



**Franklin City Council Agenda
March 10, 2025
Council Chambers
207 West Second Avenue
Franklin, Virginia 23851**

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

**CALL TO ORDER.....MAYOR PAUL KAPLAN
ROLL CALL.....MAYOR PAUL KAPLAN
PLEASE TURN OFF CELL PHONES.....MAYOR PAUL KAPLAN
PLEDGE OF ALLEGIANCE
CITIZEN’S TIME (3 MINUTES)**

1. CONSENT AGENDA

(The Consent Agenda provides a method for expediting items that do not require discussion. Items listed on the Consent Agenda are considered routine and non-controversial and will be approved unanimously by a single roll-call vote of the City Council. A Council member may request to remove an item from the Consent Agenda, and if approved, it will be placed on the regular agenda for discussion and consideration.)

- A. Approval of Agenda for March 10, 2025
- B. Approval of February 24, 2025 Regular Council Meeting Minutes
- C. Approval of February 27, 2025 Special Called Meeting Minutes

2. CITY MANAGER’S REPORT

Agenda Item #2025-19:

Adoption of an Ordinance Approving City Code Amendments to Chapter 8-15, Chapter 13-16 and Chapter 30-24 Pertaining to Utilities Billing Extension

Agenda Item #2025-20:

Adoption of a Resolution Expressing the Concurrence of the Franklin City Council with the Inducement Resolution Adopted by the Economic Development Authority of Henrico County, Virginia and Approving the Issuance of Revenue Bonds for the Benefit of Bon Secours Mercy Health, Inc. and Southampton Medical Center

Agenda Item #2025-21:

Adoption of a Resolution Amending the FY 2024-2025 City Operating Budget to Accept and Appropriate the Amount of \$3,000 Received as a Donation from Bronco Federal Credit Union to Assist with the Spring Fest, Juneteenth Celebration and the Fireworks Planned in the City of Franklin for FY 2024-2025

3. NEW BUSINESS

- A. Boards & Commissions
- B. Items Submitted by Council Members (Council Comments)
- C. Report on Pending Items
 - ICMA Council Training

4. CLOSED SESSION

Convene a Closed Meeting Pursuant to Virginia Code Section 2.2-3711 (A)(1):

****Agenda subject to change**

- a. For the purpose of discussion, consideration, or interviews of prospective candidates for appointment to the Franklin School Board; and
- b. For the purpose of discussion, consideration, or interviews of prospective candidates for employment.

5. **RECONVENE REGULAR SESSION**

6. **CERTIFICATION OF CLOSED MEETING**

7. **ADJOURNMENT**

Regular City Council Meeting Minutes February 24, 2025

Call to order

The Franklin City Council held its regular City Council meeting on February 24, 2025 at 7:00 p.m. in the City Council Chambers.

Roll Call

Council Members in Attendance: Jessica Banks, Councilwoman; Wynndolyn Copeland, Vice-Mayor; Richard Grizzard, Councilman; Paul Kaplan, Mayor; Mark Kitchen, Councilman McLemore

Others in Attendance: Rosylen Oglesby, City Manager, Heather Lockerman, City Attorney

Cell Phones

Mayor Kaplan asked all to silence cell phones.

Pledge of Allegiance

The Pledge of Allegiance was recited by all in attendance.

Citizen's Time

Ms. Audrey Lee made comments in reference to Mr. Felts and expressed concerns about the School System.

Mrs. Carolyn Lawrence made comments in reference to Mr. Felts and expressed concerns about the Superintendent.

Ms. Carrie Johnson made comments in reference to Mr. Felts and accountability of the Superintendent.

Mr. Lamont Hill made comments in reference to Mr. Felts and dissatisfaction with the Superintendent.

Councilman Johnson joined the meeting at 7:12 p.m.

Mr. Don Spengeman made comments in reference to Mr. Felts and expressed concerns about the School Board members and the Superintendent.

Ms. Liz Burgess expressed concerns about the growth and development of the community, issue regarding Mr. Felts, and School System accountability to Council.

Ms. Brenda Peterson made comments and expressed concern regarding the School System.

Ms. Regina Hill made comments in reference to Mr. Felts and the effects it has on the children.

Consent Agenda

A motion was made by Councilman Kitchen and seconded by Vice-Mayor Copeland to approve the consent agenda.

The motion carried the vote 6-0

The vote was as follows:

Ayes: Banks, Copeland, Grizzard, Kaplan, Kitchen, McLemore

Abstained: Johnson

Presentations

The Electoral Board made presentations to city staff and elections staff.

City Manager’s Report

Agenda Item #2025-16

A motion was made by Councilman Grizzard and seconded by Vice-Mayor Copeland to approve the Resolution Confirming a Declaration of Local Emergency Due to Severe Weather and the Threat of Winter Storm Kingston Impacting Franklin, Virginia.

The motion carried the vote 7-0

The vote was as follows:

Ayes: Banks, Copeland, Grizzard, Johnson, Kaplan, Kitchen, McLemore



RESOLUTION #2025-7

A RESOLUTION CONFIRMING A DECLARATION OF LOCAL EMERGENCY DUE TO SEVERE WEATHER AND THE THREAT OF WINTER STORM KINGSTON IMPACTING FRANKLIN, VIRGINIA.

WHEREAS, the City Manager of the City of Franklin, acting in her official capacity as Director of Emergency Management, did on February 19, 2025, declare a Local Emergency due to severe weather and the threat of Winter Storm Kingston impacting Franklin, Virginia; and

WHEREAS, pursuant to Emergency Operations Plan of the City of Franklin, it is now incumbent on City Council to official action ratifying said declaration of emergency;

NOW THEREFORE BE IT RESOLVED by the Council of the City of Franklin, Virginia that said Declaration of Local Emergency, a copy of which is attached hereto, is hereby ratified and approved, and that the City Manager is further authorized to take all actions reasonable and necessary to complete implementation of all measures taken to respond to said emergency.

ADOPTED by the Council of the City of Franklin, Virginia at a meeting held on February 24, 2025.

Paul Kaplan, Mayor

ATTEST:

Kimberly Turner, Deputy City Clerk

Agenda Item #2025-17

A motion was made by Councilman Kitchen and seconded by Vice-Mayor Copeland to adopt the Resolution Approving the Honorary Street Naming Policy.

The motion carried the vote 6-1

The vote was as follows:

Ayes: Banks, Copeland, Grizzard, Johnson, Kaplan, Kitchen

Nays: McLemore



RESOLUTION #2025-8

A RESOLUTION OF THE CITY OF FRANKLIN, VIRGINIA APPROVING THE HONORARY STREET NAMING POLICY

WHEREAS, the City of Franklin, Virginia values the contributions of individuals and organizations that have significantly impacted our community in positive ways; and

WHEREAS, honorary street naming is a method of recognizing these contributions by allowing streets to be named in honor of such individuals or groups, fostering a sense of pride and remembrance within the community; and

WHEREAS, it is essential to establish a clear and comprehensive policy regarding honorary street naming to ensure transparency, consistency, and respect for the community's values and interests; and

WHEREAS, the proposed honorary street naming policy has been drafted and reviewed ensuring it aligns with the principles and vision of the City Council and

THEREFORE, BE IT RESOLVED by the City of Franklin, Virginia that:

1. The honorary street naming policy, as attached to this resolution, is hereby approved and adopted.
2. The Department of Community Development is directed to implement the honorary street naming policy and ensure that all procedures are followed in accordance with the guidelines established.
3. A copy of this resolution shall be made available to the public and published on the City's website.
4. The City of Franklin, Virginia acknowledges the importance of this policy in celebrating our community's history, culture, and contributions made by deserving individuals and organizations.

ADOPTED by the City Council on this February 24, 2025.

Paul Kaplan, Mayor

ATTEST:

Kimberly Turner, Deputy City Clerk

Agenda Item #2025-18

A motion was made by Councilman Kitchen and seconded by Councilman Grizzard to approve the Resolution Approving the Hay Cutting License Agreement Between the Franklin Municipal-John Beverly Rose Airport and Hash Family Farms of Suffolk.

The motion carried the vote 7-0

The vote was as follows:

Ayes: Banks, Copeland, Grizzard, Johnson, Kaplan, Kitchen, McLemore



RESOLUTION #2025-9

A RESOLUTION APPROVING THE HAY CUTTING LICENSE AGREEMENT BETWEEN THE FRANKLIN MUNICIPAL-JOHN BEVERLY ROSE AIRPORT AND HASH FAMILY FARMS OF SUFFOLK.

WHEREAS, the Franklin Municipal-John Beverly Rose Airport (the "Airport") is committed to maintaining its property and ensuring its safe operation;

WHEREAS, the Airport owns property, including grass areas located at 32470 John Beverly Rose Drive, Franklin, Virginia 23851 (the "Premises"), which requires regular maintenance to promote safety and aesthetics;

WHEREAS, Hash Family Farms of Suffolk (the "Licensee") has proposed to mow, bale, and remove hay from the Premises for personal use or sale without seeking monetary compensation from the Airport;

WHEREAS, the Licensee's activities align with the interests of the Airport, provided that such activities do not interfere with airport operations, and the Airport is held harmless from any liability that may arise from the Licensee's activities;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Franklin hereby approves the execution of the Hay Cutting License ("License") with Hash Family Farms of Suffolk, allowing the Licensee access to the Premises under the terms set forth in the draft License presented to the Airport Authority.

BE IT FURTHER RESOLVED, that the Airport Director/Manager is authorized to sign the License on behalf of the Airport and is tasked with overseeing the Licensee's adherence to the terms and conditions specified, including but not limited to:

1. Mowing the grass fields to maintain a height not exceeding twelve inches (12") and the timely removal of bales.
2. Ensuring that all activities comply with applicable laws, regulations, and safety standards.
3. Communicating with the Airport Director/Manager regarding the progress and operations related to hay cutting.

BE IT FURTHER RESOLVED, that this resolution shall remain in effect until terminated by the City Council or upon expiration of the License as specified within its terms.

ADOPTED by the City Council of Franklin, Virginia on this 24th day of February, 2025.

Paul Kaplan, Mayor

ATTEST:

Kimberly Turner, Deputy City Clerk

New Business

A. Boards & Commissions

A motion was made by Councilman Johnson and seconded by Councilman Kitchen to appoint Mark Bly to the Virginia Municipal Electric Association.

The motion carried the vote 6-1

The vote was as follows:

Ayes: Banks, Copeland, Grizzard, Johnson, Kaplan, Kitchen

Nays: McLemore

B. Items Submitted by Council Members (Council Comments)

Vice-Mayor Copeland made comments regarding the proposed joint meeting with the School Board and the Mr. Felts issue.

Councilman Johnson thanked City Manager and staff for work they did during the winter storm in clearing roads.

Councilman Kitchen made comments in reference to the issue with Mr. Felts and the proposed joint meeting with the School Board.

Councilwoman Banks made comments in reference to the issue regarding Mr. Felts and proposed joint meeting with the School Board.

Councilman McLemore made comments in reference to the School Board and the Superintendent violating laws. Councilman McLemore also made comments in reference to changing street names instead of honorary street naming.

Councilwoman Banks made comments in reference to support of street naming, but with polling residents and businesses on that street.

Councilman Grizzard made comments in reference to the issue regarding Mr. Felts and accountability from the School System.

Mayor Kaplan informed the Board that they received a thank you note from Ms. Burgess, he thanked the Electoral Board and welcomed the general Registrar. Mayor Kaplan also made comments in support of Mr. Felts and acknowledged a letter from Becky Gillette, a former educator.

Council made further comments referencing the School System and the issue regarding Mr. Felts.

City Manager Oglesby clarified how rates are set.

Closed Session

A motion was made by Councilman Grizzard and seconded by Councilman McLemore to convene a closed session pursuant to Virginia Code Section 2.2-3711 A-1, for the purpose of discussing, considering, or interviewing prospective candidates for employment.

The motion carried the vote 7-0

The vote was as follows:

Ayes: Banks, Copeland, Grizzard, Johnson, Kaplan, Kitchen, McLemore

Reconvene Regular Session

A motion was made by Councilman Grizzard and seconded by Councilman Johnson to reconvene open meeting.

The motion carried the vote 7-0

The vote was as follows:

Ayes: Banks, Copeland, Grizzard, Johnson, Kaplan, Kitchen, McLemore

Certification of Closed Meeting

Councilman Grizzard moved that each council member certify that, to the best of his or her knowledge: I hereby move that each council member certify that, to the best of his or her knowledge:

- (i) Only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and
- (ii) Only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the closed meeting just concluded.

Any member of the public body who believes that there was a departure from the requirements of clauses (i) and (ii), shall so state prior to the vote, indicating the substance of the departure that, in his or her judgement, has taken place. The statement shall be recorded in the minutes of the public body.

City Council certified the meeting.

The motion carried the vote 7-0

The certification was as follows:

Certified: Banks, Copeland, Grizzard, Johnson, Kaplan, Kitchen, McLemore

Adjournment

A motion was made by Vice-Mayor Copeland and seconded by Councilman Johnson to adjourn.

The motion carried the vote 7-0

The vote was as follows:

Ayes: Banks, Copeland, Grizzard, Johnson, Kaplan, Kitchen, McLemore

The meeting adjourned at 9:06 p.m.

Mayor

Deputy Clerk to City Council

Special Called City Council Meeting Minutes February 27, 2025

Call to order

The Franklin City Council held a Special Called City Council meeting on February 27, 2025 at 5:30 p.m. at the Franklin Municipal Airport.

Roll Call

Council Members in Attendance: Jessica Banks, Councilwoman; Wynndolyn Copeland, Vice-Mayor; Paul Kaplan, Mayor; Mark Kitchen, Councilman; Gregory McLemore, Councilman

Others in Attendance: Rosylen Oglesby, City Manager and Kimberly Turner, Deputy City Clerk

Approval of Agenda

A motion was made by Councilman Kitchen and seconded by Councilwoman Banks to approve the agenda.

The motion carried the vote 5-0

The vote was as follows:

Ayes: Banks, Copeland, Kaplan, Kitchen, McLemore

Closed Session

A motion was made by Vice-Mayor Copeland and seconded by Councilman Kitchen to convene a closed session pursuant to Virginia Code Section 2.2-3711 A-1, for the purpose of discussing, considering, or interviewing prospective candidates for employment.

The motion carried the vote 5-0

The vote was as follows:

Ayes: Banks, Copeland, Kaplan, Kitchen, McLemore

Councilman Johnson joined the meeting at 5:36 p.m.

Reconvene Regular Session

Council reconvened the meeting at 6:06 p.m.

Adjournment

Council adjourned the meeting at 6:08 p.m.

Mayor

Deputy Clerk to City Council



City Manager's Report
Submitted by: Rosylen Oglesby, City Manager
March 10, 2025
Agenda Item #2025-19

Title: City Code Amendments: Chapter 8-15 Electric Utility, Chapter 13-16 Garbage and Refuse, and Chapter 30-24 Water, Sewers, and Sewage Disposal Pertaining to Utility Bill Extension

Issue:

- Adoption of an ordinance approving City Code amendments to Chapter 8-15, Chapter 13-16, and Chapter 30-24 pertaining to utilities billing extension.

Background:

- According to the City Code of Ordinances, payments related to specific services provided by the City are due on a certain date.
- Chapter 8, Electric Utility, Section 8-15 sets the due date for electric bills due and payable on or before the twentieth month the bill is rendered.
- This due date also applies to Chapter 13, Garbage and Refuse, Section 13-16 and Chapter 30 Water, Sewers, and Sewage Disposal, Section 30-24 because all of these items appear on the same bill.

Discussion:

- At the January 13 Regular Meeting, the City Council requested the City Manager to extend the due date for the utilities bill due to the delays resulting in the bills being received close to the due date.
- At the January 27 Regular Meeting, the City Council expressed the desire to change the utilities billing due date. The City Manager also informed the City Council that the City Code does not give her the authority to provide an extension.
- Through a consensus, the City Council indicated it wanted to amend the City Code to change the due date to the first of the month and add the necessary language to authorize the City Manager to provide an extension.
- At the February 10 Regular Meeting, the City Manager asked for more time to address the due date change. She indicated that the process needed to be reviewed to assess better where the delays were happening and to look at the overall impact. The City Manager indicated she would still bring forward the language that gives authority to provide extensions.
- The proposed amendments before the City Council allow the City Manager to grant an extension on utilities billing due date when an impact affects all customers. The amendments are not designed to provide an extension to individuals based on failure to pay or circumstances. The current process offers other means to assist in those situations.
- The extension of the utilities bill is not automatic and is not designed for long periods. The City Manager must take into account cash flow gaps.

Financial impact:

- Continuing to extend the due date for utility bills results in delays in incoming cash receipts. This can negatively impact the fund's immediate liquidity and potentially lead to short-term cash flow issues. Consequently, departments that rely on this revenue will have to wait longer to collect customer payments, making it more challenging to meet operational expenses, fulfill financial obligations, and invest in necessary infrastructure upgrades in the short term.

Recommended Action:

- Approval of the resolution.

Next Steps Following Council Action:

- The City Manager will work with the appropriate staff to make the necessary changes.

Attachments:

- Ordinance
- Copy of Chapter 8 Electric Utility, Section 8-15
- Copy of Chapter 13 Garbage and Refuse, Section 13-16
- Copy of Chapter 30 Water, Sewers, and Sewage Disposal, Section 30-24



City Manager



ORDINANCE #2025-2

**ORDINANCE: APPROVE CITY CODE AMENDMENT TO AMEND CHAPTER 8-15,
CHAPTER 13-16, AND CHAPTER 30-24 PERTAINING TO UTILITY BILL
EXTENSIONS**

WHEREAS, pursuant to § 15.2-1427 of the Code of Virginia (1950), as amended, the City Council for the City of Franklin, Virginia (Council), has the legislative authority to amend an ordinance in the same manner, or by the same procedure, in which, or by which, ordinances are adopted; and

WHEREAS, Council believes it is appropriate to authorize the City Manager to extend payment deadlines for water and sewer utilities and all utilities billed in conjunction when extenuating circumstances prevent timely payment; and

WHEREAS, all other aspects of the ordinances remain in effect.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Franklin, Virginia, that Chapter 8. Electric Utility, Article II. Service Charges, Section 8-15 When due and payable; and Chapter 13. Garbage and Refuse, Section. 13-16 When due and payable; and Chapter 30. Water, Sewers and Sewage Disposal, Article II. Regulation of Wastewater Discharge and Sewer Section 30-24 When due and payable is hereby amended as attached hereto:

VOTE:

Ayes:

Nays:

Abstentions:

Absent for vote:

ADOPTED:

Paul Kaplan, Mayor

CERTIFIED:

Deputy Clerk

Chapter 30. Water, Sewers and Sewage Disposal
Article II. Regulation of Wastewater Discharge and Sewer Use

§ 30-24. When due and payable.

[Code 1962, § 24-27]

- (a) All bills for water and sewer services shall become due and payable when presented and all accounts shall be paid on or before the 20th of the month in which the bill is rendered.
- (b) Authority to Grant Extensions. The City Manager is authorized, in their discretion, to extend payment deadlines when an administrative issue, such as clerical errors, system malfunctions, or delays in processing, impedes the customer's ability to timely pay their account.
- (c) Each extension granted pursuant to this section shall apply to all customers who have not timely paid their bills for water and sewer services in the month for which the extension is granted.
- (d) All water and sewer customers shall be notified of the extension.
- (e) Any extension shall be granted for a fixed period of time that is not more than thirty days from the date of notice.
- (f) Extensions for payment deadlines, as outlined here, shall also apply to all other utility services billed in conjunction with water and sewer services.

Chapter 8. Electric Utility

Article II. Service Charges

§ 8-15. When due and payable.

[Code 1962, § 24-6, amended by Ord. No. 2025-2, March 10, 2025]

- (a) All bills for electric service furnished by the City shall become due and payable when presented, and all accounts shall be paid on or before the 20th of the month in which the bill is rendered.
- (b) Authority to Grant Extensions. The City Manager is authorized, in their discretion, to extend payment deadlines when an administrative issue, such as clerical errors, system malfunctions, or delays in processing, impedes the customer's ability to timely pay their account.
- (c) Each extension granted pursuant to this section shall apply to all customers who have not timely paid their bills for water and sewer services in the month for which the extension is granted.
- (d) All water and sewer customers shall be notified of the extension.
- (e) Any extension shall be granted for a fixed period of time that is not more than thirty days from the date of notice.
- (f) Extensions for payment deadlines, as outlined here, shall also apply to all other utility services billed in conjunction with electric services.

Chapter 13. Garbage and Refuse

§ 13-16. When due and payable.

[Ord. of 9-26-1994, amended by Ord. No. 2025-2, March 10, 2025]

- (a) All fees for City collection of garbage, waste and other refuse shall be billed in conjunction with the City electric, water and sewer bills and shall become due and payable on or before the 20th of the month in which the bill is rendered.
- (b) Authority to Grant Extensions. The City Manager is authorized, in their discretion, to extend payment deadlines when an administrative issue, such as clerical errors, system malfunctions, or delays in processing, impedes the customer's ability to timely pay their account.
- (c) Each extension granted pursuant to this section shall apply to all customers who have not timely paid their bills for water and sewer services in the month for which the extension is granted.
- (d) All water and sewer customers shall be notified of the extension.
- (e) Any extension shall be granted for a fixed period of time that is not more than thirty days from the date of notice.
- (f) Extensions for payment deadlines, as outlined here, shall also apply to all other utility services billed in conjunction with garbage and refuse services.



City Manager's Report
Submitted by: Tomeka Morgan, Interim Finance Director
March 10, 2025
Agenda Item #2025-20

Title: Bon Secours Mercy Health 2025 Bond Issuance

Issue:

- Adoption of a resolution expressing the concurrence of the Franklin City Council with the inducement resolution adopted by the Economic Development Authority of Henrico County, Virginia and approving the issuance of revenue bonds for the benefit of Bon Secours Mercy Health, Inc. and Southampton Medical Center.

Background:

- Bon Secours Mercy Health, Inc. ("BSMH") is a Maryland nonstock nonprofit membership corporation, and which has facilities located in the City of Franklin, Virginia including Bon Secours Southampton Medical Center ("Southampton Medical Center") located at 100 Fairview Drive, Franklin, Virginia 23851.

Discussion:

- On January 16, 2025, the Economic Development Authority of Henrico County, Virginia, approved an inducement resolution for issuing Health Facilities Revenue Bonds for Bon Secours Mercy Health, Inc. The bonds will be used to finance various capital expenditures related to hospital facilities, cover interest costs, establish debt service reserve funds if necessary, and pay related issuance expenses. This initiative is part of a master financing plan supporting healthcare facilities affiliated with BSMH, including Southampton Medical Center.
- During the City Council meeting on February 10, the City Manager reported that BSMH must obtain approval from all localities where they operate facilities. The City Manager also requested the Council's approval to allow the public hearing scheduled for February 20, 2025, in Henrico County, Virginia, to serve as the official hearing for the City. The City Council reached a consensus in favor of this request.
- It is important to note that the resolution approved by the City Council does not impose any financial obligations on the City, and no monetary impact is associated with it.

Financial impact:

- There is no financial impact.

Recommended Action:

- Approval of the resolution.

Next Steps Following Council Action:

- Moving forward, the Economic Development Authority of Henrico County, Virginia, will take the necessary steps.

Attachments:

- Resolution
- Public Hearing Notice


City Manager



RESOLUTION 2025-10

A RESOLUTION EXPRESSING THE CONCURRENCE OF THE CITY COUNCIL OF THE CITY OF FRANKLIN WITH THE INDUCEMENT RESOLUTION ADOPTED BY THE ECONOMIC DEVELOPMENT AUTHORITY OF HENRICO COUNTY, VIRGINIA AND APPROVING THE ISSUANCE OF REVENUE BONDS FOR THE BENEFIT OF BON SECOURS MERCY HEALTH, INC. AND SOUTHAMPTON MEDICAL CENTER.

WHEREAS, Bon Secours Mercy Health, Inc. (“BSMH”) is a Maryland nonstock nonprofit membership corporation, and which has facilities located in the City of Franklin, Virginia including Bon Secours Southampton Medical Center (“Southampton Medical Center”) located at 100 Fairview Drive, Franklin, Virginia 23851; and

WHEREAS, on January 16, 2025, the Economic Development Authority of Henrico County, Virginia (the “Henrico Authority”) adopted an inducement resolution (the “Inducement Resolution”) (a copy of which is attached hereto as Attachment A) relating to the issuance of its Health Facilities Revenue Bonds (Bon Secours Mercy Health, Inc.) (the “Bonds”) in one or more series to, among other things, (i) finance or refinance the costs of certain capital expenditures, including the acquisition, construction, equipping, expansion, enlargement and improvement of certain hospital facilities, including reimbursement, (ii) pay a portion of the interest on the Bonds, if deemed necessary, (iii) establish one or more debt service reserve funds, if deemed necessary, and (iv) pay certain expenses incurred in connection with the issuance of the Bonds (collectively, the “Financing Purposes”), all pursuant to a master financing plan for certain health care facilities affiliated with BSMH, which plan includes the above-described financing by the Henrico Authority for the benefit of BSMH and its nonprofit affiliates, including Southampton Medical Center; and

WHEREAS, the portion of the Bonds to be issued for the benefit of the Southampton Medical Center facilities shall not exceed \$15,000,000; and

WHEREAS, the Bonds will be issued pursuant to the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the “Act”), and will be limited obligations of the Henrico Authority payable solely from the revenues and receipts derived from payments provided by BSMH; and

WHEREAS, the facilities of Southampton Medical Center to be financed or refinanced are located within the boundaries of the City of Franklin; and

WHEREAS, Section 15.2-4905 of the Act permits the issuance of the Bonds by the Henrico Authority for the benefit of BSMH and its nonprofit affiliates, including Southampton Medical Center, if the governing body of the City of Franklin concurs in the Inducement Resolution adopted by the Henrico Authority; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), provides that an “applicable elected representative” of the governmental unit having jurisdiction over the area in which any facility financed or refinanced with the proceeds of the Bonds is located must approve the issuance of the Bonds in order for the interest on the Bonds to

be entitled to certain exemptions from taxation provided by the Code, and the City Council of the City of Franklin, Virginia, as an elected legislative body, constitutes such applicable elected representative within the meaning of the Code; and

WHEREAS, on February 20, 2025, pursuant to the requirements of Section 147(f) of the Code and the Act, the Henrico Authority in a joint undertaking with the City of Franklin and the County of Chesterfield, Virginia held a public hearing concerning the proposed issuance of the Bonds; and

WHEREAS, a Summary of the statements expressed at the public hearing have been filed with the Council; and

WHEREAS, at this time, BSMH is requesting that the City Council of the City of Franklin, Virginia concur in the Inducement Resolution of the Henrico Authority and approve the issuance of the Bonds by the Henrico Authority to comply with Section 147(f) of the Code and Section 15.2-4905 of the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA:

1. The recitals made in the preamble to this Resolution are hereby adopted as a part of this resolution.
2. The City Council of the City of Franklin, Virginia, approves the issuance of the Bonds by the Henrico Authority for the benefit of BSMH and its nonprofit affiliates, including Southampton Medical Center, and concurs in the Inducement Resolution adopted by the Henrico Authority for all purposes for which such concurrence and approval is required, including without limitation, Section 147(f) of the Code and Section 15.2-4905 of the Act.
3. The approval of the issuance of the Bonds, as required by Section 147(f) of the Code, and the concurrence in the Inducement Resolution adopted by the Henrico Authority as required by Section 15.2-4905 of the Act, does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of BSMH, nor does it constitute indebtedness of or a pledge of contributions from the City of Franklin, Virginia. Neither the faith and credit nor the taxing power of the City of Franklin is pledged to the payment of the principal or interest on such Bonds or any other costs related thereto. Neither the City of Franklin nor any of its representatives, commissioners, officers or employees shall have any liability for or related to the Bonds.
4. The City Clerk is hereby instructed to forward a copy of this resolution to the Henrico Authority and representatives of BSMH.
5. This Resolution shall take effect on the date of its adoption.

ADOPTED by the Council of the City of Franklin, Virginia at a meeting held on March ____, 2025.

ATTEST: _____
City Clerk

Attachment A

Inducement Resolution

**REPORT ON PUBLIC HEARING WITH RESPECT TO PROPOSED
ISSUANCE OF**

Economic Development Authority of Henrico County, Virginia
Health Facilities Revenue Bonds, Series 2025
(Bon Secours Mercy Health, Inc.)

DATE: March 6, 2025

TO: Kimberly Turner, Deputy City Clerk, City of Franklin, Virginia

FROM: Erin A. Sutton, Esq., Dinsmore & Shohl LLP, Bond Counsel

I. Summary of Proposed Bond Issue

Pursuant to the Industrial Development and Revenue Bond Act, Title 15.2, Chapter 40 of the Code of Virginia of 1950 (as amended, the “Act”) and a plan of finance adopted by Bon Secours Mercy Health, Inc., a Maryland nonstock nonprofit corporation (“Bon Secours Mercy Health”), the Economic Development Authority of Henrico County, Virginia (the “Issuer”) will issue its Health Facilities Revenue Bonds, Series 2025 (the “Bonds”) in one or more series in an aggregate principal amount not to exceed \$600,000,000. The proceeds of the Bonds will be loaned by the Issuer to Bon Secours Mercy Health for the purpose of financing and refinancing hospital facilities of Bon Secours Mercy Health and its nonprofit Affiliates in the Commonwealth of Virginia and to pay costs of issuance related thereto. The Bonds will be special, limited obligations of the Issuer and are neither the Commonwealth, nor any political subdivision thereof, nor the Issuer shall be obligated to pay the debt service thereon or other costs incident thereto except from the revenues and moneys pledged therefor. Neither the faith and credit nor the taxing power of the Commonwealth, or any political subdivision thereof, is pledged to the payment of the principal of such Bonds or the interest thereon or other costs incident thereto. Dinsmore & Shohl, LLP will serve as bond counsel for the Bonds.

The Bonds will be publicly offered with RBC Capital Markets and JPMorgan serving as the lead underwriters.

II. Report on Public Hearing

A public hearing which was conducted as a joint undertaking between the Issuer, Chesterfield County, Virginia and the City of Franklin, Virginia was convened at 6:30 P.M. on Thursday, February 20, 2025 (the “Public Hearing”), at the Issuer’s offices at 4300 E. Parham Road, Henrico, Virginia 23228. Notice of the public hearing was published on February 13, 2025 in The Daily Press as evidenced by an Affidavit of Publication, a copy of which is attached hereto as Exhibit A. One member of the public (name not provided) appeared to express concern with the nature of the public notice provided and with the hospital system’s past operations. There were no other objections or comments received with respect to the issuance of the Bonds or the financing of the Project. The Public Hearing was closed at approximately 6:45 P.M.



Erin A. Sutton, Esq.

EXHIBIT A



Sold To:
Dinsmore & Shohl LLP - CU80167535
191 W Nationwide Blvd., Suite 200
Columbus, OH 43215

Bill To:
Dinsmore & Shohl LLP - CU80167535
191 W Nationwide Blvd., Suite 200
Columbus, OH 43215

Affidavit of Publication

State of Illinois
County of Cook

Order Number: 7768217
Purchase Order:

This day, Jeremy Gates appeared before me and, after being duly sworn, made oath that:

- 1) He/she is affidavit clerk of Daily Press, a newspaper published by Daily Press, LLC in the city of Newport News and the state of Virginia
- 2) That the advertisement hereto annexed has been published in said newspaper on the dates stated below
- 3) The advertisement has been produced on the websites classifieds.pilotonline.com and <https://www.publicnoticevirginia.com>

Published on: **Feb 13, 2025.**

A handwritten signature in black ink, appearing to read 'JG Gates', written over a horizontal line.

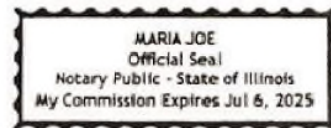
Jeremy Gates

Subscribed and sworn to before me in my city and state on the day and year aforesaid this 14 day of February, 2025

My commission expires July 6, 2025

A handwritten signature in black ink, appearing to read 'Maria Joe', written over a horizontal line.

Notary Signature



Notary Stamp



**NOTICE OF PUBLIC HEARING
ON PROPOSED TAX-EXEMPT
BOND FINANCING**

Notice is hereby given that the Economic Development Authority of Henrico County, Virginia (the "Henrico Authority") will hold a public hearing as a joint undertaking with the Economic Development Authority of Chesterfield County, Virginia (the "Chesterfield Authority") and the City of Franklin, Virginia ("Franklin") on the application of Bon Secours Mercy Health, Inc., a Maryland nonstock nonprofit corporation authorized to do business in the Commonwealth of Virginia (the "Applicant") with its principal place of business at 1701 Mercy Health Place, Cincinnati, Ohio, and certain of its nonprofit affiliates listed below for the Henrico Authority to issue, pursuant to the Industrial Development and Revenue Bond Act (the "Act"), up to \$600,000,000 aggregate principal amount of its tax-exempt bonds, in one or more series (the "Series 2025 Bonds") to assist the Applicant in financing or refinancing the acquisition, construction, equipping, expanding, renovating and improving of certain hospital facilities including routine capital expenditures and reimbursement (collectively, the "Projects") and the payment of certain expenses incurred in connection with the issuance of the Series 2025 Bonds (collectively, the "Financing Purposes") anticipated to be located at the following locations (collectively referred to as the "Hampton Road Projects"): 2 Bernadine Drive, Newport News, Virginia 23602, commonly known as Bon Secours Mary Immaculate Hospital (the "Mary Immaculate Project"); 3636 High Street, Portsmouth, Virginia 23707, commonly known as Bon Secours Maryview Medical Center (the "Maryview Project"); 5818 Harbour View Boulevard, Suffolk, Virginia 23435, commonly known as Bon Secours Health Center at Harbour View (the "Harbour View Project"); 100 and 118 Fairview Drive, Franklin, Virginia 23851, commonly known as Southampton Medical Center including medical office building and vacant land (the "Southampton Medical Center Project") and the following locations (collectively referred to as the "Richmond Projects"): 13710 St. Francis Boulevard, Midlothian, Virginia 23114, commonly known as St. Francis Medical Center (the "St. Francis Project"); 5801 Bremono Road, Richmond, Virginia 23226, commonly known as St. Mary's Hospital (the "St. Mary's Project"); 101 Harris Road, Kilmarnock, Virginia 22482, commonly known as Rappahannock General Hospital (the "Rappahannock Project"); 8254 and 8260 Atlee Road, Mechanicsville, Virginia 23116, commonly known as Memorial Regional Medical Center (the "Memorial Regional Project"); 11400 North Lakeridge Parkway, Ashland, Virginia 23005, commonly known as Ashland Emergency Center (the "Ashland ED Project"); 1431, 1433 and 1500 North 28th Street, Richmond, Virginia 23223, commonly known as Richmond Community Hospital (the "Richmond Community Project"); 727 North Main Street, Emporia, Virginia 23847-1274, commonly known as Southern Virginia Regional Medical Center (the "SVRMC Project"); 200 Medical Park Boulevard, Petersburg, Virginia 23805-9274, commonly known as



Southside Regional Medical Center (the "Southside Regional Project"). The initial owner or principal user of the Projects will be the Applicant or certain of its nonprofit affiliates, each a nonprofit corporation or wholly-owned limited liability company operating in the Commonwealth, as follows: Bon Secours Mercy Health Emporia, LLC; Bon Secours Mercy Health Petersburg, LLC; Bon Secours Mercy Health Franklin, LLC; Bon Secours - St. Mary's Hospital of Richmond LLC; Bon Secours - Richmond Community Hospital LLC; Bon Secours - Memorial Regional Medical Center LLC; Chesapeake Hospital LLC (d/b/a Rappahannock General Hospital); Bon Secours - St. Francis Medical Center LLC; Maryview Hospital LLC (d/b/a Maryview Medical Center and Bon Secours Maryview Behavioral Medical Center); Bon Secours Health Center at Harbour View; Mary Immaculate Hospital LLC; Bon Secours Richmond LLC; Bon Secours Richmond Health System, Inc.; Bon Secours Hampton Roads Health System LLC; Chesapeake Medical Group, LLC; Bon Secours Medical Group Hampton Roads Primary Care LLC; Bon Secours Medical Group Hampton Roads Specialty Care LLC; Bon Secours Medical Group Richmond Primary Care LLC; and Bon Secours Medical Group Richmond Specialty Care LLC or a related party thereof. The Series 2025 Bonds will be issued as qualified 501(c)(3) bonds as defined in Section 145 of the Internal Revenue Code of 1986, as amended, for the benefit of the Applicant and such nonprofit affiliates which operate a healthcare system on several campus sites. The Projects are and will be used by the Applicant in an integrated operation for the delivery of healthcare, education, scientific research and administrative activities supporting those activities on several campuses, and not more than \$600,000,000 of the stated principal amount of the Series 2025 Bonds will be spent to finance or refinance the acquisition, construction, equipping, expanding, renovating and improving of such assets and facilities. A portion of the proceeds of the Series 2025 Bonds not exceeding \$200,000,000 is expected to be spent at the Hampton Road Projects, including not to exceed \$30,000,000 for the Maryview Project, not to exceed \$15,000,000 for the Southampton Medical Center Project, not to exceed \$65,000,000 for the Mary Immaculate Project and not to exceed \$90,000,000 for the Harbour View Project. A portion of the proceeds of the Series 2025 Bonds not exceeding \$400,000,000 is expected to be spent at the Richmond Projects, including not to exceed \$90,000,000 for the St. Francis Project, not to exceed \$10,000,000 for the SVRMC Project, not to exceed \$20,000,000 for the Southside Regional Project, not to exceed \$30,000,000 for the Ashland ED Project, not to exceed \$45,000,000 for the Memorial Regional Project, not to exceed \$180,000,000 for the St. Mary's Project, not to exceed \$15,000,000 for the Richmond Community Project and not to exceed \$10,000,000 for the Rappahannock Project. Not more than \$180,000,000 of the stated principal amount of the Series 2025 Bonds is expected to be spent at any one location listed in this notice.

The public hearing which may be continued or adjourned, will be held at 6:30 P.M. on February 20, 2025, before the Finance Authority in the



before the Henrico Authority in the conference room at 4300 E. Parham Road, Henrico, Virginia 23228. Any person interested in the issuance of the Series 2025 Bonds or the location or purpose of the proposed Projects may appear and be heard.

As required by the Act, the Series 2025 Bonds will not constitute a debt or a pledge the faith and credit or the taxing power of the Commonwealth of Virginia or any political subdivision thereof, including Henrico County, Virginia, Chesterfield County, Virginia or the City of Franklin, Virginia, but will be payable solely from revenues derived from the Applicant and pledges therefor. A copy of the Applicant's application may be inspected at the Henrico Authority's office at 4300 E. Parham Road, Henrico, Virginia 23228-2752 during business hours.

2/13/2025 7768217

NOTICE OF PUBLIC HEARING ON PROPOSED TAX-EXEMPT BOND FINANCING

Notice is hereby given that Franklin Southampton Economic Development, Inc., a public-private economic development organization servicing the City of Franklin, Virginia (the “Franklin EDA”) will hold a public hearing on the application of Bon Secours Mercy Health, Inc., a Maryland nonstock nonprofit corporation authorized to do business in the Commonwealth of Virginia (the “Applicant”) with its principal place of business at 1701 Mercy Health Place, Cincinnati, Ohio, and certain of its nonprofit affiliates listed below for the Economic Development Authority of Henrico County, Virginia (the “Henrico Authority”) to issue, pursuant to the Industrial Development and Revenue Bond Act (the “Act”), up to \$600,000,000 aggregate principal amount of its tax-exempt bonds, in one or more series (the “Series 2025 Bonds”) to assist the Applicant in financing or refinancing the acquisition, construction, equipping, expanding, renovating and improving of certain hospital facilities including routine capital expenditures and reimbursement (collectively, the “Projects”) and the payment of certain expenses incurred in connection with the issuance of the Series 2025 Bonds (collectively, the “Financing Purposes”) anticipated to be located at the following locations: 100 and 118 Fairview Drive, Franklin, Virginia 23851, commonly known as Southampton Medical Center including medical office building and vacant land (the “Southampton Medical Center Project”). The initial owner or principal user of the Projects will be the Applicant or certain of its nonprofit affiliates, each a nonprofit corporation or wholly-owned limited liability company operating in the Commonwealth, as follows: Bon Secours Mercy Health Franklin, LLC; Bon Secours Hampton Roads Health System LLC; Chesapeake Medical Group, LLC; Bon Secours Medical Group Hampton Roads Primary Care LLC; and Bon Secours Medical Group Hampton Roads Specialty Care LLC or a related party thereof. The Series 2025 Bonds will be issued as qualified 501(c)(3) bonds as defined in Section 145 of the Internal Revenue Code of 1986, as amended, for the benefit of the Applicant and such nonprofit affiliates which operate a healthcare system on several campus sites. The Projects are and will be used by the Applicant in an integrated operation for the delivery of healthcare, education, scientific research and administrative activities supporting those activities on several campuses, and not more than \$600,000,000 of the stated principal amount of the Series 2025 Bonds will be spent to finance or refinance the acquisition, construction, equipping, expanding, renovating and improving of such assets and facilities. A portion of the proceeds of the Series 2025 Bonds not exceeding \$15,000,000 is expected to be spent for the Southampton Medical Center Project. Not more than \$15,000,000 of the stated principal amount of the Series 2025 Bonds is expected to be spent at any one location listed in this notice.

The public hearing which may be continued or adjourned, will be held at [5:00] P.M. on February 24, 2025, before the Franklin EDA in the [Council Chambers] at 207 West Second Avenue, Franklin, Virginia 23851. Any person interested in the issuance of the bonds or the location or purpose of the proposed Projects may appear and be heard.

As required by the Act, the bonds will not constitute a debt or a pledge the faith and credit or the taxing power of the Commonwealth of Virginia or any political subdivision thereof, including Henrico County, Virginia, the Franklin EDA or the City of Franklin, Virginia, but will be payable solely from revenues derived from the Applicant and pledges therefor.



City Manager's Report
Submitted by: Tomeka Morgan, Interim Finance Director
March 10, 2025
Agenda Item #2025-21

Title: Budget Amendment – Bronco Federal Credit Union Donation

Issue:

- Adoption of a resolution amending the FY 2024 – 2025 City Operating Budget to accept and appropriate the amount of \$3,000 received as a donation from Bronco Federal Credit Union to assist with the Spring Fest, Juneteenth Celebration and the Fireworks planned in the City of Franklin for FY2024 – 2025.

Background:

- Bronco Federal Credit Union is a local credit union that provides banking services to employees of many Franklin and Suffolk businesses.

Discussion:

- Bronco Credit Union has awarded a total of \$3,000 and is slated for allocation as follows:
 - Spring Fest \$1,000
 - Juneteenth Celebration \$1,000
 - Independence Day Fireworks \$1,000

Financial impact:

- The FY 2024 – 2025 City Operating Budget and Foundation Grant Funds will increase by said amount.

Recommended Action:

- Approval of the resolution.

Next Steps Following Council Action:

- The City Manager will work with the appropriate staff to make the necessary changes.

Attachments:

- Resolution
- Award Letter



City Manager



BUDGET AMENDMENT 2025-13

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2024-2025 City Budget is hereby amended to:

1. *Recognize donation to the Parks & Rec Dept from Bronco Federal Credit Union and to appropriate such donation use towards Spring Fest, Juneteenth and Independence Day events;*

		2024-2025		AMENDED		INCREASE
		BUDGET		BUDGET		(DECREASE)
100 GENERAL FUND						
REVENUE						
100-3-13030-0057	Juneteenth - Festival	\$ -		\$ 1,000		1,000
100-3-18990-3040	Donations - Fireworks	\$ -		\$ 1,000		1,000
100-3-18990-3016	Donations Tourism			\$ 1,000		1,000
						<u>3,000</u>
EXPENDITURES						
100-4-81600-6018	Juneteenth - Celebration		5,000		6,000	1,000
100-4-81600-6017	Independence Day	\$ 3,500		\$ 4,500		1,000
100-4-81600-5892	Festival and Events		4,250		5,250	1,000
						<u>3,000</u>

Certified copy of resolution adopted by Franklin City Council

Deputy Clerk to the City Council

FRANKLIN PARKS & RECREATION

P.O. Box 179 • 683 Oak St.
Franklin, VA 23851



Date February 7 2025

Bill No Check # 41571

City Account No. _____

Date	Description		
2/7/25	Sponsor Donation for Spring Fest, Juneteenth and Independence Day Bronco FCU check #41571 68-8059 /2514		\$3,000.00

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Group License | Train Your Entire Council

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- **Understanding the form of government** and how to transition onto the governing body.
 - **Exploring the dynamics** between elected officials, the chief administrative officer, and local government staff.
 - **Gaining insights into financial planning** and how budgets align with long-term goals.
 - **Learning best practices for engaging with residents**, handling public communication, and fostering transparency.
 - **Developing strategies to navigate conflicts of interest** and apply ethical decision-making in public office.
-

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Addresses Practices for Local Government Management and Leadership: [1] Personal and Professional Integrity, [4] Staff Effectiveness, [6] Strategic Leadership, [7] Strategic Planning, [8] Policy Facilitation and Implementation, [9] Community and Resident Service, and [12] Financial Management and Budgeting
