

Minutes
Floyd County Board of Supervisors
Regular Meeting
November 22, 2022

1. **Called to Order** – Chairman Turman called the meeting to order at 7:00 pm.
2. **Opening Prayer** – The opening prayer was offered by Supervisor Cox.
3. **Pledge of Allegiance** – Chairman Turman offered the Pledge of Allegiance.
4. **Quorum** – Dr. Millsaps called the roll. A quorum was found as all Supervisors were present.
5. **Approval of Agenda** – On a motion by Supervisor Kuchenbuch, seconded by Supervisor Cox, and approved unanimously with the amendment of deleting the noted action item relating to Floyd County Parks and Recreation Policy.
6. **Approval of Disbursements** – On a motion by Supervisor Kuchenbuch seconded by Supervisor Cox and approved unanimously the two disbursements.
7. **Public Comment:**

Rick Morrison –

Am I ready? Thank you. So, Linda knows why I'm here. Levi knows why I'm here. Rick Morrison Little River District. I'm here about this personal property tax, it's killing us. It's killing the farmers, especially people with pickup trucks. The rates on pickup trucks went sky-high. On top of that, the interest rate, the rate that we raised in 2021 on that, it's just, it's mind-boggling. Everybody that opens it up, just can't believe how high is it. Now, I know the board voted on it in 21. And I'm sure they didn't see that vehicles are going to go sky-high. But they did. Roanoke City is giving rebates on their vehicles. We have to do it here. We can't wait til next year, we got to do something now on it. Because it's just, it's killing us. It's killing us, people. I mean, my neighbor got a hold of me, he's got a 2018 F150, and it's \$1300 just keep it on the road this year, not counting the loan, he has taken out on it., gas prices, food, everything else. It's killing off seniors, a senior can't afford to keep their vehicles going. You know, we don't do anything for the seniors in this county. That's what I can see. I know there's a hardship that maybe they can apply for. But they have to show their savings account their checking accounts, these people in the 60s and 70s, it's destroying them, you know, we move to Floyd because it's a comfortable place to live. But people are going to start

moving out of Floyd for the same reason. You know, as I said, we got to rescind this we got to go back to 2021 rates that we had on personal property, people paying more for that than they're paying for property taxes. You know, as I said, I spoke to Levi about it and spoke to Linda about it. And I'm not pointing a finger on anybody I know; the board approved it. Linda said that she didn't approve of it. And I know Levi wasn't even on the board at the time. And the other people I really don't know. So, I can't do it for that. But we just can't wait any longer. You know, I mean in, my personal opinion, people 65 and older, should have a tax break. You know, they are paying the same taxes, as the people next door that have three and four kids in school. You know, it's nice to have an extension on the high school. It's nice for all department heads to have maybe new cars and vehicles, you know, I'm not saying they shouldn't. But when the residents can't keep their own vehicles on the road, we got to do something, and just extending the payment plan on it is not good enough. They just can't afford it. And I know the board has the authority to do whatever they want. Like I said Roanoke City, is giving them rebates on this. And these people drive around in brand new Mercedes and brand new BMWs. We've got pickup trucks, these guys need it for the farms they needed for their businesses, you know, this is survival for us. And I just hope that the board, here's what I'm saying. And, you know as I said, I'm not pointing my finger at anybody, because at the point, when you did approve the increase, I'm sure you had no idea there was going to skyrocket these vehicles. So, you know, every year, we used to look at the personal property tax fee. Well, it's going to go down a couple of \$100 Because the vehicles getting older. Now we opened it up. Everybody I spoke to said, I just can't believe what's happened. This is crazy. So, I'm just here to hope that the board can hear me and has plans to do something. I mean, I'm sure I'm not the first one that says I'm sure you guys have been inundated with this. You as, as I said, personal property tax is something brand new to me. As you probably know, from opening my mouth, I'm not from here, you know. So, you know, this is brand new, but it wasn't, I was thinking about 12 years, and it wasn't.

Gerald Vest:

All right, first I want to say I already talked to Levi. I'm going to give the board this information packet here for you all with all the facts laid out and, and myself and petitions it's been signed everything in here plus a few pictures, if you want to look at, I'd like for you to make, I did make everybody a copy, can you make every one of the members a copy of it so they can review it? You can have that copy But I need to, I don't have enough for the rest of them. Y'all know, I've been here since August, I took pictures, and I got a lot of them. Asked VDOT to do these studies, VDOT data speed study, and then a volume count study with you know, you've seen them all your life, the rope in the road is there just a little more high tech than they used to be. So, we counted

the speed, and we counted the amount of traffic. Back in 94, when the road was surface treated, the traffic count was 60. Today, or one day, it was 385 cars and pickups and 17 tractor-trailer trucks, 17. And we're talking about now we're districted, the board has to understand we're only talking about a mile and a half stretch of road here. But there's so much traffic increase. There were 10, I believe 10 or 11 residences in 94 when they did that and now there's 53. So there are five times more residences, and there's six to seven times more traffic than there was when it was surface treated. And the pictures don't lie, and neither do the facts. Levi said something about a six-year plan, there's no way in, you know what, that we can wait six years. The other thing I wanted to say was that Mr. Price has been very good to work with me and do these things for us. And we've gathered all these facts for you, and he also told me that the money was, and Levi was not really sure about that. But it doesn't matter to me because we're still not going to wait six years to fix this road because somebody's gonna get hurt, or it's never gonna get any better. There's no way with that much surface treatment on it and 17 trucks a day, there ain't no way. So anyway, I figured up some estimates of the taxes, it's been paid for the 91 people, it's signed this petition, all this information in here, and the pictures are in here too. So, you can see what kind of condition it's in. So, when I come back here next month, I'd like to have an answer between now and then. Because we're not going to be satisfied with being on a six-year plan. We can't because the roads are gonna be back to gravel by then so anyway. He's assured me that there was money available in the secondary road construction funds, and the board just needed to let him use it. That's what Mr. Price told me. So, I'm gonna give this to her. And I'd like to see that all of you get a copy of everything that I've done. Thank you.

Kirsten Vest:

I'll try to talk loud enough so you can hear me without that being in my face. Kirsten Vest, Locust Grove District. I wasn't going to say anything, but I'd like to say something along the same lines for Mr. Morrison and his comment. The board actually did have an opportunity earlier this year back in the summer, I believe, and Miss Bechtold brought up that we could possibly, as a county, give a rebate to the citizens, I think you mentioned something about 30%. Maybe there were some percentages thrown around and at that time, there was no action taken, I believe, and I think the plan was to talk to the County Attorney. And then we've been coming to these meetings, and I didn't hear anything after that, about what was decided. But there are other counties all around us and cities and localities that gave rebates. Bedford County, Roanoke City, you said, I think Montgomery or Pulaski and several others gave rebates, even if you couldn't give a 30% rebate, because we're operating on a very thin margin this year, for our budget, I get that because we have \$33 million of debt. I get that. But please try to do something. You can revisit this, you can say, listen, you know, our citizens are hurting, what can we

do to help them even if it's not 30%, 20%, something would be helpful, especially to the senior citizens and people who maybe only have one income in a household or something. But they still need their vehicle to drive back and forth to work. So just asking that you might please consider that. I know that you can. I know it's hard. I know it's a tight budget year. But please look at it and see if there isn't something that you can do and not wait until next budget year to do it. Because that whole process takes a long time. And it'd be next summer before you could give any relief, we need relief now. So please consider that. Thank you.

Dan Vest:

This kind of adds on, Dan Vest Locust Grove District, excuse me. This kind of adds on and I sum it up as a lack of focus and it's how data is presented too. My wife just talked about the \$33 million of dollars in debt the county is in. it's not really \$33 million, If we don't pay on the principal and we go by this amortized matrix here, it's actually \$41.3 million. So, we're paying in 2023, \$984,000, almost a million dollars in interest next year on that \$33 million dollars. \$22 million of that stuff is school. Permanent county debts is \$10 million. Plus, EDA has a three-and-a-half million-dollar line of credit. When the school end of this project, it was estimated around \$15 million and do everything and now it's \$22. And I know for a fact that the county had two and a half million dollars for a shell building. It was taken away from the EDA and given to the school. So, there's another \$24 million dollars that the project has cost the county already and with all of the other federal funding, what is the total cost of that project? I can tell you right now school superintendent is not a building superintendent, and we need to be worried about the wants and needs that are in this county. That's the reason, my belief, why we didn't get a tax rebate. The county is so strapped for cash right now that we can't afford it. If you look at disbursements, I don't think the county realizes that we're in hard shape. There are some things that need to be cut. We all have to make do in our households with the budget. We don't have the luxury of going out and asking our bosses for the extra money we can't do that. But you guys can go and get in our back pocket anytime you want, it's not right. Thank you very much.

8. Board Time:

At this time no comments were offered during board time.

9. Old Business:

a. Elderly and Disabled Relief:

Dr. Linda Millsaps, County Administrator informed the Board that Attorney Stephen Durbin is available via phone for discussion and clarity regarding the Elderly and Disabled Relief.

Dr. Millsaps, County Administrator telephoned Mr. Durbin via telephone and placed him on speaker for this section of the meeting.

Stephen Durbin:

Before you are two proposed emergency ordinances, they accomplish two separate functions. One is to increase the income limitations for elderly and disabled individuals from \$45,000 to \$50,000. That's the total gross combined income limit. And then we've also requested an increase in the net worth in a year from 125,000 to 175,000. The effect of this will be to increase the pool of eligible folks who are eligible for this tax exemption. I know that there was some desire on the part of the board to tie this exemption eligibility to federal poverty standards. And in reviewing the statute, I think there is room to get that. That's something that we would need to have a lengthier discussion, I think, on which published standards we're actually wanting to use. And while we intended to index them to just have them annually be referenced or start with a core part of the standard, as published by there are several agencies they might refer to. So, I want to just kind of clarify that and then discuss how we wish to administer that going forward, whether that's going to be just incorporated by reference to the standards as they are published every year, we'd also need to consider if they're not published for some year, or if they're called something different. If the federal government changes the name of the standard from the last 10 years, it's been called one thing, and now it's going to be called the needy family threshold or something else, which may cause complexity, referring to the federal poverty standards. So, for that reason, I thought the most expedient thing to have something before you that you can adopt for today's purposes, would be to just use the numbers that the board has previously prescribed, and then moving forward we can certainly take that alternative approach and have index into the poverty standards. Oh, one thing that as you review the proposed ordinance, one thing I would call your attention to is in section four that's being amended. It does provide an increase in the total gross combined income from 45,000 to 50,000. But it does provide, and this is based on what the existing county ordinance does. It does provide that the gross combined income shall include all income from all sources of the owners, and the owners' relatives living in the dwelling, for which exemption is

claimed, provided that the first \$6,000 of the income was like relative other than the spouse or the owners shall not be included in such total. I've highlighted that just for your consideration. I don't know if there was some desire to increase that threshold as well, given it's been a few years since you've amended this and the inflation rate, \$6,000 might not be the numbers you want. So wanted to point that out. You can't do that by motion, you can just amend this ordinance before you adopt it. If that's something you want to consider. And the other thing, I guess I would call to your attention, as you can see, there's a blank for the application deadline and in the submission of the affidavit. I wasn't sure when or how you wanted to address that deadline. Because the communication I had from Dr. Millsaps was that you wanted to enable one deadline on May one currently, so I didn't know whether you're looking to increase or decrease the window or just change the timeframe when someone could apply. So, I've left that open, I would just suggest that the board can, if there's a desire to amend that or you can just do that by motion as well. And I hope that wasn't too rambly.

A conversation ensued amongst the Board of Supervisors, Dr. Millsaps, Lisa Baker, Commissioner of Revenue, and Mr. Durbin regarding the present ordinance and a new proposed date to be updated.

Chairman Turman added, the part she gave us was such affidavit or certification shall be found after January 1 of each year, but before April 1, for such later date, as may be fixed by the ordinance, so that your ordinance may include a procedure for late found by first-time applicants or for hardship cases. Okay.

Stephen Durbin:

Okay, so the ordinance that the county had previously adopted in March that period is consistent with the language that Chairman Terman, just read that you can certainly bring that back to the defaults of April 1. And I would just say, if that's the desire of the board, you just add that by your motion to fill in that blank was April 1 of each year instead of May, first of each year?

The Board continued to conversate regarding increasing the income threshold for each relative living in the home from \$6000.00 to \$16,000.00.

Stephen Durbin:

I just wanted to clarify something if you look at 15.1 32 2.12. So, sub two does provide for excluding owners' relatives who live in and providing bonafide caregiving services. So, if I'm a family member, of an elderly and disabled person, and I work

outside the home, and I'm not providing glorified caregiving services, my income will currently be part of the calculus for the county, except for the \$6,000. The case is different if I'm living in the home, and I'm the one providing those caregiving services, bonafide, caregiving services should not be counted. I guess what you want to do is first have the motion to amend the draft ordinance that was presented to include April 1 as the new deadline and 16,000 as the new income threshold for each relative living in the home.

On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch to amend the ordinance amending sections 46-105 and 46-106 to change the May run to April 1 and \$6000.00 to \$16,000 as the family threshold, the Board unanimously approved and carried.

Stephen Durbin:

Now, you have an amended ordinance for an amended proposed ordinance before you. And at this time, I think a motion to adopt the ordinance as an emergency ordinance would be in order with the understanding that your adopted emergency ordinance is going to function tonight as guidance for moving forward to administer in the future. This next tax year, but when would need to advertise and re-adopt this ordinance after? After advertisement

On a motion by Supervisor Kuchenbuch, seconded by Supervisor Cox and unanimously approve the emergency ordinance, as related amending sections 46-105 and 46-106 of the Floyd County code relating to certain exemptions from taxation of real estate of the Elderly and Disabled.

The conversation continued regarding the time frame and advertising of the new emergency ordinance.

Stephen Durbin:

And what you've adopted just now will remain in effect for 60 days, so that we'll get the relief in place. And allow you time to advertise and formally adopt it. The next ordinance for your consideration is an ordinance to delay the effective approval of penalty and interest for personal property taxes. That is, of course, due in December. But if they're paid, not on December 5, but before February 1 of 2023. They would nevertheless not be subject to penalty and interest they'd be received as if they were paid on time. And that's effective for one year only. And this is again a proposed emergency ordinance that if adopted, you would need to advertise and

adopt formally. The only thing I guess I would also point out is that this is specific to personal property. Tax not real estate property.

Supervisor Boothe questioned that this is just for this year's tax and does not apply to the past. Mr. Durbin responded, yeah, so you're still if you were delinquent for last year's taxes, this does not provide you with any for those taxes, penalty, or interest.

On a motion by Supervisor Boothe, Seconded by Supervisor Kuchenbuch and approved unanimously the emergency ordinance to establish a different accrual date for penalties and interest on the 2022 personal property taxes due on December 5, 2022.

Board members thanked Mr. Durbin for all his assistance and wished him a Happy Thanks Giving. Mr. Durbin replied, thank you all so much, and Happy Thanksgiving to you all. I hope it is a wonderful, safe, and blessed holiday for you all. Mr. Durbin also noted, Dr. Millsaps I just wanted to update you I had reviewed the EMS contract I will have the EMS billing contract, or I will have some proposed edits to you tomorrow.

b) Monthly Utility and Liability Disbursement list:

On a motion by Supervisor Boothe, seconded by Supervisor Bechtold and unanimously approved, the list of monthly utilities and liabilities disbursements without pre-approval of the board. All disbursements will be added to the monthly agenda for review.

10. New Business:

a. On a motion by Supervisor Cox, Seconded by Supervisor Kuchenbuch and unanimously approved and carried to re-appoint Marty Holliday to the Board of Economic Development committee for a four-year term.

b. Conversation ensued regarding the procedure of a new candidate for a board/committee. It was decided and requested that the Board interview Draken Thompson regarding his letter of interest to the Board of Economic Development and to be placed on the next agenda.

c. Floyd County School Board would like to request a revenue and expenditure appropriation in the amount of \$64,576.08 from the Capital Improvement Fund to the FY23 School Board budget transportation category for the purchase and installation of school bus cameras for the entire fleet.

With regards to the new business Floyd County School Board request (letter c), the board had discussions and further questions regarding the requests and asked staff to obtain details and table the two new business items at the next meeting. Both Dr. Millsaps and Mrs. Chiddo confirmed to reach out to Mr. Darrin Boothe and Dr. Wheeler.

d. On a motion by Supervisor Cox and seconded by Supervisor Kuchenbuch and approved unanimously and carried the Montgomery-Floyd Regional Library requests a part-time staff hourly rate increase of \$1.00 per hour to begin January 1, 2023.

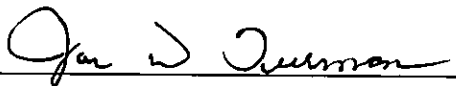
11. County Administrators Report – Dr. Millsaps offered the following information about staff activities.

- a. Millsaps updated the board on the process.
- b. Equipment Committee Schedule
- c. Floyd County Parks and Recreation Policy
- d.

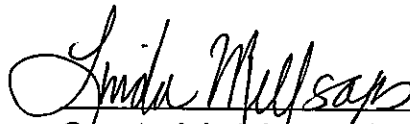
12. Correspondence –

No comments for correspondence at this time

14. Adjournment – On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch, and passed unanimously, the Board voted to adjourn.



Chairman, Joe Turman



County Administrator Linda Millsaps