

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR ORGANIZATIONAL MEETING ON THURSDAY, JANUARY 2, 2020, AT 4:00 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM LOCATED IN THE FRANKLIN COUNTY GOVERNMENT CENTER, 1255 FRANKLIN STREET, SUITE 104, ROCKY MOUNT, VIRGINIA.

THERE WERE PRESENT: Ronald Mitchell  
Lorie Smith  
Mike Carter  
Ronnie Thompson  
Leland Mitchell  
Tommy Cundiff  
Tim Tatum

OTHERS PRESENT: Christopher Whitlow, Interim County Administrator  
Jim Guynn, Legal Counsel  
Madeline L. Sefcik, Clerk

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Christopher Whitlow, Interim Administrator, called the meeting to order.

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Invocation was given by Supervisor Mike Carter

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Pledge of Allegiance was led by Supervisor Tim Tatum

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**CHAIRPERSON NOMINATIONS**

Jim Guynn, County Attorney, opened the floor for nominations for 2020 Board Chairman

Leland Mitchell Nominated by: Tim Tatum

Ronnie Thompson Nominated by: Mike Carter

**(RESOLUTION #01-01-2020)**

BE IT THEREFORE RESOLVED by the Board to close the floor for 2020 Chairman to the Board of Supervisors nominations.

MOTION BY: Leland Mitchell  
SECONDED BY: Tommy Cundiff  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Tatum, Thompson, Smith

**(RESOLUTION #02-01-2020)**

BE IT THEREFORE RESOLVED by the Board to appoint Leland Mitchell as 2020 Chairman to the Board of Supervisors.

MOTION BY: Tim Tatum  
SECONDED BY: Tommy Cundiff  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Cundiff, L. Mitchell, R. Mitchell, Tatum, Smith  
NAYS: Carter, Thompson

\*Motion Passes with a 5-2 vote\*

**(RESOLUTION #03-01-2020)**

BE IT THEREFORE RESOLVED by the Board to appoint Ronnie Thompson as 2020 Chairman to the Board of Supervisors.

MOTION BY: Mike Carter  
SECONDED BY: Ronnie Thompson  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Carter, Thompson  
NAYS: Cundiff, L. Mitchell, R. Mitchell, Tatum, Smith

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**VICE-CHAIRPERSON NOMINATIONS**

Chairman Mitchell opened the floor for nominations for 2020 Vice-Chairman.

Ronnie Thompson Nominated by: Ronnie Mitchell

**(RESOLUTION #04-01-2020)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to close the nominations for 2020 Vice-Chairman.

MOTION BY: Tim Tatum  
SECONDED BY: Tommy Cundiff  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Tatum, Thompson, Smith

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**(RESOLUTION #05-01-2020)**

BE IT THEREFORE RESOLVED by the Board to appoint Ronnie Thompson as the 2020 Vice-Chairman.

MOTION BY: Ronald Mitchell

SECONDED BY: Tommy Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Tatum, Thompson, Smith

**2020 BOARD MEETING DATES**

All County residents are hereby encouraged to attend public meetings of the Franklin County Board of Supervisors. To facilitate this public participation, the Board will meet on the following dates and times in **2020**.

- Tuesday, January 21, 2020 @ 1:30 P.M.
- Tuesday, February 18, 2020 @ 1:30 P.M.
- Tuesday, March 17, 2020 @ 1:30 P.M.
- Tuesday, April 21, 2020 @ 1:30 P.M.
- Tuesday, May 19, 2020 @ 1:30 P.M.
- Tuesday, June 16, 2020 @ 1:30 P.M.
- Tuesday, July 21, 2020 @ 1:30 P.M.
- Tuesday, August 18, 2020 @ 1:30 P.M.
- Tuesday, September 15, 2020 @ 1:30 P.M.
- Tuesday, October 20, 2020 @ 1:30 P.M.
- Tuesday, November 17, 2020 @ 1:30 P.M.
- Tuesday, December 15, 2020 @ 1:30 P.M.

All meetings will be held in the Board Room at the Franklin County Government Center, 1255 Franklin Street, Suite 104, Rocky Mount, Virginia unless otherwise duly noticed. All public hearings will be held at 6:00 P.M. for the convenience of the public. All interested parties are encouraged to attend. Any person with a disability who needs accommodations to fully participate in these public hearings should notify Madeline L. Sefcik, Clerk, by calling (540) 483-3032 at least 7 days prior to the meetings.

