

**BOARD OF SUPERVISORS
REGULAR MEETING
JUNE 8, 2004**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, June 8, 2004 at 8:30 a.m. in the Board Room of the County Administration Building, thereof;

PRESENT: David W. Ingram, Chairman; J. Fred Gerald, Vice Chairman; Diane B. Belcher, Kerry W. Whitlock, Board Members; George W. Nester, County Administrator; Terri W. Morris, Assistant County Administrator.

ABSENT: Jerry W. Boothe, Board Member.

The Chairman called the meeting to order at 8:30 a.m. with the reading of the handicapping statement.

Opening Prayer was led by Chairman Ingram.

Vice Chairman Gerald asked that the Board observe a moment of silence in memory of our 40th President Ronald Reagan, who passed away last week.

Chairman Ingram led in the Pledge of Allegiance.

Mrs. Deronda Thomas, Treasurer, was unable to attend the meeting, but sent the invested cash report for the Board's review. Mrs. Morris reported that financial information would be sent to the Board later in the week, as soon as the Treasurer's Office completed their part of the reporting.

The minutes of May 11, May 19, and May 26, 2004 were presented to the Board for review and approval.

On a motion of Supervisor Gerald, seconded by Supervisor Whitlock, and carried, it was resolved to approve the minutes of May 11, 2004 as presented.

Supervisor Boothe - absent

Supervisor Belcher - aye

Supervisor Whitlock - abstain - not present at entire meeting

Supervisor Gerald - aye

Supervisor Ingram - aye

On a motion of Supervisor Gerald, seconded by Supervisor Whitlock, and carried, it was resolved to approve the minutes of May 19, 2004 and May 26, 2004 as presented.

Supervisor Boothe - absent

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Ingram - aye

- Sheriff Shannon Zeman next appeared before the Board. He reported on several items:
- Received letter from Criminal Justice Service Board concerning approval of a grant in the amount of \$163,000. This grant will provide Phase I funding for Carroll and Patrick Counties and Phase II for Floyd County for equipment. Floyd County's share will provide mobile computers for deputies' cars for mapping and report capabilities.
 - Have been getting one trustee from the Regional Jail who has been working at the Transfer Station and Dog Pound. We will probably get another one for the summer to assist the Recreation Authority and others.
 - Comp Board funds have been received and will be used for overtime funding.
 - Have hired one Dispatcher to fill the vacant position. He began work yesterday.

Supervisor Gerald requested a deputy to sit at the Routes 787/622 intersection to catch people running the stop sign. We have had rumble strips and a larger sign installed, but people continually run the sign. Maybe if a Deputy was there and caught a few, it would help.

Sheriff Zeman stated that he would add the site to their list.

The monthly disbursements were presented to the Board for review and approval. A list of additional bills was also presented for the Board's consideration. Questions and discussion followed.

At 9:00 a.m., the Chairman called for the Public Comment Period.

Mr. Bob Smith - Indian Valley District - Some of you may have read, I put a letter in the newspaper last month, concerning our tax situation. I wanted you to consider the possibility of requiring a simple majority to pass any tax increase or any measure that would have an effect of a tax increase. Since I'm not an orator, I just wanted to make that point, to see if you would be willing to consider such a measure and thank you for your time.

After no further comments from the audience, the Chairman declared the Public Comment Period closed.

Further questions and discussion followed on the monthly disbursements.

On a motion of Supervisor Whitlock, seconded by Supervisor Gerald, and carried, it was resolved to approve the monthly disbursements as presented, with the exception of the \$552.01

bill to vendor number 560.

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

Agenda Item 8a - Subdivision plats as approved by Agent for May 2004. Mr. Nester reported that eleven new lots were created during the month.

Agenda Item 8b - ARC Health Grant Update. Mr. Nester reported that in March, the County was approved for a grant from ARC in the amount of \$165,000 to establish improved medical services for low to moderate income families. ARC suggested that the County go through a planning phase first to answer questions such as, can the facility be self-sustaining or would the County be required to pay for it at a later time? Before we applied for a planning grant, I wanted to get the Board's feel on approaching the Health Department and Free Clinic for their interest. They would have the staff and facilities for this type of center, but not the equipment, for which the grant could be used. We also would want to meet with the planning group again to obtain their views and so they would understand the financial limitations.

Agenda Item 8c - Solid Waste Management Plan and Public Hearing. Mr. Nester reported that DEQ requires an update of the plan every four years. The New River Valley Planning District Commission is assisting us in revision of the plan. Some of the items that DEQ will be requiring us to assess are:

- recycling - required by State for a 25% reduction in the waste stream, which we have met;
- solid waste collection practices - routes, efficiency, etc.
- operation of former landfill - monitoring, testing, etc.
- transportation costs - would other options be more economical?

The document must be submitted by June 30, we would like to hold our second public hearing on June 29, 2004 if agreeable. Consensus of the Board was to hold the public hearing at 7:15 p.m. on June 29, 2004.

Supervisor Gerald commented that Ms. Martin from the Planning Commission will be holding an informational meeting on June 21, 2004 at 6:00 p.m. if anyone is interested in attending.

Mr. Nester presented information on the deleted disbursement to vendor 560. He stated that the bill for a feasibility study was for the planning grant for the medical center at the Donnkenney building, tenants, etc.

On a motion of Supervisor Whitlock, seconded by Supervisor Belcher, and carried, it was resolved to approve the disbursement in the amount of \$552.01 to vendor 560, as presented.

Supervisor Boothe - absent

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

Agenda Item 8d - Virginia Department of Labor and Industry/OSHA Workplace Safety Plan. Mr. Nester reported that the County is now required to have this safety plan in place at all work sites. Most critical areas would be the transfer station, building maintenance and inspection department. Through this plan, we would learn how to assess dangerous areas and items. Staff will be working on this plan and we hope to have it completed by the end of August.

Agenda Item 8e - Audit engagement letter for fiscal year ending June 30, 2004. The Board had asked for a more detailed scope. If the engagement letter is satisfactory to the Board, you would need to authorize execution. Mr. Nester suggested attaching a copy of the letter requesting a more detailed management letter to the engagement letter.

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and carried, it was resolved to accept, provisionally, the audit engagement letter with Robinson, Farmer, Cox & Associates, with their agreement to the attachment letter, and authorize the County Administrator to execute appropriate documents, beginning June 15, 2004.

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

Agenda Item 8f - Request from Bank of Floyd to split cost of restriping Jacksonville Circle. Mr. Nester reported that this is not a public road, and costs are split between the County and Bank. They would like to re-stripe the stop bars and parking spaces. Chairman Ingram suggested that the property lines be considered in the cost split. Supervisor Belcher suggested that an estimate be obtained also for re-striping our parking lot, if we want to do everything at one time. Mr. Nester will obtain prices and report back to the Board.

Mr. Nester presented a June 1, 2004 letter from the New River Valley Planning District Commission concerning the \$33,500 grant received from the Virginia Commission on Military Bases. The Board had approved a \$450 donation last month, and the Town approved a \$100 donation. Because the Alliant Corporation withdrew their donation, the localities are being asked to cover the remaining grant match. They are requesting an additional \$1000-1500 from Floyd County. The Board deferred the matter for further discussion at the June 10 meeting, after information is obtained from the Planning Commission on how other localities are handling the situation.

Mr. Junior Goad, Resident Highway Engineer, and Mr. Bob Beasley, Assistant Resident Highway Engineer, next appeared before the Board.

Mr. Goad reported that maintenance, mowing, patching and ditching are continuing, and being done as quickly as possible. Schedule work will begin later in the summer.

Mr. Beasley reported that on Carthage Road, .61 mile in length, 10-12' width, with two 6-8' verticals, would have to be placed in the 6-year plan. There is nothing that can be done now, it would have to be in the 6-year plan as a full-blown project. The verticals limit the sight distance more than the curves do. But, the one good point is the intersection with Route 740 has very good sight distance.

Supervisor Whitlock - Beaver Dam bridge - hope it can be done soon.

Mr. Beasley - scheduled to be completed by June 1.

Supervisor Whitlock - are the other two bridges on Route 221 scheduled to be worked on this year?

Mr. Beasley - preliminary engineering is being done on both now. It will still be 1-2 years away.

Supervisor Whitlock - appreciate the mowing. Will we be able to get the pavement at Sams Road/Franklin Pike?

Mr. Beasley - yes, we will do it, it is on the schedule.

Supervisor Whitlock - also, at the Shooting Creek/Franklin Pike intersection, quarry traffic making a left turn onto Franklin Pike, are tearing up the edges of the road when they make the turn.

Supervisor Whitlock - dirt roads need machining but I know you will get to them when you can. Also, on Harvestwood Road, between Sandy Flats and Franklin Pike, culvert is not carrying the water.

Supervisor Ingram - have the same problems as everyone else with mowing, patching, potholes, but I know you are working on them. Also, on Route 795, when you get the results of the speed study, just let me know. Any new information on the Route 221 issues?

Mr. Goad - I have send all information and items in for traffic engineering to study.

Supervisor Ingram - I have one suggestion for the Route 221/610 intersection. I have seen stop signs in other areas that are over-sized and have flashing lights, something to draw the attention of the people.

Supervisor Belcher - appreciate the mowing, dirt roads are in fair condition compared to what they have been, thanks.

Ms. Tina King, Program Director with New River Valley Agency on Aging, next appeared before the Board. She thanked the Board for their support of the congregate meal program the last few months. We waited as long as we could to find out what would happen with the congregate meal program and the State/Federal budgets. We have lost over \$155,000 in funding. Some funds have been pulled from the congregate meal program to our Homebound

meal program. For the third day of the program in Floyd, the Board contributed \$2200, which averages a little less than \$500/month. We are lucky in Floyd in the fact that we don't have a lot of transportation costs. We anticipate our costs for the next year to be \$1491 for July - September and \$4792.50 for October through the rest of the year. We are hoping for a 3% increase or less in the meals cost. Twenty years ago, this program was five days/week. We want to try to keep our five day/week homebound meal program because for a lot of folks, this is the only time they are checked on. Giles County has already approved continuation of the congregate meal program, Montgomery County, Pulaski Town and Pulaski County have not decided yet. Consensus of the Board was to hold the matter for further discussion at the June 10 meeting when Supervisor Boothe will be present.

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.1, discussion of personnel; Paragraph A.3, discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

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

On a motion of Supervisor Gerald, seconded by Supervisor Whitlock, and carried, it was resolved to come out of closed session.

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

On a motion of Supervisor Whitlock, seconded by Supervisor Gerald, and 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 and property in accordance with Section 2.2-3711, Paragraph A.1 and 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 motion, 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 - absent
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Gerald - aye
Supervisor Ingram - aye

This Certification Resolution was adopted.

Dr. Terry Arbogast, School Superintendent, next appeared before the Board. He reported/presented several items:

- Copy of School Board meeting highlights of May 17, 2004;
- Technology Plan has been approved. Will get a copy of this 6-year plan for the Board if you so desire.
- Public Hearing on budget was held June 2. Salary scale for teachers seemed to be the most concern. They were requesting a reasonable distance in the steps instead of arbitrary steps.
- Copy of letter addressing the financing of the school construction project. School Board has promised \$200,000 of additional State funding received plus \$291,000 of Debt Service payment toward the construction debt paydown.
- Graduation service went very well in the new gym with a lot of good compliments and appreciation for the new facility.

The Board extended congratulations to Dr. Arbogast for being chosen as Superintendent of the Year. Mr. Nester also congratulated Dr. Arbogast on the quality and high number of honor students graduating this year.

The Board recessed for lunch.

Mr. James Cornwell, County Attorney, appeared before the Board.

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.1, discussion of personnel; Paragraph A.3, discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public

body.

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

On a motion of Supervisor Whitlock, seconded by Supervisor Belcher, and carried, it was resolved to come out of closed session.

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

On a motion of Supervisor Whitlock, seconded by Supervisor Gerald, and 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 and real estate in accordance with Section 2.2-3711, Paragraph A.1 and 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 - absent
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Gerald - aye
Supervisor Ingram - aye

This Certification Resolution was adopted.

Mr. Cornwell reported that the tax identification number for Floyd County Emergency

Medical Service, Inc. had been received. The Board will need to recognize this organization as an entity conducting emergency service in Floyd County.

On a motion of Supervisor Belcher, seconded by Supervisor Gerald, and carried, it was resolved to establish Floyd County Emergency Medical Services, Inc. as an entity conducting emergency medical services in Floyd County, pursuant to Section 15.2-955 of the Code of Virginia, 1950, As Amended.

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

Mr. Cornwell next presented a proposed ordinance for the Board's review and consideration. The Ordinance would provide for collection of a fee for emergency services. The Board has already authorized the advertisement for public hearing. After discussion, it was the consensus of the Board to hold the matter until Supervisor Boothe is present and a public hearing date and time will be set then.

On a motion of Supervisor Gerald, seconded by Supervisor Belcher, and carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.1, discussion of specific personnel.

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

On a motion of Supervisor Whitlock, seconded by Supervisor Belcher, and carried, it was resolved to come out of closed session.

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

On a motion of Supervisor Gerald, seconded by Supervisor Belcher, and 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 and real estate

in accordance with Section 2.2-3711, Paragraph A.1 and 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 - absent

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Ingram - aye

This Certification Resolution was adopted.

On a motion of Supervisor Gerald, seconded by Supervisor Belcher, and carried, it was resolved to adjourn to Thursday, June 10, 2004 at 7:00 p.m.

Supervisor Boothe - absent

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Ingram - aye