

**BOARD OF SUPERVISORS  
REGULAR MEETING  
APRIL 13, 2010**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, April 13, 2010 at 8:30 a.m. in the Board Room of the County Administration Building, thereof;

PRESENT: David W. Ingram, Chairman (entered the meeting at 9:35 a.m.); J. Fred Gerald, Vice Chairman; Virgel H. Allen, Case C. Clinger, Board Members; Daniel J. Campbell, County Administrator; Terri W. Morris, Assistant County Administrator.

ABSENT: William R. Gardner, Jr., Board Member.

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

The Opening Prayer was led by Vice Chairman Gerald.

Supervisor Allen led in the Pledge of Allegiance.

The minutes of March 9, 2010 were presented to the Board for review and approval.

Vice Chairman Gerald indicated on pages 3 and 4, that it should be listed as the Vice Chairman called for the opening and close of Public Comment Period, instead of the Chairman.

On a motion of Supervisor Allen, seconded by Supervisor Clinger, and carried, it was resolved to approve the minutes of March 9, 2010 as corrected.

Supervisor Clinger – aye  
Supervisor Gardner – absent  
Supervisor Allen – aye  
Supervisor Gerald – aye  
Supervisor Ingram – absent

The monthly disbursements, along with a list of additional bills and the Treasurer's refund requests, were presented to the Board for review and consideration. Questions and discussion followed.

Mr. Harvey Waddell, Assistant Animal Control Officer, appeared before the Board. He presented a livestock claim from Mr. James Cobb for five lambs killed by dogs. Mr. Waddell commented that he at first thought it was a coyote kill, but after investigation, determined that it was indeed dogs. He had picked up two pit bulls on a nearby road several days earlier, who had killed other animals, so they felt it was the same dogs, since there have been no further problems. The pit bulls were surrendered to animal control by the owners.

On a motion of Supervisor Clinger, seconded by Supervisor Allen, and carried, it was resolved to approve the monthly disbursements, additional bills and Treasurer's refund requests, as presented.

Supervisor Clinger – aye  
Supervisor Gardner – absent  
Supervisor Allen – aye  
Supervisor Gerald – aye  
Supervisor Ingram – absent

There were no reports from Constitutional Officers this month.

Agenda Item 7a – Subdivision plats as approved by Agent for March 2010. Mrs. Lydeana Martin, Subdivision Agent, appeared before the Board. She reported that most divisions for the month were family or lot line revisions. The Planning Commission is working on language to firm up the ordinance in this area.

Comprehensive Plan Focus Groups are continuing to meet with several upcoming events as outlined on list. We do have a business survey on the web site for folks to complete with their ideas. This was done with the assistance of a Virginia Tech intern to understand needs of our local businesses and where we can help.

Tourism – working on an updated media kit. We do have three sets of travel writers visiting in the next 2-3 weeks so this is an immediate need for the updated information. Also putting together key information on cultural/heritage assets for the Artisan Center in Abingdon.

Blue Ridge Parkway 75<sup>th</sup> Anniversary. They are encouraging communities to have a warm-up event in anticipation of the large event. We can use their website to announce local activities. They would like an honorary member from each County to serve on the planning committee. They are also putting together a quilt and would like a quilt square from each County, which shouldn't be any problem for us.

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

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

Agenda Item 7b – Appointment/Introduction of Building Official. Mr. Campbell introduced Mr. Mark Bolt to the Board as the new Building Official. Mr. Bolt provided background information on himself and commented that the job is going well so far.

Agenda Item 7c – Appointment to Floyd – Floyd County Public Service Authority – Town/County representative. Defer action for interviews later in the day.

Agenda Item 7d – Appointment to New River Highlands Resource Conservation and Development Area. Defer – no nominees from the Board.

Agenda Item 7e – Proclamation for National Library Week 2010. Mr. Campbell presented a draft for the Board's consideration. Library staff that were in the audience indicated that activities will be going on at all branches during the week. At the Floyd Library, a quilt

project is in the works. There was so much interest in the project that there were enough squares for three quilts. The genealogy room has also been completed, which will be highlighted during the week.

On a motion of Supervisor Allen, seconded by Supervisor Clinger, and carried, it was resolved to adopt the proclamation as presented recognizing National Library Week 2010 (Document File Number      ).

- Supervisor Clinger – aye
- Supervisor Gardner – absent
- Supervisor Allen – aye
- Supervisor Gerald – aye
- Supervisor Ingram – absent

Agenda Item 7f – Appointment of alternate member to New River/Mount Rogers Consortium Board. Mr. Campbell indicated that the meetings are held on the 3<sup>rd</sup> Wednesday of the month in Wytheville, usually from 9:30 a.m. – noon. The alternate is required to be a Board Member or County Administrator. After discussion, the Board deferred the matter for discussion with the entire Board.

Agenda Item 7g – Blue Ridge Parkway 75<sup>th</sup> anniversary weekend festival. Mr. Campbell presented information on the events for September 10-12, at Cumberland Knob, which is on the Virginia/North Carolina border. The Board needs to consider whether to participate, and maybe have a local committee to plan some related activities. The deadline for intent to participate is May 15. After discussion, the Board deferred the matter for further consideration when the entire Board is present.

Agenda Item 7h – Solid Waste Application form. Mr. Campbell presented a draft application form prepared by Mrs. Cox, Accounts Payable Specialist, for placement of green boxes at citizen sites. He commented that with the challenges we sometimes face with collection of fees, that such a form would enable the collection of financial information, correct addresses and a signature of person indicating their understanding of the County’s terms. An interest rate for late payments would need to be established by the Board.

On a motion of Supervisor Clinger, seconded by Supervisor Allen, and carried, it was resolved to approve the Solid Waste Application form as presented, with an interest rate of 2%/month for late payment accounts (Document File Number      ).

- Supervisor Clinger – aye
- Supervisor Gardner – absent
- Supervisor Allen – aye
- Supervisor Gerald – aye
- Supervisor Ingram – absent

Ms. Paula Alston, Montgomery-Floyd Regional Library Director, and Mr. Michael Hemphill, Chairman of the Board, next appeared before the Board.

Supervisor Clinger – I understand you all have had funding cuts from the State, Montgomery County and Floyd County. The State is around 15%, Floyd County 10%, which is around \$7400, and Montgomery County cut \$144,000?

Ms. Alston – I'm not sure of their number.

Supervisor Clinger – I have Montgomery's budget and they list a \$144,000 cut. They go so far as to tell you to cut your staff from 23.875 to 20.5. I'm curious as why it is that Floyd has been carrying the brunt of the campaign to maintain finances. You all have gone so far as suggesting that the Board here is not supportive of the library.

Mr. Hemphill – first of all, I appreciate that. That is not the case. What we've done here we've done in Montgomery County as well. The exact same signage that has been in the Jessie Peterman Library has been in all three of the Montgomery County Libraries at Blacksburg, Christiansburg and Shawsville. We're encouraging citizens who are our patrons and your constituents, to let them know the impact of not only the local potential budget cuts, but the State budget cuts, the impact of what that is going to mean to our library service. We did do a campaign with our State Delegates and Senators, encouraging them to maintain level funding on the State level. We weren't as successful as we'd hoped, like every other agency. We did the same thing with the Montgomery County, as well as Floyd County Board of Supervisors, encouraging them to maintain level funding.

Supervisor Clinger – all of us have gotten several contacts. My trouble is that the library staff itself, was claiming that I was up here trying to close the library. I called down myself, and one of your staff told me that Casey Clinger said he wanted to close the library. I asked if she was sure he said that. She said, well, he's claiming now he didn't say that. I'm sure that this didn't come from just one comment.

Mr. Hemphill – if that is the case, it was a mistake. No Supervisor, whether Floyd or Montgomery County, should be singled out, particularly when relying on hearsay. I will say that this came out at our Library Board meeting, which is an open public meeting; we learned that the Floyd County Board of Supervisors was contemplating a budget cut and it was told during the meeting that it had come up at one of your meetings that closing the library might be a solution. That should not have been repeated by a staff member, and I apologize.

Ms. Alston – as do I.

Mr. Hemphill – that should not have taken place. With the flyers that we put in the various systems, we're encouraging our patrons who are concerned with the effects of the budget cuts, to contact you. Obviously you want to know what your constituents are thinking.

Supervisor Allen – that may have been my fault for asking Ms. Alston last month if she had considered closing a day a week, or part of a day a week. Her response to me was that she would fight it to the end. The point is, let me share an e-mail that I received yesterday. People have taken part-time or closing a half a day a week, as to closing full-time. I don't know how it

got blown out of proportion. We've all received e-mails, phone calls, letters and they all think it is going to close.

Mr. Hemphill – that has not been a topic of discussion at the library board meetings. We are as lean on staffing as we can be. The only way to absorb the cuts that we're facing is to reduce personnel or library hours. It has gotten that dire. We are not discussing closing. This particular community really supports their library.

Supervisor Clinger – how many staff do you have?

Ms. Alston – 30 FTE's system-wide, Floyd has nine employees for 5.2 FTE.

Supervisor Clinger – my problem is when they started the message that they were one-on-one articulating that was not the truth. My reputation has been damaged. I looked back through my records; I personally donated over \$1092 last year. I probably won't do it again. It is disheartening for a library that we're such a big part of, turned to those tactics. I am very disappointed.

Mr. Hemphill – I personally apologize and I hope my comments get relayed to all the citizens here. It is very unfortunate. I can only chalk it up to deeply concerned and enthusiastic library staff obviously concerned about being able to provide the quality of service that Floyd County citizens deserve. I can only apologize and assure that it doesn't happen again.

Supervisor Clinger – I appreciate that.

There was no report from the Town Manager for the month.

Chairman Ingram entered the meeting at 9:30 a.m.

The Vice Chairman turned the chair over to the Chairman.

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

- Food Stamp Program (SNAP) 828 households, 1891 people, which is up 54 people from last month. Paid out \$232,199 last month. \$2.5 million estimate for the year.
- Applications – still running high, 97 new applications, with 1523 active cases. Two years ago we had 1074 active cases.
- State budget actions – everything that I'm going to tell you is contingent upon the Federal government passing a six month extension for Medicaid (FMAP-Federal Medicaid Assistance Program). As part of the stimulus package that was passed, Virginia's FMAP percentage was increased by a little over 6%. Thinking about how big Medicaid is, that was almost \$800 million that came down to the State. If the six month extension is granted, that will be approximately \$380 million that the State is going to get. Just keep that in mind as I tell you how these cuts are going to play out. For next fiscal year, we will receive a 2.4% administrative reduction unless the FMAP extension is granted. If it is granted, it would be a 1% cut. The General Relief program that we use for indigent burials is gone, effective July 1. The Companion program takes another 10% reduction.

It takes a 24% reduction if the FMAP is not extended. Other Purchased Services, which is the line we use to pay for companion services and child protective services, it takes a 23% cut, 50% cut if FMAP is not extended. Furlough days – we do not have any specific days designated for our agency. They did take the funding for the one furlough day this year. They can't require me to close the agency but they did take the money. We hope we will not have to take the day without pay and can stay open. Training funding has been cut by 50%, which is training for new employees. FY12 cuts will be worse.

Mr. Aric Bopp, Executive Director of the New River Valley Economic Development Alliance, next appeared before the Board. He gave an overview of the Alliance indicating all the things they do; operate on \$1/per capita from local governments; focus on 13 target industries that the Board of Directors feel is a good fit for the New River Valley; focus on 3 F's – Find, Facilitate and Follow-Up; operate under a \$300,000 budget with 2.5 employees. He also presented a short marketing video showcasing the New River Valley.

Mr. Steve Swartz, Blue Ridge Heritage, Inc., scheduled for 10:30 a.m., did not attend.

Mr. Bob Beasley, VDoT Residency Administrator, next appeared before the Board. He introduced Mr. Dan Huff, Land Development Engineer, who will be the County's contact after April 23, when his office is closed. There will be a period of adjustment starting April 26, when the different offices are closed and folks are retiring or reassigned. Ask the Board's patience while this transition is taking place. There will be a memo sent out this week with new contacts and communication plan.

Supervisor Clinger – potholes need attention when possible.

Mr. Beasley – we are concentrating on them with the asphalt plants now open. We have been patching about 200 a week in Floyd County. We know the stabilized roads need machining which we will do as soon as possible, and will also work on the breakups along the edges.

Supervisor Allen – any response from the arborist about the trees at the Route 221/681 intersection?

Mr. Beasley – I did look at them with the traffic engineer, he did not feel there was a visual obstruction.

Supervisor Allen – will lines be repainted on the roads sometime soon?

Mr. Beasley – as finances allow, only have one crew for the entire district.

Supervisor Allen – is the rumor true that Route 221 will be partially paved this year?

Mr. Beasley – I do not know. I would expect there will be some part done. Paving has been cut back, with only urgent areas being done.

Supervisor Allen – I talked with a person at the Check shop about a horse crossing sign. I was told that they are not being done anymore because they don't do any good, and will be taken down. We need one on Route 612 from Route 221 down to Eanes Road.

Mr. Beasley – that would be news to me that they would be taken down. I'll check on it.

Supervisor Gerald – potholes are my main concern. I would also like you to look at the bank that needs to be cut down on Indian Valley Post Office Road to improve safety and sight distance.

Supervisor Ingram – secondary gravel roads do need assistance when time/funds allow, but I understand the situation. Will there be enough employees left in Floyd County to make up crews?

Mr. Beasley – the Governor has enacted a hiring freeze so we don't know how this will affect us. We will probably lose more people.

Supervisor Gerald – can you give me the status of the sign for Indian Valley Elementary School? It has not been repaired yet.

Mr. Beasley – I will check on it, it has been ordered.

The Board thanked Mr. Beasley for his many years of faithful service to VDoT and particularly to the County, and wished him well in his retirement.

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

- Presented summary of calendar days missed over the last ten years due to weather conditions. Required to attend either 180 days or 990 clock hours. Floyd County uses 990 hours calculation by a longer school day.
- Presented FY11 school calendar – starting a week earlier in August to allow the first semester to end before the winter break.
- Presented copy of March 31, 2010 Average Daily Membership (ADM) indicating 2083.99 students. This is the official number that is used for funding, but we really estimate the number to be 2100.
- Copy presented of programs in collaboration with New River Community College – Jump Start and Dual Enrollment. Also, all vocational classes are industry certified, meaning the student can take the class, take the State test, be certified and ready to enter the job market.
- Beginning a math remediation program for students with standard diplomas who may not have had a math class for several years – to help them pass the NRCC assessment exam.
- As part of the Infinite Campus (student management system), beginning a parental portal, where parents can access grades, attendance, discipline, etc., directly through the school system.

- School Board will meet tonight.

Supervisor Gerald questioned in the school calendar, November 25-26 is referred to as the Thanksgiving break, why is the Christmas break called winter break, is it because it refers to Christ? I don't know why it was changed.

Dr. Arbogast – we normally use neutral terms in dealing with holidays. We have referred to them this way for several years.

Supervisor Gerald – that is really a shame.

Dr. Arbogast – that is just what we have to do. I got a call the other day chastising us for taking Easter Friday and Monday as religious holidays. We get blasted from both sides so we just have to stay neutral until different laws are made.

Supervisor Gerald – so you won't change the Easter break schedule?

Dr. Arbogast – no, that's what the School Board set up.

The Board recessed for lunch.

On a motion of Supervisor Gerald, seconded by Supervisor Allen, and 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.

Supervisor Clinger – aye  
Supervisor Gardner – absent  
Supervisor Allen – aye  
Supervisor Gerald – aye  
Supervisor Ingram – aye

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

Supervisor Clinger – aye  
Supervisor Gardner – absent  
Supervisor Allen – aye  
Supervisor Gerald – aye  
Supervisor Ingram – aye

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

**CERTIFICATION RESOLUTION  
CLOSED MEETING**

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

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

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

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

Hearing no statement, I call the question.

Supervisor Clinger – aye

Supervisor Gardner – absent

Supervisor Allen – aye

Supervisor Gerald – aye

Supervisor Ingram – aye

This Certification Resolution was adopted.

Agenda Item 7c – Appointment to Floyd – Floyd County Public Service Authority – Town/County representative.

On a motion of Supervisor Clinger, seconded by Supervisor Gerald, and carried, it was resolved to appoint Mr. Paul Faulker to the Floyd – Floyd County Public Service Authority for a four year term, contingent upon the Town of Floyd's concurrence.

Supervisor Clinger – aye

Supervisor Gardner – absent

Supervisor Allen – aye

Supervisor Gerald – aye

Supervisor Ingram – aye

Agenda Item 7i – Real Property Tax Levy for FY11. Mr. Campbell commented that he had previously provided handouts to the Board on the mass reassessment and the effects on the tax rate. With the evaluation numbers minus new construction figures, the best that I can tell, is that the Board would need to reduce the levy down to \$0.47/\$100 valuation from the current \$0.60/\$100 to be at or about 101% of the amount generated at the 2005 values overall. This is not looking at individual properties, this is overall. In essence that would come close to neutralizing the effect of the last reassessment. The reason that this is important is with twice per year tax application, the book preparation and tax ticket printing, takes longer for the June 5 deadline. There is still work that needs to be done on the budget itself but it seemed the Board felt strongly about neutralizing that assessment. If that is still the case, it would be helpful to get a consensus. The public hearing will be held later on the budget with the formal setting of the tax rate. Consensus of the Board was to set the real property rate at \$0.47/\$100.

Agenda Item 7j – Setting of workshop date(s) for FY11 proposed budget discussion. Mr. Campbell commented that updated information has been received from State so the Board can work toward an overall spending plan. Consensus of the Board was to meet at 6:00 p.m. on April 14, 2010.

On a motion of Supervisor Allen, seconded by Supervisor Gerald, and carried, it was resolved to adjourn to Wednesday, April 14, 2010 at 6:00 p.m. for a budget workshop.

Supervisor Clinger – aye  
Supervisor Gardner – absent  
Supervisor Allen – aye  
Supervisor Gerald – aye  
Supervisor Ingram - aye