

**BOARD OF SUPERVISORS
REGULAR MEETING
JANUARY 14, 2014**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, January 14, 2014 at 8:00 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 County Administrator called the meeting to order at 8:00 a.m.

The Opening Prayer was led by Supervisor Gerald.

Supervisor Turman led in the Pledge of Allegiance.

The County Administrator asked for nominations for Chairman for the 2014 calendar year.

Supervisor Turman nominated Supervisor Clinger.
Supervisor Allen seconded the nomination.

By the following vote, nominations for Chairman were closed and Supervisor Clinger elected to serve as Chairman for the 2014 calendar year.

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

The County Administrator turned the chair over to the Chairman.

Chairman Clinger called for nominations for Vice Chairman for the 2014 calendar year.

Supervisor Gerald nominated Supervisor Allen.
Supervisor Turman seconded the nomination.

By the following vote, nominations for Vice Chairman were closed and Supervisor Allen elected to serve as Vice Chairman for the 2014 calendar year.

Supervisor Yoder – aye

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

Agenda Item 5 – Setting of date/time for regular 2014 Board meetings.

On a motion of Supervisor Allen, seconded by Supervisor Gerald, and unanimously carried, it was resolved to set the second Tuesday of each month at 8:30 a.m. and the fourth Tuesday of each month at 7:00 p.m. in the Board Room of the County Administration Building as the Board's meeting dates for 2014.

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

Agenda Item 6 – Setting of alternate date/time for regular 2014 Board meetings in case of inclement weather.

On a motion of Supervisor Allen, seconded by Supervisor Gerald, and unanimously carried, it was resolved to set the alternate regular meeting dates for 2014 in case of inclement weather as the Thursday following the second Tuesday at 8:30 a.m. or the Thursday following the fourth Tuesday of each month at 7:00 p.m. in the Board Room of the County Administration Building.

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

Agenda Item 7 – Roberts Rules of Order.

On a motion of Supervisor Gerald, seconded by Supervisor Turman, and unanimously carried, it was resolved to set Roberts Rules of Order as Board meeting protocol.

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

Agenda Item 8 – Minutes of December 10, 2013 and December 17, 2013.

On a motion of Supervisor Allen, seconded by Supervisor Turman, and unanimously carried, it was resolved to approve the minutes of December 10, 2013 and December 17, 2013 as presented.

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

Agenda Item 9 – Approval of monthly disbursements and supplemental disbursements.

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

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

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

- Now have Circuit Court every Tuesday which is putting a strain on staff;
- Approved for the Livescan grant in the amount of \$16,000 which has been received;
- Calls down some for December 2013, to 1137 – total calls for 2013 were 15,957;
- New officer hired who started work last week; he is training with another officer. Another new officer is a gentleman who dispatched for a year and just finished the Academy;
- Regional jail population for Floyd was 102 last Friday, highest we've ever had. The work crew was in the County for two days last week. They worked mainly on Route 8 picking up 27 bags of trash. Do have one new trustee assigned to the County.
- Two meth lab busts this month. One was in response to our search for a fugitive and the officers came upon the lab when entering the home. The clean-up costs would be our responsibility in that case. The other bust was handled through the Task Force so they take care of the clean-up costs. Do have a number of indictments that we're working on.
- Will be requesting funds in the upcoming budget for the Task Force and other assistance for the growing heroin problem in the County.
- The search for the missing Mr. Schmidt will begin again next week in cooperation with Franklin County.
- One new dispatcher has also been hired and is on the job training.

Agenda Item 11a – Subdivision plats as approved by Agent for December 2013. Ms. Lydeana Martin, Subdivision Agent, appeared before the Board and reported that lot creation was down somewhat for December. Overall lot creation in 2013 was up slightly from 2012.

She also reported that all paperwork for the H&V expansion has been submitted for the Governor's Opportunity Fund and to the Tobacco Commission. In speaking with H&V officials, she noted that they are hoping for a speedy start-up time frame for the new process.

Agenda Item 11b – Appointment to Floyd County Planning Commission, one year term, one Board of Supervisors member.

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and carried, it was resolved to appoint Supervisor Fred Gerald to the Floyd County Planning Commission for a one year term.

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

Agenda Item 11c – Appointment to New River Valley Planning District Commission, one year term, one Board of Supervisors member.

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and carried, it was resolved to appoint Supervisor Fred Gerald to the New River Valley Planning District Commission for a one year term.

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

Agenda Item 11d – Appointment of VACo Legislative Contact, one year term.

On a motion of Supervisor Yoder, seconded by Supervisor Gerald, and carried, it was resolved to appoint Chairman Case Clinger as the VACo Legislative Contact for a one year term.

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

Agenda Item 11e – Appointment to New River/Mount Rogers Workforce Investment Board, member and alternate.

On a motion of Supervisor Allen, seconded by Supervisor Turman, and unanimously carried, it was resolved to appoint the County Administrator as member and the Chairman as alternate to the New River/Mount Rogers Workforce Investment Board for a one year term.

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

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

Mr. Jim Knapp, Courthouse District – I wanted to say some things about dogs barking in particular. I know dogs have been a big issue in the County. I think there are two issues: 1) leash law dealing with them running around freely or 2) noise. Mine is the noise issue. I've heard many stories either way. I've heard the horror stories and about people who are passionate about having their dogs. I looked up a couple of things on the internet which I'll run through. My experience last year, I had a neighbor who got a dog, he's had it a little over a year. I experienced for the first time in my life, first hand, what it is like to feel tortured by a dog barking 200' from my house. You can't really know what torture feels like until you experience it, whether it is a toothache, ear ache, or dogs. Once it is gone, you forget to a degree that you don't really know what it is like to be tortured. To be exposed over a period of several months to a dog barking continuously is pretty bad. The dog would bark from 11 pm to 2 am continuously. During the summer, I don't have air conditioning so I can't close my windows to help block it but even in winter with the house closed up, the barking does come through the house. I did confront the owners, at least 12-15 times during the year. There has even been an issue about the dog being on my property. I've asked the owners to remove the dog from my property. The owners have simply thrown up their hands saying what can we do about the dog barking? The dog has settled down a little bit, doesn't bark all night, but can be depended upon to bark at least every hour at something. His barks are a begging bark. I just wanted to throw this out here because it is an issue that has not gone away, it is there, and I think we need some resolution, both for the dogs running around and the barking. It does impact our lives and we need some type of regulations for people to be able to take care of these situations.

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

Agenda Item 11f – Legacy lease extension. Mr. Campbell presented the draft lease extension to the Board for their review, noting it is the same terms as previous years.

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and unanimously carried, it was resolved to approve the lease extension with Legacy Linens for a one year term (Document File Number).

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

Agenda Item 11g – VACo contact information. Mr. Campbell presented a letter request from VACo for updating of Board member contact information.

Agenda Item 12 – Old/New Business.

On a motion of Supervisor Turman, seconded by Supervisor Allen, and carried, it was resolved to reappoint Supervisor Case Clinger to the Floyd Tourism Authority for a two year term.

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

Supervisor Turman noted his resignation from the Floyd Tourism Authority.

On a motion of Supervisor Turman, seconded by Supervisor Allen, and carried, it was resolved to appoint Supervisor Lauren Yoder to the Floyd Tourism Authority to fill the unexpired term.

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

Mr. Campbell presented a draft list of legislative issues for presentation to legislators for the Board's review. Questions and discussion followed.

On a motion of Supervisor Yoder, seconded by Supervisor Allen, and unanimously carried, it was resolved to approve the list of legislative issues as presented and authorize staff to provide same to County representatives (Document File Number _____).

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

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

- In fourth month of computer system change-over – adjustments are going well as far as citizen use. On the staff use side, it is not going quite as well. Not one case entered has gone through the system without being denied for some reason. Entry that used to take 30 minutes now takes about 2 hours. One system that was used for entry of emergency cases has been shut down so those cases have to be entered manually.
- Medicaid – 3300 served last year in the County which is 1 in 5 of County population. \$1.1 million spent State-wide. Around \$400,000 in new State funds will be available for the expansion with a target of 4800 new people served.
- Presented copy of State financial statement outlining programs, operations, funding, systems, etc. With fifteen staff, brought in over \$20.5 million to the County citizens. Roughly 4000 people served in the County last year out of a population of 15,279.

Mr. Kevin Byrd, Executive Director, New River Valley Planning District Commission, next appeared before the Board. He presented a draft memorandum for the New Town Planning Grant for receipt of additional funds from SURCAP. These funds came through after the fact for engineering costs. The funds could also be used for administrative costs. Would just need to be a re-use of funds in different areas. The engineers and Consortium have received payment as outlined. The PDC was not paid for all the work that it performed so these funds would be used to repay the PDC.

On a motion of Supervisor Yoder, seconded by Supervisor Gerald, and carried, it was resolved to approve the second amendment to the Memorandum of Understanding with the New River Valley Planning District Commission for the New Town Planning Grant project.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – absent for vote

Mr. David Clarke, Virginia Department of Transportation, next appeared before the Board. He reported that during the past month, shoulder work on Route 221 had been completed; shoulder work on Shooting Creek; pothole repair and ditching on Alum Ridge Road; pipe cleanouts; winter maintenance; potholes on primary roads reviewed and repaired. Working on obtaining right-of-way on Haycock Road for project to advertise for bids next month. Also working on bridge replacement plans for Beaver Creek Road, Bethlehem Church Road and Buffalo Mountain Road.

Supervisor Gerald – pothole on Indian Valley Road so deep that it bent a rim on a car when it was run into.

Supervisor Allen – Sunny Ridge Road needs attention with grading/gravel.

Supervisor Turman – Route 221/Gardner Road – have had three accidents there in the last two weeks. It is a sweeping curve and there have been at least 30 wrecks there over the years. The signs are gone warning of the curve. Also on Gardner Road where the pavement was replaced, washing into an adjacent owner's driveway from around the culvert. The new bridge on Sugartree Road is doing great but gravel is needed.

Supervisor Yoder – appreciate shoulder work on Route 221.

Supervisor Clinger – nothing to report today. Question – culvert installed when road was widened – VDOT or property owner responsibility? The culvert was installed by VDOT years ago.

Mr. Clarke – will check on the situation if you could provide information.

Mr. Campbell reported low shoulders on Route 8 around Elephant Curve Road's two entrances – washed out along edge.

Dr. Kevin Harris, School Superintendent, next appeared before the Board. He reported:

- Presented copy of School Board meeting highlights from January 13, 2014 for the Board's information;
- Ms. Linda King was elected Chairman and Ms. Margaret Hubbard as Vice Chairman of the School Board this year;
- Special recognition that Floyd County was one of 36 districts out of 132 State-wide that is fully accredited with all 5 schools. Last year 87 districts were accredited.
- The Board delayed action on changing to the 10-point grading scale for more review;
- Student membership is 1999, losing 11 from last month. Ten students moved out of the County.
- Facilities review was discussed. The gym floor at the high school was re-done over the holidays due to a contractor error. Was done at no cost to the school system. Did have a water leak at Indian Valley Elementary which we are working on. Have also had boiler problems at Floyd Elementary and Willis Elementary – got those fixed with part replacements.
- Provided a copy of the Governor's budget to the School Board with explanation – showing \$230,000 additional funds to the County right now for next year.
- Doing a lot of budget forecasting – showing \$88,000 in the red at this point. Maintenance and substitute teacher costs have run up expenses. Will be reviewing everything overall as the year progresses.
- Presented first semester SOL scores – lower than last year.
- Held public hearing on the proposed school budget last night with 11 speakers. Biggest issues are smaller class sizes, return of removed positions at FCHS and need for a second ESL teacher.
- Professional Development retreat for School Board members on January 23, 2014 at 12:15. Board of Supervisors invited also.
- Request for transfer of \$41,482.05 from Instruction category to Technology category. This transfer is requested for change of an employee from one category to another.

On a motion of Supervisor Yoder, seconded by Supervisor Allen, and unanimously carried, it was resolved to approve the transfer of \$41,482.05 from the Instruction category to the Technology category in the FY14 school budget.

Supervisor Yoder – aye

Supervisor Turman – aye

Supervisor Gerald – aye

Supervisor Allen – aye

Supervisor Clinger – aye

Dr. Harris also noted that he and the School Board have many concerns with the school buildings with their age, costs, heating systems, maintenance, etc. Feel there is a great need for a Capital Improvement Plan. Need to be looking at school replacements or major renovations in the next few years.

He also commented that the Governor's budget is about 30% of where it was three years ago. Request has been made that at least 5% be included back to schools to be used wherever chosen instead of mandated items.

On a motion of Supervisor Allen, seconded by Supervisor Turman, and unanimously carried, it was resolved to adjourn to Tuesday, January 28, 2014 at 7:00 p.m.

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

Daniel J. Campbell, County Administrator

Case C. Clinger, Chairman, Board of Supervisors