

BOARD OF SUPERVISORS
REGULAR MEETING
FEBRUARY 9, 1999

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, February 9, 1999, at 8:30 a.m. in the Courthouse thereof;

PRESENT: David W. Ingram, Chairman; Kirby Harris, Vice Chairman; Diane B. Belcher, J. Fred Gerald, James E. Thornton, Board Members; George W. Nester, County Administrator; Terri W. Morris, Assistant County Administrator.

The Chairman called the meeting to order at 8:30 a.m. with the reading of the handicapping statement.

The minutes of January 12, 1999 were presented to the Board for approval.

On a motion of Supervisor Thornton, seconded by Supervisor Belcher, and unanimously carried, it was resolved to approve the minutes of January 12, 1999 as presented.

Supervisor Gerald - aye
Supervisor Harris - aye
Supervisor Thornton - aye
Supervisor Belcher - aye
Supervisor Ingram - aye

The monthly disbursements were presented to the Board for approval. Questions and discussion followed. Mr. Nester also presented a list of additional bills for the Board's consideration.

On a motion of Supervisor Thornton, seconded by Supervisor Harris, and unanimously carried, it was resolved to approve the monthly disbursements, plus additions, as presented.

Supervisor Gerald - aye
Supervisor Harris - aye
Supervisor Thornton - aye
Supervisor Belcher - aye
Supervisor Ingram - aye

Mrs. Deronda Thomas, Treasurer, next appeared before the Board. She presented the Trial Balance ending December 31, 1998; the invested cash as of February 9, 1999; and the expenditure/revenue summary as of December 31, 1998. She reported that invested cash is \$794,473 over last year at this time.

Agenda Item 6a - Subdivision plats as approved by the Agent for January 1999 - for the

Board's information.

Agenda Item 6b - Building Permit reports for the month of January 1999 and a cumulative total from July 1998 through January 1999 - for the Board's information.

The Chairman next called for the Public Comment Period. After no comments from the audience, the Chairman declared the Public Comment Period closed.

Agenda Item 6c - Appointment to New River/Mount Rogers Private Industry Council - business representative. Defer - the Board had no names for nomination.

Agenda Item 6d - Authorization to secure Bond Attorney/Financial Advisor for the school bond program. Mr. Nester explained that any loan such as the one for the school renovation project requires special bond counsel.

On a motion of Supervisor Thornton, seconded by Supervisor Harris, and unanimously carried, it was resolved to authorize the County Administrator and Chairman of the Board of Supervisors to proceed with securing a bond attorney for the school renovation project.

Supervisor Gerald - aye

Supervisor Harris - aye

Supervisor Thornton - aye

Supervisor Belcher - aye

Supervisor Ingram - aye

Agenda Item 6e - Authorization for the County Administrator to advertise for two public hearings on the micro enterprise Community Development Block Grant Program. Mr. Nester explained that the CDBG grant process requires two public hearings - the first to explain what the CDBG program is, and the second to explain the specific project. The micro enterprise zone will provide a financial source for new and small businesses that may not have the collateral to be eligible for a commercial loan. The micro enterprise zone would provide loans between \$1,000 - \$ 25,000. This would be open to any/all New River Valley residents.

On a motion of Supervisor Thornton, seconded by Supervisor Belcher, and unanimously carried, it was resolved to authorize the County Administrator to advertise for the two public hearings on the CDBG grant application for a micro enterprise zone.

Supervisor Gerald - aye

Supervisor Harris - aye

Supervisor Thornton - aye

Supervisor Belcher - aye

Supervisor Ingram - aye

Agenda Item 6f - Resolution from Mecklenburg County Board of Supervisors concerning allocation of a portion of the Master Settlement Agreement funds for the benefit of tobacco growers. The Mecklenburg County Board of Supervisors were requesting that other tobacco

growing Counties also adopt a similar resolution.

On a motion of Supervisor Gerald, seconded by Supervisor Thornton, and unanimously carried, it was resolved to adopt a resolution requesting that a portion of the Master Settlement Agreement funds for the benefit of tobacco growers be returned to affected growers (Resolution on file) (Document File Number).

Supervisor Gerald - aye
Supervisor Harris - aye
Supervisor Thornton - aye
Supervisor Belcher - aye
Supervisor Ingram - aye

Agenda Item 6g - Appointment to Floyd - Floyd County Planning Commission - Courthouse District.

On a motion of Supervisor Harris, seconded by Supervisor Belcher, and unanimously carried, it was resolved to authorize the County Administrator to advertise for letters of interest for the Courthouse District seat on the Floyd - Floyd County Planning Commission.

Supervisor Gerald - aye
Supervisor Harris - aye
Supervisor Thornton - aye
Supervisor Belcher - aye
Supervisor Ingram - aye

Chief Deputy Shannon Zeman and Administrative Assistant Fran Weddle, Sheriff's Office, next appeared before the Board with several items:

- reported that an Occupational Protection Grant in the amount of \$1500 had been obtained from the Department of Motor Vehicles. This grant would address safety issues in the County.

- for the Board's information - seven shotguns were recently purchased for the road deputies. The shotguns were purchased with drug seizure funds and the local law enforcement grant funds. Four alca-sensors for field DUI testing were also recently purchased. These sensors would be placed in the officers' cars. A \$1500 grant from the Department of Motor Vehicles and \$81 from the block grant would cover the \$1581 cost.

- will be presenting a bill next month for consideration for reimbursement of the cost of a pair of pants for Investigator Graham. He had on a new pair of pants and hung them on the strike plate of a door and tore them. Since we do not purchase uniforms for the Investigators as we do the other officers, feel we need to reimburse him for this.

- new police cars have been received and will be ready to go on the road as soon as striping and decals are done.

- the School Resource Officer has begun his job at Floyd County High School and the program is going very well so far.

Ms. Weddle made the following requests:

- the Crime Prevention slot was filled by Officer Griffin, who came out of a

Compensation Board position. His annual leave payment of \$417.80 came out of account number 31020-1109, and request that Compensation Board funds in this amount be returned to that account.

- \$1250 was received from the insurance company for deer damage to a deputy's vehicle - request that these funds be returned to 31020-3310, from which the bill was paid.

- the Compensation Board payment for dues for the Virginia Association of Local Constitutional Officers in the amount of \$60 has been received - request that these funds be returned to 31020-5810.

On a motion of Supervisor Belcher, seconded by Supervisor Harris, and unanimously carried, it was resolved to approve the transfers as presented: \$417.80 from 3-001-023020-0001 to 4-001-031020-1109; \$1250 from 3-001-018990-0004 to 4-001-031020-3310; and \$60 from 3-001-023020-0001 to 4-001-031020-5810.

Supervisor Gerald - aye

Supervisor Harris - aye

Supervisor Thornton - aye

Supervisor Belcher - aye

Supervisor Ingram - aye

Deputy Zeman also reported that as of January 26, 1999, the Office had gone to full time 24-hour coverage of the County. He also reported that they had been having some success in catching illegal dumping at green boxes and had prosecuted several already.

Mr. Junior Goad, Resident Highway Engineer, and Mr. Bob Beasley, Assistant Resident Highway Engineer, next appeared before the Board.

Supervisor Thornton - concerning County Line Road - one of the Montgomery County Supervisors told Mr. Chandler that Montgomery County would be paying for the paving of the road.

Mr. Goad - Montgomery County is paying for half of the cost for paving since it is a shared road between the two Counties. It will still be shown in Floyd County's 6-year plan, and we will handle the construction.

Supervisor Belcher - Route 603, across from the Parkway - culverts need to be worked on and there is a barn that is right on the road, and actually sticks out in the road.

Mr. Beasley - there is a prescriptive easement on a lot of these old roads that only call for a 15' right-of-way.

Supervisor Belcher - I have been approached several times about maintenance on Wildwood Road (beside Midway Grocery).

Mr. Goad - it is not in the State system. It would either have to be brought in under the

Subdivision Ordinance or as a new addition.

Supervisor Belcher - the citizens on the road seem to want it maintained and the snow removed, but they really don't want the public using it. They seem to want the best of both worlds. I would like to get the history of the road, as to whether it has ever been in the system and what they would need to do to get it in the system.

Supervisor Thornton - Route 608, Laurel Church Road - is very washboardy at the first section of the road.

Supervisor Belcher - Route 799, about ½ mile back from the Parkway - there is a huge pothole that you have to go on the other side of the road to avoid.

Supervisor Gerald - Routes 750/730 intersection - the lady that lives at the intersection called me to report another accident at the site. Is there anything we can do at this site to help while we are waiting for the project to begin?

Supervisor Gerald - Route 619 - road is coming apart in pieces, especially in the area around Capt. George Cemetery.

Supervisor Ingram - Routes 634/610 intersection - there has been a change in ownership of some of the property - we may be able to obtain right-of-way now to daylight the curve. Would like to look at it again and get a cost estimate.

Mr. Goad - we looked into the situation of possibly using Industrial Access Funds for the road leading to Riverbend Nursery, since they are doing a large expansion. According to the State's policy, this type of operation would not be eligible for Industrial Access Funds.

Mr. Goad - we had a question from Mr. Nester as to a citizen's request to maintain Route 602, which was discontinued in 1974. The person can maintain the road within the 30' easement, but you may want to get them to sign some type of form outlining what they will be doing. Ms. Morris indicated that the County has this policy in place already, and can provide the forms to the citizen.

Mr. Goad - the deadline for applications for the Revenue Sharing Fund is March 26. Discussion followed on the Oxford Street project for the Town, and County projects for continuing the paving improvements on collector secondary routes.

On a motion of Supervisor Thornton, seconded by Supervisor Gerald, it was resolved to make application for \$100,000 in Revenue Sharing funds for County road projects.

After discussion of the Board to include both County and Town projects in one motion, Supervisor Thornton withdrew his motion and Supervisor Gerald withdrew his second.

On a motion of Supervisor Thornton, seconded by Supervisor Gerald, and unanimously carried, it was resolved to set a public hearing date of March 9, 1999 at 10:00 a.m. in the Circuit Courtroom, Courthouse, for the abandonment of a section of State Secondary Route 733.

Supervisor Gerald - aye
Supervisor Harris - aye
Supervisor Thornton - aye
Supervisor Belcher - aye
Supervisor Ingram - aye

On a motion of Supervisor Thornton, seconded by Supervisor Gerald, and unanimously carried, it was resolved to authorize the County Administrator to submit an application for \$300,000 in Revenue Sharing Funds through the Virginia Department of Transportation; said funds will be \$100,000 for County secondary road projects, and \$200,000 for the Town of Floyd for improvements to Oxford Street.

Supervisor Gerald - aye
Supervisor Harris - aye
Supervisor Thornton - aye
Supervisor Belcher - aye
Supervisor Ingram - aye

Mr. Goad reported that the Pre-Allocation Hearing will be March 23, 1999 at the Salem Civic Center.

He also reported that the Route 58 funding is being discussed now by the legislature, and is not certain how that will turn out.

Mr. Terry Arbogast, School Superintendent, next appeared before the Board. He presented several items to the Board:

- copy of training initiatives that staff had completed in the last five years, especially noting the SOL requirements;
- will present to the Board of Supervisors next month, the student improvement initiatives relating to the SOL test scores. Felt the School Board should be the first to see these, and their meeting is next week;
- enrollment report for January 1999 - 1913 students.

Agenda Item 6h - Request for authorization for the County Administrator to advertise for bids for the purchase of an ambulance. The replacement schedule is one ambulance per year, on an eight year replacement schedule. In the past few years the ambulances have been refurbished by the Fire Department for a utility vehicle, and have worked very well for their needs.

On a motion of Supervisor Belcher, seconded by Supervisor Thornton, and unanimously carried, it was resolved to authorize the County Administrator to advertise for sealed bids for the purchase of an ambulance.

Supervisor Gerald - aye
Supervisor Harris - aye
Supervisor Thornton - aye
Supervisor Belcher - aye
Supervisor Ingram - aye

The Board recessed for lunch.

Mr. James Cornwell, County Attorney, next appeared before the Board.

Mr. Cornwell presented a draft copy of the revisions to the Dog Ordinance as requested by the Board last month. Several of the items were already being addressed in other ordinances, such as vicious and dangerous dogs, fence ordinance, and the noise ordinance. Running at large and hybrid canines are policy decisions of the Board, but are included in the draft ordinance.

On a motion of Supervisor Thornton, seconded by Supervisor Gerald, and carried, it was resolved to authorize the County Administrator to advertise for a public hearing on the proposed dog ordinance at 7:00 p.m. on March 9, 1999 at Floyd County High School.

Supervisor Gerald - aye
Supervisor Harris - nay
Supervisor Belcher - aye
Supervisor Thornton - aye
Supervisor Ingram - nay

On a motion of Supervisor Gerald, seconded by Supervisor Thornton, and unanimously carried, it was resolved to go into executive session under Section 2.1-344, paragraph 1, discussion of personnel; paragraph 3, discussion or consideration of the acquisition, condition, use, disposition of real or personal property for public purposes; paragraph 7, consultation with legal counsel and other staff members pertaining to actual or potential litigation or other legal matters requiring the advice of counsel.

Supervisor Gerald - aye
Supervisor Harris - aye
Supervisor Thornton - aye
Supervisor Belcher - aye
Supervisor Ingram - aye

On a motion of Supervisor Harris, seconded by Supervisor Thornton, and unanimously carried, it was resolved to come out of executive session.

Supervisor Gerald - aye
Supervisor Harris - aye
Supervisor Thornton - aye
Supervisor Belcher - aye
Supervisor Ingram - aye

On a motion of Supervisor Thornton, seconded by Supervisor Gerald, and unanimously carried, it was resolved to adopt a resolution certifying that only items eligible for executive session, and specifically, discussion of personnel; discussion or consideration of the acquisition, condition, use, disposition of real or personal property for public purposes; consultation with legal counsel and other staff members pertaining to actual or potential litigation or other legal matters requiring the advice of counsel; were discussed.

Supervisor Gerald - aye
Supervisor Harris - aye
Supervisor Thornton - aye
Supervisor Belcher - aye
Supervisor Ingram - aye

Consensus of the Board was to not have the department heads attend each Board meeting for discussion of disbursements. If a question arises that staff cannot answer, the department head will be called into the meeting.

On a motion of Supervisor Harris, seconded by Supervisor Thornton, and unanimously carried, it was resolved to compensate the County Administrator in the amount of \$2000 for moving expenses to Floyd County.

Supervisor Gerald - aye
Supervisor Harris - aye
Supervisor Thornton - aye
Supervisor Belcher - aye
Supervisor Ingram - aye

On a motion of Supervisor Thornton, seconded by Supervisor Harris, and unanimously carried, it was resolved to adjourn.

Supervisor Gerald - aye
Supervisor Harris - aye
Supervisor Thornton - aye
Supervisor Belcher - aye
Supervisor Ingram - aye