

**AGENDA
BOARD OF SUPERVISORS
REGULAR MEETING
OCTOBER 12, 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 Supervisor Coleman.
3. Pledge of Allegiance – led by Ms. Cynthia Ryan.
4. Roll Call and Determination of Quorum – Dr. Millsaps called the roll.
 Supervisor Coleman – present
 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

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

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

6. Approval of minutes – September 28, 2021

On a motion of Supervisor Yoder, seconded by Supervisor Coleman, and unanimously carried, it was resolved to approve the September 28, 2021, minutes as presented.

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

7. Approval of disbursements

There were questions and answers on the status of the HVAC (heating, ventilation, and air conditioning) and boiler projects and the CARES (Coronavirus Aid, Relief, and

Economic Security) funding for the New River Valley Public Health Task Force and the unobligated balance of CARES funding as of September 30, 2021.

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

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

9.a. Resolution for signing General County Fund warrants for the County of Floyd

Ms. Ryan – The next 3 agenda items are for resolutions to change who can be a signer on Floyd County checking accounts. These resolutions will remove me as a signer and add Kim Chiddo as a signer on the accounts. Once we turn these resolutions into the bank, they will prepare new signature cards for the appropriate people to sign. The resolutions are dated October 15, 2021, so that I could sign this check run, but we want Ms. Chiddo to be able to sign the next check run.

Dr. Millsaps – I would like to introduce Ms. Kim Chiddo. Ms. Ryan is retiring at the end of this month. We have been very fortunate to have Ms. Chiddo join us. Most recently she was employed at Social Services and has come to know Floyd through working there. Ms. Chiddo's background related to business, human resources and accounting and finance is far more extensive than that. I would like to ask Ms. Chiddo to introduce herself.

Ms. Chiddo – Good Morning everybody. I am originally from New York, through Florida, to here. I am very grateful to be here and to have found our forever home. I have no delusion that I can fill Ms. Ryan's shoes with everything that she does, but my intent is to make sure that I capture everything that I can from her and be a part of this work and the County. Thank you.

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, and unanimously carried, it was resolved to approve the Resolution for signing General County Fund warrants for the County of Floyd (Document File Number 1201).

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

9.b. Resolution for signing County Administrator Petty Cash Fund warrants for the County of Floyd

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the Resolution for signing County Administrator Petty Cash Fund warrants for the County of Floyd (Document File Number 1202).

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

9.c. Resolution for signing Recreation Department Virgel Allen Memorial Fund warrants for the County of Floyd

Ms. Ryan – Back when you took over the Floyd-Floyd County Recreational Authority and created the Recreation Department, there were 2 checking accounts for the Authority. One account was for the deposits and expenditures for the Authority. We left that account open because we did not know what checks had been written and were still outstanding. We wanted to allow sufficient time to lapse for all checks to clear. There has been no activity in this account for over 6 months. I am looking for consensus to close that Recreation checking account and deposit the balance into the General Fund. The second checking account they had was the Virgel Allen Memorial Fund. At the time Mr. Allen passed away, each of you personally made contributions to establish that fund to help pay the recreation fees for children who were interested in participating in recreation but whose family could not afford those fees. I am sure you want the Memorial Fund account to continue.

Supervisor Coleman – I am fine giving my consensus to close the one account. If we pass the resolution to keep the Virgel Allen Memorial Fund I would like to see the activity within this fund. I fully support the fund, but I would like the Board to be aware of its use from an accountability standpoint.

Ms. Ryan – I agree with you, and I talked to Mr. Agee about this fund. There has been no activity in the Virgel Allen Memorial Fund since Recreation became a department. I reminded Mr. Agee that this fund existed, and we hoped it would be utilized as needed.

Vice Chairman Boothe – For the purpose it was intended for.

Ms. Ryan – Correct.

Supervisor Coleman – This has great potential. I am sure there are a lot of people who would be happy to give to this. Mr. Yoder has had a vision for a long time of giving kids recreation opportunities. I am fully willing to support this, but I want there to be reporting on the account.

On a motion of Supervisor Coleman, seconded by Supervisor Yoder, and unanimously carried, it was resolved to approve the Resolution for signing Recreation Department

Virgel Allen Memorial Fund warrants for the County of Floyd and to provide regular reporting on the activity in this account (Document File Number 1203).

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

Vice Chairman Boothe – Given the pandemic I would like an explanation of why the Virgel Allen Memorial Fund was not used during this time period. I know we had reduced activities, but I find it hard that there wasn't somebody who could have been helped by this fund.

Dr. Millsaps – I will take this up with Mr. Agee.

Vice Chairman Boothe – It wasn't advertised when it was the Recreational Authority because it could create an embarrassing situation for families. But if they knew they had someone who wanted to participate because the family didn't have money, it was my understanding that the Recreational Authority used this account. This is what it was set up for.

Supervisor Yoder – It was used in very limited ways when we knew of situations where it was actually needed and not a situation where someone had the money but wouldn't pay. We tried to not advertise it for privacy reasons.

Vice Chairman Boothe – I know there has been some activity throughout the pandemic. Being new he may not have been aware of this.

Supervisor Kuchenbuch – There may not have been an understanding of this fund and what it was to be used for. This is a good opportunity to bring it to his attention and using his discretion when using these types of funds.

Supervisor Yoder – I still believe at some point that we need to be in the position of offering one free sport per year per child. I would love to see every child of Recreation age be able to play one season for free. There are some children whose parents have the funding to pay for it, but the child may not be that involved in sports, and they don't want to spend \$50 when after two practices their child quits. If we can get some of those children in the door, they will enjoy it and start doing other things and getting good exercise. If we could ever get that opportunity out there it would be wonderful. There are a lot of parents who don't sign their kids up because they don't think they would enjoy it. But if it were free once a year, they might participate. Exercise and teamwork are so important for children to learn.

Chairman Turman – During this pandemic it is important for kids to get outside.

Vice Chairman Boothe – One clarification on this Memorial account, does it take two signatures on the checks?

Ms. Ryan – I am pretty sure it is two.

Vice Chairman Boothe – Please double check that.

The Board gave consensus for closing the Floyd/Floyd County Parks & Recreational Authority checking account.

8.b. Public Comment Period

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

Mr. David Whittaker, Courthouse District – I am a proud, voting taxpayer of the Town of Floyd and the Courthouse District. I appreciate you giving me time to speak. I did not intend to come today to speak any public comments, but something happened last week that changed my mind. This past Thursday, October 7 at the Floyd Town Council, citizens sat in stunned silence as one of your supervisors personally attacked me for speaking out in support of the Sheriff's Department as a private taxpayer of the Courthouse District and during citizens' comments at this Board. I in no way signaled her out or threatened her as she accused me of doing. Read the transcripts of my remarks that night. Ms. Kuchenbuch is not a resident of the Courthouse District and unless I move into her district does not represent me. No other Supervisors indicated any problem with my remarks, especially my supervisor. You know healthy debate is a hallmark of civil society and should be encouraged. Next time that you have a problem with me the proper path would be to pick up the phone – I am in the book – and discuss it with me personally and privately, instead of airing it to the public at a public meeting. You are not a resident of the Town of Floyd or in my district. If you cannot take constructive criticism, then perhaps you need to rethink your position of trust. Represent your own constituents for a change. Thank you.

Mr. Roger Dickerson, Courthouse District – I come not with a script or anything. I just want to speak what is on my mind and on my heart. I went to the ribbon cutting or shovel breaking or whatever you call it at the Industrial Park. I got a look at the sketch, or the map, or the blueprint and the size of the building and everything. I was very disappointed. This is not the kind of shell building that I think Floyd County really wanted. For one thing it is way too small, way too small. We need something at least the size of the Dex Building, but we are not going to get it for \$2 million borrowed against the building, and maybe plus, it may be more than that. A building that is not competent to the size for a manufacturer to even consider coming into that building. It is ridiculous. To me it is money thrown into a rat hole. I would just as soon you stopped. Stop construction on it and start from scratch and start over again. Keep the \$2 million you borrowed and add to it. I know you are going to have another tax increase. Let's get money big enough to build a shell building that will draw industry into this County. Now I know that some of you guys have no idea what it takes to get an industry to come into a small community. I know it is hard for a lot of different reasons. But you could do it. It has been done everywhere else and it could be done here. I was thinking about what Dale

Proffitt told me one time back in the days when I was in the Chamber of Commerce. I was trying to get an economic development committee started at the Chamber. I wanted to get Dale involved in the Chamber. He wasn't all that interested. He made the comment, "Roger, you know what would be good to get?" It really set me back when he said it. He said, "You know a condom factory would be good. It would always stay busy." Maybe he was just being facetious or whatever. This is an old building. It wouldn't even work for a condom factory. I'm sorry gentlemen. This is wrong. What you are doing is wrong. Let's start over. Let's start over again and get this thing right. If you can't get it right, then somebody needs to step down and let somebody else do the job. Thank you.

Ms. Jennifer Leary, Courthouse District – Good Morning members of the Board. I come before you today to bring your attention to the state of the Floyd Recreation Center playground. When the coronavirus shut my son's daycare in the spring 2020, he was 1½ years old and we desperately needed to find outdoor spaces where he could continue working on his motor skills and social skills. We reached out to friends for recommendations on playgrounds and we were a little puzzled as to why nobody suggested the centrally located Recreation Center playground. We visited there anyway and although I have to say it has a very nice picnic shelter, we soon understood why nobody had spoken positively about it.

This is what we saw:

Baby swings hanging by knotted and broken ropes;

A sandbox where the sand was so low that you could see through to the bottom lining fabric;

A big play structure with a broken staircase six feet up in the air;

Equipment where the plastic outer coating had peeled off causing the metal grating to be exposed, rusted, and cracked;

We saw signposts everywhere standing around the playground with no signs, the signs were ripped out and gone;

Recently I went and counted, and every single park bench had at least one missing or split panel;

There was trash flying around and there was no trashcan to be seen.

Sometimes there would be tournaments at the baseball fields while we were there. I really wondered what the visiting families thought about Floyd when they wandered up to the playground. The truth is that Floyd is a great place for kids to grow up. Obviously, you care about the kids as your recent discussion about the sports program just showed. Unfortunately, this is not the impression you necessarily get by visiting the playground. There is so much potential for that space to make an impact for the Floyd community. It is much larger than most playgrounds in the County. It is in a great location, and it is a public park, unlike many others which are built by churches or schools as welcoming as they are. For these reasons my son and I continue to come back. I became more comfortable with him running up over the broken stairs trusting that he is not heavy enough to fall through them. When there were other families, we enjoyed the opportunity to make new friends and broaden our connections in the Floyd community. Unfortunately, conversation often did turn to the rundown condition of the park. From these conversations I can tell you that there is a desire among your constituents to see improvements. We parents organized a volunteer cleanup day. Jacob Agee, the Director

of the Recreation Department was extremely helpful, spending one of his Saturday mornings helping us pull weeds and bringing 500 pounds of sand to refill the sandbox. Parents are willing to get involved to help with fundraising or do anything we can. We are not asking you to waive your hands and make a beautiful playground for Floyd. But the truth is from a citizen's perspective, it appears that additional funding to the Recreation Department is needed to make a safe, healthy, positive public playground for our kids. Even a small amount can make a difference. For example, the playground is badly in need of mulch to suppress weeds and create a smooth play surface for kids. A dump truck load of playground quality mulch tree bark from Griffin Lumber I recently saw costs \$120. A bear proof trashcan is very needed because the current approach to avoiding trash is to eliminate trashcans, which is not an effective approach. People just throw their trash on the ground, and this doesn't work. There are also safety issues. A friend recently told me that her daughter who is about 2 years old did fall from one of the high up ledges. You certainly wouldn't see this type of opportunity for a safety hazard if the play structure was built to today's safety standards. Her daughter turned out to be okay, but that kind of thing is what gives us parents pause about continuing to visit there. I heard that there may be a long-term plan, but the playground needs maintenance and improvements now in the meantime. I am not just here to complain. Parents really want to help, but it seems to be quite common for counties to maintain playgrounds for the youth and families in their communities. I looked around at Henry County, Patrick County, and Carroll County and they all maintain decent public playgrounds. I'm not trying to make a comparison. There are different circumstances everywhere. Obviously, there is a complicated history behind the Floyd Recreation Department. You can see that a lot of improvements have been made in the past two years. But I hope it doesn't seem unreasonable for me to bring this issue to your attention today. Thank you for your time.

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

Supervisor Yoder – I want to thank Ms. Leary for the positive way that you gave constructive criticism. That was refreshing. Thank you so much. I think this Board and our staff will take it to heart.

Vice Chairman Boothe – I agree with Mr. Yoder. Thank you for coming forward. We discussed the staircase before. I thought it had been repaired. I haven't been there in a while, so I don't know.

Dr. Millsaps – The staircase has been repaired approximately 8 times, including 1 time since we talked.

Vice Chairman Boothe – We talked about possibly getting the high school welding people to make a new section.

Dr. Millsaps – On that particular item we have reached out to the original company that put all of that together and they are supposed to be coming out here in the next week or two and letting us know if it is included in the warranty or not. If not, then what the price would be to get the exact same one. It is pretty apparent that it has to be replaced. That

is on the agenda. I also appreciate Ms. Leary's comments. Not to give an excuse, but maybe a partial explanation for some of it as you all know, our maintenance staff has been out. Later in the meeting we will discuss that. Hopefully as we are able to get maintenance staff back then we will be able to look at that and pursue some other things to step it up. I was aware that Ms. Leary and volunteers have been out there and that is most appreciated. You also know that the Partnership for Floyd came out and volunteered to clean the trail this past weekend as well. Your community is doing an excellent job of doing their part to try to help out.

Vice Chairman Boothe – She is correct because the last time I was there with my grandchildren, there were no trash cans out. I am sure they are in the building, the bathroom, but the door was locked. She was correct on the swings, and they were taken down. To my knowledge they have never been replaced. They have been down quite some time. We definitely need to look at the benches. I understand the maintenance person situation, but also the Director is not just an administrator. That is a hands-on position as well.

Dr. Millsaps – In addition to talking to Mr. Agee about this, I will bring a specific list of concerns that Ms. Leary was kind enough to give us to Mark Bolt's attention. As you know we have moved him into being in charge of facilities in addition to being the Building Inspector. He has been accumulating lists of all of these types of things and trying to prioritize it and get some help. We will get these things on there and move them up for timeliness as much as we can because obviously it is a very important issue.

Supervisor Yoder – Is there any chance that one of these federal funding sources could be used for that type of thing? We would be using it for outdoor opportunities. It may be something to look at, especially with ARPA (American Rescue Plan Act of 2021), to completely redo the whole playground itself with the federal funds. It would be a great opportunity.

Chairman Turman – You should be able to tie it in as being a health issue and getting outdoor exercise.

Supervisor Coleman – To a point Ms. Leary made – I appreciate your coming as well – I have been on this platform since the spring of the year with increasing frustration. One point I would like to note that was so well articulated is what other teams would think of our facilities. It is not always about money. There is a lot of general upkeep that would improve the hospitality of our facilities. I don't feel like that is happening. I have mentioned that many times. As said here today, the simple fact of trash goes a long way. When you invite other teams to come here, many times I have been at those games and been embarrassed. It is not just me. The County recognizes it. A lot of the coaches and parents realize it. It doesn't cost money. It costs time and needs to be resolved.

Supervisor Kuchenbuch – I will say too, if we don't take care of that playground and do some of the ideas that Mr. Yoder has brought forth with using the ARPA money, when we put a new building up there and then don't address the playground, it is not just about

optics, it is about what we are saying to our residents. I think we need to keep that very much in the forefront of how we proceed.

Supervisor Coleman – Perhaps it would be a good time to do a survey as we start construction of the general needs there. There are a lot of resources that Mr. Boothe has mentioned many times about getting with Mr. Thompson’s [welding] class to fix some of these things. I am sure in some of the programs, kids would like to build benches. I feel like there are options out there and we just need to look into it. They need projects. They can invest in their own community.

Supervisor Kuchenbuch – They can leave a legacy while they are in high school and what a cool thing that is.

Supervisor Yoder – I believe there are some adult welding classes coming too. There should be some opportunities.

8.b. Mr. David Clarke, Resident Engineer, Virginia Department of Transportation (VDOT)

Mr. Clarke provided construction and maintenance updates:

On the maintenance side –

Doing summertime and early fall maintenance	
On gravel roads we are hauling stone	
Dust control	
Pipe work	On various routes and pipe replacement on Rt. 221 and Reed Lane
Mowing	
Brush removal and tree cutting	Low limb removal on Sunny Ridge Road and Stonewall Road
Asphalt	Plan to take care of rough patching on Shooting Creek Road with a motor grader

On the construction side – The Six Year Road projects have been wrapped up for the year. We are working on right of way on several roads for next year’s construction season.

I was at a Town Council meeting last month and they brought up a couple of issues that have been on their list for a while. One item is a rural addition to a private road, overlay on Oxford Street, and a crosswalk issue. I will plan on attending Town Council meetings a little more regularly, 4 times a year maybe.

Supervisor Coleman – Thanks for coming. I don't have anything. I talked to Mr. Sowers last week and I think everything in my district is moving in the right direction. He is following up on some things like ditching and grading that we talked about. Thanks for all you do for us. I will reach out to you about these memorial projects.

Vice Chairman Boothe – I want to thank you and your workers for everything you are doing. I know you are going as wide open as you can. I appreciate the paving on Fox Street, but do you have any idea on the repair time?

Mr. Clarke – I know we have it scheduled, but don't know exactly when.

Vice Chairman Boothe – I haven't talked to the Town. That is a Town street under VDOT, and it is considered a secondary street?

Mr. Clarke – Yes.

Vice Chairman Boothe – I haven't talked to the Town about it, but I am requesting that it be made a one-way street. If this Board would agree, make Fox Street a one-way street coming from Penn Road to Oxford Street. This is not the first time we've had people run into yards. The Town may oppose it, but I had at least one of the citizens down there request it because of traffic and problems they are having with people getting into their yard. It is plenty wide enough for two vehicles to pass. But the perception with that new sidewalk...at least look into it. I will reach out to the Town Council and try to get their input on it too. People are using it for a shortcut to avoid the stoplight and that is part of the problem. I know Facebook and the fiber created the problem, but we really do need some shoulder attention on Route 8 from the district line with Mr. Coleman back toward Town. There are some rather large holes. Thank you for what you are doing.

Supervisor Kuchenbuch – I appreciate the Sunny Ridge Road attention. But the attention was because there was a serious accident on it. I know your department was called out. Perhaps speed is involved in those situations but there is so much brush that overhangs that it is a really difficult road. Attention to it would be much appreciated. Another one we don't talk about a lot, but it has sustained a lot of wear and tear with this rain is Harvestwood Road from Route 221 all the way to Franklin Pike. That road needs attention. Also, out that way is Thompson Road which needs some work. The whole area from the Parkway to Starbuck Road to Paradise Lane is a gauntlet. You might want to look at that. Can you give us an update on the planning for the 4-way stop at Shooting Creek Road and Franklin Pike?

Mr. Clarke – I need to talk to you about that and we can do that later in the week.

Supervisor Yoder – I just have two things. First of all, Lick Ridge Road. I had a gentleman call me recently and he wanted to thank me for getting the work done on it. I also had a gentleman call me and give me a pretty good talking to about how bad it was out there. Maybe it was two different locations on the road. I think part of the issue out there is that there is one curve that gets washboard two days after you run a grader over

it. I talked to some of the guys who run the graders and they say that sometimes it is just a few hours later it is getting rough again because people fly over the hill. There are 40 some houses on Lick Ridge Road. It is probably just something that they will have to continue to work on. The other one I have is Meadow Run Road from the Check Country Store crossroads back toward the Parkway. I spoke to one gentleman in Check about it. If there is any way, they can take the machine that cuts brush and go down that road at least part of the way. There are a couple of houses within the first half mile or ¾ of a mile that are having a lot of issues seeing when they pull out of the driveway because of the way the brush has grown out into the road. They noticed other places where brush cutting has happened in the area and are hoping you will do that one. That would be greatly appreciated. Thank you again.

Chairman Turman – At our last meeting I brought up some shoulder work needed by C. W. Harmans. When I started home, lo and behold they were fixing it. You have it looking good, but that main curve at C. W. Harmans is washed out and it is right up against the pavement. I appreciate the machine work. They got to Reece Road that week too, but some have said we still have washboards. I told them if people laid off the accelerator it wouldn't happen. I appreciate everything you do. We got a lot of gravel work out our way. I appreciate the job the guys are doing.

- 9.d. Budget transfer request in the FY22 School Board budget from the Capital Improvement Fund in the amount of \$20,150.66 to the Operation & Maintenance category for Floyd Elementary School outdoor basketball goals and for Check Elementary School library refresh.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Yoder, and unanimously carried, it was resolved to approve the budget transfer request in the FY22 School Board budget from the Capital Improvement Fund in the amount of \$20,150.66 to the Operation & Maintenance category for Floyd Elementary School outdoor basketball goals and for Check Elementary School library refresh.

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

- 9.e. Request from New River Health District to carry over \$3,577.98 into FY22 budget.

The Board asked for clarification of answers received from Ms. Tiffany Norman of the New River Health District from questions posed to her after the September 28, 2021, Board meeting.

Dr. Millsaps and Ms. Ryan provided clarification to questions posed.

A motion by Supervisor Coleman, and seconded by Supervisor Boothe, to approve a carry-over request from New River Health District for the amount of \$3,577.98 was defeated.

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

Supervisor Boothe made a motion, which was seconded by Supervisor Kuchenbuch, to approve a carry over to the New River Health District for the amount of \$2,370.18.

After discussion Supervisor Boothe withdrew the motion.

Supervisor Yoder – Please let the New River Health District know that there is at least one Board member who would be willing to make the motion for a carry-over request of \$2,370.18.

8.c. Dr. John Wheeler, Superintendent, Floyd County Public Schools

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

- 1) We have a supplemental request coming to you but that is because things are moving slowly. Things being delivered were ordered a long time ago. At the end of the last fiscal year, we had to move quite a bit of money into capital improvement that had been earmarked to pay for these items. One is to finish all of our libraries and the other part is to upgrade some playgrounds.
- 2) There will probably be other requests as equipment comes in.
- 3) We are keeping kids in school and getting good results.
- 4) The Health Department call went from 8 people to about 60 because Dr. Bissell is now in charge of all southwest Virginia.
- 5) Other areas find quarantining and other information confusing, but it is not in our area because of our Health District.
- 6) Our Health District added staff several months ago and we have a liaison who works directly with us.
- 7) We are pleased with how it is going with the Health District.
- 8) A major portion of our CARES is going toward putting back the things taken out of the HVAC, basically the air quality.
- 9) The two units on the Floyd Elementary library went out and they are being replaced this week.
- 10) We are moving along on the CCDC (Collaboration and Career Development Center) project and are looking at April.
- 11) In later spring we will talk to you about what we want to do with the roads.
- 12) We hear from Thompson & Litton that this is the smoothest project going.
- 13) We are about done with the steel work this week.
- 14) We have requested a few dollars for mitigation. We have basically exhausted our first CARES money for mitigation in part on the HVAC.
- 15) Our ADM (average daily membership) is down. Budgets are not year to year. That is why we have a 6-year plan.
- 16) Sports are doing great. We might make a few playoffs. We are doing well in golf and football. Cross country is running well.

Vice Chairman Boothe – Earlier we were talking about the Nor-Well payments. Are those within the budget?

Dr. Wheeler – On the HVAC, yes. Thompson & Litton looks at those. They are all within budget. The CCDC is well under budget, but we are not close to the end on that yet. We picked up a couple of things when we had to make adjustments like the hot water at the high school and the water tanks.

Vice Chairman Boothe – On the CCDC you expect all the masonry to be completed?

Dr. Wheeler – Once we get the foyer area blocked up...the outside is done and then they will start on the interior. We expect the roofing to be done in the next couple of weeks.

Vice Chairman Boothe – I know there was some masonry problems.

Dr. Wheeler – That company is sticking with it. They finished a job elsewhere and brought those people here to work. We have a lot of people up there to get everything under roof. Nothing is pressing on that.

Vice Chairman Boothe – When do you anticipate a decision by this Board on the roadway through there?

Dr. Wheeler – Let's see where we are from the standpoint of once that road opens up. I think the decision will be do they want to give the road to the school division and look at the whole traffic pattern through there. That can come at any time once we get it back up.

Vice Chairman Boothe – All that will have to be decided before the 2nd phase starts.

Dr. Wheeler – Not really. It can be decided at any time even after it is done.

Vice Chairman Boothe – But the connector...

Dr. Wheeler – That road will be abandoned.

Vice Chairman Boothe – That is what I mean. I am looking for a timeframe...

Dr. Wheeler – Probably in the late spring. VDOT will take care of the other road, pave it, and get it nice.

Vice Chairman Boothe – The question was posed to me about the traffic at Floyd Elementary when parents pick up kids. It is creating a traffic safety problem.

Dr. Wheeler – I thought we had that resolved. We changed the times and moved the buses up to the top. The first couple of days there was a problem, but then we moved the bus location to the top and all the drivers into the front.

Vice Chairman Boothe – The problem is that there are so many they have backed up as far as Barberry Road. I've seen it myself after it was brought to my attention. It has been backed up all the way to Barberry Road and it has been backed up Woods Gap Road the other way for people waiting to make a right-hand turn.

Dr. Wheeler – I haven't seen it the last couple of times since we changed the buses. There are a lot of people driving. As we get through this year, we will still navigate it. But we changed it drastically with the buses and we changed the times. People get there earlier and earlier. We had to change supervision and pay a few people more.

Vice Chairman Boothe – You may have to have a safety patrol there to direct traffic. I saw two vehicles come up that were going straight through, and they went around those people and cut back in. Luckily the person coming down from the elementary school stopped.

Dr. Wheeler – That sounds like a traffic violation.

Vice Chairman Boothe – I agree with you. But the problem is the people backed up down the road.

Dr. Wheeler – We have done everything. If we can do it for 92 more days, it will be resolved because the new road will be in and there won't be any traffic there. We added 10 to 15 more minutes in the morning because of the early arrivals. There isn't much we can do in the evenings except tell them not to come.

Vice Chairman Boothe – This was pick up time when it was backed up.

Dr. Wheeler – That is a little bit out of our control. We can make a notice and let them know. We'll make a notice to give out after this break.

Vice Chairman Boothe – Thank you.

Chairman Turman – Do students in 2nd grade up who have to sit out for three days in quarantine have a virtual learning format?

Dr. Wheeler – Students in upper grades use Canvas and Google so they still have online learning. The last thing we want is to teach them completely online. Teachers have done a good job of getting back to face-to-face instruction, but they have work online. We have Chrome books down to the 2nd grade. We are in better shape than most school divisions with that.

Chairman Turman – I can see students getting behind if they are out very much like that if they didn't have some sort of virtual.

Dr. Wheeler – We watch closely, and we get them back academically. It is the social and mental health. I am sure DSS (Department of Social Services) has seen it and I am sure

the Sheriff's Office has seen it. There are repercussions from the last 18 months that we are working very hard with. We have even changed with what we are doing with New River Valley Community Services because we need more support for some kids. It has everything to do with still developing socially at ages, but not having the experiences they need. We are fortunate to be in the New River.

Chairman Turman – They are credited as if they were in school? It is not counted as an absence?

Dr. Wheeler – It is not.

Supervisor Kuchenbuch – With the ARPA money I would assume you had money to cover the expenses that were already incurred. Is that correct?

Dr. Wheeler – We had money at the end of the year. This would be a big help because that was unexpected. We are to the point now where all our ESSER (Elementary and Secondary School Emergency Relief) is being encumbered. We put in for quite a bit of mitigation. You saw the amount and you saw the list.

Supervisor Kuchenbuch – The point is that usually when funds are requested, they are not already spent or encumbered. It is hard as a Board. Once we see the list, we will be able to look at it.

Dr. Wheeler – These are items we don't know if we have that \$30,000 at the end. They were not budgeted items, but we have to have them for mitigation to keep kids in school. It is either use federal money...hopefully at the end of the year we don't come back and say we had to drop all the bipolar ionization to pay for these.

Supervisor Kuchenbuch – What is the current ADM.?

Dr. Wheeler – Membership moved up. It moved up about 18 kids. Attendance is 1708. ADM is 1670 maybe. You really don't know. That will fluctuate. Budget was based on 1763 so that means about \$400,000.

Supervisor Yoder – Basically you are looking at using CARES to offset some of the costs, you might be able to make up some of the difference.

Dr. Wheeler – We are hoping to make up all the difference based on what we planned, but at the end you don't know. The difference now is that you have federal money that is geared for that. We want to take advantage of it.

Supervisor Kuchenbuch – So you budgeted on 1763. We have an ADM of 1708.

Dr. Wheeler – I think it is 1673.

Supervisor Kuchenbuch – Okay ADM of 1673 and attendance of 1708.

Dr. Wheeler – Yes. That is our enrollment last month. We won't really know the number until March 31. We look at it monthly and weekly to see where we are. Right now, we are okay. The difference comes to over \$400,000 in State funds that are based on ADM. Right now, our plan is working. All of our ESSER is going to improvements on the HVAC.

Supervisor Kuchenbuch – What year of the six-year plan are we at?

Dr. Wheeler – Year five.

Supervisor Kuchenbuch – What happens next year?

Dr. Wheeler – With six years you get two Governors, two VDOE (Virginia Department of Education) State Superintendents, two Presidents, enough time for the economy to go through. We have four objectives and we have been able to meet them academically. The six years is more of an economic base to roll a budget through, and it is because you are funded.

Supervisor Kuchenbuch – Obviously a pandemic was not anticipated five years ago. Is there going to be adverse effects?

Dr. Wheeler – I hope not. We look at it monthly and we're okay. I don't see anything where the bottom will fall out. If we don't get any more ADM, we will be okay. You just take advantage of the funds that are in front of you.

Supervisor Kuchenbuch – The things like hand drying towels will be needed in the daily flow of things.

Dr. Wheeler – Absolutely. It is all mitigation, sanitizing and cleaning.

Supervisor Kuchenbuch – You would want to do that anyway.

Dr. Wheeler – This is a higher level of that.

Supervisor Kuchenbuch – I get it.

Supervisor Yoder – I appreciate what the School Board, teachers, administration are doing right now. We are in the middle of a school year which is challenging just on its own. You have a pandemic. People are dying right now. The numbers are the highest in Floyd that it has been the whole time. You are going through a school year dealing with that and you are dealing with the largest construction project we've had in a generation. There is a lot going on right now. There is a lot of pressure from a lot of different angles on you and the School Board and teachers and the administration. I want to say thank you. I think the majority of the citizens in Floyd County really appreciate what you are doing. There is a lot of quiet support out there for you.

Dr. Wheeler – I appreciate it. I will be honest schools start with two Boards that get along within their Board and don't bring political agendas with them and are here to care for their fellow community members. Both Boards are like that. I have to be the luckiest Superintendent in this country right now. We have good people and we hit the right timing on some funding. We'll keep rolling. There is no question that the teachers and the nurses are the heroes. This is a much more difficult year in education than last year. That is the reason we are having a fall break. That is why we are working with teachers who have to be out. It is extremely hard. We appreciate the people in the classrooms.

Vice Chairman Boothe – You kept the safety and the well-being and education of the children first and foremost. I congratulate all of you. With the distractions and everything else, the entire school system all the way down to the support staff, everybody has pulled together.

Dr. Wheeler – There are good people in this County.

Supervisor Yoder – Your steady leadership is something I really appreciate. You are calm, collected, steady. You have a goal in mind, and you keep heading in that direction. There is a lot of outside noise. You keep the focus on the kids.

Supervisor Kuchenbuch – Adding the fall break was a wise decision.

Dr. Wheeler – Come and eat lunch with us.

8.d. Constitutional Officers' Report

Sheriff Craig – I am here today to request funding for the School Resource Officer (SRO) grant that is going to expire June 30, 2022. That is next fiscal year, so this is just a "head's up." It will also allow me to hire for the current Compensation Board position that was just added in this fiscal year. Currently we are funding the SRO position and a portion of it is local match. The County would need to fund an additional \$39,300 to continue the SRO position. This includes a vehicle, life insurance and everything. In reference to the Compensation Board slot, as you know I continue to ask for personnel from the State and I will continue to do so. The State has finally given me this one additional slot. The State continues to force unfunded mandates on this department. We continue to search for grants for personnel and equipment to lessen the burden on taxpayers. We recently received grant funding for body-worn cameras instead of the County having to pay the full amount. If we fund both positions, there will be additional costs for the positions. The Compensation Board would pay salary for the new position, but the County would need to pay for benefits, equipment, fuel, etc. Funding both positions at the high end of the scale we would need around \$58,000. I have itemized the costs associated with each position on the spreadsheet I provided to you. Adding an additional Deputy to the staff will only keep our community safer with more boots on the ground. More community outreach builds more community trust. It will continue to raise morale and create less compensatory time buildup. It is safer for the arrestee and the arresting deputy with additional backup. It will result in better response times. Mental health calls continue to rise due to State mandates and the times allotted for them.

It will help with mental health transports with a deputy and leaving the County with no coverage. We just received a letter from an attorney this week who helps the Virginia Sheriffs Association. Basically, the letter says the individual deputy is personally liable for the temporary detention order they have. It used to be if the time ran out then leave them and walk off. If we do that now we are liable for that individual. Anything that happens with that individual you are now held accountable for the safety of that individual more so than ever before. That is nerve wracking for us to watch somebody for 3, 5, or 6 days. When someone is in a mental health crisis, there is nothing worse in my opinion than having an armed officer in uniform with this person. The State has hurt us by taking away our drug agent. We used to be part of a drug task force. I wanted to stay in it, but it collapsed. They gave me an agent because they knew we didn't have the manpower. Once that agent retired, they took it away and guaranteed me they would leave me with an agent, but they did not. I have not seen one since. This created a drug agent who had to work alone. That is too dangerous. It doesn't work. I had to take a person off the street to assist with drug work. This has benefitted the County. Since 2015 drug arrests have continued to increase since I have been Sheriff. It is difficult for us to hire and retain employees. This goes for all first responders. I know Emergency Medical Services (EMS) has been here. We must continue to look at raises and benefits. We must make these difficult jobs appealing so qualified people will apply. Everyone around us is looking to increase their wages. If we asked for an \$8,000 retention pay it would be \$208,000 in raises. Both Montgomery County and Christiansburg normally get an annual raise of between 2% to 5%. These are the places where a majority of our former employees go to work. We can't keep up with this unless we change. Additionally, we need to keep in mind the unfunded mandates for our dispatchers. They must be able to give CPR by phone by the end of this year. We must move to emergency medical dispatch by January 2024. As mentioned at previous Board meetings, this will require us to hire an additional 4 dispatchers. I propose that by January 2023 we hire two people and two additional hires by July 2023. The cost of four new hires would be approximately \$175,000. In addition, I would ask the Board to give raises to the communications staff. By adding CPR and EMD (emergency medical dispatch) I fear it will become even more difficult to hire and retain people. Our employees will have stress they currently do not have of talking to persons over the phone through life and death situations. They will have to deal mentally with outcomes that are good and bad. This is an added super stressor than they had previously with the job. I also propose an \$8,000 raise for this staff. Our current 9 person staff would need to be funded in the amount of \$72,000 for this raise. This does not include the additional four staff. Basically, in the next two fiscal years we need \$547,000 of increased funds mainly in the next fiscal year. This is also the high end of what we are looking at. You could make it a retention or a raise. Our retention program is working very well in this County with the step raises. The State of Virginia has even looked at how to mock what we have done here so keep that in mind. If we made it retention increases for the officers and dispatchers, it would bring the amount down. To give you some perspective, I have two dispatchers that are within \$1 of the \$15 minimum wage that will be here by 2025. The other six are below that. Rural King is advertising as of this morning a rate of pay of \$14.50 to \$18.25 per hour. Starting dispatchers make \$14.57 per hour and starting deputies at \$18.16 per hour. You can be a deputy and get yelled and screamed at and put your life on the line or you can go to Rural King for possibly \$18.25 per hour. Counties

are adding sign-on bonuses and graduation bonuses and yearly raises. We must do what we can to keep our wonderful employees. It does us no good to train and invest in them if they are going to leave us and go to another department. I had one leave to go to the State police. Currently the Virginia State Police is offering 47,833 to start. Once they graduate, they go to \$52,016. Virginia State Police will start their lateral transfers once again in December which is a way for them to steal employees from localities. You have the choice to stay local. I have already lost one to this program. It is so bad that the Sheriff of Carroll County and I have agreed to reach out to each other and hire each other's dispatchers part-time just in order to keep our shifts covered in Dispatch. As always, I appreciate your consideration. Dispatchers are very nervous about the EMD coming up. Some have even expressed to me that they may be looking for other jobs. EMD in itself will add extra costs to the County. I worry about where we are at. The minimum wage increase will affect all your employees.

Vice Chairman Boothe – Instead of doing it all in one year if we could do a portion of it this year, do you have something in mind that would help you now versus waiting a year?

Sheriff Craig – I can break it down to whatever is the best way for this Board and the taxpayers of Floyd County. I want to do whatever I can to keep this community safe. I want to do whatever I can to keep my quality employees. I want to do whatever I can to minimally impact the taxpayers of this County.

Vice Chairman Boothe – I understand that. What you are talking about is around a 3¢ tax increase for the next budget year. If we can come up with part of it now, that minimizes the impact on citizens next year.

Sheriff Craig – Instead of doing a straight \$8,000 raise for everybody, we could double the amount on the retention step increases that would reduce the overhead number or we could also phase in a portion of it. Whereas it is now \$2,000 for each of the steps we could phase it to \$3,000 or \$4,000 this year for those steps so there would be minimal impact each fiscal year. Anything that lets an employee know that we are trying our hardest. I think that will keep them with us as long as they know we are trying.

Supervisor Kuchenbuch – We have lost one officer currently but everyone else has remained in place?

Sheriff Craig – Officer wise, yes. That will potentially change on this next State Police.

Supervisor Kuchenbuch – How is the general morale?

Sheriff Craig – I think you would be better off asking the employees. I think it is great. You could ask Mr. Coleman off record when I am not around. I think we are in a great place right now and I want to keep it that way. The officers already talk about they know what Christiansburg makes and they get a raise every year. In Montgomery County they have mid-teens to close to twenty Floyd County employees working for the County or in Christiansburg, Blacksburg, and Virginia Tech. These other departments love to see Floyd County people applying for their jobs, because Floyd County has great workers

with a great work ethic. Even at the steel mill if you are from Floyd County you kind of slide to the top.

Supervisor Kuchenbuch – Your department has done amazing things. There is no doubt about that. As you know this Board has been very supportive of your department and we will continue I am sure to want to do whatever we can for our Sheriff's Office and first responders. I understand the EMD requirements for Dispatch are an extra added responsibility on them and some of them are questioning if they want to continue. Is that correct?

Sheriff Craig – Yes and no. I had three people leave just recently to go to straight daylight jobs. These folks are getting very tired of the amount of pay they get to work swing shift, midnight, and with people yelling and screaming at them. These are the people who take the call of the intoxicated person or the person who just saw a family member go through some type of farm equipment accident. These are the people who take the brunt of that. In today's world they are getting tired of it. And we are starting to see it now with our communications staff. I'm really afraid that soon it will start with the law enforcement staff. They will go to Christiansburg and make in the mid \$50's and not stay here for \$37,000.

Supervisor Kuchenbuch – I do hear that. I am so thankful for your leadership and the leadership of all your deputies and our communications staff. They all lead on their personal shifts. I appreciate that. I am so thankful that you came ahead of time and are talking to us about this now. That is what you have done since you were elected. It is really, really important for us to have this knowledge moving forward with lots of time to try and figure it all out. Thank you for your attention to this and your understanding of the process.

Sheriff Craig – This is just trying to get the information out here. Two budget cycles ago is when I brought up the four dispatchers, because you always have to have two working then you look at vacations and things. I am trying to get on the front of this. When you make these decisions, you have a lot to keep in mind. I don't know all that is on your table. I am here to get this information out so you will know what I am looking at, what I am seeing in surrounding counties, what my folks are relaying to me, and how we can attempt to correct these things. There would be nothing worse than being the victim of a break-in and only have someone who has been on the road for a year compared to someone who has been on the road five years or longer to try to solve that crime.

Chairman Joe Turman and Supervisor Justin Coleman stated the following for the record: Today's discussion involves the County budget which includes funding for the Floyd County Sheriff's Office. As many of you know, either I or a close family member are employed by the Floyd County Sheriff's Office. The proposed funding would affect the entire department and not just me or my family individually. Together we constitute a group of three or more individuals who are similarly employed by the Sheriff's Office and similarly affected by the discussion. Therefore, the exception of State and Local Government Conflict of Interests Act section § 2.2-3112 A (i) applies to this situation,

and we are able to participate in this discussion fairly and in the public interest. Thank you.

Sheriff Craig – At this point I am not asking for any money. It is coming. I just want to give you a “head’s up” since we will be starting to work on budgets in a month and a half.

Vice Chairman Boothe – That is why I asked if there was anything we could do in this budget year possibly. Please look at it and see if we can get some type of plan together.

Sheriff Craig – We are looking at EMD in 2024; maybe we can do an enhanced 3-year plan with steps.

Chairman Turman – The dispatchers already had a big stress load but with this new EMD you have doubled their stress load. Before they were just dealing with screaming people and trying to get information and get them help. Now they are going to be offering that help and walking them through that situation.

Sheriff Craig – We already have a majority, or all of our staff CPR (cardiopulmonary resuscitation) certified. We were able to get Mr. Lucas Graham back to our community. He was one of the supervisors at NRV911. He is already in the EMD process. I think he will be a great asset to help us get through the hurdles of bringing in something new.

Supervisor Yoder – I have brought this up before, but with minimum wage going up, I really think we need a County-wide employee plan. We know the date when the minimum wage will be \$15.00 per hour, and it is not too long away. There is no reason that we can’t come up with a plan that says these are the steps we need to take to get our employees to a rate, so they are even with comparative numbers now to the comparative numbers then. I think we probably need to do an average of \$10.00 per hour increase for all employees. Your employees are really important, but this is going to impact everybody. If we don’t take this as a step-by-step, we will put ourselves in a massive hole.

Vice Chairman Boothe – That is why I mentioned what we could do now.

Board members discussed the availability of jobs at the present time at very good rates of pay and the impact this could have on County staff. They also discussed the benefits available to staff, particularly health insurance.

Sheriff Craig – There is one thing I would like for you to discuss so the next Board meeting I will ask you if we can move forward or not for the SRO and Compensation Board positions. There are two options. One is having the County pick up the full costs for the SRO position starting July 1 after the grant ends and then allow me to fill the Compensation Board position starting this December so I can get someone hired and get them into the Academy in January. The other option would be to leave open the Compensation Board slot and when the grant runs out, pull the deputy out of the school system, and put him on the road in the Compensation Board position.

Supervisor Coleman – It has been the Sheriff’s vision since he has been here to have a SRO in all schools. We have seen just within the past few weeks the ramifications in our country. It is especially important to me sitting in this seat because I can clearly remember Mr. Gerald’s position to have SROs in our schools. I think we need to support this, and we need to do it now. We need to have a vision of expanding this. There have been a lot of unfortunate events in schools in the past couple of weeks. I don’t know what else it is going to take for communities to realize there needs to be somebody in every school.

Supervisor Kuchenbuch – You are talking about \$57,684 for the SRO?

Sheriff Craig – That amount is the combined amount to keep both positions open.

Vice Chairman Boothe – If we wait and approve this at our night meeting does that still give you time to do everything that needs to be done?

Sheriff Craig – Yes. For the Compensation Board position, we would be looking at 7 months of benefits, auto lease, ammunition, uniforms, etc. out of this fiscal year.

Supervisor Kuchenbuch – I would like to re-visit the Drug Officer. What was their rationale? Did they give you any?

Sheriff Craig – The person retired, and they never filled it.

Supervisor Kuchenbuch – What do you do in that case keep, knocking on their door?

Sheriff Craig – I have called as far up the chain as I have phone numbers for. They are working on it, and they have a position, but the person who handles this is out on medical leave and they don’t know when he will return.

Supervisor Yoder – So there is some hope for the future hopefully.

Sheriff Craig – Possibly. The last people on their minds is Floyd County. I have talked to folks, and we have beat our heads. We ended up doing it ourselves and it has worked out better. We have made more drug arrests. We have two individuals from our department who are working drugs together and we rotated people into that position. We have one who is permanently there. We have taken a shift sergeant from each patrol and slid them in, and it has worked out just great.

Supervisor Kuchenbuch – The point is you want this position filled.

Sheriff Craig – I want this position filled because it puts my patrol sergeant back on the street.

Supervisor Kuchenbuch – Do you feel that there are other areas where we can tap into money for the SRO position?

Sheriff Craig – No. I can say with the current political atmosphere it would be very difficult to see any more additional funding coming for SROs. In my opinion if the new General Assembly and the new Governor decide to cut qualified immunity without any type of protection clause, you will probably see me come back and ask for a \$15,000 to \$20,000 increase on starting pay in order to hire people. Nobody is going to want this job if it does not support you. It is hard enough. It is stressful enough. There is nothing in qualified immunity that keeps us from getting sued if we do wrong. If we are negligent or purposefully go out and hurt somebody, qualified immunity has nothing to do with that. Basically, it protects us from frivolous lawsuits. If that ends it will be a disaster for law enforcement.

Supervisor Yoder – The thing we will be looking at for the next Board meeting is ...

Sheriff Craig – I will get to you the exact amount I will need if we hire a starting deputy at a starting wage for the Compensation Board position. If we go that route, I want to make sure that we can fund the SRO. I don't want to have to terminate somebody. Right now, if I carry the vacant position, I wouldn't have to fire anybody. I would have a position open and could slide somebody into it. I want both positions funded.

Vice Chairman Boothe – You want the SRO position to remain and to fill the new slot.

Supervisor Yoder – We know this Board will change by budget time. For the SRO we can't guarantee that will happen.

Sheriff Craig – I understand that completely. We understand that you plan but things change.

Vice Chairman Boothe – Please look and see if we can do anything in the current budget. Let's try to break it up so it isn't such an impact on the next budget.

Sheriff Craig – For the current budget the only thing I would be looking at is funding the Compensation Board slot. In my budget for next fiscal year, I will break down different plans.

8.e. Ms. Amy Ingram, Registrar; Mr. Steve Durbin, County Attorney; and Mr. Brandon Moore of King & Moore – Discussion of Redistricting

Dr. Millsaps – Ms. Ingram is not able to join us at this time. Mr. Durbin is attending by Zoom. Mr. Moore is available in person for this discussion. They are here to lay the groundwork for redistricting. I have asked them to have the dates and times they might have available so we can do this during a regular session or if you want to have a special session.

Supervisor Boothe – Do we have any proposed maps that we can actually hold right here and see?

Mr. Moore – Not yet. This is the first step. *Mr. Moore projected the current district map which showed the current district boundaries on the overhead.* The display shows the census as it currently stands in each district before the redistricting process starts. The final numbers have to be within 5% plus or minus of the population divided by 5. You tell me what blocks you want to move where and I can do different options on the map so you can see the results.

Mr. Durbin – It may be trickier than it appears. The recommendation from the legal side is do not get your deviation from the 5% ideal, but 5% more or less from each other. I am aware of two Supreme Court of Virginia cases where the court struck down a deviation of 6.31% and 5.42% between the highest and lowest. With the ideal number they would have been closer. One was below the target, and one was above the target, but because they were more than 5% from each other it was deemed to violate equal protection under the Virginia Constitution.

Supervisor Yoder – So we will be looking at 2.5% more or less for each.

Mr. Durbin – Not necessarily. If you had four districts that were 1% and one district that was 4%, which would be presumptively safe as well. In these cases where more than 5% has been struck down, there may have also been issues with what impact that might have had with protected classes of citizens. That may have factored in as well. But to be on the safe side you want to be within 5% of each district.

Board members made suggestions to Mr. Moore as to which census blocks to move into other districts to see the effect on the total numbers and percentages by district.

Supervisor Coleman – Is there a way to know the school districts? The Indian Valley covers a lot of what we added, and I am looking at it from a voter turnout standpoint. If parents are already used to going that way...

Mr. Moore – I don't have that layer.

Supervisor Yoder – That is an excellent point. We could get that map from the schools.

Supervisor Coleman – I would like to get that overlay and see how it compares. We might not be able to eliminate it all and I would be surprised if we can, but if we can mitigate it some it would help parents and families.

Chairman Turman – Please request those maps from the school system.

Mr. Moore – I will print maps for you based on what you discussed today.

Dr. Millsaps – I am sending an email to Dr. Wheeler.

8.f. Closed Session under § 2.2-3711 A.1 for discussion, consideration, or interviews of prospective candidates for appointment to boards and commissions; and under § 2.2-3711

A.29. for contract negotiations with manufacturing companies regarding County owned property

On a motion made by Supervisor Yoder, seconded by Supervisor Coleman, and unanimously carried, it was resolved to go into closed session under § 2.2-3711 A.1 for discussion, consideration, or interviews of prospective candidates for appointment to boards and commissions; and under § 2.2-3711 A.29. for contract negotiations with manufacturing companies regarding County owned property.

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

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

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

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, 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 § 2.2-3711 A.1 for discussion, consideration, or interviews of prospective candidates for appointment to boards and commissions; and to discuss § 2.2-3711 A.29. for contract negotiations with manufacturing companies regarding County owned property;

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

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

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

Supervisor Boothe – yes
Supervisor Turman – yes

This certification resolution was adopted.

8.e. Ms. Amy Ingram, Registrar – Discussion of redistricting continued

Dr. Millsaps – Ms. Ingram was not able to join us earlier due to us not keeping to our timeframe on the agenda. She has come by to see if there are any questions that were not answered previously that she can assist you with.

Supervisor Yoder – Have you looked at the maps we came up with?

Ms. Ingram – Briefly. You made a good start. I think it is a good idea if you are moving someone into Indian Valley that you look at the school district. That is a good point because they sometimes have a connection already at that polling place.

Ms. Ryan – Ms. Ingram also pointed out that because Little River district citizens vote at Floyd Elementary School, the district boundary cannot be more than 1 mile from that polling place.

Supervisor Kuchenbuch – I believe we left that one boundary within that area. That was in the back of my mind.

Ms. Ingram – It has to be as the crow flies. You might want to ask Mr. Moore to check this.

Supervisor Kuchenbuch – We tried to keep the numbers equal.

Ms. Ingram – The numbers look good.

Supervisor Yoder – I will look over it more and I would love to hear any suggestions you have.

Vice Chairman Boothe – Maybe at our night meeting.

Ms. Ingram – We have to pre-process absentee ballots on October 26 and October 30. Hopefully we will finish by 8:00 p.m. and I will come down when we finish.

9.f. Resolution for change of date and cancellation of second meetings for November 2021 and December 2021 Board meetings

On a motion made by Supervisor Coleman, seconded by Supervisor Yoder, and unanimously carried, it was resolved to hold their regular meeting on the second Tuesday, November 9, 2021, at 8:30 a.m. and cancel their regular meeting scheduled for Tuesday, November 23, 2021, at 7:00 p.m. and hold their regular meeting on the second

Tuesday, December 14, 2021, at 8:30 a.m. and cancel their regular meeting scheduled for Tuesday, December 28, 2021, at 7:00 p.m (Document File Number 1204).

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

9.g. Appointment to Floyd County Planning Commission for Burk's Fork District for a four-year term effective November 1, 2021

On a motion made by Supervisor Coleman, seconded by Supervisor Turman, and unanimously carried, it was resolved to appoint Mr. Richard Telling the Floyd County Planning Commission for Burks Fork District for a four-year term effective November 1, 2021.

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

9.h. County Administrator's Report

➤ Update on Solid Waste

Dr. Millsaps – I have mixed news unfortunately. The good news is that the new bear boxes are in and some of them have been placed. The bad news is that of the ones that have been placed some of them have already been broken by members of the public. They were put on Barberry Road. In your packet you will see pictures of how some of them were broken. We don't think it was a bear because there is not a lot of scratch marks. You will also see a picture of trash thrown on top of the closed lid instead of the person sliding open the doors and using the boxes the way they are supposed to. That picture is not because the box is full, but because the top of the box is closed.

Supervisor Coleman – There is a human element to this that we are not going to be able to get past.

Dr. Millsaps – These pictures were taken by Solid Waste employees. Mr. Bolt asked them to document for you what is happening.

Board members discussed their frustration in trying to solve the bear problem but not getting cooperation from all members of the public.

Supervisor Yoder – These were just placed in the past week or so. I wonder if some of the trash that is on top of the dumpsters might have occurred at night from people

who were used to tossing their garbage like that. They may not have realized that these new boxes had a lid on the top.

Dr. Millsaps – The third picture shows that someone is advertising garbage pickup service in the County. We have not had a chance to reach out to that person.

Vice Chairman Boothe – There is nothing wrong with that as long as they meet our Solid Waste ordinance qualifications. I believe to pick up the trash you had to be permitted and insured.

Ms. Ryan – The person also has to pay the tipping fee when they take the trash to the Transfer Station.

Vice Chairman Boothe – The ordinance does not ban hauling trash, but the ordinance sets criteria the person has to meet. This is something that Mr. Durbin needs to take a look at and double check the ordinance and give the gentleman a call to bring him up to date.

Dr. Millsaps – Thank you. We will do that. We are trying to move forward with moving some of the new boxes to Lick Ridge Road, but you rightfully requested some site preparation work first. We are in the process of getting that done. The Department of Forestry was going to reopen the portal so we can submit a grant for bear proofing a site. The Floyd County Economic Development Authority (EDA) owns the green box site by the Commerce Center. By consensus EDA approved our using this site for the application. If the grant is approved, then EDA will take a formal vote for use of the site. While the grant application deadline has been extended, the portal has not been opened so that I can submit our application. I need to get that grant submitted before the end of this week.

➤ Update on County staffing

Dr. Millsaps – I am continuing to work on re-writing the personnel manual. Ms. Chiddo will help me now that she has started. If any of you would like to start reading sections of it, I will be happy to send it to you, but it is in draft. I plan to get it done before the end of the year. Ms. Chiddo has started. We are excited about that. Thank you to Mr. Alls for letting her leave a little bit earlier than he probably wanted, which would have been at all.

Vice Chairman Boothe – He was not too rough on me at the last meeting, and he did speak highly of her.

Dr. Millsaps – Within the next week or so I will be posting an advertisement for a position for someone who can do more skilled maintenance work and be a building inspector trainee. Potentially that person would do inspections for more of the residential work and Mr. Bolt will inspect the commercial jobs. Finn and Fenwick have expanded their role to do more of the less skilled maintenance work. They have already changed 50 light bulbs on the first floor of the Courthouse. They are

changing out filters. They are helping us get caught up on the backlog of work. We previously posted an information technology (IT) position. We have 27 candidates, of which 23 were applying for an IT position. Mr. Sowers and I have identified 7 candidates. I have written to all of them about interviews. Five of the candidates responded over the weekend that they are still interested in the position. We will fill that role as soon as we can. Per your direction at the last Board meeting, we will be posting positions for EMS. You approved hiring three people. We will be searching for more than three people because we know as we move to this new schedule, there is a possibility of losing some employees.

➤ Update on Floyd County Infectious Disease Plan

Dr. Millsaps – The State took over one year to tell us what to do and then gave us two weeks to get it done. I have one the New River Valley Planning Commission sent out as a recommendation and Mr. Alls at Social Services provided the one, he wrote for that department.

➤ Status of Phone Requests for Proposals

Dr. Millsaps – You authorized me to move forward with the phone request for proposals. We have slowed that down a little bit to make sure we have the appropriate language that would allow us to utilize some grant funds that we have access to. Hopefully we will be able to advertise that next week.

➤ Office Equipment

Dr. Millsaps – If we hire an IT person and move job responsibilities around, we need additional places for staff. I was in Charlotte, NC this weekend and I went to Carolina Office Solutions which sells used office furniture out of high rises. They have given me a quote for cubicles with higher walls we could put in here. The base price on those would be \$1,500 each, so we could get three and a couple of hundred dollars to put them in, plus a delivery fee, so the total would be around \$5,000 for three spaces. That would be less than trying to create permanent offices.

10. Board Member Time

Vice Chairman Boothe – Did you have much interest in the Recreation Building construction?

Dr. Millsaps – Yes. That went very well. We had a mandatory bid meeting and Mr. Bolt, Ms. Bosniak, and I attended. We had 10 potential bidders who came. We gave plans to all 10 potential bidders at the end of the meeting. We had good interest. They received a lot of information. We gave them Mr. Bolt's handwritten plans, CAD (computer aided design)-produced plans, and a list of our requirements. Mr. Bolt told them we wanted them we wanted this to be nice, but nothing fancy. Mr. Bolt had it marked so they would walk the place. He told them how much dirt they would have to move. We are still in the request for proposals process for the radio system.

Chairman Turman – Would you please put a copy of the letter from the Virginia Loggers Association that I gave you this morning in our packet for the next Board meeting?

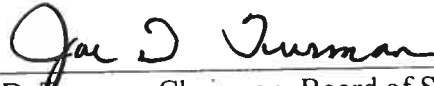
Dr. Millsaps – I need to let you know that we have quite a few employees on staff who are ill. We ask folks to bear with us as we go through these things. Some are related to the pandemic, and some are not.

11. Adjournment

On a motion of Supervisor Yoder, seconded by Supervisor Coleman, and unanimously carried, it was resolved to adjourn the meeting to October 26, 2021, at 7:00 p.m.



Linda S. Millsaps, County Administrator



Joe D. Turman, Chairman, Board of Supervisors