711, a-1, Personnel & a-3, Acquisition of Land, & a-7 Consult with Legal Counsel of the Code of Virginia, as amended.

MOTION BY: David Cundiff

SECONDED BY: David Hurt

VOTING ON THE MOTION WAS AS FOLLOWS:

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

MOTION: Leland Mitchell

RESOLUTION: #15-12-2009

SECOND: David Cundiff

MEETING DATE December 15, 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

Afternoon Meeting was adjourned.

Board reconvened and Chairman Wagner called the Evening Meeting to order.

Chairman Wagner presented the following resolution of appreciation to JW & Alice Hall for their 31 years of volunteering with Glade Hill as follows:

RESOLUTION OF APPRECIATION

WHEREAS, JW and Alice Hall have dedicated **31 years** of their lives to the citizens of Franklin County through their work with the Glade Hill Rescue Squad as Charter Lifetime members, often working from early morning to late evening helping to protect the lives and safety of area residents, and

WHEREAS, JW and Alice have faithfully, unselfishly, and steadfastly given of their time and talents to serve all of Franklin County, irrespective of the status of any individual, and

WHEREAS, Alice served as Captain on the Glade Hill Rescue Squad for **15 years**, and

WHEREAS, their tireless energy, unwavering dedication, and willingness to serve have established JW and Alice as invaluable resources to the Glade Hill Rescue Squad and to those in need of the services provided by the Glade Hill Rescue Squad, and,

NOW, BE IT THEREFORE RESOLVED, by the Board of Supervisors to honor and recognize JW and Alice Hall for their extraordinary contributions and exemplary service to the citizens of

Franklin County, and do hereby extend their very best collective wishes to them on this occasion marking their **31 years** of service, and

BE IT LASTLY RESOLVED, the Franklin County Board of Supervisors hereby expresses not only their sincere appreciation to JW and Alice for their dedication and faithful service to the citizens of Franklin County and the citizens of the Glade Hill community, but also wish them much well-deserved health, happiness and enjoyment in their retirement.

PUBLIC COMMENT:

- Vera Wilburn – Log Cabin Estates Road

Ms. Wilburn stated Log Cabin Estates Road is 2½ miles long and 48 families live in the subdivision. Ms. Wilburn requested the Board's help to seek improvements on their present road conditions.

- Don Stoneman – Park Ridge Development Roads

Mr. Stoneman stated approximately 30 years ago, this Board considered and acted upon Park Ridge Roads. Mr. Stoneman expressed concerns of the boundaries and development of existing roads within the subdivision. The Board directed staff to meet and report back to the Board.

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, December 15, 2009**, in the Meeting Room located in the Courthouse, 275 South Main Street, Room 221, Rocky Mount, Virginia to consider the re-adoption of Sections 11-4, 11-62, 11-62.1, 11-63, 11-63.1, 11-63.2, 11-63.3, 11-63.4, 11-63.5, 11-63.6, 11-63.7, 11-63.8, 11-63.9, 11-63.10, 11-63.11, 11-64 and 11-65, which code sections adopt and make a violation of County Ordinance Sections 18.2-266 through 18.2-270, inclusive, of the 1950 Code of Virginia, as amended except for that portion of paragraph F of Section 18.2-270 which refers to a felony. These code sections relate to the prohibition of operating a motor vehicle under the influence of alcohol; drugs; or a combination thereof; procedures set forth in state law; and punishment for these offenses. The Board will also consider adopting new Code Sections 11-65.1 which adopts and incorporates Section 18.2-270.1 of the Virginia Code relating to multiple offenders and payments to the trauma center fund; Section 11-65.2 which adopts and incorporates Section 18.2-270.1 of the Virginia Code relating to ignition interlock systems and the failure to comply with same; Section 11-65.3 which adopts and incorporates Section 18.2-270.1 of the Virginia Code relating to driver's license forfeiture; and Section 11-65.4 which adopts and incorporates Section 18.2-270.1 of the Virginia Code relating to probation, education and rehabilitation of convicted persons.

The Board will consider re-adoption of Section 11-66 which adopts and incorporates Section 18.2-272 of the Virginia Code and Section 11-67 which adopts and incorporates Section 18.2-273 of the Virginia Code.

The Board will consider repealing Sections 11-68 and 11-69 of the current County Code.

Public Hearing was Opened.

No one spoke for or against the proposed amendments.

Public Hearing was closed.

(RESOLUTION #16-12-2009)

NOW THEREFORE BE IT ORDAINED, by the Board of Supervisors to approve the proposed ordinance amendments, as advertised.

MOTION BY: Wayne Angell

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

PUBLIC NOTICE

PETITION FOR REZONE - Franklin County Family YMCA, Petitioners/Owners for property currently zoned PCD, Planned Commercial District, to amend proffered conditions related to the use of vertical metal siding on the YMCA facility. The subject property was rezoned to PCD in November 2005 as part of the LakeWatch Plantation rezone request (Case # REZO 8-08-3017.) The original rezone request included proffered conditions prohibiting the use of vertical metal siding within the LakeWatch Plantation development. In October 2008, the Franklin County

Board of Supervisors approved an amendment to the proffered conditions, allowing vertical metal siding to be used on the YMCA facility, subject to certain limitations. The existing proffer states: “vertical metal siding shall be prohibited on any façade visible from any public street right of way within or adjoining the LakeWatch Plantation Planned Commercial Development, except as follows: Vertical metal siding shall be allowed on the existing building located on Tax Map# 15, Parcel # 42.4 in accordance with the submitted plan titled ‘Concept Plan/Amended Proffer Request for the Franklin County Family YMCA at LakeWatch Plantation,’ dated July 29, 2008, prepared by Philip W. Nester. All improvements as shown on the submitted plan shall be installed within fifteen months from the date of approval by the Franklin County Board of Supervisors, with said improvements to be bonded by letter of credit pursuant to Franklin County Code Section 25-629 to allow issuance of a Certificate of Occupancy.” At this time, the petitioner requests to amend the proffered conditions as they pertain to the YMCA property, by removing the fifteen month time limit imposed by the existing proffer, and instead requiring the improvements specified by the proffer to be undertaken in conjunction with any future expansion of the building. The property is located in the LakeWatch Plantation development off of State Route 122, on the west side of FirstWatch Drive, +/- 500 feet from the intersection of Firstwatch Drive and Lakewatch Drive, in the Gills Creek Magisterial District and recorded as Tax Map # 15, Parcel # 42.4 in the Franklin County Real Estate Tax Records.(Case # REZO-11-09-5769)

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

SITE DETAILS

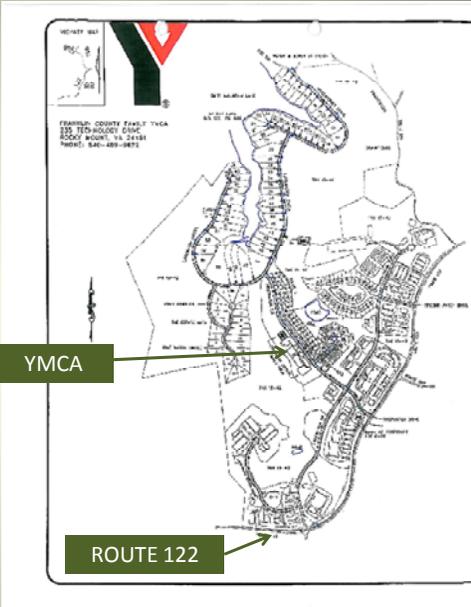
Tax Map Number:
15-42.4

Size:
+/-10.475 acres

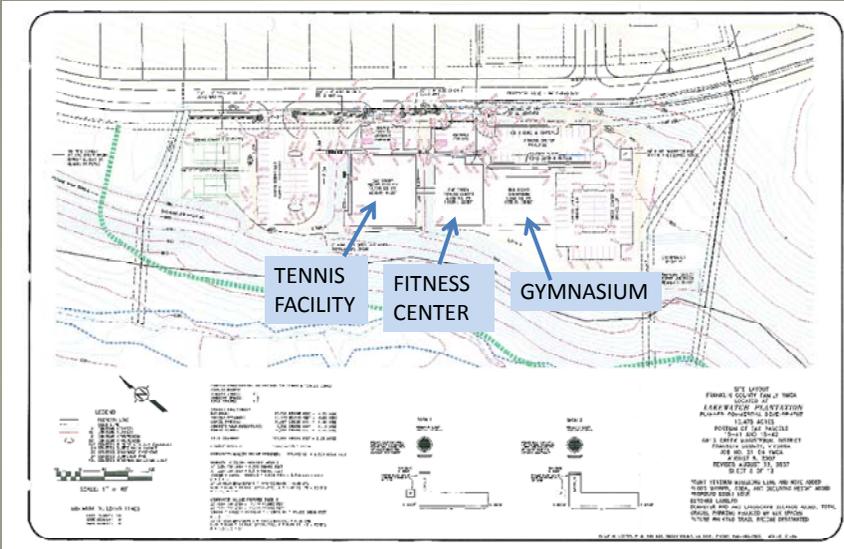
Zoning:
Planned Commercial District

Gills Creek Magisterial District

Owner/Applicant:
Franklin County Family YMCA



12/15/2009
Franklin County Family YMCA
2



12/15/2009
Franklin County Family YMCA
3

**EXISTING
CONDITIONS**

- Recreational Facility
- Gymnasium
- Indoor Tennis Courts
- Operating under a Temporary Certificate of Occupancy which was renewed on June 11, 2009, and expires January 21, 2010.



12/15/2009

Franklin County Family YMCA

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HISTORY

CASE# REZO 8-08-3017

Heard by the Franklin County Board of Supervisors on October 28, 2008

- Amended Proffer #7D (Architectural Proffer prohibiting vertical metal siding within the Lakewatch Plantation Development)
- Allowed vertical metal siding for the existing facility, consistent with the Concept Plan depicting additional architectural details. All improvements as shown on the attached plan shall be installed within 15 months from the date of approval by the Franklin County Board of Supervisors, with said improvements to be bonded by letter of credit pursuant to Franklin County Code Section 25-629 to allow issuance of a Certificate of Occupancy.
- Retained prohibition against vertical metal siding for all other properties within the Lakewatch Plantation Development

12/15/2009

Franklin County Family YMCA

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12/15/2009

Franklin County Family YMCA

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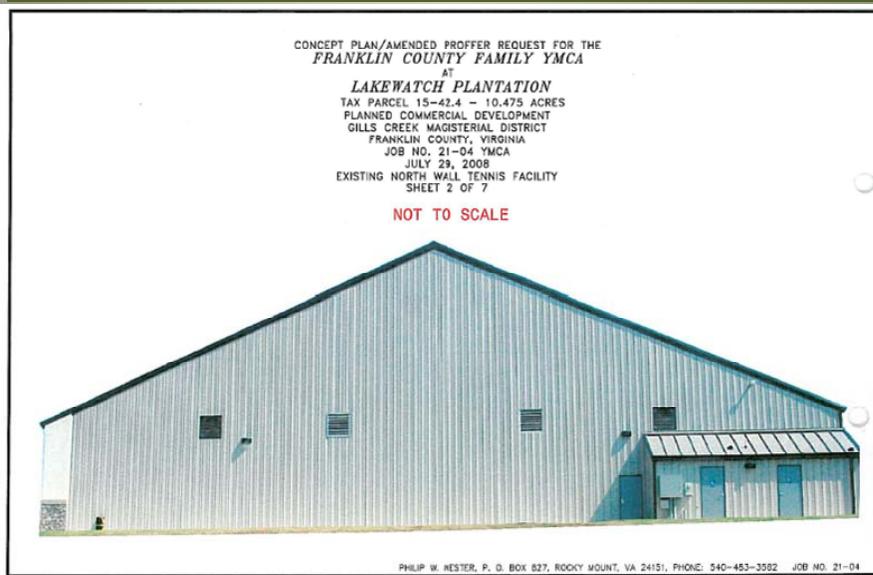
North Wall Tennis Facility

12/15/2009

Franklin County Family YMCA

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EXISTING

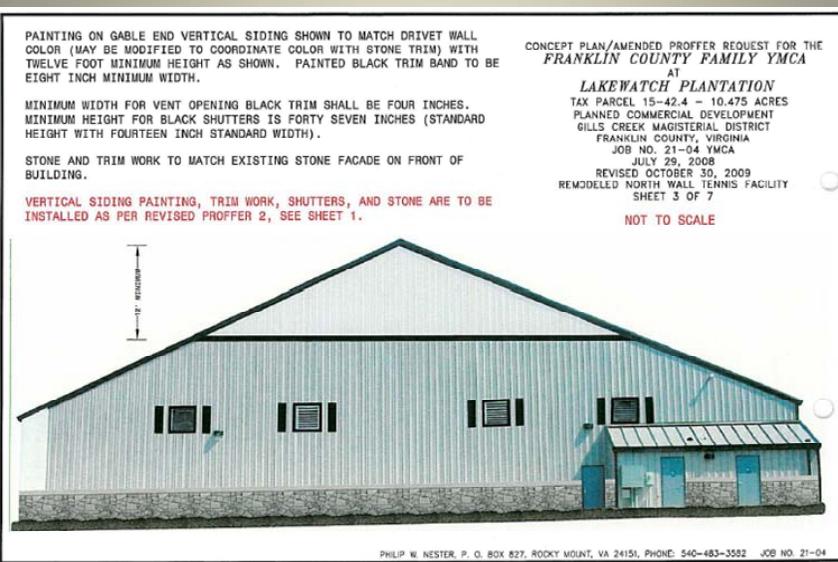


12/15/2009

Franklin County Family YMCA

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PROPOSED



12/8/2009

Franklin County Family YMCA

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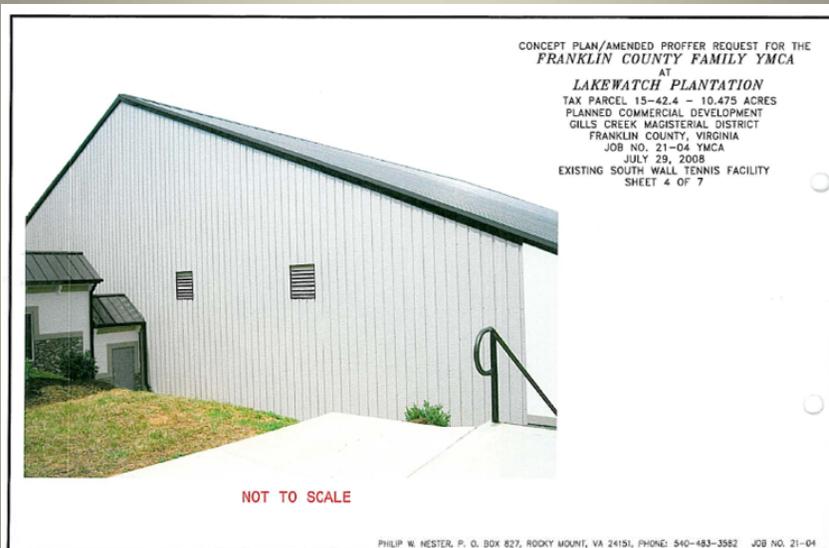
South Wall Tennis Facility

