

**BOARD OF SUPERVISORS
ADJOURNED MEETING
NOVEMBER 30, 2005**

At an adjourned meeting of the Board of Supervisors of Floyd County, Virginia, held on Wednesday, November 30, 2005 at 7:00 p.m. in the Board Room of the County Administration Building thereof;

PRESENT: David W. Ingram, Chairman; Diane B. Belcher, Jerry W. Boothe, Kerry W. Whitlock, Board Members; Terri W. Morris, Assistant County Administrator; James E. Cornwell, County Attorney; Lydeana H. Martin, Director of Community and Economic Development.

ABSENT: J. Fred Gerald, Vice Chairman; George W. Nester, County Administrator.

The Chairman called the meeting to order at 7:00 p.m. with the reading of the handicapping statement.

At 7:00 p.m., the Chairman called for the Public Hearing on the proposed ordinance known as "Ordinance to Provide for the Implementation of the 2004-2005 Changes to the Personal Property Tax Relief Act of 1998 - Specific Relief".

The Assistant County Administrator read the call of notice of the public hearing.

Mr. Cornwell - this is an ordinance to implement the changes that the General Assembly of the Commonwealth of Virginia decided to adopt in relationship to the personal property tax. As you know, the Personal Property Tax Relief of 1998 has been taken through different variations, shall we say, by the Commonwealth of Virginia's General Assembly, and the most recent variation is the fact that there is a pool of money that's going to be divided among the Counties, and this change would attempt to make sure that we receive, to the greatest extent possible, our fair share of that pool. So therefore, I would recommend to you the adoption of this ordinance.

The Chairman called for comments from the audience on the proposed ordinance.

After no comments from the audience, the Chairman declared the Public Hearing closed.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and carried, it was resolved to adopt the ordinance known as "Ordinance to Provide for the Implementation of the 2004-2005 Changes to the Personal Property Tax Relief Act of 1998 - Specific Relief"

(Document File Number).
Supervisor Boothe - aye
Supervisor Belcher - aye
Supervisor Whitlock - aye
Supervisor Gerald - absent
Supervisor Ingram - aye

The Chairman next called for the Public Hearing on the proposed amendment to the previously adopted ordinance known as “Ordinance Establishing District Boundaries and Polling Places in the County of Floyd, Virginia” adding an absentee ballot precinct.

The Assistant County Administrator read the call for notice of the public hearing.

Mr. Cornwell - this is a request made to the by the Board of Elections for the County of Floyd and it mirrors what many other Counties in the State are doing. As you know, presently when you have an absentee ballot and you go vote, you normally go to the Registrar’s Office, cast your ballot, and they will hold it until the day of election. By law, they have to take those absentee ballots to the precinct in which you are registered to vote, for opening and counting them. This would enable there to be one absentee election district, it would be at the office of the Electoral Board, where all absentee ballots would be lodged until the day of the election and would be opened and counted at that place rather than taking the risk of transporting them, risk of loss, etc. to the precincts. It cuts down on the chance that ballots may be misplaced, although they have to have poll workers at this precinct, it will make the process much easier according to the Electoral Board. They’ve asked for this to be adopted so it can be submitted to the Commonwealth of Virginia. I believe if it is adopted and approved by the Justice Department before the end of the year, there is money available for a voting machine for this precinct. So when you come in to vote absentee, you can vote on a machine just like you would do if you went to a polling place on election day, rather than having to do paper ballots. And that of course, would make the ballot counting much easier at election time.

The Chairman called for comments from the audience on the proposed ordinance amendment.

After no comments from the audience, the Chairman declared the Public Hearing closed.

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and carried, it was resolved to adopt the ordinance amendment to the ordinance known as “Ordinance Establishing District Boundaries and Polling Places in the County of Floyd, Virginia”, adding an absentee ballot precinct; and request a letter of expedited review be sent to the Department of Justice (Document File Number).

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

Supervisor Ingram - aye

On a motion of Supervisor Belcher, seconded by Supervisor Whitlock, and carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.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; 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 or negotiating strategy of the public body.

Supervisor Boothe - aye

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Gerald - absent

Supervisor Ingram - aye

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

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

Supervisor Boothe - aye

Supervisor Belcher - absent

Supervisor Whitlock - aye

Supervisor Gerald - absent

Supervisor Ingram - aye

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and carried, it was resolved to adopt the following certification resolution:

**CERTIFICATION RESOLUTION
CLOSED MEETING**

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss prospective business or industry or contractual matters, in accordance with Section 2.2-3711, Paragraph A.5 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 - absent
Supervisor Whitlock - aye
Supervisor Gerald - absent
Supervisor Ingram - aye

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and carried, it was resolved to adjourn.

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