

**BOARD OF SUPERVISORS  
REGULAR MEETING  
OCTOBER 11, 2005**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, October 11, 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 Chairman Ingram.

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 October 11, 2005. She reported that tax tickets were sent out earlier this year than ever before.

Mrs. Morris presented the balance sheet and revenue/expenditure summary as of September 30, 2005. She reported that, at 25% through the fiscal year, that General Fund revenue collections were at 9% and expenses at 30%. She also reported that the auditors are here this week to finish up the FY05 audit.

The minutes of September 13, September 14 and September 28, 2005 were presented to the Board for review and consideration.

Supervisor Boothe suggested that a signature block be added to the September 14, 2005 joint meeting minutes since a signature block is shown only for the Planning Commission.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and carried, it was resolved to approve the minutes of September 14, 2005, as amended.

Supervisor Boothe - aye

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Gerald - abstain - not present for meeting

Supervisor Ingram - aye

Supervisor Whitlock requested that the word “but” be replaced with the word “have” on the bottom of page 9 of the September 13, 2005 minutes, in his discussion of a road problem.

On a motion of Supervisor Whitlock, seconded by Supervisor Belcher, and carried, it was resolved to approve the minutes of September 13, 2005 as amended.

Supervisor Boothe - aye

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Gerald - abstain - left meeting at 1:30 p.m.

Supervisor Ingram - abstain - entered meeting at 1:30 p.m.

On a motion of Supervisor Gerald, seconded by Supervisor Boothe, and carried, it was resolved to approve the minutes of September 28, 2005 as presented.

Supervisor Boothe - aye

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Ingram - abstain - not present at meeting

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

- Monthly report - August was still over 1000 calls, actually it came down in September, 994;
- Fuel situation - July was at 26,000 miles, August 27,000, 29,000 in September. I know that's actually going up but there probably are some reasons for that. September we had indictments, you'll notice we served over 130 criminal warrants. From August 20<sup>th</sup> through September 24<sup>th</sup>, we had a number of checking details such as the click it or ticket program, and some grants, I think we checked over 1300 cars. That probably had some influence on the mileage there. Looking at the costs, I think it was a little over \$4000 this month for fuel costs. We're still continuing with a budget issue there somewhere along the line.
- Did get a letter from the Auditor of Public Accounts, as the rest of the Constitutional Officers did, everything went well there.
- Let me touch briefly on this and refresh your memory a little bit. We've talked several times in the past about the current dispatch center being overcrowded. With the new equipment that we currently have and no space to put it in, we had identified a couple of sites for possible expansion or building a new dispatch center. One was the area behind the County Administration building, and the other being in the basement area of the Courthouse. At least one of those is completely ruled out. I met with Judge Grubbs and he is not willing to, at this time, there is only a limited amount of space in the basement area. It would have probably been a short term fix anyway. He is not willing to give up that area, he wants to keep the area in case something else comes up in the Courthouse

for expansion. The other area was the building behind the administration building here. That's not completely ruled out, but after meeting with employees, some of the logistical problems and issues that they have, we feel like that an addition onto the Courthouse maybe would be more feasible. We are talking about the area adjacent to the existing dispatch center. What that would do for us is that we would be able to keep all the existing equipment in place and add the new equipment to that area and be able to build a communication room, an area for the public to come into the foyer. All we are asking for at this point in time is for you to consider having an architect at least look at this. From a Sheriff's Office standpoint, I think logistically, if we were to build something like that, the transition would be much easier. We could do the addition, we could move the existing dispatchers over into the new area and it should be a smooth transition being that we don't have to move all the equipment or shut down, we could move one station at a time. There is some money, and I might get Ford to touch on that. I want you to know that the Sheriff's Office and Emergency Services, we've been communicating about this for at least the last year. We realize that it's a big project and this will take some time to do. If we can at least look at if this would be feasible. It may be even less cost effective. In the basement area, we would have had to cable everything through Wendell Peters' office and we didn't know what the expenses would be there. Even with the site down here, there were some microwave issues and so forth. What we're really asking is that you consider having an architect look at that situation.

Mr. Wirt - in order to be in compliance with Homeland Security, we need what is called interoperability radio equipment. What that means is that you can talk to your surrounding jurisdictions. We have that equipment sitting in Blacksburg now, it is physically here. I'll address this later this morning as to how we managed to get that money and equipment. That equipment is sitting there and cannot be used because we don't have space available to put it in. Sheriff Zeman has worked very hard to come up with a location that would be suitable. As he said a few minutes ago, it would make the transition very easy if this were to come about. What the Sheriff and I are asking for this morning, is to study this and to see if this is feasible. In this year's current budget, you have a line item to do this at \$15,000. That is in combination with the ALS center, so we've got some funds to do this with. The possible cost, is somewhere between \$15-20,000 to have an architect look at it, come up with whether it is feasible, and how we can accomplish it. In the current budget, there are some funds that have been budgeted.

Supervisor Gerald - in your opinion, what would be the ideal location?

Mr. Wirt - as far as a logistical situation, after looking at it some more, it would be much better logistically to do it at the back of the Courthouse. The reason I say that, Mr. Gerald, is because if we move it to any other location besides the Courthouse, I'm not real sure. We don't have a backup dispatch center, and in order to move that equipment in there, you're probably going to be shut down at least one, if not 3-4 days, and with this particular location there, it's a matter of having everything you're cabling and have everything set. You can move one of your dispatch consoles into that center, the other remains operative. You don't have to move your heart and soul, so to speak, that big equipment. So that would be your best logistical situation,

from a move standpoint.

Supervisor Whitlock - is this a building that would be 3 walls or would it be 4?

Mr. Wirt - I think that is something, Mr. Whitlock, the reason we need to have an architect take a look at what's there, what we need, someone who is a professional in that field, come up with whether it's a freestanding building or a connection to. I can't answer that.

Supervisor Boothe - from what I understand, the Judge's opinion in simple terms, its not an appropriate use of space existing in the Courthouse with this expansion, but leave it so it could be used for future expansion.

Mr. Wirt - correct. Sheriff Zeman has spent a lot of time and they have been back and forth over it. I haven't seen the letter that you have, but, that was his final opinion to Sheriff Zeman.

Supervisor Boothe - because we really haven't set a construction committee up yet. We may want to confer with the attorney later this evening on the matter because I think the General Assembly changed the way that construction projects, as far as judicial and us, and Courthouses.

Sheriff Zeman - we do want to keep it moving forward. We have been looking at it for a long time and know it will take a long time yet. I wanted to put it in writing so that you would know how I feel about it.

Supervisor Boothe - have you started the program with the Deputies over at Tech yet?

Sheriff Zeman - at first, we weren't going to do it this year, we were going to wait until next year. But they had a shortage of officers and we did get four games. Actually, they worked the game last weekend and it went real smooth. They car pooled all together, and it went good and they are real excited about it.

Chairman Ingram - someone from the Board or staff will be talking to you about this other issue, just give us a little time to study the situation.

Mr. Dennis Nagel, Assistant Commonwealth's Attorney, next appeared before the Board. He reported on the following: For the last five months, I've been the Assistant Commonwealth's Attorney for Floyd County. I wanted to update the Board of Supervisors about a couple things that have happened through the summer. First of all, a number of cases that have not been highly publicized that I believe that the deputies should receive some commendation for. I happened to be with Investigator Jeff Dalton preparing for the Akers case when a call came out that there had been some cemetery vandalism. I went there with him and found just a devastating damage to that cemetery and at that point, there appeared to be no strong evidence pointing to anyone as a perpetrator. He worked that case day and night, and as a result, a

juvenile defender was detained and has now been convicted and is currently in a secure residential facility as a result of this investigation. The adult offender has been charged and is scheduled to be set for trial next week. Based on the evidence that I'm aware of, I think there will be a quick and successful prosecution there as well. Really, from my experience in seeing what he started out with is just a tremendous amount of detective work that he was able to do to get that case solved. I think it has a lot of impact on a huge number of families in Floyd County and I recognize that with the juvenile defender, that wasn't publicized to the media because there are a lot more privacy issues when we are dealing with a juvenile. Second case, there was a stabbing case earlier this year that I think would have been a homicide but for the very prompt and decisive action by Deputy Dulaney. His quick response and quick decision that Lifeguard 10 needed to be called, I believe saved this boy's life. At the time that Investigator Steve Graham took over that investigation, it was not clear that she would survive and he went all over Roanoke City, Botetourt County, Floyd County, preparing that case for trial, regardless of whether it would be a malicious wounding, attempted murder or in fact, murder. I believe he needs commendation for that. Also, Sheriff Zeman, my first day on the job, was the Gregory Todd Akers bond hearing. Fortunately, Mr. Hannett and Sheriff Zeman had already worked with the U.S. Attorney's office and federal agents, and a quick decision was made on that day that there would be a federal prosecution which we believe may be wrapped up in the next two weeks which will result in substantial incarceration for Mr. Akers and he will also face substantial incarceration for a violent offense that occurred in Floyd County. There has been no disruption or delay in what I believe to be the most important case in Floyd County during the summer. I recognize that when media reports, and I'm sure the Board of Supervisors has seen this sometimes, the most interesting sliver of a case is what's presented in the media. A couple of comments should be addressed because it concerns whether or not Floyd County has been properly responded to by the office of the Commonwealth's Attorney. At this time, no cases have been delayed, all cases are prepared for prosecution regardless of whether or not I continue as the Assistant Commonwealth's Attorney or the duties are turned over to another individual. All individuals that have sought the office of the Commonwealth's Attorney have had an opportunity to speak with me. I recognize that there was a comment made that I am not available when needed. That individual has had a single case in the past five months and has never sought me out personally for any reason and I believe that comment was made either out of ignorance or to pursue an agenda. From the very first day that I started as the Assistant Commonwealth's Attorney, my cell phone and home numbers were both posted and presented to all law enforcement officers so they could contact me 24 hours a day. I have been contacted at night and have responded to crime scenes when its appropriate. I believe Sheriff Zeman could confirm that I've been completely available with regards to attorneys, once again they've been advised that they can contact me basically during all waking hours, 6:00 a.m. - 10:00 p.m. I don't believe that attorneys have the emergency situations that the Sheriff's Department might have. The only people that are discouraged from contact with the office of Commonwealth's Attorney are defendants or their family and what we find is that a third of all contacts with the Commonwealth's Attorney office are people that I am ethically obligated to keep my distance from except in a very controlled setting. So there are people who get turned away but there is a reason that they get turned away because those people need to be dealt with in a court setting. I recognize that there were comments made about what would happen during a transition. When

the Supreme Court opinion was released, I immediately made a phone call and offered to assist in the transition and in fact, came in on a Sunday for several hours and went over every single pending felony case so that there would not be any disruption if there were going to be a change. I recognize that the over-riding comment that I hear in Floyd County is when will this controversy end? This is perhaps the most complicated issue that I've been involved in in my career as an attorney. There were three issues that were involved in this: 1) who had legal authority to act; 2) was that legal authority exercised correctly; and 3) if it was not exercised correctly, what should be the proper remedy? By a narrow decision, the Supreme Court determined that the Judge had the legal authority to act. By a unanimous decision, they found out that the legal authority had not been exercised properly and on a third count, they determined that the remedy had not been properly asked for, they were inclined to make that decision. That's the reason why it continues as a legal controversy right now, they've been asked and its been pointed to that, in fact, a remedy was requested and its still requested so that the elected Commonwealth's Attorney could continue to control policy in that office. I expect that the Board of Supervisors is going to have some tough decisions as it determines whether to cut services or raise taxes and if it turns out to be a 3-2 division and that third vote were to be replaced by an appointed Judge, I'm sure it would cause a tremendous amount of controversy because of the swing in policy. Those were the issues that caused this controversy and I realize its unfortunate that it has not been resolved, but I think these are important democratic principles that are being pursued, that's why I continue to make myself available and will be available regardless of the Supreme Court's decision and if and when the legislature makes their intent real clear on their statutes. I thought their statues were very clear to begin with, but more clear that they do not want elected officials to lose their control over all this as a result of serving in the military. I've been honored to serve with Sheriff Zeman and the Floyd County Sheriff's Department, I've stayed away from the Board of Supervisors for the past five months because I wasn't trying to bring controversy to your door but I do want the Board to know that everything has proceeded smoothly, will proceed smoothly regardless of what decision is made, and its been an honor to serve.

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

Mr. Ed Gralla - Locust Grove District - I recently was at a meeting of the group that sponsored the BRIC survey. The meeting was at the Jacksonville Center, I think the Woman's Club had something to do with it. I read over the survey and I hope some of you have at least looked it over. The one thing that stood out, to me in the survey, was the concern over development in Floyd County, and subdivisions in particular. I think it's a hard thing for you to deal with, I know it's a hard thing, but you've got to deal with it, there's no option. I trust that you'll deal with it in a good way, but don't turn your back on it, be conscious of what's going on and try to help us. When I talked to my wife, and I'm commenting for her intelligence at this point, she felt that a moratorium on subdivisions until you figure out what you're doing, until we figure out what we're doing, might be a good idea. So, that's really all I have to say and thank you for the good work that you do.

Mr. Eric Ferguson - I'm not a resident of Floyd County but I'm running for the House of

Delegates for the 9<sup>th</sup> District, which includes Floyd County, Franklin County, and the western part of Pittsylvania County. I just wanted to come and tell you today that I'm very interested in what's going on in Floyd County and if I have an opportunity to serve and represent Floyd County in the General Assembly, I would appreciate the opportunity to come back and meet with you often and try to hear the concerns of the County, and try to respond to those needs on a State level. I would also assure you that if I'm elected and get a chance to go to Richmond, I'll come back and report to you on the successes or the failures of the General Assembly and what we can do about seeing that it doesn't happen again. I did just want to come up and introduce myself to you and tell you that I'm excited about being in Floyd County and talking to the folks.

Ms. Jo Burke - I've been a resident of Floyd County for 28 years. I just want to reinforce Mr. Gralla's comments on the developmental problem that we're having here. I can only speak for my area, but I've seen not only an increase in traffic but an increase in pollution, litter, noise, visual contamination and crime. I'm very concerned about it, I have spoken to my District Supervisor and I would like you to know that I would support anything that you can do along these lines.

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

Ms. Dawn Barnes, Unit Coordinator for Floyd County Extension, next appeared before the Board. She reported - as you can see from the agenda, I'm here to share the drought report with you that my co-workers put together. They would be here to answer specific questions since it is related to the ag producers, they are in an in-service. I think the tract that you have in front of you is pretty self-explanatory, but should I fumble on anything, they would be glad to answer your questions later on in the week. The first thing that you have in the packet is a cover letter from Matthew McClellan. Matthew is still helping us out here until we officially have someone on board. After the cover letter, is a moderate example of what effect the drought is going to have on producers and their extra feed costs that they will be experiencing. If you look at the first illustration, there are several illustrations and graphs that follow after that point. The first one illustrates the normal growth pattern and then how the growth pattern is now this year affected by our lack of rain. I believe the blue is the actual and the red is what we have actually experienced. The second and third show the actual rainfall, it is using an average from official stations in Bent Mountain and Willis, which are the closest ones that we have to gauge. One is shown in a graph form and one in a chart form. You may want to particularly look at the fourth. Although the second and third show the actual rainfall, the fourth one shows the rainfall that is actually beneficial to us. We have had a couple of rains that are 2" in 2 ½ hours, of course, all of that will not be absorbed, the soil can't take that in. Even though we had 2" of rain, we didn't have 2" of beneficial rain, that's the last example. As Matthew has stated in the cover letter, he had shared information with the Farm Service Agency. He will be doing a report and sending it into the State. He is suggested that, if you would, start the ball rolling with the documentation that the State needs to get the benefits for the Floyd County producers. You may have already heard that the Governor has declared some of the Counties in the northern part of the State drought state of emergencies. Pulaski County is on the list, and one of the other Counties, from

my understanding, is Wise County, in far southwest. They are very close to having the paperwork completed. I was raised on a farm, so I have a little bit of understanding, so if you have any questions I'll try to answer them, if not, they will be available for questions later in the week or I could share the questions with them.

Supervisor Whitlock - how many of the surrounding Counties around us were on the Governor's declared emergency?

Ms. Barnes - no one yet has been declared an emergency but the ones that are in the holding pattern and getting the paperwork in so that they can be are Wythe, Pulaski, Giles I think, Patrick County, Wise, so they are in the holding period. I also have another announcement. I did get an e-mail from our District Director last night and we have a verbal commitment for an Agriculture/Natural Resources Agent. We did interviews last week and David Cutty has provided a verbal commitment that he will be joining us. Because he is now employed with the Virginia Cattlemen's Association, and this is their busy time, we are looking at a starting date of November 25. Just to quickly give you a little background, David grew up on a small beef/tobacco farm in Washington County in Southwest Virginia. He is a graduate of Virginia Tech and was an officer with the Virginia Tech Block/Bridle Club, member of Virginia Tech Collegiate Livestock Judging, he also worked as an employee of the Virginia Tech beef cattle center while he was on campus as a student. For six years he served as Senior Farm Manager at the Shenandoah Valley Research Station in Steeles Tavern. He expects to have his Masters degree finished in December and that will be in animal science with a concentration in new productive physiology. We look forward to the opportunity of introducing him to the Board.

Supervisor Whitlock - is he an agent that we will be sharing?

Ms. Barnes - he is 100% traditional, all ours! It will be the traditional funding where the local, State and Federal funding will be shared.

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

I recently put out the announcements for our Fall Quality Initiative Daycare grants. What that is is a grant that we receive from the State to help improve licensed childcare providers, just help improve the quality of childcare that they provide for the children that are served by them. As of now, we have a total of four licensed childcare providers for the whole County. That includes both private and our one daycare center that we have approved. In the Spring, we had a total of four. That continues to be an issue, the amount of childcare that is available in the County. The State cut that money by about 40% this year, so we have 40% less in grants than we did last year, but ..

Supervisor Belcher - what's the total on that?

Mr. Ayers - the total I put out was \$3700. Last year we had almost \$10,000 for the whole

year and this year we had a little over \$6000 for the year, so they cut it quite significantly from where it was last year. Those proposals are out now and individuals will be submitting their proposals and the Board will review them, and approve the amounts. Basically, it's a grant that providers can purchase educational items, anything that you can foresee that would be an assistance for childcare, that sort of thing. Its used for any kind of educational item, we've had them all requested at one time or another. Those are due in by Friday of this week. We'll look at them at our Board meeting and award the grants. We had a question from Mr. Whitlock with regards to our heating assistance, at last month's Board meeting. We still have during the last month, I've heard nothing further from the State as to what they're planning on doing with regards to our heating assistance. If everybody gets the \$240 grant that they got last year, its not going to cover one time from the oil company to come out and fill up, with the oil prices the way they are right now. The State has given no indication, the Federal government, anybody, as to how they're going to fund that program for the coming fiscal year. As soon as I know something, I'll let you know something. As for right now, if they keep it the same way that they were, its going to cause significant hardships on the individuals that are already served by the program, because its not even going to get the oil company out to put in the amount that the program can purchase. Basically, they won't come out for less than a 100 gallons, and its running \$2.80-\$2.90, so a \$240 grant doesn't even get them out there to do that. We'll just have to let you know as they let me know.

Supervisor Whitlock - what is the cut-off income line for the people?

Mr. Ayers - it depends on the size of the family and I don't have the chart with me. Basically it runs pretty much the same as the food stamp program does, so if an individual is eligible for food stamps, they are eligible for the energy assistance program. And those are Federal guidelines and sends them to us. What they have done based on last year's, they send out a pre-approval notice to everybody that will be eligible who're already receiving services through our office and would be eligible, and we don't have to go through and determine the eligibility again. And those that got it last year and aren't dually eligible, they send out a pre-printed application to those individuals. And they get the application and they send it back to our office. We can't mail them out until next week. We keep a list in our office and send them whenever they call in.

Supervisor Boothe - do you remember the number of participants last year?

Mr. Ayers - I don't right off the top of my head, but I believe it was 400+ households, if I remember correctly.

Supervisor Whitlock - I remember it was pretty significant.

Mr. Ayers - it's a huge chunk of individuals that are served specifically by that program and we have a special welfare program that assists in helping individuals, tide them over until they get the assistance. The assistance won't be paid out until mid-December so what you have is, it normally gets cold toward the end of October and individuals start needing assistance and

they start coming into our office, and apply for the special welfare program. Normally, our funds are enough to where we can tide many of these individuals over until the time comes for them to actually get their heating assistance at the end of December. But it's the same thing with that program, with the rising fuel costs, you're looking at that program to not serve as many people and we're liable to have individuals run out of a heating source and we won't have any way to assist them.

Supervisor Boothe - if local non-profit groups and organizations wanted to help raise money, is there anything precluding them from donating that money, do we have a process set up where they can donate to help out with heating?

Mr. Ayers - that's what our special welfare program is. Its operated through several areas. We get donations through the Trollinger Trust Fund, which we get locally and from Floyd Baptist Church that donates monthly. If any of those organizations would like to give a donation to our office, we can put it into that program. We not only use it for fuel assistance, but we fund assistance with food, prescriptions, those sort of things because there aren't any other programs that cover the immediate basis.

Supervisor Boothe - if they want to donate specifically to heating assistance, that money could be earmarked for that?

Mr. Ayers - absolutely. And we've already got the procedures in place to do that.

Supervisor Boothe - individuals or whoever?

Mr. Ayers - yes.

Chairman Ingram - they could come to you and write a check for whatever and you could deal with it in that way. It would not create a problem for you in your office, that's what you're saying. You have the process in place.

Mr. Ayers - if somebody wants to donate, we can take the money. If you get into tax deductions and that sort of thing, I don't know we can handle that. But if they want to deduct just to assist, we have the program set up to accept those donations, earmarked for a specific program.

Supervisor Boothe - you could give them a receipt and it would be up to them and their accountant as to how to handle the tax deduction.

Mr. Ayers - absolutely. For any money that we receive in our office, we do a receipt for that individual, either by mail or in person. Hurricane Katrina impact - just wanted to let you know that we haven't seen any further impact from individuals from that area. We haven't received any more families. It was 10-11 families from last month, and we haven't received any others. We're still serving them, they haven't moved back. The last thing is that I want to thank

the Board for approving the matching funds for our new eligibility position to help ease the work load. Just wanted to thank you for that. We can certainly use the position, I've already got it advertised, the cut off is this Friday. I'll send it in and we should be hiring very soon.

Supervisor Whitlock - so hopefully you'll have someone by the time these programs start up?

Mr. Ayers - no, our preference would be for mid-October. Should be in place by the mid to end of November. I've already gotten around 20 applications, so that's a good start after one week. Normally, after the position closes, it takes 2-3 weeks to get the roster back from the State as to who I can interview for the position. I interview within a week, and they usually have to give a 2-week notice.

The monthly disbursements were presented to the Board for review and approval. A list of additional bills was also presented for consideration. 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, and additions, as presented.

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

Mr. Nester presented a copy of the resolution as adopted by the Board in 2002 concerning the drought situation, if the Board wants to consider a designation for this year.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and unanimously carried, it was resolved to adopt a resolution for designation of drought conditions in Floyd County (Document File Number \_\_\_\_\_).

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

Agenda Item 8a - Subdivision plats as approved by Agent for September 2005. Mrs. Lydeana Martin appeared before the Board and reported that there were a number of divisions approved by the Planning Commission in September, but not a great deal of parcels were created. They will be meeting tomorrow night and do have two plats before them that will total 12 parcels. One is on Little River on Roger Road and the other one is off of Stonewall Road. It has slowed down a bit in the last couple of months in terms of the lots created, but part of that was because the Planning Commission met with VDoT at the last meeting and didn't approve any plats. A couple of things I'll point out. The number of lot-line revisions has increased

substantially over last year and I don't really know an explanation for that. Its not anybody creating parcels, its just moving lines for one reason or another. We have seen a good number of those along State roads where a road came through and left a little piece of land a long time ago that went with this piece. People have been going back straightening that up, putting what's on their side of the road, and swapping off with a neighbor. So for whatever reason, we've seen more of those this year. Another thing that I wanted to clear up is that a citizen at a meeting recently suggested that a lot of lots that I report to you are cemetery divisions. In fact, none of the numbers that you see here include cemeteries. I do approve, if someone wants to do a cemetery subdivision, it is part of the ordinance and we do review that to make sure it meets the ordinance. But the only thing you see here is suitable for residential, in other words, it does not include cemeteries.

Supervisor Whitlock - do the cemeteries have to be a certain size?

Mrs. Martin - I don't recall there is a specific size, per se, in there. Some people that do private cemeteries don't do it as a subdivision. Usually when someone does it as a subdivision, its when they know that they may end up conveying the land around it outside the family, and they want to keep clearly marked access so they have a right of access. Sometimes people do small private burial grounds that they don't officially divide off. Quickly I'll mention to you. Whenever anybody is doing a real estate closing or anything is going on, they're always doing it in a hurry and always bring the things in last minute. The situation in the office is such that I'm not always here or can't always review things, and I've also learned that I don't do my best work in a rush, or someone looking over my shoulder or waiting. I'm going to make an effort to make sure the people understand that we do need adequate time for review and they can't think that it can be turned around in a couple of hours, or sometimes a couple of days. The ordinance gives us 60 days, I don't think we've ever taken more than a week, but just to remind you that we do have that time limit, and we need to make sure we do it right instead of quick.

Supervisor Whitlock - I think the public needs to know that up front.

Mrs. Martin - I have posted a note on the window where Dawn receives plats that we have 60 days to review and its actually an additional 45 days beyond that if a State agency has to review it. So that is a little more prominent now, but we'll try to make sure folks know. All the surveyors are aware of that, because they know the ordinance and know its in there. It's the individual private citizens that may not be aware of it and we need to make sure they understand. Just wanted to let you know in case you get questions.

Agenda Item 8b - Appointment to Workforce Investment Board - nothing new to report.

Agenda Item 8c - Report on Regional Water System for New River Valley, including Floyd County. Mr. Nester reported that all local governments are required to develop long-range plans of how water demands for the community will be met. We have met with other jurisdictions in the planning district commission and it appears that the best option for us would be to participate regionally in developing that plan. It primarily involves an inventory of

existing resources, existing infrastructure, capabilities of various water systems, other resources that might be available to provide water, and to enable us to again try to put those in a document that can be used for planning purposes. Have a draft resolution for the Board's review and consideration. The Planning District Commission does require us to have something formal approved.

Supervisor Gerald reported that the planning district commission would like to have a joint meeting with the Board and PSA to provide information on the matter.

Consensus of the Board was to defer the resolution adoption until after the joint meeting, which was set for November 10, 2005 at 7:00 p.m.

Mrs. Amy Ingram, Registrar, Mr. Mike Maslaney and Mr. John Paul Houston, Electoral Board Members, next appeared before the Board.

Mr. Houston - we are here today to talk to you about a centralized absentee precinct. We found out that there are funds available to purchase equipment for the precinct but we found out there is a deadline of December 31. It also requires Justice Department approval, which could take 90 days so our lateness in getting the information which caused a certain urgency which we apologize for but we appreciate you having us here today. Basically, what a centralized absentee precinct is a location set by the Board of Supervisors, at the recommendation of the Electoral Board, where absentee voters can be gathered in one place. Right now the absentee votes are dispatched to each of the polling places. We had 558 absentee votes in the last election. It seems for several reasons, that this trend is increasing right now. State legislatures, in general, have made it a little easier to vote absentee and some States have made it very easy to vote absentee, almost to the point where people are encouraged to do so. The Help America Vote Act (HAVA) has allowed us to have access to Federal money, up to \$4200, to set this precinct up, which would take care of everything we need to do. Quite frankly, if not for this deadline on this grant, we'd probably wait a year and two and just see, but this has forced us into making a decision now because if we procrastinate and don't do anything, we won't have the ability for the Federal funds to pay for it. We would need to have three poll workers at this precinct, the State Code requires three poll workers. And that would be, as far as I can tell, the only additional expense we would have. It may even allow us, I don't want to give you the idea that it will save any money, but it could allow us at some point in time, increasing the numbers that we have at the polling places, because it will reduce the work load a little bit. When the poll workers, you figure most of these people have been up since 3-4 a.m., they have to be at the polls before 5 a.m. to open the polls at 6 a.m. The polls close at 7 p.m., and at best case, its 8:30 - 9 p.m. getting out, sometimes as late as 11 p.m. That's a long, hard day. As absentees increase, it becomes a longer and harder day. The absentee ballot voting process will probably be a little more secure, that's a plus in doing this. Right now, its not unusual for Amy to hand one of us a ballot at 3:00 saying run this out to Indian Valley or Check. That's not an ideal process. It would be better if we had a central location that we could funnel all this to. Our idea is to put this office in what is the Electoral Board office. The Code does not allow this office to be in the General Registrar's Office. We think we can close that door and for this one day make that a

separate office and not have any additional space. Just throw the Electoral Board stuff out and use that as a central precinct. We're also hopeful, and we don't know for sure, because it's new to us and new to the State and there hasn't been any court rulings on the precinct, so we're sort of seeing what other people are doing and trying to get ideas from them. The Code is extremely vague, there's not a lot in it. The section is 24.2-700 and it's about one page. There's just not much and doesn't give us a lot to go on. If we can, what we'll do is use one person that's typically an employee in the office, in that precinct that day, if we can do that. We discussed that this morning and think we can do that. As far as we can tell from a financial standpoint, we would like to do that. If there's any way we can get by with two people, we will do so, instead of three.

Mrs. Ingram - you can't even start to open and count the ballots until 7:00 p.m. At the counting time, you must have three people because you have to have two from the Governor's party and one of the opposite party. That's the reason for the three people but you could run that third person as a split shift and they wouldn't necessarily have to come in until the time to count the ballots. Whereas the Assistant and the Chief have to remain there the whole day.

Mr. Maslaney - they could work in the office during the day and just be there for the count.

Mrs. Ingram - they could be like a part-time poll worker that splits the shift.

Mr. Maslaney - so there's some opportunity for sharing or shortening the work day, we can try to work that out.

Mr. Houston - what the Electoral Board has to do is decide whether this is something that we would like to do, which we have. We have to also come to you for an ordinance. The Board of Supervisors has to pass an ordinance and in that ordinance, you also have to set forth the location. We have a copy of the ordinance that Bedford City used. There also has to be a public hearing, so I guess where we are now is coming to you and asking for a decision as to whether or not you want to do this. We recommend to you to do it, you have to make a decision as to whether or not you want to do it, and our thoughts are to use this only for the general election which would be November 8. We just don't have that much activity in the primaries.

Supervisor Belcher - on the paper that was sent to us, it states that the money could be used to purchase two voting machines for the CAP office. I'm assuming that at 7:00 p.m. when the ballots are opened, you then enter them, is that what the computers would be used for?

Mr. Maslaney - the computers are actually used through the whole CAP process. When you start the absentee voting process..

Supervisor Belcher - as a registration?

Mr. Maslaney - no, they actually vote on it. Instead of having them vote on paper now,

you can go in and suspend the machines and seal them every night.

Supervisor Belcher - I've never been an absentee voter. So if you're an absentee voter, how can you come into the office on election day and cast your vote?

Mrs. Ingram - you couldn't. How it would work is 45 days prior to an election, absentee voting begins, which right now is on paper ballot. You can vote in person in the office or by mail. Those people that come into the office in person, instead of casting their vote on paper would actually cast their vote on the machine.

Supervisor Belcher - that means that there would be access to the information on that machine.

Mr. Maslaney - no, because the machine is secured every night and you're not allowed to close it, which means tally the election, until its over. It goes into a sleep mode at night.

Supervisor Belcher - you said 45 days, previous to the election, and the CAP would be open and have to be staffed by these three people.

Mrs. Ingram - no, this would be in my office.

Mr. Maslaney - you can do this in the Registrar's Office. Its only on election day that you can't have it in the Registrar's office.

Mrs. Ingram - when you're counting. But to vote, like now, when people vote in person, their paper is locked up in a file cabinet until election day. So this would be the same thing, they would just be voting on a machine. At night, the Registrar would close it and put a seal on it and open it in the morning.

Supervisor Belcher - so how many do you figure come into your office to bring their absentee ballots vs. mailing it in or whatever.

Mrs. Ingram - probably 50%.

Supervisor Belcher - so you feel you'll use this money to purchase two machines?

Mr. Maslaney - and some of the leftover money. The machines are \$3000 and they're giving us \$4200, we have some excess money that was left over from the purchase of the machines last year. We're going to take some of that to purchase two machines. There will not be any additional outlay of any funds.

Supervisor Belcher - there would be additional outlay for the folks who would be running it that particular day.

Mr. Maslaney - on election day.

