

**BOARD OF SUPERVISORS
REGULAR MEETING
AUGUST 23, 2016**

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, August 23, 2016 at 7:00 p.m. in the Board Room of the County Administrative Building thereof;

PRESENT: Case C. Clinger, Chairman; Joe D. Turman, Vice Chairman; J. Fred Gerald, Linda DeVito Kuchenbuch, Lauren D. Yoder, Board Members; Terri W. Morris, County Administrator; Cynthia Ryan, Assistant County Administrator.

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

The Opening Prayer was led by Supervisor Gerald.

Vice Chairman Turman led in the Pledge of Allegiance.

Agenda Item 4. – Public Comment Period.

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

Agenda Item 5. – Approval of month-end disbursements.

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

Supervisor Gerald – aye
Supervisor Kuchenbuch – aye
Supervisor Turman – aye
Supervisor Yoder – aye
Supervisor Clinger – aye

Agenda Item 6. – Ms. Tammy Belinsky, Secretary of Electoral Board, Update on Voting Equipment.

Ms. Belinsky said I am here tonight to talk to you about the poll books that we use on Election Day. In the past when we've had electronic poll books, we were using a system that was developed and provided to us by the State of Virginia. I think because of complicated contractual issues with the State that relationship ended with that vendor. The State has been trying to implement its own system now and we've been waiting for that, but we can't wait any more. The State isn't getting their system approved fast enough. And even if they do, we've had a preview of it and we think it's going to be a little bit clunky. We don't think it is going to be as good as what we had before and it is definitely not going to be as good as what is available

commercially now. We don't want to go into the Presidential election without an electronic poll book.

We used paper poll books in the fall which wasn't too much of a problem but it wasn't a heavy election. In the spring when we had the dual primary, it was very complicated because we were running two elections and we had to check both poll books. It slowed things down. We don't anticipate for the Presidential election that kind of problem, but we would like to resume using the electronic poll books. We have had a demonstration from the company who used to hold the contract with the State. They have given us a quote. What we would like to do is use the money in the loan that is reserved for voting equipment.

We also are likely to acquire some voting equipment before the end of the year. I guess I would call it the preferred equipment that is available now. The Democracy Live voting equipment we came and talked to you about previously, we don't think that's going to be available to us before the deadline for using the loan due to the approval process. Basically because this is a Presidential year, there really isn't anything happening with new equipment approvals. It's just not happening.

We have a quote for the poll books. We have the laptop computers. The State actually provided the computers to us. We need the software. The total for buying the software and receiving the support to install it one day and then training poll workers another day is a total of \$8,000.00. It is \$400.00 for the software per unit and we have 14 units so it comes to \$5,600.00 for the software. It is \$1,200.00 to set it up because it is basically a per day charge. It is another \$1,200.00 to train the poll workers. There is a maintenance fee of \$50.00 per unit per year. We need that for upgrades.

Supervisor Kuchenbuch asked if there were other vendors who offer this software for voter check-in?

Mr. Mike Maslaney, Vice Chairman of the Electoral Board, answered they received a quote from another vendor which had an iPad solution. It was \$20,000.00. This is definitely a very cost effective solution. Henrico County has been using this software for several years and are happy with it. They are the second largest voting locality in the State.

Supervisor Kuchenbuch asked if we would have to spend \$600.00 each year?

Ms. Belinsky replied, yes but \$700.00 per year.

Mr. Maslaney said we will have to pay maintenance for anything we do.

Ms. Belinsky explained that actually one of the issues with what is going on right now with the State – localities who are still using the old system – is that because the contractor reverted back to some prior developer, their support is really bad. That is what the complaints are from people who are still using the State system. The support is almost nonexistent. At least with this company we are getting reports of very good support.

Supervisor Kuchenbuch asked if Henrico is the only user in Virginia?

Mr. Maslaney responded, no, there are seven or eight localities using it.

Ms. Belinsky listed Henrico County, Charlottesville City, Franklin County, Pittsylvania County, Fairfax County, and Albemarle County.

Supervisor Kuchenbuch asked if they had checked with Franklin County and Pittsylvania County to hear what they had to say?

Ms. Amy Ingram, Registrar, replied that she emailed all the counties and heard back from four or five of them and they gave me favorable reports, especially on the service.

Supervisor Kuchenbuch asked if this software would last us a while?

Mr. Maslaney said technology is going to change every five to eight years. You can count on it.

Ms. Ingram said after the election we have to report who voted to the Virginia Department of Elections so the voter gets voting credit. With paper it is a manual process to report that. It is time consuming and not error proof. We do have a bar code scanner that we can scan the poll book of who voted. It was interesting using the scanner because you could turn around and scan half the page and say, "Oh, I didn't mean to do that!" It worked, but it took a long time. This would be an upload from a thumb drive. It is quicker. Our old laptops were Windows XP and we had to get rid of them anyway. We got a grant and got new laptops. Last November when we announced to the poll workers that we were going back to paper ballots and paper poll books, if they had tomatoes... They had gotten so used to the laptops. They loved the laptops. I would like to get it back for them, the poll workers, and for us too.

Ms. Belinsky said the work to conduct an election isn't just Election Day. There is preparation ahead of time and then there is work to be done afterwards. The work manipulating a paper poll book is part of it. Unfortunately it is required that information be reported back up to the State for a handful of reasons. If you would like to see the proposal, we have that.

I don't have a copy of the proposal for the preferred currently available voting machines but that vendor has offered us the discount that they gave to all the localities when our touch screen machines were decertified. That quote to provide paper ballot voting machines and one ADA accessible voting machine for each precinct is about \$88,000.00. If we do that by the end of the year and do this, we are still coming under the \$115,000.00.

I also thought I would share with you that we got an email message from the Commissioner of the Virginia Department of Elections. "Good afternoon – in case you haven't heard, **Virginia is now #3 in the country** in Pew's Election Performance Index (EPI)! Thanks to our collective efforts at the state and local level to modernize processes and make voting easier for eligible Virginians, we've shot up the ranks since the last EPI." Apparently being #3 is almost like being #1 because #1 only has Election Day registration. It makes them better

because they let people register on Election Day. Number two doesn't have voter registration at all. We are #1 for the class of states that conduct business the way we conduct business.

Ms. Belinsky distributed pamphlets on proposed Constitutional amendments that will be voted on at the November 8, 2016 election. There was an effort made in the Assembly to delay putting Constitutional amendments on this ballot but it did not succeed.

Supervisor Yoder asked about the status of the voting machines? He understands the poll books and voting machines are separate issues. You can buy poll books now and it really doesn't matter what voting machine you go with. Is there a system you would rather wait for?

Ms. Belinsky answered that personally she would prefer to wait on the voting machines.

Mr. Maslaney answered that he thought it was time to make a voting machine purchase.

Ms. Morris pointed out that the money has to be spent by May 2018. The only thing left to purchase is the elections equipment and one fire truck under the loan agreement.

Ms. Ingram said that ideally we would like to have the next generation of voting equipment available to us now so it would have a longer life and be more up-to-date. It seems like the companies who are doing this are stalled right now. They know everyone is waiting until they get through the Presidential election to make a change because you don't want your poll workers faced with a new system or us either.

Mr. Maslaney said you want something proven instead of something that is still experimental.

Supervisor Kuchenbuch asked if they want the voting machines in before Election day?

Ms. Ingram and Mr. Maslaney both responded, no to voting machines, yes to electronic poll books.

Supervisor Yoder said I am not trying to push you one way or the other; I am just curious. I don't want us to get in a spot where we have to spend \$80,000.00 just to spend \$80,000.00.

Ms. Belinsky said the system we have the quote for is, I think, the system most recently approved by the State. So in that sense it is the most up-to-date proprietary equipment that is available. It is the most expensive and it is nice they are willing to extend this discount they gave localities last year. It is the equipment we looked at a while ago, even before the machines were decertified. I like this equipment because it is very portable. The ballot bins are collapsible so we won't need U-Haul trucks anymore. In fact their marketing shows the equipment being put into a PT Cruiser. In terms of what's available, it is the most expensive out there today. It is the newest, most recently approved, but it is still proprietary equipment. What we were trying to achieve when we wanted new equipment, we wanted the voters to maintain the experience they had of using a device to mark their ballot. Now we are kind of past that. Voters have now voted

in two elections where they have gone back to marking ballots. Our idea of trying to maintain continuity in the voting experience has gone out the window. We are left with, "Do we want to hold out for the next generation?" We have time.

Supervisor Yoder said next year could be another massive election. You have the potential of having both a Governor's race and a U. S. Senate race.

Supervisor Kuchenbuch asked what is the Electoral Board thinking in terms of voting equipment?

Ms. Ingram said we bought what we have for a song.

Mr. Maslaney said we are using 1970s technology. It is 40+ years old.

Ms. Belinsky said I can tell you that a decision probably would not be unanimous.

Chairman Clinger pointed out that the matter to be decided tonight is to allow the Electoral Board to use the loan for purchase of voting machines to include the purchase of electronic poll books.

On a motion by Supervisor Yoder, seconded by Supervisor Kuchenbuch, it was resolved to approve that \$8,000.00 of the loan be used for the purchase of electronic poll books.

Supervisor Kuchenbuch – aye

Supervisor Yoder – aye

Supervisor Gerald – aye

Supervisor Turman – aye

Supervisor Clinger – aye

Agenda Item 8.a. – Designation of representative and alternate to the Board of Directors of the New River Valley Agency on Aging.

Ms. Morris explained that this appointment has to be a Board of Supervisors member or a designee. Ms. Morris was the representative this past year and Ms. Ryan has been the alternate. We are both willing to do that again if you so desire.

On a motion by Supervisor Turman, seconded by Supervisor Gerald, it was resolved to reappoint Ms. Terri Morris as representative and to reappoint Ms. Cynthia Ryan as alternate to the Board of Directors of the New River Valley Agency on Aging from October 1, 2016 to September 30, 2017.

Supervisor Yoder – aye

Supervisor Kuchenbuch – aye

Supervisor Gerald – aye

Supervisor Turman – aye

Supervisor Clinger – aye

Agenda Item 8.b. – FY2018 VDOT Revenue Sharing Program.

Ms. Morris said the next item is a letter from VDOT on the FY2018 Revenue Sharing Program. Ms. Morris reminded the Board that this program has a 50% State and 50% Locality match program with a limit of \$10,000,000.00. It has been several years since we participated in this program. The last time we did it was with the high traffic volume roads. I wanted to get this on your radar and we can talk about it more in the future if you are interested.

Agenda Item 8.c. – Authorization to advertise for bids for engine for Station #1 Fire.

Ms. Morris said that all the specifications for the engine have been reviewed by staff and the Fire Department Board of Directors. Ms. Morris said she had a copy of the specifications available if anyone wanted to review them. We are ready to put this out to bid if the Board so desires. As you recall, it takes about one year to build a truck. This is another item coming out of the loan money.

Supervisor Kuchenbuch asked if the bid would be sent to the company that built our other truck?

Mr. Kevin Sowers, Emergency Services Coordinator, said we will send this to multiple vendors.

Supervisor Kuchenbuch asked if we were pleased with the company who built that truck?

Mr. Sowers replied yes.

Supervisor Kuchenbuch asked if it has been out on many calls yet?

Mr. Sowers replied yes on several calls but Supervisor Yoder could probably tell you more.

Supervisor Yoder said on any piece of equipment you can go back and say I wish I had gotten that option. But I think for what they ordered, the company came through and provided what they ordered and according to specifications.

Mr. Sowers concurred with Supervisor Yoder's statement.

Ms. Morris explained that this is just to allow her to advertise for bids. If we are not happy with the response, we can put it out to bid again.

On a motion by Supervisor Kuchenbuch, seconded by Supervisor Turman, it was resolved to authorize the County Administrator to advertise for bids an engine for Station #1 Fire.

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

Supervisor Clinger – aye

Agenda Item 8.d. – Proclamation for Constitution Week, September 17-23, 2016.

Ms. Morris explained that the request for this proclamation came from the Daughters of the American Revolution. It is similar to ones we have done before.

On a motion of Supervisor Gerald, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to adopt a Proclamation Recognizing Constitution Week (Document File Number 879).

Supervisor Yoder – aye
Supervisor Kuchenbuch – aye
Supervisor Gerald – aye
Supervisor Turman – aye
Supervisor Clinger – aye

Agenda Item 8.e. – Appointment to the New River/Mount Rogers Workforce Development Board, 3-year term.

Ms. Morris said she was happy to report that Ms. Kerri Williams has offered to be the representative to the New River/Mount Rogers Workforce Development Board for a three-year term.

Supervisor Kuchenbuch said that as Executive Vice President for Human Resources for Citizens Telephone Cooperative, Ms. Williams should be an excellent representative on this Board. It seems like a win-win.

On a motion by Supervisor Kuchenbuch, seconded by Supervisor Turman, it was resolved to recommend to the New River/Mount Rogers Workforce Consortium Board of Directors that Ms. Kerri Williams be appointed as a representative to the New River/Mount Rogers Workforce Development Board for a 3-year term which will expire September 1, 2019.

Supervisor Kuchenbuch – aye
Supervisor Gerald – aye
Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Clinger – aye

Agenda Item 7. – Closed Session – Personnel §2.2-3711 A. 1.

On a motion of Supervisor Turman and seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.1, Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Supervisor Yoder – aye
Supervisor Gerald – aye
Supervisor Kuchenbuch – aye
Supervisor Turman – aye
Supervisor Clinger – aye

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to come out of closed session.

Supervisor Gerald – aye
Supervisor Kuchenbuch – aye
Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Clinger – aye

On a motion of Supervisor Yoder, seconded by Supervisor Gerald, 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.

Agenda Item 8.f. – Request for extension on Hollingsworth & Vose Commonwealth Opportunity Grant for Technostat Line.

Ms. Morris said that Hollingsworth & Vose has met the equipment investment called for in the agreement that was executed in November 2013. Due to delays caused by the equipment supplier they have not fully staffed the line yet. This will move the initial performance date to June 1, 2019 when all the new hires should be made. Staff believes Hollingsworth & Vose have made good faith efforts to achieve these targets.

On a motion by Supervisor Yoder, seconded by Supervisor Turman, it was resolved to approve the request made by Hollingsworth & Vest to extend the "Initial Performance Date"

from March 1, 2017 to June 1, 2018 on the Commonwealth Opportunity Grant for Technostat Line.

Supervisor Yoder – aye
Supervisor Kuchenbuch – aye
Supervisor Gerald – aye
Supervisor Turman – aye
Supervisor Clinger – aye

Agenda Item 9. – Old/New Business.

Vice Chairman Turman said Fire and Rescue has a lot of trouble with the radios around the Buffalo and Indian Valley. I asked Mr. Sowers to stay and talk about a tower ordinance.

Mr. Sowers explained that places like Montgomery County and other areas around us have an ordinance where if a cell tower is placed on certain pieces of property, the County has rights to put their equipment on the tower. It would already be predetermined where if they put up a tower they know that they can't gouge the County for rent. There are a lot of holes in radio coverage. We had three calls in a week's time over on the other side of the Buffalo. Even trying to use the repeater on the Parkway, they didn't have radio communications access with Floyd. There are no towers in that area. The ideal spot would have been on the Parkway. The type of tower the federal government will allow on their property...we have a very bare bones system up there and it is not adequate.

Supervisor Kuchenbuch asked where is this tower?

Mr. Sowers replied up at Rocky Knob, next to the Ranger Station I believe.

Supervisor Kuchenbuch asked how high is the tower?

Mr. Sowers answered not high at all. They had to carry the equipment in because there is no road to it.

Supervisor Yoder said the coverage is fine along the Parkway itself but when you get into the Carroll County side of the Buffalo you have problems.

Mr. Sowers said if you talk to the Sheriff he would probably agree with me. When he sends deputies over to that area, communications is gone. I don't think it would be extremely expensive to put up another microwave if we have access to a tower.

Supervisor Kuchenbuch said she understands the concept of having an ordinance that allows us access to putting our equipment on towers erected by others.

Mr. Sowers said the Wills Ridge site, which is our main site, I believe Mr. Jim Cornwell worked out a deal so we could be there without a fee. But with this ordinance that takes the question out.

Supervisor Kuchenbuch expressed her support for the idea.

Mr. Sowers continued hopefully if someone in the Slatemont area or maybe someone in Patrick County puts a tower up, maybe we can benefit from that. But if we have a tower ordinance ourselves, in the future that hole could be filled. Because cell service is really important, they are going to put up more towers. There was a place in Alum Ridge where the owner wanted \$4000.00 a month rent for us to put up a tower.

Mr. Sowers offered to provide another County's tower ordinance for Floyd to use as an example. If someone puts a tower where we don't need coverage, we are not going to put an antenna on it. This is to address some of the holes in coverage we have. We have fewer holes in coverage than we had years ago. But there are still holes.

Supervisor Yoder said usually you can get out on a truck radio because they are stronger than hand held radios. On Rescue Squad there are places out in my area you have to go out to the truck to communicate. Where we were at on Long Mountain you couldn't even get static on the truck radio. State police couldn't get out. He came back and asked us to call Floyd and tell them to call his dispatch.

Mr. Sowers said on a police situation where someone has a gun on a deputy and you can't get out and he can't get to his alert button, it's a problem. I would just like to see an ordinance that if a tower is put up, we could utilize it.

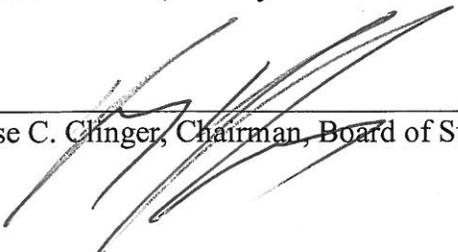
The Board of Supervisors expressed consensus for the County Administrator to contact Mr. Jim Cornwell to draft an ordinance for cell tower utilization.

Ms. Morris said S&S Paving has completed the water diversion bumps at the Courthouse. We haven't received any complaints about them.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and carried, it was resolved to adjourn to Tuesday, August 9, 2016 for a regular meeting at 8:30 a.m.



Terri W. Morris, County Administrator



Case C. Clinger, Chairman, Board of Supervisors