

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, May 23, 2011 beginning with a Closed Session at 6:00 p.m. in the Board Room of the County Administration Building located in the Town of Pulaski, Virginia, the following members were present: Joseph L. Sheffey, Chairman; Ranny L. Akers; Charles Bopp; Frank R. Conner; and Dean Pratt. Staff members present included: Peter Huber, County Administrator; Robert Hiss, Assistant County Administrator; Shawn Utt, Community Development Director; and Thomas J. McCarthy, Jr., County Attorney. Gena Hanks, Clerk to the Board of Supervisors, and Diane Newby, Finance Director, joined the regular session at 7:00 p.m.

1. Closed Session – 2.2-3711.A.1.3.5.7

Chairman Sheffey called the meeting to order and advised a Closed Session would need to be held as follows:

A closed session 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.

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board of Supervisors entered a Closed Session for discussion of the following:

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
- Pay Adjustments

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:

- Sheriff's Office
- Fairlawn Property

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.

- Commerce Park Projects

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

Return to Regular Session

On a motion by Mr. Conner, seconded by Bopp and carried, the Board returned to regular session.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: None.

Certification of Conformance with Virginia Freedom of Information Act

On a motion by Mr. Pratt, seconded by Mr. Akers and carried, the Board of Supervisors adopted 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. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: None.

2. Invocation

The invocation was provided by Reverend Harry Gunter of the Dora Highway Baptist Church.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

3. Presentations and Recognitions

The Board recognized Diane Newby of the County Administrator's office and Eric Queen of the Sheriff's department as the Featured Employees to serve during the month of June. Job summaries for both employees were read aloud by Supervisor Sheffey. Board members presented Ms. Newby and Mr. Queen each with a gift certificate to Fatz Café.

4. Additions to Agenda

Mr. Huber advised of the need for the Board to vote separately on the April 25, 2011 Board minutes due to Mr. Bopp not attending the April 25th meeting and his plans to abstain from voting on the April 25th minutes.

5. Public Hearings

a. FY 12 Budget

Mr. Sheffey advised a public hearing had been scheduled for the purpose of receiving citizen comments on the proposed FY 12 county budget. Mr. Sheffey also indicated the budget would not be adopted at this meeting, but would be adopted at the June 27, 2011 Board meeting.

Mr. Huber explained a slide presentation detailing the revenues and proposed expenditures for the FY 12 budget year. He also provided a comparison of real estate tax rates with other localities, as well as the real estate tax rates for Pulaski County from 1998 to the current year.

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

b. New River Valley Water Supply Plan

Mr. Utt introduced Tammy Stephenson, Program Coordinator with the Virginia Department of Environmental Quality, who presented and described a slide presentation on the New River Valley Water Supply Plan.

Mr. Sheffey opened the public hearing.

Ms. Debbie Mohay spoke regarding the sustainability grant. Mr. Sheffey clarified the purpose of the hearing was specifically related to the New River Valley Water Supply Plan and suggested Ms. Mohay's comments would be better suited under the "Citizen Comments" section of the agenda.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

There were no additional comments and the hearing was closed.

In response to Ms. Mohay's comments, Mr. Utt advised the county would be working to incorporate all water grants to become part of the sustainability grant.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board adopted the following resolution:

A RESOLUTION APPROVING THE NEW RIVER REGIONAL WATER SUPPLY PLAN

WHEREAS, Virginia State Water Control Board Regulation 9 VAC 25-780, Local and Regional Water Supply Planning, requires all counties, cities and towns in the Commonwealth of Virginia to prepare and submit a water supply planning program to the Department of Environmental Quality (DEQ); and

WHEREAS, the following elements must be included in all local or regional water supply programs:

- A description of existing water sources in accordance with 9VAC25-780-70;
- A description of existing water use in accordance with the requirements of 9VAC25-780-80;
- A description of existing water resource conditions in accordance with the requirements of 9VAC25-780-90;
- An assessment of projected water demand in accordance with the requirements of 9VAC25-780-100;
- A description of water management actions in accordance with the requirements of 9VAC25-780-110 and 9VAC780-120;
- A statement of need in accordance with the requirements of 9VAC25-780-130;
- An alternatives analysis that identifies potential alternatives to address projected deficits in water supplies in accordance with the requirements of 9VAC25-780-130;
- A map or maps identifying important elements of the program that may include existing environmental resources, existing water sources, significant existing water uses, and proposed new sources;
- A copy of the adopted program documents including any local plans or ordinances or amendments that incorporate the local program elements required by this chapter;
- A resolution approving the plan from each local government that is party to the plan; and
- A record of the local public hearing, a copy of all written comments and the submitter's response to all written comments received, and

