

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, SEPTEMBER 16, 2014 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: David Cundiff, Chairman
Cline Brubaker, Vice-Chairman
Bob Camicia
Ronnie Thompson
Charles Wagner
Leland Mitchell
Bobby Thompson

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

David Cundiff, Chairman, called the meeting to order.

Invocation was given by Supervisor Bobby Thompson.

Pledge of Allegiance was led by Supervisor Cline Brubaker.

PRESENTATION OF COUNTY AWARDS (GFOA & DIGITAL COUNTIES AWARDS)

Richard E. Huff, II, County Administrator, presented the GFOA Award to Vincent Copenhaver, Director of Finance for the County of Franklin.

The Certificate of Achievement for Excellence in Financial Reporting has been awarded to the County of Franklin by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

FINANCE DEPARTMENT, FRANKLIN COUNTY

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL and Washington, D.C.

DIGITAL COUNTIES AWARD - STEVE THOMAS, DIRECTOR OF INFORMATION TECHNOLOGY

Richard E. Huff, II, County Administrator, presented the Digital Counties Award to Steve Thomas, Director of Information Technology. Franklin County officials announced the County has been awarded another top ten national placement in the Annual Digital Counties Survey for communities with a population less than 150,000. Franklin County, at a population of roughly 56,000, competes with counties three times its size, and often competing with fewer resources. This year the County placed 7^h in the annual ranking which recognizes leading examples of counties using information and communications technology.

The national ranking is issued by the e-Republic's Center for Digital Government and Digital Communities program, in partnership with the National Association of Counties (NACo) who identifies best electronic practices among counties nationwide.

Franklin County capitalized on its strong digital transparency with numerous policies, financial

data, and status' live on web sites. It is technologically sound infrastructure that forwards movement in citizen services and public safety.

Franklin County was also recognized by Governor McAuliffe along with 8 other Virginia counties on their achievement in achieving Digital counties recognition.

PUBLIC COMMENT:



CONSENT AGENDA

APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR –AUGUST 19, 2014
APPROPRIATIONS

2014 RABIES CLINIC AD

In an effort to control the spread of the rabies virus, Franklin County in conjunction with local veterinarians and staff, have previously sponsored a yearly rabies vaccination clinic to benefit citizens who ordinarily may not have an opportunity to obtain vaccinations for their pets. Traditionally the clinic is held in the fall prior to hunting season. The clinic, if approved, will be held in various locations throughout the county on October 4, 2014.

Sponsorship of a rabies vaccination clinic for pets in Franklin County will reduce the potential spread of the virus. The Code of Virginia relating to Animal Laws requires that two conditions be met before a canine or feline can be vaccinated outside the controlled environment of a certified veterinary facility. First, approval must be granted by the local health department. Second, the local governing body must declare the holding of such a clinic is for the health, safety, and welfare of the citizens to reduce the potential threat of rabies transmission in the area.

Staff proposes to hold the rabies clinic at the Franklin County Government Center parking lot from 8:00 am until noon. The clinic will only be available to Franklin County and Rocky Mount residents only. The cost is \$8.00 per vaccination administered to offset the associated expense in conducting the clinic. Fees for dog licenses will remain unchanged from that charged at the Franklin County Treasurer's Office. The date, time, and location of the clinic will be published in the local newspaper for a minimum of three (3) editions prior to the event and will also be advertised on the county website.

Once approved by the Board of Supervisors, staff will secure authorization from the local health department to conduct the clinic.

Estimated costs and revenues generated from the rabies clinic held in 2013 were as follows:

Costs:

Veterinary costs to provide 263 vaccinations: \$2,104.00

Total cost: \$2,104.00

Revenue:

Revenue received: (263 vaccinations @ \$8.00 each) \$2,104.00

Dog license sales: (106 dog licenses sold 2014) \$842.00

Total Revenue: \$2,946.00

RECOMMENDATION: Staff respectfully recommends and requests the Board of Supervisors declare the holding of this County Rabies Clinic is for the health, safety, and welfare of the citizens to reduce the potential threat of rabies transmission in the area and authorize the County Rabies Clinic to be held on October 4, 2014.

**FRANKLIN COUNTY
 RABIES CLINIC AND DOG TAGS
 PUBLIC NOTICE
SATURDAY, OCTOBER 4TH, 2014.
8:00 am – 12:00 pm**

A Rabies clinic will be held in Franklin County at the County Administration Building located at 1255 Franklin St., Rocky Mount, VA on **SATURDAY, OCTOBER 4TH, 2014.** The clinic will be held in the parking lot from 8:00 am until 12:00 pm.

This clinic is for the convenience of dog and cat owners. The cost for vaccination of each animal is \$8.00. This is a three year vaccine for those pets that have had a rabies vaccination before or a 1 year vaccination if they have never had a rabies vaccination. Each animal owner is asked to check their old vaccination certificate to determine whether it has expired.

Dog tag licenses will be available for purchase at the rabies clinics. A license tax of ten dollars (\$10.00) per unaltered dog is hereby imposed. A license tax of four dollars (\$4.00) per altered (spayed/neutered) dog is hereby imposed. The license tax for a kennel shall be fifteen dollars (\$15.00). **NOTE: TO QUALIFY FOR THE ALTERED DOG RATE, THE OWNER MUST PROVIDE DOCUMENTATION FROM A VETERINARIAN, AT TIME OF PURCHASE, THAT THE ANIMAL HAS HAD THE SPAY/NEUTER PROCEDURE PERFORMED.**

Please note:

(*) Effective July 1, 2007, state law requires Veterinarians to notify the Treasurer of every dog that receives a rabies vaccination.

() Beginning October 1st of each year tags may be purchased at the County Treasurer's Office and appointed veterinarians offices.**

SHARON K. TUDOR, MMC, CLERK
BOARD OF SUPERVISORS

PUBLICATION DATES: Wednesday September 24th, Friday September 26th, Monday, September 29th, 2014 EDITIONS (Franklin News Post)

BRUSH TRUCK SKID UNIT PURCHASE

Brush trucks are equipped with a slide in assembly that contains the water tank, fire pump, storage compartments, hose reels, and other equipment. The entire assembly is referred to as a "skid unit". In July, the Board of Supervisors approved the purchase of a brush truck chassis for the Henry Volunteer Fire Department and authorized staff to to solicit bids for construction of the skid unit for the vehicle.

Solicitation for bids was advertised to vendors and manufacturers for the skid unit between July 25th through August 28th. The skid unit specifications were adopted by the volunteer fire chiefs in 2007. Only one bid to construct the skid unit was received. Vest Sales & Service located in Check, Virginia submitted a bid for \$23,345.00 as requested. Staff has inspected the bid and determined that it meets the outlined specifications and the quoted price is within \$300 of the price paid in 2010 for skid units for Snow Creek and Glade Hill Fire Departments.

Funds have been allocated in the FY 14-15 CIP budget to purchase the skid unit in line item #3000-023-0148-7005.

RECOMMENDATION:

Staff respectfully recommends that the Board of Supervisors authorize the purchase of the skid unit from Vest Sales Service for the amount specified.



Franklin County

BID SHEET FORM FOR

Brush Truck Skid Unit

DATE/TIME OF BID OPENING: *Thursday, August 28, 2014 @ 4*

VENDOR RESPONDING	CONTACT PERSON	TELEPHONE NUMBER	AMOUNT OF QUOTE	MEETS SPECS YES/NO
<i>Vest's Sales & Service</i>	<i>Rodney VEST</i>	<i>640 251-0392</i>	<i>\$ 23,345.00</i>	<i>YES</i>

I hereby certify that the above responses to the bid or services request were received in a timely fashion and opened in public on *28 Aug, 2014*

Signature *[Handwritten Signature]*

FAMILY PRESERVATION LEASE

The County of Franklin owns a building and property at 40 West Church Street in Rocky Mount, Virginia. In November of 2008, the County entered into a lease agreement with Family Preservation Services, Inc. for that agency's Rocky Mount office.

Since that original agreement both parties have agreed to subsequent lease extensions as allowed for in the original agreement. The current monthly rent is \$1,600 and the lease expires November 16, 2014.

Family Preservation Services, Inc. has continued to grow and with that growth their need for additional space became obvious.

Numerous discussions were held with regard to that agency "expanding" into the remainder of the main floor level. However it was eventually determined by the agency that even that expansion would not yield the space needed.

As a result Family Preservation Services, Inc. will be vacating the County owned building at the end of the year.

RECOMMENDATION:

Staff respectfully requests that the Board of Supervisors consider approval of a lease extension of 45 days (approximately 1 1/2 months) to Family Preservation Services, Inc. This extension allows the agency time to relocate to new office space as requested.

PURCHASE OF FORK LIFT UNIT

For the past few years the County has moved forward with the creation of a facility for the Department of General Properties.

From the onset it was understood that this project would in fact be a “work in progress” as funding was available. The building pad was installed in 2010 and funding has now been made available to install racks for storage.

As described this 6,000 square foot building located behind the Government Center will hopefully serve many functions. One of those functions will be the ability to temporarily store/transfer centrally purchased items such as copy paper, etc.

Recently, a “high bay” storage rack system was installed in the building. To use this system to its full potential, a forklift truck will be required. It has been determined that the heaviest material to be handled will be that of a pallet of office copy paper which weighs approximately 2,000 lbs. Staff has recently received several quotations for such a truck. They are as follows:

• New	3,500 lb lift capacity	Komatsu	\$27,620
• New	3,000 lb lift capacity	Doosan	\$23,547
• Used	3,000 lb lift capacity	2008 Hyster (6,106 hrs.)	\$16,550
• Used	3,000 lb. lift capacity	2007 Yale (8,320 hrs.)	\$15,900
• Used	3,000 lb. lift capacity	2007 Yale (6,181 hrs.)	\$16,950
• Used	3,000 lb. lift capacity	2009 Komatsu (1,710 hrs.)	\$14,500

RECOMMENDATION:

Staff respectfully requests that the Board of Supervisors approves the purchase of a used 2009 Komatsu fork truck for \$14,500. This unit was leased to us for a one month period and has performed well. The \$675.00 monthly rent will be deducted from the purchase price, thus the actual purchase price will be \$13,825. Funds for this purchase are available in 3000-025-0192-7026.

(RESOLUTION #01-09-2014)

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

MOTION BY: Bob Camicia

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Brubaker, Camicia, Thompson & Cundiff

MONTHLY FINANCE REPORT

Vincent Copenhagen, Director of Finance, presented the County Monthly Finance Reports:

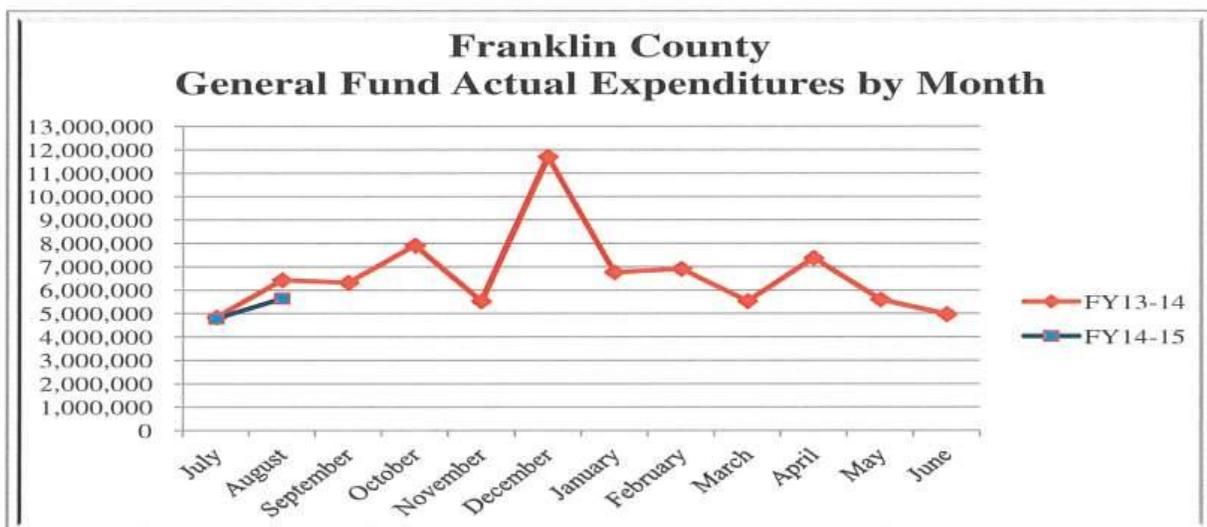
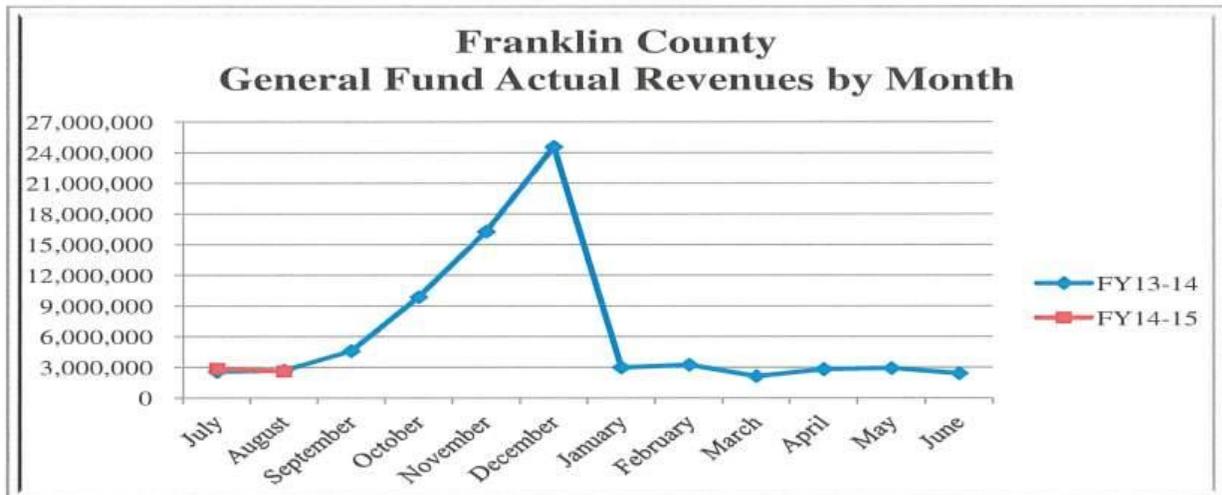
Franklin County
Cash Basis Revenue and Expenditure Summaries (Unaudited)
General Fund and School Fund Only
For The Month Ending August 31, 2014 and 2013

REVENUES:

	Budget and Appropriations	Actual Year to Date	Balance To Be	Percent of Budget	Prior Year Actual
	Current Year	Revenues	Realized		At This Date
General Property Taxes	47,349,410	574,275	(46,775,135)	1.2%	406,271
Other Local Taxes	11,040,728	1,679,755	(9,360,973)	15.2%	1,652,232
Permits, Fees and Licenses	372,000	61,616	(310,384)	16.6%	51,163
Fines and Forfeitures	98,000	28,341	(69,659)	28.9%	19,073
Revenue from the use of Money and Property	1,193,283	67,135	(1,126,148)	5.6%	164,469
Charges for Services	2,670,621	538,237	(2,132,384)	20.2%	515,396
Miscellaneous Revenue	230,300	115,929	(114,371)	50.3%	90,004
Recovered Costs	415,390	46,790	(368,600)	11.3%	192,221
Revenue from the Commonwealth	15,584,767	2,381,483	(13,203,284)	15.3%	2,211,276
Federal Government	135,151	29,512	(105,639)	21.8%	26,590
Subtotal	79,089,650	5,523,073	(73,566,577)	7.0%	5,328,695
Carryover Funds	693,670				
Total General Fund	79,783,320				
Schools					
Cafeteria, Misc, State, Federal	49,717,136	6,727,702	(42,989,434)	13.5%	6,614,419
Local Funding from County	32,393,476	3,893,108	(28,500,368)	12.0%	3,651,028
Total School Fund	82,110,612	10,620,810	(71,489,802)	12.9%	10,265,447

EXPENDITURES:

	Budget and Appropriations	Actual Year to Date	Balance To Be	Percent of Budget	Prior Year Actual
	Current Year	Expenditures	Expended		At This Date
General and Financial Administration	4,195,798	925,405	3,270,393	22.1%	946,891
Judicial Administration	2,244,094	367,651	1,876,443	16.4%	359,493
Public Safety (Sheriff, Corrections, EMS)	13,200,214	2,157,058	11,043,156	16.3%	2,370,136
Public Works	3,533,150	462,961	3,070,189	13.1%	440,798
Health and Welfare	11,677,165	1,648,473	10,028,692	14.1%	1,552,982
Parks, Recreation, Libraries, Cmty Colleges	1,945,495	312,519	1,632,976	16.1%	317,024
Community Development	2,367,082	654,824	1,712,258	27.7%	667,606
Transfers to Schools, Capital, Debt	40,620,322	3,905,102	36,715,220	9.6%	4,612,728
Total General Fund	79,783,320	10,433,993	69,349,327	13.1%	11,267,658
School Fund	82,110,612	10,016,779	72,093,833	12.2%	9,522,182



Franklin County Public Schools
Monthly Statement of Revenues and Expenditures - Cash Basis
 Month August 31, 2014

REVENUES:

Description	Original Budget	Additional Appropriations	Net Category Transfers	Revenues for Month	Revenues Year-to-Date	Unrealized Revenues Year-to-Date
State Funds	\$30,682,197	\$0	\$0	\$2,622,737	\$4,797,109	\$25,885,088
State Sales Tax	8,025,338	0	0	720,019	1,371,398	6,653,940
Federal Funds	8,010,170	0	0	9,925	506,945	7,503,225
Other Funds	2,983,009	0	0	21,620	54,039	2,928,970
County Funds	32,358,730	0	0	2,816,695	3,273,203	29,085,527
Canneries	51,168	0	0	6,957	14,085	37,083
Total Revenues	\$82,110,612	\$0	\$0	\$6,197,953	\$10,016,779	\$72,093,833

EXPENDITURES:

Description	Original Budget	Additional Appropriations	Net Category Transfers	Expenditures for Month	Expenditures Year-to-Date	Remaining Unspent Budget
Instruction	\$53,826,810	\$0	\$0	\$3,953,912	\$5,225,767	\$48,601,043
Title I - Instruction	1,780,452	0	0	159,430	182,334	1,598,118
Title VI-B-Instruction	2,099,607	0	0	184,066	194,853	1,904,954
Administration, Attendance & Health	2,685,952	0	0	202,140	319,795	2,366,157
Pupil Transportation	5,647,255	0	0	354,574	567,242	5,080,013
Operation and Maintenance	6,926,054	0	0	594,913	1,220,221	5,705,833
School Food Services	3,972,897	0	0	168,237	218,534	3,754,363
Facilities	0	0	0	1,225	1,236	(1,236)
Contingency Reserve	0	0	0	0	0	0
Debt Service	2,650,459	0	0	0	1,420,016	1,230,443
Technology	2,469,958	0	0	572,499	652,896	1,817,062
Canneries	51,168	0	0	6,957	14,085	37,083
Total Expenditures	\$82,110,612	\$0	\$0	\$6,197,953	\$10,016,779	\$72,093,833
5-Year Capital Plan	\$784,576	\$0	\$0	\$84,815	\$215,956	\$568,620

TAX RELIEF FOR ELDERLY REVIEW

Vincent Copenhaver, Director of Finance, stated the County's ordinance (Sec. 20-18) pertaining to Tax Relief for the Elderly and the Totally and Permanently Disabled was last updated on February 21, 2008. The current percentages of relief are shown in the table below (Net Worth excludes the qualifying dwelling and land not exceeding five (5) acres):

	Net Worth				
	\$0 - \$12,000	\$12,001 - \$25,000	\$25,001 - \$35,000	\$35,001 - \$50,000	\$50,001 - \$80,000
Income	Relief Percentage (%)				
\$0 - \$9,000	90%	80%	70%	50%	35%
\$9,001 - \$12,000	75%	65%	50%	30%	20%
\$12,001 - \$15,000	65%	55%	40%	20%	10%
\$15,001 - \$18,000	55%	45%	30%	10%	10%
\$18,001 - \$25,000	45%	35%	20%	10%	10%

State code allows the County to establish their own income and financial net worth limitations. Comparative information from other localities is presented below:

Locality	Combined Gross Income	Combined Net Worth	Net Worth Notes
Franklin County	\$25,000	\$80,000	Excludes the qualifying dwelling and land not exceeding 5 acres
Bedford County	\$37,500	\$100,000	Excludes 1 acre
Pittsylvania County	\$18,000	\$60,000	Excludes 1 acre
Roanoke County	\$56,566	\$200,000	Excludes 1 acre, Value of home frozen at prior years assessment
Henry County	\$17,000	\$50,000	Excludes 1 acre
Montgomery County	\$51,000	\$150,000	Excludes 1 acre
Botetourt County	\$40,000	\$175,000	Excludes 1.25 acres
Rockingham County	\$35,000	\$75,000	Excludes 1 acre
Campbell County	\$34,500	\$80,900	Excludes 1 acre
Source: 2013 Tax Rates for Virginia's Cities, Counties and Selected Towns			

Approximately 500 tax relief applications are filed with the Commissioner of Revenue every year. Last year, 392 applicants received relief. 108 did not qualify because their income exceeded the \$25,000 limitation. Total cost to the County to offer this program was \$78,344 last year.

The Commissioner of Revenue begins accepting applications in early February with the final deadline being May 1.

Several different tax relief scenarios are submitted for the Board's review. Reducing the acreage from 5 acres to 1 acre will reduce the cost of this program as well as the Veteran's Relief program. Increasing the income limit to either \$30,000 or \$35,000 will add to the cost of the program. The additional cost is difficult to estimate since the number of new applications cannot be predicted.

RECOMMENDATION:

This information is presented for the Board's consideration and review. Should the Board consider a change to the current County ordinance, this change would need to be advertised and a public hearing held at the October 2014 Board meeting for an effective date of January 1, 2015.

**Franklin County
Tax Relief Scenarios**

Reduce Amount of Land Included in Exemption from 5 acres to 1 acre

Current Chart		Net Worth				
		\$12,001 - \$25,000	\$25,001 - \$35,000	\$35,001 - \$50,000	\$50,001 - \$80,000	
Income		Relief Percentage				
\$0 - \$9,000	90%	80%	70%	50%	35%	
\$9,001 - \$12,000	75%	65%	50%	30%	20%	
\$12,001 - \$15,000	65%	55%	40%	20%	10%	
\$15,001 - \$18,000	55%	45%	30%	10%	10%	
\$18,001 - \$25,000	45%	35%	20%	10%	10%	

Scenario 1: Raise Net Income to \$30,000		Net Worth				
		\$12,001 - \$25,000	\$25,001 - \$35,000	\$35,001 - \$50,000	\$50,001 - \$80,000	
Income		Relief Percentage				
\$0 - \$9,000	90%	80%	70%	50%	35%	
\$9,001 - \$12,000	75%	65%	50%	30%	20%	
\$12,001 - \$15,000	65%	55%	40%	20%	10%	
\$15,001 - \$18,000	55%	45%	30%	10%	10%	
\$18,001 - \$25,000	45%	35%	20%	10%	10%	
\$25,001 - \$30,000	35%	25%	10%	10%	10%	

Scenario 2: Raise Net Income to \$35,000		Net Worth				
		\$12,001 - \$25,000	\$25,001 - \$35,000	\$35,001 - \$50,000	\$50,001 - \$80,000	
Income		Relief Percentage				
\$0 - \$9,000	90%	80%	70%	50%	35%	
\$9,001 - \$12,000	75%	65%	50%	30%	20%	
\$12,001 - \$15,000	65%	55%	40%	20%	10%	
\$15,001 - \$18,000	55%	45%	30%	10%	10%	
\$18,001 - \$25,000	45%	35%	20%	10%	10%	
\$25,001 - \$30,000	35%	25%	10%	10%	10%	
\$30,001 - \$35,000	25%	10%	10%	10%	10%	

Scenario 3: Raise Net Income to \$35,000 - Adjust Table to Five Income Brackets

Income	Net Worth				
	\$0-\$12,000	\$12,001 - \$25,000	\$25,001 - \$35,000	\$35,001 - \$50,000	\$50,001 - \$80,000
	Relief Percentage				
\$0 - \$7,000	90%	80%	70%	60%	50%
\$7,001 - \$14,000	75%	65%	55%	45%	35%
\$14,001 - \$21,000	60%	50%	40%	30%	20%
\$21,001 - \$28,000	45%	35%	25%	15%	10%
\$28,001 - \$35,000	30%	20%	10%	10%	10%

Scenario 4: Raise Net Income to \$35,000 - Adjust Table to Four Income Brackets and Three Net Worth Categories

Income	Net Worth		
	\$0-\$35,000	\$35,001 - \$50,000	\$50,001 - \$80,000
	Relief Percentage		
\$0 - \$10,000	90%	75%	50%
\$10,001 - \$20,000	70%	60%	40%
\$20,001 - \$27,000	50%	40%	30%
\$27,001 - \$35,000	25%	15%	10%

General discussion ensued.

Ronnie Thompson, Boone District, stated he would like for the Board to consider Scenario 1 reducing the acreage to 1 acre.

Other Board members stated they were comfortable with the existing table used for the Tax Relief for Elderly.

(RESOLUTION #02-09-2014)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to advertise for public hearing during the October 21, 2014 meeting using Scenario #1 with 1 acre.

MOTION BY: Ronnie Thompson
 SECONDED BY: Bob Camicia
 VOTING ON THE MOTION WAS AS FOLLOWS:
 AYES: Thompson, Brubaker & Camicia
 NAYS: Mitchell, Wagner, Bobby Thompson & Cundiff

MOTION FAILS WITH A 3-4 VOTE.

(RESOLUTION #03-09-2014)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to advertise for public hearing during the October 21, 2014 meeting using Scenario #1 with 5 acres.

MOTION BY: Bob Camicia
 SECONDED BY: No Second
 VOTING ON THE MOTION WAS AS FOLLOWS:
 AYES: Thompson, Brubaker & Camicia
 NAYS: Mitchell, Wagner, Bobby Thompson & Cundiff

MOTION FAILS WITH A 3-4 VOTE.

(RESOLUTION #04-09-2014)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to table the issue until next month for further staff research.

MOTION BY: Ronnie Thompson
 SECONDED BY: No Second

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Ronnie Thompson

NAYS: Mitchell, Wagner, Brubaker, Camicia, Thompson & Cundiff

MOTION FAILS WITH A 1-6 VOTE.

APPROPRIATIONS REQUEST FROM SCHOOL SYSTEM

Dr. W. Mark Church, Division Superintendent and Lee E. Cheatham, Director of Finance, Schools Division submitted the following increase in the School System's budget for 2014-2015 appropriations:

1. Cost of Living Payments (COLP)

Total Estimated Cost of COLP \$1,363,121

Revenues:

a. Transfer from County Fund Balance \$ 617,890

b. County Funds for School Bus Replacements 340,000

c. FCPS Carryover Funds from 2013-14 308,058

d. Title I and Title VI-B Federal Grant Funds 97,173

Total Revenues \$1,363,121

Our request is that Items a., b., and c. above totaling \$1,265,948 be appropriated to fund the one-time cost of living payment.

2. Carryover of Regional Adult Education Trade-Act Funds and Replacement of School Buses

Revenues:

Balance of Unused County Funds from 2013-14 - - -
Carryovers into 2014-15 \$ 443,157

Less Funding for Cost of Living Payment Above (308,058)

Total Net Revenues \$ 135,099

Expenditures:

a. Virginia Employment Commission – Trade Act
Grant Funds – Carryover from 2012-13 and
2013-14 (Received During 2012-13) (Adult
Regional Education Funds) \$ 61,839

b. Replacement of School Buses 73,260

Total Expenditures \$ 135,099

Our request is that Items a. and b. above tallying \$135,099 be appropriated into the 2014-15 School Budget.

The School Division, later in the school year, will combine the \$73,260 with any available funds in its 2014-15 School Budget to purchase replacement school buses. The goal will be to fund up to \$340,000.

3. School Energy Funds

Revenues:

Balance in Reserve as of 6/30/14 \$ 260,640

(200% of the School carryover) to help the School budget to be able to do the same was a step in the right direction to show the Board's support for our dedicated School employees.

- I would simply ask the School Board to reallocate 1/10th of 1% of their budget added to what the Board of Supervisors has made available and proceed with the COLP for School employees.

RECOMMENDATION:

Staff respectfully requests the Board to approve the transfer of \$260,640 School Energy Fund (Request Number 3 on the submitted document) to the Schools which is being held by the County in the County's Capital fund. School appropriation requests number 1 and 2 are not necessary based upon the action of the Board during their August meeting.

The Board directed Dr. Church to go back to the School Board requesting them to absorb the \$102,705 within their existing budget, without tapping into the School Bus Replacements Funds.

The Board took no action on the aforementioned appropriation requests.

VDOT TRANSPORTATION PRIORITIES

Ms. Lisa Cooper, Senior Long Range Planner, Development Services, presented the following VDOT Transportation Priorities for the Board's review and consideration:

Each year the Commonwealth Transportation Board (CTB) formulates the Six-Year Improvement Program (SYIP). The SYIP is a document that outlines planned spending for transportation projects proposed for construction development or study for the next six years. The SYIP is updated annually and is the means by which the Commonwealth Transportation Board (CTB) meets its statutory obligation under the Code of Virginia to allocate funds to interstate, primary, secondary and urban highway systems, public transit, ports and airports, and other programs for the immediate fiscal year. Projects for the SYIP are compiled based on the 2035 Rural Long-Range Transportation and public input.

VDOT and CTB hold public hearings in the Fall and Spring pertaining to the SYIP to give individuals, groups, Planning Districts or localities the opportunity to speak on projects important to their locality. The fall public hearing for the Salem District is Tuesday, October 21, 2014, 6:30 p.m. at Northside High School, 6758 Northside High School Road, Roanoke. There will also be an open house from 5:30 p.m. to 6:30 p.m. on the same evening.

West Piedmont Planning District (WPPD) has requested each locality to review and update the localities priority list of projects. (See Exhibit A submitted) WPPD will be making a presentation for the region. Also, staff would be available to make a presentation on Franklin County projects of importance to the Board of Supervisors. Therefore, staff is requesting the Board of Supervisors to please review priorities and be able to discuss the existing priorities and any changes or additions to be made before the Fall CTB public hearing.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors authorize staff to submit their "List of Priority Projects" with the changes and additions to West Piedmont Planning District for submittal to the CTB at the Fall public hearing. Also, the Board of Supervisors to give feedback to staff, which would be communicated to the CTB at the Fall public hearing.

EXHIBIT A
**West Piedmont Area List of Priority Projects
 for Salem & Lynchburg Construction Districts
 Six-Year Improvement Program
 VDOT/Commonwealth Transportation Board**

Franklin County:

1. Pursue all safety improvements on Route 220, north and south, with special consideration for the route through Boones Mill north to the Franklin County/Roanoke County line.

Specific Projects as identified in the 2035 Rural Long-Range Transportation Plan:

US 220 at VA 619 (Sontag Road)

Mid-term lengthen US 220 left turn lanes and install westbound right turn lane.

US 220 at VA 619 (Pleasant Hill Road)

Mid-term install southbound left turn lane and consider signalization.

US 220 from Roanoke County Limit to Wirtz Road

Short-term maintenance; Long-term widen shoulders.

US 220 at VA 608

Deficiency with low priority; Continue to monitor for potential improvements.

US 220 at VA 605

Short-term add pavement edge skip lines through the intersection and add chevrons in both directions south of the intersection.

US 220 at VA 684

Long-term combine smaller parking lots off of Route 220 into one larger parking lot and formalize parking spaces. (Town of Boones Mill)

US 220 Business from US 220 Bypass to VA 1024

Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).

US 220 (Virgil H. Goode Highway) at VA 739 (Bethlehem Road)

Short-term review and improve signal timing. (Town of Boones Mill)

US 220 at VA 718 (McNeill Road)

Short-term extend southbound left turn bay and add northbound left turn bay.

US 220 at VA 718 (Crooked Oak Road)

Short-term extend northbound left turn bay and add southbound left turn bay.

US 220 approximately 1/4 mile south of VA 718 (Crooked Oak Road)

Short-term close crossover.

2. Pursue all available funding for the expedited completion of construction for Interstate 73.

Specific Projects as identified in the 2035 Rural Long-Range Transportation Plan:

I-73 from North Carolina State Limit to Franklin County Limit (Henry County)

Long-term construct new facility, four lanes with median.

I-73 from VA 40 to VA 635 (Franklin County)

Long-term construct new facility, four lanes with median.

3. Support for improving the alignment and widening of Route 122, from the Route 116 intersection out to Hales Ford Bridge, at the County line.

Specific Projects as identified in the 2035 Rural Long-Range Transportation Plan:

VA 122 at VA 634 (Booker T Washington Highway/ Harmony School Road)

Short-term add "Intersection Ahead" warning signage and reduce speed limit on VA 122 and install rumble strips on southbound approach of VA 634; Mid-term add left turn lane on VA 122 eastbound and right turn lane on VA 122 westbound; Long-term reconstruct roadway to improve sight distance.

VA 122 at VA 636 (Booker T Washington Highway/ Hardy Road)

Install left and right hand turn lanes on VA 122.

Install right hand turn lane on VA 636.

VA 122 from VA 697 to West of Halesford Bridge

Long-term apply access management techniques and construct new parallel roadways as area continues to develop. Widen roadway to four lanes with median, turn lanes, and bike lanes.

VA 122 west of Halesford Bridge at Smith Mountain Lake

Short-term apply access management techniques and consider a two-way left turn lane; Long-term widen roadway to four lanes with median.

VA 122 at VA 616 West

Mid-term extend Route 616 (Morewood Rd) southwards to realign with Route 616 (Scruggs Road), south of development on Route 122, add appropriate turn lanes for access.

VA 122 at VA 616 East

Short-term provide separate turn lanes; Mid-term extend Route 616 (Morewood Rd) southwards to realign with Route 616 (Scruggs Road), south of development on Route 122, add appropriate turn lanes for access.

VA 122 at Shopping Center Entrance (formerly Food Lion)

Short-term add eastbound VA 122 right turn bay.

VA 122 at VA 666

Short-term provide separate turn lanes for all movements; Mid-term lower roadway banks at church on VA 666 to improve sight distance.

VA 122 at VA 951

Short-term provide turn lanes.

VA 122 at VA 1235

Short-term add turn lanes and improve sight distance.

VA 122 at Hales Ford Bridge

Long-term widen bridge to four lanes to current standards.

4. Support for a feasibility study to construct a Route 40 bypass of Rocky Mount, from Route 220 North over to Route 40 West at the Route 40 and Route 640 intersection.
5. Support a feasibility study to four-lane Route 40 East, from the Route 40 and Route 122 intersection, out to the County line, and alternatively, out to the U.S. Route 29 Corridor in Pittsylvania County.

Specific Projects as identified in the 2035 Rural Long-Range Transportation Plan:*VA 40 from Rocky Mount Town Limit to VA 655*

Long-term reconstruct road to address geometric deficiencies (including full-width lanes and four foot shoulders, turn lanes and access management).

VA 40 from VA 655 to Pittsylvania County Limit

Long-term reconstruct road to address geometric deficiencies (including full-width lanes and four foot shoulders, turn lanes and access management).

6. Support for a Route 116 improvements feasibility study, including Route 116/Route 681 intersection.

Specific Projects as identified in the 2035 Rural Long-Range Transportation Plan:*VA 116 from VA 122 to Southern Limit of Roanoke MPO*

Long-term reconstruct road to address geometric deficiencies (including full-width lanes and four foot shoulders, turn lanes and access management).

7. Accommodate pedestrian and bicycle access where feasible in future road improvements in conjunction with the Franklin County Trails Plan.
8. Support return of passenger rail service to the Roanoke Valley and construction of a new Intermodal facility to enhance the region.
9. Ferrum Pedestrian Bridge Project.
Construct a pedestrian bridge that will provide a connection for the existing sidewalks along Route 40 near Ferrum College to the Village of Ferrum and allow for pedestrian safety of Ferrum College students traveling to and from the village. The project will consist of the 230 feet pedestrian bridge, 1,200 linear feet of sidewalk, multiple crosswalks, site grading, and a waterline utility extension.

Consensus of the Board to submit the listing of priorities of projects.

PIPELINE PROJECT

Rick Huff, II, County Administrator shared with the Board an update on the Mountain Valley Pipeline Project, as follows:

Mr. Huff stated on September 2, 2014, EQT Corporation and NexEra Energy, through a joint venture partnership, Mountain Valley Pipeline, LLC, announced the proposed construction of a 300-mile pipeline to transport natural gas from the Marcellus and Utica shale deposits. The pipeline will provide reliable, clean and low-cost energy for thousands of homes and businesses.

Mr. Huff stated the proposed pipeline will commence in northern West Virginia and end at an existing natural gas pipeline facility in Pittsylvania County, Virginia. As this project is in the very early stages of development, the exact route of the proposed pipeline in Virginia is not yet determined. Part of the development process includes gathering information that will help us to address potential constructability issues, as well as minimize surface disturbance.

Despite the uncertainty as to the exact route, there are required steps that MVP must take to prepare for the possibility of a partial routing through Franklin County. This includes obtaining permission to access landowner property.

Mountain Valley Pipeline, LLC expects to move carefully and deliberately in selecting a route. MVP assures everyone their priority is to design a final route, will utilize as many existing gas and electric transmission corridors as possible, avoid sensitive or protected areas when feasible, and limit surface disturbance to minimize the overall environmental footprint of the project.

MVP will schedule a date for a community meeting when more definitive details are available.



Once the preliminary route is finalized, the environmental review process with the FERC will begin. This is referred to as the Pre-Filing Review, which provides for early identification and resolution of environmental issues and allows for direct interaction between FERC staff, community members, and other stakeholders. After the Pre-Filing Review is complete, which typically takes about six to ten months, Mountain Valley Pipeline, LLC will file an application with the FERC for a Certificate of Public Convenience and Necessity. This aspect of the FERC review can take up to 12 months or longer and construction cannot commence until FERC issues this certificate, which will include FERC's environmental analysis of the project.

MVP Route

The MVP route is being carefully designed to utilize as many existing gas and electric transmission corridors as possible; to avoid sensitive or protected areas when feasible; and to limit surface disturbance and minimize the overall environmental footprint. In Virginia, the currently proposed route will cross the Jefferson National Forest in three locations for a total of approximately three miles, the majority of which is on existing corridors. The currently proposed route will avoid the Holly River State Park, the Monongahela National Forest, and the Bluestone Wildlife Management Area in West Virginia, and will not cross the New River.

Health, Safety, and Environment:

As the lead federal agency, the Federal Energy Regulatory Commission will oversee the federal permitting process for the MVP project and will also coordinate with other federal, state, and local agencies during the environmental review process to identify and minimize potential environmental concerns.

- U.S. Department of Transportation statistics confirm that natural gas transmission pipelines are the safest form of energy transportation
- Construction and operation of transmission lines follow strict federal and state guidelines that minimize environmental disturbance
- Mountain Valley Pipeline, LLC believes safety is a core value and number one priority
- Mountain Valley Pipeline, LLC has a steadfast commitment to environmental protection and will conduct its business operation in a sustainable and environmentally responsible manner at all times

Community Benefits:

- Local communities can receive revenues from taxes paid on the pipeline and compressor stations
- States will receive revenue from sales and use taxes paid during the construction of the project
- Potential employment opportunities for local residents during the construction phase of the project
- Increased activity and revenue for restaurants, hotels/motels, and retailers

OVERVIEW & DISCUSSION ON PLANNING RETREAT ITEMS SCHEDULED FOR SEPTEMBER 29, 2014

Richard E. Huff, II, County Administrator, shared with the Board a draft agenda for the Board Retreat scheduled for **Monday, September 29, 2014**, as follows:

- **Solid Waste Convenience Centers/Compactor Sites**
- **Animal Shelter Improvements**
- **Canneries**
- **Dispatch Structure**
- **Process for Conversion to County Police Department**
- **FY 2015-16 Budget Priorities –Compensation and Other Priorities**
- **Radio System Committee Recommendations on Responses Received/ Qualifications**
- **Tax Increment Financing of Projects (TIF)-Davenport & Co.**

A second Board Retreat will be scheduled to cover the aforementioned topics not covered due to lack of ample time.

OTHER MATTERS BY SUPERVISORS

Charles Wagner, Rocky Mount District Supervisor, asked staff to contact the 40 West Cell Tower owners to see what the hold-up is with service and from this point forward to require a timeline for project completion dates for future cell tower erections.

Chairman Cundiff, Leland Mitchell, & Ronnie Thompson stated he had received great comments on the Ag Fair and would like to recognize the workers and they all worked in a very professional manner. A big success for Franklin County!!!!!!!!!!!!!!

CLOSED MEETING

(RESOLUTION #05-09-2014)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to go into a closed meeting in accordance with 2.2-3711, a-3, Acquisition of Land, a-7, Consult with Legal Counsel and a-29, Contracts, of the Code of Virginia, as amended.

MOTION BY: Bob Camicia

SECONDED BY: Cline Brubaker

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Brubaker, Camicia, Thompson & Cundiff

MOTION: Charles Wagner

RESOLUTION: #06-09-2014

SECOND: Leland Mitchell

MEETING DATE September 16, 2014

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, Wagner, Brubaker, Camicia, Thompson & Cundiff

NAYS: NONE

ABSENT DURING VOTE: NONE

ABSENT DURING MEETING: NONE

TOWN OF ROCKY MOUNT/FRANKLINCOUNTY/WESTERN VIRGINIA WATER AUTHORITY

THIS WATER and WASTEWATER SALE AGREEMENT (“Agreement”), dated as of _____, 2014, by and between Franklin County, Virginia, (the “County”) a county of the Commonwealth of Virginia, the Town of Rocky Mount, Virginia, (“Rocky Mount”) a political subdivision of the Commonwealth of Virginia, and the Western Virginia Water Authority (the “Authority”), a

public service authority formed and existing in accordance with the provisions of Chapter 51 of Title 15.2 of the Code of Virginia, 1950, as amended, under the Virginia Water and Waste Authorities Act §§ 15.2-5100-15.2-5158 (the "Act").

WITNESSETH:

WHEREAS, the Authority owns and operates an existing water treatment, transmission and distribution system with all complementary and appurtenant components to serve potable water approved by the Virginia Department of Health and has sufficient capacity to provide water, in addition to current customers in portions of Franklin County, to the citizens of Rocky Mount; and,

WHEREAS, Rocky Mount owns and operates an existing wastewater treatment, transmission and collection system with all complementary and appurtenant components necessary to treat wastewater approved by the Virginia Department of Environmental Quality and has sufficient capacity to provide wastewater treatment, in addition to its current customers in Rocky Mount and some existing portions of Franklin County, to additional citizens and businesses in Franklin County; and,

WHEREAS, the Authority, County and Rocky Mount agree that this Agreement affords an opportunity to extend the Authority's water transmission and distribution system further within Franklin County and into and through Rocky Mount to deliver public water service to certain additional residents and businesses in Franklin County and to supply a source of water to Rocky Mount's water distribution system; and

WHEREAS, the Authority, County and Rocky Mount agree that this Agreement affords an opportunity to extend Rocky Mount's wastewater treatment, transmission and collection system into and through Franklin County to deliver public wastewater service to certain additional residents and businesses in Franklin County; and

WHEREAS, all parties agree that the long term interests of the citizens of Rocky Mount and the County will be best served by the extension of the Authority's water transmission and distribution system and by extension and connection to Rocky Mount's wastewater treatment, transmission and collection system, including any necessary infrastructure such as water tanks, pump stations, and treatment equipment needed to connect;

NOW THEREFORE, in consideration of the mutual benefits accruing to each party, the parties do hereby agree as follows:

1. Financing and Capital Contributions in Aid of Construction. The parties anticipate that the Authority will provide the financing for an initial water transmission main extension connecting the Authority's existing water distribution system in the County with Rocky Mount's water distribution system. Rocky Mount will pay, via a reimbursement to the Authority, seventy-five percent (75%) of the annual debt service on a schedule and terms to be agreed to by Rocky Mount and the Authority over the term of the bond issue ("Capital Contributions in Aid of Construction"), and that the bond issue will be secured as a parity pledge of the water revenues of the Authority and by a moral obligation by the Town of Rocky Mount, Virginia. The County agrees not to request financial participation from Rocky Mount for any Pass Through Water Extensions referenced in Section 4.

The parties anticipate that the Authority will provide the financing for an initial wastewater transmission extension from the Authority's wastewater service area in Franklin County connecting to Rocky Mount's wastewater collection system. The County will pay, via a reimbursement to the Authority, seventy-five percent (75%) of the annual debt service on a schedule and terms to be agreed to by the County and the Authority over the term of the bond issue ("Capital Contributions in Aid of Construction"), and that the bond issue will be secured as a parity pledge of the wastewater revenues of the Authority and by a moral obligation by Franklin County, Virginia. The County agrees not to request financial participation from Rocky Mount for any Wastewater Extensions referenced in Section 5.

2. Retail Customer Water and Wastewater Service Rates and Fees. The parties agree that all customers in Franklin County connecting or required to be connected to the water transmission main extension and to other future extensions in Franklin County from the water transmission main extension including Pass Through Extensions as defined in Section 4 shall be customers of the Authority; that they will pay the Authority's connection, availability and other fees as applicable; and that these customers will pay the Authority's published rates for water service in Franklin County.

The parties agree that all of the customers in Franklin County connecting or required to be connected to the wastewater main extension and to other future extensions in Franklin County from the wastewater main extension shall be customers of the Authority; that they will pay the Authority's connection, availability and other fees as applicable; and that these customers will pay the Authority's published rates for wastewater service in Franklin County.

3. Wholesale Water and Wastewater Service Rates and Fees: Upon completion of an initial extension from the Authority's water system to Rocky Mount, the Authority agrees to sell water to Rocky Mount and Rocky Mount agrees to buy water from the Authority for resale to Rocky Mount customers. The Authority agrees that for the duration of this Agreement there will be no reduction in the quantity of water supplied under this Agreement except under the conditions noted herein. The Authority agrees to make a minimum of 500,000 gallons per day available to Rocky Mount, provided that the Authority has sufficient sources of raw water. There is no minimum purchase requirement by Rocky Mount. Water used to supply the Pass Through Water Extensions created under section 4 of this agreement will be offset by an equal amount of water drawn from the interconnection with the Authority unless an alternate arrangement is requested by a party and agreed to by all parties.

The Authority will sell bulk water service to Rocky Mount on substantially the same terms it sells bulk water to other localities, except under the conditions noted herein. The Bulk Water Rate shall be determined by multiplying the Authority's second tier retail water rate, currently \$3.50 per thousand gallons, by 0.75, rounding down to the nearest tenth of a cent. The Bulk Water Rate will be stated as a cost per thousand gallons (\$/Kgal) and is \$2.60 at the time of this Agreement (\$3.50 per Kgal times 0.75 = \$2.625, rounded down to \$2.60 per Kgal).

The Authority may from time to time request Rocky Mount to draw water at no charge to aid in flushing and maintenance of water quality by the authority.

Upon completion of an initial extension from Rocky Mount's wastewater system to the Authority's service area in Franklin County, Rocky Mount agrees to sell wastewater service to the Authority and the Authority agrees to buy wastewater service from Rocky Mount for resale to its customers in Franklin County. Rocky Mount agrees that for the duration of this Agreement there will be no reduction in the quantity of wastewater capacity supplied under this Agreement except under the conditions noted herein. Rocky Mount agrees to make 400,000 gallons a day available to the Authority provided that Rocky Mount has sufficient wastewater plant permit capacity or pump station capacity available. Rocky Mount's wastewater treatment plant is licensed to treat 2 million gallons a day and has an average demand of 800,000 gallons a day at the date of this agreement. Rocky Mount

and the Authority agree that additional capacity can be requested and negotiated in the future and that capacity will be provided if it is within the technical and licensure limits of the Rocky Mount wastewater treatment plant. In the event that the requested capacity exceeds the plant's capacity and or pump station capacity, Rocky Mount reserves the right to expand the plant's treatment capacity and pump station capacity and to negotiate an amendment to this agreement addressing the impacts of such an expansion to meet the needs of the Authority and the County.

Rocky Mount will sell bulk wastewater service to the Authority, except under the conditions noted herein. The Bulk Wastewater Rate shall be determined by multiplying the Authority's second tier retail sewer rate, currently \$3.50 per thousand gallons, by 0.75, rounding down to the nearest tenth of a cent. The Bulk Wastewater Rate will be stated as a cost per thousand gallons (\$/Kgal) and is \$2.60 at the time of this Agreement ($\$3.50 \text{ per Kgal} \times 0.75 = \2.625 , rounded down to \$2.60 per Kgal).

4. Pass Through Water Extensions. The parties agree and concur that the Authority may, in conjunction with the County, wish to extend the Authority's water distribution system via additional extensions within Franklin County. These additional extensions may be sought in the form of extensions from Rocky Mount's water distribution system, which requires water to pass from the Authority's distribution system through Rocky Mount's water distribution system and then into new Authority constructed water lines in other areas of Franklin County (the "Pass Through Extensions"). Requests for such Pass Through Extensions from the Authority to Rocky Mount will be considered and administratively approved individually based on the technical and engineering feasibility of each pass-through extension with the feasibility to be determined by an engineer who has experience in water systems in general. Such engineer shall be mutually agreed to by the Authority, Rocky Mount, and the County. Feasibility shall consider the potential for any negative impacts, including water quality, on Rocky Mount's water system and its users and a lack of negative impact would result in a determination that such extension was feasible. In addition, pass through requests shall include a review of the capital expenses, if any, required to support the Pass Through Extension usage. The Authority has the right to implement any capital expenses identified to support the Pass Through Extension. Water use at each Pass Through Extension will be metered by the Authority, accounted for and credited to Rocky Mount against water purchased from the Authority. Such Pass Through Extensions will be operated as consecutive systems unless agreed otherwise by all parties and as a consecutive system, the Authority is responsible for the regulatory compliance of the extensions and the customers' connections to those extensions.

5. Wastewater Extensions. The parties agree and concur that the Authority may, in conjunction with the County, extend Rocky Mount's wastewater collection system via additional extensions within Franklin County. Requests for such Wastewater Extensions from the Authority and the County to Rocky Mount will be considered and administratively approved individually based on the technical and engineering feasibility of each determined by an engineer who has experience in wastewater systems. Such engineer shall be mutually agreed to by the Authority, Rocky Mount and County. Feasibility shall consider the potential for any negative impact, including effects on Rocky Mount's wastewater system, the quality of the receiving water at the plant's discharge point, other users, and the licensure status of the plant. A lack of negative impact would result in a determination that such extension was feasible. In addition, Wastewater Extension requests shall include a review of the capital expenses, if any, required to support the Wastewater Extension. The Authority and the County have the right to implement any capital expenses identified to support the Wastewater Extensions. Wastewater discharged to Rocky Mount's wastewater treatment plant at each Wastewater Extension will be metered by the Authority or measured using customer water consumption records multiplied by a factor of 1.2 to account for inflow and infiltration. Example: If an extension generates 10,000 gallons per month of wastewater as determined by adding up the monthly water meter records for wastewater customers connected to the line, the total billed wastewater flow would be $1.2 * 10,000$ gallons or 12,000 gallons. Such Wastewater Extensions will be operated as consecutive systems unless otherwise agreed to by all parties and will require all parties to operate the consecutive systems. As a consecutive system, the Authority is responsible for the regulatory compliance of the extensions and the customers connecting to those extensions with the exception that Rocky Mount may require implementation of the Commonwealth of Virginia's and Rocky Mount's pretreatment regulations as it relates to any customer connected to any Wastewater Extension. Rocky Mount and the Authority pledge to enter into the standard EPA Multijurisdictional Agreement for Pretreatment.

6. Approval of Extensions & Improvements to the Proposed System. Initial main extensions, Pass Through Extensions, and Wastewater Extensions must be approved by the Franklin County Administrator and Town of Rocky Mount Manager. Rocky Mount agrees that Pass Through Extensions and Wastewater Extensions shall be permitted by right from Rocky Mount's water system and wastewater system, provided they are constructed and operated under the terms of this Agreement. Rocky Mount and the County also agree to cooperate with the Authority on such matters as regulation of the construction and operation of water systems and wastewater systems, mandatory connections for new customers, and other legislative matters to provide the jurisdictional and legal basis for the development of water and wastewater initial main extensions, Pass Through Extensions and Wastewater Extensions consistent with the Authority's published rules and regulations.

7. Water Restrictions. If the Authority decides to restrict water usages or withdrawals due to droughts, emergencies, or other conditions or circumstances, any reductions or restrictions placed on water sold to Rocky Mount shall be the same as placed on all other Authority customers.

8. Wastewater Discharge Restrictions. If Rocky Mount decides to restrict wastewater discharge due emergencies, or other conditions or circumstances, any reductions or restrictions placed on wastewater discharged by Authority customers shall be the same as placed on all other Rocky Mount customers.

9. Quality, System Responsibility and Technical Feasibility. The quality and pressure of the water delivered under this Agreement including Pass Through Extensions shall be sufficient for fire flow needs (if practical) and shall meet the requirements of the Virginia Department of Health and other state or federal agencies which have jurisdiction over public water supplies. The water provided by the Authority shall not contain specific contaminants that would result in noncompliance with the Virginia Department of Health or other applicable state or federal agency permit requirements or regulations. The Authority shall at least annually provide Rocky Mount with the most recent water quality analysis of the water sold by a mutually agreed upon date that will allow Rocky Mount sufficient time to comply with any water quality reporting requirements.

The quality of the wastewater delivered under this Agreement shall meet the sewer use requirements of Rocky Mount's pretreatment program and the Multijurisdictional Agreement for Pretreatment and shall not contain specific contaminants that would inhibit the operation of Rocky Mount's wastewater treatment plant or result in noncompliance with Virginia Department of Environmental Quality or other applicable state or federal agency permit requirements or regulations. The Authority agrees to provide Rocky Mount pretreatment information on permitted customers in Franklin County to meet state or federal reporting requirements. Each party shall be responsible for the maintenance, upkeep, improvement, inflow and infiltration control, wastewater quality and biological load, pretreatment, water quality and water loss in their respective systems. Rocky Mount reserves the right to set parameters for odor and the presence of aerobic conditions. In the event of a planned improvement for the purpose of adding additional capacity to either the Authority's water or wastewater system or Rocky Mount's water or wastewater system, each party shall be given a reasonable opportunity at its own cost to participate in the planning and installation of such improvements.

10. Billing and Payment. The Authority shall be responsible for maintaining bulk water meters and wastewater meters, if utilized, and for calculation of bulk bills. The measurement basis shall be in gallons. The Authority will submit a water bill to Rocky Mount on a monthly basis, detailing the amount due from Rocky Mount for water purchased. The Authority will submit a wastewater statement, along with payment, to Rocky Mount on a monthly basis, detailing the amount owed Rocky Mount for wastewater discharged. Each party at its respective expense shall have the right to test and verify the accuracy of all bulk meters. If the accuracy of a tested meter is less than 95% or more than 105%, then adjustments shall be made to reflect the correct usage for the most recent ninety (90) day period.

11. Term; Rights on Termination. The term of this Agreement shall be thirty (30) years beginning _____ 2014 and ending _____ 2044, unless renewed, terminated or otherwise extended as provided herein. If the Authority or Rocky Mount or the County does not notify the other parties of its intent to terminate or renew this Agreement, it shall automatically and without further action on the part of the Authority or Rocky Mount or the County be extended in five year increments, unless and until the Authority or Rocky Mount or County notifies the other parties at least one year in advance of its intent to cease to be a party to this Agreement at the end of the five year term.

Should Rocky Mount, the Authority or the County cease to be a party to this Agreement, title to facilities, extensions, or other assets within Franklin County constructed or provided by the Authority or subsequently acquired by the Authority shall vest and remain vested in the Authority in fee simple. Should the County withdraw as a member of the Authority, the procedures, including disposition of facilities, extensions, or other assets, shall be governed by the Code of Virginia under the terms of the Act. Any facilities within the town limits of Rocky Mount shall revert to Rocky Mount, in fee simple. Rocky Mount shall retain the right to purchase water from the Authority or County, should the County leave the Authority, under terms to be negotiated but substantially similar to this agreement. The Authority or County, should the County leave the Authority, shall retain the right to purchase wastewater service from Rocky Mount under terms to be negotiated but substantially similar to this agreement.

12. No Waiver. The failure of any party to insist upon strict performance of any of the terms or provisions of this Agreement, or to exercise any option, right or remedy contained in this Agreement, shall not be construed as a waiver or as a relinquishment for the future of such term, provision, option, right or remedy. No waiver by any party of any term or provision of this Agreement shall be deemed to have been made, unless expressed in writing and approved by all parties.

13. Integration of Provisions. If any clause or provision of this Agreement is or becomes illegal, invalid or unenforceable because of present or future laws or any rule or regulation of any governmental body or entity, then the remaining parts of this Agreement shall not be affected.

14. Governing Law. This Agreement shall be construed under and shall be governed by the laws of the Commonwealth of Virginia.

15. Notices. All notices or other communications required or desired to be given with respect to this Agreement shall be in writing and shall be delivered by hand or by courier service or sent by registered or certified mail, return receipt requested, bearing adequate postage and properly addressed as provided below. Each notice given by mail shall be deemed to have been given and received when actually received by the party intended to receive such notice or when such party refuses to accept delivery of such notice. Upon a change of address by any party, such party shall give written notice of such change to the other parties in accordance with the foregoing. Inability to deliver because of changed address or status of which no notice was given shall be deemed to be receipt of the notice sent effective as of the date such notice would otherwise have been received.

To the Authority:
Western Virginia Water Authority
601 S. Jefferson
Roanoke, Virginia 24011
Attention: Executive Director, Water Operations

With copy to:

Harwell M. Darby, Jr.
Glenn, Feldmann, Darby & Goodlatte
P. O. Box 2887 (24001)
210 First Street, S.W., Suite 200
Roanoke, Virginia 24011

To Franklin County:

Franklin County Board of Supervisors
1255 Franklin Street, Suite 112 Rocky Mount, Virginia 24151
Attn: County Administrator

With copy to:

B. James Jefferson, Esquire
5 East Court Street, Suite No. 101
Rocky Mount, Virginia 24151

To The Town of Rocky Mount:

Rocky Mount Town Council
345 Donald Ave.
Rocky Mount, VA 24151
Attn: Town Manager

With copy to:

John Boitnott, Esquire
Town of Rocky Mount Attorney
5 East Court Street, Suite 301
Rocky Mount, VA 24151

16. Binding on Successors. This Agreement shall be binding upon and inure to the benefit of the Authority and both the Town and County and their respective successors and assigns. The rights and obligations of this Agreement may not be sold, assigned or transferred at any time without prior written consent of the all parties, which consent will not be unreasonably withheld.

17. Subject to Future Appropriations. The obligations of the Town under this Agreement shall be subject to and dependent upon appropriation being made from time to time by the Town Council for such purpose. Any other provision to the contrary notwithstanding, this Agreement and the obligations herein shall not constitute a debt of the Town within the meaning of any limitation on indebtedness of the Town under any constitutional or statutory limitation, and nothing in this Agreement shall constitute a pledge of the full faith and credit of the Town under any provision of its Charter, as applicable, or the Constitution of Virginia. The failure of the governing body of the Town to appropriate funds in any year for payment in full of the payments required by the Authority as herein provided, or any other provision of this Agreement during such year, shall ipso facto terminate this Agreement without any further liability on the part of the Town of any kind, thirty (30) days after the Town Council makes a final determination not to appropriate funds for this Agreement for the current fiscal year.

18. Entire Agreement. This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof, and supersedes all prior understandings and writings. This Agreement may be amended or modified only by a writing signed by the Authority and the Town and County.

19. Force Majeure. No party shall be liable for any failure to perform its non-monetary obligations under this Agreement due to any cause beyond its reasonable control such as wars, riots, civil commotion, strikes, labor disputes, embargoes, natural disasters, and Acts of God, or any other cause or contingency similarly beyond its control.

20. Including. In this Agreement, whenever general words or terms are followed by the word "including" (or other forms of the word "include") and words of particular and specific meaning, the word "including" (or other forms of the word "include") shall be deemed to mean "including without limitation," and the general words shall be construed in their widest extent and shall not be limited to persons or things of the same general kind or class as those specifically mentioned in the words of particular and specific meanings.

21. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which together shall comprise but a single document.

22. Resolution of Disputes. In the event of a dispute among the parties hereto, each is bound to participate in a process of mediation with a mediator to be selected by them (and if they are unable to select a mediator, each name one and those named select the mediator) with a view toward using their good faith efforts to resolve the dispute with the help of the mediator and the mediation process. Only when the mediator certifies in writing that each has used good faith efforts to resolve the dispute may any party institute legal proceedings to resolve a dispute under this Agreement.

Western Virginia Water Authority

By: Gary Robertson / Michael McEvoy
Its: Executive Directors

STATE OF VIRGINIA)
) to - wit:
CITY/COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2009, by _____, _____ of the Western Virginia Water Authority.

Notary Public

My commission expires: _____

TOWN OF ROCKY MOUNT, Virginia

Steven C. Angle
Mayor
Town of Rocky Mount

Approved as to form:

John T. Boitnott, Town Attorney

STATE OF VIRGINIA)
) to – wit:
CITY/COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2009, by Steven C. Angle, Mayor of the Rocky Mount Town Council.

Notary Public

My Commission expires: _____
Franklin County, Virginia

David Cundiff, Chairman
Chairman, Franklin County
Board of Supervisors

STATE OF VIRGINIA)
) to – wit:
CITY/COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2009, by David Cundiff, Chairman of the Franklin County Board of Supervisors.

Notary Public

My commission expires: _____

(RESOLUTION #07-09-2014)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to adopt the aforementioned agreement between the Town of Rocky Mount, Western Virginia Water Authority and the County of Franklin for water and sewer utilities.

MOTION BY: Ronnie Thompson

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Brubaker, Camicia, Thompson & Cundiff

Chairman Cundiff recessed the meeting for the previously advertised public hearings as follows:

PETITION FOR SPECIAL USE – Petition of **Magdaleno Garcia and Jessica Garcia, Petitioners/Benjamin E. McCall, Owner** requesting a Special Use Permit for a “storage yard” with office on a +/- 0.957-acre parcel located at Three Oaks Subdivision, Lot 4 on Brooks Mill

Road (SR 834) in the Gills Creek District of Franklin County, and further identified by Franklin County Real Estate records as Tax Map/Parcel # 0340001102C. (Case # SPEC-7-14-13158)

Neil Holthouser, Director of Planning & Community Development presented the following staff report:

REQUEST:

PETITION FOR SPECIAL USE – Petition of **Magdaleno Garcia and Jessica Garcia, Petitioners/Benjamin E. McCall, Owner** requesting a Special Use Permit for a “storage yard” with office on a +/- 0.957-acre parcel located at Three Oaks Subdivision, Lot 4 on Brooks Mill Road (SR 834) in the Gills Creek District of Franklin County, and further identified by Franklin County Real Estate records as Tax Map/Parcel # 0340001102C. The subject property is zoned A-1, Agricultural District, which allows a maximum residential density of 1.25 dwelling units per acre. The Future Land Use Map of the Franklin County Comprehensive Plan identifies this area as appropriate for Low Density Residential uses, with an anticipated residential density of one to two dwelling units per acre. This petition for a Special Use Permit would not result in any additional dwelling units, nor any increase of residential density for this property.

RECOMMENDATION:

The Planning Commission held a public hearing in consideration of this request at its August 12, 2014, meeting. By vote of 6-0 (Mitchell absent), the Planning Commission approved the following:

The Planning Commission recommends that the Board of Supervisors deny the request for Special Use Permit, as submitted.

On September 5, 2014, the petitioner submitted a written request to withdraw this petition for Special Use Permit from further consideration.

Staff recommends that the Board of Supervisors grant the petitioner's request for withdrawal, without prejudice.

BACKGROUND:

The petitioners are currently storing equipment, materials, vehicles and landscaping supplies on property that lies adjacent to their home on Brooks Mill Road in the Gills Creek district. The Garcias are in the process of purchasing both parcels from Mr. McCall. The use, as requested by the applicant, is considered a "Storage yard" under the provisions of Sec. 25-179 of the Franklin County Zoning Ordinance, which requires a Special Use Permit for properties within the A-1 zoning district. The Garcias have been working with a zoning investigator in order to come into compliance with the zoning ordinance requirements for the activity on the property that fronts on Brooks Mill Road.

The subject property consists of just under one acre located on Brooks Mill Road [SR 834], a public road in the eastern portion of the County, approximately one mile north of the intersection of Burnt Chimney Road [SR 670]. The subject parcel and some of the surrounding parcels are vacant, partly wooded lands with scattered rural residences. The property is also identified as Lot 4 of Three Oaks Subdivision, and the Garcias have begun the permitting process for a residence to be located on the 8-acre parcel just to the rear of the subject property. The property is accessed directly from Brooks Mill Road and currently has a circular drive that has not been permitted by VDOT. The nearest residence to the proposed use is located about 300 feet north of the site (8620 Brooks Mill Rd).

Mr. Garcia is a landscaping installer who works primarily with businesses and contractors in the Smith Mountain Lake area. The applicant intends to use the proposed storage yard to store landscaping equipment, vehicles and supplies and for the parking of employee's vehicles. Currently some of the activities are taking place at a site on Burnt Chimney Road, and others are on commercial property in the Westlake area that is the site of one of the businesses with whom Mr. Garcia works. If the application is approved, all of the activities will be moved to this site, and the Garcias would like to erect a small office and storage building in the future, shown as 20 x 24 (480 sf) in size on the submitted Concept Plan. The use will require a minor site plan to be approved in order to designate parking and storage areas for vehicles and equipment, and to facilitate review for other county agencies and departments for the proposed use.

The driveway that provides access for the site also provides an entrance for the Garcia's home that is under construction, and will require a commercial entrance permit. Initial reviews with VDOT staff appear to indicate that the property may be able to meet sight distance for a low-volume entrance. The proposal will also have to meet VDH approval for water and septic system requirements, Public Safety and Fire Marshall review and approval, and the proposed office, when erected, will require a building permit.

SITE STATISTICS:

Location: Approx. one mile north of the Brooks Mill Road/Burnt Chimney Rd intersection in the Gills Creek District.

BACKGROUND:

The petitioners are currently storing equipment, materials, vehicles and landscaping supplies on property that lies adjacent to their home on Brooks Mill Road in the Gills Creek district. The Garcias are in the process of purchasing both parcels from Mr. McCall. The use, as requested by the applicant, is considered a "Storage yard" under the provisions of Sec. 25-179 of the Franklin County Zoning Ordinance, which requires a Special Use Permit for properties within the A-1 zoning district. The Garcias have been working with a zoning investigator in order to come into compliance with the zoning ordinance requirements for the activity on the property that fronts on Brooks Mill Road.

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SITE STATISTICS:

Location: Approx. one mile north of the Brooks Mill Road/Burnt Chimney Rd intersection in the Gills Creek District.

<i>Size:</i>	+/- 0.957-acre
<i>Site access:</i>	Public road
<i>Existing Land Use:</i>	Vacant / Open storage
<i>Surrounding Zoning:</i>	A-1, 59 acres zoned B-2 about 1,000 feet south of the site
<i>Adjoining Land Uses:</i>	Residential, Woodlands, Agricultural
<i>Adj. Future Land Uses:</i>	Low Density Residential
<i>Geography:</i>	Level to rolling, cleared land with some established trees and low-growing vegetation. Soils are 7C, 7D Clifford fine sandy loam, 8 to 25 percent slopes

SITE / AREA PHOTOGRAPHS



Pre-development: Views looking into the site from Brooks Mill Road





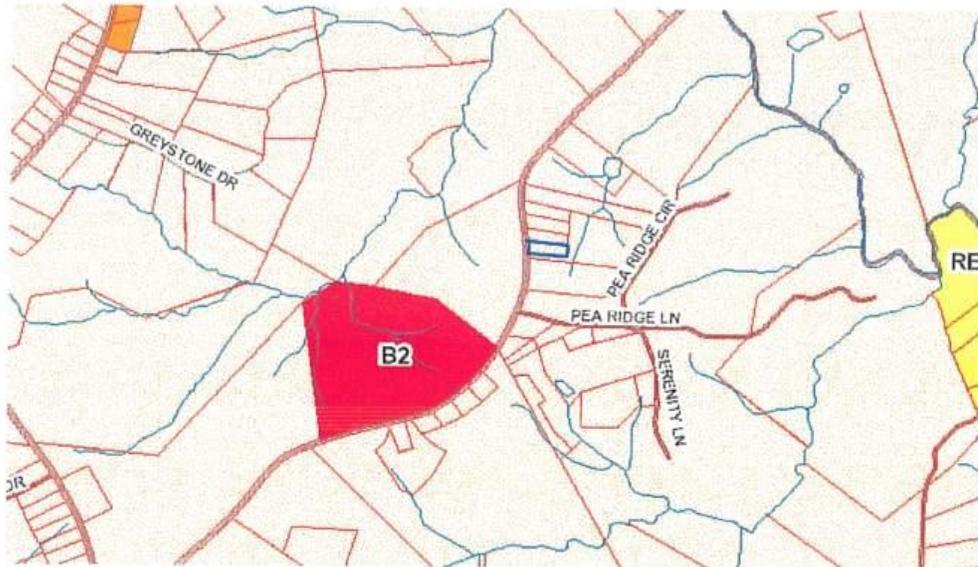
The site, which has been cleared and graded, is now being used to store commercial equipment, hardscaping and landscaping materials, and vehicles.



SITE / AREA MAPS



The parcel where the Storage yard is proposed is shown outlined in blue.



The surrounding zoning is A1 (Agricultural), with an area of B2 (Business District General) within 1000 feet south of the parcel

COMPREHENSIVE PLAN:

Franklin County's Comprehensive Plan identifies this area as appropriate for Low Density Residential uses, intended to allow gross densities of one to two dwellings units per acre in general proximity to residential support services such as schools, playgrounds, and churches. These areas should either be located in or near existing Towns, Villages, or Rural Neighborhood Centers. It is envisioned that public water and/or sewer will someday serve these areas, meeting all local and state standards and requirements. They should be served by new public roads built by the developer to State standards and dedicated to the State.



Recreational facilities and other amenities should be provided.

While low density residential areas are typically comprised of traditional neighborhood developments they may also include manufactured housing, free standing townhomes, patio homes and other similar building types.

Policies for Low Density Residential

1. All roads should be built to state standards and offered by the developer for inclusion in the state system for maintenance.
2. Lots in new subdivisions abutting County arterial or major collector roads should be provided access onto service or interior roads so as to prevent the stacking of driveways.
3. On site centralized treatment plants to provide public sewer for each subdivision should be encouraged.
4. The density of all new subdivisions to be served by wells and/or septic systems should be determined by the long term carrying capacity of the land. All new lots should have adequate reserve areas in the event of septic system failures.
5. Centralized water systems should be required to provide water to all new subdivisions.
6. All new subdivisions located in prime farmland areas should include adequate buffers to separate residential uses from agricultural operations.

7. *Encourage interconnection of residential and commercial developments in order to lessen the traffic loads on arterial roads and provide pedestrian and bicycle linkages.*
8. *Streets within subdivisions shall be designed to provide interconnections to adjacent vacant land for future subdivision access and circulation.*

The County's Long Range Planner provided the following comments:

The property is identified on the Future Land Use Map as Low Density Residential. A "Storage yard" is not consistent with the policies of the Future Land Use Chapter dealing with Low Density Residential. The submitted Concept Plan does not show required setbacks and buffering that would apply during the Site planning process. However, should the Planning Commission be inclined to approve the application, staff recommends along with the landscaping and buffering that business uses requiring a site plan are required to install according to the zoning ordinance (Sec 25-99), that the compound should be fenced with all activities and storage taking place inside the fenced area, and the use of the proposed building be limited to office and employee facilities only, and that no retail or other commercial activities be allowed.

ZONING ORDINANCE:

Pursuant to Sec 25-179 of the Franklin County Zoning Ordinance, a Special Use Permit is required for approval of the use of a "Storage yard" in the A-1 Zoning District.

The Zoning Ordinance offers the following definition for "Storage yard": *A space or place for storing materials that is unoccupied and unobstructed from the ground upward, except for the material being stored; provided, however than no material shall be stored within yards or setback areas required by other sections of this Zoning Ordinance.*

Special Use Permits are governed by the procedures and requirements set forth in Sec. 25-110, 25-111, and Sec 25-638 – 25-645 of the Franklin County Zoning Ordinance.

Sec. 25-638 of the Zoning Ordinance sets forth the County's authority to issue special use permits for certain uses. The ordinance states that, in order to issue a special use permit, the Board of Supervisors must find that *"such use will not be of substantial detriment to adjacent property, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the purpose and intent of this chapter, with the uses permitted by-right in the zoning district, with additional regulations provided in sections 25-111 through 25-137, supplemental regulations, and amendments, of this chapter, and with the public health, safety, and general welfare."*

Sec. 25-640 of the Zoning Ordinance sets forth the County's authority to impose conditions for the issuance of special use permits. The ordinance states that the Board of Supervisors *"may impose upon any such permit such conditions relating to the use for which such permit is granted as it may deem necessary in the public interest..."*

Conditions associated with a special use permit must be related to the particular land use which required the permit, and must be related to some impact generated by or associated with such land use.

Sec. 25-641 of the Zoning Ordinance states that a special use permit shall expire eighteen (18) months from the date of issuance if *"no commencement of use, structure or activity has taken place."* The ordinance states that "commencement" shall consist of "extensive obligations or substantial expenditures in relation to the project," including engineering, architectural design, land clearing, and/or construction.

Public Hearing was opened.

The applicant has submitted a request to withdraw without prejudice.

Public Hearing was closed.

(RESOLUTION #08-09-2014)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to accept the petitioner's special use withdrawal request without prejudice.

MOTION BY: Charles Wagner

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Brubaker, Camicia, Thompson & Cundiff

PETITION FOR REZONE – Petition of **Nancy Lynch and Gail Abbott/Petitioners and Southfield, LLC/Owners** requesting rezoning for a +/- 0.821-acre parcel from RC-1, Residential Combined Subdivision District to B-1, Business District Limited. The subject property is located at 1155 Old Franklin Turnpike (SR 40) in the Union Hall District of Franklin County; and is further identified by Franklin County Real Estate records as Tax Map/Parcel # 0540201100. (Case # REZO -7-14- 13159)

Neil Holthouser, Director of Planning & Community Development presented the following staff report:

REQUEST:

Petition of **Nancy Lynch and Gail Abbott/Petitioners and Southfield, LLC/Owners** requesting rezoning for a +/- 0.821-acre parcel from RC-1, Residential Combined Subdivision District to B-1, Business District Limited. The subject property is located at 1155 Old Franklin Turnpike (SR 40) in the Union Hall District of Franklin County; and is further identified by Franklin County Real Estate records as Tax Map/Parcel # 0540201100. The Future Land Use Map of the Franklin County Comprehensive Plan identifies this area as appropriate for Commercial Highway Corridor uses, and does not prescribe a specific residential density. The RC-1 zoning category allows a maximum residential density of 5.808 dwelling units per acre where served by public water and sewer; 2.904 dwelling units per acre where served by public water or sewer; and 1.25 dwelling units per acre where neither public water nor sewer are provided. The proposed B-1 zoning category does not prescribe a specific residential density. This petition would not result in any residential development, nor any increase of residential density for this property.

RECOMMENDATION:

The Planning Commission held a public hearing in consideration of this request at its August 12, 2014, meeting. By a vote of 5-1 (Mitchell absent) the Planning Commission approved the following:

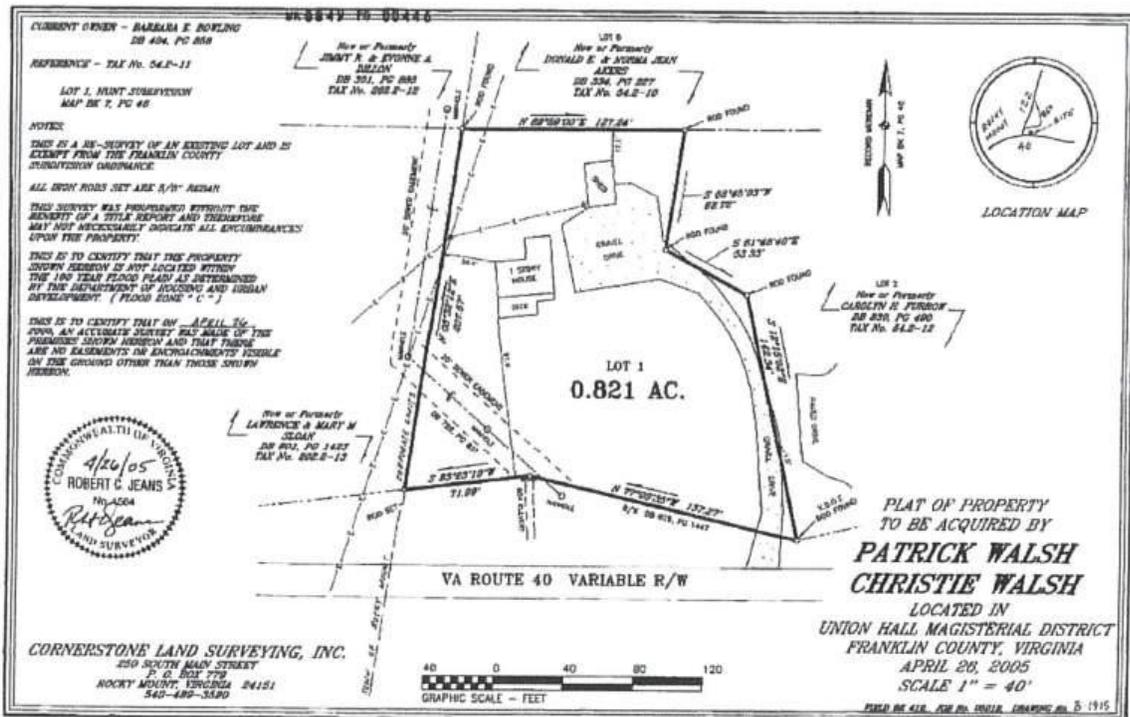
The Planning Commission recommends that the Board of Supervisors approve the request for rezoning from RC-1, Residential Combined Subdivision District, to B-1, Business District Limited, with the following proffer:

1. *Limitation of use. Use of the site shall be limited to office and/or retail uses. Outdoor uses are prohibited.*

SITE STATISTICS:

- Location:* Northside of Old Franklin Turnpike (SR 40)
Addressed as 1155 Old Franklin Turnpike., Rocky Mount, VA 24151
- Size:* +/- .821 acres
- Existing Land Use:* Residential; one (1) residential structure and detached shed
- Adjoining Zoning:* County B-1, RC-1, A-1; Town of Rocky Mount R-1
- Adjoining Land Uses:* Residential, Commercial
- Adjoining Future Land Uses:* Commercial Highway Corridor
- Utilities:* Residential well and septic; overhead electric; public water and sewer are available to the property
- Geography:* Steep to rolling, with established trees and ground cover. Soils are Clifford fine sandy loam, 15 to 25 percent slopes





Plat recorded at PB 849 P 466 showing updated survey of Lot 1, Hunt Subdivision with public utility easements and revised lot configuration showing widened ROW along SR 40.

BACKGROUND:

The property is located at 1155 Old Franklin Turnpike (SR 40) in the Union Hall District of Franklin County; and is further identified by Franklin County Real Estate records as Tax Map/Parcel #0540201100.

The property was platted as Lot 1 of Hunt Subdivision in 1977, and was originally zoned RC-1, Residential Combined Subdivision District, when the county adopted zoning in 1988. County records do not show any previous business use of the property.

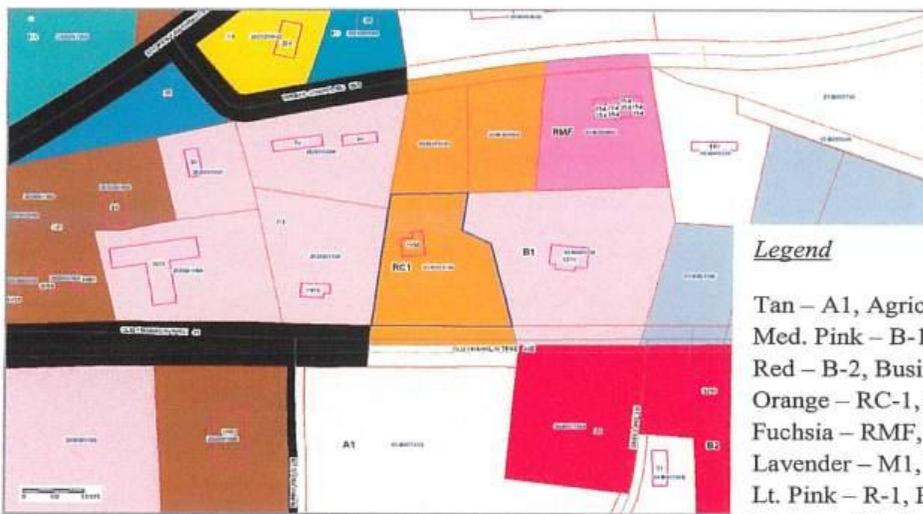
The subject property has a one-story residence and associated gravel parking area with a detached storage building located toward the rear of the lot. The owner, Southfield, LLC is marketing the property for sale, and the applicants have an offer to purchase. Ms Lynch has operated an accounting and tax business in Franklin County for many years that is currently located approximately ¼-mile further east on the south side of Route 40 across from the intersection of Woodman Road. Ms Abbot is her business partner in the accounting firm. The applicants would like to construct a new office building where they can re-locate their firm that is large enough to lease out a portion of the new building to one or two office or retail tenants.

The property is somewhat constrained by sloping topography, the location of sewer easements, utilities, and the widened SR 40 right-of-way. The applicants have included a concept plan with explanatory narrative that details their proposed use of the property. The plans show a one-story building that is located toward the front of the property, with associated parking in front and behind, a widened entrance from Route 40, and the location of required buffering and landscaping shown along the perimeters where the property abuts residential zoning.

ZONING ORDINANCE:

Sec. 25-316 of the Zoning Ordinance sets forth the following Purposes for the B-1 district:

- (a) This district is established to cover the portion of the county's communities intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking, other than stocking and delivery of light retail goods, or by any nuisance factors, other than those occasioned by incidental light and noise of congregations of people and passenger vehicles.
- (b) The intent of these regulations is not to limit business development in the county but to encourage it by rezoning as the specific and appropriate locations where it will not produce noise, pollution, congestion or safety problems for quieter, residential uses.
- (c) This district is limited to retail establishments which have no outside storage or outdoor displays of product.



Legend

Tan – A1, Agricultural
 Med. Pink – B-1, Business Limited
 Red – B-2, Business General
 Orange – RC-1, Residential Combined
 Fuchsia – RMF, Residential Multi-Family
 Lavender – M1, Light Industrial
 Lt. Pink – R-1, Residential (Town)
 Brown – GB, General Business (Town)
 Med. Blue – R-3, Residential (Town)
 Yellow – A1, Agricultural (Town)

The current zoning of surrounding properties

COMPREHENSIVE PLAN:

The 2025 Comprehensive Plan for Franklin County identifies the subject property as being located within the Commercial Highway Corridor. The Comprehensive Plan states the following with respect to these Corridors:

Commercial Highway Corridors are linear commercial development along an established primary highway. These highway corridors are intended to provide development opportunities extending behind the parcels that front on the primary highway.

Commercial Highway Corridors: The Commercial Highway Corridors identified in the Franklin County Comprehensive Plan are:

Route 220:

Between Brick Church Road and Iron Ridge Road

Between Shady Lane (983) and the Rocky Mount Town limits.

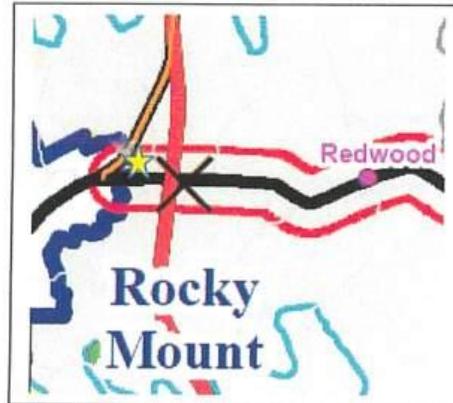
Between Cassell Drive and the Franklin County Commerce Park

Route 40 West:

Between the Rocky Mount Town limits and Six Mile Post Road

Route 40 East:

Between the Rocky Mount Town limits and Golden View Road



Policies for Commercial Highway Corridors

1. The County will explore and implement effective ways to manage and improve the negative impacts of strip commercial development on important arterial roads that have already experienced development. These impacts include frequent curb cuts, proliferation of signs and visual clutter, poor aesthetics and poor traffic flow.
2. In areas that face increasing pressure for strip commercial development, the County will explore ways to provide incentives to encourage beneficial development, and desirable site characteristics, and to reduce the negative impacts on the rural character of the County. The methods will include planning for intersecting local access road nodes connecting to parallel collector roads.
3. The County will encourage and monitor site plans for new development along key commercial corridors to coordinate entrances according good engineering practices to reduce safety hazards and congestion and to meet or exceed VDOT commercial highway entrance standards.
4. Discourage further linear expansion of commercial highway corridors.
5. Discourage the future designation of any new commercial highway corridors.
6. New commercial development should be directed to identified Towns and Villages and/or lateral expansion of existing commercial corridors.
7. Scale and design of development should be in keeping with traditional character of Franklin County.

[12-8]

CONSIDERATIONS:

The B-1 zoning district does not prescribe a specific residential density, and is proposed for “specific and appropriate locations where it will not produce noise, pollution, congestion or safety problems for quieter, residential uses.” [Sec. 25-316] Therefore we can conclude that the uses allowed in the B-1 district are generally in harmony with some residential development in proximity or within neighboring areas.

The Future Land Use Map of the adopted 2025 Comprehensive Plan for Franklin County identifies this area as a Commercial Highway Corridor, which does not prescribe a specific density, but states “New commercial development should be directed to identified Towns and Villages and/or lateral expansion of existing commercial corridors,” and “Scale and design of development should be in keeping with traditional character of Franklin County.”



Land use in the area includes a variety of commercial, residential, agricultural, and institutional types of uses.

Properties immediately adjacent to the west and rear of 1155 Old Franklin Turnpike are currently residential. A church is located one parcel away on property developed with a large parking lot and entrance on Route 40. To the east is a former residence, now a law office, that is zoned B-1. Property across the street is zoned A-1, Agricultural. In addition to single family and manufactured homes, A-1 permits agricultural and non-residential uses, including some retail and light industrial uses, which are generally compatible with rural development but may have some off-site impacts such as traffic, smells, dust, and noise. Within 500 feet of the parcel there are several General Business (Town and County) zoned properties with active commercial businesses on them, and several properties in the area that are vacant are being marketed as commercial. The area itself seems to be in transition. In consideration of the variety of existing and allowable uses in the area, the uses allowed in the B-1, Business District, Limited that could be developed on this property given the constraints of the lot itself do appear to be compatible with the neighboring properties and development in the area.

Old Franklin Turnpike is a heavily traveled primary arterial road that bisects the county and carries traffic from Route 8 in Floyd County west of Ferrum through the Town of Rocky Mount, connecting to US 29 near the town of Gretna in Pittsylvania County. Upon review of the proposed rezoning application, the following comments were offered by VDOT:

1. Please provide a traffic impact narrative to include the anticipated traffic per the ITE Trip Generation Manual, 9th Edition for the proposed land use to include a turn lane analysis.
2. A VDOT Land Use Permit will need to be established for the proposed entrance. Sight distance will need to be determined for the entrance which must meet or exceed the minimum required distance as per Appendix F of the Road Design Manual based upon the posted speed of the roadway. It appears that a portion of guardrail may need to be removed in order to establish a commercial entrance for the site. This removal will be the responsibility of the developer and will be accomplished as part of the VDOT Land Use Permit.
3. In order to determine compliance with the Access Management regulations, the entrance centerline spacing to the nearest intersection(s) and/or commercial entrances will need to be denoted. It appears that an access management exception will need to be submitted because of the proximity of the existing commercial entrances on Route 40 (Old Franklin Turnpike).
4. Any grading that may affect the existing structure crossing Route 40 (Old Franklin Turnpike) will need to be reviewed.

The property itself contains some steep slopes and utility easements that will be challenging to address during the site development process, and will likely limit the square footage of the activity proposed. Staff has received no comments about the case to date from the general public or any adjacent property owners. The Development Review Team (DRT) members had some concerns that the concept plan submitted with the application depicted a somewhat larger building footprint than could be feasible given these site constraints. However, overall the DRT members had no issues with the uses permitted in the B-1 District, and felt if the property were developed in accordance with the Concept Plan included in the application, that permitting and site development requirements would address many foreseeable concerns.

These current development permit requirements, including the thresholds for a site plan, regulations governing erosion and sediment control, stormwater, lighting, signage, and VDOT entrance requirements, health department review for water and sewer service connections, as well as grading for the installation of utilities or any fill proposed on this site, will govern any proposed commercial or non-residential activities. The zoning ordinance requirements for landscaping and buffering on the property, applicable to the neighboring zoning and uses, help to ensure that some potential offsite impacts are addressed, but are limited to the height of landscaping or fencing that is installed.



Public Hearing was opened.

No one spoke for or against the proposed rezone.

Public Hearing was closed.

(RESOLUTION #09-09-2014)

BE IT THEREFORE ORDAINED, by the Board of Supervisors to approve the aforementioned rezoning, whereby the proposed rezoning will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare, will promote good zoning practice and is in accord with Section 25-730 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended.

MOTION BY: Charles Wagner

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Brubaker, Camicia, Thompson & Cundiff

PUBLIC NOTICE
FRANKLIN COUNTY, VIRGINIA
A HEARING ON AMENDMENTS TO THE ADOPTED 2014-2015 BUDGET

In Accordance with Sections 15.2-2507 of the Code of Virginia, as amended, on **Tuesday, September 16, 2014, at approximately 6:00 P.M.** or soon thereafter, the Franklin County Board of Supervisors will conduct a public hearing on amending the adopted FY' 2014-2015 County budget in the Board of Supervisors Meeting Room, located in the Franklin County Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia.

The original FY' 2014-2015 budget was adopted in the amount of \$129,791,577. The new approved budget would be \$131,510,090. Since July 1, 2014 the following amounts have been appropriated or considered for appropriation by the Board. The purpose of this hearing is to amend the FY' 2014-2015 budget in the total amount of \$1,718,513.

Please be advised that on September 16, 2014, the Board of Supervisors of Franklin County authorizes by resolution, the following supplemental appropriations and transfers.

Treasurer	Carryovers		\$5,800
Commissioner of Revenue	Carryovers		\$4,500
Human Resources	Carryovers		\$75,000
Clerk of Court	Carryovers		\$6,467
Sheriff	Carryovers		\$65,905
Building Inspections	Carryovers		\$3,273
Landfill	Carryovers		\$61,477
Social Services	Carryovers		\$8,750
Family Resources	Carryovers		\$10,304
Parks and Recreation	Carryovers		\$45,000
Franklin Center	Carryovers		\$14,000
Contributions	Carryovers		\$20,000
Tourism	Carryovers		\$2,750
Capital	Carryovers		\$192,000
Total			\$565,226

Public Hearing was opened.

No one spoke for or against the budget amendments.

Public Hearing was closed.

(RESOLUTION #10-09-2014)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to adopt the aforementioned advertised amendments to the adopted 2014-2015 budget, as presented.

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

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold the following public hearing on **Tuesday, September 16, 2014 @ approximately 6:00 P.M.**, in the Board of Supervisors Meeting Room, Franklin County Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia.

The proposed public hearing will be held to receive public comment on a request made by the Free Clinic of Franklin County, Inc., to receive taxation exemption on **Personal Property and Real Estate** owned by the Free Clinic. The estimated assessed value for the following proposed exemption is as follows:

TAX YEAR	REAL ESTATE/PERSONAL PROPERTY ASSESSED VALUE	TAX DUE
2014 AND FORWARD	\$997,300.00 @ \$.55/\$100	\$5,485.15
2014 AND FORWARD	\$10,617.50	\$250.57
TOTAL:		\$5,735.72

Public Hearing was opened.

Ellen Holland, of the Free Clinic stated she would answer questions if the Board had any. No questions were asked.

Public Hearing was closed.

(RESOLUTION #11-09-2014)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve taxation exemption on personal property and real estate owned by the Free Clinic of Franklin County, Inc., as advertised and presented.

MOTION BY: Bobby Thompson
 SECONDED BY: Charles Wagner
 VOTING ON THE MOTION WAS AS FOLLOWS:
 AYES: Mitchell, Thompson, Wagner, Brubaker, Camicia, Thompson & Cundiff

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M., on Tuesday, September 16, 2014**, in the Board of Supervisors Meeting Room in the Franklin County Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia to consider the adoption of Section 20-64 generally referencing all personal property taxes are due on December 5 of each year and clarifying the penalty for failure to pay the full amount of the tax to be ten dollars (\$10.00) or ten percent (10%), whichever is greater as follows.

Sec. 20-64 – Penalty on unpaid personal property taxes.

There is hereby imposed on all personal property taxes due and payable to Franklin County a penalty of \$10.00 or 10% of the tax past due, whichever amount shall be greater, if such tax is not paid by the due date; provided, however, that the penalty shall in no case exceed the amount of the tax that is due. The penalty shall be added to the amount of the tax assessed against the personal property and shall be collected by the Treasurer with the past due tax, interest, and penalty.

Authority: Sec. 58.1-3916 of the Code of Virginia

This public hearing will be rescheduled for a public hearing on Tuesday, October 21, 2014 due to an erroneous advertisement in the local news paper.

Chairman Cundiff recessed the meeting Monday, September 29, 2014 @ 9:00 a.m.

DAVID CUNDIFF
 CHAIRMAN

SHARON K. TUDOR, MMC
 COUNTY CLERK