

**MINUTES
BOARD OF
SUPERVISORS REGULAR
MEETING
June 14, 2022
8:30 am**

1. **Call to Order** - Chairman Turman called the meeting to order.
2. **Opening Prayer** – Opening prayer was offered by Supervisor Bechtold.
3. **Pledge of Allegiance** - offered.
4. **Quorum** – Dr. Millsaps called the roll. All were present, with Supervisor Kuchenbuch participating remotely from a secure location.
5. **Approval of Agenda** – Dr. Millsaps indicated that the timing of the PSA presentation may need to be flexible. Supervisor Boothe asked that we add a closed session under § 2.2-3711 A.7, a discussion with legal related to possible litigation. On a motion by Supervisor Boothe, seconded by Supervisor Kuchenbuch, the agenda was approved as amended.
6. **Approval of disbursements** - On a motion by Supervisor Bechtold, seconded by Supervisor Cox, the disbursements were approved as presented.
7. **Approval of Minutes** – The minutes for budget sessions on April 19, 26, and 28 were approved by under a motion by Supervisor Cox, seconded by Supervisor Bechtold, and a unanimous vote.
8. **Constitutional Officers**
 - a. **Dr. John Wheeler, Superintendent of Floyd County:**

Mr. (Darin) Booth is here with me. And I got a couple of things - to give you updates and look at the budget. After speaking with (Supervisor) Boothe we did a letter to VDOT about them being involved from the get-go over there with the extension and the new road. So, we just did an official letter just to make sure that road was on the VDOT road plans. And they're aware of it. And I've talked with them down there. But they do the inspections. They do all their due diligence. And I can't say enough about them. Like I said last night at our board meeting, they help us quite a bit, especially on our bus routes, whether it's too much rain or too much snow.

Also, after I talked with Mr. Turman, I did get in touch with Delegate March and sent a letter just requesting that any of the construction grant money could be retroactive. I have a copy of that letter and got that to her office. We'll see where that goes. So, it's back to July 2020. And I explained the VPSA. And the amount in that letter. So that's, that's all that that they needed to have that got that done, too. And we'll go from there.

Then we're moving along. And it's a tough construction type of climate, as you know, but it's always good to hear from our architect that our job is moving along better than all the other ones that they're doing. So, we're in the process, hopefully getting some rooms cleaned and the new part next week and furniture is already in there. It's just got to be unboxed and put together. And that's not going to be a problem. So hopefully we'll be ready with everything and get everything paved by the middle of July. Be ready to roll with

that part. That's going well and once again, we're right on the budget will always stay on budget. If something bad happens, you know, we'll just have to figure it out. But that's what that is.

Now, as far as the budget, it's been out for two months from our first one. And a lot happens in two months naturally. So, this budget was good and bad. Few perspectives for us. We do have an additional \$150,000. But one of the two of natural things that happen are our census changes. And this year, it increased. So, if this budget was approved before we got that amount, going to tell you what we would do because we had to do it in this one. The other thing that increased was insurance for the employees. And that increased quite a bit.

One of our objectives, as you can see in our four goals, we want to be competitive in our pay, which we're barely there. But this 5% raise is going to help and 5% next year. The employer portion of insurance is a big goal, it needs to be a big goal of any organization. So, we were able to increase that. And in order to do that we had to eliminate three more positions. So that \$150,000 was gone quickly. And we couldn't do, with the budget we presented two months ago, we couldn't make it. You already set the tax rate, we couldn't come back here and ask, as you saw from the last four years, we have, we have been as efficient as possible and not asked for money even have given some back as far as when debt service has come out. And that wasn't the practice six years ago, that went back to operation.

The other thing is, there is \$1,000 bonus that the governor put in and General Assembly put in that amount they gave us \$182,000. And once again, I'm going to talk about the 5%. That's just for SLQ. That \$182,000 doesn't touch it, it costs about \$388,000 to give our employees \$1,000 bonus. To do that the only saving grace in this was they put a line in there that allowed us to use our ESSER funds. And that about finishes our ESSER funds. And you'll see you have supplemental because we put back all the HVAC stuff that was taken out. And we give me an idea of construction costs, when you took that out, which is fine, and we reduced that budget greatly. It's costing us almost \$2 million more now to put it back in. And I don't think we'll see construction cost is what we deal with HVAC in the CCDC again. I have two other counties, one of them wants to build a CCDC to and they're amazed at our cost. So, we're very fortunate to hit it at that time. So, our ESSER funds are, fortunately, we're able to be used for \$1,000 Bonus, and by the wording on it, it's December 1 deal. So, you know that's, that's one-time money.

The SLQ positions for the 5% raise, once again, don't cut a check to cover everybody. And for those that haven't been here, let me remind you, before I came, the request from the school board came to make up the difference. We have not done that one time. Now to do that, you got to be awfully efficient. And one way we're efficient, we got a great team, we got a very good focus. We want to increase the number of resources for our kids. We want to make sure that our pay is competitive, and we contribute to the employer portion. And we want to give as many opportunities to Floyd County students and citizens as we possibly can. So, fortunately, our structure has maintained you, may say this is a good budget. It's a strong budget from the governor, and I'm looking forward to continued improvement on this as the administration goes forward. But it was a difficult budget. And

obviously, it's still on his desk, but it shouldn't affect us. So, there's that's where we are with the budget. You know, it looked good on paper, like a lot of things, but you're going to get more. But we had to come up with more within part of the appropriations, the supplemental appropriations from ESSERs. We're carrying two positions on that. And at one point within the two years, we're going to have to get those two positions back on our operational budget. So, we couldn't do it this year, obviously, after cutting six positions. We'll have to look at it next year and see. So that's this upcoming year, and you've heard me say this quite often. The budgets aren't yearly. Our budget fits into a six-year plan, structures got to maintain, we got to be ready for economic downturns, we got to be ready for a change in offices, both at the federal level and state level, and we were able to do that. So, from that standpoint, this is a strong budget from the State is the best raise they've given 5%, 10% over the biennium. So, we're, that's a good thing and aligns with our purpose.

Mr. Boothe, do you have anything? I think that sums it up, if you go back and compare, we've even reduced lines in our budget to make up that difference. I mean, even with technology, we had to reduce that. And keep in mind a lot of those lines, you think it's a lot, but that staffing, staffing is involved in those aren't material factors of people. And that's where we keep those. From that standpoint, it was a very tough budget, when we got those insurance rates back, there's no way we could do that to employees. So, we're, we're fortunate to be able to give what we were able to, but we got to keep increasing it. Any questions?

Supervisor Boothe started a discussion about abandoning the road at the high school. It was determined that it will be the county's responsibility to request that but in the future. VDOT has indicated that it should not be an issue. Also, discussed Park Avenue at the Recreation Park. Mr. Durbin will follow up on some of the legal issues.

b. David Clarke, Resident Engineer, VDOT

There's not a whole lot of updates I can give. We're at the end of our fiscal year. So, we're watching our budget really, really carefully. Trying not to overspend any more than we probably already are going to. Plus, it's just time for a lot of routine maintenance, so we're hitting the gravel roads. Obviously, I probably haven't gotten all of them patching ahead of the paving schedules. Did some patching on 221, on Stonewall, and trying to get some brush cut. Did some brush cutting on Lick Ridge, on Connor Grove, did some pipe replacement as well on Quisenberry and on Haw Hill Road, and just now going to get started on some mowing. We've been doing some mowing on some intersections that are sight distance issues, but we purposely waited till later in the month of June to start the major mowing. Mostly because we need most of our guys working on the patching ahead of the schedules and we'll be doing a lot of contract mowing and a budget kind of issue. So, we had to wait to send the contractors out to do a lot of mowing. But we'll do a mix of VDOT mowing and contract mowing. We have started on the construction project on unpaved road for this summer is going to be done with VDOT crews on Silverleaf Road. As I said the mowing is coming up and the other kind of project, we're working on with allocated funds is the crosswalk sign. We've got the ramp done. We may need to wait until the end of another allocation as we are out of funds for this year. But we are going to scrape together some funds for potentially getting that up and getting the actual signs of

the Push Button flashing signs. They're on 221 just across from Hardees. That's all I had as far as ... like I said the actual schedule for paving 221, I don't have the whole paving schedule with me right now. I think I communicate most of the routes that we're going to be overlaying on this. And by the way last night, we did check with our crews. We didn't have a whole lot of damage last night a few trees here and it sounded a lot worse than it was.

Supervisor Kuchenbuch thanked VDOT for their work and the current state of several roads in her district. She did note that Hail Road at Stonewall needs mowing. Also thanked VDOT for the attention to Huckleberry Road.

Supervisor Boothe also thanked VDOT but asked for milling on dirt roads.

Supervisor Bechtold thanked VDOT for the hard work and for doing all they do within budget constraints.

Chairman Turman asked for a schedule of when mowing will occur. He also asked Mr. Clarke to work with the contractors on nighttime work safety. Mr. Clarke agreed. The Chairman also mentioned the long distance between the warnings and the actual work, as a safety issue. He also asked about the bridge at Gardner Road. And DeHart Church Road.

Supervisor Boothe suggested VDOT and the Board riding some of the problem areas together. Mr. Clarke agreed. And asked about the projected schedule for the six-year road plan.

c. Sheriff Brian Craig – Sheriff Craig stopped by and asked to speak.

Morning, everybody. I'm just here. Quick little briefing. We've got two getting ready to graduate the Academy on Thursday. Excited to get those two folks out of the academy.

Budget-wise, we finally got the estimates on the comp board funds. And it appears those are going to increase by about 73, almost \$74,000, revenues on that coming in from the comp board. Like to get with Dr. Millsaps for really any ... the way these things are worded ... I'd like probably about a seventh or eighth opinion on what the comp board has decided to do with the legislative body, you can tell it's been made up by attorneys. Your regular person can't understand. That's true, I get Steve to maybe explain it. Explain. These you want to look at would be animal control. Since there's no count for funds coming into that, you know if that full-time position is granted, I would just need to come up with the right at \$13,000 worth of funds. As I said I would shift some of my overtime funds where I've got revenues coming in from another source that I can use for my courtroom security. So that would almost be a wash as presented the first go-round, but I don't know where y'all are at on that.

I could answer some questions on what the comp board is looking at possibly, but I will tell you they're extremely, extremely rough. And one little miscalculation of my formula could throw you off, but I'll be glad to play the game with you. So, when it comes to comparing additional funds from the county where we're needed, I don't have that figure

yet. You know, I can give you, it appears that the total salaries for law enforcement and dispatch, this does not include animal control, would be \$1,446,678 on law enforcement side. And on the dispatch side would look at \$124,401 for the proposed increase for them. So, like I said, at this point without really getting a Dr. Millsaps, I'm kind of afraid to give y'all some hard figures. She was out last week I was out last week, of course, we just had gotten the figures. I got him yesterday. So, I've been scrambling trying to throw something together. And just we couldn't catch up before this meeting. So that's kind of where we're at.

Discussion ensued about the General Assembly and budget challenges. Dr. Millsaps and Sheriff Craig plan to get together to discuss new information and how it impacts the county budget.

Dr. Millsaps noted that she is getting calls about the good job the sheriff's office is doing in watching the green boxes. The Sheriff said he has been able to use inmates to help clean up and make the landowners happy and Floyd County clean. The Sheriff relayed a personal story about someone at the green boxes who will be getting a summons.

Supervisor Boothe thanked the Sheriff and his office for what they do. Supervisor Kuchenbuch agreed.

9. New Business

- a. **LCF Group, request for a change to Subdivision Ordinance** – Mr. Dave Larson spoke before the Board about his request to a change in the Subdivision Ordinance.

Oh, thank you. I appreciate the opportunity to speak to the Board. Now the simple request in regard to the subdivision ordinance. And that is that landowners who have a right of way from their property to the main road, providing it doesn't change any of the other property attributes, in other words, doesn't change any of the subdivision. But it would be very nice if somebody had said a 25-acre track, or even larger, and a right away to the main road, if the owner of that right away would literally sell the right away. So that track owner owns a strip of land all the way to the main road. Now, why would that be an advantage? Well, as you know, there's been a number of disputes over the years over right away. If you own the right of way, you pretty much own the right of way. You don't have somebody else potentially doing controversial things watching you right away, etc. So, the other thing is, as land gets more expensive, which unfortunately it is in Floyd County, it's harder and harder for landowners to borrow money. The banks and lending institutions really like to see a connection to a main road, not a blocked piece of land, isolated land, even though it has a right of way. Lending institutions are much happier with a direct connection to a main road. So, we're not suggesting changing the subdivision ordinance very much, except in one place, I think. It states that any land that touches the main road about 775 feet of frontage that a setback. And it would change that to just you know, 25 or 50-foot right of way, where the landowner could own that rather than just be a right of way. I mean, there are a few things you would have to be careful with here and set it up so that it's works properly. But the whole idea is that it would really be desirable for landowners if they can own their right of way to the main road. And like I said it could

eliminate some disputes and help the landowner also feel more comfortable. I've got a claim here if you'd like to take a look at a potential project. (Mr. Larson provided handouts)

We actually presented this to the planning commission. And of course, they weren't in a position to approve a variance. And so, we brought before the Board. Again, it comes down to a fairly simple thing for landowners to be able to buy the right of way. Of course, the owner of the right of way asked me why don't just sell it and all those things. It doesn't change any of that enforce that issue at all. It just makes the opportunity for a conforming lot, which would typically be more than 25 acres because you can't subdivide a lot smaller than 25 acres unless it has 175 feet a road frontage. Now there are a number of properties out in the county that, you know, are historically smaller than that and are there. I assume they would probably come into this ruling if it were approved as well. But like I said, we're not suggesting changing any lot requirements or anything, just allowing the landowner to buy the right of way if he can, to the road to the main state Road. So, I don't know if that makes sense. But it certainly makes sense to the landowner. And so, we've had a number of disputes not personally, but I've seen a number of disputes over the right of ways and landowners just like to own their land right to the road. Now, it's not possible in all cases, we understand this for sure. And this wouldn't work in all cases, but in some cases it would. So that's my request to the board.

Discussion ensued about the parcel of land presented by Mr. Larson. He indicated that a portion of that parcel is in Franklin County.

Supervisor Boothe asked if Mr. Larson is asking for a variance to the 50 foot right of way. Mr. Larson indicated that he is looking for a variance on the road frontage as well. Mr. Durbin clarified that this is a request for a change in the subdivision ordinance, not an appeal. Mr. Durbin suggested the Board consider forwarding the request to change the subdivision ordinance to the Planning Commission for recommendations before making a change. Mr. Durbin noted that there was no formal request for an appeal.

Mr. Durbin indicated that:

In general, the reason why there's a prohibition in the first place is to prevent flag lots from being created. Flag lots are more of an issue in higher density developments where the idea is to prevent just you've got a development that maybe goes deep back from a roadway but doesn't necessarily have internal roads. And so, you've just got driveway driveway driveway, which can be confusing for fire and EMS. It can be difficult for delivery drivers. It can be unsafe because you're putting lots of driveways on what is a main road when it might be better policy to have a subdivision road that would serve those parcels. And then they come out of one roadway instead of just driveway after driveway. It makes street parking very difficult at a higher density because you can't block other people's driveways. Then there is very little place to park. Think about what we've ever been like in New Brunswick, New Jersey trying to find a parking space. And it's just driveway, driveway because some of that development happened before it was prohibited. And it's just one experience I had not too long ago. So those are the reasons why it's typically disfavored. It's certainly cheaper for developers often because the cost of putting in and maintaining the driveway can be passed on to each individual lot owner. And oftentimes, it's just gravel or dirt. So those are the reasons why I think we've got a

prohibition in there and why lots of localities do have a prohibition in there. On the other hand, for agricultural land, because you've got to have 25 acres. The density concern might not be the same. So, it might be something you consider for smaller lots but not necessarily for agriculture. It's, it's certainly debatable.

Discussion and clarification ensued.

The Board sent the matter back to the Planning Commission for consideration.

- b. **MOU for, .gov email change** – Chris McNabb offered an MOU to send to the Gov Commission moving Floyd County from a .ORG to a .GOV domain. On a motion by Supervisor Bechtold, seconded by Supervisor Cox, approved unanimously the Board voted to approve the MOU and move Floyd County to a .GOV domain. And allow appropriate signatures.
- c. **Request of the Department of Emergency Management for naming the shared drive** where three or more structures will be addressed. The tax map numbers for those properties are 31-50, 31-50A, & 30-39D, the shared drive is off Bethlehem Church Rd. NE. The request is for the approval of naming the shared drive, Jericho Lane.

Karla Turman presented to the Board and indicated that the landowners all agreed.

Supervisor Kuchenbuch, seconded by Supervisor Bechtold, and approved unanimously, approved the naming request for Jericho Lane.

- d. **Addenda to PSA First Round ARPA Funding Agreement:** Mike Maslaney, Chair of the PSA, spoke to the group about the status of the PSA and additional requests for funds from the county.

So, thank you for allowing me to slip in here on your agenda. And you've got a busy day. So, I'll try not to take up a lot of time. But I wanted to bring you up to date on how everything's going with the PSA. As you know, we've been lining Main Street and a couple of other areas. And if you look at some of the pictures that we sent, the geographical, the yellow lines are the lines that we completed in the past two weeks, and everything was going really great until it didn't. And so, the red areas that we have circled here for you, you know indicate areas where when we put the camera down the system, we found the pictures that you have in your packet. And you know the first two pictures talk about what we call the trailer park which is just behind Xpress Mart, and there you can see that the pipe is literally collapsing as we're going down. The lateral section that you see in this first picture. There is actually a crack along the length of the pipe, so it totally destroys the integrity of the pipe. And then some of the other rocks and stuff that we find in the pipe. The lining guide refused to line it says the structural integrity was not there to preserve. So, in that situation, we're going to have to do a replacement on that pipe. And as you see, it's the end of the system. So, we did all this great lining all the way up Main Street and down to our main pump station. And then when we get to the last

section, the whole thing literally falls apart. So, what we need to do, we really need to fix that, because if that does collapse, then everything up on Main Street will be in serious trouble, as you can imagine.

So anyway, the other problem we had was the intersection of Woods Gap and Barberry. There's actually a lateral coming into the last section of pipe there. And we've got a camera picture, which I didn't include, we hit a stream underground. And you can actually see the water pouring into the pipe via the camera. It's nice clear water, it's not coming down the lateral, so the only option there is again, dig it out, dig that intersection up again, which is unfortunate because it's like 15 feet deep in the ground. But now that school's out, you know that intersection, we can literally close it off, and everybody can work safely. And there is a workaround with that one. But we got to go down 13 feet, and replace that section in the lateral with a waterproof section, that will keep the water out there.

And lastly, again, with pictures, we are bringing the camera all the way up to the elementary school. And you can see it there as well. In the pictures labeled Elementary School, we've got root infiltration, but water literally leaking in the pipe at the joints, and then here toward Oak Hill collapsing of the pipe again. So, this one, we feel like we can line. So that's certainly a lot cheaper than replacement. But we might need some point repairs in order to fix everything. So, this all boils down to you know, we've got some immediate needs that we need to address. The lining did a great job. It's going well. But it's going to cost us more money. And as I told you before, every time we dig a hole underground with a PSA, we never know what we're going to hit be honest with you.

But the good news is we get these fixes made, we believe the integrity of that part of town is really going to be improved. I mean, all other lines we smoked, and we checked, so this should kind of button this up for the while. And then we're going to start on the west side of town with smoke testing and see where we go with all of that. But this should preserve the integrity of the system for at least another 30-40 years down there. So, it's more than I care about. Just be honest, and frank with you.

So, what we're asking you, we know that there's not a lot of money around. And we knew that the second round ARPA funds have not been released yet. Everybody's waiting to hear what's going on with that. We know we've got all these grant applications that we're hearing might be September, we could hear about it. But we feel like with these problems, we'd like to get them fixed this summer because school is not in session. And it's also a lot easier to fix them. So, we're going to ask that if we could you know, with our agreement that we made with you on the first round of ARPA funding, we'd like to shift some of those funds around to put the extra \$125,000 shifted from the well six screens same filter project into the main street lining project.

If we can get these three areas complete, we still need to you fund the green sand filter project because we got to get well six back up online. But again, with all the grant funds second round ARPA money you know, we can discuss that as things move on in the future. So that's what we're asking so we can keep everything going. And someday I'm hoping to come here with a lot of good news. Yes. (Chair Turman asked the location of one of the pictures presented). That's on going up to the elementary school. Yeah. Okay.

And there's actually a couple of those I just included one of them to give you an example, but we've got really good filtration and you can see that's where the pipe is joined. So, there are cracks it's just, it's just wearing out to be honest with you.

Chairman Turman asked which is older, the east side or the west side. Mr. Maslaney indicated that it is not clear.

Supervisor Boother discussed how this would interact with school construction. Mike believes it will work well.

Supervisor Cox asked how long the elementary school project will take once construction is started. Mr. Maslaney indicated that if there were not any point repairs it could be just two or three days. If they run into issues, it may be as much as two weeks. Hopefully less.

Supervisor Kuchenbuch asked if this explained much of the infiltration. Mr. Maslaney said yes. There was also a discussion about the timing of the work at the elementary school.

Chairman Turman asked if this helped with the situation at the main pump station. Mr. Maslaney indicated it will.

On a motion by Supervisor Bechtold, seconded by Supervisor Cox, and approved unanimously, the Board voted to allow the ARPA funds from the well six green sand filter to the Main Street lining as requested.

- e. **The Floyd County School Board requests the following revised revenue appropriation** be made to the 2021-2022 school budget of \$214,288.32 funds from CARES funding. \$35,000.00 from ESSER II funds for Willis Elementary make-up air unit replacement & new bi-polar ionization install. \$115,090.00 from ESSER III funds for Floyd County High, Floyd Elementary, Check Elementary, and Indian Valley Elementary make-up air unit replacement & new bi-polar ionization install. \$33,288.32 from ESSER III funds for learning loss teacher salaries and fringe benefits. \$30,910.00 from CSLFRF funds for Indian Valley Elementary make-up air unit replacement & new bi-polar ionization install.
- f. **The Floyd County School Board requests the following revised expenditure appropriation** be made to the 2021-2022 school budget. \$33,288.32 from ESSER III funds for learning loss teacher salaries and fringe benefits. \$181,000.00 of funds reimbursed from CARES funding. \$35,000.00 from ESSER II funds for Willis Elementary make-up air unit replacement & new bi-polar ionization install. \$115,090.00 from ESSER III funds for Floyd County High, Floyd Elementary, Check Elementary, and Indian Valley Elementary make-up air unit replacement & new bi-polar ionization install. \$30,910.00 from CSLFRF funds for Indian Valley Elementary make-up air unit replacement and new bi-polar ionization install.

On a motion by Supervisor Bechtold, seconded by Supervisor Cox, the

Board voted unanimously to approve both requests.

10. Old Business

- a. **VATI grant agreement MOU** – On a motion by Supervisor Cox, seconded by Supervisor Kuchenbuch, and passed unanimously, the Board voted to approve and allow appropriate signatures for the VATI grant agreement and the updated MOU presented.
- b. **Commerce Center Phase II Appendix A** – Lydeana Martin presented on Appendix A, applying the \$1 million from ARC to the project. The Board raised some concerns about what happens if the bid comes in more than 10% of the VDOT estimate. The Board asked the staff to further clarify the requirement. No action was taken.
- c. **NRV Passenger Rail Authority** – the Board discussed the possibility of joining the NRV Passenger Rail Authority. Previously the Board questioned the county's ability to potentially exit the Authority in future years, should the financial cost become untenable. Mr. Durbin indicated that the particular statute used to create the Authority, which was the only option, does not allow the county to exit once we became a member. Dr. Millsaps and Mr. Durbin explained that the largest potential financial risks would come from individual projects, which the county could avoid if they did not want to participate in that particular project.

Supervisor Kuchenbuch moved that Floyd County join the New River Valley Rail Authority. The motion was seconded by Supervisor Boothe.

Kuchenbuch - yes

Boothe - yes

Bechtold - no

Cox - no

Turman – no

The action failed. Chairman Turman noted that if they could show how the County would benefit and have an exit clause, they may reconsider.

- d. **Prioritization and Capital Retreat Discussion** – Dr. Millsaps updated the staff's progress on getting data related to the county's equipment and capital needs. She indicated that she would email the Board to find a date that might work for all of the Board. Supervisor Boothe requested that the Equipment Committee be reorganized and start doing site visits. He asked that Dr. Millsaps, Mr. Sowers, Mr. Coleman, and Mr. Dalton also be included in the equipment efforts.

Dr. Millsaps also noted that the staff has requested repair and maintenance records.

11. **Public Comment** – Chairman Turman opened the floor for public comment and offered the ADA statement, as well as an explanation of the one-way conversation.

Dan Vest (Locust Grove District) - You will not wear me down. FloydFest. Everybody's minds on at Check. I'm referring to an article from Roanoke Times, dated 6/13/22 roanoketimes.com Entertainment. Music full and fast move to a permanent location. Search if you want to look at it. So, since the cow was out of the barn, I'd say the tie-dyed cow more specifically, regarding FloydFest. FloydFest states that they've been working with local and state officials regarding the Check location for quite some time. How long have they been working with local county people? Another question I got is the county elected and appointed staff dealing with Floyd Fest issues to consult, counsel, call the ethics and conflict interest department in Richmond to confirm there were no issues? From the Roanoke Times article dated, I have brought here. it's June 3 22. It appears that this effort began some time ago in early stages around 2017. This article here, quote, even as FloydFest brain trust works towards this year's event, work rolls on a parallel track with the county state and federal agencies as well as utilities on permitting and planning. This doesn't happen over a month. Interesting that all the press releases to date only addressed the business concerns of FloydFest, but no mention of the neighbors' concerns, again. Floyd County citizens are second class to the movers and shakers. Personally, when I was on the EDA board up here I many times wondered when it was stated in meetings that this business or this or whatever business is not a good fit for Floyd County. Now I know what a good fit is for Floyd County.

Kristen Vest (Locust Grove District) – Kristen Vest, Locust Grove district. You're going to get used to seeing, myself and my husband and quite a few of us from Check, from the Check area, over FloydFest. And what I've given you if you haven't already seen it is from your code. It is the musical or entertainment festivals and gatherings code that was last modified in 2017. Now I've read over this and highlighted it, but I was reading something this morning, that goes to what Dan just said. No person shall stage promote or conduct any musical or entertainment festival in your county unless he shall first have obtained from the board a special entertainment permit for such festival. Well, if you've seen Floyd Fest's Facebook page, and you know from the Roanoke Times, the news is out there. They're already promoting it. They already have the date. So, if they're promoting it, has the permit already been granted? Have the talks already started? I think they have.

So, the other pervasive feeling for people, especially in Check and Copper Hill is we can't do anything about it. Yes, we can. And yes, you can. This permit thing right here, all in on page two and three permit conditions in there, all kinds of things that you can do to make sure that this is safe and doesn't cost the county a ton of money. There's a bond in here. The bond right now is set at \$25,000. Well, it cost the town \$10,000 for their small suit with David Whittaker. And they haven't even gone to court. What is \$25,000 going to cover for a festival that has 13 to 15,000 people a day there? So, I'd like for you to look at that and see if maybe we can increase that bond to a million dollars. I've got some other ideas about that. That'll be for another meeting. Their permit fees. There's a pre-event meeting that's supposed to be with the County Administrator, Emergency management coordinator. Is that going to be public? Or will that information be public after that meeting takes place? I'd like to know that. Under security, this is a big concern. Patrick County's Sheriff's Department was all hands on deck. When FloydFest was going on. Nobody took any time off. You didn't have any vacations. Everybody was on duty all the time. So, it says in here that FloydFest or any music or entertainment event has to provide security at

the full expense of the applicant. And it lists down there. Especially if alcohol is on site. How many officers are required? Well, we know alcohol is on site. There, they don't let it in. They'll throw it out if you bring it in on a cooler. But by my calculations with alcohol on site, if they go above 12,500 people per day, they're going to require 11 security officers. If it's above 15,000, that's 13 security officers on site every day from beginning to end of the festival that's two shifts, at least is our share or is our Sheriff's Department going to be expected to do part of that? If we are I hope not. But if we are I hope we bill them everything including all the taxes, not just the salary, but the full taxes it costs to employ somebody plus Medicare insurance, vehicle mileage, gas, all of that. This is not made to be done at the expense of the taxpayers in this county. The fella who bought the land is a multimillionaire, he's got money coming out of his eyeballs. It's a private company. Make them pay. Thank you. We'll be back.

Mariam Jackson (Locust Grove District) - My name is Mariam Jackson. Locust Grove District. I live on Timberline Road. My property abuts this proposed venue on two sides. I only recently purchased the property, completely unaware of this and made the decision to move my family here to Floyd County. We did extensive research. We looked at everything that was publicly available, including the published master plan for the county. We came here to farm. We wanted to be regenerative farmers. We want to give back to the community. We thought we were 100% in line with that published Plan. Nowhere in that plan was there mention of a concert venue that consumed over 200 acres of prime farmland, agriculturally significant land, which my property is categorized as well. This is farmland that is potentially being converted to cater to 20 to 30,000 tourists for one week a year, if not more. So, it appears to me that this proposed venture actually runs counter to that published plan. Going forward as we think about our future, now in this beautiful county that we move to for peace and quiet. We're concerned about the safety of our livestock. We're concerned about the security of our property, and the nuisance of traffic, trash, human waste, drugs, and alcohol. Our property, as I said, borders on two sides of the proposed venue. So, we'll be directly and possibly adversely affected by this proposed venture, which is so obviously at variance with all of the original public plans for the land use in this county. We may use that public information to make the very important life decision to move here. So, can we rely on any public information can we rely on what you're going to tell us is or how that is going to be used? We'd like to be part of the conversation. We want to know that things like 11 or 13 security people if they're at that venue does that mean if something happens to me, no one will come and help me so that these drunk tourists can be helped? That's unacceptable. So, I'm just here to voice my concerns. And I hope that we can work together going forward. Thank you.

Bob Smith (Indian Valley) - I'm Bob Smith, Indian Valley member of the Board of Election but I'm speaking today as a citizen. In light of this business with the Floyd Fest you folks might want to get in touch with all the authorities in the neighboring county in which that actually took place you know; the roads were in Floyd. The venue is I think in Patrick's County. You might want to ask them how much money they're going to save this year but not having to deal with it. Thank you.

Chair Turman declared the public comment period closed.

12. Board Time –

Supervisor Bechtold raised concerns about the Green Box sites. Would like to start looking at convenience centers. Board discussion ensued.

13. **Closed Meeting:** On a motion by Supervisor Boothe, seconded by Supervisor Bechtold, and passed unanimously, the Board voted to move to closed session under 2.2-3711.A.1, A.6, A.7 and A.8.

§ 2.2-3711 A.1 Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; regarding EMS Billing.
§ 2.2-3711 A.6 Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected regarding electoral board lease.

§ 2.2-3711 A.7 Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. 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. (Opioid and other litigation)

§ 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. (Opioid litigation)

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

On a motion by Supervisor Kuchenbuch , seconded by Supervisor Bechtold, and passed unanimously, the Board voted to certify that they only discussed the items there were supposed to discuss in closed session.

14. **Administrator's Report** – Dr. Millsaps provided information to the Board on the following subjects.

- a. Playground Update – options for new equipment.
- b. Recreation Policy Manual – under development. Suggested by the Chairman.
- c. ACCE Program updated – 166 participants.
- d. Personnel Update
 - i. EMS – several new hires. County has started doing skills tests as a part of the interview process. Also working with the workforce board to

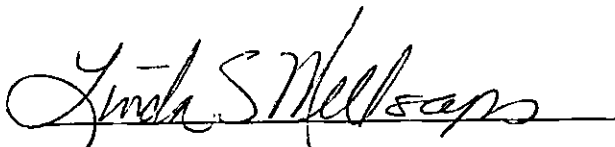
- develop regional EMS training. Also announced that Dustin Thomas is our new EMS Operations Manager. He is a paramedic, has an associate degree in the field, and has a specialization in pediatric care.
- ii. Solid Waste – close to fully staffed.

15. **Budget Approval FY23** – A vote on the budget was tabled until a final budget is approved by the General Assembly and signed by the Governor.

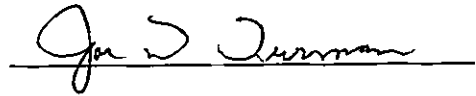
16. **Correspondence**

17. **Adjournment.**

* The minutes are presented in the order of the agenda. On occasion, the Board altered the order of the agenda due to timing so the order in the recordings may vary.



Dr. Linda Millsaps, County Administrator



Joe Turman, Chairman