

**BOARD OF SUPERVISORS  
REGULAR MEETING  
MAY 8, 2018**

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, May 8, 2018 at 8:30 a.m. in the Board Room of the County Administration Building thereof;

PRESENT: Lauren D. Yoder, Chairman; Joe D. Turman, Vice Chairman; Jerry W. Boothe, W. Justin Coleman, Linda DeVito Kuchenbuch, Board Members; Terri W. Morris, County Administrator; Cynthia Ryan, Assistant County Administrator.

Chairman Yoder called the meeting to order at 8:30 a.m. with the reading of the handicapping statement.

Agenda Item 2. – Opening Prayer.

The Opening Prayer was led by Supervisor Coleman.

Agenda Item 3. – Pledge of Allegiance.

Supervisor Kuchenbuch led in the Pledge of Allegiance.

Agenda Item 4. – Approval of minutes of April 6, 2018; April 9, 2018, April 10, 2018; April 16, 2018; April 24, 2018.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the minutes of April 6, 2018 with the changes of date on the second line of the first page being April 6, 2018 and Supervisor Yoder being marked yes rather than absent on the vote to come out of closed session.

Supervisor Boothe – yes  
Supervisor Kuchenbuch – yes  
Supervisor Coleman – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the minutes of April 9, 2018 with a change of the motion to adjourn being to April 10, 2018.

Supervisor Kuchenbuch – yes  
Supervisor Coleman – abstain due to not being present at meeting  
Supervisor Boothe – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, and unanimously carried, it was resolved to approve the minutes of April 10, 2018 as presented.

Supervisor Coleman – yes  
Supervisor Boothe – yes  
Supervisor Kuchenbuch – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Turman, and unanimously carried, it was resolved to approve the minutes of April 16, 2018 as presented.

Supervisor Boothe – yes  
Supervisor Kuchenbuch – yes  
Supervisor Coleman – abstain due to not being present at meeting  
Supervisor Turman – yes  
Supervisor Yoder – yes

On a motion of Supervisor Turman, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the minutes of April 24, 2018 as presented.

Supervisor Kuchenbuch – yes  
Supervisor Coleman – yes  
Supervisor Boothe – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

Agenda Item 5. – Approval of May 2018 monthly disbursements.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the May 2018 monthly disbursements and additional bills as presented.

Supervisor Coleman – yes  
Supervisor Kuchenbuch – yes  
Supervisor Boothe – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

Agenda Item 6.a. – Constitutional Officers reports.

No Constitutional Officers spoke at the meeting.

Agenda Item 7.a. – Subdivision plats as approved by Agent for April 2018.

Ms. Lydeana Martin stated April was a somewhat busier month for the Planning Commission. We had a plat that had 7 lots.

Agenda Item 7.b. – Discussion of Cluster Development Proposals.

Ms. Martin provided a page of information that summarizes our understanding of information from Mr. Steve Durbin [County Attorney] on cluster subdivisions:

### Open Space

- The Code of Virginia allows localities to require open space in a cluster development ordinance only.
- Open space can be placed in a conservation easement.
- Restrictive Covenants should be placed on open space, and the County should be included as an interested party so we would have legal standing should something go wrong.

### Homeowner's Association (HOA)

- The Code of Virginia does not say that an HOA must be formed.
- A cluster development ordinance could state that forming an HOA would be an option if the developer did not want to be responsible for the maintenance of the common space and private streets in perpetuity.

Supervisor Yoder asked if you didn't have an HOA, and 10-20 years from now the developer went bankrupt, at that point, who would be responsible for the roads? They need to have some type of bond.

Ms. Martin replied I don't know of a bond that would go for that long. The bond usually just covers construction. Developers are going to offload that responsibility, I think, onto the home owners, property owners, as quickly as they possibly can.

### Private vs. Public Wastewater

- If PSA determines that public sewer would not be available/feasible for a development, under what conditions would the County allow private septic and drainfields?

#### Considerations:

- Maybe align standards with Health Department numbers for "public" vs. individual private system?
- Mass drainfield be allowed with VDH (Virginia Department of Health) approval?

Ms. Martin explained that in terms of private and public waste water we were thinking about what the considerations would be for you all to set a standard, if you wanted to allow private septic and drain field in some instances. Karla [Turman, Planner] has tried to reach the health department. We've not been able to get a conversation on this. I am pretty sure that they have a standard of either 15 connections or 25 people, when some of their things kick in. It might be that you could do it in parallel to their standards. You might want to set an upper limit on how many cluster parcels there would be, if you do allow the private drain fields. Frankly, you may want to set an upper limit on cluster parcels all together, if you do this.

### Private Street

- Ongoing responsibility
  - If streets are not built completely to VDOT standards, the entity owning the streets (HOA or the developer) would be responsible for the safety and maintenance of the street. The County would not be responsible or liable for the safety and maintenance.

- All plats that have non-VDOT streets must already include this statement on the plat: “The streets in this subdivision do not meet the standards necessary for inclusion in the system of state highways and will not be maintained by the Department of Transportation or the County approving the subdivision and are not eligible for rural addition funds or any other funds appropriated by the General Assembly and allocated by the Commonwealth Transportation Board.”

Agenda Item 7.e. – Agreement with Regional Commission for Phase II road construction oversight.

Ms. Martin stated this relates to the Commerce Center Phase II of the road and water and sewer extension. We have been meeting with Virginia Department of Transportation and the Regional Commission as we are trying to understand who is going to do the road construction oversight. We will have more information for you regarding this next month. Hopefully we will have a draft contract for you to consider on that next month.

Agenda Item 7.c. – Proposed Opioid Litigation Representation Agreement.

Ms. Morris stated this agenda item needs to be deferred. We received additional information that the County Attorney is reviewing.

Agenda Item 7.d. – Approval of audit engagement letter.

Ms. Morris explained this is the annual letter we receive that outlines the responsibilities of the firm and what County staff needs to provide for the audit on the fiscal year ending June 30, 2018. They will start the preliminary audit fieldwork the week of June 4, 2018.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Coleman, and unanimously carried, it was resolved to authorize the County Administrator and Chairman of the Board to execute an engagement letter from Robinson, Farmer, Cox Associates for audit services for the year ended June 30, 2018 (Document File Number 974).

Supervisor Boothe – yes  
Supervisor Kuchenbuch – yes  
Supervisor Coleman – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

Agenda Item 6.b. – Public Comment Period.

Chairman Yoder called for the Public Comment Period.

**Mr. Charles Whiting, Indian Valley District** – Good morning. All this talk about development of cluster and additional housing, some of what I’ve heard is that this is to address the need for low income housing for individuals that might need that sort of accommodation. Since you can’t answer questions at this point, I’m just puzzled. Is this a noted problem that we have already with our current residents? Or is this something looking down, I suppose, the long range, to bring in new population? I don’t know. The County has on average, maintained

roughly 14,000 in population, give or take, it fluctuates. And this little County, not little in area, but basically a small county, is already having difficulties with keeping up. Funding sources are not that reliable in many instances. Everybody seems to look to Washington, which of course isn't that reliable, to say the least. But I think that taking care of our own is really a necessary approach. As far as developers, getting a great deal of infrastructure, assistance, money that provides them an easier path to development and achieving their particular goals; what can we afford? This is a rural agricultural county with minimal infrastructure. I always like to bring visitors down to the old train station. That's an impressive site to them. There isn't one. We don't have four lane roads. We don't have interstates. We don't have a lot of infrastructure. Overdeveloping becomes a nightmare. I think that the Board should really ask those questions of people who have plans to develop – How are we going to afford water, sewer, additional roads? I heard some of the comments earlier. I just hope you don't overlook these burdens for fire, rescue, and sheriff and everything it will take to add on. I appreciate your consideration, just not let things get out of hand. Thank you.

**Ms. Virginia Neukirch, Courthouse District** – Good Morning. I've been here for 18 years. I would just like to say that I agree with the tax increase. It only makes sense, my expenses go up, yours should. And I appreciate all the work that you did to figure that out. I am here because you are considering the proposal to update the subdivision ordinance to allow cluster development. I am for this proposal for a couple of reasons. I think it accommodates growth, while still preserving the farm force and open space, which is one of the big reasons I moved here. And I think it can keep building costs down. I'd like to share a personal experience I had recently. I'm bad on time, maybe about four or five weeks ago a developer came up from Roanoke. He was proposing a 55 and older community, cluster housing. I went because I was curious. I'm more about multi-generational neighborhoods, but I wanted to see what he had to say. I was a little disappointed. I usually love *The Floyd Press*. I was a little disappointed that *The Floyd Press* presented it as a luxury housing project, because the houses he was proposing were under \$200,000. And I think, not that that isn't a lot, but I think we can all agree in this day and age that in Floyd County that something under \$200,000 is no longer considered a luxury. Also at the meeting there were maybe 15-18 people, they were all Floyd residents. Obviously because it was 55 years and older, I'm sixty, I think I was the youngest one there. But the interesting thing was after the meeting, speaking to some of the people, they're living in Floyd County already. They love living in Floyd County. But they have bigger homes, they have property to take care of, and this new term of "aging in", they want to age in to Floyd, but they still would love to have their own house. And that's my thought too. I'm single. I have ten acres. I have a house, outbuildings. I have a couple of rentals, it's a lot to take care of, and I'm looking for the future. So on that small experience I had, it wasn't people that don't live here already, it was people that are here and are looking for different options to be able to stay. And they love the thought of being closer to town. I share a roadway and it is really challenging, it's a private road, for everyone to agree. I would love the Town to take it over. I don't know how HOAs work. I got a little information at that meeting. I do have family members that are in situations with HOAs that work very well. And I think if there is enough footwork and investigation, that could relieve concerns that came up today about the roads. Because the experiences I've had here and through family members is that their HOAs are working, things get maintained, other people aren't responsible, the community takes responsibility. Thanks for your time.

**Mr. Steven Wood, Indian Valley District** – I’ve looked over the summaries for the cluster development, and I’ve got some issues that I think should be brought up, and considered, and made public, because the summaries I’ve looked at were very sketchy. These aren’t in any particular order, just the order I thought of them as I was working on it. First of all, was there a professional study done to determine the need for this kind of development? I didn’t see anything in the summary. I think anything that involves this major impact on the County should be considered. Are we, some of these have already been brought up, are we looking to target existing residents, or are we attempting to bring in new residents? If it is new residents, are we making sure that these residents are not going to be a tax burden on existing residents? Nothing was said in the summary about whether these were individually owned properties or rentals. It could be either one. It mentions townhomes, it says no apartments. What’s the definition? What’s the difference between the two? And what’s to prevent someone coming in and saying “we’re developing this for sale, oh, we can’t sell, we’re turning this into apartments.” Who are the developers? Did this come from a single entity with a specific purpose? Or have multiple developers come to the County and said, “We’d like to do these developments here. We’re interested in this. We think it’s a possibility for making money.” Because if it comes from one specific entity, what is the intent? Why are we doing this for one entity? What are the areas of Floyd County that are affected? Are these zoning changes that are for the overall County, or specific areas. It mentions close to the city. What does that mean? Does it mean you’ve got a specific zone of Floyd County in the city limits, or outside the city limits? What does it mean? If it is overall for the County, what do existing owners have as far as control over their interests? If someone has got a property that’s worth a certain amount of money and all of a sudden there’s a cluster development of low income housing put next door, what rights does this person have to either have input into whether or not a development is done next to his community, next to his home? Is there a right to appeal if he’s turned down? What’s the price points? What are we talking about in terms of the cost of these units? What is low income? Are we talking about houses that are under \$100,000? Townhouses under \$100,000? \$200,000? What are we talking about? What is low income? There’s one item in there that says that property may not be used for residential purposes. But I think that may have been talking about the open areas, but I’m not sure, but it looked like it said it that can’t be used for residential areas, it didn’t say specifically which it was. Anything this far reaching should be decided by the voters of Floyd County. This is a major impact to the County, especially if it’s countywide. Now, if it’s a specific zone, I can understand it can be decided on a local level. If it’s countywide it needs to be put before the voters. Any kind of development should be subject to design guidelines. You just can’t come in and throw up clapboard houses and say okay, here’s our cluster development, and sell them for \$75,000 or \$50,000. You end up having hovels. Anything that is going to be done within this proposal, should have specific design guidelines and the developers are held to certain standards. Any developer should be assessed a fee for development, especially for cluster, which adds dramatically to the burden of the County, for schools, for roads, for services. I’ve been involved in these kinds of things in the past. It’s not uncommon for counties, or cities, to require a fee for development to cover future county services based on increased burden. And that’s it, thank you.

**Ms. Shelly Wood, Indian Valley District** – Hello. It’s hard to follow that, because those are some of my points also, mainly on the impact on the County for emergency services, water and sewer. I thought that there were problems with water already, per abundance of water, especially in city limits and things. So that’s a big concern, as well as, of course, fire and EMS, and taxes. I do have concerns when we see language like keeping housing costs within reach. I

don't really know what that means, and is that going to be a situation of subsidizing the cost of housing? Because in my experience, and we've moved a lot and lived in many, many, different countries and also many different states; but real estate goes up and real estate goes down. And I get a little concerned about maybe trying to not have that affect people. I would really like to know what those kinds of things mean. In keeping ultimate prices within range of local wages, that fluctuates also. I was brought up where you buy what you can pay for and what you can afford. So I really don't want to see a situation where some people are getting preferential treatment, and other people are not and they're working very hard and paying taxes. So it is mostly those kinds of things I'm concerned about. Also traffic, you know if this is going to be within the city, is that going to impact the traffic and the roads, when you're getting this cluster of people in developments? We've seen a lot of areas where we've lived that were rural, that we lived in the rural part of it. We've seen cities actually encroach into different counties, where little towns had to incorporate so they were not taken over and annexed into another county. We've seen rural land, instead of farms, they grew houses. A lot of us have come from different places and understand what can happen and the impact can be very negative. But it can be very positive too. We've been involved in development, I'm not anti-development, but it has to be smart development. Things have to really be investigated with the i's dotted and the t's crossed, not things left open for interpretation, where somebody's sitting in a seat, signing off on stuff and they interpret it one way, and then somebody has that position and interprets it in a different way. So these things just have to be very clear, as Virginia [Neukirch] was saying, some of these things are appealing, because some of us are getting older and have huge properties we're taking care of. And there's been some wonderful subdivisions done, or cluster housing, but it was smart. HOAs can be a hornet's nest. They can be great and they can be a big, big problem. My biggest concern is the impact it would have on the County. If the County has to take over, or take on the costs of roads or some of these things that have already been discussed. I was a little bit concerned too with something I saw that had to do with the HOAs, but also where it said it could be HOAs or privately held. What would that mean? Is that some other developer can come in, they own that land that's in the non-developed part, how do you control that? I think it should be that whoever owns those properties should be responsible for what's going on there, or their organization, not a completely separate entity that could come in and do something completely different with that open land. Thank you very much.

**Ms. Susan Peters, Indian Valley District** – Hi. I've been really encouraged by hearing all the questions that have come from both sides of your table this morning. We live in the greatest country in the world, and we watch in Washington as things happen, and it seems to me people who get elected and go to Washington, breathe a certain kind of rarified air. They come in and discuss a lot of things among themselves, and then they make a decision based on what they have discussed. As a citizen in Indian Valley, I haven't heard the kind of discussion on cluster developments out in the community that I have within the government structure of Floyd. I'm just hoping that the air that you breathe is the same air that I breathe out in Indian Valley. Is this an issue for County residents, or is it just something that's being addressed? Shouldn't we, as self-governing citizens, be the ones who come in and say, this is important to me. For me, I'm watching these questions, as I said I'm glad to see them, I'm hoping that, should this development be put into law, that before that happens, your questions are answered with facts, and not with hope or ambition. Thank you.

**Ms. Amy Slate, Little River District** – I'm here to support the cluster housing consideration. I know there's a lot of questions, which I think are really valuable questions to ask. I have heard the proposal for cluster housing coming from residents within the County. I just want to say I appreciate the fact that there are so many things to consider, and that you're doing due diligence. Thank you.

**Mr. Larry Scott, Courthouse District** – Good morning. I'm Larry Scott. My wife, Ruth, and I live in Storker's Knob area, Courthouse district. I want you all to think about something: overdevelopment. Whether you realize it, or not, we are all blessed to live here. Now you have a choice to keep this community pristine, or you can eat the apple so to speak and things will never be the same again. Thank you.

**Mr. Bill LaVancher, Little River District** – Good morning everyone. This is a great opportunity, I'd love to share some thoughts. A couple of them being the controls, I think, that are going to be in place. It looks like we're going to have multiple agencies reviewing a potential request for a cluster home development. I'm not sure what those agencies are, but I think we have an opportunity for control there, once we set the criteria for it, who sets that I'm not sure. The one thing that I've noticed, as far as home availability here in Floyd it is kind of a rarity for an area of work force, or the type of homes that teachers, policemen, and so on, are looking for. I think a cluster home development kind of brings down the cost of homes because you are reducing lot size and so on and so forth. There are really great examples around the country of cluster home developments that really don't require roads, believe it or not. I'd be happy to share some of that with you at a future date if you'd care to see that. Some of the cap criteria that they found to be extremely successful is a minimum of four homes in a cluster, a maximum of twelve, and a greater maximum of three clusters of twelve. It seems to satisfy a growth potential. Interaction among the residents is more apt to occur when you have lesser people interacting, so it creates more of a community, I guess you could say. The other things are specific to the actual list of the things in the ordinance that are going to come forward. But let me make this distinction, the Town itself has zoning, as we all know. They have a planned unit development criteria that really helps folks lay out how this whole thing is going to work. There's scrutiny and approval, architectural review, and those sorts of things, which I think is a very wise move. Stepping outside, into the County, we don't have that opportunity, and that's why I returned to the agencies, and what criteria could be developed, in the scrutiny of all of these things. Now organically, I'm looking at the water and sewer as a major requirement for doing a cluster home development, in terms of public water and sewer that would allow just minimal growth until the possibility of increasing the sewer capacity, increasing the water capacity as that grows outside of the limits of the Town. And then address the real concept at a later date, as I think everyone is planning to do. To say the least, I'm really in favor of it. I think there's a great opportunity here to find affordable housing. HOAs, yes, they can be a real pain. I think if you limit the requirements that they need to address, I think they're controllable. Thank you for the opportunity, I really appreciate it.

**Mr. Tom Adams, Courthouse District** – You've heard from me before. I don't know how you usually handle public comment periods going over the allotted time, but it seems we're taking away from the Floyd County Fair, I certainly don't want to do that. I'll keep it very quick, you've heard from me before. My feeling is the density that came out of the Planning Commission review of the proposal is too large an allowable density. I'm really just repeating

what I said before. A similar density is allowed in Roanoke, in the Tinker Village Project there. I visited it, and it doesn't feel Floyd-like – appropriate for Roanoke, not for Floyd. I'd also say a minimum lot size requirement, in my opinion and experience as an engineer having designed cluster subdivisions, a minimum lot size should be included. Thank you.

**Ms. Terry Smusz, Montgomery County** – Good morning. My name is Terry Smusz and I'm the director of New River Community Action (NRCA). I live in Montgomery County. In my role at NRCA, I currently serve with FISH, the Floyd Initiative for Safe Housing. I serve on the Steering Committee and the New Housing Committee. I'm here today to support the clustering under consideration by the Board of Supervisors because it might lead to more affordable housing for Floyd County families of all income levels. According to the latest data from the Virginia Tech Center for Housing Research, 17% of all Floyd County households are housing-cost burdened. A household is considered cost burdened if paying more than 30% of their income for housing. Digging a little deeper into these numbers, of the County's homeowners, with moderate incomes of \$20,000 to \$30,000 a year, 26% are housing-cost burdened. These include many elderly Floyd residents on fixed incomes. Of the Floyd County renters, 30% of these households with incomes of \$20,000 to \$35,000 a year are housing-cost burdened. These include, of course, young families with young children with parents working in our Floyd County businesses. We know the housing crisis is a national one, not just a Floyd County issue. But clustering can afford the developers the opportunity to produce housing at a lower cost for all income levels. I hope you will consider this opportunity for Floyd County residents. Thank you.

**Ms. Lori Jeffus, Locust Grove District** – Good morning. I'm a homeowner there, and I also, for the sake of some diversity in our retirement investments own property in the Courthouse District and the Little River District. I'm here to express some of my opinions regarding cluster development. I just want to say that none of the properties I own actually would be appropriate for cluster development, so I have no financial interest in that. But I do have some opinions about it. I am in favor of cluster development because I think it provides options. It provides options for housing, for people who are looking for housing, and it provides options for land owners. Right now the County has very specific restrictions on subdivision, and that's fine, but this gives some additional options if somebody should decide they wanted to divide up their land or do something with their land. So I'm all for options. When I was younger, and single, and working full-time down in Roanoke, I was looking for property to buy in Floyd. I think at that time in my life something along the lines of cluster development would have been perfect because the lot size is smaller. The property that is open still provides that open country feeling, but you're not the only one stuck with the burden of taking care of it. You're sharing that responsibility. Now twenty or thirty years from now, when I'm in my 70s and 80s, I may also be interested in that concept again, particularly if my husband dies before I do because he's not coming off the farm. But if he dies before I do, I can see where it would be appealing, again, as an older person. In fact, that's my main point for today. Baby boomers are a little bit older than I am, but they're there now thinking about these kinds of things. And I can't tell you how many people that I talk to who talk about, "Well, you know I think I'd like to move closer to Town," or "I'd like to move into Town." They just don't want to deal with everything they have, all their responsibilities anymore, or they want a smaller space. They want to downsize and they want the convenience, all of that. So the cluster development we're currently talking about is just within the reach of water and sewer and its right here. It's basically letting the Town expand a

little bit without technically expanding the Town, right? So I want to give you one example. There's a retired nurse I know that lives with her husband on a farm. She told me, she said, "Well you know, I think when we're ready for a smaller space and an accessible space, I think we'll probably just move to Pine Ridge." And I thought to myself, I wonder how many people in Floyd County have this as their game plan...tiny, little Pine Ridge. We're going to move to Pine Ridge, of course, perfect! Not all of us can move to Pine Ridge, it's not big enough. And by the same token, not all of us can move to a two acre lot, on a state maintained road, close to Town. It's not possible. I'm speaking from the point of older folks, but this applies to younger. I think that cluster development is appropriate for families of all ages as well. Basically my bottom line is that people need options. It's true that cluster development with a smaller lot size, and what have you, can make housing more affordable. But I will speak to one question that was raised. It's not going to make it more affordable for the super, super low income folks, because single family homes and townhouses, even if they're rentals, is not going to be appropriate for super, super low income folks. What we're talking about is middle income folks, the \$20,000 to \$30,000 to \$40,000 range income. That could be school teachers, like somebody said, but that could also be the folks that are working at the grocery store, maybe two or three jobs, making \$8.00 an hour and their spouse is doing the same thing. They're working hard, and they'd like to own their own home. This creates some affordability. I'd also just like to state that one thing about the affordability aspect is I know you have a lot of considerations, especially with roads and all those concerns. But if it comes to something extra like sidewalks, I would personally ask that you not require sidewalks. Even though sidewalks are really nice, that adds an extra element of expense that has to be passed on to the homeowners. The only other thing I'd like to say, there seems to be a bit of concern about the whole thing of, would somebody build these places and then rent them? I haven't seen anything in the cluster development ordinance that would prevent that, and I personally don't think it should be prevented. I don't think we need to fear renters. I, myself, got married late in life and I worked full-time and I supported myself for most of my adult life and I was a renter. I was a good renter, and I was a good neighbor, and I don't think we need to be scared about rentals. Thank you.

**Mr. Bob Smith, Indian Valley** – This is going to be kind of redundant, I'm going to keep it short and jump over a lot of what I had here. It seems to me that high density development would be antithetical to the rural and agrarian nature that's been a hallmark of our County. I am going to ask a lot of questions but they are all rhetorical. Would it not make more sense to promote upscale, high-end development to improve the tax base? Why not permit flag lots which are allowed in development of large tract, rural estates with road access – upscale development which would assess at a much higher tax yield, without greatly increasing the population density? Do we really need to risk a build it and they will come situation, drawing a lower income population which rather than driving the economy would impose an ever growing dependency on our already burdened tax payers? We already have many residents leaving the County every day to go to work. So do we really have a housing shortage? If the shortage really existed, we'd have people working in well-paying jobs here who did not have homes in Floyd County. As things now stand, we've just endured a tax increase, which I am happy to say you guys whittled down, without the added cost of infrastructure, such as widening the roads to accommodate more traffic, extending sewer and water lines, not to mention schools, EMS, fire, sheriff's office, and human services, which would unavoidably accrue from high density development of any type. Are these huge costs being realistically considered? Basically I just hope that all factors will be carefully assessed, and all the actions that are demonstrably

beneficial to all Floyd County should be considered. All opinions on future development deserve careful and diligent consideration by the Board, and please do not act in haste from forms of development that could be detrimental to our way of life here in Floyd. And, I thank you.

**Mr. John Myers, Little River District** – In regards to the cluster development, who will this benefit in the long run, new residents or the forgotten people of Floyd County? If the developers come in and start on this project, will they utilize local assets and manpower or will they, more likely, bring in outside help which does not benefit those here? A decision with this high potential impact on the County should go before the voters before anything final goes ahead. Thank you.

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

Agenda Item 6.c. – Ms. Joni Underwood, Coordinator of Floyd County Fair.

Ms. Underwood stated that the Floyd County Fair is going into its 12<sup>th</sup> year. In 2015 it moved to Chantilly Farms where it tripled in size. We had over 1500 people in attendance, but it did drop a little bit last year. This year we will no longer have Tourism grants which were slightly over \$9,000.00 and went a long way. It supported the bounce houses, mechanical games and a lot of games. The grants were one time only. We allowed the non-profit organizations to run the games where we paid for the rental of the games and the prizes. The non-profits walked away with any proceeds from running the games. We submitted a letter to the Board requesting \$18,000.00 to \$25,000.00. We would use the money to get rides. It takes 3 years to even get a reservation for rides and you have to have the money upfront to rent the rides. You split the profits from the rides with the company. Even if we don't do the rides, we don't have money to get a bounce house or pay for prizes. We have no money. Period. 4-H and Farm Bureau Women's Club have been fantastic in helping. We are facing a dilemma. Do we continue the Fair or do we knock it back, or quit having it? This is the first time we have asked for the support of the Board for the County Fair. Other counties near us provide financial support for their fairs.

Supervisor Kuchenbuch said that she did not really have any questions but wanted to go on record as stating that she supported having a County fair. I know what it takes to run a special event of a large size.

Supervisor Boothe asked if they had a revenue and expense report on the most recent fair?

Ms. Dee Wallace with Chantilly – We charge about \$5.00 and \$3.00 admission to the fair. Chantilly is a for-profit business, but we have not charged rent and out of our own company we have gone negative all three years. We understand that upfront so it is not an issue. We had about 1200 people attend last year.

Ms. Underwood said Citizens Telephone has provided free publicity. Chantilly is not asking for facility rental but it is not fair that they go into the negative. We need money to buy

the ribbons and the small monetary rewards. I know we requested \$18,000.00-\$25,000.00, but you saw what we did with \$9,000.00. We will appreciate anything the Board can give us.

Chairman Yoder said the Board previously discussed if they contributed to the fair that school children be provided with free tickets.

Ms. Underwood said she would be willing to negotiate. Because it is the County fair they really want to pull the County in.

Ms. Wallace said actually we received two small grants that totaled \$5,500.00 and they spread the money over 2 years.

Ms. Underwood said the plan this year was to charge under 13 would be free, 13-17 would be \$3.00, and over 17 would be \$5.00. The reality is that this year we may not be able to pay for the rent of the games or prizes for the nonprofit organizations. The theme this year is, "Farming – Past, Present, and Future."

Ms. Wallace said that this year we will be having a scholarship pageant. The winner will represent the fair and will go on to the Virginia Association of Fairs to compete. Whatever the pageant brings in, we will pay back out. We are working with Cinderella's Closet in Roanoke for the dresses for the contestants.

Agenda Item 6.d. – Mr. David Clarke, Virginia Department of Transportation.

Mr. Clarke addressed normal maintenance issues and construction projects:

- 1) We are still cleaning up a lot of brush. We are working long days of 10-12 hours.
- 2) We are still trying to catch up on the pothole patching ahead of the paving schedule.
- 3) We replaced pipe on Route 8 south of Town.
- 4) We are trying to keep up with the spring machining of roads.
- 5) Work has started on New Haven Road.
- 6) Today we are going to work on the shoulder drop off on Roberson Mill Road.

Supervisor Boothe mentioned the guardrail on Route 8.

Mr. Clarke said they have the materials and the work should start soon.

Supervisor Boothe said Route 709, Morning Dew Lane, needs attention because there are some potholes. Attention needs to be given to Woods Gap Road because it is starting to wash out, especially at the bridge where there is a hole that is a good 16"-18" wide and 2' deep.

Supervisor Kuchenbuch said that she received calls from folks regarding potholes on Christiansburg Pike. Ditch work needs to be done on the primary roads. The guardrail is falling away right at the county line on Christiansburg Pike. The pavement is so thin on the pipe replacement at Franklin Pike that it might cause problems if we have any major storms.

Vice Chairman Turman asked if they were going to put up traffic lights when they did the bridge replacement on Route 221 near Mira Fork? People are asking about the road markings and poles going in out there.

Mr. Clarke said he did not believe there was going to be traffic lights, but that traffic would be detoured. I'll get you a full update on that project.

Supervisor Coleman said Route 757 Hylton Road in one particular area is in such bad shape that drivers have to go a good foot into a person's yard. He has put up some signs and stakes. Do you have any updates on the GPS routing signs?

Mr. Clarke said they are doing a review for the whole district.

Chairman Yoder said I have mentioned before the guardrail on Shawsville Pike. There are two pipes that have been replaced and are now sinking. Both have been patched multiple times. One is on Hummingbird Lane and one is on Kings Store Road. I have received a lot of complaints.

Supervisor Boothe asked if there was any update on a speed study on Wills Ridge?

Mr. Clarke said that has been turned in and they will get to that.

Discussion was held on possible roads to include on the Six Year Secondary Road Plan.

Agenda Item 6.e. – Mr. Ed Lawhorn to discuss Amtrak service in the New River Valley (NRV).

Mr. Lawhorn said we are looking to bring Amtrak service to the New River Valley by 2020. That may be a little ambitious. I am the NRV Area Head for Union Bank and Trust. I live in Blacksburg and our regional office is in Christiansburg. On behalf of our NRV Rail 2020 Group I am pleased to provide this update. Back in 2010, the Roanoke area went to work toward the goal of bringing Amtrak service to Roanoke. In 2013 organizations and local governments that would be most affected in NRV went to work planning and organizing toward the goal of bringing Amtrak service to NRV. We believe Amtrak rail service will be a worthy alternative service compared to conventional means of travel to the educational, economic, cultural opportunities of the Northeast. Nationwide, rail is becoming a desirable means of transportation. The sweet spot for rail travel is 250 - 600 miles, such as to Washington, D.C., Philadelphia, or New York. Lynchburg has enjoyed success with their Amtrak service which began in 2009. It was an immediate success and exceeded ridership estimates. The State had set aside a subsidy to underwrite the service if necessary. It has never been needed to support that. It has been supported by riders from Roanoke and this area.

Amtrak service in Roanoke began October 31, 2017. Key to success is community effort. Your support will enable us to turn a goal into a reality. We have seen from Roanoke's example that local infrastructure is an important investment. In the Town of Christiansburg real estate is already being bought for a preferred site. Work is moving on several fronts. Local governments are planning together. The two four-year universities who would have student and faculty riders

are involved. There is a bi-party front to this. Delegates Rush and Hurst and Senator Edwards are involved. Senators Caine and Warner and Representative Griffith always have a representative at steering committee meetings. The Chambers of Commerce are a part of it also. The NRV Regional Commission's Kevin Byrd and the Metropolitan Planning Organization's (MPO's) Dan Brugh are doing the research and the studies that go into demonstrating the need for the service. Our next Legislative Reception will be in August and we will invite you to that.

The State has set aside \$350,000.00 for an operational study. That study will not only cover the track from Roanoke to Christiansburg but on to Bristol. It will cover what type of improvements need to be made on the track for freight and passenger traffic also. An ownership study will determine the best way to hold the facility, such as local ownership by Christiansburg or by an Authority. Amtrak usually looks for ridership of 20,000 to 100,000 trips in and out. The NRV is home to 40,000 university students. Norfolk Southern Rail conducts the study through a consultant. It determines what kind of upgrades need to be made before service can begin. The location study was conducted by MPO and the Regional Commission. Key to this is proximity to population, a good road network, and sufficient land for a facility. There were originally 29 potential sites, then narrowed to 6, with 3 finalists – 2 in Christiansburg and 1 in Radford. The best site is next to the Christiansburg Aquatic Center because sufficient land is available and it is close to a road network.

Our next steps are continuing our effort to partner DRPT (Department of Rail & Public Transportation) and the Commonwealth Transportation Board. We are waiting for the results of the operational, market demand, and ownership studies. We are engaging Amtrak at this point. We will be working with our representatives in the General Assembly. You can go online and book a trip out of Blacksburg. Right now the first leg of the trip will be by bus. To help get Amtrak service for NRV, you can voice support to leaders at various levels of government. There will be more information to come and we will be sure to invite you to the August Legislative Reception.

Agenda Item 6.f. – Mr. John McEnhill and Ms. Pat Sharkey to discuss funding for Floyd County Visitor Center.

Mr. McEnhill said the reason he is here is to advocate for the budget request for the Floyd County Visitor Center. The Visitor Center opened in July 2014. It serves visitors, residents, and businesses. We have received 60 hours per week of staffing resources from a federal job training program called SCSEP or Senior Community Service Employment Program. The federal Department of Labor pays their wages for job training with a non-profit or local government agency. This represents \$25,000.00 of payroll costs. When we started, the biggest issue was how to staff the Visitor Center.

I want to touch on how the Visitor Center connects to the Tourism Triad. The Tourism Triad is quite simply the Tourism website which the Tourism Office launched and manages. We received a \$10,000.00 Virginia Tourism Marketing and Leverage grant to create an official linkage between the Tourism website, the Visitor Center and the Chamber Visitor Guide. All three things support one another. The Visitor Center is currently open 7 days a week and provides the following services:

- Local residents – answer questions and connect folks to Floyd businesses and provide resource information.
- “Welcome Wagon” services – help new residents before and after they arrive with information they need to relocate and settle in.
- Local businesses – provide local information and referrals, promote their events and services, and monitor them constantly through their websites, news releases, and social media posts.

Our office statistics show that the Visitor Center has increased support to tourism, local residents, and businesses each year from 2015 to 2017. This information is determined by tally marks kept for each walk-in, phone call, or email.

The reason we are asking for increased funding from you is because of current challenges. We have lost one SCSEP position so we have 40 hours per week instead of 60. We are open 10:00 a.m. – 5:00 p.m. Monday – Friday. SCSEP participants are no longer allowed to be by themselves so either Ms. Pat Sharkey or myself have to be there at all times. We tried to staff the Visitor Center with volunteers but that did not work. The Chamber of Commerce took on the responsibility of paying for additional staffing for weekends. The more successful we are the more work we have. We have started seeing missed opportunities. Ms. Sharkey has been very successful as the Tourism Director. The Visitor Center is an important component of a lot of what Pat [Ms. Sharkey] does. Chamber Board members and myself step in and put in a lot of volunteer time, but that is not sustainable over the long run. If we don’t get additional help we are going to lose momentum and continue to miss opportunities.

It takes a lot of time when we develop resources to maintain it as businesses open and close for seasons, change hours, change location. A fair amount of all of our time is on keeping up on things. We visit websites on a regular basis. We check Facebook. The Visitor Center staff is populating the Tourism website with events and activities. It is not the businesses themselves. Our list each week is quite comprehensive. It is a very valued community service by a lot of people.

Our goals for the future for the Floyd County Visitor Center are:

- Increase the number of businesses represented by promotional material;
- Capture more information about visitors, particularly what brought them to Floyd;
- Creating and maintaining comprehensive inventory of local businesses and their services;
- Creating and maintaining a comprehensive inventory of local nonprofits and the services they provide;
- Create a relocation/new resident packet.

The Visitor Center is important to economic development in the following ways:

- It is the first contact for many visitors;
- It is the official “Face of Floyd” and it needs to be the best first impression and best experience possible;
- It connects visitors to events, activities, and businesses.

Ms. Pat Sharkey said the Visitor Center is so much more than that because it is now Information Central for visitors and residents. It has become more the face of Floyd than the local government offices. In the SCSEP program we have two ladies who are over 70 with really slim technical skills and administrative skills. We have launched the new Floyd logo. We have made a commitment to link tourism and economic development business recruitment. We are trying to use tourism dollars to link to potential business people who might move here or take over a business where the current owner is thinking of retiring. We want to take advantage of Floyd's reputation in music and the arts and expand Floyd's reputation as a place for entrepreneurs. Tourism is often very seasonal. We want to attract other non-seasonal businesses so we are intentionally cross promoting. We have a link on the Tourism website to "innovate here." This year we have \$30,000.00 grant dollars in marketing Floyd. We want to provide our visitors with information and resources for business development. We want trained, informed, capable people there to represent Floyd. It is truly an extension of the County and Town offices. It can be the first impression on how Floyd County does business. I ask you to consider this request and think about it as part of your offices because it is to the public. Every single business in Floyd is promoted there and not just the ones who are a member of the Chamber of Commerce.

Mr. McEnhill discussed the Floyd County Visitor Center budget for FY18 and proposed budget for FY19. The revenue from the annual Duck Race is dedicated exclusively to the Visitor Center. The Chamber membership is growing again. We have about 215 members. Our numbers went down to about 170 when we first opened the Visitor Center because so much of our time and effort was going toward the center. We have identified the need for a new part-time position to help Pat [Ms. Sharkey] and I. We need a point person who can work closely with SCSEP and help fill in the gap. The Chamber is planning to increase their contribution to help with that. We are asking the County to seriously consider full funding so we can keep the momentum we have now.

Agenda Item 6.g. – Dr. John Wheeler, Superintendent, Floyd County Public Schools.

Dr. Wheeler said we will be celebrating our 7 retirees for the first time at the next School Board meeting. We will have a reception for them. Mr. Bill St. Pierre made a nice memento for each of them.

The Board of Supervisors adjourned for lunch at Check Elementary School. The Board reconvened at 1:30 p.m.

Agenda Item 8. – Closed Session – Personnel 2.2-3711 A.1.; Real Property 2.2-3711 A.3.; Prospective Business or Industry 2.2-3711 A.5.

On a motion made by Supervisor Kuchenbuch and seconded by Supervisor Boothe, 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; under Section 2.2-3711, Paragraph A. 3., Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an

open meeting would adversely affect the bargaining position or negotiating strategy of the public body; under Section 2.2-3711, Paragraph A. 5.

Supervisor Boothe – yes  
Supervisor Kuchenbuch – yes  
Supervisor Coleman – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

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

Supervisor Boothe – yes  
Supervisor Kuchenbuch – yes  
Supervisor Coleman – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, and 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.; Real Property in accordance with Section 2.2-3711, Paragraph A.3.; and Prospective Business or Industry in accordance with Section 2.2-3711, Paragraph A.5. 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.

Supervisor Kuchenbuch – yes, for portion of closed meeting in which I was in attendance. I stepped out of the meeting for one discussion.

Supervisor Coleman – yes  
Supervisor Boothe – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

This certification resolution was adopted.

Agenda Item 7.f. – Grant application for Clerk of Court.

Ms. Morris stated this is a grant application request from the Clerk of Court. Ms. Vaughn is unable to attend the meeting today because of Court. She would like your consideration and approval of a grant application. This would be for four of the books that need treatment and preservation. She said any match funds that might be required for the grant would be able to be taken from fees that she collects.

On a motion of Supervisor Boothe, seconded by Supervisor Turman, and unanimously carried, it was resolved to approve the grant application from the Clerk of Court for the treatment and preservation of the first Index to Deeds, dated 1831-1887; a Survey Record Book for years 182-1917; Marriage Register 5, 1926-1936; and a Memorandum Book for County Court held between 1861 and 1871 (Document File Number 975).

Supervisor Boothe – yes  
Supervisor Kuchenbuch – yes  
Supervisor Coleman – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

Agenda Item 7.g. – Appointment to the Floyd-Floyd County Recreation Authority, Little River District to fill an unexpired term through December 16, 2018.

Supervisor Kuchenbuch said that she wanted to go on record as feeling that both candidates were well qualified and that she was gratified to see the interest after the long time the position was vacant.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Coleman, and unanimously carried, it was resolved to appoint Ms. Tabitha Burgess to the Floyd-Floyd County Recreation Authority for the Little River District to fill an unexpired term through December 16, 2018.

Supervisor Kuchenbuch – yes  
Supervisor Coleman – yes  
Supervisor Boothe – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

Agenda Item 7.h. – Two appointments to the Floyd County Social Services Board, one for Burks Fork District and one for the Locust Grove District, both terms from July 1, 2018 to June 30, 2022.

Ms. Morris said there three appointments to fill – one for Burks Fork, one for Locust Grove and one for Little River. We did not receive any letters of interest for Little River. The incumbent for Locust Grove reapplied. There was one applicant for Burks Fork.

On a motion of Supervisor Turman, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to appoint Ms. Molly Hunter-Sloan representing Burks

Fork and Ms. Jennifer Claytor representing Locust Grove to the Floyd County Social Services Board, both terms from July 1, 2018 to June 30, 2022.

Supervisor Coleman – yes  
Supervisor Boothe – yes  
Supervisor Kuchenbuch – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

Agenda Item 10. – Old/New Business continued.

Ms. Morris presented bids for the work needed at the Transfer Station and for the Legacy parking lot. We received three bids for the work on the Legacy parking lot. The apparent low bidder was from B & W Excavating from Stuart. The Building Official and I reviewed the bids and they seem to be in order. Mr. Bolt met with two of the bidders and I met with one.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to authorize the County Administrator to execute a contract with B & W Excavating for the amount of \$9,780.00 for the labor and an additional \$4,000.00 for the gravel for the Legacy parking lot.

Supervisor Boothe – yes  
Supervisor Kuchenbuch – yes  
Supervisor Coleman – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

Ms. Morris presented bid information for the garage floor at the Maintenance Building at the Transfer Station. The low bid is \$32,463.00. The high bid is \$54,900.00. The bids are a lot more than we expected. We only budgeted \$10,000.00. Mr. Bolt suggested that we could cut the work down and just redo one garage door width on one side which would be 30' x 16'. Mr. Sherrell Thompson said the building would need a roof replacement next year so we could possibly skip the gutter part right now. We could patch the gutters for one more year. We do need the drain tile right now. Mr. Bolt thinks by only doing one side and not doing the gutter that might reduce the bid by \$10,000.00. We can work with the low bidder.

By consensus the Board decided to redo both sides of the garage floor but to not do the gutters.

Ms. Morris said that at Supervisor Boothe's suggestion, she checked with Social Services and they will pay for the new heat pump for their department since it is specifically for their use.

Supervisor Boothe said on contracts with the State Social Services there are certain things they will reimburse.

Supervisor Boothe said he wanted the County to get fresh copies of a ridgeline protection ordinance and revisit the issue. The State changed some of the rules that pertain to the County being able to control the height of the structures.

Ms. Morris said she would ask Mr. Steve Durbin to discuss this issue at a meeting in July.

Ms. Morris said that she had a really good conference call the previous day with our Bond Counsel and Davenport and Associates. They are quite excited about our project. It is a big project for Floyd. We have provided them with some financial information. In the next three to four weeks they will have some information for us on the school projects.

Agenda Item 11. – Adjournment.

On a motion of Supervisor Turman, seconded by Supervisor Coleman, and carried, it was resolved to adjourn to a budget work session on Monday, May 14, 2018 at 6:00 p.m.



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Terri W. Morris, County Administrator



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Lauren D. Yoder, Chairman, Board of Supervisors