

AGENDA

FRANKLIN CITY COUNCIL

MONDAY, February 8, 2016 – CITY HALL COUNCIL CHAMBERS – 207 W. SECOND AVE.

7:00 P.M.**Regular Meeting**

CALL TO ORDER MAYOR RAYSTINE D. JOHNSON-ASHBURN
 PLEASE TURN OFF CELL PHONES MAYOR RAYSTINE D. JOHNSON-ASHBURN
 PLEDGE OF ALLEGIANCE
 CITIZENS' TIME

AMENDMENTS TO AGENDA

1. CONSENT AGENDA

- A. Minutes: January 12, 2016 Called Meeting
- B. Minutes: January 25, 2016 Regular Meeting

2. PUBLIC HEARING – (Continued from 01/25/16)

- A. Call To Order – Planning Commission
- B. Joint Public Hearing with Planning Commission
 - 1. Repeal & Re-Adopt Flood Plain Regulations (# 2016 – 01)
 - 2. Fee Changes to Cover Advertising Costs of Public Hearing Notices (# 2016 – 02)
- C. Planning Commission Recommendation Action & Adjournment
- D. Council Consideration of Ordinance Amendments # 2016 – 01 & # 2016 – 02

3. FINANCE

- A. FY 2015 – 2016 City Budget Ordinance Amendments # 2016 – 13 & # 2016 – 14
 - 1. Smart Beginnings Carryover
 - 2. Community Development Department – 1101 Armory Drive Nuisance Abatement
- B. Monthly Financial Report: December, 2015

4. OLD/NEW BUSINESS

- A. School Board Resolution Request
- B. Pretlow Farm Lease Amendment – H. Taylor Williams, City Attorney
- C. City Manager's Report

5. COUNCIL/STAFF REPORTS ON BOARDS & COMMISSIONS6. CLOSED SESSION

Closed Session - I move that the Franklin City Council meet in Closed Session to discuss a prospective business or industry where no previous announcement has been made of the business or industry's interest in locating its facilities in the community; to discuss the evaluation of departments when the discussion will involve performance of specific individuals; and, consult with the City Attorney pertaining to actual litigation, where such consultation or briefing in open session would adversely affect the litigating posture of the public body pursuant to Virginia Code Section 2.2 – 3711 (A) (1), (5) and (7).

Motion Upon Returning to Open Session- I move that the only matters discussed during the closed session were those lawfully exempted from open meeting requirements and identified in the motion by which the closed session was convened.

7. ADJOURNMENT

UPCOMING ITEMS TO BE SCHEDULED

The items below are intended to be reflective, and not inclusive of all subjects staff is working on to bring forward to City Council in the next two months. Both the time lines and subject matter are subject to change and should not be considered final.

SUBJECT**TENTATIVE TIME LINE**

**Joint City/County Utility Study Presentation
To City Council & County Supervisors**

**Wednesday, February 24, 2016
@ 6:00 p.m. @ Paul D. Camp
Community College Workforce
Development Center**

CONSENT AGENDA

- A. Minutes: January 12, 2016 Called Meeting
- B. Minutes: January 25, 2016 Regular Meeting

Franklin City Council Called Meeting Joint Session with Franklin City School Board

January 12, 2016 – 5:30 p.m.

Paul D. Camp Community College Workforce Development Center, Room 204

The Franklin City Council met on January 12, 2016 at 5:30 p.m. in Room 204 of the Workforce Development Center on the campus of Paul D. Camp Community College. The purpose of the joint meeting was to discuss Council / Board Relations and updates on current and future Capital Projects.

Call To Order/Introductions

Mayor Raystine Johnson-Ashburn called the meeting of the City Council to order. Mayor Johnson-Ashburn recognized all city representatives present.

Council Members in Attendance: Raystine D. Johnson-Ashburn, Mayor; Barry Cheatham, Vice-Mayor; Benny Burgess, Mary Hilliard, Frank Rabil, Mona Murphy and Greg McLemore.

Other City Officials in Attendance:

Randy Martin, City Manager and Taylor Williams, City Attorney.

Call To Order/School Board

Chairwoman King called the School Board meeting to order and recognized all school board members and others present. She noted that Mr. Council had stated he had a work conflict which prevented him from attending.

Board Members in Attendance: Edna King, Chairwoman; Nancy Godwin, Dr. Andrea Hall-Leonard, Vice-Chair (arrived twenty-five minutes late due to her work schedule), Verta Jackson, Jeanette Austin, and Robert Holt (Will Councill absent).

Other School Officials and Staff members in Attendance: Superintendent Willie J. Bell, Jr.; Pamela Kindred, Executive Secretary Recording Minutes; Kelvin Edwards, Sr., Director of Teaching, Learning and Accountability; Dr. Roy Geiger, state consultant assigned to the School Division by the Virginia Department of Education (VDOE).

Superintendent Bell introduced Dr. Geiger, who was the new academic officer representing VDOE. Dr. Geiger indicated his role would continue with the division until accreditation is complete in the systems' schools.

Purpose

Superintendent Bell and Manager Martin acknowledged that they would be sharing the role of facilitators for the meeting and stated that a primary goal for this session is to exchange information and generate dialogue between the Council and School Board aimed at improving communication and Council/Board relations.

The Superintendent and City Manager advised that they had collaborated to develop an agenda focused on achieving this goal. Members of the Council and School Board each received various documents in support of this effort.

Franklin City Council Called Meeting Joint Session with Franklin City School Board

January 12, 2016 – 5:30 p.m.

Paul D. Camp Community College Workforce Development Center, Room 204

Roles & Responsibilities

Superintendent Bell reviewed the Roles & Responsibilities of the School Board as established by the State of Virginia Department of Education. City Manager Martin likewise reviewed the Roles & Responsibilities of City Council related to schools. This step was done to ensure members of both boards were aware of everyone's roles and functions concerning Franklin City Public Schools.

Vision & Priorities

Superintendent Bell presented information on the School Board's adopted Vision/Mission Statement and the Strategic Plan adopted for the school system. Members of the School Board and others present commented on various aspects of these documents and programs aimed at achieving the goals outlined. Several examples of programs and activities aimed at achieving goals were discussed by those present.

City Manager Martin presented the Council adopted Vision Statement for the City and the adopted priorities for Education included in the City's goals/priorities aimed at achieving the vision. Members of Council and others present commented on various elements of the documents, and it was noted how various aspects of the two vision statements and priorities were similar and aligned.

Superintendent Bell reviewed highlights of several priorities of the schools and updated Council on numerous programs particularly the school system's actions aimed at upgrading technology utilizing funds provided by Council for this purpose particularly QZAB funding. Discussion ensued on a number of new programs initiated by the schools and recognition the system had received for some of its initiatives. It was agreed that it would be beneficial to better publicize and communicate these facts.

Academic matters and achievement were also discussed including specifically efforts aimed at college bound students and students who are inclined to pursue work related credentials in particularly trade or technical careers. All areas of the curriculum were discussed in this regard including extracurricular offerings and partnerships with other agencies and organizations in the technical, academic, cultural arts, fields, etc. The schools efforts in workforce development involving Opportunity, Inc. participation and funding programs were also discussed. School Officials advised they would expand communication efforts to Council and city officials for more events and activities through email.

City Manager Martin reported to both the Council and School Board on region wide efforts to encourage the General Assembly to increase the state's share of funding to reverse recent trends of decreased state education funding. He referenced a letter shared with all members from the Urban Crescent of Virginia signed by local municipal and school officials which formalized the request.

"Chat & Chew" Committee

The Superintendent and City Manager recommended the Council and School Board initiate quarterly meetings of a subcommittee comprised of the Mayor & Vice-Mayor, School Board Chair & Vice-Chair, the Superintendent and the City Manager to further communications efforts between the boards. This concept had been introduced in a previous joint meeting, but not yet implemented. The members of both boards by consensus endorsed this recommendation again. The consensus was the Committee should be initiated this spring.

Franklin City Council Called Meeting Joint Session with Franklin City School Board

January 12, 2016 – 5:30 p.m.

Paul D. Camp Community College Workforce Development Center, Room 204

Capital Projects Update

Superintendent Bell then provided updates on the results of the schools energy efficiency project, the technology and instruction related project status, and the updates to facilities particularly the roofs. The Superintendent reported all the roof projects were complete with the exception of the Charles Street Gymnasium roof replacement. Superintendent Bell noted that a delay had prevented completion due to questions raised about the historical status of the structure. Discussion ensued about the necessity to complete the project and the impacts further delays would have on the structure in terms of damages related to roof leaks. Superintendent Bell indicated he will follow up with Mr. Clyde Parker regarding historical considerations then move forward.

Superintendent Bell then provided an overview of school system planning efforts on a capital project to construct replacement classrooms for the aging modular classroom units at S. P. Morton Elementary School. A preliminary estimate for the project is \$3.56 million for a 28 classroom addition. The school system is ready to engage an architect to further design the facility and will be pursuing funding for the design in the near future.

The Superintendent noted that enrollment (ADM) totals thus far in the school year indicate student totals as compared to budget are up 12 students. He reviewed several reasons he believes this number is up.

Council and School Board members discussed various aspects of the capital outlay initiatives including the S. P. Morton classroom project. Support for the project planning to move forward was expressed.

Summary

Members of both the Council and School Board commented that they felt this meeting was fruitful. Superintendent Bell & Manager Martin then reviewed several “to do” items that resulted from the discussion in terms of follow up communications. The Superintendent and Manager thanked all present for attending and participating in the discussion.

Adjournment

The School Board then adopted a motion to adjourn. Councilman Burgess then made a motion to adjourn the joint called meeting. Councilman Rabil seconded, and the motion was approved by a 7 – 0 vote.

Mayor Johnson-Ashburn also thanked all for participating.

The Mayor declared the meeting adjourned at 8:21 p.m.

These Minutes for the January 12, 2016 Franklin City Council Called Meeting Joint Session with Franklin City School Board were adopted on the 8th day of February, 2016.

Mayor

Clerk to City Council

The Franklin City Council held its regular meeting on Monday, January 25, 2016 at 7:00 p.m. in the Council Chambers at City Hall.

Council Members in Attendance: Mayor Raystine D. Johnson-Ashburn; Barry Cheatham, Vice-Mayor; Benny Burgess, Mary Hilliard, Frank Rabil and Mona Murphy (Greg McLemore absent).

Staff in Attendance: Randy Martin, City Manager; Taylor Williams, City Attorney; Mark Bly, Director of Power and Light; Chief Vince Holt, Director of Emergency Services; Russ Pace, Director of Public Works; Carolyn Joyner, Human Resource Manager; Donald Goodwin, Community Development Director; Dinah Babb, Treasurer; Brenda Rickman, Commissioner of Revenue; Chief Phil Hardison, Police Department; Daniel Peak, Planning Commission Chairman; Harvey Darden, Planning Commission Board Member and Oscar Babb, Planning Commission Board Member.

Others in Attendance: Sergeant Todd Lyons, Franklin Police Department; Dan Howe, Executive Director of Downtown Franklin Association (DFA); Phillip Sherman, Community Development Department; and Thelma Picot, Treasurers' Office and Teresa Rose-McQuay; Administrative Assistant and Acting Secretary, Recording Minutes.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by everyone in attendance.

AMENDMENTS TO AGENDA

Vice-Mayor Cheatham made the motion to move Citizens' Time to follow the Consent Agenda and Councilman Rabil seconded it.

The motion was approved by a vote of 6 – 0 (Councilman McLemore absent).

There were no other amendments to the agenda.

Special Recognition of New Hire

Manager Martin recognized Dinah Babb, Treasurer to present the new hire in the Treasurers' Office; Mrs. Thelma Picot. Mrs. Picot joined the Treasurers' Office on the Treasurers' office busiest day of the year, tax day. Mrs. Picot has extensive banking experience which has helped greatly in her transition to the Treasurers' office. She is learning new job tasks daily and is very conscientious. She is dedicated and exhibits the desire to learn more. Mrs. Picot is married and has no children. Mayor Johnson-Ashburn welcomed Mrs. Picot to the City of Franklin. Everyone in attendance greeted Mrs. Picot with a round of applause.

Consent Agenda

Minutes: January 11, 2016 Regular Meeting

Mayor Johnson-Ashburn asked if there were any corrections or changes to the minutes. There being none, Vice-Mayor Cheatham made the motion to adopt the minutes as presented and Councilman Burgess seconded it.

The motion was approved by a vote of 6 – 0 (Councilman McLemore absent).

Departmental Reports

There were no questions or comments concerning the departmental reports.

CITIZENS' TIME

No one signed up to speak at Citizens' Time.

Public Comment for the Public Hearing on Zoning Ordinance Amendments # 2016 – 01 & - 02

Mayor Johnson-Ashburn opened the floor for comment in regards to the advertised Public Hearing for the Zoning Ordinance Amendments #2016 – 01 and #2016 – 02. Due to the absence of a quorum of the Planning Commission at the meeting, the Council agreed to hear comments from those present who desired to speak at the scheduled hearing.

Dan Howe, Executive Director, Downtown Franklin Association (DFA) and Franklin resident of 100 Gillette Court expressed his comments concerning the Repeal & Re-Adoption of flood plain regulations and fee changes to cover advertising costs of Public Hearing Notices. Mr. Howe said that there were a lot of positive points including the reduction in flood insurance rates for Franklin citizens and businesses. Mr. Howe expressed his approval of the Ordinance Amendments. Mr. Howe commented that anything that saves everyone money is always a positive.

Chief Vince Holt, Director of Emergency Services and resident of 401 Trail Road expressed how the flood regulation changes in the Ordinance Amendments are in line with the City's "All Hazard Mitigation Plan" that is currently being revised. The whole purpose of the mitigation plan is to look at how to mitigate hazards in a locality. Director Holt commented that the flood insurance savings for the city is a plus but prevention is the best course of action. Director Holt stated that the changes in the flood plain regulations would complement the "All Hazard Mitigation Plan". Chief Holt commended the Planning Commission and the City Council for their combined efforts and asked them to approve the actions.

Mayor Johnson-Ashburn asked if anyone else wished to speak and upon hearing none she closed the comment period. Mayor Johnson-Ashburn advised all in attendance that there was still not enough members present of the Planning Commission to constitute a quorum and asked for a motion to continue the Joint Meeting and Public Hearing to a future meeting date.

Vice-Mayor Cheatham made the motion to continue the Joint meeting and advertised Public Hearing on the proposed zoning ordinance amendments by the Franklin City Council and the Franklin Planning Commission to the next regularly scheduled meeting on February 8, 2016 at 7:00 p.m. Councilwoman Hilliard seconded the motion.

The motion was approved by a vote of 6 – 0 (Councilman McLemore absent).

Mayor Johnson-Ashburn thanked the three members of the Franklin Planning Commission in attendance for their service. Mayor Johnson-Ashburn asked Chairman Peak if would like to speak. Chairman Peak confirmed that the joint Planning Commission meeting & Public Hearing would be in conjunction with the next regularly scheduled City Council meeting on February 8, 2016.

Finance**FY 2014 – 2015 CAFR/AUDIT Presentation – Davis & Associates**

Mayor Johnson-Ashburn recognized Manager Martin to introduce the next item on the Agenda. Manager Martin informed Council that due to the severe weather in the Northern Virginia, Maryland and DC areas; the representative from Davis & Associates was unable to attend and present the FY 2014 – 2015 independent audit findings.

Manager Martin stated that Finance Director Rollins was present if there were any questions regarding the CAFR; however, due to the absence of the auditor the audit portion of the presentation would not be done. Manager Martin recognized Director Rollins and the Finance Department for completing the City's Comprehensive Annual Financial Report (CAFR) in a timely manner and in a form that will hopefully result in receiving the Governor's Finance Office Award (GFOA) for a fourth consecutive year. Manager Martin stated that he was pleased that the City received a clean or unmodified report from the auditor which is the most positive opinion option possible. Manager Martin commended all the departments for their cooperation and assistance with the completion of the audit. Manager Martin stated that Director Rollins could answer questions if the Council had any. Councilman Burgess stated that he would rather ask questions of the auditor. It was the consensus of Council to postpone discussion on this item to a future meeting when the auditor could be present.

FY 2015 – 2016 City Budget Ordinance Amendment # 2016 – 12

Manager Martin deferred to Director Rollins to present the Budget Ordinance Amendment. During the November regular meeting, City Council was advised of the critical need to upgrade the City's Portable Communication Channel Radio equipment. The cost as submitted by the Police Chief for a portion of the equipment upgrade is \$30,602.50 to include replacement of combiner cans at \$25,602.50 and isolators at \$5,000. The request is to use available funds in the City's Contingency Fund to cover the cost of this equipment.

Councilwoman Murphy made the motion to adopt City Budget Ordinance Amendment # 2016 – 12 authorizing a budget transfer from the Contingency Fund to the Police Department budget (communication equipment) in the amount of \$31,000 to cover the cost of essential emergency communication equipment and Vice-Mayor Cheatham seconded the motion.

Mayor Johnson-Ashburn asked if there were any questions or comments on the motion to approve City Budget Ordinance Amendment # 2016 – 12. Upon hearing no further questions or comments she asked the Council to vote.

The motion was approved by a vote of 6 – 0 (Councilman McLemore absent).

Councilman Burgess asked when the system would be restored to full capacity. Manager Martin asked Chief Hardison to verify the timeframe expected. Chief Hardison stated that it depended upon the arrival of the equipment. Once received; it could be installed quickly. The Manager estimated a week to install once delivery was made assuming no other issues arise.

OLD/NEW BUSINESS**Franklin Business Incubator Name Change Recommendation**

Councilman Burgess reminded Council that he had reported previously on the possibility of a change in the name of the facility. The Franklin Business Incubator Advisory Board has recommended that the name of the “Franklin Business Incubator” be changed to the “Franklin Business Center”. The City Attorney has indicated that there are no legal impediments to changing the name of the building and that it would only impact the sign outside and internal marketing materials.

After further discussion, Councilman Burgess made the motion to approve the name change as recommended by the Advisory Committee. Councilman Rabil seconded the motion. Mayor Johnson-Ashburn asked if there were any other comments or questions. Upon hearing none; Council voted.

The motion was approved by a vote of 6 – 0 (Councilman McLemore absent).

City Manager’s Report

Manager Martin commended all Emergency Service Department personnel and other impacted city departments for their performance this past weekend responding to the winter storm that came through. Manager Martin stated there were no significant issues that resulted from the adverse weather conditions that the City experienced. Manager Martin stated that the Police, Fire & EMS, Public Works and Public Utilities departments did an outstanding job.

COUNCIL/STAFF REPORTS ON BOARDS & COMMISSIONS

Councilman Burgess reported on the Franklin Business Center (formerly Incubator) Board meeting held last week and thanked Council for approving the name change. Councilman Burgess distributed to Council handouts detailing the rent calculations and the economic impact from 2006 – 2014 for the Franklin Business Center. Councilman Burgess detailed the services that are included in the rent for the tenants and stated that the rent is in line with other downtown businesses. Councilman Burgess stated that the goal of the Franklin Business Center is to help new businesses get established and grow. There have been seven businesses to date that have graduated from the Center and have stayed in the Franklin community.

Vice-Mayor Cheatham reported on the Western Tidewater Jail Authority Board meeting. Vice-Mayor Cheatham stated that it was a regular meeting and the upgrading for the Utilities is still underway. He shared that the upgrade is progressing nicely. Vice-Mayor Cheatham shared that the jail is meeting and exceeding their goals on saving with the upgrades to the Utilities. Vice-Mayor Cheatham shared that the Jail has already started working on their new budget but it would be premature to say anything any further on the subject.

Manager Martin reported on the Hampton Roads Regional meetings: Hampton Roads Planning District Commission (HRPDC), Hampton Roads Transportation Planning Organization (HRTPO) and the Hampton Roads Transportation Accountability Commission (HRTAC). Manager Martin reported that these were regular meetings. Manager Martin shared that he hoped that the HRPDC would print the handbook with valuable statistical information for the region that was distributed last year.

Manager Martin shared that one significant project had been recommended for funding in the Senate Bill Two funding allocation formula adopted by the General Assembly. This is a new funding mechanism used by the Virginia Department of Transportation (VDOT) to rank and determine funding for highway projects. Manager Martin stated that the good news is that with this award; \$650,000 will be used to put stop lights at the intersection and off ramps of Armory Drive and General Thomas Highway off of U. S. Route 58. Manager Martin stated that the increased congestion at the location is due to the increased truck traffic creating difficulties since the new Enviva plant opening and other businesses in the County have developed. The addition of stoplights at this intersection will relieve some of the traffic congestion that is currently presenting problems.

Attorney Williams reported on the Southeastern Public Service Authority (SPSA) meeting. Attorney Williams reminded Council of the December 14, 2015 Council meeting where they were presented with a Board Reviewed Draft Use and Support Agreement for Post 2018. Attorney Williams stated that we are less than two years away from the expiration of the current Use and Support Agreement. Currently the SPSA board is in the process of looking at vendors. Attorney Williams advised Council that the City of Franklin received a resolution from the City of Virginia Beach asking for a 50 year planning period in the upcoming Use and Support Agreement. Attorney Williams advised Council that they would be coming back to Council to discuss and ask for action on the Post 2018 Use and Support Agreement in the near future.

Closed Session

Councilwoman Hilliard made the motion that the Franklin City Council meet in Closed Session to discuss the disposition of publicly held real property, where discussion in an open meeting would affect the bargaining position or negotiating strategy of the public body; and for the discussion and consideration of the performance, appointment, salaries and resignation of city employees and the evaluation of departments when the discussion will involve performance of specific individuals pursuant to Virginia Code Section 2.2 – 3711 (A) (1) and (3). Councilwoman Murphy seconded the motion.

The motion was approved by a 6 – 0 vote (Councilman McLemore absent).

The Council entered into closed session at 7:41 p.m.

Mayor Johnson-Ashburn reconvened the open session at the conclusion of the closed session and requested a motion certifying the closed session.

Councilman Rabil made a motion certifying that the only matters discussed during the closed session were those lawfully exempted from open meeting requirements and identified in the motion by which the closed session was convened. The motion was seconded by Vice-Mayor Cheatham.

The motion was approved by a 6 – 0 vote (Councilman McLemore absent).

Action Item

Councilman Burgess made a motion to approve the City Manager's recommendation to: 1) reinstate the bonus program aimed at enhancing police officer recruiting efforts by offering a one-time signing bonus to certified police officer candidates who are hired in the amount of \$5,000; and to institute a non-certified police officer recruit one-time signing bonus of \$3,000 when they are hired. The certified officers would enter into an agreement to work a minimum of 36 months for the city or repay a prorated portion of the bonus. Non-certified police officer recruits would enter into an agreement to work a minimum of 36 months after becoming certified. If not, they would repay a prorated portion of the bonus. Non-certified officers would enter into this service agreement and the city would discontinue use of the formerly utilized agreement requiring repayment of training costs incurred prior to certification. 2) to reinstate the tuition reimbursement policy use contingent upon funding to be allocated in the budget process; 3) to amend the policy of the city regarding the use of officer take home vehicles to allow discretion to the administration to modify the policy when necessary to benefit officer recruitment and retention efforts; and, 4) to adopt a revised Police Officer salary structure effective immediately which increases the minimum, middle and maximum pay grades for each position by \$5,000 with each sworn police officer receiving a \$5,000 increase in annual salary commencing with the next payroll period. This salary adjustment is being implemented to improve certified officer retention efforts. The motion was seconded by Councilman Rabil and approved by a 6 – 0 vote (Councilman McLemore absent).

Adjournment

Councilwoman Murphy made a motion to adjourn the meeting which was seconded by Vice-Mayor Cheatham.

The motion was approved by a 6 – 0 vote (Councilman McLemore absent).

Mayor Johnson-Ashburn declared the meeting adjourned at 9:06 p.m.

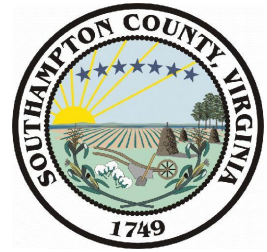
These Minutes for the January 25, 2016 City Council Meeting were adopted on the 8th day of February, 2016.

Mayor

Clerk to City Council

PUBLIC HEARING

- A. Call To Order – Planning Commission
- B. Joint Public Hearing with Planning Commission
 - 1. Repeal & Re-Adopt Flood Plain Regulations (# 2016 – 01)
 - 2. Fee Changes to Cover Advertising Costs of Public Hearing Notices (# 2016 – 02)
- C. Planning Commission Recommendation Action & Adjournment
- D. Council Consideration of Ordinance Amendments # 2016 – 01 & # 2016 – 02



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING - BUILDING INSPECTIONS – ZONING**

TO: MEMBERS OF THE PLANNING COMMISSION AND CITY COUNCIL
From: Donald E. Goodwin, CBO, CFM, Director of Community Development
Subject: Staff Report for the Amendments to Article XXI: Flood Plain Regulations
Date: January 13, 2016 (**Public Hearing/Joint Meeting continued from the January 25, 2016 Council Meeting**)

REQUEST

This request comes to Council as a result of the City's last Community Assistance Visit (CAV) from the Virginia Department of Conservation and Recreation (DCR) conducted on site May 24, 2013. It was noted that the City's flood plain ordinance had not been updated to reflect the changes that had been made to the Code of Federal Regulation. In developing floodplain management ordinances, communities who want to participate in the national Flood Insurance program must at least meet minimum regulatory standards in Title 44 of the Code of Federal Regulation (44 CFR) administered by the Federal Emergency Management Agency (FEMA). National Flood Insurance Program (NFIP) standards and policies are reviewed periodically and revised when appropriate. When such administrative changes are made or when flood insurance rate maps (FIRMs) are updated, community floodplain management ordinances also must be revised and updated accordingly.

HIGHER STANDARDS

The NFIP regulatory standards are minimums. They may not be all of the necessary measures to protect health, safety and welfare in our community. Therefore, we are encouraged to enact more restrictive requirements where needed to better protect people and properties from the local flood hazard. Many of these more restrictive requirements are eligible for credit under the Community Rating System (CRS), a program which provides insurance premium discounts to policyholders in communities with more restrictive floodplain management programs. The most common higher standard is a freeboard requirement. A 24" or 2 foot freeboard requirement is being recommended in this amended ordinance. The attached FEMA flier defines freeboard and provides an overview of the flood insurance premium savings for a single family home.

PUBLIC NOTICE

Notice has been properly advertised in accordance with Virginia Code Section 15.2-2204.

RECOMMENDED ACTION:

1. Motion to repeal and readopt Article XXI: Flood Plain Regulations of the City of Franklin Zoning Ordinance to include the twenty four (24) inch freeboard higher standard per the Planning Commission's recommendation.

FRANKLIN 6 SOUTHAMPTON
DEPARTMENT OF COMMUNITY DEVELOPMENT
207 WEST SECOND AVENUE, FRANKLIN VIRGINIA 23851
OFFICE: 757-562-8580 FAX: 757-562-0870



Building Higher in Flood Zones: Freeboard – Reduce Your Risk, Reduce Your Premium

One way flood risk is communicated is through maps that show base flood elevations (BFEs), or the height floodwaters would reach during a 1-percent-annual-chance flood in any given year.

Freeboard is a term used by FEMA’s National Flood Insurance Program (NFIP) to describe a factor of safety usually expressed in feet above the 1-percent-annual-chance flood level. The NFIP requires the lowest floor of structures built in Special Flood Hazard Areas (SFHAs) to be at or above the BFE, so a structure built with freeboard would have its lowest floor 1 foot or more above the BFE. Adding freeboard will reduce NFIP insurance premiums.

Benefits of Freeboard

There are many benefits to incorporating freeboard into new construction plans, the most important being safety (Figure 1). Freeboard provides a margin of safety against extraordinary or unknown flood risk. BFEs reflect estimates of flood risk, but there are many unknown factors that can cause flood heights to rise above the BFE, such as wave action, bridge and culvert openings being blocked by debris, and development in the floodplain. It is important to remember that floods more severe than the 1-percent-annual-chance event can and do occur.

Other benefits of freeboard include incurring less damage, easier and faster cleanup after a flood event, and lower flood insurance rates. Incorporating freeboard into building plans can result in substantial savings in flood insurance premiums each year, especially for buildings located in Zone V (a coastal flood zone at risk from wave action). Figure 2 shows potential flood insurance rates based on the amount of freeboard in both riverine (Zone AE) and coastal (Zone VE) environments.

Communities that incorporate freeboard into their local floodplain ordinances can earn discounts on flood insurance by participating in the NFIP’s Community Rating System (CRS) program. CRS rewards communities that engage in floodplain management activities that exceed NFIP standards by offering discounts of up to 45 percent on flood insurance policies written for SFHAs in NFIP-participating communities.



Figure 1: House elevated above the BFE with 1 foot of freeboard

What is Floodplain Management?

Floodplain management is the operation of a program of preventive and corrective measures for reducing flood damage. FEMA helps communities develop floodplain management regulations that comply with NFIP regulations. Communities may adopt more restrictive regulations. Community officials may have knowledge of local conditions that require higher standards than the NFIP regulations, particularly for human safety.

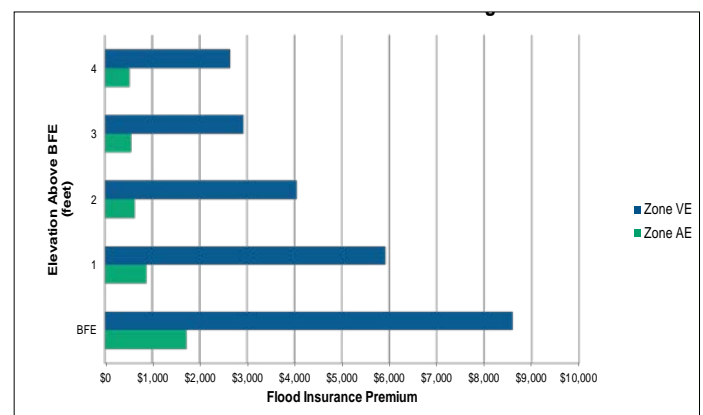


Figure 2: Maximum coverage for a \$250,000 residential building and \$100,000 contents

Benefit-Cost Comparison

Incorporating freeboard into new construction is extremely cost effective. The up-front costs are generally only about 0.25 to 1.5 percent of the total construction costs for each foot of freeboard. However, the long-term savings on flood insurance will more than offset these costs.

For example, adding 2 feet of freeboard to a new home might add \$20 a month to the mortgage payment, or \$240 per year. The resulting flood insurance savings could be more than \$1,000 a year for a building in Zone AE (for instance, in a riverine flood zone not affected by wave action) and \$2,000 a year in Zone VE.

Many States and communities have incorporated freeboard requirements into the elevation and floodproofing requirements stipulated by the NFIP. Freeboard requirements can range from 6 inches to 4 feet, and it would be up to the community to decide what is most appropriate given their location and other community conditions.

Historically Speaking...

Freeboard was (and still is) a nautical term. It refers to the height of a ship's deck above the waterline. If you think of the lowest floor of your house as the deck of your ship, and the BFE as the height of the sea, freeboard is the extra height that keeps the larger waves off your deck.

FOR MORE INFORMATION...

FEMA's Floodplain Management Branch

About floodplain management's role in the NFIP:
<http://www.fema.gov/floodplain-management>

FEMA 347 – Above the Flood: Elevating Your Floodprone House:

<http://www.fema.gov/media-library/assets/documents/725?id=1424>

FEMA 312 – Homeowner's Guide to Retrofitting:

<http://www.fema.gov/media-library/assets/documents/480?id=1420>

Homebuilder's Guide to Coastal Construction:

A series of fact sheets providing information about responsible building practices including freeboard.
<http://www.fema.gov/library/viewRecord.do?id=2138>

FloodSmart

Information for consumers and insurance agents about flood insurance and the NFIP.
www.FloodSmart.gov



Updated Freeboard by locality

Locality	Freeboard
Chesapeake	1.5'
Franklin	None (2' proposed)
Gloucester	2'
Hampton	3' (also 1.5' above grade in x500/shaded X)
Isle of Wight	1.5'
James City	2'
Newport News	2'
Norfolk	3' (also 1.5' above grade in x500/shaded X)
Poquoson	3'
Portsmouth	3'
Southampton	1'
Suffolk	1' (Coastal A and VE Zones only; BFE all other SFHA)
Surry	None
Virginia Beach	2'
Williamsburg	None
York	3' (4' in Coastal AE)

Resource: Hampton roads Planning District Commission 9-23-15

ORDINANCE NO.2016 - 01

THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA DOES ORDAIN AS FOLLOWS:

TO AMEND APPENDIX B OF THE CITY CODE; THE CITY OF FRANKLIN ZONING ORDINANCE TO REPEAL AND READOPT ARTICLE XXI: FLOOD PLAIN REGULATIONS TO COMPLY WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY OF THE DEPARTMENT OF HOMELAND SECURITY TO READ AS FOLLOWS.

CHAPTER I - GENERAL PROVISIONS

Section 1.1 ó Statutory Authorization and Purpose [44 CFR 59.22(a)(2)]

This ordinance is adopted pursuant to the authority granted to localities by Va. Code § 15.2 - 2280.

The purpose of these provisions is to prevent: the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by

- A. regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and frequencies;
- B. restricting or prohibiting certain uses, activities, and development from locating within districts subject to flooding;
- C. requiring all those uses, activities, and developments that do occur in flood-prone districts to be protected and/or flood-proofed against flooding and flood damage; and,
- D. protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

Section 1.2 ó Applicability

These provisions shall apply to all privately and publicly owned lands within the jurisdiction of the City of Franklin and identified as areas of special flood hazard shown on the flood insurance rate map (FIRM) or included in the flood insurance study (FIS) that are provided to the City by FEMA.

Section 1.3 - Compliance and Liability

- A. No land shall hereafter be developed and no structure shall be located, relocated, constructed, reconstructed, enlarged, or structurally altered except in full compliance with the terms and provisions of this ordinance and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this ordinance.
- B. The degree of flood protection sought by the provisions of this ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study, but does not imply total flood protection. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that districts outside the floodplain district or land uses permitted within such district will be free from flooding or flood damages.
- C. This ordinance shall not create liability on the part of the City or any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

Section 1.4 ó Records [44 CFR 59.22(a)(9)(iii)]

Records of actions associated with administering this ordinance shall be kept on file and maintained by or under the direction of the Floodplain Administrator in perpetuity.

Section 1.5 - Abrogation and Greater Restrictions [44 CFR 60.1(b)]

To the extent that the provisions are more restrictive, this ordinance supersedes any ordinance currently in effect in flood-prone districts. To the extent that any other existing law or regulation is more restrictive or does not conflict it shall remain in full force and effect.

These regulations are not intended to repeal or abrogate any existing ordinances including subdivision regulations, zoning ordinances or building codes. In the event of a conflict between these regulations and any other ordinance, the more restrictive shall govern.

Section 1.6 - Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatever, such decision shall not affect the remaining portions of this ordinance. The remaining portions shall remain in full force and effect; and for this purpose, the provisions of this ordinance are hereby declared to be severable.

Section 1.7 - Penalty for Violations [44 CFR 60.2(e)]

Any person who fails to comply with any of the requirements or provisions of this article or directions of the director of planning or any authorized employee of the City of Franklin shall be guilty of the appropriate violation and subject to the penalties thereof.

The VA USBC addresses building code violations and the associated penalties in Section 104 and Section 115. Violations and associated penalties of the Zoning Ordinance of the City of Franklin are addressed in appropriate sections of the Zoning Ordinance.

In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this article. The imposition of a fine or penalty for any violation of, or noncompliance with, this article shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations within a reasonable time. Any structure constructed, reconstructed, enlarged, altered or relocated in noncompliance with this article may be declared by the City to be a public nuisance and abatable as such. Flood insurance may be withheld from structures constructed in violation of this article.

CHAPTER II - ADMINISTRATION

Section 2.1 - Designation of the Floodplain Administrator [44 CFR 59.22(b)]

The Zoning Administrator is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator. The Floodplain Administrator may:

- (A) Do the work themselves. In the absence of a designated Floodplain Administrator, the duties are conducted by a Floodplain Manager who has received Certification as a Certified Floodplain Manager from the Association of State Floodplain Managers, Inc. or other state accredited program.
- (B) Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees.
- (C) Enter into a written agreement or written contract with another community or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

Section 2.2 - Duties and Responsibilities of the Floodplain Administrator [44 CFR 60.3]

The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

- (A) Review applications for permits to determine whether proposed activities will be located in the Special Flood Hazard Area (SFHA).
- (B) Interpret floodplain boundaries and provide available base flood elevation and flood hazard information.
- (C) Review applications to determine whether proposed activities will be reasonably safe from flooding and require new construction and substantial improvements to meet the requirements of these regulations.
- (D) Review applications to determine whether all necessary permits have been obtained from the Federal, State or local agencies from which prior or concurrent approval is required; in particular, permits from state agencies for any construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any alteration of a watercourse, or any change of the course, current, or cross section of a stream or body of water, including any change to the 100-year frequency floodplain of free-flowing non-tidal waters of the State.
- (E) Verify that applicants proposing an alteration of a watercourse have notified adjacent communities, the Department of Conservation and Recreation (Division of Dam Safety

and Floodplain Management), and other appropriate agencies (VADEQ, USACE) and have submitted copies of such notifications to FEMA.

(F) Advise applicants for new construction or substantial improvement of structures that are located within an area of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act that Federal flood insurance is not available on such structures; areas subject to this limitation are shown on Flood Insurance Rate Maps as Coastal Barrier Resource System Areas (CBRS) or Otherwise Protected Areas (OPA).

(G) Approve applications and issue permits to develop in flood hazard areas if the provisions of these regulations have been met, or disapprove applications if the provisions of these regulations have not been met.

(H) Inspect or cause to be inspected, buildings, structures, and other development for which permits have been issued to determine compliance with these regulations or to determine if non-compliance has occurred or violations have been committed.

(I) Review Elevation Certificates and require incomplete or deficient certificates to be corrected.

(J) Submit to FEMA, or require applicants to submit to FEMA, data and information necessary to maintain FIRMs, including hydrologic and hydraulic engineering analyses prepared by or for the City, within six months after such data and information becomes available if the analyses indicate changes in base flood elevations.

(K) Maintain and permanently keep records that are necessary for the administration of these regulations, including:

(1) Flood Insurance Studies, Flood Insurance Rate Maps (including historic studies and maps and current effective studies and maps) and Letters of Map Change; and

(2) Documentation supporting issuance and denial of permits, Elevation Certificates, documentation of the elevation (in relation to the datum on the FIRM) to which structures have been floodproofed, inspection records, other required design certifications, variances, and records of enforcement actions taken to correct violations of these regulations.

(L) Enforce the provisions of these regulations, investigate violations, issue notices of violations or stop work orders, and require permit holders to take corrective action.

(M) Advise the Board of Zoning Appeals regarding the intent of these regulations and, for each application for a variance, prepare a staff report and recommendation.

(N) Administer the requirements related to proposed work on existing buildings:

- 1) Make determinations as to whether buildings and structures that are located in flood hazard areas and that are damaged by any cause have been substantially damaged.
- 2) Make reasonable efforts to notify owners of substantially damaged structures of the need to obtain a permit to repair, rehabilitate, or reconstruct. Prohibit the non-compliant repair of substantially damaged buildings except for temporary emergency protective measures necessary to secure a property or stabilize a building or structure to prevent additional damage.

(O) Undertake, as determined appropriate by the Floodplain Administrator due to the circumstances, other actions which may include but are not limited to: issuing press releases, public service announcements, and other public information materials related to permit requests and repair of damaged structures; coordinating with other Federal, State, and local agencies to assist with substantial damage determinations; providing owners of damaged structures information related to the proper repair of damaged structures in special flood hazard areas; and assisting property owners with documentation necessary to file claims for Increased Cost of Compliance coverage under NFIP flood insurance policies.

(P) Notify the Federal Emergency Management Agency when the corporate boundaries of the City have been modified and:

- (1) Provide a map that clearly delineates the new corporate boundaries or the new area for which the authority to regulate pursuant to these regulations has either been assumed or relinquished through annexation; and

- (2) If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

(Q) Upon the request of FEMA, complete and submit a report concerning participation in the NFIP which may request information regarding the number of buildings in the SFHA, number of permits issued for development in the SFHA, and number of variances issued for development in the SFHA.

(R) It is the duty of the Floodplain Administrator to take into account flood, mudslide and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use throughout the entire jurisdictional area of the Community, whether or not those hazards have been specifically delineated geographically (e.g. via mapping or surveying).

Section 2.3 - Use and Interpretation of FIRMs [44 CFR 60.3]

The Floodplain Administrator shall make interpretations, where needed, as to the exact location of special flood hazard areas, floodplain boundaries, and floodway boundaries. The following shall apply to the use and interpretation of FIRMs and data:

(A) Where field surveyed topography indicates that adjacent ground elevations:

(1) Are below the base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as special flood hazard area and subject to the requirements of these regulations;

(2) Are above the base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the SFHA.

(B) In FEMA-identified special flood hazard areas where base flood elevation and floodway data have not been identified and in areas where FEMA has not identified SFHAs, any other flood hazard data available from a Federal, State, or other source shall be reviewed and reasonably used.

(C) Base flood elevations and designated floodway boundaries on FIRMs and in FISs shall take precedence over base flood elevations and floodway boundaries by any other sources if such sources show reduced floodway widths and/or lower base flood elevations.

(D) Other sources of data shall be reasonably used if such sources show increased base flood elevations and/or larger floodway areas than are shown on FIRMs and in FISs.

(E) If a Preliminary Flood Insurance Rate Map and/or a Preliminary Flood Insurance Study has been provided by FEMA:

(1) Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and shall replace the flood hazard data previously provided from FEMA for the purposes of administering these regulations.

(2) Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall be deemed the best available data pursuant to Section 3.1.A.3. and used where no base flood elevations and/or floodway areas are provided on the effective FIRM.

(3) Prior to issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data is permitted where the preliminary base flood elevations or floodway areas exceed the base flood elevations and/or designated

floodway widths in existing flood hazard data provided by FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.

Section 2.4 - Jurisdictional Boundary Changes [44 CFR 59.22, 65.3]

The City floodplain ordinance in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements for participation in the National Flood Insurance Program. Municipalities with existing floodplain ordinances shall pass a resolution acknowledging and accepting responsibility for enforcing floodplain ordinance standards prior to annexation of any area containing identified flood hazards. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

In accordance with the Code of Federal Regulations, Title 44 Subpart (B) Section 59.22 (a) (9) (v) all NFIP participating communities must notify the Federal Insurance Administration and optionally the State Coordinating Office in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area.

In order that all Flood Insurance Rate Maps accurately represent the community's boundaries, a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority must be included with the notification.

Section 2.5 - District Boundary Changes

The delineation of any of the Floodplain Districts may be revised by the City where natural or man-made changes have occurred and/or where more detailed studies have been conducted or undertaken by the U. S. Army Corps of Engineers or other qualified agency, or an individual documents the need for such change. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency. A completed LOMR is a record of this approval.

Section 2.6 - Interpretation of District Boundaries

Initial interpretations of the boundaries of the Floodplain Districts shall be made by the Zoning Administrator. Should a dispute arise concerning the boundaries of any of the Districts, the Board of Zoning Appeals shall make the necessary determination. The person questioning or contesting the location of the District boundary shall be given a reasonable opportunity to present his case to the Board and to submit his own technical evidence if he so desires.

Section 2.7 ó Submitting Model Backed Technical Data [44 CFR 65.3]

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Emergency Management Agency of the changes by submitting technical or scientific data. The community may submit data via a LOMR. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.

Section 2.8 ó Letters of Map Revision

When development in the floodplain will cause or causes a change in the base flood elevation, the applicant, including state agencies, must notify FEMA by applying for a Conditional Letter of Map Revision and then a Letter of Map Revision.

Example cases:

- Any development that causes a rise in the base flood elevations within the floodway.
- Any development occurring in Zones A1-30 and AE without a designated floodway, which will cause a rise of more than one foot in the base flood elevation.
- Alteration or relocation of a stream (including but not limited to installing culverts and bridges) *44 Code of Federal Regulations §65.3 and §65.6(a)(12)*

CHAPTER III - ESTABLISHMENT OF ZONING DISTRICTS

Section 3.1 - Description of Special Flood Hazard Districts [44 CFR 59.1, 60.3]

A. Basis of Districts

The various special flood hazard districts shall include the SFHAs. The basis for the delineation of these districts shall be the FIS and the FIRM for the City of Franklin prepared by the Federal Emergency Management Agency, Federal Insurance Administration, revised and dated September 4, 2002, and any subsequent revisions or amendments thereto.

The City may identify and regulate local flood hazard or ponding areas that are not delineated on the FIRM. These areas may be delineated on a "Local Flood Hazard Map" using best available topographic data and locally derived information such as flood of record, historic high water marks or approximate study methodologies.

The boundaries of the SFHA Districts are established as shown on the FIRM which is declared to be a part of this ordinance and which shall be kept on file at the Franklin Southampton Department of Community Development office.

1. The **Floodway District** is in an **AE Zone** and is delineated, for purposes of this ordinance, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the one percent annual chance flood without increasing the water surface elevation of that flood more than one (1) foot at any point. The areas included in this District are specifically defined in Sections 4.0 and 5.0 of the above-referenced FIS and shown on the accompanying FIRM.

The following provisions shall apply within the Floodway District of an AE zone [44 CFR 60.3(d)]:

- a. Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently-accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the Floodplain Administrator.
- b. Permitted Uses: In the floodway district, the following uses and activities are permitted, provided that they are in compliance with the provisions of the underlying district and are not prohibited by any other ordinance and provided they do not require structures, fill, or storage of materials and equipment:

- Agricultural uses such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming, and wild crop harvesting
 - Public and private recreational uses and activities such as park, day camps, picnic grounds, golf courses, boat launching and swimming areas, hiking and horseback trails, wildlife and nature preserves, game farms, fish hatcheries and hunting and fishing areas
 - Accessory residential uses such as yard areas, gardens, play areas and pervious loading areas
 - Accessory industrial and commercial uses such as yard areas, pervious parking and loading areas, airport landing strips, etc.
- c. Uses permitted by Conditional Use Permit when authorized by the Board of Zoning Appeals: The following uses and activities may be permitted by conditional use permit, provided that they are in compliance with the provisions of the underlying district and are not prohibited by this article or any other ordinance:
- Utilities and public facilities and improvements such as railroads, streets, bridges, transmission lines, pipelines, water and sewage treatment plants and other similar or related uses
 - Water-related uses and activities such as marinas, docks, wharves, piers, etc
 - Extraction of sand, gravel and other materials, where no increase in level of flooding or velocity is caused thereby
 - Storage of materials and equipment, provided that they are not buoyant, flammable or explosive and are not subject to major damage by flooding, or provided that such material and equipment is firmly anchored to prevent flotation or movement and/or can be readily removed from the area within the time available after flood warning
 - Other similar uses and activities, provided they cause no increase in flood heights and/or velocities. All uses, activities and structural development shall be undertaken in strict compliance with the floodproofing provisions contained in all other applicable codes and ordinances
- d. Development activities which increase the water surface elevation of the base flood may be allowed, provided that the applicant first applies to the locality for its endorsement for a Conditional Letter of Map Revision (CLOMR), and receives the approval of the Federal Emergency Management Agency.

If Article III Section 3.1 A 1 a is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 4.

- e. The placement of manufactured homes (mobile homes) is prohibited, except in an existing manufactured home (mobile home) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home

park or subdivision provided the anchoring, elevation, and encroachment standards are met.

f. Conditional use permits, special exceptions and variances

In passing applications for conditional use permits and special exceptions, the board of zoning appeals, shall satisfy all relevant factors and procedures specified in other sections of this chapter and the following factors:

- The danger to life and property due to increased flood heights or velocities caused by encroachments. No special use permit or special exception shall be granted for any proposed use, development, or activity within the floodway district that will cause any increase in flood levels during the one percent annual chance flood.
- The danger that materials may be swept onto other lands or downstream to the injury of others.
- The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
- The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
- The importance of the services provided by the proposed facility to the community.
- The availability of alternative locations not subject to flooding for the proposed use.
- The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
- The safety of access to the property in time of flood of ordinary and emergency vehicles.
- The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters expected at the site.
- Such factors which are relevant to the purposes of this article.

The board of zoning appeals may refer any application and accompanying documentation pertaining to any request for a special exception to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities and the adequacy of the plans for protection and other related matters.

Conditional use permits and/or special exceptions shall only be issued after the board of zoning appeals has determined that the granting of such will not (1) result in unacceptable or prohibited increases in flood heights, (2) result in additional threats to public safety, (3) result in extraordinary public expense, (4) create nuisances, (5) cause fraud or victimization of the public, or (6) conflict with local laws or ordinances.

The board of zoning appeals shall notify the applicant for a conditional use permit and/or special exception, in writing, that the issuance of a conditional use permit and/or special exception to construct a structure below the freeboard height from the one percent chance per year flood event

(1) increases the risks to life and property, and (2) will result in increased premium rates for flood insurance. A record of such notification, as well as all permit and variance actions, including justification for their issuance, shall be maintained, and any permit variances which are issued shall be noted in the annual report submitted to the federal insurance administrator.

2. The **AE, or AH Zones** on the FIRM accompanying the FIS shall be those areas for which one-percent annual chance flood elevations have been provided.

The current FIRM/FIS shows no AH Zones within the jurisdiction.

The current FIRM/FIS shows the Floodway District and it has been delieniated in all AE zones.

3. The **A Zone** on the FIRM accompanying the FIS shall be those areas for which no detailed flood profiles or elevations are provided, but the one percent annual chance floodplain boundary has been approximated.

For these areas, the following provisions shall apply [44 CFR 60.3(b)]:

The Approximated Floodplain District shall be that floodplain area for which no detailed flood profiles or elevations are provided, but where a one percent annual chance floodplain boundary has been approximated. Such areas are shown as Zone A on the maps accompanying the FIS. For these areas, the base flood elevations and floodway information from federal, state, and other acceptable sources shall be used, when available. Where the specific one percent annual chance flood elevation cannot be determined for this area using other sources of data, such as the U. S. Army Corps of Engineers Floodplain Information Reports, U. S. Geological Survey Flood-Prone Quadrangles, etc., then the applicant for the proposed use, development and/or activity shall determine this base flood elevation. For development proposed in the approximate floodplain the applicant must use technical methods that correctly reflect currently accepted practices, such as point on boundary, high water marks, or detailed methodologies hydrologic and hydraulic analyses. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the Floodplain Administrator.

The Floodplain Administrator reserves the right to require a hydrologic and hydraulic analysis for any development. When such base flood elevation data is utilized, the lowest floor shall be elevated to or above the base flood level plus the height of community freeboard. Community freeboard height can be found in the definition for freeboard.

During the permitting process, the Floodplain Administrator shall obtain:

- 1) The elevation of the lowest floor (in relation to mean sea level), including the basement, of all new and substantially improved structures; and,

2) If the structure has been flood-proofed in accordance with the requirements of this article, the elevation (in relation to mean sea level) to which the structure has been flood-proofed.

Base flood elevation data shall be obtained from other sources or developed using detailed methodologies comparable to those contained in a FIS for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser .

4. The **AO Zone** on the FIRM accompanying the FIS shall be those areas of shallow flooding identified as AO on the FIRM.

The current FIRM/FIS shows no AO Zones within the jurisdiction.

5. The **Coastal A Zone** is labelled as AE on the FIRM; it is those areas that are shoreward of the limit of moderate wave action (LiMWA) line. As defined by the VA USBC, these areas are subject to wave heights between 1.5 feet and 3 feet.

The current FIRM/FIS shows no LiMWA lines within the jurisdiction.

6. The **VE or V Zones** on FIRMs accompanying the FIS shall be those areas that are known as Coastal High Hazard areas, extending from offshore to the inland limit of a primary frontal dune along an open coast or other areas subject to high velocity waves.

The current FIRM/FIS shows no V or VE Zones within the jurisdiction.

Section 3.2 - Overlay Concept

The Floodplain Districts described above shall be overlays to the existing underlying districts as shown on the Official Zoning Ordinance Map, and as such, the provisions for the floodplain districts shall serve as a supplement to the underlying district provisions.

If there is any conflict between the provisions or requirements of the Floodplain Districts and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain districts shall apply.

In the event any provision concerning a Floodplain District is declared inapplicable as a result of any legislative or administrative actions or judicial decision, the basic underlying provisions shall remain applicable.

CHAPTER IV - DISTRICT PROVISIONS [44 CFR 59.22, 60.2, 60.3]

Section 4.1 ó Permit and Application Requirements

A. Permit Requirement

All uses, activities, and development occurring within any floodplain district, including placement of manufactured homes, shall be undertaken only upon the issuance of a zoning permit. Such development shall be undertaken only in strict compliance with the provisions of this Ordinance and with all other applicable codes and ordinances, as amended, such as the Virginia Uniform Statewide Building Code (VA USBC) and the City of Franklin Zoning and Subdivision Regulations. Prior to the issuance of any such permit, the Floodplain Administrator shall require all applications to include compliance with all applicable state and federal laws and shall review all sites to assure they are reasonably safe from flooding. Under no circumstances shall any use, activity, and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch, or any other drainage facility or system.

B. Site Plans and Permit Applications

All applications for development within any floodplain district and all building permits issued for the floodplain shall incorporate the following information:

1. The elevation of the Base Flood at the site.
2. The elevation of the lowest floor (including basement) or, in V zones, the lowest horizontal structural member.
3. For structures to be flood-proofed (non-residential only), the elevation to which the structure will be flood-proofed.
4. Topographic information showing existing and proposed ground elevations.

Section 4.2 - General Standards

The following provisions shall apply to all permits:

- A. New construction and substantial improvements shall be built according to this ordinance and the VA USBC, and anchored to prevent flotation, collapse or lateral movement of the structure.
- B. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state anchoring requirements for resisting wind forces.
- C. New construction and substantial improvements shall be constructed with materials and

utility equipment resistant to flood damage.

- D. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- E. Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- F. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- G. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- H. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

In addition to provisions A ó H above, in all special flood hazard areas, the additional provisions shall apply:

- I. Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction a permit shall be obtained from the U. S. Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission (a joint permit application is available from any of these organizations). Furthermore, in riverine areas, notification of the proposal shall be given by the applicant to all affected adjacent jurisdictions, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), other required agencies, and the Federal Emergency Management Agency.
- J. The flood carrying capacity within an altered or relocated portion of any watercourse shall be maintained.

Section 4.3 - Elevation and Construction Standards [44 CFR 60.3]

In all identified flood hazard areas where base flood elevations have been provided in the FIS or generated by a certified professional in accordance with Section 3.1 A 3, the following provisions shall apply:

A. Residential Construction

New construction or substantial improvement of any residential structure (including manufactured homes) in Zones A1-30, AE, AH and A with detailed base flood elevations shall have the lowest floor, including basement, elevated to or above the base flood level plus twenty-four inches. See Section 3.1.5 and Section 3.1.6 for requirements in the

Coastal A and VE zones.

B. Non-Residential Construction

- 1) New construction or substantial improvement of any commercial, industrial, or non-residential building shall have the lowest floor, including basement, elevated to or above the base flood level plus twenty-four inches. See Section 3.1.5 and Section 3.1.6 for requirements in the Coastal A and VE zones.
- 2) Non-residential buildings located in all A1-30, AE, and AH zones may be flood-proofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to one foot above the BFE plus twenty-four inches are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification, including the specific elevation (in relation to mean sea level) to which such structures are floodproofed, shall be maintained by Floodplain Administrator.

C. Space Below the Lowest Floor

In zones A, AE, AH, AO, and A1-A30, fully enclosed areas, of new construction or substantially improved structures, which are below the regulatory flood protection elevation shall:

1. Not be designed or used for human habitation, but shall be used solely for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).
2. be constructed entirely of flood resistant materials below the regulatory flood protection elevation;
3. include measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria:
 - a. Provide a minimum of two openings on different sides of each enclosed area subject to flooding.
 - b. The total net area of all openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding.
 - c. If a building has more than one enclosed area, each area must have openings to

allow floodwaters to automatically enter and exit.

- d. The bottom of all required openings shall be no higher than one (1) foot above the adjacent grade.
- e. Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions.
- f. Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.

D. Standards for Manufactured Homes and Recreational Vehicles

- 1. In zones A, AE, AH, and AO, all manufactured homes placed, or substantially improved, on individual lots or parcels, must meet all the requirements for new construction, including the elevation and anchoring requirements in Article 4, section 4.2 and section 4.3.
- 2. All recreational vehicles placed on sites must either
 - a. be on the site for fewer than 180 consecutive days, be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions); or
 - b. meet all the requirements for manufactured homes in Article 4.3(D)(1).

Section 4.4 - Standards for Subdivision Proposals

- A. All subdivision proposals shall be consistent with the need to minimize flood damage;
- B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and
- D. Base flood elevation data shall be obtained from other sources or developed using detailed methodologies, hydraulic and hydrologic analysis, comparable to those contained in a Flood Insurance Study for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed five lots or five acres, whichever is the lesser.

CHAPTER V – EXISTING STRUCTURES IN FLOODPLAIN AREAS

Any structure or use of a structure or premises must be brought into conformity with these provisions when it is changed, repaired, or improved unless one of the following exceptions is established before the change is made:

- A. The floodplain manager has determined that
 - a. change is not a substantial repair or substantial improvement *AND*
 - b. no new square footage is being built in the floodplain that is not complaint *AND*
 - c. no new square footage is being built in the floodway *AND*
 - d. the change complies with this ordinance, the underlying zoning district and the VA USBC *AND*
- B. The changes are required to comply with a citation for a health or safety violation.
- C. The structure is a historic structure and the change required would impair the historic nature of the structure.

CHAPTER VI - VARIANCES: FACTORS TO BE CONSIDERED [44 CFR 60.6]

Variations shall be issued only upon (i) a showing of good and sufficient cause, (ii) after the Board of Zoning Appeals has determined that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) after the Board of Zoning Appeals has determined that the granting of such variance will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.

While the granting of variances generally is limited to a lot size less than one-half acre, deviations from that limitation may occur. However, as the lot size increases beyond one-half acre, the technical justification required for issuing a variance increases. Variations may be issued by the Board of Zoning Appeals for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the provisions of this section.

Variations may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

In passing upon applications for variations, the Board of Zoning Appeals shall satisfy all relevant factors and procedures specified in other sections of the zoning ordinance and consider the following additional factors:

- A. The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development, or activity within any Floodway District that will cause any increase in the one percent (1%) chance flood elevation.
- B. The danger that materials may be swept on to other lands or downstream to the injury of others.
- C. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.
- D. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
- E. The importance of the services provided by the proposed facility to the community.
- F. The requirements of the facility for a waterfront location.
- G. The availability of alternative locations not subject to flooding for the proposed use.
- H. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- I. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
- J. The safety of access by ordinary and emergency vehicles to the property in time of flood.
- K. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.
- L. The historic nature of a structure. Variances for repair or rehabilitation of historic structures may be granted upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- M. Such other factors which are relevant to the purposes of this ordinance.

The Board of Zoning Appeals may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters.

Variances shall be issued only after the Board of Zoning Appeals has determined that the granting of such will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.

Variances shall be issued only after the Board of Zoning Appeals has determined that the variance will be the minimum required to provide relief.

The Board of Zoning Appeals shall notify the applicant for a variance, in writing that the issuance of a variance to construct a structure below the one percent (1%) chance flood elevation (a) increases the risks to life and property and (b) will result in increased premium rates for flood insurance.

A record shall be maintained of the above notification as well as all variance actions, including justification for the issuance of the variances. Any variances that are issued shall be noted in the annual or biennial report submitted to the Federal Insurance Administrator.

CHAPTER VII - DEFINITIONS [44 CFR 59.1]

- A. Appurtenant or accessory structure - Accessory structures not to exceed 200 sq. ft.
- B. Base flood - The flood having a one percent chance of being equaled or exceeded in any given year.
- C. Base flood elevation - The water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year. The water surface elevation of the base flood in relation to the datum specified on the community's Flood Insurance Rate Map. For the purposes of this ordinance, the base flood is the 1% annual chance flood.
- D. Basement - Any area of the building having its floor sub-grade (below ground level) on all sides.
- E. Board of Zoning Appeals - The board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance.
- F. Coastal A Zone - Flood hazard areas that have been delineated as subject to wave heights between 1.5 feet and 3 feet.
- G. Development - Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- H. Elevated building - A non-basement building built to have the lowest floor elevated

above the ground level by means of solid foundation perimeter walls, pilings, or columns (posts and piers).

- I. Encroachment - The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.
- J. Existing construction ó For the purposes of the insurance program, structures for which the start of construction commenced before the effective date of the FIRM or before January 1, 1975 for FIRMs effective before that date. Existing construction may also be referred to as existing structures and pre-FIRM.
- K. Flood or flooding -
 - 1. A general or temporary condition of partial or complete inundation of normally dry land areas from
 - a. the overflow of inland or tidal waters; or,
 - b. the unusual and rapid accumulation or runoff of surface waters from any source.
 - c. mudflows which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
 - 2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph 1 (a) of this definition.
- L. Flood Insurance Rate Map (FIRM) - an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).
- M. Flood Insurance Study (FIS) ó a report by FEMA that examines, evaluates and determines flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards.
- N. Floodplain or flood-prone area - Any land area susceptible to being inundated by water from any source.
- O. Flood proofing - any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

- P. Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point within the community.
- Q. Freeboard - A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed. The City of Franklin requires BFE plus twenty-four inches of freeboard.
- R. Functionally dependent use - A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- S. Highest adjacent grade - the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- T. Historic structure - Any structure that is
 1. listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 2. certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 3. individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
 4. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either
 - a. by an approved state program as determined by the Secretary of the Interior; or,
 - b. directly by the Secretary of the Interior in states without approved programs.
- U. Hydrologic and Hydraulic Engineering Analysis ó Analyses performed by a *licensed* professional engineer, in accordance with standard engineering practices that are accepted by the Virginia Department of Conservation and Recreation and FEMA, used to determine the *base flood*, other frequency floods, *flood* elevations, *floodway* information and boundaries, and *flood* profiles.
- V. Letters of Map Change (LOMC) - A Letter of Map Change is an official FEMA determination, by letter, that amends or revises an effective *Flood Insurance Rate Map* or *Flood Insurance Study*. Letters of Map Change include:

Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated *special flood hazard area*. A LOMA amends the current effective *Flood Insurance Rate Map* and establishes that a land as defined by meets and bounds or *structure* is not located in a *special flood hazard area*.

Letter of Map Revision (LOMR): A revision based on technical data that may show changes to *flood zones*, *flood elevations*, *floodplain* and *floodway* delineations, and planimetric features. A Letter of Map Revision Based on Fill (LOMR-F), is a determination that a *structure* or parcel of land has been elevated by fill above the *base flood elevation* and is, therefore, no longer exposed to *flooding* associated with the *base flood*. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the *community's* floodplain management regulations.

Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed *flood* protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of *special flood hazard areas*. A CLOMR does not revise the effective *Flood Insurance Rate Map* or *Flood Insurance Study*.

- W. Lowest adjacent grade - the lowest natural elevation of the ground surface next to the walls of a structure.
- X. Lowest floor - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.
- Y. Manufactured home - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.
- Z. Manufactured home park or subdivision - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- AA. Mean Sea Level - is an elevation point that represents the average height of the ocean's surface (such as the halfway point between the mean high tide and the mean low tide) which is used as a standard in reckoning land elevation.
- BB. New construction - For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after August 15, 1980, and includes any subsequent improvements to such structures. For floodplain management purposes, *new*

construction means structures for which the *start of construction* commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. Such structure is also referred to as *post-FIRM*.

- CC. Post-FIRM structures - A structure for which construction or substantial improvement occurred on or after August 15, 1980.
- DD. Pre-FIRM structures - A structure for which construction or substantial improvement occurred before August 15, 1980.
- EE. Primary frontal dune - a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms.
- FF. Recreational vehicle - A vehicle which is
1. built on a single chassis;
 2. 400 square feet or less when measured at the largest horizontal projection;
 3. designed to be self-propelled or permanently towable by a light duty truck; and,
 4. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.
- GG. Repetitive Loss Structure - A building covered by a contract for flood insurance that has incurred flood-related damages on two occasions in a 10-year period, in which the cost of the repair, on the average, equalled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.
- HH. Severe repetitive loss structure - a structure that: (a) Is covered under a contract for flood insurance made available under the NFIP; and (b) Has incurred flood related damage (i) For which 4 or more separate claims payments have been made under flood insurance coverage with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000; or (ii) For which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.
- II. Shallow flooding area - A special flood hazard area with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- JJ. Special flood hazard area - The land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Article 3, Section 3.1 of this ordinance.

- KK. Start of construction - For other than new construction and substantial improvement, under the Coastal Barriers Resource Act (P.L. 6 97-348), means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- LL. Structure - for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.
- MM. Substantial damage - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- NN. Substantial improvement - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the *start of construction* of the improvement. This term includes structures which have incurred *repetitive loss* or *substantial damage* regardless of the actual repair work performed. The term does not, however, include either:
1. any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
 2. any alteration of a *historic structure*, provided that the alteration will not preclude the structure's continued designation as a *historic structure*.
 3. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined above, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

- OO. Violation - the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.
- PP. Watercourse - A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

This ordinance shall be effective from the date of its adoption.

Certified copy of ordinance adopted by the City of Franklin City Council at its meeting held on February 8, 2016.

Clerk to City Council



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING - BUILDING INSPECTIONS – ZONING**

TO: MEMBERS OF THE PLANNING COMMISSION AND CITY COUNCIL
From: Donald E. Goodwin, CBO, CFM, Director of Community Development
Subject: Staff Report for the Amendments to Article XXI: Flood Plain Regulations
Date: January 13, 2016

REQUEST

This request comes to Council as a result of increased cost associated with the various landuse applications that come before the various governmental bodies' for consideration as outlined below.

1. The Planning Commission and City Council hear applications on zoning map amendments and proposed text amendments to the zoning and subdivision ordinances.
2. The Board of Zoning Appeals hear applications for any appeal to the board from any order, requirement, decision, or determination of the zoning administrator or other administrative officer, interpretation of the zoning map, variances and special exceptions.

Prior to any action by the aforementioned bodies a public hearing or hearings are required to be held by Code of Virginia Section 15.2-2204. In addition, a notice of public hearing shall be advertised for two consecutive weeks in a newspaper of local circulation. The current fees were last amended in July 2004. These fees in most cases barely cover the cost of the administrative tasks involved with processing and reviewing the applications for consistency with the City's various federal, state and local landuse regulations. This proposal does not recommend increasing those fees, only to add the cost of advertising. When a proposed action is initiated by the City that requires a public hearing such as this one, the city incurs the cost of advertising. This proposed amendment is simply passing on the cost of the required advertising on to the applicant.

PUBLIC NOTICE

Notice has been properly advertised in accordance with Virginia Code Section 15.2-2204.

RECOMMENDED ACTION:

1. Motion to amend the text of the Zoning Ordinance Article XXVII: BOARD OF ZONING APPEALS, Section 27.8 (a) and (b) - Fee for application or appeal, Article XXVIII CHANGES AND AMENDMENTS Section 28.6 – Fees and Section 28.8 – Fees for conditional zoning to include the cost of advertising in accordance with Code of Virginia Section 15.2-2204 per the Planning Commission's recommendation.

ORDINANCE NO: 2016 - 02

THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA DOES ORDAIN AS FOLLOWS:

TO AMEND THE TEXT OF APPENDIX D OF THE CITY CODE; THE ZONING ORDINANCE ARTICLE XXVII: BOARD OF ZONING APPEALS, SECTION 27.8 (A) AND (B) - FEE FOR APPLICATION OR APPEAL, ARTICLE XXVIII CHANGES AND AMENDMENTS SECTION 28.6 ó FEES AND SECTION 28.8 ó FEES FOR CONDITIONAL ZONING TO READ AS FOLLOWS:

Article XXVII: BOARD OF ZONING APPEALS

Sec. 27.8 - Fee for application or appeal.

(a) Any application for interpretation of the zoning map, special exception or variance or shall be accompanied by a fee of \$500.00 to cover the cost of expenses incidental to processing and reviewing such application plus the cost of advertising as required by Virginia Code Section 15.2-2204 to cover the cost of advertising of public notices. ~~and expenses incidental to processing and reviewing such application.~~

(b) Any appeal to the board from any order, requirement, decision, or determination of the zoning or other administrative officer in the administration of this ordinance shall be accompanied by a fee of \$300.00 to cover the cost of expenses incidental to processing and reviewing such appeal plus the cost of advertising as required by Virginia Code Section 15.2-2204 to cover the cost of advertising of public notices. ~~and expenses incidental to processing and reviewing such appeal.~~

Article XXVIII CHANGES AND AMENDMENTS

Sec. 28.6 - Fees.

Any property owner, contract purchaser with the owner's written consent, or the owner's agent therefor, who makes an application to amend the district boundaries or zoning classification of property shall pay a processing and review fee of \$500.00 plus the cost of advertising as required by Virginia Code Section 15.2-2204 to cover the cost of advertising of notices. ~~and processing such application.~~

Sec. 28.8 - Fees for conditional rezoning.

Any property owner, contract purchaser with the owner's written consent, or the owner's agent therefor, who makes an application to conditionally amend the district boundaries or zoning classification of property shall pay a fee of \$600.00 for processing such application and indexing and tracking the conditions plus the cost of advertising as required by Virginia Code Section 15.2-2204 to cover the cost of advertising of notices. ~~processing such application and indexing and tracking the conditions.~~

This ordinance shall be effective from the date of its adoption.

Certified copy of ordinance adopted by the City of Franklin City Council at its meeting held on February 8, 2016.

Clerk to City Council

FINANCE

- A. FY 2015 – 2016 City Budget Ordinance Amendments # 2016 – 13 & # 2016 – 14**
 - 1. Smart Beginnings Carryover**
 - 2. Community Development Department – 1101 Armory Drive Nuisance Abatement**
- B. Monthly Financial Report: December, 2015**



January 29, 2016

To: Randy Martin
City Manager

From: Melissa D. Rollins 
Director of Finance

Re: FY 2015-16 Budget Amendment

Budget Amendment #2016-13

Smart Beginnings (Fund 204) is requesting carryover of funds in the amount of \$67,642 which remain unspent from FY 14-15 to the FY 15-16 operating budget. The request is to appropriate the funds to various categories of the budget as enumerated on the attached.

REQUIRED ACTION FROM CITY COUNCIL

Authorize the amendment of FY 14-15 carryover funds to the FY 15-16 budget for Smart Beginnings in the amount of \$67,642 and appropriate the funds for spending as outlined.



To: Melissa Rollins, Finance Director

From: Hattie E. Francis, Smart Beginnings Western Tidewater

Date: January 21, 2016

On behalf of Smart Beginnings Western Tidewater, I am requesting the following amount of money (\$67,642.00) to be carried over to the FY' 2016 budget funds for the Smart Beginnings Western Tidewater office for use to fund the program.

Account No:	Expenses:	Amount:
53110-1101	Full time Salaries	\$10,000.00
53110-1300	Pt. Time Salaries	\$10,000.00
53110-2100	FICA	\$5,300.00
53110-3160	Professional Services	\$0.00
53110-3500	Printing/Binding	\$1,500.00
53110-3600	Advertising	\$1,000.00
53110-5210	Postal Services	\$200.00
53110-5230	Telecommunications	\$1,000.00
53110-5421	Rent	\$500.00
53110-5550	Travel	\$1,500.00
53110-5840	Miscellaneous	\$6,642.00
53110-6001	Office Supplies	\$5,000.00
53110-6013	Educational Supplies	\$6,000.00
53110-6030	Public Awareness	\$1,000.00
53110-6031	Meeting Supplies	\$3,000.00
53110-6032	Special Projects	\$15,000.00
Total:		\$67,642.00

BUDGET AMENDMENT 2016-13

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2015-2016 Budget is hereby amended for Smart Beginnings (Fund 204) to reflect prior year carryover:

SMART BEGINNINGS

	2015-2016 Budget	Amended Budget	Increase (Decrease)
99 Miscellaneous Income	\$ 89,081	\$ 89,081	\$ -
100 Grant - VECF	\$ -	\$ -	\$ -
101 Grant - Obici Health Foundation	\$ -	\$ -	\$ -
105 Grant-Franklin Southampton Charities	\$ 43,000	\$ 43,000	\$ -
102 Camp Family Foundation	\$ 15,000	\$ 15,000	\$ -
103 Grant VSQI/DSS Funds	\$ 20,000	\$ 20,000	\$ -
200 Prior year (FY15) Carryover	\$ -	\$ 67,642	\$ 67,642
TOTAL REVENUE	\$ 167,081	\$ 234,723	\$ 67,642

SMART BEGINNINGS

1101 Salaries & Wages-Regular	\$ 46,668	\$ 56,668	\$ 10,000
1300 Salaries & Wages -Part Time	\$ 45,513	\$ 55,513	\$ 10,000
2100 FICA	\$ 7,052	\$ 12,352	\$ 5,300
2210 Retirement -VRS	\$ 5,124	\$ 5,124	\$ -
2300 Hospitalization	\$ 2,619	\$ 2,619	\$ -
2400 Group Life Insurance - VRS	\$ 555	\$ 555	\$ -
2720 Workmen's Compensation	\$ 150	\$ 150	\$ -
3160 Professional Services	\$ 1,000	\$ 1,000	\$ -
3500 Printing & Binding	\$ 1,500	\$ 3,000	\$ 1,500
3600 Advertising	\$ 800	\$ 1,800	\$ 1,000
5210 Postal Services	\$ 600	\$ 800	\$ 200
5230 Telecommunications	\$ 1,000	\$ 2,000	\$ 1,000
5421 Rental	\$ 5,500	\$ 6,000	\$ 500
5550 Travel	\$ 4,000	\$ 5,500	\$ 1,500
5560 Mileage	\$ -	\$ -	\$ -
5810 Dues & Memberships	\$ 1,000	\$ 1,000	\$ -
5840 Miscellaneous	\$ 10,000	\$ 16,642	\$ 6,642
6001 Office Supplies	\$ 3,000	\$ 8,000	\$ 5,000
6013 Education supplies	\$ 1,500	\$ 7,500	\$ 6,000
6030 Public Awareness	\$ 2,000	\$ 3,000	\$ 1,000
6031 Meeting Supplies	\$ 2,500	\$ 5,500	\$ 3,000
6032 Special Projects	\$ 25,000	\$ 40,000	\$ 15,000
TOTAL EXPENSES	\$ 167,081	\$ 234,723	\$ 67,642

*Certified copy of resolution adopted by
Franklin City Council*

Clerk to the City Council



February 3, 2016

To: Randy Martin
City Manager

From: Melissa D. Rollins
Director of Finance

A handwritten signature in blue ink that reads "Melissa D. Rollins".

Re: FY 2015-2016 Budget Amendment

Budget Amendment #2016-14

Attached please find a request from Donald Goodwin, Director of Planning and Community Development to amend the FY 15-16 Inspections budget to cover the cost of demolition activities associated with the property located at 1101 Armory Drive. The City has incurred cost of \$11,500 related to planning and specifications (engineering costs) necessary to conduct nuisance activities. Additional cost of \$27,000 has been negotiated to cover scope of services relative to elimination of health and safety nuisances surrounding the site (excludes removal of slab). The request is to amend the budget by a total of \$38,500. The \$27,000 in cost to be paid to the contractor will be billed to the property owner. If payment is not received, the City will impose all applicable liens.

The request is to utilize available "fund balance" to cover the cost of the work. Any recovered cost will revert to fund balance upon receipt.

Mr. Goodwin will be available at the meeting to answer any questions you may have regarding this request.

REQUIRED ACTION FROM CITY COUNCIL

Authorize the amendment of \$38,500 to the FY 15-16 Inspections budget (\$11,500 - Demolition and \$27,000 – Nuisance Abatement) to cover the cost of services associated with nuisance abatement at 1101 Armory Drive.



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING - BUILDING INSPECTIONS – ZONING**

To: R. Randy Martin, City Manager

From: Donald E. Goodwin, CBO, CFM, Director of Community Development

Date: February 1, 2016

CC: City Council Members

RE: Budget Amendment for Nuisance Abatement – 1101 Armory Drive

This budget amendment is to fund the nuisance abatement associated with the trash and debris violation at the above referenced address. As you recall this action took place after the demolition of the old St. Regis building was abandoned. The original IFB was for the removing of the existing debris including the slab and foundation. To do so the City used their engineering services contract with Prism Engineering to prepare the necessary plans and specifications to conduct the demolition activities (Erosion Control and Stormwater Management). The cost of this service was \$11,500. Because this cost was incurred as part of the abatement cost a lien has been placed on the property in the same amount.

On November 13, 2015 the City received the sole bid from Crowder & White Contracting, LLC in the amount of \$152, 612 to complete the removal as proposed in the IFB (see attached bid for debris and slab removal). At that time the owner had scheduled an auction of the property. While waiting to see if the property sold at auction Mat Crowder and I met on site to see what actions could be taken to reduce the cost and eliminate the health and safety nuisances surrounding the site without removing the slab. Attached, please see the negotiated scope of work and bid in the amount of \$27,000. Should we move forward with the negotiated contract the total amount incurred including the \$11,500 would be \$38,500. The additional \$27,000 would also be billed to the owner and if not paid a lien in that amount would be placed on the property.

