

At a regular meeting of the Pulaski County Board of Supervisors held on January 22, 2001 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; Charles E. Cook; William E. "Eddie" Hale; and Frank R. Conner. Absent: Dr. Bruce L. Fariss, Vice-Chairman. Staff members present included County Administrator, Peter M. Huber, Management Services Director, Nancy M. Burchett; and Office Clerk, Sandra C. King.

1. Invocation

The invocation was given by Reverend Robert Owens of the Bob White Boulevard Church of God.

2. Additions to Agenda

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

3. Public Hearings:

- a. A request by Jerry G. & Betty A. Covey for rezoning from Agricultural (A1) to Conditional Industrial (I1), or Transitional Industrial (I-0) or Commercial (CM-1) and Special Use Permit (SUP) to allow the sale of heating fuel on property identified by tax map no. 107-002-0000-0014 (10.47 acres), located at 3838 Sayers Rd, Draper District.

County Administrator, Peter Huber, reviewed the history and circumstances surrounding the above rezoning request. He advised Mr. Covey presently operates a furnace repair business at the above location, which is not in compliance with the zoning ordinance. Further, two (2) 4,000 gallon tanks are used for storage of kerosene and diesel retail sale to home heating fuel customers, including families qualifying for services through the Pulaski County Department of Social Services. Mr. Huber reported a notice of violation had been issued to Mr. Covey on October 29, 2000. In addition, he advised the Planning Commission had recommended unanimously denial of the rezoning and Special Use Permit based on the following:

- The Comprehensive Plan Future Lane Use Plan, October 2000, projects the area for residential use;
- No other industrial zoning exists in this area and approval of the request would create spot zoning;
- Concerns of the potential contamination of the ground water due to accidental spills, which may seep into the karst topography prevalent in the community. No public water supply is currently available to this community; and
- Traffic and safety concerns presented by the existing condition of Sayers Road, Rt. 726.

Chairman Sheffey opened the public hearing on this matter.

Mr. James Hathcock, resident of the area, advised he was opposed to this request. He expressed safety concerns due to the tanks being close to a wooded area and the possibility of a fire, as well as concerns regarding the fumes from the tanks.

Mr. David Wood, resident of the area, advised he was concerned with the additional traffic on Sayers Road and that the proposed use would be inconsistent with the existing use of the land in the area. Further, he expressed concerns regarding possible water contamination.

Ms. Joan Umberger, adjacent property owner, advised she was opposed to the above request due to possible water contamination and fires.

Mr. Denton Taylor, adjacent property owner, advised he was concerned with spillages and well contamination. He requested the tanks be removed from the property.

Mr. Dennis Lambert, resident of the area, inquired as to how long Mr. Covey would be allowed to sell the fuel on the property.

Mr. Jerry Covey, rezoning applicant, advised the fuel tanks are sitting on gravel and are not near a wooded area. He requested the Board to allow him to operate the business through this heating season for the fuel assistance program.

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

On the motion of Mr. Cook, seconded by Mr. Conner and carried, the Board of Supervisors denied the above request per the Planning Commission recommendation, and further directed staff to ask for the immediate removal of the fuel tanks from the property.

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

Voting no: none.

Absent: Dr. Fariss.

- b. A request by Snowville Volunteer Fire Department for a Special Use Permit (SUP) to allow on-site fuel storage on property identified by tax map parcel 085-001-0000-051A, (0.343 acres), zoned Agriculture (A1), located at 7153 Lead Mine Rd, Ingles District.

County Administrator, Peter Huber, reported this request would allow for on-site fuel storage tanks, (one 500 gallon gasoline tank and one 1,000 gallon diesel fuel tank) to service fire and emergency vehicles located in the Snowville community. Further, installation of the proposed tanks would allow for conservation of fuel and reduce operating expenses once initial fuel system is installed. Mr. Huber also advised the Planning Commission unanimously recommended approval with an evaluation of the physical possibility of locating the tanks closer toward the boundary line at the rear of the fire station.

Mr. Huber also reviewed with the Board slides of the proposed fuel tanks.

Chairman Sheffey opened the public hearing on this matter.

Stan Crigger, Emergency Management Coordinator, confirmed the tanks would have a vault around them to protect against seepage.

No further 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 request as recommended by the Planning Commission.

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

- c. A request by **Roy Douglas & Kathy R. Bunn** for a Special Use Permit (SUP) to allow a manufactured home as a second dwelling on property identified as tax map no. 037-001-0000-0002, (135.67 acres), zoned Agricultural (A-1), located at 6500 Ruebush Rd., Cloyd District.

