

# Franklin City Council Agenda July 8, 2024 Council Chambers 207 West Second Avenue Franklin, Virginia 23851

# 7:00 P.M. Regular Meeting

CALL TO ORDER. . . . . . . . . . . . . . . MAYOR ROBERT L. CUTCHINS PLEASE TURN OFF CELL PHONES. . . . . . . . . . MAYOR ROBERT L. CUTCHINS PLEDGE OF ALLEGIANCE CITIZEN'S TIME AMENDMENTS TO AGENDA

# 1. CONSENT AGENDA:

- A. Approval of June 24, 2024 work session meeting minutes
- B. Approval of June 24, 2024 meeting minutes
- C. Approval of June 25, 2024 meeting minutes

# 2. ORDINANCES & RESOLUTIONS:

- A. Proclamation #2024-17 Proclamation Honoring L. Terrell Majette, Sr.
- B. Resolution #2024-18- Resolution Authorizing a stipend to Planning Commission Members
- C. Ordinance #2024-06 Ordinance Amending Chapter 29: Public Nuisance
- D. Ordinance #2024-07 Ordinance Amending Chapter 30: Garbage & Refuse

# 3. FINANCIAL MATTERS

A. Budget Amendment 2024-22

# 4. OLD/ NEW BUSINESS:

- A. WTRJA Agreement Amendment
  - a. Resolution #2024-19 Resolution Amending the WTRJA Agreement
- B. Council's Comments
- C. City Manager's Report

# 5. COUNCIL/STAFF REPORTS ON BOARDS/COMMISSIONS

# 6. CLOSED SESSION

I move that the City of Franklin, Virginia City Council adjourn into a closed meeting pursuant to Virginia Code Section 2.2-3711-A-1, 1. discussion of appointments to boards and commissions, and discussion of performance of employees of the public body to discuss the following subject or subjects: Southview Cemetery Advisory Committee, Franklin Redevelopment and Housing Authority

# 7. ADJOURNMENT

# City of Franklin Permanent City Manager Discussion Meeting Minutes June 24, 2024

## Call to order

The Franklin City Council held a Closed Session for the discussion of a permanent City Manager on June 24, 2024 at 5:26 P.M. in the City Council Chambers located at 207 West Second Avenue, Franklin, Virginia 23851.

Council Members in Attendance: Robert "Bobby" Cutchins, Mayor; Wynndolyn Copeland, Vice-Mayor; Councilman Mark Kitchen; Councilman Gregory McLemore; Councilman Linwood Johnson; Councilman Ray Smith;

Council Members not in Attendance: Councilwoman Jessica Banks (6:32 P.M.)

Staff in Attendance: Darlene Burcham, Interim City Manager; Camara Jacobs, Director of Human Resources

Councilman Mark Kitchen made a motion to go into closed session, with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 6-0

The vote was as follows:

Councilman Linwood Johnson Aye

Vice-Mayor Wynndolyn Copeland Aye

Councilman Mark Kitchen Aye

Mayor Bobby Cutchins Aye

Councilwoman Jessica Banks Absent

Councilman Ray Smith Aye

Councilman Gregory McLemore Aye

Mayor Robert Cutchins affirmed the motion carried unanimously.

# Motion Upon Returning to Open Session

Councilman Mark Kitchen moved that the City of Franklin, Virginia City Council certify 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 held on June 24, 2024, meeting were hear, discussed or considered by the City of Franklin, Virginia Council; and (ii) no action was taken in closed meeting regarding the items discussed. The motion was seconded by Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 6-0	
The vote was as follows:	
Councilman Linwood Johnson	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Councilman Mark Kitchen	Aye
<b>Mayor Robert "Bobby" Cutchins</b>	Aye
Councilwoman Jessica Banks	Absent
Councilman Ray Smith	Aye
Councilman Gregory McLemore	Aye
The June 24, 2024 City Council Closed Session v	vas continued to Regular Session at 7:00 P.M.
Mayor	Clerk to City Council

# Regular City Council Meeting Minutes June 24, 2024

# Call to order

The Franklin City Council held its regular City Council meeting on June 24, 2024 at 7:00 p.m. in the City Council Chambers.

Council Members in Attendance: Robert "Bobby" Cutchins, Mayor; Wynndolyn Copeland, Vice-Mayor; Councilman Linwood Johnson; Councilman Mark Kitchen; Councilwoman Jessica Banks; Councilman Ray Smith; Councilman Gregory McLemore.

Staff in Attendance: Darlene Burcham, Interim City Manager; Haleigh Pinto, Executive Assistant recording minutes.

Other Staff in Attendance: Patrick Wilson, Police Lieutenant; Matthew Jezierski, Director of IT

Mayor Robert Cutchins expressed City Council's condolences to Councilman Ray Smith and his family for the loss of his wife, Mrs. Linda Smith.

# Citizen's Time

**Mr. John Jones of 300 Lee Street, Franklin, Virginia** expressed his concerns regarding the condition of his home and how the situation is being handled. He also stated that his home is a Historical Home.

**Mr. Clyde Parker of 101 Magnolia Ave, Franklin, Virginia** spoke regarding Mr. John Jones' comments and on behalf of the National Historical Society informed Council of various historical attributes at the 300 Lee Street property.

**Ms. Joanne DeLancey of 511 N. High Street, Franklin, Virginia** expressed concern regarding comments made by a Council member at a previous Council meeting.

**Ms. Kaye Weaver of 168 Covey Circle, Franklin, Virginia** brought to Council her concern regarding the new property assessments in the City of Franklin.

**Ms. Patricia Brown of 104 Langston Court, Franklin, Virginia** request that City Council reappoint Mr. Charlie Ashburn as Chairman of Franklin Redevelopment and Housing Authority.

Mr. Robert Taylor of 136 Bobwhite Lane, Franklin, Virginia expressed his support in reappointing Mr. Charlie Ashburn as Chairman of Franklin Redevelopment and Housing Authority.

# Amendments to Agenda

Councilman Linwood Johnson made a motion to amend the agenda to reappoint Mr. Charlie Ashburn as Chairman of the Franklin Redevelopment and Housing Authority with a second from Councilman Mark Kitchen.

The motion carried the vote 7-0

## The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Aye

Councilman Gregory McLemore Aye

Mayor Robert Cutchins affirmed the motion carried.

# **Introduction of New Employee:**

No introductions of new employees.

# **Consent Agenda:**

A. Approval of June 3, 2024 Meeting Minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the June 3, 2024 meeting minutes. Vice-Mayor Wynndolyn Copeland made a motion to approve the minutes as presented with a second from Councilman Linwood Johnson.

# The motion carried the vote 6-1

# The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Aye

Councilman Gregory McLemore Abstained

Mayor Robert Cutchins affirmed the motion carried.

B. Approval of April 8, 2024 Work Session Meeting Minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the April 8, 2024 Work Session Meeting Minutes. Councilman Linwood Johnson made a motion to approve the minutes as presented with a second from Vice-Mayor Wynndolyn Copeland.

## The motion carried the vote 6-1

# The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Aye

Councilman Gregory McLemore Abstained

Mayor Robert Cutchins affirmed the motion carried.

C. Approval of April 22, 2024 Work Session Meeting Minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the April 22, 2024 Work Session Meeting Minutes. Councilman Linwood Johnson made a motion to approve the minutes as presented with a second from Councilman Mark Kitchen.

#### The motion carried the vote 6-1

# The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Aye

Councilman Gregory McLemore Abstained

Mayor Robert Cutchins affirmed the motion carried.

# **Ordinances & Resolutions**

# A. Resolution #2024-16 – Settlement of Opioid-Related Claims against Kroger

A RESOLUTION OF THE FRANKLIN CITY COUNCIL APPROVING OF THE CITY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST KROGER AND ITS RELATED CORPORATE ENTITIES, AND DIRECTING THE CITY ATTORNEY AND/OR THE CITY'S OUTSIDE COUNSEL TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE CITY'S PARTICIPATION IN THE SETTLEMENT.

RESOLUTION #2024-16

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties and cities, including the City of Franklin, by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by the City of Franklin's various departments and agencies; and

WHEREAS, the Commonwealth of Virginia and its counties and cities, including the City of Franklin, have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and City of Franklin: and

WHEREAS, a settlement proposal has been negotiated that will cause Kroger to pay over a billion dollars nationwide to resolve opioid-related claims against it; and

WHEREAS, the City of Franklin has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the "Virginia MOU"), and affirms that this pending settlement with Kroger shall be considered a "Settlement" that is subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, opioid manufacturers Janssen Pharmaceuticals, Teva Pharmaceuticals, and Allergan, and retail pharmacy chains CVS, Walgreens, and Walmart;

WHEREAS, the City Attorney and/or the City's outside counsel has reviewed the available information about the proposed settlement and has recommended that the City of Franklin participate in the settlement in order to recover its share of the funds that the settlement would provide;

NOW THEREFORE BE IT RESOLVED, that the City of Franklin, Virginia City Council, on this 24th day of June, 2024, approves of the City of Franklin's participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, and directs the City Attorney and/or the City's outside counsel to execute the documents necessary to effectuate the City's participation in the settlement, including the required release of claims against Kroger.

Signed this 24th day of June 2024.

Robert "Bobby" Cutchins, Mayor City of Franklin, Virginia

# Councilman Gregory McLemore walked away.

Mayor Robert Cutchins entertained a motion to approve Resolution #2024-16 – Settlement of Opioid-Related Claims against Kroger. Councilman Linwood Johnson made a motion to approve with a second from Councilwoman Jessica Banks.

The motion carried the vote 6-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Aye

Councilman Gregory McLemore Absent

Mayor Robert Cutchins affirmed the motion carried.

# **Financial Matters:**

# A. Budget Amendment 2024-21

The Interim City Manager presented Budget Amendment 2024-21. She recommended the Council amend the 2023-2024 City Budget as follows:

- 1. Record City of Franklin Public Schools Grant Allocation for use and adjust appropriations in various grants.
- 2. Recognize revenue related to the Madison Grant and appropriate such revenue for use according to the program design guidelines.

			23-2024 UDGET		MENDED BUDGET		DECREASE)
250	#1 D EDUCATION FUND						
	REVENUE						
250-3-24000-0296	SCAP Grant	Ś	- 2	\$	189,095	\$	189,095.00
250-3-33010-0274	NCLB Grant - Title IV Drug Free	s	-	\$	1,078	5	1,078.00
250-3-33010-0408	CSLFRF Grant	\$	57,915	\$	57,900	\$	(15.00
						\$	190,158.00
	EXPENDITURES						
250-4-60000-0296	SCAP Grant	\$		\$	189,095	\$	189,095.00
250-4-60000-0074	NCLB Grant - Title IV Drug Free	\$	-	\$	1,078	\$	1,078.00
250-4-60000-0048	CSLFRF Grant	\$	57,915	\$	57,900	\$	(15.00)
						\$	190,158.00
296	#2 5 MADISON NEIGHBORHOOD GRANT REVENUE						
296-3-18990-8800	Program Income - Madison Grant	\$	-	\$	44,213		44,213.00
	EXPENDITURES					_	44,213.00
298-4-85000-4301	Owner Construction		0		44,213	=	44,213.00 44,213.00
Certified copy of	resolution adopted by Franklin City (	_					
		C	lerk to the	Cit	v Council		

Councilman Ray Smith made a motion to approve Budget Amendment 2024-21 with a second from Vice-Mayor Wynndolyn Copeland.

