

**BOARD OF SUPERVISORS
REGULAR MEETING
July 10, 2012**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, July 10, 2012 at 8:30 a.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 8:30 a.m. with the reading of the handicapping statement.

The Opening Prayer was led by Supervisor Gerald.

Supervisor Allen led in the Pledge of Allegiance.

The minutes of June 12, 2012 and June 27, 2012 were presented to the Board for review and approval.

On a motion of Supervisor Allen, seconded by Supervisor Gerald, and unanimously carried, it was resolved to approve the minutes of June 12, 2012 as presented.

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

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and carried, it was resolved to approve the minutes of June 27, 2012 as presented.

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

The monthly disbursements were presented to the Board for review and approval. A list of additional expenses was also presented for the Board's consideration.

On a motion of Supervisor Yoder, seconded by Supervisor Allen, and unanimously carried, it was resolved to approve the monthly disbursements and additional expenses as presented.

Supervisor Yoder – aye

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

Agenda Item 7a – Subdivision plats as approved by Agent for June 2012. Mr. Campbell presented the plat report and noted only one family division, two lot line divisions and several plats of record. Numbers are lower than usual for this time of year. He also presented the building permit data and noted that volume is steady, with an increase in commercial construction.

Agenda Item 7b – Approval – Local Government Challenge Grant - \$5000 – Virginia Commission for the Arts. Mr. Campbell presented a copy of the approval letter for said grant and noted that these funds are split between the Jacksonville Center and the Crooked Road.

Agenda Item 7c – Appointment of representative to the New River Valley Regional Transit Coordinating Council. Mr. Campbell noted that Ms. Martin had been attending meetings as her schedule allowed.

On a motion of Supervisor Gerald, seconded by Supervisor Allen, and unanimously carried, it was resolved to appoint the Director of Economic Development and/or County Administrator to the New River Valley Regional Transit Coordinating Council.

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

Agenda Item 7d – Appointment of representative to the New River Community College Board of Directors. Mr. Campbell noted that no letters of interest had been received.

Consensus of the Board was to defer the matter another month for them to find an interested candidate.

Agenda Item 7e – Request for Floyd County to serve as fiscal agent – Virginia Cooperative Extension grant. Mr. Campbell presented a letter request from Ms. Dawn Barnes, Unit Coordinator, for the County to serve as fiscal agent for grant funds they will be receiving instead of the funds going through Virginia Tech. He noted that there is little work involved for County staff and it is easier for Extension staff to access the funds.

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and unanimously carried, it was resolved to authorize Floyd County to serve as Fiscal Agent for the Floyd County office of Virginia Cooperative Extension for receipt of grant funds.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye

Supervisor Allen – aye
Supervisor Clinger – aye

Agenda Item 7f – FY13 Performance Contract with New River Valley Community Services Board. Mr. Campbell presented the draft contract between Floyd County, the Community Services Board and the Commonwealth of Virginia, for the Board’s review. He noted that there are no major changes from last year’s contract.

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and carried, it was resolved to approve the FY13 Performance Contract between Floyd County, New River Valley Community Services Board and the Commonwealth of Virginia as presented (Document File Number).

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

At 9:00 a.m., the Chairman called for the Public Comment Period.

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

Agenda Item 7g – Carry-over request – Sheriff’s Department - \$2701.90 for an insurance reimbursement received on June 29, 2012.

On a motion of Supervisor Yoder, seconded by Supervisor Turman, and unanimously carried, it was resolved to approve the carry-over request to the FY13 budget in the amount of \$2701.90 for the Sheriff’s Office for an insurance reimbursement.

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

Agenda Item 7h – Carry-over request – Fire Department - \$5611.00 for receipt of State Fire Program Funds. Funds were received on July 2, 2012.

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and unanimously carried, it was resolved to approve the carry-over request to the FY13 budget in the amount of \$5611.00 for the Fire Department for State Fire Program Funds received.

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

Agenda Item 7i – Committee set up/procedures with Board of Supervisors, Fire Department and Rescue Squad for vehicle/equipment purchase/planning. Mr. Bobby Clark, Emergency Services Coordinator, also joined the Board for discussion on the matter. Discussion followed on NFPA 1901 standards for equipment, training regulations for both agencies, and grants available for various pieces of equipment. The Board deferred the matter for further discussion later in the day.

Mr. Carl Ayers, Social Services Director, next appeared before the Board. He reported:

- Case loads – SNAP – had 2097 cases last month, down from a high of 2107 - \$3.3 million was spent last year. There is no time limit that a person can be in this program, only have to meet income guidelines. TANF and VIEW programs have a 60 month lifetime limit total with only 24 months coverage at a time. Medicaid program is averaging 2500 clients. SNAP program is going to a staggered schedule of payment instead of once a month. This change comes from a request from the grocery industry. They have such a difficult time trying to keep shelves stocked at the first of the month with the most common purchased items. This will enable them to keep stock supplied for the entire month.
- Title IVE – funds for Foster Care which are 50% Federal and 50% State. \$135,000 was spent in Floyd County last year with no local funds. The Federal government is reviewing the program. Virginia’s program was reviewed in 2004 and failed. After corrections by the State, Virginia passed the 2007 review. In the 2010 review, Virginia failed again because the General Assembly pulled funds out of the program. We have double the amount of case loads now with no extra funding. The Commissioner sent out a letter on June 7 notifying the localities that we will be responsible for any errors made even if they are State errors. A June 22 letter modified that requirement that any errors found would not be the locality’s responsibility until after a review is completed. The program is all manually administered, with data entry into five different computer systems.

Ms. Stephanie Shortt, Commonwealth’s Attorney, next appeared before the Board. She reported:

- Request to Compensation Board for a full-time Assistant Attorney was not approved. But, they did grant 6 months of part-time funding. Will work with funds that we have and hopefully not have to request additional funds from the County.
- The new staffing standards did show the need for a full-time Assistant Attorney so hopefully that will be helpful in the next funding request to the Compensation Board. We can reapply in six months for additional funds.
- New Circuit Court Judge began his term today, a new Juvenile Court Judge started last week.
- New person heading up the Drug Task Force. He has a strong State Police background.
- Continue to review the County’s bill from the Regional Jail to ensure correct charges.
- Will review the two draft ordinances sent by the County Attorney and will send any suggested changes to him.

Mr. Dan Huff and Mr. David Clarke, Virginia Department of Transportation, next appeared before the Board. They reported:

- Will review the truck traffic being routed onto Barberry Road/Haycock Road from GPS;
- Route 221/Harris Hollow Road intersection – have submitted work order for that intersection for improvement of sight distance.
- Stonewall Road and Coles Knob Road intersection – work order for sight distance improvement has also been submitted;
- Culvert replacement plan – has been delayed for another year because funding was not available for right-of-ways. Completion date is now November 14, 2014.

Mr. Clarke reported that most of the maintenance crews time has been spent cleaning up storm debris. All roads are open and clear but they are still working on cleaning up the sides of the roads. Crews are doing patching before surface treatment. Some plant mix application is upcoming.

Supervisor Gerald – what is the mowing schedule for Indian Valley? It is very bad, especially at intersections.

Mr. Clarke – after all the storm clean-up is done, mowing will be a priority again.

Supervisor Allen – had a complaint on Spangler Mill Road that the motor grader cut a ditch too low and rain stands there, if you could check it.

Supervisor Allen – where the bridge is being re-done on Route 221, is it normal to leave the 45 mph signs up? The crew has not worked for about a month.

Mr. Clarke – I will check on it. Sometimes they leave the signs since people are used to the posted speed and won't be confused.

Supervisor Turman – Deer Valley Road – culvert about mid-way on the road is stopped up and causing a ditch across the road.

Supervisor Yoder – any progress on the ditch on Conner Road with the standing water?

Mr. Clarke – I will check on the progress.

Supervisor Yoder – commend you and the crews for work on storm damage.

Supervisor Clinger – nothing to report.

Mr. Campbell – weeds need to be mown at the Commerce Park entrance – visibility is very bad.

Supervisor Gerald – would you check on the three entrances for the yoga center on Route 787 – the sight distance seems to be lacking.

Ms. Lisa Pluska, Assistant School Superintendent, next appeared before the Board. She presented copies of two new performance reports that will be used by the School Board. The first one, the Teacher/Principal Performance Report, has seven performance standards. Six of the standards comprise 10% of the evaluation. Standard seven, Student Progress, is 40% of the evaluation. A committee has been formed to come up with goals for the teachers. The second form, the Principal Performance Report, focuses more on instruction than all management related. Student progress accounts for 40% of the evaluation. Five standards are related to management, two standards are based on professionalism and student progress.

Mr. James E. Cornwell, County Attorney, next appeared before the Board. He presented three draft ordinances for the Board's review.

The first ordinance was for reimbursement of meth lab cleanup costs, which would conform to State Code Section 15.2-1716.2. The costs would be assessed against the convicted person.

The second ordinance deals with cleanup costs of properties used for manufacturing of meth. The State Code Section of 15.2-900 deals with public nuisances, of which meth would be considered as the nuisance. Most localities deal with this under zoning ordinances or through the Building Code, but Floyd does not have zoning or the building code section that regulates cleanup. In most cases, the cleanup costs would be assessed against the owner of the property.

The third ordinance deals with reimbursement of costs for DUI/traffic incident costs when the Rescue Squad, Fire Department or law enforcement is called to the scene. The traffic incidents would include such items as reckless driving or revoked licenses. A cap not to exceed \$1000 in reimbursement is required under State Code. Floyd County could assess a flat fee of \$350/incident or minute by minute costs. Insurance companies usually cover these costs.

After extensive discussion on all three draft ordinances, the Board deferred further discussion for the next month's meeting to enable review time by the members. Also to allow time for the Commonwealth's Attorney to review the three ordinances and provide any changes or suggestions.

Agenda Item 7j – Review of draft Comprehensive Plan. Mr. Campbell commented that staff needs to know the direction that the Board wants to proceed in. The Planning Commission presented the plan to the Board in November 2011. The Board has 90 days to return changes or suggestions back to the Planning Commission. The Board deferred review until the budget was completed and approved. The Planning Commission will need to reaffirm the plan and provide that action to the Board.

Consensus of the Board was to return the plan to the Planning Commission for reaffirmation and re-submission to the Board.

Agenda Item 7k – Summer Board of Supervisors meeting schedule. Mr. Campbell suggested that the Board consider having only one regular meeting for the months of July and August since the public turnout has been very light during the summer while folks seem to be vacationing.

On a motion of Supervisor Allen, seconded by Supervisor Turman, and carried, it was resolved to authorize the County Administrator to advertise that the second regular Board of Supervisors meeting in July and August will be cancelled.

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

Mr. Campbell requested that the Board consider the appropriation of the FY13 budget in the amount of \$30,108,553.00.

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and unanimously carried, it was resolved to appropriate the FY13 budget in the amount of \$30,108,553.00.

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

Agenda Item 7i – Committee set up/procedures with Board of Supervisors, Fire Department and Rescue Squad for vehicle/equipment purchase/planning. Extensive discussion followed on the committee: members, tasks, recommendations, etc. Consensus of the Board was for the committee makeup to include two Board of Supervisors members (Yoder and Turman), one Administration staff member, the Emergency Services Coordinator, and one member each from the Fire and Rescue organizations. A notice for letters of interest to be submitted to the Board will be posted at each station and crew halls.

On a motion of Supervisor Yoder, seconded by Supervisor Turman, and unanimously carried, it was resolved to adjourn.

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