

**BOARD OF SUPERVISORS
REGULAR MEETING
JANUARY 27, 2015**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, January 27, 2015 at 7:00 p.m. in the Board Room of the County Administration Building, thereof;

PRESENT: 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.

ABSENT: Case C. Clinger, Chairman.

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

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

Mr. Mark Sowers, Courthouse District, Chairman of the Floyd County Planning Commission – on behalf of the Planning Commission, I just wanted to come before you tonight. I don't have the full approval from the Planning Commission but I just wanted to see if I couldn't get some clarification and some guidance from the Board as far as the Subdivision Ordinance. Feel like maybe one of the major problems we've had is the circumvention of the family subdivision and the holding period. We had discussed this and had several discussions with the Board of Supervisors from the Planning Commission and the Agriculture/Land Policy Team. I still feel we need backing from this Board to help alleviate some of those problems. We would like to have some guidance. I know myself, as the Chairman, would like to have some guidance from the Board of Supervisors of what you would like for us to do to help the County as far as the Subdivision Ordinance. That's all I really wanted to bring before the Board today. Thank you all for all your hard work, it is not easy I know. It is a lot of work and time. As a Planning Commission, we want to help you do what we can on behalf of the Board of Supervisors. Thank you.

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

Agenda Item 3 – Approval of month-end disbursements. One additional add-on bill was also presented.

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

Supervisor Turman – aye

Supervisor Gerald – aye

Supervisor Allen – aye

Supervisor Yoder – aye
Supervisor Clinger – absent

Agenda Item 4 – Appointment to Floyd – Floyd County Public Service Authority, unexpired term. Mr. Campbell reported that one letter of interest was received for the position. After discussion among the Board earlier, consensus was to not interview the candidate since he had recently been interviewed for another position and since only one letter was received.

On a motion of Supervisor Allen, seconded by Supervisor Turman, and unanimously carried, it was resolved to appoint Mr. Michael Maslaney to the Floyd – Floyd County Public Service Authority, to fill the unexpired term ending December 31, 2015.

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

Agenda Item 5 – Resolution for signing of County warrants. Mr. Campbell noted this resolution was needed because of the change in the Vice Chairman position for 2015.

On a motion of Supervisor Turman, seconded by Supervisor Allen, and carried, it was resolved to adopt the resolution for signing of County warrants as presented (Document File Number).

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

Agenda Item 6 – Draft Fund Balance Policy. Mr. Campbell presented a draft policy for the Board’s review and commented that the policy was a strong recommendation from the auditors from the FY14 audit process. None of the County’s financial or accounting systems would need to be changed. This calls for, during the audit process each year, the auditor to look at the policy and they will allocate the funds in the categories of non-spendable, restricted, committed, assigned or unassigned. They will detail those amounts and include those in the audit they present to you. They will also provide you with the results as to our compliance with Item #6 which is your target of unassigned fund balance. I would say that if you look at the formula that is being established by this policy, we would have met the minimum unassigned fund balance for our current year. We are showing a vast improvement over previous years and the financial outlook is strong. This will put us in compliance with GASB 54 regulations.

On a motion of Supervisor Allen, seconded by Supervisor Gerald, and unanimously carried, it was resolved to adopt the Fund Balance Policy as presented (Document File Number).

Supervisor Turman – aye
Supervisor Gerald – aye

Supervisor Allen – aye
Supervisor Yoder – aye
Supervisor Clinger - absent

Agenda Item 7 – Fence removal bids at the Floyd Flex Building. Mr. Campbell provided a bid summary to the Board for their consideration and reported that nine proposals were received from a good range of folks in the County. Our target was to have someone do the removal work, restore the damaged areas and allow the selected bidder to keep the materials and hopefully receive some compensation if they were sold. The timing is fairly important to keep on our schedule for H&V to take possession of the property. Of the nine respondents, it appears that the most advantageous would be to award the removal project to Bell’s Towing, Mr. Thomas Bell. He has indicated, in writing, that he would remove the material, restore the damage, and pay the County \$543.21 at the conclusion of this work. Some of the respondents were going to charge us out-right and keep the materials. He indicated that once we get the project under contract, that he could complete the work in four days, weather permitting. I spoke with him today; he is still interested in the project and is ready to get started.

On a motion of Supervisor Allen, seconded by Supervisor Turman, and unanimously carried, it was resolved to approve the bid proposal from Bell’s Towing for removal of the fencing at the Floyd Flex Building as presented.

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

Mr. Campbell also noted that the engineer is working on the design and instructional information related to the removal of the separation tank at the Flex Building. This will be the last task that the County must complete in relation to the property purchase.

Mr. Will Griffin, Mayor, Town of Floyd, next appeared before the Board. He reported: As you know, the Town received a transportation grant to do some sidewalk work. In summary, it will start at Main Street/East Oxford, come up on the Baptist Church side of the road until it gets to Skip Bishop’s house, cross the street, come up through the Presbyterian Church yard, from Newtown Road to Gardner’s Funeral Home, where there is existing sidewalk it will be removed and replaced. It is in very bad shape and needs replacing. At the request of this Board, you asked us to look at adding onto the project and bringing the sidewalk down to this building. We put that in the project and it was accepted. We will be able to bring the sidewalk down to this building and to the corner of Fox Street. It will be on the other side so it won’t affect any of the parking on this side. When it gets to Fox Street, the idea is to connect it to the assisted living apartment on Penn Street. To do that, we need to come through the County property. What we’re looking at, we’re staying on the other side of the road, hopefully, until we get to the end of the parking lot. Once we get past the entrance, we’ll come back to your side of the road, take the sidewalk on down to Penn Street and tie into the sidewalk on the assisted living property. To do that, we have to have an easement. Obviously, all of this is at no cost to the County. The Town has been able to secure a grant. In total, the project is about \$1,000,000.00. It will go on down

from Fox Street to tie into Page Street, and all the way back to Main Street to connect to the Library. It will be a welcome addition for all the folks that do walk and make the Town more livable. At this point, we just wanted to give you an introduction to the project and relay what we're thinking. I would encourage you to walk your parking lot and note that it is not an invasion of your space. We'll need a temporary easement to do some construction and a permanent easement for drainage which is pretty much where the ditch is now. The next step is to sign easements. We are having the project architect, Draper Aden from Blacksburg, come over and have office hours one day at the Town office and we will invite anybody who is affected to come in and sit down with him and walk through the process. Where we are at with VDoT right now, we are at the 90% submittal area. In order to go back to VDoT, we must have easements in hand. In total, there are 26 easements we have to get. It will be a fairly tedious project. The goal is to have all that done within the next couple of months, go out to bid, and hopefully start construction in the summer. We would appreciate any cooperation from the Board and hope you will see it as an added asset to our community. I will instruct Kayla to work with Dan as we get closer, to have easements drawn up. I would encourage you to walk the property and the sidewalk and see the impact it will have.

Mr. Timothy Telling, Slatemont Property Owners Association next appeared before the Board and reported: (Indicated on a map provided) – one section which is the entrance off of Route 758 is the area we are talking about. Slatemont has 36 homes within the Slatemont boundary; in addition to that, there are 6 homes that use the Slatemont Road as the only ingress and egress. In Slatemont, there are also 45 additional lots that could be developed and built on. This will also bring more traffic after development. Of the 42, permanent residency is growing. Five years ago there were 3; we are now up to 9 permanent. One of the things that we've been trying to do over the last several years is improve a lot of the infrastructure – the road system, the water systems, become more financially stable. We've set money aside for this road project to at least investigate it and see where we can go with it. We've been involved with VDoT through Charles Hawkins, who is here with me tonight. Tip One is a very good investigator, he does all our research. Our reason for being here is to get your approval for possible acceptance as a candidate for the Rural Rustic Road program.

Mr. Charles Hawkins – first of all, I want to thank you for the fence along the driveway in front of your building, some folks may fall off the wall. Looking at this project and my history of this area, my wife is from Meadows of Dan. I have spent 40 some years coming up and down the mountain. My father-in-law, back around 20 years ago, and myself were talking about buying a home in this area because we were spending so much time up here. He told me to go to Floyd and look around. You all have a unique piece of real estate, which you know. Something that everyone wants a part of because it is so unique and so beautiful. The assets here and the people make it a very desirable location. He told me that in the conversation, that I would like the area and the people, so let's go look around. We went to Slatemont and I looked around and found a piece of property that we liked. The reason we bought it is because of where it is. It is in Floyd County. You all have been able to maintain your historical integrity unlike a number of other places in this Commonwealth. I think it is a uniqueness that sets you apart from other parts of the state. When I started looking at this project and talking to him about it, this is, in my mind, an investment in your infrastructure. Because what we are doing is opening up the gateway to potential property all up and down the mountain. I would think the best money that a

County can get is from outsiders. We come in, we spend our money, we pay our taxes and go home. You don't have to educate our children, you don't have to take care of us, we're out of your hair. So it is clean money. We have 40-some more lots to build on plus all the other property that has access to the road. This is an entranceway and by using the access money that we're talking about, we are not depriving any of the citizens of the County for money for upgrade of dirt roads and things of that kind. It adds to your tax revenue by monies that can't be utilized for anything else. If we get this going, people will start coming in and looking at the property in Slatemont, they will have a better access. Right now it is a pretty treacherous place to go. If you can help us with this, it would be great. We've put in the infrastructure for the water system and solved a lot of other problems. We're hoping for the opportunity to increase property values, property revenues and that should make you very happy.

Vice Chairman Yoder asked if the Rural Rustic program could be explained further.

Mr. Hawkins – the \$150,000 is sitting in the access road funds. It is funds that the State set aside from the regular pot of money. This qualifies for that money. Very few projects in this County would qualify. The State will decide what is the best approach and most cost efficient. If they decided to put in a four lane road with a median and curb/gutter and lights, it would probably use more money than that. We think it could be done reasonably. It is a unique place that is close to Floyd Fest, the Winery, you're going to have a lot more people looking at these properties because of the water system and the other infrastructure. With this access road, you're opening up a great opportunity to milk those cows that come to the barn.

Vice Chairman Yoder asked if the next steps in the process could be explained.

Mr. Telling – the next step that we needed to take was to have the survey completed. What I shared with you tonight is not a blow-up of that. This will be a survey specific to VDoT instructions so they know what to do and how to price it. The next step is for VDoT to go ahead and price it and what can be done and see if it will fit within the \$150,000 available. What they're looking for is a nod from the Board of Supervisors to go ahead and do that. Can we take the next step, would you allow us to get prices? It is not an approval of the project just an approval to take the next step. There is also a B&B on the road that is full agreement for the project along with our property owners.

Vice Chairman Yoder commented that the Board has been discussing setting up a committee to look at this project and others to ascertain the best use of funds.

Mr. Campbell noted that he had spoken with Mr. Clarke with VDoT today and he is also willing to join the Board on this committee to look at sites.

On a motion of Supervisor Gerald, seconded by Supervisor Allen, and unanimously carried, it was resolved to approve the Slatemont Property Owners Association request to proceed with their submittal to VDoT on research/pricing for an entrance to their property.

Supervisor Turman – aye

Supervisor Gerald - aye

Supervisor Allen – aye

Supervisor Yoder – aye
Supervisor Clinger – absent

On a motion of Supervisor Turman, seconded by Supervisor Allen, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.1, discussion, consideration or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body; Paragraph A.3, discussion or consideration of the acquisition of real property for a public purpose or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

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

On a motion of Supervisor Turman, seconded by Supervisor Allen, 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 – absent

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 and property in accordance with Section 2.2-3711, Paragraph A.1 and A.3 of the Virginia Freedom of Information Act;

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

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

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

Hearing no statement, I call the question.

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

This Certification Resolution was adopted.

Agenda Item 11 – Old/New Business.

Supervisor Turman commented that he had been asked by Ms. Sullivan, Director of the New River Valley Community Services Board, that the Board consider providing funding for the Fairview Home in Dublin in the upcoming budget. Their budget request will be for \$4800 which is 2% of the management fee. He commented that residents are there because they cannot maintain their physical health, no family available for assistance, medicine dispensing, diet, or assistance with hygiene care. The residents come voluntarily, usually with a DSS recommendation. 11% are intellectually disabled and 87% are mentally disabled. Most have social security or VA benefits. Floyd County has six residents with no contribution; Giles County, one resident, contributes \$18,613; Montgomery County, eight residents, contributes \$43,105; Pulaski County, eighteen residents, contributes \$87,773; Radford, eight residents, contributes \$55,726; Richmond has one resident, no contribution; Wythe County has one resident, no contribution; Roanoke has one resident, no contribution. This request will be in their FY16 budget request.

Supervisor Gerald commented that he appreciated the information received on the plaque for the Board room. Consensus of the Board was for staff to obtain more information as to prices and options and report back to the Board.

On a motion of Supervisor Allen, seconded by Supervisor Turman, and unanimously carried, it was resolved to adjourn to Tuesday, February 10, 2015 at 8:30 a.m.

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

Daniel J. Campbell, County Administrator

Lauren D. Yoder, Vice Chairman, Board of Supervisors