

BOARD OF SUPERVISORS MEETING MINUTES OF JANUARY 24, 2011

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, January 24, 2011 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; Frank R. Conner; and Ranny L. Akers. Supervisor Dean Pratt was unable to attend the meeting. Staff members present included: Peter Huber, County Administrator; Robert Hiss, Assistant County Administrator; Shawn Utt, Community Development Director; and Thomas J. McCarthy, Jr., County Attorney. Diane Newby, Finance Director, and 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. Conner 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:

- NRV Competitiveness Center
- Sheriff's Office
- NanoChemonics
- Shae Dawn Industrial Park Access Road

Prospective Industry – Pursuant to Virginia Code Section 2.2-3711(A)5 discussion concerning a prospective business or industry, or the expansion of an existing business and/or 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 Barry
- Findlay/Phoenix Building Refinancing
- Phoenix Packaging

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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.
Voting no: None.
Not present: Mr. Pratt

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.
Voting no: None.
Not present: Mr. Pratt

Certification of Conformance with Virginia Freedom of Information Act

On a motion by Mr. Bopp, seconded by Mr. Akers and carried, the Board of Supervisors adopted the following resolution certifying conformance with the Virginia Freedom of Information Act.

WHEREAS, the Board of Supervisors of Pulaski County, Virginia, has convened a closed meeting of this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act:

WHEREAS, Section 2.2-3712(D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Pulaski County, Virginia hereby certifies to the best of each members' knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in this motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Voting no: None.
Not present: Mr. Pratt

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2. Moment of Silence for Claudia Cervantes, Maynard Hedge and Lester Maupin

Mr. Sheffey called for a moment of silence honoring the passing of Maynard Hedge, Claudia Cervantes and Lester Maupin, all of whom had served the county and/or community in various capacities.

Reverend Thomas Harris, Jr., of the Free to Talk Ministries, provided the invocation.

3. Recognitions

a. Presentation of NRCC Award Picture to Tom McCarthy

Mr. Sheffey described the recent award presented by the Virginia Community College System to Mr. McCarthy. Mr. Conner presented to Mr. McCarthy a framed print of the Virginia Community College System presentation ceremony.

Mr. McCarthy thanked the Board for appointing him to the New River Community College Board and allowing him to continue his service.

b. Featured Employees

The Board of Supervisors recognized Michael Stoots and Ricky Vaughan as the Featured Employees for the month of February. Mr. Stoots and Mr. Vaughan did not attend the meeting. Job summaries for both employees were read aloud by Supervisor Sheffey with gift certificates to Fatz Café to be forwarded to the employees.

4. Additions to Agenda

There were no additional agenda items.

5. Public Hearings

There were no public hearings scheduled for this meeting.

6. Citizen Comments

Mr. Billy Watson described concerns related to the proposed development of an apartment complex by Mark Wiley, specifically the infiltration of additional water into the ground causing his property to sink due to soil piping. Mr. Watson also expressed concern over the level spreader used by Mr. Wiley and described it as needing maintenance. Mr. Watson expressed further concern that the county is not concerned about downstream property owners and requested Mr. Wiley discontinue his planned development.

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Mr. Mark Wiley presented pictures of the area in question by Mr. Watson and advised the claims by Mr. Watson were unsubstantiated. Mr. Wiley advised no erosion has taken place due to the existing facility and he had not received any complaints until recently. He further noted the last complaint he had received regarding storm water drainage was made between 1999-2001 and was immediately addressed by Mr. Wiley. Mr. Wiley also cited a previous State Supreme Court decision validating the existing Erosion and Sediment Control plan for this particular development.

Citizen Comments

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 he did not have any updates to share related to the timetable. He advised VDOT staff were focusing on winter weather related issues.

2. Route 114 Bridge Replacement Update

Mr. Clarke advised VDOT was in the beginning stages of awarding the bid and expected to begin construction on the railroad bridge on the Montgomery side first. Mr. Clarke advised a full report with an update would be provided to the Board once construction began with the report to include a timeframe of completion.

b. Alum Spring Road Painting

Staff further described a report included in the Board packet related to concerns by residents over the lack of a center line following the chip and seal paving on Alum Spring Road that was done in the summer of 2010. Mr. Clarke advised this work would be added to VDOT's painting list.

c. Citizen Comments

There were no citizen concerns voiced regarding highway matters.

d. Board of Supervisors Comments

Mr. Akers inquired as to the status of work on Dallas Freeman Road, noting the project was awarded in 2010 with a completion date expected at the end of November, 2010. Mr. Akers expressed concern that the project had stalled. Mr. Clarke advised the work had not been completed and that the project is now a contractual negotiation and is in the hands of construction crew, including surface treatment. Mr. Akers expressed concern that use of the current contractor would delay the project until the summer of 2011, noting gravel is needed on the road at minimum until the project is restarted.

Mr. Conner advised of an area on Cougar Trail Road just below Volvo where vehicles are bottoming out due to a dip in the road. Mr. Clarke advised he would have VDOT staff review the area in question.

Mr. Huber also advised of an area on Cougar Trail Road near the High School where the shoulders are dropping off. Mr. Clarke advised he would have VDOT staff review the area in question.

Mr. Bopp advised of receipt of a letter from Kenneth Rorrer requesting a speed limit on Alum Spring Road, along with concerns over the recent paving job, specifically the lines disappearing. Mr. Clarke advised the matter would be addressed with the contractor.

Mr. Sheffey advised of road breakage on Route 11 in the area heading towards Fairlawn next to the old quarry before the racetrack. Mr. Clarke advised he would have VDOT staff review the area in question.

Mr. Sheffey commended VDOT for the excellent job while clearing of roads during recent snow and further indicated VDOT does a particularly good job of clearing snow in the overall southwestern part of Virginia when compared with other parts of the State.

Mr. Clarke advised a public hearing on the Secondary Six Year Road Plan would need to be held at the March Board meeting. Mr. Clarke advised VDOT staff would coordinate the appropriate advertising.

Mr. Akers indicated the need to push for funds to get Route 100 completed. Mr. Clarke advised this project will probably be a part of the primary six year plan.

Mr. Clarke advised a letter is needed from the County to VDOT regarding the Pond Lick Hollow bridge (Rt. 674), waiving the need for a public hearing that is normally required. Mr. Clarke further advised no right-of-way is being bought or donated and VDOT has communicated

plans for a one-lane bridge with property owners. Mr. Akers questioned the weight limit of the bridge. Mr. Clarke advised the weight limit has been raised to 10 tons. Mr. Clarke also advised the project should take no more than approximately 60 days and that completion was scheduled within a year. Mr. Clarke advised he would have VDOT staff determine the schedule and provide an update to county staff. Mr. Sheffey requested the information be placed in the weekly update for Board members. Mr. Huber offered to have the information also placed in the quarterly newsletter.

8. Treasurer's Report

Treasurer Melinda Worrell presented an updated monthly report, a copy of which is filed with the records of this meeting. Ms. Worrell also requested the Board consider approving the advertising of the annual two-year delinquent real estate listing in the local newspaper(s).

On a motion by Mr. Bopp, seconded by Mr. Conner and carried, the Board approved advertising on February 13, 2011 the annual two-year delinquent real estate listing of 891 accounts in the local newspaper(s).

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Voting no: None.
Not present: Mr. Pratt

Ms. Worrell was also requested to provide the listing to Jim Bell of Information Technology for placement on the county's web site.

9. Reports from the County Administrator & Staff:

a. Appointments:

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

1. Commission on Families and Children

The Board appointed Reverend Leroy Henry for an indefinite term on the Commission on Families and Children.

2. New River Community Action

Staff was directed to invite Reverend Andrew Troutman, Pastor of the New Dublin Presbyterian Church, to consider serving on this Board and provide an update at the February Board meeting.

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3. Clean Community Council

The Board reappointed Jason Pratt to the Clean Community Council for an additional term ending February 24, 2014.

4. Telecommunications Committee

The Board appointed Gary Reedy of Business Development Group as an ex-officio member to the Telecommunications Committee.

5. NRVPDC Transportation Technical Advisory Committee

The Board appointed Shawn Utt to replace Ron Coake on the Transportation Technical Advisory Committee.

6. NRVPDC – MPO Regional Transit Organization Study

The Board appointed Ranny Akers to serve on the Stakeholder Committee as a Board representative.

7. Redistricting Committee

Staff was directed to place on the February agenda suggestions for appointees to the committee and include Tony Furgeson of the Massie District, and Danny Collins of the Cloyd District, as potential committee members.

8. New River-Highlands Resource Conservation and Development Area Council

The Board reappointed Richard Guthrie to the Council for a term ending December 31, 2011.

9. Indoor Wellness Vision Committee

The Board appointed Kevin Meredith and Melissa Twine to the Indoor Wellness Vision Committee.

10. Baskerville Housing Oversight Board

The Board appointed supervisor Dean Pratt to the Oversight Board.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Voting no: None.
Not present: Mr. Pratt

b. Key Activity Timetable

The Board reviewed the Key Activity Timetable in detail.

Mr. Sheffey noted the need to remove Ron Coake's name from the "Operations" section of the Key Activity Timetable.

Mr. Sheffey inquired regarding the timeframe for the eternal flame project start-up. Mr. Hiss advised he would provide a status report in a future weekly update.

c. Application of Unsafe Structure Ordinance

Mr. Huber presented pictures of structures currently presenting safety hazards and where the county's ordinance is being applied to for the following properties:

- Ora Crouse, 6425 Crouse Court – demolish structure
- Robert and Ann Marie Dodgion, 4320 Brookmont Road – removal of debris and board up home
- Fred Franklin, Lead Mine Road parcel 092-006-0000-0004 and 0005 – demolish two structures
- Lee Highway Mobile Home Park, 4319 Lee Highway – demolish two structures and board up 4 others.
- Authur Lewis and Garrett Taylor, corner of Church St and Harry Brown Rd - demolish structure
- Warren Rogers – Roger's Loop Rd parcel 063-001-0000-0042 demolish structure
- Mildred Staton, Robinson Tract Road parcel 063-001-0000-0016 – demolish structure

Mr. Huber also described efforts by county staff to notify property owners that the Board would be reviewing the structures, as well as staff efforts to work with property owners to address the safety issues.

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By consensus, the Board concurred with staff recommendations for the above listing of properties for demolition and board up of structures, as noted. Mr. Sheffey indicated he had received positive comments from neighbors of recently demolished structures on the efforts to clean up unsightly and unsafe structures.

d. Revenue Projections

Ms. Newby and Mr. Huber provided details regarding the recommended goals in the development of the 2011-12 budget, including describing in detail various budget related charts; the difficulty facing the county in budgeting for the upcoming year; and the likelihood that revenues projected are to be somewhat less than originally budgeted, depending upon the state revenue.

Mr. Sheffey inquired as to whether or not the county continued to receive any stimulus money. Ms. Newby advised the county only received about \$25,000, with the school system receiving substantially more. Mr. Sheffey expressed concern over the potential elimination of the Business Professional and Occupational License Tax and Machinery and Tools taxes by the state. Ms. Newby indicated any loss of revenue from the elimination of these taxes would be significant and likely result in discontinuing funding for some programs.

Board members and staff discussed the recent issue by the state as it related to state employees paying a share of their retirement.

Mr. Sheffey inquired as to what was known at this time regarding the county employee's health insurance rates. Ms. Newby and Mr. Hiss indicated the Consortium had met and the costs remain steady and could even possibly decrease. Mr. Hiss indicated the worst case scenario would be a 1.5% increase in premiums.

Mr. Huber presented several charts describing the revenue history and taxable sales.

e. Budget Calendar

On a motion by Mr. Conner, seconded by Mr. Bopp and carried, the Board approved the following budget calendar:

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2011-12 FISCAL YEAR BUDGET CALENDAR
1/20/2011 Revision

<u>Date</u>	<u>Activity</u>
Friday, January 7, 2011	Distribution of capital improvement plan (CIP) instructions
Monday, January 24, 2011*	Presentation of revenue projections and budget goals
Thursday, January 13, 2011	Distribution of operating budget forms and instructions
Monday, January 31, 2011	Regional budget review
Monday, January 31, 2011	CIP requests due
Tuesday, February 8, 2011	CIP requests distributed to Planning Commission
Friday, February 11, 2011	CIP requests distributed to Board of Supervisors
Monday, February 14, 2011	Operating budgets due
Monday, February 28, 2011*	Initial local revenue estimates and requested expenditures and School Board needs presented to Board of Supervisors
Monday, March 7, 2011	Budget work session - Review budget options and advertise any changes in real estate and personal property tax rates
Tuesday, March 8, 2011	Planning Commission review of CIP
Monday, March 14, 2011	Joint meeting with School Board - budgets as a possible topic
Thursday, March 24, 2011	Draft budget recommendations submitted to Board and agencies for review and comment via weekly update
Monday, March 28, 2011*	Presentation of preliminary budget recommendations – <i>Hold hearing on any real estate and personal property tax rate increases</i>

Wednesday, April 6, 2011 Deadline for agency comments and scheduling of April 11th

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presentations

Monday, April 11, 2011	Budget work session - Other agency/department comments and additional budget discussions between Board of Supervisors and School Board (if needed). <i>Set real estate rate</i>
Monday, April 18, 2011	Budget work session
Monday, April 25, 2011* 5 p.m.	Budget work session (if needed) and approval of public hearing advertisement
Sunday, May 1, 2011	Budget advertised
Monday, May 23, 2011*	Public hearing
Monday, June 27, 2011*	Budget adoption, set personal property tax rate and approve appropriation for 2011-12 funding

Footnotes:

Bolded text indicates meetings of Board of Supervisors

Asterisk* indicates meetings held in conjunction with a regularly scheduled meeting of the Board

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp,
Voting no: None.
Not present: Mr. Pratt

10. Items of Consent

Mr. Sheffey requested the December 27th minutes be voted on as a separate matter due to his absence from that meeting.

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved the following items of consent, except for the approval of the December 27, 2010 Board minutes which will be acted on as a separate matter.

Voting yes: Mr. Akers, Mr. Conner, Mr. Sheffey, Mr. Bopp.
Voting no: None.
Not present: Mr. Pratt

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On a motion by Mr. Akers, seconded by Mr. Bopp and carried the Board approved the December 27, 2010 Board minutes as presented.

Voting yes: Mr. Akers, Mr. Conner, Mr. Bopp.
 Voting no: None.
 Abstaining: Mr. Sheffey
 Not present: Mr. Pratt.

a. Approval of Minutes of December 20 and 27, 2010

The Board approved the minutes of the December 20, 2010.

b. Accounts Payable

The Board approved accounts payable for checks numbered 2018252 through 2018625, subject to audit.

c. Interoffice Transfers & Appropriations

The Board approved interoffice transfer number 7 totaling \$42,532.76 and appropriations as follows:

Account Number	Account Title	Amount Increase (Decrease)
<u>Revenues:</u>		
3-205-018990-0200	Miscellaneous Revenue	3,411.88 -
3-205-024220-2050	Social Service Grant	2,326.00 -
3-205-33020-1100	Title III	3,991.85 -
	Total	9,729.73-
4-205-062140-3850-900	Purchase of ser. Other Gov.	2,331.00
4-205-68300-6007-950-100	Repair and Maint supplies	80.88
4-205-61100-6013-202-200	IPOP SPED	1,000.00
4-205-61190-6013-211-800-315	Pre-school Instruction	2,326.00
4-205-61100-1621-200-100-907	Supplement Title III	3705.73

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4-205-61100-2100-200-100-907	Fica	286.12
	Total	9,729.73

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

1. Mountain Empire Regional GIS Grant

The Board ratified administrative approval of the MERG GIS Grant.

2. Contract – Pulaski County & Verizon

The Board ratified administrative approval of a contract with Verizon to provide direct service telephone connection for the county's voice over internet protocol system.

3. Voting Machine Battery Replacement

The Board ratified administrative approval of the appropriation of 3,917.20 towards the replacement of back-up batteries in the voting machines.

4. Draper Aden Engineering Contract for Baskerville Project

The Board ratified administrative approval of the engineering contract with Draper Aden for the Baskerville Project.

5. VDEM Generator Grant

The Board accepted the grant award in the amount of \$100,000 from the Virginia Department of Emergency Management for the placement of generator hook-ups in several schools.

e. Personnel Changes

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

f. Draper Corridor Project

Provided in the Board packet was a project description for enhancing the area between the Draper exit and the New River Trail. The Board adopted the proposed vision statement and the listing of

primary projects, copies of which are filed with the records of this meeting. The Board also authorized appointment of a steering committee as appropriate.

g. VACo Citizens' Appeals of Local Tax Assessments

Provided in the Board packet was a memo from VACo submitting an invoice for the legal work related to the current burden of proof process in real estate and property assessment.

The Board approved payment of this invoice and participation in this effort.

h. Establishment of Redistricting Committee

The Board approved the formulation of a steering committee to provide recommendations related to the upcoming redistricting of local election districts.

1. i. 2011 Board Meeting Schedule

The Board approved rescheduling the December 2011 meeting from December 26th to December 19th, with remaining meetings in 2011 to continue to be held on the 4th Monday of each month.

j. Retirement Resolution – Ron Coake

The Board approved the following retirement resolution honoring Ron Coake:

RESOLUTION OF APPRECIATION

Homer Ronald Coake

WHEREAS, Ron Coake has served as County Engineer and worked with Pulaski County for 27 years; and

WHEREAS, Ron Coake's commitment, dedication, and loyalty have ensured the safe maintenance and operation of the County Water and Sewerage systems resulting in major upgrades to staffing and equipping the department; and

WHEREAS, Ron Coake has been a leader in the establishment and operations of the New River Resource Authority and the Peppers Ferry Regional Wastewater Treatment Authority; and

WHEREAS, Ron Coake's efforts were instrumental in the

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completion of countless road, parking lot, roof, and building improvement projects; such as Randolph Park, Pulaski County High School parking lot and Field House, Visitor Center, Industrial Park and Shell Building, Stone Courthouse reconstruction, and multiple public safety buildings; and

WHEREAS, Ron Coake has demonstrated a high degree of professionalism in working with the citizens of Pulaski County and has always given due consideration in helping the community's local contractors; and

WHEREAS, Ron Coake's willingness to help his coworkers, and initiative to accept a challenge is deeply appreciated; and

WHEREAS, the service provided by **Ron Coake** has benefited not only present and past citizens of Pulaski County, but will enhance the quality of life of its future citizens.

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors does hereby commend and express its sincere appreciation for the service of **Ron Coake** to 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 24th day of January 2011, in permanent testimony of its appreciation to the service of **Ron Coake.**

11. Citizen Comments

Rev. Thomas Harris advised he had been appointed as President of the 2011 Pulaski County Ministerial Association President and thanked the Board for providing an invocation at its monthly meetings throughout the year.

12. Other Matters from Supervisors

Mr. Akers advised of the upcoming trips to Richmond for the VACo/VML Rural Caucus and Legislative Day.

Mr. Huber advised Ty Kirkner is overseeing the county's Erosion and Sedimentation Control Program.

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13. Adjournment

On a motion by Mr. Conner, seconded by Mr. Bopp and carried, the Board of Supervisors adjourned to its regular meeting scheduled for Monday, February 28, 2011 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.

Voting no: None.

Not present: Mr. Pratt

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator