

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, May 20, 2013 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; Dean Pratt; and Tom McCarthy, County Attorney. Staff members present included: Peter Huber, County Administrator; Robert Hiss, Assistant County Administrator; and Shawn Utt, Community Development Director. Gena Hanks, Clerk to the Board, joined the regular session at 7:00 p.m. County Attorney Tom McCarthy was absent from the meeting.

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. McCready 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:

- Personnel Changes
- 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:

- Dublin Town Center Property
- Maple Shade
- ShaeDawn Access Road

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:

- Bob White Building Tenant
- Project Wax
- Project Silo

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

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:

- Heron's Landing
- Armentrout v. Nix
- FOIA Investigation

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. Bopp, seconded by Mr. O'Dell 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. McCready, seconded by Mr. O'Dell 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.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

2. Welcome, Pledge and Invocation

a. Welcome

Chairman Sheffey welcomed those in attendance and called the meeting to order.

b. Pledge of Allegiance

The Pledge was led by Supervisor Charles Bopp.

c. Invocation

The invocation was delivered by Rev. Terrie Sternberg, Trinity Lutheran Church.

3. Recognitions

a. Featured Employee

Board members recognized Mary Lou Lorton of the Social Services department, as the Featured Employee to serve during the month of June 2013. A job summary for Ms. Lorton was read aloud and Mr. McCready presented Ms. Lorton with a gift card to Fatz restaurant on behalf of the Board.

b. "Love the Bus" Presentation

Ms. Sheila Brown, representing the School Administration, recognized the Board and County of Pulaski for providing support to the Pulaski County Public Schools Transportation Department, as a part of the "Love the Bus" program. Ms. Brown described the program which raises awareness and appreciation in the schools for the value of the student transportation process. Ms. Brown presented a "Certificate" to the Board, along with a miniature school bus.

4. Additions to Agenda

Mr. Huber advised of the addition of the following agenda items: Items of Consent - Joint Law Enforcement Mutual Aid Agreement. Mr. Huber described the current agreement which allows for participating localities to call on other law enforcement when needing assistance. Mr. Huber advised staff recommendation is to continue with the current arrangement, as well as approval of the updated agreement.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

5. Public Hearings

Mr. Sheffey explained the purpose of the public hearings was to allow for citizen input.

a. Petition by Elmer J. Boyd to rezone from Residential (R1) to Agricultural (A1), (Map # 100-001-0000-0063), 2887 Julia Simpkins Road, Ingles District.

Mr. Utt advised since receiving the application, the applicant had passed away; however, the applicant's son has asked that the request move forward.

Mr. Utt described the zoning request as noted in the following staff report:

The owner is requesting rezoning of the property to allow for a future dwelling to be located on the property. The location is approximate and would depend on drain field and water locations for the proposed dwelling. The owner would like to purchase chickens and/or cattle in the future and was unaware these are not allowed uses in the current zoning district. The parcel is approximately 5.43 acres in size. Adjacent properties to the south are zoned Agricultural (A1).

The property is considered Planned Unit Development on the future land use map. The Planned Unit Development designation addresses proposed areas for clustered housing. The character of the property at this time presents clustered housing.

Mr. Utt advised the Planning Commission recommended approval.

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

On a motion by Mr. Bopp, seconded by Mr. O'Dell and carried, the Board Petition by Elmer J. Boyd to rezone from Residential (R1) to Agricultural (A1), (Map # 100-001-0000-0063), 2887 Julia Simpkins Road, Ingles District.

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

Voting no: None.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

- b. Petition by JPA Properties L L C to rezone from Residential (R1) to Agricultural, (Map #027-001-0000-0024 and 0.613 acres of 027-001-0000-0026), Highland Rd. and Morgan Farm Rd., Cloyd District.

Mr. Utt described the zoning request as noted in the following staff report:

The applicant's are requesting a rezoning of a 40-acre and 0.613 acre parcels from Residential (R1) to Agricultural (A1). The property owners are interested in selling the property at auction, which has been in their family since 1987. The realtor/auction company discussed with staff the proposed future sale and subdivision of the properties. In that discussion staff suggested rezoning the petitioned parcels to Agricultural (A1), so as to not have split zoning on the future subdivided parcels. The realtor/auction company discussed the purpose for rezoning the properties to Agricultural (A1). The adjacent property located to the south/southeast will be part of the sale. The surrounding properties are largely zoned Agricultural (A1).

Mr. Utt advised the Planning Commission recommended approval.

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

On a motion by Mr. McCreedy, seconded by Mr. Bopp and carried, the Board Petition by JPA Properties L L C to rezone from Residential (R1) to Agricultural, (Map #027-001-0000-0024 and 0.613 acres of 027-001-0000-0026), Highland Rd. and Morgan Farm Rd., Cloyd District.

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

Voting no: None.

- c. Petition by County of Pulaski to amend the following section(s) of the Pulaski County Zoning Ordinance:

- Article 5C Residential District (R2); removal of Section 5C-10 Site Plan and Article 5D Residential District (R3); removal of Section 5D-10.

Mr. Utt described staff's ongoing effort to clean up the Zoning Ordinance to allow for compliance with the revisions to Article 18 – Site Plan Regulations.

Mr. Utt advised the Planning Commission recommended approval.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

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

On a motion by Mr. Bopp, seconded by Mr. Pratt and carried, the Board approved the following text amendments to the Zoning Ordinance (note that deletions are shown as ~~strikethrough~~):

ARTICLE 5C: RESIDENTIAL DISTRICT (R-2)

~~5C-10~~ Site Plan

~~Before a building and zoning permit shall be issued for development to contain three (3) or more dwelling units on one lot or parcel, a site plan of proposed development shall be approved by the Commission in conformance with Article 18 of this ordinance.~~

ARTICLE 5D: RESIDENTIAL DISTRICT (R-3)

~~5D-10~~ Site Plan

~~Before a building and zoning permit shall be issued for development to contain three (3) or more dwelling units on one lot or parcel, a site plan of proposed development shall be approved by the Commission in conformance with Article 18 of this ordinance.~~

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

Voting no: None.

- d. A request from Community Christian Church to vacate approximately 90.99 ft. of an existing 15 ft. unimproved right-of-way adjacent to Howery Rd. (1021), Draper District).

Mr. Utt described a request from Community Christian Church, noting the church had acquired the only other property adjacent to the 15 ft. unimproved right-of-way making them the sole property owners adjacent to the right-of-way. Mr. Utt advised this request is in accordance with the Right-of-Way Closing Procedures adopted by the Board on June 23, 2008 allowing for direct closure by the Board if there is only one party owning 100% of the parcels affected by the abandonment.

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

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board approved a request from Community Christian Church to vacate approximately 90.99 ft. of an existing 15 ft. unimproved right-of-way adjacent to Howery Rd. (1021), Draper District).

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

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

Voting no: None.

e. Enterprise Zone Designation

Mr. Utt advised Pulaski County has been afforded three enterprise zone designations, one in the Town of Pulaski and two in Pulaski County, with a 20-year lifespan set to expire December 2013. Mr. Utt described the application process, noting additional points are awarded for joint applications. Mr. Utt also advised the City of Radford had applied in the past; however, they did not have enough points for a successful application. Therefore, the request is to approve a joint application to include the City of Radford which would enhance Pulaski County's chances for a successful application. Mr. Utt described in detail the proposed Enterprise Zone boundaries.

Mr. McCready advised that he owned real estate in an enterprise zone, noting the property owned is not in the enterprise zones for which application is being made.

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

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board approved proposed boundaries for the Pulaski County portion of the Enterprise Zones and authorized staff to proceed with the joint enterprise zone application process.

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

Voting no: None.

f. Through Truck Restrictions on Rts. 627 (Highland Road), 617 (Ruebush Road), 624 (Hickman Cemetery Road) & 625 (Morgan Farm Road)

Mr. Huber advised that initially this restriction was proposed to only include Highland Road between Rt. 100 and Ruebush Road; however, in reviewing the nature of the area of this restriction and the increased mileage that through trucks would have to travel along Hickman Cemetery and Ruebush roads, it is recommended that all four roads be closed to large "through truck" traffic.

David Clarke further described the proposed closing, noting the Board could close less, but not more, roads than advertised.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

Mr. Sheffey opened the public hearing.

Ms. Laura Easter expressed support of the proposed closing of Highland Road to through truck traffic, clarifying that Hickman Cemetery Road has no connection to Highland Road, but is connected to Morgan Farm Road, and further noting that neither road needs through truck traffic. Ms. Easter described concerns related to the hazardous conditions on Highland Road due to use of tractor trailer trucks. Ms. Easter also described a recent accident involving her daughter, as a result of a cattle hauler using the road. Ms. Easter also advised that the 10-ton weight limit signage on the Highland Road bridge had been removed.

Ms. Brenda Blackburn requested clarification on the use of Ruebush Road by trucks needing access to rodeo events held by the Bunn family. Mr. Pratt responded the closure of the road applies to "through" truck traffic only.

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

Mr. Huber advised the request to close the roads would be sent to the Richmond VDOT office and the installation of signage could take as long as nine months. Mr. Huber advised that in the meantime, the 10-ton weight limit signage could be reinstalled and bolstered to prevent removal.

Mr. McCready suggested consideration to taking action to close roads to through truck traffic on Highland, Ruebush and Morgan Farm Roads only. Mr. Huber advised the VDOT official familiar with closing of roads had advised the proposed closing of all roads was to prevent someone from being boxed in.

On a motion by Mr. O'Dell, seconded by Mr. Pratt and the Board approved closing of all four roads as follows:

- Location 1: Route 627 (Highland Rd) beginning at the intersection of Route 100 (Clebune Blvd) and ending at the intersection of Route 600 (Belspring Rd), with termini to termini distance equaling approximately 5.47 miles.
- Location 2: Route 617 (Ruebush Rd) beginning at the intersection of Route 11 (Lee Highway) and ending at the intersection of Route 627 (Highland Rd), with termini to termini distance equaling approximately 4.33 miles.
- Location: 3: Route 624 (Hickman Cemetery Rd), beginning at the intersection of Route 11 (Lee Highway) and ending at the intersection of Route 600 (Belspring Rd), with the termini to termini distance

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

equaling approximately 2.24 miles.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

- Location: 4: Route 625 (Morgan Farm Rd), beginning at the intersection of Route 624 (Hickman Cemetery Rd), and ending at the intersection of Route 627 (Highland Rd), with the termini to termini distance equaling approximately 1.50 miles.

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

Voting no: none.

6. Presentations and Citizen Comments

Mr. Sheffey explained that this "Citizen Comments" allowed for comments only on those items currently on the agenda.

There were no citizen comments.

7. Highway Matters:

a. Follow-up from Previous Board meeting

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

Mr. Clarke advised he did not have any additional updates related to items on the Key Activity Timetable.

Mr. Clarke also advised VDOT continued to work on debris cleanup, as well as patching and secondary route mowing in Draper.

Mr. Sheffey advised that Code Enforcement Officer Jamie Radcliffe had coordinated brush cutting by inmates along Viscoe Road, indicating the family that had requested the brush cutting were pleased with the site distance made available as a result of the brush cutting.

2. Six-Year Plan Road Viewer Scheduling

Mr. Sheffey advised that supervisors O'Dell and Pratt represent the Board as the county's road viewers. Mr. Clarke agreed to provide available dates in June for considering in scheduling a meeting of the road viewers.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

b. Request for "Watch for Children" Signage on Depot Road

Mr. Sheffey shared a request from Candy Stilwell of 6884 Depot Road requesting signage down to Belsprings towards Baptist Church.

Mr. Clarke described new VDOT procedures whereby localities would enter into an agreement with VDOT for "Watch for Children" signage and VDOT would work with the locality to determine location of signage; however, the locality would create and install signage. Mr. Clarke advised requests for signage can be done by individual road signage requests or as a group of roads.

On a motion by Mr. O'Dell, seconded by Mr. McCready and carried, the Board approved entering into agreement for "Watch for Children" signage for Depot Road.

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

Mr. Sheffey requested staff provide a listing of roads for which "Watch for Children" signage has been approved since August 2012.

c. Dallas Freeman Road Improvements

Mr. Huber shared an email from Tina Rife advising of potholes and the overall deteriorating of Dallas Freeman Road and requesting that VDOT review the road for improvements.

d. 2014-19 Six-Year Improvement Plan Hearing

Mr. Sheffey confirmed the six-year hearing focusing on primary needs will be held at 6:00 p.m. on June 4th at Northside High School. Mr. Sheffey and Mr. O'Dell advised of plans to attend the event.

Mr. Huber advised in the past the Board had listed the following as projects: finishing up four-laning in Giles County; bridge on Rt. 114; Rt. 114 four-laning to Christiansburg; four-laning on Rt. 11 between Dublin and Fairlawn; and additional money towards secondary roads.

e. Citizen Comments

There were no citizen comments.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

f. Board of Supervisors Comments

Mr. Pratt advised VDOT had patched from Rt. 11 to the Draper Golf Course. Mr. Pratt also advised of a deep pothole just past the golf course. Mr. Clarke agreed to have VDOT staff review this matter.

Mr. Pratt thanked VDOT for the recent mowing efforts.

Mr. Bopp advised of deepening potholes on Rt. 738, Robinson Tract Road. Mr. Clarke agreed to have VDOT staff review this matter.

Mr. O'Dell thanked VDOT for the brush cleanup and also advised of potholes through the Ingles District. Mr. Clarke agreed to have VDOT staff review this matter.

Mr. McCready requested consideration to placement of guardrail at the following two locations: Rt. 11 and Rt. 100 interchange (Rt. 100 south to Rt. 11 west) outside curve; and Rt. 11 before stop light at Cougar Trail Road (S curves and culvert). Mr. Clarke advised the request would be sent to the VDOT district office with an update provided when received.

Mr. Sheffey advised of potholes throughout the Cloyd District, and more specifically, good size potholes on the road leading to the Cloyd's Mountain Landfill. Mr. Clarke agreed to have VDOT staff review this matter.

Mr. Huber advised of breaking of edges along Lambert Place Road in the Corporate Center. Mr. Clarke agreed to have VDOT staff review this matter.

8. Treasurer's Report

Ms. Worrell provided the monthly report and advised tax collection was underway.

9. Reports from the County Administrator & Staff:

On a motion by Mr. Pratt, seconded by Mr. McCready and carried, the Board approved the following listed appointments.

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

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

a. Appointments:

- Library Board

A vacancy continues to exist in the Ingles District. Staff was requested to confirm if the appointment must be by magisterial district. Staff was requested to place an update on the June agenda.

- New River Community Action

A vacancy continues to exist. Staff was directed to ask Sally Quesenberry to consider serving and place an update on the June agenda.

- Tornado CDBG

The Board appointed Pulaski Building Inspector Todd Garwood as required by CDBG guidelines.

- Ratcliffe Museum Advisory Board

The Board appointed Charles Bopp and Joe Sheffey, as alternate, to the Ratcliffe Museum Advisory Board.

b. Four-Year Goals

Mr. McCready inquired if asbestos had been removed from Draper School. Mr. Huber responded it was his understanding all asbestos had been removed from the school.

Mr. Hiss also advised a Draper community meeting had been scheduled for Tuesday, June 25th at 7:00 p.m. at the Draper Fire Department. Staff was requested to confirm the date, time and location of the meeting and place information in the weekly update.

Mr. McCready inquired as to the status of the bids due on the Sheriff's office renovations. Mr. Huber advised bids had been received and were over the estimate and staff was working further to see what could be done to come within the estimate.

Mr. Sheffey inquired as to the status of the recent Board approval of improvements to Loving Field. Mr. Hiss advised staff had met to lay out a plan of action on how to address the various improvements, including scheduling of work and responsibilities of work crew which would include

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

restrooms, walking track, etc. Mr. Hiss advised progress should be seen in July 2013.

Mr. McCready advised of a meeting held with the State Director of the Dixie Boys Baseball at which the State Director advised of needing a location for the state championships in July for multiple age groups. Mr. McCready advised he planned to talk with Anthony Akers as to the possibility of using the fields at Randolph Park for this purpose. Mr. McCready also described the benefits of having an event such as the state championships, including use of motels, restaurants, etc.

Mr. McCready inquired as to the status of the hiring of an intern to assist the county engineer. Mr. Huber advised the position would be advertised as soon as possible.

Mr. Huber described an issue related to the "Goals and Projects" spreadsheet as to the placement of the "date" in the last column, with plans by staff to work on the overall revisions.

c. Unsafe Structures

1. 3448 Extension Street owned by Roger Crowder
2. 6848 Holly Drive owned by Donna Gaerttner
3. 4448 Refuge Lane owned by Jessie Whorley

Mr. Huber described issues and the status of each property, as well as shared various pictures of each property. Mr. Huber also advised the staff recommendation is to apply the county's "Unsafe Structure Ordinance" to each property, as applicable in the ordinance.

Mr. Bopp expressed concern that the Crowder property issue had been ongoing for a long period of time.

Mr. Pratt inquired if assistance is provided to the property owner when displaced due to unsafe property. Mr. Huber responded that while staff had not encountered a property owner being displaced, county staff would work with the property owner to find living quarters.

On a motion by Mr. Bopp, seconded by Mr. O'Dell and carried, the Board approved applying the Unsafe Structure Ordinance to each of the following three properties:

- 3448 Extension Street owned by Roger Crowder
- 6848 Holly Drive owned by Donna Gaerttner
- 4448 Refuge Lane owned by Jessie Whorley

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

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

Mr. Pratt.

Voting no: None.

d. Purchase of Computer Aided Mass Appraisal Software

Mr. Huber reported the IT department staff and Commissioner of Revenue worked together to procure replacement of the Computer Aided Mass Appraisal software, as the existing Eagle System is no longer supported.

Mr. Huber also described the overall goal to purchase software that will not only communicate with different systems today, but also communicate with systems that would be purchased in the future. Mr. Huber advised the software is used by the assessor in the upcoming reassessment and later by the Commissioner in updating construction information and described in detail a staff recommendation to purchase the ProVal software from Thompson Reuters at a cost of \$403,090.

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board authorized purchase of software at a cost of \$403,090, with \$300,000 to be taken out of the current account for the new accounting software and up to \$103,090 pulled from reserves; further, the county administrator is authorized to work towards alternative payment methods, provided those alternate payment methods are at no substantial cost to the county in finance charges and do not require pulling funds from reserves.

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

Voting no: None.

10. Items of Consent

Mr. Sheffey pulled from the overall vote for the Items of Consent item "a – Minutes" (April 29th and May 13th minutes), as well as Item "i – Easement Purchase Options – American Tower Corp.", noting a separate vote would be taken on these items, since further discussion was needed on these two matters.

On a motion by Mr. McCready, seconded by Mr. Bopp and carried, the Board approved all Items of Consent, except for "a – Minutes" (April 29th and May 13th minutes), as well as Item "i – Easement Purchase Options – American Tower Corp.", noting a separate vote would be taken on these items, which action will be taken by separate vote.

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

Voting no: None.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

a. Approval of Minutes of April 8, 15, 22, 29 and May 13, 2013 meetings

As authorized in the previous motion, the Board approved the minutes of the April 8, 15, and 22, 2013 Board minutes.

Mr. McCready advised of a correction needed to the notation of Board members who were listed in the April 29th minutes as providing the motion and second related to approving the "advertising of the FY 14 budget, to include a 21-cent increase in personal property taxes".

On a motion by Mr. McCready, seconded by Mr. Bopp and carried, the Board approved the April 29, 2013 minutes with corrections on the motion and second related to approving the "advertising of the FY 14 budget, to include a 21-cent increase in personal property taxes".

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

Voting no: None.

Mr. Sheffey requested a separate vote on the May 13, 2013 minutes due to Mr. O'Dell being unable to attend the May 13, 2013 meeting.

On a motion by Mr. Bopp, seconded by Mr. Pratt and carried, the Board approved the May 13, 2013 minutes as presented.

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

Voting no: None.

Abstaining: Mr. O'Dell.

b. Accounts Payable

The Board approved accounts payable for checks numbered 2032587 through 2033024, subject to audit.

c. Interoffice Transfers and Budget Adjustments

The Board approved the interoffice transfers #11 totaling \$35,423.28 and budget adjustments as follows:

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

GENERAL FUND #19		
Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
100-041999-0000	Transfer from Reserves	\$ 79,275.00
	TOTAL	\$ 79,275.00
EXPENDITURES:		
100-093000-9206	Transfer to Capital Improvements Fund	\$ 50,775.00
100-031200-6010	Sheriff Supplies	28,500.00
	TOTAL	\$ 79,275.00

GENERAL FUND #20		
Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
100-016010-0200	Sheriff's Fees	\$ 131.00
100-018030-1300	Expenditure Refund	18.27
100-018990-6100	Miscellaneous Revenues	7,000.00
100-041999-0000	Transfer from Reserves	337.00
100-033010-2032	Byrne Justice Assistance Grant	3,028.00
	TOTAL	\$ 10,514.27
EXPENDITURES:		
100-031200-6001	Sheriff Office Supplies	\$ 131.00
100-031200-5210	Sheriff Postal Services	18.27
100-083500-5699	Extension Service VISTA Position	7,000.00
100-031200-1239	Sheriff Overtime	3,365.00
	TOTAL	\$ 10,514.27

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

CAPITAL IMPROVEMENTS FUND #9		
Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
302-041050-1000	Transfer from General Fund	\$ 50,775.00
302-041010-0100	Insurance Proceeds	99,364.12
		\$ 150,139.12
EXPENDITURES:		
302-043200-8120	DMME Energy Efficiency Improvements	\$ (18,953.00)
302-012410-8107	Treasurer Computer Replacements	2,418.00
302-012510-8107	IT Computer Systems Equipment	8,967.00
302-032270-8120	Fire Department Paging	4,525.00
302-043200-8117	Courthouse Security Cameras	500.00
302-043200-8246-002	Courthouse Window Replacement	10,720.00
302-071400-5699-001	NRV Fairgrounds Small Projects	42,598.00
302-071400-5699-002	NRV Fairgrounds Large Projects	99,364.12
	TOTAL	\$ 150,139.12

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

➤ Joint Law Enforcement Mutual Aid Agreement

The Board approved an updated Joint Law Enforcement Mutual Aid Agreement which allows for participating localities to call on other law enforcement when needing assistance.

e. Personnel Changes

The Board reviewed a report of recent personnel changes.

f. Resolutions:

1. **Melody Taylor - RESOLUTION OF APPRECIATION**

WHEREAS, Melody Taylor has worked with Pulaski County for nearly 34 years from July 23, 1979 to June 30, 2013; and

WHEREAS, Melody Taylor worked in the Planning

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

Department throughout her career as the subsidized housing administrator, zoning technical assistant secretary, Secretary to the Planning Commission and Board of Appeals, and serving most recently as Zoning Administrator since June, 2007; and

WHEREAS, Melody Taylor's commitment, dedication, and loyalty is illustrated by earning her Certified Zoning Administrator, Certified Planning Commissioner, completing the Board of Zoning Appeals certification program, and serving on the County's Recognition Committee; and

WHEREAS, Melody Taylor is known to have an outstanding memory resulting in her detailed knowledge of various zoning cases and building permits over the years which greatly assists staff members and the Planning Commission in making decisions; and

WHEREAS, Melody Taylor has been a leader and showed pride in maintaining the county's zoning, subdivision, sign, and other related ordinances and updating the comprehensive plan; and

WHEREAS, Melody Taylor has demonstrated a high degree of professionalism in working with the citizens of Pulaski County; and

WHEREAS, the service provided by **Melody Taylor** 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 **Melody Taylor** 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 20th day of May 2013, in permanent testimony of its appreciation to the service of **Melody Taylor.**

2. James Wallis - **RESOLUTION OF APPRECIATION**

WHEREAS, Jim Wallis has worked with the Pulaski County Department of Social Services for 33 years from October 1, 1980 to May 31, 2013; and

WHEREAS, Jim Wallis has provided outstanding leadership, knowledge, and trust between county leadership and the citizenry of Pulaski County; and

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

WHEREAS, Jim Wallis has overseen the development and growth of the Pulaski County Department of Social Services including the recent relocation to an improved facility in 2011 and played a key role in the evolution of CSA in the New River Valley; and

WHEREAS, Jim Wallis used his skills and abilities to represent Pulaski County and DSS on a multitude of non-profit and human service agencies; and

WHEREAS, Jim Wallis has demonstrated a high degree of professionalism by working in a collaborative spirit with both local and regional agencies with efforts to constantly improve the efficient provision of services to those in need; and

WHEREAS, Jim Wallis consistently approached challenging situations with an attitude of how best to accomplish and meet the presented need; and

WHEREAS, Jim Wallis was an avid supporter of programs operated to benefit the youth of the community and was instrumental in securing grant funding for the Office on Youth; and

WHEREAS, Jim Wallis was deeply devoted and dedicated to his profession and has earned the friendship, respect, and gratitude from the State, Regional, and Local officials; and

WHEREAS, the service provided by **Jim Wallis** 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 **Jim Wallis** 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 20th day of May 2013, in permanent testimony of its appreciation to the service of **Jim Wallis**.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

g. Debt Management Policy

As part of the financial review and as reported in the Board packet, it came to light that the lack of a formal debt management policy could have an effect on the county's future credit rating. Staff presented a Springsted report which was done for the county in 2010, but was not formally approved at that time as the county was not contemplating any major borrowing at the time.

No action was taken on this matter, pending further review and suggestions by Board members.

h. Budget Advertisement

The Board approved advertising the proposed FY 14 budget in the May 26, 2013 publication of the Southwest Times and the Patriot newspapers, a copy of which advertisement is filed with the records of this meeting.

i. Easement Purchase Options – American Tower Corp.

Mr. Huber described a proposal from American Tower Corporation detailing three (3) easement purchase options they would like to ask the Board to consider as it relates to the Lease Agreement with American Tower Corporation for property located at 7499 Cleburne Blvd (i.e., Cloyd's Mtn. Landfill property).

Board members discussed concerns over the county maintaining control over the property, and potential issues should the tower be destroyed.

On a motion by Mr. McCready, seconded by Mr. Pratt and carried, the Board took action to continue current leasing arrangements with American Tower Corporation of \$700 per month.

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

Voting no: None

j. Transfer of Concealed Weapons Permit Revenues

The Board approved a request from Sheriff Davis for a transfer of \$28,500 from reserves to "Police Supply" line item in the Sheriff's Office budget which would be earmarked for firearms purchases.

k. Endorsement of Industrial Hemp Marketing

As provided in the Board packet, Board members reviewed a listing of localities/organizations having sent resolutions supporting legislation related to governments allow cultivation, processing and marketing of industrial hemp. The Board endorsed the proposal by adopting the following resolution:

**A Resolution Urging the 112th Congress
To Adopt the Industrial Hemp Farming Act**

WHEREAS, the industrial hemp industry has recently experienced a revitalization with worldwide hemp sales continuing to increase; and

WHEREAS, faltering agricultural economics in a number of states have created pressure to investigate alternative crops, including industrial hemp; and

WHEREAS, industrial hemp's three raw materials – fiber, hurds and seeds, can be used in more than 25,000 products, including textiles, rope, cellulose plastics, resin, particle board, paper products, shampoo, vitamins and oil; and

WHEREAS, the histories of the United States and Virginia are replete with examples of the utility of and dependence on industrial hemp, which was legally cultivated in Virginia and many other states until the late 1930's; and

WHEREAS, although industrial hemp is derived from the Cannabis Sativa plant, it is distinctive from its better known relative in that it contains less than one percent of the chemical responsible for its psychoactive properties; and

WHEREAS, under the current United States Drug Policy, all Cannabis varieties, including hemp, are considered Schedule I controlled substances under the Controlled Substance Act and as such, the growing of industrial hemp is controlled and strictly regulated by the U.S. Drug Enforcement Administration (DEA); and

WHEREAS, the growing of industrial hemp in the United States has been allowed only by a federal permit issued by the DEA, and the conditions of such a permit are so restrictive as to make the experimental cultivation of hemp essentially impossible; and

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

WHEREAS, the Virginia General Assembly has urged the federal government to revise the necessary regulations so as to permit the controlled experimental cultivation of industrial hemp in Virginia; and

WHEREAS, the National Farms Union (NFU) has urged the President, Attorney General and Congress to direct the U.S. DEA to differentiate between industrial hemp and marijuana and adopt a policy to allow American farmers to grow industrial hemp under the state law without requiring DEA licenses; and

WHEREAS, the National Association of State Departments of Agriculture support revisions to the federal rules and regulations authorizing commercial production of industrial hemp and has urged the DEA to develop and adopt an official definition of industrial hemp that comports with definitions currently used by countries producing hemp; and

WHEREAS, the Industrial Hemp Farming Act (House Resolution 1831) has been introduced in Congress with the intention of removing Industrial Hemp as a Schedule I controlled substance under the Controlled Substance Act and allowing the State Legislatures to license and regulate the commercial production of hemp as an industrial and agricultural commodity; and

WHEREAS, the Pulaski County Board of Supervisors hereby supports the adoption of the Industrial Hemp Farming Act by Congress in order to facilitate the commercial cultivation of industrial hemp by granting the states the necessary authority to license and regulate the production of hemp as an industrial and agricultural commodity.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Pulaski, Virginia that the Board of Supervisors hereby urges the 112th Congress to adopt the Industrial Hemp Farming Act and grant the States the authority to license and regulate the production of hemp as an industrial and agricultural commodity which in turn will open the market for farmers, businesses, and entrepreneurs in the emerging and fast growing hemp industry.

I. Ball field Concessions Proposals

As reported in Board packet, proposals were received on the ball field concessions on April 25, 2013, at which time Anthony Akers received two proposals, one from the First Church of God on 6330 Courtney Lane in Dublin and the other from John and Sherry Hagee. Mr. Huber reported the RFP allows more than one vendor to work these concessions in addition to booster groups.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

The Board approved utilization of both two vendors, as well as try to work in booster groups where there would be opportunity to do so.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

m. Endorsement of Special Operations Team Application

As reported in Board packet, fire and EMS personnel from Pulaski County are forming a county-wide Special Operations Team of highly trained members to assist during technical rescue incidents which include water rescue, rope rescue, trench rescue, confined space rescue, and heavy vehicle extrication.

The Board endorsed the membership application and standard operating guidelines, copies of which are filed with the records of this meeting.

n. VDEM Project Proposal – Competitive Grant

As reported in Board packet, approval was requested to submit a grant application to fund expenses associated with the purchasing of a side-by-side utility vehicle capable of transporting first responders to an accident scene and patients back to the ambulance, with consideration also to local funding of this need at an estimated cost of \$37,336.

The Board approved submittal of a grant application to fund expenses associated with the purchasing of a side-by-side utility vehicle capable of transporting first responders to an accident scene and patients back to the ambulance, with consideration also to local funding of this need at an estimated cost of \$37,336.

o. Recognition Policy for Retirees of Pulaski County

The Board approved an amendment to the Recognition Policy for Retirees allowing for the retiree to “net” the cash contribution, since the payment is taxable.

p. Naming of Conference Room in Social Services Facility

The Board approved naming the training room in the new Social Services facility the “James C. Wallis Training Room”, in recognition of 33 years of service to Pulaski County by Mr. Wallis.

q. Regional Agritourism Initiative

As reported in the Board packet, tentative approval has been granted by the DHCD for CDBG Planning Grant assistance for the proposed Regional Agritourism Initiative Project with \$3,000 reserved in Planning Grant funding to be reimbursed to the county by the DHCD subject to completion of activities outlined in a letter from the DHCD of May 1, 2013.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

11. Citizen Comments

Ms. Brenda Blackburn advised of being contacted by parents expressing concern over the lack of mowing at Loving Field.

Ms. Blackburn inquired as to the status of the award of the pool concessions vendor. Mr. Sheffey responded that the Board had taken action at the April 22, 2013 Board meeting to accept staff rankings and awarding of pool concessions. Ms. Blackburn expressed concern that the vendor awarded the concessions had been the vendor for 11 years and that another vendor(s) should be provided the same opportunity.

Ms. Jean Anderson requested an explanation as to the industrial hemp marketing. Mr. Sheffey responded that the resolution of support by the Board on the industrial hemp marketing had been endorsed by 10-12 Virginia localities, as well as VACo and Farm Bureau. Mr. Huber also provided a summary as to the history of the original request by Montgomery County Board member Jim Politis requesting support of the marketing of industrial hemp. Mr. Huber further advised he anticipated the request for approval by the DEA of marketing industrial hemp to be difficult.

Mr. O'Dell inquired as to what products are made using industrial hemp. Mr. Pratt advised hemp is used for making plastics, shirts, etc. Mr. McCready advised it is also used in automobiles.

Mr. Huber responded to Ms. Blackburn's concerns regarding lack of mowing at Loving Field by advising that staff had discovered the mowing issue several weeks prior and Mr. Hiss had coordinated efforts in authorizing the mowing crew to work extended hours and all acts necessary through June to accomplish the mowing of fields, etc.

12. Other Matters from Supervisors

Mr. McCready reminded the Board of previous discussions to setting a date for a work session to review long term debt and also consideration to issuing an RFP for CD secured loans.

Board members advised of the following meetings where there is the potential for there to be three or more Board members: June 6th meeting with OWPR, Pulaski Middle School, 6:00 p.m.; and Adult Drug Court Planning meeting, Pulaski Courthouse, May 30th, 3:00 p.m.

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 20, 2013

13. Adjournment

On a motion by Mr. O'Dell, seconded by Mr. Bopp and carried, the Board of Supervisors adjourned its regular meeting. The next meeting of the Board of Supervisors is a public hearing to receive citizen comments on the FY 14 budget which is scheduled for Monday, June 17, 2013 at 7:00 p.m. in the County Administration Building in the Town of Pulaski. The next regular Board of Supervisors meeting is scheduled for Monday, July 22, 2013 beginning with a Closed Session at 6:00 p.m. and the regular meeting at 7:00 p.m. with said meeting also being held in the County Administration Building.

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

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator