

## BOARD OF SUPERVISORS MEETING MINUTES OF JANUARY 23, 2012

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, January 23, 2012 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; Andy McCready; Ranny O'Dell; 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 Mr. Bopp, seconded by Mr. Pratt 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:

- Strenz Property Trade
- Farmers Market Building

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:

- None

Legal Matters – Pursuant to Virginia Code Section 2.2-3711(A)7 consultation with legal counsels and briefing by staff for discussion of specific legal matters and matters subject to probable litigation regarding:

- None

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Voting yes: Mr. McCready, Mr. O'Dell, Mr. Sheffey, Mr. Bopp,  
Mr. Pratt.  
Voting no: None.

### Return to Regular Session

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

Voting yes: Mr. McCready, Mr. O'Dell, Mr. Sheffey, Mr. Bopp, Mr. Pratt.  
Voting no: None.

### Certification of Conformance with Virginia Freedom of Information Act

On a motion by Mr. Bopp, seconded by Mr. McCready 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. McCready, Mr. O'Dell, Mr. Sheffey, Mr. Bopp,  
Mr. Pratt.  
Voting no: None.

## 2. Invocation

Mr. Sheffey reminded the Board of the passing of Dot Sheffey and also advised the Board of the passing of former Board member J. Robert Dobyns. Mr. Sheffey described the contributions by Ms. Sheffey and Mr. Dobyns to the county

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and New River Valley. Mr. Sheffey called for a moment of silence in memory of the passing of Dot Sheffey and Robert Dobyns.

The invocation was provided by Tom McCarthy, County Attorney.

### 3. Presentations

#### a. Presentation of Resolution - Charles Cook Family

Mr. Sheffey read the resolution previously adopted by the Board of Supervisors recognizing former Board of Supervisors member Charles Cook and presented a framed resolution to the Cook family, which included his spouse Shirley Cook and son Chuck Cook and family.

#### b. Featured Employees

The Board recognized Daniel Poff and Mark Pratt of the PSA Refuse Collection Department as the featured employees for the month of February. Job summaries for Mr. Poff and Mr. Pratt were read aloud by Supervisor Sheffey. Mr. Poff and Mr. Pratt were unable to attend the meeting; however, a gift certificate to Fatz Café will be sent to both employees.

#### c. Adoption and Presentation of Resolution for Sally Quesenberry

On a motion by Mr. Bopp, seconded by Mr. O'Dell and carried, the Board adopted the following resolution recognizing Social Services employee Sally Quesenberry who is scheduled to retire on January 31, 2012.

### **RESOLUTION OF APPRECIATION Sally Quesenberry**

**WHEREAS, Sally Quesenberry** has worked with the Department of Social Services for 42 years from May 16, 1969 to December 31, 2011; and

**WHEREAS, Sally Quesenberry** has provided outstanding leadership, knowledge, and trust as she worked in a supervisory role since 1974 and has been the Assistant Director since March 1, 1990; and

**WHEREAS, Sally Quesenberry** used her skills and abilities to serve the following groups and human service agencies:

- Member Pulaski County Emergency Needs Task Force Board and currently serves as Vice Chairman

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- Member Pulaski Area Transit Advisory Board
- Member Pulaski Adult Day Service and Fall Prevention Center Board
- Served as PCDSS representative on the Pulaski County Local Emergency Planning Committee (LEPC)
- Pulaski County government representative on the New River Valley Disability Services Board
- Served as PCDSS representative on the Guardianship of Last Resort Board
- Member of Board of Directors of Pulaski Chapter of the American Red Cross and served as Chapter Chairman
- Member of Pulaski County Multi-Disciplinary Team on Child Abuse and Neglect
- Served on Women's Resource Center Board of Directors

**WHEREAS, Sally Quesenberry** has demonstrated a high degree of professionalism in working with the citizens of Pulaski County and has always given her heart to serving in the best interest of individuals and families she assisted; and

**WHEREAS, Sally Quesenberry** was deeply devoted and dedicated to her profession and has earned the friendship, respect, and gratitude of her fellow employees and the public; and

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

**NOW, THEREFORE BE IT RESOLVED,** that the Pulaski County Board of Supervisors does hereby commend and express its sincere appreciation for the service of **Sally Quesenberry** to the county and its citizens; and

**BE IT FURTHER RESOLVED,** that the text of this resolution be spread upon the minutes of the Board of Supervisors this 23<sup>rd</sup> day of January 2012, in permanent testimony of its appreciation to the service of **Sally Quesenberry.**

Board members presented a framed resolution to Ms. Quesenberry and thanked her for her service to the county and its citizens.

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

Voting no: None.

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### 4. Additions to Agenda

Mr. Huber advised of no additional items to add to the agenda.

Mr. McCready requested an opportunity to speak under "12 – Other Matters" related to a building code issue, as well as matter related to the meetings conducted by the New River Valley Planning District Commission (NRVPDC) regarding grants.

### 5. Public Hearings

- Petition by Patrick J. & Lesley Nash McCarthy for Special Use Permit (SUP) to allow exceptions to limitations on piers, private dock facilities, and/or moorings located at 4341 Plantation Estates Rd., (Private Road), south of Burma Rd., (Rt. 819), zoned Residential (R1), map no. 076-012-0000-0011, Ingles District.

Mr. Utt described the following staff analysis which was reported in the Board packet:

In May of 2009, the applicant submitted a request for a building permit to construct a 2-story, 18' x 34' single bay boat lift with sundeck above on property adjacent to Claytor Lake in the Plantation Estates subdivision. On March 16, 2011 staff visited the site to find the dock not completed. On March 18, 2011 staff mailed a letter informing the applicant the permit had expired and to contact the office. On April 13, 2011 the applicant contacted the office to discuss his options for completion of the dock. Staff instructed the applicant to complete the necessary paperwork; submit it to the office for review and approval. The applicant failed to submit the paperwork as requested to complete the dock.

On October 11, 2011 and November 2, 2011 staff mailed the letters informing the applicant that staff had been in the area and it appeared his dock had been completed without a permit and to please contact the office. On November 7, 2011 the applicant visited the office to discuss his options to either (1) remove the roof completely or (2) request a Special Use Permit (SUP) for exceptions to the limitations on private docks set out in Article 8 of the County Zoning Ordinance which identifies all expectations and requirements of the Claytor Lake Surface District.

The applicant is requesting the Special Use Permit to allow for him to retain a partial roof on the upper deck of his dock. As shown in the attached pictures, the roof covers roughly 40% of the upper deck area. The applicant wished to retain the roof covering for several reasons, including: (1) the partial roof provides shade for

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younger children and his father-in-law, who has health issues; (2) the roof design is based on a similar dock located on the opposite side of the cove from his property; and (3) the dock is located off of the main body of the lake and doesn't appear to infringe on the view shed of any neighbors.

The dock that the applicant is referring to above is one constructed by Rorrer Properties LLC. In September 2009, Rorrer Properties requested a SUP to construct a 12' X 32' roof to cover roughly two-thirds of his upper deck. After much discussion, the Board of Supervisors ultimately approved the SUP.

The requested roof would add approximately 5' to 6' in height to the structure. When Article 8 was developed by the citizen's group, a maximum height of 16 ft. for all dock facilities was proposed in order to minimize the visual impact imposed by docks and other facilities along the lake shore for both adjacent property owners as well as those out on the lake. However, they also included the ability for the Board of Supervisors to approve exceptions to these limitations through the Special Use Permit (SUP) process on a case-by-case scenario.

The proposed roof cannot be approved administratively since it exceeds the maximum height allowance of 16'. As such, a Special Use Permit is required to allow for these exceptions. Article 8 (Claytor Lake Surface District) of the Pulaski County Zoning Ordinance states:

### 8-3.15 Maximum Height

The maximum height of any and all private recreational facilities shall not exceed 16 feet above the full pond elevation. For Claytor Lake the full pond elevation is considered to be 1846 feet above mean sea level.

Mr. Huber advised the applicant was of no relation to County Attorney Tom McCarthy.

Mr. McCready noted when the original building permit was acquired by the applicant to build the dock no roof was shown on that paperwork and the applicant built the roof without proper permitting.

Mr. Sheffey opened the public hearing.

Mr. Mathew Pritts, Attorney for American Electric Power (AEP), spoke in opposition to the request indicating the height of the dock exceeds the 16-foot limitation. Mr. Pritts also advised the allowance of the roof on the dock would violate the license of the Federal Energy Regulatory Commission (FERC).

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Mr. Patrick McCarthy, applicant, requested the Board grant the request by making an exception to the requirements called for in the Zoning Ordinance. Mr. Patrick McCarthy advised the dock was commissioned by Dublin Developers and suggested the dock was consistent with other docks on Claytor Lake. Mr. Patrick McCarthy advised he had discussed the issue related to his dock with property owners bordering his property and there was no opposition voiced with the dock remaining as built.

Ms. Genie Zunic spoke in support of Mr. Patrick McCarthy's request, citing concerns over the taxes paid by residents along Claytor Lake and the inability of a property owner to build a dock to suit their needs.

There being no further comments, the hearing was closed.

Mr. Utt advised the Planning Commission recommended denial as requested by AEP.

Mr. O'Dell inquired of staff if the Board could make an exception. Mr. Utt advised any decision to make an exception was at the discretion of the Board of Supervisors.

Mr. McCready indicated it was his intention as a Board member to uphold the restrictions called for in the Zoning Ordinance.

On a motion by Mr. McCready, seconded by Mr. Pratt and carried, the Board accepted the Planning Commission recommendation to deny the request for a Special Use Permit (SUP) to allow exceptions to limitations on piers, private dock facilities, and or moorings located at 4341 Plantation Estates Rd., (Private Road), south of Burma Rd., (Rt. 819), zoned Residential (R1), map no. 076-012-0000-0011, Ingles District and set a deadline of May 1, 2012 for the removal of the roof on the dock by the property owner.

Voting yes: Mr. McCready, Mr. Sheffey, Mr. Bopp, Mr. Pratt.

Voting no: Mr. O'Dell.

### 6. Citizen Comments

Ms. Catherine Turner apologized for not providing the one-page summary called for in the Board by-laws. Ms. Turner provided a summary of the following matters: two failed attempts at business ventures in the Town of Pulaski and the county; a previous issue related to the Hogan's Dam development; background information previously shared with the Board regarding the sustainability development issue; read sections of the Board of Supervisors minutes from its

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June 2006 meeting; referenced bills being presented to the Virginia General Assembly; and described a 254-page document regarding regionalism.

Ms. Turner advised she was proceeding with a petition to the Virginia Supreme Court to remove the present Board of Supervisor members from office.

Ms. Genie Zunic presented documents related to the sustainability issue and described the documents in detail. Ms. Zunic expressed her concerns over the method used by the Planning District Commission staff in providing the public with information regarding the sustainability grant.

Ms. Brenda Blackburn advised of her request for a copy of a receipt for the sale of property at Heron's Landing and the lack of response by county staff to provide said receipt. Ms. Blackburn read sections of the Virginia Code related to financial reporting records and advised the matter is being taken to court.

Mr. Claude Newman described previous attempts to have the Case Knife Road blacktopped. Mr. Sheffey advised the matter would best be heard during the "Highway Matters" portion of the Board agenda.

Mr. McCready expressed understanding of Ms. Turner's frustration as it related to business development, and clarified one of the ventures was in the Town of Pulaski and should be addressed with town officials. Mr. McCready also described the Hogan's Dam referenced by Ms. Turner and indicated this issue was also a Town of Pulaski matter. Mr. McCready advised the public that the Town of Pulaski meets twice monthly and suggested concerned citizens contact the Town of Pulaski directly regarding these matters, since they are town issues.

Ms. Blackburn advised Ms. Turner had to leave the meeting to return to Abingdon.

### 7. Highway Matters:

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

#### a. Follow-up from Previous Board meeting

##### 1. Review of Highway Matters Section of Key Activity Timetable (KAT)

Mr. Clarke reported VDOT continued to work towards addressing road concerns on the KAT.

Mr. Clarke advised VDOT had filled in several potholes which had been called to VDOT's attention at previous meetings, including potholes on Morehead Lane and Newbern Road. Mr. Clarke also

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advised VDOT continued to work on patching Mines Road.

Mr. Clarke advised Mr. Bopp that VDOT continues to work on the "grate" issue which had previously been brought to VDOT's attention.

b. Request for Improvements to Case Knife Road

Mr. Claude Newman of Case Knife Road described efforts to obtain tar and gravel on Case Knife Road, including written letters to VDOT in Richmond. Mr. Newman expressed concern that funds had been made available to put a new exit into New River Community College (NRCC), but not for paving gravel roads.

Mr. Sheffey and Mr. Pratt described the current lack of funding provided by the state for roads. Mr. Huber further described the current six-year plan situation and the continued reduction in funds for improving and maintaining roads.

