

**BOARD OF SUPERVISORS  
REGULAR MEETING  
JANUARY 13, 2009**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, January 13, 2009, 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, reading a prayer penned by Thomas Jefferson, relevant to the situations we are facing in today's world.

Chairman Ingram led in the Pledge of Allegiance.

Mrs. Mary Turman, Treasurer, appeared before the Board and presented the invested cash and cash in office report as of January 13, 2009.

Mrs. Morris presented the balance sheet and revenue/expenditure reports as of November 30, 2008 and December 31, 2008. She reported that, at 50% through the fiscal year, General Fund revenue collections are at 59% and General Fund expenses, at 50%. Nothing has been spent from Contingency this fiscal year, but there are several requests on the agenda for the Board's consideration.

The minutes of December 9, 2008 and January 6, 2009 were presented to the Board for review and approval.

On a motion of Supervisor Boothe, seconded by Supervisor Gardner, and carried, it was resolved to approve the minutes of December 9, 2008 as presented.

Supervisor Gardner – aye  
Supervisor Allen – aye  
Supervisor Gerald – abstain – not present at entire meeting  
Supervisor Boothe – aye  
Supervisor Ingram – aye

On a motion of Supervisor Gardner, seconded by Supervisor Allen, and unanimously carried, it was resolved to approve the minutes of January 6, 2009 as presented.

Supervisor Gardner – aye  
Supervisor Allen – aye  
Supervisor Gerald – aye

Supervisor Boothe – aye  
Supervisor Ingram – aye

Mr. Wendell Peters, Clerk of Circuit Court, next appeared before the Board. He reported: We are all faced with preparing a budget. We are also faced with the State cutting our money along with everyone else. I know in the past, many years ago, we were allowed to carry some funds over. Most of it was carried over for other offices, I didn't know about it until it was too late. Most of that was for furniture. So I'm back before you this morning to ask if there is a possibility where we can get that changed, to where we can carry over money. I want to call your attention to the next to the last column on my budget, I've managed to get State money last year, \$17,919, they paid for some expenses last year. There is no assurance from year to year that they will pay for them. Also, under remote access fee, that's probably misclassified, that money should be credited back, we got that after this report was run. Right there, is somewhere around \$28,000 which would be roughly 10% of the total budget. If we could carry that over, or let's say we don't carry it over, you can look down the adopted budget column from last year and tell me where I'm going to cut 10%. There is nowhere to cut 10%. We've never had fat in our budget that I'm aware of. The only place to cut is personnel and I'd certainly hate to cut an eight year employee. Just ask that you all give us some consideration. For example, we have a training session that I'd love for this employee to go to up in Hillsville in February. Well, Hillsville is a lot closer than sending her all the way to Richmond. But I don't want to send her if I'm not going to have her. So I hope you can see where we're coming from. Some propaganda to back this up. This is true State-wide. All the duties of the Circuit Court are mandatory and can't be reduced. That's not totally true. I can cut out passports and people would have to drive to Roanoke. I can quit selling fishing and hunting licenses and let them go to Walmart. So there are some functions we can cut but I don't think we should. I think we're here to serve the people and I think we should continue to offer those services. The work load of the Circuit Courts in the State has increased. From 2002-2008, the criminal cases are up 19.6%, probates up 27.9%; concealed handgun permits up 178.8%. In Floyd County last year alone, our concealed gun permits were up 77%. So we've been quite busy. The appropriations for the Circuit Court Clerks, which most of our expenses are funded by the State, including all our salaries, from 2002-2008, Sheriff's appropriations increased 38%, Commonwealth's Attorney 53%, Circuit Court 6%. Our fees that we collected averaged \$90 million over the last three years. Only \$35 million of that was allocated back to the Clerks, so you can see that the State is taking the money. Our funding through the Compensation Board is a little different than the other courts. The District Courts received an 8% raise in 2008, that's twice what we got. Of course, this year there are none. But it's better to have a job and no raise, than to have no job. Some of the budget reductions made to the Sheriff's Department and Commonwealth's Attorney five years ago have been restored, but none have been restored to the Clerks. I think we've gone through two cuts already. So you can see the dire straits that the Circuit Court is in. We're also talking to the legislators. They have assured me that they will do what they can to help the Circuit Courts, at least to get our cuts reinstated. We've had to live with those cuts for several years. Some of the budget reductions for the Commonwealths Attorneys and Sheriff's office were restored. We had excess clerk's fees of \$54 million, two-thirds goes to the localities, and one-third stays in the State funds. If we had the other \$18 million, it would be enough for all the offices and I would not be here before you. I think a lot of the problem is that the State legislators and some of the others don't realize what Circuit Courts do. They don't realize that

we serve as probate judge, record deeds, court administrator, probate wills, issue guardians and fiduciaries, trustees, issue handgun permits, issue marriage licenses, notary public qualifications, record fictitious names, give oaths to all officials, and many more. You don't really know what we do until you need us. I do ask for your consideration to let me carry these funds over. When next year comes along, we hope to get the State to pay some of these expenses but there is no guarantee. I would like for you to look at my budget line by line and tell me where you think I can cut it, other than personnel. We are one of the few Circuit Court Clerks in the State that get the public to reimburse us for postage.

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 Allen, seconded by Supervisor Gardner, and unanimously carried, it was resolved to approve the monthly disbursements, and additions, as presented.

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

Agenda Item 8a – Subdivision plats as approved by Agent for December 2008. Mr. Campbell reported that he and Mr. Bryant continue to meet weekly or bi-weekly to review plats. 169 new lots were created in 2007 and 136 new lots created in 2008. Divisions seem to be coming more from financial need rather than a growing economy.

Agenda Item 8b – Transfer – Contingency - \$10,288.20. Mr. Campbell reported that additional Four for Life Funds were received in the last fiscal year and were never requested to be disbursed by the Rescue Squad. Request that these funds be paid from this fiscal year's contingency fund.

On a motion of Supervisor Boothe, seconded by Supervisor Gardner, and unanimously carried, it was resolved to approve the transfer from Contingency to 4-010-032030-3207 in the amount of \$10,288.20, for additional Four for Life Funds.

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

Agenda Items 8c, d, e – Request for transfers from Contingency to various departments for payment of annual, sick and compensatory time for employees who have left the County's employ.

On a motion of Supervisor Boothe, seconded by Supervisor Gardner, and unanimously carried, it was resolved to approve the transfers from Contingency as listed: \$6128.80 to 4-001-

035010-1100; \$468.85 to 4-001-035010-2100; \$6112.00 to 4-001-012010-1102; \$467.57 to 4-001-012010-2100; \$1128.12 to 4-050-042030-1106; \$86.30 to 4-050-042030-2100.

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. Cathy Shaut – I'm with the Floyd County Humane Society. First off, I want to thank David Ingram and Bill Gardner for their support and confidence in us with wanting to go forward with working at the pound and with the animals. We're here to ask you to reconsider your decision about volunteering to help the ACO's with some of their duties and adoptions. Over the past several months, we have completed, compiled and complied with everything that you've asked for. We are prepared and ready to volunteer. From 2001-2003, we volunteered without an ACO present. Construction then started on the addition and we helped physically and monetarily at that time. Since that time, we have not been allowed back in the pound. You say another ACO needs to be hired and trained; we were there without supervision before. You want us to have insurance, we do. You say your constituents say we have no business at the pound. Why not? Don't you care if an animal is saved or not? Without a building, our Society is limited to the number of animals that we can rescue. Volunteering at the pound is a way more dogs can be adopted. The County receives adoption money. Less animals euthanized, less money then used on drugs. Both a savings for the County in these hard budget times. There are many volunteer organizations in the County lending helping hands, why can't we? Do you have any further questions of me or the Society members who are here today? We would like for you again, to reconsider. We need to be able to get into the pound to help not only the ACO's with their duties, especially when there is only one ACO at this time with some part-time help. They need our help, the animals need our help. We would, again, greatly appreciate if you would reconsider your thoughts in letting us into the pound. Thank you.

Ms. Mary Beth Lanier – live in the Little River District. I am a former Board member of the regional library foundation. I have done fund-raising for the current expansion of the library. We want to thank you so much for what you've done for the library to bring it up-to-date. I want to bring a little point to your attention that it is so important for us to keep our State funding to maintain the services that we're providing for our County people right now. That State funding is, as you know, dependent on local funding. If you folks can keep up your local funding for the library, then our State funding will follow through and we'll be able to serve the folks of Floyd County, which are using the library even more now in this troubled financial times. We have folks coming in using the computers to do job hunting; we have people coming in using our genealogy room all the time. We cannot provide these services if we don't have funding to do so. So that's was all I wanted to thank you for.

Ms. Diane Giesler – For the last three years, I've been Treasurer of the Floyd County Humane Society and I reside in the Courthouse District. I stand before you to tell you that this volunteer organization is a very healthy organization from a financial standpoint. In my mind,

we have very good community support in terms of volunteerism and donations to the causes that we support. I also would like to take the opportunity to thank you for your consideration of our proposal. But at this time I would like to direct a question to Mr. Boothe, who represents the District that I live in. I would like some clarification by what he means when he said “he received widespread opposition to our proposal”. Does this mean he had three phone calls from three different areas of our district or hundreds? So I would very much appreciate some clarification of the statement that he made because everyone that I talked to around where I live is very much in favor of this. Thank you.

Ms. Darcie Luster – I live in the Courthouse District. I had some questions similar to Diane about wondering what the opposition was in our district against this. Everyone I’ve talked to is very much for it. I also just want to say that this is an issue that I personally, and a lot of other people in the community, feel very strongly about. It’s not something that we’re just going to drop. We will keep pushing and pushing for this and do whatever we can to help those dogs to get adopted.

Mr. Robbie Robbins – live in the Burks Fork District – I just stand up here before you to urge you to help the Humane Society care for the dogs in this County. I don’t understand in these days of budget constraints, Mr. Peters was talking about having to drop somebody, and they’re willing to help out and save money for Floyd.

Ms. Joan Hamilton – I’m one of the original people who started the Humane Society a long time ago. I would just like to make the comment that I’m an animal care provider here in town for 18 years, providing care for lots of different animals. I have a large clientele that come in. Most of the people cannot understand when they read the articles in the newspaper, why we were denied access to the shelter. Originally, as Cathy had said, we had given a large donation to the expansion of the shelter when the State came in and said that we had to have a room to euthanize rather to use the old-fashioned gassing of the animals. That was part of our plan to make that happen. We were promised, at that time, a room at the shelter that we could use at our disposal. We’ve never had this and we’ve never taken advantage of this. I would just like to know, the same as everybody else, what is the objection to our being there? If we could only get someone to say, this is the problem, then we could address it and we could tell them what is either right or wrong about their opinion. This is very needed. I have customers that come in and say that they have tried to go down to the shelter to adopt, there is no one there, they can’t get in, they can’t see, all they can do is read what we have on our web site. That doesn’t help to adopt an animal. Not only do we help with the adoption, but we also help with spay and neutering, which is a big problem in every community. Some of the things I’ve been reading are the facts that people are afraid that we’re going to ask for a multi-million dollar shelter. This is not true, we’ve never asked for money from the Town, we’ve always provided. I would like your consideration in this matter and thank those that have supported us, and hope those that haven’t will support us now.

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

Mrs. Korene Thompson, Town Manager, next appeared before the Board. She reported:

Some updates for the next year. The first item is Clearview Street, we have submitted letters to the residents on Clearview Street, offering them both trash and recycling services. Pretty pleased that we are getting some responses. There have been a couple of residents who have indicated their interest. Again, I want to thank you as the Board of Supervisors for your cooperative efforts in being able to provide this. Just wanted to mention that the trash pickup is on Tuesday and Friday and recycling is picked up on Thursdays.

The T-21 enhancement grant status. There are not a lot of changes from the December meeting. We have the easements being drafted and I'm told they should be ready sometime this week. Sam Moore is assisting with the easements and he's been a real asset in procurement of the easements and meeting with the parties involved. We are awaiting budget revisions and the 2009 T-21 timeline has been received.

Innovation grant status – really no change with our grant. However, you do see the Village Square progress. We have the installation of the windows. This morning I received an e-mail that the loan pool conditions have been met. There is a two year period for job creations under the Village Square renovation. At the last meeting, I read you the criteria for the loan pool application. I do hope that it will be in the Floyd Press this week. The loan pool committee is up and running and ready to review requests and to follow through with any loans. Mr. Will Griffin is the Chairman of the committee. I know financial things are tough for everybody right now, but I do hope that the businesses will have an interest in these loans. Again, it is \$10,000 at increments at 3%, one full-time job creation for each \$10,000 loaned. The monthly payments are like \$97/month so that's a pretty good rate. If you know anyone who might be interested, please steer them our way and we'll put them in touch with our committee.

Hensley Street – there are no changes from the December report. It's still at a standstill with AEP, VDoT and the weather. Temperatures are a great factor in changes being done.

Partnership for Floyd – continues to meet and focus on the Warren G. Lineberry Park development. We're trying to have two meetings per month and at each meeting we see new faces and interest in the park. It was good to see Mr. Gardner there last meeting. We did a field trip to the park last time to visually formulate ideas and each participant was challenged at the end of the meeting to come back on January 22 at 5:00 p.m. and present their own personal rendering of the ideas that have been presented at the meetings. The meetings are open to the public and we certainly encourage attendance and participation. After all, it's Floyd County's proposed park.

The Town vehicle license tax ordinance was passed and notices should go out by mid-March, due in April. Also Town business licenses will be due by March 1. That notification will go out as well.

Crosswalk update – the Council approved the location at Angels in the Attic. There were two options, one in front of the Country Store and one in front of Angels in the Attic that would lead across to the parking lot. VDoT has been apprised of the Council's decision. The downside is that we'll lose one parking space. Unfortunately that loss is great to the Town. I have also contacted VDoT regarding the re-painting of the crosswalks at North Locust and Oxford Streets since they were resurfaced. We do have a memorandum of understanding with the Sheriff's Department which I think is going to come into reality to help with some of the problems.

Work continues on the zoning ordinance. It is basically complete. Work will start next on the subdivision ordinance on January 29, 2009 at 6:30 p.m.

Trash can replacements – The Town purchased eight metal trashcans that blend with the iron works that we did with the seating. The larger pebble-type trashcans that we currently have

will be moved to other areas of the Town. If there are extras, we'll use them for recycling. The new cans are metal and will have to be anchored.

Agenda Item 8f – Appointment of Professional Assessor. Mr. Campbell commented that one of the statutes required in the Code of Virginia that the Board of Supervisors must formally appoint a professional assessor. This appointment has to be submitted to the Department of Taxation for their approval. Mr. Campbell also commented that either Mr. Thomas or Mr. Wingate will be at the Board's next meeting to discuss their progress.

On a motion of Supervisor Boothe, seconded by Supervisor Allen, and unanimously carried, it was resolved to appoint Donald K. Thomas as Professional Assessor for the Floyd County reassessment.

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

Agenda Item 8g – Elimination or suspension of State mandates. Mr. Campbell presented a copy of a letter request from Mr. Poindexter concerning issues that the Board wishes him to take to Richmond. Not counting educational mandates, landfill monitoring is a big issue for this County, indicated by bills just paid totaling over \$30,000 for the quarterly monitoring. Applying a cost to all the mandates would be an arduous task. After discussion, it was the consensus of the Board for the County Administrator to relay a letter indicating the major strains on the County from mandates, and also a copy of the State/Federal mandate catalog indicating all the mandates that affect us.

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

We have ended up with a total 518 applicants for our Energy Assistance Program. That's approximately a 15% increase over last year. State-wide, there were a total of 122,858 applications this year, which is an increase of 12%. So we were significantly above the State-wide increase. The average household benefit this year is \$553.48, which is about 2 ½ times what it was last year. Last year, it was \$231.41. The reason for the increase is an extra appropriation from the Federal government for the allocation amount. Will not have final numbers on the program until sometime in late April or May because we still run the crises program through that point. There is a significant increase in that program also.

Final Medicaid numbers from last year show 2211 individuals served, with 1844 unduplicated. That's a significant increase; we averaged 1600 served over the last few years. These numbers do include the FAMIS program.

Governor's budget cuts – recommend elimination of the State/Local Hospitalization Program. This program is used to pay for indigent adults who don't have any way to pay for hospital care, emergency room, surgery, etc. That is a loss of about \$70,000. The budget calls for complete elimination of the program. The County's match in this program is around \$10,000. The total loss in the State-wide program is \$12,865,779.

CSA – there were no suggested changes in the match rate in the Governor's proposed budget.

Social Services – we are not slated to lose any positions locally – there will be 80 positions eliminated State-wide.

TANF funding – we do not know the impact locally yet. They are moving a lot of funding around at the State level so we’ll have to wait and see the impact locally.

Earmarks – will be eliminated in the Social Services budget – does not specifically impact any agencies that we work with directly in our area.

Electronic system – this system was being developed for electronic entry of daycare information – this will be entered manually.

Foster care rates – were scheduled to be increased 15%, has been reduced to 6%.

CSA – Aid to Localities – we are running lower on expenses than usual, averaging around \$30,000/month now. We had been spending around \$50,000/month. Effective this month, no CSA expenditures will be reimbursed until the Aid to Localities amount is reached. A bit of good news for a change.

I have been invited to attend the February 4 meeting of the Rural Caucus in the General Assembly. This is part of my duties through the Social Services League. I’m now a registered lobbyist.

On a motion of Supervisor Gardner, seconded by Supervisor Boothe, and unanimously carried, it was resolved to amend the agenda to add Mr. Dennis Anderson at 10:45 a.m.

Supervisor Gardner – aye

Supervisor Allen – aye

Supervisor Gerald – aye

Supervisor Boothe – aye

Supervisor Ingram – aye

Ms. Cathy Shaut, Floyd County Humane Society – once again, with what you all have heard from all of us at this point, requesting to come back into the pound and be active there, are there any questions in any talks given previously, that you have of us? About our society, coming into the pound, do you wish to answer our questions at this time as to why not or do you wish to convene and have Mr. Campbell get in touch with me?

Supervisor Boothe commented that Roberts Rules of Order need to be followed as to discussion of the issue.

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and unanimously carried, it was resolved to bring back up for discussion, the subject of the Floyd County Humane Society proposal.

Supervisor Gardner – aye

Supervisor Allen – aye

Supervisor Gerald – aye

Supervisor Boothe – aye

Supervisor Ingram – aye

Chairman Ingram – I have a suggestion and it’s merely a suggestion. A committee of Mr. Campbell, Supervisor Boothe if he will serve as a Board member, Animal Control Officer, Ms. Shaut and another member from the Humane Society, a group of five. Sit down and talk about

the issues, answer questions from both sides, and report back to the Board at the next meeting. Talk about a solution or a way to get to a solution.

Consensus of the Board was for the committee to be set up.

Ms. Shaut – that’s what we would like. We have our meeting tonight and I would like to bring this forth on our agenda as to what has taken place. I think that would be good. At this point we would like questions answered as to how you all are feeling and as to why. To get down to the nitty gritty. Previously we have complied with everything that you all have asked for, our paperwork, liability, insurance, everything along that line, waivers. I have no problem with that and I’ll work with Mr. Campbell to set up a time and date. We have a Board of Directors also, and we’ll work for another appointee. We appreciate your time.

Mr. Dennis Anderson – I’m here concerning Trails in Floyd County. I believe the last time I was here, I spoke about the easement concern. This is primarily dealing with the trail at the Recreation Authority property. The Authority desires to seemingly want to have a hands-off approach and specifically want somebody else to hold the easement. I talked to you all about possibly holding the easement and I think Jerry had questions about the grant money that we have. If you all hold the easement and the Trails in Floyd group assumed full responsibility for construction and maintenance, you have the option that if you felt like it wasn’t being maintained well or there was a safety issue, and you closed it, would the grant money have to be paid back? I have an e-mail from my contact with the Department of Forestry, who administers the grant, and a copy of the grant which I’ll leave here and you can browse through it. The e-mail says that they expect the trail to stay open for five years. I guess to answer your question specifically, if there was a maintenance problem or some other issue that you felt it would need to be closed before five years, it would have to be paid back. That’s the only issue that I have today. I would like for you today, or sometime in the future, decide if it would be appropriate to hold this particular easement and specifically it would be half of a road bed on Dave Larsen’s side and the entire trail location within the Park boundary. This is how the Recreation Authority wanted to handle it. The other thing that I have, I was talked with Jon Vest the Extension Agent, about the gypsy moth problem. Floyd County is now under the quarantine because of gypsy moth and any product carrying gypsy moth eggs or larva out of the County to non-quarantined areas, have to be inspected. Christmas trees, nursery stock, timber products, firewood, outdoor furniture, boats, that type of thing. You all will probably start getting some feedback from constituents regarding defoliation. The moth itself is throughout the County. It takes a year for the populations to get up where you start seeing acres of bare trees. We’ve had a few places in the last year. There will not be any government spraying or cost sharing assistance for spraying since we are now within the natural spread of the moth. However, I feel you’ll have landowners calling you and asking you to do something. Some Counties in the past have gone to the step of appointing a Gypsy Moth Coordinator and having meetings and trying to coordinate spraying. As a Professional Forester, I think it would be a waste of the County’s time and money. You cannot eliminate the moth. If you have one landowner who sprays and the next one doesn’t, it doesn’t do any good. We have various recommendations for landowners with yard trees to take care of individual trees. As far as spending any money on control efforts, I would advise against it.

Mr. Campbell – didn't Montgomery County participate in the State program and not get any remuneration in 2006?

Mr. Anderson – they ended up doing a program and they got no reimbursement. They lost quite a bit of money. Some years are very bad; the next year may not be as bad.

Supervisor Allen – at one of the meetings when you weren't here, there was a young lady here. I asked her if there had been any consideration about keeping it strictly on Larsen's land or the Recreation Authority's land. Do you know if that has been considered or not?

Mr. Anderson – probably the lady was Dee Wallace, she works with Dave Larsen, and she's been to all the meetings. No, not really. I guess for no reason. We initially thought it would just be a good fit with the Park since recreation authority and that type of thing. In just kicking ideas around, that old road bed goes up between the properties. We thought, well hey, here's a road bed already graded out, we'll just clean it out and use it. That's how it came about. If there's a problem with the Larsen easement, we could shift it over and not use his side. I think when you abandon road beds, each landowner goes to the center line. We could do that. As far as just putting it on Mr. Larsen's property and not get on the Rec Authority, we thought since the Rec Authority did have parking and restrooms, that might be a good fit. That's kind of how our thinking went. I don't think it would fit to just put it on his side, with access and everything. I would think he would develop it at some point, or the next owner, whereas the park is set aside for recreation.

Supervisor Boothe requested a copy of the original grant application.

Agenda Item 8h – Local Census office Open House – invitation for the Board of Supervisors to attend on January 27, 2009. In meeting with David Rundgren at the Planning District Commission, he has indicated some changes in tract numbers may be needed. He will attend the Board meeting next month to explain.

Agenda Item 8i – Appointment to Building Code Board of Appeals. Mr. Campbell reminded the Board that these appointments are still open. The positions were not advertised per the Board's instructions. Need at least five members representing different areas such as construction, experienced builder, residential development professional, and real estate person.

On a motion of Supervisor Boothe, seconded by Supervisor Gardner, and unanimously carried, it was resolved to appoint Mr. Mauyer Gallimore to the Building Code Board of Appeals for a four year term.

Supervisor Gardner – aye

Supervisor Allen – aye

Supervisor Gerald – aye

Supervisor Boothe – aye

Supervisor Ingram – aye

On a motion of Supervisor Boothe, seconded by Supervisor Allen, and unanimously carried, it was resolved to approve payment for mileage for meetings of the Building Code Board of Appeals as per the County's payment policy.

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

Agenda Item 8j – Virginia Sesquicentennial of the American Civil War Commission. Mr. Campbell reported that a letter request had been sent to the individuals nominated by the Board, but only one response was received. Mr. Moser indicated that he would serve and Supervisor Boothe received a positive response from Mr. Link. Supervisor Gardner suggested that Jean Shaffer or Rebecca Weeks from the Historical Society might also be interested.

On a motion of Supervisor Boothe, seconded by Supervisor Allen, and unanimously carried, it was resolved to appoint Mr. Tom Moser and Mr. Jeff Link to the Floyd County Chapter Committee of the Virginia Sesquicentennial of the American Civil War Commission.

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

Mr. Kenny Bartlett, EMS Operations Supervisor, next appeared before the Board. He reported 55 calls for the month, with 42 transported. The response unit had 44 calls, for a total combined call volume of 101. There were 12 calls to the nursing home for a total of 21 calls for the year. Also presented a copy of a report for 2008 indicating 637 calls. ALS calls made up 62% of the calls, BLS calls were 23%. Average time on scene was 23 minutes. Average length of calls was 117 minutes turn-around.

Mrs. Myra Grim, EMS Administrative Clerk, next appeared before the Board. She presented her report for the month, and indicated that it was as normal. The aging number is the same, because a new number was not received from Diversified. Will have a new percentage of collections next month. In my client information received from Diversified, they indicated that Medicare has implemented a 5% increase in allowable charges.

Supervisor Boothe questioned how much higher are our rates than what the insurance is reimbursing?

Supervisor Allen requested that Mrs. Grim check with surrounding Counties to get their rates.

Mr. Steve Love, Rescue Captain, next appeared before the Board. He reported 42 transports for the month for the volunteers. Nursing home calls have been up, he and Mr.

Bartlett have met with administration again to explain that calls are for emergencies, not transports.

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

Regional Jail – expansion is on schedule, the outside is almost complete, still working on the inside. Daily population is down a little, usually goes back up in January. There was an accident yesterday with one of the jail vans. The van was not at fault. Two were flown to Roanoke Memorial. The Pulaski inmate is not in serious condition. The van was a total loss.

Well at Indian Valley – have received final easement agreement to which all parties have agreed. We will get it signed shortly and have it ready for the Chairman to sign.

Memorandum of Understanding with Blue Ridge Parkway ready for the Board's consideration. Parkway officials have executed the agreement. They wanted a change made in the withdrawal time from six months to ninety days. The County Attorney reviewed this suggestion and agreed that it was ok. Pro Comm has indicated that 90 days would give them sufficient time for removal of the tower if the need arose. We also have a proposed agreement with Pro Comm for the tower installation for the Board's review. This project has only taken 4.5 years to complete.

Funding is included in the Governor's proposed budget for 50% reimbursement for the Regional Jail. Our positions are also still included at this time. The 90-day Compensation Board position freeze has affected us somewhat. The new jail in Roanoke has affected us some also, with the loss of about ten people.

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

Presented a copy of the enrollment report for December 2008 indicating 2046.5 students.

Presented a copy of the Fall SOL scores for the high school, indicating pass rates for all grades and subjects. This is very indicative of the quality of our educational system.

Supervisor Allen questioned the newspaper article indicating that Floyd County would lose 22 support staff positions with the Governor's budget cuts?

Dr. Arbogast – the State of Virginia funds us with SOQ (Standards of Quality). They decide that there is "x" number of positions which we're supposed to have. They tell us how many kindergarten positions we're supposed to have, 1<sup>st</sup> grade, 2<sup>nd</sup> grade, 3<sup>rd</sup> grade, on up the line, English teachers, special education teachers, based on a formula that they have decided that the maximum ratio of classes are supposed to be. We might get 6.27 kindergarten teachers, 7.45 1<sup>st</sup> grade, 8.12 2<sup>nd</sup> graders, that's how it goes. They have what they call prevailing salary, what they think a teacher is worth. They multiply those two numbers together and over here is a column with the total dollars that they're going to give us based on those SOQ positions. They add the 6.25, 7.5, 8.2, all those equivalencies and they come up with a number. That's how we get partially funded for the Standards of Quality for professional staff. Over here on this side, they have another part of the formula called support positions. There are 12 different categories of support positions. Administration administrative is one of them. I don't even know what that is, if you want the truth of the matter. We get funded for attendance and health, operation and maintenance, clerical, assistant superintendent; we get funded for 12 titles of what they believe

are support positions to run the schools under SOQ. We don't even equate to most of those titles because we don't have people hired with those titles. But they come up with an equivalency. We might get a .67 of one position, we might get a 2.65, a 4.26, under operation and maintenance, and we get 23 positions. I don't think they even know what they're supposed to be. It is a funding mechanism to give us money. We have about \$2 million under that support classification and all those equivalencies added to 59. I don't know what an administration administrative is. But it's ok, they give us money. The Governor decides he's not going to affect instruction on the professional side; he's going to cut those equivalencies on the support side. He took all those equivalencies of those 12 different titles, and shaved them down. He cut all those fractions of positions, instead of having 59 like we do this year at \$2 million; he cut them to 37 for Floyd County. Well, when you subtract 37 from 59, you get 22. I don't know what the equivalent of 22 positions is, because I can't tell you that I'm getting "x" number of dollars for this position and it was cut. It's all equivalencies, we have one position that we get funded .65 and it was cut to .37. I don't know a .65 position or a .37 position what would even be. It's just an equivalency ratio formula used to give us money. He reduced the support staff people and the positions went from 59 to 37. We don't have a lot of these positions. What most school systems do is gladly take the \$2 million and put it in your budget to support what you need. Where does it go? It goes to add the additional teachers that we need in the classroom that they don't fund us for because they fund us for the minimum that the SOQ calls for. They don't fund us for anything above that. We use that money for support for operating our schools. We were cut about \$851,000 and there is no way that it can't affect instruction. Everything we do has an impact on instruction. I don't know how we can't clean the buildings, we can't cut custodial staff. We did a list of the required reports that we have to do with our clerical staff; we're up to 127 reports right now that we have to do, required reporting documents. That's not other work that is done for work related items, that's strictly reports. We have to fix the buses, clean the buses, clean the schools. They fund us three special education teacher assistants. We have 12-18 students that are required to have a full-time teacher assistant, they funded three. That's the State formula. Where do we get the extra money from? We have to take it from over here and use it for things that we know we have to do. If a child comes in and is totally handicapped, we have to put someone with them. We get funded for three. We have to make the dollars meet what we think the needs are. I'm not going to hire an attendance teacher. We don't need that. He's tried to say that he wasn't going to affect the classroom, but it does affect them.

On a motion of Supervisor Boothe, seconded by Supervisor Allen, and unanimously carried, it was resolved to rescind the previous motion concerning the memorandum of understanding with the Blue Ridge Parkway from the December 9, 2008 meeting.

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

On a motion of Supervisor Allen, seconded by Supervisor Gardner, and unanimously carried, it was resolved to adopt the Memorandum of Understanding with the Blue Ridge Parkway as presented, and authorize execution by appropriate County officials (Document File Number ).

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

Consensus of the Board was to discuss the Professional Communications agreement later in the day with the County Attorney.

The Board recessed for lunch.

Mr. Bob Beasley, VDOT Residency Administrator, next appeared before the Board. He reported:

Do not have any further information on the Commissioner's Blueprint Plan. The Commonwealth Transportation Board cancelled their January meeting and will not meet again until February 5, 2009.

Attended the interstate/primary 6-year plan meeting – they explained that the situation is dire as far as funding. But, there are numerous variables to consider and we don't know how it will all turn out.

Mr. Campbell questioned if the stimulus funds at the Federal level would help locally if they are approved? Has VDOT compiled a list of projects if it is funded?

Mr. Beasley – we are preparing for the possibility of the stimulus package. We are reviewing all plans that we have on the shelf, organizing projects to see what could be put on the fast track if the funds do come down. In the last thirty days, we've worked on spot patching with cold mix, grading, stone hauling, cutting trees/limbs, watching for threat of snow/ice, pumping salt ponds at headquarters (prevents salt from getting into the water source). Do not have the final figures yet for the public hearing; do not know if we will have them in time for the hearing.

Supervisor Boothe – was the speed reduction study approved on Route 735? Was it from the new construction to Route 750?

Mr. Beasley – yes, from Country Lane to Route 750. It should be posted within the next couple of weeks.

Supervisor Boothe – Route 615, Christiansburg Pike, nothing has been done to the washed out spot that I mentioned last month.

Mr. Beasley – it was repaired last week.

Supervisor Boothe – Route 705 pond – any action on it?

Mr. Beasley – it will have to be done through the district-wide guard rail contract – I feel it is definitely needed.

Supervisor Gardner – I have received calls concerning tremendous potholes on Springdale Road and Burks Fork Road.

Supervisor Allen – nothing to report this month.

Supervisor Gerald – Route 655, Sumpter Road, the gravel placed on the road is about half mud.

Mr. Beasley – we have had calls on this road. It is the gravel source, but it meets the test for aggregate.

Supervisor Gerald requested information by the next meeting as to whether the Peppers Ferry bridge will be funded or not.

Supervisor Ingram – secondary roads need gravel and grading when possible.

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

On a motion of Supervisor Boothe, seconded by Supervisor Gerald, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.1, discussion, consideration or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body; 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.

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

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

CERTIFICATION RESOLUTION  
CLOSED MEETING

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss personnel and property, in accordance with Section 2.2-3711, Paragraph A.1 and 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 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 the proposed agreement with Professional Communications for the tower on the Blue Ridge Parkway, Mr. Cornwell suggested adding “install” the tower along with “supply”.

On a motion of Supervisor Boothe, seconded by Supervisor Gardner, and unanimously carried, it was resolved to adopt the Memorandum of Understanding with Virginia Wireless Group (Professional Communications) as amended and authorize appropriate County officials to execute same (Document File Number \_\_\_\_\_).

Supervisor Gardner – aye

Supervisor Allen – aye

Supervisor Gerald – aye

Supervisor Boothe – aye

Supervisor Ingram – aye

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

Supervisor Gardner – aye

Supervisor Allen – aye

Supervisor Gerald – aye

Supervisor Boothe – aye

Supervisor Ingram - aye

