

**BOARD OF SUPERVISORS
REGULAR MEETING
NOVEMBER 9, 2011**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Wednesday, November 9, 2011 at 8:30 a.m. in the Board Room of the County Administration Building, thereof;

PRESENT: David W. Ingram, Chairman (entered the meeting at 8:40 a.m.); J. Fred Gerald, Vice Chairman; Virgel H. Allen, Case C. Clinger, William R. Gardner, Jr., Board Members; Daniel J. Campbell, County Administrator; Terri W. Morris, Assistant County Administrator.

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

The Opening Prayer was led by Vice Chairman Gerald.

Supervisor Virgel Allen led in the Pledge of Allegiance.

The minutes of October 11, 2011 were presented to the Board for review and approval.

On a motion of Supervisor Allen, seconded by Supervisor Clinger, and carried, it was resolved to approve the minutes of October 11, 2011 as presented.

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

Ms. Stephanie Shortt, Commonwealth's Attorney, next appeared before the Board. She introduced Mr. David Rhodes, the temporary assistant attorney, who had been recently hired. She commented that she greatly appreciated the funds that had been allocated in support of this position.

Mr. Rhodes introduced himself to the Board and gave a career background. He commented that it is a pleasure to work with Ms. Shortt, office employees and other court personnel.

Ms. Shortt also commented that in reviewing the inmate log from the New River Valley Regional Jail, that she noticed that several were State responsibility inmates instead of County. Understands that jail staff are reviewing this issue.

Mr. Campbell reported that jail staff are indeed reviewing this matter and have already provided some credit back to the County for incorrect billing.

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

On a motion of Supervisor Clinger, seconded by Supervisor Gardner, and carried, it was resolved to approve the monthly disbursements, plus additions, as presented.

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

Agenda Item 7a – Subdivision plat report for October 2011 as approved by Agent. Ms. Lydeana Martin, Subdivision Agent, appeared before the Board. She reported that October had been a slower month as far as plats numbers were concerned.

In other matters, she reported:

- November 14, 2011 at 6:00 p.m. – there will be a joint meeting of the two task forces with presentations from two specialists on water issues. Each task force will also be providing an update on their work to the other task force. The Board is invited to attend.

Chairman Ingram entered the meeting at 8:40 a.m.

Ms. Martin continued her report:

- December 3, 2011 – Floyd County's turn to host at the Heartwood facility – staff will work to get this together;
- Draft resolution in the Board's pack for support of the Economic Development Authority's application to the Tobacco Commission for a multi-tenant building;
- Comprehensive Plan – final update has been done – Planning Commission is scheduled to vote Tuesday night as to whether to forward the document to the Board. After the Board reviews the document, you will need to schedule a public hearing.

The Vice Chairman turned the chair over to the Chairman.

Agenda Item 7b – Public Hearing – Closed Floyd County Landfill. Mr. Campbell commented that this public hearing is required for the submittal of the Assessment of Corrective Measures to the Department of Environmental Quality. The document is available in the front office for public review. Two additional monitoring wells were installed, extensive testing of the groundwater has been completed, everything looks positive thus far. The Board is invited to attend this public hearing. All information has to be completed by December 15, 2011 to be submitted to DEQ.

Agenda Item 7c – Removal of five green box locations – Mr. Campbell requested that the matter be deferred for discussion until 11:30 a.m. to allow the Sanitation Superintendent to be able to attend.

Agenda Item 7d – Appointment to Floyd – Floyd County Recreation Authority, Indian Valley District, four year term. Mr. Campbell reported that one letter of interest was received.

On a motion of Supervisor Gardner, seconded by Supervisor Gerald, and unanimously carried, it was resolved to reappoint Ms. Tracy Ann Costello to the Floyd – Floyd County Recreation Authority, representing the Indian Valley District, for a four year term, ending December 16, 2015.

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

Agenda Item 7e – Carry-Over request for Four for Life Funds - \$16,823.21. Mr. Campbell presented a copy of a request from the Floyd County Rescue Squad for carry-over of these funds. By oversight, the funds were not requested during the 2011 fiscal year.

On a motion of Supervisor Clinger, seconded by Supervisor Gardner, and unanimously carried, it was resolved to approve the carry-over request of \$16,823.21 from the Floyd County Rescue Squad for Four-for-Life funds.

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

Agenda Item 7f – Sample Endorsement – NRV Bikeway, Walkway, Blueway Plan – Mr. Campbell requested that this be deferred until after the presentation is made at 9:30 a.m. by Mr. Sharp.

Agenda Item 7g – Resolution in support of Economic Development Administration Application. Mr. Campbell reported the total amount of \$800,000, with a match of \$369,000 from ARC for a total of \$1,169,000.00.

On a motion of Supervisor Gardner, seconded by Supervisor Allen, and unanimously carried, it was resolved to adopt the resolution as presented in support of an Economic Development Administration application; authorize appropriate officials to execute same (Document File Number _____).

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

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

Mr. Wayne Boothe, Courthouse District – presented more petition signatures to the Board against the proposed windmill project on Wills Ridge. Appreciate what you are working on and what you have done so far.

Ms. Cecillia Rudisill, Indian Valley District – Once again I will say, I know some of you went to Beech Ridge and viewed the windmills yourselves to get your own opinion. Once again, I ask you to consider this to allow the windmills to come into Floyd County. We need to consider other alternatives of energy. Also, me and my husband has been approached by another company and we have talked with the other landowners and we have over 2000 acres from people that are willing to have these land turbines on their property. We are considering, if they do not come in, we have been approached by another company that would like to put in solar panels. With the solar panels, you will not have to worry about animals being hurt, you don't worry about erosion, you don't have to worry about the roads or anything like that. The only restriction that you will have is that you have to be 10' from the property line. We need to consider going green. We are out to try to help the elderly and the farmers. We were hoping for the wind turbines to come in because we'd love to start a scholarship for kids in Floyd County that can't afford to go to college. We've worked with teachers and others who would be willing to help us give these scholarships so they can better be here in Floyd County. Also consider, if we don't do the turbines but do the panels, farmers don't have to give up all their land, but there will be mountains and ridges that will be covered with these solar panels. I also feel the wind turbines will take less away from Floyd County and promote tourism. We've also been told that this will be the first solar panel farm in Virginia. We're just asking for ways to get revenue into Floyd County to help these farmers out so they don't have to sell off their land that has been in their families for years. I hope you will consider what I've said and will think long and hard about these wind turbines.

Mr. Dave Dixon, Courthouse District – I would like to thank the Board and the incoming members for the time and energy you've spent in analyzing this matter. And we appreciate any continuing favorable consideration you would give to passing a ridgeline protection ordinance. Appreciate your time and efforts that you have put into this.

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

Mr. Elijah Sharp, NRV Planning District Commission – Regional bikeway/walkway plan. Mr. Sharp presented a draft copy of the plan for the Board's review. He commented: This is not a new plan; we've been doing these since 1975. I don't have a copy of the 1975 plan, but have a copy of the 1994 and 2000 plans. A little bit different technology has allowed us to do some different things. Ultimately, this is a plan update, so we didn't start from scratch. It was led by a regional walkway, bikeway committee consisting of all the areas in the region. It was originally, in the 1994 and 2000 plans, more of a recreational type document. We've seen a shift in that some people are interested in this as a means of transportation as well. We didn't get into a lot of that, but did take an initial stab at it. So it is evolving into a multijurisdictional alternative transportation plan. So who all was involved in the planning process? This fancy thing on page 1 shows a collage of words that lists all the jurisdictions. We've had County Administrators, City Managers, engineers, planners, different organizations – so we've had a pretty wide range of people which made the plan interesting from a lot of different perspectives.

The bikeway/walkway committee was created in 2008. In early 2009, the committee created a regional vision to begin shaping the goals and objectives. In early 2010, one-on-one meetings began with each jurisdiction, which is an important step. Instead of just doing a plan update and assuming that everything from the original plan was correct, we actually took the effort to meet with every jurisdiction. I actually met with everyone except two towns in Giles County to talk about the planning in each area and what could be put in the plan to help your community. Mid 2011, we brought all those areas back together again to make sure that I had accurately shown the things we had discussed. In July 2011, I put the first draft of the plan on-line and distributed copies for a regional review. The planning process behind the scenes, just to give you an idea, the data collection to integrate a whole region into one plan was really difficult. A lot of the information that we have in the New River Valley was hand-drawn onto pamphlets, it may have been just a snapshot view or an aerial. We actually took the time to draft those up in computer programs so that we could share that information with you all, whether it be from free information sources such as Google Earth or Google Map, I've got layers that I can send every jurisdiction to show the things that you all have including the access points where you can go and park your car and hop out and use those facilities. That was pretty tough. The mapping, what we originally had was an Auto Cad base and it was just a line drawn on a piece of paper. If you wanted to share that, say with Montgomery County, and send them information about what you have, you couldn't do that, they would have to draw it in their own coordinate system. We actually upped the ante and made that mapping system user friendly to share with neighboring jurisdictions or other organizations. The tables have been expanded and caused the most work; I'll talk about them more later. Next we have some before and after sections, not a whole lot changed here. You can see that we pulled out canoeing as a means of getting to a destination because not many people use canoes as transportation to work. The goals and objectives are similar to what we had before. Next is the Auto Cad map that I was talking about. The before maps looked like they were pencil drawn. What we came up with after was more colorful maps that are tied to coordinates. You could share this information with your neighbors and they could pop it up on any Virginia map and lock right into place. Same thing with the Floyd County map, this is what we had in 2000; you can see it was really gray scale. We were using the best tools that we had at the time. The after shows the topography, elevation changes and facilities. As we get to the tables section, this is where I was talking about that we actually broaden our view. Originally we just showed the route number, a brief description, the length and if there was traffic, we showed a volume. Now we're showing the name of the route, whether in the County or Town, there is a grid location that shows the alphabet across the top and numbers down the side, every one of the facilities on the table is shown on the map. We added latitude and longitude because a lot of people use GPS units and they can plug in these numbers and get directions to where they can park their cars and use the facilities in the Floyd area. We've taken a first stab at determining the length of the different trails. We've used our best guess because I didn't get to go out and walk all the trails; I walked a lot of them, but didn't get to do all of them in the New River Valley. This is a work in progress. We also show if they are ADA accessible, can handicapped folks walk on them. If there is a slope percentage, a lot of bicyclists like to know the minimum and maximum or average slope. We also provided the traffic count. So you can see we've provided a lot of new information. The next page shows a sample of the pictures and graphics, this one shows a shot that Lydeana gave me from along the Parkway. Next slide shows what is in the plan – first, executive summary, we'd kind of expect that. Next, a Regional Vision, which gives the history, elements of the system, purpose, and

defines the objectives. Next it gets into the meat and potatoes of the tables and maps. What we did in this version is we broke the tables and maps into five areas so the Floyd area is actually the County and Town combined into one map. It is the same with the other Counties; they are combined except for the City of Radford, which is independent. We really consolidated the elements of the system. We don't call out if you have a paved shoulder or a marked shared road or a hiking trail specifically, we consolidated those. We have multi-purpose trails which include all the facilities. It could be a 8-12' paved or compact surface separate from a road or right-of-way, a hiking/mountain biking trail which Floyd has a lot of, shared road facilities which are anything within the right-of-way. If it is intended that the bicycle is supposed to ride directly in the road or if it is widened somewhat or designated lane, all those facilities are consolidated as a shared road. And then we have Blueways. By doing this, what we were able to do is create some consistency between jurisdictions with the facility types if we had an existing multi-purpose trail, it would be consistent, the design would be different between jurisdictions but for a regional trail it has consistency. Also, with our proposed elements, it creates the flexibility that you all need when you're looking at these things. You'll still work with your partners to do the actual designs that meet your needs. The purpose of the plan is to identify local and neighboring assets, establishes common goals and priorities, serves as a resource for local and statewide planning, provides materials that can be used to pursue funding, and recognizes previous efforts. How will it be used is a big question. It is simply a planning resource. There are no local commitments to allocate funds and there are no commitments from state/federal programs. I think the biggest thing that we'll see is that this is a tool that can be used when you're communicating with VDoT as they're doing maintenance or improvements on roadway projects. They have to look at local plans to see if you call for bikeways so they can be integrated. It also identifies multi-jurisdictional connections not only between County to County but also between the County of Floyd and the Town of Floyd. Like I said, it offers flexibility for you to design the facilities that are appropriate for you. The next step is really just to get a feel from you all as to what you feel comfortable doing. We are really encouraging folks to do a resolution of endorsement which basically says that Floyd County participated in development of this plan and that I showed what we talked about with your planning staff. I didn't use my own mind to come up with some off the wall stuff. And since you all are working on your Comprehensive Plan, we can incorporate the bikeway plan into that as well. The first step is really just a resolution saying that you agree with the development of the plan. The PDC's Transportation Technical Advisory Committee, after all jurisdictions have endorsed the plan, will recommend approval of the plan to the full Planning District Commission. I have made several similar presentations to other localities and have several scheduled to do. Afterwards, we'll have the plan updated annually so I'll be working with each jurisdiction on that annual update. We'll have major plan revisions with an established committee every five years is the intent. The Rural Transportation Program at the PDC in conjunction with VDoT funds this process at a \$72,500 annual cost with a match from PDC.

Supervisor Allen questioned if any land or right-of-ways had already been obtained for this plan.

Mr. Sharp – anything shown as a proposed route is going to be within VDoT or a utilities right-of-way. One of the big things that we did was adjust the maps so they follow property lines and not cut through the center of any parcels. The second element that we have shown is

potential sites. The only site that Floyd has is the proposed Phlegar House trail. A lot of the maps just show potential connections between trails. Anything that is shown in Floyd is within the VDOT right-of-way.

On a motion of Supervisor Gardner, seconded by Supervisor Gerald, and carried, it was resolved to endorse the New River Valley Bikeway, Walkway, Blueway Plan as presented and adopt the resolution as presented (Document File Number _____).

Supervisor Clinger – abstain

Supervisor Gardner – aye

Supervisor Allen – aye

Supervisor Gerald – aye

Supervisor Ingram – aye

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

- SNAP program – 2100 recipients for the month with \$251,505 paid out. Last month there were 2099 recipients. If the current trend continues, we will pay out over \$3 million for the fiscal year.
- Medicaid – 1856 participants for the past month, 168 in the FAMIS section (children), for a total of 2024. We were at 1673 participants two years ago at the same time. We served 2600 people in the last fiscal year.
- We had two children returned home last month, one diverted, one adoption, no meth labs where children were involved.
- CSA – there is a proposal from the Governor that will be in his budget, to move CSA under managed care. Now exactly what that looks like, we don't know. There will be a RFP that is going to go out and if this one follows the process that others have done, CSA will go under managed care through Medicaid. You'd be looking at two years of a managed agreement and then the third year would be a capitated program. That has huge impacts to the County as to how we fund CSA. CSA has always been considered a sum sufficient program. If we have to go under managed care, that changes the sum sufficiency. If the law is not changed to serve children under that piece of it, children in special ed under CSA, then you'll be looking at how to fund it. Implementation will be July 2012. It will be in the Governor's budget, not put forth in a bill; it will be in his budget that will be released next month. It is something that the County needs to be watching as to how that will play out. You need to be thinking about how to pay for this as a locality. Traditionally, CSA has served as a gatekeeper for the funds. You have a Family Assessment Planning Team, a Community Policy Management Team, which serve as gatekeepers of the funds and making sure the funds are spent correctly and wisely. If you have managed care, there is no need for the FAPT or CPMT and it takes away local flexibility and control. I will be attending the VACo meeting on Sunday to make a presentation on this matter and help develop a position paper. This could have huge ramifications for our County.

