

**BOARD OF SUPERVISORS
REGULAR MEETING
FEBRUARY 11, 2020**

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, February 11, 2020 at 8:30 a.m. in the Board Room of the County Administration Building thereof;

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

ABSENT: Lauren D. Yoder, Board Member.

Agenda Item 1. – Meeting Called to Order.

Chairman Turman 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 January 14, 2020 and January 28, 2020.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Coleman, and carried, it was resolved to approve the minutes of January 14, 2020 as presented.

Supervisor Coleman – yes
Supervisor Kuchenbuch – yes
Supervisor Yoder – absent
Supervisor Boothe – abstain, not present for meeting
Supervisor Turman – yes

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and carried, it was resolved to approve the minutes of January 28, 2020 amended on page 18 to identify Supervisor Kuchenbuch as making the statement, “The PSA workers can do a majority of the work in order to keep the cost down.”

Supervisor Coleman – yes
Supervisor Kuchenbuch – yes
Supervisor Yoder – absent
Supervisor Boothe – yes

Supervisor Turman – yes

Agenda Item 5. – Approval of monthly disbursements.

Questions and discussion followed.

On a motion of Supervisor Coleman, seconded by Supervisor Kuchenbuch, and carried, it was resolved to approve the February 2020 monthly disbursements and additional bills as presented.

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

Agenda Item 7.a. – Subdivision plats as approved by Agent for January 2020.

Ms. Morris – Ms. Turman is out sick but I will be glad to relay any questions or concerns to her.

No questions were asked.

Agenda Item 8. – Old/New Business.

Ms. Morris – I laid a Task Order with the New River Valley Regional Commission at your places. As Ms. Martin reported to you last month, this Task Order is part of the \$30,000 planning grant they received for the Housing Rehabilitation Project. You can see on the Task Order the items that the New River Valley Regional Commission will perform for us. They had some Appalachian Regional Commission money and they were able to match \$3,500 for this project for us. That will be very helpful.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Coleman, and carried, it was resolved to approve the Task Order between Floyd County and the New River Valley Regional Commission for the Floyd County – Housing Rehabilitation Project as presented and to authorize the County Administrator to execute the Task Order (Document File Number 1091).

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

Ms. Morris – I left another contract at your places that we just received at 4:30 p.m. yesterday afternoon. This is for the Rehabilitation Specialist Services. Ms. Martin did a response for proposals advertisement for these services. Southeast Rural Community Assistance Project, Inc. (SERCAP) was the most responsive on this project. FISH [Floyd Initiative for Safe Housing] will be going out into the community and meeting with folks to determine their needs. Once FISH does that, SERCAP will provide inspections, cost estimates, feasibility of the

projects, and guidance on which projects will be the most beneficial. Ms. Martin and I have reviewed this. We have sent it to the County Attorney but he has not had time to review it. If you would, please approve this contingent upon the County Attorney's review. This will come under the \$30,000 planning grant.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Coleman, and carried, it was resolved that contingent upon County Attorney review and acceptance of the contract, to approve the contract for Planning Grant Rehabilitation Specialist Services between the County of Floyd and the Southeast Rural Community Assistance Project, Inc. and to authorize the County Administrator to execute the contract (Document File Number 1092).

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

Ms. Morris – Last meeting you approved the Floyd-Floyd County Public Service Authority request for funding for valves replacement. The Floyd Town Council has approved their share for the critical needs valves.

I hoped to have a draft budget to you today, but in the last few days we have just gotten some of the numbers, like Anthem rates. We will get the draft budget to you in the next week or so.

Supervisor Coleman – I really appreciated getting the overview that you gave us last year. Will you provide that to us again this year?

Ms. Morris – Yes, we will provide that.

Vice Chairman Boothe – Thank you for the handout (on the Amount Divided per Household per Year.) That helps a lot. Do you know what the Schools average daily membership is right now?

Ms. Morris and Ms. Ryan – 1838 right now.

Agenda Item 6.a. – Mr. Chad Alls and Ms. Stephanie Pfeil, Floyd County Department of Social Services.

Mr. Alls – Do you have any questions regarding the monthly tracking sheet that I submitted? Just to give a quick overview, the numbers are looking really stable. Of course the Medicaid numbers consistently tip up a little bit as we move month to month. On the Services side of the house we lost our Adult Protective Services worker. I have interviews scheduled for February 24 to fill that position. I was very pleased with the applicant pool that we got in. I brought Ms. Stephanie Pfeil back with me today. She was here a couple of months ago talking about the Children's Services Act (CSA) program. I brought her back today, because as I mentioned last month we are now in the position where we are almost out of CSA funds. We are down to about \$25,000. You should have a spreadsheet that outlines what the expenditures have

been for this fiscal year thus far. The initial budget was \$800,000 and we have already expended \$775,840. I brought Stephanie with me because I thought she could give you specifics about why the funds and the services we have increased so much.

