

BOARD OF SUPERVISORS MEETING MINUTES OF JANUARY 22, 2007

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, January 22, 2007 at 7:00 p.m. at the County Administration Building, Board Room, 143 Third Street, NW, in the Town of Pulaski, Virginia, the following members were present: Joseph L. Sheffey, Chairman; William E. "Eddie" Hale; Ranny L. Akers; and Dean K. Pratt. Board member Frank R. Conner was unable to attend the meeting. Staff members present included: Peter M. Huber, County Administrator; Thomas J. McCarthy, Jr., County Attorney; Shawn Utt, Community Development Director; Gordon Jones, Finance Director; and Gena T. Hanks, Clerk.

Mr. Sheffey advised that Supervisor Frank Conner was unable to attend the meeting due to recent surgery.

Mr. Sheffey called for a moment of silence honoring Odell Mayberry. Mr. Sheffey also commended the Southwest Times for honoring Mr. Mayberry with the recent Southwest Times Civic Award.

1. Invocation

The invocation was presented by Reverend Randy Winn of First Christian Church.

2. Presentations

a. Featured Employees

The Board recognized Ronnie Gravely of the PSA Refuse Department and Robbie McNight of the County Garage as the Featured Employees for the month of February 2007. Mr. Sheffey read a detailed description of the job duties and personal interests of each employee. In the absence of Mr. Gravely and Mr. McNight, Mr. Sheffey presented Shoney's certificates to Mr. Ronnie Nichols and requested he present the certificates to said featured employees.

b. Resolution – Pulaski County High School Players

On a motion by Mr. Pratt, seconded by Mr. Akers and carried, the Board adopted the following resolution recognizing and honoring the Mr. Jeff McCoy and the Pulaski County High School Players for their recent state award:

RESOLUTION PULASKI COUNTY HIGH SCHOOL THEATRE ARTS DEPARTMENT

WHEREAS, the Pulaski County Board of Supervisors recognizes and commends the Pulaski County High School theatre

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director, cast and crew members for their award winning one-act play, "The Other Side of the Story."; and

WHEREAS, the Pulaski County High School (PCHS) Players won the Virginia High School League (VHSL) Group AA State One-Act Play Theatre Championship for its one-act play, "The Other Side of the Story," which was written by the Pulaski High School students and director, with original music and lyrics by the director, and original arrangements by accompanist John O'Dell, a PCHS student; and

WHEREAS, the Theatre Arts Department has a very distinguished history, having won the 2002-03 AA State One-Act Play Theatre Championship; being the 2005 representative to the American High School Theatre Festival as part of the Fringe Festival in Edinburgh, Scotland; and having been the district one-act play champions nine (9) of the last eleven (11) years.

NOW THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors hereby recognizes the director, cast, and crew members of Pulaski County's own state championship troupe.

BE IT FURTHER RESOLVED that the Pulaski County Board of Supervisors does hereby commend and congratulate the Pulaski County High School Players and Jeff McCoy, Director, for their outstanding achievements; and

BE IT FURTHER RESOLVED that the text of this resolution be spread upon the minutes of the Pulaski County Board of Supervisors in permanent testimony and recognition of the *Excellence, Pride* and *Vision* displayed by the Pulaski County High School Players.

Adopted this 22nd day of January, 2007.

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers,
Mr. Pratt.

Voting no: none.

Not present: Mr. Conner.

Mr. Sheffey requested county staff invite Mr. McCoy and the PCHS Players to attend the February Board of Supervisors meeting to accept the framed resolution.

3. Additions to Agenda

Mr. Huber explained the purpose of the slides showing on the overhead before the Board meeting were to allow for public viewing of the pictures of the new restaurant being built off Viscoe Road in the Heron's Landing area and expected to be completed by end of summer of 2007.

Mr. Huber advised an update would be provided under "Reports from County Administrator" on the Fairview Home status, as well as bond rating information related to the financing of the new school in Fairlawn.

