

(Please see highlighted areas for attachments)

**AGENDA
FRANKLIN COUNTY BOARD OF SUPERVISORS
TUESDAY, NOVEMBER 18, 2014**

- 1:30 P.M. Call To Order, Vice-Chairman Cline Brubaker
- 1:31 Invocation, Supervisor Bobby Thompson
- 1:32 Pledge of Allegiance, Supervisor Bobby Thompson
- 1:33 Public Comment
- Mara Robbins, Mountain Valley Pipe Line ***(See Attachment #3)***
- 1:36 **CONSENT AGENDA (REQUIRES ACTION)**
- REF: 1. Approval of Accounts Payable Listing, Appropriations, and Minutes for 2014
2. Citizens Notification System ***(See Attachment #2)***
- 1:40 Vincent Copenhaver, Director of Finance
- REF: 1. Monthly Finance Report
- 1:45 J. T. Hodges, Purchasing Coordinator, School Division
- REF: 1. Joint Fuel Presentation ***(See Attachment #4)***
- 2:00 Jim Currie, Executive Director, YMCA
- REF: 1. Presentation
- 2:15 Ronnie Thompson, Boone District Supervisor
Charles Wagner, Rocky Mount District Supervisor
- REF: 1. Space Needs Preliminary Report
- 2:30 Richard E. Huff, II, County Administrator
- REF: 1. Other Matters
- 2:40 Other Matters by Supervisors
- 2:45 Request for Closed Meeting in Accordance with 2.2-3711, a-1, Personnel, a-3, Acquisition of Land, & a-5, Discussion of a Prospective New Business or Industry, or of Expansion of an Existing One, of the Code of Virginia, as Amended.

Certification of Closed Meeting in Accordance with 2.2-3712 (d), of the Code of Virginia, as Amended.

APPOINTMENTS:

Industrial Development Authority (Term Expires 11/18/2014) (See Attachment #1)

Recess for Dinner

6:00 Call To Order, Vice-Chairman Cline Brubaker

6:01 Recess for Previously Advertised Public Hearings as Follows:

PETITION FOR REZONE - Petition of Donnie Montgomery, Petitioner/Homestead Creamery, Inc., Ruth Turner, Benjamin Turner, Nancy Brown, and Diane Whitlow, Owners requesting a rezone for a +/- 19.88 total acres (9.92 acres of parcel # 0280011400, 8.212 acres of parcel # 0280011402 and 1.25 acres of parcel # 0280011700) from A-1, Agricultural to B-2, Business District General, with proffers. The subject property is located on SR 122(Booker T. Washington Highway) in the Gills Creek District of Franklin County. The petitioner is now seeking to rezone for truck staging, septic drain fields and future expansion for an existing milk distribution business and retail located on parcel # 0280011400 (Case # REZO-10-14-13471) (See Attachment #5)

PUBLIC NOTICE

In accordance with the provisions pursuant to County Code Section 5.1-21 notice is hereby given to all interested persons that the Board of Supervisors of the County of Franklin, Virginia, will conduct a public hearing at approximately **6:00 P.M., on Tuesday, November 18, 2014**, in the Franklin County Board of Supervisor's Meeting Room located at 1255 Franklin Street, Suite 104, Rocky Mount, Virginia.

At this meeting, the Board of Supervisors will consider renewal of the existing cable franchise to Shentel Cable Company to continue operations in Franklin County granted by the Board on September 17th, 2002. A dedicated access channel fee of \$.30/mo./subscriber will be included within the adopted cable franchise. (See Attachment #6)

Cline Brubaker, Vice-Chairman, Call To Order and Action As Deemed Appropriate from Public Hearings

Adjournment Thereafter

RISE & SHINE GUESTS FOR NOVEMBER ARE LELAND MITCHELL & RICK

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**FRANKLIN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
AS OF 11-18-2014
4-YEAR TERMS**

Industrial Development Authorities are created under the authority of State Code section 15.2-4903. Industrial Development Authorities are considered political subdivisions of the Commonwealth of Virginia with such public and corporate powers as are set forth in the above referenced chapter.

The Franklin County IDA is composed of seven directors – one director from each magisterial district. The County Administrator, County Attorney and Director of Finance serve as ex-officio, non-voting members of the Authority. Meetings are held as needed. The directors shall elect from their membership a chairman, and a vice-chairman. If desired, a secretary and treasurer may be elected from the membership or may be appointed from outside the current membership. The board shall keep detailed minutes of its proceedings which shall be open to public inspection at all times.

The basic purpose of the Franklin County IDA is to encourage industrial and economic growth in Franklin County and the Town of Rocky Mount. This is accomplished by working with prospective and existing industry to encourage their relocation and expansion in Franklin County and the Town of Rocky Mount. Other purposes include:

- Diversifying the industrial base of the community.
- Improving the job opportunities of local residents.
- Increasing the job opportunities for local young people.
- Increasing the local tax base.

Richard A. Shoemaker 25 Old Furnace Creek Road Rocky Mount, VA 24151 489-1304	Oath of Office administered 11/9/2010 Rocky Mount District	11-18-2017
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Leo H. Scott Post Office Box 88 Ferrum, VA 24088 365-2697	Oath of Office administered 11/07/2008 Blue Ridge District	11-18-2016
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Allen Jones 777 McNeil Mill Road Rocky Mount, VA 24151 483-5547	Oath of Office administered 11/3/2008 Snow Creek District	11-18-2016
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Jesse N. Jones, Jr. 570 Mirey Branch Road Boones Mill, VA 24065 334-2047 (H) 772-5858 (W)	Oath of Office administered 11/9/2010 Blackwater District	11-18-2014
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George McCall
1829 Deepwoods Road
Hardy, Virginia 24101
427-2233 (H)
(540) 890-4273 (H)

Oath of Office administered 11/29/2011
Boone District 11-18-2015

Dennis C. Powell
2695 Golden View
Glade Hill, VA 24092
483-1550

Oath of Office administered 9/28/2010
Union Hall District 11-18-2018

Peter Coriasco
180 Windmere Trail
Moneta, VA 24184
721-3016

Oath of Office administered 11/29/2011
Gills Creek District 11-18-2015

B.J. Jefferson
5 East Court Street
Rocky Mount, VA 24151
483-7475

Attorney

Vincent K. Copenhaver
1255 Franklin Street, Suite 111
Rocky Mount, VA 24151
483-6624

Director of Finance

FRANKLIN COUNTY
Board of Supervisors

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EXECUTIVE SUMMARY

<u>AGENDA TITLE:</u> Citizens Notification System	<u>AGENDA DATE:</u> 11/18/2014	<u>ITEM NUMBER:</u>
<u>SUBJECT/PROPOSAL/REQUEST</u> Citizens Notification System/Approve system as outlined/authorize purchase contract for implementation	<u>ACTION:</u> Yes	<u>INFORMATION:</u>
<u>STRATEGIC PLAN FOCUS AREA:</u> <u>Goal # 2 County Government Services</u> <u>Action Strategy:</u> Improve government services to residents.	<u>CONSENT AGENDA:</u> <u>ACTION:</u> Yes	<u>INFORMATION:</u>
<u>STAFF CONTACT(S):</u> Mrs. Huff, Hatcher, Thomas	<u>ATTACHMENTS:</u> None	
	<u>REVIEWED BY:</u> RTH	

BACKGROUND: In February 2009 Franklin County approved the implementation of a Citizens Alerting System (CAS) system which was identified as a priority in the 2009 Franklin County Strategic Plan. The CAS system that was implanted was integrated with the 911 Computer Aided Dispatch (CAD) mapping software. The recent switch to Southern Software as the county CAD vendor created the need for staff to study alternative options for providing emergency notifications to the public since the previous system became inoperable with the CAD change.

DISCUSSION: A Citizens Alerting System (CAS), is a method used to provide mass notification to citizens during emergency events by delivering recorded phone messages to both land-based and cellular phones. Changes in technology since 2009 have improved in how messages are transmitted to the public and now offer additional means of providing these notifications. The previous CAS primarily provided notifications using land based telephones to distribute notifications. An optional function allowed citizens to register to receive emergency notifications through text messages sent to cell phones and digital pagers. The previous system was not used often but had proven to be beneficial in keeping the public informed of major events when utilized. The system was used to notify residents of planned water system maintenance, criminal activities in neighborhoods, and was used to notify residents of sheltering information and to deliver post disaster information following the Derecho weather event in June 2012. One criticism of the former CAS was that it did not have the capability to deliver real time weather messages when needed for fast approaching weather systems such as tornadoes, severe thunderstorms, and flooding rains. Technology has improved and vendors are now offering an integrated weather feature with their emergency notification products.

A Citizens Alerting System for Franklin County needs to incorporate both new and old technology to provide notifications. In portions of the county where there is no cellular phone or internet service the CAS must be able to send notifications to home phones and email addresses. In areas with cellular service people are less reliable on home phone service and are more reliant on cellular phones. The CAS must be able to provide multiple methods of notifications in order to reach residents quickly and effectively.

In researching a replacement CAS, both Public Safety and Information Technology staffs have researched various CAS platforms that would provide emergency notifications that incorporate traditional as well as progressive notifications.

Staff has reviewed the emergency notification product, Code Red, and determined that it will meet the county's demands and is easily integrated with the current CAD system. The Code Red Emergency Notifications System provides the following notifications:

- Traditional phone message alerts to home and cellular phone numbers.
- Email alerts sent to registered email addresses.
- Text messages sent to registered devices.
- Wireless emergency alerts sent to unregistered cellular devices that are within range of designated cell towers.
- Weather alerts for residents that register for this feature.

The system may also be used for internal messages to county staff and departments such as weather related closings, delays, and informational updates. Law enforcement and public safety specialty teams can be dispatched to emergency events using the Code Red system.

Franklin County budgets \$31,000 annually to provide for service and maintenance of the previous mapping software that included the CAS feature. In addition to this amount, the county budgets an additional \$5,000 to pay for notifications as the county was billed "per call" based on the number of notifications that were needed when using the previous CAS product. County staff obtained quotes from 3 vendors for the CAS system and Code Red submitted the lowest quote. The quoted cost for the county to move to Code Red to provide emergency alerts is \$15,000 annually with no additional "per call" cost for the use of the system. The costs to provide all notifications, no matter how large or small, is included in the \$15,000 quoted amount. The cost to purchase the Code Red emergency alert system has been budgeted in line item 3504-53005 in the FY 14 - 15 E911 Center operations budget.

RECOMMENDATION: Staff respectfully recommends that the Board of Supervisors authorize the County Administrator to finalize and enter into a contract with Code Red, Inc., for the purchase and installation of the Citizen Alerting System.

Tuesday, Oct 21, 2014

Attn: Franklin County Board of Supervisors:

My name is Mara Robbins and I drove all the way from Floyd County to attend today's meeting. Part of why I'm here is because I needed to see for myself that you actually do not allow citizens to make public comments unless they have registered in advance. It seems that you have, indeed, decided that to be your policy. I am profoundly disappointed.

Here is a copy of the letter I gave to the Floyd County Board last week. After being welcomed to speak publicly there, I continued on to the Roanoke BOS meeting and the Montgomery County BOS meeting. They also welcomed public comments; they even asked if those who were not signed up wished to speak.

If you choose to receive information only from lawyers and corporations unless your citizens go through a lot of red tape, you're seriously limiting your perspective, whether it involves this pipeline project or any other issue.

proposed

I strongly suggest you revise your policy and I'd like to offer to be on the next roundtable to share what we've learned about

(2)

the proposed Mountain Valley Pipeline and the EQT and Next Era Corporations and Coates field service, the survey company hired by EQT to explore the proposed route.

I hope that we can open a dialogue between counties. I strongly suggest you contact the Floyd County Board of Supervisors and the county administrator, Dan Campbell, as you research the potential harm that the Mountain Valley Pipeline could do to your beautiful county.

Freedom of speech is one of my rights as a citizen of the USA. I do not feel as if that right is being respected in this board room today. Please give immediate attention to this matter and compile and apply a policy that welcomes comments from involved, committed and active citizens.

Sincerely,



Mara Eve Robbins
mara.robins@gmail.com
(540)745-3561

Tuesday, October 14, 2014

Dear Mr. Yoder, Mr. Allen, Mr. Clinger, Mr. Turman, and Mr. Gerald:

When my family moved to the Floyd/Carroll county line in 1979, it was in part because my parents chose to abandon a middle-class lifestyle in North Carolina that they could have pursued in a way that achieved some people's perceptions of "The American Dream." My father had a good job at the Research Triangle Institute in Raleigh, NC. He left that position and everything it gave us in terms of financial and social stability and took his family to a small farmhouse with no electricity or running water—until we installed a hand pump—on the banks of Deepwater Creek out in Indian Valley. At nine years old, I learned how to operate a wood cook stove, how to wash clothes in a wringer-washer, how to carry water for a family of five (and how to conserve water for the rest of my life as a result), and how to live with the confusion and judgment of our extended family because many of them could not understand the circumstances that led my parents to make such a seemingly extreme—some would even say irresponsible—decision.

After working in the sawmills and the hayfields, and a few other jobs that required hard labor and honest effort, my father was hired as the coordinator for *Citizens for the Preservation of Floyd County*. The struggle to keep the 765 KV power lines out of Floyd had been ongoing for a few years already and when dad got involved, most of the community was already aware that APCO planned to build these giant lines that would carry coal-powered electricity from WV to NOVA. What my father did, so far as I can recall, was to bring the community together and help to organize the resistance that was ultimately unsuccessful in keeping the lines out but remarkably successful in bringing the community together. To this day those giant power lines are, to my knowledge, the only existing energy infrastructure in Floyd County that are not related directly to Floyd County's energy needs.

Most of you probably knew my father, Wayne Bradburn, or you may know of him. Over the years he participated in the community in various ways, including a job as the small business incubator manager at the Jacksonville Center, working for the 2000 census, and a brief stint with the Ruritan Club.

When I began to lead the effort to keep the Mountain Valley Pipeline out of Floyd, my father was a huge inspiration to me. Though he did what he had to do over the years to

keep his family afloat, his professional decisions were never based on profit. He did not ever choose to own land, claiming that his moral and ethical position was that land is not something that can be owned by anyone, that we all have a responsibility to be stewards for the earth upon which we reside. Wayne died five years ago. It is, perhaps, unreasonable to claim that your father was also your best friend, but I truly felt that way about my dad. As a widow and a single parent, he was not only a friend and father to me; he also played a very large role in the upbringing of my daughter. It took me a very long time—and a great deal of community support—to “recover” from that loss.

I’m giving you this background so that you can, perhaps, understand a little bit about why the work I have done over the last few months has been motivated by a true love for community and for the remaining authenticity of the people and the work of Floyd, in the sense that we still carry on some of that heritage. There are those who are still working horses, cooking with wood or choosing to build homes that do not conform to the “standards” that most Americans choose to live by. Most people in Floyd have a deep respect for the earth, whether they consider themselves environmentalists (a word that has some unfortunate associations) or simply people who value and intend to protect the land that they live on.

Floyd also has some unusual alliances and relationships, and though there are certainly different “segments” of the community, I believe that when push comes to shove, there’s a valuable and unusual willingness to come together in support of a common goal in a way that transcends personal ideologies, lifestyles or choices.

This is what I have witnessed over the last few months as the director of *Citizens Preserving Floyd County*. Everyone has been willing to pitch in. We’ve worked together in a manner that does not always seem possible in other communities; though I hope that perhaps it is something we are learning, as a society, to pursue. Though this country was founded on independence, our system of government, at its best, encourages inter-dependence.

Though I have voted in every election possible since I was eighteen and participated in social movements of various sorts from the time I was twelve, I have never felt so much like I was truly interacting and participating in local government until now. You have all been incredible. I have felt from the beginning like everyone here was really listening, genuinely concerned, and actually committed to representing and supporting

the interests of Floyd. There has been an open line of communication, a legitimate sharing of resources, and you have all challenged any cynicism I held about special interests, greed, deception or corruption. I am an admitted idealist—and though I think of myself as a practical idealist, I still recognize that my idealism has contributed to my perception of the entire situation in an as-yet-undetermined manner. For example, when I go to the Roanoke Board of Supervisors meeting this afternoon, I will approach them as allies, not as enemies. Until I know differently, I will assume that the information and perspective I have to share will be one that is valued, heard and potentially acted upon. This may or may not be true, but it is you who have given me the foundation to stand on that allows me to believe that is possible, and for that, I offer you the deepest of appreciation. You've gone above and beyond. Thank you.

As we move beyond the initial threat of the Mountain Valley Pipeline ripping through Floyd County, many of us involved in the resistance are committed to being emissaries for the surrounding region. We have so much to share that we've gathered over the last few months and we're willing to assist them in their own struggle. *Preserve Floyd: Citizens Preserving Floyd County* (PF: CPFC) has become a chapter of the *Blue Ridge Environmental Defense League* (BREDL) and we are working with this organization to learn how to effectively identify and address threats to our environment. What is perhaps unique about PF: CPFC is that we do not limit our definition of the environment to the ecosystem or the natural resources we have in abundance here in Floyd. We're also considering our cultural heritage and our way of life, and looking at ways we can support and encourage that growth and preservation as environmental advocates.

At this point, we have a lot of refiguring and reframing to do, and we welcome your participation in the dialogue so that we can continue to serve the community to the best of our ability.

When it was announced that the pipeline would no longer be routed through Floyd, it was a bittersweet "victory" for me. What I know now about the fracking industry, the sustainability of these proposed high-pressure transport lines and the issues of injustice that surround these sorts of projects are things I cannot ever *not know* again. Though the proposed route does not pass over our county line, it now could potentially affect our neighbors in Bent Mountain and Montgomery County. My personal decision is to continue my efforts to ensure that EQT, an irresponsible, disrespectful and incredibly

corrupt corporation, does not build this pipeline at all. But I did have a moment when I realized that we did, indeed, win. The power lines made it through despite my father's best efforts, but the pipeline did not. And I know that he is smiling about that and patting me—and Floyd County—on the back.

Because I have been the public face and the voice for this movement, I am getting a lot of credit for what's happened. It was not me, though. It was Floyd. Hundreds of citizens who have contributed in whatever ways they could—yourselves included—and honestly, one of my biggest challenges over the past few months was to find something for everyone to do. So many, many people have offered their minds, hearts and shoulders. So many voices have been included in my public statements. It has been—and will continue to be—an honor to serve my community in this way. I hope that you will help us to determine the best manner in which *Preserve Floyd: Citizens Preserving Floyd County* can continue to benefit the community as we move forward.

Sincerely,

Mara Eve Robbins

FLEET FUELING SERVICES CONSOLIDATION



SCHOOL DIVISION / COUNTY GOVERNMENT

J.T. Hodges
Coordinator of Purchasing
Franklin County Public Schools

Daryl Hatcher
Director of Public Safety
Franklin County

Committee Members

Mr. Vincent Copenhaver, Director of Finance – County Government

Mr. Lee Cheatham, Director of Business and Finance – School Division

Mrs. Sharon Tudor, Clerk to the Board / Procurement Specialist – County Government

Mr. J.T. Hodges, Coordinator of Purchasing – School Division

Mr. Daryl Hatcher, Director of Public Safety – County Government

Mr. Jon Crutchfield, Director of Facilities and Transportation – School Division

Mr. Mike Thurman, Director of General Properties – County Government

Mr. Tony Mills – Office of the Sheriff, County of Franklin

What is “generally” being studied and proposed?

That the Franklin County Public Schools and the Franklin County Government work together to consolidate its fleet fueling services and sites countywide to reduce our collective liability risks, increase overall capacity, increase accessibility and realize savings in future capital costs and fuel costs.

Issues to consider...

- Age and condition of existing fuel tanks owned by county government and school division
- Investment in fueling infrastructure to adequately support the growing fleets of both entities
- Combining vehicle fuel bids county wide *may* help both entities realize savings in fuel costs
- Reducing liability by upgrading to modern double walled tanks and by reducing the number of sites in the county

What was considered when drafting the proposed plan...

- 1st – Finding a long term solution to a long term problem to benefit the school division and county government
- 2nd – Take into account the fiscal situation the school division and county government are facing in the short term and long term
- 3rd – Putting together a plan that would strategically address the needs of both fleets in the foreseeable future

What benefits can we expect from consolidation of fueling services?

- A slight drop in the cost of fuel by creating better conditions to lower the cost differential
- Significant savings in capital costs by consolidating fueling sites as well as reducing liability
- A projected drop in the cost of routine maintenance and upkeep of fueling equipment
- Diversification of our fueling operations
- Increased capacity that would increase the likelihood of maintaining adequate operations during times of "short term" fuel shortages

Estimated Capital Costs Compared ... (2014 costs)

As a basis for comparison, the committee studied the total cost to replace the existing fuel systems for both the school system and county agencies based on 2014 cost estimates using a 9 year time table

Schools

\$73,700 per school multiplied by 9 schools equals \$663,300

example used: 5,000 gallon double wall below ground tank with fuel tracking system. Current 20+ year old systems uses 2000 gallon below ground tanks for all outlying schools.

County

\$64,928 per site multiplied by 10 public safety stations equals \$649,280

example used: 5,000 gallon double wall below ground tank for with no fuel tracking system. Current 20+ year old systems uses 1000 gallon above ground tanks for all fuel stations.

\$663,300 (Schools)

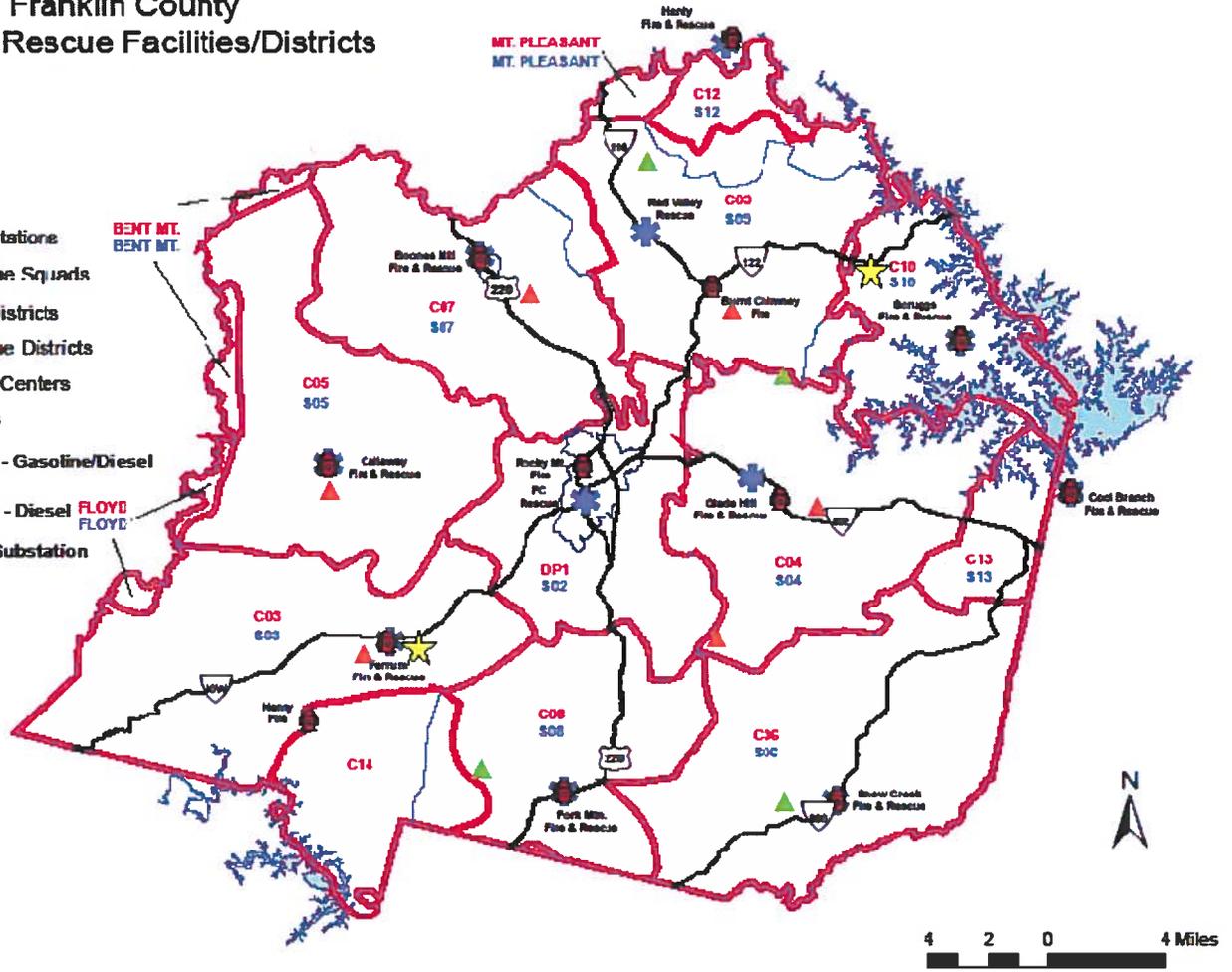
\$649,280 (County)

\$1,312,580 (Total cost to replace entire system)

Franklin County Fire and Rescue Facilities/Districts

Legend

-  Fire Stations
-  Rescue Squads
-  Fire Districts
-  Rescue Districts
-  Town Centers
-  Lakes
-  Elementary - Gasoline/Diesel
-  Elementary - Diesel
-  Sheriff's Substation



FUEL STATION CONSOLIDATION – Estimated Cost
PROPOSED PLAN “FINAL DRAFT”

PHASE 1

Sontag Elementary - Shared Facility at the new landfill	<u>Under Separate Plan</u>	<u>Sites Eliminated</u> Sontag Elem.
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PHASE 2

Snow Creek Elementary (Diesel Only)	\$ 77,000	Snow Creek Fire & Rescue
Boones Mill Elementary	<u>\$119,000</u> \$196,000	Boones Mill Fire

PHASE 3

Dudley Elementary (Diesel Only)	\$ 84,000	Scruggs Fire
	(possible site @ future Westlake Station along with new site @ school)	
Henry Elementary (Diesel Only)	\$ 84,000	Henry Fire/ Fork Mt. Fire
Ferrum Elementary	<u>\$127,000</u> \$295,000	Ferrum Fire

PHASE 4 (possible shared new site development)

Burnt Chimney Elementary	\$132,000	Red Valley Res./ Burnt Chimney Fire
Callaway Elementary	\$132,000	Callaway Fire
Glade Hill Elementary	<u>\$132,000</u> \$396,000	Glade Hill Rescue (possible site @ future Glade Hill Station)
	<u>\$887,000</u>	

PHASE 5 (further site plans may have to be addressed)

Court House Complex – Sheriff’s Office	*TBD*
School Bus Garage	*TBD*

It should be noted...

This proposed plan would reduce the number of fueling sites from about 23 sites down to 12 shared sites.

It would also increase our collective storage capacity and decrease our overall liability risk.

Estimated Savings in Capital Costs

\$663,300 (Schools) plus \$649,280 (County)

\$1,312,580

Proposed Shared Plan Final Draft (\$887,000)

\$425,580

ESTIMATED SAVINGS

Estimated Fuel Savings

Current Price Differential (markup)

.1481 (Small Truck) minus .0234 (Tanker) equals .1247

Annual Combined Small Truck Deliveries per Year County/Schools (PROJECTED)

160,810 gallons (County) plus 61,199 gallons (Schools) equals 222,009 gallons

Estimated Annual Savings

220,009 gallons multiplied by a .1247 reduction in differential equals

\$27,684.52

(\$20,053.01 County and \$7,631.51 Schools)

County departments that are currently buying fuel from the school division through our current pilot program are reporting price per gallon savings higher than current estimates

Where do we go from here?

- Complete a cost analysis *(COMPLETE) Revised*
- Compose a final draft plan *(COMPLETE) Revised*
- Determine preliminary site plans *(IN PROGRESS)*
- Identify available funding *(IN PROGRESS)*
- Determine a projected timetable

Funding Request

The joint fuel committee is requesting the Board of Supervisors to appropriate \$75,000 each fiscal year in recurring capital funds in the county's capital budget in a dedicated "joint tank fund" that accumulates funds over time

Not enough to start replacing tanks but enough to create a fund to use (in time) so that when it is time to start replacing tanks the financial burden to the county's financial position won't create as much of as a hardship.

Once each individual specific sight plan is completed a joint fuel committee representative would come back to the Board of Supervisors, go over the proposed site plan and request approval for the individual site(s) being submitted for approval at that time.

QUESTIONS...



FRANKLIN COUNTY
PETITION/APPLICATION FOR REZONING
(Type or Print)

I/We, HOMESTEAD CREAMERY, INC, as Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Supervisors to amend the Franklin County Zoning Maps as hereinafter described:

- 1. Petitioners Name: DOWNIE MONTGOMERY
- 2. Property Owner's Name: RUTH P. TURNER, BENJAMIN T. TURNER, NANCY BROWN ;
DIANE T. WHITLOW ; HOMESTEAD CREAMERY INC
Phone Number: 420-9997 (MANDA WHITLOW) 721-2045 (HOMESTEAD CREAMERY)
Address: PO Box 1055 (TURNER) PO Box 506 (CREAMERY)
Wirtz, VA Zip: 24184
- 3. Exact Directions to Property from Rocky Mount: FROM 40, TURN ONTO NORTH 122 TOWARDS
BURNT CHIMNEY, GO PAST INTERSECTION OF 116 & 122. PROPERTY IS ON THE RIGHT
JUST PAST THE CREAMERY: FIRE DEPARTMENT
- 4. Tax Map and Parcel Number: PORTION OF 0280011400 ; NUG) 0280011402, 0280011700
- 5. Magisterial District: GILLS CREEK

6. Property Information:

- A. Size of Property: ±20 ACRES TOTAL
±9.92 ACRES (TURNER PROP) ; ±9.95 ACRES (CREAMERY PROP)
- B. Existing Land Use: VALLEY/FARM LAND (TURNER PROP) ; DRAIN FIELDS (CREAMERY PROP)
- C. Existing Zoning: A1 (TURNER PROP) B2 (CREAMERY PROP)
- D. Existing number of allowed dwelling units per acre or commercial/industrial development square feet per acre: _____
- E. Is property located within any of the following overlay zoning districts:
 Corridor District Westlake Overlay District Smith Mountain Lake Surface District
WITHIN 500' OF 122
- F. Is any land submerged under water or part of a lake? Yes No If yes, explain.

7. Proposed Development Information:

- A. Proposed Land Use: TRUCK STAGING, DRAIN FIELDS ; FUTURE EXPANSION
- B. Proposed Zoning: B2
- C. Size of Proposed Use: ± 20 ACRES
- D. Proposed dwelling units per acre or commercial/industrial development square feet per acre: _____

Checklist for completed items:

- Application Form
- Letter of Application
- List of Adjoining Property Owners and Addresses
- Concept Plan
- Application Fee

I certify that this petition/application for rezoning and the information submitted herein is correct and accurate.

Petitioner's Name (Print): Donnie R. Montgomery, President

Signature of Petitioner: Donnie R. Montgomery, President

Date: 10/6/2014

Mailing Address: PO Box 506
WERTZ, VA 24184

Telephone: 540-721-2045

Owner's consent, if petitioner is not property owner:

Owner's Name (Print): _____

Signature of Owner: _____

Date: _____

Date Received by Planning Staff: _____

Time: _____

Clerk's Initials: _____

CHECK #: _____

RECPT. #: _____

AMOUNT: _____



816 Boulevard
Salem, VA 24153
P: 540.387.1153
F: 540.389.5767
www.parkerdg.com

ENGINEERS | SURVEYORS | PLANNERS | LANDSCAPE ARCHITECTS

October 6, 2014

Neil Holthouser, Director
Planning & Community Development
Franklin County
1255 Franklin Street, Suite 103
Rocky Mount, VA 24151

Re: Homestead Creamery
Rezoning Application
PDG #06-0440-12

Dear Mr. Holthouser:

Enclosed you will find an application for rezoning of tax parcels 02080011402, 0280011700 and portions of tax parcel 0280011400. Homestead Creamery is under contract to purchase ±8 acres from the adjacent Turner property (tax parcel 0280011400). The owner/contract purchaser/petitioner of the property, Homestead Creamery, Inc. has requested we prepare this application and submit to you as their agent. The purpose of this letter is to briefly describe the proposed use of the properties, the effects this proposed use will have on the surrounding area, and the reason for the request.

The property under contract to be purchased from the Turner's is zoned A-1 and needs to be rezoned to B-2. The two parcels owned by Homestead Creamery are already zoned B-2 under Case #Rezo-2-14-12738, however changes are being made to the proffered concept plan.

The proposed use of these properties will consist of supporting truck staging and drainfield areas for Homestead Creamery's continued growing business. Since 2001, Homestead Creamery has consistently grown. With this growth has come the need for additional parking, truck staging and drainfields. Currently the facility needs additional space to stage trucks and is working on a wastewater plan that requires additional drainfields. In an effort to remain functional in this location, Homestead Creamery needs portions of the properties they currently own or are under contract to purchase, to be zoned B-2.

The proposed development will improve the current conditions of the property and impacts to the surrounding area. Parking areas are proposed in the rear of the property in an effort to improve the aesthetic appearance from Rt 122 and resolve an overcrowding of parking that exists today. The ability to expand drainfields will allow for growth of the plant and replacement of older failing drainfields. Allowing the expansion of this infrastructure will reduce impacts that occur today and allow for a planned growth to move forward. Any impacts from future growth will be controlled through current traffic, stormwater, and waste management regulations.

The purpose for this rezoning request is to allow for the construction of supporting infrastructure to an established and growing business.

We respectfully request you consider the approval of this request, and should you have any questions or comments regarding this application, please do not hesitate to contact us.

Sincerely,
Parker Design Group, Inc.



Simon L. Rutrough, PE
Project Engineer

Enclosures

Cc: File
Client

ADJACENT PROPERTY OWNERS

Name: Montgomery Donnie R & Charlotte S
Address: 934 Bonbrook RD
Wirtz, VA 24184

Tax Map Number: 0280013501A

Name: Turner Ruth P & Benjamin T & Brown Nancy T & Whitlow Diane T
Address: 7361 Booker T Washington Hwy
Wirtz, VA 24184

Tax Map Number: 0280011400

Name: Burnt Chimney Volunteer Fire Department
Address: 7300 Booker T Washington Hwy
Wirtz, VA 24184

Tax Map Number: 0280011500

Name: Turner Ruth P & Whitlow Wanda C (Trustees)
Address: 7361 Booker T Washington Hwy
Wirtz, VA 24184

Tax Map Number: 0280009600

Name: Burnt Chimney Properties Inc
Address: 16475 Booker T Washington Hwy
Moneta, VA 24121

Tax Map Number: 0280009512

Name: Family Dollar Stores of Virginia Inc
Address: PO Box 1017
Charlotte, NC 28201

Tax Map Number: 0280009515

Name: Tucker Forrest Lee & Mary Lynn (Trustees)
Address: PO Box 510
Wirtz, VA 24184

Tax Map Number: 0280009600

Name: Turner Ruth P & Whitlow Wanda C (Trustees)
Address: 7361 Booker T Washington Hwy
Wirtz, VA 24184

Tax Map Number: 0280009600

Name: Homestead Creamery Inc
Address: PO Box 506
Wirtz, VA 24184

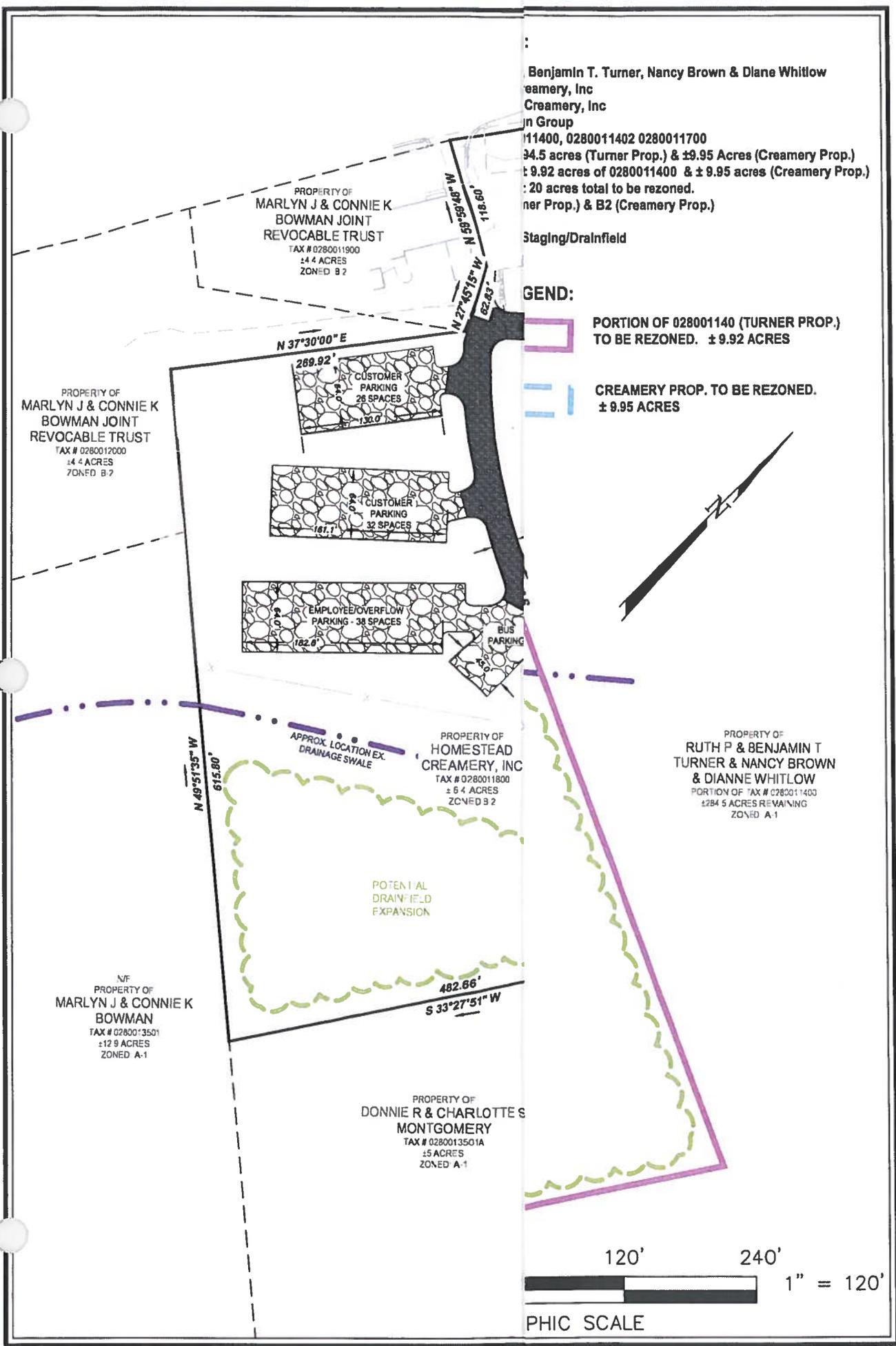
Tax Map Number: 0280011600

ADJACENT PROPERTY OWNERS

Name: Homestead Creamery Inc

Address: PO Box 506
Wirtz, VA 24184

Tax Map Number: 0280011800



Benjamin T. Turner, Nancy Brown & Diane Whitlow
 Creamery, Inc
 In Group
 111400, 0280011402 0280011700
 34.5 acres (Turner Prop.) & ±9.95 Acres (Creamery Prop.)
 ± 9.92 acres of 0280011400 & ± 9.95 acres (Creamery Prop.)
 ± 20 acres total to be rezoned.
 (Turner Prop.) & B2 (Creamery Prop.)

Staging/Drainfield

GEND:
 PORTION OF 028001140 (TURNER PROP.) TO BE REZONED. ± 9.92 ACRES
 CREAMERY PROP. TO BE REZONED. ± 9.95 ACRES



816 Boulevard
 Salem, Virginia 24153
 Phone: 540-387-1153
 Fax: 540-389-5767
 www.parkerdgm.com
parker
 DESIGN GROUP, INC.
 ENGINEERS * SURVEYORS * PLANNERS * LANDSCAPE ARCHITECTS

**Homestead Creamery
 Concept Plan**
 Franklin County, VA

SCALE: 1" = 120'
PROJECT NO. 06-0440-12
DATE: October 3, 2014
REV:

CONTRACT OF SALE

THIS CONTRACT OF PURCHASE is made as of the 18th day of July, 2014, between Ruth P. Turner, Benjamin T. Turner, Nancy Brown and Diane T. Whitlow whose address is P O Box 1055, Wirtz, Virginia 24184, owner of record of the property sold herein (the "Seller", whether one or more), Homestead Creamery, Inc., whose address is 7254 Booker T. Washington Hwy., Wirtz, Va. 24184 (the "Purchaser", whether one or more).

1. REAL PROPERTY: Purchaser agrees to buy and Seller agrees to sell the land and all improvements thereon and appurtenances thereto and, to provide insurable access thereto (the "Property"), located in the County of Franklin, Virginia and more particularly described as: Tax Map No. 280011400, Acreage is plus or minus 8 acres.

2. PERSONAL PROPERTY: No personal property exist on said property.

3. PURCHASE PRICE: The purchase price of the property is [REDACTED] which shall be paid to the Settlement Agent at settlement by certified check or cashier check or wired funds.

Purchaser will bear all cost of land surveying, county approvals, land recordation and removal of existing cattle fencing then reinstall fencing on new property line.

4. DEPOSIT: Purchaser is making a deposit of [REDACTED] with the execution of this contract. This check is to be written to all four owners as referenced in the first paragraph of this contract. This deposit amount is the agreed upon good faith consideration given in execution of this agreement.

5. SETTLEMENT AND POSSESSION: Settlement shall be made at the offices of Rhodes, Ferguson and Stone, Atty. (the Settlement Agent") located at Rocky Mount, Virginia on or before the 15th day of August 2014. The Purchaser certainly has the right to choose another Settlement Attorney if desired. The settlement date can only be extended by written consent of the Buyer and Seller. The intent is to close this sale as soon as practical

6. COMMISSION / REFERENCE FEE: There are no commissions due.

7. MECHANICS LIEN NOTICE: Seller will deliver at closing an affidavit on a form acceptable to Purchaser, signed by Seller that no labor or materials have been furnished on this property within the statutory period for filing of mechanics or materialmens' liens against said property.

8. PROPERTY OWNERS' ASSOCIATION DISCLOSURE: Seller represents that the property is not located within a development which is subject to the Virginia Property Owners' Association Act (Code of Virginia, 1950, ss 55-508 through 55-516.2.

Seller and Purchaser acknowledge that their signatures below are the full acceptance of this Contract and this is the complete agreement; there are no other prior agreements in existence.

Edward R. Montgomery Date 7/31/14
Purchaser- Homestead Creamery, Inc.

Purchaser's address: 7254 Booker T. Washington HWY., Wirtz, Va. 24184
Telephone Number: 540-721-2045
Social Security #: 54-2002974

Seller: Benjamin J. Turner Date 7-30-14

Seller: Deane J. Whitlow Date 7/31/14

Seller: Nancy T. Brown Date 7/31/14

Seller: Ruth P. Turner by Date 7/31/2014
Manda C. Whitlow, TTE

Witness: F. Michael Smith Date 7/31/14

LAND CLEARING AGREEMENT

THIS LAND CLEARING AGREEMENT is made as of the 25th day of August, 2014 between Ruth P. Turner, Benjamin T. Turner, Nancy Brown and Diane T. Whitlow whose address is P O Box 1055, Wirtz, Virginia 24184. owner of record of the property being sold under the "Contract of Sale" dated July 18th 2014 (the "Seller", whether one or more) , Homestead Creamery, Inc., whose address is 7254 Booker T. Washington Hwy., Wirtz, Va. 24184(the "Purchaser", whether one or more).

This agreement is between the afore referenced parties, to allow the "Purchaser" to perform land clearing on the agreed upon property and make necessary preparation for excavation, such as remove and install new fencing, perform needed survey, prep for rezoning, prior to formal closing of property. In consideration of this agreement, Purchaser agrees to pay Seller an additional deposit in the amount of [REDACTED] upon the execution of this agreement. It is further agreed that this deposit will be paid in four separate check as follows: Ruth Turner [REDACTED], Benjamin Turner [REDACTED], Nancy Brown [REDACTED] and Diane Whitlow [REDACTED].

Furthermore it is agreed, any monies received through sale of timber, will be held by Purchaser in an escrow account and held there until closing.

Seller and Purchaser acknowledge that their signatures below are the full acceptance of this agreement.

Purchaser: Donnie R. Montgomery Date 8/27/2014
Seller: Ruth P. Turner, by Mark C. Whitlow Date 8/27/2014
Seller: Diane J. Whitlow Date 8/27/2014
Seller: Nancy T. Brown Date 8/27/2014
Seller: Ben J. Turner Date 9/1/14

PUBLIC NOTICE

In accordance with the provisions pursuant to County Code Section 5.1-21 notice is hereby given to all interested persons that the Board of Supervisors of the County of Franklin, Virginia, will conduct a public hearing at approximately **6:00 P.M., on Tuesday, November 18, 2014**, in the Franklin County Board of Supervisor's Meeting Room located at 1255 Franklin Street, Suite 104, Rocky Mount, Virginia.

At this meeting, the Board of Supervisors will consider renewal of the existing cable franchise to Shentel Cable Company to continue operations in Franklin County granted by the Board on September 17th, 2002. A dedicated access channel fee of \$.30/mo./subscriber will be included within the adopted cable franchise.

Copy of said documents may be reviewed in the County Administrator's Office, 1255 Franklin St., Suite 112, Rocky Mount, Virginia 24151.

All interested citizens are encouraged to attend said public hearing on the proposed renewal.

PUBLISHED BY THE ORDER OF THE FRANKLIN COUNTY BOARD OF SUPERVISORS



SHARON K. TUDOR, MMC
CLERK

FRANKLIN NEWS POST:

PLEASE PUBLISH IN YOUR *Friday, November 7 & 14, 2014 EDITIONS*