

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 26, 2015

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, October 26, 2015 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; and Dean Pratt. Ranny O'Dell was absent. Staff members present included: Peter Huber, County Administrator; and Karen Thompson, Assistant County Administrator. Joining the regular session at 7:00 p.m. were Gena Hanks, Clerk to the Board.

1. Closed Session – 2.2-3711.A.1.3.5.7

Chairman Sheffey called the meeting to order and advised a Closed Session would need to be held as follows:

A Closed Session is requested pursuant to Section 2.2-3711.A.1.3.5.7 of the 1950 Code of Virginia, as amended, to discuss personnel, legal, land acquisition/disposition, and prospective industry matters.

On a motion by Mr. Bopp, seconded by Mr. McCready and carried, the Board of Supervisors entered a Closed Session for discussion of the following:

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

- Appointments
- EMS Deputy Coordinator's Pay
- Employee Bonuses
- RFP for Legal Services

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:

- Purchase of Industrial Property
- Southbound I-81 Welcome Sign
- Heron's Landing Road Access
- Dublin Town Center Property

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:

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- Boy Scout Refinancing
- Project Pellet

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:

- Payment for Town of Pulaski Payment for 911 Startup Fees
- Water System Status

Voting yes: Mr. McCready, Mr. Sheffey, Mr. Bopp, Mr. Pratt.
Voting no: None.
Not present: Mr. O'Dell.

Return to Regular Session

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

Voting yes: Mr. McCready, Mr. Sheffey, Mr. Bopp, Mr. Pratt.
Voting no: None.
Not present: Mr. Q'Dell.

Certification of Conformance with Virginia Freedom of Information Act

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

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

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

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

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

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Voting no: None.
Not present: Mr. O'Dell.

Mr. Sheffey described the purpose of the Closed Session and action needed to return to open session. Mr. Sheffey also apologized for the late start of the regular meeting which was due to technical difficulties with equipment.

Mr. Sheffey advised that Supervisor O'Dell was unable to attend the meeting due to illness.

2. Welcome, Pledge and Invocation

A. Welcome

Mr. Sheffey welcomed those in attendance to the Board meeting.

B. Pledge of Allegiance

Supervisor Bopp led the Pledge of Allegiance.

C. Invocation

Mr. Sheffey advised that citizens in the audience were under no obligation to stand during the invocation.

David Kester of Anderson Memorial Presbyterian Church provided the Invocation.

3. Presentations and Recognitions

A. Featured Department - Registrar

Mr. Sheffey advised the Featured Department for the meeting was the Registrar's office. Ms. Kathy Webb, Registrar, described staffing of the office and introduced Electoral Board Secretary Sybil Atkinson. Ms. Webb shared a detailed PowerPoint, which provided specifics related to the overall election process, etc.

Board members thanked Ms. Webb for the information provided, offered comments and posed several questions to Ms. Webb.

Mr. McCreedy inquired as to any restrictions for use of the County's official "seal" as a part of election advertisements. Ms. Webb offered to research this question and provide an update to Ms. Hanks for placing in the weekly update.

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B. Recognition of Brad Wright

On a motion by Mr. Pratt, seconded by Mr. McCreedy and carried, the Board adopted the following resolution recognizing Brad Wright for his involvement as one of the County's Deputy EMS Coordinators in a "Rough Fire" event in California:

**RESOLUTION OF COMMENDATION
Brad Wright**

WHEREAS, Brad Wright has served Pulaski County as Deputy Emergency Management Coordinator since August 1, 2010; and

WHEREAS, Brad Wright enhanced his incident management capabilities while performing as the Type 3 Incident Commander for the 90,000 acre Rough Fire near Shaver Lake, California from September 3rd to September 15th, 2015; and

WHEREAS, Brad Wright continued his professional development as member of the Central Virginia All Hazards Incident Management Team and traveled to the Guardian Center exercise facility in Georgia to participate in a national, multi-agency incident management exercise; and

WHEREAS, Brad Wright is committed to providing the highest quality of emergency preparedness to the citizens of Pulaski County and demonstrated a high degree of professionalism while representing the emergency responders of Pulaski County; and

WHEREAS, Brad Wright's dedication, integrity, and longstanding assistance is deeply appreciated; and

WHEREAS, Brad Wright continues to make a major impact in improving the quality and capability of emergency services for Pulaski County residents.

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

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Board of Supervisors this 26th day of October 2015, in permanent testimony of its appreciation to the service of **Brad Wright**.

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

Voting no: None.

Not present: Mr. O'Dell.

Board members commended and thanked Mr. Wright for his service.

C. Trail Blazer Award

Anthony Akers presented an award by the Southwest 2020 Collaborative for the establishment of a drug court.

D. Floyd County Appreciation

Mr. Huber shared a letter from Floyd County thanking Pulaski County staff for assisting with damage assessments following the recent flooding in Floyd County.

Board members commended and thanked County staff for willingness to provide assistance to other localities.

4. Additions or Changes to the Agenda

Mr. Huber advised of the following additional agenda items under Items of Consent:

- Notification of VDOT Rt. 11 Study to include the area Between Rt. 114 and Radford Corporate Limit; and
- Removal of 10I – Modification of NRRRA Member Agreements.

5. Public Hearings:

A. Special Use Permit – Pool Room

Mr. Wilson advised the request is for a Special Use Permit to open a pool hall/game room in an existing, empty building and described the current zoning ordinance at it relates to "Public Billiard Parlors and Pool Rooms". Mr. Wilson also described the area for the proposed pool hall as containing a variety of commercial uses. Mr. Wilson advised that VDOT had submitted a letter describing additional information that is required with respect to entrances and to document access management exception process. Mr. Wilson advised the Planning Commission recommended unanimous approval.

Mr. McCready inquired if there were any plans to remove the trees located across the back of the property. Mr. Wilson advised there were no plans at this time.

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

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On a motion by Mr. McCready, seconded by Mr. Bopp and carried, the Board approved a request for a Special Use Permit to open a pool hall/game room in an existing, empty building as recommended by the Planning Commission.

Voting yes: Mr. McCready, Mr. Sheffey, Mr. Bopp, Mr. Pratt.
Voting no: None.
Not present: Mr. O'Dell.

B. Unified Development Ordinance Adoption

Mr. Wilson summarized work by the Planning Commission and staff over the past 15 months to rewrite the Zoning and Subdivision Ordinances into the Unified Development Ordinance. Mr. Wilson advised the document is in its draft form and as revisions were made, had been placed on the County's web site, as well as numerous community meetings with citizens, developers, engineers, professionals, etc. to receive citizen input on the proposed changes. Mr. Wilson also advised that errors and typos will be edited as staff finds them and that more in-depth discussions can be held at a later date related to highway sign overlay standards.

Mr. McCready requested that those discussions also include specific sign measures for high rise signage.

Board members discussed the overall formatting, streamlining and organizing of the ordinance. Board members thanked the Planning Commission, Mr. Wilson and other County staff for their efforts in modifying the zoning and subdivision ordinances.

Mr. Sheffey opened the public hearing.

Cheri Strenz, representing Friends of Claytor Lake, provided support for integrating the shoreline management plan and thanked the Planning Commission, Board and County staff for the process in updating the ordinances.

Mr. Sheffey closed the public hearing.

On a motion by Mr. Bopp, seconded by Mr. Pratt and carried, the Board approved the Unified Development Ordinance, a copy of which is filed in the Pulaski County Community Development office and the Circuit Court Clerk's office.

Voting yes: Mr. McCready, Mr. Sheffey, Mr. Bopp, Mr. Pratt.
Voting no: None.
Not present: Mr. O'Dell.

6. Presentations and Citizen Comments

Mr. Sheffey explained the purpose of this first "Citizen Comments" section was to allow citizens to speak to any item on the current agenda only, as well as to allow those agencies funded by the Board of Supervisors an opportunity to speak.

Ms. Laura Walters, representing Friends of Claytor Lake, spoke regarding item 9C – DeHaven Park and offered support to pursuing repair of the seawall at DeHaven Park.

Ms. Allison Hunter, Executive Director of the Pulaski YMCA, spoke regarding item 11A – Citizen Comments, Presentation re: "Proposed Boys and Girls Club". Ms. Hunter described the YMCA's history, as well as the mission of the YMCA. Ms. Hunter also advised of having met with Tina Martin, the presenter of the Boys and Girls Club proposal, and offered support of the concept of the YMCA partnering with the club to reach additional youth in the community.

7. Highway Matters:

A. Follow-up from previous Board meetings:

- Review of Highway Matters Section of Key Activity Timetable

1. Request for Stop Sign at Advance Auto

No action was taken on this matter. Staff was requested to provide an update at the November Board meeting.

2. Skyview Subdivision

Mr. Clarke to provide estimate on costs associated with request.

3. Other Matters

Mr. McCready inquired as to the status of a previous request for a speed study on Hatcher Road. Mr. Clarke advised the speed study had not been completed.

Mr. Sheffey inquired as to the status of the request for improvements to the intersection at Kroger in Fairlawn. Mr. Clarke to provide a letter to the Board which provides an update on this matter.

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B. Dallas Freeman Road

Board members reviewed an email from Tina Rife requesting attention to drainage issues in piping Dallas Freeman Road. Mr. Huber advised VDOT had responded to Ms. Rife's request.

C. Oak Grove Center Resolution

Board members confirmed that adding the road to the secondary system would qualify the road for snow removal, mowing, etc. at no cost to the county.

On a motion by Mr. McCready, seconded by Mr. Pratt and carried, the Board of Supervisors of Pulaski County, in regular meeting on the 26th day of October, 2015, adopted the following:

RESOLUTION

WHEREAS, the street(s) described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Pulaski County, and

WHEREAS, the representative for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Virginia Department of Transportation's Subdivision Street Requirements, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described below to the secondary system of state highways, pursuant to 33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements, after receiving a copy of this resolution and all outstanding fees and documents required of the developer, whichever occurs last in time.

**Project/Subdivision – Oak Grove Center
Type Change to the Secondary System of State Highways**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right-of-way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: Pursuant to Code of Virginia Statute:

Street Name and/or Route Number – Northwind Drive, State Route Number 1115 – Old Route Number – 0

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From intersection Rt. 11 to Rt. 1116 Eastridge Lane, a distance of 0.06 miles
Recordation Preference: Plat Cab. 2, Slide 24, Pg. 4
Right-of-way width (feet) = 60'

Street Name and/or Route Number – Eastridge Lane, State Route Number 1116 – Old Route Number – 0
From intersection Rt. 1115, a distance of 0.07 miles
Recordation Preference: Plat Cab. 2, Slide 24, Pg. 4
Right-of-way width (feet) = 50'

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Administrator for the Virginia Department of Transportation

Voting yes: Mr. McCreedy, Mr. Sheffey, Mr. Bopp, Mr. Pratt.
Voting no: None.
Not present: Mr. O'Dell.

D. Request for Signage

Board members reviewed a request from Joseph Sherry of 3126 Quesenberry Place, Draper, alerting travelers to slow down due to children playing who are deaf. Mr. Clarke advised "Watch for Children" signage could be erected if not already existing; however, VDOT had discontinued use of any other signage. Mr. Clarke was requested to provide official letter citing VDOT policy.

E. Closure of Route 693 between Baptist Hollow Road Intersections

Board members reviewed email from VDOT regarding the need to close Lead Mine Road (Rt. 693) for a month beginning October 26th. Mr. Clarke advised the project should take approximately one month to complete.

F. Fairlawn Stop Sign

Board members reviewed a letter and related diagram describing a request from Jacqueline Hopkins for revisions to the Ridge Road/South Drive intersection in Fairlawn. Mr. Clarke advised VDOT staff would erect "Do Not Enter" signage as appropriate.

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G. Highland and Belspring Road Through Truck Restriction

Board members reviewed a letter from VDOT approving the Board of Supervisors' request for restricting through-trucks on Highland and Belspring roads.

H. Citizen Comments

Stephanie Fuller expressed concern over the lack of funding for improvements to Lead Mines Road, specifically requesting reinstatement of funds to complete said improvements from Lead Mines Road to Hiwassee. Ms. Fuller expressed additional concerns over Boyd Hill Lane, noting concerns over the safety of children due to the lack of visibility when crossing road.

Dean Fuller expressed concerns over the heavy traffic on Boyd Hill Lane, indicating the left hand turn from Boyd Hill Lane is too narrow. Mr. Fuller advised of having contacted Supervisor Ranny O'Dell and sharing concerns related to dangerous conditions on the road.

Board members discussed with VDOT the volume of tractor trailer traffic on the road, as well as the overall reduction in the funding provided by VDOT to localities towards road improvements.

Mr. McCready described the typical timeline for road projects, noting that due to the decrease in state funds, projects were often delayed. Mr. McCready also spoke to the frustrations by the Board of Supervisors due to funds from the state decreasing from \$11 million in state funds received yearly to \$88,000.

Isaac Johnston distributed pictures of the current traffic pattern from the Rt. 100 entrance to Skyview Subdivision, Rt. 1076, specifically the hazards associated with the narrow cross-over. Mr. Johnston requested consideration to a turn lane at the crossing. Mr. Clarke advised VDOT staff would review the matter and provide an update at a future meeting.

Tracy Boyd inquired if improvements could be made to the slope on Boyd Hill Lane. Mr. Clarke advised VDOT would review the matter.

I. Board of Supervisors Comments

Mr. Bopp inquired as to status of cleaning of ditches on Little Walker Mountain. Mr. Clarke advised VDOT staff would review the matter.

Mr. Bopp requested attention by VDOT to fallen trees and brush cutting along roads.

Mr. McCready requested VDOT provide a preliminary report on the costs associated with the conversion of Boyd Hill Lane from a private to public road. Staff was requested to arrange for a meeting with residents and provide an update at a future meeting of the Board.

Mr. McCready inquired as to the status of the Exit 98 improvements. Mr. Clarke advised VDOT staff would review the matter and provide an update at a future meeting.

Mr. McCready inquired as to status of informal speed study on Hatcher Road. Mr. Clarke advised VDOT staff would review the matter and provide an update at a future meeting.

Mr. McCready expressed concern over the hazardous conditions posed on Bob White Blvd., specifically where vehicles exit right off of Cougar Trail Road onto Bob White Boulevard and then proceed to do a "U" turn. Mr. Clarke suggested a "No U Turn" sign would be appropriate.

Mr. Sheffey complimented VDOT for the recent mowing in the Cloyd District, and more specifically on Falling Branch Road. Mr. Sheffey commended Mr. Giles of VDOT for his efforts.

Mr. Clarke advised the speed limit signage had been erected in the Stone Ridge Subdivision.

8. Treasurer's Report

Melinda Worrell, Treasurer, provided the monthly reports including the trial balance, statement of investments, a chart and table describing the one-percent sales tax receipts and the Treasurer's annual report. Ms. Worrell also advised that real estate tax tickets were expected to be mailed this week. Mr. Sheffey inquired as to the status of a resolution being proposed by another locality related to the handling of investments. Ms. Worrell advised no action was being requested at this time, as the Treasurer's Association was monitoring the matter.

9. Reports from the County Administrator & Staff:

A. Appointments

There was no action on appointments.

B. Four-Year Goals

Mr. McCready referenced 2.1.5 related to energy savings measures and advised the school system had seen a savings of approximately \$104,000 as result of the Board of Supervisors' action in 2011 to provide over \$1 million in funds to allow for conversion from electric to natural gas at Pulaski County

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High School (PCHS). Mr. McCready spoke to the benefit of having a third party to review energy savings measures.

Mr. Sheffey referenced 5.4.1 related to support of the NRV Airport and requested Danny Wilson express the Board of Supervisors appreciation for the construction work at the Airport. Mr. Wilson described the FAA grant received which allowed for 90% of the construction.

Mr. McCready referenced 10.4.1 related to updates to the Zoning Ordinance and advised there were other updates to be made in the future.

C. DeHaven Park

Mr. Huber provided pictures describing how the lake front portion of DeHaven Park currently looks, as compared to what it could look like and also indicated the County had equipment to place the stone on the lake side of the existing deteriorated seawall and could bring in top soil and gravel to provide a smooth access to the backside of the seawall.

Mr. McCready inquired regarding the funding for the project. Anthony Akers advised funds would be used from the Parks and Recreation budget, also noting funds could be used from the revenues through the sale of boat slips at DeHaven Park. Mr. Huber advised Friends of Claytor Lake (FOCL) had provided a letter of support. Mr. Pratt advised the project had merit.

D. VSBFA Loan to IDA

On a motion by Mr. McCready, seconded by Mr. Bopp and carried, the Board approved an agreement for the refinancing of the Falls Stamping Loan through the Virginia Small Business Authority and authorized the Chairman of the Board of Supervisors and County staff to do all acts necessary, including execution of resolution, to allow for refinancing of the Falls Stamping Loan through the Virginia Small Business Financing Authority.

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

Voting no: None.

Not present: Mr. O'Dell.

E. County Administration Building (CAB)

Mr. Huber described a recent situation involving an overheated blower motor which caused a fire alarm in the CAB. Mr. Huber also presented short- and long-term plans for addressing current conditions, as well as the preliminary remodeling plans which support the work staff proposes for the building.

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Mr. McCready inquired if the work in question could be performed by using inmate labor. Mr. Huber advised some of the work required skilled laborers; however, an inmate could be paired with an employee with a similar skill set.

F. Noxious Weed and Grass Ordinance

Mr. Kirtner summarized concerns voiced previously by Mr. Viars regarding the encroachment of bamboo onto his property, as well as throughout the county. Mr. Kirtner advised he had contacted constituents in the local government attorney association and there were no localities in Virginia where bamboo was regulated. Mr. Kirtner advised that while there were no state regulations for bamboo, there was specific statute governing the control of Musk Thistle and Johnson Grass. Lastly, Mr. Kirtner advised the county does not have the statutory authority to enact an ordinance that would regulate bamboo.

Mr. Sheffey advised the matter would have to be presented to the General Assembly for consideration to change in state law and suggested adding the bamboo issue to the overall legislative listing to be presented to the county's legislature for upcoming General Assembly action.

Mr. Huber summarized the list of items to be included in the request to legislators as follows: authorization to implement a local tobacco tax to fund school maintenance/construction; day of shortened sentence for each day of community services for locally responsible inmates; statutes governing bamboo controls and the Canadian thistle; I-81/State Park signage; and funding for education.

10. Items of Consent

Mr. Sheffey reminded the Board of removal of item 10I

Mr. Sheffey referenced item 10K and advised he would be unable to attend the Annual Board meeting of VACo and therefore another Board member who is attending the annual conference would need to be elected as the County's voting delegate.

On a motion by Mr. McCready, seconded by Mr. Pratt and carried, the Board approved Items of Consent as listed and noted below, except for item 10I which was removed.

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

Voting no: None.

Not present: Mr. O'Dell.

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A. Approval of Minutes of September 14, 28 and October 2, 2015 Meetings

The Board approved the minutes of the September 14, 18 and October 2, 2015 Board meetings.

B. Accounts Payable

The Board approved accounts payable for checks numbered 2047316 through 2047783, subject to audit.

C. Interoffice Transfers and Budget Adjustments

The Board approved interoffice transfer #4 in the amount of \$43,788.40. The following listing of budget adjustments were also approved: General Fund #2016-06 - \$1,825.35; General Fund #2016-07; Capital Improvements Fund #2016-03 - \$1,500.00; Internal Service Fund #2016-01 - \$3,196.00; Capital Improvements Fund #2016-04 - \$664,900.00; and School Fund #2 - \$(294,067.00).

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

There were no items to be considered by the Board.

E. Personnel Changes

The Board ratified approval of personnel changes that were presented in weekly updates from September 24 through October 15, 2015.

F. Stormwater Management Opt-Out Option

The Board adopted the following resolution:

**Pulaski County Board of Supervisors
Resolution of Support of Stormwater "Opt Out" Option
October 26, 2015**

WHEREAS, many localities are increasingly concerned over the Commonwealth of Virginia's expanding reliance upon localities for the administration, implementation and enforcement of regulations promulgated at the state level; and

WHEREAS, over the past several years, many changes have been made to the environmental laws in the Commonwealth of Virginia, including legislation imposing unfunded and underfunded mandatory local obligations regarding erosion and sediment control, the Chesapeake Bay Act and most recently, the significant expansion of the Virginia Stormwater Management Program (VSMP); and

WHEREAS, many localities in Virginia expressed concern to their state government delegation about the reasonableness, efficacy and costs of implementing the Commonwealth's expanded Stormwater Management Program and other environmental regulations at the local level; and

WHEREAS, many localities in Virginia have expressed concern regarding the liability they incur by becoming the VSMP plan approving authority, as well as the inestimable costs and responsibilities of the perpetual maintenance of abandoned stormwater facilities required or implied through the expanded Stormwater Management Program; and

WHEREAS, the Senate of Virginia and the Virginia House of Delegates, in response to local government concerns, both passed by wide margins amendments to the Virginia Stormwater Management Program under House Bill 1173 / Senate Bill 423, which amendments allow local governments to choose either to manage their own Stormwater Management Programs or to "Opt Out", leaving the administration, implementation and enforcement of the Program to the Virginia Department of Environmental Quality (DEQ). These were both Omnibus Bills with broad and unequivocal support from DEQ, Environmental Groups and representatives from the Construction/Development community; and

WHEREAS, the Governor of the Commonwealth of Virginia signed House Bill 1173 / Senate Bill 423 on March 24, 2014, and the bill was enacted immediately with an emergency clause contained therein; and

WHEREAS, upon enactment, the Commonwealth of Virginia's lead environmental regulatory agency, the DEQ was established as the Commonwealth's VSMP Authority. The DEQ is the stormwater permitting authority and has the responsibility to implement, administer, and enforce the Commonwealth's environmental regulations in a uniform, consistent, efficient and timely manner across the Commonwealth; and

WHEREAS, the Board of Supervisors of Pulaski County, along with 54 other localities in Virginia, voted in 2014 to "Opt Out" of administering their own stormwater management program, leaving the administration of the Program to DEQ; and

WHEREAS, following the 2014 legislation, a Stormwater Advisory Group was convened and charged with making recommendations regarding consolidation and implementation of the Virginia's Water Regulations, including Stormwater and Erosion and Sediment Control, to the 2016 General Assembly; and

WHEREAS, the Stormwater Advisory Group is largely comprised of representatives from the environmental community, engineers and DEQ staff and lacks sufficient representation from Virginia's "Opt Out" localities and Chesapeake Bay Act localities; and

WHEREAS, while the Stormwater Advisory Group should be commended for their months of hard work, and in particular for the work on consolidating various environmental programs into one program under DEQ administration, the Group has focused a significant amount of time recently and has become sidetracked of late with a discussion on the benefits

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to DEQ of repealing the statutory right to "Opt Out" provided by the 2014 legislative amendments to the Virginia Stormwater Management Program and thereby returning to localities the responsibility of plan implementation, administration, and enforcement; and

WHEREAS, a recommendation to repeal the statutory "Opt Out" constitutes nothing less than nullification by committee of the legislative action clearly embodied in the 2014 Omnibus legislation, nullification of a right guaranteed by both houses of the General Assembly and the Governor, and would require that each and every locality in the Commonwealth administer a separate version of the Virginia Stormwater Management Program, thus resulting in inconsistency, inefficacy and a cumulative burden that will increase both in size and cost each year, constituting nothing short of a significantly expensive and burdensome **unfunded or underfunded mandate**; and

WHEREAS, DEQ has opined that Chesapeake Bay localities who exercise the statutory right to "Opt Out" receive an additional burden not shared by other localities by being forced to administer a local Stormwater Program for land disturbance projects between 2,500 square feet and 1 acre; and

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Supervisors of Pulaski County **STRONGLY OPPOSES** any recommendation or effort to reverse or amend the action taken by the 2014 General Assembly in affording to Virginia's counties and cities the statutory right to "Opt Out" of administering the Virginia Stormwater Management Program, and further respectfully requests that the Stormwater Advisory Group support and seek implementation of the current law; and

The Board of Supervisors of Pulaski County respectfully requests that the Stormwater Advisory Group recognize and recommend that the statutory right to "Opt Out" be applied to all localities equally such that the Chesapeake Bay localities are not required to administer a local Stormwater Program for land disturbance projects between 2,500 square feet and 1 acre.

BE IT FURTHER RESOLVED THAT:

The Board of Supervisors of Pulaski County **strongly recommends** that DEQ and the General Assembly impanel an additional stakeholder group, more representative of rural and Chesapeake Bay localities, to conduct a comprehensive review of the efficiency and efficacy of the implementation and delivery of state environmental regulations and programs, to make recommendation for revisions on the delivery and implementation of these programs, and, if appropriate, draft the subsequent statutory and regulatory revisions, especially where the objective is to grant "Opt Out" alternatives to all localities equally.

Adopted this 26th day of October, 2015, by the Pulaski County Board of Supervisors.

G. Pulaski Adult Day Service and Fall Prevention Center Construction Contract

Mr. Wilson reported via BoardDocs that the Pulaski Adult Day Service and Fall Prevention Center Board of Directors and the County staff recommends the award of a \$779,228 construction contract (or as may be reduced through negotiation) with F&S Construction, Roanoke for the construction of a 4,500 square-foot building to be located on the former Dublin Primary School property, further noting F&S Construction submitted the lowest of six bids received from other firms following public advertisement of this project.

The Board approved a contract with F&S Construction for the construction of a 4,500 square-foot building to be located on the former Dublin Primary School property in the amount of \$779,288, with authorization also granted for execution of said contract.

H. MS Deputy Director Pay

The Board approved adjustments in EMS Deputy Director pay to \$18.17 per hour upon completion of training responsibilities.

I. Modification of NRRRA Member Agreements

This items was removed from the agenda at the request for the NRRRA executive director.

J. Small Business Saturday Resolution

The Board adopted the following resolution:

**RESOLUTION OF THE
PULASKI COUNTY BOARD OF SUPERVISORS**

Designating November 28, 2015, as "Small Business Saturday" and supporting efforts to increase awareness of the value of locally owned small businesses.

WHEREAS, there are 28,200,000 small businesses in the United States;

WHEREAS, small businesses represent 99.7 percent of all businesses with employees in the United States;

WHEREAS, small businesses employ over 48 percent of the employees in the private sector in the United States;

WHEREAS, small businesses pay over 42 percent of the total payroll of the employees in the private sector in the United States;

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WHEREAS, small businesses constitute 98 percent of firms exporting goods;

WHEREAS, small businesses are responsible for more than 46 percent of private sector output;

WHEREAS, small businesses generated 63 percent of net, new jobs created from 1993 through 2013;

WHEREAS, 87 percent of consumers in the United States agree that, the success of small businesses is critical to the overall economic health of the United States;

WHEREAS, 89 percent of consumers in the United States agree that small businesses contribute positively to local communities by supplying jobs and generating tax revenue;

WHEREAS, 93 percent of consumers in the United States agree that, it is important to support the small businesses in their communities;

WHEREAS, in Virginia, alone, there are 674,256 Small Businesses;

WHEREAS, in Virginia there are 144,620 Small Businesses with Employees;

WHEREAS, in Virginia there are 529,636 Small Businesses without Employees (Nonemployers);

WHEREAS, in Virginia there are 1,453,384 Workers Employed by Small Businesses;

WHEREAS, small businesses employed about half or 1.5 million of the state's private workforce in 2012;

WHEREAS, almost all firms with employees are small, representing 97.8 percent of all employers in the state;

WHEREAS, firms with fewer than 100 employees have the largest share of small business employment;

WHEREAS, small businesses created 51,597 net new jobs in the state during 2012, where the biggest gain realized was in the smallest firm size category of 1-4 employees; and

WHEREAS, November 28, 2015, is an appropriate day to designate as "Small Business Saturday": Now, therefore, be it

BE IT RESOLVED that the Pulaski County Board of Supervisors designates November 28, 2015, as "Small Business Saturday"; and

BE IT FURTHER RESOLVED that the Pulaski County Board of Supervisors supports efforts to:

- encourage consumers to shop locally; and
- contribute to a nationwide effort to increase awareness of the value of locally owned small businesses and the impact of locally owned small businesses on the economy of the United States, the Commonwealth of Virginia, and specifically, this locality.

Adopted this 26th day of October, 2015.

K. Voting Credentials for Annual Business Meeting

The board designated Dean Pratt as Voting Delegate at the VACo annual conference with Andy McCready designated as Alternate.

11. Citizen Comments

A. Presentation re: Proposed Boys and Girls Club

Ms. Tina Martin presented a detailed PowerPoint on a proposed Boys and Girls Club in Pulaski County, specifically describing the needs assessment, the planned focus of the program, the anticipated impact, proposed facility needs, community involvement, etc. Ms. Martin advised this proposal would be in partnership with Phoenix Packaging and would be looking to the County to also provide support.

Board members posed questions to Ms. Martin about the overall proposal and plans. Mr. Sheffey thanked Ms. Martin for the presentation.

B. Citizen Comments

Kaitlin Fox spoke in favor of the proposed Boys and Girls Club and indicated students at PCHS would be involved in such a club.

12. Other Matters from Supervisors

Mr. Sheffey advised of the following upcoming meetings where there was the potential for there to be three or more Board members present:

- Jackson Inn opening, Tuesday, October 27, 2015, 5:30 p.m.;
- VACo Annual Conference, November 7-10, 2015; and
- Chamber Annual Banquet, Draper Mercantile, November 10, 2015)

Mr. Sheffey advised the next meeting of the Board was the regular Board meeting to be held on Monday, November 23, 2015 beginning with a Closed Session at 5:30 p.m. followed by a regular meeting at 7:00 p.m. in the Board Room of the County Administration Building.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 26, 2015

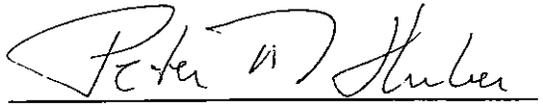
13. Adjournment

On a motion by Mr. Bopp, seconded by Mr. Pratt and carried, the Board of Supervisors adjourned its regular meeting. The next regular Board of Supervisors meeting is scheduled for Monday, November 23 2015 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. McCready, Mr. Sheffey, Mr. Bopp, Mr. Pratt.

Voting no: None.

Not present: Mr. O'Dell.


Peter M. Huber, County Administrator


Joseph L. Sheffey, Chairman