

AGENDA
BOARD OF SUPERVISORS
REGULAR MEETING
August 22, 2023

1. 6:00 p.m. – Meeting called to order, Board Room, County Administration Building.
2. Opening Prayer.
3. Pledge of Allegiance.
4. Quorum
5. Approval of Agenda (Action Item)
6. Approval of Disbursements. (Action Item)
7. Approval of Minutes (Action Item)
8. Presentations:
 - a. 6:15 p.m. – Dustin Thomas, Director of Operations of EMS
9. Closed Session
 - a. § 2.2-3711 A.29 - Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. Radio
10. Public Hearing: 7:00 p.m. – Solid Waste Ordinance
 - a. Summary of Ordinance
 - b. Public Comment
 - c. Solid Waste Ordinance (Action Item)
11. Public Comment
12. Old Business
 - a. Road at High School
13. New Business
 - a. DWR/Floyd BOS Collaboration on Bear Issues
 - b. The Department of Emergency Management would like to submit a request for the naming of a shared drive where three (3) or more structures will be addressed. The tax map numbers for those properties are 44-50D, 44-50E, and 44-50F. The shared drive is off Water Haven Ln SE. Temporary addresses were assigned to tax map #s 44-50D and 44-50E for insurance and mortgage purposes. The property owner of the three (3) parcels returned the form with the name Acorn Ln. The Department asks that the Board of Supervisors consider the request and come to a decision on naming the shared drive Acorn Ln. (Action Item)
14. Board Time
15. County Administrator's Report
 - a. Facilities Update
 - i. Bank Building
 - ii. Extension Space
 - iii. Courthouse changes

- b. FCPR coaches meeting, August 19th.
 - c. VACo meeting
 - d. Personnel update
 - e. Pierce Group Benefits
16. Correspondence
17. Adjournment.

*All persons desiring to be heard shall be allowed to present written comments or oral testimony within reasonable time limits as determined by the Board of Supervisors. Citizens who desire to provide public comment in person are asked to sit in designated spots as directed by staff until the citizen is invited to address the Board. The meeting will be streamed live via the Internet. Any Floyd County citizen wishing to speak by phone may call County Administration at 540-745-9300 by 4:00 p.m. on August 21, 2023, and provide their telephone number and express their desire to provide comment by phone. Citizens who desire to provide public comment by phone will be called during the meeting. Any Floyd citizen can also provide written comments before the meeting, those comments will be provided to the Board of Supervisors for review. The public is directed to call the County Administration office for detailed information.

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
011010	***BOARD OF SUPERVISORS***				
3600	ADVERTISING				
	34630	TRI-CITIES/SOUTHWEST VIRGI	08122023	REASSESSMENT	616.12
				ACCOUNT TOTAL	616.12 *
5530	TRAVEL/CONVENTION/LODGING				
	31730	NATIONAL BANK	JENNY T JULY23	CC PURHCASES	94.46
				ACCOUNT TOTAL	94.46 *
5899	MISCELLANEOUS				
	38730	VERIZON WIRELESS	9941301330	CELL PHONES	245.55
				ACCOUNT TOTAL	245.55 *
				MAJOR TOTAL	956.13 **
012010	***COUNTY ADMINISTRATOR***				
3320	SERVICE CONTRACT				
	31730	NATIONAL BANK	JENNY T JULY23	CC PURHCASES	14.00
	31730	NATIONAL BANK	LINDA M JULY23	CC CHARGES	12.99
	31730	NATIONAL BANK	LINDA M JULY23	CC CHARGES	19.99
	31730	NATIONAL BANK	LINDA M JULY23	CC CHARGES	14.99
	31730	NATIONAL BANK	LINDA M JULY23	CC CHARGES	84.95
	43096	U.S. BANK EQUIPMENT FINANC	508357225	COPIER LEASE	70.60
				ACCOUNT TOTAL	217.52 *
5540	TRAVEL (CONVENTION & EDUC				
	31730	NATIONAL BANK	LINDA M JULY23	CC CHARGES	354.42
				ACCOUNT TOTAL	354.42 *
6001	OFFICE SUPPLIES				
	31730	NATIONAL BANK	LINDA M JULY23	CC CHARGES	38.54
	31730	NATIONAL BANK	LINDA M JULY23	CC CHARGES	77.86
	31730	NATIONAL BANK	LINDA M JULY23	CC CHARGES	17.89
				ACCOUNT TOTAL	134.29 *
8810	Lease Agreements				
	43470	FLOYD SPACES LLC	1151	SUITE 3	943.50
	43470	FLOYD SPACES LLC	1152	SUITE 4	583.25
	43470	FLOYD SPACES LLC	1153	SUITE 7	478.25
				ACCOUNT TOTAL	2,005.00 *
				MAJOR TOTAL	2,711.23 **
012080	***AUDITOR***				
3100	PROFESSIONAL SERVICES/AUD				
	1710	ROBINSON, FARMER, COX	86816	COST ALLOCATION PLAN	4,250.00
				ACCOUNT TOTAL	4,250.00 *
				MAJOR TOTAL	4,250.00 **
012090	***COMM OF THE REVENUE***				
3320	MAINTENANCE, SERVICE AND				
	43453	ROBERT J YOUNG COMPANY	INV6461049	COPIER LEASE	111.06
				ACCOUNT TOTAL	111.06 *
				MAJOR TOTAL	111.06 **

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
012130	***TREASURER***				
6001	OFFICE SUPPLIES				
	10 VIRGINIA OFFICE SUPPLY		51059	FOLDERS	43.17
	16730 TAYLOR OFFICE SUPPLY, INC		132134	INK CARTRIDGE	180.88
	31730 NATIONAL BANK		MISSY K JULY23	CC PURCHASE	192.88
				ACCOUNT TOTAL	416.93 *
				MAJOR TOTAL	416.93 **
013010	***ELECTORAL BOARD AND OFFICERS***				
5410	EQUIPMENT RENTAL/DELIVERY				
	31730 NATIONAL BANK		AMY I JULY23	CC CHARGES	324.17
	31730 NATIONAL BANK		AMY I JULY23	CC CHARGES	115.62
				ACCOUNT TOTAL	439.79 *
5530	TRAVEL/EDUCATION/MEALS/LO				
	31730 NATIONAL BANK		AMY I JULY23	CC CHARGES	93.79
				ACCOUNT TOTAL	93.79 *
				MAJOR TOTAL	533.58 **
013020	***REGISTRAR***				
5810	DUES/SUBSCRIPTIONS				
	31730 NATIONAL BANK		LINDA M JULY23	CC CHARGES	16.99
				ACCOUNT TOTAL	16.99 *
6001	OFFICE SUPPLIES				
	38920 VIRGINIA BUSINESS SYSTEMS		34518296	COPIER LEASE	97.18
				ACCOUNT TOTAL	97.18 *
				MAJOR TOTAL	114.17 **
021020	***GENERAL DISTRICT COURT***				
3320	MAINTENANCE AND SERVICE C				
	39660 STERICYCLE, INC.		8004463406	SHRED SERVICE	101.23
				ACCOUNT TOTAL	101.23 *
6001	OFFICE SUPPLIES				
	43033 THE SUPPLY ROOM		5033563-0	LABELMAKER	64.99
	43033 THE SUPPLY ROOM		5036355-0	OFFICE SUPPLIES	94.55
				ACCOUNT TOTAL	159.54 *
				MAJOR TOTAL	260.77 **
021060	***CLERK OF CIRCUIT COURT***				
3320	MAINTENANCE & SERVICE CON				
	43415 XEROX CORPORATION		019366451	COPIER LEASE	116.94
				ACCOUNT TOTAL	116.94 *
				MAJOR TOTAL	116.94 **
022010	***COMMONWEALTH'S ATTORNEY***				
5210	POSTAGE				
	31730 NATIONAL BANK		BECKY C JULY23	CC PURCHASE	132.00

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
	31730	NATIONAL BANK	ERIC B JULY23	CC CHARGES	4.68
				ACCOUNT TOTAL	136.68 *
5530		TRAVEL (MEALS & LODGING)			
	31730	NATIONAL BANK	ERIC B JULY23	CC CHARGES	11.22
	31730	NATIONAL BANK	ERIC B JULY23	CC CHARGES	478.20
	31730	NATIONAL BANK	ERIC B JULY23	CC CHARGES	372.70
				ACCOUNT TOTAL	862.12 *
5810		DUES			
	18430	TREASURER OF VIRGINIA	24-C5887-VPN	PRIVATE NETWORK	24.00
	31730	NATIONAL BANK	ERIC B JULY23	CC CHARGES	305.00
				ACCOUNT TOTAL	329.00 *
				MAJOR TOTAL	1,327.80 **
031020		***SHERIFF***			
3310		REPAIRS & MAINTENANCE/AUT			
	31730	NATIONAL BANK	ERIC T JULY23	CC PURHCASE	189.45
	37320	NICHOLS BROTHER'S EXHAUST	37456	STATE INSPECTION	20.00
	37320	NICHOLS BROTHER'S EXHAUST	37861	OIL CHANGE	46.48
	37320	NICHOLS BROTHER'S EXHAUST	38199	STATE INSPECTION	20.00
	37320	NICHOLS BROTHER'S EXHAUST	38278	MUFFLER REPAIR	199.40
	42841	B & S AUTOMOTIVE SERVICE	0051523	20 DODGE INSPECTION	20.00
	42841	B & S AUTOMOTIVE SERVICE	0051638	21 DODGE INSPECTION	20.00
	42841	B & S AUTOMOTIVE SERVICE	0051639	20 DODGE OIL CHG	54.01
	42841	B & S AUTOMOTIVE SERVICE	0051942	08 TOY OIL CHG-ENGIN	297.54
	42841	B & S AUTOMOTIVE SERVICE	0051976	13 FORD BATTERY	248.44
	43006	D&D AUTO REPAIR, LLC	5656	14 FORD REPAIR	1,115.65
	43307	FLOYD CHRYSLER DODGE JEEP	30526	21 DODGE REPAIR	1,332.22
				ACCOUNT TOTAL	3,563.19 *
3320		MAINTENANCE & SERVICE CON			
	35570	U.S. BANK EQUIPMENT FINANC	507813608	COPIER LEASE	77.00
	42744	RICOH USA, INC	38164291	COPIER LEASE	188.27
				ACCOUNT TOTAL	265.27 *
5842		DOMESTIC VIOLENCE GRANT			
	31730	NATIONAL BANK	ALESHA A JULY23	CC PURHCASES	40.00
				ACCOUNT TOTAL	40.00 *
5848		SCHOOL ENTRY TEAM			
	31730	NATIONAL BANK	ERIC T JULY23	CC PURHCASE	48.71
				ACCOUNT TOTAL	48.71 *
5849		LLEBG GRANT			
	1670	PROFESSIONAL COMMUNICATION	112000869-1	ION BATTERY/ANTENNA	1,994.54
				ACCOUNT TOTAL	1,994.54 *
6001		OFFICE SUPPLIES			
	16730	TAYLOR OFFICE SUPPLY, INC	132242	FOLDERS / TAPE	54.74
	31730	NATIONAL BANK	BREMAN JULY23	CC PURHCASE	10.00
	31730	NATIONAL BANK	BREMAN JULY23	CC PURHCASE	8.42
	31730	NATIONAL BANK	LUCAS JULY23	CC PURCHASES	9.72
	31730	NATIONAL BANK	LUCAS JULY23	CC PURCHASES	15.78
	31730	NATIONAL BANK	LUCAS JULY23	CC PURCHASES	6.84
				ACCOUNT TOTAL	105.50 *

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
6008		GAS, OIL, ETC.			
	31730	NATIONAL BANK	ERIC T JULY23	CC PURHCASE	44.00
	31730	NATIONAL BANK	ISAAC JULY23	CC PURCHASE	20.00
	31730	NATIONAL BANK	M DEAN JULY23	FUEL - CC CHARGE	20.00
				ACCOUNT TOTAL	84.00 *
6010		AMMO, HANDCUFFS			
	21040	THE GUN SHOP	47968G	AMMO	719.96
				ACCOUNT TOTAL	719.96 *
8127		CAPITAL OUTLAY:TIRES			
	42841	B & S AUTOMOTIVE SERVICE	0051489	21 DODGE 4 TIRES	573.48
	42841	B & S AUTOMOTIVE SERVICE	0051676	21 DODGE 4 TIRES	573.48
	42841	B & S AUTOMOTIVE SERVICE	0051677	19 FORD 4 TIRES	609.56
				ACCOUNT TOTAL	1,756.52 *
				MAJOR TOTAL	8,577.69 **
033010		***CORRECTIONS & DETENTIONS***			
6011		POLICE UNIFORMS			
	10550	GALLS, LLC	025048711	BADGE / SEAL	82.42
	14610	TOWN POLICE SUPPLY	C-111384	TACT OPERATOR	316.00
	14610	TOWN POLICE SUPPLY	35669	TACTICAL BACKPACK	154.96
	18010	EVIDENT, INC.	23362BA	CAP SHURE SWABS	227.00
	31730	NATIONAL BANK	ALESHA A JULY23	CC PURHCASES	99.48
	31730	NATIONAL BANK	CLEMONS JULY23	CC PURHCASE	22.10
	36360	CMI, INC.	8058928	MOUTHPIECES 100	173.62
	40970	BKT UNIFORMS	917	HODGE UNIFORMS	121.99
	42733	FIRE RESCUE & TACTICAL	7104	JACKETS / SHIRTS	155.99
	42843	BENJAMIN S. GARMAN	REIMBFY23	MENS APPAREL	82.13
	42843	BENJAMIN S. GARMAN	REIMBFY23	UNIFORM	94.95
				ACCOUNT TOTAL	1,530.64 *
				MAJOR TOTAL	1,530.64 **
034010		***BUILDING INSPECTIONS***			
5230		TELEPHONE			
	38730	VERIZON WIRELESS	9941301330	CELL PHONES	150.21
				ACCOUNT TOTAL	150.21 *
5540		TRAVEL (CONVENTION & EDUC			
	31730	NATIONAL BANK	DAN G JULY23	CC PURCHASES	60.32
	31730	NATIONAL BANK	DAN G JULY23	CC PURCHASES	50.22
	31730	NATIONAL BANK	MARK B JULY23	CC CHARGES	75.00
	31730	NATIONAL BANK	MARK B JULY23	CC CHARGES	225.00
				ACCOUNT TOTAL	410.54 *
6001		OFFICE SUPPLIES			
	11870	OMEGA OFFICE SUPPLY & PRIN	48705	INSPECTION PERMITS	325.00
	43096	U.S. BANK EQUIPMENT FINANC	508357225	COPIER LEASE	70.61
				ACCOUNT TOTAL	395.61 *
				MAJOR TOTAL	956.36 **

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
035010	***ANIMAL CONTROL***				
5230	TELEPHONE				
	38730	VERIZON WIRELESS	9941301330	CELL PHONES	145.29
				ACCOUNT TOTAL	145.29 *
5825	VETERINARY SERVICES				
	27830	BLUE RIDGE VETERINARY HOSP	31688	DAISY VET VISIT	32.20
	27830	BLUE RIDGE VETERINARY HOSP	31777	THOR VET VISIT	146.72
				ACCOUNT TOTAL	178.92 *
6002	FOOD FOR POUND				
	43429	SLAUGHTERS SUPERMARKET	TRX113 07312023	DOG CHOW	90.10
	43429	SLAUGHTERS SUPERMARKET	TRX141 08112023	DOG CHOW	112.21
				ACCOUNT TOTAL	202.31 *
				MAJOR TOTAL	526.52 **
035050	***EMERGENCY SERV/HAZARDOUS MAT***				
5230	TELEPHONE				
	38730	VERIZON WIRELESS	9941301330	CELL PHONES	40.01
				ACCOUNT TOTAL	40.01 *
5896	AMERICAN RESCUE PLAN ACT				
	32370	TYLER TECHNOLOGIES INC	045-432219	REMOTE SESSIONS	4,564.00
	32370	TYLER TECHNOLOGIES INC	045-433053	REMOTE SESSIONS	3,912.00
				ACCOUNT TOTAL	8,476.00 *
6003	IT COMPUTER SUPPLY AND TE				
	43177	AMAZON CAPITAL SERVICES	11FXDGP6QQKR	NETWORK CABINET	1,548.77
				ACCOUNT TOTAL	1,548.77 *
				MAJOR TOTAL	10,064.78 **
043020	***GENERAL PROPERTIES***				
1300	COMPENSATION OF EXTRA HEL				
	43546	YARD BOYS	1160	ADMIN OFFICE	375.00
	43546	YARD BOYS	1161	LIBRARY	275.00
	43546	YARD BOYS	1162	COURTHOUSE	250.00
	43546	YARD BOYS	1167	TRANSFER STATION	475.00
				ACCOUNT TOTAL	1,375.00 *
3310	REPAIRS				
	450	WILLS RIDGE SUPPLY INC.	599159	CORD LINE	8.62
	830	CARTER MACHINERY COMPANY,	1430264	ADMIN GENERATOR	717.36
	830	CARTER MACHINERY COMPANY,	1434466	COURTHOUSE GEN2	512.40
	830	CARTER MACHINERY COMPANY,	1434467	COURTHOUSE GEN1	512.40
	1270	C.W. HARMAN & SON	394289	JOINT COMPOUND	59.97
	1270	C.W. HARMAN & SON	394556	COUPLER	11.97
	1270	C.W. HARMAN & SON	394577	SILICONE	15.96
	1270	C.W. HARMAN & SON	394621	JOINT COMPOUND	56.96
	25080	MARK HUFF PLUMBING AND ELE	08162023	WATER FOUNTAIN	3,000.00
	29160	ELECTRICAL SUPPLY INC.	165459	BULBS-LIBRARY	296.20
	43488	GAYLON GOAD	08172023	49 HOURS X 2	2,450.00

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
	43530	THE SHERWIN WILLIAMS CO	4932-1	PAINT	243.70
				ACCOUNT TOTAL	7,885.54 *
5110		ELECTRICAL SERVICE			
	420	APPALACHIAN POWER	2584163600JUL23	COPPER HILL	38.00
				ACCOUNT TOTAL	38.00 *
5140		PEST CONTROL			
	42706	DODSON PEST CONTROL	21-286103-0812	PEST CONTROL ADMIN	120.00
				ACCOUNT TOTAL	120.00 *
5230		TELEPHONE			
	38730	VERIZON WIRELESS	9941301330	CELL PHONES	48.43
	38730	VERIZON WIRELESS	9941301330	CELL PHONES	49.11
				ACCOUNT TOTAL	97.54 *
6005		JANITORIAL SUPPLIES			
	90	DIAMOND PAPER CO., INC.	320371	PAPER PRODUCTS	855.13
	290	CINTAS	4163785898	MOPS AND MATS	199.78
				ACCOUNT TOTAL	1,054.91 *
				MAJOR TOTAL	10,570.99 **
064010	***NEW RIVER COMMUNITY COLLEGE***				
5640		CONTRIBUTIONS			
	530	NEW RIVER COMMUNITY COLLEGE	08082023	FY24 QUARTERLY PYMT	2,070.75
				ACCOUNT TOTAL	2,070.75 *
				MAJOR TOTAL	2,070.75 **
071020	***FLOYD COUNTY RECREATION***				
3000		CONTRACTUAL SERVICES			
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	15.99
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	60.00
	43449	WILLIAM HARRISON	UMPIRE	ALL STAR UMPIRE	337.61
	43493	JAMES L. HENRY JR	AUG2023	MMA CLASSES	1,080.00
	43519	JEFFREY L KING	AUG2023	TRASH PICKUP	248.00
	43575	NATALEE WADE	08152023	FAMILY FUN DAY STAFF	48.00
	43597	ZACHARY TURPIN	08172023	UMPIRE SERVICES	950.00
	43599	THOMAS REED	07212023	BASEBALL UMPIRE	170.00
	43600	MACAYLA DUNCAN	SPRING 23	SPRING UMPIRE	411.45
	43601	NORMAN CROY	BASEBALL	BASEBALL UMPIRE	375.00
	43601	NORMAN CROY	SPRING	SPRING UMPIRE	75.00
				ACCOUNT TOTAL	3,771.05 *
3310		REPAIRS AND MAINTENANCE			
	28390	MEMITT MECHANICAL, INC.	9160	ICE MACHINE REPAIR	500.00
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	262.47
	43095	MEADE TRACTOR	11775552	OIL FILTER	22.88
				ACCOUNT TOTAL	785.35 *
3320		MAINTENANCE CONTRACTS			
	31730	NATIONAL BANK	LINDA M JULY23	CC CHARGES	16.99
				ACCOUNT TOTAL	16.99 *
5230		TELEPHONE			
	38730	VERIZON WIRELESS	9941301330	CELL PHONES	48.43
				ACCOUNT TOTAL	48.43 *

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ACCT#	NUMBER	NAME			
5530		TRAVEL-MEALS/LODGING/MILE			
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	30.00
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	48.79
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	62.03
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	2.53
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	30.00
	43363	CHRIS PALMER	GATOR OIL CHG	REIMBURSEMENT	22.88
				ACCOUNT TOTAL	196.23 *
6001		OFFICE SUPPLIES			
	31730	NATIONAL BANK	MARK B JULY23	CC CHARGES	90.51
				ACCOUNT TOTAL	90.51 *
6009		CONCESSIONS			
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	31.16
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	45.45
				ACCOUNT TOTAL	76.61 *
6013		SPORT TEAMS EXPENSE			
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	114.16
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	419.70
				ACCOUNT TOTAL	533.86 *
6014		SPECIAL EVENTS			
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	6.80
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	407.31
	43302	LINDA MILLSAPS	JULY2023	FAMILY FUN-ENTERTAIN	160.00
				ACCOUNT TOTAL	574.11 *
6015		ADULT VOLLEYBALL			
	31730	NATIONAL BANK	JACOB A JULY23	CC PURHCASE	639.50
				ACCOUNT TOTAL	639.50 *
8000		CAPITAL OUTLAY:EQUIPMENT			
	43523	FIRST WESTERN EQUIPMENT FI	3352167	LOAN PAYMENT	575.53
				ACCOUNT TOTAL	575.53 *
				MAJOR TOTAL	7,308.17 **
081200		***COMMUNITY DEVELOPMENT***			
5230		TELEPHONE			
	38730	VERIZON WIRELESS	9941301330	CELL PHONES	96.86
				ACCOUNT TOTAL	96.86 *
5540		TRAVEL			
	31730	NATIONAL BANK	KARLA T JULY23	CC PURHCASE	120.00
	31730	NATIONAL BANK	LYDEANA JULY23	CC PURHCASE	10.00
	31730	NATIONAL BANK	LYDEANA JULY23	CC PURHCASE	10.00
	31730	NATIONAL BANK	LYDEANA JULY23	CC PURHCASE	449.00
	31730	NATIONAL BANK	TABITHA JULY23	CC CHARGES	420.00
				ACCOUNT TOTAL	1,009.00 *
5810		DUES AND SUBSCRIPTIONS			
	31730	NATIONAL BANK	LYDEANA JULY23	CC PURHCASE	13.00
	31730	NATIONAL BANK	LYDEANA JULY23	CC PURHCASE	33.58
				ACCOUNT TOTAL	46.58 *
6001		OFFICE SUPPLIES			
	43096	U.S. BANK EQUIPMENT FINANC	508357225	COPIER LEASE	70.61
				ACCOUNT TOTAL	70.61 *

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
6103		CDBG FLOYD COUNTY HOUSING			
	43550	ROBERT WELCH CONTRACTOR, I	PYMT 3	PYMT 3 CDBG HOUSING	45,125.00
	43550	ROBERT WELCH CONTRACTOR, I	08152023	PYMT 4 / CDBG REHAB	19,950.00
				ACCOUNT TOTAL	65,075.00 *
				MAJOR TOTAL	66,298.05 **
082050	***MISCELLANEOUS PROGRAMS***				
5643		EMS COUNCIL DONATION			
	2170	WESTERN VIRGINIA EMS COUNC	205237	FY24 ALLOCATION	4,639.00
				ACCOUNT TOTAL	4,639.00 *
6038		REGIONAL JAIL PAYMENT			
	22640	NEW RIVER VALLEY REGIONAL	758	INMATE PER DIEM	31,592.30
				ACCOUNT TOTAL	31,592.30 *
6057		DEPT JUV JUSTICE GRANT-IN			
	42848	3RD MILLENNIUM CLASSROOMS	FCVA 0723	ONLINE COURSES	30.00
				ACCOUNT TOTAL	30.00 *
6069		COUNTY/TOWN TOURISM AUTHO			
	4430	TOWN OF FLOYD	FY24	FY24 ALLOCATION	40,000.00
				ACCOUNT TOTAL	40,000.00 *
6078		FLOYD COUNTY HISTORICAL S			
	35450	THE FLOYD COUNTY HISTORICA	FY24	FY24 ALLOCATION	1,000.00
				ACCOUNT TOTAL	1,000.00 *
6086		DRUG COURT COSTS			
	42949	LINEBERRY ENTERPRISES LLC	AUG23	RENT	400.00
	43021	OMNI PROPERTIES 2 LLC	AUG 2023	DRUG COURT LEASE	1,000.00
				ACCOUNT TOTAL	1,400.00 *
6087		FLOYD COUNTY HUMANE SOCIE			
	35750	FLOYD COUNTY HUMANE SOCIET	FY24	FY24 ALLOCATION	2,000.00
				ACCOUNT TOTAL	2,000.00 *
6099		JUNE BUG CENTER			
	38360	THE JUNE BUG CENTER	FY24	FY24 GRANT ALLOCA	2,250.00
				ACCOUNT TOTAL	2,250.00 *
				MAJOR TOTAL	82,911.30 **
083010	***COOPERATIVE EXTENSION PROGRAM***				
6001		OFFICE SUPPLIES			
	38678	JON VEST	AUG2023	REIMBURSE - PAINT	132.97
				ACCOUNT TOTAL	132.97 *
				MAJOR TOTAL	132.97 **
403230	***EMERGENCY MEDICAL SERVICES***				
3310		REPAIRS			
	42840	B & S AUTOMOTIVE SERVICE	0051640	17 RAM AIR COND REP	80.00
	42840	B & S AUTOMOTIVE SERVICE	0051694	20 FORD BATTERY	456.88
	42840	B & S AUTOMOTIVE SERVICE	0051773	17 RAM COMPRESSOR	887.95
	42840	B & S AUTOMOTIVE SERVICE	0051864	20 FORD BELT	156.80

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
	42840	B & S AUTOMOTIVE SERVICE	0051898	15 FORD OIL/AIR COND	305.58
	42840	B & S AUTOMOTIVE SERVICE	0051983	11 CHEVY OIL/TIRE	76.45
	42840	B & S AUTOMOTIVE SERVICE	0051996	10 FORD CABLES	160.00
				ACCOUNT TOTAL	2,123.66 *
5230		TELEPHONE			
	38730	VERIZON WIRELESS	9941301330	CELL PHONES	120.13
				ACCOUNT TOTAL	120.13 *
6004		MEDICAL AND LABORATORY SU			
	42837	ARC3 GASES, INC.	10069187	OXYGEN	99.54
	42837	ARC3 GASES, INC.	10082930	OXYGEN	190.96
				ACCOUNT TOTAL	290.50 *
6005		LAUNDRY/JANITORIAL SUPPLI			
	31730	NATIONAL BANK	DUSTIN T JULY23	CC PURCHASES	30.27
				ACCOUNT TOTAL	30.27 *
6014		OTHER OPERATING SUPPLIES			
	31730	NATIONAL BANK	DUSTIN T JULY23	CC PURCHASES	32.64
				ACCOUNT TOTAL	32.64 *
6015		DATA SERVICE CONNECTION P			
	40550	RAM SOFTWARE SYSTEMS, INC	6759	JULY 23 BILLINGS	3,052.23
				ACCOUNT TOTAL	3,052.23 *
				MAJOR TOTAL	5,649.43 **
				FUND TOTAL	207,396.26

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
042030	**SOLID WASTE**				
3140	LANDFILL MONITORING				
	340 DRAPER-ADEN ASSOCIATES		110719	LANDFILL TESTING	2,823.30
				ACCOUNT TOTAL	2,823.30 *
3310	REPAIRS AND MAINTENANCE				
	370 VIA'S TRUCK & TRACTOR REPA		0029090	16 PETER REPAIR	1,982.97
	370 VIA'S TRUCK & TRACTOR REPA		0029142	20 MACK REPAIR	253.47
	370 VIA'S TRUCK & TRACTOR REPA		0029153	02 CATE REPAIR	1,096.54
	370 VIA'S TRUCK & TRACTOR REPA		0029213	BATTERY	153.57
	370 VIA'S TRUCK & TRACTOR REPA		0029217	21 PETER REPAIR	1,868.32
	450 WILLS RIDGE SUPPLY INC.		598762	CARABINER / BOAR SNP	10.76
	31730 NATIONAL BANK		SHERRELL JULY23	CC PURHCASE	69.99
	31730 NATIONAL BANK		SHERRELL JULY23	CC PURHCASE	202.12
	35300 G AND B AUTO PARTS, INC.		328185	FUEL TANK ASSEMBLY	228.87
	35300 G AND B AUTO PARTS, INC.		49274	PWR STEER PUMP	20.00
	35300 G AND B AUTO PARTS, INC.		49299	PWR STEER FLUID	35.00
	42805 EXCEL TRUCK GROUP		XA101104163:01	AIR FILTERS	411.96
	42831 FLOYD AUTO PARTS		565510	EXACTFIT BLADE	29.98
	42831 FLOYD AUTO PARTS		566051	TRANS FLUID	43.96
	42831 FLOYD AUTO PARTS		566666	WASHER FLUID	4.99
	42982 ROYAL OIL COMPANY		216278	GREASE TUBES	1,117.00
				ACCOUNT TOTAL	7,529.50 *
5110	ELECTRICAL SERVICE				
	420 APPALACHIAN POWER		2097423202JUL23	LANDFILL	.56
	420 APPALACHIAN POWER		2777423209JUL23	LANDFILL	76.89
				ACCOUNT TOTAL	77.45 *
5230	TELEPHONE				
	38730 VERIZON WIRELESS		9941301330	CELL PHONES	31.65
				ACCOUNT TOTAL	31.65 *
6001	OFFICE SUPPLIES				
	11870 OMEGA OFFICE SUPPLY & PRIN		48778	WEIGHT TICKETS	74.70
	31730 NATIONAL BANK		SHERRELL JULY23	CC PURHCASE	79.70
				ACCOUNT TOTAL	154.40 *
6008	GAS, OIL, ETC.				
	31730 NATIONAL BANK		SHERRELL JULY23	CC PURHCASE	51.50
	31730 NATIONAL BANK		SHERRELL JULY23	CC PURHCASE	52.00
				ACCOUNT TOTAL	103.50 *
6014	OTHER OPERATIONAL SUPPLIE				
	290 CINTAS		4163933347	UNIFORMS	117.52
	290 CINTAS		4164630737	UNIFORMS	122.00
	31730 NATIONAL BANK		JENNY T JULY23	CC PURHCASES	115.85
	31730 NATIONAL BANK		MARK B JULY23	CC CHARGES	13.27
	31730 NATIONAL BANK		MARK B JULY23	CC CHARGES	10.91
	31730 NATIONAL BANK		MARK B JULY23	CC CHARGES	4.19
	31730 NATIONAL BANK		MARK B JULY23	CC CHARGES	120.77
				ACCOUNT TOTAL	504.51 *
6021	GRAVEL, STONE				
	42771 SALEM STONE		82223	GRAVEL	239.48
				ACCOUNT TOTAL	239.48 *

AP375H
8/18/2023
FUND # - 050

FLOYD COUNTY
LISTING OF INVOICES FOR 8/22/2023 -- 8/22/2023

BEFORE CHECKS
PAGE 11

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
6023		CONTRACT SERVICES/HAULING			
	36910	NEW RIVER RESOURCE AUTHORI	JULY23	JULY OUTGOING WASTE	34,910.52
	36970	THOMPSON TRUCKING, INC	129055	HAULING FEES - JULY	18,934.68
				ACCOUNT TOTAL	53,845.20 *
				MAJOR TOTAL	65,308.99 **
042040	**RECYCLING**				
3400		TIRE DISPOSAL TRANSPORTAT			
	43038	FRONTLINE LOGISTICS INC	025288	OUTGOING TIRES	5,164.80
				ACCOUNT TOTAL	5,164.80 *
				MAJOR TOTAL	5,164.80 **
				FUND TOTAL	70,473.79

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
031400	**E911**				
3175		TRUNK LINE MO CHARGE/CITI			
	38030	VERIZON	AUG2023	E911	11.16
				ACCOUNT TOTAL	11.16 *
3320		MTN CONTRACTS/ALL SYSTEMS			
	1670	PROFESSIONAL COMMUNICATION	80000924	QUARTERLY MAINT	4,477.71
				ACCOUNT TOTAL	4,477.71 *
8112		ROAD SIGN MAINTENANCE			
	36110	JZ SIGNS	4085	ROAD SIGNS	2,686.07
				ACCOUNT TOTAL	2,686.07 *
8116		WIRELESS DATA BASE COSTS			
	43096	U.S. BANK EQUIPMENT FINANC	508357225	COPIER LEASE	70.61
				ACCOUNT TOTAL	70.61 *
8121		CAPITAL OUTLAY:WIRELESS E			
	31730	NATIONAL BANK	KEVIN S JULY23	CC PURHCASES	475.00
	31730	NATIONAL BANK	KEVIN S JULY23	CC PURHCASES	76.00
	31730	NATIONAL BANK	KEVIN S JULY23	CC PURHCASES	475.00
	31730	NATIONAL BANK	KEVIN S JULY23	CC PURHCASES	76.00
	31730	NATIONAL BANK	KEVIN S JULY23	CC PURHCASES	884.53
				ACCOUNT TOTAL	1,986.53 *
				MAJOR TOTAL	9,232.08 **
				FUND TOTAL	9,232.08

AP375H
8/18/2023
FUND # - 250

FLOYD COUNTY
LISTING OF INVOICES FOR 8/22/2023 -- 8/22/2023

BEFORE CHECKS
PAGE 13

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
022010					
8001		COMMONWEALTH ATTORNEY DRU			
	31730	NATIONAL BANK	ERIC B JULY23	CC CHARGES	84.20
	31730	NATIONAL BANK	ERIC B JULY23	CC CHARGES	162.15
				ACCOUNT TOTAL	246.35 *
				MAJOR TOTAL	246.35 **
				FUND TOTAL	246.35
				TOTAL DUE	287,348.48

Approved at meeting of _____ on _____.

Signed _____
Title _____ Date _____

Title _____ Date _____

Title _____ Date _____

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 Bechtold.
- 3. Pledge of Allegiance** – Supervisor Boothe offered the Pledge of Allegiance.
- 4. Quorum** – Dr. Millsaps called the roll. A quorum was found for all Supervisors.
- 5. Approval of Agenda** – On a motion by Supervisor Kuchenbuch, seconded by Supervisor Boothe and unanimously approved as amended to add § 2.2-3711 A.28 under closed session.
- 6. Approval of Disbursements** – On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch and unanimously approved.
- 7. Approval of minutes** – On a motion by Supervisor Cox, Seconded by Supervisor Bechtold and unanimously carried to approve the following minutes, 6/20/23 and 7/25/2023.
- 8. Presentations -**

a. Dr. Cromer- Floyd County School Superintendent

Dr. Cromer opened by stating she is looking forward to the open house today and the start of the new school year tomorrow. Dr. Cromer noted her thanks to Kevin Sowers and appreciated the communication with him regarding postponing yesterday's open house due to pending weather and safety. Dr. Cromer updated the Board sharing that the school board had a retreat, and it was very productive. Dr. Cromer stated that they continue to work with Parks and Recreation regarding field use and programs.

Supervisor Kuchenbuch asked about the staffing at this time. Dr. Cromer replied that they are staffed up and had a new teacher day this past week and excited about the energy.

Supervisor Boothe asked about enrollment numbers. Dr. Cromer stated that she will have a better gauge within a week or two. Supervisor Boothe asked Dr. Cromer to forward the enrollment numbers, when she knows, to Dr. Millsaps to share with the Board. Dr. Cromer stated she would.

Dr. Millsaps thanked Dr. Cromer for the great communication they have been having and appreciated it.

b. David Clarke, Virginia Department of Transportation

Mr. Clarke opened by stating the work on Oxford went well. Also noted, is the work being done on; Jerry Lane's preparation work, pipe replacement on Daniels Run, slope repair on Sowers Road as well as brush cutting throughout.

Supervisor Bechtold noted the need for brush clearing on Mill Road to the end of the road.

Supervisor Boothe inquired about extending the lights over the new crosswalks. Mr. Clarke discussed the funding availability and will look into it and report back. Supervisor Boothe also requested to add some sort of asphalt/gravel to 730 and Route 8 to assist with the trucks and turning. Also, Supervisor Boothe noted that on Fearney Creek Road where the steep hill is there is a lot of washout and ditching needed. Lastly, Supervisor Boothe asked for VDOT to do a clean-out around most of the signs regarding the brush over them.

Supervisor Kuchenbuch discussed 615 to Ridgeview and asked for attention due to cracks at seams and edges. Also, Supervisor Kuchenbuch noted that on White Oak, slipping off in places and needs attention before it gets worse. As well, discussed Eanes Road and the need for work/gravel. Lastly, Supervisor Kuchenbuch noted the Maples and Ash Trees that have a fungus and are in our right of way and these are large trees, and concerned about the safety if one of these were to go down. Mr. Clarke stated he would add that and look into taking care of it by placing them on the schedule.

Supervisor Cox noted that Diamond Knob and Lick Ridge need attention. Also shared that on Daniels Run where the culvert was replaced, it has caused some extended bumpy wavy areas in the road.

Supervisor Turman shared that, he has mentioned this before, but Buffalo Mountain Road needs something to be done up there. Also, Supervisor Turman shared that

on Reese Road, the culvert is stopped up. Supervisor Turman, lastly noted that on Camp 5, and not sure if it was a contractor or not, but they were mowing probably over 2 inches high of grass and it was all out into the road which is a safety hazard, especially for bikers. Mr. Clarke stated that it is part of the contract they have to blow the street of grass and that he will look into it.

Throughout the discussion with Mr. Clarke, each Supervisor made a special note to thank VDOT for all the work that has been done within their respective districts.

9. Old Business

a. Solid Waste Ordinance review – Steve Durbin, Floyd County Attorney, discussed and read allowed the revisions that were made. (Note the draft of the County Solid Waste Ordinance placed in the Boards Correspondence folder) A detailed conversation ensued regarding open dumps definition, disposal, hazard waste, fines, and penalties for specific offenses.

b. Solid Waste Ordinance advertising –

On a motion by Supervisor Boothe, seconded by Supervisor Kuchenbuch and unanimously carried to approve the advertisement of the solid waste ordinance to run the next two weeks with 7 days apart and to hold the Public Hearing on August 22nd at 7:00 p.m. with the intent to approve the ordinance.

10. Closed Session:

On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch and passed unanimously, the Board voted to move to closed session under § 2.2-3711 A.29 and § 2.2-3711 A.8.

§ 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. Radio System

§ 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.

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

On a motion by Supervisor Kuchenbuch, seconded by Supervisor Bechtold, 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 Kuchenbuch 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. New Business

- a. FY24 Budget Communication update
 - i. Contribution letters – Contribution letters completed and emailed to all external departments that the Board approved FY24 monies to.
 - ii. Carryover requests – FY23 expenditure reports sent to internal departments along with carryover requests.

13. Board Time

Supervisor Kuchenbuch stated that both she and Mr. Cox have been invited to Mr. McSherry's home as a follow-up to his presentation and asked they visit tomorrow evening on 8/9/2023.

14. County Administrator's Report

- a. Bank Update – Officially closed on bank 8/7/2023.
- b. DSS – Communication as to the move upstairs.
- c. Extension – Utilizing old recreation space.
- d. Convenience Center/Green Box
- e. Transfer Station staff Appreciation
- f. Staff Retreat -September 6th, 2023
- g. Library Achievement Award
- h. Local Assistance and Tribal Consistency Fund
- i. Copier and Scanner discussions – county bundle system
- j. 2 Bids for the animal control fence. One will be awarded and the funds that were collected by the public will cover the bid.

17. Correspondence –

No issues, concerns, or questions about correspondence.

18. Adjournment:

On a motion by Supervisor Boothe, seconded by Supervisor Kuchenbuch and unanimously approved to adjourn the meeting until the next scheduled meeting of 8/22/2023, 6:00 p.m., a special called meeting.

Dr. Linda Millsaps, County Administrator

Joe Turman, Chairman

**AN ORDINANCE AMENDING THE FLOYD COUNTY SOLID WASTE ORDINANCE
TO CLARIFY REGULATIONS RELATING TO DISPOSAL OF SOLID WASTE AND
ESTABLISHING ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS OF THE
ORDINANCE**

WHEREAS, pursuant to authority granted by the Code of Virginia, including without limitation §§ 10.1-1400 *et seq.*, 15.2-900 *et seq.*, 15.2-1200, 15.2-1426, 15.2-1427, 15.2-1429 localities are empowered to adopt regulations governing the collection, treatment, storage and disposal of solid waste within their jurisdictions, to protect public health, safety and general welfare and to impose criminal and civil penalties for enforcement of such regulations; and

WHEREAS, pursuant to such statutory authority, the Board of Supervisors of Floyd County, Virginia (the "Board") has adopted Chapter 42, of the Code of Floyd County, Virginia; and,

WHEREAS, the Board has determined that it is in the best interests of the citizens of the County to modify the aforesaid ordinance as described herein, in order to better protect the public health, safety and welfare, to reduce litter and pollution within the County, to promote the orderly and efficient disposal of solid waste generated within the County, and to prevent the creation of nuisance conditions at the designated solid waste collection sites within the County;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Floyd County, Virginia, that Section 42-1 of Chapter 42 of the Floyd County Code of Ordinances is hereby amended and readopted to read as follows:

Sec. 42-1. - Authority.

This chapter is enacted pursuant to the provisions of the Virginia Waste Management Act, Code of Virginia, § 10.1-1400 *et seq.*, and Code of Virginia, §§ 15.2-900 *et seq.*, 15.2-1200, 15.2-1426, 15.2-1427, 15.2-1429 and other relevant provisions of law for the purpose of providing for the proper treatment and disposal of solid and hazardous waste and for the appropriate siting of solid waste management facilities within the county, in the interest of the public health, safety, and welfare of the citizens and inhabitants of the county.

AND, BE IT FURTHER ORDAINED by the Board of Supervisors of Floyd County, Virginia, that Section 42-2 of Chapter 42 of the Floyd County Code of Ordinances is hereby amended and readopted to read as follows

Sec. 42-2. - Definitions.

For the purpose of this chapter, the terms or words used in this chapter shall have the same meaning as the same terms or words as defined in the Virginia Waste Management Act, Code of Virginia, § 10.1-1400 *et seq.*, unless a different meaning is required by the context of the use or is expressly provided for. The following words, terms and phrases, when used in this chapter, shall have the

meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agent means the person charged by the county board of supervisors for serving as the contact and submittal point for applications and shall be the county administrator or other person designated as such by the county administrator. The Floyd County Sheriff and the Sheriff's deputies shall have authority to enforce this ordinance by issuance of criminal or civil process, in accordance with this Ordinance.

Applicant means the person seeking a permit or certificate from the county board of supervisors for the collection, treatment, long-term storage exceeding 90 days, or disposal of solid waste and shall include those persons seeking the approval of the board of supervisors for the operation of a solid waste management facility. The term "applicant" shall include, in addition to the person actually executing the application or the person in whose name the application is made, the actual party-in-interest or parties-in-interest if the party-in-interest is different from the person executing the application or the person in whose name the application is made.

Application means the process of seeking a permit or certificate from the board of supervisors for the collection, treatment, long-term storage, or disposal of solid waste, and shall include those persons seeking the approval of the board of supervisors for the establishment or operation of a solid waste management facility. The term "application" shall include all procedures and information required to be submitted to obtain such permit or certificate, regardless of the format which shall be required by the board of supervisors or by the agent for such submittal.

Board of supervisors means the board of supervisors of the county.

Certificate means the certification from the board that a proposed solid waste management facility complies with all applicable local ordinances pursuant to Code of Virginia, § 10.1-1408.1. Such certification, with appropriate conditions and safeguards, shall constitute the board's approval of the establishment and operation of the solid waste management facility.

Captive industrial landfill means a solid waste management facility which accepts nonhazardous solid waste only from a business or industry located on the same site generated as part of an on-site production process. Provided, no captive industrial landfill shall accept for disposal any radioactive or nuclear solid waste.

Disposal means the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste into or on any land or water so that such solid waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

Solid waste means any garbage, refuse, sludge and other discarded material, including solid, liquid, semisolid or contained gaseous material, resulting from industrial, commercial, mining and agricultural operations, residential or community activities but does not include solid or dissolved material in domestic sewage; solid or dissolved material in irrigation return flows or in industrial discharges which are sources subject to a permit from the state water control board; or source, special nuclear, or byproduct materials as defined by the Federal Atomic Energy Act of 1954, 42 USC 20011 et seq., as amended.

Solid waste may be further categorized as follows:

Agricultural solid waste means all solid waste produced from commercial farming operations or related commercial preparation of farm products for marketing, but does not include waste resulting from agricultural products consumed by the farm household as part of daily household consumption.

Commercial solid waste means all solid waste generated by establishments engaged in business operations other than manufacturing. This category includes, but is not limited to, solid waste resulting from the operation of stores, markets, office buildings, restaurants and shopping centers.

Construction solid waste means solid waste which is produced or generated during construction of structures (as defined in the Virginia Uniform Statewide Building Code). Construction solid waste generally consists of lumber, wire, sheetrock, brick, shingles, glass, pipes, concrete, metal and plastics if the metal or plastics are part of the materials of construction or are empty containers for such materials. Paints, coatings, solvents, asbestos, any liquid, compressed gases or semi-liquids are hazardous wastes and not construction wastes, and must be disposed of as hazardous wastes in accordance with this ordinance.

Demolition solid waste means that solid waste which is produced by the destruction of structures and their foundations and includes the same materials as construction wastes.

Hazardous waste means a solid waste or combination of solid waste which, because of its quantity, concentration or physical, chemical or infectious characteristics may

- 1) cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or
- 2) pose a substantial present or potential hazard to human health, the disposal system, or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

The foregoing definition is intended to include any waste now or hereafter designated as such by state or federal agencies with jurisdiction and authority to promulgate and enforce rules and regulations for the handling and disposal of hazardous and other waste.

Household solid waste means any solid waste normally produced or derived from single and/or multiple residential households. The term excludes construction solid waste, demolition solid waste, agricultural solid waste, and hazardous waste, regardless of whether such waste was produced from a residential household.

Industrial solid waste means all solid waste generated by establishments engaged in manufacturing, including solid waste generated from factories, warehouses, and similar facilities and excluding hazardous waste.

"radioactive waste or nuclear waste" shall have the same definition as contained in §10.1-1400 of the Code of Virginia, 1950, as amended.

Solid waste management facility means a site used for planned treating, longterm storage exceeding 90 days, or disposing of solid waste. A facility may consist of several treatment, storage, or disposal units.

AND, BE IT FURTHER ORDAINED by the Board of Supervisors of Floyd County, Virginia, that Section 42-11 of Chapter 42 of the Floyd County Code of Ordinances is hereby amended and readopted to read as follows

Sec. 42-11. - Penalties and enforcement.

(a) The agent, and such other officers as the agent may designate, shall be responsible for enforcing the requirements of this chapter.

(b) Except as otherwise provided in this chapter, first-offense violations of Section 42-31 of this chapter may be enforced as a misdemeanor and subject to a fine of two hundred fifty dollars (\$250.00) or, at the election of the Agent, may be enforced by a civil penalty of two hundred fifty dollars (\$250.00). Enforcement of a first offense as misdemeanor shall preclude enforcement for the same offense by civil penalty, and enforcement of a first offense by civil penalty shall preclude enforcement for the same offense as a misdemeanor. Subsequent violations of section 42-31, and all other violations of this chapter shall be subject to a fine of up to \$2,500.00 and/or up to 12 months imprisonment as provided in Code of Virginia, § 15.2-1429. Each act of illegal dumping or other act in violation of Section 42-31 of this chapter shall constitute a separate offense, and separate violations, even occurring on the same day, shall be punished as separate offenses. Violations of this chapter may also be enforced by a suit for injunctive relief in a state court of competent jurisdiction. Prosecution of either criminal proceedings or suit for a civil penalty shall preclude prosecution of the other proceeding for the same offense. Institution of a suit for injunctive relief only shall not preclude subsequent criminal prosecution or other civil remedies, including civil penalties.

(i) Procedure for imposition of civil penalties.

(A) The officer enforcing this ordinance may bring civil proceedings for enforcement of the civil penalty, and accompanying such process shall be a written notice advising any

person cited for a violation of his right to make an appearance in person or in writing by mail to the Agent prior to the date fixed for trial in general district court. Any person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such person shall be informed of his right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court. If a person charged with a scheduled violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided by law. In any trial for a violation, it shall be the burden of the county to show the liability of the violator by a preponderance of the evidence. An admission of liability or finding of liability shall not constitute a criminal conviction for any purpose.

(B) Any civil penalty assessed pursuant to this chapter shall be paid by the agent into the County Treasury

(c) Nothing in this chapter shall be construed to exempt any person or applicant from any other federal, state, or local regulations required for the establishment, operation, or maintenance of a solid waste management facility.

(d) The agent may direct that any person engaged in solid waste management activities in violation of this chapter or in violation of any certificate issued pursuant to this chapter, to cease and desist the improper activity. If the agent directs that any facility operator that has been issued a certificate cease its operations, the agent shall offer the operator the opportunity for a hearing before the agent within 48 hours to consider whether to continue the cease and desist order pending further administrative or judicial action or corrective action by the owner or operator.

(e) Penalties for specific offenses:

i. Disposing of animal carcasses or parts thereof at bulk container sites, whether the carcass is deposited within a bulk container or left outside of the bulk container shall constitute an offense and be punishable as a misdemeanor and subject to a fine upon conviction of no less than \$500 for a first offense, and not less than \$1,000 for a subsequent offense within one calendar year. This subsection shall not be construed to prohibit disposal of kitchen scraps or other animal parts resulting from preparation of meals for individual households.

ii. Feeding animals in violation of section 42-31 shall constitute an offense punishable as a misdemeanor and subject to a fine upon conviction of no less than \$500 for a first offense and not less than \$1,000 for a subsequent offense within one calendar year.

(f) Except as otherwise provided by law, all fines and fees payable for violations of this Chapter shall be paid into the County Treasury and dedicated for solid waste mitigation purposes.

AND, BE IT FURTHER ORDAINED by the Board of Supervisors of Floyd County, Virginia, that Section 42-31 of Chapter 42 of the Floyd County Code of Ordinances is hereby amended and readopted to read as follows

Sec. 42-31. - Use of bulk containers.

(a) *Use by county residents and authorized persons only.* No person shall deposit or cause to be deposited solid waste within any disposal container or bulk container located at a "green box" station maintained by the county except residents of the county and those persons who own real property in the county, provided that only solid waste generated within Floyd County may be disposed at such sites. Persons residing in "short term rentals" within the county shall be authorized to dispose of household solid waste generated at such short term rental, provided that a paid receipt is provided evidencing an active stay in such short term rental, and further provided that such short term rental is properly registered for such purpose in accordance with all ordinances of the county. The board of supervisors may authorize any person to use the green box stations by resolution subject to those terms and conditions stated in any such resolution. Any such resolution may provide for the issuance of a permit or permits to authorize the use of green box stations.

(b) *Notice posted on or near bulk containers.* In addition to all other requirements of this chapter, the bulk containers shall be used in compliance with the notices posted on or near the container. Disregarding a posted notice shall constitute an offense punishable in accordance with this chapter.

(c) *Depositing unacceptable items in bulk containers.* Green boxes and bulk containers shall be used only for the deposit of household solid waste. It shall be unlawful for any person to deposit in a green box or bulk container any non-household solid waste except as designated in this chapter. It shall be unlawful to leave any items of solid waste at green box or bulk container locations outside of such containers, regardless of whether such items would otherwise be permissible to deposit within such container. It shall likewise be unlawful to deposit in a green box or bulk container any of the following items:

- (1) Any item too large to fit in the green box or bulk container;
- (2) Discarded building materials, including construction waste and demolition waste;
- (3) Trees, leaves, grass, clippings, and brush;
- (4) Manure;
- (5) Household appliances;
- (6) Furniture, including indoor and outdoor furniture;
- (7) Tires;
- (8) Mattresses and boxsprings;
- (9) Carpet;
- (10) Cardboard boxes too large to fit in the green box or bulk container;
- (11) Automotive parts or machinery with oil or fuel reservoirs;
- (12) Commercial solid waste;
- (13) Industrial solid waste;
- (14) Agricultural solid waste and animal carcasses;
- (15) Hazardous waste; and

(16) Explosives.

Those commercial establishments that have made privately owned property available for the placement of green boxes or bulk containers may use such green box or bulk container for the deposit of nonhazardous commercial solid waste.

(d) *Scavenging*. It shall be unlawful for any unauthorized person to scavenge or otherwise remove any discarded solid waste from or about any bulk container.

(e) *Ashes*. It shall be unlawful to place ashes or live coals in bulk containers unless the ashes or coals are extinguished and are cold.

(f) *Feeding animals*. It shall be unlawful to feed or leave food for any animals at any bulk container site, including feral or stray cats, dogs or other domestic animals or wildlife.

(g) It shall be unlawful to place hazardous waste in any green box/bulk waste container or other receptacle, or to deposit the same in any collection or disposal area or facility not lawfully authorized to accept such waste. It shall be unlawful to place any hazardous waste at the county transfer station except with specific authorization to do so as part of county-sponsored "household" hazardous waste collection events.

AND, BE IT FURTHER ORDAINED by the Board of Supervisors of Floyd County, Virginia, that Section 42-56 of Chapter 42 of the Floyd County Code of Ordinances is hereby amended and readopted to read as follows

Sec. 42-56. - Acceptance of waste not required.

The county shall not be required to accept for transfer or disposal any solid waste, hazardous waste, or other materials delivered or deposited at the transfer station or any green box station. The county may, from time to time, sponsor events to collect and dispose of certain types of hazardous waste generated in small quantities such as cleaning products commonly used in individual households, but the county shall not be required to conduct such events and shall not be required to accept any hazardous waste at any time if the county determines in its sole discretion not to do so.

AND, BE IT FURTHER ORDAINED by the Board of Supervisors of Floyd County, Virginia, that all other provisions in Chapter 42 of the Floyd County Code of Ordinances not specifically amended herein shall remain in full force and effect.

This ordinance shall become effective _____, 2023.

This Ordinance was duly adopted this _____ of September, 2023.

	Aye	Nay
Joe D. Turman	_____	_____
Jerry W. Boothe	_____	_____
Kalinda Bechtold	_____	_____
Linda DeVito Kuchenbuch	_____	_____
Levi Cox	_____	_____

I, LINDA S. MILLSAPS, HEREBY ATTEST THAT THIS IS A TRUE AND ACCURATE COPY OF SAID ORDINANCE.

Linda S. Millsaps
County Administrator