4. Public Hearings

- a. A rezoning request by Metropolitan Housing and CDC from Residential (R)/Residential (R-3) to Residential (R-3) on property owned by Mark S. & Barbara R. Alley, identified as tax map no. 055-017-0000-0009, and 055-017-0000-0010 located on the east side of Hatcher Rd. (Rt. 807), (9.819 acres), Massie District

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the rezoning request. Mr. Utt noted the applicants are requesting rezoning of a portion of the property to allow construction of 58 one-bedroom apartments for elderly residents and a community building with laundry facilities and an office for the management agent. The majority of the property is currently zoned to allow construction of the apartment project with the existing zoning district line located approximately 300 ft. east of Hatcher Rd. (Rt. 807). The applicants plan to acquire approximately 6 acres of the 9.8 acre site. The rezoning request is for the "front" 300 feet currently zoned Residential (R). Mr. Utt also noted the applicants had a community meeting with adjacent property owners to discuss the project and have worked to address the issues raised at that meeting.

Mr. Sheffey opened the public hearing. There were no citizen comments and the public hearing was closed.

On a motion by Mr. Pratt, seconded by Mr. Akers and carried, the Board approved the rezoning request as noted above and as recommended by the Planning Commission.

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

Not present: Mr. Conner.

b. An initiative by the **County of Pulaski** to amend the following sections of the Pulaski County Zoning Ordinance:

- Amendment to "**Dwelling Duplex**" to include a requirement that any duplex in the Agricultural (A1) and Conservation (C-1) Districts shall comply with Article 5E-3 through 5E-11, Townhouses, of the Pulaski County Zoning Ordinance; except that the minimum lot size shall be 5,000 sq. ft. and the maximum density shall be 6 units/acre.

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the requested amendment. Mr. Utt noted on April 25, 2005, the Board of Supervisors approved an amendment to Article 1, Definitions of the Pulaski County Zoning Ordinance to define "Dwelling, Duplex". At the same time, this use was added to Article 2, Agricultural District (A-1) and Article 3, Conservation District (C-1) to replace another use, "Homes, Two-family Detached Dwellings". At that time, this change was recommended by staff in an attempt to define some uses within the ordinance. Staff has since realized that another clarification of the definition is necessary in order to provide some guidance for the construction of the "Dwelling, Duplex" within Article 2 and Article 3.

Mr. Utt advised the Planning Commission recommended approval of the request.

Mr. Sheffey opened the public hearing. There were no citizen comments and the hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved the following text amendments, as recommended by the Planning Commission:

(Please note that deletions are shown in ~~striketrough~~, and additions are *shaded and highlighted*)

Dwelling, Duplex: A building containing two single-family dwelling units totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units. Any duplex in the Residential (R-2) or Residential (R-3) zoning district shall comply with Article 5E-3 through 5E-11, Townhouses, of this Ordinance. 1 *Any duplex in the Agricultural (A-1) and Conservation (C-1) Districts shall comply with Article 5E-1 through 5E-11, Townhouses, of this Ordinance; except that the minimum lot size shall be 5,000 sq. ft. and the maximum density shall be six (6) units/acre.*

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Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.
Not present: Mr. Conner.

- An amendment to Article 5B Residential (R-1), Article 5C Residential (R-2), and Article 5D Residential (R-3) to allow “Day Care Center” as a use permitted by right and an amendment deleting “Day Care Center” as a use permitted by Special Use Permit in the Residential (R-3) District.

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the requested amendment. Mr. Utt described the request and explained the purpose of the hearing was to solicit input from the public regarding the requested zoning text amendments. Mr. Utt advised the Planning Commission recommended approval of the request.

Mr. Sheffey opened the public hearing. There were no citizen comments and the hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Hale and carried, the Board approved the following text amendments, as recommended by the Planning Commission:

The amendments would be as follows: (Please note that deletions are shown in ~~strike through~~, and additions are *shaded and highlighted*)

ARTICLE 5B: RESIDENTIAL DISTRICT (R-1)

5B-1 Uses Permitted by Right

- *Day Care Center*

ARTICLE 5C: RESIDENTIAL DISTRICT (R-2)

5C-1 Uses Permitted by Right

- *Day Care Center*

ARTICLE 5D: RESIDENTIAL DISTRICT (R-3)

5D-1 Uses Permitted by Right

- *Day Care Center*

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5D-3 Uses Permitted by Special Use Permit (SUP) Only

- ~~Day Care Center~~

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

Not present: Mr. Conner.

