

**BOARD OF SUPERVISORS
REGULAR MEETING
SEPTEMBER 13, 2011**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, September 13, 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 9:20 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 Clinger led in the Pledge of Allegiance.

The minutes of August 9, 2011 were presented to the Board for review and approval.

On a motion of Supervisor Allen, seconded by Supervisor Gardner, and carried, it was resolved to approve the minutes of August 9, 2011 as presented.

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

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

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

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

Agenda Item 7a – Subdivision plats as approved by Agent for August 2011. Ms. Lydeana Martin, Subdivision Agent, appeared before the Board. She reported that the plat submissions were a little heavier this month.

In other matters, she reported:

- Planning Commission expects to vote on the draft Comprehensive Plan at their meeting in November;
- Economic development – The EDA in the County, the 5&10 Small Business Program, they increased that to where an applicant can get up to \$20,000, previously it had been a \$10,000 limit for job creation or saving jobs. That’s for businesses up to nine employees.
- Tourism – on Monday, September 26, we’ll be hosting about 30 people who work for the Virginia Tourism Corporation, people who work in their front-line visitor centers and in Richmond in various capacities. They will visit Floyd and experience it first-hand so that they’ll know how to tell people about it. We’re excited to be doing that.
- Tourism – the Blue Ridge Parkway Directory and Travel Planner, an annual publication. This is the one print ad that we did last year; I feel it is the most important ad available to us. Private businesses cannot acquire these ads. This is the only advertisement that is allowed along the Parkway, this magazine. We can get half-page ads in it and they distribute over 3000 copies of the directory. The cost is \$3150.

Agenda Item 7b – Appointment to New River Valley Community Services Board, 3 year term. We recently received a letter of interest from Ms. Linda Fallon. She has attended one of their meetings and met with the Executive Director.

On a motion of Supervisor Clinger, seconded by Supervisor Allen, and carried, it was resolved to appoint Ms. Linda Fallon to the New River Valley Community Services Board for a three year term.

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

Agenda Item 7c – Appointment to the Floyd – Floyd County Parks & Recreation Authority for the Courthouse District. To fill an unexpired term through December 16, 2011 and then the Board set it up to where it would be eligible for a new term if the applicant was interested. We received one letter of interest from Jeffrey Belshan.

On a motion of Supervisor Gardner, seconded by Supervisor Allen, and unanimously carried, it was resolved to appoint Mr. Jeffrey Belshan to the Floyd – Floyd County Parks and Recreation Authority, representing the Courthouse District, to fill the unexpired term ending December 16, 2011 and continue for a four year term ending December 16, 2015.

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

Agenda Item 7d – Request from Commonwealth’s Attorney for a carry-over of funds that have been received from Drug Asset Forfeiture. These funds are already on hand and were inadvertently forgotten to be requested for carry-over at the Board’s fiscal year end meeting.

On a motion of Supervisor Allen, seconded by Supervisor Gardner, and carried, it was resolved to approve the carry-over of Drug Asset Forfeiture funds in the amount of \$5814.35 to 4-001-022010-8001.

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

Agenda Item 7e – Resolution request recognizing Constitution Week of September 17-23. The request came from the County’s DAR Chapter for this resolution.

On a motion of Supervisor Gardner, seconded by Supervisor Clinger, and carried, it was resolved to adopt the resolution recognizing September 17-23, 2011 as Constitution Week in Floyd County (Document File Number).

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

Agenda Item 7f – Blue Ridge Parkway Directory and Travel Planner advertisement.

On a motion of Supervisor Gardner, seconded by Supervisor Allen, and carried, it was resolved to approve the placement of an advertisement in the Blue Ridge Parkway Directory and Travel Planner in the amount of \$3150.00.

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

Agenda Item 7g – Courthouse repairs. Mr. Campbell reminded the Board of water infiltration around windows in the Courthouse. Bids were requested from contractors who were interested in completing the repairs. Graham, Nolen, Underwood contractors are the apparent low bidder that submitted all required information. One contractor had omitted the actual framing, he had not proposed to install 2x4 framing around the windows to allow for a better seal and that is where the moisture has entered the building. You also asked me to inquire, from the last meeting, about actual receipt of reimbursement funds from the State. I did make that inquiry, and while I cannot give you an exact date, the gentleman from the State felt confident that the amount due would be received within four months, and absolutely by the end of the budget year. We do need to perform the work because the season for this is quickly fading; this needs to be completed before cold weather. The contractor can begin immediately. The seal has to be done within a certain temperature range. The contractor also revised Item C on the contract which decreased the cost for the exterior brick sealing. He looked closer at that and was

able to drop that cost. The revised bid is \$118,660 and we are targeted to receive considerably more than that from the State.

Supervisor Clinger – my problem with this is that it did not cover any labor on the sealer replacement. I'd like to see that revised to include some type of labor warranty.

Mr. Campbell – the contractor feels that this will need to be redone in 4-5 years because of our moisture problems.

Supervisor Clinger – would like to see at least a 4-5 year warranty on labor.

On a motion of Supervisor Clinger, seconded by Supervisor Gardner, and carried, it was resolved to approve the contract with Graham, Nolen and Underwood Contractors in the amount of \$118,660 for Courthouse repairs, contingent upon revision of labor coverage for sealant.

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

Sheriff Shannon Zeman next appeared before the Board. He reported on the interference that we're having with the radio system. Professional Communications did a proposal and it wasn't guaranteed, I think the wording was "reasonably guaranteed" for the work to take care of the interference. It is my understanding that the Board had some questions about that and was looking for more of a guarantee. Pro Comm did come up with another proposal for changing the band and it was an increase in money, it is up to \$14,470. What I'm really here today to ask you is if we could make a decision on which way to go. I think that the Board understands that this is a major problem. I brought a couple of communications officers with me in case you're interested in exactly what the problems are. I'm just asking the Board if we could make a decision on which route we're going to go to correct this.

Mr. Wayne Howell, Communications Officer, appeared before the Board. He reported – what it is doing, in our Dispatch Center, we're getting a lot of interference from Wi-Fi around the area of the Courthouse. What it does is interfere with the signal going from dispatch to the towers and back. They make a constant popping and cracking sound. The problem is, when our officers call us, there is a good possibility that we're not going to hear them. Sometimes they might have only one chance to call us. That interference could cause some serious problems. The last few days have been terrible, I don't know if someone put up another Wi-Fi or what. The interference is constant now. It was every day or two, but now it is constant.

Supervisor Clinger – I had questioned Deputy Turner when he was here one month if he could check the FCC regulations as to this interference.

Sheriff Zeman – he did check, there were no regulations. Pro Comm has guaranteed that this will take care of the problem.

On a motion of Supervisor Clinger, seconded by Supervisor Gardner, and carried, it was resolved to approve the proposed contract with Professional Communications as presented, for upgrade of the radio system at the dispatch center, in the amount of \$14,470.00.

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

The Vice Chairman next called for the Public Comment Period.

Mr. Frank Rudisill, Indian Valley District – I'd like to thank everybody for coming and thank you for hearing us. The first thing that I'd like to start with is how many people here in this meeting would like to have zoning and ordinances imposed on this County by a show of hands? I believe there would be nobody. How many people in here do you know that would want to have zoning or ordinances to where the County or government could tell you what you can and can't do with your land? I'd like the Board to see a show of hands on that. No one wants to be restricted to do with your land what you want to. Now, if I may present my Supervisor with documentation, I don't want to say anything that I can't prove. Last month's meeting that you all had, my wife attended, about the wind energy. People that want it have a right to have it, the people that don't want it ought not have somebody to tell them that they are forced to do something that they don't want to do. The wind energy people will take it upon themselves to build roads or whatever needs to be done, that's out of their pocket. The tax revenue out of this thing should be considered most of all because there is a \$400 permit fee per windmill that will be paid upfront on these windmills. You know how much you can charge but there is a minimum \$15,000/year tax revenue that can be generated on these wind energy devices. I'd like to see it happen if the landowners want to see it happen. You're wanting tourism, you can't say it won't draw tourism, because my wife and grandchildren went to Greenbriar County, West Virginia to view them. They drove up in a guy's yard and told him that they weren't for sure where they were. He was nice enough to say, no offense to you all, they need a sign down on the interstate directing people how to get to these places. That while we were there viewing them, there's a video in that packet where we videoed that there is no loud noises and the bright light talked about at the last meeting, there is no bright light, it is a red light. There is documentation in there that I have researched on it, what is required by FAA. There is documentation in there also about the sounds and the noise levels of them, which are very minute. My wife couldn't even hear them at 1000'. The grandchildren loved them and wanted to know when we could go back and see them again. I told them we'd come back at another time. My next concern is, we want to go green in this County, we want to save this and that, we want 25-50%, or we want to be recognized as being totally green. I would like to be totally green. This is a clean industry, I would rather see this than a nuclear power plant down there on Little River. I'd rather see this than coal dust going up through the air. I go up through Pennsylvania, I've taken my wife because I'm a truck driver, and she'll have sinus infections before we even leave Pennsylvania, in the Pittsburgh area, from those nuclear power plants and coal power plants. Yes, we'll have to get adapted a little bit to the air, I mean, to seeing the windmills. If I could have one in my back door, I'd just as soon have one in my back door, because when I go to bed at night with a fan running or a heat pump running, it's going to make

more noise inside that house than a windmill would make. It is no big deal. But the tax revenue that would be generated out of this for the County would help our elderly people, our farmers, and I want to retire in four years from now, with or without windmills, I'm going to have to sell part of my land if we don't have some type of tax revenue in here. I don't want to sell off part of my land just so I can pay my taxes and survive on Social Security. The tourists, I'm all in favor of it, it helps your local economy but it don't help our tax money for people paying for real estate. We need some type of help with our real estate. These people that have come into this County, and I've been here for 34 years, I come in here and learned to keep my mouth shut. Mr. Gerald, if your cattle happened to be out, you have a farm over there, I'd put your cattle back, that's being a good neighbor. You've gotta learn how to get along with people. If you come out of New Jersey or New York, and there's some good people here that have come out of there, that left zoning and left ordinances to be where they can do what they want to with their land. They are real good people. When it comes to people coming into this County and telling me what I can and can't do with my land or what you can or can't do with your land, they didn't buy a view or noise if they've got a problem with that. Their deed will tell them exactly what they bought, anything above that is a privilege that they got to see. Thank you.

Ms. Cecillia Rudisill – I was here last time. Issues were brought up about the windmills where it will be damaging to the water and they will have to do a lot of blasting. They do not, we have documentation in there. What they will be doing is they will only dig 10' and they will pour a slab of concrete, 45'x45', and then take the original dirt that they dug out of that hole and go over top of the stand that they make. From my understanding, they will only be using local contractors and stuff to do this work for them in here. So that is going to promote money, jobs for this area. Like I said, people were complaining about the water and stuff. They are only going 10' and there will not be dynamite blasting. My husband, like he explained, is a truck driver and he actually has talked to the workers that are doing the job away from here. He ran into them out on the road. They said that it is only 10' that they will do. I know that my husband wasn't able to ask this question but could there be a show of hands, I know that there was a comment made that there wasn't that many people for these windmills and I would like to ask the people that are here if you are for the windmills. You all can see that there are people here who would like to see this come in. I am one of them. I would like to see them come in if possible. It will better promote better schools, better roads; they will be doing things to upgrade us so they can come in and do these things. I think that it is something that you all really need to sit and think about, the jobs that this would create. I know that Rowe Furniture tried to come in and that was shot down because you wanted to post regulations. Well those jobs went down the road. And if my memory serves me correctly, there was a plastic plant that wanted to come in here, you all lost that too. This is something that is really needed. I know there is a lot of people that come into this area and I'm coming up on retirement age too but our youth is not staying. Is this town always going to be known as a retirement town? Are they going to keep working to continue to keep these businesses going? I doubt it, we need to find a way to keep our youth here in this County so they want to stay and work and be a part of the community. This is a beautiful place. When I looked at those ridges and I seen those windmills, they are breathtaking. They are the most beautiful things that I've seen and I do think people would want to come into Floyd to see them if you all allow them to come in here, just to see them, they do not take away from the view. I heard my granddaughter say, Nannie, this is a picture I would love to paint.

Mr. Jerry Spittle, Indian Valley District – I’ve been a resident of the County for 36 years. I’d like to first say, I’m against zoning, I like it the way it is. I’m for the windmills, I believe they would be a boom to this County in terms of the economics and the tourism as well. The County has an opportunity to become an energy exporter. With 10-15 of these wind turbines located in this County, we would generate enough energy for everybody in the County and then excess. I can’t think of a better statement than to say this is a green County that exports green energy.

Mr. Kevin Walker – wasn’t intending to speak today, just wanted to show support for the windmills. My parents are here, my wife is here, my brother couldn’t be here but between us, we own 200 acres on Wills Ridge. No one will have any more impact from this project than we will and we are 100% for it. Not for us, but for the renewable energy. The nation’s energy policy for the future is renewable, you can’t build any more poles or nuclear, this is it so we’ve got to do it. We need to line up behind it. The Virginia legislature, this year, passed legislation to speed these projects along. Who are we to stop this? We need to think about tomorrow. The second item is, I’m not sure I’m against zoning but I am against other people telling me what to do with my property. No one volunteers to pay my taxes, no one volunteers to pay my debts, but they want to have some impact on what we do with our land for the future, I’m against that. Thank you.

Ms. Kathleen Ingoldsby – I have been here 30 years and I have a green house, I have solar panels. I have invested in this County financially and in time all those years. I love Floyd County. I’ve also been part of the solar panel installation on the Village Green. I have invested a lot in Floyd County. I live near Wills Ridge. My water sources come from Wills Ridge and I would like to speak to the water on Wills Ridge and the importance of it. There are fragile water resources and Wills Ridge is a major recharge and water source for Floyd County. As such, it is a water provider to countless homes and businesses in the greater vicinity of that watershed. There are 49-50 primary water sources – springheads, branches and springs – that originate on Wills Ridge including Simmons Creek, Whites Branch and Huckleberry and Spurlock Creeks. Its springs feed Earls Branch, Beaver Creek, Greasy Creek, Dobbins Creek, West Fork and Little River among others. This water flow supports a host of amphibians, fish, mammals and other wildlife that depend on a clean eco-system and cold mountain water to survive. According to the Sierra Club, wind turbines should have appropriate siting, and that’s what I’m talking about, appropriate siting standards minimizing damage to vulnerable land and animals. We have a two part problem in Floyd in the face of the potential siting of a dozen or more pieces of what are actually, they are windmills but they are industrial machinery. They are large. Putting them on top of Wills Ridge so 1) in the face of important climate issues, I have since 1980 built a passive solar house, I understand climate issues, I’m there, but government regulations have been relaxed to encourage renewals, the wind. The EPA, Virginia Fish and Game, VA DEQ, FERB and others have removed requirements for siting. 2) These same national, state and even wind industry guidelines all assume, and state clearly in the literature, that the siting of an industrial wind power plant will ultimately be guided by local regulations and placed according to a local planning board’s land use designations. We’re missing a part of that puzzle. They are depending on us, we know our property. Everyone knows landowner rights, everyone knows their property. They are depending on us for that oversight and it is not there. So this Board should be alert to the hidden costs that go into such an installation. Water issues are at the very top of that list, especially in a County where non-conventional drinking water systems such as

springs and shallow wells, abound. Hidden costs also include County road impacts, property value loss, electric rate increases on expensed transmission lines. Take wind, their wholesale contract is 18.7 cents with a 3.5% increase over a 15 year contract leading to 30 cents wholesale rate where the electric customer on Cape Cod for 50% of their transmission. Virginia allows them to expense these costs for generation facilities; you can look in the Code. Our water system is held in fractures. When we did the pipelines, both Greenbriar and Dominion, water issues were on the table and you should have documentation in your files during that time. I took the aquifer study that was done by the committee and I used the same questions because they still apply now. I'm going to give those to you. Because the water is held in fractures, it means that since Wills Ridge is a monadnock, and we're looking at a geological fact, it is bedrock. An archeologist looked at it and said it was gneiss which is a short layer of rubble and then you hit bedrock. He was fairly certain that there would have to be blasting. I think if there is blasting, according to these early studies, it could disrupt the fractures and wells up to two miles away from the source. I'll give you these.

Ms. Barbara Spillman, Low Gap Road – I have a spring that I'm very concerned about, how this may affect my spring. It is my only source of water. There are several other springs on my property but there is one particular one that I use for my drinking water and washing clothes, etc. Also, we bought this property because we wanted to have a nice piece of rural Floyd. We love the rural Floyd. If there is a big windmill above my house, my property values will plummet. No one else is going to buy a piece of rural Floyd that is under a big, huge machine. It is just not rural Floyd anymore. That is my comment, thank you.

Mr. Wayne Boothe, Courthouse District – I'd like to add, I have been a resident of Floyd County all my life. I can honestly say that water flow in Beaver Creek, Earls Branch and the Little River is not near as much as it was back in those days. If they do the blasting and whatever, it might just lower them more. That's one of my major concerns. I'm going to give you about 75 more signatures for the petitions. That's all I have, thank you.

Mr. Fred Jones, Little River District – I used to play banjo for a bluegrass band and we were practicing for a gig at the Rock Church in Willis. I brought up to my band members that I was excited to be playing in one of Rev. Childress' famed rock churches and that I had just read the book The Man Who Moved a Mountain. The room grew dead quiet. Everybody looked away and the subject was changed and I got the message that this book was not up for discussion. I realize that some of the members of my band were from families that went back many generations in Floyd as the book discussed, to a time when change came slowly and many of the negative stereotypes of back-woods Appalachia still existed here. Their silence spoke volumes. I bring this up because resistance to change is a singular trait that could be used to characterize Floyd Countians. In most cases, I think this is good because there is a lot about Floyd that is good. But when resistance to change becomes absolute, we have a problem. It struck me last month at the public comment period, just how in the dark we are regarding animal control problems when a gentleman from Burks Fork got up and said he'd lost ten sheep and he wanted better enforcement. What is there to enforce? Dogs, either in packs or single hunters, can roam freely throughout this County. Prior to moving to Floyd, I lived in Illinois, Missouri, Florida, Colorado, North Carolina and I kept livestock and/or poultry in all of those places. I also lived in Montgomery County and again, kept livestock and poultry there and never lost one

single animal to a dog. I now easily, am at over ten. Are the dogs here different? Are they more evil? No, so what's the difference? The difference is the leadership in this County. My apologies to you, Mr. Gerald, because I know you voted for responsible, compassionate pet care. My apologies to you, Mr. Clinger and Mr. Gardner, because this issue has not come before you. But if you three are looking for the gentlemen from Locust Grove or Little River to take the leadership on this, you are wrong; it is not going to happen. You might as well go hide behind your mother's apron. So, anyhow, no animal control ordinance laws were good enough for your daddy, your granddaddy, your great granddaddy, but things have changed. It was not a felony for your daddy, granddaddy and your great granddaddy to protect their property and livestock, but that is the case now and we need some action. I'm afraid that after the election, it will be even more difficult to bring change. I'd like to see something happen soon. Thanks.

Chairman Ingram entered the meeting at 9:20 a.m.

Ms. Sandra Howell, Indian Valley District – my husband has lived here all of his life. I just basically have one comment. People are going on hearsay. They are going on, God bless the internet, they are going on what they read. What is good for one place may not be for here. Take a trip, go see them for yourself. That's all I can say. I've been, I've seen them down the interstate, they are beautiful. It is going to help us. I would much rather see windmills in Floyd County than I would nuclear power plants or dynamiting or anything. I want to see it be beautiful and green and they are beautiful. I say to people that are speaking negatively, take a trip.

Mr. Raymond StClair, Indian Valley District – everybody is talking about the beauty of these windmills, well beauty is in the eyes of the beholder. I have had the opportunity to see these things numerous times everywhere from Oklahoma to California. Myself, I don't see a lot of beauty in them. Now as I said, someone else may do that, but I don't. When I drive home every evening, when I turn off of Route 8 and go out Route 730 and look at that mountain, then I do see beauty. I see beauty that God has given us and entrusted in us to take care of. I've heard people say, well, I don't want anybody to tell me what to do with my land and I appreciate that. But you sign that contract and you're going to be told what you can do with your land. They will be able to put windmills on it; they'll be able to tell you to stay off of it. So, you know, you've got to weigh everything as you look at this. But how many people, and we talked about this a few minutes ago, the lady talked about the tourism that comes to Floyd County and how many people come to the Friday Night Jamboree and how many people travel the Blue Ridge Parkway through Floyd County, how many people, let's just pick a random state like New York or Connecticut, says, oh yes, I want to go to Floyd County, I want to see their windmills. How many people is going to take that trip compared to the trip of the beauty of the mountains that we have? You gentlemen are the ones that have the decision on this. As y'all think about it and go over it, think about all of the negative effects that this will have along with what some people think are the positive effects, weigh them out carefully. Because once it is done, it is done; there is nothing that we can do about it. Thank you gentlemen.

Mr. Dave Dixon, Courthouse District – presented a binder of information to the Board. I have a small table of contents that gives you what is behind each tab. Under the first tab, there is a map that was prepared by the Blue Ridge Parkway. If you look at it, you'll see it is colored

red. Everywhere you see red, a 400' tower will be visible. You can pretty much see that the Parkway is covered and Floyd County is covered. If you're standing at the stoplight at Floyd County, you're looking right at Wills Ridge and if there is a 400' tower there it would look like it is falling into town. As far as noise, people have said they don't make noise, they do make noise. If they didn't make noise, the contracts that these wind companies would not specify or make note of the fact that they make noise. They are willing to pay you if your property is adjacent to a sited property, even though they are not using your property, to keep you quiet. They will actually give you money because they know there is noise. If they did not know that, they're not just good people, they're not giving you money for nothing, so there is noise associated with the units. Behind that, there is an article written about Blue Ridge Parkway doing the same study for Patrick County. They did a survey at that time of the travelers of the Blue Ridge Parkway. The people that travel the Blue Ridge Parkway said that they would still come to the Parkway but would probably visit another part of the Parkway because of the windmills. Basically that same map study was done for Patrick County as it was for Floyd County. They are willing to log in once they know more about what is going to happen to Wills Ridge and do some presentations for us. The next section is the Comprehensive Plan of 2002. I have highlighted sections in there that I think highlight the need to preserve Floyd County. It is your long-term and short-term goals. The next one is the draft Plan which further supplements the first one, goes into a little more detail. In both of these, you do state the need to protect the landowners rights but you also recognize that you need to protect the adjacent landowners rights by zoning or possible ordinances. In this particular case, one landowners decision to allow the destruction of a ridgeline will affect all the community not just his property. It would be to the point that some homes would be inhabitable, noise 24/7, and devaluation of property which would be a decrease in revenue. I included a copy of the Tazewell County ordinance. I have a summary in the back that I would like to read which are words taken from the different comprehensive plans. Floyd County Comprehensive Plans speak to the need to protect the water supply, mountains, farms, forest lands, rural lifestyle and scenic views. In fact, it states that its aesthetic qualities amidst these mountains have been deemed a national treasure, worthy of preservation as part of the Blue Ridge Parkway. The plan recognizes that guiding development and growth will require some difficult decisions. While preserving flexibility for land owners is important, those freedoms must be balanced by responsibilities to adjacent landowners and the community at large. It should be noted that most citizens who participated in the community input sessions for the Comprehensive Plan strongly favored the use of more planning tools over the loss of farmland, haphazard development and depletion of water supply. While I feel the current Comprehensive Plan and the draft Comprehensive Plan are well written, thought-out documents, they are only just words unless supported by actions. Take action today, pass a ridge line height ordinance. There is a lot said about windmills, that's because windmills are the subject today. It is anything that destroys our mountain ridges, it could be an observation tower, it could be a multi-story hotel. Today it is windmills because that is what we're faced with. My thing is we need a height ordinance. It doesn't have to be just for the ridgeline, it could be for the entire County. We don't need 400' structures in Floyd County because of our lifestyle. As to where I'm from, I'm from Virginia, I've lived in Roanoke all my life, I moved here five years ago for retirement. I moved here for one reason, that was because of the rural, laid-back easy lifestyle that I saw through the years in Floyd County. I ask you to not get narrow vision on looking for short-term dollars of revenue but support your long-term goals and objectives as contained in your comprehensive plan. Thank you.

Mr. David Stafford – I have property on Wills Ridge. I had not planned on speaking but after hearing some of the comments, I thought I would. Some people talk about not wanting to move into the area, I bought this property with the intentions of retiring in five years and building a house there on this property and live out my life there. For those interested, I am in favor of these. I've heard things mentioned today, there again, I am planning on moving into this area. I think these would be a valuable asset. There is a lot of revenue that can be generated from these. Not only from the tax revenue, the sale of the energy, but also for jobs that will be after the turbines are there and ready to go. There is going to be people here that will have to take care of maintenance and do the required work on them. People here I've heard talk about not wanting to see the towers. But how many people here want to give up their cell phone? There are towers that are right above my property now. You come into Floyd County you can see them. There is a height restriction I guess. But there again, maybe there should have been a height restriction on those. But I think they would be a valuable asset not only by selling the energy, the County being green and selling energy to APCO or whoever. I know a lot of this energy will not probably even be used here in Floyd but it will be generated and go onto the circuit and revenue would be coming back from it. I think that it would be very valuable. I think I have some of the only property there within a good range that actually has streams on it. We have two bold streams that come in there on our piece of property. I know that two adjacent pieces of property don't have it. I don't feel that this is really the issue because I have done some research on these and even if there is some dynamiting, I'm sure it will be controlled, if there is. I just wanted it to be known that I am in favor of these turbines. Thank you.

Mr. Andrew Rudersdorf, Project Developer with the project that is actually going to take place on Wills Ridge, work for Nordex, USA – I'd just like to take this time to introduce myself. Many of you have seen us in the community and we're working diligently to get the word out to see what Floyd thinks of this potential project that we're working on. We have been passing out flyers and have received great feedback. The project that we're looking to do is somewhere between the range of 30-50 mega watts. Usually when you look at a project of this size, you can say that you will be creating 3-6 full-time jobs for the County. Along with that, 100-150 construction jobs that would take place. Also, the benefits of what the landowners are getting paid along with the tax revenue for this County and the long-term jobs. It's a very exciting time for this industry and we're very excited to be here and partnering with the County of Floyd and the State of Virginia to help renewable energy take its place here and move forward with making this a reality. We've done kind of an educational outreach that you guys will probably see more of in the weeks to come. We feel it is extremely important to educate the community on what this is and the benefits of this. So you will be seeing more in the press as we move forward with this. I appreciate your time.

Mr. Elmer Underwood, Indian Valley District – I am for it all but I am against zoning. Virgel knows himself about that zoning on the Parkway. They was gonna zone us a half a mile back from where they originally was and we all got that finally throwed out. But when it comes to them telling me what to do and not do, its getting pretty bad. They'll tell you what color to paint your roof and everything else and that's how it is all going to wind up before it is over with if they start zoning. If you want to zone your own land, that's your privilege but I'll fight them from trying to zone mine. They might not like me because I usually take my part on something

like that. It is just like taking your guns. They might take part of them but they won't get them all.

Mr. Darrell Underwood – If they start zoning, its like my dad said, it will take every privilege that you have away. Cell towers, they're gonna be here, everybody has a cell phone. It is coming. Why not put the windmills in? The County can get money from it, the people in the County can get money from it and that's all I got to say.

Mr. Robert Smith, Indian Valley District – I'm a retired tractor trailer driver. I've hauled fuel to nuclear power plants, its not a good thing, windmills are. Go out west, they are nice, they are pleasant to look at. They generate power. The power plants heat your water. God forbid one blows and that's a fact. You've got radiation, you've got it all. Windmills don't. Basically, if you do go out west and visit them, look at them. The noise is really at a minimum, you really don't hear them and they are nice. Like one guy said, it is in the eyes of the beholder but it puts clean power here. I'd much rather have one of them than a nuclear plant here. That's basically, like I said, I've hauled fuel to them and I know what they are. I know what they'll do and if they blow, a lot of people will get hurt. Windmills, what do you have? A little bit of noise, at a minimum, and like I said, it is a minimum. You really don't have to drive out west to see them. Go over to the Volvo plant, take a trip over there and look at it, it is a small one. A big one won't make any more noise, not really. I think you all have been through Wytheville and seen that one, it's not bad to look at. I think they would be a great thing, I really do. Especially for this community, I really do think it would be, they are clean. As far as the water, I don't think it would hurt the water, I really don't. But power plants do because they have to cool them. When you cool water it has got to go in there. The fish, I don't know if I'd want to eat one of them or not, especially after they've cooled them down, I don't think so. Makes you think about it. Wind power is the way to go and that's all I've got to say. Thank you.

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

The Vice Chairman turned the chair over to the Chairman.

Mr. John Steely, Interim EMS Operations Manager, next appeared before the Board. He commented that he was available to attend meetings to provide information or answer questions whenever the Board desires. Am a volunteer in Patrick County, serving as the Captain of the Vesta Rescue Squad, so I understand the volunteer side of things. Have been employed with Floyd County Emergency Medical Services going on four years. He presented a copy of the monthly report for the Board's information and commented that it could be edited for any type of information that the Board would like. He commented on three items that he would like to accomplish as interim operations manager:

- (1) We need to somehow be competitive with other EMS agencies in the area because we're trying to employ people flex-time who work full-time somewhere else. We're asking people to drive into the County from Christiansburg and other Counties, with gas at \$3.50/gallon to work for between two-thirds and half of what they make at their regular jobs. That makes my job of trying to hire flex-time people unrealistic because the same person that comes here to work for \$11/hour can pick up a time and a half shift at

Carilion or MTI for \$19/hour. It is surprising to me that we have the people that we have that are competent and are willing to do that. Some of them live here and want to serve their community. But as time goes on, I think it will be harder and harder to hire people. Part of what I'd like to do is ask you to let me come back with a proposal at budget time. We've recently hired four people, three who are volunteers and one coming from Christiansburg that I hope I can hang onto. Christiansburg EMS is probably going to a paid system in a few months and they will hire ten people at a starting pay of \$32-34,000/year. We will probably lose folks to them. Somehow we need to get more competitive.

- (2) Our response vehicle is new and in good shape but some of the equipment on it is outdated. We have to adhere to what is called Standard of Care. We have to meet regulations for protocol of care especially in the cardiac care area. Most protocols that are coming out expect units to have a 12 lead EKG monitor, our monitor is a 3 lead. Without having proper equipment on the response unit and they may have to wait 30 minutes for a unit to come from Indian Valley, for example, leaves the responder alone with a patient at a very critical time. It is more important for the response unit to be better equipped than the unit in some instances. They are not cheap; most of them average between \$18-24,000. We need to keep the response unit at its best.
- (3) We need someone in-house who can do training. We're all required to have a certain amount of certification hours every year. I am required to have 72 hours every two years for example. If we had someone in-house it would help us and the volunteers, who have the same requirements. I'd like to bring some type of proposal back to you at some point.

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

- SNAP program – July dropped down to 2077 persons served from 2121. Our August numbers were back up to 2099. Payments were down to a little over \$250,000 last month.
- Reform/Restoration program proposed by the Governor's Reform Infrastructure. Whenever a new Governor comes into office, he always designates a reform structure and they take a look at everything that the previous Governor may have done, and make suggestions as to changes. One of the things that the current Governor started looking at was adult services. Basically there are three main agencies that handle adult services; they are the Department of Rehabilitative Services, Department of Social Services and Agency on Aging. They began looking at how that system is designed. Basically, this Commission came out and said that the current organizational structure creates barriers to unified planning, budgeting, policy development, service coordination, performance and management for aging and disability services and support. It also leads to potential redundancies and confusion at the service level, that would be the local level. As a result of that, staffs of the three agencies are working on legislation that would create a new agency with the core functions cited above. There is no plan to merge into a single unit, just work together in a complimentary manner but we would lose local control.
- New term for adult population is "Vintage Americans" so expect to start hearing that term.
- CSA – doing well so far. We are just two months into new fiscal year but it is going well so far. We are having much longer FAPT meetings with many more cases, most of them

dealing with substance abuse issues. With use of more community based programs, that is helping as far as a lower rate.

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

Agenda Item 6f(i) – Update on delinquent tax sale/collection. Last month I reported to the Board that since we began doing work for Floyd County on collecting delinquent taxes since April 2009, we've collected \$128,000 net. This month, we're up to \$156,000 net to the County. We had a sale on August 12; it was not a very good sale actually because we only had four properties. The reason we only had four properties was because ten of them were redeemed prior to the sale which generated over \$20,000 in taxes for the County. This figure doesn't include those properties which will probably be another \$3-4,000. We have another group we're working on, Group 3, we have 45 properties in that group. Eight of them are on a payment plan right now. We have title work completed on 15 of them and 21 should have title work completed this week, 1 will be redeemed by the mortgage company. That sale will probably be scheduled after the first of the year. I think we have done well with them. I can't document by this how many people become aware that they need to pay their taxes, you don't see those numbers.

Supervisor Clinger – so this takes care of delinquents from 2008 back?

Mr. Cornwell – yes, I believe so. I take that back, we do have a few still hanging. In Group 1 that we received in 2009, there were three bankruptcies, one on a payment plan. There was litigation on ownership of one of the properties. On Group 2, two are in a payment plan. In Group 3, eight are in a payment plan. There are stragglers throughout the whole process. We don't get the taxes, and cannot by law, collect delinquent taxes unless the property delinquency is over three years ago. I suspect as time marches on, we'll have more. Some of these properties had taxes owed from 2002.

Supervisor Clinger – if the properties are in bankruptcy, where are the taxes in the process?

Mr. Cornwell – they have priority. In Chapter 13, they have a right to make payments but they have to keep current. In Chapter 7, we ask for the property to be released to be sold. Taxes take priority over everything.

On a motion of Supervisor Gardner, seconded by Supervisor Allen, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711 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; and Paragraph A.5, discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

Supervisor Clinger – aye

Supervisor Gardner – aye

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

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

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

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

**CERTIFICATION RESOLUTION
CLOSED SESSION**

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 acquisition or disposition of real property for a public purpose and prospective business or industry in accordance with Section 2.2-3711, Paragraph A.3 and A.5 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 Clinger – aye
Supervisor Gardner – aye
Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Ingram - aye

This Certification Resolution was adopted.

Mr. Cornwell – you have heard in closed session relating to the acquisition or disposition of publicly held real properties as well as some discussions concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made. As you are aware, in 1995, the Board of Supervisors of Floyd County conveyed to the then Industrial Development Authority a parcel of real estate which became the Commerce Park. Since then, the IDA and now the EDA, same folks just changed the name, has been actively working to promote the park in many different facets and continues to actively work with industries and businesses to promote the park. Under the agreement that was done in 1995 and which was amended and ratified in 2009, provided that any conveyance of property in the park had to be approved by the Board of Supervisors. The EDA now wishes to bring to you a request that this be removed. The EDA, which is the property owner, have the right to execute these deeds or other instruments as necessary to accomplish the purposes of which the EDA is in existence, which is the promotion of the commerce park and economic development in the County. You have before you a proposed amendment to this agreement which amends, ratifies and confirms all actions of the IDA or the EDA since the time of the first amendment to the original agreement. It will also remove from that agreement the obligation of the EDA to come to the Board of Supervisors to take any action relating to the property in the commerce park. Of course, the EDA has always kept the Board of Supervisors in the loop and has asked the Board of Supervisors on occasion, for assistance. Of course, this does not obligate the Board of Supervisors to take any action relating to funding, any matching funds, or any other expenses, that is still a separate issue that must be considered on a case by case basis. For good reason, the EDA is asking the Board of Supervisors to amend the previous agreement and the amendment to that agreement to allow the EDA to take certain actions as it deems necessary in relation to the commerce park. It is the property owner of the park and created by the Board.

On a motion of Supervisor Gardner, seconded by Supervisor Allen, and carried, it was resolved to approve the Second Amendment to Economic Development Site Acquisition Agreement Between the Board of Supervisors of Floyd County and the Floyd County Industrial Development Authority; authorize appropriate officials to execute same (Document File Number).

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

Dr. Terry Arbogast, School Superintendent, next appeared before the Board. He reported on several items:

- Presented copy of School Board meeting highlights for August 10, 2011;
- Presented copy of annual AYP report and commented that numbers have gone up. The goal passing rate for next year is 90-91% for the Federal level. Only four schools in Virginia met that rate this year. As far as State accreditation, Floyd County has met their goals for the last ten years;

- Enrollment report – August 2011 enrollment was 2032, September 6 enrollment was 2037. The September 30 ADM provides the funding through March 31 and is the official number for six months.
- Teacher evaluations – all teacher evaluations will now be public information. Whatever system is used, how many teachers performed at what levels in your system. Our evaluation system has four classification sections – exemplary, proficient, needs improvement or unsatisfactory. We had to submit this information to the State as to how many teachers at each school were evaluated in each classification. Presented a copy to the Board for their information. For teachers in year one, two or three, they have to be evaluated every year. For teachers with more years, or tenure, only have to be evaluated every three years.
- Presented copy of supplemental appropriation request that will be presented to the School Board at their meeting later in the day and explained same. The new Superintendent will bring the matter to the Board of Supervisors next month for approval.

The Board expressed their appreciation to Dr. Arbogast for all that he had done for the schools and children of Floyd County over the years and wished him well in his retirement.

Agenda Item 7h – Appointment of Emergency Services Coordinator. Mr. Campbell introduced Mr. Robert (Bobby) Clark to the Board as the new part-time Emergency Services Coordinator. Mr. Clark gave a brief background of himself. Mr. Campbell also requested that the Board formally appoint Mr. Clark as the Coordinator.

On a motion of Supervisor Allen, seconded by Supervisor Gardner, and unanimously carried, it was resolved to appoint Mr. Robert (Bobby) Clark as Floyd County’s Emergency Services Coordinator effective August 15, 2011.

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

Agenda Item 7i – Request for proposals for banking services. Mr. Campbell reported that, as per the Board’s directive, a RFP was prepared for banking services. The Treasurer has reviewed the RFP and will be a part of the process.

On a motion of Supervisor Gardner, seconded by Supervisor Allen, and carried, it was resolved to authorize the County Administrator to advertise for proposals for banking services, as presented.

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

Agenda Item 7j – Voting credentials for the annual VACo Conference in November.

On a motion of Supervisor Gardner, seconded by Supervisor Clinger, and carried, it was resolved to designate Supervisor Fred Gerald as voting delegate to the annual VACo Conference in November 2011.

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

Agenda Item 7k – Meals tax discussion. Mr. Campbell commented that he would like to ascertain the Board's interest in a meals tax before he proceeds in any fashion.

Consensus of the Board was for staff to submit a request to the Virginia General Assembly for inclusion of Floyd County as one of the Counties that are not required to have a referendum for a meals tax in the County.

On a motion of Supervisor Clinger, seconded by Supervisor Allen, and unanimously carried, it was resolved to amend the agenda to include discussion on proposed street names and an appointment to the New River Valley Agency on Aging.

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

On a motion of Supervisor Allen, seconded by Supervisor Clinger, and unanimously carried, it was resolved to reappoint Mr. Lowell Boothe to the New River Valley Agency on Aging for a one year term.

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

Mr. Campbell presented a request from Wall Construction for naming of two streets in the Floyd Eco Village off of Franklin Pike. Since this is a request from a private property owner, the full expense of the signs and installation are their responsibility, of which they are fully aware. The matter has been researched by staff and the names do not conflict with any existing road names in the County.

On a motion of Supervisor Allen, seconded by Supervisor Gardner, and unanimously carried, it was resolved to approve the names of Eco Village Trail and Garden Lane in the Floyd Eco Village, as requested and presented.

Supervisor Clinger – aye
Supervisor Gardner – aye

Supervisor Allen – aye
Supervisor Gerald – aye
Supervisor Ingram - aye

On a motion of Supervisor Clinger, seconded by Supervisor Gardner, and unanimously carried, it was resolved to amend the agenda to include discussion on a possible height ordinance or regulations.

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

Supervisor Clinger commented that since we have citizens coming in on both sides of the windmill issue, that maybe we need to look at some type of height ordinance or ridge line ordinance. Would like to ask the County Attorney to draft something for the Board's review.

Supervisor Gardner – we also need to look at setback regulations from homes and other structures.

After discussion, it was the consensus of the Board for the County Attorney to research exactly what authority the Board has as far as height of structures, distance from residences and whether specificity is only for ridgelines or if it could be for the entire County.

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

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

Daniel J. Campbell, County Administrator

David W. Ingram, Chairman, Board of Supervisors

