

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, SEPTEMBER 15, 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 Charles Wagner.

PUBLIC COMMENT:

❖ Darlene Hines - Mountain Valley Pipeline

- I. OPENING COMMENTS
- II. HOW DID I PREPARE FOR THIS MONOLOGUE?
- III. 4 PRIMARY CONCLUSIONS
- IV. POSITION STATEMENT
- V. ACTION REQUESTS AND RECOMMENDATIONS
- VI. CLOSING COMMENT

I. OPENING COMMENTS

- Thank for this opportunity to direct my remarks to the board of supervisors
- I am Darlene Hines - resident and owner of property on Webster corner road on Cahas Mountain.
 - I am here as an individual with no formal affiliation to any organization
 - I am speaking for myself – but, believe there are many who will agree with much of what i am about to say.
- I have a great respect for the role and responsibilities of the board of supervisors
 - it is probably the most difficult elected public office after president of the united states
 - you are entrusted with the responsibility for managing the health and welfare of the people and land where you also live and work – you can't escape to Richmond or Washington, DC! ☺

- the role of supervisor includes an implicit commitment to protect and promote the right activities/initiatives for the progress of the county – and prepare us for the natural and man-made disasters which may befall the county.
- I do remind myself, as I'm sure you do, that you did actually ask for and compete for this position – some of you more than once! end of opening remarks

the mountain valley pipeline – a potential man-made disaster *get prepared!*

II. HOW DID I PREPARE FOR THIS MONOLOGUE?

- personal experience review
 - resident of Franklin County for 20 months. enough time to come to love and cherish the land and the community.
 - resident of Loudoun County, VA for 33 years, my husband for 70 years
 - saw the effects of “developer greed” destroy the character of Loudoun County and the evolving board of supervisors
 - prepared me to recognize the mvp staff’s smiling young faces, new matching shirts, khaki pants and cow herding maneuvering used so effectively during the one and only public event every held regarding the mvp in the catacombs of the harvester center on December 16, 2014 from 5:30 to 8:00 pm.
 - *I repeat – the one and only public event held in Franklin County by any organization – and it wasn’t the led by (or attended by?) the county government.*
- gathering & reviewing related information material
- btw – I am quite sure your libraries are much larger, deeper and colorful than mine!!
 - printed literature / propaganda
 - newspaper articles, letters to the editor, advertisement, authoritative studies – by objective and subjective authors, etc.
 - reports on activities and discussions from other local jurisdictions including our own rocky mountain town council meetings including their submission to ferc on mvp
 - heck! I even read the august 2013 Franklin county strategic plan (which, by the way, makes note that pursuing natural gas resources was on hold pending demand and funding resources.) i did not see an update to this document.
 - for the sake of time, let me just say i did my due diligence – as you have done yours
 - of researching the many aspects of the mvp project covering topics such as:

- environmental impacts - soil erosion, water supply disturbance/destruction in and around major population areas including schools and hospitals, well and drain field destruction located “near” pipeline construction, etc.
 - fiscal considerations – before/during/after construction -- county infrastructure damage and repair (roads, water, sewer, and so forth), lowered property values – lowered taxes, and negative impact to new residential sales due to pipeline danger factor.
 - recognized the state / national / international political and monetary influences and pressures on elected officials at all levels (which may actually be the largest factor of all)
- emotional / cerebral thoughts
 - 21st century version of the fox building and guarding the hen house
 - “there’s nothing we can do!! it’s up to ferc and ‘Washington’ so why are we wasting our time talking about this???”
 - what would past generations say, what will future generations say?
 - finally i turned to contemplation / reflection / meditation / prayer / whatever you call ‘getting in touch’ with that place inside you – gut / soul / intuition – that knows what the right thing to do is.

III. 4 PRIMARY CONCLUSIONS

1. the.mvp may very well be a fait-a-compte. there, in fact, may be nothing we can do to stop the project – and very little we can do to re-route portions of it.
2. i am concerned – nay terrified – to the bone that the.mvp (and other pipelines planned for the area in general) is going to be the largest, man-made disaster Franklin county has experienced.
3. our local county government is not prepared to meet the environmental or fiscal challenges to come in the next 2 – 5 years as a result of the.mvp.
4. (somehow you found \$\$millions to buy land for an industrial park which may or may not be supplied with natural gas which may or may not come out of the.mvp after investing additional \$\$\$millions for the ‘conversion unit.’ yet, there isn’t the funding for hiring county managed environmental and construction engineers to monitor/approve/reject the actual construction of the pipeline.)
5. it is time for this community to come together to plan and prepare for the worst case while continuing to work for the best case.

IV. POSITION STATEMENT

As our board of supervisors, is it not your responsibility to lead the county government, civic organizations and citizens in meeting the coming challenges and making every effort to ensure that our land and quality of life are protected for the generations to come?

Yet I don't believe i have seen or heard anything from five of you that indicates either where you stand on this critical mvp initiative or how you are working to prepare our county for the eventualities. (i do commend and respect the two supervisors who have made their positions abundantly clear.)

I submit it is time for the Franklin County Board of Supervisors to initiate the long overdue, public discourse your constituents and fellow citizens deserve and are due.

V. ACTION REQUESTS AND RECOMMENDATIONS

1. issue a unified public position statement on mvp to be submitted to ferc.
2. request that the county attorney focus a portion of his legal expertise on working with local land owners in protecting their property rights against the immoral use of eminent domain by a public, for profit organization.
3. schedule one board of supervisor's monthly meeting during an evening time period so that a greater percentage of the citizens can attend.
4. increase the number of 3-minute public speaking slots from 2 to an amount not to exceed some time allotment – say 30 minutes. allow for same day sign-ups for these slots on an “as come” basis – with registration opening an hour before the meeting. depending on the nature of critical topics, the number of open speaking positions should be increased so that a representative number of people are given the opportunity to air their opinions and recommendations.
5. schedule town hall type meetings at least bi-monthly during the evening hours attended by supervisors, county administrator, county attorney, mvp representatives, county staff as appropriate, and citizens for dialogues and open discussions of issues and resolutions specific to the mvp project.
6. provide regular public updates on mvp plans, reports, changes, and progress – and the results of the county's inspectors' findings and recommendations.

VI. CLOSING COMMENT

Thank you for your time and attention. I hope it is clear that i love this county and want to work with you to make it an open and cooperative place to live, work and play.

AWARD OF PARKS & RECREATION CLEANING SERVICES BID

On July 21, 2015 the Board of Supervisors approved for staff to advertise a cleaning services proposal for the Essig Recreation Center and the Parks and Recreation Main Office. The County's current contract for the cleaning of the Essig Recreation Center will expire in October.

Staff advertised this proposal in local media and held a pre-bid meeting with prospective bidders on August 12, 2015. Proposal bids were due to the Office of Procurement on August 25, 2015 and at that time were publically opened and read.

Three bids were received and are as follows:

<u>Company</u>	<u>Price Per Year</u>
Creighton, LLC	\$11,998
DMS Cleaning Services	\$18,720
Foster Construction	\$23,700

The County works diligently to get the best service at the least possible cost to taxpayers; however the lowest bid is not necessarily in the best interest of the County. Because of this, the County is not required to award contracts to the lowest bidder. The contract (see attachment) clearly states on page 6, "If an award of a contract is made, it will be made based on the lowest responsive and responsible bidder and references." Additionally on page 7 the contract reiterates that "...strong emphasis will be placed on work experience, references and company stability."

Staff has reviewed the bidding contractors for their prior performance, references, stability, experience and bid amount. After carefully weighing these factors, staff recommends that the contract be awarded to DMS Cleaning Services. This contractor has a record of quality work for the County of Franklin and has received positive references from current customers. Furthermore, this contractor is a stable company with a larger number of staff. Staff recommends awarding the contract to this business as it will provide the best possible level of service for County owned facilities.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors grant permission to award the contract for custodial cleaning services of the Essig Recreation Center and Parks and Recreation Main Office to DMS Cleaning Services. Funds are budgeted and available in line item "Contracted Maintenance Services" (7102-53003) under the Parks and Recreation Department.



Franklin County

A Natural Setting for Opportunity

BID SHEET FORM FOR

P&R Cleaning Services

DATE/TIME OF BID OPENING: *Tuesday, August 25, 2015 @ 4*

VENDOR RESPONDING	CONTACT PERSON	TELEPHONE NUMBER	AMOUNT OF QUOTE	MEETS SPECS YES/NO
<i>Creighton, LLC</i>	<i>JJ Keith</i>	<i>Annual</i> \$ 11,998.00	<i>Monthly</i> \$ 998.83	
<i>Foster Construction</i>	<i>Kristi Foster</i>	\$ 23,700.00	\$ 1,975.00	
<i>DMS Cleaning Services</i>	<i>David Smith</i>	\$ 18,720.00	\$ 1,560.00	

I hereby certify that the above responses to the bid or services request were received in a timely fashion and opened in public on 8, 25, 2015

Signature *[Signature]*

BIDSHEETFORMS/sharon

ARRINGTON ENTERPRISES

WHEREAS, Arrington Enterprises opened its doors to a grateful community on September 13, 1965, and

WHEREAS, Arrington Enterprises first business was Angle Supermarket and then Hughes Drive-In and then the first Dairy Queen on December 1, 1970, and

WHEREAS, the Arrington Enterprises started the ***Lights for Life Campaign*** after the deaths of Rocky Mount Fire Chief Posey Dillon and firefighter Danny Altice, raising over \$278,000 in campaign funds, and

WHEREAS, Arrington Enterprises big fundraiser for the Children's Miracle Network and was recognized as the ***#1 Fundraising Dairy Queen*** in America for this charity for 5 straight years in the 1980's and early 1990's, and

WHEREAS, has three (3) Dairy Queen establishments in Franklin County, and one Dairy Queen elsewhere and three (3) Bojangles, and

WHEREAS, Arrington Enterprises employs 200-300 people,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Franklin County, Virginia, does hereby recognize Arrington Enterprises on the occasion of its 50th Anniversary and expresses its most sincere appreciation to the leadership Arrington Enterprises for its support of customer service and quality food in this community, and

LASTLY, BE IT FURTHER RESOLVED the Board of Supervisors offers its congratulations and gratitude to all those who have made Arrington Enterprises a success over the last 50 years and for those who will carry on the tradition of excellence for the next 50 years.

Leland Mitchell, Snow Creek District Supervisor, requested the possibility to conduct an additional rabies clinic within the County. Mr. Robertson stated he would inquire and discuss with Daryl Hatcher, Director of Public Safety and report back to the Board.

(RESOLUTION #01-09-2015)

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

MOTION BY: Leland Mitchell

SECONDED BY: Bob Camicia

VOTING ON THE MOTION WAS AS FOLLOWS:

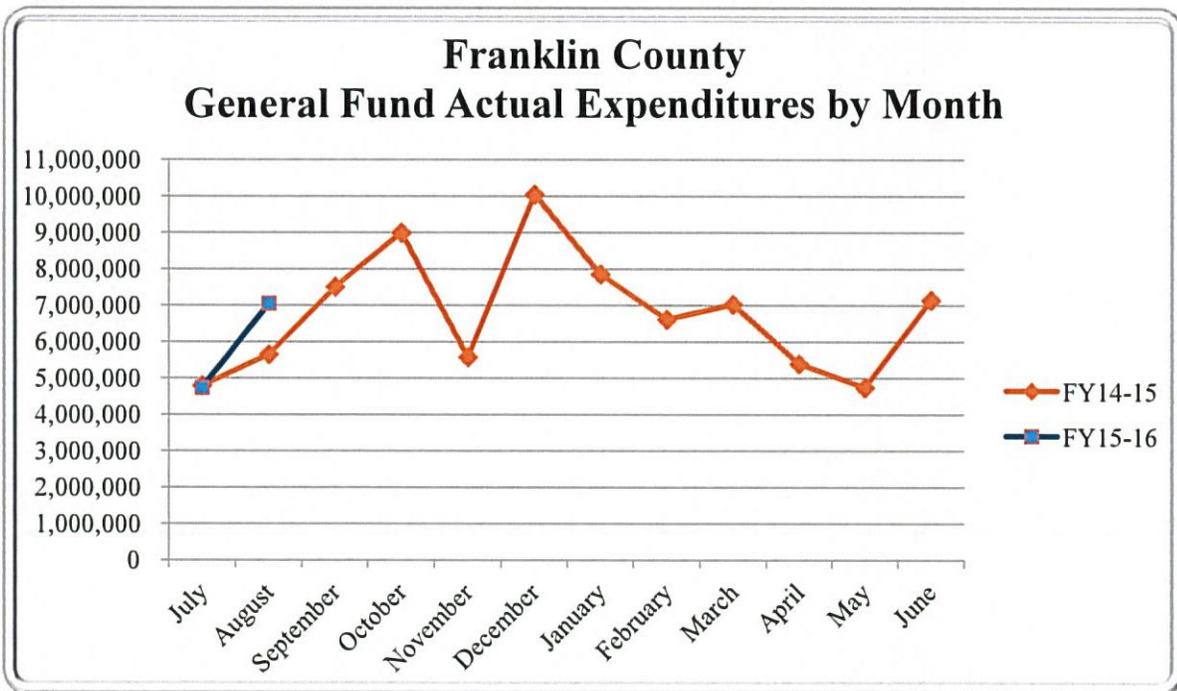
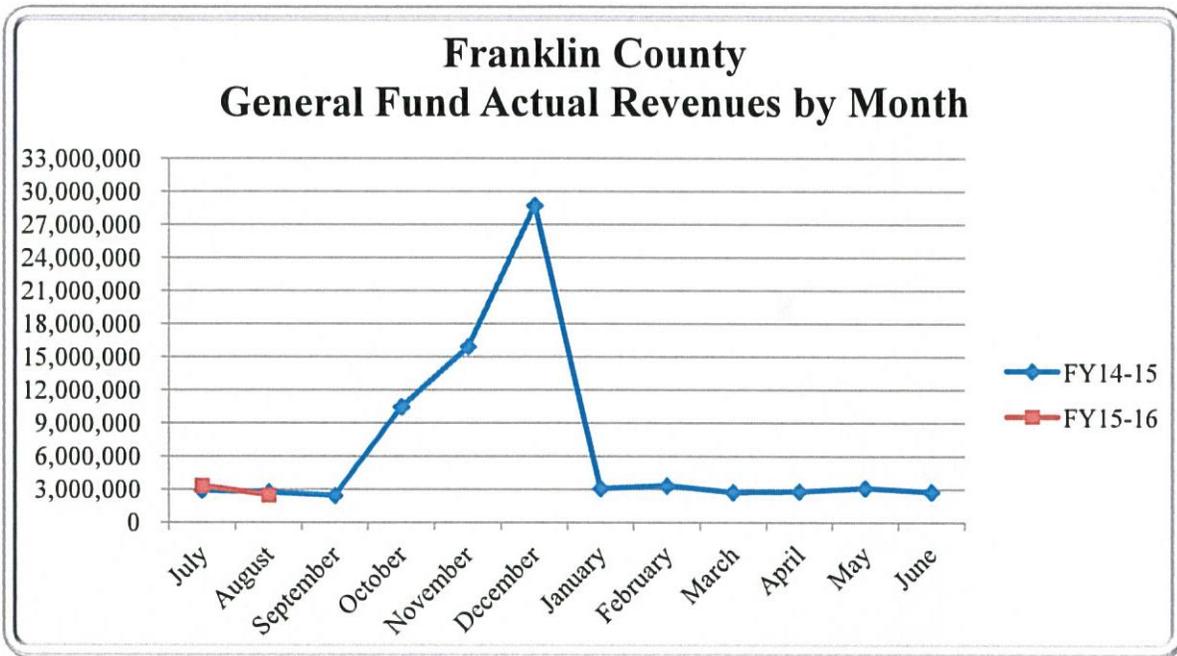
AYES: Mitchell, Thompson, Wagner, Reynolds, Camicia, Thompson & Brubaker

MONTHLY FINANCIAL REPORT

Vincent K. Copenhaver, Director of 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 Two Months Ending August 31, 2015 and 2014

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	48,250,204	589,978	(47,660,226)	1.2%	574,275
Other Local Taxes	11,238,734	1,751,187	(9,487,547)	15.6%	1,679,755
Permits, Fees and Licenses	377,000	51,296	(325,704)	13.6%	61,616
Fines and Forfeitures	110,000	4,693	(105,307)	4.3%	28,341
Revenue from the use of Money and Property	710,560	51,113	(659,447)	7.2%	102,819
Charges for Services	2,498,972	385,104	(2,113,868)	15.4%	538,237
Miscellaneous Revenue	668,374	476,807	(191,567)	71.3%	115,631
Recovered Costs	545,806	138,514	(407,292)	25.4%	46,790
Revenue from the Commonwealth	15,546,308	2,313,171	(13,233,137)	14.9%	2,381,483
Federal Government	170,904	18,332	(152,572)	10.7%	29,512
Subtotal	<u>80,116,862</u>	<u>5,780,195</u>	<u>(74,336,667)</u>	7.2%	<u>5,558,459</u>
Fund Balance/Carryover Funds	1,483,990				
Total General Fund	<u>81,600,852</u>				
Schools					
Cafeteria, Misc, State, Federal	49,640,164	6,162,204	(43,477,960)	12.4%	6,727,702
Local Funding from County	33,984,994	5,163,548	(28,821,446)	15.2%	3,893,108
Total School Fund	<u>83,625,158</u>	<u>11,325,752</u>	<u>(72,299,406)</u>	13.5%	<u>10,620,810</u>
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	4,336,223	1,155,130	3,181,093	26.6%	925,405
Judicial Administration	2,642,469	397,134	2,245,335	15.0%	367,651
Public Safety (Sheriff, Corrections, EMS)	13,242,621	1,909,899	11,332,722	14.4%	2,157,058
Public Works	3,741,726	398,255	3,343,471	10.6%	462,961
Health and Welfare	11,681,657	1,774,485	9,907,172	15.2%	1,652,305
Parks, Recreation, Libraries, Cmty Colleges	1,960,790	317,972	1,642,818	16.2%	312,519
Community Development	3,309,236	665,008	2,644,228	20.1%	654,824
Transfers to Schools, Capital, Debt	40,686,130	5,164,068	35,522,062	12.7%	3,905,102
Total General Fund	<u>81,600,852</u>	<u>11,781,951</u>	<u>69,818,901</u>	14.4%	<u>10,437,825</u>
School Fund	<u>83,625,158</u>	<u>10,712,897</u>	<u>72,912,261</u>	12.8%	<u>10,025,070</u>

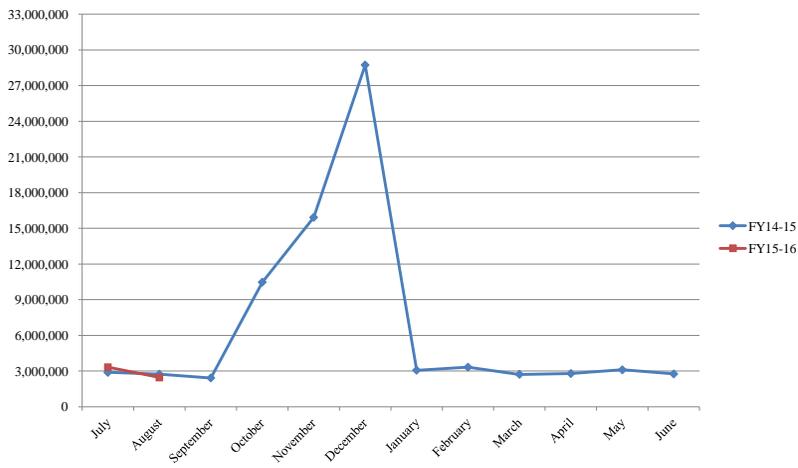


Franklin County

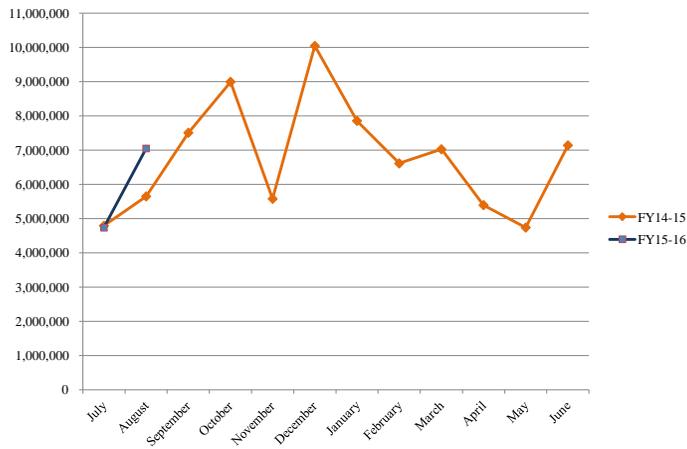
September 2015

Finance Report

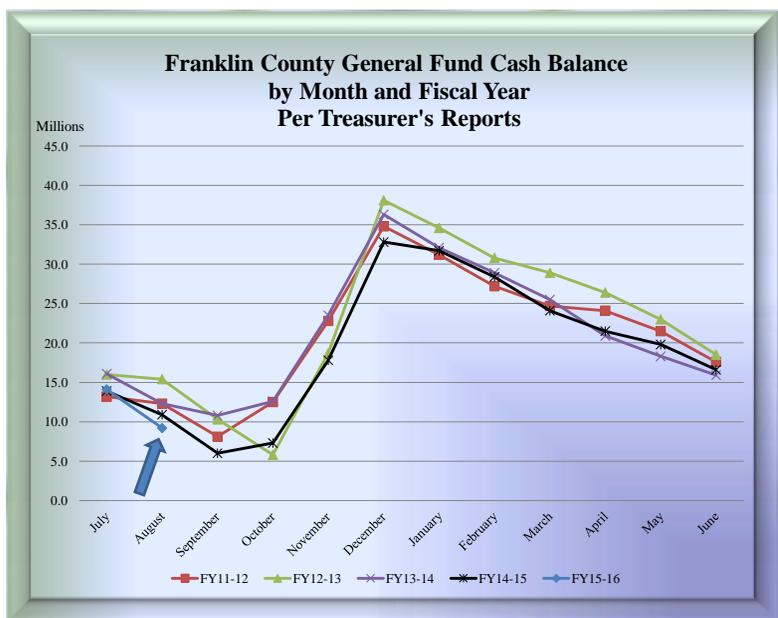
**Franklin County
General Fund Actual Revenues by Month**



**Franklin County
General Fund Actual Expenditures by Month**

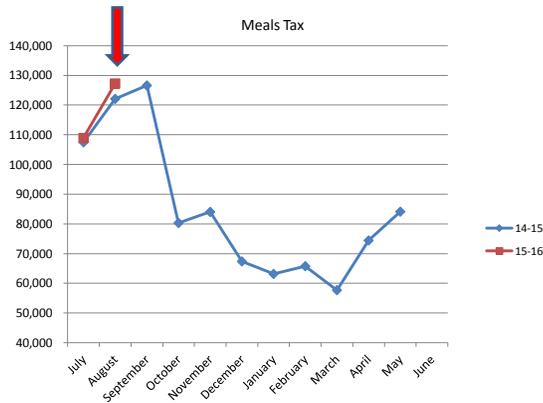


**Franklin County General Fund Cash Balance
by Month and Fiscal Year
Per Treasurer's Reports**



**Franklin County
General Fund Cash Balance
(in Million of Dollars, as of Month-End)**

	<u>FY11-12</u>	<u>FY12-13</u>	<u>FY13-14</u>	<u>FY14-15</u>	<u>FY14-15</u>
July	13.2	16.0	16.1	13.9	14.1
August	12.3	15.4	12.3	10.9	9.2
September	8.1	10.3	10.8	6.0	
October	12.5	5.8	12.6	7.3	
November	22.8	18.7	23.5	17.8	
December	34.8	38.1	36.3	32.8	
January	31.2	34.6	32.1	31.7	
February	27.2	30.8	28.9	28.4	
March	24.7	28.9	25.5	24.1	
April	24.1	26.4	20.9	21.5	
May	21.5	23.0	18.3	19.8	
June	17.6	18.5	15.9	16.6	



Meals Tax Year to Date is running 2.9% ahead of last year.

NEW PARKS & RECREATION WEB SITE LAUNCH

Paul Chapman, Director of Parks and Recreation, shared with the Board and new web page for Parks & Recreation.

Mr. Chapman, stated the Franklin County Parks and Recreation Department recently launched a new website with many new features designed to help citizens easily access information about parks, programs and classes that will help them lead healthy and active lives.

The new website is located at www.PlayFranklinCounty.com and debuted alongside the newly named “Playbook” program guide. The emphasis on “play” is coordinated with a regional Parks and Recreation branding initiative; Danville has PlayDanvilleVA.com and the City of Roanoke has PlayRoanoke.com.

Not only is the website’s address easier for residents to remember but the new design allows the Parks and Recreation Department to better organize and present valuable information. The new format offers easy-to-use features for residents to more readily take advantage of the services offered by the Parks and Recreation Department:

- Online registration for athletics, programs and special events
- Online reservations for picnic shelters
- Information on co-sponsored events
- Digital version of the “Playbook” program guide
- Online participant survey

- Links to social media
- Instant updates on field conditions, game delays and cancellations

This new website reflects the Parks and Recreation Department's commitment to ensuring residents can easily find and enjoy our parks and recreational activities. It is another tool for helping citizens in their efforts to embrace healthy, active lifestyles.

MOUNTAIN VALLEY PIPELINE EROSION & SEDIMENT/JURISDICTIONS ACTION

Brent Robertson, County Administrator, advised the Board on September 2, 2015, various meetings were held with MVP and BOS members. Mr. Robertson stated they (MVP representatives) did meet with 5 of the 7 BOS members and met with additional staff, also. The MVP officials gave an overview of the proposed plan to address stream crossings along the route of the proposed natural gas pipeline. .

Steve Sandy, Senior Planner Short Range Planning Manager, shared with the Board on August 18, 2015, Neil Holthouser (former Planning Director) presented the Board with an overview of the Mountain Valley Pipeline project proposed to transect Franklin County. He also presented a draft resolution that a citizens group requested the Board to adopt. The resolution requested that Franklin County petition the Governor of Virginia to take some specific actions related to erosion and sediment control and storm water management review of this project, including: 1) A commitment from DEQ that it will require project specific E & S plans; 2) A guarantee that local governments will have the right to conduct their own plan review and site inspections; 3) A requirement that the pipeline developer and third party inspectors hold pre-construction meetings with local officials to discuss project-specific implementation of required E & S and Stormwater Management measures.

The Board discussed the matter and chose not to adopt the requested resolution. At the conclusion of the discussion, the Board directed staff to provide a status report at the September 15th meeting including an update on any activities of neighboring jurisdictions concerning the E & S matter.

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. 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 pipeline. The pipeline has not yet been authorized by FERC; until such time as it is approved by the FERC, staff believes it is unlikely that DEQ will officially announce or comment on its permitting posture. Staff has continued to follow this proposed project and learn more about permitting requirements. 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 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.

Mountain Valley Pipeline is expected to file a Section 7C application to FERC in October. Section 7(c) Certificates of Public Convenience and Necessity (PC&N). A natural gas company must obtain a certificate of PC&N from FERC in order to undertake jurisdictional service, construct or extend facilities for such service, or acquire and operate such facilities.

As previously noted, the proposed project is considered a linear utility project subject to State laws relating to erosion and sediment control and storm water management. In addition, the project is subject to Federal laws relating to water quality, wildlife and aquatic life protection and stream crossings.

Other Virginia localities have heard similar concerns from their citizens. Staff has discussed these concerns with Roanoke County and the other Virginia localities to determine the potential of creating a resolution to possibly be adopted by all Virginia jurisdictions affected by the proposed [pipeline, thereby requesting that the State of Virginia provide adequate funding and/or personnel to the DEQ to sufficiently staff the appropriate office(s) to assure that proper review and inspections of construction activities can be ensured throughout the length of the proposed project in Virginia.

RECOMMENDATION: Per consensus of the Board, staff will continue to work with other Virginia localities affected by the proposed corridor in the coming weeks to coordinate possible draft resolution language for the Board's consideration at the October 2015 meeting.

Ronnie Thompson, Boone District Supervisor, stated he felt the staff should stand abreast with the County staff to be trained for the MVP. Mr. Thompson requested the draft resolution be posted on the web site, and in the Friday BOS packet.

VDOT/HOUSE BILL 2 APPLICATION

Lisa Cooper, Senior Planner, Long Range Planning Manager, shared with the Board an update on VDOT House Bill 2 Application.

On July 21, 2015, Michael Gray, Planning Manager for the Salem District (VDOT) and Todd Daniel, Residency Administrator (VDOT) made a presentation to the Board of Supervisors regarding a new process for funding improvements to Virginia's primary highways. Such new process is outlined in Virginia's VTrans 2040 (Multimodal Transportation Plan), HB2 (House Bill 2), and HB1887 (House Bill 1887), whereby localities must now submit a competitive grant application for primary road improvements. The VTrans 2040 Plan outlines how a project is planned, HB2 outlines how the project is scored, and HB1887 outlines how the project is funded. Virginia's new primary funding formula has become commonly known as House Bill 2 of HB2. FY '16-17 is the first year of this new process, whereby localities have until September 30th to submit project funding applications.

The screening process for HB2 has several key takeaways:

- Only projects that meet a need identified in VTrans2040 will be prioritized
- Projects must be located within one of the following areas:
 - Corridors of Statewide Significance
 - Regional Networks
 - Improvements to promote urban development areas
 - Or addresses an identified safety need

Projects that do not meet the screening criteria will not be scored or prioritized under HB2.

VTrans 2040 highlights safety as one of the Commonwealth's key transportation goals in an effort to reduce motorized and non-motorized fatalities and severe injuries in each VDOT district of the Commonwealth. The plan's needs assessment lists the top 100 Fatal and Serious Injury Crash Intersections and Road Segments with potential for safety improvement by VDOT district. In an effort to submit an application, staff recently met to analyze possible, primary road projects.

Both Planning and VDOT staff have been working together to present the best proposed project for this year's new funding source for primary highways in the County. Both staffs have discussed projects on primary corridors of the County; with focus on Corridors of Statewide Significance (Route 220), urban development areas, and addressing identified safety needs as identified in VTrans 2040 along Routes 220, 122, and 40. The identified safety needs are both intersections and segments along the primary roads. It would appear that Route 634 (Harmony School Road) and Route 122 (Booker T. Washington Highway) would have been the logical safety project to submit since this project was removed from the Secondary Six Year Plan a couple of years ago. However, VTrans 2040 did not list this intersection as one of the top 100 fatal and serious injury crash intersections in the Salem District. Also, staff reviewed other intersections and road segments identified in VTrans 2040 which did score in the top 100 fatal and serious injury crash data along Routes 220, 40, and 122. However, those intersections and road segments were not chosen because there is no definite solution of how to improve the intersection or road segment at this time.

Following a vetting of application funding, exiting engineering plans, and safety criteria with VDOT, it appears the best possible opportunity for a primary project this coming year is for safety improvements for the intersection of Route 636 (Hardy Road) and Route 122 (Booker T. Washington Highway). During the vetting process with VDOT, this intersection was identified as one of the 100 top fatal and serious injury crash intersections in VTrans 2040. The purposed scope of the project would be a north bound left hand turn lane on Route 122; expand existing south right hand turn lane on Route 122, right-of-way acquisition, utility relocation, and roadway construction. The approximate cost of this project could be between one to three million dollars. (VDOT will have an estimate prior to application submittal.) The intersection is supported in a number of documents such as the 2035 Rural Long-Range Transportation Plan, Smith Mountain Lake Corridor Study-2010, West Piedmont's assessment of key intersection in the County, and West Piedmont Area List of Priority Projects for the Six-Year Improvement Program previously submitted to the CTB by West Piedmont.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors authorize by resolution a submittal of an application to VDOT for safety improvements to the intersection of Route 122 (Booker T. Washington Highway) and Route 636 (Hardy Road) for FY 2017 Six-Year Improvement Program Cycle. The application deadline is September 30, 2015.

(RESOLUTION #02-09-2015)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the safety improvements to the intersection of Route 122 (Booker T. Washington Highway) and Route 636 (Hardy Road) for FY 2017 Six Year Improvement Program Cycle.

MOTION BY: Charles Wagner

SECONDED BY: Bob Camicia

VOTING ON THE MOTION WAS AS FOLLOWS:

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

OTHER MATTERS BY SUPERVISORS

Brent Robertson, County Administrator, asked the Board members to notify the Clerk with dates for a Strategic Planning work session. Mr. Robertson would like to have the session in Mid October - early December.

SML/FOX NEWS REPORT/GRETA VAN SUSTEREN

Bob Camicia, Gills Creek District Supervisor, advised the Board Greta VanSusteren/Fox News, is reporting a story on the Smith Mountain Lake area shooting on Friday, September 18, 2015 with a 1 hour special news report.

ROAD SIGN FOR MUDDY FORK ROAD/FRANKLIN COUNTY/HENRY COUNTY

Leland Mitchell, Snow Creek District Supervisor, asked if a Franklin County/Henry County sign could be placed at the Muddy Fork Road, in the absence of signage. Mr. Robertson stated he would check into the request.

WORK SESSIONS:**EMS - FIRE RESPONSE TIMES**

Daryl Hatcher, Director of Public Safety, shared with the Board Franklin County currently operates a combined career and volunteer public safety system providing fire and EMS services to county citizens and cooperative service agreements with surrounding localities. These services are provided jointly between volunteer units and full-time staff via 11 public safety facilities (fire and/or EMS) located throughout the county.

While the county has a positive track-record in providing critical emergency services to its citizens our environment has changed dramatically over time, making public safety response much more challenging than it has been in the past. Call volume is increasing as our population expands and ages, volunteerism is declining (national trends) as work and family demands change, and training requirements become more complex and time consuming for both volunteers and career staff. Given these circumstances, this time has been set aside to review with the board an update of current ISO ratings related to fire coverage and to provide an overview of the current status of volunteer and career staffing as they relate to response times.

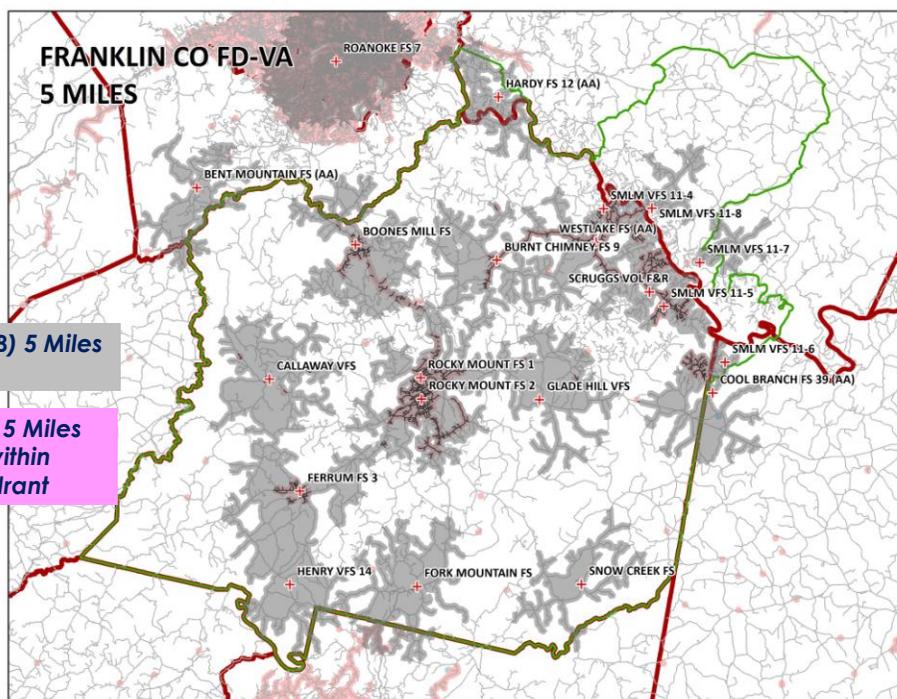
NEXT ACTION STEPS:

Public Safety Director Daryl Hatcher will present various station and staffing information to the Board for discussion. No Board action is required at this time and staff will schedule additional work sessions in upcoming months to discuss planning related to the potential need for additional full-time staff, future station construction, and other methods to maximize public safety at cost acceptable to the Board of Supervisors and the general public.

Fire & EMS Update 2015

Where are we now?

- Fire
 - ISO Ratings
- EMS
 - Dashboard
 - Volunteer Staff
 - Career Staff



Grey = (ISO 4B) 5 Miles from station.

Pink = (ISO 4) 5 Miles from station within 1000 ft. of hydrant

EMS Staffing

Franklin Co. Fire/EMS response goals (2009 Strategic Plan)

- ▶ **Fire and EMS service delivery goals:**
 - ▶ *Within 8 minutes 90% of the time in village centers.*
 - ▶ *10 minutes 85% of the time outside village centers.*
 - ▶ *Advanced Life Support to respond on 90% of EMS calls when needed.*

Background

- ▶ Franklin County is not immune from the national changes in volunteerism.
- ▶ Volunteer EMS staffing shortages are having an impact.
- ▶ Domino Effect...
 - ▶ Weaker agencies are relying on neighboring agencies to provide coverage more often.
 - ▶ Creates a gap in coverage to a greater portion of the community.
- ▶ Response times are increasing with frequent mutual aid coverage.
- ▶ Staffing/Station Plans presented in previous years are already out of date and need revision.

Public Report Card....Dashboard

Public Safety Dashboard went "live" this Spring.

Reports real time CAD data and is available to the public.

Benefits.....

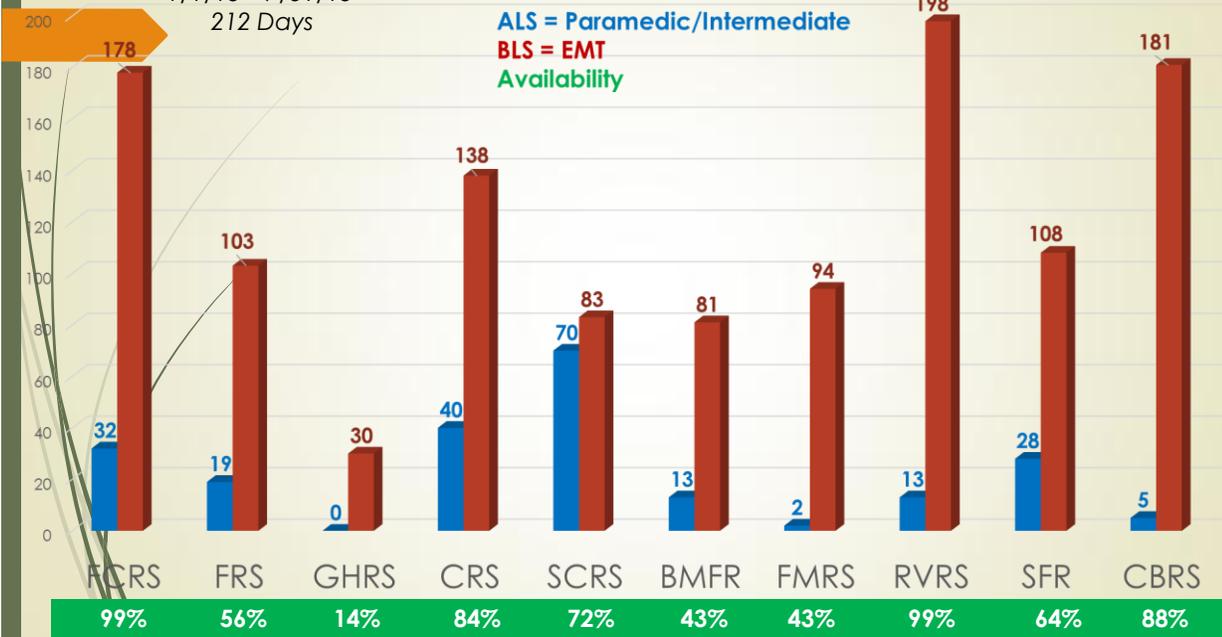
- Calls by zip code
- 12 month look @ overall response times.
- Date/Time/Type of calls.
- **Most Important:** Serves as Public Safety report card on how we are doing.
- Public Safety webpage and click on the "Dashboard" link.

<http://fcweb.franklincountyva.gov/fcpublicdashboard/rdPage.aspx>

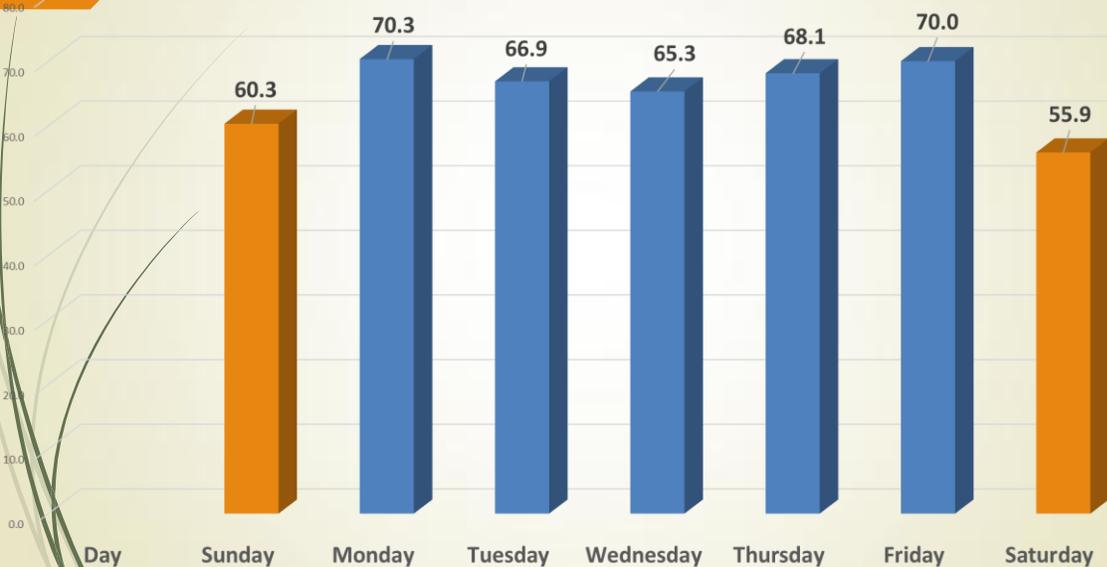


Volunteer EMS Agency Service Levels 2015

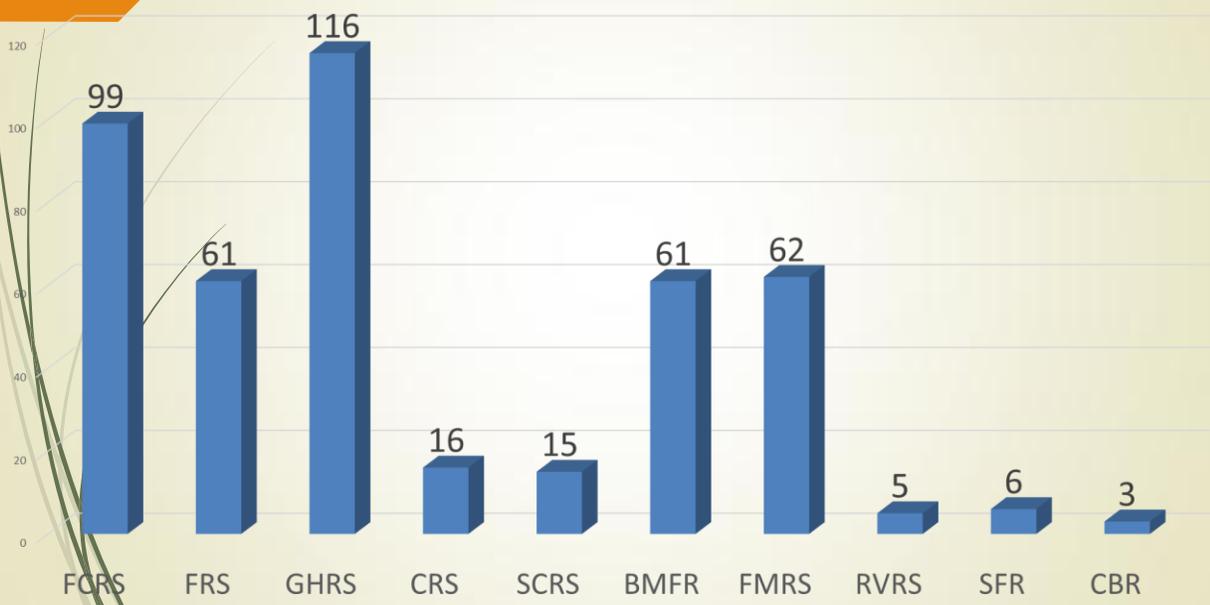
1/1/15 - 7/31/15
212 Days



Franklin Co Vol. EMS Agencies - Daily Availability

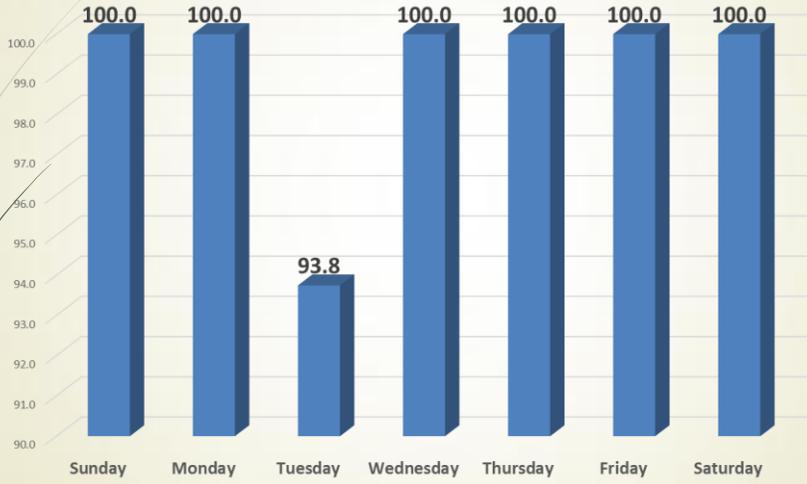


Calls Missed by agency
1/1/15 - 7/31/15



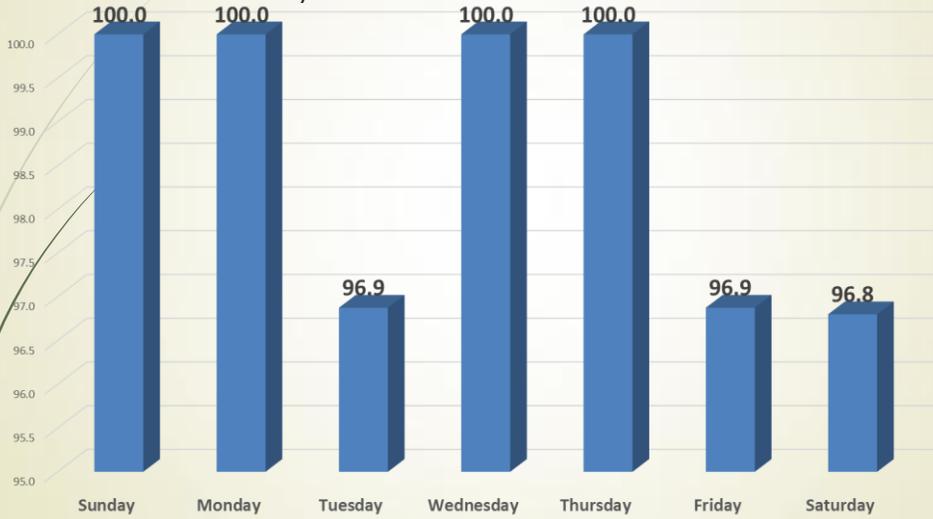
Franklin County Rescue (Sq 2)

Availability: 99%



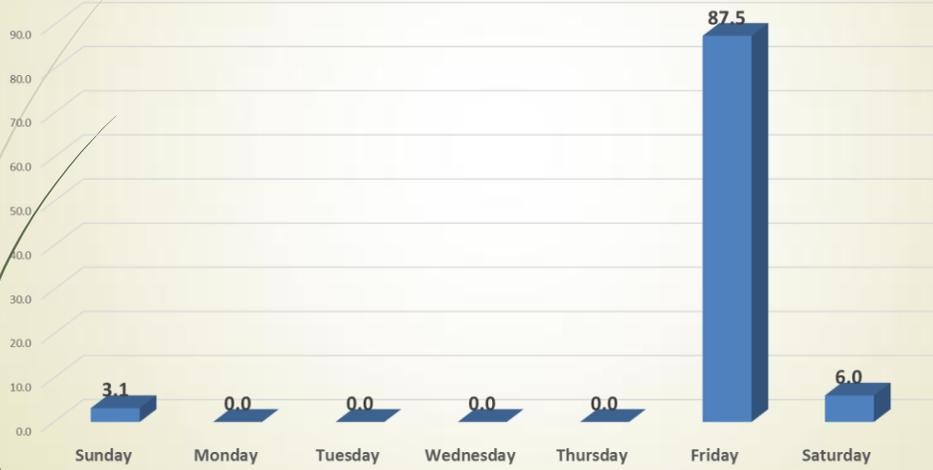
Red Valley Rescue (Sq 9)

Availability: 98.7%



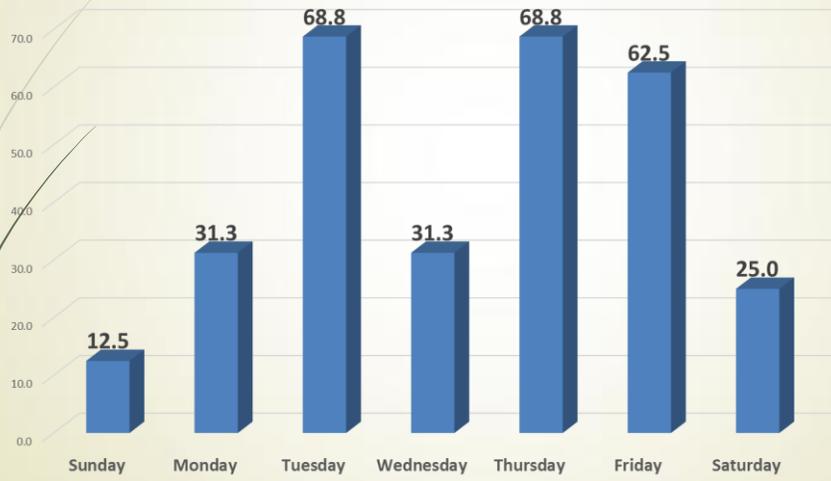
Glade Hill Rescue (Sq 4)

Availability: 13.8%



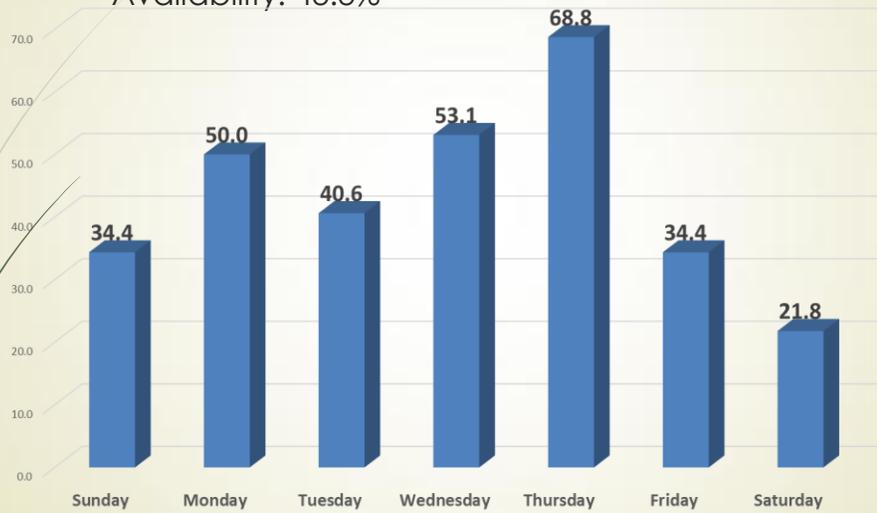
Boones Mill Fire/Rescue (Sq 7)

Availability: 42.9%



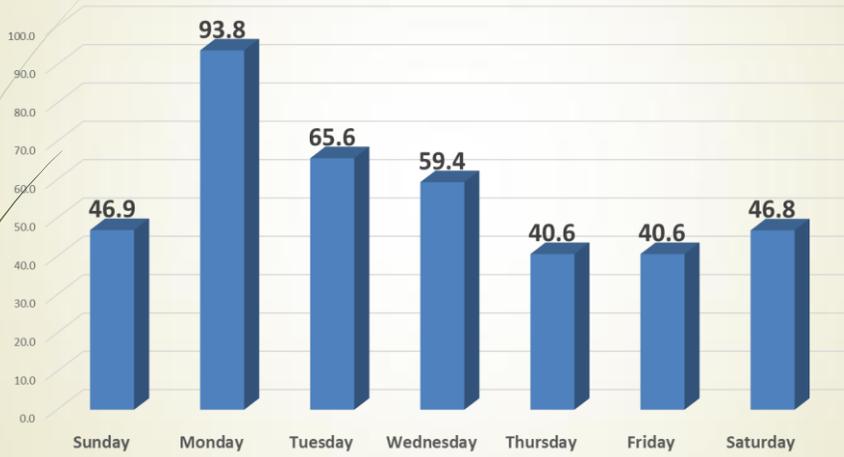
Fork Mountain Rescue (Sq 8)

Availability: 43.3%



Ferrum Rescue (Sq 3)

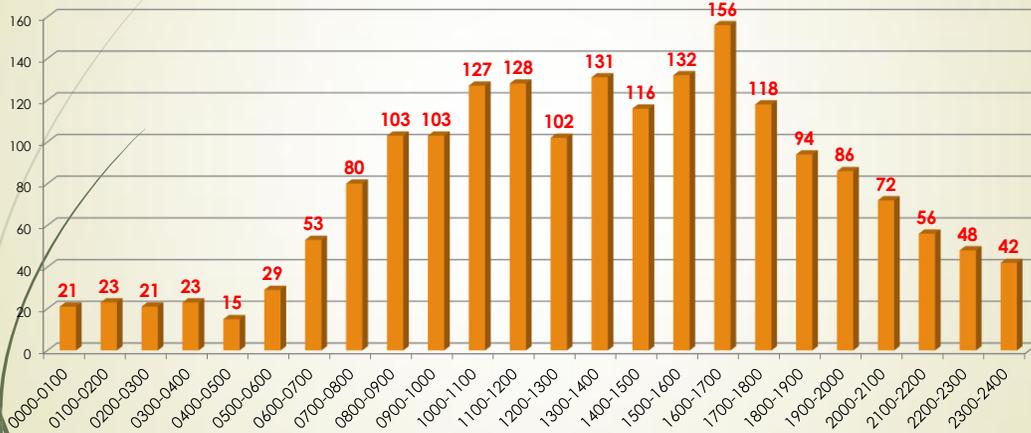
Availability: 56%



EMS Calls by Hour (Monday - Friday)

Career shifts:

Westlake (0000-2400)
 FCRS (0830-2030)
 GHRS, BMFR, FMRS (3 units) (0530-1800)

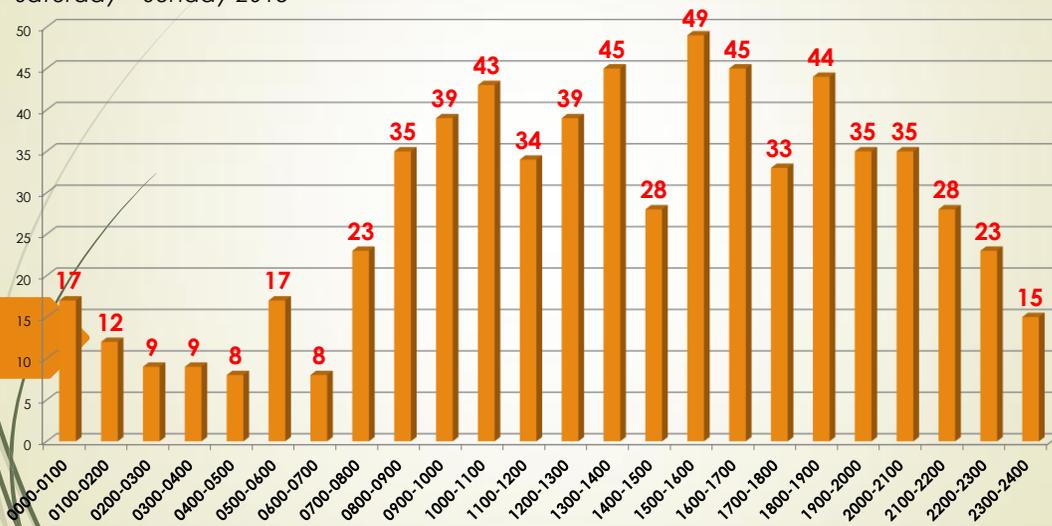


EMS Calls by Hour

Saturday - Sunday 2015

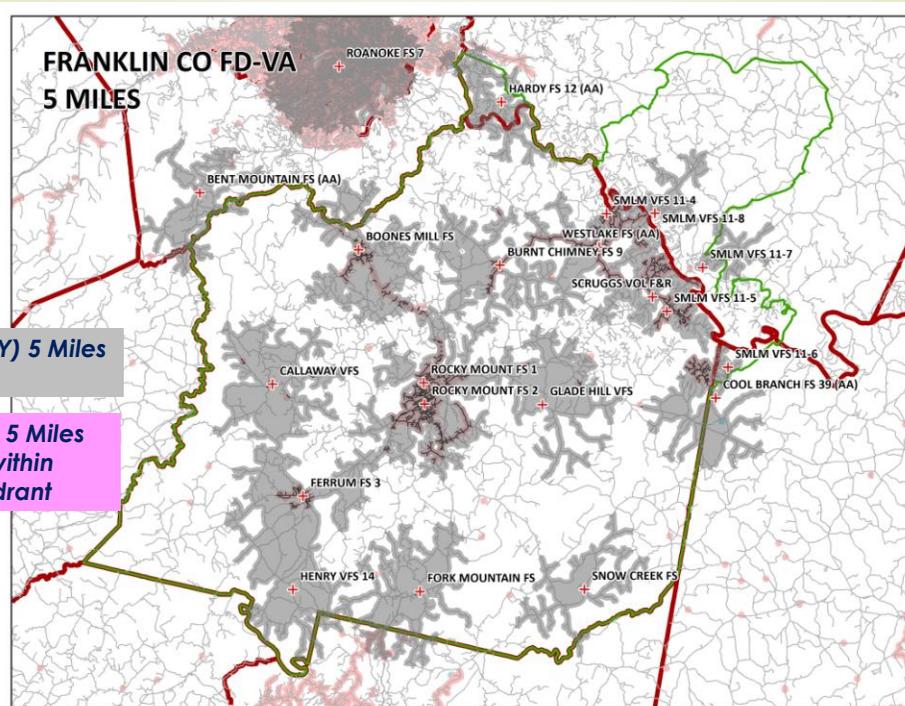
Career shifts:

Westlake: (24/7)
 FCRS: (0830 - 2030)
 Ferrum Rescue : (1200 - 2400)



Discussion

- How should we continue to address gaps in volunteer coverage that are increasing demands on stronger agencies?
- Are there any single solutions that would help address both the station and staffing problems?



Grey = (ISO 4Y) 5 Miles from station.

Pink = (ISO 4) 5 Miles from station within 1000 ft. of hydrant

General discussion ensued.

Brent Robertson, County Administrator, stated he felt a system approach should be taken to the Board for their solutions, regarding staffing issues.

Bob Camicia, Gills Creek District, felt we should get the public's thoughts and allow the volunteer staff be a part of the problem solving.

LANDFILL & COLLECTION CENTERS UPDATE

Don Smith, Director of Public Works, shared with the Board the following PowerPoint presentation on the Solid Waste Updates concerning the landfill expansion and collection centers:

Franklin County Solid Waste Update

September 2015

PERMIT #72 (OLD LANDFILL) CLOSURE

PLANNING SCHEDULE

1. MOVE LANDFILL OPERATIONS BACK TO #72 IN NOVEMBER FOR APPROXIMATELY 18 MONTHS TO FILL UP REMAINING CAPACITY.
2. LANDFILL MUST BE CLOSED AND CAPPED BY JUNE 30, 2021. CAPPING PROCESS DOES NOT HAVE TO BEGIN AS LONG AS ONE LOAD IS LANDFILLED EVERY SIX MONTHS.
3. AS PART OF CAPPING, 13 PASSIVE GAS VENTS WERE INSTALLED ON THE WEST SLOPE OF LANDFILL IN 2014 AND GAS FLARES ADDED TO THEM IN 2015. BIDDING AND CONTRACT HANDLED BY COUNTY STAFF. FLARES BUILT BY COUNTY STAFF SAVING ALMOST \$30,000. TOTAL BILL WAS \$80,000. WE WILL HAVE TO REPEAT THIS IN 2018 FOR THE EAST SLOPE WHEN IT IS AT FINAL GRADE.
4. A SYNTHETIC CAP STILL APPEARS TO BE THE BEST CAP SOLUTION UNDER CURRENT DESIGN STANDARDS SINCE WE DO NOT HAVE THE PROPER SOIL TYPES FOR A SOIL CAP.

2



3

GAS FLARE



REMAINING PERMIT #72 SPACE



4

PERMIT #577 (NEW LANDFILL)
CELL 2 CONSTRUCTION

TIMELINE

1. GROUNDWATER MONITORING WELLS FOR CELL 2 INSTALLED **APRIL 2015**.
2. STAFF FINISHES ROUGH GRADING **WINTER 2015-2016**.
3. BEGIN STOCKPILING DRAINAGE LAYER STONE **WINTER 2015-2016**.
4. GO TO BID FOR LINER SYSTEM **LATE SPRING 2016**.
5. CONSTRUCT LINER SYSTEM AND LEACHATE COLLECTION SYSTEM IN **FALL 2016**.
6. CONSTRUCTION OF LINER SYSTEM COULD BE POSTPONED POSSIBLY A YEAR BUT IT WOULD MAKE USING THE REMAINING YEAR AND HALF OF LIFE IN CELL 1 VERY INEFFICIENT AND DIFFICULT. COMPLETING CELL 2 **LATE NEXT YEAR** WILL ALLOW MORE EFFICIENT USE OF NEW LANDFILL #577 (CELL 1 AND CELL 2).
7. BEGIN USING NEW LANDFILL #577 - CELL 2 FOR DISPOSAL **SPRING 2017** WHEN WE ARE SUBSTANTIALLY FINISHED IN OLD LANDFILL #72.

5

CELL 2 EXCAVATION



6

PERMIT #577 (NEW LANDFILL)
CELL 2 CONSTRUCTION

BUDGET

1. ORIGINAL ESTIMATE \$3.8 MILLION BEFORE THE EXTRA VOLUME FROM VERTICAL EXPANSION.
2. DRAINAGE LAYER STONE IS A LARGE EXPENSE
 - A. WE BUY IT TO SAVE SALES TAX AND MARKUP
 - B. 32,000 TONS OF GRANITE #57 MAY COST \$500,000
 - C. WE NEED TO START STOCKPILING THIS WINTER TO GET FAVORABLE PRICING FROM BIDDING QUARRIES.
3. 427,000 SQUARE FEET OF FLOOR TO BE LINED
 - A. GEOSYNTHETIC CLAY UNDERLINER \$239,120
 - B. 60 MIL SYNTHETIC LINER \$222,040
 - C. 16 OZ CLOTH DRAINAGE LAYER \$98,210
4. BIDDING, ENGINEERING, QUALITY CONTROL, DEQ REPORTS \$150,000
5. FINISH GRADING, INSTALLING LEACHATE COLLECTION SYSTEM \$120,000
6. CURRENT ESTIMATED TOTAL \$1,329,370. OVER \$2 MILLION IN SAVINGS FROM LANDFILL STAFF DOING GRADING.

7

LOOKING ACROSS CELL 2 CONSTRUCTION TO CELL 1

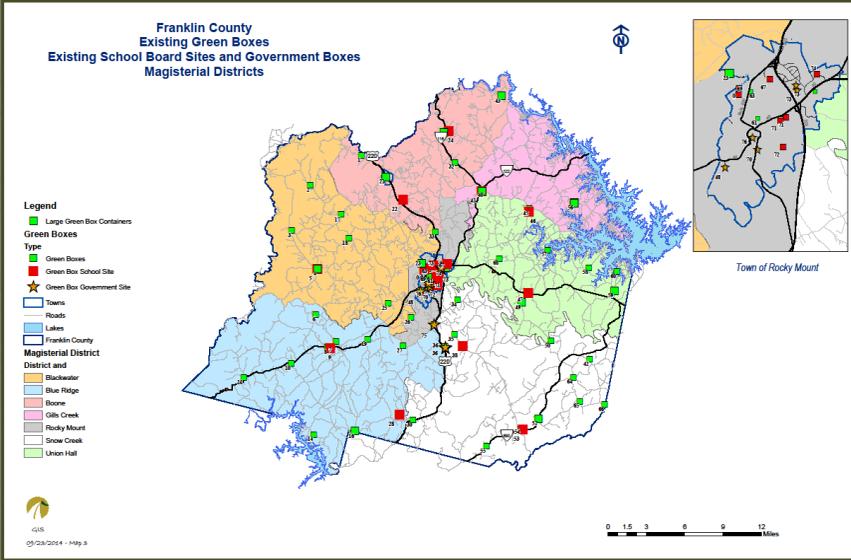


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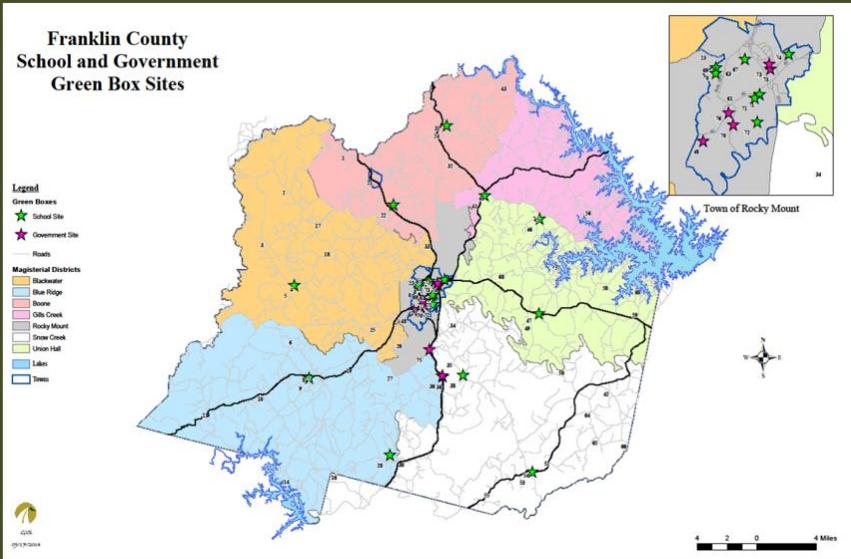
COLLECTION & RECYCLING CENTERS UPDATE

1. FOLLOWING THE DECISION IN FEBRUARY 2015 TO PROCEED WITH CONSOLIDATING THE COUNTY'S 68 GREENBOX SITES, STAFF HAS BEEN ANALYZING WHAT WOULD BE THE SMOOTHEST TRANSITION TO THIS MORE ECONOMICAL MEANS OF COLLECTING OUR SOLID WASTE.
2. PHASING THE COLLECTION SITES IN OVER TIME, AS ORIGINALLY SHOWN, IS STILL BELIEVED TO BE THE BEST APPROACH. NORTHEAST COUNTY BEING FIRST PHASE.
3. DEPENDING ON THE OUTCOME OF A WESTLAKE AREA SITE SEARCH , THE HARDY, BURNT CHIMNEY, SCRUGGS AND BOONES MILL COLLECTION & RECYCLING CENTERS ARE SLATED TO BE COMPLETED THIS WINTER.
4. THESE SITES MAY BE FENCED AND MANNED DURING AN INTERIM PERIOD WITH THE FRONT LOAD TRUCKS STILL SERVING THEM, WHILE COMPACTORS AND NEW ROLL OFF TRUCKS ARE DELIVERED AND PLACED INTO SERVICE.
5. CENTRAL COUNTY IS LIKELY SECOND PHASE AS GRASSY HILL SITE HAS CLEARED SOME ENGINEERING HURDLES AND WOULD BE DEVELOPED WITH WAID PARK NEXT.
6. SITES ARE BEING EVALUATED IN EASTERN COUNTY (UNION HALL -GLADE HILL - REDWOOD). NEXT PHASE IS HERE, THEN MOVES SOUTH OF THAT AREA.

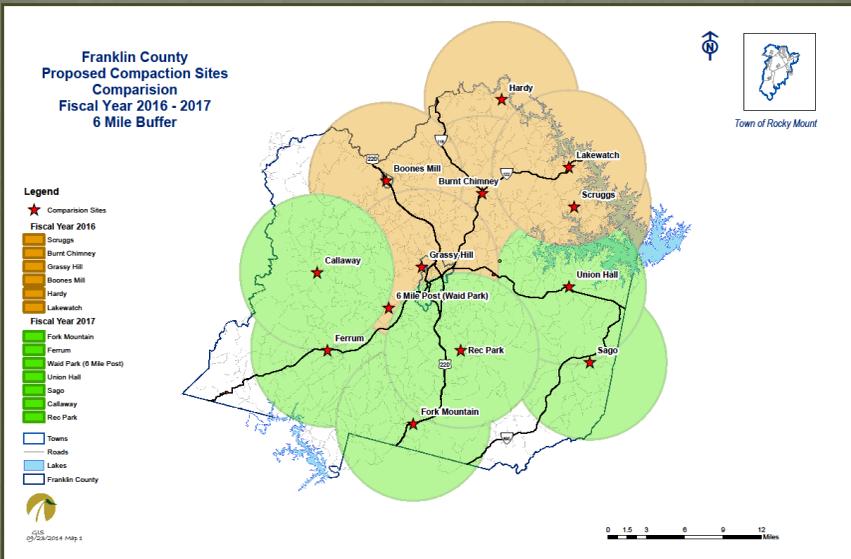
9



10



11



12

COLLECTION & RECYCLING CENTERS UPDATE

1. AEP IS WORKING ON THE ELECTRICAL DROPS AT HARDY, SCRUGGS, BURNT CHIMNEY, AND BOONES MILL.
2. THE BOUNDARY IS MARKED AT HARDY AND BURNT CHIMNEY FOR FENCING.
3. FENCE AND GATE, ROLL-OFF TRUCK, AND TRASH COMPACTOR SPECIFICATIONS WILL GO TO BID BARRING NO OBJECTIONS FROM BOARD.
4. STAFF HAS COORDINATED WITH THE HIGH SCHOOL BUILDING TRADES CLASSES TO HELP DESIGN AND CONSTRUCT OUR SITE SHELTERS.
5. COMMUNICATION & PUBLIC INFORMATION PLAN. STAFF IS PREPARING SIGNS TO BE INSTALLED AT SITES TO EXPLAIN WHAT IS COMING AND WHAT WILL BE EXPECTED OF RESIDENTS WHO USE THE SITES. STAFF IS ALSO PREPARING TO USE VARIOUS COMMUNICATION OUTLETS (PRINT MEDIA, SOCIAL MEDIA, COUNTY DEPARTMENTS, PUBLIC SERVICE ANNOUNCEMENTS, NEWS ARTICLES, ETC.), AS WELL AS TOWN HALL MEETINGS TO INFORM RESIDENTS OF PROGRESS.

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SOLID WASTE UPDATES SUMMARY

1. OLD LANDFILL #72 CLOSURE ; NEW LANDFILL #577 (CELL 2) CONSTRUCTION; AND COLLECTION & RECYCLING CENTERS EXPENSES TOTAL APPROXIMATELY \$5.8 MILLION.
2. SOLID WASTE CAPITAL BUDGET LINE ITEMS TOTAL \$2.27 MILLION OF EXISTING FUNDS TO COMPLETE PROJECTS. COUNTY FUTURE DEBT SCHEDULE PREVIOUSLY PROGRAMMED IN THE REMAINING BALANCE OF \$3.6 MILLION IN FY '17-'18.
3. DUE TO VERTICAL EXPANSION AND OTHER COST SAVING MEASURES, ONCE CELL 2 IS CONSTRUCTED IN THE NEW LANDFILL, THERE SHOULD BE NO NEW CONSTRUCTION REQUIRED FOR 8-9 YEARS.
4. SAVINGS FROM COLLECTION & RECYCLING SITES COULD HELP FUND FUTURE LANDFILL CONSTRUCTION
5. IF STAFF CONTINUES TO STAY AHEAD OF TIMELINE DEMANDS, STAFF CAN CONTINUE TO SAVE MONEY THROUGH VARIOUS ENGINEERING STRATEGIES, UTILIZING COUNTY EMPLOYEES EFFICIENCY

14

QUESTIONS ??

15

Don Smith, Director of Public Works, stated Franklin County currently operates a front load greenbox system for the collection of the residential solid waste throughout the county. Due to the high expense, inefficiency and public misuse of this system, on February 17, 2015, the Board of Supervisors approved consolidating the existing greenbox sites into secure, manned sites with stationary trash compactors and rolloff type containers. The Collection & Recycling Centers will

be phased in over a period of time to allow residents to make the necessary adjustments in their trash routines. Staff has begun its work with utility preparation for some of the centers, whereby AEP is currently preparing the electrical service drops at Hardy, Burnt Chimney and Scruggs.

Securing the sites with fence and gates will be the first step in the conversion of sites. As such, staff is working on a request for proposals (RFP) to issue to various fence contractors for installing galvanized chain link fences at the various Collection & Recycling Center sites. As part of a phase one implementation, staff will work to install some fencing at the Hardy, Scruggs, Burnt Chimney and Boones Mill sites this fall and winter season.

Staff believes that for the first phase of the consolidation, two roll off trucks (in addition to the one staff is currently using) will be required to handle the waste. Staff has talked with various truck manufacturers who indicate it could be several months before a truck is delivered as these trucks are built specifically by order and are not currently available at a dealership. For this reason, it is important staff move forward with the bidding process to get the trucks ordered, manufactured, and delivered accordingly. In addition to the roll off trucks, the trash compactors also will take time to manufacture. There are several local vendors who have expressed interest in providing the compactors.

NEXT ACTION STEPS:

Following today's work session on Solid Waste Updates and barring no objections from the Board, staff will begin the procurement process and advertise for requests for proposals (RFPs) for the necessary roll off trucks, fencing and trash compactors for the first phase implementation of the Collection & Recycling Centers. Funding is budgeted and appropriated in the Collection & Recycling Centers Capital Account 30-00-03.

LANDFILL CELL 2 DEVELOPMENT

Don Smith, Director of Public Works, shared with the Board Franklin County operates a solid waste collection service and landfill for the residents and businesses of Franklin County. The old, unlined landfill is operating under State permit #72 and must be closed and capped by June 30, 2021. In 2012 the County constructed the first of six cells in a new landfill under State permit # 577 that will handle the solid waste requirements of Franklin County for decades. Currently, the County is land-filling waste in the new #577 (Cell 1). Staff will continue to work in #577 (Cell 1) until November of this year (2015). At that time staff will have a well drained pad constructed across the entirety of #577 (Cell 1) following upon which work will return back to the old #72 landfill and finish filling its remaining space. At this time, staff is anticipating an additional year and a half of capacity in the old #72 landfill. This year and a half period gives staff the time to finish constructing and lining a new cell in #577 (Cell 2).

After reviewing these timelines, staff began making inquiries to suppliers about the availability of supplies as there were some material shortage problems encountered in the construction of #577 (Cell 1) a few years ago due to the rush and deadline for its completion. The new #577 (Cell 2) has an additional half the floor surface area of landfill #577 (Cell 1). This will require 32,000 tons of #57 granite stone for its drainage layer. For comparison, please note landfill #577 (Cell 1) required 21,000 tons. Should the County wait and procure such stone at one time, then the County would assume a contractor price markup and likely absorb unnecessary sales tax. In speaking to the local quarries, none said they would or could provide that quantity of stone if it was required to be delivered all at one time. The quarries do not have room to stockpile the stone or the dust generated while crushing it. The quarries all responded that if they were allowed time to crush and haul at their pace, then they would like to bid the stone and could do so at a savings to the County. As such, landfill staff has identified an area on site that could easily be prepared to stockpile 20,000 tons of the stone with the remaining quantity delivered as the cell liner is prepared. The quarry awarded the contract would be allowed to begin stockpiling after January 1, 2016 and would be paid monthly only for stone delivered. Funding is budgeted and appropriated in the New Landfill Construction Capital Account 30-00-036-0172-57011 accordingly.

NEXT ACTION STEPS: Following today's work session on Solid Waste Updates and barring no objections from the Board, staff will begin the procurement process and advertise for bids for the purchase and delivery of the stone drainage layer material for the construction and landfill development #577 (Cell 2). Funding is budgeted and appropriated in the New Landfill Construction Capital Account 30-00-036-0172-57011 accordingly.

The Board concurred with the **NEXT ACTION STEPS** as presented.

CLOSED MEETING
(RESOLUTION #03-09-2015)

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, 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: Charles Wagner

RESOLUTION: #04-09-2015

SECOND: Ronnie Thompson

MEETING DATE September 15, 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

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

PETITION OF SPECIAL USE - Petition of Franklin County Public Safety, Petitioner and Blue Ridge Group, LLC., Owner requesting a Special Use Permit for "Public Utilities - Structures, Towers, Public Water and Sewer Treatments Plants" for a +/- 24.4 acre parcel of land, located on 2075 Bluewater Drive in the Gills Creek District of Franklin County, and further identified by Franklin County Real Estate records as Tax Map/Parcel #0330003500. (Case # SPEC-5-15-14332)

Steve Sandy, Senior Planner Short Range_Planning Manager, shared with the Board the following staff report:

BACKGROUND:

The petitioner, Franklin County Public Safety, requests a Special Use Permit for "Public Utilities - structures, towers, public water and sewer treatment plants" for the purpose of constructing a 195'-tall self-supporting "lattice"-style communications tower on the subject property.

This petition was originally submitted in May 2015, at which time the tower was proposed to be located on a 2-acre parcel of land adjacent to the subject site. The petition was pulled from consideration due to the fact that the original proposal could not meet the required tower setback dimensions from adjacent property lines, thus potentially requiring a series of variances related to tower setback. Franklin County Public Safety has since amended the petition to shift the tower to a larger adjoining parcel, under the same property ownership, to comply with all tower setback requirements.

The subject property consists of approximately 24.4 acres, located at 2075 Bluewater Drive, in the Gills Creek district, further identified as Franklin County Tax Map/Parcel #33-35. The property is owned by Blue Ridge Group, LLC. Blue Ridge Group, LLC, also owns the +/- 2-acre parcel identified as Tax Map/Parcel #33-35.2, which adjoins the proposed tower site and on which a portion of the required 100' tree buffer will be located.

The subject property is zoned A-1, Agricultural. Communications towers (which are considered to be structures related to "public utilities") require a Special Use Permit within the A-1 zoning category, and must also comply with the provisions of Sec. 25-128 of the Zoning Ordinance, which outlines supplemental regulations for towers.

The subject property features an occupied single-family residential dwelling, located at 2075 Bluewater Drive. The property is otherwise undeveloped, consisting of open fields and wooded areas. The adjoining +/- 2-acre parcel owned by Blue Ridge Group, LLC, currently features a vacant single-family residential dwelling, addressed as 2081 Bluewater Drive, and an associated shed structure. The property owners have agreed to demolish the existing residential dwelling upon approval of this Special Use Permit request; the owners wish to retain use of the shed structure.

The subject 24.4-acre property features approximately 780 feet of road frontage along Bluewater Drive, and approximately 190 feet of road frontage along Scruggs Road. The property is bounded to the west by a large-acreage tract zoned A-1; to the south by a residential subdivision known as Plantation Point, zoned A-1; to the east (across Bluewater Drive) by a residential subdivision known as Stripers Landing, zoned R-1, Residential Suburban Subdivision District; to the east (across Bluewater Drive) by three residential lots zoned RC-1, Residential Combined Subdivision District; to the east (across Bluewater Drive) by the Scruggs Volunteer Fire & Rescue station, zoned B-2, General Business; to the north (at the corner of Scruggs Road and Bluewater Drive) by a residential parcel developed with two houses, addressed as 2089 and 2125 Bluewater

Drive, zoned B-2; and also to the north by a commercially-developed property addressed as 4730 Scruggs Road, zoned B-2.

The Comprehensive Plan for Franklin County identifies this area as appropriate for Low Density residential uses, with an anticipated residential density range of one to two dwelling units per acre. The Comprehensive Plan designates the area immediately surrounding the intersection of Scruggs Road and Bluewater Drive as a "rural neighborhood center," appropriate for a mixture of commercial and civic uses serving the needs of the immediately surrounding community. Rural neighborhood centers are not given specific geographic dimensions by the Comprehensive Plan.

REQUEST:

Franklin County Public Safety is installing a new emergency communications system in order to improve two-way radio communications throughout the County. This system requires the location of eight (8) tower sites across the County; Public Safety is using existing towers where possible. Public Safety has identified the need for a tower location in the Scruggs area in order to cover under-served areas of Smith Mountain Lake, Westlake, Union Hall and Penhook.

Public Safety has hired a private consultant to assist in radio frequency analysis and site selection. The type of equipment required for emergency communications requires specialized tower design in order to provide a stable, consistent platform for antennae. Monopole towers are typically sufficient for private cellular communication services; however, self-supporting "lattice" towers are required for the specialized equipment that will be used by Public Safety, to support the weight of the equipment and minimize any sway or vibration caused by wind.

The subject site was chosen by Public Safety, with input from the consultants, based on its elevation, central location within the target communications area, accessibility for construction and maintenance, and the existence of a significant wooded buffer to help reduce the visibility of the tower from the surrounding area. An alternate site was considered across Bluewater Drive at the Scruggs Volunteer Fire and Rescue site. This site, however, did not meet the minimum tower setback requirements and did not offer any wooded buffering to minimize visual impact.

The proposed communications tower will be located in a densely-wooded area, with the center of the tower set back approximately 570' from Bluewater Drive. The tower will be located approximately 250' from the nearest property line, which is shared with a large agricultural tract located to the west of the subject property. The tower will be located approximately 196' from an existing vacant house (2081 Bluewater Drive), which is slated for demolition. A 100'-wide wooded buffer will be required around the perimeter of the tower site. A densely-wooded area measuring approximately 400' deep currently exists between the proposed tower site and Bluewater Drive.

COMPREHENSIVE PLAN:

Franklin County's Comprehensive Plan identifies this area as appropriate for Low Density Residential uses, with an anticipated residential density range of one to two dwelling units per acre. The subject parcel is currently developed with one single-family home, for a net residential density of 0.04-dwelling units per acre. The proposed communications tower would not result in any increase of residential density for this property.

Policies for Low Density Residential

1. *All roads should be built to state standards and offered by the developer for inclusion in the state system for maintenance.*
2. *Lots in new subdivisions abutting County arterial or major collector roads should be provided access onto service or interior roads so as to prevent the stacking of driveways.*
3. *On site centralized treatment plants to provide public sewer for each subdivision should be encouraged.*
4. *The density of all new subdivisions to be served by wells and/or septic systems should be determined by the long term carrying capacity of the land. All new lots should have adequate reserve areas in the event of septic system failures.*
5. *Centralized water systems should be required to provide water to all new subdivisions.*
6. *All new subdivisions located in prime farmland areas should include adequate buffers to separate residential uses from agricultural operations.*
7. *Encourage interconnection of residential and commercial developments in order to lessen the traffic loads on arterial roads and provide pedestrian and bicycle linkages.*
8. *Streets within subdivisions shall be designed to provide interconnections to adjacent vacant land for future subdivision access and circulation.*

The Comprehensive Plan designates the area immediately surrounding the intersection of Scruggs Road and Bluewater Drive as a "rural neighborhood center," appropriate for a mixture of commercial and civic uses serving the needs of the immediately surrounding community. Rural neighborhood centers are not given specific geographic dimensions by the Comprehensive Plan.

Policies for Rural Neighborhood Centers

1. *Community Design: The County will undertake rural neighborhood plans that identify local resources and opportunities and suggest ways to improve the quality of life in the rural neighborhood.*
2. *Community Facilities: Make future decisions about the location of rural services that will strengthen and improve the quality of life for the residences close to the rural neighborhood centers.*
3. *Any new development in the rural neighborhood center should preserve the rural character of the area and reate a sense of community for residents of the area.*
4. *Agriculture and Forestry: To manage growth; establish guidelines and ordinances to preserve the agriculture and forest in these areas.*
5. *Residential Development: Encourage the use of clustering techniques, implement access management techniques and discourage linear development of single family residences along roadway corridors.*

6. *Work to establish, identify, and plan the enhancement of key gateways and entry points to the rural neighborhood centers and to establish guidelines for landscaping, setback, and coordination of access so as to enhance the quality of these points.*

The Comprehensive Plan recognizes that communications towers are necessary for economic activity and growth, but cautions against tower proliferation and encourages the careful location of towers to minimize any negative visual, health, or environmental impacts.

Policies for Tower Sites and Communication Facilities

1. **Service to Remote Users:** The County will encourage new facilities that fill existing significant gaps in the ability of remote users to access the local and national communication network.
2. **Strengthening the EMS Network:** The County will encourage developers of new facilities to provide opportunities to improve the service of the County's Emergency Service Network.
3. **Co-location:** The County will encourage each new applicant to cooperate with prospective users who request rights to co-locate transmission and reception hardware.
4. **Strategic Planning:** Each applicant must show that the proposal contributes to the existing inventory of facilities and service levels and that other facilities, structures or alternatives are not available to provide the service under consideration. Current plans for service in and around the County and region must be demonstrated to the County's satisfaction.
5. **Evaluation of Visibility:** Each new applicant will include sufficient information to enable the County to measure the visibility of the facility.
6. **Mitigation of Impacts:** Objectionable aspects of individual facilities should be addressed through a combination of realistic performance standards, buffering, setbacks, consideration of less intrusive alternative locations and mitigation strategies such as camouflage, concealment, disguise, and/or the placement of towers with less height.
7. **Lighting:** New facilities shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to surrounding views.
8. **Abandoned Towers:** The County will request applicants to notify the County at such time that the tower becomes inoperable or that its intended purpose is no longer needed. The County will have the right to require that the then tower owners remove the tower, if it is not used for a period of six (6) months. The County may require a bond for the removal of said tower.
9. **Safety Certification:** The applicant must demonstrate that any proposed facility shall not create a safety, health or other hazard, and that regular monitoring as well as, current and overall maintenance is assured, listing all responsible parties. After construction of any facility that becomes unsafe shall be immediately repaired. If the unsafe situation is not corrected in a timely manner, the County shall act appropriately to cause the facility to be removed.

ZONING ORDINANCE:

Sec. 25-179 of the Zoning Ordinance requires a Special Use Permit for the use of "Public Utilities - structures, towers, public water and sewer treatment plants." Communications towers are typically viewed as "public utility" structures. In the non-zoned areas of the County, for instance, Sec. 15.2-2233 requires that the County conduct a Comprehensive

Plan conformance review for the location or expansion of any public utilities facility, which the County has interpreted to include cellular communications towers and facilities.

In addition to the policies for towers outlined in the Comprehensive Plan, the Zoning Ordinance sets forth a number of requirements (supplemental regulations) for towers under Sec. 25-128, as follows:

Sec. 25-128. - Towers, antennas, satellite dishes.

(a) Communication facilities subject to the following conditions:

- (1) Each applicant for a tower shall provide the department of planning and community development with an inventory of its existing facilities that are either within the jurisdiction of the governing authority or within five miles of the border thereof, including specific information about the location, height, and design of each tower. The planning department may share such information with other applicants applying for approvals or special use permits under this section or other organizations seeking to locate antennas within the jurisdiction of the governing authority, provided, however, that the planning department is not, by sharing such information, in any way representing or warranting that such sites are available or suitable for use by others.
- (2) Verifiable evidence of the lack of antenna space on existing towers, buildings, or other structures, including but not limited to churches, power lines, water towers, etc., suitable for antenna location or evidence of the unsuitability of existing tower locations for co-location must be provided by the applicant. Such evidence shall also include an affidavit executed by a radio frequency engineer that such existing tower or structure is unsuitable for the applicant's needs. Such evidence may also include any of the following items:
 - a. No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements.
 - b. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
 - c. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
 - d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
 - e. The fees, costs or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable.
 - f. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
- (3) An engineering report certifying that the proposed tower is compatible for a minimum of four (4) users, must be submitted by the applicant. The applicant shall also permit collocation by additional users without requiring any form of reciprocal location agreement from subsequent users. The provision may be modified by the board of supervisors in conjunction with subsection (14) below, when a lower height is approved by the board of supervisors and collocation of four (4) users is not possible.
- (4) A preliminary site plan of the proposed facility shall be submitted to the department of planning and community development as a part of the submittal. The applicant must provide the county with detailed information regarding the proposed facility's location, latitude and longitude, and service area.
- (5) The facility shall not interfere with the radio, television or communications reception of nearby residents at the time of construction. The applicant shall take steps to successfully eliminate any such interference.
- (6) All towers and other structures shall meet all safety requirements of all applicable building codes.
- (7) All towers shall set back from any property line a distance equal to one hundred twenty (120) percent of the tower height, and in no event shall any such tower be constructed or erected nearer than one hundred twenty (120) percent of the tower height to a residential dwelling unit on the subject parcel, and five hundred (500) feet to a residential dwelling unit located on an adjacent parcel except for the following:

- a. Setbacks from residential dwelling units shall not apply to the property owners' construction of a residential dwelling subsequent to erection of the tower.
 - b. No setback shall be required adjacent to VDOT right-of-way for an interstate highway. Setback requirements from residential dwelling units, however, shall supersede this provision. This provision may be modified by the board of supervisors during the special exception process.
- (8) Documentary evidence of compliance with all Federal Aviation Administration and Federal Communication Commission requirements shall be submitted by the applicant at the time of application for the special exception.
- (9) Unless otherwise allowed under the conditions of a special use permit, or as a requirement of the Federal Aviation Administration, all towers shall have a galvanized steel finish. If painting is required by the FAA, documentary evidence from the FAA requiring such painting must be provided to the County by the applicant. Should the applicant request to construct the tower from materials other than galvanized steel, the applicant shall state the reasons for the request in the application, and the applicant shall also furnish the county with photographs, videos, or some other visual sample of the proposed finish.
- (10) All applicants must provide documentary evidence that the facility will meet or exceed applicable health standards established by the federal government and/or American National Standards Institute.
- (11) No advertising of any type may be placed on the tower or accompanying facility.
- (12) All towers and accompanying facilities must be dismantled by the owner of the tower or accompanying facility if not utilized by a service provider or properly maintained for a period exceeding twenty-four (24) consecutive months. The applicant shall post surety bond in an amount sufficient to cover the costs of dismantling. Surety shall be submitted to and approved by the county prior to site plan approval.
- (13) Owners of towers shall provide the county, or its agents or designees, co-location opportunities on each or any tower without compensation as a community benefit to improve radio communication for county departments and emergency services provided it does not conflict with the collocation requirements of subsection (3).
- (14) Maximum tower height shall be one hundred ninety-nine (199) feet.
- (15) A one hundred-foot wooded buffer easement shall be retained around the site, except for ingress/egress unless otherwise approved by the board of supervisors. An easement for the wooded buffer shall be recorded in the land records of the circuit court prior to site plan approval. Such easement shall retain the wooded buffer for the life of the tower or accompanying facilities. A section of fence at least six (6) feet in height shall be provided completely around the base of the tower and any associated equipment.
- (16) The owner of the tower shall annually provide the planning department and the commissioner of revenue a report with the names, addresses, contacts, structures and equipment for all providers utilizing the tower.
- (17) The tower shall be constructed and at least one user located on the tower within twelve (12) months of the date of issuance of the special exception or approval shall be null and void. The applicant shall post surety bond in an amount sufficient to cover the costs of dismantling. Surety bond shall be submitted to and approved by the County prior to site plan approval.
- (18) The applicant shall be responsible for any costs incurred by the county for review of the application.
- (19) Accurate, to scale, photographic simulations showing the relationship of the proposed broadcasting tower and associated antenna to the surroundings. Photographic simulations shall also be prepared showing the relationship of any new or modified road, access or utility corridors constructed or modified to serve the proposed broadcasting tower site. The number of simulations and the perspectives, from which they are prepared, shall be established with the staff.
- (20) A computerized terrain analysis showing the visibility of the proposed broadcasting tower and antenna at the requested height and location. If new or modified road, access or utility corridors are proposed, the terrain analysis shall also show the visibility of these new or modified features.
- (21) All broadcasting tower applicants shall be required, at their expense to conduct an on-site "balloon" or comparable test prior to the planning commission and board of supervisors hearings on the special use permit. The purpose of this test shall be to demonstrate the potential visual impact of the proposed tower. The dates and periods of these tests shall be established with the applicant in consultation with staff.

ANALYSIS:

Staff believes that the proposed communications tower is consistent with the Comprehensive Plan's policies for Low Density Residential, in that the tower will be located on a large, wooded parcel with sufficient separation from neighboring homes and significant vegetative buffering surrounding the proposed tower site.

Staff believes that the proposed communications tower is consistent with the Comprehensive Plan's policies for Rural Neighborhood Centers, in that the communications tower will facilitate emergency communications in the area and will immediately benefit the operations of the Scruggs Volunteer Fire and Rescue service, which is a neighboring use located in the Scruggs rural neighborhood center.

Staff believes that the proposed communications tower is consistent with the Comprehensive Plan's policies for towers, in that it supports the County's overall efforts to improve Public Safety communications and is strategically located to minimize the total number of towers that are needed county-wide to support effective emergency communications.

Staff believes that the proposed tower is generally consistent with the requirements of the Zoning Ordinance. Staff notes that a balloon test was conducted on July 24, 2015; the results of that balloon test (including photo simulation of the proposed tower) were not available at the time of this writing, but will be presented to the Planning Commission at its August 11, 2015 meeting. Staff visited the site during the balloon test and observed that the tower would be visible from all adjacent properties and from the area immediately surrounding the Scruggs Road/Bluewater Drive intersection. However, the tower does not appear to be visible from any area outside a one-mile radius of the tower site. Staff notes that the existing wooded area surrounding the tower site appears to effectively block the view of the bottom half of the proposed tower.

Given the current configuration of the subject parcel, the proposed tower does not meet the setback requirement from the adjoining property lines of Tax Map/Parcel #33-35.2, nor does the tower meet the setback requirement from the existing vacant house at 2081 Bluewater Drive (located on TMP#33-35.2.) The owner of the subject property, Blue Ridge Group, LLC, is also the owner of Tax Map/Parcel #33-35.2, and has agreed to demolish the vacant house, vacate the property lines, and merge the 2-acre parcel with the larger subject parcel.

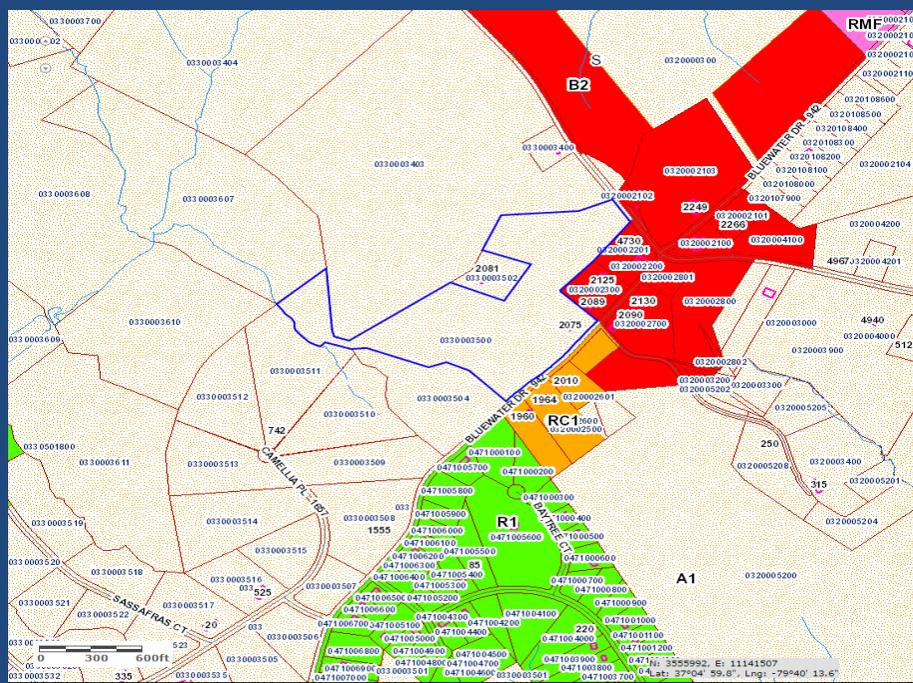
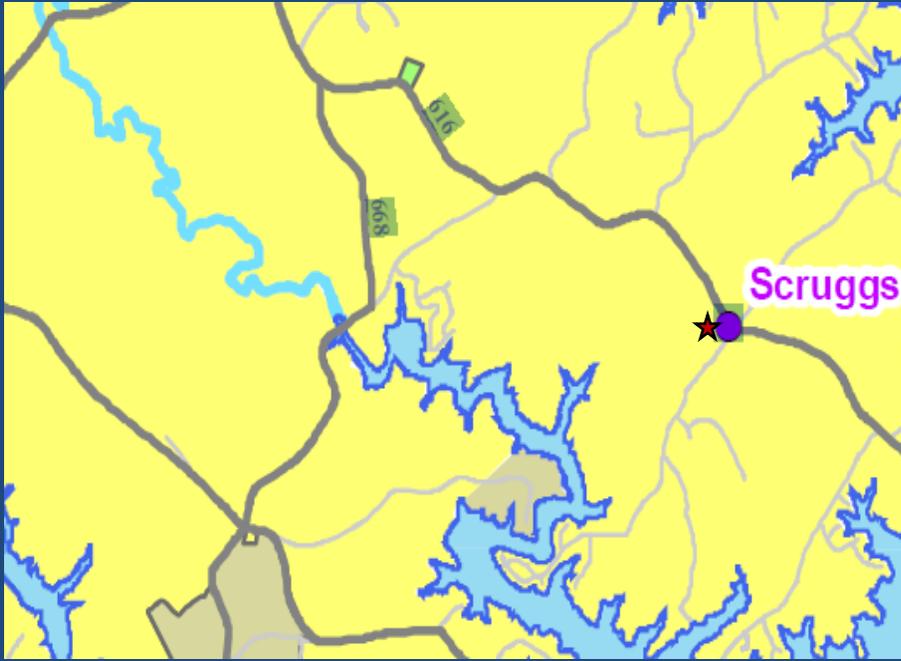
Franklin County
Board of Supervisors



September 15, 2015

CASE # SPEC-5-15-14332
REQUEST:

PETITION FOR SPECIAL USE - Petition of **Franklin County Public Safety, Petitioner** and **Blue Ridge Group, LLC., Owner** requesting a Special Use Permit for "Public Utilities - Structures, Towers, Public Water and Sewer Treatments Plants" for a +/- 24.4 acre parcel of land, located at 2075 Bluewater Drive in the Gills Creek District of Franklin County, and further identified by Franklin County Real Estate records as Tax Map/Parcel #0330003500. The subject property is zoned A-1, Agricultural District, which allows a maximum residential density of 1.25 dwelling units per acre. The Future Land Use Map of the Franklin County Comprehensive Plan identifies this area as appropriate for Low Density Residential uses, with an anticipated residential density of one to two dwelling units per acre. The subject property currently has a residential density of approximately 0.04 dwelling units per acre. This special use permit would not result in any additional residential density.



closer to their property and placed on the property line, whereby both property owners would share in any revenue.

Planning staff reiterated the proposed tower could not be moved to the property line as it would not meet the required property line setbacks.

Judy Johnson, property owner representing Blue Ridge Group, LLC noted that an access road already exists on the proposed tower location.

Matt Pagans of 494 Peakview Drive, Moneta that he feels the Maxwell's property value will be impacted and that some compensation is warranted.

Public Hearing was closed.

(RESOLUTION #05-09-2015)

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 prepared by KCI Technologies, dated June 1, 2015, and referenced in the petitioner's application as Exhibit #8.
2. **Lot line vacation required.** Prior to approval of any Site Plan pursuant to the approval of this Special Use Permit, the property owner shall be required to vacate the lot lines of Tax Map/Parcel #33-35.2, so as to merge this +/- 2-acre parcel with the subject +/- 24.4-acre parcel. This shall be required in order to comply with the required tower setback from adjacent property lines.
3. **Buffer easement required.** Prior to approval of any Site Plan pursuant to the approval of this Special Use Permit, the property owner shall be required to record an easement for the purpose of preserving a 100-foot wide wooded buffer around the perimeter of the tower site, consistent with the area labeled "Proposed 100'-0" Wide Tree Buffer" on the concept plan.
4. **House demolition required.** Prior to the approval of any Site Plan pursuant to the approval of this Special Use Permit, the property owner shall be required to obtain a demolition permit for the existing residential structure located on Tax Map/Parcel #33-35.2. This shall be required in order to comply with the required tower setback from any residential structure.

MOTION BY: Bob Camicia

SECONDED BY: Ronnie 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