

**BOARD OF SUPERVISORS
REGULAR MEETING
JUNE 25, 2019**

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, June 25, 2019 at 7:00 p.m. in the Board Room of the County Administration Building thereof;

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

Chairman Yoder called the meeting to order at 7:00 p.m. with the reading of the handicapping statement.

Agenda Item 2. – Opening Prayer.

The Opening Prayer was led by Supervisor Coleman.

Agenda Item 3. – Pledge of Allegiance.

Chairman Yoder led in the Pledge of Allegiance.

Agenda Item 4. – Public Comment Period.

Chairman Yoder called for the Public Comment Period.

Ms. Karen Baker, Little River District – I am here today because I recently became aware through the local Facebook of a resolution that the Board passed on March 12. I would like to make a comment about that. The Board of Supervisors on March 12 resolved that you opposed a bill in the State legislature having to do with late term abortion. You resolved that testimony that was received in Richmond “supports the logical conclusion that the Bill will permit abortion even during the process of labor and delivery” and that you oppose the “passage of any bill that allows the taking of human life without due process.” I am not here to argue about the findings in your resolution, although I sincerely doubt that one of you or all of you reviewed the testimony that you characterized in your resolution saying that supports the logical conclusion. I think someone told you that is what it did and you put that in a resolution. I don’t want my Board of Supervisors making their decisions based on what somebody told them, somebody said in another city on another issue at another time. That is my first concern. My second concern today is to register my protest that you would act in such a manner which is inconsistent...I looked on your website and you know that your mandate is to prepare the budget and appropriate funds, levy tax rates, appoint members to various boards, construct and maintain County buildings, adopt and enforce ordinances and adopt the comprehensive land use plan. There is nothing in your stated duties that include making such a resolution and no reason why you as a Board of Supervisors would have done so except that you perhaps individually feel strongly on this issue. As Chairman Yoder stated when he insisted that the approach was 100% biblical and God’s law was his authority. It is because there was no reason to do so as a Board of

Supervisors that I am concerned. What comes next? Will the Board of Supervisors conclude that you oppose gay marriage and resolve that the County will not support it? How about people cohabitating? For example, will you now decide that doctors in Floyd County can't prescribe IUDs or birth control pills because they prevent the implantation of a fertilized egg? You see there is no end to the issues that you as individuals might have feelings about, deep-rooted religious feelings about, and that you may decide to make resolutions about...homosexuality, cohabitation, perhaps drinking, dancing, playing cards, perhaps birth control. Whatever your concerns religiously are or what you believe God's law is on any of these matters, I do know that none of these matters are your concern in your capacity as Board of Supervisors. I would like to share that I lived in South Carolina for many years. In 1996, Greenville County, South Carolina's Board of Commissioners, a Board like this, decided that the County abhorred the gay lifestyle and the County was therefore family friendly and they resolved that they abhorred the gay lifestyle. They said it had no effect. But I would like to say that what happened was first of all, the Olympic torch was brought across South Carolina by runners and when they reached Greenville County, the runners got in their cars and drove through and did not acknowledge the County. After that there were regional NCAA sports events that left the County because of what they had done. I would like to use that as a warning for you to not in the future make decisions about hot-button issues that are not within your purview. Thank you.

Ms. Virginia Neukirch, Courthouse District – This winter a group of Floyd residents concerned with the polarization of our country started meeting monthly to discuss how we could help in our own small way to improve the situation. Helping in our own County made sense. Being more informed with what is happening right here in Floyd. Some of our group joined the Montgomery Chapter of the League of Women Voters, a non-partisan, nationwide organization. It was formed to help women take a larger role in public affairs after we won the right to vote. Today that still holds true, but they are not a one issue organization and are involved in many different issues. Also men belong to this organization. It is not women only. Some in our group have met with Amy Ingram to discuss how we could play a role in getting folks registered to vote and then getting them to the polls. Also getting more information out to make it easier to find out where to vote, etc. Before this I had already decided to attend Supervisors' meetings because I wanted to be more in touch with decisions being made in my County so I offered to bring information back to my group from the Supervisors meeting. I do not represent the group and anything I say tonight is just my opinion. I was happy to see the monies approved in the budget for the expansion of vocational training and career development at the high school. I was not cut out for college. The vocational school where I grew up only offered training for auto mechanics and beauticians, both needed professions but ones I was not interested in. With the help of my father I was able to locate an apprenticeship at a business, learned my trade, and went on to have a successful business for 23 years which I sold. I'm glad the kids in Floyd will have more choices than I did. I was disappointed that the Supervisors put out a public resolution about the life. I feel that your job is to oversee running the County and that is what you were voted into office to do. The resolution has nothing to do with County business. I appreciate...I do think some Supervisors abstained and I appreciate that. Last, I am really glad you gave yourselves a raise. I realize it is a symbolic amount, but it is still important for it to happen. I appreciate all the work this Board does. My father was in public office in a small town in New York where I grew up and I saw firsthand all the time put into positions like you hold. Thanks for listening.

Mr. Will Griffin, Courthouse District – I also serve as the Mayor for the Town and Vice Chairman of the Floyd-Floyd County Public Service Authority (PSA). I just wanted to come in front of the Board tonight. A week ago, as everyone is aware, we had a pretty severe water break. It ended up shutting down the water system for the Town for 14 to 16 hours. We had a water boil. I just wanted to come in front of the Board tonight and thank Kevin Sowers for all he did. Kevin came out and helped us organize and kind of walked us through processes and gave us contacts as to who to get in touch with and what to do. He really made a big difference. We shut down our office and sent our staff down to the PSA to help make phone calls. Our Public Works guys came down and flagged. It is just another example of how well things go when we all work together. Just wanted to give gratitude for it. Thanks.

Mr. William Esterhuizen, Little River District – About the water main break...Linda DeVito and I had a meeting last week and had a brief discussion about it. I think it behooves the County and certainly the city to look at having a business continuity plan. There seems to me that there is no plan for the eventuality of anything major occurring. For me being in business for as many years as I have been, there was always a business continuity plan for the eventuality of anything that occurred. It doesn't mean that you have to plan for every instance, but you do have to have a plan what to do, when to do it, and how to do it. To me even though there was a call to action to repair a water main break, there really was no plan. I don't think there is a plan for the County in the way of looking at what could occur and when it would occur. And kind of having a dress rehearsal to actually go through the procedures around it. I would like to bring that up to the Supervisors specifically to have that sort of focus on coming up with not a plan to end all plans, but to have a plan to address situations because the lack of anything doesn't mean you are going to have a successful outcome. We were fortunate. The Town of Floyd was very fortunate that there was a call to action but not so fortunate if there are other catastrophes to occur.

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

Agenda Item 5. – Approval of year-end disbursements.

Questions and discussion followed.

On a motion of Supervisor Turman, seconded by Supervisor Coleman, and unanimously carried, it was resolved to approve the year-end disbursements as presented.

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

Agenda Item 6. – Approval of year-end transfers.

Supervisor Justin Coleman stated the following for the record:

Today’s discussion involves the County budget which includes funding for the Floyd County Sheriff’s Office. As many of you know, I am employed by the Floyd County Sheriff’s Office. The proposed funding would affect the entire department and not just me individually. Together we constitute a group of three or more individuals who are similarly employed by the Sheriff’s Office and similarly affected by the discussion. Therefore the exception of State and Local Government Conflict of Interests Act section § 2.2-3112 A (i) applies to this situation and I am able to participate in this discussion fairly and in the public interest. Thank you.

Ms. Ryan gave an overview of the status of Floyd County’s financial situation as of June 20, 2019:

- 1) As of June 20, 2019 Floyd County has collected \$37,090,157.06 in revenues and paid out \$36,931,772.94 which means there has been \$158,384.12 more received than paid.
- 2) With 10 more days remaining in the month, Floyd County will continue to collect revenues.
- 3) For expenditures, the School Board still needs to run and post the post-year salaries for FY19 and the Department of Social Services will continue to print checks up through June 28. Floyd County keeps both FY19 and FY20 open for the 2 check runs in July and the 1st check run in August.
- 4) Included in your Board packet is a report that shows appropriations to date and expenditures and encumbrances to date by department. As you can see some of the departments ended up over spending their appropriation and many departments and funds did not spend all of the money appropriated to them. Departments whose expenditures exceed appropriations are identified in red.
- 5) Following are the reasons and amounts that departments spent more than the amount budgeted to them:

DEPARTMENT	OVERAGE	REASON
2104-County Attorney	\$ 32,434.50	Professional Services for legal services was more than budgeted because of unanticipated events and opportunities.
3503-Medical Examiner	\$ 40.00	Had two more medical autopsies than budgeted.
4302-General Properties	\$ 1,056.77	Repairs and Janitorial Supplies was more than budgeted.
7102-Parks & Recreation	\$ 620.50	Expenditures were more than expected such as cost of FY18 audit and revenues were less than budgeted. We have been made aware that there are about \$9,000 in other FY19 bills that have not been paid.
8150-Economic Development Authority	\$142,120.87	Preliminary Engineering on Lots 4 & 8 and incentive package for purchase of Dreaming Creek property
403230-Emergency Medical Services	\$ 10,375.68	Pay to flex-time employees was more than budgeted.

DEPARTMENT	OVERAGE	REASON
Fund 50-Environmental Fund Expenditures	\$ 80,331.96	\$160,639 is encumbered for purchase of a roll-off truck, hauling and disposal; repairs and maintenance; landfill monitoring continues to exceed budget.
Fund 110-Social Services Fund	\$ 6,489.05	Continuing to have more cases with more severe needs. Will be requesting additional revenue and expenditure appropriations after final check run. We have to pay for Funds 110 and 111 in advance but much of the amount will be reimbursed by the State.
Fund 111-CSA Fund	\$ 56,535.26	

- 6) At this point in time we have \$86,922.69 left in Contingency to cover some of the departments whose expenditures exceeded appropriations. Also unspent appropriations in departments that are from local funds can be transferred to those departments who over spent their appropriation. In the Commissioner of Revenue's budget we had over \$90,000.00 remaining from the CAMA system project that could be transferred to other departments.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the FY19 year-end transfers as presented:

FROM	AMOUNT	TO	AMOUNT
Contingency	\$86,922.69	2104-County Attorney	\$32,434.50
		3501-Medical Examiner	\$ 40.00
		4302-General Properties	\$ 1,056.77
		7102-Parks & Recreation	\$ 620.50
		403230-Emergency Medical Services	\$10,375.68
		Fund 50-Environmental Fund Expenditures	\$42,395.24
1209-Commissioner of the Revenue	\$37,936.72	Fund 50-Environmental Fund Expenditures	\$37,936.72

Supervisor Boothe – no
Supervisor Coleman – yes
Supervisor Kuchenbuch – yes
Supervisor Turman – yes
Supervisor Yoder – yes

Agenda Item 7. – Carry-over requests to FY20 budget.

Ms. Ryan explained the carry-over requests departments submitted for money remaining in their departments that they wanted available to spend in FY20:

DEPARTMENT	AMOUNT	SOURCE TYPE	REASON FOR USE
Auditor	\$8,000.00	Expenditure – Professional Services	Carryover to Parks and Recreation to pay for that department’s FY19 audit – <i>Recommend</i>
Assessors Dept 1210	\$119,226.35	Expenditures – Professional Services	Funds encumbered by contract but not expended to date – <i>Recommend</i>
Sheriff’s Office Dept 3102 & 3301	\$1,913.00	Expenditures – Corr & Det Police Uniforms	Funds encumbered by purchase order – <i>Recommend</i>
	\$3,392.00	Expenditures – Sheriff Capital Outlay Vehicles	Funds encumbered by purchase order – <i>Recommend</i>
	\$15,000.00	Expenditures – Corrections & Detentions Hospital Plan	Would like to use this to payout expected annual leave for employee who plans to retire in FY20 – <i>Recommend</i>
	\$20,000.00	Expenditures – Corrections & Detentions Hospital Plan, Overtime, FICA, Retirement	Discussed during Board meetings that funds not spent in FY19 would be carried over to FY20 to meet leasing and equipment needs for vehicles in FY20 – <i>Recommend</i>
	\$20,268.70	Expenditures – Capital Outlay: Motor Vehicles	Discussed during Board meetings that funds not spent in FY19 would be carried over to FY20 to meet leasing and equipment needs for vehicles in FY20 – <i>Recommend</i>
	\$10,278.36	Expenditures from Courtroom Security	Collected Court Room Security in FY19 and did not request expenditure. Would like to create new GL account to use for items such as video magistrate system and metal detectors – <i>Recommend</i>
Animal Control Dept 3501	\$2,500.00	Expenditure – Capital Outlay: Pound Imp	Did not finish roof replacement in FY19 and need to finish it in FY20 – <i>Recommend</i>

DEPARTMENT	AMOUNT	SOURCE TYPE	REASON FOR USE
Emergency Management Dept 3505	\$2,600.00	Expenditure – Radio Replacement	Purchase of new radios in response vehicles has been put on hold because of unknown changes to current radio system and not enough funds to cover a repeater radio system – <i>Recommend</i>
Emergency Management Dept 3505	\$3,500.00	Expenditure – Turnout Gear	Purchase was delayed due to manufacturer being bought out by another vendor. This item is encumbered with a purchase order – <i>Recommend</i>
Misc. Programs Dept 8205	\$348,018.67	Revenue & Expenditures	Virginia Telecommunications Initiative (Copper Hill project with Citizens) – <i>Recommend</i>
Cooperative Extension Program Dept 8301	\$312.68	Expenditure – Grow Appalachia Grant	Grow Appalachia grant – <i>Recommend</i>
	\$531.82	Expenditure – Master Financial Education	Master Financial Education grant – <i>Recommend</i>
Fire Department Fund 010	\$307.32	Expenditure	Surplus in Virginia Department of Fire Programs Aid to Localities – <i>Recommend</i>
Environmental Fund – Recycling Fund 050	\$500.00	Expenditures – Process Oil	Did not expend this in FY19 – <i>DO NOT RECOMMEND AS FUND 050 IS OVERSPENT IN FY19</i>
	\$3,296.00	Expenditures – Refuse Containers	Did not expend this in FY19 – <i>DO NOT RECOMMEND AS FUND 050 IS OVERSPENT IN FY19</i>
	\$1,642.05	Expenditures – Collection Bags	Did not expend this in FY19 – <i>DO NOT RECOMMEND AS FUND 050 IS OVERSPENT IN FY19</i>

DEPARTMENT	AMOUNT	SOURCE TYPE	REASON FOR USE
Environmental Fund – Recycling Fund 050	\$2,500.00	Expenditures – Dump Truck Tarp System	Did not expend this in FY19 – <i>Recommend</i>
	\$160,639.00	Revenues & Expenditures – New Roll-Off Truck	Carryover bank financing funds for purchase of roll-off truck which is already encumbered with a purchase order – <i>Recommend</i>
E911 Expenditures Fund 140	\$15,000.00	Expenditure – UPS Battery Backup 911	UPS Battery backup will cost about \$30,000 so this carryover should make replacement possible. About \$7,600.00 might be needed for mapping software replacement if VITA grant funds are not needed – <i>Recommend</i>
	\$150,000.00	Revenue – VITA Grant Call Handling Equipment	Reimbursement cannot be requested until project is complete – <i>Recommend</i>
	\$167,048.25	Expenditure – Capital Outlay: Call Handling Equipment	Project was delayed while trying to decide alternatives to purchasing equipment that will only be used 1 year. State agreed to proceed with equipment purchase and install is scheduled for July 2019 – <i>Recommend</i>
Drug Asset Seizure Fund 250	\$11,670.75	Income from Background Checks	Collected Background Checks, Fingerprint Fees, and FOIA fees through 6/13/2019 and did not request expenditure. Would like to use all 3 sources of money to create local funding source in Drug Asset fund to accumulate money to build a seizure lot – <i>Recommend</i>
	\$730.00	Income from Fingerprint Fee	
	\$430.70	Income from FOIA requests	

Ms. Morris and I discussed the carry-over requests the departments turned in. We recommend approval for all the carry-over requests except three from Environmental Fund 50 for Process Oil, Refuse Containers, and Collection Bags. Environmental Fund is already over expended and there are still additional FY19 invoices that will come in for hauling and tipping fees.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the FY19 recommended carry-over requests as amended by not including the \$8,000.00 request for Auditors to be carried over to Parks & Recreation in FY20 for the FY19 audit.

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

Agenda Item 8. – Ms. Kendra Edgell, Floyd-Floyd Recreational Authority.

Ms. Kendra Edgell introduced herself as the new Chair of the Floyd-Floyd County Recreational Authority and discussed plans for the Authority in the upcoming fiscal year 2020:

- 1) On May 31 the Director submitted his resignation to the Board with his last day of work being June 7.
- 2) Since then Mr. Jacob Agee who was the assistant has been standing in as the Interim Director.
- 3) The County's Authority appointee from the Locust Grove District, Mr. Michael Wade, resigned effective June 20.
- 4) Ms. TracyAnn Costello, former Chair and appointee from the Indian Valley District, has submitted a letter of resignation effective June 30.
- 5) We appreciate Ms. Costello's willingness to see us through the month as we navigate this unknown territory. We are more than grateful for her time, effort, and dedication she has put into the Floyd-Floyd County Parks and Recreation in her 11 years on the Authority.
- 6) On June 17 we held a special meeting and discussed the future of the Authority and had officer elections.
- 7) Ms. Joanie Brennan, a Town appointee to the Authority, is the Secretary.
- 8) Ms. Beth Burgess will serve as Treasurer.
- 9) In addition to serving as Chair, I will serve as the Freedom of Information Act (FOIA) officer.
- 10) Other Authority members are present – Ms. Joanie Brennan, Ms. Linda Devito Kuchenbuch, Mr. Richie Leonard, and Ms. Tracy Ann Costello.
- 11) At our June 17 special meeting we created a very rough draft of our immediate plan to maintain the Authority duties. Some of the topics of discussion included:
 - a. Our current financial status;
 - b. Eliminating our debt;
 - c. How to work in conjunction with the County's newly formed Recreation Dept;
 - d. Gear and equipment;

- e. Increasing direct communication with the Board of Supervisors and Town Council;
 - f. Speaking with our legal counsel among many more.
- 12) It is my hope to have an open discussion with the Board of Supervisors about the future of the Authority and to provide you with more details about my plan to continue with this Authority. It is my wish to continue with the Authority.
 - 13) I urge you to continue your discussions as the Board of Supervisors and weigh in on any immediate plans to agree and vote on the dissolution of our Board.
 - 14) I believe the validity of our motion and vote for dissolution in January, having a complete lack of research, knowledge and due diligence from every member on our Board to make a sound decision to vote, should be called into question.
 - 15) I full-heartedly believe that it is not in the best interests of all the citizens of the Town of Floyd and the County of Floyd to dissolve this Authority.

Ms. Edgell – I was appointed by the Town Council to the Authority to represent and serve the citizens of Floyd regardless of my Board’s apathy toward the Board’s duties and what it stands for. I continue as a public servant for the Floyd-Floyd County Parks and Recreation Authority. With my new role as Chair I recognize I have an uphill battle in front of me; however I am not afraid to continue to fight for this Authority and the citizens of this County. I truly believe that at this time it is not warranted to dissolve the Board and have been working to make a solid plan to present a shift in focus, an updated mission and vision to my Board, the Board of Supervisors, and the Town Council. I have been working on a 30-60-90-day plan, a very rough draft for our budget for fiscal year 2019-2020 and more. I believe as this Authority continues, our new focus should be providing safe, clean, fun, and open green spaces, sports fields, trails and playgrounds to the public. It is not my goal to continue with traditional youth athletic programs as I believe it would adversely affect the children of our community by competing with the County’s newly forming Recreation Department. I sincerely thank you for the opportunity to come here before you tonight to update you as I feel there has been a huge lack of communication between the Parks and Recreation Authority Board, the Town Council, and the Board of Supervisors since I was appointed in July of last year, if not before. In my opinion this is huge problem. In the future I plan to update the Council and Board and encourage discussion on a regular basis.

Supervisor Boothe – You are new as the Chair but you have been on that Board for a while, correct?

Ms. Edgell – Yes, almost a year.

Supervisor Boothe – When you figured out that you were going to have a shortfall in funds, has the Board had any plans of action or figured up a way to come up with the funds?

Ms. Edgell – Yes, we are working on some ways to bring in some money to take care of the debt we currently have. It has been difficult. We haven’t had a Treasurer since September or October. That is a huge problem. This past special meeting we elected someone as our Treasurer who we are hoping to get into all our finances and really dig deep and come up with some money to help eliminate that debt.

Supervisor Boothe – Did the \$9,000 over include the \$8,000 for the audit?

Ms. Edgell – No. It was \$7,000 for the audit.

Chairman Yoder – Supervisor Boothe is asking about the 2019 audit.

Supervisor Boothe – I'm talking about the one we were discussing for \$8,000.

Supervisor Kuchenbuch – No, and neither is the one for 2018 in there.

Supervisor Boothe – So the previous audit hasn't been paid yet either?

Supervisor Kuchenbuch – No.

Chairman Yoder – I know you went and talked to the Town Council as well.

Ms. Edgell – Yes, the very same night we spoke to Town Council.

Chairman Yoder – I think what you are asking us is for the opportunity to try and work through some of this.

Ms. Edgell – Yes, absolutely.

Chairman Yoder – Basically to give you about 90 days is what I think you mentioned.

Ms. Edgell – Bare minimum, 90 days if you've got it, we'll take it.

Chairman Yoder – How does the Board feel about that?

Vice Chairman Turman – Let me get this straight is it \$9,000 or \$17,000?

Supervisor Boothe – More like \$24,000 now.

Town Council member Mike Patton – I want to know where these other audit bills came in? I only ever knew of the one.

Chairman Yoder – What we are discussing is that you will have to have an audit on the current year. There will have to be another audit is what we are saying. This fall there will have to be another audit on the current year which the Authority will have to find money for.

Authority member Joanie Brennan – This past year the audit did not take place until like December. Are we counting future costs as current debt? Is that what you are saying?

Chairman Yoder – No, we are not really necessarily calling it debt. We are just saying that we know that is coming up for you and we are talking about if we are going to help in some way. I don't know if there has been any money appropriated from the Town Council to help Rec. The Authority could raise money going forward. We would love for you to.

Ms. Brennan – Okay, gotcha.

Ms. Edgell – Unfortunately since January when my Board voted to dissolve our Board they have been fairly apathetic about doing anything for the last six months. We are trying to play catch up right now.

Supervisor Boothe – I was opposed to dissolving to begin with and still am and I have no problem with you having 90 days or all the time you want as far as I am concerned.

Ms. Edgell – Thank you. I appreciate that.

Chairman Yoder – If I understand you right you are suggesting that the County have a department that runs the programs. The Authority would own the land, but wouldn't necessarily run programs.

Ms. Edgell – Not youth athletic programs. Special events and maybe small programs. We don't want to compete with youth athletics. Like I said that would adversely affect our kids and we don't want to do that. We already struggle with travel ball, which I am sure you will see when your department starts getting registrations. For us to split that even further would not be ideal for anyone.

Supervisor Coleman – What are your plans to maintain the Authority, start this new venture, and pay off any and all debt associated with the current Authority?

Ms. Edgell – Well first of all by coming to Town Council and the Board of Supervisors asking for the delay in dissolution. We have asked for sponsorships and people don't know what is happening so if we have that guarantee at least for a little bit that we are not going anywhere, we could bring in some money from sponsors and donations. That is the first thing on the agenda to reach out to some people that we know really want to support Parks and Recreation across the board. We can take those donations and put them to maintaining our Park. Since I have been on the Board we have a poor track record on Facebook about trash in the Park. So just general maintenance of cleaning up the Park and making it a nice, clean space for everybody in the community to come to.

Supervisor Coleman – You don't have any commitments at this point?

Ms. Edgell – We have a few things that we are doing as a Board to bring in some money. It is not everything that we need by any means, but we've got some things that we are doing to bring in some income.

Supervisor Coleman – Does anybody else who is part of the Board or previously associated with the Board have anything to say?

Ms. Edgell – We are almost here in full force...

Chairman Yoder – You need to be careful about having a Board meeting without calling one. You have a quorum here.

County Attorney Mr. Steve Durbin stated that it would be his advice to not allow any further speakers from the Recreation Authority since they had not advertised they would be holding a meeting.

Supervisor Boothe – Perhaps we should have a joint meeting in the future.

Ms. Edgell – I would love to do that with you and Town Council.

Chairman Yoder – I guess the first question is how do we feel about the Authority staying functioning for a period of time? Do we want to continue discussion? How did the Town respond to this?

Ms. Edgell – Town responded very well in my opinion. They seem to support us and have no immediate plans to make any decisions.

Chairman Yoder – Do you want to speak to that at all Will [Mayor Griffin]?

Mayor Will Griffin – I'll confirm what she said. Kendra [Ms. Edgell] has put a lot of energy into it and as the representative of the Town Council we felt that we owed her some time if she wants to make a run out of it.

Vice Chairman Turman – I think we need to have a joint meeting with all three of us [Town Council, Recreation Authority and Board of Supervisors] and then we can revisit what we are going to do. Right now we are just getting a few answers here and a few requests here. It is hard to keep them together.

Supervisor Boothe – Also unless both groups agree to dissolve there is no dissolving.

Ms. Edgell – Correct.

Chairman Yoder – Maybe a solution would be that we will have our staff reach out to Town Council and reach out to you [Ms. Edgell] and try to set up a time, maybe at a Town Council meeting again, or one of our Board meetings.

Ms. TracyAnn Costello – Can it be noted that at that time I will no longer be on the Board and that I will be available as a citizen, since I have longevity with the Board. I can offer that to your meeting.

Chairman Yoder – Sure. I appreciate the Authority members who are here tonight and showing an interest in what is happening here. Commendable. That will be our path forward, we will try to schedule something and have a joint meeting if that is acceptable to all parties, which it sounds like it would be.

Supervisor Coleman – Before that time, I personally would like to see a copy of your plan of what you intend to offer. You said programs and green space. Do you know what that would look like?

Ms. Edgell – Absolutely, as I said I’ve been in this position for one full week. I have been working so much, but yes, I will absolutely send that to all of you and all of Town Council as soon as I can get something solid.

Supervisor Coleman – Thank you.

Ms. Ryan – I have a question. With you having a Treasurer and wanting to maintain the Park and with the County having a department with an employee and expenses for youth athletics, how do you see the finances being split?

Ms. Edgell – I am confused by your question.

Chairman Yoder – Are you asking if some of our Recreation department money would go to the Parks and Recreation Authority?

Ms. Ryan – Yes, I am asking if some would go to the Authority or would it all remain with the department.

Chairman Yoder – It would remain with the department but we could potentially work with the Authority if that happened to help with finances if we use the Park.

Ms. Edgell – We could prepare a fee sheet...

Ms. Ryan – We would have to clearly identify which expenses were considered Authority expenses and which were program expenses.

Chairman Yoder – Absolutely.

Supervisor Kuchenbuch – You are concerned about it from a logistical bookkeeping point-of-view that our department is going to have to be very careful that the department’s money is spent on the department. I got it.

Chairman Yoder – I would think if it went down this path it would be best to have a simple lease for the Park. The School uses it as well and you would probably want to have a lease with the School.

Ms. Edgell – Barebones what I have been thinking is coming up with fair prices. We can negotiate it later, but figuring out we know how much we use for our programs the field up there so we would come up with some sort of agreement of how many hours you plan to use it and set a price and negotiate the terms. Right now just trying to turn around some of the things we have, it is in the plan. We have a 30-60-90 day plan started and it is on there.

Supervisor Boothe – This may be more for the Treasurer. I take it right now that you are at \$0 in the bank accounts?

Ms. Edgell – Correct.

Chairman Yoder – I think because the Treasurer isn't on your Board, if you have questions for the Treasurer she could answer.

Mr. Durbin – Correct.

Ms. Edgell – Our Treasurer is not on our Board.

Supervisor Boothe – Since she is still an officer of that Board...I just wondered if you are at \$0 right now?

Ms. Edgell – Here is the dilemma that we are having. Some Board members feel like our Treasurer does not have access to our financial folders and to our QuickBooks and to our bank account and so that is another battle I'm trying to iron out.

Supervisor Boothe – You have a Treasurer that does not have access to the finances?

Ms. Edgell – Correct.

Ms. TracyAnn Costello – This is also open to all of our documents and she is not on the Board.

Supervisor Boothe – That is well and fine. I'm not a tech guy but I know you can assign passwords to specific stuff. You can assign a password to all finances that way the Treasurer can access finances but not the other.

Ms. Edgell – We have a laundry list of items we are trying to check off. Right now it is kind of me doing everything.

Supervisor Boothe – I would think giving the Treasurer access to the Finances, given the shape of what the finances are, would be top of the list.

Ms. Edgell – I agree 100%, but like I stated before I have been on this Board for almost a year and we had a Treasurer until early October and haven't had one since. I'm not exactly sure why that was okay and why it went on for as long as it did. But we do have one now and we are working on getting her access as soon as we can.

Ms. Costello – We did not have a full Board. That is why we did not have a Treasurer.

Chairman Yoder – From our standpoint if we waited two weeks to pay somebody's bill for Parks and Recreation would it impact our FY19 budget? This list that you have given us of \$9,000, we couldn't necessarily do that out of this budget could we?

Ms. Morris – We still have some money in other departments that we could transfer.

Supervisor Boothe – I think first we would have to decide do we want to do that.

Chairman Yoder – I understand that. Has the Authority requested any financial help from the Town as well?

Ms. Edgell – Not currently. With all the budget I don't find it appropriate to ask for money. I know we need it, but I would like to show them where the money is going.

Supervisor Boothe – I think what he is saying...I'm not trying to put words in your mouth, I'm not talking about the future. I'm talking about current bills.

Ms. Edgell – I think there were some submitted to both Boards when Andy [Mabe, former Director] was still with us but I am not sure. I was going through the email files and have seen requests, but I am not sure what has happened since.

Chairman Yoder – So potentially you could work on that and get it ready for an actual where you stand at the end of the year?

Ms. Edgell – Yes.

Chairman Yoder – We have something here from your employee.

Ms. Edgell – I was not aware of that until just recently when he said that he thought he had asked for money so I looked into it. Terri [Ms. Morris], I don't know how you feel but I don't think it was an appropriate request for money. It was very strange how it was put together. Had I known we would have figured something else out a little better.

Supervisor Boothe – If you are talking about the one I got there is no mention of it being a specific request.

Ms. Edgell – Correct. It is a laundry list of bills.

Supervisor Boothe – As far as you know, is this all of the bills?

Ms. Edgell – As far as I know, right now. I do not have access to our bank accounts or any of that either.

Supervisor Boothe – You don't?

Ms. Edgell – No, I do not.

Chairman Yoder – I believe you have some internal stuff to work through.

Ms. Edgell – Most definitely.

Chairman Yoder – We will revisit this when we have our meeting. When you get more information, please send it over to us. We want it to work. It's not that we don't want it to work, but there is some stuff to figure out.

Ms. Edgell – Thank you.

Chairman Yoder – I really appreciate your efforts.

Vice Chairman Turman – It is about the kids.

Supervisor Boothe – It is about their recreation.

Chairman Yoder – To be clear, going forward the County is going to start a department which will address some of the actual programs.

Ms. Edgell – I think that it is fantastic. We've needed more money for a long time. If you guys can do that and put the money and time into it and make the programs better, that is what we need.

Chairman Yoder – It is still not going to be an easy start. We still have to hire an employee. Let's hope the public is willing to work with us.

Ms. Edgell – We've had a lot of interest lately. Put the call to action out there and you will have volunteers.

Agenda Item 9. – Mr. Steve Durbin, County Attorney.

It was determined that Mr. Durbin needed to address the Board in Closed Session.

Agenda Item 11. – Closed Session.

On a motion made by Supervisor Kuchenbuch and seconded by Supervisor Turman, and carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph 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; under Section 2.2-3711, Paragraph A. 3., Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; under Section 2.2-3711, Paragraph A. 7., Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultations or briefings in open meeting would adversely affect the negotiating or litigating posture of the public body regarding; and under Section 2.2-3711, Paragraph 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.

Supervisor Boothe – no
Supervisor Kuchenbuch – yes
Supervisor Coleman – yes
Supervisor Turman – yes
Supervisor Yoder – yes

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

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

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Turman, and carried, it was resolved to adopt the following certification resolution:

**CERTIFICATION RESOLUTION
CLOSED MEETING**

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Personnel in accordance with Section 2.2-3711, Paragraph A.1.; Real Property in accordance with Section 2.2-3711, Paragraph A.3.; and Consultation with Legal Counsel and Briefings by Staff Members in accordance with Section 2.2-3711, Paragraph A.7., and Consultation with Legal Counsel Regarding Specific Legal Matters Requiring Advice in accordance with Section 2.2-3711, Paragraph A.8. of the Virginia Freedom of Information Act;

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby certifies that, to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Supervisor Coleman – yes for the portions when I was there, I had to excuse myself for an urgent phone call.

Supervisor Boothe – no
Supervisor Kuchenbuch – yes
Supervisor Turman – yes
Supervisor Yoder – yes

Supervisor Boothe – The reason for my “no” vote was because I was not present for the closed session. The reason for that was, while all subjects were legal for the closed session, I felt that one subject in particular should be discussed in open session.

This certification resolution was adopted.

Agenda Item 10.a. – Approval of Floyd County Personnel Policy.

Ms. Morris – The new Personnel Policy was given to Board members for review about a month ago. This would go into effect July 1 if it were approved.

Supervisor Kuchenbuch – I just wanted to say that you asked us to check on certain things about the leave. I felt that what you put in here was good. I think this policy is a well written policy. I spoke to you privately about it and I want to go on record. I think this policy is done so that people can understand it. There is no ambiguity. There is a few legalese here and there, but for the most part it is a very well written policy. I do want to draw attention to the fact of the sick leave bank. I haven't been in the workaday world and I find that the County allowing employees to donate their sick leave time to help other employees who might be sick is such an amazing and progressive policy. I wanted to note it in public session.

Supervisor Boothe – That really came in handy here in a recent year.

Supervisor Kuchenbuch – That is so important. I just find it to be amazing. There is no legal discussion about the secondary employment. I understand the reason. I think that with us bringing our salaries and salary structure to the level we did in the past couple of years, I'm sure has decreased the need for employees to perhaps seek secondary employment possibly. Do we have employees that have secondary jobs who come to you and ask?

Ms. Morris – Yes.

Supervisor Kuchenbuch – So for the most part you approve it and go on. I say kudos to a job well done. Thank you so much.

Chairman Yoder – Thank you. That was a lot of work.

On a motion of Supervisor Turman, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the revised Floyd County Personnel Policy as presented.

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

Agenda Item 10.b. – Appropriation in the amount of \$150,000.00 for Commerce Park Construction Projects from \$2.5 million that was approved but not appropriated in FY19.

Ms. Ryan – On the report that showed departments who had over expended their appropriation, Economic Development Authority is over by about \$142,120 and we know there will be additional bills. When you approved the FY19 budget you included \$2.5 million to come out of the fund balance for the shell building, but that \$2.5 million was never appropriated. The overrun in Economic Development is for preliminary engineering on lots 4 and 8, design of the shell building, and the incentive package for Dreaming Creek. All of those items relate to trying to attract businesses to the Commerce Center. If you would appropriate \$150,000 of that \$2.5 million you budgeted, it would bring the Economic Development Authority out of the red. Once

we get the Skyline National Bank loan set up we could do a drawdown to pay the fund balance back.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the appropriation of \$150,000 to the Economic Development Authority-Building Construction Commerce Park.

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

Agenda Item 12. – Old/New Business.

Ms. Morris – I gave you a copy of the resolution from the School Board requesting \$14.5 million for Phase II of the School Construction project. I talked to Davenport today and relayed the information to you about the tax increase that might be needed. They will be glad to come to the next meeting and explain it further.

Supervisor Boothe – I spoke to Terri about constituents being concerned about having access to resolutions that the Board passes. She said it should be a fairly simple process from here forward for any resolutions to be added to our website under a heading.

By consensus the Board requested that Ms. Morris add resolutions and proclamations to the website.

Supervisor Boothe – I want to ask the Board to request that staff create a resolution concerning the new gas tax. I think it is unfair the way it was done. I would have preferred a flat statewide tax of 3¢ or something. I would like to send it to other localities along the corridor and ask the General Assembly to readdress that in the coming session. It won't help for the 6 months that we have to pay it. Maybe if enough local governments get behind it they might take another look at it. Montgomery County really pushed this.

Vice Chairman Turman – If you take a look at that map, we are paying for something that we get no use out of. You get up towards northern Virginia, it shrinks down.

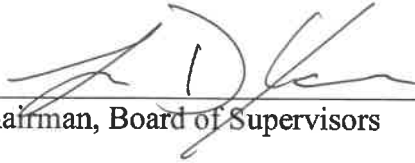
By consensus the Board requested that Ms. Morris work with the County Attorney and draft a resolution regarding the gas tax increase for counties that border I-81.

Agenda Item 13. – Adjournment.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Turman, and unanimously carried, it was resolved to adjourn to Tuesday, July 9, 2019 at 8:30 a.m.



Terri W. Morris, County Administrator



Lauren D. Yoder, Chairman, Board of Supervisors

