

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, NOVEMBER 15, 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
 Larry Moore, Asst. Co. Administrator
 B. J. Jefferson, County Attorney
 Sharon K. Tudor, MMC, Clerk

Charles Wagner, Chairman, called the meeting to order.

Invocation was given by Supervisor Bobby Thompson.

Pledge of Allegiance was led by Supervisor Ronnie Thompson.

PUBLIC COMMENT:

Ken Dudley – Shared with a Board a letter from property owners and/or residents of the area affected by the Tripple Creek Bridge across U.S. 220 (Route 1019).

The residents hereby petition the Department of Highways and transportation, to construct a 2-lane bridge to replace the present one lane bridge that is scheduled for replacement.

A one lane bridge poses problems regarding emergency services such as fire and rescue and future developments.

Furthermore to replace the bridge less than the present 15’ fifteen foot bridge would cause grave damages and/or problems to owner of 14’ fourteen foot and doublewide homes, if the owner decided to move his home in and/or out of the area.

With regards to the replacement of the Clements Mill Bridge, it was reported in the newspaper that VDOT’s policy was to not replace one lane bridges, but replace them with (2) two lane bridges, What is VDOT’s Policy?

To construct a bridge less than he presently 15’ fifteen foot bridge would cause great harm and/or damages to some (23) twenty three families and/or property owners directly affected by the size of the bridge. Therefore we respectfully request that the present bridge be replaced with a 2 lane bridge that would help the County and property owners with regards to land values, and safety concerns.

Mr. Dudley presented the clerk with the petition of signatures.

The Board requested Mr. Huff to forward a letter to VDOT expressing their concern on the proposed bridge replacement and seek additional options.

Reba Dillon – Eastern County Recreation Fields

Mrs. Dillon stated we are trying to build fields on State Route 616 on the property that was given to the County by Ron Willard. We are not asking the county for any money to build the fields, but would like to build and development the fields and then turn them over to parks and rec. Mrs. Dillon advised the Board she was seeking grant funding in the amount of \$75,000 through the State and requested the Board’s support. General discussion ensued.

Mike Macabayne shared with them additional data from a study supporting the need for the development of eastern county recreation fields.

Mr. Russ Johnson, stated the Parks and Recreation Commission would need to review the proposed project and then forward their recommendation to the Planning Commission for their review.

(RESOLUTION #01-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to forward a letter support for the grant application process to explore possible state funding, as requested.

MOTION BY: Russ Johnson

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

CONSENT AGENDA

APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR – OCTOBER 18, 2011

WEST PIEDMONT PLANNING DISTRICT HAZARD MITIGATION PLAN

The Disaster Mitigation Act of 2000, as amended, requires that local governments, develop, adopt, and update natural hazard mitigation plans in order to receive certain federal assistance. In Virginia, one of the functions of each planning district is to prepare a Hazard Mitigation Plan (HMP). Franklin County participates in the West Piedmont Planning District (WPPD). The last Hazard Mitigation Plan was adopted in 2006 and is required to be revised and updated every 5 years.

Franklin County participated in a Mitigation Advisory Committee (“MAC”) also comprised of representatives from the counties of Henry, Patrick and Pittsylvania; the cities of Danville and Martinsville; and the towns of Chatham, Boones Mill, Gretna, Hurt, Ridgeway, Rocky Mount and Stuart. The committee was convened in order to study the West Piedmont Region’s risks from and vulnerabilities to natural hazards, and to make recommendations on mitigating the effects of such hazards on the West Piedmont Region. Copies of the draft plan are on file in the County Administrator’s Office and Public Safety for review. This plan must be adopted through resolution by each of the members of the WPPD. The updated plan for 2011 identifies the following as being the primary hazards for the West Piedmont Planning District and classifies them as either a significant, moderate, or limited hazard.

Natural Causes

- Flooding (Moderate)
- Winter Storms (Moderate)
- Winds (Hurricane-Moderate, Tornado-Limited)
- Wildfire (Moderate)
- Drought (Limited)

Human causes:

- Dam failure (Significant)
- High Voltage Power Line failure (Moderate)
- Pipeline emergency (Moderate)
- Chemical Spills (Moderate)
- Agriterrorism (Limited)

Submitted to this summary are the mitigation strategies for Franklin County that are contained in the Hazard Mitigation Plan. Note that some of the strategies are listed in various stages of completion as these were carried forward from the 2006 plan.

RECOMMENDATION:

Staff respectfully recommends the Board of Supervisors adopt the 2011 Hazard Mitigation Plan for the West Piedmont Planning District.

RESOLUTION ADOPTING A MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN FOR WEST PIEDMONT PLANNING DISTRICT COMMUNITIES:

WHEREAS, the Disaster Mitigation Act of 2000, as amended, requires that local governments, develop, adopt, and update natural hazard mitigation plans in order to receive certain federal assistance, and

WHEREAS, a Mitigation Advisory Committee (“MAC”) comprised of representatives from the counties of Franklin, Henry, Patrick and Pittsylvania; the cities of Danville and Martinsville; and the towns of Chatham, Boones Mill, Gretna, Hurt, Ridgeway, Rocky Mount and Stuart was convened in order to study the West Piedmont Region’s risks from and vulnerabilities to natural hazards, and to make recommendations on mitigating the effects of such hazards on the West Piedmont Region; and

WHEREAS, a request for proposals was issued to hire an experienced consulting firm to work with the MAC to update a comprehensive hazard mitigation plan for the West Piedmont Planning District; and

WHEREAS, the efforts of the MAC members and the consulting firm of Dewberry, in consultation with members of the public, private and non-profit sectors, have resulted in an update of the West Piedmont Multi-Jurisdictional Hazard Mitigation Plan including (County name).

NOW THEREFORE, BE IT RESOLVED by the (Franklin County Board of Supervisors) that the West Piedmont Multi-Jurisdictional Hazard Mitigation Plan dated November 2011, is hereby approved and adopted for the (jurisdiction name). A copy of the plan is submitted to this resolution.

ADOPTED by the Franklin County Board of Supervisors on this 15TH, day of November, 2011.

SWIFT WATER RESCUE TRAILER PURCHASE

The swift water team was created 3 years ago due to the increasing popularity in river sports within Franklin County. Since its inception, the team has performed live rescues, body recoveries, and provides on water safety stand-by's at county "blueway" events. The team is currently composed of 15 members which are trained to the swift water technician level. To reduce start up costs associated with the swift water team, it was assigned an older model enclosed trailer that is 8ft by 5ft that was originally designed to be used to transport woodland firefighting strike team gear. This trailer will not contain all the equipment therefore some must equipment must be stored in various locations and with members. This is a problem when the team is called to respond to a water rescue situation.

Public Safety plans to purchase a 14ft x 7 ft enclosed trailer to be used for swift water team responses to meet the needs of the team for now and the foreseeable future. The trailer should be large enough to accommodate the gear used by the entire team and would offer some degree of shelter to members from the weather. Weather will always be a factor to be mitigated as the team responds to rescue situations during heavy rains and floods. Storing the equipment on a central trailer makes all the gear available to every member even if there was not a full turn-out of members for the emergency.

In preparation for this purchase, staff obtained three quotes from trailer vendors within the region using identical trailer specifications. Pro-Line Trailer Sales in Boones Mill submitted the lowest bid at \$5,500. There are funds allocated for this purchase in the 2011-2012 CIP budget in line item 0145-7005. Once the replacement trailer is in service, Public Safety will offer the current trailer to other county departments for use. If no department requests the trailer, staff recommends that it be declared surplus and sold.

RECOMMENDATION: Staff recommends we purchase the 14 foot x 7 foot enclosed cargo trailer from Pro-Line Trailer Sales in Boones Mill, VA at a price of \$5,500.00.

BUILDING INSPECTION’S VEHICLE REPLACEMENTS

Franklin County Building Inspections Department is responsible to perform building construction inspections associated with approved building permits throughout the County. As a department head, the Building Official also has the responsibility to meet with customers and citizens throughout Franklin County and help them with Building Code related issues. Lastly, the Building

Official attends meetings and training sessions outside Franklin County. Currently the department maintains six vehicles.

The first vehicle needs replaced in order to maintain reliable service to our customers. The vehicle is a 2000 Chevrolet Cavalier with 152,000 miles. The vehicle overheats and is unfit for use currently. This Cavalier is the auxiliary vehicle for the Building and Planning Departments, and is intended to be used as a backup for anyone in either department when their vehicle is not available, due to service or repairs. In addition to the current state of the vehicle, this Cavalier currently meets the guidelines set forth in the Departmental Vehicle Policy section 4 (B) for replacement as it exceeds 150,000 miles. The new vehicle will be a midsize car for department use – with a state contract price of \$17,260.00. The midsize car is requested as the Building Official intends to have accompanying passengers periodically and the greater size increases comfort for all occupants. This new car will replace the current 2003 Dodge Neon (103,000 miles). The Neon will be relocated to the Building & Planning Auxiliary vehicle and the 2000 Chevrolet Cavalier will be offered for surplus. The Building Inspections Department fleet will remain at six vehicles.

The second vehicle needs to be replaced in order to maintain affordable and reliable service to our customers. The vehicle to be replaced is a 2000 Ford Explorer with 174,000 miles. This Explorer currently meets the guidelines set forth in the Departmental Vehicle Policy section 4 (B) for replacement as it exceeds 150,000 miles. The replacement will be a compact car – with a state contract price of \$13,550.00. The Ford Explorer will be offered for surplus and the Building Inspections Department fleet will remain at six vehicles.

RECOMMENDATION:

Staff respectfully requests approval to purchase a state contract midsize vehicle for \$17,260.00 plus delivery charges (\$0.60 per mile) and a state contract compact car for \$13,550.00 plus delivery charge. Funds are available from the Building Department Vehicle Accounts (#300-022-0008-7005) and (#300-022-0008-7005).

WAID PARK LAND LEASE BIDS

Agricultural leases were granted by the Board of Supervisors in 2001, 2002, 2005 and 2007 to Emery Bowman, Donald Bowman and Oaks Dairy Farm for use of various agricultural fields at Waid Park Annex, previously known as the Boone/Bowman Farm. The leases for these fields are expiring and the County needs to take some action regarding the property. At the September 20, 2011 Board of Supervisors meeting, the Board granted permission for County Staff to seek bids for new leases on this property. The County subsequently published for bids to be taken. The only bids received were from these same local farmers. Staff recommends that the proposals for the new two-year leases be accepted as follows:

Lease 1:	Donald Bowman	\$1,406.00 annual lease fee
	Bottomlands: Fields 6, 7, 9, 13, 14	
	Uplands: Fields 6, 16	
	Total Acres: 32.5 acres	
Lease 2:	Emery Bowman	\$540.00 annual lease fee
	Bottomlands: Field 10	
	Uplands: Field 11	
	Total Acres: 21.5 acres	
Lease 3:	Samuel Oaks	\$440.00 annual lease fee
	Bottomlands: Field 15	
	Total Acres: 11 acres	

Field numbers coincide with submitted Waid Park reference map.

As these were the only bids received, County staff requests that new lease agreements be executed with the proposed lessees. All lease agreements are subject to an annual renewal process and must be rebid every two years.

Lease terms and fees are set by the highest bids received on each property from the interested parties wishing to use Waid Agricultural Land.

Proposed New Lease Terms:

Field #	Sq Ft	Farmable
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Donald Bowman

1. 6 Upland	108900	=	2.5 Acres x \$28. =	\$ 70.00
2. 6 Bottom Land	196020	=	4.5 Acres x \$48. =	\$216.00
3. 7 Bottom Land	78408	=	1.8 Acres x \$48. =	\$ 86.40
4. 9 Bottom Land	435600	=	10 Acres x \$48. =	\$480.00
5. 13/14 Bottom Land	370260	=	8.5 Acres x \$48.=	\$408.00
6. 16 Upland	226512	=	5.2 Acres x \$ 28. =	<u>\$145.60</u>
TOTAL				\$1,406.00 year

Emery Bowman

7. 10 Bottom Land	239580	=	5.5 Acres x \$40.=	\$220.00
8. 10 Upland	152460	=	3.5 Acres x \$20.=	\$ 70.00
9. 11 Upland	544500	=	12.5 Acres x \$20.=	<u>\$250.00</u>
TOTAL				\$540.00 year

Samuel Oaks

10. 15 Upland	479160	=	11 Acres x \$40. =	<u>\$440.00</u>
TOTAL				\$440.00 year
YEARLY TOTAL	<hr/>			\$2386.00

This total represents a change of \$399.00 less from the current year's lease fee.

RECOMMENDATION:

Staff respectfully recommends that the Board of Supervisors direct staff to award the field leases to Donald Bowman, Samuel Oaks Dairy Farm, and Emery Bowman in the manner and for the properties that each entity successfully bid. Additionally, staff requests approval of the draft lease agreement submitted for use with this project.

Waid Farm Land Sizes

<u>Field #</u>	<u>Sq Ft</u>	<u>Farmable</u>	
<u>Donald Bowman</u>			
6 Upland	152460	=2.5 Acres x \$28. =	\$ 70.00
6 Bottom Land	304920	=4.5 Acres x \$48. =	\$216.00
7 Bottom Land	65340	=1.8 Acres x \$48. =	\$ 86.40
9 Bottom Land	435600	=10 Acres x \$48. =	\$480.00
13/14 Bottom Land	392040	=8.5 Acres x \$48.=	\$408.00
16 Upland	348480	=5.2 Acres x \$ 28. =	<u>\$145.60</u>
TOTAL			\$1406.00 year

Emery Bowman

10 Bottom Land	239580	=5.5 Acres x \$40.=	\$220.00
10 Upland	239580	=3.5 Acres x \$20.=	\$ 70.00
11 Upland	500940	=12.5 Acres x \$20.=	\$250.00
TOTAL			\$540.00 year

Samuel Oaks

15 Upland	479160	=11 Acres x \$40. =	\$440.00
TOTAL			\$440.00 year

PUBLIC SAFETY VEHICLE DONATION

Sire Power Inc. operates an animal husbandry business that has a facility located in Callaway that serves customers in all areas of the mid-atlantic. To conduct business they utilize a fleet of

service vehicles that are periodically replaced. In September 2011, Doug Flora contacted Public Safety to ask about donating a service truck to the county for possible use within the department.

On 9/26/2011, Public Safety staff met with Flora to inspect the chassis he had offered to the county. The vehicle is a 2004 Ford F350 diesel chassis equipped with a 9 foot enclosed metal box bed. The vehicle identification number is: 1FDWF36P04EB03115. The vehicle has approximately 200,000 miles. Staff found the vehicle suitable for use as a support vehicle only as it has too many miles to be used for any type of emergency response. The vehicle has been well maintained and is in good condition. Detailed maintenance records were maintained by Sire Power for the vehicle. The vehicle has no mechanical issues that were noted during inspection. Staff suggested that the department could find a suitable purpose for the vehicle within the public safety fleet to eventually be equipped as a mobile air supply vehicle to refill breathing air bottles for firefighters at fire scenes and for use to fill SCUBA tanks at diving operations. Staff has applied for an Assistance to Firefighter grant to obtain a mobile air compressor system that is capable of filling breathing air bottles. There is currently no such vehicle within the public safety system.

The National Automobile Dealers Association (NADA) places a value on the chassis at \$6925 prior to equipping the vehicle with the 9 foot cargo box. Staff spoke with the manufacturer of the cargo box and he estimates the value of the box to be valued at approximately \$4500. Select Sires is requesting a donation receipt in the amount of \$12,000 for the vehicle.

RECOMMENDATION:

Staff respectfully recommends that the Board of Supervisors accept the donation of the vehicle from Sire Power Incorporated.

FAIR HOUSING CERTIFICATION – DHCD

Title VI of the Civil Rights Act of 1968 makes it illegal to discriminate in housing based on race, color, national origin, religion, sex, age, familial status and disabilities. The Fair Housing Certification for the 11-CED-02/SOLUTION MATRIX water and sewer project was previously approved and resolved at the April 19, 2011 Board meeting.

In approving and resolving the Fair Housing Certification in April, the County is committed to take affirmative steps to further fair housing during each program year in which the CDBG agreement is active. The fair housing activity selected must be a different activity each program year. For the 2011 Fair Housing activity, staff proposes adopting the submitted resolution endorsing the concept of fair housing, including specific rights including the law and advertising its wording in a display advertisement in the local newspaper.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors to approve and adopt the submitted resolution as the 2011 Fair Housing activity for the grant project 11-CED-02/SOLUTION MATRIX water and sewer project.

FAIR HOUSING RESOLUTION

WHEREAS, under the Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968, it is illegal to deny housing to any person because of race, color, religion, gender, physical or mental disabilities or national origin;

LET IT BE KNOWN TO ALL PERSONS that it is the policy of THE COUNTY OF FRANKLIN to implement programs to ensure equal opportunity in housing for all persons regardless of religion, race, color, national origin, age, sex, height, weight, familial status, or marital status. Therefore, THE COUNTY OF FRANKLIN does hereby pass the following Resolution:

BE IT RESOLVED that THE COUNTY OF FRANKLIN shall not discriminate in the sale, rental, leasing or financing of housing because of religion, race, color, gender, physical or mental disabilities, national origin, age, height, weight, familial status or marital status;

THE COUNTY OF FRANKLIN will assist all persons who feel they have been discriminated against because of religion, race, color, gender, physical or mental disabilities, national origin, age, height, weight, familial status or marital status to seek equity under federal and state laws by providing information to said persons on how to file a complaint.

THE COUNTY OF FRANKLIN will at a minimum post this policy or the Fair Housing poster or other posters, flyers or other information which will bring to the attention of owners of real estate, developers and builders their respective responsibilities and rights under the Federal Fair Housing Law.

This Resolution shall take effect as of the date listed below.

CIVIL WAR ANNIVERSARY TOURISM GRANT

Each year the state's Virginia Sesquicentennial of the American Civil War Commission, along with the Virginia Tourism Corporation, offer grant opportunities to communities who have a recognized CW 150 Committee. Since its inception, the local Franklin County CW 150 has had many successful programs in the promotion and commemoration of the American Civil War and Sesquicentennial. The committee has hosted and/or co-hosted with the Booker T. Washington National Monument the following statewide projects: the Legacy Program – a civil war document digital scanning program; the Civil War 150 History Mobile, an 18- wheeled interactive exhibit that will return again in the spring of 2012; and the American Turning Point Panel Exhibition that was on display in the Board room at the Government Center which had visitors from New York to Florida. Through the combined efforts of the County, re-enactors, and Civil War-related civic groups, we recently produced the first annual highly successful Franklin County Civil War Days, a three-day event of living history, battle reenactments and education. On that Friday, we catered to over 1700 public, private and home school elementary and high school students.

The Franklin County CW 150 Committee is seeking the Franklin County Board of Supervisor's approval to apply for grant funding through the Fall VTC Marketing Leverage Program/VA Sesquicentennial of the American Civil War Commission. Plans are in place to develop a website/microsite to be a clearinghouse for the Franklin County CW 150 activities and events. With this site, it is our hope to streamline all the events that commemorate the sesquicentennial into one spot for our visitors with links to partner sites. We wish to also use these funds to update our current Franklin County Civil War Days rack card and advertise in Civil War related magazines and promotions to include online advertising. It is a 1:1 match of up to \$5000.00. We are requesting permission to apply for \$5000.00. Deadline for the grant application is November 17, 2011. Franklin County will provide \$3,000 towards the match, the Town of Rocky Mount will put up \$1,500, and the Blue Ridge Institute will contribute \$500.

The County's matching funds will come from the current year's tourism budget and partner's matches.

RECOMMENDATION:

Staff requests approval to apply for the Virginia Sesquicentennial of the American Civil War Commission/VTC Tourism Marketing Grant in the amount of \$5,000.

SML LICENSE PLATES

The Smith Mountain Lake Regional Chamber is sponsoring a locality license plate for the purpose of promoting the lake and the surrounding counties of Bedford, Franklin and Pittsylvania. The purpose of this plate is to promote the Smith Mountain Lake Region. The plate will feature the words, Smith Mountain Lake, Virginia along with the slogan, 'Closer Than You Think'. To comply with the state code, the design must also include the seal, symbol, emblem or logo type of the three counties in the Smith Mountain Lake region.

To proceed with the plate program, the Chamber is asking for an approval in writing from the Franklin County Board of Supervisors allowing us to use our logo on a joint plate under Virginia Code 46.2-749.4.

Submitted is a copy of the proposed Smith Mountain Lake license plate design with the logos included.

RECOMMENDATION:

Staff recommends approval by the Board of Supervisors to allow the Smith Mountain Lake Regional Chamber to use the Franklin County Logo in support of the Smith Mountain Lake license plate.



(RESOLUTION #02-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned consent agenda items, as presented with correcting mathematical totals in Item #5 – Waid Farm Lands Lease Award.

MOTION BY: Ronnie Thompson

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

VDOT – PLANTATION POINT SUBDIVISION

Brian Blevins, Area Land Use Engineer, VDOT, presented the Board with the following resolution for their consideration:

WHEREAS, the street(s) described on the submitted Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Franklin County, and

WHEREAS, the Land Use Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the submitted Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Land Use Engineer for the Virginia Department of Transportation.

In the County of Franklin

By resolution of the governing body adopted
November 15, 2011

The following VDOT Form AM-4.3 is hereby submitted and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official): _____

Project/Subdivision
Plantation Point

Type Change to the Secondary System of State
Highways: Addition

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

Reason for Change:

Pursuant to Code of Virginia Statute:

New subdivision street

§33.1-229

Street Name and/or Route Number

† Tara's Way, State Route Number 1656
Old Route Number: 0

■ From: Intersection of route 942
To: intersection of Camellia place, a distance of: 0.06 miles.
Recordation Reference: PB 811 PG 1842
Right of Way width (feet) = 50

Street Name and/or Route Number

† Camellia Place, State Route Number 1657
Old Route Number: 0

■ From: Intersection of Tara's Way
To: cul de sac and intersection of Old Point Rd., a distance of: 0.80 miles.
Recordation Reference: PB 811 PG 1842
Right of Way width (feet) = 50

(RESOLUTION #03-11-2011)

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

MOTION BY: Russ Johnson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

WATER'S EDGE SUBDIVISION

Brian Blevins, Area Land Use Engineer, VDOT, presented the Board with the following resolution for their consideration:

Water's Edge
Niblick's Circle – Route 1263
South Shore Circle – Route 1264
Low Country Drive – Route 1397

RESOLUTION

WHEREAS, the street(s) described on the submitted Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Franklin County, and

WHEREAS, the Land Use Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the submitted Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Land Use Engineer for the Virginia Department of Transportation.

In the County of Franklin
By resolution of the governing body adopted
November 15, 2011

The following VDOT Form AM-4.3 is hereby submitted and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

Project/Subdivision Water's
Edge Section 6

Type Change to the Secondary System of State
Highways: Addition

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

Reason for Change:

Pursuant to Code of Virginia Statute:

New subdivision street

§33.1-229

Street Name and/or Route Number

▬ Niblicks Circle, State Route Number 1263
Old Route Number: 0

▬ From: Intersection of route 1255
To: cul de sac, a distance of: 0.04 miles.
Recordation Reference: PB 437 pg 310
Right of Way width (feet) = 50 ft

Street Name and/or Route Number

▬ South Shore Circle, State Route Number 1264
Old Route Number: 0

▬ From: Intersection of route 1257
To: cul de sac, a distance of: 0.08 miles.
Recordation Reference: PB 437 pg 310
Right of Way width (feet) = 50

Street Name and/or Route Number

▬ Low Country Drive, State Route Number 1397
Old Route Number: 0

▬ From: Intersection of route 1395
To: cul de sac, a distance of: 0.05 miles.
Recordation Reference: PB 437 pg 310
Right of Way width (feet) = 50 ft

(RESOLUTION #04-11-2011)

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

MOTION BY: David Cundiff

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

VDOT OVERALL UPDATE

Brian Blevins, Area Land Use Engineer, VDOT briefed with the Board the following update:

MAINTENANCE	Todd Daniel	586-7941 ext. 7634
<p>Maintenance Activities for Previous 30 Days:</p> <p>Mowing various secondary routes. Will mow RTE 220 and various other routes once more this calendar year.</p> <ul style="list-style-type: none"> • Patching various primary and secondary routes. • Adams Construction is paving RTE 220 in multiple locations. Traffic issues have been noted for these projects and project management is working to ease congestion as much as possible. • Diamond Ave/Highland Hills Drainage project underway. Box culvert installation should be completed in early December. • Shoulder Wedging complete in the following locations... <ul style="list-style-type: none"> o Route 40 - from the Town Limits to RTE 718 o Route 220 - NBL from the Henry County Line to route 698 o Route 634 - 0.25 miles south of RTE 635 to RTE 676 o Route 122 - various locations from RTE 670 to the town limits (50% complete) <p>Maintenance Activities for Next 30 Days:</p> <ul style="list-style-type: none"> • Pipe replacement on RTE 798, Knob Church Road. • Various drainage repairs and improvements. • Tree & Brush trimming in various locations. • Preparing for Snow/Ice removal – Inspecting Equipment, Signing contracts with Hired Equipment Contractors. 		
LAND DEVELOPMENT & PERMITS	Brian Blevins	540-491-3774
<ul style="list-style-type: none"> • Issued 1 Private Entrance and 2 Commercial Land Use Permits for month of October. • Reviewed 3 site plans. 		
CONSTRUCTION	Brian Blevins	540-491-3774
<ul style="list-style-type: none"> • No updates at this time 		
TRAFFIC STUDIES/SPECIAL REQUESTS	Brian Blevins	540-491-3774
<p>Speed Studies:</p> <ul style="list-style-type: none"> • Route 919 – Grassy Hill Road – Traffic Engineering reviewing for speed limit posting. • Route 40 – Old Franklin Turnpike – Traffic Engineering reviewing for speed limit posting. • Route 678 – T Hill Road – Review complete, not to be posted. <p>Safety Studies:</p> <ul style="list-style-type: none"> • Route 890- Snow Creek Road –Review complete and “School Bus Stop Ahead” signs were installed. • Route 655 – Websters Road – Review complete and various warning signs installed. • Route 700 –Kent Road – Review complete; no recommendations made. • Route 220 – Virgil Goode Highway –Fork Mountain Crossover to have “Authorized Vehicles Only” signs to be installed. • Route 919/Route 220 – Grassy Hill Road – Citizen requested VDOT to review the intersection. • Route 605 – Henry Road – Traffic Engineering to review signs for school bus stop. • Various Safety & Speed studies. 		
PROJECT STATUS	Brian Blevins	540-491-3774
<ul style="list-style-type: none"> • Route 820 – Diamond Ave. – Awaiting construction of box culvert for final installation • Route 687 – Clements Mill Bridge – Ad date still on schedule for March 2012 • Route 783 – Endicott Hill Road – Project Complete 		

- Route 643 - Adney Gap Road – Project Complete
- Big Oak Lane – Construction to begin in Spring 2012

VDOT MAINTENANCE OF CHEYENNE LANE

Cheyenne Lane is a short cul-de-sac street within the Woods Edge subdivision, located off of Rt. 699 in the Wirtz community, in the Rocky Mount Magisterial District. The Woods Edge subdivision was developed in the late 1990s as a by-right residential subdivision under A-1, Agricultural zoning. The zoning for this subdivision requires a minimum lot size of 35,000 square feet for lots with frontage along public, state-maintained roads. In the absence of public roads, lots would have to be a minimum of five (5) acres in area. The Woods Edge subdivision contains 42 residential lots, with most lots ranging in size from about one to two acres.

Woods Edge Drive was accepted into the state system of public roads shortly after the subdivision was developed. In order to accept roads into the state maintenance system, VDOT requires that a minimum of three homes be developed along a new road to become eligible for acceptance. Cheyenne Lane – which measure less than 500 feet in length and contains only five lots arranged around a cul-de-sac – was slow to develop with houses, and thus for many years was not eligible for acceptance into the state system. The street now features four houses, and is now eligible for acceptance.

In order to accept a road into the state system, VDOT first inspects the road to ensure that it meets state standards. If the road does not meet state standards, VDOT requires the developer to make improvements or repairs to the road to bring it into compliance with state standards. Once the road is deemed “acceptable,” VDOT requires a one-year maintenance bond, along with an administrative fee, that acts as a warranty in the event that the road begins to deteriorate or otherwise require maintenance during its first year in the state system. In the case of Cheyenne Lane, VDOT has set the bond amount at \$4,000, with a non-refundable administrative fee of \$1,000.

The developer of the Woods Edge subdivision, is currently in bankruptcy, and is not in a position to provide the \$4,000 bond or \$1,000 fee. Franklin County is still holding approximately \$7,200 of the developer’s original bond for the subdivision in a cash escrow account. The County intends to use the \$7,200 to perform repairs on the road, as identified by VDOT, in order to bring the road up to state standards. Based on cost estimates provided by several paving contractors, the repair work will exhaust the \$7,200 that the County currently holds, leaving no additional monies to cover the \$4,000 VDOT maintenance bond or \$1,000 VDOT administrative fee for acceptance into the state system.

RECOMMENDATION:

According to VDOT, it is possible to take the road into the state system without the \$4,000 maintenance bond or \$1,000 administrative fee, given that the County is going to be contracting and supervising the repair work to bring the road up to state standards. To do so, VDOT policies require the County, through formal resolution, to vouch for the integrity of the road for a period of one year. This would not require the County to outlay any monies in the form of bond or administrative fee. It could, however, obligate the County to cover the cost of any repairs deemed necessary by VDOT for a period of one year after the road is brought into the state system.

Submitted is a letter from VDOT Salem District Administrator Richard Caywood, outlining the process by which the County might apply for a waiver of the maintenance bond and fee; and a sample resolution for consideration by the Board of Supervisors.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

PO BOX 3071

SALEM, VA 24153-0560

GREGORY A. WHIRLEY
COMMISSIONER

November 9, 2011

Mr. Richard E. Huff II
County Administrator
Franklin County
1255 Franklin Street
Rocky Mount, VA 24151

RE: **Cheyenne Lane – Woods Edge Subdivision
Subdivision Street Acceptance
Administrative Cost Recovery Fee, Street Inspection Fee, and One-year Maintenance
Surety**

Mr. Huff,

The Department has been informed by your staff that the repairs and initial request for acceptance will be performed by Franklin County for the above referenced street under Section 33.1-229 of the Code of Virginia.

The referenced fees will be waived by the Department as Franklin County is acting on behalf of the developer for the street addition and utilizing the County's bond to complete the repairs and request due to default by the developer. The One-year Maintenance Surety may be substituted by an addition to the locality's resolution requesting the Department to accept the street for maintenance. The addition to the resolution will simply state Franklin County guarantees the street will be in an acceptable condition to the Department at the end of the one-year maintenance period. An example resolution has been prepared for this addition and is attached. My staff will coordinate with you further after the required repairs have been made and the resolution date has been scheduled. Please feel free to contact me if you have any questions or require additional information.

Sincerely,



Richard L. Caywood, P.E.
District Administrator
VDOT, Salem District

(RESOLUTION #05-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to proceed with the request for Cheyenne Lane, as requested in the staff's recommendation.

MOTION BY: Ronnie Thompson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

GRASSY HILL SPEED LIMIT REDUCTION STUDY UPDATE

Neil Holthouser, Director, Planning & Community Development, advised the Board, At the October Board of Supervisors meeting, the Board indicated a desire to consider posted speed limits along Grassy Hill Road. The speed limit is not posted along Grassy Hill Road; therefore, the current speed limit is 55 mph.

The current process for the Virginia Department of Transportation (VDOT) to consider posting or a reduction in the current speed limit is as follows:

- Someone request the study; or
- VDOT performs the study.

In previous years, the Board of Supervisors worked with the local VDOT office to request the consideration of posting or a reduction in the current speed limit. At that time VDOT would not proceed without concurrence from the Board of Supervisors.

When VDOT performs a study, they consider the following:

- Crash history;
- Residential density along corridor (number of driveways, proximity);
- Observation of the actual speed that people are currently driving along the corridor; and
- Intersection sight distances.

At the request of area residents along Grassy Hill Road, VDOT is currently studying a section of Grassy Hill Road, from the Town limits of Rocky Mount to Callaway Road. Results and recommendations of this study area are expected by the end of the year.

Planning staff suggests if the Board of Supervisors wants to study additional segments along Grassy Hill Road, then staff would need a resolution from the Board of Supervisors requesting the additional study area with specific boundaries of that area.

Once results of the current VDOT study are issued, the Board of Supervisors may consider a resolution requesting VDOT to post the speed limit and may request that a specific speed limit be set. After completion of the study, VDOT then reviews the Board's request and decides appropriate speed for the road.

RECOMMENDATION:

Staff has been advised that the Board wanted to be certain that the area along Grassy Hill Road (Rte. 919) from Callaway Road (Rte. 641) to the intersection of Iron Ridge Road (Rte. 775) be considered for speed reduction. This should be made part of the Board resolution plus any other areas to be studied. Staff respectfully requests direction from the Board of Supervisors on moving forward with an additional study area along Grassy Hill.

(RESOLUTION #06-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve staff's recommendation, as submitted and to extend the Grassy Hill Speed Limit Reduction study to Iron Ridge Road.

MOTION BY: Wayne Angell

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

REVIEW OF FOLLOW-UP CARRYOVER QUESTIONS FOR SCHOOL

FRANKLIN COUNTY PUBLIC SCHOOLS

FY 2010-2011 School Budget Follow Up Questions

1. Please send us the total number of teachers, teacher's aids, bus drivers, etc. for a total employee on staff count as of 6/30/2011 from the payroll and again for 9/30/2011 broken down by job title.

ANSWER: Please see Attachment #1.

2. Also, please provide the September 30 head counts in the same format as provided last year which should now show a three year history.

ANSWER: Please see Attachment #2.

3. Please show the FTE counts by classification, from the ASR for current (September, 2011) and last two years.

ANSWER: The ASR (Annual School Reports) have been provided to County Officials and therefore should have been provided to the Board of Supervisors. It is important to remember that a conference call was held on February 28, 2011 at 2:00 p.m. at the School Board Office that included Rick Huff and Vincent Copenhaver. Reported and confirmed in this conference call with Brian Logwood (State Budget Office) and Kent Dickey (State Finance and Operations) was that it would be inappropriate and misleading to use the ASR full time equivalent (FTE) count to answer questions relative to the total number of school employees at any point in time.

4. Please explain the changes have you made to (1) assure the School Board monthly review of the budget and all expenditures (month and year-to-date), (2) what suggestions do you have for keeping the BOS periodically informed , and (3) what steps have you made for keeping the budget information up to date on the County's computer system? Please provide an example of the report given to the School Board at each monthly meeting on Finances.

ANSWER: The School Board is currently receiving a monthly financial statement which includes revenues and expenditures by major category – please see Attachment #3. The School Board has always received a monthly payroll report and monthly lists of invoices to be paid, for their review and approval, which is not a change. The School Board and the Board of Supervisors are periodically informed and updated by the exchange of important information between the Division Superintendent, School Division Director of Business and Finance, School Board Chairman and the County Administrator, County Finance Director and Board of Supervisors Chairman. Meetings will also take place as needed. The School Division financial information in the joint

County/School Division accounting system is up-to-date. This information has always been kept up-to-date with the only exception being the timely monthly entry of appropriation budget entries.

5. Was the appropriate process followed to approve the additional expenditures made in the FY10-11 budget? If not, what is being put in place to correct in the future?

ANSWER: The appropriate process was followed to approve additional expenditures that were made during 2010-11. Please see Attachment #4. The School Division's expenditures did not exceed its appropriations for 2010-11.

6. Was any School Board policy, or other law, directive, or regulation violated in the moving of funds to different line items to cover overages in the FY10-11 budget?

ANSWER: No. Please see Attachment #4.

7. With all the years of data that is available, why can't total year-end expenditures/carryovers be projected in the spring, at least within a range?

ANSWER: Expenditures can be projected within an average range. However, this range may not account for the School Division's decisions to address specific needs with available funding. The Division always has many educational needs which will be addressed to the best of its ability with the available financial resources in a responsible, thoughtful and planned manner. Dr. Lackey accurately predicted an increase in 4th quarter spending and the School Division end of the year carryover this year to be between \$300,000 and \$500,000 in February. This is less than .05% of the overall budget.

8. How many buses can the school pay for from left-over money?

ANSWER: Please see Attachment #5.

9. Please explain why buses could not be paid for from FY11-12 budgeted funds rather than carryover with the funding coming from those areas that got "caught up" with the end of year spending in FY 10-11. Carryover could then be designated for other critical needs.

ANSWER: The School Division did purchase 3 replacement school buses at a cost of \$218,395 in Spring 2011 during 2010-11. In our view, during the Spring budget discussions about the 2011-12 School Division and County Budgets, the two Boards had a general agreement that 14 total replacement buses would be purchased during 2011-12. The funding would come from \$340,000 budgeted by the County with the balance to come from School Division carryover funds. Please see Attachment #5, which includes our funding request for the remaining 11 replacement school buses, which are yet to be purchased.

	Comparison of Employee Count					
	2010-11	2010-11	2009-10	2008-09	2009	2008
	Employee Count (Full & Part-Time) September 30, 2011	Employee Count (Full & Part-Time) June 30, 2011	Employee Count (Full & Part-Time) September 30, 2010	Employee Count (Full & Part-Time) June 30, 2010	Employee Count (Full & Part-Time) June 30, 2009	Employee Count (Full & Part-Time) September 30, 2008
Teachers	598	596	601	617	619	626
Teacher Assistants	154	148.5	143.5	148	144	144
Driver's Ed Instr.	2	2	2	2	2	2
Principals	20	20	20	21	21	21
Asst. Principals	9	10	10	11	11	11
Clerical/Print Shop	70	69.5	69.5	75	73	73
Guidance	23	22	22	22	22	22
Librarians	16	16	16	16	15	15
Cafeteria Monitors	17	18	22	18	19	20
Reading Tutors	12	9	12	12	11	11
Parent Resource Counselor	1	1	1	1	1	1
Bus Driver Trainer	1	1	1	1	1	1
Asst. Superintendent	1	1	1	1	1	1
Superintendent	1	1	1	1	1	1
Coord of Student Services	1	1	1	0	0	0
Volunteer Coordinator	0	0	0	1	1	1
Psychologists	4	4	4	4	5	5
Occup. Therapist	3	3	3	3	3	3
Nurses	20	20	20	18	18	18
Nutritionist	1	1	1	1	1	1
Food Service Workers	78	82	84	86	85	86
Custodians	81	81	81	84	83	83
Safety Officers	5	5	5	5	5	5
Technology Services	10	10	10	15	10	10
Bus Drivers	140	137	135	136	139	145
Purchasing	2	2	2	3	3	3
Mechanics	10	10	10	11	11	11
Maintenance	14	14	14	15	15	15
Cannery	4	4	4	4	4	4
Directors/Supervisors	17	17	17	19	20	20
Bus Assistants	16	18	20	23	23	23
School Board	1331	1324	1333	1374	1359	1382
	8	8	8	8	8	8
Total Employee Count	1339	1332	1341	1382	1367	1390
Part-time	132	139	152	159	144	165
Full-Time	1207	1193	1189	1223	1223	1225

*Adult Education Part-time instructors reduced from 21 to 11

ATTACHMENT 2

Comparison of Employee Count

	Employee Count (Full & Part-Time) September 30, 2011	Employee Count (Full & Part-Time) September 30, 2010	Employee Count (Full & Part-Time) September 30, 2009	Employee Count (Full & Part-Time) September 30, 2008
Teachers	598	601	619	626
Teacher Assistants	154	143.5	144	144
Driver's Ed Instr.	2	2	2	2
Principals	20	20	21	21
Asst. Principals	9	10	11	11
Clerical/Print Shop	70	69.5	73	73
Guidance	23	22	22	22
Librarians	16	16	15	15
Cafeteria Monitors	17	22	22	20
Reading Tutors	12	12	12	11
Parent Resource Counselor	1	1	1	1
Bus Driver Trainer	1	1	1	1
Asst. Superintendent	1	1	1	1
Superintendent	1	1	1	1
Coordinator of Student Services	1	1	0	0
Volunteer Coordinator	0	0	1	1
Psychologists	4	4	5	5
Occup. Therapist	3	3	3	3
Nurses	20	20	19	18
Nutritionist	1	1	1	1
Food Service Workers	78	84	86	86
Custodians	81	81	84	83
Safety Officers	5	5	5	5
Technology Services	10	10	10	10
Bus Drivers	140	135	139	145
Purchasing	2	2	3	3
Mechanics	10	10	11	11
Maintenance	14	14	15	15
Cannery	4	4	4	4
Directors/Supervisors	17	17	19	20
Bus Assistants	16	20	24	23
	1331	1333	1374	1382
School Board	8	8	8	8
Total Employee Count	1339	1341	1382	1390
Part-time	132	152	149	165
Full-Time	1207	1189	1233	1225

**Franklin County Public Schools
Monthly Statement of Revenues and Expenditures - Cash Basis
Month July 31, 2011**

REVENUES:

Description	Original Budget	Additional Appropriations	Revenues for Month	Revenues Year-to-Date	Unrealized Revenues Year-to-Date
State Funds	\$27,811,342	\$0	\$1,966,526	\$1,966,526	\$25,844,816
State Sales Tax	7,204,184	0	558,556	558,556	6,645,628
Federal Education Jobs Funds	1,615,903	0	0	0	1,615,903
Federal Funds	6,891,957	0	661,767	661,767	6,230,190
Other Funds	3,291,196	0	57,736	57,736	3,233,460
County Funds	30,486,905	0	1,332,156	1,332,156	29,154,749
Canneries	50,740	0	5,041	5,041	45,699
Total Revenues	\$77,352,227	\$0	\$4,581,782	\$4,581,782	\$72,770,445

EXPENDITURES:

Description	Original Budget	Additional Appropriations	Expenditures for Month	Expenditures Year-to-Date	Remaining Unspent Budget
Instruction	\$49,042,223	\$0	\$1,089,278	\$1,089,278	\$47,952,945
Title I - Instruction	1,623,935	0	32,188	32,188	1,591,747
Title VI-B-Instruction	1,956,009	0	23,647	23,647	1,932,362
Administration, Attendance & Health	2,328,373	0	108,126	108,126	2,220,247
Pupil Transportation	5,450,591	0	259,244	259,244	5,191,347
Operation and Maintenance	6,949,115	0	562,783	562,783	6,386,332
School Food Services	4,631,257	0	69,054	69,054	4,562,203
Facilities	0	0	453,926	453,926	(453,926)
Debt Service	2,976,459	0	1,893,203	1,893,203	1,083,256
Technology	2,343,525	0	85,292	85,292	2,258,233
Canneries	50,740	0	5,041	5,041	45,699
Total Expenditures	\$77,352,227	\$0	\$4,581,782	\$4,581,782	\$72,770,445

*Note: The Franklin County Board of Supervisors approved an additional appropriation for facilities totalling \$892,463 on May 17, 2011. These appropriations for facilities were entered into the County/School Board's accounting system on August 11, 2011. Accordingly, this spending was fully authorized and approved.

**Franklin County Public Schools
Monthly Statement of Revenues and Expenditures - Cash Basis
Month August 31, 2011**

REVENUES:

<u>Description</u>	<u>Original Budget</u>	<u>Additional Appropriations</u>	<u>Revenues for Month</u>	<u>Revenues Year-to-Date</u>	<u>Unrealized Revenues Year-to-Date</u>
State Funds	\$27,811,342	\$295,644	\$1,956,357	\$3,922,883	\$24,184,103
State Sales Tax	7,204,184	0	646,671	1,205,227	5,998,957
Federal Education Jobs Funds	1,615,903	0	0	0	1,615,903
Federal Funds	6,891,957	614,486	447,527	1,109,294	6,397,149
Other Funds	3,291,196	25,000	9,127	66,863	3,249,333
County Funds	30,486,905	1,347,176	(252,582)	1,079,574	30,754,507
Canneries	50,740	0	7,384	12,425	38,315
Total Revenues	\$77,352,227	\$2,282,306	\$2,814,484	\$7,396,266	\$72,238,267

EXPENDITURES:

<u>Description</u>	<u>Original Budget</u>	<u>Additional Appropriations</u>	<u>Expenditures for Month</u>	<u>Expenditures Year-to-Date</u>	<u>Remaining Unspent Budget</u>
Instruction	\$49,042,223	\$1,266,908	\$1,110,928	\$2,200,206	\$48,108,925
Title I - Instruction	1,623,935	0	26,618	58,806	1,565,129
Title VI-B-Instruction	1,956,009	0	83,478	107,125	1,848,884
Administration, Attendance & Health	2,328,373	15,070	102,354	210,480	2,132,963
Pupil Transportation	5,450,591	65,020	111,799	371,043	5,144,568
Operation and Maintenance	6,949,115	36,817	541,186	1,103,969	5,881,963
School Food Services	4,631,257	0	73,505	142,559	4,488,698
Facilities	0	892,463	239,501	693,427	199,036
Debt Service	2,976,459	0	203,530	2,096,733	879,726
Technology	2,343,525	6,028	314,201	399,493	1,950,060
Canneries	50,740	0	7,384	12,425	38,315
Total Expenditures	\$77,352,227	\$2,282,306	\$2,814,484	\$7,396,266	\$72,238,267

Franklin County Public Schools
Monthly Statement of Revenues and Expenditures - Cash Basis
Month September 30, 2011

REVENUES:

<u>Description</u>	<u>Original Budget</u>	<u>Additional Appropriations</u>	<u>Revenues for Month</u>	<u>Revenues Year-to-Date</u>	<u>Unrealized Revenues Year-to-Date</u>
State Funds	\$27,811,342	\$295,644	\$2,700,249	\$6,623,132	\$21,483,854
State Sales Tax	7,204,184	0	567,720	1,772,947	5,431,237
Federal Education Jobs Funds	1,615,903	0	0	0	1,615,903
Federal Funds	6,891,957	614,486	376,530	1,485,824	6,020,619
Other Funds	3,291,196	25,000	20,991	87,854	3,228,342
County Funds	30,486,905	1,347,176	3,071,866	4,151,440	27,682,641
Canneries	50,740	0	6,336	18,761	31,979
Total Revenues	\$77,352,227	\$2,282,306	\$6,743,692	\$14,139,958	\$65,494,575

EXPENDITURES:

<u>Description</u>	<u>Original Budget</u>	<u>Additional Appropriations</u>	<u>Expenditures for Month</u>	<u>Expenditures Year-to-Date</u>	<u>Remaining Unspent Budget</u>
Instruction	\$49,042,223	\$1,266,908	\$4,336,747	\$6,536,953	\$43,767,178
Title I - Instruction	1,623,935	0	206,897	265,703	1,358,232
Title VI-B-Instruction	1,956,009	0	278,683	385,808	1,570,201
Administration, Attendance & Health	2,328,373	15,070	199,084	409,564	1,933,879
Pupil Transportation	5,450,591	65,020	516,607	887,650	4,624,961
Operation and Maintenance	6,949,115	36,817	531,259	1,635,228	5,358,704
School Food Services	4,631,257	0	385,595	528,154	4,103,103
Facilities	0	892,463	24,423	717,850	174,613
Debt Service	2,976,459	0	0	2,096,733	879,726
Technology	2,343,525	6,028	258,061	657,554	1,691,999
Canneries	50,740	0	6,336	18,761	31,979
Total Expenditures	\$77,352,227	\$2,282,306	\$6,743,692	\$14,139,958	\$65,494,575

ATTACHMENT 4

LAW OFFICES
RAINE & PERDUE, P.L.C.
245 SOUTH MAIN STREET
PERDUE - MONTGOMERY BUILDING
ROCKY MOUNT, VIRGINIA 24151

MICHAUX RAINE III (1936-2010)
CLYDE H. PERDUE, JR.
C. HOLLAND PERDUE III

(540) 483-9259
FAX (540) 483-0828
cperduclaw@jetbroadband.com

October 10, 2011

Edward C. Jamison, Chairman
Franklin County School Board
25 Bernard Road
Rocky Mount, Virginia 24151

Re: Expenditure of School Board funds in excess of
the amount allocated by the School Board
for any budget item category

Mr. Jamison:

In regard to the above referenced matter, I have reviewed applicable provisions of the Virginia Code and School Board Policy. I have discussed the matter with the Director of Business and Finance of the Franklin County School Board (Lee Cheatham) and reviewed the factual situation with an "in house attorney" employed by the Virginia Association of School Boards (an organization that provides impartial advice to its members).

The Franklin County School Board budget is an annual budget established by the School Board based on the allocation of the total amount of funds approved by the Franklin County Board of Supervisors. Virginia Code and School Board Policy requirements demand that no money shall be expended or contracted to be expended, in any fiscal year, that would exceed the total budgeted expenditures allocated to the School Board by the Board of Supervisors.

The School Board, in its budget for any given year, itemizes its budget expenditures into (now) nine categories. In the event any category is "over budget", funds from a category that is "under budget" may, with the approval of the School Board, be allocated from one category to the other. This approval may be made either before or after the discovery is made that a category is "over budget", but, if determined by the School Board to be so approved, must be made prior to conclusion of the fiscal year (i.e., on or



FRANKLIN COUNTY PUBLIC SCHOOLS

Office of Superintendent
 25 Bernard Road • Rocky Mount, VA 24151-8614
 (540) 483-5138 • FAX (540) 483-5806

October 6, 2011 – Revised

Mr. Vincent K. Copenhaver
 County Finance Director
 1255 Franklin Street, Suite III
 Rocky Mount, VA 24151

Dear Vincent:

I am writing to respectfully request that the Franklin County Board of Supervisor's consider approving an increase in our 2011-12 appropriations as follows:

We had proposed purchasing 14 replacement school buses in our budget for 2011-12. We were able to purchase 1 regular and 2 special education buses in Spring 2011. Accordingly, we will still need to purchase 9 regular and 2 special education replacement buses in Fall 2011. The finances could be as follows:

Revenues:	
County Capital Budget for School Buses	\$340,000
Energy Funds Carryover	418,128
Land Acquisition Funds Carryover	50,000
Textbook Funds Carryover	73,065
Carryover from 2010-11 School Budget	<u>69,937</u>
Total Revenues	<u>\$951,130</u>
Expenditures:	
9 Regular Replacement School Buses	
(9 x \$90,240 = \$812,160)	\$812,160
2 Special Education Replacement Buses	
(2 x \$69,485 = \$138,970)	<u>138,970</u>
Total Expenditures	<u>\$951,130</u>

Notes:

1. The above cost estimates have been updated.
2. The 9 regular replacement school buses are currently available on the lot and can be obtained within 20 days of placing the order. This inventory is on a first-come first sold basis. If they are sold on or before October 18, 2011 then we can obtain them within 90 to 120 days after the order is placed.
3. The 2 special education replacement buses are not in inventory so we can obtain them within 90-120 days after the order is placed.

We respectfully request that the Franklin County Board of Supervisors give its approval for the appropriation and expenditure of these school funds at their next meeting, to be held on October 18, 2011.

Thanks you for your consideration.

Sincerely,


 Lee E. Cheatham
 Director of Business & Finance

LEC:tcw

- cc: Dr. Charles H. Lackey, Division Superintendent
 Mrs. Suzanne M. Rogers, Assistant Superintendent
 Mr. Phillip L. Poff, Director of Human Resources
 Ms. Sharon L. Tuttle, Assistant Director of Business & Finance
 Mr. Steve C. Oakes, Director of Facilities & Transportation
 Mr. Richard E. Huff, II, County Administrator

General discussion ensued.

REQUEST FOR AN INCREASE IN FY'2011-12 APPROPRIATIONS

Lee Cheatham, Director of Finance & Business, School Board, We had proposed purchasing 14 replacement school buses in our budget for FY'2011-12. We were able to purchase 1 regular and 2 special education buses in Spring 2011. Accordingly, we will still need to purchase 9 regular and 2 special education replacement buses in Fall 2011. The finances could be as follows:

Revenues:

County Capital Budget for School Buses	\$340,000
Energy Funds Carryover	418,128
Land Acquisition Funds Carryover	50,000
Textbook Funds Carryover	73,065
Carryover from 2010-11 School Budget	<u>69,937</u>
Total Revenues	<u>\$951,130</u>

Expenditures:

9 Regular Replacement School Buses (9 x \$90,240 = \$812,160)	\$812,160
2 Special Education Replacement Buses (2 x \$69,485 = \$138,970)	<u>138,970</u>
Total Expenditures	<u>\$951,130</u>

Notes:

1. The above cost estimates have been updated.
2. The 9 regular replacement school buses are currently available on the lot and can be obtained within 20 days of placing the order. This inventory is on a first-come first sold basis. If they are sold on or before October 18, 2011 then we can obtain them within 90 to 120 days after the order is placed.
3. The 2 special education replacement buses are not in inventory so we can obtain them within 90-120 days after the order is placed.

The Board of Supervisors recently requested County staff to review all additional appropriation requests from the Franklin County Public Schools.

County and School Finance staff have agreed that there is approximately \$914,000 remaining in local school funds for the past fiscal year (10-11). Included in this total is the energy funds carryover of \$418,128 and funds for future land acquisition of \$50,000. Also included is the balance of unused textbook funds of \$73,065 and \$91,992 remaining from the School cost of living payment. This \$914,000 represents approximately 3% of the total local funds appropriated to the Schools.

The Schools have proposed using the above mentioned funds along with \$262,486 of additional local carryover and the \$340,000 included in the County's Capital fund for two additional appropriation requests. The first request is to purchase 9 replacement regular school buses and 2 Special Education replacement school buses for a total cost of \$951,130. These purchases will complete the bus replacement cycle for FY11-12 and will also keep the County up to date on the overall bus replacement schedule.

The second request is for an additional \$284,541 to be set aside to help buffer anticipated revenue loss in the FY12-13 School Budget.

RECOMMENDATION:

There is \$1,235,671 total available from carryover and CIP funds. Of that \$418,128 was set aside as an Energy Reserve. Staff believes the Energy Reserve should not be used elsewhere at this point. That would leave \$817,543 which staff recommends be appropriated for School Bus purchases. If additional funds are deemed necessary by the School Board for bus purchases, current year funding should be evaluated. *The Energy Reserve of \$418,128 should be held by the County and requested, if needed, at a future date.*

(RESOLUTION #07-11-2011)

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

MOTION BY: Russ Johnson
 SECONDED BY: Wayne Angell
 VOTING ON THE MOTION WAS AS FOLLOWS:

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

(RESOLUTION #08-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the request of \$817,543 as presented (8 buses & 2 special ED buses).

MOTION BY: Wayne Angell

SECONDED BY: Bobby Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

REQUEST TO CONSIDER A RESERVE FOR FY'2012-13 SCHOOL CONTINGENCIES

Lee Cheatham, Director of Business & Finance, respectfully requested that the Franklin County Board of Supervisor's consider approving a reserve for 2012-13 School Budget contingencies as follows:

Proposed Revenues:

1.	Local Carryover from 2009-10 (\$546,705 less \$454,713 COLP = \$91,992)	\$ 91,992
2.	Less Carryover Proposed for School Bus Purchases	(75,882)
3.	Local Carryover from 2010-11	<u>262,486</u>
	Total Proposed Revenues	<u>\$ 278,596</u>

Proposed Reserve:

1.	Reserve for Contingencies for the 2012-13 School Budget	\$ <u>278,596</u>
	Total Proposed Reserve	<u>\$ 278,596</u>

The Board of Supervisors recently requested County staff to review all additional appropriation requests from the Franklin County Public Schools.

County and School Finance staff have agreed that there is approximately \$914,000 remaining in local school funds for the past fiscal year (10-11). Included in this total is the energy funds carryover of \$418,128 and funds for future land acquisition of \$50,000. Also included is the balance of unused textbook funds of \$73,065 and \$91,992 remaining from the School cost of living payment. This \$914,000 represents approximately 3% of the total local funds appropriated to the Schools.

The Schools have proposed using the above mentioned funds along with \$262,486 of additional local carryover and the \$340,000 included in the County's Capital fund for two additional appropriation requests. The first request is to purchase 9 replacement regular school buses and 2 Special Education replacement school buses for a total cost of \$951,130. These purchases will complete the bus replacement cycle for FY11-12 and will also keep the County up to date on the overall bus replacement schedule.

The second request is for an additional \$284,541 to be set aside to help buffer anticipated revenue loss in the FY12-13 School Budget.

RECOMMENDATION:

There is \$1,235,671 total available from carryover and CIP funds. Of that \$418,128 was set aside as an Energy Reserve. Staff believes the Energy Reserve should not be used elsewhere at this point. That would leave \$817,543 which staff recommends be appropriated for School Bus purchases. If additional funds are deemed necessary by the School Board for bus purchases, current year funding should be evaluated. The Energy Reserve of \$418,128 should be held by the County and requested, if needed, at a future date.

Previously addressed within **RESOLUTION #08-11-2011.**

PUBLIC SAFETY RADIO SYSTEM UPGRADES

Daryl Hatcher, Director of Public Safety, Approximately a decade ago, the County began to address its aging public safety radio communication system. At that time, the County had a mixture of old (1970s' vintage) radios, repeaters, and base stations. Law enforcement relied on a single VHF high band radio repeater, while Fire & EMS utilized several low- band type radio base stations. Many areas of the County had no radio coverage, while interagency communications was virtually non-existent. The primary objective of the communications project was to improve communications between law enforcement and public safety agencies which would increase responder safety. During the events of September 11, 2001, it became very clear that the single most limiting factor to emergency responses at that time was the ability for field personnel to communicate with one another and to command authority. Subsequently, the Federal Communications Commission announced various requirements including interoperability standards and narrow band channels.

In 2003, the Board of Supervisors authorized staff to proceed with seeking proposals for a needs analysis from qualified firms specializing in radio communications. In 2004, Atlantic Technology Consultants completed a Public Safety Radio System Needs Analysis. The report outlined deficiencies to the system and presented various options. One option included an 800 MHz system consisting of 7 transmitter sites at a cost of approximately \$8.4 million, while another option included a VHF simulcast system consisting of 4 transmitter sites at a cost of approximately \$4 million. Following further staff analysis at that time, the project team presented and the Board approved a new, digital narrowband radio system by Motorola be constructed over a two year period consisting of one primary repeater site on Grassy Hill, with four receive only sites at a cost of approximately \$1.5 million. It was noted at the time there may be a need to build additional sites in the future to provide complete radio coverage. Such project was funded through retained earnings from the E911 capital fund, a Department of Homeland Security grant, and a lease/purchase finance.

Although the project was approved in 2004, the due diligence work of completing engineering, securing tower sites, procuring, and construction took many months to a couple of years. The Grassy Hill tower was developed as the central transmitter site which receive only sites later added at Westlake, Crowell's Gap, Cook's Knob, and Tom's Knob. While radio coverage from the Grassy Hill tower immediately improved communications and agency interoperability in the central portion of the County, various remote areas of the County still experienced areas of little or no coverage. As each of the receiver sites came online, the hope was for improved coverage to these areas. However, as time has passed both law enforcement and public safety personnel report deficiencies in some areas (i.e. Snow Creek, Fork Mountain, Henry, Callaway). It has become clear that the original objective of the project was met in and around the central portions of the county, however communications in some of the outlying areas of the county have not improved.

Late this past summer staff was notified of one such occurrence. During a brush fire in the Snow Creek area, the field personnel on scene were not able to communicate with one another. While in sight of the Tom's Knob tower and while within view of each other's fire trucks, the volunteers were not able to talk with each other on the radio system. While it was later confirmed a lightning strike from the same storm that started the fire had damaged the site at Tom's Knob, limited radio coverage continued following repairs to the site. More recently, the Snow Creek Rescue Squad reported radio issues whereby members were having difficulties not only talking with one another via their radios, but were also having problems hearing the system or communicating with dispatch. A similar situation occurred more recently when shots were fired at a Ferrum College police unit. The incident quickly became a large manhunt for the suspect with the County's Strategic Response Team being called out. The incident was largely contained to the area between Henry and Ferrum. Radio traffic was being heard in Dispatch, but the responding units could not hear Dispatch or each other. Further tests have shown dispatch can hear field users in most situations, but the field users cannot hear dispatch or other field users, bringing us to the conclusion the single transmit site at Grassy Hill is not strong enough to provide adequate radio coverage.

Subsequently, last month Assistant County Administrator Chris Whitlow and Director of Public Safety Daryl Hatcher arranged a meeting with the Snow Creek Fire Chief, Snow Creek Rescue Captain, Sheriff Hunt, Bill Agee (Manager of Emergency Communications), and Motorola representatives from Radio Communications, Inc. to discuss the current issues. Following this meeting, Radio Communications began troubleshooting the Tom's Knob receiver site and found a bad receiver amplifier and a faulty antenna multi-coupler which was determined to be more damage from the lightning strike. While these items have now been repaired and the talk-in

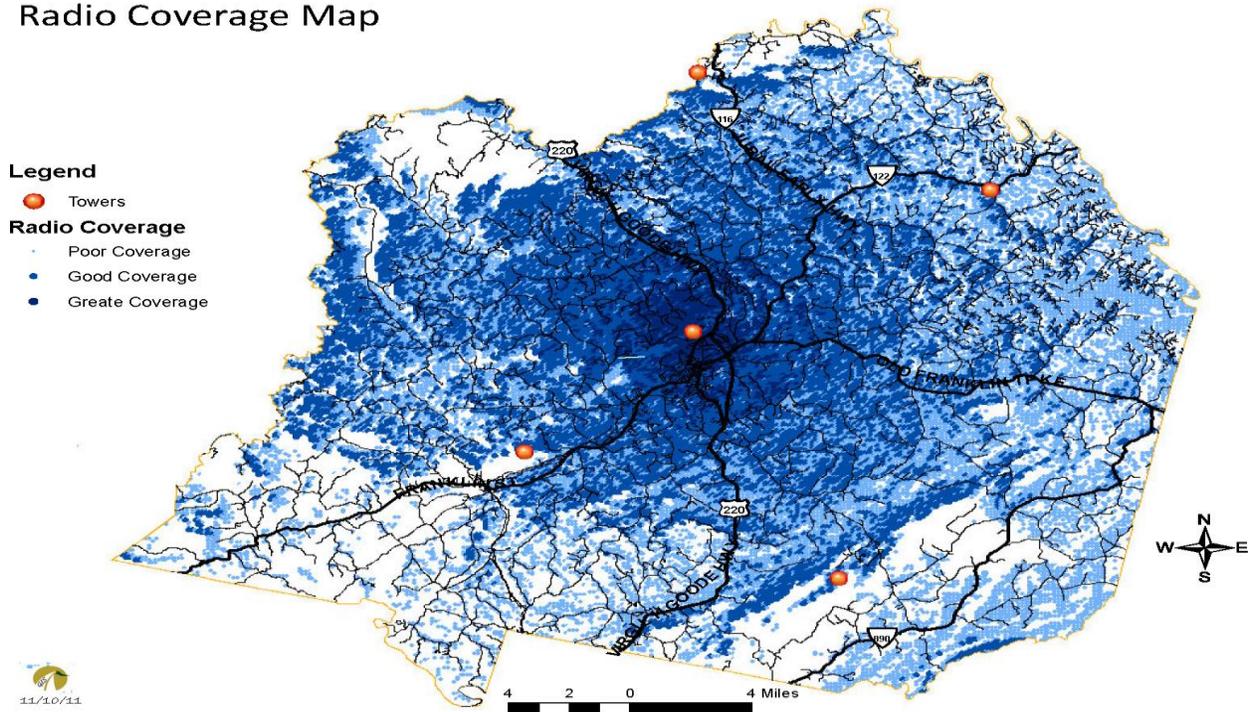
function to dispatch has been improved (although with static), the primary concern remains with the lack of communication from Dispatch to the field units and between portables in those dead coverage areas. As for any next steps, staff discussed the need for an analysis of the existing radio system now that the system has been in place several years and given recent issues. During staff's meeting with Radio Communications Inc., the company representatives noted Motorola can conduct a free analysis of its equipment and system and propose system improvements including locations of potential additional transmitter sites. While this "no-cost" analysis should be completed, an independent evaluation of Motorola's analysis would then be warranted. In the interim, emergency communications staff has begun working to address other communication site enhancements including the replacement and addition of batteries for the solar power system at Tom's Knob and the installation of a back-up generator for Cook's Knob (both of which are budgeted this fiscal year). It should be pointed out that the site at Tom's Knob has no commercial power, but rather is solar powered. While solar provides some power to the system, such an energy source is not optimal for this location should site enhancements (i.e. repeaters) later be recommended to improve coverage gaps. As such, staff will continue to work with APCO and community members on identifying possible sources / routes for commercial power.

Without reliable communication it places responders in jeopardy and diminishes service to citizens. When asked, police, fire, and emergency medical service responders in Franklin County identified reliable communication as the single most important tool needed by responders. Although the intent was to improve county-wide communications within the public safety community, the current system in place has not proven to meet the needs of the system and needs further improvement.

RECOMMENDATION: Pending further feedback from the Board, staff will move forward with the following:

- Completion of the Motorola analysis
- Once analysis is completed, seek an independent evaluation using existing resources
- Following the analysis and evaluation, report back to the Board with a range of options

Radio Coverage Map



(RESOLUTION #09-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to form a committee with Sheriff Elect Overton, Public Safety Director, Daryl Hatcher, Town of Rocky Mount Representative (David Cundiff) and Fire and Rescue representatives and to further seek an independent analysis of the radio system and report back to the Board, their findings.

MOTION BY: David Cundiff

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

WATER & SEWER TO DIAMOND AVENUE EXTENSION/LILLIE'S LEISURE UPDATE

Neil Holthouser, Director, Planning & Community Development, advised the Board the Town of Rocky Mount requests that the Franklin County Board of Supervisors consider a request to extend Town water and sewer utilities into an unincorporated area of Franklin County, located along Diamond Avenue Extension, immediately adjacent to the Town limits.

The subject parcel is identified as Tax Map/Parcel # 63-49. The parcel consists of approximately 16.78 acres, and is owned by Southwest Builders, Inc. The owners of the property have entered into an agreement with Lillie Joe Windley Housing, Inc., to sell an 11.775-acre portion of the 16.78-acre site for the purpose of developing a 44-unit age-restricted residential townhouse development. Southwest Builders intends to reserve some land with immediate frontage along Diamond Avenue for future development of single-family detached home sites.

The property was previously the subject of a request in March 2005 to extend Town water and sewer for a 44-unit, single-family detached residential subdivision, known at the time as Rocky Mountain Highlands. The Franklin County Board of Supervisors approved the request to extend Town utilities to the site. However, the Rocky Mountain Highlands project was never developed, the planned utilities were never constructed, and the property was not subdivided into individual building lots.

ANALYSIS:

In recent months, a new project has emerged, known as Lillie's Leisure, consisting of 44 townhouses/apartments. The project is intended to be age-restricted, serving the housing needs of retirees. The Town of Rocky Mount has reviewed the project, and determined that it is substantially different from the earlier Rocky Mountain Highlands project, thus requiring new approval from the Town to extend water and sewer utilities. In August 2011, the Rocky Mount Town Council voted to approve the extension of water and sewer utilities for the Lillie's Leisure project, subject to approval by Franklin County. The Town Council gave conditional approval for water and sewer extension to the residual land owned by Southwest Builders along Diamond Avenue, also subject to County approval.

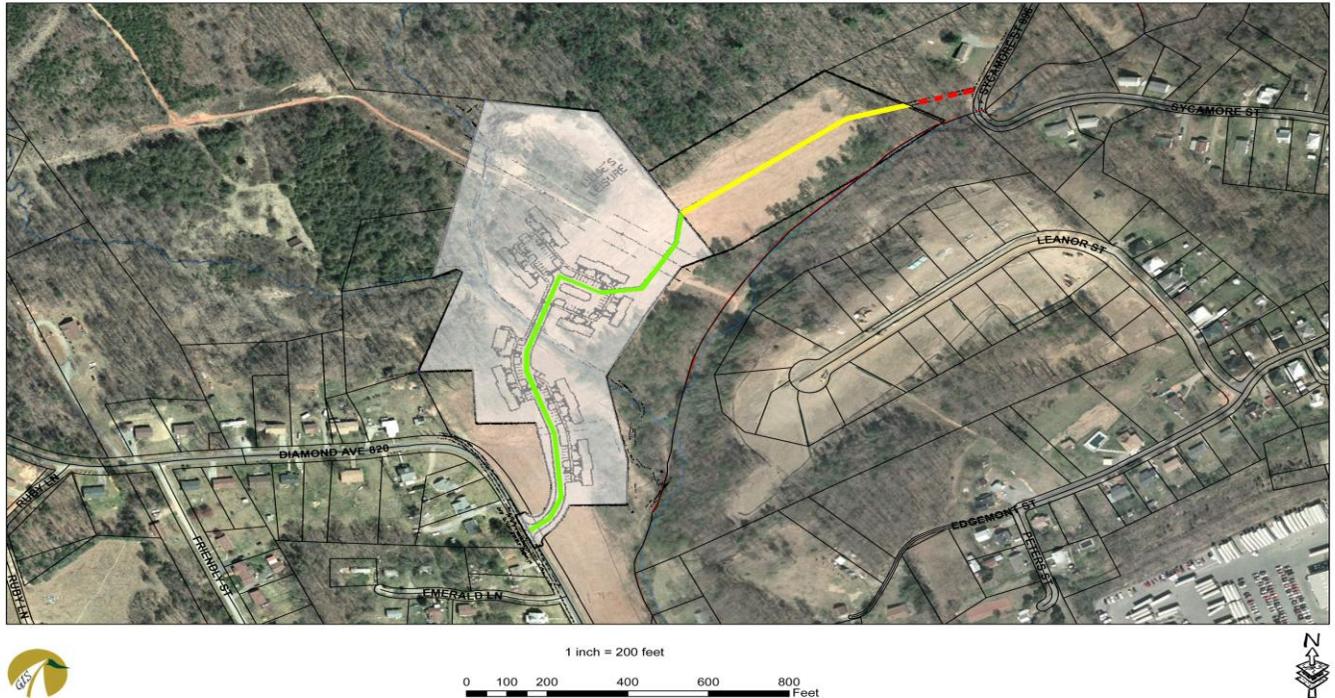
Southwest Builders is not proposing to develop its residual land along Diamond Avenue at this time. Planning staff estimates that the residual land could be subdivided into 8 to 10 building lots, in accordance with the Franklin County Subdivision Ordinance.

Franklin County Planning staff has reviewed grading, development, and erosion & sediment control plans for the Lillie's Leisure project, and has deemed the plans approvable subject to authorization from the Board of Supervisors to allow the water and sewer extension. Staff notes that the plans call for the dedication of a 10-foot wide emergency access easement, to be granted to Franklin County and the Town of Rocky Mount, to the rear of the Lillie's Leisure project heading east toward Sycamore Street.

Staff has expressed some concern about the adequacy of this easement, given that it will be an unimproved path, and does not connect all the way to Sycamore Street. (The subject parcel does not have frontage along Sycamore Street.) Staff has also expressed concerns in the past about emergency access along Diamond Avenue extension, given that development in the area is serviced by only one public road, which crosses a railroad track and a creek prone to flooding. These issues were not addressed in 2005, when the Board previously authorized the extension of utilities to the site for the Rocky Mountain Highlands project. The developer of the Lillie's Leisure is aware of staff's concerns, and intends to be present at the November 15th Board meeting to address any issues that may arise from the Board.

RECOMMENDATION:

Staff recommends that the Board of Supervisors consider the Town of Rocky Mount's request to extend water and sewer utilities to the subject property. If satisfied that the project will provide adequate emergency access for residents of the site and vicinity, staff recommends that the Board authorize the County Administrator to execute an agreement with the Town of Rocky Mount to extend Town water and sewer.



(RESOLUTION #10-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the Town of Rocky Mount's request to extend water and sewer into an unincorporated area of Franklin County, to serve property identified as Franklin County Tax Map/Parcel #63-49, on the condition that, at the time of subdivision, the owner of the subject parcel provides to the county a 20' wide emergency access easement, as described in the staff presentation.

MOTION BY: Wayne Angell

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

NAYS: Johnson

LIGHTING OF OUTDOOR RECREATION FACILITIES

Neil Holthouser, Director, Planning & Community Development, advised the Board at its October 2011 meeting, the Board of Supervisors requested that Planning staff draft a potential amendment to the Zoning Ordinance to allow for flexibility in the outdoor lighting standards for recreation facilities and ball fields. The request was made, in part, in response to plans by Westlake Baptist Church to install outdoor lighting for a baseball/softball field on the church's property, located on Scruggs Road in the Gills Creek Magisterial District.

ANALYSIS:

Chapter 25, Article II, Division 4.2 of the Franklin County Code sets forth the requirements for outdoor lighting, as they apply in areas of the County subject to the Zoning Ordinance. This portion of the code, which was last updated in April 2009, recognizes the following categories of outdoor lighting:

- Sec. 25-157.3. Exempt. (Types of lighting that are exempt from the ordinance requirements.)
- Sec. 25-157.4. Street Lighting. (Lighting intended to illuminate streets.)
- Sec. 25-157.5. Site Lighting. (Lighting intended to illuminate developed or improved areas of a site.)
- Sec. 25-157.6. Building Lighting. (Lighting intended to illuminate a building's façade.)
- Sec. 25-157.7. Sign Lighting. (Lighting intended to illuminate signage.)
- Sec. 25-157.8. Landscape Lighting. (Lighting intended to illuminate landscaping or landscape features.)

In most cases, the ordinance requires that all lighting fixtures be down-casting and full cut-off. This means that the light source must be aimed toward the ground, and that the source of the light be shielded in such a manner that no light escapes upward or laterally above a horizontal plane drawn at the bottom of the light source.

The ordinance does, however, allow exceptions for building lighting, sign lighting, and landscape lighting. Such lighting may include fixtures that are not down-casting or full cut-off, as long as the light emitted does not exceed specified levels of intensity.

As the ordinance is currently written, all site lighting (i.e. lighting of improved or developed areas of a site, including recreational facilities) must be down-casting and full cut-off. The ordinance does allow for taller light poles for “public recreation facilities” – up to eighty (80) feet in height. At the time the ordinance was written, it was believed that this provision for taller light fixtures would be adequate to effectively illuminate outdoor recreation facilities and ball fields.

It has since come to staff’s attention, through conversations with professional engineers and lighting designers, that the full cut-off requirement cannot be met when lighting ball fields and outdoor recreation facilities. Ball fields typically require an even distribution of light across the entire playing surface. Significant deviations in light intensity on the playing field – bright spots contrasting with dark spots – are not conducive to play, and can create potentially dangerous conditions for participants. Full cut-off fixtures provide concentrated light directly beneath the fixture, and rapidly decrease the intensity of light as the radial distance from the light source increases.

To address the issue of outdoor lighting of recreation facilities, staff proposes the following ordinance language:

Sec. 25-157.5. Site lighting.

The following standards shall apply to site lighting:

- a) Site lighting shall be located and arranged so that light output does not exceed 0.5 footcandles at the front, side, and rear property lines.
- b) Site lights shall not exceed thirty-five (35) feet in height, as measured from grade at a point directly below the light source, ~~except for the lighting of public recreational facilities, where such lighting shall not exceed eighty (80) feet in height.~~ **as otherwise provided in this section.**
- c) Site lighting fixtures shall be down-casting and full cut-off, **except as otherwise provided in this section.**
- d) **Site lighting that is intended to illuminate the playing surface of an outdoor recreation facility shall comply with the following:**
 - 1) **Lights shall not exceed eighty (80) feet in height, as measured from grade at a point directly below the light source.**
 - 2) **Light fixtures shall be shielded in a manner that precludes light trespass in an upward direction. Such fixtures are not required to be full cut-off, and may be aimed in a direction other than downward, provided that the light source is shielded from above.**
 - 3) **Lights shall be located and arranged so that light output does not exceed 0.5 footcandles at the front, side, and rear property lines.**

RECOMMENDATION:

Staff recommends that the Board of Supervisors consider the draft ordinance language, as prepared above by Planning staff. Should the Board intend to move forward with ordinance amendment, staff respectfully requests that the Board refer the matter to the Planning Commission for review, public comment, and recommendation.

(RESOLUTION #11-11-2011)

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

MOTION BY: Russ Johnson

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

PLANNING COMMISSION UPDATE

Neil Holthouser, Director of Planning & Community Development, reviewed with the Board three (3) cell towers petitions. The Planning Commission tabled said petitions until next month, however, the State Code does allow the governing body to grant an extension of additional days for the Planning Commission to review and evaluate. General discussion ensued.

(RESOLUTION #12-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize an extension time of 60 days for the towers to be considered by the Planning Commission.

MOTION BY: Bobby Thompson

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

NATURAL GAS LINE UPDATE

Mike Burnette, Director of Commerce & Leisure Services, stated over the past several years, the extension of a natural gas line into the area to serve Franklin County and the Towns of Rocky Mount and Boones Mill has been a top priority of the Franklin County Board of Supervisors. The general plan has been to work with Roanoke Gas to extend its line from the Clearbrook area of Roanoke County down U.S. Route 220 into the Rocky Mount area. The project would assist homeowners and existing businesses with fuel costs and would be a major attractor to potential new companies looking at the area. Since the beginning of 2010, the vast majority of all prospects received from the Roanoke Valley Economic Development Partnership either required or preferred natural gas as part of their site selection criteria. The Board has repeatedly affirmed this infrastructure project as vital to the area's prosperity.

Over the past several months, staff has been working with various local partners and potential funding sources to find adequate funding possibilities to bring the natural gas pipeline project to fruition. Discussions have been held to better understand the needs of all stakeholders and to determine if enough interest was found among potential funding sources to warrant moving forward with project design and funding applications. Staff has found this to be the case. For this reason, it is believed that now would be the proper time to complete preliminary design of the extension and to begin lining up funding partners. The estimated cost for preliminary design, which is required prior to applying for funds, has been quoted at between \$25,000 and \$40,000 by Roanoke Gas. This would provide cost estimates for the project as well as general construction specifications and routing options. Due to its familiarity with the system and its previous reviews of this extension, Roanoke Gas would be the logical entity to take on this design project. After design is complete and cost estimates are established, staff will bring all data to the Board for permission to move on to the funding phase of the project. No expense beyond preliminary design will be taken on without further Board approval.



NATURAL GAS EXTENSION

Generally

- ❖ Long-term Board of Supervisors project and priority
- ❖ One of top 12 goals for FY2011-2012
- ❖ Extension of gas by Roanoke Gas from Clearbrook to or into Rocky Mount
- ❖ Over 17 miles of pipeline to get to Rocky Mount
- ❖ Estimated timeline = 27 months from design start to line activation
- ❖ Project funds can be requested from U.S. EDA; Virginia Tobacco Commission; Private Utilities; U.S.D.A. - Rural Development; and Local dollars
- ❖ Natural Gas Important/Required By Vast Majority of Prospects



NATURAL GAS EXTENSION

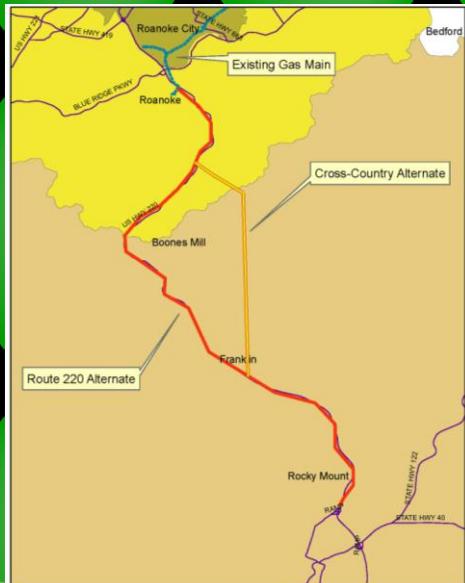
Options

- ❖ Three phase options for extension that have been most discussed:
 - ❖ Clearbrook to Rocky Mount Town Limits near State Street (Main Line)
 - ❖ Rocky Mount at VA-40 & State Street to Orchard Ave area (Distribution Phase 1)
 - ❖ Residential areas inside Rocky Mount (Distribution Phase 2)
- ❖ Two Main Line routes have been most discussed
 - ❖ Along U.S. Route 220
 - ❖ Overland, Cross-Country Route East of U.S. Route 220



NATURAL GAS EXTENSION

Routes

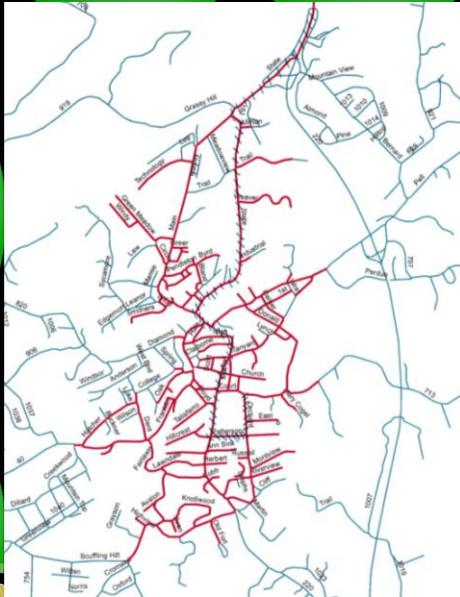


ROUTE OPTIONS



NATURAL GAS EXTENSION

Phases



PHASE OPTIONS



NATURAL GAS EXTENSION

Estimated Costs

❖ MAIN LINE ROUTE OPTIONS:

- ❖ Clearbrook to Rocky Mount Town Limits near State Street (Main Line)
 - ❖ U.S. Route 220 Route – \$14,155,893.85
 - ❖ Overland Rt East of U.S. Route 220 \$13,364,250.44

❖ TWO DISTRIBUTION PHASE OPTIONS:

- ❖ Phase 1 – From State St to Orchard Ave \$ 3,758,754.85
- ❖ Phase 2 – Rocky Mt. Residential Areas \$ 1,884,791.92



ALL COSTS ESTIMATED AT THIS TIME



NATURAL GAS EXTENSION

Estimated Costs

❖ 8 PHASES OF PROFESSIONAL SERVICES:

- ❖ Phase 1 – Preliminary Engineering \$ 25,800-\$40,200
- ❖ Phase 2 – Secure Funding (Franklin Co) \$ 0
- ❖ Phase 3 – Final Design/Permitting \$ 42,500-\$59,400
- ❖ Phase 4 – Material Procurement \$ 2,400-\$ 4,000
- ❖ Phase 5 – Bidding \$ 6,500-\$ 9,900
- ❖ Phase 6 – Contract Award \$ 7,200-\$12,600
- ❖ Phase 7 – Construction Mgmt/Inspect. \$680,000-\$822,000
- ❖ Phase 8 – Testing/Line Activation (included in Phase 7)



ALL COSTS ESTIMATED AT THIS TIME



NATURAL GAS EXTENSION
Potential Funding Sources

- ❖ Potential Sources of Funds
 - ❖ U.S. Economic Development Administration
 - ❖ Virginia Tobacco Commission
 - ❖ U.S. Department of Agriculture - Rural Development
 - ❖ Private Utility
 - ❖ Franklin County
 - ❖ Town of Rocky Mount
 - ❖ Town of Boones Mill

❖ Given projected revenue, Main Line project probably \$5 million - \$6 million shortfall. USDA - Rural Development Loan over 40 years at 3.75% = approximately \$250,000 to \$300,000 annual debt service

NATURAL GAS EXTENSION
Next Steps

- ❖ If Board wants to move forward on this project:
 - ❖ Authorize funding for Phase 1 - Preliminary Engineering by Roanoke Gas (60 days to complete)
 - ❖ Authorize initial conversations with potential funding agencies for restrictions and possible dollar figures
 - ❖ Authorize initial discussions among three localities on possible partnerships and/or project component responsibilities

RECOMMENDATION:

Staff respectfully recommends that the Board approve preliminary natural gas extension design work to be done by Roanoke Gas.

Mr. Burnette advised the Board Virginia Procurement laws would be followed and would solicit request for proposals from engineering firms, not Roanoke Gas.

(RESOLUTION #13-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to solicit for Request for Proposals for preliminary engineering, as previously reviewed.

MOTION BY: Ronnie Thompson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

FUND BALANCE RECOMMENDATION

Richard E. Huff, II, County Administrator, briefed the board on the end of year fund balance as follows:

On a cash basis, the County's Undesignated Fund Balance as of June 30, 2011, was \$16.2 million. The County's Fund Balance policy requires a balance of \$12.1 million, a difference of \$4.1 million. This represents an increase of \$50,000 over June 30, 2010. The Schools have reported an expenditure savings of \$2.6 million although approximately \$1.6 million of this

amount is from Federal programs and Cafeteria funds which will have to be re-appropriated thereby leaving available funds of approximately \$1 million.

The Non-School budget showed an expenditure savings of \$2.1 million and revenues in excess of budget of \$1.7 million. This represents 2.6% of total non school expenditures and 2.3% of total revenues.

Since June 30, 2011, carryover funds in the amount of \$1.4 million were approved for set aside funds, encumbered funds, and departmental requests plus the pending request for school buses. This brings the difference between cash balance and policy target to \$2.2 million.

This \$2.2 million over our Fund Balance Policy represents one-time monies that should not be used for recurring expenses without a plan to replace. At that point, they become just like the stimulus funds that have caused us considerable trouble in addressing. There are, however, a number of capital needs that are pressing but underfunded at this time.

Possible projects to consider are as follows:

1. As previously reviewed, the County expects to borrow \$11.2 million over the next 7 years for landfill construction.
2. The School CIP requests in the School Board approved plan submitted to the Board ranges from \$3.7 million to \$4 million each year. There is currently \$880,000 annually available in recurring funds for this plan.
3. On Friday of this week, Solution Matrix will hold its ribbon cutting signaling another success at the Commerce Park. There are only 2 tracts, however, left for Industrial Development purposes in the Community's inventory. Funds to purchase and develop future sites for job creation currently represent only \$400,000 for what could well be a multimillion dollar investment for land, utilities, roads, site grading and development, etc.
4. A Fire/EMS station at Glade Hill has been planned at a cost of \$1,625,000 and one at Westlake estimated at \$1,037,500. Current plans are to borrow these funds.
5. High School/Middle School Expansion Project – While still on the drawing board as to exactly what the recommended plan will be to address the need for space at both the High School and the Middle School, costs range from \$40-100 million. No funds have currently been set aside for this need.

The need to maintain the current Funds Balance policy is underscored in reviewing the September Fund Balance of \$8.1 million. This is generally the low point of the year from a cash flow perspective and represents roughly three weeks budgetary reserves.

The amount held above the Fund Balance policy could be reserved to help with what is to be a certain shortfall next year. Using one time monies that will not repeat the next year can help spread the need to make deep cuts over two years rather than all in one year but also creates a budget shortfall the following year if growth revenues do not rebound.

RECOMMENDATION:

Staff recommends that the Board split the savings of \$2.2 million into three areas:

1. \$750,000 Business Park Development
2. \$450,000 Capital Reserve Fund that could be used for future School or County CIP needs.
3. \$1,000,000 Landfill Capital Set Aside Fund

All three of these are capital accounts that require future Board approval to appropriate for expenditure before they could be expended.

End of Year Fund Balance

In the era of transparency in government, efforts to educate the citizenry become even more important. So it is with the recent report that the County finished the FY11 fiscal year with \$2.2 million above our fund balance goal. But where did this money come from and how did it come about? Is it unusual? Is it a good thing or a bad thing?

To put the report into perspective, \$2.2 million is 1.8% of the total budget. The goal for any fiscal year is to finish in the black as even a small % in the red would be deemed to be a concern. From a revenue standpoint, staff is estimating what the economy is going to do 15 to 18 months in advance. How are sales tax collections going to hold up? Is meals tax going to grow or contract? What are interest rates going to do to our investments? How successful will our delinquent tax collection efforts be? How many new cars will be bought and how will that help personal property collections? Will the last 3 years be a good indicator of next year? Being conservative by a mere 2% is far better than being not conservative enough by any amount.

From an expenditure standpoint, how many children will we have in foster care? How many adult inmates will we be responsible for? How many rescue squad calls will we run? Will we use all of our economic development funds before the end of the year to attract projects? How many juveniles will the judge put into the Detention Center? Will the Board need all of its contingency fund or can we save portions for a future need? These are all questions that are addressed in the spending plan we call the budget.

For FY11, some notable facts that influenced the budget:

1. \$447,934 was saved in the budget for the Western Virginia Regional Jail. Our inmate population varies month to month but currently is 157 in the Western Virginia Regional Jail and 49 in the local Franklin County Jail.
2. The Board's contingency was set at \$200,000 and thankfully only \$20,000 was used leaving a balance of \$180,000
3. \$185,284 was not needed in the CSA budget although trends are going up. In years past, if this department came up short, the Board's contingency could be used up very quickly.
4. \$171,667 was saved in the Social Services area in a variety of programs – also resulting in less revenue to the County.
5. On the revenue side, delinquent tax collections were particularly strong at \$987,215 vs \$400,000 budgeted. There is no evidence that this level of collections will continue.
6. Current real estate collections were budgeted at a collection ratio of 95%, however the ratio ended up being 96% resulting in additional revenues of \$485,344.
7. Likewise, personal property was budgeted at a conservative collection ratio of 95% but actual revenues received were \$226,397 in excess of budget. The actual collection percentage on the amount billed was 95.49%.
8. Local Sales Tax finished 13% ahead of projections although this revenue category could quickly reverse as gas prices and grocery prices increase and our citizens purchase less goods.

Overall, to finish within 1.8% was a positive year. To have budgeted more closely could well have been troublesome. It is important to understand that the \$2.2 million contains any extra school fund cash remaining at June 30 and, as we have discussed, County staff has no control over what that number will be or whether any of it will be re-appropriated by the Board.

To report the results of the previous year is in keeping with our goal of greater transparency many in search of budget dollars see it as an opportunity to request a share. It is our goal to continue to budget conservatively which should hopefully return some additional Fund Balance each year that can be used for Capital Projects. If we miss our projections in this very volatile environment, a conservative approach could prove to be very helpful.

(RESOLUTION #14-11-2011)

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

1. \$750,000 Business Park Development
2. \$450,000 Capital Reserve Fund that could be used for CIP needs.
3. \$1,000,000 Landfill Capital Set Aside Fund

MOTION BY: Leland Mitchell

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Cundiff, Angell, Thompson & Wagner

NAYS: Ronnie Thompson & Johnson

MOTION PASSED WITH A 5-2 VOTE.

NAFF GREENBOX UPDATE

Richard E. Huff, II, County Administrator, shared with the Board an update on the Naff greenbox site as follows:

NAFF GREENBOX SITE ALTERNATIVE COMPARISON		
<u>OPTION</u>	<u>ESTIMATED COSTS</u>	<u>COMMENTS</u>
Removal of the Naff greenboxes	\$0.00 - no additional staff or funding	Citizens would need to use the closest greenbox site which is located in Boones Mill 4.7 miles from the current Naff site.
Place Naff boxes at the BM site	\$0.00	No additional cost
Contract Franklin Container	\$120/pull or \$43,800 annually if pulled daily	Franklin Container will haul a 20 cubic yard tub daily. If we went to a 30 cubic yard tub and pulled every other day, the cost would be \$21,840.
Assistance by Roanoke County for pickup	\$21/mo x 12mo = \$252 annually per resident; \$36,036 for 143 residences and \$54,684 for 217 residences annually.	Would travel Naff Road only. Number of residences is unknown, calculations do not include cost of containers for residences (approx. \$70 for replacement) - an additional expense of \$5000-7600 annually for containers if provided by Franklin County.
Metwood site as an alternative	Will be based on site development costs/bids once an entrance permit can be obtained. Estimated at \$15,000 to \$30,000 (* based on SAGO development costs of 2008 divided by 1/2)	Site does not currently meet VDOT site distance requirements, site would require an SUP (60 days to conclude), speed limit would need to be addressed, will require site development: 40' drainage pipe, apron of 12', grading, fill and a fence. VDOT is conducting a speed survey to address commercial entrance site requirements. They are also addressing a waiver on site distance. Cost of lease is unknown at this time.
Identify a new site on east side of weight restricted bridge & move boxes	Purchase of property and development of a new site estimate unknown	Locating parcel must be approved for VDOT commercial entrance permit, potential property lease or purchase and site construction.
Alternative Daily Route	Estimated \$18,000 annually (\$9,000 for fuel & \$9,000 for PT help)	Rt 220 into Roa. Co. to Clearview, across Buck Mtn., intersection of Starkey Rd. and then up Merriman Rd. - 26 miles round trip and projected 1.5 hours to navigate due to traffic, road conditions and distance. Staff would also need to address an arch over the road at the Blue Ridge Parkway for height clearance
Purchase a single axle roll-off truck and promote a driver from PT to FT with benefits	\$110,000 (\$110,000 - truck & \$16,900 for additional driver/benefits)	Annualized at \$116,900 for first year and \$16,900 in subsequent years

<p>Attempt to locate a used smaller truck that can cross the weight restricted bridge even if it requires replacing an engine. The question has been raised as to whether the truck could then be used to offer boxes to residents doing clean up as a service.</p>	<p>Unknown</p>	<p>Labor costs are unknown at this time</p>
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General discussion ensued.

Mr. Ronnie Thompson requested the Board to go with 2½ day with the contract hauler.
(RESOLUTION #15-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to continue contracting with Franklin Container, increasing to a 30 cubic yard tube thereby projecting to be pulled every other day for said site for up to 90 days or less and to continue the necessary work with the Metwood site.

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

PROPOSED BUDGET CALENDAR FOR FY’2012-2013

Richard E. Huff, II, County Administrator, shared with the Board a draft budget calendar is prepared each fiscal year to assist the Board with the budget planning process.

The submitted budget calendar has been prepared by staff to assist the Board in the preparation and review of the County budget. As we work through the budget process, it may become necessary to add, delete or change the meetings that have been scheduled at this point.

RECOMMENDATION:

Staff respectfully requests the Board’s review of the submitted Budget Calendar for March and April 2012.

March 2012 <div style="float: right; text-align: right;"> <table border="1" style="font-size: 0.8em; border-collapse: collapse;"> <tr> <th colspan="7">February 2012</th> <th colspan="7">April 2012</th> </tr> <tr> <td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td> <td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td> </tr> <tr> <td></td><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td> <td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td> </tr> <tr> <td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td> <td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td> </tr> <tr> <td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td> <td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td> </tr> <tr> <td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td> <td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td> </tr> <tr> <td>26</td><td>27</td><td>28</td><td>29</td><td></td><td></td><td></td> <td>29</td><td>30</td><td></td><td></td><td></td><td></td><td></td> </tr> </table> </div>							February 2012							April 2012							S	M	T	W	T	F	S	S	M	T	W	T	F	S				1	2	3	4	1	2	3	4	5	6	7	5	6	7	8	9	10	11	8	9	10	11	12	13	14	12	13	14	15	16	17	18	15	16	17	18	19	20	21	19	20	21	22	23	24	25	22	23	24	25	26	27	28	26	27	28	29				29	30					
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11	12 <small>◆ 8:00PM - 9:00PM Adoption of School Budget by School Board to transmit to BOS (School Board Meeting)</small>	13 <small>◆ 8:00PM - 8:00PM BOS to Review School Budget (Gov. Ctr. BOS Meeting Room)</small>	14	15	16	17																																																																																																		
18	19	20 <small>◆ 1:30PM - 5:00PM Board of Supervisors' Meeting (Gov. Ctr. BOS Meeting Room) ◆ 8:00PM - 7:00PM Public Hearing (Gov. Ctr. BOS Meeting Room) ◆ 7:00PM - 8:00PM Co-Administrator to Present Proposed Budget to BOS (Gov. Ctr. BOS Meeting Room)</small>	21	22	23	24																																																																																																		
25	26	27 <small>◆ 8:00PM - 8:00PM BOS/School Board Work Session (School Board Office Lower Level Board Room)</small>	28	29 <small>◆ 8:00PM - 8:00PM BOS Budget Work Session (Gov't Ctr. B-75 Meeting Room)</small>	30	31																																																																																																		

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The Board concurred with the budget calendars.

2012 LEGISLATIVE PACKAGE

Richard E. Huff, II, County Administrator, shared with the Board the following TLAC Legislative Package:



Smith Mountain Lake: The Jewel of the Blue Ridge

TRI-COUNTY LAKE ADMINISTRATIVE COMMISSION

At the September Tri-County Lake Administrative Commission’s Board of Directors, the following legislative items were approved for consideration by the three Counties surrounding Smith Mountain Lake.

TLAC respectfully requests that Bedford, Franklin and Pittsylvania County approve the inclusion of these four requests in their 2012 Legislative Programs. A copy of each request is enclosed.

The items recommended by the TLAC Board for inclusion are:

- **Support of a \$40,000 appropriation for the Smith Mountain Lake Water Quality Monitoring Program (two year appropriation of \$20,000 each)**
- **Support of a \$100,000 appropriation for the Treatment/Control of Hydrilla at Smith Mountain Lake**
- **Support of H.R. 872, or a companion bill, to reduce regulatory burdens from duplicative environmental permitting requirements for applications of aquatic pesticides in, over or near water**
- **Support a one-year delay in making a decision regarding lifting the Commonwealth’s ban (since 1982) on uranium mining**

**2012 General Assembly Appropriation Request from the
Tri-County Lake Administrative Commission (TLAC)
at Smith Mountain Lake**

**to be made part of the Legislative Programs for
Bedford, Franklin and Pittsylvania Counties**

The Tri-County Lake Administrative Commission (TLAC) respectfully requests
that the General Assembly support the appropriation of the following budget item:

**\$40,000 for the Smith Mountain Lake
Volunteer Water Quality Monitoring Program**

The Water Quality Volunteer Monitoring Program is administered by the Smith Mountain Lake Association (SMLA) and Ferrum College scientists. This program has been in existence since 1987. The three counties bordering the lake (Bedford, Franklin and Pittsylvania) assist by providing funds for this program.

The purpose of the program is to monitor trends to the trophic status of Smith Mountain Lake. Over 75 volunteers collect water samples from the lake and measure water clarity for twelve weeks each summer and monitor the health of streams entering the lake. Ferrum students and staff analyze the samples for chlorophyll A and total phosphorus. Other water samples are taken throughout the summer by the Ferrum students and scientists to detect the presence of fecal coliform bacteria in lake waters. This program also includes measurements of dissolved oxygen, temperature, ph and conductivity.

A successful partnership has been established, and the program provides data that determines the rate of aging of the lake. The program, which is one of the largest in Virginia, also serves as an educational tool for citizens, organizations, and other government agencies. It is used as a model for other volunteer water monitoring programs across the nation.

Smith Mountain Lake is vital to the economic health of a three county portion of the Commonwealth. Investments in preserving the health of the lake will, in turn, protect the economy of the Commonwealth. This program has been made possible in the past through appropriations from the Department of Environmental Quality, passing through the Tri-County Lake Administrative Commission. A two-year appropriation was made in 2001 for \$36,500 annually. A one-year appropriation was made in 2005 for \$20,000. A two-year appropriation was made in 2006 for \$20,000 annually. A two-year appropriation was made in 2008 for \$20,000 annually. In 2010, a \$17,700 appropriation was received.

The continuance of the Water Quality Monitoring Program at Smith Mountain Lake will provide critical baseline data. In 1999, Smith Mountain Lake became a source of public water for Bedford County. That service has been expanded. In 2005, it also became a source of public water for Franklin County. Franklin County is currently requesting approval for additional withdrawals, as well as consideration of a treatment plant. Also under consideration is the possibility that Roanoke County may also elect to use Smith Mountain Lake for public water as well.

We respectfully request that a two-year appropriation for \$20,000.00 each year, be allocated for the Water Quality Monitoring Program at Smith Mountain Lake, be supported by the General Assembly.

**2012 General Assembly Appropriation Request from the
Tri-County Lake Administrative Commission at Smith Mountain Lake**

**to be made part of the Legislative Programs for
Bedford, Franklin and Pittsylvania Counties**

The Tri-County Lake Administrative Commission (TLAC) respectfully requests
that the General Assembly support the appropriation of the following budget item:

**\$100,000 for the Treatment/Control of Hydrilla
at Smith Mountain Lake**

During the 2008 legislative session, the General Assembly approved a \$150,000 line item through the Department of Agriculture and Consumer Services' Plant Pest and Disease Control funds. These funds were to be utilized to support the eradication of Hydrilla on Smith Mountain Lake, Lake Gaston, Lake Anna and the Potomac River. Subsequently, this office was provided with \$50,000 of these funds for the management and control of Hydrilla in Smith Mountain Lake.

The Virginia Invasive Species Management Plan notes the high importance of early detection, response, control and management of invasive species. The Plan also indicates that in 2005 the losses due to invasive species in Virginia may have been as high as one billion dollars annually.

The Tri-County Lake Administrative Commission (TLAC), a department of the three counties surrounding the lake has met those established goals since the first identification of Hydrilla, an extremely invasive non-native aquatic vegetation in Smith Mountain Lake in July of 2007. TLAC began control initiatives immediately. Since that time additional infestations have been identified with Hydrilla throughout Smith Mountain Lake and due to the financial support of the three local counties and the funds approved through the legislative line-item noted above, we have been able to treat the majority of the areas identified with Hydrilla each year.

Our invasive non-native aquatic vegetation treatment program has been ongoing since 2002 (when another invasive species, Curlyleaf pondweed was identified at Smith Mountain Lake). In 2008, a resident volunteer effort of identifying possible locations of invasive aquatic vegetation, such as Hydrilla, was formalized. With the identification of Hydrilla in a body of water, experts recommend lake wide surveys for all aquatic vegetation annually. Partial and/or full lake surveys completed annually. This year, the surveys and the volunteer program identified additional locations of Hydrilla and thus allowed for timely treatment of those areas. These efforts provided identification of more than 200 locations (compared to 119 in 2010) of invasive aquatic vegetation.

The total cost of TLAC's Aquatic Vegetation Program at Smith Mountain Lake is expected to exceed \$125,000.00 this year. Based on the aforementioned number of new locations that have been identified this year it is clear that a continued and perhaps even more aggressive program is required. Invasive species are a concern of the Commonwealth as evidenced by the Virginia Invasive Species Management Plan. The cost to continue, improve and expand this program will increase our costs for next season. Continuation of the program is essential to make every effort possible to inhibit the invasive species from spreading into other areas of this 20,260 acre body of water.

This year, contact herbicides were used in the majority of the locations and a systemic herbicide was utilized in four locations. Although more costly than contact herbicides, the utilization of a systemic herbicide in other areas may prove more helpful in the control efforts. Studies have been conducted in both systemic and contact treatment areas at Smith Mountain Lake and the results indicate that systemic treatment is more effective than the contact herbicides. Funding from the State would allow the continued use of systemic herbicide in specific areas (4 – 5 years is required for significant results). Additionally, with the substantial increase of locations identified with invasive species this year, the continuation of the program requires more contact herbicide treatments also.

The experiences of other lakes clearly indicate that we cannot afford to ignore the growth of invasive aquatic vegetation in a body of water for even one year. To do so would result in a much greater expense in future years for initiatives to keep the vegetation under control.

In 2008, \$150,000 was approved by the General Assembly for Hydrilla eradication expenditures in Virginia and funding was provided to the four bodies of water (Lake Anna, Lake Gaston, the Potomac River and Smith Mountain Lake) where Hydrilla had been identified within the Commonwealth. Since that time, Hydrilla has also been identified in additional bodies of water within the Commonwealth, including Claytor Lake and the Chickahominy River.

Smith Mountain Lake has 20,260 acres with 500 miles of shoreline. It is a well-known tourist attraction in the Commonwealth and many local and state tax dollars are derived from the lake. We believe that it is in the locality's and the Commonwealth's best interest to make every effort to protect the lake from additional infestations of invasive non-native aquatic vegetation such as Hydrilla. A proactive approach such as the one which TLAC has implemented for the past ten years will be required annually.

We respectfully request that an allocation of \$100,000 for the treatment and control initiatives for Hydrilla in Smith Mountain Lake be supported by the General Assembly.

**2012 General Assembly Appropriation Request from the
Tri-County Lake Administrative Commission at Smith Mountain Lake**

**to be made part of the Legislative Programs for
Bedford, Franklin and Pittsylvania Counties**

The Tri-County Lake Administrative Commission (TLAC) respectfully requests that the General Assembly support the following legislative initiative:

H.R. 872; Reducing Regulatory Burdens Act of 2011

During the 2011 legislative session, the General Assembly began consideration of H.R. 872, short title "Reducing Regulatory Burdens Act of 2011". This bill passed the House of Representatives and was forwarded to the Senate.

Currently, H.R. 872 is being considered in the Senate. We request that you support this legislative initiative to prevent costly duplicative environmental permitting requirements for certain applications of aquatic pesticides in, over or near water. Such dual regulation will negatively impact state and local invasive aquatic species control programs and other beneficial water resource management programs such as the control of toxic harmful algae blooms in public water supplies. Without the passage of this bill, or a similar one, the costs of compliance to the new regulations will dramatically increase the costs of these programs and will force the utilization of funds to meet these dual requirements rather than for the actual control of invasive aquatic vegetation species.

Permitting of pesticide and herbicide applications are already regulated and monitored under the federal statute for Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). We do not believe that Congress intended to duplicate these regulations with the Clean Water Act National Pollutant Discharge Elimination System permit requirements.

As an administrative department of Bedford, Franklin and Pittsylvania Counties, we respectfully request that you support companion legislation to this bill. This bill will decrease regulation and burden to businesses that goes beyond the original intent of the law in regards to the treatment of invasive species. Pesticide/herbicide applications are an important means of protecting of our waterways, such as Smith Mountain Lake, from dangerous invasive species such as Hydrilla, Eurasian water milfoil, zebra mussels and snakehead fish as well as protection of the public health from invasive species borne diseases.

If this bill is not passed, the resulting permit requirements will create an undue burden on small business and state and local governments. This will significantly increase the costs associated with controlling invasive species and maintaining waterways, highways, railroad lines, and electricity rights-of-way. We estimate that the cost, to the local governments (and local taxpayers), of meeting these duplicative requirements at Smith Mountain Lake alone for the first year could exceed \$40,000.

We respectfully request that H.R. 872, or a companion bill, to reduce regulatory burdens for invasive aquatic species control, be supported by the General Assembly.

**2012 General Assembly Appropriation Request from the
Tri-County Lake Administrative Commission (TLAC)
at Smith Mountain Lake**

**to be made part of the Legislative Programs for
Bedford, Franklin and Pittsylvania Counties**

The Tri-County Lake Administrative Commission (TLAC) respectfully requests that the General Assembly support the following:

One Year Delay in Decision on Uranium Mining in Pittsylvania County

In 1982, a ban on uranium mining was established in Virginia. It is anticipated that a bill proposing to lift this ban will be considered by the General Assembly this session. Based on the potential of environmental impacts that could be a result from this action, we believe it is in the Commonwealth's best interest that both the legislators and the citizens be educated in the potential results of lifting of this ban and the subsequent mining of uranium within the Commonwealth. A study on the safety of mining and milling uranium was commissioned by the General Assembly to be conducted by the National Academy of Sciences and is due in December.

The initial consideration and subsequent commissioned study are the results of a request by Virginia Uranium Inc. to establish a uranium mine in Danville. The potential environmental impacts to the air, water and soil from a mine in this location are currently unknown. Based on the location of the site, the Roanoke River watershed could be impacted by a mine in this location. The Roanoke River is currently utilized as a water supply, has many residences along its shoreline, and makes up a large portion of Smith Mountain Lake, a 20,260 acre lake which draws tourists from all over the United States. The commissioned study will begin to provide information that will allow the legislature to make a knowledgeable decision.

On behalf of the Tri-County Lake Administrative Commission (TLAC), a department of Bedford, Franklin and Pittsylvania Counties, the three counties which border Smith Mountain Lake, we respectfully request that you support the delay of a decision regarding the lifting of the uranium mining ban for at least one year, to allow the time necessary to review the study results and to determine if additional studies or information are needed before a decision can be made.

We respectfully request that a delay, on the consideration of lifting the ban on uranium mining within the Commonwealth, of at least one year from the release of the National Academy of Sciences' study, be supported by the General Assembly.

2012 General Assembly Appropriation Request from the Tri-County Lake Administrative Commission at Smith Mountain Lake

to be made part of the Legislative Programs for Bedford, Franklin and Pittsylvania Counties

The Tri-County Lake Administrative Commission (TLAC) respectfully requests that the General Assembly support the following legislative initiative:

Revisions to Federal Power Act regarding the Federal Energy Regulatory Commission's Shoreline Management Plan Initiatives; Currently H.R. 3244 and S.1758 "Landowner Protection Act of 2011"

All over the country, during recent years, the Federal Energy Regulatory Commission (FERC) has instructed numerous companies with hydroelectric projects to establish shoreline management plans for their projects. The subsequent plans, proposed by the companies, and approved by the Commission, were established decades after the projects' development. Many of these regulations impact not only the residents who own property bordering the project, but the communities which surround them. These regulations are negatively impacting property values, eliminating jobs and limiting access to the project waters. Of extreme concern is the fact that these regulations often violate Federal, State and Local ordinances.

Smith Mountain Lake was created in 1966 as a hydroelectric project, along with Leesville Lake. Until 2003 when the first shoreline management plan was initiated, Federal, State and Local ordinances guided responsible development at the lakes. These ordinances successfully protected the environment, enhanced the fishery, and encouraged the development of a healthy local economy. These lakes are home to a State Park, over 16,000 residents and more than 750 businesses.

As an administrative department of Bedford, Franklin and Pittsylvania Counties we have initiated and/or assisted with many of the community's innovative and successful projects. These include almost three decades of water quality monitoring, an impressive navigation system, a proactive

invasive aquatic vegetation program, marine fire and rescue services and State and County ordinances that represent our commitment to best management practices for the lakes. These initiatives utilize more than 20,000 community volunteer hours annually.

The private investment to this project has been immense. These investments include property development which has protected much of the project, resulting in less erosion and sediment, better water quality, less debris, improved fishing and spawning. The studies which were completed by American Electric Power as a part of their recent Relicensing process support these statements.

The approved shoreline management plans limit development and have recently resulted in, both at the Smith Mountain project and elsewhere in the Country, orders from FERC to remove structures which have existed for many years at hydroelectric projects. We do not believe that this failure to recognize appropriate and adequate existing Federal, State and Local ordinances was the intent of the Federal Power Act through the FERC and we ask for your support in reducing this overregulation.

We respectfully request that legislation such as H.B. 3244 and S.1758 which seek amendments to the Federal Power Act and limit the Federal Energy Regulatory Commission's overregulation at hydroelectric projects, be supported by the General Assembly.

(RESOLUTION #16-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned 2012 Legislative Package as submitted with the exclusion of the Uranium Mining.

MOTION BY: David Cundiff

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

STATE MANDATES OF CONCERN TO VIRGINIA COUNTIES

Richard E. Huff, II, County Administrator, presented for the Board's review the following state mandates of concern to localities:

Commonwealth of Virginia
Office of Governor Bob McDonnell
October 4, 2011

Dear Local Government Official:

As Governor, I recognize Virginia's economy continues to face challenging times. We have made progress in reducing unemployment levels by retaining and expanding existing jobs while attracting new jobs to Virginia and producing a state budget surplus, but we must continue to remain diligent in our efforts.

Reforming government to make it more efficient and less burdensome is an ongoing priority. In an effort to continue to reduce the burden placed on localities and in response to your feedback and requests, I have taken several steps to help address local government financial difficulties.

I have announced the Governor's Task Force for Local Government Mandate Review, provided by legislation passed during the 2011 General Assembly Session by Senator Steve Newman (R – Bedford County). Senator Newman's bill, SB 1452, provides that the Commission on Local Government shall assist a five-member task force to be appointed by the Governor to review state mandates imposed on localities and to recommend temporary suspension or permanent repeal of such mandates.

The following citizens will serve on the Governor's Task Force for Local Government Mandate Review:

- The Honorable Bob Dyer, Member, Virginia Beach City Council
- The Honorable Pat Herrity, Springfield District Supervisor, Fairfax County Board of Supervisors
- The Honorable Shaun Kenney, Vice-Chair, Fluvanna County Board of Supervisors
- Kimball Payne, City Manager, City of Lynchburg
- The Honorable Joan E. Wodiska, Member, Falls Church City School Board and President-elect of the Virginia School Boards Association

Additionally City Councilwoman Alicia Hughes of Alexandria and Councilwoman Suzy Kelly of Chesapeake will serve as the Government Reform Commission liaisons to the Task Force. To assist this effort, I strongly urge all local governments to provide the Task Force with a comprehensive, written list of every state mandate that they believe should be modified or eliminated. There is a list of mandates for your review which you can find at <http://www.dhcd.virginia.gov/CommissiononLocalGovernment/pages/newcatalog.htm>.

In particular, I am interested in areas where the burden can be lifted entirely and both local government and the state can live without the mandate in order to save money. This list of unfunded mandates has been previously requested, and it is critical that the Task Force receive your careful input for consideration. I recently received suggestions from the Virginia Municipal League and the Virginia Association of Counties. While this is a good start, please do not let this opportunity to share your ideas on unfunded mandates which should be eliminated pass. I cannot assist the localities without your assistance and cooperation.

As such, I encourage you to submit recommendations to the Task Force by contacting Susan Williams at MandateRelief@dhcd.virginia.gov. Also, the Code of Virginia, § 2.2-113, provides the Governor with authority to temporarily suspend state mandates on localities “upon a finding by the locality that it faces fiscal stress and the suspension of the mandate or portion thereof would help alleviate the fiscal hardship.” Until July 1, 2012, I can suspend such mandates for up to two years. I take seriously the weight on local governments that is made worse during difficult financial times just as state governments are seeking relief from burdensome unfunded federal mandates. As such, I invite your local government to apply for temporary suspension of burdensome mandates following approval by your governing body as required in § 2.2-113.

Please contact Susan Williams at MandateRelief@dhcd.virginia.gov with any questions and to submit your request.

It is my first priority to create an environment of opportunity for all Virginians, and our local governments have an important role in this effort. Thank you for your leadership and continued service to the Commonwealth. Although we have endured a difficult period of economic uncertainty, I appreciate the role you have played in continuing to make the Commonwealth a better place to live and work for our citizens.

Sincerely,

Robert F. McDonnell

Enclosure: § 2.2-113. Temporary suspension of state mandates.

CC: Members of the Virginia General Assembly

Virginia Municipal League

Virginia Association of Counties

§ 2.2-113. Temporary suspension of state mandates.

A. The Governor may suspend, temporarily and for a period not to exceed one year, any mandate, or portion thereof, prescribed by any unit of the executive branch of state government on a county, city, town, or other unit of local government upon a finding that it faces fiscal stress and the suspension of the mandate or portion thereof would help alleviate the fiscal hardship.

However, for a period beginning July 1, 2010, and ending July 1, 2012, the Governor may suspend any such mandate for a period not to exceed two years upon proper application by a locality pursuant to this section.

- B. No application shall be made by the locality until approved by resolution of the governing body.
- C. At the time of application, the following information shall be published in the Virginia Register:
 - (i) the name of the petitioning locality, (ii) the mandate or portion thereof requested to be suspended, (iii) the impact of the suspension of the mandate on the ability of the local government to deliver services, (iv) the estimated reduction in current budget from the suspension, and (v) the time period requested for suspension. Publication in the Virginia Register shall occur at least 20 days in advance of any suspension by the Governor.
- D. No later than January 1 of each year, the Governor shall submit to the General Assembly a report that identifies each petitioning locality, the mandate or portion thereof for which suspension was sought, and the response provided to the locality.
- E. Nothing in this section shall apply to the Department of Education.

In making a determination of fiscal stress, the Governor may consider, but is not limited to, the following factors: any changes in anticipated revenue, income distribution of residents, revenue effort, revenue capacity, and changes in local population and employment levels.

(1991, c. 638, § 2.1-51.5:1; 1993, c. 230; 1994, c. 158; 2001, c. 844; 2003, c. 169; 2010, c. 79.)

Aid to localities

- Reverse the \$120 million biennial reduction in aid to localities.
The impact to Franklin County in FY11-12 is \$390,993 or \$781,986 in lost revenue over the biennium. Over the past four years, the County has lost almost \$1.5 million in state revenue for services such as Public Safety, CSA and Constitutional Officers.

Line of Duty Act

- Delete local funding requirement for Line of Duty benefit. The 2010 General Assembly included budget language transitioning the Line of Duty benefit in FY 2012 from a fully state funded program to one paid by local governments and state agencies. The program is administered by the state and many local governments opting to self fund need the authorization to administer the program.
Cost to Franklin County in FY11-12 is \$40,688 as well as some local administration of this program (training and documentation).

Public Education

- Review the Standards of Learning, the Standards of Accreditation and other administrative regulations to bring them into sync with the current Standards of Quality. If the state cannot afford its standards, then it needs to develop standards that it can afford instead of simply passing those costs onto local governments. Fully fund re-benchmarking.
- Delete state educational mandates that exceed federal requirements.
 - Currently, the state mandates all students in grades three through eight be tested in not only reading and math, but also in social studies and history, and that students in high school take additional end of course tests. The federal No Child Left Behind (NCLB) only requires students be tested in reading and math as well as in science once while in elementary, middle and high school.
 - Virginia exceeds the federal requirements under the Individuals with Disabilities Act (IDEA), however, in over 175 areas. When Virginia's regulations exceed the federal requirements, those regulations impose significant additional costs on the state and, most importantly, local governments.

Comprehensive Services Act (CSA)

- Make the CSA program subject to the Administrative Process Act. Local governments pay more than 80 percent of the administrative costs of this "shared" program. The state share of administrative costs has not been increased in more than a decade. At the same time, the administrative burdens on local governments have increased in data collection and reporting requirements. The APA ensures adequate public notice about, and input into proposed rules and regulations that affect all taxpayers in the Commonwealth.
Local CSA Administrative Budget is \$116,689 (Not local dollars for Services) – State reimburses us \$8,963 annually for Administrative costs (7.7%).
- Return local CSA service rates to the FY 2006 level. The Commonwealth has increased mandatory local participation percentages for the provision of services funded through the Comprehensive Services Act. Mandates increasing local rates for residential and foster care related services should be abolished and returned to the FY 2006 level.
Franklin County pays a local match rate of 35.4% on residential and foster care related services. The match rate on other services is 28.3%. The higher match rate costs the County approximately \$30,000 yearly.
- Increase state match for certain youth programs in CSA. Local governments pay a healthy portion of the state's Medicaid match for certain youth in this program. The portion paid by local governments has increased over the life of this program, which began in the early 1990s. The state pays the Medicaid match for other service areas and should do so for this program.
The total Medicaid match paid by Franklin County was \$176,583 last fiscal year.

- Establish financial incentives for local governments that foster regional contracting for provider services. Local governments who participate in regional contracts should provide local fund match at the lowest rate of the participating local governments.

Constitutional Officers

- Fund fully the state's obligations for mandated constitutional officers. A full fiscal and program analysis should determine state and local responsibilities and whether state funding responsibilities are sufficient. Additionally, the study should examine jail issues including staffing, funding, construction, per diems, operational costs, and benefits.
The County locally funds 56.8% of the Constitutional Officers (excluding the additional costs of the regional jail)

Equal Tax Authority

- Equalize county taxing authority to enact local excise taxes including the cigarette tax, admissions tax, transient occupancy tax and meals tax with that of cities and towns.
Franklin County is currently prohibited from imposing an excise tax on cigarettes.

Public Safety

- Increase state funding for state prisoners housed in local jails. Since 2008, the state has closed eight adult correctional facilities and one juvenile facility. More than 3,000 prison beds, or about a tenth of the state capacity, have been eliminated. The state has lowered the per diem payment for state-responsible prisoners held in local jails. The state also has redefined the legal definition for state-responsible inmates so that going forward, state funding will drop even further.
The County has lost approximately \$90,000 in annual per diem reimbursement since FY04-05. We currently receive \$8.00 per day for each inmate we house for the state while our cost per day are \$46.91.(83% borne locally for state prisoners)

Election Administration

- Increase state funding for the local election administration. The state budget contains \$13.8 million in FY11 and \$12.8 million in FY12 for election administration. Of that amount, \$5.8 million a year is designated for electoral services, primarily to pay a portion of salaries for general registrars, and for the salaries and limited expenses for local electoral boards. Localities, however, spent \$40.8 million on election administration in FY09. Thus, localities pay the tab for not only local elections, but also primaries, state and federal elections.
The total Registrar operational budget for FY11-12 is \$248,306 – State reimbursement is budgeted at \$50,000 or 20% of the cost of this department. Voting machine replacement and electronic poll books would be additional capital expenses not included in the operational budget of \$248,306.

Courthouse Construction

- Remove the mandate for localities to build and maintain court facilities. State law requires localities to assume the mandated cost to construct and maintain court facilities. If, in the sole opinion of the local circuit court, localities do not meet those requirements, the court can order to build a new courthouse without regard to the fiscal condition of the local government. Additionally, the state has not established incentives for court officials to foster regional facilities. While this mandate has been temporarily suspended by the General Assembly it remains a threat of significant unplanned expenditures to all cities and counties.
Franklin County's courthouse will require security enhancements in the future –total cost is not known at this time.

Environmental Protection

- Increase funding for Chesapeake Bay clean up. Virginia local governments face an estimated cost of more than \$7 billion to comply with the Watershed Implementation Plan under Chesapeake Bay TMDL. Localities need additional state and federal funds.
- Delete local monitoring requirements in the Chesapeake Bay Preservation Act.
 - Local governments subject to the Chesapeake Bay Preservation Act are required to devote staff resources monitor the five-year septic tank pump out provision of the Act. This should be the job of the Department of Health since it currently has the records and personnel already in place to monitor this requirement.

- Local governments subject to the Chesapeake Bay Preservation Act are required to review soil and water runoff control and water quality assessments prepared by all agricultural operations within their jurisdiction, and to take enforcement action when necessary. This function should appropriately be the responsibility of either the Department of Conservation and Recreation or the Virginia Department of Agriculture.