STAFF RECOMMENDATION: Approve budget amendment # _____ in the amount of \$38,500 for Community Development nuisance abatement as presented.

BUDGET AMENDMENT 2016-14

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2015-2016 City Budget is hereby amended as follows:

		2015-2016	AMENDED	INCREASE
		BUDGET	BUDGET	(DECREASE)
100	GENERAL FUND			
	REVENUE			
41050-0001	From Unappropriated Surplus	\$0	\$38,500	\$38,500
				\$38,500
	EXPENDITURES			
34100-3180	Demolition	6,000	17,500	\$11,500
34100-3181	Nuisance Abatement	6,000	33,000	\$27,000
	TOTAL			\$38,500

**To appropriate additional funds for specific project.*

*Certified copy of resolution adopted by
Franklin City Council.*

Clerk to the City Council



For the period ending December 2015

Final Report Using Data from
Prior Accounting System

Based on Unaudited Financial Data

Basis of Reporting

2

- The information enclosed in the City's Financial Report for period ending December 30, 2015.
- The report contains provisions for **most** revenue and expenditure accruals.
 - ▣ Reflects 6 months of revenue & expenditures in most cases (where noted, the 6th month has been estimated)
- Financial Report presentation is consistent with department's objectives to:
 - ▣ Report timely, relevant and accurate financial data
 - ▣ Promote accountability through monitoring, assessment and reporting

Financial Report Summary - Revenue

3

- Collection of delinquent real estate tax revenues has improved significantly over prior year period
- Current real and personal property tax collections are tracking similar in comparison to the prior year.
- Other local tax revenue including economic indicators have remained consistent with prior year period (some economic growth in meals taxes; lodging taxes is down).
- Year to date revenue is on target with budgeted projections.

Revenue Highlights

- 4 ❑ Overall General Property Taxes collected - \$2.44 mil, 33.1% of budget – 21 % increase over FY15 collections of \$2.01 mil which was 28.2% of budget.
 - ❑ **Current Real Estate taxes** - \$1.15 mil, 21.2% of budget and 11.0% higher than FY15 collections of \$1.04 mil.
 - ❑ **Delinquent Real Estate taxes** - \$348,000 significantly higher than the prior year reaching over 100% of the total budgeted projections.
 - ❑ **Delinquent Personal Property taxes** at nearly \$19,000 is less than the prior year period
 - ❑ **Penalty and Interest** revenue is slightly higher than the prior year period reaching 39.0% of the total budget.

General Property Taxes- Overall BUDGET COMPARISON

5

REVENUE SOURCE	2015--2016			2014-2015		
	BUDGET	ACTUAL 12/30/2015	BUDGET %	BUDGET	ACTUAL 12/30/2014	BUDGET %
Real Estate Taxes-Current	\$ 5,456,874	\$ 2,626,035	48.1%	\$ 5,283,742	\$ 2,501,042	47.3%
Real Estate Taxes-Delinquent	190,000	271,970	143.1%	190,000	179,137	94.3%
Personal Property Taxes-Current	1,450,000	1,288,895	88.9%	1,367,446	1,225,614	89.6%
Personal Property Taxes-Delinquent	65,000	19,812	30.5%	65,000	40,512	62.3%
Machinery & Tools	23,577	19,401	82.3%	65,000	15,576	24.0%
Penalties & Interest Taxes	145,000	71,227	49.1%	135,000	62,870	46.6%
Public Service Corporation Taxes	66,863	67,088	100.3%	61,818	64,977	105.1%
GENERAL PROPERTY TAX	\$ 7,397,314	\$ 4,364,428	59.0%	\$ 7,168,006	\$ 4,089,728	57.1%

Current	4,364,428
Prior Year	<u>4,089,728</u>
Net Change \$	274,700
Net Change %	6.7%

Local Tax Revenue (Budget per Actual Comparison)

6

	FY 15-16 Budget	12/30/2015	% of Budget Realized
Local Sales & Use*	\$ 1,800,000	\$ 858,103	47.7%
Cigarette Taxes	\$ 325,000	\$ 193,233	59.5%
Meals Taxes*	\$ 1,350,000	\$ 741,750	54.9%
Lodging Taxes*	\$ 150,000	\$ 74,709	49.8%
Total Local Tax Revenue	\$ 3,625,000	\$ 1,910,163	52.7%

*estimated actual to reflect 6 months of revenue

Local Tax Revenue (Prior Year Comparison)

7

	Meals Taxes	Lodging Taxes	Cigarette Taxes	Sales Taxes	Total
Dec-14	711,160	85,850	196,070	868,773	1,861,853
Dec-15	741,750	74,709	193,233	858,103	1,867,795
Change \$	30,590	(11,141)	(2,837)	(10,670)	5,942
Change %	4.12%	-14.91%	-1.47%	-1.24%	0.32%
% of Budget	54.90%	50%	59.50%	47.70%	

Other Significant Revenue Events for FY 15-16

8

- ❑ Fees from Inspections and Planning Services decreased as anticipated
- ❑ Increased miscellaneous revenue real estate sales transactions and late penalty fees
- ❑ Boost in Isle of Wight Annexation Payment (\$80,000 more than the prior year period)
- ❑ Boost in revenue from ambulance billing

NO SIGNIFICANT CHANGE FROM PRIOR MONTH

Revenue Summary

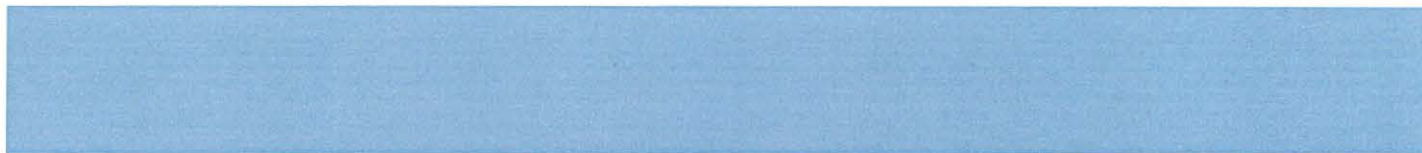
- Overall, total current general fund revenue reported at **\$10.86 mil** (52.2% of budget) is nearly \$346,000 or 3.3% more when compared to the **\$10.52 mil** (53.0% of budget) realized at 12/31/14. The increase is primarily associated with:

Revenue Sharing IOW County (Increase) -	80,000
Permits, Fees & Fines (Decrease) -	(\$56,000)
Misc. Revenue (Increase)-	\$ 36,000
Taxes & Licenses (Increase) -	\$254,000
Categorical Aid (Increase) – Highway Maintenance Funds & PSAP Grant	66,000
Federal Revenue (Decrease)	(\$60,000)
Net Increase	\$320,000



GENERAL FUND EXPENDITURES

For the period ending December 31, 2015



General Fund Expenditure Highlights

- General Fund expenditures excluding transfers overall are pretty close when compared to the prior year period (excludes the revenue sharing payment to the County of \$500,000 made in 11/14 but not as of 12/15). Expenditures of \$7.06 mil is 46.8% of the current budget compared to 7.10 mil or 47.1% of the budget spent at 12/31/14.
- **There are categorical increases and decreases** however. The biggest difference is the timing of the 2nd half payment to the Regional Jail , paid in December of the prior year.

<u>Category of Expenditure</u>	<u>12/31/2015</u>	<u>13/31/14</u>	<u>Variance</u>	<u>Primary Reason for Increase</u>
Elections, Courts & Sheriff	534,503	921,091	(386,588)	Increased payment for detention care
Comm. Development	255,474	213,555	41,919	Additional personnel and demolition expenditures
Streets	1,155,813	859,930	295,883	Paving & Drainage expenditures
Legislative, Gen. & Finance	1,126,938	965,831	161,107	Information Technology One Time expenditures
Fire & Rescue	1,121,572	1,238,498	(116,926)	Fire Truck Acquisition in prior year
Law Enforcement	<u>1,760,607</u>	<u>1,852,158</u>	<u>(91,551)</u>	Grant funded projects & vehicle purchases in prior year
Total	5,954,907	6,051,063	(96,156)	

General Fund Expenditures (current year actual to prior year actual comparison)

12

EXPENDITURES:	ACTUAL 12/31/2015	ACTUAL 12/30/2015	Variance
Operating Expense:			
Legislative, General & Financial	\$ 1,126,938	\$ 965,831	161,107
Elections, Courts, Sheriff	534,503	921,091	(386,588)
Law Enforcement	1,760,607	1,852,158	(91,551)
Fire and Rescue	1,121,572	1,238,498	(116,926)
Community Development	255,474	213,555	41,919
Streets	1,155,813	859,930	295,883
Garage	108,757	104,589	4,168
Buildings and Grounds	458,404	435,126	23,278
Health	55,000	55,000	-
Parks and Recreation	219,521	207,902	11,619
Library	140,655	137,963	2,692
Planning & Beautification	94,513	83,285	11,228
Downtown Development	31,169	28,580	2,589
Subtotal- Operating Expenses	7,062,926	7,103,508	(40,582)
Payments to Southampton Co.	\$ -	\$ 500,000	(500,000)
Non-Departmental Miscellaneous	23,104	16,895	6,209
Pass through Contributions	-	-	-
Total Operating Expense	\$ 7,086,030	\$ 7,620,403	\$ (534,373)



PRELIMINARY FINANCIAL REPORT **ENTERPRISE FUNDS**

For the period ending December 31, 2015



Based on Unaudited Financial Data

Airport Fund

14

□ Revenue Analysis

- Fuel sales of \$29,000 at the end of the quarter are less than the prior year period.
- Other local revenue consists primarily of airport rental fees and is also slightly less than the revenue realized during the prior year period.

□ Expenditure Analysis

- Operating Expenditures are tracking the same as the prior year period with only 33% of the total budget expended.
- Aviation gas purchases total \$16,793 (no jet fuel purchased as of 12/31/15)
- Capital outlay – project included in the current budget is near completion and closeout

□ Cash Balance

- A negative cash balance is shown at \$101,138 as the budgeted General Fund Transfer to support airport operations has not been transferred as of 12/31/15.

Water & Sewer Fund

15

□ Revenue Analysis

- Revenue from the sale of water and sewer service charges of \$1.47 mil at the end of the quarter represents 47% of the total budget and is comparable to the prior period revenue of \$1.48 mil, 47.5% of budget.

□ Expenditure Analysis

- Expenditures in the Fund are \$268,000 less than the prior year. While considerably more funds were spent on Water-line related projects in the current year, expenditures on Sewer System related projects were much higher (\$548,000) in the prior year period.

□ Cash Balance

- The cash balance in the Fund at the end of the month is \$2.13 million, a slight increase from the \$1.99 million reported December 2015.

Solid Waste Fund

16

□ Revenue Analysis

- Revenue for the Solid Waste Fund is on target with budgeted projections reaching 49% of budget and is comparable to the prior year period

□ Expenditure Analysis

- Operating expenditures as shown at \$361,606 is comparable to prior period expenses of \$352,867 and represents nearly 41% of the total budget.
- Capital expenditures are down as a result of the equipment purchase in the prior fiscal year.

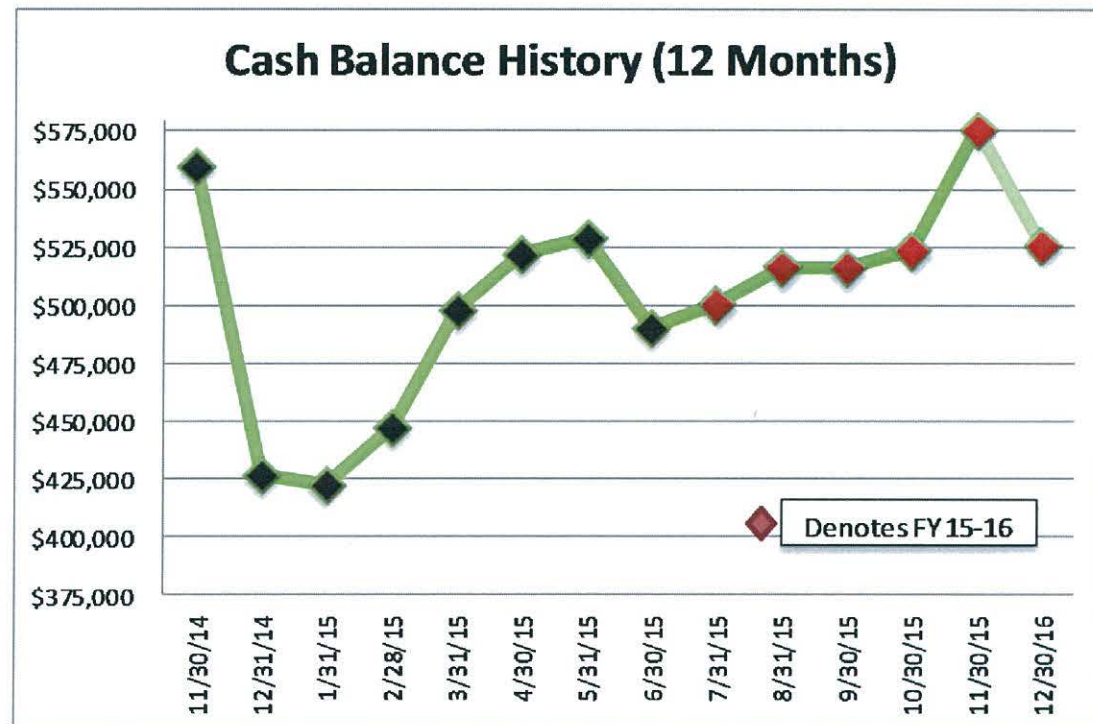
□ Cash Balance

- The cash balance in the Fund at the end of the month is \$526,270, decreasing by nearly \$50,000 from the cash balance reported last month. (Expenditures for the month of December surpassed revenue). However, the cash balance is nearly \$100,000 more than the prior year period.
 - Funds have been encumbered for new equipment that will lower the cash balance as planned once equipment is received and expensed).

Solid Waste Fund – Cash Balance

□ Cash balance at December 31, 2015 = \$526,270

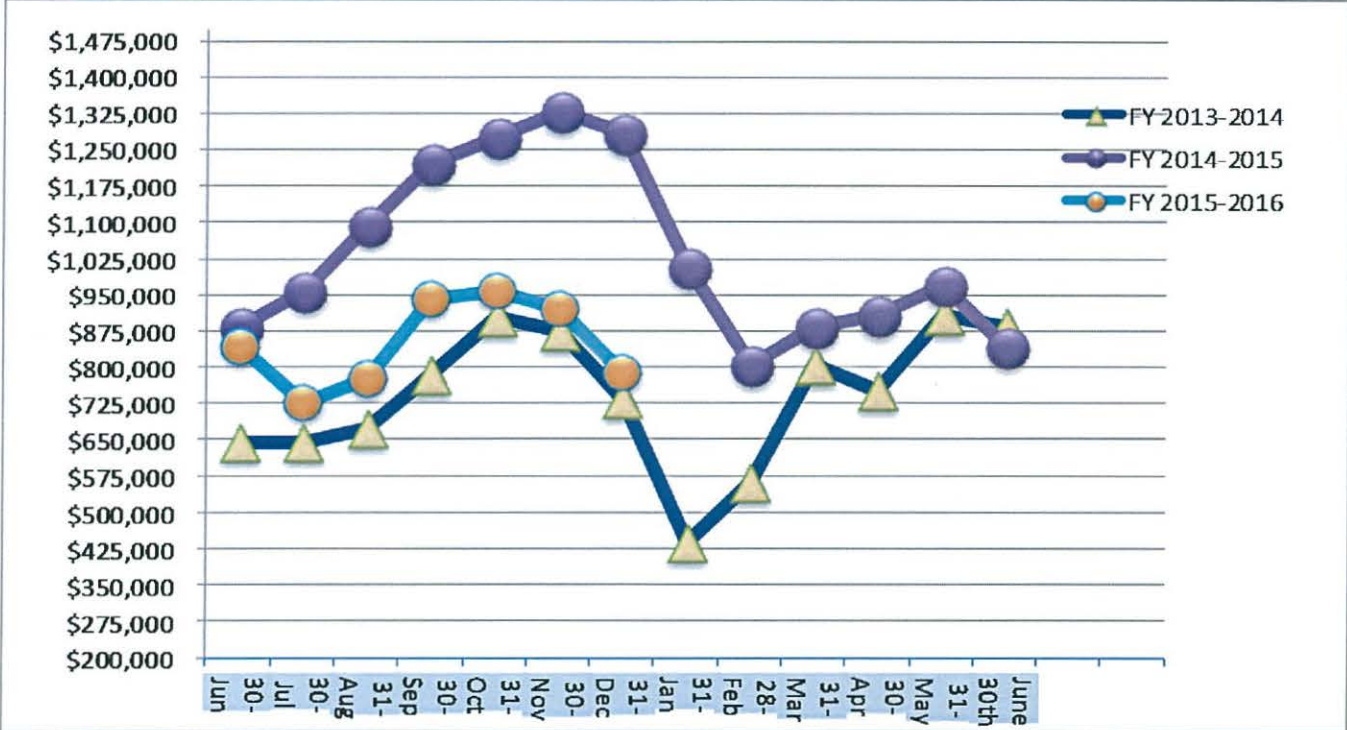
FYE 6/30/16		
Month	Cash Balance	Variance
30-Jun	\$489,888	
31-Jul	\$500,732	\$10,844
31-Aug	\$516,372	\$15,640
30-Sep	\$516,226	(\$146)
31-Oct	\$523,758	\$7,532
30-Nov	\$576,079	\$52,321
31-Dec	\$526,270	(\$49,809)
31-Jan		
28-Feb		
31-Mar		
30-Apr		
31-Aug		
30-Jun		
Net Change Since July 31, 2015		\$36,382



Electric Fund – Revenue Analysis

- **Revenue** from energy sales -\$6.21 mil or 43.6% of budget; FY14-15 revenue was \$6.27 mil – 44.5% of budget.
 - Fuel Adjustment revenue is down as a result of the applicable rate and is nearly 43% of the total budget. (On the expenditure side as expected, the cost associated with the sale of energy/fuel adjustment is also down and represents 44% of the total budget).
- **Expenditures** associated with the sale of energy (excluding fuel adjustment) at \$4.33 mil represents nearly 44% of the total budget is just slightly higher than the prior year period costs of \$4.23 mil, 43% of budget.

ELECTRIC FUND CASH ANALYSIS



Policy Evaluation:
 Cash is below minimum policy guideline of \$1.44 million by \$656,000.

Cash in the Electric Fund at \$788,629 decreased by \$130,000 from the prior month period. In essence, expenditures to cash exceeded revenue in December. Fuel assistance payments due to the fund in the amount of \$123,673.20 has been recorded to Cash in the month of January 2016.

FY 2015-16 Cash Balance as a Percentage of Annual Revenues (excluding fuel adjustment) at FYE 12/31/2015=\$788,629 or 5.4%.

Billed vs. Payment Analysis

20

FY 2015-2016

	Jul	Aug	Sept	Oct	Nov	Dec	Total
BILLING	\$ 1,320,443	\$ 1,256,179	\$ 1,104,760	\$ 969,501	\$ 989,526	\$ 1,106,431	\$ 6,746,840
TOTAL PAYMENTS	\$ 1,185,914	\$ 1,292,900	\$ 1,243,163	\$ 1,151,102	\$ 973,282	\$ 988,430	\$ 6,834,791
VARIANCE	\$ (134,529)	\$ 36,721	\$ 138,403	\$ 181,601	\$ (16,244)	\$ (118,001)	\$ 87,951

FY 2014-2015

	Jul	Aug	Sept	Oct	Nov	Dec	Total
BILLING	\$ 1,369,562	\$ 1,152,150	\$ 1,166,632	\$ 923,126	\$ 1,193,378	\$ 1,500,615	\$ 7,305,463
TOTAL PAYMENTS	\$ 1,154,236	\$ 1,306,546	\$ 1,186,063	\$ 1,182,544	\$ 950,516	\$ 1,212,493	\$ 6,992,398
Variance	\$ (215,326)	\$ 154,396	\$ 19,431	\$ 259,418	\$ (242,862)	\$ (288,122)	\$ (313,065)

FY 2013-2014

	Jul	Aug	Sept	Oct	Nov	Dec	Total
BILLING	\$ 1,313,838	\$ 1,230,838	\$ 1,065,392	\$ 912,746	\$ 1,058,860	\$ 1,356,660	\$ 6,938,334
TOTAL PAYMENTS	\$ 1,065,604	\$ 1,233,896	\$ 1,215,170	\$ 1,123,385	\$ 937,102	\$ 1,094,581	\$ 6,669,738
VARIANCE	\$ (248,234)	\$ 3,058	\$ 149,778	\$ 210,639	\$ (121,758)	\$ (262,079)	\$ (268,596)

**1st Quarter Financial Report
Period Ending December 31, 2015**

Unaudited						
CITY OF FRANKLIN						
FISCAL YEAR 2015-2016						
LOCAL TAX REVENUES						
	2015--2016	ACTUAL	BUDGET	2014-2015	ACTUAL	BUDGET
REVENUE SOURCE	BUDGET	12/30/2015	%	BUDGET	12/30/2014	%
Real Estate Taxes-Current	\$ 5,456,874	\$ 2,626,035	48.1%	\$ 5,283,742	\$ 2,501,042	47.3%
Real Estate Taxes-Delinquent	190,000	271,970	143.1%	190,000	179,137	94.3%
Personal Property Taxes-Current	1,450,000	1,288,895	88.9%	1,367,446	1,225,614	89.6%
Personal Property Taxes-Delinquent	65,000	19,812	30.5%	65,000	40,512	62.3%
Machinery & Tools	23,577	19,401	82.3%	65,000	15,576	24.0%
Penalties & Interest Taxes	145,000	71,227	49.1%	135,000	62,870	46.6%
Public Service Corporation Taxes	66,863	67,088	100.3%	61,818	64,977	105.1%
GENERAL PROPERTY TAX	\$ 7,397,314	\$ 4,364,428	59.0%	\$ 7,168,006	\$ 4,089,728	57.1%
Local Sales & Use Tax	\$ 1,800,000	\$ 858,103	47.7%	\$ 1,750,000	\$ 868,773	49.6%
Consumer Utility Tax- Elec. & Water	480,000	\$ 279,891	58.3%	540,000	\$ 274,809	50.9%
Business License Tax	950,500	\$ 4,983	0.5%	930,500	\$ 16,895	1.8%
Motor Vehicle Licenses	180,000	\$ 112,889	62.7%	170,000	\$ 121,302	71.4%
Cigarette Tax	325,000	\$ 193,233	59.5%	300,000	\$ 196,070	65.4%
Restaurant Meals Tax	1,350,000	\$ 741,750	54.9%	1,260,000	\$ 711,160	56.4%
Lodging Taxes	150,000	\$ 74,709	49.8%	150,000	\$ 85,850	57.2%
Bank Stock	65,000	\$ -	0.0%	58,000	\$ -	0.0%
Tax on Recordation & Wills	45,000	\$ 16,568	36.8%	35,000	\$ 27,595	78.8%
Right of Way Use Fees	25,000	\$ 9,844	39.4%	25,000	\$ 11,514	46.1%
Additional Taxes	2,500	\$ 2,386	0.0%	-	\$ 1,063	0.0%
OTHER LOCAL TAXES	\$ 5,373,000	\$ 2,294,356	42.7%	\$ 5,218,500	\$ 2,315,031	44.4%
TOTAL TAXES & LICENSES	\$ 12,770,314	\$ 6,658,784	52.1%	\$ 12,386,506	\$ 6,404,759	51.7%
			1			

FINANCIAL REPORT AS OF DECEMBER 31, 2015 - 6 Months = 50%						
	CURRENT	ACTUAL	BUDGET	2014-2015	ACTUAL	BUDGET
REVENUE:	BUDGET	12/31/2015	%	BUDGET	12/31/2014	%
Taxes; Licenses	\$ 12,770,314	\$ 6,658,784	52.14%	\$ 12,386,506	\$ 6,404,759	51.71%
Permits, Fees, Fines	203,100	87,061	42.87%	231,836	143,080	61.72%
Use of Money & Property	270,848	151,121	55.80%	242,522	185,661	76.55%
Charges for Services:						
Court Services	9,300	4,873	52.40%	9,300	2,425	26.08%
Fire & Rescue	425,000	185,166	43.57%	463,519	169,628	36.60%
Animal & Building Services	17,100	5,731	33.51%	16,600	455	2.74%
Waste Removal Services	5,650	3,744	66.27%	13,900	2,465	17.73%
Administrative Services	932,192	469,913	50.41%	940,390	470,194	50.00%
Recreational Services	12,500	2,085	16.68%	15,100	5,015	33.21%
Total Charges for Services	1,401,742	671,512	47.91%	1,458,809	650,182	44.57%
Miscellaneous	444,742	269,056	60.50%	153,492	237,056	154.44%
Reovered Cost	281,000	88,924	31.65%	335,000		
Isle of Wight Rev. Sharing	680,000	680,000	100.00%	600,000	600,000	100.00%
Total Mis. & Recovered Costs	1,405,742	1,037,980		1,088,492	837,056	
State Aid:						
Non Categorical Aid	1,666,597	1,041,977	62.52%	1,675,397	1,051,713	62.77%
Shared Expenses	183,096	60,264	32.91%	179,500	56,817	31.65%
Categorical Aid	2,118,071	1,118,169	67.09%	2,151,702	1,051,933	48.89%
VDOT Primary Road Extension	485,370	-				
Total State Aid	4,453,134	2,220,410	49.86%	4,006,599	2,160,463	53.92%
Federal Aid	66,595	39,661	59.56%	429,603	99,456	23.15%
Total Current Revenue	\$ 20,571,475	\$ 10,866,529	52.82%	\$ 19,844,367	\$ 10,480,657	52.81%
			2			

	CURRENT	ACTUAL	BUDGET	2014-2015	ACTUAL	BUDGET
EXPENDITURES:	BUDGET	12/31/2015	%	BUDGET	12/31/2014	%
Operating Expense:						
Legislative, General & Financial	\$ 2,447,044	\$ 1,126,938	46.05%	\$ 2,297,057	\$ 965,831	42.05%
Elections, Courts, Sheriff	1,402,541	534,503	38.11%	1,397,193	921,091	65.92%
Law Enforcement	3,618,918	1,760,607	48.65%	3,640,505	1,852,158	50.88%
Fire and Rescue	2,347,727	1,121,572	47.77%	2,393,892	1,238,498	51.74%
Community Development	510,282	255,474	50.07%	501,636	213,555	42.57%
Streets	2,675,311	1,155,813	43.20%	2,169,729	859,930	39.63%
Garage	230,282	108,757	47.23%	240,067	104,589	43.57%
Buildings and Grounds	1,010,888	458,404	45.35%	1,024,754	435,126	42.46%
Health	156,198	55,000	35.21%	156,198	55,000	0.00%
Parks and Recreation	450,190	219,521	48.76%	544,534	207,902	38.18%
Library	296,412	140,655	47.45%	292,373	137,963	47.19%
Planning & Beautification	200,686	94,513	47.09%	310,089	83,285	26.86%
Downtown Development	107,093	31,169	29.10%	107,093	28,580	26.69%
Subtotal- Operating Expenses	15,453,572	7,062,926	45.70%	15,075,120	7,103,508	47.12%
			3			

GENERAL FUND CONT'D						
	CURRENT	ACTUAL	BUDGET	2014-2015	ACTUAL	BUDGET
EXPENDITURES:	BUDGET	12/31/2015	%	BUDGET	12/31/2014	%
Payments to Southampton Co.	\$ 700,000	\$ -	0.00%	\$ 750,000	\$ 500,000	66.67%
Non-Departmental Miscellaneous	21,000	23,104	110.02%	21,000	16,895	80.45%
Pass through Contributions	-	-	0.00%	-	-	0.00%
Total Operating Expense	\$ 16,174,572	\$ 7,086,030	43.81%	\$ 15,846,120	\$ 7,620,403	48.09%
Net Operating Income	\$ 4,396,903	\$ 3,780,499	85.98%	\$ 3,998,247	\$ 2,860,254	71.54%
TRANSFERS - IN:						
Transfer from Electric Fund	1,409,891	704,946	50.00%	1,409,891	704,946	50.00%
Use of Prior Year Fund Balance(A)	330,886			555,815		
Use of Prior Year Fund Balance(B)	343,595					
Transfer from Proprietary Funds	137,710	68,855	0.00%	-	-	0.00%
Use of Fund Bal Reserve for Debt	475,028	-	0.00%	927,409	-	0.00%
Use of Restricted Fund Balance	169,930			182,757		
Total Transfers In	\$ 2,867,040	\$ 773,801	26.99%	\$ 3,075,872	\$ 704,946	22.92%
TOTAL REVENUE	\$ 23,438,515	\$ 11,640,330		\$ 22,920,239	\$ 11,185,603	
To General Debt	\$ 479,150	\$ 181,929	37.97%	\$ 413,130	\$ 215,187	52.09%
To School Debt	634,392	-	0.00%	591,182	-	0.00%
To Airport Fund	79,305	-	0.00%	112,247	-	0.00%
To Education Fund	4,987,395	2,493,697	50.00%	4,837,395	2,418,698	50.00%
To Education Fund-Carryover	343,545	-	0.00%	345,594	119,100	34.46%
To Social Services Fund	471,293	-	0.00%	456,738	-	0.00%
To Comprehensive Services Act	119,644	-	0.00%	135,000	-	0.00%
To Economic Dev Incubator	24,220	-	0.00%	57,834	-	0.00%
To Economic Dev Joint Fund	125,000	-	0.00%	125,000	\$ -	0.00%
Total Transfers Out	\$ 7,263,944	\$ 2,675,626	36.83%	\$ 7,074,120	\$ 2,752,985	38.92%
TOTAL EXPENDITURES	\$ 23,438,515	\$ 9,761,655		\$ 22,920,240	\$ 10,373,387	
Variance (Revenue vs. Expense)	\$ -	\$ 1,878,674	4	\$ -	\$ 812,215	
<i>(A)-This amount reflects appropriation of prior year carryover for various expenditures from the FY 14-15 Budget</i>						
<i>(B) - This amount reflects the appropriated carryover for Education as adopted on June 9, 2015. Budget adjustment not done to de-allocate the appropriation based on Council action. Finance dept appropriation (accounting wise) will not include this amount.</i>						

WATER AND SEWER FUND						
	2015-2016	ACTUAL	BUDGET	2014-2015	ACTUAL	BUDGET
REVENUES:	BUDGET	12/31/2015	%	BUDGET	12/31/2014	%
Sale of Water	\$ 1,300,000	\$ 614,370	47.26%	\$ 1,300,000	\$ 617,718	47.52%
Sewer Service Charges	1,750,000	809,341	46.25%	1,750,000	818,916	46.80%
Treatment Fees - Counties	82,500	40,323	48.88%	75,000	32,226	42.97%
Water/Sewer Connection Fees	-	8,000	100.00%	-	16,000	
Administrative Connection Fee	5,000	3,700	74.00%	5,000	3,170	
Other Revenues	250	210	84.00%	250	972	388.80%
Total Current Revenue	\$ 3,137,750	\$ 1,475,944	47.04%	\$ 3,130,250	\$ 1,489,002	47.57%
EXPENDITURES:						
Operating Expense:						
Water System	\$ 1,540,539	\$ 618,183	40.13%	\$ 1,419,018	\$ 354,253	24.96%
Sewer System	733,054	94,427	12.88%	1,153,588	643,047	55.74%
Treatment Plant	758,083	314,905	41.54%	763,453	298,155	39.05%
Total Operating Expenditures	3,031,676	1,027,515	33.89%	3,336,059	1,295,455	38.83%
TRANSFERS:						
GF Transfer - Administrative Services	263,042	131,521	50.00%	285,920	142,960	50.00%
Operating Transfer to GF	82,626	41,313	50.00%	-	-	0.00%
GF Transfer - Payment in Lieu of Taxes	26,460	13,230	50.00%	26,460	13,230	50.00%
Total Transfers Out	\$ 372,128	\$ 186,064	50.00%	\$ 312,380	\$ 156,190	50.00%
Net Operating Income	\$ 2,765,622	\$ 262,365	9.49%	\$ 2,817,870	\$ 37,357	1.33%
OTHER FINANCING SOURCES						
Use of Prior Year Fund Balance	\$ 631,632	\$ -	0.00%	\$ 972,773	\$ -	0.00%
Total Other Financing Sources	631,632	-	-	972,773	-	
Total Revenue & Other Sources	3,769,382	1,475,944	39.16%	4,103,023	1,489,002	36.29%
Debt Service	\$ 365,608	\$ 43,804	11.98%	\$ 366,934	\$ 46,967	12.80%
Total Expenditures	\$ 3,769,412	\$ 1,257,383	33.36%	\$ 4,015,373	\$ 1,498,612	37.32%
Variance - Revenue vs. Expenses	\$ -	\$ 218,561		\$ -	\$ (9,610)	
			5			

ELECTRIC FUND						
	2015-2016	ACTUAL	BUDGET	2014-2015	ACTUAL	BUDGET
REVENUES:	BUDGET	12/31/2015	%	BUDGET	12/31/2014	%
Sale of Energy	\$ 14,232,589	\$ 6,212,273	43.65%	\$ 14,094,334	\$ 6,279,924	44.56%
Sale of Energy Fuel Adj	1,349,299	578,545	42.88%	2,335,039	1,073,396	45.97%
Administrative Connection Fee	210,750	7,940		30,000	7,540	
Other Revenue	20,000	87,485	437.43%	211,500	80,451	38.04%
Proceeds Loan/Bonds	-	231	0.00%	-	194	0.00%
Total Current Revenue	\$ 15,812,638	\$ 6,886,474	43.55%	\$ 16,670,873	\$ 7,441,505	44.64%
EXPENDITURES:						
Energy for Resale (a)	\$ 9,873,999	\$ 4,332,011	43.87%	\$ 9,816,189	\$ 4,238,291	43.18%
Energy for Resale Fuel Adj (a)	1,363,097	600,324	44.04%	2,335,039	1,008,573	43.19%
Other Expenses	1,575,820	737,907	46.83%	1,487,039	505,501	33.99%
Capital Outlay	273,884	128,904	47.07%	265,000	80,263	30.29%
Reserve for Capital Expenditures	241,750		0.00%	250,000		0.00%
Reserve for Cash Replenishment	300,000	-	0.00%	331,197	-	0.00%
Total Operating Expenses	\$ 13,628,550	\$ 5,799,146	42.55%	\$ 14,484,464	\$ 5,832,628	40.27%
<i>Net Operating Income</i>	<i>\$ 2,184,088</i>	<i>\$ 1,087,328</i>	<i>49.78%</i>	<i>\$ 2,186,409</i>	<i>\$ 1,608,877</i>	<i>73.59%</i>
OTHER FINANCING SOURCES:						
TRANSFERS:						
GF Transfer-Council Approved	\$ 1,409,891	\$ 704,945	50.00%	\$ 1,409,891	\$ 704,945	50.00%
GF Transfer - Administrative Services	440,218	220,109	50.00%	440,218	220,109	50.00%
GF Transfer - Payment in Lieu of Taxes	59,282	29,640	50.00%	59,282	29,640	50.00%
GF Transfer - Debt Restructuring	-			-		
Total Transfers (Out)	\$ 1,909,391	\$ 954,694	50.00%	\$ 1,909,391	\$ 954,694	50.00%
Debt Service	\$ 274,697	\$ 48,456	17.64%	\$ 277,018	\$ 50,961	18.40%
Total Expenses	\$ 15,812,638	\$ 6,802,296		\$ 16,670,873	\$ 6,838,283	
Variance - Revenue versus Expenses	\$ -	\$ 84,178		\$ -	\$ 603,222	
			6			
<i>(a) Operating expenses for energy for resale and fuel adjustment costs reflect the January payment for the December 2015 invoice billed in December but paid in January. Financial statements reflect six months of billed revenue and six months of expenditures to more accurately reflect the Fund's cash position even though five months of expenses to VMEA have occurred.</i>						

AIRPORT FUND						
	2015-2016	ACTUAL	BUDGET	2014-2015	ACTUAL	BUDGET
REVENUE:	BUDGET	12/31/2015	%	BUDGET	12/31/2014	%
Fuel Sales	\$ 177,232	\$ 29,330	16.55%	\$ 177,232	\$ 38,549	21.75%
Other Revenue	63,000	26,887	42.68%	63,700	30,698	48.19%
State Grants		950		204,956	9,929	4.84%
Federal Grants		49,731	0.00%	1,380,406	22,730	0.00%
Total Current Revenue	\$ 240,232	\$ 106,898	44.50%	\$ 1,826,294	\$ 101,906	5.58%
EXPENDITURES:						
Operating Expenses	\$ 301,788	\$ 99,560	32.99%	\$ 309,167	\$ 92,741	30.00%
Capital Outlay		\$ 55,258	0.00%	\$ 1,617,239	\$ 118,081	7.30%
Total Operating Expenses	\$ 301,788	\$ 154,818	51.30%	\$ 1,926,406	\$ 210,822	10.94%
Net Operating Income	\$ (61,556)	\$ (47,920)	77.85%	\$ (100,112)	\$ (108,916)	108.79%
TRANSFERS:						
Use of Prior Year Fund Balance	\$ -	\$ -		\$ 6,728	\$ -	
Transfer from Other Funds	\$ 79,305	\$ -	0.00%	\$ 112,247	\$ -	0.00%
Total Revenue	\$ 319,537	\$ 106,898		\$ 1,945,269	\$ 101,906	
Transfer to Other Funds	\$ 20,749	\$ 10,375	50.00%	\$ 18,863	\$ 9,431	50.00%
Net Transfers To/From						
Debt Service	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Total Expenses	\$ 322,537	\$ 165,193		\$ 1,945,269	\$ 220,253	
NET INCOME(LOSS)		\$ (58,295)			\$ (118,347)	
			7			

SOLID WASTE FUND						
	2015-2016	ACTUAL	BUDGET	2014-2015	ACTUAL	BUDGET
REVENUE:	BUDGET	12/31/2015	%	BUDGET	12/31/2014	%
Waste Collection & Disposal Fees	\$ 1,318,079	\$ 647,280	49.11%	\$ 1,375,081	\$ 678,134	49.32%
Miscellaneous Revenue	4,000	2,890	72.25%	4,000	2,878	71.95%
Total Current Revenue	\$ 1,322,079	\$ 650,170	49.18%	\$ 1,379,081	\$ 681,012	49.38%
EXPENDITURES:						
Operating Expenses	\$ 883,482	\$ 361,606	40.93%	\$ 885,349	\$ 352,867	39.86%
Capital Outlay	\$ 219,916	\$ 57,970	26.36%	\$ 370,000	\$ 174,538	47.17%
Total Operating Expenses	\$ 1,103,398	\$ 419,576	38.03%	\$ 1,255,349	\$ 527,405	42.01%
Net Operating Income	\$ 218,681	\$ 230,594	105.45%	\$ 123,732	\$ 153,607	124.14%
TRANSFERS:						
Use of Prior Year Fund Balance	\$ 80,271	\$ -	0.00%	\$ 99,174	\$ -	0.00%
Total Revenue	\$ 1,402,350	\$ 650,170		\$ 1,478,255	\$ 681,012	
Transfer to General Fund	\$ 215,815	\$ 107,907	50.00%	\$ 195,389	\$ 97,694	50.00%
General Fund Operating Support	\$ 55,084	\$ 27,542	50.00%	\$ -	\$ -	0.00%
Total Transfers Out	270,899	135,449	41.67%	195,389	97,694	41.67%
Debt Service	\$ 28,056	\$ 6,494	0.00%	\$ 28,057	\$ -	0.00%
Total Expenses	\$ 1,402,353	\$ 561,519	40.04%	\$ 1,478,795	\$ 625,099	42.27%
NET INCOME(LOSS)		\$ 88,651			\$ 55,913	
			8			

CITY OF FRANKLIN
 FISCAL YEAR 2015-2016
 CASH BALANCES - DECEMBER 2015

FUND	CURRENT YEAR	PRIOR YEAR
General Fund	\$ 7,401,985	\$ 6,080,007
Fund SNAP Proceeds	\$ 101,636	\$ 184,190
Total General Fund	\$ 7,503,621	\$ 6,264,197
Water & Sewer Fund	\$ 2,137,984	\$ 1,993,682
Fund SNAP Proceeds	\$ 195,642	\$ 195,276
Total Water & Sewer Fund	\$ 2,333,626	\$ 2,188,958
Electric Fund	\$ 788,629	\$ 1,284,717
Fund SNAP Proceeds	\$ 126,040	\$ 360,947
Total Electric Fund	\$ 914,669	\$ 1,645,664
Solid Waste Fund	\$ 526,270	\$ 426,565
Airport Fund	\$ (101,138)	\$ (170,101)
TOTAL CASH FOR OPERATIONS	\$ 10,753,730	\$ 9,614,870
TOTAL CASH FOR CAPITAL PROJECTS	\$ 423,318	\$ 740,413
TOTAL CASH	\$ 11,177,048	\$ 10,355,283

OLD/NEW BUSINESS

- A. School Board Resolution Request**
- B. Pretlow Farm Lease Amendment – H. Taylor Williams, City Attorney**
- C. City Manager’s Report**



February 3, 2016

To: Mayor & Council Members
From: R. Randy Martin, City Manager
Subject: School Board Request for Council Resolution

Enclosed is a request from Superintendent Dr. Willie J. Bell, Jr., Ed. D. on behalf of the School Board that City Council adopt a resolution similar in form to one adopted by the School Board. The proposed Resolution opposes action by the General Assembly to consider a constitutional amendment related to a change in Virginia's Charter School authority.

At the request of the Mayor, I have invited the Superintendent to the meeting to offer comment and answer any questions that arise. A draft resolution is attached herewith as submitted by the Superintendent.

Enclosures (2)

RESOLUTION

City of Franklin

WHEREAS, in its 2016 session, the General Assembly will be considering a resolution seeking a constitutional amendment to divest local school boards of the sole authority to approve charter schools, vesting authority with a gubernatorial appointed board; and

WHEREAS, local school boards, which are elected or appointed by their community and entrusted with the authority to supervise schools, are best equipped to assess the needs of their students and the locality; and

WHEREAS, local school boards are responsible for the outcomes of all schools within the school system, including charter schools; and

WHEREAS, research has shown that charter school outcomes are mixed, with the majority doing no better than the traditional public schools that feed them; and

WHEREAS, state-authorized charter schools would result in a massive unfunded mandate to local school divisions, costing millions of dollars to local taxpayers; now therefore;

BE IT RESOLVED, the City of Franklin hereby opposes the resolution seeking a constitutional amendment to divest local school boards from the sole authority to approve charter schools.

City Manager

Mayor

From: [Robert Randy Martin](mailto:Robert.Randy.Martin)
To: [Teresa L. Rose-McQuay](mailto:Teresa.L.Rose-McQuay)
Subject: FW: Resolution
Date: Wednesday, February 03, 2016 4:51:18 PM
Attachments: [RESOLUTION - Charter School Constitutional Amendment.docx](#)

Please include this email request and attached Resolution with my agenda cover letter on this item.

From: Willie Bell [mailto:wbell@fcpsva.org]
Sent: Friday, January 29, 2016 4:52 PM
To: Robert Randy Martin
Subject: Fwd: Resolution

Randy,

Please see if City Council will support this resolution. The Board has already approved and sent to VSBA. Thanks.

----- Forwarded message -----

From: Pamela Kindred <pkindred@fcpsva.org>
Date: Fri, Jan 29, 2016 at 4:39 PM
Subject: Resolution
To: Willie Bell <wbell@franklincity.k12.va.us>

Please see attached.

--

Pamela D. Kindred
Executive Assistant to the Superintendent/Board Clerk
Franklin City Public Schools
207 West Second Avenue
Franklin, VA 23851
ph. [757.569.8111](tel:757.569.8111) ext. 5901
fax [757.516.1015](tel:757.516.1015)
www.fcspva.org

RESOLUTION

Franklin City Public Schools

WHEREAS, in its 2016 session, the General Assembly will be considering a resolution seeking a constitutional amendment to divest local school boards of the sole authority to approve charter schools, vesting authority with a gubernatorial appointed board; and

WHEREAS, local school boards, which are elected or appointed by their community and entrusted with the authority to supervise schools, are best equipped to assess the needs of their students and the locality; and

WHEREAS, local school boards are responsible for the outcomes of all schools within the school system, including charter schools; and

WHEREAS, research has shown that charter school outcomes are mixed, with the majority doing no better than the traditional public schools that feed them; and

WHEREAS, state-authorized charter schools would result in a massive unfunded mandate to local school divisions, costing millions of dollars to local taxpayers; now therefore;

BE IT RESOLVED, the Franklin City Public Schools hereby opposes the resolution seeking a constitutional amendment to divest local school boards from the sole authority to approve charter schools.

Division Superintendent

School Board Chairman



*Office Of The City Attorney
H. Taylor Williams, IV*

February 3, 2016

From: H. Taylor Williams, IV, City Attorney

To: Members of City Council

Re: Pretlow Farm Lease, rent for 2015

The Pretlow Farm is leased to B M Francis Farms, LLC, managed by Brian Francis. The lease calls for \$182.50 per acre to be paid in rent for 196.8 acres of farm land and 10.8 acres of pasture land for a total rent amount of \$37,777.00. You may recall the City took 10 acres out of production and sold the 10 acres to Pinnacle Agriculture Distribution and an additional 1.12 acres to build an access road and install a water line to service the Pinnacle property. Mr. Francis has paid the City rent in the amount of \$31,187.43 which represents the \$170.89 acres he actually cultivated in 2015 according to Farm Services GPS records. The difference in what Mr. Francis farmed (after deduction for Pinnacle and the road/water line) and what was available per the lease is 15.97 acres of farm land and the 10.8 acres of pasture land. Mr. Francis is asking for an amendment to the lease which will reduce the rent obligation.

H. Taylor Williams, IV
City Attorney

Cc: R. Randy Martin, City Manager
Melissa D. Rollins, Director of Finance

COUNCIL/STAFF REPORTS ON BOARDS & COMMISSIONS