Ms. Pfeil – Over the last year we have seen in-depth and complicated cases. Of course there is a criteria for kids to qualify and even be brought for CSA. Mr. Alls and I have met with a couple of people regarding our expenditures and have tried to elicit feedback from other counties that have run into this. The three main eligible categories are: foster care; IEP (Individual Education Plan) placements where a child is in school and their IEP says they cannot be maintained in public school and they have to go to private school, then we have to pay it; and CHINS (Child in Need of Services) criteria which are kids who have behavioral and emotional needs. Our foster care numbers are pretty high, but the cases coming from Community Services have been pretty complex in needs and have warranted residential placements which are high in costs. For the past two years the needs and complexities of the cases keep growing.

Mr. Alls – Last month I mentioned that the Community Policy and Management Team (CPMT) really needed to start looking at just mandated services and take a closer look at those community services that we often times approve. But it is kind of a double-edged sword. If we don't approve some of those preventive services, the likelihood that those kids will come into foster care or going into a congregate care placement increase significantly. Ms. Ryan and I had a conversation at the last meeting where we talked about potentially not approving those discretionary services, but when the cases come before us it sounds like they really need those services so we feel obligated to provide those. The only thing we could do is cut those back, but that would not be my recommendation before the Board.

Vice Chairman Boothe – Have you heard anything more about the Family First program?

Mr. Alls – In my understanding it is really not moving a whole lot right now. Mr. Carl Ayers resigned his position as head of Family Services at Virginia Department of Social Services. I'm not going to say that will stymie it a lot, but it has put the brakes on it until someone takes his place. He was really pushing for that. A provider has to be certified to provide a certain level of services and in Virginia we don't have that right now. I have heard some rumblings, and the General Assembly is in session right now, about there possibly being a waiver for a year to allow agencies to come on board with those expectations. I don't know where that is at the present time.

The deficit is looking to be around \$530,000. I asked for \$600,000 because there are some high risk cases through Court Services Unit that are looking very likely to either be coming into foster care or going to a congregate care setting. Those will be mandated. The private school placements average around \$10,000 per child per month. That would be \$120,000 right there for one child per year, which is very significant. The median match rate is around 23.24% so that is what I based this on. In some instances the match rate is higher or lower depending on the service and placement we are talking about.

Ms. Morris – What do you think the breakdown is between mandated services and just preventative?

Ms. Pfeil – We have 31 CSA cases. We have 22 kids in foster care and 2 IEP so those are absolutely mandated. There are about 6-7 who are preventative that meets through the CHINS criteria.

Ms. Morris – In the past we had only done mandated services.

Ms. Pfeil – I went back and looked at policy and mandated and non-mandated is a little confusing with CSA. All the kids are eligible because they meet criteria, but the ones we absolutely have to pay for according to State policy is foster care and IEP. The rest, while they meet criteria, CSA doesn't necessarily have to pay for them.

Mr. Alls – To be quite honest until Family First eventually, hopefully does comes into place; I just don't see the expenditures going down a great deal, especially with foster care. There is a high likelihood that 3 of those kids will go to adoption. It is pending in the courts right now. A couple of weeks ago we almost got in one sibling group of 5 and another sibling group of 4. We were just barely able to prevent those from coming into care and we have really pushed services into the homes to maintain those placements in the homes with their parents or legal guardians.

Vice Chairman Boothe – I can hear William Whitlock [former Floyd County Board of Supervisors member] saying, "Look at that big black hole" when this started. That was his response.

Supervisor Kuchenbuch – My goodness, these are children.

Vice Chairman Boothe – Oh, it is not that. It is the point of the State putting something together that is open-ended and forever. This Family First is the first thing that I know of that might have a good impact on this program since it started. It was in 1992 or 1993 when it started.

Mr. Alls – Going back to the qualifications these individual service providers have to meet, I think we will see agencies dropping out of the service arena because they won't qualify for those funds. Floyd being more rural already has a difficult time finding and obtaining services for many of the families we currently serve.

Vice Chairman Boothe – We will be going further and further to find those services.

Supervisor Kuchenbuch – And costs will go up and up.

Vice Chairman Boothe – I have said it before and I will say it one more time, the State spends money bringing business and industry into the State. They either have to address at some point mental health and these other services and do something to try to get some of those providers in state. I don't care if it is Tidewater or Northern Virginia, just get it in state.

Mr. Alls – The substance abuse problem is overwhelming and that is not specific to Floyd, it's across the State. When I was the regional consultant I remember and it is still ringing true, oftentimes to prevent kids from coming into care we made diversionary arrangements

typically with grandparents quite frequently. But now there are so many grandparents who are addicted to substances that they are not even able to step up and assist with child care.

Vice Chairman Boothe – I was talking to Mr. Pritchard [Executive Director with New River Community Services Board] recently. I did not know that Marion does not keep any kids any more. They take them to Staunton. Back when Marion was operating, Staunton was always full anyway. I don't understand it.

Ms. Pfeil – A conversation we had in CPMT and Family Assessment Planning Team (FAPT) in January was regarding expenditures. While I think we are definitely mindful of them, we also discuss that the services we are paying for are being delivered appropriately. Our high needs cases are met through CHINS, which are our community services cases they are coming back monthly for us to review. Typically we only have to review them every 3 months, but because of the high needs and the expenditures we are bringing them back monthly. Any of our foster care cases that we feel need to be reviewed more frequently we are trying to be mindful.

Supervisor Kuchenbuch – You are being good stewards of the money that you are being given and how you are spending it. I think we understand that. I speak for myself.

Vice Chairman Boothe – I agree.

Supervisor Kuchenbuch – We've said all along...I can't really think of any department in this County who is not being mindful that money is in short supply and everybody does their best to work within their budget. I will tell you both I think there are so many grandparents that you don't even touch, that are stable, and doing well and caring. I see it all the time in everything I do in this community, so many grandparents are raising their grandchildren.

Mr. Alls – They are. There are a high percentage of grandparents who step up, who are able to step up.

Chairman Turman – Thanks to the opioid addiction that is changing. Grandparents are becoming addicted too.

Mr. Alls – It is very unfortunate for sure.

Vice Chairman Boothe – I guess this will come out of fund balance?

Ms. Morris – Contingency.

Vice Chairman Boothe – I thought contingency is about out, isn't it?

Ms. Morris – No, but this will take a lot of it.

Vice Chairman Boothe – I talked about bringing in business and industry, if the State won't do it maybe we ought to look into it.

Supervisor Kuchenbuch – It would help keep our costs down.

Vice Chairman Boothe – We could have one stipulation in the dealings that our people get first shot at any beds. I mean seriously I have been thinking about it if the State won't do it, or maybe us and...

Supervisor Kuchenbuch – ...or maybe a regional thing...

Vice Chairman Boothe – ...in the Community Service Board region sit down and talk about it.

Supervisor Kuchenbuch – We have to come up with solutions right now.

Vice Chairman Boothe – Well if we wait on the State we know what that will be. \$139,440?

Mr. Alls – Yes that is the projected match and the responsibility for the locality to get us to the end of the year.

Ms. Pfeil – If everything stays as is.

Supervisor Kuchenbuch – I just want to say I appreciate your entire department's work on this. I know this is not easy. I know you understand our constraints. In the end it is family and especially children to be served.

Mr. Alls – I want to point out one more time that this is not specific to DSS. It is a County program. Of course DSS is tasked with budgeting and managing the funds, but this will benefit the Schools, the local Community Services Board, the local Court Services Unit, and of course our department as well. Thank you very much.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and carried, it was resolved to approve a supplemental revenue appropriation request of \$460,560.00 and supplemental expenditure appropriation request in the amount of \$460,560.00 to fund 111 – CSA in the FY20 Floyd County budget with the local match share of \$139,440.00 in expenditures being transferred from Contingency to fund 111 – CSA in the FY20 Floyd County budget.

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

Agenda Item 6.b. – Public Comment Period.

Chairman Turman called for the Public Comment Period.

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

Agenda Item 6.c. – Constitutional Officers reports.

Sheriff Craig provided an update on the Sheriff's Office:

- 1) We are fully staffed as of today, which makes it the 4th week since I have been in office that we have been fully staffed;
- 2) I rode around and kept an eye on the creeks last week, but people in likely high water areas had already prepared by parking their cars at neighbors' houses.

Vice Chairman Boothe – I noticed when I was travelling out your way along Rt. 730 there are a lot of places where I lose cell phone service. Do you have dead spots out there along Rt. 730 and in that area?

