

**BOARD OF SUPERVISORS  
REGULAR MEETING  
DECEMBER 13, 2005**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, December 13, 2005 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, 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 8:30 a.m. with the reading of the handicapping statement.

The Opening Prayer was led by Vice Chairman Gerald.

Chairman Ingram led in the Pledge of Allegiance.

Mrs. Deronda Thomas, Treasurer, appeared before the Board. She presented the invested cash and cash in office report as of December 13, 2005. She reported that tax payment mail was still being worked, which they hoped to complete today. Will have a collection report for the Board next month.

Mrs. Morris presented the balance sheet and revenue/expenditure report as of November 30, 2005. She reported that, at 50% through the fiscal year, collections are at 32% and expenses at 49%. A few line items, such as gas/oil, are over already, but all departments are in good shape. The auditor reported that a draft audit should be received by Friday.

Sheriff Shannon Zeman appeared before the Board. He reported that Mr. Peters, Clerk of Court, would be unable to attend the meeting today because of Circuit Court being in session.

- Things are running smooth, we have a full staff, last two months calls have been under 1000, which affected the fuel mileage a little, we are running 27,000 vs. 32,000 or 34,000. I did check yesterday on our fuel account and we are at \$5434.00, so that will probably get us through January but not February.
- Only big purchase that we are waiting on, I continually keep calling about the cars. I was told yesterday that the factory has been producing cars for a couple of weeks and shutting down for a couple of weeks, for what reason I don't know, we are still waiting on vehicles. Hope to get that completed sometime in January.

Supervisor Boothe - I heard a rumor that I hope you, or maybe Mr. Wirt, would need to check. I heard that Montgomery County went to high band on their radios and are now looking at switching back to low band. Could somebody check into that before we get too far down that road and see if there were problems, what happened? It didn't make sense to me, I hope it was just a misinformed person, but if they are going back from high band to low band, there's bound to be a reason.

Sheriff Zeman - I'll ask the Sheriff there to see what the experience has been. Out of the 12 radios that we recently received through that Federal money, just experimenting with them or whatever, we only have that one repeater at Wills Ridge, it seems to be working really well.

Supervisor Boothe - if its true, maybe they ran into some problem that we can avoid.

Mrs. Stephanie Shortt, Acting Commonwealth's Attorney, next appeared before the Board. She commented that it was her privilege to be here, have Circuit Court this morning so I can't stay long, but I did want to meet you personally. I wanted to tell you that things are moving smoothly and there are no problems. Everyone has been very helpful and cooperative.

Chairman Ingram - you have a spot here on the agenda if you want it, each time when we meet, the 2<sup>nd</sup> Tuesday of each month, somewhere in the 8:45 a.m. range. The Sheriff, Wendell and you can come, if you want to. You are welcome to come, its not required.

Mrs. Shortt - is there anything particular that you want me to report on?

Chairman Ingram - we leave that up to you. There's a lot of things you can't report on, we understand that, and we don't have a set thing. We thought it was good if the constitutional officers wanted to come and make a report or talk with us, we wanted to make that time available for you.

Mrs. Shortt - and Wendell asked me to convey to you that he is sorry that he's not here, he's preparing for court.

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

Ms. Dawn Barnes, Virginia Cooperative Extension, Floyd Office. Merry Christmas to you all, and I'm here with great tidings. We have an agriculture and natural resources agent on board. David Cuttey does have a strong background in agriculture, he is a Virginia Tech graduate, and almost finished with his Masters degree. That will be cause for another celebration shortly. He has worked with the Cattlemen's Association, the Shenandoah Agriculture Research Center up the valley. I would like to take this opportunity to introduce you to David Cuttey, and if you have questions, be kind, but he is real good at answering questions.

Mr. David Cuttey - one of you, at least, I've met, Mr. Ingram. I want to thank you for the opportunity to be here in Floyd and to serve this County and I couldn't be happier to be in a

place that's more dedicated to agriculture with a wonderful history and an excellent place to start a career in Extension. I want to thank you for the opportunity, if you do have questions, I would be glad to answer them.

Supervisor Boothe - you're right, it's a great place to start a career, and it's a great place to end one in about 40 years.

Mr. Cuttey - I can see that happening. There's some other Counties that I couldn't say that about. I grew up in Washington County, so I'm not far from home, so I can see us staying here. My wife loves it here, and we're looking forward to re-locating and move here permanently and just couldn't be happier to be here. I wish it hadn't taken so long for you to get the position filled, but I'm happy with the way it worked out for me. Hopefully, it will work out for all of us.

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

The minutes of November 8, November 10, November 30, 2005 were presented to the Board for review and approval.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and unanimously carried, it was resolved to approve the minutes of November 8 and November 10, 2005 as presented.

Supervisor Boothe - aye  
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 approve the minutes of November 30, 2005 as presented.

Supervisor Boothe - aye  
Supervisor Belcher - aye  
Supervisor Whitlock - aye  
Supervisor Gerald - abstain - not present at meeting  
Supervisor Ingram - aye

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

On a motion of Supervisor Whitlock, seconded by Supervisor Gerald, and unanimously carried, it was resolved to approve the monthly disbursements, plus additions, as presented.

Supervisor Boothe - aye

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

Mr. Bill Whitsett, Floyd Office Director, and Mr. John McEnhill, Board Member, New River Community Action, next appeared before the Board. They reported on the following:

- Our mission statement, the short version, is in your handout;
- Poverty guidelines are established by the Federal government;
- A large majority of folks in Floyd County are two paychecks away from the poverty level and in need of assistance;
- Last year, we served approximately 1400 people in Floyd, unduplicated clients, which means that these are new clients for a new service. This figure does not reflect the RSVP program, CHIP program, or Headstart;
- For every \$1 that the local government funds, it means much more than the dollar, it is leverage for another \$35 in additional revenue;
- SHARE program - Self Help Asset Resource Exchange. This is not a low income program through NRCA. If you can eat, you can qualify. The nice thing about this program is that you get a nutritious food package for a very good price. You pay a little more in the months of November and December, but you get more in that package. Sometimes a lot of people just do the work for the nice food package. If you'd like to find out more, give us a call.
- We offer emergency assistance in this County which includes food and clothing banks. We also assist eligible clients with transportation needs, whether it be from their home to the office or grocery store, or the doctor or drug store. We do provide that if the client needs transportation. We refer our clothing to Angels in the Attic and we provide clothing vouchers to the folks if we don't have anything at the office at that time.
- Utilities - we assist folks with utilities. As you are painfully aware, that need is on the rise and I don't know what that number will pan out to be, but it will be significant. It affects our clients and those on fixed incomes such as the elderly. Heating fuel, as you know, for the last two years, has fluctuated between 30-70%. We will be paying for this. Social Services will be helping us out with this program. The application program was this month, but they won't be able to assist folks until the latter part of this month into January, so we're already dipping into our funds.
- Health needs - prescriptions, referral to a doctor or dentist.
- Assist with rent and mortgages needs. Refer to other agencies such as Section 8 housing, workforce development, VEC, whatever the need is. We have most of these entities in our building, which is helpful.
- Food bank - we're seeing more people this year than we have in years past. I don't know the reasons for that, but we have a heightened number. We have done a food drive, and now our shelves are full.
- Home repair program. We partner with faith based organizations for this program. We don't have a lot of funding for this program, but we are able to provide this service with

funds from our faith based organizations and their volunteer support. The National Methodist association provides some funding for these repairs and replacements. We assisted three families last year.

- Headstart - this is a program that helps children and their families with education, access to Social Services, preventative health care, nutrition and parental involvements. Currently serving 28 families, 18 in our classroom space, 10 are home based. There is also an emphasis on socialization through this program for children. Our family educators not only help the children, but also teach the parent how to be better educators for their children.
- CHIP - one of the major benefits is that it provides stable health care. Gets the family away from using an emergency room for treatment. Puts the children with one family provider. The doctor works with the entire family. There are currently 22 families, with 41 children in the Floyd program.
- Homeless Intervention - we have served a number of families with this program. Typically, you find people in this program that are in critical need for assistance with rent or mortgage and we help prevent them from losing their home.
- RSVP - right now we're serving 206 participants. We currently have 43 stations in the County. We recently replaced our van for this program due to the efforts of our advisory board and some private donors.
- Seasonal programs - holiday assistance through our mailing group - provide clothing and toys for children in the County. Christmas for Children provides a similar service. We also have Christmas baskets, through private donors, last year we served 75 people. Volunteer income tax assistance program served 69 people last year. Hope to convert this program over to a truly volunteer program this year.
- Cars program - we help folks out with low-cost vehicles whether they are donated or something that we might purchase and repair. These vehicles assist families to get or maintain work. To date, we've served eight families. We recently received a donation that went to a single mom and three children, she's at work and providing for her family.
- Child Care Scholarship Program - we are currently conducting a needs assessment as to whether this program would benefit the County.
- Most people who walk through our door are not in the best circumstances and its hard for them to ask for the programs and services. There are some who return on a regular basis. That's our challenge, to overcome that barrier of folks coming into our office, and for us to make them feel good and uplift their spirits.

Mr. Carl Ayers, Social Services Director, next appeared before the Board. He reported on the following:

- Energy Assistance Program - I will give you some information from Governor Warner's November 30 news release. The State, in the first time in the history of the Federal Energy Assistance Program, actually put money into this program totaling \$17.9 million, as a supplement to the money that was oncoming from the Federal government. The money that they put into that, it is split up into three different programs. The fuel program, which is the program that we commonly think of when we discuss this, the

State is adding \$13.6 million to the \$18.9 million that comes from the Federal government, for a total of \$32.5 million. The crises program, an offset of the fuel program which is run out of our office, the State added \$1.3 million to that for a total of \$5.2 million. Then also, they added another \$2.1 million to the weatherization program, which is not run out of our office, which helps with home repairs and those sort of things.

They do a lot with insulation to help with increasing energy costs. One of the big reasons that they did this, and they listed it specifically here. Right now, natural gas prices have increased 48% from this winter over last winter. Heating oil is up 32% and propane is up 30%. Over the last four years, if you look at it from 2002 up to this winter, natural gas and heating costs are up 225%. Propane is up nearly 200% in a four year period. Also, just to point out a couple that serve our area, there are private energy companies that are doubling their efforts to help people that are served through those programs. If you are familiar with your AEP bill, there is a Neighbor-to-Neighbor program. For every dollar donated, what they have done in the past, up to \$37,500, they match dollar for dollar. They have doubled that this year, where they are doing \$75,000.

Basically, they have doubled what they are going to do with that program. Its great to hear that the companies are stepping up and helping. Roanoke Gas has doubled its contribution to \$20,000 and they serve some of our people in the Bent Mountain area. That's just what the State has chosen to do.

- The number of households that will be served in the State through the fuel program is 110,377, which is an increase of around 10% from last year. The dollar amount that is being put into that program is right at \$36 million which is an increase of 38% from last winter to this winter. The average household benefit, which is the one that really makes a difference, went from \$223 to \$326 this year, 32% increase. Clearly, if prices stay where they're at, then basically what the State has done with this extra money, is kept the benefit level similar to what it was last year. The vouchers went out to the companies on Friday, so they should start delivering these within the next week or so. We are still looking at the significant increase, but the State will basically be picking up the difference. The State stepped up on this one, and made up the difference.
- Update - just wanted to let you know that the position you allocated for us a couple of months ago, has been filled and hired. We were able to get someone with significant experience, so they came in and went right to work. Just wanted to send along our thank you for that and let you know the progress.
- We are expecting changes with legislation upcoming in January. We do expect significant changes in our programs, especially child protective services, foster care, etc. The program improvement plan that the Federal government came down and made our State enter into, they are actually looking at putting all those changes in the Code section, whenever they do that, its going to be significant. They gave us \$6000 last year to implement, change all our procedures, those sort of things will not be covered with this amount. Adult service regulations are being reviewed. They will add some more things but we will just have to wait and see what happens.

Mr. Bob Beasley, Mr. Jeremy Hendricks, and Mr. Mark Hubbard, VDoT personnel, appeared before the Board.

Mr. Beasley presented the 6-year final plan for Mr. Nester's signature. After all signatures are obtained, both local and at State level, copies will be made for the Board.

Mr. Beasley introduced Mr. Mark Hubbard, the new Superintendent at the Check Area Headquarters. Mr. Hubbard has been with us a little over a month. We are very pleased to have him, and look forward to many years of working together.

Supervisor Boothe - appreciate all your work, especially with the ice being terrible to deal with.

Supervisor Gerald - appreciate your taking care of the roads, they are slick, but you're doing all you can. I really appreciate the yellow lines, I've had a lot of positive comments from the citizens. Appreciate what you've done and what you're going to do. I've had more positive comments on the yellow lines than anything else since I've been on the Board.

Supervisor Whitlock - appreciate the work. I noticed that we're beginning to get some tree trimming, most of it is on Route 221. Is that to remove the foliage so the sun can get to the road?

Mr. Beasley - no, that's just normal work. Every 3-6 years, we've got to trim brush. We are on a cycle and that's our policy, every 3-6 years. That is our goal. Previous to this, it was up to the Superintendent as to what was cut, that was from complaints and reviews in the field. We are trying to get a more logical, long-term approach so that roads are trimmed and cut every 3-6 years. That's pretty wide-range there, but some roads, according to the shape of the vegetation, won't need it as often. So, 3-6 years is our goal.

Supervisor Whitlock - is that secondary as well as primary, and gravel roads?

Mr. Beasley - its all of them. I don't know the miles that we have in the County, probably at least 2000 miles of vegetation to cut, it's a daunting task, but this company has done a good job for us, probably a better application than with our own forces in the past.

Supervisor Belcher - Route 603, Fork Mountain Road to Route 600, Burnette Road, I've had calls concerning ice problems. Also, Route 603 behind Mabry Mill needs attention. I also have a letter request for culvert work on Route 716.

Mr. Beasley commented that the ice has really posed a problem. We were hoping for sleet first which provides a bond, but the freezing rain came first and it just bonds to the pavement, it glazes, and it becomes part of the asphalt. We will have more of the same if we get the freezing rain on Thursday.

Supervisor Ingram - thank you again for everything that you've gotten done. This ice is probably the worst situation that we face, in having to deal with it. Some of the roads, it just

won't come up until we get some warmth. There are some sections if we could get a little gravel thrown out it would help.

Mr. Beasley - believe it or not, we have applied gravel at least twice, and in some cases, three times. I thought the melting would help us, but the stone sinks down into the melting ice, and then that night it refreezes, and gets just as slick as it was.

Supervisor Ingram - its hard to do anything with it on those North banks and shady places. Some roads will also need some machining whenever the weather breaks.

Supervisor Whitlock - the construction crews have started some work on Route 670, is your intent to do construction this winter?

Mr. Hendricks - they are clearing trees and getting the right-of-way cleared. We will start construction in the Spring.

Supervisor Whitlock - will guardrail be installed?

Mr. Beasley - no, it has to be a serious situation for guardrail.

Mr. Mike Lawless, Draper-Aden Associates, next appeared before the Board. His comments included: As you know, we've had the corrective action program approved and the corrective action plan approved. We conducted the first corrective action monitoring event in November. The first routine event this year was in May, so we will have the annual groundwater monitoring report due March 1. The results from the November event, we've just gotten back and started to review those. Generally what they show is pretty consistent with what we've seen historically. On the west side of the landfill, we have monitoring well #7 and monitoring well #2, and then on the east side we have monitoring well #8. Historically, #8 has had the most chemical constituents detected and at the highest levels and that's been decreasing steadily over the past 15 years. Wells #7 and #2 have fluctuated and they fluctuate very closely with groundwater levels. When we have drought conditions, you see concentrations go up. When we get wet weather in the spring, you see the concentrations go down. That's what we saw in November, when we came through a dry summer and fall, the concentrations went up. They did not go up to the highest levels that they've ever been, even the high levels that we've seen are lower than the historical highs. We are still at a steady state of conditions, and those conditions continue to vary. We are not seeing any change in the overall hydrology or the overall risks associated with this facility. The other issue that we've talked about in the past is the surface water discharge down at s4, which is the piped spring. I met with DEQ in the Roanoke office at the end of October to talk about the VIPTES permitting program for that spring, which looks like I indicated previously, although we're entering another regulatory program, may ultimately be the cost effective way to address that discharge. The water division handles that discharge, the solid waste division handles the landfill. The water division is struggling still with how to permit these surface water discharges with old, closed landfills under a permitting program that

was written for industrial discharges. In October, I supplied them with all the historical data we'd collected from all these surface water locations, and also gave them a copy of the stream assessment report that we did in 2004 that showed that the biological health of that stream down gradient of s4 is not significantly impaired, compared with other background streams in agricultural counties. It also showed that when that stream leaves the property, its back at a good water quality and good health. DEQ is in the process of reviewing all that information, and I expect sometime after the first of the year we will hear back from them. They will probably have some additional sampling parameters that they want tested for those surface water locations, but it should just be a one-time testing because the surface water guys have a different test list that they want run than the waste people do. So we need to pick up the parameters that we haven't tested for yet. None of those are things that we expect to see, so I expect we'll do their one-time test, demonstrate that those additional parameters are not present, and then we can go back just to focusing on the DOC's that we've seen previously. I think from a routine sampling standpoint, the costs will not increase significantly at all. We'll see a one-time test, then after that we'll just run our normal tests. We've been sampling these locations during our routine sampling anyway. The other permit requirements that are coming up are the three additional wells that are shown here in red, 17, 18 and 19. The permit requires that those be installed before the first semi-annual event in 2006 which will be sometime in the first quarter, we should go ahead and install those. In the permit, they did require two quarterly monitoring events initially, and then we drop back to semi-annual. The November event is considered the first quarterly event, the second quarterly event will be in February, and then we'll be back on track with just with semi-annual sampling after that. So we really got away with just adding one additional monitoring event. These three wells will be installed before that annual event in 2006. That will probably be in May or June. Obviously, we don't want to take a drill rig out there now as wet and cold as things have been, but we'll wait for a break in the weather sometime between now and probably April, because we'd like to have them in for a month or so before we sample them. Whenever the weather dries out enough, we'll get a rig in there. #19 and #18 will be deep wells, those will be probably between 100-150' deep. #17 will be a shallow well, between 50-70'. The deep one will be to evaluate the vertical extent of trace levels that we're picking up in MW#2. This is one of the wells where we're seeing the levels consistently low. #2 is about 50-70'. #19 will be the deep one to see if those trace levels are seen deeper. #17 will be a shallow well to see what we're seeing in #8 is moving down toward s4, to see if there is any relation there. #18 will be a deep well, adjacent to that, to see how far vertically the extent is. We're still negotiating with DEQ on where they want #18. They requested in the permit that it goes half-way between s4 and #17, but that's pretty steep slope there and there is no way to get a drill rig down there. So, we're negotiating with them down and we'll submit a letter with a proposed location for their approval before we install this, so we have their approval on the location. It may end up being further down here, depending on what their goal is.

Supervisor Boothe - as close as they're putting #19 and #2, it looks like it would make sense. I understand putting #17 shallow down there as far as you can, with the slopes and whatever, but it looks like it would make more sense to have #18 between the two of those to really get a relation in there.

Mr. Lawless - it would, and that's the way we proposed it to them initially. Since then, they have come back with some other proposals and one of the things was to see the relationship between what's in #8 and #4, and we've made the case that there is no relation, because this is piped under the old debris area. There may be, its terra cotta pipe, so there may be some groundwater infiltration, but the majority of that flow is probably coming from an up gradient direction, so there's not going to be a direct linkage between the groundwater that we see here. The big thing is, these wells will total about \$20,000 to drill, we do not want to drill these wells until we have an agreement from DEQ about where they need to be. With all the wells out here, we want to know that this is it. So, #18 is really the only one in question now. They've agreed to the other two locations, but again, we'll get that in writing.

Supervisor Boothe - #7, you're saying that they're showing, but still below the highest point? If they consistently show a decrease per se,

Mr. Lawless - for about the first 10 years, they showed a steady increase, and then over about the last 5, its been steady, but fluctuated. It seems to be a flat line, but if you look at the detail, its been up and down, with the groundwater levels.

Supervisor Boothe - but really as far as the breakdown of the waste itself, it hasn't really started to the point where its impacted the downhill side yet.

Mr. Lawless - when we saw the increase and then the leveling out, I think we're getting to that point. I think we're starting.

Mr. Nester - anything that we need to be doing?

Mr. Lawless - not at this point. Like I said, we have some permit deadlines coming up, we need to submit a surface water monitoring plan by February 28. That's really just something that we had within the groundwater monitoring plan that I'll pull out and put under its own cover, and we'll let you take a look at it before it goes in. The annual report, March 1. The surface water mitigation plan which is going to be how we're actually going to address that spring discharge will be due at the end of May. Probably sometime after the first of the year, we'll get some specifics from the water division and know exactly what we're going to have to do between now and May 31 deadline. So there's nothing eminent, but we'll keep you in the loop and whatever we need to submit to DEQ will come across your desk. I guess the first thing will be a review of the November data and a reporting of detected parameters and statistically significant increases which requires a regulatory report required after we get the results. We didn't see anything different in this event than we've seen in the others, the same parameters are being detected, similar concentrations, some have gone down, some have gone up, but overall, its still a steady state situation.

Supervisor Belcher - so if you plan on drilling before April, how long will it take you to get the approval on #17?

Mr. Lawless - I think we can get the approval from them probably within 30 days of submitting a proposal to them because we've had an on-going dialogue with them, and they want to get it in as well. We're still having discussions, but I want to come to a verbal agreement with them before I submit something in writing so that we don't end up with a letter writing campaign going back and forth. So we'll be doing that over the next couple of months and once we come to an agreement that makes sense, addresses their concerns, but also gives us some useful technical information, we'll formalize it in writing and submit that to them. They're interested in getting those wells in, so I think they'll turn it around quickly.

Supervisor Boothe - our predominant problem has been petroleum based?

Mr. Lawless - yes, petroleum or other organic solvents.

Supervisor Boothe - is it unusual with a landfill of this age, to have something else pop up?

Mr. Lawless - it would be unusual, we see a typical group of chemicals in the groundwater in nearly every landfill across the State. And we're seeing that same group of chemicals here. So to see something totally separate pop up, would be unusual, but it wouldn't be unheard of. The odds are pretty much against it, and with the age of this waste, we would expect that anything that is going to show up, would have shown up by now. We've got 15+ years of data, we've got a lot of data evaluating the site, and we've got wells that are properly located around the facility, so it would be very unusual.

Mr. Nester - these constituents that you're detecting, and I think you referred to them as organic, does that mean that they will naturally break down?

Mr. Lawless - yes it does. They're organic in that they're made of oxygen and carbon. Some of them are man-made organic chemicals, but it does mean that they will break down. Some of the chemicals that we're seeing are the actual break-down products. So we've been able to document to DEQ that the system is cleaning itself up. And that's a very important point, that we're seeing the natural system clean itself up.

Mr. Gene Dalton, EMS Operations Manager, next appeared before the Board. For the month of November, the paid side ran a total of 51 calls. They were handled either by BLS or ALS truck. If you down at the bottom, incident disposition, transported by EMS, out of the 51, we treated and transported 67% of those, a total of 34. We had a total of 22%, which was 11 people, with no treatment required. Everything has been going decent, we've been answering our calls, no conflicts that I have to mention. There have been a couple of days when we've had multiple calls on top of each other, and its been a little hard to get out, but we have. Volunteers have shown up on quite a few daylight calls.

Supervisor Whitlock - this 22% refusal, was it mostly transportation to the hospital, or what?

Mr. Dalton - it would either be a medical call or wreck, or industrial accident, whatever, we get there and they decide that they don't want to go to the hospital. So we talk to them about it, we tell them why we think they should go to the hospital, but under law, we cannot force anybody to go to the hospital.

Supervisor Boothe - do they sign a form or something?

Mr. Dalton - the back of the PPCRA form is about a half a page and it states that by signing this form, we're not responsible for what happens after we leave. It even states coma or death as a possibility by not letting us take them to the hospital. By them signing that, that is our liability coverage.

Mrs. Myra Grim, EMS Administrative Clerk, appeared before the Board. I think you have a copy of my financial statement for the month of November. I will let you know, as far as deposits go, in November, they did start picking up a lot. This was primarily due to money coming in from Medicare. This does reflect what Diversified explained to me several months ago, that toward of their fiscal year, they slow down on the money they send, and that it would pick back up again at the beginning of their new fiscal year, which is November, and I did see a large increase of money coming in from Medicare especially. This money did represent not only fairly current amounts, but also still receiving money from March and April. So, that part of the aging did come down some, and that was from Medicare sending in better and larger deposits than they had in the past couple of months.

Ms. Tammy Lemons, Rescue Squad, appeared before the Board. I want to apologize for Mr. Love having a scheduling conflict. I think you have a report for the volunteer side. Total calls for the month of November is 67. If you look down at the call distribution data, we noticed that Tuesday, Wednesday and Sunday seem to be our busy days. I don't know why that is. The majority of calls were handled by EMT basics. We do have 18 that were covered by the cardiac tech. BLS calls were 22, ALS calls 27. Under type of calls, we listed two motor vehicle accidents, one fire, 43 medical emergencies, and the one category not listed, that's when they tone us out with unknown situation, when we don't know what we have until we get there. The majority of those do turn out to be medical emergencies. 64% of our calls, 42, were treated and transported by EMS. 2% with no treatment required. 12%, which was 8 calls, patient refusals, one DOA and 6%, which was 4, were cancelled. We did transport the majority of the calls to Carilion New River Valley Medical, which was 37, 4 to Montgomery Regional, 5 to Roanoke Memorial or Roanoke area hospitals. I would like to thank you all for all the support you give the volunteers, we're still actively recruiting. The State tests were Saturday, so we're hoping to get some more volunteers and we appreciate all that you do for us.

Mr. Ford Wirt, Emergency Services Coordinator, next appeared before the Board. He reported that with the weather conditions, there have been no major incidents, just inconveniences to people. Its still on-going, school is out today, we hope the sun melts some of it and clears it up. From the emergency services standpoint, we have a lot of projects going.

One of the main ones that we have going is the Federal requirement, NIMS, National Incident Management System, that all of us are involved in. We've got a lot of training to do, I think I mentioned it last month, we may have some of you folks, the administration, that will be required to take this. The reason we have to comply is to receive Federal funds, you have to comply with their requirements. We are actively working on that. We have several other projects going on which I'll be in a better position to report on next month.

Dr. Terry Arbogast, School Superintendent, next appeared before the Board. He reported on the following:

- presented copy of School Board meeting highlights from November 14, 2005;
- membership report for November, 2076 students, down from last month, after the Board meeting next week we will probably go back up again because some students will be returning to us for different reasons;
- SOL test window dates - you can pretty much scratch those dates because of the weather, we'll have to go to plan c and d now.
- Literacy Initiative highlights - about five years, we really felt the importance of having a strong, integrated and consistent division-wide reading initiative. We acted to identify K-3 literacy framework for every teacher in every school. It is a very powerful document. All the teachers were trained. What you see in this document, we have taken that reading initiative, in a consistent and formalized manner, County-wide K-5. We needed to continue to raise that consistency, knowledge, staff development for our teachers so that we could make sure that we're using the best research based teaching techniques and materials for our reading instruction, because that's the bottom line. We're really proud that we're moving that initiative forward. Our teachers do an outstanding job with this initiative and we're proud of their efforts.
- Projected VRS rates for next budget cycle. The teacher contribution, 4.98% increase, and the last page shows the classified rate of 3.03% increase. Those two rate increases alone will probably mean close to \$600-700,000 increase. I do not know how much additional revenue we will get, because we do get a small piece of revenue back from the State on retirement. I don't know what the Governor's budget will be, he is to present it Friday to the Finance Committee. You can see that this is pretty much a done deal. If we don't do it now, it will cost us more later. This will be one significant piece of the budget for us.

Agenda Item 8a - Subdivision plats as approved by Agent for November 2005. Mr. Nester reported that the subdivision and building inspection departments are close to being self-sustaining.

Agenda Item 8b - Appointment to New River/Mount Rogers Workforce Investment Board - defer - no proposed appointment.

Agenda Item 8c - Report - Volunteer Rescue/Fire Incentive Program. Mr. Nester reported that this program is really a volunteer award service program. Other communities, as Floyd has experienced, have difficulty in keeping and encouraging volunteers to stay active. The

State recognized this fact and created this program, which is primarily, for lack of a better description, a retirement program, for the volunteers. The cost of the program is \$30/quarter/active member. That's the key there, the member has to be active, responding to calls, doesn't apply to anybody who is currently a State or local government employee that covered under VRS. The only persons that would benefit from the program are the true volunteers. At this time, we have 25 volunteers that are active, they are responding to calls, on the Rescue Squad, and we have 83 active volunteer fire department members. We had budgeted for an incentive program, and this is an opportunity to provide an incentive that at a reasonable cost, and the good thing is, its reasonably easy to administer. There would be a report filed at the end of each quarter just as we do our State retirement report. Again, I think it is a cost effective program. The way it will work is that the longer a member stays active in years, the amount of money that's paid into the retirement account increases by about 5% each year. So it's a good way for them to accumulate some money and because it compounds itself so much over one year to the next, it's an incentive for them to stay active. The money that's being invested on their part really has a better return. In addition, they can also match from their own funds, an amount equal to what the local government cost, which is \$30/quarter, so it sounds like a good program and easily administered, it has a very good benefit, and an incentive, to members that stay with the program.

Supervisor Whitlock - are the contributions they would make tax deductible?

Mr. Nester - no, it would still be taxable.

Supervisor Whitlock - but what we contribute, would not be taxable?

Mr. Nester - not until they draw it out. The same as with the State retirement.

Supervisor Boothe - you say we have 108 active members. Is our terminology of active the same as VRS' meaning of active? In other words, do they run a certain number of calls or be involved a certain number of hours actually running calls?

Mr. Nester - actually there's a definition in the program of what an active member is.

Supervisor Boothe - and we have affirmed that all 108 are qualified?

Mr. Nester - not only that, each quarter the fire chiefs or rescue captain have to verify, personally, assuming some responsibility if the report is incorrect. So people have to certify that they are active members and accept some responsibility in case its proven that the information given was false.

Supervisor Boothe - do you remember the number to be considered active?

Mr. Nester - its really not a number of calls. Particularly, in some localities they might go a quarter and not have any calls. But they're still active, training and doing certification, its

actually based on staying able to respond to an emergency call, keeping their training current. One thing is if they leave, most people don't keep their certification current. For this program, the test is keeping your program qualifications current, continuing to train, and there are on-going training requirements that they have to meet. The thought is that they wouldn't be going through those training requirements if they weren't going to remain active.

Supervisor Belcher - I understand that the State came up with the idea, but the reality is that they are not involved, per se, they don't add money to it. I'm trying to figure this out.

Mr. Nester - the State is involved. The way they're involved is they receive and act as the financial agent. What they have done is they negotiate rates with private companies, that take that money and invest it, and return. The State guarantees that the money will be there, so its going to be a risk that it will be unsafely gambled and lost in the stock market or something like that. The State is involved by underwriting that investment.

Supervisor Belcher - that's the extent of their involvement?

Mr. Nester - yes. The closest jurisdiction to us that has enacted this has been Montgomery County and they've had it in place for a little over a year now, and they've been very pleased with it. There's two sides to it, there's the benefit to the person that's participating in the program, secondly, the cost of the program and the administration of it, of course, they're the things that we're involved with. This program does both of those things. There may be other programs that would do it at a lower cost, but we have security with this one.

Supervisor Belcher - it's a benefit to them, but also to the citizens, because they will have folks who are willing to continue to do this work.

Mr. Nester - the volunteers are also covered by workers comp. If they are injured in the line of duty, there is a provision that they are covered by a workers comp policy that would pay them. Its usually 3/4 of the revenue that they would lose during the injury period. They also have a life benefit. The State does provide that as part of the package.

Supervisor Belcher - the workers comp is already there?

Mr. Nester - they've always had that. If a member is killed in the line of duty, with this program they would have that additional benefit. Its similar to what our employees have. The Rescue Squad also carries a separate policy that they pay for, that provides a life benefit. This would be an additional benefit to them. The only key thing that is different, it will not cover somebody who is a County employee that's on the payroll full-time, they do not qualify as a volunteer under the definition.

Supervisor Belcher - several of the volunteers that are also employees would not qualify?

Mr. Nester - that's right.

Supervisor Belcher - what is the life benefit?

Mr. Nester - I believe it is \$100,000.

On a motion of Supervisor Belcher, seconded by Supervisor Gerald, and unanimously carried, it was resolved to approve the VRS program for volunteer fire/rescue members effective January 1, 2006, after consultation with Fire/Rescue officers by the County Administrator.

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

The Board recessed for lunch.

Agenda Items 8d and 8e - Resolution of support for the New River Valley Regional Water Source Plan and Resolution to participate in the New River Valley Regional Water Supply Plan - defer for presentation by New River Valley Planning District staff.

Agenda Item 8f - Reimbursement Resolution - Indian Valley Fire Station - defer for information from County Attorney. Mr. Nester reported that there is a list of capital improvements that the County financed. The County needs to be reimbursed for these expenditures. The production schedule for Indian Valley Fire Station was delayed by the hurricane. The foundation has been done and the slab for flooring has been done, we are just awaiting the building. The low band for the Sheriff's office that was in today's bills is also on this list and will be reimbursed.

Agenda Item 8g - Recommendation - Policy addition - Travel policy for County business. Mr. Nester reported that this policy needs to be included in the County personnel policy. There are no changes from the policy that the Board adopted in 1999, it just needs to be included in the personnel policy.

On a motion of Supervisor Gerald, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to approve the addition of the travel policy, as presented, to the Floyd County Personnel Policy.

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

Agenda Item 8i - Appointment - Floyd - Floyd County Public Service Authority - Board member.

On a motion of Supervisor Belcher, seconded by Supervisor Boothe, and carried, it was resolved to reappoint Supervisor Fred Gerald to the Floyd - Floyd County Public Service Authority for a four year term, term December 14, 2005 - December 13, 2009.

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

Agenda Item 8h - Report - Crooked Road. Mr. Nester presented a letter request for a \$5000 appropriation for FY06. This was not a budgeted item, but the funds are available in the tourism budget. This appropriation is requested to raise matching funds for the grant to the Tobacco Commission for marketing purposes. The grant application will be for \$600,000.00. One item will be the purchase of low band transmitters for national/international/regional marketing.

On a motion of Supervisor Belcher, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the \$5000 expenditure for the Crooked Road project from the tourism line item.

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

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

Agenda Item 8f - Reimbursement Resolution - Indian Valley Fire Station. Mr. Cornwell reported that this is a resolution of intent. That should we have these expenditures and should we have the tax exempt financing, that the County would be repaid. If you don't have either of those items, it will not be done. It is only for the items on the list attached and these are estimates only. The resolution has been reviewed by bond counsel and it is in concurrence with IRS regulations.

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to adopt the resolution entitled "Resolution of the Board of Supervisors of Floyd County, Virginia, Declaring Its Intention to Reimburse the County of Floyd from the Proceeds of one or more tax-exempt financings for certain expenditures made and/or to be made in connection with certain capital improvement projects" as presented (Document File Number ).

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

Supervisor Gerald - aye  
Supervisor Ingram - aye

Agenda Item 7j(I) - TMDL Program participants - maintain land use designations. The Board had in their package, a copy of my letter opinion to the Commissioner of Revenue. Have not heard anything from her on this subject, so I don't know what she has decided. Mr. Nester commented that he did get an e-mail from her and she reported that she plans to follow that policy as outlined by the County Attorney. Property between a stream and a fence will continue to listed under land use, unless the use changes.

Agenda Item 7j(ii) - Solid Waste Agreement - New River Resource Authority. The County has been talking to the Authority for some time now, relating to acceptance of the County's waste by the Authority. I think this is the second or third time that you've seen this agreement. The agreement has been negotiated between the County and the Authority. It calls for the Authority to accept waste from the County of Floyd. The Authority has received permission to accept Floyd County's waste from its authority members. I think we still have to have an amendment to the special use permit from Pulaski County to accept it. But the contract that is before you now calls for the waste to be accepted at an initial charge of \$32/ton. We do have the incidental to the load provision in there. We have an effective date of July 1, 2006, which will do two things, one, enable the County to give notice to its present waste disposer, because we have to give them 180 days notice. It will also enable the Authority to get the special use permit from Pulaski County modified because it presently limits the waste to the current jurisdictions that the Authority accepts waste from. This is a twenty year contract which either party can walk away from with 180 day notice. You can't assign it and they can't assign it.

On a motion of Supervisor Whitlock, seconded by Supervisor Belcher, and unanimously carried, it was resolved to approve the agreement of disposal of solid waste with the New River Resource Authority as presented, beginning July 1, 2006; and authorize appropriate County officials to execute the contract (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 Whitlock, and unanimously carried, it was resolved to authorize the County Administrator to notify Waste Management of termination of the County's contract effective June 30, 2006, pursuant to the agreement adopted by the Board of Supervisors with New River Resource Authority commencing July 1, 2006.

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

Supervisor Ingram - aye

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and unanimously carried, it was resolved to authorize the County Administrator to advertise for invitation for bids for transportation of solid waste to the New River Resource Authority.

Supervisor Boothe - aye

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Ingram - aye

Mr. Kevin Byrd, New River Valley Planning District Commission, next appeared before the Board, concerning the regional water supply plan and regional water source plan (agenda items 8d and 8e). I just wanted to follow up with you on information that we presented to you in November. The intention behind the proposed resolution is that the State is requiring local governments to provide a water supply plan. The New River Valley Planning District Commission, working with Virginia Tech, has done a lot of the background research on this, as far as water source planning goes. We are really wanting to build on top of that research that we've done, and provide this new report to the State. We can take what we've done with Rural Development money before, and combine that with this requirement, in anticipation of some funding from DEQ to us, we should be able to provide this plan on behalf of local governments without any match requirement at this time.

Mr. Cornwell - this doesn't commit the Board to a regional water source?

Mr. Byrd - no, this is completely separate. Strange how the timing of it all came down, since we're working on the source also. These are separate items.

Mr. Nester - we have two resolutions. One which is the resolution to participate and

Mr. Byrd - one is the resolution to participate in the study and the other one is the source plan that we've been working on for two years, that we'd like to continue participation in that. To find out what projects might come from that.

Mr. Nester - is a similar request being made to the Public Service Authority?

Mr. Byrd - absolutely. The PSA is not required to supply information on the State regs for the supply plan. We are seeking letters of support from those folks. The PSA has also been asked, as a source plan, to provide a similar resolution. Source and supply, the two key words.

Supervisor Gerald presented a letter of support from the PSA for Mr. Byrd's use.

Chairman Ingram questioned the Town's action on the matter.

Mr. Byrd commented that they have already approved the resolution. The region as a

whole will submit a document that discusses each municipality individually and their needs, but in a regional approach. The State is really urging that localities participate at a regional level to have a broader scope of what's out there.

Supervisor Belcher - what does participate mean? To provide you with the information on Floyd County that you can then put into your report on the whole area?

Mr. Byrd - as far as participation goes, we'll ask for an appointed official or elected official to participate in the process. As far as information goes, we have the majority of it. Some comes from the PSA, other things will need to be generated as far as population projections, etc.

Supervisor Belcher - and that's what participate means? Nothing more, nothing future, just participate in this.

Mr. Nester - for planning.

Mr. Byrd - its not an agreement for a regional authority. That could be a possible recommendation that comes out of this plan, but we don't know that.

Supervisor Whitlock - with the requirements that you have to go through just to pull water out of a stream, they are significant, and they change. They take a number of years of flow as to what you can pull out. We actually know from the 2002 drought event, that some areas that have had significant withdrawals, actually didn't withdraw for a period of time. It was beginning to get to the point where the serious thought of rationing was being considered, if it went to a certain point.

Mr. Byrd - that's the kind of information that we would like to include in the report.  
Chairman Ingram - what about funding to prepare the report?

Mr. Byrd - right now, it will be Rural Development funds. We feel pretty confident that we are high on the list for funding. Right now there is no match requirement from the localities.

Supervisor Boothe - all we're doing with this is saying we're interested in participating in the study with no further commitment.

Mr. Byrd - that's correct. Just to find out if any of the plans make sense.

Supervisor Boothe - we're not actually committing, but if we're not intending on participating regionally, then a lot of time that could be spent on designing our own plan, we're helping design the regional plan. So if we're not going to participate in the regional plan, we go back to ground zero and start over. If the majority if at least not interested in participating regionally..

Supervisor Gerald - we are required by law to participate in a regional plan or a local plan and I think the best thing would be a regional plan.

Supervisor Boothe - we're definitely leaning in the direction of a regional approach.

Supervisor Whitlock - the information could be used in a local plan. It would be the same areas for both to look at.

Mr. Cornwell - you can do it yourself and pay for it, or you can let them do it as part of the regional plan, and they've already done two-thirds of it, and the other third will get paid for from the grant.

Mr. Nester - we could ask that some of the issues particular to Floyd be addressed in the regional plan. We have some pretty credible evidence that we need to be able to use some deep water wells that would provide significant supply that for us, would be more cost effective than trying to inter-connect 18 miles to a main system. We might be able to participate in the regional plan but our part of that regional plan might be to develop a series of deep water wells, like 600-1000' deep.

Mr. Byrd - I just caution you that the plan is created for each locality individually but its done as a group, and submitted as a group, but we'll pay attention to specific issues, and highlight whatever the community wishes us to.

Supervisor Boothe - but the regional idea is interconnecting.

Mr. Byrd - for the other, for the source plan, that might be a possible recommendation and a strong possible recommendation might be deep wells. So both could be considered.

Supervisor Boothe - but it could be an authority.

Mr. Byrd - we haven't gotten to that point yet saying that everybody will be connected. I don't know from the State standpoint.

On a motion of Supervisor Belcher, seconded by Supervisor Gerald, and carried, it was resolved to adopt the Resolution to Participate in the New River Valley Regional Water Supply Plan (Document File Number \_\_\_\_\_).

Supervisor Boothe - nay

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Ingram - nay

Agenda Item 8d - Resolution of support for the New River Valley Regional Water Source Plan - deferred for further discussion at a future meeting.

On a motion of Supervisor Gerald, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.5, discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; Paragraph A.7, consultation with legal counsel pertaining to actual or probable litigation where such consultation in an open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel; Paragraph A.30, discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

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 Whitlock, seconded by Supervisor Gerald, 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 prospective business or industry, legal matters and contract matters, in accordance with Section 2.2-3711, Paragraph A.5, A.7, and A.30 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, seconded by Supervisor Gerald, and unanimously carried, it was resolved to adopt the Partnership Agreement with Carroll and Patrick Counties, for development in the Rocky Knob area, as presented (Document File Number \_\_\_\_\_).

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 set the Board's reorganizational meeting for January 4, 2006, at 7:00 p.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

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and unanimously carried, it was resolved to set January 5, 2006 at 7:00 p.m. as an inclement weather date for the Board's reorganizational meeting.

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 to January 4, 2006 at 7:00 p.m.

Supervisor Boothe - aye

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Gerald - aye  
Supervisor Ingram - aye