

**BOARD OF SUPERVISORS  
REGULAR MEETING  
OCTOBER 10, 2006**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, October 10, 2006, 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, Board Members; Terri W. Morris, Acting County Administrator.

ABSENT: Kerry W. Whitlock, Board Member.

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

The Opening Prayer was led by Vice Chairman Gerald.

Chairman Ingram led in the Pledge of Allegiance.

Mrs. Deronda Thomas, Treasurer, appeared before the Board. She presented the invested cash and cash in office report as of October 10, 2006. She reported that real estate tax tickets were mailed this past Saturday, and hopefully personal property tax tickets will be in the mail tomorrow.

Mrs. Morris reported that at 25% through the fiscal year, General Fund expenses are at 34% and General Fund revenue collections at 10%. Expenses were normal this month, but July and August had been very high.

Sheriff Shannon Zeman appeared before the Board. He reported that patrols have been done in the Yellowbrick Road area on two Saturdays, per the Board's request. No violations have been written but did talk with several of the folks in the neighborhood as to the problems. Have met with the camera folks but do not have a quote from them yet as to upgrades for the cells.

Clerk of Court Wendell Peters next appeared before the Board with the following report: We do have the secure remote access now. We finally managed to get enough money from the State to provide this service, and have a whopping three people using the service. Its about what we expected. Talked with Carroll County, they had 16 people signed up, 8 of them dropped out. They have a different system than we do, I like to think that ours is better because we're using

the Supreme Court system. I can't see going with another system. I think they will stay on top of things and keep it as modern as possible. Anyway, we are on-line and if you get a chance, come by and we'll show the system to you and how it works. We are charging \$150/quarter. They suggested charging between \$50/100 per month, so we're on the low end. Martinsville is charging \$30/month, another locality is charging \$100/month, so it varies across the State and each system is a little different. I did want people that didn't pay on time to have some type of penalty, so I did stick a clause in the contract that they would be cut off for non-payment and charge them \$25 to put them back on. I did get a request from a gentleman from Texas who wanted to be on the system, I was a little suspicious, but did approve it. We are also looking at getting some type of court reporting system. I have been having trouble getting a quote, but did get one from Lee Hartman & Sons. They want us to also replace the entire pa system. I haven't liked the system ever since the architects recommended it. But I don't think much of architects either. We can't afford that system. We will continue to look for other options. The other project that we are researching is plats and the storage problems that we have with them. We are still looking at systems in other areas such as Botetourt and Wytheville. What we were looking at is, almost all our plats are on microfilm. We would like to put all our microfilmed items on digital. I know there are guidelines for putting them on digital and we need to look at all the options available.

Commonwealth's Attorney Gordon Hannett next appeared before the Board. He commented that this is his first appearance since returning from Iraq on August 3, and return to the office on August 26. Things have gone well as far as the transition goes, its though I never left. The only issue from my office is that I've hired a new part-time secretary, Jessica Thomas, started last week. Anne Gearhart has gone back to work full-time with her husband. No problems to report, no money issues to bring to you. I probably won't be able to get to as many Board meetings as I would like because they are usually scheduled on court days.

The minutes of September 7, 12, 14, 25, 2006 were presented to the Board for review and consideration.

On a motion of Supervisor Gerald, seconded by Supervisor Boothe, and carried, it was resolved to approve the minutes of September 25, 2006 as presented.

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

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and carried, it was resolved to approve the minutes of September 7 and 12, 2006 as presented and September 14, 2006 as amended (showing Vice Chairman Gerald absent).

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

Supervisor Gerald - abstain  
Supervisor Ingram - aye

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

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

Ms. June Sayers, Business Manager, Montgomery-Floyd Regional Library - I just wanted to let you know that we're still moving forward with the library addition project. Certainly there is support from the Board administration. One of the reasons that the Library went with a management team in 1999 was to bring the library back to a good place after a period of instability. You all have met Paula and I think we were able to bring things back together. I'm still the Business Manager and I'll work with projects and things like that. Anne Greene will still work with the collections and those types of things. We think the library is in a good and stable place and let you know that we're still very much behind the project and getting it started. (Recognized Olin Griffin and Mary Beth Lanier, members of the Library Board). Susan Icove is heading up the fund raising efforts and will give you an update on that.

Ms. Susan Icove - Things are going very well. We're coming to the end here. We're about to finish our project within the next month to reach the \$300,000 goal. We have some great interest from local companies helping participate and I think we will get some great support from them in the near future. I'm trying to get them, in the future, to combine some of their funds so that down the road we aren't duplicating resources in the County. We're working on video conferences and power point presentations that will bring in more and more people to the library. I can't give you an exact number right now, but we're within \$35,000 or less of the goal. I am letting you know at this point, since we got our quote, things have really gone up and we're going to continue to fund-raise, which will increase the amount the County will have to borrow, but we'll all work together to get where we need to be. We can't do the project for the quote we got a few months ago. We'll continue to raise money and hope that we'll all realize that things have inflated quite a bit from our initial investigation. My anxiousness to get the \$300,000 in the bank is so we can get the project out on bid and lock in on prices. So that is where we are. One exciting thing we have is increased interest from Dreaming Creek in designing a community room and using some of their things to make a nice local showcase. That's an inquiry on their part. I think we will be coming to see you in the near future and hope that you will approve the funding.

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

Further questions and discussion followed on the monthly disbursements.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and carried, it was resolved to approve the monthly disbursements as presented, with clarification on two issues.

Supervisor Boothe - aye

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

Mr. Carl Ayers, Social Services Director, next appeared before the Board. He presented an information sheet on the energy assistance program as discussed at previous meetings. It shows a breakdown of income standards for assistance based on Federal standards. It depends on household size as to how much is received, based on a formula. For example, with a household of five people compared to a household of one, then the amount received would be greater based on the formula. Thought this might be a good reference for you. The fuel assistance program started today and continues through November 13. We'll have about 100 extra cases to be processed during the next month.

Supervisor Boothe - does Social Security count toward the income levels?

Mr. Ayers - yes, you look at household income. If you have a disabled parent who receives income for a child, all that is counted toward the household income. Depending on which program we're doing, there are always disregards. Generally, the vast majority of our cases are elderly and draw Social Security and fall under that guideline of \$1063/month. The average person that we have is drawing between \$800-900 from Social Security. \$600 is the lowest amount they can draw. That's why fuel prices are such a concern for someone drawing \$600/month and fuel prices are \$2.50-3.00/gallon, they just don't have the money to fill up their tanks.

Agenda Item 8a - Subdivision plats as approved by Agent for September 2006. Mrs. Lydeana Martin, Subdivision Agent, appeared before the Board. She reported that we're still running less than half of the number of lots that we were last year. The surveys are not off that much but the number of lots is down. The Planning Commission does have one survey pending with 73 parcels. They will not be discussing it tomorrow night, but I feel it will come back before them soon. I did give you a report on the conservation easements from the Commissioner's Office, which now includes 3200 acres, which is 1.4% of the land in Floyd County.

Agenda Item 8b - Appointment to New River Valley Economic Development Alliance Board of Directors - private sector representative. The Board deferred action on this matter for Supervisor Whitlock's presence at the meeting.

Agenda Item 8c - Voting credentials for the 2006 VACo Annual Business Meeting. Mrs. Morris commented that a voting delegate and alternate delegate are needed.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and carried, it was resolved to appoint Supervisor Fred Gerald as Voting Delegate for the 2006 VACo Annual Business Meeting.

Supervisor Boothe - aye

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

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and carried, it was resolved to appoint Supervisor Diane Belcher as alternate Voting Delegate for the 2006 VACo Annual Business Meeting.

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

Agenda Item 8d - Proposed resolution for change of November regular Board meeting. Mrs. Morris presented a draft resolution for change of the meeting due to the Board's attendance at the VACo Annual Meeting on the regular meeting date. The Board deferred the matter for further discussion.

Agenda Item 8e - Proposed letter to Governor Kaine concerning Workforce Investment Areas. Mrs. Morris reported that in attending meetings of the Chief Elected Officials for the Workforce Investment Area, that they have learned of rumors that the areas may be changed. Floyd County is in the New River/Mount Rogers area along with 13 other jurisdictions. Even though the area is large, the group works together very well and has a lot in common with the other areas. The proposed plan is to group Floyd County and the Mount Rogers area with the coalfield area, and put the rest of the New River area in with Roanoke and Lynchburg. This proposed letter requests that the localities be contacted for discussion and ideas before this becomes fact. Consensus of the Board was for the Acting County Administrator to submit the proposed letter to the Governor.

Agenda Item 8f - Request for abandonment of discontinued section of State Secondary Route 748. Consensus of the Board was for staff and the County Attorney to research this matter further and report back to the Board, before the actual abandonment process is begun.

Mrs. Morris presented a proposed resolution in recognition of Mr. Alexander Haney attaining the rank of Eagle Scout in Boy Scout Troop 36, for the Board's consideration.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and carried, it was resolved to adopt the resolution in recognition of Mr. Alexander Cole Haney's attainment of the Eagle Scout rank in Boy Scout Troop 36 (Document File Number \_\_\_\_\_).

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

Supervisor Ingram - aye

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

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

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

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

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

**CERTIFICATION RESOLUTION  
CLOSED MEETING**

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss personnel in accordance with Section 2.2-3711, Paragraph A.1 of the Virginia Freedom of Information Act;

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

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

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

Hearing no statement, I call the question.

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

Supervisor Ingram - aye  
This Certification Resolution was adopted.

Mrs. Myra Grim, EMS Administrative Clerk, next appeared before the Board. She presented the aging report, combined with the transportation report, from Mr. Dalton, who was unable to attend the meeting today. There have been problems with the other report this month, so they were not put in the Board's packet. Mrs. Grim reported, on her report, that September and October deposits usually show a decrease in payments because of the end of the fiscal year for Medicare, but that hasn't been noticed as much this year. She also presented a report on the private payments received on remaining balances of bills such as Medicare paying the amount they allow, and patients paying on the remaining part. She also reported that collections to date have increased each time the percentage has been calculated. Very pleased to report that today's collection percentage is 77%. Did call them back to verify that this amount was correct, and it was. The 77% does include the contractual adjustments and write-offs for uncollectible accounts.

Mr. Ford Wirt, Emergency Services Coordinator, next appeared before the Board. He presented the report for the volunteers in Mr. Love's absence. The Crew answered 78 calls with EMS assistance with 36 of those transported. The call numbers are up for the month, not only for Rescue but EMS as well. In reference to the Regional Jail report, last month we had 29 people at the jail, this month we have 24, we started with 7 when we went into the system. All of the eight jurisdictions represented in the New River Valley Jail have increased as well. The increase is the reason that we're working toward some type of renovation. The slow-down is working with the State on the renovations, and to what they will approve. Have applied for a grant for our communications system. That will be reviewed this coming week, and be sent on to Richmond for final approval. The awards are approved in January. We may or may not get any funding for that project but if we don't ask for funds, we don't get them. If there isn't money available for the match, the funds go back into the pool.

Dr. Terry Arbogast, School Superintendent, next appeared before the Board. His report included:

- Presented copy of each school's improvement plan - next year's plan will assess this year's plan to see if goals are met;
- School Board meeting highlights of October 9, 2006 - received \$5000 contribution from First National Bank for technology and \$32,000 contribution from Rotometrics for instructional materials;
- SOL official scores - all five schools are accredited by the State's requirements;
- AYP - Average Yearly Progress through the No Child Left Behind requirements - there are 29 benchmarks that must be met. Four schools, and the division, met the benchmarks, Floyd Elementary did not meet two benchmarks;
- Membership report for September 2006 indicates 2062 students.

Supervisor Gerald questioned the security in the schools, especially with the recent events that have happened in Lancaster, Pennsylvania and close by in Galax. Questioned if any steps have been taken to upgrade the security, especially in isolated areas like Indian Valley.

Dr. Arbogast - we do keep all doors locked except the front doors at all schools. Our problem is that some front doors cannot be seen from the offices. Discussion followed on different options - all doors locked, access by monitor/camera; person located at each entrance to let people in/out, etc. These are all options that will be discussed and considered in the next few months with a recommendation to come back to the respective boards.

Mr. Douglas Phillips, School Board Chairman, appeared before the Board to inform of the public hearing to be held by VDOT tomorrow on the I-81 corridor. He reported that he had spoken with fifteen different legislators in the Spring concerning the importance of I-81 to this area. He reported that Route 58 improvements from Norfolk to Bristol are 85% complete at this time. Feels it would be good if any Board members could attend.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and carried, it was resolved to adopt the resolution, as presented, changing the date of the November regular Board of Supervisors meeting (Document File Number      ).

