

BOARD OF SUPERVISORS MEETING MINUTES OF APRIL 26, 2010

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, April 26, 2010 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; Charles Bopp, Vice-Chairman; Dean K. Pratt; Ranny L. Akers; and Frank R. Conner. Staff members present included: Peter M. Huber, County Administrator; Robert Hiss, Assistant County Administrator; Shawn Utt, Community Development Director; and Thomas J. McCarthy, Jr., County Attorney. Gena Hanks, Clerk to the Board of Supervisors; joined the regular session at 7:00 p.m.

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. Bopp, 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:

- Surplus Properties
- Sheriff's Office
- Heron's Landing
- TMD Building

Prospective Industry – Pursuant to Virginia Code Section 2.2-3711(A)5 discussion concerning a prospective business or industry, or the expansion of an existing business and industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

- Project Windy

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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:

- None

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. Akers 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. Akers, seconded by Mr. Pratt 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

Chairman Sheffey called for a moment of silence in honor and recognition of the passing of former Pulaski County employee Rick Crowder. Supervisor Akers noted Mr. Crowder had also been a member of the Newbern Volunteer Fire Department.

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

3. Recognitions - Featured Employees

The Board of Supervisors recognized Kim Wright of the Community Development department and Tony Burton of the General Properties department as the Featured Employees to serve during the month of May. Job summaries for both employees were read aloud by Mr. Sheffey. Board members presented gift certificates to Fatz Café to both employees in appreciation of their service.

4. Additions to Agenda

Mr. Huber advised there were no additional agenda items at this time.

5. Public Hearings:

Chairman Sheffey explained the public hearing process.

- a. Petition by Marvin C Hight Jr. to rezone two parcels located at 4350 Hurston Road, (Rt. 644) from Residential (R1) to Agricultural (A1). (074-001-0000-0066, 074-001-0000-0067), (Draper District).

Mr. Utt explained the request by the petitioner. He advised the Virginia Department of Transportation (VDOT) had no comments on the request and that the Planning Commission recommended approved of the rezoning petition as presented.

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

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the rezoning request by Marvin C Hight Jr. to

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rezone two parcels located at 4350 Hurston Road, (Rt. 644) from Residential (R1) to Agricultural (A1). (074-001-0000-0066, 074-001-0000-0067), (Draper District).

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

Voting no: none.

- b. A request from Community Christian Church to vacate approximately 180 ft. of an existing 40 ft. unimproved right-of-way joining Howery Rd. (1021) and Grace St. (Rt. 1020), in the Draper District.

Mr. Utt explained the request by the Community Christian Church was to vacate an existing 40 ft. unimproved right-of-way approximately 180 ft. south of Grace Street. He advised the Planning Commission recommended approval of the request.

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

On a motion by Mr. Pratt, seconded by Mr. Akers and carried, the Board approved the request to vacate approximately 180 ft. of an existing 40 ft. unimproved right-of-way joining Howery Rd. (Rt. 1021) and Grace St. (Rt. 1020).

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

Voting no: none.

- c. A request from Thomas W. and Nina Templeton and Christa G. Hinkelman to vacate a 30 ft. unimproved right-of-way adjoining a 50 ft. unimproved right-of-way on the east side following Claytor Lake to Roy R. & Peggy W. Griffitts located in Plantation Estates Subdivision, in the Ingles District.

Mr. Utt explained the request by Thomas & Nina Templeton and Christa Hinkelman was to vacate a 30 ft. unimproved right-of-way adjoining a 50 ft. unimproved right-of-way on the east side following Claytor Lake to Roy R. & Peggy W. Griffitts located in Plantation Estates Subdivision. He advised the Planning Commission recommended approval of the request

Chairman Sheffey opened the public hearing.

Mr. & Mrs. Templeton were present and described their plans to repair an existing seawall, if the request is granted.

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There were no further comments and the hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Bopp and carried, the Board approved the request to vacate a 30 ft. unimproved right-of-way adjoining a 50 ft. unimproved right-of-way on the east side following Claytor Lake to Roy R. & Peggy W. Griffiths located in Plantation Estates Subdivision

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

Voting no: none.

6. Citizen Comments

a. Home Consortium Presentation

Ms. Elisabeth Vogel and Ms. Jennifer Wilsie presented a history of the Consortium, as well as provided a Power Point describing the projects accomplished in the various localities.

b. Changes to Animal Control Ordinance with Trap-Neuter-Return Policy

Ms. Judith Peele and Ms. Keely Johnson presented a request for an increase in the number of cats from the current limit of 10 to 40.

Mr. McCarthy advised he had received an opinion from the state veterinarian's office indicating concerns with the proposed program.

By consensus, the Board of Supervisors requested county staff work with the Pulaski County Humane Society, Animal Control staff and Major Mike Alderman to provide a recommendation back to the Board of Supervisors.

c. E. W. Harless

Mr. E. W. Harless described pictures in his possession of property where he was requesting the county intervene in providing cleanup efforts. The Board of Supervisors requested county staff visit the property in question and provide an update back to the Board.

Mr. Harless questioned the difference between pay adjustments and raises which may be provided for county employees. Mr. Harless expressed concern over the recent planning of the Expo event. He also questioned the assigning of duties and potential pay adjustments when an employee is absent for long periods of time.

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Ms. Angela Clevinger, Vice President of the Pulaski County Education, commended the Board on recent action to increase the real estate tax rate by four cents.

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 reported no changes to the key activity timetable.

Mr. Clarke advised the recent request for guardrail/signs in the area of the Airport would not qualify.

Mr. Clarke briefed the Board on changes in VDOT structure and employment, advising of the closing of 15 residency offices. He indicated the Dublin VDOT office will not be closed. Mr. Clarke also advised of potential changes in local government representation by VDOT.

Mr. Sheffey referenced the June 3, 2010 meeting to be held by VDOT at NRCC and suggested concerns be voiced at that meeting.

Mr. Sheffey thanked Mr. Clarke for the removal of debris on Falling Branch Road.

Mr. Sheffey requested an update on a recent request related to dangerous conditions where school buses stop on Highland Road. Mr. Clarke offered to have staff contact the School Board and provide an update to the Board at a future meeting.

2. Report on Potential Revenue Sharing Projects

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved including the following two projects in the application process:

- a. Improvement to the Route 11 entrance to NRCC; and
- b. Improvement to the Route 11/Roundhouse Road intersection.

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

Voting no: none.

3. Cost for Improvements to the Roundhouse Road & Route 11 intersection

The Board requested VDOT provide cost estimates for the two potential revenue sharing projects.

4. Six-Year Plan Resolution

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

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures and participated in a public hearing on the proposed Plan (2010/11 through 2015/16) as well as the Construction Priority List (2010/11) on March 22, 2010 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

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WHEREAS, David Clarke, Resident Engineer, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2010/11 through 2015/16) and the Construction Priority List (2010/11) for Pulaski County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Pulaski County and of the Citizens residing on the Secondary System, said Secondary Six-Year Plan (2010/11 through 2015/16) and Construction Priority List (2010/11) are hereby approved as presented at the public hearing.

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

Voting no: none.

b. Paving Request – Rt. 626, Hodge Hollow Road

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board approved placing the request for paving of Route 626, Hodge Hollow Road, on the county's waiting list.

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

Voting no: none.

c. Request for street lighting at the intersection of Route 99 and McAdam Crossing

Mr. Huber described a request for street lighting at the intersection of Route 99 and McAdam Crossing. As reported in the Board packet, staff does not recommend subsidizing streetlight costs, since street lighting is typically a municipal service paid for by additional taxes in incorporated portions of towns and cities.

The Board took no action on this request.

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d. Citizen Concerns

Mr. James McClannahan inquired of David Clarke as to the cost for the reopening of the rest stops. Mr. Clarke advised he did not have those costs, but referred Mr. McClannahan to the VDOT Secretary of Transportation office.

e. Board of Supervisors Concerns

Mr. Bopp requested VDOT review the culvert at the approach on the double bridges (Rt. 738), just before Cruise Drive. Mr. Clarke agreed to have VDOT review the matter.

Mr. Bopp provided a request from Mr. Draper for a double line on Cox's Hollow Road. Mr. Clarke advised VDOT could not grant this request due to maintenance costs.

Mr. Bopp provided a request for guardrail on Mines Road and 10th Street Extension, off of Thaxton Road.

Mr. Conner expressed concern that speed limit signs had not been erected on Hatcher Road. Mr. Clarke offered to have VDOT staff to review the exact location for the posting, as well as appropriate posting limits.

Mr. Akers expressed concern that work on Cole Mountain Road had halted. Mr. Clarke offered to have VDOT staff to review the matter and provide an update back to the Board at a future meeting.

Mr. Akers requested VDOT fill in the potholes in the Snowville area, particularly the area just past Shelburne Road. Mr. Akers also indicated the shoulders along the road needed to be improved due to holes on the edge of the road.

Mr. Sheffey inquired as to how the VDOT cutbacks will affect the mowing in the county. Mr. Clarke advised there would be stricter mowing standards and it was expected the mowing would begin in early May. Mr. Sheffey requested VDOT consider placing Pulaski County at the top of the list for locations to begin mowing.

Mr. Sheffey expressed concern over the conditions at the intersection of Hazel Hollow Road and Falling Branch Road, specifically the potential for more accidents. Mr. Sheffey indicated rumble strips had helped with the situation, as well as more speed checks by the Sheriff's Department. Mr. Clarke advised the accidents were likely due

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to poor site distance. Mr. Sheffey requested VDOT provide suggestions for improvements to this area.

Mr. Sheffey advised of potholes on Route 606, under the train trestle, as well as breakage in the roads in the Parrott community. Mr. Clarke offered to have VDOT staff to review the matter and provide an update back to the Board at a future meeting.

8. Treasurer's Report

Treasurer Melinda Worrell presented an updated monthly report, a copy of which is filed with the records of this meeting. She also reported tax tickets were being prepared to be distributed.

9. Reports from the County Administrator & Staff:

a. Appointments:

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

1. Building Appeals Committee

The Board appointed Mike Tilley as an alternate on the Building Appeals Committee, as well as reappointed Tom Douthat, Thomas Holsinger and Jeff Warf for terms ending June 30, 2014.

2. Clean Community Council

The Board reappointed Jonie Smith and Wesley Smith with terms ending May 31, 2013.

3. New River Criminal Justice Services Board

The Board appointed Robert Hiss for a term ending June 30, 2014.

4. PEP Committees

The Board reappointed Richard Guthrie, Hi Nicely Tom McCarthy, Paul Phillips, Dave Spangler, and Jerry White for terms ending June 30, 2012. The Board also appointed Angie Lawson to fill the vacancy created by the retirement of Ron Chaffin; Ken Hall to fill an existing vacancy; and Phyllis Conner to fill the vacancy created by the resignation of Roger Frye of

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the Virginia Employment Commission all with terms ending June 30, 2012.

5. Social Services Board

The Board appointed Supervisor Bopp to replace Joe Sheffey beginning July 2, 2010 with said term ending June 30, 2014.

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 questioned the status of the FY 09 audit. Mr. Huber suggested changing the target date to May 2010 for completion of the FY 09 audit.

10. Items of Consent

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

a. Approval of Minutes of March 22 & 29, 2010 Board meetings

The Board approved the minutes of the March 22 & 29, 2010 Board meetings.

b. Accounts Payable

The Board approved accounts payable for checks numbered 2013805 through 2014334, subject to audit.

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c. Interoffice Transfers & Appropriations

The Board approved interoffice transfer #10 totaling \$52,407.40 and appropriations as follows:

General Fund #19

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
3-100-041999-0000	Transfer from Reserves	\$ 8,283.54
	TOTAL	\$ 8,283.54
EXPENDITURES:		
4-100-091400-9301	Contingency Funds	\$ (85,986.00)
4-100-071350-3170	County Parks Contracted Pro Svcs. (Dehaven Park Seawall)	10,682.00
4-100-033300-5890	Court Services Unit Incentives/Youth Offenders Grant (Carryover)	3,284.54
4-100-021600-3170	Clerk of Circuit Court Professional Services (Grant Carryover)	4,999.00
4-100-071320-3170	Randolph Park Contracted Professional Services	18,804.00
4-100-093000-9206	Transfer to Capital Improvements Fund	56,500.00
	TOTAL	\$ 8,283.54

General Fund #20

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
3-100-016150-0500	Library Donations	\$ 195.00
3-100-018990-4420	Parks & Recreation Donations	910.00
	TOTAL	\$ 1,105.00
EXPENDITURES:		
4-100-07310-8102	Library Furniture & Fixtures	\$ 195.00
4-100-053500-6013	Office on Youth Educational and Recreation Supplies	910.00
	TOTAL	\$ 1,105.00

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General Fund #20

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
3-100-018030-1300	Refunds	\$ 29.00
	TOTAL	\$ 29.00
EXPENDITURES:		
4-100-031200-6010	Sheriff Police Supplies	\$ 29.00
4-100-081400-3130	Zoning/Planning Operations Contracted Professional Services	2,000.00
4-100-081500-3170	Economic Development Other Professional Services	(2,000.00)
	TOTAL	\$ 29.00

CIP Fund #6

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
3-302-018030-0200	Miscellaneous Revenues	\$ 453.10
3-302-041050-1000	Transfer from General Fund	56,500.00
	TOTAL	\$ 56,953.10
EXPENDITURES:		
4-302-051100-8150-005	Health Department Roofing & Improvements	\$ 453.10
4-302-071350-8135	Loving Field Improvements	50,000.00
4-302-081250-8246	County Entrance Signs Landscaping	6,500.00
	TOTAL	\$ 56,953.10

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

1. Acceptance of SERCAP Grant

The Board acknowledged correspondence from the Southeast Rural Community Assistance Project, Inc. advising of intent to award Pulaski County a grant up to \$40,000 for sewer projects in Dublin. The Board concurred with acceptance of this grant.

2. Bulletproof Vest Partnership FY 10 Application

The Board authorized applying for FY 10 Bulletproof Vest Partnership funds.

3. Workforce Investment Board Fiscal Agent Agreement

The Board approved the fiscal agent agreement with the New River Valley Planning District Commission, a copy of which 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. Fireworks Permit – Claytor Lake Festival

The Board approved a request for a fireworks permit by the Claytor Lake Festival Committee for conducting a fireworks display at the festival to be held on Saturday, June 12, 2010.

g. Loving Field Improvements

The Board reviewed an e-mail from Anthony Akers describing the needs for Loving Field improvements.

The Board approved funding out of the current year contingency funds the most critical safety issues and operational use of restroom facilities at Loving Field.

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h. Endorsement of Veto of House Bills 29 and 30

Board members reviewed a letter to Governor McDonnell from VACo and VML encouraging the veto of House Bills 29 and 30. Staff was directed to send an endorsement letter to the state legislators.

i. Condemnation Declaration

Board members reviewed a declaration regarding property owned by Craig and Karen Freier, as well as an e-mail and related plat from Gary McCollum of Draper Aden Associates to County Engineer Ron Coake describing this matter.

The Board approved the following declaration for property owned by Craig and Karen Freier:

DECLARATION

Thomas J. McCarthy, Jr. is hereby declared to be the duly authorized agent and attorney for the Board of Supervisors of Pulaski County for the purpose of instituting condemnation proceedings and filing condemnation proceedings in the name of, and on behalf of, the Board of Supervisors of Pulaski County, Virginia, against Craig and Karen Freier, for the purpose of condemning real property for the purpose of construction of water and sewer lines.

j. Budget Advertisement

The Board approved scheduling of a public hearing on the FY 2011 budget for its May 24, 2009 meeting, including the proposed FY 11 budget advertisement.

11. Citizen Comments

Mr. E. W. Harless expressed concern over Board action to increase the real estate tax rate based on the proposed reductions in jobs in the school system and suggested the Board of Supervisors consider future expenditures being funded from contingency funds.

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Mr. Harless expressed concern that the School Board currently conducts monthly meetings in the afternoons rather than evenings, limiting participation by the majority of the public and school teachers. Mr. Sheffey suggested Mr. Harless contact the School administration regarding his concerns related to the time of School Board meetings.

Ms. Brenda Blackburn posed the following questions to Board members: What is the IDA? When did the IDA start? What is their purpose? Where do their monies come from? Ms. Blackburn also requested a private meeting with the IDA and Board of Supervisors and questioned who owned the James Hardie facility.

Mr. McCarthy and Mr. Huber responded to Ms. Blackburn's questions providing details related to the Industrial Development Authority. Mr. Huber advised the IDA serves as the real estate arm of the county in promoting economic development. Mr. McCarthy advised the next IDA meeting is scheduled for Wednesday, April 28th at 11:00 a.m. in the County Administration Building.

Ms. Angela Clevinger provided an explanation for the School Board designating their meetings at 4:00 p.m. indicating the change was to accommodate a former School Board member whose health condition prohibited evening travel.

Mr. Sheffey suggested individuals contact the School Board directly with any concerns regarding School Board meeting times.

12. Other Matters from Supervisors

Mr. Huber invited Board members to the unveiling of the Volvo truck at the Visitor Center on Friday, April 30, 2010 at 8:00 a.m.

13. Adjournment

On a motion by Mr. Akers, seconded by Mr. Bopp and carried, the Board of Supervisors adjourned its regular meeting. The next meeting of the Board is scheduled for Monday, May 24, 2010 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