

**BOARD OF SUPERVISORS  
ADJOURNED MEETING  
JANUARY 2, 2003**

At an adjourned meeting of the Board of Supervisors of Floyd County, Virginia, held on Thursday, January 2, 2003 at 6:00 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 6:00 p.m. with a roll call vote of attendance. All members were present.

Mr. Nester called for nominations for the position of Vice Chairman of the Board for the 2003 calendar year.

Supervisor Boothe nominated Supervisor Gerald. Supervisor Whitlock seconded the nomination.

On a motion of Supervisor Boothe, seconded by Supervisor Ingram, and unanimously carried, it was resolved to close the nominations and name Supervisor Fred Gerald as Vice Chairman for the 2003 calendar year.

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

Mr. Nester next called for nominations for Chairman of the Board for the 2003 calendar year.

Supervisor Gerald nominated Supervisor Ingram. Supervisor Boothe seconded the nominations.

By unanimous vote, the nominations were closed and Supervisor David Ingram was named as Chairman for the 2003 calendar year.

The County Administrator turned the meeting over to the Chairman.

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

On a motion of Supervisor Belcher, seconded by Supervisor Gerald, and unanimously carried, it was resolved to set the regular Board of Supervisors meetings for calendar year 2003 on the 2<sup>nd</sup> 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 meetings in case of inclement weather.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to set an alternate date for regular Board of Supervisors meetings for the calendar year 2003, in case of inclement weather, on the Thursday following the 2<sup>nd</sup> 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 5 - Adoption of Roberts Rules of Order as meeting protocol.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and unanimously carried, it was resolved to adopt Roberts Rules of Order as meeting protocol for the calendar year 2003.

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

Discussion followed on conducting a public comment period at some of the evening meetings for citizens who may be unable to attend the 9:00 a.m. comment period. Consensus of the Board was for staff to schedule a public comment period at evening meetings at least once each quarter.

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

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and carried, it was resolved to appoint Supervisor Fred Gerald to the Floyd - Floyd County Planning Commission for a one year term, term from January 1, 2003 - December 31, 2003.

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 member, one year term.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and carried, it was resolved to appoint Supervisor Fred Gerald to the New River Valley Planning District Commission for a one year term, term from January 1, 2003 - December 31, 2003.

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

Agenda Item 8 - Appointment of Virginia Association of Counties legislative contact from Board of Supervisors - one year term.

On a motion of Supervisor Gerald, seconded by Supervisor Whitlock, and carried, it was resolved to appoint Chairman David Ingram as the VACo Legislative Contact for the 2003 calendar year.

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

Agenda Item 9 - Quarterly appropriations resolution. Mr. Nester explained that all Constitutional Officers had met the budget reductions imposed by the State. After discussion, the Board deferred the matter for later in the evening.

Agenda Item 10 - Payment to Sowers Construction Company - \$332,472.17 - Mr. Nester explained that this bill had been inadvertently not turned in for reimbursement. The bill is in order.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the payment to Sowers Construction Company in the amount of \$332,472.17 as presented.

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

Agenda Item 11 - Resolution authorizing lease of copier by Clerk of Court. Mr. Nester explained that a copier purchase had been approved by the State Compensation Board for the Clerk of Circuit Court. The County must pay for the copier and then be reimbursed by the Compensation Board. This resolution outlines these stipulations.

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to adopt the resolution as presented for the copier purchase by the Clerk of Circuit Court (Document File Number \_\_\_\_\_).

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

Agenda Item 12 - Funding request from Goodwill Industries. Mr. Nester commented that this was a carry-over from the Board's December regular meeting. This request was for the Board to defer part of the payment to New River Valley Community Services Board to Goodwill Industries for their handicapped employee program. The Community Services Board had cancelled their contract with Goodwill Industries as of November 30, 2002 and two Floyd County citizens had lost their jobs. The Board deferred the matter for further discussion later in the evening.

Agenda Item 15 - Joint meeting with Senator Roscoe Reynolds and Delegate Allen Dudley concerning 2003 legislative issues. Mr. Nester outlined the Board's major legislative issues to the legislators, which included:

- Protection of local revenue sources - fund mandates;
- Authorize the same local revenue sources to Counties that are available to Cities, such as cigarette tax, transient occupancy tax, etc. - Cities are able to levy these taxes without General Assembly approval;
- Cooperate with local governments in areas where cuts may be made for discussion of solutions - continue working relationship as in the past;
- Public Education - full State funding;
- Trash surcharge - an addition of \$5/ton fee would cost Floyd County \$50,000 more per year;

- Shifting of costs from the State to localities continues while local taxing ability is restricted - such as Community Service Boards.
- Consideration of VACo/VML proposal for sharing of income tax revenue with localities;
- Homeland security - financial and technical assistance for communication between jurisdictions - Mutual Aid frequency between jurisdictions;
- Deregulation of electric rates - use caution in implementation - could hurt localities because of low rates we have enjoyed;
- Transportation - Routes 8 and 221;
- E-911 wireless communication - capability over entire County area;
- Protection of individual identity - de-emphasize use of social security numbers and regulation of how private companies use these numbers.

Discussion between the Board and legislators on the above issues was held.

Agenda Item 12 - Funding request from Goodwill Industries. After discussion, it was the consensus of the Board for staff to obtain further information from the Community Services Board as to how their funding formula works, percentage by locality, etc.

On a motion of Supervisor Whitlock, it was resolved to approve the quarterly appropriations resolution as presented, and to request more information from the New River Valley Community Services Board as to their funding formula.

Motion died due to lack of second.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, it was resolved to approve the quarterly appropriations resolution with an amendment to Department 5201 for an additional appropriation of \$2827 to be earmarked for Goodwill Industries, said \$2827 to be transferred from Contingency; and also request information from New River Valley Community Services Board as to their funding formula.

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

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and carried, it was resolved to approve the quarterly appropriations resolution as presented, with a request for New River Valley Community Services Board to supply more information as to how their funding formula is structured (Document File Number \_\_\_\_\_).

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

Supervisor Ingram - aye

Agenda Item 13 - Resolution to Initiate Steps to Enhance the Financial Reporting, Monitoring and Management for the County. Mr. Nester presented the draft resolution for the Board's consideration to authorize the shift of financial reporting responsibilities to the County Administrator's Office from the Treasurer's Office.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to adopt the resolution entitled Resolution to Initiate Steps to Enhance the Financial Reporting, Monitoring and Management for the County as presented (Document File Number       ).

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

Agenda Item 14 - Transfer of funds - \$412.00 - Clerk of Circuit Court. Mr. Nester explained that the State Compensation Board will reimburse the County for the cost of copy paper for the Clerk of Circuit Court. The County pays the bill and the funds are received by the Clerk and deposited into the County account. Funds need to be transferred to be able to pay the bill.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and unanimously carried, it was resolved to approve the transfer of \$412.00 from 3-001-018030-0003 to 4-001-021060-6001.

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

Supervisor Whitlock questioned if the Post Offices could be provided an updated E-911 map, the present ones are several years old.

Mr. Nester stated that he would make sure they receive a copy.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, 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 regarding specific legal matters that require legal advice.

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

Supervisor Gerald - aye  
Supervisor Ingram - aye

On a motion of Supervisor Belcher, 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 Boothe, 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 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.

On a motion of Supervisor Belcher, it was resolved to adjourn.

Motion died due to lack of second.

Supervisor Boothe questioned if retirees are allowed to remain on the County's health

insurance policy, at their own cost, from age 62 to 65?

Mr. Nester stated that the COBRA regulations allow them to stay on the policy for 18 months.

Supervisor Boothe requested that staff research the matter further to see if retirees could remain on the policy. The School Board has something similar. Feel we should offer this service for our long-time employees.

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