

**BOARD OF SUPERVISORS  
ADJOURNED MEETING  
JUNE 2, 2021**

1. Meeting called to order at 8:30 a.m. by Chairman Joe Turman, Board Room, County Administration Building.
2. Opening Prayer – led by Supervisor Coleman.
3. Pledge of Allegiance – led by Ms. Tabitha Hodge, Operations Manager.
4. Roll Call and Determination of Quorum – Chairman Turman called the roll.
  - Supervisor Coleman – present by telephone
  - Supervisor Kuchenbuch – present
  - Supervisor Yoder – absent at roll call, arrived at 9:00 a.m.
  - Supervisor Boothe – present
  - Supervisor Turman – present

It was determined that a quorum was present.

5. Approval of the agenda – Chairman Turman asked if anybody had changes to make to the agenda.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the agenda as presented.

- Supervisor Coleman – yes
- Supervisor Kuchenbuch – yes
- Supervisor Yoder – absent
- Supervisor Boothe – yes
- Supervisor Turman – yes

6. Budget work session

Dr. Millsaps – At the last evening meeting we went through many of the budget items but there were a couple of items you asked us to research for clarity. Supervisor Coleman asked us to identify which community service programs are determined by formula and which are a request by the organization and a decision of the Board. That information was emailed to you and is also in front of you. You also wanted to continue discussing several lines in the budget.

The Board discussed the following line items and by consensus made the following decisions:

- Rail change to \$5,500
- Move Economic Development line under Community Development department

- Brain Injury change to \$500
- Change name of PSA Compensation/Mileage to PSA Compensation

The Board asked that it be noted in the files for the FY23 budget that Plenty! and ACCE (Access to Community College Education) are likely to need to be funded. Plenty! usually gets a contribution from the County but did not make a request for FY22 because of the assistance the County provided through CARES (Coronavirus Aid, Relief, and Economic Security Act). ACCE has been funded by the TRRC (Tobacco Region Revitalization Commission) in the past but starting with May 2021 graduates, TRRC will no longer fund students who are not in certificated programs such as general studies.

Vice Chairman Boothe asked that the County Attorney be contacted to see if the Board can increase tipping fees by resolution or whether the Board would need to go to public hearing and pass a new ordinance.

Supervisor Yoder suggested that the rental fee for roll offs and rates charged for tipping agreements with other counties be reviewed.

- Put \$50,000 into Green Box Site Development
- Change Courthouse Roof to \$165,000 based on a rough estimate from a contractor
- Increase the Gas/Oil lines in all departments to FY20 budgeted amounts and increase the Sheriff's Gas/Oil to \$45,000

Vice Chairman Boothe – I had a question posed to me about whether we really need another new ambulance when the last one purchased is sitting outside with no other place to park it.

Supervisor Yoder – I would really love to see that ambulance moved up under the building here. I have received the same comments myself.

Vice Chairman Boothe – Is the new ambulance useable? If there isn't room for it at the Rescue Building, then we need to bring it up here.

Supervisor Yoder – I agree. Whatever ambulances they are not running need to be put under the carport. As expensive as those are there is no point in letting them sit outside.

Dr. Millsaps – We are starting to look at all of the equipment we have sitting around and getting ready to sell some of it through an online website.

Vice Chairman Boothe – Is the new position we are adding for Solid Waste an equipment operator? Another concern is that at the Transfer Station a person can go in and not find anybody at Recycling or the tipping floor. Equipment is running, but no one is around.

Ms. Ryan – Yes, the new position is for an equipment operator.

Vice Chairman Boothe – During the normal business time there should be more than one person there. In my opinion there should be one person at the tipping floor and one at Recycling.

Supervisor Yoder – My biggest concern is not having equipment running, like a skid steer or backhoe, where someone can jump in and operate it.

Supervisor Kuchenbuch – Dr. Millsaps, what do you think about this, looking at it with fresh eyes?

Dr. Millsaps – We pulled the compensatory time and leave that everyone has, and the challenge is that in some ways we are overstaffed if everyone was there all the time. It is a similar problem to Emergency Medical Services (EMS) in that if everybody was there and working a normal schedule, then you have enough people. The problem is many people at both Solid Waste and EMS earn 16 hours of annual leave and 16 hours of sick leave and compensatory time at one and a half. People earn a lot of leave and when they take the time, it creates a hole that other employees have to cover. You have to overstaff to make sure you have the staff that you need.

Ms. Ryan – At the end of the calendar year, we have employees with so much leave that if they don't take the leave before December 31, they lose it. You have people taking off the entire month.

Supervisor Kuchenbuch – What is the answer?

Ms. Ryan – I think our leave policy is very, very generous.

Supervisor Coleman – Is this not a staffing issue? Is it a scheduling situation?

Ms. Ryan – No, employees are earning compensatory time because one employee has to do the job when another employee is on leave for one month from work.

Supervisor Coleman – How did we get there to begin with?

Ms. Ryan – Employees who have been in a VRS covered position for 15 years earn 2 days of annual leave and 2 days of sick leave each month, so they earn 4 days off each month.

Supervisor Coleman – Sick leave is not an extra day off.

Ms. Ryan – A lot of employees end up losing their sick leave, but a lot of other people use their sick leave.

Dr. Millsaps – As you know you can get paid out for a portion of your sick leave. Ms. Ryan and I have had numerous conversations about this. I've talked to our County Attorney about it because it is related to our Personnel Policy. On Friday I talked to Stephanie Davis at Virginia Tech, who is the program director for the graduate certificate

in local government management. She offered to help us look at our personnel policies a little bit and help us work through some of this and see how we compare to other localities.

Supervisor Yoder – Even ignoring the sick leave means we are giving employees one month off in annual leave each year.

Ms. Ryan – An employee starts off with 8 hours of annual leave and 8 hours of sick leave each month; after 5 years the employee earns 10 hours of annual and 10 hours of sick leave each month; and after 15 years the employee earns 16 hours of annual and 16 hours of sick leave each month.

Vice Chairman Boothe – We are rewarding longevity, but we still have to operate a business.

Dr. Millsaps – On the other hand these are some of the same people who don't get paid very well so we are perpetuating the problem. From a management perspective it creates pressure on the other employees to make sure all the work gets done. If Ms. Ryan is not in for a day, the work sits there, and she deals with it when she comes back. Nobody is paid to come in and do that work. It is particularly problematic with EMS because if an employee takes a day off, I have to pay their leave which they have earned, but now I have to pay somebody else to take that shift and potentially at time and a half. This builds into your budget challenges.

Supervisor Kuchenbuch – As I understand it, this would be under your purview as the County Administrator. You work with your staffing and your budget.

Ms. Ryan – Dr. Millsaps and I discussed that because the Board of Supervisors approves the Personnel Policy, she will make some recommendations to change the Personnel Policy, which you will have the opportunity to approve.

Dr. Millsaps – I also recognize that a lot of these employees are the ones who do not get paid very well. We need to think about making a trade there – we pay you better to be here 40 hours as an example. It is not to use this as a big cost savings. It creates more stability in the workforce. At the last meeting I showed you the EMS schedule and how many shifts were open even after bringing in part-time employees. This is not fixable in the budget document, but I wanted to let you know what we are doing in the way of talking to Ms. Davis and Mr. Durbin for some perspective. We will bring this budget back to you at the June 8 Board meeting for approval. If there are any particular things about this budget that you want communicated to the public or are proud of, please let me know what those are, and I will make sure that is included as budget highlights.

Vice Chairman Boothe –The majority of the citizens I have talked to felt like we made the right move with upgrading the 911 equipment and adding the towers. They weren't particularly happy it cost so much but they understood. I am not happy with the cost of it either.

Supervisor Yoder – I have gotten better feedback on this budget than the one we did for the school upgrades. It is hard to argue against first responders.

Vice Chairman Boothe – I did receive several comments about the gas tank at the high school and it not being secured. The engineers are far more educated than this old country boy. We brought it up a number of times.

Supervisor Yoder – It is not for a lack of trying.

Dr. Millsaps – The high school project as of late last week is about 3 weeks behind. They are hopeful that they can catch up. A lot of it was due to weather. They have done well making sure they have all the supplies they need. They are pretty confident they will come in at budget. Dr. Wheeler has been very helpful working through some of the things on the HVAC/boiler project. I am supposed to call him right after this meeting so we can discuss where we are on that project. They are trying to shift some funds around to better utilize the new CARES money to help cover some things. On the June 8 agenda we will have a formal vote on approval of the budget.

7. Discussion of Tourism Agreement

Dr. Millsaps – This position is also open in two surrounding counties so we really want to sell why Floyd’s position is unique and where a person would want to be as opposed to somewhere else. Ms. Sharkey plans to stay until the end of July full-time and then potentially work some after that. The current agreement runs out at the end of June, so time is of the essence.

Supervisor Kuchenbuch – There is nothing about salary based on experience or about salary at all. Is that on purpose?

Dr. Millsaps – Yes, it is on purpose. My thought is that by the time we start getting applications, I am hopeful we will have an agreement and a budget. When we call people to do preliminary screening interviews, we can say, “This is the salary range, is it okay with you?” But I can add something about salary. Are you okay with the rest of it?

Supervisor Kuchenbuch – I love the post. I really do.

By consensus, the Board agreed with the draft posting advertising the Director of Tourism position.

Dr. Millsaps – The Organizational Cooperative Agreement Between Floyd County and the Town of Floyd for the Creation and Implementation of a Joint Tourism Program in front of you includes in red the changes recommended by the County Attorney.

The Board and Dr. Millsaps discussed the changes recommended by the County Attorney.

Dr. Millsaps – The intangible property language he added is related to the logo. That led to a conversation about whether the logo is shared or not shared. There is a list of about six other things that Ms. Cox gave to me late yesterday afternoon. My suggestion, and Ms. Cox concurs, is that two Board members meet with two members of the Town Council to have a joint conversation about a few items. The staff feels like we can live with the remaining items, but it is now down to policy choices.

By consensus, the Board determined that, on or before June 7, Vice Chairman Boothe and Supervisor Kuchenbuch would meet with two members of the Town Council to reach an understanding on the remaining issues about the agreement.

Supervisor Yoder – Someone needs to approve the budget. One group will be the fiscal agent and one group will not. Let's say we are the fiscal agent. The Town would approve passing their \$40,000 but they wouldn't really have a say over the actual budget. Would the fiscal agent approve the budget, or would the Tourism Development Council approve the budget? Someone needs to have the actual approval of the budget.

Vice Chairman Boothe – I am looking at it from the standpoint of the two managers.

Dr. Millsaps – Part of the reason I am suggesting this meeting is because I am not concerned about the Town Manager and myself working something out. We are answerable to you as bodies. I would like you to have some conversation, so the majority of the elected officials have a common understanding as to a general direction. If we feel like we have a direction that is consistent across both organizations, then we can make it happen. The challenge is making sure the Town's view and the County's view, until we do the strategic plan, of the direction of tourism is the same.

Supervisor Yoder – My concern in bullet 9 is that we need direct language that says this entity shall approve the budget. Right now, it reads the budget shall be presented to the respective government bodies as part of the budgeting process. Then each entity could start changing it. I think it needs to say either the Tourism Development Council (TDC) will approve, or the fiscal agent will approve. Somebody needs to have the final say on it.

Vice Chairman Boothe – I am not looking at it as a department of either one. Each group is committed to making a \$40,000 donation or contribution. To me when you go back into the agreement it talks about the management, which is the County Administrator and the Town Manager. I understand where you are coming from. I think it falls back on the Town Manager and County Administrator.

Supervisor Yoder – If the Town thinks they need to come and present the budget to them, that leads me to think they could make changes to the budget.

Dr. Millsaps – It could also be they don't want to overwhelm their Town staff. I don't know what the reason is. That is why you need to talk.

Vice Chairman Boothe – I think their process varies from ours in that every entity comes and makes a presentation. I don't know if it is from the standpoint of trying to change the budget or just go along with everybody else make a presentation on it.

Supervisor Yoder – Whatever we do it needs to be really clear about who approves the budget and who doesn't.

Vice Chairman Boothe – For my part I think it should be the Town Manager and the County Administrator.

Supervisor Yoder – What happens if a majority of the Board looks at it and says we don't want this, and a majority of the Town Council says that is what they want? How is that resolved?

Vice Chairman Boothe – If there is a conflict between the Town Manager and the County Administrator, then the TDC comes in as the third party.

Supervisor Yoder – I wonder if we need another line that the TDC approves the budget because that would be a combination of the Town and County. I like the fact that the Director of Tourism is responsible. It is similar to what we do here. The County Administrator is responsible for presenting the budget. This is part of a paid personnel job to come up with a budget. But I think maybe it should be elected officials that have to approve it at that point.

Vice Chairman Boothe – If it were going to be looked at as a department of either one in total, then I would agree with you. I don't think either side wants to totally take over tourism. This agreement is going in the right direction. Maybe it simply needs to be put in there that the County Administrator and the Town Manager have approval of the budget and if they disagree, then the TDC comes in as the deciding vote.

Supervisor Yoder – I think the fiscal agent part will cause conflict because then it is one body versus the other. I really want to avoid getting a budget and we start tinkering with it and the Town starts tinkering with it.

Dr. Millsaps – Perhaps an option would be that the Tourism Director with the Town Manager and County Administrator will put together a budget. Then the TDC, since it represents both groups, could be the budget approver.

Supervisor Yoder – I don't want the TDC to prepare the budget, but I would like that by July 1 they will approve the budget.

Vice Chairman Boothe – I am fine with that if it works for the TDC, but that would give them the power to start changing the budget.

Supervisor Yoder – I would be fine with the Director of Tourism preparing the budget, the budget being presented to both governing bodies, and the Operating Team approving the budget.

Dr. Millsaps – Where the Tourism Department will reside is the key issue, but it is also important for you and the Town to understand what it means to be the fiscal agent and how that role varies from what the Operating Team will do, no matter the fiscal agent. I will write out suggested things for discussion between the two parties.

Vice Chairman Boothe – Please add this latest addition into the agreement so the Town Council will have it for their meeting on Thursday.

8. Discussion of Economic Development Authority opportunities

Ms. Lydeana Martin, Community and Economic Development Director – For the past year or so we have been working on a metalworking marketing campaign. We are about ready to launch that hopefully next week. The new economic development website is up. We were trying to get it in place before we launched the metalworking campaign. We have three videos to share with you in the near future that showcase a lot of the metalworking happening in Floyd County. It talks about the high school program and about some of our businesses that are doing creative things. The videos are meant to be a marketing campaign, both for businesses and for talent to let them know about the opportunities here. We are excited about this. Hopefully, you will feel good about it too. In regard to the other items, I think we need to hold the conversation in closed session and then take any action needed in open session.

On a motion made by Supervisor Yoder, seconded by Supervisor Boothe, and unanimously carried, it was resolved to go into closed session for manufacturing and support services under § 2.2-3711 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., § 2.2-3711 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., and § 2.2-3711 A.29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

Supervisor Coleman – yes  
Supervisor Kuchenbuch – yes  
Supervisor Yoder – yes  
Supervisor Boothe – yes  
Supervisor Turman – yes

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

Supervisor Coleman – yes  
Supervisor Kuchenbuch – yes  
Supervisor Yoder – yes



Supervisor Boothe – yes  
Supervisor Turman – yes

On a motion of Supervisor Boothe, seconded by Supervisor Yoder, 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 manufacturing and support services under § 2.2-3711 A.3., § 2.2-3711 A.5., and § 2.2-3711 A.29., 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 Coleman – yes  
Supervisor Kuchenbuch – yes  
Supervisor Yoder – yes  
Supervisor Boothe – yes  
Supervisor Turman – yes

This certification resolution was adopted.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to accept the low bid from Avis Construction Company, Inc. for \$6,046,250.00 for the Floyd County Growth Center – Building 1 and to authorize the County Administrator to execute a contract (Document File Number 1185).

Supervisor Coleman – yes  
Supervisor Kuchenbuch – yes  
Supervisor Yoder – yes  
Supervisor Boothe – yes  
Supervisor Turman – yes

9. County Administrator's Report

Dr. Millsaps – As you know we are in Open Enrollment for all benefits except health insurance. Most of the other items I was going to discuss with you have already been

addressed in this meeting. I have several meetings scheduled over the next few days that I will share with you on June 8. I will be talking to Stephanie Davis at Virginia Tech about what resources we can bring to bear on Floyd County. I am hopeful about some opportunities there.

10. Board Member Time.

No board members brought up any items to discuss.

11. Adjournment

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Coleman, and unanimously carried, it was resolved to adjourn the meeting to June 8, 2021 at 8:30 a.m.

Supervisor Coleman – yes  
Supervisor Kuchenbuch – yes  
Supervisor Yoder – yes  
Supervisor Boothe – yes  
Supervisor Turman – yes

  
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Linda S. Millsaps, County Administrator

  
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Joe D. Turman, Chairman, Board of Supervisors