

0.THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, AUGUST 18, 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: Brent Robertson, County Administrator
Christopher Whitlow, Deputy Co. Administrator
B. J. Jefferson, County Attorney
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.

RECOGNITION OF NEW EMPLOYEES/TOURISM/SENIOR PLANNER

Mike Burnette, Economic Development, introduced David Rotenizer, Tourism Development Manager. Mr. David E. Rotenizer, has accepted the position of Tourism Development Manager. As a unit of the Office of Economic Development, he will supervise the Tourism & Film Division. "We are very pleased and excited to bring David on board due to his experience in elevating tourism efforts in this part of Virginia," said Michael Burnette, Franklin County Economic Development Director. Rotenizer is a former AmeriCorps VISTA member where he served in community economic capacity building.

In previous positions, he launched new tourism programs in Carroll County and Martinsville-Henry County, which included the establishment of state certified visitor centers. Rotenizer was involved in the development of the Crooked Road: Virginia's Heritage Music Trail; the Wilderness Road: Virginia's Heritage Migration Route; and Round the Mountain: Southwest Virginia's Artisan Network. He also helped spearhead the effort that led to the creation of one of Virginia's newest tourism regions: Southern Virginia. Rotenizer helped as Committee Co-chair to bring back the Carroll County Agricultural Fair after a 40-year absence, an experience that will greatly benefit the newly revived Franklin County Agricultural Fair.

He also participated in the development of the Southern Virginia Artisan Center and the Chestnut Creek School of the Arts, as well as the Town of Hillsville Downtown Revitalization and the Beaver Dam Creek Community Trail. Rotenizer served as social media chairman for the Archeological Society of Virginia and maintains the organization's Facebook page.

Mr. Rotenizer most recently worked as a West Virginia State University, Community Development Extension Agent in Raleigh County, West Virginia through a partnership with the New River Gorge Regional Development Authority where his work included historic preservation aspects of community and tourism development. David is a native of Blacksburg and graduate of Radford University holding a Bachelors of General Studies with a concentration in Appalachian Heritage Resources. He attended the Southeast Tourism Society Marketing College.

David thanked the Board for the opportunity to serve the County of Franklin.

Neil Holthouser, Director of Planning & Community Development, introduced Steve Sandy, Senior Planner - Current Planning Manager as Subdivision Agent at this time. Mr. Sandy thanked the Board for the opportunity to serve the County.

Paul Chapman, Director of Parks & Recreation, introduced Ben Newbill, Parks Manager. Mr. Newbill thanked the Board for the opportunity to serve Franklin County.

PUBLIC COMMENT:

- ❖ Kirk Bowers, of the Sierra Club , presented the following PowerPoint presentation concerning the Mountain Valley Pipeline for the Board's review and consideration:

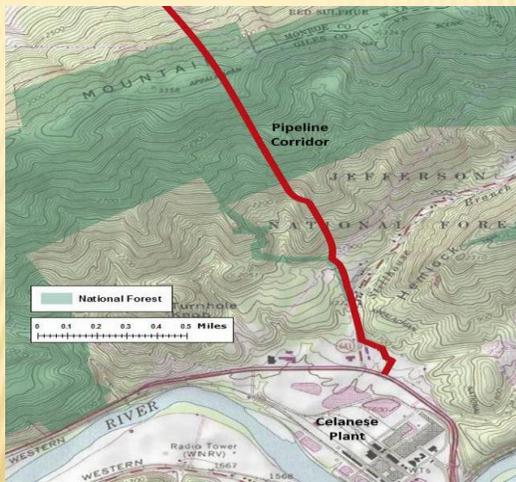
FRANKLIN COUNTY

Mountain Valley Pipeline Erosion and Sediment Control Resolution

Kirk A Bowers, PE
Pipelines Campaign Manager



COLUMBIA GAS PIPELINE CORRIDOR



COLUMBIA GAS PIPELINE GILES COUNTY



PIPELINE CORRIDOR AERIAL PHOTO



SEDIMENT FLOWING BELOW SILT FENCE



SEDIMENT FLOWING FROM PIPELINE CORRIDOR



SEDIMENT FLOWING DOWN HILL SIDE



STREAM FILLED WITH MUD

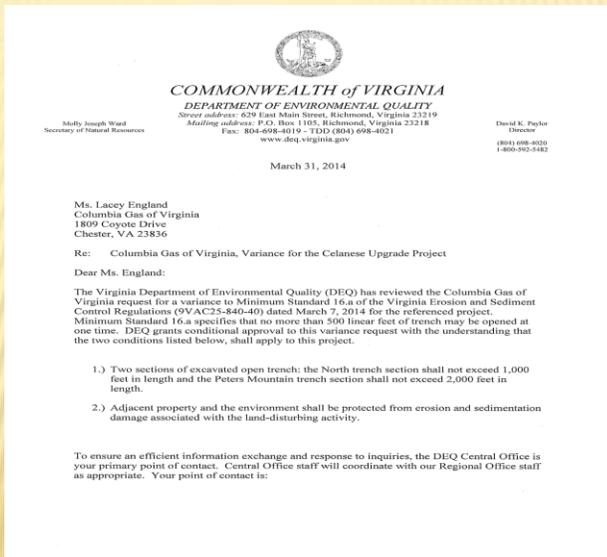


INSPECTION REPORTS: SEPTEMBER 2013

September 5, 2013: "I have never seen that much sediment move off site."

September 15, 2013: "Also has new flow from ditch that looks like equipment took muck out and put it on downhill side. It looked like a lava flow; barely got to the stream."

OPEN TRENCH LENGTH VARIANCE



STONEWALL GATHERING PIPELINE, WV





MEATHOUSE FORK, WV





WHY DOES IT MATTER?

E&SC plans provide details about the construction site (*slope, soil type, stream crossings, wetlands, seepage areas, watershed areas, etc.*), the project design (*size and location of the pipeline trench, placement of excavated material, access roads, staging areas, etc.*), and the design and location of erosion control structures and devices (*runoff diversions, silt fences, check dams, sediment ponds, etc.*). These plans guide the construction process, and what the company presents as evidence that it has done the necessary planning for compliance with Virginia's Erosion and Sediment Control law and regulations.

The plans are also intended to include engineering calculations for erosion and sediment control measures to be constructed to prevent sediment laden runoff that alters stream channels and damages habitat for fish and other aquatic life.

The problem is that the DEQ doesn't have the resources to review E&SC plans and doesn't do any inspections for compliance unless there are complaints. The DEQ relies on pipeline construction companies to do their own plan review and inspections. The work is done by people hired and paid for by the company.

The fox is indeed guarding the hen house.

VIRGINIA'S EROSION CONTROL REGULATIONS: ANNUAL STANDARDS & SPECS

Another problem is that EQT/NextERA and other gas utility companies operate under a General Permit using the Annual Standards and Specifications erosion control program, which allows gas companies to administer their own E&SC plan review and inspection program. Oversight of all other construction projects is by local governments, counties and cities. The DEQ has oversight of pipeline projects, but it doesn't exercise its authority or meet its responsibilities.

We have already seen in the previous slides that Columbia and its contractors are willing to cut corners. They bet that it would not rain and did not install adequate erosion control measures. They lost the bet when an intense summer storm hit the site and resulted in mud flowing like a "lava flow" down the mountainside.

Business as usual for pipeline construction companies involves the expectation that they can get away with almost anything. No one is really in control and no one is watching.

PIPELINE EROSION CONTROL PLANS

- ✘ Through correspondence and meetings with DEQ, it was confirmed that:
 1. DEQ officials don't know when they will decide if a site specific erosion control plan will be required (site specific plans are those developed to show detailed erosion control measures for a specific site or project),
 2. DEQ officials don't know whether they will request site-specific E&SC plans for the ACP,
 3. No application has been submitted that would require them to make a decision.

The last point is critical. No applications are required to DEQ that would trigger submittal of Erosion Control plans. We have to ask DEQ to require site specific erosion control plans.

The easiest thing for DEQ to do now is to do nothing.

And that is just what the DEQ will do unless the public and local government are able to persuade our state officials and the Governor to take steps to make the E&SC plans available.

INDIVIDUAL PERMIT VS GENERAL PERMIT

- ✘ EQT will not submit plans to the public until the end of the FERC application process. Given the steep mountains, high quality streams, and complex hydrology that the MVP will cross, we need an explicit policy decision regarding erosion control construction plan submittal, review and enforcement prior to construction of the Mountain Valley Pipeline.
- ✘ However, the only way the public will have access to E&SC plans in time to review and provide input before project approval and construction is if the DEQ obtains the plans. In order to obtain the plans, we need local officials from impacted counties to pass this resolution requesting the DEQ require an individual permit rather than a general permit in accordance with E&S regulations 9VAC25-840-30. Scope and applicability.

B. The submission of annual standards and specifications to the department does not eliminate the need where applicable for a project specific Erosion and Sediment Control Plan.

RESOLUTION

- ✘ We request that you pass the Erosion Control resolution so that:
 - ✘ 1. DEQ will require project-specific Erosion and Sediment Control and Stormwater Management Plans for the proposed Mountain Valley Pipeline project that will meet all Virginia standards, and that these plans will be made available to the public prior to project approval and construction; and
 - ✘ 2. Localities will have the right to review plans, conduct inspections and enforce their local Erosion and Sediment Control Ordinances; and
 - ✘ 3. Prior to project approval and construction, EQT/NextERA officials and third-party inspectors will be required to meet with local officials to discuss the implementation of the project-specific Erosion and Sediment Control and Stormwater Management Plans and adaptive management plans.



Carolyn Reilly / Hands Across Our Land made the following remarks:

Hands Across Our Land
 Carolyn Reilly
 404 Old Mill Creek Lane

All of our hands are unique. Some are aged and wrinkly, others are young and soft, some are callused from physical labor, and some are ink stained. There are white hands, tan hands, black hands and yellow hands. But we human beings are gifted with the use of our hands. Today, across this Nation, people of all backgrounds are coming together to grasp another's hand: a humble action called Hands Across Our Land.

Hands Across Our Land promotes local community actions which unites citizen activists in their respective communities as they symbolically create a blockade to stop the unnecessary and unwanted onslaught of new fossil fuel infrastructure being forced on private property owners through the abuse of eminent domain.

Free Nelson, similar to Preserve Franklin, is a grassroots group working to stop the Atlantic Coast Pipeline. Sharon Ponton, co-chair and Hands Across Our Land Campaign Coordinator states, "Grassroots groups are united in our goal to stop the industrialization of rural America by energy companies who seek to profit from stealing land through the misuse of eminent domain. Our homes and families are at risk, and our water and air are being polluted because the energy sector puts profit before people."

After learning that Neil Holthouser will be speaking about the proposed Mountain Valley Pipeline later at this meeting, I decided to explore the Franklin County's Department of Planning & Community Development website for whom Mr. Holthouser is the director of. I first read this: "**Great communities don't just happen. They are the result of a series of good decisions made over time by a diverse and committed group of people, all pulling in the same direction.** [This department] seeks to facilitate this process by providing stakeholders (or dare I say landowners?) with the tools and analysis needed to establish and implement a **shared vision** for Franklin County's future." I was further inspired as I read the next quote on the same page: "*A hundred years after we are gone and forgotten, those who never heard of us will be living with the results of our actions.*" -Oliver Wendell Holmes

This is what our actions today point towards: **WE** are here now, in this time and place, with our hands- and the consequences of the action we take with them will ultimately fall upon those in the future. Do our hands reach out towards the green & greed of money or do our hands reach out to each other in a community that is caught in the middle of a natural gas pipeline game? Our county is on the verge of being sucked further down the fossil fuel rabbit hole; BUT I believe there is another option – Franklin County can become a leader by reaching for resources that unlike coal and natural gas, cannot be grasped with our own hands. Let us reach for renewable energy. The future is in our hands by the choices we make every Single Day. As Albert Einstein said,

"The world will not evolve past its current state of crisis by using the same thinking that created the situation."

Whether you accept it or not, our nation **is currently in a state of crisis**. It is time to change your thinking - the people in YOUR community have continually reached our hands out to you, our Board of Supervisors, in effort to communicate our many, many concerns about the proposed Mountain Valley Pipeline.

Today, we join hands to say that community is stronger than corporations! We join hands to protect our water and thousands of miles of watersheds. We join hands to show you, "the powers that be" that we're taking back our power and that **WHAT WE STAND ON IS WHAT WE STAND FOR**. The power of the people is stronger than the people in power. We intend to protect and preserve Franklin County, Together. Because you or anybody else cannot divide and conquer when we are united in our fight! On this day we join with many other communities across VA and the United States of America to take a stand and join our hands to safeguard our shared

resources and tell our government and corrupt corporations that we STAND TOGETHER TO PROTECT OUR LAND. Thank You.

STAFF BRIEFING ON FERC's RESPONSE TO MOUNTAIN VALLEY PIPELINE

Mr. Brent Robertson, County Administrator, shared with the Board notifications from Norman Bay, Chairman, Federal Energy Regulatory Commission (FERC) regarding the public comment period extension. Mr. Robertson was advised the public comment period has not been closed and FERC was still taking comments. Mr. Robertson shared with the Board a letter received from the Federal Energy Regulatory Commission dated August 11, 2015 as follows:

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

August 11, 2015

OFFICE OF THE CHAIRMAN

The Honorable Richard E. Huff, II
County Administrator
Franklin County
1255 Franklin St., Suite 112
Rocky Mount, VA 24151

Dear Administrator Huff:

Thank you for your June 17, 2015, letter to the Federal Energy Regulatory Commission regarding the natural gas pipeline project across portions of West Virginia and Virginia proposed by Mountain Valley Pipeline LLC in Docket No. PF15-3-000.

On April 17, 2015, the Commission issued a *Notice of Intent to Prepare an Environmental Impact Statement for the Planned Mountain Valley Pipeline Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings* (NOI). The NOI established a 60-day scoping period that concluded on June 16, 2015 and announced six public scoping meetings held in the project area. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project while recognizing the available resources of the Commission to conduct such meetings.

As detailed in the Notice, public scoping meetings are just one of the methods for the Commission to receive comments from the public. Stakeholders can also file written comments with the Commission. Comments received in this manner always receive the same attention and scrutiny as comments received at public meetings. Although we do not intend to extend the formal scoping period or hold additional scoping meetings, the Commission will accept and consider comments from any interested stakeholder at any time during the pre-filing and application review process. Furthermore, as a matter of policy, Commission staff continues to fully evaluate any comment received after the close of the comment period, making any formal extension of the comment period unnecessary.

All environmental comments will be considered and analyzed in the draft environmental impact statement (EIS) to be produced by the FERC staff for this project. We are still in the pre-filing review process for the project, and a schedule for the draft EIS has not been determined yet, but it will not be issued until after a formal application has been filed by Mountain Valley. Additional public meetings

will be held in the project area to take comments on the draft EIS. After consideration of the comments received on the draft EIS, a final EIS will be issued.

The Commission will consider the findings of the final EIS before making its decision on whether or not to authorize this project. As in any Commission matter, please be assured that we strive to make our review of proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, please let me know.

Sincerely,



Norman C. Bay
Chairman

Mr. Robertson stated situations have arisen regarding the pipeline personnel conducting surveys entering onto the landowner's property without permission. Mr. Robertson stated staff had facilitated a conference call with the Sheriff's Department, Commonwealth Attorney's Office and legal representative from Mountain Valley Pipeline. Jim Jefferson, County Attorney, stated after meeting with the County's Commonwealth Attorney, Cooper Brown, that Mr. Brown had informed him **IF** anyone enters onto an individual's property without permission the violator will be issued a summons for trespassing and he would prosecute to the fullest extent of the law.

BRIEFING ON LOCAL PLAN REVIEW FOR PROPOSED MOUNTAIN VALLEY PIPELINE

Neil Holthouser, Director of Planning & Community Development, advised the Board at its July 21, 2015, meeting, the Board of Supervisors was presented with a draft resolution by a citizens group concerned about the construction of the Mountain Valley Pipeline - a proposed interstate natural gas pipeline which is currently being reviewed by the Federal Energy Regulatory Commission (FERC). The draft resolution expressed concern about the potential environmental impacts of the proposed pipeline, specifically the potential for soil erosion and the sedimentation of water courses due to extensive land disturbing activities.

The draft resolution calls on Franklin County to petition the Governor of Virginia and other state officials, to request the following (paraphrased):

1. A commitment that the state Department of Environmental Quality (DEQ) will require project-specific Erosion & Sediment Control and Stormwater Management plans, rather than a general plan lacking site-specific engineering. *(The concern seems to be that a general plan will not adequately address site-specific topographic, soil, and water constraints.)*
2. A guarantee that local governments will have the right to conduct their own plan review and inspections of project-specific plans. *(The concern seems to be that DEQ may not be adequately resourced to conduct a thorough plan review or to perform thorough and frequent inspections.)*
3. A requirement that the pipeline developer and third-party inspectors must hold a pre-construction meeting with local officials to discuss project-specific implementation of the required Erosion & Sediment Control and Stormwater Management measures. *(The concern seems to be that a regional or centralized DEQ office might not adequately explain to the pipeline developer any unique and local constraints or concerns, which are best understood by the locality itself.)*

It is staff's understanding, based on the language of the Code of Virginia, advice offered by state officials, and peer consultation with neighboring localities, that linear utility projects - including natural gas pipelines - are required to abide by state laws related to Erosion & Sediment Control and Stormwater Management. The mechanism for compliance is known as an "annual general" permit, whereby the entire linear length of the project, spanning multiple local government jurisdictions, is covered under a singular permit reviewed and renewed annually by DEQ. This annual general permit acts an agreement between the pipeline developer and the state, and essentially says that the pipeline developer understands and agrees to abide by all applicable standards and specifications for Erosion & Sediment Control and Stormwater Management.

By contrast, a non-linear/non-utility development project occurring entirely within one local government jurisdiction, would require an Erosion & Sediment Control and Stormwater Management permit from the locality itself. In order to obtain this permit, the developer would conduct site-specific engineering and prepare a site-specific plan, which would be reviewed and inspected by the local government.

Staff notes that, in either case noted above, the "permit" for land disturbance is a Virginia state permit, not a local permit. Franklin County operates as a "program authority" under the auspices of the state. Franklin County maintains and enforces its local ordinance for Erosion & Sediment Control and Stormwater Management as a mandate from the state, with guidance and oversight provided by DEQ. Any Erosion & Sediment Control or Stormwater Management permits issued by the County are considered to be state-issued permits, issued by a state-established program authority. The state delegates certain responsibilities to the local program authority for Erosion & Sediment Control and Stormwater Management, but may supersede the local program authority at any time.

The concern in the case of the proposed Mountain Valley Pipeline seems to be that, if linear multi-jurisdictional land disturbance is permitted at the state level, such permit will be general in nature and lack thorough review and monitoring. Staff notes that road crossings will require input and review from VDOT, and stream or water-course crossings will require review and approval by the Department of the Army (Army Corps of Engineers.) In past experience with linear utility projects, including water lines and electrical transmission lines, both VDOT and the Army Corps have required detailed site-specific engineering in order to ensure compliance with Erosion & Sediment Control and Stormwater Management regulations. Staff anticipates that site-specific engineering would be required of the proposed Mountain Valley Pipeline in similar circumstances.

To date, staff has been unable to locate a definitive source within DEQ or other state agency to speak to the state's intended permitting posture for the proposed Mountain Valley Pipeline. The pipeline project has not yet been authorized by the FERC; until such time as it is approved by the FERC, staff believes it unlikely that DEQ will officially announce or comment on its permitting posture. Through conversations with peers in neighboring localities, there seems to be a general understanding among local governments that the project will be reviewed under an annual general permit issued by and monitored by DEQ. Staff notes that other localities are considering similar petitions to the Governor, requesting that the state declare its permitting posture and assure local governments that a thorough environmental review will be conducted.

General discussion ensued.

(RESOLUTION #01-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to endorse the resolution for E & S Regulations, as requested by Kirk Bowers.

MOTION BY: Ronnie Thompson
 SECONDED BY: NO SECOND
 VOTING ON THE MOTION WAS AS FOLLOWS:
 AYES: Ronnie Thompson
 NAYS: Mitchell, Wagner, Reynolds, Camicia, Bobby Thompson
 ABSTAINED: Brubaker

MOTION FAILS WITH A 1-5-1 VOTE.

CONSENT AGENDA

APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR –JULY 21, 2015

APPROPRIATIONS

<u>DEPARTMENT</u>		<u>PURPOSE</u>		
Planning	South Harbor Escrow	8103-	55413	\$27,706
Planning	Deposit of Lakewatch Letter of Credit	8101-	57011	\$292,900
Public Safety	Fire Program Funds (June)		CIP	\$23,780
Human Resources	Wellness Reimbursement	1216-	52800	\$4,998
Sheriff	Insurance Reimbursement	3102-	53004	\$1,827
Sheriff	Sale of Vehicle		CIP	\$1,255

Library	Book Sale, Donations	7301- 55411	\$336
Tourism	Ag Fair Registrations/Donations	8110- 55903	\$1,990
Clerk of Court	Part Time Reimbursement	2106- 51003	\$2,270
Economic Development	Tobacco Grant Repayment	CIP	\$4,188
Board of Supervisors	Carryover Requests	Various	\$3,000
Treasurer	"	"	\$5,218
Commissioner of Revenue	"	"	\$30,000
Finance	"	"	\$5,000
Human Resources	"	"	\$4,000
Information Technology	"	"	\$68,663
Voter Registrar	"	"	\$16,807
Clerk of Court	"	"	\$7,500
Commonwealth Attorney	"	"	\$1,500
Sheriff - Domestic Violence	"	"	\$20,043
Sheriff - Law Enforcement	"	"	\$37,973
Sheriff - Corrections	"	"	\$47,000
Public Safety	"	"	\$48,153
General Properties	"	"	\$30,000
Solid Waste	"	"	\$97,129
Public Works	"	"	\$3,700
Social Services	"	"	\$15,000
Parks and Rec	"	"	\$41,000
Library	"	"	\$15,000
Economic Development	"	"	\$11,980
Planning	"	"	\$11,842
		Total	\$881,758
Transfers Between Funds, Departments or Capital Accounts			(Decrease), Increase
None			

AUTHORIZATION TO ADVERTISE FOR VDOT REVENUE SHARING FUNDING

The Board of Supervisors has an adopted policy in place on the use of VDOT Revenue Sharing Funds. The Board's policy/procedure has been to advertise and receive proposals before the application deadline of November 1, 2015 for FY 2016 funding. Therefore, it is once again time to solicit public interest in the program and set a deadline for submission of project applications by the public.

The County will receive any interest of the public and VDOT will work with planning staff on the cost to be anticipated, and what public share will be needed. It is explained to the citizens that the program is contingent on Board approval and VDOT approval and availability of VDOT funds. Applicants must submit their request along with a check for \$2,500 payable to the County Treasurer and a guarantee to provide the right-of-way to the County. The funds are held in escrow until it is determined whether the project will go forward. If it goes forward, the \$2,500 is applied to the project, and the applicants pay one-half the construction cost and any other costs that arise. Their funds must be deposited with the County prior to advertisement of the project.

Projects are prioritized to consider the number of homes served, the number of homes served per road mile, the age of the development, the unit cost of the road, whether there is a need for school bus and/or mail service, whether the project will open land to development. Staff and VDOT will provide the Board with a summary of the projects proposed by the public for its consideration, before the application deadline.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors authorize staff to proceed with advertisements during the month of September regarding the VDOT revenue sharing program

with applications to be submitted to the County Planning and Community Development Office by 4:00 p.m., Friday, October 2, 2015.

ANIMAL CONTROL VEHICLE REPLACEMENT

A vehicles assigned to the Animal Control Division has high mileage and is in need of replacement due to normal wear and tear. The vehicle is a 2009 Chevrolet 4 wheel drive pickup that is used by animal control officers to respond to complaints on a daily basis. In previous years the county has followed fleet management guidelines to replace vehicles used for front line service after they have reached 125,000 miles.

On average each officer travels approximately 2000 miles per month responding to complaints received from the public. There are 2 animal control officers that respond to approximately 1400 calls per year. The vehicles assigned to the officers are used on a daily basis and must be reliable to provide these services to the public. The vehicle being requested will be a similarly equipped pickup truck that has been proven to work well for animal control operations. The vehicle features will include ½ ton capacity, extended cab, 4 wheel drive and a towing package as they are necessary features in daily animal control operations. Four-wheel drive is needed to reduce any property damage claims when setting and removing traps and for operation in off road and sometimes remote areas. The extended cab is necessary as there is no protected or secure storage for the additional gear, firearms, and equipment needed for conducting daily animal control operations. The towing package is needed to tow public safety trailers.

Staff has researched available vehicles with the requested features and found the Ford F150 pickup is available on state contract for purchase at a cost of \$29,151.00. Staff contacted both Berglund Chevrolet and Duncan Ford to and obtained two additional quotes for vehicles equipped with the similar options as those found on state contract. Berglund's quoted price was more than that found on state contract and Duncan Ford in Rocky Mount provided a quote of \$27,252.00 which is \$1,899.00 less than the state contract price.

There are budgeted funds available in the 15 – 16 CIP budget to cover the purchase cost in line item 30230170-57005.

RECOMMENDATION:

Staff respectfully recommends that the Board of Supervisors approve the purchase of the replacement vehicle from Duncan Ford as outlined in this summary.

TOURISM MICRO GRANT

Annually, the Franklin County Board of Supervisors awards small grants to organizations within the community to assist with promotional and operational expenses of local tourism-related projects and events. These funds help with the marketing of those events and/or programs, while at the same time further allowing the County tourism office to promote Franklin County to potential visitors. For the 2015-2016 fiscal year, \$20,000 has been set aside within the Franklin County Tourism budget for these awards.

A total of thirteen (13) applications were received from eight (8) different organizations by the application deadline on August 1, reflecting a total of \$25,741 in requested funds.

Funding for the Tourism MicroGrant Program is generated by the transient occupancy, or lodging tax, applied to the motels, hotels and bed & breakfast properties in the County. The purpose of this MicroGrant program is to increase the local tourism industry thus creating new jobs, attracting new tourists, spawning new hospitality-related investments and improving the quality of life for Franklin County residents. It is recognized that the County cannot, and should not, be the only provider of tourism events for our community. We should instead assist other organizations in the creation of events and marketing campaigns that can leverage the community's limited resources. We must leverage our limited dollars to support interesting, dynamic and creative special events and marketing campaigns that set Franklin County apart from competitors throughout the mid-Atlantic region.

Tourism MicroGrants exist to support events and activities that a) encourage tourists from outside the region to enjoy our community and make use of our hospitality industry, and b) provide an opportunity to expand the awareness and visibility of the community throughout the region. In reviewing the thirteen (13) submitted applications, staff evaluated each applicant on a number of different factors, including, but not limited to, the amount of funds leveraging involved; marketing plan and scope; perceived economic impact; financial need; partnership opportunities; and past performance. Additionally, the estimated number visitors to each event, whether it was a multi-

day event, and whether it was a new or established event played major parts in determining the recommendations below. Based on all criteria and available data, staff has made the following recommendations for this year's Tourism MicroGrant Program awards:

APPLICANT	PURPOSE	AMOUNT SOUGHT	STAFF RECOMMENDATIONS
Blue Ridge Institute	Blue Ridge Folklife Festival	\$ 4,000.00	\$ 4,000.00
FC Historical Society	Ghosts & More	\$ 600.00	\$ 600.00
	Moonshine Express	\$ 600.00	\$ 600.00
	Living History Encampment	\$ 200.00	\$ 200.00
Community Partnership for Revitalization	Come Home to FC Christmas	\$ 1,600.00	\$ 1,600.00
	Court Days	\$ 2,400.00	\$ 2,400.00
SWVA Antique Power Festival	Antique Farm Fall Swap Meet	\$ 250.00	\$ 250.00
	Antique Farm Days	\$ 2,000.00	\$ 2,000.00
	Antique Farm Spring Swap Meet	\$ 250.00	\$ 250.00
SoVa Child Advocacy Center	Johnny Casa 5K	\$ 3,500.00	\$ 500.00
Rocky Mount Center for the Arts	Rocky Mount Arts Festival	\$ 4,000.00	\$ 2,500.00
Jubal Early Preservation Trust	Friends of Jubal Early Kick-Off	\$ 2,341.00	\$ 2,000.00
Warren Street Society	Warren Street Festival	\$ 4,000.00	\$ 2,500.00
		TOTAL SOUGHT \$25,741.00	TOTAL RECOMMENDED \$19,400.00

RECOMMENDATION:

Staff respectfully recommends that the Board approve the staff recommendations as presented for 2015-2016 Tourism MicroGrant Program awards from the Franklin County Tourism budget.

AUTHORIZATION TO PURCHASE PUBLIC SAFETY RESCUE UNIT

In FY2015 - 2016, an ambulance for Franklin County Rescue Squad is scheduled for replacement due to high mileage and a significant repair history. The vehicle to be replaced has offered unreliable service for years and is currently using its third engine in 140,000 miles. The vehicle was purchased in 2008 and is used to respond to calls on a daily basis when it has not been out of service for repairs. Upon delivery of a new ambulance, staff recommends this vehicle be removed from service and sent to surplus.

In December 2014, public safety staff applied for a Rescue Squad Assistance Fund (RSAF) grant to assist with the purchase of a replacement ambulance and the Virginia Office of EMS approved the grant request in July 2015. Effective July 2015, state ambulance equipment requirements were amended to include changes passed down by the U.S. Department of Transportation. Due to the required changes, the county must include a patient restrain system for any ambulance purchased after July 1, 2015.

The Franklin County Rescue Squad is the busiest EMS station in Franklin County. The station is dispatched to an average of 1500 calls annually. Due to the high number of EMS calls received, ambulances assigned to the station incur significant mileage and normal wear and tear through daily use. The vehicle to be replaced averages approximately 2500 miles per month as a result of the call volume. The ambulance to be replaced is typically used by career staff and is used daily for EMS responses to medical emergencies. Vehicle maintenance costs for this single vehicle have exceeded \$75,000 in 7 years which primarily have been incurred for engine repairs or replacements. There are 2 ambulances assigned to the Franklin County Rescue Squad due to the heavy call volume and overlap of career and volunteer shifts. Frequently both ambulances are in use for simultaneous responses especially on weekends when the Franklin County squad

must respond to assist other agencies due to volunteer staffing shortages. As such, when either of the ambulances assigned to the station are out of service, a reserve ambulance is used from other EMS stations such as Callaway, Red Valley, Fork Mountain and Ferrum. Due to the high number of responses and typical wear and tear associated with daily use, staff is requesting a new ambulance be purchased for use at this station.

In December 2015, staff applied for a RSAF grant to assist with the purchase an ambulance for Franklin County Rescue Squad and in July 2015 the Virginia Office of EMS awarded \$88,030.00 to apply toward the purchase of a new vehicle. The grant awarded requires a 50% local funding match. The maximum amount awarded in the grant must be used toward the Franklin County Rescue Squad ambulance purchase. The vehicle being purchased must be a Dodge 4500 Type I modular ambulance in accordance with the grant requirements.

Effective July 1, 2015, the U.S. Department of Transportation (USDOT) implemented new specifications for ground transport ambulances that Virginia has adopted. The most notable changes addresses ambulance cot retention systems and provider safety. The county specifications that were adopted in 2007 are currently compliant with the majority of the new USDOT guidelines with the exception of how the cots are secured in the vehicle to keep the patient and stretcher in place in the event of an accident. Guidelines now require that an approved patient cot retention system be incorporated into any new ambulances purchased after July 1, 2015. These systems must have passed crash safety testing and prevent the stretcher from coming loose in an accident. Currently there are two approved systems available and they are vendor specific. The patient cot in the ambulance to be replaced is manufactured by Stryker Systems and is capable of being up fit for use with the Stryker Power Load system. The cost to add the Stryker system to the new ambulance is \$26,098.00 and will be done at the factory when the truck is constructed if approved.

The purchase of this vehicle will be made under the terms and agreements of a procurement contract for Montgomery County Virginia. Montgomery County has an open contract for ambulance purchases that is effective until 12/2017 with Vest Sales and Service. Vest Sales and Service in Floyd County is an emergency vehicle distributor and repair center for Osage ambulances. An Osage ambulance built to meet the current Franklin County specifications is available for purchase for \$176,060.00 using the Montgomery County contract. Factoring in the RSAF grant amount of \$88,030.00 reduces the cost to \$88,030.00 for the ambulance. With the addition of the Stryker Power Load System cost of \$26,098.00, the final cost of the ambulance will be \$114,128.00. There are adequate CIP funds available in the 2015 – 2016 budget in line items 3000-023-0147-7001 and 3000-023-0147 -7005 to facilitate the purchase the vehicle.

RECOMMENDATION:

Staff respectfully recommends that the Board of Supervisors accept the Rescue Squad Assistance Fund grant and approves the purchase of an ambulance as outlined in this request.

AUTHORIZATION TO SEEK BIDS FOR COURTHOUSE AND JAIL PAINTING

The Franklin County Courthouse is constructed of masonry veneer which is painted. The Franklin County Jail is concrete covered with EFIS (Exterior insulation finishing system) on the exterior. While these finishes are reasonably durable, they do require periodic painting to assure an adequate appearance.

Both buildings were last painted in 2008 and are becoming in much need of cleaning/painting. While attempts are made to paint interiors of County Buildings with staff and trustee labor, it is necessary to contract with qualified painting companies for the exterior of these buildings.

RECOMMENDATIONS:

It is estimated that painting of both structures will be such that staff will need to advertise and receive bids from qualified painting contractors for this work.

Staff respectfully requests Board approval to seek such bids. Upon receipt of bids and assuring those bids are within available budget it is further requested that staff be allowed to enter into contractual agreement with the lowest, qualified bidder for this work.

REQUEST TO ADVERTISE FOR A LANDFILL SHOVEL DOZER

Franklin County operates a solid waste collection service and landfill for the residents and businesses of Franklin County. In 2012 the County constructed the first of six new landfill cells that will handle the solid waste requirements of Franklin Country for decades. The efficient use of

the airspace within these cells is the underlying principle for a successful landfill operation. This airspace is one of the most lucrative financial assets that Franklin County owns. The efficient use of this airspace is obtained through proper placement and compaction of the solid waste as it is dumped at the landfill. The compactor wheels chop up and compact the waste when it is distributed in uniform level lifts. The compactor is not designed to quickly or evenly place or distribute the waste. A bulldozer or "shovel dozer" accomplishes this task much quicker and with more uniform results keeping the trash trucks moving and dumping on clean, safe, level pads. Unfortunately due to the large number of dead animals and other various items, the smaller bulldozer is not an option for daily work in the trash. All animal carcasses brought to the landfill must have a hole dug for their burial. The large number of tires we receive illegally at the landfill also precludes the use of a bulldozer as they must be "picked" out of the trash working face to be disposed of properly. The "clamshell bucket" on a shovel dozer accomplishes this task well. Having a piece of equipment to properly place the waste at all times is essential.

Currently the County owns three shovel dozers of which only two are operational. Our primary machine is a 2012 Caterpillar 963D with 7394 hours. Our backup machine is a 2006 Caterpillar 963C with 17,700 hours. Our third machine which staff utilizes to load gravel and keep the brush pile cleaned up is a 1999 Caterpillar 963B with 22,233 hours. The older 963B dozer has finally stopped running and it is not economical to spend money to replace its many worn out parts. Staff is currently using parts off of the 963B to keep the 963C running. In the private sector the life expectancy of these machines is 12,000 to 14,000 hours. Staff would like to move the 963C to the gravel and brush pile where it should last for many years in that capacity. With a new primary machine staff would bump the 963D to the backup machine for use during peak periods and for use when the primary machine is down for service or repairs. With the "landfill package" on the undercarriage, staff estimates a new shovel dozer to cost between \$325,000 and \$375,000. Such funds for the shovel dozer have been budgeted and would come from Landfill Capital Equipment Account 3036-0004-57001.

RECOMMENDATION: Staff respectfully requests the Board of Supervisors to authorize advertising for bids for a new shovel dozer as outlined above.

REQUEST FOR ADOPTION OF RESOLUTION IN OPPOSITION FOR THE INTER-BASIN TRANSFER FOR KERR LAKE REGIONAL WATER SYSTEM

Smith Mountain Lake is one of the greatest assets of Franklin County. The lake is also one of the integral parts of the Roanoke River Basin which extends through Kerr Lake and through North Carolina. Currently the North Carolina Department of Environment and Natural Resources (NCDENR) is studying a request for an interbasin transfer (IBT) from the Kerr Lake Regional Water System (KLRWS). The request is to increase their grandfathered withdrawal capacity of 10 million gallons per day (mgd) to an amount over 14 mgd from Kerr Lake. 75% of Kerr Lake is located in the Commonwealth of Virginia. To date there have been no environmental or economical studies on the upstream communities on the Roanoke River Basin including Smith Mountain Lake to address what impact this additional withdrawal may have. The NCDENR has its final meeting on this IBT on September 10, 2015.

Franklin County is a member of the Roanoke River Basin Association. The Virginia Roanoke River Basin Advisory Committee and the Virginia DEQ are opposed to this IBT without the proper studies to address the potential upstream restrictions caused by this action. Henry County has already submitted a resolution in opposition to the IBT. A similar resolution from Franklin County would provide support to the Roanoke River Basin Association current efforts to protect the region's watershed resources, such as our lakes and rivers.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors to adopt a resolution in opposition to the above described interbasin transfer on the Kerr Lake Regional Water System. This resolution would be presented along with other localities' resolutions to the NCDENR on September 10 to show our dedication to preserving the Roanoke River Basin and Smith Mountain Lake.

**RESOLUTION OF THE
FRANKLIN COUNTY BOARD OF
SUPERVISORS**

**In Opposition of the Interbasin Transfer
Certificate for the Kerr Lake Regional Water
System**

WHEREAS, the North Carolina Department of Environment and Natural Resources (NCDENR) is soliciting public comment on the Kerr Lake Regional Water System (KLRWS) interbasin transfer (IBT) certificate request; and

WHEREAS, KLRWS has requested an increase to its current grandfathered IBT of 10 million gallons per day (mgd) to an amount over 14 mgd; and

WHEREAS, the proposed water withdrawal could cause substantial negative economic and environmental impacts to the North Carolina and Virginia counties, cities, and towns located in the Roanoke River Basin; and

WHEREAS, the out-of-basin transfer of water will further solidify the routine practice of shifting natural resources to benefit a particular area at a direct consequence to other areas in the Roanoke River Basin; and

WHEREAS, the proposed water transfer would reduce the flow and assimilative capacity of rivers and streams in the Roanoke River Basin; and

WHEREAS, the out-of-basin transfer may have the effect of causing regulatory restrictions to be imposed on localities upstream, affecting their water use and wastewater discharges, and ultimately adversely affecting their economies:

NOW THEREFORE BE IT RESOLVED by the Franklin County Board of Supervisors that, on this 18th day of August, 2015, it does hereby proclaim its strong opposition to the granting of additional interbasin transfers from the Roanoke River Basin, and does hereby call this matter to the attention of industries, businesses, counties, cities, towns and citizens in the Roanoke River Basin.

(RESOLUTION #02-08-2015)

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

MOTION BY: Charles Wagner

SECONDED BY: Bob Camicia

VOTING ON THE MOTION WAS AS FOLLOWS:

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

MONTHLY FINANCIAL REPORT

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

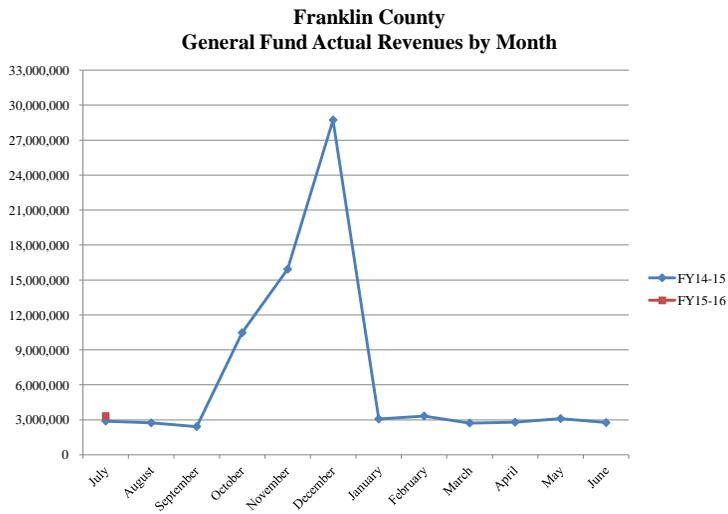
Franklin County

August 2015

Finance Report

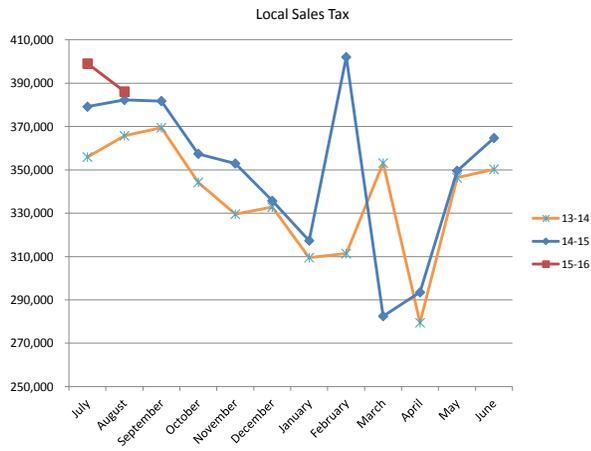
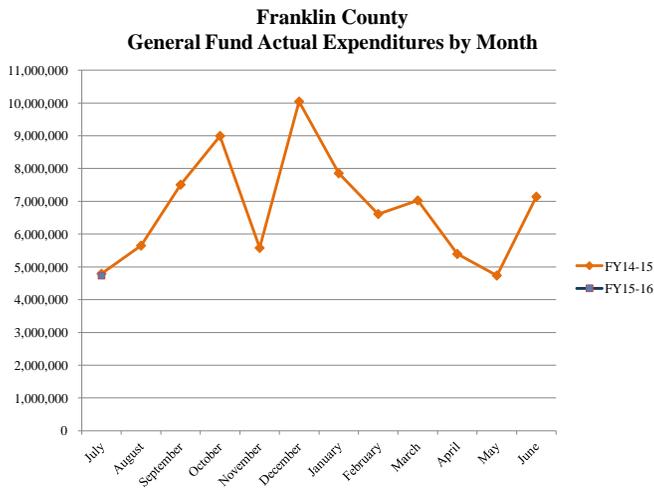
General Fund Revenues July 31, 2015

- Total Budget \$80,420,111 less School Carryover Funds of \$635,276 = \$79,784,835
- Collected through July 31, 2015 = \$3,324,478
- 4.2%



General Fund Expenditures July 31, 2015

- Total Budget \$80,420,111
- Spent through July 31, 2015 = \$4,536,272
- 5.6%



Local Sales Tax - August

- 14-15: \$382,264
- 15-16: \$386,135
- \$3,871 increase from August a year ago



14-15 15-16
\$107,455 \$108,895

VETERAN'S PARK ALLOCATION/TOWN OF ROCKY MOUNT

James Ervin, Town Manager, Rocky Mount and Junior Wright, Veteran's Park Committee, advised the Board the Veteran's Memorial Park is a fantastic asset for the Town and the County. Unfortunately the park suffered a massive erosion event three years ago that caused several hundred cubic feet of the bank of the intersection of Furnace Creek and the Pig River to erode.

This erosion places the Furnace Creek bank dangerously close to the improved area of the park and sets up a scenario where the next erosion event may damage the memorial. It needs to be repaired.

Unfortunately, the repair is complicated by the rules under which the Town has to operate as it relates to stormwater management and construction in an active stream. This is further complicated in that I as Town Manager have advocated for a solution that would be permanent and secure the investment of the Town and County for the long term.

These impacts and limitations result in a proposed solution that is part extension of the existing box culvert from Furnace Creek and part bank stabilization with large rock. With engineering and permitting this is nearly a million dollar project.

The Town has authorized a debt issue that will address this in our current budget and requests that Franklin County contribute to this and partner with the Town to help offset this considerable expense in our joint asset. The entire area around the park has been the site of considerable Town investment from the bridge replacement to the removal of the obsolete dam and the construction of the pedestrian foot path. Town Council and the Citizens of Franklin County and the Town of Rocky Mount would be grateful for any level of cost sharing from Franklin County.

(RESOLUTION #03-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appropriate \$100,000 to the Town of Rocky Mount Veteran's Park, to assist with the repair to the Veteran's Park bank stabilization from carry-over funds from 2015-2016.

MOTION BY: Charles Wagner
 SECONDED BY: C. B. Reynolds
 VOTING ON THE MOTION WAS AS FOLLOWS:
 AYES: Mitchell, Thompson, Wagner, Reynolds, Camicia, Thompson & Brubaker

SHERIFF'S DEPARTMENT TO APPLY FOR EMD GRANT

C. W. Thomas, E-911 Coordinator, advised the Board Emergency Medical Dispatch (EMD) is a process in which communications officers assist the public with medical emergencies by relaying first aid and lifesaving instructions to the caller prior to the arrival of an ambulance. The EMD program also prioritizes calls based on the information received by the communications officer when taking the call for help. EMD programs have been proven to save lives across the United States and numerous 9-1-1 centers in Virginia already use the program. Grant funds are available to localities through the Rescue Squad Assistance Fund (RSAF) grant program administered through the Virginia Office of EMS. The Office of the Sheriff, 9-1-1 center is seeking

a RSAF grant to implement an Emergency Medical Dispatch (EMD) program for Franklin County. All EMD programs must have a physician agree to provide medical oversight of the program and approve the medical procedures that communications officers will relay to callers. Dr. Charles Lane, the Operational Medical Director for Franklin County has agreed to provide medical oversight for this project and the program is endorsed by the Department of Public Safety as it will greatly enhance emergency medical care in the community.

Even though Emergency Medical Dispatch is found throughout the nation only a handful of programs are available for localities to use. The surrounding counties of Roanoke, Bedford, Pittsylvania, Henry and Patrick currently provide EMD services in their 9-1-1 centers. The Office of the Sheriff and 9-1-1 center supervisors has reviewed several EMD programs in use and have reviewed the program with Dr. Lane. The program to be used is offered by the Association of Public-Safety Communications Officials (APCO) and has been used extensively by surrounding 9-1-1 centers with success. An EMD program uses scripted questions that the communications officer asks the caller to determine the severity of the medical emergency. The questions follow a flow chart design that base each question on the previous answer. Using this method, communications officers are able to determine the severity of the patient's condition, the priority of the call, and provide a list of first-aid techniques as well as CPR instructions, if necessary, to assist the patient until medical assistance can arrive. This program will benefit the citizens of Franklin County by providing pre-arrival instructions to callers as there are often extended response times in the county simply due to the distances ambulances must travel to reach a victim.

The program will have an initial cost of approximately \$40,000 to purchase the APCO software and educational materials to train 9-1-1 center personnel. It is anticipated the Rescue Squad Assistance Fund grant will cover all of the anticipated software and Communications Officer training costs in order to implement the program. The grant application deadline is August 31, 2015 with notification of awarded funds being January 1, 2016.

The Office of the Sheriff plans to begin this program using current staffing levels in the 9-1-1 center of 3 communications officers per shift. Research of other 9-1-1 centers in Virginia indicates that additional staffing may be needed in the future to meet demands as this program develops and call volumes continue to increase. An increase in the amount of time a communications officer spends with a caller is anticipated due to the length of time in which a communications officer must stay on the phone with certain callers dealing with medical emergencies. For example, a communications officer may need to give CPR instructions to a caller reporting a patient in cardiac arrest or during an emergency childbirth situation. These calls will be infrequent but will have an impact on the other emergency calls being received in the center during these events and can potentially cause delays. Even though EMD calls will have an impact on the center the Sheriff considers these benefits worthwhile as it will enable the center to assist the public by prioritizing responses and providing an enhanced level of services to the community. Staffing levels will be studied after implementation of the program in order to determine if additional positions are warranted in the future to meet demonstrated call demands. Only after implementation can these metrics be accurately determined to address potential staffing needs.

Implementation of the program will begin soon after the approval of grant funding is received and installation of the program into the communications center consoles can be accomplished. Dr. Lane will review the medical instructions provided in the program and may edit the procedures based on current patient care guidelines prior to training communications officers in their implementation. After the system is installed in the center and all communications officers are training in its operation, all EMS calls will follow EMD protocols when answered in the center. Any medical care procedure brings a risk of civil liability but these will be reduced by following a tested and proven EMD program, such as the one offered by APCO. The Office of the Sheriff anticipates EMD will provide a level of enhanced professionalism as well as offer the ability to prioritize responses which is a service that all citizens of Franklin County deserve.

RECOMMENDATION: The Office of the Sheriff and Operational Medical Director respectfully requests the Board of Supervisors approve the Rescue Squad Assistance Fund grant application and approve implementation of an Emergency Medical Dispatch system for Franklin County.

Melissa Cundiff, Assistant E-911 Coordinator, presented the following PowerPoint for the Board's review and consideration:



Emergency Medical Dispatch

Office of the Sheriff- County of Franklin
Communications Center

What is Emergency Medical Dispatch

- EMD is the principle link between the public caller requesting emergency medical assistance and the emergency medical service (EMS) resource delivery system.
- A trained telecommunicator uses predetermined questions, prearranged response levels and modes, and offers pre-arrival telephone instructions.

What is Emergency Medical Dispatch

- Allows the Telecommunicator to “send the right thing to the right person at the right time in the right way and to do the right thing until help arrives”
- Helps to match the needs of the caller with the most appropriate resources.

Why Emergency Medical Dispatch

- When people call 9-1-1 they expect to get immediate help.
- EMD assistance has rapidly become the standard of care in the EMS systems
- Improve operational efficiency through changes in response time performance requirements.

Why Emergency Medical Dispatch

- Reduce Liability through improved compliance with published standards of practice
- Improve patient outcomes through more effective and efficient use of resources
- Improve civilian and personnel safety through reductions in unnecessary light and sirens use

Why Emergency Medical Dispatch

- EMD offers the same emergency response every time regardless of the dispatcher when dispatchers receive the same response to given questions
- EMD does not rely on personal experience or expertise. Once trained questioning and responses will be consistent.

Why Emergency Medical Dispatch

- EMD is recognized as a vital part of the early access link in the chain of survival for cardiac arrest
- Pre-arrival instructions offers immediate assistance to the callers to control the medical emergency prior to the first medical unit arriving on the scene

Why Emergency Medical Dispatch

- EMD aids in dropping response times to zero minutes. Help is no longer delayed until the first response unit arrives on the scene, but can start immediately once the emergency is known through pre-arrival instructions.

Why Emergency Medical Dispatch

- Franklin County has 712 sq miles of hilly terrain and a population of approximately 56,159. With average EMS response times of 20 minutes, providing pre-arrival instructions could make a difference in mortality rate.

Why Emergency Medical Dispatch

- Jurisdictions surrounding Franklin County (Roanoke County, Bedford County, Henry County, Patrick County, Pittsylvania County) have already implemented and are utilizing Emergency Medical Dispatch

Emergency Medical Dispatch Program

- The communications center will utilize APCO Institute (Association of Public-Safety Communications Officials) Emergency Medical Dispatch program
- The communications center already has an EMD Instructor on staff so training cost are reduced.

Emergency Medical Dispatch Program

- To cover the needs of the program
 - EMD training course (to be taught in house) to include the cost of course material
 - EMD guide cards
 - One time Guide Card Customization
 - 9-1-1 Adviser Software (electronic Guide Cards) that will integrate with our current CAD software Southern Software.
 - **Total for the program: 39,254.10**

Grant

- The Communications center is applying for a RSFA grant through the Virginia Office of Emergency Medical Services.
- The Communications center is requesting 100 percent funding for the EMD program through the RSFA grant.

Emergency Medical Dispatch

- The Office of the Sheriff 9-1-1 center and the Operational Medical Director respectfully request the support of the Franklin County Board of Supervisors to move forward with the EMD program.

Questions?

General discussion ensued.

Daryl Hatcher, Director of Public Safety, stated many locations have the EMD System in tack. Mr. Hatcher certainly supports the EMD Program as presented. Mr. Hatcher stated most of the localities did not have to add on additional staff for the EMD Program. Mr. Hatcher advised the

Board until the program is implemented you really cannot offer a dollar figure as to what cost and additional personnel will actually be associated with the EMD program.

(RESOLUTION #04-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to apply for the Emergency Medical Dispatch Grant, as presented.

MOTION BY: Bobby Thompson

SECONDED BY: NO SECOND

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Reynolds, Bobby Thompson & Brubaker

NAYS: Mitchell, Ronnie Thompson, Wagner, Camicia

THE MOTION FAILS WITH A 3-4 VOTE.

SMITH FARM LEASE

PUBLIC NOTICE

PROPOSED LEASE OF REAL PROPERTY

NOTICE IS HEREBY GIVEN pursuant to the requirements of Section 15.2-1800 of the Code of Virginia that the Franklin County Board of Supervisors will hold a public hearing to consider a proposal for leasing that real property owned by Franklin County being the Smith Farm (Tax Map Number 0470006000) located at 733 Crafts Ford Road, Wirtz, Virginia and containing approximately 307.65 acres. The proposed use of the property is for farming.

Mike Thurman, Director of Maintenance, advised the Board some five years ago, the County of Franklin acquired the 307+/- acre "Smith" Farm. This acreage is identified as tax/map/parcel 0470006000 and is situated in the Union Hall Magisterial District of Franklin County. The property was originally bequeathed to Virginia Western Community College at the request of Mr. James T. Smith upon his death.

Shortly after Mr. Smith's death in 1979, Dale and his son Monty Brown began farming the acreage and through an ongoing agreement with Virginia Western Community College, continued to do so over the years.

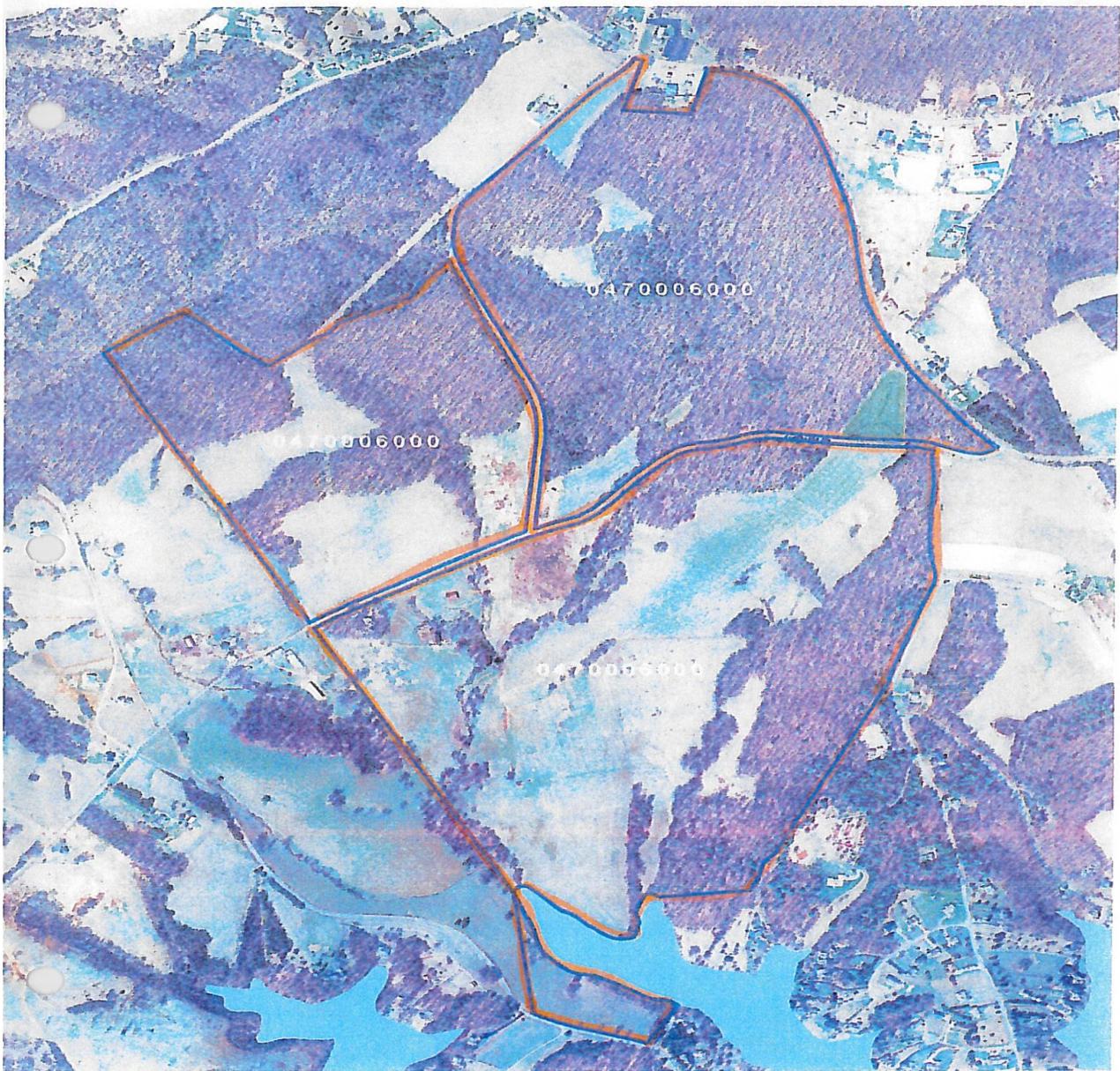
In January of 2011 (and after acquiring the property), the Franklin County Board of Supervisors held the necessary public hearing and approved leasing the farm to Monty Dale Brown.

Recently the current lease between Franklin County and Monty Dale Brown expired. Mr. Brown has expressed a sincere interest in requesting that the Board of Supervisors consider continuing a lease agreement with him for farming purposes.

It has been determined that a public hearing will be necessary as a first step in renewing this lease. At the July 21, 2015 Board meeting, the Board of Supervisors authorized staff to hold a public hearing in August.

RECOMMENDATIONS:

Staff respectfully requests that the Board of Supervisors approve a lease renewal to Mr. Monty Dale Brown with regard to the "Smith Farm". Mr. Brown has been a good tenant the past 4+ years with no complaints received. The agreement will be in accordance with the provisions set forth in the attached lease draft.



Chairman, Cline Brubaker opened the public hearing.

No one spoke for or against the proposed lease.

Chairman, Cline Brubaker closed the meeting.

(RESOLUTION #05-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the advertised lease as advertised for the Smith Farm with said lease to run from January 1, 2015 through December 31, 2016. The lease shall automatically renew for an additional two (2) year term running from January 1, 2017 through December 31, 2018 unless terminated.

MOTION BY: Leland Mitchell

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

WHITE PAPER/SHORT TERM RENTAL RECOMMENDATION

Neil Holthouser, Director of Planning & Community Development, advised the Board of Supervisors that the Board had requested the Planning Commission on Tuesday, February 17, 2015, to discuss the Short Term Tourist Rental of a Dwelling regulations specifically, whether such use should be allowed to a greater or lesser degree, and whether additional regulations are needed in the Zoning Ordinance.

The Planning Commission has been discussing the Short Term Tourist Rental of a Dwelling since their March, 2015 work session. They have been unable to reach a consensus on this subject. The Planning Commission has written a "White Paper" memorandum with their thoughts and recommendations for the Board of Supervisors review and consideration.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors direction regarding the "White Paper" memorandum.

In recent months, at the Board's request, the Planning Commission has held a series of discussions about the use of "short-term tourist rental of a dwelling," specifically, whether such use should be allowed to a greater or lesser degree, and whether additional regulations are needed in the Zoning Ordinance to clarify the County's expectations regarding short-term rentals. The Planning Commission considered several policy options, but did not reach consensus on any single policy approach for recommendation to the Board. This memorandum is meant to outline the policy options considered by the Planning Commission, so that the Board might clarify its direction and intent.

BACKGROUND

Short-term rentals have been the subject of policy debate in Franklin County for many years. At one time, the use of "detached tourist dwelling" was allowed as a permitted or "by-right" use in the A-1, Agricultural zoning category. Other zoning categories allowed for the use of "dwelling," without specifically addressing whether such dwelling could be used for short-term rental. In 1995, the Board of Supervisors amended the Zoning Ordinance to delete the use of "detached tourist dwelling," add a new definition for "short-term tourist rental of dwelling," and to require a Special Use Permit for such use in the A-1 zoning category. In 1998, the Board further amended the Zoning Ordinance to clarify that the use of "short-term tourist rental of dwelling" is a separate use from "dwelling," generally, and to clarify that short-term rentals are not allowed in the RE, R-1, R-2, RC-1 and RMF zoning categories.

The Zoning Ordinance currently defines short-term rental as rental of a residential dwelling for a period of 30 days or less. This use is currently allowed as a permitted or "by-right" use in the RPD, Residential Planned Unit Development, and PCD, Planned Commercial Development, zoning categories; and by Special Use Permit in the A-1, Agricultural, Zoning category. The use is not allowed in any other zoning category.

In the Spring of 2015, the Planning Commission considered three petitions for zoning action involving the use of "short-term tourist rental of a dwelling." The zoning petitions included:

- a request for Rezoning, to amend previously-approved proffers which specifically prohibited short-term rentals for a residential subdivision known as The Coves, zoned RPD, Residential Planned Unit Development. The RPD zoning category allows for the use of short-term rentals as a permitted or "by right" use. In the case of The Coves, the use was originally prohibited by voluntary proffer; the petitioner sought to amend the proffers to allow the use of short-term rental. This petition was ultimately withdrawn by the petitioner, due in part to strong objections raised by a property owner within the development.
- a request for Special Use Permit to allow short-term rental for a one-acre residential property located in the Shore Side subdivision, in the Gills Creek district, at Smith Mountain Lake, zoned A-1, Agricultural. The Planning Commission recommended denial, and the Board ultimately denied the request for Special Use Permit.
- a request for Special Use Permit to allow short-term rental for an 8-acre parcel in the Union Hall district at Smith Mountain Lake, zoned A-1, Agricultural. This parcel was not part of a residential subdivision. The Planning Commission recommended denial, and the Board ultimately denied the request for Special Use Permit.

A number of neighbors and property owners attended the public hearings for the above-mentioned zoning cases and expressed opposition to the use of short-term rental. Based on the intensity of opposition, the Board requested that the Planning Commission study the issue further and return with a policy recommendation.

ANALYSIS:

The Planning Commission considered the following policy options regarding short-term rentals:

1. **Maintain the status quo.**

This option assumes that the current regulatory configuration is correct and functioning properly. Short-term rentals are currently allowed as a permitted use in RPD and PCD. These are "planned-unit developments" which require a detailed concept plan, and most often include voluntary proffers. It is assumed that the Planning Commission and Board are able to adequately judge the impact of any proposed short-term rentals within context

of the larger development plan, and negotiate any necessary conditions through the process of voluntary proffers. It is further assumed that, in the case of newly-created planned-unit developments, all property owners will come to the project with the understanding that short-term rentals are allowed within their developments.

Short-term rentals are currently allowed by Special Use Permit in the A-1, Agricultural, zoning category. This category is the most geographically pervasive zoning category, particularly in rural areas. It is also found at Smith Mountain Lake in the form of large undeveloped tracts, individual residential parcels, and residential subdivisions with >35,000-square-foot lots. The Special Use Permit requirement assumes that the potential impact of short-term rental in A-1 can be judged on a case-by-case basis, with the opportunity for neighbors to voice their opinions and concerns through the public hearing process. It is further assumed that the Board can impose any necessary conditions restricting or regulating the use of short-term rental through issuance of a Special Use Permit.

A minority of Planning Commission members believe that the status quo regulatory framework is sufficient to address the issue of short-term rentals. However, there was no majority consensus for the status quo option.

2. **(a) Expand the use of short-term rentals as a permitted use.**

This policy option would expand the use of short-term rental by allowing it as a permitted use, or by Special Use Permit, in other zoning categories. Options considered included:

- allowing short-term rental as a permitted use in A-1, as opposed to requiring a Special Use Permit.
- allowing short-term rental in other residential zoning categories, including R-1, R-2, RC-1, RE and RMF, by Special Use Permit.
- allowing short-term rental as a permitted use in commercial zoning districts, including B-1 and B-2.

The Planning Commission unanimously agreed that none of the options for expanding the use of short-term rental should be pursued. The Planning Commission unanimously agreed that the use of short-term rental should not be allowed in the R-1, R-2, RC-1, RE or RMF zoning categories.

(b) Contract the use of short-term rentals by eliminating it from A-1.

This policy option would remove the use of short-term rental from the list of Special Use Permit uses in the A-1 zoning category. This option would leave short-term rentals as an allowed use only within planned-unit developments.

A minority of Planning Commission members supported this option of eliminating the use of short-term rentals from A-1. However, a majority of Planning Commission members felt that the use of short-term rentals could be compatible in certain settings zoned A-1, and were therefore not willing to recommend its removal altogether.

3. **Codify the expectations for short-term rentals, through supplemental zoning regulations.**

This policy option would involve an amendment to the zoning ordinance to incorporate new supplemental regulations related to short-term rentals. Sec. 25-138 already contains some supplemental regulations, which focus primarily on the behavior of short-term rentals. For example, Sec. 25-138 limits the number of occupants; regulates parking; regulates boat storage; requires certain fire safety measures; and requires the property owner to give written consent to the County for inspection purposes.

The Planning Commission considered whether Sec. 25-138 should be expanded to include locational criteria, including:

- a minimum acreage standard for short-term rentals. Properties that do not meet the minimum area requirement would not be allowed the use of short-term rental, and would not have standing to apply for a Special Use Permit.

- a minimum separation requirement from the short-term rental dwelling unit to property lines, or to neighboring residences. Properties that do not meet the minimum separation requirement would not be allowed the use of short-term rental, and would not have standing to apply for a Special Use Permit.
- a provision which would prohibit the use of short-term rentals in residential subdivisions with an established homeowners association and/or restrictive covenants, unless such homeowners association or covenants specifically allowed for the use of short-term rental.
- a minimum shoreline requirement for properties at Smith Mountain Lake, to ensure adequate separation from neighboring docks and boathouses. Properties that do not meet the minimum shoreline requirement would not be allowed the use of short-term rental, and would not have standing to apply for a Special Use Permit.
- a minimum buffer requirement, which would require the planting of new vegetation or the preservation of existing vegetation, for a specified width/depth, between the short-term rental unit and neighboring properties.

The Planning Commission rejected this policy approach for several reasons. Having rejected the notion of expanding the use of short-term rental as outlined in options 2 (a) and 2 (b) above, a majority of Planning Commission members believed that the use of short-term rental should remain as a Special Use Permit option in the A-1 zoning category. By codifying any locational criteria, the Planning Commission agreed that it would be more difficult to deny a Special Use Permit for any property that met such codified criteria, even if other extenuating circumstances arose to justify denial. Some Planning Commission members felt that a codified set of locational criteria could be too confining, eliminating the option for Special Use Permit in some settings where short-term rental might not be objectionable.

4. **Incorporate policy guidance into the Comprehensive Plan.**

This policy option would follow similar logic to option #3 above, except that the locational criteria would be included as "guidance" through the Comprehensive Plan rather than as a regulatory requirement contained in the zoning ordinance. Such locational guidance might include:

- a recommended minimum acreage for short-term rentals.
- a recommended minimum separation from the short-term rental dwelling unit to property lines, or to neighboring residences.
- a recommendation that the use of short-term rentals be discouraged in residential subdivisions with an established homeowners association and/or restrictive covenants, unless such homeowners association or covenants specifically allowed for the use of short-term rental.
- a recommended minimum shoreline length for properties at Smith Mountain Lake, to ensure adequate separation from neighboring docks and boathouses.
- a recommendation encouraging a vegetative buffer between the short-term rental unit and neighboring properties.

The Planning Commission is currently drafting an update to the County's Comprehensive Plan, with a revised Future Land Use Map that distinguishes between rural, suburban, and urban place-types. The Planning Commission considered the inclusion of policy language in the Plan which would discourage the use of short-term rentals in any area shown on the Future Land Use Map as appropriate for "suburban" uses, where the anticipated development pattern consists primarily of residential neighborhoods.

A minority of Planning Commission members supported this policy option. However, a separate minority of Planning Commission members felt that the policy guidance would not go far enough to protect neighboring properties, while others on the Planning Commission felt that such policy guidance was not necessary in order to evaluate the appropriateness of short-term rentals on a case-by-case basis.

CONCLUSION:

After careful consideration of multiple policy options, the Planning Commission did not reach consensus on any one policy approach for recommendation to the Board of Supervisors (other than the fact that the Planning Commission agreed that the use of short-term rentals should NOT be expanded.)

The Planning Commission agreed that it would be beneficial for the Board to review all of the Planning Commissions policy considerations. The Planning Commission respectfully requests that the Board consider the options contained herein (or any other options the Board deems appropriate), and clarify its direction and intent.

The Board felt the Planning Commission needed to take another look at the Short Term Rental Recommendation holding a public hearing for all to make comment.

General discussion ensued.

(RESOLUTION #06-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to return back to the Planning Commission for them to hold a public hearing to receive public comment regarding Short Term Rental and to bring back to the Board with a recommendation.

MOTION BY: Ronnie Thompson

SECONDED BY: No Second

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Ronnie Thompson

NAYS: Mitchell, Wagner, Reynolds, Camicia, Bobby Thompson & Brubaker

MOTION FAILS WITH A 1-6 VOTE

SUBSTITUTE MOTION

(RESOLUTION #07-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to request that the Planning Commission consider an amendment to the zoning ordinance to remove the use of "Short Term Tourist Rental of a Dwelling" from the list of uses allowed by special use permit in the A-1, Agricultural Zoning Category.

MOTION BY: Bob Camicia

SECONDED BY: No Second

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Camicia

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

MOTION FAILS WITH A 1-6 VOTE

BID AWARD FOR A & E SERVICES/FERRUM PEDESTRIAN BRIDGE

Mike Burnette, Economic Development Director, advised the Board staff had received five (5) A & E Firms in response to the Ferrum Pedestrian Bridge RFP and had completed interviews with all 5 firms.

(RESOLUTION #08-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to award a contract for A & E Services for the Ferrum Pedestrian Bridge to Anderson & Associates in the amount of \$80,000.00 (\$40,000.00/VDOT; \$20,000.00/Ferrum College & \$20,000/Franklin County) and authorize the County Administrator to negotiate and execute the necessary documents associated with the Ferrum Pedestrian Bridge.

MOTION BY: Bobby Thompson

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

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

SCHOOL PROPERTY PURCHASE

Brent Robertson, County Administrator, requested the Board to appoint two Board members and the County Administrator to serve on a joint committee with the School Board to discuss the process, guidelines, design and objectives for the Career Technical Center. Mr. Robertson advised the Board G. B. Washburn and Bill Brush have been appointed to represent the School System on the Joint Committee.

(RESOLUTION #09-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint Cline Brubaker and Bob Camicia to serve on the joint committee representing the Board of Supervisors and the School Board regarding the newly purchased land for the Career Technical Center.

MOTION BY: Charles Wagner

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

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

ZONING ADMINISTRATOR/SUBDIVISION AGENT

Christopher Whitlow, Deputy County Administrator, stated in accordance with Virginia Code and Section 25-611 of the County's Zoning Ordinance, the County must appoint a Zoning Administrator to serve to interpret and make determinations in regard to zoning matters. The responsibility of administering and enforcing the subdivision regulations of the County is further vested in the Board of Supervisors through the Subdivision Agent. These roles have historically been filled by either the Director or the Deputy Director of Planning. Since his arrival in 2008, Neil Holthouser, Director of Planning has served as the Zoning Administrator and Subdivision Agent and previously in 2007, Steve Sandy, former Deputy Director of Planning served in these roles. With Mr. Holthouser's departure from County employment this Friday, August 21st, both a Zoning Administrator and Subdivision Agent will need to be appointed by the Board.

Lisa Cooper, Senior Planner - Long Range Planning Manager has worked with the day-to-day activities within the Planning Department during the last several years, including the processing of zoning variance applications with the BZA and various zoning ordinance amendments with the Planning Commission. Steve Sandy, Senior Planner - Current Planning Manager previously served as Zoning Administrator and Subdivision Director in his position as Franklin County's Deputy Director in 2007 and has since served in similar roles in Montgomery County. Given the background of both Mrs. Cooper and Mr. Sandy, as well as the interim work load distribution within the Planning Department, the Zoning and Subdivision responsibilities should therefore be distributed among the two Senior Planners at this time.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors appoint Lisa Cooper, Senior Planner - Long Range Planning Manager as Zoning Administrator and appoint Steve Sandy, Senior Planner - Current Planning Manager as Subdivision Agent at this time.

(RESOLUTION #10-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint Lisa Cooper as Zoning Administrator and Steve Sandy, Senior Planner-Current Planning Manager, as the Subdivision Agent.

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

OTHER MATTERS BY SUPERVISORS

50TH ANNIVERSARY OF ARRINGTON ENTERPRISES

(RESOLUTION #11-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to present a resolution of appreciation to Arrington Enterprises for 50 years of business in the County.

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

BEDFORD RAIL UPDATE

Bob Camicia, Gills Creek District Supervisor advised the Board representatives for the Bedford Rail has offered to make a presentation to the Board, if and when the Board so chooses.

APPOINTMENTS:

**THE FOLLOWING TERMS ARE UP FOR RE-APPOINTMENT
 BY JUNE 30, 2015**

(NOTIFICATION IS GIVEN ACCORDING TO THE BOARD'S POLICY/60 DAYS PRIOR TO EXPIRATION)

LIBRARY BOARD	Jim Morrison	117 Clipper Drive Moneta, VA 24121	Gills Creek	4-Year	6/30/2015
RECREATION COMMISSION	Brenda Perdue Un-Exp. Term of Greg Davis	1092 Big Oak Lane Wirtz, VA 24154	Union Hall	3-Year	6/30/2015
-STEP, INC.	Joey Cornwell	Post Office Box 411 Ferrum, VA 24088		3-Year	6/30/2015

RECREATION BOARD

(RESOLUTION #12-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint Brenda Perdue to serve as the Union Hall Representative on the Recreation Commission with said term to expire June 30, 2018.

MOTION BY: C. B. Reynolds
SECONDED BY: Charles Wagner
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Thompson, Wagner, Reynolds, Camicia, Thompson & Brubaker

CLOSED MEETING
(RESOLUTION #13-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711,a-1, Personnel, a-3, Acquisition of Land, & a-5, Discussion of a Prospective New Business or Industry or of Expansion or Retention of an Existing one, of the Code of Virginia, as amended.

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

MOTION: Bob Camicia **RESOLUTION: #14-08-2015**
SECOND: Ronnie Thompson **MEETING DATE August 18, 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

(RESOLUTION #15-08-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint Doug Pafford to be the Gills Creek District Representative to serve on the Library Board with said term to expire June 30, 2019.

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

Chairman Brubaker adjourned the meeting.

CLINE BRUBAKER
CHAIRMAN

SHARON K. TUDOR, MMC
COUNTY CLERK