

**BOARD OF SUPERVISORS
REGULAR MEETING
FEBRUARY 8, 2005**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, February 8, 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 (entered the meeting at 8:40 a.m.), Jerry W. Boothe, Kerry W. Whitlock (entered the meeting at 2:50 p.m.), Board Members; 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 report and cash in office report as of February 8, 2005. She reported that the interest rate offered by the Bank of Floyd has gone down from last month.

Mrs. Morris presented the revenue/expenditure summary as of January 31, 2005 and the balance sheet ending January 31, 2005. She reported that, with seven months of the budget year completed, revenue collections for the General Fund are at 70%, and expenditures for the same time period and fund are at 60%. The auditor will be attending the Board meeting this afternoon to present the audit ending June 30, 2004.

The minutes of January 11, 2005 were presented to the Board for review and approval.

Supervisor Boothe - on page 2, the first motion should read "carried" and not "unanimously carried".

On a motion of Supervisor Gerald, seconded by Supervisor Belcher, and carried, it was resolved to approve the minutes of January 11, 2005 as corrected.

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

Supervisor Gerald - aye
Supervisor Ingram - aye

Sheriff Shannon Zeman appeared before the Board. He reported on the following items:

- Have promoted one dispatcher to a road deputy position and have replaced the dispatcher.
- Had an incident in late January where we lost all communication (telephone, radio, everything). We found that as the Dispatch Center has grown, we have added more items, and they were plugged into the UPS backup unit. We have worked on that situation and learned from it.
- Mr. Nester, Mr. Wirt and I are still discussing the dispatch center. This expansion or relocation is not something that needs to be done today, but needs to continue in the planning stage. Would like the Board to keep this matter fresh in your mind during the budget process. The system is up and running but there is no more room.
- Did receive Domestic Violence Grant from DCJS in the amount of \$32,807 for the period of January 1 - December 31, 2005.
- Road officers - still have one position to fill, which is being advertised, and one officer is in school.
- Did have a vehicle totaled last week during the ice storm. The vehicle was one year old with 38,000 miles on it. We may look at the lease program again.
- January report is not complete at this time. We did have several illegal dumping charges made.
- Off-duty employment of officers - will be talking with County Attorney concerning the matter.

Reported that Mr. Hannett is out of town, but Mr. Wendell Peters, Clerk of Court, would like to address the Board in his time slot.

Mr. Peters - wanted to make the Board aware of items related to the Clerk's Office:

- The Board is probably aware of what the Governor has done to the Clerks, in raiding the funds. The technology fee has been increased from \$2/instrument recorded to \$4/instrument recorded, but that's no good as long as the Governor keeps raiding it.
- Did apply for the small court grant, wanted to report that my office will be receiving \$12,146 to upgrade of the server for the indexing system. The indexing systems will be mandated to be on-line July 1, 2006. There are no funds available for this, but maybe there will be at that time.
- Clerk's Association has several bills before the legislators to receive additional funding. If the technology fee is raised, that will help with the \$15,000/year cost to be on-line, \$5000/year for maintenance. The access fee is \$25/month for a citizen. If the Board could contact the legislators in support of these bills, it would be appreciated.

Supervisor Boothe questioned how the Courtroom equipment is working at this point?

We were having trouble with it.

Mr. Peters - we keep the courtroom locked at all times and do not allow people in the Judge's chambers. We have not had as much trouble as we did. The camera has been replaced for the Regional Jail so maybe they will work better now.

The monthly disbursements were presented to the Board for review and consideration. Questions and discussion followed.

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

Lorrie Schumann - my husband and I own J&J Market in Copper Hill. Recently, you were presented with a petition requesting changes to be made at the intersection of Daniel's Run and Route 221 where our store is located. Because of this petition, an assessment team from VDoT came to the site. Since our ownership, there have been three accidents near the store. That day I had a phone conversation with Mr. Beasley about the assessment and he said I needed to wait and see what they suggested. I asked why was my store the only one being targeted when there had been several fatal and serious accidents in other locations. He replied that because it was brought to their attention by the petition. Now let's review the facts: Accident #1 - Car 1 traveling south on 221 collides with car #2 coming out of Daniel's Run Road. Daytime - weather conditions clear. Contrary to rumor, the driver of car 2 was familiar with the area, she had friends in the area and patronized the store. Accident #2 - car traveling south on 221 and another car turning onto Hummingbird. Details are vague however it was daytime with a heavy drifting fog. Accident #3 - same scenario as accident #1 - daytime - weather conditions clear. VDoT took corrective action and installed rumble strips and a double stop sign somewhere in the time period between Accidents 1 and 3. None of these accidents was in any way contributed to by the location of the store or any activity at the store. There was one car parked closed to the front of the building near the ice machine for the first accident and there were NO cars in the lot at all for the second accident.

