

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, April 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 T. Hanks, Clerk to the Board of Supervisors.

1. Closed Session – 2.2-3711.A.1.3.5.7

Mr. 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.

- ShaeDawn Park Access Road

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:

- None

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

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.

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

Voting no: none.

2. Invocation

Mr. Sheffey called for a moment of silence honoring Colbern Linkous. Mr. Sheffey advised that Mr. Linkous had been a regular attendee at previous Board meetings.

Mr. McCarthy provided the invocation.

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

3. Recognitions:

a. Presentation of Resolution to H. W. Huff Family

Mr. Sheffey and Mr. Conner presented a memorial resolution to H. W. Huff's son, Hugh Huff. Mr. Sheffey expressed appreciation for Mr. Huff's long-standing service to the County, the Public Service Authority Board and the staff.

b. Featured Employees

The Board recognized Melody Taylor of the Community Development Department and Curtis Boyd of the General Properties Department as the featured employees for the month of May. Mr. Sheffey read a description of the job duties and personal interests of Ms. Taylor and Mr. Boyd and presented a Fatz Cafe gift certificate to each employee.

4. Additions to Agenda

Mr. Huber requested moving the Coast Guard Auxiliary matter to follow the public hearings. He also advised the presentation scheduled by Emergency Management Coordinator Bobby Clark would need to be delayed to the May 18 Board meeting due to Mr. Clark tending to a rekindling of the fire in Hiwassee.

5. Public Hearings:

Mr. Sheffey explained the public hearing process.

a. Six Year Secondary Road Plan

David Clarke, Virginia Department of Transportation (VDOT) Resident Engineer, explained the highway funding process, specifically advising funding for highways was received through two sources, federal and state funds, including the federal gas tax collected and state gas tax collected. Mr. Clarke advised the county could expect to receive \$700,000 in each of the next six years and noted this was a significant decrease from previous years funding.

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

Mr. Clarke advised the next step would be for VDOT staff to review the six year secondary road list with county staff and submit a resolution for review and adoption by Board at the May 18, 2009 Board meeting.

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

Mr. Sheffey expressed concern over the lack of funds by the state for road improvements and noted the importance in providing safe roads in the county for all citizens. He also advised the waiting list for road improvements continues to increase and without proper funding by the state, most road improvement projects could take 30 to 60 years to complete.

Mr. Clarke advised the Board of a public hearing to be conducted by VDOT on primary roads which is scheduled for June 3, 2009 at 6:00 p.m., New River Community College, Edwards Hall.

Mr. Huber indicated copies of the plan would be placed on the county's web site.

- b. Revisions and updates to the **Pulaski County Comprehensive Plan** to the **Central Planning Area** of the county. This area would include portions of the Robinson, Massie, Draper, and Ingles Magisterial Districts, along with the Towns of Pulaski and Dublin.

Mr. Utt presented staff comments and advised the Planning Commission was awaiting comments from VDOT regarding the roads located within the Central Planning Areas of the county. Mr. Utt advised the Planning Commission expected to have a recommendation for the Board for its May 18, 2009 meeting.

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

No action was taken by the Board at this meeting.

- c. The petition by the **County of Pulaski** to amend the following section (s) of the Pulaski County Zoning Ordinance:
- **Article 1: Definitions, Use and Design Standards;** add definition for Public Safety and/or Government Communications towers, 250 ft. or less;
 - **Article 2, Agricultural (A1), Section 2-3; Article 3, Conservation (C1), Section 3-3; Article 4, Commercial (CM1), Section 4-3; Article 5A, Residential (R), Section 5A-3; Article 5B, Residential (R1), Section 5B-3; Article 5C, Residential (R2), Section 5C-3; Article 5D, Residential (R3), Section 5D-3; Article 5F, Rural Residential (RR), Section 5F-2; Article 6A, Transitional Industrial (IO), Section 6A-3; Article 6B, Planned Industrial (PID), Section 6B-3; and Article 7, Industrial (I1), Section 7-3;** replacing Towers, Public Safety and/or Government Communications, 250 ft. or less **WITH** Public Safety and/or Government Communications towers, 250 ft.

