

**BOARD OF SUPERVISORS  
REGULAR MEETING  
APRIL 23, 2019**

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, April 23, 2019 at 7:00 p.m. in the Board Room of the County Administration Building thereof;

PRESENT: Lauren D. Yoder, Chairman; Joe D. Turman, Vice Chairman; Jerry W. Boothe, W. Justin Coleman, and Linda DeVito Kuchenbuch; Board Members; Terri W. Morris, County Administrator; Cynthia Ryan, Assistant County Administrator.

Chairman Lauren Yoder called the meeting to order at 7:00 p.m. with the reading of the handicapping statement.

Agenda Item 2. – Opening Prayer.

The Opening Prayer was led by Supervisor Coleman.

Agenda Item 3. – Pledge of Allegiance.

Chairman Yoder led in the Pledge of Allegiance.

Agenda Item 4. – Public Hearing on Six-Year Plan with Virginia Department of Transportation.

Mr. David Clarke, Residency Administrator in Salem District, Virginia Department of Transportation (VDOT) – This is the annual public hearing for secondary roads for the six year plan for the Board to hear citizens' comments and requests for possible additions to the plan. VDOT does a separate public hearing for primary roads, which will be held May 7 in Roanoke.

The draft plan includes:

- 0) Countywide cost center for traffic services and engineering – \$10,000
- 1) Route 8 and Route 221 intersection pedestrian improvements – Funded
- 2) Route 727 Moles Road – Funded
- 3) Route 718 Mill Run Road – Funded
- 4) Route 641 Ponderosa Road – \$500,000 for ½ mile (roads cost \$100,000 per tenth)
- 5) Route 768 Firehouse Road – Partly funded
- 6) Route 760 Quesenberry Road – \$179,404
- 7) Route 680 Starbuck Road – Design work next year with a traffic count
- 8) Route 712 Hope Road
- 9) Route 649 Bear Ridge Road
- 10) Route 683 Roger Road

- 11) Rural addition projects – \$36,284. This is if the County wishes to add private roads and bring them up to current State standards so they can be included in the VDOT maintained-system. We have had requests in the past, but haven't done a whole lot of them because you can only put 5% of secondary allocation toward that. Floyd County used to get \$3 million a year and you could really work on a road to get it to standards. Now you are only getting about \$700,000.

Floyd County's draft proposed Construction budget for 2019-20 is \$725,688 This includes \$674,305 in unpaved road funds which must be used on roads with over 50 vehicles per day and \$51,383 for Floyd County's share of the State telecommunications fee which can be used on any secondary road.

**Supervisor Kuchenbuch** read into the record a petition from 23 people regarding secondary **Route 820, Silverleaf Lane SE** in the Little River District:

We, the following residents and/or land owners along State Secondary Route 820, known as Silverleaf Lane SE, hereby petition the Floyd County Board of Supervisors to hard surface or surface-treat .55 miles of said road. We agree to allow the right-of-ways to expand as required to bring this road to State standards for Rural Rustic Road or Rural Addition.

**Mr. James Newell** lives on **Reedsville Road** which is in both **Indian Valley and Burks Fork Districts**. He presented a petition signed by a member of every household on Reedsville Road and Wade Road and people who travel that road for a total of 92 signatures.

**Mr. Rob Campbell** lives on **Wade Road** in the **Burks Fork District** – Mr. Campbell presented a packet with photos. I would love to have pavement, but I understand with budget constraints and the cost he quoted for a mile of pavement, it is probably not realistic in the near future. But I would like some safety improvements. There are several blind curves and drop-offs

**Mr. Tom Costello** speaking for **Mr. Rob Stinger**, both who live in the Twin Falls Preserve area of **Locust Grove District** – Mr. Costello spoke about the impassability of **Route 645 Twin Falls Road NE** after each heavy rain. Mr. Costello presented a letter from another couple who live on **Tumbling Waters Road**.

**Mr. Benny Quesenberry, Indian Valley District** expressed his appreciation for **Rt. 760 Quesenberry Road** being on the plan and the work that has already been done, but would like to see the whole road paved if possible at some point.

**Mr. John Hale, Little River District** lives on **Rt. 820 Silverleaf Lane**. This is the 3<sup>rd</sup> time that this road has been petitioned to be on the Six Year Plan. VDOT is good about bringing us gravel and calcium chloride for the dust, but we've graded the road every time for the last several years. We are asking for Rural Rustic Road improvements.

**Mr. Mark Larson, Little River District** lives on **Rt. 820 Silverleaf Lane**. We feel that we need something more permanent on that road. My wife and I have ambitions for an agri-ecotourism concern and for us it would make a big difference to have a nice approach to the business we are working on.

Hearing no further comments from the audience, the Chairman declared the Public Hearing on the Six Year Plan closed.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to adopt a resolution designating Ponderosa Road Route 641, From: Blue Ridge Parkway North To: Blue Ridge Parkway as a Rural Rustic Road (Document File Number 1037).

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

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, and unanimously carried, it was resolved to adopt a resolution designating Mill Run Road Route 718, From: Route 720 To: Route 221 a distance of 0.5 miles as a Rural Rustic Road (Document File Number 1038).

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

On a motion of Supervisor Turman, seconded by Supervisor Boothe, and unanimously carried, it was resolved to adopt a resolution designating Hope Road Route 712, From: 0.68 miles North Route 709 To: Route 709 as a Rural Rustic Road (Document File Number 1039).

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

On a motion of Supervisor Coleman, seconded by Supervisor Turman, and unanimously carried, it was resolved to adopt a resolution designating Quesenberry Road Route 760, From: 1.0 miles West Route 624 To: Route 624 as a Rural Rustic Road (Document File Number 1040).

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

Supervisor Kuchenbuch – I would like to note that there were no roads in the Little River District for this portion and I want to go on the record as saying so.

Agenda Item 5. – Approval of month-end disbursements.

On a motion of Supervisor Turman, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the month-end and additional disbursements as presented.

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

Agenda Item 6. – Public Comment Period.

Chairman Yoder called for the Public Comment Period.

**Ms. Becky Howell, Burks Fork District** – I would like to thank you all for using the loudspeakers so we can hear what is going on. I was very interested and happy to see in *The Floyd Press*, Doug Thompson’s article, about the company bringing in 28 jobs. I think that is really exciting, good paying jobs. A lot of people are going to be driving in for those jobs. But hopefully as they expand and times goes along there will be more people in Floyd that are able to work there. But I think that a question has been raised, and I’m sure there is a very good reason for this, but I think it would be to everyone’s advantage if it were known publicly why apparently the EDA purchased the property in December of 2018 for \$825,000 and then this month the people bought it for \$735,000. That is a \$90,000 difference. Like I said I am sure there is a good reason for it, but I think it would be to everybody’s advantage if the people in Floyd County knew what the reason was. Thank you.

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

Agenda Item 7. – Mr. David Rose, Davenport & Company.

Mr. David Rose discussed the County’s current financial position and alternatives for 1) obtaining short-term funding for the Shell Building Project, and 2) pursuing a strategic restructuring of existing debt:

- 1) We recommend interim funding like a line of credit for the Shell Building Project.
  - a. This will maintain your solid position with unassigned fund balance as much as possible. If you were to take down \$2 million to \$3 million of that money for the Shell Building, that could chop your unassigned fund balance down by 35%-40% overnight. We don’t want to do that because we want good ample reserves for future projects.
  - b. Also we don’t know if the Shell Building will ultimately be sold or who will be the tenants. Interim financing leaves us with the flexibility to pay it off if it were sold.

- c. Floyd County's current unassigned fund balance vs. operating revenues is better than the Aa3 Virginia Median and the Aa3 National Median so Floyd County is in line for best practices.
  - d. If Floyd County were to spend \$2 million to \$3 million from unassigned fund balance the ratio to operating revenues would be below the State and National Medians and would put Floyd County on about the same level as Carroll, Giles and Patrick Counties. Giles and Patrick Counties are having to do tax anticipation notes to pay bills.
- 2) We want to talk to you about restructuring a small portion of debt from the 2012 lease revenue bond, which does not extend the final maturity, but does allow us a cash flow window of about \$550,000 to carve out while rates are strong. We will basically bank that money. It will allow us to layer in the new money for Phase 2 of the School Project.
    - a. Your debt drops down nicely a few years from now in 2027.
    - b. We believe we can get some low cost monies from the State that will take a few years to come.
    - c. We can effectively do some interim financing for the Shell Building.
    - d. A combination of all that will minimize the burden and impact on future budgets.
  - 3) We recommend that we be authorized to distribute a competitive request for proposals to banking institutions to solicit funding proposals in the amount of about \$3.5 million for the Shell Building Financing and strategic refunding/restructuring. Our goal is to be as cash flow neutral as possible. We will find out if the banks want any collateral for this.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to authorize Davenport & Company to release a Request for Proposals to banking institutions in the amount of \$3.5 million to solicit funding proposals for a line of credit for the Shell Building Financing and strategic refunding/restructuring.

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

Agenda Item 8. – Ms. Angie Covey, New River Community College.

Mr. Angie Covey provided an update on the status of the Access to Community College Education (ACCE) program:

- 1) It was back in 2015 that Supervisor Turman invited me to come and speak about the program to see if it would be something Floyd County would be interested in doing.
- 2) With the help of Ms. Lydeana Martin, for two years in a row we have been successful in writing grants for Tobacco Commission funding. You are the only County in New River Community College's footprint that is fully funding the ACCE program through a grant.
- 3) The first year in the fall of 2017/spring 2018 there were 27 students and the total tuition for those 27 students for one year was around \$60,000.

- 4) Most of that was covered by Tobacco Commission and we asked Floyd County to cover a small piece.
- 5) In the 2<sup>nd</sup> year we are covering the 2<sup>nd</sup> year of the class of 2017 and the 1<sup>st</sup> year of the class of 2018, we have around 45 students at \$102,000. Actually there were 67 students in that cohort who applied to be in ACCE but some did not need financial funding through ACCE because they had other means of financial aid. We count those who did not need the ACCE funding because we feel that program is what pulled them in to apply.
- 6) The average Floyd County enrollment at New River Community College for 1<sup>st</sup> year students has increased 78% since the ACCE program was put in place.
- 7) I attribute that to the message in the high school that college is attainable for every single student.
- 8) We are 4 years into ACCE at Giles County and we felt that it was important for the locality to own the community service piece.
- 9) If students are unsuccessful in a class, the student has to pay that tuition back.
- 10) I've written the 3<sup>rd</sup> Tobacco Commission grant and the Education Committee meets in May. I feel pretty confident that we will be funded again.
- 11) Students are enrolled in Business Administration, Transfer Education, Engineering, Computer Science, Early Childhood, Electrical Engineering, Instrumentation, Web Application Machine Technology, Medical Administration, Nursing, Police Science, Welding, Paralegal, Refrigeration and Air Conditioning, and Auto Repair.
- 12) We have a strict schedule of deadlines, which we hold the students to. The application opens in October.
- 13) We have Career Coaches in all of our high schools in the New River Valley. Ms. Holly Murden is the Career Coach at Floyd County High School.
- 14) It is too early in Floyd County's ACCE program to determine a success rate, but in Giles County the ACCE student grade point average is a full point higher than a student not in the ACCE program.

Agenda Item 9. – Ms. Lydeana Martin, Community and Economic Development

Director.

Ms. Lydeana Martin provided information on an opportunity to apply for a planning grant for research on housing needs:

- 1) The State has had Community Development Block Grant (CDBG) funds for rehabilitation for a long time, but previously to be a successful project it had to be a neighborhood of houses together.
- 2) Now the program can be a scattered site project so we could have houses in each of your districts and still have it be eligible. This allows us to just pick houses that would qualify for low to moderate income.
- 3) We could apply for a \$30,000 planning grant, which would allow us to hire assistance to do an assessment of the houses and to qualify people. At least 50% of the houses must be owner-occupied to qualify for the construction application. The rest can be investor owned or rent occupied.

- 4) Not everyone who qualifies will want to participate if we were to get construction grant funds, because they have to put in a small contribution for 10 years based on income and a lien is put on their homes.
- 5) Wingate Appraisal gave us information from the last assessment they did for us 4 years ago as to possible houses that could qualify based on poor condition.
- 6) There are over 800 homes on the map we prepared from Wingate's information, but if those houses were vacant for at least the past 6 months, then they would not qualify.
- 7) If a house is improved, then everything must be brought up to Code. You can't pick and choose what will be fixed.
- 8) There will need to be a committee or management team at the construction phase.
- 9) The amount awarded is based on the age of the house, with less awarded if the house was built prior to 1959.

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, and unanimously carried, it was resolved to authorize Ms. Lydeana Martin to proceed with applying for a planning Community Development Block Grant to do an assessment of houses in Floyd County.

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

Ms. Martin showed some photos she had taken of the contract signing when Thomas Industrial Fabrication bought the former Dreaming Creek property.

Agenda Item 10. – Constitutional Officers' Report.

There were no constitutional officers present.

Agenda Item 11.a. – Appointment of Supervisor to Joint Subcommittee, two year term, effective May 1, 2019.

On a motion of Supervisor Turman, seconded by Supervisor Coleman, and carried, it was resolved to reappoint Supervisor Jerry Boothe to the Floyd County/Town/Economic Development Authority/School Board Strategic Planning Subcommittee for a two year term, effective May 1, 2019.

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

Agenda Item 12. – Work Session on Proposed FY20 Budget.

Ms. Morris stated that now that the Commissioner of Revenue has completed the new land book it increases the real estate revenue expected to be collected in FY20 by \$68,000. Right now expected expenditures exceed expected revenues by less than \$50,000 for FY20.

The Board decided to wait until the following meeting to continue working on the FY20 budget.

Chairman Yoder requested that a meeting of the Emergency Medical Services Board be scheduled as part of the process of working on the FY20 Floyd County budget.

Agenda Item 13. – Old/New Business.

Ms. Morris presented a proclamation for Children’s Mental Health that was requested by New River Community Services.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Turman, and unanimously carried, it was resolved to approve a proclamation recognizing May 5-11, 2019 as Children’s Mental Health Awareness Week and Thursday, May 9, 2019 as Children’s Mental Health Awareness Day in our community (Document File Number 1041).

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

Ms. Morris stated that she and Dr. Wheeler reviewed the bids received for propane gas. Their recommendation was to accept the bid submitted by Southwest Gas.

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, and unanimously carried, it was resolved to accept the bid of \$0.99 per gallon submitted by Southwest Gas for propane gas for Floyd County and Floyd County Schools for one year and authorize the County Administrator to execute the contract (Document File Number 1042).

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

Supervisor Boothe requested that the County Administrator find out if invested cash is bid out from time to time.

Agenda Item 11. – Closed Session –Prospective Business or Industry §2.2-3711 A.5., and Consultation with Legal Counsel and Briefings by Staff Members§2.2-3711 A.7.

On a motion of by 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. 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 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 consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

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

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

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

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, 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 Prospective Business or Industry in accordance with Section 2.2-3711, Paragraph A.5 and Consultation with Legal Counsel and Briefings by Staff Members 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 Boothe – yes
- Supervisor Coleman – yes
- Supervisor Kuchenbuch – yes
- Supervisor Turman – yes
- Supervisor Yoder – yes

This certification resolution was approved.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Turman, and carried, it was resolved to proceed as per the Retainer Agreement dated July 24, 2018, between Floyd County and Sanford Heisler Sharp, LLP and Kaufman & Canoles, P.C., under Item 4, Scope of Employment, to prosecute Floyd County's claims for opioid-related cost recoveries (Document File Number 1043).

Supervisor Boothe – no  
Supervisor Coleman – no  
Supervisor Kuchenbuch – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

Agenda Item 14. – Adjournment.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and carried, it was resolved to adjourn to Tuesday, May 14, 2019 at 8:30 a.m.



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Terri W. Morris, County Administrator



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Lauren D. Yoder, Chairman, Board of Supervisors