

## **PULASKI COUNTY BOARD OF SUPERVISORS MINUTES OCTOBER 23, 2000**

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, October 23, 2000 at 7:00 p.m. at the County Administration Building, Board Room, 143 Third Street, NW, in the Town of Pulaski, Virginia, the following members were present: Joseph L. Sheffey, Chairman; Dr. Bruce L. Fariss, Vice-Chairman; Charles E. Cook; William E. "Eddie" Hale; and Frank R. Conner. Staff members present included Interim County Administrator, Peter M. Huber; Management Services Director, Nancy M. Burchett; and Office Clerk, Sandra C. King.

### 1. Invocation

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

### 2. Additions to Agenda

The Board reviewed additions to the agenda and accepted them as presented.

### 3. Public Hearings:

#### a. Proposed Six-Year Plan Improvement

At this time Chairman Sheffey called on Virginia Department of Transportation Resident Engineer, Dan Brugh, to comment on the purpose of the public hearing on the six-year road improvement plan.

Mr. Brugh advised state law requires the Board of Supervisors and the Virginia Department of Transportation to hold a public hearing annually for the purpose of updating the six-year plan improvement listing and to establish the priorities for road construction. He then reviewed the current six-year plan in details.

Chairman Sheffey opened the public hearing for comments on this matter.

The following individuals addressed the Board regarding road improvements:

Mr. Tim Thompson requested Rt. 796, Akers Road, be moved from the waiting list to the six year plan listing.

Mr. Thomas Stilwell requested that Rt. 609, Stilwell Road, be widened and paved.

Mr. Bob Henegar advised that Ms. Ellen Carson was willing to donate all the required right of way for Hatcher Road, Rt. 807, if road improvements could be done right away.

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Mr. Robert Stoots, Belspring/Parrott Fire Chief, asked for clarification on Rt. 617, Neck Creek Road. He advised that Rt. 617 has no adjacent property owners and the primary usage of this road is for a cattle crossing.

Mr. Audrey Boyd presented a petition requesting road improvements to Rt. 609, Boyd Road.

Mr. Donald Wheeler advised of safety concerns on Rt. 807, Hatcher Road.

Mr. Frank Harris expressed safety concerns pertaining to Akers Road, Rt. 796.

Mr. Bill Collins complained about the length of time that Hatcher Road, Rt. 807, had been on the six-year plan with no improvements.

Ms. Violet Akers commented on Akers Road, Rt. 796.

Mr. John Kidd of Akers Road, Rt. 796, suggested VDOT review other alternatives for improving the road. He advised he was not interested in giving up any right of way until he knew more about the possible road improvements. He also suggested VDOT perform maintenance on this road more frequently.

Ms. Tina Rife of Dallas Freeman Road, Rt. 778, reported a portion of this road to be only about 10 feet wide where two vehicles are unable to pass. She requested VDOT to cut the banks in this area to allow for vehicles to pass.

Mr. Ed Hoggatt expressed concerns about the Rt. 600 bridge project. He advised the bid specifications were supposed to go out in September on this project and now VDOT is advising of a January date.

Ms. Ellen Carson advised she was willing to donate the necessary right of way all the way through the housing development on Rt. 807, Hatcher Road, if the road could be moved up on the six-year plan.

No further comments were heard; therefore, the Chairman closed the public hearing on this matter.

The Board of Supervisors requested Mr. Brugh at this time to provide the Board with updated traffic counts, confirmation of estimates on all the projects on the six year plan, as well as those projects requested by public comments at this meeting. Further, Mr. Brugh was requested to present a recommendation to the Board of Supervisors on this matter at the November meeting of the Board.

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- b. Consideration of an appeal by the TEA Group, Inc. /Crown Communications of Planning Commission denial of a Special Use Permit (SUP) to allow a telecommunications tower and related facilities on property owned by Joseph N. Jr. and Connie Lawson, identified as tax map no. 058-001-0000-0025, zoned Agricultural (A1), (42.00 total acres), located on the east side of Wilderness Rd. (Rt. 611) approximately .43 miles from Hazel Hollow Rd. (Rt. 626), Ingles District.

