

**BOARD OF SUPERVISORS  
REGULAR MEETING  
SEPTEMBER 24, 2019**

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, September 24, 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 and W. Justin Coleman, Board Members; Terri W. Morris, County Administrator; Cynthia Ryan, Assistant County Administrator.

ABSENT: Linda DeVito Kuchenbuch, Board Member

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.

**Mr. Climpsy Quesenberry, Burks Fork District** – I live on a forgotten road [Reece Road], the last road in Floyd County. I’ve lived there for 74 years. I will be 81 years old tomorrow. We moved there when I was 7 years old. Anyway that road is so terribly bad that I got up a petition 2 years ago. There are 23 homes, 24 now and maybe in a week it will be 25 on 1 mile around that road. It is pitiful. There is so much dust, bushes grown over the road, and they won’t pave it or nothing. It would be a whole lot cheaper for the County to pave it than it would be trying to keep it up for over a mile for 24 homes. In 1987 my son got killed when a tractor-trailer hit him head on. A week or two later I was going to pull out, and Reece Road is what I live on, I was going to pull out and a tractor-trailer almost hit me. I turned around and went back home and called George Pratt. He was the Supervisor then. I told him to come up there I wanted to show him something. He came and I got in his car and we went down there and we were going to pull out in the road and he couldn’t see either way. He said, “I am going to tell you the truth, I didn’t know that road was here. This is the first time I’ve ever been over this road.” He got out and walked across the highway. I told him the banks needed to be cut off so we could see. He said, “I will be voted out this fall, but I’ll get that done.” He did. Well later the gravel piled up that deep [Hand gesture to indicate several inches]. You couldn’t get out in the road and you couldn’t get back in. I called and got them to clean all that up. Then it got so bad I told them they needed to pave it 50’. They came and paved with gravel and tar. That winter it froze

and raised up and sunk back down and a hole came up about that deep and a school bus got stuck in it, right up the hill because it couldn't get any speed. Well I finally got on them about fixing that. They fixed it with tar and gravel. Six months later we had a big hole again. I got on to them, the State department of VDOT [Virginia Department of Transportation]. They fixed it that time and I told them to pave it up the road farther and put something besides tar and gravel, which they did. They did a good job last time, but now the dust is so bad. I've called Richmond, Roanoke and Salem. They promised me 3 weeks ago that they would come up there and put something down for that dust. They came 1 time and went 1 way around and put water or something, but the next day if a vehicle went up...I told this woman to just walk behind it. It is just dust. You couldn't even tell. This time let them go all the way around and come back again with salt or something or other to stop the dust. I promise you it will be done three weeks ago and it still isn't done. So it would be cheaper for the County to pave that road, get rid of all this dust, and get rid of the wintertime of going from mud hole to pothole. Like I said I will be 81 years old and I would like to sit out one time in my life outdoors and wouldn't have to see dust or breathe it. You can't hang your clothes out or nothing. There is a lot more but I don't have time to tell you. But that is the main thing – to try and get that road paved. I want to see that petition I gave you here. I can't put the signatures on there, but there are more signatures that can go on there besides those 23. Four homes you can't see from the road, but they still use the road and create the same problems. But that petition I got up, I would like to see it if I could.

*Ms. Morris – We have it filed.*

*Chairman Yoder – We have it filed. We will have to find the file.*

Mr. Quesenberry – That is all I have to say.

**Mr. Randall A. Wells, Courthouse District** – I retired here with my wife. My daughter lives here too. My grandson, the next Dalai Lama, lives here also. Quite happy. I am going to talk about something more positive than this gentleman's roads. It is a treasure that this County has. It is a buried treasure. You know that we are standing on; we live on generally metamorphic rock. Fractured with, my friend Ann says, injected dikes and sills of igneous and quartz. You probably didn't know that. It is not the rock that is the treasure; it is what the rock holds. It is not gold, but it is more important because you can live without gold. You don't dig for it; you drill for it. The best wells I am told are about 250' down which is not that much if it comes to a drought like we have now. One of my best experiences in this County over 12 years is when our water went dry. We thought just let it be electric and not water. The well man came and took a stone and dropped in it, "plop, splash." A wonderful sound. I understand that there are roughly 8,000 housing units that have private wells and their own drainage fields, wells or springs. That is a lot. The more that you add, of course, the more draw you are in danger of taking. It is a public treasure, this treasure that I am talking about. It is not a private one. Who knows where the expanses of water stop? Water doesn't just stop; it is not in a bin. Your neighbor can affect your water with his or her drainage field. You know that. You can't put up a stake and say, "The water stops here." Floyd, I understand, is vulnerable to serious drought. There was one before we came here. So I just urge the Board and the people it represents to be very alert and a little bit skeptical even about anything that would damage the quality or quantity of the water in Floyd County. Thank you.

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

Agenda Item 8. – Old/New Business.

Mr. Kevin Sowers, Emergency Management Coordinator – Between the Emergency Management Office and conferring with the local fire chiefs we feel that Floyd County is in a drought and fire hazards are high. We would like for the County to approve a Declaration of Local Emergency due to abnormal dry and/or drought conditions creating a heightened risk of an uncontrolled fire. With your approval of that declaration I would like for you to adopt a temporary ordinance on open burning that will last for up to 60 days unless you want to extend it.

Chairman Yoder – A lot of communities around us are doing the same thing. Kevin and I talked to our attorney today and that is how these documents were drawn up. It is getting close to the time when leaves will be falling. There is already a high risk and that will heighten the risk. The Code of Virginia requires us to do it this way according to the Commonwealth's Attorney and County Attorney. One question we had was whether we could put exemptions in the ordinance for things like a church making apple butter. There is. Today we came up with, rather than trying to rush through some exemptions, if we put this in place today, we can come back at our next meeting if we hear from people who have events coming up and revise the ordinance if the drought continues into October. That will give us a couple of weeks to hear from the public. There are probably ways we can have limited outdoor fires under controlled situations. If we do exemptions we want to be very careful about how we word that. Mr. Sowers and the fire chiefs would come up with some ideas on how a fire can be controlled like screening and size. I told Mr. Durbin [County Attorney] that for now we just need a blanket ordinance and if we hear from the public that we need some exemptions we can amend the ordinance down the road.

Supervisor Boothe – Where there is a blank on the Declaration who would be authorized? You as the Director?

Chairman Yoder – That would be the Director of Emergency Management which is the Chair of the Board of Supervisors. As I understand it I could have declared an emergency and the Board could have affirmed it down the line. But to have an ordinance against burning the Board would need to pass that so it didn't really make any sense to do it earlier. I talked to Ms. Kuchenbuch [Supervisor for Little River] and she is on board with it. She did have some concerns about events that might need a small fire and a way we could work with them. She agreed for the time being that we need to go ahead and cut it off and amend it down the road if that is needed.

Ms. Morris – The emergency ordinance is under your purview and it is good for 60 days and we don't have to have a public hearing. After we go through this period as you see things you want to change or add or take away, then we can have a public hearing and adopt it on a permanent basis.

On a motion of Supervisor Boothe, seconded by Supervisor Turman, and carried, it was resolved to approve A Resolution Declaring a Local Emergency Due to Abnormally Dry and Drought Conditions, Creating a Heightened Risk of Uncontrolled Fire and authorizing the Director of Emergency Management to declare a state of local emergency (Document Number 1071).

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

Chairman Yoder read aloud the proposed Ordinance Prohibiting Open Burning on Public Property and Prohibiting Open Burning on Private Property During Declared Drought Emergencies or Other Emergencies Creating Heightened Fire Risk.

On a motion of Supervisor Turman, seconded by Supervisor Coleman, and carried, it was resolved to approve An Ordinance Prohibiting Open Burning on Public Property and Prohibiting Open Burning on Private Property During Declared Drought Emergencies or Other Emergencies Creating Heightened Fire Risk (Document Number 1072).

