

**BOARD OF SUPERVISORS
SPECIAL CALLED MEETING
DECEMBER 26, 2002**

At a special called meeting of the Board of Supervisors of Floyd County, Virginia, held on Thursday, December 26, 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 Chairman called the meeting to order at 7:00 p.m.

Dr. Terry Arbogast, School Superintendent, and Mr. Doug Phillips, School Board Chairman, appeared before the Board to discuss school construction plans.

On a motion of Supervisor Gerald, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.7, consultation with legal counsel and/or briefings by staff members regarding specific legal matters that require legal advice.

Supervisor Boothe - since we have already discussed this matter in an open meeting, can we now go into closed session to discuss it?

Mr. Nester - you were not identifying specific items and schools.

Supervisor Boothe - once we make a decision on the total dollar amount, then it would be open?

Mr. Nester - yes.

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 read the following disclosure:

I, Jerry W. Boothe, a member of the Board of Supervisors of Floyd County, pursuant to Section 2.2-3115(G) of the Code of Virginia, 1950 as amended, hereby declare that this matter

affects the School Board of Floyd County; that my wife is an employee of the School Board of Floyd County; that my vote on this matter will not affect either myself or my wife to a greater extent than any other member of the group of School Board employees; and that I am able to participate in this matter fairly, objectively and in the public interest.

Dated December 26, 2002.

Supervisor Whitlock read the following disclosure:

I, Kerry W. Whitlock, a member of the Board of Supervisors of Floyd County, pursuant to Section 2.2-3115(G) of the Code of Virginia, 1950 as amended, hereby declare that this matter affects the School Board of Floyd County; that I am a part-time employee of the School Board of Floyd County; that my vote on this matter will not affect me to a greater extent than any other member of the group of School Board employees; and that I am able to participate in this matter fairly, objectively and in the public interest.

Dated December 26, 2002.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and carried, it was resolved to authorize an amount of \$12 million for school construction expenses as discussed, of which amount will include all closing costs and debt reserve.

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

Mr. Nester next presented a proposed reimbursement resolution for the Board's consideration. He explained that this resolution would enable the County to be reimbursed for any bond closing costs that have been incurred in the last sixty days. The School Board will be asked to pass a similar resolution for any costs they may have incurred. These resolutions will work with any financing option that is selected by the Board.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and unanimously carried, it was resolved to adopt the resolution entitled "Resolution of the Board of Supervisors of Floyd County, Virginia, Declaring Its Intention to Reimburse Itself from the Proceeds of One or More Tax-Exempt Financings for Certain Expenditures Made and/or to be Made in Connection with the Acquisition, Construction, Renovation and Equipping of Various School Capital Projects" with the change in Section 3 from \$11 million to \$12 million (Document File Number).

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

Discussion followed on the different financing options for the school construction plans. Mr. Nester stated that he would have options available for the Board's review at the January regular meeting.

Discussion followed on changing the re-assessment schedule from every six years to every four years. Discussion also on changing tax collections to twice a year.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and carried, it was resolved to authorize the County Administrator to proceed with necessary arrangements for re-assessment for Floyd County every four years, to be effective beginning with the year 2005.

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

On a motion of Supervisor Gerald, seconded by Supervisor Belcher, and unanimously carried, it was resolved to adjourn to Thursday, January 2, 2003 at 6:00 p.m.

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