

AGENDA
BOARD OF SUPERVISORS
REGULAR MEETING
AUGUST 10, 2021, 8:30 a.m.

1. Meeting called to order by Chairman Joe Turman, Board Room, County Administration Building
2. Opening Prayer
3. Pledge of Allegiance
4. Roll Call and Determination of Quorum – Dr. Linda Millsaps, County Administrator
5. Approval of the agenda (**ACTION ITEM**)
6. Approval of [minutes](#) – July 13, 2021, and July 27, 2021 (**ACTION ITEM**)
7. Approval of monthly [disbursements](#) (**ACTION ITEM**)
8. Presentations
 - a. 8:40 a.m. – Mr. Chad Alls, Director of Floyd County Social Services
 - b. 9:00 a.m. – Public Comment Period
 - c. 9:15 a.m. – Mr. David Clarke, Resident Engineer, Virginia Department of Transportation
 - d. 10:00 a.m. – Ms. Laura Oliver, Virginia Cooperative Extension Agent
 - e. 10:15 a.m. – Dr. John Wheeler, Superintendent, Floyd County Public Schools
 - f. 10:35 a.m. – Ms. Tina King, Executive Director New River Valley on Aging
 - g. 10:50 a.m. – Constitutional Officers’ Report
 - h. 11:00 a.m. – Closed session with Ms. Lydeana Martin, Community & Economic Development Director for items A.3. and A.5.
 - §2.2-3711 A.1. – Discussion of terms of Personnel contract
 - §2.2-3711 A.3. – Discussion of the acquisition or disposition of publicly held real property
 - §2.2-3711 A.5. – Discussion of a potential business location or expansion not yet announced relating to the Floyd Regional Commerce Center Phase 2

9. New Business

Financial

Information attachments:

[Fund Listing](#)

[Department Listing](#)

[FY21 Status of Assets in Funds](#)

[Unaudited FY21 Ending Expense Report](#)

[Final Explanation of Overages in Various Departments](#)

- a. Carry-over requests to FY22 budget (**ACTION ITEM**)
- b. FY21 year-end transfers (**ACTION ITEM**)

Other

- c. [Resolution Approving the Virginia Abatement Fund and Settlement Allocation Memorandum of Understanding](#) in regards to the Opioid lawsuit (**ACTION ITEM**)
- d. County Administrator's Report
 - Budget supplement for insurance reimbursement related to ransomware attack.
 - Information related U.S. Selective Services Board
 - Update on trails
 - Telecommunications
 - Update on American Rescue Plan

10. Board Member Time

11. Adjournment

**AGENDA
BOARD OF SUPERVISORS
REGULAR MEETING
JULY 13, 2021**

- 1. Meeting called to order at 8:30 a.m. by Chairman Joe Turman, Board Room, County Administration Building.
- 2. Opening Prayer – led by Cynthia Ryan.
- 3. Pledge of Allegiance – led by Supervisor Yoder.
- 4. Roll Call and Determination of Quorum – Dr. Millsaps called the roll.
 - Supervisor Coleman – absent
 - Supervisor Kuchenbuch – present
 - Supervisor Yoder – present
 - Supervisor Boothe – present
 - Supervisor Turman – present

It was determined that a quorum was present.

- 5. Approval of the agenda – Dr. Millsaps asked if the Closed Session at the end of the agenda could be moved up to take place right after Ms. Amy Ingram’s presentation.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and carried, it was resolved to amend the agenda to have the Closed Session right after Ms. Ingram’s presentation.

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

- 6. Approval of minutes – June 8, 2021, and June 22, 2021

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and carried, it was resolved to approve the June 8, 2021, and June 22, 2021 minutes as presented.

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

- 7.a. Mr. Chad Alls and Mr. David Hope, Floyd County Department of Social Services

Mr. Alls introduced Mr. Hope as the Services Supervisor. Mr. Hope would explain Congregate Care, which is one of the levels in Foster Care. This ties into the Family First Prevention Services Act that began July 1.

Mr. Hope explained Congregate Care is the highest level of the four different levels of Foster Care and consists of 24 hour supervision in highly structured settings:

- 1) Group homes are not locked, but provide 24 hour care. Services are provided in the group home and can also be provided in the community. Education is usually provided at a local school.
- 2) Treatment facilities are locked buildings. Medicaid pays for services if the child meets criteria. Placement is based on a child having high risk behavior such as suicidal or homicidal ideation or runaway assaultive behaviors toward adults or children. Education is provided at the facility.

Assessment and diagnostic program helps Floyd County Department of Social Services determine the best placement for children and to see if other services are available that can help the child. It is a 90-day program for children who have high risk behavior or had several disruptions.

Mr. Alls – We start from the least restrictive situation and move upwards. When we receive a child from the Court System Juvenile Detention then the child usually starts at a higher level. The emphasis of Family First is to decrease the use of Congregate Care.

Vice Chairman Boothe – Has the State’s recent decision to not allow 5 of its hospitals to receive any more patients impacted us yet?

Mr. Alls – It has not impacted us. We have had situations in the last year where a child might require hospitalization and a bed has not been available. We had one child remain in an emergency room for 3, 4, or 5 days waiting for a placement. In some instances local social services staff are tasked with sitting in a hospital with a child or housing the child in the agency until a placement can be found. It is a very critical need to locate a placement or hospital for a child. Right now we only have 1 child in congregate care which we hope to be able to step down to therapeutic foster home.

Supervisor Yoder – Is the focus of the new initiative to provide healthier situations for children in that the more they are in a home situation the better it is for children?

Mr. Alls – Yes, sir. That is the understanding – children are best raised in their own families in their own homes or with relatives. The use of congregate care while at times is required and necessary, the State feels it should be a last resort. They are making it more and more difficult to utilize these congregate care placements in funding and requirements we have to go through in order to pull down the funding for congregate care.

Chairman Turman – I heard on the news that mental health budgets were being cut by the State. Will that effect you?

Mr. Alls – Potentially it could, yes. Not only for the children but for their parents who we also serve. Services are key to treating parents and the caretakers in order to return children into the home. The absence of those services makes it more difficult for us to achieve permanency we need for children. In Floyd County and other rural areas the biggest obstacle is substance abuse.

9.c. FY22 Resolution of Appropriation

On a motion of Supervisor Yoder, seconded by Supervisor Boothe, and carried, it was resolved to approve the resolution for appropriation of FY22 budget as presented (Document File Number 1191).

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

9.d. FY22 Budget transfers identified during input of budget

Ms. Ryan – As I input the FY22 budget I became aware of a couple of errors I made. In the Commonwealth Attorney’s budget I input the part-time labor amount twice, once in total salaries and once as a separate line item in part-time labor. The Compensation Board changed the classification of a position in the Clerk of Circuit Court’s office which resulted in an increase in salary. I missed the salary change from the reclassification when we prepared the budget. Also when I calculated insurance I failed to pick up that one insurance bill goes to the Economic Development Authority but the County pays the portion attributable to the Floyd Flex building. I recommend we correct these line items and put the extra amount to the contingency line.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and carried, it was resolved to approve in the FY22 budget a transfer of \$16,500.00 from Commonwealth Attorney part-time labor because it was included twice in budget with \$2,263.00 going to Circuit Court Clerk salaries and benefits lines because of compensation board upgrade of a position, \$3,994.00 going to General Properties property insurance for Branwick Building which was not included in budget, and the remaining balance of \$10,243.00 being added to contingency.

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

9.a. Application and agreement with Appalachian Power Company for underground service to Floyd Growth Center

Ms. Martin – This item was not part of the actual bid document for the new building at the Commerce Center. It is essential to the building – 3-phase power that Appalachian Power Company would be bringing to the site.

Supervisor Yoder – This was in the money appropriated for the building, but not in the bid documents?

Ms. Martin – That is correct.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and carried, it was resolved to approve the application and agreement with Appalachian Power Company for underground service to the Floyd Growth Center and to authorize the appropriate officials to execute the documents (Document File Number 1192).

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

7.b. Public Comment Period

Chairman Turman read the handicapped statement, explained the rules for speaking, and called for the Public Comment Period.

Ms. Becky Howell, Burks Fork District – I would like to thank you again for using the microphones. We really do like to hear what you have to say. Today I am representing the Floyd Concerned Citizens in presenting a resolution, not an ordinance, to you for adoption. It is important that you the elected representatives of the people be seen drawing a line in the sand and honoring your duty by standing up for the citizenry against mandates from Richmond and Washington. This resolution is based heavily by the one recently adopted in Carroll County. The resolution is not intended to necessarily be adopted verbatim by the Board, but it deserves serious consideration. It is important that the Board of Supervisors adopt a firm position to serve as guidance to the School Board. Failure to act will be perceived as weakness. While we do not know what Richmond will do if we do not adopt these policies, we do know that the result will be that our children will lose their rights to privacy and be subjected to possible harm and indoctrination attempts. We know the best way to change a nation is to begin by indoctrinating the children. Why do we want to change America, the greatest nation on earth?

Ms. Howell used the rest of her 4 minutes to begin reading the proposed resolution:

**RESOLUTION OF FLOYD COUNTY BOARD OF SUPERVISORS
REGARDING THE VIRGINIA DEPARTMENT OF EDUCATION "MODEL
POLICIES FOR THE TREATMENT OF TRANSGENDER STUDENTS IN
VIRGINIA'S PUBLIC SCHOOLS"**

WHEREAS, the Floyd County Board of Supervisors (the "Board") is aware of the

recently-adopted Virginia Code Section 22.1-23.3, which requires the Virginia Department of Education ("VDOE") to develop certain model school board policies concerning the treatment of transgender students in public elementary and secondary schools, including access to school facilities and participation in school activities by transgender students (the "Model Policies"); and,

WHEREAS, the aforesaid statute requires absolutely that all local school boards, including the Floyd County School Board, must without exception adopt local policies that are substantially compliant with the Model Policies developed by VDOE; and,

WHEREAS, this Board has reviewed the VDOE Model Policies, and is concerned with the substance of the policies, the motivation for the formulation of, and the process used in the composition of said policies; and,

WHEREAS, it is well-established that the United States Constitution protects all parent's and guardian's recognized rights to make decisions concerning the care, safety, custody and control of their children, including the rights to make decisions concerning the moral upbringing, education, care of, and protection of the child, and that these rights have been consistently recognized as fundamental rights protected by the Due Process Clause of the Fourteenth Amendment to the US. Constitution; and,

WHEREAS, the VDOE Model Policies do not appear to adequately protect the fundamental constitutional rights of parents and guardians concerning the education of children in that the Model Policies plainly provide for collusion between minors and school officials by withholding from parents and guardians any and all information concerning a student's demand for transgender status; and,

WHEREAS, the VDOE Model Policies do not in any manner protect the constitutional rights, or offer legal liability protections for school students, teachers or staff who may have religious, cultural, moral or other reservations concerning the implementation of and compliance with the policies; and,

WHEREAS, the VDOE Model Policies appear to have been composed and adopted in a sequestered and insular manner that did not adequately allow for outside input or permit the expression of concerns or objections to certain provisions to be raised from parents, guardians or the general public regarding the implementation of the VDOE Model Policies; and,

WHEREAS, although the VDOE Model Policies are required to be adopted by the first day of the 2021-2022 School Year, certain guidance regarding said implementation and compliance with model policy will not be made available to the School Boards until the end of the 2021 calendar year; and,

Ms. Suzanne Touscany, Little River District continued the reading of the proposed resolution for her 4 minutes:

WHEREAS, the VDOE Model Policies are particularly questionable with regard to access to, and use of particular school facilities, including school restrooms, school locker rooms and showering facilities for the following reasons:

- 1) The Model Policies do not acknowledge or protect the privacy rights of any non-transgender students who may feel uncomfortable or unsafe in using these facilities in the presence of students of the opposite genetic sex;
- 2) The Model Policies fail to adequately respect the First Amendment rights of non-transgender students under the Free Exercise Clause, for whom changing clothes, bathing or using the restroom facility in the presence of students of the opposite genetic sex would violate the tenets of their religious faith - A group which would at a minimum include Jewish, Muslim and Christian students adhering to teachings of their respective religions;
- 3) The Model Policies, by prohibiting even the most basic inquiry into a student's gender identity before using a restroom, could preclude a school from preventing acts of misconduct in a restroom, locker room or even hotel room on a field trip, and do not adequately address the legitimate safety concerns of non-transgender students;
- 4) To the extent that the Model Policies would permit or require the availability to students of alternative, non-stigmatizing, restroom or changing facilities, no funding has been identified by the VDOE or other state entity which would be available to the County to modify current school facilities and in fact, constitutes an unfunded mandate which will unreasonably burden all of the taxpayers of Floyd County;
- 5) The Model Policies nowhere offer the Localities any guidance or legal protection regarding what criterion would qualify any alternative restroom or changing facility as being legally "non-stigmatizing" under the above item number 4;
- 6) The Model Policies nowhere offer the Localities any legal protection from lawsuits which might emanate from the forced implementation of, and compliance with, the Model Policies, as they may in the future be found to be unconstitutional by a Court of Law; and,

WHEREAS, the Model Policies do not appear to provide adequate protection for the unalienable First Amendment Rights of students, teachers and school staff, as they compel a specific class of students be addressed by their "preferred gender pronoun." Such compelled speech would be a violation of both the First Amendment Rights and the religious beliefs of students, teachers and staff members; and,

WHEREAS, the Model Policy is internally inconsistent in that it provides that gender identity is a matter of subjective self-identification, about which school staff have no

way of knowing unless the individual communicates their gender identity to school staff, but the policies simultaneously prohibit school staff from questioning a student as to their preferred gender identity. The Model Policy also prohibits school staff from communicating a student's gender identity to others. Thus, the policy itself creates a conundrum whereby the very question that would enable compliance with the policy is a question that school teachers and staff are forbidden to ask; and,

WHEREAS, this Board is concerned that the Model Policies concerning dress codes and related non-gender specificity were not adequately considered and have unintended consequences in the context of physical education classes, as well as school-sponsored functions, such as field trips, holiday events, Proms, Father-Daughter dances, etc.; and,

WHEREAS, this Board is aware of current litigation filed against VDOE, and is of the opinion that the implementation of, and enforced compliance with, certain provisions of the Model Policies must be suspended, and not rushed through prior to the outcome of and any appeals pursuant to, this litigation; and,

Mr. David Whitaker, Courthouse District concluded the reading of the proposed resolution:

WHEREAS, this Board is always and fully committed to the safety and well-being of all students and will not in any way tolerate bullying, harassment or mistreatment of any student, for any reason, and observes that such conduct is already adequately prohibited and punishable under existing law and policy; and,

WHEREAS, the Floyd County Board of Supervisors wishes to express its support for the First Amendment and Fourteenth Amendment rights of all students, teachers and school staff, and further to express its opposition to certain of the VDOE policies as currently documented in the "*Model Policies for the Treatment of Transgender Students in Virginia's Public Schools*" document;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FLOYD COUNTY, VIRGINIA AS FOLLOWS:

1. That the Board of Supervisors hereby expresses its strong opposition to certain of the VDOE Model Policies for the Treatment of Transgender Students in Virginia's Public Schools as currently documented for the reasons stated herein;
2. That the Board of Supervisors hereby encourages the VDOE and the Virginia General Assembly to suspend the implementation of VDOE's model policy pending the final outcome of current or future litigation filed with regard thereto;
3. That the Board of Supervisors hereby encourages the VDOE and the Virginia General Assembly to reconsider the VDOE policies for the Treatment of Transgender Students and suspend their application pending such

reconsideration;

4. That the Board of Supervisors expresses its support for the First Amendment and the Fourteenth Amendment rights of its citizens, including the right to free exercise of religion and the rights of parents and guardians to direct the safety, upbringing and education of their children;
5. That the Board of Supervisors will carefully consider every budgetary option which is available to it, that it may ensure that all of the rights of the students, teachers and staff of our schools are protected, and that all students are guaranteed a safe, fairly administered and inclusive education.

I want to thank you all for your kind patience and consideration. Thank you.

Mr. Bob Smith, Indian Valley District – We are standing up here, the people of Floyd County. We want to know when you folks will stand up. I am sure you are familiar with these documents I am holding. We want to ask, “Will you act when the next phase arrives – when Richmond takes down the rebel and the obelisk, when they replace them with a Tiny Tim statue perhaps? When a drag queen parade replaces the American Legion and Veterans of Foreign Wars, when Floyd becomes the pot capital of Virginia? When our flag of 50 stars and red stripes on a field of blue and white is replaced with 52 stars and a rainbow? When will we all stand up? Tell us please. Thank you.

Ms. Linda Wagner, Courthouse District – Thank you for using the microphones. I appreciate it. The Model Policies of the Virginia General Assembly give special treatment and attention to very young, impressionable children. They are not even old enough to smoke, drink, or heaven’s sake, vote. And these, according to our government, are reserved for the mature – those over 18. Yet when it comes to gender identity, this same government deems the very young competent to choose their sex, gender or lack thereof. I am here to tell you that I am a mature adult and I don’t understand it. This is a heavy burden for my heart because I believe God created two sexes – male and female. The cultural deception that transgenderism is fact and that we all support the lie or else is deeply troubling. The truth that transgenderism is a belief system has no basis in objective science or medical reality. In the Model Policies it is stated, “that many transgender students undergo the process of gender transition to confirm and live as gender of their identity.” 54.1-24.5 of the Code of Virginia states that Virginia law prohibits licensed professionals from engaging in conversion therapy with youth under 18 years of age. So why is this a discussion in our schools and our country? To cater to this is child abuse and maybe they should be referred to Mr. Chad Alls and Mr. David Hope as they are first line mandatory reporters. This is a non-issue. Conversion therapy is opposed by most major professional organizations, such as the American Medical Association, the American Counseling Association, and the American Psychiatric Association. Yet you are going to spend our valuable tax dollars to instruct your mental health staff at the schools to be proficient in counseling to support transgender students? This is out of the Mayo Clinic. “A body dysmorphic disorder: Body dysmorphic disorder is a mental health disorder in which you can’t stop thinking about one or more perceived defects or flaws in your appearance. A flaw that appears minor and can’t even

be seen by others. You may feel so embarrassed, ashamed, and anxious that you may avoid social situations.” Again, I say they are mandatory first line reporters and if they are supporting transgenderism, they are violating the Code of Virginia and are doing no good function for our children. You discussed earlier with Mr. Chad Alls how you are supporting our children. Let’s support them through our schools. Thank you.

Ms. Kellean Gale, Indian Valley District – I am a newspaper owner, a new one. I get all kinds of people talking to me, all kinds of articles emailed. When I took on this newspaper I didn’t realize the kind of responsibility that it was going to be. These people who come to me, they are not asking me to push the Board, that the Board is bad, that the Board should not obey the law. What they are asking is that the Board of Supervisors, who we elected to be our wall between what is right and wrong for our community, do their job. Not make their decisions because of personal beliefs, make their decisions for what is right for the County, for the State, and for America, and most of all for the people who put you here. This is a conservative community. It is a very diverse community. I am a big-city girl. I have lived all over the world, but there is something about America and simple values that people can raise their kids by. That is what they elected you to do – to be our guardians. What these people are asking me and the newspaper is to stand up for them and I do. Everybody has a right to speak, both sides, all sides. But our Board of Supervisors has the responsibility to weed through all of that and do what is right. The Mormons have a simple ring they give their children. On that ring is 3 letters – C, T, R. It stands for Choose The Right. That is what the people of Floyd are asking you to do – to choose the right. Thank you.

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

9.c. Mr. David Clarke, Resident Engineer, Virginia Department of Transportation (VDOT)

Mr. Clarke provided construction and maintenance updates:

On the maintenance side –

A few storms that resulted in some work	
Pothole patching in front of the overlay schedule	
Secondary mowing	
Drainage	Fox Street by replacing some sidewalk

On the construction side –

Roger Road is moving along. We hope to put a couple of inches of base stone in this week and have it surface treated, weather depending.
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Mr. Clarke – The Board passed the resolutions for the naming of the routes. I need a revised resolution for Route 8. It needs to have the same paragraph as the one in Horse Ridge about the County paying for the signs. I was misinformed and thought it was for any police officer, but it is only for State troopers. It can be passed at the next meeting this month.

Supervisor Yoder – I have a bunch of thank yous today. The patching crew has been working in Check and they are doing a great job. They fixed a lot of spots I have been complaining about for years. They filled in the worst spots of the shoulders on Rt. 221. They filled in a pipe on Deer Run Road that I talked about quite a bit. That pipe probably needs to be replaced because it has been filled in several times. I have gotten calls on Red Oak Grove Road needing work. Stuart Road still needs work, but they have gotten to the vast majority that I have gotten calls about for the past six months. I have also seen crews out mowing, but more mowing is still needed. You have made a real emphasis and it is much appreciated.

Supervisor Kuchenbuch – Thank you for the work on Moore Road. Maybe you can get a supervisor to look at pipes where there is a known problem. If we could just get the ditches cleaned, I think it would solve so many problems, but I know you have to jump through environmental hoops. Bethlehem Church Road is still an issue. I know it is on your radar, but I said I would bring it up. Huckleberry Ridge Road has large holes in it. Laurel Ridge Mill Road in Montgomery County crosses into Dobbins Hollow Road and Rt. 615. More holes are developing on Rt. 677 than ever before. Increased traffic has caused more accidents on Rt. 8 or Rt. 615. Thank you for all the work the crews are doing. Mowing is needed. Thank you and the men and women of VDOT.

Vice Chairman Boothe – Thank you. The crews have been working all over the County. Thank you for the attention to some of the problems that have cropped up. I talked to Mr. Darrell Sowers about a couple of things on Morning View Lane. I forgot to mention to him that there is a place where the brush is hanging out into the road, if you would mention that to him. Have you been over to the school project?

Mr. Clarke – It has been a little bit. I saw it when they cleared the front field there.

Vice Chairman Boothe – There is a catch basin below the tank and then there is an overflow pipe that drains out to a ditch. I noticed during some of the harder rains that the water is running across the road. Do you know if there is any plan to put a culvert under that road?

Mr. Clarke – I am not sure what is required with the permit. It would be an increase in drainage to have to take it to an adequate facility.

Vice Chairman Boothe – Would you check on that, if you don't mind? Several citizens have talked to me about that. I don't know what was in the final document with VDOT. I think there are some potential problems if it is left as it is, especially in the winter. On

the end of Fox Street, did you ever find out who owns the sidewalk that has the missing handrail?

Mr. Clarke – That is the Town's. We will do a sidewalk associated with a VDOT project, but that was a Town project.

Vice Chairman Boothe – I need to talk to the Town because there is a concern about there not being a handrail.

Mr. Clarke – I will check on our side too just to be sure.

Vice Chairman Boothe – The next thing is Facebook. We have some problem spots we have been trying to get fixed on Rt. 8 as far as guardrails. Are they digging out behind those guardrails or are they boring?

Mr. Clarke – I'm not sure.

Vice Chairman Boothe – Well someone needs to figure that out because if they are digging it out and not compacting it back, then we will have even worse problems with the guardrails.

Supervisor Yoder – They fixed some of your draining issues.

Vice Chairman Boothe – I will admit that. They have been good in some respects. Please keep an eye on it because some of these guardrails we have been trying to get shored up and fixed for three years.

Chairman Turman – One of the biggest issues I am hearing is mowing, machine work on the back roads, and overhanging limbs. I get calls about the long work zone on Rt. 8 and people having to wait 20 minutes and then having to wait 7 or 8 minutes halfway through. We get a line of traffic ½ mile long on Rt. 8.

Mr. Clarke – There is an inspector who tries to keep them to shorter work zones. Of course, the contractor would just as soon that the road be shut down, but we can't do that.

Chairman Turman – I know it gets hot and I have directed my share of traffic over time, but when the people holding the signs get back under the shade, the drivers can't see the signs. They did a great job on Buffalo Mountain Road. I noticed they were compacting the gravel on each side of the new bridge. The Board would like to send Mr. Darrell Hollandsworth our best regards. They thank you for all the work with limited staff.

Vice Chairman Boothe – This is for those watching. State route 705, Beaver Creek Road, is closed to through traffic since yesterday through the end of the month. My understanding is they are replacing the culverts at the first crossing of Beaver Creek. I didn't see that in The Floyd Press, but maybe I missed it. When we are going to shut a road completely down, we need to get the word out more.

Mr. Clarke – I will check and see. That is usually the Bridge Office that handles that, but I don't want to put it off on someone else.

Supervisor Yoder – The most important thing is to let Emergency Medical Services and Fire know about it.

Mr. Clarke – I'll find out about it.

Ms. Ryan – We finally received the last piece of information we required from the homeowners on Rose Hill Road for the road abandonment. I will send that email to you.

Chairman Turman – Everyone appreciates how much you widened Buffalo Mountain Road on that road project.

9.b. Updated Floyd County Housing Rehabilitation Project Program Design and Floyd Housing Rehabilitation Oversight Board By-Laws

Ms. Martin – As we told you when your approved this a few months ago, it was going to be reviewed by the Virginia Department of Housing and Community Development (DHCD) and there might be some changes. The main thing they are requiring us to change is the scoring criteria for applicants to the housing rehabilitation program. We had some points in there if they were eligible for other housing assistance programs. That was in order for us to make sure we could afford to get all the work done for the house because we would have a limited amount of Community Development Block Grant (CDBG) funds. But DHCD does not allow us to score according to whether the applicant is eligible for other funds or not. We had to take that out as a scoring criteria going forward. They did allow us for the 15 people who had been pre-qualified during the application process using the original scoring criteria, to keep those in place and work with them first.

Supervisor Yoder – Do you have a timeline on how this process will work?

Ms. Martin – Jennifer Wilsie has been working with 9 of the 15 household slots we have to get all the paperwork done. We hope to have all the paperwork back and the boxes checked off for the first 2 or 3 so the oversight board can be called together in a month or two. But we are not there yet.

On a motion of Supervisor Boothe, seconded by Supervisor Yoder, and carried, it was resolved to approve the updated Floyd County Housing Rehabilitation Program Design and Floyd Housing Rehabilitation Oversight Board By-Laws (Document File Number 1193).

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

9.e. FY22 revenue and expenditure budget supplement for a \$10,000.00 donation to the Sheriff's Office for the purchase of training and software or equipment

Dr. Millsaps – Sheriff Craig reached out to me and let me know that he received an anonymous \$10,000.00 bequest through a will. That check has been deposited with the Treasurer in our General Fund. But it was the intention of the person that it should go to the Sheriff's Office for specific purposes. This budget supplement will allow the receipt of the funds and the expenditure in a separate line item for the purposes intended.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and carried, it was resolved to approve a FY22 revenue and expenditure budget supplement for a \$10,000.00 donation to the Sheriff's Office for the purchase of training and software or equipment.

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

7.d. Mr. David Peake, Game Warden, and Ms. Betsy Stinson, Wildlife Biologist

Ms. Stinson presented a slide show and discussed waste management issues that attract black bears:

- 1) Virginia Department of Wildlife Resources (DWR) black bear management plan is a 10-year plan with the last one being from 2012-2021;
- 2) We invite a broad array of stakeholders to participate and set the goals for Virginia and before finalized, the plan goes out for public comment;
- 3) The next bear management plan process is just starting;
- 4) The plan is divided into 2 main sections
 - a. population management by area basis mainly controlled by hunting
 - b. human-bear interaction
- 5) The goal for human-bear interaction is to take a combined cooperative approach;
- 6) Almost 60% of the calls received by DWR about bears are because of trash;
- 7) Almost 25% of the issues are bird seed;
- 8) The key is to manage the food attractant;
- 9) It is unlawful to feed bears in Virginia, either intentionally or unintentionally;
- 10) Your Solid Waste staff are excellent in trying to address this by scheduling pickups, trying to keep sites picked up, and notifying DWR about issues;
- 11) You have good signage at your sites, but the weak link is the person who does not close the doors or leaves trash outside of the boxes;
- 12) Feeding of feral cats attracts other animals like raccoons, skunks, and bears;
- 13) In 2013 we started a Bear Wise Community cost-share program with local governments;
- 14) Past projects have included retrofitting dumpster lids, electric fence around collection sites, and residential curbside garbage cans that are more bear resistant;
- 15) The grant requires a 30% match from the locality and first time applicants are given priority;

- 16) The application deadline is January 2022;
- 17) It is important to have citizen education and cooperation by making folks aware;
- 18) It is good to have community involvement and site-specific programs;
- 19) Floyd County citizens know best what will work best in Floyd County and the answer is not the same site to site;
- 20) We have a wildlife conflict helpline 855-571-9003.

Vice Chairman Boothe – Does the federal government still have programs where they come out and relocate problem bears?

Ms. Stinson – It is a State responsibility to manage black bears and the answer is “No.” The problem is the food attractant. If you got rid of one bear and the attractant is there another bear will come in. Right now we are working on a model ordinance that Counties might want to use as they move forward in managing attractants.

Vice Chairman Boothe – The bears seems to be less afraid of us than I can ever remember.

Ms. Stinson – If a person is attracting bears with pet food or bird seed left on their porch, these are extremely intelligent animals, and they learn porches equal food. I don’t know about Floyd, but in other areas where I work there is now human development of people who are from elsewhere and are not educated in the way of wild animals. Bears understand turf, so don’t take pictures of it, yell from a safe distance, or throw something at it. But the key is the food.

Supervisor Kuchenbuch – How much has our bear population increased in the six County range?

Ms. Stinson – The goal for Floyd has been to stabilize. There is a mandatory check of all bears killed by hunters. A tooth is extracted from each harvested bear which tells us the age. From the harvest numbers we are able to do a population reconstruction. It is not perfect but it is an index for us to know if it is going up or down. Floyd is in a management zone where bear numbers have been stable and the goal in the plan was to keep numbers stable. We increase or decrease hunting seasons to achieve goals. Nuisance food can make the population seem higher than it really is because of the wide range of bears. Our website has fantastic information about bears to share with your citizens.

Supervisor Yoder – Do people from this area participate on the team that plans for bear management?

Ms. Stinson – I don’t believe the stakeholders have been identified yet. If you would like I will give you the contact information for the person leading this. You might want to mention that this is a locality that would like to have a voice in the plan.

Supervisor Yoder – You said the current plan is to remain stable, but do you think over 20 years the bear population has increased?

Ms. Stinson – Yes, over 20 years the population of bears in Virginia has increased.

Supervisor Yoder – Are there certain designs for boxes that you would recommend as more bear resistant?

Ms. Stinson – That would be a longer conversation. One thing to think about is where the boxes will be placed: in a quiet place near woods or near more human traffic. Metal lids are key. Bears are strong. Metal doors help. One of the best thing to do is explore what is available. The Department of Corrections used to make bear resistant boxes that were more cost effective. I don't know if they still do.

Supervisor Yoder – Are there certain cover crops that tend to attract deer and wildlife?

Ms. Stinson – Buckwheat is ice cream to deer. Annual rye is enjoyed by deer but stands up to the browse pressure pretty well. It really depends on the site.

Chairman Turman – We are also interested in the chronic wasting disease found in the deer. Also, has the bird disease affected red tail hawks?

Ms. Stinson – I am not the person in the agency dealing with this, but my understanding is that it affects fledglings. In eagles we see lead poisoning from gut piles left out. If you find a carcass you can call our regional office and report it. If someone is available and you have put the carcass on ice, they will come and take it.

Vice Chairman Boothe – I understand that herd control is practically the only way to slow down the chronic wasting disease in deer. They have Floyd in the same district as Montgomery and Pulaski. Hunting season is being expanded and in September there will be a firearms only season and then firearms only in January through March.

Ms. Stinson – The discovery of chronic wasting disease in a harvested buck last fall was very far from the nearest known occurrence 150 miles away. That sample was taken by one of our cooperating taxidermists. They pull lymph nodes from harvested bucks and we pay them to submit samples for us to test. Once we have a positive result, it triggers the development of a disease management area. I believe that is 25 miles from the location of the discovery and counties within 25 miles are included in the disease management area. The proposal was made, but has not been adopted yet, to extend Montgomery and Pulaski's seasons to match Floyd's. A disease focus area is a 40 square mile area around the site where the animal was discovered. There will be intensive sampling there. We will have a box in each county to collect deer heads, but I don't know how many or where. Details are being worked out. We are ramping up testing in this area. We will also have mandatory check stations on opening day of firearms season where we will take samples from deer checked in.

Vice Chairman Boothe – It wasn't clear to me if this early and late hunting season was just inside the 40 square miles or if it was the entire county. If it is within the 40 miles then mapping is needed. Is it countywide?

Ms. Stinson – No, it is in the disease focus area. We are working out the boundaries right now. There will be public meetings on this at the end of August. The discovery area was southwest Montgomery County.

Chairman Turman – What physical characteristics does the animal display who has the disease?

Ms. Stinson – This animal appeared to be perfectly healthy. As the disease progresses you get neurological impacts. They will stand in a staggered pose. They will be very, very emaciated. They will act dopey. They look like they have a bucket of water thrown on their chest because they are salivating. It is totally different than the hemorrhagic disease we have here.

Vice Chairman Boothe – A deer can contract the disease and it can take a year before it shows any signs at all. I know part of the recommendations are to not eat the brain or any meat along the spinal column, but are there other organs that should not be eaten by humans?

Ms. Stinson – It is the nerve tissue. Any deer harvested in Montgomery, Pulaski or Floyd counties can't be taken whole out of those three counties. If you use a processor or taxidermist it must be within the county, except you could quarter it out and take the quarters out. Hopefully you bury the head and the spine. The Centers for Disease Control has never said that if you eat it you will get it.

Supervisor Kuchenbuch – As the deer roam will Giles County be looked at too?

Ms. Stinson – We are continuing to do surveillance through taxidermists. Our wildlife veterinarian, Dr. Kerchester, is the best person to answer this. I encourage you all to come to the public meetings, either in person or online.

Vice Chairman Boothe – Did you say you would be doing testing at opening day for gun season?

Ms. Stinson – We will be collecting lymph nodes from deer brought to check stations which will be sent for testing.

Vice Chairman Boothe – Is that for all seasons?

Ms. Stinson – No, just the one day of opening day for general firearms will be a mandatory check. In the other seasons you can put the heads and four inches of neck of the deer in collection boxes for testing.

Chairman Turman – How is this disease transmitted? Is this disease known to be transmitted to cattle?

Ms. Stinson – No, it is not known to be transmitted to cattle. It is transmitted by nose-to-nose contact, feeding. That is why all feeding is banned in Floyd, Montgomery, and Pulaski counties year round. Wherever you congregate animals there is saliva and droppings.

Chairman Turman – Deputies have to put deer down that have been hit by cars. I think it would be a good idea to let them know what to look for if they shoot a deer that is visibly not healthy.

Ms. Stinson – I think the public meetings will answer a lot of the questions. I am sure after the meetings that Dr. Kerchester would be happy to come and speak with you. I will let the County Administrator know the dates of the public meetings and we will put notices of the meetings in The Floyd Press.

Vice Chairman Boothe – You also need to put the notices in The Floyd Beacon.

Supervisor Yoder – How should citizens report people putting food out and attracting bears?

Officer Peake – If they call the Sheriff's Office, they will contact us. We will come out and look into it. The first time we have to give them a warning. If they do it again, we can proceed further than that. The warnings you put on the green boxes is the official warning for citizens. If they put food at green boxes, we can proceed with charges.

Vice Chairman Boothe – Is there a Conservation Officer assigned to Floyd?

Officer Peake – Yes, that is Officer Mark Shaw. We are a five county area. I may be the only one working today covering those 5 counties. That is why you may have officers coming from other counties, because they are working. We are based out of Marion. We start our day from our homes, not from Marion.

Vice Chairman Boothe – Could we get an assortment of your brochures to put out at the library and convenience stores?

Ms. Stinson – Yes, we will send them to you if you would distribute them.

7.e. Dr. John Wheeler, Superintendent, Floyd County Public Schools

Dr. Wheeler updated the Board on issues and events at Floyd County Public Schools:

- 1) The schools feel incredible with the air conditioning;
- 2) At Willis Elementary the electrical box was a mess and has been for years and it was redone last week;
- 3) With the Elementary and Secondary School Emergency Relief Fund (ESSERF) funds we will make the rest of the improvements and it will just increase the air quality;
- 4) The makeup areas will keep all the other areas cool and will be the areas with the bi-polar ionization;

- 5) We are a couple of weeks behind on the Collaboration and Career Development Center;
- 6) Yesterday we worked with Ms. Lydeana Martin. She started on a Tobacco Region Revitalization Commission grant for adult education opportunities;
- 7) We want to know what businesses are here and what skills they have;
- 8) Several of our teachers went for professional development in aeronautics and are looking at different careers in that area;
- 9) We will have some exciting news for you as our students compete nationally, especially in engineering;
- 10) Amazon Future Engineers will start being rolled out to younger grades which is the request for the carryover;
- 11) We are starting back August 11.

Vice Chairman Boothe – In auto mechanics there has been so much advancement with computers, are we looking at having the equipment needed to train students with modern equipment?

Dr. Wheeler – About two years ago we bought simulators for the competitions. While simulators, it is what they will use when they go to work. We purchased two of those. We will have a lot more room for auto mechanics. We know the tools and simulators they need. We will see the next one they need and what the instructor wants. We just purchased 3 storage units so we can start cleaning the agriculture area and start revamping those programs. We are going to have a hydroponics class in one of those this year.

Vice Chairman Boothe – Where you have the collection ponds and then you have the outlet at the pond, during the hard rain the water came down the road. Do you know if there is a plan to fix that?

Dr. Wheeler – It is not completely done, obviously, and the other side of the parking lot is not done. We not only have the Department of Environmental Quality (DEQ) but we have the Wetlands group that comes up weekly. DEQ was there right before the rain. The foreman of the job and Timmy Cox work with them.

Vice Chairman Boothe – If a pipe has to be put under the road and go to the creek, does it go with what is already there?

Dr. Wheeler – It does. Once everything is completed it will be good. They still have to run the pipe. The third lane is not coming until next summer. Right now we are on track and they are continuing to monitor it.

Vice Chairman Boothe – I am concerned about the water getting out onto the road this winter in freezing weather.

Dr. Wheeler – We had that issue with the two spots on the top of the hill for years and years. The top of the hill will be resolved because we are cutting the corner off and we have a drain. The bottom of the hill, they are on it. We had a 3” rain. When I talk to

DEQ again I will let them know. The whole intersection won't be complete until next summer.

Vice Chairman Boothe – I bring it up because it will be a problem now, but will definitely be a problem in winter.

Dr. Wheeler – I think they feel like they have addressed it and are monitoring the progress. I will be sure to tell them about the concern for the weather.

Chairman Turman – Do the Schools still teach Civics?

Dr. Wheeler – We're not changing a thing we do. We didn't adopt it. We are fine. We will continue to do what we do for every child. We will continue to follow the law, but we will first look at our responsibilities to every child. We haven't started school yet. Who knows what needs will walk through our door? And if we have needs, whatever they are, we will work with that individual and that family together to meet those needs and look for options. Our curriculum is not changing. We are not teaching anything else. You can read a lot on that from the standpoint of it is bogging down things because it is not true, there is no mandate from the State. Probably school systems around the country are putting it in, but we are not. We are sticking with our curriculum. We are sticking with what our students need to do. If VDOE changes things we will be on top of it. We will bring it to our Board. But right now we are going to keep on doing like we have always done. There is no question we will keep having the same feeling for our students as we have and these teachers have had for many, many years. It is a very understandably vague and confusing issue because it is the whole country's issue. I can tell you right now our policies are the same. We are not adopting anything new. Nothing is changing. Anything we don't like we can table. There won't be any repercussions on it at all. Anything we need as far as resources, whether legal or resources for families and kids, we will look at those first. When those doors open August 11 we will do it like we have done it for years and years.

Vice Chairman Boothe – That is great and it sounds like you are on top of it. Our point was more from history. With Virginia being a commonwealth, what does that mean to the Board of Supervisors and the School Board in the structure? And the Dillon Rule. You would be surprised in the last year how many people I have talked to on various issues who have no clue what a commonwealth is. There is a generation where that information was dropped or they forgot.

Dr. Wheeler – I know Ms. Devito came and spoke to a Civics class. Mr. Yoder came. The teachers invited them to speak to their classes. I agree completely. There are 13 commonwealths. We are founded on it. We are 1 of 13 and that is a special thing. They are doing a good job and that curriculum is not changing. If you want to make changes you need to know your state's structure and the legal system.

Vice Chairman Boothe – I know you are not going to change but I have a suggestion. When counties appoint school boards then you have a pecking order. When counties elected school boards it raised the school board to an equal level with the board of

supervisors. Our only thing over the school board is that we are the funnel for State and Federal money. The reason that did not go to school boards is they didn't want to give them taxing authority.

Dr. Wheeler – School boards from the governmental standpoint are the policies. We look at our policies closely with Virginia School Boards Association. Fortunately we didn't have to go another route because they were not changed. You don't have to accept that because you are already doing what you are supposed to and we will keep doing it.

Vice Chairman Boothe – I want to make sure we are still teaching the basic structure. The State is at the mercy of the Federal. Your local is at the mercy of the State. Right Now your school board is on an equal level, pretty much with the board of supervisors.

Dr. Wheeler – Like a lot of things, it is important when times are good and it is extremely important now for these future leaders to understand that and to understand and take pride in where they are from. It is like what we are working on with Ms. Martin. I want kids to leave the high school and stay here and get big-time jobs with the smallest footprint possible in Floyd County. When you serve, and Mr. Coleman is in the service profession, you don't look for easy. I'd rather be through this time right now, to do the right things with the right people and I think we've got them in place both here with as much autonomy as the state will give us. That is what we keep pushing for. That is what we need and it is part of government. Let the local government govern. Football, cross country, volleyball, cheerleading, MACC [Mountain Academic Conference Competition] teams, we will be rolling. It will be awesome.

Chairman Turman – Thank you for letting us have 4th of July at the high school. People needed that.

Dr. Wheeler – Yes. We will hear about vaccinations and masking but we plan to keep the small group lunches to keep crowds small. We will hear what the mitigation from the State says, we will bring it to the School Board and go from there.

Vice Chairman Boothe – Maybe we can visit the schools again.

Supervisor Yoder – I would love to see the air conditioning in the schools.

Dr. Wheeler – Anytime you want to go just let me know. I don't need to go with you, but I will let the principals know.

Supervisor Kuchenbuch – Is there a replacement at Floyd Elementary for principal?

Dr. Wheeler – Yes. Jason Wheeler, no relation. He is from the New River Valley, but comes to us from Williamsburg. He is working on his doctorate from Old Dominion University. They wanted to come back here and bought a house on Rt. 8. He comes highly recommended. He has already started. His wife will be doing special education. Call anytime and if you want to visit a school, just knock on the door.

7.f. Ms. Amy Ingram, Floyd County Registrar

Mr. Bob Smith – This time I am here for the Electoral Board. I regret that we have two members who could not be here; one for a medical appointment and the other is up in our illustrious capital in Washington D. C. working today. I will turn this over to Ms. Ingram.

Ms. Amy Ingram – I think you saw in your packet where the Code of Virginia has changed. It now requires that all split precincts to be healed, meaning only one ballot per precinct. This applies to local lines, state lines, all lines. I think the thinking behind it was during the redistricting process a commission has been created to look at everything and make the lines the same instead of having 3 or 4 delegates per precinct in some counties. Not in Floyd. But as you know the census numbers haven't been released and everything is on hold. To comply with this law the State decided to give us one year where we could request a waiver. We have one split precinct in Floyd County, which is the Courthouse District and it is split between the Town of Floyd voters and the Courthouse District voters. For example, Montgomery County has 26 splits to heal. We are in pretty good shape. This will be a small precinct when it is created. We have about 400 registered voters in the Town of Floyd. The law requires they have their own officers, their own tabulators, everything for this precinct. If the Supervisors agree, you can pass a resolution which allows me to ask for a waiver in the November election to run everything as we normally do. In so many places with so many ballot styles I think it is confusing for Election Officers to give voters their correct ballots. Our folks at the high school are great. They know to look for the Town code. Everything is uncertain with the law, but we do know we can request a waiver this year. We don't know about next year, but we were told probably not. They want all these splits healed or fixed during the redistricting process.

Vice Chairman Boothe – Will you be able to do it at the high school in another area or do you have to have a totally different location in the Town?

Ms. Ingram – Of course it is up to the Supervisors where we have our voting precincts, but my thought would be to see if we could use two rooms in the high school. That way we could direct a voter across the hall instead of sending them across town. I talked to Kayla Cox and she alerted the Town Council. This election we have Town on the ballot. I asked if this applies every year and was told, "Yes, because in any year there may be a special Town election and to prevent voter confusion." This will be a permanent change going forward.

Vice Chairman Boothe – Since we don't know what is going to happen with the census, and the potential of an election after January 1, this could be on us right away.

Ms. Ingram – I think it will be. There is a cost to have a new precinct. A new tabulator will cost around \$6,400. A touch writer for a vision impaired voter is about \$5,300. I have two spare ADA [Americans with Disabilities Act] machines. I think we might be okay with the touch writer but we might need the tabulator. We will need a whole set of

election officers, 5 at a minimum because of the drop boxes outside. It will be a whole new precinct.

Vice Chairman Boothe – I understand the potential problem, but the Courthouse District is the last one that needs two precincts. There are other districts that need 2 voting sites.

Supervisor Yoder – Informally in the past we talked about some additional precincts like Rt. 8 toward Montgomery County is a prime example where no one normally drives to Indian Valley. Every year it seems like the voting numbers in Indian Valley are lower than any other precinct. I think that is largely because people aren't going to drive 20 or 30 minutes to vote.

Ms. Ingram – Many of them are coming to the Courthouse to vote.

Supervisor Yoder – In the past we talked about one precinct that could serve several districts. That would be hard to do with this new rule.

Ms. Ingram – Floyd County votes. I am proud of them. We have one of the highest percentages, 83%.

Supervisor Kuchenbuch – Not everybody is registered to vote who is a citizen of the County.

Mr. Smith – Of those who are registered we have a high percentage who vote.

Ms. Ingram – We have over 11,000 registered voters out of a 16,000 population and that includes children, so we are pretty good. One other law I will bring to your attention. Some of the COVID laws reverted back. Curbside will now be available for voters who are 65 and older or disabled. Curbside really saved me space wise, because 3,000 some people voted outside in the parking lot. I'm not sure how to set up this fall because I expect a good turnout. Anybody can come upstairs and vote early. I wonder if we can manage the crowd upstairs. Maybe when the census numbers come in we can have a work session and look at different things with you.

Supervisor Yoder – The best thing we can do is make it as convenient for people as possible. In the long run the more people in Floyd who vote, the more weight that carries in our small say in the State.

9.k. Resolution of Waiver for Split Precinct Voting

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and carried, it was resolved to adopt a resolution for Floyd County General Registrar to Request State Board of Elections for Waiver to Keep Split Precinct for November 2021 General Election (Document File Number 1190).

Supervisor Coleman – absent
Supervisor Kuchenbuch – yes
Supervisor Yoder – yes

Supervisor Boothe – yes
Supervisor Turman – yes

7.g. Constitutional Officers' Report

No Constitutional Officers were present.

9.n. Closed Session under § 2.2-3711 A.5. for discussion of a prospective business or expansion of an existing business

Dr. Millsaps – In addition to § 2.2-3711 A.5. for discussion of a prospective business or expansion of an existing business we also need to go into closed session for § 2.2-3711 A.8. for consultation with legal counsel regarding specific legal matters.

Mr. Steve Durbin, County Attorney – The reason for the closed session under § 2.2-3711 A.8. is regarding specific advice regarding Virginia Housing Development Authority programs. I would ask the Board to consider also going into closed session under § 2.2-3711 A.7. for consultation with legal counsel for a briefing on the status of Perdue-Pharma bankruptcy.

On a motion made by Supervisor Boothe, and seconded by Supervisor Yoder, and carried, it was resolved to go into closed session under Section 2.2-3711 A.5. for discussion of a prospective business or expansion of an existing business; 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 consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body regarding a briefing on the Perdue-Pharma bankruptcy; and 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 regarding consideration of specific advice for Virginia Housing Development Authority programs.

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

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

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

On a motion of Supervisor Yoder, seconded by Supervisor Boothe, 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 Legal Advice Pertaining to Actual or Probably Litigation in accordance with Section 2.2-3711, Paragraph A.7. And Legal Advice on Specific Legal Matters in accordance with Section 2.2-3711, Paragraph A.8. of the Virginia Freedom of Information Act;

WHEREAS, it was not necessary to discuss a prospective business or expansion of an existing business under Section 2.2-3711 A.5.;

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

This certification resolution was adopted.

Mr. Durbin – I request a motion that the Board direct the County Attorney to cast Floyd County's vote in favor of the proposed Perdue-Pharma Bankruptcy settlement.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and carried, it was resolved to direct the County Attorney to cast Floyd County's vote in favor of the proposed Perdue-Pharma Bankruptcy settlement.

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

9.f. Approval of disbursements

Questions and discussion followed.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and, it was resolved to approve the July 2021 monthly disbursements and additional bills as presented.

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

- 9.g. Revenue and expenditure budget supplement in the amount of \$444,047.93 to the FY21 Schools budget, with \$421,575.04 from Federal funds revenue source for School Food expenditure category and \$22,472.89 from State sales tax revenue for Instructional expenditure category

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and carried, it was resolved to approve a revenue and expenditure budget supplement in the amount of \$444,047.93 to the FY21 Schools budget, with \$421,575.04 from Federal funds revenue source for School Food expenditure category and \$22,472.89 from State sales tax revenue for Instructional expenditure category.

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

- 9.h. Revenue and expenditure budget supplement in the amount of \$77,166.00 to the FY21 Schools budget, from State funds revenue source to the Instructional category expenditure category for the FY21 Advancing Computer Science Education grant

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and carried, it was resolved to approve a revenue and expenditure budget supplement in the amount of \$77,166.00 to the FY21 Schools budget, from State funds revenue source to the Instructional category expenditure category for the FY21 Advancing Computer Science Education grant.

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

- 9.i. Carryover request that \$77,166.00 from FY21 Advancing Computer Science Education State grant be carried to FY22 School Board operational budget

On a motion of Supervisor Yoder, seconded by Supervisor Boothe, and carried, it was resolved to approve a carryover request that \$77,166.00 from FY21 Advancing Computer Science Education State grant be carried to FY22 School Board operational budget.

Supervisor Coleman – absent

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

- 9.j. Carryover request that \$221,990.29 from the FY21 Schools budget to the Capital Improvement Fund with planned expenditures for new welding equipment at the Floyd County Vocational School, new outdoor basketball goals at Floyd Elementary School, and new carpet at Floyd County High School

On a motion of Supervisor Boothe, seconded by Supervisor Yoder, and carried, it was resolved to approve a carryover request that \$221,990.29 from the FY21 Schools budget to the Capital Improvement Fund with planned expenditures for new welding equipment at the Floyd County Vocational School, new outdoor basketball goals at Floyd Elementary School, and new carpet at Floyd County High School.

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

- 9.i. U.S. Selective Service Local Boards

Dr. Millsaps – I was contacted by Captain Cory Moore who is an Army Officer assigned to the U.S. Selective Service System. They are looking for two positions to be filled on the local board. I have emailed back and forth with Mr. Moore and the question is do you want to make this your appointment or we could advertise and let the public know that these positions are out there and they could apply to him directly.

Vice Chairman Boothe – How was the appointment made previously?

Dr. Millsaps – He had no additional information. I think this was something across the board they let fall off since there has not been a draft in some time. He has been directed to revitalize those. I asked what other communities are doing and his indication was that it is kind of mixed – people can volunteer or it can be done through the Board of Supervisors.

Supervisor Yoder – I would be interested in serving on this. I grew up in a Mennonite family. My grandfather who was Amish received a deferment during World War II and served as an orderly in a military medical hospital, but was not in action. I am no longer part of that community, but feel like I have a unique set of perspectives for people with those beliefs. I could give some insight into that. I would be interested in serving if appropriate.

Chairman Turman – Find out if two Board members can serve? I wouldn't mind being the other one because I could present the other side.

Supervisor Kuchenbuch – I would like to know who our Board is?

Chairman Turman – I think once the draft stopped, they let these slide. I think this is just in case the draft is reinstated.

Vice Chairman Boothe – Did he mention how big this Board is?

Dr. Millsaps – I will find out more information, like can two Board of Supervisors be eligible to serve.

9.m. County Administrator's Report

➤ Status report on groundwater sampling at landfill

Dr. Millsaps – When I first got here we got our initial reports back from the State related to the landfill. We are at a point now where we have gotten more feedback from the State. I will be scheduling a meeting. Billy Newcomb and myself will be meeting with them. All the paperwork was submitted timely. No new VOCs [volatile organic compounds] were detected. No new PGCs were noted. There are some issues related to cobalt at S4. Our discussion will center around that. I am bringing this to your attention so you will know that it will be a continuing conversation. Depending how that conversation goes there could be some additional costs, potentially as much as \$75,000 to \$100,000 over the course of two years, worst case scenario.

➤ Status on hiring of Tourism Director

Dr. Millsaps – Ms. Kayla Cox and myself did phone interviews with 7 candidates. We had 63 candidates for the position. In this case using Indeed was very helpful in generating some response. As a side note we also ended up with 10 applications for Solid Waste, which I understand is unheard of. For the Tourism Director we have selected 3 candidates to move forward. We received 2 more applications since we did those. I need to chat with Ms. Cox and see if they need to be added to the pool or not. For the 3 going forward, we will be including a representative from your Board, Ms. Kuchenbuch, and a representative from the Town Council who has served on the Tourism Development Council. We are excited about the candidates. An agreement has been executed with Ms. Sharkey to work through the end of the month. We may discuss some things after that. She is now a Town employee. The Memorandum of Agreement has been signed by myself and Ms. Cox.

➤ Renew the Little River

Dr. Millsaps – You included some funding for this in the budget. The Chamber has beat us out of the gate on this for their part. We are catching up a little bit. I have reached out to another County Administrator who takes the lead on this. We will be working with them to go through the process. Ms. Hodge and Mr. McEnhill

unearthed a lot of the old forms which has been very helpful. We will move forward with that with more details to follow.

➤ Maintenance Update

Dr. Millsaps – I put out a new maintenance request form. I have gotten some of those back. I would encourage Directors and Constitutional Officers to turn those into me as they see things. Unless they are on the maintenance list they may not be on our radar. I now get daily updates and daily plans about what we are planning to do maintenance wise. Recently work has centered around the recurring leaks at the Courthouse.

➤ Personnel Policy Update

Dr. Millsaps – As you know the General Assembly made a change related to compensatory time for a certain class of employees. It is for employees who are non-exempt per the Fair Labor Standards Act. If those employees earn time it must be paid out in actual payment as opposed to earning compensatory time. In both cases it is at 1 ½ time. We have moved forward and started doing that. I sent notice to all the supervisors that is what is going on. You will potentially see some movement in cash outlay numbers. Having said that, my understanding is that there is a movement afoot among the General Assembly to revisit this issue at their August session and do some type of temporary fix and then later do a permanent fix. I have not seen any language as to what a fix might look like. Right now we are continuing to operate and all of your directors have been told that for now they should assume for budgeting purposes that if someone is working more than 40 hours in a work week, they will be paid time and a half overtime and not earn compensatory time. We will see what the General Assembly solution turns out to be.

➤ American Rescue Plan Update

Dr. Millsaps – I started working on the grant program. As you recall you asked me to put together a grant program once we knew more about the specifics. We are going to ask those in the community, including our own department heads, to submit something in writing with their request. The County will receive about \$3.1 million between the two payouts. Half of that funding is already in our account. In August we will have to submit some paperwork about how we used the funds to date and what our plans are. In terms of areas for funding, the initial guidance limits the use to four primary authorized uses: response to public health needs and economic damage from the pandemic, provide premium or hazard pay to essential workers, replacing lost revenue, or investing in necessary water or broadband infrastructure. More recently there has been additional guidance issued by the Treasury that clarifies that State and Local First Fiscal Recovery Funds can be used for necessary investments in drinking water, water and storm water, and high quality broadband service. The interim final rule defines necessary investments as designated to provide an adequate minimum level of service and are unlikely to be made using private sources of funds. As you read through the remaining documentation related to this, it seems fairly clear

to myself and the other administrators and managers who are working through it, that it generally can be used to buy new things related to water and broadband, but not for operations. There is a provision in the American Rescue Plan that if you are able to prove a revenue loss of a certain level, then you have more options available to you.

Ms. Ryan has run our numbers and worked with our auditor to make sure we are using the correct numbers. Unfortunately, it does not appear that we can recognize a revenue loss. The downside is that the level of flexibility that we hoped to have is likely not there. We will need to expend our money on the categories I discussed previously. I have come up with a draft of the questions I would be asking requestors. I will work on it a little bit more and then send to you for suggestions.

Supervisor Kuchenbuch – Will this be going out soon?

Dr. Millsaps – Yes, hopefully in a couple of days once I have a chance to hear back from you. To clarify to everyone who hasn't attended all of these meetings, the Board directed me to put together a grant application. We would collect information by a deadline from people who want to apply for funds. Part of the reason the Board asked for an application is so that later when we go through an audit, we will have a line between the allowed uses of the fund per the legislation and how the money was actually used. At the time we receive information back from requestors, we will have a public hearing as part of the process to meet that requirement.

Supervisor Yoder – As I understand it we can buy a new waterline but we couldn't pay to patch an existing line because that is operational?

Dr. Millsaps – Our understanding is that the intention of these funds is to improve public health. I have seen a list like fixing the Floyd-Floyd County Public Service Authority (PSA) wells or replacing pipes. But in terms of paying for operations that would not be allowed.

Supervisor Yoder – Really we wouldn't want to pay for operations because how would they pick up costs in a year from now. The system should pay for operations.

Supervisor Kuchenbuch – You could take the pipes that are constantly breaking and replace them with new pipes, then you wouldn't have the operational maintenance costs. What type of response have you received from department heads?

Dr. Millsaps – We have gotten some very specific response from some department heads. I have encouraged other employees to read this and think about how they could utilize this to expand areas related to public health.

Vice Chairman Boothe – Let's say I am with an organization and we filled the paperwork out on what we would spend the money on. They meet the criteria and it has been approved as an allowable expense. The organization spends the money as planned. Then later someone says the money was not spent for an allowed use, the County is on the hook for it, but will we expect the organization to reimburse the

County if they acted in good faith? Let's say we give the money to the PSA for a specific purpose and the money is spent for that purpose. But in an audit it is determined that the purpose did not qualify, will the County require whoever we give the money to, to reimburse us?

Mr. Durbin – I haven't looked at this as far as third party repayment liability.

Vice Chairman Boothe – I don't think it is right for us or whoever to ask for the money back if it is later disallowed.

Supervisor Kuchenbuch – It is my understanding that if we maintain public health, infrastructure for water and sewer and broadband, and those kinds of things that can be directly circled back into public health, then the idea is that we are on sure footing. I think we are relatively safe.

Vice Chairman Boothe – I think this is something we need to decide and something legal counsel should think about too.

Dr. Millsaps – Particularly on the things related to environment and public health, there is specific reference to some related federal programs that if this project would have qualified for this existing federal program, then it is qualified. While I understand your concern, there is now more precedence. Before when you were trying to distribute money under CARES [Coronavirus Aid, Relief, and Economic Security Act], there was none. To the extent there is a risk it is less than previously if you follow the requirements.

Mr. Durbin – I will be happy to look into it and answer that question for you. In the absence of a federal regulation holding third parties liable, it is generally my recommendation to include an indemnity to hold the County harmless anyway. Whether you enforce it in a given set of circumstances is a judgment call.

Supervisor Kuchenbuch – Back to Renew the Little, are we looking at August 28?

Dr. Millsaps – Yes. I gather the Chamber has already started collecting registrations at the Small Town Summer events. We are down to only having \$24,000 remaining in CARES money.

Ms. Ryan – There is \$41,000 that is still obligated to the New River Task Force. We did not receive any invoices from them this last quarter. I asked for an invoice or at least an estimate of the obligated amount that we will be invoiced. They couldn't tell me that either. Please use your resources to find out for us how much we will still need to pay. If it is less than the obligated amount, we might be able to buy additional equipment for Emergency Medical Services.

Supervisor Kuchenbuch – As the Floyd County representative on the New River Regional Commission, I have requested an audit of all monies spent by the Task

Force. They got a lot of money and I want to see where it all went. I will also ask for an invoice or to let us know if that money can be unobligated.

Supervisor Yoder – They don't give you financial statements?

Supervisor Kuchenbuch – We have seen bits and pieces, but I have never seen...they talked about spending \$375,000 on masks. This is not directed at the Regional Task Force, because they did some amazing work, but that was a lot of money including some from Floyd County. Every dollar that left was that much less for us to spend. I would like to see how that money was spent.

Supervisor Yoder – When is the deadline to spend the money?

Ms. Ryan – December 31, 2021.

Supervisor Yoder – Can we give them a deadline to give us an invoice by a certain date or we won't pay?

Ms. Ryan – I would love to set a date of September 30 in order to give us 3 months to purchase something.

Supervisor Yoder – I would hate to wait until December to find out and then have to move quickly like we did last December.

Supervisor Kuchenbuch – Dr. Millsaps can bring this up in the Manager's meetings.

Dr. Millsaps – I will put that on my "to do" list. As you know I have been looking at our organizational structure and I will be making announcements to staff.

10. Board Member Time

Chairman Turman – If you wonder what Tourism has done, go down Interstate 77 and turnaround and stop at the rest area and go in there. Two-thirds of that rest area is Floyd County. They said numerous people come in there who are passing through with no idea of what to do and they end up coming to Floyd and taking in events.

Supervisor Kuchenbuch – That Lambsburg exit is an important gateway to Floyd.

11. Adjournment

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and carried, it was resolved to adjourn the meeting to July 27, 2021 at 7:00 p.m.

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

Supervisor Turman – yes

Linda S. Millsaps, County Administrator

Joe D. Turman, Chairman, Board of Supervisors

**BOARD OF SUPERVISORS
REGULAR MEETING
JULY 27, 2021**

1. Meeting called to order at 7:00 p.m. by Chairman Joe Turman, Board Room, County Administration Building. Chairman Turman read the handicap statement.
2. Opening Prayer – led by Supervisor Coleman.
3. Pledge of Allegiance – led by Ms. Tabitha Hodge.
4. Roll Call and Determination of Quorum – Dr. Millsaps called the roll.
 - Supervisor Coleman – present
 - Supervisor Kuchenbuch – present by Zoom from Delaware
 - Supervisor Yoder – present
 - Supervisor Boothe – present by telephone from his home
 - Supervisor Turman – present

It was determined that a quorum was present.

5. Approval of the agenda – Chairman Turman asked if anybody had changes to make to the agenda.

On a motion of Supervisor Yoder, seconded by Supervisor Coleman, and unanimously carried, it was resolved to amend the agenda to move the 4-H presentation of photographs ahead of Public Comment Period on the agenda.

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

6. Approval of minutes

Dr. Millsaps pointed out that number 6 was missing from the agenda because the minutes were not ready for approval.

7. Approval of disbursements.

Questions and discussion followed.

On a motion of Supervisor Coleman, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the monthly disbursements and additional bills as presented.

- Supervisor Coleman - yes
- Supervisor Yoder - yes

Supervisor Kuchenbuch - yes
Supervisor Boothe - yes
Supervisor Turman – yes

9.a. Re-adoption of resolution regarding naming Route 8 in Floyd County from the Montgomery County line, south to the north Corporate Limit of the Town of Floyd near Route 685 Needmore Road as the “Scott Allen Hylton Memorial Highway”

Ms. Ryan – At the last Board meeting Mr. David Clarke, Resident Engineer with Virginia Department of Transportation, stated that he found out after the previous resolution was passed that the cost of the signs had to be paid by the County. The resolution before you adds the last “Whereas” paragraph stating that the County will pay for the cost of the signs.

On a motion of Supervisor Turman, seconded by Supervisor Coleman, and unanimously carried, it was resolved to re-adopt a resolution regarding naming Route 8 in Floyd County from the Montgomery County line, south to the north Corporate Limit of the Town of Floyd near Route 685 Needmore Road as the “Scott Allen Hylton Memorial Highway” (Document File Number 1182).

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

9.b. Correction of fiscal year to FY22 on revenue and expenditure budget supplements for Schools Advancing Computer Science grant

Dr. Millsaps – You will see in your packet that there was a typographical error in the extract presented to you at the last Board meeting. It said “FY21” and the request was for “FY22.” Since it was approved we wanted to make sure it was corrected.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve a revenue and expenditure budget supplement in the amount of \$77,166.00 to the FY22 Schools budget, rather than FY21 Schools budget as previously approved, from State funds revenue source to the Instructional category expenditure category for the FY21 Advancing Computer Science Education grant.

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

10.a. Approval of wire transfer for \$333,889.69 to U.S. Bank Trust N.A. for first interest payment on the Collaboration and Career Development Center loan

Dr. Millsaps – You might recall this was an action you approved as part of your budget and when you took out this particular loan. The invoice was sent in error to the Chairman in a manner that did not make any of us think it was real. We worked it out to make that payment and we need your formal approval of that payment. We have shared with U.S. Bank to whom the invoices should be addressed in the future.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the wire transfer for \$333,889.9 to U.S. Bank Trust N.A. for first interest payment on the Collaboration and Career Development Center loan.

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

8.b. Presentation of 4-H photos

Ms. Dawn Barnes, Unit Coordinator and Family Consumer Science Agent for Floyd County Extension Office, thanked the Board of Supervisors for their support for the 4-H Program. Photos displayed around the Board Room started as a Farm Bureau Women's Committee project that they invited 4-H to be part of. 4-H members submitted photos that related to their farm life and experience. 4-H participants received cash prizes and they also have the opportunity to be part of the Farm Bureau calendar. With Ms. Barnes were McKinley, Lucy and Josephine. The young ladies each pointed to the photos they took.

Dr. Millsaps explained that the photos which reflect life in Floyd County, will be displayed in various places in the County Administration Building.

8.a. Public Comment Period.

Chairman Turman asked that speakers state their name and district and limit the comments to four minutes. Chairman Turman explained that Public Comment is a one way street. The Board listens to comments but does not respond. If people have questions or comments that they want to leave with staff, then the Board will follow up with people later. Chairman Turman opened the public Comment Period.

Ms. Jane Cundiff, Little River District – I am here for the benefit of our Floyd citizens to request a trail maintenance plan for the Dodd Creek Trail and especially for the new Pioneer Trail under construction at the Floyd Commerce Park. As you know, Partnership for Floyd has been working hard since 2004 to improve downtown historical facades, the Warren G. Lineberry Community Park, the Park to Library Trail, the Dodd Creek Trail and now the Pioneer Trail, among other things. It is our mission to help improve quality of life in The Town of Floyd and the surrounding environs for our citizens and visitors. Presently we are working on our near Town hiking trails. The Park to Library Trail and Dodd Creek Trail are already being enjoyed and the Pioneer Trail is almost ready.

Partnership for Floyd volunteers, Lydeana Martin, Jon Beegle, Mike Maslaney and our forestry department have done lots of work to design , blaze the trails, establish parking, make nature identification signs and otherwise prepare these trails for community use. We expect to stay involved and continue to upgrade the trails with benches, nature story signs and maybe even a wildlife sanctuary. We have already made a simple map of our three Floyd trails near town that will be available for our tourism office and online for the public to download. Trail maintenance is very important and not that difficult. My husband Ken and I own over two miles of steep winding trails that he, at age 71, keeps up with a hand push mower, a hand hedge cutter and occasionally a chain saw. He uses his bush hog for the grassy stretches. He probably spends about 2 hours a week in peak summer and very little time through winter – except after storms. The Town of Floyd is doing a great job maintaining the Park to Library Trail. But the Dodd Creek Trail often goes unmanaged. Some of my hiker friends have stopped using the Dodd Creek Trail because it gets too overgrown. The more people that hike the trails, the easier they are to keep clear. But basic mowing, trimming and clearing are essential for trail use. Before we even consider opening the Pioneer Trail to the public there needs to be an established weekly mowing and clearing plan. Additionally, the Dodd Creek Trail needs a better weekly plan. There are already lawn maintenance crews caring for the athletic fields near the Dodd Creek Trail and at the Innovation Center near the Pioneer Trail. It seems like the simplest plan would be to pay these two maintenance crews for just two extra hours per week in summer and one extra hour in winter. It would need to be budgeted, and on their job description. It doesn't seem like a very big expense in exchange for providing these nature-learning trails that benefit not just our friends and community but tourists as well. If necessary, Partnership for Floyd is willing to arrange and pay for some mowing and maintenance for the Pioneer Trail in July and August in order to get the trail open this summer. Meantime we hope the County can establish a more permanent maintenance plan for these valuable community assets. Members of Partnership for Floyd and the Floyd Wild Garden Club will continue to upgrade and support our community trails and are looking forward to good maintenance support from our County Supervisors. Thank you very much!

Mr. Michael Gale, Indian Valley District – I want to speak on the U.S. Selective Service local board issue. I have not heard the advice that you asked for, but it is my belief that the selection should come from the non-elected citizens of the county, people who have an open mind and with a wide range of beliefs. The Selective Services System says a local board is citizen volunteers whose mission during a draft would be to decide who among the registrants in their community would receive deferments, postponements, or exemptions from military service based on the individual registrants' circumstances and beliefs. These citizen volunteers need to understand what our Nation, our State, and our county need from the selective service registrants as well as understand whether or not the person asking for an exemption would have more value exempted or drafted. Thank you very much.

Ms. Becky Howell, Indian Valley District – Dr. Wheeler stated in the last meeting that “there is no mandate regarding the transgender policy.” I’m not sure what that means in light of the Code of Virginia section numbered 22.1-23.3, which in part states: *Each school board shall adopt policies that are consistent with but may be more*

comprehensive than the model policies developed by the Department of Education. No one wants any child, transgender or not, to be mistreated, harassed, or bullied, but these policies go beyond that goal and intrude on the rights of the majority of our students. If you haven't read the Model Policies, I encourage you to do so. Has the School Board tried to "soft pedal" the problem by modifying policies prior to the June 29 School Board meeting – for example, policy AC states: The Floyd County School Board is committed to nondiscrimination with regard to sex, sexual orientation, gender, gender identity, etc. This commitment prevails in all of its policies and practices concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business. I know you and all Floyd County school personnel care about all Floyd County students and want what is best for them. The problem is that these policies open the door for abuses by future personnel who may not care so much about our students. Although you do not have direct control over Floyd County Schools, you are responsible for the health, safety, and welfare of Floyd County citizens. We elected you, the Floyd County Board of Supervisors, to represent us, the people of Floyd County to the government in Richmond; not to represent the government in Richmond to the people of Floyd County. - I urge you to pass the Resolution of Floyd County Board of Supervisors Regarding the Virginia Department of Education "Model Policies for the Treatment of Transgender Students in Virginia's Public Schools" presented at the last meeting. If you choose to ignore this resolution, one can conclude that you support the move to elevate the desires of a few students over the needs of the majority of our students. Because as we all know, as adults, actions do have consequences. Thank you and thank you for using the microphones.

Mr. Bob Smith, Indian Valley District – I would like to echo very much what Becky just stated. I want to bear in mind for you folks that numerous other counties' Board of Supervisors have adopted very similar measures. We believe a message needs to be sent to Richmond. We feel these policies are unacceptable to people of southwest Virginia and it falls upon you guys to express our opinion as our representatives how we feel about this stuff. You are the face of the County. We will be speaking to the School Board members as well. We would like you to send a signal to them that you support us. Thank you.

Mr. Jeff Dowd, Locust Grove District – I want to echo the previous two speakers. I have children in the school system here. I have taken my son out and I'm not going to send him through the school system because of the way things are going with regards to a lot of the policies that are coming down. This year it is not CRT [critical race theory] but I believe next year or the year after it will be. They will be the priming the pump for that. I have read a lot of the documentation, even from Tony Morisco, from his email. There is some position they are opening up and they are hiring for that has something to do with equality and whatever all that stuff is about. It blows my mind that this is what we are trying to push down our kids in our school system. We are supposed to send them to schools to read, to write, to do mathematics, and the arts, and music, and stuff like that, history. But to try to press upon our students what morals would clash against what my beliefs are is utterly appalling to me. I understand you have the transgender policy, or a resolution to basically just send a clear message from this Board of Supervisors that you flatly reject it. That you find it unacceptable. We are not asking you to pass an ordinance

that outlaws it. We are not asking you to cut funds from the school system. What we are asking you to do is to do the job of passing a resolution just like you did on December 10 of 2019 with the Second Amendment Sanctuary Resolution that you passed. If every one of you unanimously...I see you up there on the monitor too...unanimously you passed that. I think you passed that because there was a room full of about 800 angry and ornery people who wanted you to pass it. Those are your constituents and you need to remember that. There is not 800 people in here today, but there is enough here that you should take it in deep consideration. You should make a motion to pass it, you need to second it, and you need to unanimously pass that motion for the resolution. We're watching. We're here to see you do that. Thank you.

Ms. Renee Metcalf, Courthouse District – I don't really have something new to add. I just want to say that I am supporting what they are saying. I am here also to ask that you support basically the rejection of the Model Policies coming from Richmond. It is not supposed to work that way. That is kind of backwards. This is local government. There is a reason for local government. I would like to see that rejected. I don't really think the rights of the majority of the parents in the schools are being represented. There are a few who really already have their rights protected. There are protections in place against bullying and that kind of thing. I think this particular Model Policies they want to pass is going to deprive, particularly religious parents and families of their rights, but also others who don't agree with that. I know for a fact parents are very upset about it. I'm upset about it. Parents are very upset about what is going on. I would like you to really take heed to that. Also the critical race theory, the same thing. It is totally anti-American. That is just anti-American. Thank you.

Ms. Kirsten Vest, Locust Grove District – I hadn't really planned to say anything. I do want to echo what has been said already about the resolution that was given to you a few weeks ago. I would ask and encourage you to please pass that and pass it with strength, in a unanimous fashion so that it does send a message that you represent the majority of the citizens. You do represent everybody and you have to consider everyone. We get that, but this is something these Model Policies are here now and the majority of your citizens do not want. I would also encourage you as you are looking at things that come from the School Board, either they have already been passed or are coming from the Superintendent and the School Board members, they are saying regarding the Model Policies that we are already in compliance and all the policies just have a little reference down at the bottom referencing 22.1-23.3. Well, when you are working for a company, particularly if you are dealing with a government contractor, and you are dealing with military specifications and you are writing a procedure, you don't include that entire military specification in your procedure. You reference that military specification down at the bottom and that means you can go look at the military specification to see what is to be done for the whole procedure. I maintain, even though we have been told otherwise by attorneys, I have also been told by another attorney that by referencing that Model Policy and not saying anything else about it in the School Board policies, that you are in effect passing the entire Model Policy just as it is. That if there were to be something to come up, a question or a complaint, that you would go to that policy and reference what is at the bottom, the Model Policy 22.1-23.3. Okay let's implement that law. It's not rocket science. Look and read. Regarding critical race theory, we are also being told that

CRT is not coming to Floyd County Public Schools. It is not going to be called critical race theory. It will be called culturally responsive teaching, cultural competency, equity, and many other synonyms for critical race theory. So I am just encouraging you, as you are looking at this, I know you are not the School Board, you are not responsible for passing, but you still have a responsibility to us as citizens and to our children to do the right thing and keep this evil out of our County. Please read. Please research. Don't rely on what the Superintendent is telling you is happening. Look it up for your own and then make a decision based on what is best for all of us, every child in this County. Thank you.

Ms. Kellean Gale, Indian Valley District – The School Board is not responsible to the Board of Supervisors. The Board of Supervisors does not police, I believe, the School Board. But maybe that needs to change. If our School Board already implemented policies that have what Dr. Wheeler says...they don't even have to make changes because these new policies are in there, then the school policies need to change. We don't need to leave them there just because they are already there. If Dr. Wheeler has told the truth and he doesn't need to make any changes because they are already there, I would like to see them removed. The only people that I know who have enough clout in this County to start something like that is possibly members of this Board of Supervisors. You are our lifeline to a decent life in Floyd. You are our lifeline to the people in Richmond. I ask you to take that responsibility really seriously. I would also like to ask you how you make decisions. You come in here, people talk, they can ask questions, they can make motions, but no one hears anything back in the public. We can read the minutes, we can watch them. I would like to know who, when, where, why, how you make those decisions. When do you meet? Do you meet on Zoom meetings? Do you meet at night? What do you discuss? Who brings the items that you say you want to hear a report on that? Are you making the decisions? Are the secretaries? Is the County Administrator making the decisions to what you see and hear? Is that fair to the people of Floyd County? We elected you. We have a wonderful County Administrator. We have wonderful staff. But the people need to hear the discussion. We don't need to hear the solution. Thank you.

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

8.c. Mr. Shannon Zeman and others to present request for resolution to rename Courthouse/Courtroom

Mr. Shannon Zeman, retired Floyd County Sheriff, explained that he and others were before the Board of Supervisors to ask for approval of a resolution. Mr. Zeman began by relating his good working relationship with each judge prior to Judge Marcus H. Long, Jr. Mr. Zeman then explained how Judge Long was different and worthy of being honored by having the Floyd County Courthouse named for him. Judge Long has family roots in Floyd; he did and still loves Floyd. He was harsh on methamphetamine dealers, but he was compassionate to addicts. He fought hard for funds to establish a Drug Court. He was willing to move forward with a Drug Court even without funds. He had a reputation among drug dealers as being tough because he held people accountable. If you did

certain crimes in Floyd, then you had to pay for that. He dealt with a methamphetamine crisis in Floyd that was causing an increase in all types of crime. Judge Long was run out of town for political reasons before his time. Judge Long even held defense attorneys accountable by making sure they were ready to defend their client. The resolution is not just to honor Judge Long, but also to remind people who pass by and see the name that they were held accountable for any crimes they did. Also the police officers, prosecutors, defense attorneys, and even judges should realize how important it is to protect what we have in Floyd. Judge Long is still helping Floyd by helping with Safe Surfing.

Mr. Eddie Worth, Little River District and President of Safe Surfing Foundation – Safe Surfing has been in business for about 22 years. We are the education arm of internet crimes against children. We have grown to the point where we are in every state. We were able to move our headquarters up here once I was put in as President of the Association about 1 ½ years ago. Mr. Worth explained that he served on the Drug Court when it first started. This gave him a chance to develop a relationship with Judge Long. Judge Long cares about the people who stood in front of him. Judge Long was more than fair with defendants but he was always tough. He was also compassionate and wanted to see people succeed, not just for the ones who stand in front of him on the charges but for their families as well. He takes it all into consideration. He has not only touched the folks who have made mistakes in our County, but he has also touched the hearts and lives of their families which affects everybody in our County. Mr. Worth concluded by stating, “I feel that naming either the Courthouse or Courtroom after him is the right thing to do.”

Mr. Leroy Robinson, Supervisor at a Peer Center with New River Valley Community Services – This is the result of my beloved Judge Long giving me an opportunity in the Drug Court program. We are talking about a man of 24 years of addiction, destroyed communities, my children, in and out of jail. I had the unfortunate pleasure of going in front of Judge Long on a couple of incidents. This is the compassion we are talking about. He understood and held a hope until I was ready. I heard him called some names they may not have heard from the other side. “Lock ‘em Up Long,” “Long-Time Long.” Here are some other names... a decent human being, compassionate, considerate. He does love his communities. He loves the people because he understands that we are citizens. We didn’t ask for this disease. He recognized the individuals had a disease and he wanted to do something about that disease. I’ll be honest, coming in all I wanted to do was get through the program. But he came down off the bench, he shook my hand like a human being, whereas I had led a life of being sub-human. That is what gave me hope. It was that drive. Every time in front of that courtroom, in front of that man in court, I would come in there and he would always say, “The best is yet to come.” I had 30 days of clean. He said, “The best is yet to come.” Now you look at me today and I am back in school. My children wake up and call me “Blessed.” I have a 16-year-old who just got inducted into the honors society. I don’t understand when I look at this boy who is 16 and I say I produced you? This all became possible because the Judge said I’m going to give this man a shot, when no one else would. I love him. I love him like a Papa. I always say that. Please consider renaming the courtroom or the courthouse after Judge Long because he is a pioneer. He is a champion. I now have 7 years of clean sobriety without any drugs.

Mr. Eddie Worth – I had the opportunity come up when I needed someone to sit on the Board of Directors for the Safe Surfing Foundation. Judge Long had just retired. I wanted to ask him so bad, but I was afraid he would turn me down. I called Judge Long up and he lived in Charlotte. I asked if my wife and I could come down and have dinner one night, because I didn't want to do this over the phone because it is too easy to say, "No." He said yes and we drove down to Charlotte and had lunch. I told him I came to see if he would serve on the Board of Directors of Safe Surfing Foundation. He said, "You cannot believe the honor you just asked me to do." Without hesitation he said, "Absolutely." Quite honestly he has been the biggest supporter and done more for the Safe Surfing Foundation in the last year than some of our Board members ever had. He is really involved. He loves this community. Please take this into deep consideration.

Mr. Jonathan Rogers, President of the Floyd County Bar Association– Everything that should be said has been said. One year ago the Floyd County Bar Association set up a committee and we asked Mr. Dale Proffitt to head it up. We talked about naming the courthouse and/or courtroom after Judge Long. Part of it, quite frankly, was a reaction to how his judicial career ended which upset quite a few people in the legal community. It caused Eric Branscom, Jimmy Turk and I to write to the editor [The Floyd Press], and I am just going to read part of it: "We have appeared in front of Judge Long and other jurists hundreds of times. We know Judge Long as one of the finest jurists in front of whom we have practiced. We know Judge Long to be learned, hard-working, compassionate, dedicated and yes, tough. Tough on those lawyers who appear in front of him unprepared, habitually late, and routinely misrepresents law and facts to him. We appreciate that toughness. Beyond his superior performance as judge over the last 16 years, Judge Long has created Drug Courts in Pulaski, Floyd, and Montgomery Counties. Through the Drug Court his efforts and devotion to providing a path forward for those who through their addiction and misfortune have come before him for violations of the law, Judge Long has guided these participants to their redemption. He allowed them to once again positively participate in our communities and within their families, in part because of his establishment of a family drug treatment program, when he served the Commonwealth as a Juvenile and Domestic Relations District Judge and four Drug Courts he also established. Judge Long was one of the few circuit judges that has been named as one of Virginia's leaders in the law by *Virginia Law Weekly*." We have been blessed with great judges, but the difference was Judge Long created these Drug Courts. The other difference was that Judge Long loved Floyd County more than any other judge I have seen. He hung around and went to lunch, interacted. That is what separated Judge Long from any other judge I have seen, and I have seen 10 or so who have sat in Floyd County. He really embraced it, really cared about it, and still does as Mr. Worth said. He is so involved with a very important Foundation to help children and keep them off the internet and keep them safe. The Floyd County Bar requests that this Board consider and pass a resolution naming the Courthouse after Judge Long. Thank you.

Mr. Eric Branscom, Commonwealth Attorney – Since everything has pretty much been said, I will be brief in the points I want to add. Acting as the Commonwealth Attorney I have been here since 2014. For years before that I knew and worked with Judge Long. I have been practicing law for 29 years. I have appeared in front of judges,

over 50-60 judges, across 21 jurisdictions in Virginia. As Jonathan says, we have a lot of very good judges, but Judge Long stood out above those. He was one of the great ones. He was firm. He was fair. He was learned in the law and he was decisive. Above all he was progressive; he moved things forward. The fact that we have the Drug Courts at all, it cannot be overemphasized, that has changed the lives of so many people, is all his doing. At the graduation ceremony today, Skip Schwab who is with the Commonwealth Attorney's Office in Pulaski County had an anecdote that I didn't know before, but it is indicative of Judge Long. He said in the early 2000s there was a move to try to get Drug Courts started in the area and through Virginia. It didn't take off. A few places had it, but it didn't go very far. When Judge Long took the bench, both here and in Pulaski, he said he wanted to go ahead and get started with the Drug Court. Skip said we tried that, we looked into it but we can't get money from anywhere. Judge Long said, "We are going to do it anyway." And he did. He did it anyway and the money came afterward. The progress is what we've seen. That is a leader. That is someone who made a mark. I personally saw day after day, and in all my years of practicing I had not seen, when Judge Long went out into the community people would walk up to him and shake his hand and thank him. You don't see that everywhere. We have a lot of great judges and they are good people. To praise one man is not to tear down others. He made that kind of impact and he cared about the community. Thank you.

Chairman Turman – I would like to take a minute and add something to this. Over the years I have seen a lot of judges. I enjoyed working the courts. I have told my son more than once I wish I was still working when Judge Long was there. My son loved him. I know the other officers felt the same way. He made them feel comfortable. He didn't intimidate them. He has been a big influence in this County.

Supervisor Coleman – I have thought about this for an extended period of time. As Mr. Zeman said so well, I remember how this epidemic started in our community. When I first started we were having Circuit Court once a month. As a patrol deputy I had the fortune and misfortune of taking reports from people who had been victimized. I had the misfortune of being in homes that were broken because of addiction. I also had the opportunity to work with various judges and with Judge Long. As everybody has said so well, there is a distinct part of me that very much remembers how wise he was. He could sit there and tell from the bench when mercy was needed. And he could tell when accountability was needed. He was compassionate on both fronts. That was what changed our community – his ability to know the need, to hear the need, to see the need, and to address the need. As a young man, I will never forget that. I will never forget the change he made. I'll never forget the calls for service from people who had property stolen. I'll never forget going into those homes where children were taken away because their parents were addicted. When someone came in who was repentant and remorseful, he recognized it and offered everything he could within his power to help. I'm not taking away from any other judge, but I had never seen that before.

Supervisor Coleman made a motion to approve the resolution as presented to name the Courthouse after the Honorable Marcus H. Long, Jr. Supervisor Yoder seconded the motion.

Vice Chairman Boothe – I had the pleasure of meeting Mr. Long, not in his capacity as a courtroom judge thank goodness. He has done a lot of good things for this County. I would like to honor him. But I think I need to remind everyone that the Courthouse is more than just the courtroom. We have had some people who have impacted this County greatly through all the offices in the Courthouse, not just in the courtroom. I would definitely be agreeable to naming the courtroom after Judge Long, but we have a long list of people...I don't feel comfortable naming the Courthouse over one section of it. We've had Commonwealth Attorneys, Sheriffs, Clerks of Court, Treasurers, Commissioners of Revenue who have made a great impact. I just don't think I could make distinct naming the Courthouse. I have no problem at all with the naming of the courtroom. I just feel like I need to say that.

Mr. Steve Durbin, County Attorney – Is that offered as an amendment to the motion?

Vice Chairman Boothe – No it is discussion, you have a motion on the table. I was just explaining my position.

Supervisor Kuchenbuch – Could an amendment be made to make it the courtroom and not the courthouse?

Mr. Durbin – You can offer an amendment. The amendment would need to be seconded and then voted on to approve the amendment, then the amended motion would be voted on.

Supervisor Coleman – My reason for the motion is that while I agree 100% with Mr. Boothe, we have many good people who have done a lot of good things, but when someone comes in and offers a solution to turn around an epidemic it is extraordinary.

Supervisor Yoder – Mr. Boothe I completely hear what you are saying. I understand that many people have come along whom we should honor in some way. I don't see where this takes away from what they did. I was really torn, but what Mr. Zeman said about putting something out in front where people can see it, instead of in the courtroom, you are making a statement that way. You could name a courtroom and that would be a good thing when someone goes in after they committed a crime. But putting something in front of the Courthouse might say this community takes crime seriously. It goes beyond the service Judge Long provided to the community, it is a statement that we take crime seriously and compassion seriously. That was a great balance that he was able to strike. Also I think it is important to honor people in their lifetime. So many times people are honored after their death. I think it is important to say thank you to people during their lifetime. Now is a good time to do it.

Supervisor Kuchenbuch – I have probably known Mark Long longer than most people in that room. I knew him a long time ago. Judge Long's compassion and toughness was formed throughout his life with his interactions as a lawyer and when he was appointed to be a judge. I know Judge Long's modesty. I know his desire to never want this to be the end result of anything he did. I know you don't feel that way. I know his humility. I think it is his humility that bred his compassion that bred his toughness that bred what it

was he became. I tend to think there is credence in what you said Supervisor Yoder about honoring people in their lifetime, instead of posthumously. That is absolutely important. But that Courthouse stands for many things to many people, not just to the people who have served in it. Judge Long's work was in that courtroom. If it is alright I would like to make an amendment to name the courtroom after Judge Marcus H. Long, Jr.

Supervisor Kuchenbuch made a motion to amend the resolution on the floor to name the courtroom after the Honorable Marcus H. Long, Jr. Supervisor Boothe seconded the amendment to the motion.

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

The amendment failed.

Chairman Turman – When I first read the resolution and the alternate, I was in favor of naming the courtroom after him, but after hearing what everyone had to say I think he is a bigger man than the courtroom.

Supervisor Coleman – Thank you to everyone who spoke, especially Mr. Robinson. Your story is powerful. Thank you.

On the original motion of Supervisor Coleman, seconded by Supervisor Yoder, and carried, it was resolved to approve the naming of the Floyd County Courthouse as the Marcus H. Long, Jr. Courthouse (Document File Number 1194).

Supervisor Coleman - yes
Supervisor Yoder - yes
Supervisor Kuchenbuch - no
Supervisor Boothe – no, with all due respect to Judge Long
Supervisor Turman – yes

The motion passed.

8.d. Constitutional Officers' Report

No Constitutional Officers were present at the time.

10.b. Approval of resolution establishing the method of computing and reflecting tax relief pursuant to the Personal Property Tax Relief Act of 1998

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the Resolution Establishing the Method of Computing and Reflecting Tax Relief Pursuant to the Personal Property Tax Relief Act of 1998 – Specific Relief (Document File Number 1195).

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

10.c. E911 Road Name Request – Clementine Lane

Vice Chairman Boothe – This road actually starts in the Town limits, then goes outside the Town limits, and then goes back into it. We are going to be naming the County portion of the road. Has this been brought to the Town’s attention? How does it work with a road that goes back and forth between the Town and County?

Dr. Millsaps – We are not sure.

Ms. Ryan – I don’t remember a road name request for a road that did this before.

On a motion of Supervisor Boothe, seconded by Supervisor Yoder, and unanimously carried, it was resolved to approve the E911 Road Name Request – Clementine Lane with the cost of the road sign installation to be paid by the County, contingent upon the Town naming their portion of the road the same.

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

10.d. Approval to go to bid for radio system project

Dr. Millsaps – You have been working on this long before I got here. We estimated the project would cost \$4.83 million. You recently approved the bond debt that included this project. You also approved to have Federal Engineering, an expert in the communications field, develop an invitation to bid.

Supervisor Yoder – Were there any changes made to the equipment we looked at before for this bidding?

Supervisor Coleman – The bid will be based on the previous study.

Dr. Millsaps – The recommendation of the equipment committee is to move forward. We have asked Mr. Durbin to review the bid to make sure it meets important standards.

On a motion of Supervisor Yoder, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve issuing an invitation to bid for the radio system project.

Supervisor Coleman - yes
Supervisor Yoder - yes

Supervisor Kuchenbuch - yes
Supervisor Boothe - yes
Supervisor Turman – yes

10.e. County Administrator's Report

- American Relief Plan update – Floyd County qualifies for \$3.1 million of funding. To date we have received exactly half that amount, which has been deposited in our bank account. In previous meetings you requested that I put together a draft of a grant program for the various entities in the County, including our departments. Our departments would have to apply just as other citizens and non-profits would. I have a draft ready for you to comment on.
 - Purpose is to allow our governmental entities, area authorities, local businesses, and nonprofits the ability to compete for use of the funds allotted to the County.
 - Areas for funding are from initial federal guidance, with additional clarification provided by the National Association of Counties (NACO). The 4 authorized uses are:
 1. Respond to public health needs and economic damage from the pandemic;
 2. Providing hazard pay for essential workers (public employees only);
 3. Replacing lost revenue (County only);
 4. Investing in necessary water and broadband infrastructure.Outside entities can only apply for items in authorized uses 1 and 4, and proposals for all work should be in Floyd County.
 - The application process describes how applications will be received, the deadline which still needs to be determined, the form of submission, the timing of the work, and that required state and federal laws and regulations will be followed.
 - There are 15 application questions that applicants need to be able to respond to.
 - Selection criteria is to assist agencies in focusing their responses.
 - We also included some links to NACO webpages that provide specific frequently answered questions.

Floyd County does not have any qualifying census tracts and Floyd County has not experienced a revenue loss. These both limit the allowed use of funds for Floyd County. While we have received temporary guidance, we get updates on a regular basis. Some surrounding counties plan to fund those projects that are clearly allowed uses and then put some funds aside until the Final Guidance is released, probably in the beginning of October.

Supervisor Yoder – I appreciate the process you have formed here. It helps us track what is happening. I would like to see the application process open 6 weeks to 2 months so that everyone has a chance to hear about it and respond. Please be sure to send it to Captains or leadership of Fire and Rescue Volunteers.

Supervisor Coleman – Outstanding.

Vice Chairman Boothe – I agree with everything Supervisor Yoder said. You put some time into this and I think we can track it better. I have a couple of questions. I know labor and materials will qualify, but what about engineering or design? Would those costs be separated out?

Dr. Millsaps – I have not seen anything that suggests the full costs of a water, sewer, or broadband project would not be eligible.

Vice Chairman Boothe – Would the work for the retention ponds in the Commerce Park qualify under the allowed use of stormwater?

Dr. Millsaps – I have not specifically looked at retention ponds, mostly it looks at water as related to public health. I'm not saying it wouldn't qualify, but we have done research as it relates to clean water.

Vice Chairman Boothe – That is something we are looking at doing and it will cost taxpayers a lot of money, so if it qualifies then we should consider it.

Supervisor Kuchenbuch – I assume the Economic Development Authority would have to fill out a form for that project.

Mr. Durbin – It is certainly worth looking into. It might meet the test.

Dr. Millsaps – We will certainly ask for guidance around that.

Supervisor Kuchenbuch – I think this grant application is amazing. You have put a lot of time into this and it is very well written, easily explained. I am very impressed with how people in our County will now be able to look at this. It will make our job in deciding how to spend this critical money much easier. We will have a paper trail. Thank you so much for all the time and work by you and your staff.

Dr. Millsaps – We will look at rolling this out for a six week window.

Supervisor Yoder – I suggested that because some of these organizations meet monthly and they might need a little longer to respond.

Supervisor Kuchenbuch – Thank you to Mr. Durbin and Sands Anderson for their help in going through all of these documents.

➤ Police Training Academy Charter

Dr. Millsaps – Sheriff Craig and I went on Thursday morning to a meeting of the Police Training Academy. They have issued a new charter with a few changes from the previous charter. The major change is that Montgomery County is no longer a member. One of the other changes is they have asked the County Administrator or Town Manager sign in addition to the Sheriff. I will sign that on your behalf.

Chairman Turman – New River Community College or someone will be offering college courses where they can get a Bachelor of Science degree in law enforcement through the Academy.

Dr. Millsaps – In the discussion that day there is clearly an emphasis on trying to make sure all of our law enforcement personnel have as much high-quality training as possible. In a couple of areas they feel their training will be better than what the State is offering.

➤ Public Safety Director announcement

Dr. Millsaps – We have made a staff change. Mr. Kevin Sowers has been serving as the Emergency Management Coordinator for some time. Recently I asked Mr. Sowers to be our Public Safety Director. I put an announcement out when we did that. He continues to have all his Emergency Management Coordinator duties, but his role as liaison to other public safety groups is expanded. He is over cybersecurity work and our Emergency Medical Services department. In my short period of time many of the staff have impressed me and Mr. Sowers is certainly one of those.

Supervisor Yoder – This means we might need to update our Emergency Plan to reflect that change. The Board will need to adopt that.

➤ Draft budget schedule

Dr. Millsaps – I sent to you a draft budget schedule to provide a plan to start the process a little bit earlier:

- September – a formal Powerpoint presentation of FY21 preliminary and unaudited year-end overview;
- October – briefing/work session on major equipment and capital investment status update;
- October – Work session and possible budget amendment for America Relief Plan and other fund changes;
- November – First quarter revenue and expenditure update;
- December – Year-end financial results and acceptance of audit;
- January – Budget and revenue initial outlook;
- January – Budget requests to County Administrator;
- March – County Administrator’s proposed budget;
- Late March – Public Hearing on maximum tax rate;
- April – Adoption of tax rates;
- May – Adoption of budget.

➤ Renew the Little

Dr. Millsaps – The event will be held August 28 at the same location starting out at On the Water. Tomorrow the registration form will be out on the website. If people have their own kayaks they can bring them. On the Water will also be providing

some. Lunch will be available for volunteers who register ahead of time. The Chamber Duck Race will follow. We are doing joint permitting.

➤ VATI [Virginia Telecommunications Initiative] grant for broadband

Dr. Millsaps – At 6:00 p.m. tonight we submitted a letter of intent related to a VATI grant for broadband. It does not commit us to even apply for the funding. It leaves the door open for us to have a discussion about additional broadband funding.

➤ Cybersecurity grant

Dr. Millsaps – Yesterday I signed the final document for the \$150,000 cybersecurity grant. Mr. Sowers wrote that grant some time ago and it was held up due to COVID and other things. They are finally releasing the funds. That funding should be available shortly.

➤ Building permits

Dr. Millsaps – There is a lot of building going on in the County. Building permits are up 47% over this time last year. Mr. Bolt is on a mission trip overseas. We appreciate everyone who understands their inspections are being pushed back by a week.

➤ CARES [Coronavirus Aid, Relief, and Economic Security Act] audit compliance

Ms. Ryan – The auditors pointed out that we need signed federal disposition of asset agreements from any recipient of CARES funds who received equipment that cost more than \$5,000 and will last longer than one year. I wanted to make representatives who serve on the Floyd-Floyd County Public Service Authority aware that these agreements will be sent to that agency soon.

11. Board Member Time

Supervisor Yoder – Station #3 Fire has dumpsters that are right on the road. It is hard for people to pull out. I have received multiple calls from people who are having issues pulling out. Fire volunteers are having a harder time parking. If one dumpster could be moved or taken away. Also the Board might want to consider expanding parking at that site to help the firemen out. Earlier in Public Comment when the trails were mentioned, I am pretty sure Partnership for Floyd agreed to do maintenance on the Dodd Creek Trail when it was put in. I was on the Recreational Authority at that time. I don't know how that works since the County has taken Recreation over, but that may be something to research. I thought the only reason the Recreation Authority agreed to build the trail was because they had someone in place to do the maintenance.

Vice Chairman Boothe – Wouldn't that transfer when the assets of the Authority transferred?

Mr. Durbin – If there is an agreement in place, you are the successor to the Authority so you would want to look at the terms of the agreement.

Supervisor Yoder – I don't know if it was a signed agreement or just said in a meeting. I know that was what tipped the edge because the Authority was not going to have to do the maintenance. You could look for an agreement or talk to other Authority members who served at that time.

Vice Chairman Boothe – If there is not a written agreement, then the responsibility falls on us if they decide they don't want to do it anymore.

Supervisor Yoder – There are a couple of things I thought we might want to update in our Music Festival ordinance.

Supervisor Coleman – I would like some clarification of what the local Board can and can't do in that ordinance. I was not on the Board when it was originally written.

Supervisor Yoder – We had a committee composed of the County Administrator, Supervisor Kuchenbuch, and myself. We took input from a number of people including the Sheriff, Emergency Coordinator, and every existing festival in the County could make comments. I think the structure is good. I think it might be time to re-evaluate the ordinance and make a few tweaks. The reason for the ordinance is to provide emergency services, solid waste, and all the services our citizens enjoy, and not be unable to provide those services for a week because of something going on that sucks up the resources.

Supervisor Coleman – I would like to have this on an agenda while I am still on the Board.

Vice Chairman Boothe – I think we should each review the ordinance and if we have suggestions, we can share those with the County Administrator and she can share them with the rest of the Board.

Supervisor Yoder – Either that or put it on an agenda for discussion.

Mr. Durbin – Before you put it on an agenda, if you send to me a list of questions or topics, I would be happy to look at it before you have an agenda discussion.

Supervisor Coleman – Please email us the latest version of the ordinance.

Vice Chairman Boothe – I am only picking up some of the words. How are we going to do this?

Supervisor Yoder – The County Administrator will email us the latest version of the ordinance. If there are changes we want to propose, we should send those to the County Administrator. She will ask legal counsel for an opinion as to whether it is something we can do. After that it will be put on the agenda.

Supervisor Coleman – The new green box site looks very, very nice. It was a long time coming.

Dr. Millsaps – It is being kept up well. The folks who live out there are doing their part.

Supervisor Coleman – We may need to look at the maintenance issue in the agreement. The grass on the constructed part is growing exceptionally well. But at this early stage I don't think we want to put equipment on it. I cannot recall whose responsibility it is according to the agreement. It may be a good project for the trustees when they come back.

The only other thing I have...in light of the Public Comments received and the feedback I received from constituents in my district and having personal knowledge, I am concerned about the Model Policies released by the Virginia Department of Education. There is a place for local government to make its claim and make a statement as the local governing body. After having personally read the Model Policies more than once and having conversations with my counterpart on the School Board, I feel like there is in some instances a place and position for the local governing body to take a stand. I feel like this is one of those places given the audacity of this and really taking into consideration our teachers. There is so much in there that hasn't really even been expounded upon regarding the extreme scrutiny that is going to fall on our teachers. I'm concerned. I'm concerned about how this process went through from the General Assembly to the Department of Education and basically handed off to a non-governing body to establish these policies. I think this is potentially disastrous at its core, without any support from anywhere which we are used to that naturally from Richmond. No disrespect intended, but it is how it falls. I have read this resolution and I think it is very, very well written. I'm sure that every person at this table genuinely cares about every human being, but we also have to take into account every human being in making sure the policies and procedures in place across the board doesn't adversely affect others, and adversely affect the funding we are sending to the local School Board and the teachers and the extra responsibilities it is putting on them. I would like to make a motion that this Board adopt this resolution presented to the Floyd County Board of Supervisors regarding the Virginia Department of Education Model Policies for the Treatment of Transgender Students in Virginia's Public Schools. This is also the resolution I shared with each Board member electronically. I am not trying to introduce something contentious by nature, but I just feel like I can't sit in the position I am in without making a statement and asking this Board to consider making a statement like we have with every other resolution. I'm respectful of each of your opinions, but feel like this needs to be done, so that is my motion.

Chairman Turman – Before I ask for a second I am going to ask Mr. Durbin for some highlights

Mr. Durbin – If you have specific questions I would be happy to address those. My question to you all is whether this is intended just as a statement of the Board's views or as a basis for further concrete legal action? The way the Constitution of Virginia structures the schools it is very limited what role the Board of Supervisors has in internal

policies of a school division. As a political statement that is one thing. I don't want to give you the impression there is a lot of interventions that can legally happen by this Board. There are not.

Supervisor Yoder – For legal action would it have to come from the School Board, or Teacher's Association, or Parent's Association?

Mr. Durbin – There are pending lawsuits in the Circuit Court for the City of Lynchburg. Two combined cases are pending there challenging these Model Policies. It is an uphill climb to show standing. Those cases are from private groups and not from a Board of Supervisors or a local School Board. The resolution you received previously is largely based on what was adopted by Carroll County in early June. Since that time there has been a change in the legal landscape. A 4th Circuit Case out of Virginia was on appeal to the United States Supreme Court. A couple of weeks ago they denied cert; they are not going to hear that case. They are going to let the 4th Circuit's ruling stand. It means that it appears that a policy based on biological sex of bathrooms or locker rooms, could be problematic under equal protection of the Constitution. It could be problematic under Title IX. It is not something that this Board could take any binding legal action on, but as a statement of your views that is a different question. As I said before the School Board is a separate legal entity under the Constitution. The one difference between the Carroll County resolution and the one before you is scrutinizing the budget. That is a prerogative that the Board of Supervisors has, but that would be in a later budget year because this year's budget has been adopted and appropriated.

Vice Chairman Boothe – Throughout this thing is it fair to say that there has been interpretations placed on it?

Mr. Durbin – I would say the way that some of the topics have been characterized is not exactly how I would characterize it.

Vice Chairman Boothe – As I understand number 5, while it doesn't come out and actually say it, it is implying the Board of Supervisors will hold the budgetary consideration over the School Board's head if they don't do what we think they should. Is that a fair interpretation of number 5?

Mr. Durbin – Other than say "carefully consider every budgetary option," as to what message that sends to the School Board, the public, or any others that is for you all to decide.

Vice Chairman Boothe – The Second Amendment resolution and this one were referenced in the same comments. A couple of us were revising the Second Amendment resolution right up until a couple of minutes prior to that meeting. That was after it had been scrutinized by legal counsel. With all due respect to Mr. Coleman, I think we should follow the same procedure. If the majority is in favor of sending one, I have no problem with sending one to the Virginia Department of Education, but especially with number 5 and its insinuation...in 15 ½ years I've never held the school education funding of our children over the School Board's head and I am not going to start now. There are

a few other things in it that I think need clarification. It states here that the Board has reviewed the Model Policies. Has the entire Board reviewed the Model Policies?

Supervisor Coleman – I can only speak for myself and I have. I have a copy and I would be glad to share it with you.

Vice Chairman Boothe – Have all the rest of us read it?

Supervisor Coleman – I am not going to tell you what to read and what not to read that is a little bit on your part. I am just making a motion here. I sent this out and it has been before everybody before. I can't speak to everybody reading it. That is on each one of us.

Supervisor Yoder – I was going to ask the same question. I have skimmed them, but I have not read them in depth. To pass a resolution I would want to know... more importantly I would want to know what the School Board is considering passing.

Vice Chairman Boothe – My understanding from Dr. Wheeler is that they are not planning to pass anything. Their policies have already been in place. On page 2 it talks about Model Policies are required to be adopted by the first day of the year, guidance regarding implementation and compliance with the policy will not be made available until the end of the calendar. That sounds strange.

Supervisor Coleman – That is actually in the Code.

Vice Chairman Boothe – I am not opposed with us making a statement, but I don't know that I can make the statement that has been laid out in front of me.

Supervisor Coleman – This is no different than the Second Amendment resolution where we struck the statement regarding funding and rightly so. This has nothing to do with holding funding. As I have already stated we already carefully consider every budget item. I take it to mean that in its entirety. My motion and the intent of my motion is to make a political statement. Perhaps I could have better articulated that. It is not intended to overreach another Board. These resolutions are nonbinding. It is a statement. That is the basis of my motion.

Vice Chairman Boothe – I'm not above making a statement to the Department of Education that they need to be sure to take into consideration all impact on all children and their rights, but I don't think the way it is written right here is the way to do that. I'd rather have Mr. Durbin come up with something. There is some interpretation leeway. That is where I stand on it.

Supervisor Coleman – I stand by this motion and I stand by this resolution as one introduced by the people of Floyd County. I believe if Mr. Durbin had any grave concerns about the legality of it or anything associated with it, I have every confidence he would express that. As a political statement I don't hear you saying that you have any grave concerns about legality.

Mr. Durbin – I would say if you are asking me to wordsmith it if I were the author of this, I would probably express some of these things differently. But as a political statement, it doesn't contain an action item. With the caveat to the extent that next month we will be considering action items, I just want to make it clear I don't think there are much action items that can be taken. The 4th Circuit Court has spoken and the Supreme Court has spoken. And the General Assembly has spoken. But as a resolution, it is a resolution. It does not carry the force of law. It does not direct anyone to adopt a policy or repeal a policy. To the extent it is the expression of the Board's views on something, I don't have any other comments beyond that. It is the Board's political statement.

Chairman Turman – Before I go on with a second, it is hard for an old leopard to change his spots. I'm old-fashioned. It is no reflection on anybody or their beliefs, but I look at the bigger picture that we are putting the fox in the henhouse. Because with 32 years of experience in law enforcement and actually interviewing a 4-year-old girl who was raped, I know there are perverts out there who will use this to get closer to our kids. I've got four granddaughters going into school, two 6-year-olds, a 9-year-old, and an 11-year-old. One granddaughter teaches in Carroll County. We have had a lot of discussions about what is going on. She is actually considering quitting teaching because of this. She knows what this will open up. I've always taught my kids that where there is an action, there is a reaction. There have already been two instances that I know of in adjoining states. A male who calls himself a woman walked completely naked through a woman's sauna with little girls present. In the other instance a 16-year-old girl walked topless through a men's bathroom. Men being men, you know some of them grabbed their cell phone and took pictures. If they show those pictures to anyone, then they can be charged with possession of child pornography. You have a big snowball coming. It just worries me. It really does. There are going to be people hurt if they see a man follow their little girl into a bathroom. It is going to be a disaster. With that political statement, I will second Mr. Coleman's motion.

Supervisor Yoder – One of my major problems with this resolution is that it wasn't on our agenda. Up to this point we have not discussed it among the Board members except as a proposal coming to us. I haven't reviewed this versus the Model Policies, so I have no idea if this would be my interpretation or not. It clearly states in here that we have done that. That is really one of my major problems with this. If I voted for this, I have essentially lied. I am not against making a statement, but I am not going to vote for something we haven't reviewed when it very clearly says we have reviewed it. That is my position on this right now.

Chairman Turman – It was presented to us at our last meeting.

Supervisor Yoder – I understand that, but if we had it on the agenda. I received this while I was at work today. I haven't had the chance to look at it and compare it to the Model Policies. I really don't know what my position is here.

Dr. Millsaps called the roll on the Resolution of Floyd County Board of Supervisors Regarding the Virginia Department of Education “Model Policies for the Treatment of Transgender Students in Virginia’s Public Schools” (Document Number 1196).

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

Mr. Durbin – You need a majority of 3 to vote and you have 2 voting for and 1 against so the motion passes. Abstentions do not count.

Supervisor Yoder – If there were 3 abstentions and 2 votes for a motion...it really didn’t matter how Mr. Boothe voted at that point?

Mr. Durbin – As long as you have a quorum to do business, abstentions reduce. It has been the practice in some Boards that abstentions count as “no” votes, but that is not consistent with Robert’s Rules of Order.

Supervisor Coleman – Maybe the Board could adopt a policy that any group that wants to express something or present a resolution could ask for a period of time on the agenda. In my four years we have done it on the agenda, not on the agenda, a Board member bringing it up as I did tonight. It has been done any number of ways since I have been here. I saw it when I was sitting here prior to getting on the Board. I know it is not binding and it goes from Board to Board, but maybe as a matter of policy this Board would consider and authorize the County Administrator and/or designee that anybody who has a resolution they can express that. I try to share them so everybody has notice. It would give time for each party to talk. They could have a scheduled time. They could articulate what they want to express. The copies would be present and everybody would be well informed. I hate that when people come and speak in public comment, they want to see action. They are here to see their local government body take action. That is one of the reasons I made the decision to bring it up during Board member time. I think it may serve everybody well as a matter of policy to allow people to have time.

Ms. Ryan – As the person who puts the agenda together, you are right that resolutions have been presented in a number of ways. But we have always stated that if anybody wants to be on the agenda, all they have to do is contact County staff, usually the Assistant County Administrator, and request to be on the agenda. The person is asked the topic of discussion, how long on the agenda the person will need. People are asked if they have anything to include in the Board packet and are told the date and time items need to be received to go into the Board packet. We have followed this procedure consistently ever since I have been here. Some of the people in this room have made a request to be on the agenda before. While people can do it the way it was done tonight, you also saw Mr. Zeman follow the process I just described of requesting time on the agenda and providing the resolution for inclusion in the Board packet. The process allows the Board of Supervisors a chance to review the item, ask questions, and consider the item prior to it coming up for a vote.

Supervisor Coleman – Yes, there is always the potential for any constituent to do this. Absolutely.

Supervisor Kuchenbuch – Mr. Durbin, can I request a clarification? I didn't understand when you said the abstention did not count as a "no" because there was a quorum. Could you please explain that again? I abstained before and it counted as a "no." I agree with Mr. Yoder that I did not have enough time to do all of the research stated in that resolution to feel comfortable voting. Is it because we are remote that it allowed this resolution to pass?

Mr. Durbin – No. It is that by definition an abstention is not a vote. If that has been interpreted in the past that an abstention counts as a "no" vote on anything but a budgetary matter or an expenditure, then that is simply not correct. Abstention is not a vote. As long as there is a quorum to do business, business is done by a majority of those present and voting.

Supervisor Kuchenbuch – At this point I feel...I guess there is no way to change my vote, but I feel like as you stated earlier...I did not read everything and I am not as knowledgeable on this as I feel I should be to pass this. I want that in the record. I would at this point want to vote "no." That can be put in the record.

Mr. Durbin – A motion to lay an item on the table to consider later is always in order when there is a motion made and seconded. After a motion is voted on the Board could make a motion to rescind a prior action.

Supervisor Yoder – This is a statement of what happened at 10:00 p.m. tonight. We could bring up a different resolution next month.

Mr. Durbin – We had some experience doing that in years past.

Supervisor Yoder – In my view it is a statement of where the Board was right then. The majority of the voting members at the time felt it was necessary, two members did not feel like they had enough time, 1 member did not approve of it. At 10:00 p.m. that is where we are at.

12. Adjournment

On a motion of Supervisor Coleman, seconded by Supervisor Yoder, and unanimously carried, it was resolved to adjourn the meeting to August 10, 2021, at 8:30 a.m.

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

Linda S. Millsaps, County Administrator

Joe D. Turman, Chairman, Board of Supervisors

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
011010	***BOARD OF SUPERVISORS***				
5810	DUES AND SUBSCRIPTIONS				
	12300	MATTHEW BENDER & CO. INC.	26583747	VA CODE REPL VOL 3A	147.82
				ACCOUNT TOTAL	147.82 *
				MAJOR TOTAL	147.82 **
012010	***COUNTY ADMINISTRATOR***				
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	47.68
				ACCOUNT TOTAL	47.68 *
5540	TRAVEL (CONVENTION & EDUC				
	43001	ANGELA ELLIS	AUG21	EDUCATION/ACCT CLASS	626.20
				ACCOUNT TOTAL	626.20 *
6001	OFFICE SUPPLIES				
	16730	TAYLOR OFFICE SUPPLY, INC	124314	OFFICE SUPPLIES	45.78
	19540	QUILL LLC	18323637	OFFICE SUPPLIES	57.57
	19540	QUILL LLC	18324663	COPIER PAPER/ADMIN	37.72
	42920	FINN GRAPHICS INC.	00008324	PRINTS/MOUNTS	470.30
				ACCOUNT TOTAL	611.37 *
6008	GAS AND OIL				
	70	CLARK GAS AND OIL CO.	U9030196	REGULAR GAS	14.47
	70	CLARK GAS AND OIL CO.	U9121241	REG GAS	14.81
				ACCOUNT TOTAL	29.28 *
				MAJOR TOTAL	1,314.53 **
012090	***COMM OF THE REVENUE***				
3320	MAINTENANCE, SERVICE AND				
	42795	ETHOS TECHNOLOGIES	INV400227	METER	2.24
				ACCOUNT TOTAL	2.24 *
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	42.90
				ACCOUNT TOTAL	42.90 *
5899	LAND USE				
	16730	TAYLOR OFFICE SUPPLY, INC	124299	OFFICE SUPPLIES	188.83
	16730	TAYLOR OFFICE SUPPLY, INC	124318	PRINTING SERVICES	25.00
				ACCOUNT TOTAL	213.83 *
				MAJOR TOTAL	258.97 **
012130	***TREASURER***				
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	41.70
				ACCOUNT TOTAL	41.70 *
6010	DMV ADMINISTRATIVE FEE				
	17070	DEPARTMENT OF MOTOR VEHICL	202121200710	DMV STOPS	1,825.00
				ACCOUNT TOTAL	1,825.00 *
				MAJOR TOTAL	1,866.70 **

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
013010	***ELECTORAL BOARD AND OFFICERS***				
1100	COMPENSATION OF BOARD MEM				
	23430	ROBERT CHARLES SMITH	AUG21	ELECTORAL BOARD COMP	290.42
	31940	MICHAEL MASLANEY	AUG21	ELECTORAL BOARD COMP	145.17
	37130	BRECC AVELLAR	AUG21	ELECTORAL BOARD COMP	145.17
				ACCOUNT TOTAL	580.76 *
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	13.53
				ACCOUNT TOTAL	13.53 *
				MAJOR TOTAL	594.29 **
013020	***REGISTRAR***				
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	40.25
				ACCOUNT TOTAL	40.25 *
6001	OFFICE SUPPLIES				
	38920	VIRGINIA BUSINESS SYSTEMS	29745235	003-1180919-000	49.74
				ACCOUNT TOTAL	49.74 *
				MAJOR TOTAL	89.99 **
021010	***CIRCUIT COURT***				
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	13.93
				ACCOUNT TOTAL	13.93 *
				MAJOR TOTAL	13.93 **
021020	***GENERAL DISTRICT COURT***				
3320	MAINTENANCE AND SERVICE C				
	39660	SHRED-IT, C/O STERICYCLE,	8182586269	ONSITE SHREDDING	81.54
	42744	RICOH USA, INC	5062448268	CONTRACT 4363809	12.04
				ACCOUNT TOTAL	93.58 *
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	53.12
				ACCOUNT TOTAL	53.12 *
6001	OFFICE SUPPLIES				
	43029	NIKKI KING	0722 KING	OFFICE SUPPLIES	9.47
	43029	NIKKI KING	0722 KING	OFFICE SUPPLIES	43.50
				ACCOUNT TOTAL	52.97 *
				MAJOR TOTAL	199.67 **
021030	***MAGISTRATE***				
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	31.11
				ACCOUNT TOTAL	31.11 *
				MAJOR TOTAL	31.11 **

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
021050	***JUVENILE & DOMESTIC COURT***				
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	20.23
				ACCOUNT TOTAL	20.23 *
				MAJOR TOTAL	20.23 **
021060	***CLERK OF CIRCUIT COURT***				
5210	POSTAGE				
	30	PITNEY BOWES GLOBAL FINANC	3313968111	LEASING CHARGES	162.66
				ACCOUNT TOTAL	162.66 *
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	56.80
				ACCOUNT TOTAL	56.80 *
6001	OFFICE SUPPLIES				
	10	VIRGINIA OFFICE SUPPLY	43984.	OFFICE SUPPLIES	94.28
	10	VIRGINIA OFFICE SUPPLY	44103	OFFICE SUPPLIES	30.90
	10	VIRGINIA OFFICE SUPPLY	44134	OFFICE SUPPLIES	22.85
	10	VIRGINIA OFFICE SUPPLY	44179	OFFICE SUPPLIES	30.90
				ACCOUNT TOTAL	178.93 *
6012	RECORD BOOKS				
	42580	FOLEY COMPANY	253895	CHECKS	100.00
				ACCOUNT TOTAL	100.00 *
				MAJOR TOTAL	498.39 **
022010	***COMMONWEALTH'S ATTORNEY***				
3320	MAINTENANCE CONTRACTS				
	38920	VIRGINIA BUSINESS SYSTEMS	29727000	007-1664547-000	57.86
				ACCOUNT TOTAL	57.86 *
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	251.80
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	9.95
				ACCOUNT TOTAL	261.75 *
6001	OFFICE SUPPLIES				
	10	VIRGINIA OFFICE SUPPLY	44270	OFFICE SUPPLIES	122.97
				ACCOUNT TOTAL	122.97 *
				MAJOR TOTAL	442.58 **
031020	***SHERIFF***				
3310	REPAIRS & MAINTENANCE/AUT				
	42841	B & S AUTOMOTIVE SERVICE	0041679	BRAKE LABOR	135.80
	42841	B & S AUTOMOTIVE SERVICE	0041871	REPAIR/SERVICE	712.84
	42841	B & S AUTOMOTIVE SERVICE	0041968	SERVICE/INSPECTION	86.16
	42841	B & S AUTOMOTIVE SERVICE	0041980	INSPECTION	20.00
	42841	B & S AUTOMOTIVE SERVICE	0041988	ENGINE LABOR	628.33
	42841	B & S AUTOMOTIVE SERVICE	0042005	SERVICE/INSPECTION	57.21

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
	42841	B & S AUTOMOTIVE SERVICE	0042112	REPAIR/SERVICE	36.45
	42841	B & S AUTOMOTIVE SERVICE	0042125	SERVICE	36.45
	42841	B & S AUTOMOTIVE SERVICE	0042137	INSPECTION	20.00
	42841	B & S AUTOMOTIVE SERVICE	0042228	ELECTRICAL LABOR	268.07
	42841	B & S AUTOMOTIVE SERVICE	0042257	INSPECTION	20.00
	42841	B & S AUTOMOTIVE SERVICE	0042312	REPAIRS/SERVICE	51.45
	42909	BUFFALO MOUNTAIN AUTO REPA	13996	REPAIRS	70.08
				ACCOUNT TOTAL	2,142.84 *
3320		MAINTENANCE & SERVICE CON			
	13390	XEROX CORPORATION	013804849	WC3550X	47.15
	37090	ELECTRONIC SYSTEMS, INC	IN1881505	CN18949-01	10.35
	42744	RICOH USA, INC	35326576	200-3163022-100	43.54
	42744	RICOH USA, INC	5062459150	CONTRACT 4457544	27.26
	42744	RICOH USA, INC	5062459152	CONTRACT 4457551	5.30
	42744	RICOH USA, INC	5062459153	CONTRACT 4460528	15.06
	42744	RICOH USA, INC	9028975330	200-3161981/2-100	84.45
				ACCOUNT TOTAL	233.11 *
5230		TELEPHONE			
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	1,025.69
	28501	VERIZON WIRELESS	9884650752	WIRELESS	390.65
				ACCOUNT TOTAL	1,416.34 *
5305		MOTOR VEHICLE INSURANCE			
	41320	VACORP	80804	LINE OF COVERAGE	577.00
				ACCOUNT TOTAL	577.00 *
6011		POLICE SUPPLIES			
	14610	TOWN POLICE SUPPLY	0012029318870-0	TACTICAL	224.22
				ACCOUNT TOTAL	224.22 *
				MAJOR TOTAL	4,593.51 **
034010		***BUILDING INSPECTIONS***			
5230		TELEPHONE			
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	44.43
				ACCOUNT TOTAL	44.43 *
6001		OFFICE SUPPLIES			
	10	VIRGINIA OFFICE SUPPLY	44173	MULTIPURPOSE CARDS	20.99
	10	VIRGINIA OFFICE SUPPLY	44240	OFFICE SUPPLIES	25.49
	19540	QUILL LLC	18324663	COPIER PAPER/ADMIN	37.73
				ACCOUNT TOTAL	84.21 *
6008		GAS, OIL, ETC.			
	70	CLARK GAS AND OIL CO.	U9030196	REGULAR GAS	60.60
	70	CLARK GAS AND OIL CO.	U9121241	REG GAS	62.03
				ACCOUNT TOTAL	122.63 *
6014		Web Service Monthly Fee			
	42672	INTERACTIVEGIS, INC.	6042	HOSTING	400.00
				ACCOUNT TOTAL	400.00 *
				MAJOR TOTAL	651.27 **
035010		***ANIMAL CONTROL***			
3310		REPAIRS & MAINTEN-RADIO/A			
	2900	PRECISION GLASS & UPH. INC	I124878	REPAIRS	200.00
				ACCOUNT TOTAL	200.00 *

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
3500		PRINTING & BINDING			
	16730	TAYLOR OFFICE SUPPLY, INC	124417	TONER CARTRIDGE	118.58
				ACCOUNT TOTAL	118.58 *
5230		TELEPHONE			
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	109.76
				ACCOUNT TOTAL	109.76 *
6008		GAS, OIL, ETC.			
	70	CLARK GAS AND OIL CO.	U9030196	REGULAR GAS	174.76
	70	CLARK GAS AND OIL CO.	U9121241	REG GAS	178.90
				ACCOUNT TOTAL	353.66 *
				MAJOR TOTAL	782.00 **
035030	***MEDICAL EXAMINER***				
3110		PROFESSIONAL HEALTH SERVI			
	37080	TREASURER OF VIRGINIA	07092021	PROF SERVICES	20.00
				ACCOUNT TOTAL	20.00 *
				MAJOR TOTAL	20.00 **
035050	***EMERGENCY SERV/HAZARDOUS MAT***				
5230		TELEPHONE			
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	13.53
				ACCOUNT TOTAL	13.53 *
5410		EQUIPMENT LEASE-UNITED CE			
	37040	C/O: UNITED STATED CELLULA	20210726000309	TOWER REVENUE	267.89
				ACCOUNT TOTAL	267.89 *
6008		GAS/OIL			
	70	CLARK GAS AND OIL CO.	U9030196	REGULAR GAS	34.99
	70	CLARK GAS AND OIL CO.	U9121241	REG GAS	35.82
				ACCOUNT TOTAL	70.81 *
				MAJOR TOTAL	352.23 **
043020	***GENERAL PROPERTIES***				
1100		COMPENSATION OF CUSTODIAN			
	17100	FINN & FENWICK CLEANING SE	AUG21	CLEANING SERVICES	3,375.00
				ACCOUNT TOTAL	3,375.00 *
1300		COMPENSATION OF EXTRA HEL			
	43040	RAKESTRAW LAWN CARE, INC.	2021-1008	MOWING-ADMIN	220.00
	43040	RAKESTRAW LAWN CARE, INC.	2021-1009	MOWING-COURTHOUSE	120.00
	43040	RAKESTRAW LAWN CARE, INC.	2021-1012	MOWING-LIBRARY	200.00
				ACCOUNT TOTAL	540.00 *
3310		REPAIRS			
	36110	JZ SIGNS	3772	SIGNS/COURTHOUSE	84.87
				ACCOUNT TOTAL	84.87 *
3320		MAINTENANCE & SERVICE CON			
	290	CINTAS	4091065400	UNIFORMS	6.23
	290	CINTAS	4091744909	UNIFORMS	6.23

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
	830	CARTER MACHINERY COMPANY,	0916560	ADMIN	264.91
	830	CARTER MACHINERY COMPANY,	0916561	BEHIND SB OFFICE	264.91
	830	CARTER MACHINERY COMPANY,	3107373	PARTS	195.70
	830	CARTER MACHINERY COMPANY,	3111123	PARTS/SERVICE	372.20
	26410	VALLEY BOILER & MECHANICAL	28103	MAINTENANCE CONTRACT	166.65
				ACCOUNT TOTAL	1,276.83 *
3330		MAINFRAME/PRINTERS MAINTENANCE			
	37960	SUMMIT BUSINESS ASSOCIATES	2021292	IBM/HW MAINTENANCE	3,860.00
				ACCOUNT TOTAL	3,860.00 *
3340		Computer Services Support			
	40700	APPLICATIONS SYSTEMS CONSU	10000556	CONTRACT SERVICES	2,250.00
	43110	TECH SQUARED INC	MSP-1907	MONTHLY BILLING/IT	14,222.00
				ACCOUNT TOTAL	16,472.00 *
5110		ELECTRICAL SERVICE			
	420	APPALACHIAN POWER	OXFORD LT JUL21	OUTSIDE LIGHT	9.28
	420	APPALACHIAN POWER	435711071 JUL21	LIBRARY	995.58
	420	APPALACHIAN POWER	436454870 JUL21	OXFORD STREET	818.39
	420	APPALACHIAN POWER	441195751 JUL21	WORK CENTER BLDG	314.36
	420	APPALACHIAN POWER	441199264 JUL21	COURT HOUSE	2,126.51
	420	APPALACHIAN POWER	533465608 JUL21	CBURG PIKE	13.18
	420	APPALACHIAN POWER	533487755 JUL21	RADIO TRANS	29.24
	420	APPALACHIAN POWER	533496323 JUL21	FOX STREET	106.53
				ACCOUNT TOTAL	4,413.07 *
5120		HEATING SERVICE			
	70	CLARK GAS AND OIL CO.	U0290425	LPG DELIVERY	50.26
	70	CLARK GAS AND OIL CO.	U0290426	LPG DELIVERY	31.24
	70	CLARK GAS AND OIL CO.	U0290481	LPG DELIVERY	870.11
	70	CLARK GAS AND OIL CO.	U9121273	OFFROAD DIESEL	101.52
				ACCOUNT TOTAL	1,053.13 *
5130		WATER AND SEWER			
	11890	FLOYD-FLOYD COUNTY PSA	1010 JUL21	COURTHOUSE	169.38
	11890	FLOYD-FLOYD COUNTY PSA	1020 JUL21	JAIL	97.26
	11890	FLOYD-FLOYD COUNTY PSA	1160 JUL21	OXFORD	193.42
	11890	FLOYD-FLOYD COUNTY PSA	1205 JUL21	FOX STREET	88.98
	11890	FLOYD-FLOYD COUNTY PSA	3431 JUL21	LIBRARY	97.26
				ACCOUNT TOTAL	646.30 *
5140		PEST CONTROL			
	42706	DODSON PEST CONTROL	1000428769	PEST CONTROL	120.00
				ACCOUNT TOTAL	120.00 *
5230		TELEPHONE			
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	14.38
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	48.04
				ACCOUNT TOTAL	62.42 *
6005		JANITORIAL SUPPLIES			
	290	CINTAS	4090977413	MATS/SCRAPERS	191.65
				ACCOUNT TOTAL	191.65 *
6008		GAS AND OIL			
	70	CLARK GAS AND OIL CO.	U9030196	REGULAR GAS	52.99
	70	CLARK GAS AND OIL CO.	U9121241	REG GAS	54.24
				ACCOUNT TOTAL	107.23 *

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
8136		CAPITAL OUTLAY: SCHOOLS C			
	43173	FRITH CONSTRUCTION COMPANY	APP NO 08	FCBS/CCDC PROJECT	1,289,053.11
	43173	FRITH CONSTRUCTION COMPANY	APP NO 09	FCBS PROJECT/CCDC	570,481.14
	43173	FRITH CONSTRUCTION COMPANY	APP NO 10	FCBS PROJECT/CCDC	513,031.65
	43355	INSPIRE BUSINESS INTERIORS	1-589 DEPOSIT	DEPOSIT 1-589	21,447.00
				ACCOUNT TOTAL	2,394,012.90 *
9140		DEBT SERVICE: CARTER 2015			
	4230	CARTER BANK & TRUST	AUG21 #74 21741	LOAN 21741	16,063.20
				ACCOUNT TOTAL	16,063.20 *
9150		DEBT SERVICE: SKYLINE 201			
	42888	SKYLINE NATIONAL BANK	AUG21 9964734	LOAN 9964734	11,435.75
				ACCOUNT TOTAL	11,435.75 *
				MAJOR TOTAL	2,453,714.35 **
052010		***MENTAL HEALTH***			
5620		PAYMENT TO MENTAL HEALTH			
	910	NEW RIVER VALLEY COMMUNITY	FY22 1ST QTR	1ST QTR ALLOCATION	10,375.00
				ACCOUNT TOTAL	10,375.00 *
				MAJOR TOTAL	10,375.00 **
071020		***FLOYD COUNTY RECREATION***			
3000		CONTRACTUAL SERVICES			
	43040	RAKESTRAW LAWN CARE, INC.	2021-1013	MOWING-REC PARK	1,320.00
				ACCOUNT TOTAL	1,320.00 *
3320		MAINTENANCE CONTRACTS			
	43098	U.S. BANK EQUIPMENT FINANC	449253061	500-0522818-000	31.80
				ACCOUNT TOTAL	31.80 *
5110		ELECTRICAL SERVICE			
	420	APPALACHIAN POWER	436454838 JUL21	REC PARK	255.83
				ACCOUNT TOTAL	255.83 *
5230		TELEPHONE			
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	36.05
				ACCOUNT TOTAL	36.05 *
6001		OFFICE SUPPLIES			
	37090	ELECTRONIC SYSTEMS, INC	IN1881541	CN17576-01	66.55
				ACCOUNT TOTAL	66.55 *
6014		SPECIAL EVENTS			
	34820	ELEVEN WEST, INC.	117106	CAMP SHIRTS	619.17
				ACCOUNT TOTAL	619.17 *
6019		COED FLAG FOOTBALL			
	43358	AD STARR	221522A	EQUIPMENT	156.00
				ACCOUNT TOTAL	156.00 *
6020		COED SOCCER			
	43358	AD STARR	221522A	EQUIPMENT	345.00
				ACCOUNT TOTAL	345.00 *
6025		TACKLE FOOTBALL			
	43358	AD STARR	221522A	EQUIPMENT	156.00
				ACCOUNT TOTAL	156.00 *
				MAJOR TOTAL	2,986.40 **

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
081070	***NEW RIVER POLICE ACADEMY***				
5640	PAYMENT TO POLICE ACADEMY				
	1420	NEW RIVER CRIMINAL JUSTICE	202122FCSD	ANNUAL ASSESSMENT	20,370.00
				ACCOUNT TOTAL	20,370.00 *
				MAJOR TOTAL	20,370.00 **
081200	***COMMUNITY DEVELOPMENT***				
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	40.73
				ACCOUNT TOTAL	40.73 *
6001	OFFICE SUPPLIES				
	19540	QUILL LLC	18324663	COPIER PAPER/ADMIN	37.72
				ACCOUNT TOTAL	37.72 *
				MAJOR TOTAL	78.45 **
081500	***ECONOMIC DEVELOPMENT AUTHORITY**				
6075	EDA-COMMERCE PARK-PRELIM				
	42868	HURT & PROFFITT, INC.	66350	20191249	755.25
				ACCOUNT TOTAL	755.25 *
				MAJOR TOTAL	755.25 **
082050	***MISCELLANEOUS PROGRAMS***				
5643	EMS COUNCIL DONATION				
	2170	WESTERN VIRGINIA EMS COUNC	204795	FY22 ALLOCATION	4,639.00
				ACCOUNT TOTAL	4,639.00 *
5645	NEW RIVER COMMUNITY ACTIO				
	4410	NEW RIVER COMMUNITY ACTION	FY22 1ST QTR	1ST QTR ALLOCATION	7,482.00
				ACCOUNT TOTAL	7,482.00 *
6038	REGIONAL JAIL PAYMENT				
	22640	NEW RIVER VALLEY REGIONAL	374	PROF SERVICES	33,635.10
				ACCOUNT TOTAL	33,635.10 *
6057	DEPT JUV JUSTICE GRANT-IN				
	42792	NATIONAL COUNSELING GROUP	3998578	PROF SERVICES	312.50
				ACCOUNT TOTAL	312.50 *
6074	CHILDREN'S TRUST				
	42820	CHILDREN'S TRUST ROANOKE V	FY22	FY22 ALLOCATION	5,000.00
				ACCOUNT TOTAL	5,000.00 *
6078	FLOYD COUNTY HISTORICAL S				
	35450	THE FLOYD COUNTY HISTORICA	FY22	FY22 ALLOCATION	1,000.00
				ACCOUNT TOTAL	1,000.00 *
6083	FAIRVIEW NURSING HOME				
	910	NEW RIVER VALLEY COMMUNITY	FY22 1ST QTR FH	1ST QTR ALLOCATION	625.00
				ACCOUNT TOTAL	625.00 *
6086	DRUG COURT COSTS				
	420	APPALACHIAN POWER	533505834 JUL21	AKERS STREET	166.62

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
	420	APPALACHIAN POWER	533506389 JUL21	LOCUST STREET	26.57
	11890	FLOYD-FLOYD COUNTY PSA	1560 JUL21	LOCUST STREET	63.09
	11890	FLOYD-FLOYD COUNTY PSA	635 JUL21	AKERS STREET	63.09
				ACCOUNT TOTAL	319.37 *
6089		ROANOKE REGIONAL SMALL BU			
	42974	ROANOKE REGIONAL SBDC	ED11698	FY22 ALLOCATION	6,000.00
				ACCOUNT TOTAL	6,000.00 *
				MAJOR TOTAL	59,012.97 **
083010		***COOPERATIVE EXTENSION PROGRAM***			
5230		TELEPHONE			
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	92.28
				ACCOUNT TOTAL	92.28 *
6001		OFFICE SUPPLIES			
	16730	TAYLOR OFFICE SUPPLY, INC	124312	OFFICE SUPPLIES	57.26
				ACCOUNT TOTAL	57.26 *
				MAJOR TOTAL	149.54 **
403230		***EMERGENCY MEDICAL SERVICES***			
3310		REPAIRS			
	12590	VEST'S SALES & SERVICE IN	14938	REPAIR/BODY WORK	7,235.55
	12590	VEST'S SALES & SERVICE IN	14940	PARTS/LABOR	1,623.00
	42840	B & S AUTOMOTIVE SERVICE	0042118	EXHAUST LABOR	121.80
				ACCOUNT TOTAL	8,980.35 *
5230		TELEPHONE			
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	13.53
				ACCOUNT TOTAL	13.53 *
6004		MEDICAL AND LABORATORY SU			
	42833	BOUND TREE MEDICAL, LLC	84140691	MEDICAL SUPPLIES	26.40
	42833	BOUND TREE MEDICAL, LLC	84147403	MEDICAL SUPPLIES	247.90
	42837	ARC3 GASES, INC.	08141536	MEDICAL SUPPLIES	34.63
	42837	ARC3 GASES, INC.	08154274	OXYGEN USP MEDICAL	32.50
				ACCOUNT TOTAL	341.43 *
6015		DATA SERVICE CONNECTION P			
	40550	RAM SOFTWARE SYSTEMS, INC	14954	AIM SAAS	500.00
	40550	RAM SOFTWARE SYSTEMS, INC	15176	AIM SAAS	500.00
				ACCOUNT TOTAL	1,000.00 *
				MAJOR TOTAL	10,335.31 **
				FUND TOTAL	2,569,654.49

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FLOYD COUNTY
LISTING OF INVOICES FOR 8/10/2021 -- 8/10/2021

BEFORE CHECKS
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MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
032030	**FIRE AND RESCUE FUND**				
3202	FIRE DEPARTMENT OPER. AND				
	420	APPALACHIAN POWER	532943194 JUL21	LOCUST STATION	236.57
				ACCOUNT TOTAL	236.57 *
				MAJOR TOTAL	236.57 **
				FUND TOTAL	236.57

MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
042030	**SOLID WASTE**				
3310	REPAIRS AND MAINTENANCE				
	13360	MAGIC CITY FORD	621656	SERVICE	109.54
	41130	BOONE TRACTOR & IMPLEMENT	SI23714	PARTS	23.75
	41130	BOONE TRACTOR & IMPLEMENT	SI23727	PARTS/FREIGHT	203.63
	41130	BOONE TRACTOR & IMPLEMENT	SI23789	PARTS/FREIGHT	140.82
	42805	EXCEL TRUCK GROUP	XA101000519:01	REPAIRS	4,797.97
	42805	EXCEL TRUCK GROUP	XA101000545:01	REFUND	750.00-
	43320	PRO BILLING CORP13	14I222202	AIR INLET	245.00
				ACCOUNT TOTAL	4,770.71 *
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	249.44
				ACCOUNT TOTAL	249.44 *
5415	DEBT SERVICE/INTEREST:FOR				
	42888	SKYLINE NATIONAL BANK	AUG21 9971979	LOAN 9971979	419.60
				ACCOUNT TOTAL	419.60 *
6008	GAS, OIL, ETC.				
	70	CLARK GAS AND OIL CO.	U9030196	REGULAR GAS	98.54
	70	CLARK GAS AND OIL CO.	U9030197	DIESEL	1,347.50
	70	CLARK GAS AND OIL CO.	U9121230	DIESEL	1,043.88
	70	CLARK GAS AND OIL CO.	U9121241	REG GAS	100.88
	70	CLARK GAS AND OIL CO.	U9121269	DIESEL	1,206.11
	32130	HUTCHENS PETROLEUM	H132247	DIESEL EXHAUST	168.39
	32130	HUTCHENS PETROLEUM	H140632	ENGINE OIL	497.29
				ACCOUNT TOTAL	4,462.59 *
6014	OTHER OPERATIONAL SUPPLIE				
	290	CINTAS	4091065400	UNIFORMS	122.18
	290	CINTAS	4091744909	UNIFORMS	141.88
	41840	SOSMETAL PRODUCTS INC	1446697	HARDWARE, MISC	389.20
	42991	WINZER	6929731	MISC	427.50
				ACCOUNT TOTAL	1,080.76 *
6023	CONTRACT SERVICES/HAULING				
	26980	OUTHOUSE TOILET RENTALS	8202	LEACH TANK PUMPED	275.00
	36910	NEW RIVER RESOURCE AUTHORI	JUL21	TRASH HAULING	38,796.04
	36970	THOMPSON TRUCKING, INC	98291	TRASH HAULING	19,856.85
				ACCOUNT TOTAL	58,927.89 *
				MAJOR TOTAL	69,910.99 **
042040	**RECYCLING**				
3400	TIRE DISPOSAL TRANSPORTAT				
	43038	FRONTLINE LOGISTICS INC	FCTS-24	TIRE HAULING	3,269.70
				ACCOUNT TOTAL	3,269.70 *
5230	TELEPHONE				
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	13.53
				ACCOUNT TOTAL	13.53 *
6008	GAS/PROPANE/KEROSENE				
	70	CLARK GAS AND OIL CO.	U9030196	REGULAR GAS	348.13

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FLOYD COUNTY
LISTING OF INVOICES FOR 8/10/2021 -- 8/10/2021

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MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
	70	CLARK GAS AND OIL CO.	U9030197	DIESEL	87.60
	70	CLARK GAS AND OIL CO.	U9121230	DIESEL	67.86
	70	CLARK GAS AND OIL CO.	U9121241	REG GAS	356.36
	70	CLARK GAS AND OIL CO.	U9121269	DIESEL	78.41
				ACCOUNT TOTAL	938.36 *
6014		COLLECTION BAGS, ETC.			
	43026	K & K SAFETY	1162	MISC SUPPLIES	1,123.76
				ACCOUNT TOTAL	1,123.76 *
8106		CAPITAL OUTLAY:TIRES			
	43178	JIMMY'S RETREADING SERVICE	8299	TIRES	8,860.00
				ACCOUNT TOTAL	8,860.00 *
				MAJOR TOTAL	14,205.35 **
				FUND TOTAL	84,116.34

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FLOYD COUNTY
LISTING OF INVOICES FOR 8/10/2021 -- 8/10/2021

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MAJOR#	VENDOR	VENDOR	INV#	DESCRIPTION	AMOUNT
ACCT#	NUMBER	NAME			
031400	**E911**				
3140		ENGR/HARDWARE/SOFTWARE MG			
	43308	VERIZON CONNECT FLEET USA	633000019939	911 DISPATCH	297.00
				ACCOUNT TOTAL	297.00 *
3160		Mapping/Addressing			
	30770	KING-MOORE, INC	4054	GIS SUPPORT/SERVICE	435.50
				ACCOUNT TOTAL	435.50 *
5230		TELEPHONE			
	40	CITIZENS TELEPHONE COOPERA	2804 JUL21	PHONE SERVICES	680.64
				ACCOUNT TOTAL	680.64 *
8116		WIRELESS DATA BASE COSTS			
	19540	QUILL LLC	18324663	COPIER PAPER/ADMIN	37.73
				ACCOUNT TOTAL	37.73 *
				MAJOR TOTAL	1,450.87 **
				FUND TOTAL	1,450.87

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FLOYD COUNTY
LISTING OF INVOICES FOR 8/10/2021 -- 8/10/2021

BEFORE CHECKS
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MAJOR#	VENDOR	VENDOR				
ACCT#	NUMBER	NAME	INV#	DESCRIPTION		AMOUNT
031020						
5841		SHERIFF DRUG SEIZURE DJCS				
	37770	BELL'S AUTO SALES & TOWING	16472	TOWING SERVICES		100.00
				ACCOUNT TOTAL		100.00 *
				MAJOR TOTAL		100.00 **
				FUND TOTAL		100.00
				TOTAL DUE		2,655,558.27

Approved at meeting of _____ on _____.

Signed _____
Title _____ Date _____

Title _____ Date _____

Title _____ Date _____

FUND LISTING

Fund #	Description
001	General Fund
010	Fire/Rescue Fund
033	Bear/Deer Damage Stamp Fund
035	Law Library Fund
037	Courthouse Maintenance
050	Environmental Fund
070	Delinquent Court Fines
099	Treasurers Accountability
110	Social Services
111	Comprehensive Services
120	Special Welfare
121	Special Welfare SSI Fund
140	E911
210	School Fund
211	Floyd County Public Schools Insurance Reserves
220	Capital Improvements
230	Meals Tax
240	Capital Reserve
250	Drug Seizure Assets

DEPARTMENT LISTING

Department #	Description
1101	Board of Supervisors
1201	County Administrator
1208	Auditor
1209	Commissioner of the Revenue
1210	Assessors
1213	Treasurer
1301	Electoral Board and Officers
1302	Registrar
2101	Circuit Court
2102	General District Court
2103	Magistrate
2104	County Attorney
2105	Juvenile and Domestic Court
2106	Clerk of Circuit Court
2201	Commonwealth's Attorney
3102	Sheriff
3204	Forestry Service
3301	Corrections and Detentions
3401	Building Inspections
3501	Animal Control
3503	Medical Examiner
3505	Emergency Services
4302	General Properties
5101	Local Health Department
5201	Mental Health
5305	Area Agency on Aging
6401	New River Community College
7102	Recreation
7301	Library
8101	Planning Commission
8106	New River Valley Regional Commission
8107	New River Police Academy
8120	Community Development
8150	Economic Development Authority
8203	Skyline Soil and Conservation
8205	Miscellaneous Programs
8301	Cooperative Extension Program
403230	Emergency Medical Services

FY21 Status of Assets in Funds

Fund	FY21				
	Assets on hand 7/1/2020	FY21 Revenues/ Transfers In	Expenditures/ Transfers Out	Assets on hand 6/30/2021	
1 General	\$6,666,902.93	\$49,258,156.27	\$41,643,774.88	\$14,281,284.32	
10 Fire/Rescue	(\$1,224,379.59)	\$343,767.40	\$285,769.03	(\$1,166,381.22)	
33 Bear/Deer	\$100.10	\$0.00		\$100.10	
35 Law Library	\$50,487.96	\$1,802.80		\$52,290.76	
37 Courthouse Maintenance	\$95,613.61	\$2,677.10		\$98,290.71	
50 Environmental	\$0.00	\$1,796,091.88	\$1,796,091.88	\$0.00	Revenues in includes Transfer from General Fund \$1,606,939.09
70 Delinquent Court Fines	\$93,225.93	\$26,872.89	\$7,795.63	\$112,303.19	
110 Social Services	\$0.00	\$1,668,692.06	\$1,668,692.06	\$0.00	Revenues in includes Transfer from General Fund \$1,668,692.06
111 Comprehensive Services	\$0.00	\$1,133,858.87	\$1,133,858.87	\$0.00	Revenues in includes Transfer from General Fund \$255,455.51
120 Special Welfare	\$19,454.97	\$45,246.62	\$28,429.51	\$36,272.08	
121 Special Welfare SSI	\$1.00	\$0.00	\$0.00	\$1.00	
140 E911	\$770,271.04	\$380,789.65	\$363,042.61	\$788,018.08	
210 School	\$0.00	\$24,455,973.87	\$24,455,973.87	\$0.00	Revenues in includes Transfer from General Fund \$8,254,884.91
School Café Cash	\$92,346.03	\$237,802.37	\$0.00	\$330,148.40	
211 FCPS Insurance Reserve	\$1,125,222.05	\$2,375,466.58	\$2,035,200.73	\$1,465,487.90	
220 Capital Improvement	\$284,751.53	\$106,968.89	\$210,180.30	\$181,540.12	
230 Meals Tax	\$370,984.68	\$178,323.63	\$0.00	\$549,308.31	
240 Capital Reserve	\$0.00	\$197,000.00	\$0.00	\$197,000.00	Revenues in includes Transfer from General Fund \$197,000.00
250 Drug Seizure	\$99,188.94	\$26,938.83	\$17,488.55	\$108,639.22	
	<u>\$8,444,171.18</u>	<u>\$82,236,429.71</u>	<u>\$73,646,297.92</u>	<u>\$17,034,302.97</u>	

UNAUDITED FY21 ENDING EXPENSE REPORT

Department Code	Original Appropriation	Supplemental Appropriations or Transfers	Total	Year to Date Expenses	Carryover Requests	Total Expenses	Total Expenses Less Last Appropriation	Final Transfers R	Depts/Funds after Final Transfers
1101	\$105,625.00	\$0.00	\$105,625.00	\$111,952.99		\$111,952.99	-\$6,327.99	\$6,400.00	\$72.01
1201	\$362,404.00	\$4,171.02	\$366,575.02	\$343,558.99	\$21,500.00	\$365,058.99	\$1,516.03		\$1,516.03
1208	\$60,000.00	\$0.00	\$60,000.00	\$59,100.00		\$59,100.00	\$900.00		\$900.00
1209	\$322,688.00	\$650.00	\$323,338.00	\$293,513.83	\$1,000.00	\$294,513.83	\$28,824.17	(\$22,150.00)	\$6,674.17
1210	\$15,000.00	\$0.00	\$15,000.00	\$0.00	\$15,000.00	\$15,000.00	\$0.00		\$0.00
1213	\$250,185.00	\$10,080.00	\$260,265.00	\$250,424.22		\$250,424.22	\$9,840.78		\$9,840.78
1301	\$44,423.00	\$74,029.00	\$118,452.00	\$131,737.15		\$131,737.15	-\$13,285.15	\$13,400.00	\$114.85
1302	\$150,440.00	\$119,250.05	\$151,238.05	\$137,785.98		\$137,785.98	\$13,452.07	(\$13,400.00)	\$52.07
2101	\$15,010.00	\$37.80	\$15,047.80	\$14,311.08		\$14,311.08	\$736.72		\$736.72
2102	\$4,000.00	\$0.00	\$4,000.00	\$3,917.53		\$3,917.53	\$82.47		\$82.47
2103	\$750.00	\$0.00	\$750.00	\$389.84		\$389.84	\$360.16		\$360.16
2104	\$55,000.00	\$0.00	\$55,000.00	\$71,024.00		\$71,024.00	-\$16,024.00	\$16,100.00	\$76.00
2105	\$27,900.00	\$0.00	\$27,900.00	\$25,499.27		\$25,499.27	\$2,400.73		\$2,400.73
2106	\$332,005.00	\$70,960.62	\$402,965.62	\$370,675.19		\$370,675.19	\$32,290.43		\$32,290.43
2201	\$338,850.00	\$8,145.28	\$346,995.28	\$340,859.78	\$3,193.49	\$344,053.27	\$2,942.01		\$2,942.01
3102	\$1,889,895.00	\$86,660.08	\$1,976,555.08	\$1,873,793.70	\$48,728.30	\$1,922,522.00	\$54,033.08		\$54,033.08
3204	\$11,106.00	\$0.00	\$11,106.00	\$11,106.18		\$11,106.18	-\$0.18	\$1.00	\$0.82
3301	\$371,806.00	\$10,884.74	\$382,690.74	\$340,418.75	\$37,377.00	\$377,795.75	\$4,894.99		\$4,894.99
3401	\$150,818.00	\$1,368.00	\$152,186.00	\$158,571.14		\$158,571.14	-\$6,385.14	\$6,400.00	\$14.86
3501	\$187,387.00	\$6,000.00	\$193,387.00	\$178,641.09	\$14,745.91	\$193,387.00	\$0.00		\$0.00
3503	\$200.00	\$0.00	\$200.00	\$380.00		\$380.00	-\$180.00	\$200.00	\$20.00
3505	\$58,703.00	\$3,071,267.02	\$3,129,970.02	\$3,015,017.59	\$66,191.32	\$3,081,208.91	\$48,761.11		\$48,761.11
4302	\$1,350,231.00	\$4,958,556.73	\$6,308,787.73	\$6,312,176.86		\$6,312,176.86	-\$3,389.13	\$3,400.00	\$10.87
5101	\$103,400.00	\$0.00	\$103,400.00	\$100,759.03		\$100,759.03	\$2,640.97		\$2,640.97
5201	\$37,723.00	\$0.00	\$37,723.00	\$37,723.00		\$37,723.00	\$0.00		\$0.00
5305	\$6,662.00	\$0.00	\$6,662.00	\$6,662.00		\$6,662.00	\$0.00		\$0.00
6401	\$7,653.00	\$0.00	\$7,653.00	\$7,653.00		\$7,653.00	\$0.00		\$0.00
7102	\$153,459.00	\$16,603.00	\$170,062.00	\$160,420.50		\$160,420.50	\$9,641.50		\$9,641.50
7301	\$300,543.00	\$979.00	\$301,522.00	\$269,246.65		\$269,246.65	\$32,275.35	(\$32,000.00)	\$275.35
8101	\$4,000.00	\$0.00	\$4,000.00	\$1,637.30		\$1,637.30	\$2,362.70		\$2,362.70
8106	\$19,613.00	\$0.00	\$19,613.00	\$19,613.00		\$19,613.00	\$0.00		\$0.00
8107	\$19,000.00	\$0.00	\$19,000.00	\$19,400.00		\$19,400.00	-\$400.00	\$400.00	\$0.00
8120	\$234,778.00	\$1,282,358.06	\$1,517,136.06	\$251,927.95	\$1,262,696.43	\$1,514,624.38	\$2,511.68		\$2,511.68
8150	\$3,750,093.00	\$1,859,669.00	\$5,609,762.00	\$340,007.13	\$5,293,354.42	\$5,633,361.55	-\$23,599.55	\$23,600.00	\$0.45
8203	\$13,650.00	\$0.00	\$13,650.00	\$13,650.00		\$13,650.00	\$0.00		\$0.00
8205	\$656,268.00	\$348,018.67	\$1,004,286.67	\$923,318.26	\$16,400.00	\$939,718.26	\$64,568.41	(\$64,500.00)	\$68.41
8301	\$103,549.00	\$633.71	\$104,182.71	\$94,725.63		\$94,725.63	\$9,457.08		\$9,457.08

UNAUDITED FY21 ENDING EXPENSE REPORT

Department Code	Original Appropriation	Supplemental Appropriations or Transfers	Total	Year to Date Expenses	Carryover Requests	Total Expenses	Total Expenses Less Last Appropriation	Final Transfers R	Depts/Funds after Final Transfers
403230	\$1,212,667.00	\$8,969.92	\$1,221,636.92	\$1,459,897.62		\$1,459,897.62	-\$238,260.70	\$240,000.00	\$1,739.30
Contingency	\$300,000.00	-\$156,886.06	\$143,113.94	\$0.00		\$0.00	\$143,113.94	(\$142,851.00)	\$262.94
Payment Bond Issue	\$292,450.00	\$0.00	\$292,450.00			\$0.00	\$292,450.00	(\$198,000.00)	\$94,450.00
Budget Stabilization		\$0.00				\$0.00	\$0.00		\$0.00
Fund 1 Total	\$13,319,934.00	\$11,782,405.64	\$24,983,887.64	\$17,751,496.23	\$6,780,186.87	\$24,531,683.10	\$452,204.54	(\$163,000.00)	\$289,204.54
F/R Fund 10	\$306,700.00	\$12,223.13	\$318,923.13	\$285,769.03	\$19,353.38	\$305,122.41	\$13,800.72		\$13,800.72
Environmental Fund 50	\$1,576,527.00	\$71,376.90	\$1,647,903.90	\$1,796,091.88	\$14,650.00	\$1,810,741.88	-\$162,837.98	\$163,000.00	\$162.02
Social Services Fund 110	\$2,259,023.00	\$21,030.51	\$2,280,053.51	\$1,668,692.06		\$1,668,692.06	\$611,361.45		\$611,361.45
Comprehensive Services Fund 111	\$1,400,000.00	-\$19,500.00	\$1,380,500.00	\$1,133,858.87		\$1,133,858.87	\$246,641.13		\$246,641.13
E911 Fund 140	\$334,731.00	\$50,409.48	\$385,140.48	\$363,042.61	\$16,239.80	\$379,282.41	\$5,858.07		\$5,858.07
School Fund 210	\$23,869,523.00	\$1,174,245.56	\$25,043,768.56	\$24,455,973.87		\$24,455,973.87	\$587,794.69		\$587,794.69
TOTAL	\$43,066,438.00	\$13,092,191.22	\$56,040,177.22	\$47,454,924.55	\$6,830,430.05	\$54,285,354.60	\$1,754,822.62	\$0.00	\$1,754,822.62

FY21

FINAL EXPLANATION OF OVERAGES IN VARIOUS DEPARTMENTS

DEPARTMENT	OVERAGE	EXPLANATION
1101-Board of Supervisors	\$6,327.99	Advertising for recruiting, invitations to bid, and legal notices more than budgeted. Dues and Subscriptions was more than budgeted because of many amendments to Code of Virginia from this year's General Assembly.
1301-Electoral Board & Officers	\$13,285.15	Election Judges and Clerks and Printing Ballots expenditures exceeded budget.
2104-County Attorney	\$16,024.00	Various unexpected issues required the service of the County Attorney, including the recruiting and hiring process for a new County Administrator.
3204-Forestry Service	\$.18	Budget in whole numbers but invoice for year was \$.18 more than amount budgeted.
3401-Building Inspections	\$6,385.14	Repair and Maintenance on vehicle damaged in accident was \$3,552.42 and all but \$250.00 was reimbursed by insurance. Miscellaneous activities for \$5,500.00 for cleanup of Rocky Hill site per Virginia Code 15.2-900.
3503-Medical Examiner	\$180.00	Charged for 9 cases more than the 10 which had been budgeted.
4302-General Properties	\$3,389.13	Large over expenditure of Computer Services Support is overshadowed by savings in other lines such as repairs, heating, water service, etc.
8107-New River Police Academy	400.00	Annual roster payment was slightly higher than budgeted.
8150-Economic Development Authority	\$23,599.55	New projects approved by the Board of Supervisors but not planned at the time the budget was prepared and not appropriated at the time approved
403230-Emergency Medical Services	\$238,260.70	Paid for ambulance in FY21 but will not request drawdown from until FY22
Fund 50-Environmental Fund Expenditures	\$162,837.98	Trash hauling and disposal (\$86,994), landfill monitoring (\$47,355), repairs and maintenance (\$20,102), green box site development (\$13,047), and tire disposal (\$19,970) exceeded budget.

9.a.

FY21 CARRY OVER REQUESTS

DEPARTMENT	AMOUNT	SOURCE TYPE	REASON FOR USE
1201-County Administration	\$21,500.00	Expenditures – various codes	Set aside money saved in department to pay out employee who will be retiring in FY22 Recommend
1209-Commissioner of Revenue	\$1,000.00	Expenditures – Code 5210 Postage	Land Use/Short Term Rental Forms Recommend
1210-Assessor	\$15,000.00	Expenditures – Code 3100 Appraisals	Appropriate amount over several years rather than have entire amount have to be appropriated in year of actual assessment Recommend
2201-Commonwealth Attorney	\$3,193.49	Expenditures – Code 3320 Maintenance, Service & Contracts	PO with VA Business Systems for capital lease on printer Recommend
3102 Sheriff Law Enforcement	\$10,750.00	Expenditures – Various payroll codes	Used vacancy savings for overtime to free up local money to pay bonus to E911 staff and Admin staff who did not receive hazard pay Recommend
	\$23,275.00	Revenues – Code 1603-0006 Background Checks	Collected Background Checks through 6/30/2021. Would like to use the money for police supplies in FY22 Recommend
	\$423.00	Revenues – Code 1803-0014 FOIA Fees	Collected FOIA Fees through 6/30/2021. Would like to use the money for police supplies in FY22 Recommend
	\$675.00	Revenues – Code 1601-0008 Fingerprinting Fees	Collected Fingerprinting Fees through 6/30/2021. Would like to use the money for police supplies in FY22 Recommend

DEPARTMENT	AMOUNT	SOURCE TYPE	REASON FOR USE
3102 - Sheriff Law Enforcement	\$21,791.22	Expenditures – Various maintenance and capital codes	Encumbered with 2 purchase orders for equipping 2 vehicles with lights, radio, siren. Recommend
	\$5,987.08	Expenditures – Code 6010	Encumbered with purchase order for ammunition Recommend
	\$2,600.00	Expenditures – Code 6010	Replace expired tactical vest for School Entry Team member Recommend
	\$7,600.00	Expenditures – Code 5848	Replace expired and purchase new equipment for School Entry Team members Recommend
3301-Sheriff Courtroom Security	\$26,500.00	Expenditures – various payroll codes	Used vacancy savings for overtime to free up local money to pay bonus to E911 staff and Admin staff who did not receive hazard pay Recommend
	\$16,378.18	Revenues – to be carried to Expend Code 8001 Capital Outlay: Courtroom Security Enhance	Courtroom Security Fees collected this year, and by Code, must be spent on Courtroom Recommend
	\$10,877.00	Expenditures – unspent balance of Code 8001 Capital Outlay: Courtroom Security Enhance	Courtroom Security Fees collected this year, and by Code, must be spent on Courtroom. Recommend
3501-Animal Control	\$14,745.91	Expenditures – all codes in department	Request to use all remaining funds in department to buy used vehicle for part-time employee.
3505-Emergency Services	\$66,191.32	Expenditures – Code 5895 Coronavirus Emergency	Funds have already been received & may be spent through 12/31/2021 Recommend

DEPARTMENT	AMOUNT	SOURCE TYPE	REASON FOR USE
8120-Community Development	\$1,624.95	Expenditures – Code 6001 Office Supplies	Laptop ordered in FY21, but supplier inexplicably cancelled order <i>Recommend</i>
	\$195,000.00	Revenue – Uncollected balance on CDBG VIDA project	Need to carry over both revenues and expenditures on CDBG VIDA grant <i>Recommend</i>
	\$196,521.48	Expenditures -- Unspent balance on CDBG Housing Rehab project	Need to carry over both revenues and expenditures on CDBG VIDA grant <i>Recommend</i>
	\$1,080,000.00	Revenue – Uncollected balance on CDBG Housing Rehab project	Need to carry over both revenues and expenditures on CDBG Housing Rehab grant <i>Recommend</i>
	\$1,064,550.00	Expenditures -- Unspent balance on CDBG VIDA project	Need to carry over both revenues and expenditures on CDBG Housing Rehab grant <i>Recommend</i>
8150-Economic Development	\$4,660.00	Expenditures – Code 6094 Marketing New Opportunities	Work order signed with Eddy Alexander to develop brochure and website <i>Recommend</i>
	\$1,200,000.00	Revenue – Planned draw on line of credit	Need to carry over both revenues and expenditures on Growth Center Building <i>Recommend</i>
	\$497,475.00	Revenue – State Tobacco Region Revitalization grant	Need to carry over both revenues and expenditures on Growth Center Building <i>Recommend</i>
	\$2,305,540.00	Revenue – Federal ARC	Need to carry over both revenues and expenditures on Growth Center Building <i>Recommend</i>

DEPARTMENT	AMOUNT	SOURCE TYPE	REASON FOR USE
8150-Economic Development	\$3,845,436.78	Expenditures – Growth Center Building	Need to carry over both revenues and expenditures on Growth Center Building <i>Recommend</i>
	\$406,273.75	Revenue – State Tobacco Region Revitalization grant	Need to carry over both revenues and expenditures on Phase II Road Project <i>Recommend</i>
	\$1,020,263.80	Revenue – Federal ARC	Need to carry over both revenues and expenditures on Phase II Road Project <i>Recommend</i>
	\$1,443,257.64	Expenditures – Phase II Road Project	Need to carry over both revenues and expenditures on Phase II Road Project <i>Recommend</i>
8205-Miscellaneous Programs	\$2,000.00	Expenditures – Code 6057 Department Juvenile Justice Grant	Purchase order encumbers money and VJCCA grant must be spent or returned to State <i>Recommend</i>
	\$5,000.00	Expenditures – Code 5650 Floyd County Merchant’s & Businessmen’s Assn	Annual fireworks expenditures <i>Recommend</i>
	\$9,400.00	Expenditures – Code 5656 Economic Development (\$6,400) and 6084 Renew the New (\$3,000)	Set aside money for pay increase for upgraded leadership position <i>Recommend</i>
Fund 010-Fire Department	\$653.38	Expenditures – Code 3206 State Fire Fund Program	Surplus in Virginia Department of Fire Programs Aid to Localities <i>Recommend</i>
	\$18,700.00	Revenue and Expenditure – Code 3207 Four for Life	Will be requesting revenue for Volunteer Fire and sending to them <i>Recommend</i>

DEPARTMENT	AMOUNT	SOURCE TYPE	REASON FOR USE
Fund 050- Environmental	\$14,650.00	Expenditures – Refuse containers	Purchase order encumbers bear resistant green boxes <i>Recommend</i>
Fund 111- Comprehensive Service Act	\$10,787.00	Revenues – Code 18000-0001 CSA Collections	CSA Administrative funds match has been approved but not expected to be received until September <i>Recommend</i>
Fund 140-E911	\$6,139.80	Expenditures – Code 3140 Hardware/Software contracts	Purchase order encumbers vehicle tracking subscription <i>Recommend</i>
	\$10,100.00	Expenditures – Code 8125 UPS Battery Backup	Set aside money for pay increase for upgraded leadership position <i>Recommend</i>

9. b.

FY21 FINAL YEAR END TRANSFERS

FROM	AMOUNT	TO	AMOUNT
1209-Commissioner of Revenue	\$22,150.00	1101-Board of Supervisors	\$6,400.00
		2104-County Attorney	\$15,750.00
1302-Registrar	\$13,400.00	1301-Electoral Board	\$13,400.00
7301-Library	\$32,000.00	2104-County Attorney	\$350.00
		3204-Forestry Service	\$1.00
		3401-Building Inspections	\$6,400.00
		3503-Medical Examiner	\$200.00
		4302-General Properties	\$3,400.00
		8107-New River Police Academy	\$400.00
		8150-Economic Development Authority	\$21,249.00
8205-Miscellaneous Programs	\$64,500.00	8150-Economic Development Authority	\$2,351.00
		Fund 50-Environmental Fund	\$62,149.00
Payment Bond Issue	\$198,000.00	403230-Emergency Medical Services	\$198,000.00
Contingency	\$142,851.00	Fund 50-Environmental	\$100,851.00
		403230-Emergency Medical Services	\$42,000.00

9. c.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF FLOYD COUNTY, VIRGINIA**

Date: August 10, 2021

WHEREAS, the County of Floyd, Virginia, (the "County") through their elected representatives and counsel, and the Commonwealth of Virginia, through the Office of the Attorney General, are separately engaged in litigation seeking to recover costs incurred and to be incurred in abating the opioid addiction epidemic that plagues Virginia communities;

WHEREAS, the County and the Commonwealth of Virginia share a common desire to abate and alleviate the impacts of the opioid addiction epidemic and to maximize litigation recoveries from those third parties responsible for same;

WHEREAS, in order to advance their common interests, the County and the Commonwealth of Virginia, through counsel, have extensively negotiated the terms of a memorandum of understanding relating to the allocation and use of such litigation recoveries;

WHEREAS, the County's outside opioid litigation counsel has recommended that the County approve the proposed memorandum of understanding; and

WHEREAS, the County Attorney has reviewed the available information about the proposed memorandum of understanding and concurs with the recommendation of outside counsel;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Floyd, Virginia assembled on this day at which a quorum is present, that the County of Floyd, Virginia hereby authorizes and approves, or confirms authorization and approval, of the Virginia Abatement Fund and Settlement Allocation Memorandum of Understanding attached hereto and incorporated herein by reference thereto as Exhibit "A", and directs the County Administrator or the County Attorney to execute and enter into such Memorandum of Understanding on behalf of the County of Floyd, Virginia.

Adopted by the Board of Supervisors of the County of Floyd, Virginia, on this 10th day of August, 2021.

Effective Date: This resolution shall become effective the date of its adoption.

Board Member _____ offered the foregoing resolution, which was seconded by Board Member _____.

Thereupon, the resolution was put to a vote upon its final adoption, the results as follows:

BOARD MEMBER	FOR:	AGAINST:
Joe D. Turman		
Jerry W. Boothe		
Lauren D. Yoder		
Justin Coleman		
Linda DeVito Kuchenbuch		

Dated: August 10, 2021

Attest:

Linda Millsaps, County Administrator

**VIRGINIA OPIOID ABATEMENT FUND AND
SETTLEMENT ALLOCATION MEMORANDUM OF UNDERSTANDING**

WHEREAS, the people of the Commonwealth of Virginia and its communities have been harmed through the national and statewide epidemic caused by licit and illicit opioid use and distribution within the Commonwealth of Virginia;

WHEREAS, the Commonwealth of Virginia, through the Office of Attorney General Mark R. Herring, and certain Political Subdivisions, through their elected representatives and counsel, are separately engaged in litigation seeking to hold those entities in the Pharmaceutical Supply Chain accountable for the damage caused;

WHEREAS, the Commonwealth of Virginia and its Political Subdivisions share a common desire to abate and alleviate the impacts of the opioid epidemic throughout Virginia; and now

THEREFORE, the Commonwealth of Virginia and certain of its Political Subdivisions, subject to completing formal documents effectuating the Parties' agreements, enter into this Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding ("MOU") relating to the allocation and use of the proceeds of any Settlements as described herein.

A. Definitions

As used in this Virginia Term Sheet:

1. "The Commonwealth" shall mean the Commonwealth of Virginia acting through its Attorney General.
2. "Political Subdivision(s)" shall mean the Virginia counties and independent cities represented by Counsel.
3. "Participating Political Subdivisions" shall mean the Political Subdivisions, along with all Virginia counties and independent cities who agree to become signatories to this MOU and to be bound by the terms of future Settlements.

4. "Counsel" shall mean the undersigned private attorneys representing the Political Subdivisions.
5. "The Parties" shall mean the Commonwealth of Virginia, the Political Subdivisions, and Counsel.
6. "Negotiating Committee" shall mean a three-member representative group of the Parties. The Commonwealth shall be represented by the Virginia Attorney General or his designees. The Political Subdivisions and Counsel shall be represented by W. Edgar Spivey of Kaufman & Canoles, P.C. or his designee, and J. Burton LeBlanc of Baron & Budd, P.C. or his designee.
7. "Settlement" shall mean the negotiated resolution of legal or equitable claims against a Pharmaceutical Supply Chain Participant named in Complaints filed by all the Political Subdivisions in court on or before April 30, 2020 when that resolution has been jointly entered into by the Commonwealth, the Political Subdivisions, and Counsel. "Settlement" also shall include the approval by a United States Bankruptcy Court of a plan of reorganization or liquidation of a Pharmaceutical Supply Chain Participant, or any other determination, ruling, or decision by a United States Bankruptcy Court, in which legal or equitable claims against the Pharmaceutical Supply Chain Participant by the Commonwealth and the Political Subdivisions are settled, adjudicated, released, or otherwise resolved.
8. "Opioid Funds" shall mean monetary amounts obtained through a Settlement as defined in this MOU.
9. "Approved Abatement Purposes" shall mean efforts to treat, prevent, or reduce opioid use disorder or the misuse of opioids or to otherwise abate or remediate the

opioid epidemic, including but not limited to those efforts described in Section C(4)(a) through (j) of this MOU. In addition, "Approved Abatement Purposes" shall include the types of efforts approved for funding by the Authority that is defined in Section C(1). "Approved Abatement Purposes" also shall include any other abatement or remediation purposes to the extent such purposes are described in a Settlement.

10. "Pharmaceutical Supply Chain" shall mean the process and channels through which opioids or opioid products are manufactured, marketed, promoted, distributed or dispensed.
11. "Pharmaceutical Supply Chain Participant" shall mean any entity that engages in or has engaged in the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic.

B. Allocation of Settlement Proceeds

1. All Opioid Funds shall be initially divided with fifteen percent (15%) going to the Participating Political Subdivisions ("Subdivision Share"), seventy percent (70%) going to the Virginia Opioid Abatement Fund and to other Approved Abatement Purposes as further described herein ("Opioid Abatement Share"), and fifteen percent (15%) going to the Commonwealth of Virginia ("Commonwealth Share").
2. The Subdivision Share shall be allocated and paid to the Participating Political Subdivisions in accordance with the division of proceeds referenced in the schedule attached hereto as Exhibit A. The shares of Virginia counties and independent cities who elect not to become Participating Political Subdivisions, if any, shall be reallocated ratably to the Participating Political Subdivisions.

3. In the event a Participating Political Subdivision merges, dissolves, or ceases to exist, the allocation percentage for that Participating Political Subdivision shall be redistributed equitably based on the composition of the successor subdivision.
4. The Commonwealth Share shall be deposited to the Attorney General's Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund with moneys transferred to the Commonwealth's General Fund as provided by law. To the extent a Settlement requires that all Opioid Funds be used only for abatement or similar purposes, then the Commonwealth Share shall be deposited and distributed accordingly.
5. The Opioid Abatement Share of 70% of the Opioid Funds shall be allocated and paid as follows:
 - a. Fifty-five percent (55%) of the Opioid Funds shall be allocated and paid to the Virginia Opioid Abatement Fund ("Fund").
 - b. Fifteen percent (15%) of the Opioid Funds shall be allocated and paid to the Participating Political Subdivisions and shall be used for Approved Abatement Purposes ("Direct Subdivision Abatement Share"). Upon request, a Participating Political Subdivision shall make publicly available information showing the purposes for which the Participating Political Subdivision used Direct Subdivision Abatement Share funds. The Direct Subdivision Abatement Share shall be allocated and paid to the Participating Political Subdivisions in accordance with the division of proceeds referenced in the schedule attached hereto as Exhibit A. The shares of Virginia counties and independent cities who

elect not to become Participating Political Subdivisions, if any, shall be reallocated ratably to the Participating Political Subdivisions.

6. To the extent a Settlement requires that all Opioid Funds be used only for abatement or similar purposes, then the Subdivision Share and the Commonwealth Share shall be used for Approved Abatement Purposes.
7. To receive funds allocated under this MOU from any Settlement, the Commonwealth and the Participating Political Subdivisions will comply with the terms of any such Settlement, including, among other things, any reporting requirements or restrictions on the use of funds for administrative purposes.

C. Virginia Opioid Abatement Fund and Virginia Opioid Abatement Authority

1. The Parties have sought creation of a Virginia Opioid Abatement Authority (“Authority”) through legislation submitted to the Virginia General Assembly, which passed in the form attached hereto as Exhibit B. The Authority shall administer the Fund, which also shall be created through the legislation. The Authority shall seek to abate and remediate the opioid epidemic in Virginia through financial support from the Fund in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in Virginia.
2. The Authority shall be governed by a Board of Directors consisting of 11 members as follows: (i) the Secretary of Health and Human Resources, or his designee; (ii) the Chair of the Senate Committee on Finance and Appropriations or his designee and the Chair of the House Committee on Appropriations or his designee; (iii) an elected member of the governing body of a Participating Political Subdivision, to

be selected from a list of three submitted jointly by the Virginia Association of Counties and the Virginia Municipal League; (iv) one representative of a community services board or behavioral health authority of an urban or suburban region containing Participating Political Subdivisions and one representative of a community services board or behavioral health authority of a rural region containing Participating Political Subdivisions, each to be selected from lists of three submitted by the Virginia Association of Community Services Boards; (v) one sheriff of a Participating Political Subdivision, to be selected from a list of three submitted by the Virginia Sheriffs' Association; (vi) one licensed, practicing City or County Attorney of a Participating Political Subdivision, to be selected from a list of three submitted by the Local Government Attorneys of Virginia; (vii) two medical professionals with expertise in public and behavioral health administration or opioid use disorders and their treatment; and (viii) one representative of the addiction and recovery community.

- a. The members appointed pursuant to clause (i) shall serve ex officio, and the members appointed pursuant to clauses (iii) through (viii) shall be appointed by the Governor.
- b. After an initial staggering of terms, members of the Board shall serve terms of four years. No member shall be eligible to serve more than two terms. Any appointment to fill a vacancy shall be for the unexpired term. A person appointed to fill a vacancy may be appointed to serve two additional terms. Ex officio members shall serve terms coincident with their terms of office.

- c. The Board shall elect annually a chairman and vice-chairman from among its membership. The chairman, or in his absence the vice-chairman, shall preside at all meetings of the Board. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business. The Board shall meet annually or more frequently at the call of the chairman.
3. The Authority shall establish specific criteria and procedures for awards from the Fund; establish requirements for the submission of funding requests; evaluate funding requests in accordance with the criteria established by the Authority; make awards from the Fund in a manner that distributes funds equitably among all community services board regions of the Commonwealth, including the establishment of minimum percentages of funds that must be awarded to each Participating Political Subdivision; and evaluate the implementation and results of all efforts receiving support from the Authority.
4. The Authority may make grants and disbursements from the Fund that support efforts to treat, prevent, or reduce opioid use disorder or the misuse of opioids or otherwise abate or remediate the opioid epidemic. Such efforts may include but shall not be limited to the following:
 - a. Support treatment of opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies.
 - b. Support people in recovery from opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;

- c. Provide connections to care for people who have, or are at risk of developing, opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;
- d. Support efforts, including law-enforcement programs, to address the needs of persons with opioid use disorder and any co-occurring substance use disorder or mental health conditions who are involved, or are at risk of becoming involved, in the criminal justice system through evidence-based or evidence-informed methods, programs, or strategies;
- e. Support drug treatment and recovery courts that provide evidence-based or evidence-informed options for people with opioid use disorder and any co-occurring substance use disorder or mental health conditions;
- f. Support efforts to address the needs of pregnant or parenting women with opioid use disorder and any co-occurring substance use disorder or mental health conditions, and the needs of their families, including babies with neonatal abstinence syndrome, through evidence-based or evidence-informed methods, programs, or strategies;
- g. Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed methods, programs, or strategies;
- h. Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed methods, programs, or strategies;

- i. Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed methods, programs, or strategies; and
 - j. Support efforts to provide comprehensive resources for patients seeking opioid detoxification, including detoxification services.
5. The Authority shall provide financial support only for efforts that satisfy the following conditions:
- a. The efforts shall be conducted or managed by a Virginia state agency or Participating Political Subdivision;
 - b. No support provided by the Authority shall be used by the recipient to supplant funding for an existing program or continue funding an existing program at its current amount of funding;
 - c. No support provided by the Authority shall be used by the recipient for indirect costs incurred in the administration of the financial support or for any other purpose proscribed by the Authority; and
 - d. Recipients of support provided by the Authority shall agree to provide the Authority with such information regarding the implementation of the effort and allow such monitoring and review of the effort as may be required by the Authority to ensure compliance with the terms under which the support is provided.
6. The Authority shall give priority to applications for financial support for efforts that:

- a. Collaborate with an existing program or organization that has an established record of success treating, preventing or reducing opioid use disorder or the misuse of opioids;
 - b. Treat, prevent, or reduce opioid use disorder or the misuse of opioids in a community with a high incidence of opioid use disorder or opioid death rate relative to population;
 - c. Treat, prevent or reduce opioid use disorder or the misuse of opioids in a historically economically disadvantaged community, as that term is defined in Va. Code § 56-576; or
 - d. Include a monetary match from or on behalf of the applicant, with higher priority given to an effort with a larger matching amount.
7. For every deposit to the Fund, the Authority shall allocate a portion to the following purposes:
- a. Fifteen percent (15%) shall be restricted for use by state agencies;
 - b. Fifteen percent (15%) shall be restricted for use by Participating Political Subdivisions with these funds distributed in accordance with the division of proceeds referenced in the schedule attached hereto as Exhibit A. The shares of Virginia counties and independent cities who elect not to become Participating Political Subdivisions, if any, shall be reallocated ratably to the Participating Political Subdivisions.
 - c. Thirty-five percent (35%) shall be restricted for use for regional efforts (a partnership of at least two Participating Political Subdivisions within a community services board region); and

- d. Thirty-five percent (35%) shall be unrestricted and may be used to fund the Authority's staffing and administrative costs and may be distributed for use by state agencies, by the Participating Political Subdivisions, or for regional efforts in addition to the amounts set forth in subparagraphs 7(a)-(c), provided that the Authority shall ensure that such funds are used to accomplish the purposes described above or invested as described immediately below.
8. In distributing money from the Fund, the Authority shall balance immediate and anticipated needs with projected receipts of funds in order to best accomplish the purposes for which the Authority is established.
9. The Board may designate any amount from the Fund to be invested, reinvested, and managed by the Board of the Virginia Retirement System.

D. Payment of Counsel and Litigation Expenses

1. The Parties anticipate that any national Settlement will provide for payment of all or a portion of the attorneys' fees and litigation expenses of named plaintiff Participating Political Subdivisions. Counsel for any named plaintiff Participating Political Subdivision that seeks to recover attorneys' fees and litigation expenses from Settlement funds shall first seek to recover such fees and expenses from any national Settlement fund established to pay such fees and expenses. For such purposes, the Parties agree that the monetary recoveries obtained via Settlement are attributable to the Commonwealth and the Political Subdivisions 50% each.
2. In addition, the Parties agree that a supplemental attorneys' fees and costs fund (the "Deficiency Fund") will be created; provided, however, that such Deficiency Fund may not violate the terms of any national Settlement. In such event, the Parties

agree to exert diligent efforts to accomplish an alternate arrangement that preserves the payment of counsel and litigation expenses outlined hereunder. Administration of the Deficiency Fund shall be the responsibility of the Political Subdivisions, and the costs of administration may be paid out of the Deficiency Fund.

3. The Deficiency Fund is to be used to compensate counsel for the Participating Political Subdivisions that filed suit on or prior to April 30, 2020. Eligible contingent fee contracts shall have been executed on or before April 30, 2020.
4. The Deficiency Fund shall be funded as follows: from any national Settlement, the funds deposited in the Deficiency Fund shall be 25% of the Subdivision Share and 25% of the Direct Subdivision Abatement Share of each payment (annual or otherwise) that is allocated to the Commonwealth of Virginia (including its political subdivisions) for that Settlement. These funds shall be deposited to the Deficiency Fund prior to distribution to the Participating Political Subdivisions. No portion of the Deficiency Fund shall be drawn from the Commonwealth Share or the Fund.
5. The maximum percentage of any contingency fee agreement permitted for compensation shall be 25% of the portion of the Subdivision Share and the Direct Subdivision Abatement Share attributable to the named plaintiff Participating Political Subdivision that is a party to the contingency fee agreement, plus expenses attributable to that named plaintiff Participating Political Subdivision. Under no circumstances may counsel collect more for its work on behalf of a named plaintiff Participating Political Subdivision than it would under its contingency agreement with that named plaintiff Participating Political Subdivision.

6. To the extent that funds available in the designated amounts or percentages set forth in this Section D are inadequate to fully pay amounts due under contingent fee contracts, funds shall be distributed to private counsel for named plaintiff Participating Political Subdivisions who filed suit and entered into contingent fee contracts prior to April 30, 2020 on a pro rata basis based on the percentage of the total population of named plaintiff Participating Political Subdivisions contained in the named plaintiff Participating Political Subdivision that private counsel represents.
7. Any funds remaining in the Deficiency Fund in excess of the amounts needed to cover private counsel's representation agreements shall revert to the Participating Political Subdivisions and be allocated to the sources from which they derived.
8. Any attorneys' fees related to representation of the Commonwealth of Virginia shall not be paid from the Subdivision Share, the Direct Subdivision Abatement Share, or the Fund but shall be drawn directly from the Commonwealth Share or through other sources. Any payments of attorneys' fees related to representation of the Commonwealth of Virginia from such other sources shall not be deemed Opioid Funds subject to allocation under this MOU.

E. Settlement Negotiations

1. The Negotiating Committee members agree to inform each other in advance of any negotiations relating to any Virginia-only Settlement with a Pharmaceutical Supply Chain Participant that includes both the Commonwealth and its Political Subdivisions and shall provide each other the opportunity to participate in such negotiations.

2. The Parties further agree to keep each other reasonably informed of all other global settlement negotiations with Pharmaceutical Supply Chain Participants. Neither this provision, nor any other, shall be construed to state or imply that the Commonwealth or the Political Subdivisions are unauthorized to engage in settlement negotiations with Pharmaceutical Supply Chain Participants without prior consent or contemporaneous participation of the other, or that either party is entitled to participate as an active or direct participant in settlement negotiations with the other. Rather, while the Commonwealth's and the Political Subdivisions' efforts to achieve worthwhile settlements are to be collaborative, incremental stages need not be so.
3. As this is a Virginia-specific effort, the Negotiating Committee shall be chaired by the Attorney General or his designee.
4. The Commonwealth of Virginia, the Political Subdivisions, or Counsel may withdraw from coordinated Settlement discussions detailed in this Section upon 5 days' written notice to the remaining Committee Members and counsel for any affected Pharmaceutical Supply Chain Participant. The withdrawal of any Member releases the remaining Committee Members from the restrictions and obligations in this Section E.
5. The obligations in this Section E shall not affect any Party's right to proceed with trial or, within 30 days of the date upon which a trial involving that Party's claims against a specific Pharmaceutical Supply Chain Participant is scheduled to begin, reach a case-specific resolution with that particular Pharmaceutical Supply Chain Participant.

6. Nothing in this MOU alters or changes the right of the Commonwealth or any Political Subdivision to pursue its own claim. The intent of this MOU is to join the Parties to reach a Settlement or Settlements.

Acknowledgment of Agreement

We, the undersigned, have participated in the drafting of the above MOU, including comments solicited from client Political Subdivisions. This document has been collaboratively drafted to maintain all individual claims while allowing the Commonwealth and its Political Subdivisions to cooperate in exploring all possible means of resolution. Nothing in this agreement binds any party to any specific outcome. Any resolution under this document will require acceptance by the Commonwealth of Virginia and the Participating Political Subdivisions.

We, the undersigned, hereby accept the VIRGINIA OPIOID ABATEMENT FUND AND SETTLEMENT ALLOCATION MEMORANDUM OF UNDERSTANDING. We understand that the purpose of this MOU is to permit collaboration between the Commonwealth of Virginia and Political Subdivisions to explore and potentially effectuate earlier resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants. We also understand that an additional purpose is to create an effective means of distributing any potential Settlement funds obtained under this MOU between the Commonwealth of Virginia and the Participating Political Subdivisions in a manner that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Virginia.

Executed this _____ day of _____, 2021.

FOR THE COMMONWEALTH OF VIRGINIA:

MARK R. HERRING
ATTORNEY GENERAL

FOR POLITICAL SUBDIVISIONS AND COUNSEL (list firms)

EXHIBIT A

Table 1: Opioid Settlement Allocations to Counties and Independent Cities

Location	%	Location	%	Location	%
Accomack	0.348%	Franklin City	0.079%	Norton City	0.110%
Albemarle	0.863%	Frederick	1.277%	Nottoway	0.133%
Alexandria City	1.162%	Fredericksburg City	0.524%	Orange	0.638%
Alleghany	0.213%	Galax City	0.139%	Page	0.410%
Amelia	0.100%	Giles	0.409%	Patrick	0.329%
Amherst	0.299%	Gloucester	0.424%	Petersburg City	0.395%
Appomattox	0.133%	Goochland	0.225%	Pittsylvania	0.750%
Arlington	1.378%	Grayson	0.224%	Poquoson City	0.186%
Augusta	0.835%	Greene	0.178%	Portsmouth City	1.937%
Bath	0.037%	Greensville	0.124%	Powhatan	0.262%
Bedford	0.777%	Halifax	0.353%	Prince Edward	0.190%
Bland	0.147%	Hampton City	1.538%	Prince George	0.351%
Botetourt	0.362%	Hanover	1.079%	Prince William	3.556%
Bristol City	0.434%	Harrisonburg City	0.523%	Pulaski	1.061%
Brunswick	0.107%	Henrico	4.473%	Radford City	0.247%
Buchanan	0.929%	Henry	1.220%	Rappahannock	0.091%
Buckingham	0.127%	Highland	0.023%	Richmond	0.084%
Buena Vista City	0.078%	Hopewell City	0.344%	Richmond City	4.225%
Campbell	0.456%	Isle of Wight	0.356%	Roanoke	1.498%
Caroline	0.318%	James City	0.612%	Roanoke City	1.859%
Carroll	0.440%	King George	0.306%	Rockbridge	0.235%
Charles City	0.073%	King William	0.178%	Rockingham	0.614%
Charlotte	0.138%	King and Queen	0.072%	Russell	1.064%
Charlottesville City	0.463%	Lancaster	0.135%	Salem City	0.786%
Chesapeake City	2.912%	Lee	0.556%	Scott	0.421%
Chesterfield	4.088%	Lexington City	0.093%	Shenandoah	0.660%
Clarke	0.125%	Loudoun	2.567%	Smyth	0.592%
Colonial Heights City	0.283%	Louisa	0.449%	Southampton	0.137%
Covington City	0.100%	Lunenburg	0.088%	Spotsylvania	1.417%
Craig	0.070%	Lynchburg City	0.816%	Stafford	1.443%
Culpeper	0.790%	Madison	0.163%	Staunton City	0.440%
Cumberland	0.100%	Manassas City	0.452%	Suffolk City	0.710%
Danville City	0.637%	Manassas Park City	0.095%	Surry	0.058%
Dickenson	0.948%	Martinsville City	0.494%	Sussex	0.081%
Dinwiddie	0.196%	Mathews	0.088%	Tazewell	1.606%
Emporia City	0.050%	Mecklenburg	0.344%	Virginia Beach City	4.859%
Essex	0.101%	Middlesex	0.108%	Warren	0.766%
Fairfax	8.672%	Montgomery	1.205%	Washington	0.996%

Fairfax City	0.269%	Nelson	0.147%	Waynesboro City	0.363%
Falls Church City	0.102%	New Kent	0.156%	Westmoreland	0.223%
Fauquier	1.210%	Newport News City	2.047%	Williamsburg City	0.086%
Floyd	0.182%	Norfolk City	3.388%	Winchester City	0.649%
Fluvanna	0.194%	Northampton	0.122%	Wise	1.756%
Franklin	0.954%	Northumberland	0.129%	Wythe	0.642%
				York	0.561%

EXHIBIT B

Va. Code Ann. § 2.2-2365

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2365. Definitions

As used in this article, unless the context requires a different meaning:

"*Authority*" means the Opioid Abatement Authority.

"*Board*" means the board of directors of the Authority.

"*Community services board region*" means a region as determined by the Department of Behavioral Health and Developmental Services for purposes of administering Chapter 5 (§ 37.2-500 et seq.) of Title 37.2.

"*Fund*" means the Opioid Abatement Fund.

"*Historically economically disadvantaged community*" means the same as such term is defined in § 56-576.

"*Local apportionment formula*" means any formula submitted to the Attorney General by participating localities pursuant to the provisions of subsection B of § 2.2-507.3.

"*Participating locality*" means any county or independent city that agrees to be bound by the terms of a settlement agreement entered into by the Attorney General relating to claims regarding the manufacturing, marketing, distribution, or sale of opioids, and that releases its own such claims.

"*Regional effort*" means any effort involving a partnership of at least two participating localities within a community services board region.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

This section is effective July 1, 2021.

End of Document

Va. Code Ann. § 2.2-2366

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§ 2.2-2366. Opioid Abatement Authority established

The Opioid Abatement Authority is established as an independent body. The purpose of the Authority is to abate and remediate the opioid epidemic in the Commonwealth through financial support from the Fund, in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in the Commonwealth. The Authority's exercise of powers conferred by this article shall be deemed to be the performance of an essential governmental function and matters of public necessity for which public moneys may be spent and private property acquired.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2367

Current through the 2021 Regular Session and Special Session I of the General Assembly

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§ 2.2-2367. Board of directors; members

A. The Authority shall be governed by a board of directors consisting of 11 members as follows: (i) the Secretary of Health and Human Resources or his designee; (ii) the Chair of the Senate Committee on Finance and Appropriations or his designee and the Chair of the House Committee on Appropriations or his designee; (iii) an elected member of the governing body of a participating locality, to be selected from a list of three submitted jointly by the Virginia Association of Counties and the Virginia Municipal League; (iv) one representative of a community services board or behavioral health authority serving an urban or suburban region containing participating localities and one representative of a community services board or behavioral health authority serving a rural region containing participating localities, each to be selected from lists of three submitted by the Virginia Association of Community Services Boards; (v) one sheriff of a participating locality, to be selected from a list of three submitted by the Virginia Sheriffs' Association; (vi) one licensed, practicing county or city attorney of a participating locality, to be selected from a list of three submitted by the Local Government Attorneys of Virginia; (vii) two medical professionals with expertise in public and behavioral health administration or opioid use disorders and their treatment; and (viii) one representative of the addiction and recovery community.

The member appointed pursuant to clause (i) shall serve ex officio, and the members appointed pursuant to clauses (iii) through (viii) shall be appointed by the Governor. If the term of the office to which a member appointed pursuant to clause (iii) or (v) was elected expires prior to the expiration of his term as a member of the board, the Governor may authorize such member to complete the remainder of his term as a member or may appoint a new member who satisfies the criteria of clause (iii) or (v), as applicable, to complete the remainder of the term.

B.1. After an initial staggering of terms, members of the Board shall serve terms of four years. No member shall be eligible to serve more than two terms. Any appointment to fill a vacancy shall be for the unexpired term. A person appointed to fill a vacancy may be appointed to serve two additional terms.

2. Ex officio members shall serve terms coincident with their terms of office.

C. The Board shall elect annually a chairman and vice-chairman from among its membership. The chairman, or in his absence the vice-chairman, shall preside at all meetings of the Board.

D. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business.

E. The Board shall meet annually or more frequently at the call of the chairman.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EDITOR'S NOTE. --

Acts 2021, Sp. Sess. I, cc. 306 and 307, cl. 2 provides: "That the initial appointments of nonlegislative citizen members to the board of directors of the Opioid Abatement Authority shall be staggered as follows: (i) two nonlegislative citizen members appointed by the Governor shall be appointed for a term of one year, (ii) two nonlegislative citizen members appointed by the Governor shall be appointed for a term of two years, (iii) two nonlegislative citizen members appointed by the Governor shall be appointed for a term of three years, and (iv) two nonlegislative citizen members appointed by the Governor shall be appointed for a term of four years. For purposes of this enactment, "nonlegislative citizen member" means any member identified in clauses (iii) through (viii) of § 2.2-2367 of the Code of Virginia, as created by this act. Any nonlegislative citizen member appointed to an initial term of less than four years shall be eligible to serve two additional full four-year terms."

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2368

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§ 2.2-2368. Duties of the Authority

The Authority shall:

1. Establish specific criteria and procedures for awards from the Fund;
2. Establish requirements for the submission of funding requests;
3. Evaluate funding requests in accordance with the criteria established by the Authority and the provisions of this article;
4. Make awards from the Fund in a manner that distributes funds equitably among all community services board regions of the Commonwealth, including the establishment of mandatory minimum percentages of funds to be awarded from the Commonwealth to each participating locality;
5. Evaluate the implementation and results of all efforts receiving support from the Authority; and
6. Administer the Fund in accordance with the provisions of this article.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

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§ 2.2-2369. Powers of the Authority

In order to carry out its purposes, the Authority may:

1. Make grants and disbursements from the Fund that support efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids or otherwise abate or remediate the opioid epidemic;
2. Pay expenditures from the Fund that are necessary to carry out the purposes of this article;
3. Contract for the services of consultants to assist in the evaluation of the efforts funded by the Authority;
4. Contract for other professional services to assist the Authority in the performance of its duties and responsibilities;
5. Accept, hold, administer, and solicit gifts, grants, bequests, contributions, or other assistance from federal agencies, the Commonwealth, or any other public or private source to carry out the purposes of this article;
6. Enter into any agreement or contract relating to the acceptance or use of any grant, assistance, or support provided by or to the Authority or otherwise in furtherance of the purposes of this article;
7. Perform any lawful acts necessary or appropriate to carry out the purposes of the Authority; and
8. Employ such staff as is necessary to perform the Authority's duties. The Authority may determine the duties of such staff and fix the salaries and compensation of such staff, which shall be paid from the Fund. Staff of the Authority shall be treated as state employees for purposes of participation in the Virginia Retirement System, health insurance, and all other employee benefits offered by the Commonwealth to its classified employees. Staff of the Authority shall not be subject to the provisions of Chapter 29 (§ 2.2-2900 et seq.) of Title 2.2.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

This section is effective July 1, 2021.

Va. Code Ann. § 2.2-2369

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Va. Code Ann. § 2.2-2370

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§ 2.2-2370. Conditions and restrictions on financial assistance

A. The Authority shall provide financial support only for efforts that satisfy the following conditions:

1. The efforts shall be designed to treat, prevent, or reduce opioid use disorder or the misuse of opioids or otherwise abate or remediate the opioid epidemic, which may include efforts to:

a. Support treatment of opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;

b. Support people in recovery from opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;

c. Provide connections to care for people who have, or are at risk of developing, opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;

d. Support efforts, including law-enforcement programs, to address the needs of persons with opioid use disorder and any co-occurring substance use disorder or mental health conditions who are involved in, or are at risk of becoming involved in, the criminal justice system through evidence-based or evidence-informed methods, programs, or strategies;

e. Support drug treatment and recovery courts that provide evidence-based or evidence-informed options for people with opioid use disorder and any co-occurring substance use disorder or mental health conditions;

f. Support efforts to address the needs of pregnant or parenting women with opioid use disorder and any co-occurring substance use disorder or mental health conditions and the needs of their families, including infants with neonatal abstinence syndrome, through evidence-based or evidence-informed methods, programs, or strategies;

g. Support efforts to prevent overprescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed methods, programs, or strategies;

h. Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed methods, programs, or strategies;

i. Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed methods, programs, or strategies; and

j. Support efforts to provide comprehensive resources for patients seeking opioid detoxification, including detoxification services;

2. The efforts shall be conducted or managed by any agency of the Commonwealth or participating locality;

3. No support provided by the Authority shall be used by the recipient to supplant funding for an existing program or continue funding an existing program at its current amount of funding;

4. No support provided by the Authority shall be used by the recipient for indirect costs incurred in the administration of the financial support or for any other purpose proscribed by the Authority; and

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5. Recipients of support provided by the Authority shall agree to provide the Authority with such information regarding the implementation of the effort and allow such monitoring and review of the effort as may be required by the Authority to ensure compliance with the terms under which the support is provided.

B. The Authority shall give priority to applications for financial support for efforts that:

1. Collaborate with an existing program or organization that has an established record of success treating, preventing, or reducing opioid use disorder or the misuse of opioids;
2. Treat, prevent, or reduce opioid use disorder or the misuse of opioids in a community with a high incidence of opioid use disorder or opioid death rate, relative to population;
3. Treat, prevent, or reduce opioid use disorder or the misuse of opioids in a historically economically disadvantaged community; or
4. Include a monetary match from or on behalf of the applicant, with higher priority given to an effort with a larger matching amount.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

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§ 2.2-2371. Cooperation with other agencies

All agencies of the Commonwealth shall cooperate with the Authority and, upon request, assist the Authority in the performance of its duties and responsibilities.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

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§ 2.2-2372. Form and audit of accounts and records

A. The accounts and records of the Authority showing the receipt and disbursement of funds from whatever source derived shall be in such form as the Auditor of Public Accounts prescribes.

B. The accounts and records of the Authority are subject to an annual audit by the Auditor of Public Accounts or his legal representative.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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§ 2.2-2373. Annual report

The Authority shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Authority no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website. The executive summary shall include information regarding efforts supported by the Authority and expenditures from the Fund.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2374

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§ 2.2-2374. Opioid Abatement Fund

A. There is hereby created in the state treasury a special, nonreverting fund to be known as the Opioid Abatement Fund, referred to in this section as "the Fund," to be administered by the Authority. All funds appropriated to the Fund, all funds designated by the Attorney General under § 2.2-507.3 from settlements, judgments, verdicts, and other court orders relating to claims regarding the manufacturing, marketing, distribution, or sale of opioids, and any gifts, donations, grants, bequests, and other funds received on the Fund's behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund at the end of each fiscal year, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Expenditures and disbursements from the Fund, which may consist of grants or loans, shall be authorized by majority vote of the Board.

B. Moneys in the Fund shall be used to provide grants and loans to any agency of the Commonwealth or participating locality for the purposes determined by the Authority in accordance with this article and in consultation with the Office of the Attorney General. The Authority shall develop guidelines, procedures, and criteria for the application for and award of grants or loans in consultation with the Office of the Attorney General. Such guidelines, procedures, and criteria shall comply with the terms of any applicable settlement, judgment, verdict, or other court order, or any agreement related thereto between the Attorney General and participating localities.

C. The Authority shall fund all staffing and administrative costs from the Fund. Its expenditures for staffing and administration shall be limited to those that are reasonable for carrying out the purposes of this article.

D. For every deposit to the Fund, the Authority shall allocate a portion to the following purposes:

1. Fifteen percent shall be restricted for use by state agencies;
2. Fifteen percent shall be restricted for use by participating localities, provided that if the terms of a settlement, judgment, verdict, or other court order, or any agreement related thereto between the Attorney General and participating localities, require this portion to be distributed according to a local apportionment formula, this portion shall be distributed in accordance with such formula;
3. Thirty-five percent shall be restricted for use for regional efforts; and
4. Thirty-five percent shall be unrestricted. Unrestricted funds may be used to fund the Authority's staffing and administrative costs and may be distributed for use by state agencies, by participating localities, or for regional efforts in addition to the amounts set forth in subdivisions 1, 2, and 3, provided that the Authority shall ensure that such funds are used to accomplish the purposes of this article or invested under subsection F.

E. In distributing money from the Fund under subsection D, the Authority shall balance immediate and anticipated needs with projected receipts of funds to best accomplish the purposes for which the Authority is established.

F.The Board may designate any amount from the Fund to be invested, reinvested, and managed by the Board of the Virginia Retirement System as provided in § 51.1-124.40. The State Treasurer is not liable for losses suffered by the Virginia Retirement System on investments made under the authority of this section.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2375

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2375. Exemption from taxes or assessments

The exercise of the powers granted by this article shall be in all respects for the benefit of the people of the Commonwealth, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, and as the operation and maintenance of projects by the Authority and the undertaking of activities in furtherance of the purpose of the Authority constitute the performance of essential governmental functions, the Authority shall not be required to pay any taxes or assessments upon any project or any property acquired or used by the Authority under the provisions of this article or upon the income therefrom, including sales and use taxes on tangible personal property used in the operations of the Authority, and shall at all times be free from state and local taxation. The exemption granted in this section shall not be construed to extend to persons conducting on the premises of a facility businesses for which local or state taxes would otherwise be required.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

This section is effective July 1, 2021.

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Va. Code Ann. § 2.2-2376

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2376. Exemption of Authority from personnel and procurement procedures

The provisions of the Virginia Personnel Act ([§ 2.2-2900](#) et seq.) and the Virginia Public Procurement Act ([§ 2.2-4300](#) et seq.) shall not apply to the Authority in the exercise of any power conferred under this article.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

This section is effective July 1, 2021.

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