Mr. Houston - it might be \$300-350 annual expense.

Supervisor Belcher - and that's not something that could come out of this money.

Mrs. Ingram - since I've been in the office, we generally always have excess money in the line item for officers of election just because we never know if we're having a primary or not so its always factored in the budget for an extra election. In years past, we could cover that without having to ask for an additional amount in that line item.

Mr. Maslaney - there is a trend also to open up absentee voting, to try to make it more open across the State. Other states are doing it. They open their polls months before election time because of the convenience factors. Everybody's having a hard time getting to the polls during that time so they're trying to make voting easier. So having this CAP precinct means that somebody can stop by the Courthouse very easily, jump on the machine, do their voting, get it done and be on their way in no time at all. The software would give you all the option, and enabling the machine we would choose, just like at the polls, which one the voter was allowed to vote for.

Mr. Houston - similar to the primaries, you would choose whether to vote Town or County.

Supervisor Whitlock - it will probably come to the point where we would going possibly to that, or two districts voting in the same polling place, simply for the convenience for the voters, travel time, etc.

Supervisor Boothe - the polling places have to be within a certain distance in the district, so you might not.

Supervisor Whitlock - we have one right now that's established pretty close on the line that could be utilized. Its within the 1500' of the Courthouse district.

Mrs. Ingram - right now, to date, 13 localities have gone with the CAP and gotten Justice approval. Some of them are very close to us such as Carroll County, Giles County, Patrick County, Galax City, Radford City, and they've already received their approval. So its something that most localities are going to go to, simply, the main reason to me, at election night, that's one less thing that your officers of election have to do at the precinct, is count 100-200 paper ballots per precinct.

Supervisor Whitlock - and one good thing is that's where a lot of the discrepancies in vote counting occur.

Mr. Maslaney - easily. You're so tired, its unbelievable.

Mr. Houston - we talked about that this morning. You've got an ability to take these three poll workers and really give them a super duper training on the rules of absentee voting and the folks at the polls would probably need a little less training in that area because they're not going to have to deal with it to the extent that they do now. It gives us a chance to specialize just a little bit. It's a long day, I worked the polls once, and it's a long time going through those ballots at the end of the day. Its pretty tough.

Supervisor Boothe - if we do this, there's got to be advertising done. Have you all already sent all that stuff over to the office?

Mrs. Ingram - I have a copy of Bedford City's ordinance that was prepared and approved by Justice which they said I could share. I can leave a copy of that for you.

Supervisor Boothe - could you also send over a copy of the approved uses of the funding?

Mrs. Ingram - sure.

Chairman Ingram - the second machine, is the idea of that for a spare?

Mr. Maslaney - yes, for a spare.

Mrs. Ingram - or it could also serve as a spare for precincts in an emergency, we could run it out to wherever.

Supervisor Boothe - they're handicapped accessible, with the headsets and so forth.

Mr. Maslaney - they all are, in fact.

Supervisor Boothe - you said about \$3000/machine?

Mr. Maslaney - yes.

Mrs. Ingram - if this is approved, we would need to have an ordinance which would require the public hearing. The lawyer can make a submission to Justice. This needs to be done by January 1. We need to have approval from Justice in order to get the funds, the \$4250. We can request an expedited review from Justice. They're getting a lot of these right now so I feel they would rush it through.

Mr. Maslaney - especially if we followed what Bedford City did, and have the wording the same, the way they wanted it.

Supervisor Whitlock - the place that you were thinking about putting the machine, will it meet all the disadvantaged criteria, wheelchairs, the whole nine yards? I know there is accessibility to the Courthouse to get to that point, but within the confines of the room itself, is

that going to be ok? You've only got one door, basically.

Mrs. Ingram - on Election Day, if a person would come, they would only have to hand their paper ballot to the CAP. They wouldn't be voting on Election Day, it closes on the Saturday before. You'll just have ballots that people received by mail that they're bringing to you, because we can accept those until 7:00 p.m. During the absentee voting period, the 45 days, the machine will be set up in my office, at the counter, so they could come in the main door.

Supervisor Whitlock - so you wouldn't have the traffic problem involved.

Mr. Houston - I don't know why the State made that particular requirement, that this can't be in the General Registrar's office. Because there's really not going to be any traffic on Election Day. I guess just to give the separate image.

Mrs. Ingram - the machine will be in my office through the Saturday before the election. It will be moved to the other office on election day, and then at 7:00 p.m., they would do a tally report off of the machine, which would give them all the people that voted on the machine, then they would open their paper ballots and have to count those the old fashioned way, by hand, and then come up with a report for all the absentee voters in the County.

Supervisor Whitlock - so actually the poll workers wouldn't have to be there except on the very day of the election.

Mrs. Ingram - exactly, only on election day.

Supervisor Whitlock - would they have to be there to receive the ballots?

Mrs. Ingram - yes, by law they have to be there, just like a normal polling place, from 5:00 a.m. to whenever.

Mr. Maslaney - they're not doing a whole lot but they have to be there. Its required.

Supervisor Whitlock - so as long as the Chief and Assistant Chief and one poll worker, they could work out the time element as to how they want to cover their 6-7?

Mr. Maslaney - we may want to think about rotating them amongst like the high school too, just to keep the boredom factor down.

Mrs. Ingram - no, they must remain in the polling place. To follow the letter of the law, the Chief and Assistant cannot leave the room, except to go to the restroom. The third person could work a split shift and come in later in the evening and just get paid a portion of the pay.

The Board will discuss the matter later in the day with the County Attorney.

Mr. Gene Dalton, EMS Operations Manager, next appeared before the Board. He

reported - first of all I want to thank you for the opportunity to be here today and for the services that we have been providing. We turned in a form that has some of the information on it, the one at the top that is numbered 1219, that is for the paid service. You'll notice at the top a total of 508 calls have been covered by the paid service since we started operation in November. The 508 calls were answered totally and solely by the paid staff. This is mainly during the day up until approximately 4:00 when the volunteers come on and we assist them in running calls from 4:00 on to 12 midnight. The volunteer numbers, as he'll tell you, after 4:00 in the evening, we have one person who's an ALS, who runs from 4 to midnight. At midnight, an entire ambulance team will come on which will be a BLS person and ALS person. Now, we do not staff a complete ambulance on weekends. We have one ALS person who covers, who comes in at 4:00 on a Friday and will work 12 or 24 hours shifts and they will assist the volunteers in running calls. If the ALS person needs to go to the hospital with the volunteers, if they happen to not have an ALS person on the truck or they need additional help, our ALS person will go along with the volunteers to the hospital, or if they don't, they have the call covered or if it's a BLS call, they will come back to the town and they will stay at the station in town to be able to answer any other calls that happen to go off. Of course, as you know, sometimes there are days when you don't have any calls at all, sometimes 6 calls go off in a hour and a half and you have 5-6 different ambulances running all over the County, going to all different hospitals. The staffing needs, I did not add this, but the staffing that we currently have is six full-time people, of which four of these full-time people during the day are ALS, cardiac, intermediate, to that level. We have two people that are full-time that are BLS, which are EMT's. Our part-time staff, we have 6 ALS people right now, one is a paramedic, two are intermediate, and three are cardiacs. The other four people are EMT's. Obviously, the ALS people, their main job is to do patient care. If it comes to a call where they are, say our daytime team is on a call, then our ALS person does not necessarily have to work the back. We allow our BLS people to interact and work the back with a patient on the ambulance if the ALS person can drive. That way, it stops burnout from a person being in the same position all the time. We always provide the best care that we can. The best way I can put it is, sometimes calls can be taxi rides to the hospital. The service that we've provided since November I think, speaks for itself. I think we have provided a very good service and I think our care is probably second to none. We have a very good staff on board. The training that we do, we obviously every year have to go to different training. Most certifications that we get have to be re-certified every three years. You have to take so many hours every year to re-certify. EMT's are every four years for re-certification. Paramedics have to re-certify every two years. You have to really commend the volunteers. The State is making the certification so hard and so rigorous now. The class that I went through two years ago was only 200+ hours, now its over 400 hours. It's the same whether you're a volunteer or paid. That's why a lot of this is hurting the volunteers. The costs of the classes is going up, to become an intermediate, which is right below paramedic, its over \$800 just to take that class. I don't know many people who don't work in the field that can pay for that without the assistance of the County or crew. Right now, I think we have a good working organization, we are working well with the volunteers. We assist the volunteers and the volunteers assist us. We all get in and clean the buildings and work side by side. I think what we have done, the service that we have provided, I think speaks for itself. I think we will do nothing but grow, obviously, as the County grows, we will have more calls. In a rural area like this, some of our response times are slower.