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

The Board recessed for lunch.

Mr. Burlin Hill and Mr. Jerry Bolt, from VDOT, next appeared before the Board. They had nothing to report this month.

Supervisor Gerald - did not have anything this month.

Supervisor Belcher - dirt roads really some grading. Water has washed them badly.

Supervisor Boothe - the road going into the Recreation Park. There is a pedestrian crossing sign there, is it possible to move it up the road on the other side of the driveway? If it could be done, I'd appreciate it. We do appreciate what you've been doing, I know you've been out in force on these nice days when you can work.

Mr. Hill - we've been trying to do patching, mowing and getting ready for snow.

Supervisor Ingram - thank you for what you have been doing. On the secondary roads, anything that can be done with grading and brush cutting before the snow flies, really helps.

Mr. Hill - we hope to get some more brush cutting done before the weather.

Supervisor Ingram - Route 719, road beside of Slaughters Supermarket, edge of the

pavement is breaking off, or shoulder may need building up. I have not looked at the road myself, just received a call on it.

Mr. Jack Wall of Wall & Associates, and Mr. Clay Hodges, Civil Engineer, next appeared before the Board.

Mr. Wall - I just wanted to talk a little about the project itself before Mr. Hodges gets into the technical side of it. I wanted to discuss the scope of the project because it does have an impact on the nature of what we're trying to accomplish in the next couple of years. Just to orient you to the site (showed a sketch of the area). This project is being done in two phases. We've got the pod buildings that have a total of 14 hotel units that are going to be built starting probably next week, breaking ground, with an amphitheater system, geothermal features. Phase II involves another additional 40 hotel rooms, in a three story building, with a conference center, pool, restaurant, green space and additional parking. Phase I has a total of 20 parking spaces, with 40 additional parking spaces in Phase II. The entrance has a relatively small impact on the property or for access to the property but we do have to prepare for Phase II which has a greater impact on the potential traffic, simply because we have to prepare for the conference center, which can serve up to 100 people, and other activities. The concern we have, and the work we're doing with the Town Council, is to try to get our major access coming from Baker Street. As you're probably familiar with, that road coming in there is both narrow and very steep.

Mr. Hodges gave a thorough presentation on the technical aspects of the project.

Supervisor Boothe - the water that comes down to the garage doors, with the grade that is there and the drop inlet, you may have to go deeper in the ground to pick up that drain or that drain would have to pick up the curb/gutter that is coming down the side.

Mr. Hodges - that manhole would stay, the top would just be replaced with a solid cover, so if there is anything coming down, the new manhole would pick it up.

Supervisor Boothe - you were talking about moving it and putting in a new drop inlet?

Mr. Hodges - there might have to be a new one to tie into the system to pick up the water, in addition to the present one. The feasibility study will probably show that we would more than likely have to have something there but we haven't got far enough in our hydraulic analysis to determine that.

Supervisor Boothe - say we did decide to give up the property, with the 3:1 slope, I know Mr. Whitlock had this concern, and its mine also, as far as where the property comes out and drops off, we back that up and grade it off down to a 3:1 slope, what does it do as far as flows with the freeze/thaw cycle? Have you looked into this aspect?

Mr. Hodges - we don't really have any idea how deep the footing is. The area that would be closest is the corner here, about 15' from the building before you get to a 3-4' drop over about

a 15' length. We could possibly get it to a 2.5:1 slope.

Supervisor Boothe - if we go back to what we used to have, in the general course of things, one question we had was on the freeze/thaw cycle.

Mr. Hodges - we just don't have any idea on the footers, I wouldn't imagine they come out more than a foot or so. We held it as close as we could. There's always the potential to make the road a little bit narrower, some VDoT streets can go down to 18'.

Supervisor Boothe - ideally, for this project to work, the entrance needs to come from Baker Street. The main part of your traffic will come from Baker Street.