- An amendment to **Article 8, Claytor Lake Surface District (CL)**, allowing an exemption from the requirements of this article for the placement of floats, buoys and/or permanent markers installed and maintained only by the Department of Game and Inland Fisheries (DGIF) for safety, identification and navigational purposes.

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the requested amendment. Mr. Utt described the request and explained the purpose of the hearing was to solicit input from the public regarding the requested zoning text amendments. Mr. Utt advised the Planning Commission recommended approval of the request.

Mr. Sheffey opened the public hearing. There were no citizen comments and the hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved the following text amendments, as recommended by the Planning Commission:

The amendment would be as follows: (Please note that deletions are shown in ~~striketrough~~, and additions are *shaded and highlighted*)

8-7 Moorings and Floats

When placed in Claytor Lake for navigational purposes, moorings and floats shall be so placed only with the expressed written approval of the Board of Supervisors or its delegated agent. The Virginia Department of Game and Inland Fisheries shall be consulted prior to approval. Building regulations shall include:

- 8-7.1 When placed for the purpose of mooring boats or other legal and authorized floating objects, the mooring shall be separated on every side from any other mooring by a distance of fifty (50) feet.
- 8-7.2 Moorings and floats shall be located so as to permit unobstructed passage on the Lake of through boats.

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8-7.3 Moorings and floats shall not be anchored in such manner as to deny or obstruct in any manner access to the Lake from boat docks or piers, boat houses, or boat launching ramps.

Exception - Exempted from these requirements are the placement of floats, buoys and/or permanent markers installed and maintained only by the Department of Game and Inland Fisheries (DGIF) for safety, identification and navigational purposes.

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

Not present: Mr. Conner.

5. Highway Matters:

Mr. David Clarke, VDOT Resident Engineer, met with the Board and discussed the following matters:

a. Follow-up from Previous Board Meeting:

1. Review of Highway Matters Section of Key Activity Timetable (KAT)

The Board reviewed the highway matters portion of the Key Activity Timetable.

Mr. Clarke confirmed the Delton Road and Clarke Mill Road undermining are the same matter. Staff was requested to adjust the KAT accordingly.

b. Long Range Transportation Improvements

On a motion by Mr. Hale, seconded by Mr. Akers and carried, the Board endorsed submitting a list of long range transportation needs to the New River Valley Transportation Advisory Council including: Transportation funding for: Local road maintenance; I-81 improvements; secondary roads; bridges; and maintenance of gravel roads.

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

Not present: Mr. Conner.

Mr. Huber submitted a request to VDOT on behalf of Supervisor Conner expressing concerns over Hatcher Road, specifically the need for grading and spreading of gravel. VDOT

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agreed to review the matter and provide an update at an upcoming Board meeting.

Mr. Sheffey submitted several requests on behalf of Supervisor Conner, including the low water bridge at Hunter's Cemetery, concerns by Ms. Manning on Little Creek Road and concerns over the curve on Hatcher's Road creating accidents. VDOT agreed to review these matters and provide an update at an upcoming Board meeting.

c. Citizen Comments

There were no citizen comments.

d. Board of Supervisors Concerns

Mr. Clarke provided a follow-up to the abandonment request by Dr. Gillespie of Fairlawn advising there is an agreement between VDOT and Dr. Gillespie to pursue abandonment of part of Madison Street, with a certain amount of control of the property going to Dr. Gillespie. Mr. Clarke advised VDOT would like to keep a part of the easement. Mr. Clarke advised the county needs to start the initiative for the abandonment process, including holding a public hearing. Mr. Clarke agreed to provide a description for including in the public hearing notice. Mr. Sheffey requested county staff determine if a community meeting prior to a public hearing is feasible, with suggestions for said meeting to be held at the Radford University West Campus or Riverlawn Elementary School.

Mr. Clarke advised of a citizens information meeting scheduled for February 20 on the Route 114 bridge, with the projected construction date of 2009 for the repairs to the bridge.

6. Treasurer's Report

Treasurer Rose Marie Tickle presented the monthly Treasurer's Report.

On a motion by Mr. Hale, seconded by Mr. Akers and carried, the Board approved publicizing the two year delinquent collections in the Southwest Times. Further, Ms. Tickle reported there were 689 delinquent accounts listed for 2004.

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

Not present: Mr. Conner.

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7. Citizens' Comments

There were no citizen comments at this time.

8. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

The Board reviewed the Key Activity Timetable in detail.

Mr. Akers requested the KAT be updated monthly to include the current events for the Jamestown 2007 activities for that particular month.

Mr. Sheffey reported receipt of correspondence from Anthony Akers regarding a reunion of the former Dublin High School wanting to provide funding for a picnic shelter at Randolph Park, with additional information to be provided as the group meets to decide which projects to sponsor.

b. Legislative Listing

On a motion by Mr. Akers, seconded by Mr. Hale and carried, the Board endorsed sending a letter to the legislators including suggested rewording by Mr. McCarthy on item number 1d in the letter noting "located at the only government owned or operated military facility west of Roanoke".

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

Not present: Mr. Conner.

c. Economic Development Administration Grant

Mr. Huber recommended the county apply for an Economic Development Administration grant for the purpose of funding utility improvements serving Commerce Park. Mr. Huber advised the planning for the grant does not necessarily commit the Board to accepting the grant if awarded.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved the application, pending review of the specific improvements of the grant by the County Engineer and the Finance Director.

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Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.
Not present: Mr. Conner.

d. Fairview Home

Mr. Huber reported the resignation of the Fairview Home Executive Director had occurred on Friday, January 19, 2007. He advised assistance was to be provided by the New River Community Services Board staff in providing an executive director and related staff as may be needed to meet licensing requirements.

e. Bond Rating

Mr. Huber reported the county had undergone an informal bond review as part of the financing for the new school and the county had received an "A" rating. Mr. Huber explained the rating was based on the overall fiscal status that the Board had taken in the past years to maintain a 10% minimum in reserve, as well as careful budgeting. Mr. Sheffey commended county staff for efforts in overseeing the county's financial wellbeing.

f. Appointments

Action regarding appointments was deferred to Closed Session.

9. Items of Consent:

On a motion by Mr. Pratt, seconded by Mr. Hale and carried, the Board approved the following "Items of Consent", except for item "g – County Corner Proposal for Southwest Times" which was tabled by the Board to allow for further review by county staff.

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.
Not present: Mr. Conner.

a. Approval of Minutes of December 18, 2006

The Board approved the December 18, 2006, minutes as presented.

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b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 26657 through 26906, subject to audit.

c. Interoffice Transfers

The Board approved Interoffice Transfer #7 totaling \$37,510.31, as well as the following monthly appropriations:

BUDGET ADJUSTMENT

YEAR ENDED JUNE 30, 2007

GENERAL FUND #9	
Revenues:	
018990-4420 – Local Donations-Parks and Recreation	\$4,244.18
019020-4000 – Hazardous Material Response Emergency Management	367.50
018990-2800 – Local Donations-Sheriff’s Department	1,200.00
019020-1500 – Deputy Security	6,000.00
024040-1200 – Fire Programs Allocation	8,675.00
041999-0000 – Use of fund balance	-----
TOTAL	\$20,486.68
Expenditures:	
071320-6014 – Randolph Park-Other Operating Supplies	\$4,244.18
035500-8101 – Emergency Management-Machinery and Equipment	367.50
031200-6010 – Sheriff-Police Supplies	7,200.00
032200-5650 – Draper Vol. Fire Dept.-State fire Allocation Funds	1,446.00
03220-5650 – Fairlawn Vol. Fire Dept.-State fire Allocation Funds	1,446.00
032230-5650 – Hiwassee Vol. Fire Dept.-State fire Allocation Funds	1,446.00
032240-5650 – Newbern Vol. Fire Dept.-State fire Allocation Funds	1,446.00
032250-5650 – Snowville Vol. Fire Dept.-State fire Allocation Funds	1,446.00
032260-5650 – Twin Community Vol. Fire Dept.-State fire Allocation Funds	1,445.00

