

**BOARD OF SUPERVISORS  
REGULAR MEETING  
SEPTEMBER 11, 2018**

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, September 11, 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, and 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.

Vice Chairman Turman led in the Pledge of Allegiance.

Agenda Item 4. – Approval of minutes of August 14, 2018; August 21, 2018 and August 28, 2018.

On a motion of Supervisor Turman, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the minutes of August 14, 2018 and August 21, 2018 as presented.

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

On a motion of Supervisor Turman, seconded by Supervisor Coleman, and carried, it was resolved to approve the minutes of August 28, 2018 as presented.

Supervisor Boothe – abstain, due to not being present for that meeting  
Supervisor Coleman – yes  
Supervisor Kuchenbuch – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

Agenda Item 5. – Approval of monthly disbursements.

Questions and discussion followed.

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

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

Agenda Item 6.a. – Ms. Tracie Brewster, Floyd County Department of Social Services (DSS).

Ms. Brewster – After I submitted the August caseload summary for your board packets, we received a flyer about the new Medicaid expansion which I have for you. It is still not set in stone so take all of this with a grain of salt. It is subject to change. There were not a lot of changes in the caseload statistics in August. But the one thing to point out is the foster care numbers are coming down. This is due to the adoptions that we talked about last time. And we had a couple of children who were returned to relatives and we are very pleased with that as well – that they were able to receive some permanency with relatives. I think that number will hold still for a while and we won't see it go down further for some time. Anticipate it staying around 15 unless we get some more children into care. This is mostly because the children we are working with now have either experienced some significant trauma or their parents have a lot going on in their lives. Fifteen is about the statistic norm for Floyd County. Our numbers on the Benefits side are normal numbers with 1517 for Medicaid cases, 817 SNAP cases, and 44 TANF cases. Medicaid expansion looks like it will include a lot more people than those currently covered. We are concerned that this will cause our caseload numbers to increase dramatically. We were fortunate to be able to hire someone who is looking to move to Floyd County from Norfolk and he is already a Benefits Program Specialist who is used to large caseload numbers. He has great references and his supervisor spoke highly of him. He will come on board October 1. He has already had the trainings we were worried about. The other person we hired was a dispatcher with the Sheriff's department. We are still looking for a foster care worker. We have re-advertised that position with a no close date on it so we can continue to receive applications. The requirements for a foster care worker are really tough. Guidelines keep changing and work demands just keep getting harder and harder. It is a tough position. We have decided to be a pilot with the State with centralized intake. Now when someone calls in, the call is transferred to the State to do all the intake. We feel like this is a win for the agency because it frees up our workers to be out in the field serving kids and not strapped to their desk for intake days. Also the State changed it to the only person who does intake for an agency must have a Bachelor's degree or higher. The person we had doing intake and was trained, only had an Associate's degree. The State was fabulous to work with. We had it up and running in less than a week. It seems to be running smoothly. The second win is that we have a better way of tracking because every intake that comes in is keyed into the system whether it is valid or not. The State is doing all of that for us.

Supervisor Boothe – Have you received any more information about counseling services that we discussed?

Ms. Brewster – I have. I received the plan back yesterday from New River Valley Community Services (NRVCS). They want to charge us \$50.00 a session. Right now I have several questions for Mr. James Pritchett as to whether our EAP (Employee Assistance Program) will cover that and several other questions. It was just a one-page agreement.

Supervisor Boothe – Our case workers do not really have counseling available like EMS does. Terri [Ms. Morris] checked on the ones providing service to EMS and it is through NRVCS. The State does not provide this right now but there is movement in the State to provide it.

Supervisor Kuchenbuch – May I interrupt for a minute? It is 8:46 a.m. on Tuesday, September 11. I would like to observe a moment of silence in memory of the attack on America that day.

A moment of silence was observed.

Chairman Yoder – With the storm coming this weekend it is important to remember all those who lost their lives then and also the first responders who gave their lives and are still suffering injuries from the results of responding.

Vice Chairman Turman – A lot are now dying of so many different types of cancer that they have tied back to their presence at that site.

Supervisor Kuchenbuch – I lost a high school friend who was in one of the first trucks to arrive and he went into the tower.

Ms. Brewster – The reason we want to do this is because our workers respond to a lot of tragic events. We are finding that is part of the burnout in the profession. We want to support them every way we can. We already have EAP benefits. We thought it would be nice to tie this to the NRVCS. We want to let them know if they are feeling stress that they can go and have some private counseling. We will let them go even if it is on work hours. We found when we were doing this research that some have spouses at NRVCS so there could be a conflict of interest. We're reaching out to different providers to see if we can set up the same relationship so there will be a choice. We want to support our staff that way so we don't lose staff just because they are feeling vicarious traumatization. We know NRVCS already has a great program they provide to first responders through a group session. We will use those services if there is an agency trauma. Terri [Ms. Morris] checked on that and they will provide that to DSS.

#### Agenda Item 7.a. – Subdivision plats as approved for August 2018.

Ms. Karla Turman – August was a relatively slow month as far as plats are concerned. I have copies of the new subdivision ordinance which incorporates all the changes that have been made so far to the subdivision ordinance.

#### Agenda Item 7.b. – Designation of representative and alternate to the Board of Directors of the New River Valley Agency on Aging.

Ms. Morris – The next item is designation of representative and alternate to the Board of Directors on Agency on Aging. Currently I serve as your representative and Ms. Ryan is the alternate.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to reappoint the County Administrator as the representative and the Assistant County Administrator as the alternate to the Board of Directors of the New River Valley Agency on Aging from October 1, 2018 to September 30, 2019.

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

Ms. Morris – There was going to be a benefit ball game of Guns and Hoses on Saturday night with all the proceeds going to Agency on Aging. That game will be postponed to a later date.

Agenda Item 7.c. – Report from Auditor of Public Accounts.

Ms. Morris – The next item is a letter from the Auditor of Public Accounts. They reviewed all the Commonwealth collections and remittances of the Treasurer, Commissioner of the Revenue, and the Sheriff. Their report indicated that all offices complied with State laws and regulations.

Agenda Item 7.d. – Conflict of Interest Policy.

Ms. Morris – Our auditors have highly recommended that we put these into effect due to federal and state regulations that have come out. We had these as parts of other policies but they want us to have these as stand alone policies.

On a motion of Supervisor Turman, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the Conflict of Interest policy (Document File Number 991).

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

Agenda Item 7.e. – Federal Awards Administration.

Ms. Kuchenbuch – Do we have one of these for the State? It seems that if we are doing one for federal we probably ought to have one for the State. We do get some State grants.

Ms. Morris – The auditors will be here in a couple of weeks and I will inquire about whether they have something for the State.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Coleman, and unanimously carried, it was resolved to approve the Federal Awards Administration policy (Document File Number 992).

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

Agenda Item 7.e. – Discussion of planning retreat with Economic Development Authority.

Ms. Morris – This came out of one of the recommendations from Creative Economic Development Consulting. Are you interested in doing this? We have held retreats before in a variety of ways. We have had a moderator or a facilitator. We've had them with just the Board, the County Administrator, the Assistant, and the County Attorney. This recommendation is based on long-range planning.

Chairman Yoder – I would be interested in a retreat where we discuss capital improvements for the whole County, which could include the EDA but not be limited to them.

Ms. Morris – They might want to meet a couple of hours by themselves and you meet by yourselves and then come together. We had one once where department heads came in. There are a variety of ways this can be done.

Supervisor Coleman – I would prefer that this be a work session. When I hear retreat I think of just us getting together. It should be simple.

Chairman Yoder – It is not a day to make motions. It is just meeting for a day for long-range planning and talking about things.

Agenda Item 6.b. – Public Comment Period.

Chairman Yoder called for the Public Comment Period.

**Mr. Charles Whiting, Indian Valley District** – Good Morning. Not a great turnout but I imagine a lot of people are trying to prepare for Armageddon. It looks bigger than Hugo and Hugo devastated Floyd. First off I wondered would anybody speak up regarding the attacks on America. Thank you Linda. I don't believe there has been a day gone by that I haven't thought about what it really means. We don't really talk about that much. But thank you for bringing that up. The other thing is I did send out emails to all five Board members with a link to information regarding what would be reasonably expected costs associated with installing traffic signals. The signal that sits at Rt. 8 and Rt. 221 is pretty good. Now I know this is a done deal with the previous Board, but the costs associated strikes me as extreme. I received an acknowledgement from one Board member and I say thank you to that Board member. But the rest of you have this information now and they are planning to spend more on an upgrade of a signal system that is pretty state-of-the-art including preempt for emergency vehicles. I do not

understand the costs of that. This is not something that you can address or will respond to me at this point. But something is not right and I suspect it goes all the way to Richmond, certainly the Salem District Office. That is something that is really bugging me. And it was human error that caused the death of that pedestrian. There is no reason in the world to run over somebody at 25 mph who is in the crosswalk, whoever made the mistake. One million plus expenditures is not going to change that if someone fouls up. Regarding this talk with Davenport developing what sounds like low income housing, at least that is what I am seeing more leaning toward – Does the County currently have residents that are in need of supplemented housing or this development as I have seen it? Or is this part of a plan to bring in additional people that are coming in under church or non-government organizations bringing in immigrants. That is not really how I refer to them. Something about this bothers me as to what is the need currently and are we importing problems that this little County is going to have a lot of problems keeping up with, such as social services, schools, interpreters, the impact on all the emergency services whether it is the Sheriff's department or the all-volunteer fire departments. These strike me as things that do honestly, and I do mean honestly, need to be spoken about more openly. And if there is a plan like this to bring people in because some people have a long-range plan. Of course I am not referring to the five of you sitting there, but I have watched operations go forward that seem very humanitarian on the surface, but they end up costing the bearers quite a bit more than was advertised. And this County is struggling now with a lot of issues. We don't have the employment. You are working on that with the development out here at the Industrial Park. There are a lot of things to consider when you take on big numbers of new people. Without having to respond all I ask is that you be very open about this and ask the right questions from people who have a long-range development plan. Thank you. Thank you for remembering the attack on our country.

**Ms. Bob Smith, Indian Valley District** – I'll go through three or four things pretty quickly. Looking at the plan for the schools, someone pointed out to me there is a huge difference in costs between furnaces and heat pumps. I am not an expert on that. I've only owned one house in my life and I had an air conditioner. It seems to me that we really need to take a hard look at the costs for the short amount of time we would actually be using air conditioning in the schools. One idea I had, I'm thinking outside the box, if they added 15 to 20 minutes more to each school day...and I don't know how the State calculates the time spent in schools, but a slightly longer school day you could build up enough hours to where you could save a few days that you could use either for snow or hot weather to mitigate against having to air condition buildings that only need to be air conditioned for a couple of months. The EDA plan or the vision plan...you need to take a really hard look at actually hiring people and the cost effectiveness. Are they actually going to be producing results that will pay off for the County and our residents? The last point is again to preserve the nature of our County vote no on cluster development. Thank you.

**Mr. Leon Moore, Burks Fork District** – Ladies and gentlemen I had not intended on making comments today, but as you know I've been in this County ever since 1988. I came here from outside. I remember when this County was so far in debt that it couldn't pay its bills. And it concerns me with some of the things that are being proposed now because I see us going in that same direction. The bad part of it is people smarter than I am are now saying that we are going to go into another economic downturn at the end of 2019-2020. There is an article out on Yahoo Finance by former Chairman of the FDIC Sheila Bair written on September 18 that you

really ought to go out and take a look at and read it. I'd make you copies of it but Yahoo kindly blanks it out so you can't. I might be able to get with Sheila and get a copy because I know her very well. My concern is that we look at things on a basis of need and not a basis of want. Because I can tell you, and a very good friend of mine, I've talked with him and he is an economist that was with Darden School and their think tank and he is a professor at Lafayette University, he is saying that the signs are there – consumer debt is going up, we're still spending money more than we've got, balance of trade is still out-of-sight. He said, "Leon when you hear that things could be turning down in 2019-2020," he said, "you better believe it." This guy was one of the first people to predict the last recession that we had. My concern to you is don't put us in a position that we were in in before. Do what we need to do but let's make sure that we are spending our dollars wisely and not to the point of just doing what is requested. Thank you I appreciate you.

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

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

Mr. Clarke – They have been doing a little bit of everything around some of the weather we've had. They've done some pipe repair and a lot of patching, a pipe replacement on Emmanuel Road. We did a concentrated effort on trash pickup just before Labor Day. That was a statewide effort that they sent out for everyone to do. We're doing the last bits of mowing and brush cutting on Graham Road, Ferney Creek Road and Loss Bent Road. We patched potholes on Shooting Creek Road, Franklin Pike, and New Haven Road. Upcoming projects – Moles Road is still on track for advertisement for December. We will contract that one out because it is more expensive than they allow us to do with state forces. They limit us on what we do to \$600,000 which is why we try to keep some of the projects smaller so our guys can do them. We're trying to get ready for the upcoming weather. Our guys are getting their equipment ready. We use a lot of outside crews like Asplundh for brush cutting and debris clearing.

Chairman Yoder – In a major event like this if there is a house fire and the roads are blocked, how should we reach out? Should we call Willis or Check directly?

Mr. Clarke – Yes, probably because that is the first thing we would do.

Supervisor Coleman – I don't really have anything in the way of maintenance concerns. I talked to Mr. Sowers a couple of times in the last week and he has been very helpful. I'm still receiving complaints in reference to the tractor-trailers traveling through the area. I still think it would be best served if we can get signs on the outlying counties notifying them to stop the problem. We've been trying to determine the outcome of the green boxes as a result of the Alum Ridge project. Ms. Morris and I have been emailing about that and there doesn't appear that there has been enough room left for the boxes to be replaced.

Ms. Morris – They were supposed to leave us a spot, but it wasn't state forces that did that job.

Mr. Clarke – When I leave here I will go by and see what we can do.

Ms. Morris – We are getting a lot of calls.

Supervisor Coleman – If you could resolve that, I would appreciate it.

Vice Chairman Turman – I don't have anything other than people are still complaining about brush at intersections. I did have one question about a section on Merrifield Road.

Mr. Clarke – It is not on the Six Year Plan right now. We could put it on there or we could try to do something when time allows. We'll take a look at it. We have been able to do certain small sections if we are not doing any construction per se to the road, if we are not really improving the road or widening it or to the drainage or slopes or roadsides. We can do it outside the Six Year Plan as long as we get Board concurrence with spending construction money.

Vice Chairman Turman – Mike [Turman] said he would furnish the culverts because he owns the land on both sides.

Chairman Yoder – The only thing I have is that I have received complaints about the potholes on Deer Run Road.

Mr. Clarke – After this weekend's weather, I am sure we will be doing a big drive through and putting everything back.

Supervisor Kuchenbuch – I've spoken to Darrell [Sowers, VDOT Maintenance Manager] about a couple of things. Countyline Church Road is a difficult road and I don't know how we address it but it will be a mess soon. Keep on Sunny Ridge Road and make sure that it doesn't go back to its previous problems. I am concerned about the bridge on Shooting Creek Road right down by Long Island Lumber. I go over it a lot and I want someone to look at it. It might warrant an inspection.

Supervisor Boothe – Patching and ditch work needs to be done on: Rt. 810 (Gallimore Lane), Rt. 794 (Lumber Lane), and Rt. 773 (Elephant Curve Road). I talked to Chris [Price] about expanding the reduced speed on Rt. 735 (Dusty Rock Road). He said that would not happen that it had been looked at before. I asked him for the reason behind it. He said he would find out the reason and get back to me. I've never heard a word because he got sent to Salem. I have a citizen who is asking about that. We talked about doing a speed reduction study on Rt. 8 near Rt. 794 (Lumber Lane). We talked about conditions around the guardrails on Rt. 8. We have several spots that washed out and are getting worse. There are a couple of spots where it wouldn't take much for the guardrails to fall over, especially on Ben Wade Hill vicinity. I guess we are proceeding with the permitting to remove the silt built up under the Rt. 8 bridge. They've cleaned the drop inlet and the spillway out, but I think we are still waiting on a permit to clean out a culvert under Rt. 8. That water comes around where that silt has built up, it backs up onto the property by the bridge. It also backs water up on Dodd Creek and acts as a dam.

Supervisor Kuchenbuch – I have not seen any paint on the Rt. 615 guardrail. It's falling over and I haven't seen any paint on it yet.

Supervisor Boothe – I talked to Anthony [Ford] about some of the crosswalks. He said besides the main one at the stoplight that they were getting together information in some kind of report on the other crosswalks in Town. Do you know anything...?

Mr. Clarke – I will send you the report. We looked at another one possibly closer to Christiansburg Pike.

Supervisor Boothe – The second crosswalk down from the stoplight we talked about moving signs and getting rid of some parking spaces if necessary. He alluded to that one and the other ones being looked at and that there may be a report on all of them.

Mr. Clarke – I'll talk to Anthony [Ford] about that.

Ms. Morris – Thank you to your folks for bringing their equipment to the County Fair and their patience with the kids climbing in and out.

Mr. Brown – Karla [Turman, Floyd County Planner] provided me with some of the questions you have about the six different segments for potential paths around Floyd:

- 1) HSIP project funding applications need to be completed and turned in by November 1.
- 2) Generally VDOT at the District Level, Traffic Engineering does a large majority of those applications. It is not an application the locality has to prepare.
- 3) If the Board wants to provide a resolution that states you absolutely want to have an application that doesn't add or take away from the HSIP. It just makes a clarification that you have a desire to move forward with that. It does not need to be a resolution.
- 4) VDOT received an image of the overall routes and an email that said you were inquiring about this and would like to have it if possible.
- 5) One more email at a minimum would be of great assistance to make sure that it is very clear that you want to go forward.
- 6) If VDOT prepares the application and administers the project, the Board of Supervisors does have the ability to review plans and make comments as part of the process.
- 7) If funded the funds would become available the final two years of a six year program, roughly FY2023-2024.
- 8) Once funded, a project would have various stages of plans. They are not full design plans at the very beginning. Comments need to be back in two to three weeks.
- 9) What is the difference between a shared use path and a sidewalk?
  - a. Sidewalks usually have curb and gutter and drainage collection systems. A sidewalk project has another cost element. It is not just a pedestrian path.
  - b. Shared use path is generally asphalt and separated away from the road behind the ditch line and allows a greater elevation difference. Since you want to have crossovers you want to be at road grade at some locations.
  - c. If you were in general alignment with the road either a shared use path or sidewalk can follow the path of the road, the alignment and grade, but a shared use path can get steeper than 5%.
  - d. A shared use path can deviate from road alignment.
  - e. A shared use path is generally wider at 10' but it can be narrowed to 8' for segments to avoid obstructions.

- f. A sidewalk is generally 5' in width but it can be narrowed to 3' to miss an obstruction, but we try not to narrow it down as much as possible.
  - g. The biggest difference is that a sidewalk carries a drainage component to it that the shared use path does not, which increases costs.
  - h. HSIP projects are based on cost and benefit and they are funded on a statewide basis.
- 10) If a shared use path is constructed under VDOT administered projects who is responsible for the maintenance?
- a. If the locality desires to have long-term maintenance responsibility, we can work that into the discussion and create a long-term agreement.
  - b. If they want VDOT to maintain it we would maintain the surface.
  - c. For snow removal, VDOT focuses on the primary roads first, then secondary roads, then other items, but I don't think we take care of snow on sidewalks or shared use paths.
  - d. Future maintenance of the sidewalk or shared use path would come out of our maintenance allocation for the County and most comes from Secondary Road funds (Mr. Clarke).

Supervisor Boothe – You said the elevation can vary with a shared use path. Does that include where necessary handrails?

Mr. Brown – Our goal would be to not design something that would add costs without adding a benefit so if we could obtain more land to grade at a flatter slope to avoid handrails that would be more appropriate.

Supervisor Kuchenbuch – I know you didn't mean this, but citizens who have severe handicaps, it adds a benefit to make it easier for them.

Mr. Brown – Please let me clarify. When we say benefit we mean separating the pedestrian from car traffic. Once we are on a project we have to make it ADA accessible.

Supervisor Boothe – Is there a concern with having a bike path taking up a portion of the road where you don't have a designated path the rest of the way?

Mr. Brown – From an overall standpoint you have this vision of 6 segments. The goal would be to have your path reach end user location. Segment 1 gets to the apartments. Segments 2 and 3 [segment 3 connects Needmore Lane to the Commerce Park] get to the Commerce Park. Potentially if they can get funds for segment 1 and 2, then you would have a complete path up to the Commerce Park. Is the concern that only segment 1 may be funded that gets you to the apartments, but doesn't go the rest of the way?

Supervisor Boothe – Previous Boards I served on the idea with an Industrial Park or a Commerce Center was for the workers of the businesses that are there and not necessarily drawing the general public to that facility. Years ago the New River Planning Commission wanted us to designate certain roads as bikeway roads. Our attorney at the time raised a concern about us designating bikeways that didn't have complete bike paths. From a liability standpoint we could be creating unsafe circumstances, in other words directing bikers to a specific road. Has VDOT ever run into anything or has anybody ever raised concerns about that before?

Mr. Brown – From my personal viewpoint you would be identifying the shared use path ...there are already users from the apartments heading toward Rt. 221.

Chairman Yoder – The shared use path wouldn't be on the road.

Mr. Brown – The shared use path would connect to the sidewalk, but at some point in time you will need to come down and connect to the road because pedestrians are either going to want to cross the road or bicyclists would cycle back into the road.

Supervisor Boothe – I know now they can cycle the road of their own free will, but we are not directing them to a specific road as a designated bikeway.

Mr. Brown – I don't think there is any language in there that is saying that. You are simply just providing them an alternative to using part of that road. I don't know if I am answering your question, but I think it is two distinct things.

Chairman Yoder – One of my concerns is that I would really like to see segment 1 done because there is an issue with people walking the road. Segment 2, I do not see as much benefit for it because there are not as many houses out there that make connections to the Commerce Park. I don't see the point in sending the public out there. If it were me and I was looking for a project in addition to segment 1, I like segment 6 going to our Recreation Park.

Supervisor Kuchenbuch – Exactly, there are people who walk that too.

Chairman Yoder – I've used shared use paths before in other counties and they are really nice. They are wider than sidewalks and you can pass people easier. I like the idea of a shared use path. It is nicer in some ways than a sidewalk. I think it would be easier to maintain than a sidewalk.

Supervisor Kuchenbuch – That area is a little funky with water and Pine Creek is right there. It is real moist from Rt. 221 to the apartments. I think we're going to get more and more traffic going down Rt. 8 from Needmore Lane down, with more businesses popping up and the Recreation Park with the new trail. That segment makes a lot of sense. But I also understand what folks are saying about the Commerce Center and wanting to get into Town to get a cup of coffee or something. I think segment 1 is definitely a priority and segment 6 would be nice, but I am not sure about segment 1 being a shared use path. I can see a shared use path for segment 6.

Mr. Brown – I think we may need another email from you because when we do an application we are not picking one side of the road versus another but we are identifying one segment or another. We might need clarification from you on that. I didn't explain how the HSIP portion works. Part of what makes it eligible is that there is a clear evidence of pedestrians in that area. That is one of the most important things because that is what gives you the benefit portion of the project. I believe everybody has seen the identifiers in the road or along the edge of the road that people are travelling in segment 1 and segment 1 does not necessarily need to stop at the apartments. If funding allows it could be further into segment 2. It would be a little more difficult to say segment 1 and part of segment 6 as one project. It is easier to extend it as the funds allow.

Supervisor Kuchenbuch – Alright, but I see in the future that there will be more people walking on segment 6.

Supervisor Boothe – Do you have existing right of way wide enough on segment 6 to do this without acquiring more right of way?

Mr. Brown – Even on segment 1 portions are only 30' proscriptive, meaning we have rights for drainage and road way.

Supervisor Boothe – On segment 1 I can't think of anyone who would deny doing it, but on segment 6 you have a longer stretch through there and I was wondering if you have room to do this within the existing right of way.

Mr. Brown – Again trying to get the funding portion, that is question one. They identify at the time of that some mechanism for portions of right of way. Part of what keeps the cost down is donations of right of way. That doesn't mean that there can't be a right of way phase to it. But if people absolutely don't want to convey it, we would look for a different path such as the other side of the road. The design is fluid. The segment could be shortened until something can be worked out. You are working a project in segments. We are not at the engineering design level at this discussion but I've walked that part of Rt. 8. Rt. 8 is a primary road and there is already a sidewalk so segment 6 may be more of a sidewalk type project with curb and gutter and drainage.

Chairman Yoder – Let's say you apply for segment 1 and receive funding for it. Would we be able to apply for something else several years from now to do another segment then? Or is it hard to get funding year after year?

Mr. Brown – Segment 1 has a clear identifiable pedestrian use. It sounds like there is some question among yourselves if there is as much a need for segment 2; whereas segment 6 may have a higher identifier. There are other funds, not only HSIP, possibilities to do sidewalks and shared use paths as well and you could pursue those as well. One of the functions of Smartscale is safety so if there was something truly identified as a safety need and it was ranked high as a safety need, then it could potentially go that route. Unfortunately what would generate that is not necessarily something we want to have occur.

Supervisor Boothe – When we talked about pedestrian crossing we talked about going up on the hill there by Willis Avenue. It is my understanding now that it is proposed to be more down toward the dollar store?

Mr. Clarke – I think mid-block is still the preferred spot.

Mr. Brown – Traffic Engineering has said the preferred spot is Willis Avenue; however, the question came up at an informal meeting. People are headed toward a specific location and if you provide a crosswalk that is two blocks down, are they really going two blocks down to cross to go two blocks back?

Supervisor Boothe – I understand that. We were out there that day and we saw what traffic was doing. If everybody were driving the speed they are supposed to we wouldn't be having near the problems we have. But when drivers come out of town they use Willis Avenue, I guess the green flag drops. Coming into town they are supposed to be slowing down, but they don't really slow down until they get to that hump right there. That is one of the reasons we talked about doing it up on the hill so there would be more sight distance. I understand wanting to help people out. For me from a safety standpoint, it would be better to have it at Willis Avenue.

Mr. Brown – In the midst of that discussion it was “what if” possibilities and not necessarily here is the design. The Traffic Engineering recommendation was to have it at Willis Avenue to minimize the amount of space you are crossing and not have multiple vehicle movements in a pedestrian area.

Ms. Lydeana Martin – I wouldn't be doing my job if I didn't advocate for the Business Park a little bit. In talking to business prospects, whether outside or within the community, anybody who lives an active lifestyle really cares about the walkability of the site and the walkability of being able to get to the coffee shop or other places. From a marketing standpoint, not to mention the safety standpoint, there is also that knoll on Rt. 615 as you go out just before you turn into the H & V property and Commerce Center Drive. I hope you would consider not removing segment 2 from the table because I feel like in the long term communities that are growing and having economic development success are building in more walkability and not less. I submit that to you. It would have to be well-planned and coordinated, but I hope you would consider that in the future.

Chairman Yoder – Thank you for the explanation. When I first heard shared use path I thought it was just a section next to the road and that was my biggest concern about going out Rt. 615 toward the Commerce Park. Another 2' of pavement with a line there and big trucks going in and out, somebody would get clipped when biking through there. This really helps and I think I understand now.

Supervisor Boothe – Thank you and Anthony Ford for getting the right of way distances. Most of what you have here is in the vicinity of the stoplight. The right of ways are 47' and expands to 51' at another point. Does that hold true the rest of the way through the town limits?

Mr. Brown – Rt. 8 would be generally 50' or 51'. I've identified that in a segment we looked at in 2015. The one thing I say is that right of ways are variable. I did not look to see if it is exactly 51' all the way out to the town limits.

Supervisor Boothe – The Town is looking at getting people to move things off the sidewalks that are obstructing. They really can't move forward; they don't want to zoom in on one particular person or one little group. They want to be able to look at Rt. 8 and Rt. 221 and go down the sidewalk completely.

Mr. Brown – There is a 2015 document that did address things within those Town limits.

Supervisor Boothe – That report never mentions the numbers that is why I asked for this.

Mr. Brown – I will say on that report it utilized 51' for Rt. 8 and 51' on one side of Rt. 221 and 50' for the other side of Rt. 221. It actually also described the potential measurement relative to the face of the curb and specific obstructions were identified.

Supervisor Boothe – So if they used the same numbers the rest of the way that are not pictured on these documents, they would be safe.

Mr. Brown – That is my understanding. We did that based on the historic Rt. 8 plans.

Supervisor Boothe – I appreciate the letters you sent. I liked the wording of the letters. I have been told and the Town has been told that VDOT didn't get into a lot of enforcement but those were enforcement type letters. The Town is looking for some kind of letter of authorization to enforce keeping the VDOT right of way open. The letters you sent were more or less VDOT enforcement letters that had been sent out to people. Is the enforcement of keeping the right of ways open VDOT's responsibility or not? We were told that VDOT didn't necessarily enforce that, but those two letters were clearly some type of enforcement letters.

Mr. Clarke – We can only enforce so much of stuff that is on the right of way. We will step into that arena when it is a safety concern with large things being put in clear zones or in the way that could cause an accident. It is State law that nothing is to be put in right of ways. The Code is there and we cite Code when we ask people to get things off of the right of way.

Supervisor Boothe – The Town's concern was that they tried to move forward but they didn't really have authority to do so.

Mr. Clarke – I don't know whose job it is to enforce State law.

Supervisor Kuchenbuch – That would be the Sheriff's Department.

Chairman Yoder – So essentially the Town could request the Sheriff's Department to assist them in that matter. Probably the Commonwealth Attorney could give them guidance on what they are allowed to do and what they are not allowed to do.

Supervisor Boothe – That is the most straightforward answer I have received so far. Thank you and please come back more often.

Agenda Item 6.e. – Mr. Kyle Laux and Mr. Griffin Moore, Davenport & Company.

Mr. Laux – About a month ago David Rose and Griffin [Moore] came out and discussed conceptually what a plan might look like to finance in the range of about \$30 million for school projects. Following that meeting it was identified that there is a need to move faster on an initial piece of that tied to HVAC and some roof updates and enhancements in the schools. Today we will discuss a plan that will allow you to move forward with that initial \$6 million and get that done over the next couple of months so you will have the funding in hand and let the projects get going. We can do all of that without the need of a tax increase. It is worked within your existing budget structure. It doesn't need any additional recurring dollars to make that happen. We would do via a competitive process with local, regional, national – a broad spectrum of banks.

We would get the bids. They are not binding. We analyze the results ourselves and with your staff, and with your legal counsel. We will bring it back to you so you can see what interest rates and terms are before you need to make any formal, binding action. We have a timeline working with the School Board. Since these are School projects, there is likely to be some participation by the School Board in terms of figuring on how they sign on to you what is likely to be some need for collateral. An existing school will likely serve as a good piece of collateral.

Mr. Moore – We are focusing on \$6 million for Phase 1. We understand there is a likelihood the County may need an additional \$25 million for Phase 2. Today we are focusing on Phase 1:

- 1) Phase 1 is approximately \$6 million in hand by the end of 2018.
- 2) In broad historical perspective, interest rates are very low compared to past rates, but they are moving up.
- 3) A benefit of moving forward now is to lock in at a lower interest rate before any upward rate movement.
- 4) Phase 1 has been designed to minimize the impact of the borrowing on the County's budget and tax rate so there will be no budgetary impacts in FY19 and beyond.
- 5) We want to ensure the County is positioned and eligible to use low cost state and federal fixed rate funding for Phase 2 projects.
- 6) We recommend that as part of this process for getting funding for Phase 1, that the County consider adopting or updating a financial policy ratios with respect to fund balance and debt that would be acceptable to the markets and to you as a Board. This gives you guideposts for future planning. If/when you get to Phase 2, the State and banks like to see some of those things ingrained in your existing policies.
- 7) Davenport would take the lead in a competitive process asking banking institutions for competitive proposals to provide around \$6 million in funding. We would put together a request for proposals (Direct Bank Loan) send that request to local, regional, and national banks. We would receive bids back and the County would know the terms and interest rates before making any decision or taking formal action.
  - a. The RFP would specify the desired structure of the loan so the banks would know what they are targeting. In this case we planned it with a 15-year loan.
  - b. We could complete the process in 60-90 days so we could close with funds in hand by the end of the calendar year.
  - c. Davenport would work at risk.
  - d. Direct Bank Loans are often prepayable before maturity.
- 8) Phase 1 funding would be designed and structured such that there would not be any need for additional new recurring tax revenues.

Mr. Laux discussed the timeframe of the process:

- 1) We need some involvement with the School Board in October.
- 2) We will bid this out in October and have it back for the November meeting.
- 3) The EDA needs to be part of the process because in Virginia they are the legal conduit for the loan but it is the County Board's loan.

Supervisor Boothe – I am concerned with the timing. We are already going to be in the winter before this starts.

Mr. Laux – Looking at your agenda and working with bond counsel, later in this meeting you have a reimbursement resolution on the agenda. That resolution lets you from a tax code perspective start on these projects so that you can get going with design and engineering. By the time that is done you have the financing in place. You can keep going with your process. If you are out of pocket for engineering, then you can pay yourself back from the proceeds of the loan.

Ms. Morris – It may be necessary for us to cash flow some of it which is the reason for this resolution. Phase 1 is more of an emergency.

Supervisor Coleman – Yes, if one of the systems crashes, what are we going to do?

Supervisor Boothe – You have looked at our financials. Do you see anything in our structure or rating that would keep us from having money by December 15?

Mr. Laux – We have to be careful what we say with all the regulators, but there is nothing we see right now as a red flag. In the short run for \$6 million there is nothing that we foresee, not that we have perfect knowledge, but there is nothing that gives us pause.

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

Dr. Wheeler – I have a few items for you:

- 1) I sent you the official letter asking that you look into the possibility of abandoning those roads.
- 2) The tennis courts are looking really good. We had that donated money. The fence that was taken out is not usable. We're looking at fencing which will be an added cost. We are looking for donations and hopefully in the future get lighting. Fencing is a priority. You may see that come through on a capital improvement request. It is needed and it will make it nice. We will keep moving with that.
- 3) The instruction structure is getting to a really good place as far as understanding the literacy needs, character needs, and mental health needs. We have put in some really good assessment, from grade to grade. We are going to be able to build that up and make that a pre-k to 12 and 3-year-old to 21-year-old process. I've said this for years and years: the stand alone programs do not work. Six years ago everything was online and would say this program will solve all your woes. It is about high-engagement experiences. It is about interaction and the social skills you have to develop. The State is now requiring that and the Collaboration and Development Center will promote that. The job market now is all about entrepreneurship. It is all interactive, high-engagement, thought-provoking and those skills have to be developed. That is one reason for the backpacks and the assessments to be able to see what we are doing along the way. At grade 3 our goal is that everyone read on grade level. We will look at it again in grade 7 and evaluate the process. We are building experiences for these kids. Internships will be different than before. They might go out to a farm and work with Virginia Tech and solving a problem their scientists are working on. I am no salesman, but the opportunity here is unbelievable. We will keep looking and working together on that. You want to build a community and break the cycle of poverty.

- 4) Specific information that you may want regarding the task orders is:
- a. The mechanisms that are attached to the boilers like the stokers to our knowledge have not been replaced. The controls and stokers could be original.
  - b. The Indian Valley boiler is 1995.
  - c. The Indian Valley water tank is 1950.
  - d. The last major renovation was in 2004.
  - e. The high school boiler is 2002, but the stokers and controls are much older.
  - f. The Willis boiler is 1993.
  - g. The Check boiler is 1994.
  - h. Floyd Elementary boiler is 1995.
  - i. There are 22 air conditioning units and they are phasing them out everywhere and you cannot get things that you need. They are our highest used energy source. We are just sucking up money. The new gym at the high school costs us more to operate than a whole elementary school, just because of the out-of-date system put on it in 2004. I am hearing the same thing about buildings built in 2008-2010.

Chairman Yoder – A concern I saw that the School Board may want to think about is the location of the LP tanks at Floyd Elementary right at the playground and ballfield.

Dr. Wheeler – They need to look at that during the design phase of the project.

Supervisor Boothe – You also need to protect the structures near the tanks.

Dr. Wheeler – We need to look at other items that could lower the operational costs. If you can see a gain in two years of operation costs then it makes sense. They will be able to figure that out as they progress.

Chairman Yoder – The areas we would be putting air conditioning in are areas that don't have it currently, but we are not looking at replacing current units at the moment?

Dr. Wheeler – At the old gym the scenario is that it costs way more money than to replace it with something more efficient so you can recoup your money. Some of those units are well beyond efficiency. They are just costing us money. They were designed 10-15 years ago.

Supervisor Boothe – Have the coils inside the mechanisms been replaced since they were put in?

Dr. Wheeler – I don't think so. They are pretty much all original and the cost to do something different was more than to replace it with a more efficient unit.

Supervisor Boothe – I believe they had an original life expectancy of 10 years. I am surprised they lasted as long as they did.

Chairman Yoder – Do you have any plans to review where you stand with areas that have existing air conditioning? One of my concerns is that we get five years down the road and find out we have to do another big project.

Dr. Wheeler – They will review all of those. The terms we are using are 20 years. They looked at that too. They have all the bills. They could tell us what was costing a lot of money.

Supervisor Kuchenbuch – What about the integrity of the schools as a whole?

Dr. Wheeler – Thompson & Litton and RRRM before them are the professionals and every report I have seen from the past, nothing has ever said here is a catastrophic fault in a building. RRRM came 4-5 years ago, he said there is no continuous stress in any way, whether it is water or ground in any way. Those buildings could possibly be up for another 100 years. I am not aware of anything and we looked hard. The roof task orders are because of repairs. They are not the original roofs. I was told they did not do a good job when they put them on 5 years ago. We don't have any major leaking, but we have areas where rain could come in under eaves and around windows. This upcoming weather will test them.

Chairman Yoder – Right now you have a fuel boiler as a backup at the high school, are you planning on keeping a backup there?

Dr. Wheeler – One of the things they talked about in the study is solar, which could save us energy. The high school CTE building is oil that could be a cost saver also when they replace that one or parts of it. We've talked about it and once they get it designed and engineered and see the load, we will have to see the quality of the burner.

Supervisor Kuchenbuch – Are we wed to LP gas?

Dr. Wheeler – No, Thompson & Litton said once they start design they will not be limited to...from what they told me this may be what you do now but there are opportunities as things get better if it could offset operational costs, then it is worth doing. It would be nice to have solar from the educational standpoint. They are talking about that because it is efficient. It is not limited. They are aware of that. They will look into that once they start engineering it.

Supervisor Boothe – When do you anticipate having the designs done and completed?

Dr. Wheeler – We talked about this because there is no good timing in education as far as the school. It sounds like to me that it can happen very, very soon. I know the task orders are listed by schools. It can happen at Indian Valley and Floyd Elementary as soon as everything gets going.

Supervisor Boothe – I am concerned about being in the middle of winter and trying to put in a heat system.

Dr. Wheeler – Both coal burners are sectional and they tell you that once you lose 20%, that is when they want you to replace it. We are not quite at 20%. We have one more section to lose in each before we are at 20%. Even at 20% you still may be able to go. We are going to pull every inch of life out of here because the cost of getting an alternative, and they are on standby, is not cheap. Indian Valley would be \$5,000 setup fee and \$200 a day to rent it plus the cost of the oil. Ninety days is \$23,000 upfront. Maintenance has been checking our coal burners

and looking for leaks or anything and we should be fine this winter. We hope we can make it through.

Supervisor Boothe – We would like to get this replaced before cold weather.

Dr. Wheeler – If they came out in a couple of weeks, Indian Valley and Floyd Elementary are external to the school and would probably be two good buildings to start on. They have already looked at how easy those would be to engineer.

Ms. Morris – We can start the procurement process while they are doing the engineering.

Dr. Wheeler – I think the task orders are written well and we are ready to go. Heading out to those two schools now would not be a problem. We will give them access to everything they need.

At 11:30 a.m. the Board of Supervisors, with the exception of Supervisor Kuchenbuch, recessed to lunch at Floyd County High School.

At 12:30 p.m. the Board of Supervisors re-convened the meeting.

Agenda Item 7.g. – Discussion of School projects.

Ms. Morris – The School Board sent us a letter requesting that we explore the possibility of having public roads that cross the campuses of Floyd Elementary School and Floyd County High School be abandoned. This is the first step in the process. I've already printed the maps and identified all the landowners who would be adjacent.

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, and unanimously carried, it was resolved to authorize the County Administrator to advertise a Public Hearing on Tuesday, November 27 at 7:00 p.m. or as soon thereafter as possible regarding the abandonment of Oak Hill Drive SW beginning at the property line leading up to Floyd Elementary School and at Baker Street beginning at the intersection of Baker Street and Woods Gap Road going up to Floyd County High School.

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

Agenda Item 7.h. – Resolution of the Board of Supervisors Declaring its Intention to Reimburse Itself from the Proceeds of One or More Tax-Exempt Financings for Certain Expenditures Made and/or to be Made in Connection with School and County Capital Improvement Project(s).

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve a resolution of the Board of Supervisors Declaring its Intention to Reimburse Itself from the Proceeds of One or More Tax-Exempt

Financings for Certain Expenditures Made and/or to be Made in Connection with School and County Capital Improvement Project(s) (Document File Number 993).

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

Agenda Item 7.i. – Task Order No. 7 – Professional Architectural and Engineering Services for Design/Bid/Build Project Delivery Method for 21,000 sq. ft. New Manufacturing Building – Lot 8, Floyd Commerce Park.

Ms. Morris – Our County Attorney stated that our original procurement that we did for retainer agreements with all the engineering and architectural firms are all still standing as far as being in compliance with procurement. We just need to do these various task orders because they are out of the realm of the original agreements. We did each task order separately to meet procurement regulations.

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, and unanimously carried, it was resolved to approve and authorize the County Administrator to execute Task Order No. 7 – Professional Architectural and Engineering Services for Design/Bid/Build Project Delivery Method for 21,000 sq. ft. New Manufacturing Building – Lot 8, Floyd Commerce Park (Document File Number 994).

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

Agenda Item 7.j. – Task Order No. 8 – Professional Engineering Services for Design/Bid/Build Project Delivery Method for HVAC Replacement and Upgrades at Floyd Elementary School and Indian Valley Elementary School.

Agenda Item 7.k. – Task Order No. 9 – Professional Architectural and Engineering Services for Design/Bid/Build Project Delivery Method for HVAC Replacement and Upgrades at Floyd County High School.

Agenda Item 7.l. – Task Order No. 10 – Professional Architectural and Engineering Services for Design/Bid/Build Project Delivery Method for HVAC Replacement and Upgrades at Check Elementary School and Willis Elementary School.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Coleman, and unanimously carried, it was resolved to approve and authorize the County Administrator to execute Task Order No. 8 – Professional Engineering Services for Design/Bid/Build Project Delivery Method for HVAC Replacement and Upgrades at Floyd Elementary School and Indian Valley Elementary School (Document File Number 995); Task Order No. 9 – Professional Engineering Services for Design/Bid/Build Project Delivery Method for HVAC Replacement

and Upgrades at Floyd County High School (Document File Number 996); Task Order No. 10 – Professional Engineering Services for Design/Bid/Build Project Delivery Method for HVAC Replacement and Upgrades at Check Elementary School and Willis Elementary School (Document File Number 997).

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

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve Davenport & Company’s plan of action for Phase 1 financing and authorize Davenport & Company to proceed with executing the plan (Document File Number 998).

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

Agenda Item 7.m. – Task Order No. 11 – Professional Engineering Services for Study of Replacing or Retrofitting Lighting at Floyd Public Schools with LED Lighting Fixtures, Lamps and Lighting Controls for Energy Efficiency.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve and authorize the County Administrator to execute Task Order No. 11 – Professional Engineering Services for Study of Replacing or Retrofitting Lighting at Floyd Public Schools with LED Lighting Fixtures, Lamps and Lighting Controls for Energy Efficiency (Document File Number 999).

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

Agenda Item 7.n. – Task Order No. 12 – Professional Architectural Services for Letter Report Assessment of Roofing System Conditions at Floyd High School and Check Elementary School.

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, and unanimously carried, it was resolved to approve and authorize the County Administrator to execute Task Order No. 12 – Professional Architectural Services for Letter Report Assessment of Roofing System Conditions at Floyd High School and Check Elementary School (Document File Number 1000).

- Supervisor Boothe – yes
- Supervisor Coleman – yes
- Supervisor Kuchenbuch – yes

Supervisor Turman – yes  
Supervisor Yoder – yes

Agenda Item 9. – Old/New Business.

Agenda Item 9.a. – Highlights from VACO committee meetings.

Chairman Yoder – In August Jerry [Supervisor Boothe] and I went to series of meetings in Fredericksburg. VACO paid for the room, which we shared so there was no cost for that to the County. Jerry [Supervisor Boothe] was appointed to the Transportation Committee. I am on the Agriculture and Environmental Committee, which has an Agricultural Subcommittee so I attended those meetings. One of the big concerns across the State is what they call agritainment, which is someone that has a barn that they say is an agricultural building. But it is then used for a music festival or a wedding or some kind of public event where a tremendous amount of people are packed into the agricultural building which hasn't been inspected. This is becoming a real trend and they are looking for the State to come up with some way to regulate that – if you have a building that you are going to switch to that use, give counties some type of authority. The biggest thing people worry about is public safety. A lot of these old barns, if a candle gets into the hay, the 50-year-old barn will go up just like that. The other concern is they are starting to run into some issues with properties with land use and you never see a cow on it. They don't make hay on it, but there is a lot less tax revenue coming off of it, but it is being used for entertainment essentially. There is a little bit of a gray area and question on how do you differentiate between a farm versus an entertainment site. This is coming from Culpepper County. They have a very large place that is owned by a lawyer. As the County tries to do something, the lawyer sues. The thought from the committee is that the State can do the job of defining this so counties aren't doing it and going to court.

Supervisor Boothe – In a side conversation part of the concern is that those places serving dual purposes, they set it up so it is based on which part is making the most money. It would be based on whichever way the property owner is making the most money.

Chairman Yoder – Evidently there are solar farms coming into Virginia and they are covering hundreds and even thousands of acres. The problem some counties are facing with large farms with solar, the owners put just enough sheep underneath the panels to say they are farming and try to get all of the land in land use, which is quite detrimental to the county. It might be cutover land or just stumps so the solar farms don't have to pay taxes. As I understand it, if they are below a certain size farm they only have to pay 20% of machinery and tools tax. In one case the solar farm set up 5 LLCs, but they were all together and connected to the same substation, but because each one is under the size they don't have to pay machinery and tools tax because each is small enough to qualify to not pay. There are some loopholes that need to be cleaned up. The net metering restrictions...if we put solar on our schools right now, at night we would be pumping electricity back into the system. The biggest other thing I came away with in general, in the general government discussion they had a big discussion on volunteer fire and rescue and how volunteerism is drying up. There were counties there that are hiring an average of 100 EMTs a year to try to keep up with demand. We are not alone in that situation. Fortunately we are still very strong with our fire volunteers. It is a statewide issue. It is a big enough issue that they want some type of meeting about it at the Homestead this year.

Supervisor Boothe – On the Transportation Committee, we had a Deputy Secretary of the United States Transportation Department, he touched on the same thing that all of us across the State are running into which is funding problems. I gather it is not going to get any better any time soon, unfortunately. I brought up that I don't have a problem with submitting plans to EPA because ditches are contaminated, but the problem I have is that EPA charges another agency to process those. Those funds come out of our Maintenance money. He said he would look into it. He came by and traded cards with me and said he would call me when he looked into it and see if those fees could be eliminated or drastically reduced. Also, the speed with getting those permits approved and back. The engineers can reduce the speed on a road to 25 mph and they don't have to jump through all the hoops that we do for speed reduction. I suggested that VACO request authorizing them to reduce the speed to 45 mph instead of 25 mph. Everyone there was kind of in agreement because that eliminates paying for the speed study. It is not a mandatory thing. Like if I requested for part of Rt. 730 to be reduced, then this Board would have to agree to ask that it be pursued. It would still be majority rule but it would be putting it back in local engineer's hands instead of the mess they have created with VDOT to do something so simple. I don't know if it will go anywhere. Most of the committee I am on is from the Tidewater and Northern Virginia. It would be good for them as well. We are not alone. The main problem is there is not enough money in the State. They have raised our driver's license fees and registration fees, but they need to raise the fuel tax. That way tourists and businesspeople travelling through would pay more.

Supervisor Kuchenbuch – In our County a problem is that they cut the workforce so drastically that there are not enough people to do the work that needs to get done. Our guys are doing everything they can with what they've got.

Supervisor Boothe – We tried to fight them when they consolidated. They had a grand plan and contracting was to solve all our problems.

Chairman Yoder – We asked Mr. Kevin Sowers, Emergency Services Manager, to give us an update on Hurricane Florence.

Mr. Sowers – As you well know, overnight the major impact on precipitation moved about 250 miles south. That doesn't mean we are out of the woods by any means. It could change again. There are still a lot of unknowns with it being out. I would recommend that the Board go ahead and pre-declare an Emergency so you don't have to come in 5 days later. I recommend that you sign off on this letter. It is just a formality that needs to be done. We plan on having a meeting this evening after the State briefing at 3:00 p.m. with some key department heads – mainly Fire, Rescue, Police, Schools, Social Services – to do some pre-planning and see what is needed. The Red Cross is planning on regional sheltering. They do not have the manpower capabilities for a general event like this to set up shelters at each locality. They've already identified these places and it can't be discussed. We are going to plan for the worst and hope for the best. We are on our own. This is a regional event. The resources we have are all we have. There are some measures going on like with the nursing home to make sure they are self-sufficient during this time. We are going to take an engine from the fire department that is at the landfill. It runs and has a pump. We are going to put Engine 11 back in service to keep their basement from flooding and losing power. They get flooded easily.

Chairman Yoder – The problem is they get flooded at the road and you can't get anybody to them.

Mr. Sowers – With something this large scale, all the hospitals and nursing homes are pushing patients inward so where we can take people is limited. We have to keep them self-sufficient. They have 100+ residents. This is a unique situation. I feel pretty confident that we can handle the biggest majority of it. There are going to be some unknowns to this. There are going to be power outages. Locally we are in a fall climate somewhat. Heat will be a little bit of an issue, but not bad. Cold is not an issue. Loss of power is an inconvenience. There will be sheltering for people who are displaced from the home or have lost their homes. We may set up convenience stations at fire departments, etc. for people to charge up their phones and maybe take a shower if need be. The other big problem right now is bottled water. The Red Cross can't even get it, but that is good because it means that someone prepared. The rain is going to be an issue, but not having water is going to be an issue. We need to have a plan in place for people who have questions. I hope you understand about sheltering. It is not as easy as you would think to open the doors at the high school and let people come in. It takes Social Services, the Sheriff's Department.

Chairman Yoder – We would open the full-blown shelter if we had to do mass evacuations on the Little River if we knew we were getting 30" of rain, then we would be more likely to open up the high school. If we thought we were going to be without power for a week, then we would open a convenience center after the event if people are without power for a couple of days.

Mr. Sowers – AEP has crews in Ohio and Michigan and put them on standby but they haven't staged them yet. I look for them to stage them strategically before the storm. AEP used to run out in the middle of a storm and take care of things. Now they are more safety conscious. Nobody's life is worth being lost over the internet.

Supervisor Boothe – Does APCO still maintain a list of people who need power for medical reasons?

Mr. Sowers – They have a call center and if people reach out to us we will get it done.

Chairman Yoder – What is the best way for people to reach out to us if they have an emergency.

Mr. Sowers – We need to discuss that this evening. I think that is a conversation that we need to have with the Sheriff. By declaring a state of emergency it allows us to get assets from the State.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Coleman, and unanimously carried, it was resolved that due to Hurricane Florence, Floyd County is facing dangerous conditions and that the Board of Supervisors declares a local state of emergency for Floyd County and that the Floyd County Operations Plan is now in effect (Document File Number 1001).

Supervisor Boothe – yes

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

Agenda Item 8. – Closed Session.

On a motion made by Supervisor Turman, and seconded by Supervisor Coleman, and unanimously carried, it was resolved to go into closed session 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; and under Section 2.2-3711, Paragraph A. 5., Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community;

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

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

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

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, 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 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 Boothe – yes

Supervisor Coleman – yes

Supervisor Kuchenbuch – yes, I removed myself from parts of closed session so as not to appear to have a conflict of interest and certify that I only spoke about things that would not lead anyone to believe that I found myself in a conflict of interest situation

Supervisor Turman – yes

Supervisor Yoder – yes

This certification resolution was adopted.

Agenda Item 9. – Old/New Business continued.

Supervisor Coleman – Comments have been made to me by other County employees and I encourage you as we approach budget season that you talk to County employees about health insurance. The Schools changed their health insurance and I am getting a lot of feedback about us trying to address the County's health insurance policy sooner rather than later. I've talked to people in other counties in government positions and it seems to be happening throughout southwest Virginia. Localities are addressing health insurance as far as looking at other providers or upping their contribution. Soon we will be thinking about the budget and ask you to think about that and talk to employees and see what feedback you may get.

Ms. Ryan – One employee asked me about our health insurance in light of the Schools' health insurance changing. I replied it will be interesting to see what happens with the Schools' experience with the company. The Schools are self-insured whereas the County is not. But also the Schools have contracted with a company I've never heard of and it will be interesting in a year to see what their experience has been with that company.

Ms. Morris – We have been with The Local Choice and they have various other plans. We've always tried to keep the benefit part of it because it pays so well.

Supervisor Coleman – Comments I keep hearing are everybody compares it to typically the School Board and there is a big difference.

Supervisor Kuchenbuch – Some people have told me that they are working for their insurance and child care.

Supervisor Boothe – The last time I was involved in bidding it out I think the company we were using was still the best we found.

Supervisor Coleman – That is why I am saying that maybe it is not the provider but maybe we need to look at what we are doing. We have taken steps as a Board to be a better countywide employer. If we provide better insurance that is as good as providing a raise.

Ms. Morris – The representative that comes to us from Anthem has told us for years that our plan is better than they have as Anthem employees.

Supervisor Coleman – Maybe we need to look at our contribution. Please talk to employees when you are out and about.

Supervisor Boothe made a motion to hold a Public Hearing on Tuesday, October 23, 2018 on a ridgeline Ordinance similar to one that was introduced several years ago with an elevation of 3000' and the height of a structure at 300'. The motion died for lack of a second.

Chairman Yoder – Will staff please bring a draft ordinance to us at the next meeting?

Ms. Morris – Do you want to discuss the retreat some more?

Chairman Yoder – Let us think about having a work session/retreat in January before we start working on the FY20 budget. We can be thinking about what day, location, and format of the work session.

Agenda Item 10. – Adjournment.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Turman, and carried, it was resolved to adjourn to September 25, 2018 at 7:00 p.m.



---

Terri W. Morris, County Administrator



---

Lauren D. Yoder, Chairman, Board of Supervisors