Lets review the petition:

1. It was authored by Eric Underwood, a VDoT employee with knowledge of the inner workings of VDoT.
2. The drawings are misleading in their depiction of the everyday parking at the store. Besides what does store parking have to do with the accidents? The alleged truck parking across the street happens only once or twice a week. Also, a truck has to park at least 22 feet from the corner due to the VDoT signage. As for the depiction of cars parked in mass at the corner in front of the store, I have owned this store for over two years and have never seen that configuration with the exception of the time of accident #3 when personal vehicles of emergency personnel (fire and rescue) were parked there.
3. He proposes an L-shaped concrete barrier with a stop sign installed in it. The barrier would wrap around the corner in front of the store. The barrier would hamper access to the store. How does this address the accidents? And wouldn't this create hazard?
4. The wording of the petition is confusing and many people thought it was sponsored by the organizations cited. Many people read only the first few lines and felt if these

organizations support it so should we. Mr. Dean Wood was one of those people and has sent a letter addressing the issue and asking for his name to be removed from the petition.

I have questions concerning some legal issues with the petition that I wished to discuss with Mr. Hannett, however, he is unavailable. They are as follows:

1. What is the legal age to sign a petition?
2. Can you sign another person's name?
3. If it states you are citizens of the county, then don't you have to reside in the county for your signature to be valid?
4. What is the number of signatures needed on a petition to have it acted upon?
5. If we disallow any signatures as a result of an answer to the first three questions, then how many are left and were they enough to present?
6. If someone made a footnote to the petition after signing it, is the petitioner obligated to include it with the petition or can they alter and leave out what doesn't suit them? A person did just that and if you look through the signatures the page with this person's name and suggestions is missing.

I want to make you aware of an ongoing situation between my family and Mr. Underwood. He has set a pattern of harassment toward my family that can be confirmed by speaking with the officers of the FCVRS and Mr. Wirt. I do not wish to go into detail but I felt you should know that Mr. Underwood's motives might not have been as altruistic as he led you to believe. In fact, if his sole concern was for the safety of the community, why did he only address the few accidents at our store when there have been many more numerous and just as serious accidents at other locations?

Mr. Beasley recently came to the store to discuss the changes VDoT will be making to the intersection. They are as follows:

1. A center island (perhaps made with concrete) with a stop sign in it.
2. No Parking zones in front of the store in VDoT right-of-way allowing an area for entrance and exit to the store.
3. No Parking Zone across the street.

It is my understanding from residents of the area that proposal 1 has been done before and the result was a failure and that is why the sign is in its current location. If it didn't work years ago, how will it work now with the increased volume of traffic? Also, we feel the center island will only create the potential for more accidents especially for larger vehicles trying to negotiate the turn. With the decreased availability of legal parking, we are going to be forced to have ourselves, our employees and even our patrons park in our lot that is located diagonally across 221 from the store. This presents another whole set of issues. What means is there to assure their safety crossing Route 221? Are crosswalks going to be made? Are pedestrian crossing signs going to be installed? The assessment team was only there for a short time on a quiet, late fall afternoon. How could they possibly be aware of the extent of the traffic volume at rush hour, dinnertime, summer tourist season and weekends? The BEST solution they could offer was an idea that has failed before and no parking zones? Mr. Morisco has asked me to deliver to you a letter in which he states his credentials as a utilities engineer and his suggestions for the intersection. As to the proposed changes, we have the following questions:

1. How would having the proposed no parking zones in front of the store and across the

- street have prevented the accident?
2. Will there be room for the proposed island?
 3. How are larger vehicles going to turn onto Daniel's Run with a center island?
 4. Will cars parked on the side of the store be restricted to the direction they are going to be able to travel after backing out?
 5. The proposed changes do not address Route 221, what will VDOT do to address the problems of 221?
 6. If the island sign is knocked down on a Friday afternoon in the busy summer season, what will serve as traffic control for this intersection over the weekend?
 7. What is the cost of a flashing traffic signal?
 8. WHAT IS THE VALUE OF ONE HUMAN LIFE?

On a personal side, we are in business to do business and try to be an asset to our community. Any time an accident occurs at a location, the business suffers a financial loss. The center island proposal has the potential to create more accidents. How many times are we to be financially compromised? DO NOT MISUNDERSTAND MY POSITION ... ACCIDENTS WILL HAPPEN AND IF AND WHEN THEY DO, WE WILL ASSIST IN ANY WAY POSSIBLE JUST AS WE ALWAYS HAVE.

Supervisor Gerald commented that he was not familiar with this intersection and would like to go look at it today at lunch if we have time. It would help me understand the situation if I could see it.

Janice Gillespie - I live on Floyd Highway North, our property surrounds J&J Market. We've lived there for 13 years. We've seen accidents from people coming off of Hummingbird, we've seen accidents from people on 221 turning both directions, we've seen accidents from people coming up 610. In anything that I've seen, other than the lighted caution light for 221, I don't see anything that addresses when cars come through there at 60 - 70 mph. No parking along the highway is not going to make any difference. The situation that comes up so often is that you have people that simply don't pay attention to the way they drive. I would much rather see something done addressing how fast people come down 221 then what is being proposed now. There used to be a sign that was up along 221, a stop sign, when we first moved here. It was knocked down two or three different times and never got put back up after that. So this situation isn't going to make a difference. I would like to see a honest-to-goodness study done that could help that. We don't want to see anyone get hurt.

Dawn Barnes - Virginia Cooperative Extension - I have the pleasure today of announcing a new employee that we have. Our agriculture and natural resources agent, Matthew McClellan. He will be spending 50% of his time here in Floyd and 50% of his time in Patrick County.

Mr. McClellan - I'm just glad to be here and if I can be of assistance to anybody, just give us a shout.

Chairman Ingram questioned the schedule as to when he would be in Floyd and when in

Patrick.

Mr. McClellan - I will be in Floyd on Tuesdays and Wednesdays and we will rotate Fridays between Patrick and Floyd. We'll play it by ear and see how it works.

Chairman Ingram - there are some months that have five Fridays so we get three of them.

Dan Vest - from the big sprawling urban area of Roanoke called Check - would like to echo what Mrs. Schumann said, and the other lady. There is a big problem there and I think what they said knocked the nail on the head there, enforcement of the speed limits would be beneficial. Living on Daniels Run all my life and just above Clyne Angle's store, that intersection there, I've been involved with some of the road studies. I really don't understand how they come to set speed limits. When they do a speed study, like the engineer told me on Daniels Run Road, they sit down there and they have standing radar and they did a speed study on that little curve there on Route 610. The guy told me, what would you believe the average speed of the motorists is going down the road through that curve. He said 45 mph. He bases that on the safe driving speed. I thought if you got out there on 221 and did the same thing, you'd say the safe driving speed is 70 mph. And you know that is not going to happen and it shouldn't happen. Enforcement is a key issue there. People pretty much understand the law, but they will get by with whatever they can get by with. A reminder, maybe paying a few taxes in Floyd County, might help them. Secondly, I'd like to come here and ask the Board of Supervisors to consider having these meetings in the evenings. I think with Floyd County being as populated as it is, we could have a lot more turnout and a lot more of your constituents involved in the process and we'd probably accept some of the tax changes and the tax increases and things like that a little more willingly if we were better informed. Its sad when you've got to read the Roanoke Times to find out what is going on in Floyd County about the Branwick center and what possible tax increase we might have to accept to pay for that thing down there. Maybe somebody will rent it, I don't know. If we were informed more, we'd probably accept the tax burden more graciously. So, I'd like to see that. Bedford County is a good example. They have meetings twice monthly, night meetings. I beg to differ that most of the people work second shift. Most of the people in Floyd County get on any one of these roads moving right out of Floyd going to work every morning, most of the people. They need a voice. People right here in the Town can come down here anytime you are meeting, we have to take a day off from work to come and see this function.

David Morrisette - with Chateau Morrisette. I wanted to just bring to your attention that Floyd County has eliminated all of the advertising/tourism promotion dollars for 2005. Although we greatly appreciate what Floyd County has done in the past and is doing for Chateau Morrisette. We are a manufacturer and a tourism destination. We just have a great deal of concern that the County is not showing, at least visibly on paper, the current businesses in Floyd. If you were looking into moving into Floyd, and were a tourism based industry, we realize you are doing the Crooked Road, but we realize that we are becoming and already are, becoming an even greater tourism destination all the time. We do realize the need for manufacturing in Floyd, as well, we think you need to create a healthy balance in that tourism is an economic industry

and can be an economic base for the County. And the great part about tourism, and I'm sure you've heard this, they visit here, they spend their money, they leave, and we get to live in paradise. And you don't have to add to the infrastructure, the Sheriff's Office doesn't have to add new deputies, you don't have to add schools, you don't have to add more roads. What my personal concern is, is that there are other tourism based industries that are looking to move to Floyd County, one of the first things they are going to say, is what does the County support for tourism and promoting tourism in the County. And the first thing they are going to do is go to your line item budget for 2005 and they will see \$0. We are really appreciative of what you all have done in the past for the Winery and all our employees, personally just wanted to pass on my concerns and in the future please review and reconsider and realize that tourism is a big chunk of money that is coming into Floyd. All you have to do is come into downtown Floyd on the weekends, or even Chateau Morrisette, and look at all the license plates, everybody is from out of state. And they are stopping in all the stores when they come into Floyd or to other businesses and they are spending money.

Kirsten Vest - I'm Danny's wife and I live in Check. I just wanted to say a couple of things regarding the proposed VDoT changes to 610 and 221 at J&J Market. It has been a bad intersection for as long as anyone can remember. My mother-in-law has lived in this County, on Daniels Run, all her life. She does still drive and she goes to the little Methodist Church, right across the road diagonally from J&J, and if the weather is even the least bit bad, rain or fog in particular, she will not go. And the biggest reason is that she can't see when its foggy in either direction, to go across. And if it were to get bad while they were in church, coming back the same way, the visibility when the weather is bad is just horrible. And knowing that the cars travel as fast as they do on that section of road, its scary for any driver, but especially for an older driver. Of course the same is true for Country Store at Check, that intersection there is bad. I don't know why there haven't been more terrible accidents down there than there have been. But I feel like the suggestion from the Schumann's and those of us that signed the petition, about flashing yellow lights on 221 and flashing red lights or some kind of red caution light on Hummingbird and Daniels Run, before you get to the actual intersection, would be a much more feasible and much more successful solution to the problem. As Mr. Ingram noted in a previous Supervisors meeting, the problem with the speeding cars needs to be addressed before you reach the intersection. If a car is not slowed down coming up Daniels Run and that stop sign is right there on that yellow line, in the middle right at the intersection, and all of a sudden its there and they are going 55 mph, they are not going to stop at that intersection. They might hit the sign and do who knows what. Rumble strips and the flashing yellow lights on the stop ahead sign have helped. But the speed limit may need to be addressed on that entire road. Having lived on Daniels Run, not all my life, but for 15 years, where my mother-in-law lives, cars, trucks, and dump trucks from Sisson & Ryan and SR Goff and wherever else they come from, just fly down that road. I've been passed pulling out from my mother-in-law's at Daniels Run, which is right at the top before you go down to Clyne Angle's store, pulling out to go down the road back up toward J&J Market, up the road. I've been passed after pulling out, going up the road. Cars fly up that hill and I've been passed by 2-3 at a time in the morning going up that road. My mother-in-law has been rear-ended at least once trying to turn into her own driveway. So it's a problem, not just with that intersection, but with that whole road and the whole area. I know Mr. Ingram,

I think you mentioned it, that whole section of 221 from Smith's Store to the Country Store, and even past that, maybe the whole speed limit needs to be addressed, to be slowed down to even 45 mph. There is a school zone, and I know when you come past J&J and down that curve and its hard to get slowed down when those lights are flashing and come through there. And then the other piece of this question, is this petition from Mr. Underwood was presented at a meeting last Fall of the Supervisors, I think it was in November. I was here for another matter, but I was here for most of the meeting, and heard the VDoT representative talk about doing a study, and now, all of a sudden, we've got a proposal to actually put a stop sign on an island, do no parking signs, and I would just like to ask how that happened so fast. I've never seen a State or Federal or any government agency work so fast in my life. And I think one of the reasons for that, pardon my boldness in saying this, is because Mr. Underwood works for VDoT and knows how to work the system, and knows who to talk to. I just think that should be a consideration. 610, I know Mr. Ingram, you and I talked the other day, about 221, is sort of out of your jurisdiction, 610 is not. You do have some input. We'd just like to ask that you please consider and talk to the VDoT representatives before a final decision is made.

Janice Gillespie - one quick thing I forgot to say earlier. We are a property owner that VDoT is to impact and we've heard nothing from them. We own the majority of the frontage along 221 so this is a proposal that they are planning on doing, it would be nice to know what they are planning on doing and why.

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

Chairman Ingram explained to the group how the Public Comment Period time works and that VDoT would be at the Board meeting at 10:00 a.m. if anyone wished to stay for that part.

Mrs. Schumann questioned what will be done with the petition.

Chairman Ingram explained it will go to VDoT just as any petition does. The petition that was presented before, we did not condone it, we may make comments about a particular intersection or situation, etc. but I've never, and the Board can correct me, I've never seen a petition come to the Board that we didn't submit to the proper agency. It is the right of individuals to circulate petitions and present them to the proper agency, such as VDoT. But I've never seen this Board not present one. I actually had some different recommendations that I did put forward on the same day the other petition was presented. I don't want to get into that, this is not the place for that. I just wanted everyone to understand our procedure, we do try to take notes on the situations.

Mrs. Schumann - we are basically here to present the petition to you for the secondary road, which is your jurisdiction. What is done on that road can be affected by you.

Supervisor Belcher - we work for the citizens because that's our job. Whatever the concerns are, we do take them to the proper folks. I will be honest with you, we may can get a

pothole on a road fixed here and there, but in reality, VDoT does their own assessments, they make their own decisions. We can't determine for them what they are going to do or not do.

Mrs. Schumann - I just want to make you aware of the situation. We are part of Floyd County, I know we are way out there, but we are part of Floyd County. And the residents out there have a real concern of what is happening in our neighborhood.

Supervisor Belcher - and I think as a Board we understand that, and you are no less a part of Floyd County than this street right here in front of the office. I would hope that you respect the position that we come from, we don't handle the VDoT dollars, we don't handle their assessments..

Mrs. Schumann - I realize that, but the citizens of this County are your citizens, and when VDoT makes a decision that will affect the safety, you need to be aware of it.

Supervisor Belcher - no question about it, and we do have concerns about that intersection and a number of other places where there have been injuries on 221, regarding this type of thing.

Mrs. Schumann - that is a point that I make in my letter to you, is, that is only one intersection, one place on all of 221 that is being addressed.

Chairman Ingram - we don't need to get into all of that now. I asked for them to look at 221 from Smith's Store all the way through to the Country Store.

Mrs. Schumann - I'm aware of that.

Chairman Ingram - I did not pinpoint, roads are more dangerous than they have ever been. The main thing I wanted everyone to understand is our procedure and we will discuss this more today. I, as your representative from that area, will make sure that this gets to the VDoT personnel and we will have some discussion about it. I will submit that this is what this group is asking for and would like to see.

Mrs. Schumann - I also appreciate Mr. Gerald's idea that you come up and see the situation. I realize that everybody doesn't live in Copper Hill and we don't know the other areas.

Supervisor Gerald - not only do we represent the people in our districts, but we represent everybody in Floyd County.

Supervisor Belcher left the meeting at 10:00 a.m.

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

- Fuel Assistance Program - State has allocated two and one-half times the amount for the crises program in this year's proposed budget;

- Neighbor-To-Neighbor Program - this program is on-again, off-again, depending on amount received from AEP - we still have the local money for the heating program when these funds fall short;
- Legislative issues - Program Improvement Plan - amount received depends on which budget version is adopted. \$20 million difference between House and Senate levels. We will receive a small increase with the Governor's proposal, which will help.
- Legislative - Adult issues - there is a big push for assisted living facilities and nursing homes and care that is received. The auxiliary grant helps the placement supplement for citizens. An increase is proposed, but again, we don't know which budget version will be adopted. Either will help our citizens.

Supervisor Boothe questioned if any information had been received from the State on the Federal fuel assistance program?

Mr. Ayers - nothing has been received yet. 95% of their attention has been placed on the adult care programs.

Mr. Bob Beasley, Assistant Resident Highway Engineer and Mr. Johnnie Hurst, Contract Administrator, next appeared before the Board.

Mr. Beasley reported that he had no new issues to present, just back to regular maintenance after fighting storms for 24 straight days.

Supervisor Boothe - from the previous floods, you were waiting on environmental impact permits for some of the repairs, have you received those?

Mr. Beasley - we have received some of them, and those repairs have been made.

Supervisor Boothe - could you check on the one on Route 730, close to the Route 8 intersection to see if it needs the environmental impact permit? A marker has been put up there. Also, we need work on the gravel roads when you get time. Also, in Supervisor Whitlock's district, Route 637, the citizens have requested grading and clean gravel. We also appreciate the brush crews and their work.

Supervisor Gerald - Route 619, between intersection of Route 751/631, potholes are very bad. Also on Route 751, there is a bad place in the middle of the road, it is literally coming apart and needs attention. We also appreciate the work you are doing.

Supervisor Ingram - have you heard anything on Route 653?

Mr. Beasley - I checked on the center line situation, we had a request in about 18 months ago, which was rejected because it was not perceived as a fog route. I will put in another request. I think the width is there and we will try to push the issue. We also appreciate all the work you are doing.

Supervisor Belcher returned to the meeting at 10:10 a.m.

Supervisor Ingram - this morning, we had a group of folks speak to us at Public Comment time concerning the intersection at 221/610, and they also presented a petition to us. We have discussed the issue and we will continue to discuss it. Concerns are that we need to improve the intersection but some of the proposed devices are not what the majority there thinks needs to be done, and I tend to agree.

Mr. Beasley - that is one of the reasons that we have not had any action taken. We tried to find a balance between protection of the public and private citizen. I think we can do that and I am going to meet with the Traffic Engineer to try to enhance the intersection and preserve the business.

Supervisor Ingram - we are going to have discussion and I hope it will work out in a fair way to everyone, citizens, drivers, businesses. Supervisor Gerald suggested earlier that we go and look at the site at lunchtime. We may, as a Board, go look at it.

Mr. Beasley - one thing I did was, just last week, sit and watch the traffic for about 45 minutes. There are some unique traffic situations at that intersection. I think we need to take a second look at the situation.

Supervisor Ingram - hope you will take this information and enter it into the overall situation.

Supervisor Boothe - question #4 on the paperwork asked what is the number of signatures needed on a petition to get something done. From my perspective, if I get one complaint on a road, that is all it takes and I inform VDoT. If I feel we need to ask for a study, I ask my fellow Board members and we agree on asking for a study. It does not have to be in a petition form. In my district, I go by what the citizens want.

Mrs. Schumann - I was asking VDoT - what do you do with the petitions?

Mr. Beasley - we welcome input from the Board of Supervisors and the citizens on public safety issues. There is less room for us to maneuver now with all the regulations. There is always an array of options to choose from and that is our responsibility to choose the appropriate measure to enhance the intersection while protecting your business.

Mrs. Schumann - If I had known these suggestions weren't the be-all, end-all, I wouldn't have done all of this. I just want my customers to be safe.

Supervisor Gerald - Route 688, the culvert was washed out, has it been fixed?

Mr. Beasley - yes it has been.

Supervisor Ingram - reported that he had spoken with Supervisor Whitlock earlier in the

day, and he wanted to relay his appreciation for the work you have been doing, and especially appreciates the brush cutting.

Supervisor Belcher - appreciate the road clearing after the recent storms so everyone can get out and go to work. We do have lots of potholes just like everyone else.

Mr. Beasley - if there is a weakness in the road, the snow blade will find it. They will be worked on in the Spring.

Supervisor Boothe requested that he and Supervisor Gerald be kept apprised on the Dusty Rock Road situation.

Mr. Dennis Anderson, Area Forester with the Virginia Department of Forestry, next appeared before the Board.

He requested that the Board keep in the back of their mind, the importance of forestry in the County, especially when working on the budget figures. He presented a power point presentation from the Virginia Division of Forestry concerning the forest industry. The main point to the Board was that, as issues are dealt with, such as subdivisions, land use planning, conservation easements, that you keep in the back of your mind, the importance of forestry. Some of the highlights from the presentation were:

- 51,000 acres of forestry have been converted to other uses in the last year;
- Agriculture/forestry is the number one industry in Virginia;
- 1500 acres in Floyd County, around 12 property owners, have converted their land into conservation easements;
- Forestry industry provides \$29,375,132 of direct economic impact to Floyd County;
- Forestry industry provides \$7,410,470 of indirect economic impact to Floyd County;
- Request that the Board seek a balance between development growth and forest land retention;
- Request that the Board consider waiving the penalty from a citizen switching from agricultural land use to forestry for a person wanting to plant some trees on his farm - the person would have to pay the higher rate but I request the possibility of waiving the penalty.

Mr. Anderson also introduced Mr. Chuck Hutsell, the Regional Forester who had joined him today for the presentation.

Further discussion and questions followed on the monthly disbursements. Consensus of the Board was for staff to prepare a report outlining the district, new or replacement sign, etc. each time a bill is presented for road sign replacement. Also, vendor number 370 should place the number of hours and hourly rate on each bill, this has been requested numerous times in the past.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and carried, it was

resolved to approve the monthly disbursements, plus additions, as presented.

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

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

- Presented School Board meeting highlights of January 17, 2005 and commented that the Board had changed their meetings back to the second Monday of each month;
- Presented enrollment report as of December 31, 2004 - 2074 students;
- Presented enrollment report as of January 31, 2005 - 2072 students;
- Reported that a proposed photography class will be discussed by the Board at their Monday meeting. Class cost is reimbursed by a Carl Perkins grant in the \$30,000 range. Hope to be able to offer it as an adult night class at some point;
- Presented Fall 2004 SOL test scores - scores are continuing to rise.

The Board recessed for lunch at Willis Elementary School and a field trip to investigate the intersection at Routes 221/610.

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

Agenda Item 7h(I) - Report on State authorization for manufactured home owner, that leases space to apply for tax relief. Mr. Cornwell presented a copy of a memo from Mr. Kinsman in their Richmond office, with concurrence by Tom Morrelli of the Virginia Department of Taxation concerning the matter. The State Code states that the classification of real estate includes manufactured homes only in the case of elderly and handicapped tax relief. Mr. Cornwell recommended that the Board conduct a public hearing to receive comments on bringing the County code into concurrence with State Code on this matter.

Discussion on time frames for citizens applying for the relief followed. After checking with the Commissioner, staff learned that the application process is open from January 1 - April 1. The application process has been advertised locally. Supervisor Boothe suggested that the Commissioner advertise for a second time so citizens will understand the change for manufactured homes.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and carried, it was resolved that the Board of Supervisors concur with the State Code concerning elderly and handicapped tax relief as it relates to the inclusion of manufactured homes under the real estate classification for exemption purposes.

Supervisor Boothe - aye
Supervisor Belcher - aye

Supervisor Whitlock - absent
Supervisor Gerald - aye
Supervisor Ingram - aye

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and carried, it was resolved to authorize the County Administrator to advertise for a public hearing on amendments to the Floyd County Elderly and Handicapped Tax Relief Ordinance, at 3:00 p.m. or as soon thereafter as possible, on March 8, 2005.

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

Mr. Cornwell presented a proposed fee resolution for the implementation of fee for service for emergency medical services. He reported that this recommendation comes from staff to allow coverage of anticipated expenses, with an implementation date of March 1, 2005.

On a motion of Supervisor Belcher, seconded by Supervisor Boothe, and carried, it was resolved to adopt the resolution entitled "A Resolution of the Floyd County Board of Supervisors Establishing Fees and Collection for Emergency Medical Services as Provided by Ordinance Duly Adopted and Effective the 14th day of September 2004 (Document File Number).

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

Mrs. Deanna Cox, Auditor, with Robinson, Farmer, Cox & Associates, next appeared before the Board. She explained the highlights of the audit ending June 30, 2004 to the Board:

- Financial position is gradually improving, fund balance is growing slowly;
- Management letter - a lot of items are communicated verbally to staff throughout the year;
- Under GASB 34, consulting items allowed are much less than they used to be;
- One account was over-spent at fiscal year end, the CSA Fund, because of operating on a different fiscal year than the County, staff is aware of the situation now;
- Deposits should be made within 2-3 days of receipt - this seemed to be a problem at the end of the fiscal year, but not at other times of the year;
- Some recommendations were made by staff, and even though I can't claim ownership of them, I do agree with them, such as: continued training of staff on Bright software; cross-training of employees; computer back-ups off-site; agreement with another locality to be able to use AS400 system in case of emergency; recycling petty cash fund - payment to customers by check instead of cash; EMS billing/receipts - assist with initial set-up.
- Audit does include the management discussion this time as prepared by Mrs. Morris -

gives a good explanation of the basics of the audit.

Agenda Item 8a - Subdivision plats as approved by Agent for January 2005 - Mrs. Morris reported that eight new lots were created.

Agenda Item 8b - Funding request - New River Valley Development Corporation - Mrs. Morris reported that Pulaski County is the only locality that has approved the request to-date, other localities have not acted on the matter. We are also awaiting answers to questions that the Board raised at last month's meeting. The Board deferred the matter for discussion at next month's meeting.

Agenda Item 8c - Transfer request - \$2834, from Contingency to Department of Social Services. Mrs. Morris reported that this transfer would be for the final payment on the new computer system for the department.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and carried, it was resolved to approve the transfer of \$2834 from Contingency to 4-110-051030-4100 for final payment on the computer system for the Department of Social Services.

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

Agenda Item 8d - Request from New River Valley Economic Development Alliance for designated alternate to attend Board meetings for County. Mrs. Morris commented that they would prefer a governing body member.

On a motion of Supervisor Belcher, seconded by Supervisor Gerald, and carried, it was resolved to appoint Supervisor Jerry Boothe as alternate to the County Administrator to the New River Valley Economic Development Alliance Board of Directors.

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

Agenda Item 8e - Request from New River Valley Planning District Commission - for payment of last three quarters of FY04 funding. This matter was already approved in the monthly disbursements.

Mrs. Morris reported that the Planning District Commission had requested that the Board set a public hearing date on the regional hazard mitigation plan. This plan covers the entire region in areas such as wildfires, drought, etc.

On a motion of Supervisor Gerald, seconded by Supervisor Boothe, and carried, it was resolved to authorize the County Administrator to advertise for a public hearing on the proposed hazard mitigation plan at 3:00 p.m., or as soon thereafter as possible, on March 8, 2005.

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

Mrs. Morris presented copies of a letter from the New River Valley Regional Jail concerning budget amendments that have been presented to the General Assembly. These amendments would encourage the continued support of the Regional Jail and also reimbursement of the State-funded construction costs that have never been paid to the Jail. The Board may want to consider a letter of support for the budget amendments. Consensus of the Board was for the County Administrator to prepare a letter of support for the amendments.

Discussion also followed on the proposed Senate/House bills as presented by Clerk of Court Peters earlier in the day. Consensus of the Board was for the County Administrator to also prepare a letter of support for these bills, as outlined by Mr. Peters.

Mrs. Morris reminded the Board of the proposal outlined by Mr. Nester at the Board's February 5 meeting, concerning a new clerical position, basically for the support of the EMS program and economic development.

Supervisor Whitlock entered the meeting at 2:50 p.m.

On a motion of Supervisor Boothe, it was resolved to authorize the creation of a new clerical position, Grade 6, step 2.

Motion died due to lack of a second.

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

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 Boothe, 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 in accordance with Section 2.2-3711, Paragraph A.1 of the Virginia Freedom of Information Act;

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby certifies that, to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Before a vote is taken on this resolution, is there any member who believes that there was a departure from the requirements of number (1) or number (2)? If so, identify yourself and state the substance of the matter and why in your judgement it was a departure.

Hearing no statement, I call the question.

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

This Certification Resolution was adopted.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and unanimously carried, it was resolved to authorize the creation of a new clerical position, as discussed.

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 adjourn to Thursday, February 17, 2005 at 6:00 p.m. for a budget work

session.

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