BOARD OF SUPERVISORS
REGULAR MEETING
FEBRUARY 12, 2013

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, February 12, 2013 at 8:30 a.m. in the Board Room of the County Administration Building, thereof;

PRESENT: Case C. Clinger, Chairman; Virgel H. Allen, Vice Chairman; J. Fred Gerald, Joe D. Turman, Lauren D. Yoder, 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.

Supervisor Turman led in the Pledge of Allegiance.

The minutes of January 8, 2013 and January 22, 2013 were presented to the Board for review and approval.

On a motion of Supervisor Yoder, seconded by Supervisor Turman, and unanimously carried, it was resolved to approve the minutes of January 8, 2013 as presented.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

Supervisor Gerald noted that, at the January 22, 2013 meeting, he had questioned Dr. Harris concerning school safety. It was not reflected in the meeting minutes.

On a motion of Supervisor Yoder, seconded by Supervisor Allen, and unanimously carried, it was resolved to approve the minutes of January 22, 2013 as amended, with the inclusion of school security notation.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

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

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

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

Sheriff Shannon Zeman next appeared before the Board. He reported:

- 1391 calls for the month of January 2013;
- At full staff now;
- The three new patrol cars are equipped and on the road. The one vehicle purchased with grant funds is on order. New graphic design is being used, for the vehicles to be more visible.
- A meth lab with 31 pots was confiscated last week.

Agenda Item 7a – Subdivision plats as approved by Agent for January 2013. Ms. Lydeana Martin appeared before the Board and reported four lots created for the month. The Planning Commission will have three plats to consider at their meeting next week.

In an update on the Economic Development Authority, Ms. Martin reported:

- 5-10 Program – did do another loan this past month to On The Water, a tourism company here in Floyd that does kayak/canoe trips down the Little River. He started a couple of years ago with a loan from the program to purchase equipment. Now he's expanding and upgrading and seems to be doing fairly well.
- This past week, the EDA had a special called meeting to approve the preliminary design of the Innovation Center. It is planned to be 13,500 square feet. We are working through the final specifications and hope to have it out for bid in May.

Agenda Item 7b – defer for Dr. O'Dell's presentation.

Agenda Item 7c – Heating units at Jessie Peterman Library. Mr. Campbell noted that there have been some increased costs in electricity at the library, especially in the genealogy room, which is running on strip heat. The system in the old part of the library, the compressor is very old, worn out and probably very inefficient. We did receive three bids for replacement after the Board's discussion with the Library Director a couple of weeks ago. The apparent low bidder's quote was $2895 to install a new two-ton system in the genealogy room and a five-ton system in the old part of the library was $4495. They requested replacement of both units but we have neither budgeted in the current year.

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and unanimously carried, it was resolved to accept the low bid of $2895 from Muncy Heating and Air for a two-ton heat pump for the genealogy room at the Jessie Peterman Memorial Library.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye

Supervisor Allen – aye
Supervisor Clinger – aye

Consensus of the Board was to include discussion on the replacement unit for the old part of the Library within FY14 budget deliberations.

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

Ms. Becky Howell – just wanted to say thank you to Mr. Campbell and his staff for the transparency by creating links on the agenda on the web page. It is very beneficial to be able to know what is going on ahead of time. Thank you.

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

Agenda Item 7d – Appalachian Power Company extension. Mr. Campbell noted that the VACo/VML group has negotiated on the behalf of localities with AEP. We have not been directly involved with the negotiations. There does not seem to be as much room for negotiations in the last couple of years due to changes that the General Assembly have done. AEP is unable to go to the State as much for rates increases for fuel costs, storm damage and the like. The contract technically ended June 2012 but this extension that has been negotiated under the Public Tariff Agreement would take it through the end of 2013. The rates have not changed. The only real condition is where they talk about putting another $250,000 into the Energy Efficiency Program and tying that in with $214,000 that has not been spent. As you recall, the County got one of the grants for some energy upgrades in lighting. We can look at more of those types of grants in the future. We fall in the medium general services category with most of our buildings. The rates show in the tables. If a building uses less, it would fall in small general services with a different rate category. The Board would need to vote to extend the agreement.

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and carried, it was resolved to approve the extension with Appalachian Power Company as presented (Document File Number).

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – abstain
Supervisor Allen – aye
Supervisor Clinger – aye

Agenda Item 7e – Approval of contract for one year extension with Robinson, Farmer, Cox and Associates for Cost Allocation Plan. Mr. Campbell also presented a draft one year extension agreement with Brown Edwards and Company for the audit. He noted that the Cost Allocation Plan is the vehicle for the County to be reimbursed for DSS costs as provided by the County such as administrative time, etc. Robinson, Farmer, Cox agreed to a one year extension at the same cost of $3500. We hope to issue RFPs for both items next year to keep them on the same time frame. Brown Edwards also agreed to a one year extension as per the original

contract. Under accounting standards, the same firm cannot perform both an audit and cost allocation plan.

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and carried, it was resolved to approve a one year extension with Robinson, Farmer, Cox and Associates for the Cost Allocation Plan; approve a one year extension with Brown Edwards and Company for the County annual audit, as presented.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – abstain
Supervisor Allen – aye
Supervisor Clinger – aye

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

- Presented copy of State profile report for Floyd County for 2012. He noted 3093 SNAP recipients last year. In 2009 there were 2249 recipients, growing to 3093 in 2012. Total revenue coming to the County was $20,247,020 with $358,337 in local costs. 96% of the funds given to us by the County go to services, only 4% to administration. We had 143 children in the program through CPS referrals, which our numbers continue to go up. The report states we only had 11 children in foster care last year; I do question that number because we have 17 in the program now.
- The CSA program will run very close to budget this year – predictions show expenses will be in the $600,000-625,000 range. We need to watch the expenses very closely and the three different match rates which depend on the placement.
- CSA – the CPMT will be offering comments on the proposed Medicaid policy. The Office of Comprehensive Services has put out a draft policy that says that any services that Medicaid denies payment for, that we cannot serve that child through our CSA funds. That is completely contradictory to the way that CSA is set up and it could also place us in a situation where kids might have to come into Foster Care or a higher level of care in order to get the services that they need. They are trying to put it under a medical model that says if Medicaid denies the funding then CSA cannot pick up that service. The kids that we serve through CSA don't fit into a nice little neat medical model that can go through a check box. We have to be creative in the way that we come up with services. If the Board has comments that you would like to pass along, we would be glad to do so. This is contrary to serving children in the community which is what CSA is supposed to do. Comments are due by March 1.

Consensus of the Board was to defer discussion until later in the day on proposed comments to the Office of Comprehensive Services.

Mr. Dean Gall, representing the Land Policy Task Force, next appeared before the Board with other members of the group. He commented: It has been almost two years since the Board of Supervisors asked that a Land Policy Task Force be established. Today, this Task Force will report to you. I'd like to first recognize the nine members of the group: Mark Sowers, Mike Maslaney, Evelyn Janney, Jim Newlin, Tammy Belinsky, Jack Lawson and Tenley Weaver. Karin Grosshands and Howard Dickerson both initially served on this Task Force well into the

process but had to resign because of work issues or time constraints. These are all folks that had shown an interest in the future of Floyd County at the Common Ground or Comprehensive Plan meetings. These members have brought a broad spectrum of professional expertise to the group including backgrounds in dairy, beef, vegetable and small grain farming, business ventures that include retail sales, banking, engineering, law and food distribution. Organizations such as the Farm Bureau, Partnership with Floyd, New River Land Trust and the local agencies or authorities including the Economic Development Authority, Soil and Water Conservation District and Planning Commission. We would like to add also that care was taken to ensure that all five of the County's districts were represented by folks on this Task Force. The Task Force approached this process to protect farmlands, forests and economic interests in the County. The group first studied land use of the past, the trends of today and the possibilities of the future. We then looked at all the policies and land use tools allowed by the General Assembly of Virginia. The tools were investigated to determine how they could be used and then further evaluated for whether they were a good fit for the County. During this time, the group became aware of many of the challenges that you, the Board of Supervisors, face. Also during this time, the Task Force developed an understanding of the recent changes in land use as well as the challenges that the County will be facing as these trends continue. As a result of this work, the Task Force is proposing a re-evaluation of existing ordinances as well as making a list of recommendations. First, the group has asked Lydeana to review with you, some of the data, recent trends and growth studies of the County. This background information provided the foundation for which the recommendations were developed.

Ms. Lydeana Martin – The Task Force focused on the top priorities from the Comprehensive Plan – how to safeguard water, farmland, forests and economic interests of land owners and businesses. They've looked at a variety of studies, background things and heard from scientists and all sorts of people. You will recognize this slide from the Comprehensive Plan which highlights in the period from 2002 – 2009, that there was a 27% decrease in the number of large farm tracts, those with 100 acres or more. There was a 29% increase in residential size tracts. The conversion of land from farming to residential has fiscal impact on the County. The study done on information from 2002 – 2009 was a snapshot of Floyd County's financial information, taking all the revenues and expenses and dividing them into three categories and coming up with the numbers. For residential development, for every dollar paid in taxes, the County expends $1.09 in services. For commercial development, for every dollar paid in taxes the County provides 45 cents in services. And farms and forests, for every dollar paid in taxes, the County expends 35 cents in services. You can see the impact. The message is that residential is not bad, it just has to be in balance. A rapid conversation can throw things fiscally into a very difficult situation. This slide is the current subdivision ordinance – the scenario that can happen under the current ordinance with a 100 acre parcel, there are two different ways that a 100 acre parcel can end up with 100 1-acre parcels. Even with the building of a State road through it all, the family division allows for one acre parcels. Moving to that sort of density not only has fiscal impact but also water ramifications as I'll show shortly. As background to that, without any additional subdivisions in the County, we are at 6000 vacant parcels in the county. Adding one dwelling to each of those would mean doubling of the population, including the school age population. That's not to say that this is projected to happen in the next 10-20 years, it is just saying based on the number of parcels, that this would happen if each one were built on. The Task Force heard, and some of you also heard, from some

geologists and hydro-geologists that understand as well as possible, the water situation here and how we are unique. This schematic is an attempt to represent that as best as possible. We don't have water in a single big pool underground, we have it in the cracks and fissures. This example shows if someone's drain field were to malfunction, it could get in the cracks and fissures and if there were interconnectivity with the house next door or even up to 1-2 miles away, there could be problems. You'll remember several years ago, at the daycare in Copper Hill, something several miles away affected their water. Here, we do have vulnerability of contamination of our private springs and wells as well as destruction of flow if there were to be blasting or something that shut off the flows of water. For that reason, there are some uses that are potentially very dangerous here or could affect neighboring properties if they were to happen next to them. For example, anything that would pump a lot of water from the ground for the use could pull in other people's water as well. Anything involving heavy blasting or anything that might get into the underground water and contaminate it. Floyd County water existing only in cracks and fissures which means that it is vulnerable to contamination, like that, as well as disruption from shifting rocks. The next slide, in a major drought, over two-thirds of replacement wells in the New River Valley were done in Floyd County. To be sure, a lot more people here are dependent on private springs and wells because in the other counties, they have a lot more public water supply. However, there are about 34,000 people in all the New River Valley dependent on private springs and wells. But about a third of those were in Floyd County but we had two-thirds of replacement wells. Needless to say, we are very vulnerable to drought.

Mr. Gall noted that each member of the Task Force will take a turn going through the different areas of study and recommendations.

Ms. Tammy Belinsky, Locust Grove District – thank you for very much for formulating the task force. I'd also like to thank Lydeana and Dean Gall who volunteered his time to keep us on task. Also Joe Powers who came all the way from the New River Valley to share his expertise with us, keep us on track and let us know the limits/bounds of the law and application, and sharing his experience with us. There can be no mistaking the value of water, it is essential. I just paid 83 cents for a little over a pint this morning at the gas station which is more expensive than the gasoline at this quantity. To rural residential and agricultural land owners, water is everything. Water availability is a factor by which we decide the ultimate use of land. It is so important that water issues were among the most significant concerns raised by Floyd County residents who participated in the comprehensive planning process and caused us to ultimately be here today. Water is a limited resource in Floyd County. There are no aquifers or underground reservoirs. Water storage is in fractures or cracks in the underlying bedrock. All Floyd County water originates in Floyd County. I learned that Floyd is one of four counties in the United States that has no water flowing into it from adjacent jurisdictions. The age of our groundwater resources is young. It varies from 30 days to 30 years because it all falls from the sky. Groundwater recharge is critical to Floyd's water supply since most of us rely on wells, both public and private, for water. The Task Force, through our work over the last 20+ months, resulted in developing a list of recommendations for the County to consider to better prepare the County to collect some data, to better prepare for future water consumption issues. Our first recommendation is that we begin monitoring groundwater and surface water. Monitor wells for yields and static levels to better understand the impact of change. Just start collecting some data. Existing wells that are in use could be used but unused wells are apparently ideal.

Recommendations also include establishing a stream gauge on the Little River. Only by collecting some data do we begin to understand the changes we incur with changes in the weather. Encourage education and outreach to citizens including school children, regarding Floyd County's unique groundwater challenges and voluntary ways to help. Encourage the PSA to plan for public water supplies in areas of the county that are developing more densely and are designated as growth areas in the Comprehensive Plan. This recommendation comes from the potential for contamination as you get more densely populated areas, you have the potential for septic systems to contaminate groundwater. If we are prepared with some form of public water supply, that could help alleviate those problems. Adopt a water protection ordinance to provide whatever safeguard is available to protect drinking water supplies through Virginia Code sections. The code provides for some measure of ordinance to protect water supplies. These sections provide local authority to prevent pollution of public and private water systems and to require that a water supply be established before a building permit is issued. Encourage farmers and others to develop ponds and agencies to be open to them. Ponds capture surface water runoff and the water can then be used to water livestock, be used to irrigate crops in times of drought instead of wells and provide water for volunteer fire departments. One of the best protections from contamination of wells is assuring properly functioning septic and wastewater systems. Septic systems should be pumped out every five years. The Health Department should notify owners five years after septic systems have been approved and every five years thereafter. Wells unused after five years should be permanently capped and closed to prevent contamination of groundwater. Consider encouraging commercial or industrial growth in areas where public water and sewer is available. Work to maintain agriculture and forestry, and thereby open space, particularly by maintaining large tracts as detailed in the next two sections because the more pervious surfaces you build, the less water you capture from rainfall. The open space land and forest land is best suited for capturing the rain as it falls and storing in our groundwater system.

Mr. Mark Sowers, Courthouse District – Agriculture and Forestry section – this encompasses a lot of the land in Floyd County. It is the water resources that it is collecting that is brought to our community that a lot of people don't understand. When you have a 1 or 2 acre plot, I'd like to see the studies if they collect enough water on their land to supply their water needs. When you think of agriculture and foresty, if you think it is not affecting the whole community, you're mistaken. Some of the policies we'd like to encourage are the viability of agriculture and forestry as intertwined with policies to protect water resources. Sustaining our farmlands, wetlands and forests are critical to the economy of Floyd County and to our water supplies. Forest lands are the key to the recharge of groundwater. Forests slow rainfall runoff into streams and the forest floor absorbs water assuring recharge. In order to prosper, among other requirements, farmers and foresters require clean and adequate amounts of water, clean air and protection of precious soils. In addition, the financial viability of forestry depends on investments that do not pay off for many years. Even in harvesting timber after 30 years of growth, the financial return may not be as much as the tax bills over that 30 year period if the land is valued as prime for development. Agriculture depends on water and affordable land. While the development value of the land may be greater than its farming return to a farmer, agricultural land also helps to retain groundwater in most instances. Both agricultural land and forests cost owners much more in property taxes than the cost to the County of the services they require. Only residential property costs the County more in services than the owners pay in taxes. In effect, forests, farms, commercial and industrial property are subsidizing residential

property services. Some of the recommendations that we came up with include: allow agricultural districts. These districts are a minimum of 200 acres in size for a core area and are voluntary for the land owners. Other individual parcels within a mile of the core area may be included also. The County may allow such districts after reviewing the proposal. This provides a period of up to 10 years during which the land is protected from development. The farmers are protected from local and state government land acquisition and construction in the agricultural district and the district provides some legal protection against nuisance suits. Owners may apply for land use assessment and taxation. At the end of the agreed upon period, the district may be renewed or not. If the land is no longer farmed, there is recapture of the foregone tax revenue for a period of five years.

Mr. Jack Lawson – first I'd like to thank you for allowing this group to get together. It has been quite an education for me and something that I've certainly benefitted from. I'm here to try to bring you up-to-date on what an agriculture and forest district is. There are really three sections in this: could be an agriculture district, forest district, or an agriculture/forest district. It is all managed under one piece of legislation. Allow Forest districts. Virginia loses 20,000 acres of forests a year to development. Forestal districts should have a minimum of 200 acre core area of forests and other individual parcels within one mile that want to be included may be allowed. As in agricultural districts, the Board of Supervisors has the authority to approve a forestal district or not. These forestal districts should be for a period of 10 years and a forest management or stewardship plan should be required. This is a situation that is initiated by the public and you are required by law, when an application is made, to pursue it. There are certain criteria that I'm sure that Mr. Campbell can bring you up on if you go along with this particular application. It is not a, we will or will not approve a situation, it is done on individual applications. Since forest land does not currently receive land use valuation, applicants for forestal districts would need to agree that land use valuation, should the district be approved, would be phased in evenly over a period of six years to avoid a major impact on county revenues. As in agricultural districts (and other land use valuation), foregone tax revenues are recaptured for a period of up to five years should the land be developed or cease to be forested. Forests are the most critical areas in assuring the recharge of groundwater for county residents and protecting the quality of surface waters. Forestal districts provide some confidence this will continue and can encourage owners to replant after harvesting timber. The entire county benefits from water conservation provided by the forests. The district voluntarily keeps the land from being developed for a fixed period of time, up to ten years. The district could be renewed with the agreement of the owners and the Board of Supervisors. Encourage land conservation easements. This is actually a deviation from the forest districts but I wanted to explain it. Land conservation easements are voluntary agreements between a landowner and a non-profit group or government entity that holds land easements, such as the Virginia Outdoors Foundation. The landowner gives up the right to fully develop his or her property in exchange for tax credits, reduced taxes, cash and the satisfaction of knowing the property will be protected as open land permanently. These easements, with Virginia's 40% tax credits for the value of donated rights, help make the land more affordable for farmers, while providing some money for owners and their families. This is just an overview, there is a lot more to it, especially in the tax credits. Studies have shown that the tax costs of conservation easements pay good dividends in water conservation and protection as well as protection of biodiversity, habitat and other ecological benefits. The Virginia Outdoors Foundation recently approved a Special Projects Area in Floyd

County along the main Little River corridor. This designation allows interested landowners in this area more flexibility in providing easement donations, including smaller tracts of land than the usual 50-acre minimum standard, while protecting the quality of water in the Little River and its tributaries.

Mr. Michael Maslaney, Courthouse District – Land Protection. I want to also thank you for letting this Task Force proceed. We've all learned a lot from it and it has been a very valuable experience for everybody involved. As you've seen, large undeveloped tracts of land have decreased significantly since 2002 while the number of residential properties has increased. Also, residential properties require more costly services vs. the property taxes received. Water continues to be a critical issue in Floyd and there is a need to protect owners and purchasers of residential and business property. The ability of a parcel of land to provide both potable water and to treat wastewater is based upon both soil type and a minimum size parcel for separation of these uses. As the national and regional economies emerge from the recent recession, pressure to develop land will increase as more people have more disposable income. This Task Force has noted a number of weaknesses in the current subdivision ordinance that allow for shortcuts and allow development practices that will ultimately cost the County more in the long run. The first recommendation is to revise the Subdivision Ordinance to tighten the loopholes in the Family Subdivision section. Require the grantor and grantee in a family subdivision to sign an affidavit to affirm that the proposed family subdivision is to keep the land in the family and is not for the purpose of circumventing the standard Subdivision Ordinance requirements. If no road frontage is provided in the deed, the affidavit shall state that an easement will be provided in the deed. The affidavit shall be attached to the deed. After a person receives land from a family subdivision, that person shall hold the land for a period of at least 5 years before transferring ownership. Provisions should be made for extenuating circumstances such as death, etc. We're not trying to lock people out but we believe there is a need and there has been a history of abuse of this part of the ordinance. All family subdivision parcels shall be a minimum of two acres. Family subdivision parcels should be subject to the same percolation tests as other subdivisions for any parcels less than 15 acres. The second recommendation – change the Subdivision Ordinance to differentiate between Major and Minor Subdivisions. Major subdivisions are defined as 4 or more divisions or parcels. Major subdivisions must be reviewed by the Planning Commission and have additional requirements, such as: i) the land must be appropriate to develop. Areas greater than 30% slope should be woodland, wetlands should not be built in, flood plain areas should have construction elevated above the 100-year flood level, etc. All such areas should be shown on the proposed plat and marked as unbuildable. ii) Easements and maintenance agreements should be drawn up in advance of plat approval if driveways are to be shared. These easements or agreements should be recorded, either with the deed or separately. iii) Major subdivisions should provide information such as topographic maps, aerial photographs, location of adjacent wells or drain fields, information and disclosure of any contamination and subsequent remediation of other adverse environmental conditions prior to the approval of the subdivision. This information should be attached to the subdivision plat. We're trying to educate people. A lot of times people come in and buy a piece of land and they really don't know what has been on it, they don't know what is associated with it, they'll buy it thinking they will have water, thinking they can put in a septic system. In our County, unfortunately, that's not the case. Water is not always present and the land does not always perk. It is a real issue. All major subdivisions should include a statement on the plat that no residential

building permit will be issued without proof of a viable water source. Third, the Subdivision Ordinance should include a sliding scale to limit the number of times the original "parent" tract can be divided. Current restrictions seem to be based on road frontage. The sliding scale would allow several divisions which we've outlined in the handout. It is involved and would take too much time to explain. These are our initial recommendations; certainly they would need to be reviewed by the Planning Commission and others. The sliding scale has the advantage of increasing the size of the average parcels as the subdivisions get larger, reducing the demand on water and providing more open space suitable for agriculture or woodlands. Lastly, the Subdivision Ordinance should allow for cluster subdivisions in certain circumstances. Cluster subdivisions can increase the density of swelling units while greatly increasing the amount of open space in the subdivision. Cluster subdivisions should only be allowed where centralized water and sewer is available or is provided by the proposed development. Cluster subdivisions should be allowed if at least 50% of the developable land is dedicated permanently to working lands (such as agriculture) or to open space. Cluster subdivisions must include a road or roads built to VDoT standards.

Mr. Jim Newlin, Courthouse District – As you can see from the next topic here, never leave a meeting early, I think I drew the short straw. We come to you with a recommendation that is heart-felt. We feel that Floyd County is unique and wants to balance individual property rights with the protection of water and land resources. The one tool that the State of Virginia provides for you is to regulate or restrict dangerous or inappropriate uses like uranium mining is zoning. Without a zoning ordinance, you, the Board of Supervisors are left without a legal manner to deal with issues that seem to be increasing. You've had those to come before you in the last year. To have a voice and a seat at the table, we feel you need a simple zoning ordinance. Floyd is one of only eight counties in Virginia without a zoning ordinance and dangerous uses are likely to seek out unprotected counties. Our desire is to protect Floyd County. We recognize that traditional zoning is not a good fit for Floyd County and certainly not at this time. Our recommendations, we think, reflect this reality. We are sympathetic to your need to balance many conflicting needs. The approach that we're making here is an effort to provide you with a draft tool should you need it, which will allow you to tackle issues as they arise without having to tell people on a wholesale scale how to use their land. Our recommendations are that a sample ordinance should be drafted, either to review or put on the shelf, to regulate and restrict only dangerous and inappropriate uses. The proposed sample ordinance should be based on the potential impact that a proposed use would have on the County. For that reason, it would be "impact-based" zoning rather than location specific zoning. Proposed developments or uses that have an estimated impact above certain thresholds would require a special use permit to ensure that the detrimental impacts are minimized or avoided. Some examples of thresholds that could require a special use permit: surface water withdrawal above XXX gallons per day; groundwater withdrawal about XXX gallons per day; generation of wastewater of more than XXX gallons per month; operations requiring blasting above XXX lbs.; non-recycled solid waste generated above XXX tons per week; increase in traffic counts above XXX vehicles per day; height of proposed structures above XXX feet. These are examples of how you could approach it and you would only review things above whatever thresholds you decided to set. If the proposed ordinance is legally required to designated zones in the County, we think there should only be two zones: a) Agriculture, forestry and low impact; and b) Focused development, which would be those areas so designated in the comprehensive plan. We

feel that the same impact requirements could exist in each one. We recognize that any zoning ordinance would require much advance education and public discussion as well as study by legal counsel prior to adoption. However, we do feel like you should have an ordinance drafted, not necessarily passed, for your availability should you find an imminent need for a tool to deal with some dangerous or unacceptable uses. We feel the need will arise for such a tool. Thank you.

Ms. Tenley Weaver – thank you all for being here and being open to hearing the report that we're offering. I am a co-owner and operator of Good Food/Good People and Full Circle Farm, both of the Little River District. I am a farmer, food distributor and a member of the Floyd business community. As a personal aside and maybe a little snapshot of what we're all here for. As I talk, you can probably tell that I'm not from here. I was born and raised in Lancaster County on some of the deepest, most fertile soils on the East Coast. When I decided I wanted a career in food and farming, I moved to thin and rocky soils here in Floyd County. If you sense a little irony in that it is because farmland is about 65 times more expensive than it is here in Floyd County. I feel welcome here. Where I came from, the disappearance of and high evaluation of farmland, made it impossible for a young farmer like me to get started and made it extremely difficult for farmers that were existing in business to stay solvent. As we in Floyd County pursue our own food security and also encourage multi-generational businesses of agriculture and forestry that will benefit our County's economy, it is essential that we appreciate and protect that which makes it all possible – the land and water. This Task Force has done a lot of research and thinking about the land and water issues that we face in Floyd County. When the rubber hits the road, what kind of recommendations are we making for the near-term future of this issue? The very first thing that we'd like to continue with is to present to the Planning Commission. We've started a series of newspaper articles in which we'd like to detail issues relating to farms, forests, water in Floyd County and where our future may be taking us with these issues. As mentioned, we would like to see stream gauges placed on the Little River and other tributaries. There is State and Federal emergency funding available for this. Also to locate unused wells which could be used for monitoring. There is also a tremendous amount of data out there from past well drilling. If this could be logged along with the information that is reported from the stream monitors, a hugely important body of information could be available to us for past history and future trends to give us a better idea of where we really stand with our water. We would like the Planning Commission, as they pursue their own review of the Subdivision Ordinance, to consider the suggestions herein. As you've heard already, to prevent the abuse of the family subdivision provision, to implement the sliding scale provision, and differentiate between major and minor subdivisions, and also in certain limited circumstances, provide for cluster subdivisions. We'd like to recommend that there be more committees established, via the Planning Commission, to do research and to delve into some of the issues, particularly water, with the thresholds that we've recommended. In addition to the work load that is already facing the Planning Commission, we feel that this would burden them excessively unless there were more members added to share the work around a little more evenly. We are recommending that we increase the Planning Commission back to its original seven member number or to share the work load. We'd like to establish a Speaker's Bureau. This would be staffed by volunteers. The Soil and Water Conservation District and a lot of other agencies are already doing a lot in this vein. It is one thing to find out all the important information, but taking it to the public and explaining to the citizens where Floyd County is, with scientific facts not opinions, is an important goal of this committee. We feel that the job presented to you as a Board is a difficult

one. In order to garner public support for these ideas and caring about the land and water in Floyd County, a Speakers Bureau would be able to access school children, churches, civic organizations with the kind of information that is coming out of the research. We would recommend to the Board that you consult with the County Attorney concerning water withdrawals and discharges per Virginia Code 15.2-2100. Because of the vital nature of the water supply in the Town and County, we would recommend that the Planning Commission and Public Service Authority increase their communications and have twice/year meetings to discuss common plans/concerns. This completes our recommendations. What you saw there was for the last year. As you can see, our near term priority recommendations are based largely on education. That being the input of education to us via research and also the outreach of education so that we may serve as conduit for this knowledge to reach all Floyd County residents. We believe that the scope of issues here is broad enough and worthy enough that we would like to continue long-term efforts toward full community education about the relationship of forests, farmland and water toward daily lives. This Task Force acknowledges that your position as Board members is not an easy one. The issues that we bring before you today require deep consideration on the part of everyone, of all of us, about the beginnings and endings of our own freedoms, to impact our neighbors, and also conversely about our rights to protection from the impacts of our neighbors. These topics also speak to our County's relationship to local agriculture, forestry interests and to the land and water that support them. We are extremely grateful to the Board of Supervisors, both past and current, that saw fit to allow these studies to come before you and to encourage the exploration that is slightly out of our comfort zone here, to this place we call home. We appreciate your foresight and willingness to openly discuss these issues and the information that we've brought before you today. Thank you so much.

Mr. Dean Gall – when you ask a number of people to speak, you don't always know what is going to come out. But one of the nice things that has happened is that everybody has expressed appreciation to be able to serve on this Task Force and your willingness to provide that opportunity. We can't stress that enough. We also appreciate the fact that you gave us the opportunity to freely and fully explore future trends of Floyd County's farm and forest lands. Without the help of all these volunteers, passionate committed people, this would not have been a successful endeavor. I know that you've heard John Eustis and Joe Powers' names mentioned as well as those who came up and spoke. They volunteered a lot of hours and support to put this information together and provided counsel on questions that arose. We want to thank them as well. Thank you.

Dr. Molly O'Dell, Director, New River Health District, next appeared before the Board. She reported that the State of Virginia and each locality enter into a contractual agreement yearly to provide the mandated public health services in every locality. The contractual agreement dollar-wise is based on an ages-old funding formula. Right now, for every public health dollar spent here, Floyd County is paying 33 cents and the State pays the rest, based on the formula. The services that are provided are in the Code of Virginia in the Health Law Section. I am the Medical Director and I have statutory authority as delegated by the Commissioner through the Governor, to implement the public health laws in Floyd County and other localities in our District. When I came to work for the District two years ago, I remind you every year with this agreement, to give you an annual update of our services. Localities are required to match the funds we receive from the State based on the funding formula.

She noted different services in the report and number of patients served. The definition of patients is number of individuals served. Visits are defined as number of times served. She also noted that "A" income level is defined as those at or below poverty level. On pages 6-7, Dr. O'Dell pointed out the list of non-mandated programs. Three of the programs listed, Resource mothers, Pharmacy and Every Woman's Life are full grant programs with no local match. Administration comprises about 80% of the total District budget because the operation is so service oriented. Services offered are based on locality needs which vary from locality to locality. She also outlined and explained other programs offered and numbers served.

Supervisor Yoder questioned the costs for septic tank installations/inspections. Is the program self funded?

Dr. O'Dell replied that it was not. An additional local fee can be assessed if you are not doing that already.

Supervisor Yoder requested a cost for restaurant inspections and the amount of revenue received for those inspections.

Mr. John McEnhill, Executive Director at the Jacksonville Center, next appeared before the Board. He requested that the Board consider approval of submission of a grant to the Virginia Commission on the Arts for a local government grant. This grant has been submitted on behalf of the County by the Jacksonville Center since 2006 and has been successfully funded. It is a 50/50 match grant up to $5000. The grant has been shared with the Crooked Road organization in past years. The application can be submitted conditionally, which means funding would hinge on matching funds approved by the County after the budget process is complete. There is an April 1, 2013 submittal deadline.

Consensus of the Board was to approval submittal of the grant application in the amount of $10,000 to the Virginia Commission on the Arts.

Mr. McEnhill also presented a brief overview of the Jacksonville Center and the various programs/activities.

Mr. David Clarke, Virginia Department of Transportation, next appeared before the Board. He reported that the past month had been spent responding to emergency situations such as snow removal, trees down and flooding.

He also requested that the Board consider setting a date for the 6-year road public hearing. Consensus of the Board was to set the public hearing at 7:30 p.m. on Tuesday, March 26, 2013.

Mr. Clarke reported that Haycock Road is in the plan for this budget year. Preliminary engineering has been started and hope to complete the work with State forces this summer under the Rural Rustic Road Program.

Supervisor Gerald – Hylton Road and Sumpter Road are both in bad shape and need a lot of work. Indian Valley Road, about 100 yards from Horse Ridge Road intersection, curve

washed out and needs to be fixed. The washout is way up into the pavement. It is pretty much an annual event.

Supervisor Allen – need some cold patch in the holes in bridge at Rays.

- Route 221 at Beaver Dam bridge, when it rains hard, water puddles up very badly on both sides of the road, enough to move a car.
- How can we keep tractor/trailers off of the back roads?

Mr. Clarke – we can put up signs that the specific route is not recommended for large trucks. If the Board wants to actually prohibit them, a public hearing is required for the specific road. Most problems are GPS related.

Supervisor Allen requested that a study be initiated for possible signage.

Supervisor Yoder – Cypress Drive (888) has multiple soft spots, even 4-wheel drives are getting stuck.

- Timberline Road (641) – also requiring 4-wheel drives, it is a bus route.
- Route 888/666 intersection – very muddy and people are getting stuck if some gravel could be placed.

Supervisor Turman – Sugartree Road – bridge needs a lot of work from the recent flooding. Lot of soft spots on the road, mud is deep, need gravel.

Supervisor Clinger – Route 8 from Montgomery County to Town of Floyd – lots of potholes on that side of the road.

Supervisor Gerald questioned the status of the Route 114 bridge.

Mr. Clarke – October 2013 completion date.

Agenda Item 7b – Statement of Agreement between Floyd County and the Virginia Department of Health. Mr. Campbell noted that the agreement is for the current fiscal year and the budget amount listed is accurate.

On a motion of Supervisor Gerald, it was resolved to approve the Statement of Agreement between Floyd County and the Virginia Department of Health, as presented.

Motion died due to lack of second.

Mr. Campbell presented a draft letter from Mr. Ayers concerning the Medicaid changes as he reported. Consensus of the Board was to review the draft, edit and take action at the February 26, 2013 meeting.

On a motion of Supervisor Turman, seconded by Supervisor Gerald, and unanimously carried, it was resolved to adjourn to Wednesday, February 13, 2013 at 6:00 p.m. for a joint meeting with the Floyd County School Board at the School Board Administration Building.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

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Daniel J. Campbell, County Administrator

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Case C. Clinger, Chairman, Board of Supervisors