

**BOARD OF SUPERVISORS
REGULAR MEETING
APRIL 28, 2015**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, April 28, 2015 at 7:00 p.m. in the Board Room of the County Administration Building, thereof;

PRESENT: Case C. Clinger, Chairman; Lauren D. Yoder, Vice Chairman; Virgel H. Allen, J. Fred Gerald, Joe D. Turman, Board Members; Daniel J. Campbell, County Administrator; Terri W. Morris, Assistant County Administrator.

The Chairman called the meeting to order at 7:00 p.m. with the reading of the handicapping statement.

The Opening Prayer was led by Supervisor Gerald.

At 7:00 p.m., the Chairman called for the Public Comment Period.

Ms. Linda Wagner, Courthouse District – I have a request that needs to be forwarded by you, Case, to VDoT. On the corner of Nira Street and North Oxford Street, there is a sign that has been hanging over the road since the plow hit it last winter.

Mr. Jimmy Howery, Little River District – Back in March I took some pictures at the Courthouse of the plaster. The walls are falling out; the Judge's office is a disaster. There was a study done in 2011 on the mold and all, I have a copy of that also. There are several people that stay pretty sick all the time. About three weeks ago, one morning, I went into the conference room of General District Court, it was like going down into a musty basement. It was pretty bad. The girls in General District Court, they, all winter-long, have kept their windows raised to try getting a little air in. I don't know what the problem is, well I know it is moisture, because we have had water coming down the walls in the past. The courtroom has one tile that fell out because it got so wet some time ago. I think Kenny did go up on the roof and got that fixed because the last time it rained I didn't notice any water then. I have pictures to share with you; each one is labeled as to what room it is in. I didn't know if you all were aware of the situation or not. I think the recommendation in 2011, the discolored tiles were scheduled to be replaced, which I don't think would be too expensive. Repairing the walls and things, I really don't know. I don't know if this is a health issue or not, but I do know in the Treasurer's Office, Commissioner of Revenue's Office, General District Court, down in Circuit Court, I even think up in the Sheriff's Office there has been problems. Maybe some repair need to be done. Actually, I think coming into the Courtroom, the Judge's Office and the Jury Room, we have a lot of people coming into the County, attorneys, Social Services, different people, just the appearance of it looks like it could be improved. Like I said, I really don't know the cause but I'm sure it is the water coming through the plaster and things. I don't know if there is any asbestos in that plaster or not, I have no idea. These pictures were made the first week in March.

I don't know what the solution would be or the total cost would be, I do think it might be something you would want to look at. I appreciate your time.

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

Agenda Item 4 – Approval of month-end disbursements.

On a motion of Supervisor Gerald, seconded by Supervisor Turman, and unanimously carried, it was resolved to approve the month-end disbursements as presented.

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

Agenda Item 5 – Consideration of resolution – Resolution of Floyd County Board of Supervisors Approving Lease Purchase Financing. Mr. Campbell noted that he had shared a draft of this earlier as developed by the County's bond counsel. This will allow for the financing for lease purchase through Carter Bank and Trust, not to exceed \$1.75 million for a 10 year term at 1.95% interest rate. This was the best rate after a bid process. The bids were very attractive and we were quite surprised at the good rates. This is a moral obligation, not a general obligation of the County, which will be subject to the Board's annual appropriation of debt service, principle and interest. I also provided a copy of the Equipment Lease Purchase Agreement which is incorporated by reference in the resolution. In doing this, you are acknowledging that the agreement was present tonight as well. In reminder of what you are purchasing, in the first WHEREAS, two fire trucks, one ambulance, two police cars, one building official vehicle, new election equipment, three school buses and one solid waste truck. The bids were very competitive and were somewhat better than our first option, which was looking at a Rural Development loan, although that was attractive also. We are moving toward, if you approve, by the end of May. This is the loan that you had deliberations on during your budget workshops. The Chairman would sign the resolution and I would attest. There will be other paperwork to be signed at closing. There were two minor changes in the resolution from the mailing. The first was in the 2nd WHEREAS, change "have been taken" to "will be taken" in reference to the procurement policy. Since the procurement process has not been undertaken yet, except for one fire truck, we needed to change that phrase. The second change is in paragraph 7, a minor change by bond counsel.

On a motion of Supervisor Yoder, seconded by Supervisor Allen, and unanimously carried, it was resolved to adopt the Resolution of Floyd County Board of Supervisors Approving Lease Purchase Financing as presented; authorize appropriate County officials to execute same (Document File Number _____).

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

Agenda Item 6 – Setting of tax rates for FY16. Mr. Campbell noted that tax rates need to be set to provide same to the Commissioner of Revenue for land book/tax ticket preparation. The Board is able to continue work on the proposed budget up to the deadline of June 30 adoption. The only stipulation for tax rates was to wait seven days from public hearing to set them.

On a motion of Supervisor Yoder, seconded by Supervisor Turman, and unanimously carried, it was resolved to set the FY16 tax rates as follows: Real Estate - \$0.55/\$100; Personal Property - \$2.95/\$100; Machinery & Tools - \$1.55/\$100; Public Service Corporations - \$0.55/\$100; Merchants Capital - \$ 3.50/\$100; Mobile Homes - \$0.55/\$100.

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

Agenda Item 7 – Proposed BY16 budget workshop. After discussion, it was the consensus of the Board to tentatively schedule a budget workshop on May 19, 2015 since School Board approved budget would not be available until after May 11, 2015 unless it is available at the Board’s May 12 meeting.

Agenda Item 8 – Closed session.

On a motion of Supervisor Turman, seconded by Supervisor Yoder, 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.

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

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

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

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

**CERTIFICATION RESOLUTION
CLOSED MEETING**

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss 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 Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Yoder – aye
Supervisor Clinger – aye

This Certification Resolution was adopted.

Agenda Item 9 – Old/New Business.

Mr. Campbell presented a letter from the County's auditors, Robinson, Farmer, Cox & Associates, for the Board's review and acceptance. He noted that this letter, in the first part, is establishing that the Board and we as staff understand what the auditors will be doing during their engagement. It lays out what their roles and responsibilities are and what staff's roles and responsibilities are and the Board as Supervisors. Your role as Supervisors is to know what is going on with the audit, financial items related to the audit and County, and provide the strong over-sight that you do. That's your role. This letter also breaks down into objectives, management responsibilities; the things that we have to do are all laid out in here. It is kind of like a contract. It also covers them kind of letter such as certain things listed that they are not going to do; it gives them an out in some regards. There is a role of qualifying what their role is and what their responsibilities are. The objectives are laid out, your responsibilities, our responsibilities, the procedures they go through which Terri works with them primarily on-site, beginning May 11. It talks about the internal control and compliance, particularly with Federal

monies. It lays out the engagement; it is a pretty big deal. Didn't used to be like this, but now they ask that you are made aware of this and a governing body member signs off on this. The fees are referenced toward the end of the letter, which is \$45,000 for the audit itself, \$3800 for the Social Services Cost Allocation, \$1300 for the Fire/Rescue Cost Allocation.

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and unanimously carried, it was resolved to approve the audit certification letter as presented and authorize appropriate County officials to execute (Document File Number _____).

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

Draft Proclamation for recognition of May 2015 as GBS and CIDP Awareness Month.

On a motion of Supervisor Turman, seconded by Supervisor Allen, and unanimously carried, it was resolved to adopt the proclamation as presented for recognition of May 2015 as GBS and CIDP Awareness Month (Document File Number _____).

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

On a motion of Supervisor Yoder, seconded by Supervisor Turman, and unanimously carried, it was resolved to adjourn to May 12, 2015 at 8:30 a.m.

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

Daniel J. Campbell, County Administrator

Case C. Clinger, Chairman, Board of Supervisors