

## BOARD OF SUPERVISORS MEETING MINUTES OF JUNE 2, 2003

At a reconvened meeting of the Pulaski County Board of Supervisors held on Monday, June 2, 2003 at 6:00 p.m. at the County Administration Building, Board Room, 143 3<sup>rd</sup> Street, NW, in the Town of Pulaski, Virginia, the following members were present: Joseph L. Sheffey, Chairman; Dr. Bruce L. Fariss, Vice-Chairman; Charles E. Cook; William E. "Eddie" Hale; and Frank R. Conner. Staff members present included: County Administrator, Peter M. Huber; Assistant County Administrator, Nancy M. Burchett; and Executive Secretary Gena T. Hanks.

### 1. Public Hearing – FY 04 Budget

Chairman Sheffey welcomed those in attendance and called the meeting to order.

Chairman Sheffey opened the public hearing on the FY 04 budget. Mr. E. W. Harless requested the Board fill the Emergency Management Coordinator position left vacant by the resignation of Stan Crigger. Mr. Harless encouraged the Board to consider applicants with the knowledge, expertise and skills to perform the job properly. He further advised the Emergency Management Coordinator provides services that are beneficial to the railroad, citing the assistance with the recent derailings.

Chairman Sheffey asked Mr. Harless about the derailings that have occurred in the last year. Mr. Harless explained that the majority of the derailings occurred due to the trains hitting something that is in the path of the train and located on the train tracks. He advised the public is not often aware of the dangers of railroad crossings and further explained the importance of individuals staying off of railroad tracks.

There being no further comments, the public hearing was closed. Chairman Sheffey advised action regarding the FY 04 budget would be placed on the Board's June 23, 2003 Board agenda.

### 2. Introduction of New Chamber Executive Director, Candice Simmons

Supervisor Charles Cook introduced Ms. Simmons and explained the qualifications which enabled her to be appointed to the position of the Pulaski County Chamber Executive Director. Chairman Sheffey welcomed Ms. Simmons to Pulaski County.

3. Reports from County Administrator and Staff

a. Publication of VACO Public Service Announcements

Mr. Huber presented two thirty-second TV spots which had been developed by the Virginia Association of Counties regarding state funding cutbacks and the affect on local governments. The Board authorized staff to proceed with having the videos aired on the county's public information cable channel.

b. Drainage Issues

Mr. Huber presented a detailed review of options for addressing drainage issues in the county. He advised the potential use of Revenue Sharing funds, and using the county's work force to perform drainage work on a limited one or two day a month basis, which would allow a way of addressing the drainage issues without direct costs to the county.

Board members expressed concerns regarding ditches remaining open for long periods of time, the potential liability by the county for accidents that could occur resulting from open ditches, and expressed concern that the county is taking on a VDOT responsibility.

Supervisor Sheffey asked if other localities were providing county staff to perform work on drainage issues. VDOT Resident Engineer Dan Brugh advised Giles County had provided staff for several drainage issues in Giles County.

Mr. Brugh advised some of the sites listed by county staff with drainage issues are located on VDOT right-of-way and some on private property. He advised the Dunkard's Bottom drainage issue is a private property issue and not VDOT responsibility, further that the Board needs to be concerned about taking on the responsibility of addressing drainage issues, and that the Dunkard's Bottom issue is not a maintenance issue, but rather a construction matter. Mr. Brugh advised the Dunkard's Bottom drainage issue is not with water standing on VDOT property, but rather ponding in the yard at the intersection of Dunkard Road and Barton Drive, which is off the VDOT right-of-way.

Supervisor Sheffey requested county staff determine if the list of drainage issues presented at the Board meeting are currently on the six year plan waiting list.

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Supervisor Cook advised he considered the Dunkard's Bottom issue a VDOT responsibility. He further advised if the county were to address the Dunkard's Bottom drainage issue using county staff, the county would be setting a precedent for other drainage issues in the county. Mr. Cook expressed concern that county staff had not written the letter on the Board's behalf to the VDOT chief engineer requesting use of maintenance funds, as was directed by the Board at its May 19, 2003 meeting.

Supervisor Hale expressed support of county staff's decision not to write the letter to the VDOT chief engineer, since county staff had met with VDOT's chief engineer and VDOT determined Revenue Sharing funds and VDOT six year secondary road funds could be used for addressing the drainage issue.

Mr. Brugh emphasized the Dunkard's Bottom drainage issue is not considered a maintenance issue, but rather a construction project, and could be considered by the Board in the fall as a part of the six year plan, should the Board desire. Mr. Brugh further advised monies would be saved in the six year plan as a result of the Rt. 711 road matter being placed under the Rustic Road Program. He confirmed the initial estimate to provide construction improvements to the Dunkard's Bottom drainage would cost approximately \$125,000; however, if easements could be donated, the cost could be reduced to approximately \$80,000. Mr. Brugh recommended the responsibility of obtaining the easements rests with the property owners and not VDOT or the county.

On a motion by Dr. Fariss, seconded by Mr. Hale and carried, the Board approved encouraging the Dunkard's Bottom residents to acquire the necessary right-of-way needed for the construction improvements and indicated the Board's intention to place the drainage issue on the six-year plan when revised in the fall of 2003.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.

