

**BOARD OF SUPERVISORS
REGULAR MEETING
SEPTEMBER 25, 2012**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, September 25, 2012 at 7:00 p.m. in the auditorium of the Floyd County High School, 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; James E. Cornwell, County Attorney.

The Chairman called the meeting to order at 7:00 p.m.

At 7:00 p.m., the Chairman called for the Public Hearing on the draft Floyd County Comprehensive Plan.

Mr. James Cornwell, County Attorney, commented that the hearing was being held for the Board to receive comments from citizens on the draft plan. They may either approve and adopt the plan tonight or disapprove the draft and send it back to the Planning Commission for revisions. Any decision needs to be made within 90 days of receipt of the plan from the Planning Commission. The deadline for a decision from the Board is October 17, 2012.

Mr. Campbell read the advertised notice of the public hearing.

Chairman Clinger called for comments from the audience.

Ms. Ann Margaret Shortt – here tonight representing the Agricultural and Forestry Viability Task Force, which is made up of Floyd County business men and women, farmers, foresters, educators and community members. We would like to present the following resolution of support to you from the Task Force.

**RESOLUTION OF SUPPORT FOR THE
FLOYD COUNTY COMPREHENSIVE PLAN**

Like the many citizens, companies and non-profits that provided input for the current Comprehensive Plan, we believe that protecting water, farms and forests is vital to Floyd County's future.

We, the Agricultural and Forestry Viability Task Force members, will soon be sharing a strategic document with you that recommends priority action points to protect the long-term viability of farming and forestry in Floyd County. Farms and forests provide not only the food and fiber we all need, but also the rural character and groundwater recharge we sometimes take for granted.

But first, we would like to address the draft Comprehensive Plan now before you.

Like all Floyd County citizens, we want to make sure our investments are protected. We wish to make sure we have the right to place private protections on our land if we choose, like conservation easements. We want to make sure that farms and forests are not hampered by encroaching major residential developments, which end up driving up our taxes and threatening our way of life. We value our freedom to produce our food, to raise livestock and to manage and harvest our forests. At the same time, we also desire farmland and forests to be available to our grandchildren's children to enjoy. And we need there to be enough water here for them too. We know that water resources are precious and vulnerable in Floyd County and we must plan accordingly.

We believe that the newly certified Comprehensive Plan (as evidenced in Goals 1 and 2) strikes the right tone on these important issues. We encourage you to adopt the Plan to help guide Floyd County to a better future.

Mr. Jack Russell, Burks Fork District – also here tonight as Chairman of the Economic Development Authority of Floyd County and would like to deliver the following resolution:

ECONOMIC DEVELOPMENT AUTHORITY OF FLOYD COUNTY
RESOLUTION REGARDING THE DRAFT
FLOYD COUNTY COMPREHENSIVE PLAN

WHEREAS, the Economic Development Authority of Floyd County exists as a group of appointed volunteers to encourage private investment and job creation in Floyd County;

WHEREAS, good planning is needed to protect and promote private investment and job creation and to balance economic growth with efforts to preserve natural resources, water, farmland and forests;

WHEREAS, the draft Comprehensive Plan calls for us, the local EDA, to develop an Economic Development Strategic Plan to target best opportunities and coordinate efforts AND for us to collaborate with public and private entities to expand economic development infrastructure including available buildings;

AND WHEREAS, the draft Comprehensive Plan provided helpful economic trends and analysis as well as clear consensus from over 200 citizens including more than 40 businesses that we should “support local and/or recruit clean companies with good wages, especially light industry, technology and innovation jobs” and the “processing of local foods”.

We accept and appreciate this direction and resolve wholehearted support for this proposed Floyd County Comprehensive Plan.

Ms. Tenley Weaver, farmer and business owner in the Little River District – during the Common Ground public meetings, a majority of Floyd County residents expressed their desire to preserve the agricultural atmosphere and rural character of our County. Per request of the Board of Supervisors, the Land Policy Task Force set out to discover challenges and solutions to that

goal, and to educate ourselves about the deeper issues that face our special region. Water in Floyd County is especially vulnerable to depletion and contamination due to the unique geology that underlies our County. As part of the Blue Ridge Mountain Province that was formed when the continents collided, our underground water resources exist only in random fissures and channels between layers of rock. There is no aquifer or collected pool of water under Floyd County, which explains why well drilling here is so hit or miss, and why drilling deeper rarely results in higher water yield. Our random geology also means that fissures and cracks intersect in unexpected and unknowable ways, allowing connection with other water and liquid waste sources like septic tanks within a one-mile radius. Since no one can predict how underground water channels relate to each other, large or numerous water users may impact the fragile water resources that current residents rely on. Floyd County is especially vulnerable to drought, as we see from our well replacement statistics from the 4-year drought at the beginning of this decade, when Floyd County was home to nearly three quarters of all replacement wells drilled in the New River Valley. With no collected pool or aquifer under our feet, it is especially important to guard our sparse water resources carefully. The Land Policy Task Force is also concerned about the rapid rate of conversion of farm and forest land to small-acreage residential plots, a trend which will eventually threaten the rural character and agricultural production potential of Floyd County. Floyd County has already seen a dramatic loss of large acreage farms, and this trend is expected to explode as the regional economy rebounds. In addition to the loss of farmland and forests, the fiscal impact of residential properties is considerably more draining on County funds and taxpayer dollars than farms and forest land. Services needed for increased population on narrow gravel roads, like schools, trash removal, police, fire and rescue squads far outweigh the net tax revenue from residences. A sharp increase in residential development will strain our County budget and put increased pressure on the Board of Supervisors to provide more public services – without raising taxes, please. The Land Policy Task Force believes that the Comprehensive Plan is the first step to protecting ourselves and our private property from exploitation of outside interests that would put our homeland and community at risk; uses that have catastrophic impacts like medical waste incinerators, gas pipelines, wind turbines and uranium mining. Without strong guidance that comes from our own people, we are sitting ducks for exploitation of our economy and resources, and for State and Federal directive that do not have Floyd County's best interests at heart. She presented the following resolution from the Task Force:

**RESOLUTION OF SUPPORT FOR THE
FLOYD COUNTY COMPREHENSIVE PLAN
AS RECENTLY DRAFTED BY THE
FLOYD COUNTY PLANNING COMMISSION**

As Land Policy Task Force members, we have taken seriously the call to serve the good of our County for now and the future. We understand that over 200 private citizens, more than 40 local companies and over 30 civic organizations participated in an 18-month community-input process for the Comprehensive Plan, and that collected input became the priorities in the Plan drafted by County staff through the leadership of the Floyd County Planning Commission.

Over the past year, our group has learned a great deal about the water, farming, forestry and fiscal challenges facing our County, and we have studied the planning tools available to help

with those challenges. We are still working on detailed land policy recommendations for early autumn, but one thing is clear to us: the Comprehensive Plan is the foundational document to set the course for greater long-term prosperity and protection for the citizens of Floyd County.

We encourage you to adopt this Comprehensive Plan to prepare for the future of Floyd County. Thank you for your time and consideration.

Mr. Dennis Dove, organic produce grower in the Little River District and also a member of the Forest/Farm Viability Task Force – During the last 18 months, we have been meeting as a task force to look at plans, goals, ideas to determine how the forests and farm lands could be better utilized to provide economic income for the County. To that point, we feel, I personally feel that the Comprehensive Plan addresses many of the issues that Floyd County will face as we try to hold onto farms and large tracts of land and perhaps reduce the fragmentation that we've seen in the last ten years. As Tenley mentioned before me, there is a severe problem with our water resources, the Task Force addressed this issue. Problems of source as well as quantity and disposal of said water, septic systems that are now in place. These all need to be taken into consideration as our population grows and more services are required. Find ways to better understand our fragile geology of water for the people who populate our narrow roads and are not able to be close to a PSA system. Having said all those things, hope that you will look further as a group at water strategies. I would be glad to assist with any group studying these issues. I would also endorse the Comprehensive Plan as written. On its face it is a good plan, but everything can be improved. Thank you very much.

Mr. Jerry Boothe, Courthouse District – it is easy to read this and see where it is leading, you know my opinion on that. Let's talk about the other problems and issues. Number of lots being developed, lot sizes and their entrances and their impact on the existing roads. Green space being invaded and the impact on the water. Right now, we have a Subdivision Ordinance and the standard division is two acres. The State, unless it has changed, allows you to require five acres. If you change that from two acres to say, four acres, you've just halved the number of lots. You halve the number of entrances, made space for green space and cut down the number of lots by just changing one little number. I believe under the policing powers of the Code, you have the right to protect the health, welfare and safety of the citizens unless somewhere else in the Code it bars you from doing it. There is no reason that I see, that you can't add a provision in the Subdivision Ordinance, when a developer comes in, developing 3-5 lots, they have to drill a test well for the quantity and quality, to see what contaminants are in there. And no where near zoning to do that. I agree with the Task Forces, there are problems with water. Some from drought conditions from years past that we may never catch back up. It is a grand thing, farmland through County policy, it is about the land. There is no regulation that you can adopt that will keep farmers in business, this is all about the land. What it should say is to protect undeveloped land because that is the ultimate goal. I sat where you sit for 12 years and heard every excuse as to why we need zoning. With all due respect to the task forces, I don't think you should be trying to get a zoning ordinance adopted on the backs of the farmers.

Mr. C. R. Sisson – I'm going to start off by asking if all of you read this thing. What happened on page 58? What happened to Tables 19 and 20? It says that they reflect more details on farms in Floyd County and state the average income of farms and more would be

included if they got rid of farmers with part-time incomes. On page 45, it says Tables 19 and 20 got nothing to do with farmers, it talks about commuting to work and everything else. Throughout this document I find stuff like this. You're going to base our future on something that was this sloppily put together? I can't believe you would start this comprehensive land use with a description of Jamestown being an example of comprehensive land use. Evidently the person that wrote this was not a Virginian or failed Virginia history. Jamestown was an absolute disaster from day one. It was settled in May 24, 1607 with 104 people, half were dead by that fall. In 1608 they got 70 more settlers, 300 more in 1609, 1610 there were 65 left. Jamestown was a horrible example of development and it resulted in Virginia becoming a crown colony. So, you know, I don't understand what's going on here. Now, on page 84, you got all these comparisons to paved and unpaved roads. You show that Craig County has 20% unpaved roads, Floyd County with 48%. Craig County has a lot of Federal land which they won't be allowed to pave. Montgomery County has 28% unpaved roads, but they have over 100,000 people, Floyd County has 15,000. You are comparing apples to oranges. But truth in fact, this is just a ploy to push us to zoning. That's exactly what this is about. All we need to know about that is the cost of services delivered. We farmers get back 35 cents for every dollar that we pay. Residences get back \$1.09. That should tell you all you need to know. The most successful Counties in development are those that tell you they don't want you there. The most successful one is Goochland County. You can go to a neighboring County, like Chesterfield and a \$200,000 house will cost you \$350,000. You also talk about all this light industry, I don't think we need it either. It is always a bunch of outsiders coming in with it. I really think this is the wrong thing to do at the wrong time and I don't think you've thought about it enough.

Mr. Wayne Boothe – passed on speaking.

Mr. Mark Allen, Little River District – I am not a farmer but I own farmland. I'd like to complement you folks for making this available to us and especially to Lydeana for all her hard work. I do have a couple of concerns. One is that we see locally, State wide and national, the government is in our face and our livelihood too much. We can't afford that. A lot of people have not recognized that we cannot afford that. Concern number two is about the plan. I would like to see more protection for the landowners rights. There are different plans which take away my rights, resources and nest egg. I have a concern with that. Thank you for the opportunity to express my opinion.

Ms. Dianne Maughan, Buffalo Mountain Road – I am a relative newcomer here and that's one of the reasons I wanted to speak. I was so impressed by the development of the plan, the hard work that these people went to to include as many people as possible. I couldn't believe when I read it, that the priorities are my priorities. When we moved here, we bought an old farmhouse and the agricultural environment is the main reason we're here. It is the most important thing to me. The second thing, besides water, it is so important to keep the health of our land is important to me. Overall the plan is relatively conservative, it does not put a lot of goals in place, it just lays out options for discussion and I think that is the way we should go. I am impressed by the product and the goals that came out of it.

Mr. Jeff Walker, Little River District – I was trained at a land grant university. I understand soil and water. Many people understand these issues. I cannot understand how the

suggestion can be made that you would be building a huge pipe from the PSA to anybody in this County to increase the density of population in this County. When rain falls on the earth, an inch of rain on an acre produces 43,560 gallons of water. When you pump 100,000 gallons of water a day out of an aquifer like the one the PSA has, which is only a few acres, all that water passes through a home, goes through the sewer system, back to the PSA and dumps into Dodds Creek. It does not come back to us unless it rains. If you pump water out of the ground and run it through someone's house, it goes through the house, into their drain field and regenerates it to the aquifer. It takes about three years, it does not get lost in the process. Whether a lot has a water source on it, that is a unique attribute of that lot and each lot has the ability to produce water and renovate that water. Until we understand that development is not cookie cutter but based on the unique attributes of that landscape, we're not talking about a water right, we're talking about water potential. I hope that once the comprehensive plan is adopted that we begin looking at the Subdivision Ordinance again, it needs revisiting, it is over 10 years old. We need ways to break up lots into smaller lots, Jerry Boothe mentioned it, I tend to support that thought. But we also need lots with agricultural functions and residential functions. Lots which have higher uses, higher densities which are traded off against higher standards of development like higher storm water densities or shared road access. The idea that each house in Floyd will have its own driveway and well and septic system might need to be revisited. I would welcome the opportunity to speak further about these issues.

Ms. Becky Howell, Burks Fork District – I appreciate the opportunity we have to come here tonight and we can all have different points of view as to how we want Floyd County to grow. One thing that I see that we all want is to maintain an agricultural area. The only thing that is going to maintain an agricultural area is to have young people that want to farm and have farmers be able to afford to farm. With the prices of fuel going up, that affects the costs of fertilizer and everything else. I don't see the Planning Commission being able to do anything about that. One of the things that is mentioned in here is affordable housing. I don't see how you can have a requirement that lots have to be four acres, how much does an acre sell for, \$4000-5000? There are a lot of people who would not consider that affordable housing once they put a house on it. That's something else to think about. I read through here that several things will be guided by County policy. That sounds like zoning to me. It was mentioned as to how many people had input into this plan. I know a lot of people did. We had a meeting earlier on this plan and this auditorium was all full and I remember that most people did not like the idea of zoning. I asked for the changes that had been made in the plan. I was given five pages. Four of those pages were a glossary, only one page of changes, the plan is almost 200 pages. There was a lot of input originally but I don't think the people were listened to very well from the last hearing. I know there are problems with water and services. I live outside the town; I don't expect the police to be there. If somebody is breaking into my house, I don't expect the police to get there to protect me, or if my house catches on fire, I don't expect the fire department to get there to save it. We live in Floyd County and we are independent people and we have to take care of ourselves in a lot of ways. I saw one of the other goals of the County is to have more jobs for people. I saw a number of things in the goals that could be well taken care of by private business, which in turn would create more business and not have to be taken care of by the local government. One interesting thing I saw was the proposal to encourage more senior programs, with the development of a wellness center with a pool. I'm all for that, I drove through Carroll County for nine years to use their wellness center and pool. I paid my \$300 for

the year to use it and was glad to pay that to use it. I need these senior services. The interesting thing is that the plan says that the budgetary impact will be low. How is putting in an indoor pool going to have a low budgetary impact? Thank you.

Ms. Linda Wagner, Courthouse District – I thank the Board for allowing us to speak. I heard only one person speak about the government involvement in our lives; it is a shame that we are not all speaking about the government invasion in our lives. I see the comprehensive plan as a comprehensive invasion in our lives. I know there has been a lot of talk about Agenda 21 over the last two years, I've gone to several meetings and provided information to the Board. In 1976, the UN Conference on Human Settlements made the comment that private land ownership is a principal instrument of accumulation and concentration of wealth and therefore contributes to social injustice. The provision of decent dwellings and healthy conditions for the people can only be achieved if land is used by society as a whole. This is the basis of Agenda 21 and is successful only if well known and acknowledged. In October 2010, under President Obama, national associations congratulated a number of towns, cities and counties and awarded them monetary amounts. These were the National League of Cities, National Association of Regional Councils, Smart Growth America, National Associations of Aging and ICLEI, which is the government for sustainable livability communities. These organizations will now take on critical regional planning and implementation activities that support building sustainable livable communities with regional cooperation, broad stakeholder and community involvement in a coordinated process. Sounds like our Comprehensive Plan. My husband and I went to several community meetings which were information gathering meetings. In each one of those, they followed the Delphi Procedure. If you know about those, the end result is pre-planned. They bring in outside help to moderate and if you do offer something that is outside the guidelines presented, it is not acknowledged nor recorded. We have gone to the PDC and such and voiced our concerns over their procedures. What I would like to see is less government in my business. I want my private property rights protected. I would like to propose a resolution. I know that each of you are property owners, some with several properties. I appreciate the farmers and their farmland. I know there is an amendment on the ballot this year as to whether you want to protect your property rights. But I think here locally we could ask you, our governing body, to sign such a proposal that you want to protect our private property rights. I have such a resolution to propose to you tonight that could be incorporated. Thank you. (Presented copy to Board for consideration).

Mr. Woody Crenshaw, Little River District – I own a number of businesses here in the County. I'm one of those newcomers. I support the work that has been done on this comprehensive plan. This is the third one of these that I've seen created and adopted by the County. In my opinion, this one is by far the most forward thinking and intelligent and I really commend everyone involved in creating this document. It doesn't solve all the problems and I don't agree with every piece of it. I want to add my voice to the people who are asking for the adoption of this document. I'm somebody that believes that just because my name is on a deed does not mean that I can do anything to land that I want to. It is a public asset also. The land is part of this community and I have an obligation to be responsible with it.

Ms. Jane Cundiff – Floyd County resident – I've read the comprehensive plan and appreciated it from the very beginning. One thing that I really see that is special about the plan is

that it helps to make good neighbors out of people. All of us are neighbors, none of us are an island, and we all depend on the same water and breathe the same air. We need our forests to cleanse that air and give us oxygen, we need everything here. Even though I own several pieces of land, just like Woody said, I do not feel that I can do anything that I want because I would not be a good neighbor. I really see this comprehensive plan as helping to be good neighbors. Thank you for your efforts.

After no further comments from the audience, the Chairman declared the Public Hearing closed and adjourned the meeting at 7:45 p.m.

Daniel J. Campbell, County Administrator

Case C. Clinger, Chairman, Board of Supervisors