

**BOARD OF SUPERVISORS
ADJOURNED MEETING
MARCH 27, 2000**

At an adjourned meeting of the Board of Supervisors of Floyd County, Virginia, held on Monday, March 27, 2000 at 6:00 p.m. in the Circuit Courtroom, Courthouse, Floyd, Virginia, thereof;

PRESENT: David W. Ingram, Chairman; Kirby Harris, Vice Chairman; Diane B. Belcher, Kerry W. Whitlock, Board Members; George W. Nester, County Administrator; Terri W. Morris, Assistant County Administrator; James Cornwell, County Attorney.

ABSENT: J. Fred Gerald, Board Member.

The Chairman called the meeting to order at 6:30 p.m. with the reading of the handicapping statement.

Agenda Item 2 - Resolution to approve early retirement benefits (LEOS) to members of the New River Valley Regional Jail staff. Mr. Nester explained that when the jail began, that four of the localities had the early retirement program, but the others did not. The ones that did not have this program included the Floyd County staff. Mr. Nester presented a proposed resolution for the Board's consideration to enable all regional jail staff to participate in the program. The additional cost would be absorbed through the Jail's operating budget.

On a motion of Supervisor Whitlock, seconded by Supervisor Harris, and carried, it was resolved to approve, as presented, the resolution for New River Valley Regional Jail staff to participate in the LEOS early retirement program (Document File Number _____).

Supervisor Gerald - absent
Supervisor Harris - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Ingram - aye

Agenda Item 3 - Approval of Alpine Heights Subdivision. Mr. Nester presented the revised plat as prepared by the developer. The revision shows the discontinued road on the survey as requested by the Board.

On a motion of Supervisor Harris, seconded by Supervisor Whitlock, and carried, it was resolved to approve the Alpine Heights Subdivision as presented.

Supervisor Gerald - absent
Supervisor Harris - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Ingram - aye

On a motion of Supervisor Whitlock, seconded by Supervisor Belcher, and carried, it was resolved to go into closed session under Section 2.1-344, paragraph (A)(3) acquisition of real property for public purposes or the disposition of government owned property where public discussion would jeopardize the County's bargaining or negotiating position.

Supervisor Gerald - absent
Supervisor Harris - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Ingram - aye

On a motion of Supervisor Harris, seconded by Supervisor Belcher, and carried, it was resolved to come out of closed session.

Supervisor Gerald - absent
Supervisor Harris - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Ingram - aye

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and carried, it was resolved to adopt the following certification resolution:

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss acquisition or disposition of public property in accordance with Section 2.1-344, paragraph (A)(3) of the Virginia Freedom of Information Act;

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby certifies that, to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) 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 meeting to which this certification applies.

Before a vote is taken on this resolution, is there any member who believes that there was a departure from the requirements of number (1) or number (2)? If so, identify yourself and state

the substance of the matter and why in your judgement is was a departure.

Hearing no statement, I call the question.

Supervisor Gerald - absent
Supervisor Harris - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Ingram - aye

On a motion of Supervisor Belcher, seconded by Supervisor Harris, and carried, it was resolved to authorize payment of \$377,000 for the improvements/completion of the County's shell building, and authorize execution of the contract with Clark Brothers Construction subject to the Floyd County Purchasing Ordinance.

Supervisor Gerald - absent
Supervisor Harris - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Ingram - aye

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and carried, it was resolved to authorize the purchase of the Citizens Telephone Cooperative building, located at 102 West Oxford Street, in the amount of \$325,000; and authorize the Chairman to execute the purchase contract as prepared by the County Attorney; subject to an acceptable Phase I environmental audit.

Supervisor Gerald - absent
Supervisor Harris - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Ingram - aye

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and carried, it was resolved to approve the reimbursement resolution in the amount of \$1,502,000.00 for specific capital improvements as outlined in the resolution therein; authorize the reimbursement of the County for any funds expended toward these projects; and arbitrage any unused funds within the allowable three year time frame.

Supervisor Gerald - absent
Supervisor Harris - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Ingram - aye

Mr. Cornwell next presented a copy of a letter from Mr. Samuel Morris concerning a nuisance problem next to his property. Also presented was a petition signed by citizens in the neighborhood who would like something done about the junk cars, unoccupied mobile homes,

tires, etc. that are present on Mr. J. C. Holden's property. Mr. Morris has already been in contact with the Department of Environmental Quality, the Floyd County Health Department, the Floyd County Commonwealth's Attorney, and the Floyd County Building Inspector concerning the problems. After discussion, it was the consensus of the Board to await information from the other agencies to ascertain what other action may be needed.

Agenda Item 5 - National Association of Counties meeting, July 14-18, 2000, Charlotte, North Carolina. Mr. Nester commented that if any Board members are interested in attending the meeting, to please let his office know so arrangements can be made. This is the first time the meeting has been held this close to our area.

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

Supervisor Gerald - absent
Supervisor Harris - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Ingram - aye