

**BOARD OF SUPERVISORS
ADJOURNED MEETING
APRIL 29, 2003**

At an adjourned meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, April 29, 2003 at 6:30 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 6:30 p.m.

On a motion of Supervisor Boothe, 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 concerning actual or potential litigation where public discussion would adversely affect the negotiating or litigating posture of the County and consultation with legal counsel 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 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 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 legal matters and

potential litigation 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 Boothe, seconded by Supervisor Belcher, and unanimously carried, it was resolved to authorize the County Administrator and County Attorney to proceed with the motion to request a re-hearing of the motion of public convenience for the Dominion pipeline.

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

Agenda Item 3 - Proposed resolution for school construction financing. Mr. Nester commented that this resolution is an acknowledgment on the Board's part that the IDA has acted on the request and approved issuance of bonds and indicates the date that the IDA acted.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and carried, it was resolved to adopt the Supplemental Resolution of the Board of Supervisors of the County of Floyd, Virginia as presented (Document File Number _____).

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

Supervisor Ingram - aye

Supervisor Boothe requested that the record show that he was not voting against the bonds or the schools renovations, just voting against the paperwork itself. I'm sure the cost of this one piece of paperwork is out of sight.

Agenda Item 4 - Approval of Bear/Deer Fund for the upcoming year. Discussion followed on the continuation or abolishment of the fund, as to whether it is cost effective.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and unanimously carried, it was resolved to authorize the County Administrator to advertise for a public hearing on June 10, 2003 at 2:00 p.m. to abolish the Ordinance known as "Special Stamps to Hunt Bear/Deer in Floyd County".

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

Mr. Nester presented a copy of a letter received from the Department of Game and Inland Fisheries concerning the Board's request to extend the hunting season in Floyd County. They are not recommending any increase in the firearms season for Floyd County. The letter was dated April 24, received April 29, for notification of a public hearing on May 1 in Richmond. Suggestion made from the Board that the legislators be contacted for their input into the matter for the public hearing.

A work session on the proposed FY04 budget was next held. Considerable discussion and questions ensued.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and carried, it was resolved to extend the meeting 30 minutes past the 10:00 p.m. deadline.

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

Consensus of the Board was to notify the School Board of a figure of \$6,178,496 in local funds for the upcoming year, which includes \$255,000 for construction financing.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and unanimously carried, it was resolved to authorize the County Administrator to advertise for a public hearing on the proposed FY04 budget at 7:00 p.m. on May 13, 2003.

Supervisor Boothe - aye

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

On a motion of Supervisor Gerald, 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