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TOTAL	20,486.68
SCHOOL FUND #20, 21, & 22	
Revenues:	
16120-1100 – Substitute Teacher Fees	\$32,437.67
18990-3201 – E-Rate	1,994.86
18030-0330 – School Activity Reimbursement	7,828.69
18991-0200 – Property Damage	25.00
TOTAL	\$42,286.22
Expenditures:	
62160-3600-900 – Administration-Advertising	\$186.30
62120-5800-900 – Administration-Superintendent’s Misc.	41,877.79
63200-6008-900 – Transportation-Fuel	222.13
TOTAL	\$42,286.22
REMSI FUND #1	
Revenues:	
041999-0000 – Use of fund balance	\$23,381.97
TOTAL	\$23,381.97
Expenditures:	
032360-5620 – Western 14 DSTR Task Force- Payment to Council	\$28,381.97
TOTAL	\$28,381.97
INTER-DEPARTMENT TRANSFERS #3	
Revenues:	
TOTAL	-0-
Expenditures:	
091400-9301 – Contingency	\$ (16,670.00)
021500-6001 – J&DR Court-Office Supplies	170.00
081500-5699-012 – Economic Development-Contribution to TransDominion Express	500.00
043200-6007 – General Properties-Repair and Maintenance Supplies	10,000.00
043200-6005 – General Properties-Laundry/Housekeeping/Janitorial Supplies	6,000.00
TOTAL	-0-

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INTER-FUND TRANSFER #4	
Revenues:	
3-100-041050-0100 – Transfer from Remsi	\$46,984.91
3-302-041050-1000 – Transfer from General Fund	15,000.00
TOTAL	\$61,984.91
Expenditures:	
4-100-032230-8112 – Hiwassee Vol. F/D Bldg. Improvements	\$46,984.91
4-520-032350-9126 - Hiwassee Rescue Station	(46,984.91)
4-520-093000-0100 – Transfer to General Fund	46,984.91
4-100-093000-9206 – Transfer to CIP Fund	15,000.00
4-100-091400-9301 – Contingency	(6,600.00)
4-100-034410-2300- Code Enforcement-Health Insurance	(4,440.00)
4-100-042600-1339 – Clean Community Council-Part Time Salaries	(3,960.00)
4-302-034410-8105 – Code Enforcement-Vehicles	15,000.00
TOTAL	61,984.91

d. Ratification of Contracts, Change Orders & Agreements

1. Acceptance of Award Certification of Virginia Department of Fire Programs Training Mini-Grant

The Board accepted the \$850 grant from the Virginia Department of Fire Programs.

2. Virginia Domestic Violence Victim Fund

The Board accepted the \$40,000 Domestic Violence Victims grant funding.

3. Community Facilities Grant Agreement – Dublin Fire Department

The Board approved the grant agreement between the county and Rural Housing Service for fire truck equipment in the amount of \$50,000 for the Dublin Fire Department.

e. Personnel Changes

The Board reviewed recent personnel changes as prepared by Ms. Spence.

f. Local Government Agreement with Virginia Department of Health

The Board approved the local government agreement with the Virginia Department of Health, pending review and approval by the County Attorney.

g. County Corner Proposal for Southwest Times

The Board took no action regarding this matter and pulled the item for further review of costs by county staff.

h. Radio Agreement and Resolution for RAAP

The Board approved the agreement, as presented and filed with the records of this meeting, as well as the following resolution between the county and Radford Army Ammunition Plant for the interoperations of communications systems:

**RESOLUTION ADOPTING A RADIO AGREEMENT
BY AND BETWEEN THE COUNTY OF PULASKI,
VIRGINIA AND THE RADFORD ARMY AMMUNITION
PLANT, VIRGINIA**

WHEREAS, it has been determined that the provisions of emergency services across jurisdictional lines will increase the ability of the parties hereto to preserve the health, safety and welfare of the citizens/employees of Pulaski County, Virginia, and the Radford Army Ammunition Plant, Virginia, and

WHEREAS, Section 44-146.20 of the Code of Virginia, 1950, as amended, authorizes local governments to establish and carry into effect a plan to provide mutual aid between adjoining counties, cities, towns and installations, such as Pulaski County, Virginia, and the Radford Army Ammunition Plant;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Pulaski, Virginia, that the Radio Agreement dated January 22, 2007, attached hereto and incorporated herein by this reference, by and between County of Pulaski and the Radford Army Ammunition Plant, Virginia is hereby adopted.

i. Revisions to District Descriptions

The Board reviewed district descriptions prepared by John Spangler and Kathy Webb. As reported in the Board packet, the amended descriptions delete the North Dublin precinct and include that area into

the Newbern Precinct and that while doing this correction Mr. Spangler and Ms. Webb also clarified the description by adding state route names in parenthesis after the state route number. This addition makes the description easier to read and follow. The area where the Dublin/New River precincts join was also clarified. While clarifications were made, other than deleting the North Dublin Precinct, no other changes were made.

The Board approved advertising and holding a public hearing at the February Board meeting on "An ordinance clarifying the descriptions of Pulaski County voting districts and precincts".

j. New River Valley Agency on Aging Attorney Selection

As reported in the Board packet, the New River Valley Agency on Aging would like to utilize Marty McMahon as the agency attorney. It is anticipated that his services would be for 12 hours, or less, per year. In addition, he would not be able to represent the Agency in the event of a conflict with his service as Attorney for Montgomery County.

The Board approved the Agency on Aging utilizing Marty McMahon as the agency attorney.

k. Memorial Resolution Honoring Odell Mayberry

The Board approved the following resolution honoring Odell Mayberry for his service to Pulaski County:

**MEMORIAL RESOLUTION
Odell H. Mayberry**

WHEREAS, **Odell H. Mayberry** served Pulaski County as a civic, business, church and community leader throughout his career; and

WHEREAS, **Odell H. Mayberry** served as a member of the Pulaski County Board of Supervisors from 1970 to 1979 and as Vice Chairman of the Board from 1972 to 1975; and

WHEREAS, **Odell H. Mayberry's** community involvement also included service as:

- Founding member of the Industrial Development Authority of Pulaski County;
- Founding member of the Pulaski Encouraging Progress Steering Committee;
- Pulaski County Social Services Board member from January 1966 to June 1972 and Vice-Chair from August 1971 to June 1972;

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- Member and Chair of the Town of Pulaski Planning Commission;
- Member and Paul Harris Fellow in the Pulaski Rotary Club;
- Member and Chair of the Pulaski Office of Virginia National Bank Board of Directors;
- Member of the Randolph House Board of Directors;
- Member and Chairman of Pulaski Community Hospital Board of Directors from January 1, 1990 through December 31, 1995; and
- Member of the New River Community College Foundation Board of Directors.

WHEREAS, **Odell H. Mayberry** also invested personally in Pulaski County through his financial investments in the youth of our area and in the commitment of his faith through his 69-year participation in the First Baptist Church, and in the example to each of us of a life lived very well.

NOW THEREFORE, BE IT RESOLVED that the Pulaski County Board of Supervisors hereby honors and commemorates the life of one of its former members, **Odell H. Mayberry**; and

BE IT FURTHER RESOLVED that the text of this resolution be spread upon the minutes of the Pulaski County Board of Supervisors this 22nd day of January, 2007 in permanent testimony to the service of **Odell H. Mayberry**, a true friend to Pulaski County.

I. Randolph Park Picnic Shelter

As reported in the Board packet, Cecil King, who is leading a reunion of Dublin High School graduates, has indicated that the class may have an interest in raising \$20,000 toward the cost of one of the picnic shelters already planned for construction at Randolph Park. Specifically, he is proposing the construction of the shelter closest to the playground equipment. In doing so, he is asking that Dublin High School class reunions be given a one-month lead in making reservations for the next five summers with the potential to do so for the following five summers assuming those arrangements do not cause too many complications. It was reported Mr. Huber had tentatively approved the concept in order for Mr. King to present the matter at a reunion planning meeting this weekend and recommend ratification of this arrangement since the county would be building the shelters anyhow.

The Board approved the Dublin High School Reunion group efforts to providing funding towards the cost of construction of one of the picnic shelters at Randolph Park, with the Dublin High School class reunions being given a one-month lead in making reservations for the next five summers.

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10. Citizen Comments

There were no citizen comments.

11. Other Matters from Supervisors

There were no additional items discussed by the Board.

12. Closed Meeting - 2.2-3711.A.1.3.5.7

A closed meeting is requested pursuant to Section 2.2-3711.A.1.3.5.7 of the 1950 Code of Virginia, as amended, to discuss personnel, legal, land acquisition/disposition, and prospective industry matters.

It was moved by Mr. Akers, seconded by Mr. Pratt and carried, that the Board of Supervisors enter Closed Session for discussion of the following:

Property Disposition or Acquisition – Pursuant to Virginia Code Section 2.2-3711(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- William Gresham Elementary School
- Commerce Park Update
- Courthouse Office Space Needs

Personnel – Pursuant to Virginia Code Section 2.2-3711(A)1 discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding:

- Appointments
- Compensation Changes

Prospective Industry – Pursuant to Virginia Code Section 2.2-3711(A)5 discussion concerning a prospective business or industry, or the expansion of an existing business and industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

- Project Garage Door
- Project Smallbone
- Ruby Tuesday's

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

Not present: Mr. Conner.

Return to Regular Session

It was moved by Mr. Akers, seconded by Mr. Hale and carried, that the Board return to regular session.

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

Not present: Mr. Conner.

Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. Hale, seconded by Mr. Akers and carried, that the Board of Supervisors adopt the following resolution certifying conformance with the Virginia Freedom of Information Act.

WHEREAS, the Board of Supervisors of Pulaski County, Virginia, has convened a closed meeting of this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act:

WHEREAS, Section 2.2-3712(D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Pulaski County, Virginia hereby certifies to the best of each members' knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in this motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors.

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

Not present: Mr. Conner.

Property Disposition or Acquisition – Pursuant to Virginia Code Section 2.2-3711(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- William Gresham Elementary School

On a motion by Mr. Pratt, seconded by Mr. Akers and carried, the Board authorized the county attorney to draft a lease agreement for use of the William Gresham School.

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

Not present: Mr. Conner.

Prospective Industry – Pursuant to Virginia Code Section 2.2-3711(A)5 discussion concerning a prospective business or industry, or the expansion of an existing business and industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

- Ruby Tuesday's

By consensus, the Board authorized county staff sending a letter to Ruby Tuesday's requesting a meeting to discuss Ruby Tuesday's decision to not locate in Pulaski County.

- Bojangles

By consensus, the Board authorized county staff sending a letter to VDOT requesting expedited review of the Bojangles entrance permit.

Personnel – Pursuant to Virginia Code Section 2.2-3711(A)1 discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding:

- Appointments

On a motion by Mr. Hale, seconded by Mr. Pratt and carried, the Board approved the following appointments:

1. New River Valley Community Services Board

The Board directed county staff to invite Sally McCarthy to consider serving, with Shawn Utt as a back up.

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2. New River/Mount Rogers WIB

The Board approved nominating John Overton and Hi Nicely for reappointment to the Workforce Investment Board.

3. New River Highlands Resource Conservation Council

The Board directed county staff to invite Ron Powers to consider serving, with Lynn White as a backup, should Mr. Powers decline.

4. Friends of Claytor Lake Representative

The Board approved one designee and one alternate to serve on the Clean Community Council from the Friends of Claytor Lake Committee.

5. NRV Bikeway-Walkway Committee

The Board directed county staff to invite Trina Cometa to consider serving on the committee, with other cyclists invited should she decline.

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers,
Mr. Pratt.

Voting no: none.

13. Adjournment

On a motion by Mr. Pratt, seconded by Mr. Hale and carried, the Board of Supervisors adjourned its regular meeting with the next regular meeting scheduled on Monday, February 26, 2007 at 7:00 p.m. in the Board Room of the County Administration Building, 143 Third Street, N. W. in the Town of Pulaski.

Voting yes: Mr. Hale, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

Not present: Mr. Conner.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator