

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, MAY 17, 2016 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
Leland Mitchell
Tommy Cundiff
Tim Tatum

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 Charles Wagner.

Pledge of Allegiance was led by Supervisor Leland Mitchell.

RESOLUTION OF APPRECIATION/BOBBY SHIVELY/50 YRS. SERVICE

Tim Tatum, Blue Ridge District Supervisor, presented Bobby Shively the following resolution of appreciation:

RESOLUTION

WHEREAS, Bobby Shively was a charter member of the Ferrum Rescue Squad in 1977 and served as a member of the Ferrum Rescue Squad for 13 years, and

WHEREAS, Bobby Shively served as an officer of the Ferrum Rescue Squad serving as Second Lieutenant from 1977 until 1979 then as Captain from 1979 until 1981, and

WHEREAS, Bobby Shively served as a member of the Ferrum Rescue Squad Board of Directors for 4 years, and

WHEREAS, Bobby Shively is a Member of the Ferrum Volunteer Fire Department and served as Fire Chief 1984 through 1989, and

WHEREAS, Bobby Shively has given 50 years of service to his community and still continues to serve the citizens of Franklin County as an active volunteer fire fighter,

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Franklin County that Bobby Shively is hereby recognized for his service to the County and the Public Safety System.

E. CLINE BRUBAKER

MAY 17, 2016

PUBLIC COMMENT:

- ❖ David Pursley - First of all, stated his apologies to the Board for turning his back when addressing the Board a couple of months ago, as he understands this was not politically correct. If MVP is allowed to take my land, construct the pipeline, the project would be disaster to the wet lands environment. Everything flows down hill.
Drinking water contamination
Loss of Timber
Concerns about quality control of construction of pipeline, etc

"I don't speechify too well". As Theodore Roosevelt would say before a public gathering, Is How I speer I go off Script, so Please pot up with it!!!!!!

- ❖ Carolyn Reilly - Blue Ridge Environmental Defense League/FOIA

Blue Ridge Environmental Defense League

www.BREDL.org PO Box 88 Glendale Springs, North Carolina 28629 BREDL@skybest.com (336) 982-2691

Franklin County BOS Public Comment: Tuesday, May 17, 2016

Good afternoon. My name is Carolyn Reilly and I reside at 404 Old Mill Creek Lane in Rocky Mount, VA. I am speaking today on behalf of the Blue Ridge Environmental Defense League (BREDL) and request 5 minutes to share my presentation. First of all, I would like to be clear that my talk today is not directed to an individual but to a governing body: you, the supervisors, elected officials of Franklin County; representatives for the PEOPLE.

On the evening of January 19th, this meeting room was packed full of people – standing room only. Citizens of Franklin County showed up in droves to be able to speak publicly about their concerns surrounding the proposed Mountain Valley Pipeline. Every single person that presented and shared spoke in opposition and asked you, each of you, to take a stand and help protect our rights. Our rights to **property**, to **clean** water, to a **healthy** economy AND community that we are all a part of. In February, at the regularly scheduled public meeting, Mike Carter, Chairman of Preserve Franklin spoke and thanked you for offering the Public Hearing and also asked that you all make known your position concerning the proposed Mountain Valley Pipeline.

Ronnie Thompson, brought before the board a resolution (**#06-02-2016**):

“BE IT THEREFORE RESOLVED, by the Board of Supervisors to forward a resolution to FERC stating Franklin County's opposition to Mountain Valley Pipeline coming through Franklin County.” The motion was seconded by Tommy Cundiff and voting commenced:
 AYES: Thompson & Cundiff NAYS: Mitchell, Wagner, Camicia, Tatum & Brubaker. THE MOTION FAILED WITH A 2-5 VOTE.

After this motion fell to the floor, Leland Mitchell stated: “I thought we’ve already voted regarding our position on the Mountain Valley Pipeline – didn’t we decide to take a neutral position?”

After searching through the BOS meeting minutes since August 2014, I found no record of a resolution stating a neutral position regarding the proposed Mountain Valley Pipeline.

According to the dictionary, neutral when used as an adjective is defined as: **“not helping or supporting either side in a conflict, disagreement, etc.; impartial.”** I’m standing here today to prove that this is not the case when it comes to the Franklin County Board of Supervisors and the proposed Mountain Valley Pipeline.

Also at the February meeting, a check was given to the Board of Supervisors for \$400 in order to obtain the long negotiated public documents that were requested via the Freedom of Information Act in August of 2015. The files were received within a week of the check.

After reviewing the many, MANY communications between Franklin County, Roanoke Gas

and MVP, It is clear that you have shown partiality to the proposed MVP. The first communication in the FOIA documents from MVP was dated September 11, 2014 – a letter from Joseph Dawley of EQT Corporation sharing about the proposed project and that a route has not yet been determined. At the public BOS meeting on September 16, 2014 (and I quote from the meeting minutes):

“Mr. Huff stated the proposed pipeline will commence in northern West Virginia and end at an existing natural gas pipeline facility in Pittsylvania County, Virginia. As this project is in the very early stages of development, the exact route of the proposed pipeline in Virginia is not yet determined.”

There was no further record of discussion about the proposed MVP at this September meeting.

And that is why the next communication is puzzling to me as well as many of us citizens. In an email dated September 22, 2014, Mr. Rick Huff wrote to John D’Orazio of Roanoke Gas:

“As much as you have worked to try to justify natural gas to Franklin County, I thought I would run another question by you **at the request of my Board of Supervisors**. The Mountain Valley Pipeline folks, as I am sure you are aware, are still looking for a route from West Virginia to Pittsylvania County that could include a path through Franklin County. While they have not established the route yet, I have been asked to seek your thoughts on whether such a line can economically be tapped in order to serve Franklin County any cheaper than coming from your existing infrastructure in Clearbrook that we have discussed before? I am certain that tapping a transmission line would bring another set of complexities even if it were relatively close to Rocky Mount, but didn’t know if you had any thoughts I could share with my Board as to any potential benefit of the line?”

Less than two weeks later, an email was sent from Mr. Rick Huff to the Board of Supervisors stating that MVP plans to announce a “revised” route on Tuesday, October 7th. And I quote from the email:

“This route stays out of Floyd County and comes through Franklin County north of Rocky Mount and crosses Rt. 220 about Dudley Truckstop/Midpoint Chevrolet. It then crosses Rt. 220 and stays in the AEP ROW for the most part until it gets to the Pittsylvania County line.”

And only eleven days prior, an email was sent (as requested by the BOS) inquiring about how such a line could serve Franklin County. That just doesn’t sound like **neutral** position.

Next on our neutral navigation is a presentation given by Chris Sherman of Next Era Energy at an evening meeting on October 21st. Following this, an email was sent on November 13, 2014, to Chris Sherman by Rick Huff who mentioned an **internal** meeting as well as the

public meeting. SLIDE 8 The subject line paints a vibrant color of partiality; the county seems to be actively courting MVP: "Taps on Gas Line" it reads and Huff is clear to state:

"...the ability of the County to "tap" the line has been confirmed. We are in a position to understand more formally how we can be reassured of that and to clarify how many locations will be "tapped"...Franklin County would like to be advised what entity has the legal authority to "guarantee" the taps as soon as possible in our discussions and we are interested in 4-5 taps along the line for future distribution possibilities. We'd like to be assured that this is in keeping with earlier commitments given to the county..."

The communications continue as a December 16th letter from Maurice Royster of Mountain Valley Pipeline thanks Mr. Huff stating:

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

The letter continues to elaborate regarding the proposed pipeline's "open accessibility"

"Of course the ability to ship or receive natural gas is contingent on the economic viability of the need of service. As we discussed, it will be necessary for MVP to work with a local distribution company ("LDC"), such as Roanoke Gas..."

As I researched and read through the purchased FOIA documents from Franklin County, the dialogue between MVP, Roanoke Gas and Franklin County became more and more friendly and relational. Throughout the business verbiage and cozy language, there are multiple citizen letters sharing their sincere concern about the proposed pipeline. Not one response to a citizen was included in the filing. Yet, there were many replies to the corporate big wigs of MVP, EQT and Roanoke Gas.

The picture is crystal clear; there is no evidence of a *neutral* governing body in Franklin County when it comes to the proposed Mountain Valley Pipeline. But in fact, the wooing of MVP has turned into a love triangle and the citizens have been left to their own devices.

Blue Ridge Environmental Defense League

www.BREDL.org PO Box 88 Glendale Springs, North Carolina 28629 BREDL@skybest.com (336) 982-2691

May 17, 2016

Cline Brubaker, Chairman
Franklin County Board of Supervisors
1255 Franklin Street
Rocky Mount, VA 24151

Dear Mr. Brubaker and members of the Board:

I write on behalf of the Blue Ridge Environmental Defense League and its members in Franklin County and throughout Virginia to share with you our findings based on our public information request. Based on our analysis, we believe that nothing short of a full disclosure by Franklin County will be sufficient to regain public trust in light of the negotiations it held with representatives of EQT Corporation, NextEra US Gas Assets LLC and Mountain Valley Pipeline, LLC during the last quarter of 2014, soon after the announcement by EQT and NextEra of their open season for the Mountain Valley Pipeline project.

As you know, on behalf of our chapter Preserve Franklin we filed a request for public records from Franklin County on August 26, 2015. Based on the documents provided in response to our request, it appears that, despite credible, vocal and sustained opposition by local residents, Franklin County has been actively courting natural gas providers, seeking access to the proposed Mountain Valley Pipeline and affecting its proposed route.

First, in a letter dated September 11, 2014 from EQT's Joseph Dawley to Franklin County Manager Richard E. Huff, Dawley stated, "We look forward to the start of a long and productive relationship with Franklin County."¹

Next, on September 22, 2014, Huff requested information from John D'Orazio of Roanoke Gas, seeking construction cost comparison data for obtaining natural gas from Roanoke Gas's Clearbrook and the proposed interstate Mountain Valley Pipeline. Mr. Huff wrote:

As much as you have worked to try to justify natural gas to Franklin County, I thought I would run another question by you at the request of my Board of Supervisors. The Mountain Valley Pipeline folks...are still looking for a route from West Virginia to Pittsylvania County that could include a path through Franklin County. While they have not established the route yet, I have been asked to seek your thoughts on whether such a line can economically be tapped in order to serve Franklin County any cheaper than coming from your existing infrastructure in Clearbrook that we have discussed before.² [emphasis added]

¹ FOIA file: Franklin Ltr 09.11.14Huff

² FOIA file: BOS_MVPTapCost_Files.pdf page 4

In this communication we see that very early in the pipeline company's decision-making process the Franklin Board of Supervisors was actively seeking to bring natural gas to the county on a route provided by the Mountain Valley Pipeline. The cost figures bear this out in the differential between various options. Cost data provided by Roanoke Gas engineer Paul Schneider to Michael Burnett, Director of Franklin County's Office of Economic Development, show the following:³

| | Northern Site | Central Site | Southern Site |
|------------------|---------------|--------------|---------------|
| From Clearbrook | \$13,876,197 | \$28,046,925 | \$32,864,973 |
| From MVP Station | \$ 5,627,824 | \$13,192,295 | \$16,363,318 |
| With MVP Onsite | \$ 2,693,918 | | |

According to this data provided an engineer at Roanoke Gas, the construction costs to a "Northern Site" from an MVP Station would be 60% cheaper than from Clearbrook, and cheaper still, by 80%, with a site on the MVP route. The Central and Southern sites bear similar findings favoring MVP.

Therefore, with the cost figures provided to Franklin County at its request by Roanoke Gas, Franklin County was engaging and encouraging the Mountain Valley Pipeline.

Second, on October 3, 2014, Mr. Huff shared with the Board of Supervisors a Mountain Valley Pipeline map, indicating an alteration of the route. Subsequently, on November 13, 2014, Huff wrote to NextEra's Christopher Sherman seeking to secure access to the proposed Mountain Valley Pipeline. Huff wrote:

Franklin County would like to be advised what entity has the legal authority to "guarantee" the taps as soon as possible in our discussions and we are interested in 4–5 taps along the line for future distribution possibilities. We'd like to be assured that this is in keeping with earlier commitments given to the county.⁴
[emphasis added]

The negotiation between Franklin County and MVP continued. On December 16, 2014, Mountain Valley Pipeline representative Maurice Royster wrote to Mr. Huff saying,

Thank you for meeting with Mountain Valley Pipeline ("MVP") project representatives, including Shawn Posey, Joe Dawley and me December 3rd. We appreciated the opportunity to discuss the commercial gas usage potential that the pipeline offers the county and how MVP can facilitate the process.⁵

In his letter, Royster further explained to County Administrator Huff the details of an agreement requiring a local provider—a local distribution company such as Roanoke Gas; further, that "MVP will commit to construct local taps along the pipeline route in Franklin County..."

³ FOIA file: BOS_MVPTapCost_Files.pdf page 1

⁴ FOIA file BOS_MVPTapCost_Files.pdf page 2

⁵ FOIA file: Franklin County Letter 12.16.14_Royster

In light of the information obtained by our public information request, it is clear that during a three month period in 2014 Franklin County was involved in extended, specific negotiations with natural gas pipeline officials from Roanoke Gas, EQT and NextEra. Indeed, during that time the start of a long and productive relationship with Franklin County had begun, but it was done out of public view.

In conclusion, we ask that Franklin County commit to full disclosure of its negotiations with natural gas pipeline representatives. Further, we ask that the Board of Supervisors reassess its tacit support of the Mountain Valley Pipeline and realign its goal to the development of safe, clean alternatives to natural gas, a fossil fuel obtained by hydrofracking with devastating consequences to public health.

Respectfully,



Louis A. Zeller
Executive Director

CC: Leland Mitchell
Ronnie Thompson
Charles Wagner
Tommy Cundiff
Tim Tatum
Bob Camicia

FRANKLIN COUNTY BOS

Revealing what "neutral" looks like...

JANUARY 19TH PUBLIC HEARING – WHAT'S YOUR RESPONSE??



NEUTRAL

neu·tral
'n(y)ootrəl/
adjective: **neutral**

1.1.

not helping or supporting either side in a conflict, disagreement, etc.; **impartial**.

"during the Second World War, Portugal was neutral"

synonyms:

impartial, unbiased, unprejudiced, objective,
equitable, open-minded, nonpartisan,
disinterested, dispassionate, detached,
impersonal, unemotional, indifferent,
uncommitted

\$400 FOIA



NEUTRAL?

From: Huff, Rick
Sent: Monday, September 22, 2014 3:03 PM
To: John S. D'Orazio (John_DOrazio@RoanokeGas.com)
Subject: Franklin County Natural Gas

John:

As much as you have worked to try to justify natural gas to Franklin County, I thought I would run another question by you **at the request of my Board of Supervisors**. The Mountain Valley Pipeline folks, as I am sure you are aware, are still looking for a route from West Virginia to Pittsylvania County that could include a path through Franklin County. **While they have not established the route yet, I have been asked to seek your thoughts on whether such a line can economically be tapped in order to serve Franklin County any cheaper than coming from your existing infrastructure in Clearbrook that we have discussed before? I am certain that tapping a transmission line would bring another set of complexities even if it were relatively close to Rocky Mount, but didn't know if you had any thoughts I could share with my Board as to any potential benefit of the line?**

Thanks!
 Rick

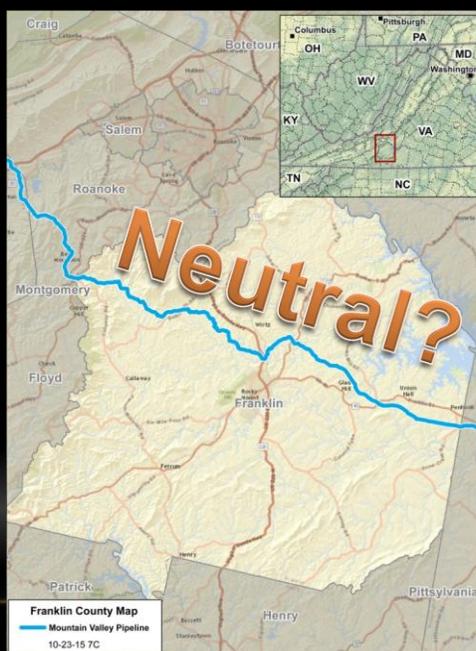


REVISED ROUTE

From: Huff, Rick
Sent: Friday, October 03, 2014 4:29 PM
To: Camicia, Bob; Wagner, Charles - External; Brubaker, Cline; Cundiff, David; Cundiff, David; Thompson, Ronnie; Thompson, Bobby; Mitchell, Leland
Cc: Burnette, Michael; Whitlow, Christopher; Holthouser, Neil; Smith, Don
Subject: Mountain Valley Pipeline
Attachments: MVP Proposed Route Franklin (October 2014).pdf

I had sent an update in the Friday packet on the gas pipeline and then **received a phone call late this afternoon that they are going to release a revised route on Tuesday. I have attached a map that they are going to make public on Tuesday and they have asked that we not forward it or release it until after they go public.** This route stays out of Floyd County and comes through Franklin County north of Rocky Mount and crosses Rt. 220 about Dudley Truckstop/Midpoint Chevrolet. It then crosses Rt 220 and stays in the AEP ROW for the most part until it gets to the Pittsylvania County line. I will forward more info as I receive it.

Thanks!
 Rick



GOT TAPS?

From: Huff, Rick
 Sent: Thursday, November 13, 2014 3:33 PM
 To: Christopher.Sherman@nexteraenergy.com
 Cc: Rob Shinn
 Subject: Taps on Gas Line

Mr. Sherman:

At our internal meeting as well as the public presentation you did for the Franklin County Board of Supervisors, the ability of the County to "tap" the line has been confirmed. We are in a position to understand more formally how we can be reassured of that and to clarify how many locations will be "tapped" enabling us to work with a distribution entity to provide gas service to our businesses and residents if the line gets built.

Franklin County would like to be advised what entity has the legal authority to "guarantee" the taps as soon as possible in our discussions and we are interested in 4-5 taps along the line for future distribution possibilities. We'd like to be assured that this is in keeping with earlier commitments given to the county.

Lastly, I have been asked to confirm whether there are any "compressor stations" or "booster stations" contemplated in Franklin County? If so, where and what acreage such a facility would require?

Thank You!



Richard E. Huff, II
 Franklin County Administrator
 540.483.3030

Neutral?



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

Neutral?

Mr. Rick Huff
 County Administrator
 Franklin County

December 16, 2014

Dear Mr. Huff:

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

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

Neutral?



❖ Ronnie Altizer asked the Board the following questions:

1 - Just who exactly who is getting \$1500 a month from Franklin Co. to lobby for I-73 and what are we getting for it?

2 – I understand this board has had 3 salary increases since 2008 and I would like to ask when are real-estate tax relief (for elderly and disabled) basing figures going to be adjusted and if they are not going to be adjusted-why. These basing figures have not changed since 2008.

CONSENT AGENDA

APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR – April 4, 19 & 26, 2016

APPROPRIATIONS

| <u>DEPARTMENT</u> | <u>PURPOSE</u> | <u>ACCOUNT</u> | <u>AMOUNT</u> |
|---|---|-----------------|-----------------------------|
| Clerk of Court | Library of Virginia Grant-Record Scanning | 2106- 57003 | \$25,140 |
| Clerk of Court | Part Time Reimbursement | 2106- 51003 | \$1,238 |
| | | | |
| External Agency Contributions | First Quarter 2016 Public, Educational and Government Funds (PEG) | 8106- 55600 | \$3,947 |
| | | | |
| Library | Additional State Library Aid | 7301- 55425 | \$3,948 |
| Library | Book Sales and Donations | 7301- 55411 | \$443 |
| | | | |
| Tourism | Arts Grant from State | 8110- 55810 | \$2,500 |
| | | | |
| Franklin Center | Additional User Fee Revenue | 8108- 53007 | \$627 |
| | | | |
| Treasurer | Budget DMV Stop Fees | 1213- 53002 | \$26,714 |
| | | | |
| Sheriff | Additional Off-Duty Revenue | 2107- 51010 | \$8,000 |
| Sheriff | Additional Off-Duty Revenue | 3102- 51010 | \$26,339 |
| | | | |
| Public Safety | Rescue Squad Assistance Fund Grant | 3505- 57001 | \$13,523 |
| | | | |
| Franklin Center Capital | Additional VWCC payment | 30330059-57001 | \$24,000 |
| | | | |
| County Capital | Budget Additional Property Tax Revenue to Fund 16-17 CIP Projects | | |
| | Ferrum Bridge Project | CIP | \$252,840 |
| | Parks and Recreation | CIP | \$57,458 |
| | Library | CIP | \$45,000 |
| | Aging Services Vehicle Replacement | CIP | \$11,456 |
| | Information Technology Projects | CIP | \$149,000 |
| | Voting Machine Replacement Reserve | CIP | \$40,000 |
| | Case Management Software for Comm Atty | CIP | \$30,000 |
| | E911 Server Replacement, Seating | | |
| | Telephones and Consoles | CIP | \$74,000 |
| | | | |
| | | Total | \$796,173 |
| | | | |
| Transfers Between Funds, Departments or Capital Accounts | | | (Decrease), Increase |
| None | | | |
| | | | |
| | | Total Transfers | \$0 |

BOBBY SHIVELY RESOLUTION/50 YEARS FERRUM VOLUNTEER FIRE & RESCUE

Bobby Shively began volunteering in 1966 and has served with both the Ferrum Volunteer Fire Department and Ferrum Rescue Squad. Bobby is still an active member of the Ferrum Volunteer Fire Department and responds to emergency calls when available.

Bobby Shively has served the citizens of Franklin County for 50 years as a volunteer fire fighter as well as a volunteer emergency medical services provider. Bobby began volunteering in 1966 with the Ferrum Volunteer Fire Department where he rose through the ranks and eventually served as fire chief for 5 years from 1984 through 1989. Bobby Shively was instrumental in organizing the Ferrum Rescue Squad in 1977 and volunteer with the agency for 13 years. Bobby served as the Captain of the Ferrum Rescue Squad from 1979 until 1981 and then served on the Board of Directors for the agency. Bobby Shively is still an active member of the Ferrum Volunteer Fire Department and still responds to calls and offers guidance and instruction to younger members to mentor them in the fire service. It is impossible to determine how many lives Bobby's has touched in Ferrum and surrounding communities due to his service to Franklin County.

RECOMMENDATION: Staff respectfully recommends that the Board of Supervisors approve the resolution honoring him for his service.

RESOLUTION

WHEREAS, Bobby Shively was a charter member of the Ferrum Rescue Squad in 1977 and served as a member of the Ferrum Rescue Squad for 13 years, and

WHEREAS, Bobby Shively served as an officer of the Ferrum Rescue Squad serving as Second Lieutenant from 1977 until 1979 then as Captain from 1979 until 1981, and

WHEREAS, Bobby Shively served as a member of the Ferrum Rescue Squad Board of Directors for 4 years, and

WHEREAS, Bobby Shively is a Member of the Ferrum Volunteer Fire Department and served as Fire Chief 1984 through 1989, and

WHEREAS, Bobby Shively has given 50 years of service to his community and still continues to serve the citizens of Franklin County as an active volunteer fire fighter,

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Franklin County that Bobby Shively is hereby recognized for his service to the County and the Public Safety System.

MOU OF TOWN OF ROCKY MOUNT STORMWATER MANAGEMENT & E & S PLAN

In December 2015, Planning Staff presented the Board with information concerning changes to the County's Erosion and Sediment Control and Storm Water Management programs and procedures. This included proposed amendments to Chapter 7, Chapter 27 and establishment of Memorandums of Understanding (MOU) with the Towns of Rocky Mount and Boones Mill. The amendments to Chapter 7 and 27 were adopted by the Board in February 2016.

During the County's annual review by the Virginia Department of Environmental Quality (DEQ), the oversight agency advised that a formal MOU is necessary to demonstrate that currently the County is responsible for the plan review, permitting and enforcement of both the erosion and sediment control and the storm water management programs within the towns. Draft copies of the MOU were sent to both towns for review and comment following the December 2015 meeting. Town and County staff have reviewed the documents as well as attorneys for both localities. The MOU formalizes the responsibilities of both parties in these programs.

Towns within Virginia are not required to have their own erosion and sediment control or stormwater programs. If towns choose not to have their own program, the County regulations (programs) also govern land disturbing activities within town limits.

The Boones Mill has MOU was approved by the Board in April. The Town of Rocky Mount has now approved the MOU (see submitted) and it is now submitted to the Board for approval.

MEMORANDUM OF UNDERSTANDING

BETWEEN
FRANKLIN COUNTY AND THE TOWN OF ROCKY MOUNT
FOR PROVIDING STORMWATER MANAGEMENT &
EROSION AND SEDIMENT CONTROL PLAN REVIEW AND
INSPECTION SERVICES

I. PARTIES AND PURPOSE

This Memorandum of Understanding (MOU) is made and entered into this 16 day of April, 2016 by and between the County of Franklin, Virginia, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as the "County", and the Town of Rocky Mount, a municipality of the Commonwealth of Virginia, hereinafter referred to as the "Town" for the purpose of clarifying stormwater management plan ("SWM") and erosion and sediment management plan ("ESC) review services and inspections to the Town of Rocky Mount.

The Town of Rocky Mount recognizes that in order to maintain a high quality level of customer service to its development/construction community and comply with federal, state, and local requirements of the stormwater management and erosion and sediment control regulations, a close working relationship with the County is desirable and will be made possible through this MOU.

II. SCOPE OF WORK

The County and the Town desire to cooperatively work together to continue to provide an optimum level of customer service to the development/construction community. Therefore, in accordance with Code of Virginia Section 62.1-44.15:27b and 62.1-44.15:54, the Town is entering into this MOU with the County Department of Planning and Community Development which clarifies that projects within the Town are subject to the County's stormwater management and erosion and sediment control regulations found in Chapter 7 of the Franklin County Code, as amended. The Town understands that the County has full control of this program to obtain stormwater management and erosion and sediment plan review services for the review of construction plans, concept stormwater management and erosion and sediment control plans, site stormwater management and erosion and sediment control plans and all or any documents including associated stormwater management and erosion and sediment control reports related to the issuance of Virginia Stormwater Maintenance Program (VSMP) and/or Virginia Erosion and Sediment Control (VESC) permit(s). In addition, the County would conduct all inspection services during construction and post-construction inspection services of stormwater management facilities.

For the period hereinafter set forth, the County and Town will provide the necessary personnel, materials, services, facilities, funds, and otherwise perform all things necessary for or incidental to this MOU.

A. Responsibilities of the Town Planning and Zoning Department:

1. Accept site and subdivision development plans for SWM and/or ESC projects located in the Town and distribute for review and approval to the appropriate Town and County departments in a timely manner. Plans should be delivered to County within three (3) business days of submittal to Town;
2. Collect checks, made payable to The County of Franklin, for all County fees

associated with the project; this includes SWM and/or ESC review and inspection services in accordance with Franklin County Code Chapter 7 Erosion & Sediment Control and Stormwater Management & Chapter 27 Fee Schedule; for credit card payment, the applicant will arrange payment with the County at the time of plan delivery;

3. Coordinate and/or attend pre-review, pre-construction and/or any needed meetings with all parties involved in the review and approval of the Plans;
4. Facilitate all appropriate and/or necessary meetings;
5. Confirm zoning of property is appropriate for intended use; and
6. Act as primary point of contact for development review process until plan approval or disapproval has occurred.

B. Responsibilities of the County Planning and Community Development Services:

1. Attend pre-review, pre-construction and/or any needed meetings with all parties involved in the review and approval of the plans; and,
2. Review SWM and/or ESC plans for projects in the Town in accordance with Chapter 7 of Franklin County Code, as amended; provide recommendations on whether a project proposal meets environmental design to the maximum extent practicable;
3. Review construction plans as they pertain to stormwater and erosion and sediment control;
4. Review stormwater management and erosion and sediment control plans design revisions;
5. Review stormwater management and erosion and sediment control plan studies;
6. Review construction revisions to "issued permits" and manage modification of existing permits;
7. Coordinate all plan review comments and approval/disapprovals with Town zoning administrator;
8. Review all design calculations including stormwater management, erosion and sediment control, hydraulic, hydrology, structural, etc.;
9. Approve/disapprove plans and enter the necessary information into the Department of Environmental Quality (DEQ) web based stormwater permitting system, as appropriate;
10. Collect, administer, maintain, reduce, and release development surety necessary for all construction projects; and,
11. Transmit appropriate fees and reports to State of Virginia as required by the Code of Virginia.

III. FEE AND PAYMENT

The County shall provide project review for all projects requiring review in accordance with Chapter 7 of Franklin County Code. The Town shall collect all necessary fees from the applicant at the time of initial application, made payable to The County of Franklin, in accordance with Chapter 27, Fee Schedule, of Franklin County Code and transmit the checks/fees to the County along with the required plans and supporting documentation. All surety related to stormwater and/or erosion and sediment control shall be held by County. Any additional fees necessary after initial plan submittal shall be collected by the County.

IV. PERIOD OF AGREEMENT AND MODIFICATIONS

This MOU will be effective for TWO (2) years, commencing on the ____ day of _____, 20__ and terminating on the ____ day of _____, 20__. The MOU may be modified, extended, or terminated at any time by mutual consent of the parties hereto, or may be terminated by either party by giving 90 days written notice to the other party.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding on the day, month, and year indicated:

FOR FRANKLIN COUNTY:

Approved as to Form: BOARD OF SUPERVISORS OF COUNTY OF FRANKLIN, VIRGINIA

B. James Jefferson
County Attorney

By: _____
W. Brent Robertson
County Administrator

STATE OF VIRGINIA
COUNTY OF FRANKLIN, to wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by W. Brent Robertson, County Administrator on behalf of the County of Franklin.

Registration #: _____
My Commission expires: _____ Notary Public

FOR TOWN OF ROCKY MOUNT:

Approved as to Form: TOWN COUNCIL OF TOWN OF ROCKY MOUNT, VIRGINIA

John J. Boitnott
Town Attorney

By: _____
C. James Ervin
Town Manager

STATE OF VIRGINIA
TOWN OF ROCKY MOUNT, to wit:

The foregoing instrument was acknowledged before me this 26th day of April, 2016 by C. James Ervin, Town Manager on behalf of the Town of Rocky Mount, Virginia.

Registration #: 7669993
My Commission expires: February 29, 2020

Rebecca H. Dillon Notary Public



RECOMMENDATION:

Staff recommends that the Board of Supervisors approve the MOU with the Town of Rocky Mount and authorize the County Administrator and County Attorney to sign the document that will become effective May 17, 2016. This MOU will remain in effect for a period of two (2) years. In 2018, this MOU could be renewed, if both parties are in agreement.

4-H CENTER 2016 SPECIAL EVENTS APPLICATION

Mr. Roger Ellmore, Executive Director, W. E. Skelton 4-H Educational Conference Center, is requesting Board approval for their 2016 Special Entertainment Permit set for **July 29-30, 2016**. In the past, the Board has granted approval for the completed permit and setting a property bond in the amount of \$500.00 to be posted with the County Administrator (10) days prior to the day the festival is to begin per County Code Section 3-80.

With all of the required County departments signing off on the proposed Special Entertainment Permit, the application is in order and Mr. Ellmore remitted the \$100.000 application fee on April 28, 2016 and will remit the amount of \$500.00 in a property bond (as in the past years set by the Board) per County Code Section 3-80 after Board approval. As you may be aware, the W. E. Skelton 4-H Educational Conference Center is the owner of the property in which the event will be held.

RECOMMENDATION:

Staff requests Board approval on the proposed Special Entertainment Permit for W. E. Skelton 4-H Educational Conference Center on July 29 - 30, 2016.

CAHAS RETREAT & THE WINDWARD AT POINTE CHELI NEW SUBDIVISION STREETS

The Board of Supervisors of Franklin County, in regular meeting on the 17th day of May 2016, adopted the following:

Cahas Retreat
Cahas Summit Rd. – Route 1157
Old Cabin Trail – Route 1158
Woods End Trail – Route 1159

RESOLUTION

WHEREAS, the street(s) described on the submitted Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Franklin County, and

WHEREAS, the Land Use Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the submitted Additions Form AM-4.3 to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board hereby guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Land Use Engineer for the Virginia Department of Transportation.

The Board of Supervisors of Franklin County, in regular meeting on the 17th day of May 2016, adopted the following:

THE WINDWARD AT POINTE CHELI
WINDWARD POINTE DR. – ROUTE 1058

RESOLUTION

WHEREAS, the street(s) described on the submitted Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Franklin County, and

WHEREAS, the Land Use Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the submitted Additions Form AM-4.3 to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board hereby guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Land Use Engineer for the Virginia Department of Transportation.

TOURISM GRANT VTC MLP APPLICATION

Franklin County is a member of the Virginia Tourism Corporation’s (VTC) newest tourism region: Virginia Mountains Region, which was launched in January 2016. The region consists of eight counties (Alleghany, Bath, Botetourt, Craig, Franklin, Highland and Roanoke) and two independent cities (Roanoke and Salem). Franklin County’s tourism development manager is co-chairman for the region.

Now that the region has been established, efforts are underway to develop strategic plans for marketing and promotion. Visitors don’t travel by county lines but rather by destinations. Through regional partnerships and product development, Franklin County can leverage assets to draw more visitors and spending.

The Virginia Mountains Region is a new marketing region. Because this informal regional coalition is not a dues based marketing organization, it is necessary to secure funding through grant opportunities maximize marketing potential for the new region. The region proposes to apply for a VTC Marketing Leverage Program (MLP) grant to fund the development of select marketing materials.

The VTC MLP requires one Lead Applicant per application and the Virginia Mountains Region requires that one locality to serve as the Fiscal Agent for the proposed grant project. If approved, Franklin County Division of Tourism & Film would serve as both lead applicant and fiscal agent on behalf of Virginia Mountains Region.

Proposed project would help Franklin County leverage regional assets to attract increased visitors and spending.

RECOMMENDATION:

It is recommended that the Board approve the Staff recommendations for Franklin County to serve as Lead Applicant and Fiscal Agent for VTC MLP funding proposal.

(RESOLUTION #01-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the consent agenda items as presented with the Board pulling Approval of Accounts Payable Listing, Appropriations, and minutes for April 4, 19 & 26, 2016, as presented.

MOTION BY: Bob Camicia

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

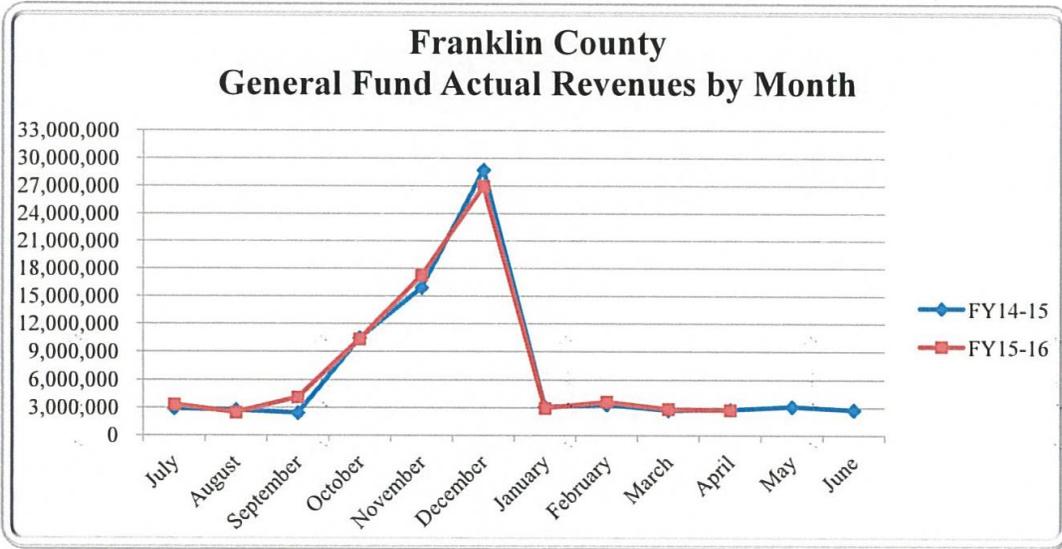
AYES: Mitchell, Thompson, Wagner, Cundiff, Camicia, Tatum & Brubaker

MONTHLY FINANCE REPORT

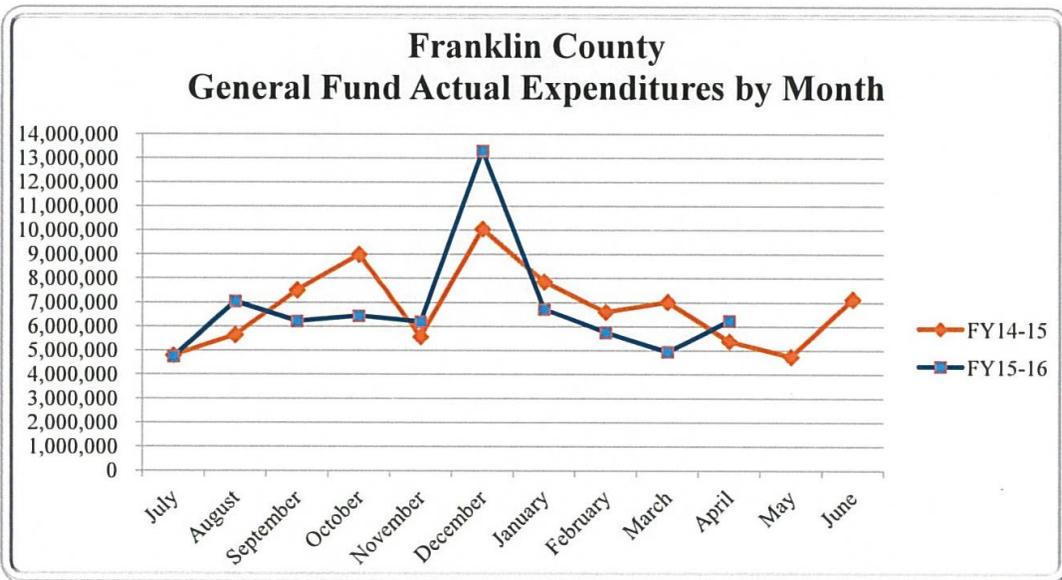
Vincent Copenhaver, Director of Finance, shared with the Board the following monthly financial report:

| <u>DEPARTMENT</u> | <u>PURPOSE</u> | <u>ACCOUNT</u> | <u>AMOUNT</u> |
|-------------------------------|---|-----------------------|----------------------|
| Clerk of Court | Library of Virginia Grant-Record Scanning | 2106- 57003 | \$25,140 |
| Clerk of Court | Part Time Reimbursement | 2106- 51003 | \$1,238 |
| | | | |
| External Agency Contributions | First Quarter 2016 Public, Educational and Government Funds (PEG) | 8106- 55600 | \$3,947 |
| | | | |
| Library | Additional State Library Aid | 7301- 55425 | \$3,948 |
| Library | Book Sales and Donations | 7301- 55411 | \$443 |
| | | | |
| Tourism | Arts Grant from State | 8110- 55810 | \$2,500 |
| | | | |
| Franklin Center | Additional User Fee Revenue | 8108- 53007 | \$627 |

| | | | |
|--|--|----------------|-----------------------------|
| Treasurer | Budget DMV Stop Fees | 1213- 53002 | \$26,714 |
| | | | |
| Sheriff | Additional Off-Duty Revenue | 2107- 51010 | \$8,000 |
| Sheriff | Additional Off-Duty Revenue | 3102- 51010 | \$26,339 |
| | | | |
| Public Safety | Rescue Squad Assistance Fund Grant | 3505- 57001 | \$13,523 |
| | | | |
| Franklin Center Capital | Additional VWCC payment | 30330059-57001 | \$24,000 |
| | | | |
| County Capital | Budget Additional Property Tax Revenue | | |
| | to Fund 16-17 CIP Projects | | |
| | Ferrum Bridge Project | CIP | \$252,840 |
| | Parks and Recreation | CIP | \$57,458 |
| | Library | CIP | \$45,000 |
| | Aging Services Vehicle Replacement | CIP | \$11,456 |
| | Information Technology Projects | CIP | \$149,000 |
| | Voting Machine Replacement Reserve | CIP | \$40,000 |
| | Case Management Software for Comm Atty | CIP | \$30,000 |
| | E911 Server Replacement, Seating | | |
| | Telephones and Consoles | CIP | \$74,000 |
| | Total | | \$796,173 |
| | | | |
| Transfers Between Funds, Accounts | | | (Decrease), Increase |
| None | | | |
| | Total Transfers | | \$0 |



| | | |
|-----------------------|----------------|----------------|
| | <u>FY14-15</u> | <u>FY15-16</u> |
| Total Revenues | \$75,093,608 | \$76,609,878 |

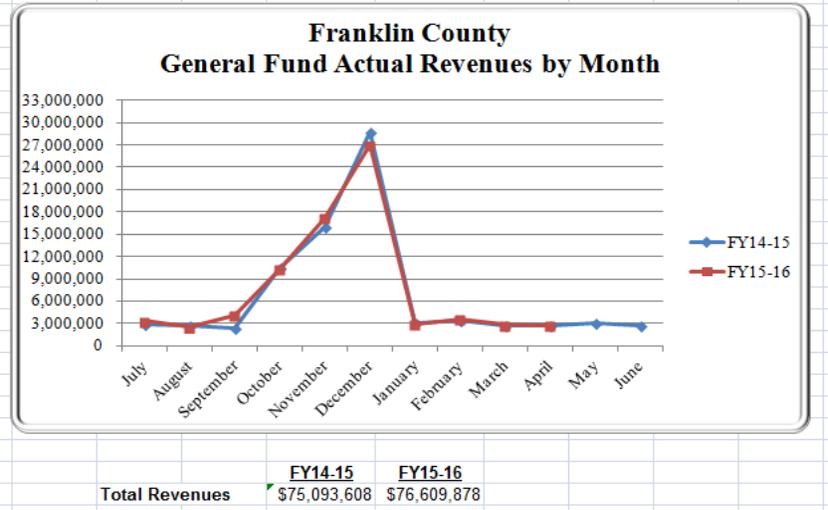


| | | |
|---------------------------|----------------|----------------|
| | <u>FY14-15</u> | <u>FY15-16</u> |
| Total Expenditures | \$69,447,674 | \$67,601,567 |

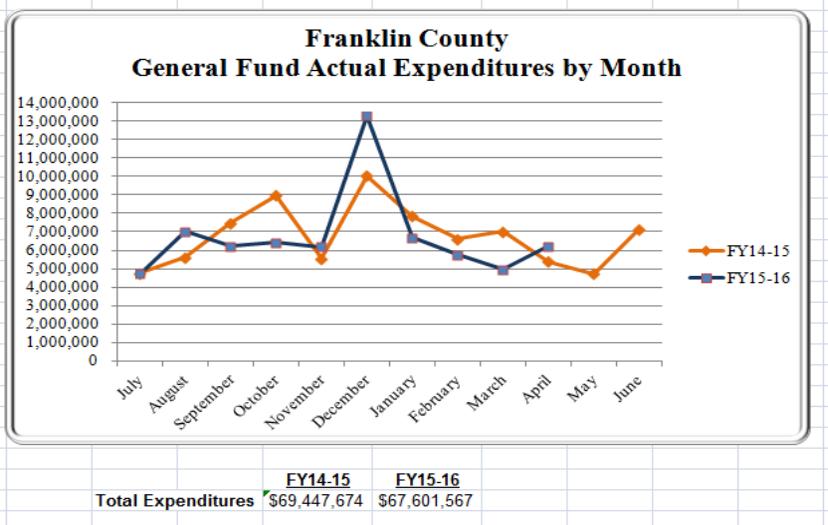
**Franklin County
Cash Basis Revenue and Expenditure Summaries (Unaudited)
General Fund and School Fund Only
For The Ten Months Ending April 30, 2016**

| REVENUES: | Budget and Appropriations Current Year | Actual Year to Date Revenues | Balance To Be Realized | Percent of Budget |
|--|---|---|---------------------------------------|------------------------------|
| General Property Taxes | 48,250,204 | 48,827,136 | 576,932 | 101.2% |
| Other Local Taxes | 11,238,734 | 9,702,883 | (1,535,851) | 86.3% |
| Permits, Fees and Licenses | 377,000 | 283,216 | (93,784) | 75.1% |
| Fines and Forfeitures | 110,000 | 42,714 | (67,286) | 38.8% |
| Revenue from the use of Money and Property | 710,560 | 614,480 | (96,080) | 86.5% |
| Charges for Services | 2,519,363 | 2,046,269 | (473,094) | 81.2% |
| Miscellaneous Revenue | 809,967 | 1,040,312 | 230,345 | 128.4% |
| Recovered Costs | 545,806 | 531,347 | (14,459) | 97.4% |
| Revenue from the Commonwealth | 15,798,742 | 13,428,584 | (2,370,158) | 85.0% |
| Federal Government | 170,904 | 92,937 | (77,967) | 54.4% |
| Subtotal | <u>80,531,280</u> | <u>76,609,878</u> | <u>(3,921,402)</u> | 95.1% |
| Fund Balance/Carryover Funds | <u>1,223,350</u> | | | |
| Total General Fund | <u>81,754,630</u> | | | |
| Schools | | | | |
| Cafeteria, Misc, State, Federal | 50,513,288 | 38,707,710 | (11,805,578) | 76.6% |
| Local Funding from County | 33,449,870 | 29,165,159 | (4,284,711) | 87.2% |
| Total School Fund | <u>83,963,158</u> | <u>67,872,869</u> | <u>(16,090,289)</u> | 80.8% |
| EXPENDITURES: | | | | |
| | Budget and Appropriations Current Year | Actual Year to Date Expenditures | Balance To Be Expended | Percent of Budget |
| General and Financial Administration | 4,473,223 | 3,731,505 | 741,718 | 83.4% |
| Judicial Administration | 2,651,884 | 2,194,766 | 457,118 | 82.8% |
| Public Safety (Sheriff, Corrections, Fire, EMS) | 13,352,239 | 10,403,029 | 2,949,210 | 77.9% |
| Public Works | 3,553,169 | 2,339,140 | 1,214,029 | 65.8% |
| Health and Welfare | 11,883,672 | 9,180,502 | 2,703,170 | 77.3% |
| Parks, Recreation, Libraries, Community Colleges | 1,996,771 | 1,589,379 | 407,392 | 79.6% |
| Community Development | 3,380,876 | 2,423,981 | 956,895 | 71.7% |
| Transfers to Schools, Capital, Debt | 40,462,796 | 35,739,265 | 4,723,531 | 88.3% |
| Total General Fund | <u>81,754,630</u> | <u>67,601,567</u> | <u>14,153,063</u> | 82.7% |
| School Fund | <u>83,963,158</u> | <u>67,262,024</u> | <u>16,701,134</u> | 80.1% |





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School Revenues/Expenditures

| Schools | Budget | Actual | Balance | % |
|---------------------------------|-------------------|-------------------|---------------------|--------------|
| Cafeteria, Misc, State, Federal | 50,513,288 | 38,707,710 | (11,805,578) | 76.6% |
| Local Funding from County | 33,449,870 | 29,165,159 | (4,284,711) | 87.2% |
| Total School Fund | 83,963,158 | 67,872,869 | (16,090,289) | 80.8% |

Expecting a \$1.2 million VIB reimbursement this month. Also anticipating reimbursements for second semester dual enrollment, state SPED regional program, and regional program from Botetourt County. Cafeteria revenues will be added once Schools close for the year.

Total School expenditures through April are 80.1% of budget.

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OMNISOURCE UPDATE

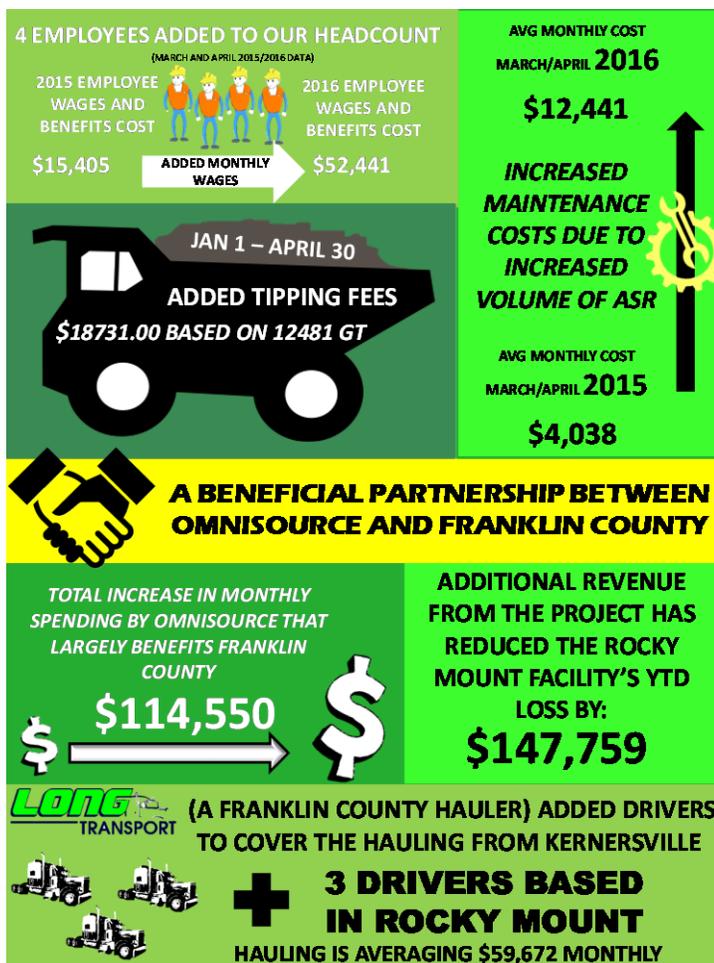
Don Smith, Solid Waste Manager, shared with the Board, OmniSource is the owner/operator of a metal recycling operation in the Franklin County Commerce Center. The operation consists of a metal recovery phase (the shredder) and a private, DEQ (Department of Environmental Quality) regulated landfill for the associated generated waste (fluff). The entire operation is located on a portion of the tract of land originally owned by Roanoke Electric Steel. The Roanoke Electric Steel tract is also the tract from which Franklin County purchased the land for the Commerce Center. Approval for this private landfill was granted by the Board of Supervisors in 1991 following Virginia Department of Waste Management permitting and establishment of a “host fee” to be paid to Franklin County for material going in the private landfill. Per Board of Supervisors Resolution (41-04-91) “ Said approval at this time be limited to waste generated on-site with any other waste requiring separate approval of the Board prior to disposal.” Per letters from Roanoke Electric Steel to then Franklin County Administrator Macon Sammons dated July 21, 1993 and March 7, 1995, methods were established to calculate landfill tonnages to apply the \$3 per ton host fee. Since that time the host fee payment has been reduced to \$1.50 per ton. The current tonnage is being calculated on the basis of 20% of the gross tonnage going across the scales at the Rocky Mount site. In recent years, advances in metal reclamation technology have provided new opportunities for metal recyclers to extract more metal from materials. At the November 2015 Franklin County Board of Supervisors meeting, Omnisource made a request to introduce a new waste stream opportunity for the Rocky Mount plant to process materials from their Kernersville North Carolina operation.

In November, Omnisource made a request to the Board of Supervisors to bring a new waste stream to the Rocky Mount plant for a trial period beginning in January of 2016. The waste

stream was to be the fluff from automobiles shredded at their Kernersville, NC facility. The Omnisource plant in Rocky Mount is experimenting with new procedures for removing the non-ferrous metals (copper, aluminum, gold etc) from the fluff and then the waste was to be landfilled at the Omnisource Rocky Mount Landfill. Company officials noted 85% of the fluff by weight was anticipated to be waste and landfilled. Omnisource proposed to pay Franklin County an additional host fee of \$1.50 per ton on this waste landfilled fluff. The Board approved Omnisource’s request to complete a trial period for bringing automobile fluff waste from the Omnisource facility in Kernersville, North Carolina to the Rocky Mount Plant for further processing and landfilling. Permission was given to bring a maximum of 2500 tons per month during the trial period. The time for this trial period was the first quarter of 2016 and due to plant downtime for repairs Omnisource requested the trial period be extended through April. The additional host fees generated by the new waste stream from the Kernersville operations during the trial period was \$18,731.43. These fees are in addition to the regular host fees of \$6354.29 collected during this same time period. Staff made a field inspection visit to the Omnisource Commerce Center site and saw no obvious issues. This Omnisource private landfill site is continually monitored and regulated by the DEQ in the same manner as the Franklin County Landfill.

RECOMMENDATIONS: Omnisource representatives will be with the Board of Supervisors to review and discuss the results of the recent trial period and share other economic impacts of the new process, thereby possibly requesting the continuation of the outside waste stream.

Jon Mish, Graham Bennett, and Brad Whomback, OmniSource Representatives, shared with the Board the following brochures and Profoma for Addition of Kernersville tonnage:



Yard 7A
Rocky Mount

Proforma For addition of Kernersville Tons

| | 2015 | | | 2016 | | |
|-----------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | March | April | AVG | March | April | AVG |
| Total Input Tons-Kernersville ASR | N/A | N/A | | 4,120 | 5,504 | 4,812 |
| | 2 Employees | | | 6 Employees | | |
| Employee Labor Cost | \$ 10,624.00 | \$ 10,624.00 | \$ 10,624.00 | \$ 34,020.00 | \$ 34,020.00 | \$ 34,020.00 |
| Employee Benefits | \$ 4,780.80 | \$ 4,780.80 | \$ 4,780.80 | \$ 15,309.00 | \$ 15,309.00 | \$ 15,309.00 |

| | | | | | |
|--------------------------------|--------------|--------------|--------------|--------------|--------------|
| Other Employee Costs (Mileage) | | | \$ 3,112.00 | \$ 3,112.00 | \$ 3,112.00 |
| Total Labor & Benefit Costs | \$ 15,404.80 | \$ 15,404.80 | \$ 15,404.80 | \$ 52,441.00 | \$ 52,441.00 |

| | | | | | |
|-----------------------------------|-----------|-------------|--------------|---------------|---------------|
| Fluff Hauling Charges | N/A | N/A | \$ 59,149.00 | \$ 68,162.00 | \$ 63,655.50 |
| Repairs and Supplies | \$ 743.00 | \$ - | \$ 371.50 | \$ 9,083.00 | \$ 10,100.00 |
| Outside Services | \$ - | \$ 7,333.00 | \$ 3,666.50 | \$ 500.00 | \$ 5,200.00 |
| Landfill Tipping Fee-Rocky Mount | \$ 955.40 | \$ 1,299.59 | \$ 1,127.50 | \$ 2,073.18 | \$ 1,744.00 |
| Landfill Tipping Fee-Kernersville | N/A | N/A | \$ 5,253.00 | \$ 7,018.00 | \$ 6,135.50 |
| Total Costs | | | \$ 20,570.30 | \$ 128,499.18 | \$ 144,665.00 |

| | | | |
|---------------------------------|-----------------------|-----------------------|----------------|
| Rocky Mount Profit/ Loss | Jan-April 2015 | Jan-April 2016 | BENEFIT |
| | (\$191,274.46) | (\$43,515.93) | \$147,758.53 |

General discussion ensued.

(RESOLUTION #02-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve Omnisource’s request for bringing automobile fluff waste from the Omnisource facility in Kernersville, North Carolina to the Rocky Mount Plant for further processing and landfilling. Permission was given to meet the permitted total combined quota of 500 tons landfilled per day. The host fee for this new waste stream was set at \$1.50 per ton on the reprocessed waste to be landfilled. This additional host fee is to be applied to 85% of the gross tonnage brought in from the Kernersville Facility. Preprocessed fluff can only be accepted at the Rocky Mount facility from the Omnisource Kernersville Facility. Preprocessed fluff from any other facility requires additional Board of Supervisors approval. Omnisource is to continue to provide its waste tonnage status report to Franklin County Public Works staff monthly. The approval of this operation does not waive or supersede any previous agreements between Franklin County and Omnisource or any other previous owners of the metal shredding facility and its associated landfill. Payment on both host fees is to continue to be monthly. Franklin County reserves the right to conduct site visits of the facility upon request. The Franklin County Board of Supervisors reserves the right to review this agreement at any time.

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

LAKEWATCH ROAD BIDS

Don Smith, Solid Waste Manager, advised the Board the Lakewatch Plantation is a mixed residential and commercial development east of Westlake on Rte. 122. Lakewatch L.L.C., the developer, rezoned, proffered the property and had subdivision, road, and utility plans approved by VDOT, Franklin County, and the Virginia Department of Health. The development was started in 2005 and was then foreclosed into bankruptcy in 2011. During this time residential and commercial lots were sold in various areas of the development. Roads and utilities in various states of completion were constructed throughout the development. When the trustees foreclosed, all Lakewatch L.L.C. construction stopped. After the foreclosure the new trustees continued selling lots without contributing to or completing any of the required approved improvements. Houses were then also built on public right of ways that had not been completed to approved requirements. Unapproved lighting, paving, and drainage structures were all constructed in and out of the public right of ways. Existing homeowners began questioning county staff as to why the roads were not being taken into the State Highway system. Staff met with VDOT and a punch list of unfinished and unapproved items that would need to be corrected to allow VDOT to consider accepting the roads in the residential portion of the development was drafted. extensive punch list forced the County to call in the remaining letter of credit funds in July 2015 posted by Lakewatch L.L.C. Unfortunately, initial bond cost estimates for the project

were drastically undervalued and the balance on the remaining line of credit (\$292,900) is insufficient to complete all the remaining unfinished road construction required for VDOT acceptance in the development.

Several of the roads did meet VDOT eligibility requirements by having the minimum three houses constructed. These roads serving residential lots are partially paved with storm structures in place. The letter of credit specified these roads were the first to be completed. There had never been a formal inspection of existing construction made by VDOT so VDOT now required an "as built" inspection of the storm structures (this was performed by County staff), required cores samples of the existing pavement to determine what materials were there to enable a final design and required a set of drawings that would show the final current road design for VDOT to approve. Inspections at the time revealed the following issues: guardrail that was not installed, signage not installed, final asphalt not installed, unmaintained drainage easements, unapproved light poles in the right of way, unapproved wall with storm drain pipes under it and unapproved extra paving for a recreational path in the right of way. County staff contracted with an engineering firm on the County's O.E.S list to prepare the plans to satisfy VDOT's requirements. The plans specify asphalt design, signage location and guardrail location.

Maintenance of the drainage easements; permanent future maintenance of the asphalt recreational path; the wall storm drains, and the light poles are issues noted by VDOT, whereby such items must be addressed prior to road acceptance by the state. The County's intention is for the various property owners and Home Owners Associations (HOA's) to address such matters. Once such issues are addressed to both the County's and VDOT's satisfaction, then a permanent maintenance agreement with VDOT would need to be signed by the County before acceptance of streets into state system.

In an effort to have paving completed this summer/fall, County staff is prepared to advertise for bids to complete the signage, asphalt paving and guardrail as shown on Stone Engineering Plans, Lakewatch Area VDOT Secondary Road Acceptance Plan, Phase 1 Rehabilitation, dated May 10, 2016. The majority residential property owner, New Horizon Development, L.L.C., has offered to accept the maintenance responsibilities on behalf of the County for a period of one year. Following year one, it is expected that the various, three homeowner's association(s) in Lakewatch Plantation will assume the maintenance responsibilities of the paved trails, lights and applicable drainage structures. Once paving is completed this summer, it will be upon these groups to address any such outstanding issues before VDOT will consider an application for acceptance of streets into the VDOT system.

Staff is currently preparing to request bids from contractors, whereby a couple of bid alternates are needed. One will reflect an additional paved shoulder wedge onto the recreational path if it is to remain. The second will reflect paving of only the mainline streets provided the paved recreational path in the right of way is vacated/removed. (***Please note, any request by property owners or homeowner's association to vacate and/or remove paved trails from the development will have to be approved by the Board of Supervisors after a public hearing since it was a requirement of the rezoning approval.*) Only funds from the Lakewatch L.L.C. letter of credit will be used for this project. No public money will be used for the construction or acceptance of streets into the state system. It is the County's intention to pave a portion of the roads to prepare them for acceptance into the state system, however it will be up to the property owners to satisfy and complete any other requirements (i.e. maintenance agreements for trails, lights, drainage, etc.) before application can be made to VDOT to offer the streets for actual acceptance.

RECOMMENDATION:

Staff requests authorization from the Board of Supervisors to advertise for bids for construction of signage, asphalt paving and guardrail installation as shown on Stone Engineering Plans, Lakewatch Area VDOT Secondary Road Acceptance Plan, Phase 1 Rehabilitation, dated May 10, 2016. Once bids have been received, County staff will present the board with a recommendation for bid acceptance and initiation of contract and maintenance agreement.



(RESOLUTION #03-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize staff to advertise for bids for construction of signage, asphalt paving and guardrail installation as show on Stone Engineering Plans, Lakewatch Area VDOT Secondary Road Acceptance Plan, Phase 1 Rehabilitation dated May 10, 2016 with bids to be brought back to the Board for award.

MOTION BY: Charles Wagner
 SECONDED BY: Ronnie Thompson
 VOTING ON THE MOTION WAS AS FOLLOWS:

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

MVP UPDATE

Steven Sandy, Director of Planning & Community Development, on October 23, 2015 the Mountain Valley Pipeline (MVP) project was submitted to the Federal Energy Regulatory Commission (FERC). The project proposes the installation of 300 miles of 42 inch natural gas pipeline with 36 miles in West Virginia and Virginia. The application was assigned Docket No. CP16-10-000.

In April, 2016 FERC issued a project update (see attached). The update indicates that FERC is currently conducting their environmental analysis of the project. The results of the analysis will be published as a draft Environmental Impact Statement (EIS) and sent out for a public comment period. Public meetings will be held in the project area to take oral comments on the draft EIS. It is anticipated that the draft EIS will be issued this summer and public comment period and meetings will also occur in the summer 2016. When FERC has all information necessary to complete their analysis, they will issue a Notice of Schedule for Environmental Review that will identify the date for issuing the final EIS.

FERC has identified the following sub-set of environmental concerns that were raised during scoping of the project:

- Impacts on residences, values, mortgages, and insurance
- Impacts on groundwater, surface waters, and springs
- Crossing of karst terrain
- Constructions on steep mountainous slopes
- Impacts on National Register of Historic Places listed historic districts and "cultural attachment" to places
- Crossings on Appalachian Trail, Jefferson National Forest, and Blue Ridge Parkway
- Clearing of forest and impacts on special status species

To date, MVP indicates that they have completed approximately 97% of the centerline surveying in Franklin County. They are working to gain access to properties to conduct remaining survey evaluations. MVP has also indicated that there could be minor revisions to the route as they accommodate landowner requests. MVP indicates that the project remains on track for construction to begin late this year.

Staff will continue to monitor the process and advise the Board and citizens of public meetings when that information is released by FERC.

NEXT STEPS

We are currently conducting our environmental analysis of the Projects, based on the information filed in Mountain Valley's and Equitrans' applications, their responses to our post-application EIRs, and comments we have received from stakeholders. The results of our analysis will be published as a draft EIS, sent out for a comment period. During that period we will again hold public meetings in the Project area to take oral comments on the draft EIS. When we have all of the information necessary to complete our analysis and write the EIS, we will issue a Notice of Schedule for Environmental Review that will identify the date for issuing the final EIS. The final EIS will address comments on the draft.

HOW TO STAY INFORMED

Go to the FERC website at <http://www.ferc.gov>. Under "Documents & Filings," click on the eLibrary link, click on General Search and enter the docket number (i.e., CP16-10 or CP16-13). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676. For TTY, contact 202-502-8659.

In addition, the FERC offers a free service called eSubscription that allows you to keep track of all issuances and submittals in specific dockets. This service will provide you with electronic notification when new items are posted and provide direct links to the documents. To register for this service, go to: <http://www.ferc.gov/docs-filing/esubscription.asp>.

Company Project web pages can be viewed at: <http://mountainvalleypipeline.info/> or <http://equitransproject.com/>.

While we believe that the Internet is the best way to stay informed of the Projects, we realize that not everyone has Internet access. Selected issuances by the FERC for these Projects, including the EIS, will be mailed to the environmental mailing list in either hard copy or compact disc format.

Copies of the Mountain Valley and Equitrans applications were also deposited at local libraries in the Project area.

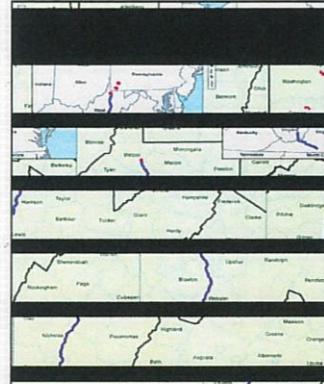
FEDERAL ENERGY REGULATORY COMMISSION Washington, DC 20426



Federal Energy Regulatory Commission
Office of Energy Projects

PROJECT UPDATE FOR THE MOUNTAIN VALLEY PIPELINE and EQUITRANS EXPANSION PROJECTS
DOCKET Nos. CP16-10-000 and CP16-13-000

April 2016



PURPOSE

The purpose of this mailing is to provide you with an update on the environmental review of the proposed Mountain Valley Pipeline Project (MVP Project) and the Equitrans Expansion Project (EEP), explain the Federal Energy Regulatory Commission (FERC or Commission) environmental review process, identify the issues raised, and give you an idea of what's next in our review process.

DESCRIPTION OF THE PROJECTS

The MVP Project, proposed by Mountain Valley Pipeline LLC (Mountain Valley), is a joint venture between affiliates of EQT Midstream Partners, LP; NextEra Energy US Gas Assets, LLC; WGL Midstream, Inc.; Vega Energy Midstream MVP, LLC; RGC Midstream, LLC; and Con Edison Gas Midstream, LLC. Mountain Valley seeks Commission authorization to construct and operate about 301 miles of new 42-inch-diameter natural gas pipeline in West Virginia and Virginia. Additional aboveground facilities would include 3 new compressor stations in Wetzel, Braxton, and Fayette Counties, West Virginia; 6 new meter stations, interconnections, or taps; 36 mainline valves; and 5 pig launchers and receivers.

The EEP, proposed by Equitrans, L.P. (Equitrans), would consist of six pipeline segments totaling about eight miles of 6-, 12-, 16-, 20-, 24-, and 30-inch-diameter natural gas pipeline in Pennsylvania and West Virginia. Additional aboveground facilities would include one new compressor station, decommissioning of an existing compressor station, two interconnects, and three pig launcher and receiver sites.

According to Mountain Valley, the MVP Project is designed to transport about 2.0 billion cubic feet per day (Bcf/d) of natural gas from the Appalachian Basin to markets in the Mid-Atlantic and Southeastern United States. According to Equitrans, the addition of 0.4 Bcf/d of natural gas via the EEP would allow for greater north-south system reliability and through interconnections with the MVP Project, and other existing pipelines that would provide transportation to markets along the East Coast.

WHERE WE ARE IN THE ENVIRONMENTAL REVIEW PROCESS

The FERC is the lead federal agency responsible for conducting the environmental review of the Projects. In compliance with the National Environmental Policy Act, the FERC will prepare an environmental impact statement (EIS) for the Projects. The U.S. Forest Service, the U.S. Army Corps of Engineers, the U.S. Bureau of Land Management, the U.S. Environmental Protection Agency, the U.S. Department of Transportation, the West Virginia Department of Environmental Protection, and the West Virginia Division of Natural Resources have agreed to be cooperating agencies in the production of the EIS.

Between October 2014 and October 2015, we¹ conducted a pre-filing environmental review of the Projects to engage stakeholders. During pre-filing, the MVP Project was assigned temporary docket number PF15-3-000 and the EEP was assigned temporary docket number PF15-22-000. We issued a Notice of Intent to Produce an EIS, held public scoping meetings, and issued environmental information requests (EIR) in review of the draft reports submitted by Mountain Valley and Equitrans. With the filing of formal applications by Mountain Valley and Equitrans in October 2015 the pre-filing process ended. On November 5, 2015, the FERC issued a Notice of Application and assigned permanent docket numbers CP16-10-000 (MVP Project) and CP16-13-000 (EEP) to the Projects. The FERC issued post-application EIRs to Mountain Valley on December 24, 2015 and March 31, 2016; and to Equitrans on December 29, 2015 and March 31, 2016. Mountain Valley responded to our first post-application EIR on January 19 and 27, and March 1 and 15, 2016. Equitrans responded on January 22, February 5 and 26, 2016.

ISSUES IDENTIFIED

The following sub-set of environmental concerns have been raised during scoping on the Projects, including but not limited to:

- Impacts on residences, property values, mortgages, and insurance
- Impacts on groundwater, surface waters, and springs
- Crossing of karst terrain
- Construction on steep mountainous slopes
- Impacts on National Register of Historic Places listed historic districts and "cultural attachment" to places
- Crossings of the Appalachian Trail, Jefferson National Forest, and Blue Ridge Parkway
- Clearing of forest and impacts on special status species

¹ The pronouns "we," "us," and "our" refer to the environmental staff of the FERC's Office of Energy Projects.

COUNTY VEHICLE POLICY

Brent Robertson, County Administrator, shared with the Board the County Vehicle Policy currently present. Mr. Robertson advised the Board he would like for the Vehicle Committee to address the current Vehicle Policy and with possible updates and then bring back a full report to the Board.

OTHER MATTERS

Brent Robertson, County Administrator, advised the Board Bill Loope, Executive Director, retired from Step, Inc. and Marc Crouse has been appointed to serve as the Executive Director for Step, Inc.

SUPERVISORS/OTHER MATTERS

TOWN HALL MEETING FOR JUNE 7, 2016 @ 6:00 P.M. AT FAITH FELLOWSHIP CHURCH

Ronnie Thompson, Boone District Supervisor, announced an informational town hall meeting has been scheduled to be held at Faith Fellowship Church on 220 North. Mr. Thompson requested

FERC's Environmental Review Process
(dates of completed activities are noted)

Approved the Applicants pre-filing requests and assigned Docket Nos. PF15-3 (10/31/14 - MVP) and PF15-22 (4/9/15 - EEP)

Participated in the Applicants' open houses (12/14; 1/15; 4/15; & 5/15)

Issued Notice of Intent to Prepare an EIS and opened the scoping period to seek public comments (4/17/2015 - MVP and 8/11/15 - EEP)

Conducted public scoping meetings and consulted with interested stakeholders (5/15)

Issued Notice of Application (11/5/15) and assigned Docket Nos. CP16-10 (MVP) & CP16-13 (EEP) after the Applicants filed formal applications (10/23/15 for MVP & 10/27/15 for EEP)

→ We are here

Analyze data and prepare draft EIS

Issue draft EIS and open public comment period. Hold public comment meetings in the Project area to gather comments on the draft EIS

Respond to comments, revise draft EIS, issue final EIS

Commission issues Order approving or denying the applications

Parties can request rehearing of the FERC decision

If approved and once certain conditions are met, FERC issues Notice to Proceed with construction

each Board member to be present to meet with the citizens of the County to share the development phase of the Sink Farm purchase.

CELL SERVICE/SNOW CREEK DISTRICT

Leland Mitchell, Snow Creek District Supervisor, shared with the Board a GIS Map showing cell coverage and the lack thereof in the Snow Creek District. Mr. Mitchell shared with the Board the erection of the new cell tower at Tom's Knob. Mr. Mitchell urged County support for a cell provider on the new tower to provide cell service in the Snow Creek area.

APPOINTMENTS:

THE FOLLOWING TERMS ARE UP FOR RE/APPOINTMENT

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

| COMMITTEE | NAME | ADDRESS | AREA | YEAR | TERM EXPIRES |
|---|--------------------|--|-------------------|-------------|-----------------------------|
| AG BOARD See Attachment A | Daniel Austin | 5688 Old Forge Road Rocky Mount, VA 24151 | Crops | OPEN | 12/15/2015 |
| | Lynn Satalino | 220 Mallard Point Road Wirtz, Va 24184 | Equine | OPEN | 12/15/2015 |
| AGING SERVICES BOARD See Attachment B. | Lynn Meyers | 130 Hickmon Road, RM, VA 24151 | Blackwater | 4 - Year | 7/1/2016 |
| | Pauline Nickelston | 193 Storey Creek Lane, RM, VA | Blue Ridge | 4 - Year | 7/1/2016 |
| | Dr. Susan Beatty | 842 Park Place, Moneta, VA 24121 | Gills Creek | 4 - Year | 7/1/2016 |
| | Arthur Donaldson | 66 Sunburst Court, UH, VA 24176 | Union Hall | 4 - Year | 7/1/2016 |
| WEST PIEDMONT PLANNING COMMISSION BOARD See Attachment C | Bobby Thompson | Post Office Box 40 Ferrum, VA 24088 | BOS Rep | 1-Year | 12/31/2015 |
| PLANNING COMMISSION See Attachment D | Earl Webb | 151 Graveyard Knob Road Callaway, VA 24067 | Blackwater | 4 - Year | 6/30/2016 |
| | Wendy Ralph | 265 Hampton Drive Union Hall, VA 24176 | Union Hall | 4 - Year | 6/30/2016 |
| | C. W. Doss | 247 Five Mountain Road Ferrum, VA 24088 | Blue Ridge | 4 - Year | 6/30/2016 |
| TLAC See Attachment E | Brent Robertson | 1255 Franklin Street Rocky Mount, VA 24151 | Co. Adm. | 1 Year | 1/31/2017 |
| SOUTHERN AREA AGENCY ON AGING See Attachment F | Dr. Susan Beatty | 842 Park Place Moneta, Virginia 24121 | Open District | 3 - Year | 5/31/2016 |
| LIBRARY See Attachment G | Nora Bowman | 266 Sunflower Lane Callaway, Virginia 24067 | Blackwater | 4 - Year | 6/30/2018 Unexpired Term |
| | Rebecca Mushko | 8 Listening Hill Road Penhook, VA 24137 | Union Hall | 4 - Year | 6/30/2017 Unexpired Term |
| DAN RIVER ASAP See Attachment H | Brandt Gawor | 245 Farmington Road Hardy, VA 24101 | Open District | 3 - Year | 6/30/2016 |
| RECREATION COMMISSION See Attachment I | Jessica Gawor | 245 Farmington Road Hardy, VA 24101 | At Large Member | 3 - Year | 6/30/2015 |
| RO. VALLEY ALLEGHANY REGIONAL COMMISSION See Attachment J | Chris Whitlow | 1255 Franklin Street Rocky Mount, VA 24151 | Citizen/Staff Rep | 3 - Year | 6/30/2016 |
| | Ronnie Thompson | 1629 Deepwoods Road Hardy, VA 24101 | BOS Rep | 3 - Year | 6/30/2016 |
| | Bob Camicia | 143 Charlotte Lane Hardy, VA 24101 | BOS Rep | 3 - Year | 6/30/2016 |
| | Charles Wagner | 330 Riverview Street Rocky Mount, VA 24151 | BOS Rep | 3 - Year | 6/30/2016 |
| SOCIAL SERVICES BOARD See Attachment K | John Lipscomb | 346 Quail Valley Lane Boones Mill, VA 24065 | Boone | 4 - Year | 6/30/2016 |
| | Charles Wagner | 330 Riverview Street Rocky Mount, VA 24151 | Rocky Mount | 4 - Year | 6/30/2016 |
| | Howard Ferguson | 161 Mount Carmel Road Rocky Mount, VA 24151 | Snow Creek | 4 - Year | 6/30/2016 |
| VA. WESTERN COMMUNITY COLLEGE See Attachment L | Larry Moore | 45 Scenic River Drive Rocky Mount, VA 24151 | Open District | 4 - Year | 6/30/2016 |
| WP BUSINESS DEVELOPMENT | Barry Bridges | 125 Woodlake Drive Moneta, VA 24121 | Open District | 3 - Year | 6/30/2016 |

See Attachment M

(RESOLUTION #04-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to make the following appointments:

| | | | |
|------------------|----------------------|--------------|---------------------|
| Dr. Susan Beatty | Aging Services Board | 4-Yr. Term | 7/1/2020 Expiration |
| Earl Webb | Planning Commission | 4-Yr. Term | 6/30/2020 |
| C. W. Doss | Planning Commission | 4-Yr. Term | 6/30/2020 |
| Dr. Susan Beatty | Southern Area Agency | 3-Yr. Term | 5/31/2019 |
| Leland Mitchell | Exec. Bd/WPPD | /Term of BOS | 12/31/2017 |

MOTION BY: Ronnie Thompson

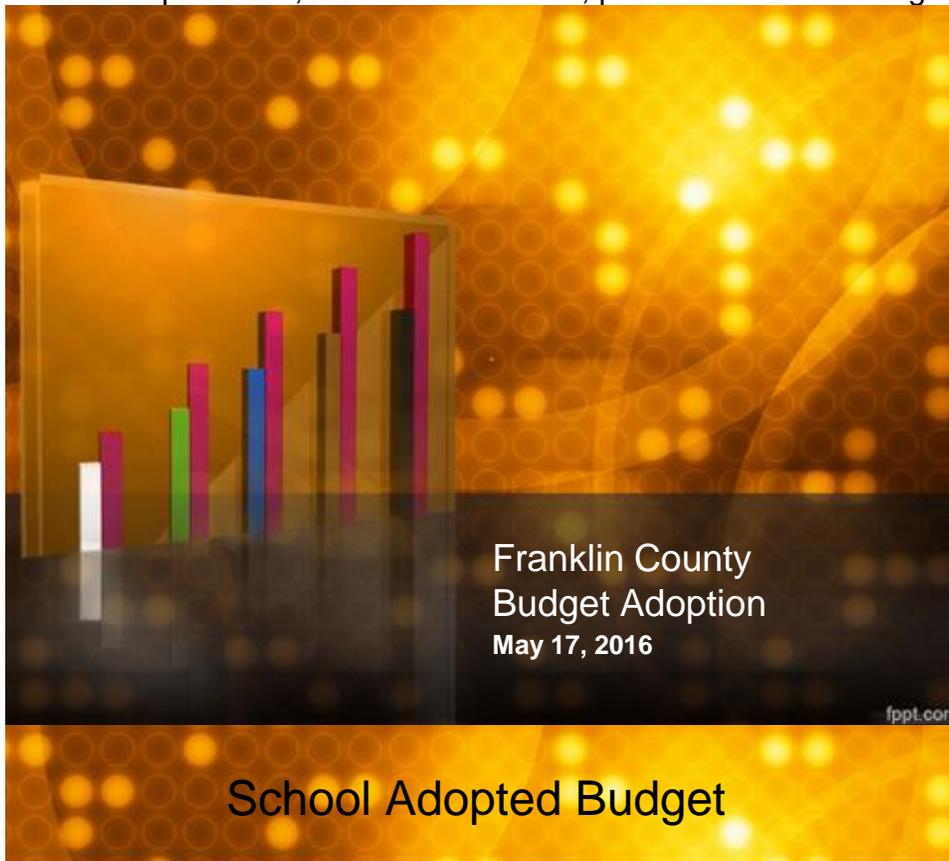
SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

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

BUDGET WORKSESSION/RECESS

Vincent Copenhaver, Director of Finance, presented the following Budget Adoption PowerPoint:



| | |
|--|---------------------|
| School Budget Adopted April 26, 2016 | \$84,620,868 |
| Includes Additional State Revenue | \$347,676 |
| Includes Additional Other School Funds | \$228,969 |
| Reduces Local School Funds | (\$576,645) |
| Total Adopted School Budget | \$84,620,868 |

Staff recommends adding \$576,645 to the Board’s Operating Contingency so that the entire County budget remains at \$133,833,221 (as proposed).

Sheriff Department Budget

- Additional Part time funds proposed for the Sheriff are shown below:

| <u>Division</u> | <u>Current Budget</u> | <u>FY16-17 Proposed</u> | <u>Difference</u> |
|-----------------|-----------------------|-------------------------|-------------------|
| Courts | \$86,016 | \$191,000 | \$104,984 |
| Law Enforcement | \$20,000 | \$20,000 | \$0 |
| Corrections | \$107,000 | \$90,000 | (\$17,000) |
| Total | \$213,016 | \$301,000 | \$87,984 |

- Total part time expenditures are expected to be \$320,000 in the current year.
- Discussion.

fppt.com

Sheriff Promotions

| | |
|---|--------------------|
| Current Budgeted Salaries | \$4,109,793 |
| Total Salaries After Promotions, Retirements, New Hires and Resignations | \$3,919,480 |
| The handout will show individual adjustments. | |

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Total County Budget

- Total County budget proposed for adoption remains at \$133,833,221.

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Discussion was held on the Sheriff's Department Part-Time Budget, the purchase of additional vehicles and fuel costs.

The Board offered the following reductions within the proposed FY'2016-2017 County Budget:

**FY 16-17 PROPOSED BUDGET CUTS FOR SHERIFF'S OFFICE
BY BOARD OF SUPERVISORS MAY 17, 2016**

| Operations Budget | | Admin App | Revised by BOS | Cut |
|--|--------------------------------|------------------|-----------------------|------------------|
| 3102-53004 | Vehicle Repair and Maintenance | 140,000 | 115,000 | (25,000) |
| 3102-55403 | Agricultural Supplies | 5,000 | 2,500 | (2,500) |
| 3102-55408 | Vehicle Fuel | 250,000 | 175,000 | (75,000) |
| 3102-55416 | Diving Equipment | 1,500 | - | (1,500) |
| 3102-55419 | Police Veh. I.D. & Supplies | 27,000 | 10,000 | (17,000) |
| 3102-55420 | Ammunition and Supplies | 30,000 | 20,000 | (10,000) |
| CIP Budget | | | | 0 |
| 30210012-57001 | Vehicle Replacement | 250,000 | 150,000 | (100,000) |
| 30210227-57001 | Vehicle Upfit | 100,000 | 60,000 | (40,000) |
| | | | | 0 |
| Total Cut from Sheriff's Office | | | | (271,000) |
| | | | | |
| 30010047-59120 | CIP Reserve | | | 140,000 |
| 9103-59120 | BOS Contingency-Operating | | | 56,000 |
| 9103-59122 | County Fuel Reserve | | | 75,000 |
| Total Funds | | | | 271,000 |

Discussion was held regarding a listing of all county driven vehicles by departments should be reviewed.

The Board consensus was directed to staff to bring information back to the Board regarding the steps to go from a Sheriff's Office to a Police Department.

ACCOUNTS PAYABLE LISTING

Ronnie Thompson, Boone District Supervisor, pulled the Sheriff's department credit card listing from the accounts payable listing and requested a breakdown of expenditures.

APPROPRIATIONS

| <u>DEPARTMENT</u> | <u>PURPOSE</u> | <u>ACCOUNT</u> | <u>AMOUNT</u> |
|-------------------------------|---|-----------------------|----------------------|
| Clerk of Court | Library of Virginia Grant-Record Scanning | 2106- 57003 | \$25,140 |
| Clerk of Court | Part Time Reimbursement | 2106- 51003 | \$1,238 |
| External Agency Contributions | First Quarter 2016 Public, Educational and Government Funds (PEG) | 8106- 55600 | \$3,947 |
| Library | Additional State Library Aid | 7301- 55425 | \$3,948 |
| Library | Book Sales and Donations | 7301- 55411 | \$443 |
| Tourism | Arts Grant from State | 8110- 55810 | \$2,500 |

| | | | |
|---|--|----------------|-----------------------------|
| Franklin Center | Additional User Fee Revenue | 8108- 53007 | \$627 |
| Treasurer | Budget DMV Stop Fees | 1213- 53002 | \$26,714 |
| Sheriff | Additional Off-Duty Revenue | 2107- 51010 | \$8,000 |
| Sheriff | Additional Off-Duty Revenue | 3102- 51010 | \$26,339 |
| Public Safety | Rescue Squad Assistance Fund Grant | 3505- 57001 | \$13,523 |
| Franklin Center Capital | Additional VWCC payment | 30330059-57001 | \$24,000 |
| County Capital | Budget Additional Property Tax Revenue to Fund 16-17 CIP Projects | | |
| | Ferrum Bridge Project | CIP | \$252,840 |
| | Parks and Recreation | CIP | \$57,458 |
| | Library | CIP | \$45,000 |
| | Aging Services Vehicle Replacement | CIP | \$11,456 |
| | Information Technology Projects | CIP | \$149,000 |
| | Voting Machine Replacement Reserve | CIP | \$40,000 |
| | Case Management Software for Comm Atty | CIP | \$30,000 |
| | E911 Server Replacement, Seating Telephones and Consoles | CIP | \$74,000 |
| | Total | | \$796,173 |
| Transfers Between Funds, Departments or Capital Accounts | | | (Decrease), Increase |
| None | | | |
| | Total Transfers | | \$0 |

(RESOLUTION #05-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the accounts payable listing, appropriations, transfers & minutes for April 4, 19 & 26, 2016.

MOTION BY: Ronnie Thompson

SECONDED BY: Tim Tatum

VOTING ON THE MOTION WAS AS FOLLOWS:

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

CLOSED MEETING

(RESOLUTION #06-05-2016)

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, and a-5, Discussion of a Prospective Industry, of the Code of Virginia, as amended.

MOTION BY: Bob Camicia

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

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

MOTION: Tim Tatum

SECOND: Leland Mitchell

RESOLUTION: #07-05-2016

MEETING DATE May 17, 2016

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

FIKE PROPERTY PURCHASE
(RESOLUTION #08-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the exercising of its purchase option on the Fike properties per an agreement executed in December 2015. This purchase included tax parcels 0360020500 and 0440000500 for a total approximate acreage of 103.9 acres. The purchase price is to be on a per acre price of \$19,493.00, or approximately \$2,072,077.70, AND BE IT FURTHER RESOLVED, to authorize the County Administrator to execute such documents as are deemed appropriate to fulfill this purchase.

MOTION BY: Ronnie Thompson

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

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

RONALD SINK PROPERTY PURCHASE
(RESOLUTION #09-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the exercising of its purchase option on the Ronald Sink property per an agreement executed in December 2015. This purchase included tax parcel 0370005300 for a total approximate acreage of 86.5 acres. The purchase price is to be a lump sum amount of \$1,686,664.00. AND BE IT FURTHER RESOLVED, to authorize the County Administrator to execute such documents as are deemed appropriate to fulfill this purchase.

MOTION BY: Tim Tatum

SECONDED BY: Bob Camicia

VOTING ON THE MOTION WAS AS FOLLOWS:

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

NAYS: Cundiff

GERALD FLORA PROPERTY OPTION
(RESOLUTION #10-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to purchase an option to purchase 12.2 acres of property from Jerrold Flora encompassing tax parcel 0360021105. The Board approved paying \$4,800 for this right to purchase the aforementioned property at any point prior to August 8, 2016. This option gives the Board the right to purchase the 12.2-acre property for a lump sum of \$480,000. AND BE IT FURTHER RESOLVED, to authorize the County Administrator to execute such contracts as are deemed appropriate for this option purchase.

MOTION BY: Tommy Cundiff

SECONDED BY: Tim Tatum

VOTING ON THE MOTION WAS AS FOLLOWS:

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

SINK FARM AGRICULTURAL LEASE
(RESOLUTION #11-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve a farm lease between the County and Don Sink for the farming of the Southway property from this day through December 31, 2016. The Board agreed to this lease, as allowed through the Southway LLC purchase documents executed in December 2015. The agreement allows Don Sink to rent and farm the property as follows: 141 acres of crop land at a rate of \$45 per acre for the contract period and 68 acres of hay land at a rate of \$35 per acre for the contract period. Additionally, Don Sink agreed to maintain sixty-two (62) acres of un-farmable areas and a five-acre area around the farm house during the lease period. AND BE IT FURTHER RESOLVED, to authorize the County Administrator to execute such contracts as are deemed appropriate for this farm lease.

MOTION BY: Tommy Cundiff

SECONDED BY: Tim Tatum

VOTING ON THE MOTION WAS AS FOLLOWS:

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

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

Dr. Mark Church advised the Board the following amendments were offered to the Board for their consideration to appropriate the \$576,684 back to the school budget:

We would like to thank you for approving the school portion of the county budget on April 26th so that we could prepare contracts for our employees. We will send out the contracts to our employees this week. We also understand that you had some questions regarding the additional revenues we are requesting to include in the budget.

In an effort to clarify our request for an additional FY17 budget revenue appropriation of \$576,645, we have provided a summary of the requested changes. The School Board approved the changes at their last meeting on April 11th. The additions were sent to Mr. Copenhaver on April 13th. It is important to note that these changes in no way increase the amount of local contribution to be appropriated to the Franklin County Schools' operating budget. These adjustments are due to omissions in the original budget for expected revenues for the regional adult education program, an adjustment to the average daily membership estimate for state Standards of Quality funding due to enrollment results, and adjustments to increase estimates for five miscellaneous revenue line items to more accurately reflect expected revenues to bring these estimates in line with last year's results.

REQUESTED REVENUE ADJUSTMENTS:

| | |
|--|------------------|
| Adult Ed: | |
| Race to GED-grant omitted from the original budget submission | \$121,258 |
| Regional Program Manager Grant-omitted from original budget submission | \$125,000 |
| Virginia Employment Commission-omitted from original budget | \$52,750 |
| Miscellaneous Revenue Account Adjustments: | |
| Revised ADM for SOQ funding upward by 10 students from 6820 to 6830 due to enrollment trend | \$48,668 |
| Other funds category-adjusted to \$664,851 from \$500,000 to properly reflect prior year results | \$164,851 |
| Donations-reflect prior year actual results | \$8,500 |
| Sale of supplies-reflect prior year actual results | \$10,050 |
| Sale of school buses-reflect prior year actual results | \$22,000 |
| Insurance Adjustments-reflect prior year actual results | \$23,568 |
| Total Adjustments | \$576,645 |

The school system has made significant cuts from the initial budget request presented in March. The updated revenue projections will only restore a small portion of the cuts. If these adjustments are not appropriated we will be unable to fill needed teacher, social worker, autism, transportation, and custodial positions.

Since these revenues do not represent any additional county funds and since the school division is responsible for the successful budget management of this request thru grant reimbursements and revenues created thru operations, we respectively request that the Board of Supervisors approve this supplemental budget request for the 2016-17 fiscal year.

If there are any questions concerning this request, please let us know. Also, we will be glad to present this information and answer questions at the budget workshop on May 10th if you wish. We look forward to your review and consideration.

Thank you.

(RESOLUTION #12-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to amend the School Budget with the inclusion of \$576,684 for the FY'2016-2017 with a total school budget of \$85,197,513.

MOTION BY: Tim Tatum

SECONDED BY: Bob Camicia

VOTING ON THE MOTION WAS AS FOLLOWS:

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

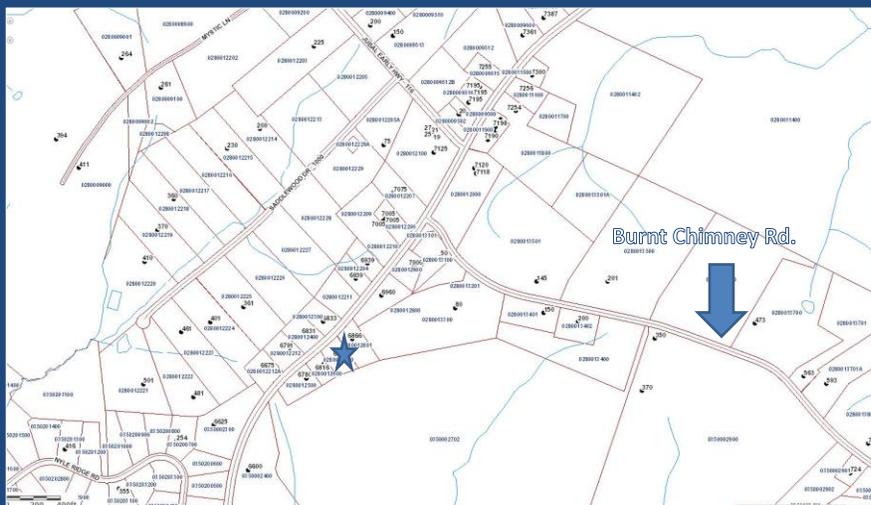
PETITION for REZONE –Petition of Louis E Conway, Jr. and Kathleen R Conway, Petitioners and Louis E Conway, Jr., Kathleen R Conway and Mike Ferguson, Owners, requesting to rezone 1.238 acres from B-1, Business District, Limited with proffered conditions to A-1, Agricultural District, and to rezone 0.972 acres from B-1, Business District, Limited with proffered conditions to B-1, Business District, Limited with possible proffered conditions for a total of +/- 2.21 acre, located at 6866 Booker T. Washington Highway and 6832 Booker T. Washington, respectively, in the Union Hall District of Franklin County, and further identified as the following Franklin County Tax Map/Parcels #0280012801 and 0280012700. (Case # [REZO-3-16-15243](#))
Public Hearing was opened.

Mr. Steve Sandy, Director of Planning & Community Development shared with the Board the following PowerPoint regarding the rezone for Louise & Kathleen Conway:

CASE # REZO-3-16-15243
REQUEST:

PETITION for REZONE – Petition of **Louis E Conway, Jr. and Kathleen R Conway, Petitioners** and **Louis E Conway, Jr., Kathleen R Conway and Mike Ferguson, Owners**, requesting to rezone 1.238 acres from B-1, Business District, Limited with proffered conditions to A-1, Agricultural District, with proffered condition, and to rezone 0.972 acres from B-1, Business District, Limited with proffered conditions to B-1, Business District, Limited, for a total of +/- 2.21 acre, located at 6866 Booker T. Washington Highway and 6832 Booker T. Washington, respectively, in the Union Hall District of Franklin County, and further identified as the following Franklin County Tax Map/Parcels #0280012801 and 0280012700. (Case # [REZO-3-16-15243](#))

Vicinity Map- Case # 15243 –Conway/Ferguson Rezoning



★ = Site

(RESOLUTION #13-05-2016)

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

Approved Proffers and Deviations:

Limitation of Use. The property shall only be used as (1) a single family dwelling and office/design studio to be used by the owners/occupants of the single family dwelling on property or, (2) a single family dwelling and accessory dwelling unit in accord with Section 25-188 of the zoning ordinance.

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

PETITION for REZONE - Petition of Runk & Pratt of SML, LLC, R&P SML Facility LLC, and Willard Construction of Smith Mountain Lake, LLC, Petitioners/Owners, requesting a rezoning from PCD, Planned Community Development to PCD, Planned Community Development with concept plan and proffered conditions, for the purpose of modifying the approved concept plan to add up to 36 units of patio homes, expand existing Assisted Living facility by 40 beds, and added Medical Wellness Center, for a total of +/- 28.135 acre parcels, located in the Gills Creek District of Franklin County, and further identified as the following Franklin County Tax Map/Parcels #0300005207, 0300005209, 0300005210, 0300005211, 0300005211A, and 0300005213. The following deviations are being requested as part of the approved concept plan: (Case # [REZO-3-16-15244](#))

- Deviation of Section 25-395 - Minimum Dimensions - (a) Front setback of 10' from the edge of right-of-way; (b) Side setback of 'None', (c) Rear setback of 'None'.
- Deviation of Sections 25-399 & 25-391 - Design Guidelines and Permitted Uses - To allow for dwellings, submitted, multi-family dwellings and townhouses.

Steven Sandy, Director of Planning & Community Development presented the following PowerPoint for Runk & Pratt of SML, LLC, R&P:

CASE # REZO-3-16-1524
REQUEST:

PETITION for REZONE - Petition of Runk & Pratt of SML, LLC, R&P SML Facility LLC, and Willard Construction of Smith Mountain Lake, LLC, Petitioners/Owners, requesting a rezoning from PCD, Planned Community Development to PCD, Planned Community Development with concept plan and proffered conditions, for the purpose of modifying the approved concept plan to add up to 36 residential units, expand existing Assisted Living facility by up to 40 additional beds, and added Medical Wellness Center, for a total of +/- 28.135 acre parcels, located in the Gills Creek District of Franklin County, and further identified as the following Franklin County Tax Map/Parcels #0300005207, 0300005209, 0300005210, 0300005211, 0300005211A, and 0300005213.

The following deviations are being requested as part of the approved concept plan:
(Case # [REZO-3-16-15244](#))

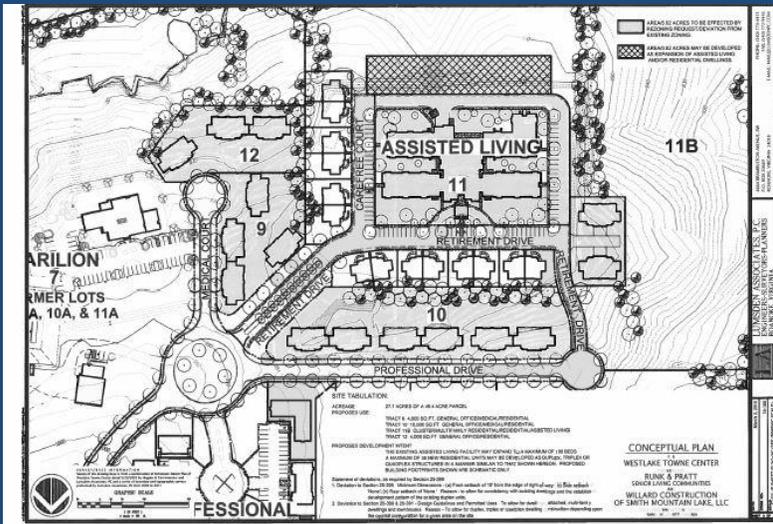
- Deviation of Section 25-395 - Minimum Dimensions - (a) Front setback of 10' from the edge of right-of-way; (b) Side setback of 'None', (c) Rear setback of 'None'.
- Deviation of Sections 25-399 & 25-391 - Design Guidelines and Permitted Uses - To allow for dwellings, attached, multi-family dwellings and townhouses.

Area Map- Case # 15244 –Runk_ Pratt_ Willard
Westlake Concept Plan Amendment

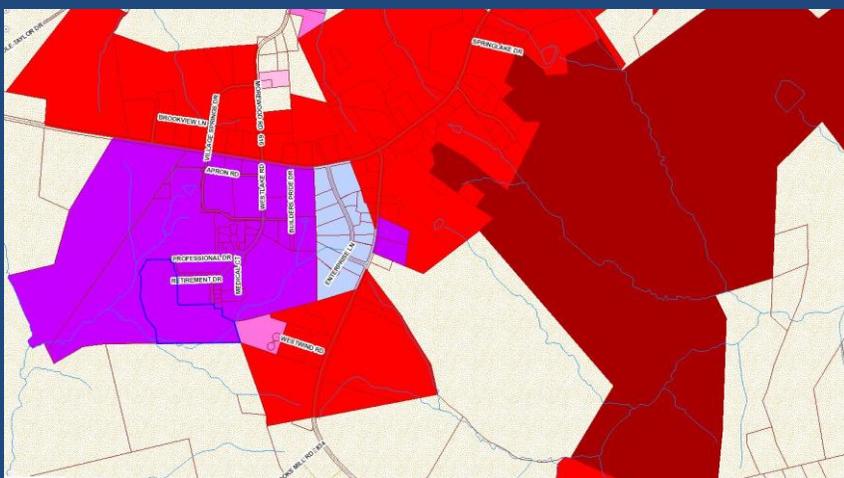


★ = Sites

Aerial View Case # 15244
Westlake Concept Plan Amendment



Zoning Map- Case # 15244
Westlake Concept Plan Amendment



Recommendation:

Planning Commission recommended approval by a vote of 5-0-2 (Colby & McGhee absent) of the request and the acceptance of the following proffer :

Development of the property shall conform to the Conceptual Plan for Westlake Towne Center prepared by Lumsden Associates, PC dated March 3, 2016 (Sheets 1 thru 3), including all notes contained on Sheet 3 pertaining to permitted uses within each development tract area and all notes requesting approval of deviations to development standards.

Public Hearing was opened.

Vickie Runk, urged the Board to support their rezone request.

Dr. Richard Tanyer shared his wonderful experience with Smith Mountain Lake housing for the elderly.

Ken Webber shared with the Board their residence for 21 years at Smith Mountain Lake. Very pleased with this development.

Public Hearing was closed.

(RESOLUTION #14-05-2016)

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

Approved Proffers and Deviations:

Development of the property shall conform to the Conceptual Plan for Westlake Towne Center prepared by Lumsden Associates, PC dated March 3, 2016 (Sheets 1 thru 3), including all notes contained on Sheet 3 pertaining to permitted uses within each development tract area and all notes requesting approval of deviations to development standards.

MOTION BY: Bob Camicia

SECONDED BY: Tim Tatum

VOTING ON THE MOTION WAS AS FOLLOWS:

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

PETITION of Franklin County Board of Supervisors to amend Chapter 25, "Zoning," of the Franklin County Code, as follows: amend Article II, Division 2, Section 25-72, Uses and structures permitted in required yards and to specify, by zoning district, the types of accessory structures and uses allowed in required yards, and the standards governing their placement and use. (Case # A-4-16-001)

Lisa Cooper, Senior Planner, shared with the Board the following advertised Code amendments to Section 25-72 & 74:

ARTICLE II. BASIC REGULATIONS
DIVISION 2. LOT REGULATIONS

Sec. 25-72. ~~Uses and~~ Structures permitted in required yards.

~~The following uses and structures shall be permitted in required yards, subject to the following limitations established:~~

The following structures shall not be deemed accessory structures and shall be permitted in required yards provided applicable sight distance and fire safety requirements are met and maintained and are in compliance with the Franklin County Code:

1. Bay windows
2. Clotheslines
3. Fences, provided no fence in a front yard shall exceed four (4) feet in height.
4. Freestanding air conditioning units
5. Walls and retaining walls must comply with International Building Code (IBC) and Uniform Statewide Building Code (USBC), as amended. For walls requiring a design bearing the stamp of a Virginia Registered Design Professional, a safety railing shall be required along the top of wall.
6. Satellite dishes.
7. Sculpture, fountain, etc.
8. Solar power panels, residential.

Any other structures the zoning administrator determines to be similar in scope, size and impact as those listed herein, and are in compliance with all other provisions of this chapter shall also be permitted.

Sec. 25-74. - Accessory structures in required yards.

~~If no utility or drainage easements or other easements are adversely affected, accessory structures or portions thereof may be erected no closer than twelve (12) feet to adjacent lot lines in the case of detached structures or to a common wall in the case of attached structures; provided further, that no such structure shall be located within any yard required under sections 25-62 through 25-64.~~

Except as provided in section 25-72, above, accessory structures as defined in section 25-40 shall be located as follows:

1. No accessory structure shall be located in any front yard required for a principal structure.
2. No accessory structure shall be located in any side yard required for a principal structure.
3. No accessory structure shall be located closer than 12 feet from any rear property line.
4. No accessory structure shall be located on any public utility easement, drainage easement or any other easement without the written permission of the easement's grantee.

Recommendation:

Planning Commission recommended approval with a 7-0 vote of the following:

Planning Commission recommends that the Board of Supervisors approve amendments to Chapter 25 "Zoning" of the Franklin County Code, as follows: Article II, Basic Regulations; Division 2, Lot Regulations; and Section 25-72, Uses and structures permitted in required yards, 25-74. Accessory structures in required yards and to specify the types of accessory structures and uses allowed in required yards, and the standards governing their placement and use.

ARTICLE II. BASIC REGULATIONS
 DIVISION 2. LOT REGULATIONS

Sec. 25-72. ~~Uses and~~ Structures permitted in required yards.

~~The following uses and structures shall be permitted in required yards, subject to the following limitations established:~~

The following structures shall not be deemed accessory structures and shall be permitted in required yards provided applicable sight distance and fire safety requirements are met and maintained and are in compliance with the Franklin County Code:

1. Bay windows
2. Clotheslines
3. Fences, provided no fence in a front yard shall exceed four (4) feet in height.
4. Freestanding air conditioning units
5. Walls and retaining walls must comply with International Building Code (IBC) and Uniform Statewide Building Code (USBC), as amended. For walls requiring a design bearing the stamp of a Virginia Registered Design Professional, a safety railing shall be required along the top of wall.
6. Satellite dishes.
7. Sculpture, fountain, etc.
8. Solar power panels, residential.

Any other structures the zoning administrator determines to be similar in scope, size and impact as those listed herein, and are in compliance with all other provisions of this chapter shall also be permitted.

Sec. 25-74. - Accessory structures in required yards.

~~If no utility or drainage easements or other easements are adversely affected, accessory structures or portions thereof may be erected no closer than twelve (12) feet to adjacent lot lines in the case of detached structures or to a common wall in the case of attached structures; provided further, that no such structure shall be located within any yard required under sections 25-62 through 25-64.~~

Except as provided in section 25-72, above, accessory structures as defined in section 25-40 shall be located as follows:

1. No accessory structure shall be located in any front yard required for a principal structure.
2. No accessory structure shall be located in any side yard required for a principal structure.
3. No accessory structure shall be located closer than 12 feet from any rear property line.
4. No accessory structure shall be located on any public utility easement, drainage easement or any other easement without the written permission of the easement's grantee.

No one spoke regarding the proposed amendments.

(RESOLUTION #15-05-2016)

BE IT THEREFORE ORDAINED, by the Board of Supervisors to amend County Code Chapter 25 Section 25-72, as advertised.

MOTION BY: Bob Camicia

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

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

PUBLIC NOTICE

In accordance to Section 33.2-331 of the Code of Virginia, Franklin County Board of Supervisors and the Virginia Department of Transportation have jointly formulated a budget for the expenditure of improvement funds for the next fiscal year as well as to update the current Six-Year Secondary Roads Improvement Program based on projected allocation of funding.

In accordance with this section of the Code of Virginia, the Franklin County Board of Supervisors has established a time of **6:00 P.M., on Tuesday, May 17, 2016**, in the Board of Supervisors Meeting Room in the Franklin County Government Center, 1255 Franklin Street, Suite 104,

Rocky Mount, Virginia to allow for public comment. A copy of the proposed Six-Year Plan and priority listing for the upcoming fiscal year is available for review in (1) the Office of Finance at 1255 Franklin Street, Suite 111, Rocky Mount, Virginia, and at (2) www.franklincountyva.gov, under "News."

Lisa Cooper, Senior Planner, stated the Secondary Six Year Plan is updated annually based on funds allocated by the Commonwealth Transportation Board (CTB) to counties for the purpose of performing construction work on the secondary roadway system. Allocations are based on state revenue projections provided by the Department of Taxation.

The State of Virginia requires the Board of Supervisors to review and adopt by resolution the Secondary Six Year Plan (SSYP) annually.

On April 29, 2016, staff sent a memorandum to the Board of Supervisors presenting the projected allocations for the FY 2017-2022 SSYP. Staff showed a table referencing each year's funding allocation over the next six (6) years. VDOT staff advises that after distributing the projected allocations in the existing SSYP plan, the County can fully fund each road project in the current plan by FY 2022. The Board of Supervisors can potentially add one unpaved secondary road project to the plan this year. The potential project added to this year's plan, will not be fully funded in FY 22; however, the monies should fund any PE work necessary and begin the construction phase.

In FY 2014-19 SSYP, the Board of Supervisors was able to add additional roads to the plan. However, in FY 2015-20 SSYP two roads were removed due to lack of funding. The two roads removed were Route 659, Bar Ridge Road and Route 657, Red Valley Road. Bar Ridge Road was the higher priority of the two roads when the roads were removed from the FY 2015-20 SSYP.

As a result, staff has tentatively added Route 659, Bar Ridge Road as the potential project for the FY 2017-22 SSYP. Staff feels Bar Ridge Road should be added back as it was on the plan for FY 2014-19 and it was the higher priority road and the last one removed from the plan.

The following is a brief summary of the updated Franklin County FY 2017-2022 SSYP.

The plan now shows District Grant Unpaved Road funds in FY 2021 and 2022. These unpaved road funds are the result of the funding distribution detailed in House Bill 1887 (HB 1887) which was passed in 2015 and takes effect July 1, 2016. These funds replaced the CTB Unpaved road funds received through FY 2020.

The draft plan reflects one additional rural rustic unpaved road project for FY 2022, Route 659, Bar Ridge Road, which was part of the FY 2014 thru 2019 SSYP but was removed from the plan in FY 2015 due to allocation reductions. All projects in the draft plan are fully funded except Bar Ridge Road which requires funding from future allocations past FY 2022.

Although a project is fully funded, construction may not commence in the same year 100% funding is available. Preliminary engineering activities must be completed prior to the start of construction activities.

The funding for the Countywide Cost Centers on pages three and four of the plan is consistent with previous years. Please disregard the estimated cost, advertisement date, previous funding and additional funding required data for all three of the Countywide Cost Centers. Our project management system requires that we enter this data for all projects; however, this information presents an inaccurate picture for these line items.

Please find submitted "SSYP Allocation Comparison for FY 2016-2021-VS-FY 2017-2022" and the draft FY 2017-2022 (SSYP).

RECOMMENDATION:

Staff respectfully requests that the Board of Supervisors to adopt by resolution the FY2017-2022 Secondary Six Year Plan (SSYP).

Kristen Williby and Brian Casella, VDOT, Representatives highlighted with the Board the following proposed and advertised Six-Year Secondary Construction Plan:

SSYP ALLOCATION COMPARISON
FY 2016-2021 PLAN -VS- FY 2017-2022 PLAN

| FY 16 - 21 | | | | | | |
|------------|-----------------------|------------|------------|------------|------------|------------|
| CODE | FUND | FY17 | FY18 | FY19 | FY20 | FY21 |
| 3001500 | CTB Formula - Unpaved | \$ 102,146 | \$ 116,761 | \$ 125,838 | \$ 120,940 | \$ - |
| 6030606 | TeleFee | \$ 159,249 | \$ 159,249 | \$ 159,249 | \$ 159,249 | \$ 159,249 |

| FY 17 - 22 | | | | | | | |
|------------|--------------------------|------------|------------|------------|------------|------------|------------|
| CODE | FUND | FY17 | FY18 | FY19 | FY20 | FY21 | FY22 |
| 3001500 | CTB Formula - Unpaved | \$ 86,230 | \$ 101,679 | \$ 116,966 | \$ 112,413 | \$ - | \$ - |
| 6030606 | TeleFee | \$ 162,688 | \$ 162,688 | \$ 162,688 | \$ 162,688 | \$ 162,688 | \$ 162,688 |
| 6071700 | District Grant - Unpaved | \$ - | \$ - | \$ - | \$ - | \$ 157,837 | \$ 157,837 |

| DIFFERENCE | | | | | | | |
|------------|--------------------------|-------------|-------------|------------|------------|------------|------------|
| CODE | FUND | FY17 | FY18 | FY19 | FY20 | FY21 | FY22 |
| 3001500 | CTB Formula - Unpaved | \$ (15,916) | \$ (15,082) | \$ (8,872) | \$ (8,527) | \$ - | \$ - |
| 6030606 | TeleFee | \$ 3,439 | \$ 3,439 | \$ 3,439 | \$ 3,439 | \$ 3,439 | \$ 162,688 |
| 6071700 | District Grant - Unpaved | \$ - | \$ - | \$ - | \$ - | \$ 157,837 | \$ 157,837 |

| TOTAL CHANGE FY 17 - FY 21 | | |
|----------------------------|--------------------------|-------------|
| 3001500 | CTB Formula - Unpaved | \$ (48,397) |
| 6030606 | TeleFee | \$ 17,195 |
| 6071700 | District Grant - Unpaved | \$ 157,837 |

\$ 126,635

Secondary System
Franklin County
Construction Program
Estimated Allocations

| Fund | FY2017 | FY2018 | FY2019 | FY2020 | FY2021 | FY2022 | Total |
|-----------------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------------|
| CTB Formula - Unpaved State | \$86,230 | \$101,679 | \$116,966 | \$112,413 | \$0 | \$0 | \$417,288 |
| Secondary Unpaved Roads | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| TeleFee | \$162,688 | \$162,688 | \$162,688 | \$162,688 | \$162,688 | \$162,688 | \$976,128 |
| Residue Parcels | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| STP Converted from IM | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal STP - Bond Match | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Formula STP | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| MG Formula | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| BR Formula | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Other State Match | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| State Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal STP | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| District Grant - Unpaved | \$0 | \$0 | \$0 | \$0 | \$157,837 | \$157,837 | \$315,674 |
| Total | \$248,918 | \$264,367 | \$279,654 | \$275,101 | \$320,525 | \$320,525 | \$1,709,090 |

Board Approval Date:

 Todd K. Daniel
 Residency Administrator Date

 Brent Robertson
 County Administrator Date

SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

District: Salem
 County: Franklin County

| Board Approval Date: | | 2017-18 through 2021-22 | | | | | | | | | | |
|------------------------------|---|-------------------------|------------------|-----------------------------|-----------------------------------|---------|---------|-------------|---------|---------------------|---------------|---------------------------------------|
| Route | Road Name | Estimated Cost | Previous Funding | Additional Funding Required | PROJECTED FISCAL YEAR ALLOCATIONS | | | | | Balance to complete | Traffic Count | |
| PPMS ID | Project # | | | | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | | Scope of Work |
| Accomplishment | Description | | SSYP Funding | | | | | | | | | FHWA # |
| Type of Funds | FROM | | Other Funding | | | | | | | | | Comments |
| Type of Project | TO | | Total | | | | | | | | | |
| Priority # | Length | Ad Date | | | | | | | | | | |
| RL0718 | COLONIAL TURNPK | PE \$90,000 | | | | | | | | | | 601 |
| 55471 | 071803334 | RW \$115,287 | \$1,681,549 | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | | Bridge Replacement w/o Added Capacity |
| RAAP CONTRACT | RTE. 718 OVER PIGG RIVER (STR. 07926) - BRIDGE REPLACEMENT | CON \$4,164,126 | \$378,722 | | \$69,142 | \$0 | \$0 | \$3,100,000 | \$0 | \$0 | | 14011 |
| BR/STP, STP | | Total \$5,229,413 | \$2,060,271 | \$3,169,142 | \$69,142 | \$0 | \$0 | \$3,100,000 | \$0 | \$0 | \$0 | Revised schedule required. |
| MIN PLAN/FED-AID, SECONDARY | 0.5 Mi. North of Rte. 715 | | | | | | | | | | | |
| 0001.00 | 0.9 Mi. South of Rte. 646 | 11/10/2020 | | | | | | | | | | |
| | 0.2 | | | | | | | | | | | |
| RL0616 | Scruggs Road | PE \$262,901 | | | | | | | | | | 8800 |
| 93277 | 0616033727 | RW \$166,222 | \$711,240 | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | | Reconstruction w/ Added Capacity |
| RAAP CONTRACT | Rte 616 - Const. Rt Turn Lane on Rte 616 @ INT. w/ RTE. 122 | CON \$348,170 | \$67,626 | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | | 24003 |
| STP | | Total \$777,293 | \$778,866 | (\$1,573) | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | (\$1,573) | |
| Minimum Plan | Intersection with Route 122 | | | | | | | | | | | |
| 0002.00 | 0.066 miles south of intersection with Route 122 | 10/11/2016 | | | | | | | | | | |
| | 0.1 | | | | | | | | | | | |
| RL0744 | Webster Corner Road | PE \$60,796 | | | | | | | | | | Resurfacing |
| 98459 | 0744033744 | RW \$0 | \$434,877 | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | | 16005 |
| STATE FORCES/HIRED EQUIPMENT | RTE 744 - RURAL RUSTIC, SURF TRT NON-HARDSURF RD (RESURF) | CON \$374,081 | \$0 | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | |
| S | | Total \$434,877 | \$434,877 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | |
| No Plan | Intersection of RTE 643 | 10/23/2014 | | | | | | | | | | |
| 0003.00 | 0.7 Mi N of Rte 643 | | | | | | | | | | | |
| | 0.7 | | | | | | | | | | | |
| RL0936 | GREENHOUSE RD | PE \$70,000 | | | | | | | | | | 286 |
| 106191 | 0936033785 | RW \$30,000 | \$633,913 | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | | Reconstruction w/o Added Capacity |
| SAAP CONTRACT | RTE 936 GREENHOUSE ROAD - RURAL RUSTIC | CON \$537,382 | \$3,469 | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | 16004 |
| S | | Total \$637,382 | \$637,382 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | |
| No Plan | 0.178 MI N RTE. 839 | | | | | | | | | | | |
| 0004.00 | END STATE MAINTENANCE | 4/26/2016 | | | | | | | | | | |
| | 0.6 | | | | | | | | | | | |
| RL0929 | BRIAR MOUNTAIN RD | PE \$25,000 | | | | | | | | | | 282 |
| 106745 | 0929033786 | RW \$20,000 | \$359,000 | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | | Resurfacing |
| STATE FORCES/HIRED EQUIPMENT | RTE 929 BRIAR MOUNTAIN RD - RURAL RUSTIC | CON \$314,000 | \$0 | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | 16005 |
| S | | Total \$359,000 | \$359,000 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | |
| No Plan | END STATE MAINTENANCE | 7/1/2019 | | | | | | | | | | |
| 0005.00 | 0.63 MI E END STATE MAINTENANCE | | | | | | | | | | | |
| | 0.6 | | | | | | | | | | | |

District: Salem
County: Franklin County

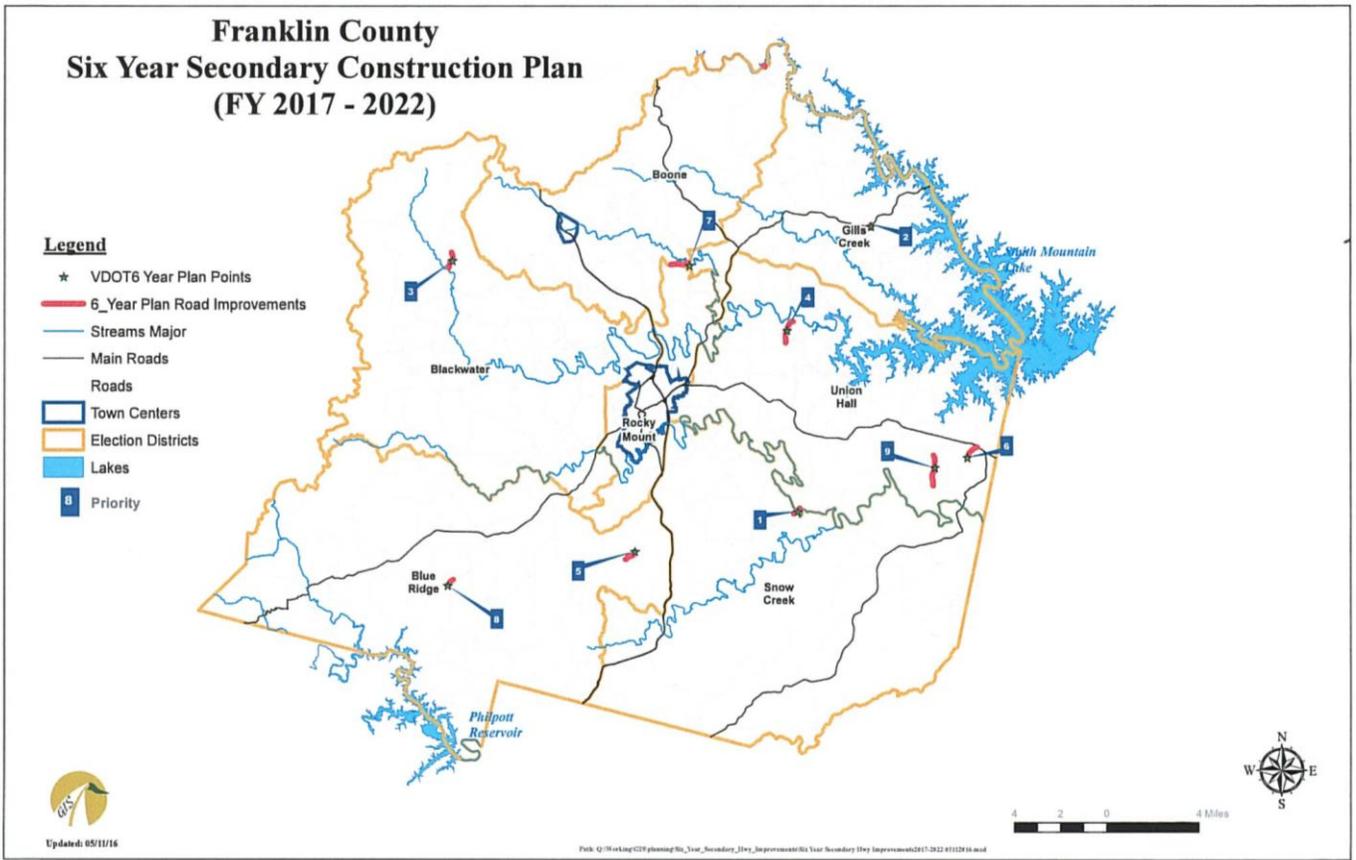
SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

| 2017-18 through 2021-22 | | | | | | | | | | | | | | |
|--|--|---|---|-----------------------------------|-----------------------------------|-----------|-----------|-----------|-----------|-----------|------------------------|--|---|----------------------------|
| Route PPMS ID Accomplishment Type of Funds Type of Project Priority # | Road Name Project # Description FROM TO Length | Estimated Cost Ad Date | Previous Funding SSYP Funding Other Funding Total | Additional Funding Required | PROJECTED FISCAL YEAR ALLOCATIONS | | | | | | Balance to complete | Traffic Count Scope of Work FHWA # Comments | | |
| | | | | | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | | | | |
| RT.0981 106749 STATE FORCESHIRED EQUIPMENT No Plan 0006.00 | EDWARDS ROAD 0981033787 RTE 981 EDWARDS RD - RURAL RUSTIC END STATE MAINTENANCE RTE. 660 MORGANS FORK RD 0.6 | PE \$25,000 RW \$15,000 CON \$213,000 Total \$253,000 6/30/2020 | \$76,475 \$0 \$76,475 | \$176,525 | \$176,525 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | 229 Resurfacing 16005 | |
| RT.0691 106753 STATE FORCESHIRED EQUIPMENT No Plan 0007.00 | BONBROOK RD 0691033788 RTE 691 BONBROOK RD RURAL RUSTIC 9 MI E OF BONBROOK MILL RD RTE 687 ALEAN RD 0.6 | PE \$25,000 RW \$15,000 CON \$282,000 Total \$322,000 12/1/2021 | \$35,730 \$55,049 \$90,779 | \$231,221 | \$32,393 | \$198,828 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | 200 Resurfacing 16005 | |
| RT.0865 106190 SAAP CONTRACT No Plan 0008.00 | TIMBERLINE RD 0865033791 RTE 865 (TIMBERLINE RD) - RURAL RUSTIC RTE 778 0.35 MI E OF RTE 781 1.7 | PE \$125,000 RW \$30,000 CON \$750,000 Total \$905,000 12/30/2023 | \$0 \$0 \$0 | \$905,000 | \$0 | \$23,039 | \$237,154 | \$232,601 | \$278,025 | \$134,181 | \$0 | \$0 | 67 Resurfacing 16005 | |
| RT.0859 106764 SAAP CONTRACT No Plan 0009.00 | BAR RIDGE RD 0659033792 RTE 659 BAR RIDGE RD RURAL RUSTIC 0.96 MI N RTE 626 RTE 946 1.7 | PE \$158,000 RW \$15,000 CON \$783,000 Total \$956,000 9/30/2026 | \$0 \$0 \$0 | \$956,000 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$143,844 | \$143,844 | \$812,156 | 50 Resurfacing 16005 |
| RT.4007 100107 S 9999.99 | 1204007 COUNTYWIDE TRAFFIC SERVICES VARIOUS LOCATIONS IN COUNTY VARIOUS LOCATIONS IN COUNTY | PE \$0 RW \$0 CON \$250,000 Total \$250,000 3/1/2011 | \$462,542 \$0 \$462,542 | (\$212,542) | \$25,000 | \$30,000 | \$30,000 | \$30,000 | \$30,000 | \$30,000 | \$30,000 | \$30,000 | 0 Safety 16021 TRAFFIC SERVICES INCLUDE SECONDARY SPEED ZONES, SPEED STUDIES, OTHER NEW SECONDARY SIGNS | |

District: Salem
County: Franklin County

SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

| 2017-18 through 2021-22 | | | | | | | | | | | | | | |
|--|---|--|---|-----------------------------------|-----------------------------------|----------|----------|----------|----------|----------|------------------------|--|---|---|
| Route PPMS ID Accomplishment Type of Funds Type of Project Priority # | Road Name Project # Description FROM TO Length | Estimated Cost Ad Date | Previous Funding SSYP Funding Other Funding Total | Additional Funding Required | PROJECTED FISCAL YEAR ALLOCATIONS | | | | | | Balance to complete | Traffic Count Scope of Work FHWA # Comments | | |
| | | | | | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | | | | |
| RT.4005 100176 S 9999.99 | 1204005 COUNTYWIDE ENGINEERING & SURVEY VARIOUS LOCATIONS IN COUNTY VARIOUS LOCATIONS IN COUNTY | PE \$0 RW \$0 CON \$250,000 Total \$250,000 3/1/2011 | \$52,587 \$0 \$52,587 | \$197,413 | \$15,000 | \$10,000 | \$10,000 | \$10,000 | \$10,000 | \$10,000 | \$10,000 | \$10,000 | \$132,413 | 0 Preliminary Engineering 16015 MINOR SURVEY & PRELIMINARY ENGINEERING FOR BUDGET ITEMS AND INCIDENTAL TYPE WORK. |
| RT.4008 100343 S 9999.99 | 1204008 COUNTYWIDE RIGHT OF WAY ENGR. VARIOUS LOCATIONS IN COUNTY VARIOUS LOCATIONS IN COUNTY | PE \$0 RW \$0 CON \$0 Total \$0 1/30/2011 | \$25,000 \$0 \$25,000 | (\$25,000) | \$0 | \$2,500 | \$2,500 | \$2,500 | \$2,500 | \$2,500 | \$2,500 | \$2,500 | 0 Right of Way 16016 USE WHEN IMPRACTICAL TO OPEN A PROJECT: ATTORNEY FEES and ACQUISITION COST. | |



Public Hearing was opened.

Frank Carroll, St. Rt. 744 addressed the Board regarding the paving of this road and traffic concerns.

Lucy Carroll stated where the new pavement is there are no residences within the new stretch of pavement. However, where the homes are located the road is still gravel.

Public Hearing was closed.

(RESOLUTION #12-05-2016)

BE ITH THEREFORE RESOLVED, by the Board of Supervisors to adopt the advertised FY'2017-2022 Secondary Six Year Plan (SSYP).

MOTION BY: Charles Wagner

SECONDED BY: Tim Tatum

VOTING ON THE MOTION WAS AS FOLLOWS:

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

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, May 17, 2016**, at the Government Center, Board of Supervisors Meeting Room located at 1255 Franklin Street, Suite 104, Rocky Mount, Virginia to consider proposed amendments to **Chapter 8-124** of the Franklin County Code. The reason for the proposed amendments to Chapter 8 is to authorize criminal background investigations of applicants for public employment and volunteer positions.

Daryl Hatcher, Director of Public Safety, stated pursuant to § 32.1-111.5, each person who, on or after July 1, 2013, applies to be a volunteer with or employee of an emergency medical services (EMS) agency must submit fingerprints and provide personal descriptive information to be forwarded by the Office of EMS (Office) along with his fingerprints through the Central Criminal Records Exchange (CCRE) of the Virginia State Police to the Federal Bureau of Investigation, for the purpose of conducting a state and national criminal history check. In 2015 the General Assembly enacted legislation that would allow this background check to be conducted locally which would decrease the processing time for EMS agency applicants for both volunteer and career agencies. Franklin County currently has no ordinance that allows for local processing of these background checks.

Pursuant to § 32.1-111.5 local EMS agency applications are processed through the Public Safety office for a local driving history and state criminal background check. When that is completed the applicant is sent a fingerprint card that must be taken by the applicant to the sheriff's office where the applicant is fingerprinted. The completed card is returned to the Public Safety office where it

is mailed to the Virginia Office of EMS for a national criminal records database search to be conducted through the Virginia State Police at the expense of the Office of EMS. When the national criminal history record search is completed by the state police the report is returned to the Office of EMS where a letter is prepared and sent by US Mail to the Public Safety office. The letter simply states whether the applicant is eligible or ineligible for affiliation with an EMS agency in Virginia. The process typically takes between 4 and 6 weeks to be completed. This leads to an extreme delay in processing EMS provider applications which sometimes results in applicants losing interest in volunteering with a local agency. In 2015 the General Assembly allowed localities to conduct national criminal history searches, at the localities expense, provided a letter was submitted to the Office of EMS stating that the applicant is eligible or ineligible to be affiliated with a EMS agency. In most localities the sheriff's office has waived the processing fees associated with conducting the national criminal history request for those localities that have adopted such an ordinance. In preparation of this proposal, Public Safety staff contacted the Sheriff's Office regarding the fees for conducting background checks on EMS providers. The Sheriff has agreed to provide the background checks for EMS providers at no cost.

Staff drafted the following proposed ordinance for the Board to consider. This draft has been reviewed by the County Attorney. The ordinance reads as follows:

ARTICLE VII - PUBLIC SAFETY

Sec. 8-124. - Background investigations of applicants for public employment and volunteer positions.

(a) In the interest of public welfare and safety, under the provisions of Code of Virginia § 19.2-389, § 32.1-111.5, and 15.2-1503.1, the director of human resources or his designee, who shall be located in a government entity, shall require any applicant who is offered or accepts employment with the county department of public safety, or who is offered or accepts a volunteer position with either the department of public safety, or volunteer emergency medical services department(s) within the County of Franklin to submit to fingerprinting and to provide personal descriptive information to be forwarded along with the applicant's fingerprints through the Central Criminal Record Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history information regarding such applicant. Where authorized under the provisions of Code of Virginia § 15.2-1503.1, the county may require such applicants to pay for the cost of fingerprinting or a criminal records check, or both.

(b) Criminal history information considered in accordance with this section shall include outstanding warrants, pending criminal charges and records of conviction. Records of dispositions which occurred while an applicant was considered a juvenile shall not be referenced unless authorized by court order, federal regulation or state statute authorizing such dissemination.

(c) Any applicant who is denied employment or rejected as a volunteer on the basis of an investigation summary obtained in accordance with this section may inspect that summary for the purpose of clarifying, explaining or denying the information therein.

(d) The criminal history information provided in accordance with this section shall be used solely to assess eligibility for public employment or service, and shall not be disseminated to any person not involved in the assessment process.

Staff has spoken with the Sheriff who has agreed to waive any fees associated with processing EMS criminal history records. Once the ordinance is approved staff will develop a plan to comply with the requirement to submit a letter to the Office of EMS as outlined in § 32.1-111.5.

RECOMMENDATION: Staff respectfully requests that the Board of Supervisors approve the proposed ordinance after the advertised public hearing is held.

ARTICLE VII - PUBLIC SAFETY

Sec. 8-124. - Background investigations of applicants for public employment and volunteer positions.

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(b) Criminal history information considered in accordance with this section shall include outstanding warrants, pending criminal charges and records of conviction. Records of dispositions which occurred while an applicant was considered a juvenile shall not be referenced unless authorized by court order, federal regulation or state statute authorizing such dissemination.

(c) Any applicant who is denied employment or rejected as a volunteer on the basis of an investigation summary obtained in accordance with this section may inspect that summary for the purpose of clarifying, explaining or denying the information therein.

(d) The criminal history information provided in accordance with this section shall be used solely to assess eligibility for public employment or service, and shall not be disseminated to any person not involved in the assessment process.

Public Hearing was opened.

Public Hearing was closed.

(RESOLUTION #13-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to amend Chapter 8-124, as advertised and presented.

MOTION BY: Charles Wagner

SECONDED BY: Tim Tatum

VOTING ON THE MOTION WAS AS FOLLOWS:

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

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M., on Tuesday, May 17, 2016**, at the Franklin County Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia to consider the proposed amendment to (Chapter 20: Article II, Division; Section 20-41), with the result that all applications for relief filed to the Board of Equalization shall be finally disposed of by the Board of Equalization by **5:00 P.M., Thursday, May 26, 2016**. A complete copy of the proposed amendment to said ordinance is available in the Office of the Clerk to the Board of Supervisors, 1255 Franklin Street, Suite 111, Rocky Mount, Virginia 24151.

Vincent K. Copenhaver, Finance Director, shared with the Board Chapter 20: Article II, Division; Section 20-41 (as submitted), was last amended during the 2012 General Reassessment for the County.

Staff was granted authorization during the BOS meeting on Tuesday, April 19, 2016 to advertise for a public hearing to amend Chapter 20-41 to reflect the 2016 deadline date for all applications for relief filed to the Board of Equalization shall be finally disposed of by the Board of Equalization by **5:00 Thursday, May 26, 2016**.

RECOMMENDATION:

Staff respectfully requests Board approval to amend Chapter 20-41 of the County Code, as advertised and public hearing is held to reflect the 2016 deadline date for all reassessment appeal applications.

ORDINANCE
CHAPTER 20:41

DIVISION 3. - ORDINANCE SETTING DATES FOR APPLICATION TO THE BOARD OF EQUALIZATION FOR RELIEF AND FOR DISPOSITIONS OF ALL APPLICATIONS FOR RELIEF BY THE BOARD OF EQUALIZATION

Sec. 20-41. - Applications.

It is hereby ordained, as follows:

(1)

All applications to the board of equalization by property owners or lessees seeking relief from assessments must be made by 5:00 p.m., ~~Wednesday, February 29, 2012~~ **Friday, May 20, 2016.**

(2)

All applications for relief filed shall be finally disposed of by the board of equalization by 5:00 p.m., ~~Friday, April 27, 2012~~ **Thursday, May 26, 2016.**

(Ord. of 2-17-04; Res. No. 10-03-2012, 3-20-12)

(RESOLUTION #14-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to adopt the aforementioned amendments to Chapter 20:41, as advertised.

MOTION BY: Charles Wagner

SECONDED BY: Tim Tatum

VOTING ON THE MOTION WAS AS FOLLOWS:

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

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, May 17, 2016**, at the Government Center, Board of Supervisors Meeting Room located at 1255 Franklin Street, Suite 104, Rocky Mount, Virginia to consider the repeal of **Chapter 3: Sections 16-55, and to readopt proposed amendments to Chapter 3: Section 16-55** of the Franklin County Code. The reason for the proposed amendments to Chapter 3 is to coincide with the State Code of Virginia.

During the Board meeting held on Tuesday, March 15, 2016, the Board directed staff to review County Code Chapter 3: Public Dance Halls adopted December 1977. While staff consisting, of the (**Commissioner of Revenue, Treasurer, Sheriff's Department, VDOT, Building Inspection's Official, Planning & Community Development, Public Safety and Board Clerk**) have met, discussed and offered comments from the eyes of each department's as to the role in this process.

In reviewing surrounding county codes there are varying degrees of amendments and penalties as several of the counties have utilized. Submitted you will see a complete overhaul on Chapter 3 to align verbiage with the State Code of the Commonwealth of Virginia and the applicant's application for the Board's review.

Staff has shared and discussed with B. J. Jefferson, County Attorney, the proposed amendments to Chapter 3 and Mr. Jefferson states the amendments are ready for public hearing.

Staff brings the submitted proposed amendments to Chapter 3: Public Dance Halls and application to the Board of Supervisors during their April 19, 2016 meeting requesting the Board to grant approval for staff to authorize for advertising for a public hearing on the proposed amendments to Chapter 3 of the Franklin County Code (see submitted).

The Board directed staff to advertise for public hearing the proposed amendments to Chapter 3: Public Dance Halls in the County Code for the Tuesday, May 17, 2016.

RECOMMENDATION:

Staff respectfully request Board authorization to repeal and then adopt the submitted amendments to Chapter 3: Public Dance Halls as submitted for public hearing on **Tuesday, May 17, 2016 @ 6:00 P.M.**

Chairman Brubaker recessed the meeting for the advertised public hearing, as follows:

**ARTICLE II. - PUBLIC DANCE HALLS
FOOTNOTE(S):**

--- (2) ---

State Law reference— Authority of county to regulate public dance halls, Code of Virginia, § 15.2-912.3.

DIVISION 1. - GENERALLY

Sec. 3-16. - Defined.

For the purposes of this article, the following words, terms, and phrases shall have the meanings ascribed to them in this section, except where context indicates a different meaning:

County Administrator means the County Administrator, or another County employee or officer as the County Administrator may designate.

Manager means any person charged with conducting the business affairs or daily operations of a public dance hall.

Permit holder means the person(s) who hold(s) a permit issued pursuant to this article.

Person means any individual, group of individuals, corporation, partnership, association or other entity formed for the purpose of conducting business, or any combination thereof, unless context indicates that a natural person is the intended meaning.

Public dance hall means any place not owned by the county open to the general public where dancing by the general public is permitted; however, a restaurant located in the county licensed under Code of Virginia, § 4.1-210 to serve food and beverages having a dance floor with an area not exceeding ten percent of the total floor area of the establishment shall not be considered a public dance hall.

(Ord. of 12-19-77 Code of Virginia, § 15.2-912.3)

Sec. 3-17. - Violations of article generally.

Unless otherwise specifically provided, a violation of any provision of this article shall constitute a Class 3 misdemeanor.

(Ord. of 12-19-77)

Cross reference— Penalty for Class 3 misdemeanor, § 1-11.

Sec. 3-18. - Exemptions.

This article shall not apply to any single dance:

- (1) Held for benevolent or charitable purposes; or
- (2) Conducted under the auspices of a governmental, religious, educational, civic or military organization.

(Ord. of 12-19-77:Code 2016)

State Law reference— Authority for above exemptions, Code of Virginia, § 15.2-912.3.

Sec. 3-19. - Security requirements.

Whenever the number of patrons in a public dance hall is less than 50, then the public dance hall shall have at least one security worker. Whenever the number of patrons in a public dance hall is at least 100, then the public dance hall shall have at least three security personnel, no less than one of whom shall be a law-enforcement officer patrolling the establishment. For every 200 patrons, the public dance hall shall have at least four security personnel, no less than two of whom shall be law-enforcement officers dedicated to maintaining order in and around the public dance hall. For purposes of this section, the term "law-enforcement officer" has the meaning ascribed to that term by Code of Virginia, § 9.1-101. All other security personnel shall be "unarmed security officers" or "armed security officers" as defined by Code of Virginia, § 9.1-138 validly registered with the State Department of Criminal Justice Services as required by Code of Virginia, § 9.1-139. The permit holder for the public dance hall shall be responsible for all costs associated with fulfilling the security requirements of this section. The permit holder for the public dance hall shall be responsible for ensuring full compliance with this section.

(Code 2016)

Sec. 3-20. - Right of entry of police; enforcement.

Sheriff's Office personnel may enter any public dance hall for which a permit has been granted under this article during all hours of operation.

(Code 2016)

Sec. 3-21. - Entry prohibited to certain persons.

- (a) No person under the age of 18 years shall remain on the public dance hall premises after 9:00 p.m. unless lawfully employed therein or unless accompanied by a parent or legal guardian.
- (b) The manager of any public dance hall shall conduct, or cause to be conducted, a positive identification and age check of each person seeking admittance to ensure compliance with this section.
- (c) It shall be unlawful for any person to falsely represent his or her age in order to gain admittance to a public dance hall or for any person to aid, abet or assist in making such false representation.
- (Code 2016)

Sec. 3-22. - Manager to be present during operation; events with promoters.

(a) Each permit holder, except an individual who is a permit holder and on the premises, shall have a designated manager, as defined in Section 3-16, present and in actual charge of the business being conducted under the permit at any time the public dance hall is in operation. The name of the designated manager of every public dance hall shall be kept posted in a conspicuous place in the public dance hall, legible in print and size, during the time such manager is in charge. Designated managers must be at least 21 years of age and have passed a criminal background check to show that he or she has not been convicted of:

- (1) Any violent felony involving a crime against a person;
- (2) Any other felony within five years preceding the date of the event;
- (3) Any misdemeanor involving contributing to the delinquency of a minor within five years preceding the date of the event;
- (4) Any other criminal offense against a juvenile; or
- (5) Any crime within five years preceding the date of the event involving:
 - a. The possession, sale or distribution of, attempted possession, sale or distribution of, or conspiracy to possess, sell or distribute a controlled substance, alcohol or firearms; or
 - b. The sale or distribution of, attempted sale or distribution of, or conspiracy to sell or distribute marijuana.

(b) No permit holder shall allow a promoter to sponsor any event within a public dance hall unless all persons with a controlling interest in that promoter have completed a criminal background check through the County Administrator within the three months preceding the date of such event and the criminal background check has shown that no such person has been convicted of:

- (1) Any violent felony involving a crime against a person;
- (2) Any other felony within five years preceding the date of the event;
- (3) Any misdemeanor involving contributing to the delinquency of a minor within five years preceding the date of the event;
- (4) Any other criminal offense against a juvenile; or
- (5) Any crime within five years preceding the date of the event involving:
 - a. The possession, sale or distribution of, attempted possession, sale or distribution of, or conspiracy to possess, sell or distribute a controlled substance, alcohol or firearms; or
 - b. The sale or distribution of, attempted sale or distribution of, or conspiracy to sell or distribute marijuana.

(c) The permit holder shall ensure that the promoter possesses a business license issued by the county, and the permit holder shall produce on demand by any county officer or employee a copy of such business license.

(Code 2016)

Sec. 3-23. - Required permit; application and fee.

(a) It shall be unlawful for any person to own, operate or maintain a public dance hall within the county, unless he has a permit so to do, approved by the Board of Supervisors pursuant to this section. Upon receipt of an approved dance hall permit from the Board of Supervisors, it shall be displayed next to the existing ABC License and Certificate of Occupancy within the establishment.

(b) Application for a permit under this article shall be made in writing on forms provided for this purpose and filed with the County Administrator. Applicants shall provide the following:

- (1) The name, street address and telephone number of the proposed public dance hall.
- (2) The name, residential address, telephone number, date of birth, gender, race, hair and eye color, height and weight of the individual applicant or the individual applying on behalf of an entity.

- (3) The name, address and telephone number of each individual who is an officer, director, partner, principal or manager of the proposed public dance hall, as well as any promoter involved in conducting dances at the proposed public dance hall.
 - (4) Whether the applicant or any of the persons listed in subsection (b)(3) of this section has been convicted of any felony or misdemeanor and, if so, the nature of the offense, when and where convicted and the penalty or punishment assessed.
 - (5) Whether the applicant or any of the persons listed in subsection (b)(3) of this section has had a public dance hall permit denied or revoked by any jurisdiction and, if so, when and where the denial or revocation occurred.
 - (6) The name, residential address and telephone number of two references who are neither minors nor relatives of the applicant or of any person listed in subsection (b)(3) of this section.
 - (7) If the applicant does not own the premises of the proposed public dance hall, a signed statement from the owner(s) authorizing use of the premises for a public dance hall.
 - (8) Written declaration, dated and signed by the applicant, certifying that the information contained in the application is true and correct and authorizing the County Administrator to commence a criminal background and reference check.
- (c) Each such application for a permit shall be accompanied by a fee in the amount of \$600.00.
- (d) In addition to submitting the information required by subsection (b) of this section, applicants shall make the premises of the proposed public dance hall available for inspection pursuant to this article by representatives of the Sheriff's Office, Department of Public Safety, the Building Inspections Office, and the Department of Planning & Community Development.

(Ord. of 12-19-77; Res. No. 24-12-91, 12-17-91; Code 2016)

State Law reference— Authority of county to require dance hall permit, Code of Virginia, § 18.2-433.

Sec. 3-24. - Issuance or denial of permit.

- (a) Within 45 days of the application filing, the Board of Supervisors shall approve a permit or provide a written decision of denial to the applicant.
- (b) Upon receipt of a completed application, the County Administrator shall provide the application to the Sheriff, the Department of Public Safety Director, the Building Official for the Building Inspections Office, and the Director of Planning and Community Development, Va. Department of Highways and Transportation (VDOT), Treasurer and Commissioner of Revenue for their review. Within 21 days of receipt:
 - (1) The Sheriff and VDOT shall inform the County Administrator in writing whether the structure in which the proposed dance hall is located meets all security and traffic concerns;
 - (2) The Department of Public Safety Director shall inform the County Administrator in writing whether the structure in which the proposed dance hall is located meets all the provisions in the county's fire prevention code, including the Virginia Statewide Fire Prevention Code, and whether the parking facilities impede the approach of fire apparatus;
 - (3) The Building Official shall inform the County Administrator in writing whether the structure in which the proposed dance hall is located meets all the applicable provisions in the Virginia Uniform Statewide Building Code; and
 - (4) The Director of Planning and Community Development shall inform the County Administrator in writing whether the proposed property use and vehicular parking provided on premises meets zoning requirements for the proposed dance hall.
 - (5) VDOT shall inform the County Administrator in writing whether a commercial entrance is required.
 - (6) Treasurer shall inform the County Administrator in writing that the real estate and personal property taxes are not delinquent.
 - (7) Commissioner of Revenue shall inform the County Administrator in writing that the meals tax is paid to date.
- (c) The County Administrator shall recommend that the Board of Supervisors approve a permit if:
 - (1) The Sheriff has determined that the structure in which the proposed dance hall is located meets all security and traffic concerns;
 - (2) The Department of Public Safety Director has determined that the structure in which the proposed dance hall is located meets all the provisions in the county's fire prevention code, including the Virginia Statewide Fire Prevention Code, and the parking facilities do not impede the approach of fire apparatus;

- (3) The Building Official has determined that the structure in which the proposed dance hall is located meets all applicable provisions in the Virginia Uniform Statewide Building Code;
- (4) The Director of Planning and Community Development has determined that all property use and vehicular parking meets zoning requirements for the proposed dance hall.
- (5) VDOT has determined a commercial entrance is not required.
- (6) Treasurer has determined the real estate and personal property taxes are not delinquent.
- (7) Commissioner of Revenue has determined the meals tax is paid to date.

(d) The County Administrator may recommend attaching conditions to a permit that are reasonably related to the preservation of domestic tranquility.

(Code 1995, § 4-64; Ord. No. 1093, § 3, 3-13-2007; Code 2016)

Sec. 3-25. - To be closed during certain hours.

It shall be unlawful for the owner, manager or other person in control of any public dance hall to permit such establishment to remain open for business or to allow dancing therein between 1:00 a.m. and 7:00 a.m. on Monday through Saturday. Dancing shall only be allowed between the hours of 1:00 p.m. and 11:00 p.m. on Sunday.

(Code 1974, § 13-9; Ord. of 12-19-77; Amend. of 1-21-03(1); Code 2016)

Sec. 3-26. - Revocation of permit or license.

The Board of Supervisors may revoke any permit issued pursuant to this article for any of the following reasons:

- (1) The dance hall does not conform to the requirements of the fire prevention code of the county, the Virginia Statewide Fire Prevention Code, or any other law concerning fire prevention or safety.
- (2) The dance hall does not conform to the requirements of the Virginia Uniform Statewide Building Code.
- (3) The dance hall does not conform to the county's zoning requirements.
- (4) The application or any statement made in support of the application has been discovered to contain a material misrepresentation or omission of fact.
- (5) The permit holder has allowed, or failed to take, reasonable measures to prevent repeated occurrences of disorderly, violent, obscene or other unlawful conduct on its premises.
- (6) The permit holder has violated any permit terms or conditions.
- (7) The permit holder has violated any provision of this article.
- (8) The permit holder has assigned or otherwise transferred the dance hall permit to another person or entity.
- (9) The permit holder is in violation of a local, state or federal law, and such violation prohibits continued operation of the dance hall.

(Code 2016)

Sec. 3-27. - Procedure upon denial of an application or revocation of a permit.

(a) If the Board of Supervisors denies an application or revokes a permit, the applicant or permit holder shall be notified in writing of such action, the reasons therefore, and the right to request a hearing. To receive a hearing, the applicant or permit holder is required to make a written hearing request which must be received by the County Administrator within thirty (30) days of the denial or revocation notice issuance. If a timely hearing request is not received by the County Administrator, the denial or revocation decision shall be final. If a hearing is properly requested, it shall be held within fourteen (14) days from receipt of the hearing request. The hearing shall be presided over by the County Attorney. The applicant or permit holder shall have the right to present evidence and argument or to have counsel do so. Within five (5) days of the hearing, the County Attorney shall render a decision, which shall be final. If a permit revocation decision becomes final, the permit holder must discontinue all dance hall operations, effective no later than 11:59PM that same day.

(b) Any person operating such a public dance hall whose permit has been revoked shall have the right of appeal to the circuit court of the county in accordance with law.

Sec. 3-28. - Consumption, etc., of alcoholic beverages on premises.

It shall be unlawful and a Class 4 misdemeanor for any person to consume any alcoholic beverage or tender a drink thereof to another, whether accepted or not, on the premises of any public dance hall, unless the establishment is licensed by the state alcoholic beverage control commission for "on the premises" alcoholic beverages sales.

(Ord. of 12-19-77)

State Law reference— Authority for above section, Code of Virginia, § 4-96.

Sec. 3-29. - Intoxicated, etc., persons to leave premises on order so to do.

Any person within a public dance hall who is found to be intoxicated or under the influence of alcohol, or any illegal narcotic shall, upon order of the proprietor or management personnel or any police officer, leave such dance hall forthwith and not return until sober.

(Code 1974, § 13-9; Ord. of 12-19-77)

Sec. 3-30. - Responsibility for control of patrons; revocation of permit and license.

The owner(s) of a public dance hall shall be responsible for maintaining control of the patrons of such establishment. Lack of effort to control the patrons or repeated requests for police assistance may initiate action by the Board of Supervisors to review the establishment's permit and license. Revocation of the permit and license may occur if, in the judgment of the Board of Supervisors, such action is in the best interest of the county.

(Ord. of 12-19-77)

Sec. 3-31. - Illumination of exterior signs.

Any person operating or conducting a public dance hall shall not allow exterior signs to be illuminated after 1:00 a.m., or to be illuminated during any hours prohibited for the operation of such dance hall.

(Code 2016)

Secs. 3-32—3-35. - Reserved.

DIVISION 2. - LICENSE

Sec. 3-36. - Required.

It shall be unlawful for any person to operate a public dance hall within the county, unless he has a current license issued by the Commissioner of Revenue, upon approval by the Board of Supervisors pursuant to this division.

(Ord. of 12-19-77; Res. No. 39-01-91, 1-22-91)

Sec. 3-37. - License year.

The license year for public dance halls shall be from January first to December thirty-first.

(Ord. of 12-19-77)

Sec. 3-38. - Fee.

The annual fee for a license required by this division shall be six hundred dollars (\$600.00); provided, however, that such fee shall be prorated as follows, if the initial license is obtained after the beginning of the license year:

- (1) If obtained during the first quarter of the year, the fee shall be six hundred dollars (\$600.00).
- (2) If obtained during the second quarter of the year, the fee shall be four hundred and fifty dollars (\$450.00).
- (3) If obtained during the third quarter of the year, the fee shall be three hundred dollars (\$300.00).
- (4) If obtained during the last quarter of the year, the fee shall be one hundred and fifty dollars (\$150.00).

The fee prescribed by this section shall be paid to the County Treasurer.

(Ord. of 12-19-77)

Cross reference— License taxes, § 20-151 et seq.

State Law reference— Authority of county to impose license tax on dance halls, Code of Virginia, § 18.2-433.

Sec. 3-39. - Issuance.

Upon proper application, payment of the fee prescribed by section 3-38 and compliance with all applicable provisions of this article, the County Administrator shall issue the license for a public dance hall; provided, however, that no such license shall be issued until such time as the Board of Supervisors has approved such application.

(Ord. of 12-19-79; Res. No. 39-01-91, 1-22-91)

Sec. 3-40. - Expiration and renewal.

A license issued under this division shall expire on December thirty-first next following its issuance and shall be renewed no later than the following January thirty-first. There shall be a penalty of ten (10) percent of the license fee, if the license is not so renewed, in addition to the annual license fee.

(Ord. of 12-19-77)

Sec. 3-41. - Revocation.

The County Administrator shall have the authority to suspend for a period of not more than thirty (30) days a license issued under this division for failure to comply with any of its provisions and conditions with the suspension being subject to review by the Board of Supervisors at their next regular meeting.

(Amend of 1-21-03(1))

Sec. 3-42. - Changes in ownership, management or location.

Any change in the ownership of a controlling interest in a license holder of a public dance hall shall invalidate the license for such public dance hall. The license holder of a public dance hall shall furnish the county with written notice of any change in the ownership of less than a controlling interest in the license holder, containing all of the information required by Section 3-23(b) and (c), within thirty (30) days of such change. Upon any change in the management of a public dance hall, the license holder shall report the change to the County Administrator within fourteen (14) days by submitting information sufficient for the County Administrator to determine whether the license holder remains in compliance with this article. Any change in the location of a public dance hall shall invalidate the license for such public dance hall.

Secs. 3-43—3-55. - Reserved.

(RESOLUTION #15-05-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to table the repeal and adoption of Chapter 3: Public Dance Halls as advertised until the June 21, 2016 Board meeting.

MOTION BY: Ronnie Thompson

SECONDED BY: Tim Tatum

VOTING ON THE MOTION WAS AS FOLLOWS:

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

Chairman Brubaker adjourned the meeting.

CLINE BRUBAKER
CHAIRMAN

SHARON K. TUDOR, MMC
COUNTY CLERK