Sheriff Craig – Not radio wise. I think the majority of our radio issues are still Shawsville Pike, a handful of places out in Check, the back side of the Buffalo, and a lot of sporadic places along the Parkway. Now we do have a Parkway repeater that we can bounce off of when we get down there. It seems like the Valley is pretty good when it comes to radio. I would have to go back and ask the guys and gals for sure, but it seems like the majority of stuff is when you get on the other side of the hills toward Shawsville Pike, Huffville, Goose Creek and down in those drops. It seems like there was a spot or two on the northern side of the Buffalo where the Parkway repeater won't catch anything either.

Vice Chairman Boothe – The reason I ask is that I know we are going into budget time, but maybe within the confines of the budget Kevin [Sowers, Emergency Management Coordinator], Terri, and you can get together again and look at those and work up some current costs and current suggestions so we can look at helping with some of those dead spots.

Ms. Morris – You just approved that study. We are getting started on that.

Vice Chairman Boothe – Will that be enough to give us some idea of costs?

Ms. Morris – Yes.

Sheriff Craig – Kevin had Fire and Rescue and us map out dead spots or issues.

Vice Chairman Boothe – I just want some kind of numbers we can look at with this budget.

Ms. Morris – Absolutely.

Chairman Turman – It used to be the only place in the Valley that was really a lot of trouble when I was working was when you got around Vaughns Mill and down along Grays Creek.

Sheriff Craig – I think around Deepwater there might still be an issue. I don't know for sure. The worst thing is that where you don't have radio service you usually don't have cell service. If this Firstnet stuff comes into play that will hopefully satisfy a lot of the cell service issues as a backup. Firefighters and people are using their personal cell phones as a ways to get

in and out. You do what you have to do when you are trying to help people. Hopefully this study will hammer things out for us and let us know.

Agenda Item 6.d. – Ms. Lynn Chipkin, Floyd County Humane Society.

Ms. Chipkin – Thank you for giving the Floyd County Humane Society the opportunity to request support from the County for our very serious feral cat situation. As you know, the County does not accept cats at the municipal shelter. The Floyd County Humane Society administers the only stray and feral cat spay/neuter program in the County, which we call Trap, Neuter, Return (TNR). It covers the cost of all rabies vaccinations for feral cat colonies. We spend a great deal of time and money rescuing and re-homing strays and attempting to keep the feral population under control. As the volunteer who handles most calls and other communications from the community for the 20 years our organization has been around, I can state with certainty that the majority of calls are regarding unwanted cats on people's property and at almost every green box in the County. We average 35 calls a week, and more than 80% are requesting assistance with cats. When residents call Animal Control, Animal Control refers them to us. According to the State Veterinarian's office in Richmond, they are not aware of any other County in the State of Virginia that does not take cats into their facilities. All other Counties in the New River Valley have cats available for adoption at their municipal shelters. Floyd is the exception. We believe there is funding built into the Animal Control budget that is not being utilized for the entirety of its intended purpose. Dogs are considered while the cat overpopulation problem is ignored. We are therefore requesting that Animal Control purchase a minimum of 20 traps to lend out to the community to further the goal of controlling the feral cat population. Last year we funded the sterilization and rabies vaccinations for approximately 200 stray and feral cats. This year with the help of our County we intend to significantly increase that number. Therefore we are requesting \$5,000 in spay/neuter and rabies vaccination funding, approximately 1/3 of our intended target. We are not asking Animal Control to accept cats at the pound, we are just asking the County to take responsibility for this problem. Thank you.

Ms. Melissa Shaw – I am just going to let you know the numbers we spent last year for 2019. We spent over \$7,400 just on the TNR program that is spay/neuter and a rabies vaccination. It is \$38 per cat, which is a really good deal. They get a rabies vaccination which is super important as well as the sterilization. Rabies is not something we want to come back to Floyd. We spent \$700 on traps last year which included a Black Friday sale of several very inexpensive traps. We loan them out to the community and the problem is that we don't get them back so we had to get something as inexpensive as possible. Generally a good trap is between \$60 and \$70. We do a lot of research to find the best deal. We waited for Black Friday last year, but we really need a little bit more help. Other than that we also spend money on food and other supplies. We give food to people who are feeding cats or people who are trying to help trap them and need food to attract them to a trap. We do spend quite a bit of money on that as well.

Dr. Anna Sims – I am a local veterinarian. I help the Floyd Humane Society as a volunteer. One of the things that I am most passionate about is the Trap/Neuter/Return program. It makes a big impact on the health of cats and people. One of the things that I am sure a lot of people have seen or had complaints about is large numbers of feral cats or community cats at green box sites and other places. People think feral cats are wild and out in the woods. Well no,

they need a food source and they are usually drawn to be close to humans. What that means is that they will congregate at places like the green box sites, trailer parks, sometimes people's barns and places like that. That means they are not just out there on their own. They are in contact with people. That is one of the reasons getting them fixed and getting them the rabies vaccine is so important, because the likelihood of exposure to humans is always a possibility. It has been a couple of years since we had a rabid cat in Floyd, but nationwide for domestic species, cats are the number one animal that is diagnosed with rabies. Probably a lot of it is because many of them are out living on their own and haven't gotten vaccines. People who are feeding cats or even people just going up to green boxes, if we have a concentration of cats there, it is so much better if they have been vaccinated. The other thing is that we know the TNR program is really the best way to help over time reduce the populations. It is very easy to see if you go back to a site over time and you haven't gotten cats there fixed, the numbers go up exponentially. If we get in there – especially at this time of year because cats are seasonal breeders and we are trying to get as many cats fixed now before they are having kittens in the spring – we can create a very stable population where maybe year after year we go from 20 cats to 15 cats to 10 cats and it gets more manageable. Whereas if they are not fixed the numbers will only go up. For public health reasons and animal health reasons, it is an important program.

Ms. Sylvie Peterson, Executive Director, Mountain View Humane – We do a lot of the TNR cat spay/neuter surgeries and provide their rabies vaccinations. Last year alone we did 195 feral cat surgeries. I just wanted to stress the importance of TNR. I think everyone understands the importance, as Dr. Sims stated, of how keeping the colony under control helps. Typically the feral cat life is not as long as the domesticated cat. If they are spayed/neutered and have a rabies vaccination the colony will not grow because what attracts them are females who are in heat. It is important to keep that going. I would also like to stress the importance, if this funding can be awarded to Floyd County Humane Society, that it continue. Studies have shown that aggressive spay/neuter works and it decreases the numbers, but if just stops then those numbers start going back up. It is important to keep that support growing to make sure they can keep the colonies healthy and keep them from growing. I brought a chart so that you can see in one year, with approximately 2 or 3 litters in a year because some feral females can start producing at 4 and 5 months, 1 male and 1 female can produce 12 kittens in a year. If they continue to reproduce and their kittens are reproducing, in 2 years you are looking at 67 and it amplifies and amplifies and amplifies. At 9 years you are looking at over 11 million cats. Colonies don't live as long if they are kept under control, then you will not see those huge populations. It was a similar problem in Montgomery County and because Mountain View Humane is in Montgomery County I can speak to that. Everywhere you turned where there was a dumpster, such as in the Kmart and Kroger parking lots, there were large uncontrolled feral cat colonies. Montgomery County started a cats pilot program to fund \$23 per spay/neuter. They have seen a significant decrease. Just so you know the impact, Mountain View Humane has performed over 72,000 spay/neuter surgeries overall and about 14,500 of those are of feral cats. You can imagine what the green boxes and the Kmart parking lot areas would look like if this endeavor had not taken place. I want to stress the importance of TNR and the support of the County.

Ms. Suzanne Piovanno – I volunteer with the Floyd County Humane Society. As was previously mentioned, when the County dog shelter gets calls about cats they refer them to the Humane Society. I just want to let you know that we do work closely with the Sheriff's Department and go out and do trapping when they call us and let us know where there are feral

cats. Besides using the traps the Humane Society has purchased, our members when volunteering on these situations, bring their own personal traps too. If you have 5 feral cats you don't just put out 5 traps. You have to put out multiple ones. We do use our own and I just wanted to let you know that. Thank you for your time and serious consideration.

Supervisor Kuchenbuch – To Mountain View in Montgomery County, when they trap do very many of them go to their Humane Society or their County's shelter?

Ms. Peterson – No. They go back into their colony because they found that if you remove a colony, a new one will move in. If you return them back to their natural habitat or their natural place where they are getting food, because they don't have the females that are in heat, the males are not being attracted. They stay healthy and live out the natural course of their lives.

Supervisor Kuchenbuch – So in essence if this program works properly, colonies end up fading away as their numbers decrease because of the necessary actions to stop the breeding and that ultimately has a positive effect. I am not trying to sound cold or anything but if they live out their lives and they are in their colonies, this is how it happens if we take the necessary action, the problem tends to take care of itself.

