

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 24, 2009

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, August 24, 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. Pratt, seconded by Mr. Bopp 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
- Request for Hearing by Former Employee

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:

- Bob White Building
- Lease Default
- Shae Dawn Industrial Access Road

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.

- New River Valley Development Corporation

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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:

- Pulaski Furniture Property

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. Bopp, 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 Dr. C. R. Conner of the Family Worship Center.

3. Recognitions:

a. Resolution – Robert Bruce Family

Mr. Sheffey advised a memorial resolution honoring Mr. Robert Bruce had been adopted by the Board of Supervisors at its July 27, 2009 Board meeting. Mr. Sheffey read the resolution and Supervisors Akers and Conner presented a framed resolution to the Robert Bruce family, specifically son Steve Bruce. Mr. Bruce expressed appreciation on behalf of the Bruce family for the recognition of his father's service to the county.

b. Resolution – Georgette Yakman

Mr. Sheffey advised a resolution had been adopted by the Board of Supervisors at its July 27, 2009 in which Ms. Yakman was honored for her recognition as 2009 Educator of the Year by the New Virginia Corridor Technology Council. Mr. Sheffey read the resolution while various Board members participated in the formal presentation of a framed resolution to Ms. Yakman. Ms. Yakman expressed appreciation to Board members and staff for the recognition.

b. Featured Employees

The Board recognized Kevin Cressell of the Regional Emergency Medical Services, Inc. as the Featured Employee to serve in the month of September. Chairman Sheffey read a description of the job duties and personal interests of Mr. Cressell and presented a Fatz Cafe gift certificate to Mr. Cressell.

4. Additions to Agenda

Mr. Huber advised of an additional agenda item to the "Items of Consent" for the "Scheduling of Public Hearing at September Board meeting on Industrial Resolution for Bimmerworld".

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5. Public Hearings:

- a. Petition to revise a Special Use Permit (SUP) by **New River Resource Authority** to operate a sanitary landfill on property identified as tax map nos. 010-001-0000-0004, 010-001-0000-0005, 011-001-0000-0001, (951.384 total acres), zoned Agricultural (A1), with the Landfill Overlay District (LD1), located at 7100 Cloyd's Mountain Rd., (Rt. 731), 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.

Supervisor Akers requested the New River Resource Authority (NRRRA) pursue steps to educate and encourage recycling by county residents to avoid filling of the landfill sooner than what was initially anticipated.

Joe Levine, NRRRA Executive Director, explained all recyclables go through the Montgomery Resource Authority, noting if the NRRRA were to construct a recycling center, it would be competitive with Montgomery County, which is a member of the NRRRA.

There being no further comments, the hearing was closed.

On a motion by Mr. Conner seconded by Mr. Pratt and carried, the Board approved a revision to the Special Use Permit (SUP) by **New River Resource Authority** to operate a sanitary landfill to add the Joint Public Service Authority of Wythe and Bland Counties as customers.

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

Voting no: none

- b. Petition by the **County of Pulaski** to amend the following section(s) of the Pulaski County Zoning Ordinance:

- **Article 2, Agricultural (A1), Section 2-3; Article 5F, Rural Residential (RR), Section 5F-2; allowing a Waste Water and Water Treatment Plant Residue Disposal through Land Application;**

Chairman Sheffey explained the public hearing process.

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

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. Akers and carried, the Board approved the following amendment to **Article 2, Agricultural (A1), Section 2-3; Article 5F, Rural Residential (RR), Section 5F-2**; allowing a Waste Water and Water Treatment Plant Residue Disposal through Land Application as follows:

ARTICLE 2: AGRICULTURAL DISTRICT (A-1)

2-3 Uses Permitted by Special Use Permit (SUP) Only

- ~~Waste Water and Water Treatment Plant Residue Disposal through Land Application~~

ARTICLE 5F: RURAL RESIDENTIAL DISTRICT (RR)

5F-2 Uses Permitted by Special Use Permit (SUP) Only

- ~~Waste Water and Water Treatment Plan Residue Disposal through Land Application~~

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

Voting no: none

- Article 19, Board of Zoning Appeals (BZA), Section 19-1, Powers and Organization, Subsection 19-1.1.2; delete "approaching confiscation" from the language of the ordinance.

Chairman Sheffey explained the public hearing process.

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

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

On a motion by Mr. Akers seconded by Mr. Pratt and carried, the Board approved the following amendment to **Article 19, Board of Zoning Appeals (BZA), Section 19-1, Powers and Organization, Subsection 19-1.1.2**; delete "approaching confiscation" from the language of the ordinance as follows:

ARTICLE 19: BOARD OF ZONING APPEALS (BZA)

- 19-1.1.2 To authorize upon appeal or original application in specific cases such variance as defined in Section 15.2-2201 of the 1950 Code of Virginia, as amended, from the terms of the ordinance as will not be contrary to the public interest, when, owing to special conditions a literal enforcement of the provisions will result in unnecessary hardship; provided that the spirit of the ordinance shall be observed and substantial justice done, as follows:

When a property owner can show that his property was acquired in good faith and where by reason of the exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of the effective date of the ordinance, or where by reason of exceptional topographic conditions or other extraordinary situation or condition of such piece of property, or of the condition, situation, or development of property immediately adjacent thereto, the strict application of the terms of the ordinance would effectively prohibit or unreasonably restrict the utilization of the property or where the board is satisfied, upon the evidence heard by it, that the granting of such variance will alleviate a clearly demonstrable hardship ~~approaching confiscation~~, as distinguished from a special privilege or convenience sought by the applicant, provided that all variances shall be in harmony with the intended spirit and purpose of the ordinance.

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

Voting no: none

- c. An Ordinance pursuant to 29 USC Section 2831, and following and Section 15.2-1300, and following of the *Code of Virginia*, as amended, providing for membership and representation of Pulaski County on the New River/Mount Rogers Workforce Investment Consortium and adoption of its Membership Agreement.

Mr. Utt explained the purpose of the hearing describing the previous approval by the Board authorizing participation in the partnership which was by resolution, rather than by ordinance. Further, the proposed ordinance would allow for the creation of a singular non profit organization that would act as the grant recipient. Mr. Utt noted there was one significant change to the agreement, with that being the requirement that the designated voting member from each locality be a

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Board of Supervisor member, or the county administrator.

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

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved the following ordinance, noting concerns related to the voting requirements:

AN ORDINANCE REPEALING THE ORDINANCE AUTHORIZING THE FORMATION OF A JOINT ENTITY BETWEEN THE COUNTIES OF BLAND, CARROLL, FLOYD, GILES, GRAYSON, MONTGOMERY, PULASKI, SMYTH, WASHINGTON, AND WYTHE AND THE CITIES OF BRISTOL, GALAX, AND RADFORD, VIRGINIA TO BE CALLED THE WORKFORCE INVESTMENT AREA CONSORTIUM AND BESTOWING ON SUCH ENTITY ALL POWERS NECESSARY AND PROPER FOR THE PERFORMANCE OF ITS DUTIES UNDER THE WORKFORCE INVESTMENT ACT

WHEREAS, the Workforce Investment Act of 1998, codified at 29 U.S.C. S 2801 *et seq.* (hereinafter the "Act"), provides federal funding to states for the delivery of workforce training and other services; and

WHEREAS, 29 U.S.C. §2831 requires that the governor to designate local workforce investment areas to deliver workforce investment services within the state; and

WHEREAS, the Governor has designated the Counties of Bland, Carroll, Floyd, Giles, Grayson, Montgomery, Pulaski, Smyth, Washington, and Wythe and the Cities of Bristol, Galax, and Radford, Virginia (the "Member Jurisdictions") as the Area II Workforce Investment Act Area; and

WHEREAS, on February 15, 2000 the Member Jurisdictions entered into an agreement to jointly administer the Workforce Investment Act programs called the "Charter Chief Local Elected Officials Agreement" (the "Charter Agreement") and have operated continuously under this Charter Agreement; and

WHEREAS, the Member Jurisdictions wish to continue to jointly perform the responsibilities prescribed for them under the Act; and

WHEREAS, Va. Code §15.2-1300 provides that local governments may enter into agreements for the joint or cooperative exercise of any power, privilege or authority which each is capable of exercising individually; and

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WHEREAS, the Member Jurisdictions desire to form a joint entity under Va. Code § 15.2-1300 to be designated as the New River/Mount Rogers Workforce Investment Area Consortium (the "Consortium") and to be recognized as Virginia's Area II Local Workforce Investment Area which will perform the duties incumbent on them individually under the Workforce Investment Act; and

WHEREAS, the creation of a joint entity will permit the delivery and oversight of workforce services in a manner that will ensure accountability to governing bodies of the Member Jurisdictions.

NOW WHEREFORE, the Pulaski County Board of Supervisors hereby

1. Rescinds the Charter Agreement;
2. Approves entering into the New River/Mount Rogers Workforce Investment Consortium Agreement (the "Agreement") which is attached hereto and made a part of this Ordinance; and
3. Authorizes the Chair of the Pulaski County Board of Supervisors to execute the Agreement on behalf of the City Council.

This Ordinance shall be effective immediately. Adopted this 27th day of August, 2009.

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

Voting no: none

- d. An Ordinance pursuant to Section 15.2-1300 for the Board of Supervisors of Pulaski County, Virginia, to enter into the New River Valley Benefits Consortium Joint Powers Agreement with other political subdivisions of the Commonwealth of Virginia and the Virginia Municipal League as a means of providing group life insurance, accident and health insurance and other employee benefits programs for Pulaski County officers and employees.

Mr. Hiss explained the purpose of the hearing was to consider changes to the existing agreement, through adoption of an ordinance, to reaffirm the long-term relationships with the Consortium, along with other minor changes.

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

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

BE IT ORDAINED by the Board of Supervisors of Pulaski County, Virginia, pursuant to Section 51.2-1300 of the 1950 Code of Virginia, as amended, and following, that the Board of Supervisors of Pulaski County, Virginia, do hereby authorize and empower the Chairman of the Board of Supervisors of Pulaski County to enter into an Agreement on behalf of Pulaski County with other political subdivisions of the Commonwealth of Virginia and the Virginia Municipal League, known as the New River Valley Benefits Consortium Joint Powers Agreement.

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

Voting no: none

- e. An Ordinance for the assessment of a \$2.00 fee to be taxed as costs in each criminal or traffic case in a District or Circuit Court in Pulaski County, Virginia, and also taxed as part of the costs incident to each civil action filed in the District or Circuit Courts of Pulaski County, Virginia. A copy of the proposed Ordinance may be viewed in the office of the Pulaski County Administrator at 143 Third Street, NW, Suite 1, Pulaski, Virginia. Telephone inquiries may be directed to (540) 980-7705.

Mr. Huber explained the purpose of the hearing was due to a change in State code allowing for full collection of maintenance and security support payments to the county from those using the court system. Mr. Sheffey confirmed the funds collected stay as a part of Pulaski County funds. (What?)

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

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

COURTHOUSE MAINTENANCE FEE ORDINANCE - 2009

BE IT ORDAINED by the Board of Supervisors of Pulaski County, Virginia, pursuant to Section 17.1-281 of the 1950 Code of Virginia, as amended, that there is hereby assessed as part of the fees taxed as costs in each criminal or traffic case, when a defendant is charged with a violation of any statute or ordinance, in a District or Circuit Court in Pulaski County, Virginia, and as part of the costs incident to each civil action filed in a District or Circuit Court in Pulaski County, Virginia, the

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sum of TWO DOLLARS (\$2.00) which shall be collected by the Clerk of the Court in which the action is filed, and remitted to the Treasurer of Pulaski County, and held by the Treasurer subject to disbursement by the Board of Supervisors of Pulaski County, for the construction, renovation, or maintenance of courthouse or jail and court-related facilities and to defray increases in the costs of heating, cooling, electricity and ordinary maintenance of the above named facilities. This assessment shall be in addition to any other fees prescribed by law.

This Ordinance shall become effective August 24, 2009.

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

Voting no: none

6. Citizen Comments

a. Fine Arts Center

Ms. Judy Ison, Fine Arts Center (FAC) Executive Director, presented a detailed PowerPoint explaining programs offered by the FAC, as well as efforts towards the FAC's current capital campaign. A complete copy of the PowerPoint presentation is filed with the records of this meeting.

b. Christiansburg Institute

Ms. Elaine Carter, Executive Director of the Christiansburg Institute, presented a detailed PowerPoint explaining the programs offered by the Institute. A complete copy of the PowerPoint presentation is filed with the records of this meeting.

c. Other Citizen Comments

Ms. Shannon Turner, President of the Pulaski County Education Association, inquired regarding the status of a request for the Board of Supervisors to consider televising Board of Supervisor meetings. Mr. Huber advised staff is exploring options for televised meetings. He indicated there were some technical challenges, as well as budget concerns, related to televising Board meetings; however, the Information Technology director would be researching and evaluating the matter and would provide information as it is developed.

Mr. William Denny, owner of "The Building Phase II" project, provided information regarding the programs offered by "The Building" ministry and requested Board consideration to tax exemption designation

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for "The Building".

Ms. Pam Tolbert provided information regarding programs offered by "The Building" ministry, including a support group for parents who have lost a child. She requested the Board provide the tax exemption for "The Building" property.

Mr. Robert Carr suggested one or two Board members contact Ms. Denny to review the tax exemption request.

Mr. Sheffey requested staff provide a recommendation regarding the requested tax exemption status, with the matter to be placed on the September Board agenda.

Ms. Kathy Denny, administrator of "The Building", provided additional information regarding the programs offered and requested Board consideration to tax exemption status for the property.

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 "Watch for Children" signage had been approved for Lavender Road.

Mr. Clarke advised speed limit signage had been approved for Hatcher Road.

2. VDOT Financial Outlook

Mr. Clarke reported the latest projections show an approximate \$900 million reduction in state revenue, with extensive changes to the VDOT internal organization, including a major reduction in VDOT personnel by July 2010. He reported only about \$90,000 would be going into the budget for Pulaski County roads, which is down from the usual \$2 million. He also reported there was enough money budgeted to finish one more

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unpaved road, with plans by VDOT to advertise in the spring of 2010 for the paving of Dallas Freeman Road, pending significant changes.

Mr. Sheffey inquired as to what affects a 15% budget reduction would have on the current services provided by VDOT. Mr. Clarke advised such a decrease would reduce the paving of roads, and eliminate all contracts and construction projects.

Mr. Sheffey thanked VDOT for the start up of mowing of roads in the county by VDOT.

Mr. Huber indicated it would be helpful for VDOT to educate and clarify for the public that road funding is a VDOT issue and that funds are raised for road matters through gas tax and other fees associated with buying of vehicles.

Mr. Sheffey inquired regarding the benefits from the recent "Cash for Clunkers" program. Mr. Clarke advised the benefits are not likely to be seen immediately.

3. Chip and Seal of Steeply Sloped Dirt Roads

Mr. Huber advised that while at the recent Virginia Association of Counties (VACo) meeting, VDOT officials indicated there may be a slight chance of allowing resident engineers limited flexibility in using chip and seal treatment to stabilize steeply sloped gravel roads, if documentation can be provided showing this approach to be less expensive than repeated grading and the placement of additional stone under existing maintenance practices. Board members requested VDOT provide a comparison of the use of chip and seal treatment, as opposed to repeated grading.

Mr. Sheffey suggested Church Street in Parrott as a road potentially in need of chip and seal treatment.

Mr. Conner suggested Kent Farm Road as a road potentially in need of repair.

b. Citizen Concerns

Mr. James McClannahan questioned the effectiveness of the recent "Cash for Clunkers" program, specifically expressing concern that if citizens are purchasing more fuel efficient vehicles and spending less on gas, revenues will be less. Mr. Clarke indicated a possible "tax per

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mile" user fee could be established.

c. Board of Supervisors Concerns

Mr. Bopp presented letters from James Rorrer requesting a speed study on Alum Spring Road, specifically at the end of Loving Field Road down to the Back Creek School/Ruritan Building. Mr. Clarke agreed to have VDOT staff review the request and provide an update to the Board.

Mr. Conner expressed appreciation to VDOT for the recent speed study efforts by VDOT related to the Hatcher Road speed zone.

Mr. Sheffey encouraged VDOT to continue its mowing efforts in the county.

8. Treasurer's Report

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

9. Reports from the County Administrator & Staff:

a. Appointments

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

1. Nomination to NR/Mount Rogers WIB

No action was taken on this matter. Staff was directed to seek a nominee from the Corporate Roundtable and place consideration of this matter on the September Board agenda.

2. Wireless Authority

No action was taken on this matter. Staff was directed to place consideration of this matter on the September Board agenda.

3. NRV Development Corporation

No action was taken on this matter. Staff was directed to place consideration of this matter on the September Board agenda.

4. PEP Steering Committee

The Board appointed Eric Bucey to the PEP Steering Committee.

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

Voting no: None.

b. Update on "The Building" Real Estate Taxes

As reported in the Board packet, the county received an inquiry from Kathy Denny requesting consideration by the Board for exemption from personal property taxes. Board members were provided excerpts from the state code related to exemption by classification which would not apply to the current use of the Building as a place of worship. Staff reported the other option would be for exemption by the Board of Supervisors based on Ms. Denny's IRS designation as a non-profit organization. Staff reported, should the Board wish to grant some level of exemption, the recommendation from staff would be to provide the organization with an annual appropriation in an amount at least equal to the amount of taxes owed conditional on participation in and collaboration with the Commission on Families and Children. This would allow resources provided by taxpayers of the County to be focused on reducing the significant cost of counseling, detention and incarceration already being incurred by the County. The property is currently recorded in the name of William E. Denny and has an assessed value of \$23,600 for the land and \$120,700 for the building for a total of \$144,300. Thus, the annual tax on this property is \$721.50.

Mr. Huber advised that back taxes had been paid on the property as of August 24, 2009.

Board members requested review the overall request of Ms. Denny.

Mr. Huber indicated a recommendation would be made to the Board at its September meeting.

c. Key Activity Timetable

Mr. Sheffey inquired regarding the status of the Maple Shade renovations. Mr. Huber recommended changing the target date to October 2009.

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d. Unsafe Structures

Mr. Huber advised of two structures having been declared unsafe by county staff, describing one in the New River Community, which will be addressed administratively and one on Thaxton Road. Code Enforcement Officer Jamie Radcliffe reported the property owner on Thaxton Road was not in a financial position to allow for completion of the initial plans for the house, or for funding to tear down the house. He advised a forced cleanup of the property may need to be initiated, including placing of a lien on the property. Staff was requested to provide an estimate of costs to remove the house.

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 July 27, 2009

The Board approved the minutes of the July 27, 2009 meeting.

b. Accounts Payable

The Board approved accounts payable for checks numbered 2010062 through 2010405, subject to audit.

c. Interoffice Transfers & Appropriations

The Board approved interoffice transfer #2 totaling \$44,491.25 and appropriations as follows:

General Fund #1

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
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
EXPENDITURES:		
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

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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 #2

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
3-100-041999-0000	Transfer from Reserves	\$ 58,499.27
3-100-033010-2025	Va Dept of Emergency Management 2006 Grant	8,943.25
3-100-033010-2026	Va Dept of Emergency Management 2007 Grant	23,000.00
3-100-033020-3000	USDA Rural Development Funds Central Utilities Projects	1,974,102.11
	TOTAL	\$ 58,499.27
EXPENDITURES:		
4-100-081200-1310	Community Development Part-time Wages	\$ 6,404.00
4-100-081200-2100	Community Development FICA	754.96
4-100-081500-5540	Economic Development Travel/Convention	1,000.00
4-100-021600-5850	Clerk of Circuit Court Social Security Number Redaction	725.17
4-100-073100-5699	Library RIF Program	1,562.73
4-100-073100-6029	Library Moms, Pops & Tots Program	1,365.79
4-100-073100-6040	Library Walmart Foundation Grant	163.03
4-100-092110-5850	Dublin Fire Department Insurance Refund	3,131.67
4-100-032200-5699	Draper Vol Fire Department Operating Expenses Carryover	13,966.34
4-100-032240-5699	Newbern Vol Fire Department Operating Expenses Carryover	2,892.17
4-100-032250-5699	Snowville Vol Fire Department Operating Expenses Carryover	11,510.00
4-100-032260-5699	Twin Comm. Vol Fire Department Operating Expenses Carryover	12,031.07
4-100-032230-5699	Hiwassee Volunteer Fire Department Operating Expenses	500.00
4-100-032250-5699	Snowville Volunteer Fire Department Operating Expenses	1,000.00
4-100-035500-5900	Emergency Management HazMat Reimbursements	1,492.34
4-100-035530-8201-001	2006 VDEM Citizen Corp Grant	5,997.00
4-100-035530-8201-002	2006 VDEM Homeland Security Grant	2,946.25
4-100-035530-8201-003	2007 VDEM Homeland Security Grant	23,000.00
4-100-093000-9213	Transfer to PSA Fund	1,974,102.11
	TOTAL	\$ 58,499.27

School Fund

Account Number	Account Title	Amount Increase (Decrease)
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<u>Revenues:</u>		
3-205-33020-1100	Title III LEP	3,367.12-
3-205-024020-4300	VTSF	9001.00
	Total	\$ 5,633.88
4-205-061100-6013-200-100-908	Title III Instructional Supplies	3,367.12
4-205-062130-3850-900-000-338	Purchase services	9001.00-
	TOTAL	\$ 5633.88

School Fund

Account Number	Account Title	Amount Increase (Decrease)
<u>Revenues:</u>		
3-205-33010-1500	School Improvement 1003G	209,759.80-
3-205-33020-0300	Title I ARRA	324,874.92
3-205-033020-3750	Pre-school ARRA	<u>14,617.00</u>
	Total	\$ 549,251.72
4-205-061100-5540-204-100-945	Local Travel	209,759.80
4-205-061100-1121-200-100-991	Salary Teachers	324,874.92
4-205-061100-1121-200-200-935	Salary Teachers	11,504.02
4-205-061100-2100-200-200-935	Fica	<u>3,112.98</u>
	TOTAL	\$ 549,251.72

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

1. EMS Personal Protection Equipment and Special Initiative Grant Application

As reported in the Board packet, a grant application had been submitted to the Virginia Office of Emergency Medical Services for personal protective equipment. The Board ratified approval of submittal of the grant application.

2. SPARC Application

As reported in the Board packet, application had been made for Sponsoring Partnerships and Revitalizing Communities (SPARC) funding for the expansion of affordable housing opportunities. The Board ratified approval of submittal of this grant application.

e. Personnel Changes

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

f. Other Post Employment Benefits

As reported in the Board packet, Board members were provided a division of estimated other post-employment benefits (OPEB) liability calculations related to various political subdivisions under the County umbrella. Staff reported that based on a 4% interest rate, the County would have set aside \$96,700 on June 30, 2009 for liabilities accumulated to this point in time with the anticipation that an additional \$16,100 would need to be set aside annually in future years.

The Board setting aside \$16,100 from current reserves rather than taking funds from current operations.

g. Resolution Consenting to an Agreement by the New River Resource Authority for Acceptance of Solid Waste from Joint Public Service Authority of Wythe and Bland Counties

As reported in the Board packet, adoption of a resolution is recommended based on the relative financial benefit to the citizens of the County through reduced disposal costs and a subsequent delay in the implementation of refuse disposal increases in comparison with the decrease in the life of the landfill.

The Board adopted the following resolution:

RESOLUTION CONSENTING TO AN AGREEMENT BY THE NEW RIVER RESOURCE AUTHORITY FOR ACCEPTANCE OF SOLID WASTE FROM JOINT PUBLIC SERVICE AUTHORITY OF WYTHE AND BLAND COUNTIES

WHEREAS, Pulaski County is a member of the New River Resource Authority (the "NRRRA"); and,

WHEREAS, the Articles of Incorporation of the NRRRA provide that the NRRRA may, with consent of all of its member jurisdictions, enter into a contract with a political subdivision other than a member jurisdiction; and,

WHEREAS, the Agreement for Expansion of the NRRRA dated April 14, 1998 (the "Agreement") between the NRRRA and its member jurisdictions provided that the NRRRA is to be utilized only for the disposal of solid waste generated by and within the member jurisdictions and only such areas outside of those geographical limits as the governing bodies of the member jurisdictions may agree; and,

WHEREAS, the Joint Public Service Authority of Wythe and Bland Counties (the "JPSA") has proposed to contract with the NRRRA for the acceptance by the NRRRA of municipal solid waste from the JPSA; and,

WHEREAS, pursuant to the above-described provisions of the Articles of Incorporation and Agreement, the consent of all member jurisdictions of the NRRRA is required for approval of such a contract; and,

WHEREAS, the Pulaski County Board of Supervisors deems it to be appropriate for reasons of regional cooperation as well as to protect public health, safety, and welfare, to agree to allow the NRRRA to accept municipal solid waste from the JPSA pursuant to the terms of a contract with such terms as the NRRRA and the JPSA may agree to,

NOW THEREFORE, BE IT RESOLVED that the NRRRA is hereby permitted to contract with the JPSA for the acceptance of municipal solid waste from the JPSA, under such terms and conditions as the NRRRA and the JPSA may agree to.

This resolution shall be effective from and after the date of its adoption.

h. Proclamation Supporting September as National Preparedness Month

The Board adopted the following proclamation, noting residents were being encouraged to sign up for the Pulaski County Citizens' Alert notification system:

**PROCLAMATION - National Preparedness Month,
September 2009**

WHEREAS, "National Preparedness Month" creates an important opportunity for every resident of Pulaski County to prepare their homes, businesses and communities for any type of emergency from natural disasters to potential terrorist attacks; and

WHEREAS, investing in the preparedness of ourselves, our families, businesses and communities can reduce fatalities and economic devastation in our communities and in our nation; and

WHEREAS, the Federal Emergency Management Agency's *Ready* Campaign, Citizen Corps and other federal, state, local, private and volunteer agencies are working to increase public awareness concerning the importance of preparing for emergencies and to persuade individuals to take action; and

WHEREAS, emergency preparedness is the responsibility of every citizen of Pulaski County and all citizens are urged to make preparedness a priority by taking four simple steps: 1. get an Emergency Supply Kit; 2. make a Family Emergency Plan; 3. be informed about the types of emergency that can occur in Pulaski County; and 4. get involved with local preparedness organizations and efforts.

WHEREAS, all citizens of Pulaski County are encouraged to participate in citizen preparedness activities and to review the *Ready* campaign's Web sites at www.ready.gov or www.listo.gov (in Spanish); and,

THEREFORE, BE IT RESOLVED that the Pulaski County Board of Supervisors hereby proclaims September, 2009 as National Preparedness Month, and encourages all citizens and businesses to develop their own emergency preparedness plan.

DATED this 24th day of August 2009 by the Pulaski County Board of Supervisors.

i. I-81 Corridor Coalition

The Board approved a contribution of \$1,000 in support of the newly formed I-81 Corridor Coalition.

j. Opposition to VSMP Amendments

As reported in the Board packet, staff recommends adoption of a resolution in opposition to Virginia Department of Conservation and Recreation's proposed amendments to the Virginia Stormwater Management Program (VSMP) regulations. The Board adopted the following resolution:

**RESOLUTION OPPOSING PROPOSED STORMWATER
MANAGEMENT REGULATIONS 4VAC50-60, PARTS I, II, III
AND PART XIII**

WHEREAS the Pulaski County Board of Supervisors is committed to protecting the land and waters of Pulaski County from degradation and recognizes its responsibility to the watersheds of our Commonwealth; and

WHEREAS, the State's proposed new stormwater standards constitute another unfunded mandate which would place an increased financial burden on already fiscally stressed localities in our Commonwealth. Through the costs of developing a new stormwater program, as well as the required long-term maintenance and inspection of Best Management Practices, the County will incur significant new costs which will not be offset by the proposed permit fees as set forth in Part XIII of these regulations; and

WHEREAS, the proposed phosphorus standard of .28 pounds per acre per year for new development is unduly restrictive and will greatly affect design and development of new sites; and

WHEREAS, Pulaski County requests additional evaluation of the full impact of this standard prior to implementation of these proposed regulations; and

WHEREAS, implementation of the new standard will severely limit the clustering of development in Pulaski County necessary to protect our rural character; and

WHEREAS, the proposed regulation will further promote urban sprawl as land developers seek out larger lots. The proposed standard can be more easily achieved on less developed properties.

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NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Pulaski County, Virginia, as follows:

1. The County of Pulaski strongly recommends that the regulation, as proposed, not be adopted; rather the standards should be more thoroughly studied and more realistic standards adopted.
 2. That Pulaski County request that the Commonwealth of Virginia provide funding assistance to all localities for the development of comprehensive stormwater programs.
 3. That a copy of this Resolution opposing this unfunded mandate be sent to Governor Timothy Kaine; the Director of the Virginia Department of Conservation and Recreation; local state elected representatives; and the Virginia Association of Counties (VACO).
- k. Scheduling of Public Hearing at September Board meeting on Industrial Resolution for Bimmerworld

The Board approved the scheduling of a public hearing for the September 28 Board of Supervisors meeting for the purpose of (Peter: can you insert purpose statement? Thanks)

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

Voting no: None.

11. Citizen Comments

There were no citizen comments.

12. Other Matters from Supervisors

Mr. Bopp relayed a citizen concern over the poor condition of the roof at the Health Department, specifically noting leakage from the roof and damage to other areas of building. Mr. Huber advised plans by staff to distribute bids for the roof replacement. Mr. Bopp also noted the need for general maintenance issues at the Health Department, including the replacement of light fixtures and air conditioning units. Mr. Hiss advised the HVAC at the Health Department was scheduled for replacement.

Mr. Sheffey expressed appreciation to staff for the coordination and planning efforts towards the recent elected officials' picnic.

Mr. Sheffey advised of receipt of comments related to the eternal flame

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at the stone courthouse, specifically the potential use of "faux" lighting. Mr. Conner advised of comments by a citizen expressing concerns over the use of "faux" lighting.

Mr. Sheffey confirmed the September Board meeting would be the end of the "summer attire" by Board members at monthly Board meetings.

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, September 28, 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