

## BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 18, 2008

At a special called meeting of the Pulaski County Board of Supervisors held on Monday, August 18, 2008 at 6:00 p.m. in the New River Community College Edwards Hall Board Room, 5255 College Drive, Dublin, Virginia, the following members were present: Joseph L. Sheffey, Chairman; Frank E. Conner, Vice-Chairman; Charles R. Bopp; Ranny L. Akers; and Dean K. Pratt. Staff members present included: Thomas J. McCarthy, Jr., County Attorney; Robert Hiss, Assistant County Administrator; Ron Coake, County Engineer; Dave Rundgren, Executive Director of the New River Valley Planning District Commission; and Peter M. Huber, County Administrator.

### 1. 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. 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:

- Retirement Gift

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 Sunshine

Legal Matters – Pursuant to Virginia Code Section 2.2-3711(A)7 consultation with legal counsels and briefing by staff for discussion of specific legal matters and matters subject to probable litigation regarding:

- Response to Suit

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. Conner, 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. Pratt, seconded by Mr. Conner 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.

2. Invocation

Thomas J. McCarthy, County Attorney provided the invocation.

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3. Waiver of Notice Signatures

Mr. McCarthy collected signed waiver of notification forms from all Board members, a copy of which is filed with the records of this meeting.

4. Reports from County Administrator and Staff

- Commerce Park/Regional Water Project

As included in a November 2007 report and a August 18, 2008 memo to the Board, Mr. Huber, Mr. Rundgren and Mr. Coake described the anticipated need to upgrade the Public Service Authority's water treatment plant to increase the capacity of transmitting water from Dublin to Fairlawn and the need to provide increased water capacity at the Commerce Park. All three of these needs would be addressed through the utilization of excess water treatment capacity at the Radford Water Treatment plant through a regional authority or similar entity.

Mr. Rundgren described the opportunity to complete application for \$3.4 million in federal funding through the U.S. Department of Commerce Economic Development Administration (EDA) program. He also described recent staff changes which made it difficult to predict when various commitments were needed from the locality. This situation led to the requirement that the PSA be able to document the ability to borrow the required \$3.1 million match prior to further consideration by EDA of the proposed grant.

On a motion by Mr. Akers, seconded by Mr. Conner and carried, the Board committed to providing the PSA with a loan in the amount of \$3.4 million for the purpose of implementing a regional water project. This action is based on the long-term need for potable water, the economic need for the development of the Commerce Park, the continued growth of the eastern portion of the County, and the willingness of the City of Radford and the Commerce Park Participation Committee in working with the PSA in the implementation of this project.

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

Voting no: None.

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5. Adjournment

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board of Supervisors adjourned its special called meeting

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

Voting no: None.

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Joseph L. Sheffey, Chairman

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Peter M. Huber, County Administrator