Peter Huber, County Administrator, reported the above request, if approved, would allow for a second singlewide manufactured home to be located to the rear of the primary dwelling. Further, the applicant indicates that the singlewide home will be removed when his son has no further need for it. In addition, Mr. Huber reported the Planning Commission unanimously recommended approval of the request with the stipulation that the Special Use Permit be utilized within one year.

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 Mr. Cook and carried, the Board of Supervisors approved the above request per the recommendation of the Planning Commission and with the stipulation the Special Use Permit be utilized within one year.

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

4. Highway Matters:

No action was taken on the following Highway Matters, unless noted otherwise, due to the absence of a VDOT representative at this meeting.

- a. Follow-up from Previous Board meeting
 - ◆ Rural Addition Status Report – Church Hill Lane and Allisonia Road

- b. Rt. 99 Four-Laning

The Board directed staff to prepare a letter to the Virginia Department of Transportation supporting reinstatement of funding for the timely construction of Rt. 99.

- c. Request for guardrail on a portion of the right side of Route 693 between Reed Creek Enterprises and Hoover Color

- d. Board of Supervisors Concerns

The Board requested VDOT staff provide a report at the February Board meeting on annual funding availability for rural additions.

Further, the Board requested staff provide an update to the Board by the February 26, 2001 meeting regarding the rural addition status of Black Hollow Lane Road and Schoolhouse Lane.

- e. Citizen Concerns

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

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.

Ms. Tickle reported it was time to publish the delinquent tax listing should the Board desire to do so.

On the motion of Mr. Cook, seconded by Mr. Hale and carried, the Board of Supervisors approved the publishing of the 1998 delinquent tax listing in the local newspaper.

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

Voting no: none.

Absent: Dr. Fariss.

6. FY 00 Audit Presentation

Ms. Deanna Cox, Certified Public Accountant with Robinson, Farmer, Cox Associates, presented to the Board of Supervisors the annual county audit report for FY 00. Ms. Cox also presented a five-year trend analysis graph of the operating revenues and expenditures for the General Fund, a five-year trend of analysis of cash graph, and a five-year trend analysis of outstanding debt. Ms. Cox commended the Board for their efforts in financial management in increasing the general fund balance.

On the motion of Mr. Conner, seconded by Mr. Cook and carried, the Board of Supervisors approved the FY 00 audit report as presented.

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

Voting no: none.

Absent: Dr. Fariss

7. Citizens' Comments

No citizen comments were heard at this time.

8. Reports from the County Administrator & Staff:

a. Key Activity Timetable

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

b. Rt. 114 County Entrance Sign Update

Regarding the Southbound I-81 entrance sign, staff reported a determination had not been made on whether there was adequate road access into the property at the south end of the New River Bridge on I-81. Further, regarding the Route 114 county entrance sign, staff advised the property owner had been contacted about erecting a sign on the property. Said owner had requested to discuss with other family members before approving the sign.

c. Report from Business License Tax Committee

The Board reviewed a report from the Business License Tax Committee. Said report recommended adoption of a uniform rate by the county and towns to allow for simplifying the administration and public confusion of the proposed change to a Business License Tax in lieu of the Merchant's Capital Tax.

The Board requested staff obtain a listing of firms paying Merchant's Capital Tax in the county as a whole and in the Town of Pulaski.

On the motion of Mr. Hale, seconded by Mr. Conner and carried, the Board of Supervisors authorized staff to begin advertising for a public hearing on the possible adoption of a Business Professional License Tax at the April 23, 2001 Board meeting.

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

d. A request for Special Use Permit (SUP) by **Kenneth N. Kimbleton Sr., Ruby A. Kimbleton, Kenneth N. Kimbleton Jr., and Sharon B. Kimbleton** to allow an exception to the length of a dock per Art. 8-5 of the zoning ordinance on property identified as tax map no. 066-013-0000-0008 (0.38 total acres), zoned Residential (R1), located at 4815 Mecca West Drive, Ingles District.

The Board deferred action on this matter until the closed meeting session of the meeting.

e. Appointments:

The Board deferred the following appointments until the closed meeting session of this meeting:

1. Social Services Board of Directors
2. Industrial Development Authority
3. New River Resource Authority
4. NRV Alliance Executive Committee

9. Items of Consent:

On the motion of Mr. Cook, seconded by Mr. Hale and carried, the Board of Supervisors approved the following items as consent unless otherwise noted:

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

a. Minutes of December 18, 2000

The Board approved the minutes of December 18, 2000 as presented by staff.

b. Accounts Payable

The Board approved the accounts payable listing as presented on check numbers 30687 through 30906.

c. Appropriations and Transfers:

1. Interoffice Transfer #7 - \$45,741.28

The Board approved interoffice transfer #7 in the amount of \$45,741.28 as prepared by Management Services Director, Nancy M. Burchett.