12/15/2009

Franklin County Family YMCA

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EXISTING

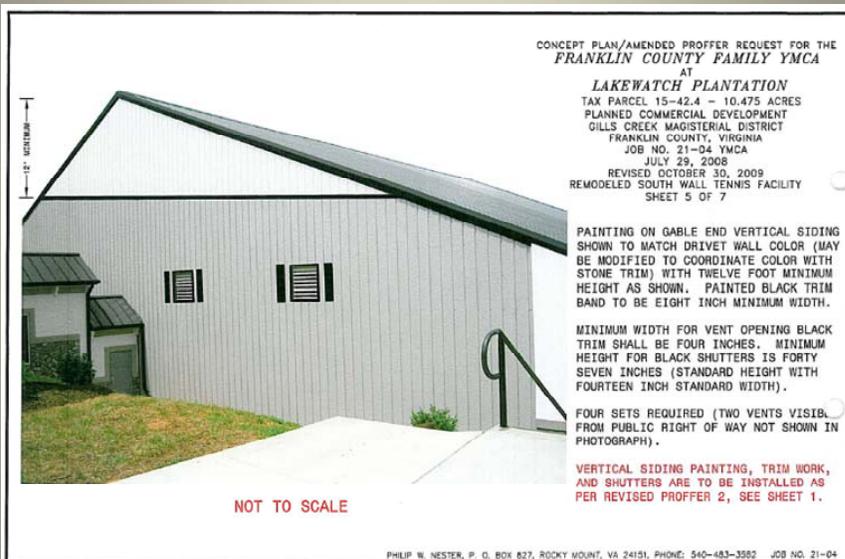


12/15/2009

Franklin County Family YMCA

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PROPOSED



12/15/2009

Franklin County Family YMCA

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South Wall Gymnasium Facility

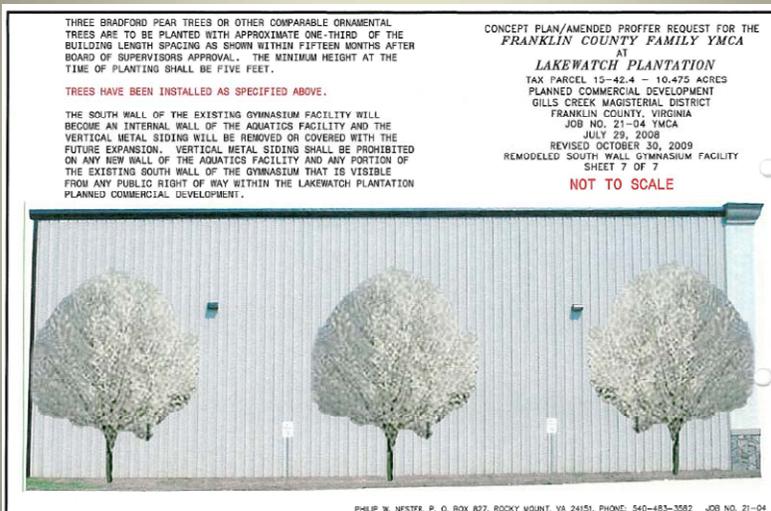
12/15/2009

Franklin County Family YMCA

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EXISTING

TREES PLANTED IN ACCORDANCE WITH PROFFERS FROM CASE# REZO 8-08-3017



12/15/2009

Franklin County Family YMCA

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REQUEST

- Prohibits vertical metal siding on any façade visible from any public street right of way within Lakewatch Plantation PCD except on the YMCA's parcel.
- Vertical metal siding allowed on existing YMCA buildings in accordance with Concept Plan.
- The improvements to the north and south walls of the tennis building will be completed with the future expansion of the building requiring site plan and will be bonded.
- Vertical metal siding shall be prohibited on any new wall of the aquatics facility and any portion of the existing south wall of the gymnasium that is visible from any public right of way within the Lakewatch Plantation Planned Commercial Development. (The aquatics facility is planned to be constructed abutting the south wall of the gymnasium.)

12/15/2009

Franklin County Family YMCA

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REQUEST

The applicant is not requesting for relief from having to make the required improvements as proffered and accepted by the Board of Supervisors in Case# REZO 8-08-3017. Instead of completing the required improvements by January 21, 2010, the applicant is requesting that said improvements be made at such time as any future expansion of the building may be undertaken. However, a timetable for the completion of the required improvements has not been specified.

12/15/2009

Franklin County Family YMCA

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CONSIDERATIONS

- The request is limited to Tax Map and Parcel Number 15-42.4, but leaves the original proffer serving as an architectural guideline intact for the balance of Lakewatch Plantation, as approved by the Board of Supervisors on November 15, 2005.
- The original proffers serve as a guarantee of the quality of the development and ensure consistency in the design of buildings, but do not create an architectural theme.

12/15/2009

Franklin County Family YMCA

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CONSIDERATIONS (Cont.)

- The request would not result in the loss of protection; and although this property would deviate from the original proffer, it is proffered with a new set of certainties
- The building in question is not visible from Rt. 122 and is visible internally to the project

12/15/2009

Franklin County Family YMCA

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PLANNING COMMISSION RECOMMENDATION:

By a vote of 3-2, with 2 abstaining, the **Planning Commission recommends DENIAL** of the applicant's request to amend proffer #7D to provide that the improvements required to be made to the northern and southern walls of the tennis facility be made at such time as any future expansion of the building may be undertaken requiring site plan approval, with such improvements being bonded at such time.

12/15/2009

Franklin County Family YMCA

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Clyde Perdue, Attorney, presented the petitioner's request.

Public Hearing was opened.

THE FOLLOWING PEOPLE SPOKE IN FAVOR OF THE PETITION:

Dave Lawton, Executive Director, YMCA

Phil Nester

Chris Willard

Elaine Connery

Peter Tyra

Mylanta Hyan

THE FOLLOWING PEOPLE SPOKE IN OPPOSITION OF THE PETITION:

Gale Taylor expressed opposition to the proposed petition.

Public Hearing was closed.

(RESOLUTION #17-12-2009)

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:

Approved Proffers and Deviations:

Proffers for Case # REZO-11-09-5769, Franklin County Family YMCA:

Vertical metal siding shall be prohibited on any façade visible from any public street right of way within or adjoining the Lakewatch Plantation Planned Commercial Development, except as follows: Vertical metal siding shall be allowed on the existing building located on Tax Parcel # 15-42.4 in accordance with the attached plan titled "CONCEPT PLAN/AMENDED PROFFER REQUEST FOR THE FRANKLIN COUNTY FAMILY YMCA AT LAKEWATCH PLANTATION", dated July 29, 2008 and revised October 30, 2009, prepared by Philip W. Nester. The temporary improvements required to be made to the south wall of the gymnasium have been installed and with the future expansion of the south wall of the existing gymnasium facility will become an internal wall of the aquatics facility and the vertical metal siding will be removed or covered with the future expansion. Vertical metal siding shall be prohibited on any new wall of the aquatics facility and any portion of the existing south wall of the gymnasium that is visible from any public right of way within the Lakewatch Planned Commercial Development. The improvements to the

north and south walls of the tennis building shall be bonded as part of any future expansion of the building requiring site plan approval.

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

PETITION TO AMEND COUNTY CODE Petition of the Franklin County Board of Supervisors to amend Chapter 25, "Zoning" of the Franklin County Code, to implement a Scenic Gateway Overlay District, Article IV, Special Provisions, Division 4. 220-North Scenic Gateway Overlay District; Section 25-500, Purpose; Section 25-500.1, Boundaries; Section 25-500.2, Relationship to underlying zoning; Section 25-500.3, Change in underlying zoning classification; Section 25-500.4, Residential cluster developments; Section 25-500.5, Standards for residential lots within residential cluster developments; Section 25-500.6, Standards for required open space within residential cluster developments; Section 25-500.7, Ownership and management of required open space within residential cluster developments; Section 25-500.8, Required Landscaping; Section 25-500.9, Signs; Section 25-500.10, Buffering ; Section 25-500.11, Access management; and Section 25-500.12, Utilities and screening. (Case #A-09-10-03.)

Neil Holthouser, Director of Planning & Community Development, presented the proposed amendments as follows:

Article IV. Special Provisions

Secs. 25-498-499. Reserved

Division 4. 220-North Scenic Gateway Overlay District

Sec. 25-500. Purpose

The 220-North Scenic Gateway Overlay District is intended to promote uses with compatible visual relationship with the natural terrain, existing agricultural uses, and the established rural setting, by limiting residential density and promoting residential clustering with the preservation of significant open spaces. The 220-North Scenic Gateway Overlay District seeks to conserve the scenic views and natural vegetation of this section of the Route 220 corridor by preserving open space; limiting development along the highway; prohibiting obtrusive signage; minimizing traffic congestion with controlling vehicular access to the highway, and encouraging innovative design for developments. The requirements of this division are meant to work in conjunction with the requirements of the underlying zoning districts to guide the type and arrangement of uses, structures, buildings, roads, signs, landscaping, and buffering in an efficient and coordinated manner.

Sec. 25-500.1. Boundaries

The 220-North Scenic Gateway Overlay District includes an area on each side of the Virginia Route 220, extending generally from the Roanoke County/Franklin County line to the northern corporate boundary of the Town of Boones Mill. The official boundaries of the 220-North Scenic Gateway Overlay District are shown on the official zoning map for Franklin County, and are further described as follows:

1. Beginning at a point along the centerline of the northbound travel lane of Route 220 at the Franklin County/Roanoke County line; thence east along the Franklin County/Roanoke County line for a distance equal to one fourth (1/4) of a mile from the centerline of the northbound travel lane of Route 220, as measured perpendicular from the centerline of the northbound travel lane of Route 220; thence south and southeast in a manner parallel to the centerline of the northbound travel lane of Route 220 at a distance of one-fourth (1/4) of a mile from the centerline of the northbound travel lane of Route 220, as measured perpendicular to the centerline of the northbound travel lane of Route 220, following such course to the corporate boundary of the Town of Boones Mill; thence northwest along the corporate boundary of the Town of Boones Mill to a point that is the northernmost extent of the corporate boundary of the Town of Boones Mill; thence southwest along the corporate boundary of the Town of Boones Mill to a point along the centerline of the northbound travel lane of Route 220; thence southeast along the corporate boundary of the Town of Boones Mill to a point along the centerline of the southbound travel lane of Route 220; thence southeast and south along the corporate boundary of the Town of Boones Mill for a distance of one fourth (1/4) of a mile from the centerline of the southbound travel land of

Route 220, as measured perpendicular to the centerline of the southbound travel lane of Route 220; thence northwest and north in a manner parallel to the centerline of the southbound travel lane of Route 220 at a distance of one fourth (1/4) of a mile from the centerline of the southbound travel lane of Route 220, as measured perpendicular to the centerline of the southbound travel lane of Route 220; following such course to a point along the Franklin County/Roanoke County line that is one fourth (1/4) of a mile from the centerline of the southbound travel lane of Route 220, as measured perpendicular to the centerline of the southbound travel lane of Route 220; thence east, southeast, south and east along the Franklin County/Roanoke County line to a point along the centerline of the southbound travel lane of Route 220; thence east along the Franklin County/Roanoke County line to the point of origin along the centerline of the northbound travel lane of Route 220.

2. The boundaries of the 220-North Scenic Gateway Overlay District may be amended to extend such boundaries to include any parcel of land, in part or in its entirety, that contains area within or immediately abutting the official boundaries of the 220-North Scenic Gateway Overlay, as described above. Any such amendment of the overlay boundaries shall be consistent with the requirements of this chapter for amendment of the zoning ordinance, and, if approved by the Board of Supervisors, shall be reflected on the official zoning map for Franklin County.

Sec. 25-500.2. Relationship to Underlying Zoning

The 220-North Scenic Gateway Overlay District is intended to work in conjunction with the requirements of the underlying zoning district. Where specifically enumerated, the requirements of this division shall supercede the requirements of the zoning ordinance and the subdivision ordinance. In the absence of an enumerated requirement of this division, the requirements of the zoning ordinance and the subdivision ordinance shall prevail.

Sec. 25-500.3. Change in underlying zoning classification.

Where any change to the underlying zoning classification is requested (also known as a zoning map amendment or rezoning), such request shall be accompanied by a conceptual plan of development conforming to the concept plan requirements of the RPD, Residential Planned Unit Development District.

Sec. 25-500.4. Residential cluster developments

Where the underlying zoning is A-1, R-1, or R-2, the following residential cluster development requirements shall apply:

1. For the purposes of this division, a residential cluster development shall be defined as a development consisting of single-family residential uses, where residential lots and associated infrastructure are concentrated on a portion of the subject land, with the balance of the subject land reserved as permanently undeveloped open space.
2. Any residential development consisting of twenty (20) or more acres and containing four (4) or more residential lots shall be required to develop as a residential cluster development, with a minimum of fifty (50) percent of the development's gross area reserved as permanently undeveloped open space. Residential lots shall be clustered and arranged in accordance with the residential lot standards set forth in this division. Required open space shall be provided and arranged in accordance with the open space standards set forth in this division.
3. Subdivisions that meet the requirements for "family division," as defined by the Franklin County Subdivision Ordinance, are exempt from the requirements of Sec. 25-500.4(2); however, subdivisions that meet the requirements for "family division" may develop as residential cluster developments, provided that they meet the residential lot and open space standards set forth in this division.
4. Any residential development consisting of less than twenty (20) acres and/or less than four (4) lots may develop as a residential cluster development, in accordance with the residential lot and open space standards set forth in this division. Such residential cluster developments shall be required to reserve a minimum of fifty (50) percent of the development's gross area as permanently undeveloped open space.
5. The maximum residential density of any residential cluster development shall be determined by the underlying zoning district, as follows:
 - a. Where the underlying zoning is A-1, the maximum allowed density of any residential cluster development shall be 1.2 dwelling units per acre.
 - b. Where the underlying zoning is R-1 or R-2 and where residential lots are served by individual wells and septic drainfields, the maximum allowed density of any residential cluster development shall be 1.2 dwelling units per acre. Where served

by public water and/or sewer, the maximum allowed density shall be two (2) units per acre.

6. All new streets or roads serving residential lots within a residential cluster development shall be constructed to VDOT standards for the acceptance of secondary streets into the state maintenance system.

Sec. 25-500.5. Standards for residential lots within residential cluster developments.

The following standards shall apply to the design and arrangement of residential lots within residential cluster developments:

1. Where residential lots within residential cluster developments have frontage on an existing road classified by VDOT as a primary road, the following residential lot standards shall apply:
 - a. The minimum lot size shall be 20,000 square feet.
 - b. The minimum road frontage shall be 150 feet.
2. Where residential lots within residential cluster developments have frontage on an existing road classified by VDOT as a secondary road, the following residential lot standards shall apply:
 - a. The minimum lot size shall be 15,000 square feet.
 - b. The minimum road frontage shall be 125 feet.
3. Where residential lots within residential cluster developments have their frontage solely along new secondary streets or roads, the following residential lot standards shall apply:
 - a. The minimum lot size shall be 10,000 square feet.
 - b. The minimum road frontage shall be 75 feet.
4. Where residential lots within residential cluster developments have frontage on an existing primary or secondary road, the setback requirements of the underlying zoning district shall prevail.
5. Where residential lots within residential cluster developments have their frontage solely along new secondary streets or roads, the following setback requirements shall apply for all structures, including principal buildings, accessory buildings, porches, stoops, and eave overhangs:
 - a. Front: a minimum of twenty (20) feet, as measured from the edge of the right-of-way, or forty-five (45) feet, as measured from the centerline of the right-of-way, whichever is greater.
 - b. Side: a minimum of ten (10) feet.
 - c. Rear: a minimum of twenty (20) feet.
 - d. Corner lots shall be deemed to have a primary front, defined as the lesser of the two road frontages; and a secondary front, defined as the greater of the two road frontages. The property line opposite the primary front shall be considered a rear property line; the property line opposite the secondary front shall be considered a side property line. For corner lots, the following required setbacks shall apply:
 - 1) Primary front: a minimum of twenty (20) feet, as measured from the edge of the right-of-way, or forty-five (45) feet, as measured from the centerline of the right-of-way, whichever is greater.
 - 2) Secondary front: a minimum of twenty (20) feet, as measured from the edge of the right-of-way, or forty-five (45) feet, as measured from the centerline of the right-of-way, whichever is greater.
 - 3) Side: a minimum of ten (10) feet.
 - 4) Rear: a minimum of twenty (20) feet.

Sec. 25-500.6. Standards for required open space within residential cluster developments.

The following standards shall apply to the design and arrangement of required open space within residential cluster developments:

1. A maximum of seventy-five (75) percent of the required open space may consist of steep slopes, defined as having a slope greater than twenty-five (25) percent.
2. Areas of required open space shall measure at least fifty (50) feet in width, as measured at the narrowest dimension.
3. Areas of required open space shall be platted as open space lots distinct from residential lots. Open space lots shall have a minimum lot area of 2,000 square feet. Open space lots are not required to have road frontage; however, open space lots must be accessible either by means of direct road frontage, or by private access easement with a minimum width of fifteen (15) feet.
4. Nothing contained in this division shall be construed to prevent the use or development of any required open space area for one or more of the following:
 - a. Agriculture, horticulture, forestry, and/or timber harvesting.

- b. Parks, playgrounds, trails, preserves, and/or conservation areas.
 - c. Public utilities associated with water, sewer, electrical transmission, and/or communications, provided that all distribution lines are located underground. Land area devoted to above-ground structures associated with such utilities shall not count toward the provision of required open space.
5. All areas of required open space, except those devoted to agriculture, horticulture, forestry and/or timber harvesting as provided for in Sec. 25-500.6(4), shall be permanently reserved for common use by residents of the residential cluster development and/or the public at large.

Sec. 25-500.7. Ownership and management of required open space within residential cluster developments.

Areas of required open space shall be platted as open space lots distinct from residential lots, with such open space lots subject to the following ownership and management requirements:

1. Open space lots may be owned and managed by a single owner, family, entity, or agency, provided that such lots are permanently restricted by deed to prohibit any and all development, except as allowed under Sec. 25-500.6(4); or
2. Open space lots may be owned and managed by a common owner, including a nonprofit association, a non-stock or membership corporation, trust, or foundation, provided that such common owner include all owners of residential property within the residential cluster development. Such arrangement shall conform to the following:
 - a. The developer must establish the common ownership entity prior to the sale of any residential lots within the residential cluster development.
 - b. Membership in the common ownership entity shall be mandatory for all residential property owners, present or future, within the residential cluster development.
 - c. The entity shall manage all required open space and recreational and cultural facilities; shall provide for the maintenance, administration and operation of said land and improvements, and any other land within the residential development; and shall secure liability insurance on the land.
 - d. The entity shall conform to the Condominium Act, sections 55-79.39 through 55-79.103, Code of Virginia, 1950, as amended to date.

Sec. 25-500.8. Required landscaping.

With the exception of single-family residential development, all development within the 220-North Scenic Gateway Overlay District shall comply with the following requirements for landscaping:

1. Parking lots shall be developed with the following perimeter landscaping:
 - a. At least one (1) large deciduous tree for each fifty (50) lineal feet.
 - b. At least one (1) small deciduous tree for each fifty (50) lineal feet.
 - c. At least one (1) medium shrub for each ten (10) lineal feet.
2. Parking lots shall be developed with the following interior landscaping:
 - a. At least one (1) landscape island for each one-hundred (100) lineal feet.
 - b. At least one (1) large deciduous tree for each required landscape island.

Sec. 25-500.9. Signs.

Free-standing signs within the 220-North Scenic Gateway Overlay District shall comply with the following:

1. Free-standing signs shall be monument-style with solid base or pedestal, and shall not exceed eight (8) feet in height as measured from the lowest grade adjacent to the base of the sign.
2. Off-premises signs shall be prohibited.
3. Internally-illuminated signs shall be prohibited.
4. Any development requiring the submittal of a concept plan shall also include a signage plan, showing the location, design, size, height and arrangement of all proposed free-standing signs. The signage plan shall be incorporated into the required concept plan.

Sec. 25-500.10. Required buffering.

A buffer shall be required adjacent to the Route 220 right-of-way, in accordance with the following:

1. No buildings, parking areas, and other physical site improvements shall be located within the required buffer, with the exception of driveway access as approved by VDOT.
2. The required buffer shall extend two hundred fifty (250) feet from the edge of the Route 220 right-of-way, as measured perpendicular to the edge of the Route 220 right-of-way, unless otherwise allowed in this section.
3. Any parcel in existence at the time of adoption of this section containing less than one half (1/2) of an acre of area, or measuring less than five hundred (500) feet in depth as

measured perpendicular to the edge of the Route 220 right-of-way, shall be required to maintain a one hundred (100) foot buffer, as measured perpendicular to the edge of the Route 220 right-of-way.

4. Tree cutting and timber harvesting shall be permitted within the required buffer, in accordance with the following standards:
 - a. Trees measuring less than eighteen (18) inches in diameter at breast height shall not be cut.
 - b. Grubbing and clearing of underbrush shall be allowed, provided that no tree measuring more than six (6) inches in diameter at breast height is cut.

Sec. 25-500.11. Access management.

The following standards for access management shall apply within the 220-North Scenic Gateway Overlay District:

1. All new roads or streets within the 220-North Scenic Gateway Overlay District shall be constructed to VDOT standards for the acceptance of secondary streets into the state maintenance system.
2. All new entrances to public or private streets shall comply with VDOT standards for entrance separation, sight distance, turn radius, and corner clearance.

Sec. 25-500.12. Utilities and screening.

The following standards shall apply to the placement and screening of utilities and mechanical/electrical equipment within the 220-North Scenic Gateway Overlay District:

1. All utilities shall be placed underground on parcels of land that are being developed or redeveloped.
2. Ground and wall-mounted mechanical/electrical service equipment shall be screened from general public view by means of fences, walls, landscape planting, or other screening approved by the zoning administrator.
3. Roof-mounted mechanical/electrical equipment, satellite dishes and any other communications equipment shall be concealed from view of public rights-of-way and neighboring properties from street level. Where reasonable height parapet or screen walls are insufficient to provide screening, all equipment shall be painted in a neutral color to blend with roofing materials.

Public Hearing was Opened.

Dr. Holly Hartman presented the following remarks:

Nearly everyone enjoys businesses with attractive signage and a pleasant appearance. In fact, surveys show that landscaping increases the property value of commercial real estate. Making a good first impression is an important step to attracting both tourists, shoppers and residents. Looking at our own community gateway, we must ask: "How do visitors see the entrance to Franklin County?" The proposed Scenic Gateway Overlay District is intended to make drivers southbound on 220 feel that, quote, "You know you're in a different place".

Franklin Co. needs to avoid repeating City of Salem's costly mistake of their West Main Street business district. There is a several-mile segment bristling with a hodgepodge of car washes, gas stations, fast-food restaurants, and unseemly signage. An unfortunate lack of strategic planning created this unwelcoming entrance into Salem, which has led some to declare the city as "having gone downhill" and not being somewhere they'd go for a pleasant lunch with friends. City planners now are struggling to conceal the problem using "too little too late" tactics, such as mandating one tree per acre, wishfully termed an "urban forest" Overlay District. Far easier instead, to prevent undesirable construction in the first place.

Likewise, we in Franklin County need to protect our own gateway from haphazard development now, rather than trying to undo the damage later. Immediate pause is needed, to give citizens some breathing space to research, discuss, and agree upon steps for transforming Franklin Co. into a more gateway destination. The newly formed citizens' Technical Advisory Committee, in concert with the Board of Supervisors and Planning Commission, is a good start. Failing to designate a Scenic Gateway, however, will leave the door open to unknown random results.

In light of these factors, I urge the Board to vote in favor of the proposed Scenic Gateway.

In addition, I call attention to the fact that a "gateway" usually connotes entrance to a noteworthy place. Both Boones Mill & Rocky Mount could benefit from enhancements which might include

any number of measures, from plantings along the highway, to facade restoration, or even benches, lampposts, and other street furniture. Of course, improvements require time, money, and long-term commitment. But as the saying goes, “if you don’t know where you’re going, then any road will take you there.”

Public Hearing was closed.

David Hurt stated two landowners had contacted him and was in favor of the proposal. The other landowner was a 5 acre site and had concerns regarding to the 250’ setback.

(RESOLUTION #18-12-2009)

NOW THEREFORE BE IT ORDAINED, by the Board of Supervisors to approve the proposed ordinance amendments, as advertised, and that the public purpose is public necessity, convenience, general welfare, or good zoning practice 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.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY, that the County Code by, and is hereby amended for corrected references to the Code of Virginia as follows:

Article IV. Special Provisions

Secs. 25-498-499. Reserved

Division 4. 220-North Scenic Gateway Overlay District

Sec. 25-500. Purpose

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Sec. 25-500.1. Boundaries

The 220-North Scenic Gateway Overlay District includes an area on each side of the Virginia Route 220, extending generally from the Roanoke County/Franklin County line to the northern corporate boundary of the Town of Boones Mill. The official boundaries of the 220-North Scenic Gateway Overlay District are shown on the official zoning map for Franklin County, and are further described as follows:

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centerline of the southbound travel lane of Route 220, as measured perpendicular to the centerline of the southbound travel lane of Route 220; following such course to a point along the Franklin County/Roanoke County line that is one fourth (1/4) of a mile from the centerline of the southbound travel lane of Route 220, as measured perpendicular to the centerline of the southbound travel lane of Route 220; thence east, southeast, south and east along the Franklin County/Roanoke County line to a point along the centerline of the southbound travel lane of Route 220; thence east along the Franklin County/Roanoke County line to the point of origin along the centerline of the northbound travel lane of Route 220.

2. The boundaries of the 220-North Scenic Gateway Overlay District may be amended to extend such boundaries to include any parcel of land, in part or in its entirety, that contains area within or immediately abutting the official boundaries of the 220-North Scenic Gateway Overlay, as described above. Any such amendment of the overlay boundaries shall be consistent with the requirements of this chapter for amendment of the zoning ordinance, and, if approved by the Board of Supervisors, shall be reflected on the official zoning map for Franklin County.

Sec. 25-500.2. Relationship to Underlying Zoning

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Sec. 25-500.3. Change in underlying zoning classification.

Where any change to the underlying zoning classification is requested (also known as a zoning map amendment or rezoning), such request shall be accompanied by a conceptual plan of development conforming to the concept plan requirements of the RPD, Residential Planned Unit Development District.

Sec. 25-500.4. Residential cluster developments

Where the underlying zoning is A-1, R-1, or R-2, the following residential cluster development requirements shall apply:

1. For the purposes of this division, a residential cluster development shall be defined as a development consisting of single-family residential uses, where residential lots and associated infrastructure are concentrated on a portion of the subject land, with the balance of the subject land reserved as permanently undeveloped open space.
2. Any residential development consisting of twenty (20) or more acres and containing four (4) or more residential lots shall be required to develop as a residential cluster development, with a minimum of fifty (50) percent of the development's gross area reserved as permanently undeveloped open space. Residential lots shall be clustered and arranged in accordance with the residential lot standards set forth in this division. Required open space shall be provided and arranged in accordance with the open space standards set forth in this division.
3. Subdivisions that meet the requirements for "family division," as defined by the Franklin County Subdivision Ordinance, are exempt from the requirements of Sec. 25-500.4(2); however, subdivisions that meet the requirements for "family division" may develop as residential cluster developments, provided that they meet the residential lot and open space standards set forth in this division.
4. Any residential development consisting of less than twenty (20) acres and/or less than four (4) lots may develop as a residential cluster development, in accordance with the with the residential lot and open space standards set forth in this division. Such residential cluster developments shall be required to reserve a minimum of fifty (50) percent of the development's gross area as permanently undeveloped open space.
5. The maximum residential density of any residential cluster development shall be determined by the underlying zoning district, as follows:
 - a. Where the underlying zoning is A-1, the maximum allowed density of any residential cluster development shall be 1.2 dwelling units per acre.
 - b. Where the underlying zoning is R-1 or R-2 and where residential lots are served by individual wells and septic drainfields, the maximum allowed density of any residential cluster development shall be 1.2 dwelling units per acre. Where served by public water and/or sewer, the maximum allowed density shall be two (2) units per acre.

6. All new streets or roads serving residential lots within a residential cluster development shall be constructed to VDOT standards for the acceptance of secondary streets into the state maintenance system.

Sec. 25-500.5. Standards for residential lots within residential cluster developments.

The following standards shall apply to the design and arrangement of residential lots within residential cluster developments:

6. Where residential lots within residential cluster developments have frontage on an existing road classified by VDOT as a primary road, the following residential lot standards shall apply:
 - a. The minimum lot size shall be 20,000 square feet.
 - b. The minimum road frontage shall be 150 feet.
7. Where residential lots within residential cluster developments have frontage on an existing road classified by VDOT as a secondary road, the following residential lot standards shall apply:
 - a. The minimum lot size shall be 15,000 square feet.
 - b. The minimum road frontage shall be 125 feet.
8. Where residential lots within residential cluster developments have their frontage solely along new secondary streets or roads, the following residential lot standards shall apply:
 - a. The minimum lot size shall be 10,000 square feet.
 - b. The minimum road frontage shall be 75 feet.
9. Where residential lots within residential cluster developments have frontage on an existing primary or secondary road, the setback requirements of the underlying zoning district shall prevail.
10. Where residential lots within residential cluster developments have their frontage solely along new secondary streets or roads, the following setback requirements shall apply for all structures, including principal buildings, accessory buildings, porches, stoops, and eave overhangs:
 - a. Front: a minimum of twenty (20) feet, as measured from the edge of the right-of-way, or forty-five (45) feet, as measured from the centerline of the right-of-way, whichever is greater.
 - b. Side: a minimum of ten (10) feet.
 - c. Rear: a minimum of twenty (20) feet.
 - d. Corner lots shall be deemed to have a primary front, defined as the lesser of the two road frontages; and a secondary front, defined as the greater of the two road frontages. The property line opposite the primary front shall be considered a rear property line; the property line opposite the secondary front shall be considered a side property line. For corner lots, the following required setbacks shall apply:
 - 1) Primary front: a minimum of twenty (20) feet, as measured from the edge of the right-of-way, or forty-five (45) feet, as measured from the centerline of the right-of-way, whichever is greater.
 - 2) Secondary front: a minimum of twenty (20) feet, as measured from the edge of the right-of-way, or forty-five (45) feet, as measured from the centerline of the right-of-way, whichever is greater.
 - 3) Side: a minimum of ten (10) feet.
 - 4) Rear: a minimum of twenty (20) feet.

Sec. 25-500.6. Standards for required open space within residential cluster developments.

The following standards shall apply to the design and arrangement of required open space within residential cluster developments:

1. A maximum of seventy-five (75) percent of the required open space may consist of steep slopes, defined as having a slope greater than twenty-five (25) percent.
2. Areas of required open space shall measure at least fifty (50) feet in width, as measured at the narrowest dimension.
3. Areas of required open space shall be platted as open space lots distinct from residential lots. Open space lots shall have a minimum lot area of 2,000 square feet. Open space lots are not required to have road frontage; however, open space lots must be accessible either by means of direct road frontage, or by private access easement with a minimum width of fifteen (15) feet.
4. Nothing contained in this division shall be construed to prevent the use or development of any required open space area for one or more of the following:
 - a. Agriculture, horticulture, forestry, and/or timber harvesting.
 - b. Parks, playgrounds, trails, preserves, and/or conservation areas.

- c. Public utilities associated with water, sewer, electrical transmission, and/or communications, provided that all distribution lines are located underground. Land area devoted to above-ground structures associated with such utilities shall not count toward the provision of required open space.
- 5. All areas of required open space, except those devoted to agriculture, horticulture, forestry and/or timber harvesting as provided for in Sec. 25-500.6(4), shall be permanently reserved for common use by residents of the residential cluster development and/or the public at large.

Sec. 25-500.7. Ownership and management of required open space within residential cluster developments.

Areas of required open space shall be platted as open space lots distinct from residential lots, with such open space lots subject to the following ownership and management requirements:

- 1. Open space lots may be owned and managed by a single owner, family, entity, or agency, provided that such lots are permanently restricted by deed to prohibit any and all development, except as allowed under Sec. 25-500.6(4); or
- 2. Open space lots may be owned and managed by a common owner, including a nonprofit association, a non-stock or membership corporation, trust, or foundation, provided that such common owner include all owners of residential property within the residential cluster development. Such arrangement shall conform to the following:
 - a. The developer must establish the common ownership entity prior to the sale of any residential lots within the residential cluster development.
 - b. Membership in the common ownership entity shall be mandatory for all residential property owners, present or future, within the residential cluster development.
 - c. The entity shall manage all required open space and recreational and cultural facilities; shall provide for the maintenance, administration and operation of said land and improvements, and any other land within the residential development; and shall secure liability insurance on the land.
 - d. The entity shall conform to the Condominium Act, sections 55-79.39 through 55-79.103, Code of Virginia, 1950, as amended to date.

Sec. 25-500.8. Required landscaping.

With the exception of single-family residential development, all development within the 220-North Scenic Gateway Overlay District shall comply with the following requirements for landscaping:

- 1. Parking lots shall be developed with the following perimeter landscaping:
 - a. At least one (1) large deciduous tree for each fifty (50) lineal feet.
 - b. At least one (1) small deciduous tree for each fifty (50) lineal feet.
 - c. At least one (1) medium shrub for each ten (10) lineal feet.
- 2. Parking lots shall be developed with the following interior landscaping:
 - a. At least one (1) landscape island for each one-hundred (100) lineal feet.
 - b. At least one (1) large deciduous tree for each required landscape island.

Sec. 25-500.9. Signs.

Free-standing signs within the 220-North Scenic Gateway Overlay District shall comply with the following:

- 1. Free-standing signs shall be monument-style with solid base or pedestal, and shall not exceed eight (8) feet in height as measured from the lowest grade adjacent to the base of the sign.
- 2. Off-premises signs shall be prohibited.
- 3. Internally-illuminated signs shall be prohibited.
- 4. Any development requiring the submittal of a concept plan shall also include a signage plan, showing the location, design, size, height and arrangement of all proposed free-standing signs. The signage plan shall be incorporated into the required concept plan.

Sec. 25-500.10. Required buffering.

A buffer shall be required adjacent to the Route 220 right-of-way, in accordance with the following:

- 1. No buildings, parking areas, and other physical site improvements shall be located within the required buffer, with the exception of driveway access as approved by VDOT.
- 2. The required buffer shall extend two hundred fifty (250) feet from the edge of the Route 220 right-of-way, as measured perpendicular to the edge of the Route 220 right-of-way, unless otherwise allowed in this section.
- 3. Any parcel in existence at the time of adoption of this section containing less than one half (1/2) of an acre of area, or measuring less than five hundred (500) feet in depth as measured perpendicular to the edge of the Route 220 right-of-way, shall be required to

maintain a one hundred (100) foot buffer, as measured perpendicular to the edge of the Route 220 right-of-way.

4. Tree cutting and timber harvesting shall be permitted within the required buffer, in accordance with the following standards:
 - a. Trees measuring more than six (6) inches in diameter but less than eighteen (18) inches in diameter, as measured at breast height, shall not be cut, except as otherwise provided in this section.
 - b. Nothing herein shall prohibit the cutting of trees for the following:
 - 1) installation of permitted roads, driveways, trails, or utilities;
 - 2) tree cutting for domestic firewood use;
 - 3) removal of trees posing an imminent hazard to health or safety of persons or livestock;
 - 4) removal of dead trees;
 - 5) removal of invasive tree species.

Sec. 25-500.11. Access management.

The following standards for access management shall apply within the 220-North Scenic Gateway Overlay District:

1. All new roads or streets within the 220-North Scenic Gateway Overlay District shall be constructed to VDOT standards for the acceptance of secondary streets into the state maintenance system.
2. All new entrances to public or private streets shall comply with VDOT standards for entrance separation, sight distance, turn radius, and corner clearance.

Sec. 25-500.12. Utilities and screening.

The following standards shall apply to the placement and screening of utilities and mechanical/electrical equipment within the 220-North Scenic Gateway Overlay District:

1. All utilities shall be placed underground on parcels of land that are being developed or redeveloped.
2. Ground and wall-mounted mechanical/electrical service equipment shall be screened from general public view by means of fences, walls, landscape planting, or other screening approved by the zoning administrator.
3. Roof-mounted mechanical/electrical equipment, satellite dishes and any other communications equipment shall be concealed from view of public rights-of-way and neighboring properties from street level. Where reasonable height parapet or screen walls are insufficient to provide screening, all equipment shall be painted in a neutral color to blend with roofing materials.

MOTION BY: David Hurt

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

PETITION TO AMEND COUNTY CODE Petition of the Franklin County Board of Supervisors to amend Chapter 25, "Zoning" of the Franklin County Code, to amend the 220-North Mixed Use Overlay District, Article IV, Special Provisions, Division 6. 220-North Mixed Use Overlay District; Section 25-502.12. Access management and Section 25-502.13. Utilities and screening. (Case A-08-09-01)

Neil Holthouser, Director, Planning & Community Development, presented the following proposed code amendments:

Article IV. Special Provisions

Division 6. 220-North Mixed Use Overlay District

Sec. 25-502.12. Access management.

The following standards for access management shall apply within the 220-North Mixed Use Overlay District:

1. All new roads or streets within the 220-North Mixed Use Overlay District shall be constructed to VDOT standards for the acceptance of secondary streets into the state maintenance system.
2. All new entrances to public or private streets shall comply with VDOT standards for entrance separation, sight distance, turn radius, and corner clearance.

Sec. 25-502.13. Utilities and screening.

The following standards shall apply to the placement and screening of utilities and mechanical/electrical equipment within the 220-North Mixed Use Overlay District:

1. All utilities shall be placed underground on parcels of land that are being developed or redeveloped.
2. Ground and wall-mounted mechanical/electrical service equipment shall be screened from general public view by means of fences, walls, landscape planting, or other screening approved by the zoning administrator.
3. Roof-mounted mechanical/electrical equipment, satellite dishes and any other communications equipment shall be concealed from view of public rights-of-way and neighboring properties from street level. Where reasonable height parapet or screen walls are insufficient to provide screening, all equipment shall be painted in a neutral color to blend with roofing materials.

Public Hearing was Opened.

No one spoke for or against the proposed amendments.

Public Hearing was Closed.

(RESOLUTION #19-12-2009)

NOW THEREFORE BE IT ORDAINED, by the Board of Supervisors to approve the proposed ordinance amendment, as advertised, and that the public purpose is public necessity, convenience, general welfare, or good zoning practice 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.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY, that the County Code by, and is hereby amended for corrected references to the Code of Virginia as follows:

Article IV. Special Provisions**Division 6. 220-North Mixed Use Overlay District****Sec. 25-502.12. Access management.**

The following standards for access management shall apply within the 220-North Mixed Use Overlay District:

1. All new roads or streets within the 220-North Mixed Use Overlay District shall be constructed to VDOT standards for the acceptance of secondary streets into the state maintenance system.
2. All new entrances to public or private streets shall comply with VDOT standards for entrance separation, sight distance, turn radius, and corner clearance.

Sec. 25-502.13. Utilities and screening.

The following standards shall apply to the placement and screening of utilities and mechanical/electrical equipment within the 220-North Mixed Use Overlay District:

1. All utilities shall be placed underground on parcels of land that are being developed or redeveloped.
2. Ground and wall-mounted mechanical/electrical service equipment shall be screened from general public view by means of fences, walls, landscape planting, or other screening approved by the zoning administrator.
3. Roof-mounted mechanical/electrical equipment, satellite dishes and any other communications equipment shall be concealed from view of public rights-of-way and neighboring properties from street level. Where reasonable height parapet or screen walls are insufficient to provide screening, all equipment shall be painted in a neutral color to blend with roofing materials.

MOTION BY: David Hurt

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

PETITION TO AMEND COUNTY CODE Petition of the Franklin County Board of Supervisors to amend Chapter 25, "Zoning" of the Franklin County Code, to amend the 220-North Rural Development Overlay District, Article IV, Special Provisions, Division 5. 220-North Rural Development Overlay District; Section 25-501.9. Access management and Section 25-501.10. Utilities and screening. (Case A-09-09-02)

Neil Holthouser, Director of Planning and Community Development presented the following amendments to chapter 25 as follows:

Article IV. Special Provisions

Division 5. 220-North Rural Development Overlay District

Sec. 25-501.9. Access management.

The following standards for access management shall apply within the 220-North Rural Development Overlay District:

1. All new roads or streets within the 220-North Rural Development Overlay District shall be constructed to VDOT standards for the acceptance of secondary streets into the state maintenance system.
2. All new entrances to public or private streets shall comply with VDOT standards for entrance separation, sight distance, turn radius, and corner clearance.

Sec. 25-501.10. Utilities and screening.

The following standards shall apply to the placement and screening of utilities and mechanical/electrical equipment within the 220-North Rural Development Overlay District:

1. All utilities shall be placed underground on parcels of land that are being developed or redeveloped.
2. Ground and wall-mounted mechanical/electrical service equipment shall be screened from general public view by means of fences, walls, landscape planting, or other screening approved by the zoning administrator.
3. Roof-mounted mechanical/electrical equipment, satellite dishes and any other communications equipment shall be concealed from view of public rights-of-way and neighboring properties from street level. Where reasonable height parapet or screen walls are insufficient to provide screening, all equipment shall be painted in a neutral color to blend with roofing materials.

Public Hearing was Opened.

No one spoke for or against the proposed amendments as advertised.

Public Hearing was Closed.

(RESOLUTION #20-12-2009)

NOW THEREFORE BE IT ORDAINED, by the Board of Supervisors to approve the proposed ordinance amendment, as advertised, and that the public purpose is public necessity, convenience, general welfare, or good zoning practice 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.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY, that the County Code be, and is hereby amended for corrected references to the Code of Virginia as follows:

Article IV. Special Provisions

Division 5. 220-North Rural Development Overlay District

Sec. 25-501.9. Access management.

The following standards for access management shall apply within the 220-North Rural Development Overlay District:

1. All new roads or streets within the 220-North Rural Development Overlay District shall be constructed to VDOT standards for the acceptance of secondary streets into the state maintenance system.
2. All new entrances to public or private streets shall comply with VDOT standards for entrance separation, sight distance, turn radius, and corner clearance.

Sec. 25-501.10. Utilities and screening.

The following standards shall apply to the placement and screening of utilities and mechanical/electrical equipment within the 220-North Rural Development Overlay District:

1. All utilities shall be placed underground on parcels of land that are being developed or redeveloped.

- 2. Ground and wall-mounted mechanical/electrical service equipment shall be screened from general public view by means of fences, walls, landscape planting, or other screening approved by the zoning administrator.
- 3. Roof-mounted mechanical/electrical equipment, satellite dishes and any other communications equipment shall be concealed from view of public rights-of-way and neighboring properties from street level. Where reasonable height parapet or screen walls are insufficient to provide screening, all equipment shall be painted in a neutral color to blend with roofing materials.

MOTION BY: David Hurt

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

Chairman Wagner recessed the meeting until Monday, January 4, 2010 @ 4:00 P.M.

CHARLES WAGNER
CHAIRMAN

RICHARD E. HUFF, II
COUNTY ADMINISTRATOR