

**BOARD OF SUPERVISORS  
REGULAR MEETING  
AUGUST 21, 2001**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, August 21, 2001, at 8:30 a.m. in the Board Room of the Floyd County Administration Building, thereof;

PRESENT: David W. Ingram, Chairman; 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.

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

The Opening Prayer was led by Chairman Ingram.

Chairman Ingram led in the Pledge of Allegiance.

Mrs. Deronda Thomas, Treasurer, appeared before the Board. She presented the Trial Balance ending June 30, 2001; the Invested Cash as of August 21, 2001; and the Expenditure/Revenue Summary as of June 30, 2001. She reported that the invested cash will be lowered by about \$500,000 over the next month for bills and payroll, so September will be tight.

Mrs. Thomas also presented the delinquent real estate and personal property tax lists for calendar year 2000. She reported that real estate tax collections were 98.1% and personal property tax collections were 96.1% of billed amounts. The 2000 car tax relief assessment was \$563,688.00, with \$549,298.91 received back from the Commonwealth.

The minutes of July 10, 2001 were presented to the Board for review.

On a motion of Supervisor Whitlock, seconded by Supervisor Harris, and carried, it was resolved to approve the minutes of July 10, 2001 as presented.

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

The monthly disbursements were presented to the Board for review. Questions and discussion followed.

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

Supervisor Gerald - aye

Supervisor Harris - aye

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Ingram - aye

Mr. Nester commented that an invoice for engineering services for the Commerce Park was included in this month's bills. The check will be held until funds can be drawn down from EDA for reimbursement, but we needed to get it approved so it will be ready.

Agenda Item 9a - Subdivision plats as approved by Agent for July 2001. Mr. Nester reported that 32 divisions of five or fewer lots were approved by the Agent.

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

Mrs. Carol Gardner - on July 20, after midnight, my husband Howard, who is a diabetic and has had a previous heart attack, got deathly ill. I thought that night would never end. In my mind I was terrified and scared. I can't really explain it. I guess I want to know why the Rescue Squad would not respond. I know at least three calls went off. My husband laid in the floor with his eyes set. He was vomiting while he was unconscious. I knew I had to do something. I tried to do CPR, but it takes two people to do CPR. I do know how to do it. It takes only a few minutes for the brain to die. I tried to raise him to his side because of the vomiting. I tried to lift him, but I have had surgery on both hands, and he was just dead weight. I even tried wrapping him in a sheet to move him, but I couldn't. We finally had two gentlemen respond from Locust Grove. I can't remember how many times I thanked them because I was so glad to see them. These two gentlemen, as old as they are and with their own health problems, responded, when the local rescue squad could not respond to give us help. I told the dispatcher it was a 10-33 and what was going on. She really had an attitude problem. I called back and did not get any compassion. I was scared. Her response was, "Lady, I just got through talking to you". I thought, oh no, I need help. I asked her to send some deputies. She asked me what I thought they could do? I thought this is ridiculous. All I wanted was some help. Some deputies could have helped me get him into the car and get him to the hospital. These two gentlemen are here in the room now. They showed up from Locust Grove. My husband would not be here today without them. They really had to work with him. His sugar was down to 37. If this happens, brain cells are killed, and they were. I feel like they volunteer for this job, they know the circumstances, why didn't they respond? I don't care what time of night it was, they volunteered for this, to save lives. I still cannot understand it. I just want to know why? If it has anything to do with being paid, it is ridiculous. You know this when you go into it. The only reason I want

to know is why you didn't respond? He was dying and would have if the two gentlemen from Locust Grove had not shown up. I want them to be rewarded and recognized and the three deputies who finally showed up.

Mr. James Turner - I am here concerning the loop around Radford Cemetery. I am asking the Board of Supervisors to approve maintenance on the road and have VDOT put stone on it.

Mr. Roger Dickerson - I am a Deputy with the Sheriff's Office. We had a meeting yesterday and found out that funding was cut for our department. We are getting new cars and having to put the light bars from Noah's Ark on them. Concerning the deputies - I feel sorry for this lady who just spoke. A deputy responded when my mother was having a heart attack. He starting doing CPR on her and she would have died without him. It takes money to be out in the County. When you cut funding, you are cutting your own throat. When you need us, you start crying. When you cut funding, we can't do our jobs. Donnie is cutting back on everything to be able to keep the deputies hours. We need the money to serve you. If you don't want us to serve you, cut our funds. If you want us to do our job, we have to have the money to do it.

Mr. Howard Gardner - Around 1 am that night, when we discovered I was having a problem, I can't imagine what my wife went through. I am like her, I don't understand why no one responded. I had a real bad heart attack in 1997 and have been a diabetic for years. I had gone into a diabetic coma that night and I don't remember anything that went on until probably 6 am the next morning. I just would like to say that I have always had respect and support for the Rescue Squad. I worked for 20 years for the Christiansburg Police Department and we had to respond with the Rescue Squad. We had training in first aid. I ask that something be worked out so we will have people to answer calls. It could have went the other way with me very quickly. If you have never been through a situation like this you can't understand. You don't know what you are doing, you get combative and don't remember. These two gentlemen who did respond showed what professionals they are in the Rescue Squad and should be admired. I hope to continue to support the Rescue Squad, but this problem needs to be addressed so people can answer the calls. I know what they go through because I have been out there. It is hard getting up out of the bed and answering calls.

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

Mr. Steve Love, Floyd County Rescue Squad, next appeared before the Board. He commented that he would first like to apologize to Mr. and Mrs. Gardner. On that particular night the backup station had been out twice already. The call went out for the primary station and did not get answered. We have 67 members on the Rescue Squad, with 33 of them as active members. 90% of the members work out of the County and leave between 5-6:00 a.m. There are many days when we go to work without any sleep. I was made aware of this situation the next day. That is the reason we are here today - to address these types of problems. The Squad has a problem answering day-time calls. These two gentlemen from Locust Grove have

answered 90% of the day-time calls. There have been 475 calls from January 1 - June 30 this year, with 295 of those as day-time calls. This is an increase from last year, had 206 day time calls in the same time period. Our biggest problem is retention. We get asked by possible members, what do we get back? We answer that we want to help the community. The system requires a lot of training. In the first year, about 6 months of training is required, two nights a week from 7-10 p.m. and some Saturdays. That turns people away. The Fire Department never seems to have trouble getting help. The State does not require the same training for fire members. To move up to a Cardiac Tech from an EMT takes another year. The Rescue Squad formed a committee to look at problems and try to address them. The committee met with Mr. Nester and Mr. Ford Wirt. Mutual Aid Agreements also need to be brought up-to-day with surrounding Counties. But you have some agencies like Vesta and Dugspur that are not part of the Carroll County EMS, so separate Agreements would need to be worked out with them. The Dispatcher will, after ten minutes with no response, call the family back with a paid service number they can call. Concerning retention, what the County does as far as financial aid is great. The people is where we need help. Other Counties have come up with incentives, such as retirement plans or health insurance. From January 1 through June 30, only 17 calls were missed, mainly because of these two gentlemen from Locust Grove. 17 calls is too many as far as we are concerned. Every call is around 3- 4 hours. There is nothing we can do about this since we are so far away from the hospitals, and it depends on what one you are going to. We are asking the County and citizens to work with us to get our Squad back up. We have been to convenience stores on Saturdays and handed out applications. We have not gotten any back. The rumor is out that we want a paid Squad. That is not true. We joined because we care and we still care. This is very hard to talk about. I answered 117 calls myself last year - because we care about the people in this County. We if can get some kind of ideas and support for retention, we would appreciate it. We are trying to come up with solutions. We have Life Members here today who have put in over ten years and that is a lot of time. I am not saying that the Mutual Aid Agreements will take care of problems, there is no guarantee on anything. We talked with Mr. Nester and Mr. Wirt about what we are looking at. It is retention. We need people. People are glad to give donations but not their time. We are not the only Squad hurting. 90% of us here today took off from our jobs to be here because we care. Even having a paid Squad is not the answer. If the paid truck is gone to Roanoke, we are still out of help.

Supervisor Harris - is this a new committee that was formed?

Mr. Love - yes, it was formed about a month and a half ago.

Supervisor Harris - I would like to see the committee come to us with recommendations and have a special meeting and get something going. I can't sit here today and give solutions.

Mr. Love - we are asking for your support.

Chairman Ingram - I think there is a willingness here to discuss the situation and see what solutions are out there and to see what is possible for us to do. With a committee from the Board or the entire Board of Supervisors, is very doable as soon as possible.

Mr. Love - we don't want to keep dragging it on.

Mr. Nester - when I met with the committee, I was very impressed with their recognition of the problems. They are not trying to apply just one approach but trying to look at a lot of solutions. We all know that the County is growing and changing. Mr. Love was very polite in his assessment. The Health Department regulates the training they must have. What they are doing is gearing it toward having the best professional in the field but that applies better to the urban areas. Our volunteers are the best thing that we have going for us. We can work with them and protect the citizens when we get a call. I think we can come up with some options. With a County this big in area, you have problems in coverage. The Rescue Squad has stepped up to try to make their service better and I appreciate it.

Chairman Ingram - suggest that you work through Mr. Nester to set up times to meet with the Board to work on options to make a difference. We appreciate the time and effort that you put into not only answering calls, but this type of situation also.

Agenda Item 9b - Appointment to Floyd County Social Services Board - Indian Valley District - 4 year term. Mr. Nester presented three letters of interest received for the position.

On a motion of Supervisor Gerald, seconded by Supervisor Whitlock, and carried, it was resolved to appoint Ms. Eleanor Cunningham to the Floyd County Social Services Board, representing the Indian Valley District, for a four year term.

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

Appointment to Uniform Statewide Building Code Board of Appeals - 4 year term. Mr. Nester presented one letter of interest received for this position. There are three positions open on this Board.

On a motion of Supervisor Harris, seconded by Supervisor Belcher, and unanimously carried, it was resolved to appoint Mr. Frank Kaylor to the Uniform Statewide Building Code Board of Appeals, for a four year term.

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

Agenda Item 9c - Approval of carry-over of \$50,000 grant for New Enterprises Fund to FY02 Budget. Mr. Nester reported that this carry-over had been overlooked at the June year end

meeting.

On a motion of Supervisor Whitlock, seconded by Supervisor Harris, and unanimously carried, it was resolved to approve the carry-over of \$50,000 in grant funds to the FY02 budget, for the New Enterprise Fund, 4-001-082050-6048.

Supervisor Gerald - aye

Supervisor Harris - aye

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Ingram - aye

Agenda Item 9d - Request from Virginia's New River Valley Visitors Alliance for full payment of FY02 allocation, instead of quarterly appropriations as is now performed. No action taken by the Board.

Mr. Junior Goad, Resident Highway Engineer, and Mr. Bob Beasley, Assistant Resident Highway Engineer, next appeared before the Board. Mr. Goad reported on the following items:

- Revenue Sharing funds for County projects have been approved - Adams will perform all work this year;
- Bridge work at Slaughters is progressing well, should be finished with the one side in 2-3 weeks and switching the traffic;
- Route 664 work is progressing well - should be finished by mid-October;
- Surface treatment schedule is progressing well;
- Route 8 bridge, first one going out of Town, bids were rejected, will probably be done in the Spring.

Chairman Ingram - Route 808 - right-of-way is not going to work out for this project.

Supervisor Gerald - Route 751 - Windy Hill Road - a citizen on this road contacted VDOT because the work was scheduled to begin this year. Someone at VDOT told him that the project had been put on hold. Why is it put on hold?

Mr. Goad - we have sent the contracts to the District Office. They have not gotten them out yet. It has not been put on hold that we know of. A project can be put on hold if there are right-of-way problems.

Supervisor Gerald - Route 622 where Route 760 intersects - when will this project be started?

Mr. Goad - Gene Wallace is staking it off now and obtaining right-of-way. This project will be done with State forces.

Supervisor Gerald - Route 622 at the intersection with Route 754 - when will this be done?

Mr. Goad - it is in the plan and should come up quickly.

Supervisor Whitlock - someone told me that on Route 739 where the pavement and dirt road meet is very rough.

Supervisor Belcher - Route 758 - in front of Woodberry Inn toward Rocky Knob cabins - road is very rough.

Supervisor Belcher - Route 602 paving - when will this be done?

Mr. Goad - Adams will be doing the paving. They have to be finished with all work in the County by November 15. I am hoping that they will be in the County in the next 2-3 weeks.

Supervisor Whitlock - Route 639 - what is the right-of-way status?

Mr. Beasley - we are still trying to get the right-of-way. Still two property owners that will not sign.

Supervisor Whitlock - appreciate the mowing on the secondary roads and also appreciate the work you have done on Sandy Flats Road. I am leery of you having to move personnel from one shop to another.

Mr. Goad - we are under a hiring freeze now. I don't want to gain in one shop and lose in another.

Chairman Ingram - appreciate the mowing on the secondary roads.

Supervisor Gerald - appreciate the work on Dusty Rock Road. It looks really good. I am sure the citizens appreciate it also.

Chairman Ingram - there are some spot improvements that are needed on Route 659. If you could look at the spot, the landowner called me about it.

Chairman Ingram - the intersection of Routes 634/610, the property owners have changed so we may can do the work there we talked about several years ago, to take the bank off. If we can look at that situation also.

Mr. Goad - we have received a request from the property owners in the Black Ridge Subdivision off Route 221. They would like the first section of road, about 1/10th of a mile, taken into the system, not the entire road. The law changed July 1 as far as taking in subdivision roads into the system. We would widen and surface treat the section. Consensus of the Board was to look at the road at lunch break and call Mr. Goad back with an answer.

Supervisor Gerald - Supervisor Whitlock and I just came back from a meeting in Charlottesville where we were told that VDOT's budget was not as much as it was last year. Have you gotten this same information?

Mr. Goad - we have not gotten the final figures from Richmond yet, we usually have them long before now.

Ms. Ellen Johnson, Social Services Director; Ms. Linda Petrie, Director of Instruction and Mr. Bill Gardner, Pupil Personnel Director, Floyd County Schools next appeared before the Board. They were before Board as members of the Comprehensive Services Act Management Team.

Ms. Johnson reported that the budget figures that were given to the Board in February were their best guess as to the number of children we had at that time. With the receipt of several more children before the end of the fiscal year, there was a shortfall in appropriated funds. With the number of children that are in the program now, we are already showing a shortfall of \$281,432 for FY02, of which \$65,404.80 is the local share. One of the largest problems we have had in the last few months has been receiving children through the court system for truancy problems. The management team addressed this issue by contracting with a private agency who specializes in truancy programs. We hope this will cut down on the number of children received, and that they can be served through other programs. The management team is continually looking for new programs or avenues to lessen the funding impact.

Ms. Johnson also commented on the program that Supervisor Whitlock attended while at the LGOC meeting in Charlottesville concerning CSA. She reported that she had attended the same presentation last year and came back all fired up about finding a new source of funding. After going through all their different programs, only the administrative part of CSA might fall under this program, and it is only \$12,000. This program also has not gone through a Federal audit yet and she was waiting to see how the big agencies make it through that.

Supervisor Whitlock - the way they explained it, the Federal and State were 50% each and the local came in at 35%.

Ms. Johnson - you can claim it if the item is not being claimed elsewhere. For example, we have no employees that are local only employees. The employee or program has to not be connected to any other program such as Social Services. The only funds I can see would be the administrative funds connected to CSA. We can work the figures out with Mr. Nester and Ms. Morris if the Board so desires.

Supervisor Whitlock - they also talked about pushing the program to cap it by the Feds.

Ms. Johnson - we have several children that are funded under this 4-E program and it is a very extensive evaluation. Some children still get CSA funds also. We do try to get 4-E funds for all we can but we don't try to do anything wrong and have to pay back the funds.

Supervisor Belcher - if we appropriate these funds and some of the children left or could be placed in a cheaper place, would we get these funds back or would they be used for other children?

Ms. Johnson - it could be either. If we didn't need the funds for other children who may have come into the program, we would return them at the end of the year. We do all we can to stretch the dollars.

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to approve the appropriation of \$281,4320.00 from Contingency to the Comprehensive Services Act (CSA) Fund (\$65,404.80 being the local share).

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

Discussion followed on options to get a grip on the funding control, as in who could be talked to? The financial responsibility must shift somewhere besides locally. Consensus of the Board was that any calls or letters that could be done by them or staff to legislators or others to regulate this funding, would be forthcoming as needed.

Ms. Fran Weddle, Sheriff's Office, next appeared before the Board. She presented a transfer of funds request for \$2384.96 for insurance refunds received. They had had deer damage to three vehicles over the last six weeks.

On a motion of Supervisor Harris, seconded by Supervisor Gerald, and unanimously carried, it was resolved to approve the transfer of \$2384.96 from 3-001-018030-0005 to 4-001-031020-3310 for insurance refunds received.

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

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

- Presented a copy of the School Board meeting highlights from the August 8, 2001 meeting;
- Highlighted the Add-On Funding Resolution from the School Board meeting - this resolution will request that funding be equalized across the State - to not take away from one area to serve another;

- Presented a copy of the bound school calendar/information guide for the year;
- Presented a copy of the Executive Summary from the Virginia Education Coalition on the Blueprint for Virginia Public Schools - the summary outlines the initiatives the Coalition is undertaking;
- Presented a copy of the enrollment report for the beginning of the school year. The budget was based on 1975 students, 1990 were enrolled as of August 20, 2001. The report shows the increase of 30 students at Check Elementary this year.
- Maintenance staff has performed a great deal of work over the summer, and the schools look very nice. The opening went very well.
- Invited the Board to look at the new athletic complex, which includes the new track and bleachers. Should be completed, except for the final track topping, by the first home football game.

Supervisor Whitlock questioned if the enrollment growth was spread over all grades or concentrated in one grade.

Dr. Arbogast - I will give you a breakdown next month, but it is spread across all grades.

The Board recessed for lunch.

Mr. James Cornwell, County Attorney, next appeared before the Board. He reported on the following items:

Agenda Item 7gi) - Mutual Aid Agreement with surrounding localities - still waiting on two Counties to respond.

Agenda Item 7gii) - Report on sale of properties with delinquent taxes - work is progressing well on this project.

Agenda Item 7giii) - Request for abandonment of section of old State Secondary Route 680 (now Route 888) - defer for later discussion.

Agenda Item 7giv) - Request of Park Ridge Development regarding road systems - Section 46.2-100 Code of Virginia. Mr. Cornwell reported that they are not requesting that this be taken into the highway system itself, only for designation as roads for law enforcement purposes. The Sheriff's Office is not now authorized to be on the property since it is private, gated property. This would require advertisement of an ordinance with a public hearing to be held.

Mr. Don Stoneman, Manager of the Park Ridge Development, also appeared before the Board. He reported that they have 265 property owners. Between 150-200 only stay at the site during the summer, around 20 families stay all year. Five homes are being built now for year-round occupancy. About 3/4th of the property is in Floyd County and 1/4th is in Franklin County. It is a gated community with access by security code. A separate security code is

available for law enforcement.

Consensus of the Board was to table the matter for discussion and study with a draft ordinance to be prepared by the County Attorney for the September meeting. The County Attorney also suggested receiving comments from the Sheriff during the period before the next meeting.

At 2:00 p.m. the Chairman called for the public hearing on the ordinance amending Sections 10-4C and 10-6B of the Ordinances of the County of Floyd to Provide That an Individual Holding a Certificate of Competence Be In Charge Of and Responsible For Carrying Out a Land Disturbing Activity.

The County Administrator read the call for the public hearing.

Mr. Cornwell, County Attorney, gave a brief synopsis of the proposed ordinance. He stated that State law has adopted regulations for Counties that impose the E&S Ordinance. Under these regulations, any land disturbing projects that come under the provisions of the E&S permit have to have a person licensed to be responsible to ensure that E&S provisions are properly complied with. This person will be listed on the permit as a Certified Land Disturber. There is also an Attorney General's opinion that says that even if the County does not amend their Ordinance, it would still have to enforce this provision.

The Chairman opened the hearing for comments.

Mr. John Knapp - I have lived in the County for 16 years and have the worst piece of property in the County. I have earth moving equipment which I use on my own property. From what I read in the paper it makes me afraid to use my own equipment on my own land. The State has put in drains throughout the County and they impact everyone. The one next to my property has caused a 15' ditch. Where do I go for help?

Mr. Hebron Quesenberry - I was concerned that the requirements were changing that they were reaching beyond commercial or farming or the 10,000 square foot requirements.

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

Mr. Cornwell next answered some of the questions that were raised during the comments from the audience.

- Use of own equipment on your own property - as long as the project falls under the 10,000 square feet limit, you are ok.

- There is no change in the E&S Act to reduce the size of properties or its coverage to different areas. The only change is that you have to get the E&S permit with a designation of a

certified land disturber. All people that are currently licensed as an architect, surveyor, engineer, etc. are automatically certified under the program.

- Commercial regulations are different from agricultural regulations.

- In reference to the question on VDOT, they have their own standards, and this does not change anything. You would need to take the subject of the culvert up with them. They also now have an environmental section of their agency where a lot of projects must be approved through.

Mr. Nester commented that Virginia is trying something new. Now you don't have to go to a designated site to take a State test, it can be done on-line. This particular certification is done by an open book exam, with a \$75 fee and graded while you are on-line. There are sites around the State to take the test if you don't want to take it on-line.

On a motion of Supervisor Gerald, seconded by Supervisor Whitlock, and carried, it was resolved to approve the amendments of Sections 10-4C and 10-6B of the Ordinances of the County of Floyd to Provide That An Individual Holding a Certification of Competence Be In Charge of and Responsible for Carrying Out a Land Disturbing Activity, as presented (Document File Number \_\_\_\_\_).

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

On a motion of Supervisor Harris, 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; 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; paragraph A.7, consultation with legal counsel regarding specific legal matters that require legal advice.

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

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

Supervisor Gerald - aye  
Supervisor Harris - aye  
Supervisor Belcher - aye  
Supervisor Whitlock - aye

Supervisor Ingram - aye

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

CERTIFICATION RESOLUTION  
CLOSED MEETING

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, property and legal matters in accordance with Section 2.1-344, paragraphs A.1, A.3, and A.7 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 Harris - aye  
Supervisor Belcher - aye  
Supervisor Whitlock - aye  
Supervisor Ingram - aye

This Certification Resolution is adopted.

Agenda Item 9e - Request for recognition of September 2001 as Leukemia and Lymphoma Awareness Month in Floyd County. Mr. Nester presented a proposed resolution for the Board's consideration.

On a motion of Supervisor Harris, seconded by Supervisor Belcher, and unanimously carried, it was resolved to adopt the resolution as presented in recognition of September 2001 as Leukemia and Lymphoma Awareness Month in Floyd County (Document File Number \_\_\_\_\_).

Supervisor Gerald - aye  
Supervisor Harris - aye  
Supervisor Belcher - aye

Supervisor Whitlock - aye  
Supervisor Ingram - aye

Agenda Item 9f - Consideration of allocation of full-time truck driver for Transfer Station. Mr. Nester reported that no applications were received for the part-time truck driver position at the Transfer Station. Would like the Board's approval to convert this part-time position to a full time position with benefits, to perform the weekend run primarily. There is enough funds in the environmental fund to take care of this change.

On a motion of Supervisor Whitlock, seconded by Supervisor Gerald, and unanimously carried, it was resolved to change the part-time truck driver position to a full-time truck driver position in the FY02 environmental fund budget.

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

Agenda Item 9g - Community Development Block Grant Escrow Account. Mr. Nester reported that in the administration of this grant, it was found that a letter of credit or escrow account would be required. After study, it was found that the escrow account would be the most cost effective for the County. We are in the process of negotiating with the State on this matter because we want to be certain that any interest is credited to the County.

Agenda Item 9h - Report - Phase I - Regional Commerce Center Development. Mr. Nester reported that bids for the temporary access road are due August 30. Have met with EDA and gone through their requirements. Found that after ARC, CDBG and utility improvement funds are utilized, that there will be \$320,000 available for further site work.

Agenda Item 9i - Report on Courthouse Rehabilitation/Renovations. Mr. Nester reported that bids are due August 30 at 2:00 p.m.

Agenda Item 9k - Report on Virginia Department of Transportation - Industrial Access Grant - waiting on proposed agreement from the Attorney General's Office - should be ok since they usually use a blanket agreement.

Mr. Nester next presented a draft community map similar to one that was done several years ago. Each business that places an ad on the map will receive 50 copies, and credits the County for 50 copies for each ad. The Town will be including their officials on the map this time, and the County officials could be included as well.

On a motion of Supervisor Gerald, seconded by Supervisor Whitlock, and carried, it was resolved to participate in the community map program at a cost of \$750 for the County share, without County officials names included.

Supervisor Gerald - aye

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

Mr. Nester presented a draft resolution for an Incubator Feasibility Study. He reported that ARC has a program with up to \$ 500,000 available. The deadline for the application is August 28. The Planning District Commission requested that the Board adopt this resolution as leverage for the \$343,000 that the County had set aside for the community room. Even if the \$2.4 million grant (total cost) is not received, the County still has their funds.

On a motion of Supervisor Belcher, seconded by Supervisor Gerald, and unanimously carried, it was resolved to adopt the proposed resolution as presented for the Incubator Feasibility Study (Document File Number        ).

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

Agenda Item 91 - Work session on proposed Subdivision Ordinance. Mr. Nester presented a draft for the Board's review and consideration.

In discussion of the addition of Black Forest Subdivision (first 1/10th of a mile), it was the consensus of the Board to have the County Administrator inform VDOT officials of the Board's interest in adding this section.

On a motion of Supervisor Harris, seconded by Supervisor Belcher, and unanimously carried, it was resolved to authorize the County Administrator to advertise for a public hearing at 2:00 p.m. on September 11, 2001 for disposal of County property.

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

Supervisor Harris presented a proposed resolution from the Blue Ridge Coalition (Patrick County group) and their request for a similar resolution from this Board. This resolution would be in opposition to the Duke Energy natural gas pipeline. A portion of this line crosses Floyd County in the Meadows of Dan area. They also requested that the County write a letter requesting to be an intervener in the case. This causes more paperwork for the company, since anything they file has to be copied to all interveners in the case.

On a motion of Supervisor Belcher, seconded by Supervisor Harris, and carried, it was

resolved to adopt a resolution in opposition to the Duke Energy natural gas pipeline (Document File Number         ).

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

On a motion of Supervisor Gerald, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to adjourn to Wednesday, August 29, 2001 at 6:00 p.m. for a work session on the proposed Subdivision Ordinance.

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