# The motion carried the vote 6-0

## The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
<b>Mayor Robert Cutchins</b>	Aye
<b>Councilman Ray Smith</b>	Aye
Councilman Gregory McLemore	Absent

Mayor Robert Cutchins affirmed the motion carried.

# **Old/New Business:**

# A. Zoning Amendment – 500 W. Second Avenue

Aaron Barnes, Director of Community Development presented an Ordinance to Amend and Reenact Appendix D. Zoning Ordinance of the Franklin City Code Article V. General Residential District (R-2), Sections 5.2 (Permitted principal uses) and 5.5(3)(a) (Minimum lot area), to add multi-family dwellings in existence as of 9-25-2023 as a permitted use without the 5-acre minimum acreage requirement and provides that there is no increase in the number of units.

He added that the current zoning of 500 W. Second Avenue is General Residential District (R-2). The R-2 zoning district has a 5-acre minimum lot size for multi-family. He stated that the specific property should have been addressed in September 2023 when comprehensive changes to the zoning ordinance were made. Mr. Barnes added that during the May 23, 2024 Planning Commission Meeting, members voted 6-0 to recommending approval of the amended Zoning Ordinance.



# Councilman Gregory McLemore returned.

Councilman Ray Smith asked what the objective was for amending the Zoning Ordinance. Mr. Barnes informed Council that by amending the Zoning Ordinance, it will allow the property owner two options. The first being to fix the property or they can tear it down and place a single family home on the lot. Mayor Robert Cutchins stated that during his time on City Council, there has been several complaints regarding this property. He asked Mr. Barnes if the owner has been in contact with him and expressed any interest in completing renovations. Mr. Barnes stated that they have expressed interest but he has not had an extended conversation or met with them.

# a. Zoning Amendment Public Hearing

Mayor Robert Cutchins opened the Public Hearing regarding the Zoning Amendment for 500 W. Second Avenue.

Mayor Robert Cutchins called for public comment three times.

# No citizens spoke at this time.

Mayor Robert Cutchins closed the Public Hearing and entertained comments from Council.

Councilman Linwood Johnson made a motion to adopt the amendment of the Zoning Ordinance for 500 W. Second Avenue with a second from Vice-Mayor Wynndolyn Copeland.

## The motion carried the vote 7-0

# The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Aye

Councilman Gregory McLemore Aye

Mayor Robert Cutchins affirmed the motion carried.

B. Alley Abandonment – Lot7 & Lot 8 perpendicular to Morton Street

Mr. Barnes, Director of Community Development stated that the applicant/owner, Rickey Sykes has applied to vacate the platted, unimproved street located in Pretlow Farm Estates adjacent to Lot 8 where his primary residence is located and proposes to utilize the area to expand his yard. He added that Lot 8 currently contains approximately .5 acre. Mr. Barnes added that the future phase was never platted and/or constructed, and the property has since been sold to Global Concentrate for manufacturing. The purchase option for Global Concentrate did not include the unimproved street, eliminating the need for future access.

Mr. Barnes informed Council that the application has been forwarded for review to the City Administration, Public Works and Power & Light Departments. No departments object to vacating the alley, contingent upon the applicant's dedication of an easement to the City which contains an existing drainage/utility line that crosses the property. Mr. Barnes added that during the May 23, 2024 Planning Commission Meeting, members voted 4-2 in favor of recommending approval to vacate the street and further recommended giving half to each property owner on the abutting properties at 401 and 321 Morton Street.

Councilman Gregory McLemore informed Council that Mr. Sykes has kept up with the maintenance of the property. He added that at one time the area was going to be a street for access to the property that Global Concentrate purchased.

Councilman Ray Smith asked if the City has determined a price or value of the property. Mr. Barnes replied that at this time, staff does not have a value for the property.

a. Alley Abandonment Public Hearing

Mayor Robert Cutchins opened the Public Hearing regarding the Alley Abandonment – Lot 7 & Lot 8 perpendicular to Morton Street.

Rickey Sykes owner of 401 Morton Street informed Council that he has been maintaining the property for quite a while, and indicated that when he did not cut it the City of Franklin Public Works Dept. would. He added that when the City cuts the property, they have to use his driveway to access the property. He also added that he feels there should not be a value put on the site because if the City gives him the property his property tax will increase and generate additional City funds. He stated that his reason for wanting the property is to enlarge his yard.

Mayor Robert Cutchins asked how wide the property is. Mr. Sykes stated that he believes it is .5 acre total.

Councilman Gregory McLemore asked if the owner of 321 Morton Street has expressed interest in receiving the other half of the property. Mr. Sykes stated that she hasn't, and that Mr. Barnes indicated that he would be contacting her.

Mr. Barnes stated that the Community Development Department did send the owner of 321 Morton Street a notice for both the Planning Commission Meeting on May  $23^{\rm rd}$  and the City Council Meeting. The individual was also sent a letter to inform her of the situation and the Department has received no correspondence from the owner.

Mayor Robert Cutchins called for public comment three times.

# No additional citizens spoke.

Mayor Robert Cutchins closed the Public Hearing and entertained comments from Council.

Councilman Linwood Johnson stated that although Mr. Sykes is maintaining the property, he does not feel that the City should give away the property. Councilman Gregory McLemore stated that by giving the property to Mr. Sykes, the City will immediately be making revenue from the property taxes. If the property is not given to Mr. Sykes, the property will sit there and will not make any revenue. Councilman Gregory McLemore added that by giving the property to Mr. Sykes, the City can ensure that the property will be maintained as well.

Councilman Ray Smith asked the City Attorney, Ms. Heather Lockerman if when selling property that is connected to individuals property, do you legally have to give an equal amount of the property for sale to each property owner. Ms. Lockerman stated that legally you do not have to split the property. Mayor Robert Cutchins indicated that City Staff has done their due diligence in letting the other property owner know of the situation.

Councilman Gregory McLemore made a motion to adhere to the recommendation of the Planning Commission and vacate Lot 7 and Lot 8 perpendicular to Morton Street with a second from Councilwoman Jessica Banks.

The motion carried the vote 4-2-1

The vote was as follows:

**Councilman Linwood Johnson** 

Nav

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Abstained

Mayor Robert Cutchins Aye

Councilman Ray Smith Nay

Councilman Gregory McLemore Aye

Mayor Robert Cutchins affirmed the motion carried.

Ms. Burcham stated that the question is whether or not the vote identified what value if any would be attributed to the transfer of property. Mayor Robert Cutchins confirmed that Council agreed to vacate the property. Ms. Burcham confirmed that this was with no compensation. Mayor Robert Cutchins confirmed with Council that all members understood the motion to vacate the property with no compensation.

Ms. Heather Lockerman, City Attorney stated that she wanted to clarify that Councilman Gregory McLemore made a motion to adopt the recommendation of the Planning Commission and Community Development Department. Ms. Lockerman stated that would mean recommending the approval to vacate the street with half to each property owner of 401 and 321 Morton Street.

Mayor Cutchins stated that it was also made on the basis of the lot size. Councilman McLemore stated that the other property owner expressed no interest in splitting the property; therefore, he does not want to give the property to both property owners. Ms. Heather Lockerman stated that would require an amendment to what the Planning Commission recommended.

Councilman McLemore stated that the motion he made would need to exclude splitting the property, therefore one person (Mr. Ricky Sykes) would be responsible for taking care of the property.

Ms. Heather Lockerman stated she wants to make sure that all members of Council are clear on what the motion is Ms. Heather Lockerman added that she feels as though Council is not sure what they voted on and she wants to ensure that everyone is in agreement. Mayor Robert Cutchins stated that he feels everyone understands what the motion was. He added that Councilman McLemore made a motion to vacate the property for Mr. Ricky Sykes. He stated that according to staff, the City did their due diligence on contacting the other property owner but we had not received correspondence.

Councilman Ray Smith requested that Council revote. Councilman Linwood Johnson asked if the other property owner comes back at a later date and says they did not receive correspondence, what will happen. Ms. Heather Lockerman replied that city staff properly, publicly posted a Public Notice of the hearing therefore all steps were followed.

Ms. Heather Lockerman stated that the confusion was whether Council was adopting the Planning Commission's recommendation or disposing of the property differently. Councilwoman Jessica Banks stated that she understands how that could be confusing due to the motion not being specific.

Mayor Robert Cutchins entertained a motion. Councilman Gregory McLemore made a motion to retract his original motion to adhere to the recommendation of the Planning Commission and vacate Lot 7 and Lot 8 perpendicular to Morton Street with a second from Vice-Mayor Wynndolyn Copeland.

## The motion carried the vote 5-0

# The vote was as follows:

Councilman Linwood Johnson Abstained

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Abstained

Mayor Robert Cutchins Aye

Councilman Ray Smith Aye

Councilman Gregory McLemore Aye

Mayor Robert Cutchins affirmed the motion carried.

Councilman Gregory McLemore made a motion to adopt the recommendations of the Planning Commission with the exception of splitting the property with the second property owner with a second from Councilwoman Jessica Banks.

# The motion carried the vote 5-0

#### The vote was as follows:

Councilman Linwood Johnson Abstained

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Abstained

Mayor Robert Cutchins Aye

Councilman Ray Smith Aye

Councilman Gregory McLemore Aye

Mayor Robert Cutchins affirmed the motion carried.

## C. Council's Comments

Councilman Linwood Johnson informed Council that the Juneteenth event was wonderful. He stated that he has witnessed the City working together and expressed that the more everyone works together, the City will have more growth and development.

Councilman Mark Kitchen asked for staff to work on a Proclamation honoring L. Terrell Majette, Sr. who saved two children's lives after a situation which occurred off Norfleet Street on June 19<sup>th,</sup> 2024. Mayor Robert Cutchins indicated that he would like to have the Proclamation created and have Mr. Majette come before Council.

# Council and Citizen's in the audience gave a round of applause to Mr. Majette.

Councilwoman Jessica Banks stated that honoring L. Terrell Majette, Sr. for his bravery was also a topic she wanted to mention. Councilwoman Jessica Banks stated that she also wanted to give credit to Mr. Majette's wife, Rachel and say "Thank you" on behalf of the City of Franklin.

Councilwoman Jessica Banks also stated that Ward 6 will have T2 Fresh Start walking group launches on July 1<sup>st</sup> in Franklin, Virginia. This walking group will meeting on Mondays at 6:00 PM at Franklin Memorial Park on Clay Street.

Vice-Mayor Wynndolyn Copeland stated that Ward 5 has a Neighborhood Watch Meeting on July 24<sup>th</sup> at 5:30 PM at the Dr. Martin Luther King Center.

Councilman Gregory McLemore thanked the citizens of Franklin and Southampton County for supporting the Spectacular Juneteenth Cultural Celebration on June 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup>. He stated that there was great attendance for the event. He added that he also attended the City of Franklin's Juneteenth event. He added that it was a privilege to support his colleagues in their Juneteenth event.

Councilman Ray Smith informed individuals about the Independence Day Celebration at Barrett's Landing on July  $3^{\rm rd}$  starting at 4:30 pm. He indicated that the Franklin Experience will give away free hotdogs and watermelon.

# D. City Manager's Report

Ms. Burcham informed Council that staff gave the Council recognition on the City's Independence Day closure flyer for granting City staff July 5<sup>th</sup> as an additional holiday. She reminded Council and residents watching that the City of Franklin offices will be closed on July 4<sup>th</sup> and 5<sup>th</sup> in observance of Independence Day. She added that Thursday's trash route will be picked up on Monday, July 8<sup>th</sup> and Friday's trash route will be picked up on Tuesday, July 9<sup>th</sup>.

# <u>Council/Staff Reports on Boards/Commissions:</u>

#### None at this time.

# **Closed Session**

Councilman Mark Kitchen moved that the City of Franklin, Virginia City Council adjourn into a closed meeting at 8:14 P.M. pursuant to Virginia Code Section 2.2-3711-A-1, 1. discussion of appointments to boards and commissions, and discussion of performance of employees of the public body on the following items: Discussion and consideration of the acquisition and/or disposition of real property, Franklin Redevelopment and Housing Authority Board, Southview Cemetery Advisory Committee, City of Franklin School Board. The motion was seconded by Vice-Mayor Wynndolyn Copeland.

# The motion carried with a vote 7-0

#### The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Aye

Councilman Gregory McLemore Aye

Mayor Robert Cutchins stated the motion carried.

# Motion Upon Return to Open Session

Councilman Mark Kitchen moved that the City of Franklin, Virginia City Council certify 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 held on June 24, 2024 at 8:29 P.M., meeting were heard, discussed or considered by the City of Franklin, Virginia City Council; and (ii) no action was taken in closed meeting regarding the items discussed. The motion was seconded by Councilman Linwood Johnson.

## The motion carried the vote 7-0

#### The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Aye

Councilman Gregory McLemore Aye

Mayor Robert Cutchins stated the motion carried the vote.

Councilman Linwood Johnson made a motion to appoint Walter Hobbs to the Franklin Redevelopment and Housing Authority with a second from Vice-Mayor Wynndolyn Copeland.

# The motion carried the vote 7-0

# The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Aye
Councilman Gregory McLemore	Aye
Mayor Robert Cutchins stated the motion car	ried the vote.
Council directed staff to schedule a Pub Wight County.	olic Hearing for the sale of property in Isle of
Recess	
Vice-Mayor Wynndolyn Copeland made a mo June 25, 2024 at 7:00 P.M. with a second from	otion to recess the June 24, 2024 City Council meeting to m Councilman Linwood Johnson.
The motion carried the vote 7-0	
The vote was as follows:	
Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Aye
Councilman Gregory McLemore	Aye
Mayor Robert Cutchins stated the meeting sta	ands adjourned at 8:45 P.M.
Mayor	Clerk to City Council

# City of Franklin School Board Interview Meeting Minutes June 25, 2024

# Call to order

The Franklin City Council held a Closed Session for the Franklin City School Board Ward 4, Ward 5, Ward 6 and At Large Interviews on June 25, 2024 at 7:02 P.M. in the City Council Chambers located at 207 West Second Avenue, Franklin, Virginia 23851.

Council Members in Attendance: Robert "Bobby" Cutchins, Mayor; Wynndolyn Copeland, Vice-Mayor; Councilwoman Jessica Banks; Councilman Gregory McLemore; Councilman Linwood Johnson

Council Members not in Attendance: Councilman Mark Kitchen; Councilman Ray Smith

Staff in Attendance: Darlene Burcham, Interim City Manager

Vice-Mayor Wynndolyn Copeland made a motion to go into closed session, with a second from Councilman Linwood Johnson.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Vice-Mayor Wynndolyn Copeland Aye

Councilman Mark Kitchen Absent

Mayor Bobby Cutchins Aye

Councilwoman Jessica Banks Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Aye

Mayor Robert Cutchins affirmed the motion carried unanimously.

# Motion Upon Returning to Open Session

Vice-Mayor Wynndolyn Copeland moved that the City of Franklin, Virginia City Council certify 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 held on June 25, 2024, meeting were hear, discussed or considered by the City of Franklin, Virginia Council; and (ii) no action was taken in closed meeting regarding the items discussed. The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Vice-Mayor Wynndolyn Copeland Aye

Councilman Mark Kitchen Absent

Mayor Bobby Cutchins Aye

Councilwoman Jessica Banks Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Aye

Mayor Robert Cutchins affirmed the motion carried unanimously.

Councilman Gregory McLemore made a motion to appoint Cristina Boone to the Franklin City School Board – Ward 4 seat with a second from Councilwoman Jessica Banks.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Vice-Mayor Wynndolyn Copeland Aye

Councilman Mark Kitchen Absent

Mayor Bobby Cutchins Aye

Councilwoman Jessica Banks Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Aye

Mayor Robert Cutchins affirmed the motion carried unanimously.

Vice-Mayor Wynndolyn Copeland made a motion to appoint Danyelle Hunt to the Franklin City School Board – Ward 5 seat with a second from Councilwoman Jessica Banks.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Vice-Mayor Wynndolyn Copeland Aye

Councilman Mark Kitchen Absent

Mayor Bobby Cutchins Aye

Councilwoman Jessica Banks Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Aye

Mayor Robert Cutchins affirmed the motion carried unanimously.

Councilwoman Jessica Banks made a motion to appoint Peggy Scott to the Franklin City School Board – Ward 6 seat with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Vice-Mayor Wynndolyn Copeland Aye

Councilman Mark Kitchen Absent

Mayor Bobby Cutchins Aye

Councilwoman Jessica Banks Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Aye

Mayor Robert Cutchins affirmed the motion carried unanimously.

Vice-Mayor Wynndolyn Copeland made a motion to appoint Reid Harrison to the Franklin City School Board – At Large seat with a second from Councilman Gregory McLemore.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Vice-Mayor Wynndolyn Copeland Aye

Councilman Mark Kitchen Absent

Mayor Bobby Cutchins Aye

Councilwoman Jessica Banks Aye

Councilman Ray Smith	Absent
Councilman Gregory McLemore	Aye
Mayor Robert Cutchins affirmed the motion carried	l unanimously.
Adjournment	
Councilman Gregory McLemore made a motion to a Session with a second from Vice-Mayor Wynndolyn	
The motion carried the vote 5-0	
The vote was as follows:	
Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Absent
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
<b>Mayor Robert Cutchins</b>	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Aye
Mayor Robert Cutchins stated the meeting stands a	djourned.
The June 25, 2024 City Council Closed Session was	adjourned at 8:31 P.M.
Mayor	Clerk to City Council



# Proclamation Honoring L. Terrell Majette, Sr. for Extraordinary Heroism in Saving Children's Lives Proclamation #2024-17

WHEREAS, acts of bravery and selflessness serve as profound inspirations to our community and exemplify the highest values of humanity; and

WHEREAS, L. Terrell Majette, Sr. has demonstrated extraordinary courage and swift action in a moment of critical danger, directly saving the lives of two children; and

WHEREAS, L. Terrell Majette, Sr.'s heroic actions not only averted a potential tragedy but also brought immense relief and gratitude to the families involved and the entire community; and

WHEREAS, such acts of heroism embody the spirit of altruism and serve as a beacon of hope and resilience, reminding us all of the profound impact one individual can have on the lives of many; and

WHEREAS, the City of Franklin is immeasurably proud of L. Terrell Majette, Sr. and wishes to formally acknowledge and celebrate his act of heroism;

**NOW, THEREFORE, I,** Robert "Bobby" Cutchins, Mayor on behalf of the and the City of Franklin City Council and the citizens of the City of Franklin, do hereby proclaim July 8, 2024, as a day to honor and recognize L. Terrell Majette, Sr. for his extraordinary heroism and selfless dedication to the safety and well-being of our children.

**FURTHERMORE,** we extend our deepest gratitude and commendation to L. Terrell Majette, Sr. for his bravery, quick thinking, and unwavering commitment to protecting the lives of others.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of City of Franklin to be affixed this 8th of July, 2024.

This proclamation serves as a permanent record of L. Terrell Majette, Sr.'s heroism and a reminder of the powerful impact of his actions.

Signed this 8 <sup>th</sup> day of July 2024.	
	Robert "Bobby" Cutchins, Mayor
	City of Franklin, Virginia



# RESOLUTION AUTHORIZING A STIPEND TO PLANNING COMMISSION MEMBERS Resolution #2024-18

WHEREAS, the City Council of the City of Franklin wishes to acknowledge the important role that members of the Planning Commission play in determining the future development of the City, and;

WHEREAS, the dedicated members of the Planning Commission have tirelessly volunteered their time, expertise, and passion to serve our community; and

WHEREAS, their commitment to excellence, integrity, and public service has significantly contributed to the betterment of the City of Franklin; and

WHEREAS, their professionalism and leadership have guided important decisions that impact our infrastructure, housing, transportation, and overall quality of life; and

**NOW, THEREFORE, I,** Robert "Bobby" Cutchins, Mayor on behalf of the and the City of Franklin City Council hereby adopt a policy of providing a \$50.00 stipend for each meeting attended in the future in recognition of the Planning Commission member's contributions to the City of Franklin, Virginia.

Signed this 8 <sup>th</sup> day of July 2024.	
	Robert "Bobby" Cutchins, Mayor Citv of Franklin, Virginia



## **Ordinance 2024-06**

# AN ORDINANCE TO AMEND THE CITY OF FRANKLIN CODE CHAPTER 29: VEGETATION, ARTICLE II: GRASS, WEEDS & OTHER FOREIGN GROWTH, SECTION 29-50 PUBLIC NUISANCE; MAXIUMUM HEIGHT

THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA ORDAINS AS FOLLOWS:

That Article II, In General, of Chapter 29, Vegetation, is hereby amended as followed:

# § 29-50. Public Nuisance; Maximum Height

- Grass, weeds or other foreign growth exceeding 12 8 inches in height on property located in the City, (except for such on banks of continuously flowing streams, on natural slopes of a vertical angle of 30° or greater and on natural and undisturbed wooded areas), shall constitute a public nuisance endangering the health and safety of City residents. Such a public nuisance shall be unlawful. It shall be the duty of every owner and every occupant of any such parcel of land in the City to provide for the cutting of grass, weeds and other foreign growth on such property so that such grass, weeds or growth does not exceed 12 8 inches in height. A violation of this duty shall be unlawful and shall constitute a Class 4 misdemeanor.
- (b) It shall be unlawful for the owner of any land, or any occupant or other person who is responsible for the maintenance and upkeep of any land, occupied or vacant, including the area adjoining such property extending to the center line of an abutting alley, to permit overgrown shrubs, trees, and other such vegetation (collectively, for purposes of this section, "overgrowth") to exist in a manner that is in violation of this section. Overgrowth shall also include, but not be limited to, noxious weeds, vines, ivy, and any other plant material that may inhibit the growth of native vegetation.
  - (1) Overgrowth shall be unlawful if any one or more of the following applies:
    - (i) The overgrowth is abandoned, neglected, or not adequately maintained;
    - (ii) The overgrowth has caused the primary improvements on the property to be wholly or substantially screened from view from pedestrians standing at ground level upon any right-of-way abutting any property line;
    - (iii) The overgrowth obstructs the view of address numerals;

- (iv) The overgrowth obstructs access to emergency escape and rescue opening points, as defined by the Virginia Uniform Statewide Building Code, or path of travel from any street to the primary entrance of any primary or accessory structure;
- (v) The overgrowth is growing into or on primary or accessory structures in a manner that is detrimental to the structure or has caused damaged to a structure;
- (vi) The overgrowth constitutes a public health, safety, welfare, or fire hazard; or
- (vii) The overgrowth is likely to result in rodent harborage on the property.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA ON JULY 8, 2024.

ATTEST:		
		, Mayor
		. Clerk



## Ordinance 2024-07

# An Ordinance to Amend the City of Franklin Code Chapter 13- Garbage & Refuse Section 13-1: Definitions, Section 13-3: Residential Services, and Section 13-8 Placement of containers at collection sites

# THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA ORDAINS AS FOLLOWS:

That Chapter 13: Garbage & Refuse, Section 13-1: Definitions, Section 13-3: Residential Services, and Section 13-8: Placement of containers at collection sites is hereby amended as followed:

# § 13-1 Definitions

...

# **COLLECTION CONTAINER**

A metal, plastic, or other approved unit of not more than 90 gallons' capacity. A storage and collection container required for the storage and collection of solid waste and yard waste issued by the city and used in the automated collection program.

. . .

# **CURBSIDE RECYCLING PROGRAM**

A regular curbside collection of recyclable materials, administered by the Southeastern Public Service Authority for the City of Franklin.

•••

## **RECYCLABLE MATERIALS**

Waste materials separated from the waste stream and processed for use again as a raw material for a product, which may or may not be similar to the original product. Recyclable materials include items such as newspapers, aluminum cans, tin cans, clear glass, PETE plastic (#1), and HDPE plastic (#2).

. . .

## § 13-3 Residential Service

- (a) The City shall use its personnel and equipment to collect refuse at collection sites from residential property on a regular schedule set by the Director of Public Works. The regular schedule may be altered by the Director of Public Works in case of emergency or for other compelling reasons.
- (b) The City shall use its personnel and equipment to collect garbage and household waste in containers provided by the City from residential property on a regular schedule set by the Director of Public Works. The City shall supply each single-family residential unit with a container for garbage and household waste of a size, type and color designated by the Director of Public Works. The owner or occupant of a single-family residential unit may purchase an additional such container for garbage and household waste from the City at its cost.
- (c) Collection of yard waste shall be from containers provided by the City, subject to certain exceptions set forth hereinbelow. The City shall supply each single-family residential unit with a container for yard waste of a size, type and color designated by the Director of Public Works. Grass, leaves, pine cones, pine needles, twigs, weeds and flowers may be placed in yard waste containers. Household waste, limbs, branches, dirt, shrubbery and hedge trimmings may not be placed in yard waste containers. The owner or occupant of a single-family residential unit may purchase an additional such container for yard waste from the City at its cost.
- (d) Limbs, branches, shrubbery and hedge trimmings shall be cut into lengths not to exceed four feet and shall be stacked at the collection site for collection. Stacks should not exceed two piles separated into four by four by four feet in size for collection once a week.
- (e) Any yard waste approved for disposal in yard waste containers which will not fit into a yard waste container may be placed on the ground next to the collection container but must be separated from the stack of yard waste described in Subsection (d) above.
- (f) Collection of all refuse shall be at collection sites designated by the Director of Public Works, except that City Council may, for reasons of safety or convenience, allow alley pickup of certain refuse in certain designated alleys in the City.
- (g) No more than four items of bulky waste, such as white goods (discarded appliances) or furniture, shall be picked up by the City by appointment on Wednesdays. If more than four items are placed for pickup, they will not be picked up by the City, and special arrangements should be made with the City for their pickup and disposal pursuant to § 13-14.

<del>(h)</del>	Homeowners or tenants served by the curbside recycling program shall dispose of all items covered by the recycling program in approved recycling bins which shall be placed at the
	designated collection site for collection on the designated collection day.
<del>(i)</del> (h)	Every homeowner or tenant shall be responsible for maintaining all collection containers in an intact, clean, sanitary and closed condition in order to prevent leakage or spillage.
§ 13-8	Placement of containers at collection sites
collect contain equipm should day of shall b	be the responsibility of the owner or user of a refuse container, the contents of which are to be seed by City Employees, to place the container at the collection site so that there is no danger of the ner being overturned and so that there is sufficient clearance to accommodate City collection nent. Collection containers, disposable containers, yard waste, bulky waste and recycling bins be placed at the collection site by no later than 7:00 a.m. of the designated collection day. on the collection and not earlier than 5:00 p.m. on that day prior to the day of collection. All containers the removed from the street, curbside, or sidewalk no later than 11:00 p.m. the day of collection and out of the view of the public.
THIS	ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY.
ADOF	TED BY THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA ON JULY 8, 2024.
ATTE	ST:
	, Mayor
	, Clerk

# **BUDGET AMENDMENT 2024-22**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2023-2024 City Budget is hereby amended to:

1. Record the increases and decreases to City of Franklin Public School grant allocations for use.

		:	2023-2024 BUDGET	AMENDED BUDGET	INCREASE (DECREASE)
250	#1 D EDUCATION FUND				
	REVENUE				
250-3-24000-0202	State School Basic Aid	\$	11,503,764	\$ 11,773,218	\$ 269,454.00
250-3-24000-0297	Safety and Security Grant	\$	-	\$ 139,290	\$ 139,290.16
					\$ 408,744.16
	EXPENDITURES				
250-4-60000-0003	Pupil Transportation	\$	452,991	\$ 577,445	\$ 124,454.00
250-4-60000-0004	Operations and Maintenance	\$	2,051,263	\$ 2,196,263	\$ 145,000.00
250-4-60000-0297	Safety and Security Grant	\$	-	\$ 139,290	\$ 139,290.16
					\$ 408,744.16

Certified copy of resolution adopted by Franklin City Council

Clerk to the City Council



# FRANKLIN CITY PUBLIC SCHOOLS

OFFICE OF THE SUPERINTENDENT

207 West Second Avenue Franklin, Virginia 23851-1713 (757) 569-8111 • Fax (757) 516-1015

# **MEMORANDUM**

TO:

Darlene Burcham

Interim Franklin City Manager

FROM:

Dr. Carlton Carter

Division Superintendent

DATE:

June 21, 2024

RE:

Notice of Budget Adjustments

This amendment is to record the final FY2024 state funding increase..

Accounting Use Only	School Account	Amount	City Account
State Revenue Increase	10-	269,454.00	250-3-24000-0202
Transportation Expense Increase	10-	124,454.00	250-4-60000-0003
Operations and Maintenance Expense Increase	10-	145,000.00	250-4-60000-0004

FCPS
Final FY2024 State Revenue Budget Adjustments Needed
June 2024

Account Id	Account Description	Current Budget	Adjusted Budget	Difference
250-3-18990-0000	MISCELLANEOUS REVENUE	70,000.00	70,000.00	-
250-3-18990-1502	Rental Income			-
250-3-18990-1700	Rebates and Refunds			-
250-3-18990-1701	Universal Services Fund			-
250-3-18990-1901	Obici Healthcare Grant	14,294.93	14,294.93	-
250-3-24000-0201	State Sales Tax			-
250-3-24000-0202	State School Basic Aid	11,503,764.00	11,773,218.00	(269,454.00)
250-3-24000-0215	Driver Recruitment Grant	-	-	-
250-3-24000-0221	Va. Medical Asst. Program			-
250-3-24000-0222	Clean School Bus Program	1,164,600.00	1,164,600.00	-
250-3-24000-0231	School Improvements Title I			-
250-3-24000-0233	GAE State Grant	-	-	-
250-3-24000-0252	State Technology Funds	250,000.00	250,000.00	-
250-3-24000-0291	McKinney-Vento Grant	3,900.00	3,900.00	-
250-3-24000-0292	ALL-In Virginia Spending Plan	670,617.00	670,617.00	-
250-3-24000-0293	Stronger Connections Grant	223,204.28	223,204.28	-
250-3-24000-0294	Extended School Year Grant	50,000.00	50,000.00	-
250-3-24000-0295	Security Equipment Grant			1-1
250-3-33010-0025	VISSTA			-
250-3-33010-0217	Adult Basic Education-Federal	26,563.81	26,563.81	-
250-3-33010-0224	Pre-School Grant VIB	24,491.55	24,491.55	-
250-3-33010-0225	Title VIB Special Education	722,281.70	722,281.70	-
250-3-33010-0230	Carl Perkins Grant	53,336.52	53,336.52	-
250-3-33010-0233	GAE State Grant	-	-	-
250-3-33010-0234	Race to GED Grant	1,635.91	1,635.91	-
250-3-33010-0242	Federal ROTC Funds	-	-	-
250-3-33010-0249	Continuing Education Support Grant	80,591.09	80,591.09	-
250-3-33010-0261	Title I - 1003A	236,235.96	236,235.96	-
250-3-33010-0271	NCLB Grant - Title I	1,656,237.75	1,656,237.75	-
250-3-33010-0272	NCLB Grant - Title II A	203,991.37	203,991.37	-
250-3-33010-0273	NCLB Grant - Title III Part A	5,776.83	5,776.83	-
250-3-33010-0276	NCLB Grant - Title V Rural Ed	38,373.81	38,373.81	-
250-3-33010-0277	Title IV Part A LEA	93,135.27	93,135.27	-
250-3-33010-0404	CARES Stream 4	316,855.95	316,855.95	-
250-3-33010-0405	CARES Act Stream 5	3,703,519.56	3,703,519.56	-
250-3-33010-0407	CARES Act Stream 6 - Driver Incentive	-	-	-
250-3-33010-0408	CSLFRF Grant	57,915.00	57,915.00	-
250-3-41050-0100	Funds From Local Government	4,330,237.00	4,330,237.00	-
250-3-41050-1000	Funds from Restricted Fund Balance	887,965.00	887,965.00	-
250-3-41050-6100	Funds Local Government-Capital Proj	152,653.00	152,653.00	-
	School Fund Revenue Totals	26,542,177.29	26,811,631.29	(269,454.00)

Account Id	Account Description	<b>Current Budget</b>	Adjusted Budget	Difference
250-4-00000-0000	EDUCATION FUND EXPENDITURES****			-
250-4-60000-0000	EDUCATION FUND			-
250-4-60000-0001	Instruction	10,353,609.00	10,353,609.00	-
250-4-60000-0002	Administration, Health & Attendance	2,104,121.00	2,104,121.00	-
250-4-60000-0003	Pupil Transportation	452,990.97	577,444.97	(124,454.00)
250-4-60000-0004	Operation and Maintenance Services	2,051,263.00	2,196,263.00	(145,000.00)
250-4-60000-0008	Title VIB Special Education	722,281.70	722,281.70	-
250-4-60000-0009	Carl Perkins Act	53,336.52	53,336.52	-
250-4-60000-0010	Facilities	762,063.25	762,063.25	-
250-4-60000-0011	Technology	1,220,571.78	1,220,571.78	-
250-4-60000-0015	Pre-school Grant	24,491.55	24,491.55	-
250-4-60000-0021	Va. Medical Asst. Program			-
250-4-60000-0025	VISSTA			=
250-4-60000-0030	Enterprise Expense			-
250-4-60000-0035	CARES Act ESSR II Stream 4	316,855.95	316,855.95	-
250-4-60000-0036	Adult Basic Education Grant GED	1,635.91	1,635.91	-
250-4-60000-0037	Adult Basic Ed Grant	26,563.81	26,563.81	-

250-4-60000-0039	CARES Act ESSR III Stream 5	3,703,519.56	3,703,519.56	
250-4-60000-0047	CARES Act Stream 6 - Driver Incentive	-		
250-4-60000-0048	CSLFRF Grant	57,915.00	57,915.00	-
250-4-60000-0061	Title I - 1003A	236,235.96	236,235.96	-
250-4-60000-0071	NCLB Grant - Title I Part A	1,656,237.75	1,656,237.75	-
250-4-60000-0072	NCLB Grant - Title II A Tchr Qualit	203,991.37	203,991.37	-
250-4-60000-0073	NCLB Grant - Title III Part A	5,776.83	5,776.83	-
250-4-60000-0076	NCLB Grant - Title V Rural Ed	38,373.81	38,373.81	-
250-4-60000-0077	Title IV Part A LEA	93,135.27	93,135.27	-
250-4-60000-0215	Driver Recruitment Grant	-	-	-
250-4-60000-0222	Clean School Bus Program	1,164,600.00	1,164,600.00	-
250-4-60000-0235	Obici Healthcare Grant 2020	14,294.93	14,294.93	-
250-4-60000-0249	Continuing Education Support Grant	80,591.09	80,591.09	-
250-4-60000-0291	McKinney-Vento Grant	3,900.00	3,900.00	-
250-4-60000-0292	ALL-In Virginia Spending Plan	670,617.00	670,617.00	-
250-4-60000-0293	Stronger Connections Grant	223,204.28	223,204.28	*
250-4-60000-0294	Extended School Year Grant	50,000.00	50,000.00	-
250-4-60000-0295	Security Equipment Grant	250,000.00	250,000.00	-
	School Fund Expenditure Totals	26,542,177.29	26,811,631.29	(269,454.00)

# Virginia Department of Education

# Actual FY 2023 and Final FY 2024 State Payments, Based on the Chapter 1, 2024 Special Session I Acts of Assembly; Final March 31, 2024, ADM; and Final FY 2024 Adjustments to Basic Aid

Standards of Quality (SOQ), Incentive, Categorical, and Lottery-Funded Programs in Direct Aid to Public Education As of June 13, 2024

	135 - FRANKLIN CITY				
NUM	DIVISION	Final FY 2023 Unadjusted ADM <sup>2</sup>	Final FY 2023 Adjusted ADM <sup>2</sup>	Final FY 2024 Unadjusted ADM <sup>2</sup>	Final FY 2024 Adjusted ADM <sup>2</sup>
135	FRANKLIN CITY	966.39	966.39	962.83	962.83
100				FY 20	24
	2022-2024 Composite Index 0.2858	FY 2023 State Share	FY 2023 Local Share	FY 2024 State Share	FY 2024 Local Share
Stand	ards of Quality Programs:	FT 2023 State Share	F1 ZUZU LUCAI Silate	11 LOLY Otate Onais	1 1 2024 20001 011010
⇒ c		3,258,945	1,304,125	3,653,200	1,461,89
£g/	Basic Aid (Net of all Adjustments) 20	2,084,229		1,599,477	N/A
	Sales Tax <sup>4</sup>		N/A <sup>1</sup>	91.032	36.428
⇨	Textbooks <sup>5</sup>	91,368	36,563		
$\Rightarrow$	Vocational Education	467,953	187,260	466,917	186,84
$\Rightarrow$	Gifted Education	37,961	15,191	37,821	15,13
$\Rightarrow$	Special Education	551,466	220,679	549,435	219,86
⇔	Prevention, Intervention, & Remediation	285,741	114,344	284,688	113,92
$\Rightarrow$	VRS Retirement (Includes RHCC) 6	654,306	261,832	651,895	260,86
$\Box$	Social Security	280,910	112,411	279,875	111,99
⇔	Group Life	20,016	8,010	19,942	7,98
⇔	English as a Second Language 12	11,956	4,784	10,869	4,34
	Remedial Summer School 7,9	o	N/A <sup>1</sup>	0	● N/A
	Subtotal - SOQ Accounts 3	7,744,851	2,265,199	7,645,151	2,419,28
ncent	tive Programs:				
	Compensation Supplement 13	272,241	108,942	686,985	274,90
	Academic Year Governor's School 8	0	N/A <sup>1</sup>	0	N/A
	At-Risk (Split funded - See Lottery section below)	510,073	204,115	25,049	10,02
	Alleghany and Covington Joint School Division Incentive	0	N/A <sup>1</sup>	0	N/A
	Virginia Preschool Initiative 11	266,859	106,788	214,920	86,00
	School Construction Grant Program Entitlement 17	1,262,441	N/A¹	Not Funded	l in FY24
	Virginia Preschool Initiative - Additional Programs 18	17,910	7,167	101,490	40,61
	School Meals Expansion	0	N/A¹	0	N/A
	Grocery and Hygiene Tax Hold Harmless	111,632	N/A¹	248,616	N/A
	ALL In Per Pupil Funding <sup>21</sup>	Not Funded	l in FY23	670,617	N/A
⇨	Rebenchmarking Hold Harmless <sup>16</sup>	131,749	52,722	131,911	52,78
	Math/Reading Instructional Specialists	0	0	0	
	Early Reading Specialists Initiative	0	0	0	11- 530
	Hold Harmless for Calc Tool Basic Aid Variance 19	0	N/A¹	Not Funded	
	Technology - VPSA 10	128,000	25,600	128,000 <b>2,207,588</b>	25,60 <b>489,93</b>
	Subtotal - Incentive Accounts 3	2,700,905	505,334	2,207,000	403,33
	orical Programs:				
	Adult Education 7	0	N/A'	0	N/A
	American Indian Treaty Commitment 7	0	N/A <sup>1</sup>	0	N/A
	School Lunch 7	16,363	N/A¹	4,311	N/A
	Special Education - Homebound 7	0	N/A¹	965	N/A
	Special Education - State-Operated Programs 7	0	N/A¹	0	N/A
	Special Education - Jails 7	0	N/A1	0	N/A
	Subtotal - Categorical Accounts 3	16,363	0	5,276	

## Virginia Department of Education

Actual FY 2023 and Final FY 2024 State Payments, Based on the Chapter 1, 2024 Special Session I Acts of Assembly; Final March 31, 2024, ADM; and Final FY 2024 Adjustments to Basic Aid

Standards of Quality (SOQ), Incentive, Categorical, and Lottery-Funded Programs in Direct Aid to Public Education
As of June 13, 2024

	135 · FRANKLIN CITY						
NUM	DIVISION	Final FY 2023 Unadjusted ADM <sup>2</sup>	Final FY 2023 Adjusted ADM <sup>2</sup>	Final FY 2024 Unadjusted ADM <sup>3</sup>	Final FY 2024 Adjusted ADM <sup>2</sup>		
135	FRANKLIN CITY	966.39	966.39	962.83	962.83		
	2022-2024 Composite Index	FY 20	)23	FY 2024			
	0.2858	FY 2023 State Share	FY 2023 Local Share	FY 2024 State Share	FY 2024 Local Share		
Lotte	ry-Funded Programs						
	Foster Care 7	4,737	N/A <sup>1</sup>	0	N/A <sup>1</sup>		
	At-Risk (Split funded - See incentive section above)	561,740	224,790	1,079,953	432,163		
	Accomack-Northampton Distribution	0	N/A <sup>1</sup>	0	N/A <sup>1</sup>		
$\Rightarrow$	Early Reading Intervention	85,402	34,175	80,065	32,039		
	Mentor Teacher Program	0	N/A <sup>1</sup>	3,880	N/A1		
	K-3 Primary Class Size Reduction	353,173	141,329	354,402	141,820		
	School Breakfast 7	14,399	N/A <sup>1</sup>	5,489	N/A <sup>1</sup>		
$\Rightarrow$	SOL Algebra Readiness	29,707	11,888	29,700	11,885		
	Project Graduation	4,124	N/A <sup>1</sup>	4,124	N/A <sup>1</sup>		
	Alternative Education 7, 8	0	N/A <sup>1</sup>	0	N/A <sup>1</sup>		
	SAEP	8,203	N/A <sup>1</sup>	8,173	N/A <sup>1</sup>		
	Special Education-Regional Tuition 7.6	212,504	N/A <sup>1</sup>	168,561	N/A <sup>1</sup>		
	Career and Technical Education 7,8	5,917	N/A <sup>1</sup>	5,244	N/A <sup>1</sup>		
	Supplemental Basic Aid	0	N/A <sup>1</sup>	. 0	N/A <sup>1</sup>		
	Infrastructure and Operations Per Pupil Fund 14	278,833	111,580	278,444	111,424		
	Subtotal - Lottery-Funded Programs <sup>3</sup>	1,558,739	523,762	2,016,035	729,331		
	Total State & Local Funds	\$12,020,858	\$3,294,295	\$11,874,050	\$3,638,553		

<sup>1 &</sup>quot;N/A" = no local match required for this program

(91.032) Textpo: 40

11,723, 218 Total Parence

269, 454 Adj

ADM values shown are based on final March 31, 2023 ADM for FY 2023 and final March 31, 2024 ADM for FY 2024.

<sup>3</sup> Columns may not add due to rounding

<sup>4</sup> Projected revenue estimate. Semi-monthly payments will be based on actual sales tax receipts. Pursuant to the Appropriation Act, the Basic Aid state payment calculation is based on the appropriated sales tax distribution only and is not adjusted for actual sales tax revenues received.

<sup>5</sup> Chapter 1, 2024 Special Session | Acts of Assembly assigns the entire funding for Textbooks to the SOQ area, Required Local Effort for Textbooks is based on the payments in the SOQ area.

<sup>8</sup> VRS Retirement includes payments for the Retiree Health Care Credit (RHCC). Please see the Budget Variables (ab for the funded RHCC rate.

<sup>&</sup>lt;sup>7</sup> State payments for FY 2023 and FY 2024 are final.

<sup>&</sup>lt;sup>8</sup> Includes state funding for regional vocational, special, and alternative education programs and Academic Year Governor's Schools

Payments for Remedial Summer School are based on final FY 2023 and final FY 2024 enrollment.

<sup>10</sup> Payments for the VPSA Technology Grants are made from bond proceeds on a reimbursement basis and may begin following each bond issuance. These payments include funding for the school division and the regional programs for which the division serves as the fiscal agent.

<sup>11</sup> Payments for the Virginia Preschool Initiative are based on final FY 2023 enrollment and final FY 2024 enrollment.

<sup>12</sup> Payments for English as a Second Language are based on final FY 2023 enrollment and final FY 2024 enrollment.

<sup>13</sup> Provides the state share of FY 2023 Compensation Supplement funds based on a 5.0 percent salary increase effective August 1, 2022, an additional 5% salary increase effective July 1, 2023, and an additional 2% salary increase effective August 1, 2024 for funded SOQ instructional and support positions, as well as for regional alternative education programs and Academic Year Governor's Schools, based on a certification of participation.

The compensation supplement in FY 2022 is prorated for school divisions that provide less than an average 5.0 percent salary increase during the biennium.

<sup>14</sup> The FINAL per pupil funding amount for the infrastructure and Operations Per Pupil Fund Payment is projected at \$405.25 for FY 2023 and \$406.90 for FY 2024.

Divisions are paid up to their calculated entitlement based on actual March 31 ADM. The per pupil amount is adjusted for the local composite index.

Estimates in this file will not change when local ADM projections are selected.

<sup>15</sup> According to Chapter 1, 2024 Special Session I Acts of Assembly the Grocery and Hygiene Tax Hold Harmless distributions are only subject to school-age population updates

According to Chapter 1, 2024 Special Session I Acts of Assembly the Rebenchmarking Hold Harmless distributions are not subject to subsequent technical updates. Local match is required

<sup>17</sup> Unspent School Construction Grant balances at the division level as of June 30, 2023, and June 30, 2024, shall be appropriated to school divisions the following year.

<sup>18</sup> Additional VPI programs include mixed delivery grants and additional VPI stots for 3-year olds, expanded class sizes, and waitlist students.

<sup>19</sup> The state payment provides \$16.8 million in general funds in FY 2023 to ensure that school divisions receive at least the same amount of state Basic Aid and sales tax distributions as was communicated in the Chapter 2 budget Calc.

Tool included in Superintendent's Memo #133-22 from June 2022.

<sup>26</sup> For further details on the full FY 2024 Basic Aid payment and all adjustments, refer to the "Adjustments to FY 2024 Basic Aid" tab.

<sup>&</sup>lt;sup>21</sup> Additional information related to the ALL In initiative can be found on the VDOE website.

<sup>=</sup> SOQ accounts requiring a local match for purpose of meeting Required Local Effort

BOLD = Account funding based on ADM; any changes in ADM numbers will result in a change in the state payment amount



# FRANKLIN CITY PUBLIC SCHOOLS

OFFICE OF THE SUPERINTENDENT

207 West Second Avenue Franklin, Virginia 23851-1713 (757) 569-8111 • Fax (757) 516-1015

# **MEMORANDUM**

TO:

Darlene Burcham

Interim Franklin City Manager

FROM:

Dr. Carlton Carter

Division Superintendent

DATE:

June 21, 2024

RE:

Notice of Budget Adjustments

This amendment is to record the FY2024 School Safety and Security Grants.

Accounting Use Only	School Account	Amount	City Account 250-3-24000
Safety and Security Grant Revenue Increase		139,290.16	Please establish - 0292
Safety and Security Grant Expense Increase		139,290.16	Please establish - 0295
			250-4-60000

# Virginia Department of Education One-time FY 2024 School Safety and Security Grant (Item 136 DDD., Chapter 1, 2024 Sp. Session I)

Total State Funds Portion = \$10,300,000

Enter Div. Base Amt. = \$50,000

Remaining State Funds Amt. = \$3,950,000

Total Federal Funds Portion = \$8,000,000

						***************************************					5-02643-02163503	g design r school Parity	40,000,000				
							Criteria Da	ta and Point Valu	05								
		1 - # Schools 2 - Composite Index 3 - # Buses 4 - Avg. % of Sche. w/ Components 5 - PK-12 Enrollment								Grant Amounts				***************************************			
		Total No. of Schools Reported In May '24 Survey	Points Based on No. of Schools: x < 20 = 5 pts.; 21-35 = 10 pts.; x >		Points Based on Comp Index: x ≥ 0.60 = 8 pts.; 0.30 ≤ x < 0.60 = 12 pts.; x < 0.30		Points Based on No. of Buses: x ≤ 50 = 2 pts.; 51-100 = 3 pts.; x >	May '24 Survey Response: Reported Avg. % of Schools with Safety/Security		PK-12 Enrollment	Points Based on PK-12 Enrollment: x ≤ 3k = 3 pis.; 3k < x ≤ 7k = 5 pis; x > 7k = 10	Total Criteria	Floor State Grant Amount @\$58,000 Per	Additionat	Total <u>State</u> Grant Amount (Project Code	Federal Grant Amount (Project Code	Total State 4
Div. No.	Division Name	Response	35 = 15 pts.	Index	= 20 pts.	Buses	100 = 5 pts.	Present	50 pts.	Memb.)	pis,	Points x ≤ 100	Division	Amount	APE60120)	APE45290)	Amoun
135	FRANKLIN CITY	3	5	0.2858	20	20	2	56%	30	1,015	3	60	\$50,000.00	\$29,514.32	\$79,514.32	\$59,775.84	\$139,290.16

<sup>1</sup> The Composite Index shown for the three jointly-operated school divisions is a weighted everage of the respective LCIs of the two divisions comprising the jointly-operated division.

# Virginia Department of Education Guidelines for FY 2024 School Safety and Security Grants (One-time Grant)

# Legislative Appropriations

\$20 million in FY 2024 state and federal funding is appropriated for a one-time school safety and security grant program for public schools (see Item 136, Paragraph DDD., Chapter 1, 2024 Special Session I), as follows:

"DDD. Out of this appropriation, \$12,000,000 the second year from the general fund is designated to support school safety and security grants. The Department of Education shall administer the program and develop guidelines. Funds may be used to support equipment and planning to improve safety and security, including purposes not authorized for the existing VPSA-funded Security Equipment grant program. In determining grant awards, prioritization shall be placed on the severity of identified deficiencies and the school division's local ability to pay as identified by its local composite index. In addition to this amount, \$8,000,000 in federal State and Local Recovery Funds are provided for this purpose pursuant to Item 486. Of this amount, \$1,500,000 is provided to Newport News Public schools to support safety and security improvements at Richneck Elementary School."

From these appropriations, the Virginia Department of Education (VDOE) will award \$18.5 million in grant funds to school divisions statewide, \$10.5 million from the general fund and \$8 million from federal pandemic State and Local Fiscal Recovery Funds.

# Allowable Uses, Time Availability, and Monitoring of Grant Funds

These grant funds may be used for equipment and technology purchases and installations, software purchases, planning, and on-site security awareness training for division/school personnel to improve the safety and security of public school buildings and facilities, including for purposes not authorized under the existing VPSA-funded School Security Equipment Grants program. Further detail on allowable uses of the funds is provided in the listing below.

These grant funds are awarded for allowable expenditures incurred beginning on June 13, 2024. School divisions are permitted to carryover and spend their state general fund grant allocation during FY 2025 and should complete expenditures of their general fund grant allocation by June 30, 2025. The state general fund allocations will be paid to school divisions by June 30, 2024. To ensure appropriate use of the state fund allocation, school division superintendents will submit a periodic Expenditure Certification Form to the VDOE Office of Support Services during FY 2025. School divisions' federal fund grant allocation must be obligated by December 31, 2024, and should be fully expended by December 31, 2025. The federal fund grant allocations will be made available on a reimbursement basis using the VDOE's OMEGA grants management application located in the Single Sign-on Web Systems (SSWS) portal.

While federal Davis-Bacon Act (DBA) prevailing wage requirements should not apply to the federal grant allocations funded from the State and Local Fiscal Recovery Funds (SLFRF) due to

the higher dollar DBA threshold for those funds, school divisions should be aware that DBA requirements would be applicable if ESSER pandemic funds are co-mingled with the SLFRF to pay labor costs related to equipment installations or minor building alterations needed for equipment installations. In such cases, school divisions should ensure DBA requirements are met in using their SLFRF allocation and that necessary back-up payroll documents are collected and submitted to the VDOE Office of Support Services. School divisions should submit any DBA-related back-up documentation to VDOE using the <a href="Expenditure Certification Form">Expenditure Certification Form</a> referenced above.

### **Grant Allocation Process**

All school divisions are first awarded a base funding amount of \$50,000. The remainder of grant funds are allocated to divisions in proportion to their total points on five allocation criteria. Point values are assigned to each criterion based on divisions' criteria values and the associated point value for the data range the division value falls within. The five allocation criteria are:

- 1. Local composite index (LCI)
- 2. School division's PK-12 enrollment as of September 30, 2023
- 3. Number of school buses in the division from VDOE records
- 4. Number of public school buildings and facilities reported by divisions on the May 2024 school security survey
- 5. Average percentage of school buildings/facilities in the division with nine safety/security components present in the building/facility as reported by divisions on the May 2024 school security survey

School division grant allocations are available at FY 2024 School Safety and Security Grants.

### Public School Building or Facility Eligibility Requirements

These grant funds may not be co-mingled with other funds used for any type of school construction or renovations work or to cover construction-related professional costs (such as architectural and engineering fees). Fees for security planning and development of security plans and procedures, on-site staff security awareness training, and school building security assessments are eligible uses of the funds.

School divisions should ensure that public schools or facilities where these grant funds are spent meet the following criteria:

- 1. Grant funds may be used to increase the safety and security of public school buildings or facilities owned by the local school board or locality and in which instruction of students in grades PK through 12 regularly occurs.
- 2. There can be no planned renovations/additions scheduled to the school building for the next five years which would cause the security equipment or technology being requested through the grant to become obsolete.
- 3. The school building must be scheduled to remain open for at least five more years.
- 4. School site security means mounting of security cameras or lighting only on <u>existing</u> light poles located at entry roads, parking areas, ball fields, and field houses on the school site.

### Detailed Listing of Eligible Equipment, Technology, or Services

The following equipment, technology, or professional services are eligible for purchase and installation using these grant funds:

- Stand-alone software (developed or commercial off-the-shelf) to support safety and security systems
- Cell phone-based safety and security notification applications
- School building safety signage (interior/exterior)
- On-site security awareness training for division/school personnel
- Professional school safety and security assessments of buildings and procedures
- Development of school safety/security plans and procedures
- 180° and 360° hallway mirrors
- Voice and video internal mass communication systems
- Technology hardware equipment to support mass notifications systems
- Hurricane or intruder security window film
- Motion detection systems
- Technology equipment and software to support security systems
- · Classroom security door hardware
- Security door hardware, or electronic card access control reader systems for ID verification at main entrances and other points of entry into the school building
- Visitor I.D. badging system
- Surveillance cameras mounted on interior/exterior walls
- · Hand-held two-way radios for staff
- Push to talk wireless communications systems
- Security alarm systems
- · Security panic systems
- Security lighting systems (mounted on interior/exterior walls and existing site structures)
- Security lighting and cameras on ball fields or other play areas on existing structures or poles
- Uninterrupted Power Supply (UPS) to support the security equipment
- Metal or firearm detection systems at public building entrances
- Gunshot detection systems
- Vaping detectors
- Automated External Defibrillators (AEDs) in school buildings
- · Security-related devices installed on school or student activity buses:
  - Interior security cameras
  - o Two-way talk radios that serve bus routes for the school allocated funding
  - GPS tablets to facilitate school bus routing, communications with school buses, and school bus and passenger tracking
  - o Passenger ID card readers on buses
  - O Stop arm camera systems for buses
  - o Backup cameras for buses

### Terms of Grant Award

- Authorized by: Virginia Department of Education (VDOE)
- Recipient and Grant Award Amount: The recipients and grant award amounts for the
  FY 2024 School Safety and Security Grants from state general funds and federal ARPA
  Coronavirus State and Local Fiscal Recovery Funds are as specified in the #2024-24
  Virginia Education Update June 13, 2024, and referenced website attachments within.
- Grant Authority: The federal funds are authorized under the American Rescue Plan (ARP) Act of 2021, Coronavirus State and Local Fiscal Recovery Funds. The state and federal funds are appropriated for this grant program in Chapter 1, Item 136, Paragraph DDD, 2024 Special Session I General Assembly.
- Fund Sources: State General Funds (Fund 01000); Federal (Fund 12110)
- Federal Grant Award Number: SLFRP1026
- Project Codes: State Funds: APE60120; Federal Funds: APE45290
- Grant Award Year: 2024
- Catalog of Federal Domestic Assistance (CFDA) Number/Revenue Source Code (State): 21.027 (Federal); 240946 (State)

### **Award Period**

These grant funds are awarded for allowable expenditures incurred beginning on June 13, 2024. State general fund grant allocations may be carried over by school divisions for use during FY 2025 but should be fully expended by June 30, 2025. Federal grant allocations from the ARP Act Coronavirus State and Local Fiscal Recovery Funds must be obligated by school divisions for allowable expenditures by December 31, 2024, and all funds expended by December 31, 2025. All federal grant reimbursements requests must be submitted to VDOE via the OMEGA grants management application by January 31, 2026.

### **Terms and Conditions**

Grant recipients are responsible for: 1) adhering to the guidelines issued by the U.S. Department of the Treasury for the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds; 2) adhering to the state Appropriation Act provisions in Chapter 1, Item 136, Paragraph DDD., 2024 Special Session I General Assembly; 3) adhering to the regulations in 2 CFR 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (refer to the CFR documents for additional information); 4) periodically submit the Expenditure Certification Form to the VDOE Office of Support Services during FY 2025 to report on state fund allocations; and 5) adhering to applicable federal Davis Bacon Act prevailing wage requirements.

### **Additional Information**

Reimbursements of the federal SLFRF may be processed once funds are distributed from Object Code 0000 to the other object codes in OMEGA. To distribute amounts from Object Code 0000, the OMEGA budget originator needs to submit a budget transfer request by selecting "Change my object code budget:" from the "I want to..." list. Funds will be available for reimbursement when the budget transfer has been approved by all required reviewer levels and the transfer has the status "Transfer Completed." For

assistance with OMEGA, please contact OMEGA Support at (804) 371-0993 or OMEGA.support@doe.virginia.gov.

### ADDITIONAL REQUIRED SPECIAL TERMS AND CONDITIONS FOR FEDERAL GRANT AWARDS OR COOPERATIVE AGREEMENTS

### A. Intellectual Property

(i.e. papers, reports, forms, materials, creations, or inventions (intangible property))

Special Terms and Conditions for Intellectual Property apply for all grants or cooperative agreements, regardless of funding source (General, Special, Federal).

Additionally, Federally funded grants or cooperative agreements must meet the requirements of the specific federal grant, such as making any work (e.g., materials, tools, processes, systems) developed freely available to the public, ensuring any websites developed meet government or industry recognized standards for accessibility, and the requirements of 2 CFR §200.315 Intangible Property, are met.

SECTION I. Grants or Cooperative Agreements under which no Intellectual Property will be created

If grant or cooperative agreement deliverables DO NOT include creation/development of Intellectual Property, the following special terms are applicable to the grant or cooperative agreement:

<u>INTELLECTUAL PROPERTY</u>: The parties agree that no Intellectual Property will be created in performance of this grant or cooperative agreement.

### B. Suspension and Debarment Compliance – Non-Procurement Covered Transactions

According to 2 CFR §200.213, non-federal entities are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR part 180. These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

All recipients of federal funds through this transaction must comply with 2 CFR 180, Subpart C as a condition of participation in this transaction and must include similar terms or conditions in lower tier covered transactions.

### C. Federal Funding in Public Announcements

When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal funding, U.S. Department of Education sub-grantees shall clearly state:

- 1. the percentage of the total costs of the program or project which will be financed with Federal funding;
- 2. the dollar amount of Federal funds for the project or program; and
- 3. the percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

Recipients must comply with these conditions under Division H, Title V, Section 505 of Public Law 113-76. Consolidated Appropriations Act, 2014.

## D. Prohibition of Text Messaging and Emailing While Driving During Official Federal Grant Business

Federal grant recipients, sub-recipients and their grant personnel are prohibited from text messaging while driving a government owned vehicle, or while driving their own privately owned vehicle during official grant business, or from using government supplied electronic equipment to text message or email while driving.

Recipients must comply with these conditions under Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," October 1, 2009.

### E. Monitoring and Reporting

- 1. VDOE and auditors shall have access to sub-recipient records and financial statements as necessary to meet monitoring requirements.
- 2. Project reimbursement and amendment requests must be made utilizing VDOE's automated system Online Management of Education Grant Awards (OMEGA). Exceptions may be granted by VDOE grants managers via notice on the Notification of Grant Award if project reimbursement submissions are expected to be minimal during the award period.
- 3. Reimbursement may be requested prior to an activity, after the expenditure of funds, where payment in advance of an activity is required. This includes but is not limited to airfare, deposits, and registrations. The LEA is responsible for reconciling expenses after the activity has occurred. Reimbursement may be requested for the difference of expenses higher than the previously requested amount. Expenses lower than the previously requested amount must be repaid via a credit on a reimbursement request within 30 days of the completed activity.

### AMENDMENT TO THE AGREEMENT FOR CREATION OF THE WESTERN TIDEWATER REGIONAL JAIL AUTHORITY

THIS AMENDMENT TO THE AGREEMENT FOR CREATION OF THE WESTERN TIDEWATER REGIONAL JAIL AUTHORITY (the "Amendment"), effective as of the date set forth below, by and among the WESTERN TIDEWATER REGIONAL JAIL AUTHORITY (the "Regional Authority"), the CITY OF SUFFOLK, VIRGINIA, the COUNTY OF ISLE OF WIGHT, VIRGINIA, the CITY OF FRANKLIN, VIRGINIA, and the CITY OF HAMPTON, VIRGINIA (collectively, the "Members," or individually, "Member"), each of which is a political subdivision of the Commonwealth of Virginia.

WHEREAS, On November 1, 1990, pursuant to Article 3.1, Title 53.1 of the Code of Virginia, the City of Suffolk, the County of Isle of Wight, and the City of Franklin (collectively, the "Initial Member Jurisdictions") entered into an agreement for the creation of the Western Tidewater Regional Jail Authority (the "Member Agreement") for the purpose of setting forth their basic arrangement for the development, construction and operation of the Western Tidewater Regional Jail (the "Regional Jail"), that was built, and is now operated by the Regional Authority in the City of Suffolk; and

WHEREAS, such Member Agreement was amended by agreement of the Regional Authority and the Initial Member Jurisdictions by Resolution adopted August 20, 2003, which sought to remove the provision of Section F, Subsection 3 of the Member Agreement that appointed the City of Franklin the fiscal agent for the Regional Authority; and

WHEREAS, such Member Agreement was amended by agreement of the Regional Authority and the Initial Member Jurisdictions by Resolution adopted September 21, 2006, which sought to remove Section I, Subsection 4 of the Member Agreement to remove the maximum number of inmates housed in the Regional Jail at any one time; and

WHEREAS, the City of Hampton, Virginia, the Regional Authority, and the Initial Member Jurisdictions have determined it is in the best interest of the Regional Authority and all Members for the City of Hampton to become a Member of the Regional Authority, effective July 1, 2024, or such later date on which all necessary approvals of the Regional Authority, the City of Hampton, and the Initial Member Jurisdictions may be given; and

WHEREAS, in order for the City of Hampton to be admitted as a Member of the Regional Authority, the Member Agreement must be amended; and

WHEREAS, the Regional Authority, the Initial Member Jurisdictions, and the City of Hampton now desire to amend the Member Agreement in order to confirm the admission of the City of Hampton as a Member of the Regional Authority, and to provide for the provision of services by the Regional Authority to its Members following such admission.

NOW THEREFORE, it is agreed that the specific provisions of the Member Agreement outlined below shall be amended as follows:

### I. SECTION A. AUTHORITY POWERS, SUBSECTION (9)

Section A., Subsection (9) of the Member Agreement shall be deleted and amended to read as follows:

(9) The Regional Authority shall consist of twelve (12) representatives and no more than one (1) alternate per each Member. The governing body of each jurisdiction shall appoint (3) representatives and no more than one (1) alternate to the Regional Authority. The representatives and alternates shall serve at the will of the governing body, with each representative having one (1) vote at Regional Authority meetings. A Member's alternate(s) may vote when a representative(s) from that Member is unable to be present. In no event shall a Member have more than three (3) voting representatives count toward any vote at any Regional Authority meeting.

### II. SECTION A. AUTHORITY POWERS, SUBSECTION (10)

Section A., Subsection (10) of the Member Agreement shall be deleted in its entirety.

### III. SECTION D. OPERATION AND MAINTENANCE, SUBSECTION 2.

Section D., Subsection 2. of the Member Agreement shall be deleted and amended to read as follows:

2. The total net cost of operation and maintenance shall be borne ratably by the Members on a prisoner-per-day basis. The prisoner-per-day basis is calculated using a rolling three (3) year average of the aggregate number of days spent in the Regional Jail by persons committed from each Member as compared to the total aggregate number of days spent in the Regional Jail by all persons confined therein. This calculation determines each Member's ratable cost of the net cost of operation and maintenance.

### IV. SECTION F. ADMINISTRATION, SUBSECTION 3.

Section F., Subsection 3. of the Member Agreement shall be deleted and amended to read as follows:

3. The Regional Authority shall serve as the fiscal agent and shall maintain all financial records and accounting, including all funds received, deposited, disbursed,

collected, and spent, and make such records available for inspection by any Member during normal business hours.

### V. SECTION F. ADMINISTRATION, SUBSECTION 4.

Section F., Subsection 4. of the Member Agreement shall be deleted in its entirety.

### VI. SECTION H. ADDITIONAL PARTIES

Section H. of the Member Agreement shall be deleted and amended to read as follows:

- 1. Southampton County, Virginia shall be allowed to later join as a Member of this Regional Authority. In such event that Southampton County, Virginia wishes to become a Member of the Regional Authority, as compensation and reimbursement for its proportionate share of the initial costs covered by the Members and for any later costs for planning, design, construction and other capital outlay and purchase of other tangible personal property. Southampton County, Virginia shall also pay an additional sun, as represented and determined by the inflation factor based on the Consumer Price Index.
- 2. The City of Hampton, Virginia shall be allowed to join as a Member of this Regional Authority, provided it obtains approval of its governing body and all Member governing bodies. Upon approval, the City of Hampton may join and participate in this Member Agreement and the Regional Authority, under such additional terms and conditions as are set forth below.
  - a. In order for the City of Hampton, Virginia to be admitted as a Member to the Member Agreement, it shall agree:
    - i. To make a payment of five million, seven hundred thirty-six thousand, one hundred sixty-two dollars (\$5,736,162.00) to the Regional Authority, in addition to its required payments for prisoners as provided in Section D (2) of this Member Agreement. This payment covers the City of Hampton's share of construction costs and reserves for the Jail and shall be paid no later than three hundred sixty-five (365) days after joining the Regional Authority;
    - ii. That its share of costs for the first three (3) years shall be based on a fixed two hundred (200) inmate count and will adjust in year four (4) to a three (3) year rolling average;
    - iii. To provide transportation for its prisoners to and from the Regional Jail until the staffing of the Regional Jail's transportation corps has 85% of the approved and allocated corps. The Regional Jail shall be responsible for all transportation of Hampton prisoners to and from the Jail to medical appointments; and
    - iv. That for the first three (3) years of Hampton's membership, the Regional Jail shall be responsible for up to \$250,000.00 of costs incurred

resulting from costs for extraordinary medical care for Hampton prisoners housed at the Regional Jail for medical care that cannot be provided in the Regional Jail. Such figure represents the pro-rata share of the budget for expenses, based on the historical costs incurred on behalf of the Initial Member Jurisdictions. Any extraordinary medical costs for City of Hampton's prisoners over two hundred fifty-thousand dollar (\$250,000.00) annually, shall be paid by the City of Hampton. In the fourth year, these costs shall be incorporated into Hampton's base per diem rate at a level consistent with the rolling three (3) year average of expenses, as it is with the Initial Member Jurisdictions, unless otherwise agreed to by the Members.

### VI. SECTION I. OTHER PROVISIONS, SUBSECTION 4.

Section I., subsection 4 of the Member Agreement shall be deleted in its entirety.

IN WITNESS WHEREOF the Member have hereto have executed this Amendment to the Member Agreement on the day and year herein above written:

CITY OF SUFFOLK, VIRGINIA

By:	Date:	
City Manager		
ATTEST:		
Ву:	Date:	
City Clerk		
Approved as to Form:		
Ву:	Date:	
City Attorney		

### ISLE OF WIGHT COUNTY, VIRGINIA

By:	Date:
County Manager	
ATTEST:	
By:County Clerk	Date:
Approved as to Form:	
By:County Attorney	Date:
CITY OF FRANKLIN, VIRGINIA	
By:City Manager	Date:
ATTEST:	
By:City Clerk	Date:
Approved as to Form:	
By:	Date:

### CITY OF HAMPTON, VIRGINIA

Ву:	Date:
City Manager	
ATTEST:	
By:City Clerk	Date:
Approved as to Form:	
By:City Attorney	Date:



## RESOLUTION AMENDING THE AGREEMENT OF THE MEMBER JURISDICTIONS OF THE WESTERN TIDEWATER REGIONAL JAIL AUTHORITY OF NOVEMBER 1, 1990 Resolution #2024-19

WHEREAS, the City of Suffolk, Virginia, the County of Isle of Wight, Virginia, and the City of Franklin, Virginia entered into an agreement dated November 1, 1990, for the development, construction, operation and maintenance of the Western Tidewater Regional Jail Authority, pursuant to Title 53.1, Article 3.1, of the Code of Virginia; and

WHEREAS, the initial member of the Regional Authority consisted of the City of Suffolk, County of Isle of Wight, and the City of Franklin; and

WHEREAS, said Agreement limited the addition of new members to only the County of Southampton, Virginia; and

WHEREAS, the City of Hampton, Virginia has initiated a request to become a member of the Western Tidewater Regional Jail Authority and the Board is considering said City joining the Authority pursuant to Section 53.1-95.5 of the Code of Virginia; and

WHEREAS, the Authority is considering the City of Hampton becoming a member of the Authority subject to the Agreement of November 1, 1990 of the jurisdictions as amended; and

WHEREAS, the Authority and the City of Hampton have drafted the Amended and Restated Agreement for Creation of the Western Tidewater Regional Jail Authority, which said Authority and the City of Hampton are recommending to the jurisdictions of the City of Suffolk, County of Isle of Wight and City of Franklin for their approval and acceptance; and

**NOW, THEREFORE, I,** Robert "Bobby" Cutchins, Mayor on behalf of the and the City of Franklin City Council hereby requests that the Amended and Restated Agreement for Creation of the Western Tidewater Regional Jail Authority hereto attached be accepted and approved by the member jurisdictions of said Authority to allow the City of Hampton to join the Authority as an additional member, pursuant to § 53.1-95.5 of the Code of Virginia

Approved by the City Council of the City of Franklin, Virginia on July 8, 2024.

### **CERTIFICATE OF APPROVAL OF RESOLUTION**

The undersigned Clerk of the City Council of the City of Franklin hereby certifies that the Resolution set forth above was duly approved during an open meeting on July 8, 2024, by a majority of the members of the City Council of Franklin at a regular meeting with the following votes:

Aye:	Nay:
Abstentions:	Absent:
Signed this 8 <sup>th</sup> day of July, 2024.	
By: Clerk to City Council of the City of Frank	 Klin, Virginia

### **PUBLIC NOTICE**

### REGARDING SOUTHVIEW CEMETERY

In an effort to enhance the Southview Cemetery for the betterment of the entire community, the City of Franklin in conjunction with the Southview Cemetery Advisory Committee have posted rules and regulations at the entrance into Southview cemetery.

The regulations are in accordance with current City ordinances and state that the following items are not allowed:

- The placement of homemade markers on graves.
- The planting of trees, shrubs or plants.
- The placement of chairs or benches.
- The placement of fences, walkways or stoops.
- Anything objectionable or injurious to the appearance of the cemetery.

Any of these objects currently placed on graves that anyone wishes to keep will need to be removed prior to July 15, 2024.

The City will begin to remove and dispose of any objects in violation of the ordinance effective July 15, 2024.

Any questions about objects that may or may not be in violation should be directed to the Public Works Department at 757-562-8564.

# DROUGHT WATCH) ADVISORYDECLARATION

On June 24, 2024, the Virginia Department of Environmental Quality issued a Drought Watch Advisory Declaration for the City of Franklin and surrounding areas.

The advisory is intended to increase awareness of conditions for a drought when indicators in Virginia's Drought Assessment and Response plan have been met.

At this time, DEQ is requesting water users voluntarily minimize nonessential water use.

Statewide information on the current drought status is available on the DEQ website

FRANKLIN DEPARTMENT OF PARKS & RECREATION

## JULY 15.0 B RECREATION

WED.

FREE SHOW CONES

2:00pm-4:00pm | MLK Center 683 Oak St. Franklin, VA. 23851

MOEPENDENCE DAY CELEBRATION 4:00pm-9:30pm | Barrett's Landing

100 Barrett St. Franklin, VA. 23851

CHALLI OF

10:00am-3:00pm | Barrett's Landing 100 Barrett St. Franklin, VA. 23851

26

FAMILY POOL MORIT

3:00pm-7:00pm | Armory Drive Pool 920 Armory Dr. Franklin, VA. 23851

SMORES IN THE PARK

4:00pm-6:00pm | Barrett's Landing 100 Barrett St. Franklin, VA. 23851

FACEBOOK: FRANKLIN DEPARTMENT OF PARKS & RECREATION



For National Parks & Recreation month, come enjoy free sno-cones every Wednesday for the month of July!

2:00pm - 4:00pm

MLK Center: 683 Oak St. Franklin, VA. 23851

# CHALKUP THE CITY WITH LOVE

#CHALKITUPFRANKLIN



10:00am - 3:00pm

Barrett's Landing sidewalk/gazebo 100 Barrett Street Franklin, VA. 23851



Facebook: Franklin Department of Parks & Recreation