Voting no: none.

Supervisor Cook made a motion directing county staff to write the letter to VDOT regarding roadway classification, as directed at the Board's May 19, 2003 meeting. There was no second to the motion and Supervisor Cook called for a vote by the Board.

Voting yes: Mr. Cook.

Voting no: Dr. Fariss, Mr. Sheffey, Mr. Hale, Mr. Conner.

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On a motion by Dr. Fariss, seconded by Mr. Conner and carried, the Board approved action to bring the issue involving the writing of the letter to VDOT back to the table for consideration by the Board.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.  
Voting no: none.

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board directed county staff to not write a letter to VDOT regarding use of maintenance funding, since county staff had met with the VDOT chief engineer and a determination was made at that meeting that the drainage issue could be considered using Revenue Sharing funds and/or six-year secondary road funds.

Voting yes: Dr. Fariss, Mr. Sheffey, Mr. Hale, Mr. Conner.  
Voting no: Mr. Cook.

#### 4. Items of Consent

On a motion by Dr. Fariss, seconded by Mr. Cook, the Board approved all items of consent as follows, except for item "d – Pigeon Control", for which action was taken separately:

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.  
Voting no: none.

##### a. Minutes of May 5 and 12, 2003

The Board approved the May 5 and 12, 2003 minutes as presented.

##### b. Award of Audit and Cost Allocation Contracts

The Board approved award of the audit services to Robinson, Farmer, Cox Associates and the cost allocation plan to Maximus, as recommended by county staff. Staff noted both firms have fulfilled these functions in previous years and that the separation of duties between the two firms saved \$200 and provide a double check on the proper accounting of expenditures.

##### c. New River Community Action Homeless Intervention Program

Supervisor Fariss requested clarification on the program. Mr. Huber advised a grant application was submitted by New River Community Action to address the homeless issues in Pulaski County and that the program would be at no cost to the county. Social Services Director James Wallis concurred with Mr. Huber's statements and advised the program appears to be worthwhile and could bring additional federal funds for helping the citizens in Pulaski County.

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The Board ratified the grant application previously submitted.

d. Pigeon Control

Mr. Huber advised Pulaski Furniture has contracted with the U.S. Department of Agriculture for the removal of pigeons from their facilities with the first phase of the effort costing \$2,500, resulting in elimination of approximately 400 pigeons. He advised Pulaski Furniture and the Town of Pulaski are seeking financial participation in the amount of \$1,150 from the county for the second phase to ensure the population does not rebound.

The Board took no action on the request at this time, but requested county staff to provide a report at the Board's June 23 meeting on damage to county buildings by pigeons.

e. Friends of Claytor Lake (FOCL) Donation

The Board ratified a \$7,500 donation to FOCL following administrative approval to purchase a 1991 Mack DM Roll Off truck from Waste Management as a price of \$7,500. This donation was based on anticipated revenue from the sale of surplus vehicles.

5. Other Matters

Mr. Huber advised Board members had been extended an invitation by the Town of Pulaski to attend a groundbreaking for the New River Trail at the Dora Highway site on Saturday, June 6, 2003.

Supervisor Cook advised he had received a letter from the Pulaski County High School VICA program requesting monetary support for sending students to the VICA national convention.

On a motion by Mr. Cook, seconded by Dr. Fariss and carried, the Board directed county staff to send the request to the committee overseeing special funding requests, noting that if the special funding request by VICA meets the criteria of the committee, that the request be approved as presented.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.

Voting no: none.

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6. Closed Meeting – 2.2-3711.A.1.3.5.7

It was moved by Mr. Hale, seconded by Mr. Conner and carried, that the Board of Supervisors enter 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:

- ◆ Emergency Management Coordinator
- ◆ Salary Adjustments

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.

Voting no: none.

Return to Regular Session

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

Voting yes: Dr. Fariss, Mr. Sheffey, Mr. Hale, Mr. Conner.

Voting no: none.

Not present: Mr. Cook.

Certification of Conformance with Virginia Freedom of Information Act

On a motion by Mr. Hale, seconded by Mr. Conner 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

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the closed meeting were heard, discussed or considered by the Board of Supervisors.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale,  
Mr. Conner.

Voting no: none.

◆ Personnel

On the motion of Mr. Cook, seconded by Mr. Hale and carried, the Board of Supervisors approved a pay increase of \$1,000 for Doug Mayberry, Fleet Maintenance Director, effective June 1, 2003. Further, the Board authorized the County Administrator to make appropriate pay adjustments for employees, as long as pay increases are within appropriate pay ranges established for each position.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.  
Voting no: none.

4. Adjournment

It was moved by Mr. Hale, seconded by Mr. Cook and carried that the Board of Supervisors adjourned to reconvene for their regular meeting on Monday, June 23, 2003, at 7:00 p.m. at the County Administration Building, 143 3<sup>rd</sup> Street, NW, Pulaski, Virginia.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.  
Voting no: none.

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Joseph L. Sheffey, Chairman

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Peter M. Huber, County Administrator