

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, JANUARY 20, 2015 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: Cline Brubaker, Chairman
Charles Wagner, Vice-Chairman
Bob Camicia
Ronnie Thompson
C. B. Reynolds
Bobby Thompson
Leland Mitchell

OTHERS PRESENT: Christopher Whitlow, Deputy Co. Administrator
Sharon K. Tudor, MMC, Clerk

Cline Brubaker, Chairman, called the meeting to order.

Invocation was given by Supervisor Bobby Thompson

Pledge of Allegiance was led by Supervisor Bob Camicia

INTRODUCTION OF WEST PIEDMONT HEALTH DISTRICT DIRECTOR/DR. JODY HERSHEY

Tim Baker, Environmental Health Manager, Sr., introduced Dr. Jody Hershey, M.D, M.P.H., Ph.D, Director, West Piedmont Health District and Jessica Phillips, Environmental Health Specialist, Sr.

MARVIN WOODS/2014 A. CLARKE SLAYMAKER AWARD

Tim Baker, Environmental Health Manager, Sr., stated Marvin Woods was nominated by one of our staff, and won the statewide A. Clarke Slaymaker Award for 2014.

The criteria for this award is:

1. NOT be employed as an Environmental Health Professional.
2. NOT be actively engaged in the field of environmental health, but has provided outstanding support to the profession of Environmental Health, and the EH programs in the Commonwealth of Virginia.
3. Candidates must be nominated by a VEHA (Virginia Environmental Health Assoc.) member, or members, in good standing

This nomination is a result of Marvin's outstanding work, support and professionalism while employed in the public safety department in his role as the head of animal control. Specifically, Marvin's work to assist the department of health in our continual rabies control program, among his other subsequent duties. As you probably know, Marvin was also instrumental in the recent investigation and conviction of illegal sewage dumping in the County.

There is only one recipient of this annual award in Virginia, and some years no one receives it.

*****\

ALISON BARRY, LIBRARY DIRECTOR

Deputy County Administrator, Christopher Whitlow, introduced Alison Barry, the newly hired Library Director.

PUBLIC COMMENT:

❖ James Atkins

I remember the first time I saw snow on the Blue Ridge Mountains was out my grandparent's window in their home in Hillsville, Virginia, I was new to Virginia having spent most of my first 8 years in Florida my birthplace, my transition to a mountain boy would be different indeed I had spent a great deal of time on my grandparent's farm in Arcadia, Florida being the grandson of Josh and Mavis Atkins came with special privileges such as getting to name every new calf that was born and endless amounts of play time, the farm was also a place of discovery it was there that I was introduced to cornbread cooked or fried in an iron skillet, homemade ice-cream, a chicken named ugly, Johnny Cash, the sound a screen door makes when it snaps shut on a screened in porch, fried frog legs, Jerry Clower, fried apple turnovers these were just a few of the things that I was introduced to on the farm. I found my maternal grandparents Clinton and Mary Jett were very similar in their demeanor to my paternal grandparents the only noticeable difference was that my grandparents in Florida had a "little' deeper farmer's tan. Both my

maternal and paternal grandparents were special indeed for they were all members of “the greatest generation” I can state unequivocally that the best day of my life was the very first time I heard my son’s first cry but my earliest and happiest memories of my life were spent with and among my grandparents and their generation, being the age I am I have had the privilege of years spent in the company of “the greatest generation” I have lived most of my adult life in southwest Virginia it is my home I love it, I have seen the rocky mountains out west, the mountains of Alaska, the sierra Madre’s, the German part of the alps in southern Bavaria and though they are all majestic and beautiful in their own right but they are not the blue ridge mountains which are the oldest on planet earth I have not seen anything quite like our mountains and the reason is because there aren’t any quite like our mountains anywhere else, I have known the people who call the blue ridge home for most of my life and they too are unique in their own way. Like anything or anyone that I care about when someone or something is threatening or pushing them around I feel obligated to stick up for my home and my neighbors and right now is one of those times, The Mountain valley pipeline is threatening our people, our culture and history, our drinking water, our way of life, our farms some of which go back many generations, our sacred mountains, my grandparents taught me that in times of trouble you stand with your friends and neighbors not on the sideline, I have been to every community meeting held at the UMC in redwood I have seen the worried faces of our property owners and farmers, I am deeply saddened but at the same time empowered to help my neighbors keep this and future pipelines off of our mountains and properties, that the citizens of Franklin County have organized to fight this unwanted intrusion is not a surprise to me, our numbers continue to grow our voice continues to grow louder, we have taken notice of our number and are allied across the region with our single minded goal to stop this intrusion, I have also noticed those who have remained silent, the Franklin County board of supervisors lack of a position on the mountain valley pipeline has only increased the anxiety and burden being felt now by residents whose property is being threatened, while counties such as Roanoke, Montgomery county and the Town of Boones Mill have adopted resolutions opposing the pipeline the Franklin County board of supervisors has remained silent, in times of trouble leaders lead the citizenry I believe thus far the Franklin County board of supervisors has failed its citizenry totally by its lack of leadership regarding the mountain valley pipeline, I would like to invite the Franklin County board of supervisors to stand with its citizens in our opposition to the mountain valley pipeline, we need you and as the board as a whole has remained silent I must acknowledge and salute Ronnie Thompson for having the courage to stand with the citizens and voice his opposition to the pipeline, we have time it is not too late to stop this pipeline and any others that want to come through Franklin County, I would like to end with this thought- we are all in this together not only as a community but as a region everyone will be impacted by this pipeline if it comes through whether or not it’s on or around your property or bypasses it you will notice it you will see it, knowing just what we know now and as we continue to gather data and information can you not only as a county board of supervisors but as citizens of Franklin County afford to continue to offer nothing in regards to the mountain valley pipeline, we all travel the same roads shop in the same stores, drink the same water and breath the same air and work and live in the same county can you as a board continue to do nothing while your residents especially the farmers feel as though their backs are against the wall and that they may lose their farms and homes to this pipeline can you afford to continue to let them despair ? our time to fight this pipeline is now and I hope that the Franklin County board of supervisors will feel compelled to side with its citizenry and to 4 of the board members December will be here before you know it myself and many other citizens will remember those of you who led as well as those of you who did nothing in regards to the mountain valley pipeline I hope the board will feel compelled to get in this fight and be the leaders that we elected you to be.

CONSENT AGENDA

APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR – December 16, 2014, January 5, 9, & 12, 2015

APPROPRIATIONS

<u>DEPARTMENT</u>	<u>PURPOSE</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Public Safety	Course Reimbursement	3505- 55540	\$2,880
Public Safety	Rescue Squad Assistance Grant	3505- 57001	\$11,433
Library	Donations, Reimburse for lost items	7301- 55411	\$1,030
Clerk of Court	Part Time Reimbursement	2106- 51003	\$300

Economic Development	Tobacco Loan Repayment	CIP	\$1,000
			\$16,643
Transfers Between Funds or Capital Accounts			
None			

PARKS & RECREATION VEHICLE PURCHASE

The Franklin County Parks and Recreation Department maintains public park properties throughout the County. The Parks and Recreation Department currently manages nine parks with six baseball fields, ten rectangular fields, six playgrounds, seven picnic shelters, a swimming beach and numerous miles of trails and blueways. Thanks to the support of the Board of Supervisors, staff members are able to maintain high quality parks for our citizens to enjoy. Various equipment (mowers, tractor, trucks, etc.) support the ongoing maintenance of County Parks.

One of the most heavily utilized and depended upon vehicles in Parks and Recreation’s fleet has been exhibiting increasing signs of engine wear. This vehicle is used on a daily basis to maintain the Franklin County Recreation Park, King Park, LARC field, Lynch Park, the Rocky Mount Rotary Skate Park, and Snow Creek Field. This vehicle is used for towing a trailer with heavy mowers and maintenance equipment.

Current Vehicle

Make / Model: Chevrolet 3500 Year: 2000 Mileage: 206,734
 Condition: Vehicle is beginning to make engine noises, especially under a load.

The vehicle's age and condition necessitates replacement as set forth in and meeting the guidelines of the County Vehicle Policy. The existing truck will be kept as a spare and used for seasonal fluctuations in work such as snow removal at this time.

RECOMMENDATION:

Staff respectfully requests the Board to approve and authorize staff to purchase a replacement truck from State Contract (Ford F250 4WD) in an amount of \$26,631.16 (Contract #E194-49800), whereby funding for this vehicle was previously budgeted, is currently available, and hereby appropriated from the Parks “Recreation Maintenance Equipment” capital account (#30300013 57001).

BUILDING INSPECTION DEPARTMENT VEHICLE REQUEST

Franklin County Building Inspections Department is responsible to perform building construction inspections associated with approved building permits throughout the County. Each inspector travels between 100 and 120 miles each day in order to provide this service.

One vehicle needs to be replaced due to major repairs necessary to maintain affordable and reliable service to Franklin County customers. The vehicle to be replaced is a 2003 Dodge Neon with 126,000 miles. While this vehicle is currently under the 150K mile threshold as set forth in the Vehicle Policy replacement guidelines, the vehicle requires major repairs including an inoperable transmission for continued use. This vehicle was determined by a local mechanic to need a transmission replacement, new battery, 4 new tires and a state inspection. Repairs are deemed immediate and necessary to use this vehicle in the Inspections Field. The repair costs, estimated at \$ 1,995.51, exceed the 1,206.00 retail value of the vehicle as seen in the submitted estimate and Kelly Blue Book Values. The vehicle's age and condition necessitates replacement at this time.

The replacement vehicle (Ford Explorer) will be the same as another vehicle that was due for replacement and purchased last year via state contract. Such vehicle is working extremely well in the Inspections Field providing increased ground clearance, traction, and durability needed due to the extreme conditions met on the various job sites (i.e. multiple stream crossings, dirt paths, remote locations, and steep grades). The extreme conditions encountered have resulted in numerous repairs to the compact vehicles previously used including the custom fabrication and installation of skid plates protecting the oil pans on the existing compact cars.

The Building Inspection Department will not be increasing its fleet and the funds are budgeted for the purchase.

RECOMMENDATION:

Staff respectfully requests the Board to approve and authorize staff to purchase a replacement vehicle (Ford Explorer) from state contract for \$25,302.00; including delivery, whereby funds were previously budgeted, are currently available, and hereby appropriated from the Building Inspectors Vehicle Capital Account. (# 300-00220008-7005) accordingly.

2015 RED TRUCK EVENT PERMIT

Franklin County has received a request by the Red Truck Events Center, represented by Mr. Adam Ritchie, to hold a series of outdoor events on a 68-acre property located at the intersection of Hopkins Road and Coles Creek Road, further identified as Franklin County Tax Map/Parcel #62-16, #62-24.4, and #62-25.1. The property is owned by W&H Enterprises, Inc. of Roanoke. Mr. Ritchie has an agreement to lease the property. The property is located in a non-zoned area in the Blackwater District of Franklin County.

Mr. Ritchie is requesting approval from the Board of Supervisors to hold outdoor events consisting of games (billed as the "Hillbilly Olympics"), a 5-kilometer run, motorcycle/ATV trail riding, and live music, on the following dates:

(See Submitted Listing for Scheduled Events)

Chapter 3, Article III of the Franklin County Code sets forth the requirements for "Outdoor Musical or Entertainment Festivals." Outdoor music or entertainment festivals are defined as:

...any gathering or group of individuals for the purpose of listening to or participating in entertainment which consists primarily of musical renditions conducted in open spaces and not within an enclosed structure and either admission is charged or refreshments or other concessions are sold.

Under the provisions of Chapter 3, Article III, such events require a permit to be issued by the Board of Supervisors. In addition, the event(s) must be planned and conducted in accordance with a series of regulations and standards related to traffic, safety, sanitation, crowd control, etc. Mr. Ritchie has submitted an application which has been routed to various County agencies to review for compliance.

As of this writing, staff is satisfied that the events have been planned in accordance with ordinance standards. Staff will continue to monitor the site and events for compliance.

RECOMMENDATION:

Staff respectfully requests Board approval for the 2015 Special Entertainment Permit for the Red Truck Event Center, as presented. The \$100 permit fee has been received and deposited, per submitted receipt. The Board set the bond for this event during 2014 at \$10,000, therefore, staff is requesting for the same bond amount for 2015, due to zero claims being filed.

Red Truck Event Center Events 2015

March 28th, 2015 Mud Bog
Number of people Approx 400 Attendance

April 11th, 2015 Mud Bog
Number of people Approx 400 Attendance

April 25th, 2015 Gladiator 5k Run Angels of Assisi
Number of people Approx 500 Attendance

May 2nd, 2015 Hillbilly Games
We will hold a small mud bog along with the 2015 Hillbilly Games
Approx 500 people Attendance

May 16th, 2015 Music Festival
Local Band, Food Venders, Approx 500 Attendance

May 23rd, 2015 Mud Bog
Approx 400 Attendance

June 13th, 2015 Night Summer Kickoff 5k Run
Approx 500 Attendance

June 20th, 2015 Mud Bog
Approx 400 Attendance

July 11th, 2015 5K Run
Approx 500 Attendance

July 18th, 2015 Mud Bog
Approx 400 Attendance

Aug 22nd, 2015 Mud Bog
Approx 400 Attendance

6*****

(RESOLUTION #13-01-2015)

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

MOTION BY: Charles Wagner

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

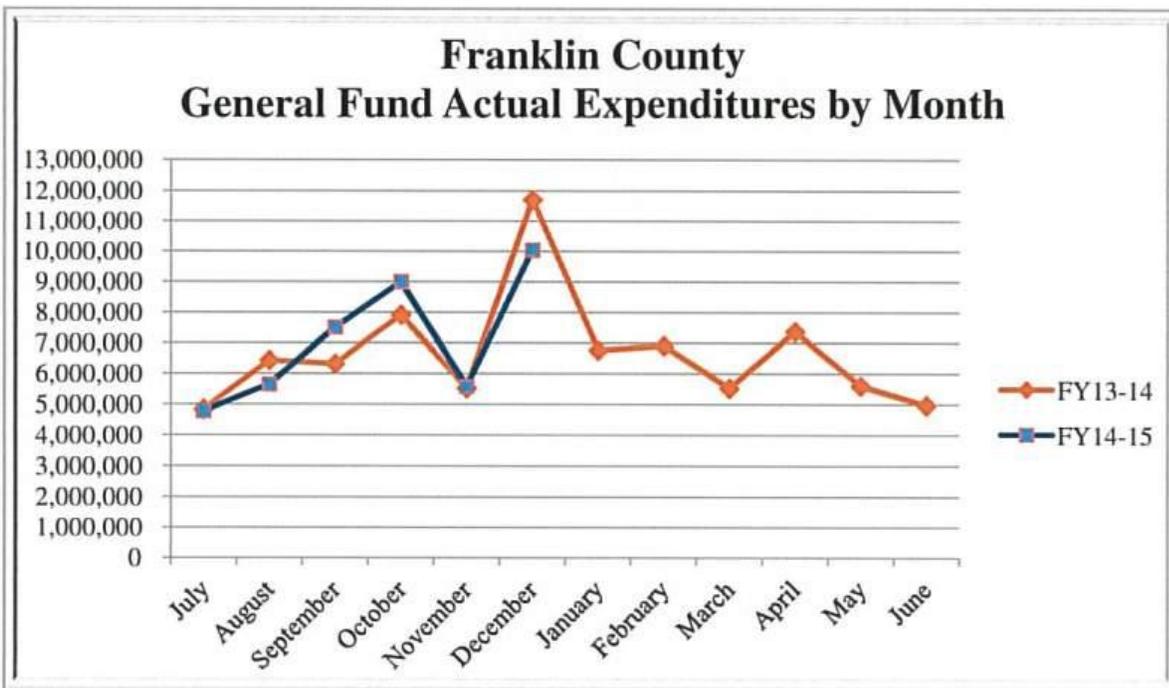
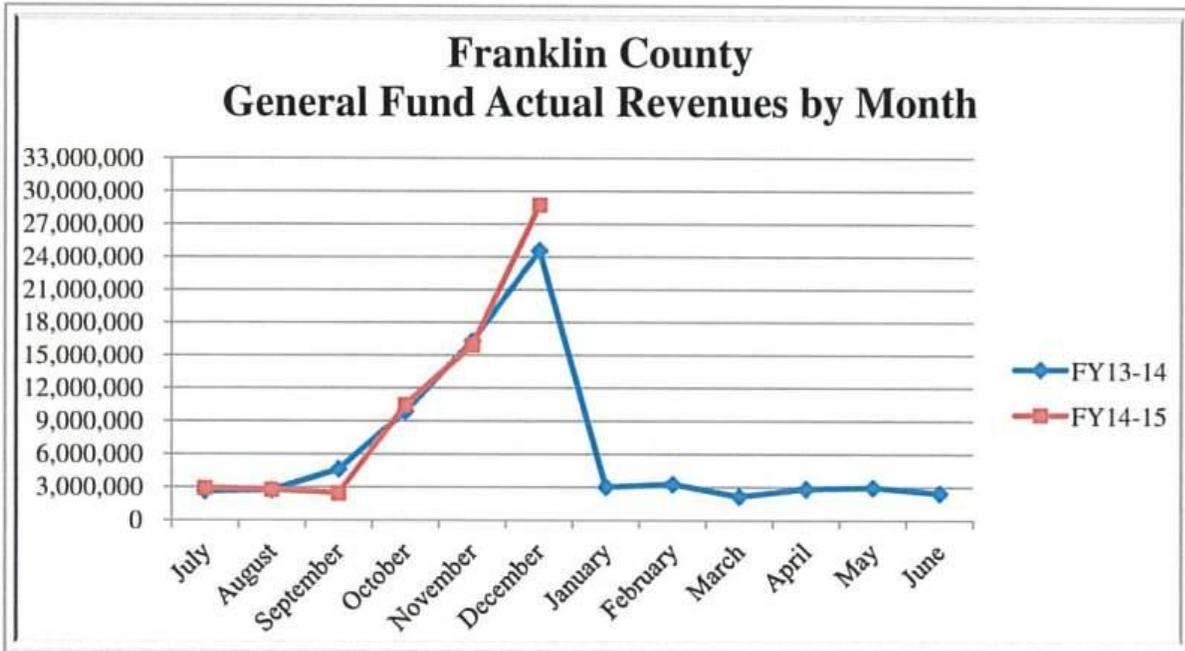
AYES: Mitchell, Thompson, Wagner, Reynolds, Camicia, Thompson & Brubaker

MONTHLY FINANCIAL REPORT

Vincent K. Copenhaver, Director of Financed, presented the monthly financial reports as follows:

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

REVENUES:	Budget and Appropriations Current Year	Actual Year to Date Revenues	Balance To Be Realized	Percent of Budget	Prior Year Actual At This Date
General Property Taxes	47,349,410	45,787,459	(1,561,951)	96.7%	43,946,206
Other Local Taxes	11,040,728	6,352,928	(4,687,800)	57.5%	5,375,500
Permits, Fees and Licenses	372,000	252,992	(119,008)	68.0%	191,851
Fines and Forfeitures	98,000	92,350	(5,650)	94.2%	87,189
Revenue from the use of Money and Property	1,139,883	223,027	(916,856)	19.6%	510,388
Charges for Services	2,614,737	1,299,185	(1,315,552)	49.7%	1,427,333
Miscellaneous Revenue	374,735	476,083	101,348	127.0%	257,053
Recovered Costs	580,390	334,865	(245,525)	57.7%	315,140
Revenue from the Commonwealth	15,604,926	8,267,439	(7,337,487)	53.0%	8,430,944
Federal Government	165,151	92,334	(72,817)	55.9%	52,170
Subtotal	79,339,960	63,178,662	(16,161,298)	79.6%	60,593,774
Carryover Funds	1,573,104				
Total General Fund	80,913,064				
Schools					
Cafeteria, Misc, State, Federal	49,814,309	20,966,001	(28,848,308)	42.1%	21,448,405
Local Funding from County	33,768,223	17,777,919	(15,990,304)	52.6%	16,572,852
Total School Fund	83,582,532	38,743,920	(44,838,612)	46.4%	38,021,257
EXPENDITURES:	Budget and Appropriations Current Year	Actual Year to Date Expenditures	Balance To Be Expended	Percent of Budget	Prior Year Actual At This Date
General and Financial Administration	4,294,232	2,354,621	1,939,611	54.8%	2,189,043
Judicial Administration	2,258,102	1,159,424	1,098,678	51.3%	1,127,932
Public Safety (Sheriff, Corrections, EMS)	13,612,909	6,369,792	7,243,117	46.8%	6,914,776
Public Works	3,671,331	1,536,268	2,135,063	41.8%	1,472,793
Health and Welfare	11,783,847	5,575,308	6,208,539	47.3%	5,468,170
Parks, Recreation, Libraries, Cmty Colleges	2,015,681	946,584	1,069,097	47.0%	944,539
Community Development	2,985,966	1,636,864	1,349,102	54.8%	1,463,070
Transfers to Schools, Capital, Debt	40,290,996	22,982,080	17,308,916	57.0%	23,135,459
Total General Fund	80,913,064	42,560,941	38,352,123	52.6%	42,715,782
School Fund	83,582,532	40,112,126	43,470,406	48.0%	37,276,226



Franklin County Dashboard

Data as of: 01/12/2015 05:37



**Franklin County Public Schools
Monthly Statement of Revenues and Expenditures - Cash Basis
Month December 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	\$2,227,425	\$13,578,481	\$17,103,716
State Sales Tax	8,025,338	0	0	672,654	4,047,652	3,977,686
Federal Funds	8,010,170	97,173	0	900,965	3,830,592	4,276,751
Other Funds	2,983,009	0	0	783,973	1,134,940	1,848,069
County Funds	32,358,730	1,374,747	0	2,308,925	17,473,586	16,259,891
Canneries	51,168	0	0	11,940	46,875	4,293
Total Revenues	\$82,110,612	\$1,471,920	\$0	\$6,905,882	\$40,112,126	\$43,470,406

EXPENDITURES:

Description	Original Budget	Additional Appropriations	Net Category Transfers	for Month	Expenditures Year-to-Date	Remaining Unspent Budget
Instruction	\$53,826,810	\$757,522	\$0	\$4,683,375	\$25,034,441	\$29,549,891
Title I - Instruction	1,780,452	42,648	0	149,391	930,302	892,798
Title VI-B-Instruction	2,099,607	54,525	0	199,602	1,052,020	1,102,112
Administration, Attendance & Health	2,685,952	40,490	0	223,961	1,254,681	1,471,761
Pupil Transportation	5,647,255	471,805	0	548,594	2,990,495	3,128,565
Operation and Maintenance	6,926,054	90,622	0	483,978	3,533,644	3,483,032
School Food Services	3,972,897	0	0	328,656	1,766,370	2,206,527
Facilities	0	0	0	450	17,588	(17,588)
Contingency Reserve	0	0	0	0	0	0
Debt Service	2,650,459	0	0	550	2,069,815	580,644
Technology	2,469,958	14,308	0	275,385	1,415,895	1,068,371
Canneries	51,168	0	0	11,940	46,875	4,293
Total Expenditures	\$82,110,612	\$1,471,920	\$0	\$6,905,882	\$40,112,126	\$43,470,406
5-Year Capital Plan	\$784,576	\$0	\$0	\$9,489	\$261,586	\$522,990

ROANOKE GAS COMPANY

Christopher Whitlow, Deputy County Administrator, stated the County has received notification from Mountain Valley Pipeline, LLC, noting the following:



625 Liberty Avenue, Suite 1700 | Pittsburgh, PA 15222
 844-MVP-TALK | mail@mountainvalleypipeline.info
 www.mountainvalleypipeline.info

Mr. Rick Huff
 County Administrator
 Franklin County

Dear Mr. Huff:

Thank you for meeting with Mountain Valley Pipeline ("MVP") project representatives, including Shawn Posey, Joe Dawley and me December 3rd. We appreciated the opportunity to discuss the commercial gas usage potential that the pipeline offers the county and how MVP can facilitate the process.

As we discussed, MVP is an interstate "open access" transmission pipeline, which means that parties seeking to ship and receive gas have a right to access the pipeline. Of course the ability to ship or receive natural gas is contingent on the economic viability of the need of service. As we discussed, it will be necessary for MVP to work with a local distribution company ("LDC"), such as Roanoke Gas, that has the legal authority from the Virginia State Corporation Commission to provide gas service to communities along the route.

MVP wants nothing more than to have Franklin County businesses and communities gain access to natural gas from our proposed pipeline through the LDC's. MVP's commercial department has contacted the local LDC to identify opportunities along the line.

With regard to specific questions pertaining to the installation of local taps with Franklin County, MVP is prepared to commit to the following:

Local Service: MVP will commit to work with any potential end-users in the County, along with the LDC's, to identify opportunities for gas usage within the County. Any agreements for service from MVP will be with the LDC and be consistent with federal and state legal requirements. The LDC will provide service to the end users pursuant to contracts between LDC's and end users.

Local Taps: MVP will commit to construct local taps along the pipeline route in Franklin County upon the execution of contracts between MVP and the LDC to provide service to end users in the County. This includes the construction of taps based on agreements entered into prior to the construction of the pipeline or after the pipeline is in operation. For pipeline safety considerations, it is not prudent to install taps at locations prior to agreements being in place. Unused taps are referred as "dead legs" by the United States Department of Transportation's Pipeline and Hazardous Material Safety Administration ("PHMSA"). According to PHMSA, liquids and solids collect in dead legs and promote internal corrosion.

It is also not prudent to pre-install taps, prior to agreements being in place, because the location of the customers and size of the connection needed to serve the customers have not yet been established.

We look forward to continuing to work with you and other County officials and provide you the information you need to be well informed.

With best regards,

A handwritten signature in black ink, appearing to read "M. Royster", is written over a horizontal line.

Maurice Royster

John S. D'Orazio, President & CEO, Roanoke Gas, Roanoke Gas offered the following comments for the Board's consideration:

- Roanoke Gas is very interested in providing natural gas to Franklin County and the Town of Rocky Mount.
- We have been exploring this opportunity for several years.

- Unfortunately, our closest facilities are located in Clearbrook, Route 220 near the Walmart just south of the Blue Ridge Parkway.
- A significant amount of new natural gas infrastructure is required to supply natural gas to Rocky Mount. We have run this through our economic model and it would require a significant contribution or aid-to construction to justify the project.
- The Mountain Valley Pipeline, based on its proximity to Rocky Mount, makes it more economically attractive to serve Rocky Mount and Franklin County.
- We plan to work with Franklin County staff on extending gas service in the County.

What are the economic benefits of having natural gas

- Natural gas is less expensive than propane or fuel oil.
- Natural gas does not require on-site storage.
- Natural gas availability creates the ability for Franklin County to attract industry that utilizes natural gas, which will create new jobs and investment.
- For existing business and industry, natural gas will provide them access to lower cost fuel which will allow them to be more competitive in a global market.

The Board held general discussion on associated benefits/costs. Mr. D'Orazio stated an economic module has not been run for cost associated with the proposed project, to date.

BOARD'S RULES OF PROCEDURE

Christopher Whitlow, Deputy County Administrator, noted, per general direction from the Board, staff was directed to bring draft verbiage regarding the citizen comment period within the "Rules of Procedure" (as submitted). Proposed amended language, was compiled and drafted for the Board's consideration during their regularly scheduled Board meeting for Tuesday, January 20, 2015. These rules of procedure are a compilation of the various Board's operational policies established over time. In an effort to provide citizens a formal listing of such operational policies, the "Franklin County Board of Supervisors Rules of Procedure" was drafted and is adopted annually during the Board's Organizational meeting. The proposed amendment to the Citizen Comment Period, is presented for the Board's review and consideration, as follows:

CITIZEN COMMENT PERIOD

Any citizen or property owner of the County that wishes to address the Board on any topic may do so by calling the Board Clerk's Office one (1) week in advance of the Board's regular monthly meeting and request that their name and topic be added to the agenda. The citizen will be granted 3 minutes to present their issue and if the Board wishes to schedule further time, may direct staff to place the subject on the next available agenda. Only one person per side (position), per topic will be allowed to speak under the 1:30 P.M. Citizen Comment Period per Meeting and a total time of 15 minutes will be observed. Public Comments will be received by the Board during the 3rd Tuesday meeting at 1:30 P.M., and following the last item on the Board's agenda, such time generally being after all evening public hearings. The same guidance for the evening public comment period (as outlined in the 1:30 p.m. afternoon comment period) shall be observed with the exception of the 15 minute total time limit. The Chairman retains the ability, or at the request of a majority of the Board, to waive any of the public comment provisions where appropriate. **(Amended/Resolution # 21-06-2006 & # 07-01-2007 & 14-01-2015)**

RECOMMENDATION:

Staff respectfully requests the Board's consideration in adopting the Rules of Procedure as presented which also includes the amendment to #4 regarding the Chair making motions.

General discussion ensued.

(RESOLUTION #14-01-2015)

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

MOTION BY: Charles Wagner

SECONDED BY: Bob Camicia

VOTING ON THE MOTION WAS AS FOLLOWS:

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

NAYS: Ronnie Thompson

THE MOTION PASSED WITH A 6-1 VOTE.

RONNIE THOMPSON/BOONE DISTRICT/REASSESSMENT PROCESS

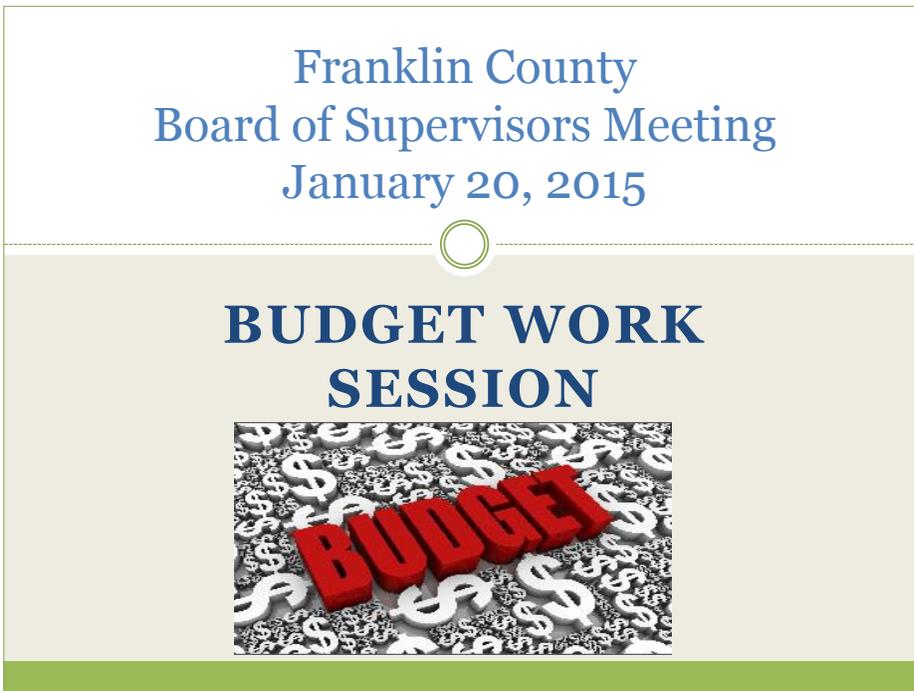
Ronnie Thompson, Supervisor, Boone District, noted he would like to know if APCO's land within Franklin County, is assessed as other property within the County. Mr. Thompson stated he would like to know if other utility company properties are assessed the same way within the County. Mr. Thompson asked for the history behind these reassessments process as the information could be beneficial for the Board.

BOBBY THOMPSON/BLUE RIDGE DISTRICT/NOT SEEKING RE-ELECTION IN 2015

Bobby Thompson, Supervisor, Blue Ridge District, stated he will not be running for re-election in November for the Board of Supervisors. Mr. Thompson noted he has certainly enjoyed serving the citizens of Blue Ridge District and the County of Franklin.

BUDGET WORKSESSION

Vincent Copenhaver, Director of Finance, shared with the Board the following PowerPoint in a budget worksession:



Revenues – Next Year (15-16)

Franklin County Discretionary Revenue Summary January 12, 2015						
	Adopted Budget 14-15	Projected Collections 14-15	Proposed Budget 15-16	Adopted to Proposed Increase (Decrease)	Adopted to Proposed Percent Incr/Decr	
General Property Taxes:						
Real Estate	35,484,134	35,566,318	35,732,596	248,462	0.70%	
Public Service Corp	872,246	966,773	969,067	96,821	11.10%	
Personal Property	9,042,197	9,346,919	9,552,887	510,690	5.65%	
Machinery and Tools	639,709	688,654	688,654	48,945	7.65%	
Merchants Capital	671,124	662,082	675,000	3,876	0.58%	
Penalties and Interest	640,000	631,753	632,000	(8,000)	-1.25%	
General Property Taxes	47,349,410	47,862,499	48,250,204	900,794	1.90%	

Revenues – Next Year (15-16)

	Adopted Budget 14-15	Projected Collections 14-15	Proposed Budget 15-16	Adopted to Proposed Increase (Decrease)	Adopted to Proposed Percent Incr/Decr
Other Local Taxes:					
Sales Tax	4,003,534	4,179,067	4,125,000	121,466	3.03%
Consumer Utility Taxes	973,782	977,674	975,000	1,218	0.13%
County Business License	4,700	4,700	4,700	0	0.00%
Utility License Tax	220,000	230,923	225,000	5,000	2.27%
Communications Tax	2,271,784	2,244,962	2,244,962	(26,822)	-1.18%
Motor Vehicle License Fees	1,876,174	1,876,174	2,024,637	148,463	7.91%
Bank Stock Taxes	128,791	128,791	128,791	0	0.00%
Tax on Deeds	500,000	424,217	425,000	(75,000)	-15.00%
Hotel/Motel Trans Occ Tax 2%	32,750	34,366	34,000	1,250	3.82%
Meals Tax	980,000	1,015,706	1,000,000	20,000	2.04%
Other Local Taxes	10,991,515	11,116,580	11,187,090	195,575	1.78%
Interest on Bank Deposits	1,029,323	600,000	600,000	(429,323)	-41.71%

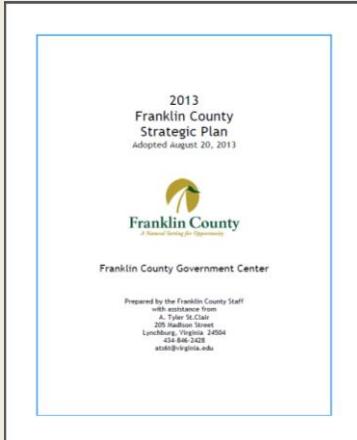
Revenues – Next Year (15-16)

	Adopted Budget 14-15	Projected Collections 14-15	Proposed Budget 15-16	Adopted to Proposed Increase (Decrease)	Adopted to Proposed Percent Incr/Decr
Commonwealth of Virginia Revenues:					
Motor Vehicle Carriers Tax	40,962	42,797	42,500	1,538	3.75%
Mobile Home Titling Tax	110,499	75,328	75,000	(35,499)	-32.13%
Motor Vehicle Rental Tax	46,660	50,118	50,000	3,340	7.16%
Personal Property Tax Relief	2,626,618	2,626,618	2,626,618	0	0.00%
Total Commonwealth Revenue	2,824,739	2,794,861	2,794,118	(30,621)	-1.08%
Total Discretionary Revenue	62,194,987	62,373,940	62,831,412	636,425	1.02%

Revenues – Next Year (15-16)

School Share of New Discretionary Revenue:		
FY 14-15 Original Budget (Current Year):		
Total School Operating Transfer		29,708,271
Total School Debt Service Transfer		2,650,459
		32,358,730
School Transfers as a Percentage of Discretionary Revenues		
\$32,358,730 divided by \$62,194,987 =		52.03%
Multiply New Revenue by School Percentage		
\$636,425 multiplied by 52.03% =		\$331,118
Remaining New Revenue for the County		\$305,307
\$636,425 less \$331,118		

Strategic Plan Priorities



- **FRANKLIN COUNTY BOARD OF SUPERVISORS STRATEGIC OUTCOME AREAS**
 - INFRASTRUCTURE
 - SCHOOLS
 - ECONOMIC DEVELOPMENT/JOB CREATION
 - FINANCIAL STABILITY
 - **STAFFING NEEDS**
 - MANAGED GROWTH

Staff Compensation Considerations

Cumulative Inflation Calculator

	STARTING DATE	ENDING DATE
To Calculate a whole year use the same month, <i>i.e.</i> , Jan. 2010 - Jan. 2011 gives a full year.	December	November
Jan - Dec only gives 11 months. (Do not select current month)	2008	2014
CALCULATE INFLATION (CUMULATIVE)		
Cumulative Inflation Results Total inflation from December 2008 to November 2014 is 12.33%		

Staff Compensation Considerations

	Per Capita Personal Income	% Change
2003	\$26,104	
2004	\$27,715	6.17%
2005	\$28,496	2.82%
2006	\$29,845	4.73%
2007	\$31,837	6.67%
2008	\$32,267	1.35%
2009	\$31,688	-1.79%
2010	\$31,715	0.09%
2011	\$33,830	6.67%
2012	\$34,933	3.26%
2013	\$35,374	1.26%
	Since 2003	35.51%
	Since 2008	9.63%

Staff Compensation Considerations

Social Security Cost of Living Adjustments:

January 1, 2009	5.8%
January 1, 2010	0.0%
January 1, 2011	0.0%
January 1, 2012	3.6%
January 1, 2013	1.7%
January 1, 2014	1.5%
January 1, 2015	1.7%
Total	14.3%

Staff Compensation Considerations

Per Capita Personal Income		% Change
2003	\$26,104	
2004	\$27,715	6.17%
2005	\$28,496	2.82%
2006	\$29,845	4.73%
2007	\$31,837	6.67%
2008	\$32,267	1.35%
2009	\$31,688	-1.79%
2010	\$31,715	0.09%
2011	\$33,830	6.67%
2012	\$34,933	3.26%
2013	\$35,374	1.26%
Since 2003		35.51%
Since 2008		9.63%

Staff Compensation Considerations

Loss of Purchasing Power by Employees:

Consumer Price Index December 2008	210.228
Consumer Price Index November 2014	<u>236.151</u>
Difference	<u>25.923</u>
Percent Change	12.33%
Less 3% COLA granted 7-1-13	<u>-3.00%</u>
	<u>9.33%</u>
\$35K Employee loses 9.33% of Purchasing Power since December 2008	
\$35,000 X 9.33% =	<u>\$3,266</u>

Staff Compensation Considerations

Premium Costs - Annual Comparison						MONTHLY PREMIUM CHANGES compared to Prior year's Lowest Plan	EMPLOYEE Tier Share CHANGES-Compared back to 2008 Plan
Anthem		Trigon		7/1/2008			
	Monthly Premium	Employer %	Employer Pays	Employee %	Employee Pays		
No Deductible Plan	Employee Only	441.69	82%	362.19	18%	79.50	
	Employee Child	675.79	75%	506.84	25%	168.95	
	Employee/Spouse	927.55	75%	695.66	25%	231.89	
	Employee Family	1,143.98	75%	857.99	25%	286.00	
Coventry Option 30/1000 HDP w/85/75/75 Contribution Split						7/1/2014	
\$1,000 Deductible Plan		Monthly Premium	County %	County Pays	Employee %	Employee Pays	Compare to 30/1000 2013 Premium
	Employee Only	519.08	85%	441.22	15%	77.86	5.12%
	Employee Child	778.63	72.50%	564.51	27.50%	214.12	3.06%
	Employee/Spouse	\$1,116.02	72.00%	803.53	28.00%	312.49	7.62%
	Employee/Children	\$1,090.07	72%	784.85	28%	305.22	-21.16%
Employee Family	\$1,661.06	72.50%	1,204.27	28%	456.79	20.13%	
							2014- 30/1000 Compared to 2008 Plan Year
							-2.07%
							26.74%
							34.76%
							6.72%
							59.72%

Franklin County			
Estimate of One-Time Cost of Living Payment			
Cost Estimate of On-Going Raise by 1% Increments			
Proposed Budget FY15-16			
One-Time Cost of Living Payment \$1000/\$500			
County	Employees	COLA	
Full Time	332	\$1,000	\$ 332,000.00
Reg. Part Time	65	\$500	\$ 32,500.00
			\$ 364,500.00
	Including FICA		\$ 392,384.25
School			
Full Time	1210	\$1,000	\$ 1,210,000.00
Reg. Part Time	105	\$500	\$ 52,500.00
			\$ 1,262,500.00
	Including FICA	7.65%	\$ 1,359,081.25
	Total for County & Schools		\$ 1,751,465.50
\$1,000 One-Time Cost of Living Payment Into Base for FT			
County	Employees	COLA	
Full Time	332	\$1,000	\$332,000.00
	FICA		\$25,398.00
	VRS & Life		\$42,064.40
			\$399,462.40
School			
Full Time	1210	\$1,000	\$1,210,000.00
	FICA		\$92,565.00
	VRS, Health Credit & Life		\$228,932.00
			\$1,531,497.00
	Total for County & Schools		\$1,930,959.40
1% Raise			
County		\$171,310	
School		\$556,948	
Total		\$728,258	
2% Raise			
County		\$342,620	
School		\$1,113,896	
Total		\$1,456,516	
3% Raise			
County		\$513,930	
School		\$1,670,844	
Total		\$2,184,774	

Mr. Copenhagen, presented the following PowerPoint for a CIP Overview:

CIP Overview	
Information Technology Requests:	
•	Include PC Replacement, Server Upgrades, Disaster Recovery, and Sequel Server Upgrades
•	GIS projects include a state flyover and pictometry flyover in 2015 estimated to cost a total of \$77,000
•	Total requested is \$750,982

CIP Overview

Registrar

- Would like to continue adding funds for the replacement of voting machines - \$125,000 is requested for FY15-16
- The County has \$350,000 set aside in the capital fund towards the total estimated cost of \$475,000 to replace all machines

CIP Overview

Sheriff

- Requests include
 - Vehicle Replacement \$500,000
 - In-car cameras and mobile data terminals
 - Equipment including externally mounted opticoms, funds for outfitting cars, \$20,000 for additional development of the firing range, tazers, protective vests and body cameras
- Total request of \$821,994

CIP Overview

- Building Inspections would like to request \$25,000 for a replacement vehicle

CIP Overview

Public Safety

- \$200,000 for vehicle refurbishment of two ambulances
- \$13.5 million for the radio system (will be financed by a long-term borrowing)
- Equipment \$93,800
- Commerce Center station \$500,000
- Burn Building Improvements \$138,495
- Animal Shelter Maintenance/New Facility \$100,000

CIP Overview

General Properties

- Upgrade of 4 HVAC units at the Courthouse \$69,120
- Carpet Replacement for Commonwealth Attorney and J & D Court - \$34,986

CIP Overview

Parks and Recreation

- Equipment Trailer \$11,000
- Shoreline stabilization at Smith Mountain Lake Park \$150,000
- \$100,000 to continue the payment to Virginia Western Community College for the Smith Farm. FY15-16 will be payment 7 on a 10 year note

CIP Overview

Economic Development

- \$400,000 requested as a on-going set aside for assistance to new/expanding businesses, creation of a business park and job creation funds

CIP Overview

Franklin Center

- Office and classroom replacement furniture \$30,000 to replace those items belonging to Patrick Henry Community College (requested assistance from Virginia Western and awaiting response)

CIP Overview

E911

- Addition to Communications Center \$1.5 million
- Upgrade and add additional security cameras around communications center \$15,000
- PC Replacement \$3,000

CIP Overview

Public Works/Landfill

- Funds are requested for equipment replacement and engineering fees
- Also funds for 6 compaction sites
- Total requested is \$1.5 million

CIP Overview

Schools

- Staff recommends we continue with the \$880,000 we have budgeted in the current year that will fund various school capital projects that are part of the five year school capital plan – an update on that plan will be provided in the next few days
- Would also recommend we continue \$340,000 for School bus replacement

CIP Overview

Summary

- Projects requested total \$22.3 million but that total does include the radio system at \$13.5 million
- Staff will continue to evaluate all these requests – if we continue with level funding in FY 15-16, then we will have the following amounts available for capital:
 - County \$2,015,501
 - Schools \$1,220,000

The Board felt staff should go back to the Department Heads to take an additional look at their CIP requests and ask them to make necessary cuts to their CIP, as proposed considering the amount as reviewed. The Board noted they felt the County's personnel needed raises this year as we have fallen behind other localities. Sheriff Overton, encouraged the Board to consider

raises and stated his department is willing to look at their budgets to make additional adjustments with this in mind.

CLOSED MEETING

(RESOLUTION #15-01-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711, a-3, Acquisition of Land and a-5, Discussion of a Prospective New Business or Industry, or of Expansion of an Existing One, of the Code of Virginia, as amended.

MOTION BY: Charles Wagner

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

MOTION: Bob Camicia

RESOLUTION: #16-01-2015

SECOND: Charles Wagner

MEETING DATE January 20th, 2015

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, Reynolds Camicia, Thompson & Brubaker

NAYS: NONE

ABSENT DURING VOTE: NONE

ABSENT DURING MEETING: NONE

FERRUM WATER & SEWER AUTHORITY APPOINTMENTS

(RESOLUTION #17-01-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint the following persons to the Ferrum Water & Sewer Authority with said terms to expire 2/1/2019:

Roger Houchins

Charles Catlett

Jeff Gring

Joseph Edward Greer

Vicki Cook

J. J. Keith, Plant Manager

MOTION BY: Bobby Thompson

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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

PETITION FOR SPECIAL USE - Petition of Kenneth J. LaBrake, Petitioner/Kenneth J. LaBrake and Valerie A. LaBrake, Owners, requesting a Special Use Permit for a “home - second single-family detached dwelling on a lot,” for a +/- 2.449 acre parcel currently zoned RC-1, Residential Combined Subdivision District. The subject property is located at 1110 Mallard Point Road (SR665) in the Gills Creek District of Franklin County, and is further identified as Tax Map/Parcel #0470302000. The Future Land Use Map of the Comprehensive Plan of Franklin County identifies this area as appropriate for Low Density Residential uses, with a recommended density range of one to two dwelling units per acre. The RC-1 zoning district allows for a range of residential densities with a maximum of 5.8 units per acre if served by public water and sewer. The subject petition would result in a residential density of 0.817 dwelling units per acre. (Case # SPEC-10-14-13462)

Neil Holthouser, Director of Planning & Community Development, shared with the Board staff's report for the special use permit, as follows:

BACKGROUND:

The petitioner requests a Special Use Permit for the purpose of allowing a second single-family dwelling unit for the housing needs of immediate family members. Presently there is one (1) occupied singlewide mobile home on the property. An application for a building permit for the second home has not been submitted at this time; however the applicants have included a rendering of a site-built home with the Special Use Permit application. In order to allow the placement of the second dwelling, a Special Use Permit is required to be issued by the Board of Supervisors under Sections 25-268 and 25-274.



Source: Franklin County GIS

Aerial View, 1110 Mallard Point Rd



Lot 11 Detail from PB 5 P 138

The aerial view of the parcel shows the residential nature of the area, and is primarily wooded. The property is recorded at PB 5 P 137-139 as Lot 11 Block 1 in Bonaventure Estates subdivision in May 1974 (see detail below).

During the Development Review Committee meeting, Staff received no requests for additional information, questions, or concerns with the application from the representatives of the reviewing agencies.

The application was advertised, posted, and notifications sent to all adjacent property owners. As of the date the staff report was

finalized, this proposal has generated no inquiries from the public. No negative comments have been received.

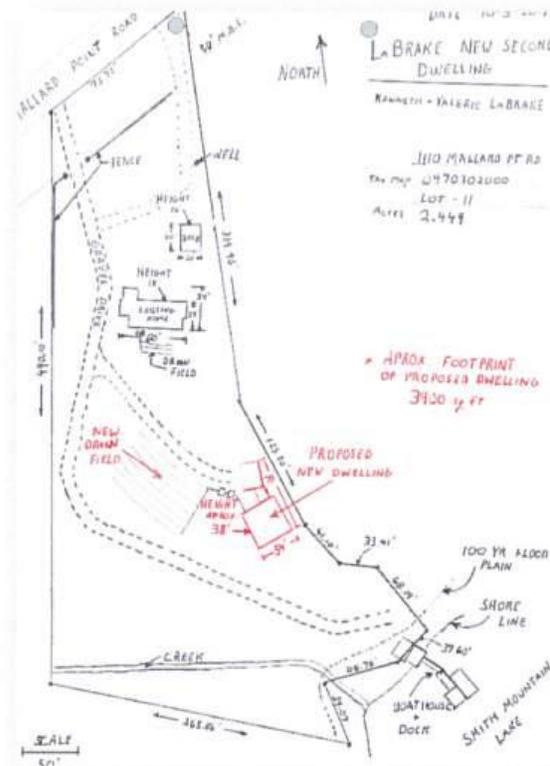
Mallard Point Road [SR 665] is a public road, but the lot contains only 150' of frontage. This limits the possibility of the applicants from being able to subdivide the property into two individual lots outside the family exemption process, and so the Special Use Permit is a practical option to consider. In this case, the density that will result from an approval

of this application (2 dwelling units on 2.449 acres, or 0.817 units per acre) is in accordance with the development policies listed in the Franklin County 2025 Comprehensive Plan for Low Density Residential areas, and is less than the maximum density allowed in the RC-1 District for lots similarly served by private well and septic and fronting on existing secondary roads. This maximum density is calculated at 1.2447 dwelling units per acre (with a minimum lot size of 35,000 square feet). Should the lot be subdivided under the family exemption process, the potential arises for overall density to increase in the future, as the resulting lots may be sold to anyone after a three-year period, and future owners could request a second dwelling on either or both of the resulting lots.

REQUEST:

The applicant stated in the submitted documents that there exists one (1) home on the property that the applicants would like to preserve while building a new home closer to Smith Mountain Lake. Mr. LaBrake writes that the family has outgrown the existing residence and that they would like to construct another dwelling. They would like to keep the current home in order to accommodate aging family members in the future.

The concept plan entitled "LaBrake New Second Dwelling," prepared by Kenneth LaBrake dated October 5, 2014, shows the location of the two dwellings and associated structures, including a dock, fencing, gravel drives and parking areas, two septic fields and the existing well that serves the property. The footprint of the new home is stated to be 3900 square feet. This plan demonstrates that the proposal is able to accommodate a new drainfield serving the new home, and to meet all setbacks set forth in Section 25-272 *Minimum dimensions* for the RC-1 District. The application includes a rendering of the new home design and appears to be a two-storey structure with shingle siding over stone water-table, frame windows, stacked columned front and side porches with standing-seam metal shed roofs, attached garage with clipped gable roof, and the main portion of the house features a cross gable roofline of standing seam metal with an eyebrow dormer, stone chimney, bracketed eaves and door details typical of the bungalow style. This rendering demonstrates the



Concept Plan

applicant's plans for a site-built or modular home, rather than a second manufactured home on the property.

SITE STATISTICS:

Location: "Bonaventure Estates," Block 1 Lot 11, addressed as 1110 Mallard Point Road, off of Burnt Chimney Road in the Gills Creek District on Smith Mountain Lake.

Size: +/- 2.449 acre

Existing Land Use: Residential, Single Family and Manufactured Homes

Adjoining Zoning: RC1, Residential Combined Subdivision District

Adjoining Land Uses: Residential

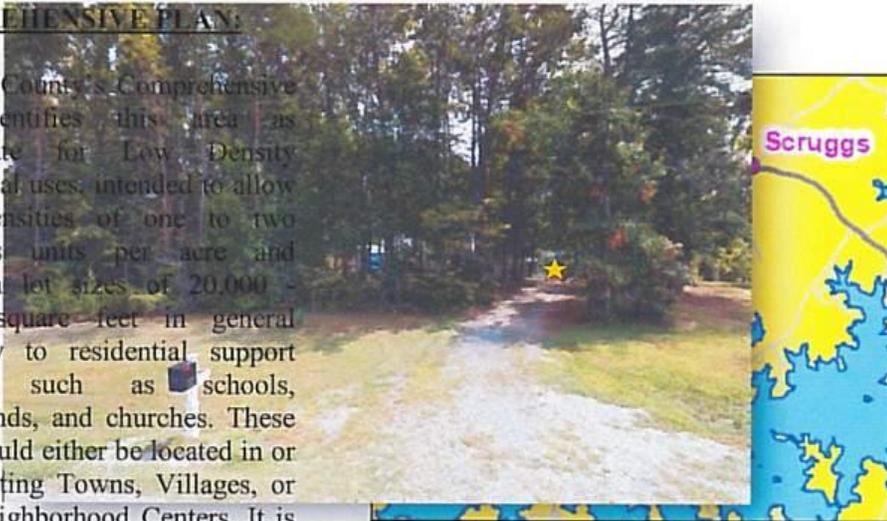
Adj. Future Land Uses: Low Density Residential

Geography: The lot is sloped to gently rolling. Soils are non-hydric Clifford fine sandy loam, 8 to 15 percent slope, and Clifford-Hickoryknob complex, 25-45 percent slopes. Both are well-drained, somewhat rocky soils. There is an area of Special Flood Hazard along the shoreline of the Lake, away from all existing and proposed structures. Vegetative/ground cover is primarily wooded with mixed hardwoods and evergreens, and scattered low-growing shrubs and grasses.

SITE / AREA PHOTOGRAPHS

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 and minimum lot sizes of 20,000 - 30,000 square feet 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



Looking into the property from Mallard Point Road

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.

ZONING ORDINANCE:

Special Uses for the RC-1 District are set forth in Sec. 25-268. The requested use is referenced as “*Home—second single-family detached dwelling on a lot,*” and is governed under the special regulations in Sec. 25-274(a), which states:

Only one (1) principal building with its customary accessory buildings may be erected or placed on a single building lot; provided, that a second dwelling for use by immediate family may be placed on a residential building lot in the RC-1 district with a special use permit issued by the board of supervisors. Immediate family includes brothers, sisters, grandparents, in addition to the State definition (mother, father, son, daughter, husband, wife).

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.

ANALYSIS:

The applicant has established by means of the accompanying concept plan that the project can meet the applicable standards of the Zoning Ordinance, including setbacks, separation, septic and water availability, access, and utilities. There has been no demonstrated objection to the proposal by the public or other county reviewing agencies.

While the RC1 District is primarily a single-family district, the Special Use process guarantees a guided outcome in cases where second dwelling units on individual lots may be proposed. These homes are specifically prohibited from being occupied, rented, or sold to persons who are not immediate family members of the inhabitants of the primary dwelling on the property. In addition, the procedure allows for review for conformity with adjacent properties and uses in the neighborhood, which includes housing type and density analysis. The Special Use permit process allows that only family members may inhabit the property, and where it may be further demonstrated that overall density will not increase beyond what is normally allowed in the district, and that the character of the

2

SITE DETAILS

Property Identified as:
TM # 0470302000

Location:
1110 Mallard Point Road (SR665)

Future Land Use:
Low Density Residential

Zoned:
RC-1, Residential Combined Subdivision District

Size:
+/- 2.449 acres

District:
Gills Creek

Applicant:
Kenneth J. LaBrake

Owners:
Kenneth J. LaBrake
and Valerie A. LaBrake



Tuesday, January 20, 2015
SPEC-10-14-13462
2

3

SURROUNDING ZONING



Tuesday, January 20, 2015

SPEC-10-14-13462

3

4

FUTURE LAND USE PLAN



Tuesday, January 20, 2015

SPEC-10-14-13462

4

5

EXISTING CONDITIONS

- One residential structure with associated driveway, outbuildings, well, septic
- Rolling topography with established vegetation
- Cleared areas for new dwelling and driveway extension
- Dock



Tuesday, January 20, 2015

SPEC-10-14-13462

5

6

EXISTING CONDITIONS





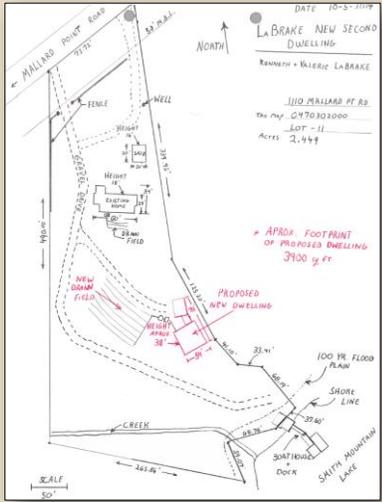

Tuesday, January 20, 2015 SPEC-10-14-13462 6

7

CONCEPT PLAN

The proposed concept plan applies to the entire property, and includes the following uses:

- Existing home, shed, boathouse, dock
- Well and septic drainfield serving the existing home
- Gravel driveway extending from public ROW to just above shoreline
- Fence across front of property and along a portion of the western property line
- Proposed new dwelling with attached garage
- Proposed new drainfield to serve the new dwelling



Tuesday, January 20, 2015 SPEC-10-14-13462 7

RECOMMENDATION

8

The Planning Commission met and held a public hearing on Tuesday, November 13, 2014, considered this petition, and by a vote of 6-0, with 1 absent, recommends that the Board of Supervisors approve this request for Special Use Permit, with the following conditions:

1. **Substantial conformity.** In order to establish the use of "home - second single-family detached dwelling on a lot," the site shall be developed in substantial conformity with the concept plan entitled "LaBrake New Second Dwelling," prepared by Kenneth LaBrake, dated October 5, 2014.
2. **Limitation of use.** A second single-family detached dwelling unit is approved solely for use by immediate family, and shall not be used for the housing needs of non-family members.
3. **Method of construction.** Not more than one (1) of the dwelling units located on this site may consist of a manufactured home.

Tuesday, January 20, 2015 SPEC-10-14-13462 8

Public Hearing was opened.

Mr. LaBrake presented his special use permit for the Board's review and consideration.

Public Hearing was closed.

(RESOLUTION #18-01-2015)

NOW THEREFORE BE IT ORDAINED, by the Board of Supervisors to approve the special use permit with the conditions as discussed for uses as provided in this chapter finding by the Franklin County Board of Supervisors that such use 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 and in accord with the requirements of Section 25-638 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended. Further the proposal encourages economic development activities that provide desirable employment and enlarges the tax base. Approval with the following conditions:

Conditions for Case # SPEC-10-14-13462, Kenneth J. LaBrake/petitioner

1. Substantial conformity. In order to establish the use of "home - second single-family detached dwelling on a lot," the site shall be developed in substantial conformity with the concept plan entitled "LaBrake New Second Dwelling," prepared by Kenneth LaBrake, dated October 5, 2014.
2. Limitation of use. A second single-family detached dwelling unit is approved solely for use by immediate family, and shall not be used for the housing needs of non-family members.
3. Method of construction. Not more than one (1) of the dwelling units located on this site may consist of a manufactured home.

MOTION BY: Bob Camicia
 SECONDED BY: Leland Mitchell
 VOTING ON THE MOTION WAS AS FOLLOWS:
 AYES: Mitchell, Thompson, Wagner, Reynolds, Camicia, Thompson & Brubaker

PETITION FOR SPECIAL USE – Petition of Michael Mazeika, Edward Mazeika, & Theresa Mazeika; Petitioners and Contract Purchaser/Queens View LLC, Owner requesting a Special Use Permit for a "storage yard" on a +/- 3.25 acre portion of a +/- 64.247-acre parcel, located at 14374 Booker T. Washington Hwy (SR 122) in the Gills Creek District of Franklin County, and further identified by Franklin County Real Estate records as Tax Map/Parcel # 0150006400. 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 Medium Density Residential uses, with an anticipated residential density of two to four 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. (Case # SPEC-10-14-13467)

Neil Holthouser, Director of Planning & Community Development, shared with the Board staff's report for the special use permit, as follows:

BACKGROUND:

The petitioners are currently operating a landscaping business on leased property on Hwy 122 in the central Westlake area. The business has experienced increased demand and the current location provides no room to expand. The applicants have requested a special use permit in order to relocate their growing business to the property under review.

The subject property is a 3.25 acre portion of a 64.247-acre tract located on Booker T Washington Hwy [SR 122], a public road that connects the Rocky Mount area to Westlake in the northeastern portion of the County, and lies approximately one mile west of the Hales Ford Bridge. The subject parcel and some of the surrounding parcels are vacant, partly wooded lands. Lakewatch Plantation, a large mixed-use development, is directly across the street from the tract. The property is accessed directly from Hwy 122 and currently has an existing entrance that has not been permitted by VDOT for commercial use. The nearest residence to the proposed use is located about 1125 feet northeast of the site (14576 Booker T Washington Hwy).

If the application is approved, the Mazeikas would like to erect a small office trailer and also use the existing 40 x 60 (2400 sf) metal building, as shown on the submitted Concept Plan. There will be outdoor storage areas for mulch, stone, topsoil, and a weighing station. The Concept Plan shows a new entrance to the subject property off of a proposed new access road that adjoins Hwy 122 south of the existing entrance, and appears to continue into the property. The plan also designates landscaped areas and a berm along the Hwy 122 frontage, and plantings around the mulch bins and along the proposed new access road. If approved, the use would require a major site plan to be approved in order to comply with landscaping, stormwater, and erosion & sediment control requirements, to designate parking and storage areas for vehicles, customers, employees and equipment, and to facilitate review for other county agencies and departments for the proposed use.

SITE STATISTICS:

<i>Location:</i>	Across from Lakewatch Drive, approx. 4/10-mile west of the Merriman Way Road/Booker T Washington Hwy intersection in the Gills Creek District.
<i>Size:</i>	+/- 3.25-acre portion of a 64.247-acre tract
<i>Site access:</i>	Booker T Washington Hwy. [SR 122]
<i>Existing Land Use:</i>	Agricultural / Vacant residence
<i>Adjoining Zoning:</i>	A-1, RPD, PCD
<i>Adjoining Land Uses:</i>	Residential, Agricultural, Mixed Use Commercial
<i>Adj. Future Land Uses:</i>	Commercial Highway Corridor

Geography:

Level to rolling, cleared land with some established trees and low-growing vegetation. Soils are Clifford fine sandy loam, 15 to 25 percent slopes

SITE / AREA PHOTOGRAPHS

Looking into the site at the existing entrance from Booker T Washington Hwy



Two story uninhabited dwelling on the larger parcel



Turner Cemetery is at the lower left in the above image, just to the east of the existing metal building on the property



Aerial view of the project area and surrounding uses

COMPREHENSIVE PLAN:

The subject property is located in an area identified by Franklin County's Comprehensive Plan as appropriate for Medium Density Residential uses. According to the Plan, Medium Density residential areas will allow for residential support services and gross densities of two to four dwelling units per acre. Medium density residential areas should be located in or near Towns or Villages close to convenience shopping, services, and community facilities. Such developments may also occur near Smith Mountain Lake.

Policies for Medium Density Residential

1. *Residential development should accommodate the natural landscape, preserve trees and vegetation, consider solar access in siting, and provide for an efficient, and visually pleasing residential environment.*
2. *Lot design should reflect topography, natural boundaries and features, and other physical characteristics.*
3. *Diversity of building design is encouraged within development areas.*
4. *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.*
5. *Establish density incentives for locating multi-family dwellings, townhouses, and manufactured housing areas close to Towns and communities with schools, services, and facilities that support such densities.*
6. *On site centralized treatment plants to provide public sewer for each subdivision should be encouraged.*
7. *Centralized water systems should be required to provide water to all new subdivisions.*
8. *All new subdivisions located in prime farmland areas should include adequate buffers to separate residential uses from agricultural operations.*
9. *Encourage interconnection of residential and commercial developments in order to lessen the traffic loads on arterial roads and provide pedestrian and bicycle linkages.*
10. *Streets within subdivisions shall be designed to provide interconnections to adjacent vacant land for future subdivision access and circulation.*

Staff believes that the use described in this petition (storage yard for the sale of landscape materials) is generally not consistent with the uses envisioned by the Comprehensive Plan for areas of Medium Density residential uses. Staff acknowledges that a significant market demand exists in the Westlake / Smith Mountain Lake area for landscape materials, due to the relatively high concentration of residential development in this area. However, staff would typically recommend that storage yards for landscape materials be located either: a) in more rural areas, where rural residential densities prevail and the storage yard is located on a site sufficient in size to provide adequate buffering and screening; or b) in a well-planned and controlled village or commercial center, where other services and conveniences are provided, and where the storage yard can be visually screened and integrated with other commercial uses.

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.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public hearing in consideration of this request at its December 9, 2014, meeting. By vote of 4-2 (Colby, Ralph opposed; Mitchell absent), the Planning Commission approved the following:

The Planning Commission recommends that the Board of Supervisors approve this request for Special Use Permit for a "Storage yard" with the following condition:

9

Property Identified as:
Tax Map # 15 Parcel # 64

Location
14374 Booker T. Washington Hwy
(SR 122)

Future Land Use:
Medium Density Residential

Zoned:
A1, Agricultural

Size:
+/- 3.25 acre portion of a +/-
64.247-acre parcel

District:
Gills Creek

Applicants:
Michael Mazeika, Edward
Mazeika, & Theresa Mazeika

Owner:
Queens View LLC

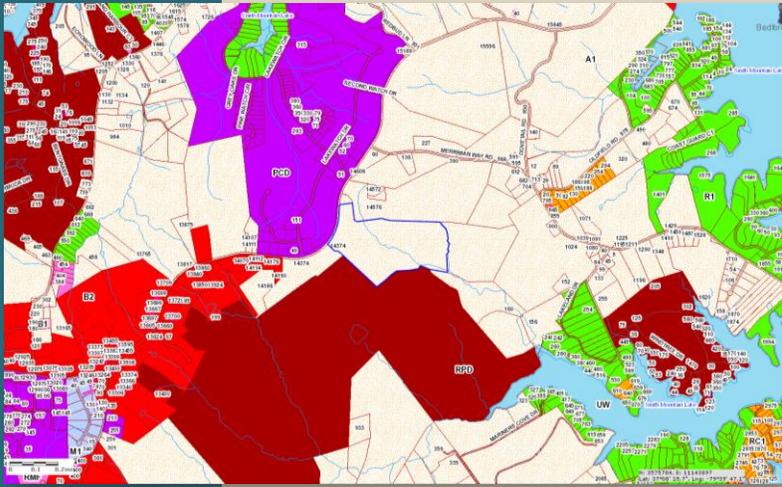
SITE DETAILS



Tuesday, January 20, 2015
SPEC-10-14-13467
9

10

SURROUNDING ZONING



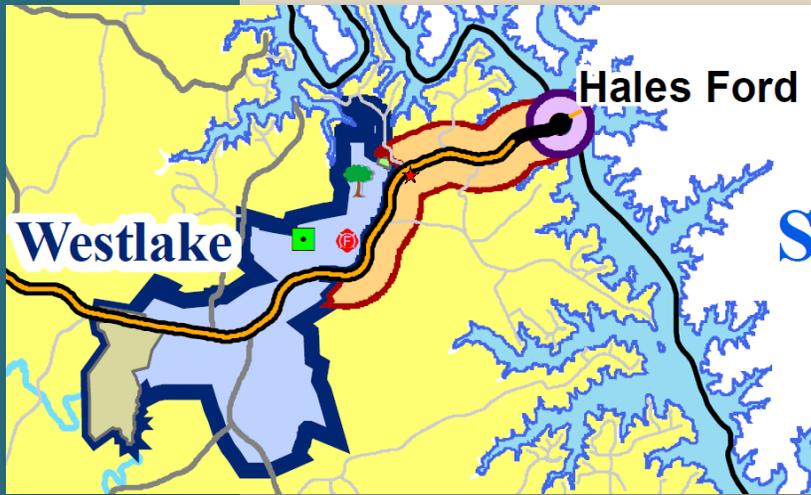
Tuesday, January 20, 2015

SPEC-10-14-13462

10

11

FUTURE LAND USE PLAN



Tuesday, January 20, 2015

SPEC-10-14-13467

11

12

EXISTING CONDITIONS



- Metal storage building/garage
- Singlewide parked, no permits
- Storage of materials and equipment on-site
- Signage advertising business activities

Tuesday, January 20, 2015

SPEC-10-14-13467

12

13

EXISTING CONDITIONS



- Family cemetery
- Historic resources
- Surrounding uses: Agricultural, Rural Residential, Planned Developments

Tuesday, December 9, 2014

SPEC-10-14-13467

13

14

EXISTING CONDITIONS



- Residential well and septic
- Erosion & sediment control, stormwater impacts
- Access into property – truck traffic operating without VDOT commercial entrance permit

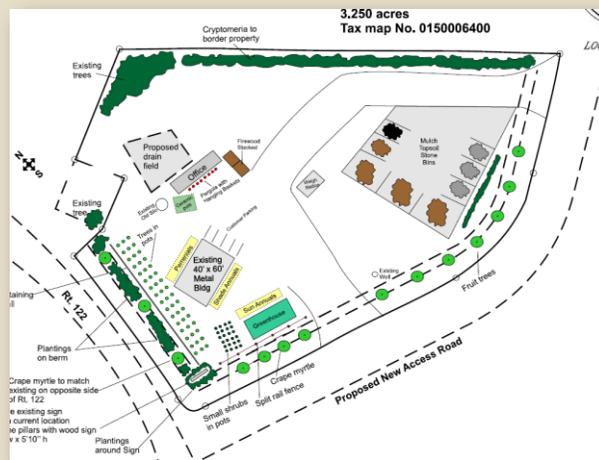
Tuesday, December 9, 2014

SPEC-10-14-13467

14

15

- Proposed Storage Yard for materials and equipment
- Parking, buffering & landscaping required through site plan
- New private road
- Entrances and locations are to be as permitted by VDOT
- Western Va Water Authority will require commercial hook-up and associated easements for services to parcel
- Location/separation of drainfield and structures are to be as permitted by Building Dept and VDH



DEVELOPMENT CONCEPT PLAN

Tuesday, December 9, 2014

SPEC-10-14-13467

15

RECOMMENDATION

16

The Planning Commission met and held a public hearing on Tuesday, December 9, 2014, considered this petition, and by a vote of 4-2, with 1 absent, recommends that the Board of Supervisors approve this request for Special Use Permit for a "Storage yard" with the following condition:

Substantial conformity. The site shall be developed in substantial conformance to the concept plan for Michael Mazeika, Edward Mazeika and Theresa Mazeika titled "Proposed Concept Plan for Landscape Solutions SML" dated November 24, 2014.

Tuesday, January 20, 2015

SPEC-10-14-13467

16

Public Hearing was opened.

Mr. Bob Camicia, Gills Creek Supervisor, stated the petitioner has meet with individuals and seems to have worked out concerns of the adjoining land owners. Mr. Camicia felt the petitioner would be a good fit for the County.

A. J. Dudley, representing the petitioner thanked Mr. Camicia for his support for the project and presented the following new conditions:

Substantial conformity. The site shall be developed in substantial conformity with the concept plan for Michael Mazeika *et al.*, revised January 8, 2015. Specifically, the use of "Storage yard" shall be limited to the rear of the property, as depicted on the concept plan.

Limitation of use. The use of "Storage yard" shall only be permitted in conjunction with the permitted use of "greenhouses, nurseries". The use of "greenhouses, nurseries" shall serve as a prerequisite for the use of "storage yard". The use of "storage yard" shall be discontinued if the public use and operation of "greenhouses, nurseries" is discontinued for more than 30 days between April 1 to November 1 of years beginning when the facility is opened.

Site Plan approval. The use of "storage yard" is approved contingent upon the successful review and approval of a Site Plan, meeting all requirements for Erosion and sediment Control and Stormwater Management, and including review and approval by the Virginia Department of Transportation and the Virginia Department of Health.

Debris removal. Prior to the issuance of any permits or approval for the use of "storage yard", the site shall be cleared of any debris, yard waste, refuse, or aggregate materials that are stored on site, and which are not present due to them being part of the nursery/greenhouse/storage yard operations by the permittee. The permittee shall, as contemplated by the concept plan, endeavor to keep the area of the site most visible from State Route 122 free from unnecessary debris or clutter.

Public Hearing was closed.

(RESOLUTION #19-01-2015)

NOW THEREFORE BE IT ORDAINED, by the Board of Supervisors to approve the special use permit with the conditions as discussed for uses as provided in this chapter finding by the Franklin County Board of Supervisors that such use 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 and in accord with the requirements of Section 25-638 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended. Further the proposal

encourages economic development activities that provide desirable employment and enlarges the tax base. Approval with the following conditions:

Approved Conditions:

- 1. Substantial conformity. The site shall be developed in substantial conformity with the concept plan for Michael Mazeika *et al.*, revised January 8, 2015. Specifically, the use of "Storage yard" shall be limited to the rear of the property, as depicted on the concept plan.
- 2. Limitation of use. The use of "Storage yard" shall only be permitted in conjunction with the permitted use of "greenhouses, nurseries". The use of "greenhouses, nurseries" shall serve as a prerequisite for the use of "storage yard". The use of "storage yard" shall be discontinued if the public use and operation of "greenhouses, nurseries" is discontinued for more than 30 days between April 1 to November 1 of years beginning when the facility is opened.
- 3. Site Plan approval. The use of "storage yard" is approved contingent upon the successful review and approval of a Site Plan, meeting all requirements for Erosion and sediment Control and Stormwater Management, and including review and approval by the Virginia Department of Transportation and the Virginia Department of Health.
- 4. Debris removal. Prior to the issuance of any permits or approval for the use of "storage yard", the site shall be cleared of any debris, yard waste, refuse, or aggregate materials that are stored on site, and which are not present due to them being part of the nursery/greenhouse/storage yard operations by the permittee. The permittee shall, as contemplated by the concept plan, endeavor to keep the area of the site most visible from State Route 122 free from unnecessary debris or clutter.

MOTION BY: Bob Camicia

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

Chairman Brubaker recessed the meeting.

CLINE BRUBAKER
CHAIRMAN

SHARON K. TUDOR, MMC
COUNTY CLERK