Interim County Administrator, Peter Huber, advised that a special use permit cannot be decided by the Planning Commission. However, the Planning Commission had recommended denial of the above request due to proximity of the proposed tower to the interstate and due to opposition for adjacent property owners.

Chairman Sheffey opened the public hearing on this matter.

Attorney Jim Joyce of Gentry, Locke, Rakes & Moore, representing Crown Castle TEA Group, Inc./Triton PCS, Inc. t/a SunCom, addressed the Board of Supervisors regarding this request. He reviewed the tower sites and reported if the Lawson site is approved, plans are to withdraw the application to VDOT for a tower on VDOT property. He requested the Board to approve the above request special use permit.

Mr. Harold Timmons of Crown Communications advised the proposed tower would be capable of serving the area for the next 10 to 20 years. He reported that Crown would be building the tower and SunCom would be the provider of the service.

The following individuals spoke in opposition to this request:

Mr. Jerry Covey advised the tower site would ruin the landscaping and beauty of the area, as well as devalue his adjacent property. He requested the Board to not approve the special use permit.

Mr. Ernest Rash advised he can currently see five towers from his back door and the proposed tower will be in front of his house. He requested the Board to not approve the special use permit.

Mr. Michael Ray, also resident of the area, advised he was opposed to the tower site and requested the Board to not approve the special use permit.

The following individuals spoke in favor of the special use permit:

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Mr. Dave Spanger, President of Jefferson Mills, advised this area had a great need for this type of service. It further advised it was very embarrassing to lose a call from out of state due to inadequate cell phone service in this area.

Mr. Buddy Lawson reported the tower was needed for economic development of area.

Mr. Thomas Graham advised the tower was a necessary evil for improved communications.

No further comments were heard; therefore, the Chairman closed the public hearing on this matter.

On the motion of Mr. Cook, seconded by Mr. Conner and carried, the Board of Supervisors approved the special use permit as requested above with a 195-foot mono pole tower with 6 foot cypress pines to be planted outside a 6-foot chain length fence around the outside of the tower.

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: Dr. Fariss.

- c. A request by the **Pulaski County Planning Commission** for rezoning from Industrial (I-1) to Residential (R-1) of property owned by **Charles & Helen Austin** identified by tax parcel 056-001-0000-0034, located at 5516 Dublin Drive, Draper District.

Peter Huber, Interim County Administrator, advised the above noted property was surrounded by property rezoned to Residential (R-1), and the Planning Commission had recommended approval of the above request.

Chairman Sheffey opened the public hearing on this matter.

No comments were heard; therefore, the Chairman closed the public hearing.

On the motion of Mr. Hale, seconded by Dr. Fariss and carried, the Board of Supervisors approved the above rezoning request as recommended by the Planning Commission.

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

Voting no: none.

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- d. A rezoning request by **James Hager** from Industrial (I-1) to Transitional Industrial District (I-0) on property identified as tax map parcel 056-001-0000-0061, (1.7040 acres), located on the south side of Dominion Dr. (Rt. 1091) 475 ft. west of Cleburne Blvd. (Rt. 100), Draper District.

Peter Huber, Interim County Administrator, reported the above rezoning request had been recommended for approval by the Planning Commission with the following requirements:

1. White pine trees, six feet tall, be planted at the recommended spacing on lot identified as tax map no. 56-1-57 between the existing block building and the proposed metal storage building;
2. Compliance with Virginia Department of Transportation regulations; and
3. A land disturbing permit be issued by Pulaski County.

Chairman Sheffey opened the public hearing on this matter.

No comments were heard; therefore, the Chairman closed the public hearing.

On the motion of Mr. Conner, seconded by Mr. Hale and carried, the Board of Supervisors approved the above rezoning request as recommended by the Planning Commission and per the above noted requirements.

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

Voting no: none.

- e. A request by **Marshall Hamden** for an amendment of the Pulaski County Zoning Ordinance to add a use not provided for in the Commercial (CM-1) District to allow a taxi cab service on property owned by **Charles Haynes** identified as tax map no. 039-001-0000-0005, (0.670 acres), zoned Commercial (CM-1), located at 7383 Lee Highway, Cloyd District.

Interim County Administrator, Peter Huber, advised that the current Zoning Ordinance does not address taxi cab service. Therefore, the Planning Commission had recommended the ordinance be amended to allow "taxi cab service" as a special use permit in the Commercial (CM-1) District. Further, Mr. Huber reported the Planning Commission had approved a special use permit and site plan for the above request, conditional upon approval of a change in the Zoning Ordinance by the Board of Supervisors.

Chairman Sheffey opened the public hearing on this matter.

Mr. Marshall Hamden reported his correct address to be 7383 Lee Highway, Fairlawn.

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No further comments were heard; therefore, the Chairman closed the public hearing on this matter.

On the motion of Mr. Cook, seconded by Dr. Fariss and carried, the Board of Supervisors approved an amendment to the Zoning Ordinance allowing for "taxi cab service" as a Special Use Permit (SUP) in the Commercial (CM-1) District per the Planning Commission recommendation.

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

Voting no: none.

f. Adoption of a **Local Enterprise Zone Ordinance** pursuant to Section 58.1-3245.8 and 58.1-3245.10 of the Code of Virginia, 1950, as amended

Peter Huber reported the County Attorney has made changes to the proposed Local Enterprise Zone Ordinance which broadens the ordinance for the future.

Chairman Sheffey opened the public hearing on this matter.

No comments were received; therefore, the Chairman closed the public hearing.

Dr. Fariss questioned the last paragraph under Section 5 of the proposed ordinance. He suggested "by findings or at findings of the Board of Supervisors" be added to this sentence.

On the motion of Dr. Fariss, seconded by Mr. Hale and carried, the Board of Supervisors approved the following Local Enterprise Zone Ordinance with the revision, as noted above by Dr. Fariss, to be added under Section 5, last paragraph.

### **LOCAL ENTERPRISE ZONE ORDINANCE**

BE IT ORDAINED that pursuant to Sections 58.1-3245.8 and 58.1-3245.10 of the Code of Virginia, as amended, the Board of Supervisors of Pulaski County, Virginia, does hereby designate the enterprise zone encompassing the Non-regional Industrial Parks in Pulaski County and the facilities and property of Volvo Trucks North America, Inc., as a local enterprise zone.

BE IT FURTHER ORDAINED the fifty percent (50%) of the incremental increase in both the real estate taxes and machinery and tools taxes in the local enterprise zone from those assessed, levied and collected the base year of 1998, be assessed, collected and allocated in the following manner:

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1. The Pulaski County Commissioner of Revenue shall record in the appropriate books both the assessed value as of January 1, 1998, "the base assessed value", and the assessed value as of January 1 of each subsequent years, "the current value" of the real estate and machinery and tools in the local enterprise zone.
2. Real estate taxes or machinery and tools taxes attributable to the lower of the current assessed value or base assessed value of real estate or machinery and tools located in the local enterprise zone shall be allocated by the treasurer as they would be in the absence of such ordinance.
3. As limited by paragraph 5, fifty percent (50%) of the increase in both the real estate and machinery and tool taxes attributable to the difference between (i) the current assessed value of such real estate and machinery and tools and (ii) the base assessed value of such property shall be allocated by the treasurer and paid into a special fund entitled "Local Enterprise Zone Development Fund" ("the Fund") to be used as provided by Section 58.1-3245.10. Such amounts paid into the fund shall not include any additional revenues resulting from an increase in the tax rate on real estate or machinery and tools after the adoption of a local enterprise zone development taxation ordinance, nor shall it include any additional revenues merely resulting from an increase in the assessed value of real estate or machinery and tools which were located in the zone prior to the adoption of a local enterprise zone development taxation ordinance unless such property is improved or enhanced.
4. Pursuant to Section 58.1-3245.10 amounts paid into the Fund shall be paid to the Industrial Development Authority of Pulaski County in amounts segregated by individual industries located in the local enterprise zone to serve and promote economic development within the local enterprise zone.
5. No industry shall receive revenues to promote economic development from increased value of real estate and machinery and tools from any one project for a period greater than ten (10) years. In order to be eligible for such revenues to promote economic development, an industry must have initial or increased employment of greater than 100 jobs for the first year and sustained employment at that level or greater for succeeding years up to ten (10) years.

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This program shall only apply by findings of the Board of Supervisors when at the time of initial commitment by the County, Pulaski County unemployment levels are higher than the state averages and when the Pulaski County school system would benefit from increased enrollment.

6. The definitions of "base asset value", "current asset value", "Enterprise Zone", "Local Enterprise Zone", and "tax increment" shall be those found in Section 58.1-3245.6 of the Code of Virginia, 1950, as amended, or its successor statutes.

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

Voting no: none.

- g. Proposed Issuance of Bonds by the County of Pulaski for which the General Purpose for which the Bonds are to be Issued is to Provide Funds to Finance Certain Capital Projects for School Purposes, and the Estimated Maximum Amount of Such Bonds is \$900,000

Peter Huber, Interim County Administrator, advised the above noted public hearing was required by state law.

Chairman Sheffey opened the public hearing on this matter.

No comments were heard; therefore, the Chairman closed the public hearing.

On the motion Mr. Cook, seconded by Dr. Fariss and carried, the Board of Supervisors adopted the following resolution pertaining to this matter and further instructed staff to earmark the funds received for future capital improvement projects:

**RESOLUTION PROVIDING FINAL AUTHORIZATION FOR THE  
ISSUANCE OF NOT TO EXCEED \$900,000 GENERAL  
OBLIGATION SCHOOL BONDS**

**WHEREAS**, on September 25, 2000, the Board of Supervisors (the "Board") of the County of Pulaski, Virginia (the "County") adopted a resolution entitled "Resolution Authorizing the Issuance of not to Exceed \$900,000 General Obligation School Bonds of the County of Pulaski, Virginia, Series 2000 A, to be Sold to the Virginia Public School Authority and Providing for the Form and Details Thereof," (the "Prior Resolution").

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**WHEREAS**, on October 23, 2000, the Board held a public hearing, duly noticed, on the issuance of the Bonds (as defined in the Prior Resolution) in accordance with Section 15.2-2606, Code of Virginia 1950, as amended, which requires the holding of a public hearing before the final authorization of the issuance of the Bonds; and

**WHEREAS**, the Board desires to provide final authorization for the issuance of the Bonds;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PULASKI, VIRGINIA:**

1. The Board hereby authorizes the issuance the Bonds in the form and upon the terms established pursuant to the Prior Resolution, and the Prior Resolution is hereby confirmed and deemed to be in full force and effect.
2. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.
3. This Resolution shall take effect immediately.

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

Voting no: none.

h. Revision to Gas and Electric Utility Tax Ordinance.

Chairman Sheffey opened the public hearing. There being no comments, the hearing was closed. On the motion of Mr. Conner, seconded by Mr. Cook and carried, the Board of Supervisors approved the following revision to the Gas and Electric Utility Tax Ordinance, subject to the County Attorney defining "ccf" and limiting tax to \$20 per month for commercial customers.

**AMENDMENT TO THE PULASKI COUNTY  
UTILITY TAX ORDINANCE  
10-23-00**

The Pulaski County Utility Tax Ordinance, the Ordinance of this county imposing a tax on consumers of utility services provided by electric utility suppliers and natural gas utility service suppliers is hereby amended to comply with the provisions of Section 58.1-3814 of The Code of Virginia providing that all such taxes are to be based on kilowatt hours (kwh) delivered including customer charges.

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Effective with the first bill for electric energy rendered for meter readings on or after January 1, 2001, the rate of tax on the electric energy delivered to an ultimate consumer shall be as follows:

### **Electric:**

(a) In accordance with Virginia Code Section 58.1-3814, effective January 1, 2001, there is hereby imposed and levied a monthly tax on each purchase of electricity delivered to consumers by a service provider, classified as determined by such providers, as follows:

(1) Residential consumers: Such tax shall be 20% times the minimum monthly charge(s) imposed upon the consumer plus the rate of \$.01525 on each kWh delivered monthly to residential consumers by the service provider not to exceed \$3.00 monthly.

(2) Non-residential consumers: such tax on non-residential consumers shall be the rates per month for the classes of non-residential consumers as set forth below:

(i) Commercial – Such tax shall be 20% times the minimum monthly charge(s) imposed upon the consumer plus the rate of \$.01415 on each kWh delivered monthly, not to exceed \$20.00 per month.

(ii) Industrial consumers – Such tax shall be 20% times the minimum monthly charge(s) imposed upon the consumer plus the rate of \$.01515 on each kWh delivered monthly, not to exceed \$20.00 per month.

### **Gas:**

(a) In accordance with Virginia Code Section 58.1-3814, there is hereby imposed and levied a monthly tax on each purchase of natural gas delivered to consumers by pipeline distribution companies and gas utilities classified by "class of consumers" as such term is defined in Virginia Code Section 58.1-3814 J., as follows:

(1) Residential consumers: Such tax on residential consumers of natural gas shall be 20% times the minimum monthly charge(s) imposed upon the customer plus the rate of \$0.15492 per CCF delivered monthly to residential customers, not to exceed \$3.00 per month.

(2) Non-residential consumers: Such tax on non-residential consumers shall be at the rates per month shown for each CCF delivered by pipeline distribution company or a gas utility for the classes as set forth below:

(i) Commercial consumers – such tax shall be 20% times the minimum monthly charge(s) imposed upon the customer plus the rate of \$0.14618 on each CCF delivered monthly to commercial/industrial consumers, not to exceed \$20.00 per month.

(ii) Industrial consumers - such tax shall be 20% times the minimum monthly charge(s) imposed upon the customer plus the rate of \$0.14618 on each CCF delivered monthly to commercial/industrial consumers, not to exceed \$1,000.00 per month.

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(3) The conversion of tax pursuant to this ordinance to monthly CCF delivered shall not be effective before the first metering after December 31, 2000 prior to which time the tax previously imposed by this jurisdiction shall be in effect.

(4) For the purposes of this ordinance (CCF) shall mean (100 cubic feet).

**IN ALL OTHER RESPECTS, THE DIVISIONS OF THIS ORDINANCE SHALL BE UNAFFECTED BY THIS AMENDMENT AND SHALL REMAIN IN FULL FORCE AND EFFECT WITHOUT AMENDMENT OR CHANGE, AND THIS ORDINANCE IS REENACTED AS IF SET OUT IN FULL HEREIN.**

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

Voting no: none.

On the motion of Dr. Fariss, seconded by Mr. Hale and carried, the Board of Supervisors directed staff to survey other jurisdictions for the purpose of comparing utility tax rates and provide this information by the November 27, 2000 meeting of the Board.

#### 4. Highway Matters:

The Board met with Virginia Department of Transportation Resident Engineer, Dan Brugh, regarding the following highway matters:

##### a. Follow-up from Previous Board meeting

##### 1. Rural Addition Status Report

The Board reviewed the rural addition status report as prepared by staff. Said report noted that a fee simple easement is needed from Norfolk Southern Railroad for five feet of right of way between the electric poles and the railroad tracks for the Cooks Lane rural addition.

The Board requested staff to check the status of the right of way acquisition for the School House Lane rural addition and advise at the next meeting of the Board of Supervisors.

##### 2. Request for Speed Limit Study, Big Valley Drive

Mr. Brugh reported VDOT does not recommend speed limit posting signs at Big Valley Drive. Staff was requested to notify Mr. German Ruiz, president of the homeowners association for this subdivision.

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### 3. Rt. 757, Beach Drive, Intersection Safety Concerns

Mr. Brugh reported that 911 signs have been placed at the above noted area; therefore, concerns have been addressed.

### 4. Request for Pedestrian Crossing Signs at Fairview Home

Mr. Brugh reported pedestrian crossing signs have been placed at Fairview Home as requested.

### 5. Request for School Zone 25 mph Flashing Sign on Dudley Ferry Loop (Riverlawn Elementary School)

Mr. Brugh advised this request had been referred to the school system for a response.

### b. Board of Supervisors Concerns

Supervisor Conner expressed concern regarding Hatcher Road, Rt. 807, and the need to follow up on possible right of way acquisition from Ms. Carson.

Supervisor Hale noted the need for Rt. 11 line painting between Dublin and Pulaski.

Supervisor Cook inquired as to the new Rt. 100 grade on Cloyd's Mountain. Mr. Brugh advised of 6% grade on this road.

Supervisor Fariss requested VDOT consider building both Rt. 693 bridges at the same time. Mr. Brugh was requested to provide a report on this at the November Board meeting.

Supervisor Fariss also requested VDOT to review Dallas Freeman Road, Rt. 778, for possibly widening sections of the road to allow for buses to pass. Mr. Brugh advised he would do an estimate on this and provide to the Board at the next regular meeting.

Staff was requested to provide a complete listing of updated rural additions request for review by the Board at their November regular meeting.

### c. Citizen Concerns

No citizen concerns regarding highway matters were heard at this time.

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### 5. Treasurer's Report

Treasurer Rose Marie Tickle presented the monthly trial balance report, the report of certificates of deposits and the sales tax distribution monthly reports. The Board accepted the reports as presented.

### 6. Citizens' Comments

No citizen comments were heard at this time.

### 7. Reports from the County Administrator & Staff:

#### a. Key Activity Timetable

The Board reviewed the Key Activity Timetable as presented by staff.

On the motion of Dr. Fariss, seconded by Mr. Conner and carried, the Board authorized staff to remove plans for a handicapped ramp at the Brick Courthouse.

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

The Board requested priority be given by staff in obtaining window awnings for the Board of Supervisors Meeting Room.

Further, the Board requested staff to follow up on the ISTEA grant money for the Draper Mountain Overlook and provide the Board with an accounting of expenditures and revenues for this project by the November Board of Supervisors meeting.

#### b. County Entrance Signs

Staff reviewed with the Board several locations in the county for the placement of a county entrance sign. Staff was requested to review an alternate site, as recommended by Supervisor Cook and Supervisor Fariss, prior to sites 1 and 4 for possible placement of a county entrance sign.

#### c. Appointments:

##### ◆ New River Community Services Board

The Board deferred appointments until the closed meeting session of the meeting.

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8. Items of Consent:

It was moved by Mr. Conner, seconded by Mr. Cook and carried to approve the following items of consent:

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

Voting no: none.

a. Minutes of September 25, 2000

The Board approved the minutes of September 25, 2000 as presented by staff.

b. Accounts Payable

The Board approved the accounts payable listing as presented on checks numbered 29518 – 29834.

c. Appropriations and Transfers:

1. Interoffice Transfer #4

The Board approved interoffice transfer #4 in the amount of \$44,541.10 as prepared by Management Services Director, Nancy M. Burchett.

2. General Fund Appropriations #5 - \$4,355.00; #6 - \$32,573.54

General Fund Appropriations #5 and #6 as follows were approved:

#5 Revenues:

2404-0901 State EZ Technology Grant	\$	4,355
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#5 Expenditures:

7301-7199 Library Equipment	\$	4,355
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#6 Revenues:

1899-76 Friends Claytor Lake Donations	\$	1,340.00
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2308-00 Compensation Board Clerk's Office		19,552.00
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1603-03 Seized Assets Comm. Attorney		1,167.54
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1899-60 Office on Youth Donations		<u>773.00</u>
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Total	\$	22,832.54
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#6 Expenditures:

1101-2017 Bd. Superv. Recog. Program	\$	5,000.00
2101-7002 Circuit Court Furniture & Fixtures		4,741.00
2106-1003 Clerk's Office Part time Salaries		19,552.00
7115-5839 Friends of Claytor Lake Donations		1,340.00
2201-7137 Comm. Attorney Seized Assets		1,167.54
5322-5412 Office on Youth Supplies		<u>773.00</u>
Total	\$	32,573.54

3. Capital Improvement Fund Appropriations #4 - \$20,000

Capital Improvement Fund Appropriations #4 approved as follows:

#4 Revenues:

5102-00 Transfer from General Fund	\$	20,000
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#4 Expenditures:

3209-3004 Fairlawn Fire Dept. Roof	\$	8,000
7225-3002 Train Station Grant		2,000
9303-9115 Transfer to REMSI Capital		<u>10,000</u>
Total	\$	20,000

4. School Fund Appropriations #2 -\$1,588.00;

#3 - \$14,011.00; #4 - (\$6,913.00); #5 - \$41,564.00;

#6 - (\$7,425.00); #7 - \$16,111.00

The Board approved School Fund Appropriations #2, #3, #4, #5, #6 and #7 as follows:

#2 Revenues:

3301-11 Title VIB Flow Through	\$	1,588
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#2 Expenditures:

6978-1121-20 Flow Through Salaries	\$	1,588
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#3 Revenues:

3301-09 Title I	\$	14,011
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#3 Expenditures:

6989-1121-10 Title I Salaries	\$	11,544
6989-2101-20 Title I FICA		883
6989-2211-10 Title I VRS		1,492
6989-2400-10 Title I Group Life		<u>92</u>
Total	\$	14,011

#4 Revenues:

3301-10 Title 6	\$	- 6,913
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#4 Expenditures:

6910-2101-10 Title 6 FICA	\$	-	80
6910-601310 Title 6 Instructional Supplies		<u>-</u>	<u>6,833</u>
Total	\$	-	6,913

#5 Revenues:

3301-34 Local Partnership	\$	41,564
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#5 Expenditures:

6915-6013-30 Local Partnership Supplies	\$	20,782
6915-8201-30 Local Partnership Equip.		<u>20,782</u>
Total	\$	41,564

#6 Revenues:

3301-06 Vocational Education	\$	-	7,425
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#6 Expenditures:

6911-6013-30 Carl Perkins Supplies	\$	-	7,425
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#7 Revenues:

2402-85 ISAEF Program	\$	16,111
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#7 Expenditures:

6929-3140-10 ISAEF Prof. Services	\$	1,500
6929-5501-10 ISAEF Mileage		2,000
6929-6014-10 ISAEF Other Supplies		2,500
6929-8201-10 ISAEF Capital Equipment		3,000
6929-1141-10 ISAEF Salaries		6,605
6929-2101-10 ISAEF FICA		<u>506</u>
	\$	16,111

5. Virginia Public Assistance – Carry Over Appropriation  
from FY 00 #1 - \$75,000.00

The Board approved appropriation #1 for the Virginia Public Assistance Fund as follows:

#1 Revenues:

5102-00 Transfer from General Fund	\$	75,000
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#1 Expenditures:

5312-3002 Social Services Admin. Local	\$	75,000
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d. Ratification:

1. Change Order

◆ Reynolds Architects Change Order 1 – Randolph Park

The Board ratified Reynolds Architects change order #1 for an additional amount of \$1,200 to Swope Construction for the Randolph Park project changing total contract to \$1,896,200.

2. Agreements, Grants, & Other:

a. Courts Office Furnishings

The Board ratified the purchasing of office furnishings for Judge Turk's office at a cost of \$4,740.51.

b. EZ-LSTA – Library of Virginia Grants \$10,000 & \$2,500; and Bill & Melinda Gates Library Grant Application

The Board ratified library grant applications in the amount of \$10,000 & \$2,500 to the Library of Virginia for the purchase of a new server and accessories and for FY 01 Read-Aloud Project, and a grant application to the Gates Foundation for the purchase of four computers, content server, laser printer, wiring and software in the amount of \$36,716.

c. Draper Aden Associates – Revised Agreement – Water Distribution System

The Board approved a revised agreement with Draper Aden Associates for additional services under the general engineering contract from \$32,890 to \$47,000.

e. Personnel Changes

The Board reviewed recent changes in personnel as reported by Management Services Director, Nancy M. Burchett.

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- f. Virginia Public Authorities Agreement for Purchase of Electricity from American Electric Power

The Board approved the Virginia Public Authorities Agreement for the purchase of electricity from American Electric Power under the new rates and terms agreed upon by the Virginia Association of Counties and American Electric Power. Said agreement effectively reducing electric rates by 4.5%.

- g. Acceptance of \$5,000 Grant for Preliminary Engineering Report Eagleview Mobile Home Park

The Board accepted a \$5,000 grant from the Drinking Water State Revolving Fund Program for preliminary engineering costs on Eagleview Mobile Home Park.

- h. Hunting Permits on County Property

The Board reviewed recommendations from staff and the county's risk and property insurance consultant regarding hunting permits on county property. The Board requested staff to ensure that "no hunting" signs are posted on the old Cloyd's Mountain Landfill property, and further requested staff to refer this matter to Sheriff Davis for a recommendation on the practice of allowing hunting on county property for next year.

- i. Mutual Aid Agreement

The Board approved a Mutual Aid Agreement with the County of Floyd for fire and emergency medical services. A copy of said agreement shall be filed with the Office of the County Administrator.

- j. Office on Youth Van Usage Policy

The Board adopted the following policy regarding the Office on Youth Van usage:

- The primary purpose of the van is to transport children to Office on Youth recreation sites for after-school and summer activities with occasional use by the Office on Youth for field trips.
- Use by other departments and agencies is limited to County sponsored events or activities.
- Emergency use for other purposes may be permitted by the Emergency Management Coordinator, the Director of Fleet Maintenance or the County Administrator.

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### k. County Golf Shirt Purchase

The Board approved the purchase and expenditure of up to \$5,000 for county golf shirts with shirts to be offered for purchase by county employees and the general public at a cost of \$20. Shirts to also be used as door prizes at the annual employee recognition program.

### l. Scheduling of Public Hearing on expanding the New River Enterprise Zone to include the Commerce Park and New River Valley Airport

The Board approved scheduling a public hearing for the November 27, 2000 Board meeting to consider expanding the New River Enterprise Zone.

### 9. Citizen Comments

No citizen comments were heard at this time.

### 10. Other Matters from Supervisors

Supervisor Fariss inquired regarding the status of the Hiwassee Rescue Squad Building and the cost of moving the DeHaven Park mobile home, as well as fence and signage from the road to the lake at DeHaven Park. Supervisor Fariss also expressed concerns regarding the future need for topsoil at Randolph Park and possible skateboarding at Randolph Park.

Supervisor Cook inquired as to the status of marketing the Lowes Building in Dublin.

Supervisor Sheffey & others inquired as to the status of the cell towers study encouraging study on a regional basis.

### 11. Closed Meeting – 2.1-344.A.1.3.5.7

It was moved by Mr. Conner, seconded by Mr. Hale and carried that the Board of Supervisors enter closed session for discussion of the following:

Property Disposition or Acquisition – Pursuant to Virginia Code Section 2.1-344(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- Rt. 100/81 Visitors Center
- Reallocation of Pepper's Ferry Regional Wastewater Treatment Plant Capacities
- DeHaven Park Water Access

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Personnel - Pursuant to Virginia Code Section 2.1-344(A)1 discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding:

- Pending appointments – New River Community Services Board
- County Administrator Applicants

Prospective Industry – Pursuant to Virginia Code Section 2.1-344(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.

- Review of Incentives Offered to Ethan Allen

Legal Matters – Pursuant to Virginia Code Section 2.1-344(A)7 consultation with legal counsels and briefing by staff for discussion of specific legal matters and matters subject to probably litigation regarding:

- Review of Special Use Permit Approvals
- Technology Magnet School Funding

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

### Return to Regular Session

On the motion of Mr. Hale, seconded by Dr. Fariss and carried, the Board of Supervisors returned to regular session.

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

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

It was moved by Dr. Fariss, seconded by Mr. Cook 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 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:

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WHEREAS, Section 2.1-344.1 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: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

\*Personnel:

On the motion of Mr. Cook, seconded by Dr. Fariss and carried, the Board of Supervisors made the following appointment:

1. New River Community Services Board

The Board appointed Richard Patterson to serve on the New River Community Services Board for a term ending June 30, 2002.

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

Voting no: none.

12. Adjournment

It was moved by Dr. Fariss, seconded by Mr. Conner and carried, that the Board of Supervisors reconvene in closed session on November 6, 2000 at 7:00 p.m. at the Comfort Inn, Dublin, Virginia, for the purpose of interviewing for the position of county administrator. The next regularly scheduled meeting of the Board of Supervisors is set for November 27, 2000 at 7:00 p.m. at the County Administration Building, 143 3<sup>rd</sup> Street, NW, Board Room, in the Town of Pulaski, Virginia.

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

Voting no: none.

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Joseph L. Sheffey, Chairman

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Peter M. Huber, Interim Clerk