

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2013

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, August 26, 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; and Dean Pratt. 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.

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 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:

- County Administrator Evaluation
- Appointments
- Drop Site Issue

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:

- Transfer of Riverlawn and Dublin Primary Ownership to IDA
- Draper School
- Former Hiwassee Elementary School

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:

- Project Stamping
- Project Wax
- Project Sun
- Project Critch

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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:

- Comcast Office Location
- Bond Referendum
- Armentrout/Nix Property

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. O'Dell, seconded by Mr. Bopp 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.

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2. Welcome, Pledge and Invocation

a. Welcome

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

Mr. Sheffey recognized the passing of Jean Evans and spoke to Ms. Evan's work in the community as chair of the Republican party and as a retired school teacher. Mr. Sheffey called for a moment of silence.

b. Pledge of Allegiance

Mr. Sheffey called on Supervisor Bopp to lead the Pledge of Allegiance.

c. Invocation

The invocation was led by Reverend Terrie Sternberg, Trinity Lutheran Church.

3. Recognitions

a. Presentation of Resolution to Gaye Whitaker Family

On a motion by Mr. Pratt, seconded by Mr. McCreedy and carried, the Board adopted the following memorial resolution:

**MEMORIAL RESOLUTION
GAYE YONCE WHITAKER**

WHEREAS, Gaye Yonce Whitaker served the Pulaski County Visitor Center with EXCELLENCE since her hiring in June, 2002 until her death on July 15, 2013; and

WHEREAS, Gaye Whitaker took great PRIDE in making sure everyone who walked through the door was welcomed and their informational needs were properly addressed; and

WHEREAS, Gaye Whitaker was very passionate about Pulaski County and actively promoted Pulaski County to visitors and educated our citizens about the community in which they live through her VISION for what the Visitor Center could accomplish; and

WHEREAS, Gaye Whitaker instituted the daily journal of visitors to the center in which employees chronicled their most memorable daily moments and interactions with visitors; and

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WHEREAS, Gaye Whitaker cared deeply for citizens and travelers needing assistance as evidenced by her willingness to work on the worst of winter days; and

WHEREAS, Gaye Whitaker's welcoming demeanor, positive attitude and great sense of humor, combined with her methodical approach to stocking brochures were key to the success of the Visitor Center; and

WHEREAS, Gaye Whitaker was a lifelong lover of horses and taught children's church for over 32 years; and

WHEREAS, Gaye Whitaker was a loving and caring mother, grandmother, great-grandmother, and sister.

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors does commend the contributions made by Gaye Whitaker to her family, community, and Pulaski County; and

BE IT FURTHER RESOLVED, that the Pulaski County Board of Supervisors does extend to the family of Gaye Whitaker its sympathy and condolences in her passing; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Pulaski County Board of Supervisors this 26th day of August, 2013 in permanent testimony to the service of Gaye Yonce Whitaker to the County of Pulaski.

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

Voting no: None.

Supervisors Bopp and O'Dell assisted in presenting a framed copy of the resolution to Ms. Whitaker's family, while Mr. Sheffey read the resolution aloud.

b. Featured Employee

Board members recognized Andrew McClaugherty of the Regional Emergency Medical Services, Inc. (REMSI) as the Featured Employee for the month of September. Mr. Sheffey read a bio for Mr. McClaugherty. Mr. McClaugherty was unable to attend the meeting; however, Mr. Sheffey advised Mr. McClaugherty would receive a Fatz gift card and plaque on behalf of the Board.

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4. Additions to Agenda

Mr. Huber advised of the addition of the following agenda items:

- Reports from County Administrator and Staff: Resolution providing VDOT guarantee on Shae Dawn improvements;
- Authorization to transfer the Dublin Primary and Riverlawn schools to the IDA.

5. Public Hearings:

- a. Petition by J D Morgan LLC to rezone a parcel located at 5485 Banks Avenue from Residential (R1) to Commercial (CM1), 056-001-0000-0042, (Draper District).

Mr. Utt explained the following "Staff Analysis" related to the applicants request:

The Zoning Ordinance specifies that the Intent of the Commercial (CM-1) District is as follows:

Generally, this district covers that part of the community intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized by constant heavy trucking other than stocking and delivery of retail goods, or by nuisance factors other than occasioned by incidental light and noise of congregation of people and passenger vehicles, which are less disruptive than those uses provided for in Industrial, (I-1).

The subject property has been used for commercial purposes in the past, and the property owner plans to continue using it as a commercial business. The adjacent properties to the north and west are zoned Industrial District (I-1) and are being used for industrial purposes. The adjacent property to the south is zoned Residential (R-1), but is being used for commercial purposes. The adjacent property to the east (across Banks Avenue) is located within the Town of Dublin corporate limits, is zoned Business (B-2), and is currently being used as residential. The subject property is located in an area that is dominated by commercial and industrial uses; however, there are several residential properties scattered throughout the area. Current development patterns and land use supports the use of the subject property for commercial activity.

The Future Land Use Map depicts the subject property as Commercial, so this Rezoning request will bring the property into alignment with the Pulaski County Future Land Use Map. Staff feels that the rezoning is appropriate and would have a positive impact to the subject property, as well as the overall area.

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The Virginia Department of Transportation did not have any comments on this project.

Mr. Utt advised that following a public hearing held by the Planning Commission, the Commission recommended Board of Supervisors approval.

Mr. McCready advised the action being requested would allow for the correction of an error on the land use map to bring the correct zoning designation up-to-date.

Mr. Utt further advised the zoning administrator had been making efforts to compare the land use and zoning districts to address the entire County, rather than piecemeal, with a goal by the Zoning Administrator to visit each parcel of property.

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 petition by J D Morgan LLC to rezone a parcel located at 5485 Banks Avenue from Residential (R1) to Commercial (CM1), 056-001-0000-0042, (Draper District) and as recommended by Planning Commission.

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

Voting no: None.

- b. Petition by Ricky D. & Maria V. Pruitt for a Special Use Permit (SUP) to allow a Community Food Bank on property located at 3528 Boone Furnace Rd. (Rt. 608), zoned Agricultural (A1), 122-001-0000-0005, (Ingles District).

Mr. Utt explained the following "Staff Analysis" related to the applicants request:

The Zoning Ordinance specifies that the Intent of the Agricultural District is as follows:

This district is designed to accommodate farming, forestry, and recreational and limited residential uses. While it is recognized that certain desirable rural areas may logically be expected to develop residentially, it is the intent, however, to discourage the random scattering of residential, commercial or industrial uses in this district.

While the Intent specifies farming and forestry, there are many permitted uses that allow for limited commercial uses, public gathering, and other non-agricultural related activities. Specifically, there are several uses similar to the proposed community food bank

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that are allowed both by-right and through a Special Use Permit, such as Neighborhood Retail, Community Buildings, and Semi-Public Uses. Staff agrees that Community Buildings is the most appropriate use category identified in the Zoning Ordinance for a community food bank.

The existing 120 foot x 40 foot barn would be brought up to current building code standards to allow the proposed uses to occur within the structure. The community food bank would be open to the public on certain dates and times for food pick-up and as a gathering place for community members. All activity other than outdoor gathering space will occur within the barn.

The subject property is in a location that is very rural and remains largely agricultural in nature, with some scattered non-agricultural or residential uses, such as churches. Staff feels that the use would not have a negative impact to the surrounding area and would allow for the adaptive reuse of the existing dairy barn.

The Virginia Department of Transportation (V-DOT) had several comments on this project.

Mr. Utt advised the building would need to be brought up to building code standards, pending action by the Board of Supervisors.

Mr. Utt advised that following a public hearing held by the Planning Commission, the Commission recommended Board of Supervisors approval of the request.

Mr. Sheffey opened the public hearing.

Mr. Rick Pruitt, applicant, presented a petition with over 250 signatures of individuals in favor of the request to operate a community food bank. Mr. Pruitt described in detail plans for the dairy farm, including an opportunity to serve the elderly in the community.

There being no further comments, the hearing was closed.

On a motion by Mr. O'Dell, seconded by Mr. McCready and carried, the Board approved a petition by Ricky D. & Maria V. Pruitt for a Special Use Permit (SUP) to allow a Community Food Bank on property located at 3528 Boone Furnace Rd. (Rt. 608), zoned Agricultural (A1), 122-001-0000-0005, (Ingles District), as recommended by the Planning Commission.

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

Voting no: None.

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Mr. Bopp expressed support for the reuse of the old dairy farm.

Mr. Sheffey inquired of any potential grant funds to help with the project. Mr. McCready suggested the County's grant writers assist with any grant opportunities, once Mr. Pruitt's foundation is established. Mr. Huber also suggested potential use of the C. E. Richardson Foundation funds. Mr. Pruitt indicated a willingness to assist in applying for any grant opportunities available.

Mr. Sheffey inquired as to the time frame for the Special Use Permit. Mr. Utt advised activity must occur within 12 months of being approved.

6. Presentations and Citizen Comments

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

Mr. E. W. Harless requested additional information regarding items on the agenda including: the transfer of the Dublin Primary and Riverlawn schools to the Industrial Development Authority (IDA); action allowed by the IDA; the Tall Grass Ordinance; the refinancing of County debt; vehicle purchases; and YMCA discount for employees.

Mr. McCready provided information related to the availability of Board packets which are open for public review prior to Board meetings and which contain specific details on Board agenda items.

Mr. Harless expressed concern over the recent increase in personal property taxes and the methods used to advertise the public hearing, noting concerns over perceived "censorship" of the public. Mr. Sheffey responded that all legal requirements were met in the advertising of the public hearing referenced by Mr. Harless.

Ms. Brenda Blackburn inquired regarding current ownership of the Dublin Primary and Newbern schools. Mr. Huber advised the County currently owns the old Dublin Primary school and Newbern school is owned by the School Board.

Mr. Huber also advised the playground equipment currently located at the old Newbern school is being considered for reuse. Mr. O'Dell expressed concern over the present condition of the playground equipment at the Newbern school, noting the equipment would likely be destroyed if torn down.

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Ms. Blackburn inquired regarding current and potential plans for the old Riverlawn school gym. Mr. McCready advised plans are underway for transferring the old Riverlawn school to the IDA to allow for potential economic development use.

7. Highway Matters:

a. Follow-up from Previous Board meeting

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

Mr. Clarke advised VDOT staff continued to work on patching potholes, brush cutting and mowing.

Mr. Sheffey inquired as to the status of a previous request for patching of the road leading to the landfill. Mr. Clarke advised VDOT plans to patch the road before winter.

2. Centerline Restriping – Claytor Dam Road

Mr. Clarke advised the restriping was on VDOT's list of projects to complete.

b. Requests for "Watch for Children" Signage: Intersection of New River Road & Falling Branch Road down to Hazel Hollow Road

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board of Supervisors authorized the County Administrator to take all acts necessary to proceed with installation of "Watch for Children" signage at the intersection of New River Road and Falling Branch Road down to Hazel Hollow Road.

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

Voting no: None.

c. Stop Light on Rt. 11 in Fairlawn

Board members reviewed a request from the Real Estate Manager for the Mid-Atlantic Marketing Area, as well as a letter from Bill Cunningham, requesting evaluation of the signal light on Rt. 11, which serves the Fairlawn Shopping Center. Mr. Sheffey further described safety concerns at the light from increased traffic as a result of the opening of new fuel stations at the intersection.

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Mr. Clarke advised the area was on VDOT's list of roads to study.

d. New Revenue Sharing Projects

Mr. Clarke advised that currently the two projects underway are the relocation of intersection of Rt. 11 and Roundhouse Road, and the NRCC Rt. 11 intersection.

Mr. Sheffey described communications with Montgomery County officials regarding experimental paving trials being considered as revenue sharing, as well as projects underway in Montgomery County using the treatments.

Board members discussed with Mr. Clarke the timeframe for the construction season.

Mr. Huber indicated no additional revenue sharing projects were recommended by staff, unless the Board would like to consider a surcharge on taxes to citizens for converting gravel roads to paved roads, as is done in Wythe County.

Mr. Sheffey advised that Montgomery County Board Chairman, Jim Politis, had extended an invitation to the Pulaski Board of Supervisors to tour the roads where the experimental treatments had been used.

e. Brush Cutting on Rose Lane in Fairlawn & Rt. 606, in Parrott from Church Hill to Top of Mountain

Mr. Sheffey thanked Deputy Jamie Radcliffe for the arranging of deputies to provide brush cutting.

f. Citizen Comments

Ms. Julia Kriss expressed concern over speeding in the Newbern community, specifically on Wilderness Road, failed policing efforts, the frequency of heavy traffic and dump trucks traveling the road, and the overall deterioration of the road. Ms. Kriss noted the road was also used by walkers and bikers.

Board members discussed with Mr. Clarke the policing efforts currently underway, the potential for "not recommended" signage, the historic designation of the area and the steps required for prohibiting heavy truck traffic, including a required public hearing.

Mr. McCready expressed concern over the potential affect on the County's commerce, should trucks be prohibited from traveling through Newbern. Mr. McCready also described a previous study of the area.

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By consensus, the Board requested County staff provide a listing of the type of trucks that are recommended for prohibiting on the road, with further discussions to be held at the September Board meeting regarding alternatives to addressing citizen concerns.

Reverend Gary Hash requested guardrail installation on the hillside located just behind the Jubilee Christian Center. Mr. Sheffey also described the road as being used as a cut through for individuals traveling to the Lowes and Walmart businesses and suggested the installation of guardrail be included as a part of the redesigning of the Roundhouse Road revenue sharing project.

g. Board of Supervisors Comments

Mr. Pratt reminded Mr. Clarke of a previous request for re-installing "no outlet" and "watch for children" signage on Southern Drive, which signage had previously been reported as having disappeared.

Mr. Bopp thanked Mr. Clarke for VDOT's placement of a temporary stop sign at Loving Field.

Mr. O'Dell inquired as to the timeframe for cleaning out of ditches in the County. Mr. Clarke advised this was typically a fall project. Mr. O'Dell advised of the need for cleaning of ditches and rip rap on Max Creek Road and the hill leading to the ballpark in Hiwassee.

Mr. McCready requested an update on the I-81 bridges, specifically the recent incident involving an individual on the water below the bridge being struck by falling debris from the bridge. Mr. Clarke advised appropriate VDOT officials and others were investigating the matter with an update to be provided as information is determined. Mr. McCready inquired if VDOT contractors would perform the inspections of the bridge. Mr. Clarke advised VDOT would likely use both VDOT contractors, as well as private contractors. Mr. Clarke offered to send updates to the County Administrator, as they are made available.

Mr. McCready advised a VDOT crew was working on culvert and pothole issues on Little Creek, although no timeframe for completion was known.

Mr. McCready advised of receiving a call from a citizen complimenting Anthony Barnes, VDOT area supervisor, for the dedication and commitment by going above and beyond the normal work related duties by mowing, weed-eating, etc.

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Mr. Sheffey also commended Anthony Barnes for addressing ditch work on Church Street, noting the resident making the request had expressed appreciation to Mr. Barnes.

Mr. Sheffey recalled VDOT's practice over the last few years in performing brush cutting around the holidays, noting the brush cutting did not appear to have taken place over the past few holidays. Mr. Clarke advised a contractor was working in the Massie and Cloyd districts, with plans to also work in other areas.

Mr. Sheffey advised of having been contacted by a citizen advising of a pothole on Rt. 114 between Viscoe Road and the stop light down to the Fairlawn Church of God (before turning to entrance of drop center). Mr. Clarke advised the bridge project includes paving beginning at the light; however, it would be some time before paving would begin.

Mr. Sheffey advised of a large size pothole coming from the Dublin side of Highland Road at the one lane bridge.

Mr. Huber inquired if there was a need to warn boaters from passing under the I-81 bridge while the incident is under investigation. Mr. Clarke advised the Department of Conservation and Recreation would make any determinations related to limiting travel on the water under the bridge.

8. Treasurer's Report

Treasurer Melinda Worrell provided the monthly report and advised that personal property tax tickets would be mailed on September 3rd. Ms. Worrell advised some information had not appeared on the monthly report; however, this would be sent to the Board via the weekly update.

9. Reports from the County Administrator & Staff:

On a motion by Mr. O'Dell, seconded by Mr. Bopp and carried, the Board approved the following action on appointments as noted.

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

a. Appointments:

1. Wireless Authority

The Board approved the following appointments to the Wireless Authority for the terms noted: Jim Wallis – term ending 7-25-2014; Margaret Barnes – term ending 7-25-2015; and Isaac Sarver – term ending 7-25-2017.

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2. Social Services

No action was taken on this appointment.

3. Industrial Development Authority

The Board reappointed John Wyatt for an additional term ending September 17, 2017.

4. New River Valley Metropolitan Planning Organization

The Board appointed Danny Wilson to serve along with Jared Linkous on the Technical Advisory Board and Andy McCready serving as alternate.

b. Four-Year Goals

Board members discussed with staff removal of items 2.3.4.1; 4.1.2 scheduling; Loving Field projects; and potential removal of item 1.8.1, TMD Facility.

On a motion by Mr. McCready, seconded by Mr. Bopp and carried, the Board authorized removal of item 1.8.1, TMD facility for indoor wellness center, from the overall Goals and Projects Listing.

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

Voting no: None.

Mr. Huber advised of an active prospect for the TMD building.

c. School Resource Officer (SRO) Grant

Mr. Huber described the grant, noting the grant will fully fund an officer for 12 months, with the local match coming from the law enforcement agency providing the SRO officers. Mr. Huber advised the Town of Pulaski offered only partial funding and the Town of Dublin declined to participate.

On a motion by Mr. McCready, seconded by Mr. Pratt and carried, the Board approved a staff recommendation that the required \$27,744 match be funded by the County from contingency, with SRO officers to be hired by the Sheriff's Office.

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

Voting no: None.

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d. Tall Grass Ordinance

Mr. Huber advised staff had been receiving an increased number of complaints regarding tall grass and weeds within residential subdivisions, with the most recent issues taking place at 6058 Dolphus Avenue and 6012 Castle Avenue.

Mr. Huber advised the Zoning Administrator had shared that the State Code does not give the counties authority to regulate tall grass; however, Pulaski County is not one of the localities that this regulation governs. Mr. Huber advised if Pulaski County chose to adopt a tall grass and weed ordinance, it would not bind the County but would be helpful to have a means of requiring citizens to cut grass because of impact on surrounding properties. Mr. Sheffey inquired if any other localities have regulations related to tall grass and weeds. Mr. Huber advised staff could develop specific language to provide the Board. Mr. Sheffey and Mr. McCready expressed the need to have the language designed to protect farmers, without penalizing, with the proper emphasis on residential areas.

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board approved asking the General Assembly to the granting of authorizing to localities to having a tall grass cutting ordinance for residential areas only.

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

Voting no: None.

e. Legislative Listing

Mr. Huber provided the 2013 listing of state legislative issues for consideration by the Board in formulating matters for discussion with state legislators during the 2014 General Assembly.

Mr. Sheffey requested including on the listing the expansion of Amtrak to the New River Valley.

Mr. Hiss described the recent implementation of strict administrative requirements being passed down to localities by the Virginia Retirement System, with the state citing "modernization" and "cutting costs" as the reason for the changes.

On a motion by Mr. Bopp, seconded by Mr. Pratt and carried, the Board approved sending a letter to Delegate Yost encouraging the expansion of Amtrak to the New River Valley.

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

Voting no: None.

The Board requested staff provide an updated draft legislative listing to Board at the September Board meeting.

f. Scheduling of Work Session to Review Refinancing of County Debts

Mr. Huber advised a work session was recommended once results of the planned solicitation of proposals from area banks is received. Mr. Sheffey inquired as to the timeframe for the results. Mr. Huber advised an update should be provided at either the September or October Board meeting.

g. Applicability of Unsafe Structures Ordinance

Mr. Huber advised staff had learned that property owner Ann Marie Dodgion had passed away and as a result staff recommends postponing consideration of the forced clean-up until the September Board meeting to allow the family to determine how they want to handle matters.

h. Follow-up from Closed Session:

• Shae Dawn Industrial Park Phase II

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board adopted the following resolution supporting Phase II of the Shae Dawn Industrial Park:

WHEREAS, it becomes necessary from time to time for the County of Pulaski to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the County of Pulaski by the Virginia Department of Transportation of said permits for the work aforesaid; and,

WHEREAS, the County of Pulaski, through its Industrial Development Authority, is assisting with the owners of the ShaeDawn Industrial Park with the Industrial Access Road Improvement funding provided through the Virginia Department of Transportation and the Appalachian Regional Commission; and,

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WHEREAS, the Pulaski County Board of Supervisors has been requested to provide a resolution of support and certainty to the Virginia Department of Transportation to ensure that the construction of the ShaeDawn Industrial Park Access Road be done to standards provided by the Virginia Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED by the Pulaski County Board of Supervisors this 26th day of August, 2013:

Section 1: That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the County of Pulaski does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to County of Pulaski and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of Transportation or the Commonwealth of Virginia in the event of suit.

Section 2: That the County Administrator, City or Town Mayor, or their designee, be, and hereby is authorized to execute on behalf of the County of Pulaski all land use permits and related documents of the Virginia Department of Transportation.

Section 3: That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

Section 4: That the County of Pulaski shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

BE IT STILL FURTHER RESOLVED that the County Administrator, City or Town Mayor, or their designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

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

Voting no: None.

• Transfer of School Properties to IDA

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board approved the transfer of the former Dublin Primary and Riverlawn Elementary schools to the Industrial Development Authority.

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

Voting no: None.

10. Items of Consent

Mr. McCready requested the Board pull item "10i -Vehicle Purchases", Mr. O'Dell requested the Board pull item "10n – Hiwassee Playground Equipment" and Mr. Sheffey requested the pulling of item "10m - Twin Communities Fire Truck Purchase" for separate discussion and/or action by the Board.

On a motion by Mr. O'Dell, seconded by Mr. Bopp and carried, the Board approved the following items of consent, except for items "10i, 10n and 10m", which will be reviewed and voted on as a separate item, if appropriate.

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

Voting no: None.

a. Approval of Minutes of July 15 and 22, 2013 meetings

The Board approved the minutes of the July 15 and 22, 2013 Board of Supervisors meetings.

b. Accounts Payable

The Board approved accounts payable for checks numbered 2034269 through 2034586, subject to audit.

c. Interoffice Transfers and Budget Adjustments

The Board approved the interoffice transfers #2 totaling \$35,814.75 and budget adjustments as follows:

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GENERAL FUND #2014-01		
Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
100-016030-1100	Share of Seized Property/Sheriff	\$ 573.35
100-016010-0200	Sheriff Fees	162.00
100-014010-2000	Court Restitutions	140.00
	TOTAL	\$ 875.35
<u>EXPENDITURES:</u>		
100-031200-6017	Sheriff Supplies/Equipment Seized Assets	\$ 573.35
100-031200-6001	Sheriff Office Supplies	162.00
100-031200-6011	Sheriff Uniforms	140.00
	TOTAL	\$ 875.35

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GENERAL FUND #2014-02		
Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
100-024040-0900	State Library Grants	\$ 3,677.00
100-024040-3000	Victim Witness Grant	2,408.00
	TOTAL	\$ 6,085.00
EXPENDITURES:		
100-073150-1100	State Library Aid Salaries	\$ 7,053.00
100-073150-3170	State Library Aid Professional Services	10,000.00
100-073150-3320	State Library Aid Maintenance Service Contracts	11,500.00
100-073150-5540	State Library Aid Travel Convention & Education	1,500.00
100-073150-6012	State Library Aid Books & Subscriptions	(51,126.00)
100-073150-6021	State Library Aid Computer Software	3,000.00
100-073150-6022	State Library Aid Library Circulation Supplies	7,750.00
100-073150-8101	State Library Aid Machinery & Equipment	12,000.00
100-073150-8102	State Library Aid Furniture & Fixtures	2,000.00
100-021900-1310	Victim Witness Grant Salaries	2,408.00
	TOTAL	\$ 6,085.00

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INTERNAL SERVICE FUND #2014-01		
Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
	TOTAL	\$ -
<u>EXPENDITURES:</u>		
600-012510-3320	Information Technology Maintenance Service Contracts	\$ 89,208.00
600-012510-5510	Information Technology Mileage	300.00
600-012510-5540	Information Technology Travel Convention & Education	150.00
600-012510-8101	Information Technology Machinery & Equipment	23,342.00
600-012510-6001	Information Technology Office Supplies	2,000.00
600-012510-3800	Information Technology Charges from Other Governments	(115,000.00)
	TOTAL	\$ -

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

1. Davenport & Co. Financial Advisory Agreement

The Board approved a contract for financial advisory services with Davenport and Company, allowing for a second opinion in addition to Springsted financial advisors.

2. Building Usage Application – “Taking it to the Streets”

The Board approved use of the courthouse parking lot on September 14th from 7:00 a.m. to 5:00 p.m. for a fundraising/yard sale event by the “Taking it to the Streets” organization.

e. Personnel Changes

The Board reviewed recent personnel changes.

f. Replacement of Existing AS400 Unit

The Board approved the replacement of the AS400 system at a total cost of \$36,290.

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g. Replacement of Road Signs

The Board approved joining with Giles County in the purchase of new road signs, replacing existing Pulaski County signs, as signs are damaged, with an anticipated cost of \$11,000 per year for approximately three years.

h. Land Use Permit Resolution

The Board approved the following resolution committing to the provision of liability insurance and bonds and designating administrative responsibilities to the County Administrator, specifically for any work done within the road right-of-way:

RESOLUTION

WHEREAS, it becomes necessary from time to time for the County of Pulaski of Pulaski, Virginia to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the County of Pulaski of Pulaski, Virginia by the Virginia Department of Transportation of said permits for the work aforesaid;

NOW, THEREFORE, BE IT RESOLVED by the County of Pulaski Board of Supervisors, Pulaski, Virginia this 26th day of August, 2013:

Section 1: That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the County of Pulaski of Pulaski, Virginia does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the County of Pulaski of Pulaski, Virginia and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of transportation or the Commonwealth of Virginia in the event of suit.

Section 2: That the County Administrator, or their designee, be, and hereby is authorized to execute on behalf of the County of Pulaski of Pulaski,

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Virginia all land use permits and related documents of the Virginia Department of Transportation.

Section 3: That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

Section 4: That the County of Pulaski of Pulaski, Virginia shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

BE IT STILL FURTHER RESOLVED that the County Administrator, or their designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

i. Vehicle Purchases

Mr. McCready described the vehicle needs of the Sheriff's Department, specifically an unanticipated additional cost of \$8,000 to allow for the purchase of four vehicles. Mr. McCready suggested a transfer of funds from the Animal Control department (resulting from savings due to retirement of the Animal Control Officer) to the Sheriff's Department to allow for the purchase of four cars.

Mr. Huber described the current vehicle needs by Animal Control and County Administration staff, specifically a request for funding of \$19,400 for a 4-wheel drive truck for the Animal Control officer and \$43,112 to allow for the purchase of an Explorer and a used Jeep Liberty.

Mr. McCready and Mr. Huber also described staff's extensive efforts to price the various vehicle needs through dealers and state contract. Mr. McCready commended Shawn Utt for managing the Bob White Building in a manner allowing for keeping rental payments current, resulting in the investment of savings being put back into the vehicle purchases.

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board approved the funds to allow for the purchase of vehicles for the Animal Control and Administration, with staff provided the flexibility to purchase a new vehicle off state contract, if state contract is no more than \$700 for a used vehicle.

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

Voting no: None.

Mr. Huber commended the staff of the Water Treatment Plant for the care of a 2003-2004 GMC truck which has been transferred to the Building Department for use.

j. Document Imaging Equipment

The Board approved appropriating \$4,602 for the purchase of document imaging equipment for the state registration system.

k. County Participation in YMCA Discount for Employees

The Board approved the County's participation in a YMCA offer of a 15% discount for County employees paying YMCA membership dues through payroll deduction.

l. Payment of Taxes via Mobile Devices

The Board approved a proposal allowing for payment of taxes via cell phone at an initial cost of \$3,000, plus \$1,800 per year.

m. Twin Communities Fire Truck Purchase

Mr. Sheffey described Chief Robbie Stoots efforts in searching for a less expensive truck which would allow for use of funds towards building an additional bay onto the station.

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board approved the purchase of a less expensive vehicle by the Twin Communities Fire Department and applying the difference between the cost of the truck and the \$350,000 budgeted to the County to build an additional bay onto the station in order to address a long-standing space issue and to replace the existing chief's vehicle.

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

Voting no: None.

n. Hiwassee Playground Equipment

Mr. O'Dell advised contact had been made with citizens in the Hiwassee community regarding providing assistance in fund-raising efforts to allow for the purchase of playground equipment. Mr. O'Dell advised citizens had indicated a willingness to assist with the fund-raising efforts.

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On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board approved appropriating \$15,000 towards the replacement of existing playground equipment at the Hiwassee playground.

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

Voting no: None.

Mr. Sheffey suggested requesting assistance from Lowes, as was done with the New River playground equipment.

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

Voting no: None.

11. Citizen Comments

Mr. Mark Armentrout and Mr. Bill Armentrout described a property dispute between Bill and Shirley Armentrout and Terry and Wanda Nix and the Armentrout's understanding as the matter related to building codes. Mr. Mark Armentrout requested the County enforce the building code relative to the property matter, specifically requesting the County revoke the building permit issued to Terry and Wanda Nix. By consensus, Board of Supervisor members advised no comments would be made on behalf of the County, per legal counsel's request.

Ms. Brenda Blackburn recommended the Board form a parks and recreation commission similar to the recreation commission formed by Montgomery County. Ms. Blackburn also requested the recreation department keep separate books from that of the County Finance department.

Ms. Blackburn described her understanding of the methods used in recruiting for a vacancy in the Recreation Department, specifically the forming of an employee group to review and select top applicants for interviewing, followed by the forming of an employee group to serve as interview panel during the interview process. Ms. Blackburn expressed concern that the individual hired in the vacant position in the Recreation Department is the nephew of an existing Recreation Department employee. Ms. Blackburn also expressed her opinion that there were more qualified applicants for the vacant recreation department position than the individual selected to fill the vacant position.

Dr. Bruce Farris referenced the recent discussions by Board members related to the short-term rental issue in the County and expressed concern that limiting short-term rentals would discourage tourism in the County. Dr. Fariss described recent business efforts in the County through the starting of a vineyard and a desire to contribute to the tourism in the County through those efforts. Dr. Fariss

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requested the Board take a pro-active stand in support of short-term rentals.

Board members discussed the status of the short-term rental issue, specifically the waiting on an opinion from the Attorney General's Office. Mr. McCready referenced a case in Bedford County related to short-term rentals.

Mr. E. W. Harless questioned if the recent increase in personal property taxes was accomplished through proper legal requirements. Mr. Sheffey advised the public hearing was held, as allowed in the State Code, and was also held on a Monday night, as has been the practice of the Board in the past when considering tax rate increases.

Mr. Harless expressed concern over his rights as a citizen to speaking at Board meetings, and more specifically, expressed concern over having been encouraged by Mr. McCready to preview the agenda prior to the Board meetings.

12. Other Matters from Supervisors

- PCHS Baseball Field Improvements

Mr. McCready described recent efforts by the Pulaski County High School (PCHS) baseball boosters to raise funds to make improvements to the baseball field, including a new concession stand, handicapped bathrooms and storage space. Mr. McCready advised the baseball boosters have committed to raising funds for the improvements, with plans for the boosters to provide labor. Mr. McCready requested the Board consider providing \$10,000 in funding, along with a request to the School Board to provide a like amount of funds, and subject to School Board approval of planned improvements, to allow for said improvements to the baseball field.

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board approved an appropriation of \$10,000 in funding, along with a request to the School Board to provide a like amount of funds, to allow for improvements to the PCHS baseball field, and subject to School Board approval of planned improvements.

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

Voting no: None.

- NRV Unwired

Mr. McCready described discussions between the County and representatives of NRV Unwired regarding locating wireless receivers on water tanks. Mr. McCready advised the County presently has an agreement in place on Peaks Knob and on a cell tower on Cloyd's Mountain.

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Mr. McCready offered a motion, which was seconded by Mr. O'Dell, requesting the Board urge the PSA Board of Directors enter into an agreement with NRV Unwired and other wireless providers to allow utilization of water tanks.

Board members discussed the status of NRV Unwired's request to the PSA including tower rental, size of objects on tanks, locations and safety issues.

Mr. McCready's motion failed on a 2-3 vote against the motion as follows:

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

Voting no: Mr. Sheffey, Mr. Bopp, Mr. Pratt.

Mr. Sheffey requested an update on the NRV Unwired matter be provided to the Board of Supervisors following the next PSA meeting, at which the matter would be discussed.

Mr. Bopp thanked Deputy Jamie Radcliffe for recent efforts in clearing of brush.

Mr. Bopp thanked County staff for their efforts in providing the food at the recent Elected Officials' picnic. Mr. Sheffey advised he had received many compliments on the picnic from surrounding elected officials)

Mr. Sheffey advised of receipt of a letter from the Farm Bureau agency regarding a "SW Virginia Day" to be held at the State fair on September 30th and requested staff refer the letter to the Chamber of Commerce due to the Chamber overseeing the tourism of the County.

Mr. Huber advised the Pulaski Town Manager had offered tickets for Board members to attend the Pulaski Mariners playoff games and to also share the Town's box at the game.

Ms. Hanks reminded the Board that the special meeting scheduled for August 29th had been cancelled due to Mr. McCarthy being hospitalized.

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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 regular Board of Supervisors meeting is scheduled for Monday, September 23, 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. McCready, Mr. O'Dell, Mr. Sheffey, Mr. Bopp, Mr. Pratt.

Voting no: None.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator