

**BOARD OF SUPERVISORS
SPECIAL CALLED MEETING
DECEMBER 17, 2013**

At the special called meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, December 17, 2013 at 4:00 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; James E. Cornwell, County Attorney.

The Chairman called the meeting to order at 4:00 p.m.

Agenda Item 2 – Approval of month-end disbursements.

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

On a motion of Supervisor Turman, seconded by Supervisor Allen, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.3, discussion or consideration of the acquisition of real property for a public purpose or of the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Supervisor 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 unanimously carried, it was resolved to come out of closed session.

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

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

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

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

Hearing no statement, I call the question.

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

This Certification Resolution was adopted.

Mr. Cornwell commented: There has been considerable discussion over the last few weeks between the Economic Development Authority and the County with the Bank of Floyd relating to purchase by the EDA of what is known as the Branwick Building where DEX is located. It consists of 10.439 acres of land, located at 365 Christiansburg Pike, NE in Floyd. There have been negotiations and the Bank is agreeable to sell that property to the EDA in the amount of \$1,360,000. The EDA has requested authorization to purchase the property and funding from the County for the purchase of the property. You have before you today a resolution of the Board of Supervisors approving the support agreement. The Support Agreement basically is an agreement where the County would provide payments to the Bank. The Bank is going to loan the money to the EDA on 3.1% financing per year, for a fixed rate of five years and after that a variable rate in the amount of \$1,088,000 which means that the County would have to pay the costs and expenses of the loan plus \$272,000 as the down payment. This

would enable the property to be conveyed to the EDA. The lease with DEX is still in effect and continues until August. This would also hopefully keep DEX in the building and employing citizens of the County of Floyd and also make the building available to the EDA to use for economic development. So the resolution that is before you would authorize the Chairman to sign the support agreement and authorize the County to make the down payment and pay the costs of the closing and to make monthly payments to the Bank to support the loan. The support agreement also provides the lease of the property to be directly assigned to the County so the County would receive the rest to offset the mortgage payments. We have had a Phase I environmental study done, it was good. We will get a title update from the title company and we hope to close on Friday if approved.

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

Supervisor Yoder – aye

Supervisor Turman – aye

Supervisor Gerald – nay – because I think this puts the County under too much obligation and in the future we would have to raise taxes, there are too many ifs involved

Supervisor Allen – aye

Supervisor Clinger – aye

Supervisor Yoder reported that under the Fire/Rescue Equipment Committee report that was adopted at the last meeting – they are requesting one change in the time schedule. The Rescue Unit #408 was scheduled to be replaced in 2015. They would like to move that to 2014 because they are applying for an 80/20 grant that would pay for most of the cost. If the grant is not received, it would be moved back to the 2015 time frame for purchase.

After discussion, it was the consensus of the Board to move replacement of unit #408 to FY14 contingent upon approval of grant proceeds. If grant is not received, the replacement will be moved back to FY15.

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

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