

**BOARD OF SUPERVISORS  
REGULAR MEETING  
SEPTEMBER 13, 2016**

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, September 13, 2016 at 8:30 a.m. in the Board Room of the County Administrative Building thereof;

PRESENT: Case C. Clinger, Chairman; Joe D. Turman, Vice Chairman; J. Fred Gerald, Linda DeVito Kuchenbuch, Lauren D. Yoder, Board Members; Terri W. Morris, County Administrator; Cynthia Ryan, Assistant County Administrator.

Chairman Case Clinger 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 Kuchenbuch led in the Pledge of Allegiance.

Agenda Item 4.

On a motion of Supervisor Turman, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the minutes of August 9, 2016 and August 23, 2016 as presented.

Supervisor Gerald – aye  
Supervisor Kuchenbuch – aye  
Supervisor Yoder – aye  
Supervisor Turman – aye  
Supervisor Clinger – aye

Agenda Item 5.

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

Supervisor Kuchenbuch – aye  
Supervisor Yoder – aye  
Supervisor Gerald – aye  
Supervisor Turman – aye  
Supervisor Clinger – aye

Agenda Item 7.a. – Subdivision plats as approved by Agent for August 2016.

Ms. Morris explained that Ms. Lydeana Martin is in Abingdon at a meeting. Subdivision plats have picked up a little bit this month but it is pretty much routine.

Agenda Item 7.b. – Building Permit Report for August 2016.

Ms. Morris said you will note a considerable reduction from last year at this time when there was a \$1.5 million industrial construction which was the Hollingsworth & Vose project. It puts our numbers down a little. Otherwise we are holding steady.

Vice Chairman Turman asked how storage buildings are classified for taxes?

Ms. Morris replied that she would find out and report that information back to the Board.

Agenda Item 7.c. – Update on Agriculture and Forestry Industry Development Planning Grant.

Ms. Morris reminded the Board that Ms. Martin submitted grant applications to both the Department of Agriculture and BEE, which stands for Building Entrepreneurial Economies, for different planning funds. The project, as she has listed, has several facets. Among those are strengthening the County Fair and creating a guide on the local value-added processing facilities. No winners have been announced yet, but the feedback she has received has been encouraging that we will get those from both agencies.

The Department of Agriculture does not want to help with the County Fair as such. They want to use their funds for the other projects on the list. Ms. Martin is requesting that the Board consider using the entire \$1,500.00 County contribution toward the fair and leave the Agricultural funds for the other projects. It wouldn't be any difference in what our share is; it would just be going in a different direction.

Supervisor Yoder asked we have not actually heard if we got the grant yet?

Ms. Morris confirmed that we have not heard.

Supervisor Yoder asked then it wouldn't be for this year's fair?

Ms. Morris agreed that it would have to go for next year's fair unless we hear something in the next two or three days.

Supervisor Yoder said we are using parts of the tourism grant we got through Virginia Tourism.

Ms. Morris confirmed and added that a lot of staff in-kind time for Lydeana [Martin] and Pat [Sharkey] both. Instead of using our \$1,500.00 match for all kinds of things we could just use it for the Fair. The other agencies would pick up the other parts.

Supervisor Yoder said I really don't know what to think about the fair going forward. I've sat on the advisory board this year. I would love to see it become an actual full-blown county fair. They are kind of in-between right now. I'm not really sure where it is going.

Supervisor Kuchenbuch said Thursday she is thinking about going down to look at Franklin County's fair to get an overview on their first night before it gets too crowded. I think county fairs are really important to a county, especially an agricultural county like ours. I would like to see us become where people with entries at a county fair can go on to the state fair.

Ms. Morris related that it originally started with the County putting on the fair, but we didn't have enough staff to take care of it and then Extension started to help and then Farm Bureau.

Supervisor Yoder explained his biggest concern right now is that Chantilly is taking the ball and running with it this year, which is great because someone needs to do it. I'm just a little concerned that when you start pumping money into it and if it turns into another festival of Chantilly's, while we provide staff and resources where we might not be doing that for Yogajam or Replenish. Is it just another for-profit business that we are putting money in because it says county fair on it? When we get through this fair, the people involved need to decide pretty quickly afterward and have a debriefing and say what does Chantilly want, what does Farm Bureau want going forward. If we want to make it into a county fair then the County should be involved at some level, but I feel like I am putting a lot of time into something that is really a Chantilly operation.

Supervisor Kuchenbuch said FAA needs to get involved again and we should regrow this.

Chairman Clinger restated I think what you are getting at is that it is not so much about location, but about how we can keep control of it if it is a county fair.

Supervisor Yoder agreed and said I am fine with having it there if it is going to be a county fair. Pat [Sharkey] has put a tremendous amount of time into it this year.

Supervisor Kuchenbuch said that was after last year's tremendous success.

Supervisor Yoder continued I just want to make sure if we do continue to invest time and money into it that it is what we want it to be rather than just investing time and money into another for-profit business. I want them to be successful, but I am not sure that Pat [Sharkey] needs to spend a month getting ready for a festival that she wouldn't do the same for a different one.

Ms. Morris replied that is something we can definitely work on.

Supervisor Yoder responded I have talked to Pat [Sharkey] a little bit about it, but we said let's get through this one and see how it goes.

Chairman Clinger asked whether we need to decide on the \$1,500.00 right now or wait since it will be for next year's festival?

Ms. Morris answered if this is agreeable to you, go ahead and do this.

Supervisor Kuchenbuch asked unless you wanted to do it as a reimbursement, unless you think it would be easier to do it as a reimbursement now.

Ms. Morris explained the motion would just be for the \$1,500.00 County match to be used for the fair.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Gerald, and carried, it was resolved to approve that the \$1,500.00 local cash match for the Agriculture and Forestry Industry Development Planning Grant be directed toward marketing the County Fair.

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

Agenda Item 7.d. – Meals Tax Parity for Counties – potential legislative priority request from York County.

Agenda Item 7.e. – Legislation to allocate 5% of total lottery sales back to the general revenue funds of localities where those sales originated – potential legislative priority request from Wise County.

Ms. Morris explained that these two items are both things for you to consider for legislative requests. The first item is from York County concerning a meals tax. They are seeking legislative approval to equalize the meals taxation authority among cities, towns, and counties. This could be for you to think about as you develop legislative requests a little later in the year. Also Ms. Ryan participated in a webinar on meals tax and we can present that to you at the appropriate time.

The other item is from Wise County and it is to allocate 5% of total lottery sales back to the general revenue funds of localities where those sales originated. This would be separate from what the schools get from the formula.

Chairman Clinger stated that according to the letter it would help the schools because it would give local governments who fund the schools extra revenue.

Ms. Morris replied exactly, if you have any interest in those two items we can add those to your legislative requests.

Supervisor Kuchenbuch said I found it interesting that Montgomery County has exemptions and they can act on their own initiative. Why is that?

Chairman Clinger replied they got it written into the Code earlier. That is what we tried to do a couple of years back.

Supervisor Yoder agreed we tried to get that too.

Supervisor Kuchenbuch asked why did Montgomery County get it and Floyd County did not?

Chairman Clinger said that decision was at the state level and not the local level. I guess Montgomery County had more pull. But as far as joining this coalition, I think we should include this on our legislative requests. Also York County is trying to get a coalition together. See if there is anything we can do to help. There are several different letterheads from different counties. I received a letter also from Chairman Jeffrey Wassmer requesting the same thing. They thought it would help to have a coalition ask at one time too, in addition to VACO.

Supervisor Yoder asked doesn't VACO request this every year as part of their agenda?

Chairman Clinger said I think we have consensus to include both of these items on our legislative requests. Please see if there is anything we can do to help the coalition.

Ms. Morris replied that she would work on that again.

Agenda Item 7.f. – Tobacco Regional Opportunity Fund Performance Agreement between Hollingsworth & Vose, Floyd County, and Virginia Tobacco Commission.

Ms. Morris said that the Board's application was for \$50,000.00 as submitted by Ms. Martin. It has been approved by the Virginia Tobacco Region Revitalization Commission. This grant was for processing enhancements for one of Hollingsworth & Vose's lines. If approved by the company they are obligated to create at least 13 new jobs and have an investment of several million dollars within the next 36 months. If they do not achieve those numbers then they have to repay on a pro-rated share. If you are willing, I need approval of this agreement to authorize execution of the documents.

Chairman Clinger said if we can make one change to it then I will let the motion go forward. Exhibit B has the boilerplate left in place and says "Pittsylvania County." This needs to be changed to "Floyd County" before the signing.

On a motion of Supervisor Turman, seconded by Supervisor Yoder, and unanimously carried, it was resolved to authorize the County Administrator to execute the Performance Agreement documents on behalf of the Floyd County Board of Supervisors with the Tobacco Region Revitalization Commission and Hollingsworth & Vose with the stipulation that Exhibit B be changed to state "Floyd County" (Document File Number 880).

Supervisor Gerald – aye  
Supervisor Kuchenbuch – aye  
Supervisor Yoder – aye  
Supervisor Turman – aye  
Supervisor Clinger – aye

Agenda Item 8. – Old/New Business.

Ms. Morris reported that last Wednesday three of the engineers from Draper and Aden and I met with Department of Environmental Quality (DEQ) in Roanoke. DEQ representatives were happy with our solutions for our problems at the landfill. They approved our plan to stabilize the upper bank on the left side of the channel with rip rap. Our contractor has put silt fences up and has the rip rap on site. He put gravel on the road to get to the top of the channel. He is ready to go with that part.

On the sediment basin, even though this was part of the original closure plan from 1993 and we are no longer required to have that basin, they want us to keep it open but clean it out. The contractor has been working on it for about a week and he is maybe 60% through. He has got down to the hole in the pipe. He estimates that the hole is 6" and doesn't know yet if he can repair it. DEQ said they might make a site visit, but probably not. If we do have to replace the pipe then they will probably come up and look at it. When they were digging out the pond and were removing some trees, they found another area that was eroded. I told them to go ahead and fix that too while they are there. They gave me a price of about \$1,500.00 to fix that.

Supervisor Kuchenbuch asked if this was in the pond?

Ms. Morris answered that it was above the pond. DEQ also had some concerns about the groundwater that is actually coming from the old dump they think. The contractor told me yesterday that he has looked at that and thinks, while they are there, they can take care of that fairly easily by digging out some of the old pipe. DEQ told me in Patrick County at their landfill they use hay bales wrapped up in chicken wire to catch some of the undesirable things coming out from their landfill. I thought that would be a good plan for Floyd. We are going to try some of that too.

Vice Chairman Turman asked what is their reasoning for keeping the sediment basin?

Ms. Morris replied because it is catching the water.

Vice Chairman Turman said it is better to have it and not need it than need it and not have it.

Ms. Morris said the engineers have been over to the site checking on progress at least once or twice since our meeting with DEQ on Wednesday. Everything is going well. Mr. Shortt had everything mobilized and ready to go and that helped. Overall the meeting went very well. I did relay to them that we want to be as cost effective as we can but we want to do everything correctly.

Chairman Clinger pointed out that we seem to be needing more and more engineering work. How much do we spend in a year, just ballpark, for engineering services from outside? I know a lot of things Mark [Bolt] can handle like soil, but some of it is beyond him. I was curious if this was something we should plan for in the future – to add another engineering position.

Ms. Morris replied that she has thought about that a lot.

Supervisor Kuchenbuch said we need to do a study on how much we pay, not that we don't like the companies we are contracting with.

Ms. Morris answered that the biggest majority is, of course, in solid waste. We take a lot of it out of the monitoring requirements and permitting requirements. It is a big chunk in there.

Chairman Clinger said if some of the projects get over a certain size, Mark [Bolt] can't even do with his part of the erosion. I was just wondering if this was something we should be planning for since it is apparent to DEQ and everybody that we are not going to ever be rid of the landfill. When the Town landfill came up that opened my eyes to it. The Town's had been closed for how long and now we are responsible for it. We are having to monitor chromium levels. We don't even know the residual chromium levels but we still have to monitor because of the 1 part per billion we are catching. We are doing more and more engineering work. I know you are taking that from different places, like the monitoring and so forth. It might be something we look at not this budget cycle, but the next one up the road, to get another position.

Ms. Morris replied that she and Mr. [Dan] Campbell had talked about that several times when he was here. If we had that type of position the person could look at subdivision plats and all types of different things and possibly help with grant writing.

Supervisor Kuchenbuch said it would be interesting to see what we spent in the last five years.

Ms. Morris responded in the past we had engineering firms just on a term contract, on an on-call basis. Last week Lydeana [Martin] and I interviewed several firms and we will have a recommendation for you at the next meeting. It doesn't cost us anything upfront.

Chairman Clinger added we just pay on a per call basis when we use their services. So it is still the same it is just what firm we go with.

Ms. Morris said in the past we have had three or four different firms for whatever type of service we need.

Supervisor Yoder said talking about new positions the one thing I hear more than anything from different departments and Constitutional Officers is the need for information technology (IT) help. I wonder if there is the possibility of having a fulltime IT person.

Ms. Morris said we have talked about that too.

Supervisor Yoder said it amazes me that the Library with four locations has a fulltime IT person, but the County with all of our different offices does not. I understand the reason.

Chairman Clinger asked if the Library IT person is based out of Floyd?

Supervisor Yoder replied that the Library IT person is based out of Montgomery. I hear the need for a County IT person a lot.

Chairman Clinger said we have a while before budget time. If we are thinking about some of these things now, then it is time to start looking at it rather than in February when we are trying to tweak it in a month. I think your idea is good as well. I know we have a contract that we just did but how much do we spend on it over the course of a year? How long have we been down waiting on service because we are not the number one customer? How does travel time impact service we provide our customers?

Ms. Morris said I am not one who wants to add a lot of positions, but you get to a point...

Chairman Clinger said we have reduced quite a few positions and consolidated responsibilities, but we have a couple of spots where we don't have the skillset.

Supervisor Yoder said I think IT is an area that will grow. It is not a field that will shrink at any point for the foreseeable future.

Ms. Morris said there are only 10 of us here in the County office and if one of us is out sick or whatever, it is difficult. Folks are great. We all pitch in and do whatever.

Chairman Clinger said but if there is a computer software problem we don't have the skillset here to take care of it. We could probably be talked through it, but not be able to do it without calling someone. I think this is a good idea. Those are two things we should look at before we get around to budget time.

Agenda Item 6.b. – Public Comment Period.

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

Agenda Item 8. – Old/New Business continued.

Chairman Clinger thanked Ms. Morris for her work with DEQ and added the group you have on the hill has really helped to keep this from being worse than it could be.

Ms. Morris replied absolutely. You approved a new position for recycling and that gentleman has started. He is doing really well.

Ms. Ryan stated that VACO contacted all localities and asked that each submit a handcrafted Christmas ornament to hang on the Executive Mansion tree that represents their county. Mr. Ron Campbell from Floyd designed this ornament. The inner frame is made out of wormy chestnut that came from an old barn that he tore down on Conner Road. The scene is a three-dimensional pen and ink drawing of the Floyd Country Store. Mr. Campbell donated the ornament for us to give.

Ms. Morris said that Mr. Campbell mentioned that the Governor had been to the Floyd Country Store. We sent an ornament last year also. Phoenix Hardwoods made the one last year. We tried to get Mr. Campbell to come today to present his ornament, but he declined.

Supervisor Kuchenbuch said Mr. Campbell is a modest man.

The ornament was passed to each Board member and each expressed their appreciation of Mr. Campbell's beautiful craftsmanship.

Agenda Item 6.c. – Mr. David Clarke, Virginia Department of Transportation.

Mr. Clarke started off by mentioning a couple of items that were accomplished that had been discussed for a while. He presented a photograph of the work finished on Moles Road on the end up near the trail. The end of State maintenance sign was right before the slope going up. I did a little bit of research on the abandonment and we were only talking about a couple of hundred feet. I felt that fell within the rounding errors of the time and we don't have to go through this big administrative thing. We wanted to make it as mostly maintenance free as possible because once we took it in that would be a high-intense place. We went up with some asphalt. We had to bring in a rock breaker and knock out some rock to get it wide enough. If we are going to push snow up there they want to take a snowplow up there without knocking the plow off. We knocked a little off and got it paved. We'll see how the drainage works. We'll probably have to go up there a couple more times just to tune things once we know how it reacts when it pours down rain...where all the rain will go. We did about 200' or so. We worked with the Department of Conservation and Recreation (DCR) about people getting through while we were doing the work. We paved the turnaround up at the top. I think it turned out really nicely.

Ms. Morris said DCR is very appreciative of the work done by VDOT and the Board.

Mr. Clarke expressed his appreciation to the Board because the funding for this had to come from somewhere and it came from the Secondary Six-Year Plan. I can get you a total on what it ended up being.

Another thing we are working on is with Ms. Kayla Cox of the Town. We are getting a good plan for striping the lines on Rt. 8, where they just did the recent repaving, to make sure we get the parking spots the way the Town wants them. There are a couple of spots where we may take out parking places that are currently there because of sight distance. You can't see if someone is parked right there at the corner. It is really supposed to be 10'-20'. We are not going to impose a lot of that but where it has been a lot of problems we're going to try to get hash marks right there. The Town can paint the curbs and put up signs. I think we have a pretty good plan. We went to a Town Council meeting two weeks ago and talked to them about what we were going to do. I've been out here with Mr. Paul Brown, Mr. Chris Price, and an intern. They walked and measured and came up with a plan. The striping is under the same contractor as the paving was. If we can get them to do what was asked on there, that will be great. If not we can always come back. All the contractor is liable for is whatever was there to begin with. We have a minimum plan set up so that we don't have to take out anything, but I don't mind coming back and adding some things. We will see what they will do. I had thought they would be here earlier than they have been. That has been a problem throughout the district. It is a subcontractor who does the lines and they are behind. I am hoping it doesn't take as long as it did on Rt. 221 last year. That went a long time without lines. I was glad you brought it to my attention.

We have the new process called Smartscale for applying for primary roads. There is a lot of good information on the website. We will be working on an application for Floyd County. There is a map on the website with high accident spots. The project the Board has already approved to do, and kudos to the Board for recognizing this. Rt. 653, Shawsville Pike has been on our plan and we have been working on finding a spot where we can do some work and you have \$1 million on that project right now. We are going to apply for another \$1 million through Smartscale. When you are putting some other money toward it that will help it score really well. We are going to put in an application for a section to take out that big horseshoe-type curve on Rt. 653, Shawsville Pike. If that application is approved we will double our money on the project.

Other than that we are doing maintenance. We had to replace some pipe in Town before the paving. We have done most of our surface treatment. Union School Road got a cape seal. We put a surface treatment on the top and come back over with slurry. You have to let that surface treatment sit for a while. Union School Road sat there for a while with surface treatment but it now has the slurry.

Vice Chairman Turman pointed out that part of Buffalo Mountain Road was treated that way.

Mr. Clarke concurred.

Supervisor Yoder asked if that is what they are doing on Daniels Run Road as well?

Mr. Clarke replied that he did not think so. He thinks Daniels Run Road just got a surface treatment.

Supervisor Yoder said Daniels Run Road got a surface treatment a couple of weeks ago but they are working on it again so he wasn't sure what they were doing.

Mr. Clarke replied he is not sure because he did not bring the whole schedule with him. Asphalt was put on Black Ridge Road and Indian Valley Road. Those roads are done. They did some asphalt paving on Daniels Run Road, Phlegar Hill Road, Deer Run Road and Sowers Road. Thunderstruck Road and Roger Road had brush trimming and mowing. The crew out of Willis did the work on Moles Road. We may not have gotten as much done on that end of the county because we told them to get to that as quickly as possible. Our guys are out there right now on Vaughns Mill Road. That is the next road in the six-year plan. We will probably do some grading this fall. I don't think we will get to any paving of it. If we have the time and weather we might get a half mile. That is a long road we are doing. Anything we can get this fall would be good, but I can't be positive that we'll get any pavement on it, but we will get as much grading as we can in the next few months.

Supervisor Gerald said he appreciates the mowing and patching.

Supervisor Kuchenbuch said she wants to compliment VDOT on the work they did on a road that leads to the river on the Montgomery-Floyd county line, just over the Altizer Bridge. There has been a lot of work done on the other side. A couple of culverts were put in just over

our county line. I noticed a couple of weeks ago that there were a lot of culverts put on the side, but I went down there yesterday and it had been cleaned up beautifully. It is always nice to be able to say what a great job was done cleaning it up, grading it, and even seeding it and putting straw on it.

Mr. Clarke said it was supposed to be a temporary place to store materials and it stayed there too long.

Supervisor Kuchenbuch replied whatever the case may be, it ended up looking great. Everybody is appreciative of the work that was done on Daniels Run Road but on really foggy mornings and at night the lack of lines on that road can be dangerous. I understand the lag time but Daniels Run Road can be difficult to drive. The folks who live on Sunny Ridge Road were very appreciative of work that got done, but one of my constituents sent pictures. They don't want to be in the six-year plan. They like their gravel road. All they ask is that some work be done on ditching and mowing. They tend to be a very take-charge kind of group. They have equipment and they will go out and do things for their safety. You will see from the pictures and email I sent you they just want the kind of maintenance to make that road safe. There have been some accidents on it. School buses do go down it. Please put that on your list.

Vice Chairman Turman said he won't mention the potholes. But on Tory Creek Road, a small section between Rt. 58 and Shelor Road, I received an irate email from someone who said it was paved but right in front of his house the pavement broke up. He would appreciate it if someone would fix it. He said it was right along the side of the road where the water washed out the pavement. It was paved but not filled in and it just crumbled off.

Supervisor Yoder thanked him for the work done on Deer Run Road. They did a really nice job taking care of some rough areas. I was able to catch a couple of guys out there and thank them. They did a great job there. There are two things I want to bring up. One is Walnut Knob Road which is a forgotten little road on the other side of the Parkway. It is partly in Franklin County. I have received some complaints about it. I haven't gotten out there to look at it but wanted to bring it up. I think they need some machining work and maybe some gravel. Second on Franklin Pike going down the hill toward the Parkway, the asphalt there is sliding. Do you have any idea what the plan is? Do you plan to fix that?

Supervisor Kuchenbuch pointed out that she mentioned the problem a couple of months ago when Mr. Clarke's intern was present. The problem has gotten worse since then.

Supervisor Yoder said I was coming back from a cattle auction and was going up that hill with a trailer. A guy coming down the hill swerved into my lane to avoid the pothole.

Mr. Clarke said I will see if they have a plan set to do that.

Supervisor Kuchenbuch said it needs to be moved up because there will be a lot of people coming through Town and on Franklin Pike to the Parkway.

Supervisor Yoder added another concern is where it is getting so rough there plowing will be an issue.

Chairman Clinger said he appreciated the work on Moles Road and what is being done on Shawsville Pike. I don't have anything specific to address, but our overall roads are starting to deteriorate. We are starting to see a lot of roll off on the edges, potholes that are taking a while to be repaired. I know it is not your fault, but where do we need to address it to? Franklin Pike, Barberry Road... a lot just comes from poor maintenance like washout situations and not getting gravel back in

Mr. Clarke said they are getting ready to start a program called State of Good Repair that will focus on pavement and bridges. You can only patch them out for so long. We need to be doing more overlays. Hopefully we will be able to get some of that in that program.

Chairman Clinger said we have so many unpaved roads that the paved roads we have get a lot of attention. The fact that they are in disrepair...there are a couple of potholes on Rt. 8 just past North Locust that have been there for at least two years. They are not huge ones. It makes Floyd look poor. I know it is not your fault. You only have limited resources to deal with in your departments, but if there is any way we can pass that along. Some real work needs to be done around here.

Vice Chairman Turman asked if the budget shortfall with the State hurt VDOT?

Mr. Clarke replied I was in a meeting yesterday where that was discussed. They are going to have to determine what it is going to be. Our financial people are looking into that right now. VDOT is funded a little bit differently because it is through gas taxes and sales of cars. But that tends to follow the general economic trend. If overall gas sales are down and car sales are down, then VDOT's budget will be affected.

Vice Chairman Turman said VDOT has been short for years, hasn't it?

Mr. Clarke replied definitely short of the projections. When they changed the way the gas tax was done they thought it would bring in a certain amount. Gas prices dropped. It is a constant adjustment due to these projections.

Supervisor Kuchenbuch asked if Floyd County will again be having private contractors for snow removal this winter or will we be relying on VDOT?

Mr. Clarke answered that it is both. Last year we bumped up the use of private contractors. We plan to do the same thing this year.

Supervisor Yoder said last year was a vast improvement in snow removal, especially the backroads.

Mr. Clarke said last year we were given an open book to sign up as many as we could.

Supervisor Kuchenbuch said there was one storm in particular where I didn't think we would be going to school for four days and you were able to knock a whole day off.

Mr. Clarke said if we are limited in the private equipment we can hire, if it is just our guys then you have to split it into a day and night crew. Then you have five guys on a shift. That is not a whole lot.

Supervisor Yoder said as long as snow is blowing...

Mr. Clarke finished then you stay on primaries the entire time. Rt. 221 in the Check area gets a ton of drifting.

Supervisor Kuchenbuch asked about the use of snow fencing, will that be used?

Mr. Clarke replied that is a historic practice that has fallen into disuse. I don't know where they used to put the snow fences. I can talk to some of the guys and see.

Supervisor Kuchenbuch said I can tell you on Rt. 615 if you put up snow fences on that hill you will be better off than not putting up snow fences. That has been evident. And there are some places on Rt. 221 coming through Check that were always pretty bad.

Mr. Clarke agreed that it is worth trying, I think. They do it a lot in some other places. We have a big snow conference every year in October where we talk about a lot of that stuff and I will bring it up.

Ms. Morris told Mr. Clarke that she provided information on revenue sharing to the Board. It has been several years since we have done this. Are there any changes in the program?

Mr. Clarke replied nothing major other than the application. I think it is a little easier. It is online now. The thing about revenue sharing projects is you can apply for matching funds through VDOT to do a project. If you get approved for it, it doesn't obligate you to anything. We'll help out any way with an estimate or something like that.

Supervisor Kuchenbuch asked where are we with the sidewalk project?

Mr. Clarke answered it is in the six-year plan. There are so many different programs that are available. We are in design. I think what I would like to do is not hold the...if we can do it in pieces then we can probably do the part at the sidewalk at the high school. That is an easy one to do. I don't want to have to wait until the whole thing is figured out before we get the high school done. Maybe we should get the easy part done first and then work on the hard part as we can. Some places you just won't be able to do because it is on private property and there isn't much yard there anyway. Rather than try to do a massive sidewalk project to do the part on the school road would be the best, I think.

Agenda Item 6.d. – Ms. Carol Edmonds and Mr. Kevin Belcher, Fairview Home, Inc.

Ms. Edmonds said I understand there were some questions from your last meeting with the Community Services Board related to the Fairview Home. Since I have been around forever, they thought I might be the person who could come and share some of that information. The one piece they forget is you can't remember things really well the longer you are around. I

understand one of your issues is that you want some information about the history of Fairview Home. I want to be respectful of your time and don't want to start at 1918 when this whole thing began. If there are specific questions I will be happy to try and answer those, unless you want to hear the history from 1918.

Board members stated they would be interested in hearing the entire history of the Fairview Home.

Ms. Edmonds said I was not there in 1918 but as I look back over the history of how things transpired, Fairview Home was the district poor farm was how it was initiated. Before the district home it appears that each county may have had their own county poor farm at some place. In 1918 the General Assembly changed the law and said we will allow you to now have a district home for multiple jurisdictions. In 1927 Craig, Giles, Roanoke, Montgomery, Pulaski, Smyth, and the City of Radford all purchased property to then become the district home for the area. In 1947 the district home opened up the ownership to Botetourt County. There were multiple jurisdictions, but I could find no where back in any of our information that Floyd had ever been an owner or joined or anything. You may have had your own farm.

Ms. Morris confirmed that Floyd County had its own poor farm at one time.

Ms. Edmonds continued that apparently going with this particular district home was not something you all chose to do at that time. As to who all is involved in the facility now, it is Giles County, City of Radford, Montgomery County, and Pulaski County. Because over the years, starting back in 1974 Roanoke sold its ownership share to the rest of the members. In 1989 Botetourt County sold its share. In 1992 Smyth County sold its share to the remainder of the owners. More recently Craig County said in 30 or 40 years they never had a resident in the home and so they requested that they no longer be an owner.

Mr. Belcher added that at one point the home was indeed a self-sustaining farm and took care of itself and required no outside funds. The residents worked on the farm.

Ms. Edmonds confirmed that it was a working farm.

Supervisor Kuchenbuch asked if it was at the same location then as it is today? How many acres are there?

Mr. Belcher confirmed it was at the same location but there are not too many acres today.

Ms. Edmonds thought it was 5 or fewer acres today.

Mr. Belcher agreed and said that is all that is left of the original tract.

Ms. Edmonds explained that most of it had to be sold off to provide funds to keep the facility going.

Supervisor Kuchenbuch asked if there was any information on how many acres were in the original tract?

Ms. Edmonds replied that she is sure that information is available but she does not know. She continued that she did a tour of the facility when they built the newer building in 1976 and the nature of the clients and the people then were much different than they are now. As the years have gone past, practically all the residents now have mental challenges – developmental and mental disabilities and those kinds of things. This makes them a more intense population than the people in the early 20<sup>th</sup> century who just needed a place to live. Back then they were homeless and needed a place to live. On the farm they grew their own food and they had a residence and they basically took care of themselves. That is not the population any longer.

Supervisor Kuchenbuch asked what was the population like when you went there in the late 1970s?

Ms. Edmonds answered that the population then were more self-sustainable. They were able to take care of themselves. There were some farming operations at that time, but even the people there who had some limitations were able to care for themselves. I think that is the distinction in an assisted living facility and what you might think of as a residential placement with skilled nursing care. We didn't come with anything in particular but merely to address any questions you might have.

Mr. Belcher stated to clarify not every owner has the same amount in the facility. For example, Giles owns 21%. It varies based on whatever allocation, I think, of what the locality was willing to put in. Of course there are different formulas for capital, operational, and different things. Some are based on ownership and some are based on number of residents.

Supervisor Kuchenbuch asked who owns the largest share in the facility.

Mr. Belcher and Ms. Edmonds both stated they believe Pulaski County has the largest ownership share. Mr. Belcher continued that he bases that on what their contributions have been.

Ms. Morris said that she had given the Board members a copy of the budget request for FY17. You might want to talk about how the Community Services Board (CSB) took over the management. That might be interesting.

Mr. Belcher said that in general terms the facility was not managed the best that it could be. Although the residents weren't at risk, the services that were being offered at the time were certainly not what they are today. We were looking for a better alternative. There was at one point the chance that we would be closed. We talked at length about how to keep it open because again this is a very intense, at risk population. There really are no other alternatives for these residents. Ultimately we came to CSB and that has worked out very well. I am very, very thankful that they got involved and got the facility stabilized. We seem to be moving forward all the time.

Ms. Edmonds stated that the reality is for the population they are CSB clients based on the fact of the mental challenges they currently have. The CSB was able to not only take care of the management, but also bring in a host of resources that were necessary to keep the day-to-day operations for the care of these individuals. The facility could never access those resources

without the CSB. At the time we were discussing whether we should sell the facility to someone else to run.

Mr. Belcher said we actually visited a couple of places but that was not an option. When we looked at the services these other places provided and the conditions that were present, it was not an avenue for us.

Ms. Edmonds continued we started looking at what can we do. How can we bring more resources, programs, and services to the table? We don't have the money to pay for all of those. Who can bring those into the facility? At one time we talked to the Director of the CSB and that person had no interest in it. Then a new director came on who was interested in seeing how they could partner with this facility and be able to provide those kinds of services. We have 58 beds. There are a number of residents who I don't know where they could go if it shut down. This is an assisted living facility that is supported by auxiliary grants. It is a very limited program. It is a level of care that I think these individuals are on the line – not to the point of needing skilled nursing care, but they need somewhere to live and some support to be able to maintain.

If you have the information from the budget request, this is the format that all the New River Valley jurisdictions use when we do a joint budget review so each jurisdiction will be looking specifically at the same information. You see the clients there in this year's request. The request to Floyd County was \$14,068.00. It is my understanding that did not include any capital costs because you are not owners of the facility so you don't have the burden to pay that. Your share is part of the subsidy base for caring for clients. You have 4 residents there now. The other thing Kevin [Belcher] mentioned was the formula used to determine what the operating share is. What we decided to use was a three-year rolling average. The reason for that was a jurisdiction may have 1 client one year and then all of a sudden have 5 clients the next year. It is difficult to raise your budget that quickly and paying for it becomes an issue. We looked at doing an average over a number of years to sort of flatten out that peak and make the formula more fair and equitable to all the jurisdictions.

Mr. Belcher added that the capital costs are allocated based on ownership. Operational costs are based on number of residents. Because we have some residents who are not from ownership jurisdictions, those costs are broken up based on the rolling average.

Ms. Edmonds said I understand one of the other questions is why are you asking now when you had not asked before. Over the years we have had several informal conversations with previous County Administrators. That spanned a number of years. This year we just decided we never formally asked and if you don't ask you won't get on the table. We decided this year to make it part of the submission.

Mr. Belcher extended an invitation to Board members to come see the facility. It is amazing to me that the facility exists there. While Giles County owns 21% of the facility, probably 95% of Giles County residents have no idea the facility is there and that we own any portion of it.

Ms. Edmonds added for a long time Giles County did not have any clients and now Giles County has 2 clients at the facility. The amazing thing for me is the transformation from where

it went in terms of facility to where it is today with what the CSB has been able to leverage in the ways of services and programs and put these in place for these individuals. It is very striking, I think. We also have a meeting this Thursday at 10:00 a.m. The governance of the facility is with a Fairview District Home Board, which is the representatives of each of the jurisdictions, and Fairview Home Inc., which is the 501(c)(3) that actually runs the facility. There is a need to keep separation there in order to preserve SSI (Supplemental Security Income).

Chairman Clinger asked on which Board did Ms. Edmonds and Mr. Belcher serve?

Ms. Edmonds replied that they were on the operating Board, Fairview Homes, Inc.

Mr. Belcher said it is confusing even when you are a member of the Board.

Ms. Edmonds added that it gets even more confusing because when we have the Board meetings we have them together. You are trying to figure out who needs to make the motion and who has to vote on it...you can't vote on this one. But it has been effective over the years in being able to maintain this facility. We invite you to attend the meeting on Thursday and tour the facility or come at any other time.

Chairman Clinger asked if they knew what their current fund balance is?

Ms. Edmonds replied that she did not. I can send that to Ms. Morris but I do not have it with me.

Mr. Belcher added that we do build up capital funds for roof replacement over time. You might see a fund balance of \$80,000.00 but there may be a roof replacement planned for two years out.

Chairman Clinger said the most recent 990 I could find was from 2014. You were running a \$241,000.00 fund balance which was increasing at the time. I was curious if you were still building a fund balance.

Ms. Edmonds replied we probably are because a roof is expected to cost \$100,000.00 so each year a part of the capital formula allocation, if it is not needed for anything, is set-aside so we can address some maintenance issues. Because where we were before, something would tear up or blow up or stop working and then you would have to go back to each jurisdiction and we would each have to do a separate appropriation.

Mr. Belcher added that happened month after month after month. This is our effort at planning and looking toward the future.

Supervisor Kuchenbuch asked if their Board and the other Board looks for grants?

Ms. Edmonds responded that part of the management fee that we pay to CSB is to look at all of those types of things and to maximize any resources. They have far better expertise at maximizing grants.

Supervisor Kuchenbuch asked how are you feeling about their management? Are you constantly trying to remind them?

Ms. Edmonds answered we provide them with a management fee and they incorporate everything into their funding. We don't look at every specific grant that they may put together. What we look to is whether or not the facility is maintaining licensure and that they are not increasing our management fee.

Mr. Belcher said that about five years ago there was a movement in opposition to residents in facilities like this and to try to keep them at home. Basically they would have someone come by and check on them instead of being in a group setting. Some things have changed in the recent past.

Ms. Edmonds added they are still changing with the DOJ (Department of Justice) grants. Right now I think we feel very comfortable that we are providing a good environment and accessing to the extent possible resources available through the CSB. If we did not have them involved we would probably be closed by now. I don't know that we could sustain the facility.

Supervisor Yoder asked you are not asking Floyd to become part owners or anything, you are asking us to contribute to operational costs?

Ms. Edmonds and Mr. Belcher confirmed Supervisor Yoder's understanding. Ms. Edmonds continued that Floyd is already a member of the CSB and in essence these are CSB clients.

Supervisor Yoder asked if Floyd is the only County or Town that has residents there that aren't paying up or are there others?

Ms. Edmonds replied that you are not. If there is a vacant bed, they attempt to fill the bed because you would at least get the resources coming in which helps offset costs. You are sort of in a quandary because you don't want to have vacant beds which could be generating revenue, but it is not fair to the other jurisdictions that are paying to have to cover costs. But there are 4 others, I think, right now who are not paying.

Supervisor Yoder said I imagine you would think that you are there to help people and a vacant bed is a missed opportunity to help someone.

Ms. Edmonds responded there are so few auxiliary grant beds left in the Commonwealth of Virginia, because the payment through auxiliary grants is so low. Most of the other facilities for a long period of time were people's homes. Individuals would receive an auxiliary grant payment to help offset the living arrangements for people under that program. The auxiliary grant actually runs through the Department of Social Services. In that period of time the nature of the people served was a less demanding population than what is served now. Over the years the regulations governing these homes have gotten much more restrictive. The State has not kept up their end of the bargain and increased the auxiliary grant payment. Many of these auxiliary grant facilities have closed.

Mr. Belcher agreed and said there are very few, if any.

Supervisor Yoder asked if they are also going to the other localities who have individuals at the facility but who have not paid in the past?

Ms. Edmonds answered that she does not know that they are because the other localities are not a member of the CSB. Some of the localities are across the State.

Supervisor Kuchenbuch asked how far away are clients coming?

Ms. Edmonds said one client was from Fairfax because there was no other place.

Mr. Belcher added there is nowhere else for some of these people to go. This is a house of last resort in a lot of cases.

Supervisor Kuchenbuch asked if there are any vacant beds right now?

Ms. Edmonds replied that she did not know the answer to that.

Mr. Belcher answered that it usually runs about 90%.

Ms. Edmonds checked her paperwork and added that we have 58 beds and 57 people in August. Actually 56.95 but we don't have a part person. That count is based on one individual who receives additional funding to have a private room or a separate room because of the nature of their condition. But they are funded through a different pot. Then you will have people in for less than a full month.

Supervisor Kuchenbuch asked if there was a waiting list?

Mr. Belcher replied that we may have a list where we are qualifying and quantifying the people coming in, basically staging those. I don't think there is an actual waiting list of clients because we are full.

Ms. Edmonds agreed and explained the process. If there is space available then that information is sent out to Departments of Social Services.

Mr. Belcher said usually we have a little bit of a forewarning that a resident is going to move out so we have 30 days to line someone else up who is a good fit with the group.

Supervisor Kuchenbuch asked the average age of the clients?

Ms. Edmonds answered you would think we are talking about extremely elderly people, but that is not the case. I would hate to guess but it is more middle aged.

Mr. Belcher agreed and said maybe around 50 years old.

Ms. Edmonds explained that people move out when their medical conditions get more severe as there is no skilled medical care in this facility. Those people need to be transferred to a skilled nursing facility. Sometimes family can take the clients home after a period of time. In a very few instances there are private pay clients. But those are few because generally people end up here because they can't afford to pay.

Supervisor Kuchenbuch thanked Ms. Edmonds and Mr. Belcher for attending the meeting and providing the information.

Board members expressed their interest in attending the meeting on Thursday or visiting the facility at another time.

Agenda Item 7. – Closed Session – Consultation with Legal Counsel §2.2-3711 A. 7.

On a motion of Supervisor Turman and seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.7, Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultations or briefings in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

Supervisor Gerald – aye  
Supervisor Kuchenbuch – aye  
Supervisor Yoder – aye  
Supervisor Turman – aye  
Supervisor Clinger – aye

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

Supervisor Gerald – aye  
Supervisor Kuchenbuch – aye  
Supervisor Yoder – aye  
Supervisor Turman – aye  
Supervisor Clinger – aye

On a motion of Supervisor Yoder, 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.7 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.

Supervisor Kuchenbuch – aye

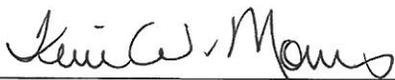
Supervisor Yoder – aye

Supervisor Gerald – aye

Supervisor Turman – aye

Supervisor Clinger – aye

On a motion of Supervisor Gerald, seconded by Supervisor Turman, and carried, it was resolved to adjourn to Tuesday, September 27, 2016 for a regular meeting at 7:00 p.m.



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Terri W. Morris, County Administrator



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Case C. Clinger, Chairman, Board of Supervisors

