

**BOARD OF SUPERVISORS
REGULAR MEETING
OCTOBER 28, 2014**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, October 28, 2014 at 7:00 p.m. in the Board Room of the County Administration Building thereof;

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

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

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

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

Agenda Item 3 – Approval of month-end disbursements.

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

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

Agenda Item 4 – Appointments to Floyd – Floyd County Parks and Recreation Authority – Little River and Locust Grove Districts – 4 year terms. Mr. Campbell noted one letter of interest received for each district by the closing date.

On a motion of Supervisor Allen, seconded by Supervisor Turman, and unanimously carried, it was resolved to reappoint Mr. Steve Graham to the Floyd – Floyd County Parks and Recreation Authority, representing the Little River District, for a four year term.

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

On a motion of Supervisor Yoder, seconded by Supervisor Allen, and carried, it was resolved to appoint Mr. Bill Ellis to the Floyd – Floyd County Parks and Recreation Authority, representing the Locust Grove District, for a four year term.

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

Agenda Item 5 – Appointment to Comprehensive Services Act Management Team – family representative. Mr. Campbell reported that no letters of interest were received from the newspaper advertisements. The Board deferred the matter until next month.

Agenda Item 6 – Petition to Circuit Court for Board of Equalization. Mr. Campbell presented a draft petition to the Circuit Court Judge for the Board’s consideration. The petition lists the Board’s candidates for the Equalization Board. Their appointment term would be from January 1 – December 31, 2015. We would hope to have their training here in November or December as provided by the Department of Taxation. Mr. Don Thomas of Wingate & Associates will be at the Board’s November meeting to provide an update on their services.

On a motion of Supervisor Turman, seconded by Supervisor Yoder, and unanimously carried, it was resolved to authorize the County Administrator to submit the petition to the Circuit Court Judge for Board of Equalization appointees.

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

Agenda Item 7 – Delinquent tax list from Office of Treasurer. Mr. Campbell also provided a summary of tax collection rates from the Treasurer and noted that all categories show over 96% collection rates.

On a motion of Supervisor Allen, seconded by Supervisor Turman, and carried, it was resolved to authorize the County Administrator to advertise the availability of the delinquent tax lists for public review in the Office of the Treasurer.

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

Agenda Item 8 – Mr. Michael Maslaney appeared before the Board to provide an update on the trail progress. He noted: Wanted to keep you informed as to what is going on with the trail. After last month’s meeting, we met with Dennis Anderson, State Forester, to plat a path through the woods on all three pieces of property. We then met with each individual landowner

to mark and modify the trail as to their thoughts. We then trimmed some of the lower branches of some of the trees. The trail is marked every 10' with a small pink flag if you would like to walk through and check it out. We contacted several surveyors and chose one. As soon as he can get us on his schedule, we'll get that done. We've looked at the ends of the trail. For the ending on Old Hensley, we were thinking about installing a few lengths of fencing to frame the entrance a little bit. At the Library, where there is a little ditch, we were thinking about some type of small bridge which is very inviting and easy to cross. The easements will be the next item to be done after the surveying. Once those are signed off on, we can start the work. There is not a lot of dozer work to be done; we hope to disturb as little soil as possible. The work will be done as the weather allows. We're hoping to get some done before winter but it may be spring.

Agenda Item 9 – Planning Commission recommendation on Subdivision Ordinance changes. Mr. Campbell presented a copy of the action from the Planning Commission recommending that the Board proceed with a public hearing on the proposed changes. The options for the Board include: accept the recommendation and schedule a public hearing with any changes going back to the Planning Commission; make further changes and send back to the Planning Commission; deny and send back to the Planning Commission.

The Board noted that a few folks had talked with them but all were in agreement that they wished to hear from the public at large.

On a motion of Supervisor Gerald, seconded by Supervisor Yoder, and unanimously carried, it was resolved to authorize the County Administrator to advertise for a public hearing on Tuesday, November 25, 2014 at 7:00 p.m. on the proposed Subdivision Ordinance changes.

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

Agenda Item 10 – Appalachian Power Agreement (1992). Mr. Campbell provided a copy of the minutes from 1992 indicating a ten year agreement with several residents on Clearview Street (County residents) for street lights under the County's Public Tariff Agreement with AEP. The agreement had never been renewed, to the best of staff's knowledge and research. When four LED lights were installed at the new Innovation Center, these lights also went under the same bill from AEP as the street lights. When the Clearview Street residents received the AEP bill for their street lights (which they had been paying all these years) the Innovation Center lights were included. Staff contacted AEP to separate the bills but they were unwilling to do so because all were included under the Public Tariff Agreement. This is the only area in the County that has lights under the Public Tariff Agreement. The EDA will be paying the bill for the Innovation Center lights, not the County, but would still come under this Public Tariff Agreement.

After extensive discussion, it was the consensus of the Board for staff to further research the matter – obtain most recent Town survey to ensure homes are in the County; could residents

go on their own bill – possibly at a different rate or the same rate; process to take the private street lights off of the County account; ability to keep the same type of lights vs dusk/dawn lights. It was also the consensus of the Board for the County to pay the AEP bill this month until research can be concluded as to how to handle the situation.

Agenda Item 11 – Closed Session – not needed.

Agenda Item 12 – Old/New Business. No old/new business to discuss this month.

On a motion of Supervisor Allen, seconded by Supervisor Turman, and unanimously carried, it was resolved to adjourn to Thursday, November 13, 2014 at 8:30 a.m.

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

Daniel J. Campbell, County Administrator

Case C. Clinger, Chairman, Board of Supervisors