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

WHEREAS, on May 23, 2011, the County of Pulaski held a public hearing to accept public comment on the New River Regional Water Supply Plan; and

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Pulaski hereby adopts the New River Regional Water Supply Plan with the intent to submit the Plan to DEQ by November 2011. Approval and adoption of this regional program indicates support for and general agreement with this water supply planning approach, and intent to monitor conclusions and to implement the recommendations presented in the plan as is warranted by actual conditions that develop during the planning horizon.

BE IT FURTHER RESOLVED that the Board of Supervisors of County of Pulaski intends that the New River Regional Water Supply Planning Program shall be revised to reflect changes in relevant data at least once every five years and shall be revised and resubmitted to DEQ every ten years in accordance with the regulation and sound planning practice.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Pulaski at a meeting held on May 23, 2011.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

- c. Petition by **County of Pulaski** to initiate rezoning of the split-zoned parcel owned by **Sheila H. & Walter L. Felts** from Residential/Agricultural (R1/A1) to Agricultural (A1), located north of Cove Dr. (private road) off Lakeview Dr., (Rt. 1240) and revise the Pulaski County Comprehensive – Future Land Use Map from Residential to Agricultural for tax map no. 083-001-0000-0073.

Mr. Utt described the following information which was reported in the Board packet: this is the last parcel among the property owners contacted to complete the split-zoned parcels located in Pulaski County. The property was subdivided creating the split zoning in 2010. County staff discussed with Mr. Felts the split zoning on this property and explained the County's efforts to resolve the issue. Mr. Felts is requesting the County rezone the property to Agricultural (A1).

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

Mr. Sheffey opened the public hearing.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

Ms. Debbie Mohay requested the Board consider opting out of the sustainability grant. Mr. Sheffey advised Ms. Mohay of the purpose of the hearing and suggested her comments were more suited for the "Citizen Comments" section of the meeting.

There were no additional citizen comments and the hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the rezoning petition as presented to Agricultural (A1) and the revision to the Pulaski County Comprehensive - Future Land Use Map to Agricultural.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: None.

- d. Petition by **Pulaski County** for revisions to the Pulaski County Comprehensive Plan – Future Land Use Map on the following tax map parcels: 056-004-0001-0004, Draper District; 037-001-0000-0004, Cloyd District; and 063-001-0000-0273, Robinson District.

Mr. Utt described the following staff analysis which was provided in the Board packet:

- **Materials, Inc. – Tax Map No. 056-004-0001-0004:** This property has been shown in the County's Comprehensive Plan's Future Land Use Map as a Commercial Use. In June 2005, the property was rezoned to Industrial (I1). Staff discussed the company's manufacturing process and it was determined to be Industrial. Staff is recommending the Future Land Use Map be revised to Industrial for this parcel.
- **Susan F. & David L. Dobyys - Tax Map No. 037-001-0000-0004:** This property has been shown in the County's Comprehensive Plan's Future Land Use Map as Agricultural Use. The parcel is vacant at this time and there are no future plans for development. There are existing residential properties located along the Lee Hwy., (Rt. 11) corridor on the west side that is shown on the County's Future Land Use Map as Residential, therefore, staff is recommending the Future Land Use Map be revised to Residential for this parcel.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

- **Randall J. Caudill, ET AL – Tax Map No. 063-001-0000-0273:** This property has been shown in the County's Comprehensive Plan's Future Land Use Map as Residential Use. The property is a 20 acre tract and surrounded by other large tracts being used for agricultural purposes. Staff is recommending the Future Land Use Map be revised to Agricultural for this parcel.

Mr. Utt advised the Planning Commission recommended approval of the revisions to the Comprehensive Plan.

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

On a motion by Mr. Pratt, seconded by Mr. Akers and carried, the Board approved the revisions to the Pulaski County Comprehensive Plan for the following properties: Materials, Inc. – Tax Map No. 056-004-0001-0004 to Industrial; Susan F. & David L. Dobyns – Tax Map No. 037-001-0000-0004 to Residential; Randall J. Caudill – Tax Map No. 063-001-0000-0273 to Agricultural.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: None.

- e. **A request from Wayne Simpson to vacate existing 50' right-of-way beginning at the end of the State Maintenance located off of Booker Branch Rd., (Rt. 785), following approximately along the property (Tax Map #077-003-0000-0009), in the Ingles District.**

Mr. Utt described the following information provided in the Board packet: Staff held a community meeting on Thursday, March 17, 2011 with the affected property owners regarding the above request. Mr. Timothy McCraw, Mr. Erby Simpkins, Ms. Lisa Linkous, Mr. Tom Linkous and Mr. Jeffrey Warf, adjacent property owners to the right-of-way were present. Staff explained Mr. Simpson's request and discussion ensued. The adjacent property owners had no objections to the vacation of an existing 50 ft. right-of-way beginning at the end of the State Maintenance located off of Booker Branch Rd., (Rt. 785).

Mr. Utt advised the Planning Commission recommended approval of the plat vacation.

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

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved a request from Wayne Simpson to vacate the existing 50' right-of-way beginning at the end of the State Maintenance located off of Booker Branch Rd., (Rt. 785), following approximately along the property.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: None.

f. Amendment to the Smoking Control Ordinance to Control Smoking In and Around County Buildings.

Mr. Huber explained the purpose of the hearing was to amend the ordinance to prohibit the disposal of cigarette butts in the mulch and landscaping in the immediate area around county buildings, as well as to prevent smoke from blowing back into the county buildings as a result of smoking at the entrances to the buildings.

Mr. Sheffey opened the public hearing.

Ms. Genie Zunic spoke in opposition to the amendments citing unnecessary restraints that would be placed on the public. Ms. Zunic suggested adults know the risks and dangers of smoking and should not be prohibited from doing so in public places.

Ms. Gena Hanks spoke in favor of the amendments citing the frustration resulting from often being required to walk through smoke upon entering and exiting the building, as well as the smoke making its way back into the building when the outside front area of the County Administration Building is used by smokers.

Supervisor Akers suggested consideration to banning smoking on all county properties.

There being no further comments, the hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved amendments to the Smoking Control Ordinance, with an effective date of July 1, 2011, and as noted in the following Smoking Control Ordinance which has been entered into the minutes in its entirety:

SMOKING CONTROL ORDINANCE

WHEREAS, it is the determination of the Board of Supervisors of Pulaski County, Virginia, that non-regulated smoking in County owned and School Board owned buildings creates a fire hazard, and consequently constitutes a threat to the health, safety and general welfare of the county citizens and County and School Board employees using the County and School Board buildings;

WHEREAS, it is further determined by the Board of Supervisors that smoking shall be prohibited in County and School Board buildings except in designated smoking areas;

NOW, THEREFORE, BE IT ORDAINED, that this Ordinance be adopted effective July 1, 2011, that no person shall smoke in designated no-smoking areas of the County of Pulaski and Pulaski County School Board owned buildings and grounds, which shall be all areas of such buildings except designated smoking areas of such buildings and grounds, and within twenty-five feet (25') of public entrances to said buildings, and any person who continues to smoke in no-smoking areas of County or School Board owned buildings and grounds, and within twenty-five feet (25') of public entrances to said buildings and grounds, after being asked to refrain from smoking in such areas shall be subject to a civil penalty of not more than twenty-five dollars (\$25.00); and

BE IT FURTHER ORDAINED that any law enforcement officer may issue a summons regarding a violation of this Ordinance.

Pursuant to Section 15.2-2829 and 15.2-2830 of the *Code of Virginia, 1950, as amended*, and further without limitation, it shall be unlawful for any person to smoke in any of the following places covered by this Ordinance:

1. Elevators regardless of capacity;
2. Common areas in an educational facility, including, but not limited to, classrooms, hallways, auditoriums, and public meeting rooms;
3. Any part of a restaurant or cafeteria designated as a "no-smoking" area pursuant to this Ordinance;
4. Indoor service lines and cashier areas; and
5. School buses and public conveyances.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: None.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

Staff was directed to designate alternate smoking locations for the courthouses, libraries and the County Administration Building.

6. Citizen Comments

- New River Community Action

Ms. Elaine Powell, representing New River Community Action, provided an update on the services provided to Pulaski County residents by the agency. Ms. Powell described proposed cuts by the Federal government in Community Action agency grants which would result in a loss of 50% in funding, as well as the potential closing of the local New River Community Action office. Ms. Powell requested the Board send letters of opposition to the proposed cuts to Congressman Griffith, and Senator Warner and Senator Webb.

- Others

Mr. Al Davis inquired as to the timeframe for the renovation and completion of the eternal flame at the stone courthouse. Mr. Hiss advised that the individual hired to complete the work had recently advised of his inability to start the job, resulting in county staff seeking another source to complete the work. Mr. Hiss advised county staff planned to follow-up with potential contractors, with an update to be provided to the Board as events occur.

Mr. Al Davis inquired if there would be signage to indicate the prohibiting of smoking at entryways to county buildings. Mr. Huber advised staff would erect appropriate signage.

Ms. Jean Anderson inquired as to the work underway in the front of the County Administration Building. Mr. Huber explained parts of the brick had come loose and are being re-mortared. Ms. Anderson suggested using less sand in the mortar to prevent brick from coming loose and also expressed concern over the investment of county funds in renovating the CAB due to the age of the building.

Ms. Debbie Mohay spoke regarding the county's involvement in the New River Valley Livability Initiative and the recent award of a \$1,000,000 Sustainable Communities Planning Grant. Ms. Mohay explained how the project had been labeled as "sustainability hubs". She encouraged the Board to consider the restrictions she believes will be placed on localities under such a program and suggested greater partnership with business and industries. Ms. Mohay expressed concern over the UN involvement in setting goals on carbon footprint and asked the Board to take a look at what is involved

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

particularly as matters related to land-use concerns and property rights.

Mr. James McClannahan requested county staff provide an explanation as to Ms. Mohay's comments. Mr. Utt advised the grant is being awarded to the New River Valley Planning District Commission, noting that every locality had been asked to contribute to the full initiative, although not monetarily. Mr. Utt also indicated the grant was not in final form and further that the county was being offered a "seat" on the committee overseeing the use of grant funds. County staff also assured the Board that the county's focus would be on economic development efforts.

Mr. Sheffey advised the committee appointed to oversee the grant would take all comments into consideration.

Mr. Utt advised the county is being asked to provide comments and recommendations; however, there was no long term commitment.

Mr. Sheffey requested Ms. Mohay provide the county staff with information she had found during her research on the sustainability initiative, as well as to the Board.

7. 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)

Mr. Clarke advised of no additional substantial updates to the KAT, noting VDOT staff had been focusing on repairing potholes throughout the county, as weather allows. Mr. Clarke advised the spring of 2011 had been one of the wettest and most destructive seasons in recent history.

Mr. Sheffey requested VDOT provide a listing of ongoing major resurfacing projects.

2. Report from VDOT on Format Used by VDOT for Prioritizing Roads

Mr. Clarke provided an update on the various funding sources available, including through the secondary construction funding, primary funding and through the six-year plan. He advised the Commonwealth Transportation Board sets the final priorities. Mr. Clarke also advised the last few years had been

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

difficult due to the lack of funding for VDOT projects

b. Water Front Farm Drive – Request to Bring into State System

Mr. Huber explained the recent request by Mr. Bill Smith in determining what would need to be done to bring Water Front Farm Road to state standards and then accepted into the state road system. Mr. Clarke described the options available, including the road being brought to state standards by the property owners along the road, which would then allow the road to be accepted into the state system through a “no cost” rural addition. Mr. Huber suggested residents be asked to bring the road to state standards and then submitted to VDOT for acceptance into the state system with property owners undertaking the cost of meeting state standards.

Mr. Akers expressed concern that the county is being asked to designate funding for private roads, noting his previous objections, as well as that of Mr. Pratt, to paving private subdivision roads through rural addition funding, particularly when the general public does not see the benefit of private road funding. Staff was requested to notify Mr. Smith of the need to bring Water Front Farms to state standards to allow for acceptance into the state system.

c. Citizen Comments

Mr. Al Davis inquired as to the location of Water Front Farm Drive. Mr. Huber provided details on the location of the road.

Mr. Fritz Streff questioned if VDOT had any way of predicting rock slides. Mr. Clarke indicated there was no realistic method for predicting rock slides due to the various cuts to slopes. Mr. Streff commended VDOT for the removal and/or busting of rocks to prevent rock slides.

d. Board of Supervisors Comments

Mr. Akers expressed concern over the halting of work by the contractors on Dallas Freeman Road and provided an update on the work to date. Mr. Clarke advised the work stoppage by contractors was due to a legal issue between VDOT and the contractors. Mr. Akers expressed concern over the safety hazard posed by the condition of Dallas Freeman Road and suggested VDOT should not pay the contractor for work that is incomplete.

Mr. Akers inquired as to the status of brush cutting along the roads in the county, noting the continued overgrowth of limbs and trees into the roadways. Mr. Akers described a recent encounter with two VDOT trucks

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

while traveling on Little River Dam Road, noting one quarter of a mile of brush having been cut on one side of the road. He inquired as to what alternatives the Board might have to addressing this issue with VDOT. Mr. Clarke indicated VDOT staff had been busy patching and mowing roads, with limited amount of staff and money.

Mr. Conner reminded VDOT of the stone located along Rt. 643, Cougar Trail Road. Mr. Clarke offered to have VDOT staff review the matter and provide an update at a future meeting.

Mr. Conner inquired as to the status of the signs on the end of Hatcher Road. Mr. Clarke offered to have VDOT staff review the matter and provide an update at a future meeting.

Mr. Bopp requested Mr. Clarke provide an updated Key Activity Timetable for highway matters at future Board meetings. Mr. Clarke advised updates would be provided at future Board meetings.

Mr. Sheffey inquired as to the frequency of mowing in the county. Mr. Clarke advised VDOT staff would be mowing following VDOT's routine summer schedule, with mowing to occur around the major summer holidays, but depending upon the rain amounts. Mr. Clarke advised VDOT staff would likely begin mowing the secondary roads in the middle of June.

Mr. Sheffey advised of downed trees on Hazel Hollow Road, specifically one tree next to the Rock Quarry. Mr. Clarke offered to have VDOT staff review the matter and provide an update at a future meeting.

Mr. Sheffey advised of recent ditch work on Falling Branch Road, with a large amount of debris built up on bridge peers. He expressed concern over the potential flooding, should the area receive a heavy rain before the ditch is cleared. Mr. Clarke offered to have VDOT staff review the matter and provide an update at a future meeting.

Mr. Huber expressed concern over the poor quality of the mowing in the county by the contractors, specifically on Rt. 11, and that the mowed area appears to have been mowed with dull blades.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

8. Treasurer's Report

Treasurer Melinda Worrell provided the Board with a monthly update.

Mr. Sheffey inquired if the taxes to be generated by the two new businesses locating in Fairlawn would be shared with the City of Radford. Ms. Worrell responded the taxes would not be shared with the City of Radford due to the location of the businesses.

9. Reports from the County Administrator & Staff:

On a motion by Mr. Conner, seconded by Mr. Bopp and carried, the Board approved the following action related to the various appointments.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp, Mr. Pratt.

Voting no: none.

a. Appointments:

1. New River Community College

The Board appointed Benny Keister to fill an unexpired term of a former member, with said term ending June 30, 2012.

2. Claytor Lake Festival Committee

The Board appointed Judy Ison, Nollie Neill, Jr., Chris Doss, Becky Yearout, and Anthony Akers to the committee.

3. Clean Community Council

The Board appointed Dr. Darrel Anderson (Anderson Audiology), to the committee.

4. NRV Sustainable Communities Consortium Steering Committee

The Board requested staff to issue an invitation to Debbie Lineweaver to consider serving, with action on the appointment to be placed on the June 27th Board agenda.

5. Ninth District Development Financing, Inc.

The Board reappointed Dallas Cox for an additional one-year term ending June 30, 2012.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

b. Key Activity Timetable

The Board reviewed the Key Activity Timetable in detail.

Mr. Sheffey referenced the notation in the KAT regarding the Target Date of July 2011 for the "Eternal Flame" upgrade. Mr. Hiss advised initial plans had been to have the construction completed by July 2011; however, with the sudden withdrawal of the contractor, that date would need to be adjusted.

Mr. Sheffey confirmed new county engineer Jared Linkous would be overseeing those activities on the KAT designated to the former county engineer.

c. Tornado Recovery Status

Mr. Huber provided an update on the tornado recovery efforts.

Mr. Huber shared with the Board "before" and "after" pictures of the tornado damage all of which had been placed on the wall of the Board Room. Mr. Huber expressed appreciation to John Spangler for his assistance in preparing the pictures.

Mr. Huber noted the total to date in contributions to be approximately \$265,000, with donations coming from every part of Virginia and the United States.

By consensus, the Board authorized sending to the Virginia Association of Counties (VACo) and the Virginia Municipal League (VML), for placement in newsletters, a letter of thanks for the contributions and offers of assistance towards the tornado relief efforts.

Mr. Huber provided an update on the efforts of the committee appointed to oversee the expenditures of donations currently being distributed to provide for temporary housing and materials to rebuild homes. He also advised the recovery efforts were nearing the point of transitioning from smaller repairs to major home reconstruction, and that the mission of the committee is to meet the needs for those who do not have insurance, then to move to those who may gaps in insurance.

Mr. Akers referenced the many donations that have been received from out-of-state and recommended also sending a thank you letter to the National Association of Counties (NACo) for placement in the NACo newsletter.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

Mr. Sheffey referenced plans by Governor McDonnell to appeal FEMA's denial of funding assistance and inquired if the county needed to take action to follow-up on FEMA's denial. Mr. Huber responded that the county had done all it could do at this point and would be available to provide any additional data or information needed to assist in that appeal.

Mr. Huber advised of plans to solicit through the local papers asking citizens affected by the tornado to notify the tornado recovery center of any minor repairs which may not have been identified, in an effort to make sure that all needs are documented and responded to accordingly.

d. Interim Report on Indoor Wellness Facility

Mr. Huber provided an update on the indoor wellness facility which included a memo from Anthony Akers on behalf of the Wellness Committee. Mr. Huber described options outlined in the committee recommendations, indicating the next step would be to hold community meetings throughout the county to allow for citizen input.

Mr. Huber advised the committee is seeking a timetable by the Board for submitting a final report and any additional direction from the Board.

Mr. Sheffey inquired as to the planned locations for the community meetings. Mr. Huber suggested the use of schools and churches in the communities throughout the county.

Mr. Akers indicated the purpose of holding community meetings is to seek feedback on the proposed facility.

Mr. Conner suggested the county consider holding a bond referendum to determine citizen interest in a wellness facility, but expressed concern over the inability of the facility to be self-supporting financially, without proposing a tax increase to county residents.

Mr. Pratt expressed his appreciation to the committee for providing the listing of proposed options and noted it was suggested by the committee that the operating costs would be covered from revenue generated from the wellness facility.

Mr. Akers advised potential locations had been discussed by the wellness committee.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

e. Waiving of Building Permit Fees for Fairview Home

Mr. Huber described a request from the Fairview Home for the waiving of building permit fees to allow for renovations to the Home's shower facilities, with said fees estimated to cost \$153 based on construction fees of \$4,000 to \$5,000. He also reported that he had a conflict of interest as chair of the Fairview Home operating board.

On a motion by Mr. Conner, seconded by Mr. Bopp and carried, the Board approved waiving of building permit fees incurred by the Fairview Home associated with the renovations to the Home's shower facilities.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

10. Items of Consent

On a motion by Mr. Pratt, seconded by Mr. Akers and carried, the Board approved the following items of consent, except for the minutes of April 25th which were to be voted on as a separate item, and with a correction to the April 11th minutes to reflect the correct reference of "Mr. Pratt" and not "Mr. Dean". Further, that the Board pull items "g" and "m" for separate discussions and approvals, if appropriate.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp, Mr. Pratt.

Voting no: None.

a. Approval of Minutes of April 11, 18 and 25, 2011 Meetings

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved the April 25th minutes.

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

Voting no: none.

Abstaining: Mr. Bopp.

b. Accounts Payable

The Board approved accounts payable for checks numbered 2020301 through 2020658, subject to audit.

c. Interoffice Transfers & Appropriations

The Board approved interoffice transfer number 11 totaling \$40,138.44 and appropriations as follows:

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

Copy appropriations into minutes at this point

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

d. Ratification and/or Approval of Contracts, Change Orders & Agreements

1. Planning Grant for Town and County Needs Assessment

The Board ratified approval of the Planning Grant Agreement between the Virginia Department of Housing and Community Development and Pulaski County which authorizes the distributing and administration of Community Development Block Grant funds pursuant to the Community development Act of 1974, as amended.

2. Memorandum of Agreement – Agency on Aging and County

The Board ratified approval of the Memorandum of Agreement between the Board of Supervisors and the New River Valley Agency on Aging for the provision of services by the Pulaski County Informational Technology Services.

3. 2012 Sub Recipient Designation for Indoor Plumbing Rehabilitation Loan Program

The Board ratified approval for the county's continuing use of the Southeast Rural Community Assistance Center to serve as the administrator of Indoor Plumbing Rehabilitation Loan Program.

e. Personnel Changes

The Board reviewed recent personnel changes as prepared by Norma Spence, Administrative Assistant.

f. Proclamation Designating May as Older Americans Month

The Board approved the following proclamation designating May as Older Americans Month:

OLDER AMERICANS MONTH 2011
A Proclamation

WHEREAS, Pulaski County is a community that includes numerous citizens aged 60 and older; and

WHEREAS, the older adults in Pulaski County are the roots from which our community grows, who bestow gifts of wisdom and insight upon younger generations, and strengthens the bonds between neighbors to create a better place to live; and

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

WHEREAS, our society can be enhanced by older adults aging peacefully in their communities; and

WHEREAS, the older adults in Pulaski county should be commended for their role in creating and bolstering the fiber of our community and nation; and

WHEREAS, our community can provide that recognition and respect by enriching the quality of life for older Americans by:

- Increasing their opportunities to remain in their communities as active and engaged citizens;
- Providing services, technologies, and support systems that allow seniors to foster and maintain connections within the community; and
- Emphasizing the value of elders by publically recognizing their contributions to the diversity, strength, and unity of our community.

NOW, THEREFORE BE IT RESOLVED that the **Pulaski County Board of Supervisors** do hereby proclaim **May 2011** to be **Older Americans Month**. The Board of Supervisors urges every citizen to take time this month to honor our older adults and the professionals, family members, and volunteers who care for them. Our recognition of older Americans and their involvement in our lives can help us achieve stronger and more meaningful connections with each other and enrich our community's quality of life.

g. Closing of New River Post Office

Consideration of this matter will be taken under item "m" on this agenda.

h. Motor Mile Speedway Fireworks Permit

The Board approved a request from the Motor Mile Speedway for permission to hold a fireworks display on July 2, 2011.

i. Comprehensive Services Act Comments

The Board endorsed the Virginia Association of Counties position on the proposed Compensation Services Act policy, a copy of which is filed with the records of this meeting.

j. Resolution Authorizing the Use of Riverlawn Elementary School Bond Proceeds for Renovations to High School Locker Area

The Board adopted the following Resolution Authorizing the Use of Unspent Bond Proceeds for Capital Improvements to Pulaski County High School:

RESOLUTION AUTHORIZING THE USE OF UNSPENT BOND PROCEEDS FOR CAPITAL IMPROVEMENTS TO PULASKI COUNTY HIGH SCHOOL

WHEREAS, at the request and with the consent of the Pulaski County School Board (the "School Board"), the Board of Supervisors of Pulaski County (the "Board") issued Pulaski County's \$5,255,000 General Obligation School Bond, Series 2008 (the "Bond") for the purpose of financing certain capital projects for school purposes; and

WHEREAS, the primary purpose of the bond issue, to pay the costs of capital improvements to Riverlawn Elementary School, has been accomplished at a cost less than originally expected, due to cost underruns and savings in construction, and there remain unspent proceeds of the Bond and earnings thereon in the approximate amount of \$430,000.

WHEREAS, the Board desires to authorize the use of the unspent proceeds and earnings for capital improvements to Pulaski County High School, subject to the School Board concurring with such authorization.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PULASKI COUNTY, VIRGINIA:

1. The use of the unspent proceeds of the Bond and earnings thereon to pay costs of capital improvements to Pulaski County High School is hereby found to be within the purpose for which the Bond was issued and such use is hereby authorized and approved, provided that the School Board concurs with the foregoing authorization.
2. The officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with such use of the proceeds and earnings.
3. This Resolution shall take effect immediately.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

k. Engineering Contracts

As reported in the Board packet, Jared Linkous, the county's engineer, had conducted a solicitation of proposals from area engineers. Qualified responses were received from Anderson and Associates, Draper Aden, ECS, Thompson & Litton, Gay and Neel and AECOM.

The Board authorized entering into non-exclusive general engineering agreements with all but ECS (a soils engineering firm which also partnered with two of the other primary firms). Mr. Huber advised having five engineering firms to work with provides the County and the PSA with maximum flexibility, with individual jobs to be assigned based on specific expertise, speed of completion and pricing.

l. Hydrilla Control

The Board authorized the expenditure of up to \$50,000 from current year contingency to allow the immediate stocking of 6,000 sterile grass carp and for subsidizing private property owner costs in chemically treating hydrilla, as recommended by hydrilla and fisheries experts and as approved by the Virginia Department of Game and Inland Fisheries.

m. Opposition to Closing New River Post Office

As reported in the Board packet, the New River Post Office is slated for closing and a community meeting had been scheduled for Monday, May 16th to hear concerns regarding the matter. Due to the need for quality postal services in the eastern portion of Pulaski County, and the ease of access, hours of operation and responsive customer services, staff recommended that the Board go on record as opposing the proposed closing.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board authorized the sending of letters in opposition to the closing to the various legislators and the U. S. Postal representatives.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

n. Letter of Thanks to VML and VACo

The Board authorized requesting the VACo, VML and NACo staff to place in their respective agency newsletters, letters of thanks and appreciation to the many individuals and localities who have provided donations towards the tornado relief efforts.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

11. Citizen Comments

There were no citizen comments.

12. Other Matters from Supervisors

Mr. Akers related situations where he had to visit the Radford Post Office and experienced long waits, often as much as an hour long, and suggested the closing of the New River Post Office would worsen the current situation at the Radford Post Office and place a burden on those residents who normally visit the New River Post Office. Mr. Akers suggested the Board consider "marketing" the New River Post Office as a full service Post Office.

Mr. Sheffey referenced the recent public comments session where citizens were allowed to speak before a representative of the Postal Service on the closing of the New River Post Office, and indicated citizen comments were in favor of not closing the Post Office.

Mr. Sheffey commended Robert Hiss and the Cloyd's Mountain committee for the recent Cloyd's Mountain battlefield events. Mr. Hiss offered to pass along to the committee the Board's expression of appreciation.

Mr. Sheffey commended Robert Hiss for serving as the county's public information officer and providing positive representation on behalf of the county.

Mr. Sheffey recognized Shawn Utt for the recent article which appeared in the Anderson and Associates newsletter in which the focus was on the efforts by Mr. Utt in promoting economic development in the county.

Mr. Sheffey reminded the Board of the "no tie" designation for Board members while attending Board meetings, effective with any meetings following Memorial Day through Columbus Day.

Potential Board Quorums

Mr. Huber advised of the potential for there to be three or more Board members at the May 25, 2011 event at Volvo featuring the 500,000th truck celebration.

Mr. Akers advised of the potential for there to be three or more Board members at the unveiling of the Regional Tourism Website at the Competiveness Center on Tuesday, May 31, 2011.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 23, 2011

13. Adjournment

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board of Supervisors adjourned to its regular meeting. The next regular meeting of the Board of Supervisors is scheduled for Monday, June 27, 2011 beginning with a Closed Session at 6:00 p.m. and regular session at 7:00 p.m. The meeting will be held at the County Administration Building, 143 Third Street, N. W., in the Town of Pulaski.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp, Mr. Pratt.

Voting no: None.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator