

**BOARD OF SUPERVISORS  
REGULAR MEETING  
JUNE 11, 2019**

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, June 11, 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 Lauren 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.

Chairman Yoder led in the Pledge of Allegiance.

Agenda Item 4. – Approval of minutes of May 14, 2019; May 28, 2019; and June 4, 2019.

On a motion of Supervisor Turman, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the minutes of May 14, 2019; May 28, 2019; and June 4, 2019 as presented.

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

Agenda Item 5. – Approval of June 2019 monthly disbursements.

Questions and discussion followed.

Deputy Sheriff Brook explained a bill from Hollow Nest Boarding, LLC:

- 1) Animal Control was called by the owner of a miniature horse that was dead and had possibly been shot and about a cow that was injured.
- 2) The owner spoke to Deputy Vaughn and Mr. Waddell of Animal Control. They called me and I told them to go to the Commonwealth's Attorney based on other calls going on with the same people.
- 3) They tried unsuccessfully to get a veterinarian to come examine the animals on the scene. The Commonwealth Attorney instructed them to have the animals

taken to a veterinary clinic. I came in and spoke to Mr. Branscom about the situation.

- 4) Deputy Vaughn and Mr. Waddell contacted several people we normally use to try to get the animals hauled. They were unsuccessful finding anyone and the Commonwealth Attorney staff also called people and made contact with Ms. Moran to haul the animals.
- 5) On her bill she says she was in Pulaski when they contacted her and she drove back and got her equipment. She got the cow and horse and took them to Virginia Tech.
- 6) The Commonwealth Attorney wanted a necropsy on the horse to see if the bullet was still inside or if the veterinarians could determine anything that would assist Animal Control in the investigation. I explained to Mr. Branscom that Animal Control had the authority to make the owner get a veterinarian for an injured animal. Mr. Branscom overrode us and said it would be done by us. His concern was that he wanted this done by Virginia Tech for the reliability of the evidence. He is the chief law enforcement officer in the County and he directs us as well as the Sheriff's Office as to how investigations are run.
- 7) It turned out the horse had probably been kicked in the shoulder by another horse, but it had puncture injuries in the side that were consistent with bullet wounds. The cow had an injury to its face and no determination could be made as to the cause.
- 8) Ms. Moran took the cow back to the farm. She sent the original invoice to me. After the bill was presented to you the first time, I spoke to Ms. Moran and we exchanged emails. I explained that the bill was excessive, especially that the blown tire was just her cost of doing business.

More questions and discussion followed.

Ms. Morris stated that she and Deputy Brook had discussed the possibility of getting some type of trailer through drug seizure for Animal Control use.

Agenda Item 6.a. – Constitutional Officers Reports.

There were no Constitutional Officers present.

Agenda Item 6.b. – Public Comment Period.

Chairman Yoder called for the Public Comment Period.

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

Agenda Item 5. – Approval of June 2019 monthly disbursements continued.

Supervisor Coleman – For the record that some of the items just discussed do not suit me, but in the grand scheme of things and in the circumstances I feel it is in the best interest to move

on and pay the bills. My reservations are not with any agency involved in this matter. It was a unique situation and I am looking at it in the totality of circumstances.

Supervisor Kuchenbuch also expressed her reservations but given the circumstances that were further explained by Deputy Brook, she thinks the bills need to be paid.

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

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

Supervisor Boothe requested that the County Attorney and County Administrator find out if the County has the authority to set a fee schedule so that if a potential criminal act turns out not to be a criminal act, that the fee is to be paid by the owner.

Agenda Item 7.a. – Subdivision plats as approved by agent for May 2019.

Ms. Morris stated that Ms. Turman has been out sick, but she would be glad to pass on any questions or concerns. The report is pretty routine this month.

Agenda Item 7.b. – Appointment of Mr. Doug Thompson to the Virginia Alcohol Safety Program for a one year term, effective July 1, 2019.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to reappoint Mr. Doug Thompson to the Virginia Alcohol Safety Program for a one year term, effective July 1, 2019.

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

Agenda Item 7.c. – Adoption of FY20 budget.

Supervisor Turman made a motion to approve the FY20 budget, but rescinded the motion so that the pay increase to the Board of Supervisors could be discussed.

Supervisor Coleman read the following statement: Today's discussion involves the County budget, and this discussion may include funding for the Floyd County Sheriff's Office and the Floyd County School Board. As many of you know, I am employed by the Sheriff's Office, and my spouse is employed by the Floyd County School Board. With regard to the proposed funding of the Sheriff's Office, the proposed funding would affect the entire Sheriff's Office and not just myself individually, and as a consequence, I am a member of a group of three or more individuals who are employed by the Sheriff's Office and similarly affected by the

decision on the proposed funding. In a similar way, with regard to the proposed funding of the Floyd County School Board, the proposed funding would affect the entire School Division and not just myself or my spouse individually, and as a consequence, I am a member of a group of three or more individuals who are either employed by the School Board, or whose spouses are employed by the School Board and similarly affected by the discussion. Therefore, in both of these situations, the exception to the Virginia State and Local Government Conflict of Interests Act, Va. Code Section 2.2-3112 (b)(1) applies to this situation. In compliance with that section, I hereby declare that I am able to participate in this discussion and voting on this topic fairly, objectively and in the public interest.

The Board discussed the effects on the budget of changing Board of Supervisors’ salaries effective July 1, 2019.

Agenda Item 7.d. – Adoption of Amendment to Floyd County Section 125 Cafeteria Plan, effective July 1, 2019.

Ms. Morris explained that this is an update to our original Section 125 Cafeteria Plan that was adopted in 1989. It outlines the various employee deductions that are legally eligible to be handled pretax.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the Amendment to Floyd County Section 125 Cafeteria Plan, effective July 1, 2019 (Document File Number 1053).

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

Agenda Item 6.c. – Chris Price, Virginia Department of Transportation.

Mr. Price provided construction and maintenance updates:

- a. On the construction side –

|                |   |
|----------------|---|
| Moles Road     | Has been awarded to contractor and should be finished by October.   |
| Downtown Floyd | Will be bid later this month. They will have the option to start work around the first of October. They may start this fall or winter or they may wait until spring to begin work. The work will be done at night.<br><i>Supervisor Boothe – Does the PSA need to coordinate through you or the contractor to put pipe there?</i><br>Mr. Price – We’ve looked at the option of doing it together, but they are getting a lot deeper so it really wasn’t going to work out.<br><i>Supervisor Boothe – We discussed having the same</i> |

|                          |   |
|--------------------------|---|
|                          | <p><i>contractor put this pipe in there, but PSA pay the difference for what they need done from what VDOT needs done.</i></p> <p>Mr. Price – The way I understand it the pipe and electrical conduit will be adjacent. My recommendation is PSA do their work prior to the project. We can always coordinate, depending on the contractor. Have Mr. Burton get in touch with me.</p> |
| Other Downtown Crosswalk | This is coming from a different funding source and will be a different contract. It will likely be at the same time as the other one but on a different contract.   |

Mr. Price – You gave us a signed easement. We have an acknowledgement of the donation of easement to the Commonwealth of Virginia. VDOT will give you a value of the easement prior to the donation. You can waive your right to receive such valuation.

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, and unanimously carried, it was resolved to approve the Acknowledgement of the Donation of Easement to the Commonwealth of Virginia and authorize the County Administrator to sign the acknowledgement and waive the right to receive a valuation of the easement being donated (Document File Number 1054).

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

Mr. Price – On the Six Year Road Plan, there is sufficient money to cover the work on Moles Road, Mill Run Road, Ponderosa Road, and Quesenberry Road. There is not sufficient traffic of over 50 vehicles a day to do the work on Bear Ridge Road. The other roads have sufficient traffic count. I need to know your priorities so I can start setting up projects in a couple of months.

b. On the maintenance side –

|                  |  |
|------------------|--|
| Mowing           | Both area headquarters plan to have all secondary roads mowed twice by July 4, weather permitting. We are bringing in contractors. I believe all our primary roads have been mowed.  |
| Pothole patching | They are working on Willis Ridge Road and working toward Laurel Branch Road. They will be starting on Shelor Road, Buffalo Mountain Road, White Rock Road, Duncans Chapel Road, and Black Ridge Road, Shawsville Pike, Huckleberry Ridge Road, Shooting Creek Road, Conner Grove Road, Harvestwood Road, Gallimore Lane. |
| Secondary road   | Pretty sure that is finished for this year.  |

|                   |   |
|-------------------|---|
| paving            |   |
| Surface treatment | Has not started yet. That will probably start in August or September. |

Supervisor Boothe –

- 1) Please thank your workers for the patch work on Gallimore Lane. It looks great.
- 2) Please put pressure on the ditching crews. It would be appreciated.
- 3) Barberry Road needs to be added to the list of roads that need patching.
- 4) On Woods Gap Road where they put the new culverts, cement bulkheads need to be put in.

*Mr. Price – I think they still have pipe that needs to be put in there.*

Supervisor Boothe –

- 5) I guess they will top coat from the high school to Woods Gap Road at some point.
- 6) Brush cutting still needs to be done at some point.
- 7) Under the bridge still needs to be cleaned out. I understand that is not under your purview and is handled by another section.
- 8) Guardrails need to be put up.
- 9) Have you heard anything from the speed study on Dusty Rock Road?

*Mr. Price – Yes, it changed and it should be posted the same as the rest of the road now.*

Supervisor Kuchenbuch –

- 1) Both sections of Rt. 615 – Christiansburg Pike and Barberry Road need to be patched.
- 2) Barberry Road needs to be mowed.
- 3) Some sections between Otey Road and Slusher Store Road are rough from all the rain we just got.
- 4) Sowers Mill Dam Road was pretty dangerous last week. There is a culvert and a cone.
- 5) Double Springs Road is rough.
- 6) Starbuck Road needs work and the Six Year Road Plan needs to include Thomas Farm Road to the Parkway.
- 7) Low hanging limbs by Riverbend Nursery on Mt. Elbert Road.

Supervisor Coleman –

- 1) You guys do an outstanding job with the resources you have. I have very little to bring to the meetings because every time I contact Mr. Sowers, it is taken care of within a day or two.
- 2) The slurry seal on Alum Ridge Road, the lines haven't been painted back from the Rt. 8 side yet.
- 3) Merifield Road has several patches and it has gotten rough on the northbound lane.
- 4) White Rock Road between Copper Valley and Indian Valley has a hole that is continuing to get bigger. It is in the travel portion of the highway.
- 5) The GPS signs look great but we recently had one get stuck. You posted Montgomery County and Floyd County, but could you put one up in Carroll County near Duspur Deli?

Vice Chairman Turman –

- 1) Limbs are hanging lower and interfering with sight distance.
- 2) Turnip Patch Road has a lot of autumn olive bushes that grow fast and cause problems with sight distance.
- 3) Thank you for the speed signs on Vaughns Mill Road.

Chairman Yoder –

- 1) I received calls regarding Graysville Road, Lick Ridge Road, and Ponderosa Road.
- 2) On Hummingbird Lane and Jacks Mill Road there are several potholes that have been there for several years.
- 3) On Franklin Pike, next to the Parkway, you patched an area a year ago where the pavement was sliding away. Down the hill from where you patched it is doing the same thing.
- 4) There are pipes on Deer Run Drive where it might be washed out under the road.

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

Dr. Wheeler provided an update of items at Floyd County Public Schools:

- 1) We have a six year plan. The graduation requirements and instruction changes have been going on since 2012 and we are right on course.
- 2) PreK-8 we have to make sure each student can read, write, communicate, collaborate, and think at the cognitive level they should be at.
- 3) We have the assessments in place.
- 4) We don't have any stand-alone programs. We will be able to incorporate and infuse writing, reading, and the communication piece in a K-8 setting.
- 5) We are doing a whole new preK curriculum. This all comes from the teachers.
- 6) When a student leaves 8<sup>th</sup> grade, we will know exactly where they are as far as being good human beings and being functional because they are literate, can communicate, they can socialize, and they understand themselves.
- 7) We have that in a good place and it lines up with the new graduation requirements.
- 8) The transition year is critical and we have the opportunity to change that experience for 8<sup>th</sup> graders. Instead of a one semester class schedule, they will have a 5-year, 6-year, 7-year or 8-year plan. They have got to be able to envision their life.
- 9) That plan will determine which classes they need to take and training at businesses to prepare for a future job.
- 10) The culmination is not a high school degree.
- 11) I am meeting with Presidents of higher education colleges in our area so they can see our student plans.
- 12) We have the summer feeding program coming up.
- 13) I will be visiting homes this summer and delivering literacy backpacks.
- 14) Radford University held a special cybersecurity camp for our 8<sup>th</sup> graders. Twenty-four students attended along with our 2 ITRT teachers.
- 15) We have a memorandum of understanding with the Virginia Tech Innovation Center and Arts Technology. One of our ITRTs is working with them on Fridays and they are going to supplant that salary to us. She works for them that day and brings back to us what she has learned and shares it with our teachers.

- 16) The Virginia Department of Education (VDOE) is impressed with our school improvement plans and we will be presenting at a few workshops for VDOE around the State.
- 17) Every year I am here we will look at areas the students use. We have done the STEAM labs and the high school library. We will be doing the elementary libraries to make them instructional based. The agriculture areas are in progress by being reviewed by professors from Virginia Tech to align with the State curriculum and the Virginia Tech 2-year programs. We need to involve some area farmers and experts.
- 18) This summer we are going to gut and clean the athletic and training areas at the high school. The Virginia Tech Strength Coach is helping us look at what we need. The elementary schools have all they need for Health and P.E.
- 19) Hopefully Monday they will start work at Indian Valley Elementary. The PTO is helping out so it is costing us about half of what it would have.
- 20) We will be working on the annex at Check Elementary but we can do it within and we will probably start immediately.
- 21) The 2 water tanks were taken off the HVAC project. We have someone who will oversee the Indian Valley and Willis water tanks. We will be able to do that through capital improvements.
- 22) We have a specific list of what has to be done to repair the roofs permanently. The last time they were repaired they were poorly done.
- 23) Teachers write grants for what they need in the classroom.
- 24) This year all 3 salary scales will be online.
- 25) We had a nice meeting with Ms. Morris and Mr. Yoder. The Collaboration Center is a need and not a want. I don't know how we can meet the new graduation requirements without this space.
  - a. I don't know of any school division in Virginia who is in a better position than Floyd County because we are not recreating space that is falling down. We are creating space that is necessary for the new economy. The worst roof is the CTE center. The agriculture area roof needs to be taken care of.
  - b. The School Board Office being moved over there was a great idea but it was not in our thoughts. But I have heard more than once that the cost to build that space would be 4 times than taking it over, and you can't find the land. That was more for the County if that was a desired space. It is about \$1 million difference.
  - c. The lobby area and the mechanical space could be reduced.
  - d. The flexible space designed to expand and attract the skills that we need to be taught there are mainly for adults. We could reduce that some.
  - e. The other areas are VDOE secure and you have one resolution. The design did not go up in price, it went down based on our needs. That is how we reached \$17.2 million.
  - f. By their specs we can say we can take 3000 s.f. here, 4000 s.f. here, and the School Board Office off. I'll send it back and we will use capital improvement if they charge us to revisit their numbers. The numbers do include equipment.
  - g. My concern is that we don't have the facility necessary to teach the new nursing skills. We don't have the facility we need to do the new welding. We don't have the facility that Chef Knapp needs. The business labs will come over. We will get a Fine Arts center that is second to none at little cost.
  - h. We will have one safe building and it relieves the overcrowding at Floyd Elementary.



- i. With one swoop you take care of our worst roofs, any extra security needs, the overcrowding, and you create an instructional model that will be second to none because for the one transitional year you have a unique experience. Budget wise we are in pretty good shape.

Supervisor Kuchenbuch – What about all of the pipes and electrical systems in all of our elderly buildings? Are these buildings worth doing for the updates? Did the engineering firm look at all of our wiring. I remember a pipe being brought up...

Dr. Wheeler – We shut those down because we don't need sinks in the classroom. Where we can't put a water fountain we will put an external one. It is not the water coming in. It is the pipes going out. The biggest area was the high school cafeteria and it has been fixed. The others are a water fountain here and there and sinks in rooms. We are gutting the 6 main bathrooms at the high school. We are going to get everything up to grade. We went through the pipes and there is no question there are problems but we looked for solutions. The structure itself is not a problem.

Supervisor Kuchenbuch – How has staff retention been this year?

Dr. Wheeler – Last year we had far fewer people leave or retire. Overall for the current year of all the staff we had 6 leave or retire. Janet [Harris] has done a fantastic job with the insurance. The cost has decreased. Most school divisions are going to this but not lowering insurance rates.

Supervisor Boothe – I have heard from several School employees that it is now a good place to work.

Dr. Wheeler – Staff at 3 different schools have told me that they like how the Schools and County are working together for the community and children.

Vice Chairman Turman – It might be a good idea to do a presentation like the one you did at the high school, but a little smaller, at each of the elementary schools. A lot of parents don't really understand what is going on. They won't drive to Floyd to look at it.

Dr. Wheeler – I think that is a good suggestion. I will make it happen. The clock is on the new graduation requirements which are the students who will be 10<sup>th</sup> graders next year. It would be ideal to have this for their senior year.

Agenda Item 6.e. – Mr. David Rose, Davenport & Company.

The Economic Development Authority joined the meeting to hear the presentation.

Mr. David Rose discussed strategies to position Floyd County financially so that borrowing for upcoming capital needs creates minimal strain on the County:

- 1) Adding \$17.2 million to debt without adopting strategies to minimize impact would have an estimated real estate tax equivalent impact of 8¢ in FY21.

- 2) Multiple strategies, including a Strategic Refunding/Restructuring of existing debt, would have an estimated real estate tax equivalent impact of 3¢ to 3.5¢ in FY21.
- 3) Key Assumptions for the Strategic Refunding/Restructuring include:
  - a. In FY19 Floyd County would borrow \$3.5 million from Skyline for 4 years at 3.25% with no collateral required.
  - b. In FY19 Floyd County would refund/restructure existing debt to free up cash flow.
  - c. The County would deposit surpluses and/or fund balance into a Capital Reserve Fund beginning in FY20.
  - d. In FY20 the County would borrow \$17.2 million for a 3 year Interim School Financing at 3%.
  - e. In FY23, the County would acquire a 20 year Structured School Financing loan of \$9.7 million at 4%.
  - f. In FY23, the County would acquire a 20 year School Literary Loan of \$7.5 million at 3%.
- 4) Recommendation and Rationale for Economic Development Financing (2019 Note):
  - a. Short term financing allows Floyd County to maintain its valuable, hard-earned Unassigned Fund Balance.
  - b. Skyline's interest rate would be fixed through final maturity of February 1, 2023.
  - c. Skyline would allow the County to draw funds only as needed. Interest accrues only on the funds drawn down.
  - d. Floyd County would be able to prepay the 2019 Note at any time with no penalty.
  - e. Security for the 2019 Note is the moral obligation of Floyd County to repay the note and no other collateral is required.
- 5) Recommendation and Rationale for Strategic Refunding/Restructuring (2019 Bond):
  - a. The Refunding/Restructuring could free-up approximately \$581,000 in cash flow between FY20-FY23, which could be added to fund balance and a Capital Reserve Fund that will allow Floyd County to shave the peaks off of new debt service.
  - b. BB&T wants some collateral; Skyline does not want collateral.
  - c. BB&T's interest rate is 2.89%; Skyline's interest rate is 3.75%.
  - d. Average payments for BB&T are lower than Skyline by roughly \$5,000 per year.
  - e. BB&T is pre-payable at any time with a 1% penalty during the first 5 years and without penalty during the last 5 years of the loan; Skyline is pre-payable at any time without penalty.
  - f. I recommend Skyline for the Strategic Refunding/Restructuring (2019 Bond) in order to free up collateral and so it can be prepaid without penalty and rolled into the debt for the school project.
- 6) The final maturity of the overall loans does not change. We drop debt service until FY2023 and then it goes up.
- 7) Next year we should get a formal credit rating. Right now Floyd County does not have one.
- 8) Literacy Loan applications are taken even when they are not being funded. If the Literacy Loan program ceases we can apply for a VPSA loan.

Mr. Jesse Bausch of Bond Counsel with Sands Anderson explained the legal documents that were presented to the Board of Supervisors for action:

- 1) Last week we sent to your staff 2 different resolutions with one set of resolutions for the County and one set of resolutions for EDA.
- 2) The first set of resolutions is for up to \$3.5 million Economic Development Financing from Skyline with a 3.25% interest rate and the documents are drafted the way the Skyline bid is set up. It is technically being issued by the EDA with the moral obligation of the County backing the loan. There is a financing agreement between the County and the EDA, where the County makes the payments subject to appropriation. There is a note purchase agreement between the County, EDA, and Skyline Bank. The resolutions approve all of those.
- 3) The second set of resolutions is for the Restructuring and it is with the BB&T bid because we did not know which you would choose. It is a little more complicated because it has the Lease Agreement documents.
- 4) If you want to do the Skyline option for the Restructuring piece, I have prepared and sent to Ms. Morris and Ms. Ryan the documents for that option. That set of documents is similar to the \$3.5 million loan since it does not require collateral.

On a motion of Supervisor Boothe, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the adoption of the resolution as presented to accept Skyline National Bank's bid which would allow borrowing up to \$3.5 million for 4 years at 3.25% with no collateral required with a plan of interim financing with the Economic Development Authority for acquisition, construction and equipping of property in the County for certain economic development projects and approval of the following documents in connection with the transaction: Financing Agreement between Economic Development Authority of Floyd County, Virginia and Board of Supervisors of Floyd County, Virginia; Note Purchase Agreement; and Form of Note (Document File Number 1055).

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

The Board of Supervisors discussed the two bids received for the Strategic Refunding/Restructuring (2019 Bond) – one bid by BB&T at 2.89% which requires collateral and has a prepayment penalty for the first 5 years and one bid from Skyline National Bank for 3.75% with no collateral requirements and no prepayment penalties.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to approve the adoption of the resolution as presented to accept Skyline National Bank's bid at 3.75% with no collateral required and no prepayment penalty for the refunding and restructuring of the \$3,450,500 Public Facility Lease Revenue and Refunding Bond, Series 2006 as amended by an Allonge dated September 12, 2012 and approval of associated documents in connection with the transaction (Document File Number 1056).

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

The Economic Development Authority unanimously voted to approve the resolution to accept Skyline National Bank's bid which would allow borrowing up to \$3.5 million for 4 years at 3.25% with no collateral required. The vote on this item is in the minutes of the Floyd County Economic Development Authority.

The Economic Development Authority unanimously voted to approve the resolution to accept Skyline National Bank's bid at 3.75% with no collateral required and no prepayment penalty for the refunding and restructuring of the \$3,450,500 Public Facility Lease Revenue and Refunding Bond, Series 2006 as amended by an Allonge dated September 12, 2012 and approval of associated documents in connection with the transaction. The vote on this item is in the minutes of the Floyd County Economic Development Authority.

Agenda Item 8. – Old/New Business.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Boothe, and unanimously carried, it was resolved to amend the agenda to hold a closed session with the Economic Development Authority under Prospective Business or Industry §2.2-3711 A.5 to discuss a potential business expansion and Consultation with Legal Counsel §2.2-3711 A.8 to discuss business development.

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 go into closed session 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 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 Real Property in accordance with Section 2.2-3711, Paragraph A.3.; Prospective Business or Industry Section 2.2-3711, Paragraph A.5., and Consultation with Legal Counsel Regarding Specific Legal Matters Requiring Advice 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 approved.

On a motion of Supervisor Boothe, seconded by Supervisor Coleman, and unanimously carried, it was resolved to authorize Hurt & Proffitt to perform retention pond design, cost estimation and other required site plans, and other design work for the Commerce Center under the existing contract.

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

The Board discussed the possibility of going to referendum on the proposed \$17.2 million School Collaboration Center project.

Ms. Ryan passed along information that Mr. Rose and Mr. Bausch had just discussed with her regarding going to referendum on a proposed financing. If an item goes to referendum and it fails with the voters, if a County wanted to modify the plan and then go to the Literary Loan Fund it would be very difficult to get a loan. The Literary Loan Fund looks very

unfavorably on loans to a place where a referendum has failed unless a number of years has passed and the design of the project is significantly different.

Mr. Steve Durbin, County Attorney with Sands Anderson, stated that the Code of Virginia Public Finance Act does require that for borrowing referendums for school purposes that the process be initiated by a formal resolution adopted by the School Board. Once the School Board makes that request then the Board of Supervisors decides whether to petition the court for the referendum. The petition is filed with the Circuit Court. The Circuit Court orders the referendum and it gets put on the ballot. The School Board initiates that process.

The Board members discussed comments made to each of them by their constituents regarding whether the individuals were for or against building the Collaboration Center, the expected cost of the building project, and willingness to pay a tax increase as a result. The Board discussed the dollar amount they would be willing to vote for in financing the building project.

Chairman Yoder polled the Board of Supervisor members regarding the amount they would like to suggest to the School Board as the amount to request in a resolution. By consensus the Board of Supervisors agreed that \$14.5 million was the amount with which they were all comfortable to finance for the building of the Collaboration Center.

Chairman Yoder polled the Board of Supervisors and a majority agreed that the School Board should be asked to pass a new resolution requesting \$14.5 million for the building of the Collaboration Center and that going to referendum did not need to be part of the School Board resolution.

Supervisor Boothe asked that Davenport & Company be asked to look at the new financial numbers using \$14.5 million as the potential amount to be financed. Supervisor Boothe also asked that the design for the Collaboration Center show a route around the building that is not a public right-of-way but can be accessed by emergency vehicles. He also pointed out that we need an answer from VDOT as to whether a cul de sac is needed at Floyd Elementary School and whether an expanded circle is needed at the top of the hill at Floyd County High School.

Agenda Item 7.c. – Adoption of FY20 budget continued.

Supervisor Coleman – I would have liked to have seen more School safety money, but we are working in that direction, especially with Phase 2 project at the high school.

Supervisor Boothe – I hope we can address that as we get into construction and by the time it is completed. I would like to say that we came so far. I know you worked on it some meetings when I wasn't here. It is about the best possible budget we could have considering where we started out and without a tax increase. There are a few things that didn't make it into it. The capital items we will have to address.

Vice Chairman Turman – I've had people from other Counties say to me, "You go through that line by line." I tell them, "Yes." They tell me they don't do that, but that's not the way it should be done in my opinion.

Supervisor Kuchenbuch – I want to go on public record to thank you [Ms. Morris and Ms. Ryan] both for the time you put into this as well as the rest of the staff and department heads throughout this County who work hard to get you all the information you need. If I can use the analogy of a team, we are all on this team together and it is so important that we work for that common cause. I want to thank my four compatriots up here for the diligent work that you also do as I do at going over this and taking it home and studying it and coming back with solutions. As you've said, Jerry, being able to talk frankly between each other and come to a decision. I'm just very glad to work in a County and be a Supervisor in a County that does do exactly like you said. I talk to people all the time and say to them, this is not something we take lightly. We go through it line by line by line. We spend many hours doing this both here in our official capacity in open session as well as at home. Thank you all very, very much.

Chairman Yoder – There are a few places I would have liked to have seen changed too. It is all about give and take and compromise. We all get part of what we feel is important. Part of what makes a 5 member Board work is that each of us feels strongly about certain areas, so we advocate for those areas.

On a motion of Supervisor Turman, seconded by Supervisor Boothe, and carried, it was resolved to approve the FY20 budget in the amount of \$37,356,386 amended to include a pay raise to the Board of Supervisor members with \$7,159 being taken from Contingency to pay for that pay raise.

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

Supervisor Boothe – I would like to make a statement for the record. I fully back what I said earlier. My sole reason is the creation of a certain department that I just can't...as far as the rest of the budget I have no problem with it. I just wanted you to understand why I voted as I did. I appreciate everybody's work all the way down the line. It is just the creation of that one department that I can't get behind, but now that it has been created I will be on board to help make it work.

Agenda Item 6.c. – Resolution to approve the Secondary Six Year Road Plan continued.

Discussion was held on which roads to include on the Secondary Six Year Road Plan and the priority of the roads.

On a motion of Supervisor Coleman, seconded by Supervisor Turman, and unanimously carried, it was resolved that said plan appears to be in the best interests of the Secondary Road System in Floyd County and of the citizens residing on the Secondary System said Secondary Six-Year Plan (2019-2020 through 2024-2025) and Construction Priority List (2019-2020) are hereby approved in the following priorities (Document File Number 1057):

- 1) Route 8 pedestrian signals and improvements;
- 2) Route 727 Moles Road: unpaved road project, from Rt. 604 to dead end (0.95 miles);

- 3) Route 718 Mill Run Road unpaved road project from Route 720 to Route 221 (0.5 miles);
- 4) Route 641 Ponderosa Road hard surface unpaved road;
- 5) Route 760 Quesenberry Road from Shady Grove to 1 mile from Shady Grove;
- 6) Route 768 Firehouse Road: unpaved road project from 0.3 miles east of Route 765 to Route 766;
- 7) Route 680 Starbuck Road from Paradise Lane to Thomas Farm Road and from Thomas Farm Road to the Parkway;
- 8) Route 712 Hope Road;
- 9) Route 764 Merifield Road intersection improvement, drainage and hard surfacing unpaved road;
- 10) Route 683 Roger Road: unpaved road project from Route 221 to 0.50 miles north;
- 11) Route 820 Silverleaf Lane from Route 681 Franklin Pike to end state maintenance (0.5 mile);
- 12) Route 743 Reedsville Road hard surface unpaved road;
- 13) Route 790 Lick Ridge Road from Griffith Creek Road to Pynnhaven Path, approximately 1 mile.

Agenda Item 8. – Old/New Business continued.

Supervisor Boothe – Around 3:00 p.m. PSA will be shutting down water to check on a leak next to The Country Store and fix it. I'm not sure how much of the Town will be affected by the shutdown. Another thing is that I received a message on my phone that the Recreation Authority has received a freedom of information act [FOIA] request. Do I have to respond since it came through on my phone?

Supervisor Coleman – It was directed to the Chair of the Authority and the former Director. We were just copied on the request. The request was made to the Recreation Authority.

Ms. Ryan – Speaking of FOIA, the requirement that you take FOIA training does not go into effect until next year. You are invited to attend the training that will be held here on Friday, but it will not count toward meeting next year's requirements. You have to take the training then.

Chairman Yoder – Ms. TracyAnn Costello, Chair of the Floyd-Floyd County Recreation Authority, has requested a meeting with Ms. Morris and I to discuss a path forward.

Agenda Item 10. – Adjournment.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Turman, and carried, it was resolved to adjourn to Tuesday, June 25, 2019 at 7:00 p.m.

  
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Terri W. Morris, County Administrator





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Lauren D. Yoder, Chairman, Board of Supervisors

