

**BOARD OF SUPERVISORS
ADJOURNED MEETING
JANUARY 2, 2002**

At an adjourned meeting of the Board of Supervisors of Floyd County, Virginia, held on Wednesday, January 2, 2002, at 7:00 p.m. in the Board Room of the County Administration Building, thereof;

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

The County Administrator called the meeting to order at 7:00 p.m.

Mr. Nester called for nominations for Chairman of the Board of Supervisors for the calendar year 2002. Supervisor Boothe nominated Supervisor Ingram. Supervisor Whitlock seconded the nomination.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and carried, it was resolved to close the nominations and name Supervisor Ingram as Chairman of the Board of Supervisors for the calendar year 2002.

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

Mr. Nester called for nominations for Vice Chairman of the Board of Supervisors for the calendar year 2002. Supervisor Whitlock nominated Supervisor Gerald. Supervisor Boothe seconded the nomination.

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and carried, it was resolved to close the nominations and name Supervisor Gerald as the Vice Chairman of the Board of Supervisors for the calendar year 2002.

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

The County Administrator turned the chair over to the Chairman.

Agenda Item 3 - Setting of date and time for regular Board of Supervisors meetings.

On a motion of Supervisor Gerald, seconded by Supervisor Belcher, and unanimously carried, it was resolved to set the regular Board of Supervisors meetings on the 2nd Tuesday of each month at 8:30 a.m. in the Board Room of the County Administration Building.

Supervisor Boothe - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Gerald - aye
Supervisor Ingram - aye

Agenda Item 4 - Setting of alternate date and time for regular Board of Supervisors meetings in case of inclement weather.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and unanimously carried, it was resolved to set the regular Board of Supervisors meetings on the Thursday following the second Tuesday of each month at 8:30 a.m. in the Board Room of the County Administration Building, in case of inclement weather.

Supervisor Boothe - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Gerald - aye
Supervisor Ingram - aye

Agenda Item 5 - Adoption of Roberts Rules of Order as meeting protocol.

On a motion of Supervisor Whitlock, seconded by Supervisor Gerald, and unanimously carried, it was resolved to adopt Roberts Rules of Order as meeting protocol.

Supervisor Boothe - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Gerald - aye
Supervisor Ingram - aye

Agenda Item 6 - Appointment to Floyd - Floyd County Planning Commission - one year term - Board of Supervisors member.

On a motion of Supervisor Whitlock, seconded by Supervisor Belcher, and carried, it was resolved to re-appoint Supervisor Fred Gerald to the Floyd - Floyd County Planning Commission, as the Board of Supervisors representative, for a one year term.

Supervisor Boothe - aye

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

Agenda Item 7 - Appointment to New River Valley Planning District Commission, Board of Supervisors representative, one year term.

On a motion of Supervisor Whitlock, seconded by Supervisor Belcher, and carried, it was resolved to reappoint Supervisor Fred Gerald to the New River Valley Planning District Commission, as the Board of Supervisors representative, for a one year term.

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

Chairman Ingram (to Supervisor Gerald) - appreciate you serving on these two Boards, it is a great big job. There are a lot of things that you all have been working on, and we appreciate your hard work.

Supervisor Gerald - I am glad to see Floyd County involved with the New River Valley Planning District Commission. They are a great asset to Floyd County and I appreciate our investment in them.

Agenda Item 8 - Appointment of Virginia Association of Counties legislative contact.

On a motion of Supervisor Gerald, seconded by Supervisor Boothe, and carried, it was resolved to reappoint Supervisor Ingram as the Virginia Association of Counties legislative contact for the calendar year 2002.

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

Agenda Item 9 - Renewal of Trigon contract for employee health insurance. Mr. Nester presented an outline of the renewal rates and the plan choices.

On a motion of Supervisor Belcher, seconded by Supervisor Gerald, and carried, it was resolved to authorize the renewal of the contract with Trigon for County employees.

Supervisor Boothe - nay
Supervisor Belcher - aye
Supervisor Whitlock - abstain

Supervisor Gerald - aye
Supervisor Ingram - aye

Agenda Item 10 - Approval of subdivision plat for Floyd Regional Commerce Park. Mr. Nester reported that the Planning Commission had approved the proposed plat at their December 11, 2001 meeting. This plat was received under the old subdivision ordinance, which is why it must be approved by the Board. Commerce Center Drive will be a VDOT road. Approval of this plat will facilitate the transfer of deed of the Phlegar House and two acres to the Historical Society.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the subdivision plat for the Floyd Regional Commerce Center, as presented.

Supervisor Boothe - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Gerald - aye
Supervisor Ingram - aye

Supervisor Boothe questioned if Dominion has surveyed the County property yet? Is there any inclination as to which side of the power line it will be on?

Mr. Nester commented that the Board had given permission for the survey, but it had not been done yet.

Agenda Item 11 - Proposals for renovation of the County pavilion for contract EMS services. Mr. Nester presented a proposed plan for the renovation for the Board's consideration. The planned renovation would also include a community room, conference room and kitchen as previously discussed by the Board. Funding sources could include: 1) Fire/Rescue Fund; 2) Bond proceeds; or 3) Building Fund.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and unanimously carried, it was resolved to authorize the County Administrator to advertise for proposals, through competitive negotiations, for the County pavilion conversion as outlined.

Supervisor Boothe - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Gerald - aye
Supervisor Ingram - aye

Supervisor Boothe suggested bidding the project separately, with the bay area the first option, in case the project needs to be done in phases.

Senator Roscoe Reynolds and Delegate Allen Dudley next appeared before the Board to

discuss 2002 legislative issues.

Mr. Dudley and Mr. Reynolds first presented a certificate of appreciation and recognition to Coach Winfred Beale (in attendance) for the Floyd County High School Football Team. The team had an excellent year, making it to the State playoffs in their division.

Mr. Dudley and Mr. Reynolds next discussed with the Board legislative issues.

The County's main priorities, as discussed, are for additional State funding for education; additional State funding for the Comprehensive Services Act, and no change in the funding formula; and additional State funding for highway maintenance and construction. Other items discussed were the \$1.3 billion shortfall in State revenue; Literary Loan Fund; income tax refund back to localities; deregulation of electrical services.

On a motion of Supervisor Whitlock, seconded by Supervisor Gerald, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, paragraph A.7, consultation with legal counsel and briefings by staff members or consultants pertaining to actual or potential litigation or other specific legal matters.

Supervisor Boothe - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Gerald - aye
Supervisor Ingram - aye

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

Supervisor Boothe - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Gerald - aye
Supervisor Ingram - aye

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, 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 legal matters in accordance with Section 2.2-3711, paragraph A.7 of the Virginia Freedom of Information Act;

WHEREAS, Section 2.2-3712 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 Boothe - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Gerald - aye
Supervisor Ingram - aye

This Certification Resolution was adopted.

Supervisor Boothe commented that a retail operation was discussed, at one point, to be included in the Commerce Park area. Is that off the planning board?

Chairman Ingram stated that it had not been discussed by this Board.

Supervisor Boothe - a previous Board had discussed it for placement at the Lot 9 site.

Mr. Nester reported that a Freedom of Information request had been received from Greg Haley concerning the new subdivision ordinance. Information is being gathered to reply to this request.

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

Supervisor Boothe - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Gerald - aye
Supervisor Ingram - aye