

**BOARD OF SUPERVISORS
ADJOURNED MEETING
JANUARY 5, 2004**

At an adjourned meeting of the Board of Supervisors of Floyd County, Virginia, held on Monday, January 5, 2004 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; James E. Cornwell, County Attorney.

The County Administrator called the re-organizational meeting to order at 7:00 p.m. and noted that all Board members had taken their official oath of office.

Mr. Nester called for nominations for Chairman for calendar year 2004.

Supervisor Boothe nominated Supervisor Ingram for Chairman for calendar year 2004. Supervisor Belcher seconded the nomination.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and carried, it was resolved to close the nominations and name Supervisor David Ingram as Chairman for calendar year 2004.

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

The County Administrator turned the chair over to the Chairman.

Chairman Ingram expressed his appreciation to the Board for the confidence placed in him. He commented that he makes a lot of mistakes and needs the Board's help as we go along. Will represent the Board to the best of his ability. Will try to hold up to the standards that the Board would like.

Chairman Ingram called for nominations for Vice Chairman for calendar year 2004.

Supervisor Whitlock nominated Supervisor Gerald for Vice Chairman for calendar year 2004. Supervisor Belcher seconded the nomination.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and carried, it was resolved to close the nominations and appoint Supervisor Fred Gerald as Vice Chairman for calendar year 2004.

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

Supervisor Gerald expressed his appreciation for the confidence the Board has placed in him and commented that he would try to do a better job this year.

Supervisor Boothe commented that the Board has had some tough issues and people to deal with and the Chairman and Vice Chairman have both handled them professionally.

Supervisor Belcher - and we thank you.

Supervisor Gerald - the Board works well together and that means a lot.

Chairman Ingram - each of us are individuals, and are just that. Our power and authority come together when we are all together as a Board. Fred and I will try to run the meetings as properly as we know how. We are all equal in this.

Agenda Item #3 - Setting of regular Board meetings.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and unanimously carried, it was resolved to set the 2004 regular Board of Supervisors meetings on the second 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 for regular Board meetings in case of inclement weather.

On a motion of Supervisor Whitlock, seconded by Supervisor Gerald, and unanimously carried, it was resolved to set the alternate date for regular 2004 Board of Supervisors meetings, in case of inclement weather, on the Thursday following the second 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 meeting protocol.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, 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.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and carried, it was resolved to re-appoint Supervisor Fred Gerald to the Floyd - Floyd County Planning Commission 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.

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

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.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and carried, it was resolved to re-appoint Supervisor David Ingram as the Virginia Association of Counties legislative contact for a one year term.

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

Supervisor Boothe commented that he had spoken with Ford Wirt, Emergency Services Coordinator, about any Federal funds that might be available to help with the fire/smoke damage at Hollingsworth & Vose. Mr. Wirt will be researching the matter. Also, staff needs to familiarize the Fire Department with the school renovations when they are complete.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.1, discussion of personnel matters related to one employee; and Paragraph A.7, 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 Whitlock, seconded by Supervisor Gerald, 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 certification 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 personnel matters and legal matters in accordance with Section 2.2-3711 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

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to approve the employment agreement between Floyd County and Mr. George Nester, County Administrator, and authorize the Chairman or Vice Chairman to execute same (Document File Number _____).

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 adjourn.

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

This Certification Resolution was adopted.