**(RESOLUTION #06-01-2020)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned meeting dates for the Board of Supervisors meetings for 2020.

MOTION BY: Tim Tatum

SECONDED BY: Tommy Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Tatum, Thompson, Smith

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**2020 HOLIDAY SCHEDULE FOR COUNTY EMPLOYEES**

- |                              |                                    |
|------------------------------|------------------------------------|
| Friday, January 17, 2020     | <b>Lee Jackson Day</b>             |
| Monday, January 20, 2020     | <b>Martin Luther King, Jr. Day</b> |
| Monday, February 17, 2020    | <b>Presidents' Day</b>             |
| Monday, May 25, 2020         | <b>Memorial Day</b>                |
| Friday, July 3, 2020         | <b>Independence Day</b>            |
| Monday, September 7, 2020    | <b>Labor Day</b>                   |
| Monday, October 12, 2020     | <b>Columbus Day</b>                |
| Wednesday, November 11, 2020 | <b>Veterans Day</b>                |
| Wednesday, November 25, 2020 | <b>½ day Holiday</b>               |
| Thursday, November 26, 2020  | <b>Thanksgiving Day</b>            |
| Friday, November 27, 2020    | <b>Thanksgiving Friday</b>         |
| Thursday, December 24, 2020  | <b>Christmas Eve</b>               |
| Friday, December 25, 2020    | <b>Christmas Day</b>               |
| Friday, January 1, 2021      | <b>New Year's Day</b>              |

The Board will adopt the 2020 Commonwealth of Virginia's legal holidays plus any changes made by the Governor during the year for State employees. The following list is found in the Code of Virginia Section 2.2-3300.

**(RESOLUTION #07-01-2020)**

BE IT THEREFORE RESOLVED by the Board to approve the aforementioned proposed holiday listing for **2020** plus any changes made by the Governor during the year for State employees.

MOTION BY: Tim Tatum

SECONDED BY: Lorie Smith

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Tatum, Thompson, Smith

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**BOARD RULES OF PROCEDURE**

**FRANKLIN COUNTY BOARD OF SUPERVISORS  
RULES OF PROCEDURE**

The following Rules of Procedure are adopted by the Franklin County Board of Supervisors to enable the Board to discharge its duties and responsibilities effectively and efficiently and to facilitate the exercise of its authority and

powers in the Code of Virginia. It is the Board's intent to generally follow Robert's Rules of Order (Newly Revised, 11th Edition) unless superseded by state law or **written** Board practice. **(Amended /Resolution #06-01-2012)**

## **1. ORGANIZATIONAL MEETING**

The Board shall elect a chairman and vice chairman at the Board's Organizational Meeting to be held on the first business day of January. Terms for chairman and vice chairman shall be for a one (1) year term.

In the event the Board is unable to hold its organizational meeting, or at the organizational meeting the Board is unable to elect a chairman or vice-chairman, the sitting chairman or vice-chairman will carry over in their position until the board is able to elect a chairman or vice-chairman. The Board shall attempt to elect a chairman or vice-chairman at each successive meeting until it elects a chairman or vice-chairman to serve for the calendar year. **(Amended /Resolution #22-01-2019)**

## **2. REGULAR MEETINGS**

The Board of Supervisors shall adopt a schedule of the times, dates, and places of its regular meetings, for each calendar year, at its organizational meeting. Should the Board's regular meeting day fall on a County holiday, the meeting will be held on the next business day following the holiday. At its annual meeting the governing body may fix the day or days to which a regular meeting shall be continued if the chairman or vice-chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required. (Per State Code 15.2-1416)

## **3. SPECIAL MEETINGS**

The Board may hold special meetings by establishing a special meeting date, time, place and an agenda for said meeting at a regular meeting. The Clerk shall post and publish notice of the special meeting in accordance with the Virginia Freedom of Information Act, §2.2-3707 VA Code Ann., not less than three (3) days prior to the day of the special meeting.

A Called Meeting may be convened when called by the chairman or requested by two or more of the members of the board of supervisors. The call or request shall be made to the clerk, and shall specify the matters to be considered at the meeting. Upon receipt of such call or request, the clerk of the governing body, after consultation with the chairman, shall immediately notify each member of the governing body and the attorney for the county in writing delivered in person or to his place of residence or business to attend such meeting at the time and place stated in the notice. Such notice shall specify the matters to be considered at the meeting. No matter not specified in the notice shall be considered at such meeting, unless all members are present. The notice may be waived if all members of the governing body attend the special meeting or sign a waiver.

## **4. VOTING**

Motions properly made cannot die for lack of a second and shall be voted on as though they had been seconded.

Motions by the Chair will be considered without the need to hand the gavel to the Vice Chair. **(Adopted 1-5-2015/Resolution)**

## **5. REQUEST FOR FUNDS OUTSIDE OF NORMAL BUDGET CYCLE**

Whenever any delegation or individual shall make a request or appeal for County funds for the benefit of an outside or non-County agency or program, the following guidelines shall be followed.

### **A. Budget Preparation Calendar.**

Whenever possible, the request shall be submitted in accordance with the budget preparation calendar.

### **B. Explanation and Background.**

Any such request shall be accompanied by a brief narrative explanation of the request and background as needed.

### **C. Carry-over of Requests.**

If it is not possible to utilize the annual budget preparation calendar, the request shall be carried over to the next regular meeting following introduction to the Board.

### **D. Waiver of Carry-over.**

Waiver of the carry-over period shall be granted if the request is considered an emergency by the majority of the Board, or for any reason if approved unanimously by all Board members.

**E. Emergency.**

Emergency is defined as an unforeseen circumstance or combination of circumstances that calls for immediate action to secure and protect the health, safety and general welfare of the inhabitants of Franklin County.

**6. CITIZEN COMMENT PERIOD**

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

**7. MOTIONS TO RECONSIDER**

Motions to reconsider an action by the Board must be made by a member of the Board who previously voted with the prevailing side when the reconsidered motion was originally voted on. Since a second is not required, any member may second the motion to reconsider and the motion shall be decided by a majority vote of the members present.

**8. PLACING OF AGENDA ITEMS**

The County Administrator, based on input from the Board, shall develop the agenda for each meeting.

Individual Board members who wish to address the Board on a topic may do so under "Other Matters from Supervisors". If the Board wishes to investigate a topic further, it can direct staff to place the topic on a future agenda, bring back a staff report with the appropriate research, or take action as it see fit. **(Amended/Resolution #07-01-2007)**

**9. PUBLIC HEARINGS**

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views at public hearings and to treat all speakers equally and with courtesy. While it is often necessary to have a presentation by an applicant or staff, it is the desire of the Board to hear from the public, and therefore, the applicant and staff presentations shall be as brief as possible.

Each speaker shall be limited to three minutes unless speaking for a larger group in which case, 5 minutes shall be allotted.

Speakers shall direct their presentations/comments/questions to the Board and not the audience.

**10. APPOINTMENTS TO BOARDS AND COMMISSIONS**

County staff shall maintain an up to date listing of available vacancies on Boards and Commissions and shall publish such list to the County's web site and make available in the Office of the County Administrator. 60 days in advance of scheduled vacancies, staff shall make the Board aware of upcoming vacancies and shall advertise such vacancies throughout the County. All candidates shall be required to complete a County application to serve on a Board or Commission and applications shall be distributed to the Board as soon as is practical.

**APPLICATION PROCESS FOR APPOINTMENTS TO BOARDS & COMMISSIONS  
(Amended/Resolution #07/1/2013)**

- ❖ *Require all interested persons to complete applications as provided by the Clerk's office.*
- ❖ *Clerk then forwards applications for any open positions to the BOS for review.*
- ❖ *Position vacancies and potential candidates are then discussed as a closed session item under personnel.*
- ❖ *Subject to clean background checks, appointments are then made in open session.*
- ❖ *Address only new appointees going forward (i.e. sitting members are grandfathered and will not have to go through the full process of completing another application or background check)*

**11. REMOTE PARTICIPATION (Amended/Resolution #22-05-2015)**

As authorized by Section 2.2-3708.1 of the Code of Virginia, 1950, as amended, the Franklin County Board of Supervisors shall allow the participation of members of the Board in a meeting through electronic communication means from a remote location that is not open to the public subject to complying with all parts of the following written policy:

1. On or before the day of a meeting (no less than 1 hour prior to the start of the meeting), the Board member shall notify the County Administrator who will then notify the Chairman of the Board and the Board Clerk, that the Board member is unable to attend the meeting due to an emergency or a personal matter and the Board member shall identify with specificity the nature of the emergency or personal matter, or the Board member shall notify the County Administrator that the Board member is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the Board member's physical attendance. The Board shall record the specific nature of the emergency, personal matter, or fact of temporary or permanent disability, and the remote location from which the absent Board member participated, in its minutes.
2. If the absent Board member's remote participation is disapproved because such participation would violate the strict and uniform application of this written policy, such disapproval shall be recorded in the Board's minutes.
3. Such participation by the absent Board member shall be limited in each calendar year to two (2) meetings, or 25 percent (25%) of the meetings of the Board, whichever is fewer.
4. A quorum of the Board shall be physically assembled at the primary or central meeting location.
5. The Board shall make arrangements for the voice of the absent Board member to be heard by all persons in attendance at the primary or central meeting location.
6. Any votes taken during such a meeting where there is a remote participant shall be by roll call vote so as to accurately record all votes taken.

**(RESOLUTION #08-01-2020)**

BE IT THEREFORE ORDAINED, by the Board of Supervisors to approve the 2020 Board Rules of Procedure, except for item #6, "Citizen Comment Period"

MOTION BY: Mike Carter  
SECONDED BY: Tommy Cundiff  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Tatum, Thompson, Smith

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**APPOINTMENTS:**

**DEPARTMENT OF SOCIAL SERVICES BOARD REPRESENTATIVE**

Ronnie Thompson and Tommy Cundiff offered their names for consideration to serve on the Social Services Board as the Board's Representative.

**(RESOLUTION #09-01-2019)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to reappoint Tommy Cundiff to serve as the Board Representative to the Social Services Board, with a term to expire at the end of his Board of Supervisor's term. (12/31/2019)

MOTION BY: Mike Carter  
SECONDED BY: Tommy Cundiff  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Tatum, Thompson, Smith

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**TLAC/APPOINTMENTS BOB CAMICIA**

**(RESOLUTION #10-01-2020)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint Lori Smith to serve on the TLAC Board with said terms to expire 1/31/2021.

MOTION BY: Ronnie Thompson  
SECONDED BY: Tim Tatum  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Tatum, Thompson, Smith

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**BROADBAND AUTHORITY  
(RESOLUTION #11-01-2020)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint each member of the Board of Supervisors to represent their respective Districts on the Broadband Authority for the duration of their Board terms.

MOTION BY: Ronnie Thompson  
SECONDED BY: Tim Tatum  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Tatum, Thompson, Smith

Chairman Mitchell recessed the meeting for a Closed Session.

**(RESOLUTION #12-01-2019)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to go into a closed meeting in accordance with 2.2-3711, (A)(1), Personnel, Discussion of appointments to County Boards, Commissions, etc.; (A)(5), Discussion of Prospective New Business or Industry or Expansion or Retention of an Existing One as related to Summit View Business Park, of the Code of Virginia, as Amended.

MOTION BY: Tim Tatum  
SECONDED BY: Ronnie Thompson  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Carter, Cundiff, L. Mitchell, R. Mitchell, Tatum, Thompson, Smith

\*Roll call vote was taken\*

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MOTION: **RESOLUTION: #13-01-2020**  
SECOND: MEETING DATE January 2nd, 2020

WHEREAS, the Franklin County Board of Supervisors has convened a 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: Carter, Cundiff, L. Mitchell, R. Mitchell, Tatum, Thompson, Smith

\*Roll call vote was taken\*

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Ms. Lorie Smith noted she would like staff and the Board to take the time to look over the meeting dates and work session times. She noted her preference that work sessions be held on a separate day from the regularly scheduled monthly Board meeting to give members more time to discuss work session issues. Chairman Mitchell agreed and thinks it is important we take time to think about these concerns.

Ms. Smith would also like to consider taking a 1/2 day retreat for the Board to organize and strategically plan.

Mr. Tatum welcomes the new faces to the Board and would like to thank staff for all their work. In the new year he would like to focus on the E911 center and raises for staff.

Mr. R. Mitchell noted the County's E-911 dispatch call center is in need of help regarding their facility situation.

Mr. Cundiff wants to congratulate the new Board Members and would like to focus on CTE this year.

Chairman Mitchell thanked the Board and noted he looks forward to a successful year.

Chairman Mitchell recessed the meeting for a joint dinner meeting hosted by the Farm Bureau highlighting occurring events within the region regarding agriculture in Franklin County.

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Chairman Mitchell recessed the meeting until the January 21, 2020 Board Meeting.

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CHAIRMAN LELAND MITCHELL

MADLINE L. SEFCIK  
COUNTY CLERK