

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD A VDOT 6-YEAR SECONDARY WORK SESSION ON TUESDAY, JUNE 22, 2010, AT 6:00 P.M., IN THE TRAINING ROOM LOCATED, ROOM B75, IN THE GOVERNMENT CENTER, 1255 FRANKLIN STREET, ROCKY MOUNT, VIRGINIA.

THERE WERE PRESENT: Charles Wagner, Chairman
Wayne Angell, Vice-Chairman
Leland Mitchell
Ronnie Thompson
David Cundiff
Russ Johnson
Bobby Thompson

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

Chairman Charles Wagner called the meeting to order.

LAND DEVELOPMENT ORDINANCES UPDATE, SCHEDULE FOR COMMUNITY WORK SHOPS

Neil Holthouser, Director of Community Development, presented the Board with the following update regarding the Land Development Ordinances Project with a schedule for Community Work Shops:



Help us build a better community!

You are invited to share your thoughts on ways to improve Franklin County's Land Development Ordinances.



Franklin County, Virginia, is currently updating its code requirements related to land use and development – commonly known as the Zoning and Subdivision ordinances. These ordinances help to guide growth and development by governing how land is used, arranged, and built upon. The ordinances play a vital role in protecting property rights by mitigating the potential impacts of development, and by establishing clear expectations for investment decisions.

We want to know what you think about:

- how fast Franklin County should grow?
- where development should be focused?
- what areas should be protected?
- what type of development is desired?
- what potential problems growth presents?
- what are the best tools for managing growth?

Please plan to attend a Community Workshop at one of the following convenient locations:

Date	Time	Location	Address
Thursday, July 8, 2010	6:00 – 8:00 pm	Burnt Chimney Elementary	80 Burnt Chimney Road
Thursday, July 15, 2010	6:00 – 8:00 pm	Glade Hill Elementary	8081 Franklin Turnpike (Rt. 40 East)
Thursday, July 22, 2010	6:00 – 8:00 pm	Ferrum Elementary	660 Ferrum School Road
Thursday, July 22, 2010	6:00 – 8:00 pm	Snow Creek Elementary	5393 Snow Creek Road
Monday, July 26, 2010	6:00 – 8:00 pm	Windy Gap Elementary	465 Truman Hill Road
Monday, July 26, 2010	6:00 – 8:00 pm	Callaway Elementary	8451 Callaway Road
Tuesday, July 27, 2010	6:00 – 8:00 pm	Franklin County Gov't. Center	1255 Franklin Street, Rocky Mount

Learn more at: www.franklincountyplanning.org

Which Workshop should you plan to attend?

You're welcome to come to as many as you like. We'll plan to discuss issues of community-wide interest at each Community Workshop. However, we'll also discuss matters of more local concern in each region of the County. We want to know what you think about how your area should grow or change over time.

Use the map at left to identify Workshop locations where similar themes will be explored. Learning what you think about your neck of the woods will help us tailor County ordinances to meet your specific needs.



Enjoy a day at the Beach, right here at Home!

Attendees will receive a FREE pass to the new Smith Mountain Lake Community Park

Department of Planning & Community Development
1255 Franklin St., Suite 103 • Rocky Mount, VA 24151
Phone: 540-483-3027 • Fax: 540-483-3041

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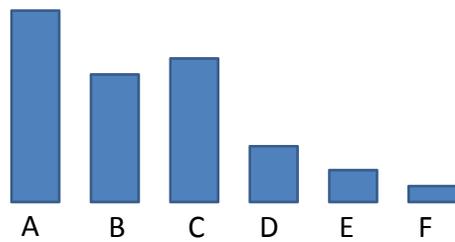


Question

1. Which of the following best describes your primary reason for choosing your current home?

Response

- A. Close to family
- B. Price
- C. Amount of land
- D. Scenic views
- E. Convenient location
- F. None of the above



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Question

2. Which of the following best describes your current residential setting?

Response

- A. Wooded / secluded
- B. Rural / agricultural
- C. Neighborhood / subdivision
- D. Lake community
- E. Town
- F. None of the above

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Question

3. When you think of the area around your home, which of the following best describes what you see?

Response

- A. Woods
- B. Farmland
- C. Housing
- D. Water
- E. Business
- F. None of the above

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Question

4. When you think of the area around your home, which of the following best describes how you feel about your surroundings?

Response

- A. Very attractive
- B. Somewhat attractive
- C. Needs improvement
- D. Not attractive

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Question

5. If you were planning to relocate to another home, which of the following best describes the residential setting you would prefer?

Response

- A. Wooded / secluded
- B. Rural / agricultural
- C. Neighborhood / subdivision
- D. Lake community
- E. Town
- F. None of the above

APPROPRIATIONS

Vincent Copenhaver, Director of Finance, presented the following list of appropriations for the Board's consideration and review:

<u>DEPARTMENT</u>	<u>PURPOSE</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Parks and Recreation	Additional Golf Foundation	30- 0153	2,235.00
	Donations Received		
Utilities	Western Virginia Water Authority	50- 0176	515,494.00
	Payment towards Rt 616 Scruggs		
	Water Line Construction		
	Total		\$517,729.00

Transfers Between Departments

General Properties 650,810.75
 Parks and Recreation (650,810.75)
 To transfer capital funds budgeted for the Whitewater Park to General Properties for Courthouse
 Security

(RESOLUTION #24-06-2010)

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

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

VIRGINIA RETIREMENT SYSTEM

Vincent Copenhaver, Director of Finance, shared with the Board the following information regarding the Virginia Retirement System:

If one leaves covered employment before that employee is eligible to retire (whether vested or not) then there are two choices available:

- 1) Take a refund of your retirement contributions and interest in your member contribution account. This cancels your VRS membership and eligibility for any future benefits. It does not matter if the member contributions were made by the employee or the employer.

- 2) Leave your retirement contributions and interest with VRS and become a deferred member. If you are vested (one is vested after five years), you may be eligible for a retirement benefit when you meet age requirements. If not vested, then you are not eligible for a future retirement benefit.

Can the Board of Supervisors pass a resolution requiring that the member only contribution be returned to the County or not be refunded to the employee? Answer: No, this is not permitted at this time.

As you consider the proposal that was made this past Tuesday, please also note that the Franklin County School Board and the Town of Rocky Mount have both voted to continue paying the 5% member contribution for those employees hired after July 1, 2010.

Mr. Copenhaver stated staff has discovered HB 892 does not allow an employee that is not vested (*less than 5 years* of service) to draw down funds the County has paid towards their retirement should the individual terminate their employment.

Mr. Copenhaver presented the following resolution for the Board’s review and consideration:

The Virginia General Assembly, in its 2010 session passed legislation creating a separate retirement plan for employees hired on or after July 1, 2010 (hereafter referred to as “Plan 2” employees). The legislation amended VA Code § 51.1-144 to provide that Plan 2 employees will pay their 5 percent member contribution and that, absent other action by the employer, such contribution will be paid through salary reduction according to Internal Revenue Code § 414 (h). Internal Revenue Code § 414 (h) provides that a governmental employer may “pick-up” mandatory employee contributions and thereby cause the contributions to be made on a pre-tax basis. The formal written action required by Internal Revenue Code § 414 (h) to effect the pick-up has been taken by the General Assembly with the Governor’s signature.

The legislation also permits each county, city, town, local public school board or other local employer to pick-up, in whole or in part (in 1 percent increments), the 5 percent member contribution as an additional benefit not paid as salary. The employer’s optional payment of the 5 percent member contribution may be phased in over a period approved by the VRS Board not to exceed 6 years and may only be made on a uniform basis for all its Plan 2 employees. The formal written action required by Internal Revenue Code § 414 (h) to effect the pick-up using the alternatives permitted by the legislation must be taken by the governing body of the specific employing entity and must be effective only on a prospective basis.

Please indicate, by selecting one option below, how member contributions will be paid:

- This is to acknowledge that _____ (Employer Name) will have the employees pay the 5 percent member contribution according to the terms of the legislation. This action does not require action by your governing body. _____(Authorized Signature)_____ (Date)
- This is to acknowledge that Franklin County elects to pick-up some or all of the 5 percent member contributions as detailed in the following duly approved resolution.

RESOLUTION

Authorization to Pick-up the Employee’s Contribution to VRS Under § 414(h) of the Internal Revenue Code For Plan 2 Employees

WHEREAS, the Virginia General Assembly, in its 2010 session passed legislation creating a separate retirement plan for employees hired on or after July 1, 2010 (hereafter referred to as “Plan 2 Employees”). The legislation stipulates that Plan 2 Employees will pay their 5 percent member contribution and that, absent other action by the employer, such contribution will be paid through salary reduction according to Internal Revenue Code § 414 (h) on a pre-tax basis; and

WHEREAS, the legislation allows certain employers, including Franklin County to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary; and

WHEREAS, the election to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary shall, once made, remain in effect for the applicable fiscal year (July 1 - June 30) and shall continue in effect beyond the end of such fiscal year absent a subsequent resolution changing the way the 5 percent member contribution is paid; and

WHEREAS, employee contributions that are picked-up as an additional benefit not paid as salary are not considered wages for purposes of VA Code § 51.1-700 et seq. nor shall they be considered salary for purposes of VA Code § 51.1-100 et seq.; and

WHEREAS, Franklin County desires to pick-up and pay its Plan 2 Employees' member contributions to VRS as an additional benefit not paid as salary in an amount equal to 5% of creditable compensation; and

WHEREAS, VRS tracks such picked-up member contributions and is prepared to treat such contributions as employee contributions for all purposes of VRS.

NOW, THEREFORE, IT IS HEREBY RESOLVED that effective the first day of July, 2010, Franklin County shall pick-up member contributions of its Plan 2 Employees to VRS as an additional benefit not paid as salary in an amount equal to 5% of creditable compensation subject to the terms and conditions described above; and it is further

RESOLVED that such contributions, although designated as member contributions, are to be made by Franklin County in lieu of member contributions; and it is further

RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the picked-up contributions made by Franklin County directly instead of having them paid to VRS.

Sharon K. Tudor, MMC
Clerk
Franklin County Board of Supervisors

(RESOLUTION #25-06-2010)

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

MOTION BY: David Cundiff

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

NAYS: Angell

THE MOTION PASSED WITH A 6-1 VOTE.

VDOT 6-YEAR SECONDARY ROAD PLAN WORK SESSION

Tony Handy, VDOT, Resident Administrator, stated the existing Secondary Six Year Plan priorities are in place, however, the Board needs to determine how to spend the approximately \$1.5 million in previously allocated funds available to Franklin County. At the May 18, 2010 Board Meeting, the Board of Supervisors indicated to Tony Handy and staff that its' desire is to use the previously allocated funds to pave one road in each of the County's Magisterial Districts.

Based upon the funding available, Mr. Handy suggested that the projects submitted be in the ballpark cost estimate of \$200,000 each. Does it remain the desire of the Board to use the previously allocated funds for the paving of unpaved roads? If so, the Board will need to prioritize the list of unpaved road funds, as this will determine which unpaved road projects will be completed next year and in the following years. Depending on the prioritized list, two to three roads may be completed next year, with one each year after.

Staff and VDOT have no reason to believe that funding for any projects adopted as part of the Secondary Six Year Plan, neither the existing six year plan items nor the projects to be funding with previously allocated fund, will be pulled from the Plan due to recent state budget concerns.

The two main consideration for the Board when choosing a road to fund through unpaved road funds are 1) Right of way- *Will the residents along said road be willing to do what they need to do to have the road paved, is the right of way available,* and 2) Cost- *Is the Board able to afford the project?*

While right of way and cost are the two major issues the Board needs to be concerned with, there are several other items for the Board to consider:

- The road must have an Average Daily Traffic (ADT) count of at least 50 vehicles.
- There must be a consensus from the residents that they want the road paved.
- Typically, right of way will need to be acquired. Is it available if needed?
- What is the Board willing to allocate to a given project? If the cost of paving the entire road is an issue, does the Board want to consider paving only a part of the road to stay within budget?
- If a project is removed from the Six Year Plan, any monies spent on that project (ie.-surveying, drainage) are lost, and thus cannot be transferred to a new project.
- Will the paving of the road increase cut-through traffic? If so, this may affect the design and cost of the project.

Based upon the conversations that staff and VDOT have had with Board members over the past weeks, staff has generated this tentative list of unpaved roads by Magisterial District for the Board's consideration:

Blackwater- *Webster Corner Road-* From the intersection of Dillons Mill Road +/- 1 mile to 1.5 miles

Blue Ridge- *Ferrum School Road*

Boone District- *Leaning Oak Road-* .3 mile currently not paved

Gills Creek- *Inglewood Road-* From the Chestnut Grove Baptist Church +/- 1 mile

Snow Creek- *Fralins Road-* From the intersection of Chestnut Mountain Road +/- ½ - to 1 mile.

Rocky Mount- *Blue Bend Road-* From the end of the existing pavement to the at the bottom of mountain - +/- 1 mile

Union Hall- *Greenhouse Road-* From the intersection of Golden View Road +/- 1 mile, a cost not to exceed \$300,000, with no funds utilized to purchase right-of-ways or easements.

Staff submitted the following proposed Six-Year Plan Projects and Cost estimates:

Route Number	Route Name	Project Description	From	To	Length (Mi.)	* Estimate	District	** FY
931	Fralins Road	Rural Rustic - Surface Treat Unpaved Road	Route 715	ESM	1	\$216,000	SC	2011
709	Blue Bend Road	Rural Rustic - Surface Treat Unpaved Road	1.0 Mile West of Route 919	Route 812	1	\$270,000	RM	2011
728	Leaning Oak Road	Rural Rustic - Surface Treat Unpaved Road	0.5 Mile South of Route 739	1.4 Mi. South of Route 739	0.9	\$290,000	Boone	2011
839	Greenhouse Road	Rural Rustic - Surface Treat Unpaved Road	Route 671	ESM	0.9	\$450,000	GH	2012
672	Inglewood Road	Rural Rustic - Surface Treat Unpaved Road	Route 670	ESM	1	\$280,000	GC	2013
744	Webster Corner Road	Rural Rustic - Surface Treat Unpaved Road	Route 643	0.75 Mi. North	0.75	\$370,000	BW	2015

				of Route 643				
748	Ferrum School Road	Rural Rustic - Surface Treat Unpaved Road	Route 40	Route 40	0.65	\$230,000	BR	2015

* Estimates are for planning purposes only and need to be refined during the scoping process.

**We recommend the BOS consider requesting the following advertisement dates for projects. We have taken into consideration available funding and time needed to get projects ready for advertisement.

(RESOLUTION #26-06-2010)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to advertise the VDOT 6-Year Secondary Road Plan Public Hearing with the inclusion of the aforementioned seven roads during the July 20, 2010 meeting.

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

CLEMENTS MILL BRIDGE PUBLIC MEETING

Tony Handy, VDOT, Resident Administrator, advised the Board there will be a public informational meeting with regards to the Clements Mill Bridge project on July 14, 2010 at the Boones Hill Elementary School.

TLAC BOARD APPOINTMENT

(RESOLUTION #27-06-2010)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint Russ Johnson to fill the unexpired term of David Cundiff on the TLAC Board with said term to expire 1/31/2011.

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

CLOSED MEETING

(RESOLUTION #28-06-2010)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to go into a closed meeting in accordance with 2.2-3711, a-5, Discussion of a Prospective New Business or Industry, or of Expansion of an Existing One, of the Code of Virginia, as amended.

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

MOTION: Russ Johnson **RESOLUTION: #29-06-2010**
 SECOND: David Cundiff **MEETING DATE June 22, 2010**

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

ABSENT DURING MEETING: NONE

Chairman Wagner adjourned the meeting.

CHARLES WAGNER
CHAIRMAN

RICHARD E. HUFF, II
COUNTY ADMINISTRATOR