

**BOARD OF SUPERVISORS
REGULAR MEETING
MAY 8, 2007**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, May 8, 2007 at 8:30 a.m. in the Board Room of the County Administration Building, thereof;

PRESENT: David W. Ingram, Chairman; Jerry W. Boothe, Vice Chairman; Diane B. Belcher (entered the meeting at 1:30 p.m.), J. Fred Gerald, Kerry W. Whitlock, Board Members; Daniel J. Campbell, 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 May 8, 2007. She reported that the Local Government Investment Pool (LGIP) does have a higher interest rate than the banks now, and their rates do rise/lower slower than the banks.

Mrs. Morris reported that the balance sheet and revenue/expenditure summaries would be sent to the Board at a later date, the Treasurer had been out of the office for several days with a death in the family and has not completed her parts of the report.

Sheriff Shannon Zeman next appeared before the Board. He had nothing to report today. Mr. Peters and Mr. Hannett are both in court today and will be unable to attend the Board meeting.

Supervisor Boothe questioned if the drug task force was still moving forward?

Sheriff Zeman commented that the situation at Tech had slowed down the process some, because staff was assisting with that incident. We have some new officers in training and everything is going ok. We actually obtained some indictments last week for Floyd.

Mr. Campbell commented that there was an item on the agenda to discuss the camera situation if you would like to update the Board on that.

Sheriff Zeman - the last thing that I had was Mr. Lambert from DOC showed up in Floyd

and it was my understanding that the first time that team is in this area, they would certify us. When he came by, he wanted to know if we'd written a letter requesting it, I told him no. I did write him a letter and we're on their agenda at some point to certify us as holding cells. The cameras will put us in a situation, for example, when we go to the Magistrate's Office and have to leave the building. The current policy says that if an officer has someone under arrest, they can't leave the area. My policy says that at times we have to leave. It puts us in an awkward situation, with the cameras in place, if something comes up and we have to leave, they would be monitored by Dispatch and that is agreeable with DOC.

Supervisor Boothe - will they grant your certification if you can show something that we're moving forward?

Sheriff Zeman - they will, they will grant the certification as long as the policy says that we will not leave the area. As soon as the cameras are in, we can change the policy. I talked with other areas that are in the same situation that we're in. He's been here and looked at the area.

The minutes of April 10, 2007 were presented to the Board for approval.

On a motion of Supervisor Whitlock, seconded by Supervisor Gerald, and carried, it was resolved to approve the minutes of April 10, 2007 as presented.

Supervisor Belcher - absent

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Boothe - aye

Supervisor Ingram - aye

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

At 9:00 a.m., the Chairman called for the Public Comment Period. After no comments from the audience, the Chairman declared the Public Comment Period closed.

Further discussion and questions followed on the monthly disbursements.

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

Supervisor Belcher - absent

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Boothe - aye

Supervisor Ingram - aye

Mr. Michael Maslaney, Town Manager, next appeared before the Board. He reported: With respect to the grant activities, the facade program has kicked off and going. We've signed three contracts already and working through the negotiations with the others. Some came in too high, so everybody sits down and figures out how much work they want to do. It is progressing, and you should see some work starting in a couple of weeks, especially the Country Store because Woody is hot to go to have the grand opening on the 22nd. He wants to get his facade up and going. Parking lot is running about a month behind. The engineers ran into a couple of issues with the retaining wall between Winter Sun and Angels in the Attic. VDoT will have to be consulted with some things there. The Yellow Pony is gone, there wasn't much to it, so it fell apart very rapidly. It had been modified so much over the years, that there wasn't much to salvage. We're looking at construction to begin on the parking lot in July and the restrooms in August, shifting from the middle of summer to the latter part of the summer, but we're trying to get them all done before the Fall, with everything cleaned up and looking good. The parking issue, brought it up to the Town Council and they discussed extensively, there's no real solution. Signs and things like that help, but there's only limited places to put up signs, so they really don't have any real solutions. Some of the business owners are concerned about parking so we'll have to work that as best we can. The Hotel Floyd access, that's the Lewis Alley thing that we've been working on, there is a new solution being worked out that looks very positive, its still being worked on, but I think it will be to everybody's satisfaction. Hopefully I can report more on that next month.

Supervisor Boothe - are you still discussing the part that comes down by the fire station? Are you still talking about not using that as a public access?

Mr. Maslaney - right. Working the other end of the road.

Supervisor Boothe - the last time we talked about it, we talked about the Town not identifying it as a Town street any longer, and that way it wouldn't be a public access around between the two buildings.

