

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 19, 2014

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, May 19, 2014 beginning with a Closed Session at 5:30 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 Danny Wilson, Acting Community Development Director. Gena Hanks, Clerk to the Board, and Diane Newby, Finance Director, 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. Pratt, seconded by Mr. Bopp and carried, the Board of Supervisors entered a Closed Session for discussion of the following:

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

- Appointments
- Commission on Children and Family
- County Attorney

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:

- Commerce Park Property
- Draper 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:

- None

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

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- Supreme Court Ruling
- Stellar One
- BZA Appeal

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. McCready and carried, the Board returned to regular session.

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

Certification of Conformance with Virginia Freedom of Information Act

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

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

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

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

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

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2. Welcome, Pledge and Invocationa. Welcome

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

Mr. Sheffey also called for a moment of silence in memory of Albert Morris, Jr., a Pulaski County employee who worked in the Cleaning Services Department, and also Ronnie Gravely, a PSA employee, who worked in the Refuse Department.

b. Pledge of Allegiance

Supervisor Bopp led the Pledge of Allegiance.

c. Invocation

The invocation was led by Supervisor Ranny O'Dell.

3. Presentations and Recognitions:a. Featured Department

Peggy Cooper, Executive Director of the New River Community Corrections and Pre-trial Services, provided background information on the agency and also provided statistics for Pulaski County, including that 249 placements had been made by the agency from July 1, 2013 through March 2014. Ms. Cooper also distributed brochures to the Board further describing services provided by the Community Corrections agency.

b. Adoption and Presentation of Resolution to Tom McCarthy, Jr.

On a motion by Mr. O'Dell, seconded by Mr. Pratt and carried, the Board adopted and presented the following resolution to Mr. McCarthy:

**Resolution of Appreciation
Thomas J. McCarthy, Jr.**

WHEREAS, Thomas J. McCarthy, Jr. served the Pulaski County Board of Supervisors as County Attorney with distinction since 1983 proving himself to be a true public servant, having served the County of Pulaski for over three decades, and

WHEREAS, Thomas J. McCarthy, Jr. excelled in and was a forerunner in collaboration between the various components of the Pulaski County

government by serving as legal counsel to the Pulaski County Board of Supervisors, the Pulaski County School Board, the Industrial Development Authority of Pulaski County and the Pulaski County Public Service Authority; and

WHEREAS, Thomas J. McCarthy, Jr. also represented Pulaski County on a statewide basis through his participation in the Virginia Local Government Attorneys Association and the Virginia School Board Attorneys Association as he consistently worked to further his knowledge of local government law; and

WHEREAS, Thomas J. McCarthy, Jr. held a longstanding commitment to being a local government attorney that figured out a way to make things happen and was always committed to the improvement of life in Pulaski County; and

WHEREAS, Thomas J. McCarthy, Jr.'s leadership skills resulted in the formation of regional collaborations in economic development, sewer treatment, juvenile and adult detention, water supply and emergency communications; and

WHEREAS, Thomas J. McCarthy, Jr. was involved in crafting numerous economic development agreements, tax exempt bonds, the purchase of industrial parks and other efforts affecting the livelihood of citizens throughout Pulaski County and Virginia's New River Valley; and

WHEREAS, Thomas J. McCarthy, Jr. lead by example through his care for others, generosity, professionalism, honesty, and cooperative spirit; and

NOW, THEREFORE be it **RESOLVED**, that the Pulaski County Board of Supervisors, on behalf of the County and its citizens, extends its heartfelt thanks and appreciation to Thomas J. McCarthy, Jr. for his contributions to the County of Pulaski and wish him health and happiness; and

BE IT FURTHER RESOLVED, that Thomas J. McCarthy, Jr. be honored as County Attorney Emeritus for his faithful service to the Pulaski County Board of Supervisors and to the citizens of Pulaski County; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Board of Supervisors, this 19th day of May, 2014, in permanent testimony to Thomas J. McCarthy, Jr.'s service to his community.

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

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Mr. Sheffey described Mr. McCarthy's service to the county while serving in his capacity as the county's attorney. Mr. Sheffey expressed appreciation to Mr. McCarthy for his years of service and dedication to the county.

c. Adoption and Presentation of Resolution – Robert Hiss

On a motion by Mr. McCreedy, seconded by Mr. Bopp and carried, the Board adopted and presented the following resolution Mr. Hiss:

Resolution of Appreciation

Robert James Hiss

WHEREAS, Robert James Hiss served as Assistant County Administrator from March 26, 2007 through May 23, 2014; and

WHEREAS, Robert Hiss represented Pulaski County on the New River Valley Airport Commission, the Pulaski/Giles County Family Assessment and Planning Team, and Chair of the New River Valley Community Services Board; and

WHEREAS, Robert Hiss worked with local and regional non-profit organizations to provide alternatives to the incarceration of juveniles and successfully reduced juvenile detention costs; and

WHEREAS, Robert Hiss initiated the continuing quarterly publication of the County's first Citizen Newsletter; and

WHEREAS, Robert Hiss served the County staff with honor in merging the County and School health insurance benefits, and in the design and implementation of the compensation study; and

WHEREAS, Robert Hiss invested significant time in emergency preparedness, public information, and disaster recovery training culminating in his role as public information officer which, following the 2011 tornados, resulted in the receipt of over \$500,000 for tornado victims; and

WHEREAS, Robert Hiss was recognized by the Chamber Board as the recipient of the 2011 Unsung Hero Award, later serving as Chair of the Chamber Board of Directors and working with the Chamber staff to increase tourism spending in Pulaski County during a downturn in the local and regional economy; and

WHEREAS, Robert Hiss's professionalism, friendly style, approachable character, integrity, and willingness to be of help to his coworkers is sincerely appreciated by all; and

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WHEREAS, the service provided by **Robert Hiss** 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 **Robert James Hiss** to the County and its citizens; and,

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Pulaski County Board of Supervisors this 19th day of May 2014, in permanent testimony of its appreciation for the service of **Robert James Hiss** to Pulaski County.

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

Mr. Sheffey described Mr. Hiss's service to the county and expressed appreciation for the excellent job in working with the Board, its citizens and county employees.

Mr. Hiss spoke to his service with the county and the future challenges facing the county. Mr. Hiss thanked the Board, co-workers and citizens for the opportunity to serve the county during his term as Assistant County Administrator.

Sheriff Davis presented an engraved plaque to Mr. Hiss and expressed appreciation on behalf of the Sheriff's Department for the service provided by Mr. Hiss to the Sheriff's office staff. Mr. Hiss thanked Sheriff Davis and expressed appreciation for the support provided during his term as Assistant County Administrator.

4. Additions to Agenda

There were no additional agenda items.

5. Public Hearings

a. Six-Year Plan Public Hearing

David Clarke, VDOT Resident Engineer, described the six-year plan process and VDOT's responsibility in maintaining roads, noting funding for said maintenance comes largely from special taxes on fuel and not through local funding.

Mr. Clarke advised the public hearing provided an opportunity for citizens to express thoughts on road matters and make suggestions for any additional road projects. Mr. Clarke described the proposed draft six-year plan,

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noting there had been no changes from the previous year's plan. Mr. Clarke further described a change in the transportation bill which allows for unpaved roads to have a minimum of 50 vehicles per day to qualify for paving, rather than the previous 200 vehicles per day.

Board members discussed the overall plan in detail, including the costs associated with VDOT providing "chip and seal", the steps used in setting of priorities on the six-year plan, the rapid reduction in funding provided by the state compared to previous years, costs associated with pothole repairs, and costs associated with the overall engineering and design work by VDOT for roads on the six-year plan.

Mr. Sheffey opened the public Hearing. Doug Hardymon requested improvements to Rt. 830, High Road, in Parrott, as well as requested the county provide funding to assist the state in improvements.

Mr. Bill Akers requested improvements to Parrott Mountain Road, specifically tree and brush cutting and maintenance of washed out ditches by placing gravel or rock in the ditches.

Mr. David Laws requested Hedge Lane be placed on the six-year plan waiting list for surface treatment or paving.

Mr. Edward Nester requested improvements to High Road, including paving, as well as review of "blind spots" on Parrott Mountain Road.

There being no further comments, the hearing was closed. Mr. Clarke advised a recommendation would be provided at the June 23, 2014 Board meeting on the proposed six-year plan.

Mr. McCready described the process for citizens to use in reporting road issues, which included contacting VDOT either on line or by phone, or by calling the County Administrator's Office. Mr. Clarke described VDOT's process for citizens calling the VDOT office, indicating the caller is logged into VDOT's system and responded to, following being processed and assigned to the appropriate VDOT department.

Mr. McCready also spoke to the recent action by the Board of Supervisors in authorizing use of inmates for brush cutting along roads in the county.

b. Special Use Permit for No-Wake Buoys in Lakeview Subdivision

Mr. Wilson described the following staff analysis which was included in the BoardDocs packet:

No Wake Buoys are a use that is specifically identified in the Claytor Lake Surface District as allowable by Special Use Permit, and according to Section 17-3.6 of the Zoning Ordinance, "In the governing body's consideration to grant, deny, or grant conditionally a Special Use Permit (SUP), the governing body shall consider the following guidelines and standards:

17-3.6.1 The use shall not tend to change the character and established pattern of development of the area or community in which it proposed to locate;

17-3.6.2 The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property."

The proposed placement of No Wake Buoys is not a land use matter, so the standards identified in Article 17, as listed above, do not have much bearing on the review and consideration of this application. The purpose of requiring a Special Use Permit for the installation of No Wake Buoys is to ensure public participation in the decision and to meet the requirements set forth by the Federal Energy Regulatory Commission that AEP must follow to manage Claytor Lake.

Since the last Planning Commission meeting, staff discussed this petition with the Department of Game and Inland Fisheries about the placement of No Wake Buoys, as well as answering some questions that were brought up during the Planning Commission meeting. All boaters are required to travel at idle speed within 50 feet of any dock, in addition if excessive speeds are causing property damage (such as wake damage to docks) DGIF has the ability to ticket these boaters. DGIF did not want to go on the record on if No Wake Buoys are needed until after Planning Commission and the Board of Supervisors voted on the petition. It is DGIF policy to evaluate all applications, once the governing body approves the petition, based on the specific conditions and request. Their goal is to provide safe waterways without too many buoys or signs, as excessive buoys/signage dilutes people's attention to the notices.

Mr. Wilson advised the Planning Commission unanimously recommended approval of the request. Mr. Wilson also advised that following a decision by the Board, a final decision regarding the request for installation of the No Wake buoys would come from the Department of Game and Inland Fisheries, including the location of buoy placement.

Mr. Sheffey opened the public hearing to receive citizen comments.

Tammy Akers described safety hazards in the cove of Lake View Subdivision as a result of speeding boats. Ms. Akers also described concerns over the safety of residents while accessing the cove.

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Ms. Kathy McPeak expressed concern over the inability of property owners to repair walls as a result of the reduction in drawdowns of the lake by AEP. Ms. McPeak also expressed concern over the boats speeding in the area of the cove and concern for the overall safety of residents swimming in the cove.

Ms. Nedra Pearson described concerns associated with swimming in the cove and the inability of boaters to spot swimmers due to speed of boats.

Ms. Juanita Ellett shared experiences resulting from boats going at excessive speeds, specifically safety hazards while sitting on dock at residence and also concerns related to damage to docks and seawalls and the expenses incurred to make repairs.

There being no further comments, the hearing was closed.

Mr. McCready indicated it was the Board's understanding that the residents of Lake View Subdivision would pay for all costs associated with the installation of the buoys, including the costs for purchase of and maintenance of the buoys.

On a motion by Mr. Bopp, seconded by Mr. O'Dell and carried, the Board approved a Special Use Permit Petition by Lake View Subdivision, Ingles District as submitted and as unanimously recommended by the Planning Commission.

Voting yes: Mr. McCready, 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 specifically pertaining to items currently on the agenda.

There were no citizen comments at this time.

7. Highway Matters:

David Clarke Resident Engineer for the Virginia Department of Transportation (VDOT) met with the Board regarding the following:

a. Follow-up from Previous Board meeting:

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

Mr. Clarke advised he would be working with Chris Price to review previous road matters discussed by the Board. Mr. Clarke also advised

VDOT staff continued to review the request for directional signage in Newbern.

Mr. McCready referenced signage in other communities which directs travelers to various industries and suggested similar directional signage to the town and county's industrial parks would assist travelers and prevent travelers from relying on erroneous GPS directions. Mr. Clarke advised the request would be presented to VDOT's traffic engineering; however, specifics regarding the signage would need to be provided to VDOT. Mr. McCready offered to meet with Mr. Clarke to review specific signage needs.

c. Speed Limit and Watch for Children Signage

As reported in the BoardDocs packet, a request had been received by Amanda Thornton for speed limit and Watch for Children signage on Meadowview.

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board approved installation of Watch for Children signage on Meadowview Drive, as well as review of the current speed limit on Meadowview Drive.

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

c. Potholes on Kirby Road, Rt. F047

As reported in the BoardDocs packet, county staff received complaints related to potholes on Kirby Road. Mr. Clarke offered to have VDOT staff review the matter.

d. Request for Watch for Children Signage, North Drive, Rt. 714

As reported in the BoardDocs packet, a request for Watch for Children signage had been received for installation on North Drive in Fairlawn.

On a motion by Mr. Bopp, seconded by Mr. McCready and carried, the Board approved a request for Watch for Children signage on Rt. 714, North Drive.

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

e. Citizen Comments

There were no citizen comments related to highway matters.

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f. Board of Supervisors Comments

Mr. O'Dell requested VDOT review the driveway of Ms. Henley on Bethel Church Road, Rt. 708, specifically the need for placing gravel on driveway as a result of VDOT's cutting a ditch across the driveway.

Mr. Bopp expressed appreciation to Anthony Barnes of VDOT for signage being placed on Cox's Hollow Road warning travelers to slow down due to blind curve.

Mr. Pratt referenced comments made previously by citizens for the need to review potholes on Kirby Road. Mr. Clarke advised he would drive out to the road to review the areas in question.

Mr. Sheffey advised of potholes (and some breakage) at the following locations: Church Hill Lane before the fire station, Belspring Road from Rt. 114 into Parrott, and area coming out of Kroger parking lot in front of McDonald's in Fairlawn.

Mr. Sheffey referenced equipment being used by Anthony Barnes and VDOT staff for brush cutting and suggested consideration to using equipment on Parrott Mountain Road. Mr. Sheffey also advised that the VDOT staff operating the equipment were very pleasant and were doing a good job.

Mr. Huber advised of broken pavement on Rt. 643, Cougar Trail Road, on the high school side, across from entrance to Mountain View Subdivision.

Mr. Clarke referenced a previous request for VDOT to address concerns at the intersection of Dunlap Road and the Locust Ave Ext. in the form of a three way stop. Mr. Clarke shared pictures of the intersection and advised he would not be opposed to a three way stop. Mr. Clarke advised that the Dublin Town has expressed no opposition to a potential three way stop. By consensus, the Board agreed to VDOT providing a three way stop at the Dunlap Road and Locust Ave. Ext.

8. Treasurer's Report

Treasurer Melinda Worrell provided the monthly report. Ms. Worrell also provided an update on the meals tax receipts for the new Mexican restaurant in Fairlawn, Roca's, specifically receipts in March of \$3,700 and in April \$4,900.

Ms. Worrell also advised payments to the City of Radford may be reduced.

Mr. Sheffey advised of learning that Montgomery County was not allowing payment of taxes by credit card, noting the practice was not being well received by the citizens. Ms. Worrell advised her office had a relationship with the bank for in-house and third party users, noting the third party does charge a convenience fee.

9. Reports from the County Administrator & Staff:

a. Appointments

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

➤ New River Community College

The Board appointed Lane Penn for a four-year term ending June 30, 2018.

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

Voting no: None.

b. Four-Year Goals

The Board reviewed the electronic version of the Four-Year Goals spreadsheet. Mr. Sheffey noted the need to replace Mr. Hiss's name with appropriate designated staff.

c. Renovations for Adult Day Services and Fall Prevention Center

Mr. Hiss provided details on the recent bid opening and advised the lowest bid came in approximately \$300,000 over the budgeted amount. Mr. Hiss advised the low bidder was being engaged for potential cost reduction; however, procurement can only be adjusted 25% without having to rebid the project. Mr. Hiss described the potential for revamping the scope of work and rebidding the project. Mr. Hiss also advised the goal by staff would be to provide an update at the June 23rd Board meeting.

Board members discussed the potential for contracting with the Agency on Aging for delivery of meals, resulting in elimination of costly kitchen needs.

d. LIDAR Mapping

Mr. Huber described information regarding the federal flood insurance requirements for local control of development in flood prone areas. Mr. Huber advised these regulations are enforced by FEMA through increased flood insurance rates and/or cancellation of eligibility for participation in the federal flood insurance program following audits of local government permitting and enforcement processes and the difficulties by county staff to effectively administer the program.

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Board members discussed asking for feedback from VACo on the matter as well as the potential for the Board to not accept the grant.

On a motion by Mr. McCready, seconded by Mr. O'Dell and carried, the Board approved making application for grants to be used for redoing the FEMA maps, with the option to decline the grant if grant is found to be unacceptable to the Board, and further to encourage state legislators to look at the LIDAR mapping as a statewide project as opposed to funding through individual agency budgets.

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

e. Legislative Priority Issues Survey

Board members discussed legislative priorities and the need to include the following: unfunded mandates, school funding and construction, BPOL and machinery and tools tax, and additional secondary road funding.

Staff was requested to send the Board members the legislative priority list from 2013.

f. Request for Sponsorship of Virginia State and Eastern Territorial Championships

Mr. Hiss advised the county had been approached by the Virginia Fast Draw Association about becoming one of the sponsors for the Virginia State and Eastern Territorial Championships being held at the NRV Fairgrounds on July 10-13, 2014.

Board members and staff discussed the advantages of providing a reasonable sponsorship and also discussed the amount of funds available in the tourism budget.

On a motion by Mr. Pratt, seconded by Mr. McCready and carried, the Board approved a \$500 sponsorship to be paid from funds in the Visitor's Center budget to sponsor the Virginia State and Eastern Territorial Championships.

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

g. Update from Tim Kirtner on Moped Regulations

Mr. Kirtner advised that in response to Mr. McCready's inquiry as to whether or not a Board of Supervisors could regulate or restrict moped traffic in the county, Mr. Kirtner's research had found that the local governing bodies have no statutory authority to regulate or restrict moped use. Mr. Kirtner

advised that any bills previously submitted during the General Assembly had died at the committee Level.

Mr. Sheffey requested the pulling for discussions the following Items of Consent: "H – VRS Employer Contribution Rate Election Resolution" and "K – VPDES Permit – APCo's Claytor Hydroelectric Plant".

Regarding item "K", Mr. Sheffey requested details on this matter. Mr. Huber explained this is a part of an intergovernmental review process and the request was for the reissuance of a discharge permit to AEP with the no conflict box checked.

Regarding item "H", Mr. Sheffey questioned which of the two boxes in the VRS resolution were to be checked. Ms. Newby advised the "actuarial" rate would be checked.

10. Items of Consent

On a motion by Mr. Pratt, seconded by Mr. McCready and carried, the Board approved the following Items of Consent:

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

a. Approval of Minutes of April 21 & 28, 2014 meetings

The Board approved the minutes of the April 21 and 28, 2014 Board meetings as presented.

b. Accounts Payable

The Board approved accounts payable for checks numbered 2038630 through 2039240, subject to audit.

c. Interoffice Transfers and Budget Adjustments

The Board approved the interoffice transfer #11 totaling \$68,652.98 and budget adjustments as follows:

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GENERAL FUND #2014-18

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
100-016150-0500	Library Donations	\$ 32.47
100-024040-6300	Community Corrections/Pre-Trial Services Grant	16,796.00
100-041010-0100	Insurance Recoveries	2,540.73
		<hr/>
		\$ 19,369.20
EXPENDITURES:		
100-073100-5540	Library Travel Convention & Education	\$ 32.47
100-031200-5401	Sheriff County Garage Parts	2,540.73
100-033420-	Pre-Trial Services Various Accounts - See Attachment	14,705.00
100-033425-	Community Corrections Various Accounts - See Attachr	2,091.00
		<hr/>
	TOTAL	\$ 19,369.20

GENERAL FUND #2014-19

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
		<hr/>
		-
EXPENDITURES:		
100-012260-8101	Management Services Machinery & Equipment	\$ 2,700.00
100-012260-3320	Management Services Maintenance Service Contract	178.00
100-031400-8101	Wireless 911 Computer Equipment	2,130.00
100-091400-9301	Contingency Funds	(5,008.00)
		<hr/>
	TOTAL	\$ -

VPA FUND #2014-02

Account Number	Account Title	Amount Increase (Decrease)
REVENUES:		
201-024010-1300	State Adoption Subsidy	\$ 400,000.00
		\$ 400,000.00
201-053210-5729	State Adoption Subsidy	\$ 400,000.00
	TOTAL	\$ 400,000.00

d. Ratification and/or Approval of Contracts, Change Orders & Agreements, Etc.1. Memorandum of Agreement – VJCCCA

The Board approved a Memorandum of Agreement between the Commonwealth of Virginia and Virginia Department of Juvenile Justice and the County for supervision of a grant funded employee who works with juveniles to provide alternatives to placement in the NRV Juvenile Detention Home.

2. Agreement with Thompson and Litton

The Board approved an agreement with Thompson and Litton for architectural work on the County Administration Building in support of the School Board staff move.

e. Personnel Changes

The Board reviewed personnel changes as presented.

f. Resolution Honoring the Centennial of the Smith-Lever Act Establishing the Cooperative Extension Services

The Board approved the following resolution:

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**RESOLUTION
HONORING THE CENTENNIAL OF THE SMITH-LEVER ACT
ESTABLISHING COOPERATIVE EXTENSION**

WHEREAS, The Smith-Lever Act of 1914 established the Cooperative Extension Service, a state-by-state national network of extension educators who extend the university-based research and knowledge to the people in the counties; and

WHEREAS, the Cooperative Extension System is a nationwide educational network that is a collaboration of federal, state and local governments and Virginia Tech and Virginia State University, the state's land-grant universities; and

WHEREAS, the mission of the Cooperative Extension System is to disseminate research-based information on topics as varied as nutrition and health, youth development, agriculture, horticulture, animal husbandry, small business and personal finance. Every U.S. state and territory has a central state Extension office at its land-grant universities and county offices staffed by professionals; and

WHEREAS, Cooperative Extension of Pulaski County serves its residents through faculty and staff providing educational programs and research to meet the needs of the county; and

WHEREAS, The Smith-Lever Act of 1914 established the Cooperative Extension Service, a state-by-state national network of Extension educators who extend the university-based research and knowledge to the people in the counties; and

WHEREAS, for 100 years, the Smith-Lever Act has stimulated innovative research and vital educational programs for youth and adults through progressive information delivery systems that improved lives and shaped a nation; and

WHEREAS, Cooperative Extension educational programs in the areas of Family and Consumer Sciences, Agriculture and Natural Resources, 4-H Youth Development, and Community Viability have benefited more than 4,954 producers, businesses, families and youth in Pulaski County; and

NOW, THEREFORE, BE IT PROCLAIMED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PULASKI as follows:

That this Board on behalf of the citizens of Pulaski County recognizes the 100th Anniversary of the Smith-Lever Act that established

Cooperative Extension. We honor and thank all the faculty and staff, past, present and future, of Virginia Cooperative Extension in Pulaski County who serve residents of all ages and backgrounds and that all residents continue to grow in awareness and support, and reap the benefits of the programs and services provided by Virginia Cooperative Extension of Pulaski County.

Adopted this 19th day of May, 2014 by the Pulaski County Board of Supervisors.

g. Post Issuance Tax Compliance Procedures – PSA

The Board approved the following procedures:

**Pulaski County Public Service Authority
Post-Issuance Tax Compliance Procedures
For Tax-Exempt Bonds**

(Adopted May __, 2014)

The purpose of these Post-Issuance Tax Compliance Procedures is to establish policies and procedures in connection with tax-exempt bonds (the "**Bonds**") issued by the Pulaski County Public Service Authority, a political subdivision of the Commonwealth of Virginia (the "**Authority**") which will increase the likelihood of compliance with all applicable post-issuance requirements of federal income tax law needed to preserve the tax-exempt status of the Bonds. The Authority reserves the right to use its discretion as necessary and appropriate to make exceptions or request additional provisions as circumstances warrant. The Authority also reserves the right to change these policies and procedures from time to time.

General

The Authority adopts these post-issuance tax compliance procedures for all Bonds issued by the Authority. As used in these procedures, "**Compliance Officer**" means the [Secretary-Treasurer] of the Authority or, with respect to any Bond issue, the officer, employee or agent of the Authority specifically designated in the tax certificate and agreement ("**Tax Certificate**") or other documents finalized at or before issuance of the Bonds as the "Compliance Officer" for purposes of these procedures with respect to that Bond issue.

Post-Issuance Compliance Procedures

A. Internal Revenue Service Filings

At the time of issuance and throughout the life of the Bonds, issuers of governmental bonds must comply with certain information filing requirements under §149(e) of the Code. The Compliance Officer will work with bond counsel and any other legal counsel and advisors to file all applicable documents with the Internal Revenue Service by the required due date.

B. External Advisors/Documentation

The Compliance Officer will consult with bond counsel and other legal counsel and advisors, as needed, throughout the Bond issuance process to identify requirements and to establish procedures necessary or appropriate so that the Bonds will continue to qualify for tax-exempt status. Those requirements and procedures will be documented in the Tax Certificate and other documents finalized at or before issuance of the Bonds. Those requirements and procedures will include future compliance with applicable arbitrage rebate requirements and all other applicable post-issuance requirements of federal tax law throughout (and in some cases beyond) the term of the Bonds.

The Compliance Officer will consult with bond counsel and other legal counsel and advisors, as needed, following issuance of the Bonds to ensure that all applicable post-issuance requirements in fact are met. This step will include, without limitation, consultation in connection with any potential changes in use of Bond-financed or refinanced assets.

The Compliance Officer will be responsible to determine (or obtain expert advice to determine) whether arbitrage rebate calculations have to be made for the Bond issue. If it is determined that such calculations are or are likely to be required, the Compliance Officer will engage expert advisors (each a "**Rebate Service Provider**") to assist in the calculation of arbitrage rebate payable in respect of the investment of Bond proceeds, or else will ensure that the Authority has adequate financial, accounting and legal resources of its own to make such calculations.

Unless otherwise provided by the ordinance or resolution relating to the Bonds, unexpended Bond proceeds will be held by a trustee or other financial institution, and the investment of Bond proceeds will be managed by the Compliance Officer. The Compliance Officer will prepare (or cause the trustee, if any, to prepare) regular, periodic statements regarding the investments and transactions involving Bond proceeds and such statements will be delivered to the governing body of the Authority if it so requests.

C. Arbitrage Rebate and Yield

It is the Authority's policy to comply with all applicable requirements under Federal arbitrage regulations. The Compliance Officer will consult with bond counsel and other legal counsel and advisors, as needed, in connection with:

- 1) Determining the likelihood of complying with an arbitrage rebate exemption. If at the time of Bond Issuance, based on reasonable expectations set forth in the Tax Certificate and Agreement, it appears likely that the Bond issue will qualify for an exemption from the rebate requirement, the Compliance Officer may defer taking any of the actions set forth in subsection (2) below. Not later than the time of completion of construction or acquisition of the Project, and depletion of all funds from the Project Fund, the Compliance Officer will make a determination if expenditure of the bond proceeds qualified for exemption from the rebate requirements based on spending within 6 month or 18 month period after issuance. If rebate exemption is determined to be applicable, the Compliance Officer will prepare and keep in the permanent records of the Bond Issue a memorandum evidencing this conclusion together with records of expenditure to support such conclusion. If the transaction does not qualify for rebate exemption, the Compliance Officer will initiate the steps set forth in (2) below.
- 2) If necessary, engaging the services of a Rebate Service Provider and, prior to each rebate calculation date, causing periodic statements concerning the investment of Bond proceeds to be furnished to the Rebate Service Provider. If at the time of Bond Issuance it appears likely that arbitrage rebate calculations will be required, or upon determination that calculations are required pursuant to (1) above, the Compliance Officer will:
 - engage the services of a Rebate Service Provider and, prior to each rebate calculation date, cause the trustee or other financial institution investing bond proceeds to deliver periodic statements concerning the investment of Bond proceeds to the Rebate Service Provider;
 - provide to the Rebate Service Provider additional documents and information reasonably requested by the Rebate Service Provider;
 - monitor efforts of the Rebate Service Provider;
 - assure payment of required rebate amounts, if any, no later than 60 days after each 5-year anniversary of the issue date of the Bonds, and no later than 60 days after the last Bond of each issue is redeemed;
 - during the construction period of each capital project financed in whole or in part by Bonds, monitor the investment and expenditure of Bond proceeds and consult with the Rebate Service Provider to determine compliance with any applicable exceptions from the arbitrage rebate requirements during each 6-month spending period up to 6 months or 18 months, as applicable, following

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the issue date of the Bonds; and retain copies of all arbitrage reports and trustee statements as described below under "Record Keeping Requirements" and, upon request, providing such copies to the bond issuer.

- in lieu of engaging an outside Rebate Service Provider, the Compliance Officer may make a determination that it has sufficient capabilities using its own personnel, supported by its regular accounting and legal advisers, to be able to make the required rebate calculations. Such determination will be evidenced in writing with specific reference to the personnel and advisers to carry out the calculations, and such written determination will be maintained in the records of the bond transaction.

D. Use of Bond Proceeds and Bond-Financed or Refinanced Assets:

It is the Authority's policy that the Compliance Officer will be responsible for:

- monitoring the use of Bond proceeds (including investment earnings and including reimbursement of expenditures made before bond issuance) and the use of Bond-financed or refinanced assets (e.g., facilities, furnishings or equipment) throughout the term of the Bonds to ensure compliance with covenants and restrictions set forth in the Tax Certificate relating to the Bonds (e.g., restrictions on private business use, payment and security);
- maintaining records identifying the assets or portion of assets that are financed or refinanced with proceeds of each issue of Bonds (including investment earnings and including reimbursement of expenditures made before bond issuance), including a final allocation of Bond proceeds as described below under "Record Keeping Requirements;"
- consulting with bond counsel and other legal counsel and advisers in the review of any change in use of Bond-financed or refinanced assets to ensure compliance with all covenants and restrictions set forth in the Tax Certificate relating to the Bonds;
- conferring at least annually with personnel responsible for Bond-financed or refinanced assets to identify and discussing any existing or planned use of Bond-financed or refinanced assets, to ensure that those uses are consistent with all covenants and restrictions set forth in the Tax Certificate relating to the Bonds;
- to the extent that the Compliance Officer discovers that any applicable tax restrictions regarding use of Bond proceeds and Bond-financed or refinanced assets will or may be violated, consulting promptly with bond counsel and other legal counsel and advisers to determine a course of action to remediate all nonqualified bonds, if such counsel advises that a remedial action is necessary; and

- with respect to other types of exempt facilities, adopting any such procedures that bond counsel deems appropriate to periodically assess whether such facility continues to qualify as an exempt facility.

All relevant records and contracts will be maintained as described below.

E. Record Keeping Requirements

It is the Authority's policy that the Compliance Officer will be responsible for maintaining the following documents for the term of each issue of Bonds (including refunding Bonds, if any) plus at least three years:

- a copy of the Bond closing transcript(s) and other relevant documentation delivered at or in connection with closing of the issue of Bonds;
- a copy of all material documents relating to capital expenditures financed or refinanced by Bond proceeds, including (without limitation) construction contracts, purchase orders, invoices, trustee requisitions and payment records, as well as documents relating to costs reimbursed with Bond proceeds and records identifying the assets or portion of assets that are financed or refinanced with Bond proceeds, including a final allocation of Bond proceeds and any Final Completion Report filed pursuant to the Bond documents; and
- a copy of all records of investments, investment agreements, arbitrage reports and underlying documents, including trustee statements, in connection with any investment agreements, and copies of all bidding documents, if any.

h. VRS Employer Contribution Rate Election Resolution

The Board adopted the following "Employer Contribution Rates for Counties, Cities, Towns, School Division and Other Political Subdivision" resolution:

Employer Contribution Rates for Counties, Cities,
Towns, School Divisions and Other Political Subdivisions
(In accordance with the 2014 Appropriation Act Item 468(H))

RESOLUTION

BE IT RESOLVED, that the County of Pulaski, Employer Code #55177 does hereby acknowledge that its contribution rates effective July 1, 2014 shall be based on the higher of a) the contribution rate in effect for FY 2014, or b) eighty percent of the results of the June 30, 2013 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2014-16 biennium (the "Alternate Rate") provided that, at its option, the contribution rate may be based on the employer contributions rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code 51.1-145(I)

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resulting from the June 30, 2013 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the County of Pulaski, Employer Code #55177 does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2014:

(Check only one box)

The Certified Rate of 12.09% The Alternate Rate of ____ %; and

BE IT ALSO RESOLVED, that the County of Pulaski, Employer Code #55177 does hereby certify to the Virginia Retirement System Board of Trustees that is has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of the resolution; and

NOW, THEREFORE, the officers of the County of Pulaski, Employer Code #55177 are hereby authorized and directed in the name of the County of Pulaski to carry out the provisions of this resolution, and said officers of the County of Pulaski are authorized and directed to pay over to the Treasurer of Virginia from time to time as such sums as are due to the paid by the County of Pulaski for this purpose.

i. Naming/Dedication of Conference Room in Sheriff's Office

The Board approved the designation of one of the conference/training rooms at the new Sheriff's office to former Sheriff and Board of Supervisor member Frank Conner, with a plaque to be placed at the entrance to the room in Mr. Conner's honor.

j. Baskerville Program Income Plan

The Board accepted and approved the Program Income Plan, as presented, a copy of which is filed with the records of this meeting.

k. VPDES Permit – APCo's Claytor Hydroelectric Plant

The Board approved responding to the New River Valley Planning District Commission that the county finds no conflict between the above listed projects and its plans, policies and goals.

l. Budget Advertisement

The Board approved advertisement of the proposed FY 15 budget for a public hearing scheduled for Monday, June 16, 2014 at 7:00 p.m. A copy of said budget advertisement is filed with the records of this meeting and in the office of the Finance Director.

11. Citizen Comments

Brenda Blackburn rescinded a request to have a public meeting related to the closing of a portion of the Max Creek property. Ms. Blackburn requested a refund on taxes paid on property for which a deed was recorded without the benefit of a survey. Treasurer Worrell advised the Commissioner of Revenue is obligated to charge taxes on property for which a deed exists, with the Treasurer being obligated to collect said taxes. Ms. Worrell also described the setoff debt collection program. Mr. Sheffey requested the Commissioner, Treasurer, and County Attorney discuss the matter to determine deed status and provide an update at a future meeting.

Ms. Blackburn expressed concern over individuals being "back billed" by the PSA upon discovery by the PSA that individuals had not been billed for garage services. Ms. Blackburn requested the Board of Supervisors work with the PSA Board to eliminate the balances on these citizens. Mr. Huber clarified that the PSA does not "back bill" individuals for services, but rather billing by the PSA starts on the day it is discovered that someone is not receiving bills for services being rendered by the PSA. Mr. Sheffey advised the PSA Board is a separate governing body and therefore, the PSA Board would be appropriate board to respond to Ms. Blackburn's inquiry. Mr. McCready advised the PSA had hired a "collections clerk" to review all collections related to non-paying customers, etc.

Ms. Blackburn referenced the hiring procedures for Pulaski County employees and expressed concern that "nepotism" policies are not being enforced.

Ms. Rhonda Seltz, 5876 Chestnut Ridge Road, Riner, expressed concern over the strict Medicaid guidelines in Virginia. Ms. Seltz advised rural hospitals are being hit hard due to poverty level requirements. Ms. Seltz requested the Board adopt a resolution in support of closing the coverage gap. Mr. Sheffey inquired if Ms. Seltz had met with the legislators. Ms. Seltz responded she had met with legislators regarding the matter. Ms. Seltz presented a draft resolution, as well as a letter of support from the Pulaski Community Hospital CEO Mark Nichols. Mr. Sheffey requested county staff send the information to Board members via weekly update and place consideration to support of the program on the June 23, 2014 agenda.

12. Other Matters from Supervisors

Mr. McCready read a statement related to school funding needs as follows:

The Pulaski County Board of Supervisors has set the date of June 16 at 7 PM for a public hearing on the county budget for 2014/2015.

While the State of Virginia cannot seem to get their budget done, we will finish our part.

As a part of our budget the BOS has worked to provide a level of capital maintenance funding to the Pulaski County Schools.

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In addition the BOS has increased the operation funding to the schools for next year by \$269,000. This will pay for the increase in health care insurance use as well as the cover the increase in insurance cost for the coming year.

All of this will be accomplished with NO INCREASE IN TAXES!

It is clear that Pulaski County cannot count on the State of Virginia or the Federal Government for additional funding to improve our school buildings.

We must do this ourselves. In addition we must do this while "living within our means".

The PC BOS has put together a plan to borrow \$2.8 million dollars over a 7 year term. Our payments for this debt will be made by cuts to the existing budget as well as increased revenues from our growth in our tool and machinery tax. This loan will pay off in 2021. This is the same time as the debt on Pulaski Elementary will pay off.

Approximately \$400,000. of this package will used for improvements at other county buildings while \$2,320,000. will be offered to the schools.

The goals for these funds is very clear:

- 1. Every Classroom in Pulaski Middle School, Dublin Middle School, and Dublin Elementary School will be air conditioned.*
- 2. Pulaski Middle School, Dublin Middle School, and Dublin Elementary School will be painted inside and out.*
- 3. The other half of the roof at the CTE building at the high school will be replaced.*

The BOS must look at the long terms needs of the county. The BOS has considered the reuse of these buildings when and if they are no longer needed as a school. These improvements will better preserve and provide for future uses as well as make our schools better today.

The school funding is as follows.

2014 Pulaski County School Capital Maintenance Grant Fund.

- 1. \$200,000 to assist with the replacement of the roof on the Tech Ed building at the Pulaski County High School.*
- 2. \$450,000 to replace the heating and add air conditioning to 30 classrooms at Dublin Elementary School.*
- 3. \$480,000 to add air conditioning to 32 classrooms at Dublin Middle School.*
- 4. \$480,000 to add air conditioning to 32 classrooms at Pulaski Middle School.*
- 5. \$150,000 to replace selected windows at Dublin Middle School.*

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6. *\$150,000 to replace selected windows at Pulaski Middle School.*
7. *\$80,000 to paint the interior and exterior of Dublin Elementary School.*
8. *\$110,000 to paint the interior and exterior of Dublin Middle School.*
9. *\$130,000 to paint the interior and exterior of Pulaski Middle School.*
10. *\$50,000 for new energy efficient light fixtures in selected classrooms as a demonstration projection at all three schools.*
11. *\$40,000 for engineering services to prepare **

In item # 1. The funding of \$200,000 will not become available to be spent until the existing School Capital Budget is zeroed out. The balance of this fund is approximately \$ 418,000. Once a total of \$618,000 is spent, then the BOS and the SB will provide equal amounts of money until the project is paid for.

In item # 2. The SB shall conduct a review at DES looking at using a combined gas heat/air conditioning classroom unit. This review would look at the best way to heat and cool these classrooms and eliminate the existing electric heaters.

In items # 3 & 4. The SB shall review using the combined gas heat/air conditioning classroom unit. This would eliminate the need to start the large central boiler except on the coldest of days.

In items #2,3 &4. For the purposes of this project, only classrooms can be done at this time. Areas not to receive A/C include, auditorium, gym, cafeteria, hallways, library, teacher lounge, and school offices.

In items #2,3 & 4. As much as possible, A/C should be installed on the second floors of the middle schools and the elementary school prior to the start of the new school year.

In items # 5 & 6. The SB shall review changing window sizes from the large non-standard sizes to a smaller standard size. In addition, The SB may want to consider framing closed some of these window openings. This technique has been used successfully at a number of schools in Southwest Virginia.

In items #7,8 &9. To assist the SB to stretching every dollar, the BOS would provide to the schools at no cost the Pulaski County Inmate Work Force. The work force will be supervised by Pulaski County deputies or by school resource officers. The work force would work weekends, holidays, and all summer long to paint the schools. They will not work when children are in that school. This assistance should reduce the \$320,000 cost to paint the schools by 70%. The savings would then be used to install more windows or new light fixtures in that school.

In item # 11. The SB will only use a fee for services engineering firm for this project. The engineer will work closely with SB staff to organize jobs so that work can begin when school lets out in June 2014. After he completes this initial work then he may

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review work for a larger DES project. Whenever possible, work should be done by school maintenance personnel or local contractors. Bid packages should be small enough to encourage local bidding. The BOS will also make available to the SB at no cost a number of county employees who are skilled a project management or other construction services.

Within 6 months of accepting this package the SB will deed over all property associated with the old Claremont School.

An application for these funds shall be considered to be a majority vote by the Pulaski County School Board to accept this funding and agreeing to all the terms and conditions.

Upon a majority vote of the PCSB the BOS will make these funds available for immediate use.

This package must only be considered as a whole. No funding shall be available for a partial package.

Mr. Sheffey reminded the Board of the start of the "no tie" attire for Board meetings between June 1 through October 1, 2014.

Mr. Sheffey advised the next meeting of the Board would be held on Monday, June 16, 2014 at which time a public hearing will be held on the county's budget.

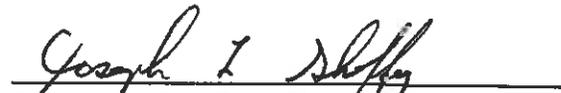
13. Adjournment

On a motion by Mr. O'Dell, seconded by Mr. McCreedy and carried, the Board of Supervisors adjourned its regular meeting. The next meeting of the Board of Supervisors will be held at 7 p.m. on Monday, June 16, 2014 in the Board Room of the County Administration Building, 143 Third Street, NW., in the Town of Pulaski for the purpose of conducting a public hearing on the FY 15 budget. The next regular Board of Supervisors meeting is scheduled for Monday, June 23, 2014 beginning with a Closed Session at 5:30 p.m. and the regular meeting at 7:00 p.m. with said meeting to be held in the County Administration Building.

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

Voting no: None.


Peter M. Huber, County Administrator


Joseph L. Sheffey, Chairman