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

or less:

- Article 5D, Residential (R3), Section 5D-1; delete Towers, Public Safety and/or Government Communications, 250 ft. or less, as a use by right.

Mr. Utt presented staff comments and advised the Planning Commission recommended approval of the text amendments.

Mr. 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 text amendments as follows:

ARTICLE 1: DEFINITIONS, USE AND DESIGN STANDARDS

Public Safety and/or Government Communications towers, 250 ft. or less: A communications tower which support(s) an Emergency Communications Network operated by a Governmental Entity

ARTICLE 2: AGRICULTURAL DISTRICT (A-1)

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

- ~~Towers,~~ Public Safety and/or Government Communications ~~Towers,~~ 250 ft. or less

ARTICLE 3: CONSERVATION DISTRICT (C-1)

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

- ~~Towers,~~ Public Safety and/or Government Communications ~~Towers,~~ 250ft. or less

ARTICLE 4: COMMERCIAL DISTRICT (CM-1)

4-3 Uses Permitted by Special Use Permit (SUP) Only

- ~~Towers,~~ Public Safety and/or Government Communications ~~Towers,~~ 250ft. or less

ARTICLE 5A: RESIDENTIAL DISTRICT (R)

5A-3 Uses Permitted by Special Use Permit (SUP) Only

- ~~Towers,~~ Public Safety and/or Government Communications ~~Towers,~~ 250ft. or less

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

ARTICLE 5B: RESIDENTIAL DISTRICT (R-1)

5B-3 Uses Permitted by Special Use Permit (SUP) Only

- ~~Towers~~, Public Safety and/or Government Communications *Towers*, 250ft. or less

ARTICLE 5C: RESIDENTIAL DISTRICT (R-2)

5C-3 Uses Permitted by Special Use Permit (SUP) Only

- ~~Towers~~, Public Safety and/or Government Communications *Towers*, 250ft. or less

ARTICLE 5D: RESIDENTIAL DISTRICT (R-3)

5D-3 Uses Permitted by Special Use Permit (SUP) Only

- ~~Towers~~, Public Safety and/or Government Communications *Towers*, 250ft. or less

ARTICLE 5F: RURAL RESIDENTIAL DISTRICT (RR)

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

- ~~Towers~~, Public Safety and/or Government Communications *Towers*, 250ft. or less

ARTICLE 6A: TRANSITIONAL INDUSTRIAL DISTRICT (I-0)

6A-3 Uses Permitted by Special Use Permit (SUP) Only

- ~~Towers~~, Public Safety and/or Government Communications *Towers*, 250ft. or less

ARTICLE 6B: PLANNED INDUSTRIAL DISTRICT (PID)

6B-3 Uses Permitted by Special Use Permit (SUP) Only

- ~~Towers~~, Public Safety and/or Government Communications *Towers*, 250ft. or less

ARTICLE 7: INDUSTRIAL DISTRICT (I-1)

7-3 Uses Permitted by Special Use Permit (SUP) Only

- ~~Towers~~, Public Safety and/or Government Communications *Towers*, 250ft. or less

ARTICLE 5D: RESIDENTIAL DISTRICT (R-3)

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

5D-1 Uses Permitted by Right

~~Towers, Public Safety and/or Government Communications, 250 ft. or less~~

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

Voting no: none.

- d. Proposed ordinance to regulate the sanitary condition of the personnel, equipment and premises of tattoo parlors and body-piercing salons and specify procedures for enforcement of compliance with the disease control and disclosure requirements of Virginia Code Section 18.2-371.3 setting forth the tattooing or body piercing of minors.

Mr. Huber explained the purpose of the hearing was to receive citizen comments on a proposed ordinance to regulate tattoo parlors and body-piercing salons as described above.

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

Mr. Huber provided an e-mail with comments received from Mr. Gary Coggins of the Virginia Department of Health advising that the Department of Professional and Occupational Regulations (DPOR) regulates tattoo parlors and artists. Mr. Huber recommended the Board take no action to adopt the ordinance due to DPOR regulating the parlors.

- e. Petition by **Division 5 United States Coast Guard Auxiliary** for Special Use Permit (SUP) located on property owned by the Town of Dublin at 6120 Lyons Rd., for Towers, Public Safety and/or Government Communications, 250 ft. or less and Associated Structures, (066-001-0000-0008), (Draper District).

Mr. Utt explained this request had been tabled by the Board from its March meeting to the April 27 Board meeting to allow discussions to be held between the Coast Guard Auxiliary, Town of Dublin representatives and neighbors of the property.

Mr. Utt advised the Town of Dublin and the Coast Guard Auxiliary had come to an agreement related to the removal of equipment at the pump station and utilization of a port-a-jon on the property located at the back side of the pump house. Mr. Huber recommended acceptance by the Board. Mr. Roger Adkins commended the Board of Supervisors, Coast Guard officials and Town of Dublin representatives for seeking a compromise to the issue involving the location of a port-a-jon on the property.

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved the petition as requested for a Special Use Permit as requested by the Division 5 United States Coast Guard Auxiliary.

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

Voting no: none.

Mr. Sheffey commended all parties involved in seeking and resolving the matter involving the Special Use Permit request.

6. Citizen Comments

- Presentation by Pulaski County Community Partners Coalition (PCPC)

Ms. Lee Speigel, Coordinator for PCPC, provided an update on the Coalition's activities, including participation in the After Prom Coffee House, Tailgate Party 08, pool parties for 6th and 9th graders, bonfire, retreats, Battle of the Bands and other activities.

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. Sheffey questioned the status of the review by VDOT related to the timing of the signals at the Bojangles Restaurant in Fairlawn. Mr. Clarke advised the timing issue had been resolved.

Mr. Sheffey questioned the status of a previous concern related to the lack of markings on Route 114. Mr. Clarke advised the markings will not be changed; however, plans are to refresh the lines in the spring of 2009.

b. River Ridge Subdivision Resolution

Staff presented a request from VDOT for adoption of a resolution allowing the addition of River Ridge Subdivision into the Secondary Road System.

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved the following resolution, subject to review of the title search by Attorney Sam Campbell:

WHEREAS, the street(s) described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Pulaski County, and

WHEREAS, the representative for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Virginia Department of Transportation's Subdivision Street Requirements, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, after receiving a copy of this resolution and all outstanding fees and documents required of the developer, whichever occurs last in time.

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Administrator for the Virginia Department of Transportation.

In the County of Pulaski

By resolution of the governing body adopted April 27, 2009

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's Resolution for changes in the secondary system of state highways.

Copy Testee Original Signed by Peter Huber, County Administrator

Report of Changes in the Secondary System of State Highways

Project/Subdivision: River Ridge Subdivision

Type of Change to the Secondary System of State Highways: Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: **New subdivision streets**

Pursuant to Code of Virginia Statute: **§33.1-229**

Street Name and Route Number

Heron's Landing Drive, State Route Number 816

- From: Rt. 1159 Harbour Town Drive
To: 0.01 miles South of Rt. 1162, a distance of: 0.47 miles.
Recordation Reference: Cabinet 2 Slide 68 PG 9-10 & Slide 69 PG 1-2
Right of Way width = 40 feet

Harbour Town Drive, State Route Number 1159

- From: Rt. 816 Heron's Landing Drive
To: Rt.1161 Teeth of the Dog Drive, a distance of: 0.47 miles.
Recordation Reference: First 0.20 mi in Cabinet 2: Slide 47 PG 8-10 & Slide 48 PG 1
Recordation Reference: Remainder: Cabinet 2 Slide 68 PG 9-10 & Slide 69 PG 1-2
Right of Way width = 40 feet

Mystic Rock Court, State Route Number 1162

- From: Rt. 816 Heron's Landing Drive
To: cul-de-sac, a distance of: 0.07 miles.
Recordation Reference: Cabinet 2: Slide 68 PG 9-10 & Slide 69 PG 1-2
Right of Way width = 40 feet

Teeth Of The Dog Drive, State Route Number 1161

- From: Rt. 816 Heron's Landing Drive
To: cul-de-sac, a distance of: 0.48 miles.
Recordation Reference: Cabinet 2: Slide 68 PG 9-10 & Slide 69 PG 1-2
Right of Way width = 40 feet

VDOT Form AM-4.3 (4/20/2007), Asset Management Division

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

Voting no: none.

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

c. Tractor Trailer Use of Highland Road

Mr. Floyd Easter, Jr. of Highland Road requested VDOT erect signage on Highland Road prohibiting tractor trailer use of the low weight bridge due to no turnaround access. Mr. Clarke was requested to review the request and provide an update at a future meeting.

d. Citizen Concerns

There were no citizen comments.

e. Board of Supervisors Concerns

Supervisor Akers advised of asphalt breaking away at Lead Mines Road (about 100 yards back towards Lowmans Ferry) near Nunn Hollow Road. Mr. Clarke was requested to review the matter and provide an update at a future meeting.

Supervisor Akers advised of the need for striping on Fulk Drive at the Fairlawn Walmart. Mr. Clarke was requested to review the matter and provide an update at a future meeting.

Supervisor Sheffey advised of a pothole on Route 11 across from the Pulaski Elementary School. Mr. Clarke advised the area in question was located in the Town of Pulaski limits and would be the responsibility of the Town of Pulaski.

Mr. Huber requested VDOT revisit adding back to list the replacement of the bridge on Highland Road. Mr. Clarke advised the first step would be to determine if bridge would qualify on a district wide bridge VDOT schedule. Mr. Clarke agreed to review the matter and provide an update at a future meeting.

Supervisor Sheffey requested an update on the Route 114 bridge repair schedule. Mr. Clarke advised the repairs were scheduled for February/March 2010.

Mr. Clarke encouraged the Board to provide written comments, or attend the June 3, 2009 public hearing. Mr. Clarke also advised of a May 7, 2009, 10:00 a.m. video conference for counties to be held by the VDOT Salem District Office commissioner for review of budget changes and provide a blueprint for responding to budget reductions, etc.

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

8. Treasurer's Report

Treasurer Melinda Worrell presented the monthly report. Mr. Sheffey inquired as to the status of payments on delinquent accounts. Treasurer Worrell advised payments were being received and Attorney Sam Campbell is ready to sell some properties.

9. Reports from the County Administrator & Staff:

a. Appointments

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

1. Library Board

The Board appointed Nancy Hudson for a term ending December 31, 2012.

2. Clean Community Council

The Board appointed Mike Campbell as Health Department representative to fill the unexpired term of Tommy James, with said term ending January 6, 2011.

3. New River Community Action

The Board reappointed Jeff Kackley for a term ending June 30, 2011.

4. New River Resource Authority

The Board took no action on this appointment.

5. Wireless Authority

The Board appointed Wayne Cressell for a term ending October 31, 2010.

6. Claytor Lake Festival Committee

The Board appointed Michael Gay, Ron Coake, Nollie Neill, Jr., Judy Ison, Peggy White, Dave Collette, and Becky Yearout to the committee.

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

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. Supervisor Akers inquired if the target date for the subdivision sewer is accurate. Mr. Huber advised progress is being made on the subdivision sewer projects; however, the target date would need to be reviewed and would be reported to the Board in an updated KAT at the May 18 meeting.

c. Petition by Division 5 United States Coast Guard Auxiliary for Special Use Permit (SUP) located on property owned by the Town of Dublin at 6120 Lyons Rd., for Towers, Public Safety and/or Government Communications, 250 ft. or less and Associated Structures, (066-001-0000-0008), (Draper District).

Action on this matter was taken previously in the meeting.

d. Citizens Alert System

Staff was directed to schedule the Citizens Alert presentation for the May 18 Board meeting.

e. New River Valley Competitiveness Center Moral Obligation

Mr. Huber explained a request by the New River Valley Development Corporation for approval of a moral obligation on the part of the Board of Supervisors supporting refinancing of the existing debt on the facility.

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved the following resolution, on the condition that at least one other locality participate and that auditors review and comment on the matter:

**RESOLUTION OF MORAL OBLIGATION
Pulaski County**

Whereas: Pulaski County was one of eight jurisdictions creating the New River Valley Development Corporation to serve the New River Valley as a non-profit economic development organization in 1983, and

Whereas: The Development Corporation established the New River Valley Competitiveness Center as the region's business incubator to

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

assist in the creation and nurturing of businesses in 1999 and 2003; and

Whereas: The incubator furthers the mission of the Corporation by providing technical assistance, counseling, access to business financing, networking for entrepreneurs as well as space for businesses and regional agencies; and

Whereas: The Corporation received \$4 million dollars in federal grants to establish the Center and financed the local share through a variety of a loan instruments; and

Whereas: The current economic situation allows the Corporation to refinance and consolidate the local share of the project to the benefit of the operations of the Center; and

Whereas: the operating costs of the Center have increased dramatically and there have been two significant declines in the general economy which have impacted the Corporation; and

Whereas: The Corporation Board of Directors, each of whom is appointed by one of the creating localities, have worked over the past several months to create a successful option to insure the incubator and the Center continue to play its important economic development role. Its success is dependent upon the cooperation of the creating localities; and

Whereas: Carter Bank has offered the Corporation an attractive financing package including the required \$2,635,000 dollars @ 4.5 percent fixed rate for 20 years with a 30 year amortization; and

Whereas: Carter bank is requiring a "moral obligation support agreement" from a minimum of two localities in order for the Board to enter into this transaction; now

Therefore be it resolved: that the Board of Supervisors of Pulaski County agrees to provide a share of a moral obligation for the outstanding principal of the proposed Carter Bank loan to the New River Valley Development Corporation. Such share dependent upon the actual number of creating localities participating, however the obligation shall not exceed \$1,317,500 dollars, and shall be modified as a result of the liquidation of the bank's collateral.

Be It Further Resolved the Pulaski County Board of Supervisors understands that the moral obligation shall be subject to appropriation beyond the current fiscal year and does hereby recommend to its successors that this agreement be kept in force throughout the term of the loan. The Moral Obligation secured by a second deed of trust on the New

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

River Valley Competitiveness Center shall likewise be shared.

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

Voting no: none.

10. Items of Consent

Mr. McCarthy noted the language referenced in the agreement in item 10d4 would need to be revised to reflect wording that did not necessarily bind the IDA.

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

a. Approval of Minutes of March 9 & 23 and April 6, 2009

The Board approved the minutes of the March 9 and 23 and April 6, 2009 meetings.

b. Accounts Payable

The Board approved accounts payable for checks numbered 2007931 through 2008338, subject to audit.

c. Interoffice Transfers & Appropriations

The Board approved interoffice transfer #10 totaling \$37,258.44 and appropriations as follows:

General Fund #12

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
100-018990-1600	Miscellaneous Revenues	120.00
100-016030-1000	Share of Seized Property/Commonwealth Attorney	534.00
100-016030-1100	Share of Seized Property/Sheriff	534.00
100-018990-4410	Local Donations Sheriff's Office	970.00
100-016150-0700	RIF Program	486.00
100-023070-0300	Clerk's Office Expenses	12,431.00
100-019010-4100	Recovered Costs School Board	17,355.00
100-016130-0400	Charges Office on Youth Program	29,000.00
100-016130-0800	Summer Youth Camp Fees	11,000.00
100-041999-0000	Transfer from Reserves	203,101.00

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

		TOTAL	\$275,531.00
<u>EXPENDITURES:</u>			
100-035500-4603	Emergency Management Central Garage Fuel		120.00
100-022100-6017	Commonwealth Atty. Supplies/Equipment Seized Assets		534.00
100-031200-6017	Sheriff Supplies/Equipment Seized Assets		534.00
100-031200-6020	Sheriff Police Dog Supplies		970.00
100-073100-5699	RIF Program		486.00
100-021600-3170	Clerk of Circuit Court Other Professional Services		531.00
100-021600-3320	Clerk of Circuit Court Maintenance Service Contracts		11,900.00
100-011010-3130	Board of Supervisors Management Consulting Services		17,355.00
100-053500-1310	Office on Youth Part-time Salaries		25,800.00
100-053500-2100	Office on Youth FICA		2,000.00
100-053500-6013	Office on Youth Educational Supplies		1,200.00
100-071350-1394	County Parks Part-time Salaries		10,000.00
100-071350-2100	County Parks FICA		1,000.00
100-093000-9206	Transfer to Capital Improvements Fund		203,101.00
		TOTAL	\$275,531.00

General Fund #13

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
		\$ -
	TOTAL	\$ -
<u>EXPENDITURES:</u>		
100-021600-8102	Clerk of Circuit Court Furniture & Fixtures	\$ 3,200.00
100-021600-8107	Clerk of Circuit Court Computer Systems & Equipment	(3,200.00)
100-021900-5210	Victim Witness Grant Postage	162.00
100-021900-5540	Victim Witness Grant Travel/Conventions	100.00
100-021900-5510	Victim Witness Grant Mileage	(262.00)
100-071320-3310	Randolph Park Repairs & Maintenance	21,139.00
100-091400-9301	Contingency Fund	(21,139.00)
	TOTAL	\$ -

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

Capitol Improvements Fund #4

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
	TOTAL	\$ -
<u>EXPENDITURES:</u>		
302-031200-8105	Sheriff's Office Vehicles	\$(170,187.79)
302-031200-8107	Sheriff's Office Dispatch System Records	170,187.79
302-032200-8112	Draper Vol Fire Dept Firehouse Improvements	12,890.00
302-032200-8105	Draper Vol Fire Dept Pumper	(12,890.00)
	TOTAL	\$ -

Capitol Improvements Fund #5

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
302-041050-1000	Transfer from General Fund	\$ 203,101.00
	TOTAL	\$ 203,101.00
<u>EXPENDITURES:</u>		
302-012331-1350	Equalization Board Part-Time Salaries	\$ 3,335.00
302-012331-2100	Equalization Board FICA	256.00
302-012331-6001	Equalization Board Office Supplies	43.00
302-012330-3160	Property Reassessment	199,467.00
	TOTAL	\$ 203,101.00

VPA Fund

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
201-24010-0200	Public Assistance & Welfare Administration	\$ 73,744.00

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

		TOTAL	\$ 73,744.00
EXPENDITURES:			
201-53140-4066	Office Upgrade-Pre-Occupancy		\$ 73,744.00
		TOTAL	\$ 73,744.00

School Fund

Account Number	Account Title	Amount Increase (Decrease)
Revenues:		
3-205-15020-0100	Rental of Property	\$ 401.00
3-205-16120-1100	Salaries and Wages	\$ 7,147.11
3-205-18030-0330	Reimb/School Activity	\$ 4,310.31
3-205-18030-0350	Medicaid Reimbursement	\$ 24,342.13
3-205-18030-0400	Title I/Indirect Costs	\$ 9,018.59
	TOTAL	\$ 45,219.14
Expenditures:		
4-205-62240-6014-900	Other Operating Supplies	\$ 24,342.13
4-205-64200-5110-900	Electricity	\$ 20,877.01
	TOTAL	\$ 45,219.14

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

1. Byrne Justice Assistance Grant – Courthouse

The Board ratified a \$910 grant application to be used to install a paging system within the courthouse complex.

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

2. Byrne Justice Assistance Grant – In Car Mobile Vehicle Camera System

The Board authorized applying for \$25,000 to be used to install in-car camera systems in five Sheriff's Dept. vehicles, conditional on the resolution of any public concerns expressed as a result of public notification.

3. Contract Amendment – Newbern/Wilderness Road TEA-21 Grant

The Board approved a contract amendment related to the Newbern/Wilderness Road TEA-21 Grant. As reported in the Board packet, Anderson and Associates (A&A) is performing the necessary environmental reviews and a few additional items will be necessary, according to the Virginia Department of Historic Resources. A further amendment will be necessary within the next 30 days when the archeologist is selected by A&A and the Project Management Team. The project budget should cover these costs, so additional funds should not be necessary from the county this time.

4. Memorandum of Understanding – Pulaski County Beans and Rice, Inc.

The Board approved a revised agreement with Beans and Rice, Inc. to reflect wording that would not bind the IDA. A copy of said agreement is filed with the records of this meeting.

e. Personnel Changes

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

f. Scheduling of Public Hearing – FY 2010 Budget

The Board approved scheduling of a public hearing on the FY 2010 budget for its May 18, 2009 meeting.

g. Lease - New River Valley Recreation, Inc. & Pulaski County

As reported in the Board packet, a meeting was held with the New River Valley Fair Association in which a draft agreement was discussed. The Board concurred with the following changes:

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

- A relaxation of the audit requirement (all non-profits have the same issue the County does with the development of official financial reports in order to obtain full audits);
- Documentation of insurance provided through the County as lessor;
- The ability of the Fair Association to borrow against the value of the property; and
- Assistance from the County in applying for various grants.

h. Proclamation – National County Government Week

The Board approved the following proclamation declaring May 3-9 as National County Government Week:

PROCLAMATION
NATIONAL COUNTY GOVERNMENT WEEK
May 3, 2009 – May 9, 2009
"GREENING OUR FUTURE"

WHEREAS, the nation's 3,068 counties provide a variety of essential public service to communities serving 300 million Americans; and

WHEREAS, Pulaski County and all counties take seriously their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

WHEREAS, many county government initiatives and programs involve the protection of valuable and vulnerable environmental resources in communities; and

WHEREAS, the National Association of Counties is the only national organization that represents county governments in the United States; and

WHEREAS, the National Association of Counties created National County Government Week in 1991 to raise public awareness and understanding about the roles and responsibilities of the nation's counties to meet the needs of the community; and

WHEREAS, the National Association of Counties and Pulaski County are working together to Restore the Partnership between all levels of government to better serve American communities;

NOW, THEREFORE, BE IT RESOLVED THAT WE, the Pulaski County Board of Supervisors, do hereby proclaim May 3, 2009 – May 9, 2009 as National County Government Week and encourage all Pulaski County officials, employees, schools and residents to participate in county government week activities.

i. Virginia Department of Health – Additional Funding Request

The Board approved an additional funding request from the Virginia Department of Health for a budget overrun last year, contingent upon on the establishment of quarterly budget reports to the Board of Supervisors.

j. Letter of Support – CEDS

The Board approved sending a letter of support for the Comprehensive Economic Development Survey revision developed by the Planning District Commission.

k. Memorial Resolution – Robert Boyd

The Board approved the following memorial resolution recognizing Robert Boyd for his services to the county as a volunteer fireman:

WHEREAS, Robert M. Boyd suffered an untimely death on March 22, 2009; and

WHEREAS, Robert M. Boyd served for 48 years as a dedicated volunteer firefighter with the Fairlawn Volunteer Fire Department; and

WHEREAS, Robert M. Boyd served the Fairlawn Volunteer Fire Department in many capacities over his 48 years of service, which included serving as engineer, chaplain, and president, all, at the time of his death; and

WHEREAS, Robert M. Boyd exemplified the qualities of excellence, vision, pride, dedication, and commitment in his volunteer service to the community and county.

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

BE IT FURTHER RESOLVED, that the Board of Supervisors does extend sincere sympathy to the members of the Boyd family and his Fairlawn Volunteer Fire Department family over his loss; and

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

I. Resolution - Sponsorship of Legislation to Fund Comprehensive Study of Proposed "Steel Interstate" Rail System Pilot Project

The Board approved the following resolution and requested the resolution be sent to legislators:

A Resolution Petitioning Virginia's Federal representatives to sponsor legislation to fund a comprehensive study of the proposed "Steel Interstate" rail system pilot project between Knoxville, TN, and Harrisburg, PA, as a part of a National Steel Interstate System that would bring fast rail freight and passenger service to the nation

WHEREAS, Congress is considering investments in transportation, public health, renewable energy, energy efficiency, fuel conservation, greenhouse gas abatement, and public infrastructure as fiscal stimulus, and a National Steel Interstate rail system will promote all these goals, and

WHEREAS, Steel Interstate rail service would reduce dependence on imported oil, while enhancing safety, national security, and economic competitiveness, and

WHEREAS, today, no passenger rail service, diminishing airline service, and limited intercity public bus service exists within the I-81 corridor and surrounding region but Steel Interstate service allows for harmonious fast passenger and freight operation, and

WHEREAS, Steel Interstate technology offers positive advantages for communities, the Commonwealth, other Interstate 81 states, and the United States relating to cost, safety, economic growth, tourism development, and varied freight and passenger service options, and

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

WHEREAS, when electrified, the Steel Interstate System offers the U.S. opportunity to employ domestic, renewable energy sources and efficiency to drive transportation, and

WHEREAS, forty-nine Virginia and four Tennessee governing bodies have previously voted support for improved rail service over massive widening of I-81;

NOW, THEREFORE, BE IT RESOLVED, that we, the Pulaski County Board of Supervisors, urgently petition our congressional delegation to work in concert with other I-81 Corridor representatives to sponsor and secure funding for a comprehensive study for the pilot segment (between Knoxville and Harrisburg) of a National Steel Interstate System.

BE IT FURTHER RESOLVED that the Pulaski County Board of Supervisors asserts that the following should be included in the comprehensive study: 1) engineering and design to determine required infrastructure improvements, options, costs, and speed improvement potential; 2) determination of appropriate environmental permitting; 3) exploration of financing, repayment, ownership and partnership scenarios; and 4) review of appropriate state/federal/private or other cooperative agreements.

AND BE IT FURTHER RESOLVED that the Pulaski County Board of Supervisors strongly urges the Norfolk-Southern Corporation, as owner of the current rail right-of-way and provider of rail service in the I-81 corridor, and as having a moral obligations to the communities bisected by its rail lines support and participate in the undertaking of the comprehensive study.

m. Letter of Support – Pulaski Theatre

The Board approved a letter of support for endorsement of a grant application for funding for the Pulaski Theatre.

11. Citizen Comments

Mr. James McClannahan expressed appreciation to the Board for the new Riverlawn Elementary School. Mr. McClannahan requested the Board place emphasis on teachers in the county, particularly by contributing funds towards teachers' health insurance or some means of appreciation.

Ms. Brenda Blackburn requested the Board revisit the need for an Indoor Recreation facility.

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 27, 2009

Mr. Bill Benson requested the Board of Supervisors consider contributing to the payment of additional health insurance expenses for school teachers, or some form of recognition for teachers. Mr. Benson expressed concern over the potential loss of qualified teachers if more incentives are not provided to teachers in Pulaski County.

12. Other Matters from Supervisors

Supervisor Akers requested a letter be sent to School Superintendent Don Stowers expressing concern over citizens disregarding stop sign at Beth Nelson Drive.

Mr. Huber advised the updated budget files will be placed on the county's web site.

13. Adjournment

Mr. Sheffey notified the press in attendance at the Board meeting of the potential for three or more Board members to be in attendance while attending the Riverlawn open house on May 17, 2009.

On a motion by Mr. Bopp, seconded by Mr. Pratt and carried, the Board of Supervisors adjourned its regular meeting. Mr. Sheffey advised the next regular meeting would be one week earlier due to the Memorial Day holiday falling on the regular Board meeting day. The next regular meeting is scheduled for Monday, May 18, 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