

**BOARD OF SUPERVISORS
REGULAR MEETING
JANUARY 24, 2012**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, January 24, 2012 at 7:00 p.m. in the Board Room of the County Administration Building, thereof;

PRESENT: Case C. Clinger, Chairman; Virgel H. Allen, Vice Chairman; J. Fred Gerald, Joe D. Turman, Lauren D. Yoder, Board Members; Daniel J. Campbell, County Administrator; Terri W. Morris, Assistant County Administrator.

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

At 7:00 p.m., the Chairman called for the Public Comment Period.

Mr. Dave Dixon, Courthouse District – I would like to ask the Board to clear up some of the confusion surrounding the draft of the Ridge Line Tall Structure Height Ordinance. The ordinance clearly states the necessity to restrict the construction of tall structures on certain protected mountain ridge lines in Floyd County and a map of the County’s protected mountain ridge lines will be adopted and incorporated into this ordinance and will be maintained in the County Building Inspector’s Office. Some of the misconceptions as to the objective of the ordinance come from the definitions of a protected mountain ridge line as 2000 feet above sea level and the lack of a map that clearly shows the protected ridge lines that will be covered under this ordinance. The 2000’ elevation was not set by the Board of Supervisors but comes directly from the Virginia Code 15.2-2295.1 which this ordinance is based on and was discussed in a previous Board of Supervisors meeting that the 2000’ elevation might need to be adjusted to better reflect only the ridge lines to be protected. At that time, it was left to be reviewed in conjunction with establishing the protected mountain ridge line map that will show ridgelines that will be protected by this ordinance. I know the Board has been busy with normal business and with the election and setting of two new board members. But I respectfully ask if there have been any additional discussions or decisions about the 2000’ elevation or development of the protected mountain ridgeline map that you share it with us in order to help clear up this confusion. Having been present at most of the Board of Supervisors meetings and planning committee meetings during the open discussions surrounding this ordinance and its intent, I know firsthand that the true intent of this ordinance is to protect the mountain ridgelines for various reasons as stated in the ordinance and not to set a County wide building restriction as some have openly expressed. Your help in clarifying this issue is greatly needed and would be appreciated. Thank you.

Ms. Helen Vest St.Clair – I want to thank the Board of Supervisors for scheduling a night meeting each month, it gives those that work during the day an opportunity to attend and express their concerns. I live on Ridgeview Road in the Indian Valley District. I consider it an honor and blessing to have a front porch view of the majestic Wills Ridge. I was born and raised in

Floyd County, lived here for 19 years before moving to Montgomery County. My husband and I moved back to Floyd County in 1996. We chose Floyd County, not only for the natural beauty, peace and quiet, and the water, but a place to retire and enjoy country living. I'm not for zoning of property nor ordinances that will hinder someone from doing what they want with their property as long as it doesn't adversely affect the adjoining property owners, the community or the County. I come before you tonight asking that you draft and pass an ordinance to protect the property owners' rights to build dwellings, barns, etc. on his property but also one that prohibits industrial wind turbines. Our home is our life's investment and it is very upsetting to think that we could lose 30-40% of that investment due to the loss of our property values if these wind turbines are allowed. It is even more upsetting though, to think that we could lose 100% of the quality of life. I don't want to hear the noise of these turbines and see the flicker effect from everywhere on my property and inside the house, outside the house, 24 hours a day, 7 days a week, 365 days a year. In closing, I want to ask a favor of each of you. Tomorrow morning I want you to walk out your front door, look at your view, listen to the sounds of the morning and then imagine how it would be to hear the constant roar of a jet plane, blink your eyes every few seconds and imagine how you would cope with the constant flicker effect and then imagine how it would be, to have in your view, a huge overpowering 490' metal obstruction, 24/7/365. Please draft an ordinance that will preserve Floyd County. As a member of the Board, it is your duty to protect us from such devastation and preserve our quality of life, not just only for us, but for our children and grandchildren and future generations. Thank you.

Ms. Deborah Harris – although wind is a renewable resource, the environmental conversion costs to harness and utilize industrial wind are staggering, neither clean nor green. On a per kilowatt hour basis, subsidies for wind are 26 times those for fossil fuels. According to the EIA (Energy Information Administration), converting wind to electricity has the highest cost of any conventional power source. The Federal Subsidy Report states that total cost per megawatt for wind is \$52.43; nuclear \$2.78; hydro \$4.00; natural gas \$0.63. These figures do not include the cost of backup generation, line loss, incoming power requirements of the turbines and ancillary costs. Statistics have also shown that bats save Floyd County \$2.5 million every year in agricultural and forest insect damage yet approximately two bats die for every megawatt produced by wind. So, if a site is able to produce 8200 megawatts that means 17,000 dead bats. Wills Ridge is not an optimal site so it makes even less sense to sacrifice our scenery, soil, water, wildlife and well being. The turbine sites generate a considerable amount of industrial waste – oils, lubricants, coolants, solvents, wastewater, all increasing the hazards to humans and wildlife. The impact of the runoff and blasting to aquifers, wells, spring and creeks make this proposal an extremely risky idea. To construct these turbines and their bases involve 6000 gallons of water per base for the concrete mix. Another disturbing factor is the problem with airborne dust containing herbicides after the air is altered and degraded. The additional transmission lines will also be unsightly and require more maintenance, lots of acreage, habitat, and cultural resources. The EPA says 60 acres per installed megawatt are needed which for 20 turbines, 2.5 megawatt facility, comes out to 3000 acres irrefutably impacted by clearing roads, power lines, transformers, across the habitat. Undoubtedly, there are some suitable sites for wind turbines. The criteria for such a location would be no residences, previously cut over land, less view shed and no impact on water sources. People living even a mile away are severely troubled by the noise of the turbines so that some sites are required to turn off the blades at night so people can sleep. I'd like to see David Morrisette have some turbines up there, but they are going to have to

be small ones that we taxpayers don't have to pay for. It would be nice to have the Winery supplied with power but to have some foreign country devastate Wills Ridge with our tax dollars is simply wrong.

Mr. Rick Wagoner – my wife and I live on Wills Ridge, I don't know how many of you all can see it but it is the most beautiful place on earth. I have a beautiful view and it would be a shame to ruin it. Personally, if you're looking for yeses and nos, we are definitely in the no column. Thank you very much for your time and the opportunity to be here tonight.

Ms. Jackie Vangunten, Little River District – I am a member of the Advisory Council for the New River Valley Agency on Aging. The NRVA provides services crucial to adults age 60 and over in Floyd County. The older adult population represents 25% of the total population, at 3,834 aging citizens out of 15,279. Examples of the services to elder citizens are home delivery of meals, respite care, homemaker health, disease prevention, elder abuse prevention, transportation, etc. Budget funding for FY12 is in the amount of \$5220, the request for FY13 is \$5377, an increase of \$157. This amount will provide a \$1.40 per person per year for needed services. Hopefully this request will be met. I know that funds for a tourism study, trails, are or may be available, these projects, while desirable, would be more appropriately funded by private dollars.

Ms. Kathleen Ingoldsby, Courthouse District – a few meetings ago, I showed a video and there has been a follow-up. I have the follow-up to give you concerning the Kiser, West Virginia wind farm development and the complaints by residents about the noise. It gives some evidence to the concerns about noise that you've heard. It is especially important because these turbines are the same size as the ones proposed here by Nordex. The ones at Beech Ridge are only 60% of the size, it is a different comparison. I thought it would be important to get the follow-up to you. I put the original clip and follow-up on a cd for each of you.

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

Agenda Item 3 – 2011 Emergency Management Performance Grant. Mr. Campbell presented a copy of the grant application as prepared by Mr. Bobby Clark, Emergency Services Coordinator to the Board. Said application is for a loan to construct an emergency operations center in this building. The amount of the 50/50 grant is \$15,653. Mr. Clark also applied for an additional \$2500 for a new computer for the GIS system. Funds are available in the 911 Fund for the County's share.

On a motion of Supervisor Allen, seconded by Supervisor Gerald, and unanimously carried, it was resolved to approve the 2011 Emergency Management Performance Grant as presented at a cost not to exceed \$16,842.50.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

Agenda Item 4 – Appointment to Floyd – Floyd County Public Service Authority – four year term.

On a motion of Supervisor Allen, seconded by Supervisor Gerald, and unanimously carried, it was resolved to reappoint Mr. Lawrence Petrie to the Floyd – Floyd County Public Service Authority for a four year term.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger - aye

Agenda Item 5 – Request from Commonwealth’s Attorney – financial assistance for part-time attorney. As an update, Mr. Campbell reported that Ms. Short and Sheriff Zeman would be traveling to Richmond tomorrow to meet with the Compensation Board concerning this request. Further information will be available at the next meeting.

Agenda Item 6 – Approval of end-of-month disbursements.

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

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger - aye

Agenda Item 7 – Discussion of format of minutes. Mr. Campbell requested, with two new members and reorganization, the preferred format for minutes of the Board – detailed or synopsis of actions. After discussion, it was the consensus of the Board for the Clerk to provide a synopsis format, including public hearings.

Agenda Item 8 – HB 795 Floyd County Meals Tax Information. Mr. Campbell presented information concerning the Board’s legislative request for the authority to levy this tax in Floyd County. He had requested specific data on revenue that the County anticipates. Supervisor Yoder also reported on his conversations with Delegate Rush on the matter. He noted that it does require a unanimous consensus from the Board to introduce the matter. After discussion, Supervisor Gerald indicated his opposition to the tax so the Board dropped the bill from their legislative consideration.

Agenda Item 9 – Tall Structures Draft Ordinance. Mr. Campbell reminded the Board of their public hearing on the draft ordinance at 7:00 p.m. on January 31, 2012 at the high school. He commented that there does seem to be some opportunity to alter the elevation as outlined in the draft ordinance. The ordinance that was advertised is very restrictive. Modification of elevation to 2800’ yields a different map that was provided to you. Not certain that the 40’ can

be adjusted; legal counsel would have to advise. Did receive a call today from the Director of the JMU Wind Energy Institute offering his expertise to the Board if desired. Mr. Campbell suggested that if changes are made, the Board may wish to hold another public hearing.

The Board also discussed the four minute time limit for public hearings – consensus was to keep the four minute limit.

Agenda Item 10 – Appointment of Board liaison to Montgomery-Floyd Regional Library Board.

On a motion of Supervisor Allen, seconded by Supervisor Gerald, and carried, it was resolved to appoint Supervisor Lauren Yoder as liaison to the Montgomery-Floyd Regional Library Board of Directors.

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

Supervisor Gerald reported of several complaints received about removal of the green boxes on Hollandsworth Road. A number of senior citizens use these boxes; the next closest ones are 3-4 miles away. Have had threats that trash will continue to be dumped there, over the bank or in his yard. After discussion, it was the consensus of the Board to continue their procedure for removal of certain boxes, if one site was reinstated, all would have to be reinstated, which would defeat the budget reduction plan.

Mr. Campbell reported that the School Board had extended an invitation to the Board for a joint meeting in the near future to discuss budget concerns/issues. Consensus of the Board was to accept the invitation for a joint meeting on February 16, 2012 at 6:00 p.m.

On a motion of Supervisor Yoder, seconded by Supervisor Allen, and unanimously carried, it was resolved to adjourn to Tuesday, January 31, 2012 at 7:00 p.m. at the Floyd County High School auditorium.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

Daniel J. Campbell, County Administrator

Case C. Clinger, Chairman, Board of Supervisors