Ms. Peterson – Yes, the numbers do decrease over the natural course of their lives. There will always be people moving in and they have cats...that is why it is important, even when you see the numbers going down over the next several years, that you still have the program available to catch those stragglers.

Ms. Morris – We will need your budget request in writing pretty quickly.

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

Mr. Clarke provided construction and maintenance updates:

a. On the maintenance side –

Pothole Patching because of winter weather with heavy rains	Union School Road, Conner Grove Road, Buffalo Mountain Road, White Rock Road
Brush Cutting	Some
Shoulder Work	Rt. 8
Pipe Cleaning	Some

b. On the construction side –

Downtown Project	Should start next week and they have until end of June to complete. They are restricted to working Monday through Thursday at nighttime to keep businesses going. If it looks like we are having an easy time with traffic and they want to do some work during the day we will work with the
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	businesses and contractor. It is the push button “Walk/Don’t Walk” downtown at the intersection and improvements at 2 other crosswalks south of Town and on Rt. 221 north and east of Town.
Unpaved Road Projects	This summer we will be ready to go on Mill Run Road and on Quesenberry Road.
Tree Crew	Getting crew together to work on bridge at Rt. 8 when the weather permits. We cannot go below the ordinary high waterline.

Vice Chairman Boothe –

- 1) Thank you for the shoulder work on Rt. 8.
- 2) On the design are they going to have the sidewalk protrude where you turn south on Rt. 8 like they do at the Floyd Country Store?

Mr. Clarke – Not right at the intersection. It is already tight enough. Those turning movements are already pretty tough. There are a set of plans here in the office if you want to look at them.

Vice Chairman Boothe – Did you get to talk to the painting and sign crews?

Mr. Clarke – Yes. I don’t know when they will be able to come up but they will be able to get the one at the high school as well.

Vice Chairman Boothe – We had talked about trying to open the sight distance at Wills Ridge coming back this way, trying to see if those property owners would let you reach over there with that big brush cutter and chew back some of those trees and trying to open the sight distance up for the trucks pulling out there since we couldn’t get a speed reduction.

Mr. Clarke – We might be able to get it with our brush cutter, but if not we could probably get it with a tree cutting crew.

Vice Chairman Boothe – Thank you for the culvert that was augured out. You can tell a big difference there. Did you get a copy of the report that came from Mr. King?

Mr. Clarke – No. I have not received a copy of that.

Vice Chairman Boothe – In one instance it talks about needing to do more and then it says that everything is okay.

Chairman Turman – It is kind of confusing, isn’t it?

Vice Chairman Boothe – Unless someone read it differently than I did, it kind of went around in circles. It fusses at us a little bit and says nothing needs to be done because you are on top of it.

Mr. Clarke – Once these things go red, the way they do the calculations, there is no way to get out of the red even if you have done all that you can do. It will stay red until the project is done.

Vice Chairman Boothe – Shouldn't you be copied on this kind of stuff?

Mr. Clarke – I should be actually. I have been told I will be copied on future things.

Supervisor Kuchenbuch – When we get something like this, please email it to David because we like to keep our lines of communication open with our VDOT.

Ms. Morris – I will be glad to.

Vice Chairman Boothe – Where are we on that project right now? Are we waiting on something?

Ms. Morris – We are waiting on VDOT.

Vice Chairman Boothe – We are in the red because we are waiting on VDOT.

Supervisor Coleman –

- 1) We rode around and looked at a couple of projects. I appreciated that. As a result on the first available day the crew fixed the pothole. The person who complained about it was nice enough to follow up and express his appreciation. Please let them know. I rode through there and they fixed not only what I pointed out but everything else.
- 2) The only other projects I have we discussed last week – the naming projects as well as the safety projects.

Supervisor Kuchenbuch –

- 1) Roger Road and Thunderstruck Road need work after these heavy rains. I know our guys and gals are always looking out, but if you could please make sure they remain passable. It appears to me that because of all this increased moisture that springs are becoming more of a problem than they ever were. Adding culverts might aid in getting water off the road.
- 2) I want to thank them for the tree work done taking down 2 large dead trees on Sowers Mill Dam Road.
- 3) Dobbins Hollow Road has 2 large holes that are becoming larger.
- 4) I'll mention the guardrail. Please let me know when you have a date.

Supervisor Coleman – I forgot one thing. You mentioned to Mr. Boothe about cleaning up around the bridges. There are twin bridges on Indian Valley Road that need debris cleanup around the piers.

Chairman Turman –

- 1) Thank you for the work you've done.
- 2) The wet weather springs are doing a number on the roads and there is nothing you can do about those.

Vice Chairman Boothe – You have a real problem with water ponding at the Riner Grace Brethren Church. I almost flooded an engine out going through there in a Jeep Compass. There may be a culvert there that is clogged.

Supervisor Kuchenbuch – We’ve had two major accidents on Rt. 8 right at the bridge in the last 3 weeks. I think both may have had to do with black ice.

Mr. Clarke – We’ll look at the reports and see.

Vice Chairman Boothe – I noticed in the news that Montgomery County is looking at a Riner development. Have they approached you about upgrades to Rt. 8?

Chairman Turman – I was looking at the area between the County line and Camp Carysbrook Road and there are 3 curves that if you could go in the middle of the curve and straighten that out and pull it over 10’.

Mr. Clarke – I think that will be a project that Montgomery County will request through the Smartscale applications that will be coming up pretty soon.

Agenda Item 8. – Old/New Business.

On a motion made by Supervisor Kuchenbuch, and seconded by Supervisor Boothe, and carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A. 7., Actual or Probable Litigation – Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation in a progress update on the pending opioid matters, and under Section 2.2-3711, Paragraph A. 8., Legal Advice on Specific Legal Matters – Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel for discussion of the Recreation Park.

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

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

Supervisor Coleman – yes
Supervisor Kuchenbuch – yes
Supervisor Yoder – absent
Supervisor Boothe – yes
Supervisor Turman – 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 Actual or Probable Litigation in accordance with Section 2.2-3711, Paragraph A.7.; and Legal Advice on Specific Legal Matters in accordance with Section 2.2-3711, Paragraph A.8 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 Coleman – yes
Supervisor Kuchenbuch – yes
Supervisor Yoder – absent
Supervisor Boothe – yes
Supervisor Turman – yes

This certification resolution was adopted.

Agenda Item 8. – Old/New Business continued.

Ms. Morris – Mr. Durbin will be doing some work on items 7.b. and 7.c. under County Administrator's Report and we will bring those back to you next time.

Supervisor Coleman – We had a representative from the Recreation Department at the basketball games last night. I appreciated that. The officiating crew had some questions and the representative was able to work that out. It was a very good game that went into overtime. I was glad we had someone there from the Recreation Department.

Ms. Morris – They have been trying to do that.

Supervisor Coleman – They had to refer to the rule book and work it out with the officiating crew. Saturday I hauled stuff to the landfill and I got there at a questionable time and they were ready to leave and had locked the gate, but they let me go in and do what I needed to do. Please let both of those different entities know that I appreciate them.

Ms. Morris – I will pass that along.

Chairman Turman – This email I left laying up here, do you want to send a letter of support for voting against that bill?

Vice Chairman Boothe – My understanding is the group who was in here are setting baited traps at the green box sites?

Ms. Morris – I don't know.

Supervisor Coleman – The way I took their presentation it is populated areas of colonies.

Ms. Ryan – It sounded to me like some of the traps are at green box sites.

Chairman Turman – They are setting traps at Buffalo Mountain Road.

Vice Chairman Boothe – Don't we have something that they are not supposed to feed? What is the penalty for that?

Ms. Morris – It is under the game regulations.

Vice Chairman Boothe – This HB 1727 would let them do that so it is not illegal.

Supervisor Coleman – If that is a colony and they reintroduce cats back into the colony, it looks like it creates a bear and coyote population at a public place. There would still be a rabies concern.

Chairman Turman – One of the concerns in this email is that a lot of organizations, not here but elsewhere, is releasing cats close to schools and places like that. That puts kids in risk of being bit.

Vice Chairman Boothe – Like he is saying, wherever these things are congregating any wild animal once they figure out where they are going to get a meal they will keep coming back.

Chairman Turman – That is my argument and the concern of the Game Warden. It brings bears and coyotes in because coyotes love cats. It is a public health risk of someone getting bit. I was sitting here listening this morning, and with all due respect to them, there are houses close to these green box sites and if somebody's pet goes to the green box site it might get picked up and neutered and it is a privately owned animal. They may not have wanted it to be spayed or neutered.

Supervisor Kuchenbuch – There are other colonies too across the area. There is one down on Goose Creek Run.

Chairman Turman – This year they don't want that passed; they want a letter from each County.

Vice Chairman Boothe – The Game Commission?

Chairman Turman – Yes.

Vice Chairman Boothe – Like they said there is no way to monitor what they are catching.

Chairman Turman – When a bear comes to a place to eat and finds food, next year it will bring its family. It is the same way with these cats and dogs that are showing up at the green boxes. There are a bunch of stray dogs that run around my neighborhood and they know about the cat food and they are eating it.

Vice Chairman Boothe – It is admirable what they are attempting to do.

Chairman Turman – I agree with you but we need to get a handle on this or it will turn into a big problem. Right now what they want us to do is to send a letter...

Vice Chairman Boothe – ...that the General Assembly not approve the changes to that part of the Article.

Supervisor Kuchenbuch – Just an update on my visit to Richmond and the Rural Caucus – a new VACo committee has been formed and will be called the Rural Caucus Leadership Council. I have a sheet on that which I will bring to the next meeting. The VACo Conference next year in 2020 will be on the same dates but it will not be held at The Homestead, because of the hotel being renovated. There is no information on where it will be.

Chairman Turman – What is your pleasure on the email?

Supervisor Coleman – It may fix one problem but it may create another problem. Are there any other lawful measures that can be taken to address this issue?

Chairman Turman – She called me and asked and I said I would have to check with the rest of the Board.

Supervisor Kuchenbuch – The Wildlife Center of Virginia is completely against it.

Chairman Turman – Our pound is not set up to handle cats.

Vice Chairman Boothe – Green box sites have always attracted animals but it really started drawing them when they started feeding at these sites. I understand all that, but they should never have started feeding them at these sites because it is continuously drawing them in. Until they stop feeding them at these sites, they will continue to be drawn in.

Ms. Morris – Sherrell [Thompson, Solid Waste Superintendent] was telling me the other day that they are having bear trouble already. He said he was running the route at Lick Ridge one day last week and there were 6 big adult bears there and it took him over 2 hours to clean up around there. If we take those out, the bears will just go back to Terrys Fork and we have trouble there too.

Chairman Turman – I think the ones being fed at Buffalo Mountain Road are people coming out of Carroll County.

Vice Chairman Boothe – To answer your question, I don't know that we need to write a letter on that one. Let the General Assembly work it out themselves. I can see both sides of it. I don't really have an answer either way. Like I said what they are doing is admirable but there are some regulations they need to follow.

Supervisor Kuchenbuch – This comes down pretty hard on just what these folks are doing.

Chairman Turman – Even if the General Assembly doesn't pass this, it will not stop them. It is a pet peeve of mine. I love my animals, but I am responsible with them. I don't let them run all over the neighborhood. Parents buy their kid a kitten because they think it is cute and then when it gets grown, they kick it out. That is what the problem is.

Vice Chairman Boothe – If we set up a facility and took feral cats, I don't know that I would be comfortable taking a feral cat and letting someone adopt and run with it. Or any feral animal whether it is a wild dog or cat that hasn't had some domestication involved. Even if we added the cat part, I don't know how we would determine...it would basically be bringing them in and euthanizing them.

Chairman Turman – That is about the only option you've got.

Vice Chairman Boothe – For the feral ones. Now if someone surrendered a pet they might bring that up there instead of turning it loose in the wild. But if we start picking up feral cats that is the only thing I see. How long would you have to keep one and work with it to where it is a pet again?

Ms. Morris – We would probably have to double the size of our shelter to take care of them.

Vice Chairman Boothe – At least. From the numbers she said it would be way more than that. Have you seen one of these traps?

Chairman Turman – The ones I have seen are regular box traps, like a humane trap.

Vice Chairman Boothe – I am concerned about traps being set around there if someone is out with a child. There could be some liability if we allow it to continue. Nothing is ever easy, is it?

Chairman Turman – What is your consensus? I have one nay.

Supervisor Coleman – I go with the nay.

Supervisor Kuchenbuch – I really like what the Wildlife Center of Virginia does and they address some of our concerns about TNR. But you have enough to go with the way you want to go. I would say 'no,' we don't have to get into this fight. Let the chips fall where they may on HB1727.

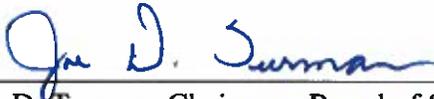
Vice Chairman Boothe – If it passes then groups like this are exempt, and if it doesn't pass then they have to conform to the existing game trapping laws. I think this is something for the State to decide instead of us.

Agenda Item 9. – Adjournment.

On a motion of Supervisor Coleman, seconded by Supervisor Boothe, and carried, it was resolved to adjourn the meeting to February 25, 2020 at 7:00 p.m.



Terri W. Morris, County Administrator



Joe D. Turman, Chairman, Board of Supervisors

