

**BOARD OF SUPERVISORS
REGULAR MEETING
FEBRUARY 12, 2019**

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, February 12, 2019 at 8:30 a.m. in the Board Room of the County Administration Building thereof;

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

Chairman Yoder called the meeting to order at 8:30 a.m. with the reading of the handicapping statement.

Agenda Item 2. – Opening Prayer.

The Opening Prayer was led by Supervisor Coleman.

Agenda Item 3. – Pledge of Allegiance.

Supervisor Boothe led in the Pledge of Allegiance.

Agenda Item 4. – Approval of minutes of January 5, 2019; January 8, 2019; January 22, 2019 and January 30, 2019.

On a motion of Supervisor Turman, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the minutes of January 5, 2019 as presented.

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

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Turman, and unanimously carried, it was resolved to approve the minutes of January 8, 2019 as presented.

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

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and carried, it was resolved to approve the minutes of January 22, 2019 as presented.

Supervisor Boothe – yes
Supervisor Coleman – abstain

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

On a motion of Supervisor Coleman, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the minutes of January 30, 2019 as presented.

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

Agenda Item 5. – Approval of monthly disbursements.

Questions and discussion followed.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Coleman, and unanimously carried, it was resolved to approve the February 2019 monthly disbursements and additional bills as presented.

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

Agenda Item 7.a. – Subdivision plats as approved by Agent for January 2019.

Ms. Karla Turman – The January 2019 subdivision report was in your packet. We had several parcels of record come through, as well as lot line revisions and subdivisions.

Chairman Yoder – On one lot line revision it looks like there were 3 smaller parcels that was combined into 1 parcel.

Ms. Turman – That is correct. That is the property on the corner of Jacks Mill Road and Rt. 221. It is still a nonconforming lot but it is better than the 3 separate lots. I also want to bring up the subdivision ordinance review and share with you a copy of questions that staff has asked the Planning Commission to look at. We would like for you to look at these questions as well. The Planning Commission has already started discussing these questions along with other items in the subdivision ordinance. I would like to get a feel from you as to when you might want to start looking at the subdivision ordinance? We don't have a timeline yet on when the Planning Commission will get through with their review. My hope is that each of you will look at it individually and make a list of things you are concerned about and then come together with the Planning Commission as a joint work session. Then move forward with a committee that would make proposed changes.

Chairman Yoder – Please put this on the February 26 agenda as the last item to discuss.

Ms. Turman – I met today with the owner of the Reserve at Twin Falls and he has a complaint about the road. I told him I would pass the information along to you. He would like to get the road paved.

Chairman Yoder – I took VDOT out there last year and they are not interested in doing that. The drainage issues cross multiple creeks. There is a creek that runs along the road at one point. We would have to save money for 10 years to get enough on the six year plan to make it happen. Then other roads in the County would not get paved. Just to fix the drainage issues would cost over \$1 million.

Ms. Turman – He mentioned how the residents were stranded last year during the storm because the road washed out. I told him I would pass this along.

Chairman Yoder – I've talked to him before. I don't know how we can help him. It is unfortunate that sometimes Mother Nature makes difficult situations.

Ms. Terri Morris arrived at the meeting at 8:45 a.m. Judge Long had requested that Ms. Morris be present at court that morning to discuss a request he wanted her to convey to the Board of Supervisors.

Ms. Martin provided an update on economic development:

- 1) Anne Vaughn Designs has signed a lease for suite 4 at the Innovation Center, which is our last space in the building.
- 2) The people renting the 4 offices upstairs will be displaced. There is so much demand for office space right now that we are trying to connect them to possibilities.
- 3) We have another tenant in the Innovation Center that needs more space.
- 4) Most of our renters offer high value objects that go out through the mail or a high-end one-on-one situation.
- 5) We still do not have a draft agreement from VDOT on Phase II at the Commerce Center.
- 6) We have a request for qualifications out for a marketing study. You put some money in the budget for the EDA and we also got the Appalachian Power grant for that. Those are due back to us on February 22.
- 7) Ms. Turman and I are working with the New River Valley Regional Commission on the Housing Study and with Habitat for Humanity on their grant application for the State HOME funds which is due in March.

Agenda Item 6.a. – Constitutional Officers reports.

Sheriff Craig provided information on the financial status of the Sheriff's Office:

- 1) For mental health in 2018 we had 83 transports which is up from previous years.
- 2) This year we billed Christiansburg Police through the mental health grant. We billed a little over \$7,600 for \$25 per hour of contract time.
- 3) When we do the service in-house we have to pay time and a half. It averages out to about \$635 per month.
- 4) To get through the remainder of the year at just the \$25 per hour, we are looking at a little over \$3,100.
- 5) The grant has run out so starting this month we will have to do it in-house at time and a half.

- 6) Normally we put vacancy savings into training and equipment, but this year I put it into overtime in order to save some money.
- 7) An individual has told me they plan to retire at the end of the year and they will get a substantial payout of their leave. I have budgeted as close as I can and hope to utilize carryover to cover this expected payout and not have to ask for additional funds.
- 8) Now I have less than \$100 in my training budget for the rest of the year, but I started paying for training out of drug seizure funds. I cannot use drug seizure funds for meals and lodging, just the actual training.
- 9) The TDO grant has ended.
- 10) At this point I don't feel like I need to ask for any financial help, but at the end of the year I might need to ask for some money or I may need additional funds when the officer retires.
- 11) Right now we are fully staffed and people seem to be doing well in training.

Agenda Item 7.c. – Appointment to New River Valley Regional Commission, three year term.

Ms. Morris – We only received one letter of interest and it was from Mr. Mike Maslaney who has served in this position for the past three years.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to re-appoint Mr. Michael Maslaney as the Floyd County At-Large Appointment to the New River Valley Regional Commission for a three year term.

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

Agenda Item 7.d. – Approval of consulting agreement with Kiser Computer Consulting, LLC with an effective date of February 1, 2019.

Ms. Morris – This agreement is for a one year term. It is the same agreement that we've had in previous years. He has asked for a 50¢ an hour increase. We get service one day a week, but with an option that we can get additional services. We are doing that this week with putting call equipment in.

Chairman Yoder – If we ever decide to add a full-time technology position to staff, does the contract address no longer needing services?

Ms. Morris – Yes.

On a motion of Supervisor Turman, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the contract with Kiser Computer Consulting, LLC as presented and authorize the County Administrator to execute the same (Document File Number 1024).

Supervisor Coleman – yes
Supervisor Kuchenbuch – yes

Supervisor Turman – yes
Supervisor Yoder – yes

Agenda Item 6.b. – Public Comment Period.

Chairman Yoder called for the Public Comment Period.

Mr. Bob Smith, Indian Valley District and Linda Wager, Courthouse District –

Mr. Smith – In the House of Delegates last week a young lady from Northern Virginia made a proposal regarding the practice of abortion in the Commonwealth of Virginia. We were quite shocked and those of us in Floyd Concerned Citizens have come up with a resolution we would like to submit for your consideration. I am going to read part of it and Ms. Wagner will finish it.

RESOLUTION

WHEREAS: It has been proposed in the Virginia House of Delegates that all time restrictions on the practice of late-term abortion within the Commonwealth be removed, and that this practice be, in an unconscionable and barbarous manner, permitted to be undertaken up to the very moment of birth, and;

WHEREAS: It has also been further proposed that this practice be permitted to be performed without the customary ultrasound imaging, and further that the minimum number of doctors consulted with and concurring in this procedure be reduced from three to only one, and;

WHEREAS: It has been scientifically established that an unborn child exhibits a detectable heartbeat at six weeks, and is viable, able to live outside his or her mother's body, at as early as twenty-six weeks, thus identifying this class of people as human beings, and;

WHEREAS: In the Founding Documents of the United States, there is recognized, and boldly proclaimed the unalienable rights to "*Life, Liberty and the Pursuit of Happiness*", granted, not by Government, but gifted by God to all Americans, regardless of Race, Religion or National Origin. Our nation was founded to secure for individuals ("*We the People*") such rights as predated government itself. It should be considered egregious to kill a young, unborn, human being. "Being wanted" or "Convenient" should not become the criterion that allows children to live, or causes them to die, whether they are born or unborn, and;

Ms. Wagner continued the reading –

WHEREAS: Recent laws in other American jurisdictions have exempted a certain class of people from this protection, and;

WHEREAS: This horrific and unconstitutional proposal was temporarily stopped in Committee, and as it may at some time in the future be revived by the Legislature of the Commonwealth,

NOW THEREFORE, BE IT RESOLVED, THAT, The Floyd County Board of Supervisors, act to adopt this Resolution on behalf of the Citizens of Floyd County, the Commonwealth of

Virginia, and the United States of America. We ask the Floyd County Board of Supervisors, as representative of the will of the majority of residents of Floyd County, to affirm the equal value of all human life and to decry any human death, particularly that of those who, through no fault of their own, have been conceived, and to further demonstrate its complete opposition to, and rejection of, the concept of unrestricted and late-term abortion, and to be willing to consider passage of such legislation as may be permitted under the Constitution of the Commonwealth, to forbid and ban the practice of any such heartless medical procedure in Floyd County.

Respectfully submitted to the Floyd Board of Supervisors
this the 12th day of February, 2019

Ms. Susan Peters, Indian Valley District – I stand here to support the proposed resolution that was just read. I would like to give some eyewitness testimony if you don't mind. A number of years ago, not in this jurisdiction, I had the opportunity to hold in my hands a 2' by 2' square box full of sandwich bags. When I pulled up the first sandwich bag it had baby body parts in it. This was...I couldn't even begin to tell you, but you could see the bloody hands, the bloody legs, and the bloody feet. These were all the results of abortions that were just being tossed into the trash. This is one of the things that this resolution is proposing that we do not allow that kind of thing or do not support that kind of thing from our County. Another eyewitness example I have...I was able to hold a product of an abortion, a little girl who was burned all over her body. She had been delivered by her mom and salted to death in the womb and then delivered by her mom. That's an example of what we are opposing and trying to support the life of these innocent children with this proposed resolution. The third bit of eyewitness testimony I would like to give was my roommate a number of years ago. I came into the house at one point and she was standing at the kitchen table just crying her eyes out. She said to me, "I killed my baby." I had a chance to talk with her and she was not talking about that morning, or that week. As we look at some of the awful things that happen in our country they kind of fade over time and that horror, awfulness fades over time. But this had happened to my roommate years before and she had a trigger event that morning that recalled all that. We're talking about not only innocent babies being hurt by abortion, but also the moms that we don't realize when that trigger event is going to happen. It could happen at a time that affected even more than the mom if she was driving with kids or something. I want to rise in support of the proposed resolution and I thank you for your time. I hope that you show leadership at a time when the decision is easy and you have the support of so many folks in Floyd County who will have your back if you need it.

Ms. Becky Howell, Burks Fork District – I would just like to urge you to go forward with the procedure of video recording the meetings. I think a lot of people are interested in what is going on, but they may not be here at the meeting because they are working or whatever. It would be wonderful if we had this as a resource for those people. Thank you.

Mr. Charles Whiting, Indian Valley District – You have invested in sound systems and I have repeatedly now asked you to make use of it. It's hard to hear. Brian Craig came across loud and clear, others not so much. They seem kind of timid. But it does help us. I am in support of the resolution. I'm personally very embarrassed about what's going on in Richmond. I was in shock when I listened to *Ask the Governor* on WTLP Washington the other day. I thought, "Good God. He is a pediatrician and he is so callous about it. Let's take this little infant and set it here and we'll debate its future or not." The resolution seems like a reasonable

step for civilized people. As far as making recordings available of what goes on here in these hallowed chambers, I suggest you make good use of the technology you have here and you could make that available to the citizenry. There is not a lot of outpouring of interest it seems, but I do know that occasionally I hear people gathered together in front of general stores or more generally Dollar General stores lately, and they are going, "What's with those people on the Board. I used to think Lauren was a nice guy." It is funny, but you do hear people talking about it and they wonder what is going on and I think get involved, come. We can expand it into the other room possibly. I am disappointed there is not much participation. But I thank the Board members for making these improvements and making information available to the rest of us. But please let's work for the common good and protect the most innocent among us too. Thank you.

Ms. Beth Burgess, Little River District – I am here today because of my concerns regarding the questionable leadership and the level of commitment by those appointed to support the Parks and Recreation mission as servants to the districts they represent, and call into question the appropriateness of having members from this panel dually serving on the Floyd County Parks and Recreation Board of Directors in more than an advisory capacity. The concerns and frustrations I present to you today, is from someone whom this panel previously appointed to the Recreation board, and who fully appreciates what it means to take on the role as a public servant by taking and executing the oath to faithfully and impartially discharge and perform all the duties incumbent upon me as a member of that governing Authority. First, I must reiterate my disappointment and frustration that I presented to the Rec board last night regarding their recent rushed and haphazard manner to make a motion and approve (by a 6-1 vote) to dissolve the Authority at their January meeting. I will not rehash my public comments from last night's meeting, as they are a part of the public record, but I encourage all Supervisors to read them. What I will restate, and what cannot be emphasized enough is the absence of due diligence to research and present a plan to the stakeholders of a potential restructuring and the lack of demonstrating a good faith effort to involve the community members in which it serves. When I asked why dissolution seemed like the necessary path, one individual commented to me that, "if it went to the County, it couldn't fail." I also heard comments like, "the people of the County already think we are a department, so what does it matter?" To the first point, I don't doubt Parks and Rec would fail as a County department, but I also can't help but wonder how being a County department could adversely impact local businesses' and individuals' willingness to offer sponsorships and donations or volunteer, because you will hear, "We already pay taxes, so our money should just go to that and we're off the hook." Also, my understanding of the structure as an authority revolves around the ability to fundraise in this manner. So, by default, dissolution should mean that ability goes away, a point of clarification that would be nice to know. I'm curious to know where, as a department, Parks and Rec falls on the County's list of priorities. The County is already taking on more pressing issues, and there is a nationwide trend where Parks and Rec departments are seeing less funding. Would the director's pay that was established by the Authority board be honored, or would the director take a pay cut to fit into the County Payroll category? What other support would there be from the County? How would the tasks that the director isn't comfortable with handling or doesn't have time to perform (because let's be perfectly clear – managing Parks and Rec is not, I repeat, is not a one-person job) be supported? To my knowledge, these issues have not yet been addressed. To the point of concern regarding the current leadership of the Authority Board, I have had first-hand experience in dealing with the majority of the members and the director. While I believe their intentions are good, I think there is a real lack of understanding about what their jobs and responsibilities are. I can tell you firsthand this because when I first arrived at the Board, the policies and procedures

were minimal and antiquated. There was no outlined onboarding process to acquaint new members to their roles outlining their responsibilities and expectations, therefore many members of that board are shooting from the hip. I'm also curious to know if the 90-day review of the director, the top priority for the board, was even done at all. Actually, I'm not curious, because I know it hasn't taken place. It was due at the last meeting, but instead, efforts were made to collectively say, "we quit." I feel that was a major disservice to the employee they hired. My final point of frustration and concern revolves around having members from this panel serve beyond an advisory capacity to the Authority board. Believe me that I understand that there is a real gap in our County to find qualified candidates to fill leadership roles in organizations throughout our community. That said, I do not feel that there has been enough effort made by this board or the Authority board to outline strategic succession plans to account for both regular succession plans. Thank you for your time and consideration.

Mr. John Meyers, Indian Valley District – I rise to support the resolution introduced before you all. The recent events in the news couldn't make it more timely. We have paid basic homage to the God given rights in regards to abortion, but I don't believe we've fully appreciated the miracle that is life. This passage from Psalms 139 will sum up what I came to present:

For you created my inmost being;
you knit me together in my mother's womb.
I praise you because I am fearfully and wonderfully made;
your works are wonderful,
I know that full well.
My frame was not hidden from you
when I was made in the secret place,
when I was woven together in the depths of the earth.
Your eyes saw my unformed body;
all the days ordained for me were written in your book
before one of them came to be.

Thank you.

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

Agenda Item 6.c. – Ms. Pat Brown, Executive Director, Women's Resource Center.

Ms. Pat Brown – We are the oldest domestic violence program in the Commonwealth of Virginia. We are over 40 years old now. Ms. Brown handed out information about the Women's Resource Center. Thank you for supporting the work that we do. You have done so for a long time. Our mission is to create a community free of domestic and sexual violence. Our area of the world is the New River Valley – Floyd, Giles, Montgomery, Pulaski and the City of Radford. We have to be intentional about what we want. I want to thank you first and foremost for your support. Last year we had 77 people who told us they were from Floyd – it is an anonymous call and we don't always know – who called our hotline. We had 10 people who stayed in our emergency shelter for 770 nights if you count every individual and their children. That is 770 nights they would have been homeless or in a domestic violence situation. We did counseling, housing services, provided crisis counseling to 91 individuals from Floyd who called

and said they or somebody in their family had been sexually assaulted. We did counseling for a number of those. On the back page of the handout I gave you are the outcomes from our services. This morning I want to talk about a program we do on peaceline which we wrote and created 20 years ago. It is for 6th to 10th graders and it is about healthy relationships and who to ask for help. We were in your school system last year and we provided 75 programs to 553 students and talked about healthy relationships. Last year we added what we call Healthy Relationships Week, which is a different setting than the classroom. At lunchtime we have all kinds of things going on to reinforce the concept of healthy relationships. The next one is coming up pretty soon and there is a proclamation. I ask on behalf of the people we serve and the citizens of Floyd that you consider adopting the proclamation.

Chairman Yoder – Does this go to the Schools as well? You have already set this up with the Schools?

Ms. Brown – Yes, we will be at Floyd High School for a week. We set this up with the high school guidance counselor and the principal.

Vice Chairman Turman – When I worked at the Sheriff's Office I had the opportunity to work with the Women's Resource Work and you do great work. Even since I left the Sheriff's Department I reached out to the Women's Resource Department to help someone I know.

Agenda Item 7.b. – Proclamation recognizing February 2019 is Teen Dating Violence Awareness Month in the County of Floyd and March 4th – March 8th, 2019 is Healthy Relationships Week in Floyd County High School.

On a motion of Supervisor Turman, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the Proclamation recognizing February 2019 is Teen Dating Violence Awareness Month in the County of Floyd and March 4th – March 8th, 2019 is Healthy Relationships Week in Floyd County High School (Document File Number 1025).

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

Agenda Item 7.e. – Authorization for public notice of Partial Termination of Post Closure Care – Solid Waste Permit #88.

Ms. Morris – As the engineers reported to you several months ago, the County is eligible for partial termination of our gas monitoring at the landfill. We were able to make this application for termination due to 30 years of assessment and evaluation with clean reports. DEQ [Department of Environmental Quality] has reviewed our plans and informed us that the next step in the process would be for the County to send out a notice to all the adjacent property owners stating that gas termination has been tentatively approved. This would be followed by a public comment period at a public meeting if anyone requested one. We included in your packet a sample notification letter. If you are comfortable with this, I need authorization to start this process by sending the letter to adjacent property owners.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to authorize the County Administrator to proceed with public notice of Partial Termination of Post Closure Care for Solid Waste Permit #88.

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

Agenda Item 6.d. – Mr. David Clarke, Virginia Department of Transportation.

Mr. Clarke provided construction and maintenance updates:

a. On the maintenance side –

Pothole patching	Rt. 615, Moore Road, Deerfield Lane, Conner Road.
Pipe failure/repair	Huckleberry Ridge Road, Daniels Run Road, and Woods Gap Road.
Clean Pipe	Goose Creek Run and McAlexander Road.
Shoulder repair	On several roads.
Machining/hauling stone	On numerous gravel roads.

b. On the construction side –

Moles Road	Getting ready to advertise for bids in March.
Town Project	Getting ready to advertise for bids in June.
Mill Run Road	Might be able to get to that this year as it should be easy to do and not require environmental work.
Six Year Plan	About time that we start planning the hearing. We probably don't need to add another road as we added several last year and we are working on those, especially rechecking traffic counts on some of the roads.
Signs for through traffic trailers	Have been ordered and are scheduled to put up.