GENERAL REASSESSMENT UPDATE

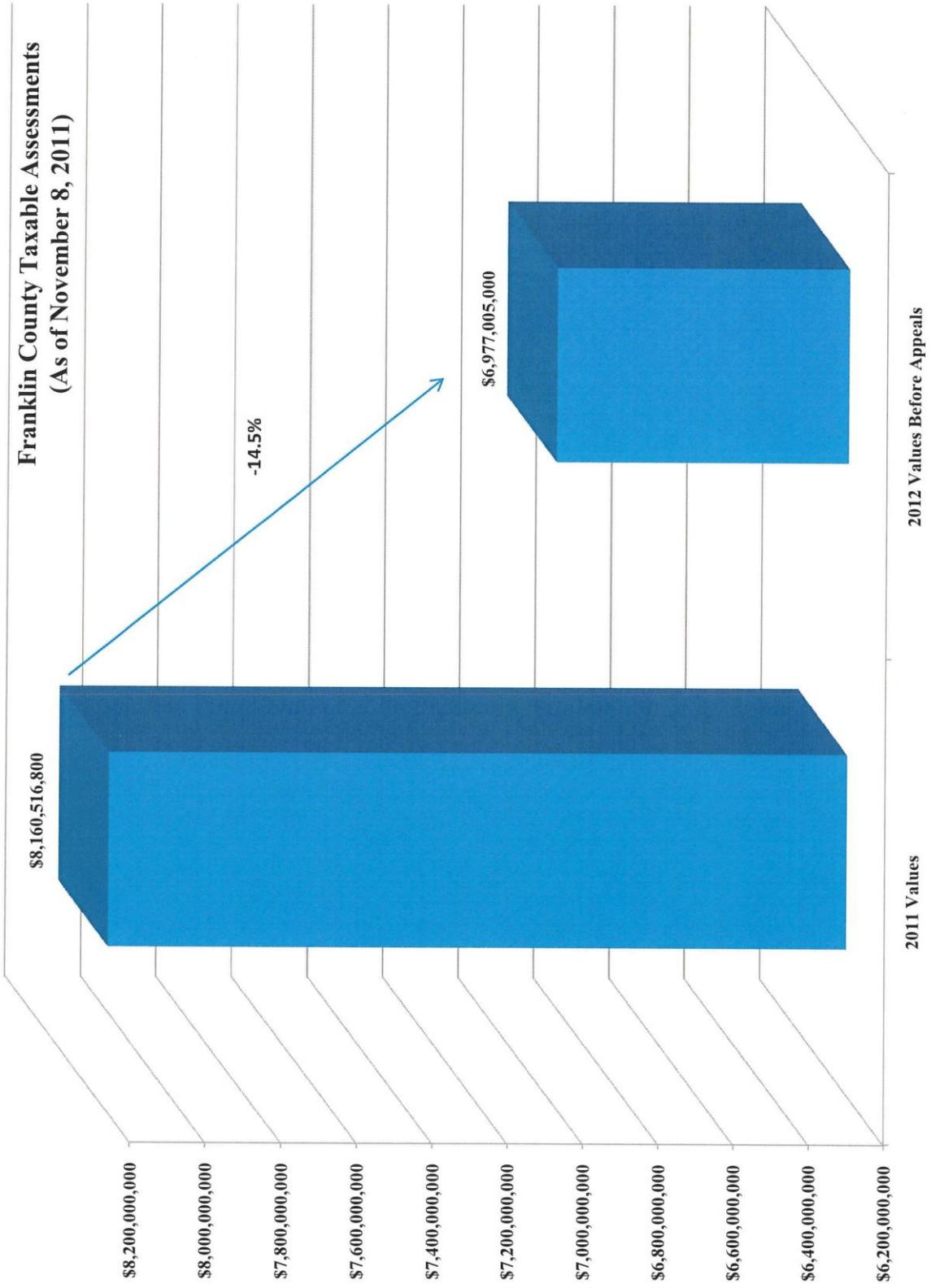
Richard E. Huff, II, County Administrator shared with the Board updated reassessment figures as follows:

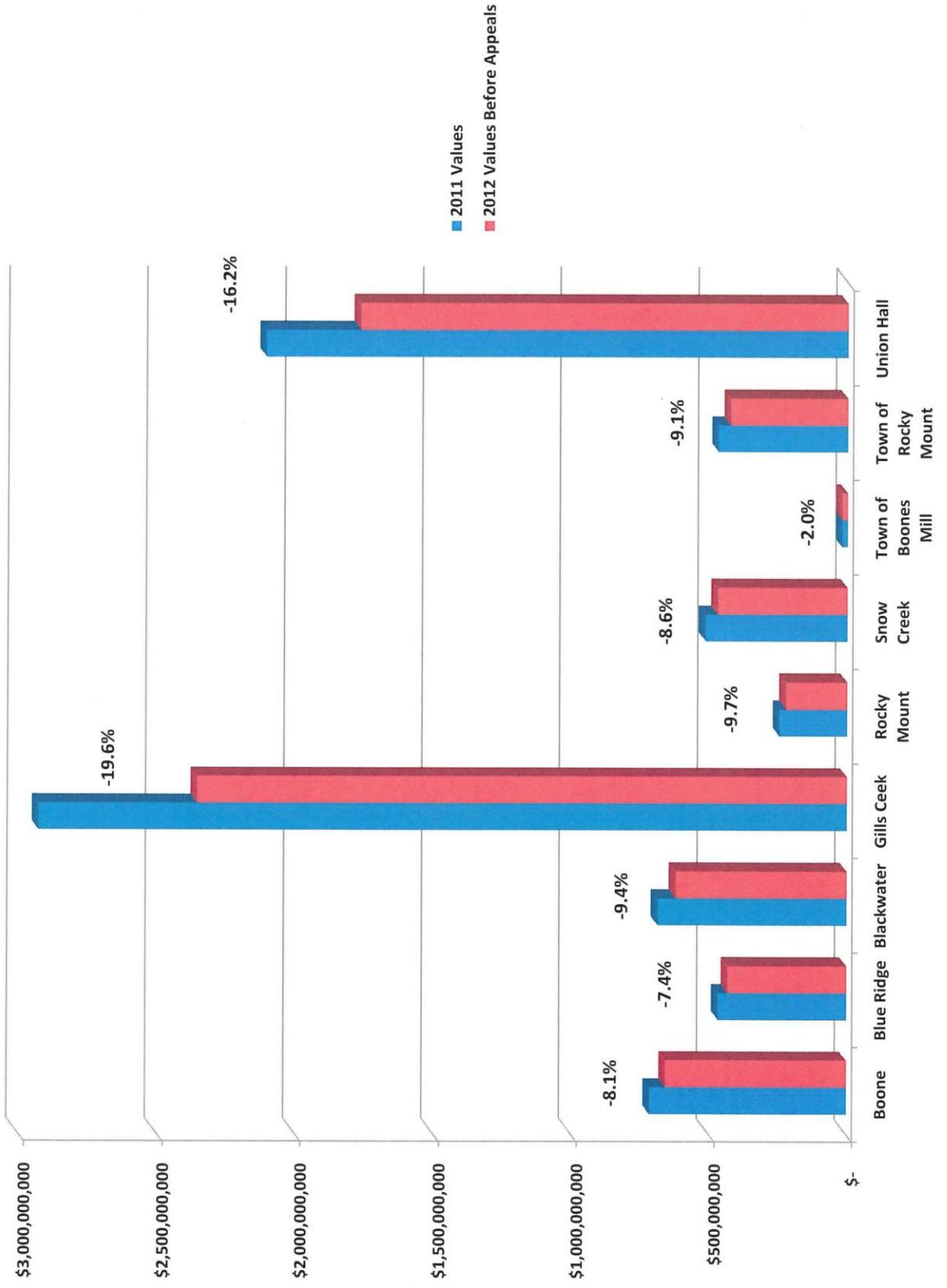
2012 REASSESSMENT RECAP COUNTY WIDE

CURRENT TAXABLE ASSESSMENT: 8,160,516,800

2012 VALUES: 6,977,005,000 - 14.5%**REASSESSMENT RECAP BY MAGISTERIAL DISTRICT**

<u>BOONE</u>	CURRENT TAXABLE:	715,974,900	
	2012 TAXABLE:	<u>657,606,200</u>	- 8.1%
<u>BLUE RIDGE</u>	CURRENT TAXABLE:	467,164,200	
	2012 TAXABLE:	<u>432,436,200</u>	- 7.4%
<u>BLACKWATER</u>	CURRENT TAXABLE:	687,007,700	
	2012 TAXABLE:	<u>622,215,000</u>	- 9.4%
<u>GILLS CREEK</u>	CURRENT TAXABLE:	2,930,382,500	
	2012 TAXABLE:	<u>2,357,424,800</u>	- 19.6%
<u>ROCKY MOUNT</u>	CURRENT TAXABLE:	246,026,400	
	2012 TAXABLE	<u>222,172,500</u>	- 9.7%
<u>SNOW CREEK</u>	CURRENT TAXABLE	515,404,500	
	2012 TAXABLE	<u>471,008,800</u>	- 8.6%
<u>BOONES MILL-TOWN</u>	CURRENT TAXABLE	19,983,800	
	2012 TAXABLE	<u>19,589,300</u>	- 2.0%
<u>ROCKY MOUNT-TOWN</u>	CURRENT TAXABLE	468,819,800	
	2012 TAXABLE	<u>426,032,400</u>	- 9.1%
<u>UNION HALL</u>	CURRENT TAXABLE	2,109,753,000	
	2012 TAXABLE	<u>1,768,519,800</u>	- 16.2%





	Boone	Blue Ridge	Blackwater	Gills Creek	Rocky Mount	Snow Creek	Town of Boones Mill	Town of Rocky Mount	Union Hall
% Drop in Values (as of Nov 8)	-8.15%	-7.43%	-9.43%	-19.55%	-9.70%	-8.61%	-1.97%	-9.13%	-16.17%
\$200k property under new assessment becomes:	\$183,700	\$185,140	\$181,140	\$160,900	\$180,600	\$182,780	\$196,060	\$181,740	\$167,660
Tax on \$200k property	960	960	960	960	960	960	960	960	960
Tax on New Value at Equalized Rate (\$.566)*	\$1,039.74	\$1,047.89	\$1,025.25	\$910.69	\$1,022.20	\$1,034.53	\$1,109.70	\$1,028.65	\$948.96
Difference on \$200k property	79.74	87.89	65.25	(49.31)	62.20	74.53	149.70	68.65	(11.04)
Loss of Revenue @ .48	\$5,334,924.00								

*Equalized Rate Subject to Change Following Hearings



Reassessment Office
 1255 Franklin St., Suite 105
 Rocky Mount, VA 24151

AS REQUIRED BY STATE LAW
 YOUR PROPERTY HAS BEEN
 ASSESSED AT 100%
 FAIR MARKET VALUE

(NAME AND ADDRESS HERE)

TAX MAP NUMBER	PARCEL I.D.	PAGE NO.
January 1, 2012 LAND VALUE	January 1, 2012 BUILDINGS VALUE	January 1, 2012 TOTAL VALUE
\$	\$	\$
CURRENT LAND VALUE	CURRENT BUILDINGS VALUE	CURRENT TOTAL VALUE
\$	\$	\$

REAL ESTATE DESCRIBED AS:
 ACREAGE:
 DESCRIPTION:
 DESCRIPTION 2:

This is NOT a tax bill.
IF YOU'RE NOT THE OWNER, by State Law, any person other than the owner who receives a reassessment notice must forward the notice immediately to the owner. Failure to do so is subject to penalties and fines. Mailing this notice to the last known address of the property owner is sufficient to satisfy the requirements of the law (VA Code 58.1-3330).

NOTICE OF 2012 REAL ESTATE ASSESSMENT CHANGE

HEARING INFORMATION

You may appeal your reassessment using one of the following methods:

1. Call the reassessment office between the hours of 9 AM to 5 PM at **(540) 489-0700** to schedule an appointment for a review of your reassessment. Please call by Friday, **DECEMBER 2, 2011**.
2. Complete the on-line appeal form by going to the website listed here and following the reassessment link: www.wamplerneanes.com Please complete and return the appeal form by Wednesday, **DECEMBER 7, 2011**.
3. If you would rather not appear in person for an appeal, you can mail your information to: Franklin County Reassessment Office, 1255 Franklin St., Suite 105, Rocky Mount, VA 24151. You will be notified by mail after the information is reviewed. Please have your information post-marked by Friday, **DECEMBER 2, 2011**.

HEARING DATES AND TIMES

Monday	NOVEMBER 28, 2011	9:00 – 4:30	Monday	DECEMBER 5, 2011	9:00 – 4:30
Tuesday	NOVEMBER 29, 2011	9:00 – 4:30	Tuesday	DECEMBER 6, 2011	1:00 – 7:30
Wednesday	NOVEMBER 30, 2011	9:00 – 4:30	Wednesday	DECEMBER 7, 2011	9:00 – 4:30
Thursday	DECEMBER 1, 2011	1:00 – 7:30	Thursday	DECEMBER 8, 2011	1:00 – 7:30
Friday	DECEMBER 2, 2011	9:00 – 4:30	Friday	DECEMBER 9, 2011	9:00 – 4:30

All hearings and appeals on the Franklin County Reassessment will be held in the Government Center (Former Winn-Dixie Building) located at 1255 Franklin Street, Suite 105, Rocky Mount, Virginia 24151.

INFORMATION ON YOUR REASSESSMENT

Every effort has been made to assess your property on a fair and equitable basis. However, if you feel the assessed value shown does not represent the present market value of your property, or the assessed value is not uniform with similar properties in your area, you may appeal your assessment. You may also appeal your assessment to the Board of Equalization or to the Circuit Court. You are not required to appeal to the Assessors in order to file an appeal to the Board of Equalization or the Circuit Court. Values may be raised or lowered during these hearings in order to maintain equalization.

By State Law, all real property must be assessed at 100% fair market value (Virginia Code 58.1-3201). The last general reassessment in Franklin County was in 2008. The current reassessment reflects the present market value of your property as of January 2012.

PUBLIC HEARING ON TAX RATES

The tax rates which apply to this reassessment are set annually by the Franklin County Board of Supervisors as part of the budget process yet to be held. The public hearing date will be advertised in the local newspaper and is tentatively scheduled for April 2012. The tax bill that will reflect these new values will be due and payable on December 5, 2012. The new reassessment **does not** mean your taxes will increase or decrease at the same amount.

OTHER MATTERS BY SUPERVISORS

APPOINTMENTS:

Library Board – 4 Year Term Unexpired Term of Boone District Representative June 30, 2013

Extension Leadership Council – 2 Year Term

- BOS Member

Industrial Development Authority – 4 Year Term

(RESOLUTION #17-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint David Cundiff to serve on the Extension Leadership Council with said term to expire January 31, 2014.

MOTION BY: Russ Johnson

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

(RESOLUTION #18-11-2011)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint George McCall, Boone District to serve on the Industrial Development Authority and reappoint Peter Coriasco, Gills Creek District with said terms to expire November 18, 2015

MOTION BY: Ronnie Thompson

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

Ronnie Thompson asked if there was a Hazardous dump site in the County. Mr. Huff stated there was not a site within Franklin County. Staff will research and bring back to the Board data regarding hazardous dumping.

Leland Mitchell extended a thank you to the staff for placing attachments on the web site relative to the BOS agenda.

SELLING ¼ ACRE – 300 SQ. FT. OF ENDICOTT PRECINCT

Staff will research and report back to the Board.

CLOSED MEETING

(RESOLUTION #19-11-2011)

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

MOTION BY: Wayne Angell

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

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

MOTION: David Cundiff **RESOLUTION: #20-11-2011**
SECOND: Ronnie Thompson MEETING DATE November 15, 2011

WHEREAS, the Franklin County Board of Supervisors has convened an closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act: and

WHEREAS, Section 2.2-3712(d) of the Code of Virginia requires a certification by this Franklin County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of Supervisors hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Franklin County Board of Supervisors.

VOTE:

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

NAYS: NONE

ABSENT DURING VOTE: NONE

ABSENT DURING MEETING: NONE

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

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing on **Tuesday, November 15, 2011, at 6:00 P.M.**, in the Board of Supervisors Meeting Room, located in the Franklin County Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia 24151. All interested parties are invited in reference to the following request:

The Board will solicit public input on the local community development needs relative to a potential Transportation Enhancement Program (TEA-21) grant application. The project under consideration for the TEA-21 application is the Village of Ferrum Pedestrian Bridge project.

Information on the amount of funding requested, the requirements of the program, and the eligible activities will be discussed.

Between 2001 and 2004, the County undertook a pedestrian enhancement project in the community of Ferrum. The project was funded through a VDOT Transportation Enhancement Act grant which is a federally funded program. Approximately 1,800 linear feet of sidewalk and two small pedestrian bridges were constructed. However due to limited amounts of funding, the pedestrian bridge over the Norfolk Southern railroad, and its associated sidewalks, were not constructed.

Over the last ten years, Ferrum College has seen a substantial amount of growth, and their student population has grown approximately 60% to over 1,500 students. This growth has also created over 100 jobs at the College. Many local businesses have seen growth as well, and several new businesses have opened in the community. Along with this growth has come increased pedestrian movement throughout the community. The existing bridge over the railroad has no sidewalk and very limited shoulders, which presents a serious safety hazard to pedestrians crossing the bridge. With the increased growth in the area, VDOT is currently evaluating a possible reduction in the speed limit along Rt. 40 through Ferrum.

At the October Board of Supervisors meeting, the Board of Supervisors authorized County staff and Anderson and Associates staff to submit a grant application for funding for the pedestrian bridge project and to hold a public hearing for the project at their November meeting.

Staff has applied for the Transportation Enhancement Program funding for the Ferrum Pedestrian Bridge Project and the application was mailed to the Virginia Department of Transportation (VDOT) on October 28, 2011. Included in the application were the following documents:

- Project Application Form
- Project Budget
- Selection Criteria for the project
- Maps and Plans for the project
- Resolution and Financial Support
- Public Hearing Information
- Community Support Documentation
- Project Area Photographs
- 2004 TEA-21 Documents

The total estimated cost for the project is approximately \$1,122,774.00 with a 20 percent match for \$224,554.80. The proposed match for the project would include three local sources of funding. The primary match would be made by Ferrum College in the amount of \$150,000. Ferrum Water and Sewer Authority will commit a minimum of \$15,000 to allow for the future construction of the waterline on the bridge, and may elect to construct the entire waterline if they have funds available. The County staff proposes to provide in-kind donation of staff time for the administration and inspection of the project. The in-kind value of staff time is \$65,000. The total match would therefore be \$230,000.

RECOMMENDATION:

At this time, there is no further action requested from the Board of Supervisors.

Mrs. Lisa Cooper, Senior Planner, Long Range Manager, briefed the Board on the proposed TEA-21 grant for the Ferrum Pedestrian Bridge.

Public Hearing was opened.

No one spoke for against the proposed TEA-21 grant application, as advertised.

Public Hearing was closed.

PUBLIC NOTICE

PETITION of the Franklin County Board of Supervisors to amend Chapter 25 "Zoning" of the Franklin County Code, to allow residential cluster developments in the A-1 zoning district, and to delete provisions related to residential cluster developments in the 220-North Scenic Gateway

Overlay District, the 220-North Rural Development Overlay District, and the 220-North Mixed Use Overlay District, as follows:

1. Amend Article III, District Regulations, Division 1, Agricultural District (A-1), Section 25-178, Permitted uses, to allow residential cluster development as a permitted use; amend Section 25-180, Area regulations, to exempt residential cluster developments from the general A-1 area requirements; amend Section 25-182, Minimum dimensions, to exempt residential cluster developments from the general A-1 minimum dimension requirements; delete Section 25-185, Open space requirements; delete Section 25-187, Maximum number of units allowed per gross acre; amend Section 25-188, Special Requirements, to include maximum number of units allowed per gross acre; amend Section 25-189, Reserved, to include standards for residential cluster developments within the A-1 district. In establishing a maximum residential density for residential cluster developments in the A-1 district, the Board of Supervisors may consider a range of densities from 1.25 dwelling units per gross acre to 2 dwelling units per gross acre. In establishing criteria for open space, the Board of Supervisors may consider the exclusion of all steep slopes, or a percentage thereof, from fulfilling the open space requirement.
2. Amend Article IV, Special Provisions, Division 4, 220-North Scenic Gateway Overlay District, to delete Sections 25-500.4, 25-500.5, 25-500.6, and 25-500.7, related to residential cluster developments.
3. Amend Article IV, Special Provisions, Division 5, 220-North Rural Development Overlay District, to delete Sections 25-501.4, 25-501.5, 25-501.6, and 25-501.7, related to residential cluster developments.
4. Amend Article IV, Special Provisions, Division 6, 220-North Mixed Use Overlay District, to delete Sections 25-502.4, 25-502.5, 25-502.6, and 25-502.7, related to residential cluster developments.

Mr. Neil Holthouser, Director of Planning & Community Development presented the Board with the proposed A-1 Residential Cluster Developments.

Public Hearing was opened.

The following people spoke regarding the proposed amendments to Chapter 25 and Chapter 19 regarding residential cluster developments in the A-1 areas, as advertised.

Ron Willard, II, Developer, and on behalf of the Roanoke Home Builders Association, shared with the Board three concerns:

- State Road standard requirements
- 60' requirement (very narrow lots)
- 25% of open space requirement

Mr. Willard felt overall residential cluster development is good and will be helpful and did not see future hindrance of clustering.

Public Hearing was closed.

(RESOLUTION #21-11-2011)

NOW THEREFORE BE IT ORDAINED, by the Board of Supervisors to approve the proposed ordinance amendment, as advertised, and that the public purpose is public necessity, convenience, general welfare, or good zoning practice and in accord with the requirements of Section 25-729 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended.

ARTICLE III. DISTRICT REGULATIONS

DIVISION 1. AGRICULTURAL DISTRICT (A-1)

Sec. 25-177. Purpose.

(a) This district includes unincorporated portions of the county that are occupied by various open uses such as farms, forests, lakes, reservoirs, streams and park lands. This district is established for the purpose of facilitating existing and future farming operations, preserving farm and forest lands, conserving water and other natural resources, reducing soil erosion, preventing water pollution, and protecting watersheds and reducing hazards from flood and fire.

(b) It is expected that certain desirable rural areas of this rural district may logically develop residentially at low density. It is the intent, however, to discourage the random scattering of residential, commercial or industrial uses in this district. It should also be presumed that the agricultural and forestry activities may produce some noise, odors and other effects and a certain level of tolerance for these effects must be expected of those who would dwell in this district. Special use permits will be employed to seek improved level of compatibility between uses. (Ord. of 5-25-88)

Sec. 25-178. Permitted uses.

Within the Agricultural District (A-1) the following uses are permitted:

Accessory uses.
Additions to existing schools.
Agricultural warehouses.
Agriculture, farming.
Antique shop.
Assembly halls.
Bed and breakfast establishments.
Cemeteries, community and commercial.
Cemeteries for animals.
Cemeteries on joint church property.
Churches.
Colleges.
Community center and building.
Conservation areas (public and private).
Day care center, day nursery.
Dormitories.
Expansion of existing parks owned by local, state or federal governments.
Forestal operations and management.
Garage, principle
Garages, storage of personal vehicles.
Gardens, private.
Greenhouses, nurseries.
Home occupations, Class A.
Home occupations, Class B.
Homes, single-family detached dwelling.
Homes, single-family detached dwelling with apartments on premises--(See section 25-188).
Kennels.
Landing strip (temporary use)--(See section 25-112)
Libraries.
Lodge halls.
Lodges
Manses, church-owned dwelling unit.

Manufactured homes.
Mobile homes, individual, placed in 20,000 square foot or greater lot.
Off-street parking.
Private dock, pier or boat house.
Playgrounds.
Portable and temporary sawmill.
Preserves, wildlife refuge (public).
Primitive campground.
Residential cluster development (See section 25-189.)
Roads, streets, rights-of-way, easements.
Sales, service and repairs of farm, garden or logging equipment.
Signs.
Stable, commercial (riding).
Stables, private.
Subdivisions meeting county subdivision ordinance and the regulations of section 25-180.
Temporary construction facilities, subject to the requirements of section 25-129.
Temporary events, subject to the requirements of section 25-134.
Tenant farmer.
Water systems.
Wayside stands.
Wind energy facilities; small system (See section 25-128(c)).
Veterinary hospitals and clinics.

(Ord. of 5-25-88; Res. No. 13-05-90, 5-21-90; Res. No. 17-09-90, 9-17-90; Res. No. 43-01-93, 1-19-93; Res. No. 19-10-94, § 2, 10-18-94; Res. No. 38-11-95, 11-21-95; Amend of 9-16-97; Ord. of 6-16-98; Res. No. 13-02-2002, 2-19-02; Ord. of 2-15-05(4); Amend. of 3-25-08(5); Res. No. 26-05-2008, 5-20-08; Res. No. 5-05-2009, 5-19-09)

Sec. 25-179. Special use permits.

The following uses shall be permitted only by special use permit approved by the board of supervisors:

Apartments in combination with business.
Archery ranges.
Automobile graveyard.
Boat club.
Campground (private)--(See section 25-155).
Campground (public)--(See section 25-155).
Carnivals, circuses, fairs and other events lasting more than ninety-six (96) hours but less than four (4) months.
Clubs (private).
Clubs (public).
Community docks, piers, and boat houses.
Convenience store.

Country club.
Country store.
Custom meat cutting operation.
Emergency service facilities--Fire, rescue.
Feed and seed processing mill.
Feed lots.
Feed mill operations.
Fish hatchery.
Flea market.
Food and groceries.
Funeral homes and mortuaries.
Garages, commercial, for automobiles, recreation vehicles, motorcycles.
General store.
Greenboxes.
Golf clubs, clubhouses.
Golf courses.
Golf driving range.
Grain mill operations.
Heliports, airports, landing strip (intensive use), landing strip (recreational use)--(See section 25-112).
[Home, single-family--(See section 25-188).]
Landfills, approved by State Health Department--Nonhazardous, nonradioactive.
Livestock market.
Lumber concentration yard.
Milk stations.
Mining--Conforming to state regulations.
Meat processing--Not a slaughterhouse.
Manufactured home parks (See section 25-137).
Motels, hotels, tourist and resort facilities.
Off-site mass drainfields (See section 25-144).
Off-site wells, water tanks and/or water systems (See section 25-145).
Parks.
Permanent chipping mill.
Permanent planing mill.
Permanent sawmill.
Public facilities.
Public garages.
Public offices.
Public power generation.
Public storage yards.
Public substations.
Public utilities.
Public utilities--Structures, towers, public water and sewer treatment plants.
Pulpwood storage and processing.
Quarrying--Conforming to state regulations.
Raceway.
Radio and television stations.
Radio and television towers.
Radio and television transmission/transmitters.

Recreational facilities (private).
Recreational facilities (public).
Restaurants.
Rifle range, gun clubs, shooting ranges.
Sales, service and repair of automobiles, trucks, recreational vehicles, motorcycles.
Schools (public and private).
Self-service storage facility.
Short-term tourist rental of dwelling.
Slaughterhouse.
Storage--Boat, recreational vehicle, and recreational trailer as a use allowed by special use permit.
Storage yard.
Summer camp.
Swim club.
Turkey shoot.
Wind energy facilities; large system (See section 25-128(c)).
Wind energy facilities, utility scale system (See section 25-128(c)).
Wood preserving.
Wood storage.

(Ord. of 5-25-88; Res. No. 30-08-89, 8-21-89; Res. No. 16-03-90, 3-19-90; Res. No. 18-07-90, 7-16-90; Res. No. 22-12-93, § 2, 12-21-93; Res. of 8-17-94; Amend. of 6-20-95; Res. No. 38-11-95, 11-21-95; Amend. of 12-19-95; Amend. of 9-16-97; Res. No. 26-09-99, 9-21-99; Res. No. 13-02-2002, 2-19-02; Ord. of 2-15-05(4); Res. No. 26-05-2008, 5-20-08; Res. No. 5-05-2009, 5-19-09; Res. No. 12-07-2010, 7-20-10)

Sec. 25-180. Area regulations.

Except as otherwise provided in Sec. 25-189, Residential cluster developments, the following lot area and lot coverage requirements shall apply to all lots within the A-1 zoning district.

(a) Minimum lot size:

- (1) Lots in this district shall have a minimum area of thirty-five thousand (35,000) square feet.
- (2) The minimum road frontage for lots of five (5) acres or less is equal to one hundred fifty (150) feet on a state-maintained primary road, one hundred twenty-five (125) feet on state-maintained secondary roads and not less than thirty (30) feet for lots fronting on a cul-de-sac. The minimum road frontage for lots of greater than five (5) acres shall be as required by the Subdivision Ordinance.

(b) Maximum percentage of lot coverage. Not regulated. (Ord. of 5-25-88; Ord. of 6-16-98; Res. No. 11-04-2001, 4-17-01)

Sec. 25-181. Maximum height of buildings.

- (a) The maximum height of buildings in this district shall be forty (40) feet.
- (b) Belfries, cupolas, chimneys, flues, flagpoles, television antennas, radio aerials, silos and water tanks are exempted.
- (c) Any building or structure shall be constructed, erected, installed, maintained and be of an approved type in accordance with the provisions of the BOCA Basic Building Code, as amended, and the Fire Prevention Code.
(Ord. of 5-25-88)

Cross references: Building regulations, Ch. 5; fire prevention and protection, § 8-11 et seq.

Sec. 25-182. Minimum dimensions.

Except as otherwise provided in Sec. 25-189, Residential cluster developments, the following dimensional requirements shall apply to all lots and structures within the A-1 zoning district.

(a) *Front setback.* The minimum distance from the nearest point of the house or principal structure (including porches or stoops or any accessory buildings) to the centerline of the specified right-of-way shall be equal to sixty (60) feet or thirty-five (35) feet from the edge of right-of-way, whichever is greater, for property adjacent to state primary roads and equal to fifty-five (55) feet or thirty (30) feet from the edge of right-of-way, whichever is greater, for property adjacent to all other roads.

(b) *Side setback.* The minimum side setback, the distance from the side property line of a lot to the nearest point on the house or principal structure (including porches, stoops or accessory building), shall be ten (10) percent of the road frontage distance, with a minimum of ten (10) feet and a maximum of twelve (12) feet.

(c) *Rear yard.* The minimum rear setback, the distance from the rear property line of a lot to the nearest point on the house or principal structure (including porches, stoops or accessory building) shall be a minimum of thirty (30) feet. Rear yard requirements for property contiguous with Smith Mountain Lake may be reduced to twenty (20) feet. For property bordering Smith Mountain Lake, the distance will be measured from the recognized full pond level. Accessory structures up to five hundred seventy-six (576) square feet may be located in the rear yard as long as they are at least twelve (12) feet from the rear property line. In no case shall any structure be located on or below the eight-hundred-foot contour. Walkways and steps are exempt from rear yard requirements.

(d) *Minimum distance between main buildings.* For fire protection in low-density, agricultural areas, it is required that principal structures be no less than twenty (20) feet apart.

(e) *Corner lots.* The minimum setback distance from the nearest point of the house or principal structure (including porches, stoops or any accessory buildings) to the centerline of the specified right-of-way shall be equal to sixty (60) feet or thirty-five (35) feet from the edge of right-of-way, whichever is greater, for property adjacent to state primary roads and equal to fifty-five (55) feet or thirty (30) feet from the edge of right-of-way, whichever is greater, for property adjacent to all other roads.

(Ord. of 5-25-88; Res. No. 22-11-92, 11-17-92)

Sec. 25-183. Floor area requirements.

Conventional lots are not regulated.

(Ord. of 5-25-88)

Sec. 25-184. Minimum off-street parking space.

Two (2) off-street parking spaces shall be required on each building lot. Parking space shall be rectangular with one dimension at least ten (10) feet in length and the other dimension at least twenty (20) feet length and/or a total of 200 square feet.

(Ord. of 5-25-88)

Sec. 25-185. Open space requirements. ~~Reserved.~~

~~See the sections providing for the application of regulations and general regulations, sections 25-15 through 25-22 and 25-60 through 25-66.~~

Sec. 25-186. Reserved.

Sec. 25-187. Maximum number of units allowed per gross acre. ~~Reserved.~~

~~a) One (1) dwelling unit is allowed per one-half (1/2) acre or two (2) units per acre.~~

~~b) No more than two (2) detached dwelling units may be erected on a building lot.~~

~~(Ord. of 5-25-88)~~

Sec. 25-188. Special requirements.

(a) **Except as provided below, only** one (1) dwelling may be erected or placed on a single building lot as a permitted use.

~~(b) No more than two (2) dwellings may be erected or placed on a single building lot under the following circumstances:~~

~~1. The second dwelling is occupied by members of the immediate family of the occupants of the principal dwelling on the lot, including parents, grandparents, children, and grandchildren; or,~~

- ~~2. The second dwelling is occupied by persons who derive their principal means of livelihood from work on the farm on which the dwelling is situated; or,~~
- ~~3. The parcel is one hundred (100) acres or more in size.~~

- (b) A second dwelling may be erected or placed on a single building lot as a permitted use, under the following circumstances:
1. The building lot is at least one (1) acre in area; and
 2. The second dwelling is occupied by:
 - a. members of the immediate family of the occupants of the principal dwelling on the lot, including parents, grandparents, children, and grandchildren; or
 - b. persons who derive their principal means of livelihood from work on the farm on which the dwelling is situated.
 3. Regardless of occupancy, a second dwelling shall be permitted on a single building lot if the subject parcel is one hundred (100) acres or more in area.
- (c) No more than two (2) dwellings shall be erected or placed on a single building lot.

(Res. No. 30-08-89, § 1, 8-21-89; Res. No. 27-06-95, 6-20-95)

Sec. 25-189. Residential cluster developments.

- (a) Definition. For the purposes of this division, a residential cluster development shall be defined as a development consisting of single-family residential uses, where residential lots and associated infrastructure are concentrated on a portion of the subject land, with the balance of the subject land reserved as permanently undeveloped required open space.
- (b) Requirement for residential clustering. The requirement for residential clustering is a function of the number of residential lots proposed and the total acreage of the proposed residential development.
1. Residential clustering is required based on the following formula: $L \geq (A / 2) + 10$, where L is the number of residential lots proposed, and A is the total acreage of the proposed residential development.
 2. Residential cluster developments shall have a minimum of fifty (50) percent of the development's gross area reserved as permanently undeveloped required open space. Residential lots shall be clustered and arranged in accordance with the residential lot standards set forth in this division. Required open space shall be provided and arranged in accordance with the required open space standards set forth in this division.
 3. The maximum residential density for residential cluster developments shall be 1.25 dwelling units per acre, based on the gross area of the development including required open space, provided that such open space accounts for a minimum of fifty (50) percent of the development's gross land area. The maximum residential density may be increased to 1.5 dwelling units per acre in exchange for a greater amount of open space, provided that such open space accounts for a minimum of sixty (60) percent of the development's gross land area.
 4. Subdivisions that meet the requirements for "family division," as defined by the Franklin County Subdivision Ordinance, are exempt from the requirements of section 25-189; however, subdivisions that meet the requirements for "family division" may develop as residential cluster developments, provided that they meet the residential lot and required open space standards set forth in this division.
 5. Any residential development that does not meet the clustering requirement set forth above, may nonetheless develop as a residential cluster development in accordance with the residential lot and required open space standards set forth in this division. Such residential cluster developments shall be required to reserve a minimum of fifty (50) percent of the development's gross area as permanently undeveloped required open space.

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

(c) Standards for residential lots within residential cluster developments. The following standards shall apply to the design and arrangement of residential lots within residential cluster developments:

1. Where residential lots within residential cluster developments have frontage on a road classified by VDOT as a primary road, the following residential lot standards shall apply:
 - a. The minimum lot size shall be 20,000 square feet.
 - b. The minimum road frontage shall be 150 feet.
 - c. For lots fronting onto a cul-de-sac, the minimum road frontage shall be 30 feet, provided that the lot is at least sixty (60) feet wide as measured at the required front setback line.
2. Where residential lots within residential cluster developments have frontage on an existing road classified by VDOT as a secondary road, the following residential lot standards shall apply:
 - a. The minimum lot size shall be 15,000 square feet.
 - b. The minimum road frontage shall be 125 feet.
 - c. For lots fronting onto a cul-de-sac, the minimum road frontage shall be 30 feet, provided that the lot is at least sixty (60) feet wide as measured at the required front setback line.
3. Where residential lots within residential cluster developments have their frontage solely along new secondary streets or roads, the following residential lot standards shall apply:
 - a. The minimum lot size shall be 10,000 square feet.
 - b. The minimum road frontage shall be 75 feet.
 - c. For lots fronting onto a cul-de-sac, the minimum road frontage shall be 30 feet, provided that the lot is at least sixty (60) feet wide as measured at the required front setback line.

(d) Front setback requirements for structures on residential lots within residential cluster developments. The following standards shall apply to the placement of all buildings and structures on residential lots within residential cluster developments:

1. Where residential lots within residential cluster developments have frontage on a road classified by VDOT as a primary road, the minimum front setback shall be thirty-five (35) feet from the edge of right-of-way or sixty (60) feet as measured from the centerline of the right-of-way, whichever is greater.
2. Where residential lots within residential cluster developments have frontage on an existing road classified by VDOT as a secondary road, the minimum front setback shall be thirty (30) feet from the edge of right-of-way or fifty-five (55) feet as measured from the centerline of the right-of-way, whichever is greater.
3. Where residential lots within residential cluster developments have frontage solely on new secondary streets or roads, the minimum front setback shall be twenty (20) feet from the edge of right-of-way or forty-five (45) feet as measured from the centerline of the right-of-way, whichever is greater.

(e) Other setback requirements for structures on residential lots within residential cluster developments. The following standards shall apply to the placement of buildings and structures with respect to residential lot lines:

1. Principal structures shall meet the following required setbacks:
 - a. The minimum side setback shall be ten (10) feet.
 - b. The minimum rear setback shall be twenty (20) feet.
2. Accessory structures shall meet the following required setbacks:
 - a. The minimum side setback shall be five (5) feet.

b. The minimum rear setback shall be five (5) feet.

3. Corner lots shall be deemed to have a primary front, defined as the lesser of the two road frontages; and a secondary front, defined as the greater of the two road frontages. The property line opposite the primary front shall be considered a rear property line; the property line opposite the secondary front shall be considered a side property line.

For corner lots, the following required setbacks shall apply to all principal structures:

- a. Primary front: see Sec. 25-189 (d).
- b. Secondary front: a minimum of twenty (20) feet, as measured from the edge of the right-of-way, or forty-five (45) feet, as measured from the centerline of the right-of-way, whichever is greater.
- c. Side: a minimum of ten (10) feet.
- d. Rear: a minimum of twenty (20) feet.

For corner lots, the following required setbacks shall apply to all accessory structures:

- e. Primary front: see Sec. 25-189 (d)
- f. Secondary front: a minimum of twenty (20) feet, as measured from the edge of the right-of-way, or forty-five (45) feet, as measured from the centerline of the right-of-way, whichever is greater.
- g. Side: a minimum of five (5) feet.
- h. Rear: a minimum of five (5) feet.

- (f) Standards for required open space within residential cluster developments. The following standards shall apply to the design and arrangement of required open space within residential cluster developments:

1. Areas of required open space shall be platted as required open space lots distinct from residential lots. Required open space lots are not required to have road frontage; however, required open space lots must be accessible either by means of direct road frontage, or by private access easement, with a minimum width of fifteen (15) feet.
2. Required open space lots shall have a minimum lot area of two thousand (2,000) square feet.
3. Required open space lots shall measure at least fifty (50) feet in width, as measured at the narrowest dimension.
4. A minimum of twenty-five (25) percent of the required open space shall consist of land that is not steeply sloped. For the purposes of this section, steep slopes are defined as having a slope greater than twenty-five (25) percent.
5. All structures located on required open space lots must be set back a minimum of twenty (20) feet from any property line.

- (g) Ownership and management of required open space within residential cluster developments. Areas of required open space shall be platted as required open space lots distinct from residential lots, with such required open space lots subject to the following ownership and management requirements:

Required open space lots shall be owned and managed by a common owner, which may include a nonprofit association, a nonstock or membership corporation, trust, or foundation, provided that such common owner include all owners of residential property within the residential cluster development. Such arrangement shall conform to the following:

1. The developer must establish the common ownership entity prior to the sale of any residential lots within the residential cluster development.
2. Membership in the common ownership entity shall be mandatory for all residential property owners, present or future, within the residential cluster development.
3. The entity shall manage all required open space and recreational and cultural facilities; shall provide for the maintenance, administration and operation of said

land and improvements, and any other land within the residential development; and shall secure liability insurance on the land.

4. The entity shall conform to the Condominium Act, Code of Virginia, 1950, §§ 55-79.39 through 55-79.103, as amended to date.

(h) Use of required open space within residential cluster developments. Areas of required open space may be used as follows:

1. Permitted uses.
Agriculture, farming.
Conservations areas (public and private).
Forestal operations and management.
Playgrounds.
Preserves, wildlife refuge (public).
Stable, commercial (riding).
Stables, private.
2. Special use permits.
Country club.
Golf clubs, clubhouses.
Golf courses.
Parks.
Recreational facilities (private).
Recreational facilities (public).
Swim Club.
3. The land area (footprint) of any structure located within required open space shall not count toward the fulfillment of the required open space acreage requirement.
4. Wells, water systems, drainfields, waste-water treatment facilities, and/or public utilities may be located in areas of required open space. However, the land area (footprint) of any associated above-ground structure shall not count toward the fulfillment of the required open space acreage requirement.

Sec. 25-190. Reserved.

Amend Article IV, Special Provisions, Division 4, 220-North Scenic Gateway Overlay District, to delete Sections 25-500.4, 25-500.5, 25-500.6, and 25-500.7, related to residential cluster developments.

Amend Article IV, Special Provisions, Division 5, 220-North Rural Development Overlay District, to delete Sections 25-501.4, 25-501.5, 25-501.6, and 25-501.7, related to residential cluster developments.

Amend Article IV, Special Provisions, Division 6, 220-North Mixed Use Overlay District, to delete Sections 25-502.4, 25-502.5, 25-502.6, and 25-502.7, related to residential cluster developments.

Amend Chapter 19 Article III, Regulations and Procedures, Division 2, Improvements, Section 19-61, General Requirements, to allow in the A-1, Agricultural District a reduction in the minimum lot size and frontage requirements for residential lots within residential cluster developments, and to exempt required open space lots within residential cluster developments from the minimum lot size and frontage requirements of the Subdivision Ordinance.

MOTION BY: Russ Johnson

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

PUBLIC NOTICE

Pursuant to the Franklin County Subdivision Ordinance, the Franklin County Board of Supervisors will hold a public hearing on November 15, 2011, 6:00 PM in the Franklin County Board of Supervisors Meeting Room located in the Franklin County Government Center, to which all interested parties are invited in reference to the following request:

PETITION of the Franklin County Board of Supervisors to amend Chapter 19 "Subdivisions" of the Franklin County Code, to allow residential cluster developments, as follows:

Amend Article III, Regulations and Procedures, Division 2, Improvements, Section 19-61, General Requirements, to allow in the A-1, Agricultural District a reduction in the minimum lot size and frontage requirements for residential lots within residential cluster developments, and to exempt required open space lots within residential cluster developments from the minimum lot size and frontage requirements of the Subdivision Ordinance.

Public Hearing was opened.

No one spoke for against the proposed Chapter 19 - Subdivision Ordinance amendments, as advertised.

Public Hearing was closed.

(RESOLUTION #22-11-2011)

NOW THEREFORE BE IT ORDAINED, by the Board of Supervisors to approve the advertised amendments for Chapter 19 – Subdivisions of the Franklin County Code, to allow residential cluster developments as follows:

Amend Article III, Regulations and Procedures, Division 2, Improvements, Section 19-61, General Requirements, to allow in the A-1, Agricultural District a reduction in the minimum lot size and frontage requirements for residential lots within residential cluster developments, and to exempt required open space lots within residential cluster developments from the minimum lot size and frontage requirements of the Subdivision Ordinance.

MOTION BY: Russ Johnson

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

Chairman Wagner adjourned the meeting.

CHARLES WAGNER
CHAIRMAN

RICHARD E. HUFF, II
COUNTY ADMINISTRATOR