AGENDA
BOARD OF SUPERVISORS
REGULAR MEETING
DECEMBER 8, 2020

1. Meeting called to order – 8:30 a.m., Board Room, County Administration Building.
2. Opening Prayer.
3. Pledge of Allegiance.
4. Approval of minutes of **November 17, 2020**.
5. Approval of **monthly disbursements**.
6. Delegations:
   a. 9:00 a.m. – Public Comment Period.*
   b. 9:15 a.m. – Constitutional Officers Reports.
   c. 9:30 a.m. – Public Hearing on **Proposed Ordinance to Ensure Continuity of County Government in Response to the COVID-19 Disaster**.
   d. 10:00 a.m. – Mr. David Clarke, Resident Engineer, Virginia Department of Transportation
   e. 10:30 a.m. – Mr. Scott, Wickham, Partner with Robinson, Farmer, Cox Associates, PLLC.
   f. 10:45 a.m. – Mr. Steve, Durbin, County Attorney with Sands Anderson
      – Discussion of **Solid Waste Ordinance**;
      – Discussion of **Floyd County Code Section 62-31**. – Vision sight distance requirements; setbacks;
      – Training session with the Board.

7. County Administrator's Report.
   a. **Subdivision plats** as approved by Agent for November 2020.
   b. **Appointment to Floyd-Floyd County Public Service Authority** as the Town/County representative for a position beginning December 14, 2020 and expiring December 13, 2024.
   c. **Pepper's Ferry Regional Wastewater Treatment Authority Memorandum of Understanding**.
   d. **Request from Sheriff to approve a one-time $500 bonus payment** effective December 1, 2020 for sworn positions in the Sheriff's Office.
   e. **Approval of resolution to appropriate the third quarter of the approved FY21 budget**.
   f. Discussion of **Legislative Recommendations for the 2021 General Assembly**.
   g. Discussion of uses of CARES Act money.
   h. Appointment of Acting County Administrator effective January 1, 2021.
8. Old/New Business.
9. Board Member Time.
10. Adjournment.

*All persons desiring to be heard shall be accorded an opportunity to present written comments or oral testimony within such reasonable time limits as determined by the Board of Supervisors.

Due to the public health threat posed by the COVID-19 coronavirus pandemic, current guidance by the Governor of Virginia and the Virginia Department of Health on social distancing and public gatherings, proper social distancing and protective measures will be observed at all times. Citizens who desire to provide public comment in person are asked to sit in designated spots as directed by staff until the citizen is invited to address the Board. The meeting will be streamed live via Internet. Any Floyd County citizen wishing to speak by phone may call County Administration at 540/745-9300 by 4:00 p.m. on December 7, 2020 and provide their telephone number and express their desire to provide comment by phone. Citizens who desire to provide public comment by phone will be called during the meeting. Any Floyd citizen can also provide written comments prior to the meeting and those comments will be provided to the Board of Supervisors, and entered into the official minutes of the meeting and summarized by the Chair or designee at the meeting for the benefit of the public. For detailed information, the public is directed to call the County Administration office.

BOARD OF SUPERVISORS
REGULAR MEETING
NOVEMBER 17, 2020

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, November 17, 2020 at 8:30 a.m. in the Board Room of the County Administration Building thereof;

PRESENT: Joe D. Turman, Chairman; Jerry W. Boothe, Vice Chairman; W. Justin Coleman, Linda DeVito Kuchenbuch, and Lauren D. Yoder, Board Members; Terri W. Morris, County Administrator; Cynthia Ryan, Assistant County Administrator, Tabitha Hodge, Operations Manager and Angie Ellis, Accounting Clerk to livestream and film the meeting.

Agenda Item 1. – Meeting Called to Order.

Chairman Turman called the meeting to order at 8:30 a.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.

Supervisor Yoder led in the Pledge of Allegiance.

Agenda Item 4. – Approval of minutes of October 13, 2020 and October 27, 2020.

On a motion of Supervisor Yoder, seconded by Supervisor Coleman, and unanimously carried, it was resolved to approve the minutes of October 13, 2020 and October 27, 2010 as presented.

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

Agenda Item 5. – Approval of monthly disbursements.

Questions and discussion followed.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the November 2020 monthly disbursements and additional bills as presented.

Supervisor Coleman – yes
Supervisor Kuchenbuch – yes

Supervisor Yoder – yes
Supervisor Boothe – yes
Supervisor Turman – yes

Agenda Item 6.a. – Mr. J. Chad Alls, Director of Department of Social Services.

Mr. Alls explained the current status of the significant findings from the recent self-assessment audit submitted by Floyd County's CPMT team:

1) There are two types of funding for children who come into foster care, Title IV-E federal funding and the State CSA funding;
2) When a child comes into foster care it is first determined if they are eligible for the Title IV-E federal funding and sometimes that takes a significant amount of time to the point that if we can't ascertain if they meet the qualifications, we utilize CSA funds in the interim;
3) Then if they are found eligible for Title IV-E funding, it is retroactive and we are supposed to reimburse the CSA pool;
4) The auditor found two instances where that did not happen which means the individual was paid twice;
5) However the auditor made a mistake in the first case and did not see that we had already reimbursed CSA during that fiscal year, so once we provided proof that has been taken off the audit findings;
6) We have recouped the money from the other individual who was overpaid and that is being reimbursed to CSA now;
7) Another finding is that Title IV-E denied reimbursement to the foster family for a child, who came into foster care while in the hospital;
8) The foster family was in the hospital with the child the entire time because the child had significant health needs and the family needed to learn certain medical protocols;
9) CSA funding was used in lieu of Title IV-E but because of the way the CSA coordinator coded the transaction it was denied;
10) However our appeal has been approved and this finding has been removed;
11) Basically we don't owe anything back and we as an agency have put additional protocols in place now;
12) The Title IV-E and CSA programs are managed by two different people and that is required by the federal government;
13) We have put protocols in place so that when Title IV-E is determined to be eligible and CSA funds were used initially, there is a catch system so that we will know we need to reimburse CSA;
14) Those two program coordinators are communicating through a form we have created;
15) It should not happen again in the future;
16) We have a file audit coming this next year and the files are in impeccable shape.

Mr. Alls – I spoke to our CSA auditor this morning and we are pretty much on track with our budget. I will have a better idea at the end of December. We have some good things going on in the way of adoptions that should be finalized at the end of the year. Some other children are stepping down from residential care to a less restrictive environment.

Agenda Item 7.a. – Subdivision plats as approved by Agent for October 2020.

Ms. Morris – I will be happy to relay any questions or concerns regarding the October 2020 subdivision plats to Ms. Turman.

Agenda Item 7.b. – Appointments to Floyd County Economic Development Authority for two positions for the term of December 11, 2020 to December 10, 2024.

Ms. Morris – We only received the two letters of interest from the current incumbents so unless you want to discuss the positions further in closed session, we can take action on these appointments now.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to reappoint Mr. Jim Newlin to the Floyd County Economic Development Authority for the term of December 11, 2020 to December 10, 2024.

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

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Coleman, and unanimously carried, it was resolved to reappoint Mr. Eddie Worth to the Floyd County Economic Development Authority for the term of December 11, 2020 to December 10, 2024.

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

Agenda Item 7.c. – Approval of resolution on Small Purchase Procedures.

Ms. Morris – Several months ago we discussed revising this policy to be in line with the current State Procurement policies. Mr. Durbin provided this draft for your review. Our previous policy was much more restrictive. This policy gives our department heads a little more leeway, because under the current policy which was adopted in 2001, they could only make purchases up to $1,000.

On a motion of Supervisor Yoder, seconded by Supervisor Boothe, and unanimously carried, it was resolved to adopt the Resolution on Small Purchase Procedures (Document File Number 1143).

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

Agenda Item 7.d. – Acceptance of Abstract of Votes for 2020 November General Election held on November 3, 2020 for: President and Vice President, Member United States Senate, Member House of Representatives District 09, Constitutional Amendment #1, and Constitutional Amendment #2.

Ms. Morris – As before, this is acceptance only for the abstract to be part of the minutes and it is not whether you agree or disagree with the vote.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Coleman, and unanimously carried, it was resolved to accept the Abstract of Votes for 2020 November General Election held on November 3, 2020 for: President and Vice President, Member United States Senate, Member House of Representatives District 09, Constitutional Amendment #1, and Constitutional Amendment #2.

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

Agenda Item 7.e. – Discussion of Legislative Recommendations for the 2021 General Assembly.

Ms. Morris – I sent to you the Legislative Recommendations that you approved last year. Please let me know if you have anything to add or delete. The General Assembly approved that you can enact a cigarette tax starting July 1. I have been involved with a group from VACo and the cigarette industry would like regional boards set up. They think that would be easier for everyone. I talk with the other New River Valley managers twice a week and we are looking into that to see if that would be easier for all of us. There is a State stamp that has to go on each pack of cigarettes and we will have a County stamp also. We think it would be more cost effective to do it regionally.

Supervisor Yoder – Is that just for cigarettes or tobacco use?

Vice Chairman Boothe – They call it a cigarette tax but it is actually a tobacco tax, I think.

Ms. Morris – York County was in the VACo meeting and they have had this ability for several years. They get some good revenue from it. They told us what they had gone through as far as setting it up. We'll keep researching that. If you are interested in enacting it you will need to do a public hearing on an ordinance.

Supervisor Yoder – Is the reason for a regional approach so that each County have the same tax rate so it is easier for them?

Ms. Morris – No. We would each have our own revenue.

Supervisor Yoder – I don't understand the regional approach.

Ms. Morris – It is for the reporting because all of this has to be reported to the Department of Taxation. We hope to buy bulk rates on stamps, but we will not be sharing revenue.

Supervisor Kuchenbuch – We have been talking about ditches and clearing out culverts and the Rt. 8 bridge. The third point down under Transportation sort of discusses this but it would be nice for VDOT [Virginia Department of Transportation] to rework how they work our secondary roads. Gutters aren't being cleaned. Roads, especially gravel roads, are getting worse and if they had just done step A, then B and C wouldn't be so bad.

Ms. Morris – A lot of the problem is that they have to get a permit before doing the work. It is unbelievable the amount of time they have to wait.

Vice Chairman Boothe – A lot of the problem is with the VDOT structure.

Chairman Turman – Another problem is they start a project and then a weather event comes along and they have to quit and work on what that messed up which throws them off schedule. They are so understaffed that they can't keep up.

Vice Chairman Boothe – Our local forces are doing great with what they have, but that organization has some problems with it. They have taken so much authority away from the residency and kicked it back to Richmond and Salem. Their hands are tied to a certain extent as well.

Ms. Morris – Something along the lines of a review of …

Vice Chairman Boothe – Review and restructuring of Department of Transportation. I will get a report this morning that they have done all that the engineers will allow them to do at the bridge, which is not what Mr. Clarke and I came to an agreement on that they would clear out their entire right of way. Now they have cleared out directly under the bridge which has left a 3' wall of dirt. I have tried to represent the citizen but I have also tried to protect this Board.

Ms. Morris – I will word it along the lines of review of restructuring VDOT particularly the permitting processes with DEQ [Virginia Department of Environmental Quality] and other agencies.

Vice Chairman Boothe – When we do our Six-Year Road Plan with any new monies that come in, we can designate it in a County-wide project. We could each identify ditches that need cleaning out. However if we do that, they will tell us the other projects will be delayed 2 years.

Supervisor Coleman – If the rest of the Board agrees, would you include something about being mindful of local ramifications of any changes to second amendment rights.

Vice Chairman Boothe – The second item in General Government, unfunded mandates, I recommend and VACo [Virginia Association of Counties] added to their position being opposed to the State changing existing funding formulas which reverts more costs to the locality and less

to the State. Unfunded mandates are a problem but a bigger problem for us is if they start changing the funding formulas that exist.

Supervisor Coleman – I have one other thing as a matter of discussion, but I need to state for the record: This item is regarding the Sheriff's Office, of which I am an employee. The item would affect the entire department and not just me individually. Together we constitute a group of three or more individuals who are similarly employed by the Sheriff's Office and similarly affected by the discussion. Therefore the exception of State and Local Government Conflict of Interests Act section § 2.2-3112 A (i) applies to this situation and I am able to participate in this discussion fairly and in the public interest.

Could we add wording that the General Assembly be mindful if they take up some of these bills concerning law enforcement, law enforcement qualified immunity, and defunding and the severe implications that could have across the Commonwealth for people doing this job. If these things pass it could be perilous times looking for people to protect and serve.

Supervisor Yoder – Perhaps Sheriff Craig will help you craft that language.

Ms. Morris – I can probably talk him into that.

Supervisor Yoder – As an outside observer, finding qualified people to do the job…you don't want to degrade the quality of deputies that we have. I feel for them because they are under more and more pressure. Our local people do a great job.

Vice Chairman Boothe – Just like it takes a special person to teach our children, it takes a special person to do the job of a law enforcement officer. We are grateful for those who choose to do that. I'm fine with putting something in there about that.

Chairman Turman – It was bad when I was in there, but nothing like it is now.

Ms. Morris – I will work these up and bring them back to you next month.

Agenda Item 6.b. – Public Comment Period.

Chairman Turman opened the floor for Public Comment.

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

Agenda Item 6.e. – Constitutional Officers Reports.

Sheriff Craig handed the Board a thank you card signed by the members of his department for the constant support that the Sheriff's Office receives from the Board of Supervisors. It is tough times right now for law enforcement. Our department wants you to realize that we truly do appreciate our local government supporting our Sheriff's Office. It is difficult times for law enforcement. I worry about our applicants and what men and women who are getting into law enforcement are seeing in the news media and think, "Why in the world

would I want to get into that?" I can tell you from my standpoint. I have worked in the school system. I have worked at the Sheriff's Office. For somebody who has it in their heart to help people, there are no better jobs than being in law enforcement or first responders or teachers. These should be the highest paid folks because ironically, they are doing some of the most difficult jobs. There is not a whole lot of support out there, but from our locality we have tremendous support from you and our community. We are very grateful to live here in Floyd and the outpouring of support that is shown. Brownies were dropped off this morning. People take their time and say thank you for being out there. I worry about the application process. The qualified immunity is something we are looking at with the Virginia Sheriff's Association and the Chiefs of Police Association. There is an impact there on our insurance and the amount of money it may cost this County to cover your local law enforcement. There have been some figures tossed back and forth that could be significant. I will not give you numbers until they give me what they are looking at. It could be drastic enough to require a tax hike just to cover insurance for law enforcement officers. Right now it is all up in the air. Law enforcement officers can still be sued if they are negligent. Qualified immunity is to prevent frivolous lawsuits from happening.

Sheriff Craig provided an update on the Sheriff's Office:

1) We are trying to get Court up and running and keep everyone safe;
2) We delivered over 3,000 masks for the County and those have been well received with some businesses calling and wanting more;
3) Law enforcement assisted with the election in providing information on safety and security and being present at each precinct on Election Day;
4) Elections staff, especially Amy Ingram did an excellent job;
5) One of my staff turned in her 2-week notice of resignation for another job in Floyd where she would not have to work swing shift;
6) One officer left and went to work for the State Police and we are trying to fill that position;
7) Another officer retires at the end of December and Gary Scott will transfer into the Civil Division position;
8) Greg Quesenberry will move into the School Resource Officer position;
9) Cody Brown was promoted to Sargent;
10) My biggest fear is if they continue to push and go after law enforcement, the best we will be able to do is try to find the best of the bottom of the barrel.

Supervisor Yoder – Deputies were at the voting precincts on Election Day and it added a sense of calm. I appreciate that. They were very professional. I agree with you. I think the Electoral Board and Registrar should be commended as well as all the workers for an excellent election. We had record turnout and it went so smoothly. It was a good job on everyone's part. I appreciate your role in that.

Supervisor Kuchenbuch – Obviously we support you and you know how much we care about every man and woman who is working in your department. But our community is just amazing. I watch your posts every once in a while on social media and see what people do for our deputies. It is so heart-warming. I want to say thank you to the Floyd community for wanting to support you as deeply as they do. Your department and you were willing to work with our Electoral Board and our Registrar. Basically from September 18 until the Saturday

before the election your parking area in the Courthouse parking lot was taken over by elections. But you were willing to do that to make people be able to vote in these very difficult times. It was key that the Electoral Board and Registrar had your support. I want to thank you and your department for that. We were number 5 or 6 in the State for turnout of the entire 99 counties and 6 cities.

Chairman Turman – People used to whine to me about everything the Sheriff's Office did. But in the last few years, I get more people complimenting the Sheriff's Office than ever before. I haven't heard anybody complaining. A lot of people tell me they appreciate what we are doing for the Sheriff's Office but we could do a little bit more, especially when it comes to the School Resource Officers.

Vice Chairman – I echo what everybody else said. Thank you for the job you are doing and please thank officers and the other employees. You have a special work family there as a group. They seem to gel together and that comes from your leadership. All I hear is compliments about the Sheriff's Office.

Agenda Item 6.c. – Mr. Craig Chancellor, member of WSC Development.

Mr. Craig Chancellor – I am with WSC Development and I presented a proposal to the County. The County owns some property on Parkview and Needmore Lane where Legacy Linens operations are. WSC Development is planning on building some homes across the road from that. We have received Planning Commission approval, PSA [Floyd-Floyd County Public Service Authority] approval, VDOT approval and permits. We started clearing that property. I want to present to the Board a proposal to improve the aesthetics of the area, particularly in front of the building that is owned by the County. WSC Development would purchase Leyland cypresses, between 8'-9', and have them delivered to that location and ask that the County then take on the responsibility for planting, maintaining, watering, fertilizing those, basically owning them from that point forward. The cost for the plants is about $96 a piece. That is between 330'-350' in the green area in front of Legacy on Parkview. Leyland cypresses grow to 25'-30' to provide a visual screen as well as some additional green space for the County there. I have some photos to pass around of the plants themselves so you can see what they would look like in front of that building. The only thing I would adjust on my written proposal is to have the County purchase the plants themselves and WSC could pay in advance or reimburse the cost to save on the 5.3% sales tax. These would be planted in the spring of this next year.

Supervisor Yoder – Is there enough room there?

Ms. Morris – We would have to look at it. When Lydeana Martin and I talked to them, we discussed sight distance.

Supervisor Yoder – Before we do anything we need to see where the right of way is.

Vice Chairman Boothe – I am not opposed to this but I would want to hear from the company leasing the property and find out what their opinion is as well.

Mr. Chancellor – We reached out to the management of Legacy Linens and inquired about doing this. They weren't opposed, but said it was County property and so wasn't their decision.

Supervisor Yoder – My question is whether there is enough distance from the end of VDOT right of way and the parking lot to put trees in that won't impede with either one. I wouldn't be opposed to it if there were enough space there.

Mr. Chancellor – I will be glad to…we are working with VDOT anyway on residential entrances and the cut through on to the road.

Chairman Turman exited the room and turned the Chair over to Vice Chairman Boothe.

Ms. Morris – Would you like to discuss why you didn't want to put the trees on your property?

Mr. Chancellor – We are building houses there so it would need to be a large hedge and then entrances in between which might be more of a hazard than a single issue on the other side of the road.

By consensus the Board agreed to look into where the VDOT right of way was on the property.

Chairman Turman returned to the meeting and Vice Chairman Boothe turned the Chair back to him.

Agenda Item 6.d. – Public Hearing on Proposed Ordinance Providing Relief for Operators of Short-Term Rental of Real Property by Waiving Registration Fees.

Ms. Morris read the advertisement of the Public Hearing.

Mr. Durbin, County Attorney, provided an overview of the proposed ordinance to temporarily waive the registration fees for short-term rentals of real property:

1) This is being considered because of concern that citizens' income might be impacted by the pandemic and you wanted to provide some relief where possible;
2) The idea is to waive renewal registrations from the day of the adoption of the ordinance until the renewal date of September 30, 2021, which should cover everyone who has an existing registration so that everyone gets one free renewal;
3) Thereafter without adopting another ordinance the fee will be $25 for renewals and all new registrations would remain at $50.

Ms. Baker, Commissioner of Revenue – This year 49 have already prepaid. What will happen with those funds?

Mr. Durbin – It is my understanding that everyone would have to renew between now and September 30, 2021.

Ms. Baker – We had some that were already due for September 30, 2020 and they have paid.

Mr. Durbin – They will have to renew before September 30, 2021 in order to stay current and at that time they would be entitled to that free renewal. Everyone registering after that, it would essentially be a new registration if they missed that September 30 deadline. As the ordinance reads, they wouldn't get a free renewal but they would get it if they paid timely.

Supervisor Yoder – If that impacts your funding, that can be part of a budget request for the upcoming year.

Supervisor Kuchenbuch – What are your thoughts on the ordinance as the Commissioner of Revenue?

Ms. Baker – I think it is very fine for the taxpayers in Floyd because some businesses have actually closed. Some are waiting to see what happens with COVID in the future.

Ms. Barbara Turner, Deputy Commissioner of Revenue – I have 11 closed permanently; 11 have closed for 2020 and they hope to reopen in 2021; 12 are not registered at all this year; 12 have provided documentation but not paid the fee.

Supervisor Yoder – People who are operating these out of their home may not be comfortable with people coming in and using the same ventilation system. But the situation is different for people who have a separate building for their rental.

Chairman Turman opened the Public Hearing for public comments.

Ms. Becky Howell, Burks Fork District – For those people who have already paid and it was $50 and they get a free renewal, but they would normally only pay $25 those people are getting a bad deal.

Mr. Durbin – This hasn't been adopted and the effective date would be for renewals after the free renewal. Whether you have paid or not it shouldn't impact you because you are not entitled to that $25 renewal until after September 30, 2021.

Supervisor Yoder – If you haven't paid up until this point then you are still required to pay your fee that was due back in September. This is going forward.

Chairman Turman declared the Public Hearing closed.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to adopt an Ordinance Providing Relief for Operators of Short-Term Rental of Real Property by Waiving Registration Fees (Document File Number 1144).

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

Supervisor Boothe – yes
Supervisor Turman – yes

Agenda Item 8. – Old/New Business.

Mr. Mark Bolt, Building Official – County ordinance 62-31, Visual sight distance requires 35' setback and sometimes I bring requests to you for a variance. Subdivisions have the same requirement, but it states, "located on a publicly maintained street having dedicated right-of-way from center lines of streets maintained by Virginia Department of Transportation." In the past we applied County ordinance 62-31 to all roads, driveways, state maintained, unmaintained roads from the setback. I would like some clarification. Ordinance 62-31 references State law section 15.2-2279. I understand that Virginia law also addresses state-maintained roads. The issue is the Habitat of Humanity's 7-unit townhouses. The driveway for the 7 units, if we follow County ordinance as we have in the past, they will lose one unit because otherwise it will be too close for the 35' setback. I would like clarification on how we apply County ordinance 62-31 on driveways and private roads.

Vice Chairman Boothe – Under what authority can we regulate driveways or private roads without zoning in Floyd County?

Mr. Durbin – Looking at statute 15.2-2279 it is not predicated on being a VDOT maintained street or roadway. It says, "Any locality may by ordinance require that no building be constructed within thirty-five feet of any street or roadway and may provide for exceptions to such requirement…" It is street or roadway not publicly maintained or privately maintained that is open to the public. If it is dedicated for public use then you can regulate the setback line.

Vice Chairman Boothe – What qualifies as dedicated for public use?

Mr. Durbin – That is a case-by-case situation. You would have to look at the plat and see what is indicated on the plat.

Vice Chairman Boothe – I think we should do away with this ordinance and set the guidelines within the existing subdivision ordinance. If it applies within the existing subdivision ordinance, then you have the guidelines. If it doesn't apply within the existing ordinance, then they can do what they want to.

Supervisor Kuchenbuch – Does this ordinance interfere with people being able to do what they want on a particular piece of property when in actuality it is not endangering anything?

Mr. Bolt – In most cases, no. If you put it in the same section as the subdivision ordinance which has it being state maintained public roads you could eliminate a lot of the variance requests that are presented to you.

Mr. Durbin – You could just define it in section 62-31 to say cannot build within 35' of a maintained road or whatever. You have a lot of flexibility there. It is your choice how you define it. Right now I read it that if it is a public road then it falls within 62-31 but you could tighten it up to be publicly maintained.

Supervisor Kuchenbuch – I am okay with that.

Vice Chairman Boothe – I could live with that but I could see some scenarios where there could be problems down the road, but they would be VDOT's problems and not ours. I would like to do something to take care of the problem.

Supervisor Yoder – It would also reduce the lag so people don't have to wait on us to grant a variance. The difference between public right of way and publicly maintained, what happens if long after we are gone, the public right of way has been discontinued and for some reason the County or VDOT brings it back into public use?

Mr. Durbin – My interpretation is 62-31 applies if it is open to the public, not publicly maintained. My recommendation is that you just amend the ordinance to add publicly maintained in there if that is the way you want to go.

Vice Chairman Boothe – What about prescriptive easements? If we go with right of way then we need language to include prescriptive easements.

Mr. Durbin – It currently reads within 35' of roads and highways. I think you could just add publicly maintained roads and highways.

Vice Chairman Boothe – If you want to include discontinued then it needs to include public right of way and prescriptive easements.

Discussion was held as to whether the ordinance should be changed to address distance from road or right of way.

Mr. Bolt – How about using clarification today until you put it into writing? We are going 35' from public roads…

Vice Chairman Boothe – …35' from the centerline on publicly maintained roads or where a public right-of-way is in existence.

By consensus the Board asked Mr. Durbin to draft an ordinance that reads something to the effect, "cannot build within 35' of the centerline of a publicly maintained road or where a public right of way is in existence." The Board directed Mr. Bolt to follow this administrative guidance until the new ordinance goes into effect.

<u>Agenda Item 6.f. – Mr. David Clarke, Resident Engineer, Virginia Department of Transportation (VDOT)</u>.

Mr. Clarke provided construction and maintenance updates:

a. On the maintenance side –

Weather events resulted in maintenance needs	Our crews worked through the night with the latest rain. October is our month to get ready for other severe winter weather. Covid restrictions will have us doing work differently with crews.
Pothole patching	Asphalt plants are getting ready to close so we are trying to finish. We got to Daniels Run Road, Huckleberry Ridge Road, and some on Christiansburg Pike, Shooting Creek Road, and Kings Store Road. On Bethlehem Church Road we are keeping an eye on the cracks and possible sinking.
Mowing	Finishing up for the year in good weather.
Naming a section of roadway	We are nailing that down and we will ask the Board to pass a resolution, perhaps at the meeting in December.
Pipe repair and replacement	Daniels Run Road
Brush removal	Will be hitting that more in the next month.

b. On the construction side –

6 Year Plan	Doing the surface treatment on Quesenberry Road. We are discussing issues on Ponderosa Road which is the next on the plan.

Supervisor Yoder – I had a call this week about Eanes Road which is a gravel road. I assume it got washed out in the rain. There are some other roads that are rough. I drove by Check Headquarters one night and they were working through the night. I appreciate all of their work.

Supervisor Kuchenbuch – Of course, Sowers Mill Road and Thunderstruck Road. I appreciate your watching Bethlehem Church Road because we don't want to see what happened on the Parkway to happen there. Someone mentioned that the Daniels Run Road pipe right above Shawsville Pike that the patching wasn't done to good standards. I want to thank everybody on our crews for all the extra work they had to put in last week. They are doing a fantastic job given the severity of the weather and the impact the pandemic has had on crews.

Vice Chairman Boothe – I want to thank you for all you are doing. Please pass on to all the workers to have a happy holiday. I know you are doing all you can with what you are given. We do appreciate what is being done.

Supervisor Coleman – I don't have anything except to say thank you. I've seen a lot of debris on the road and things have been moved out of the way very efficiently. I hope everyone has a safe and happy Thanksgiving and I look forward to hearing from you on those couple of projects.

Chairman Turman – I have some pictures to show you from Buffalo Mountain Road. Right before the rain I was bragging on how good our road is, but now most of Sugar Tree Road is down at Vaughns Mill Road. My neighbor and I are taking our blades and straightening it up. It actually washed the top of the new bridge a little bit. I am trying to get a tree out before it undermines or blocks water up. Sugar Tree Road needs to be machined a little bit. We appreciate the work that all of you do.

Supervisor Kuchenbuch – Can you explain what is happening on Old Pike Road and Pilot Mountain Road with the bridge?

Mr. Clarke – I don't know what work has to be done on it. It was probably the worst damage I've seen. There is a project in the works to replace the whole thing. I am not sure when that is supposed to happen. I will get a date on it.

Supervisor Kuchenbuch – Yes, a lot of our residents go that way to work in the morning and in the evenings back home.

Vice Chairman Boothe – I was talking to a resident in the area where the drop inlet filled up. You might want to check it again. A couple of people mentioned they ran through an excessive amount of water on Rt. 8 at the church this side of Riner that has the white rock with Jesus Saves.

Supervisor Yoder – I am curious about the pothole on Rt. 8 at Tuggles Gap. It is getting bigger. I am worried about it not getting patched before the asphalt plants close.

Vice Chairman Boothe – There are some potholes on Gallimore Lane that need to be patched too if we could.

Chairman Turman – There is a place on Buffalo Mountain Road that you have patched about 3 times in the past year that has come back too.

Agenda Item 6.f. – Dr. John Wheeler, Superintendent of Floyd County Public Schools.

Dr. Wheeler handed out Buffalo face masks to the Board of Supervisors and said that was in case they wanted to wear those for the groundbreaking ceremony for the Collaboration and Career Development Center to be held at 2:00 p.m.

Dr. Wheeler – The budget supplement request is a "wash" because of the flood at Check Elementary for the damage to the office and front hallway. The damage turned out to be more than the initial estimate. The roof has now been fixed and it was a problem for years and years.

On a motion of Supervisor Boothe, seconded by Supervisor Yoder, and unanimously carried, it was resolved to approve a supplemental revenue appropriation in Other Funds source for insurance proceeds in the amount of $64,698.21 and a supplemental expenditure appropriation in Operations and Maintenance category for water damage repair sustained at Check Elementary School in the amount of $64,698.21 in the FY21 School Board budget.

Supervisor Boothe – yes

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

Ms. Morris – We had a request from the School Board for additional CARES [The Coronavirus Aid, Relief, and Economic Security Act] money. You received some other funds too.

Dr. Wheeler – We did. We are waiting for the legislators at the end of January. Hopefully there will be some hold harmless clauses. We are not in terrible shape compared to the rest of the State. Legislation wanted to wait on ADM [average daily membership] and sales tax which are the two big ones. The other funds are pretty much earmarked on what you can spend them on. Most of those will be for technology and getting technology into the homes once we see where our budget is this year. A priority for me is and always will be to give the step raise every year or we will revert back to 2008. School divisions are trying to do that now and they can't do it. It will kill next year's budget. Right now we are in good shape to finish the year. We are waiting to see what the General Assembly does in the spring and we will go from there. There will be more needs because of the pandemic, technology and to continue with blended. Some of the items on our request are for online and virtual. Teachers are very comfortable with those items. It is continually evolving. Fortunately for us we don't get a lot of money comparatively. A lot of school divisions receive millions of dollars that will be difficult to spend because these are completely earmarked and audited. Our needs are fairly straightforward so it is easy to spend what we have. We will wait and see what this year and next year's budget holds. We will try to keep everyone safe. Dr. Bissell and Jason Deese are tremendous. The turnaround time on my phone calls is extraordinary. It is not getting any better. We are working closely with the Virginia Department of Education and the Department of Health and the other Superintendents in our health district to make sure we are not overwhelming the health district. We will continue to watch and keep it safe and error on the side of caution.

Vice Chairman Boothe – As cases have increased, has VHSL made any changes to their proposed spring setup yet?

Dr. Wheeler – No, nothing at all at this time. It is going to be a local decision. For us it is a little easier because we know who we play. The 25 limit pertains to other than the participants. Other schools may say that no one comes.

Vice Chairman Boothe – Have they changed anything as far as having a program in the spring?

Dr. Wheeler – Right now everything is still planned. The first day of basketball was set this morning. We will have all our games streamed through Citizens. We will look at the best way for away games. We will look at ways to do it live. We probably won't have visiting fans.

Supervisor Yoder – Sports are a way to give people a common bond. I think it is important to find ways for them to watch.

Dr. Wheeler – We will try to stream live. We and our opposing teams will consult with the health district and see if there is any reason why a school can't have an event.

Vice Chairman Boothe – Thank you for working through your communications. There were a few glitches when you cranked up on the virtual, but you have them all corrected. I haven't had any concerns relayed to me since.

Dr. Wheeler – The class sizes are down; the virtual class sizes are down. We were able to accommodate that. It is still difficult for teachers but they are rolling with it, the blended part. Things are going about as good as they can. We just have to keep improving them because we don't know what is next. We don't know what the next order is but we will be ready for it.

Supervisor Yoder – My prayers are with you and all of your staff. You are out in the front lines of this and doing really important work. Our kids deserve to be able to continue to learn.

Dr. Wheeler – It is rewarding being in schools. I spend a lot of time in schools. It is like there is no pandemic at all except for the masks and sitting apart. They are playing on the playground and seeing their buddies and it is all good. I'll see you at 2:00 p.m.

Agenda Item 8. – Old/New Business continued.

Ms. Morris – Jacob [Agee, Recreation Director] and I have been discussing what we want to do with Recreation basketball games, especially with the new regulations. We don't have the capability to stream the games live. His thinking is if we told parents that they could not come in to watch the games that it would not go over well. We want to ask what you think, but our recommendation would be to not have basketball this season.

Vice Chairman Boothe – Another concern is that a lot of the schools don't have proper air circulation with filters. It would probably be a good idea to not have any indoor activities.

Ms. Morris – That was our recommendation. We did okay with baseball. Kids were pretty good about wearing masks. People would distance.

Vice Chairman Boothe – I hate it because these games are an outlet for children. They are under pressure with schoolwork and at home. It has always been their outlet and release. In wintertime you never know the weather, but maybe some outdoor activities, one-day activities. One weekend you could have something in the Floyd Elementary area and then next at Indian Valley and then Check. We could even put on some activities for high school students.

Supervisor Yoder – That's a good idea. Like a field day for soccer.

Vice Chairman Boothe – Elementary schools used to have May Day; we could have a December Day or January Day.

By consensus the Board and Ms. Morris agreed to explore the idea of rotating locations for one-day field days with outdoor activities.

Agenda Item 7.f. – Request from New River Valley Regional Jail to participate in funding a hazardous duty bonus for Jail employees using CARES Act money.

Ms. Morris – We had a request from the Regional Jail that we fund hazardous duty bonuses for them. The last update I received from the Sheriff was that they were going to use their own funding to provide this. Several localities have already committed all their CARES money and they weren't able to participate. The only other request I have received is from the School Board for $68,000 with a list of items that they have purchased.

Vice Chairman Boothe – I didn't see anything on the list that jumped out at me. Did you or Mr. Durbin see anything that concerned you?

Ms. Morris – No.

By consensus the Board agreed to use CARES money to reimburse the School Board for listed expenditures.

Chairman Turman – I have to give a shout out to staff for being sure to stay within the guidelines. It is incredible how everybody works together to get this taken care of.

Vice Chairman Boothe – That leaves us with about $688,000 in unobligated CARES money.

Supervisor Yoder – We gave hazard pay to some of our employees. Would Elections staff be eligible for any type of bonus?

Ms. Morris – Not that I know of. Our auditor and attorney still won't let me do anything for Solid Waste.

Supervisor Yoder – I thought I would ask because they came into contact with just about everybody in the County.

Supervisor Kuchenbuch – What is the stumbling block for Solid Waste? Have they given you a clear read on that?

Ms. Ryan – The CARES guidelines say hazard pay can be given to public health and public safety employees, but Solid Waste is classified as public works employees.

Ms. Morris – The auditor did admit to me the other day that it is up to us and it is how we document it. He is starting to give a little bit.

Vice Chairman Boothe – Can you get him to move a little bit more?

Ms. Ryan – We don't know that he will be the auditor with the final say.

Ms. Morris – They still don't have the audit standards yet.

Vice Chairman Boothe – They are exposed to households, manufacturing, business, and medical.

Supervisor Yoder – In my opinion every public employee ought to qualify.

Supervisor Kuchenbuch – Has anything else been brought to our attention from the Electoral Board?

Ms. Morris – No, not as far as we know.

Vice Chairman Boothe – We received the bids for the valves and we worked a deal where we can purchase the valves and all the equipment, meters and training at a much-reduced price. The problem we are running into is getting them installed by the end of December. We need about $115,000 more to get them installed by the end of December. If the Town comes up with their portion and we could come up with $80,000, then the contractor is pretty sure he can get them all installed by the December deadline.

Supervisor Yoder – I am fine with this but if the PSA comes back and says that 20% were not installed, then the PSA has to find the money. If the contractor gets to December 31 and says that 80% were installed, now the last 20% can't come out of the general fund. The PSA needs to take the risk, not the County.

Vice Chairman Boothe – We did not specifically discuss that, but I have no problem with that. We can approve the $80,000 with the stipulation that if there is any payback from the project it is up to PSA.

By consensus the Board approved $80,000 of CARES money be used for the labor to install the PSA valves by December 31 with the stipulation that if any part of the project did not get complete that PSA would pay for the part not eligible for CARES.

Ms. Morris – We may not have all the bills in to be paid by the December 8 meeting. If it is agreeable with you, anything we get towards the end of the month we will send you a list so we can get it taken care of and paid.

By consensus the Board agreed that Ms. Morris could send them the bills to be paid after the December 8 meeting and then she had the authorization to pay the bills.

Vice Chairman Boothe – I need to make a statement for the record: Today's discussion involves the utilization of certain CARES Act or other funds for the benefit of small businesses and self-employed citizens of Floyd County. I am currently self-employed and conduct business as Jerry Boothe Hardwood Flooring and we also have a farming operation and such employment results in annual income in excess of $5,000. However, because a large number of County citizens are also self-employed, any interest I would have in the CARES Act program under discussion would be the same as other County citizens who are self-employed, and together we

constitute a group of three or more individuals who are affected by the transaction in question. Therefore, in this situation, the exception to the Virginia State and Local Government Conflict of Interests Act, VA Code Section 2.2-3112(b)(1) applies to this situation. In accordance with that section, I hereby declare that I am able to participate in this discussion and voting on this topic fairly, objectively and in the public interest.

Supervisor Kuchenbuch – I affirm the same statement. My businesses are Linda DeVito, Realtor with Blue Ridge Land and Auction and also Maple Spring Christmas Tree Farm.

Supervisor Yoder – I make the same declaration. I have an LLC as Lauren and Chelsa Enterprises. I do heating and Chelsa does photography plus my farm.

Supervisor Coleman – I make the same statement. I have a small farming operation under my name. I just started Freedom Arms LLC but have not made any income with that business.

Chairman Turman – I make the same statement. I own Sugar Tree Farm-Beef Cattle and I own Sugar Tree Farm Auctions.

Supervisor Kuchenbuch – Is there anything else you can think of? Perhaps have Ms. Martin make a pitch to our businesses.

Ms. Morris – She mentioned that if there were funds left.

Supervisor Kuchenbuch – I am pleased to see the people we are reaching with this. It is really gratifying. I hope we make another attempt to contact every business in this County.

Ms. Morris – After the $80,000 you have $609,868.01.

Vice Chairman Boothe – I don't have any problem with putting more money into those programs. I also don't have any problem with turning money back in. Everybody who spends down to the penny is going to go through a massive audit. We might have a massive audit too. But it looks better if you have money to turn back in. That shows you were trying to manage it and not just spending money to be spending money.

Ms. Morris – How much more were you thinking for the RISES program? You have spent $312,000 of the original $350,000.

Supervisor Yoder – Were you thinking of payments based on the existing paperwork?

Ms. Tabitha Hodge – Additional payments and they submit new reimbursements. We have already qualified them up to that point, but they will have to submit new reimbursements.

Ms. Morris – Ms. Martin mentioned $30,000.

By consensus the Board approved up to $150,000 in CARES money for an additional round of the RISES program.

Ms. Hodge – If you know of any people who are self-employed, we have the abridged application and I am happy to walk people through that.

Agenda Item 6.h. – Mr. John McEnhill, Chamber of Commerce Executive Director.

Mr. McEnhill provided an update on the Floyd Visitor's Guide:

1) Your funding support has made a huge impact;
2) We targeted 70 businesses and we got 91;
3) We added 4 extra pages to the guide;
4) The CARES financing support made it accessible and affordable to a large number of businesses;
5) Businesses have participated who have not in 20+ years;
6) The guide moves people around the County and tries to get them into outlying areas;
7) It includes a full-page ad for ShopFloydVA to help push that;
8) There is a full page on Covid safety practices;
9) It pairs the "Be Committed Be Well" campaign with the Floyd Safety pledge;
10) On an individual business level it includes what each is doing to be safe, such as curbside delivery, by appointment, etc.;
11) I expect to have a proof to the businesses for review before the end of the month.

Due to the pandemic the Chamber has cancelled its annual membership dinner, silent auction and awards presentation. We are doing things differently this year. Ms. Terri Morris is this year's Business Leader of the Year. I would like to present this plaque to her and get some pictures. The reason we are honoring Terri is very obvious, but I wanted to state a couple of things. You are being recognized for all of your contributions for the past 3+ decades, including working closely with others like the expansion of Crenshaw Lighting and H & V operations. You are a strong supporter of entrepreneurial programs and business growth programs. Ms. Lydeana Martin was very complimentary of your support. She said a lot of this would not have happened without your support. You helped the County become financially stable enough to be able to fund major school projects, replacing all the coal boilers in the schools, bringing air conditioning into the classrooms, and then very important to all of us in the business community – being an essential part of the efforts to expand the Collaboration and Career Development Center at Floyd County High School. I am pleased to see that the groundbreaking ceremony is later today at 2:00 p.m. You are an original leader in the quality of life issues: like Agency on Aging, housing issues, and economic development initiatives that include talent retention and attraction and higher education support and manufacturing support. Lastly, you have worked with the Cooperative Extension in serving the County's 800+ farms and youth programs such as 4-H. Thank you for your contributions.

Agenda Item 6.i. – Closed Session § 2.2-3711 A.1., Personnel – Consideration of candidates for employment.

On a motion made by Supervisor Kuchenbuch, seconded by Supervisor Yoder, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A. 1., Personnel regarding consideration of candidates for employment.

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 Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to adopt the following certification resolution:

CERTIFICATION RESOLUTION
CLOSED MEETING

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Personnel in accordance with Section 2.2-3711, Paragraph A.1. of the Virginia Freedom of Information Act;

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

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

Agenda Item 9. – Board Member Time.

Chairman Turman – I will announce that we will be meeting within 15 days at an undisclosed location for the interview of prospective applicants for the County Administrator position.

Ms. Ryan – I have some good news for you on a topic you discussed earlier in the meeting – giving hazard duty pay to election workers. The Registrar sent information while you were in closed session that CARES money Elections received directly can be used for hazard pay. There will be an emergency meeting of the Electoral Board to approve hazard pay out of their CARES money. Based on your discussion earlier I said that you might be willing to pay for totes and tents and things of that nature out of our CARES money to enable the hazard pay for election workers.

Agenda Item 10. – Adjournment.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and carried, it was resolved to adjourn the meeting to December 8, 2020 at 8:30 a.m.

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Terri W. Morris, County Administrator

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Joe D. Turman, Chairman, Board of Supervisors

AP375H FLOYD COUNTY BEFORE CHECKS
12/04/2020 LISTING OF INVOICES FOR 12/08/2020 -- 12/08/2020 PAGE 1
FUND # - 001

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
011010	***BOARD OF SUPERVISORS***					
5899		MISCELLANEOUS				
	42888	SKYLINE NATIONAL BANK	PAYROLL OCT20	DIRECT DEPOSIT		32.45
					ACCOUNT TOTAL	32.45 *
					MAJOR TOTAL	32.45 **
012010	***COUNTY ADMINISTRATOR***					
5210		POSTAGE				
	28980	PITNEY BOWES INC	1016860969	POSTAGE METER INK		80.74
	42919	RESERVE ACCOUNT	DEC20 25306697	POSTAGE 25306697		500.00
					ACCOUNT TOTAL	580.74 *
6001		OFFICE SUPPLIES				
	19540	QUILL LLC	12337507	COPY PAPER		161.89
					ACCOUNT TOTAL	161.89 *
6008		GAS AND OIL				
	70	CLARK GAS AND OIL CO.	U9120075	REG GAS EXEMPT		8.50
	70	CLARK GAS AND OIL CO.	U9120148	GASOLINE		8.50
					ACCOUNT TOTAL	17.00 *
					MAJOR TOTAL	759.63 **
012090	***COMM OF THE REVENUE***					
3120		FIELD ASSESSOR				
	100	WINGATE APPRAISAL SERVICE	11/20/20	6 SPLITS		64.50
					ACCOUNT TOTAL	64.50 *
3320		MAINTENANCE, SERVICE AND				
	42795	ETHOS TECHNOLOGIES	INV379158	4333-01		10.40
					ACCOUNT TOTAL	10.40 *
6001		OFFICE SUPPLIES				
	16730	TAYLOR OFFICE SUPPLY, INC	121134.1	SCREEN WIPES		25.56
					ACCOUNT TOTAL	25.56 *
					MAJOR TOTAL	100.46 **
012130	***TREASURER***					
5210		POSTAGE				
	42845	BMS DIRECT, INC.	145922	TAX TICKETS		4,232.48
					ACCOUNT TOTAL	4,232.48 *
6001		OFFICE SUPPLIES				
	10	VIRGINIA OFFICE SUPPLY	40405	FILE FOLDERS		50.40
	10	VIRGINIA OFFICE SUPPLY	40431	3 CHAIRMATS		234.51
	10	VIRGINIA OFFICE SUPPLY	40447	INK CARTRIDGE		27.88
	10	VIRGINIA OFFICE SUPPLY	40687	CASE OF PAPER		75.98
	16730	TAYLOR OFFICE SUPPLY, INC	120905	HP902 INK (4 PACK)		29.90
	16730	TAYLOR OFFICE SUPPLY, INC	120983	PLATE DROP BOX		21.80
					ACCOUNT TOTAL	440.47 *
6010		DMV ADMINISTRATIVE FEE				
	17070	DEPARTMENT OF MOTOR VEHICL	202033501096	DMV STOPS		150.00
					ACCOUNT TOTAL	150.00 *
					MAJOR TOTAL	4,822.95 **

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
013010	***ELECTORAL BOARD AND OFFICERS***					
1100		COMPENSATION OF BOARD MEM				
	23430	ROBERT CHARLES SMITH	DEC20	ELECTORAL BOARD COMP		276.58
	31940	MICHAEL MASLANEY	DEC20	ELECTORAL BOARD COMP		138.33
	37130	BRECC AVELLAR	DEC20	ELECTORAL BOARD COMP		138.33
					ACCOUNT TOTAL	553.24 *
3310		VOTING MACHINE REPAIRS AN				
	42870	HART INTERCIVIC	082595	SOFTWARE RENEWAL		2,154.00
					ACCOUNT TOTAL	2,154.00 *
5540		TRAVEL (CONVENTION & EDUC				
	7040	RITE PRINT SHOPPE & SUPPLI	0063400	CARDSTOCK, ENVELOPES		78.25
	36160	RACLARK ENTERPRISES	1736	RECOGNITION PINS		448.95
					ACCOUNT TOTAL	527.20 *
5895		CARES ACT FUNDED POLLING				
	10820	JUDY BRITT	HP BRITT	ELECTION HAZARD PAY		50.00
	27560	KERRY W. WHITLOCK	HP WHITLOCK	ELECTION HAZARD PAY		50.00
	27940	ANDREA J GARLAND	HP GARLAND	ELECTION HAZARD PAY		50.00
	29960	KIMBERLY G VIA	HP VIA	ELECTION HAZARD PAY		50.00
	33170	PATRICIA D UNDERWOOD	HP UNDERWOOD	ELECTION HAZARD PAY		50.00
	34790	SUSAN MCCREA	HP MCCREA	ELECTION HAZARD PAY		50.00
	35500	DONNA SWEENEY	HP SWEENEY	ELECTION HAZARD PAY		50.00
	35920	ROSIE SMITH	HP SMITH	ELECTION HAZARD PAY		50.00
	37190	TERESA WRIGHT	HP WRIGHT	ELECTION HAZARD PAY		50.00
	38970	RICHARD PARRISH	HP PARRISH	ELECTION HAZARD PAY		50.00
	39010	SUSAN PENNIALL	HP PENNIALL	ELECTION HAZARD PAY		50.00
	41480	ALICIA WHITE	HP WHITE	ELECTION HAZARD PAY		50.00
	42280	TRACEY MATTSON	HP MATTSON	ELECTION HAZARD PAY		50.00
	42540	ROB NEUKIRCH	HP NEUKIRCH	ELECTION HAZARD PAY		50.00
	42676	PHYLLIS BUTTERWORTH	HP BUTTERWORTH	ELECTION HAZARD PAY		50.00
	42690	BECKY HOWELL	HP HOWELL	ELECTION HAZARD PAY		50.00
	42716	KIM CHIAPETTO	HP CHIAPETTO	ELECTION HAZARD PAY		50.00
	42718	MELODIE POGUE	HP POGUE	ELECTION HAZARD PAY		50.00
	42759	LINDA WAGNER	HP WAGNER	ELECTION HAZARD PAY		50.00
	42785	TEDDY CARTER	HP CARTER	ELECTION HAZARD PAY		50.00
	42787	DEBRA BRICKHOUSE	HP BRICKHOUSE	ELECTION HAZARD PAY		50.00
	42788	PAUL BRICKHOUSE	HP BRICKHOUSE	ELECTION HAZARD PAY		50.00
	42808	JUDY WEDDLE	HP WEDDLE	ELECTION HAZARD PAY		50.00
	42808	JUDY WEDDLE	NOVEMBER 2020	TEMP HELP		50.00
	42809	DOUGLAS HOLLEY	HP HOLLEY	ELECTION HAZARD PAY		50.00
	42828	DEBORAH BAUM	HP BAUM	ELECTION HAZARD PAY		50.00
	42896	EVE RIERSON	HP RIERSON	ELECTION HAZARD PAY		50.00
	42897	MARGARET AVELLAR	HP AVELLAR	ELECTION HAZARD PAY		50.00
	42899	JANE SHAW	HP SHAW	ELECTION HAZARD PAY		50.00
	42963	ELIZABETH WARRINER	HP WARRINER	ELECTION HAZARD PAY		50.00
	43222	VIRGINIA NEUKIRCH	HP NEUKIRCH	ELECTION HAZARD PAY		50.00
	999999	WILLIAM AVELLAR	HP AVELLAR	ELECTION HAZARD PAY		50.00
	999999	CATHERINE BEAVER	HP BEAVER	ELECTION HAZARD PAY		50.00
	999999	DWAYNE BOLT	HP BOLT	ELECTION HAZARD PAY		50.00

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
	999999	SHARON BORDEAUX	HP BORDEAUX	ELECTION HAZARD PAY		50.00
	999999	DAVID BOWER	HP BOWER	ELECTION HAZARD PAY		50.00
	999999	SUE CAMDEN	HP CAMDEN	ELECTION HAZARD PAY		50.00
	999999	SARAH CAMPBELL	HP CAMPBELL	ELECTION HAZARD PAY		50.00
	999999	JACOB DOWD	HP DOWD_JACOB	ELECTION HAZARD PAY		50.00
	999999	JEFFREY DOWD	HP DOWD_JEFFREY	ELECTION HAZARD PAY		50.00
	999999	MARILYN FARAH	HP FARAH	ELECTION HAZARD PAY		50.00
	999999	RODGER FOSTER	HP FOSTER_R	ELECTION HAZARD PAY		50.00
	999999	SHERRY FOSTER	HP FOSTER_S	ELECTION HAZARD PAY		50.00
	999999	KELLEAN GALE	HP GALE_K	ELECTION HAZARD PAY		50.00
	999999	MICHAEL GALE	HP GALE_M	ELECTION HAZARD PAY		50.00
	999999	IAN GAMMARINO	HP GAMMARINO	ELECTION HAZARD PAY		50.00
	999999	SUE GLADDING	HP GLADDING	ELECTION HAZARD PAY		50.00
	999999	SUSAN GORANSON	HP GORANSON	ELECTION HAZARD PAY		50.00
	999999	DIANE GRAY	HP GRAY	ELECTION HAZARD PAY		50.00
	999999	MARJORIE HARRIS	HP HARRIS	ELECTION HAZARD PAY		50.00
	999999	JANE HELLMAN	HP HELLMAN	ELECTION HAZARD PAY		50.00
	999999	KELLY HIATT-THOMAS	HP HIATT-THOMAS	ELECTION HAZARD PAY		50.00
	999999	VIRGINIA KLARA	HP KLARA	ELECTION HAZARD PAY		50.00
	999999	RACHEL LANDRETH	HP LANDRETH	ELECTION HAZARD PAY		50.00
	999999	JOSHUA LONG	HP LONG	ELECTION HAZARD PAY		50.00
	999999	BEVERLY MARTINKOSKY	HP MARTINKOSKY	ELECTION HAZARD PAY		50.00
	999999	DEBORAH MCBROOM	HP MCBROOM	ELECTION HAZARD PAY		50.00
	999999	SUSAN NUNN	HP NUNN	ELECTION HAZARD PAY		50.00
	999999	KIMBERLY O'DONNELL	HP O'DONNELL	ELECTION HAZARD PAY		50.00
	999999	RALF OTTE	HP OTTE	ELECTION HAZARD PAY		50.00
	999999	TERRI PHILPOT	HP PHILPOT	ELECTION HAZARD PAY		50.00
	999999	ABIGAIL RECZEK	HP RECZEK	ELECTION HAZARD PAY		50.00
	999999	ANDREW SMALL	HP SMALL	ELECTION HAZARD PAY		50.00
	999999	PAT SPINO	HP SPINO	ELECTION HAZARD PAY		50.00
	999999	FERN SUTPHIN	HP SUTPHIN	ELECTION HAZARD PAY		50.00
	999999	SARAH TRUSLOW	HP TRUSLOW	ELECTION HAZARD PAY		50.00
	999999	CARRIE WALDRON	HP WALDRON	ELECTION HAZARD PAY		50.00
	999999	DARYL WALKER	HP WALKER	ELECTION HAZARD PAY		50.00
	999999	MARY WEEKS	HP WEEKS	ELECTION HAZARD PAY		50.00
	999999	WENDY WERSTLEIN	HP WERSTLEIN	ELECTION HAZARD PAY		50.00
	999999	ROBERT WHEELER	HP WHEELER	ELECTION HAZARD PAY		50.00
	999999	TERRI WILDER	HP WILDER	ELECTION HAZARD PAY		50.00
	999999	KEVIN WOOD	HP WOOD	ELECTION HAZARD PAY		50.00
					ACCOUNT TOTAL	3,650.00 *
					MAJOR TOTAL	6,884.44 **

013020 ***REGISTRAR***

1102		REGISTRAR PART TIME EMPLO				
	42808	JUDY WEDDLE	NOVEMBER 2020	TEMP HELP		187.50
					ACCOUNT TOTAL	187.50 *
6001		OFFICE SUPPLIES				
	10	VIRGINIA OFFICE SUPPLY	40866	CASE OF PAPER		42.99

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
	42920	FINN GRAPHICS INC.	00007800	SIGNS/INSTALLATION		255.00
					ACCOUNT TOTAL	297.99 *
					MAJOR TOTAL	485.49 **
021010	***CIRCUIT COURT***					
1102		JURY COMMISSIONERS				
	42753	JOEL PRATT	NOV20 PRATT	JURY COMMISSIONER		30.00
	999999	JUDY BELL	NOV20 BELL	JURY COMMISSIONER		30.00
					ACCOUNT TOTAL	60.00 *
6001		OFFICE SUPPLIES				
	16730	TAYLOR OFFICE SUPPLY, INC	120951	SWINGLINE STAPLER		25.65
					ACCOUNT TOTAL	25.65 *
					MAJOR TOTAL	85.65 **
021020	***GENERAL DISTRICT COURT***					
3320		MAINTENANCE AND SERVICE C				
	42744	RICOH USA, INC	34307725	200-3147133-100		56.65
					ACCOUNT TOTAL	56.65 *
					MAJOR TOTAL	56.65 **
021060	***CLERK OF CIRCUIT COURT***					
3320		MAINTENANCE & SERVICE CON				
	38920	VIRGINIA BUSINESS SYSTEMS	28153359	013-1305291-000		231.38
					ACCOUNT TOTAL	231.38 *
3500		MICROFILMING/PRINTING/BIN				
	150	C.W. WARTHEN INC.	54655	PLATS DIGITIZED/CD		141.16
					ACCOUNT TOTAL	141.16 *
5210		POSTAGE				
	42796	RHONDA T. VAUGHN	11/5/20	POSTAGE		15.10
	42919	RESERVE ACCOUNT	DEC20 51519684	POSTAGE 51519684		500.00
					ACCOUNT TOTAL	515.10 *
6001		OFFICE SUPPLIES				
	10	VIRGINIA OFFICE SUPPLY	40603	TONER CARTRIDGE		83.19
	10	VIRGINIA OFFICE SUPPLY	40744	STAPLER		24.30
	10	VIRGINIA OFFICE SUPPLY	40885	OP PAPER		42.99
	16730	TAYLOR OFFICE SUPPLY, INC	121328	FLASH DRIVE		50.97
					ACCOUNT TOTAL	201.45 *
					MAJOR TOTAL	1,089.09 **
031020	***SHERIFF***					
3310		REPAIRS & MAINTENANCE/AUT				
	1670	PROFESSIONAL COMMUNICATION	178690	BUMPER, GUARD		750.69
	23590	KUSTOM SIGNALS, INC	578292	REPAIRS		117.80
	43006	D&D AUTO REPAIR, LLC	3625	OIL CHANGE		25.99
					ACCOUNT TOTAL	894.48 *

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
3320		MAINTENANCE & SERVICE CON				
	13390	XEROX CORPORATION	011895150	COPIER LEASE		47.15
	42744	RICOH USA, INC	34287308	COPIER		43.54
	42744	RICOH USA, INC	5060857204	CONTRACT 4460528		8.06
	42744	RICOH USA, INC	5060857237	CONTRACT 4457551		8.87
	42744	RICOH USA, INC	5060857304	CONTRACT 4457544		42.97
	42744	RICOH USA, INC	9028667669	COPIER		84.45
					ACCOUNT TOTAL	235.04 *
5230		TELEPHONE				
	28501	VERIZON WIRELESS	9867565776	WIRELESS		400.55
					ACCOUNT TOTAL	400.55 *
5510		TRAVEL (MILEAGE)				
	1640	JEFF DALTON	SRO WES/IVE	TRAVEL REIMBURSEMENT		199.53
	42953	EDDIE WORTH	JUL,AUG,SEP '20	TRAVEL REIMBURSEMENT		172.50
					ACCOUNT TOTAL	372.03 *
5842		DOMESTIC VIOLENCE GRANT				
	16730	TAYLOR OFFICE SUPPLY, INC	121133	CORRECTION TAPE		10.23
					ACCOUNT TOTAL	10.23 *
5843		DMV ENFORCEMENT GRANT				
	23590	KUSTOM SIGNALS, INC	579111	PROLASER 4		2,236.00
					ACCOUNT TOTAL	2,236.00 *
6010		AMMO, HANDCUFFS				
	14610	TOWN POLICE SUPPLY	001322650034-0	FED BX 308WIN 168GR		57.00
					ACCOUNT TOTAL	57.00 *
6011		POLICE SUPPLIES				
	42733	FIRE RESCUE & TACTICAL	4292	UNIFORMS/BADGE		107.49
					ACCOUNT TOTAL	107.49 *
8105		CAPITAL OUTLAY:MOTOR VEHI				
	43002	ENTERPRISE FM TRUST	PO 543	PRINCIPLE PAYMENT		30,000.00
					ACCOUNT TOTAL	30,000.00 *
					MAJOR TOTAL	34,312.82 **
033010	***CORRECTIONS & DETENTIONS***					
6022		EMPLOYEE PHYSICALS				
	42894	SAFETY & COMPLIANCE SERVIC	440790	PROF SERVICES		47.00
					ACCOUNT TOTAL	47.00 *
					MAJOR TOTAL	47.00 **
034010	***BUILDING INSPECTIONS***					
5230		TELEPHONE				
	28501	VERIZON WIRELESS	9866461453	CELL SERVICE		82.90
					ACCOUNT TOTAL	82.90 *
6001		OFFICE SUPPLIES				
	10	VIRGINIA OFFICE SUPPLY	40861	LAMINATING POUCHES		24.24
					ACCOUNT TOTAL	24.24 *
6008		GAS, OIL, ETC.				
	70	CLARK GAS AND OIL CO.	U9120075	REG GAS EXEMPT		69.40

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
	70	CLARK GAS AND OIL CO.	U9120148	GASOLINE		69.41
					ACCOUNT TOTAL	138.81 *
6014		Web Service Monthly Fee				
	42672	INTERACTIVEGIS, INC.	5973	MONTHLY MTN		400.00
					ACCOUNT TOTAL	400.00 *
					MAJOR TOTAL	645.95 **
035010	***ANIMAL CONTROL***					
3310		REPAIRS & MAINTEN-RADIO/A				
	42871	B & S AUTOMOTIVE SERVICE	0038657	OIL CHG, INSPECTION		55.17
					ACCOUNT TOTAL	55.17 *
5230		TELEPHONE				
	28501	VERIZON WIRELESS	9866461453	CELL SERVICE		145.77
					ACCOUNT TOTAL	145.77 *
6003		SUPPLIES/UNIFORMS				
	42733	FIRE RESCUE & TACTICAL	4287	UNIFORMS/GEAR		277.47
					ACCOUNT TOTAL	277.47 *
6008		GAS, OIL, ETC.				
	70	CLARK GAS AND OIL CO.	U9120075	REG GAS EXEMPT		133.05
	70	CLARK GAS AND OIL CO.	U9120148	GASOLINE		133.08
	70	CLARK GAS AND OIL CO.	U9290092	PROPANE		12.54
					ACCOUNT TOTAL	278.67 *
					MAJOR TOTAL	757.08 **
035030	***MEDICAL EXAMINER***					
3110		PROFESSIONAL HEALTH SERVI				
	37080	TREASURER OF VIRGINIA	10/15/20	PROF SERVICES		20.00
					ACCOUNT TOTAL	20.00 *
					MAJOR TOTAL	20.00 **
035050	***EMERGENCY SERV/HAZARDOUS MAT***					
5230		TELEPHONE				
	28501	VERIZON WIRELESS	9866461453	CELL SERVICE		40.01
					ACCOUNT TOTAL	40.01 *
5410		EQUIPMENT LEASE-UNITED CE				
	37040	US CELLULAR	20201123000325	TOWER RENT		267.89
					ACCOUNT TOTAL	267.89 *
5895		CORONAVIRUS EMERGENCY				
	16730	TAYLOR OFFICE SUPPLY, INC	121134	DISINFECTANT		29.00
	43109	MONTGOMERY COUNTY TREASURE	DEC20 CARES	CARES FUNDING		100,300.00
					ACCOUNT TOTAL	100,329.00 *
6008		GAS/OIL				
	70	CLARK GAS AND OIL CO.	U9120075	REG GAS EXEMPT		43.91
	70	CLARK GAS AND OIL CO.	U9120148	GASOLINE		43.91
					ACCOUNT TOTAL	87.82 *
					MAJOR TOTAL	100,724.72 **

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
043020	***GENERAL PROPERTIES***					
1100		COMPENSATION OF CUSTODIAN				
	17100	FINN & FENWICK CLEANING SE	DEC20	CLEANING SERVICES		3,375.00
					ACCOUNT TOTAL	3,375.00 *
1300		COMPENSATION OF EXTRA HEL				
	43040	RAKESTRAW LAWN CARE, INC.	2020-5120	MOWING-ADMIN		55.00
	43040	RAKESTRAW LAWN CARE, INC.	2020-5121	MOWING-COURTHOUSE		30.00
	43040	RAKESTRAW LAWN CARE, INC.	2020-5124	MOWING-LIBRARY		50.00
					ACCOUNT TOTAL	135.00 *
3310		REPAIRS				
	10240	SECURITY LOCK & KEY, INC	1075615	BATTERY/LABOR-LIBRAR		79.98
	42721	SMITH HEATING & AIR, INC.	10438	MTN/LABOR ADMIN BLDG		620.00
					ACCOUNT TOTAL	699.98 *
3320		MAINTENANCE & SERVICE CON				
	290	CINTAS	4067865223	UNIFORMS		6.23
	290	CINTAS	4068240751	UNIFORMS		6.23
	290	CINTAS	4068795751	UNIFORMS		6.23
	26410	VALLEY BOILER & MECHANICAL	27011	PREV MAINTENANCE		166.65
					ACCOUNT TOTAL	185.34 *
3340		Computer Services Support				
	43110	TECH SQUARED INC	19574	TECH SUPPORT PLAN		13,274.00
					ACCOUNT TOTAL	13,274.00 *
5120		HEATING SERVICE				
	70	CLARK GAS AND OIL CO.	U9290079	LPG DELIVERY		35.48
	70	CLARK GAS AND OIL CO.	U9290084	LPG DELIVERY		394.71
					ACCOUNT TOTAL	430.19 *
5140		PEST CONTROL				
	42706	DODSON PEST CONTROL	1000079297	PEST CONTROL		120.00
					ACCOUNT TOTAL	120.00 *
5230		TELEPHONE				
	28501	VERIZON WIRELESS	9866461453	CELL SERVICE		31.62
					ACCOUNT TOTAL	31.62 *
6005		JANITORIAL SUPPLIES				
	290	CINTAS	4068785147	MOPS/MATS		191.49
					ACCOUNT TOTAL	191.49 *
6008		GAS AND OIL				
	70	CLARK GAS AND OIL CO.	U9120075	REG GAS EXEMPT		63.30
	70	CLARK GAS AND OIL CO.	U9120148	GASOLINE		63.31
					ACCOUNT TOTAL	126.61 *
8134		FLOYD COUNTY SCHOOLS BOIL				
	31330	THOMPSON & LITTON, INC	97297	PROJECT 14408		4,107.00
	43037	NOR-WELL COMPANY, INC	4900	FCS 191124		391,152.14
	43037	NOR-WELL COMPANY, INC	4902	FCS 191050		206,720.00
					ACCOUNT TOTAL	601,979.14 *
8136		CAPITAL OUTLAY: SCHOOLS C				
	30360	SCHNABEL ENGINEERING, LLC	2029086	FCHS CCDC PROJECT		3,007.00
	31330	THOMPSON & LITTON, INC	97299	PROJECT 14991		12,377.80
	43173	FRITH CONSTRUCTION COMPANY	NOV20 FCHS	FCHS PROJECT		62,709.26
					ACCOUNT TOTAL	78,094.06 *

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
9140		DEBT SERVICE: CARTER 2015				
	4230	CARTER BANK & TRUST	DEC20 #66 21741	LOAN 21741		16,063.20
					ACCOUNT TOTAL	16,063.20 *
9150		DEBT SERVICE: SKYLINE 201				
	42888	SKYLINE NATIONAL BANK	DEC20 9964734	LOAN 9964734		11,435.75
					ACCOUNT TOTAL	11,435.75 *
					MAJOR TOTAL	726,141.38 **
052010	***MENTAL HEALTH***					
5620		PAYMENT TO MENTAL HEALTH				
	910	NEW RIVER VALLEY	NOVEMBER20	1ST-2ND QUARTER		18,861.50
					ACCOUNT TOTAL	18,861.50 *
					MAJOR TOTAL	18,861.50 **
071020	***FLOYD COUNTY RECREATION***					
3000		CONTRACTUAL SERVICES				
	43040	RAKESTRAW LAWN CARE, INC.	2020-5125	MOWING-REC PARK		765.00
	43053	JEFF BELSHAN	NOV20 BELSHAN	REC/UMPIRE		1,050.00
	43054	TOM ADAMS	NOV20 ADAMS	REC/UMPIRE		50.00
					ACCOUNT TOTAL	1,865.00 *
5230		TELEPHONE				
	28501	VERIZON WIRELESS	9866461453	CELL SERVICE		48.59
					ACCOUNT TOTAL	48.59 *
6001		OFFICE SUPPLIES				
	37090	ELECTRONIC SYSTEMS, INC	IN1711337	COPIER LEASE		66.55
					ACCOUNT TOTAL	66.55 *
6008		GAS AND OIL				
	70	CLARK GAS AND OIL CO.	U9120075	REG GAS EXEMPT		7.06
	70	CLARK GAS AND OIL CO.	U9120148	GASOLINE		7.07
					ACCOUNT TOTAL	14.13 *
					MAJOR TOTAL	1,994.27 **
081200	***COMMUNITY DEVELOPMENT***					
5230		TELEPHONE				
	28501	VERIZON WIRELESS	9866461453	CELL SERVICE		48.59
					ACCOUNT TOTAL	48.59 *
					MAJOR TOTAL	48.59 **
081500	***ECONOMIC DEVELOPMENT AUTHORITY**					
6087		EDA-BUILDING CONST COMMER				
	42868	HURT & PROFFITT, INC.	62697	PROJECT 20201010		1,330.28
					ACCOUNT TOTAL	1,330.28 *
6096		COMMERCE PARK-PHASE 2-PRE				
	42868	HURT & PROFFITT, INC.	62718	PROJECT 20200117		4,398.57
					ACCOUNT TOTAL	4,398.57 *

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
6103		CDBG HOUSING REHABILITATI				
	30720	HDH TECHNICAL INC	8170	PAINT INSPECTION		2,450.00
					ACCOUNT TOTAL	2,450.00 *
					MAJOR TOTAL	8,178.85 **
082030	***SKYLINE SOIL & CONSERVATION***					
5640		PAYMENT TO SOIL DISTRICT				
	930	SKYLINE SOIL & WATER	FY21 2ND QTR	2ND QTR ALLOCATION		3,412.50
					ACCOUNT TOTAL	3,412.50 *
					MAJOR TOTAL	3,412.50 **
082050	***MISCELLANEOUS PROGRAMS***					
5653		LITERACY VOLUNTEERS OF AM				
	12930	LITERACY VOLUNTEERS OF	FY21 2ND QTR	2ND QTR CONTRIBUTION		135.25
					ACCOUNT TOTAL	135.25 *
6069		COUNTY/TOWN TOURISM AUTHO				
	42370	FLOYD COUNTY TOURISM DEVEL	11/24/20	COUNTY CONTRIBUTION		7,500.00
					ACCOUNT TOTAL	7,500.00 *
6083		FAIRVIEW NURSING HOME				
	910	NEW RIVER VALLEY	NOVEMBER 2020	1ST-2ND QUARTER		1,250.00
					ACCOUNT TOTAL	1,250.00 *
6086		DRUG COURT COSTS				
	42949	LINEBERRY ENTERPRISES LLC	JAN21 RENT	RENT		400.00
	43021	OMNI PROPERTIES 2 LLC	JAN21 RENT	AKERS STREET RENT		900.00
					ACCOUNT TOTAL	1,300.00 *
					MAJOR TOTAL	10,185.25 **
403230	***EMERGENCY MEDICAL SERVICES***					
3310		REPAIRS				
	42840	B & S AUTOMOTIVE SERVICE	0038957	DIESEL OIL CHANGE		130.31
	42840	B & S AUTOMOTIVE SERVICE	0038969	DIESEL OIL CHANGE		239.50
					ACCOUNT TOTAL	369.81 *
5230		TELEPHONE				
	28501	VERIZON WIRELESS	9866461453	CELL SERVICE		120.19
					ACCOUNT TOTAL	120.19 *
6004		MEDICAL AND LABORATORY SU				
	42833	BOUND TREE MEDICAL, LLC	83843092	MEDICAL SUPPLIES		159.34
	42833	BOUND TREE MEDICAL, LLC	83843093	MEDICAL SUPPLIES		648.74
	42833	BOUND TREE MEDICAL, LLC	83859217	MEDICAL SUPPLIES		58.99
	42833	BOUND TREE MEDICAL, LLC	83860834	MEDICAL SUPPLIES		184.90
	42837	ARC3 GASES	07554216	OXYGEN USP MEDICAL		47.08
	42837	ARC3 GASES	07565475	OXYGEN RENTAL		34.65
					ACCOUNT TOTAL	1,133.70 *
6014		OTHER OPERATING SUPPLIES				
	40550	RAM SOFTWARE SYSTEMS, INC	13438	AIM SAAS		500.00
					ACCOUNT TOTAL	500.00 *

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
8107		CAPITAL OUTLAY: POWERLOAD				
	12590	VEST'S SALES & SERVICE IN	14538	AMBULANCE LIFT		41,944.00
					ACCOUNT TOTAL	41,944.00 *
					MAJOR TOTAL	44,067.70 **
					FUND TOTAL	963,714.42

FUND # - 010

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
032030	**FIRE AND RESCUE FUND**					
3206		STATE FIRE FUND PROGRAM				
	2310	FLOYD COUNTY VOLUNTEER	NOVEMBER 2020	FIRE FUND REIMBURSE		5,118.91
					ACCOUNT TOTAL	5,118.91 *
					MAJOR TOTAL	5,118.91 **
					FUND TOTAL	5,118.91

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
042030	**SOLID WASTE**					
3140		LANDFILL MONITORING				
	41280	PHILIP D WESEL &	13254 DEC20	REIMBURSEMENT		191.70
					ACCOUNT TOTAL	191.70 *
3310		REPAIRS AND MAINTENANCE				
	1270	C.W. HARMAN & SON	354642	PUSHBROOM		49.98
	29760	THC ENTERPRISES, INC.	606509	PARTS, SHIPPING		273.11
	41130	BOONE TRACTOR & IMPLEMENT	SI20436A	PARTS, FREIGHT		169.90
	41130	BOONE TRACTOR & IMPLEMENT	SI20523	PARTS, FREIGHT		312.43
	42805	EXCEL TRUCK GROUP	1314624R	FITTINGS, HOSE		199.08
	42831	FLOYD AUTO PARTS	473685	GAUGE		6.29
	42831	FLOYD AUTO PARTS	473768	PARTS		40.63
	42831	FLOYD AUTO PARTS	473805	GREASE FITTING		3.99
	42831	FLOYD AUTO PARTS	473816	FITTINGS, ADAPTERS		13.99
	42857	FITZGERALD PETERBILT	13474PF	REPAIR/LABOR		368.12
	42857	FITZGERALD PETERBILT	13533PF	SCREW-MACHINE		3.75
	42857	FITZGERALD PETERBILT	13560PF	MIRROR DOOR-PTRBLT		677.75
					ACCOUNT TOTAL	2,119.02 *
5230		TELEPHONE				
	28501	VERIZON WIRELESS	9866461453	CELL SERVICE		31.62
					ACCOUNT TOTAL	31.62 *
5415		DEBT SERVICE/INTEREST:FOR				
	42888	SKYLINE NATIONAL BANK	DEC20 9971979	LOAN 9971979		419.60
					ACCOUNT TOTAL	419.60 *
6001		OFFICE SUPPLIES				
	2050	NEW RIVER OFFICE SUPPLY	013274-00	TIME CARDS		23.99
					ACCOUNT TOTAL	23.99 *
6008		GAS, OIL, ETC.				
	70	CLARK GAS AND OIL CO.	U9120075	REG GAS EXEMPT		172.60
	70	CLARK GAS AND OIL CO.	U9120076	ROAD DSL EXEMPT		637.06
	70	CLARK GAS AND OIL CO.	U9120121	DIESEL FUEL		824.16
	70	CLARK GAS AND OIL CO.	U9120147	DIESEL FUEL		731.32
	70	CLARK GAS AND OIL CO.	U9120148	GASOLINE		172.63
	70	CLARK GAS AND OIL CO.	U9120184	ROAD DSL EXEMPT		772.37
	1380	VIRGINIA INDUSTRIAL CLEANE	138651	WASTE OIL MTN		733.11
	32130	HUTCHENS PETROLEUM	103168	DIESEL EXHAUST FLUID		297.89
	32130	HUTCHENS PETROLEUM	103169	ANTIFREEZE/HYDR FLUI		591.32
					ACCOUNT TOTAL	4,932.46 *
6014		OTHER OPERATIONAL SUPPLIE				
	290	CINTAS	4067865223	UNIFORMS		134.62
	290	CINTAS	4068240751	UNIFORMS		138.12
	290	CINTAS	4068795751	UNIFORMS		122.82
	310	SLAUGHTERS SUPERMARKET	9367 TRX57	PAPER PRODUCTS		60.67
					ACCOUNT TOTAL	456.23 *
6023		CONTRACT SERVICES/HAULING				
	26980	OUTHOUSE TOILET RENTALS	7779	LEACH TANK PUMPED		550.00
	36910	NEW RIVER RESOURCE AUTHORI	NOV20	TRASH HAULING		33,677.12
					ACCOUNT TOTAL	34,227.12 *
					MAJOR TOTAL	42,401.74 **

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
042040	**RECYCLING**					
3310		REPAIRS & MAINTENANCE				
	70	CLARK GAS AND OIL CO.	S0007989	CONTROLS & ALARMS		141.23
					ACCOUNT TOTAL	141.23 *
3400		TIRE DISPOSAL TRANSPORTAT				
	43038	FRONTLINE LOGISTICS INC	FCTS-19	OUTGOING TIRES		2,907.45
					ACCOUNT TOTAL	2,907.45 *
6008		GAS/PROPANE/KEROSENE				
	70	CLARK GAS AND OIL CO.	U9120075	REG GAS EXEMPT		106.74
	70	CLARK GAS AND OIL CO.	U9120076	ROAD DSL EXEMPT		27.90
	70	CLARK GAS AND OIL CO.	U9120121	DIESEL FUEL		36.09
	70	CLARK GAS AND OIL CO.	U9120147	DIESEL FUEL		32.02
	70	CLARK GAS AND OIL CO.	U9120148	GASOLINE		106.76
	70	CLARK GAS AND OIL CO.	U9120184	ROAD DSL EXEMPT		35.11
	70	CLARK GAS AND OIL CO.	U9290093	PROPANE		134.15
	70	CLARK GAS AND OIL CO.	U9290094	PROPANE		12.78
					ACCOUNT TOTAL	491.55 *
8106		CAPITAL OUTLAY:TIRES				
	43178	JIMMY'S RETREADING SERVICE	NOV20 8168	TIRES		5,156.00
	43178	JIMMY'S RETREADING SERVICE	8440	SKIDSTEER TIRES		1,980.00
					ACCOUNT TOTAL	7,136.00 *
					MAJOR TOTAL	10,676.23 **
					FUND TOTAL	53,077.97

MAJOR# ACCT#	VENDOR NUMBER	VENDOR NAME	INV#	DESCRIPTION		AMOUNT
031400	**E911**					
3160		Mapping/Addressing				
	30770	KING-MOORE, INC	3903	MAP UPDATE, CLEANING		520.00
					ACCOUNT TOTAL	520.00 *
3310		Repairs/Maintenance				
	40610	CENTURYLINK	U111700618	2J637800		225.00
					ACCOUNT TOTAL	225.00 *
8124		CAPITAL OUTLAY:TEXT BACK-				
	43023	ACTIVE911, INC.	230116	SUBSCRIPTION FEES		1,960.00
					ACCOUNT TOTAL	1,960.00 *
					MAJOR TOTAL	2,705.00 **
					FUND TOTAL	2,705.00
					TOTAL DUE	1,024,616.30

Approved at meeting of _____ on _____.

Signed _____ _____ _____
Title Date

_____ _____ _____
Title Date

_____ _____ _____
Title Date

6.c.

NOTICE OF PUBLIC HEARING
PROPOSED ORDINANCE TO ENSURE CONTINUITY OF COUNTY GOVERNMENT IN RESPONSE TO THE COVID-19 DISASTER

Pursuant to Section 15.2-1427 of the Code of Virginia and amendments thereto, the Floyd County Board of Supervisors will conduct a public hearing on December 8, 2020, at 9:30 a.m. or as soon thereafter as possible, in the Board Room of the County Administration Building, 120 West Oxford Street, Floyd, VA. The purpose of the public hearing is to give the citizens of Floyd County the opportunity to comment on a proposed ordinance to adopt emergency procedures to ensure continuity of County government in response to the COVID-19 disaster in keeping with Virginia Code Section 15.2-1413, and being substantially similar to the measures enacted by the Board on June 9, 2020. The ordinance would continue the emergency procedures in place for a period not exceeding six months from the date of adoption. A copy of the proposed ordinance may be reviewed in the Office of the County Administrator, 120 West Oxford Street, Floyd, VA, Monday – Friday, 8:00 a.m. - 4:30 p.m., or provided in hard copy or in electronic format by calling or writing to the County Administrator at 540/745-9300 or tmorris@floydcova.org

Due to the public health threat posed by the COVID-19 coronavirus pandemic, current guidance by the Governor of Virginia and the Virginia Department of Health on social distancing and public gatherings, the meeting may occur via electronic means, or, if by physical attendance, the in-person gathering size may be limited. The meeting will be streamed live via Internet and any Floyd County citizen wishing to submit comments may do so and they will be entered into the official minutes of the Floyd County Board of Supervisors and they will be read by the Chair or designee at the Board Meeting.

BY THE ORDER OF THE FLOYD COUNTY BOARD OF SUPERVISORS

ATTEST Terri W. Morris

Terri W. Morris
County Administrator

Advertise: November 19, 2020
November 26, 2020

ORDINANCE NO. _____

AN ORDINANCE OF THE FLOYD COUNTY BOARD OF SUPERVISORS INSTITUTING EMERGENCY PROCEDURES TO ENSURE CONTINUITY OF COUNTY GOVERNMENT IN RESPONSE TO THE COVID-19 DISASTER.

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the healthcare community in responding to the novel coronavirus or "COVID-19"; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States found and proclaimed that the COVID-19 outbreak in the United States constituted a national emergency and this outbreak continues to be a national emergency; and

WHEREAS, on March 12, 2020, by Executive Order No. 51, Governor Ralph S. Northam declared a state of emergency in the Commonwealth of Virginia due to the spread of the COVID-19 virus, and declared the anticipated effects of COVID-19 to be a disaster within the meaning of Virginia Code Section 44-146.16; and

WHEREAS, on May 26, 2020, by Amended Executive Order No. 51, Governor Northam declared that a state of emergency continued to exist due to the potential spread of COVID-19 and "again direct[ed] state and local governments to continue to render appropriate assistance to prepare for this event, to alleviate any conditions resulting from the situation, and to implement recovery and mitigation operations and activities"; and

WHEREAS, such "recovery and mitigation operations and activities" must be adaptable to local situations and circumstances, and account for local emergencies, such as local community spread and emerging local hotspots; and

WHEREAS, these local emergencies may necessitate stricter public health standards than the Governor requires or may require local governing bodies to meet remotely in certain areas of the Commonwealth in order to maintain public health and safety; and

WHEREAS, on July 1, 2020, Governor Northam, by Executive Order No. 67, instituted "Phase Three", which continues to be in place; and

WHEREAS Executive Order No. 67 continued to recognize the public health emergency in Virginia from the spread of the COVID-19 virus, continued to impose stringent measures to combat the spread of COVID-19, and reaffirmed earlier executive orders involving the health emergency created by the COVID-19 pandemic; and

WHEREAS Executive Order No. 67 requires all places where the public may gather to enforce appropriate social distancing measures between individuals, keeping them at least six feet apart, and requiring all individuals to wear appropriate face coverings over their mouth and nose; and

WHEREAS the Virginia Freedom of Information Act, Virginia Code Section 2.2-3700 *et seq.*, requires the public to have continued access to the meetings of public bodies; and

WHEREAS in certain circumstances such access may only be possible, given the space limitations required to enforce appropriate social distancing, where public bodies include options for virtual participation in public meetings; and

WHEREAS in person access to meetings will not be safe for individuals and members of governing bodies where those individuals have pre-existing conditions, are immunocompromised, or are in a high-risk category for death or serious complications due to COVID-19; and

WHEREAS, on March 16, 2020, the County's Director of Emergency Management issued, pursuant to Virginia Code Section 44-146.14 a Declaration of Emergency in the County due to the spread of COVID-19; and

WHEREAS, the Board confirmed or ratified the local Declaration of Emergency March 24, 2020, and hereby finds and Declares that the local emergency continues to exist. The Board further finds that such ongoing emergency constitutes a "disaster" within the meaning of Virginia Code Section 15.2-1413; and

WHEREAS, the Board understands and acknowledges that the public health threat posed by COVID-19 constitutes a real and substantial danger to persons in the County of Floyd; that the limitations on physical assembly of persons are urgently necessary to protect the public health; and that the Board and other County boards, commissions, and public bodies must conduct themselves accordingly; and

WHEREAS, compliance with the limitations on physical assembly occasioned by the COVID-19 public health crisis may make it difficult or impossible for the Board and other public bodies to safely physically assemble to conduct meetings and hold public hearings in accordance with ordinarily applicable procedures in their current facilities; and

WHEREAS, Virginia Code Section 44-146.21 provides that a local director of emergency management or any member of a governing body in the absence of the director may upon the declaration of a local emergency "proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to the performance of public work"; and

WHEREAS, Virginia Code Section 15.2-1413 authorizes any locality, by ordinance, to provide for methods to assure continuity in its government in the event of a disaster such as that created by the spread of COVID-19; and

WHEREAS, the Board of Supervisors of Floyd County is aware of the Opinion of the Attorney General issued March 20, 2020 and intends to act consistently therewith in the adoption of this Ordinance; and

WHEREAS, the Board of Supervisors of Floyd County is aware of the Opinion of the Attorney General issued October 5, 2020 and will make every reasonable effort in the present declared state of emergency to comply with all relevant state law requirements for governing bodies, including requirements specified under the Virginia Freedom of Information Act (VFOIA), notwithstanding the County's inherent authority under Virginia Code Section 15.2-1413 *et seq*.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of Floyd, Virginia (the "Board"):

1. That the COVID-19 pandemic may make it unsafe to assemble in one location a quorum for public entities including the Board, the School Board, the Planning Commission, the Economic Development Authority and all local and regional boards, commissions, committees, and authorities created by the Board or to which the Board appoints all or a portion of its members ("Public Entities") and further may make it unsafe to conduct meetings of the foregoing entities in accordance with normal practices and procedures, and therefore, in accordance with Virginia Code Section 15.2-1413, the following emergency procedures are hereby instituted to ensure continuity of government during the pendency of the COVID-19 disaster:

    a. Any process, procedure, matter, or transaction which typically allows for the physical presence of the public in a County or School building that has been declared or in the future is declared to be closed to the public during the pendency of the Emergency Declaration is hereby suspended unless conducted in accordance with this ordinance or other provision of law.

    b. The County Administrator is authorized to take actions objectively reasonable and necessary in the public health interest to alter schedules, arrange for alternative procedures consistent with this ordinance, provide programming, authorize necessary expenditures, engage contractors, hire employees, set and manage a succession plan effective in the event of unavailability of staff, adjust administrative processes and procedures to address the disaster, all in keeping with the U.S. Centers for Disease Control and Virginia Department of Health guidance/directives, and consistent with State and Local Declarations of Emergency.

    c. Any meetings required and agenda items scheduled or proposed to be considered by the Board and other County boards, commissions, authorities and other Public Entities, for the duration of the local emergency but not to exceed six (6) months from the date of adoption of this ordinance, are deemed postponed and continued and extensions therefor are hereby ordered unless the Public Entity takes action on the item during that time following the alternative procedures described herein. This postponement of deadlines and actions shall include without limitation those items for which applicable law requires an affirmative action to be taken within a particular time with failure to

act deemed approval. The provisions of this section shall also apply to matters postponed as a result of the COVID-19 pandemic prior to adoption of this Ordinance.

d. In the reasonable judgement of and at the discretion of the Board or other Public Entity, especially where community spread exists, emerging local hotspots exist, or members of that Board or Public Entity are at high risk for serious or fatal complications from a COVID-19 infection due to pre-existing conditions, diabetes, obesity, advanced age, or other similar condition, meetings of the Board or other Public Entity may be held through electronic communication without a quorum of members physically present in a single location, provided that the public is given notice of such electronic meeting contemporaneously with the notice given to members of the Public Entity, and alternative measures are made to ensure public access by electronic or other remote means. At such a meeting held through electronic communication, the Public Entity may consider any item of business which said entity deems essential to the continuity of government or is appropriate for the continuity of the work of the Public Entity.

e. Meetings of the Board or other Public Entity may be held with any number of the members of the Public Entity physically assembled or participating electronically, without members of the public being physically assembled in the same physical location as the members of the Public Entity if, in the judgment of said entity, such assembly would unacceptably endanger the health and safety of more susceptible participants, would not allow symptomatic individuals to participate, and would not permit best practices to prevent the spread of COVID-19, including appropriate social distancing measures, provided that the public is given notice that physical attendance by members of the public will be limited to permit protective measures to prevent spread of COVID-19, and further provided that alternative measures are made to ensure additional public access by electronic or other remote means. At such a meeting held with the help of electronic communication, the Public Entity may consider any item of business which said entity deems essential to the continuity of government or is appropriate for the continuity of the work of the Public Entity.

f. For meetings held electronically, pursuant to Virginia Code Section 2.2-3708.2(A)(1) and (A)(2), any matters which may properly come before the entity may be considered.

g. Meetings under subsections (d) and (f) may be held with limited attendance of members of the public being physically present in a single location or in the same physical location as any of the Public Entity members, so long as alternative arrangements for public access to such meetings are made. Such alternative public access may be electronic, including but not limited to audio, telephonic, or video broadcast.

h. For any matter considered by the Board or other Public Entity during the pendency of the local emergency which typically requires open doors, public attendance or public participation by law, such requirements are hereby altered and may be met by electronic, telephonic, and/or written means by the Public Entity, which may meet electronically or in person or in some combination thereof as circumstances may permit or require.

i. For any matter considered also requiring public comment or hearing, such will be allowed, solicited or received by the Public Entity by electronic, telephonic, and/or written means prior to the vote on such matter. All such comments will be heard by or provided to the members of the Public Entity and made a part of the record of such meeting.

j. Notices of meetings will be provided by email directly to those who have elected in writing in the previous calendar year to receive such notices under the Virginia Freedom of Information Act, and if practicable, will also be provided on the County website and by other means selected by the County Administrator. To the extent practicable, notices will also be provided as otherwise provided by general law.

k. The minutes of all meetings undertaken under alternative meeting procedures in Section 1 of this Ordinance shall conform to the requirements of law, identify how the meeting was conducted, members participating, and specify what actions were taken at the meeting. The Public Entity may approve minutes of a meeting conducted under alternative meeting procedures at a subsequent meeting conducted under alternative meeting procedures and shall later approve all such minutes at a regular or special meeting after the emergency and disaster has ended.

2. Any and all meetings or actions taken by the Board or any Public Entity using the alternative procedures previously adopted by the Board by Ordinance dated June 9, 2020 are hereby ratified and confirmed, and such ordinance is hereby superseded by this ordinance. The Board specifically finds that the continuous nature of the emergency described herein means that the state of emergency has not concluded. Therefore, due to the nature of the emergency, the Board confirms and declares the emergency to be ongoing and reaffirms the necessity for the emergency procedures set forth in this Ordinance.

3. That the provisions in Section 1 of this Ordinance shall be effective upon adoption. If sufficient time was not available for advertisement pursuant to Va. Code Section 15.2-1427(F), then this ordinance shall be in effect immediately as an emergency ordinance and the County Administrator is directed to advertise for a public hearing to be conducted in accordance with the provisions of this Ordinance, after advertisement under Va. Code Section 15.2-1427(F).

This Ordinance was duly adopted this 13th day of October, 2020.

Member	**Vote**	
	Aye	Nay
Joe D. Turman	X	____
Jerry W. Boothe	X	____
Lauren D. Yoder	X	____
Justin Coleman	X	____
Linda DeVito Kuchenbuch	X	____

I, TERRI MORRIS, HEREBY ATTEST THAT THIS IS A TRUE AND ACCURATE COPY OF SAID ORDINANCE.

TERRI MORRIS
County Administrator

6.f. sw

Around the Table

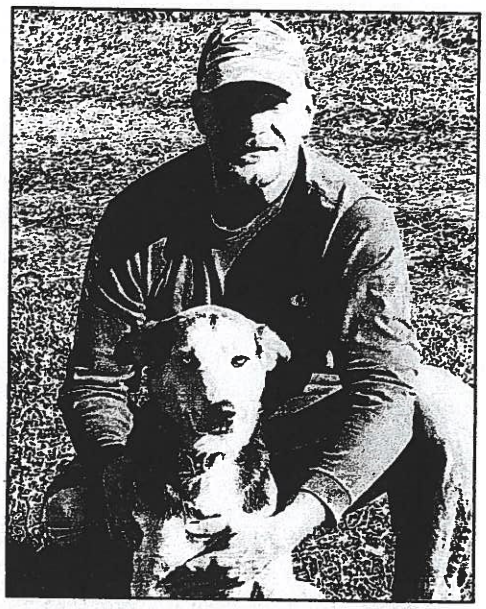
VERY SEASON
rtha.com/18877

GRAPHER
LY
LLIPS
e Ridge Rd SE
91
hotography@outlook.com

T
M

pered chef
IDEPENDENT CONSULTANT
nda Morgan
't you LOVE to Host
pered Chef Party?
CALL ME AT
-239-8951
OR EMAIL
ndMe@gmail.com
hemorgan2

Local Residents Trash Pick-up Service Now Available

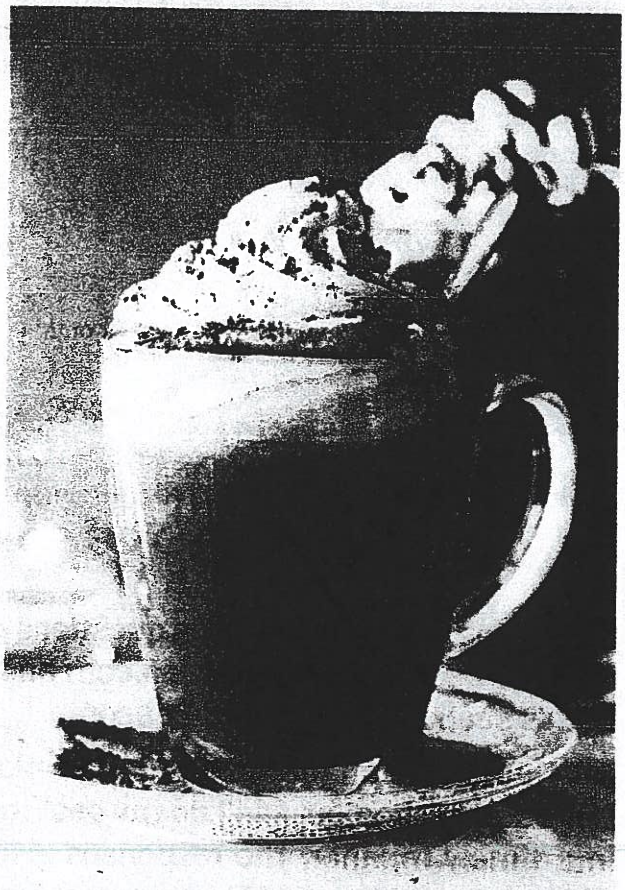


John Vaughn, owner of JV Services, will begin serving the rural areas of Floyd County with residential trash pick-up on December 1st. This service includes one scheduled pick-up per household on a weekly basis. Pick-up for each section of the county will be provided on certain days of the week.

Pick-up services are limited to 10 bags per week for each household. The cost for pick-up service is $10 payable weekly on a monthly basis. This service is limited to Floyd County rural residents and only items that are accepted at the green boxes will be picked up. No tires or other unacceptable green box items will be hauled off. New customers are being accepted on a space available basis. If you would like to sign up for pick-up you can reach John at (540) 789-2230 or email him at jvruralservices@outlook.com.

FUN FACT

It's that time of year again. Beginning with Halloween and ending with New Year's Day, it's 3 months of guilt-free, or at least plausible indulgence, in everything chocolate.



100 Words About Chocolate...

Today, many consider cocoa, or chocolate, a "comfort food". A rich treat, smooth, sweet and chocolaty, that melts in your mouth. However, other cultures have had a very different relationship with cacoa/chocolate. Since 1900 BCE the Mesoamerican Indians considered it sacred and used it as a beverage offered to the gods. In the 1500's Spain was fascinated with the cacao bean's bitter beverage. King Charles V added cane sugar, vanilla, nutmeg, cloves, allspice and cinnamon to the beverage and it became the drink of nobility and a Spanish secret kept from the rest of the world for nearly 100 years.

6.f.SW

Chapter 42

SOLID WASTE*

Article I. In General

Sec. 42-1. Authority.
Sec. 42-2. Definitions.
Sec. 42-3. Purpose.
Sec. 42-4. Open dumps prohibited.
Sec. 42-5. Longterm storage; transportation and disposal of hazardous or radioactive waste.
Sec. 42-6. Disposal of compacted or baled solid waste.
Sec. 42-7. Approved bulk container required for collection and transportation.
Sec. 42-8. Dropping or leaking of solid waste from vehicle prohibited.
Sec. 42-9. Use of sanitary landfill; compliance with laws and permitting requirements.
Sec. 42-10. Accumulations of solid waste prohibited.
Sec. 42-11. Penalties and enforcement.
Sec. 42-12. Rehabilitation expenses.
Sec. 42-13. Exceptions.
Secs. 42-14—42-30. Reserved.

Article II. Collection

Division 1. Generally

Sec. 42-31. Use of bulk containers.
Secs. 42-32—42-50. Reserved.

Division 2. Green Box Service

Sec. 42-51. Preexisting ordinances.
Sec. 42-52. Purpose.
Sec. 42-53. Administration of the solid waste management system.
Sec. 42-54. Green box service requirements.
Sec. 42-55. Solid waste tipping fee.
Sec. 42-56. Acceptance of waste not required.
Sec. 42-57. County approval required for deposit of waste.
Sec. 42-58. Rate schedule.
Sec. 42-59. Penalties.
Secs. 42-60—42-90. Reserved.

Article III. Facilities

Sec. 42-91. Siting of solid waste management facilities.
Sec. 42-92. Application for certificate.

***Cross references**—Disposal of dead companion animals, § 10-9; environment, ch. 26; health and sanitation, ch. 34; mobile homes, ch. 38.

State law reference—Solid waste management, Code of Virginia, § 10.1-1400 et seq.

Sec. 42-93. Public hearing and deadline for board action.
Sec. 42-94. Criteria for issuance of certificate.
Sec. 42-95. Denial or issuance of certificate.
Sec. 42-96. Modification/transfer/lapse/revocation.
Sec. 42-97. Continuing authority of the board of supervisors.
Sec. 42-98. Powers of agent.
Sec. 42-99. Fees and costs.
Sec. 42-100. Existing facilities.

ARTICLE I. IN GENERAL

Sec. 42-1. Authority.

This chapter is enacted pursuant to the provisions of the Virginia Waste Management Act, Code of Virginia, § 10.1-1400 et seq., and Code of Virginia, §§ 15.2-929, 15.2-1200, 15.2-1426, 15.2-1427, 15.2-1429 and other relevant provisions of law for the purpose of providing for the proper treatment and disposal of solid and hazardous waste and for the appropriate siting of solid waste management facilities within the county, in the interest of the public health, safety, and welfare of the citizens and inhabitants of the county.
(Ord. of 11-2-1992, § II(2.1))

Sec. 42-2. Definitions.

For the purpose of this chapter, the terms or words used in this chapter shall have the same meaning as the same terms or words as defined in the Virginia Waste Management Act, Code of Virginia, § 10.1-1400 et seq., unless a different meaning is required by the context of the use or is expressly provided for. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agent means the person charged by the county board of supervisors for serving as the contact and submittal point for applications and shall be the county administrator unless the board of supervisors shall otherwise direct by motion duly adopted by the board of supervisors.

Applicant means the person seeking a permit or certificate from the county board of supervisors for the collection, treatment, longterm storage exceeding 90 days, or disposal of solid waste and shall include those persons seeking the approval of the board of supervisors for the operation of a solid waste management facility. The term "applicant" shall include, in addition to the person actually executing the application or the person in whose name the application is made, the actual party-in-interest or parties-in-interest if the party-in-interest is different from the person executing the application or the person in whose name the application is made.

Application means the process of seeking a permit or certificate from the board of supervisors for the collection, treatment, longterm storage, or disposal of solid waste, and shall include those persons seeking the approval of the board of supervisors for the establishment or operation of a solid waste management facility. The term "application" shall include all procedures and information required to be submitted to obtain such permit or certificate, regardless of the format which shall be required by the board of supervisors or by the agent for such submittal.

Board of supervisors means the board of supervisors of the county.

Certificate means the certification from the board that a proposed solid waste management facility complies with all applicable local ordinances pursuant to Code of Virginia, § 10.1-1408.1. Such certification, with appropriate conditions and safeguards, shall constitute the board's approval of the establishment and operation of the solid waste management facility.

Captive industrial landfill means a solid waste management facility which accepts nonhazardous solid waste only from a business or industry located on the same site generated as part of an on-site production process. Provided, no captive industrial landfill shall accept for disposal any radioactive or nuclear solid waste.

Disposal means the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste into or on any land or water so that such solid waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

Solid waste means any garbage, refuse, sludge and other discarded material, including solid, liquid, semisolid or contained gaseous material, resulting from industrial, commercial, mining and agricultural operations, or community activities but does not include solid or dissolved material in domestic sewage; solid or dissolved material in irrigation return flows or in industrial discharges which are sources subject to a permit from the state water control board; or source, special nuclear, or byproduct materials as defined by the Federal Atomic Energy Act of 1954, 42 USC 20011 et seq., as amended.

Solid waste management facility means a site used for planned treating, longterm storage exceeding 90 days, or disposing of solid waste. A facility may consist of several treatment, storage, or disposal units.
(Ord. of 11-2-1992, § III)

Cross reference—Definitions generally, § 1-2.

Sec. 42-3. Purpose.

This chapter is established for the purpose of protecting, promoting, and preserving an environment that is conducive to public health and welfare; preventing the creation of nuisances and the depletion of natural resources; to maintain such levels of air quality and water quality as will protect human health, welfare and safety; to the greatest degree practicable to prevent injury to plant and animal life and property and to nurture the comfort of the people in their enjoyment of life and property; and to encourage the social and economic development of the county and to facilitate the enjoyment of its attractions.
(Ord. of 11-2-1992, § IV)

Sec. 42-4. Open dumps prohibited.

It shall be unlawful to establish, maintain, or operate an unregulated dumping place, an open dump, or a privately owned or privately operated solid waste management facility within the territorial boundaries of the county, except as expressly authorized in subsection 42-91(a).
(Ord. of 11-2-1992, § V(5.1))

State law reference—Open dumps prohibited, Code of Virginia, § 10.1-1408.1.

Sec. 42-5. Longterm storage; transportation and disposal of hazardous or radioactive waste.

(a) No person shall establish, operate, or maintain any facility engaged in the treatment, longterm storage for a period exceeding 90 days, or disposal of hazardous or radioactive waste or any other hazardous waste management facility within the territorial boundaries of the county. This prohibition shall apply to facilities engaged in the recycling of hazardous or radioactive waste, and shall also apply to the burning of hazardous waste as fuels.

(b) No person shall transport hazardous waste or radioactive waste into the county for the purpose of storing such waste for a period exceeding 72 hours.

(c) If the prohibition provided for in subsection (a) of this section is declared invalid for any reason, no person shall establish, operate, or maintain any facility engaged in the treatment, longterm storage for a period exceeding 90 days or disposal of hazardous or radioactive waste or any other hazardous waste management facility within the territorial boundaries of the county unless such person has obtained a certificate or permit pursuant to Code of Virginia, § 10.1-1426 or Code of Virginia, § 10.1-1435 from the state department of environmental quality or any successor agency.
(Ord. of 11-2-1992, § V(5.2))

Sec. 42-6. Disposal of compacted or baled solid waste.

It shall be unlawful for any person or entity to transport for disposal into the territorial boundaries of the county any solid waste which has been compacted or baled in such a manner that it cannot be readily examined and inspected by manual means by county officials for the purpose of determining whether such solid waste contains hazardous substances.
(Ord. of 11-2-1992, § V(5.3))

Sec. 42-7. Approved bulk container required for collection and transportation.

It shall be unlawful for any person to collect, haul, transport or convey solid waste for disposal within the boundaries of the county except to an approved bulk container in the community or to a county approved solid waste management facility except as otherwise authorized pursuant to this chapter.
(Ord. of 11-2-1992, § V(5.4))

Sec. 42-8. Dropping or leaking of solid waste from vehicle prohibited.

It shall be unlawful for any person to transport any solid waste along the roads located in the county unless the vehicle is constructed or loaded so as to prevent its load from dropping, sifting, leaking or otherwise escaping therefrom.
(Ord. of 11-2-1992, § V(5.5))

Cross reference—Traffic and vehicles, ch. 50.

Sec. 42-9. Use of sanitary landfill; compliance with laws and permitting requirements.

It shall be unlawful for any person engaged in the business of collecting, transporting, storing, or disposing of solid waste, to dispose of such solid waste at any location in the county other than at a sanitary landfill which has been established under the authority of all relevant laws of the state and of the county and after obtaining all required permits to do so except as otherwise authorized pursuant to section 42-13.
(Ord. of 11-2-1992, § V(5.6))

Sec. 42-10. Accumulations of solid waste prohibited.

It shall be unlawful for the owners of any property within the boundaries of the county to accumulate or allow to be accumulated thereon any solid waste in such quantities or in such manner or for such a period of time so as to be injurious to the health, safety, or welfare of any person.
(Ord. of 11-2-1992, § V(5.8))

Sec. 42-11. Penalties and enforcement.

(a) The county administrator shall be responsible for enforcing the requirements of this chapter.

(b) Violation of this chapter and any other solid waste ordinance previously adopted by the county shall be subject to a fine of up to $2,500.00 and/or up to 12 months imprisonment as provided in Code of Virginia, § 15.2-1429. Each day that a person violates this chapter shall constitute a separate offense. In addition, the provisions of this chapter may be enforced by a suit for injunctive relief in a state court of competent jurisdiction.

(c) Nothing in this chapter shall be construed to exempt any person or applicant from any other federal, state, or local regulations required for the establishment, operation, or maintenance of a solid waste management facility.

(d) The agent may direct that any person engaged in solid waste management activities in violation of this chapter or in violation of any certificate issued pursuant to this chapter, to cease and desist the improper activity. If the agent directs that any facility operator that has been issued a certificate cease its operations, the agent shall offer the operator the opportunity for a hearing within 48 hours to consider whether to continue the cease and desist order pending further administrative or judicial action or corrective action by the owner or operator.
(Ord. of 11-2-1992, § XVIII(18.1)—(18.4))

Sec. 42-12. Rehabilitation expenses.

In addition to such penalties as shall be imposed by this chapter or by operation of any other law, any person violating any provision of this chapter shall be required by order of the agent to rectify any damages that have occurred or to remove solid waste not disposed of in conformity with this chapter and to properly dispose of such solid waste.

(1) Any person found to have violated this chapter by the agent shall have ten days to comply with any order issued by the agent in writing and mailed to the last known address of the responsible person.

(2) Should any person not comply with the order of the agent within the ten-day period, the agent may have any damages repaired or solid waste removed and properly disposed of, and all reasonable costs incurred thereby shall be chargeable to and paid either by the responsible person and shall be collected by the agent as taxes and levies are collected, and this charge shall constitute a lien against the property on which the violation occurred.

(Ord. of 11-2-1992, § XIX)

Sec. 42-13. Exceptions.

(a) This chapter shall not apply to a permit modification for an existing sanitary landfill or the expansion of an existing landfill by the opening of a new section or area or the beginning of a new phase of site operations.

(b) This chapter shall not apply to any composting or similar use of organic materials for agricultural purposes or to the transporting of organic materials for agricultural uses, provided that such use shall not be of a nature or size so as to constitute a threat to the health, safety, or welfare of nearby residents.

(c) This chapter shall not apply to the use of soil, stumps, brush and other nonhazardous fill material for landscaping and construction purposes.

(d) This chapter shall not apply to the application of sand or other nonhazardous substances to roads for increasing traction during times of snow and ice.

(e) Except for the provision of subsection 42-100(a), this chapter shall not apply to facilities that undertake the transportation, storage for a period exceeding 90 days, or disposal of nonhazardous solid waste incidental to some other commercial or industrial activity. Any facility that is primarily engaged in solid waste management activities shall be subject to this chapter notwithstanding other activities that may be undertaken at the facility.

(f) This chapter shall not apply to solid waste management facilities engaged in the recycling of nonhazardous solid waste, provided that no hazardous waste is generated in connection with any such recycling facility. If hazardous waste is generated in connection with such recycling activities, the recycling facility shall be excepted from the provisions of this chapter if the operator provides the agent with a verified certificate that the operator has:

(1) Obtained all required federal and state permits as a hazardous waste generator;

(2) Arranged for the transport of all hazardous waste in compliance with federal and state law; and

(3) Arranged for the disposal of all hazardous waste in compliance with federal and state law.

The verified certificate shall be provided by January 31 of each year or upon the request of the agent. The operator shall permit the agent to inspect the recycling facility and review all documents relating to hazardous waste upon request. If the operator shall fail to comply with the requirements of this section, the recycling facility shall be subject to this chapter.

(g) The requirements of article III of this chapter shall not apply to "green box" stations maintained or operated by the county.

(h) This chapter shall not apply to the longterm storage or land application of organic materials for agricultural purposes provided the person undertaking such activities has received all permits required from state regulatory agencies.
(Ord. of 11-2-1992, § XVI)

Secs. 42-14—42-30. Reserved.

ARTICLE II. COLLECTION

DIVISION 1. GENERALLY

Sec. 42-31. Use of bulk containers.

(a) *Use by county residents and authorized persons only.* No person shall deposit or cause to be deposited solid waste within any disposal container or bulk container located at a "green box" station maintained by the county except residents of the county and those persons who own real property in the county. The board of supervisors may authorize any person to use the green box stations by resolution subject to those terms and conditions stated in any such resolution. Any such resolution may provide for the issuance of a permit or permits to authorize the use of green box stations.

(b) *Notice posted on or near bulk containers.* The bulk containers shall be used in compliance with the notice posted on or near the container.

(c) *Depositing unacceptable items in bulk containers.* Green boxes and bulk containers shall be used only for the deposit of household solid waste. It shall be unlawful for any person to deposit in a green box or bulk container any nonhousehold solid waste except as designated in this subsection. It shall be unlawful to deposit in a green box or bulk container any of the following items:

(1) Any item too large to fit in the green box or bulk container;

(2) Discarded building materials;

(3) Trees, leaves, grass, clippings, and brush;

(4) Manure;

(5) Household appliances;

(6) Furniture;

(7) Tires;

(8) Mattresses and boxsprings;

(9) Carpet;

(10) Cardboard boxes too large to fit in the green box or bulk container;

(11) Automotive parts or machinery with oil or fuel reservoirs;

(12) Commercial solid waste;

(13) Industrial solid waste;

(14) Animal carcasses;

(15) Hazardous waste; and

(16) Explosives.

Those commercial establishments that have made privately owned property available for the placement of green boxes or bulk containers may use such green box or bulk container for the deposit of nonhazardous commercial solid waste.

(d) *Scavenging.* It shall be unlawful for any unauthorized person to scavenge or otherwise remove any discarded solid waste from or about any bulk container.

(e) *Ashes.* It shall be unlawful to place ashes or live coals in bulk containers unless the ashes or coals are extinguished and are cold.
(Ord. of 11-2-1992, § 5.9; Ord. of 5-15-1995, § 2)

Secs. 42-32—42-50. Reserved.

DIVISION 2. GREEN BOX SERVICE

Sec. 42-51. Preexisting ordinances.

This division shall supersede and repeal any inconsistent prior ordinances. This division shall supersede and repeal the county tipping fee ordinance adopted June 7, 1991, and the resolution of the board of supervisors adopting solid waste tipping fees approved on June 21, 1993. This division shall not operate to alter, modify, or rescind the county solid waste management prohibition and siting ordinance.
(Ord. of 3-9-1994, § 4)

Sec. 42-52. Purpose.

This division is adopted to more efficiently provide for the operation, regulation, and financing of the solid waste management system maintained by the county.
(Ord. of 3-9-1994, § 5)

Sec. 42-53. Administration of the solid waste management system.

The county administrator shall be responsible for the administration of the solid waste management system maintained by the county including the green box stations, the recycling center, and the transfer station.
(Ord. of 3-9-1994, § 6)

Cross reference—Administration, ch. 2.

Sec. 42-54. Green box service requirements.

(a) *Application.* Any business or industry located in the county may apply with the office of the county administrator to arrange for the establishment of green box stations or for green box service on a requested schedule.

(b) *General terms and conditions.* The county administrator may approve the establishment of a green box station subject to the general terms and conditions and the rates as may be imposed by resolution of the board of supervisors.

(c) *Contracts for green box service.* The county administrator may negotiate a contract with any person for green box service based on reasonable terms and conditions to ensure efficient operation of the solid waste management system, the efficient service to citizens and businesses, and to recover a reasonable portion of the county's cost in providing a requested level of service.

(d) *Governmental service.* The board of supervisors may, by resolution, authorize the establishment of green box stations or green box service within or without the county upon the application of a federal or state governmental agency. Any such green box stations or green box service shall be subject to the terms and conditions stated in the authorizing resolution.
(Ord. of 3-9-1994, § 7)

Sec. 42-55. Solid waste tipping fee.

(a) *Establishment of fee.* There shall be a solid waste tipping fee on the deposit of commercial and industrial solid waste at the transfer station.

(b) *Tipping fee rates.* The board of supervisors shall set rates for the solid waste tipping fee by this division or by subsequent resolution.

(c) *Contracts for special wastes or materials.* The county administrator may negotiate a contract for the transfer or disposal of solid waste or other materials requiring special handling.

(d) *Residential waste exception.* The solid waste tipping fee shall not apply to residential solid waste deposited at the transfer station by residents of the county.

(e) *Recyclable items exception.* The solid waste tipping fee shall not apply to recyclable items delivered to and accepted by the recycling center.

(f) *County agent exception.* The solid waste tipping fee shall not apply to agents or employees of the county that deposit solid waste at the transfer station as part of their official duties.

(g) *Recycling center exception.* The solid waste tipping fee shall not apply to the county recycling center or to any of its employees who deposit solid waste at the transfer station as part of their official duties.

(h) *Payment of fee.* The solid waste tipping fee shall be due and payable before or at the time any solid waste is deposited at the transfer station. The county administrator may negotiate a contract with any person for the billing of the solid waste tipping fee upon reasonable terms and conditions.

(i) *Application of fee to the Town of Floyd.* The solid waste tipping fee shall apply to the deposit of solid waste at the transfer station by the Town of Floyd and its agents with respect to any solid waste that includes solid waste collected outside of the corporate limits of the Town of Floyd.
(Ord. of 3-9-1994, § 8)

Sec. 42-56. Acceptance of waste not required.

The county shall not be required to accept for transfer or disposal any solid waste, hazardous waste, or other materials delivered or deposited at the transfer station or any green box station.
(Ord. of 3-9-1994, § 9)

Sec. 42-57. County approval required for deposit of waste.

No person shall deposit solid waste at the transfer station without the permission and approval of the county and during periods when the transfer station is open for the deposit of solid waste.
(Ord. of 3-9-1994, § 10)

Sec. 42-58. Rate schedule.

The solid waste tipping fee is hereby established as follows:

(1) *Municipal/commercial/industrial solid waste.* Municipal/commercial/industrial solid waste fees are set annually by the board of supervisors as part of the budget and are set forth in the fee schedule in appendix A to this Code.

(2) *Tires.* Tire fees are set forth in the schedule in appendix A to this Code.
(Ord. of 3-9-1994, § 11)

Sec. 42-59. Penalties.

Violations of this division shall be subject to a fine of up to $2,500.00 and/or up to 12 months imprisonment as provided in Code of Virginia, § 15.2-1429. Each violation of this division shall constitute a separate offense. In addition, the provisions of this division may be enforced by a suit for injunctive relief in a court of competent jurisdiction.
(Ord. of 3-9-1994, § 12)

Secs. 42-60—42-90. Reserved.

ARTICLE III. FACILITIES

Sec. 42-91. Siting of solid waste management facilities.

(a) *Application of article.* This article shall apply to solid waste management facilities operated by the county or by a regional waste or service authority in which the county is a participating member. In addition, the provisions of this article shall apply to captive industrial landfills which accept waste only from a business or industry located on the same site generated as part of an on-site production process. The provisions of this article shall apply to privately owned or privately operated solid waste management facilities only in the event the prohibition provisions of sections 42-4 through 42-10 are ruled invalid by a court of competent jurisdiction.

(b) *Certificate required.* No person shall establish, operate, or maintain a solid waste management facility without a certificate from the board. All facilities engaged in solid waste management activities or hazardous waste management activities shall be subject to this chapter notwithstanding any provision of state or federal law that excepts such facility from state or federal permitting requirements.

(c) *Facilities prohibited in base flood area.* A solid waste management facility shall not be sited or constructed in areas subject to base floods.

(d) *Facilities prohibited in geologically unstable areas.* No solid waste management facility shall be sited in geologically unstable areas where adequate foundation support for the construction components for the solid waste management facility does not exist, giving due consideration to soil conditions, geological and geomorphologic features, manmade features, caverns, tunnels, mines, and sink holes.

(e) *Distance from water bodies, wells, schools, etc.* No solid waste management facility disposal area shall be closer than 100 feet from any regular flowing surface body of water, 500 feet from any well, spring, or other groundwater source of drinking water. Any solid waste management facility disposal area shall also be minimum of 50 feet from any public road or right of way used by anyone other than the person operating the facility, and a minimum of 200 feet from any residence, school, hospital or nursing home, church, recreational and park areas, and retail establishment.

(f) *Separation between water table or bedrock.* There shall be a minimum separation of five feet between the deposit of solid waste and maximum seasonal water table or bedrock unless equal isolation or separation can be achieved and maintained by engineered construction and operation methods to meet the standards of the state department of environmental quality.

(g) *Vehicular access.* The access from a primary highway to the proposed facility site shall be an all weather road with a base capable of withstanding anticipated heavy vehicle loads.

(h) *Siting criteria.* The board shall also consider the following siting criteria in evaluating an application:

(1) Suitability of the proposed solid waste management facility site in light of the surface and subsurface conditions (porous, fractured, or subsided, or is subjected to such conditions from past, present, or future mining or as otherwise affected by natural sink holes, fissures, and cracks).

(2) Impact of the proposed solid waste management facility site on groundwater and surface water used by citizens and localities within the county.

(3) The fitness of the applicant, its owners and their companies, to guard and to protect the safety and welfare of the public and to prevent pollution of the water and other natural resources.

(4) The likelihood that a breach of the solid waste management facility containment systems could occur and, if so, the impact such a breach would have upon groundwater and surface water.

(5) The potential impact of the solid waste management facility and its operation upon surrounding property values.

(i) *Review of general location and character of facility.* The general location, character, and extent of a solid waste management facility, whether publicly or privately owned or operated, shall be subject to the review of the county planning commission pursuant to Code of Virginia, § 15.2-2232.

(j) *Certificate nontransferable, nonassignable.* A certificate awarded pursuant to this chapter shall not be transferable or assignable.

(k) *New certificate.* A new certificate shall be required pursuant to this chapter for the establishment of a new solid waste management facility, the expansion of any existing solid waste management facility, or due to any material change in design or process at an existing facility. Provided, no new certificate shall be required for a permit modification for an existing sanitary landfill or the expansion of an existing sanitary landfill by the opening of a new section or area or the beginning of a new phase of site operations.
(Ord. of 11-2-1992, § VI)

Sec. 42-92. Application for certificate.

(a) *General contents.* An application for a certificate shall contain the following information:

(1) The name, address, and phone number of the applicant.

(2) The names, addresses, and work phone numbers of all persons and entities owning an interest exceeding five percent of the total ownership interests in the proposed solid waste management facility's operating entity, in the site, or in the applicant.

(3) The legal description of the property on which the facility is proposed to be located and tax map reference.

(4) A copy of the lease or deed establishing the applicant's right to use the proposed site.

(5) A description of the current use of the proposed site.

(6) The present zoning district, if applicable, of the site.

(7) The proposed size and type of solid waste management facility.

(8) A preliminary site plan showing the boundary of the site, the proposed disposal areas, and other facilities and equipment to be located at the site.

(9) A list of all property owners and mailing addresses as shown on the county land books who are contiguous, adjacent or within one-half of a mile of the proposed site.

(10) The names, addresses, and phone numbers of all residents and owners living within one-half of a mile radius of the proposed solid waste management facility site and information regarding the source of each listed resident's water supply.

(11) A description of the type of waste to be treated, stored for a period exceeding 90 days or disposed of in the proposed solid waste management facility and an estimate of the total volume of waste to be treated, stored for a period exceeding 90 days or disposed of each year.

(12) A detailed description of the nature of any waste management contracts, the identity of parties to such contracts for the acceptance of solid waste involving the proposed site that have been agreed to at the time the application is submitted or prior to the final action of the board or its agent on the application.

(13) A plan for land use of the site after the facility is closed.

(14) A plan for water and soil testing for contamination upon closure.

(15) Detailed information regarding violations of federal or state environmental laws or regulations by any of the applicant's owners, officers, or any corporate entities in which the applicant owns or has owned an interest exceeding five percent of the ownership of such corporate entities; the environmental controls referred to in this subsection include, but are not limited to, any and all statutes and regulations administered by the division of mined land and reclamation, the division of mines and quarries, the department of mines, minerals and energy, the office of surface mining, the state air pollution control board, the state water control board, the state department of environmental quality, the Environmental Protection Agency, and the U.S. Army Corp. of Engineers.

(16) Information regarding felony convictions of the applicant or any of the applicant's owners, officers, or any corporate entities in which the applicant or any of its owners, owns or has owned an interest exceeding ten percent.

(17) A map showing the location of the facility, the roads and right-of-way giving access to the facility, and an approximate location of residences, schools, hospitals, churches, and retail establishments located within one-half of a mile of the facility.

(18) A site plan showing the entire acreage owned or controlled by the applicant, the names of adjoining property owners, the location of any adjoining property or other properties within 1,500 feet of the site and the location of any residence, school, hospital, church, recreational park, and retail establishment.

(19) The anticipated type, amount and source of financial protection to be provided by the applicant to satisfy the financial assurance regulations of the state department of environmental quality.

(20) The names, addresses, and relevant experience of all key personnel to be employed or retained by the applicant in connection with the operation of the proposed solid waste management facility.

(21) Complete information regarding violations of federal or state environmental laws or regulations by any of the key personnel identified above or in any application submitted to the state department of environmental quality.

(b) *Additional requirements.* In addition, the applicant for a certificate may be requested to furnish engineering and site plans to show: slope and direction of rock strata and aquifers; availability of cover material on-site, or arrangements for obtaining adequate cover material from a borrow site; location of springs, seeps and other groundwater sources; other possible groundwater intrusion to the site; location of any gas, water, sewage, electrical or other transmission lines under, on or over the site; the prior existence of any solid waste management facilities on the site; and the location on the site of any prior open dump, landfill, lagoon, surface or deep mine, or similar facility. If requested by the agent, the applicant shall provide detailed core hold samples from two locations within 50 horizontal feet of the opposite extremities of the site of at least 300 feet deep (50 feet deep if near a utilized fresh water aquifer). If requested by the agent, the applicant shall also provide certified test results of the water quality of any fresh water aquifers beneath the proposed site to a depth of 300 feet. If requested by the agent, the applicant may be asked to furnish a plan for transporting waste through the county to the solid waste management facility site.

(c) *Verification of application.* The information in the application shall be sworn to or affirmed as being complete and accurate and shall be signed by an authorized representative of the applicant.

(d) *Application fee.* The nonrefundable fee established by the county to cover the costs of processing and reviewing the application, giving notice to affected property owners, and advertising a public hearing shall be a minimum of the fee set forth in the fee schedule in appendix A to this Code. The board may fix an application fee not exceeding the actual and reasonable cost of processing and reviewing the application, which shall include the costs of legal, engineering, and technical review. The minimum application fee shall be payable by the applicant at the time the application is submitted.

(e) *Timing of application.* An application shall not be submitted until the applicant has filed a "Notice of Intent" to apply for a permit with the state department of environmental quality. The agent may authorize the submission of an application prior to the filing of such a notice of intent for good cause.

(f) *Complete application status.* Within 60 days of the initial receipt of an application, the agent shall advise the applicant whether the application as submitted is complete. The agent shall advise the applicant in writing if any additional information is required. If such additional information is requested, such request shall suspend the formal consideration of the application pending the receipt of the requested information.

(g) *Submission of certain documents.* An applicant's submission of application documents conforming to federal or state regulatory requirements as part of the permitting process containing some or all of the information required by this chapter shall be permitted to the greatest extent possible with the approval of the agent.

(h) *Hazardous waste; inspection of records.* Any solid waste management facility that generates hazardous waste in connection with its solid waste management activities shall permit the agent to inspect all records maintained by the owner or operator as required by federal or state law relating to the generation, storage, treatment, transportation and disposal of such hazardous waste. To the extent permitted by law, the results of any such inspection shall be available for public inspection.
(Ord. of 11-2-1992, § VII)

Sec. 42-93. Public hearing and deadline for board action.

(a) Within 60 days after the receipt of a complete application, as determined by the board or its agent, the board shall hold a public hearing on the proposed solid waste management facility. The hearing shall be advertised as all nonrevenue ordinances are advertised. The board shall make a decision following the public hearing no later than 120 days following the receipt of the complete application. If the board approves the application, it shall issue a certificate as specified by Code of Virginia, § 10.1-1408.1. If the board declines to issue a certificate, the board or its agent shall advise the applicant in writing of the reasons for declining to issue a certificate.

(b) If the board or its agent returns an application to an applicant with instructions to provide additional information, because of the applicant's failure to obtain approval required by any ordinance of the county or the Code of Virginia, or because of the application of this or any other ordinance prohibiting the establishment, operation or maintenance of a privately owned or privately operated solid waste management facility, the application shall be deemed incomplete and no further action by the board or its agent shall be required until the reason for the return of the application has been corrected. Should any application be so returned, the applicant shall have the right to resubmit the application to be reviewed by the board or its agent for completeness without the deposition of any additional application fee.

(c) The submission of any application pursuant to this article shall not result in the establishment of any right to establish, operate or maintain a solid waste management facility.
(Ord. of 11-2-1992, § VIII)

Sec. 42-94. Criteria for issuance of certificate.

(a) In making a decision as to whether the certificate shall be issued, the board shall consider the potential affect of the proposed solid waste management facility on the health, safety and welfare of the county and its residents and the criteria set forth in this chapter.

(b) The board, in determining whether to issue a certificate, may also consider whether the proposed facility is compatible with existing land uses and what visual barriers such as tree buffers or earthen berms are to screen the site from adjacent residences, schools, hospitals, churches, parks and recreation areas and commercial establishments. The board may consider litter on the access road to the site, fugitive dust, noise, odor, hours of operation, and artificial lighting that may negatively affect adjacent uses of land.

(c) The board may impose such conditions as it shall reasonably determine necessary to protect the health, welfare, and safety of residents of the county. These conditions may include requiring the certificate holder to provide such periodic reports as shall be required by the agent and the right of inspection, with or without notice, at reasonable hours, the cost of such reports and the review thereof and of such inspections to be borne by the certificate holder. The board is specifically authorized to enter into a contract with the applicant as a condition of granting the application.

(d) The board may issue a certificate for a definitive period not to exceed ten years. Any certificate issued shall be subject to revocation as provided in this article.

(e) Any certificate issued shall be nontransferable.

(f) The board may consider and impose reasonable conditions governing the establishment, operation, and maintenance of a solid waste management facility in connection with the issuance of a certificate. Such conditions may address, but shall not be limited to, the following matters:

(1) The construction or improvement of roads providing access to the facility.

(2) The routes to be used by trucks and other vehicles to reach the facility.

(3) The types of waste accepted for management or disposal.

(4) The size of the facility.

(5) The hours the facility may operate.

(6) Premises and access security for the facility.

(7) Financial assurance requirements and insurance coverage.

All such conditions considered and imposed shall be for the purpose of preventing pollution, protecting the health, safety and welfare of citizens, and minimizing the potential impact of the facility on nearby residents and the community.

(g) The board may grant reasonable variances from the requirements of this chapter. A variance may be granted only if the applicant demonstrates to the satisfaction of the board that:

(1) A strict application of this chapter to the facility will result in undue hardship that is unique to the applicant's particular situation; or technical conditions exist that make strict application of this ordinance impossible to achieve; and

(2) Granting the variance will not result in an unreasonable risk to the public health or the environment.

An application for a variance may be included in an applicant's original application. The board may impose reasonable conditions on the approval of any requested variances. No variance shall be granted until the board has held a public hearing on the proposed variance.
(Ord. of 11-2-1992, § IX)

Sec. 42-95. Denial or issuance of certificate.

(a) In denying a certificate, the board of supervisors may state conditions which, if complied with, would result in the issuance of a certificate, and if the applicant agrees to comply with such conditions and resubmits his application containing all such conditions, then the board may grant a certificate upon further public hearing.

(b) If the board approves the proposed location and operation of the proposed facility, it shall issue a certificate as specified by Code of Virginia, § 10.1-1408.1. If a certificate is granted, the certificate shall name the applicant, state his address, describe in detail the location of the site and list the types and quantities of solid waste that may be collected, treated, stored for a period exceeding 90 days or disposed of at the site. The certificate shall further specify the date of the application and the dates of any amendments. When a certificate is issued, it shall state that the location of operation of the facility are consistent with all applicable ordinances of the county and a copy of the application and all amendments thereto, shall be attached to the copy of the certificate which is to be filed by the applicant with the state department of environmental quality pursuant to Code of Virginia, § 10.1-1408.1.

(c) No certificate shall be issued if the board determines that the applicant lacks sufficient financial resources or other qualifications to safely and adequately establish, operate, maintain, and close a proposed facility.

(d) The board may deny an application if it determines that the applicant, its owners, officers, any corporate entities in which the applicant owns or has owned a significant interest, or any key personnel identified in the application or any application submitted to state department of environmental quality have been found to have committed significant violations of any federal or state environmental laws or regulations.
(Ord. of 11-2-1992, § X)

Sec. 42-96. Modification/transfer/lapse/revocation.

(a) No certificate issued pursuant to this article shall be transferable. A material change in the corporate ownership of any corporation that has been issued a certificate shall be considered a prohibited transfer.

(b) Once a certificate has been issued pursuant to this article, the size of the site shall not be enlarged nor the type of waste accepted materially changed without reapplication and a new public hearing. A site may be decreased in size or the types of waste or volume disposed of may be reduced without amendment of a certificate or the submission of a new application. Provided, that in the event of a reduction in the size of the site or reduction in types of waste to be handled at any time after the issuance of the certificate, the applicant shall within 30 days thereof file with the board of supervisors a new plat of the site and a new description of the types of waste which shall be treated, stored for a period exceeding 90 days or disposed of at the site.

(c) Any certificate issued pursuant to this article shall lapse 12 months after the final action of the board on the application unless the holder of the certificate has begun the actual construction of the proposed facility.

(d) Any certificate granted pursuant to this article shall lapse if at any time the holder of the certificate shall cease operation of the facility for a period of 12 months.

(e) Any certificate granted pursuant to this article may be revoked by the board should the board determine that the facility is being operated or maintained in a manner that poses a substantial present or potential hazard to human health or the environment.

(f) Any certificate granted pursuant to this article or pursuant to any prior ordinance may be revoked by the board should the board determine that the grant of the certificate was based on an application containing material misrepresentations or omissions.
(Ord. of 11-2-1992, § XI)

Sec. 42-97. Continuing authority of the board of supervisors.

The board reserves the right to make such inspections of the site as necessary to carry out the purposes of this article. The board reserves the right to suspend and close a facility upon a finding by the board of imminent dangers to the public and/or to the environment. The board will provide a reason for such closing to the facility manager and owner and a list of corrective actions to be taken to correct such problems. The board shall offer an opportunity for a hearing to the owner or operator of the facility to be held within 48 hours after any closing.
(Ord. of 11-2-1992, § XII)

Sec. 42-98. Powers of agent.

The agent shall be empowered to enter into negotiations with any person as may be necessary to effectuate the purposes of this article, subject to the approval of the board. The

agent shall specifically be authorized to make recommendations to the board as to the acceptance or denial of applications and to propose conditions which might lead to the acceptance or approval of applications.
(Ord. of 11-2-1992, § XIII)

Sec. 42-99. Fees and costs.

(a) *Generally.* For any solid waste management facility operated by the county, the board may establish solid waste disposal fees for the disposal of solid waste and may establish different fees for commercial and noncommercial disposal and on a case-by-case basis.

(b) *Application fee.* An applicant shall comply with the application fee provisions of section 42-92(d).

(c) *Certification fee.*

(1) At the time of the issuance of any certificate, and thereafter as directed by the board, the holder shall pay such certificate fee as may be established from time to time by the board. The certification fee shall not exceed the board's reasonable estimate of the cost to the county of monitoring the operations of the certificate holder pursuant to this article.

(2) The certification fee may include the cost of such inspections and review of reports and other data submitted by the certificate holder to the agent as may be required by the board as a condition for approving the application.

(Ord. of 11-2-1992, § XIV)

Sec. 42-100. Existing facilities.

(a) Any solid waste management facility in operation in the county on the effective date of the ordinance from which this article is derived may continue to operate subject to the following conditions:

(1) a. The existing facility has obtained all permits required by federal or state law for such a facility; or

b. The operator of the existing facility files applications with the appropriate federal and state agencies to obtain all necessary permits for the facility within 120 days of the effective date of the ordinance from which this article is derived or within 120 days of receiving written notice from the agent of the potential application of this section to the existing facility. In such circumstances the existing facility may continue to operate while the applications are pending for a period not to exceed 24 months from the effective date of the ordinance from which this article is derived or the date of the agent's written notice. The right to operate any such existing facility shall terminate if the operator has not obtained all necessary federal and state permits within 24 months from the effective date of the ordinance from which this article is derived or the date of the agent's written notice.

(2) The operator maintains general liability insurance including coverage for pollution incidents in an amount fixed by the board not exceeding $4,000,000.00 annual aggregate and $2,000,000.00 per incident. In determining the amount of insurance coverage that may be required, the board shall consider the nature of the existing facility and the possible harm to the public health or environment in the event of an accident or pollution incident. Insurance coverage requirements imposed pursuant to this section shall be specific to the site of the existing facility. The operator shall provide the county with a certificate for such required insurance coverage on an annual basis.

(3) The operator files with the agent a verified annual statement disclosing the types of solid waste management activities conducted at the site, the types of solid waste handled, the origin of solid waste handled at the facility, and the volume or amount of solid waste handled.

(4) The operator promptly reports to the agent all violations of federal or state waste management or pollution control regulations and all enforcement actions initiated or taken by federal or state regulatory agencies.

(5) The operator consents in writing to periodic inspections of the facility by county officials and other professionals selected by the county to ensure the facility is being operated in a manner that does not present an unreasonable risk to public health or the environment.

(b) No existing solid waste management facility shall treat, store for a period exceeding 90 days, or dispose of hazardous waste.

(c) The provisions of this section shall not apply to the sanitary landfill operated by the county.

(d) No existing solid waste management facility operating pursuant to this section shall alter the character of its solid waste management activities or materially enlarge or expand such activities.

(Ord. of 11-2-1992, § XV)

Chapters 43—45

RESERVED

6.f. 62-3

Floyd County Department of Inspections
County of Floyd
120 West Oxford Street P.O. Box 218 Floyd, VA 24091
Phone: 540-745-9359 Fax: 540-745-9305

November 17, 2020

Sec. 62-31. - Vision sight distance requirements; setbacks.
(a)
Definitions. The following words when used in this section shall for the purpose of this section have the meanings respectfully ascribed to them in this subsection except in those instances where the context clearly indicates a different meaning:
Building means a combination of any materials, whether portable or fixed, having a roof to form a structure for the use or occupancy by persons, animals, or property. The word "building" shall be construed as though followed by the words "or part or parts thereof."
Structure means an assembly of materials forming a construction for occupancy or use including, but not limited to, stadiums, gospel and circus tents, reviewing stands, platforms, stagings, observation towers, radio towers, water tanks, trestles, swimming pools, amusement devices, storage bins, gas tanks, and other structures of this general nature.
(b)
Prohibited conduct. No building or structure of any nature shall be constructed in the county within 35 feet of the roads and highways.
(c)
Exceptions and exemptions.
(1)
The provisions of this section shall not apply within the limits of the Town of Floyd.
(2)
The board of supervisors may grant an exception to this setback requirement whenever a large portion of the existing buildings along a section of road or highway is within 35 feet of such road or highway.
(Ord. of 1-5-1987, §§ II—IV)
State law reference— Authority to adopt setbacks, Code of Virginia, § 15.2-2279.

2-37 Setback A line thirty-five (35) feet from and generally parallel with the front lot line where the lot is located on, or proposed to be located on, a publicly maintained street having dedicated right-of-way or 60 feet from center line of streets maintained by the Virginia Department of Transportation located on a prescribed easement. No building or structure may be built within the setback area and the width of the lot is measured at the setback.

7. a.

Karla Turman, Subdivision Agent
120 West Oxford Street
P O BOX 218 FLOYD VA 24091
PHONE: 540-745-9300 FAX: 540-745-9305

Note: Leading Numbers represent the # of tracts created.

November 2020 Plats

Lot Line Revision, Tax Map # 55A4-2-13 (1.2222 acres) and Tax Map # 55A4-2-23 (1.2714 acres); New acreages being Tax Map # 55A4-2-13 1.2977 acres and Tax Map # 55A4-2-23 1.1959 acres. Property of Linda A. Gill and Cynthia Mae Weaver, located on Tise Street (Town) in the Court House Magisterial District on survey dated October 14, 2020, Job # 190-20 by John D. Lewis.

Lot Line Revision, Tax Map # 28-55A (52.455 acres), Tax Map # 28-55B (6.410 acres) and Tax Map # 28-55C (±10.33 acres); New acreages being Tax Map # 28-55A 31.915 acres, Tax Map # 28-55B 27.250 acres and Tax Map # 28-55C ±10.03 acres. Property of Lawrence H. Shaw and Sue Olinger Shaw, located off of Secondary Route 615 (Christiansburg Pike) in the Alum Ridge Magisterial District on survey dated October 7, 2020, Job # 4990 by L. J. Quesenberry.

1 – Lot Subdivision, Tax Map # 16-9 (10.1550 acres); New parcel "Tract 1" 5.0772 acres and new parcel "Tract 2" 5.0778 acres. Property of Shelby Jean Marunich Lucas Revocable Trust, located on Secondary Route 616 (Otey Rd NE) in Alum Ridge Magisterial District on survey dated October 20, 2020, Job # 102-17 by John D. Lewis.

1 - Family Subdivision, Tax Map # 39-45A (7.0292 acres); New parcel 1.6573 acres to be conveyed to Dustin L. Conner & Shawn R. Conner, and remainder being 5.3719 acres. Property of David T. Harris, Jr., located on Secondary Route 740 (White Rock Rd NW) in the Alum Ridge Magisterial District on survey dated September 21, 2018, Job # 272-17 by John D. Lewis.

November 2020 Plats of Record

16.21 acres total. Tax Map # 78-120 (10.25 acres) and Tax Map #78-130 (5.96 acres). Property of Elsa G. Ayers, located on Private Drive (Dalton Ln SW) off of the Blue Ridge Parkway in the Burks Fork Magisterial District on survey dated August 10, 2020, Job # 20022 by Patrick N. Hall.

4.9582 acres total. Tax Map # 78-147 (1.0284 acres) and Tax Map #78-148 (3.9298 acres). Property of The Banks H. Conner Trust, located on Secondary Route 660 (Daniels Run Rd NE) in the Locust Grove Magisterial District on survey dated October 30, 2020, Job # 242-20 by John D. Lewis.

Subdivision Agent Report

Year: 2020	Agricultural	Family	Utility Lots, Lot or Standard Subdivisions	Cemetery	Total Lots Created	Subdivision Total Acreage	Lot Line Revision Plats	Plat/Parcel of Record	Number of Surveys Signed	Plat Fees Collected
January	0	0	1	1	2	60.628	2	3	7	$260.00
February	0	1	2	0	3	104.333	2	7	12	$350.00
March	0	2	0	0	2	105.574	5	6	11	$510.00
April	0	3	1	0	4	312.649	3	4	10	$230.00
May	0	3	0	0	3	90.613	2	5	9	$300.00
June	0	3	1	0	4	124.507	1	7	11	$420.00
July	0	4	3	0	7	105.083	4	7	13	$790.00
August	1	5	4	0	10	416.087	4	5	13	$970.00
September	1	1	4	1	7	231.470	5	2	13	$755.00
October	2	4	8	0	14	269.167	8	5	18	$1,350.00
November	0	1	1	0	2	17.184	2	2	6	$300.00
December	0	0	0	0	0		0	0	0	
Y-T-D Total	4	27	25	2	58	1,837.296	38	53	123	$6,235.00

Year: 2019	Agricultural	Family	Utility Lots, Lot or Standard Subdivisions	Cemetery	Total Lots Created	Subdivision Total Acreage	Lot Line Revision Plats	Plat/Parcel of Record	Number of Surveys Signed	Plat Fees Collected
January	2	0	1	0	3	80.563	4	4	6	$340.00
February	0	1	1	0	2	122.291	2	4	4	$270.00
March	0	0	0	0	0	0.000	3	2	3	$180.00
April	0	1	0	0	1	39.731	3	6	4	$250.00
May	1	0	0	0	1	93.400	3	4	8	$350.00
June	1	0	1	0	2	99.190	0	4	2	$120.00
July	1	3	6	0	10	151.570	3	5	6	$700.00
August	2	2	6	0	10	413.970	3	2	9	$790.00
September	0	2	0	0	2	133.610	4	4	7	$340.00
October	0	0	3	0	3	39.008	4	5	11	$390.00
November	2	2	0	0	4	266.735	3	5	10	$370.00
December	0	3	0	0	3	186.525	1	2	6	$280.00
Y-T-D Total	9	14	18	0	41	1,626.593	33	47	76	$4,380.00

Year: 2018	Agricultural	Family	Utility Lots, Lot or Standard Subdivisions	Cemetery	Total Lots Created	Subdivision Total Acreage	Lot Line Revision Plats	Plat/Parcel of Record	Number of Surveys Signed	Plat Fees Collected
January	0	4	4	0	8	321.870	4	5	9	$640.00
February	1	0	0	0	1	41.339	7	6	8	$560.00
March	0	0	1	0	1	19.500	1	5	2	$120.00
April	0	3	10	0	13	230.360	4	10	9	$1,110.00
May	0	5	0	0	5	111.634	3	0	7	$460.00
June	0	0	2	0	2	34.984	4	1	6	$360.00
July	6	2	1	0	9	290.920	0	0	5	$600.00
August	0	2	1	0	3	50.276	1	3	4	$240.00
September	2	3	0	0	5	270.189	3	3	7	$440.00
October	0	3	0	0	3	88.039	2	3	3	$200.00
November	3	1	0	0	4	229.057	6	2	10	$680.00
December	3	1	1	0	5	206.746	4	6	8	$760.00
Y-T-D Total	15	24	20	0	59	1,894.914	39	44	78	$6,170.00

Updated 12/2/2020

7.b.

138 Wilson Street, Floyd, VA 24091
(540) 745-2565

At the regular meeting of the Floyd Town Council, held on Thursday, December 3, 2020 at 5:30 p.m. in the W. Skip Bishop Town Hall, thereof:

PRESENT: Will Griffin, Mayor; Michael Patton, Vice Mayor; Bruce Turner, Councilman; Chris Bond, Councilman; David Whitaker, Councilman; Kayla Cox, Town Manager; Katie Holfield, Town Clerk; James W. Shortt, Town Attorney (present via Zoom).

The following action was taken:

> Vice Mayor Patton makes a motion, seconded by Councilman Bond, and unanimously carried, it was resolved to reappoint Mr. Rick Parrish to the Floyd-Floyd County Public Service Authority Board to a four year term ending December 13, 2024, as the County/Town joint representative, subject to approval of the Floyd County Board of Supervisors.

Katie Holfield
Town Clerk/Treasurer

7. c.

Pepper's Ferry Regional Wastewater Treatment Authority
P. O. Box 2950 - Radford, VA 24143-2950
Phone: 540-639-3947 Fax: 540-633-0215

TO: Terri W. Morris, County Administrator

FROM: R. Clarke Wallcraft, Executive Director

DATE: November 13, 2020

SUBJECT: Memorandum of Understanding for Septage Service Outside of Planning Area for Calendar Year 2021

WHEREAS, Floyd County has stated that Floyd County does not have the capacity/service to meet domestic septage treatment needs.

WHEREAS, Floyd County has requested Pepper's Ferry Regional Wastewater Treatment Authority (the "Authority") to provide domestic septage treatment services.

WHEREAS, a local public body, the Authority seeks to cooperate with other political jurisdictions.

WHEREAS, the Authority currently has surplus wastewater treatment capacity at its regional treatment facility.

WHEREAS, said capacity can be used for treating domestic septage waste.

Therefore, the Authority and Floyd County hereby enters into this Memorandum of Understanding to provide treatment of domestic septage waste. Septage treatment is provided based on the following understanding and/or conditions:

1. Floyd County has requested said service to provide domestic septage waste disposal. For purposes of this MOU, it is understood that domestic septage means only that septage generated from residential uses. No industrial waste will be accepted pursuant to this MOU. Commercially generated waste that is residential in nature and/or is biodegradable will be evaluated for acceptance on a case by case basis.

2. This memorandum of understanding MOU will remain in effect until December 31, 2021. Renewal of the MOU will be considered upon receipt of a request for continuance of service

3. The Authority, at its sole discretion, reserves the right to control the amount (volume) of septage delivered/received.

4. Floyd County agrees to adhere to PFRWTA septage program and to inform the Authority as to the name of septage haulers approved by Floyd County for service under this agreement.

5. Floyd County recognizes this is a cooperative mutual aid effort on the part of the Authority that may be cancelled at any time, if the Authority believes that said waste is detrimental to the performance or capacity of the regional treatment facility or for any other reason within the Authority's sole discretion. The Authority will endeavor to provide notice, reasonable under the circumstances, prior to the effective date of cancellation.

_____ _____

R. Clarke Wallcraft, Executive Director Date
Pepper's Ferry RWTA

_____ _____

Floyd County Representative Date

7. d.

Floyd County Sheriff's Office

Sheriff Brian J. Craig
100 East Main Street, Room 206
Floyd, VA 24091
Phone (540) 745-9334 • Fax (540) 745-9344

December 3, 2020

To: Joe Turman Chairman of the Board of Supervisors

In the attached memo dated October 29, 2020, you will find language from the Compensation Board allowing for a $500 bonus for each sworn employee. This bonus is effective December 1, 2020. I am requesting the Board's permission to move forward with the bonuses. The Compensation Board will fund the Compensation employees. This leaves the county to fund the other sworn deputies. In addition to the Compensation Board funds, this bonus would require a total of $7535.50 in county funds. This figure has the FICA contribution added. This includes $1000 needed for the Animal Control Deputies. Due to this department's current and future vacancy : this department feels it could fund these bonuses within its current budget. This department could also fund the $1000 needed for ACO.

Please contact me if you have any additional questions or concerns.

Thank you,

Brian Craig

Sheriff Floyd County

TYRONE NELSON
CHAIRMAN

ROBYN M. DE SOCIO
EXECUTIVE SECRETARY

CRAIG BURNS
MARTHA MAVREDES
EX-OFFICIO MEMBERS

COMMONWEALTH OF VIRGINIA

Compensation Board
P.O. Box 710
Richmond, Virginia 23218-0710

October 29, 2020

MEMORANDUM

TO: Constitutional Officers and Regional Jail Superintendents
Local Governing Bodies

FROM: Robyn M. de Socio, Executive Secretary

RE: 2020 Special Session I Conferees Report

Following is the summary of funding and language amendments recommended by the House Appropriations Committee and Senate Finance and Appropriations Committee Budget Conferees in HB5005 impacting Constitutional Officers and the Compensation Board. These include items contained in HB5005 when introduced by the Governor at the beginning of the 2020 Special Session I.

2020 Special Session I Amendments for New Funding or Language

FY21

- Language and funding is provided in the current year (FY21) for a one-time $500 bonus payment effective December 1, 2020 for Compensation Board funded sworn positions in sheriffs' offices and regional jails, including sheriffs, sheriffs' deputies, regional jail superintendents and corrections officers in regional jails;
    - Legislative intent provides that this is a one-time bonus to be paid on December 1, 2020 to these employees and does not represent base salary funding, and consequently is in addition to and does not supplant local salary supplement funds.
    - The $500 salary bonus cost and related 7.65% FICA contribution cost is applicable to positions filled and funded as of December 1, 2020 and is reimbursable by the Compensation Board at 100% for such filled and funded positions;
    - Given the short timeline for implementation of this action pending approval by the Governor and adjournment of the 2020 Special Session I, the Compensation Board will provide additional information and an estimate of expenses to be fixed in FY21 for this action within the next week to local governments, sheriffs' offices and regional jails.

2020 Special Session I Amendments for New Funding or Language (continued)

FY22

- Contingent upon the Comptroller's analysis determining that FY2020 year-end revenues meet or exceed the revenue forecast and that there is sufficient revenue, language and funding is provided in the second year for a one-time 1.5% bonus on September 1, 2021 (FY2022), for constitutional officers, regional jails and their employees, provided that the governing authority of such employees uses such funds to support the provision of a bonus (state employees will instead receive a one-time bonus payment equal to $1,500 on September 1, 2021 [FY2022] if they were employed as of April 1, 2021 and remain employed until at least August 24, 2021);
    - No across-the-board salary increases are included for constitutional officers and their employees or for state employees in either year of the biennium.

- A reduction of $2,550,000 in estimated jail per diem funding savings in FY22 based on an anticipated reduction in state-responsible offenders resulting from the earned sentence credit provisions of House Bill 5148/Senate Bill 5034, of the 2020 Special Session I.

2020 Special Session I Amendments Eliminating New Funding or Language previously approved during the 2020 Regular Session

The following amendment items were approved during the regular 2020 session of the General Assembly, and then unallotted (held to prevent implementation) during the reconvened session in April 2020. Special Session I HB5005 amendments revert funding back to the General Fund of the Commonwealth from the FY21-FY22 biennial budget, originally approved for the following actions, that will NOT go forward:

- Reversion of additional funding for a one-time 2% bonus effective December 1, 2020, for constitutional officers, regional jails and their employees (provided that the governing authority of such employees would use such funds to support the provision of a bonus);

- Reversion of additional funding for a 3% across-the-board salary increase effective July 1, 2021, for constitutional officers, regional jails and their employees (provided that the governing authority of such employees would use such funds to support salary increases);

- Reversion of additional funding of $979,399 in FY21 and $1,113,082 in FY22 and 29 additional sworn court services positions for allocation to Sheriffs' offices based on staffing standards;

- Reversion of additional funding of $2.67 million in FY21 and $2.91 million in FY22 for a similar increase to entry level regional jail officers as was previously provided on February 1, 2019 for entry level deputy sheriffs - $897 for each entry level jail officer with less than one year of service and $938 for those with more than one year of service in a Compensation Board funded entry level jail officer position – effective July 1, 2020;

7. e.

COUNTY OF FLOYD, VIRGINIA

FISCAL YEAR 2021 BUDGET
RESOLUTION OF APPROPRIATION

AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF FLOYD COUNTY, VIRGINIA, HELD ON TUESDAY, DECEMBER 8. 2020 AT 8:30 A.M. IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING, THEREFOF:

PRESENT: Joe D. Turman, Chairman; Jerry W. Boothe, Vice Chairman; W. Justin Coleman, Linda DeVito Kuchenbuch, and Lauren D. Yoder, Board Members; Terri W. Morris, County Administrator; Cynthia Ryan, Assistant County Administrator, Tabitha Hodge, Operations Manager to livestream and film the meeting.

The following action was taken:

On a motion of Supervisor , seconded by Supervisor , and carried, it was resolved to adopt the following resolution.

WHEREAS, the Floyd County Board of Supervisors has heretofore prepared a budget for the fiscal year beginning on July 1, 2020 and ending on June 30, 2021 for informational and fiscal planning purposes only and has conducted a legally advertised public hearing on said budget on July 23, 2020; and

WHEREAS, the Floyd County Board of Supervisors has approved a budget for the Fiscal Year beginning on July 1, 2020 and ending on June 30, 2021, said approval taking place on June 30, 2020; and

NOW, THEREFORE, BE IT RESOLVED, in accordance with Sections 15.2-2506 and 22.1-94 of the Code of Virginia, 1950 as amended, the Floyd County Board of Supervisors does hereby appropriate (3) three months of the budget for the Fiscal Year beginning on January 1, 2021 and ending on March 31, 2021 for the purposes and in the amounts, subject to the terms and conditions stipulated within this resolution of appropriation.

IT IS ALSO RESOLVED, to approve a budget transfer of $10,147.89 from contingency to appropriate line items to start a one-step pay increase for County employees effective December 1, 2020.

Operating Budget

Board of Supervisors	$26,406.25
County Administration	$90,601.00
Independent Auditors	$15,000.00
Commissioner of the Revenue	$80,672.00
Assessors	$3,750.00
Treasurer	$62,546.50
Electoral Board	$11,105.75
Registrar	$37,610.00
Circuit Court	$3,752.50
General District Court	$1,000.00

Magistrate	$187.50
County Attorney	$13,750.00
Juvenile & Domestic Relations Court	$6,975.00
Clerk of the Circuit Court	$83,001.25
Commonwealth's Attorney	$84,712.75
Sheriff – Law Enforcement	$472,473.75
Forestry	$2,776.50
Sheriff – Courtroom Security	$92,951.50
Building Inspections	$37,704.50
Animal Control	$46,846.50
Medical Examiner	50.00
Emergency Services	$14,676.00
General Properties	$127,196.00
Health Department	$25,850.00
NRV Community Services Board	$9,430.75
Agency on Aging	$1,665.50
New River Community College	$1,913.25
Floyd County Recreation Department	$38,364.75
Library	$75,135.75
Local Planning Commission	$1,000.00
NRV Planning Commission	$4,903.25
NRV Criminal Justice Academy	$4,750.00
Community Development	$58,694.25
Economic Development Authority	$62,523.25
Soil Conservation Service	$3,412.50
Community Service Programs	$164,067.00
Virginia Cooperative Extension	$25,887.25
Emergency Medical Services	$149,667.00
Fire/Rescue Fund	$69,175.00
Environmental Fund – Solid Waste	$349,401.50
Environmental Fund – Recycling	$44,730.25
Department of Social Services	$564,755.50
Comprehensive Services Act	$350,000.00
E911 Fund	$83,682.50
Schools:	
Instruction	$3,776,081.00
Administration, Attendance & Health	$251,891.25
Transportation	$461,754.50
Debt	$0.00
Facilities	$0.00
Operations/Maintenance	$644,959.75
Technology	$313,615.75
School Fund	$296,750.75
Contingency	$75,000.00
Budget Stabilization Fund	$0.00
Overall Payment for Bond Issue	$0.00
TOTAL Operating Appropriations	$9,224,807.50

TERMS AND CONDITIONS

1. In accordance with Section 15.2-2506 of the Code of Virginia, 1950 As Amended, except as noted herein, all appropriations, including those for the Floyd County Public Schools and General Fund departments, agencies and organizations, are made on a quarterly (3-month) basis; specifically, for the period beginning on July 1, 2020 and ending on September 30, 2020.

2. All appropriations are declared to be maximum, conditional and proportionate appropriations. This makes the appropriations payable in full in the amounts named herein, if the aggregate revenues collected and other resources available during the period for which appropriations are made, are sufficient to pay all of the appropriations in full.

3. No department, agency or individual receiving appropriations under the provisions of this resolution shall exceed the amount approved for that department, agency or individual by the Floyd County Board of Supervisors.

4. The Board of Supervisors reserves the right to change at any time during the period beginning on July 1, 2020 and ending on June 30, 2021 compensation provided to any officer or employee and to abolish any office or position, except for such office or position as may be prohibited by law from abolishing.

5. In accordance with Section 22.1-94 of the Code of Virginia, 1950 As Amended, the amounts appropriated to fund the contemplated expenditures for the Floyd County Public Schools (School Board) are by the major expenditure categories or classifications that are delineated in this resolution. The School Board shall not transfer any funds between said categories without first obtaining the prior approval of the Board of Supervisors.

6. No expenditures shall exceed the appropriation established by the Floyd County Board of Supervisors unless a supplemental appropriation is approved in advance of the expenditures.

7. Any request to increase the overall appropriations to any department, agency or organization as appropriated by this resolution must be made to the Board of Supervisors by written request.

8. The County Administrator may increase appropriations for the following items of non-budgeted revenue that may occur during the fiscal year.

    a. Insurance recoveries received for damage to County vehicles or other property for which County funds have been expended to make repairs.
    b. Refunds or reimbursements made to the County for which the County has expended funds directly related to that refund or reimbursement.
    c. Additional, unbudgeted grants received during the fiscal year for which there is sufficient revenues to defray expenditures.

9. The County Administrator may appropriate revenues and expenditures for funds received by the County from asset forfeitures for operating expenses directly related to drug enforcement.

_____
Joe D. Turman, Chairman
Board of Supervisors

ATTEST_____
Terri W. Morris
County Administrator

Adopted: December 8, 2020

7.f.

FLOYD COUNTY BOARD OF SUPERVISORS
LEGISLATIVE RECOMMENDATIONS FOR THE 2021 GENERAL ASSEMBLY
DECEMBER 8, 2020

FINANCE

- Equal Taxation Authority – Counties should be granted the same authority that Cities and Towns currently have to enact local taxes such as the cigarette tax, admissions tax, transient occupancy tax and meals tax without the requirement for a referendum.
- Funding of State Mandated Positions – Floyd County requests that the General Assembly meet its full funding obligations for constitutional officers and any other State mandated positions and provide flexibility in the use of State funds for compensation of Constitutional Officers and State supported local employees.
- Regional Jails – The General Assembly should amend and/or approve a State budget that will currently and in the future increase jail per diems in order to fully fund local and regional jails.
- Implementation of Medicaid Expansion – Full State funding should be provided for the local costs associated with Medicaid expansion, including local eligibility workers and case managers.

ECONOMIC DEVELOPMENT/PLANNING

- Floyd County supports continued Federal and State funding and technical assistance for infrastructure investments and economic development programs as effective means for enhancing business development in the Commonwealth. We encourage economic development policies that bolster local and regional development efforts. This would also include the provision of adequate funding for the Commonwealth Opportunity Fund; Agriculture and Forestry Industries Development Fund (AFID) and operations of the Virginia Economic Development Partnership.
- Truck Access – Floyd County requests assistance for improved truck access in and around the Town of Floyd, particularly to the Floyd County Commerce Park. Improved access is also requested from both Interstates 81 and 77.
- Affordable and Workforce Housing – Floyd County supports maintaining Federal and State funding and appropriate incentives to assist localities in fostering affordable housing, as well as workforce housing for employees such as teachers and first responders.

EDUCATION

- Education Funding – The Virginia General Assembly should fully fund the cost of public education including the Standards of Quality (SOQ), teacher salaries, required support staff and functions, as well as capital and maintenance costs. This expected level of State support should not result in financial reductions to other core services.
- Teacher Pension Liability – The Virginia General Assembly is encouraged to take any steps necessary to ensure that the State accounts for its proportional share of all teacher pension liability.
- Floyd County urges the General Assembly to provide hold-harmless funding for sales tax distributions to local school divisions and Direct Aid payment amounts based on average daily membership until the main impacts of COVID-19 on both sources of funding cease. Floyd County also supports additional resources to provide distance learning and COVID-19 mitigation for in-person instruction.
- Funding for Public Libraries – Floyd County recommends strengthening State funding for public libraries to improve childhood literacy and invigorate STEM-focused instruction in schools. We request maintaining the level of funding of financial aid to the library system at levels budgeted for FY20 and FY21.
- Critical Thinking Skills – Floyd County supports changes to educational programs and standards that rely less on standardized testing and more on critical thinking skills.
- Year-End Funds – Floyd County supports the current practice whereby all year-end funds appropriated to the school divisions by the localities revert to the locality, retaining discretion with the governing body to evaluate and approve the reallocation of year-end fund balances.
- Workforce-Ready Students – Floyd County supports changes in curriculum and funding that will increase the number of students leaving the K-12 system with workforce ready credentials.

ENVIRONMENT/AGRICULTURE

- Stormwater Regulations – Communities should continue to be allowed to opt-out of managing any mandated Virginia Stormwater Management permit Regulations. Counties and communities outside of the Chesapeake Bay Watershed should also be granted the ability to opt out of the entire program.
- Recycling – Floyd County supports the development of additional efforts by the State to develop markets for recycled materials.
- Uranium Mining – Floyd County recommends continuation of the moratorium on uranium mining and milling within the Commonwealth of Virginia.
- Regional Planning Commissions – State funding for Virginia's planning commissions should be maintained due to the important role that these organizations play in fostering opportunities for regional cooperation and providing critical resources and technical assistance to localities.

- Virginia Cooperative Extension – Floyd County recommends sufficient State funding necessary to support the programs and services provided by the Cooperative Extension Service.
- Floyd County supports funding for, and the complete implementation of, the Virginia Invasive Species Management Plan.

GENERAL GOVERNMENT

- Election Costs – Floyd County supports legislation that would decrease the costs of elections to localities which includes personnel, primaries, voting equipment and voting places. The General Assembly should provide all funding required for optical scan and other voting equipment necessary or mandated. All costs related to the Registrar's Office likewise need to be provided by the State.
- Unfunded Mandates – When legislation with a cost to localities is passed by the Virginia General Assembly the cost of such mandate must be paid for by the State. When the amount of funding for a State mandated program is decreased by the State, then the associated cost should be eliminated. Floyd County strongly opposes the shifting of fiscal responsibility from the State to localities for existing programs.
- Volunteer Rescue and Fire Departments – Floyd County recognizes the importance of rescue and fire training; however, impractical education and training requirements that discourage volunteer service to local communities should be reviewed and potentially eliminated.
- Next Generation 911 (NG911) - Floyd County supports the State's transition to Next Generation 911 (NG911) in a way that does not unfairly burden localities, financially or otherwise.
- Floyd County opposes changes to the Virginia Freedom of Information Act that would impose additional burdens on localities.
- Floyd County supports legislation to streamline required newspaper advertising for public notices, public hearings and public procurement including legislation to give localities the option to use electronic or other forms of notification as an alternative to newspaper advertising.
- Floyd County supports the study of qualified immunity on our local Sheriff's Offices and the amount of funds required to cover such items as insurance for frivolous lawsuits.

HEALTH/HUMAN RESOURCES

- Aging/Long-Term Care – Floyd County supports efforts that allow seniors to remain at home in a safe and secure environment. We urge the General Assembly to provide sufficient funding for companion services, in-home services and home delivered meals.
- Comprehensive Services Act – Floyd County requests that CSA policies be established that will prevent the shifting of costs of services for at-risk children to local governments.
- Department of Social Services – The State should provide additional funding to meet the increased workload of local Departments of Social Services, particularly with Medicaid expansion.

- Emergency Medical Transportation – Floyd County supports policies to protect consumers who require air ambulance services. We oppose proposals that would add additional legal and administrative burdens on local first responders regarding decisions about methods of transportation in emergency situations. We do support a policy of providing cost estimates to families before transports because of massive financial burdens being placed on consumers. We also support the Federal government's efforts to regulate costs.
- Mental Health Crises – Floyd County supports continued State funding sufficient to allow Community Service Boards (CSBs) to adequately meet the need of providing services through a community-based system of care. If community-based services are not available, funds should be provided for transportation costs to State facilities.
- Floyd County requests that the Commonwealth continue to bring additional providers in-state, for DSS, CSA and mental health placements, both to reduce costs and to lessen transport times.
- Right To Life – The Floyd County Board of Supervisors affirms the right to life of all human beings and opposes any bills or similar measures that would undermine the value of human life by taking the life of any human being at any stage of their life, without due process of law that is due.

TRANSPORTATION

- Route 8 Improvements – Floyd County requests that the State of Virginia/VDoT conduct a scoping and preliminary engineering analysis for improvements to Route 8 in Montgomery County from the Floyd/Montgomery County line to Interstate 81.
- Floyd County strongly supports the re-evaluation of the additional gas tax for Counties along the Interstate 81 corridor. While we believe that improvements are sorely needed, the unfunded mandate should be shared by all localities in Virginia to ensure equality.
- Secondary Roads – Floyd County opposes legislation or administrative initiatives that would transfer to Counties the responsibility for construction, maintenance or operation of new and existing roads. Additional funding is needed in the immediate future for secondary roads, which are vital for economic development for Virginia's Counties. Floyd County supports a requirement upon VDoT to implement a notification plan with the local governing body to establish maintenance priorities.
- Floyd County supports changes to simplify VDoT's SmartScale process for allocating transportation funds to reduce time and costs to prepare and review applications.
- Floyd County supports a study to examine the causes for declining growth in transportation revenues and to develop recommendations to increase revenue over time to meet increasing demands for new construction and maintenance for existing transportation infrastructure. Such a study must address the secondary road needs of Counties throughout the Commonwealth, as such funding has been vastly reduced over the past ten years.
- Floyd County supports the expansion of authority and discretion of Resident Administrators of VDoT to approve modifications to design standards where appropriate with local needs and also to enact reductions in speed limits from studies performed on roads within their residency area.

- Floyd County supports a review of the restructuring of VDoT, particularly the permitting processes with the Virginia Department of Environmental Quality and other similar agencies.

These Legislative Recommendations were considered and approved by the Floyd County Board of Supervisors at their regularly scheduled meeting held on December 8, 2020.

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Joe D. Turman, Chairman
Floyd County Board of Supervisors