

BOARD OF SUPERVISORS MEETING MINUTES OF JUNE 28, 2010

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, June 28, 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 and Diane Newby, Finance Director, 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. 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:

- Gresham School

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 Fractionate
- Project Kleen

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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:

- Nanochemonics

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

Voting no: none.

Return to Regular Session

On a motion by Mr. Conner, seconded by Mr. Bopp and carried, the Board returned to regular session.

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

Voting no: none.

Certification of Conformance with Virginia Freedom of Information Act

On a motion by Mr. Pratt, seconded by Mr. Bopp 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.

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2. Invocation

Mr. Sheffey called for a moment of silence in remembrance of the passing of Charmie Goodman Bear, Mr. Huber's mother-in-law, as well as for the passing of former Pulaski County English teacher Ann Armbrister.

The invocation was provided by Rev. Steve Willis, Valley Harvest Ministries.

3. Recognitions - Featured Employees

The Board of Supervisors recognized Cornelius Worrell and Patrick Phillips of the PSA Refuse Department as the Featured Employees for the month of July. Job summaries for both employees were read aloud by Mr. Sheffey. Mr. Worrell and Mr. Phillips were unable to attend the meeting to accept the recognition; however, staff was requested to forward to both employees the gift certificates to Fatz Café in appreciation for their service.

4. Additions to Agenda

Mr. Huber reported the reorganization of the agenda to move item 10 k – "Items of Consent – Renovation of Former Governor's School" to "Reports from County Administrator & Staff"; advised a representative was in attendance from Shentel should the Board have questions regarding this matter; and the moving of item 9c – "Reports from County Administrator & Staff – Comprehensive Collection of Delinquent Accounts" to the July Board meeting.

5. Public Hearings:

Chairman Sheffey explained the public hearing process.

a. Petition by County of Pulaski to initiate rezoning of several split-zoned parcels as follows:

Name	Map No.	Split-Zoning	Rezone	District
Phillips, Howard Wakely	47- 52-7- 10	CM1/R2	Residential (R2)	Cloyd
McKittick, Daniel F & Haruna	47- 52-2	R2/CM1	Residential (R2)	Cloyd
American Electric Power	59-1- 2	R1/A1	Agricultural (A1)	Ingles
Shelburne, Roscoe (Decd)	86-1- 23	R1/A1	Agricultural (A1)	Ingles

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Poore, Meredith Byrd	86-1-28	A1/R1	Agricultural (A1)	Ingles
Chrisley, Harold & Linda	92-1-24B	C1/A1	Agricultural (A1)	Draper
Shelton, E H & Nettie, c/o Iva Vaughan	100-1-84	R1/A1	Agricultural (A1)	Ingles
Odell, Willie Albert Jr.	101-1-8	R1/A1	Agricultural (A1)	Ingles
Rorrer, Tony M & Kimberly A	98-13-9D	R1/A1	Agricultural (A1)	Draper
Dubner, Neil P. & Jule S.	27-1-8	CM1/A1	Agricultural (A1)	Cloyd

Mr. Utt explained the request was in an attempt to correct parcels located in Pulaski County that have split-zoning. He explained staff had sent letters to all the affected properties on February 19, 2010 asking the property owners to contact the county to discuss the split-zoning. He indicated these lots have different reasons why they may have two or more zoning classifications. Staff has found that most are due to errors made during the initial zoning process, rezoning of a portion of the property, at the property owners request, and/or re-subdivision of property.

Mr. Utt advised the Planning Commission recommended approval of the rezoning.

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 rezoning of several split-zoned parcels as follows:

Name	Map No.	Split-Zoning	Rezone	District
Phillips, Howard Wakely	47-52-7-10	CM1/R2	Residential (R2)	Cloyd
McKittick, Daniel F & Haruna	47-52-2	R2/CM1	Residential (R2)	Cloyd
American Electric Power	59-1-2	R1/A1	Agricultural (A1)	Ingles
Shelburne, Roscoe (Decd)	86-1-23	R1/A1	Agricultural (A1)	Ingles
Poore, Meredith Byrd	86-1-28	A1/R1	Agricultural (A1)	Ingles

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Chrisley, Harold & Linda	92-1-24B	C1/A1	Agricultural (A1)	Draper
Shelton, E H & Nettie, c/o Iva Vaughan	100-1-84	R1/A1	Agricultural (A1)	Ingles
Odell, Willie Albert Jr.	101-1-8	R1/A1	Agricultural (A1)	Ingles
Rorrer, Tony M & Kimberly A	98-13-9D	R1/A1	Agricultural (A1)	Draper
Dubner, Neil P. & Jule S.	27-1-8	CM1/A1	Agricultural (A1)	Cloyd

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

Voting no: none.

- b. Petition by **Bimmerworld Properties, LLC** for Special Use Permit (SUP) to allow a setback variance on property located at 4085 Pepperell Way, (Rt. 812), (064-012-0000-0009), (Massie District).

Mr. Utt explained the request advising the owner is installing a 60' X 120' (7,200 sq. ft.) metal building for an expansion to their current business. He noted when construction was started the existing sewer line, according to the approved site plan, was not in the correct location as previously thought. With the sewer line being in a different location, the owner needs to shift the building toward Pepperell Way, resulting in the owner requesting a setback variance from the front property line of 50' to 35'.

Mr. Utt advised the Planning Commission recommended approval of the rezoning.

Chairman Sheffey opened the public hearing.

Mr. John Neel, Gay and Neel, Inc., representing Bimmerworld spoke regarding the petition.

There were no additional comments and the hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved a Petition by **Bimmerworld Properties, LLC** for Special Use Permit (SUP) to allow a setback variance on property located at 4085 Pepperell Way, (Rt. 812), (064-012-0000-0009), (Massie District).

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

Voting no: none.

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- c. Petition by **William H Gannaway** for a Special Use Permit (SUP) to allow light manufacturing on approximately 1.653 acres located north of Old Baltimore Rd. (Rt. 654) and east of Wysor Rd. (Rt. 100) (107-001-0000-0003), (Draper District).

Mr. Utt explained the applicants desire to expand their current machine shop business that has been in operation since October, 2003 located at 2496 Wysor Rd. (Rt. 100). He advised the applicants plan to install an 80' X 80' (6,400 sq. ft.) separate metal building to be located on this property for the expansion of the machine shop and noted the applicants' contract with local industries and other states to build a variety of parts.

Mr. Utt advised the Planning Commission recommended approval of the Special Use Permit with the following conditions:

1. Do not occupy a building of more than 15,000 square feet.
2. Do not employ more than fifteen (15) employees.
3. Have no exterior storage outside of an enclosed screening, which screening prohibits visibility from adjacent or neighboring properties.
4. Do not require air pollution control emission or wastewater pre-treatment permits.
5. Requirement to keep the property free of litter and overgrown grass/weeds.

Chairman Sheffey opened the public hearing.

Mr. Royce Primm, part owner of Pioneer Machine Shop, spoke in favor of the request noting his plans to move equipment from the shop in Gladesboro to a new location in Draper.

There were no additional comments and the hearing was closed.

On a motion by Mr. Pratt, seconded by Mr. Conner and carried, the Board approved a petition by **William H Gannaway** for a Special Use Permit (SUP) to allow light manufacturing on approximately 1.653 acres located north of Old Baltimore Rd. (Rt. 654) and east of Wysor Rd. (Rt. 100) (107-001-0000-0003), (Draper District). subject to the applicant meeting the following conditions:

1. Do not occupy a building of more than 15,000 square feet.
2. Do not employ more than fifteen (15) employees.
3. Have no exterior storage outside of an enclosed screening, which screening prohibits visibility from adjacent or

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- neighboring properties.
4. Do not require air pollution control emission or wastewater pre-treatment permits.
 5. Requirement to keep the property free of litter and overgrown grass/weeds.

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

Voting no: none.

6. Citizen Comments

a. Presentation by Southeast Rural Community Assistance Project, Inc. (SERCAP)

Ms. Shawna Helms, Director of Housing and Special Projects for SERCAP, described the program, including the recent Baskerville Sewer Project. She also described the start up of an additional indoor plumbing and rehabilitation program for eligible citizens.

Supervisor Conner requested the number of citizens in Pulaski County who are eligible for the project. Staff advised this information could be obtained and would be sent to the Board.

b. Additional Citizen Comments

Mr. E. W. Harless requested items "i", "m", and "r" from the "Items of Consent" portion of the agenda be pulled for discussion by the Board, particularly before an official vote is taken by the Board.

Ms. Angela Clevinger, President of the Pulaski County Education Association (PCEA), presented a resolution to the Board which had been adopted by the PCEA, with said resolution commending the Board for recent action to provide requested additional funding to the School Board for FY 11.

Ms. Beverly Puckett of Max Creek requested the Board take steps to adopt an ordinance designating certain times of the day when guns are allowed to be fired. Ms. Puckett expressed concern over a neighbor shooting their gun at odd hours of the day. By consensus, the Board directed staff to contact the Virginia Association of Counties to determine if any such ordinance exists in other localities. Mr. Sheffey noted a public hearing would be required prior to considering adoption of such an ordinance.

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7. Highway Matters:

Mr. David Clarke, VDOT Resident Engineer, met with the Board and discussed the following matters:

a. Follow-up from Previous Board meeting

1. Review of Highway Matters Section of Key Activity Timetable (KAT)

Mr. Clarke advised Chevron signs would be installed on Route 100 going towards the Airport. He advised this area did not qualify for guardrail installation.

Mr. Clarke advised an informal speed study on Borman Street was conducted and indicated the potential posting of 35-40 mph. He also advised VDOT may perform a formal speed study on this road.

Mr. Clarke advised the Route 738 bridge improvements indicated a possible overlay, but this would require approval by the bridge engineer. He indicated if approval is not granted, VDOT will work towards providing a smoother transition.

Mr. Clarke advised the bridge work on Route 643, Cougar Trail Road, should start soon, with a finish date of September 3, 2010, or thereabouts. Ronnie Nichols, Director of Fleet Maintenance for both the schools and the county, provided an update on the number of school buses using the bridge during the school session.

b. Request for Watch for Children and Speed Limit Signage on Route 606

As reported in the Board packet, a request was received from Sheila Gravely in Belspring for "Watch for Children" signage on Route 600 near her 6200 address. Ms. Gravely had also expressed concerns regarding the lack of speed limit signs on this road.

On a motion by Mr. Conner, seconded by Mr. Bopp and carried, the Board approved a request to VDOT for installation of Watch for Children signage on Route 606, Parrott Mountain Road.

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

Voting no: none.

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c. Citizen Concerns

Mr. E. W. Harless expressed concern over the condition of the plantings along Route 100, and also questioned whether the county or VDOT would provide the upkeep. Mr. Harless further questioned whether or not the citizens would be expected to bear the costs for the upkeep. Mr. Harless also inquired if the county was provided the criteria by VDOT for upkeep of the planting and suggested if the plantings are not going to be maintained, they should be mowed and grass sewn. Mr. Conner advised the plantings would be maintained. Mr. Clarke advised inmates could assist with the maintaining of the plantings under the supervision of the Sheriff's Department and with proper training required by VDOT. Mr. Harless inquired if the county would be held liable if an accident occurred with an inmate. Mr. McCarthy advised the matter could be discussed in a future Closed Session if needed.

d. Board of Supervisors Concerns

Mr. Akers inquired if any patchwork had been done in the county, particularly areas in Snowville and Hiwassee. Mr. Clarke advised work had been done on Routes 693 and 695. Mr. Akers also advised of potholes on Little River Dam Road, a sag in the road along Walker Farms, a large piece of pavement missing in the right hand shoulder on Shelburne Road, and the need for patching on Cherry Branch Road.

Mr. Akers inquired as to the status of contract work on Dallas Freeman Road. Mr. Clarke advised VDOT had until November 2010 to complete the work. Mr. Clarke offered to provide the Board with a tentative start up date.

Mr. Conner inquired as to condition of Kent Farm Road at the New River Valley Fairgrounds. Mr. Clarke advised patch work is being done on the road.

Mr. Conner inquired as to the status of speed limit posting signs and Watch for Children signs on Hatcher Road. Mr. Clarke advised he was awaiting approval by the Commonwealth Transportation Board for the posting of speed limit signs.

Mr. Bopp advised efforts were underway in working with the Town of Pulaski to install signage on Valley Road at the end of turnaround on Valley Road.

Mr. Bopp inquired as to the status of mowing on Robinson Tract Road. Mr. Clarke advised mowing should start soon.

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Mr. Pratt expressed appreciation to VDOT for the patching of roads in Draper.

Mr. Pratt advised of an abundance of tree growth and bushing along Route 11, between Honaker Road and I-81. He further indicated there were tree limbs coming out onto the pavement on Route 11.

Mr. Sheffey inquired regarding the status of the mowing in the county. Mr. Clarke advised secondary roads would be mowed.

Mr. Sheffey inquired regarding the status of the installation of "stop for school buses" along Highland Road. Mr. Clarke offered to contact Ronnie Nichols and determine the exact locations for needed signage.

Mr. Sheffey inquired regarding the status of repairs to the Route 114 bridge. Mr. Clarke advised plans were to advertise for the repairs in September 2010. He further advised that VDOT will post adequate signage regarding closing of the boat landing, whereby restrictions will be placed on river access for safety reasons. Mr. Akers suggested VDOT also notify Virginia Tech of the restriction of river access it relates to the usage of the river by the VT diving group.

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:

Mr. Huber advised there was no action taken on appointments discussed in Closed Session, specifically to the Building Appeals Committee.

b. Key Activity Timetable

The Board reviewed the Key Activity Timetable in detail.

Mr. Sheffey inquired regarding the completion date of the various sewer projects. Mr. Huber provided an update advising the various subdivision schedules vary in completion dates. He offered to provide the Board with an update.

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c. Comprehensive Collection of Delinquent Accounts

Mr. Huber requested a report by staff on this matter be delayed to the July Board meeting.

d. Renovation of Former Governors' School

Mr. Huber further explained a report included in the Board packet as follows:

The School Board is requesting an additional appropriation of \$150,000 for renovation of the former Governor's School to house the alternative education program at Pulaski County High School. Funding of this recommendation is recommended based on the ability for this building to substitute for the previous use of Riverlawn Elementary School to house this program. It should be noted that the School Board's request is being made on a 4-1 vote and I would appreciate your letting me know if you would like additional information regarding this item. I have asked the School Board staff to review other appropriations in the proposed budget in an effort to reduce the amount of additional funding which may be needed for this renovation.

The County funding would be applied to the cost of the following items:

1. replace the roof,
2. install new siding,
3. replace windows,
4. repair or replace some of the sheetrock inside of the building,
5. Replace some of the flooring,
6. paint the interior of the building, and
7. close in the open ends of the building to prevent water from getting into the interior of building.

On a motion by Mr. Conner, seconded Mr. Pratt and carried, the Board approved an additional expenditure of up to \$150,000 for renovation of the former Governor's School.

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

Voting no: none. Mr. Akers, Mr. Bopp.

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10. Items of Consent

On a motion by Mr. Pratt, seconded by Mr. Conner and carried, the Board approved the following items of consent, except for items "i", "m", and "r", which will be discussed as separate matters from the overall Items of Consent.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp, Mr. Pratt.
 Voting no: none.

a. Approval of Minutes of May 14, 2010 Board meeting

The Board approved the minutes of the May 24, 2010 Board meeting.

b. Accounts Payable

The Board approved accounts payable for checks numbered 2014808 through 2015475, subject to audit.

c. Interoffice Transfers & Appropriations

The Board approved interoffice transfer #12 totaling \$48,817.74 and appropriations as follows:

General Fund #22

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
3-100-023080-0100	Clerk of Circuit Court Reimbursement TTF Funds	\$ 6,655.00
	TOTAL	\$ 6,655.00
<u>EXPENDITURES:</u>		
4-100-021600-8301	Clerk of Circuit Court Technology Equipment	\$ 6,655.00
	TOTAL	\$ 6,655.00
	TOTAL	\$ 13,310.00

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General Fund #23

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
		TOTAL \$ -
<u>EXPENDITURES:</u>		
4-100-072580-5699	Return to Roots Support	\$ 1,000.00
4-100-093000-9206	Transfer to Capital Improvements Fund for Tower Maintenance	45,000.00
4-100-091400-9301	Contingency Funds	(46,000.00)
4-100-033425-1110	Community Corrections Salaries	(10,000.00)
4-100-033425-6001	Community Corrections Office Supplies	5,464.00
4-100-033425-5110	Community Corrections Electrical Services	2,360.00
4-100-033425-8107	Community Corrections Computer Equipment	2,176.00
		TOTAL \$ -

General Fund #24

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
		TOTAL \$ -
<u>EXPENDITURES:</u>		
4-100-031400-8121	GIS System Computer Equipment	\$ 6,100.00
4-100-012420-8101	Director of Finance Computer Equipment	1,922.00
4-100-091400-9301	Contingency Funds	(8,022.00)
		TOTAL \$ -

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VPA Fund #1

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
3-201-024010-0400	Foster Care Categorical Aid	\$ 350,000.00
	TOTAL	<u>\$ 350,000.00</u>
<u>EXPENDITURES:</u>		
4-201-053210-5706	AFDC Foster Care	350,000.00
	TOTAL	<u>\$ 350,000.00</u>

Capital Improvements Fund #8

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
3-302-041050-1000	Transfer from General Fund	\$ 45,000.00
	TOTAL	<u>\$ 45,000.00</u>
<u>EXPENDITURES:</u>		
4-302-012570-8251	Tower Maintenance	\$ 45,000.00
	TOTAL	<u>\$ 45,000.00</u>

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School Budget Adjustment

Account Number	Account Title	Amount Increase (Decrease)
<u>Revenues:</u>		
3-205-16120-0500	Student Transportation	\$ 12,428.85
3-205-16120-1100	Salaries & wages	\$ 198.65
3-205-18030-0300	Refund/Overpayment	\$ 100,555.84
3-205-18030-0330	Reimbursement/School Act	\$ 7,442.41
3-205-18030-0350	Medicaid Reimbursement	\$ 5,166.50
3-205-18030-0400	Title I/Indirect Costs	\$ 24,806.54
3-205-18990-0200	Misc. School Revenue	\$ 4,296.00
3-205-18990-0900	Sale of Other Equipment	\$ 200.00
3-205-18990-3201	E-Rate	\$ 122,867.43
	TOTAL	\$ 277,962.22
<u>Expenditures:</u>		
4-205-063200-6009-900	Vehicle & Powered Equip Sup	\$ 77,962.22
4-205-064200-5110-900	Electricity	\$ 200,000.00
	TOTAL	\$ 277,962.22

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

1. Fire Protective Services Agreement

The Board approved a revised agreement for fire protection services by the Town of Pulaski beginning with the new fiscal year effective July 1, 2010 in the same amount as is currently being paid by the county of \$33,785. As reported in the Board packet, the Town's intent is to leave the amount the same for this year, with opportunity to renegotiate the agreement on an annual basis.

2. Shentel Agreement

The Board approved the following resolution transferring the franchise agreement from Jet Broadband to Shentel, as well as the franchise extension resolution, pending final review of both documents by County Attorney Tom McCarthy:

**RESOLUTION OF PULASKI COUNTY, VA
APPROVING THE ASSIGNMENT OF THE CABLE TELEVISION
FRANCHISE**

WHEREAS, JetBroadband VA, LLC (“Franchisee”) owns, operates, and maintains a cable television system (“System”) serving Pulaski County, VA (the “Franchise Authority”), and Franchisee is the duly authorized holder of the Franchise; and

WHEREAS, on April 16, 2010, JetBroadband VA, LLC entered into an Asset Purchase Agreement (the “Agreement”) with Shentel Cable Company (“Shentel”) in which, among other things, the Franchisee proposes to sell and assign to Shentel certain of the assets, including the Franchise, used by Franchisee in the operation of the System (the “Transaction”); and

WHEREAS, Franchisee and Shentel have requested the consent of the Franchise Authority for the assignment of the Franchise in accordance with the requirements of the Franchise and applicable law and have filed with the Franchise Authority a franchise assignment application on FCC Form 394 that includes relevant information concerning the Transaction and the legal, technical and financial qualifications of Shentel (collectively, the “Application”); and

WHEREAS, the Franchise Authority has reviewed the Application, examined the legal, financial and technical qualifications of Shentel, followed all required procedures to consider and act upon the Application and considered the comments of all interested parties; and

WHEREAS, the Franchise Authority believes that it is in the interest of the community to approve the Application and the assignment of the Franchise and the System to Shentel, as described in the Application.

NOW THEREFORE BE IT RESOLVED BY THE FRANCHISE AUTHORITY AS FOLLOWS:

SECTION 1: The Franchise Authority hereby approves the Application and consents to the assignment of the Franchise and System to Shentel; all in accordance with the terms of the Franchise and applicable law.

SECTION 2: The Franchise Authority confirms that (a) the Franchise was properly granted or assigned to Franchisee and is in full force and effect, (b) the Franchise represents the entire understanding of the parties and the Franchisee has no obligations to the Franchise Authority other than those specifically stated in the Franchise; and (c) the Franchisee is materially in compliance with the provisions of the Franchise and applicable law, and there exists no fact or circumstance known to the Franchise Authority which constitutes or which, with the passage of time or the giving of notice or both, would constitute a default or breach under the Franchise or would allow the Franchise Authority to cancel or terminate the rights of the Franchisee thereunder.

SECTION 3: The Franchise Authority hereby consents to and approves (a) the pledge or grant of a security interest to, or the exercise of associated remedies by, any lender(s) of Shentel or its affiliates in Shentel's assets, including, but not limited to, the Franchise, or of interests in Shentel, for purposes of securing any indebtedness; and (b) the assignment or transfer of Shentel's assets, including the Franchise, provided that such assignment or transfer is to an entity directly or indirectly controlling, controlled by or under common control with Shentel.

SECTION 4: The Franchise Authority's approval of the Application and its consent to the assignment of the Franchise to Shentel shall be effective immediately, and Shentel shall notify the Franchise Authority upon the Closing Date.

SECTION 5: The Franchise Authority releases the Franchisee, effective upon the Closing Date, from all obligations and liabilities under the Franchise and applicable law that accrue on and after the Closing Date; provided that Shentel shall be responsible for any obligations and liabilities under the Franchise that accrue on and after the Closing Date.

SECTION 6: This Resolution shall have the force of a continuing agreement with Franchisee and Shentel, and the Franchising Authority shall not revoke, amend or otherwise alter this Resolution without the consent of the Franchisee and Shentel.

PASSED, ADOPTED AND APPROVED this 28th day of June, 2010.

**RESOLUTION OF THE COUNTY OF PULASKI, VIRGINIA
APPROVING THE RENEWAL OF THE CABLE TELEVISION
FRANCHISE**

WHEREAS, JetBroadband VA, LLC ("Franchisee") owns, operates and maintains a cable television system ("System") serving the County of Pulaski, Virginia pursuant to a franchise agreement which expired on April 25, 2009 (the "Franchise") issued by the County of Pulaski, Virginia (the "Franchise Authority"), and Franchisee is the duly authorized holder of the Franchise; and

WHEREAS, Franchisee has requested the consent of the Franchise Authority for the renewal of the Franchise in accordance with the requirements of the Franchise and applicable law; and

WHEREAS, Franchisee has represented that it will comply with the terms and conditions of the Franchise; and

WHEREAS, the Franchise Authority believes that it is in the best interest of the community to approve the renewal of the Franchise granted to Franchisee.

**NOW, THEREFORE, BE IT RESOLVED BY THE
FRANCHISE AUTHORITY AS FOLLOWS:**

SECTION 1. The Franchise Authority hereby approves and consents to the renewal for a term of ten years of the Franchise, all in accordance with the terms of the Franchise and applicable law and Franchisee shall comply with the terms and conditions of the Franchise.

SECTION 2. The Franchise Authority confirms that the renewal term of the Franchise shall be for a term of ten (10) years which shall be deemed to have commenced on April 26, 2009 and will end on April 25, 2019.

SECTION 3. This Resolution shall have the force of a continuing agreement with Franchisee, and Franchising Authority shall not revoke, amend or otherwise alter this

Resolution without the consent of Franchisee.

PASSED, ADOPTED AND APPROVED this 28th day of June, 2010.

3. Letter of Support to Wilderness Road

The Board approved sending a letter of support to Kevin Costello, President, Wilderness Road: Virginia's Heritage Migration Route, on an application to the Tobacco Commission under Special Projects, for funding of kiosks and signage.

4. DEQ Litter and Recycling Program Application

The Board approved staff making application to DEQ for the Litter and Recycling Program to be used for planning and organization, recycling, youth education, cleanups, law enforcement and public communication.

5. New River/Mount Rogers Workforce Investment Area Fiscal Agent Service Agreement

The Board approved a Fiscal Agent Agreement between the Board of Supervisors and the New River/Mount Rogers Local Workforce Investment Area Consortium and the New River Valley Planning District Commission, a copy of which is included in this packet.

Supervisor Akers requested an opinion from the County Attorney as to whether or not a conflict existed on allowing Supervisor Akers to vote on this matter, as a result of his status as a Board member on the Workforce Investment Board.

6. Byrne Justice Assistance Grant

The Board approved acceptance of a grant award by the Department of Criminal Justice Services to the County in \$2,552 in federal funds in the amount of \$2,552 to be matched by \$284 in local funding for law enforcement purposes to be determined by the Sheriff's Office.

e. Personnel Changes

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

f. VRS Resolution

The Board approved the following resolution based on VRS participation being mandatory for all full-time County employees and the payment of the retirement benefit on behalf of existing employees:

RESOLUTION
Authorization to Pick-up the Employee's Contribution to VRS
Under § 414(h) of the Internal Revenue Code For Plan 2
Employees

WHEREAS, the Virginia General Assembly, in its 2010 session passed legislation creating a separate retirement plan for employees hired on or after July 1, 2010 (hereafter referred to as "Plan 2 Employees"). The legislation stipulates that Plan 2 Employees will pay their 5 percent member contribution and that, absent other action by the employer, such contribution will be paid through salary reduction according to Internal Revenue Code § 414 (h) on a pre-tax basis; and

WHEREAS, the legislation allows certain employers, including the Pulaski County Board of Supervisors to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary; and

WHEREAS, the election to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary shall, once made, remain in effect for the applicable fiscal year (July 1 - June 30) and shall continue in effect beyond the end of such fiscal year absent a subsequent resolution changing the way the 5 percent member contribution is paid; and

WHEREAS, employee contributions that are picked-up as an additional benefit not paid as salary are not considered wages for purposes of VA Code § 51.1-700 et seq. nor shall they be considered salary for purposes of VA Code § 51.1-100 et seq.; and

WHEREAS, the Pulaski County Board of Supervisors desires to pick-up and pay its Plan 2 Employees' member contributions to VRS as an additional benefit not paid as salary in an amount equal to (5%) of creditable compensation; and

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WHEREAS, VRS tracks such picked-up member contributions and is prepared to treat such contributions as employee contributions for all purposes of VRS.

NOW, THEREFORE, IT IS HEREBY RESOLVED that effective the first day of July, 2010 by Pulaski County Board of Supervisors shall pick-up member contributions of its Plan 2 Employees to VRS as an additional benefit not paid as salary in an amount equal to (5%) of creditable compensation subject to the terms and conditions described above; and it is further

RESOLVED that such contributions, although designated as member contributions, are to be made by the Pulaski County Board of Supervisors in lieu of member contributions; and it is further

RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the picked-up contributions made by the Pulaski County Board of Supervisors directly instead of having them paid to VRS.

Adopted by Pulaski County, Virginia this_28th day of June, 2010.

g. Resolutions of Appreciation:

1. Lester Maupin

The Board approved the following resolution of appreciation:

**RESOLUTION OF APPRECIATION
LESTER L. MAUPIN**

WHEREAS, Lester L. Maupin has been employed by the Pulaski County Sewerage Authority since 1967; and

WHEREAS, Lester Maupin has served the Pulaski County Sewerage Authority as Superintendent for 43; and

WHEREAS, Lester Maupin's commitment, dedication, and loyalty have ensured the safe maintenance and operation of the Authority's sewerage systems; and

WHEREAS, Lester Maupin's oversight of the Sewerage System resulted in major expansion to the Timberlane and Deerfield Subdivisions; and

WHEREAS, Lester Maupin has demonstrated a high degree of professionalism in dealing with the citizens of Fairlawn and Pulaski County; and

WHEREAS, Lester Maupin's integrity, willingness to help his coworkers, and longstanding assistance is deeply appreciated; and

WHEREAS, the service provided by **Lester Maupin** has benefited not only present and past citizens of Fairlawn, but will enhance the quality of life of its future citizens.

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors and the Pulaski County Public Service Authority does hereby commend and express its sincere appreciation for the service of Lester Maupin to Fairlawn, the county and its citizens; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Board of Supervisors this 28th day of June, 2010, and on the 8th day of June by the Public Service Authority Board of Directors in permanent testimony of its appreciation to the service of **Lester Maupin.**

2. Tom Starnes

The Board approved the following resolution of appreciation:

**RESOLUTION OF APPRECIATION
MAYOR TOM STARNES**

WHEREAS, Tom Starnes served on the Radford City Council for 36 years with 32 years being Mayor; and

WHEREAS, Tom Starnes contributed leadership to every industrial and commercial development locating in the City for a generation and has overseen dozens of City infrastructure improvements to its roads, water and sewer systems, various City buildings, schools, and park and recreation facilities; and

WHEREAS, Tom Starnes exhibited vision to advance the streamlining of regional resources by serving on the Planning District Commission for 32 years and helping to form the, Pepper's Ferry Regional Wastewater Treatment Authority, New River Resource Authority, New River Valley Economic Development Alliance, New River Valley Commerce Park, and the New River Valley Regional Jail; and

WHEREAS, Tom Starnes diligently worked with Pulaski County to develop a revenue sharing agreement for the Fairlawn area and a water sharing agreement with the Public Service Authority and Commerce Park; and

WHEREAS, Tom Starnes' commitment, dedication, and loyalty have ensured a cooperative partnership between Pulaski County and the City of Radford; and

WHEREAS, the outstanding service provided by **Tom Starnes** has benefited not only present and past citizens of Radford, but will enhance the quality of life of its future citizens, businesses, and industries.

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors does hereby commend and express its sincere appreciation for the service of Tom Starnes to the City of Radford and its citizens; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Board of Supervisors this 28th day of June, 2010, in permanent testimony of its appreciation to the service of **Tom Starnes**.

h. Approval of FY 11 Budget

As reported in the Board packet, a public hearing was held at the Board's May 24, 2010 meeting on the FY 11 budget. There were no citizen comments at that public hearing. Staff recommended adoption of the FY 2011 budget as previously presented.

As indicated in the motion by the Board for the Items of Consent, the Board approved the FY 11 budget by adopting the following resolution:

**A RESOLUTION APPROPRIATING FUNDS,
SETTING 2010 PROPERTY TAX RATES, AND
ESTABLISHING GENERAL FISCAL POLICY FOR
THE PERIOD OF JULY 1, 2010 THROUGH JUNE 30, 2011**

WHEREAS, the Pulaski County Board of Supervisors hereby adopts a budget for the fiscal year ending June 30, 2011; and

WHEREAS, the Board of Supervisors has established tax rates and set a levy sufficient to meet the expenditure requirements of the budget;

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THEREFORE BE IT RESOLVED that the Board of Supervisors make the following monetary appropriations for July 1, 2010 through June 30, 2011.

GENERAL FUND:

A total sum of \$35,406,144 is hereby appropriated. Said funds are to be expended as follows:

Board of Supervisors	\$ 111,802
County Administrator	215,702
Assistant County Administrator	162,159
County Attorney	56,120
Personnel	8,750
Independent Auditor	48,700
Operations	85,405
Management Services	117,323
Commissioner of Revenue	437,575
Treasurer	465,927
Director of Finance	115,171
Grants Writer	13,000
Citizen Service Centers	600
Electoral Board and Officials	51,912
Registrar	90,788
Circuit Court	57,689
General District Court	2,890
Magistrate's Office	150
Juvenile & Domestic Relations Court	2,790
Clerk of Circuit Court	534,268
Law Library	11,400
Victims Witness Assistance	126,312
Women's Resource Center	22,332
Violence Prevention DCJS Grant	40,000
Commonwealth Attorney	831,187
Sheriff	3,213,887
E911 System	167,893
Wireless 911 PSAP	48,000
Forest Fire Protection	7,000
Town of Pulaski Fire Protection	33,784
Draper Vol. Fire Dept.	35,235
Dublin Fire Department	38,600
Fairlawn Vol. Fire Dept.	35,535
Hiwassee Vol. Fire Dept.	36,535
Newbern Vol. Fire Dept.	35,135
Snowville Vol. Fire Dept.	35,035
Twin Comm. Vol. Fire Dept.	34,435
Volunteer Fire & Rescue	6,200

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Western Virginia EMS System	7,352
Volunteer Rescue Services	775
Regional Jail	1,960,232
NRV Juvenile Detention Home	169,643
Court Services	5,400
Pretrial Services	300,902
Community Corrections	503,209
Building Department	155,293
Code Enforcement	49,125
Animal Control	268,662
Medical Examiners	500
Emergency Management	90,031
Public Safety Grants	6,500
Enforcement of Property Cleanup	3,500
Landfill/Cloyd's Mountain	71,363
Clean Community Council	32,883
General Properties-Buildings	654,852
General Properties-Grounds	145,398
Cleaning Services	165,175
N.R.V. Airport	242,826
General Engineering	127,714
Health Department	279,768
N.R. Community Services Board	87,853
State and Local Hospitalization	11,564
Area Agency on Aging	15,299
Pulaski Area Transit	62,300
Office on Youth	96,402
Va. Juvenile Commission Crime Control Act	51,716
Institutional Care of Poor	87,616
Children's Advocacy Center	1,000
NRV Cares	4,600
Beans & Rice	5,800
Retired Senior Program	12,886
New River Community Action	52,757
NRV Disability Services	9,835
Goodwill Industries	9,928
Literacy Volunteers of America	2,825
Free Clinic of Pulaski County	27,000
Crossroad Shelter, Inc.	3,000
Brain Injury Services of SW VA	4,642
New River Community College	15,445
Recreation/County and Towns	308,999
Randolph Park	266,902
Parks	21,927
Friends of Claytor Lake	26,898
Claytor Lake Park Celebration	2,500

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July 4 th Fireworks/Count Pulaski Festival	5,000
Fine Arts Center for the NRV	16,160
Friends of Pulaski Theatre	2,500
Crooked Road	2,500
Historical Preservation	6,000
Round the Mountain SW VA Artisan	2,500
Jamestown 2007 Celebration	50
Library	453,089
Library State Aid	119,100
Community Development Director	92,488
Visitor's Center	80,368
Zoning Administrator	109,919
Economic Development	50,677
Industrial Park Maintenance	700
New River Valley Competitiveness Center	5,750
Beans & Rice Microenterprise Development	9,500
Southeast Rural Community Assistance Program	3,000
Contribution NRV Planning District	31,554
Pulaski Co. Chamber of Commerce	10,000
Soil Conservation	12,269
New River Highlands Conversation	700
VPI&SU Extension Office	102,510
Contingency	252,513
Miscellaneous Revenue Refunds	10,100
Transfer to School Fund	11,845,596
Transfer to VPA Fund	1,025,922
Transfer to Comprehensive Services Act Fund	1,581,996
Transfer to Internal Service Fund	360,780
Transfer to Capital Outlay Fund	563,000
Transfer to School Capital Outlay Fund	352,000
Transfer to REMSI Fund	100,000
Transfer to IDA	252,506
Transfer to County Debt Fund	904,503
Transfer to School Debt Fund	<u>3,272,871</u>

TOTAL GENERAL FUND \$ 35,406,144

INTERNAL SERVICE FUND:

A total sum of \$1,543,208 is hereby appropriated. Said funds are to be expended as follows:

Information Technology	\$ 440,034
Central Garage	972,657
Communications/Copy Center	<u>130,517</u>
TOTAL INTERNAL SERVICE FUND	\$ 1,543,208

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CAPITAL IMPROVEMENTS FUND:

A total sum of \$563,000 is hereby appropriated. Said funds are to be expended as follows:

Courthouse Camera System	\$	12,000
Fairlawn Volunteer Fire Department Pumper		100,000
Randolph Park Pool Repairs		2,500
REMSI Defibrillator		5,000
REMSI Vehicle Replacement		50,000
Sheriff's Vehicle Replacement		108,500
County Administration Building Windows Replacement		140,000
School and County Efficiency Study & Implementation		<u>145,000</u>
TOTAL CAPITAL IMPROVEMENTS FUND	\$	563,000

SCHOOL CAPITAL IMPROVEMENTS FUND:

A total sum of \$352,000 is hereby appropriated. Said funds are to be expended as follows:

Field house Roof	\$	102,000
School Telephone System		<u>250,000</u>
TOTAL SCHOOL CAPITAL IMPROVEMENTS	\$	352,000

COUNTY DEBT FUND:

A total sum of \$904,503 is hereby appropriated. Said funds are to be expended as follows:

Economic Development	\$	751,730
Hiwassee Fire Department		18,384
Bond Repayments		<u>134,389</u>
TOTAL COUNTY DEBT FUND	\$	904,503

SCHOOL DEBT FUND:

A total sum of \$3,272,871 is hereby appropriated. Said funds are to be expended as follows:

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SCHOOL DEBT FUND:

Pulaski Elementary School Debt Service	\$ 874,725
Riverlawn Elementary School Debt Service	1,755,917
Other School Construction Debt Service	<u>662,229</u>
TOTAL SCHOOL DEBT FUND	\$ 3,272,871

Power of line item transfers of funds within the above appropriations is hereby invested in the County Administrator. Power of inter-functional transfer is reserved by the Board. The Board further requires all expenditures to be in compliance with purchasing laws of Virginia and any subsequent purchasing regulations adopted by the Board of Supervisors.

SCHOOL FUND, SCHOOL CAFETERIA FUND & GOVERNOR'S SCHOOL FUND:

A total of \$46,472,778 is hereby appropriated for educational purposes. These funds are to be expended as follows:

Instruction	\$ 30,750,705
Administration, Attendance & Health	2,996,930
Pupil Transportation	2,082,652
Operations and Maintenance	4,921,365
Facilities	0
Technology	<u>2,733,567</u>
TOTAL SCHOOL FUND	\$ 43,485,219
School Food Services	2,239,024
Governor's School	<u>748,535</u>
TOTAL ALL SCHOOL FUNDS	\$ 46,472,778

Power of inter-functional or categorical transfer shall rest with the Board of Supervisors.

All purchases and expenditures shall be in accordance with the laws of Virginia.

VIRGINIA PUBLIC ASSISTANCE FUND:

A total of \$6,653,723 is appropriated to the Board of Social Services. These funds are to be expended as follows:

Public Assistance and Entitlement Programs	\$ 2,104,844
Purchased Social Services	617,330
Social Work Staff and Operations	1,268,112
Economic Assistance Staff and Operations	1,255,201
Purchased Child Care Services	337,883

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Allocated Staff and Operations	895,237
Board Administration & Grant Projects	<u>174,116</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE FUND \$	6,653,723

All purchases of the Social Services Board shall be in compliance with the laws of Virginia and any subsequent purchasing regulations adopted by the Board of Supervisors. From funds appropriated, each member of the Board may receive as compensation for his or her services for meetings, activities and other duties being discharged as a member of the Board, an amount of \$1,200 for members and \$1,440 for Chairperson per year.

Power of inter-functional or categorical transfer is reserved by the Board of Supervisors.

COMPREHENSIVE SERVICES ACT FUND:

A total of \$4,121,965 is hereby appropriated for the Comprehensive Services Act Fund. These funds are to be expended as follows:

Staff and Operations	\$ 150,650
Customer Services	<u>3,971,315</u>
TOTAL COMPREHENSIVE SERVICES FUND \$	4,121,965

The Social Services Board is hereby authorized to administer funds appropriated for the Comprehensive Services Act Fund. Those employees of the Social Services Board authorized to sign warrants and disburse funds on behalf of the Social Services Board are authorized to do the same for the funds of the Comprehensive Services Act. Administration of the Comprehensive Services Act, reporting of statistical and financial transactions and all case management requirements shall be in accordance with Policies and Procedures of the Community Policy and Management Team serving Pulaski County.

Power of inter-functional or categorical transfer is reserved by the Board of Supervisors.

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REGIONAL EMERGENCY MEDICAL SERVICES FUND:

The sum of \$1,355,291 is appropriated for the REMSI Fund to be expended as follows:

Administration	\$	193,340
Field Staff		764,917
Recruitment & Retainment		17,170
Equipment & Stations		319,400
Training Center		<u>60,464</u>
TOTAL REMSI FUND	\$	1,355,291
TOTAL APPROPRIATIONS ALL FUNDS	\$	100,645,483

Power of inter-functional or categorical transfers shall rest with the Board of Supervisors.

All purchases and expenditures shall be in accordance with the laws of Virginia.

Property tax rates are set for FY 2010-11 as follows:

Tangible Personal Property	- \$2.14 per hundred dollars of assessed valuation
Machinery and Tool	- \$1.50 per hundred dollars of assessed valuation
Real Estate & Mobile Homes	- \$0.54 per hundred dollars of assessed valuation

i. Request for Donation - Friends of Pulaski Theatre

As reported in the Board packet, a request was received from Mike Fleenor on behalf of the Friends of Pulaski Theatre, Ltd. for a donation in the amount of \$786.51, which represents the amount paid by the FOPT to the county in real estate taxes on the theatre building. Mr. Huber recommended contribution of \$1,000 to the organization, pending receipt of a schedule of performances resulting in the attraction of tourism revenue into the County.

Supervisor Akers advised the theatre was being used on regular basis and most events opened close to a full house.

Mr. Harless expressed a desire for the showing of movies at the old theatre.

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On a motion by Mr. Pratt, seconded by Mr. Conner and carried, the Board approved donation of \$1,000 to the Friends of Pulaski Theatre, Ltd., pending receipt of a schedule of performances resulting in the attraction of tourism revenue into the county.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Pratt.
Voting no: Mr. Bopp.

j. Maple Shade Plaza Fashion Show

As reported in the Board packet, Yolanda Hunter would like to hold a fashion show in front of her store Lis de La Valle in the Maple Shade plaza on either July 17th or July 24th from approximately 6:30 p.m. to 9:00 p.m., with the fashion showing taking place from her store and into the parking lot. Plans include a small stage/walkway going from Ms. Hunter's store going about 30-35 feet and forming a T at the end. Mr. Hunter would also like to allow a couple of food vendors and have a DJ with sound system under the roofed sidewalk. Staff recommended approval, pending approval of the walkway structure by the own of Pulaski Building inspector's office.

The Board approved allowing a fashion show in front of the Lis de La Valle store in the Maple Shade Plaza on either July 17 or July 24, 2010 from 6:30 p.m. to 9:00 p.m., with approval subject to approval of the walkway structure by the Pulaski Building inspector's office.

k. Renovation of Former Governor's School

Action on this matter was previously taken by the Board.

Mr. Harless requested the Board reconsider the matter related to the additional appropriation of \$150,000 to the School system and referenced the "Roberts Rules of Order" which allows for a Board member to bring a matter back to the floor which had previously been voted on. The Board declined to reconsider the matter related to the additional \$150,000 appropriation to the School system.

l. Lunch on the Lawn

As reported in the Board packet, the County was approached by the Greater Pulaski Alliance about the possibility of restarting "Lunch on the Lawn" at the Stone Courthouse. As it is currently proposed, it would be one Friday a month (tentatively the 1st Friday of each month) starting in August and continuing in September and October and perhaps November. It would involve a band (most likely country, bluegrass, or

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folk music) and food vendors setting up and serving/playing from 11:00 a.m. to 1:00 p.m., with details related to electricity supply, trash pick-up, restroom cleaning, etc. to be worked out. The report by staff indicated staff in the Stone Courthouse have voiced their support for the program as their employees used to enjoy it.

The Board approved allowing the restarting of the "Lunch on the Lawn" at the Stone Courthouse by the Greater Pulaski Alliance one Friday a month (tentatively the 1st Friday of each month) starting in August and continuing in September and October and perhaps November with details as electricity supply, trash pick-up, restroom cleaning, etc. to be worked out at a later date.

m. Request for Funding – Return to Roots

As reported in the Board packet, a request was received from Carl Mitchell, Program Manager for Return to Roots, for funding to assist in continuing the Return to Roots program. Mr. Huber recommended funding of \$1,000 for the next year.

Mr. Harless expressed concern over the lack of new jobs in the county and the need to create new jobs to lure citizens back to the county who may have left.

Mr. Harless expressed concern over the recent increase in the real tax rate and asked for clarification on the exact amount of the rate increase. Mr. Huber advised the Board approved a four cent increase which at a base rate of \$0.50 would equal an 8% increase.

On a motion by Mr. Pratt, seconded by Mr. Conner and carried, the Board approved funding of \$1,000 in an effort to assist in stimulating economic development.

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

Voting no: Mr. Akers, Mr. Bopp.

n. Support of Neonatal Center at HCA Lewis-Gale Medical Center

As reported in the Board packet, the Board is requested to provide a letter, as requested by Lewis Gale, in support of a regional neonatal center at the HCA Lewis-Gale Medical Center. Mr. Huber advised he serves on the HCA Pulaski Hospital Advisory Board and for that reason thought it best to include this on the consent agenda for consideration by the Board rather than handling this request administratively as would normally be done for matters of this nature.

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The Board approved supporting Lewis-Gale Medical Center's application to provide neonatal special care services and authorized sending a letter to the appropriate representatives of the Va. Dept. of Health.

o. Adult Daycare Planning Grant

The Board approved initiating steps needed to complete the planning grant process.

p. Humane Society Memorandum of Understanding

The Board approved execution of the Humane Society Memorandum of Understanding, a copy of which is filed with the records of this meeting.

q. Application for Virginia Tourism Commission Marketing Leverage Grant

As reported in the Board packet, our section of the Wilderness Road, The Frontier Trail, is wishing to apply to VTC for a Marketing Leverage Grant. This grant would be to produce some marketing materials and advertise our section of the Wilderness Road from Montgomery County to Bristol. Robert Hiss has been working on this project and we have agreed in principal for Pulaski County to be the lead applicant and fiscal agent for the grant. The cash match from all six jurisdictions involved in the application is \$850 each and the grant is due July 14th. Staff requested authorization to proceed on this basis, based on the recent increase in tourism expenditures in the County.

The Board approved Pulaski County serving as the lead applicant and fiscal agent for the grant with a cash match of \$850 due July 14, 2010.

r. Payday Lending

As reported in the Board packet, a request had been received from the City of Staunton for consideration by the Board asking the General Assembly to end predatory lending practices in Virginia.

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board adopted the following resolution requesting legislators enact laws strictly prohibiting and deterring all predatory, usurious lending practices in the Commonwealth of Virginia:

**RESOLUTION OF
THE PULASKI COUNTY BOARD OF SUPERVISORS
SEEKING ACTION BY THE
GENERAL ASSEMBLY AND GOVERNOR
TO PROHIBIT
ALL PREDATORY, USURIOUS LENDING PRACTICES
IN THE COMMONWEALTH OF VIRGINIA**

WHEREAS, the Pulaski County Board of Supervisors represents the citizens of the County of Pulaski, Virginia;

WHEREAS, the Pulaski County Board of Supervisors believes the citizens of the County of Pulaski remain concerned over what are perceived to be predatory, usurious lending practices in the County of Pulaski, Virginia and elsewhere in the Commonwealth, including practices that can exploit dedicated, brave women and men called to serve in the United States armed services;

WHEREAS, the Pulaski County Board of Supervisors shares these continuing concerns and intends through this Resolution to express the collective sentiments and will of Pulaski citizens that the General Assembly and Governor of Virginia need to take action to prohibit all predatory, usurious lending practices; and

WHEREAS, it is essential that the General Assembly and the Governor of Virginia address this matter as a high priority at the next legislative session, leading to enactment of laws strictly prohibiting and deterring all predatory, usurious lending practices in the Commonwealth of Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Pulaski County Board of Supervisors that, at the next legislative session, the General Assembly and the Governor of the Commonwealth of Virginia are hereby requested to enact laws strictly prohibiting and deterring all predatory, usurious lending practices, including but not limited to provisions that would:

1. Impose an interest rate cap of thirty-six percent (36%), calculated as an effective annual percentage rate including all fees or charges of any kind, for any consumer credit extended in the Commonwealth of Virginia;
2. Prohibit a creditor's use of a personal check or other device as a means, directly or indirectly, to gain access to a consumer's bank account; and

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3. Incorporate into the Virginia Code the protections regarding consumer credit to military personnel as reflected in the Military Lending Act, 10 United States Code Section 987.

Adopted this 28th day of June, 2010.

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

Voting no: none.

11. Citizen Comments

Ms. Brenda Blackburn questioned the lack of the appointment of females on the IDA and PSA boards; the supervisors decision to approve \$150,000 towards the renovation of the former Governor's School; if an issue related to the lack of payment of \$720,000 by Steve Crawford to the IDA should be addressed to the IDA; noted inaccurate information provided in a report at the May Board meeting by the representatives of the Home Consortium, specifically concerning home improvements, as it related to improvements to one individuals home, which was leaking; and requested to be appointed to either the IDA or PSA Boards.

Mr. James McClannahan inquired as to whether the School Board or the county would bear the cost of any additional expenses, should the \$150,000 appropriated by the Board not cover the entire renovation expenses. Mr. Nichols advised there was a small contingency provided in the \$150,000 estimate and he did not expect the costs to exceed the \$150,000 requested by the School Board.

Mr. Harless requested the Board bring back to the floor the matter related to the \$150,000 appropriation to the School Board, and take action to table the matter until Board members could visit the former Governor's School building. The Board took no action regarding Mr. Harless's request to bring the matter before the Board.

12. Other Matters from Supervisors

Mr. McCarthy advised of receipt of a notice of a claim against the county for injuries sustained in an incident in January 2010 as a result of a fall by a citizen on the sidewalk in front of the Pulaski Library.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board noted receipt of the document and denying any wrong doing by the county, and further noted the county does not maintain sidewalks or have any say in the maintenance of sidewalks.

BOARD OF SUPERVISORS MEETING MINUTES OF JUNE 28, 2010

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp, Mr. Pratt.
Voting no: none.

Mr. Huber advised upcoming events which may allow for three or more Board members to be in attendance included the announcement by Congressman Boucher on July 7, 2010 at the New River Valley Airport and the Employee/Volunteer ice cream social to be held at Randolph Park on Saturday, July 10, 2010 at 7:00 p.m..

13. Adjournment

On a motion by Mr. Bopp, seconded by Mr. Pratt and carried, the Board of Supervisors adjourned its regular meeting. The next meeting of the Board is scheduled for Monday, July 26, 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