

BOARD OF SUPERVISORS MEETING MINUTES OF FEBRUARY 28, 2011

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, February 28, 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; Ranny L. Akers; Frank R. Conner; and Dean Pratt. 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. 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 insert, seconded by insert 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
- Employee Compensation for Undertaking New Duties
- Restructuring Options for Filing Emergency Management Coordinator Duties

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:

- TMD Building Use

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 Greenhouse

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:

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- 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. Bopp, seconded by Mr. Conner and carried, the Board returned to regular session.

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

Voting no: None.

Certification of Conformance with Virginia Freedom of Information Act

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

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

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

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

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

Voting no: None.

2. Invocation

(Mr. Sheffey called for a moment of silence in

honor of the passing of Buzz Cecil and further recognized Mr. Cecil's service to the Town of Dublin as Fire Chief for 35 years and 10 years on the Dublin Town Council – Invocation provided by Rev. Dwight Haynes of Memorial Christian Church)

3. Recognitions

- a. Smart, Safe and Sober Partnership
(Sheriff Davis explained the events leading to the presentation to Amy Barker of the "Saved by the Belt Award" by the Governor's Highway Safety Office, the Smart Safe and Sober Partnership Program and the Pulaski County Sheriff's Office which was the result of Ms. Barker's survival of an accident which occurred in November 2010 – Sheriff Davis advised Ms. Barker was nominated by the Sheriff's Dept. and had Ms. Barker not been wearing her seatbelt, her injuries could have been life threatening - Sheriff Davis and Mr. Sheffey recognized the first responders in attendance at the meeting including representatives from the Sheriff's Office, local fire departments, and REMSI)
- b. Featured Employees
(Recognized Larry Vest of the Water Department and Joe Caudle of the Water Treatment Plant)

4. Additions to Agenda

Additions to Agenda
(Mr. Huber recommended deferring action on item "10g – Scheduling of Hearing on Revision to BPOL Ordinance" to allow for additional study)

5. Public Hearings

- Petition by **Board of Supervisors of Pulaski Co.** for a Special Use Permit (SUP) to allow a school of business or trade, on property identified as the **New River**

Elementary School, located at 7168 Harry L. Brown Rd., (Rt. 725), (038-001-0000-0175), (Cloyd District).

(Public hearing held – Comments were heard from Mr. Al Davis requesting clarification on the “subdivision” of property – Board approved the Special Use Permit (SUP), as recommended by the Planning Commission, to allow a school of business or trade as presented with the conditions, which can be found with the records of this meeting – Notify applicant)

Ms. Wright

6. Citizen Comments

(Ms. Angela Clevinger of the Pulaski County Education Association encouraged the Board of Supervisors to work with the School Board during the FY 12 budget proceedings to build a budget based on the high standards of educators in Pulaski County)

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 the “No Outlet” signage had been installed on Baskerville Road)

(Mr. Sheffey inquired on the status of pending speed studies – Mr. Clarke advised VDOT would proceed with requested speed studies with improved weather)

(Mr. Clarke advised VDOT had held a preconstruction conference on Route 114 and should begin work to moving office trailers to the site within the next few weeks – Mr. Sheffey requested VDOT

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provide the Board with updates on a routine basis – Mr. Clarke confirmed repairs to the the smaller bridge would be the first phase of the repairs – Mr. Sheffey inquired as to the expected timeframe – Mr. Clarke advised a full work schedule had not been confirmed; however, the contract called for a completion date of November 2014, although the project could finish earlier)

2. Update on Route 114 Bridge Schedule
(Previously noted)

- b. Harry L. Brown Road Entrance Permit
(Mr. Huber asked for consideration to a 25 mph speed limit which would help address the sight distance issue, otherwise, leaving unposted would make the assumption that the speed limit is 55 mph – Mr. Clarke advised VDOT had approved entrances based on operating speed – Mr. Sheffey inquired as to the quickest manner by VDOT to have the speed limit resolved – Mr. Clarke offered to have VDOT staff to review the matter and advised no Board action was required at this time – Place on KAT)
VDOT
Ms. Hanks
- c. Route 373/NRCC Entrance Task Order
(Approved task order with Planning District Commission for the provision of environmental assessment – Arrange for execution of task order and send to PDC)
Ms. Hanks
- d. Request for Watch for Children Signage – Harris Street
(Sheriff Davis advised of a request for Children at Play signage on Harris Street – Board approved installation of signage – Send resolution to VDOT)
Ms. Hanks
- e. Citizen Comments
(Ms. Laura Easter of Highland Road recalled a previous request made to the

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Board in April 2009 for signage prohibiting tractor/trailers using the bridge on Highland Road as a shortcut from Route 100, siting concerns over the safety of the bridge due to the excessive weight limit by tractor trailers - Ms. Easter requested signage on Route 100 and Rt. 627, as well as Rt. 11 and Rt. 114 prohibiting tractor trailers from traveling on the bridge - Mr. Clarke advised VDOT had worked to fill potholes on the bridge but no additional work had been done other than routine maintenance checks - Ms. Easter cited many instances where tractor trailers are halted from traveling - Mr. Clarke indicated a public hearing would be required to prohibit through traffic by tractor trailers – Place update on KAT)

Ms. Hanks

(Mr. Al Davis expressed concern over the lack of “no littering” signage throughout the county – Mr. Clarke advised VDOT does not routinely install such signage due to the excessive littering county-wide; however, VDOT could install signage if there is a specific site that can be determined – Mr. Sheffey requested the Clean Community Council provide a listing of requested areas for “no littering” signage)

Ms. Wright

(Morgan Morris encouraged all efforts by the county to remove litter from the county, including the installation of appropriate signage)

f. Board of Supervisors Comments

(Mr. Akers expressed concern over the excessive trash and debris on both the Montgomery and Pulaski sides of the Route 114 bridge, particularly during and following hard rains and requested the bridge receive a monthly clearing by VDOT – Mr. Clarke advised the bridge would receive a sweeping in the spring)

(Mr. Conner expressed continued concern over the condition of the shoulders along Cougar

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Trail Road and a particular low place where Cougar Trail comes out on Rt. 611 – VDOT to review and provide update) Mr. Clarke

(Mr. Bopp requested an update on the request for a speed study on Alum Spring Road – Mr. Clarke advised the speed study is on the current list of speed studies to be conducted)

(Mr. Bopp advised of a culvert which is stopped up between Cruise Drive and Loving Field Road on Robinson Tract – VDOT to review and provide update – Place on KAT) Mr. Clarke
Ms. Hanks

(Mr. Bopp inquired as to the status of a previous request for a grate over a culvert on Veteran’s Hill – VDOT will review in spring time)

(Mr. Pratt expressed appreciation for the work being done on Route 11 to clear brush from the sides of road)

(Mr. Sheffey thanked Mr. Clarke for the completion of the work on Route 11 next to old rock quarry)

(Mr. Sheffey expressed concern over the potholes and breakage on roads throughout the county and inquired as to the plans for repairs – Mr. Clarke advised repairs would begin once the weather improved, possibly as early as March)

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 provided update and noted the recently published delinquent tax collection listing had positive results)

9. Reports from the County Administrator & Staff:

a. Appointments:

On a motion by insert, seconded by insert and carried, the Board

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approved the following appointments:

a. Appointments:

1. New River Community Action
(Appointed Rev. Andrew Troutman
to the Community Action Board
for a term ending June 2013 -
Update appointment listing) Ms. Hanks
2. Clean Community Council (CCC)
(Board opted to not fill the two vacancies
to allow for the CCC to obtain a quorum
of the full committee)
3. Redistricting Committee
(Appointed Tony Ferguson of the Massie
District and Danny Collins of the Cloyd
District)

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4. Community Policy & Management Team
(Appointed Beverly Walters, Executive Director of the NRV Cares – Notify Ms. Walters of appointment) Mr. J. Wallis

5. Crooked Road Board of Directors
(Appointed Robert Hiss)

b. Audit Presentation

(Ms. Deanna Cox provided various handouts including an elected officials guide, a guide to internal controls and fraud and suggested the Board consider reviewing the various documents which are on line – Ms. Cox provided an overview of the audit process, noting the FY 10 audit had been finalized in January 2011 – Mr. Cox provided an overview of the components of the audit including various matters related to the management discussion and analysis; financial statement findings; and GASB 54 – Mr. Sheffey inquired as to how Pulaski County compared to other localities – Ms. Cox responded that Pulaski County was “middle of the road” and that the debt ratio, fund balance and tax collections were all good – Mr. Sheffey inquired as to the preferred amount of reserves for counties – Mr. Cox responded that a 10% reserve balance was recommended)

(Mr. Huber advised the audit would be posted on the county’s website in electronic form) Ms. Newby/Mr. Bell

(School Board Member Jeff Bane indicated the school administration was working diligently through the leadership of School Finance Director Lal Harter to insure compliance with all financial requirements)

(Mr. Sheffey commended county staff for the work involved in preparing the FY 10 audit)

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- c. Budget Development – Funding Requests
(Mr. Huber provided Board members with the specific requests for departments for FY 12, noting there were \$7.5 million more in requested funding than in anticipated revenues; noting, however, the state had recently passed the budget allowing for a more complete review of anticipated expenditures and revenues – Mr. Huber noted the most likely means of addressing the difference is through reduction in capital requests which is approximately \$7.6 million – Mr. Huber advised additional information would be presented at the upcoming budget sessions)
- d. Baskerville Project Update SAFE Act Response
(Mr. Utt provided a summary of the Baskerville Project including new requirements that have gone into effect concerning operating the project as a loan/grant program – Mr. Utt noted Board action was required in choosing one of three options to meet the requirements – Board approved "Option C" which would eliminate the requirement to repay the loan and move the project to a "lien only" program and should the property change ownership at anytime during the 10 year term following the rehab, the full amount of the rehab investment will be due – should the property remain in the same ownership for the entire 10 year term, the lien will be forgiven in full – Notify appropriate agency) Mr. Utt

(Mr. Conner provided information regarding the concerns of a citizen living in the Town of Pulaski as it relates to poor work provided by a contractor – Staff to review matter and provide update) Mr. Huber

(Mr. Akers inquired re: requirements for property maintenance – Mr. Utt explained the options provided by the state)

(Mr. Utt advised if project is approved by the state, construction should begin in

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April or May 2011)

b. Key Activity Timetable

The Board reviewed the Key Activity Timetable in detail.
(Mr. Sheffey requested the removal of
the reference to "Bobby Clark" from the
KAT, once Mr. Clark leaves employment
with the county)

Ms. Hanks

f. Scheduling of Meetings

(Staff noted the need to schedule meetings
with the School Board, with said meetings
to include the normal joint meeting,
discussions regarding school reuse and
meetings with the town)

(Board suggested Tuesday, March 15 (1st choice)
at 6:00 p.m. with Thursday, March 17 at
6:00 p.m. (2nd choice) with the meeting
to be held at Pulaski Elementary School –
Notify School Board and provide Board
of Supervisors with date once selected
by School Board)

Ms. Hanks

10. Items of Consent

Mr. Pratt requested the January 24, 2011 minutes be voted on as a
separate matter due to his absence from that meeting.

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board
approved the following items of consent, except for the approval of items "a"
and "h", which are to be voted on by separate vote, if appropriate:

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

a. Approval of Minutes of January 24, 2011

On a motion by Mr. Akers, seconded by Mr. Bopp and carried the
Board approved the January 24, 2011 Board minutes as presented.

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

b. Accounts Payable

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

c. Interoffice Transfers & Appropriations

The Board approved interoffice transfer number 7 totaling \$insert and appropriations as follows:

Insert

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

- Draper Corridor Development Strategic Plan and Launch Project
(Accepted grant)

e. Personnel Changes

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

f. Memorial Resolution – Maynard Hedge

(Approved with corrections – Prepare two copies of signed and framed resolutions to Mr. Conner

for reading at the March Board meeting - Mr. Hiss

Arrange for framing of resolutions and

place on March agenda Ms. Hanks

Mr. Conner plans to place one in the Sheriff's

Office and provide the other one to the family)

g. Scheduling of Public Hearing for Revision to BPOL Ordinance

(Defer to later meeting)

h. July 4th Events

(Mr. Akers questioned if the quote provided

for a fireworks display had been provided

to the Claytor Lake Festival Committee –

Staff to provide Board with details re: budget

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- for Claytor Lake festival – Place in weekly update) Mr. Huber
Ms. Hanks
- i. Virginia’s First Withdrawal Resolution by City of Salem & Town of Narrows
(Adopted resolution allowing for the City of Salem and Town of Narrows to withdraw from the Virginia’s First Industrial Development Authority following payment of any debt and payment of one additional year of dues – Send resolution to Virginia’s First) Ms. Hanks
- j. Surplus Cars
(Approved the transfer of three Ford Crown Victoria sedans ranging from 2002-2004 models one to the Pulaski Fire Department (a 2004 model with peeling and two to the School Board for occasional transport of students – Arrange title transfers)) Mr. Cressell
- k. Request from Town of Pulaski re: Faux Windows
(Approved expenditure of \$1,000 to the Town of Pulaski towards the efforts to create faux windows in the empty store fronts on Main Street, as well as a recommendation that the opportunity be offered to Draper Mercantile, the three golf courses, Motor Mile Speedway and others as a unique advertising opportunity) Mr. Huber
- l. Personnel Policy Revision to Inclement Weather Policy
(Approved – Amend policy and notify employees) Mr. Hiss
- m. Verizon Easement to Cloyd’s Mountain Cell Tower
(Approved a request by Verizon for an easement from the County along an existing line of Appalachian Power poles for the purpose of connecting to the new cell tower built near the top of Cloyd’s Mountain) Mr. Huber
- n. Resolution Supporting Extension of Rail Service to the New River Valley
(Approved resolution encouraging the

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establishment of passenger rail service to
the New River Valley – Send signed resolution to
NRV PDC) Ms. Hanks

- o. Maple Shade Bids
(Reported Breakell had pulled their bid due
to a \$203,000 error – Approved award
of bid to the second lowest bidder Price
Buildings) Mr. Hiss

11. Citizen Comments

None

12. Other Matters from Supervisors

(Board approved staff drafting a resolution
recognizing the Pulaski County High School
girls basketball team for their outstanding
season, as well as extending an invitation to
the basketball team, coaches and PCHS
Principal and Athletic Director to attend
March 28th Board meeting to accept resolution –
Draft resolution in include in a future weekly
update with resolution to be adopted and
presented at March 28th meeting – Place
on March agenda) Mr. Hiss
Ms. Hanks

13. Adjournment

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board of Supervisors adjourned to its regular meeting to a budget work session to be held on Monday, March 7, 2011 at 6:00 p.m., with said meeting to be held in the Central Conference Room of the County Administration Building, 143 Third Street, N. W., in the Town of Pulaski. The next regular meeting of the Board of Supervisors is scheduled for Monday, March 28, 2011 beginning with a Closed Session at 6:00 p.m. and regular session at 7:00 p.m. The meeting will be held 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.

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Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator