

**BOARD OF SUPERVISORS
REGULAR MEETING
JUNE 9, 2015**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, June 9, 2015 at 8:30 a.m. in the Board Room of the County Administration Building thereof;

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

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

The Opening Prayer was led by Supervisor Gerald.

Supervisor Turman led in the Pledge of Allegiance.

The minutes of May 12 and May 26, 2015 were presented to the Board for approval.

On a motion of Supervisor Turman, seconded by Supervisor Allen, and unanimously carried, it was resolved to approve the minutes of May 12, 2015 as presented.

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

On a motion of Supervisor Yoder, seconded by Supervisor Gerald, and carried, it was resolved to approve the minutes of May 26, 2015 as presented.

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

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

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

Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye

Supervisor Yoder – aye
Supervisor Clinger - aye

Sheriff Shannon Zeman next appeared before the Board. He reported: Appreciate the time to speak to you this morning. I provided a copy of a request to you for additional officers. We have one officer that will be graduating from the Academy on the 18th, another one starting on July 13th. Seems like this is a continuing battle to train our officers. As you know, VCJS sets our minimum training standards and we're looking at about 26 weeks by the time they go to the Academy and then the specialized training and field training when they get back here. With three of us leaving, the incoming Sheriff is going to have to deal with covering the calls and get the new hires trained. Over the years, I've stood here many times and we've talked about different philosophies about training out of the office, we've hired officers that were already certified from other areas, we've hired them out of the Academy and still today I stand here and don't know the exact route to go but we have to find officers who want to be Deputy Sheriffs here in Floyd County. This request is broken down into six months of salary with the benefits, equipment, uniforms, academy fees and mileage. Some of these things could be absorbed into the budget but these will give you a good idea as to what it would cost to hire someone six months early and get a little head start. I'll be glad to answer any questions the best I can and ask that you consider this request.

The Board will discuss the matter later in the morning during budget discussions.

Agenda Item 7a – Subdivision plats as approved by Agent for May 2015. Mr. Campbell presented the plat report and the tracking of the yearly report through May 2015. Ten lots were created vs. 19 last year. He also provided a copy of the building permit report through May 2015. He noted \$13,496,637.00 in construction this year which is slightly higher than last year at the same time.

Agenda Item 7c – Courthouse Parking Lot paving bids. Mr. Campbell reported that two bids were received: Donnie's Paving in the amount of \$53,900 and S&S Paving in the amount of \$69,940. Both bids include fabric materials and striping.

Agenda Item 7d – Dispatch HVAC bids/Contingency Fund. Mr. Campbell noted that the HVAC bid is still out and due by June 16. Bids should not be higher than the initial bid of \$20,000 estimated. We do have some other items on the list to be taken from Contingency – IT additional costs, solid waste plan, other departmental year-end adjustments. Also on the list, the transfer station tipping floor repairs will be done June 22-27. The transfer station will be closed during this time to allow the concrete to cure. Citizens can still use the greenboxes and our staff will transport to Cloyd's Mountain in County trash trucks. We are working with local companies and the Town on notification and an advertisement will be placed in the The Floyd Press. This floor was re-done in 2007 and has held up very well with the amount of trash/other items and wear and tear.

On a motion of Supervisor Yoder, seconded by Supervisor Allen, and unanimously carried, it was resolved to accept the bid from Donnie's Paving as presented, in the amount of \$53,900 and authorize the County Administrator to proceed with necessary arrangements.

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

Mr. Campbell noted, per questioning from the Chairman, that he would speak with the Bank of Floyd again to ascertain their interest in paving the driveway between the two properties at the same time.

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

Ms. Jane Cundiff, Little River District – I am here to express my concern over the recent removal of Mark Sowers from the land planning commission. I think this decision goes against some of the democracy we'd like to see here in our County. This is a really bio-diverse County and we have a lot of different people in it. Mark Sowers has worked really hard on that planning commission for so many years and really does a great job. Many of us have supported him. I'm sure a lot of people would be here today if they even knew about it. I just read about it yesterday in the paper and tried to find out some more about it. I'm quite surprised about his removal because he has really worked hard and is really a good person and shares a lot of good ideas about what other people in the County would share. We love our land and that land planning commission is a really important one. I'm especially concerned that Lydeana's advice was seemingly not taken. Lydeana does not know that I'm here. I'm not surprised that she's gone to other corners of the world. I think I would have quit in her position. She's been asked to be head of that committee and she has worked so hard over the years to try to get people together. She's had people come from everywhere. She's sent notices out, we've met at Town Councils and community counsels to get input for that land planning. Mark has been very involved in that and yet her decisions seem to have not been considered. I really would like for you to reconsider that decision and think more about the input that Lydeana has. I'd really like for you to reconsider the rules so that whoever is in charge of that land committee in the future has the first and last say as to who is on it. You hire her and she's spent years of labor, involved every single day in what goes on in that and then to have some people make a hasty decision as to who comes on and off of it seems to not be very valuable. This is a bio-diverse community, there are so many different kinds of people in it and I think sometimes when we get together with our buddies, we forget how important other people are. The reason democracy works is because we pay attention to our opponents. It is because you say you are a republican, you're a tea party, you're a coffee party, you're this, you're that. Let me know what you're thinking because the more thought we put into it, the better the plan will be in the end. So I think Mark needs to be on that committee, he is a very important person, please re-think that decision.

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

Agenda Item 7b – FY16 budget approval/discussion.

On a motion of Supervisor Allen, seconded by Supervisor Turman, and unanimously carried, it was resolved to approve the transfer of \$23,688.71 from Contingency to the Sheriff's Department FY16 budget as requested.

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

On a motion of Supervisor Yoder, seconded by Supervisor Allen, and unanimously carried, it was resolved to approve the FY16 budget as presented in the amount of \$32,257.741.00.

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

Supervisor Yoder noted that he is a member of both the Floyd County Volunteer Fire Department and Floyd County Rescue Squad but voting on the FY16 budget is not benefitting him personally.

Mr. Campbell reported that Ms. Brewster, DSS Director, would not be available for the meeting today.

Agenda Item 9 – Old/New Business.

Chairman Clinger provided a letter copy from the State requesting a Christmas tree decoration for the Governor's Mansion Christmas tree. The ornament should designate something in the County. The Board deferred the matter for further discussion – possibly a competition among citizens in the County?

Mr. David Clarke, Virginia Department of Transportation, next appeared before the Board. He reported that maintenance items taken care of during the month include: pothole patching ahead of overlay schedule; mowing on primary roads and secondary roads; pipe replacements and ditching; shoulder repairs. Also, seal should be applied today on Haycock Road which will finish up that project. Next project within the 6-year plan will be Vaughn's Mill Road. Also provided a copy of the paving schedule for the Board's information. In discussion of the paving schedule, he noted: 23 miles of surface treating will be done, several miles of slurry seal. This is similar to the latex but it is not quite as thick. The latex is a type of slurry seal, modified, for higher volume/speed roads. It goes down in sort of a brown color but it is more liquid, a sealer. Slurry ends up being black, looks like asphalt but it is not. It is an asphalt product but not plant mix. That's what it is going on Daniels Run and Wills Ridge, a slurry. The only latex being used is the 221 section outside of Town. That's the only section in Floyd County. In fact, that's why they are not fixing this right now. They are in Rocky Mount right now doing some work on 220. Later on, the same contractor will be on 460 in Bedford

County and 419 in Roanoke County. It will be interesting. We hope that the entire list will be done this year. These are all different contracts. As we go through the summer, Floyd County is one of six Counties they have. As the contractor moves through his schedule, I'll let you know when they'll be here.

Supervisor Gerald – Horse Ridge Road – shoulders are deteriorating; also need mowing on all secondary roads especially at the Indian Valley Road/Macks Mountain Road intersection.

Supervisor Allen – Franklin Pike/Smartsview Road – brush needs cutting at this intersection as mentioned last month. There has been a wreck there since that time. Potholes need repair everywhere. Provided name/number for a constituent whose nut trees had been cut by the State bush hog.

Supervisor Turman – appreciate machining on Sugartree Road. Do have pictures of the dangerous curve on that road for your review. Gravel is needed on several roads. Appreciate work your staff is doing.

Supervisor Yoder – Deer Run Road potholes need attention; Goose Creek Road/Griffith Creek Roads need machining; appreciate work on Stuart Road.

Supervisor Clinger – potholes everywhere need attention; appreciate work on sides of roads and also need intersection mowing especially.

Mr. Clarke, in discussion of the Route 221 paving, reported: In looking at the paving schedule, you'll note a variety of pavement types. This is part of our pavement management system. We try to catch things before they deteriorate so badly. There is restorative maintenance, where you have to go in and mill out the road. We try to do a lot of preventative maintenance such as slurry seal or a latex seal to take a pavement that is still in fairly good shape and revitalize it, seal it, keep it from deteriorating further. There is a pavement management plan that advises doing things like a latex slurry, latex seal, sometimes called micro-sealing, on high volume and high speed roads. We've done this in the past, don't know that we've done it in Floyd County; same product has been used on I-81, Route 114, Route 460 between Christiansburg and Blacksburg. The same contractor from last year is now in Franklin County. Once he is done there, he will be back in here and repair the problems. The rest of the contract, he will be doing several miles on 460 in Bedford and a little over a mile in Roanoke County. If you're driving on the interstate and hit a section that is a little loud, that is this product. A lot of people think it is plant mix badly laid, but it is not. That rough sound will diminish after traffic travels on it for a while. It is doing its job. It will extend the life for another 5-7 years. That is our strategy in the district. You will see this a lot more in the next few years. What happened on 221, Chuck will get into more details. I understand there are different types of mixes used, daytime mix, nighttime mix, you don't want it setting up in the box. The stuff comes out pretty thick and you want to be able to spread it. We're using a tack coat that we had not specified in the past. Tack coat is a very thin layer of liquid asphalt. You put it down on the road first and it is to help adhere. What we think happened out there is we did a lot of crack sealing beforehand. Probably more crack sealing material out there than you would see on a lot of roads, the black squiggly lines on the road. What we think might have happened was in the heat of the day, the

tack coat sort of reacted with the crack sealing material, especially on the southbound section, the center lane part came up. The trucks that put down the slurry have skids on the front to guide the machine, we think that skid was hitting the tack and pulling up some of the tack material, rolling it up and it wasn't adhering. So what happened was, the contractor stopped and went on to the next project until we could figure out what to do, which is 220 in Franklin County. Now we've looked at it and figured out what to do. We have another section past Rays Restaurant that we may try without the tack coat since there is a lot of crack sealing material. At the beginning part, next to Dollar General, there were vehicles going behind the cones. People are used to plant mix that can be driven on right after it gets rolled, this is different.

Chairman Clinger – people also saw the contractor's vehicles driving on it, they were staged there. People complained a lot about the wait, sometimes 30 minutes.

Mr. Clarke – it will have to be smoothed out. The reflectors will have to be taken out and repaired.

Mr. Chuck Ingram, Slurry Pavers, Inc. next appeared before the Board. He commented: First, I brought some propaganda from our company, explains who we are and the types of products we use. All of this is also available on our web site. Upfront, I want to apologize for any inconvenience that has been caused to this Board and your constituents. We have customers all up and down the line, from the fellow whose nut tree was cut down to the 3rd floor of the administration building of the highway department. We have a lot of folks that we're trying to keep happy. As is with every mistake, there is always a reasonable explanation. David hit it on the head with the amount of that crack sealer that was put down, which is an asphalt rubber material. These guys are trying to formulate these paving schedules a year or two in advance. Once roads like 221 that were maybe a better candidate two years ago for this kind of treatment, now fast forward two years and we've had two years of deterioration. The crack sealer that went down out there was almost three times what was hoped to get by with. There was a lot of crack sealer. By specification, we use a fine spray of tack coat, a fine spray of liquid asphalt to bond everything. We are also in the middle of a hot spell, we have hot truck tires, we have tack coat, surface temperatures probably approaching 140 degrees. All that just leads to sticky stuff. Not only the truck tires, they are driving down the road getting hotter, the speeds that he's talking about. If you can find a picture, we have a big spreader box that drags behind that paver. It rests on some very heavy skis so we can adjust the height and depth of what we're putting down. Those skis can grab that little piece of tack material. There is a ski in the middle of that machine that runs down the middle of the lane. Once it grabs hold of the seal, it rolls it up like a ball and that's where the trouble begins. That material, the tracking, what you have there is a hybrid of this latex mix that David was talking about. On the left side of the literature, micro-surfacing, that's the industry term for what you have. The old slurry seal that we started using in 1965 when our company came into being, was a blend of real fine rock, liquid asphalt and put down about 1/4" thick for a preventative maintenance treatment to extend the life of a road. Now we're doing the micro-surfacing, we're refining it to make it a bit tougher. The skid resistance is something we try to use as a selling feature, a safety feature. Further, what you have out there is a hybrid micro-surface to address roads with more surface correcting than normal. We fortified that mix with some polyester fibers so you actually have some strength to hopefully retard some of the cracks coming back through at a later date. The chemistry that we put in there, the liquid

asphalt that we manufacture, if the laboratory made a mistake and the material was over-stabilized, it would take longer to dry which means if anybody drove on it, whether our trucks, the mailman or anybody, especially the shady spots, it would take longer to dry and be susceptible to damage. So obviously we caught that mistake too late. We had two problems – the rubberized plant seal coming up that didn't dry and a lot of tracks out there. So we made the decision to get to a point and square the road up, drop back, reassess where we were, identify the problems and get a plan of attack which we have completed. We came to an agreement on a plan. Once the crew is finished working in Franklin County, about three more nights, we'll come straight back here to rectify. We may have to use a low heat to scrape some of the ridges off. We'll need to pop off the reflectors, attach them back with regular asphalt. Then we'll place new material, level everything out, get rid of any crack sealer balls sticking up, resurface the entire amount up to the point where we quit last week. Then we'll continue with the next section. Again, it is an inconvenience but it is a tried and true product, it is a good stop gap maintenance measure. We apologize again for any inconvenience. No one is more upset and embarrassed than us. VDoT has been our best customer going on 50 years now and you all are our customers. We'll do all we can to make this thing right.

Chairman Clinger – we have had some complaints with wait times.

Mr. Ingram – we try to do a 15 minute maximum hold time with two mile lane closures.

Supervisor Yoder – we have had some concerns with the Rescue Squad being right in the middle of the project, them having to wait.

Mr. Ingram – they will always have the right-of-way and we'll get them out as quick as possible.

Supervisor Yoder – it might be better for us to stage them somewhere else during the project work.

On a motion of Supervisor Turman, seconded by Supervisor Yoder, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.1, discussion, consideration or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body.

Supervisor Turman – aye

Supervisor Gerald – aye

Supervisor Allen – aye

Supervisor Yoder – aye

Supervisor Clinger – aye

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

Supervisor Turman – aye

Supervisor Gerald – aye

Supervisor Allen – aye

Supervisor Yoder – aye
Supervisor Clinger – aye

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

**CERTIFICATION RESOLUTION
CLOSED MEETING**

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss personnel in accordance with Section 2.2-3711, Paragraph A.1 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; (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

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

Hearing no statement, I call the question.

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

This Certification Resolution was adopted.

On a motion of Supervisor Turman, seconded by Supervisor Allen, and unanimously carried, it was resolved to accept to resignation of Daniel J. Campbell as County Administrator effective June 29, 2015.

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

On a motion of Supervisor Turman, seconded by Supervisor Allen, and unanimously carried, it was resolved to appoint Terri W. Morris as Interim County Administrator effective June 29, 2015.

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

On a motion of Supervisor Allen, seconded by Supervisor Turman, and unanimously carried, it was resolved to adjourn to Tuesday, June 30, 2015 at 7:00 p.m.

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

Daniel J. Campbell, County Administrator

Case C. Clinger, Chairman, Board of Supervisors