Mr. Derek Wall, representing the Tourism Committee in Floyd, next appeared before the Board. The Board was also joined by members of the Town Council including Will Griffin, Mayor; Bruce Turner, Member, and Member Karen Bingham.

Mr. Wall – we’ve been here once before in a joint meeting and discussed this proposal. We’ve been in our little closed meetings and had a lot of discussion. Today, we want to re-present the idea and give the details. Will has worked with Jim Shortt on some of the organizational part of it. The first slide, titled Floyd Tourism Authority, shows the Board of Supervisors and Town Council as being responsible for electing an Executive Committee consisting of five members, two from the Board, two from the Council and one from the Advisory Committee. The Advisory Committee would consist of one member from the executive committee, one from the community and five from the tourism industry. One of the main goals of this whole proposal is to hire a Tourism Director which we feel is well needed in Floyd as a go-to person for the tourism board. This person would guide us in the right direction, research trends, go to meetings, etc. This Director is the one of the main goals of this whole proposal. The second page is the actual job description that we flushed out, which was one of the requests from the Town and County for consideration. Just to let people know, this whole thing got started with the Lodging Association, the lodging tax that is implemented by the County and Town. We hoped to get more representation from tourism to determine how to spend those dollars that are generated. The County is mandated to spend 5% on tourism, the Town is not mandated to spend theirs toward tourism. You can read through this, you’ve probably already had ample time to review the pages; I don’t need to go line by line unless you have questions. On the third page, is the Floyd – Floyd County Director of Tourism Tasks and Action Plan. Basically it just talks about the different things that the Director would do. Number 1 is very important as far as funding. I’ll just read that one – Revenues will be generated from the Town of Floyd, Floyd County, private donations and grants. The Town of Floyd will fund the Floyd Tourism Authority with \$30,000 every year on January 1. Floyd County will fund the Floyd Tourism Authority with 3 of the 5 percent from the Transient Occupancy Tax (estimated at \$21,000). Private funding and grants will supply the Floyd Tourism Authority with an estimated amount of \$20,000. I manage the Hotel Floyd; we would be willing to give funding toward an initiative like this. We spend quite a bit of money advertising Floyd in general, not just our Hotel. That’s just one example that I’m referring to for private funding. As you read through this, some of the tasks that will take place are introduction to the community and site visits at local attractions, lodging facilities and local restaurants. This Director will want to be very involved in day-to-day and week to month things that happen in Floyd whether it is our restaurants, special events, Floyd Fest and be all-knowing of all events and be able to encompass that and find ways to promote the area to the outside. Establish the DMO (Destination Marketing Organization). Currently the DMO status is with the County. We would like to see that switched over to the Floyd Tourism Authority. We would then be responsible for all inquiries. Currently Lydeana handles all those inquiries, e-mails, requests, the latest one was a film crew or some kind of a film opportunity to come to this area, different things like that that Lydeana handles could be switched off to this effort and take it off her plate. Research and tourism/economic development. Becoming familiar with the local trends. I think we all know that Floyd is on an upswing of tourism expenditures and all the different things, Floyd is growing, the events. Sometimes maybe those one day events aren’t as good as a weeklong event. There are ways to research those events and be knowledgeable to the tourism community and to you guys, and say, maybe we need to do this, maybe there is too much traffic in town on Friday night, we don’t need any more events on Friday nights. That’s just things that this Director could be specifically involved in so they can help guide us in the right direction for

the future. Attend local and regional meetings pertaining to tourism. This is actually a very big item. Currently there are a lot of things going on all over the region, from the stuff happening down in Abingdon to Heartwood. Really, even though Floyd has had some representation on Round the Mountain and Heartwood stuff, an official Floyd representative has in my mind, never been that active in all these meetings. There is the Blue Ridge Parkway Association, Travel Association, all kinds of different meetings that a person could attend that would provide free advertising for Floyd and get our message out there to people who are doing regional tourism. Create monthly reports to include tasks accomplished, new developments and current projects. This would just be a report showing items the Director is responsible for. Promote Floyd – Floyd County by finding free PR opportunities, advertising venues and any other means deemed fit for Floyd’s image. Also, coordinating cooperative advertising opportunities from various outlets. There is tons of cooperative advertising that could take place, we’ve done some through the Chamber and different projects that we’ve done in the tourism community. This person would have a good grasp on all those opportunities. Also, Floyd has gotten a lot of free PR through items like USA Today has written an article; there are all kinds of them. To seek those opportunities, the free advertising you could say, because a lot of us don’t have time because we’re running our businesses and don’t have time to sit here and seek out all these opportunities at hand. Seek and apply for grants pertaining to tourism and development. A lot of these happen already. There’s the Floyd Marketing Leverage grant from the VTC, Floyd got it last year, an Artisan Tour, the wineries can apply for it, so this is nothing out of the ordinary but it is something that could help with the funding a little more. There are all kinds of grants out there, seeking grants and funding to spend on more advertising for Floyd is very important. Find and create relationships with travel writers, group tour planners, event coordinators, etc. You know there are a lot of people out there looking to find destinations to market, to visit, and that’s another thing that hasn’t really been sought here. There are bus tours that go up to Mabry Mill, sit a while, visit, do a couple of the overlooks, but they don’t come anywhere else in Floyd. That’s a missed opportunity that these people aren’t spending their money here. Yeah, they’re going to Mabry Mill and coming into our County but they’re not going to Chateau Morrisette or to the Town to spend some money on shopping or whatever. So finding these tours and help them find a way to spend their money here is a big objective for us. Help local community coordinate timing of events and develop the area as an extended stay destination. Right now, you guys see a lot of events that Floyd does, different events pop up, and I think this position could give some good input on what is best for our overall destination. Is it a one-day event or is it a weekly concert event? There are differences of opinion and I think this person could look at the whole scheme of things and be able to guide certain people that are interested in the events, a right direction. Provide support and information to local businesses in the tourism sector to help encourage growth and economic development. We’ve already talked about that. An official Floyd – Floyd County web site. There are different web sites out there but nothing official as far as tourism goes. This is needed to give a one-stop shop. Right now you have people that have started web sites and their opinions may not be what everybody else wants out there. An official website would be very beneficial. The next page is the obtainable/measurable goals. This is something that has also been developed through requests to the Town and County. 1) The FTA will strive to increase Floyd County and Town of Floyd lodging tax revenue by 10%. This will be accomplished by 2014. 2) The FTA will also strive to increase the Town of Floyd’s meals tax revenue by 10%. This will be accomplished by 2014. 3) The Virginia Tourism Corporation has travel statistics that state that Floyd County received \$18,336,551 in 2009 from travel

expenditures. The FTA will increase this figure to \$20,000,000 by year 2014. Lydeana, I think, after we wrote this, got new statistics, and if I'm not mistaken, it is already over \$20 million. So we have a little more to gain on that but I think you can get the idea. We hope to exceed what is currently been done and put us on a different level. Also, local tax receipts of \$569,061 are also described in the VTC's research and this initiative will increase those figures to over \$580,000 by year 2014. Once again, when we got the statistics that kind of dated that figure but over \$600,000 is definitely obtainable. 4) Another goal of the FTA is a create a weekly event to take place in the Warren G. Lineberry Park starting in 2013 between the months of April to November on a Sunday – Wednesday evening. The goal is to increase visitation by 5% on the dates the event takes place and this is measurable by local occupancy and restaurant taxes. 5) Create a "Mountain Top Christmas" tourism initiative from Thanksgiving to Christmas that could encompass all County and Town businesses to include agri-tourism (tree farms and wineries), restaurants, retail and lodging. This event should kick off one year after position is approved. The goal is to increase occupancy and restaurant tax revenues by 20% during an otherwise slow period. Now the Chamber of Commerce, some of us just came from the Chamber's marketing meeting, and we've already taken the initiative to start this. We're looking at getting the nuts and bolts flushed out, that doesn't mean the Chamber needs to be doing this event, if this was approved, the Chamber could turn this over to the Floyd Tourism Authority and the Chamber just be involved. We thought, why wait, go ahead and start doing this. The biggest thing about the Chamber is that it doesn't have a lot of money. So, it could be beneficial to the Mountain Top Christmas to have someone involved with tourism working on it and there could be some money involved there. Dickens of a Night will now no longer take place. That will upset some but the Mountain Top Christmas will definitely bring a lot more visitors over an extended period, once again, not a one day event, in hopes that people will come up to Floyd and get their Christmas tree, stay a night at a lodging facility, spend some money in the restaurants, and shop for their Christmas holidays. That's a big effort that's happening right now. I'm proud to say the Chamber has taken the initiative to do this. I think it is going to have a lot of leeway because Floyd is a real sought after destination and a lot of people come up here at Christmastime. Dickens of a Night could come back another year, but we wanted to put our efforts into this for the current year. Dickens of a Night could be included in the Mountain Top Christmas and I think it will re-emerge and be included in the effort. Just for this year, I think we need to start getting this taken care of for marketing so people will understand that Floyd is a Christmas holiday destination. 6) Create Floyd Marketing Plan to be accomplished by May 2012. The big thing about the marketing plan is that we have somewhat of a start with the Floyd Tourism Marketing Plan. If approved, the marketing plan could be flushed out very quickly. We've got this plan already and it shouldn't take us too long to complete it. On the next page, we show the Budget Proposal for the Floyd Tourism Initiative. I went over the revenues already. Expenses – local, state, regional, national and international advertising, print, television, radio, internet and billboards (outside of County) - \$10,000. You can go down through there to see what we've done. Branding Consultation – several people have been interested in funding that project so that could come out of this money from the taxes. Travel expenditures (to include training, conferences, mileage, etc), the Director is going to have a lot of travel expenses for conferences and different things to go to, so we felt that was a definite need to have a budget expenditure for that. Office supplies \$1000. Cascade Highlands – there is a group in North Carolina that actually markets this area. Floyd has never participated in this, but with a \$2000 budget line we could participate in that effort. In my mind, and some of the others here, that area

in North Carolina is one of our big markets, the area around Greensboro. Web site design, \$5000 for two years. Floyd application – as technology grows, I phone applications are becoming more common and this would give us the opportunity to have a Floyd app. Working budget of \$6000. The Tourism Directory salary at \$30,000, employer payroll taxes \$3000. Now, the salary is also negotiable. We're not stuck saying we want to pay that amount. We could go higher if we got a better candidate, this is an initial amount. Grants will also be pursued to leverage marketing dollars which are not mentioned in this section of the tourism plan.

Mr. Shep Nance, Woodberry Inn – we are a relatively new business in the County ourselves. I've worked on one of these committees so obviously I support this. What I've learned in the 18 months that I've been part of this community and working with Lydeana, she has been putting out a great effort but that's really not her day job. Her day job is business development. I appreciate everything that she's done. We worked a lot with her last year on the tourism plan, she put in a lot of time and effort on that plan and we do appreciate that. To have a single person who is focused on tourism, I think it is an absolute necessity. I think that budget items could be modified, but at least on the County side, who's paying the occupancy tax? Nobody in Floyd County pays it, tourists pay it. No dollars from taxpayers, unless they stay at one of the facilities, then they pay it. Not a bad idea by the way, at least eat there. A lot of the meals tax in the town, we have tourists that eat here so some of that is coming from tourism.

Mr. Will Griffin, Town Council – I just wanted to apologize to the Board and to you as well for not having a quorum here. As you know, Councilman Turner also works for the Sheriff's Department and he had a call so he couldn't be here. We were aware that Ross Miller and Mike Patton would not be able to make it but just wanted to apologize because by no means is that an indication as to how we feel about this effort and the work that you guys have put into it. Just wanted to make that clear.

Mr. Wall – the other thing is, we've been doing this for about a year now, we think that it is about time to get a yes or no answer. I think you guys understand what we're trying to accomplish, we've done our best with the limited time we have to spend on this. If you say no, that you're not willing to approve something like this, we understand that you guys do what you do and we're proud of what you do. If you're not going to approve it, we understand. If you approve it, we'd love it. It is just to the point that we feel we need an answer, not to just shove it down the line once again. Whether it is yes or no, we'll understand. If it is no, we'll keep fighting and figure out some way to come up with a Tourism Director position. At this point, I know it may not happen today, but we definitely would like to have a date when we could find out an answer.

Mr. Nance – David, could you provide us with that date?

Chairman Ingram – It would be up to the Board. It also has to be a joint decision with the Town.

Supervisor Clinger – the Tourism Director shows reporting to both the Tourism Authority and Advisory Committee – seems it would be hard to report to both, they would be pulled in two areas.

Mr. Wall – in my mind, and you all please help me, this was set up by Jim Shortt. My idea is that the Tourism Director position will work hand in hand with the Advisory Committee. The Executive Committee will be there to approve and to make sure that we're not doing anything outside what the public bodies want to happen. I think the Tourism Director will work with both. The Tourism Director is going to have to go to the Executive Committee and say is this possible? They are not going to go to the Advisory Committee and make assumptions on things that will happen.

Supervisor Clinger – who will have the final say?

Mr. Wall – the Executive Committee. It is up to you guys to shift the organization part of it into whatever you see fit.

Mr. Griffin – the Advisory Committee consists of people from the tourism industry and others. The Executive Board is made up of representatives from the Board of Supervisors, Town Council and a member of the Advisory Board as well. Not having the tourism expertise, we'd depend on that advisory committee's guidance because at the end of the day they are the ones in charge.

Supervisor Clinger – under the Measurable Goals section, \$20 million by 2014. Lydeana mentioned a 9% upward tick already, instead of doing a straight dollar figure, should we look at a percentage increase instead?

Mr. Wall – I agree with that. The figures were not out when we did this; we should have made the changes. I just noticed that we left out of this draft that we set a two year plan for this effort. In two years, we want to re-evaluate and we're sure you guys want to re-evaluate. We want to make sure that this is doing what it is supposed to and not just a draw on the funds. There is a two year kind of evaluation set into this that we're all aware of.

Supervisor Clinger – on the revenue part, it says 3% of 5%, a dollar figure. Do you have a specific amount that you're looking for? I'm thinking that would be easier instead of coming back in the middle of the year.

Mr. Wall – I don't think we can do that with the County because if I'm not mistaken, you guys are mandated to give 3 of the 5% toward tourism. What that figure is, I don't know. \$21,000 is not correct either.

Mr. Campbell – we have other expenditures that will close the gap if it came in less. The Parkway ad, and other expenditures that will go beyond the 3 of 5 at the end of the year, I can assure you.

Mr. Wall – we can start with the \$21,000 amount.

Mr. Campbell – it needs to be based on our 3 of 5%. On the compensation, were you anticipating having benefits?

Mr. Wall – it is compensation only, no benefits.

Ms. Nora Cooper, Chateau Morrisette Winery – I have been part of this committee since the beginning. One of the things that I like about having a Tourism Director is that we can control, and I mean all of us, the Town, County, Committee, how Floyd changes and grows instead of it happening naturally. We can be more involved in how we do change. I like that, being more in control. I think it is going to feel safer, that we're bringing in a marketing expert to help us. Marketing is a totally moving target, it changes so quickly. I like the safety factor that is built in, the checks and balances and the fact that we're in control.

Mr. Jack Wall, Courthouse District – I just want to make a couple of points. Floyd has done really well in economic development, working between the government and private sector. The private sector in Floyd is really bullish about the development issues. There is a minimum of \$5 million that is going to be spent in Floyd this next year, probably more like \$10 million. There is a lot of private investment in Floyd. This is really good for our ability to be successful as a destination community. The thing that makes it work is for the government and private sector to work together. We need the government to participate in this, we need the coordination of all the activities so we can all benefit from it. The other point I want to make is that there is a lot of discussion around town kind of bashing the tourism industry, a lot of comments putting down tourism as a viable economic development tool. They pose tourism against traditional businesses which I think is really a mistake. All this tourism activity, the visitors that come in, it doesn't have to be a tourist with a funny hat, it can be our mother, our families coming into town. The activity of people coming into town, spending their money here, all the things that go on, this benefits all businesses. There is not a single business in town that it doesn't potentially benefit from this additional economic development activity. The big thing to know is that when people come into town, they have to buy gas somewhere, get their car repaired somewhere. When tourism businesses are growing, you get insurance, activity goes up. We're adding onto the hotel next year and that will increase our insurance bill, so David Blevins at State Farm will get some more business. You name it. What business does not benefit from that? All traditional businesses do benefit from this activity. It is a broad based economic benefit to our County. We just need to work on this asset that we have, our beautiful community. We're not talking about becoming Gatlinburg, we're talking about a very specialized type of niche marketing. That's the benefit of this Tourism Director kind of idea, is to get a focus on what it is we are in Floyd. We're not just any old place, we're not a trash community or strip mall community, we have a lot of special assets here that are very interesting to people. It is an economic, cultural, tourism type of thing. They can benefit from our local, natural heritage, farming, and the beautiful natural settings that we have here, the arts, music, and our cultural assets that are supported by this. When all these businesses get that extra support from people coming into town and sharing what we have, then all those businesses are able to thrive from the extra support and income that they get. It could be the difference between a vibrant economy and one that is stale.

On a motion of Supervisor Gardner, seconded by Supervisor Clinger, and unanimously carried, it was resolved to approve the establishment of the Floyd Tourism Authority with a review by the Town Council and Board of Supervisors at the end of a two year period.

Supervisor Clinger – aye

Supervisor Gardner – aye
Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Ingram – aye

Mayor Griffin commented that Town Council would consider the matter at their meeting on December 1, 2011.

Ms. Paula Alston, Director, Montgomery-Floyd Regional Library, next appeared before the Board. She also introduced Ms. Ginny Gardner and Ms. Ann-Margaret Shortt, Floyd representatives on the Regional Library Board.

She commented: appreciate the Board appointing two such dedicated and engaged individuals as Board members.

Shared copies of the Library's Strategic Plan with the Board. We are required by the State Code to have a five year plan on file with the Library of Virginia. Our last plan expired this year. Held focus group meetings in each library, had a survey in paper form and on the web to gather public input. Also looked at the Library of Virginia's standards for public libraries. Took all this information to put it together to write our new plan. This year the Library Board adopted Core Values. These are the values that will guide our Board, library staff members and our library system. They are in your document but I want to read them to you. 1) Respect – we value the individual with equal consideration and courtesy; 2) Accountability – deliver on our commitment and responsibility; 3) Knowledge – promote learning to satisfy curiosity and encourage ideas; 4) Diversity – provide a variety of viewpoints and free exchange of information; 5) Service – maintain a welcoming atmosphere with professional staff and quality standards; 6) Teamwork – build partnerships based on trust and collaboration. The Library Board also adopted new service responses. Service response is something that the Library does to or for their patrons to meet their needs. We know we can't be everything to everyone, even though we try. We did pick five of the service responses, there are eighteen total, and wrote our goals and objectives to meet them. They are on page 6 of the document if you care to read them. In a nutshell, we said we want to provide materials to help our citizens enjoy their leisure time, explore the world around them and help fulfill their civic duty. We want to do all of this with high speed internet and full access to the digital world which is coming faster and faster and give them a comfortable and attractive world in which to meet and interact with their fellow citizens. The highlights of the plan include writing a staff training manual; implementing new technology in our library like RFID and mobile apps which is becoming the way we need to do business; expanding our service to include people with disabilities and in remote locations in both of our Counties; enhancing our website and adding more digital elements to our library collection. This is our ambitious plan but we like to plan ahead and feel we are moving in the right direction with this plan. I've also included in your presentation our Annual Report for FY11, an information sheet about the Jesse Peterman Library, and a little card that will help you download E-books to whatever device you have. We can now handle Kindles. Our E-book collection goes out, stays out all the time, we can't keep them in, but you can put your name on a hold list just like is done for a physical book. FY11 ended well for the Jesse Peterman Library and for the system. As I mentioned, we did add E-books to our collection. We also starting circulating computer games, they have been extremely popular. We have a small collection in each of the four libraries and add to it as the year goes on. We have a gaming card at the Jesse Peterman Library for patrons to

use in the library if they'd like to try the game. There are several games to check out. We have received many positive comments on having the art display at the Jesse Peterman Library; I think it has enhanced the library a lot. People really like the cozy area we've created for the Friends book sale area. We're hoping that there will not be any future cuts to State Aid, but we never say never. We were down \$47,000/year each year since FY08, which is almost \$200,000 which we have not received in State Aid. You can realize the impact that has on our budget and funding, so we're really hoping that the cuts to State Aid are over. We are in the last year of mandated cuts that the General Assembly leveled on localities with State Aid. Floyd's cut for that mandate has equaled \$5200. Even though it seems like a little amount, it has a serious impact on our budgeting, having to give that money back to the General Assembly after they gave it to us. On behalf of the Library Board, I'd like to thank you again for your support. Your donation means everything to us. We so appreciate everything that you do for the County and the library system and we know that we can count on your support in the future.

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

- Presented copy of October 2011 School Board meeting highlights.
- Presented copy of November 2011 School Board meeting highlights.
- Commented – in the middle of my 6th week as Floyd County Superintendent and am pleased to report that everything is going quite well. My findings so far indicate that everything is going along smoothly with Floyd County schools.
- Enrollment at 2042 at October 31, 2011 with an average attendance of almost 96%. It is very important that children attend school, as in all walks of life, success comes from being there. Children won't come to school unless we have good programs for them and they like their teachers. Numbers for both October and November would indicate that we're doing a good job in those areas. Students and teachers are coming to school on a regular basis.
- At the November meeting, we started off the evening by honoring Coach Allan Cantrell. He was inducted into the Virginia High School League Hall of Fame for his outstanding service to the boys and girls and the County of Floyd as their basketball coach. He's actually done some other coaching. It was interesting to me; I didn't know that he'd been voted Coach of the Year in Volleyball one year. Apparently we didn't have anyone to coach volleyball one year so he took over that program and did quite well. We honored him that evening and present to you today that Coach Cantrell has been an outstanding teacher and coach for Floyd County schools. He's continuing to teach on a part-time basis and coach the girls basketball program. I went with him to Charlottesville that night to receive the award. A lot of times we don't hear about the good things in education or the individuals who've spent the greatest part of their life on programs from the Virginia High School League to forensics to coaches. The room was filled with a sense of accomplishment, a sense of what is good about education in Virginia. I think Coach Cantrell does a wonderful job, portraying every day, what is good in terms of our teaching and coaching here in Floyd County.
- We heard public comments from Mike Mitchell; he's with the Floyd JAMS group, which is Junior Appalachian Musicians group. As we look to the future, I would imagine that our school system is going to have to enlist the help of community agencies like the Jacksonville Center, Floyd JAMS, to offer some of the things that we may not be able to provide in the future. I think we have a good relationship with the Jacksonville Center; I

met with several of their folks yesterday. They are already conducting several programs at Floyd Elementary School and they would like to expand their programs to all our elementary schools as well as the high school. I totally support that involvement with folks like the Jacksonville Center so we can provide services in a time that our budget does not allow our school system to provide some enrichment activities that we've always provided.

- I highlighted our attendance for you, it continues to be good. We have visited both Willis and Indian Valley as a board and listened to comments from teachers and citizens. I believe that is a very valuable opportunity for us to find out what people really want. At both schools, we had all the teachers attend as a group, to bring to our attention concerns that they have. I think the Board will look for ways in the future to help teachers, maybe not monetarily, I'm not sure that we'll do any better than to hold what we have right now, but there are some things that we can do, incentive-wise, that would make their jobs more rewarding and fulfilling.
- Both our boys and girls cross country teams placed well at the Regional level and both teams are going to State this weekend outside Manassas.
- Everything seems to be on track. As a new Superintendent, I think I would notice is something was off-track. As I'm out in the schools visiting with teachers, principals, cafeteria workers and custodians, they all seem to be happy doing what they are doing. I look forward to learning more about the County and the school system as we get ready to enter into another budget cycle. I'm looking forward to working with each of you on that.

Supervisor Allen – have there been any more children that have left school to be home schooled?

Dr. Harris – I don't at what point you are asking but we have had one family who took one student out of Floyd Elementary and put them into a private school, not a home school. Our membership has actually grown by one since the last time I presented these figures to you. I don't know of anyone else. I only know of one student who is attending Blue Mountain School. I've invited those parents to come speak with me, to talk about why they made that decision. I'm trying to follow up and create an atmosphere where people see our schools as a real value and they won't want to home school or private school, and will come to us. We have to be in the customer service business here. There was a time when people would leave the school system and it wasn't a concern. You'd say simply, do what you think, go. But we're at a point now where we have to react to consumer demand because there are options out there. Right now, we have 256 students of school age that we know of who are homeschooling in this County. 140 are religious exemption, the other 120 are simply homeschooling and following our guidelines and our assessments of those students to make sure they are progressing. Once someone declares religious exemption for home schooling, we have no control over what is done at all. They can do anything they want with the child, we can't assess the child, and we can't require them to show us their curriculum or demonstrate if that child is making progress academically. That's a little scary to me. My solution to the whole thing is, we just make our school system so good that they don't want to go anywhere else. That's the direction we have to head.

Supervisor Gerald – you mentioned teacher incentives, do you have any idea what those might be?

Dr. Harris – I can share one of them. We have asked our teachers to take classes in differentiated instruction. At one point, we were able to pay for those teachers to go to school. The course of a graduate course at Virginia Tech right now, even with the educator discount, is over \$1000. One of the things that we're looking into, is teaching these courses with some of the people that we have who are eligible to teach at the college level. We have several folks in our system that teach at a college level. Offering that course after school at the Central Office for credit with our instructor. Things such as that. Possibility of allowing teachers to make up days from home. A lot of our teachers can document very easily that they are on the computer doing grades. Things like that. I don't think that anyone is going to see much of a raise this year, I think to hold where we are will be admirable. But looking at those types of incentives, I think would benefit our teachers. We have some teachers who would really like to bring their own children with them to the school where they teach so they wouldn't have to afford child care. For example, if a teacher lives in the Check community and teach at Willis Elementary, we have teachers who have to pay for child care, because right now our policy says that children must attend school in the zone where they live. Maybe we could look at changing that for teachers to eliminate the costs they are having to pay for childcare whereas if they look their child to Willis with them, they could eliminate that cost. We're asking teachers to provide ideas for cutting costs, like insurance for example, where we could better structure our program, so they are seeing more money in their paycheck at the end of the month. Children must attend school in the attendance zone where they live. Just for teachers, so they could take their children to school where they teach. We're considering that because we know that some people are having to get childcare because they aren't there when their children get home in the evening. Not opening it up for everyone but making some concessions for teachers. I think that is reasonable and we'll be talking about that with our board. You have to look under a few rocks to find ways to help people as we make do with what we have.

Supervisor Clinger – I had heard a rumor from a teacher that if you lose stimulus funds that there will be another round of cuts? Is that a rumor or any truth?

Dr. Harris – right now, we know that we are not going to have the same funds next year that we have this year. We carried over stimulus money to help afford some of the folks that we have now. VRS has already announced that they are going to increase their rates by 10.6%. When you look at those things together, we're going to be starting off behind where we are this year. Our school division is about 80% personnel, so if we don't have the same funding next year that we have this year, that possibility does exist.

Supervisor Clinger – so those positions that were created with the stimulus funds would go?

Dr. Harris – they could be any job across the division based on student numbers and needs.

Supervisor Allen – what kind of stimulus funds are you carrying over?

Dr. Harris – it is the American Recovery and Reinvestment Act funds and the State financial stimulus package.

Supervisor Allen – at what number?

Dr. Harris – in dollars and cents, I don't have that number with me. Those funds really kept us operating at the level that we're operating at now. With those funds gone, it will be difficult. I don't know if any of you saw the Roanoke Times last week. In the article, I said to the reporter and it is true, schools are basically people, 80% are people, the other part that we don't have much control over are fixed costs such as electricity, fuel, coal. When you lose substantial financing to your school system, it will affect people in some way. Teachers, maybe not, but if we lose teachers' aides, that does affect teaching and learning. Our teachers will tell you that those teachers' aides are very valuable and very cost effective in terms of putting more people in our classrooms to work with our students. We can afford what we have money to afford. I realize where we are and I realize that funding will be hard to come by and we can afford what we have money to pay for. The other side is that it may cost employment opportunities to some of our employees and we certainly don't want to see that happen. We have very good employees who work very hard, I see that every day, and I certainly would like to work through this and get to the point where we can maintain as long as we can until the economy turns around and there are resources to do more.

Mr. Calvin Reed, Sanitation Superintendent, next appeared before the Board to discuss Agenda Item 7c – removal of five green box locations. Mr. Campbell presented a proposed removal list again for the Board's review: 1) Route 8 at Montgomery County line, 8 boxes; 2) Rock Church Road/Buffalo Mountain Road, 3 boxes; 3) Shooting Creek Road, 1 box; 4) Thunderstruck Road, 5 boxes; 5) Hollandsworth Road, 5 boxes. In some of these areas, there are no houses, some sites have a few houses. We talked about this during budget sessions as to save money on fuel, time, and equipment. We have also received complaints from neighbors due to the noise and mess. At one of those sites, we were turned into DEQ because of the potential impact on their well water. We've had complaints on animal carcasses, construction waste, furniture, commercial waste, etc. This proposal does not strand anyone; we hope to add more boxes at nearby sites.

Supervisor Allen also requested that one site on Conner Road be removed also because of all the complaints already mentioned.

On a motion of Supervisor Allen, seconded by Supervisor Clinger, and carried, it was resolved to approve the removal of greenboxes at the five sites outlined, along with the one site on Conner Road.

Supervisor Clinger – aye

Supervisor Gardner – aye

Supervisor Allen – aye

Supervisor Gerald – nay – because of Hollandsworth Road site

Supervisor Ingram – nay

The Board recessed for lunch.

Mr. Dan Huff, Mr. David Clark and Mr. Stacy Keith, Virginia Department of Transportation, next appeared before the Board.

Mr. Huff – reminder that bridge over Pine Creek on Route 221 will be advertised December 13, with completion date scheduled for May 31, 2013.

At the last meeting, Supervisor Allen discussed speed studies on Hale Road and Moore Road. I did go out and take a look at those roads, they are typical Floyd County roads. I'm not too keen on that idea right now because we have just put up speed limit signs and curve warning signs on Route 615. I just counted 12 of those signs that have been shot. I feel we may be wasting taxpayer money if we put up new signs everywhere. I'll do whatever the Board wants but I'd just like to wait a little while on those two roads.

Mr. Clark – the Board asked me last month about the number of employees we have at each shop. At the Check shop, we have ten employees, 11 at Willis shop. Each has a superintendent and two supervisors. All positions are filled. Employee numbers are decided based on lane miles. As far as maintenance, October is our snow preparation month. Luckily, we haven't had snow yet. We've worked on patching, pipe replacement, gravel road maintenance, three pipes scheduled to be replaced yet, brush cutting, Route 8 pipe repair is scheduled in November.

Supervisor Gerald – is the asphalt plant closed already?

Mr. Clark – no.

Supervisor Gerald – on Indian Valley Road, pothole repair was done with tar/gravel, and it is like driving on marbles. Some places are already sinking after a week of being repaired. Do appreciate the white and yellow lines being repainted.

Supervisor Allen – I was asked again about the horse crossing sign for Stonewall Road.

Mr. Huff – we can put the signs up but they cannot be parallel to the road.

Supervisor Allen – need them from Route 221 to Eanes Road.

Supervisor Gerald – are new school bus stop signs being put up?

Mr. Clark – there are new signs being put up as replacements, they are a different color and more graphic.

Supervisor Allen – going south on Franklin Pike between Cannady's Gap Road and Paradise Lane, someone ran off the shoulder and it is now even with the road. There may be some water running there also. Also, going north on Route 221, past the Country Club entrance, there is a large hole on the side of the road, there was a cone there but it is gone now.

Supervisor Clinger – nothing to report this month.

Supervisor Gardner – Old Furnace Road – needs maintenance because it is very rough. The citizens also called the 800 number.

Supervisor Ingram – Jacks Mill Road – gravel portion is very rough and needs attention. A lot of the problem is due to extra traffic from the detour. All secondary roads need help when possible with brush cutting and machining.

Mr. Andrew Rudersdorf, Project Developer for the Willis Ridge project, with Nordex USA, next appeared before the Board. He presented two packets of information for the Board's review. He commented: there is a presentation inside the packet that I'd like to review with you. Introduce Nordex to you, what we do and the benefits of what we can offer to your County. The first page shows the project area, the parcels, the landowners that I've been working with and the folks that have said that they were interested in this project. Slide 3 is an introduction to the Team. This isn't just me; we have folks back in Chicago that are working on this every day. We have people out here who are working with the landowners to educate them on what this project will do for them. Realizing that they do have concerns, we're trying to offer up our best explanation of what we've seen in the past. We also have great engineers who work with AEP and Appalachian Power Company to make sure that we can fit on these lines, and that they will be useful when we put them on line. We have meteorologists, marketers, legal counsel and of course we have assistants that help us with mailings and all those sorts of things. I think that the really interesting slide is the one entitled "Why are we here?" We are here because we have a product that is going to be efficient. We have a wind turbine, called the N117 that is a Class 3 wind turbine. This is a Class 3 wind area, this isn't Texas, Oklahoma, this is a lighter wind resource that we still believe can be efficient with the new technology. That's why we believe this is going to work. Who is Nordex and why are we in the United States? First off, Nordex is a company based out of Homburg, Germany. We have turbines in over 36 different countries and back in 1999 they decided to come to the United States and have a presence here. Germany has had wind energy around since 1985 when our company formed and now we're headquartered in Chicago. We just recently put \$20 million into a manufacturing facility in Jonesboro, Arkansas. I think that is an unbelievable statement that Nordex is in the United States, the turbines will be made in the United States by American employees. That is creating jobs and showing that the number of employees that we have there, showing that Nordex being in the United States, that we are here for the long haul. We do have projects that we have sourced our turbines to. These are located in Maryland, and also have one in Highland, Pennsylvania. On the next slide, we have service. We put these turbines in and they have to be serviced. That's where Floyd County comes in. Yes, we're here but we can't fly service people in from Jonesboro every day to have them serviced. We would try to hire locally, send them to our Jonesboro plant, train them down there and have them back up here servicing these turbines over the next 40 years or however long the wind project is here. So those will be long-term jobs that will be provided. Another slide gives an introduction to wind energy. It is basic but we feel it is important to educate every chance we get. The next slide shows how wind turbines work, how they turn and generate electricity and that's how we provide electricity to this area or a service area in general. I also have some slides in here showing power sections and other items for your review later. Again, going back to Virginia, the wind resource is not the greatest but we still

believe it can be efficient. We still believe that if we put these towers up they are going to produce electricity and we'll produce enough energy to make it profitable for the County. We don't want to come in here and put turbines up that are just going to sit there and never turn, that would be a waste of our time and the landowner's time, and wouldn't be a good investment on our part. We want to make sure that we know that our turbine will produce energy here; we want cash flow to be coming into this County. Studies and approvals – things that we have to do as a reputable developer. We can't just come in here and throw our turbines up and say here they are. We have to go through so many studies and it takes upwards of 3-4 years. We work with you guys, U.S. Fish and Wildlife Service, the Virginia DEQ, Virginia Department of Game and Inland Fisheries. These are all agencies that we have to get permits from or just have their approval in order to do this project. Also, being a reputable developer, we have things in our documents that list the setbacks from the roads, setbacks from houses, setbacks from transmission lines, etc. Those are things that we give to the landowners that say, we understand, we're not going to put this right outside your back door. We have setbacks, we're a respectable developer. We're not here to take advantage of the landowner, we want to produce clean energy in the most efficient way but we also want to be a good neighbor with all involved. We have to abide by the State codes and local rules as well. What happens when these turbines are up 40 years from now? Do they stay up? What will happen? There are laws in our leases that say we'll post bonds. When these things are done and scrapped, we'll come back and take them down. That's just another of our qualities, we want to be a kind developer. Bottom line, we believe in being a good community partner, we see this as a benefit to the community, offering long-term jobs. I think it is also important that we've been looking into tax benefits. That is something that is very important to you guys. We have been working with a local firm to determine what those benefits are and I should have some communication back from them in the next month. As soon as I receive that information from our attorney, I'll come back here or relay the information to you. I greatly appreciate your time and look forward to working with you in the years to come.

Mr. James E. Cornwell, County Attorney, next appeared before the Board.

Mr. Cornwell presented a draft ordinance – Construction of Tall Structures on Certain Ridgelines – for the Board's consideration. He commented: Let's start at the beginning. Probably the easiest thing is for me to tell you what I didn't do. I didn't give you an ordinance which will prohibit tall buildings or wind turbines. If you want that, I can give that to you. You'll have to keep the definitions portion of this and keep the map and so forth and then we'd just simply say no tall buildings in Floyd County. Also what I didn't give you was any kind of variance, condition, provision or special use type provision or conditions for the purpose of the site. I didn't give you that. Again, we can do that but it becomes a little more problematic. Basically what I gave you was an upper bound ordinance. You meet the requirements, you get the permit, you don't meet them, you don't get a permit. There is an appeal process to you if the ordinance administrator has determined that it doesn't meet the requirements or it does meet the requirements and an aggrieved party or property owner can sue to you. Again, what the question is does the application meet the requirements or not. Also, let's make sure we know what we're talking about. The terms in the statute are anything but clear.

Mr. Campbell – would it be helpful if you told us what sections you changed before you go any further?

Mr. Cornwell – yes, I changed section 113.3. Now, although the statute talks about tall buildings or structures, it talks about 40', it is not talking about a 40' building. It is talking about a structure or building which is 40' above the crest so even on your protected mountain ridges, you can build a 100' building as long as it doesn't go 40' over the crest. This took a while for me to understand. Also, the protected mountain ridge, in my opinion, is the entire ridge. Also it has a definition of 100' as being a definition of ridge, I think the statute would make no sense if all you could do was prevent a tall building being constructed when you can build a 450' structure. In my opinion, the statutory authority covers the entire protected mountain ridge which is defined as a ridge within the County shown upon the protected mountain ridge line with an elevation of 2000' or more and an elevation of 500' or more above the elevation of an adjacent mountain ridge. Again, you can build any kind of structure you want on that protected mountain ridge and it will not be covered by this ordinance or the statute until it gets more than 40' above the top of the ridge. Tazewell County takes the same view even though their ordinance is different. Let's talk about what the ordinance that I drafted does do. The first thing I provided, in Section 112, references the protected ridge map. You'll have to decide which map or combination of maps that you'll use. The statute makes your findings conclusive. The second thing in Section 113, it says, no tall building or structure, with the definition of tall building being a structure no more than 40' above the ridge top, not just a tall building. You can build a 150' building but if it doesn't go above 40'; it is not a tall building. So, no tall building or structure may be built on a protected mountain ridge without a permit. No permits shall be issued for construction of tall buildings or structures upon the elongated crest or series of crests at the apex of a protected mountain ridge or ridgeline or within one hundred feet, measured vertically below the elevation of any portion of such line or surface along the crest. Let's make sure we understand that all of these are just proposals, you can accept or reject or change them. The third proposal for your consideration, I didn't know if you wanted a restriction on the height of the tall building so I put it in there with a blank. No tall building or structure may be built on a protected mountain ridge or ridgeline if the highest point of such building or structure would exceed 70' feet. So in other words, if you say no tall buildings can be built in Floyd County that exceeds 70' from this point on, you can do that. 100' or 150' or whatever, it can't be 40' or less. Even if you were to adopt an ordinance that says no tall buildings in Floyd, ones under 40' could still be built because it doesn't meet the definition. The next item – No tall building or structure may be built on a protected mountain ridge or ridgeline unless it is located a distance of more than three times its height from a dwelling, the owner's property boundary or another tall building or structure. This gets to the issue of setbacks. If you want to build a 450' tall building, you can't build another within three times that amount. Has the effect of stretching them out which you may not want. All applications for construction of tall buildings or structures under the provisions of this ordinance shall be accompanied by a site plan and the applicant's written certification that the applicant will remove such building or structure when it ceases to function. This paragraph is basically the bonding requirement. If they decide they are not going to use it anymore or it malfunctions, there has to be a bond in place to protect the County. There is a provision in there that the bond can be increased as time goes by.

Mr. Campbell – in Section 113, 5(a) it says the administrator will notify the property owner. Could there be confusion there as to who the property owner is, are we talking about the property owner? The company will be leasing the land from these property owners.

Mr. Cornwell – the property owner is the one we'll deal with, not the company.

Mr. Campbell – so the property owner would be responsible for posting the bond.

Mr. Cornwell – exactly, the company could post the bond for the property owner. It is just like any zoning violation, you deal with the property owner. You could have a residential zone and the property owner lets someone come on the property to operate a commercial establishment, it would be a violation to the property owner. They can work out whatever they want in contractual language. Again, paragraph 6 has the language that no tall building or structure may be built on a protected mountain ridge unless the proposed building or structure plan (i) provides for sewerage, water and drainage facilities, adequate for the building or structure proposed, including, but not limited to, facilities for drinking water and the adequate supply of water for fire protection (ii) provides for compliance with all applicable erosion and sediment control laws. That was another reason that I wanted to put protection here because of roads due to construction, you'll have to provide for fire protection. There will be other infrastructure related to these facilities which will probably be unoccupied. Along with that, the land closing and so forth. Item 7 – no tall building or structure may be built on a protected mountain ridge when such construction involves blasting of any portion of the protected mountain ridge. Item 8 – No tall building or structure may be built on a protected mountain ridge unless a certification is provided by a certified, professional engineer certifying that such construction will not adversely impact the natural flows, infiltration or storage of water resources below or adjacent to the proposed construction site, including but not limited to springs, streams, ponds, lakes or underground aquifers. I know there have been some questions on the construction of these facilities and how they might affect water facilities around them. You can't protect all the water sources but hopefully this would help. Item 9 – No tall building or structure may be built on a protected mountain ridge unless a certification is provided by a certified professional engineer certifying that the building or structure is designed to collapse inwardly upon itself in the event of structural failure. We don't want these things falling all over the place. This is a common statement in cell tower agreements. Item 10 – All construction of tall buildings or structures regulated under this ordinance shall be in strict conformity with the site plan filed as part of the application. Those are the restrictions in this draft. The presentation today may have given you some ideas on other restrictions you may want. This is just a starting point. There is an ordinance administrator that is appointed by the Board. The developer would have to submit an application for a permit. When the application for a permit comes in, and this is something that I thought about long and hard. It is common with cell towers to require a balloon demonstration, where within a certain amount of time, with notice, the applicant has to put a balloon up at the height this structure is going to be. If this is a take or leave it permitting process, I don't know that the balloon makes much difference. The only thing that it will do is alert any property owners that it is going there. They may not read the paper, or gotten their mail, so this gives the adjacent property owners notice. So you would have a balloon sailing out there on the mountain for everybody to see. Again, what you can do about it, not a whole lot. It is more notice, I'm always in favor of more notice for citizens. Once the complete application is

done, the ordinance administrator has 30 days to approve or deny the permit or revise it. If anyone, property owner or the adjacent property owner would say that the permit was improperly granted, the appeal would come to the Board. I tried to keep it simple, the conditions understandable. If you simply want to prohibit tall buildings, we can do that. If you want more site conditions, like some specific site requirements, we can do that. That gives more issues for appeals though. I can make it as fancy or easy as you like. This is just something to start with. As I mentioned, this is an ordinance to regulate tall buildings, not prohibiting them so that's the first thing you need to decide, whether to prohibit them or not.

After extensive discussion between the Board and staff concerning the proposed ordinance, prohibition of tall buildings or not, what the maps should show, etc., it was the consensus of the Board to request that the County Attorney provide a shorter version of the ordinance next month for the Board's review. In the meantime, each Board member will gather more information individually and possibly visit a windmill site.

On a motion of Supervisor Gardner, seconded by Supervisor Allen, and unanimously carried, it was resolved to adjourn.

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

David W. Ingram, Chairman, Board of
Supervisors

Daniel J. Campbell, County
Administrator