

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, September 22, 1997 at 7:00 p.m. at the Pulaski County Administration Building, Board Room, 143 Third Street, N.W., in the Town of Pulaski, Virginia, the following members were present: Joseph L. Sheffey, Chairman; Jerry D. White, Vice-Chairman; Dr. Bruce L. Fariss; Charles E. Cook; and Frank R. Conner. Staff members present included County Administrator, Joseph N. Morgan; County Attorney, Thomas J. McCarthy, Jr.; Management Services Director, Nancy M. Burchett; and Executive Secretary, Gena T. Hanks.

1. Invocation

The invocation was given by County Attorney, Thomas J. McCarthy, Jr.

2. Additions to Agenda

Additional agenda items were noted and considered at the appropriate times on the agenda.

3. Public Hearings

- a. A rezoning request by Brabham Enterprises from Agricultural (A1) to Commercial (CM-1) for 34.406 acres of property identified on Pulaski County tax records as parcel 057-001-0000-0013, total area 66.748 acres, located at the northwest corner of the intersection of State Park Rd. (Rt. 660) and I-81, Exit 101, in the Ingles District.

County Administrator, Joseph N. Morgan, advised this matter had been tabled by the Planning Commission pending receipt of the conceptual development plan; and therefore, the public hearing on this matter could not be held.

- b. A rezoning request by Danny P. McClure from Residential (R1) to Commercial (CM1) on property identified on Pulaski County tax records as parcel 055-015-0000-0007, total area 1.50 acres, located on the north side of Lee Highway (Rt. 11) approximately 1,600 ft. west of the Thornspring Rd. (Rt. 643) intersection in the Massie District.

County Administrator, Joseph N. Morgan, advised the Planning Commission recommended approval of the above request, subject to meeting VDOT entrance requirements.

Chairman Sheffey opened the public hearing regarding the above matter. No comments were received; therefore, the public hearing was closed.

Supervisor White inquired about specific plans for the property if rezoned, and advised that some construction activity on the said property had already begun.

On the motion of Supervisor White, seconded by Mr. Cook and carried, the Board of Supervisors tabled this matter until the October meeting of the

Board, pending additional information regarding plans for the property by Mr. McClure and clarification by staff regarding present construction activity on said property.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

4. Highway Matters:

Virginia Department of Transportation (VDOT) Resident Engineer, Dan Brugh, met with the Board regarding the following:

a. Follow-up from Previous Board Meetings:

1. Rt. 11, Lee Highway, NRCC Entrance Crossover Median

Mr. Brugh advised he had not been able to meet with college officials on this matter but hoped to schedule a meeting shortly.

2. Speed Limit Reduction Request on Route 747, Old Route 11

Mr. Brugh reported an informal review of Route 747 was completed by VDOT officials and that the 45 mph speed zone would probably be extended for approximately one mile to the vicinity of Route 629. However, Mr. Brugh advised he does not expect the driving patterns to change if the speed limit is lowered.

Dr. Fariss made a motion to request VDOT to conduct a formal speed limit study on Route 747, Old Route 11. The motion did not receive a second. Dr. Fariss then called for a vote on his motion. The following vote was recorded:

Voting yes: Dr. Fariss and Mr. Sheffey.

Voting no: Mr. Cook, Mr. White, and Mr. Conner.

3. Striping Lane Markers on Route 611, Wilderness Road, and F047, Cleburne Boulevard

Mr. Brugh advised that Route 611 is on the list for re-striping; however, the striping will probably not be accomplished until next year.

4. Speed Limit Reduction Request on Route 11, Lee Highway, Between Jewell Avenue, Route 1048, Ruebush Road, Route 617, and Oak Grove Place, Route 1082, as well as Deceleration Lanes

Mr. Brugh reported VDOT would review this request with the six-year plan update; however, due to low accident history on these

roads, a speed limit reduction request probably would not be a high priority.

