

**BOARD OF SUPERVISORS  
REGULAR MEETING  
JANUARY 22, 2019**

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, January 22, 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 Linda DeVito Kuchenbuch, Board Members; Terri W. Morris, County Administrator; Cynthia Ryan, Assistant County Administrator.

ABSENT: W. Justin Coleman, Board Member.

Chairman Lauren Yoder called the meeting to order at 7:00 p.m. with the reading of the handicapping statement. Chair Yoder explained that Supervisor Coleman was absent due to having had surgery recently.

Agenda Item 2. – Opening Prayer.

The Opening Prayer was led by Chairman Yoder.

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

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

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

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

Agenda Item 6. – Constitutional Officers' Report.

**Mr. Eric Branscom** – I wanted to touch on a couple of things:

- 1) We have a murder charge. I believe it is the first one in the County in 6 years. I have heard the question raised, "Why was it first charged as malicious wounding and then changed to murder?"
- 2) I cannot discuss this particular case but I can tell you that is standard practice when you have a death under violent circumstances and a weapon has been involved.
- 3) This allows us to leave our options open during investigation, which includes collection of evidence that will be sent off to a lab and the results will take a while. There are also people to be interviewed.
- 4) There are a variety of situations that lead to a malicious wounding charge such as the person is still alive initially and then passes away.
- 5) A malicious wounding charge is an opportunity to have a serious charge which indicates the level of violence involved, but without having to necessarily put everything forward.
- 6) In this particular case we brought an original charge by warrant and then we proceeded to having a grand jury.
- 7) Many citizens do not understand the difference between a regular jury and a grand jury.
- 8) The officers on scene make the determination on how dangerous the situation is.
- 9) If the officers feel a suspect is a further danger to the public or might flee the jurisdiction, you arrest based on a warrant and the person is taken directly in front of a magistrate.
- 10) In other investigations, notably drug investigations, there are search warrants and the evidence collected has to be submitted to lab testing. Often the charges are delayed until the lab results are received and taken before a grand jury.
- 11) The grand jury can return indictments that are the basis for arrests.
- 12) Grand juries can also be used if during an investigation of a case, additional things are found to be going on.
- 13) There are 4 grand juries a year in January, April, July and October. It is 5 people from the general jury pool. The proceeding is closed and only a summary of evidence from the officers is presented because it is just about probable cause.
- 14) At the end of every grand jury the judge asks if there is anything else going on in the community that they think needs to be investigated.
- 15) I wanted to mention another unsung hero around the courthouse – Lieutenant Alesha Akers. She has been there about 16 years and has worked in a variety of positions during that time. Right now she is leading extraditions and keeping track of domestic violence cases, which is important for getting domestic violence grants.

Agenda Item 7.a. – Mr. Karim Khan, Director of the Montgomery-Floyd Regional Library.

**Mr. Karim Khan** – Thank you for providing this opportunity to talk about what is going on at the Jessie Peterman Memorial Library:

- 1) We had a big change this year when branch manager Cathy Whitten left and we were extraordinarily fortunate to have Lori Kaluszka become the new branch manager. We hired one of the library employees as her assistant, Joann Verostko, who filled in as branch manager while Lori was out of work for three months.

- 2) The biggest thing over the past year has been the Great Summer Waive which is now just the Great Waive. It is a program of fine relief for kids.
  - a. We want kids to be able to make use of the collection even if they have fines.
  - b. It is a two-part program. One part is children can read a book or participate in other library activities and programs and that counts toward \$5.00 to \$10.00 off of a fine.
  - c. We also changed the fine structure so children and teen books no longer accumulate fines, but they still have to return the books. We did this because we want kids to read.
  - d. Studies have shown that fines disproportionately affect people in poverty.
  - e. Books have much more value in children's hands than sitting on the shelves.
  - f. So far 86 Floyd children have had fines waived for a total of \$653.00 worth of fines, which is about 10% of budgeted revenues from fines from Floyd.
- 3) We had a successful Family Reads program based on a grant received from the American Library Association and Dollar General Literacy Foundation.
  - a. In Floyd it was an 8-week session with people who were learning English and had young children.
  - b. In partnership with the Literacy Foundation of the New River Valley we helped the parents with their English skills and also instructed them on how to read to children to encourage early literacy behaviors.
  - c. We had 10 parents and kids.
  - d. Last week we heard this grant has been renewed and we plan to expand it to more school age children and try to use less paid people and more volunteers.
- 4) This has been a good year for art and creativity at the library.
  - a. We dedicated Miss Jessie's Gallery to display local artists' work.
  - b. Right now there is the "Desire Wisdom" sculpture in the front.
  - c. We always have a puzzle going for all ages.
  - d. We hosted 2 workshops as part of the Mountains of Music Homecoming. One was percussion for kids and one on intermediate guitar skills of the Piedmont Blues style.
- 5) The general office and technology have made changes to help the general user.
  - a. We rolled out the newest library catalogue which replaced one that was 13 years old. It is much easier to put holds on books. It is easier to search.
  - b. We have Launchpads with nothing on them but educational and literacy building programs, but children think it is a game.
  - c. We subscribe to Bookflix, where children can read a story book and listen to it and also see an accompanying nonfiction book on the same topic.
  - d. We have a new holds notification procedure that lets you see which book is in.
  - e. All our programs are listed on the internet at least one month out so our patrons can plan better.
  - f. Last year we had over 4300 people attend programs at the library, 152 children's programs were offered with 2583 in attendance, 11 teen programs, and 196 adult programs.
  - g. Passport services are popular in Floyd and the numbers go up every year.

- 6) Community engagement programs include monthly outreach to Skyline Nursing Home and we participated as one of the partners in the program "From the Front Porch to the Frontlines."
- 7) We have programming partnerships with the Department of Motor Vehicles, the Virginia Department of Health, Blue Ridge Heritage, Carilion, and the Floyd County Coordinating Council of Sexual and Domestic Violence. We are always a pickup site for Plenty!
- 8) We subscribe to online services to assist adults who are trying to learn Adult Basic Education and prepare for tests and build skills.
- 9) We have Valueline Research Center which is for investors to understand their investment choices.
- 10) We are working on plans with Partnership for Floyd for a new story walk here at Floyd library. This will be a series of holders for the pages from a book so parents and children can walk along and read the book.
- 11) Basically for FY20 we are asking for \$82,432.00 from Floyd County for the library, which is an increase of \$6,707.00 over this year's budget, which does not include enhancements.
  - a. The largest part of the increase, \$4,200.00, is for regional salary support. Like Floyd County, Montgomery County had a salary survey last year. The people who worked at the regional library offices were affected by the results of the salary survey.
  - b. The \$677.00 increase in On-line Info Services is for SIRSI which was upgraded this year but the increase would have happened even without the upgrade.
  - c. The \$500.00 increase in Travel - Mileage is for youth services staff who come here and put on programs.
  - d. The Gasoline line increased by \$50.00 just in case oil prices increase.
  - e. Our copier costs are going up so that is the \$100.00 increase in Lease/Rent Equipment.
  - f. Office Supplies increase of \$300.00 is because we are spending this year's budget pretty fast.
  - g. We asked for another \$50.00 in Recognition of Service which doubles that amount because we overspent that line for Cathy's retirement recognition.
  - h. There is a one-to-one exchange between On-line Info Services and Materials for Patrons. That is because we are changing how we are accounting for some services that are now being done online instead of through paper subscriptions.
- 12) On the revenue side I already mentioned that fine revenue will be going down because of the Great Wave program, but they are also going down as fewer DVDs are being checked out. We are expecting a \$3000.00 increase in passport fees. State Aid will increase marginally.
- 13) The net effect of the expected increase in expenditures and expected decrease in revenues results in our additional request for \$6707.00.
- 14) We propose 3 enhancements for the Floyd library.
  - a. The first enhancement is for extended hours for the Floyd library, which has fewer hours each week than the other 3 branches. We are asking for additional money so we can be open Monday-Thursday from 7:00 to 8:00 p.m. and also on Saturday from 3:00 to 5:00 p.m. This would be 12 additional hours of staff time per week to be open 6 more hours. Patrons frequently request the longer hours and it would help to be

consistent with the other library branches. These times are when programs are often successful with teens and adults as a rule.

- b. It has been 11 years since the interior has been painted. The old entrance/current gallery area has the most problems. We have an estimate of \$300.00 for that area; \$1,800.00 for the old building part and \$3,400.00 for the new building part.
- c. The carpet in the community room was installed in 2008 and it is worn and permanently stained. We would like to replace the carpet with flooring less prone to stains due to the nature of the types of programs we offer. The quote we received is \$6,400.00.

Agenda Item 9.a. – Transfer of \$5,802.33 refund from the Drug Task Force operating account to Solid Waste for the purpose of purchasing cameras at green box sites.

Ms. Morris – The Sheriff’s Office received a check for \$5,802.33 due to the dissolution of the New River Valley Drug Task Force. As you will recall you discussed putting up additional cameras at the green box sites. We thought that might be a good use for that money. The Sheriff has agreed for his department to handle enforcement so Solid Waste people would not have to go to court.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Turman, and carried, it was resolved to approve the transfer of \$5,802.33 from the Drug Force operating account to the FY19 Solid Waste budget for the purpose of purchasing cameras at green box sites.

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

Agenda Item 9.b. – Floyd County School Board requests a budget transfer of \$9,570.00 from the Capital Improvement Fund to Operation & Maintenance category in the FY19 budget for rewiring light fixtures in the high school old gymnasium to accept LED light bulbs.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and carried, it was resolved to approve a budget transfer of \$9,570.00 from the Capital Improvement Fund to Operation & Maintenance category in the FY19 budget for rewiring light fixtures in the high school old gymnasium to accept LED light bulbs.

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

Agenda Item 9.c. – Approval of Incentive Policy for the Floyd County Economic Development Authority.

Ms. Morris – Please defer this item until after closed session.

Agenda Item 9.d. – Acceptance of Deed of Easement between the Floyd County Board of Supervisors and the Floyd-Floyd County Public Service Authority.

Ms. Morris – The PSA requested this easement for improvements to the water line in front of our building. Mr. Durbin has reviewed the Deed of Easement and has made some additions. We would have to have a public hearing before we took action on granting this deed of easement.

Mr. Boothe – Could we add that non-emergency repairs will be coordinated so that the repairs do not interfere with access during business hours.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and carried, it was resolved to authorize the County Administrator to advertise a public hearing on February 26, 2019 at 7:00 p.m. or as soon thereafter as possible on Acceptance of Deed of Easement between the Floyd County Board of Supervisors and the Floyd-Floyd County Public Service Authority.

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

Agenda Item 8. – Closed Session – Personnel §2.2-3711 A.1., Prospective Business or Industry §2.2-3711 A.5., and Consultation with Legal Counsel §2.2-3711 A.8.

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; Section 2.2-3711, Paragraph A. 5., Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; 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 – yes  
Supervisor Coleman – absent  
Supervisor Kuchenbuch – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

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

Supervisor Boothe – yes  
Supervisor Coleman – absent

Supervisor Kuchenbuch – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, 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; Prospective Business or Industry in accordance with Section 2.2-3711, Paragraph A.5 and Consultation with Legal Counsel 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 Boothe – yes  
Supervisor Coleman – absent  
Supervisor Kuchenbuch – yes  
Supervisor Turman – yes  
Supervisor Yoder – yes

This certification resolution was approved.

Agenda Item 10. – Old/New Business.

Ms. Morris presented several items under New Business:

- Agenda item 9.c. Approval of Incentive Policy for the Floyd County Economic Development Authority will be deferred to a future meeting.
- Two (2) resolutions from the School Board which will be deferred for discussion at a later meeting, concerning their requests for funding for the HVAC improvements and the Collaboration Center.
- Resolution submitted by the Floyd-Floyd County Recreational Authority for dissolving that body will be discussed at a future Board of Supervisors meeting when all members are present.

Chairman Yoder – At the Joint Subcommittee meeting it was suggested that the School Board have a public meeting on their facility plans. I have talked to Dr. Wheeler. He has the information and slides if the Board of Supervisors desires. The date of February 26, 2019 from 4:00 to 7:00 p.m. was suggested for the public meeting date.

Vice Chairman Turman – Mr. Greg Winston, the Regional Jail Superintendent, will provide a training session for employees that deal with trustees. The trainer will come to Floyd County to hold the training. Ms. Morris will contact Mr. Winston to set up the date and times for the training.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and carried, it was resolved to approve the transfer of \$25,777.31 from Contingency to Emergency Medical Services in the amount of \$12,983.43; Environmental Fund in the amount of \$10,851.50; and to Community Development in the amount of \$1,942.38 to pay compensatory time earned by employees who have an excess of 200 hours.

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

Agenda Item 11. – Adjournment.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and carried, it was resolved to adjourn to Tuesday, February 12, 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