Supervisor Boothe –

- 1) Do you have anything to report on the cleaning out of the culverts on Rt. 8 next to the West Fork of the Little River? *Mr. Clarke replied we will try to get to that later in the Spring.*
 - 2) Do you have anything to report on Gallimore Lane with the permits to clean ditches? *Mr. Clarke replied I am not aware of that one. I will check with our Superintendent.*
- Supervisor Boothe stated some of this I have talked about for over a year and we have different people coming from VDOT and you don't seem to go back and discuss what we say here. The ditches not being cleaned has led to some pothole problems. This should have been brought to your attention a long time ago.

- 3) I understand they have requested a speed study on Dusty Rock Road and one for Route 8. *Mr. Clarke replied for the one on Rt. 8 they might put in different safety initiatives instead of lowering the speed limit such as curve warning signs.*
- 4) Has Hope Road been looked at? *Mr. Clarke replied yes it has. It will be alright.*

Supervisor Kuchenbuch –

- 1) If we made a concerted effort to keep up with the ditching on roads we would have far less problems in the long run.
- 2) Great job on Huckleberry Ridge Road.
- 3) Dobbins Farm Road has a lot of people on it and it is really in bad shape.
- 4) Sunny Ridge Road also has gotten really bad.
- 5) I brought up Roger Road last time.
- 6) McAlexander Road is going to wash out.
- 7) Starbuck Road is in bad shape because of construction vehicles.
- 8) The guardrail on Rt. 615 is falling off the side of the hill and I haven't seen anything being done on that.
- 9) Please find out if any monies can be brought back in because of the weather emergencies we had with Hurricanes Michael and Florence. The Huckleberry Ridge Road pipe and Daniels Run Road pipe were due to those events.
- 10) Franklin Pike has become more of an issue. There was another accident there yesterday with a large tractor trailer. That road was never intended for that type of vehicle. Can you do a truck traffic count and see if the road warrants major straightening?
- 11) I understand how hard our men and women in Floyd are working. You just have to get creative and find money.

Vice Chairman Turman –

- 1) Rt. 714, Spring Dale Road needs work.
- 2) Black Ridge Road needs work. *Ms. Becky Howell said I live next to the problem on Black Ridge Road. I know about the problem and slow down, but others don't know about it and don't slow down. Last week there was 2" to 3" of ice on top of potholes. Could a trench be dug from the driveway to the culvert on Rt. 726 to drain the water or can you put warning signs on each side of the problem?*
- 3) 2271 Ferny Creek Road said they have potholes that need fixing.
- 4) Merifield Road on the hill where cattle trucks turn out has ruts that are knee deep.
- 5) Sugar Tree Road to Mira Fork Road has log trucks bringing out 50-60 loads a day and are making large ruts.

Supervisor Coleman –

- 1) Thank you for the signs.
- 2) White Rock Road has a large pothole in the middle of the double yellow line. Someone has painted it. There might be a culvert under it that is collapsing.
- 3) Berryhill Road has some extensive ruts near the Alum Ridge Road side.
- 4) At the Indian Valley Road-White Rock Road there is a stream of water that runs across the road and when it freezes there is ice across both lanes.

Chairman Yoder –

- 1) Autumn Drive and Sugar Run Road may need some maintenance.

- 2) On Goose Creek Run a contractor, who is putting in either a phone line or fiber, is tearing up the road.
- 3) Gold Field Road near the Kings Store Road has a pipe about ready to wash out.
- 4) You are doing a traffic count on Ponderosa Road. But there is a section between the Parkway and Stuart Road that is getting really rough probably due to construction equipment.

Agenda Item 6.e. – Dr. John Wheeler, Superintendent, Floyd County Public Schools.

Dr. Wheeler – I will start with the resolutions. Looking at the 1st resolution for HVAC, Thompson & Litton looked at our needs for 0-2 years for replacement of some of these. These are the items they identified and most are the 2000-2004 additions. They are costly as far as energy efficiency for us now. This is their recommendations. With this resolution and the next one the only facility items remaining are a couple of parking lots and a couple of roofs. Everything else as far as the exterior of the buildings we have a plan for that to do in-house. One of the biggest reasons they recommend this is because it impacts what they are already going to be doing, because it changes what they can put in there. Listening to the engineers it could impact it where the cost of what we are doing now and the cost of these additions both of them will reduce some so hopefully this is a maximum cost and it will be less than that. But to change the areas you are exchanging or heating will change what they are already putting in there for heat and AC. It will impact that, so obviously just from what they said when this process starts – it is starting very soon as far as the bid – they will need to take this into consideration. Like I said before, you move this too fast and it is not good for any of us. Move it too slow and it is not good. I think this is moving it at a great pace.

Supervisor Boothe – I thought when we were talking about the \$6 million number, it was my understanding from them they thought everything already existing wasn't brand new, but it was functioning and it would be okay. Now they are saying it is not.

Dr. Wheeler – I think before they did go in because they went in to do a design so they could put it out to bid. Once they went in, and they've been in a multiple of times over the last 3 months, that was when this change came about. I think the biggest thing is it is the right time to do this for what they are already doing with the \$6 million. To my understanding I feel the same way that you do Mr. Boothe. You knew what you were looking at. They had to get in there and actually do the design of it so they could bid it out. These are areas from that point. They said this is what you are looking at now. Once we get into it, there may be other things and they will say here are the other things.

Supervisor Boothe – Maybe they should try to be a little more careful in their synopsis in the beginning. If they haven't examined something then they shouldn't give that type of information, especially to a group that has to make the financial decisions. Secondly, and this goes back to my campaign and the 1st half of last year, I had concerns about the structure of these facilities. Their position on this now kind of gives me a little darkening of their assessment of the structures, is that handled the same way as this?

Dr. Wheeler – You will have to ask them that. I haven't heard anything that they are going to put in the building that is going to be gone in 30 years.

Supervisor Boothe – Mr. Chairman you made a comment here that if the School Board wanted an assessment of the buildings, they needed to ask for it. Does this change raise any concerns on the soundness of these buildings?

Dr. Wheeler – I can go on what the engineer said and the previous walk-through report said and there wasn't anything they said. I'm not a structural engineer. The walk-through was several years ago and I saw the results of it.

Supervisor Boothe – I've talked to people who participated in the walk-through and it was identifying things like this brick wall is cracked, but it did not go into detail as to whether it was from settling or was it from rain coming in and temperatures freezing. This kind of came out of the blue. What happens if we don't agree to this additional \$1.8 million, but the other project continues?

Dr. Wheeler – To my knowledge, the other project continues.

Ms. Ryan – Without voting to accept this resolution, can they bid this out as part of it to see what the total cost would be?

Dr. Wheeler – That would be a question for them. The only discussion I had with Mr. Gutschow it is the hope that when they bid it out, what they are doing now will be at least \$1.8 million less so the original amount will cover everything. That would be a question for him. That was a verbal conversation when they were up here 2 weeks ago doing some of their look throughs again and getting things compiled for the 1st part of the project. That was the conversation...we are hoping the bids will come in that low and that \$6 million will cover all of the additional things. For us whatever is decided for any of it, we will make do and will still be educating children in a good manner.

Supervisor Boothe – The way the loan is structured and the wording and our authorization, can that money be moved to cover some of this? I think we were pretty specific in some of that wording.

Ms. Morris – I would have to go back and look at it. I don't think it was specific down to which unit.

Chairman Yoder – When we took the loan out it was for school renovations.

Supervisor Boothe – I thought it was specific as to heating and air. I'm not sure that all of this would qualify under that wording.

Chairman Yoder – My first thought on seeing this was just the process of us having to go get financial bids to take a loan out, that it would have been nice to know the final amount versus doing it and then come back and say now we have to find another \$1.8 million for a 2nd round.

Supervisor Boothe – If I had known this was going to transpire instead of getting a loan like we did, we would have put this through the Literary program and just did our standard bridge loan and it would have been a whole lot simpler.

Vice Chairman Turman – I was under the impression that they figured it would come in less than the \$6 million and it may come in at \$5 million. Now it is \$6 million plus \$1.8 million. I think they need to do some explaining.

Ms. Morris – I think the hope is that it will come in below \$6 million but we won't know until we get bids. We could do this and do alternates.

Supervisor Boothe – I don't have trouble including this in the bid, but I don't want to commit to it at this time.

Ms. Morris – I think that is reasonable.

Dr. Wheeler – I do too. I think communicating that to the people overseeing this, I don't think that is going to be a new idea to them from the standpoint of my conversation with them.

Supervisor Kuchenbuch – Do we really, really have a good assessment on whether all of the buildings can warrant this kind of investment and these kind of changes? Do we know that?

Dr. Wheeler – From Thompson & Litton and the previous one, they are going to do some extensive and very invasive work to the buildings so they've had engineers in quite a bit. They will be replacing 1930s equipment and rattling these buildings. That would be a question for them. I talked directly to RRMM. His comment to me was there was no stress. You have some water. We looked at the exteriors. Mr. Motley said, "They will be around for 100 years." When I talked to Thompson & Litton engineers and my take on that, my interpretation is, we have to do so much to do this that we're not going to do it if it is not structurally sound. That is all I've got short of a 2019 engineering extensive study on the building.

Supervisor Boothe – I would like to see a bid on the original work and then an alternate where this additional work is bid separately. Or can they do a bid where this is all inclusive and an alternate with them separated?

Supervisor Kuchenbuch – John [Dr. Wheeler] is going to make sure that they understand that with these additional items that we are not looking to try and spend \$1.8 million. We are looking for it to come in at the \$6 million we already have.

Dr. Wheeler – I told him that once and I will be happy to send an email and call and speak very loudly and tell him that again.

Agenda Item 7.f. – Consideration of Resolution of the Floyd County School Board to adding \$1,843,350 in contingency and design costs to the appropriation for the schools' boiler replacement and cooling project.

On a motion of Supervisor Coleman, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to accept the resolution presented by the School Board for HVAC improvements and upgrades to school facilities, to authorize the bid process to begin with two alternates, but not committing to the actual funding of the project.

Supervisor Boothe – yes

Supervisor Coleman – yes

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

Agenda Item 7.g. – Consideration of Resolution of the Floyd County School Board to fund the construction of the Collaboration and Career Development Center and the renovation of the current Career and Technical Education building with projected costs of \$17,212,634.

Dr. Wheeler – This space to the square foot has been gone over multiple times. This is not a building, this is part of the instructional process for 3-year-old to 22-year-old that will benefit every child and every adult that goes through it with the current workforce and the current graduation requirements without a doubt. We have already started this process with everything we are doing instructionally. We are going to have some pretty big changes instructionally with what kids are going to experience to lead them to some different opportunities. I spoke at the 6 year planning committee about PTECH [Pathways in Technology Early College High School] with the State. This is a tremendous program. We're looking at some model schools that do these things. With the spreadsheet, you take this off and put this one on and we are down with all the facilities to a couple of roofs and a couple of parking lots. This meets every instructional need. This meets every space need we have. It meets the development we need economically to attract whatever we want for the adults and the kids. This will be more than 20 years because of that flexible space. With the size of our County, with the population of our County, with the population of the students that we serve this is probably the epitome of efficient as far as what is in it and the space.

Chairman Yoder – We probably don't want to take action on this until after the Open House.

Dr. Wheeler – When you look at the competition out there and where we are economically as far as people having a desire for this type of project, I've gotten up to 26 different articles I've collected around the State about school divisions who are building now. First I want to see how they are funding it. Second I want to see what they are building and how much it cost. The smallest one I found is \$50 million. The only place I know of right now building something similar to this is Mecklenburg City and it will be \$129 million for theirs. They are serving a different area. You have Halifax with a \$100 million high school just to replace instructional space. Everything we are doing is in place whether this gets going or not. The partnerships, the PTECH program, all of our local partners, we are going to do that instructional change. This just meets every need facility-wise. The Open House is February 26 from 4:00 – 7:00 p.m. We will send this out through social media and to all of our staff this week. We will hit everybody who has an email address and call through our system. You will have every bit of information that I have. Anything new that comes I will send to you. I appreciate what you are juggling and I know you understand the opportunities. On the budget our first objective is to not ask for any more local funding. I look first for other funding and that is the goal this year. I base the budget on the worst scenario. Right now the Senate version is our worst scenario. We use a low number for ADM [average daily membership]. We use a 6-year cycle for our budget. Our carryover is around \$250,000 - \$300,000, which is basically fuel and power. This is year 3 and we are working on the sports staff salary scale and the administrative salary scale. We look at a 5 year projection, with retirements and State and

Federal funding. Employees get a raise every year but within a 6 year cycle you can fund it. This is a 6-year cycle budget. We have our calendar set so you will have something March 29.

Supervisor Boothe – There has been some discussion about how this Board can help farmers. I have been talking to some in the community and one suggestion was possibly tying our agriculture teachers with 4H and Virginia Tech and some adult classes in that area.

Dr. Wheeler – We want the connection with Virginia Tech agriculture and hopefully our teacher will be one of them. My plan is to look and bring Virginia Tech in and bring farmers in here and say this is what we need and then let Virginia Tech look at the facilities we have and say we can provide this but you have to change it to this. We would use this as part of our projects on carryover and have probably 10 years' worth of projects and that is one of them. If they say for \$50,000 based on what your farmers need and based on your instructor's skills, this is how you need to design this. I'm hoping we will do that in-house. Once we get it solidified, whatever happens with all this, we want to do that. Later in the Spring we will look at that for next year.

Agenda Item 6.f. – Closed Session.

On a motion made by Supervisor Turman, and seconded by Supervisor Boothe, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A. 3., Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and under Section 2.2-3711, Paragraph A. 5., Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; and under Section 2.2-3711, Paragraph A. 8., Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

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

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

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

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, and unanimously 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 Real Property in accordance with Section 2.2-3711, Paragraph A.3; Prospective Business or Industry in accordance with Section 2.2-3711, Paragraph A.5.; and Legal Counsel in accordance with Section 2.2-3711, Paragraph A.8 of the Virginia Freedom of Information Act;

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

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

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

This certification resolution was adopted.

Agenda Item 7.h. – Consideration of Resolution of the Floyd-Floyd County Parks and Recreational Authority that the Authority be dissolved and the assets transferred jointly to the Town of Floyd and the County of Floyd.

Ms. Morris – The last item on the agenda is the consideration of the resolution that you received from the Parks and Recreational Authority that they would like to be dissolved.

Chairman Yoder – We need to decide how to proceed. I talked to the Mayor and they have discussed it a little bit but not all their members were there when they did. He told me they want us to take the lead on it because we are the biggest investor. They are also not sure if it did dissolve how we would go about dividing up the assets. I assured him if they wanted the Park we were more than willing that they take it and maintain it. How do we want to proceed with this? We might all need to get together to discuss it, but it would help if we knew the direction this Board wants to go before we have that meeting. At least, I would like to hear what everyone's position is.

Mr. Durbin – It might be important to know for the record the legal effect of that resolution is essentially a contingent offer that would require both the Town and the County governing bodies to concur by an official vote. It's not by passing that resolution that they are suddenly dissolved or can't continue to operate. They continue normally unless and until the Town and County governing bodies agree.

Supervisor Kuchenbuch – Correct. We understand that.

Supervisor Boothe – I think that if the current Authority members want to resign then we should replace them with citizens who want to do the all the particulars of the job of the Authority.

Vice Chairman Turman – I don't whether this is a possibility but could we do it like a business that goes into receivership where the County takes over the operations and gets things straightened out and then turn it back over to the Authority?

Chairman Yoder – To do that the bylaws would have to be changed.

Supervisor Coleman – At this point with the information I have and I have personally reached out to people, I believe we are probably going to have to step in and absorb the Recreational Authority for the future of the kids.

Discussion was held as to why and how the Recreational Authority had reached this point as an organization.

Ms. Morris – I met with the Chairman and the Director last week and they told me they don't have enough money to finish out the rest of the fiscal year. They have a \$7,500 bill for the audit and they had only budgeted \$3,000. We paid for the last audit conducted and it was not a full audit.

Discussion was held as to how important Recreational activities are for the youth and adults of Floyd County.

Supervisor Kuchenbuch – I voted yes for this resolution because I felt it needed to be a County operation since 3 years ago when we started talking about it. I think I was one of the first people who said I think it is time this County has a duty to run its own Recreation department.

Chairman Yoder – For me there are two real questions. 1) Do I think we get a better program for the kids if it was a department? 2) If we do it as a department, how do we untangle the Authority, Town and County? We need to answer the first question first to get to the second one.

Supervisor Coleman – Would there be a tremendous adverse effect on County Administration if Recreation became a department under Administration?

Ms. Morris – As far as the financial part, we can handle that. Some of their bills already come through us anyway, their benefits come through us.

Supervisor Coleman – They would still be expected to manage it like any other department head?

Ms. Morris – Right. You would have to realize that all of the complaints would be coming here. Andy [Mabe, Director of Parks and Recreation] and I have already talked about that. He would try to keep you isolated from that as much as he could.

Chairman Yoder – We need to poll the Board and see what direction we want to take.

Supervisor Boothe – Any direction it goes it won't be back to what it once was next year. It will take several years to build the program back up whichever direction it goes. My idea is to keep it an Authority where it has the power just as it has had to go for grants and loans.

Chairman Yoder – We already know Linda's [Supervisor Kuchenbuch's] opinion. I have two different thoughts...after serving 7 years on this Board and trying to hunt for people multiple times in my district, I don't see it working as an Authority. But I could see it working as a hybrid where we create a department and have the Authority to still maintain the park. I don't know if that is even a possibility and it would take a change in bylaws to do that.

Mr. Durbin – That would be possible.

Chairman Yoder – Right now if I had to vote on it I would say bring it into the County.

Vice Chairman Turman – I want to hear what the Town says. I'm sort of like Jerry [Supervisor Boothe] I would like to see it stay as an Authority, but then again I have sat through interview after interview and a couple of months later the person leaves.

Supervisor Coleman – I have talked to present and more past Authority members and we need to look at making it a department. I am still open to hearing what the Town has to say.

Supervisor Kuchenbuch – You said you knew how I felt. I do think it should be a department, yes. I think it would be very beneficial to have the Town and Recreational Authority meet and set some ground rules. I am of the belief, unless there are any ideas that change my mind, that it should be a County department.

By consensus it was agreed that Ms. Morris or Chairman Yoder would contact the Town Manager and ask if the Floyd County Board of Supervisors and Floyd Town Council could address the Recreation issue at the March 7, 2019 Town Council meeting with the County Attorney and Recreational Authority Chairman and Director being invited to attend.

Agenda Item 8. – Old/New Business.

Ms. Morris – We received a request this morning for \$4,000 additional funds for the Drug Court for this year. There will be additional they will want to budget for FY20. They want to rent a house. I believe there are 10 participants in the Drug Court right now. We were providing funding for 2, but the Judge told me this morning that 1 of those has gone back to jail. The other participant is doing well.

Supervisor Boothe – I have some concerns about having more than 1 participant at the same place without supervision.

Ms. Morris – I have the same concern and I expressed that this morning, but it is not our decision. We have enough right now for the 1 person in the program, We could wait until the end of the year and see if they are able to get this arrangement set up and see how much we need to appropriate then.

By consensus the Board asked Ms. Morris to let the Judge know that the Drug Court could proceed with renting a house and the Board would provide the additional funding for the house at the end of the fiscal year if the money was needed at that time.

Ms. Morris provided to the Board a list of the capital outlay requests for FY20 and said the draft FY20 budget would be ready for them by the end of the week. April 22 is the date the tax rate has to be to the Commissioner of Revenue.

Supervisor Coleman – I would like to bring up the resolution that was presented to us today for consideration.

Discussion was held regarding the wording of the resolution as it was presented.

By consensus the Board asked the County Administrator and County Attorney to draft a resolution that addresses Floyd County’s position on sanctity of life and to bring the draft back to the Board for consideration.

Agenda Item 9. – Adjournment.

On a motion of Supervisor Coleman, seconded by Supervisor Turman, and carried, it was resolved to adjourn the meeting to February 26, 2019 at 7:00 p.m.



Terri W. Morris, County Administrator



Lauren D. Yoder, Chairman, Board of Supervisors