

**BOARD OF SUPERVISORS
REGULAR MEETING
NOVEMBER 20, 2007**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, November 20, 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 8:45 a.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.

Supervisor Whitlock gave a brief presentation on the significance of Veterans Day and remembrance of our local Veterans, especially in the loss of Mr. Tap Weddle, and then 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 November 20, 2007. She reported that taxes are coming in pretty well, but do not have a percentage collection amount.

Mrs. Morris presented the balance sheet and revenue/expenditure summary as of October 31, 2007. She reported that at 33% through the fiscal year, General Fund revenue collections are at 19% and expenses at 35%. The audit field work is complete after four weeks, all required submissions will be completed by November 30. The auditors will attend the Board's December meeting to present the audit.

The minutes of October 9, 2007 and November 7, 2007 were presented to the Board for review and approval.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and carried, it was resolved to approve the minutes of October 9, 2007 as presented.

Supervisor Belcher - absent

Supervisor Whitlock - aye

Supervisor Gerald - aye

Supervisor Boothe - aye

Supervisor Ingram - abstain

On a motion of Supervisor Whitlock, seconded by Supervisor Boothe, and carried, it was resolved to approve the minutes of November 7, 2007 as presented.

Supervisor Belcher - absent

Supervisor Whitlock - aye

Supervisor Gerald - abstain - absent from meeting

Supervisor Boothe - aye

Supervisor Ingram - aye

Sheriff Shannon Zeman appeared before the Board. He commented that he had nothing to report today and that Clerk of Court Peters and Commonwealth's Attorney Hannett were both in court today.

Supervisor Belcher entered the meeting at 8:45 a.m.

Agenda Item 7a - Subdivision plats as approved by Agent for October 2007. Mrs. Lydeana Martin, Subdivision Agent, appeared before the Board to present the report. She reported the creation of 140 lots for the calendar year, which is about average for the last three years. About 600 lots have been created over the last four years.

Supervisor Whitlock questioned if the turn down in the real estate market had affected the plats?

Mrs. Martin commented that she had not noticed a change. The next couple of months will be slower anyway, because of the time of the year. So far, have not noticed any change. The Planning Commission met last week. VDoT now wants to be involved in the approval process. They are discussing when VDoT will come into the approval process. Mr. Will Dotson, from VDoT, will be attending the next meeting to discuss the situation, if any Board members would like to attend.

On February 21, 2008, we will be having a Tourism Workshop at the Jacksonville Center, along the same line as the entrepreneur workshops.

A gentleman from the Conservation Fund was here last week. They have a loan program for green related businesses, sustainable agriculture, eco-tourism, and those kinds of things. He spent almost two days in Floyd meeting with businesses and non-profits. He will be back again next week if you know of others who might be interested.

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

Mr. Nolan Goad - I am Secretary of the Electoral Board, and reside in the Courthouse District. I would like to give you an update on the election and also a heads up. We had a couple of glitches on that day, not anything major, but we do have a couple that we're working

on. 201, down there, was a little bit better, but we're going to have to block off one side of the road going in where its two-way traffic. They keep parking there and then there's only one way in or out. So next time around, we'll have to do something else. We're looking at doing a pilot program come Primary day. They've got electronic poll books out there, that eventually we'll have to go to, and we're going to try to do a pilot program to get them in there where people can see them. We thought the primary would be the best time to do it because there wouldn't be quite as many voters out there. If we have any problems, it wouldn't be as bad. The electronic poll books, they will clean up a lot. We go in, right now, the voter cards that we're mailing out, have a bar code on them. These machines, you can actually scan them and pull up the name. If you're in the wrong precinct, it will tell you, even print out a map to get to the right precinct. If any forms need to be filled out, a lot of times the poll workers don't get them filled out. If somebody needs to change their address, this machine will highlight it and say you have to have a form. I just wanted to give you a heads up. Come February 12, we'll have a dual Presidential primary. We don't know what we're going to do with that yet. We have to have two sets of books and poll sheets, we don't think we'll be able to cut back much. Just wanted to let you know what we're up to.

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

Agenda Item 7b - Appointment to Floyd - Floyd County Parks and Recreation Authority - Indian Valley District. Mr. Campbell reported that two letters of interest were received for the current term that ends December 16, 2007. Supervisor Gerald requested that interviews be set up for the December meeting for the candidates. Supervisor Boothe requested that the Courthouse District appointment be advertised for citizen interest instead of a Board member serving on the Authority.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and unanimously carried, it was resolved to authorize the County Administrator to advertise for letters of interest from citizens wishing to serve on the Floyd - Floyd County Parks and Recreation Authority, from the Courthouse District.

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

Agenda Item 7c - NACo Prescription Drug Discount Program. Mr. Campbell provided informational literature for the Board's information. The program is designed for un-insured or under-insured citizens, to obtain prescription medicine at a discounted price. The program can be provided at no cost to the County. There are no enrollment fees, no forms for the citizens to fill out. It is not an insurance program, it is a discount program. There are currently 40 Counties in Virginia that have enrolled in the program. The local pharmacist has been contacted and he does participate in the program. An agreement would have to be approved by the Board, and

suggest that the contract be reviewed by the County Attorney.

After discussion, it was the consensus of the Board for the County Attorney to review the proposed contract, and place the matter on the Board's December agenda for discussion.

Mr. Michael Maslaney, Town Manager, next appeared before the Board. He reported:

- Parking lot is now open. I think everybody is relieved to get rid of some of the congestion problems.
- Facade program - The Bell Gallery and Oddfellas are complete, they both look pretty nice. Lineberry's is just about done too. I think we're all happy to be looking at that stucco instead of what was there for 20 or more years. Grey is planning on painting it next year. Overall, the comments have been positive. We're starting the lawyers building next, which is the one next to Blue Ridge Café. The whole front will be taken out, which is all glass, so it will be a pretty quick operation. The Winter Sun will be putting a new deck on the side, replacing windows. The Mexican restaurant is now open also.
- The sitting walls are next for the parking lot. The holes in the sidewalk are for some trees that are going in. The sitting walls should be started late this week or next week, so that's moving along.
- The restrooms, we had an issue with the block. I don't know if you all saw the block behind Winter Sun, there was about 30 pallets of block. It was the wrong color, so we had some negotiations back and forth, had some people in to look at it, and the Town decided to accept the block. So we had about a one month hiccup in there. But it will be nice to get that retaining wall up so we can get the sidewalk done between Winter Sun and Angels. We will be putting in a whole new plaza there in front of Angels to make it all tie together. That will be starting soon.
- The walkway that goes up along the new parking lot and up near the Village Green had almost reached the 50% design point and will be going to the Council some time in December. It will then go to VDoT for their comments, and then all contracts have to be reviewed, it is quite a lengthy process, but we hope to start construction early next summer. It is moving forward. The parking lot was the big project, adding about 100 new parking spaces which really helps. Not to say that we don't need more parking, the Council is always looking for other ideas for parking and more green spaces.
- Stoplight intersection - I met with VDoT after your last meeting, Bob Beasley pointed out some issues/concerns that you all had. We deleted a couple of spaces per his recommendations, but some folks still park there.

Supervisor Boothe - I was the one who brought it up. We were concerned with the truck traffic trying to turn. Route 221 works well where they've made the changes, but we need to change it the other way.

Mr. Maslaney - it is a very precarious turn. We will continue to work with VDoT on options. We took out parking spaces on both sides. He said there was something about the induction loops in the pavement that would have to be changed. They are planning to re-do Route 8 in the next couple of years, at that point, for sure, they could re-address everything. We also have some work to do around Winter Sun, so we want to get everything on their list to do at

one time.

- Rick Lewis Way is now open, it looks a whole lot better and alleviates some of the traffic. Everyone seems to be pleased with it.

Supervisor Boothe - what about parking on Wilson Street? Will that be changed?

Mr. Maslaney - its being addressed, we will probably make some changes there.

- Old Hensley intersection next to Winter Sun is a problem. We've been working with AEP and VDoT to make changes. We're getting quotes on what it would take to fix the road. It looks like it can be done. It will meet VDoT regulations, we'll have a 30' right-of-way.

Supervisor Belcher - the sight distance is terrible there. I almost got clipped there one day. It surprised the other lady as much as it did me.

Mr. Maslaney - I have some cones on order. What we wanted to do was put some wheel stops in the road, to keep people from parking close to the intersection which cuts down on sight distance, but VDoT wouldn't let us do that. So we have some cones that we're actually screwing to the road, they did allow that. It's a temporary fix until we can get it widened. That is a continuing sore spot, especially with the new restaurant opening.

- Signs have been ordered - tow zones, no parking, etc. to try to put some order in things. We have been talking with the Sheriff about what we could do as far as enforcement. In the future, we may be coming back to the you for budget issues.

- Skunk problem is gone - we caught 28 eventually.

Mr. Carl Ayers, Social Services Director, next appeared before the Board. He reported: Fuel Program - right now we're up about 5% in applications from last year. Initial application period ended the second Friday in November. At that point, we had 447 fuel cases. We will continue running the crises assistance program through the Spring, this is for the initial main allotment that comes out. We're right about average. Don't have any idea yet as to what the Federal allotment will be, that doesn't come out until mid-December. Hopefully by next month's meeting, I gave give you an idea of the average household amount. The cost yesterday for #2 heating oil was \$3.099 and kerosene was \$3.399. Its on up there. The average allotment per home, if it stays around last year's average, that will not cover the 100 gallons minimum required to be delivered. So we don't know what issues that we'll run into with that. We just do the applications, its up to the citizen to take care of the delivery and everything else. We served 428 last year through our regular program, and served another 70+ in the crises program. I won't have the final numbers on that program until mid-March.

Supervisor Boothe - last year we talked about contacting some of the church organizations to see if they could help out with the program.

Mr. Ayers - no, our donations have not increased. That is something that I wish we could get, more community involvement. The vast majority of people are either disabled or elderly. We have a few families with small children. I do wish I could come up with some idea to get the community more involved. Its just not something the Federal or State governments are going to step up and address. Last year wasn't quite as bad as the year before, because prices were down a little bit.

- The second thing I wanted to update you on is the VACo Health/Human Services Committee Meeting. One big thing that did come out of that meeting that will affect the locality at some point, is the new initiative that the First Lady did a presentation to you all on. She was supposed to talk about the Governor's piece of the program. Last week, they actually appointed a person to head up the State initiative. The program is called "For Keeps". What they are specifically looking at doing is changing the services that are available to older children in foster care and for kids who are eligible for independent living. Probably the biggest place that you would see an impact is where kids age out, she wants to allow them to come back into the system, up to a certain point. So if they leave at 18, and decide after 6 months that they can't make it and want to come back in, she wants to open up an avenue for them to do that.

Supervisor Belcher - which would mean further costs to parents, and more care following that. Does that also include the educational piece?

Mr. Ayers - if they're in a residential setting, yes. If in an individualized setting, that would still be provided by the school system.

Supervisor Belcher - until college is what I'm thinking, until they age out, over 18, that doesn't mean they graduated. Does that include the secondary education?

Mr. Ayers - I would say it has to. Unless they change the independent living program as its set up now, then as part of being eligible for that program, you have to be full-time enrolled in some type of secondary training program, vocational type, or some type of college. It could be a community college, or 4-year program. For our end of it, vocational training would have to meet certain criteria or certain things associated with it. The only way to come back under the adult program is if they're disabled. This would actually create a new way for kids to come back under the program.

Supervisor Belcher - is it to teach independent living, is that the idea, or is it to start the foster program over at an older age?

Mr. Ayers - that's what I would say. You'll see everything that is available to a foster kid now, if they were to come back into the system, they would be eligible for everything that they were before.

Supervisor Belcher - is there a cap on the age?

Mr. Ayers - 21 is what the program is now. I would say it would fall within the 21-22

age range. We have no official guidelines yet. Her big thing is what we doing is turning kids out.

Supervisor Belcher - you're talking about a huge amount of money that has to come from somewhere to bring them back in and start everything all over again.

Chairman Ingram - will this fall under DSS or come under CSA?

Mr. Ayers - I'm sure it would fall under CSA. That tends to be the State's way of looking at things, shove it into CSA. She has the backing to push the program forward. She now has the backing of the Secretary of Health and Human Services, who has put it on her primary agenda for this year, and now they've hired an Administrator to run the initiative at the State level. Its fully on its way. Now, what form it will be, is a different story. She spent the last year going around the State, explaining the program at lots of meetings. It will probably go to the General Assembly this year. The initiative last year was the new mental health areas, we still don't have the final regulations on it. You will probably see it in the Governor's budget, due out December 15. VACo and VML are both in opposition to the program. We're at the end of the third public comment period, and guidelines were to be in effect by November 15, which we don't have. We're eleven months into the mental health program with no guidelines as to how to run it.

Agenda Item 7e - Peppers Ferry Regional Wastewater Authority Agreement. Mr. Campbell presented a copy of the draft agreement with the Authority to dispose of leachate collected at the transfer station. The agreement is the same as last year's.

On a motion of Supervisor Boothe, seconded by Supervisor Whitlock, and unanimously carried, it was resolved to approve the agreement, as presented, with Peppers Ferry Regional Wastewater Authority; and authorize appropriate County officials to execute same (Document File Number).

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

Agenda Item 7f - EMS Equipment Purchase. Mr. Campbell reported that, from the recent Rescue Squad/EMS committee meetings, some equipment purchases were discussed. Would like to get a feel from the Board as to your thoughts. One piece that keeps coming up is the EZIO equipment. It allows for very difficult IV procedure, or impossible ones, to occur. From what I understand, it is placed into the bone marrow, and comes into play with very heavy individuals, collapsed veins/arteries. Doesn't happen a lot, but could make a difference in certain cases. The EMS Operations Manager has requested that we consider purchasing this item. The item would be carried on the first response vehicle. The cost has actually dropped from the first time I looked at it, they are around \$2000 now. I also understand that the needles

that are used have a longer life span now, but are very expensive to replace, but longer life would be helpful. The staff seems to be split as to their thoughts on the need for the equipment. The other requested piece of equipment is an adapter unit for the Gurney for heavy persons. Our gurneys are not capable of handling certain sized individuals, and the adapter would enable these transports. The adapter would fit our gurneys. The cost would be split with the Rescue Squad. The EMS equipment line item has \$5000 budgeted. We are also trying to establish a policy with the Rescue Squad for equipment purchases.

After discussion, it was the consensus of the Board to approve the requested purchases, as presented.

Supervisor Whitlock left the meeting at 10:30 a.m.

The 10:30 a.m. appointment with a representative from the New River Valley Community Services was deferred until January, because of their inability to attend.

Agenda Item 7d - Legislative requests discussion. Mr. Campbell presented the request list from 2005 for the Board's information, and also a copy of VACo's proposed program. After discussion, it was the consensus of the Board to delete items 1, 4, 5, 6, 11 and 12 from the County list, and add: 1) impact of conservation easements; 2) Homestead exemption provision, as long as it does not adversely affect payment of formulas; 3) opposition to unfunded mandates; 4) re-word items 3, 9, 10 on County list, including wording from VACo list; 5) support of additional funding for Sheriff's Department staffing; 6) add items from page 7 of VACo list concerning education.

Mrs. Myra Grim, EMS Administrative Clerk, next appeared before the Board. She presented copies of the career staff's monthly report with 31 calls indicated, in the absence of the EMS Operations Manager. In presentation of her monthly financial report, she commented that deposits are picking back up some, after the start of the Federal fiscal year.

Mr. Steve Love, Rescue Captain, next appeared before the Board. He reported 45 calls for the volunteers this month, with 25 transported and 4 calls transferred to Carilion Transport. He also invited the Board to the Squad's annual Christmas dinner on December 8, 2007 at 6:30 p.m. at the Floyd station.

Mr. Ford Wirt, Emergency Services Coordinator, next appeared before the Board. He reported:

- Have received wireless grant funds, equipment has been ordered;
- In process of preparing the FY09 wireless grant application - funds will be available after July 1, 2008 - equipment is the only thing that can be purchased with these funds;
- Regional Jail - inmate count is down in all localities except Floyd County, which is up;
- Regional Jail expansion work is continuing - hope to finalize construction manager contract tomorrow;
- December 3, 2007 - tabletop exercise will be done at the Regional Jail.

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

- School Board meeting highlights from November 12, 2007 meeting;
- Change in composite index percentage was done - from .3212 to .3237;
- New River Community College will be providing a Career Counselor at the high school for 20-25 hours every week;
- Enrollment report - 2046.5 students as of October 31, 2007. The .5 student is a half-day home schooled student;
- Legislators will be attending the School Board's December meeting;
- Visitations of the School Board have been arranged at each school in the coming months;
- A public hearing to receive citizen comments on the school board budget, has been scheduled for the December meeting.

The Board recessed for lunch.

Supervisor Whitlock returned to the meeting at 1:30 p.m.

Mr. Bob Beasley, VDoT Residency Administrator, next appeared before the Board. He presented a copy of the uncommitted funds report, as to the best of their knowledge. Unpaved funds comprise about 20% of total funds. Traffic engineering is researching the Route 8/221 intersection, as far as moving road signs or stop bars. The public hearing notice is prepared and has been submitted to the Floyd Press for advertisements.

Supervisor Boothe - appreciate line painting;
- appreciate clearing out around signs;
- appreciate machining when appropriate.

Supervisor Gerald - still need yellow lines painted on Horse Ridge Road;
- Route 787 section needs to be done also;
- Macks Mountain Road needs yellow lines;
- appreciate culvert replacement on Indian Valley Road, this will really help.

Supervisor Belcher - appreciate what you are doing;
- all roads in my area need machining when appropriate.

Supervisor Whitlock - thank you for getting bridge done on Route 221, it looks good;
- appreciate work that is being done;
- appreciate reflectors being re-installed on Route 221 - feel we need them from County line to County line on Routes 8 and 221;
- appreciate brush work;
- speed study for Route 681 - can we put a stop on it?

Mr. Beasley - I do not know where it is in the process, but I can check.

Supervisor Whitlock - the folks that requested it, would like to stop it after they found out it would cost \$5000, and use the funds somewhere else.

Supervisor Ingram - when appropriate, appreciate secondary roads grading and scraping;
- secondary roads - both paved/gravel - if the side arm mower could be used a lot this winter, it would be great, especially for sight distance.

Mr. Beasley - I have been told that we are getting a district-wide contract for vegetation control.

Supervisor Boothe - thank you for the cross-walk at the Library, it has been a major help.

Mr. Beasley - I was pleased with how it turned out.

Supervisor Boothe - the 25 mph signs helped a great deal also.

Discussion followed on the request for VDoT to be included in the approval process for plats, and the time frame required. A representative from VDoT will be attending the Planning Commission's December 13 meeting to explain their process, if any Board members would care to attend.

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

Supervisor Boothe questioned the status of the proposed flood plain ordinance amendments.

Mr. Campbell commented that we are still awaiting information back from FEMA, which is the regulating agency. We have until mid-April to complete the changes.

Supervisor Whitlock left the meeting at 2:10 p.m., returned at 5:00 p.m.

On a motion of Supervisor Boothe, seconded by Supervisor Belcher, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.3, discussion or consideration of the acquisition of real property for public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and invite Jack Russell, Chairman of the Industrial Development Authority, to join the Board in 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 Gerald, and carried, it was resolved to come out of closed session.

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

On a motion of Supervisor Boothe, 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 property in accordance with Section 2.2-3711, Paragraph A.3 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 - abstain - not present for entire session
Supervisor Gerald - aye
Supervisor Boothe - aye
Supervisor Ingram - aye

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

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