

BOARD OF SUPERVISORS MEETING MINUTES OF FEBRUARY 25, 2008

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, February 25, 2008 beginning with a Closed Session at 6:00 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; Frank R. Conner, Vice-Chairman; Ranny L. Akers; Charles Bopp; and Dean K. Pratt. Staff members present included: Peter M. Huber, County Administrator; Thomas J. McCarthy, Jr., County Attorney; Robert Hiss, Assistant County Administrator; and Gordon Jones, Finance Director. Joining the regular session at 7:00 p.m. was Gena T. Hanks, Clerk.

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

- Closed Session– 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. Conner, seconded by Mr. Akers 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:

- Appointments

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 or industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

- Industrial Access Road Request

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

Voting no: none.

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Return to Regular Session

It was moved by Mr. Akers, seconded by Mr. Pratt and carried, that the Board return 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

It was moved by Mr. Conner, seconded by Mr. Bopp 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. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

1. Invocation

The invocation was presented by Reverend David Hoover, Pulaski Christian Church.

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2. Recognitions

a. Featured Employee Awards

The Board recognized Richard Fasnacht from the PSA Water Department and Steve Crockett from the Water Treatment Plant as the featured employees to serve during the month of March. Mr. Sheffey read a description of the job duties and personal interests for Mr. Fasnacht and Mr. Crockett. Supervisors presented Shoney's gift certificates to both employees.

3. Additions to Agenda

Mr. Huber noted the additions to the agenda include a report from Mr. McCarthy on a program related to individuals on probation working off their probationary time by picking up trash.

4. Public Hearings:

a. The petition by **Robert D & Reita J Trobaugh** to rezone property located at 6605 Rose Lane, (Rt. 754) in the Cloyd District from Residential (R3) to Residential (R1).

Mr. Hiss presented staff comments and advised the Planning Commission recommended approval.

Chairman Sheffey opened the public hearing.

Mr. Robert Trobaugh provided specific details of his petition and requested the Board vote favorably to approve the request. Further, Mr. Trobaugh commended county staff for working with him throughout the rezoning process.

Mr. Andrew Szerokman and Mr. Carl Snead spoke in favor of the request.

There being no further comments, the hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved the rezoning petition, as recommended by the Planning Commission.

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

Voting no: none.

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- b. The petition by **Hal G & Cheryl L Gillespie** to rezone from Commercial (CM1) to Residential (R3) located at 7535 Lee Highway, (Rt. 11), Cloyd District

Mr. Sheffey explained the requested petition had been advertised for a public hearing; however, the Planning Commission recommended tabling to March Board meeting. Mr. Sheffey called for any comments from the public due to the petition having been advertised for a public hearing.

- c. The petition by **Hal G & Cheryl L Gillespie** for a Special Use Permit (SUP) to allow an Assisted Living Facility, located at 7535 Lee Highway, (Rt. 11), Cloyd District

Mr. Sheffey explained the requested petition had been advertised for a public hearing; however, the Planning Commission recommended tabling to March Board meeting. Mr. Sheffey called for any comments from the public due to the petition having been advertised for a public hearing.

- d. Revisions and updates to the **Pulaski County Comprehensive Plan** to the **North Planning Area** of the county. This area would include Little Creek Community, Back Creek Community and the Northern portions of Robinson Magisterial District.

Mr. Huber provided an update on the comprehensive plan, the work sessions held by the Planning Commission, public input sessions regarding the formulation of a plan, and a recommendation by the Planning Commission for approval of the revisions.

Mr. Huber introduced Kevin Burke with the New River Valley Planning District Commission who described a slide presentation related to the North Planning Area.

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

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the revisions to the North Planning Area of the Comprehensive Plan, a copy of which is filed with the records of this meeting and in the Pulaski County Community Development Department.

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

Voting no: none.

- e. A request from the **County of Pulaski**, to vacate a 20 ft. right-of-way of **Mills Avenue** from its intersection with Viscoe Road to a distance approximately 300 feet in length and adjoining the east boundary of 029-001-0000-0062, property owned by **Fairlawn Brethren Church**, Cloyd District

Mr. Huber reported the Planning Commission had tabled this matter to its March meeting to allow the School Board to discuss options with the adjacent property owners.

- f. Adoption of a Voluntary Boundary Line Adjustment Agreement

Mr. McCarthy explained the proposed boundary line adjustment. He advised the Town of Dublin had held a public hearing and approved the boundary line adjustment agreement.

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

Supervisor Akers inquired as to other areas in the county with similar circumstances. Mr. McCarthy advised such areas would not be known until a developer would begin the process of drawing of lines. He further explained that each such instance would have to be addressed on a case-by-case basis.

On a motion by Mr. Akers, seconded by Mr. Bopp and carried, the Board approved the following boundary line adjustment agreement:

BOUNDARY LINE ADJUSTMENT AGREEMENT

THIS AGREEMENT made and entered into this 25th day of February, 2008, by and between the County of Pulaski, Virginia, a political subdivision of the Commonwealth of Virginia, (hereinafter the "County"), by and acting through its governing body, the Board of Supervisors of Pulaski County, Virginia, party of the first part; and the Town of Dublin, Virginia, a Virginia chartered municipality, (hereinafter the "Town"), acting by and through its governing body, the Town Council of the Town of Dublin, Virginia, party of the second part.

W I T N E S S E T H

WHEREAS, it is the desire of the Town and the County to bring Lots 4, 5, 6, 7, 8 and 9 of Bell-Brown Estates, Phase 3, within

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the jurisdiction of the Town of Dublin, Virginia, in order to qualify them for development in the best interest of the citizens of the Town of Dublin and County of Pulaski, Virginia; and

WHEREAS, Section 15.2-3106, et. seq. of the Code of Virginia, 1950, as amended, authorizes Virginia counties and towns to change the boundary lines existing between them by voluntary agreement in accord with specified statutory procedures contained therein; and

WHEREAS, the Town and the County consider the proposed incorporation of the real property, more particularly described by a plat entitled "Voluntary Boundary Line Adjustment, on the Town of Dublin Corporate Limits and Pulaski County Line, prepared by Mathews & Henegar, Inc., Pulaski County, Virginia," lying in the Town of Dublin and County of Pulaski, Virginia, Ingles Magisterial District, dated February 4, 2008, and on file in the Office of the County Administrator of the County of Pulaski and the Office of the Town Manager of Dublin, Virginia, into the Town to be in accord with the policies and guidelines of the 1991 Town of Dublin Comprehensive Plan and will be in the best interests of the affected citizens of the Town and the County;

NOW, THEREFORE, the parties hereto hereby agree as follows:

1. The boundary line which is hereby agreed to and to be established is generally depicted on a Plat entitled, "Voluntary Boundary Line Adjustment, on the Town of Dublin Corporate Limits and Pulaski County Line, prepared by Mathews & Henegar, Inc., Pulaski County, Virginia," lying in the Town of Dublin and County of Pulaski, Virginia, Ingles Magisterial District, dated February 4, 2008. The proposed new boundary line is more specifically described on said plat.
2. The County Attorney and the Town Attorney are hereby authorized to act on behalf of the County and Town, respectively, to prepare, file, and sign any documents, pleadings, and orders reasonably necessary to insure that a court order designating and establishing the new boundary line be entered in accordance with Section 15.2-3106 et. seq. of the Code of Virginia, 1950, as amended.
3. The boundary line adjustment shall be effective on the date of entry of the Circuit Court order designating and establishing the new boundary line.

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

Voting no: none.

g. Consideration to the creation of the New River Valley Network Wireless Authority as authorized by Virginia Code Section 15.2-5431.1, et. seq.

Mr. Huber explained the purposed of the public hearing was to allow for consideration of adoption of a resolution to allow the Pulaski County Board of Supervisors to join with the counties of Giles and Montgomery in creating a Wireless Integrated Network Authority to provide high speed data service and internet access service as permitted under Virginia Code Section 15.2-5431.1, et. seq. and 56-484.7:1, et. seq.

Chairman Sheffey opened the public hearing.

Mr. E. W. Harless expressed concern about the overall cost to the county of creating an authority. Mr. Huber explained that while the cost is unknown at this time, the expected savings in the long-run, coupled with the benefit of providing the service to citizens, should allow for a savings to the public. Further, Mr. Huber explained that the county's current cost for renting the service is \$100,000 and that this amount would be applied towards owning connection services as opposed to renting them from others.

There being no further comments, the hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Conner and carried, the Board approved County Attorney Tom McCarthy working with the Planning District Commission on a resolution establishing this Authority.

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

Voting no: none.

Presentation of FY 07 Audit

Deanna Cox, representing Robinson, Farmer, Cox Associates, presented the FY 07 audit report and provided specifics related to the reporting responsibility placed on localities. Ms. Cox reported no significant management concerns. She encouraged the county to utilize capital assets software in accounting for capital assets, recommended adopting a minimum fund balance policy, and reported the School Board finance director has implemented practices to correct deficiencies related to the schools.

Supervisor Sheffey requested a statement from county staff advising all actions had been taken to correct the deficiencies noted by the auditor.

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Mr. Huber thanked the Board for allowing for the restructuring of the administrative side of the county staff by hiring Gordon Jones as the county's finance director. Supervisor Sheffey commended county staff for its work throughout the audit process.

Mr. Sheffey noted errors on page one of audit in the names of the Social Services Board members. Mr. Jones advised he would have the appropriate corrections made to the listing of the Social Service Board members.

5. Citizen Comments

There were no citizen comments at this time.

6. Highway Matters:

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

a. Follow-up from Previous Board meeting

- Review of Highway Matters Section of Key Activity Timetable (KAT)

Mr. Sheffey inquired regarding the status of the various speed studies requested by the Board over the past year. Mr. Clarke advised the timeliness for the completion of speed studies is a problem throughout the district. Mr. Clarke did not give a date for completion of the speed studies.

b. Citizen Requests:

1. Speed Limit Request – Route 660

Mr. Huber explained a request by Tony Landreth, Manager of the Holston River Quarry, for a formal speed study on Route 660 (State Park Road) between I-81 and Wilderness Road. The requested speed study is to allow Holston River Quarry to obtain an entrance permit on Route 660, 325 feet northwest of the I-81 South bound on ramp.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved requesting VDOT perform a formal speed study on Route 660, State Park Road, between I-81 and Wilderness Road.

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

Voting no: none.

2. Request for Signage – Rt. 600 in Parrott

Mr. Sheffey relayed a concern from Mr. Ed Hoggett regarding tractor trailers becoming stuck at the end of the very small cul-de-sac at the end of Route 600. Mr. Sheffey had been advised by Mr. Hoggett that wreckers are often called upon to assist truckers when trucks become stuck at the end of the cul-de-sac. Mr. Sheffey requested VDOT install signage on Rt. 600 alerting trucks of no turn around.

c. Citizen Comments

There were no citizen comments.

d. Board of Supervisors Concerns

Mr. Pratt advised of "no parking" signage having been damaged on Armstrong Street in Dublin. Mr. Clarke agreed to have VDOT to review and the matter erect/repair signage as appropriate.

Mr. Akers advised of trees not being properly removed following the recent severe wind storms, specifically in Montgomery County upon leaving the west end of Radford onto Little River Dam Road (Montgomery County). Mr. Clarke agreed to review the matter and provide an update at a future meeting.

Mr. Sheffey inquired as to the latest information from the General Assembly on funding. Mr. Clarke advised the general downturn in the economy continued to affect VDOT funding.

Mr. Huber reported a prospect of the Corporate Center was interested in STAA designation for Cougar Trail Road from the lowest designation for Routes 812, 813 and 814 to technically allow double trailers into the Corporate Center. Mr. Clarke agreed to review the matter and provide an update on the requirements to obtain STAA designation.

Mr. Clarke advised VDOT will have funds to modify Exit 94 eliminating the north bound on ramp and substitute a left turn lane. Board members directed county staff to request comments from the Town of Pulaski regarding this matter. County staff was requested to provide the Board with sketches of the proposed changes.

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Mr. Pratt advised that a similar situation exists at Exit 89.

Mr. Sheffey questioned VDOT about the latest report on the improvements on I-81. Mr. Clarke advised Federal money had been earmarked for truck lanes near Fairfield and in Montgomery County.

7. Treasurer's Report

Treasurer Melinda Worrell provided an update. Mr. Sheffey inquired regarding a response to the ad published recently of delinquent taxes. Ms. Worrell advised the response had been good as a result of the publication of the delinquent ad.

8. Reports from the County Administrator & Staff:

a. Key Activity Timetable

Board members reviewed the Key Activity Timetable.

Mr. Pratt inquired as to the status of the Draper Fire Department addition. Staff reported Mr. Coake is working on the addition and that the projected target date should be moved to September 08.

Mr. Hiss reported the opening of the handicapped ramp took place on February 25 and suggested changing the target date to March 08 for final completion.

Mr. Akers inquired regarding the Hiwassee Fire/Rescue addition. Mr. Huber reported the project was moving slowly, however, progress was being made.

b. Appointments:

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

1. Building Appeals Committee

No action was taken on this matter. Staff was directed to place this matter on the March Board agenda.

2. NRV Green Infrastructure Committee

The Board appointed Ranny Akers as the Board representative and Joe Sheffey as an alternate; Andy Hall as

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Planning Commission representative and Doug Warren as an alternate; and Ronnie Coake as county staff and Shawn Utt as an alternate.

3. Central Pulaski Transportation Planning Steering Committee

The Board appointed Doug Warren, Debbie Lineweaver, and Shawn Utt to the committee.

4. Clean Community Council

The Board appointed Extension Agent Jason Pratt to fill a position vacated by Dawn Barnes.

5. New River Valley Planning District Commission (PDC)

Mr. Huber noted Pete Crawford had requested the Board accept his resignation from the Planning District Commission. Staff was directed to ask Jerry White to consider serving on the PDC with Dave Dean as a backup. Staff was directed to place this matter on the March Board agenda.

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

Voting no: none.

c. Revenue Projections

Mr. Huber presented detailed slides of revenues projected for FY 09, indicating only a slight increase in local revenues. Mr. Sheffey requested staff include the detailed slides in the weekly update.

Mr. McCarthy provided information regarding a program which allows individuals on probation to work off their probation hours by picking up trash. He advised Giles County had successfully implemented the program. Mr. McCarthy advised he would provide a resolution for consideration by the Board with a full report to be presented at the March Board meeting.

9. Items of Consent

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved the following "Items of Consent".

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Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp, Mr. Pratt.
 Voting no: none.

a. Approval of Minutes of January 28, February 4 and 11, 2008

The Board approved the minutes of the January 28, February 4 and 11, 2008 meetings.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 2000564 through 2001064, subject to audit.

c. Appropriations & Interoffice Transfers

The Board approved Interoffice Transfer #8 totaling \$48,846.70 as well as the following monthly appropriations:

General Fund # 8

<u>Account Number</u>	<u>Account Title</u>	<u>Amount Increase (Decrease)</u>
<u>Revenues:</u>		
016130-1100	Recreation Donations	\$ 575.00
018030-1300	Miscellaneous- Refunds and Recoveries	3,350.00
023040-0200	Shared Expenses- Treasurer's Office Exp	152.28
014010-0600	Courthouse Security Fees	25,000.00
	Total	\$ 29,077.28

Expenditures:

012220-3110	Personnel- Wellness Programs	\$ 1,350.00
012410-5510	Treasurer's Office- Mileage	152.00
071320-5699	Randolph Park- Operating Expenses	575.00
031200-9301	Sheriff's Office- Part-time Salaries	25,000.00
091400-9301	Contingency- unbudgeted Expenditures	2,000.00
	Total	\$ 29,077.28

School Fund #15

<u>Account Number</u>	<u>Account Title</u>	<u>Amount Increase (Decrease)</u>
<u>Revenues:</u>		
3-205-024020-2050	Pre-School SS Grant	\$ -2,111.00
	Total	\$ -2,111.00

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Expenditures:

4-205-061100-6013-211-100-315	Instructional Supplies	\$ 2,111.00
	Total	\$ 2,111.00

School Construction Fund #7

<u>Account Number</u>	<u>Account Title</u>	<u>Amount Increase (Decrease)</u>
<u>Revenues:</u>		
015010-0200	Interest on Investments	\$ 43,582.49
041999-0000	Use of Fund Balance	
	Total	\$ 43,582.49

Expenditures:

066500-8265	Fairlawn Elementary School	\$ 43,582.49
	Total	\$ 43,582.49

Inter-Department Transfer #6

<u>Account Number</u>	<u>Account Title</u>	<u>Amount Increase (Decrease)</u>
<u>Revenues:</u>		
3-100-041999-0000	Use of Fund Balance	\$ 2,000.00
3-302-041050-1000	CIP Fund-TRANSFER FROM GENERAL FUND	43,700.00
3-302-032090-0100	CIP Fund- RD Loan Proceeds/Grant	402,000.00
	Total	\$ 487,700.00

Expenditures:

4-100-091400-9301	General Fund- Contingency	\$ (1,700.00)
4-100-093000-9206	General Fund- Transfer to CIP Fund	43,700.00
4-302-032230-8112	CIP Fund- Hiwassee Vol Fire Dept.- Bldg. Imprvmt.	444,000.00
4-302-081400-3800	CIP Fund- Comprehensive Plan Update	1,700.00
	Total	\$ 487,700.00

Inter-Department Transfers- #6
General Fund

0914009301	Contingency	\$ (15,410.00)
012220-1110	Personnel- Merit Increases	(10,765.00)
034100-1110	Building Dept.- Salaries and Wages	10,000.00
034100-2100	Building Dept.- FICA	765.00
034410-1139	Code Enforcement- Salaries and Wages	5,000.00
034410-2100	Code Enforcement- FICA	382.50
042600-1339	Clean Community Council- Salaries and Wages	(15,000.00)
<u>Expenditures:</u>		

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Approval was given by the Board for payment of overtime from the contingency budget line item.

h. Fireworks Permit – Motor Mile Speedway

Approval was given by the Board for fireworks displays for 2008, subject to all fireworks being set off by 11:00 p.m. A copy of a complete listing of dates for the fireworks displays is filed with the records of this meeting.

Staff was requested to determine if the state statute has changed regarding issuance of fireworks permits.

10. Citizen Comments

There were no citizen comments at this time.

11. Other Matters from Supervisors

Mr. Akers noted his attendance at the 110th birthday celebration at Wheatland Hills Retirement honoring Epsie Wilson. Mr. Akers praised County Administration employee Autumn Dehart for her professionalism in arranging participation in the ceremony etc.

Mr. Conner expressed concern over abandoned vehicles at the garage.

Mr. Pratt expressed concern over the condition of the road leading to the Visitor Center, specifically holes in the road resulting in damage to vehicles. Mr. Pratt requested the county repair the road. Mr. Huber explained the road is a private road owned by the Comfort Inn and the county has no legal authority to make repairs to the road.

The Board requested county staff send a letter to the Comfort Inn owners, along with photos of the road, advising of the legal liability due to the poor condition of the road.

E. W. Harless suggested asking the Comfort Inn to convey the road to the county.

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12. Adjournment

On a motion by Mr. Conner, seconded by Mr. Bopp and carried, the Board of Supervisors adjourned its regular meeting. The next regular meeting of the Board of Supervisors is scheduled for 7:00 p.m. on Monday, March 24, 2008 in 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