

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 26, 2011

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, September 26, 2011 beginning with a Closed Session at 6:00 p.m. in the Board Room of the County Administration Building, 143 Third Street in the Town of Pulaski, the following members were present: Joseph L. Sheffey, Chairman; Charles Bopp, Vice-Chairman; Ranny 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, 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 session 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. Pratt, seconded by Mr. Bopp 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
 - a. NRV Sustainable Communities Consortium Steering Committee
 - b. Public Service Authority
 - c. Commission on Children and Families
 - d. Big Brothers/Big Sisters
 - e. Agency on Aging

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:

- Sheriff's Office
- Fairlawn Property
- Commerce Park Water Line Easement
- Phoenix Packaging Rail
- Wireless Authority

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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:

- Business Expansion
- Downtown Pulaski Project

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:

- New River Industrial Park Deed Restrictions

Return to Regular Session

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

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

2. Invocation

The invocation was provided by Reverend C. R. Conner of the First Family Worship Center.

3. Presentations and Recognitions - Featured Employees

a. Radford Bob Cat Jersey

Mr. Sheffey explained the purpose of the wearing of the Radford Bobcats jersey was a result of a wager between Chairman Sheffey and Radford City Mayor Bruce Brown in that whichever team lost the 2011 football matchup between the Pulaski County High School Cougars and Radford Bobcats, that Chair/Mayor would wear the jersey of the opposing team.

b. Featured Employees

The Board recognized Angela Campbell of the Clerk's office and Bill Demere of the Commonwealth Attorney's office as the featured employees for the month of October. A job summary for Ms. Campbell and Mr. Demere was read aloud by Supervisor Sheffey. Board members presented Ms. Campbell and Mr. Demere with a gift certificate to Fatz Café.

4. Additions to Agenda

Mr. Huber requested the Board remove adoption of the Continuity of Operations Plan from this agenda and move action to adopt the plan to the October 24, 2011 agenda to allow full review by Board members.

5. Public Hearings

a. Petition by George E. & Patricia G. Fox to rezone properties located at 6495, 6503, 6519, 6523 Highland Road (Rt. 627), from Residential (R1) to Agricultural (A1), (027-004-0000-006A, 7A; 027-004-0000-0006, 7; 027-004-0000-006B; 027-004-0000-0005), (Cloyd District).

Mr. Utt described the following staff analysis which was reported in the Board packet: *The owner is requesting the parcels mentioned to be rezoned from Residential (R1) to Agricultural (A1). The owners purchased the parcels at different times with their most recent purchase on March 31, 2010. Located on that property is a structure approximately 50' X 80' that*

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was constructed pre-zoning and has not been utilized for years. The owners approached staff to discuss the zoning and uses allowed on the property. Staff informed the owners the property was zoned Residential (R1) with limited uses. After reviewing adjoining properties and discussion, the owner made application for the rezoning. The owners believe they can better utilize the parcels with Agricultural (A1) zoning due to more uses allowed. Rezoning the property to Agricultural will bring the property into compliance with the Pulaski County Comprehensive Plan Future Land Use Map.

Mr. Utt advised the Planning Commission recommends approval of the rezoning petition as presented to the Board of Supervisors.

Mr. Sheffey opened the public hearing.

Ms. Debbie Mohay questioned if Board members received information related to the public hearings in advance of the Board meeting. Mr. Sheffey responded that Board members received information regarding the agenda at least eight days prior to the Board meeting.

There being no further comments, the hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved a Petition by George E. & Patricia G. Fox to rezone properties located at 6495, 6503, 6519, 6523 Highland Road (Rt. 627), from Residential (R1) to Agricultural (A1), (027-004-0000-006A, 7A; 027-004-0000-0006, 7; 027-004-0000-006B; 027-004-0000-0005), (Cloyd District).

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

- b. Petition by O'Reilly Automotive Stores, Inc. for Special Use Permit (SUP) to allow a sign setback variance located at 4651 Harvest Place (Private Road), east off of Cleburne Blvd., (Rt. 100), zoned Commercial (CM1), tax map no. 056-003-000C-0009, (Draper District).

Mr. Utt described the following staff analysis which was reported in the Board packet: *The applicant purchased the 0.860 acre tract of land on March 2, 2011 to construct an O'Reilly Automotive Parts Store with associated signage. The applicant is requesting approval of a Special Use Permit (SUP) to allow placement of a 26 ft. high pylon sign at 9.25 ft. setback from the property line adjacent to the right-of-way. Currently the sign regulations allow a minimum five (5) feet setback for all signs, or a 1:1 setback/height ratio, whichever is greater; therefore, the required setback for the sign as proposed is 26 ft.*

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On July 12, 2011 the Planning Commission tabled the above petition by O'Reilly Automotive Stores, Inc. pending the decision of the Board of Zoning Appeals hearing on August 16, 2011. At the August Board of Zoning Appeals hearing the Board approved a sign variance to allow two (2) freestanding signs to be located on one lot.

Mr. Utt advised the Planning Commission recommends approval of the Special Use Permit (SUP) to allow a sign setback variance as presented to the Board of Supervisors.

Mr. Sheffey opened the public hearing.

Mr. David Pohlig questioned the distance between the road and the sign. Mr. Utt described the exact location of the sign.

There being no further comments, the hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Conner and carried, the Board approved a petition by O'Reilly Automotive Stores, Inc. for Special Use Permit (SUP) to allow a sign setback variance located at 4651 Harvest Place (Private Road), east off of Cleburne Blvd., (Rt. 100), zoned Commercial (CM1), tax map no. 056-003-000C-0009, (Draper District).

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

c. County Budget Amendment

Mr. Huber explained the purpose of the hearing was to consider budget amendments reflecting the carryover of unspent funds from the 2010-11 to the 2011-12 fiscal years.

Mr. Sheffey explained state law requires a public hearing be held for any carryover of funds of more than \$500,000.

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

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

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GENERAL FUND:	
REVENUES:	
<u>Revenues from the Commonwealth:</u>	
Library of Virginia Records Preservation Grant	\$ 4,575
Virginia Tourism Grants	6,000
Total Revenue from the Commonwealth	\$ 10,575
<u>Revenues from the Federal Government:</u>	
DHCD Baskerville Housing Project	\$ 494,280
Regional Radio Communications Grant	14,625
Regional Information Sharing Grant	135,000
2008 Homeland Security Citizens Preparedness	23,000
Local Law Enforcement Block Grant	3,165
Citizens Alert System	14,625
Regional Crash Team Grant	5,774
VDEM Generator Connections	100,000
DHCD Micro Solutions Grant	93,336
Rural Development Project Funding	719,208
Total Revenue from the Federal Government	\$ 1,603,013
<u>Transfers:</u>	
Transfer from Reserves	\$ 6,049,600
TOTAL REVENUES	\$ 7,663,188
EXPENDITURES:	
Clerk of Circuit Court	\$ 27,677
Commonwealth Attorney	9,937
Sheriff	13,691
Community Corrections	29,993
Building Inspections	4,187
Code Enforcement	2,993
Emergency Management	461
Citizens Alert System Grant	14,625
Citizens Preparedness Grant	23,000
Regional Radio Communications Grant	14,625
Regional Information Grant	135,000
Generator Connections Grant	203,181
Landfill	704
Office on Youth	3,275
Economic Development	44
Beans & Rice Programs	10,600
Claytor Lake Celebration	1,774
Claytor Lake Aquatic Restoration	37,460
Round the Mountain	2,500
Library	6,895
Virginia Tourism Grants	11,593
Baskerville Housing Project	584,367
Transfer to VA Public Assistance Fund	40,647
Transfer to Schools	184,128
Transfer to Capital Improvements Fund	3,379,917
Transfer to PSA	719,208
Transfer to IDA	2,151,371
Transfer to Internal Service Fund	49,335

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TOTAL EXPENDITURES	\$ 7,663,188

PSA FUND:	
REVENUES:	
Transfers:	
Transfer from General Fund	\$ 719,208
Transfer from Reserves	85,058
Total Transfers	\$ 804,266
Revenue from Federal Government:	
EDA Funding	\$ 1,529,468
Rural Development Funding	2,976,425
Total Revenues from the Federal Government	\$ 4,505,893
TOTAL REVENUES	\$ 5,310,159
EXPENDITURES:	
Highland Park Sewer Project	\$ 217,912
Orchard Hills Subdivision Project	25,788
Commerce Park Water Project	4,505,893
Skyview Subdivision Sewer Project	230,317
Sewer Dept Vehicle	280,000
Highland Park Bonds Interest	50,249
TOTAL EXPENDITURES	\$ 5,310,159
REMSI FUND:	
REVENUES:	
Transfers:	
Transfer from CIP Fund	\$ 55,000
TOTAL REVENUES	\$ 55,000
EXPENDITURES:	
REMSI Equipment & Stations	\$ 55,000
TOTAL EXPENDITURES	\$ 55,000
REMSI FUND:	
REVENUES:	
Transfers:	
Transfer from CIP Fund	\$ 55,000
TOTAL REVENUES	\$ 55,000
EXPENDITURES:	
REMSI Equipment & Stations	\$ 55,000
TOTAL EXPENDITURES	\$ 55,000
IDA FUND:	
REVENUES:	
Transfers:	
Transfer from General Fund	\$ 2,151,371
Transfer from Capital Improvements Fund	1,488,431
Total Transfers	\$ 3,639,802
Revenue from Other Local Sources:	
Other Recovered Costs	2,036,879
Total Other Local Sources	\$ 2,036,879

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TOTAL REVENUES	\$	5,676,681
EXPENDITURES:		
Phoenix Packaging Expansion	\$	4,000,000
Microenterprise Grant		188,250
Maple Shade Plaza		1,488,431
TOTAL EXPENDITURES	\$	5,676,681
VIRGINIA PUBLIC ASSISTANCE FUND:		
REVENUES:		
Transfers:		
Transfer from General Fund	\$	40,647
TOTAL REVENUES	\$	40,647
EXPENDITURES:		
Employment Services Grant	\$	40,647
TOTAL EXPENDITURES	\$	40,647
TORNADO RELIEF FUND:		
REVENUES:		
Revenues from Local Sources:		
Transfer from Reserves	\$	262,929
Donations		118,742
TOTAL REVENUES	\$	381,671
EXPENDITURES:		
Tornado Relief Fund Expenditures	\$	381,671
TOTAL EXPENDITURES	\$	381,671
SCHOOL CAPITAL IMPROVEMENT PLAN FUND:		
REVENUES:		
Transfers:		
Transfer from Riverlawn SNAP Funds	\$	418,550
TOTAL REVENUES	\$	418,550
EXPENDITURES:		
School Renovations	\$	418,550
TOTAL EXPENDITURES	\$	418,550
CAPITAL IMPROVEMENTS FUND		
REVENUES:		
Revenue from the Commonwealth:		
VDOT	\$	388,351
Total Revenue from the Commonwealth	\$	388,351
Transfers:		
Transfer from General Fund		3,379,917
Total Transfers	\$	3,379,917
TOTAL REVENUES	\$	3,768,268
EXPENDITURES:		

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ONGOING PROJECTS:	
County Administrator	\$ 145,000
Treasurer	15,000
Data Processing	6,349
Communications	643,056
Sheriff	179,358
Fairlawn Volunteer Fire Dept.	235,702
Newbern Volunteer Fire Dept.	5,000
Twin Community Volunteer Fire Dept.	14,885
REMSI	5,000
General Properties	366,057
County Administration Building	226,821
Engineering	13,772
Recreation	258,841
Randolph Park	22,674
County Parks	34,948
Historical Landmarks	5,000
Library	44,874
Zoning & Planning	7,500
Transfer to REMSI	50,000
Transfer to IDA	1,488,431
TOTAL EXPENDITURES	\$ 3,768,268
INTERNAL SERVICE FUND:	
REVENUES:	
Transfers:	
Transfer from General Fund	\$ 49,335
TOTAL REVENUES	\$ 49,335
EXPENDITURES:	
County Garage	\$ 49,335
TOTAL EXPENDITURES	\$ 49,335
GRAND TOTAL ALL FUNDS	\$ 18,705,028

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

6. Citizen Comments

- New River Health District Presentation

Dr. Molly O'Dell, New River Health District Director, provided introductions and described the continuing services provided by the Health Department, as well as provided a summary of the national and local epidemic of violent accidental deaths due to substance abuse.

Board members posed questions and comments related to the offering of flu shots, and risks related to obtaining shot too early.

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Mr. Cecil Kennedy inquired as to requirements for having a well, noting inquiry was related to his home having burned down two years earlier. Dr. O'Dell offered to review the matter and respond directly to Mr. Kennedy.

Ms. Genie Zunic presented a copy of information related to restrictions on septic systems. Mr. Huber advised that staff would review the information and provide an update to the Board.

Ms. Jean Anderson inquired as to the procedures used by the county in determining what areas of the county receive water and sewer service. Mr. Sheffey described the policy by the Public Service Authority (PSA) Board in determining the feasibility of providing water and sewer projects to the county.

Mr. Carl Lambert expressed concern over spending funds to develop industrial parks, rather than designating funds for the purpose of providing water and sewer in the county.

- Sustainable Communities Presentation

Ms. Debbie Mohay provided information on the legislation by Governor McDonnell regarding septic system regulations. Mr. Huber advised staff would contact VACo to determine what information is available regarding any changes to the rules and regulations related to septic systems.

Mr. Al Davis thanked Board members and staff for efforts to replace the eternal flame.

Ms. Debbie Mohay presented and described in detail information related to ICLEI, Local Government for Sustainability, a copy of which is filed with the records of this meeting. Ms. Mohay also described how local governments would be affected by the Agenda 21 initiative. She encouraged Board members and attendees of the Board meeting to read the survey.

Mr. Huber referenced documents available to the public describing the timeline, etc. for efforts related to the NRV Livability Initiative.

Ms. Jean Evans questioned the lack of a signature page for a letter to Congressman Griffith from the U.S. Dept. of Housing and Urban Development.

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- Construction

Ms. Debbie Mohay advised J. C. Holden could not attend the meeting and requested she be allowed to speak related to VACo's involvement as it relates to septic systems. Mr. Sheffey noted the agenda called for Mr. J. C. Holden to speak regarding "construction" and therefore Ms. Mohay would not be allowed to speak in his place regarding this subject.

Mr. Keith Covey expressed concern over a lack of response by Board members to questions as it relates to the sustainability issue.

Mr. Sheffey provided a detailed explanation of the process as it relates to the NRV Livability Initiative and stressed the Board would review recommendations by the NRV Sustainable Communities Consortium Steering Committee. Mr. Sheffey also advised citizens are being asked to be a part of the overall study process.

Mr. Wilfred Overton inquired if the NRV Livability Initiative would have been sought by the county had there been no federal monies available. Mr. Huber clarified the county did not receive monies, but rather the NRV Planning District Commission had received federal funding; thus, that funding was not a consideration.

Ms. Jean Evans referenced appreciation to the Board for previous assistance by the Board as it related to her opposition to the Highland Road bridge and requested that the Board take action to cancel involvement in the planning process.

Mr. Carl Lambert expressed concern over the funds paid to the NRV Planning District Commission for studying the NRV Livability Initiative with little benefit to Pulaski County citizens.

Mr. James McClannahan inquired if the towns of Pulaski and Dublin were a part of the overall NRV Livability Initiative. Mr. Utt advised it was his understanding the towns are represented on the "ad hoc" side of the matter, but only larger town councils were represented on the NRV Sustainable Communities Consortium Steering Committee.

7. Highway Matters:

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

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a. Follow-up from Previous Board meeting

- Review of Highway Matters Section of Key Activity Timetable (KAT)

Mr. Clarke advised VDOT continued to work on speed study requests and had installed several 25 mph speed limit signs in the county.

Mr. Sheffey inquired as to the time frame on speed study requests. Mr. Clarke advised of no specific time frame but indicated VDOT staff were making progress on the requested speed studies.

Mr. Sheffey expressed concern over the needed ditch work on Parrott Mountain and the length of time for obtaining proper permitting. Mr. Clarke advised permitting procedures took time and were dependent upon work load of VDOT.

Mr. Ed Hoggatt inquired regarding the status of the washout on his driveway as a result of ditching washing across Parrott Mountain Road. Mr. Clarke agreed to review the matter and follow-up directly with Mr. Hoggatt.

b. FY 2013 Revenue Sharing Program

Mr. Huber explained VDOT is soliciting for projects for the FY 2013 Revenue Sharing Program. Board members were requested to advise staff of road improvements of sufficient need as to warrant investment of local 50% funding. Currently, relocation of the NRCC/Route 11 and Roundhouse Road/Route 11 intersections is already in the funding pipeline. Mr. Huber advised county staff would work with VDOT on any future potential projects and provide recommendations to the Board.

c. Citizen Comments

Neal Akers expressed concern over water across Parrott Mountain Road, specifically the icing of the road in bad weather and the potential for wrecks. Mr. Clarke offered to have VDOT staff review the matter and provide an update to the Board.

Ms. Judy Ruben requested additional speed limit signage on Belspring Road going towards Rt. 114. Ms. Ruben also requested asphalt be placed at a bad drop off on Belspring Road (other side of old Watson property). Mr. Clarke offered to have VDOT staff review the matter and provide an update to the Board.

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Mr. Andy McCready expressed appreciation to VDOT for placement of gravel and asphalt at the intersection of old routes 100 and 611.

Diane Newby requested reinstallation of the fallen Watch for Children signage on Thornspring Church Road.

d. Board of Supervisors Comments

Mr. Pratt inquired as to the status of VDOT's review of the runoff issue in Draper. Mr. Clarke advised review of the matter was scheduled.

Mr. Pratt thanked VDOT for patching of the area on Barrett Ridge Road and requested removal of the cone that had been placed on the area.

Mr. Bopp inquired as to the status of the speed postings on Thornspring Church Road. Mr. Clarke advised VDOT staff would review the matter.

Mr. Bopp expressed continued concern over the grate at the top of Veterans Hill over culvert and noted vehicles continue to run into Mr. Grimmett's yard. Mr. Clarke advised this matter continued to be reviewed by VDOT.

Mr. Bopp inquired as to the status of the Thaxton Road formal speed study. Mr. Clarke advised the speed studies were being conducted by VDOT as time allows.

Mr. Bopp thanked VDOT for roadside mowing in the county.

Mr. Conner requested VDOT review the area of the Rt. 611/643 intersection. Mr. Clarke advised VDOT would review the area in question for possible delineators.

Mr. Conner requested VDOT review potential need for striping on Hatcher Road. Mr. Clarke advised striping was dependent upon traffic count, but would have VDOT staff review the request.

Mr. Akers provided details regarding a recent accident on Little River Dam Road (Longs Ridge Road) one quarter mile past Maple Branch Road) due to a sharp curve and requested consideration to chevron markings.

Mr. Akers inquired if VDOT staff reviewed areas of county roads needing repairs, mowing or suggestions for any improvements while out working on various projects.

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Mr. Akers expressed appreciation for the good job by VDOT in the paving, resulting in an easy transition from the old pavement to the new pavement on Rt. 114 and requested the same on other projects, specifically advising recent work on the underpass on Alexander Road resulting in a speed bump in the curve. Mr. Clarke advised VDOT would review the request.

Mr. Akers expressed concern over the better quality of work by VDOT in other areas of Virginia.

Mr. Akers requested VDOT continue to push the contractor to finish the work on Dallas Freeman Road, expressing concern that road may deteriorate even further over the winter months.

Mr. Conner expressed appreciation to VDOT staff for work in cleaning out ditches, picking up broken signs, etc.

Mr. Sheffey expressed appreciation to VDOT for the recent mowing efforts.

Mr. Sheffey expressed appreciation for the posting of 25 mph signs and patching of Highland Road and Rt. 600.

Mr. Sheffey described a meeting with residents of the Parrott community regarding: Church Hill Lane, resulting in a request for VDOT to review again the area in need of guardrail. Mr. Clarke advised VDOT would review the request.

8. Treasurer's Report

Ms. Worrell provided a monthly report which summarized the revenues and expenditures. Ms. Worrell advised the audit will provide a better summary of the overall revenues and expenditures. She also advised of a correction to the report which referenced "uncollected" taxes and which was actually "collected" taxes. Lastly, Ms. Worrell described the process of selling dog tags and the success in allowing veterinarians to also sell tags.

9. Reports from the County Administrator & Staff:

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the following action related to the various appointments.

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

Voting no: None.

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a. Appointments:

1. NRV Sustainable Communities Consortium Steering Committee

The Board appointed Paul Phillips to the NRV Sustainable Consortium Steering Committee for an indefinite term.

2. Public Service Authority

The Board appointed Nancy Burchett to fill the unexpired term of Jerry White, with said term ending December 31, 2013.

3. Commission on Children and Families

The Board appointed Sharon Bowers to the Commission on Children and Families for an indefinite term.

4. Big Brothers/Big Sisters

The Board took no action on this matter. Staff was directed to place this matter on the October 24th Board agenda.

5. Agency on Aging

The Board reappointed Elaine Powell and Robert Hiss, as alternate, to the New River Valley Agency on Aging for a term ending September 30, 2012.

6. Wireless Authority

The Board took no action on this matter. Staff was directed to place this matter on the October 24th Board agenda.

b. Key Activity Timetable

Mr. Sheffey inquired as to the status of the IDA audit. Ms. Newby advised the audit was expected to be completed in October. Staff was directed to update the Target Date on the KAT under "Finance – IDA audit" to reflect October 2011.

Mr. Akers expressed appreciation to Jamie Radcliffe for Code Enforcement efforts and cleaning up areas of the county. He advised that citizens were appreciative of the efforts by Deputy Radcliffe.

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Mr. Conner expressed appreciation to county staff and veterans for renovating the eternal flame at the courthouse. He inquired as to any plans for 2011 Veteran's Day activities. Mr. Hiss advised staff would contact veteran groups to determine if any activities were planned for the 2011 Veterans Day and would provide any updates to the Board of Supervisors. Mr. Hiss provided an update on energy cost savings due to the new eternal flame.

- c. Petition by Wallace L. Huff for Special Use Permit (SUP) to allow exceptions to limitations on piers, private dock facilities, and or moorings located at 4704 Lakeland Rd., (Private Road), southwest off of State Park Rd., (Rt. 660), zoned Residential (R1), tax map no. 067-009-0000-000A, Ingles District.

Mr. Utt explained the matter had been tabled from the August Board meeting following a public hearing held at that meeting to allow staff to contact AEP for a recommendation. Mr. Utt provided a detailed summary of the initial request.

Mr. Matthew Pritts, Attorney for Woods Rogers and representing AEP, described regulations in place by AEP including the allowance of up to 1,000 sq. ft. of dock.

On a motion by Mr. Pratt, seconded by Mr. Akers and carried, the Board denied the special use permit, with the property owner to be given until the end of September 2012 to bring the existing dock into compliance with the 1,000 sq. ft. footprint and only one (1) walkway and dock located on the lot.

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

10. Items of Consent

Mr. Sheffey noted item h "Adoption of Continuity of Operations Plan" would need to be removed from the overall Items of Consent due to the matter being moved to the October 24th Board agenda.

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the following items of consent, except for item h "Adoption of Continuity of Operations Plan".

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

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a. Approval of Minutes of August 22, 2011

The Board approved the August 22, 2011 minutes, with corrections.

b. Accounts Payable

The Board approved accounts payable for checks 2022265 through 2022768, subject to audit.

c. Interoffice Transfers & Appropriations

The Board approved the following interoffice transfer totaling \$89,228.32 and appropriations as follows:

GENERAL FUND #4

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
100-032010-0100	Baskerville Housing Project Grant	\$ 494,280.00
100-023080-0100	Clerk of Circuit Court Records Preservation Grant	4,575.00
100-033010-2010	Regional Radio Communications Grant	14,625.00
100-033010-2025	Regional Information Sharing Grant	135,000.00
100-033010-2029	2008 VDEM Homeland Security Grant	23,000.00
100-033010-2030	Local Law Enforcement Block Grant	3,165.00
100-033010-2045	Citizens Alerting System Grant	14,625.00
100-033010-2057	Regional Crash Team Grant	5,774.00
100-033010-2058	VDEM Generator Grant	100,000.00
100-024040-1000	Virginia Tourism Grants	6,000.00
100-032010-0200	CDBG Micro Solutions Grant	93,336.00
100-033020-3000	USDA RD Dublin Subdivisions Sewer Projects	25,788.00
100-033020-3000	USDA RD Highland Park Subdivision Sewer Project	693,420.00
100-041999-0000	Transfer from Reserves	6,049,600.00
	TOTAL REVENUES	\$ 7,663,188.00
<u>EXPENDITURES:</u>		
100-021600-8301	Clerk of Circuit Court Technology Funds	\$ 27,677.00
100-022100-6017	Commonwealth Attorney Seized Assets	9,937.00
100-031200-6017	Sheriff Seized Assets	4,475.00
100-031200-8101	Sheriff Machinery & Equipment Grant Funds	8,939.00
100-031200-8103	Sheriff Communications Equipment	277.00
100-033426-6031	Community Corrections Administrative Fees	29,993.00

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100-034100-8101	Building Inspections Machinery & Equipment	4,187.00
100-034410-8101	Code Enforcement Machinery & Equipment	2,993.00
100-035500-5900	Emergency Management HazMat Reimbursements	461.00
100-035540-8103	Citizens Alerting System Grant	14,625.00
100-035550-3170	2008 VDEM Homeland Security Grant	12,500.00
100-035550-6001	2008 VDEM Homeland Security Grant	9,750.00
100-035550-8103	2008 VDEM Homeland Security Grant	\$ 750.00
100-035555-8103	Regional Radio Communications Grant	14,625.00
100-035560-8103	Regional Information Sharing Grant	135,000.00
100-035570-8101	VDEM Generator Grant	203,181.00
100-042600-6003	Landfill Agricultural Supplies	704.00
100-053500-6013	Office on Youth Recreational Supplies	1,763.00
100-081500-6002	Economic Development Food Supplies	44.00
100-053700-5699	Beans & Rice TIES Program	1,100.00
100-053500-6045	Recreation Travis Carty Memorial Funds	1,512.00
100-071370-6014	Claytor Lake Celebration	1,774.00
100-071390-5699	Claytor Lake Aquatic Restoration	37,460.00
100-072570-5699	Round the Mountain	2,500.00
100-073100-5699	Library RIF Program	307.00
100-073100-6025	Library Y/A Programs	867.00
100-073100-8101	Library Machinery & Equipment	5,221.00
100-073100-8102	Library Furniture & Fixtures	500.00
100-081230-6030	Virginia Tourism Grants	11,593.00
100-081290-3170	Baskerville Housing Project Phase 1	584,367.00
100-081535-5699	Beans & Rice Micro Solutions Grant Assistance	9,500.00
100-093000-9201	Transfer to School Fund	184,128.00
100-093000-9202	Transfer to VPA Fund	40,647.00
100-093000-9206	Transfer to Capital Improvements Fund	3,379,917.00
100-093000-9213	Transfer to PSA Fund Rural Development Funds	719,208.00
100-093000-9209	Transfer to IDA Micro Solutions Grant	151,371.00
100-093000-9209	Transfer to IDA Phoenix Packaging Expansion	2,000,000.00
100-093000-9204	Transfer to Internal Service Fund	49,335.00
TOTAL EXPENDITURES		\$ 7,663,188.00

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GENERAL FUND #5

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
100-041999-0000	Transfer from Reserves	\$ 798,948.00
	TOTAL	\$ 798,948.00
EXPENDITURES:		
4-100-093000-9205	Transfer to School Construction Fund	\$ 798,948.00
	TOTAL	\$ 798,948.00

VPA FUND #1

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
201-041050-1000	Transfer from General Fund	\$ 40,647.00
	TOTAL	\$ 40,647.00
EXPENDITURES:		
201-053272-3130	Employment Services Grant Personnel Services	\$ 40,594.00
201-053272-5230	Employment Services Grant Telecommunications	53.00
	TOTAL	\$ 40,647.00

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SCHOOL FUND #1

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
205-041050-1000	Transfer from General Fund	\$ 184,128.00
	TOTAL	\$ 184,128.00
EXPENDITURES:		
205-061100-2230-200-100	Instruction Leave Payments	\$ 110,477.00
205-064200-6007-900	Building Services Repair & Maintenance Supplies	73,651.00
	TOTAL	\$ 184,128.00

TORNADO RELIEF FUND #1

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
215-041999-0000	Transfer from Reserves	\$ 262,929.00
215-018030-0500	Tornado Donations Current Fiscal Year	118,742.00
	TOTAL	\$ 381,671.00
EXPENDITURES:		
215-092500-5420	Property Rental	\$ 8,912.00
215-092500-6007	Building Materials & Supplies	372,759.00
	TOTAL	\$ 381,671.00

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SCHOOL CAPITAL IMPROVEMENTS FUND #1

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
301-041040-0600	Transfer from SNAP Funds	\$ 418,550.00
	TOTAL	\$ 418,550.00
EXPENDITURES:		
301-066010-8118	PCHS Renovations	\$ 418,550.00
	TOTAL	\$ 418,550.00

CAPITAL IMPROVEMENTS FUND #2

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
302-033010-2060	VDOT New River Trail Extension	\$ 114,923.00
302-024040-6810	VDOT T21 Newbern Project	232,809.00
302-024040-6800	VDOT Grant Route 100	40,619.00
302-041050-1000	Transfer from General Fund	3,379,917.00
	TOTAL	\$ 3,768,268.00
EXPENDITURES:		
302-012110-3170	County Administrator Professional Services	\$ 145,000.00
302-012410-8101	Treasurer Machinery & Equipment	15,000.00
302-012510-8107	Data Processing Computer Equipment	1,558.00
302-012510-8125	Data Processing Computer Software	4,791.00
302-012570-8103	Communications Telephone System	4,278.00
302-012570-8207	Communications Fiber Optic Connections Grant	600,000.00
302-012570-8251	Communications Tower Maintenance	38,778.00
302-031200-8105	Sheriff Vehicles	53,028.00
302-031200-8107	Sheriff Dispatch System Records Management	76,330.00
302-032230-8112	Sheriff Office Building	50,000.00

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302-032220-8105	Fairlawn Fire Dept Fire Truck	235,702.00
302-032240-8105	Newbern Fire Dept Fire Truck	5,000.00
302-032260-8101	Twin Communities Machinery & Equipment	14,885.00
302-032300-8118	REMSI Machinery & Equipment	5,000.00
302-044100-8101	Engineering Machinery & Equipment	13,772.00
302-043200-8101	General Properties Machinery & Equipment	2,000.00
302-043200-8117	General Properties Courthouse Security Cameras	12,000.00
302-043200-8245	General Properties Building Needs	278,988.00
302-043200-8252	General Properties Courthouse HVAC System	3,714.00
302-043200-8150-001	General Properties Courthouse Roof	\$ 61,442.00
	General Properties Courthouse Window Replacements	1,630.00
302-043200-8246-002	General Properties Courthouse Replace Coil Units	6,283.00
302-043210-8101	County Administration Building Heat Pump	11,414.00
	County Administration Building Repairs & Improvements	9,407.00
	County Administration Building Window Replacements	206,000.00
302-071110-8246	Newbern Road/Museum Renovations	240,821.00
302-071110-8250	New River Trail Extension	18,020.00
302-071320-6007	Randolph Park Repairs & Maintenance Supplies	2,500.00
302-071320-8201	Randolph Park Swimming Pool Repairs	20,174.00
302-071350-8135	County Parks Loving Field Improvements	34,948.00
302-072500-5699	Historical Landmarks Jail Preservation	5,000.00
302-073100-8112	Library Ceiling/Lighting Repairs	44,874.00
302-081400-3800-001	Zoning & Planning Comprehensive Plan Update	7,500.00
302-093000-9207	Transfer to REMSI	50,000.00
302-093000-9209	Transfer to IDA for Maple Shade Renovations	1,488,431.00
TOTAL EXPENDITURES		\$ 3,768,268.00

INTERNAL SERVICE FUND #2

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Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
600-041050-1000	Transfer from General Funds	\$ 49,335.00
TOTAL		\$ 49,335.00
EXPENDITURES:		

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600-012560-3310	Garage Repair & Maintenance Services	\$	2,396.00
600-012560-6009	Garage Repair & Maintenance Supplies		2,427.00
600-012560-8101	Garage Equipment		44,512.00
			<hr/>
		TOTAL \$	49,335.00

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

1. Contract with John Spangler

The Board approved renewing the contract with John Spangler for one year, a copy of which is filed with the records of this meeting.

2. Urgent Needs Open Submission (UNOS) Program

The Board approved the following documents related to the pre-contract for the UNOS program:

**SECTION 3 LOCAL BUSINESS AND EMPLOYMENT PLAN PULASKI COUNTY
TORNADO RECOVERY PROJECT FY 2011 URGENT NEEDS OPEN SUBMISSION
PROGRAM (UNOS) COUNTY OF PULASKI, VIRGINIA**

1. The County of Pulaski designates as its Section 3 Project Area the boundaries of Pulaski County.
2. The County of Pulaski, its contractors, and designated third parties shall in utilizing UNOS Grant funds utilize businesses and lower income residents of the Project Area in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for work and for procurement of materials, equipment or services for the Pulaski County Tornado Recovery Project, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the Project Area are:
 - (a) The County of Pulaski shall ascertain what work and procurements are likely to take place through the UNOS grant funds.
 - (b) The County of Pulaski shall ascertain through various and appropriate source(s) including the *Southwest Times* and *New River Valley Current* the business concerns within the Project Area which are likely to provide materials, equipment and services which will be utilized in the activities funded through the UNOS grant.
 - (c) The identified business concerns shall be apprised of opportunities to submit bids, quotes or proposals for work or procurement contracts which utilize

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UNOS funds.

- (d) To the greatest extent feasible the identified business and any other project area business concerns shall be utilized in activities which are funded with UNOS grant funds.
4. In the utilization of trainees or employees for activities funded through UNOS funds the County of Pulaski, its contractors and designate third parties shall take the following steps to utilize lower income persons residing in the Project Area.
- (a) The County of Pulaski in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be utilized during the project funded by UNOS funds.
 - (b) The County of Pulaski shall advertise through the *Southwest Times* and *New River Valley Current* the availability of such positions with the information on how to apply.
 - (c) The County of Pulaski, its contractors, and designated third parties shall be required to maintain a record of inquiries and applications by project area residents who respond to advertisements, and shall maintain a record of the status of such inquires and applications.
 - (d) To the greatest extent feasible, the County of Pulaski, its contractors, and designated third parties shall utilize lower income project area residents in filling, training and employment positions necessary for implementing activities funded by UNOS funds.
5. In order to ascertain substantial compliance with the above affirmative actions and Section 3 of the Housing and Community Development Act of 1968, the County of Pulaski shall keep, and require to be kept by contractors and designated third parties, listings of all persons employed and all procurements made through the implementation of activities funded by UNOS funds. Such listings shall be completed and shall be verified by site visits and interviews, crosschecking of payroll reports and invoices, and through audits if necessary.

FAIR HOUSING CERTIFICATION
PULASKI COUNTY TORNADO RECOVERY PROJECT
FY 2011 URGENT NEEDS OPEN SUBMISSION GRANT
COUNTY OF PULASKI, VIRGINIA

Compliance with Title VIII of the Civil Rights Act of 1968

WHEREAS, the County of Pulaski has applied for and intends to accept federal funds authorized under the Housing and Community Development Act of 1974, as amended, and

WHEREAS, recipients of funding under the Act are required to take action to affirmatively further fair housing;

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NOW THEREFORE, the County of Pulaski agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

**RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN
THE PULASKI COUNTY TORNADO RECOVERY PROJECTFY 2011 URGENT
NEEDS OPEN SUBMISSION GRANT COUNTY OF PULASKI, VIRGINIA**

The County of Pulaski will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate income dwelling units as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the County of Pulaski will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

- (1) a description of the proposed assisted activity;
- (2) the general location on map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
- (3) a time schedule for the commencement and completion of the demolition or conversion;
- (4) the general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
- (5) the source of funding and a time schedule for the provision of replacement dwelling units;
- (6) the basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and
- (7) information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low/moderate-income households in the jurisdiction.

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The County of Pulaski will provide relocation assistance to each low/moderate-income household displaced by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104 (d) of the Housing and Community Development Act of 1974, as amended, or the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The County of Pulaski's FY 2011 project includes the following activities:

- Housing Rehabilitation of seven (7) single-family owner-occupied units
- Substantial Reconstruction of six (6) single-family owner-occupied units
- Removal of one (1) blighted structure

The activities as planned will result in no permanent residential displacement but if displacement does occur the household will be provided relocation assistance and moving expenses to mitigate any potential difficulties associated with their moving. The County of Pulaski will work with the grant management staff, project area residents, and the Department of Housing and Community Development to insure that any changes in project activities do not cause additional displacement from or conversion of occupiable structures.

In all cases, an occupiable structure will be defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet code for \$25,000 or less.

NON-DISCRIMINATION POLICY PULASKI COUNTY TORNADO RECOVERY PROJECT COUNTY OF PULASKI, VIRGINIA

The County of Pulaski or any employee thereof will not discriminate against an employee or applicant for employment because of race, age, handicap, creed, religion, color, sex, or national origin. Administrative and Personnel officials will take affirmative action to insure that this policy shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; rates of pay or other forms of compensation; and selection for training.

3. Highway Safety Grants

The Board approved grant monies as follows:

\$27,000.00 – to assist the Pulaski/Giles Crash Team; and
\$20,610.00 – to assist with Selective Enforcement.

e. Personnel Changes

The Board reviewed recent personnel changes as provided by Norma Spence.

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f. Voting Credentials for VACo Annual Meeting

The Board designated Joe Sheffey as the voting delegate at the 2011 Virginia Associations of Counties annual meeting.

g. Resolution for Regional Bikeway, Walkway, Blueway Plan

The Board approved the proposed letter and all other documents associated with plan as well as the following resolution:

**RESOLUTION OF ENDORSEMENT
For the 2011 New River Valley Bikeway, Walkway, Blueway
Plan**

WHEREAS, Pulaski County has participated in the development of the Regional Bikeway, Walkway, Blueway Plan; and

WHEREAS, the information within the plan accurately reflects existing facilities and access points in our community; and

WHEREAS, the proposed information within the plan accurately reflects local planning and the input we provided during the plan development; and

WHEREAS, we support the development of a multimodal transportation system that interconnects people, destinations, and neighboring communities; now

THEREFORE BE IT RESOLVED, that Pulaski County endorses the 2011 New River Valley Bikeway, Walkway, Blueway Plan – sharing the common goals and interests identified in the regional vision;

BE IT FURTHER RESOLVED, that this resolution be included within the regional plan to affirm our support to the public, state, and federal agencies.

h. Adoption of Continuity of Operations Plan

The Board took no action on this matter. Staff was requested to place this matter on the October 24, 2011 Board agenda for review by the Board.

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i. Request to FEMA for New Lake Study

The Board approved requesting assistance from FEMA or the Department of Conservation and Recreation in funding a new flood study.

j. Letter to Congressional Delegation Regarding Risk to Local GPS

The Board approved contacting the County's Congressional Delegation asking for support as it relates to the risk to local GPS.

k. Reprimand of Contractor for Failure to Obtain Proper Permitting

The Board approved the sending of a letter to the Virginia Department of Occupational Licensing to address issue as it relates to a reprimand from the county to the contractor for repeatedly building in the county without obtaining approvals from Appalachian Power Company and the county.

l. Resolution in Support of Proposed New River Trail Extension

The Board approved the following resolution based on previous approval by the Board to funding the 20% local match:

Resolution in Support of the Proposed Extension of the New River Trail

Whereas, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order that the Virginia Department of Transportation program an enhancement project in the County of Pulaski, Virginia and,

Whereas, the New River Trail is located in the County of Pulaski and has been identified as one of the most visited State Parks in Virginia and,

Whereas, the County of Pulaski is working with localities throughout the region to extend the New River Trail into Montgomery County, via the City of Radford's River Way Trail Network and ultimately connect it to the Huckleberry Trail system in order to provide for additional commuting opportunities for residents of the New River Valley and,

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Whereas, the Engineering portion of the project was partially funded in FY07 in the amount of \$53,000 and \$94,000 in FY08 for the Engineering phase of the project and,

Whereas, the County of Pulaski wishes to apply for funding in this fiscal year for the construction of the project and believes time is of the essence.

Now, Therefore, Be It Resolved, that the County of Pulaski, requests the Commonwealth Transportation Board to establish a project for the improvement of the New River Trail extension.

Be It Further Resolved, that the County of Pulaski hereby agrees to pay a minimum 20 percent of the total cost for planning and design, right of way, and construction of this project, and that, if the County of Pulaski subsequently elects to cancel this project, the County of Pulaski hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation.

m. Joint Purchasing Policy

The Board approved the following Joint Purchasing Policy:

**Joint Purchasing Policy DJ:
PURCHASING OVERVIEW**

The Pulaski County Board of Supervisors and the Pulaski County School Board (the Boards), through the direction of the County Administrator and Superintendent of Schools, respectively, will attempt to obtain high quality goods and services at reasonable cost and to ensure that all procurement procedures will be conducted in a fair and impartial manner, and in accordance with the Code of Virginia/Virginia Public Procurement Act (VPPA), this policy, and within prescribed budgetary authority as set forth by the respective Boards.

The Boards have herein promulgated the joint purchasing policy to achieve the following objectives:

- To provide greater transparency and accountability;
- To insure fair and equitable treatment for all entities who conduct business with the County;
- To provide increased efficiency in procurement activities and to maximize the

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- purchasing value of public funds;
- To foster effective competitive negotiation;
- To demonstrate integrity throughout the purchasing process; and
- To promote uniformity of procurement across County component units, departments and offices.

We advocate equal opportunity both in purchasing and employment and encourage and seek participation from minority and women-owned businesses.

PURCHASING PROCEDURES

Use of Contracts: The Commonwealth of Virginia establishes contracts that are available for all local governing bodies and school divisions. The use of state contracts is encouraged. Similarly, purchases, regardless of amount, may be made without additional competitive procurement where an item can be obtained through an existing federal or local government contract. Further, purchases made through the Virginia Association of Counties, National Association of Counties, International City/County Management Association, Virginia Association of State College and University Purchasing Professionals, U.S. Communities and similar associations shall be treated in the same manner as state and federal contracts. Other cooperative procurement contracts may be entered into or used when it is determined by the County Administrator or Superintendent of Schools, or their designee, that such use is in the best interest of the County or schools and the contract was awarded based on competitive negotiation. All purchases made under state or other cooperative procurement contract must be evidenced by inclusion of the contract number in a conspicuous location on the purchase order.

Technology Purchases: All information technology hardware (copiers, computers, monitors, other peripheral devices, etc.), software (computer programs, applications, etc.), or related purchases, regardless of amount, must be pre-approved by the joint services Director of Information Technology, or said Director's designee.

Purchase Orders/Purchase Requisitions: All purchases, regardless of amount, must be pre-approved. Pre-approval for purchases in excess of \$1,000.00 must be evidenced by an executed purchase order or purchase requisition. All purchases shall be evidenced by an executed purchase order, unless exempted below. Purchases and solicitation of quotations from women, minority, and locally owned businesses are strongly encouraged.

Purchases in excess of \$5,000.00 but less than \$10,000.00 may be made after soliciting a minimum of three (3) documented telephone or email quotations. This documentation must accompany the respective purchase documents in order to be processed. Purchases in excess of \$5,000.00 made from school activity funds do not need to be encumbered in the school divisions finance system, but do need to comply with purchasing procedures.

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Purchases in excess of \$10,000.00 but less than \$30,000.00 shall be made after soliciting a minimum of three (3) written, email, or facsimile quotations from vendors. This documentation must accompany the respective purchase documents in order to be processed.

Purchases between \$30,000.00 and \$50,000.00 must be reviewed by the County Administrator, Superintendent of Schools, or their designee, to determine if competitive sealed bidding or competitive negotiation is required. Purchases in this range exempted from competitive sealed bidding or competitive negotiation must be evidenced by written authorization from the County Administrator, Superintendent of Schools, or their designee(s). Such purchases shall be made after soliciting a minimum of four (4) written, email, or facsimile quotations from vendors. This documentation must accompany the respective purchase documents in order to be processed.

Purchases of goods and/or services of \$50,000.00 or more shall only be made after competitive sealed bidding or competitive negotiation as provided for in this section unless otherwise permitted by law or allowed as an exception below.

Competitive Sealed Bidding: Purchases of \$50,000.00 or more, for other than professional services, shall be made through a competitive sealed bidding. The process will begin with the issuance of a written Invitation to Bid (ITB). ITB's will incorporate by reference the specifications, contractual terms, and conditions applicable to the procurement. When the terms and conditions of multiple awards are provided for in the ITB, awards may be made to more than one bidder. ITB's will be advertised at least 10 calendar days prior to the due date designated for receipt of bids.

Advertisement shall be made in a newspaper of general circulation within the County, on the County and School Board purchasing websites (<http://www.pulaskicounty.org/bids.htm> and <http://pcva.us/businessfinance/purchasing/RFPs/index.htm>, respectively) and for County procurements, on public notice boards at County administration offices. All bids received will be opened and announced publicly and tabulated on the respective websites. Evaluation of bids will be based on the requirements set forth in the ITB and other criteria as determined by management (such as quality, delivery, reputation of vendor) which may contribute to an acceptable procurement. Award will be made to the lowest responsive and responsible bidder(s). Bidder's performance will be evaluated to determine responsibility. Debarment status and records will be verified at the DPS eVA website at www.eva.virginia.gov. The County Administrator, Superintendent of schools, or their designee(s), reserve the right to reject any or all bids, or any part or parts thereof, and to make the award in the best interests of the local public body.

Competitive Negotiation: Required for selection of contractors and professional service providers where the amount of the contract is anticipated to equal or exceed \$50,000.00. The process will begin with the issuance of a written Request for Proposal (RFP) indicating; the terms and conditions of the procurement, the criteria to be used in evaluating the proposal, and those capabilities or qualifications that will be required of

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the contractor. When the terms and conditions of multiple awards are provided for in the RFP, awards may be made to more than one offeror. RFP's will be advertised at least 10 calendar days prior to the due date designated for receipt of proposals. Advertisement shall be made in a newspaper of general circulation within the County, on the County and School Board purchasing websites (<http://www.pulaskicounty.org/bids.htm> and <http://pcva.us/businessfinance/purchasing/RFPs/index.htm>, respectively) and for County procurements, on public notice boards at County administration offices. Proposals may also be solicited directly from potential contractors and contracting with women, minority, and locally owned businesses is encouraged. All proposals received will be opened and announced publicly and tabulated on the respective websites. Evaluation of proposals will be based on the requirements set forth in the RFP and other criteria as determined by the administration of the local governing body. Award will be made to the lowest responsive and responsible bidder(s) but price need not be the sole determining factor. Offeror's performance will be evaluated to determine responsibility. Debarment status and records will be verified through the Commonwealth's Department of General Services, Division of Purchases and Supply (DPS) eVA website at www.eva.virginia.gov. Should the public body determine that one offeror is more qualified than others under consideration; a contract may be negotiated and awarded to that offeror. The County Administrator, Superintendent of schools, or their designee(s), shall have the right to reject any or all proposals, or any part or parts thereof, and to make the award in the best interests of the local public body.

Procurement of professional services: Professional services (which include accounting, actuarial services, architecture, land surveying, landscape architecture, law, dentistry, medicine, optometry, pharmacy and professional engineering) can only be procured by competitive negotiation. The public body shall engage in individual discussions with two or more offerors deemed fully qualified, responsible and suitable on the basis of initial responses and with emphasis on professional competence, to provide the required services. Repetitive informal interviews shall be permissible. The offerors shall be encouraged to elaborate on their qualifications and performance data or staff expertise pertinent to the proposed project, as well as alternative concepts. At the discussion stage, the public body may discuss nonbinding estimates of total project costs, including, but not limited to, life-cycle costing, and where appropriate, nonbinding estimates of price for services. At the conclusion of discussion, the public body shall select in the order of preference two or more offerors whose professional qualifications and proposed services are deemed most meritorious. Negotiations shall then be conducted, beginning with the offeror ranked first. If a contract satisfactory and advantageous to the public body can be negotiated at a fair and reasonable price, the award shall be made to that offeror. Otherwise, negotiations with the offeror ranked first shall be formally terminated and negotiations conducted with the offeror ranked second, and so on until such a contract can be negotiated at a fair and reasonable price.

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Virginia Public Procurement Act and Code of Virginia: All procurement shall be made in accordance with the Code of Virginia and the Virginia Public Procurement Act (VPPA). To that end, all Invitations to Bid, Requests for Proposals, or other competitive procurement solicitations will incorporate the following nondiscrimination clause;

During the performance of this contract, the contractor agrees as follows:

The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.

Notices, advertisement and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

With the exception of purchasing thresholds as set forth in this document, any changes to the Virginia Public Procurement Act (VPPA) shall become part of this policy on the effective date of such changes. If purchasing thresholds as detailed in the VPPA become more restrictive than the thresholds listed in this policy, such thresholds in this policy shall be replaced with those listed in the VPPA.

Exceptions to Competitive Procurement:

1. Emergency Procurement - An emergency is an occurrence or event of a serious and urgent nature that requires immediate action. Emergency purchases are intended to provide an interim solution until proper procedures can be followed. Competition should be sought to the extent practicable and efforts should be made to negotiate a fair and reasonable price. Emergency purchases are not to be used for maintenance or alterations. The potential loss of year-end funds and/or poor planning is not considered adequate justification for an emergency purchase and will not be approved as such. As soon as practicable, after directing the contractor to proceed, a confirming purchase order should be prepared and attached to a written explanation describing the nature of the emergency and the reason the particular contractor was selected. All emergency purchases shall be reported to the County Administrator or Superintendent of Schools within 48 hours. In the event the County Administrator or Superintendent of Schools is unavailable, notification should be made to the Assistant County Administrator/Deputy Superintendent of Schools or the Director of Finance of the respective local governing body. Public posting is not required.

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2. Sole Source Procurement: A sole source procurement is authorized when there is only one source practicably available for the goods or services required; there is no competition available. A purchase may be made or a contract negotiated and awarded to that source without competitive sealed bidding or competitive negotiation but written justification must accompany the respective purchase and/or contract documents. The written justification must document why there is only one source practicably available, what is being procured, and why other goods could not be substituted. Sole source justification based solely on a single vendor's capability to deliver in the least amount of time is not appropriate since availability alone is not a valid basis for determining a sole source procurement. Sole source procurements greater than \$10,000.00 must be approved by the County Administrator or Superintendent of Schools, or their designee(s). Public posting is not required.
3. Other Exceptions: Competitive procurement and/or documentation of pre-approval is either not practical, available, or applicable for purchase, or disbursement of funds, for the following:
 - Travel expenses including mileage reimbursement.
 - Communication services, utility charges, and bulk fuel purchases.
 - Academic/research consulting services or specialized or proprietary training services unavailable to the general public.
 - Professional organizational membership dues.
 - Legal and accreditation fees.
 - Newspaper advertisements.
 - Purchase card statements (but not necessarily the underlying purchases).
 - Renewal of, and/or invoices pertaining to service/maintenance and insurance contracts and site licenses.
 - Purchases from federal, state or other local governing bodies.
 - Fees for referees, officials, umpires, judges, and those associated with participation in academic or athletic tournaments and events * including team lodging and registration.
 - Payroll benefits and tax liability payments.

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- Surplus property.

Related Parties and Conflict of Interest: In order to foster greater transparency, accountability, and trust in government, governing body purchases from related parties are prohibited without the prior written authorization of the County Administrator, Superintendent of Schools, or their designees. The governing body shall treat as related parties: employees and their spouses, parents, siblings, children, and members of the same household. Prohibition will extend to vending and solicitations on County and School Board property. Written authorizations must accompany related party purchase documents submitted for payment. Conflicts of interest, whether in form, substance, or appearance, are prohibited. Conflicts of interest are defined as acts by employees to advertise market, solicit, or otherwise promote the interests of a commercial or other for-profit organization for consumption or subsequent purchase by the governing body.

Violations: If any department or agency of the local governing body purchases or contracts for any supplies or contractual services contrary to the provisions of this purchasing policy, or the rules or regulations made or cited hereunder, such order or contract shall be void and the head of such department or agency shall be personally liable for the costs of such order or contract. Further, intentional violations of the purchasing policy by any employee of the local government shall result, at the discretion of the County Administrator or Superintendent of Schools, to suspension or removal, or other remedy as may be provided by law.

Adopted: September 26, 2011

n. Letter of Support for Renovation of Laurel Wood Apartment

The Board approved sending a letter of support for the improved weatherization and other improvements to the Laurel Wood Apartments, pending confirmation by the Town of Pulaski.

11. Citizen Comments

Ms. Ann Carpenter questioned the procedure for approving the "Items of Consent". Mr. Huber explained the process and provided requested enclosures from the September 26th Board packet.

Ms. Brenda Blackburn questioned the residential address of the new PSA appointee, Nancy Burchett, as well as requested an explanation of the procedure for appointments by the Board of Supervisors to the SA Board as it relates to districts. Mr. Huber described recent changes in the residential address for a current PSA Board member resulting in the Ingles District having two representatives.

Ms. Brenda Blackburn described efforts to obtain information related to property sold by the IDA to Charles Cook and the failure by county staff to

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provide requested documentation. Mr. Sheffey requested county staff review the request and provide an update to the Board as convenient.

Rev. C. R. Conner inquired as to the steps taken to distribute the \$1.4 million received for tornado relief efforts. Mr. Huber described the process, as well as the steps required to meet federal standards, resulting in delays. Reverend Conner inquired if money will assist specific areas of town and county. Mr. Huber advised monies earmarked for the county will assist properties located in the town limits.

Ms. Genie Zunic expressed concern over the lack of response by Board members to citizen request for withdrawal by the Board from the NRV Livability Initiative process. Ms. Zunic also questioned the need for a local planning office if work is being done by Planning District Commission, inquired as to the purpose of the September 20th Board of Zoning Appeals meeting and expressed displeasure over the proceedings of Board meeting as it relates to individuals speaking before the Board.

Mr. Sheffey advised that Supervisors Pratt and Bopp represented the Board of Supervisors on the Committee overseeing the tornado relief fund and attended regular meetings immediately following the tornado events and all subsequent meetings thereafter.

Mr. Utt explained the purpose of the BZA meeting referenced by Ms. Zunic was to address an issue related to long term campers, the provision of adequate sanitary sewer systems and options available through the zoning ordinance.

12. Other Matters from Supervisors

Mr. Sheffey expressed appreciation to the citizens in attendance at the meeting and explained the Board's desire to receive citizen input.

Mr. Sheffey reminded citizens to contact their federal elected officials for concerns related to addressing questions that were posed to the Board related to connections between "Agenda 21" and the "NRV Livability Initiative".

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13. Adjournment

On a motion by Mr. Bopp, seconded by Mr. Pratt and carried, the Board of Supervisors adjourned its regular meeting. The next regular meeting of the Board of Supervisors is scheduled for Monday, October 24, 2011 beginning with a Closed Session at 6:00 p.m. and regular session at 7:00 p.m. with said meeting being held in the Board Room of the County Administration Building 143 Third Street, NW, in the Town of Pulaski, Virginia.

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

Voting no: None.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator