

**BOARD OF SUPERVISORS
REGULAR MEETING
NOVEMBER 21, 2017**

At a regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, November 21, 2017 at 8:30 a.m. in the Board Room of the County Administration Building thereof;

PRESENT: Case C. Clinger, Chairman; Joe D. Turman, Vice Chairman; J. Fred Gerald, Linda DeVito Kuchenbuch, Lauren D. Yoder, Board Members; Terri W. Morris, County Administrator; Cynthia Ryan, Assistant County Administrator.

Chairman Case Clinger 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 Gerald.

Agenda Item 3. – Pledge of Allegiance.

Supervisor Yoder led in the Pledge of Allegiance.

Agenda Item 4. – Approval of minutes of October 10, 2017 and October 24, 2017.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve the minutes of October 10, 2017 and October 24, 2017 as presented.

Supervisor Gerald – yes
Supervisor Kuchenbuch – yes
Supervisor Yoder – yes
Supervisor Turman – yes
Supervisor Clinger – yes

Agenda Item 5. – Approval of November 2017 monthly disbursements.

On a motion of Supervisor Turman, seconded by Supervisor Yoder, and unanimously carried, it was resolved to approve the November 2017 monthly disbursements as presented.

Supervisor Kuchenbuch – yes
Supervisor Yoder – yes
Supervisor Gerald – yes
Supervisor Turman – yes
Supervisor Clinger – yes

Agenda Item 7.a. – Subdivision plats as approved by Agent for October 2017.

Ms. Martin stated you have the plat report in front of you. Plats were fairly slow last month.

Supervisor Kuchenbuch asked what the Recreational Authority survey was for?

Supervisor Yoder replied it was probably – I’m going to guess because I missed a couple of meetings – because they had to resurvey one line to put the trail in. They weren’t sure where the line was. I know they had surveyors down there which was paid for by the folks doing the trail.

Agenda Item 7.d. – Agreement between Floyd County and Blue Ridge Center for Chinese Medicine (BRCCM).

Ms. Martin stated that about a year ago the County agreed to be the applicant with the Department of Housing and Community Development for an innovation grant for BRCCM. That grant was awarded early this year. It took a while to get the grant agreement from the State. We ultimately got the agreement in August. We had done what we could before then by signing an interagency agreement saying that while the County would be the official grantor, BRCCM would be responsible for carrying out the activities. You approved that back in May. What we have for you today is the actual grant agreement. As you will recall one of the questions that we were waiting on after we got the grant agreement was, “What is the definition of full-time equivalent?” Nowhere was that defined. We want to be absolutely clear of the definition so that in a year or two when this is finished we don’t want to fall short. Finally at the end of October I got a response from the State. They count 35 hours a week as a full-time equivalent or any combination of part-time thereof. I do have that in an email form so I feel comfortable with that.

You have two things in front of you – the contract with the State and a Floyd County/BRCCM amendment. DHCD asked the County to be the one that counts the jobs and tracks the jobs. Also, BRCCM is getting an Appalachian Regional Commission grant which we don’t have to be the applicant for, but they asked the County to play the role of holding a lien on the equipment. That is what this amendment does. That is why you see \$125,000.00 for the Appalachian Regional Commission described here. We will do is a UCC filing like we do for the Floyd County 5 & 10 loan program where we basically take a lien on a piece of equipment. We would hold that for 10 years to make sure that the equipment stayed in Floyd County for the benefit of the program here.

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Yoder, and unanimously carried, it was resolved to approve the Agreement between the Virginia Department of Housing and Community Development and Floyd County (Document File Number 950) and the Floyd County/BRCCM Agreement Amendment (Document File Number 951) and authorize the County Administrator to execute the agreements.

Supervisor Yoder – yes
Supervisor Kuchenbuch – yes
Supervisor Gerald – yes
Supervisor Turman – yes
Supervisor Clinger – yes

Agenda Item 7.b. – October 2017 Department of Inspections Report.

Ms. Morris reported that permits are down considerably from last year when we compare October to October. Year-to-date we are much closer. There really isn't any rhyme or reason for the difference.

Agenda Item 7.c. – Memorandum of Understanding for Septage Service Outside of Service Area for Calendar Year 2018.

Ms. Morris reported that this agreement is updated each calendar year and this one has no changes from the previous year.

On a motion of Supervisor Yoder, seconded by Supervisor Turman, and unanimously carried, it was resolved to approve the Memorandum of Understanding with Pepper's Ferry Regional Wastewater Treatment Authority for Septage Service Outside of Service Area for Calendar Year 2018 and to authorize the County Administrator to execute the Memorandum of Understanding as presented (Document File Number 952).

Supervisor Gerald – yes
Supervisor Kuchenbuch – yes
Supervisor Yoder – yes
Supervisor Turman – yes
Supervisor Clinger – yes

Agenda Item 7.e. – FY18 Local Allocation to the Virginia Department of Health.

Ms. Morris stated we received a request from the Health Department for \$2,189.00 for the County share of pay raises they received beginning in July. We did something similar to this last year. They have to wait so long before they get final approval from the State for pay raises that we have already done the appropriation to them.

On a motion of Supervisor Yoder, seconded by Supervisor Kuchenbuch, and carried, it was resolved to approve transferring \$2,189.00 from Contingency to the local health department to support the local matching share of pay raises.

Supervisor Kuchenbuch – yes
Supervisor Yoder – yes
Supervisor Gerald – yes
Supervisor Turman – yes
Supervisor Clinger – yes

Agenda Item 7.f. – Request from Floyd County Merchant's Association for additional funding.

Ms. Morris stated this item is a request from the local Merchant's Association for an additional \$500.00 in funding. I questioned them if this was for a specific project or if they were over budget. They are over budget.

Supervisor Kuchenbuch stated that in the future it would be nice to have a more detailed request.

Ms. Morris replied I requested that.

Supervisor Yoder suggested tabling the request for a month and ask for a detailed request.

Supervisor Kuchenbuch said a request to the County government should include more information.

Chairman Clinger said this is a worthy organization.

Supervisor Kuchenbuch agreed, absolutely.

Vice Chairman Turman said she does a great job.

Supervisor Kuchenbuch agreed that the Floyd County Merchant's and Businessmen's Association does a great job with what they get.

Chairman Clinger said he was sure they would address this in their budget request next year.

On a motion of Supervisor Turman and seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to approve transferring \$500.00 from Contingency to the Merchants Association contribution.

Supervisor Yoder – yes
Supervisor Gerald – no
Supervisor Kuchenbuch – yes
Supervisor Turman – yes
Supervisor Clinger – yes

Agenda Item 7.g. – Acceptance of Abstract of Referendum Votes and Abstract of Votes from November 7, 2017 election.

Ms. Morris said the next item on the agenda is the acceptance of Abstract of Referendum Votes and Abstract of Votes for the Courthouse District and Indian Valley District Board of Supervisors. As you will recall this acceptance is required to be shown in the Board's minutes each year.

Chairman Clinger said this is passed down by the State that we have to accept it but we can't change it, so it is a mandate

Supervisor Yoder asked why the Vice Chairman had not signed the Abstracts?

Ms. Ryan replied that the Registrar told her that he was not available, but that it was okay without his signature.

On a motion of Supervisor Kuchenbuch and seconded by Supervisor Turman, and unanimously carried, it was resolved to accept the Abstract of Referendum Votes and Abstract of Votes for the November 7, 2017 elections as certified by the Electoral Board.

Supervisor Gerald – yes
Supervisor Kuchenbuch – yes
Supervisor Yoder – yes
Supervisor Turman – yes
Supervisor Clinger – yes

Agenda Item 9. – Old/New Business.

Ms. Morris reminded the Board that they had authorized her to issue a RFP for Solid Waste Transportation Services. We received 1 bid from our current hauler. There were no changes whatsoever except for a raise in rates. In 2006 we had a 5-year contract with Thompson Trucking with a 5-year renewal clause that we exercised at that time. Our current rate is \$275.00 per load. He raised that to \$299.50. In addition there is a fuel surcharge that varies from month to month. We have not had a rate increase since the 5 year renewal. It was \$255.00 at that time. Ms. Morris said Thompson Trucking provides excellent service.

Supervisor Yoder said we probably couldn't do it ourselves for that price.

Ms. Morris stated that we could not.

On a motion of Supervisor Kuchenbuch and seconded by Supervisor Yoder, and unanimously carried, it was resolved to approve the Thompson Trucking contract for a 5-year term with the option to renew for an additional 5 years and authorize the County Administrator to execute the contract (Document File Number 953).

Supervisor Yoder – yes
Supervisor Kuchenbuch – yes
Supervisor Gerald – yes
Supervisor Turman – yes
Supervisor Clinger – yes

Vice Chairman Turman stated he wasn't proposing this but he had some people ask him why the landfill didn't stay open until 2:00 p.m. on Saturday. They felt that they were at a disadvantage by having to be there by 11:30 a.m. on Saturday. Would you please look at that? It might save a lot of that excess garbage around the green box sites.

Supervisor Yoder said when he was working on his house it was hard to get started and get it all loaded and up here by 11:30 a.m.

Supervisor Kuchenbuch said it probably won't take away everything around the boxes, but I think more people would go if it were open later.

Ms. Morris said I believe it was a compromise with the hours. None of the guys want to work on Saturdays.

Supervisor Kuchenbuch said there is no doubt that our staff is dedicated. We see them out working late at night and in the early hours of the morning.

Vice Chairman Turman and Supervisor Yoder agreed.

Ms. Morris said it is easier on them to pick up at the odd hours when there isn't as much traffic. Especially around the holidays they work all kinds of hours. But we can look at it.

Supervisor Yoder said to extend hours we might have to hire additional staff.

Ms. Morris said right now we have it that if they work on Saturday they can take an afternoon off during the week or use compensatory time. We will look at it.

Supervisor Kuchenbuch said when they were at the VACO conference she and Supervisor Yoder went to the Bath County High School to look at the solar panels.

Supervisor Yoder said the panels weren't very noticeable. You just about had to drive into an upper parking lot and look down on them. Even the wiring coming off was very minimal.

Supervisor Kuchenbuch said it was very well done and very interesting.

Agenda Item 6.b. – Public Comment Period.

Chairman Clinger called for the Public Comment Period.

Mr. Billy Weitzenfeld with SustainFloyd, Courthouse District – Good Morning. I first wanted to take the opportunity to thank Mr. Clinger and Mr. Gerald for your service to the County. It is very appreciated. I hope you enjoy your free time. I hope there will be some. Thank you very much.

I guess I just have a couple of comments in relation to trying to move forward from the resolution that was passed. One cool thing that is happening is last Thursday SustainFloyd hosted a meeting and collaboration with James Madison University on a potential grant opportunity for very low interest loan opportunities for small wind in Floyd County. We had about 50 people at the library. There is a lot of interest and enthusiasm. Again these are small systems. They are not utility scale ridge top wind farms. They would be located on a person's property. The grant is specific toward agricultural farms and small businesses. James Madison University is also available to help an individual homeowner. We had a lot of people sign up for site evaluations to look at the potential to install small wind. I think what is significant is that it is a step and I am not sure where this will go. But that is a potential step for more renewable energy in the county, which is a little bit what that resolution is about.

The second thing to try to reinforce the interest and effort – you just mentioned the Bath County Schools – to continue to really look at solar panels on the high school and even beyond to all the schools in Floyd County. I want to remind the Board that there are almost 4,000

schools right now in America that have solar. Three million students are sitting in classrooms as we speak that are either fully powered solar or partially powered by solar. This is not some fly-by-night effort. It is happening all over the country and it continues to grow. It's a movement because schools are saving money by moving in this direction. They are also becoming clean energy producers. It is also an educational opportunity for the students.

We talked at the solar presentation a little bit about financing options. The power purchasing agreements were talked about a little bit. That is still the primary way schools are going about financing this. Very few schools that have moved toward solar have done any kind of tax increase or bond or anything like that. They are really looking at creative financing options out there. That is important to note. This is not about a tax increase, at least at this point.

The other thing we talked about, probably not enough, was the first step. If you are going to put solar panels on your house – and I signed a contract yesterday to finally get some panels on my house – you want to make your home as energy efficient as possible before you take that step. It is no different with the schools. We hope as the School Board is looking at this opportunity and working with their engineers and other people they brought in they will make a real hard effort to try to make the high school more energy efficient. You are looking at base load more than anything else. Lighting is big and will have an immediate impact on usage. I know the high school has a coal-fired boiler and there is a lot of talk about replacing it, which is certainly a good idea. You want to go with as energy efficient a system as you can, whatever that might be and there are some options. There are a lot of schools that are heating classrooms and office space but not hallways. That is an interesting approach. Energy management systems, upgrading insulation, lowering hot water use, using natural light – there are a lot of different low cost things and some higher cost that can be applied at the high school. Again, I'm just trying to keep this out there and moving forward which is what I hope we are going to do. Thank you.

Ms. Linda Wagner, Courthouse District – I would like to give a shout out to Willis Elementary School. If none of you have attended their Veteran's Day program, please put it on your agenda for the future. I think they have been doing it 17 or 18 years. The keynote speaker has been in a military position doing speeches throughout the country. He said never in all of those 40 years has he ever seen a school, much less an elementary school, go to such great excellence. Kudos to the staff, faculty and students. It was absolutely amazing.

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

Agenda Item 6.c. – Mr. Kevin Sowers, Emergency Services Coordinator.

Mr. Sowers handed out information on calls responded to in the month of October by Floyd County Volunteer Fire Department, Floyd County Volunteer Rescue Squad, and Floyd County Emergency Medical Services (EMS). Volunteer Fire responded to 39 calls in October with a total of 376 man hours. Volunteer Rescue Squad responded to 24 calls in October. The paid EMS staff ran 113 calls in October. I asked both volunteer groups to provide man hours if they could next month.

Chairman Clinger said on one of those days there were 10 calls for EMS staff. They were back and forth, back and forth.

Mr. Sowers said there is no rhyme or reason to when calls come in. Sometimes they run hard all day. The next day they may sit there.

Chairman Clinger said it doesn't look like the Rescue Squad responded to any of the calls on that day.

Mr. Sowers said if you listen to scanners it is almost a given that if they have two calls, there will be a third one. They are doing a good job. Staffing is where it needs to be. To the best of my knowledge we haven't asked for mutual aid.

Chairman Clinger said before we were using mutual aid quite a bit. We still call for it once in a while.

Mr. Sowers responded that is acceptable.

Chairman Clinger agreed that is what it is set up for.

Mr. Sowers said before it was almost daily.

Chairman Clinger said I am surprised on that day with 10 calls for EMS that we didn't call for mutual aid.

Mr. Sowers responded I think the system is working. I thank the Board and Ms. Morris for all of your help getting it that way.

Supervisor Kuchenbuch inquired what does it mean when it says, "Patient Treated, Transferred Care to Another EMS Professional"?

Mr. Sowers said that would be to Life Guard, most likely.

Supervisor Yoder said once in a while a transport agency comes in and needs help loading. Every once in a while you might see that.

Supervisor Kuchenbuch stated there were 7 cancelled prior to getting to the scene. Are we in transit and then the caller cancels?

Mr. Sowers replied either the patient decides to drive themselves or someone comes and drives them. Most of the time that is what it is. Sometimes they get calls for a 1050 or a wreck, get there, and they refuse care.

Chairman Clinger said I heard one the other night where a call went in when the wreck first happened. The first deputy on the scene said everyone is alright so EMS turned around.

Mr. Sowers said everyone has to work together and that is resource management. That is what needs to go on.

Supervisor Yoder asked if the “Standby” on the Volunteer Rescue Squad sheet was for football games?

Mr. Sowers confirmed that it was.

Ms. Morris added sometimes it is for festivals.

Supervisor Yoder said he is concerned because he has been told that there have been times when there was only one person on the truck. I don’t know how we can police that.

Mr. Sowers said at some point there probably needs to be minimum standards. We could look into that.

Supervisor Yoder said I am concerned that something could happen and somebody doesn’t get care.

Chairman Clinger suggested that it would have to be more at the School end. If EMS were providing the care we know what our minimum standards are, but the school needs to establish a minimum service level for whoever staffs the trucks.

Supervisor Yoder addressed Dr. John Wheeler, Superintendent of Floyd County Public Schools, who had just joined the audience. We are talking about call numbers for emergency crews. To discuss for next year the minimum standard of what we need to have in response for football games. When people see a Rescue Squad they expect staff to provide a certain level of care.

Chairman Clinger said that since it is the volunteer side, we can’t dictate that. The school needs to have a policy in place.

Ms. Morris stated I would think that the Virginia High School League would have some standards in place on what they require.

Mr. Sowers said we will address it. This is a good idea.

Supervisor Yoder said 39 calls in a month for the fire departments are a lot.

Mr. Sowers responded with them being all volunteer they are doing very well.

Supervisor Yoder asked if there were any issues with fire responding to calls? I know during the day...

Mr. Sowers agreed during the day it can be difficult, but you can always reach out to somebody.

Vice Chairman Turman asked if the report numbers included when they responded to a 1050?

Mr. Sowers responded yes. I believe out of the 39 calls, 15 were traffic accidents and 3 were road hazards. They do a lot beyond dealing with fires. We are glad to have them.

Supervisor Kuchenbuch said of course the structure fires were the first light up of the woodstoves.

Mr. Sowers said we lost a home near Mr. Turman's district in October right at the county line in Carroll.

Chairman Clinger thanked him for the format of the report and asked that he continue to provide the information in that format.

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

Dr. Wheeler stated one of the important things that we do to change culture is with early childhood development. There is no question that if we can do that we can solve a lot of issues that happen later on in these families. One of the things we were doing earlier, we supplied a resource backpack to all of our pre-K students. There were 58 of those. They have items that are useful for literacy development and social development. We spent a lot of time looking at what those items needed to be. We met with those families on back-to-school night. We showed them how to use them. They came with directions and they have numbers they can call. It opened up the channels of communication. One of the best things is that it gave our Head Start, which is run by New River Community Action, access to the families. Part of their service to get their grant is to be in the homes with these families. It gave them a beautiful avenue so that when they went to the homes, it wasn't just a discussion anymore. It was a teaching moment, parenting-teaching moment.

We are going to do this again and try to hit at least 60 homes of children that aren't in our school right now. We already have the backpacks together. We have lists from Head Start. We talked to Tracie [Brewster, Department of Social Services] to see what families they work with. If you know of any families to refer, we want to put eyes on these families and talk to them and explain the resource. We want to start that relationship. The great thing about this it is not just us, it is New River Community Services Head Start.

People have expressed an interest in sponsoring a backpack. That is fine. Backpacks cost us \$83.87. For some businesses we are telling them \$80.00 a backpack if you would like to be a sponsor. We've gotten a couple of nice sponsorships. Two places are sponsoring 10 backpacks. It helps with the costs. These are instructional costs. They are not beyond our budget. We don't really need the money. We are making sure that we use all of the money for these reasons. I want to let you know that you may see some businesses with a little flyer that says basically if a family wants one or if you want help using this, call the School Board Office.

Along those lines we are doing a one book-one school for the whole division. We'll all be reading the same book in our elementary schools. Our Literacy Specialist, Tammy Huff, and

Jessica [Cromer, Assistant Superintendent], and all our Title I reading teachers got together with our librarians. This is a pretty cool initiative. It gets literacy back in and changes that culture. It is what we are working on to get that done. So we are not out begging for money, we just want people to help change the culture. It is a big initiative. Anything you have and I talked to Sheriff Craig about anything they can do with literacy, we'll supply them with backpacks. Anybody who serves the households in Floyd County we want that to be part of the service. We'll get them a backpack.

Supervisor Kuchenbuch said it speaks highly of our community that you have businesses that are willing to donate that kind of money without being asked.

Dr. Wheeler agreed that it is amazing. We weren't even looking for it.

Chairman Clinger stated it is a good program. A base foundation builds everything.

Dr. Wheeler said right now we are looking at possibly in January expanding services and pulling in more 3- and 4-year-old kids who aren't in school. I think we are going to be able to do it and start that in January. The basic objective is we want literacy rich homes and we want people to understand what being literacy rich is. That is the culture we want to help them understand. It is going well. We have a lot of work to do but we have the avenues and a lot of good people here helping with it.

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

Mr. Clarke updated the Board on items being worked on. With the storms that have come through we did some tree cleanup on Emmanuel Road and Hylton Road. Mostly it has been routine maintenance. We have been doing a lot of work with our Floyd County crews on the 6 Year Plan projects. They got Diamond Knob Road finished and the surface treatment on that before bad weather came. Actually we had to patch one spot already. We will be keeping an eye on it this winter. We did some pothole patching on Coles Knob Road and some on Hope Road. We've done pipe replacements and repairs on Sowers Road and Little River Road, as well as a pipe replacement on Black Ridge Road. We did some brush cutting on Conner Grove Road and brush removal on Route 221 N. That has been the focus. We wanted to get Diamond Knob done and we used a lot of the Willis crew and some of our residency wide crew in addition to the Check crew. It's a good thing. They like to get out and do something a little bit different. And they take pride in building a local road.

The other thing we are working on is the design for the pedestrian signals downtown. We are hoping to have a public information meeting in January. We will advertise that. We are thinking of holding that in the Town Council chambers. It would be a central place and get the town involved.

Chairman Clinger said the town needs to be involved with that. We pay for the road but they could be a roadblock on it or help us along.

Mr. Clarke said we get valuable input from Council members who live downtown. I'll talk to the Town Manager and get a date that will work probably from mid to late January.

We've also got the project on Alum Ridge that is getting near to being advertised. That should be advertised sometime in the winter months. You should see some construction on that over the summer. We'll be working on some of the curves on Alum Ridge Road by the church and the store.

Supervisor Kuchenbuch suggested advertising the public information meeting downtown in the same manner that announcements are made at exit 114.

Mr. Clarke said a lot of times we'll post that we are willing to hold a public hearing. But we can put up some kind of notice as well. Technically it is not a hearing, it is an information meeting. We will take comments and suggestions. If possible we will work them into the design that is already underway. We can't change anything major. But small decisions that are still to be made, there can be local influence on that. That is a good idea. The downtown project and the Alum Ridge project are two non-unpaved road projects. We are also working on getting New Haven Road advertised. We are working on the design of Moles Road. We have several that we are trying to put out to advertisement.

Supervisor Yoder said he and his wife hiked the Buffalo recently. The improvements you made there are great. If we could make the whole way look like that, it would be awesome.

Mr. Clarke said I don't think we will have a formal meeting, but we are going to try to talk to each of the property owners as we are going through and getting easements. We'll try to figure out what they want it to look like. You have that entrance part up to the farm and then it gets much narrower as it starts to go through the woods. It may not have to look exactly the same. It is going to take a lot more work at the far end if you are going to make it as wide as the upper part. There may not be much of a need for that. But we also know that people who are going up there are taking their pickup trucks so you want two fairly large vehicles to be able to pass each other. That is why that one is taking a little bit longer – to be sensitive to the setting of the road itself and not just to come through and bulldoze and make it 30' wide. But you also want it functional for modern vehicles. We are trying to balance all of that.

Supervisor Yoder said he was amazed at how many out of state tags were on the vehicles of the people hiking. We want to put our best foot forward there.

Supervisor Kuchenbuch agreed that is sometimes the first thing they hike and then they come into town. That is the first thing they see so it is important.

Mr. Clarke said you have that and you have to be sensitive to the residents there too. But you can't stop people from coming and you don't want to. But I think this will help the people who live there with all of the traffic. It is an opportunity to fix some drainage issues too.

Supervisor Gerald said he would like to thank him for all of the road improvements in Indian Valley. I feel good about leaving the Board with the roads in the condition they are in. I appreciate the work done on Indian Valley Road and Max Mountain Road at the intersection.

Supervisor Kuchenbuch thanked Mr. Clarke for finally getting the Franklin Pike lines painted. Election Day was foggy and I got a couple of comments from voters. By the time

Saturday rolled around that week, lines had been painted on the road. Everybody is happy now. Out in my end of the county two requests have been made to change where stop signs are posted. I don't know what the rules and regs are on that. One is for the discontinued Route 8 on Carriage Road. When it comes down the hill to White Oak Grove Road, White Oak Grove Road has to stop. Nobody is coming down Carriage Road. Probably in the last 40 times I have driven there have been 2 cars on that road. This is what the constituent was saying to me. I have to stop but nobody is ever coming. Is there a way to switch the stop sign to Carriage Road coming down the hill and let White Oak Grove Road proceed?

Mr. Clarke said they usually try to put the stop sign on the minor movement so fewer people have to stop. The only concern we have is changing a situation that is already in place because people tend to drive by habit. When we do change things we put up a sign that says, "Caution, new traffic pattern ahead." I'll have our traffic engineering people look at that. They need to review it, but they prefer to have the signs on the minor movement part as well.

Supervisor Kuchenbuch said that one doesn't make any sense. It was a sign that was there when Route 8 was there. The other one they brought up is on my road and I don't have a pony in this race at all. They said Brush Creek Road coming up from Montgomery County to the county line at St. Matthews Cemetery at Dobbins Hollow Road and Laurel Ridge Mill Road, Dobbins Hollow on the ridge has the stop sign. Please have engineering look at that. What they are saying is take the stop sign off of Dobbins Hollow Road and put it on Brush Creek Road coming up. Dobbins Hollow Road and Laurel Ridge Mill Road have become a cut through from Route 8 to Route 615. It is used much more than it ever was.

Mr. Clarke said sometimes the stop sign is placed because of a site distance issue. This may or may not be the reason for these placements.

Supervisor Kuchenbuch said where Silver Leaf Road comes out near the Radford Cemetery, it supposedly goes around and in through the cemetery and back out. They are asking for gravel on the part that goes through the cemetery. The gentleman who lives on Remington Road asked about that road again. A person who lives off of Sams Road tries to maintain the road.

Ms. Morris said part of Sams Road is state maintained.

Mr. Clarke said he will check on it.

Vice Chairman Turman showed Mr. Clarke pictures of Hope Road during a recent storm. The homeowner inquired about being added to the 6 Year Plan. I rode out through there yesterday and the road is so narrow that some of the ditches are 2' deep. I can see their concern. It is hard to keep the gravel on it. I think there is a big farm on the other side which is causing the trouble because of their trailers.

Mr. Clarke said he could see the road is below the property. That is always tough. It is a good candidate.

Vice Chairman Turman said I didn't know Hog Mountain Road was a state road. I thought it was a private driveway. I know you don't control GPS, but it still sends people through there.

Mr. Clarke said at one time we looked at extending Winery Road, but right of way is tough and we don't want to add another gravel road. I will look at this and respond to him and to you as well.

Vice Chairman Turman said there are four houses and barns off of Conner Grove Road and I thought it was a private driveway. But I looked at a map and it shows that it is a state maintained road. Also, right below C. W. Harman's there is a pretty good-sized ditch. Thank you for all the work you have been doing.

Supervisor Yoder expressed his appreciation for the work done on Diamond Knob Road. The only thing I am really concerned about is the crosswalks in town. There are some that still need to be done.

Mr. Clarke replied correspondence about that has already been sent.

Ms. Morris said they were painting lines on crosswalks yesterday.

Chairman Clinger said the potholes on Oxford Street that I brought up last month are still there. I know it will probably be taken care of when the sidewalks are replaced, but if we could get some patching it will help. I appreciate that you keep moving forward on the downtown renovations.

Ms. Morris asked about the status of the guardrails on Route 8?

Mr. Clarke said it is moving along. There is an issue trying to get around major utilities. I'll find out the status.

Ms. Morris said we said 30 days, then 90 days. She has called Richmond again if you hear from that office.

Ms. Ryan said at the Joint Subcommittee meeting the question was raised about the progress on getting right of way on Christiansburg Pike for the sidewalk?

Mr. Clarke said he was not sure but he would find out. I know we've looked at that but there isn't a project.

Chairman Clinger said it was left that you were going to be the approaching agent to the property holders about getting the right of way. That is the way it was left.

Mr. Clarke responded I know Paul Brown in our office was working on that.

Chairman Clinger said we don't have a project. We just figured before we get too far along that if we could get the right of way, it would help us know which way to go with that project.

Agenda Item 6.f. – Ms. Juli Dellorso, Executive Director of NRV CARES.

Ms. Dellorso stated NRV CARES stands for New River Child Advocacy, Resources, Education, and Services. It is a local, private, non-profit organization dedicated to preventing child abuse and strengthening families and communities through education, advocacy, and community partnerships. As an affiliate of Prevent Child Abuse Virginia and the National CASA Association, we help to protect children through our programs: Parent Education, Court Appointed Special Advocates (CASA), and Community Education.

Our Parent Education programs nurture respectful relationships while providing support to all families. At NRV CARES, we believe that asking for help isn't the sign of a bad parent, it's the sign of a good one. It's hard to ask for help, especially when it's something that is supposed to come naturally, right? Our Parent Education has a few layers; Parenting Young Children, Circle of Parents, and Parenting through Separation and Divorce.

Parenting Young Children is an 8-week series designed for parents and caregivers of children ages birth through 6. Using the STEP method (Systematic Training for Effective Parenting), this series discusses a wide range of topics including: the different developmental stages children go through; effective, diplomatic discipline; and communication, just to name a few. This course is free to all participants and provides dinner, childcare, and educational resources that participants take with them at the completion the class. We actually just finished our Floyd Parenting Young Children course on November 20. That group met at New River Community Action in Floyd. We had 9 people in that group. We have another class scheduled for Floyd in spring 2018. So if that is something you would like to be a part of, please feel free to reach out to sign up. It is open to grandparents as well.

They say it takes a village, right? As cliché as that sounds and is, we couldn't agree more. Our Circle of Parents group is exactly that. This is a group that is open to all parents and caregivers of children of all ages. Meeting once a week, this parent driven, professionally facilitated group comes together to share in each other's challenges and successes while developing a network of support. As parents and grandparents we need all the help and support we can get. Circle of Parents is free and includes dinner as well as a structured children's program which emphasizes the importance of working with the family as a whole and reinforcing family support principles.

Co-parenting is never easy and sometimes it is downright messy. Because life and relationships are never perfect and take hard work and dedication, we also offer our Parenting through Separation and Divorce class. This is a 4-hour seminar specifically designed to help parents and caregivers of children under the age of 19, support their child's emotional wellbeing during the transition of separation and divorce. Using curriculum approved by the Virginia Supreme Court, this program is typically held once a month.

Did you know that every day in the country 1,900 children become victims of abuse and neglect? CASA, which stands for Court Appointed Special Advocates, is a community-based program which provides services to abused and neglected children. CASA trains and supports volunteers who advocate for safe, permanent homes for these children and breaks the cycle of abuse and neglect in families. Having an advocate for the child is important to the courts, the foster family, the biological family, and all who provide services to the child.

CASA's goal is to provide a trained volunteer who can be the "eyes and ears" for the judge in these cases. It is the priority of the CASA volunteer to be a constant for the child or children in their case or cases. Each volunteer is assigned a maximum of two cases and sees them at least twice a month. This is a very time intensive volunteer position. The CASA writes a fact-based report from their investigations and observations which is reviewed by staff and then given to the judge so that the best decisions can be made for each child's future. CASA strives to be the voice for the child and provides support for their best interest during court proceedings. At the conclusion of the case, CASA's role ends with the child being in a safe, permanent placement. In Floyd County, CASA went from serving one child in program year 2015 to serving 12 children in program year 2017.

"To give a child a CASA is to give them a voice. To give them a voice is to give them hope. To give them hope is to give them the world." This was said by a CASA recipient. During FY17, 36 CASA volunteers provided more than 2,522 hours of advocacy, serving 120 children, right here in the NRV. That is right here in our own backyard. It does happen and it is needed.

It is understood that happy, healthy families create happy, healthy communities. NRV CARES aims to educate our community about the existence of child abuse and its traumatic effects and how we can support and protect our children. April is Child Abuse Prevention month, during which time you will see beautiful Pinwheel Gardens pop up all around you. The pinwheel serves as the national symbol for child abuse prevention. It is a reflection of hope, health, and safety, which is what our children deserve and what we as a community should be striving for every day.

NRV CARES provides several opportunities for our community to learn more about what we can do to prevent child abuse and neglect. We also work to educate our children on how to protect themselves as well. *Hugs and Kisses* is a musical tailored to young children, which introduces the concept of good, bad, and secret touching. Performed in elementary schools, it is presented in a sensitive and age-appropriate manner. NRV CARES works with local Departments of Social Services (DSS) to offer this program for free to any and all elementary schools with DSS staff on hand at every performance to provide onsite response to children who may have questions and they do. I have seen it. It is heart wrenching. But it is a necessity.

While these conversations may be difficult, they are absolutely necessary to ensure the safety of our children. Our Stewards of Children training is a two and a half hour seminar designed to educate community members on how to identify and appropriately report child sexual abuse. NRV CARES uses professional trained facilitators to present this material free of charge to anyone in the community who works with children; including agencies, civic and religious organizations, coaches and counselors, just to name a few.

Community Education raises awareness on the issues of child abuse and neglect and how it may be identified and prevented. Currently the estimated cost of child abuse and neglect to the NRV is more than \$4.7 million annually. The costs are a result of increased medical care, loss of productivity to the community, juvenile delinquency, long-term health care, substance abuse, special education needs, adult incarceration, and others costs associated with the long term effects of childhood trauma.

In FY17, NRV CARES served 1,925 children and families in the NRV. Utilizing a total of 115 volunteers, we were able to see the rates of child abuse drop in most locations. Our programs are supported by volunteers, individual contributions, grants, fundraising events, corporate sponsorships, and referrals. NRV CARES services are available to all citizens living in the counties of Floyd, Giles, Montgomery, Pulaski and the City of Radford. I would like to take a moment to thank you, Floyd County, for your generous support of NRV CARES. Every donation helps.

It is our responsibility to work together to improve the lives of the smallest and most defenseless members of the New River Valley. Please help us to support an environment where families can thrive and our children will know that they truly are the heart of our community. Thank you.

Agenda Item 6.g. – Closed Session – Personnel 2.2-3711 A.1.; Real Property 2.2-3711 A.3.; and Consultation with Legal Counsel 2.2-3711 A. 7.

On a motion made by Supervisor Turman and seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A. 1., Discussion, consideration, or interviews of prospective candidates for employment: assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; Section 2.2-3711, Paragraph A. 3., Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and Section 2.2-3711, Paragraph A. 7., Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultations or briefings in open meeting would adversely affect the negotiating or litigating posture of the public body; and 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 Gerald – yes
Supervisor Kuchenbuch – yes
Supervisor Yoder – yes
Supervisor Turman – yes
Supervisor Clinger – yes

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

Supervisor Gerald – yes
Supervisor Kuchenbuch – yes

Supervisor Yoder – yes
Supervisor Turman – yes
Supervisor Clinger – yes

On a motion of Supervisor Gerald, seconded by Supervisor Turman, 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 Personnel in accordance with Section 2.2-3711, Paragraph A.1; Real Property in accordance with Section 2.2-3711, Paragraph A.3; and Consultation with Legal Counsel in accordance with Section 2.2-3711, Paragraph A.7 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 Kuchenbuch – yes
Supervisor Yoder – yes
Supervisor Gerald – yes
Supervisor Turman – yes
Supervisor Clinger – yes

Agenda Item 6.h. – Mr. Stephen Durbin, Sands Anderson.

Mr. Durbin discussed the draft ordinance pertaining to tax on prepared food and beverages. A lot of the provisions of our draft are dictated by State Code. There are a few areas where there is some discretion in terms of tax rate, enforcement, and a possible commission on collections. For the most part it is pretty well spelled out in the code.

Chairman Clinger stated for the record that he, as the owner of Pizza Inn which will be collecting this tax in the course of doing business, is a member of a group of three or more individuals affected by the matter before the Board for consideration. I am able to evaluate the matter and decide on the matter impartially and in the best interest of the public.

Mr. Durbin stated that section O. – Commission for collection addresses the County allowing businesses that collect this tax a commission for doing so. Not all localities do that. It is permissible but not required.

Chairman Clinger stated the Town allows businesses a commission. If we are trying to keep the ground level between the Town and County, it is something you need to be aware of.

Mr. Durbin said I included that in the draft for discussion purposes. It is easier to slash something out instead of putting it in. As far as the amount of the tax, you have discretion to adopt up to the amount put in the referendum, which was 4% the maximum amount allowed by Code.

Chairman Clinger said towns and cities have a little bit more latitude and can go higher. The County's tax rate will be lower than the 5% rate collected for the Town. Their commission back to businesses is 1%.

Mr. Durbin said there are exemptions that apply. The tax is not applicable to unopened, pre-packaged snacks such as chewing gum, candy, popcorn, and things such as that. These items are pre-sealed and intended to be taken home for consumption. Food sold in bulk is exempt. The same food could be taxable and it depends on its packaging. If you buy a gallon of ice cream at the grocery store it is not taxable. The same ice cream in a cone at the dairy counter would be taxable and not exempt. A lot of it depends if it is factory sealed. Beverages bought at a convenience store that are sealed are not subject to tax, but a soda bought from the fountain is not exempt. Same thing with alcoholic beverages. If they are sealed for home consumption, they are not subject to this. If it is ordered as part of a meal, then it would be. Also exempt is food or beverages sold through vending machines and food or beverages furnished by boardinghouses that do not accommodate transients. You will see that a lot of these are for nursing homes, boarding homes, and homes for incapacitated individuals where the food is served as part of your rent. Food or beverages sold by cafeterias for employees as part of their wages is exempt. Food or beverages sold by volunteer fire departments or other charitable organizations, those are exempt from the meals tax up to three (3) charitable fund raisers a year.

Supervisor Yoder inquired if the exemption could be more than 3 fund raisers a year?

Mr. Durbin replied I am aware of other localities that have expanded that exemption. For example, I know of at least one other locality whose ordinance says "for the fourth and subsequent event it is exempt up to \$100,000.00 collected. Beyond that amount it is taxable."

Chairman Clinger asked if the State exempts sales tax for them up to three or completely?

Mr. Durbin said he didn't know. He would have to look at that.

Chairman Clinger suggested tying it in to what the State Code says.

Supervisor Yoder said the fire department here in town does a lot of fundraising. I would hate to see them be subject to trying to collect this.

Supervisor Kuchenbuch agreed and added the Methodist Church does more than three meal fundraisers a year. I don't want churches to have to collect this.

Supervisor Yoder said I would like to see what our options are regarding this.

Mr. Durbin said he would lay out some options for them to consider. Food or beverages sold by a private or public elementary school, high school or university to students or employees are exempt.

Supervisor Yoder asked if this meant the booster club at the high school would not have to charge and collect this meals tax?

Mr. Durbin responded that boosters would probably fall under the same exemption as the churches. It is a benevolent organization. The limit of three might be a problem. I will look at the options to exempt that.

Supervisor Kuchenbuch said that was not our intent.

Supervisor Yoder said it would be a real hassle for organizations like the fire department or boosters. They would have to figure out of the \$10.00 they charge for a meal how much to give the County and there is the paperwork involved. It is a volunteer organization that struggles to get by.

Mr. Durbin said I will give you options. I know of at least one other locality who exempts beyond the minimum. These are the State requirements of what you have to exempt. I will be happy to lay out the options of what you can additionally exempt.

Vice Chairman Turman asked about the situation where he conducts an auction and has someone do the concession. Most of the time it is done by church groups or girl scouts.

Mr. Durbin stated those would probably fall under the benevolent exceptions.

Supervisor Yoder said a caterer would have to collect and pay the tax.

Mr. Durbin agreed that a for-profit enterprise like catering would be subject to the tax. In section D. – Payment and collection of tax, generally speaking it is the duty of the restaurant to collect, account, and pay over the tax. They hold those funds in trust for the public body. It is their duty to properly account for that and make sure it is collected and paid over. Provisions E. through I. are administrative regulations. In section J. this ordinance as drafted authorizes the Commissioner of Revenue to make some rules consistent with the article.

Supervisor Kuchenbuch asked under section G., please explain that?

Chairman Clinger answered they can't advertise that taxes aren't charged here. I'm not charging you; I'm paying it myself.

Mr. Durbin concurred and said it is a fiction that the tax is included in the meal. I can look at that. I'm not sure that is mandatory, but policy wise that is what we have done in the past.

Chairman Clinger said I think it is a good policy.

Mr. Durbin said you will see in section N. – Violations, there are some criminal penalties included for willfully violating, falsifying, failing, refusing, or neglecting to comply with any provisions of this article. Essentially the Code of Virginia says if you willfully fail to pay over and convert that to your own use, then it is embezzlement of public funds. Depending on the dollar amount, it can be a felony.

Chairman Clinger said the biggest question on everybody's minds is do we have to have a hearing?

Mr. Durbin said it has to be advertised like any other ordinance.

Chairman Clinger asked if it would be implemented July 1 or can the Board set a different time?

Mr. Durbin replied we can set a different time, although for budgeting purposes July 1 makes sense. And it gives the Commissioner of Revenue some lead time.

Supervisor Kuchenbuch inquired of the Commissioner of Revenue, if holding the public hearing and adopting the ordinance in January or February would allow her enough time to prepare tax tickets and regulations?

Ms. Lisa Baker, Commissioner of Revenue, said she will be ready to roll.

Chairman Clinger asked if the referendum passage created a mandate to pass the ordinance?

Mr. Durbin answered passage of the referendum gave authorization but did not create a mandate. It is a 2-step process. There is no tax without an ordinance. The referendum authorizes the Board of Supervisors to adopt an ordinance.

Supervisor Yoder asked if the ordinance just needed a majority vote? It does not require a 5-0 vote?

Mr. Durbin replied it just needs a simple majority vote.

Chairman Clinger suggested tabling this issue until next year when the new Board members came on since they would be dealing with it.

Supervisor Yoder asked about section P. Use of Revenues how much leeway do we have? When the authority was given to us that was in the referendum, so we have to follow it. I'm just curious thinking ahead if that comes up again, if we can change it?

Chairman Clinger answered you have to do the original ordinance as it was written in the referendum. You could do another public hearing to revise the ordinance in the future.

Mr. Durbin said you could amend the ordinance as long as it doesn't exceed the authority in the referendum or contradict the referendum. You couldn't adopt this ordinance and sometime down the road say we don't want the restriction on capital improvements because that is what the voters authorized you to do. You don't have the power to go beyond that.

Supervisor Yoder said but we could narrow it by saying capital improvements for schools.

Mr. Durbin said yes, you could limit what species of capital improvements.

Supervisor Kuchenbuch said we could state sheriff, solid waste...

Mr. Durbin said I don't recommend limiting it by ordinance. You can do that when you budget. Don't tie your hands any more than you have to.

Ms. Baker said she has printed off tax tickets of other Counties that have a meals tax to look at.

Agenda Item 6.g. – Closed Session continued – Personnel 2.2-3711 A.1.; Real Property 2.2-3711 A.3.; and Consultation with Legal Counsel 2.2-3711 A. 7.

On a motion made by Supervisor Gerald and seconded by Supervisor Kuchenbuch, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A. 1., Discussion, consideration, or interviews of prospective candidates for employment: assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; Section 2.2-3711, Paragraph A. 3., Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and Section 2.2-3711, Paragraph A. 7., Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultations or briefings in open meeting would adversely affect the negotiating or litigating posture of the public body; and 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 Yoder – yes
Supervisor Kuchenbuch – yes
Supervisor Gerald – yes
Supervisor Turman – yes
Supervisor Clinger – yes

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

Supervisor Gerald – yes
Supervisor Kuchenbuch – yes
Supervisor Yoder – yes
Supervisor Turman – yes
Supervisor Clinger – yes

On a motion of Supervisor Kuchenbuch, seconded by Supervisor Gerald, 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 Personnel in accordance with Section 2.2-3711, Paragraph A.1; Real Property in accordance with Section 2.2-3711, Paragraph A.3; and Consultation with Legal Counsel in accordance with Section 2.2-3711, Paragraph A.7 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 Kuchenbuch – yes
Supervisor Gerald – yes
Supervisor Yoder – yes
Supervisor Turman – yes
Supervisor Clinger – yes

Agenda Item 9. – Adjournment.

On a motion of Supervisor Gerald, Chairman Clinger called the vote without a second, it was resolved to adjourn to Tuesday, December 12, 2017 at 8:30 a.m.



Terri W. Morris, County Administrator



Case C. Clinger, Chairman, Board of Supervisors