Mr. Hodges - this project is in two phases. Phase I is the Baker Street entrance. All that Town Council has approved is Phase I. All that would be done for Phase II is the utility work right now. Phase I is really the immediate concern. Phase II will be done in 2008. We hope to start on Phase I construction in the Spring. We have met with Jerry Bolt with VDoT concerning the entrance from Route 221. There is a lot of vegetation there between the church building and the other property. After talking about it, it became a very big issue with the 12' entrance.

Mr. Gary Crouch, Anderson & Associates, appeared before the Board and presented his findings/concerns on the water system at the Fire Department site, which is adjacent to both phases of the Wall Associates projects.

The Board recessed the meeting to visit the site in question for further discussion.

On a motion of Supervisor Gerald, seconded by Supervisor Boothe, and carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.1, discussion, consideration, interviews, assignment, appointment, promotion, performance, demotion, salaries, discipline or resignation of specific public officers; Paragraph A.7, consultation with legal counsel and briefings by staff members or consultants pertaining to actual or potential litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the public body; Paragraph A.30, discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

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

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

Supervisor Boothe - aye

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

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

**CERTIFICATION RESOLUTION  
CLOSED MEETING**

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss personnel, potential litigation and contractual matters in accordance with Section 2.2-3711, Paragraphs A.1, A.7 and A.30, of the Virginia Freedom of Information Act;

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

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

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

Hearing no statement, I call the question.

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

This Certification Resolution was adopted.

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

Agenda Item 7j(I) - Proposed amendments to Floyd County Code, Chapter 10, Article II, Dogs. Mr. Cornwell proposed that he draft an update to the Floyd County Code, Chapter 10, Article II, Dogs, to bring it in-line with changes in the State Code related to vicious dogs. Supervisor Boothe commented that he thought that the company doing the codification of the County codes was supposed to do that already as part of their contract, in addition to doing annual updates of changes made by the Board. Mr. Cornwell stated that he would check with Mrs. Morris on the situation.

Agenda Item 7j(ii) - Discussion of interpretation of Floyd County Subdivision Ordinance

concerning reserve areas. Following a Planning Commission interpretation of the Floyd County Subdivision Ordinance Section 5-4-16-1, that requires that all lots - including those with existing well and septic - in a new subdivision to be perked and have a 100% reserve area, the Board reviewed the Ordinance section. Mr. Cornwell advised that the Ordinance language is clear, though Supervisor Boothe said that issue and interpretation was never mentioned when the Ordinance was adopted. Supervisor Belcher asked if the language of the ordinance might be explicitly clarified by the Planning Commission. Mr. Cornwell advised that it could be by holding a public hearing. Mrs. Martin said that the Ordinance allows the Agent or Planning Commission to make administrative changes as needed to enforce the Ordinance and suggested that the new interpretation could be handled that way.

On a motion of Supervisor Boothe, it was resolved that the Subdivision Agent be authorized to draft new language for the Subdivision Ordinance that would explicitly exempt lots with existing well and septic from having to do soil percolation tests.

Motion died due to lack of a second.

Mrs. Martin reported that the Planning Commission has asked her to draft a revised Ordinance to clear up some of the confusing sections of the Ordinance. Mr. Cornwell also advised the Board that the State is now going to require cluster development provisions by right in Subdivision Ordinances. While the State Code says this must happen by July 1, 2006, Mr. Cornwell commented that the Code may be revised next General Assembly session.

Regarding the earlier presentation from Wall Residences concerning the requested change to the fire station property on Baker Street/Akers Avenue for the new hotel and conference center, the Board requested that staff write a letter to Mr. Jack Wall requesting that he present another alternative to the Board to accomplish the needed access. Specifically, there were concerns about stormwater management and impact on the fire station current and future capacity. Supervisor Belcher commented that during the site visit, Mr. Wall mentioned the possibility of doing a retaining wall. Furthermore, Supervisor Boothe requested more information regarding the potential relocation of a light pole mentioned by Mr. Wall's engineer. Also, Supervisor Boothe will confer with the Fire Chief as to any concerns/ideas they may have on the proposed changes.

The Board also requested that Mrs. Martin write a letter of appreciation and recognition on behalf of the Board to the Floyd County Homecoming and Harvest Festival Committee. The letter will be written to Committee Chair Dawn Barnes from Chairman Ingram.

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

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

Supervisor Ingram - aye