

BOARD OF SUPERVISORS MEETING MINUTES OF JULY 27, 2009

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, July 27, 2009 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; Dean K. Pratt, Vice-Chairman; Ranny L. Akers; Charles Bopp; and Frank R. Conner. Staff members present included: Peter M. Huber, County Administrator; Robert Hiss, Assistant County Administrator; Shawn Utt, Community Development Director; Diane Newby, Finance Director; and Thomas J. McCarthy, Jr., County Attorney. Joining the regular session at 7:00 p.m. was Gena Hanks, Clerk to the Board of Supervisors.

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 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.

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

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:

- None

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.

- Pepper's Ferry Project
- Competitiveness Center
- Project M. E.

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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:

- New River/Mount Rogers Workforce Investment Consortium Agreement

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

Voting no: none.

Return to Regular Session

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

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

Voting no: none.

2. Invocation

The invocation was provided by Rev. Terry Woodard of the Fairlawn Presbyterian Church.

3. Recognitions:

a. Passing of Stanley Taylor, Julius Long & Robert Brewer

Mr. Sheffey advised of the recent passing of former Pulaski County Board of Supervisor member Stanley Taylor, as well as Julius Long and noted his longstanding service to the nation in the trials he endured as a prisoner of war, and former Water Treatment Plant employee Robert Brewer. Mr. Sheffey called for a moment of silence in honor of these individuals.

Mr. Huber advised the county flags were lowered in honor of employee Robert Brewer and noted a county pin had been presented to the family.

b. Featured Employees

The Board recognized Alfred Woodyard of the Refuse Department as the Featured Employee to serve in the month of August. Chairman Sheffey read a description of the job duties and personal interests of Mr. Woodyard and presented a Fatz Cafe gift certificate to Mr. Woodyard.

c. Introduction of New Information Technology (IT) Director

Mr. Huber introduced Tim Barnes as the new IT Director for the school system & county as part of joint services.

4. Additions to Agenda

There were no additional agenda items.

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5. Public Hearings:

a. New River Precinct Move

Mr. Sheffey advised a public hearing had been scheduled to consider adoption of an ordinance allowing for the relocation of the polling place for the New River Precinct from the Fairlawn Volunteer Fire Department to the Riverlawn Elementary School.

Mr. Sheffey opened the public hearing.

Sybil Atkinson, Secretary of the Electoral Board, explained the proposed ordinance and offered to answer any questions posed by Board members.

There being no further comments, the hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Bopp and carried, the Board adopted the following ordinance:

**ORDINANCE TO ESTABLISH RELOCATION OF
A POLLING PLACE FOR THE NEW RIVER PRECINCT
FOR PULASKI COUNTY, VIRGINIA**

BE IT ORDAINED that pursuant to the authority and procedures contained in Section 24.2-306, et. seq. of the *Code of Virginia, 1950, as amended*, the Board of Supervisors of Pulaski County hereby relocates polling place for the New River Precinct from the Fairlawn Volunteer Fire Department at 7358 Peppers Ferry Boulevard, Fairlawn, Virginia, 24141, to the Riverlawn Elementary School, 8100 Beth Nelson Drive, Fairlawn, Virginia, 24141. Notices will be sent out to the affected voters.

This Ordinance shall take effect immediately upon adoption.

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

Voting no: none.

b. Highland Park Bond Resolution

Mr. Huber explained the steps involved in obtaining Rural Development financing. He advised the bids for the Highland Park Project had come in significantly less than what was budgeted, noting additional monies would not need to be borrowed for the project and

the project can move forward.

Mr. Sheffey opened the public hearing.

Mr. E. W. Harless questioned if there was a potential for losing urban development money if funds are not used. Mr. Huber confirmed no monies had been lost for the sewer projects. Mr. Harless expressed concern over the location of sewer service to his neighbor. He advised he had signed an easement, in good faith, and that since signing the easement, the engineers had altered the plans for the location of the sewer lines. He questioned if he was obligated to the previously signed easement, since there had been changes by the engineers. Mr. McCarthy offered to review the matter. Mr. Harless indicated he did not intend to approve the easement across his property due to the potential burden that would be placed on his neighbor.

There being no further comments, the hearing was closed.

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

RESOLUTION SUPPLEMENTING A PRIOR RESOLUTION THAT AUTHORIZED THE ISSUANCE OF \$1,187,600 SEWER REVENUE BONDS OF PULASKI COUNTY, VIRGINIA

On June 22, 2009, the Board of Supervisors of Pulaski County (the "Board of Supervisors"), adopted a resolution entitled "Resolution Authorizing The Construction and Financing of Improvements and Expansions to the Sewer System of Pulaski County, Authorizing the Issuance, Sale and Award of \$1,187,600 Sewer Revenue Bonds, and Providing For The Form, Details, and Payment Thereof" (the "Authorizing Resolution").

Section 15.2-2606 of the Public Finance Act of 1991 requires the governing body of a locality to hold a duly noticed public hearing on the proposed issuance of obligations before final authorization of the issuance of any obligations of the locality for the payment of money. The Authorizing Resolution, however, was adopted before a duly noticed public hearing on the proposed bond issue had been held by the Board of Supervisors.

The Board of Supervisors has now held a duly noticed public hearing on the proposed bond issuance in accordance with Section 15.2-2606 of the Public Finance Act of 1991 and desires to provide final authorization for the issuance of the Bond.

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BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PULASKI COUNTY AS FOLLOWS:

1. The foregoing recitals are made a part of this resolution. Capitalized terms used in this resolution and not otherwise defined shall have the meanings given them in the Authorizing Resolution.
2. The Board of Supervisors gives final authorization for the issuance of the Bond pursuant to the Authorizing Resolution.
3. This resolution supplements the Authorizing Resolution. The Authorizing Resolution is ratified and confirmed and deemed to be in full force and effect.
4. This resolution shall take effect immediately upon its adoption.
5. The Clerk is hereby authorized and directed to see to the prompt filing of a certified copy of this resolution with the Circuit Court of Pulaski County, Virginia.

* * * * *

The undersigned Clerk of Pulaski County, Virginia (the "County"), hereby certifies that the foregoing constitutes a true and correct copy of a resolution duly adopted at a meeting of the Board of Supervisors held on July 27, 2009. I hereby further certify that such meeting was regular meeting, duly called and held, and that, during the consideration of the foregoing resolution, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing resolution as follows:

Member	Attendance	Vote
Joseph L. Sheffey	Present	Yea
Frank R. Conner	Present	Yea
Charles R. Bopp	Present	Yea
Ranny L. Akers	Present	Yea
Dean K. Pratt	Present	Yea

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

Voting no: none.

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- c. Petition by **Pulaski County** for revisions to the Pulaski County Comprehensive Plan – Future Land Use Map on the following tax map parcels: 039-001-0000-0102, Cloyd District; 047-017-0003-0001, 2, 3, Ingles District; 017-001-0000-0003, Massie District; 017-001-0000-0004, Massie District.

Chairman Sheffey explained the public hearing process.

Mr. Utt explained the request and advised the Planning Commission recommended approval.

Chairman Sheffey opened the public hearing.

Mr. David Diesel, LFLD Development, spoke in favor of the revision from Residential to Agricultural.

There being no further comments, the hearing was closed.

On a motion by Akers, seconded by Mr. Pratt and carried, the Board approved the revisions to the Pulaski County Comprehensive Plan – Future Land Use Map on the following tax map parcels: 039-001-0000-0102, Cloyd District; 047-017-0003-0001, 2, 3, Ingles District; 017-001-0000-0003, Massie District; 017-001-0000-0004, Massie District as recommended by the Planning Commission.

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

Voting no: none

- d. Petition by **Appalachian Conf Pentecostal Holiness Church TRS** to rezone parcels located on the north side of Lee Hwy. (Rt. 11) on the west side of Oak Grove Ave., from Residential (R) to Commercial (CM1). (047-017-0003-0001, 2, 3), (Ingles District).

Chairman Sheffey explained the public hearing process.

Mr. Utt explained the request and advised the Planning Commission recommended approval.

Chairman Sheffey opened the public hearing.

Mr. Richard Black advised the purpose of the request was to add office space. He requested the Board vote favorably on the request. Mr. Black also advised the church was working with VDOT regarding matters related to parking and he did not anticipate any problems.

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There being no further comments, the hearing was closed.

On a motion by Conner, seconded by Mr. Akers and carried, the Board approved the petition by Appalachian Conf Pentecostal Holiness Church TRS to rezone parcels located on the north side of Lee Highway, (Rt. 11) on the west side of Oak Grove Avenue, from Residential (R) to Commercial (CM1). (047-017-0003-0001, 2, 3), (Ingles District), as recommended by the Planning Commission.

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

Voting no: none

- e. Petition by **College Avenue Chevron LLC** to rezone parcels located off State Park Rd. (Rt. 660) at Exit 101, from Residential (R1) to Commercial (CM1), (057-001-0000-005A, 057-001-0000-005C), (Ingles District).

Chairman Sheffey explained the public hearing process.

Mr. Utt explained the request and advised the Planning Commission recommended approval.

Chairman Sheffey opened the public hearing.

Mr. Chris Disibio spoke in favor of the request and advised he had been working with VDOT regarding the site distance. He advised he is willing to grant an easement to Holston River Quarry.

There being no further comments, the hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Conner and carried, the Board approved the petition by College Avenue Chevron LLC to rezone parcels located off State Park Rd. (Rt. 660) at Exit 101, from Residential (R1) to Commercial (CM1), (057-001-0000-005A, 057-001-0000-005C), (Ingles District) and 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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- f. Petition by Pegasus Tower Company, Ltd to rezone parcels owned by LFLD Development, LLC, located on the south side of Viscoe Rd. (Rt. 679), from Transitional Industrial District (IO) to Agricultural (A1), (039-001-0000-0102), (Cloyd District).

Chairman Sheffey explained the public hearing process.

Mr. Utt explained the request and advised the Planning Commission recommended approval. Mr. Huber distributed an e-mail from Bill Harris, President of Motion Control Systems, expressing opposition to the location of the proposed tower.

Chairman Sheffey opened the public hearing.

Mr. Frankie Jones spoke on behalf of the petitioner requesting Board approval of the request. Mr. Jones explained the purpose of the requested rezoning was to allow for the construction of a communications tower. Mr. Jones introduced and offered the services of Harold Timmons, Consultant to Pegasus Tower Company, for answering any questions posed by Board members.

Mr. David Diesel spoke in favor of the request and explained the topography of the property. Mr. Diesel also explained the potential for the property to be developed for recreational purposes, such as vacation rental cabins. He also noted the close proximity of the Pete Dye Golf Course.

There being no further comments, the hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the petition by Pegasus Tower Company, Ltd to rezone parcels owned by LFLD Development, LLC, located on the south side of Viscoe Rd. (Rt. 679), from Transitional Industrial District (IO) to Agricultural (A1), (039-001-0000-0102), (Cloyd District).

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

Voting no: none

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- g. Petition by **Pegasus Tower Company, Ltd** for Special Use Permits (SUP) on parcel owned by **LFLD Development, LLC**, located on the south side of Viscoe Rd. (Rt. 679), to allow Telecommunications Antennas and Towers and for setback from any off-site residential structure, (039-001-0000-0102), (Cloyd District).

Chairman Sheffey explained the public hearing process.

Mr. Utt explained the request and advised the Planning Commission recommended approval.

Chairman Sheffey opened the public hearing.

Mr. Harold Timmons, Consultant to Pegasus Tower Company, spoke in favor of the request and offered to answer any questions by Board members.

Mr. David Diesel spoke in favor of the request and advised he had spoken with property owners across the street from the proposed towers. Mr. Diesel advised that Pegasus Tower Company has agreed to plant trees which would provide year round vegetation.

There being no further comments, the hearing was closed.

On a motion by Mr. Bopp, seconded by Mr. Conner and carried, the Board approved the petition by Pegasus Tower Company, Ltd for Special Use Permits (SUP) on parcel owned by LFLD Development, LLC, located on the south side of Viscoe Rd. (Rt. 679), to allow Telecommunications Antennas and Towers and for setback from any off-site residential structure, (039-001-0000-0102), (Cloyd District) with said approval subject to the applicant planting five (5) Leyland Cyprus trees on property owned by Mr. Charles D. & Mary G. Kidd, adjacent property owners on the north side of Viscoe Rd., (Rt. 679) at a location of their choosing to provide an additional visual buffer.

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

Voting no: Mr. Akers

- h. Petition by **Cellere** to rezone parcels owned by the **County of Pulaski**, located on the west side of Cleburne Blvd. (Rt. 100) at the closed Cloyd's Mountain Landfill, from Conservation (C1) to Agricultural (A1). (017-001-0000-0003, 017-001-0000-0004), (Massie District).

Chairman Sheffey explained the public hearing process.

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Mr. Utt explained the request and advised the Planning Commission recommended approval.

Chairman Sheffey opened the public hearing. There being no citizen comments, the hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Bopp and carried, the Board approved a petition by Cellere to rezone parcels owned by the County of Pulaski, located on the west side of Cleburne Blvd. (Rt. 100) at the closed Cloyd's Mountain Landfill, from Conservation (C1) to Agricultural (A1). (017-001-0000-0003, 017-001-0000-0004), (Massie District), as recommended by the Planning Commission.

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

Voting no: None.

- i. Petition by Cellere for Special Use Permit on parcels owned by the County of Pulaski, located on the west side of Cleburne Blvd. (Rt. 100) at the closed Cloyd's Mountain Landfill, to allow Telecommunications Antennas and Towers (017-001-0000-0003, 017-001-0000-0004), (Massie District).

Chairman Sheffey explained the public hearing process.

Mr. Utt explained the request and advised the Planning Commission recommended approval.

Chairman Sheffey opened the public hearing.

Mr. David Larsen, representing Cellere, spoke in favor of the Special Use Permit to allow a 199' communications tower. Mr. Larsen advised Central States Tower (CST) has agreed to allow county space on the tower and CST will help with maintenance of the road. He indicated if the tower ceases to be used by CST, they have agreed to donate space to the county for the county's use.

Supervisor Akers posed several questions related to the lighting at night. Mr. Larsen advised there would be "medium intensity" lighting at night. He indicated the coverage area would include the area down to the New River Valley Airport and there is the Verizon tower in Dublin to provide coverage from the south.

There being no additional citizen comments, the hearing was closed.

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On a motion by Mr. Akers, seconded by Mr. Bopp and carried, the Board approved a petition by Cellere for a Special Use Permit on parcels owned by the County of Pulaski, located on the west side of Cleburne Blvd. (Rt. 100) at the closed Cloyd's Mountain Landfill, to allow Telecommunications Antennas and Towers (017-001-0000-0003, 017-001-0000-0004), (Massie District) as recommended by the Planning Commission.

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

Voting no: None.

6. Citizen Comments

a. Presentation by Virginia Association of Counties

Mr. Sheffey introduced Mr. Donald Hart, President of the Virginia Association of Counties (VACo). Mr. Hart provided a brief history of his service to Virginia localities and noted it was his goal is to develop a relationship with every county in Virginia by visiting each county within the next year. He encouraged the Board of Supervisor members to serve, and/or continue serving, on the various VACo legislative committees. Mr. Hart offered the services of VACO as needed.

b. Other Comments

Mr. Morgan Morris expressed concern over the lack of recycling efforts throughout the county. He advised the Clean Community Council had made an extensive effort in providing information to the county citizens by distributing information at the recent New River Valley Fair. Mr. Sheffey commended Mr. Morris and the Clean Community Council for their efforts.

Mr. E. W. Harless advised he was speaking on behalf of his wife who was unable to attend the meeting and expressed concern that the county's landfill is filling too quickly. He noted that recycling by county citizens is the key to a slower fill of the landfill. He also expressed concern that other jurisdictions are using the county's landfill. He requested more emphasis on the management of the drop sites. Mr. Harless advised the Clean Community Council would need to play an active role in increasing recycling awareness in the county and expressed concern that brush is being loaded on dumpsters and not being disposed of properly. Mr. Huber offered to provide Mr. Harless's comments to the PSA Board, as well as contacting the New River Resource Authority to determine the expected life of the landfill.

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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 reviewed the Key Activity Timetable with Board members.

Mr. Clarke advised Neck Creek Road had been surface treated, along with various other roads in the county, including Miller Lane. Mr. Akers and Mr. Sheffey advised they had not received any complaints regarding the current surface treatments being used by VDOT.

Mr. Clarke noted the debris on the New River Bridge had been cleared. Mr. Sheffey expressed concern over continued dirt build up on the bridge, noting ditch work had not yet been completed.

Mr. Clarke advised VDOT is awaiting a piece of equipment to make the Pine Run improvements.

Mr. Clarke advised the speed limit on Hatcher Road was completed and would be posted soon, but he did not have the specific speed limit to be set on the road or the location of the speed change.

Mr. Clarke advised there were other speed studies to be completed by VDOT and reports to the Board would be provided as those studies are completed.

b. Citizen Concerns

Mr. Morgan Morris advised of several blind spots on the roads due to overgrowth, including Lowman's Ferry Road, coming into Route 100. Mr. Clarke agreed to have VDOT staff review the area in question.

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Mr. E. W. Harless expressed concern that VDOT had not addressed concerns related to the "No U-turn" signage on Route 100 at the Baskerville intersection. Mr. Clarke advised VDOT had reviewed the area and saw no reason to post "No U-Turn" signage. Mr. Harless advised VDOT's response was unacceptable and the likelihood of an accident occurring with the school buses is greater due to the lack of signage.

Mr. Harless expressed concern over the lack of mowing on I-81 and noted the well groomed areas in Wythe County, particularly at the Wythe County line. Mr. Harless requested VDOT and/or county staff consider utilizing inmates and volunteers to maintain the mowing along Pulaski roads.

c. Board of Supervisors Concerns

Mr. Pratt advised of receipt of citizen complaints due to the lack of mowing in the Delton area, including Honaker Road and Lee Highway. Mr. Clarke advised VDOT would monitor the areas in question, but that mowing could only occur as state funding would allow. Mr. Pratt advised trees are coming out on to the roads on Route 11, with emphasis below the area of Honaker Road.

Mr. Bopped thanked Mr. Clarke for the Loving Field Road completion.

Mr. Bopp expressed concern over the lack of mowing along roads in Pulaski County.

Mr. Bopp advised of a request from Barbara McFall of 3261 Lavender Road, for signage to warn drivers to watch for children, specifically on Route 744, Lavender Road (off of Alum Spring Road).

Resolution Approving Watch for Children Signage

On a motion by Mr. Bopp, seconded by Mr. Conner and carried, the Board approved installation of "Watch for Children" signage by VDOT on Route 744, Lavender Road (off of Alum Spring Road), in Pulaski County.

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

Voting no: None.

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Mr. Conner expressed concern over the lack of mowing throughout the county and suggested continued use of inmates for mowing. Mr. Huber advised of the utilization of inmates to mow various intersections was started in mid July and requested Sheriff's deputies and Board members assist in reporting dangerous intersections in need of mowing.

Mr. Akers recommended citizens contact the County Administrator's Office to report mowing concerns.

Mr. Akers advised of overgrown trees on Exit 101 (south bound), noting the inability to see across the bridge due to the trees obscuring vision of drivers and noted a similar situation on Route 611, Wilderness Road, in Newbern.

Mr. Akers advised the tree limbs are invading roadways and problem needs to be addressed soon due to serious safety issue.

Mr. Akers advised the grass is higher this year than years prior, due to the increase in rainfall in 2009.

Mr. Clarke advised VDOT is completing an extensive amount of patch work due to surface treatments.

Mr. Sheffey inquired if the Route 114 bridge is on schedule. Mr. Clarke advised the advertisement is scheduled for the spring of 2010, with the bids to follow approximately one month later, and award of bids one month following receipt of bids. Mr. Clarke advised a completion date could not be set.

Mr. Huber advised of inconsistency on the yielding of drivers at the "on ramps", particularly at the south Route 100 and north I81 intersection. Mr. Akers noted traffic on the left side fails to yield to the traffic on the right side. Mr. Clarke agreed to have VDOT staff review the matter.

Mr. Huber and Mr. Sheffey thanked Jamie for his work in coordinating mowing in certain critical areas along the roadways.

8. Treasurer's Report

Treasurer Melinda Worrell presented an updated monthly report, a copy of which is filed with the records of this meeting.

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9. Reports from the County Administrator & Staff:

a. Consider Update to "An Ordinance to Require the Repair, Securing or Removal of Unsafe Structures and to Allow the Recovery of the Costs Incurred by the County in The Removal or Repair of Such Structures"

Mr. Huber described procedures for notifying property owners of required cleanup of properties. Mr. Radcliffe described the four properties to be notified of mandatory clean-up secured by the placement of a lien on said property and explained all reasonable efforts had been made to contact property owners, including written notification, as well as personal visits by county staff to the properties. By consensus, the Board concurred with staff's application of the ordinance to these properties.

b. Appointments

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

1. Nomination to NR/Mount Rogers Workforce Investment Board (WIB)

The Board directed county staff to continue to seek a representative from the industry sector for nomination to the WIB.

2. Wireless Authority

The Board took no action on this matter. Staff was directed to place this matter on the August 24, 2009 Board agenda.

3. Agency on Aging

The Board reappointed Elaine Powell and Robert Hiss, Alternate, for an additional one-year term on the Agency on Aging Board, with said term ending September 30, 2010.

4. Industrial Development Authority

The Board reappointed Maynard Sayers and Jon Wyatt for an additional term on the Industrial Development Authority, with said term ending September 17, 2013.

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

Voting no: None.

b. Key Activity Timetable

The Board reviewed the Key Activity Timetable in detail.

Mr. Sheffey requested an update on the Maple Shade renovations. Mr. Huber advised the plans have been reviewed by Information Technology (IT) staff and the Registrar and are currently being reviewed by Social Services staff, with anticipated minor changes. He also advised once revisions are made, the plans will be sent to Architect Glenn Reynolds, with a request to provide a cost estimate for contracting out due to the large square footage of the building. Mr. Huber advised the design part of the renovations should be available by the August 24, 2009 Board meeting.

Mr. Huber reported action was being taken to address the deterioration of the eternal flame at the courthouse and staff was seeking information from two companies with experience with eternal flames. Mr. Huber advised he anticipated a cost of approximately \$2,000 to either repair, or improve, the wheel of the flame. Mr. Hiss advised the local gas company has offered to consult on the project with the company that installed the flame, noting if the same design is used that is currently in place, the flame would most likely need to be raised and made flush with the top of the wheel, as well as installation of some type of insulation system. He noted the wheel has cracked due to the contrast with coldness of the rock. Mr. Conner requested the VFW be invited to participate in the renovation project. Mr. Huber advised the VFW and other parties would be included in the project and suggested the use of some type of "light", rather than a "flame", may be an option. Mr. Sheffey inquired as to the cost for the gas usage to light the flame. Mr. Hiss advised the cost to light the flame to be approximately \$500 per month.

10. Items of Consent

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the following items of consent:

a. Approval of Minutes of June 22 & 25 & July 15, 2009

The Board approved the minutes of the June 22 and 25, and July 15, 2009 meetings.

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b. Accounts Payable

The Board approved accounts payable for checks numbered 2009567 through 2010061, subject to audit.

c. Interoffice Transfers & Appropriations

The Board approved interoffice transfer #1 totaling \$42,975.61 and appropriations as follows:

General Fund # 1

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
3-100-032010-0100	CDBG Baskerville Housing Project	25,000.00
3-100-019020-4000	Hazardous Materials Response Emergency Mgmt	525.50
3-100-018990-1600	Miscellaneous Revenues	107.37
3-100-032010-0200	CDBG Microenterprise Grant	200,000.00
	TOTAL	\$ 225,632.87
<u>EXPENDITURES:</u>		
4-100-081290-3170	CDBG Baskerville Housing Project	25,000.00
4-100-032200-5699	Draper Volunteer Fire Department	405.00
4-100-035500-5900	Emergency Management Hazmat Reimbursements	120.50
4-100-035500-4603	Emergency Management Central Garage Fuel	107.37
4-100-093000-9209	Transfer to IDA Fund	200,000.00
	TOTAL	\$ 225,632.87

General Fund # 19

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
3-100-024040-3100	Domestic Violence DCJS Grant	1,576.00
3-100-033010-2050	Rural Devel. Snowville Fire Equipment	25,000.00
3-100-041999-0000	Transfer from Reserves	(262,206.00)
3-100-011010-0101	Current Real Estate Taxes	8,655.00
3-100-013010-0100	Animal License	2,800.00
3-100-015020-5000	Rental Randolph Park Facilities	613.00
3-100-015020-05100	Randolph Park Concessions	3,100.00
3-100-016130-0200	Swimming Pool Fees	5,800.00
3-100-016130-0400	Charges Office on Youth	4,516.00
3-100-016130-0800	Summer Youth Camp Fees	1,500.00
3-100-019020-7000	Recovered Costs Claytor Lake	3,500.00
3-100-016500-0201	Copies Clerk's Office	1,810.00
		\$ (203,336.00)

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<u>EXPENDITURES:</u>		
4-100-012110-5230	County Administrator Telecommunications	1,000.00
4-100-021100-1310	Circuit Court Jury Compensation	4,110.00
4-100-021100-6002	Circuit Court Food Supplies	500.00
4-100-021100-6001	Circuit Court Office Supplies	390.00
4-100-021200-3320	General District Court Maint. Svc. Contracts	200.00
4-100-02191-3150	Domestic Violence DCJS Grant	1,576.00
4-100-032250-8101	Snowville Volunteer Fire Dept. Equipment	25,000.00
4-100-032250-8101	Snowville Volunteer Fire Dept. Equipment	(11,500.00)
4-100-035100-6002	Animal Control Food Supplies	2,800.00
4-100-043200-6007	General Properties Repair & Maint. Supplies	150.00
4-100-043300-6011	Cleaning Services Uniforms	170.00
4-100-053500-1310	Office on Youth Part-time Salaries	1,525.00
4-100-053500-2100	Office on Youth Part-time FICA	611.00
4-100-053500-2700	Office on Youth Part-time Workers' Comp	155.00
4-100-053500-4603	Office on Youth Part-time Central Garage Fuel	525.00
4-100-053500-6013	Office on Youth Part-time Ed & Rec. Supplies	1,700.00
4-100-053510-2300	VJCCC Hospital/Medical Plans	410.00
4-100-071110-2300	Recreation Hospital/Medical Plans	2,901.00
4-100-071110-2700	Recreation HRA/HSA	1,260.00
4-100-071110-3210	Recreation Officials	4,838.00
4-100-071110-5810	Recreation Dues & Memberships	585.00
4-100-071110-4603	Recreation Central Garage Fuel	594.00
4-100-071320-5110	Randolph Park Electrical Services	6,225.00
4-100-071320-5699	Randolph Park Operating Expenses	2,175.00
4-100-071360-1382	Friends of Claytor Lake Part-time Salaries	2,000.00
4-100-071360-4603	Friends of Claytor Lake Central Garage Fuel	1,500.00
4-100-081400-1111	Zoning/Planning Operations Bd. Compensation	4,950.00
4-100-081510-5420	Industrial Park Maint. Lease/Rent of Equipment	120.00
4-100-093000-9206	Transfer to Capital Improvements Fund	(262,206.00)
4-100-092100-5850	Erroneous Assessments	2,400.00
		\$
		(203,336.00)

Capital Improvements Fund # 6

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
3-302-041050-1000	Transfer from General Fund	\$(262,206.00)
3-302-032060-0100	USDA RD Hiwassee Fire Dept Funds	340,534.00
3-302-033010-2050	USDA RD Snowville Fire Dept Funds	25,000.00
	TOTAL	\$ 103,328.00

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EXPENDITURES:		
4-302-012330-3160	Property Assessment	\$ 5,075.00
4-302-012331-1111	Equalization Board Salaries & Benefits	38,700.00
4-302-032230-8112	Draper Fire Department Pumper	10,053.00
4-302-032230-8112	Hiwassee Fire Department Improvements	23,000.00
4-302-032250-8205	Snowville Fire Department Equipment	25,000.00
4-302-071320-8232	Randolph Park Picnic Shelter	1,500.00
	TOTAL	\$ 103,328.00

School Fund

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
3-205-33020-2800	Save & Drug	(1,124.77)
3-205-33020-2700	Title IID	(1,839.77)
3-205-33010-1200	RTI	(11,875.00)
3-205-33010-1600	School Improvement 1003A	(120,000.00)
3-205-33020-2750	Title IID ARRA	(32,929.51)
3-205-33020-2000	SPED ARRA	(373,127.00)
	TOTAL	\$ (540,896.05)
EXPENDITURES:		
4-205-061210-1123-300-100-940	Salary Counselor	1,124.77
4-205-061100-3160-200-100-922	In-service	1,839.77
4-205-061100-6040-200-200-958	Tech Software	11,875.00
4-205-061100-1121-212-100-946	Salary Teachers	120,000.00
4-205-061100-3160-200-100-923	In-service	32,929.51
4-205-061100-6013-200-200-977	Instructional Supplies	373,127.00
	TOTAL	\$ 540,896.05

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

1. Building Officials Mutual Aid Agreement with Localities

As reported in the Board packet, a recommended Mutual Aid Agreement had been sent to all localities located in Region II of Virginia's Building Code Officials Association. This language has been approved by the State BCOA Board of Directors who recommended that all localities review and adopt the agreement in case emergency building inspection assistance would be needed. The development of mutual aid agreements for building

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officials is partly a result of the devastation incurred in recent years by Midwest flooding and the hurricanes that have hit the Southeast.

The Board approved integrating the proposed language into the mutual aid agreements currently in place with each of Pulaski County's neighboring localities.

2. FY2010 Performance Contract between the NRV Community Services and State Dept. of Mental Health and Mental Retardation

As reported in the Board packet, Board members were provided a copy of the FY 2010 Performance Contract between the New River Valley Community Services and State Department of Mental Health, Mental Retardation and Substance Abuse Services.

The Board approved the contract, subject to review and concurrence by the County Attorney.

3. 2009 Local Emergency Management Performance Grant Letter of Agreement

As reported in the Board packet, Board members were provided correspondence from the State Department of Emergency Management announcing the allocation of the 2009 Local Emergency Management Performance Grant funded in the amount of \$16,904.000.

The Board approved the letter of agreement.

4. FY 2010 FEMA Unified Hazard Mitigation Grant Program

As reported in the Board packet, Hazard Mitigation Assistance (HMA) grants are designed to mitigate (protect) against naturally occurring events that might cause damage to structures such as flooding or wind damage caused by a hurricane; flooding caused by a rising river or; damage caused by wildfire. Staff requested authorization to apply for funding to protect the Sheriff's Office from flood damage or to relocate the office out of the 100-year floodplain is recommended.

The Board authorized applying for funding to protect the Sheriff's Office from flood damage or to relocate the office out of the 100-year floodplain

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5. Memorandum of Agreement w/ Virginia Department of Agriculture

As reported in the Board packet, Board members were presented a memorandum of agreement with the Virginia Department of Agriculture for the continuation of the pesticide container recycling program which, if approved by the Board, would be managed by Jason Pratt. This program has been well received in the past and is recommended for continuation.

The Board approved the Memorandum of Agreement.

6. Dept. of Homeland Security Funding – Office of EMS Memorandum of Agreement

As reported in the Board packet, staff received notification that Pulaski County has been awarded funding from the Department of Homeland Security for the purchase of nine Panasonic ToughBook 19 computers to be used by REMSI in the amount of \$32,850.

The Board approved the Memorandum of Understanding.

e. Personnel Changes

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

f. Motor Mile Speedway Request for Fireworks

The Board approved a request for an additional fireworks display to be held on August 21, 2009 at the Motor Mile Speedway.

g. Scheduling of Public Hearing for Revision to Courthouse Maintenance Fee

The Board approved scheduling of a public hearing for the August Board meeting for the purpose of increasing the Courthouse Maintenance Fee to the maximum allowed by law.

h. Memorial Resolution – Robert Bruce

The Board approved the following resolution honoring Robert Bruce and requested staff invite appropriate family members to attend the August Board meeting for a formal presentation:

**RESOLUTION HONORING
ROBERT W. BRUCE**

WHEREAS, Robert Bruce served as a faithful member of the Pulaski County Sewerage Authority since 1987 and served as Treasurer from 1999 to 2006; and

WHEREAS, Robert Bruce was a leader in business, civic, and church groups in the Fairlawn Community and Pulaski County; and

WHEREAS, Robert Bruce's service to the citizens of Pulaski County will continue to enhance the quality of life, growth, Pride, Excellence and Vision of our County and the Fairlawn Community; and

WHEREAS, Robert Bruce contributed countless hours of service for the betterment of the community and always fulfilled his positions in a professional, business manner; and

WHEREAS, Robert Bruce loved his family, the Fairlawn Presbyterian Church and the Community of Fairlawn and always found time to provide whatever assistance they needed; and

NOW THEREFORE, BE IT RESOLVED, that the Pulaski County Board of Supervisors does commend the long-standing, faithful service of Robert Bruce to the past, current and future citizens of Pulaski County.

BE IT FURTHER RESOLVED, that the Pulaski County Board of Supervisors does extend sincere sympathy to the members of the Bruce family for their loss; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread on the minutes of the Pulaski County Board of Supervisors in permanent testimony to the service of Robert Bruce to the citizens of Pulaski County this 27th day of July, 2009.

i. Support of "Go Green NRV" Initiative

As reported in the Board packet, staff provided a letter from the Go Green NRV Steering Committee asking for support and general endorsement of their efforts by local governing boards.

The Board endorsed efforts by the Go Green NRV Steering Committee.

j. Disposal of Two Snowville Fire Trucks

As reported in the Board packet, the Snowville Fire Department is asking that proceeds from the sale of two fire trucks be reallocated to the Department to help offset the cost of equipping the new truck. One truck is 1985 GMC and a 1977 Chevrolet.

The Board approved the proceeds from the sale of the vehicles to be reallocated to the Snowville Fire Department to help offset the cost of equipping the new truck.

k. Department of Conservation & Recreation Recreational Trails Grant

As reported in the Board packet, the recreational trails grant program offered 80% funding of up to \$100,000 for the development, repair or enhancement of motorized, non-motorized and multi-use trails. The details of this program were described in a July 17th work session and the due date for completion of an application is July 31st. Possible options for submittal of an application include:

1. Development of a park along the New River (either along Hazel Hollow Road or under the Route 114 bridge),
2. Construction of a parking lot and welcome facilities along mountain bike/walking trails being built by volunteers on the North side of Draper Mountain, or
3. Additional funding for the extension of the New River Trail to Randolph Park.

The Board authorized applying for these funds, for these or similar purposes.

l. Scheduling of Public Hearings:

As reported by staff via the July 24 weekly update, approval to schedule public hearings for the August 24, 2009 Board meeting for the purposes stated, is requested:

1. Amendments to Joint Powers Agreement – As reported in the Board packet, the NRV Health Consortium voted to change its Joint Powers Agreement. These amendments are to account for basic administrative changes that have occurred over the past few years and to plan for the addition of the Montgomery County School system joining in October. The support staff from the Virginia Municipal League, who assists the Consortium, advise that this agreement needs to be locally ratified by ordinance. It was last amended via ordinance on April 29, 2002.

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2. Revised Workforce Investment Consortium Agreement - Approval is requested to schedule a public hearing to consider the adoption of a revision to the agreement governing the administration of State and Federal workforce development funds.

The Board approved scheduling of public hearings for both agreements for the August 24, 2009 Board meeting.

m. Draper Mountain Trail

As reported in the Board packet, there is an interest in developing mountain bike trails connecting the Draper Mountain Overlook with Valley Road. This trail could provide for an extension of the New River Trail with a possible loop back to Draper. A trail in this location would also enhance the use of the Draper Mountain Overlook.

The Board authorized utilizing inmates in clearing and building of trail, pending receipt of a formal request from the Town.

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

Voting no: None.

11. Citizen Comments

Mr. James McClannahan expressed appreciation to the Claytor Lake Festival Committee for the efforts in making the festival a success. Mr. Sheffey indicated the committee would likely welcome more members. Supervisor Akers advised the fireworks display was well done.

12. Other Matters from Supervisors

Mr. Sheffey advised Board members of the need to complete the form acknowledging receipt of the Virginia Freedom of Information Act and Conflict of Interest Act.

Mr. Sheffey referred to the letter from Terry Hall of APCo offering to appear before the Board for a presentation regarding the May and July rate case which APCo filed this year. Board members indicated no presentation was needed.

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Mr. Sheffey referred to the memo included in the July 24, 2009 weekly update from Cumberland County Commissioner Rick Rovegno requesting Board consideration to assisting with financial support for the newly formed Interstate 81 Corridor Coalition. Mr. Sheffey requested this item be placed on the August 24, 2009 Board agenda for consideration.

Mr. Huber reminded Board members of the Boy Scouts dedication and the potential for three or more Board members to attend. Mr. Sheffey advised the reporters in attendance at the meeting representing the Southwest Times and The Patriot of the potential for a quorum by Board members at the dedication.

13. Adjournment

On a motion by Mr. Bopp, seconded by Mr. Conner and carried, the Board of Supervisors adjourned its regular meeting. The next regular meeting of the Board is scheduled for Monday, August 24, 2009 beginning at 6:00 p.m. with a Closed Session and 7:00 p.m. for the regular meeting 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