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

Mr. Sowers – As you are aware we issued a request for proposals to engineering firms to look at our radio system. The Board approved for the Communications Committee to negotiate with Company A to look at ways to lower the cost. We took on some of the responsibilities ourselves for data gathering. We went from \$62,815 to a negotiated price of \$47,760, which is a 24% decrease from the original proposal. I don't think we are shorting ourselves on the services to be provided. We have done some of the stuff they planned on doing so we can cut that out. This is phase 1 and there are 3 phases to this. Company A is willing to negotiate phase 2 and phase 3. I think they realize we are a smaller community and every penny matters. How would the Board like for us to proceed?

Ms. Morris – We have \$35,000 budgeted for this.

Chairman Yoder – We would need to get \$12,000 out of contingency. This phase identifies weaknesses in our system?

Mr. Sowers – Yes, sir. It would be analyzing it and giving us some strong suggestions on how to develop a system for 20 years. I highly recommend going this way. We could guess at this and be completely wrong. It is a lot of money but in the grand scheme of things by the time we get this finished it will be a lot of money and this won't be 10% of the total cost.

Supervisor Boothe – The information obtained will be very valuable.

Mr. Sowers – Yes, it is an unbiased opinion. It is not that we don't get along with our current communications provider. We just want some fresh eyes on it and develop a system for 20 years and fix the communication holes we have. It is a public safety issue. We have other things going on as well with AVL [automatic vehicle location]. The FCC [Federal Communications Commission] is making public safety go to a narrow bank system. It is limited what our current system can do.

Chairman Yoder – For the benefit of the audience, we are talking about the current radio system we use for the Sheriff's department, Fire and Rescue. Some places it works well and some places...as you know the County has all types of terrain. In some places you get limited service and in some places you get no service. It is obvious that is dangerous for the Sheriff's Office, but also if you have an accident. I have been on the scene when my radio did not get out so also for Fire and Rescue it can be dangerous. There may be a critical need and you can't relay back so people don't know what to bring. We may end up spending a lot of money on it over time to get it fixed. But it is for the life and safety of our first responders and citizens.

Mr. Sowers – I think it will become the norm from here on out every 20 years to have to address communications because of technology changes.

Chairman Yoder – Another thing to keep in mind with Emergency Medical Services is with the advances in medicine, time is so critical. An extra 10 minutes can mean life and death for a person.

Supervisor Boothe – I remember when we first started down this road we were told that it would have to be upgraded every so often. There was no illusion that it would be cheap. For the protection of our first responders and the citizens it is the right thing to do.

Chairman Yoder – Like Mr. Sowers said this is the first step in the process, but it is identifying our weaknesses so we can address them.

On a motion of Supervisor Boothe, seconded by Supervisor Turman, and carried, it was resolved to accept the proposal of \$47,760 from Federal Engineering for Phase 1 of the Evaluation of Communications System and authorize the County Administrator to execute the contract (Document Number 1073).

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

Agenda Item 5. – Joint meeting with Economic Development Authority (EDA) and Mr. Mark Cline of Hurt & Proffitt, Inc.

Economic Development Authority joined the meeting.

EDA members present: Jon Beegle, Chairman; Eddie Worth, Vice Chairman; Andy Finn, Secretary-Treasurer; Joy Gardner, George Nester, Jim Newlin and Dan Vest; Lydeana

Martin, Community & Economic Development Director; Tabitha Hodge, Economic Development Technician.

Ms. Lydeana Martin – We invited Mark Cline from Hurt & Proffitt here tonight because we have a lot of projects in consideration at the Commerce Center. Everything has to work within the storm management ponds. Any soil we disturb ultimately has to work out. Mark is working with us to make sure we are taking care of the soil and the water and doing what we need to do there.

Mr. Mark Cline – Provided information on storm water issues at the Commerce Center:

- 1) The original design work at the Commerce Center was done in 1999 and construction began in 2001. There have been a lot of changes since then.
- 2) We have been concentrating the most on Storm water Pond 1 which is located near the Innovation Center and Hollingsworth & Vose. There are several projects that drain to there.
- 3) When the pond was originally done in 2001 it was done by the rational method and we hoped to continue using that method, but the runoff coefficients do not work with that method.
- 4) We will have to do it according to SCS [USDA Soil Conservation Service] TR-55, but they are allowing us to take all the impervious surfaces that are currently flowing into the pond as existing conditions. Over and above that for the new construction you are looking at retaining that extra runoff. That helped a lot but not enough. Also we found the original pond was deficient in that it was too small...partly because a piece of land was missed in the calculations...and the embankment was not as high as it should have been. Part was probably natural settlement.
- 5) We went to analyze the pond after a lot of coordination with DEQ [Department of Environmental Quality] and it is going to have to have some modifications. We have 3 different scenarios that we have worked on:
  - a. If H&V did a project before anyone else, it would be a minor thing to modify the pond and bring the embankment up to where it needs to be and modifications to the riser and a little bit of change to the piping. If it were done with another project so the contractor did not have to bring in the equipment just for this it would cost about \$20,000.
  - b. If we look at the plan for two buildings on lot 8 with parking and docks, two buildings and parking at the Innovation site, and for any future H&V expansion; it will change the height of the embankment by another couple of feet. This scenario would cost about \$40,000 if it were combined with another, bigger project.
  - c. In the next scenario we add part of lots 1 and 2 to the other items mentioned and that has 46 acres draining in this direction. You would have to come up several feet on the embankment and do about 3000 feet of excavation and haul a couple of hundred trucks of material away. We are talking about \$139,000 to \$169,000.

Ms. Martin – One of the concerns is if H & V were to do an expansion in the future and they were to disturb land on their property and we have disturbed all of ours at the same time that could tip them over into additional expense.

Mr. Cline – Right now if H & V were to expand we are showing them disturbing under 1 acre. I guess it just depends on which piece happens when. H & V might not do anything for years. They don't know right now.

Chairman Yoder – We don't want to do a little bit now and five years from now come back and do a little bit more at higher costs. How much of lots 1 and 2 does this cover?

Mr. Cline – I think about 6 acres. This includes a good piece of the flat pad area and the roadway and cul de sac and even the couple of little lots on the right hand side of the road as you go up. Right now we are just talking about quantity management and not quality.

Ms. Martin – Mr. Yoder had asked me before about if the Board did an investment to do the full option 3, then the rules change next year or in the future, how do you determine when to do what and when?

Mr. Cline – That is a good question. I'd like to have a crystal ball. I think it would be good through the next two cycles which would get you through 10 years just by grandfathering. I don't think they could touch that. The rules are more stringent. It used to be that we would retain 2 and 10 year storms. You had to let it out slower, as slow as it would have been originally. You had to safely handle the 100 year storm event. Now you are backing it up a storm and you are retaining down to the 1 year level. If you make the pipe small enough to handle a 1 year level then the retention gets huge. Then you have the energy balance which brings it down even more. That is why your pond is getting big.

EDA Chairman Beegle – Who is responsible for making sure it gets built to specifications?

Mr. Cline – It would be the County's responsibility. DEQ will make you sign a maintenance agreement.

EDA Chairman Beegle – What is the maintenance required afterward?

Mr. Cline – It is monthly checks and making whatever repairs are necessary.

Ms. Martin – You and I talked a little bit about the 200 truckloads but I can't remember the details. Can you think of any other project we have going on where we can use it so we don't have to haul that too far?

EDA Chairman Beegle – Could we use it to raise up the level on lot 4?

Mr. Cline – That would be nice. Now pond 2, since you are talking about lot 4, we've had to do part of that analysis based on guesses until that pond gets cleaned out and we can really see what we've got. It is under 1½' to 2' of water. We are making educated guesses on what it looks like. If our guesses are good it looks pretty good. We are using the top of the embankment as it was designed and it is about 1½' low. The good thing about that one is they made it too wide so if we bring it up we are in good shape. When you are doing lots 1 and 2 across the street it cuts off drainage that was going to this pond so you are decreasing that area. Of course you are dealing

with lot 4 but that was accounted for originally. It looks like it will work for the energy balance without doing a lot for that one.

Supervisor Boothe – Could you please expand on the water quantity and not water quality? That sounds like it could be expensive too.

Mr. Cline – That is something they dreamed up for the Chesapeake Bay that unfortunately we have to comply with. We have to treat for phosphorus and it is expressed in pounds per year that your site will generate. DEQ gives you a spreadsheet to use. There are only 3 conditions. You are either forested, grass, or pavement and there is no in-between. When we plugged in the numbers we need 3.27 pounds per year. The nutrient bank is up in Hiwassee. They buy old farm land and put it in a big conservation easement, improve it with some plantings, and say they will never put phosphorus on this land again. We won't fertilize it anymore. It offsets what you are potentially adding by taking it away as long as it is in the same drainage area. They come back and sell it to you for, in this case, \$10,100 per pound. You are looking at \$33,000. They have the cost of the land and upkeep. They are on the hook for it forever. The good thing is you are not on the hook for maintenance on something that is on your site. Once you pay for it, it is out of your hair.

Ms. Martin – Talk to us about the pending price increase that we want to try to beat.

Mr. Cline – I talked to another bank about that and they don't seem to think so...I'm wondering. Virginia Nutrient Bank says there are some pending DEQ changes that are going to happen after the end of this month that is going to cause them to raise their prices. They are saying maybe 50%. If you want to get it at today's price from the Virginia Nutrient Bank it will have to be by the end of the month.

Chairman Yoder – Can we offset it somehow with land we already own?

Mr. Cline – We talked about that once before, if you wanted to put some of the buffer zone into a perpetual conservation easement, but you wouldn't be able to do anything with it after that.

Chairman Yoder – I am even thinking other land offsite.

Mr. Cline – It has to be a registered, legal deal and you can't timber or do anything with it after that. It just ties up the property, but yes it is possible.

EDA member Finn – You mentioned the bank does improvements on the land. Might there be improvements if we selected a piece of property we already own, improvements that are required?

Mr. Cline – The way you would normally do that is you have four soil category types – A, B, C, and D. If you have "A" soils you get the most credit without doing anything to it. You could but I think it would be more costly than it is worth to improve something like that. It is probably situation by situation. It is best if you have land that you don't use and know you will never use like it is a hillside with briars on it, then put it in a conservation easement and see how much it offsets it.



EDA Chairman Beegle – Do we have enough land you think to create a green space?

Ms. Martin – About 60 acres.

Mr. Cline – It might be. You would have to look at soil types. I'm sure you could get 3 pounds out of it.

EDA Chairman Beegle – As far as existing things like trails or whatever, is that affected?

Mr. Cline – Probably. You would have to bring that up with DEQ and see how much of a stickler they would be.

Ms. Martin – It is a natural surface anyway. Just to be clear, the 3 pounds comes back to lot 8.

Mr. Cline – Lot 4 will have the same situation.

Supervisor Boothe – Would the offsetting property have to be in EDA's name?

Mr. Cline – Yes, or the Board or the whole County.

Supervisor Boothe – Since the whole Park is in EDA's name and using for offset could County property be used without deeding it over. We need to look into that. The only thing we talked about in the buffer zones were utility type things, which I think conservation will allow, won't it?

Mr. Cline – Probably, if it is in existing condition.

Supervisor Boothe – I think you have to identify where it will be. That would be the only kicker right now, trying to figure that out.

Mr. Cline – The way these credit purchases work if you want to go that route, if you get bigger than 10 acres on a site or you want to buy pounds you got to provide some of it on site. I don't know how that would work with lots 1 and 2. You might have to build a wet pond or do some kind of measure up there. I think the rule is that you have to do 75% of it on site unless there is a good reason why you can't. If you boxed yourself into a corner and don't have room and that you will be harmed, they will usually let you buy the credits. If you want to do the credit route, it will never get any cheaper. I can't tell you that all the banks will raise prices. This may be a scare tactic by that one bank because they need some money. They have been very vague with what they are saying about what this new DEQ requirement is going to be.

Ms. Martin – The nutrient credits, you said if you have them, are they transferable from one site to another with the same ownership?

Mr. Cline – I talked to the gentleman from the Virginia Nutrient Bank and he said they would work with you on that. What DEQ officially says the banks don't have to do that. If credits are dead, they are dead. But Nathan Blackwell says they have done that and will continue to do so at minimal cost.

EDA Member Gardner – I did not hear you say what the cost was for scenario 3.

Mr. Cline – \$139,000 in combination with another project. I was thinking that if a contractor had just this project it would probably cost another \$30,000.

Ms. Martin – But it could be combined even if it is not adjacent; combined with the work on lot 4? They are already there.

Mr. Cline – You could bid it out as an alternate bid.

Supervisor Boothe – What kind of deadline are we talking about with DEQ?

Mr. Cline – None really until you are ready to build something. The next thing that will get turned in is lot 8. It will be just building up the dam and not doing excavation. That will take care of some things.

Ms. Martin – Lot 8 is just being turned in because all the work has been done to this point and going ahead and getting it formally approved. That way the site is ready.

Chairman Yoder – As slow as this process is if a potential client came in, we would be one step ahead.

Mr. Cline – We need to fine tune this. It is not in a construction plan state, but it is in the right ballpark.

Ms. Martin – We don't know all the nutrient credits right now. A couple of weeks ago it seemed like we really needed to push. But right now we don't know.

Mr. Cline – Maybe together we can look at the conservation idea. It wouldn't take too long to map the soils up there and see what you have. I can talk to DEQ about the ownership question.

EDA Member Vest – Why don't you ask him about the upcoming regulations too?

EDA members left the joint meeting.

Agenda Item 6. – Approval of month-end disbursements.

On a motion of Supervisor Turman, seconded by Supervisor Boothe, and carried, it was resolved to approve the month end disbursements and additional bills as presented.

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

Agenda Item 7. – Constitutional Officers' Report.

There were no Constitutional Officers present.

Agenda Item 8.a. – Proposal from Citizens for local channel access on CCTV Channel

20.

Ms. Morris – I have received a written proposal from Citizens Telephone for local access channel. This is basically the same as the presentation they made to you last year. Citizens will provide all the equipment, labor and maintenance of their equipment at no charge. The County Board would be responsible for turning the recording on and off. This would not be a live broadcast; it would be taped and they would show it at some other time.

Vice Chairman Turman – Did they explain how it would be turned on and off?

Ms. Morris – They would train whoever is going to do that.

Supervisor Boothe – This is a little different from the verbal. When they were here I understood that we would be responsible for the maintenance of the equipment. This says they are. That takes care of that problem.

Supervisor Coleman – The bullet under proposal says, “...required to manually start and stop recording any meeting that they wish to record...” My question is how would that work? Do we have a legal opinion on whether it has to be all meetings, all regular meetings? What would happen in the event of a special meeting? Is that something we need to get Mr. Durbin’s opinion on?

Ms. Morris – All of your meetings are public...

Supervisor Coleman – I don’t particularly care for that wording.

Ms. Morris – It makes it sound like we have a choice.

Chairman Yoder – That has been my issue from the beginning, not just for this Board but any future Board. If we just wish to not record a ½ hour, then we just wouldn’t record ½ hour. That doesn’t sound like a good position for us to be in or for a future Board to be in.

Vice Chairman Turman – Someone might say, “What didn’t you want us to hear?”

Ms. Morris – ...or even be accused of it.

Chairman Yoder – It says we are responsible for working with their staff to get these meetings aired and scheduled, why would we need to be involved in the scheduling?

Supervisor Coleman – It seems to me we would provide the tape and they would put it on when they want to.

Supervisor Boothe – They come up and get the tape and put a new one in.

Chairman Yoder – Why can't they contract this out? We have people who come regularly to the meetings. I don't know why they can't have someone who would be willing to be here to record us, essentially a volunteer who is willing to do that. I don't want to put staff in that position. I don't plan to tell *The Floyd Press* what they can and can't write. That is the job of the press. With Citizens I don't want to be in the position of deciding what they air, or our staff to be in that position. I know other Counties have a web broadcast. Montgomery County does that I believe. Right now you have to pay to use Citizens. It would still be limited only to their customers. My personal opinion is that if I thought it was important to broadcast it I would prefer to have it broadcast on our website or something like that. If we were going to be responsible for picking what we broadcast then it should be available to everybody.

Vice Chairman Turman – There is also the delay. If we record it today and Citizens plays it Friday and a person sees something they are interested in, we have to backtrack and start again. I thought this would be someone turning their TV on and watching our meetings.

Supervisor Boothe – I thought it was going to be a live stream.

Supervisor Coleman – I think I was under the same assumption.

Chairman Yoder – I like the idea of giving access.

Supervisor Boothe – In fairness would we consider such an action from Channel 7 or Channel 10 for them to set up a camera in the corner, for us to turn on when the meeting starts, and them to get a tape? I don't have anything against Citizens or any of them. I am looking at it as treating all media sources the same.

Chairman Yoder – Right. Citizens Cable is a paid subscription service. If Doug Thompson has a blog and if he wanted to tape us would we be willing to do the same thing?

Supervisor Boothe – I think this Board has proved that it tries to be as open to citizens as it can be as any Board I have served with.

Ms. Morris – Montgomery County has a whole public information department and people who do this.

Vice Chairman Turman – In the letter they say they have 4,000 viewers but only 1,700 subscribers in Floyd County. A lot are not even in this County.

Chairman Yoder – I appreciate Citizens and the work they do and being part of the community. But in fairness I don't know would you offer that to every group that comes along?

Vice Chairman Turman – Citizens is a big asset to the County, but this puts a burden on our staff and on us.

Supervisor Coleman – When they mentioned this the last time I remember saying if it was as simple as flipping a switch, then I had no problem with it because it was no different than

turning on the microphones. But I don't like the part about working "...with Citizens staff to get these meetings aired and scheduled in a time slot." I can imagine that being difficult. I thought it would be a set date and time that it would be aired. I don't like the "...wish to record..." I know it is a minor issue. My perspective is that it should be just like these tape recordings and it is on from start to finish.

Chairman Yoder – If we went through with it, I would want to turn it on at 8:30 a.m. for the day meeting and 7:00 p.m. for the evening meeting and it didn't get turned off until everybody left. They might get half as breaks but that is what they get. I wouldn't flip it off and on.

Vice Chairman Turman – On those days when we have two or three closed sessions...

Supervisor Boothe – Would you cut it off when we went in and cut it on when we came out? I think we say we welcome them installing it and operating it.

Supervisor Coleman – Thank you for checking on this.

Ms. Morris – I will let them know.

Chairman Yoder – If we do this we need to do it on our own and make it available to everyone .

Agenda Item 8. – Old/New Business continued.

Ms. Morris – I gave you the letter from Thompson & Litton. Ms. Ryan provided the outline of our loan. As I noted we only had 1 bidder for the school air conditioning project. This is Nor-Well who is our current contractor installing the boilers. They are doing an excellent job so far. As you will see on the outline of the funds, the \$6.5 million that we borrowed after the amount we paid for the boilers already and different costs like the first interest payment on the loan, we will have about \$3.1 million remaining after the boilers are completed. As you will see on page 3 of the letter from Thompson & Litton, we do have the option to negotiate with the bidder, but this must be completed in 30 days so it is very quick. Another option is to do parts of the project up to the funds that we have. That is up to the School Board to decide if we were only to do parts. I would hope that if that is the route we went that we would do some at each school.

Supervisor Boothe – So the \$3.1 million is all construction money?

Ms. Morris – Yes, sir. Another option you have is to borrow more funds to complete the project at the amount. I talked to David Rose at Davenport on Friday. His most important point to you is that we don't use fund balance if we want to put more money into this because that would mess up our long term plans for these loans. He suggested that the easy way to do this would be to add it on to our \$14.5 million project if that is what you wanted to do. That hasn't closed yet and we could do that in phases too. Skyline has a limit on their loan amount so we can't go back there. If we went back to BB&T, they would require us to restructure again.

Supervisor Boothe – The only problem I have with that is if we are tying it back into the Literary Loan we are already at the maximum on both projects. We could do \$14.5 million as a bridge but the other portion would have to be continued financing as a regular loan. According to my calculations to meet this bid we would have to come up with \$3,162,458.19.

Chairman Yoder – Essentially the bid is double what we have.

Supervisor Boothe – If you go back through history I have always tried to support our school and support their projects as much as I can within our limitations. We settled on the \$14.5 million because if we went with the full \$17 million project that was going to tie up this Board and future Boards for 7 to 10 years. So if we agreed to add the \$3 million on this project that is exactly the effect we are having. I don't know that I am prepared to do that. There are too many variables out there with everything we've committed to so far. By this bid coming in at this, all these other projects that Thompson & Litton has projected cost on, I am worried big time.

Chairman Yoder – I think we are finding that because of the good economy, people can pick and choose the work they want to do and bid accordingly.

Ms. Morris – I was disappointed we only had 1 bidder. We had 12 people at the pre-bid conference. We advertised in 4 different newspapers – Roanoke, Richmond, North Carolina and Tennessee. They called every contractor they could think of. It was very disappointing.

Chairman Yoder – I am with Mr. Boothe. This Board has spent a lot of time trying to figure out how much we could spend to support our school system. We narrowed it down to this money and the \$14.5 million. We have done a lot of work to get to that point to figure out how we can support that long term. I am at the point where the School Board is going to have to prioritize what they want to do. It may be this, but to me that means the other project price would need to come down. That is my personal opinion. I am not prepared to borrow in addition to the two projects that we have committed to. That puts too much financial stress on the local people. As Mr. Boothe said, it ties the hands of future Boards. We wouldn't be able to do some projects down the road.

Ms. Morris – I don't want you to think I am advocating for that. I am giving you all of the options.

Vice Chairman Turman – I said from the very first that I didn't think they could do it for what they projected. I've always argued that. I don't think they can do the \$14.5 million for that.

Ms. Morris – Would you be willing for us to try and negotiate with them to see what we can do?

Supervisor Boothe – You could start negotiations to keep the 30 day deadline alive. I don't know that they are going to come down far enough.

Chairman Yoder – In the meantime the School Board needs to have a real discussion about their priorities. I can't tell them their priorities. I didn't run for School Board. I don't think it is this Board's job to tell them their priorities. Maybe if the priority is to get air conditioning in this year, maybe that is what they want to work on. Then we can try to rethink this whole thing. I think it will impact the other project. Maybe they can look at it and say they can prioritize certain areas. I know Check Elementary and the upstairs classrooms are much hotter than the downstairs classrooms. There may be parts of the schools that need air conditioning worse than others. I don't want to put this County in a position where we are in too deep and struggle again down that road.

Supervisor Boothe – I was here when we had zero in the bank. I don't know that we are going to see a drop in everything but there are going to be downturns. I don't want to put this County in a position where if we have a downturn we either have to raise taxes 10¢ or 20¢ or we have to borrow to pay bills.

Chairman Yoder – We've worked hard to get our fund balance to be solid and be fiscally responsible and we don't want to backtrack.

Supervisor Boothe – You look at our fund balance and it looks like a lot of money but you have to have a certain amount on hand to pay bills. There is not a lot of wiggle room in that.

Vice Chairman Turman – All it takes is one major blowup and we are right back to square one.

Chairman Yoder – Floyd County does not have a large tax base. We have to be very careful.

Ms. Morris – We will see what we can do on negotiating.

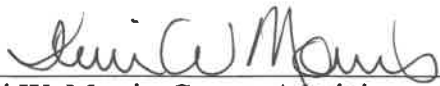
Chairman Yoder – I received a letter from VACo about our voting member.

Ms. Morris – I will have that on the agenda next time.

Supervisor Boothe – I stopped by and saw Mr. Via today. VDOT is not exactly moving on that like they claimed at the bridge. I am going to make a few phone calls myself. I also need to talk to Sheriff Craig because construction workers either tied in with VDOT or Facebook have flashing lights in their grill of their vehicles. One pulled up behind me and I pulled over. The light changed from red to green while they were sitting under the stoplight.

Agenda Item 9. – Adjournment.

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



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Terri W. Morris, County Administrator



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Lauren D. Yoder, Chairman, Board of Supervisors