

**Minutes**  
**Floyd County Board of Supervisors**  
**Regular Meeting**  
**June 13, 2023**

1. **Called to Order** – Chairman Turman called the meeting to order at 10:30 a.m.
2. **Opening Prayer** – The opening prayer was offered by Supervisor Cox.
3. **Pledge of Allegiance** – County Attorney Steve Durbin offered the Pledge of Allegiance.
4. **Quorum** – Dr. Millsaps called the roll. Supervisor Kuchenbuch is attending remotely and was noted in a secure location. A quorum was found for all Supervisors.
5. **Approval of Agenda** – On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch and unanimously approved as amended.
6. **Approval of Disbursements** – On a motion by Supervisor Cox, seconded by Supervisor Kuchenbuch and unanimously approved.
7. **Approval of minutes** – On a motion by Supervisor Boothe, Seconded by Supervisor Bechtold and unanimously carried to approve the following minutes, 5/30/23, 5/31/23, and 04/05/2023.
8. **Presentations -**
  - a. **Dr. John Wheeler and Dr. Cromer- Floyd County School**

Dr. Wheeler discussed the 6/15/23 open house CCDC. Also spoke about the budget and still not final from the state. Dr. Wheeler stated the school's budget is level funded and the school will not be asking for more and will work with what was presented. Dr. Wheeler introduced Dr. Cromer, the new Superintendent. Dr. Cromer shared that she is looking forward to the future of Floyd County and working with the Board of Supervisors.

The Board of Supervisors thanked Dr. Wheeler for his time of service and congratulated Dr. Cromer on the new position and working together in the future.

**9. Public Hearing – 9:00 a.m.** (please see separate minutes related to public hearing)

Supervisor Turman asked the public if there were any public comments. No public comments were offered, nor did anyone sign up for public comments.

The Board of Supervisors thanked the administrative staff and department heads for all the work put into this budget.

On a motion by Supervisor Bechtold, Seconded by Supervisor Boothe and unanimously carried, approved to adjourn the meeting.

**10. Presentations**

**a. David Clarke, Virginia Department of Transportation**

Mr. Clarke began by sharing that VDOT has been working on Huffville Road, Laurel Branch, 600 Shelor Road repairs, and some pothole work on 221. In addition, Mr. Clarke noted the work on the turning lane at Barberry, ramp pavement work within the town, and continue to do County wide ditching and brush cutting.

Supervisor Bechtold thanked Mr. Clarke for his and his team's work. Supervisor Bechtold noted attention is needed on Windy Ridge with increased potholes as well as at Sutphin Road and Horse Ridge she has received complaints about the potholes and the need for line painting.

Supervisor Boothe noted the following in his district. Supervisor Boothe stated that since the work on Oxford, it is much better. Supervisor Boothe stated that on Route 8 near the Mitchell Residence, there is concern that the changes that were made there would change the direction of the rain and flow into their driveway. Supervisor Boothe asked to keep an eye on that when we have a good rain. As well it was noted that on State Route 710 one of the curves, the asphalt is breaking and needs repairs especially to stop it from getting worse. Supervisor Boothe asked Mr. Clarke to investigate a speed reduction on 221 at American Pie to 45MPH. Also, extend the 35MPH past the Parks and Recreation on Route 8 and start the 45MPH more to the curve.

Supervisor Kuchenbuch noted the following in her district. At Bethlehem Church, Supervisor Kuchenbuch questioned and asked for an update on the piping issue. Mr. Clarke responded stating there is a lot that will have to go into that. Supervisor Kuchenbuch and Mr. Clarke agree to meet with the residence to discuss this further. Supervisor Kuchenbuch also noted the area on 615 near Grandma's place they stop the

brush cutting. However, they have post office boxes right there and they need to clean that up as it is a safety issue for the residences there as well as the postal delivery.

Supervisor Cox noted the following in his district. Supervisor Cox noted Mr. Vest in public and confirmed that Mr. Clarke and Mr. Vest spoke about Jerry Lane, which was confirmed. Supervisor Cox questioned if there were plans for overlaying on Kings Store Road and Mr. Clarke replied yes. Supervisor Cox also noted that he has spoken to a resident on Lick Ridge, and it appears that only the top section of Lick Ridge gets any attention but when VDOT reaches the 2631 address they stop. Supervisor Cox asked Mr. Clarke to address why VDOT stops there and to investigate it. Supervisor Cox also commented that he has noticed a lot of mowing by VDOT in his district and stated it looks good.

Supervisor Turman thanked Mr. Clarke for widening the road on Camp 5. Supervisor Turman asked about Ferney Creek work and Mr. Clarke stated it is scheduled for about two weeks and that Mr. Clarke has reached out to the resident and updated them. Supervisor Turman also noted that Fairview Church Road and the end of Buffalo Mountain Road need attention. Mr. Clarke shared that he has a crew on Buffalo Mountain Road today.

County Administrator Dr. Millsaps explained that county staff will start a county spreadsheet for the Board of Supervisors' Road concerns to be able to follow up and keep track.

**c. Closed Session:**

On a motion by Supervisor Kuchenbuch, seconded by Supervisor Boothe, and passed unanimously, the Board voted to move to closed session under § 2.2-3711 A.29,

§ 2.2-3711 A.29 - Discussion of a public contract involving the expenditure of public funds, and discussion of the terms of scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. Property Acquisition

Supervisor Boothe – yes  
Supervisor Bechtold – yes  
Supervisor Kuchenbuch – yes  
Supervisor Cox – yes  
Supervisor Turman – yes

On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch, and unanimously carried, the Board voted to come out of closed session.

Supervisor Bechtold – yes  
Supervisor Kuchenbuch – yes  
Supervisor Boothe – yes  
Supervisor Cox – yes  
Supervisor Turman - yes

On a motion by Supervisor Boothe seconded by Supervisor Cox and unanimously carried, the Board certified that the Board only discussed the matters in closed session.

Supervisor Boothe – yes  
Supervisor Cox – yes  
Supervisor Bechtold – yes  
Supervisor Kuchenbuch – yes  
  
Supervisor Turman – yes

#### **11. Public Comments**

**No Public Comments**

#### **12. Board Time**

Supervisor Cox asked about the Deer Run Green boxes as they have not been removed. Deputy Administrator Chiddo informed the board that the boxes have been delayed in being removed due to present staffing constraints. Supervisor Cox stated he has not had any negative feedback and asked to keep him posted if anything changes.

Chairman Turman asked Attorney Steve Durbin about FOIA and the frivolous requests costing county staff time. Mr. Durbin explained the FOIA constraints, and guidelines and educated all staff.

Mr. Boothe asked if we can look at moving the boxes near the transfer station, remove the boxes from the road, and reconstruct them to move them in the entrance to the transfer station and possibly change the fencing to allow this.

### 13. Closed Session

On a motion by Supervisor Kuchenbuch, seconded by Supervisor Boothe, and passed unanimously, the Board voted to move to closed session under § 2.2-3711 A.3 and § 2.2-3711 A.8,

§ 2.2-3711 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. Commerce Center

§ 2.2-3711 A.8 - Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. Discussion of possible liability and contract issues.

On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch, and unanimously carried, the Board voted to come out of closed session.

Supervisor Bechtold – yes  
Supervisor Kuchenbuch – yes  
Supervisor Boothe – yes  
Supervisor Cox – yes  
Supervisor Turman - yes

On a motion by Supervisor Boothe seconded by Supervisor Cox, and unanimously carried, the Board certified that the Board only discussed the matters in closed session.

Supervisor Boothe – yes  
Supervisor Cox – yes  
Supervisor Kuchenbuch – yes  
Supervisor Boothe – yes  
Supervisor Turman – yes

## 14. Old Business

- a. On a motion by Supervisor Cox, Seconded by Supervisor Kuchenbuch and unanimously carried to approve the naming of tax map numbers for those properties of Tax Map, 44-59, and 44-60 to Water Haven Lane.
- b. Solid Waste Ordinance Review –

Mr. Steve Durbin explained the intent of updating the Solid Waste Ordinance. A conversation ensued among staff and the Board of Supervisors regarding fines associated with Floyd County Residences' civil fines for 1<sup>st</sup> and 2<sup>nd</sup> offenses of illegal dumping and the monetary suggestions for such fines. As well the Board of Supervisors discussed out of County residence civil fines for 1<sup>st</sup> and 2<sup>nd</sup> offenses of illegal dumping and the monetary implications for such fines. The further dialog continued concerning fines associated with Business dumping, both in and out of county residences. Mr. Durbin read various sentences from the present Solid Waste Ordinance and discussed revisions/suggestions for change. Additional dialogue to ensure that fines are enforceable, any fines collected in the future would go back to the County administration applied to solid waste, the Ordinance would address future sites' needs, carcass disposable, feeding the animals, and other hazardous waste disposal issues. Mr. Durbin to update the Ordinance per the discussion for final approval.

- c. Resolution of Lease revenue bond Documents. – Mr. Durbin discussed the changes and modifications to the resolution. Mr. Durbin continued to explain the resolution with the affiliation of the EDA and the Board.

On a motion by Supervisor Boothe, seconded by Supervisor Cox and carried unanimously to approve the Resolution of Lease Revenue Bond Document as updated and presented.

## 15. New Business

- a. New River Valley Community Services Board Appointment

The board gave consensus for staff to move forward with advertising for NRVCS board appointments.

**b. Green Box Site Land Purchase**

On a motion of Supervisor Turman, seconded by Supervisor Kuchenbuch and unanimously carried to approve the purchase of the green box site land purchase.

**c. Animal Control Fencing**

On a motion of Supervisor Bechtold, seconded by Supervisor Cox and carried to approve the County Staff to move forward with bids for fencing at Animal Control.

Supervisor Bechtold – yes  
Supervisor Cox – yes  
Supervisor Kuchenbuch – yes  
Supervisor Boothe – no  
Supervisor Turman – yes

**d. Transient Occupancy Tax Ordinance Review**

Discussion of the current transient occupancy tax. The board will review documents related that have been placed in the correspondence folder.

**16. Administrator Report: Dr. Linda Millsaps, County Administrator reported**

- a. Radio System Update – Kevin Sowers looking at and identifying tower sites. Continued conversation with Motorola.
- b. Audit Update – County Administrator and Deputy County Administrator met with the auditing team yesterday in Blacksburg. More discussions in the near future.
- c. Onward Update
- d. Road Spreadsheet – County staff to generate, update and review.
- e. Fire Fighter – Electric Vehicle Issues - Looking into safety training for volunteer fire rescue as well as our EMS departments.
- f. Floyd Family Fun Day – Last Saturday in July. Working with Country Store for local music. Jacob Agee assisting with organizing.
- g. Grant updates – The sheriff obtained an ARPA Law Enforcement Equipment grant. SRO, second, grant had to be declined.
- h. Suggestion if the Board of Supervisors would like a tower ordinance. Supervisor Boothe suggested legal guidance with our current Ridgeline Ordinance.
- i. Read a thank you letter from Angie Covie thanking the County for their contribution to the ACCE program.

**17. Correspondence –**

No issues, concerns, or questions about correspondence.

**18. Adjournment:**

On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch and unanimously approved to adjourn the meeting until the next scheduled meeting of 6/20/2023, 9:30 a.m., special called meeting.

  
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Dr. Linda Millsaps, County Administrator

  
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Joe Turman, Chairman