

**BOARD OF SUPERVISORS
REGULAR MEETING
JANUARY 8, 2008**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, January 8, 2008 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; Virgel H. Allen, William R. Gardner, Jr., J. Fred Gerald, 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 Supervisor Gerald.

Chairman Ingram led in the Pledge of Allegiance.

Mrs. Mary Turman, Treasurer, appeared before the Board. She presented the invested cash and cash in office as of January 8, 2008. She also presented the 2007 real estate and personal property tax collections – real estate collections at 97% and personal property collections at 91%.

Mrs. Morris presented the revenue/expenditure summary as of December 31, 2007. She commented that a balance sheet would be prepared as soon as the previous Treasurer finished up necessary work next week. She reported that, at 50% through the fiscal year, General Fund revenue collections are at 55% and expenses at 51%.

Mrs. Stephanie Shortt, Commonwealth's Attorney, next appeared before the Board. She commented: I just wanted to stop by and say hi for the New Year and welcome Virgel and Mr. Gardner onto the Board, and thank you for your cooperation with this office. If you have any questions concerning our office, I'd be happy to help and look forward to working with you all during the next four years.

Mr. Wendell Peters, Clerk of Circuit Court, next appeared before the Board. He commented: Welcome to the two new faces on the Board. The Judge would like to extend an invitation to any of you who would like to appear, and especially to Mr. Boothe, January 22, to hang the pictures in the Courthouse. Becky is in charge of the placement, you may want to check with her as to the time. For information purposes, our deeds for 2007 was 3090, for 2006, 3097, its pretty well held its own. We hear the real estate market is down, but that doesn't seem to be the case here in Floyd. As far as projects, we're still waiting for the vendor to come in and finish our plats. Especially for the two new members, we'd love for you to come by and look at our computerized plat system. I had some grant money come in last year to start the project; there is one plat cabinet on the computer. I have the computer equipment and I have grant

money to put the last two cabinets on and move forward. In 2008, you won't have a plat cabinet reference; it will be an instrument number, just like deeds. They are supposed to be here in January, I don't know which January, I hope it's this one. Another project that we're working on this year is about personal information being on the internet. Of course our court system is a little different. We have received authorization from the Comp Board, from the Technology Trust Fund, to get funds to redact social security numbers from deeds, on the internet. The paper kind of misleads you. The way our system works, we have a server in the office. The numbers are transferred from that server to a second server. When they're transferred to that second server, the public just can't go in there and access them like the court service. In order to access that, they have to pay an extra fee, and we charge \$150 per quarter, for the expenses. So far, only five people have signed up, a couple of extractors, one attorney, two surveyors. So its not like the paper said, anybody just can't go on there and look. We have it backed up in Richmond every day. There was a big article in the Fairfax paper last week concerning a lady fighting tooth and nail over the personal information being available. Quite honestly, I agree with her, I don't want my personal information on the internet either. But what are you going to do? The legislators say do it, we have to do it.

Sheriff Shannon Zeman next appeared before the Board. He commented: We did get \$31,000 for our Domestic Violence Grant for another year. You all got a copy of our activity report, we did have 11, 717 calls for service for 2007. The Town Manager came and talked to me about how to address some added security here in Town. We hope to meet soon, before their budget process starts. I'll keep you all informed, and get your blessings on it. I've tried to calculate what it would cost to equip a part-time officer, and I can't think of any expense to the County, except for use of an old spare vehicle. The officer would possibly work the weekends here in Town. I did make a trip to Richmond to the State Compensation Board, that's the first time I've done that. I felt like the next four years, when I'm trying to accomplish certain things with officers' salaries, number of officers, different things, felt maybe I should start attending some of the meetings. Things went pretty well. A couple of budget things – the Academy let me know that they will be facing a 5% cut in the funding for the regional Academy, so we may see an increase in the per diem per officer, I'll talk to you more about it a little closer to budget time.

Supervisor Gerald – just for my information, if something happened at Indian Valley School, what would be the response time to get out there?

Sheriff Zeman – a lot of things would dictate that. Naturally that would be a priority and officers would respond from wherever they're at, directly to that location.

Supervisor Gerald – its always been my fear that something would happen out there because it so isolated there, from the other schools. I'm very concerned about the security out there.

Sheriff Zeman – I share your fear. That's one of the reasons that I developed the School Entry Team. We've discussed this before, but as far as the State Police, that's a minimum of an hour or an hour and a half. Now you know as well as I do that the Sheriff's Office is going to respond immediately and we're going to react immediately. That's the reason we developed this Team to equip the officers to enter the schools and deal with the worst situation there is. As far

as Indian Valley, I have two officers per shift. On day shift, there are extra people around, and with schools going on during the daylight hours, that does help. If everybody we have is in this end of the County, you're still looking at 15-20 minutes travel time.

The minutes of December 11, December 18, 2007 and January 2, 2008 were presented to the Board for review and approval.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and carried, it was resolved to approve the minutes of December 11 and December 18, 2007 as presented.

Supervisor Gardner – abstain
Supervisor Allen – abstain
Supervisor Gerald – aye
Supervisor Boothe – aye
Supervisor Ingram – aye

On a motion of Supervisor Gardner, seconded by Supervisor Gerald, and unanimously carried, it was resolved to approve the minutes of January 2, 2008 as presented.

Supervisor Gardner – aye
Supervisor Allen – 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 expenses was also presented for the Board's consideration. Questions and discussion followed.

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

Supervisor Gardner – aye
Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Boothe – aye
Supervisor Ingram – aye

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

Ms. Kate Garland – I live in the Blue Ridge Manor Apartments. The reason that I'm here is that I think there needs to be a sidewalk going from the apartments up to Route 221. It's becoming much more congested with traffic, than when I moved in there four and a half years ago. There are some people in the apartments who do not have their own transportation, they have to walk into Town. I like to walk into Town, but it's a dangerous little trip going from the apartment up to Route 221. I have thought about it. There is no break-down lane on either side; there is a ditch on one side, a wall on the other side. I've seen a mother and her children walking in the road, there needs to be a sidewalk.

Mr. Don Johnson – I want to introduce myself as the new President of the Floyd County Chamber of Commerce. We just had our first Executive Committee meeting last night, and I think we're going to have some exciting plans to help businesses to link businesses with the citizens of the County, for the coming period of time. I would like at some point, in the not too distant future, to come back and make a more formal presentation when these are better formulated. We especially want to thank the Board and the County for your support in the past and will work very hard to try to earn that in the future. I will be back at some later time, with your permission. I just wanted to make the introduction.

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

Agenda Item 7a – Subdivision plats as approved by Agent for December 2007. Mrs. Lydeana Martin, Subdivision Agent, appeared before the Board. She reported that an attachment to the December summary indicates the running total of plats for recent years. For 2007, 141 surveys were signed with around 170 lots created, about 20+ more than 2006 but considerably less than two years before. Totally, in the last four years, there were around 700 lots created. The Planning Commission will be meeting on the 3rd Tuesday of the month this year, so as of right now, we do not have any plats to review.

- Library expansion – the construction was around \$1.3 million, the County committed a total of \$1 m to the project. There has only been around \$19,000 in change orders during the course of the project so far, which seems very reasonable. The Library has raised over \$500,000. The \$1.3 m number did not include furniture or fixtures, that is only construction, so the Library's fundraising will have to cover everything else. I believe they are doing some signs and a donor wall to recognize the people participating in the fundraising efforts. In terms of actual dollars spent, as of last month, I think it was something around \$800,000 that's been spent toward construction. About \$160,000 of that has been reimbursed to the County by the Library. They have a tentative opening date of May 17; they are a little ahead of schedule.

- Tourism Workshop – February 21, 2008 at the Jacksonville Center – opportunities for networking, collaboration with other businesses, etc.

- Another possible Agriculture Workshop in March with the Extension Service – working with the Extension Agents on this possibility.

- Industrial Development Authority has generally met quarterly for their regular meetings but this year they will meet monthly as they work on covenants/restrictions for the Commerce Park. The next meeting will be January 29, 2008 at 6:00 pm.

- Floyd County Celebrations Committee – as you will recall, the last couple of years we've worked on the County's 175th anniversary and the State's 400th's anniversary. The State group has asked us to put together an archive of news articles of things related to that. We have done that, and will be submitting it later this week. Also, there is a time capsule that the State group is putting together, and asked for a donated item from each locality. Carter Holliday has

donated a handmade tile with a picture of a fiddle on the front, with Floyd on the bottom. Mr. Gardner was Chair of this committee and I thank him for all his hard work.

Agenda Item 7b – Resolution for signing of County warrants. A draft resolution was presented for the Board’s review. It was noted that one of the prior Board members was listed in error.

On a motion of Supervisor Gerald, seconded by Supervisor Gardner, and carried, it was resolved to adopt the resolution, as corrected, for signing of County warrants (Document File Number).

- Supervisor Gardner – aye
- Supervisor Allen – aye
- Supervisor Gerald – aye
- Supervisor Boothe – abstain
- Supervisor Ingram – abstain

Agenda Item 7c – Library construction update. Discussed by Mrs. Martin earlier in the meeting.

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

- Grant Program – activity still proceeding like crazy. I think we’re done tearing stuff up, we’re in the putting it back together mode.
- Façade Program – we only have two buildings left. The Lawyers Building, which they’ve torn apart and are putting back together. The Winter Sun will be coming along, shortly thereafter. We hope to wrap it up on time. The two year grant period expires May 1, and we’re trying to meet that deadline.
- Parking Lot – they’re putting bricks down out there like crazy. They can put them down pretty fast when the weather is nice, so we’re trying to get the sitting walls up, trees planted, lights in, and the signage up, and we’ll be done with the parking lot. Its being well used and I think people are appreciative of the extra parking spaces in that area of Town.
- Restrooms – foundation is in, had to do a little bit of re-design, fill work is next, walls will then go up. It’s a timber frame structure with a metal roof, and I think everyone will like it and appreciate it when we’re done.
- T-21 grants – we’re still working on these, cost issues are the main factor. It’s a long walkway that we’re putting in there that crosses the Hotel Floyd site. First estimates are over budget, so we’re trying to do some things to be more cost-effective and closer to the budget amount.
- Innovation Grant – had a negotiation meeting with the State early in December, still working out the fine points. They have a lot more ties than the original CDBG grant.
- Council will begin reviewing zoning changes next week. Required to be updated by State Code. Will be reviewed by the Council in two hour blocks.
- Boundary survey is complete. Trying to get the four boundary points nailed down to give to the County to place in your data base.

- I have been working with Jim Whitten to get the Town in the building permit loop, as far as any permits issued for buildings within the Town limits, that a letter is obtained from our office. This is so that we can review the plans to make sure they conform with zoning uses, to save hassle later and time.
- The Town has some new park land that was recently deeded to us, between the Rakes Mansion and the old Presbyterian Church. It used to be part of Lewis Alley. The Walls' deeded over an additional 50', which will be the end of the T-21 trail. There will be more green space with benches, and a nice area.
- Oxford Street sidewalks – we appreciate the Board placing this in the 6-year plan. This has been a big problem for us, we appreciate your cooperation on that.
- Car decals – I mentioned to you all last year, that if you do decide to stop requiring decals, we would like to coordinate that. We've already ordered the decals for this year, so if you do plan to do something, we'd appreciate you letting us know.

Mr. Carl Ayers, Social Services Director, next appeared before the Board. He reported:

- Energy Assistance Program – 456 participants as of December 23, 2007, my original guess was between 450-500, so we're definitely going to be above the 450 and on upwards as we go through the program. I'll keep you updated each month as to how many citizens we're serving. If we follow close to last year, we'll probably end up around 500. The biggest problem is with the allotment amount, the allotment went down around \$30 from where it was last year. The allotment last year was about \$260/family, this is the average allotment. It went down to around \$230 this year. What you're looking at, with the spike in oil prices, it's not even covering their current bill, and they're not getting any extra coverage. That's a big complaint that we've been hearing, and the State's been hearing. It was so bad that they issued a memo to us stating that it's only meant to supplement people's heating, not meant to supply their whole year's heating bill. It's only to supplement about a quarter of their needs. That's been a general complaint about the decrease in funds. The oil price issue continues to be a huge issue for our office, the allocations and the people's living standards, and amount of income they have is not keeping up with the increase in costs.
- Legislative issues – briefly update you on a couple of things that are out there that will affect the County. The Governor's budget that came out the middle of December, it had his Pre-K initiative in there, but has actually been scaled back from the original. It is now to families that are eligible for both free and reduced lunches, are the income guidelines that he's going to use. Previously, he was going to pull it all the way back to 3-year olds, so he's actually scaled it back a little bit from what his initial proposal was back in the summer. What it means is that every locality is ensured money for at least one classroom, nine slots for additional Pre-K kids that will be served through this initiative, that this County would be ensured to get if this is passed. This is an extension to the current initiative to include more students. For Floyd County, we would be ensured to receive at least nine slots, which is one classroom. The funding is only operational, no bricks and mortar, the County would have to figure out who gets the funds and how to make space for it, those sorts of things. His estimated cost for this program is \$45 m over the biennium, so it would

- be \$15 m for the first fiscal year and \$30 m for the second. I don't know the County's funding formula and how much we would get, but the County would still have to have a match rate for the program.
- DSS budget – The Governor has put in enough to increase the number of foster care visitations by adding extra social workers throughout the State. The amount that is in the budget covers only about 1/5th of what the actual amount is needed. The State is trying to move from quarterly visits to monthly visits, where every child that we have in our office, we have to physically go and see them once a month, now only once a quarter. We obviously do not have the resources to do that currently and what our League proposes, give us the resources to do that. He's gone ahead and put the requirement in there and only about 1/5th of the resources, which means our office would probably get nothing. We would have the requirement, but not the resources. He's estimating \$1 m General Fund and \$125,000 non-General fund, that's what his estimates are. Our thoughts as a League was that it would take about five times that to get every agency where they'd be able to meet that need.
 - He's going to continue the 5% reductions that we had to take this year to balance the budget. He required every department to reduce their budget by 5% to help reduce the budget for this year, but it's still not balanced, and you're aware of the big fight that will happen over the Rainy Day Fund, and that is coming up with the session starting tomorrow.
 - They are moving our TANF money. Whenever they re-authorized the TANF money last year, they put the extra money in there for the re-authorization costs. They found out that people were just dropping the program instead of meeting the requirements so there is some extra money there. What they're doing is taking all that money and putting it in different places. They've actually taken some of it and put it into transportation, I'm not sure how that serves the hard-to-serve people of Floyd County but that's what part of his recommendation is.
 - They're going to reduce the Virginia Caregiver Grant Program from \$1 m to \$500,000 so it will be cut in half. This is a grant for people who have to take care of parents, siblings, that sort of thing, who are the primary caregiver; it's about \$500/year. It buys some things for the house; some use it for respite care. His recommendation is to reduce it by half.
 - Going to reduce payments to adoptive and foster care families by 15% the first year, 10% the second year and beyond. For local foster homes and therapeutic foster homes, it's a basic maintenance rate. Right now the State's maintenance rate is pitiful, it's not that this is not needed, but it still costs money to do it.
 - CSA Budget – the big thing is the First Lady's Initiative. This is the initiative that I briefed most of you about previously. She wants to expand what we do with older children. Basically, she thinks there are too many older kids going into congregate care, which is group homes, residential settings, and not coming back into the community. They go there, they stay, and there is no place for them to go. A lot of them age out and then end up homeless. Her initiative is to help address those issues, start serving those older children, and allowing those older children, if they've left the program, from 18-21, to come back in and for us to pick up services back to them again. Whenever you're looking at that piece of it, then the services would be great, but how it will be framed, how we will do it, what's going to be the requirements,

nobody has put them out yet, and we don't know what its going to cost. What I do know, is that there will be costs to CSA. So if we have to start increasing the amount of services that we're doing and bringing kids back in, we will have a CSA rate increase. The Office of Comprehensive Services put out, and I forwarded it to Dan and Terri, they put out a locality match rate. This is the match rate depending on type of service that the child gets. Right now the standing rate for the County is 23.24%, for every 23 cents that the County spends, then the State spends 77 cents. If the recommended changes go through, we're looking at services such as family foster homes, the basic foster homes, therapeutic and special foster homes, the match rate would go down to 17.43% . The actual community based services, which is what they're pushing, they want kids in the community to be served in the community, the match rate would go down to 11.62%. Of course, this is great if you can base the community program on a small population of 15 kids like we have, which is not going to happen. Now, if you put them in residential treatment, it goes up to 28.82% for the first six months, after that, it goes to 32.45%, after the next six months, it goes to 34.86%. So, you're looking at an increase from 23.24% to 34.86%. This would be any special education placements, so any of the school placements that we have that are in residential, this match rate would increase. Any kid that we have that goes into a locked residential facility, group homes, truancy cases, juvenile delinquency, would fall under that upper match rate percent. I encourage you all to take these numbers and speak with whoever you need to, to discuss the impact that this would have on the County. I will sit down and go through the numbers from CSA for last year and give you an idea of the impact. All the things would have to be worked out as to what they are eligible for. We have some kids who are IEP kids who go into residential placements. We have some kids through our office that have psychiatric issues; they go into residential placement, those sorts of things. Whenever you look at the total cost to the County, we've been able to keep it pretty steady for the last 3-4 years, its actually gone down a little bit. We're around \$700,000/year, if you add an additional 10% onto that, that's a lot of money. If we have more kids we're serving in different placements, it's staggering. It's a disincentive to treat kids. There are so many issues to get into with that piece of it. I don't know how much VACo and VML are getting into it, because of its attachment to the Governor and First Lady. My understanding is that they are not that objectionable to it, because of the politics of it. My League will be hitting it pretty heavy, and how we want to approach it. It varies from County to County, some of the big Counties, it will help them, because they have the numbers to develop the community based services and keep kids in the community, it would give them additional funding. But the small Counties like ours that don't have the great numbers, we can't develop a service for one kid. They can call up a provider and say they have ten kids, will you provide this service? We can't do that with one child. Additionally, we don't have a provider in the County. It's a completely different dynamic for the large vs. small Counties, because I don't think they will disagree with it. It will give them more community based money to develop services. Something for you to keep in mind when you're talking about CSA.

On a motion of Supervisor Boothe, seconded by Supervisor Gardner, and unanimously carried, it was resolved to authorize staff to prepare letters to the County's State legislators in relation to the financial impact only, concerning the foster care and CSA program changes; and authorize appropriate County officials to sign same.

Supervisor Gardner – aye
Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Boothe – aye
Supervisor Ingram – aye

Agenda Item 7d – E-911 Dispatch project update. Mr. Campbell reported that Thompson and Litton are working on the final design for the center. Hope to advertise for construction bids on January 27, with bids to be opened by February 26. If the low and responsive bid is within the budget, hope to begin excavation in mid/late March. There are a few issues to be defined, such as the heating/cooling system being able to handle the equipment to be placed in the space. We have to get to the electrical engineer, what equipment is going to be in there, how much heat will be generated, etc., and they will spec out the HVAC. Hopefully it will come in on budget. This is a project that has been in the works for quite a while. It is around 1400 square feet of new space at the back of the building, and an additional 600 square feet will be minimally renovated. There have been discussions with Judge Grubbs and he's ok with the plans with a few suggestions, such as additional outside lighting.

Agenda Item 7e – New River Valley Joint budget process. Mr. Campbell reported that Floyd County will be hosting the joint process this time, on January 31, 2008 from 8 am to 5 pm. This day is set aside for regional agencies to present their budget requests to the localities at one time. Budget requests will also be going out to the departments, with a January 31 deadline for return.

Agenda Item 7f – Appointments to the Industrial Development Authority of Floyd County, Virginia, two positions, four year terms. Mr. Campbell reported that two letters of interest were received, one after the deadline.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and unanimously carried, it was resolved to re-appoint Mr. Jon Beegle to the Industrial Development Authority of Floyd County, Virginia, for a four year term.

Supervisor Gardner – aye
Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Boothe – aye
Supervisor Ingram – aye

Supervisor Boothe suggested, and the Board concurred, that the second position be re-advertised, with interviews set up at the Board's next regular meeting if letters of interest are received.

Agenda Item 7g – Appointment to Floyd – Floyd County Public Service Authority, four year term. Mr. Campbell presented a letter of interest from the current position holder.

On a motion of Supervisor Gardner, seconded by Supervisor Boothe, and unanimously carried, it was resolved to reappoint Mr. Larry Petrie to the Floyd – Floyd County Public Service Authority for a four year term.

Supervisor Gardner – aye
Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Boothe – aye
Supervisor Ingram – aye

Agenda Item 7h – Appointment to CSA Management Team, family representative, four year term. Mr. Campbell reported that no letters of interest were received. Consensus of the Board was to not re-advertise this position, that they will try to find an applicant.

Agenda Items 7i, 7j, 7k and 7l, appointments to various Boards/Commissions – Board of Supervisors appointment. The Board deferred these appointments until later in the day.

Mrs. Myra Grim, EMS Administrative Clerk, appeared before the Board. She presented the December 2007 monthly report, indicating the deposits, aging summary, and calls by district, for the Board's information. For the benefit of the new members, she explained each form in-depth.

Mr. Gene Dalton, EMS Operations Manager, next appeared before the Board. He welcomed the new Board members and invited them to come by the rescue building for a tour of the operation. He presented the December 2007 report for the career staff, indicating 32 total calls, with 28 transported, 4 refusals, 4 cancellations and 4 stand-bys. He reported 34 calls to the nursing home for the fiscal year. They are cooperating in contacting other transport services when the call is non-emergency.

Mr. Kelcie Bower, representing Floyd County Rescue Squad, next appeared before the Board. He reported 65 total calls for December 2007, with 29 transports, 3 DOA's, 2 transfers of care, 15 cancellations. Most calls were transported to NRV Medical Center, and one by Lifeguard.

Mr. Ford Wirt, Emergency Services Coordinator, next appeared before the Board. He presented the December 2007 Regional Jail report, indicating Floyd County's prior month at 22 inmates, and the current month at 24. Most localities, with the exception of Floyd County, were down on inmate population. The year-to-date total is 684.33, with a capacity of 371. When we began in the program, we averaged 7 inmates, now our average is in the mid-20's. This is the biggest part of the need for expansion, which is progressing well. The first part of the project will be the renovation of the current kitchen, which we hope to begin in early Spring. We are 30-35 employees short of the State guidelines, but they do not provide the necessary funding for the positions.

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

- enrollment report for the period ending December 20, 2007, with 2032.5 students;
- SOL test results – at the High School, pass rates were: English – 90.2%; Math – 92.9%; Science – 88.8%; History – 93.1% - State required rate is 70%. At two elementary schools, for the intensive semester option, the rates were: Check Elementary, 7th grade – 67.2%; Floyd Elementary, 6th grade – 92.9%.

The Board recessed for lunch.

Mr. Bob Beasley, VDoT Residency Administrator, next appeared before the Board. He presented a copy of the 2007 edition of VDoT Manual for Supervisors, for their information. He reported that some vegetation cutting and machining had been done in the last month because of the good weather.

Supervisor Gerald – yellow lined still need to be re-painted in Indian Valley.

Mr. Beasley – I have inquired as to the status but have not received a reply – I will re-check. If we can't get it done by the contractor, we will take care of it with State forces.

Supervisor Boothe – appreciate work that has been done. Have seen some of the vegetation work, it is a big help, especially at intersections and around signs. Did notice in the General Assembly proposals, a bill to lower all Rustic Roads' speed limits to 35 mph, whether posted or not.

Mr. Beasley – each road is unique, it would be good in some situations, like Route 603, but not in others.

Supervisor Boothe – they are also proposing to re-distribute funds based on population only.

Mr. Beasley – that is one of the factors in the formula, the same thing has been introduced the last ten years and failed. VDoT will be against it.

Supervisor Gardner – nothing to report this month.

Supervisor Allen – nothing to report this month.

Supervisor Ingram – the machine with the side-arm mower is really helping, and hope you can keep it moving a lot. Will that machine stay in Floyd County?

Mr. Beasley – yes, it is Floyd County's. Our intention is to keep it going and use it with discretion to keep things looking good. We also have been trying to input the data for the 6-year plan, and are having trouble with the State program because of some type of glitch. We will get a copy of that to you as soon as possible.

On a motion of Supervisor Gerald, seconded by Supervisor Boothe, and carried, it was resolved to appoint Supervisor Ingram to the Extension Leadership Council.

Supervisor Gardner – aye
Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Boothe – aye
Supervisor Ingram – abstain

On a motion of Supervisor Boothe, seconded by Supervisor Allen, and carried, it was resolved to appoint Supervisor Gardner to the New River Valley Jurisdictional Criminal Justice Board and the New River Resource Conservation District Board.

Supervisor Gardner – abstain
Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Boothe – aye
Supervisor Ingram – aye

On a motion of Supervisor Gardner, seconded by Supervisor Allen, and carried, it was resolved to appoint Supervisor Boothe to the Floyd County Chamber of Commerce.

Supervisor Gardner – aye
Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Boothe – abstain
Supervisor Ingram – aye

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

Agenda Item 6i(i) – Flood Hazard Ordinance amendments. Mr. Cornwell commented that some minor changes are needed to the ordinance, in reference to what properties are included in the floodplain program. We have 14 properties in the County, in the system. We've had some difficulty in communications with the Federal people, telling us different things. We do need to amend the ordinance, but don't think we need to give any special notice to people in the floodplain, in relation to the ordinance. Of course, it's always wise to give notice that you're not required to give, but I think there is an issue as to know who is affected. It should be advertised once a week for two successive weeks. There was some question as to special notice to people in the program.

Mrs. Martin – the flood map is done for the County by FEMA. There were no new properties, but they had a different base map that they were operating off of. FEMA does not consider this a changed flood map; however, the State adopted a Code section that says if there is a change in your flood map that you have to notify each affected landowner. FEMA does not consider this a change, because there were no new studies done, but because the base map is slightly different, they were not comfortable just saying, well don't worry about the State thing; they wanted us to make that call. It's kind of a two issue situation.

Mr. Cornwell – the second part is that we don't have the information related to persons to whom the notice needs to go.

Mrs. Martin – that’s right. We don’t have a GIS layer to identify who would be impacted by this change. If we had a GIS layer, we could lay that on the maps that we have and it would give us the address of everyone in that. We don’t have that layer yet.

Mr. Cornwell – we do know that there are 14 properties currently in the program.

Mrs. Martin – we do know there are 14, but we don’t have their names and addresses. So there is the issue that the flood maps were re-done, and the issue of bringing the floodplain ordinance into conformity.

Mr. Cornwell – and since there is disagreement as to whether the flood maps were re-done or not. So I think we need to go ahead and advertise the ordinance, giving notice to the 14 persons in the program, and once we get the information, and feel that further notice is necessary, we can do that also.

Mrs. Martin – we do have paper maps, but do not have digital maps. When we try to compare the paper maps with the current paper maps we have, it is almost impossible because of different scales. They do have digital maps, but don’t want to release them in draft form, but after the effective date and after notification would have to be done.

Mr. Cornwell – we need to do something, because if we wait too long, it will affect the insurance program for the people.

Supervisor Boothe – I understand that, but if we have someone come in during the public hearing and ask if they’re affected, we have nothing to show them.

Mr. Cornwell – we have the paper maps to show them.

Mrs. Martin – that’s what we would be advertising.

Mr. Cornwell – the question is whether we have to give special notice to those affected persons. I think we need to get off the bubble, advertise it, and have the public hearing. If we felt there was a substantial impact, we could re-advertise and notify the other people. The question is whether we should give notice individually to the affected people. Let’s do it like this, and have another public hearing if needed.

Mrs. Martin – there was some question about agricultural buildings and whether we needed to change the ordinance to somehow exempt them, and we did receive some draft language from the State that they felt they could accept.

Consensus of the Board was for the County Attorney to draft the amended floodplain ordinance and bring back to the Board’s February meeting for review and discussion.

Agenda Item 6i(ii) – Local Government Resource Manual. Mr. Cornwell presented a copy of the manual for the Board’s information, which included the Virginia Public Procurement Act; Virginia Conflict of Interest Act; Virginia Freedom of Information Act, which especially explains the closed session items; Virginia Privacy Protection Act; copy of the Code Section to go into closed sessions, and the motions to do so. He explained each section in-depth to the Board.

On a motion of Supervisor Gerald, seconded by Supervisor Boothe, 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 a 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; 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 Gardner – aye
Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Boothe – aye
Supervisor Ingram – aye

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

Supervisor Gardner – aye
Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Boothe – aye
Supervisor Ingram – aye

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

**CERTIFICATION RESOLUTION
CLOSED MEETING**

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss property and contracts, in accordance with Section 2.2-3711, Paragraph A.3 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 judgment it was a departure.

Hearing no statement, I call the question.

Supervisor Gardner – aye
Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Boothe – aye
Supervisor Ingram – aye

This Certification Resolution was adopted.

In discussion of a change in the Public Comment Period time at each meeting, it was the consensus of the Board to leave the regular Board meetings the same, at 9:00 a.m., and also have a time at the beginning of each adjourned meeting for public comment.

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

Supervisor Gardner – aye

Supervisor Allen – aye

Supervisor Gerald – aye

Supervisor Boothe – aye

Supervisor Ingram - aye