

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, APRIL 19, 2011, AT 1:30 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM LOCATED IN THE GOVERNMENT CENTER, 1255 FRANKLIN STREET, SUITE 104, ROCKY MOUNT, VIRGINIA.

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

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

Charles Wagner, Chairman, called the meeting to order and recessed thereafter until 3:30 p.m.

Invocation was given by Supervisor Bobby Thompson.

Pledge of Allegiance was led by Supervisor Russ Johnson.

PUBLIC COMMENT:



CONSENT AGENDA

APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR – MARCH 15, 22 & 29, 2011

APPROPRIATIONS

AUTHORIZATION TO REVISE BUDGETARY APPROPRIATIONS

<u>DEPARTMENT</u>	<u>PURPOSE</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
E911	Additional Wireless Board Funds	3504- 3005	\$8,327
Utility	Western Virginia Water Reimbursement on 220 Water Line	50- 0104	\$125,547
Sheriff	Wal-Mart Grant for DARE Day	3102- 5423	\$3,000
Clerk of Court	Additional Part-Time Funds	2106- 1003	\$280
Public Safety	Dept of Health: Course Reimbursement	3505- 5540	\$2,142
Landfill	Carryover of Landfill Fee Credits For Uptown Renovation Project	4207- 3002	\$45,000
Public Safety	RSAF Grant	3505- 7001	\$29,700
General Properties	Sale of Light Fixtures	30- 0174	\$100
Sheriff	DCJS Overtime Grant	3102- 1002	\$593
Animal Control	Animal Friendly License Plate Revenue from the State	3501- 5600	\$1,007
	Total		\$215,697

Transfers Between Funds, Departments, Capital

Accounts

Public Safety	Non-Jurisdictional Capital	30- 0060	(43,900.00)
Public Safety	Staff Response Vehicles	30- 0145	31,900.00
Public Safety	Fire/EMS Equipment	30- 0039	12,000.00
General Properties	Government Center	30- 0174	(610,258.33)
General Properties	Courthouse Security Project	30- 0055	610,258.33
General Properties	Developmental Center Parking Lot	30- 0066	(114,461.54)
General Properties	Central Storage Facility	30- 0192	114,461.54
Parks and Recreation	Trails Account	30- 0063	(2,668.75)
Parks and Recreation	Smith Farm Project	30- 0181	2,668.75
Landfill	Engineering	30- 0001	(35,315.98)
Landfill	Landfill Gas Control Account	30- 0049	35,315.98

To move funds between accounts to budget for current year projects

SOUTHWEST VIRGINIA ANTIQUE FARM DAYS/JUNE 17 – 19, 2011

WHEREAS, the Southwest Virginia Antique Farm Days will be held in Franklin County from June 17, 2011 through June 19, 2011; and

WHEREAS, the Southwest Virginia Antique Farm Days has grown into one of Franklin County's largest tourism events bringing visitors from all over the region to the community and creating substantial revenue for local businesses; and

WHEREAS, the show brings enjoyment and recreational opportunity to thousands of Franklin County residents annually; and

WHEREAS, the show is made possible only because of the hard work and dedication of the citizens of Franklin County who volunteer their time to host this wonderful event, specifically those associated with the Southwest Virginia Antique & Power Festival, Inc.; and

WHEREAS, the 2010 show welcomed well over 5,000 visitors and exhibitors to Franklin County; and

WHEREAS, the show celebrated the agricultural heritage of the region and the role that mechanization played in Franklin County's growth and prosperity in the 1900's; and

NOW BE IT THEREFORE RESOLVED, the Franklin County Board of Supervisors hereby expresses and acknowledges its sincere appreciation for the contributions that the Southwest Virginia Antique & Power Festival, Inc. and others have made to the economy of Franklin County and to the enjoyment and education of thousands of residents and visitors alike through the 2011 Southwest Virginia Antique Farm Days. The Board of Supervisors declares June 17, 18 and 19 to be Antique Farm Days in Franklin County.

2011 ROBERT KING SPECIAL ENTERTAINMENT PERMIT/MAY 27 & 28, 2011

Robert King is requesting Board approval for their Special Entertainment Permit set for May 27 & 28, 2011. In the past, the Board has granted approval for the completed permit and setting a property bond in the amount of \$10,000.00 to be posted with the County Administrator (10) days prior to the day the festival is to begin per County Code Section 3-80.

With all of the required County departments signing off on the proposed Special Entertainment Permit, the application is in order and Mr. King has executed the required property bond in the amount of \$10,000 (as in the past years set by the Board) per County Code Section 3-80. Mr. King has remitted the filing fee of \$100.00 per County Code Section 3-83.

RECOMMENDATION:

Staff requests Board approval on the proposed Special Entertainment Permit for Robert A. King for May 27 & 28, 2011.

LIGHTS FOR LIFE BID AWARD

Last summer, A fatal accident took the lives of the Rocky Mount Fire Chief and a Firefighter. The Rocky Mount Volunteer Fire Department was responding to a confirmed structure fire and attempted to go through an intersection when the fire truck was struck by a vehicle which

proceeded through the intersection. The fire truck was not equipped with an emergency preemption detection transmitter. Coverage of Franklin County’s approximate 700 square miles can be a challenge for responding law enforcement and public safety staff. First responder emergency vehicles travel the roads of Franklin County on a daily basis through numerous intersections. While some of the newer fleet vehicles currently have emergency preemption detection transmitters installed, the majority of the County’s first responder vehicles (approximately 77 vehicles) are not equipped with transmitters.

Following this summer’s tragic accident, the community led campaign “Lights for Life” was launched whereby businesses and individuals donated funds in support of upgrading traffic signals and emergency vehicles with preemption detection equipment. The project was established to cover the costly expense of upgrading numerous traffic signals and the associated equipment for Town and County emergency vehicles. This community effort has raised approximately \$270,000 to date. While a sizeable portion of County traffic signals are already equipped with the emergency preemption detection systems, VDOT recently upgraded the remaining six traffic signals located in the County utilizing VDOT operational funding of approximately \$96,000.

Working with locally based Stone Engineering, a set of plans and specifications were developed for the installation of the emergency preemption detection transmitters within 77 County vehicles. The vehicles will be brought into compliance with current and future law enforcement – public safety vehicle specifications which will ensure compatibility with traffic signals, thereby increasing both responder and citizen safety during emergency responses.

In February, the County publically advertised the project for bids. Original estimate for the equipping and the installation of the emergency preemption detection transmitters was approximately \$1500 per vehicle or \$115,500 (total). Bid documents were properly issued on February 6, 2011 and a mandatory pre-bid was held on February 22, 2011. Bids were received on March 8, 2011 until 3:00 p.m. whereby they were opened publicly, and read aloud in the Conference Room (B-75) located at the County Government Center located at 1255 Franklin Street, Rocky Mount, Virginia. The following is the bid opening tabulation as provided and reviewed by Stone Engineering.

Bid Opening Tabulation

Valley Communications	\$109,070	Apparent Low Bidder
GCS	\$111,965 *	
Federal Signal	unknown	Arrived at 3:15 p.m., unopened & returned

* Bid Price adjusted to equal sum of bid quantities and provided unit prices.

Attached with this executive summary is Stone Engineering’s recommendation to award the bid for the Lights for Life emitter installation to Valley Communications. Valley Communications contract price will be approximately \$47,820 after the County provides 70 internal emitters under the state contract price of \$875/emitter or \$61,250. Staff has further reviewed the bid documents with the County Finance Department and County Attorney.

The total \$109,070 project will be funded through the Lights for Life campaign proceeds.

RECOMMENDATION: Staff respectfully requests the Franklin County Board of Supervisors authorize the County Administrator, staff, and associated project engineers (Stone Engineering) to award the low bid and enter into a contract with Valley Communications in the total amount not to exceed \$47,820 for the purchase and installation of vehicle electronic preemption detection transmitters. Other project expenses include the purchase of 70 internal emitters to be purchased by the County on state contract price (\$875/emitter) or \$61,250. Total project expenses of \$109,070 will be reimbursed and funded through the Lights for Life campaign capital account #3000-023-0194-7001.

PARKS & RECREATION POLIYC MANUAL ADOPTION

The current policy of the Franklin County Parks and Recreation Department defines acts of misconduct and the sanctions that may be imposed upon someone for such actions. During a youth athletic event in 2010, a fight occurred that brought up questions regarding some of the details of this policy. Staff reviewed the policy and a similarly designed policy for athletics within the Franklin County School System. After this review, some changes are being proposed to better handle similar situations. Additionally, staff noticed that the current policy bars firearms

from being carried on park property and at park events. It was felt that this would be an appropriate time to review this policy as it correlates to recent court rulings.

To make any policy change that is listed within the Parks and Recreation Policy Manual, the Board of Supervisors must give its approval. The current policy has been deemed by staff to be lacking in two important areas. First, the policy does not provide for clear minimum penalties for the important issue of fighting. Staff has recommended a minimum six game/three month suspension for fighting. Second, the policy does not clarify that claims of self-defense do not constitute a defense in a fighting case. Staff recommends altering the policy to do so, which brings the County policy in line with Franklin County Public School policy. Additional text changes were recommended to support these positions.

Finally, the policy as it currently stands bans the lawful carrying of weapons at recreation events and on recreation property. Because this stance has been struck down in the courts, the policy is recommended to be changed to ban only unlawful carrying or use of weapons.

A "redline" copy of the proposed policy changes is attached.

Chapter IX. Franklin County Parks and Recreation Operational Guidelines for Conduct and Sportsmanship

Section 9.01 General Statement

Franklin County maintains a vigilant position against any and all unsportsmanlike behavior, and all volunteers and officials in the Recreation programs, sponsored or co-sponsored, must have clean records with regards to sexual crimes and crimes against children. Sportsmanlike and positive behavior is expected at all programs, events and on all facilities controlled or used by the County of Franklin's Parks and Recreation Department. Negative behavior such as physical misconduct, derogatory language, or negative cheering will be addressed by Department personnel in a fashion to insure that it is not repeated and shall include, if necessary, law enforcement action. Parks and Recreation staff has the authority to implement disciplinary actions as warranted, including the right to halt and/or delay a program or event, request law enforcement support, as well as ejecting, suspending, or banning individuals where persons are not acting in a civil manner reflective of a positive sports environment or have documented examples of conviction(s) of sex or child abuse, contributing to the delinquency of a minor, and/ or felony conviction of a serious nature, including the following as contained in Title 18.2 of the Code of Virginia as may be amended or equivalent offenses in another state:

1. Crimes Against The Person
 - a. murder or manslaughter
 - b. malicious wounding by mob
 - c. abduction
 - d. felony assault and bodily wounding or misdemeanor assault charges
 - e. robbery
 - f. carjacking
 - g. extortion and other threats
 - h. sexual assault
 - i. felony stalking
 - j. any other felonies against the person as defined by the Code of Virginia
 - k. convictions of any attempts or conspiracies to commit any of the aforesaid crimes

2. Crimes Against Property
 - a. felony arson
 - b. burglary
 - c. convictions of any attempts or conspiracies to commit any of the aforesaid crimes

3. Crimes Involving Health and Safety
 - a. felony violation relating to the possession or distribution of drugs within ten (10) years
 - b. drive-by shooting
 - c. use of a machine gun in a crime of violence
 - d. aggressive use of a machine gun

- e. use of a sawed off shotgun in crime of violence
- f. felonious discharge of firearms within or at occupied dwellings

4. Crimes Involving Morals and Decency

- a. failing to secure medical attention for injured child
- b. pandering
- c. crimes against nature involving children
- d. taking indecent liberties with children
- e. abuse and neglect of children
- f. obscenity offenses
- g. possession of child pornography or electronic facilitation of pornography
- h. incest
- i. abuse and neglect of incapacitated adults
- j. employing or permitting a minor to assist in an act constituting an obscenity offense
- k. convictions of any attempts or conspiracies to commit any of the aforesaid crimes

5. Crimes Against Minors

Any conviction for a crime against a person or property of a minor, felony or misdemeanor, inclusive of the crimes set forth above.

Section 9.02 Disciplinary Actions

The following disciplinary actions address the behavior from spectators, players, and officials in or around the specific program or facility. All disciplinary actions shall rollover into subsequent seasons and/or programs.

- A. **Ejection** – An ejection is the immediate removal of an individual by staff (full and/or part-time personnel) from a Franklin County sponsored or co-sponsored event/facility, due to misconduct. The individual is required to leave the immediate programmed facility for the remainder of the days/evenings activities. “Facility” shall include all areas immediately surrounding the area where the specified program is underway, which shall be defined as the total leased area if private property and leased by the County, or the total area controlled by the County for the purpose of the event as with school property. Once removed, the individual may not have any further involvement with the program for that day.
- B. **Suspension**- A suspension is a prohibition of a player, coach or official from participation for an allotted amount of time in any Franklin County sponsored or co-sponsored activity for the time prescribed. Per the discretion of the Parks and Recreation Department, those suspended may come to an event only in a spectator capacity and not have any specific interaction with the program. A suspension does not have to be preceded by an ejection. Individuals who merit more than a 2 game suspension shall be notified via the Franklin County Sheriff’s Department. Individuals who merit a 2 game or less suspension shall be notified via certified mail.
- C. **Ban**- A ban is a prohibition of a player, coach, official, parent or spectator from participation and attendance for an extended amount of time from any Franklin County sponsored or co-sponsored activity. A ban is normally given in extreme cases of misconduct and/or a documented record of criminal convictions (including plea bargaining) of a crime involving a minor; or other felony convictions of a serious nature that are crimes set forth in Section I of this document. A ban can be 2 games to 5 years or longer in duration, and shall be at the discretion of the County. Reentry into an activity, after a ban shall require a personal interview with and approved by the Director of Parks and Recreation or his/her agent, prior to resumption of the activity.
- D. **Appeals Process**- An appeal of disciplinary action will be accepted in situations that warrant more than a 2-game suspension. The appeal must be delivered in written form to the Parks and Recreation offices, addressed to the Parks and Recreation Director or his/her designee. The player/s, coach/s, spectator/s, or others that request the appeal will remain in the suspended state until the Parks and Recreation Director acts on the appeal. The Director’s decision on the appeal is final and the requesting party can make no other appeal. All appeals must be received within 5 business days of the initial decision

regarding suspensions or bans. Penalties that cannot be appealed would include any conviction of crimes against children, felony or misdemeanor convictions which are set forth in Section 9.01 of this document, falsification/fraud of criminal record documentation, and illegal firearm/weapon possession.

- E. Probationary & Banishment Periods-** A probationary period is an amount of time that one is evaluated by the Parks and Recreation Department to determine whether any further misconduct occurs by a given individual, with the result of additional infractions being a “second offense”, warranting a ban from Franklin County activities as defined. Both the probationary and banishment periods will be a minimum of one year from the point of any suspension/infraction to the ending date of the sponsored or co-sponsored program/event in question for the following season. The Department shall reserve the right to extend any suspensions or banishment periods based upon discovered behaviors during or prior to the suspension or banishment periods, regardless of whether the offense is a first or subsequent infraction.

Section 9.03 Misconduct Consequences

Misconduct by players, coaches, spectators, or officials will not be tolerated in any form. Misconduct can be defined as, but not limited to improper gesturing; aggressive and negative verbal chanting, negative cheering or shouting; any form of aggressive and unnecessary physical contact; the use of alcohol, smoke or smokeless tobacco and illegal substances at recreation events. Founded misconduct will result in the following actions and/or penalties:

1. **Non Physical Misconduct:**
The use of obscene/negative gestures or verbal abuse not limited to threats, obscene language, harassment, and aggressive/derogatory behavior towards an official, coach, player, spectator or supervisory personnel will constitute an automatic two-game suspension for the first offense. The offending party will be on probation for a period of one year. Any subsequent misconduct could result in dismissal from the league and up to a five-year ban, depending on the severity of the misconduct.
2. **Physical Misconduct:**
Anyone using aggressive or improper misconduct such as striking, pushing or touching in an aggressive manner, whether causing injury or not, will be subject to disciplinary action. Anyone fighting before, during or after a sponsored or co-sponsored event/game will be suspended from all County programs for a minimum of six games or three months, whichever is longer. A suspension will include the following season that the participant is involved in if it is not served before the end of the current season. In the event of injury, up to a five-year ban will be recommended. The game officials and supervisory personnel’s report will determine the length and severity of the penalty. All pertinent laws and regulations of both the State and County shall take precedent in these matters. Voluntary fighting resulting in physical injury to another person shall be considered assault and battery. Anyone assisting or encouraging others to fight may be considered equally as guilty and will be punished accordingly. Claims of self-defense do not constitute a valid defense for physically assaulting another person.
3. **Illegal Substances, Alcohol, and Tobacco Products:**
If anyone is found to have either in his/her possession or have used illegal substances or alcohol in the context of a Franklin County recreational sponsored or co-sponsored event, program, or facility, that individual shall be banned for a minimum of a period of one year for the first offense, as defined in Section 9.02, or extended periods dependent upon disciplinary actions taken by the legal authorities.

To enhance a positive, healthy environment for our children and to reduce their exposure to second-hand smoke, the use of tobacco products shall be prohibited in and around the immediate area of any youth related program or events. This shall include playing areas, dugouts, along fence-lines or sidelines,

spectator areas, inside gymnasiums, and program areas. Smoking is allowable in outdoor parking areas unless children's programs have been scheduled in that location.

4. Firearms:
Carrying of firearms and/or concealed weapons may only occur as allowed by federal, state, and local laws as they relate to any County sponsored or cosponsored activity/facility. Unlawful possession and/or use of such weapons will result in a minimum ban of one (1) year, exclusive of other prosecution as may be required.
5. School Related Misconduct:
If a child has disciplinary action taken against him/her at his/her respective school, then the term of that penalty shall be enforced as well with the Parks and Recreation Department. If one receives in or out of school suspension, that individual shall be prohibited from participating in any sponsored or co-sponsored program for the same time period. Likewise, if any adult or child has disciplinary action taken against him/her by either a Franklin County or neighboring school or governmental system (public or private), that penalty shall carryover into Parks and Recreation activities.
6. Criminal Background:
If it is determined that an individual has a criminal history to include but not be limited to crimes against children, sexual harassment, spousal abuse, or any other felony and/or misdemeanor convictions as defined in Section 9.01 above (whether or not plea bargained), the Director of the Parks and Recreation Department, can at his/her discretion, ban such individual from volunteering or working in the Parks and Recreation sponsored or cosponsored programs. The person can be banned from the programs for a period of 3 to 5 years or longer at the discretion of the County.

All other convictions or pending charges (excluding crimes against minors) revealed through a background check shall be considered on a case by case basis to determine whether or not the past conduct of the volunteer is compatible with working with juveniles. The Department Director, in consultation with the County Attorney, shall determine whether such information disqualifies the individual from working or volunteering in Parks and Recreation sponsored or co-sponsored programs.

Among factors that may be considered in deciding whether an individual should be permitted to volunteer, consideration may be given to the nature and character of the past conduct; how the past conduct relates to the particular functions of the volunteer's job; the length of time since the offending conduct; rehabilitation of the individual, if applicable; the volunteer's performance record; and how such conduct affects the integrity of the program. The volunteer shall be given the opportunity to provide evidence of any mitigating circumstances prior to a decision being made concerning the volunteer's qualifications for service. Any pending charges, felony or misdemeanor, against minors, shall render the individual ineligible unless or until such charges are subsequently dismissed or the individual is found not guilty. Failure to provide accurate information on the application when applying for either a volunteer or paid position shall warrant the dismissal of said individual.

Each new coach recruited by the Parks and Recreation Department, and/or contract and part time employees will be subject to a criminal background check. He or she will be asked to authorize the Department to access the information. The coach or employee will be in a probationary period until the background check is complete. If the background check shows a history of conviction, which may negatively influence the safety of recreation sponsored or co-sponsored program participants, the coach or employee, will be removed from the position.

Section 9.04 Disciplinary Action Guidelines

1. Registered head coaches or registered assistant coaches may take disciplinary action against a child by removing (benching) him from play for continuously missing practices or misbehaving during practices or games.
2. Registered head coaches or registered assistant coaches that disciplines a child agrees to sit the child out the entire game or practice. Upon approval of the Parks and Recreation Staff this would designate that this child would not receive the minimal playtime in a game/practice situation.
3. Registered head coaches or registered assistant coaches must follow the outline below to properly discipline a child. All items in the checklist must be followed.
 - a. The registered head coach or registered assistant coach must verbally give the child a warning.
 - b. The registered head coach or registered assistant coach must notify the parents or guardians of the child the situation and try to resolve the issue.
 - c. The registered head coach or registered assistant coach will speak to staff of the Franklin County Parks and Recreation and notify them of the situation.
 - d. The registered head coach or registered assistant coach will notify the parents of the disciplinary action prior to the time it will take place.
 - e. Disciplinary Action Form is signed and returned to Parks and Recreation Staff two (2) business days prior to the disciplinary action to being enacted.

2011 ROBERT KING SPECIAL ENTERTAINMENT PERMIT/AUGUST 26 & 27, 2011

Robert King is requesting Board approval for their Special Entertainment Permit set for August 26 & 27, 2011. In the past, the Board has granted approval for the completed permit and setting a property bond in the amount of \$10,000.00 to be posted with the County Administrator (10) days prior to the day the festival is to begin per County Code Section 3-80.

With all of the required County departments signing off on the proposed Special Entertainment Permit, the application is in order and Mr. King has executed the required property bond in the amount of \$10,000 (as in the past years set by the Board) per County Code Section 3-80. Mr. King has remitted the filing fee of \$100.00 per County Code Section 3-83.

RECOMMENDATION:

Staff requests Board approval on the proposed Special Entertainment Permit for Robert A. King for August 26 & 27, 2011.

LOCAL EMERGENCY PLANNING COMMITTEE

Congress passed the Emergency Planning and Community Right-to-Know Act (EPCRA) in 1986 after disasters at chemical facilities abroad and in the United States. Also known as the Superfund Amendment and Reauthorization Act (SARA) Title III, this federal law requires local communities to plan for chemical accidents and includes the public in these efforts. Citizens have access to plans as well as mandatory reports submitted by chemical facility owners. In Virginia, the Virginia Emergency Response Council (VERC) designated local emergency planning committees (LEPCs) based on local jurisdictions.

Since 2006, Franklin County's LEPC has not formally conducted a meeting or review of the county's chemical emergency plan. The primary objective of any LEPC is to fulfill the requirements of SARA III. Public Safety contacted several members of the committee that developed an emergency management exercise at the local high school in 2006, to determine their interest to serve on the LEPC. An informal meeting of this group was held on April 6, 2011. The participants in that meeting recommended the following members comprise the Franklin County Local Emergency Planning Group. In addition to meeting the requirements of SARA Title III, this group will also review various local emergency plans and suggest areas where amendments may be necessary as well as coordinate exercises of the local Emergency Operations Plan. In doing so, the group would identify problem areas of the Emergency Operations Plan and suggest improvements. The group will meet at least once annually and other meetings will be conducted as needed. The following persons are recommended to comprise the LEPC:

Daryl Hatcher, Director, Franklin County Public Safety
 Chris Whitlow, Assistant Co. Administrator, Franklin County
 Chip Phillips, Director of Emergency Services/Safety, Ferrum College
 Chris Garrett, Regional Emergency Planner, Va. Dept. of Health
 George Quinlan, Owner/Chemist, Blue Ridge Solvents
 Pam Westgate, President/Owner, Environmental Options

Riley Hodges, Sgt., Franklin County Sheriff's Office
 Steve Oakes, Director of Facilities/Transportation, Franklin Co. Public Schools
 Coy W. Thomas, Supervisor, Franklin County E-9-1-1 Center
 Todd Daniel, District Project Manager, Va. Dept. of Transportation
 Todd Maxey, Investigator, Rocky Mount Police Dept.
 Tommy Allen, RN, Emergency Manager, Carilion Franklin Memorial Hospital
 George Washington, Director of Technology, Franklin County Public Schools
 John Carlin, Public Information Director, Ferrum College
 William Ferguson, Division Chief Operations, Franklin Co. Public Safety
 Kim Wagoner, Reporter, Franklin News Post

RECOMMENDATION:

Staff respectfully recommends the Board of Supervisors appoints the individuals listed as members of the Local Emergency Planning Group.

RESOLUTION OF APPROVAL FOR FERRUM COLLEGE
RESOLUTION

**OF THE BOARD OF SUPERVISORS OF
 FRANKLIN COUNTY, VIRGINIA**

WHEREAS, the Industrial Development Authority of the County of Franklin (the "Authority") has considered the application of Ferrum College (the "Borrower") requesting the issuance of one or more of the Authority's revenue bonds or notes in an amount not expected to exceed \$4,000,000 (the "Bonds") to assist in financing the construction and equipping of a residence hall and possibly the renovation and equipping of other buildings (collectively, the "Project"), which Project will be located on the Borrower's campus on Route 602 in Franklin County, Virginia (the "County"), the Project will be owned and operated by the Borrower, and the Authority has held a public hearing thereon;

WHEREAS, it has been requested that the Board of Supervisors of the County (the "Board") approve the financing of the Project and the issuance of the Bonds, and such approval is required for compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code");

WHEREAS, Bobby W. Thompson ("Thompson") is a member of the Board and is also an officer and employee of the Borrower, and the compensation paid to him by the Borrower exceeds \$10,000 annually;

WHEREAS, Thompson has disclosed to the Board the existence of his aforesaid relationship with the Borrower by the submission of a Disclosure in the form attached hereto as Exhibit 1 (the "Disclosure"); and

WHEREAS, Thompson has disqualified himself from participating in the transaction herein described and has not voted with respect to this resolution.

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

1. The Board approves the financing of the Project and the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by said Section 147(f), to permit the Authority to assist in the financing of the Project.
2. The approval of the issuance of the Bonds, as required by said Section 147(f), does not constitute an endorsement of the Bonds, the creditworthiness of the Borrower or the economic viability of the Project. The Bonds shall provide that neither the Commonwealth of Virginia (the "Commonwealth") nor any political subdivision thereof, including the County and the Authority, shall be obligated to pay the principal of or interest on the Bonds or other costs incident thereto except from the revenues and receipts pledged therefor and that neither the faith or credit nor the taxing power of the Commonwealth or any political subdivision thereof, including the County and the Authority, shall be pledged thereto.
3. The Bonds are hereby designated as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Code, but only to the extent the Bonds are issued during 2011.
4. This resolution and the executed Disclosure shall be reflected in the public records of the Board for not less than five years in the office of the County Administrator of the County.
5. This resolution shall take effect immediately upon its adoption.

EXHIBIT 1

DISCLOSURE

The undersigned Bobby W. Thompson hereby discloses to the Board of Supervisors of Franklin County, Virginia (the "Board") and to the Industrial Development Authority of the County of Franklin (the "Authority") the following:

1. I am a member of the Board and an employee and officer of Ferrum College (the "Borrower"). The compensation paid to me by the Borrower exceeds \$10,000 annually.
2. The full name of the Borrower is Ferrum College, and its address is P.O. Box 1000, Route 602, Ferrum, Virginia 24088.
3. The Borrower has requested the Authority to issue one or more of its revenue bonds or notes in an amount not expected to exceed \$4,000,000 (the "Bonds") and to lend the proceeds of the Bonds to the Borrower to assist it in financing the construction, renovation and equipping of facilities on the Borrower's campus.

I hereby disqualify myself from participating, on behalf of the Board or the Authority, in any transaction relating to the Bonds or the loan of the proceeds thereof to the Borrower.

Bobby W. Thompson

AUTHORIZATION TO IMPLEMENT TWO NEW POLICIES FOR THE TREASURER'S OFFICE

The Treasurer's office is preparing to implement the new tax and cashiering system. Part of the implementation requires a review of existing policies and procedures and whether or not a change or revision is needed to the policy.

Currently all taxpayers are billed for real estate and personal property regardless of the dollar amount of the bill. The Treasurer's office would like to propose that any amounts \$5.00 or less that have not been collected be written off after a period of three years. Implementation of this policy would:

- Save numerous work hours in the Treasurer's office processing small tax tickets that are three years old or older.
- Reduce the burden and costs of collection procedures as well as postage costs.

A recent accounting from the 2008 tax year shows that the County would lose \$438 in taxes and penalties but would be able to remove approximately 75 delinquent records from the receivable files.

The new tax and cashiering system also has the ability to hold overpayments on a taxpayer's account that can be applied to future tax bills. In the rare instance when a small overage cannot be returned or applied to a future tax bill, then as part of this policy, the Treasurer's office would also like the ability to write off any overages that are \$5.00 or less.

The second policy the Treasurer's office would like to implement concerns using the Commonwealth of Virginia's debt set off procedures. The State charges a 4% commission to the requesting locality for any funds collected through this system. The 4% is currently withheld from the debt set off proceeds that are returned to the County and the County writes off this difference from the amount owed by the taxpayer. The new policy would allow the Treasurer to add the 4% commission to the amount filed with the State so that the State will charge the taxpayer the 4% commission and the County is not short those funds.

RECOMMENDATION:

Staff respectfully requests the Board's adoption of the proposed policies.

CONSTRUCTION CONTRACT AWARD FOR SOLUTIONS MATRIX CDBG PROJECT

The Board of Supervisors recently announced the relocation of Solution Matrix, Inc. to a new facility to be built in the Franklin County Commerce Center. The new 25,000 square foot building is proposed to be constructed on an approximately 4.2 acre site within the park. As part of this project, Franklin County is required to extend public water and wastewater lines to the site, as well as accommodate future stormwater runoff. This project, along with an extension of water and sewer services to Site 1 at the Franklin County Commerce Center, has been designed and let out for bid.

The project request for bids was let in March 2011 and due for opening on April 11, 2011 at 4:00 PM. A total of three bids were received. As can be seen from the chart below, Steve Martin Trenching, Inc. was the low bidder on all bid items. The bids were significantly below original engineer's estimates. The low bidder is an extremely well-qualified and well-respected company. After careful analysis, Earth Environmental and Civil has determined that the bid included all of the required elements and recommends award to Steve Martin Trenching. Bid alternates for pad site 1 refer to extension of water and sewer lines to the end of the cul-de-sac adjacent to the site (Alt 2) or extending the utilities an additional 200 feet to get them on the actual site property (Alt 1). DHCD does not allow awarding of construction contracts prior to formal awarding of the CDBG grant; however, the Board may authorize the awarding of the contract subject to DHCD approval and grant award and empower the County Administrator to execute such awards. The original budget included anticipated funding from DHCD of \$220,841; the Virginia Tobacco Commission of \$200,392; and County funds of \$42,463. As the low bid came in well under this budget amount, funding from these sources will be lowered and/or redistributed. The exact breakdown of final funding requirements will be calculated based on the Board's decision on which Site 1 alternative to pursue and by DHCD participation and requirements.

Vendor Responding	Pad Site 2	Site 2 Pump and Haul	Pad Site 1, Alt. 1	Pad Site 1, Alt. 2
ENGINEER'S ESTIMATE	\$253,758.50	\$ 500.00	\$114,065.00	\$100,065.00
E. C. PACE, INC.	\$ 225,118.00	\$ 3,000.00	\$ 78,404.00	\$ 68,713.00
STEVE MARTIN TRENCHING, INC	\$ 169,679.50	\$ 400.00	\$ 59,030.00	\$ 51,570.00
THOMAS BROS., LC	\$ 239,434.57	\$ 400.00	\$ 81,378.85	\$70,855.26
LOW BID OVER (UNDER) ORIGINAL BUDGET	(\$84,079.00)	(\$100.00)	(\$55,035.00)	(\$48,495.00)

RECOMMENDATION:

Staff respectfully requests that the Board of Supervisors authorize the County Administrator to award the construction contracts to Steve Martin Trenching, Inc. at a time and in a manner consistent with DHCD requirements. Also, that the Board authorize the County Administrator, in the event that CDBG funds are not approved, to award such construction contracts in a manner that ensures extension of public utilities to the Solution Matrix site with the available funds. Finally, staff respectfully recommends that Site 1 Alternate 1 be pursued as the extension of these services, which will be required one day, will be more expensive to construct at a later date.

SOLUTIONS MATRIX/CDBG GRANT

Mike Burnette, Director of Commerce & Leisure Services, stated Solution Matrix has announced that they will develop property in the Commerce Center as a new industry in Franklin County. The County has submitted a request for Community Development Block Grant funds from the Department of Housing and Community Development in the amount of \$220,841. This application is currently under review. CDBG funds will be used to extend off-site public water and sewer services to the Solution Matrix site.

Due to the tight timeframe in which to extend the required utilities to Solution Matrix, staff has begun performing pre-contract activities before the official application approval has been received. It is hoped that approval will be received and all CDBG contract items completed by the end of April so that the chosen contractor can begin work by May 2, 2011. To meet this deadline, all known pre-contract items requiring Board approval are currently being presented for decisions as there will not be another Board meeting prior to the planned early May start date. The submitted proposed policies include: Local Business and Employment Plan; Section 504 Grievance Procedure; Fair Housing Certification; Anti-displacement Policy; and Non-discrimination Policy. These are all standard policies required by DHCD and previously approved by the Board on other CDBG projects.

RECOMMENDATION:

As required by the DHCD grant, it is respectfully requested that the Board of Supervisors adopt the submitted policies and authorize the County Administrator, if the grant application is approved, to complete the contract requirements, execute the grant, and implement the project.

The submitted policies, plans and procedures are currently in place and being approved only as a confirmation for submission to DHCD.

(RESOLUTION #01-04-2011)

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

MOTION BY: David Cundiff

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

ABSTAINED: Bobby Thompson (Only for *Ferrum College Funding Agenda Item #8*)

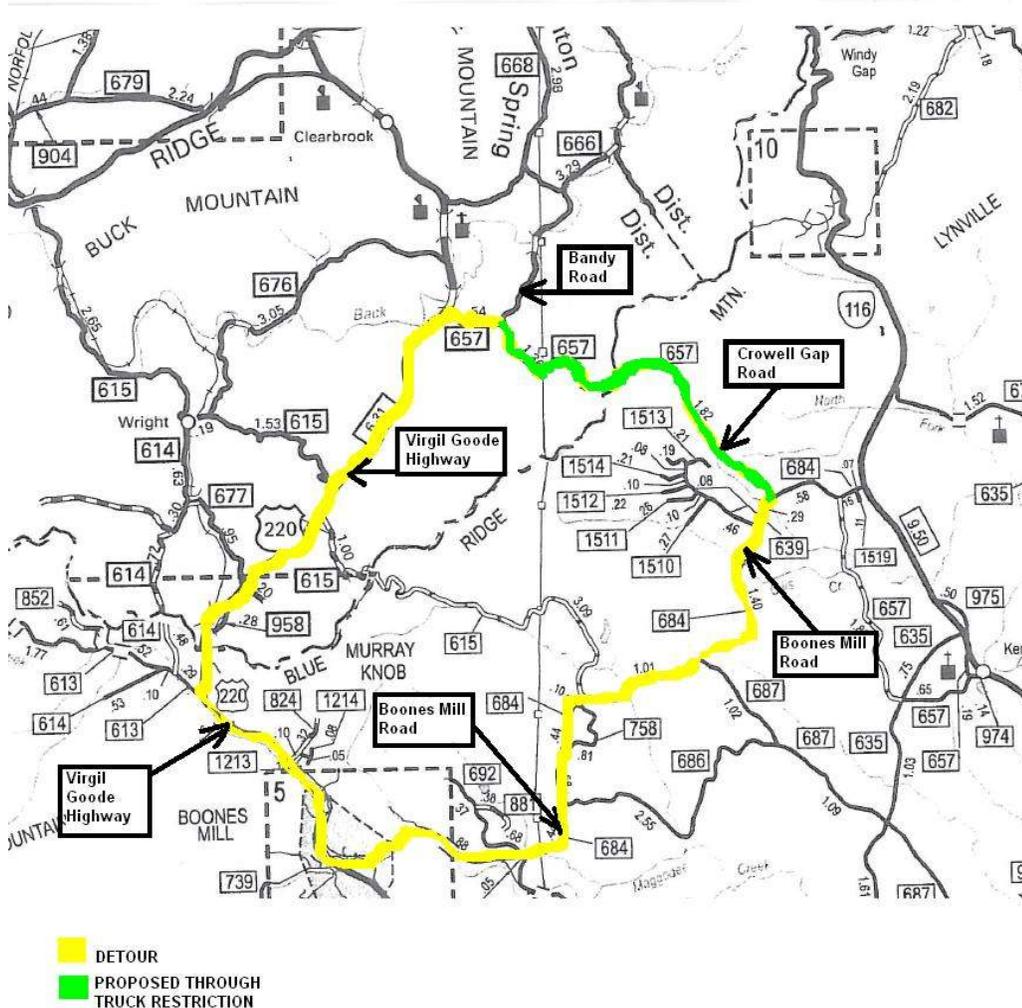
VDOT – CROWELL GAP/THROUGH TRUCK RESTRICTION

Tony Handy, Resident Administrator, VDOT, stated in order to conform to the requirements of the Code of Virginia and to insure that all concerned parties have an opportunity to provide input, the Board of Supervisors must hold a public hearing and make a formal request of the Department. The following must be adhered to:

- (A) Public notices for the hearing must include a description of the proposed through truck restriction and the alternate route with the same termini. A copy of the notices must be provided.
- (B) A public hearing must be held by the Board and a transcript of the hearing must be provided with a resolution.
- (C) The resolution must describe the proposed through truck restriction and a description of the alternate, including termini.
- (D) The Board must include in the resolution that it will use its good offices for enforcement of the proposed restriction by the appropriate local law enforcement agency.

In addition, since this road encompasses two counties, both counties will need to follow these procedures prior to VDOT conducting a traffic engineering study of the restriction request. I have forwarded a copy of this correspondence to the VDOT contact for Roanoke County, Brian Blevins, to start the process with them.

Once we have received the formal request certifying that all the requirements noted above have been met, VDOT will proceed with a study to determine if the proposed restriction meets the criteria contained in our policy guidelines and thence develop a final report with recommendations.



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

REQUESTING THE DEPARTMENT OF TRANSPORTATION TO RESTRICT THROUGH TRACTOR TRUCK AND TRAILER OR SEMI-TRAILER COMBINATIONS IN EXCESS OF 28 FEET ON ROUTE 687 (CROWELL GAP ROAD), BOONE & GILLS CREEK MAGISTERIAL DISTRICTS

WHEREAS, the Franklin County Board of Supervisors and the Roanoke County Board of Supervisors have studied the possibility of placing a through tractor truck and trailer or semi-trailer combinations restriction in excess of 28 feet on Route 657 (Crowell Gap Road); and

WHEREAS, the through tractor truck and trailer or semi-trailer combinations restriction in excess of 28 feet is proposed for Route 657 (Crowell Gap Road), beginning at the intersection of Route 684 (Boones Mill Road) and ending at the intersection of Route 666 (Bandy Road) with the termini to termini distance equaling approximately 3.2 miles; and

WHEREAS, the alternate route proposed is Route 684 (Boones Mill Road) beginning at the intersection of Route 657 (Crowell Gap Road) traveling south to Route 220 (Virgil Goode Highway), then traveling north to Route 657 (Crowell Gap Road), then traveling east to the intersection of Route 666 (Bandy Road) with the termini to termini distance equaling approximately 12.1 miles and WHEREAS, the alternate route has been found to be reasonable; and

WHEREAS, a public hearing has been held according to Section 46.2-809 of the Code of Virginia, 1950, as amended.

NOW, THEREFORE BE IT RESOLVED, that the Franklin County Board of Supervisors requests that the Virginia Department of Transportation restrict through tractor truck and trailer or semi-trailer combinations in excess of 28 feet on Route 657 (Crowell Gap Road) beginning at the intersection of Route 684 (Boones Mill Road) and ending at the intersection of Route 666 (Bandy Road) with the termini to termini distance equaling approximately 3.2 miles; and

BE IT FURTHER RESOLVED that Franklin County will use its offices for enforcement on the proposed restriction in Franklin County.

The Board directed staff to get with Roanoke County Administration in developing a draft plan prior to advertising and holding a public hearing.

SMITH MOUNTAIN LAKE COMMUNITY PARK BEACH SEASON & FEES

Mike Burnette, Director, Commerce & Leisure Services, stated in 2009, after one year of free admission, the Board decided to impose a fee for use of the Smith Mountain Lake Community Park Beach. The number of visitors to the beach dropped from 14,737 in 2008 to 4,693 in 2009. In 2010, the worsening budget outlook forced the County to reduce the number of days that the beach was open, from 96 days in 2009 to 69 days in 2010. This shortened season was a factor in further reducing visitation to 3,791 in 2010. Due to the drop in beach users and the shortening of the season, Franklin County resident and Smith Mountain Lake Community Park supporter, Reba Dillon, has made a request to staff that the season be expanded back to its original Memorial Day to Labor Day schedule and that admission fees be eliminated or drastically reduced. Staff is bringing this request to the attention of the Board.

When the beach was constructed and opened in 2008, it was the County's intent to offer a low-cost, family-friendly recreational asset to area citizens and to maximize its usage by the population. As the local County budget became tighter in 2009 due to the national recession, the Board enacted a \$3.50 per person admission fee to offset a substantial amount of the cost of running the beach operation. This fee was expected to bring in \$35,000-\$40,000 in revenue. However, an unclear combination of weather and installation of the fee drove down usage and resulted in only \$14,070.50 in revenue. In 2010, this amount dropped to \$10,951.50 due in large part to a shortening of the season by 27 days. However, the revenue generated per day stayed generally consistent with a 2009 rate of \$147 per day open versus a 2010 rate of \$158. This seems to indicate a ceiling on revenues that is substantially below original expectations. Ms. Dillon's argument is that the admission fee and shortened season are curtailing use of the beach by the public and that the limited revenue generated and expenses avoided do not justify the limiting of beach usage.

The Board may choose from many options in revisiting the beach issue. These options, and the general monetary impact each would have, are:

- | | |
|---|--|
| 1. Hold to the current fee and do not extend the season:
(CURRENT SITUATION) | Revenues = \$10,951.50
Expenses = \$25,228.52 |
| 2. Eliminate the current fee and do extend the season : | Revenues = \$0
Expenses = \$36,525.07 |
| 3. <i>Eliminate the current fee and do not extend the season:</i> | Revenues = \$0
Expenses = \$25,228.52 |
| 4. Hold to the current fee and do extend the season: | Revenues = \$14,070.50
Expenses = \$33,743.97 |

The current draft budget anticipated no changes from the past year, which includes unchanged fees and continuing the shortened season.

RECOMMENDATION:

Staff respectfully recommends that the Board revisit its policies related to the Smith Mountain Lake Community Park Beach, specifically a return to the Memorial Day to Labor Day season and elimination or drastic reduction in the fee for admission, and provide direction to staff for implementation.

Ms. Reba Dillon shared with the Board that she has had a number of volunteers preparing the park to get ready prior to the season. Ms. Dillon asked the Board to reduce the fee be reduced from \$3.50 for patrons/4 years old and older to \$1.00 for everyone.

(RESOLUTION #02-04-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to adopt #3 (eliminate the current fee and do not extend the season) as submitted by staff.

MOTION BY: Russ Johnson

SECONDED BY: Bobby Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

BRUSH TRUCK SURPLUS/GLADE HILL FIRE DEPARTMENT

Richard E. Huff, II, County Administrator, advised the Board in February this year, a new brush truck was placed into service at the Glade Hill Fire Department. The former brush was originally purchased by the Glade Hill Fire Department and is ready for surplus.

On February 15, 2011 a 2011 Ford F350 4x4 brush truck was put into service at Glade Hill Fire Department in order for them to retire from service a 1988 Ford 4x4 pickup. The skid unit containing the pump, tank, and all fire-fighting equipment was removed from the 1988 and refitted for service on the 2011 model thus leaving the vehicle chassis remaining. Glade Hill Fire Department purchased the 1988 pickup for service in 1995 using funds from their account. No county funds were used to purchase this vehicle. The vehicle was titled to the County of Franklin after the purchase in order to provide vehicle insurance on the apparatus. The vehicle is a 1988 Ford, F250, 4x4 chassis, VIN/2FTHF26G9JCB20455. Glade Hill Fire Department obtained sealed bids for the surplus chassis and has arranged for sale of the vehicle. In order to accommodate this request, the Board of Supervisors must agree to release its interest in the vehicle by signing the title and returning it to the fire department. Proceeds from the transaction will remain with the Glade Hill Fire Department.

RECOMMENDATION:

Staff respectfully recommends the Board of Supervisors release its interest in the vehicle and return the signed title to the Glade Hill Fire Department.

(RESOLUTION #03-04-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve staff's recommendation as presented.

MOTION BY: David Cundiff

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

CENTER ON THE LAKE APRIL AGENDA ITEM

Russ Johnson, Gills Creek District Supervisor, presented the following PowerPoint Presentation regarding Center on the Lake:



Center At The Lake

- It is my responsibility and privilege to bring to you for your consideration a major business opportunity initiated and supported by our own citizens.
- I have an information package for each of you and I intend to discuss and/or meet with each of you before our May 17th Meeting.



In Your Information Package

1. An Economic Impact Study.
2. Floor Plan and Interior Design.
3. Sound, Lighting, and Stage Capabilities.
4. Board of Directors.
5. Letters of support.
6. Architectural Rendering.
7. A Fund Raising Plan and a feasibility Study of Fundraising potential.
8. A Strategic Plan.
9. A Statement of Opportunity.
10. Evolution of the project.
11. Capital Plans.
12. Business Plans.
13. Case Statement.
14. Mission Statement.



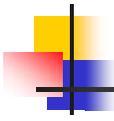
Goals

- Converting from a seasonal economy to a full-time economy.
- Changing our employment profile which is very dependent on manufacturing.
- Retaining existing tourists longer.
- Attracting new tourists.
- Helping to Convince more retirees to move here.
- Strengthening existing businesses.
- Encouraging new businesses to form.



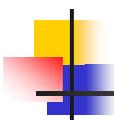
You Should Know ...

- Mr. Minnis Reidenour, retired VP of Finance for Virginia Tech, reviewed all of the documentation you have in your information packages as well as he attended a complete electronic walk-through of the proposed facility.
 - He did this in order to asses the project's sustainability. His review, and that of two Doctorate Students with him, were very favorable.
 - Two comments he made were: (1) A multi-purpose building is the right way to design the first building, and (2) Why has it taken this long to get started?



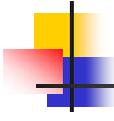
My Personal Beliefs Are ...

- This is the best business opportunity we have had since I have been on the Board.
- If we don't move on this, I believe that the group will "jump" back to Bedford, thereby losing a great opportunity for us.
- Although funding is always a serious decision, and it should be, we cannot afford to wait for better times.
- The risk – reward ratio is favorable for us to advance this project.



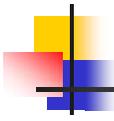
A Financial Request Will Be Made At The May Board Meeting ...

- Our rules speak to a 30 day waiting period for financial requests and I am asking that the 30 days be defined as from this Board meeting until the next Board meeting in order to move the application forward to the Tobacco Commission.
- In May I will Ask the Board to fund \$600,000.00 for the purchase of land and the development of the Infrastructure (Taken from the Fund Balance).
- I will also ask for a commitment of \$500,000.00 from next year's budget and another commitment, the year after, of \$400,000.00. Total = \$1.5 million dollars.



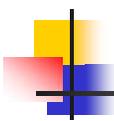
In June I Will Ask ...

- That you approve the application to the Tobacco Commission which is due no later than July 15th.



"Funding The Arts Funds Our Future"

- This is the title of an article that appeared in the Roanoke Times authored by Franklin County's own Warner Dalhouse.



In Summary

- I believe we have here a business opportunity second to none.
- All pre-cautions have been taken based on the mistakes of others, as well as the missed opportunities of others.
- At this point, I only ask for your openness to the idea and your willingness to work with me in the next 30 days.

The Board of Supervisors agreed to place the Center on the Lake on the Tuesday, May 17, 2011 agenda.

Leland Mitchell, Snow Creek District Supervisor, shared with the board the disrespect showed to some citizens during STEP's last board meeting. The Board directed Mr. Huff to forward a letter expressing the board's concern relative to recent events of disrespect showed to citizens as they addressed Step's Board. Mr. Russ Johnson, Gills Creek District, expressed concern about any disrespect shown by Step Board members and requested the Board to move slower on the housing project and possibly meet with the community.

APPOINTMENTS

- *Step, Inc.* 4-Yr. Term (Term Expires 6/30/2011)
 - 1) 1 Yr. term
 - 2) 2 Yr. terms
- *Recreation Commission* – 3-Yr. Term (Term Expires 6/30/2011)
 - Rocky Mount District
 - Gills Creek District
 - Blue Ridge District
- *Library* – 4-Yr. (Term Expires 6/30/2011)
 - Gills Creek District
 - Blue Ridge District
- *Patrick Henry Community College Board* – 4-Yr. Term (Term Expires 6/30/2011)
 - Citizen Appointment

- *Piedmont Regional Community Services – 3-Yr Term (Term Expires 6/30/2011)*
 - Citizen Appointment

(RESOLUTION #04-04-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint Reba Dillon to serve on the Recreation Commission as the Gills Creek District Representative with said term to expire June 30, 2014.

MOTION BY: Russ Johnson

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

(RESOLUTION #05-04-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint Gary Holden to serve on the Recreation Commission as the Blue Ridge District Representative with said term to expire June 30, 2014.

MOTION BY: Bobby Thompson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

(RESOLUTION #06-04-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint Jim Morrison to serve on the Library Board as the Gills Creek District Representative with said term to expire June 30, 2015.

MOTION BY: Russ Johnson

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

(RESOLUTION #07-04-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint Felicia Woods to serve on the Library Board as the Blue Ridge District Representative with said term to expire June 30, 2015.

MOTION BY: Bobby Thompson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

(RESOLUTION #08-04-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint Kay Potter to serve on the Piedmont Regional Community Services with said term to expire June 30, 2014.

MOTION BY: David Cundiff

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

Chairman Wagner recessed the meeting for dinner.

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

PUBLIC NOTICE

In accordance to Section 33.1-70.01 of the Code of Virginia, Franklin County Board of Supervisors and the Virginia Department of Transportation have jointly formulated a budget for the expenditure of improvement funds for the next fiscal year as well as to update the current Six-Year Secondary Roads Improvement Program based on projected allocation of funding.

In accordance with this section of the Code of Virginia, the Franklin County Board of Supervisors has established a time of **6:00 P.M., on Tuesday, April 19, 2011**, in the Board of Supervisors Meeting Room in the Franklin County Government Center to allow for public comment. A copy of the proposed Six-Year Plan and priority listing for the upcoming fiscal year is available for review in (1) the Office of Finance at 1255 Franklin Street, Suite 111, Rocky Mount, Virginia, and at (2) www.franklincountyva.gov, under "In the Spotlight."

Secondary System
Franklin County
Construction Program
Estimated Allocations

Fund	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	Total
Secondary Unpaved Roads	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TeleFee	\$165,217	\$165,217	\$165,217	\$165,217	\$165,217	\$165,217	\$991,302
Residue Parcel	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STP Converted from IM	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP - Bond Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Formula STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MG Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0
BR Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Formula STP - Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$165,217	\$165,217	\$165,217	\$165,217	\$165,217	\$165,217	\$991,302

Board Approval Date:

Residency Administrator

Date

County Administrator

Date

District: Salem
County: Franklin County
Board Approval Date:

2012-13 through 2016-17

Route	Road Name	Estimated Cost	Traffic Count
PPMS ID	Project #		Scope of Work
Accomplishment	Description		FHWA #
Type of Funds	FROM		Comments
Type of Project	TO		
Priority #	Length	Ad Date	
0718	COLONIAL TURNPKE	PE \$471,360	601
55471	0718033334	RW \$200,000	BRIDGE REPLACEMENT
CONTRACT	RTE 718 - BRIDGE REPLACEMENT	CN \$4,315,443	14009
BR/STP,STP	APPROACHES & BRIDGE OVER PIGG RIVER	Total \$4,986,803	Advertisement Date Will Be Revised With New Funding Allocations to FY 12-17 State Six Year Plan.
MIN PLAN,FED-AID,SECONDARY	0.4		
0001.00			
0709	BLUE BEND ROAD	PE \$20,680	50
67233	0709033P42	RW \$0	RESURFACING
STATE FORCES/HIRED	RTE 709 - RURAL RUSTIC ROAD (SURFACE TREAT NON-HARDSURFACE)	CN \$203,243	16007
EQUIPMENT	ROUTE 919	Total \$223,923	Will be constructed between Spring and Fall of 2011
S	1.0 MILE EAST OF ROUTE 919		
NO PLAN,SECONDARY	1.0	7/27/2010	
0002.00			
0783	ENDICOTT HILL RD	PE \$15,674	50
72506	0783033P47	RW \$0	RESURFACING
STATE FORCES/HIRED	RTE 783 - RURAL RUSTIC ROAD (SURFACE TREAT NON-HARDSURFACE)	CN \$102,568	16007
EQUIPMENT	ROUTE 40	Total \$118,242	Will be constructed between Spring and Fall of 2011
S	END OF MAINTENANCE		
NO PLAN,SECONDARY	1.2	7/27/2010	
0003.00			
0728	LEANING OAK RD	PE \$15,517	50
726	0728033P13	RW \$0	RESURFACING
STATE FORCES/HIRED	RTE 728 - RURAL RUSTIC RD (SURFACE TREAT NON-HARDSURFACE RD)	CN \$101,784	16007
EQUIPMENT	ROUTE 739	Total \$117,301	Will be constructed between Spring and Fall of 2011
S	0.50 MILE SOUTH ROUTE 739		
NO PLAN,SECONDARY	0.5	7/27/2010	
0004.00			
0970	WRIGHT ROAD	PE \$12,696	50
72502	0970033P43	RW \$0	RESURFACING
STATE FORCES/HIRED	RTE 970 - RURAL RUSTIC ROAD (SURFACE TREAT NON-HARDSURFACE)	CN \$67,784	16007
EQUIPMENT	ROUTE 613	Total \$80,480	Will be constructed between Spring and Fall of 2011
S	END OF MAINTENANCE		
NO PLAN,SECONDARY	0.4	7/27/2010	
0005.00			

0748 98460 SAAP CONTRACT	Ferrum School Road 0748033745 RTE 748- SURFACE TREAT NON-HARDSURFACED ROAD (RESURFACING) 0.1 Mi S Rte 40	PE RW CN	\$38,461 \$0 \$192,006	RESURFACING 16007
No Plan 9999.99	Intersection of Rte 40 0.7	Total	\$230,467	<u>Advertisement date may be moved forward if funds are available.</u>
1068	BIG OAK LANE	PE	\$32,284	
T10557 STATE FORCES/HIRED EQUIPMENT S	1068033 BIG OAK LANE (RTE 1068) - RURAL ADDITION Intersection of Rte 670 0.74 Mi W of Rte 670	RW CN	\$0 \$160,818	NEW CONSTRUCTION - SURFACE TREAT
No Plan 9999.99	0.7	Total	\$193,102	<u>Plan to Construct with State Forces in Late Summer/Fall of 2011.</u>
8888 -2585	FUTURE BUDGET ITEMS & PLANT MIX VARIOUS LOCATIONS IN COUNTY	PE RW CN	\$0 \$0 \$0	
9999.99		Total	\$0	State funds - AC for future federal conversion. FUNDS PLANNED FOR INCIDENTAL CONSTRUCTION WORK IN YR3-YR6.
8888 -2584	8888888P88 FUTURE UNPAVED FUNDS: YR4-YR6 VARIOUS LOCATIONS IN COUNTY	PE RW CN	\$0 \$0 \$0	
9999.99		Total	\$0	FUNDS PLANNED FOR UNPAVED ROADS IN YR5-YR6
4007 -2581	1204007 COUNTYWIDE TRAFFIC SERVICES VARIOUS LOCATIONS IN COUNTY	PE RW CN	\$0 \$0 \$0	
9999.99		Total	\$0	TRAFFIC SERVICES INCLUDE SECONDARY SPEED ZONES, SPEED STUDIES, OTHER NEW SECONDARY SIGNS
4005 -2579	1204005 COUNTYWIDE ENGINEERING & SURVEY VARIOUS LOCATIONS IN COUNTY	PE RW CN	\$0 \$0 \$0	
9999.99		Total	\$0	MINOR SURVEY & PRELIMINARY ENGINEERING FOR BUDGET ITEMS AND INCIDENTAL TYPE WORK.

4003 -2577	1204003 COUNTYWIDE RURAL ADDITIONS VARIOUS LOCATIONS IN COUNTY	PE RW CN	\$0 \$0 \$0	
9999.99		Total	\$0	RURAL ADDITIONS - SECTION 33.1-72.1. ROLLOVER OF FUNDS CAN BE FOR FIVE YEARS.
4002 -2576	1204002 COUNTYWIDE PIPE & ENTRANCE VARIOUS LOCATIONS IN COUNTY	PE RW CN	\$0 \$0 \$0	
9999.99		Total	\$0	INSTALLATION CHARGE FOR PIPES AT PRIVATE ENTRANCES AND OTHER MINOR DRAINAGE IMPROVEMENTS.

Public Hearing was opened.

No one spoke for or against the proposed 6-Year Secondary Road Plan as advertised.

Public Hearing was closed.

(RESOLUTION #09-04-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to adopt the advertised 6-Year Secondary Roads Improvement Program as submitted.

MOTION BY: Wayne Angell

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M., on Tuesday, April 19, 2011**, in the Board of Supervisors Meeting Room in the Franklin County Government Center, 1255 Franklin County Government Center, 2155 Franklin Street, Suite 104, Rocky Mount, Virginia to consider the proposed amendments/re-write of Chapter 22 - Water and Sewer Systems.

Chris Fewster, Engineer, Anderson & Associates presented the following proposed re-write of Chapter 22 as follows:

ARTICLE I. OVERVIEW AND DEFINITIONS

Sec. 22-1. Standard requirements to be followed.

Unless otherwise approved in writing by the county approving agency, all specifications, methods, and materials used in the construction of central or community (public) water and/or sewer systems in Franklin County, Virginia, shall follow the most current standards of Western Virginia Water Authority (WVWA). Wherever standards or requirements conflict, the more stringent standard/requirement shall apply.

(Ord. of 11-19-96, Ch. I, § I-1)

Sec. 22-2. Codes and regulations; inspections.

The construction of any central or community (public) water and/or sanitary sewerage facilities and their appurtenances and accessories within Franklin County shall be in strict accordance with the latest codes; the Virginia Department of Health's Water Works Regulations and Western Virginia Water Authority Standards, latest edition; and all other applicable federal, state, and local regulations. During the progress of construction, the county or its authorized authority or representative shall have access to the location of the construction for the purpose of inspection to determine conformance with these regulations.

(Ord. of 11-19-96, Ch. I, § I-2)

Sec. 22-3. References.

The work shall comply with the most recent standards or tentative standards as published at the date of the contract and as listed in these specifications using the abbreviations shown:

American Society for Testing and Materials . . . ASTM

American Water Works Association . . . AWWA

American Association of State Highways and Transportation Officials . . . AASHTO

Department of Conservation and Recreation . . . DCR

Department of Environmental Quality . . . DEQ

National Fire Protection Association . . . NFPA

National Sanitation Foundation . . . NSF

Occupational Safety and Health Administration . . . OSHA

Virginia Department of Health . . . VDH

Virginia Department of Transportation . . . VDOT

Western Virginia Water Authority . . . WVWA

(Ord. of 11-19-96, Ch. I, § I-3)

Sec. 22-4. Protection of existing underground utilities and facilities.

All work shall be performed in compliance with the "Underground Utility Damage Prevention Act," title 56, chapter 10.3, sections 56-265.14 through 56-265.32 of the Code of Virginia, as amended.

(Ord. of 11-19-96, Ch. I, § I-4)

Secs. 22-5 --22-6. Reserved.

Sec. 22-7. Coordination.

The contractor shall notify the owner of property upon which work is to be performed in advance of commencing work thereon. In the event of the necessity of disrupting utility or other services to such property, the contractor shall notify the owner or utility provider or other services and arrange for the disruption and restoration of such service in a manner which will result in a minimum of inconvenience to parties concerned.

(Ord. of 11-19-96, Ch. I, § I-7)

Sec. 22-8. Underground utilities.

The contractor shall contact MISS UTILITY and all appropriate utility companies and have utilities located prior to starting construction.

(Ord. of 11-19-96, Ch. I, § I-8)

Sec. 22-9. Clearing and erosion control.

(a) *Generally.* The owner/contractor shall be responsible for complying with all provisions of Franklin County's Erosion and Sediment Control Ordinance and the approved erosion and sediment control plans and notes, including the construction, installation, and maintenance of all mechanical and vegetative erosion and sediment control measures for the duration of the project. If unforeseen erosion or sediment problems arise during the construction, the owner/contractor shall implement corrective measures acceptable to Franklin County.

(b) *Other compliance.* Erosion and sediment control measures shall be in accordance with all local, state, and federal requirements.

(c) *Extent of clearing.* Only that portion of the right-of-way or easement actually needed for construction shall be cleared or used by heavy equipment unless directed otherwise by Franklin County. In no case shall clearing or debris from clearing operations be taken past right-of-way or permanent easement lines onto private property. Construction equipment and materials shall be stored only in approved areas. Areas disturbed by construction operations shall be replanted or otherwise restored immediately upon completion of work in that area.

(Ord. of 11-19-96, Ch. I, § I-9)

Sec. 22-10. Blasting.

Blasting shall be done in strict accordance with the most recent edition of the Virginia Statewide Fire Prevention Code (VR 394-01-6). The owner/contractor shall adhere to all the requirements of both the state and county and shall notify the county prior to any blasting.

(Ord. of 11-19-96, Ch. I, § I-10)

Sec. 22-11. Reserved**Sec. 22-12. OSHA requirements.**

The contractor shall be responsible for performing all excavation, pipe installation and backfilling in accordance with the most recent OSHA Excavation Standards 29 CFR, Part 1926, Subpart P--"Excavations." The contractor's responsibility also extends to providing a "competent person" on the job site as defined by the OSHA regulation referenced above.

(Ord. of 11-19-96, Ch. I, § I-12)

Sec. 22-13. Traffic.

All traffic control shall be done in accordance with VDOT requirements

Sec. 22-14. Installation within VDOT right-of-way.

The contractor shall install public mains within VDOT right-of-way, existing public utility easement (PUE), or separate easement for water and sewer as required by Franklin County and WWA and approved by VDOT.

(Ord. of 11-19-96, Ch. I, § I-14)

Sec. 22-15. Cross-connection and backflow prevention.

Any connection which would constitute a cross-connection or allow backflow or siphonage of nonpotable water or other undesirable substance into potable water systems shall be prohibited unless proper precautionary measures are installed as per VDH Waterworks Regulations, latest edition; AWWA M14, latest edition; all applicable building codes and WWA standards.

(Ord. of 11-19-96, Ch. I, § I-15)

Sec. 22-16. Bonds.

Performance and completion bonds may be required by Franklin County and/or WVWA to insure the proper installation of water or sewer systems within the county.
(Ord. of 11-19-96, Ch. I, § I-16)

Sec. 22-17. Cleanup.

Before final inspection, all borrow pits, waste areas, storage areas, and all grounds occupied by the contractor in connection with the work shall be cleaned of all rubbish, excess materials, and temporary structures, and all parts of the work shall be left in a neat and presentable condition.
(Ord. of 11-19-96, Ch. I, § I-17)

Sec. 22-18. Shop drawings.

On County projects, five (5) copies of shop drawings for materials shall be submitted by the contractor to Franklin County or its designated representative for review prior to construction.
(Ord. of 11-19-96, Ch. I, § I-18)

Sec. 22-19. Safety.

All pertinent safety regulations, including federal and state OSHA standards, shall be followed. In addition, all safety precautions noted on the manufacturer's product data sheets and labels shall be observed for both material and equipment. The owner/contractor shall be responsible for initiating, maintaining, and supervising all safety precautions and programs in connection with the work.
(Ord. of 11-19-96, Ch. I, § I-19)

Sec. 22-20. Record drawings.

(a) *General.* After completion of construction of the facilities from approved plans and/or specifications, the developer or owner responsible for the construction shall prepare record drawings, based on accurate, field-obtained information, to show actual conditions and locations of the finished construction. The record drawings shall include any and all revisions to the plans as originally submitted for approval.

(b) *Submittals.* The final record drawings shall be submitted to the approving authority. Record drawings shall be provided in a paper format and in a suitable digital format for incorporation into the Geographic Information System (GIS). In addition, the developer or owner shall submit a letter of certification, sealed and signed by a professional engineer registered in the State of Virginia, certifying that the facilities have been constructed in accordance with the approved plans and specifications and in accordance with the standard specifications herein described.
(Ord. of 11-19-96, Ch. I, § I-20)

Sec. 22-21. Violations.

Violation of this chapter shall be punishable by a fine of up to twenty-five hundred dollars (\$2,500.00) or by a jail sentence up to twelve (12) months and/or both set out above. Such charge may not be discharged by the court until the violation is brought into compliance with provisions of this chapter.
(Ord. of 11-19-96, Ch. I, § I-21)

Sec. 22-22. Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used herein shall be as follows:

Authority: Western Virginia Water Authority (WVWA)

Central water system: Any water supply system serving three (3) or more structures, dwellings, or equivalent residential connections (ERC's).

Central sewer/sewerage system: Any sewage collection and/or treatment system or facility serving, or treating waste volumes equal to, three (3) or more structures, dwellings, or equivalent residential connections (ERC's).

Community (public) water system: Any water supply system serving fifteen (15) or more structures, dwellings or equivalent residential connections (ERC's) or an average of twenty-five (25) individuals for at least sixty (60) days out of the year. These systems must be approved by the State Health Department.

County: The County of Franklin, Virginia.

County approving authority: The Franklin County Board of Supervisors or its authorized and/or delegated representative.

Equivalent residential connection (ERC): An equivalent residential connection (ERC) is the water (sewer) use consumed (produced) by a typical residential connection over a specified period of time (gallons per day or gallons per month). An equivalent residential connection (ERC) is equal to a minimum of three hundred (300) gallons per day (GPD) unless supportive data indicate otherwise and the variation is approved by the county. Design flows shall be based on the current Virginia Department of Health Waterworks Regulations and the State Water Control Board Sewage Collection and Treatment Regulations, and any governing state regulations subsequently approved.

Existing water system: An existing water system is considered to be a publicly or privately owned water system that serves 3 or more connections and is currently in operation.

Expanding water system: An existing water system is considered an expanding water system any time the owner(s), developer(s), or operator(s) of such existing water system serving three (3) or more structures, dwellings, or equivalent residential connections (ERCs) seek(s) approval by regulatory agencies and/or subdivision or site plan approval by Franklin County in order to subdivide or develop a site to serve one or more additional customers or to expand service to an existing customer in an area served or to be served by the water system where water system plans have not been reviewed and approved by Franklin County, or its assigns, for conformance with chapter 22 of the Franklin County Code, and for subdivision and/or site plan approval under chapter 19 and/or chapter 25 of the Franklin County Code. The design of an expanding water system including the addition or substitution of a water source, provision of water treatment, revision of water storage facilities, or construction of water service facilities must be reviewed and approved for conformity with chapter 22 by the Public Works Department, its successors or assigns, and shall not be constructed or supply water until the expanding water system receives such approvals.

Failed System: A failed system shall be any system that is unable to meet the capacity and water quality standards as set forth by VDH and DEQ regulations.

Force mains (sewer): Pipes used to remove wastewater under pressure against the force of gravity; this allows for the transfer of sewage between natural drainage basins or conveyance of wastewater at minimal slopes over relatively long distances.

Individual septic tank system: An on-site wastewater disposal system that provides service to one dwelling unit. The system utilizes a biological process for waste reduction requiring a settling tank (septic tank) and a distribution network/dispose field (drainfield). Effluent disposal is accomplished through subsurface discharge and absorption.

Interceptor: Any pipe, regardless of size, that carries wastewater directly to the treatment plant. Generally, they are the largest pipes in the collection system, designed to convey sewage from one point to another with very few service connections (laterals) attached.

Lateral: The pipe to which individual houses and business establishments attach. If one considers the analogy of tree, the laterals represent the twigs.

Nonpotable water: Water classified as unsuitable for human consumption.

Pit privies: Individual on-site disposal systems that consist of a pit dug in the ground with a small out-house (privy) located over it. The system provides minimal biological treatment in the pit before absorption of the waste into the ground surrounding the pit.

Potable (or finished) water: Water classified as suitable for human consumption.

Public water system: See "Community Water System."

Pump station: A station that consists of electrically driven pumps to pump water or wastewater from a low area to a higher area (i.e., from one drainage basin over a ridge line to another drainage basin).

Raw water: See "Non-potable Water."

Sanitary sewers: Sewers that carry only domestic or commercial sewage. Stormwater runoff is normally carried in a separate system. See "Sewer."

Septic tank: The most popular on-site treatment technique. It relies on a collection tank which receives waste from the home and provides a period of settling, during which a significant portion of suspended solids settle out and are gradually decomposed by bacterial action at the bottom of the tank. The remaining sewage is discharged into a drain field composed of lengths of porous or perforated pipe placed at shallow depths. A well-designed and maintained septic system will provide ecologically sound treatment.

Service area: The territory included within the boundaries of each or all of the areas of Franklin County which are served by, or proposed to be served by, water and/or sanitary sewerage facilities.

Service connection: The terminal end of a supply connection from the potable water system; that is, where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery into the customer's water system. If a meter is installed at the end of a supply connection, then the service connection shall mean the downstream end of the meter. Service

connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the potable water system.

Sewage: Sewage refers to the wastewater flow from residential, commercial and industrial establishments which flows through the pipes to a treatment plant.

Sewer: The term "sewer" refers to the pipe, conduit, or other physical facility used to carry off wastewater.

Sewerage: "Sewerage" refers to the system of sewers and the physical facilities employed to transport, treat, and discharge sewage.

Sludge: The accumulated settled solids deposited from sewage or industrial wastes, raw or treated, in tanks or basins, and containing some water forming a semi-liquid mass.

Service area: The area which will be serviced by a wastewater or water system.

User charges: Fees levied upon users of water or wastewater treatment systems based upon the volume of usage or the pollutant load imposed on the system.

Waste, domestic: Water-carried liquid or solid wastes which are derived principally from residential dwellings.

Waste, industrial: Water-carried liquid or solid wastes from institutional establishments and/or industrial plant processes.

Water filtration or water treatment plant: Any arrangement of devices and structures used for the treatment and/or purification of nonpotable or raw water.

Water quality limited: Stream segments which will not meet water quality standards with the application of uniform point source controls. Additional pollution control measures for industrial and municipal discharges will be required if water quality standards are to be achieved.

Water quality standard: A plan for water quality management containing four (4) major elements: the use (recreation, drinking water, fish and wildlife propagation, industrial or agricultural) to be made of the water; criteria to protect those uses; implementation plans (for needed industrial or municipal waste treatment improvements) and enforcement plans; and an antidegradation statement to protect existing high quality waters.

Water service connection: The water service connection of a public or central water supply shall be considered the effluent (outlet) connection of the water meter. The water service connection of an individual or private water supply shall be considered the effluent (outlet) pipe of the pressure tank.

Well: Any ground penetration arrangement, hole or artificial excavation used to supply water, either raw or potable. Wells of depths greater than sixty (60) feet in unconsolidated formations shall be classified as deep wells.

(Ord. of 11-19-96, Ch. I, § I-21; Ord. of 2-15-05(1))

Secs. 22-23--22-30. Reserved.

ARTICLE II. GENERAL REQUIREMENTS--WATER

Sec. 22-31. Compliance.

All installations shall be in strict accordance with the latest Building Officials [and] Code Administrators (BOCA) codes, the Virginia Department of Health's Water Works Regulations, latest edition, WVWA standards and the Franklin County requirements.

(Ord. of 11-19-96, Ch. II, § II-1)

Secs. 22-32 -- 22-35. Reserved

Sec. 22-36. General procedures.

(a) *Design.* All water mains shall be looped whenever possible. All systems and subsystems shall be designed to eliminate cross-connections and back siphonage. Wherever unavoidable dead ends occur, they shall be provided with a fire hydrant or an adequately sized blowoff assembly for flushing. No flushing device shall be directly connected to any sewer or nonapproved piping system.

(b) *Conformance with approved plans.* The water main shall be laid and maintained to the required lines and grades with fittings, valves, hydrants and accessories set at the required locations as indicated on the approved plans for the project. All valve and hydrant stems shall be set plumb. Wherever obstructions not shown on the plans are encountered during progress of the work and which interfere to such an extent that an alteration in the plans is required, the authorized project representative shall be advised and approval given before such alterations are put into effect.

(c) *Mandatory connection of new construction to the County Public Water System, owned and operated by WVWA.*

(1) No person shall make any connection to the County Public Water System or alter any fixtures so connected without first having received written approval from the County Department of Public Works, its successors or assigns.

(2) New structures and/or facilities shall be defined for the purposes of Franklin County Code section 22-36(c) as those which obtain a building permit following the passage of section 22-36(c) by the Board of Supervisors. New subdivisions and development for the purposes of section 22-36(c) shall be defined as those which are reviewed, approved, or permitted by the Franklin County Planning Commission, Board of Supervisors, Planning and Community Development Department, or Building Official, or their successors or assigns following the passage of section 22-36(c) by the Board of Supervisors.

(3) New water systems for the purposes of offering such systems to the county or its successors or assigns for dedication and ownership according to Franklin County Code section 22-36 (d) and chapters 22, 19, and 25 shall be defined as those which are reviewed or approved by the Franklin County Planning and Community Development Department or the Public Works Department, or their successors or assigns, following the passage of sections 22-36 (d) by the Board of Supervisors.

(4) All new structures and/or facilities which are located within three-hundred (300) linear feet of the County Public Water System (as measured from the closest point of the structure to the edge of an easement or right-of-way including the public water distribution system) shall be required to connect to the County Public Water System. The connection of such premise to the County Public Water System shall not be required when access to the affected property requires the crossing of another property without an available easement, provided that county property and the property of the Virginia Department of Transportation shall be excepted.

(5) All new structures and/or facilities, subdivisions, and developments with three (3) to fourteen (14) equivalent residential connections (ERCs) having a property line within six-hundred (600) linear feet of the county's public water system (as measured from the closest point of the property line to the edge of an easement or right-of-way including the public water distribution system) shall be required to connect to the County Public Water System.

(6) All new structures, facilities, subdivisions, and developments with fifteen (15) or greater equivalent residential connections (ERCs) shall be required to connect to the County Public Water System if they meet the following distance requirements for the number of applicable lots or ERCs (the distance measured from the closest point of the property line to the edge of an easement or right-of-way including the County Public Water System):

TABLE INSET:

<i>Number of Lots or ERCs</i>	<i>Required Extension (Linear Feet)</i>
15-20	1,000
25	1,250
30	1,500
35	1,750
40	2,000
45	2,250
50	2,500
60	3,000
70	3,500
80	4,000
90	4,500
100	5,000
125	6,250
150	7,500

The county shall require up to 1,000 linear feet (L.F.) extension for 15--20 lots or ERCs, and each lot or ERC over 20 shall require an additional 50 L.F. extension. The maximum extension required is 7,500 L.F.

(7) Structures and/or facilities, subdivisions, and developments existing at the time of the passage of this ordinance (section 22-36(c)) are exempt from the requirement to connect to the County Public Water System so long as the well or water system serving the property with potable water meets the requirements of the Virginia Department of Health.

(8) In the event of a privately owned well or water system failure as determined by the Virginia Department of Health, existing structures and facilities which were served by the failed well or water system shall be required to connect to the county public water system if they meet the aforementioned vicinity and distance requirements for new structures and/or facilities, subdivisions, and developments. However in the event of the failure of private well serving a single residence on a parcel 5 acres or greater, the property owner may elect to develop a new well.

(9) The county may impose a connection fee, availability fee, and/or a monthly nonuser service charge that shall not be more than that proportion of a minimum monthly user charge required to recover the capital investment for the County Public Water System. However, all existing County Public Water Systems will not be assessed a non-user fee if existing at the time of the adoption of these amended ordinances dated _____. Prior to the implementation of any non-user fee, a public hearing and approval by the Board of Supervisors will be required.

(d) *Transfer of approved water systems to ownership by County or its successors and assigns.* The developer and/or owner of any new water system in Franklin County which is designed to serve three (3) or greater equivalent residential connections (ERCs) shall assure that such new water system meets all required standards of chapter 22, shall seek and obtain approval of the design and its construction by the Public Works Department or its successors and assigns, shall not supply water until the new water system receives such approvals, and, as a condition precedent to subdivision or site plan approval under chapters 19 and 25 of the Franklin County Code, shall offer such new system at no cost to the County or its successors and assigns for dedication and ownership. The developer and/or owner of any such new water system shall follow all applicable regulations and policies of the County or its successors and assigns and shall seek all required approvals for the planning, development and construction of the water system. County or its successors and assigns may consider acceptance of systems which are offered for dedication and ownership based on an analysis of the water system and its location. Those systems which are within 7,500 linear feet of the existing County Public Water System and/or within the anticipated county water service area are higher priority candidates for acceptance by the county. The anticipated county water service area and other criteria for acceptance may change over time at the discretion of the Board of Supervisors. County or its successors and assigns may accept or reject the ownership of any such water system offered to it according to the policies approved by resolution or ordinance. Any new water system built solely within the boundary limits of the Towns of Boones Mill or Rocky Mount or the service area of the Ferrum Water and Sewage Authority shall not be required to be offered by the developer and/or owner to County or its successors and assigns.

(Ord. of 11-19-96, Ch. II, § II-6; Ord. of 2-15-05(1))

Secs. 22-37 -- 22-41. Reserved

Sec. 22-42. General requirements for wells.

All wells shall be designed, constructed, and tested in conformance with Virginia Department of Health Waterworks Regulations.

Secs. 22-43--22-50. Reserved.

ARTICLE III. WATER LINE CONSTRUCTION

Secs. 22-51 -- 22-60. Reserved.

Secs. 22-61--22-70. Reserved.

ARTICLE IV. WATER MAINS, FITTINGS AND APPURTENANCES

Secs. 22-71 -- 22-80. Reserved.

Secs. 22-81--22-90. Reserved.

ARTICLE V. FIRE PROTECTION

Sec. 22-91. General.

Unless otherwise approved by the county, all community (public) water systems (i.e., those serving fifteen (15) or more equivalent residential connections) shall be designed and sized so as to provide fire flow capabilities.

(Ord. of 11-19-96, Ch. V, § V-1)

Sec. 22-92. Capacities.

(a) The minimum size of water mains where fire protection is to be provided or required shall be eight-inch diameter or as approved by the County or WVWA. Water mains not sized to carry fire flows shall not be connected to fire hydrants.

(b) All water systems designed to accommodate fire flows shall be capable of providing a minimum fire flow of five hundred (500) GPM in residential areas with a minimum duration of two (2) hours. In commercial and industrial areas, fire flow capacity and duration shall be as required by NFPA and local fire marshal. Where there is insufficient system pressure and flow to provide the minimum fire flow, mains must still be sized for the above demands, though no fire hydrants can be installed. In these cases, all necessary valving must be installed at the proper intervals to allow for future hydrant installation by the owner or authority; and funds equal to the cost of the hydrants plus installation/labor fees shall be deposited in a special escrow account with the utility owner to provide for this future installation.

(Ord. of 11-19-96, Ch. V, § V-2)

Secs. 22-93 -- 22-95. Reserved.**Sec. 22-96. Fire protection storage facilities for central well systems.**

Where the source of water is a central well system serving fourteen (14) or fewer customers, the system may be required by the county to provide water storage facilities for adequate fire protection.

(Ord. of 11-19-96, Ch. V, § V-5)

Sec. 22-97. Hydrants.

(a) *General.* Water systems shall provide and locate hydrant as required by WVWA Standards and as approved or required by the local fire marshal.

(b) *Use of fire hydrants.* The use of public fire hydrants shall be restricted to the consumption of water for the extinguishment of fires. Water from any public fire hydrant shall not be used for construction purposes, sprinkling streets, flushing sewers or gutters, or for any other purpose, unless specifically permitted by the utility owner for a particular circumstance.

(d) *Color Coding of Fire Hydrants.* All fire hydrants shall be painted according to NFPA based on flow and pressure.

(e) *Dry Hydrants.* Local fire marshal may require dry hydrants on a case by case basis.

(Ord. of 11-19-96, Ch. V, § V-7)

Secs. 22-98 -- 22-100. Reserved.**Sec. 22-101. Temporary waiver for fireflow.**

All central and/or community water systems shall be designed and constructed to meet the fireflow provisions and standards of this chapter. Where systems are unable to meet the source or storage requirements to deliver fireflow, the owners and/or developers may request that a temporary waiver of such requirements be granted based on available alternate forms of fireflow protection and the guarantee by the owner and/or developer and his or their assigns that such system shall connect to the county public water system when it is available within a distance of three hundred (300) linear feet as measured from the closest point of the property line of the structures and/or facilities, subdivision, and/or development to the edge of an easement or right-of-way including the public water distribution system. The owner and/or developer and his or their assigns shall provide an agreement with the county which shall be recorded to meet and provide for all requirements, policies, and standards of the county at the time of the connection of such central and/or community water system to the county public water system, including the provision and installation of fire hydrants and such other improvements as required by the county at the cost of the owner and/or developer. The owner and/or developer of the water system which is granted the temporary waiver may choose to connect to the county public system as a community system, or connect to obtain fireflow only, or may offer and/or negotiate to deed the water system to the county upon its connection to the County Public Water System.

(Ord. of 2-15-05(1))

Secs. 22-102--22-109. Reserved.

ARTICLE VI. GENERAL REQUIREMENTS—SEWER COLLECTION SYSTEM**Sec. 22-110. General procedures.**

(a) *Mandatory connection of new construction to the County Public Sewer System owned and operated by WVWA.*

(1) No person shall make any connection to the County Public Sewer System or alter any fixtures so connected without first having received written approval from the Department of Public Works, its successors or assigns.

(2) New structures and/or facilities shall be defined for the purposes of Franklin County Code section 22-110(a) as those which obtain a building permit following the passage of section 22-110 by the board of supervisors. New subdivisions and development for the purposes of section 22-110(a) shall be defined as those which are reviewed, approved, or permitted by the Franklin County Planning Commission, Board of Supervisors, Planning and Community Development Department, or Building Official, or their successors or assigns following the passage of section 22-110(a) by the board of supervisors.

(3) New sewer systems for the purposes of offering such systems to the County or its successors or assigns for dedication and ownership according to Franklin County Code section 22-110 (b) and chapters 22, 19, and 25 shall be defined as those which are reviewed or approved by the Franklin County Planning and Community Development Department or the Public Works Department, or their successors or assigns, following the passage of sections 22-110 (b) by the board of supervisors.

(4) All new structures and/or facilities which are located within three-hundred (300) linear feet of the County Public Sewer System (as measured from the closest point of the structure to the edge of an easement or right-of-way including the public sewer distribution system) shall be required to connect to the County Public Sewer System. The connection of such premise to the County Public Sewer System shall not be required when access to the affected property requires the crossing of another property without an available easement, provided that county property and the property of the Virginia Department of Transportation shall be exempted.

(5) All new structures and/or facilities, subdivisions, and developments with three (3) to fourteen (14) equivalent residential connections (ERCs) having a property line within six-hundred (600) linear feet of the County Public Sewer System (as measured from the closest point of the property line to the edge of an easement or right-of-way including the County Public Sewer System) shall be required to connect to the County Public Sewer System.

(6) All new structures, facilities, subdivisions, and developments with fifteen (15) or greater equivalent residential connections (ERCs) shall be required to connect to the County Public Sewer System if they meet the following distance requirements for the number of applicable lots or ERCs (the distance measured from the closest point of the property line to the edge of an easement or right-of-way including the County Public Sewer System):

TABLE INSET:

Number of Lots or ERCs	Required Extension (Linear Feet)
15--20	1,000
25	1,250
30	1,500
35	1,750
40	2,000
45	2,250
50	2,500
60	3,000
70	3,500
80	4,000
90	4,500
100	5,000
125	6,250
150	7,500

The County shall require up to one thousand (1,000) linear feet (L.F.) extension for 15--20 lots or ERCs, and each lot or ERC over twenty (20) shall require an additional fifty (50) L.F. extension. The maximum extension required is seven thousand five hundred (7,500) L.F.

(7) Structures and/or facilities, subdivisions, and developments existing at the time of the passage of this ordinance (section 22-110(a)) are exempt from the requirement to connect to the County Public Sewer System so long as the septic or sewer system serving the property with

sewage disposal meets the requirements of the Virginia Department of Health and/or the Department of Environmental Quality.

(8) In the event of a privately owned septic or sewer system failure as determined by the Virginia Department of Health and/or the Department of Environmental Quality, existing structures and facilities which were served by the failed septic or sewer system shall be required to connect to the County Public Sewer System if they meet the aforementioned vicinity and distance requirements for new structures and/or facilities, subdivisions, and developments. However in the event of the failure of the septic or sewer system serving a single residence on a parcel 5 acres or greater, the property owner may elect to develop a new septic or sewer system.

(9) The County may impose a connection fee, availability fee, and/or a monthly nonuser service charge that shall not be more than that proportion of a minimum monthly user charge required to recover the capital investment of the County Public Sewer System. However, all existing County Public Sewer Systems will not be assessed a non-user fee if existing at the time of the adoption of these amended ordinances dated _____. Prior to the implementation of any non-user fee, a public hearing and approval by the Board of Supervisors will be required.

(10) All new development, as defined by section 22-110(2), constructed in the Westlake Overlay District shall be required to connect to sanitary sewer. The requirement to connect to public sewer may be waived if the connection would exceed the criteria defined in section 22-110 (4), (5), (6), or (7).

(b) *Transfer of approved sewer systems to ownership by County or its successors or assigns.* The developer and/or owner of any new sewer system in Franklin County which is designed to serve three (3) or greater equivalent residential connections (ERCs) shall assure that such new sewer system meets all required standards of chapter 22, shall seek and obtain approval of the design and its construction by the Public Works Department or its successors and assigns, shall not supply sewer until the new sewer system receives such approvals, and, as a condition precedent to subdivision or site plan approval under chapters 19 and 25 of the Franklin County Code, shall offer such new system at no cost to the County or its successors and assigns for dedication and ownership. The developer and/or owner of any such new sewer system shall follow all applicable regulations and policies of the County or its successors and assigns and shall seek all required approvals for the planning, development and construction of the sewer system. County or its successors and assigns may consider acceptance of systems which are offered for dedication and ownership based on an analysis of the sewer system and its location. Those systems which are within seven thousand five hundred (7,500) linear feet of the existing County Public Sewer System and/or within the anticipated County sewer service area are higher priority candidates for acceptance by the county. The anticipated County sewer service area and other criteria for acceptance may change over time at the discretion of the board of supervisors. County or its successors and assigns may accept or reject the ownership of any such sewer system offered to it according to the policies approved by resolution or ordinance. Any new sewer system built solely within the boundary limits of the Towns of Boones Mill or Rocky Mount or the service area of the Ferrum Water and Sewage Authority shall not be required to be offered by the developer and/or owner to the County or its successors and assigns.

(Res. No. 12-09-2008, 9-23-08; Res. No. 10-01-2009, 1-20-09)

Sec. 22-111. Compliance.

All installations shall be in strict accordance with the latest requirements of the Building Officials [and] Code Administrators (BOCA) codes, the Virginia Department of Health and Department of Environmental Quality regulations, and WVWA Standards. No deviation from the construction specifications and standards approved by the County or WVWA shall be allowed unless specifically authorized in writing by the County or WVWA.

(Ord. of 11-19-96, Ch. VI, § VI-1)

Sec. 22-112. Design and construction.

All sewer systems shall be constructed in accordance with Virginia Department of Environmental Quality and Virginia Department of Health regulations, and WVWA

Secs. 22-113 -- 22-121. Reserved.

Sec. 22-122. Pumping stations.

(a) *Generally* Prior to construction of pumping stations, a building permit shall be obtained. Technical specifications, pump curves, pump cycles and structural and hydraulic design calculations shall be provided with pumping station plans. Specifications shall include a painting schedule and requirements for erosion and sedimentation control procedures.

Sewage pump stations should be located as far as practicable from present or proposed built-up residential areas, and a hard-surface driveway approved by the county shall be provided.

The station's operational components shall be located above, or adequately protected against, the 100-year flood/wave action. The stations shall be designed to remain fully operational during the 25-year flood-wave action.

Reliability classifications shall be met for all sewage pump stations in accordance with Virginia Department of Environmental Quality Regulations.

Sec. 22-123. Reserved

Secs. 22-124--22-130. Reserved.

ARTICLE VII. SEWER LINE CONSTRUCTION

Secs. 22-131 -- 22-143. Reserved.

Secs. 22-144--22-150. Reserved.

ARTICLE VIII. SEWER LINE MATERIALS AND APPURTENANCES

Secs. 22-151 -- 22-160. Reserved.

ARTICLE IX. SEWAGE TREATMENT FACILITIES AND SEPTIC SYSTEMS

Sec. 22-161. General.

All sewage treatment facilities and septic systems shall be designed and constructed in accordance with Virginia Department of Health, Virginia Department of Environmental Quality Regulations, WWA Standards, and County requirements. All sewage treatment facilities and septic systems shall require a special use permit as outlined in Section 25-179 Special Use Permits of the County code.

(a) Sewage Systems 1200 gpd or greater: The following requirements apply to all sewage systems greater than or equal to 1200 gpd.

(1) *Buffer Zones*: All sewage treatment facilities that require a Special Use Permit by the County must provide an adequate buffer zone as specified in the Sewage Collection and Treatment (SCAT) Regulations, required by Virginia Department of Health or as described herewith:

(i) Within buffer zones, neither residential uses, high density human activities, nor activities involving food preparation are to be established within the extent of the buffer zone. Land use within the buffer zone must be identified and approved by the County Zoning Administrator. The buffer zone is the distance from any aerated treatment unit.

(ii) The County may approve a reduction up to one half of the listed buffer zone requirements based on one or more of the following factors: (i) site topography, (ii) prevailing wind directions, (iii) existence of natural barriers, (iv) establishment of an effective windbreak, (v) type of adjacent development, and (vi) provision of enclosed units.

(iii) The prevailing wind direction should be determined by on-site data. Local weather station records may be utilized if they are demonstrated to be applicable.

(iv) A windbreak should be located on both sides of the treatment works parallel to the facilities and the area that is to be protected by the windbreak and as close to the treatment works as practical. A windbreak should consist of at least 2 parallel rows of evergreen trees with an initial minimum height of 6 feet. Other species of trees or man made windbreaks may be proposed to the County for approval.

(v) Visual screening and/or landscaping shall be provided for the treatment facility. The County Zoning Administrator shall approve the type of visual screening and/or landscaping.

(vi) Reduced buffer distances may be established for covered/enclosed treatment unit operations or processes with approval by the County. Covered/enclosed units shall be provided with screened openings and positive forced draft ventilation and shall have provisions for removal of aerosols and odors from the exhaust.

(vii) The required buffer zone shall be maintained by adequate legal instruments such as either ownership, recorded easements, or restrictive zoning.

Unit Processes that are totally enclosed

<u>Design Flow (gpd)</u>	<u>Buffer Zone (feet)</u>
<1,200	none
1,200 to 500,000	50
>500,000	100

Unit Processes using low intensity mixing

<u>Design Flow (gpd)</u>	<u>Buffer Zone (feet)</u>
<40,000	200

40,000 to 500,000	300
>500,000	400

Unit Operations using turbulent aeration or mixing

<u>Design Flow (gpd)</u>	<u>Buffer Zone (feet)</u>
<40,000	300
40,000 to 500,000	400
>500,000	600

(2) *Reliability Classification*: All sewage treatment facilities that require a Special Use Permit by the County must have a reliability classification established in accordance with 9 VAC 25-790-70 of the SCAT Regulations. The County may elect to assign a more stringent reliability classification if there is concern for the impact to the environment, groundwater supplies, or public health. Determination of the reliability classification will also consider the size of the treatment facility and the availability of water during power outages.

(3) *Operational Staffing*: All sewage treatment facilities that require Special Use Permit by the County must be properly staffed to provide adequate operations and maintenance. Minimum staffing requirements shall be as set for by Virginia Department of Health or Department of Environmental Quality.

(4) *Reserve Area*: Projects must provide a reserve area equal to 100% of the drainfield for any system that is equal to or greater than 1200gpd. If the project provides treatment of the effluent that is equal or less than the following parameters and the soil classification of the drainfields is as follows, a 50% reserve area will be permitted:

Biochemical Oxygen Demand (BOD)	30 mg/l
Total Suspended Solids (TSS)	30 mg/l
Soil Classification	I or II texture group

Areas, which are designated as reserve areas, shall not be disturbed and shall remain in their current condition, unless approved by the County and its successors or assigns. These areas may be classified as green space or open space. There shall be no adverse impact to designated reserve areas from development or future activities. Reserve areas shall be indicated on the record plat and restricted by deed from other uses

(5) *Disinfection of Treated Effluent*: All treated wastewater that is discharged to a soil with a classification Type I texture group must be disinfected by ultraviolet light irradiation, or other approved non-chlorine based disinfectant, prior to application in the soil regardless of treatment plant capacity. Disinfection of treated wastewater into Type II texture group soils will be evaluated on a case by case basis by the County and its successors or assigns with consideration given to the proximity of the disposal site to public and private wells, water bodies, and environmentally sensitive areas. Effluent shall be treated to less than 200 cfu/1000 ml in the discharge

(6) *Facilities Management*: All wastewater treatment and disposal systems that require a Special Use Permit must provide adequate management control, operations and maintenance of the system to ensure compliance with the approved design, and protect the environment and public health.

(i) All sewage treatment systems shall have an operation and maintenance manual in accordance with Virginia Department of Health or Department of Environmental Quality regulations.

(ii) All sewage treatment systems shall provide performance monitoring in accordance with Virginia Department of Health or Department of Environmental Quality regulations.

(iii) All sewage treatment systems shall provide operating reports in accordance with Virginia Department of Health or Department of Environmental Quality regulations.

Sec. 22-162. Septic System Pump Out

Mandatory septic tank pump out shall in accordance with Franklin County Code Section 17-8.

Secs. 22-163--22-249. Reserved.

ARTICLE X. RATES AND FEES FOR COUNTY SYSTEMS

Sec. 22-250. General

Rates and fees for County Public Water and Sewer Systems shall be those in affect and adopted by appropriate governing body of the utility provider at the time service is rendered.

Sec. 22-251. Reserved

General discussion ensued.

Public Hearing was Opened.

Carlton Ballard stated he felt the proposed ordinance changes were unfair and he did not think the Board should adopt as presented. Mr. Ballard requested the Board to reconsider and not impose the non-user fees as proposed. He felt this would place a hardship on county citizens within the Scruggs area and he would have to borrow the money to comply with the proposed language.

Jean Overstreet, requested clarification on a 5 acre site/ 300 feet requirement.

Public Hearing was Closed.

Board consensus to table the re-write of Chapter 22 – Water & Sewer Systems, as advertised and presented until May.

***RECESS TO THE BENJAMIN FRANKLIN MIDDLE SCHOOL EAST AUDITORIUM FOR THE
ADVERTISED PUBLIC HEARING ON THE PROPOSED FY' 2011-2012 COUNTY BUDGET
AND SETTING OF TAX LEVIES AS FOLLOWS:***

Chairman Charles Wagner called the meeting to order and recessed the meeting for the following advertised public hearings:

**PUBLIC NOTICE
FRANKLIN COUNTY, VIRGINIA
A HEARING ON THE PROPOSED FY' 2011-12 BUDGET**

In Accordance with Sections 15.2-2503 and 15.2-2506 of the Code of Virginia, as amended, on ***Tuesday, April 19, 2011, at approximately 7:00 P.M.*** or soon thereafter the Franklin County Board of Supervisors will conduct a hearing on the proposed FY' 2011-2012 County budget at the Benjamin Franklin Middle School East Auditorium in Rocky Mount, Virginia.

**SYNOPSIS OF THE PROPOSED BUDGET FOR FISCAL YEAR
2011-2012**

<u>Expenditure Function</u>	<u>Proposed Expenditures</u>	<u>Percent of Budget</u>
General and Financial Administration	\$3,838,028	3.2%
Judicial System	2,353,572	1.9%
Public Safety	12,658,387	10.5%
Public Works	2,881,860	2.4%
Health and Welfare	11,044,533	9.1%
Schools	77,352,227	64.0%
Recreation and Cultural	1,748,458	1.4%
Community Development	2,093,538	1.7%
Debt Service	1,767,833	1.6%
Non-Departmental	787,601	0.7%
Capital Outlay	3,782,206	3.1%
Utilities	460,998	0.4%
Sub-Total	\$120,769,241	100.0%
Transfers Between Funds	37,578,026	
Total	\$158,347,267	
	<u>Proposed Revenues</u>	<u>Percent Of Budget</u>
<u>Revenue Function</u>		
General Property Taxes/Other Local Taxes	\$54,094,825	44.9%
State Funds – County	14,951,556	12.4%
State School Funds	35,015,526	29.0%
Federal School Funds	8,507,860	7.0%

Local School Funds	3,291,196	2.7%
Other County Funds	4,151,573	3.4%
Fund Balance	756,705	0.6%
Sub-Total	<u>\$120,769,241</u>	<u>100.0%</u>
Transfers Between Funds	37,578,026	
Total	<u>\$158,347,267</u>	

**COUNTY OF FRANKLIN
PUBLIC NOTICE
HEARING ON SETTING OF TAX LEVIES**

In accordance with Sections 15.2-1427 and 15.2-2507 of the Code of Virginia, as amended, notice is hereby given that the Franklin County Board of Supervisors will conduct a public hearing on **Tuesday, April 19, 2011**, at approximately **7:00 P. M.** in the Benjamin Franklin Middle School East Auditorium, Rocky Mount, Virginia.

**A HEARING TO SET TAX LEVIES FOR THE FOLLOWING
CLASSES OF PROPERTY:**

1. Setting a tax levy of \$.48/\$100 of assessed value on real estate, public service corporation property, and mobile homes; pursuant to the authority of 58.1-3200, 58.1-3201, 58.1-3202, 58.1-3203, 58.1-3204, 58.1-3205 of the Code of Virginia, as amended.
2. Setting a tax levy of \$2.04/\$100 of assessed value on personal property, pursuant to the authority of 58.1-3500, 58.1-3501, 58.1-3502, 58.1-3503, 58.1-3506 of the Code of Virginia, as amended.
3. Setting a tax levy of \$1.89/\$100 of assessed value on personal property, classified as heavy construction machinery, including but not limited to land movers, bulldozers, front-end loaders, graders, packers, power shovels, cranes, pile drivers, forest harvesting and silvicultural activity equipment and ditch and other types of diggers owned by businesses pursuant to the authority of 58.1-3508.2 of the Code of Virginia, as amended.
4. Setting a tax levy of \$0.60/\$100 assessed value on machinery and tools based on original cost and declining depreciation over a 7-year period. By the seventh year of depreciation, the effective rate is \$0.27 per \$100 assessed value. This rate is levied pursuant to the authority of 58.1-3507(B) of the Code of Virginia, as amended.
5. Setting a tax levy of \$1.08/\$100 of assessed value on merchants' capital, pursuant to the authority of 58.1-3507, 58.1-3508, 58.1-3509, and 58.1-3510 of the Code of Virginia, as amended.

Public Hearings were Opened.

Richard E. Huff, II, County Administrator, gave a brief overview on the proposed FY' 2010-2011 County Budget.

The following people addressed the Board regarding the proposed County Budget:

Maggie Gray
Sarah Alexander
May Johnson
Dee Dee Bondurant
Robert Williams
Bill Brush
Leanne Worley
Mary Edwards
Larry Iceman
Joyce Moran
John Snidow
John Lipscomb

Dr. Charles Lackey
Public Hearing was Closed.

Chairman Wagner recessed the meeting until Tuesday, April 26, 2011 6:00 P.M.

CHARLES WAGNER
CHAIRMAN

RICHARD E. HUFF, II
COUNTY ADMINISTRATOR