Mr. Sheffey inquired if VDOT could place gravel on Case Knife Road. Mr. Clarke advised VDOT could spread gravel on Case Knife Road.

c. Lee Highway Shoulder

Mr. Huber described a recent event involving a water leak on Lee Highway and citizen concerns regarding the lack of a ditch on the stretch of Lee Highway. Mr. Clarke advised VDOT staff would review the matter and provide an update at a future meeting.

d. Town of Dublin Road Maintenance

Mr. Huber described a request for assistance by the Town of Dublin in determining the best means of converting the Town of Dublin maintenance responsibility from the county secondary road system to the urban system. Mr. Clarke advised VDOT staff had contacted the Town of Dublin to discuss road needs within the Town.

e. I-81 Corridor Coalition Membership

Board members reviewed correspondence from Ray Pethel, Executive Director for the I-81 Corridor Coalition, requesting Pulaski County consider joining the membership of the I-81 Corridor Coalition beginning in 2012.

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On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board approved joining the membership of the I-81 Corridor Coalition at a cost of \$5,000 per year, with a two-year commitment.

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

Voting no: none.

Mr. McCready described recent I-81 Corridor Coalition training by Emergency Management Coordinator Josh Tolbert, noting I-81 holds the highest risk of accidents resulting in death.

### f. Citizen Comments

Ms. Connie Thornton requested VDOT cut weeds and trim the bank at the Loving Field/Alum Spring road intersection so as to improve the sight. Ms. Thornton also described accidents on the road due to visibility issues. Mr. Clarke advised VDOT staff would review the matter and provide an update at a future meeting. The County staff would also review the situation to see what could be done due to the proximity of Randolph Park.

### g. Board of Supervisors Comments

Mr. Bopp thanked VDOT for increasing the weight limit from seven to fourteen tons on the Pond Lick Hollow bridge.

Mr. Bopp thanked VDOT for paving of the Loving Field Road. Mr. Bopp requested VDOT raise the shoulders on the road. Mr. Clarke advised VDOT could possibly fill in the area with gravel and would provide an update at a future meeting.

Mr. Bopp requested VDOT look at the Old Mines Road regarding the need for plant mix. Mr. Clarke agreed to have VDOT staff to review the matter and provide an update at a future meeting.

Mr. McCready expressed concern over the frequent accidents on the southbound lane of I-81 at mile marker 79½ due to icing in curve. Mr. McCready requested VDOT review this area for potential remedies. Mr. Clarke agreed to have VDOT staff to review the matter and provide an update at a future meeting.

Mr. McCready advised of two large culverts dumping in the yard at 492 Locust Avenue, noting the velocity of the water is strong and severe. Mr. McCready also expressed concern over the potential for children to

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drown in the hole. Mr. Clarke agreed to have VDOT staff to review the matter and provide an update at a future meeting.

Mr. McCready inquired as to the potential use of funds saved due to the lack of snow removal in 2011 and early 2012 and having those funds applied to road improvements. Mr. Clarke advised the decision related to use of funding was not made by the VDOT resident office.

Mr. Claude Newman described a situation related to his cutting through of Case Knife Road by using his personal equipment, as well as relayed concerns relative to liability insurance. Mr. Clarke advised VDOT requires proper permits for road work.

### 8. Treasurer's Report

Treasurer Melinda Worrell provided the Board with a monthly update.

Mr. McCready inquired if the county continued to work through Attorney Sam Campbell for judicial sales. Ms. Worrell described the process, as well as the timeframe involved.

Ms. Worrell also described the process for publishing of the delinquent real estate taxes, noting the publication consists of "second-year" delinquent real estate taxes. Ms. Worrell inquired as to the Board's desire as it relates to publishing the report in the Southwest Times and the Patriot, advising the Code of Virginia requires publishing in at least one local paper. Mr. McCready suggested having the two local newspapers to bid on the publication rights. Mr. Huber advised the information is also posted on the county's web page.

On a motion by Mr. McCready, seconded by Mr. Pratt and carried, the Board authorized the publishing of the delinquent taxpayers list for 2009.

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

Voting no: None.

On a motion by Mr. Bopp, seconded by Mr. O'Dell and carried, the Board approved publishing the delinquent taxpayers list for 2009 in both the Southwest Time and the Patriot publications.

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

Voting no: None.

Mr. Newman thanked the Board and Mr. Hiss on behalf of the county's veterans for the new eternal flame at the stone courthouse.

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9. Reports from the County Administrator & Staff:

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

Voting yes: Mr. McCready, Mr. O'Dell, Mr. Sheffey, Mr. Bopp, Mr. Pratt.  
Voting no: None.

a. Appointments:

1. Wireless Authority

The Board appointed Lynn White to fill a vacancy in the Massie District, with a term ending July 25, 2013. The Board also appointed Richard Theobald in the Robinson District with a term ending July 30, 2015.

2. New River Valley Development Corporation

The Board appointed Jon Wyatt to the New River Valley Development Corporation.

3. New River Community Action

The Board directed staff to contact the Ministerial Association to request assistance in providing a nomination to New River Community Action with an update to be provided at the February Board meeting.

4. Pepper's Ferry Regional Waste Water Treatment Authority

The Board reappointed Dennis Setliff as an alternate to Ron Coake on the Pepper's Ferry Authority with a term ending December 31, 2016.

5. Industrial Development Authority

The Board reappointed Dix Miller and Andy Owens for additional terms on the Industrial Development Authority with said terms ending February 1, 2016.

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### 6. CDBG Management Team

The Board appointed Reverend Aaron Smith, Pastor of First Baptist Church to the CDBG Management Team to fill a vacancy created due to the resignation and relocation of Thomas Harris.

### 7. Library Board

The Board appointed Barbara Derr to the Library Board with a term ending December 31, 2015.

### 8. Planning Commission

The Board reappointed Andy Hall, Larry Hancock and Basil Scott with terms ending January 31, 2016.

### 9. Pulaski County Sewerage Authority

The Board reappointed Joe Sheffey to the Pulaski County Sewerage Authority with a term ending January 31, 2016.

### 10. Staffing Workload and Assignments

The Board took no action regarding this matter.

### b. Key Activity Timetable

The Board reviewed the Key Activity Timetable in detail, with no changes.

Mr. Sheffey inquired regarding the Highland Park Sewer status as it relates to final payment. Mr. Huber advised the contractor has not requested the final payment, therefore, the status was pending.

Mr. McCready inquired regarding the status of the T-21 grant in Newbern. Mr. Huber advised the Department of Historic Resources had recently approved the project proceeding as far as construction for the handicapped ramp.

### c. Applicability of Unsafe Properties Ordinance

Mr. Huber described the Unsafe Properties Ordinance and the practices in place for securing or demolishing of unsafe structures.

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Mr. McCready referenced the letter sent to David Lee and Eloisa Elizabeth Austin for property located 7238 Falling Branch Road and the need to add to the letter the three choices described in the ordinance. Mr. McCready expressed concern that while the ordinance is applicable in this situation, because the letter to the property owner was not clear on the options available to the property owner, the letter should be resent with those options clearly stated to allow for compliance with the ordinance.

### d. Indoor Wellness Center Report

Mr. Kevin Meredith thanked the Board for an opportunity to speak on behalf of the Indoor Wellness Committee. Mr. Meredith described the events leading up to the presentation, including the formation of a committee to address the needs in Pulaski County for an indoor wellness center. A copy of the full report is filed with the records of this meeting.

Mr. Sheffey thanked Mr. Meredith and the Indoor Wellness Committee for the time and efforts spent in developing the report. Mr. Meredith advised the committee had reviewed various options, with efforts towards seeking a resolution that would avoid a tax increase to support the facility.

Mr. McCready expressed concern over the reported cost of new construction, suggesting the \$165,000 costs to be excessively high.

Mr. Pratt inquired as to what information was used to formulate a proposal for the reuse of the TMD building and Mr. Meredith advised the proposal include Phases 1 and 2 but did not include the construction of a pool.

Mr. Sheffey advised the Board would hold a goal setting session in March and indicated the Board could use this goal setting session to review drawings and discuss the various proposals.

Mr. Huber suggested the Indoor Wellness Committee provide presentations to the various local civic groups, including Rotary, Ruritan National, Lions Club and others to obtain feedback on the desires of county citizens.

An unidentified citizen inquired as to the proposed location of the new facility, should Randolph Park be selected as the site. Anthony Akers advised the location would be at the back of the park.

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e. Scheduling of Reception Honoring Frank Conner and Ranny Akers

The Board scheduled the reception to honor Ranny Akers and Frank Conner for Friday, February 17<sup>th</sup> from 4:00 p.m. to 6:00 p.m., with the event to be held in the Central gymnasium.

10. Items of Consent

Mr. Sheffey advised several items listed under the Items of Consent would need to be pulled for separate vote including items "a, g, h, j, o, p".

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board approved the following items of consent, except for items "a, g, h, j, o, and p" which were pulled from the Items of Consent and a separate vote provided on each item.

Voting yes: Mr. McCready, Mr. O'Dell, Mr. Sheffey, Mr. Bopp, Mr. Pratt.  
Voting no: None.

a. Approval of Minutes of December 19, 2011 Meetings

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board approved the December 19, 2011 minutes, as presented.

Voting yes: Mr. Sheffey, Mr. Bopp, Mr. Pratt.  
Voting no: None.  
Abstaining: Mr. McCready, Mr. O'Dell.

b. Accounts Payable

The Board approved accounts payable for checks numbered 2024576 through 2024906, subject to audit.

c. Interoffice Transfers & Appropriations

The Board approved the following interoffice transfer totaling \$74,826.92 and appropriations as follows:

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GENERAL FUND #11		
Account Number	Account Title	Amount Increase (Decrease)
<b>REVENUES:</b>		
100-016010-0200	Sheriff's Fees	\$ 221.00
100-023080-0100	Clerk's Office Technology Funds	13,453.50
	TOTAL	\$ 13,674.50
<b>EXPENDITURES:</b>		
100-031200-6001	Sheriff Office Supplies	\$ 221.00
100-021600-8301	Clerk of Circuit Court Technology Funds	8,470.50
100-021600-8302	Clerk of Circuit Court LVA Records Preservation	4,983.00
	TOTAL	\$ 13,674.50

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

1. Emergency Management Project Grant Application

The Board approved a proposal for a 50% 2011 Emergency Management Project Grant application for the purchase of a specialized four-wheeler to be used for emergency rescue and fighting forest fires.

2. Brownsfield Performance Agreement

The Board approved the Performance Agreement for the Brownsfield grant as included in the Board packet.

e. Personnel Changes

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

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f. VML/VACo AEP Steering Committee 2011-2012 Assessment

The Board reviewed and approved an invoice from the VML/VACo Steering Committee for the payment of the 2012 Steering Committee assessments in the amount of \$6,060.

g. Scheduling of Meeting with Constitutional Officers

On a motion by Mr. Bopp, seconded by Mr. McCreedy and carried, the Board authorized staff to poll the constitutional officers regarding meeting dates, with a goal to meet prior to the Board of Supervisors goal setting session to be held in March.

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

Voting no: None.

h. Citizen Response re: Lottery Proceeds

On a motion by Mr. McCreedy, seconded by Mr. Bopp and carried the Board acknowledged that a response had been provided by county staff to Mr. James McClanahan regarding an inquiry at the December 2011 Board meeting about the use of lottery proceeds. Further, a copy of that information was made available for public review at the Board meeting.

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

Voting no: None.

i. Library Ceiling and Lights Replacement

Board members were provided the bid tabulation for the work at the Pulaski Library as part of the DMME grant. As reported in the Board packet, the low base bid is from Service Contracting.

The Board approved award of the bid to Service Contracting, a copy of which is filed with the records of this meeting.

j. Support for HB 36

As reported in the Board packet, Registrar Kathy Webb suggested the county support House Bill 36 introduced by Mark L. Cole which provides that political parties pay the costs of the primary elections and that the party must post bond in advance of the primary to cover those costs. Currently the costs of the primary are paid by the localities. If passed, the bill would take effect January 1, 2013.

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Mr. McCready advised the bill is pending and is working its way through the General Assembly which will send approximately \$2.7 million to help offset expenses for the presidential primary in March. It was noted the county would have to pay for the expenses for poll workers.

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board endorsed House Bill 36 in order to reduce the net cost to the County for holding primary elections.

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

Voting no: None.

### k. Revisions to Cloyd/Ingles Election District Lines

As reported in the Board packet, the state redistricting process has resulted in the formation of a split precinct where the state did not follow local lines when dividing the Cloyd and Ingles Districts between the end of Falling Branch Road and the Hazelwood subdivision. Since the County's district line does not follow a census block line as is required by the state districts, staff had recommended that census blocks 1017 and 1018 be moved from the Ingles to the Cloyd District effecting 37 residents, with the alternative being to accept the current state plan which would increase the number of effected voters from 50 to 183 and result in two split precincts rather than one.

The Board deferred action on this matter pending review by the General Assembly.

### l. Legislative Agenda

As reported in the Board packet, endorsement of the 2012 Legislative program, as adopted by the Virginia Association of Counties (VACo), was requested.

The Board endorsed the 2012 Legislative agenda, as adopted by VACo, a copy of which is filed with the records of this meeting.

### m. Resolutions of Appreciation – Ranny Akers & Frank Conner

The Board approved the following resolutions of appreciation for former Board of Supervisors members Ranny Akers and Frank Conner:

**RESOLUTION OF APPRECIATION**

***Ranny L. Akers***

**WHEREAS**, Ranny Akers has served the citizens of Pulaski County as a member of the Pulaski County Board of Supervisors from January 1, 2004 to December 31, 2011; and

**WHEREAS**, Ranny Akers was twice elected by the voters of the Ingles District as their representative on the county's governing body; and

**WHEREAS**, Ranny Akers took **PRIDE** in serving with the best interest of the whole county at heart; and

**WHEREAS**, Ranny Akers consistently volunteered to participate in committees of the Virginia Association of Counties and was always prepared to represent Pulaski County in meetings with state officials and legislators; and

**WHEREAS**, Ranny Akers' **VISION** for the future of Pulaski County benefited not only present and past citizens of Pulaski County, but will enhance the quality of life of its future citizens; and

**WHEREAS**, Ranny Akers was passionate about informing citizens on issues facing the Board and readily represented the county in public forums by attending various festivals, events, and public meetings; and

**WHEREAS**, Ranny Akers demonstrated personal **EXCELLENCE** in the regional leadership of the New River Valley, by:

- Representing Pulaski County on the New River-Mount Rogers Chief Elected Officials Consortium.
- Serving as a key economic development advocate on the NRV Economic Development Alliance.
- Being involved in the New River Valley Planning District Commission Regional Transit Study.

**NOW, THEREFORE BE IT RESOLVED**, that the Pulaski County Board of Supervisors does hereby commend and express its sincere appreciation for the service of Ranny Akers to the county and its citizens; and

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**BE IT FURTHER RESOLVED**, that this Board of Supervisors does extend to Ranny Akers its best wishes for health and happiness in future years; and

**BE IT FURTHER RESOLVED**, that the text of this resolution be spread upon the minutes of the Board of Supervisors in permanent testimony of its appreciation to the service provided by Ranny Akers.

**RESOLUTION OF APPRECIATION**

***Frank R. Conner***

**WHEREAS**, Frank Conner has served the citizens of Pulaski County as a member of the Pulaski County Board of Supervisors from January 1, 1996 to December 31, 2011; and

**WHEREAS**, Frank Conner was elected four times by the voters of the Massie District as their representative on the county's governing body; and

**WHEREAS**, Frank Conner is commended and admired for his long career of public service as a veteran, jailor, Sheriff's Deputy, Sheriff, school resource officer and member of the Board of Supervisors; and

**WHEREAS**, Frank Conner took **PRIDE** in serving with the best interest of the whole county at heart; and

**WHEREAS**, Frank Conner demonstrated personal **EXCELLENCE** in the regional leadership of the New River Valley, by representing the County on the New River Regional Jail Authority, New River Resource Authority, and Peppers Ferry Regional Wastewater Authority all of which undertook significant construction projects during his tenure; and

**WHEREAS**, Frank Conner brought quality to all he did through exceptional **VISION** in promoting the growth of the county by serving on the Planning Commission where he consistently considered the rights of the individual, as well as the rights of the general citizenry of Pulaski County in his interpretations of the County Zoning and Subdivision Ordinance and work on the County's Comprehensive Plan; and

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

**NOW, THEREFORE BE IT RESOLVED**, that the Pulaski County Board of Supervisors does hereby commend and express its sincere appreciation for the service of Frank Conner to the county and its citizens; and

**BE IT FURTHER RESOLVED**, that this Board of Supervisors does extend to Frank Conner its best wishes for health and happiness in future years; and

**BE IT FURTHER RESOLVED**, that the text of this resolution be spread upon the minutes of the Board of Supervisors in permanent testimony of its appreciation to the service provided by Frank Conner.

n. Memorial Resolution – Robert Dobyngs

The Board approved the following memorial resolution honoring former Board member J. Robert Dobyngs:

**MEMORIAL RESOLUTION**  
***James Robert "Bob" Dobyngs***

**WHEREAS**, Bob Dobyngs served as a member and Vice-Chair of the Pulaski County Board of Supervisors from 1980 to 1981; and

**WHEREAS**, Bob Dobyngs was subsequently elected to represent Pulaski County in the General Assembly serving as a distinguished member of the House of Delegates for seven years; and

**WHEREAS**, Bob Dobyngs was a faithful contributor to Pulaski County as illustrated by his involvement in the New Dublin Presbyterian Church, New River Community College, Pulaski County Jaycees, the Pulaski County Chamber of Commerce which honored him as the 1984 Business Executive of the Year and Director on the New River Habitat for Humanity; and

**WHEREAS**, Bob Dobyngs exemplified the service as a citizen legislator able to work with both parties while serving his community with class and distinction; and

**WHEREAS**, Bob Dobyngs took special interest in the successful development of the New River Valley Airport.

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**NOW, THEREFORE BE IT RESOLVED**, that the Pulaski County Board of Supervisors does hereby commend and express its sincere appreciation for the service of James Robert Dobyys to Pulaski County and its citizens; and

**BE IT FURTHER RESOLVED**, that the text of this resolution be spread upon the minutes of the Board of Supervisors this 23<sup>rd</sup> day of January, 2012, in permanent testimony of its appreciation to the service of James Robert Dobyys.

o. Virginia Department of Mines, Minerals and Energy Loan

Mr. McCready summarized the report provided in the Board packet, noting the investment would save the county approximately \$3,500 to \$4,000 per month in electric rates. Mr. McCready indicated the energy savings, coupled with the county's ability to borrow grant money at 1.9% interest, was a great investment for the county.

On a motion by Mr. McCready, seconded by Mr. Pratt and carried, the Board approved the application for a 1.9 percent, seven-year, \$518,000 loan for replacement of lighting fixtures in the County Administration Building, Bob White Building and Water Treatment Plant (WTP) and the replacement of raw water pumps at the WTP and replacement of heating system at the Verizon/Sheriff's Department building.

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

Voting no: None.

p. Resolution Authorizing County Administrator to Sign VDOT Documents

Mr. Huber advised VDOT frequently submits resolutions requesting the signature of the County Administrator on behalf of the county. Mr. Huber requested the Board grant approval for a "blanket" resolution authorizing the county administrator to sign documents related to VDOT resolutions.

On a motion by Mr. McCready, seconded by Mr. Pratt and carried, the Board approved the county administrator signing VDOT documents, subject to prior Board approval of the specific item being signed.

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

Voting no: None.

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### 11. Citizen Comments

Treasurer Melinda Worrell issued an invitation for Board members to visit the Treasurer's office anytime at their convenience.

### 12. Other Matters from Supervisors

Mr. McCready noted his concern regarding the March 2012 implementation of the new building code which will require all new homes to be vacuum tested. He advised this vacuum testing will require a third party to come in and perform the tests. Mr. McCready expressed concern over the potential costs for homeowners, indicating the costs would be as much as \$7,000 per home. Mr. McCready requested the Board direct county staff to review the requirements of the new building code, specifically if the county has any discretion as to whether the county is required to adopt the new building codes.

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board approved county staff reviewing the requirements of the new building codes, specifically if the county has any discretion as to whether the county is required to adopt building code, with the county attorney requested to review any legal boundaries and with an update to be provided at the March Board meeting.

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

Voting no: None.

Mr. McCready described a conference call with Kevin Byrd of the New River Valley Planning District Commission regarding the sustainability issue, as well as Mr. Byrd's offer to hold citizen meetings at night to allow for public input. Mr. McCready requested the local newspapers advise county citizens interested in such meetings to contact Mr. Byrd of the PDC directly. Mr. McCready also advised the PDC is in the process of developing a public blog on each of the meetings.

Mr. Sheffey thanked Mr. McCready for contacting the PDC.

By consensus, the Board scheduled Monday, March 12<sup>th</sup> at 6:00 p.m. as a goal setting session, with the county's leadership team to be invited to attend the meeting. Board members requested a draft of the goals be sent to the Board via the weekly update.

Mr. Huber advised of plans to visit Richmond in February for a legislative update and noted Mr. Sheffey also planned to attend.

Mr. McCready advised of interest in certified training by Dr. Michael Chandler of the Extension Service.

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13. Adjournment

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board of Supervisors adjourned its regular meeting. The next regular meeting of the Board of Supervisors is scheduled for Monday, February 27, 2012 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. McCready, Mr. O'Dell, Mr. Sheffey, Mr. Bopp, Mr. Pratt.

Voting no: None.

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Joseph L. Sheffey, Chairman

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Peter M. Huber, County Administrator