5. Jewell Avenue, Route 1048, Brush Trimming to Improve Site Distance Entering Route 11, Lee Highway

Mr. Brugh advised that VDOT had trimmed as much of the brush as possible on state right of way.

b. Pave in Place

Mr. Brugh advised the “pave in place” program not be used as a general application but be utilized on a case by case basis.

c. Request for Speed Limit Posting on Route 1401, Holly Drive

Mr. Brugh advised VDOT would review this request. He noted, however, that 25-mph is the slowest posting allowed.

d. Request for Paving Route 663, Owens Road at Harry’s Point

Mr. Brugh advised this request for asphalt (bituminous concrete) paving could be considered by VDOT as a part of the Six-year plan update.

e. Request to add Route 636, Black Hollow Heights Lane to Rural Additions List

The Board of Supervisors acknowledged receipt of a petition from residents of Black Hollow Heights Lane requesting said road to be taken into the secondary system.

Mr. Tim Johnson and Mr. Allen Akers, residents of Black Hollow Heights Lane, addressed the Board of Supervisors regarding adding this road to the rural addition list.

The Board of Supervisors approved adding Black Hollow Heights Lane to the rural addition listing for viewing by the road viewers.

f. Request for Posting of Speed Limit on Route 674, Pond Lick Hollow Road and Enforcement of Speed Limit

Mr. Brugh advised VDOT will review this area and post as appropriate.

g. Cook’s Crossing Extension

The Board of Supervisors approved adding the Cook’s Crossing extension to the rural addition listing for viewing in the fall by the road viewers.

h. Citizens Concerns

Mr. Neal Johnson of Largen Hill Court expressed concerns regarding parking on state right of way.

The Board requested the County Attorney, Thomas J. McCarthy, Jr., to assist Mr. Johnson in determining ownership of the property where the vehicles are being parked and the proper course for removing parked vehicles and controlling use of said area.

Mr. Nathan Hills requested an update on plans for Route 693, Lead Mines Road, to Snowville. Mr. Brugh advised this route was currently included in the six-year road plan.

i. Board of Supervisors Concerns

Supervisor White requested VDOT to raise the pavement around the signal box on Route 11, Lee Highway, up Cougar Trail Road, Route 643. Mr. Brugh advised VDOT will complete this request.

Supervisor Conner inquired regarding the Route 682, Newbern Road, intersection status at the Dublin Town Hall. Mr. Brugh advised he had no additional information regarding this matter at this time.

Supervisor Cook requested Route 796, Akers Road, be added to the supplemental road improvement listing. He noted a citizens petition had been received from the residents of Akers Road. Staff was requested to place this road on the supplemental list to the six-year road plan.

Supervisor Cook advised of pavement deterioration on Route 787, Peak Creek Road. Mr. Brugh advised VDOT would review for maintenance.

Supervisor Cook expressed concerns regarding the need for additional road funding from the Commonwealth of Virginia.

Supervisor Sheffey expressed concerns regarding drainage problems at Route 701, Oxford Avenue. Mr. Brugh advised VDOT would also review for maintenance.

Mr. Brugh at this time reminded the Board of Supervisors of the annual six-year road hearing scheduled for the October regular meeting of the Board of Supervisors. He advised draft copies of the six-year plan would be sent to county staff prior to the October hearing for comments by the supervisors.

Mr. Brugh further advised the Board of Supervisors that the Route 11 Memorial Bridge replacement over the New River will be located downstream, immediately beside the existing bridge. Said cost for the replacement bridge estimated to be approximately \$20 million.

j. Other Matters

No other highway matters were discussed at this time.

5. Treasurer's Report

The Board reviewed the monthly trial balance report and certificates of deposit as prepared by County Treasurer, Rose Marie Tickle. In addition, Treasurer Tickle presented the annual Treasurer's Settlement Report for FY 96-97. The Board accepted the reports as presented.

6. Citizen Comments

No citizen comments were heard at this time.

7. Recognition of Service of Sheriff Ralph E. Dobbins

Chairman Sheffey recognized Sheriff Ralph E. Dobbins for his service as Sheriff of Pulaski County. Further, the Board of Supervisors congratulated Sheriff Dobbins on his recent appointment as the new Regional Jail Administrator.

On the motion of Mr. Conner, seconded by Mr. Cook and carried, the Board of Supervisors adopted the following resolution commending Sheriff Dobbins for his service to Pulaski County:

WHEREAS, **Ralph E. Dobbins** has served Pulaski County since September 16, 1981 at which time he began his duty as an investigator; and

WHEREAS, **Ralph E. Dobbins** subsequently was appointed Sheriff on January 1, 1991; and

WHEREAS, **Ralph E. Dobbins** was elected Sheriff in November, 1991 and re-elected in November, 1995; and

WHEREAS, **Ralph E. Dobbins** has given countless hours in service and protection to the citizens of Pulaski County, including:

- ◆ Implementation of the D. A. R. E. program to reduce drug abuse;
- ◆ Assumption of animal control supervision and enforcement of a revised county Animal Control Ordinance;
- ◆ Renovation of the offices for the Sheriff's Department;
- ◆ Continuation of an effective inmate work program that provided labor for public improvements, such as solid

waste collection, as well as help inmates return to society with an effective work ethic;

- ◆ Cooperation in an inmate work crew to assist Friends of Claytor Lake with ridding the lake of hundreds of tons of trash and debris; and
- ◆ Coordination among fellow Sheriffs' efforts to found the New River Regional Jail.

WHEREAS, **Ralph E. Dobbins** has been a leader among his peers in the Commonwealth of Virginia for both correctional and law enforcement achievements; and

WHEREAS, the protection and service provided by **Ralph E. Dobbins** 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 **Ralph E. Dobbins** to the county and its citizens; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread on the minutes of the Board of Supervisors this 22<sup>nd</sup> day of September 1997 in permanent testimony of its appreciation to the service provided by **Ralph E. Dobbins**.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White, and Mr. Conner.

Voting no: none.

8. Update on Reassessment & Proposed Amendment to Reassessment Schedule

Maynard Sayers, Commissioner of the Revenue, introduced Mr. Harold Wingate of Wingate Appraisal Services to the Board of Supervisors.

Mr. Wingate gave a brief report to the Board of Supervisors on the progress of the reassessment. He advised the reassessment field visits are approximately 75% complete with the remaining 25% of the work to be completed by January 1, 1998. He further reported the new reassessment figures regarding increases or decreases in real estate values should be available by January 1, 1998 also.

Supervisor Cook inquired regarding zoning changes. Mr. Wingate advised zoning changes were being noted in the reassessment work.

The Board of Supervisors reviewed the proposed changes to the reassessment ordinance and approved staff scheduling a public hearing on the ordinance for the October regular meeting of the Board.

9. Reports from the County Administrator and Staff:

a. Update on Unlicensed Vehicle & Zoning Violation Enforcement

Ms. Dari Jenkins, Zoning Administrator, gave a brief progress report to the Board of Supervisors on the enforcement of unlicensed vehicles and zoning violations. Ms. Jenkins advised that approximately 20% of her time is allocated to the enforcement of unlicensed vehicles, zoning violations and litter control, with the remaining 80% being spent on the administration of the zoning ordinance. In addition, Ms. Jenkins reviewed with the Board a listing of enforcement violations worked on by her office over the past five months.

The Board of Supervisors expressed appreciation to Ms. Jenkins for her efforts in enforcing the unlicensed vehicle, litter control and zoning violations.

b. New River Industrial Park PUD

County Administrator, Joseph N. Morgan, advised that the Planning Commission had recommended approval of the concept plan and rezoning approval for the proposed Heron's Nest Golf Course, clubhouse, driving range, and related areas of the golf course property.

On the motion of Mr. Cook, seconded by Mr. Conner and carried, the Board of Supervisors approved the concept plan and rezoning request for the Heron's Nest Golf Course, club house, driving range, and related areas of the golf course property, per the Planning Commission recommendation.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White, and Mr. Conner.

Voting no: none.

c. Key Activity Timetable

The Board of Supervisors reviewed the Key Activity Timetable, as prepared by staff.

Supervisor Cook suggested staff arrange for notices to the public, via the PSA bills and the government access channel, regarding large item drop off sites, including the site at the New River Resource Authority Solid Waste Management area off Route 100 on the south side of Cloyd's Mountain.

d. Appointments

1. Clean Community Council
2. NRV Criminal Justice Services Board
3. PEP Steering Committee
4. NRRA
5. Building Appeals Committee
6. Board of Equalization Nominees
7. Cable TV Advisory Committee

The above appointments were deferred until the executive session of the meeting.

e. Update on Musk Thistle Program

Richard White, County Extension Agent, addressed the Board of Supervisors regarding implementing controls on musk thistles in the county. Mr. White recommended the Board purchase rosette weevils from Virginia Tech at a cost of \$1,000 to control the musk thistle weed. He provided the Board with a pamphlet published by the Virginia Cooperative Extension Service entitled "Biological Control of Musk and Plumeless Thistles."

On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors approved the expenditure of \$1,000 for the purchase of rosette weevils from Virginia Tech to control the musk thistle weeds, and further, authorized the county attorney to prepared a draft noxious weed ordinance for the Board to review with a public hearing to be scheduled by May, 1998.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

10. Items of Consent:

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors approved the following items of consent, unless otherwise noted.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

a. Minutes of August 25, 1997 and Amendment to September 1996 Minutes Re: Local Avenue Extension

The Board approved minutes of August 25, 1997, as presented. The Board approved amending the minutes of September 1996 by amending the resolution pertaining to the Locust Avenue extension to reflect the length of miles from 0.25 miles to 0.13 miles, as requested by VDOT:

RE: Locust Avenue Extension

WHEREAS, the street described below was established 1957, and currently serves at least 3 families per mile; and

WHEREAS, the Virginia Department of Transportation has deemed this county's current subdivision control ordinance meets all necessary requirements to qualify this county to recommend additions to the secondary system of state highways, pursuant to Section 33.1-72.1, Code of Virginia, and

WHEREAS, after examining the ownership of all property abutting these streets, this Board finds that speculative interest does not exist.

NOW, THEREFORE, BE IT RESOLVED, this Board requests the following streets be added to the secondary system of state highways, pursuant to Section 33.1-72.1, Code of Virginia,

Name of Street: Locust Street Length 0.13 mile

From: Route T688 To: Route 1051

Guaranteed Right-of-Way Width: 50 feet.

Recorded in Deed Book 577, Page 945, dated 8/9/96, and plat recorded in Cabinet 1, Slide 309, Page 4, dated 9/20/96.

Drainage Easement recorded in Deed Book 501, Page 595, dated 10/11/96.

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, this street has been constructed in accordance with Virginia Department of Transportation Specifications and Standards.

BE IT FURTHER RESOLVED, the Board of Supervisors request the Virginia Department of Transportation to place this street in the secondary highway system of Pulaski County for maintenance pursuant to Section 33.1-72.1, Code of Virginia, and

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

b. Accounts Payable

The Board approved the accounts payable listing for checks numbered 16056 through 16392.

c. Appropriations & Transfers

The Board approved the following additional appropriations and transfers as follows:

1. Interoffice Transfers #3 - \$44,110.87

The Board approved Internal Service Fund Transfer #3 in the amount of \$44,110.87 as presented and filed with the records of the Director of Management Services.

2. General Fund Appropriation #4-\$27,373

Revenues		
2404-30 Victims Assistance Grant	\$	14,939
1615-05 Library Donation		<u>3,500</u>
Total	\$	18,439
Expenditures:		
3102-7001 Sheriff-Fines for Radar	\$	1,653

5338-5606 Victims/Witness Grant	14,939
7208-5804 Co. History Publication	25
7301-7001 Library Sale of Bookmobile	2,760
7301-7001 Library Donation	3,500
9104-5804 Erroneous Assessments	1,405
9310-3006 Revenue Refunds Printing	2,642
9310-5823 Revenue Refunds Bldg. Permits	176
9310-582301 Revenue Refunds State Fee	77
9310-5824 Revenue Refunds Co. Decals	171
9310-5835 Revenue Refunds Zoning Fees	<u>25</u>
Total	\$ 27,373

3. School Fund Appropriation #3 -\$342,547(Governor's School

Revenues:

161212 Local Share	\$ 138,794
2402-36 Governor's Magnet School	203,753
Total	\$ 342,547

Expenditures:

6112 Classroom Instruction	\$ 238,935
6219 Administration	103,612
Total	\$ 342,547

4. Capital Improvement Fund #3 \$108,338

Revenues:

5102-00 Transfer from General Fund	\$ 28,338
2404-50 State – Commerce Park	80,000
Total	\$ 108,338

Expenditures:

4109-5814 Rural Additional – right of way	\$ 210
4218-3041 Rt. 100 Utilities – Water	8,000
4218-3042 Rt. 100 Utilities – Sewer	17,000
4307-7013 Courthouse Imp. Landscaping	3,128
8122-3002 New Century Commerce Park	\$ 80,000
Total	\$ 108,338

c. Ratification:

1. Contract

2. Change Orders:

a. Claytor Lake Sewer Line Extension –Change Order #4 - \$154,064.56 – CO 97-9-1

The Board of Supervisors approved Change Order #4 in the amount of \$154,064.56 with Little B Enterprises on the Claytor Lake Sewer Line Extension for sewer to Gateway Mobile Home Park,

installation of service line, and modification of pump station 4.

- b. Claytor Lake Sewer Line Extension Change Order #5 - \$83,979.05 – CO 97-9-2

The Board of Supervisors approved Change Order #5 in the amount of \$83,979.05 to Little B Enterprises for the addition of a sewer line to the Virginia Department of Transportation maintenance lot.

- 3. Agreements: AEP Public Authority

The Board of Supervisors authorized the creation of a new contract for electric service with American Electric Power as negotiated by the Virginia Association of Counties.

- 4. Other

- a. Commonwealth's Forfeited Asset Sharing Program

The Board of Supervisors ratified certification by county officials to the Department of Criminal Justice Services regarding participation in the Commonwealth's Forfeited Asset Sharing Program.

- b. Building Use Application – American Heart Association Fundraiser

The Board of Supervisors ratified and approved a building use application for the American Heart Association for the use of the Courthouse Lawn on October 10, 1997 from 11 am to 2 pm.

- c. AEP Easement

The Board of Supervisors ratified an easement with American Electric Power for an easement for electric service across the county garage property.

- d. Domestic Violence Prevention Officer

The Board of Supervisors ratified a grant application for the funding of a Domestic Violence Prevention Officer with a local match of \$17,197. Said grant application submitted to the Virginia Department of Criminal Justice Services.

e. Uniform Allowance

The Board of Supervisors approved providing uniforms to the leachate collection employees rather than a clothing allowance.

f. Water Quality Improvement Fund Grant for Claytor Lake

The Board of Supervisors ratified an application for funding through the Water Quality Improvement Fund (Virginia Board of Conservation and Recreation) for Claytor Lake water quality monitoring and debris removal.

e. New River Water Tank Site Acquisition Agreement

The Board approved the agreement, as presented by County Attorney, Thomas J. McCarthy, Jr., regarding the New River Water Tank site acquisition. A copy of the agreement shall be filed with the Office of the County Administrator.

f. Personnel Changes

The Board of Supervisors reviewed recent personnel changes as prepared by Management Services Director, Nancy M. Burchett.

g. Resolution Declaring October Domestic Violence Awareness Month

The Board of Supervisors adopted the following resolution declaring October as Domestic Violence Awareness Month:

WHEREAS, violence against family members continues to become more prevalent as a social problem due to the imbalance of power due to gender and age; and

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial, affectional preference, and societal barriers; and supported by societal indifference; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse; and

WHEREAS, the impact of domestic violence is wide ranging, directly affecting all families and society as a whole.

NOW, THEREFORE, In recognition of the important work done by domestic violence programs, I, Joseph L. Sheffey of the County of Pulaski, Virginia, do hereby proclaim the month of October 1997 as Domestic Violence Awareness Month and urge all citizens to support the efforts of the Pulaski County Sheriff's Office Domestic Violence Program to work toward the elimination of domestic violence.

h. County Flag Selection

The Board of Supervisors reviewed quotes for the county flag and viewed material swatches for the flag.

On the motion of Mr. White, seconded by Mr. Conner and carried, the Board of Supervisors tabled action on the county flag until an example of the flag with gold and burgundy fringe could be created.

Voting yes: Dr. Fariss, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: Mr. Cook.

Supervisor Cook requested staff obtain quotes on the cost of reproducing multiple units of the county flag.

i. Hazard Assessment Policy for Landfill Leachate Collection

The Board of Supervisors approved the following Hazard Assessment Policy for the Pulaski County Leachate Collection System located on Star Route 1030 in Dublin, Virginia:

The Pulaski County Leachate Collection System is responsible for the removal of leachate from the Cloyd's Mountain

Landfill. This agency operates the trucks and equipment necessary to perform this task.

Below is a list of the hazards identified which request the use of personal protective equipment and the personal protective equipment required:

1. The normal daily operation of this department requires no personal protective equipment. When these employees are not performing the duties of this department, they routinely fill in for workers in other departments. As relief workers in these other departments, it is the responsibility of the workers to familiarize themselves with the Hazard Assessment Certification of the department in which they may be working and to comply with requirements of that Hazard Assessment Program.
2. The employees in this department will sign the Hazard Assessment Certification Forms for the departments in which they will work. These forms will be on file in those departments as well as one for this department.

This Hazard Assessment will be evaluated on a yearly basis to determine if changes need to be made to maintain compliance with OSHA requirements and that all hazards have been identified. Changes will be made in the policy and procedures as needed. Employees will need to discuss changes and will meet at least annually to review these regulations. A form will be completed and signed by each employee certifying that this information has been provided and that the proper procedures will be followed.

j. Scheduling of Public Hearing for October Meeting:

1. Flood Plain Ordinance

The Board of Supervisors approved scheduling a public hearing on the Flood Plain Ordinance for the next convenient regular meeting of the Board of Supervisors.

2. Amendment to Tax Relief to the Elderly & Disabled Ordinance

On the motion of Dr. Fariss, seconded by Mr. Conner and carried, the Board of Supervisors tabled this

matter until clarification could be obtained from the Commissioner of Revenue regarding recommendation.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

k. Regional Jail Moral Obligation

On the motion of Mr. Conner, seconded by Mr. Cook and carried, the Board of Supervisors adopted the following resolution regarding the regional jail moral obligation, subject to the County Attorney requesting agreement be revised to include a ceiling of liability to the county's proportionate share.

WHEREAS, the New River Valley Regional Jail Authority (the "Authority") is undertaking the acquisition, construction and equipping of a regional jail facility (the "Project") for the benefit of its member jurisdictions, which are the City of Radford, Bland County, Carroll County, Floyd County, Giles County, Grayson County, Pulaski County and Wythe County (the "Member Jurisdictions"), in accordance with the provisions of the New River Valley Regional Jail Authority Agreement between the Authority and its Member Jurisdictions dated as of February 28, 1995, as supplemented and amended by agreements dated as of September 16, 1996, and February 18, 1997 (collectively, the "Service Agreement");

WHEREAS, the Authority is proceeding to structure the financing for the Project through the issuance of its revenue notes or bonds expected to be in an initial aggregate principal amount of approximately \$40,000,000 (the "Bonds"), including the amount to be reimbursed by the Commonwealth of Virginia to the Authority for a portion of the capital cost of the Project after the completion thereof pursuant to Section 53.1-81 of the Code of Virginia of 1950, as amended;

WHEREAS, in order to market the Bonds the Authority's underwriter's Wheat First Butcher Singer and Ferris, Baker Watts, Inc., have advised the Authority that (a) continuing disclosure provisions of Securities and Exchange Commission Rule 15c2-12 (the "Rule") will require each Member Jurisdiction to file its annual financial statements and certain financial and operating information with the trustee for the Bonds, or other entity designated by the Authority in connection with issuance of the Bonds, and (b) the moral obligation and commitment of each Member Jurisdiction will

be necessary to assure payment of their portion (determined by the percentages set for in the Service Agreement) of debt service and reserve amounts required with respect to the Bonds, to the extent the Authority's available revenues are insufficient therefor, from their issuance until up to one year after the date the Project begins receiving prisoners, during which time the Authority will establish a history of revenues derived from operation of the Project in accordance with the Service Agreement; and

WHEREAS, to facilitate the issuance and marketing of the Bonds to finance the Project the Authority has requested each Member Jurisdiction to agree to provide such continuing disclosure and moral obligation;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors (the "Board") of Pulaski County, Virginia (the "County"), as follows:

1. In connection with issuance of the Bonds by the Authority, the County Administrator is authorized and directed, on behalf of the County, to execute a continuing disclosure agreement agreeing to provide the County's audited financial statements and such other financial and operating information annually to the trustee for the Bonds, or such other entity as may be designated by the Authority, as may be necessary to fulfill the requirements of the Rule.
2. The Board hereby acknowledges and agrees that, to the extent permitted by law, it has a moral obligation to pay the Authority on a timely basis such amounts as may be necessary to provide for its portion (determined by the percentages set for in the Service Agreement) of debt service and reserve payments required with respect to the Bonds, to the extent the Authority's available revenues are insufficient therefor, from their issuance until up to one year after the Project begins receiving prisoners, subject to annual appropriation by the Board therefor. The Chairman or Vice Chairman of the Board is hereby authorized to execute and deliver, on behalf of the County, any agreement between the County and the Authority as may be requested by the Authority in connection with issuance of the Bonds confirming such moral

obligation and setting forth the details and procedures thereof, and the Clerk or Deputy Clerk of the Board and all other appropriate officers of the County are hereby authorized to execute and deliver all such other instruments, documents and certificates, and to do and perform all such things and acts as they shall deem necessary or appropriate in furtherance of the execution and delivery of agreement and the carrying out of the transactions authorized by this Resolution.

3. Nothing herein or in any agreement confirming such moral obligation and setting forth the details and procedures thereof shall be deemed to be a pledge of the faith and credit or the taxing power of the County with respect to any sums which may become payable in accordance with such moral obligation.
4. All other acts of the Clerk and Deputy Clerk of the Board and all other appropriate officers of the County which are in conformity with or in furtherance of the purposes and intent of this Resolution, whether such acts occurred before or occur after the adoption of this Resolution, are hereby ratified, approved and confirmed.
5. This Resolution shall take effect immediately upon its adoption.

Voting yes: Dr. Fariss, Mr. Cook,  
Mr. Sheffey, Mr. White and Mr. Conner.  
Voting no: none.

1. Resolution Commending Columbia Pulaski Community Hospital on Accreditation Status

The Board of Supervisors adopted the following resolution:

WHEREAS, Columbia Pulaski Community Hospital has been awarded healthcare's highest honor, Accreditation with Commendation, by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO); and

WHEREAS, Columbia Pulaski Community Hospital is one of only one percent of hospitals nationwide to achieve a perfect score on its most recent accreditation survey; and

WHEREAS, Columbia Pulaski Community Hospital has achieved excellence in its quest to provide perfect patient care.

NOW THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors does hereby commend Columbia Pulaski Community Hospital for this achievement;

BE IT FURTHER RESOLVED, that the text of this resolution be spread on the minutes of the Board of Supervisors this 22<sup>nd</sup> day of September 1997 in testimony of its appreciation to Columbia Pulaski Community Hospital and its service to Pulaski County.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey,  
Mr. White and Mr. Conner.

Voting no: none.

11. Citizen Comments

Mr. Ed Hoggatt suggested information on inoperative vehicle license requirements be placed on the PSA utility bills

Mr. Marion Lutz suggested information on inoperative vehicle license requirements be also placed with the tax billings. Staff advised this procedure would not be efficient because the information could not be printed automatically as it can be on the PSA utility bills.

Zola Lancaster requested the Board to approve using the gold fringe on the county flag.

12. Other Matters from Supervisors

No other matters from supervisors were discussed at this time.

13. Executive Session – 2.1-344(A)

It was moved by Mr. Conner, seconded by Mr. Cook and carried, to enter executive session in accordance with Section 2.1-344(A) of the Code

of Virginia, as amended, to discuss personnel, legal, land acquisition/disposition and prospective industry.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

#### Return to Regular Session

On the motion of Mr. White, seconded by Mr. Conner and carried, the Board of Supervisors returned to regular session.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

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

It was moved by Mr. White, seconded by Dr. Fariss and carried, that the Board of Supervisors adopt the following resolution certifying conformance with the Virginia Freedom of Information Act:

WHEREAS, the Board of Supervisors of Pulaski County, Virginia, has convened an executive 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 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive 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 executive meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in this motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

\*Appointments

On the motion of Mr. Cook, seconded by Mr. White and carried, the Board of Supervisors made the following appointments:

1. Clean Community Council

The Board of Supervisors appointed Ms. Rebecca English and Nancy Wade to the Clean Community Council.

2. NRV Criminal Justice Services Board

The Board of Supervisors appointed Anthony Akers to the NRV Criminal Justice Services Board for a term ending October 1, 1998.

3. PEP Steering Committee

The Board of Supervisors appointed Warner Osborne to fill the unexpired term of Julian McMillan.

4. NRRA

The Board of Supervisors appointed Chairman Joseph Sheffey to the New River Resource Authority as the alternate member to Supervisor Charles Cook.

5. Building Appeals Committee

The Board of Supervisors reappointed Allen Audas and Ernest Draper to the Building Appeals Committee.

6. Board of Equalization Nominees

The Board took no action on nominations to the Board of Equalization; however staff was directed to retain this matter on the October agenda.

7. Cable TV Advisory Committee

The Board of Supervisors appointed Ms. Bridget Franklin to the Cable TV Advisory Committee to fill the vacancy created by Tom Wilkinson.

\*Legal

The Board of Supervisors approved pledging \$200,00 to the NRV Economic Development Alliance for a five year period.

The Board requested staff advise the New River Industrial Park housing developer of suggested criteria for the housing development by the supervisors.

The Board of Supervisors requested staff to place on the October agenda scheduling of a tour of the New River Industrial Park.

14. Adjournment

On the motion of Mr. Conner, seconded by Mr. White and carried, the Board of Supervisors adjourned to reconvene on September 30, 1997 for a joint towns/county meeting to be held at 7:00 p.m. at the Town of Dublin Municipal Building. The next regularly scheduled meeting of the Board of Supervisors is set for Monday, October 27, 1997 at 7:00 p.m. at the County Administration Building, Board Room, 143 Third Street, N.W. in the Town of Pulaski, Virginia.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none

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Joseph L. Sheffey, Chairman

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Joseph N. Morgan, Clerk