

BOARD OF SUPERVISORS MEETING MINUTES OF NOVEMBER 28, 2011

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, November 28, 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. Diane Newby, Finance Director, and Gena Hanks, Clerk to the Board of Supervisors, joined the regular session at 7:00 p.m.

1. Closed Session – 2.2-3711.A.1.3.5.7

Chairman Sheffey called the meeting to order and advised a Closed Session would need to be held as follows:

A closed 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 _____, seconded by _____ and carried, the Board of Supervisors entered a Closed Session for discussion of the following:

Personnel – Pursuant to Virginia Code Section 2.2-3711(A)1 discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding:

- Appointments

Property Disposition or Acquisition – Pursuant to Virginia Code Section 2.2-3711(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- Corporate Center Property Transfer
- Sheriff's Office Relocation
- Mobile Classroom
- Maple Shade Farmers' Market

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:

- Phoenix Packaging Expansion

Legal Matters – Pursuant to Virginia Code Section 2.2-3711(A)7 consultation with legal counsels and briefing by staff for discussion of

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specific legal matters and matters subject to probable litigation regarding:

- None

Return to Regular Session

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

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

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

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

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

Voting no: none.

Mr. Sheffey welcomed the Boy Scout members and families to the Board meeting and explained the purpose of their visit was efforts in working towards obtaining merit badges.

Mr. Sheffey welcomed Board-elect members Andy McCready and Ranny O'Dell to the meeting.

2. Invocation

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Mr. Sheffey called for a moment of silence in memory of the passing of Treasurer Melinda Worrell's father, Melvin Lyons, as well as the passing for former Board of Supervisor member Charles Cook.

The invocation was provided by Bishop David Hoover of the Pulaski Christian Church.

3. Presentations

As reported in the Board packet, no employees were scheduled for designation as featured employees at the November Board meeting due to the employee Christmas breakfast being held on December 2nd, with employees recognitions to be held at that meeting.

4. Additions to Agenda

Mr. Huber advised of the following additional agenda items:

- Acceptance of Mobile Classrooms from School Board for transfer to IDA to assist Phoenix Packaging for expansion;
- Transfer of Corporate Center property to IDA for use to promote industries; and
- Scheduling of a presentation of resolution to family of Charles Cook

5. Public Hearings

- a. Petition by McClure, Danny P. & Gloria G. to rezone property located at 5196 State Park Road, (Rt. 660), from Residential (R1) to Commercial (CM1), map no. 057-001-0000-0011, Ingles District.
(Public hearing held – No comments –
Board approved as recommended by
Planning Commission – Notify applicant) Ms. Wright
- b. Petition by Arnold, Marie Rollins and Hendricks, Barbara Ann for a Special Use Permit (SUP) to allow a Dwelling, Patio Home at 5163 and 5157 Baskerville St., zoned Residential (R1), map no. 056-001-0000-0022; 056-001-000-022C, Draper District.
(Public hearing held – No comments –
Board approved as recommended by
Planning Commission – Notify applicant) Ms. Wright
- c. Petition by the County of Pulaski to amend the following section(s) of the Pulaski County Zoning Ordinance:
 - Article 18: Site Development Plan; remove Section 18-3.15.
(Public hearing held – No comments –

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Board approved as recommended by
Planning Commission – Amend
Zoning ordinance)

Ms. Wright

Mr. Utt described the following staff analysis which was reported in the Board packet: *The owner is requesting approval of a Special Use Permit (SUP) to allow placement of a 15 ft. high monument sign at 5' ft. setback from the property line adjacent to the right-of-way. The sign will display businesses to be located in the newly constructed "strip mall" located to the northeast of the sign. 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 15 ft.*

Mr. Sheffey opened the public hearing.

There being no further comments, the public hearing was closed.

On a motion by _____, seconded by _____ and carried, the Board approved

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

Pratt.

Voting no: None.

6. Citizen Comments

There were no 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

- Review of Highway Matters Section of Key Activity Timetable (KAT)
(Mr. Clarke reported VDOT continued to work towards addressing road concerns on KAT, including speed studies – Mr. Sheffey inquired as to the timetable for VDOT conducting speed studies – Mr. Clarke advised

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VDOT has limited staff working on speed studies)

1. Update from VDOT on Highland Road Speed Study Request
(Mr. Clarke reported no work had been done on Highland and Morgan Farm – Mr. Clarke advised VDOT would review potential for installing warning signs around the curves)

c. Citizen Comments

There were no citizen comments at this time.

d. Board of Supervisors Comments

(Mr. Akers advised he had received good comments from citizens re: the chevrons on Little River Dam Road, but noted one may need to be lowered to avoid blocking site distance)

Mr. Clarke

(Mr. Akers requested VDOT review road at Snowville Baptist Church for potential need to repaint lines)

Mr. Clarke

(Mr. Conner requested VDOT recheck the areas of Hatcher Road in need of lines)

Mr. Clarke

(Mr. Conner advised of a hole in the shoulder at intersection of Cougar Trail and Rt. Rt. 11 – VDOT to review)

Mr. Clarke

(Mr. Bopp requested VDOT staff follow-up on formal speed study for Thaxton Road – VDOT to review)

Mr. Clarke

(Mr. Bopp inquired re: status of VDOT review of grate on Veterans Hill – Mr. Clarke advised review was on VDOT schedule)

Mr. Clarke

(Mr. Bopp requested an informal speed study on Brookmont Road, noting resident is requesting 35 mph posting – VDOT To review – Place on KAT)

Mr. Clarke

Ms. Hanks

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(Mr. Pratt advised a pothole that had been repaired on Barrett Ridge Road had redeveloped – VDOT to review)

Mr. Clarke

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(Mr. Pratt advised of chunks of concrete coming off of I81 bridge under Peak Creek as a result of erosion – VDOT to review)

Mr. Clarke

(Mr. Sheffey inquired if Rt. 114 bridge is on schedule – Mr. Clarke advised bridge work was on schedule)

(Mr. Sheffey advised of potholes as the road transitions from two to four lanes on Rt. 114 at the Pepper's Ferry entrance – VDOT to review)

Mr. Clarke

(Mr. Huber advised of a request from residents to bring Waterfront Farms road up to VDOT standards, noting the issue was that the culvert does not meet standards – Mr. Huber advised this matter may be brought before the Board and VDOT in the future by residents along the road)

8. Treasurer's Report

Ms. Worrell was unable to attend the meeting due to the passing of her father; however, a written monthly report had been provided and was distributed to the Board.

9. Reports from the County Administrator & Staff:

On a motion by _____, seconded by _____ 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.

a. Appointments:

1. Wireless Authority

(Vacant positions exist in Massie and Robinson districts – Local newspapers requested to announce vacancies in newspapers – Place on future agenda)

Ms. Hanks

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2. Clean Community Council
(Reappointed Al Davis for a term ending
November 30, 2014 – Update appointment
list) Ms. Wright

3. Fairview Home Board
(Reappointed Dean Pratt for a term
ending December 31, 2015 – Update
appointment list) Ms. Hanks

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4. Library Board
(Reappointed John Freeman for a term ending December 31, 2015 and Elinor Morgan, pending notification of Ms. Morgan's desire to continue service – Place appointment on December agenda, should Ms. Morgan not wish to be reappointed – Update appointment listing) Ms. Hanks
 5. New River Criminal Justice Training Academy
(No appointment due – Staff noted error in reporting and the appointment should have been for New River Highlands Resource Conservation Council – Place on December agenda) Ms. Hanks
 6. New River Valley Development Corporation
(Authorized inviting Jim Neighbors and Mark Hamric - Place on future agenda) Ms. Hanks
 7. PEP Steering Committee
(Reappointed Joe Sheffey for a term ending December 2015 – Update appointment listing) Ms. Wright
 8. Public Service Authority
(No action – Place on January Board agenda) Ms. Hanks
 9. Pulaski County Sewerage Authority
(Reappointed Ron Coake and Kyle Dehart for additional terms – Determine term limit and update appointment list) Ms. Wright
 10. CDBG Housing Management Team
(Appointed Tom McCarthy, County Attorney; David Warburton, Town Attorney; and Brian Reagan Community Planning Partners Management Consultant) Mr. Utt
- b. Key Activity Timetable

(Mr. Sheffey inquired if the Highland Park Sewer

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was completed – Mr. Huber explained the job is completed; however, pay application is pending)

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(Mr. Sheffey commended Mr. Hiss and the Eternal Flame Committee for the work in establishing a new eternal flame and noted he had received many positive comments from the citizens in the county)

c. Purchase of Verizon Building

(Approved purchase of Verizon building)

Mr. Huber/
Mr. McCarthy

d. Applicability of Unsafe Properties Ordinance

(Mr. Huber provided updates on the following properties:

- Theodor Bourne and Ruth Miller property located at 3817 Boone Furnace Road – unsecured, deteriorated and overgrown.
- Kelso Lewis property located along New River Road – unsecured, deteriorated and overgrown.
- James Sayers property located at 4674 Wolfe Lane located off of Veterans Hill Road – unsecured deteriorated and overgrown.
- Patrick Shelton property – Mr. Hiss advised lien on Shelton property was last resort

Board confirmed applicability of unsafe properties ordinance to properties)

Ms. Hampton/
Ms. Grubb

(Mr. Akers expressed support for county staff in efforts to enforce unsafe properties ordinance)

e. Update from Code Enforcement Officer

(Mr. Radcliffe provided an update on homes torn down and 2011 inmate labor cost savings)

Jamie Radcliffe

(Mr. Sheffey commended Mr. Radcliffe for code enforcement efforts

10. Items of Consent

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(Mr. Sheffey pulled out of the Items of Consent, item r – “Follow-up from October 24th Board meeting” for separate acceptance and vote)

On a motion by _____, seconded by _____ and carried, the Board approved the following items of consent.

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

a. Approval of Minutes of October 24, 2011 Meetings

The Board approved the October 24, 2011 minutes.

b. Accounts Payable

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

c. Interoffice Transfers & Appropriations

The Board approved the following interoffice transfer totaling \$_____ and appropriations as follows:

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

1. Architect Services Contracts

(Approved entering standardized contract with Thompson & Litton, CRA, Tom Douthat and OWPR, as well as maintaining a relationship with Glenn Reynolds in order to provide continuity in the renovation of the Maple Shade facility)

Mr. Linkous

2. Memorandum of Agreement - Window Replacement

(Approved)

Mr. Linkous

3. Acceptance of 2009 State Homeland Security Grants

(Approved)

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e. Personnel Changes

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

f. Big Brothers/Big Sisters Volunteering by Employees

(Approve policy allowing county employees who are interested in volunteering for Big Brothers/Big Sisters service to take one hour a week on county time - Notify employees through Grapevine)

Ms. Hanks/
Mr. Hiss

g. Funding for Master Financial Educator VISTA Program

(Approved funding of \$1,500 towards VISTA program)

Ms. Newby

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- h. Resolution of Appreciation – Tom Lawhorn
(Approved - Invite Mr. Lawhorn to attend
December meeting for formal presentation –
Place on December agenda)

Ms. Duncan
Ms. Hanks
- i. Agency on Aging Request for Advocating for Funding
(Approved writing Governor and advocating
including funding for Agencies on Aging
in the FY 2013 budget)

Mr. Huber
- j. Opposition to Joint Resolution 693
(Approved sending letter of opposition)

Ms. Hanks
- k. CDBG Tornado Grant
(Approved documents related to grant)

Mr. Utt
- l. NRV Hazard Mitigation Plan
(Approved and adopted resolution –
Arrange for execution of resolution)

Mr. J. Tolbert
Ms. Duncan
- m. Mobile Classrooms
(Approved transfer of mobile classroom
to the IDA, if received from School Board)

Mr. Utt
- n. Claytor Lake Relicensing/Shoreline Management
Plan
(Approved joining with Friends of Claytor
Lake in requesting consideration of AEP
to participate in a Federal Energy Regulatory
Commission resolution process in order to
address issues with dock size, seawall
specifications and other shoreline management
issues)

Mr. Huber
- o. Petty Cash Account
(Approved establishment of a petty cash fund
in the amount of \$300 allowing for staff
to record items at the courthouse, make
change when receiving payment for FOI
requests and provide for minor office expenses –
Establish fund and notify administration
employees of procedures for using fund)

Ms. Newby
- p. Credit Card Machine for Animal Shelter
(Authorized placement of credit card machine

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in Animal Shelter to allow for accepting credit card payments for adoption fees)

Ms. Newby

- q. Receipt of Virginia Public Records, Conflict of Interest and Freedom of Information Acts
(Board acknowledged receipt of both documents)
- r. Follow-up from October 24th Board meeting
(Detailed explanation provided on request for information by Brenda Blackburn as it relates to property transfer to Mike Boyer)
- s. Pass Through of Animal Friendly License Plate Revenue to Pulaski County Humane Society
(Approved designating \$690 from Virginia Dept. of Motor Vehicles which was collected from Pulaski County drivers purchasing Animal Friendly tags to the Pulaski County Humane Society – Notify DMV)

Ms. Hanks

11. Citizen Comments

(Brenda Blackburn read excerpts from Virginia County Supervisors Manual as it relates to conflict of interests)

(Ms. Blackburn requested the Board consider asking the Community Activities Director to hold regular community meetings to allow for public comments on recreation matters in the county)

(Ms. Blackburn expressed concern as it relates to her understanding of an issue involving a juvenile from another county being allowed to participate in Pulaski County sports)

(Ms. Blackburn expressed concern as it relates to her understanding of an issue involving an adult from another community being allowed to coach a little league recreation team in Pulaski County)

12. Other Matters from Supervisors

(Mr. Sheffey commended Robert Hiss and Shawn Utt for receiving the Chamber's "Unsung Hero"

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award at the 2011 Chamber Annual Banquet)

(Mr. Sheffey commended Mr. Hiss on his appointment as the Chamber's President-Elect for the 2013 Chamber year)

(Mr. Sheffey advised the press in attendance of plans by Board members to attend the Employee Christmas breakfast on Friday, December 2nd at 7:00 a.m., noting three or more Board members would be in attendance - Mr. Sheffey also invited newly elected Board members to attend the breakfast)

(Mr. Sheffey advised that following the breakfast on December 2nd Board members had been invited by the Town of Pulaski to tour the Dalton building in downtown Pulaski – Mr. Sheffey also invited newly elected Board members to participate in the tour)

(Mr. Huber advised that staff have scheduled weekly informational sessions with Board of Supervisors-Elect and invited other Board members to attend as well)

(Mr. Sheffey reminded press and citizens in attendance that the December Board meeting would be held one week earlier on December 19th due to the holidays)

13. Adjournment

On a motion by _____, seconded by _____ and carried, the Board of Supervisors adjourned its regular meeting. The next regular meeting of the Board of Supervisors is scheduled for Monday, December 19, 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.

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Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator