

**Minutes
Floyd County Board of Supervisors
Regular Meeting
May 10, 2022**

- 1. Called to Order** – Chairman Turman called the meeting to order at 8:30 am.
- 2. Opening Prayer** – The opening prayer was offered by Supervisor Cox.
- 3. Pledge of Allegiance** – The Pledge of Allegiance was offered by Supervisor Bechtold.
- 4. Quorum** – Dr. Millsaps called the roll. A quorum was found as all Supervisors except Supervisor Boothe were present.
- 5. Approval of Agenda** – On a motion by Supervisor Kuchenbuch, seconded by Supervisor Bechtold, and approved unanimously, the agenda was approved as amended by a few staff recommended changes. They include presentations by Sheriff, the Commonwealth Attorney, and an additional closed session.
- 6. Approval of Disbursements** – After asking a few clarifying questions, on a motion by Supervisor Kuchenbuch, seconded by Supervisor Cox, and approved unanimously, the disbursements were approved as presented.

7. Presentations:

a. Dr. John Wheeler, Superintendent of Floyd County made comments as follows:

Good morning board. I think the biggest updates from our board meeting last night where we honored many people. So, it's nice to honor for all state choir, Miss Smith, for 50 years not retirement. And then we honored our retiring teachers, who had many years of service. And so that was very nice. We had a good, good time.

There is not a lot of new stuff. I think we got Mark was telling me the final checklist and final approval for all the AC stuff with Norwell. So that'll be completely done. So that's a very nice thing. Trane is progressing very well on it. And as part of the capital improvement with the CARES, that's what that larger round is when they give it to us. And like I said that was probably 90% of our CARES. So, I've been working on budget, talking to lobbying groups that we use. The organizations are still waiting for them that legislation to come together down

there at General Assembly. No major strides, but we're watching weekly, looking at everything daily, to see what you know what comes up. That's where we are with everything. On our current year budget, I'll say anything you need any, any clarification on any lines, we can do it and leave it we do it weekly or biweekly with HR department. So, we know that especially these last few years where we transplanted some funds with the Cares Act because you must use 20%. And most of that comes from technology and our hardware line was reduced because we were able to buy, it fell into the category that you could buy most of its computers and some other hardware. So, we were able to reduce our hardware line once again this year in the budget as you can see, so but I guess just the supplemental appropriation appropriations as any questions on any of those are normal. One of the big things with that we're just small chunks of fixing the roofs. So, we don't have issues inside. We'll wait for the state budget. One round had that had that infrastructure money and we'll hit CT buildings worse because if you go by there now there were going to be a new roof on that one because of the CCDC project. So, the next one is we need to look at Check. We've got some time, but you know, we'll see if we get that infrastructure and then we'll start heavily replacing. Just a couple roofs. That and Willis.

We're sitting here we have those five welders that are good welders from the existing shops we have an electrical engineer looking from Thomson and Litten, with no charge to see what we need to do because we have five spots because that's part of the Ag classes as the welding part so we want to extend that and just continue to grow that and we're getting estimates we'll see when we can fix up those 2x shops and X most importantly add to those programs with the help attack we got to build as it will be in next heavy growth area for us is the Ag programs there little by little.

Chair Turman asked:

Do they did they still have livestock judging and forestry judging?

Dr. Wheeler replied:

They do. We work some with 4H with that and kind of get that started in elementary school you know we've gone away from it a little bit, obviously gone away from everything over the last two and a half years, three years. But we're we still have ours on the school farm. And looking at what we want to do there whether it's double block class for certain classes where they can go down and work for a full hour, hour and 20 minutes there's where the expansion and that's going to come because we already have the facilities and it's like anything and agriculture changes and we're fortunate to have one of the top agriculture universities in the country right there at our disposal so we'll continue to look at that but that is part of it and we want to grow those classes and use that school farm.

The board continued to ask questions of Dr. Wheeler related to the agricultural programs, the art fair, the possibility of doing EMS training, and job shadowing opportunities.

b. Mr. David Clarke, Resident Engineer, VDOT made the following comments:

Most of our maintenance this past month has been patching during good weather. So, we're trying to patch not only just the roads that need patching, but in front of the scheduled work. So, for scheduled work right now, let's see, we did some patching a New Haven, Woods Gap, Haycock, Shawsville Pike, Shooting Creek, it's patching on Shooting Creek as well. Got to some machining roads when we could, but we're concentrating on ditching and patching right now. Then did ditch and did a little shoulder working on Laurel Branch> Getting ready to start the construction projects for the summer, which will be Silverleaf. And that should not take long, it's going to be done by our Check crew. So, traffic impacts will be not closed at least but it will it's going to be a long contract they have 120 days once they impact traffic to get out of there.

Supervisor Kuchenbuch asked about the lights.

David Clark:

Yeah. They did they use them on Oh 221. Oh, and I'd like to see if the board are past the six-year plan resolution or priority plan, and I can send the copy wording here. But I just need the board okay plan as it was presented, changed around. I think we only had one speaker for a particular road that was the end of Quisenberry it could be put on but right now we've got five roads already on there that haven't been started construction wise yet. And a couple of we're going to be expensive. So, you could put it on there if you want. It was very at the very end of the plan. It also wouldn't hurt to wait till next year or even the year after if you wanted to decide which one you wanted to do after a bear ridge. And to remind you the order again there is Firehouse, Starbuck, Hope severally for slipping in there because we can do it this year without affecting the schedule the others Reidsville and Bear Ridge.

After discussion, and a statement from Chair Turman that Supervisor Boothe is in favor of passing the six-year plan as presented, on a motion by Supervisor Bechtold, seconded by Supervisor Cox, and passed unanimously, the Board approved the six-year plan as presented. (Dr. Millsaps reminded the audience that the plan is available online).

General discussion of road funding and publication ensued.

Then individual Board members began offering maintenance requests including:

- Wilson Cemetery (Supervisor Cox) – complete and looks good.

- Level Bottom and Daniels Run (Supervisor Cox) – speeding issues and a sign.
- Dobbins Hollow (Supervisor Kuchenbuch) - needs repair.
- Huckleberry Ridge (Supervisor Kuchenbuch) – needs repair.
- White Oak Grove (Supervisor Kuchenbuch) – needs repair.
- PSA Downtown projects (Supervisor Bechtold).
- 221 and Gardner Road, Uneven Pavement at the Bridge (Chair Turman).
- Canning Factory (Chair Turman).
- DeHart Store Road (Chair Turman).

c. Amy Ingram, Floyd County Registrar offered the following comments:

I just get Chris to come on up with me because Chris and I are hoping to work on a project together to meet the locality elections. Standards for cybersecurity. And since Chris has been here, the last six months or so we made a lot of progress meeting some of the standards and their scores come up. And we have kind of an exciting program that we think will take us to the finish line.

Chris McNabb helped with the presentation and stated:

This is a program called the cyber navigator program. And Amy was a part of this as like a pilot for last year. And she had a couple of remote interns from Virginia Tech she worked with this year, we've qualified for the first year of the full development program. And this starts next month. So, we've been invited with some other municipalities to basically get fully paid for by the state of like election department and kind of bankrolled by Virginia Tech as well.

So, I think we're getting two interns assigned to us if we decide to move forward with this. But essentially, we're able to use the interns for anything that we want that increases our compliance standard with the LESS. And the LESS is like the Local Elections Security Standards (LESS). And essentially, where we were when it was taken as like a snapshot before I arrived was a compliance standard of less than 50%. And then we've now moved up into the mid-70s, since I've been here. And a lot of what needs to be created is a lot of policy regarding around these ever-changing documents that the state wants us to have. The cool thing about this is that the interns have recently completed with Virginia Tech, a policy instruction course specifically geared towards the LESS. So, they have, you know, a lot of great knowledge as far as how to craft all of these policies, what you know, compliance looks like across a lot of different counties. Some of the counties that are participating are more rural, like us. And then some are, like, right outside of Richmond, like more hustle and bustle counties, so to speak. So, there's a really wide range of counties that are participating in this and I have printed out our internship agreement that I'll hand you guys and this kind of gives

you kind of like the scope of what they're going to be doing. And essentially, here's to me more. This is not finalized at the moment, because we've yet to get our there's We have to get to get our interns names, but essentially this whole program kicks off June 2 at UVA, I believe we'll both be going into the kickoff. So, we'll be going up to UVA for the kickoff meeting our interns, and then they will actually be that next Monday coming here on site to start the internship.

June 6 is the start and then August 12 is the end and through that time that is It's 30 hours a week per intern. So we'll have 60 hours a week of interns through the eight or nine week process that leads up to 600 hours of internship, six, it'll be a lot of great work, Amy and I will kind of be tag teaming as far as you know, what we're going to be doing when they're working on cybersecurity infrastructure, stuff, that'll be something that, you know, I'm more of, like taking the charge on. And then there will be some things that we can use the entrance for, such as when we find a satellite, early voting site, there's a lot of there's a lot of policy that needs to be created specific per site. And these interns would be able to help us do a lot of the legwork with creating all that policy and making it all, you know, compliance standard. So really, if our compliance goes up, which it will, we can use them for anything we want within our scope here. So, this is kind of a draft bulletin, once we get their names, we'll go ahead and fill out the rest of it. And we'll kind of put in their college mission statement. They're in the like, Now, therefore, section. These are the possible statement of work.

But essentially, we're really excited about this program. And first year is going to be a learning year for sure. But I think that some of the going talk is that this is going to be a year over year program that is basically going to help a lot of localities get up to, you know, the standard of 100% compliance.

Discussion ensued and the Board was generally positive about the program.

On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch, unanimously approved the cyber navigator program, internship with Virginia Tech and Floyd County and authorize the staff to provide appropriate signatures.

11a. Proclamation in Recognition of National Skilled Nursing Care Week, May 8-14, 2022

- The board recognized the staff present from Skyline Nursing Home and thanked them for their service. The staff offered thanks and general comments.

On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch, and passed unanimously, the Board approved the proclamation and offered signed copies to those in attendance.

8. Public Comment – Chairman Turman read a statement offering assistance to anyone needing support to make their public comment. The following individual offered a public comment:

Bob Smith

Bob Smith, I'm from Indian Valley. I was approached yesterday with some concerns about the proliferation of solar panels in the county. And a little bit of what we used to call the old a spit ball research, talk to a couple people that have the panels. And I've got some numbers here. I don't know how accurate they are just based on. In fact, the conversation was centering around I think maybe the usage of them or the proliferation of them for people who would be inclined to purchase way above the capacity or the requirements in their home. And the session was centered around square footage, I talked to a guy who has panels. And what I've got here is, I made two assumptions about the panel size, which really isn't relevant because they're sold and marketed on kilowatt output. And one fellow I talked to just based on what he talked to me about 36 panels, he, the electric company is currently limiting people to 10,000-kilowatt capacity, which for his house was only about 50%. And I made an assumption that a homeowner would probably desire to have 100% demand capability possible. So, if there was going to be any kind of solar taxation on that happy bifurcated, probably based on the square footage of the house, so that you wouldn't have somebody with the House and the panels for their house, and then hundreds of feet of fence line with extra panels on it. And nobody else considers the fact that they have a limited lifespan, and you have the disposal issues with them. And supposedly they have chemical metallic components that have to be handled special. So, I've got some information here, I'm just going to hand it out to you. And just something to count might want to look at.

Now another thing I wanted to mention was the fact that we are people in this county are really getting stretched financially. You know, I'm paying fully twice as much for gasoline as I paid 18 months ago, I'm looking at having to fill a fuel tank that I filled up a year and a half ago or two years is up 36 A gallon. Got to get that price today. And I had an incident with poor old gal at the grocery store, she used to go in and spend a certain amount on groceries every week, I hope I'm not going over time, went ahead and give the poor gal \$20. So, she could make the week's groceries. Okay. And I know I'm on the electoral board. However, I'm speaking as a citizen. And I know these situations, you all are in just getting crushed, but the citizens are getting crushed every bit as much as the county. So, we really need to consider going forward serious austerity as far as what we're spending. And I'll finish on that note, I'll leave these five copies, we want to reach adult. Thank you so much. Have a great day. Thank you.

After these comments, Chair Turman closed the public comment period.

7d. Eric Branscom, Commonwealth Attorney, and Sheriff Craig – Animal Control and Solid Waste Discussion.

Dr. Millsaps offered an introduction on the issue of solid waste in general and solid waste enforcement. Then the Commonwealth Attorney and the Sheriff offered the following comments:

Eric Branscom – Commonwealth Attorney

I'm not sure what we are actually addressing but this is something that we've always enforced. And it's something that from the moment I came on board, I remember seeing this come up in the in the courts, Judge Duncan has been harsh, particularly on people that are go through on people that are construction, you are using it commercially, and trying to avoid going to the upside. I've seen him handouts and heavy fines on those. And of course, and he's got a lot lighter on people that are just not from the community and household trash or the morning to get to things like that. But from everything we've seen, we've just put it up there and by and large, these people are not represented when they come to court on these on this, Mr. It's a misdemeanor issue. They're only facing a fine. So, I think at this point of mostly what I've seen is the judge just handling that but we're glad to get involved and present those as necessary because there generally hasn't been an issue. Most of the time when people come up in court and try to defend it. They want to try to explain it or say that it's not you know, out there, in 500 pounds of drywall was just something they were cleaning out of their backyard or something like that. But most of the time, it's the judges doing the job with that, which is fine. But I think the real issue for us is and the sheriff was just bringing it to my attention, that first offence is only as just a \$75 ride. I think it's fine for us to just go ahead if we were going to do any amendment on that just make it a flat fine. Up to you could make it a class one misdemeanor, if you like, because one of the things the judge is not, we're not going to be looking at going overboard on this, but it gives us some options, I would just set it as a fine only. Because if you have something where someone has a jailable offence, then they're entitled to getting an attorney. And then Then what can happen is the county can get stuck with that attorney Bill. I mean, that's the issue, not that they shouldn't have representation, but that it's a matter of how much they put the county on at risk with getting attorneys bills that they might have to cover. So, I'd suggest doing it as \$1,000 \$2,500. Top End fine, I would imagine considering these days, probably raised it to the 2500. And the judge can use the full range of that. And of course, each incident that happens can be charged separately. So, and I think quite frankly, we can probably charge separately per box, the way that it's written that they're putting in. So, if they're putting in multiple boxes, we can probably charge separately for that if we wanted to.

Sheriff Craig offered comment:

Just an example of it, you know, you have, oh, you have an individual who dumps one bag of trash that's coming over from out of the jurisdiction, you know, and, and the judge if we give

the judge the ability to have this range of fines, you know, should that person be treated different than somebody who filled up six boxes with, you know, insulation in construction material and things like that? That is a business? Yes, yes, in my opinion. You know, you'd have somebody coming out with one bag of trash compared to somebody who's utilizing every single box, and now our own citizens don't have a place to put that trash. And this, this will give, you know, the judge a, you know, an ability to stiffen the fine and hopefully use this as discouraging towards folks from outside of the county or people who want to negate the landfill usage when they leave. And it is important, I think that we take the wording out of there. You know, won't one charge for the day, you know, I think we need the ability of if somebody gets a ticket at 12 o'clock, and they come back and they don't more stuff at two o'clock, but they need to be able to get a ticket to that point to it's no different than if you know speed here and then five minutes later a trooper on other than the county catches you speeding again. Regardless, you've committed to infractions there. But I think the courts are, you know, willing to try to help discourage you, you know, the illegal use of these green boxes and I know it is a big tax burden. Mr. Smith was talking about that out there. I don't know if y'all have thought about the numbers on illegal uses of these green boxes on oil and what it does cost the county, but it has to be pretty extraordinary. It is so just this past weekend we did some green box enforcement on Route eight there across from Simmons grocery and I believe it was 13 tickets we wrote this this weekend on the illegal use of the green boxes.

Discussion continued between the speakers and the board. Chairman Turman asked how the board could assist.

Sherriff Craig

The biggest thing is making sure that those stickers continue to stay there. You know, enforcement wise, like I said, the courts have been very supportive of us, as long as the officers have the proper case. You know, from that side, it's, I don't think it's really been an issue of No, you know, there's, you know, the judge does listen to both sides, whether it's the law enforcement officer in the offender, if you will, but you know, so from the prosecution side, I don't think there's really been many issues of, you know, what have you unless the stickers, not there, it's been ripped off, you know, of course, we always have to worry about the vandalism from that side of it. On a green boxes, so, and with the green boxes, you know, we're continually using the jail work for, you know, I know, some of the landowners, you know, if they're having an issue with trash, you know, as you as the supervisors, y'all give me a call, within a week or so sometimes within the next day, the jail crews out there, and we're, you know, we're helping get the land cleaned up.

Supervisor Bechtold asked if the recent purchase of video and cameras require an adjustment in the ordinance.

Eric Branscom

I wouldn't think so. I think that for one thing, I wouldn't, I think you could, you could probably do with a minimal number of cameras, because what you if you if you had some way to have them portable, they could move from place to place. I mean, think of it like one of the it seems analogous to the sheriff was similarly speeding enforcement. Because if you we have so many of these green boxes, I mean, it would be a ridiculous amount of manpower to watch them each every day. So it says the site same thing with in areas where they're speeding, you occasionally posted officer where it so that you, you pet you increase enforcement, because people would see it, I think if you have the cameras that could move around, that would probably work effectively that way, as well as really all we're looking for with the cameras is enough of a lead to get us to the perpetrator.

Sheriff Craig

One thing with the cameras, yes, there are certain ways that could be effective. But you know, also think of this that with the camera enforcement, if you have somebody let's say in Patrick springs, or you know, in in Roanoke down below bent mountain each time, we have to go interview this person. So that is a law enforcement officer that is leaving this county for a green box violation instead of following up on a b&e or following a drug. So, we have to be careful there on you know, yes, we want to do everything we can with green boxes, but we have to wait. You know, what, what makes it to where I have an officer leave the county for four or five hours to try to track them down at their home at work or wherever, for \$100? Fine, right now, the green box violation. That's why to me, it's more important that these officers are there in person they can catch up. DM, who are you? Why are you here? And you know, there are some reasons that us did are justified for a non-county person to, you know, to dump in our county, you know, we issue permits if they have a home here. So, somebody has a North Carolina tag, and let's say we don't have a phone number, and then I've sent somebody down a mountain. Right, you know, I'm just wasting multiple hours, gas and things to explore that avenue.

Eric Branscom

Exactly because it's not like an issue like they'll have you see these cameras set up primarily in Northern Virginia, really see someone speeding and you get the tag, that wouldn't work because we have to verify what the situation is each time. And you think that that's where we're going to run into the issue there, I think you're going to find if you put up cameras or if you have that and have a way to move them around. That's going to that it's going to have a huge deterrent effect right there. Just like if you'd have the old police car that you book with the coffee again on this and all the outside people think that it's a radar vehicle, its deterrent value is going to count for a lot.

Discussion continued between members of the Board of Supervisors, Sheriff Craig, and the Commonwealth Attorney. Ultimately the Board agreed to revisit the Solid Waste ordinance and other possible tools they could provide to assist with enforcement.

7e. Closed Session – On a motion by Supervisor Cox, seconded by Supervisor Bechtold, and passed unanimously, the Board voted to move to closed session under 2.2-3711.A7 to discuss actual or probable litigation. The Sheriff and Commonwealth Attorney were asked to join the closed session.

On a motion by Supervisor Kuchenbuch, seconded by Supervisor Bechtold, and approved unanimously, the board agreed to come out of closed session.

On a motion by Supervisor Kuchenbuch, seconded by Supervisor Bechtold, and approved unanimously, the Board certified that they only addressed issues in closed session that were the subject of closed session.

9. Board time – Chair Turman opened to floor for comments from the Board.

10. Old Business –

10b. – Floyd County School Board Capital Fund. On a motion by Supervisor Cox, seconded by Supervisor Kuchenbuch, and approved unanimously, the Board approved the following request from the Floyd County School Board.

The Floyd County School Board would like to request \$62,820.55 from the Capital Improvement Fund for the FY22 School Board Budget. \$5,500.00 to be appropriated to the Transportation category, \$10,626.39 to be appropriated to the Technology category at Willis Elementary, and \$46,694.16 be appropriated to the Operation and Maintenance Category.

10c. Floyd County School Board Expenditure Appropriation – On a motion by Supervisor Kuchenbuch, seconded by Supervisor Cox, and approved unanimously, the board approved the following request from the Floyd County School Board.

The Floyd County School Board request the following revised expenditure appropriation be made to the 2021-22 school budget. \$5,500.00 funds used for a used 77 passenger school bus. \$10,626.39 funds used for the new door security system at Willis Elementary. Also, \$46,694.16 funds used for elevator parts and repairs at Floyd Elementary, roof materials, and repair for leaks at Check, Willis, and Indian Valley Elementary, and new walk behind automatic floor scrubber at Floyd County High School, and LP equipment and hook up at Floyd County High. For a total expenditure of \$62,820.55

10d. – Floyd County School Board Revised Expenditure – On a motion by Supervisor Kuchenbuch, seconded by Supervisor Bechtold, and passed unanimously, the board approved the following request from the Floyd County School Board.

The Floyd County School Board requests the following revised expenditure appropriation be made of the 2021-22 school budget. \$246,956.80 funds used for partial project completion of Floyd, Check, Willis, and Indian Valley Elementary replacement of HVAC make-up air units and new bi-polar ionization equipment and partial project completion of Check, Willis, and Indiana Valley Elementary new HVAC controls and convectors. \$47,680.20 funds used for new \$294,637.00.

10e – Floyd County School Board Revenue Appropriation Revision – On a motion by Supervisor Cox, seconded by Supervisor Kuchenbuch, and passed unanimously, the Board approved the following request from the Floyd County School Board.

The Floyd County School Board requests the following revised revenue appropriation be made to the 2021-22 school budget. \$62,820.55 be appropriated from the Capital Improvement Fund to the FY22 School Board Budget of \$5,500.00 funds used for a used 77- passenger school bus. \$10,626.39 funds used for the new door security system at Willis Elementary. Also, \$46,694 funds used for elevator parts and repair at Floyd Elementary, roof materials, and repair for leaks at Check, Willis, and Indian Valley Elementary, a new milk cooler at Indian Valley Elementary, new propane burners at Check and Indian Valley Elementary, new walk behind automatic floor scrubber at Floyd County High and LP Equipment and hood up at Floyd County High.

10f. – Floyd County School Board Revenue Appropriation Revision – On a motion by Supervisor Kuchenbuch, seconded by Supervisor Cox, and passed unanimously, the Board approved the following request from the Floyd County School Board.

The Floyd County School Board requests that the following revised revenue appropriation be made to the 2021-22 school budget. \$294,637.00 funds used for partial project completion of Floyd, Check, Willis, and Indian Valley Elementary replacement of HVAC make-up air units and new bi-polar ionization equipment, partial project completion of Check, Willis, and Indian Valley Elementary new HVAC controls and convectors and new technology devices for the CCDC classrooms.

11g. – Mowing Services – On a motion by Supervisor Kuchenbuch, seconded by Supervisor Bechtold, and passed unanimously, the Board approved the staff advertising and putting out to bid a contract for mowing services for selected county properties.

11h. – Solid Waste Ordinance – (discussed earlier).

12. County Administrators Report – Dr. Millsaps offered the following information about staff activities.

- Paid EMS – Reports that the staff appreciates all that is being done for them during EMS Appreciation Week.
- Graduate Student Intern Update – Reported that we have completed a series of first round interviews and have narrowed the field to 2 candidates for second round conversations.
- Animal Control Update – Dr. Millsaps reports that she received an inspection report from the state, and that there were no significant findings.
- IT Update – Chris McNabb reported that he is working with Homeland Security to organize a visit to conduct an Infrastructure Survey to obtain a past and present baseline.
- Onward Update – Dr. Millsaps provided an update from the most recent board meeting.
- Playground – Dr. Millsaps offered a PowerPoint presentation of the playground survey results and current equipment status. She also discussed some grant possibilities.

13. Adjournment – On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch, and passed unanimously, the Board voted to adjourn.