Mr. Maslaney - there were just so many complications around the fire station, any way you looked at it. It wasn't pretty so we've been exploring another solution that might work out better for everyone. Oxford Street, I told you last time that the Town was looking into it. After investigating it with VDoT, and walking the site with them and discussing several issues, we found out that VDoT does own the right-of-ways down Oxford Street, and they do have a 30' right of way, 15' on either side of the center line, which includes the sidewalks now. Which means any improvements done to the sidewalks have to be done to their specifications. Of course, storm water runoff is a big issue and they're going to want to put a holding pipe underneath it, as well as one culvert being replaced next to NewTown Road, along with the pipe that runs down to 221, and the box culvert on 221. So, you put that whole thing together and what we thought would be a \$50,000 project, is going to \$620,000 very rapidly.

Supervisor Boothe - how did they come to that assessment?

Mr. Maslaney - they had looked at it, actually a couple of years ago, very extensively.

They re-visited it again. The sidewalks are in terrible shape.

Supervisor Boothe - I'm talking about who actually owns it.

Mr. Maslaney - we have documented evidence now that the easements were submitted by the Town of Floyd and accepted by VDoT.

Supervisor Boothe - if you have copies, I'd like one please. I have a copy of where the Town recorded them at the Courthouse, but VDoT in their search then, couldn't find anything where it was accepted. Have they since found a document?

Mr. Maslaney - yes, they have a document.

Supervisor Boothe - just for your information it is in the 24-year plan. It was slated for 2010, and of course with the funding loss, its now about 2024. I have copies of the Town records, but in discussion with Hillsville and Salem, they never could find anything.

Mr. Maslaney - Bob did find it, when I met with him a couple of weeks ago, he gave me a copy of it. It was from 1999 or somewhere around that time. I'll get you a copy. The Town, we've been discussing with VDoT what to do, and of course the 6-year plan is very hard pressed, and maintenance funds are very tight. One thing we've been discussing is making a trip to Richmond and trying to use a little political capital and use some things there, otherwise known as lobbying or political action committee. Floyd County and the Town of Floyd seem to have some notoriety around the region and maybe we can get some attention on this issue. It is a real hazard, a liability.

Supervisor Boothe - what about the retaining walls?

Mr. Maslaney - the retaining walls belong to the property owners. I think the Town is willing to help with them. They will not have to be built to VDoT specs, which would be a monumental cost. I think the Town is willing to step up to that, and it would be a good solution.

Supervisor Whitlock - I've heard some people discussing the wall out at Schoolhouse Fabrics.

Mr. Maslaney - good question. The first thing I have to do if find out who owns it, VDoT claims that they do not. I need to go talk with Jerry and make sure that he's the owner. There are a couple of civic groups that have approached us about trying to take that on as a project. Of course they asked about grant funding. Grant funding is great, but its not a short term deal. Its usually 2-4 years before you get any real money, as evidenced by our grant we have now, that we've been working on a long time. So, some people would like to see quick solutions there. When I talked with the grant lady in Abingdon, when we started the grant process early on, I asked her in her knowledge of the Town, if we applied for another grant, what would she recommend the first thing we should apply for. She said, fix that wall. CDBG would

cover it since it is a blight situation. That will have to worked on, and see where it goes. Vehicle decals - there is a lot of interest around Virginia about decals, and several areas have done away with them. The Town Council is exploring this also, not necessarily eliminating the revenue from them, but the physical decal. If we delete the Town decal and the County still has theirs, would it cause confusion for the Sheriff's Office. If you all have discussions along those line, we'd appreciate doing something together.

Supervisor Boothe - one of our concerns is the greenbox ordinance, and people dumping here from out of the County. We have been discussing the situation. I think, and you'd have to check with your attorney, but if the Town does away with their decals and the revenue source, and the County keeps theirs, we can assess the fee on the Town residents. I just wanted you to know the potential impact.

Mr. Maslaney - that's why we would like to follow what the County is going to do. There's also the issue that if they got stopped by the police, proving that they're a Town resident vs. a County resident. I just wanted to let you know what we're considering. Also, the high pressure water line approval process is almost complete from the Health Department. Three hydrants will be installed, one on Route 8, one on Route 221, and one on Baker Street.

Mr. Carl Ayers, Social Services Director, next appeared before the Board. He reported: Budget match rate - I had mentioned a couple of months ago that the State was working to consolidate all our budget lines into one standard match rate, and they have done so. The standard rate is 16% match rate. We've had varying match rates for services and eligibility administration from 0-30% match. Just depending on what the budget line was. The State share is cost neutral, not supposed to make any difference to the State, but its never cost-neutral for the localities. I still don't have my budget for next year, and we start our new fiscal year on June 1. We are three weeks away from the new fiscal year and they still have not given us the exact figures of what we're going to be working with. I'll know more next month to discuss with you. It consolidates 13-14 lines into 2 lines.

- Social Worker licensing issue - goes back to when the Board did a resolution to the General Assembly year before last against House Bill 1146, which was approved during that session, which established a work group to look at the social worker licensure in the State of Virginia and come back with recommendations for what you'd be looking at for that piece of it. At this moment, they're looking at something called the Model Social Work Practice Act. Basically there are three provisions to the Act: 1) requires licensure for anybody working in the social work field, specifically licensure for Bachelors of Social Work, Masters of Social Work, and Clinical Social Worker. That would be for anybody that works in any field related to the social work field whether or not they hold that degree. It would not be specific to them. 2) exemptions - which is what the Department of Social Services operates under now, national exemptions - we are exempt, and it takes away that exemption. So there would be no exemption except if you were a student doing an internship or other social work experience requirements for such programs. It would also offer title protection, which is too much to get into at this point.

Supervisor Whitlock - so everybody is going to be required to have a BS or BA degree?

Mr. Ayers - that's already a requirement. What this is going to require is that everybody is going to have to be licensed, which is an additional requirement on top of it. Any of my service staff that this affects already have to have a minimum of a Bachelors degree. There will have to be some type of licensing, so that will have to be a requirement is we are not exempt. The position of the League when this bill came through, was that, ok if you're going to pass it, at least let us maintain our exemption so that it doesn't have the effect on our agency. So they have chosen not to do that if they go forward with this Act. The League has taken the position again this year of opposing it for that end of it. I don't know the recommendation from the work group yet that will go back to the General Assembly. If we have to pay for somebody to go through training and a licensing exam, you've got them out of the office, and the costs, at a minimum, not to mention the difficulties we already have recruiting.

Supervisor Boothe - I understand how it will affect the employees, but how will it impact the situation like you have now, with a position open? Will that person have to have it prior to being hired, or something that will be incorporated later?

Mr. Ayers - they haven't put out yet as to exactly how it will work. This is the recommendation that says everybody will have to be licensed, it doesn't say yet what you have to do. Generally, you have a period where people can operate under an emergency basis, but you have to have your licensure by a certain date, is how most of the programs that operate in Virginia under a license. You don't have to have the certificate before being hired. But teachers have to have their certificate before being hired. It all depends on how they draft it.

Supervisor Whitlock - if they do go that way, will it only be good for a certain amount of time?

Mr. Ayers - yes, it would only be good for a certain amount of time, and then they'd have to be re-certified. We don't know a lot of details yet, its still in the work group for a recommendation.

- VEC Office Closings - The State is looking at a \$23 m shortfall for the VEC from the Federal government. They're looking at ways to consolidate, cut costs, etc. to make up that amount of money. Mr. Perry Cole, at the Radford Office, felt they would be safe because of their location and being a Workforce Center but they would probably be laying off staff. They are looking at all offices State-wide, not one specific area or office. I just asked him to keep us informed as to what is going on.

- CSA - Foster Care Prevention - information still has not come out yet for review and comments, it was supposed to be out April 17.

Mrs. Lydeana Martin, Subdivision Agent, next appeared before the Board.

Agenda Item 8a - Subdivision plats as approved by Agent for April 2007. She reported

that 51 lots have been created for the calendar year. The Planning Commission meets Wednesday night and have three plats to review with 400 acres, with 30 new parcels, of which 8-9 are large agricultural ones.

- Event that will be coming up - Growing Agriculture in Floyd County - on May 24 at 6:30 p.m., speakers are being provided by the Extension Service. Event will be similar to the business luncheon and forum recently held, just agriculture related.

- Crooked Road Board meeting will be in Floyd County this time, on Thursday, May 10 at the Country Store, if any Board member would care to attend.

Agenda Item 8b - Appointment to New River Community Action Executive Board - term July 1, 2007 - June 30, 2009. Mr. Campbell reported that one letter of interest was received from the incumbent.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and carried, it was resolved to re-appoint Mr. John McEnhill to the New River Community Action Executive Board for a two year term, July 1, 2007 - June 30, 2009.

Supervisor Belcher - absent

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Boothe - aye

Supervisor Ingram - aye

Agenda Item 8c - Appointment to VASAP Advisory Board - one year term. Mr. Campbell presented one letter of interest received from the incumbent.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and carried, it was resolved to reappoint Mr. Doug Thompson to the VASAP Advisory Board for a one year term, July 1, 2007 - June 20, 2008.

Supervisor Belcher - absent

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Boothe - aye

Supervisor Ingram - aye

Agenda Item 8d - Request for land use rollback refund - Map #55-25. Mr. Campbell presented the original and corrected rollback amounts from the Commissioner of Revenue, and the request for a refund in the amount of \$852.38.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and carried, it was resolved to authorize a roll-back refund in the amount of \$852.38 to the property owner of Map #55-25.

Supervisor Belcher - absent

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

Agenda Item 8e - Discussion - Sheriff's Department - security camera purchase. Mr. Campbell presented the revised proposals received: 1) HCS - \$5669.50, and 2) Security Solutions - \$5800.00. He commented that DOC will require the cameras to monitor the cells at all times, as reported by the Sheriff earlier. No funds were allocated in the Sheriff's budget for this purchase, but funds are available in Contingency to transfer. The Sheriff also indicated that there are not many vendors that do this type of work, and it was difficult to obtain proposals. Supervisor Boothe also suggested that the Architect for the new communication center be contacted to ensure the compatibility of the new equipment in the new center.

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and carried, it was resolved to accept the proposal from the apparent low bidder, Home Communications Systems (HCS), in the amount of \$5669.50 for camera installation in the Sheriff's Department; and transfer \$5669.50 from Contingency to 4-001-031020-8101 (Police Equipment).

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

Agenda Item 8f - Business Appreciation Week Proclamation. Mr. Campbell presented a draft proclamation for the Board's consideration, recognizing May 13-19 as Business Appreciation Week in Floyd County.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and carried, it was resolved to approve the proclamation for Business Appreciation Week, as presented (Document File Number).

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

Agenda Item 8g - Setting of meeting date for EMS Board of Directors - consensus of Board was to defer the matter until entire Board is present.

Mr. Gene Dalton, EMS Operations Manager, next appeared before the Board. He reported that call volume was down a little bit for the month, 40 patients - transported 33, 7 refusals, 1 public service, 1 no patient found, 4 fire standbys, 1 cancellation, with 47 total calls. The response person also responded 28 times with the volunteers, riding to the hospital 23 times of the 28. With a total of 75 calls for both agencies. The second page of the report gives a

breakdown of the calls to the nursing home for the last six months.

Mrs. Myra Grim, EMS Operations Clerk, next appeared before the Board. She commented that the report is basically the same. Deposits were very good this month, being able to deposit twice to the Treasurer from the Suntrust account.

Mr. Steve Love, Rescue Captain, next appeared before the Board. He reported 55 calls for the month - 32 transported, 1 of 32 flown by Lifeguard, 5 auto accidents, 1 industrial accident, 26 medical. Sunday is the worst day for our calls because of Parkway and motorcycle traffic. We do have four new ALS providers on the volunteer staff, seven new people were voted in at the last meeting. Station #4 is open and operational as of last Thursday. We will have an open house next month.

Mr. Ford Wirt, Emergency Services Coordinator, next appeared before the Board. He commented that of the 78 calls in the last six months to the nursing home, 46 were handled by the volunteers. A lot of the calls are non-emergency calls. Volunteers have met with nursing home staff, it is some better, but there are still problems.

- Did have a call last week on Ridgeview Road for a possible overdose. Before the incident was over, the person had caused \$3200 damage to the response vehicle, and one observer had minor injuries and went to the hospital, but is ok now.

- \$63,500 grant was approved from the State Wireless Fund, with a \$13,000 match, which was included in the FY08 budget.

- Regional Jail - we stayed at the same number of inmates as last month, 21. The entire jail averages 670.5/day, we are certified for 371. We are still moving on the expansion plans. Up to 50% of qualified expenses may be reimbursed by the State.

Mr. Campbell reported that Dr. Arbogast will not be attending the Board meeting this month because of being at a Superintendents meeting.

The Board recessed for lunch.

Supervisor Belcher entered the meeting at 1:30 p.m.

Mr. Bob Beasley, VDoT Residency Administrator, next appeared before the Board. He reported that House Bill 3202 has provided additional secondary road funds. We should receive final figures in June. Preliminary figures show that it basically puts us back to where we were in 2005 and we can fund everything that we had in the plan at that time.

Supervisor Boothe - appreciate line painting and other work that has been done.

- The Town reported earlier that a document was found somewhere that indicates the owner of the Oxford Street sidewalks is VDoT. That VDoT owns a 30' right-of-way.

Mr. Beasley - our right-of-way person in Salem did all the calculations, I will give you a copy.

Supervisor Boothe - appreciate work on Baker Street, it got straightened out very quickly.

Supervisor Belcher - thank you for the grading on dirt roads and ditching. Thank you also for the good news on the funding.

Supervisor Whitlock - Route 706, off of Route 615, about two miles, there is a sharp curve, with guard rail, there is a bad chug hole on right side of road against the bank.

- Terrys Fork community - Route 660, about 3/4ths of a mile connects Routes 610 and 612. Delivery trucks are having trouble finding the road because the road number changes several times. Could some type of signs be installed that indicate the road number is changing or continue the same number all the way through?

- Looking forward to the Route 681 bridge being done.

Mr. Beasley - we are still in the comment period for environmental part of the permit. We should have the permit within the next couple of weeks.

Supervisor Gerald - nothing to report.

Supervisor Ingram - nothing to report.

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

Agenda Items 7i(I and ii) - County vehicle decals - time line/options for elimination and permanent tags - amendments to Ordinance. As you know, we presently have a decal ordinance which requires issuance of decals for tax year April 1 - March 31. There is a provision for prorating, if you get a decal at other times during the year. There is an application requirement to be filed on or before April 15, for the year beginning April 1, and the Treasurer issues a plastic decal to be placed on the right hand bottom area of the windshield, or if there is no windshield, a place where it can be readily observed. Failure to display is a violation even if the license tax is paid. There is one free license to members of the Fire and Rescue Squads. The license is due on any vehicle that is normally garaged or stored in Floyd County, even if the person is not a resident of Floyd County. Personal property taxes must be paid on that vehicle, and delinquent taxes. Cannot allow another person to use the decal. You can apply to the Treasurer to transfer the decal. You can get a refund, which is also prorated, if you sell the car and not get a replacement vehicle. And there is a penalty of a \$200 fine. There are some limitations on who is required to get a decal, and the fees are basically \$25 for each and every vehicle weighing 4000 pounds or under, \$30 for each and every vehicle weighing over 4000 pounds, \$10 for motorcycles, \$15 for every farm use vehicle, \$6.50 for boat, utility or camping trailers weighing under 1500 pounds, \$15 for trailers weighing between 1501 and 4000 pounds, \$20 for each trailer over 4001 pounds. The question that was asked of me was two-fold. One, some jurisdictions, the Town of Christiansburg is the closest, a growing trend is to eliminate the

actual decal. The question was asked of me as to how that could be done, if the Board wanted to consider doing that. What would be the options and time line? The second issue was whether we needed to amend our ordinance related to permanent tags and County decals. The way I worked in one jurisdiction that went through the transfer, they kept the decal, I think they have later done away with it, but they did change the tax year. I also represent Lancaster County, which is decal-less. Normally the way that I've seen it work, is that you change your license year from April 1 to March 31 to January 1 to December 31. When the Treasurer sends out the personal property tax statements, there's a place on there that says basically, the County has you down as owning the following vehicles. Please make any changes or modifications and enclose \$25 for each vehicle for your tags. When people file their personal property tax return, that comes in. If you do without the decal, then there's no decal issued, its just paid. If you keep the decal, then the Treasurer, by return mail, would send the decal to the person. If you keep the decal, one thing that this does is unify the people coming in at the same time, or can be handled by mail. If you do it without a decal, she simply just keeps records as to who has paid for it. Different jurisdictions do it different ways as far as talking about no decal and prorating. Some jurisdictions have found that its too expensive to prorate if you don't have a decal, so they simply tax you on the vehicles that they have on their records, you modify your record when you send your personal property tax return in, and they collect it and don't go back and look. The next year they pick it up. Other jurisdictions have the same prorating issue. They may give a little longer time, the example I saw was 90 days. For example, I have a 1998 Ford on January 1, I paid my \$25, and then I traded in March for a different car, I would have 90 days to advise the Treasurer of that and pay a prorated portion of that for the record exchange. If I didn't have a vehicle and bought one half-way during the year, I would have time to notify the Treasurer and pay a prorated part of the decal. Other jurisdictions do it strictly through a DMV check. They have software out there where you can set it up with the DMV, where the County can down-load on a monthly or quarterly basis, vehicles that have been purchased and where they are normally garaged. All the ones purchased in the last month or quarter would come through showing those vehicles as listed normally being garaged in Floyd. The Treasurer would then send a supplemental notice to them to get a decal. There is a cost benefit, cost of decals, manpower to do that, postage to send out, etc. The jurisdictions that do that, not all of them, but some of them prorate personal property taxes. So if you buy a vehicle in February, I know now that its not going to be picked up on taxes until next January. If I buy one in February, the DMV record will show that its garaged in Floyd County, the Treasurer could pick that up, we could refine our ordinance that its required for the owner to notify the Treasurer and file a supplemental tax return. It would be taxed to me for 11 months of the year. If I failed to do that, the Commissioner of Revenue could pick that up off the DMV report and send me a tax bill and a decal application for the rest of the year. State law allows you to prorate personal property taxes for vehicles on a monthly basis. So if someone buys a vehicle the first of February, for the monthly basis, it would have to be purchased before the 15th of February, otherwise you wouldn't pick it up until the next month.

Supervisor Boothe - under that scenario, the month of January you'd be taxed on the previous vehicle, and the rest of the year on the new one?

Mr. Cornwell - you would be taxed behind, you would be taxed the next January on both vehicles. The Commissioner of Revenue would pick that up from the DMV and keep it in their records. Instead of being taxed on that 1986 that you had in January for the whole year, you'd be taxed on the 1986 Ford for January and the 2003 Cadillac for 11 months. So, there are all sorts of options out there that you can do as far as the decals are concerned. You can do nothing, continue to do exactly what you're doing and issue the decals on April 15. You could change the tax year for motor vehicle decals, keep the decal, and change the year to January, and have it go through the personal property tax issue so its all handled by mail, or you can do a permanent decal. The only issue with a permanent decal is keeping track of transfers. So if I had a vehicle and I sold it to you, and you lived in Floyd, the transfer would be from me to you. If you didn't live in Floyd, then somehow it would have to be taken off. Again, its paperwork on the transfer issues. Or you could go to no decal, still charge for the decal, but you don't issue the piece of paper.

Supervisor Boothe - the thing I like about the permanent decal is in relation to our Solid Waste Ordinance, some of the concerns with enforcement of that, but I think its Pulaski County that's looking at a permanent decal, and like \$1 for a transfer.

Supervisor Belcher - that's not much different from the way it is now as far as transfer goes because if I sell the vehicle to someone in another County and they choose to ride around with a Floyd sticker, they're just waiting to get into trouble. You know what I'm saying? If they haven't taken it off and registered in their County, that means they're avoiding paying in whatever County they live in. So that would be a law enforcement issue, but it really wouldn't be any different than it is now, as far as transfer wise, for a permanent decal. I don't see that as a big issue.

Mr. Cornwell - the issue about having decals or not having decals comes back to - if I live in Floyd and don't get a decal, I can get stopped in a road check and get a ticket. If you go with no decal, then you're not going to be able to give me a ticket for no decal. What you might be able to do is go after them for not paying personal property taxes but its going to be hard.

Supervisor Belcher - well the deputies are not going to know that.

Supervisor Boothe - the thing is the greenbox issue and the enforcement of out-of-County people. Say if Montgomery County goes without a decal and we go without a decal, right now the deputies and citizens, can actually identify someone by the decal.

Mr. Cornwell - Lancaster County has no decal and has convenience centers. The way they handle it is the operator of the convenience center can request proof of either residency or property ownership. But they are manned convenience centers.

Supervisor Belcher - that's totally different from what we have. We have such a big problem already with solid waste. There's going to be people on both sides. If we do away with it, its going to eliminate any ability to identify somebody that's illegally dumping.

Mr. Cornwell - how much enforcement action or tickets written do we take presently to enforce that?

Supervisor Belcher - only when its reported or a deputy sees it. But that is still a possibility.

Mr. Cornwell - the question is convenience and financial. How much does it cost to print the decals vs. what you collect, what is the convenience factor to the citizens. We found that when we did it in New Kent, we kept the decals, we found it was more convenient to do it from January to December and mail it as part of the personal property, get the money in and mail the decal back, rather than having a separate collection period in April.

Supervisor Boothe - what I'm looking at is a one-time decal, not being replaced every year. But the charge continues every year. Basically the only time to change would be if you're involved in an accident and its damaged, or you sell the vehicle. You'd buy another one.

Mr. Cornwell - you can certainly do that. Its basically a decal-less system. It's one permanent decal.

Supervisor Boothe - at least that way you wouldn't have to scrape it off every year.

Mr. Cornwell - it used to be that jurisdictions had metal tags that hooked to the license plates. If you changed cars, you just took it off and moved it to the other vehicle. So I guess the options are all out there, whatever you feel like you want to do.

Supervisor Ingram - what about time lines?

Mr. Cornwell - you're already in this year right now. The biggest complaint that I heard about changing the time line, people complained that they lost basically three months. They lost January, February and March when they went from an April 1 to January 1 date. You can prorate the first year on your ordinance, or not, whichever you want to do, but that was the biggest complaint that I heard, that they "lost" three months. But it was pointed out that they also picked it up on the other end too. In other words, they lost three months at the beginning but they picked it up on the end.

Mrs. Thomas - when you're talking about a permanent tag, and its going to be on a calendar year, personal property is due December 5, would it be on the December 5 billing?

Mr. Cornwell - yes, but the year wouldn't start until January 1 to give your office time to get the decals back out.

Supervisor Boothe - for the ones that mail in. For the ones that walk in, they would be available in the office for pickup.

Mr. Cornwell - the way I've seen it work is when you send your personal property tax statement out, on the bottom it says, we have you listed as owning the following vehicles, with the list, please enclose \$25 for each one, or make changes to this for our records. They can change it and send you \$25 for each one. That's buying the decal, so to speak. You'd take that money in at the same time, whether you issue a decal or not, its all done with that one piece of paper when you send out the personal property tax bill. If you don't prorate, your statement will be based just like it is now, on what they own January 1.

Mrs. Thomas - proration is a word you don't want to hear.

Supervisor Belcher - it's a word you don't want to hear, it's a word that the public will want to hear.

Mrs. Thomas - when you look at the cost for each office to do proration, its very expensive, especially if you're going to do billing each time a new vehicle is gotten by that person.

Mr. Cornwell - you can only do proration on motor vehicles and things like that, you can't do proration on any other personal property.

Supervisor Belcher - in my mind, the proration would only be on the first year, where you're billing like four months ahead of time, actually.

Mr. Cornwell - I think we're talking about two different things. You're talking about proration of decals (to Supervisor Belcher).

Supervisor Belcher - I'm talking about the permanent decal.

Mr. Cornwell - Mrs. Thomas is talking about taxes.

Supervisor Boothe - we're talking about for decals, not taxes.

Mrs. Thomas - so how would you do the proration for decals, they would just pay so much?

Mr. Cornwell - the first year would be a reduced sum because the decal that the person has would still be good until April 1.

Supervisor Ingram - it would be 25% less. The first year would be less.

Mrs. Thomas - so they wouldn't pay \$25 the first year that this is adopted?

Mr. Cornwell - right.

Supervisor Belcher - that would be up to the Board. What I'm talking about, if somebody buys a vehicle in the middle of the year, they still pay the \$25 for that particular vehicle, that would not be prorated, at this time its not, is that correct?

Mrs. Thomas - that's correct.

Supervisor Boothe - I think what Mrs. Thomas is talking about may need to be looked at later on, but not now. If we go that route, we can adjust as we see fit.

Mr. Cornwell - as far as the decal, it would move the date to January 1 - December 31, and be due on December 5, just like personal property taxes are payable.

Mrs. Thomas - and it would be good until December 31 of the following year?

Mr. Cornwell - right. When you issue the new personal property tax statement to them, it would show their vehicles again on it, and they would pay the \$25 for each vehicle. If they decide on the permanent decal, you wouldn't issue another decal.

Mrs. Thomas - they would just pay their fee unless they have a different vehicle. Would they come in during the year if they bought one? Or if they traded, there would be a transfer fee?

Mr. Cornwell - that's correct. Which is the same way it is now.

Mrs. Thomas - if they had the same vehicle for five years, the same decal would stay and they would just pay the fee?

Mr. Cornwell - yes, pay it every year. Which is cross between having no decal and one issued every year. It would basically take the April issue of people lined up out your door to get decals.

Mrs. Thomas - it would just switch it to December when they're paying taxes.

Mr. Cornwell - just for the first year, and then they'd just be paying the fee. They can always mail it in. I don't know if the Board wants the permanent decal to be permanent or like a five year decal.

Supervisor Boothe - that's part of what we're trying to get away from, having to buy decals. The first time we'd have to do that, but after that we'd just have a replacement supply. If they're permanent, we'd just have a supply.

Mrs. Thomas - what about trailers, or motorcycles, would they be the same?

Mr. Cornwell - yes, they'd be the same. The only issue that I can think of is the enforcability. I may come in and get the sticker but not pay the taxes. The police are not going

to be able to give me a ticket.

Supervisor Belcher - well they can't do it either if you don't have one at all. The problem that you're going to have is if you don't pay your property tax, and then it all comes back to you, Jim, suing them for us.

Mr. Cornwell - well Deronda can do that also through DMV stops.

Supervisor Whitlock - well it can also be tied back to the State tags.

Mr. Cornwell - that's what we're talking about. Another issue with the greenboxes, someone in Montgomery could buy a Floyd County decal and dump their trash.

It was the consensus of the Board to meet with the Treasurer and Commissioner in the next few weeks to discuss options - possible date discussed was May 16 at 7:00 p.m. The Treasurer will check with the Commissioner about date possibility and get back to the Board.

Agenda Item 7i (iii) - Tax Relief for Elderly/Disabled Ordinance - proposed amendments. I was asked to research options to increase the limits for persons to fall under this ordinance, as far as income, exclusions, and net combined financial worth. Presently, the total gross income of owners and those living in the residence cannot exceed \$17,000. Provided the first \$6000 of the income of each relative, not including the spouse of the owner, shall not be included in such total. The total amount of assets is \$55,000. The total combined net worth, as of December 31 of the immediate preceding, not including the value of the dwelling and one acre of land, does not exceed \$55,000. I could have a \$300,000 house and one acre of land, that wouldn't count, if I didn't have more than \$55,000 net financial worth, not counting that house and land, I could qualify. Now, the State Code allowance is \$50,000, or the income limits based upon the family size, based upon the respective Metropolitan Statistical Area annually published by HUD, or the total combined income we see from all sources do not exceed the County's median adjusted gross income of its married residents. So in other words, instead of \$17,000, you could go as high as \$50,000, and the exclusion, of which ours is \$6000, the State allows up to \$10,000, plus an additional \$10,000 for any owner who's permanently disabled. That's an exclusion from gross income that counts toward that \$50,000.

Supervisor Boothe - I think if we go back and look, I think the General Assembly passed it, I think the General Assembly put in "permanently" disabled.

Mr. Cornwell - your ordinance states that if the person can prove that their health has deteriorated that the only option is to permanently reside in a medical facility, is to have a relative move in, and if the relative does move in, then none of the relative's income or the income of the relative's spouse, counts toward the income limit, provided the owner has not transferred assets in excess of \$10,000 without adequate consideration in the three year period prior to, or after, the relative moved into the residence. Right now, we have a net combined financial worth of \$55,000. The State says net combined financial worth excluding the value of

the dwelling and the land, not exceeding ten acres, shall not exceed \$200,000. Localities may exclude household groups, may allow an annual increase in the net combined financial worth by CPI calculated for a twelve month period preceding, as of September 30. Income means total gross income, it does not include insurance benefits, life insurance benefits, or borrowing or debt. So if a spouse passes away, and the person gets life insurance, it does not count toward gross income or net financial worth.

Supervisor Boothe - basically, right now with the \$55,000 number, not counting the house and one acre, just using a round number of \$5000/acre, you could have up to 11 acres under the program. And that would depend on where you're at in the County.

Mr. Cornwell - and remember that's net financial worth. If they have money in the bank, like an IRA or something, that counts toward net financial worth, such as land. So to try to make it simple, what you can look at is increasing the total gross income and the exclusion toward that figure of income of relatives, and increasing the net combined financial worth figure.

After further discussion, it was the consensus of the Board to obtain figures from the Commissioner as to number of people currently in the program, those who were close to the limits, costs of exemptions, etc., and provide for the Board for further review and discussion.

Agenda Item 7i(iv) - Courthouse Security Fee - Senate Bill 1082 changes. Mr. Cornwell advised the Board that the Courthouse Security Fee has been raised from \$5 to \$10 by the General Assembly for traffic and criminal cases.

After discussion, it was the consensus of the Board to have the County Attorney check further as to whether the ordinance has to be amended or whether the fee is set by resolution and report back to the Board. The fee is not effective until July 1, 2007.

On a motion of Supervisor Belcher, seconded by Supervisor Gerald, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.5, discussion concerning a proposed business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community.

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

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

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

Supervisor Ingram - aye

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

**CERTIFICATION RESOLUTION
CLOSED MEETING**

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

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Boothe - aye

Supervisor Ingram - aye

This Certification Resolution was adopted.

Agenda Item 8g - Setting of meeting date for EMS Board of Directors. After discussion, it was the consensus of the Board for a committee of the Chairman, County Administrator, EMS Operations Manager, and a Rescue Squad representative to meet first and discuss issues. A meeting of the entire EMS Board will be held at a later date.

On a motion of Supervisor Belcher, seconded by Supervisor Boothe, and unanimously carried, it was resolved to adjourn to May 16, 2007 at 7:00 p.m. for a work session with the Treasurer, Commissioner and County Attorney concerning County decals.

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Boothe - aye

Supervisor Ingram - aye

