

**BOARD OF SUPERVISORS  
REGULAR MEETING  
JULY 11, 2000**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, July 11, 2000 at 8:30 a.m. in the Floyd County Administrative Building, thereof;

PRESENT: Kirby Harris, Vice Chairman; Diane B. Belcher, J. Fred Gerald, Kerry W. Whitlock, Board Members; George W. Nester, County Administrator; Terri W. Morris, Assistant County Administrator.

ABSENT: David W. Ingram, Chairman.

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

Rev. Richard Gregory of the Floyd United Methodist Church provided a brief dedication ceremony for the new administrative building. He also led in the Opening Prayer.

Vice Chairman Harris led in the Pledge of Allegiance.

Mrs. Deronda Thomas, Treasurer, appeared before the Board. She presented the Invested Cash as of July 11, 2000; the Trial Balance as of May 31, 2000; and the Expenditure/Revenue Summary as of May 31, 2000. She reported that the invested cash is \$1,352,000 less than last year at this time. Mr. Nester reported that the Industrial Development Authority will be meeting on Thursday, with the bond closing on Friday, to reimburse the General Fund for the expenses to date, which will bring the invested cash back up.

The minutes of June 13, June 21 and June 28, 2000 were presented to the Board for approval.

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and carried, it was resolved to approve the minutes of June 13, 2000 as presented.

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

On a motion of Supervisor Gerald, seconded by Supervisor Whitlock, and carried, it was resolved to approve the minutes of June 21, 2000 and June 28, 2000 as presented.

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

The monthly disbursements were presented to the Board for approval. A list of additional disbursements was also presented. Questions and discussion followed.

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

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

Agenda Item 8a - Subdivision plats as approved by Agent for June 2000 - for the Board's information.

Agenda Item 8b - Appointment of family representative on the CSA Management Team. The position was advertised but no letters of interest were received. Matter was deferred.

Agenda Item 8c - Appointment to Montgomery-Floyd Regional Library Board. This position was also advertised but no letters of interest were received. Consensus of Board was for the County Administrator to contact persons on the list received from the Library Director for possible interest.

Agenda Item 8d - Appointment to Workforce Investment Act Board - to fill Robert Fries' unexpired term. Mr. Nester reported that per the Board's direction, he had contacted different industries in the County for a possible person interested. Mr. Dan Ryan, of the Legacy Company, indicated a willingness to serve.

On a motion of Supervisor Belcher, seconded by Supervisor Gerald, and carried, it was resolved to appoint Mr. Dan Ryan to the Workforce Investment Act Board to fill the unexpired term of Robert Fries.

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

Agenda Item 8e - Proposed Subdivision Ordinance - joint meeting with Planning Commission. Mr. Nester reported that a final draft had been received from the New River Valley Planning District Commission and a joint meeting can be held with the local Planning Commission whenever the Board is ready. Supervisor Gerald commented that the Planning Commission will be meeting this evening and he will bring the issue up.

Mr. Nester presented a request from the Extension Service for a carry-over of \$800 for unused funds in the FY00 budget. These funds had been set aside for new equipment and furniture for the new building, and an invoice was unable to be received in time for payment out of last fiscal year.

On a motion of Supervisor Whitlock, seconded by Supervisor Gerald, and carried, it was resolved to approve the carry-over of \$800 of unused funds to 4-001-083010-6001 from the FY00 budget.

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

Mr. Nester presented a request from the Commonwealth's Attorney for a supplemental appropriation in the amount of \$2100.00. The Board, in their budget approval of June 28, 2000, had appropriated \$1000 under the Capital Outlay line item. The Compensation Board had approved \$3100 for this line item. The Attorney was, therefore, requesting an appropriation of the additional \$2100.00.

On a motion of Supervisor Whitlock, seconded by Supervisor Belcher, and carried, it was resolved to approve a supplemental appropriation in the amount of \$2100 from Contingency to 4-001-022010-8000.

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

A proposed resolution for the Board's consideration was next presented by Mr. Nester. This resolution would authorize the submission of a grant application to the Economic Development Administration in the amount of \$840,000 and to the Community Development Block Grant Program in the amount of \$420,000. These funds would be for water/sewer, drainage, and other development of the Commerce Park. The resolution provides assurance to these agencies that the County will pay their match of the grants. The grant application is due to the EDA by July 20, 2000.

On a motion of Supervisor Belcher, seconded by Supervisor Gerald, and carried, it was resolved to adopt the proposed resolution as presented for submission of a grant application to the Economic Development Administration and Community Development Block Grant Program (Document File Number \_\_\_\_\_).

At 9:00 a.m., the Vice Chairman called for the Public Comment Period.

Mr. Fred Jones - would first like to commend the Board on the new facility. It is great. This time last year, Supervisor Belcher had a letter in the newspaper about getting citizens to volunteer for different activities. I felt I had been a negative impact on the County and thought it was time to do something good. So, I joined the Rescue Squad. I am not speaking on behalf of the Squad, I am speaking only for myself. There is a lot of talk in the County about response time. There are a few people like Nelson Hale and Lewis Black who do a great job for the County during the day. They sometimes go from Galax to Roanoke in the course of a day. I hope you can make it clear that you appreciate the work that the Squad members are doing. I feel if you get into the volunteer vs. paid members that you will be opening a bigger can of worms that would pale beside the dog ordinance issue. I was on my way to a call recently and was involved in a collision. I called for a State Trooper because there are some deputies who do not like the Rescue Squad. After a 15 minute wait, I called again. After 25 minutes, a Deputy showed up. Before he looked at my license and registration, he asked if I was on a rescue call. He said he appreciated my work but I was going too fast. He said I was too close to the center of the road without bothering to look at the bank I had scrubbed with my bumper for several feet. He talked about many things including common sense speed limit on the country roads in the County is 25 mph. I guess the Deputy was clairvoyant and knew I was speeding through a 110' horseshoe curve. The other person involved did not even show up for the Court hearing. The Deputy had taken pictures with a disposable camera, but they did not show where I had driven along the bank for 33' to avoid the collision. The deputy said the pictures did not turn out. Now I have years of higher insurance premiums. I live eight miles from Station #3 and it takes me about twelve minutes to drive there. I do all I can to get to the calls as soon as possible but I am going to get there safely. Sometimes other rescue members will say to let them drive so we can get to the hospital quicker. I just want a fair shake, no special treatment. The Sheriff's Department is investigating this incident but I expect no change.

After no further comments from the audience, the Chairman declared the Public Comment Period closed.

Supervisor Gerald commented that he would like the Board to recognize Shirley Phillips with some type of resolution or plaque for her 28 years of service to Indian Valley Elementary School. She recently retired as Secretary for the school.

Mr. Nester next reported on the situation with the Roanoke County/Bent Mountain Fire/Rescue Squad. In an earlier conversation with Roanoke County's Administrator, he had requested a meeting to discuss the situation at Bent Mountain before any decision was made. Was very surprised to read in the paper over the weekend that paid workers were being moved

from the Bent Mountain Squad to the Back Creek Squad. He and Ford Wirt, Emergency Services Coordinator, will be meeting with Mr. Hodge, the Administrator, on Thursday, July 13, to discuss the situation. The Mutual Aid Agreement between the two Counties is still in effect but the response time may be affected and delayed with this change.

Mr. Nester next reported on an issue that had occurred with the new building. Because of regulations that we, and the Social Services Director, were unaware of, a security system had to be installed on their floor because of the vault with food stamps stored there. Because of the need for the security system, access has to be limited to only Social Services staff on that floor. Consequently, there is only one exit for the top floor of the new building. Presented a price estimate for installation of a door and landing leading off of the conference room to the back parking lot. This would also facilitate the use of the conference room for other groups such as the Planning Commission, and being able to lock the rest of the building. This would also meet the requirements for a second fire exit. Presented a cost estimate in the amount of \$4772 from the contractor for a change order.

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

Mr. Goad reported that the District Planning Meeting (formerly called the Pre-Allocation Hearing) will be held on July 21, 2000 at the Salem Civic Center. Floyd County's time for comment is 10:00 a.m. This will be for Primary, Interstate and Urban road improvements. The following were items that the Board wished to address:

- Route 8 from I-81 to Route 58
- Bridge improvements on Route 221
- Curve improvements on Route 8 near Parkway
- Route 221/642 intersection - improved sight distance
- Route 221 curve improvement at Webbs Lawnmower

Supervisor Gerald - Route 807 bridge deck is very rough - can it be fixed?

Mr. Goad - the deck is not finished. The contractor has already re-done it twice and it will have to be done again before we accept it.

Mr. Nester - have you heard anything on approval of the Revenue Sharing Funds?

Mr. Goad - will probably know something next week, and I will call you for the check.

Mr. Goad - the Traffic Safety Department has looked at all the ponds that the Board asked us to review for guard rail. None of them qualify for guard rail. The Route 686 site was the only one that was even close. The owner there did not want the guard rail.

Supervisor Gerald - has the guard rail been put up on Route 740?

Mr. Goad - no, not yet. New standards have been put into place and we were waiting to review them. The price will probably double as to our original estimate because of the new standards.

Supervisor Gerald - has the speed study been done at the Indian Valley Post Office site?

Mr. Goad - have not received it back yet.

Supervisor Gerald - Route 749 - Mr. Saunders has called me about the surface treatment of this road. It was supposed to be done this Fall, is that still in the schedule?

Mr. Goad - it is in the schedule for the Fall of 2001.

Supervisor Gerald - Route 757 - tree trucks have torn up the road - can you get anything done on it this summer?

Mr. Goad - will be Fall before it can be scheduled.

Supervisor Gerald - appreciate the lines on Route 622.

Supervisor Belcher - appreciate the lines on Route 799

Supervisor Belcher - Route 799 from DeHart's Store back to Halls Store Road - there are several large potholes that are hard to avoid, it they could be patched.

Supervisor Whitlock - Route 681 near Route 661 - the sight distance around the two bridges is very bad because of trees, limbs and bushes which need to be trimmed.

Supervisor Whitlock - appreciate the mowing on the secondary roads.

Mr. Goad - I have told all my Superintendents that I want all secondary roads mowed before school starts.

Supervisor Harris - I appreciate the work you do in keeping the brush trimmed back, especially from signs, after I was visiting in North Carolina, around Asheville, and the signs are all covered with brush.

Supervisor Harris - Route 729, past Route 700 - we had asked for guard rail because of the man's fence keeps getting torn down. I noticed it was down again when I came through there this week. Maybe some warning signs would help because you do come up over a hill and the road shifts to the left.

Supervisor Whitlock - Route 804/727 intersection - shumates and other brush are blocking the stop sign. You can see it in a bus or large truck, but not in a car.

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

- School Board approved a no smoking policy on school grounds - this would include any events inside or outside;
- July 4<sup>th</sup> celebration went well even with the track construction going on - different events will still be able to be held at the site, just with a few restrictions;
- Report card draft as shown to the Board last month was approved by the School Board;
- Teacher and Administrator report card was adopted;
- Track construction project is on schedule - we did not have any problems with water when the grading was done as we thought we might. There had seemed to be problems with water where the old concession stand stood, but we did not encounter any problems. The track surface will be put down in the Spring;
- Construction project - the contractor is working very hard to have everything ready for school opening, but it may be a few weeks later. Even the President of the company has been on site for the last three weeks, which is very unusual. They have been an excellent company to work with.
- Would like the Board to visit the schools again beginning in August to see the new construction;
- A camera security system has been installed at the High School - cameras are located in the hallways, outside and at all entrances. A tape can be reviewed back 30 days from any camera if a problem occurs;
- A new Code of Conduct has been adopted - will bring the Board a copy next month;
- FCHS gym floor has been refinished - the contractor said the wood floor underneath was in great shape;
- Lots of maintenance items have been done this summer - very proud of our maintenance staff.

Supervisor Whitlock - concerning the SOL requirements - are the requirements too strict that students who have not been through the entire program have to meet these to graduate?

Mr. Arbogast - this year's 9<sup>th</sup> grade class is the first ones that are under these requirements. Went on to explain how the requirements work.

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

On a motion of Supervisor Belcher, seconded by Supervisor Gerald, and carried, it was resolved to go into closed session under Section 2.1-344, paragraph (A)(1) discussion of personnel matters; and paragraph (A)(3) discussion of acquisition of real property for public purpose or the disposition of government owned property where public discussion would jeopardize the County's bargaining or negotiating position.

Supervisor Gerald - aye

Supervisor Belcher - aye

Supervisor Whitlock - aye  
Supervisor Harris - aye  
Supervisor Ingram - absent

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

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

On a motion of Supervisor Gerald, 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 personnel and property in accordance with Section 2.1-344, paragraphs (A)(1) and (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 it was a departure.

Hearing no statement, I call the question.

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

Mrs. Maggie Sutphin, Commissioner of Revenue, next appeared before the Board to discuss the Tax Relief for the Elderly Ordinance. She presented a copy of information from

surrounding Counties and similar size Counties as to their income limits, etc. Her suggestion was to change only the income limit to \$18,000. After discussion, it was the consensus of the Board to hold the matter another month to enable study of the information as presented by Mrs. Sutphin and for discussion with the Chairman.

Mr. Cornwell reported that he had attended the last meeting of the Recreation Authority, per the Board's request, and offered his legal services, and also discussed with them the Freedom of Information Act. They had no requests of him.

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

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