When we go to a hospital, to Roanoke, you are looking at an ambulance being gone for three hours, minimum, on one call. But there's nothing that we can do about it, because we don't have a hospital or care center here. But I think for the staffing that we have, and the volunteers that back us up during the day, and at night, when we back them up, I think we have a very good service. It will grow and our calls are going to grow, and we're at a good point.

Supervisor Whitlock - the way that its working now, is it keeping the fatigue factor down?

Mr. Dalton - for the people, we work a 40 hour shift during the week, one 8 and two 16's. We work three days a week, the way it works. The fatigue factor actually, when the ambulance crew comes in at night, they have chores that they do, they check off the ambulance, anything they need to stock, and then they are allowed to go to bed. If a call goes off, obviously, they have to get up and answer the call. The majority of our calls, when the tones go off, our people are in the truck and on the radio within two minutes. That is just exceptional, it is over and above what a lot of other stations do. If it gets to a point where people have run all day and night, there is an understanding that they know that they can call me, or Kenny Bartlett, the Supervisor, or call an additional person in. We don't want anybody to run to the point that they can't do their job well. We have a level that we have to maintain. If somebody has run all night and all day, we will bring some cover in for that person and let the person go home and rest. I don't think there has been a fatigue problem. Of course, people in our job, the majority of us actually enjoy what we do. I've got to say that it takes a certain type of person to be able to do this. To see what we see, and do what we do, and be able to deal with it, is a special breed of person to do this job, to keep providing the care that you provide. Obviously there are things that you see that bother you or upset you that you have to deal with. Some people break down and cry. We offer a service where groups will come in and talk about things that have happened. There is physical fatigue and mental fatigue. Last year I lost two children under the age of two. I was in two separate critical stress incident management meetings. It gets to you, but you have to get to the point, you never forget what happens, but you've got to be able to put it aside, because the next person that you answer a call to has the right to deserve the best care that you can give them. If somebody has run a long shift and are tired and can't function, we have people that will come in and substitute. We have a flexible schedule. If I'm working a 16 hour shift and I know somebody has been up all day and half the night, I can come in and fill in for that person, cover so many of their hours and the next day they'll come in and make up my time that I worked for them. It's a good way, and we have a good understanding. I don't think we've had any sick time called in. We had one gentlemen who lost his dad, and obviously he didn't work for a few days. Everybody shows up on time, does their job, and there are no complaints.

Mr. Steve Love, Rescue Squad Captain, next appeared before the Board. If you'll look at the other report that you had there, it has #216 on the top, you'll see 743 calls run by the volunteers, in a ten month period. That does not include standbys at the football games, the rodeos, or anything like that. We are starting a program where we are going to track that too so we can give you a better total of where we stand on our time. Two sections down, it says calls distributed by time and day, that will give you the times that we are actually on the road and

where our calls are. If you'll go to page 2, this is one of the biggest areas we watch, as to what hospital we are transporting to. Radford, which is Carilion New River Valley Medical Center, we've transported 337 of those calls to that hospital, so the biggest part of our calls are going through them instead of Roanoke or other places. We respect what the Board has done for us as far as getting us help in here in the daytime, without that, we wouldn't be where we are. We are in the process of now finalizing the deal on the land in Indian Valley where we're going to put a new station, should be done within the next 30 days hopefully. We are also incorporating into that, the remodeling of Station #1. Get it all done at one time, that's our biggest project right now. Without you guys, we couldn't do what we do. We couldn't have the trucks, the people, the buildings, and we really appreciate you.

Supervisor Belcher - we appreciate what you all do.

Chairman Ingram - all the equipment in the world doesn't do any good without the people.

Mr. Love - we couldn't do it without you.

Chairman Ingram - it all works together. I'm glad to hear what I'm hearing this morning, from both of you all. We didn't want to go down this path, we went down that path after we discussed it and we were asked as a Board, and everybody understood where we're at. Looks to me like its working and we have a lot of cooperation, and that's great. We thank everybody, both paid and volunteer, for what you do. We really appreciate it.

Mr. Love - we have an EMT class going on now, hopefully we'll get a few people out of that. Our roster is down, not as down as it was, it is coming up. Our call volume is up from what it was last year, we're tracking that too. Our call volume is way up, but we haven't missed a call since we started. Every call has been answered. Two months ago, for example, starting at 7:00 one night, we had six calls in a hour and a half, all six calls were covered, within the right time frame. We had every truck that we have in this County on the road. The only thing we had left was the crash truck and we had people ready to roll it to maintain service, if we needed it.

Chairman Ingram - no matter what you may hear, there's a whole lot of folks, and not just sitting here, that appreciate both sides of the operation. You may not hear it, but its out there.

Mrs. Myra Grim, Administrative Clerk, next appeared before the Board. I think all of you have a copy of my September financial report, which I have been giving to you each month since March when we first started billing for emergency services. That's pretty self-explanatory. At the bottom I have broken down to the different districts the number of calls and mileage used. I do want to explain that this is where the call went to, it may not be from who actually lived in your district, its where the call went. The next page is the year-to-date information, which I've been giving you for the last 2-3 months. But I also added this time, the aging summary. This is information that I get from Diversified Billing each month. A couple of you

have asked me about the percentage that we're getting in. At this point, we can't give that. An example, last month I reported our payments that came in from an insurance company that I'm still recording from March incidents. It will probably be at least a year down the road before you could actually get a true percentage. To go along with that, I did contact Diversified and asked them their average time that they receive payments in from the different insurance companies. Medicare and Medicaid, they normally receive payments/information within 14-21 days. Private pay insurance companies are usually 35-40 days. Automobile insurance companies could be anywhere up to a year, and with lawsuits and court cases it could be longer. That will affect the percentage also. I do thank you for your time, and if at anytime during the month you have questions or someone in your district has questions, I'm always here to help them out. I may not always know the answer but I can call Diversified and find out the information. I have had some calls. It might be someone that didn't understand a letter they received and I can explain things to them. We have had no negative calls at this point from anyone in the County who's received any type of billing.

Mr. Ford Wirt, Emergency Services Coordinator, next appeared before the Board. I just wanted to bring you up real quickly on grants that we've received the past year. One was for mapping equipment to put in our fire/rescue vehicles. I've got three pictures here for you. It's a GPS type system that tracks the vehicle as it goes to a call. We type in an address, and it puts an arrow where that vehicle needs to go. It also shows you, up in the corner on the right side, the part of the County its in. Down here, it tells you where you are on a particular road, how fast you're going, the latitude and longitude. Its one of the most sophisticated systems in the State of Virginia. We've got a lot of people that are very envious that we do have this. This was gotten with a grant at no cost to our County taxpayers. The other grant was also through Homeland Security for bringing our communication systems up to Federal standards, by what's called interoperability. I mentioned that when I was here this morning, it allows us to talk to our surrounding jurisdictions. We received 35 of those portable radios and they have gone to fire, rescue, Sheriff's Department and animal control. There's another piece of that that I can't show you, because its not here, its in Blacksburg, waiting on our communication system. There's no where in the communication room to put this equipment. Its interoperability equipment that allows the dispatcher to be able to communicate with all the surrounding area. These two grants totaled almost \$200,000. That's tax money that we did not have to take from our citizens here. We're constantly reviewing and trying to find and will continue to do that.

Supervisor Whitlock - these grants help you get the equipment, is there also grants to help you maintain them?

Mr. Wirt - no sir, I'm not giving you a short answer, but no sir, there's not. We're in the process of working to try, for one example, our wireless system. The wireless system through the State, we received funding to upgrade our communication center in excess of \$250,000. Probably in 4-5 years that equipment will be obsolete and have to be replaced. As of today, there is no replacement funds available. Any of your grants like this that you get, provide the initial equipment and installation, and then you're on your own. Hopefully that will change, but I'm skeptical.

Supervisor Whitlock - is this all digital?

Mr. Wirt - yes sir. Everything communication-wise that we are purchasing will be usable when our full communication system will be put in place. It won't be something that you have to turn around and buy again. Its being purchased with that in mind.

Supervisor Whitlock - its digital and analytical.

Mr. Wirt - digital and analog. Again, I appreciate the support that Administration and the Board gives not only to the office that I have but to our fire, rescue, Sheriff's Office, and all emergency services. The County is growing tremendously and it's a demand on all emergency services. We do have people that expect the same service now from where they've come, and that's difficult but we're doing our best, and doing a good job.

Dr. Terry Arbogast, School Superintendent, next appeared before the Board. He presented the enrollment report as of September 30, 2005, at 2086 students. The budget figure was 2096 students.

Mr. Nester questioned Dr. Arbogast as to any school related items to be included in the Board's legislative agenda to the General Assembly?

Dr. Arbogast requested that the Board consider including the continuance of Technology Funds and School Construction Funds.

The Board recessed for lunch at Floyd Elementary School.

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

Agenda Item 7j(I) - Update on Indian Valley fire station and Library expansion financing. Mr. Cornwell reported that Rural Development is still investigating financing those projects and we don't know yet. Still on hold, and if we don't get an answer soon, we'll have to go to Suntrust. There are advantages to using Rural Development so right now we're on a wait and see. One thing is the Federal budget also, that went into effect October 1.

Agenda Item 7j(ii) - Draft Ordinance - Processing fee for Regional Jail inmates. I'm sure you're aware that the County can charge a \$25 fee as part of court costs, for any individual admitted to the New River Regional Jail. The Code section, 15.2-1613.1 allows the County, if it adopts by ordinance, to tack a \$25 fee on for the purpose of defraying the local Sheriff's Office costs of processing arrested persons in the local or regional jail. Any processing costs incurred by the regional jail, the fees will be used by the regional jail to defray those costs. Three of the jurisdictions that use the New River Valley Regional Jail have this ordinance in effect and the question for the Board is whether you wish to consider an ordinance to impose such a fee. It would be basically a fee tacked onto someone who was sentenced to jail, collected by the Clerk

of Court.

Supervisor Boothe - it has to be spent on processing fee either through the Sheriff's Office or Regional Jail?

Mr. Cornwell - right, well your processing costs are probably more than that, so I don't know that you have to keep a separate accounting for that. Its paid to the Sheriff's Department to defray the processing costs is what the statute says. If your processing costs are \$30, and you get \$25, you come out ahead.

Supervisor Boothe - do they do any type of documentation or forms to let us know what their annual costs for processing will be?

Mr. Nester - no, I'm not aware of anything other than what's shown in the budget.

Supervisor Belcher - I'm sure they have something that would show what one call would be. Maybe we could get some information on that and go ahead and authorize this.

Mr. Cornwell - what we would need to have you do is authorize preparation of the ordinance and advertisement. I could prepare it and bring it back to your November meeting and you could have a public hearing in December.

Mr. Nester - I can get some information for you in the meantime.

Supervisor Belcher - maybe you could get that information to him and he could get that to us and we could do the advertising before December.

Mr. Cornwell - we'd have to advertise it twice so we may not have time.

Consensus of the Board was for the County Attorney to prepare a draft ordinance for the Board's review at their November meeting and ask the Sheriff for information as to his costs.

Supervisor Boothe - when it comes back in, it will go to our General Fund?

Mr. Cornwell - if you pay the Sheriff out of your General Fund, it would go back to it. The Clerk collects it, and deposits it into the account of the Treasurer of the County.

Supervisor Boothe - does the Clerk or Treasurer have to keep up with the amounts? If we have to apply that amount back, one or the other has to keep up with it.

Mr. Cornwell - you are defraying the cost, not an accounting process. The Clerk collects it, pays it to the Treasurer, and the Treasurer puts it in the General Fund. The processing fee costs don't matter, as long as it doesn't exceed \$25, it is to defray costs. You don't have to determine what your actual costs are. The only thing we need to determine is whether the Sheriff's Office or the Regional Jail is incurring the costs. If the Regional Jail is incurring the

costs, the money is paid to them. We need the Sheriff to tell us who is doing the processing.

Agenda Item 7j(iii) - Proposed abandonment of 1.20 mile section of SSR 688. Defer - no new information per Supervisor Whitlock.

Agenda Item 7j(iv) - Options for implementation of personal property tax relief program. The Treasurer, Commissioner of Revenue and Auditor also joined in the discussion. Mr. Cornwell reported that the General Assembly has once again changed the personal property tax, formerly known as the car tax. They have now basically capped what the State is going to pay. And they have based your recovery of that amount, not only on how much you charge but how much you collect. And there is a formula for determining all of those issues. They are asking that the County do two things: 1) adopt a resolution as part of the budget process; and 2) to adopt a new ordinance on personal property taxes. Both the Treasurer and Commissioner have been to classes on the matter.

Mrs. Thomas - we actually have a model ordinance that was passed out concerning the implementation of the changes that are going to be happening. There are some things that are very important that need to be addressed. One of them is that the Board shall by resolution, which is a resolution that is done each year. The ordinance is a one time thing. But a resolution has to be done each year. You set the percentage of tax relief at such a level that it is anticipated fully to be exhausted, provided to the County by the Commonwealth. So we have to come up with a percentage for 2006, which will be our first year. I think we have history that we're going to go through and try to help you all come up with a percentage. You will set this in a resolution and can be changed each year. Our piece of the pie, say is \$820,000, that whole \$820,000 will have to be given as a tax relief to the taxpayer. If we find that we haven't used all of that \$820,000, we have to take that into consideration for next year. And you don't want to under either because if you under-estimate your percentage, then you'll lose that money, that's the way I understand it. You'll need to also decide whether you're going to 100% eliminate the vehicles that are valued less than \$1000. Your tax rate per \$100 is not going to come into play now as far as the \$1000 in value. Right now we're sending out bills that are 65 cents due to the levy increase. But you can decide that those valued under \$1000, there will be no tax due on them, no matter what the tax rate is. That's another important thing to decide. You will also, its very important, that you put in this ordinance, that once a bill becomes unpayable as of September 1, 2006, that we can go back and assess them for the full amount because we're not going to be able to get from 2001 to 2005, they're not going to pay us anything but 70%, the State isn't. So we have to have in the ordinance that we can go back and collect 100% of the billing for 2005 for those that don't pay by September 1, 2006. Those were some of the important things that I came up with. Of course, you have to decide if you want to do a percentage, I think most of the Treasurers and Commissioners are thinking that this would be the easiest to understand, the easiest to program because it will be very similar to what we're doing now, 70% coming off the bill when they're eligible. If you come up with a percentage, then you could just proceed with a different percentage. You still have the same regulations, but they have to be eligible, like it was.

Mrs. Sutphin - we won't be getting as much back from the State.

Supervisor Whitlock - you said, if we got \$820,000 this year and didn't utilize all of it up, so the next year, we'll be deducted that much from our percentage that we'll have for the next year.

Mrs. Thomas - I'm not sure, I just know we have to use it for the taxpayer.

Supervisor Whitlock - if we had \$820,000 this time, let's say we were \$20,000 short from using it all up, so next year it would be based on \$800,000.

Mrs. Thomas - no I think we'll get the same slice of pie each year, except we have a responsibility to see that its used for the taxpayers. So we may have to try to make up that \$20,000 to the taxpayer. I don't think they reduce what we get.

Mrs. Cox - I think what Deronda's saying, if you end up with that extra, the resolution percentage may need to be adjusted the next year and bring it up a little bit so you use more towards tax relief for the following year for the taxpayers.

Supervisor Boothe - they are putting us in a position where you're adjusting that percentage every year.

Mrs. Cox - the resolution is an annual thing and you may have to adjust it every year until you get it to where you need to be.

Mr. Cornwell - the resolution is adopted as part of your budget process. Your ordinance is adopted one time and basically changes the personal property tax that you impose. The budget resolution is adopted each year and that's when the percentage can change.

Supervisor Whitlock - if the \$820,000 is based on your personal property values as of 2005,

Mrs. Cox - what you'll get from here forward is based on what you have collected on 2004 taxes during this calendar year, so you have until December 31 to collect as much as you can of the remaining 2004 taxes and then your pro-rata share of the State-wide pool will be based on that. That's almost history what your pro-rata share will be based on, that period ends.

Supervisor Whitlock - so actually the \$820,000 may not be the true value.

Mrs. Cox - we have no idea what the figure will be.

Mrs. Thomas - we really won't know until March of 2006. The APA, by then, will have to certify to us. Right now, for the 2004 taxes, I have submitted to the State, \$839,535 as a request through last week. Possibly, close to \$20,000 is out there, according to what we were

originally supposed to get through the PPTRA, the tax relief, is \$19-20,000 short of what the books originally stated that we were supposed to get.

Supervisor Whitlock - so that won't change no matter what personal property does, or anything else?

Mrs. Thomas - it won't change unless they change the legislation.

Supervisor Whitlock - so they are basically trying to zero it out over time. They've seen that they've gotten into a problem with it, now they're trying to figure out a way to get out from under it. And they're using us to do it.

Mr. Cornwell - so I need to prepare an ordinance for you to adopt by the end of the year. The resolution will be adopted next year as part of your budget process when the percentages have been determined. I do need a little guidance from you on a couple of things in the ordinance. You can delete all personal property taxes on vehicles less \$1000, that's probably a good thing to do because of the cost of mailing the bills. You can do a tier approach for vehicles from \$1000 to \$7500 and from \$7500 to \$15,000 and from \$15,000 to \$20,000, where your rate can be 20% higher for each tier. I think that's very unwieldy for everybody involved. I think it's probably better to simply knock out the \$1000 and put the range from \$1000 to \$20,000. I can bring back options or simply bring an ordinance with these figures and then we can talk about the other issues later.

Mrs. Thomas - I think the tier system would be hard to explain to the taxpayer, and hard for us to understand. It would also cost to set up our computer system for the tier system.

Supervisor Whitlock - by the same token, you said we could go back five years and charge 100%?

Mrs. Thomas - if they are unpaid at September 1, 2006, that will need to be in the ordinance for me to be able to do that. If the bill was \$200 and the relief was say, \$70, then you go back to the \$200 and they would have to pay that. It would cost quite a bit for some of them to pay the entire bill and not receive the relief.

Supervisor Whitlock - it would be an inducement to make them get their delinquencies up to current status knowing that they would have that hanging out there on them. It's an obligation that they should have done anyway. This would be to their benefit for them to pay it. Some of us take our citizenship a little more conscientiously than others.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.1, discussion of specific personnel; Paragraph A.4, protection of the privacy of individuals in personal matters not related to public business; 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 or briefing in an open meeting would adversely affect the negotiating or litigating posture of the public body; or consultation with legal counsel regarding specific legal matters.

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 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 Gerald, seconded by Supervisor Belcher, 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, personal matters, prospective business or industry; and legal matters in accordance with Section 2.2-3711, Paragraphs A.1, A.4, A.5 and A.7 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.

The Board recessed for a meeting of the Board of Directors of the Floyd Emergency Medical Service, Inc.

Agenda Item 8d - Appointment of Board representative and alternate to New River Valley Agency on Aging - term October 1, 2005 - September 30, 2006.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to re-appoint Lowell Boothe as representative and the County Administrator as alternate, to the New River Valley Agency on Aging Board of Directors, term October 1, 2005 - September 30, 2005.

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

Agenda Item 8e - Carry-over request - \$691 - Sheriff's Office. Mr. Nester explained that this request was for reimbursement of grant funds that were not expended, to the State. The funds were actually in last year's budget and need to be carried over to reimburse the State in this year's budget.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the carry-over request of \$691 from the Sheriff's Office; and authorize the reimbursement of same to the State for unexpended grant funds.

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

Agenda Item 8g - Request for promoting Route 58 before the Transportation Commission. Mr. Nester reported that several local governments and private citizens are trying to hire a lobbyist to represent interest of the communities along Route 58. The estimated cost for the lobbyist is around \$30,000. The Patrick County IDA has raised around \$23,000 so far, and are looking for donations from other communities.

On a motion of Supervisor Belcher, seconded by Supervisor Boothe, and unanimously carried, it was resolved to authorize the County Administrator to write a letter of support for the

Route 58 project (Document File Number            ).).

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

Agenda Item 8f - VACo 2006 legislative package - for the Board's information. In reference to Floyd County's 2006 legislative package, Mr. Nester provided a copy of last year's requests for the Board's review. Suggested that the Board include a request for the industrial access grant to be extended for an additional 24-month period; add requests for school technology funds and school construction funds. Consensus of the Board was to also delete #12 on the list and include the suggestions.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve Floyd County's 2006 legislative request program as revised (Document File Number    ).

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

Agenda Item 8h - Request - VACo/VML rate negotiations with Appalachian Power. Mr. Nester reported that current local government rates will expire in April of 2007. VACo and VML provide these negotiation services at the indicated rate for each County, which saves the localities a great deal of money. Floyd County's share of the negotiation rate would be \$1551.

On a motion of Supervisor Whitlock, seconded by Supervisor Gerald, and carried, it was resolved to authorize payment of \$1551 to VACo to support negotiations for power rates.

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

Agenda Item 8i - Voting credentials - VACo annual meeting.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and carried, it was resolved to designate Supervisor Fred Gerald as voting delegate to the 2005 VACo Annual Meeting.

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

Supervisor Gerald - abstain  
Supervisor Ingram - aye

On a motion of Supervisor Gerald, seconded by Supervisor Boothe, and carried, it was resolved to designate Supervisor Kerry Whitlock as alternate voting delegate to the 2005 VACo Annual Meeting.

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

Mr. Nester presented a proposed list of appointees to the County Local Emergency Planning Committee (LEPC). This committee meets 1-2 times per year to update the County's Emergency Plan and provide input as how to handle potential emergencies/disasters. The appointee for H&V should be changed to Freddie Gerald. Consensus of the Board was to approve the list as revised.

Mrs. Martin presented a request for the County to advertise in the Blue Ridge Parkway directory. This publication is the only one that is allowed in the concessions along the Parkway. Cost for the ad for the upcoming year would be \$2450. The Chamber and other groups have participated with the County in the past and could be approached again.

On a motion of Supervisor Whitlock, seconded by Supervisor Belcher, and carried, it was resolved to approve \$2450 for advertising in the Blue Ridge Parkway directory; contact tourism groups in the County for assistance with the advertising cost.

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

Discussion followed on the request from the Electoral Board to establish a central absentee precinct.

On a motion of Supervisor Whitlock, it was resolved to authorize the County Administrator to advertise for a public hearing on November 8, 2005 on the establishment of a central absentee precinct.

Motion failed due to lack of a second.

The Board recessed until the 7:00 p.m. public hearing at the Courthouse.

At 7:00 p.m., the Chairman called for the Public Hearing on the proposed 6-year

secondary road plan and the FY07 secondary road budget.

Mr. Bob Beasley, VDOT District Administrator, outlined the reason for the public hearing and introduced VDOT staff and Board of Supervisors Members and staff.

Mr. Jeremy Hendrick, Operations Manager, outlined the specific roads and improvements in the proposed plan.

Chairman Ingram declared the public hearing open for comments from the audience. The following individuals spoke concerning their specific road (full comments on file at the office of the County Administrator).

- Route 677 - Julia Light
- Route 760 - Virgil Horton
- Route 735 - Alfred Justice
- Route 735 - George Hale
- Route 760 - Benny Quesenberry
- Route 768 - Martha Allen
- Route 673 - Kevin Zeitz

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

The Board recessed to continue the meeting at the County Administration Building.

Mr. Beasley and Mr. Hendricks joined the Board in their discussion. Mr. Beasley commented that funding is committed and everything is set for the first year of the proposed plan.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to approve the first year construction budget for FY07 as presented.

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

The rest of the proposed 6-year plan was discussed.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the 6 year secondary road plan, as presented.

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

Supervisor Ingram - aye

Mr. Beasley commented that VDoT needs additional contract workers to push snow this winter. As long as the person has a CDL license, they would be eligible for apply. If the Board knows anyone interested, please pass the word along to them.

Supervisor Whitlock - several roads that need grading because of wash-boarding and several need trimming.

Supervisor Gerald - Hylton Road - paving looks great; Macks Mountain Road and Horse Ridge Road both need lines re-painted.

Supervisor Ingram - gravel roads need work; trimming needs to be done also on some of the roads.

Supervisor Whitlock - Route 681 bridge work - need some information on this scheduled re-building.

Mr. Beasley replied that they are waiting on the environmental clearance.

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

Supervisor Boothe - aye

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Ingram - aye