

BOARD OF SUPERVISORS MEETING MINUTES OF JANUARY 9, 2012

At an organizational meeting of the Pulaski County Board of Supervisors held on Monday, January 9, 2012 at 7:00 p.m. at the Pulaski County Administration Building, Board Room, 143 Third Street, NW, in the Town of Pulaski, Virginia, the following members present included: Joseph Sheffey; Charles Bopp; Andy McCready; Ranny O'Dell; and Dean Pratt. Staff members present included: County Administrator, Peter M. Huber; County Attorney, Thomas J. McCarthy, Jr.; Robert Hiss, Assistant County Administrator; and Gena T. Hanks, Clerk.

Mr. McCarthy called the meeting to order and advised he would serve as parliamentarian until a chairman is elected.

1. Swearing In and Invocation

Maetta Crewe, Clerk of Circuit Court, conducted the swearing in ceremony for the Board of Supervisors. Each member took an oath of office.

The invocation was given by County Attorney, Thomas J. McCarthy, Jr. who also presided during the selection of a Chair.

2. Organizational Items

a. Election of Chairman, Vice Chairman and Designation of Term of Office

On a motion by Mr. McCready, seconded by Mr. Pratt and carried, the Board elected Joe Sheffey as Chair for a four-year term.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

Mr. Sheffey thanked the Board of Supervisors for the vote of confidence placed in him by the election as Chair. Mr. Sheffey indicated the overall Board members service would be to represent all citizens of Pulaski County and not a political party.

Mr. Sheffey also thanked Ms. Crewe for taking the time to attend the special Board meeting and issuing the oath of office to the Board of Supervisor members.

On a motion by Mr. Pratt, seconded by Mr. O'Dell and carried, the Board elected Charles Bopp as Vice Chair for a two-year term.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

At this time, Chairman Sheffey presided over the remainder of the meeting.

b. Designation of Seating Arrangement in Board Room

Mr. Huber advised the current seating arrangements were based on the previous Board's seating.

Mr. McCready suggested, and the Board concurred, with switching seats with Mr. O'Dell.

On a motion by Mr. McCready, seconded by Mr. Bopp and carried, the Board of Supervisors approved the following designation of seating in the Board Room left to right facing the dais: Massie, Ingles, Cloyd, Robinson and Draper Districts.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

c. Establishment of Regular Meeting Date, Place and Time

Mr. Huber recommended continuing with the current meeting date of the fourth Monday of each month at the County Administration Building with Closed Session beginning at 6:00 p.m. and the regular meeting at 7:00 p.m.

On the motion of Mr. Pratt, seconded by Mr. McCready and carried, the Board of Supervisors approved continuing to meet on the fourth Monday of each month at the County Administration Building and beginning the Closed Session portion of the meeting at 6:00 p.m., with the regular meeting to begin at 7:00 p.m. The Board noted the only exceptions to meeting on the fourth Monday were with the May and December meeting dates which would be moved from the fourth Monday to the third Monday to avoid conflicts with Memorial Day and Christmas Day.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

d. Establishment of Alternate Date Due to Continuation for Hazardous Weather or Other Conditions

On the motion of Mr. Bopp, seconded by Mr. O'Dell and carried, the Board of Supervisors approved the alternate date for meetings due to hazardous weather, or other conditions, to be the Monday following the regular meeting date at the same time and location.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

e. Review of By-Laws

On a motion by Mr. McCready, seconded by Mr. Pratt and carried, the Board approved amending the Board of Supervisors By-laws in Article III and IV related to Clerk calling for vote and appointment of Clerk, as well as change to Section I related to citizens wishing appointment with the Board, with said change requiring a one-page summary submitted four working days prior to Board meetings.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

f. Acknowledgment of Receipt of Freedom of Information and Conflict of Interest Acts

Each Board of Supervisor member acknowledged receipt of the current Freedom of Information Act and Conflict of Interest Act.

Mr. Sheffey presented county dress shirts to Mr. McCready and Mr. O'Dell as the newest Board members.

3. Appointments:

Mr. McCready recommended the Board enter into a Closed Session to discuss needed appointments to the various boards and commissions.

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Mr. Sheffey indicated a Closed Session had been requested pursuant to Section 2.2-3711.A.1 of the 1950 Code of Virginia, as amended, to discuss personnel matters.

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board of Supervisors entered a Closed Session pursuant to Virginia Code Section 2.2-3711(A)1 appointments.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

Return to Regular Session

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

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp, Mr. Pratt.

Voting no: none.

Certification of Conformance with Virginia Freedom of Information Act

On a motion by Mr. McCready, 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. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

a. Board Appointments:

1. Tie-Breaker

On a motion by Mr. McCready, seconded by Mr. Pratt and carried, the Board took no action to establish a tie-breaker member. Therefore, no tie-breaker will be used and any tied vote will result in a failed motion.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

2. Clerk

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board reappointed Gena Hanks as Clerk, per staff recommendation.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

3. County Attorney

Mr. Sheffey advised that Tom McCarthy had provided services as County Attorney for many years.

On a motion by Mr. Bopp, seconded by Mr. O'Dell and carried, the Board approved continuing contractual services with Tom McCarthy as County Attorney.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

4. County Administrator

Mr. Sheffey described Peter Huber's services to the county over the past 25 years, including his service as Assistant County Administrator. Mr. Sheffey advised the Board and Pulaski County

citizens were fortunate to have Mr. Huber's past and present services.

On a motion by Mr. McCready, seconded by Mr. Bopp and carried, the Board approved Peter Huber continuing to serve as County Administrator.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

5. Director of Emergency Management

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board approved the continuation of Peter Huber's services as Director of Emergency Management in conjunction with duties as County Administrator.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

b. Board Assignments:

On a motion by Mr. Bopp, seconded by Mr. McCready and carried, the Board approved the following appointments to the various boards, commission and authorities for which appointees are designated by the Pulaski County Board of Supervisors.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

1. Planning Commission

The Board appointed Dean Pratt to serve as the liaison on the Planning Commission, filling the vacancy created by Frank Conner.

2. New River Valley Planning District Commission

The Board approved the continuation of Joe Sheffey and Charles Bopp's service on the Planning District Commission, noting

Mr. Bopp's term will expire on June 30, 2012, at which time an individual from another locality will be appointed.

3. Board of Social Services

The Board approved Mr. Bopp continuing to serve on the Social Services Board, with Joe Sheffey continuing to serve as a citizen representative.

4. Pulaski Encouraging Progress Steering Committee

Mr. Huber advised that Mr. Bopp was unable to continue his service on the PEP Steering Committee due to time constraints. The Board appointed Andy McCready to fill the vacancy created by Mr. Bopp. The Board also confirmed the continued service of Joe Sheffey on the Steering Committee.

5. Virginia Association of Counties (VACo)

Mr. O'Dell expressed an interest in serving on the Virginia Association of Counties Transportation Committee based on his experience in bridge work. Staff was directed to contact VACo to determine the process of registering Mr. O'Dell on the VACo Transportation Committee.

6. Workforce Investment Board (Chief Local Elected Official's Board)

The Board appointed Andy McCready to service on the New River Mount Rogers Consortium Board.

7. Fairview Home Board

The Board approved the continued service by Dean Pratt on the Fairview Home Board.

8. Economic Development Alliance

The Board approved the appointment of Charles Bopp to the NRV Economic Development Alliance, with Shawn Utt as first alternate and Peter Huber as second alternate.

9. New River Resource Authority (NRRA) & Recycling Committee

The Board approved Frank Conner and Joe Sheffey continuing to serve on the New River Resource Authority and noted consideration to the appointment of Mr. McCready, following the end of said term.

The Board also approved Ronnie Nichols continuing to serve on the NRRA Recycling Committee.

10. Pepper's Ferry Regional Wastewater Treatment Authority

The Board approved the continued service of Frank Conner to the Pepper's Ferry Authority until his term expires on December 31, 2012, with consideration to the appointment of Joe Sheffey at the end of said term.

11. Virginia's First Regional Industrial Facilities Authority

The Board approved Andy McCready serving on the Authority, as well as the continued service of Joe Sheffey as an alternate.

12. Indoor Wellness Committee

The Board approved adding Dean Pratt to the Indoor Wellness Committee filling a position previously held by former Board member Ranny Akers.

13. Tornado Finance Committee

The Board approved the continued service of Charles Bopp and Dean Pratt on the Tornado Finance Committee

14. Public Service Authority

Mr. Huber advised that former Board member Frank Conner had services as a floating alternate on the PSA Board. The Board took no action to fill the alternate position at this time.

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15. Regional Jail Authority

The Board approved the continued service of Frank Conner on the Regional Jail Authority Board for an additional two years, with consideration to Andy McCready's appointment to the Authority Board at the end of Mr. Conner's two year term.

16. Local Emergency Planning Committee

The Board approved the continued service of Andy McCready and Dean Pratt to the Local Emergency Planning Committee.

17. Joint Services Board

The Board approved the continued service of Joe Sheffey and Dean Pratt to the Joint Services Board.

18. Regional Emergency Medical Services Incorporated (REMSI) Board

The Board approved the appointment of Josh Tolbert to the REMSI Board, as well as the continued service of David Stanley, with Joe Sheffey serving as an alternate.

19. Pulaski County Public School Education Foundation

The Board approved the continued service of Joe Sheffey and Tom McCarthy to the Pulaski County Public School Education Foundation.

20. New River Valley Fair Board

The Board approved the continued service of Dean Pratt to the New River Valley Fair Board.

4. Fiscal Agent Commitments

Mr. Huber reported Pulaski County's commitments as fiscal agent for the following and described the process for the acceptance of money and expenditure on behalf of the regional boards:

- a. Joint Comprehensive Services Act
- b. New River Pre-Trial Services Board
- c. Regional Emergency Medical Services, Incorporated (REMSI)

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On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board confirmed the following commitments to agencies where Pulaski County serves as fiscal agent:

- a. Joint Comprehensive Services Act
- b. New River Pre-Trial Services Board
- c. Regional Emergency Medical Services, Incorporated (REMSI)

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: none.

5. Scheduling of Goal Setting and Facility Tour

Mr. Huber suggested the Board schedule a goal setting session for mid March at 6:00 p.m., allowing for the new Board members to have an opportunity to solicit ideas from the public on potential goals. Mr. Huber also offered to provide facility tours as needed by the Board members, including the Verizon building which is planned for housing the Sheriff's offices. Staff was directed to provide potential dates for a goal setting session in an upcoming weekly update.

Mr. McCready advised he had been working with Ron Nichols in scheduling tours of the various school buildings.

Mr. Sheffey suggested Board members contact Mr. Huber directly to schedule individual tours of various county facilities.

6. Other Matters

Mr. Huber advised that Mr. Al Davis had expressed concern over panhandling that is taking place at the Walmart in Fairlawn, specifically with the individuals portraying themselves as Veterans.

Mr. McCarthy suggested staff inquire of the Commonwealth Attorney of any potential action that can be taken to deter panhandling in the county.

Pond Lick Hollow

Mr. Huber advised of a safety concern with a bridge on Pond Lick Hollow and explained the weight limit restrictions were preventing citizens from receiving fire protection services, as well as difficulties in getting children to school, trash disposed of and homes heated. Mr. Huber requested the Board

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approve the sending of a letter to VDOT expressing concerns regarding the weight restrictions.

On a motion by Mr. Bopp, seconded by Mr. Pratt and carried, the Board approved sending a letter to the appropriate VDOT representatives expressing concerns regarding weight limit restrictions which prohibit adequate fire protection, as well as difficulties in getting children to school, trash disposed of, and homes heated.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp, Mr. Pratt.

Voting no: none.

Mr. Sheffey advised that Mr. McCready had requested an opportunity to speak regarding other matters.

Mr. McCready expressed appreciation to staff for efforts in working with him and Mr. O'Dell in providing orientation in their role as new Board of Supervisor members. Mr. McCready advised he had spent quite a number of hours working with county leadership team members on the various aspect of county government. Mr. McCready also advised that at his request, Mr. Huber had developed the following "Protocol for Addressing Issues Requiring Action Prior to the Next Board of Supervisors Meeting".

1. Staff, or administrator, determines the minimum action needed prior to the next Board of Supervisor's meeting in order for the project or proposal to proceed.
2. County Administrator, Assistant County Administrator, or Leadership Team member calls each member of the Board of Supervisor in order to provide a description of the situation while requesting unofficial confirmation from Board members as the proposed course of action. Verbal approval, or disapproval, by individual Board members is not binding, but serves to ensure Board members are aware of the situation, provide the Board members with the opportunity to provide input as to possible alternative courses of action and to provide the staff with a sense of how Board members feel about the proposed course of action.
3. Overall project and specific action is described in the "Response by Wednesday" section of the weekly update in order to provide a written record of the information provided to the Board and to serve as a placeholder in the development of the next Board of Supervisors meeting.
4. Item to be placed on the agenda for ratification by the Board of Supervisors at their next meeting either as part of reports from County Administrator, or under Items of Consent.

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In summary, Mr. McCready advised the above steps would allow for feedback by Board of Supervisors in the tracking of action taken by County staff where Board of Supervisor approval will be requested at the regular Board meetings.

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board approved the following:

Protocol for Addressing Issues Requiring Action Prior to the Next Board of Supervisors Meeting

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3. Overall project and specific action is described in the "Response by Wednesday" section of the weekly update in order to provide a written record of the information provided to the Board and to serve as a placeholder in the development of the next Board of Supervisors meeting.
4. Item to be placed on the agenda for ratification by the Board of Supervisors at their next meeting either as part of reports from County Administrator, or under Items of Consent.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp, Mr. Pratt.

Voting no: none.

Mr. Pratt and Mr. Bopp welcomed Mr. O'Dell and Mr. McCready to the Board of Supervisors.

Mr. McCready thanked the voters of Pulaski County for confidence placed in electing him as a Board member, noting his service as a Board member will allow him the opportunity to give back to the community. Mr. McCready expressed his appreciation for the opportunity to work to make a difference in local government, as well as make a contribution to Pulaski County government.

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Mr. McCready also thanked his wife and God for providing strength to work as a Board member.

Mr. O'Dell thanked everyone who helped him to become a Board member.

Mr. Sheffey advised the press and public of the potential to have three or more Board of Supervisors members present at the following events:

- Meeting with Chamber at Visitors Center, Tuesday, January 10th at 7:30 p.m.; and
- Dedication of home as part of tornado Recovery efforts, First United Methodist Church, Thursday, January 12, 6:00 p.m.)

Ms. Jean Evans advised of the passing of long time Pulaski County resident Dorothy (Dot) Sheffey. Ms. Evans shared with the Board the funeral arrangements for Ms. Sheffey.

7. Adjournment

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, to adjourn its organizational meeting. The next regularly scheduled meeting is to be held on Monday, January 23, 2012 beginning with a Closed Session at 6:00 p.m. and the regular meeting at 7:00 p.m., with said meeting to be held at the County Administration Building, 143 Third Street, NW, Board Room, in the Town of Pulaski, Virginia.

Voting yes: Mr. O'Dell, Mr. McCready, Mr. Sheffey, Mr. Bopp, Mr. Pratt.

Voting no: none.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator