

**BOARD OF SUPERVISORS
SPECIAL CALLED MEETING
SEPTEMBER 27, 2002**

At a special called meeting of the Board of Supervisors of Floyd County, Virginia, held on Friday, September 27, 2002 at 5:00 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.

All members signed the waiver of notice for the special called meeting.

The Chairman called the meeting to order at 5:00 p.m.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.3, disposition of government owned property where public discussion would jeopardize the County's bargaining or negotiating position.

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

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, 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 Belcher, 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 property in accordance with Section 2.2-3711, Paragraph A.3, 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.

Agenda Item 3 - Consideration of a resolution authorizing the issuance of a revenue anticipation note. Mr. Nester stated that the Board had previously authorized a \$3 million revenue anticipation note with no bank or interest rate indicated. Bond counsel stated that a financing institution and interest rate must be included. Also, after further consultation with the Treasurer, the note would only need to be for \$1 million. Proposals were sent to four financing institutions, with a bid received from two banks. First National Bank's bid was for 4.5%. The Bank of Floyd's bid was for 4%.

On a motion of Supervisor Whitlock, seconded by Supervisor Belcher, and unanimously carried, it was resolved to adopt the Resolution Authorizing the Issuance of up to \$1,000,000 Principal Amount of a Revenue Anticipation Note of the County of Floyd, Virginia and Providing for the Form, Details and Payment Thereof; with the Bank of Floyd designated as the lending institution at an interest rate of 4% for 90 days; and authorize the Chairman to execute any necessary documents (Document File Number _____).

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

Supervisor Ingram - aye

Agenda Item 4 - Consideration of a parking lot diagram for the Courthouse - Mr. Nester presented a proposed layout of the parking lot, and the area surrounding the Courthouse. He indicated that it would be best to wait until Spring to perform these changes, since new paving will be involved. Consensus of the Board was to proceed with the proposed layout.

Supervisor Whitlock presented a letter received from the Floyd Unified Landowners Association - would like this entered as part of the official record.

Mr. Kerry Whitlock
County Administration Building
P. O. Box 218
Floyd, VA 24091

Dear Mr. Whitlock:

The members of FULA and I would like to offer our thanks and appreciation for your presentation at the September 16th meeting with FERC. I know that it was a great deal of effort and expense to travel so far for just one meeting, but I believe that it was very important to let FERC know exactly how serious the water situation is here in Floyd County. You did a wonderful job presenting the facts and painting a picture of what we are going through. It was evident from Mark Robinson and Rich Hoffman's comments that Dominion had not presented the seriousness of this issue to FERC and I believe that your presence at the meeting remedied that situation. Hopefully, this will be followed up by a data request for a study of the aquifer in Floyd County as well as by placing conditions in the DEIS and CP related to water testing and a bond to cover damages. I plan to write a letter of thanks to FERC and reiterate the requests that you and the Board cited in George's letter of intervention. Please offer our thanks to the other Board members and to George for your attention to our concerns.

Sincerely,
Gini R. Cooper, Chairman
Floyd Unified Landowners Association

Mr. Nester reported that one proposal had been received in response to the advertisement for bids for sale of the Reed property located adjacent to the Floyd County Industrial Park. The proposal was from Taurus, LLC in the amount of \$7200.00. They plan on building storage facilities on the site.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and unanimously carried, it was resolved to accept the bid from Taurus, LLC in the amount of \$7200.00 for the purchase of County property, .7100 acre located at the intersection of Needmore Lane and Appalachian Road; with the conditions: 1) that the deed restriction will prohibit the use of the

property for residential purposes; and 2) buyer will demolish and remove the existing structures from the property.

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

Mr. Nester reported that he had received a call from Emmett Toms with Dominion. Dominion has agreed to perform a study of the hydrology and geology along the proposed pipeline route. Would like the County to suggest the scope needed and Dominion will pay for the study. FERC has required Dominion's obligation for a study of 500' on either side of the pipeline, for a total of 1000'.

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