2. General Fund Appropriations #11 - \$48,640.98; #12 - \$16,468.00; and #13 - \$38,881.00

#11 Revenues:

1899-60 Office on Youth Donations	\$	25.00
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2404-15 Clerk's Office Compensation Board	6,104.98
Total	\$ 6,129.98

#11 Expenditures:

2106-7001 Clerk's Office Machinery & Equipment	\$ 6,104.98
4302-5301 General Properties Property Insurance	7,536.00
4302-5303 General Properties Flood Insurance	20,575.00
4302-5407 General Properties Repair & Maintenance	10,000.00
5322-5412 Office on Youth Educational Supplies	25.00
7105-3004 County Parks Repairs & Replacements	200.00
7105-5101 County Parks Electricity	700.00
7105-8001 County Parks Rental of Equipment	3,500.00
Total	\$ 48,640.98

#12 Revenues:

161512 CE Richardson Grant Library	\$ 4,000.00
2404-69 Library EZ-Grants	12,468.00
Total	\$ 16,468.00

#12 Expenditures:

7301-7178 Library CE Richardson Grant	\$ 4,000.00
7301-7191 EZ Youth Services Grant	2,500.00
7301-7193 EZ Project Enhancement Grant	9,968.00
Total	\$ 16,468.00

#13 Revenues:

1899-78 Bill Gates Grant Library	\$ 36,716.00
1615-05 Moms, Pops, Tots Program	250.00
1615-07 RIF Program	1,915.00
Total	\$ 38,881.00

#13 Expenditures:

7301-7111 Gates Grant	\$ 36,716.00
7301-5419 Moms, Pops, Tots Program	250.00
7301-5604 RIF Program	1,915.00
Total	\$ 38,881.00

3. Capital Improvement Fund Appropriations #7 - \$155,020

#7 Revenues:

5102-00 Transfer from General Fund	\$ 155,000.00
1502-17 Sale of Topsoil Randolph Park	20.00
Total	\$ 155,020.00

#7 Expenditures:

8130-3049 Rt. 100 Improvements Lighting	\$ 125,000.00
8130-5421 Rt. 100 Improvements Plantings	30,000.00
7116-7165 Randolph Park Phase I	20.00
Total	\$ 155,020.00

4. School Fund Appropriation #11 - \$50,393.06

#11 Revenues:

3301-28 Goals Reimbursement \$ 50,393.06

#11 Expenditures:

6992-3140 Goals 2000 Grant Professional Dev. \$ 1,003.93

6992-8201 Goals 2000 Grant Equipment 49,389.13

Total \$ 50,393.06

5. Additional Appropriation For FY 01- July 1, 2000 – January 22, 2001

The Board reviewed a listing of additional appropriations previously approved and including those listed above for the Board's information. The listing was accepted as presented by Management Services Director, Nancy M. Burchett.

d. Ratification:

1. Change Order

No change orders were presented for ratification at this meeting.

2. Agreements, Grants, & Other:

a. Office on Youth Contract with Pepsi Bottling

The Board ratified an agreement with Pepsi Bottling Company and the Pulaski County Office on Youth relating to the purchase of carbonated and non-carbonated beverages by the Office on Youth. Said agreement being for a five-year period, January 1, 2001 through January 1, 2006. A copy of the agreement shall be filed with the County Administrator's Office.

b. NRCC Business Industry/Organization Memorandum of Agreement

On the motion of Mr. Hale, seconded by Mr. Cook and carried, the Board of Supervisors ratified a Memorandum of Agreement with New River Community College, Business/Industry/Organization for educational services. Said agreement being for one year, January 1, 2001 through December 31, 2001. A copy of the agreement shall be filed with the County Administrator's Office.

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

Voting no: none.

Absent: Dr. Fariss.

Abstaining: Mr. Sheffey.

c. Comprehensive Community Corrections Act Grant Program

The Board ratified and accepted a grant award with the Department of Criminal Justice Services in the amount of \$387,829.00 for Comprehensive Community Corrections program to be administered by the New River Valley Planning District Commission.

d. Memorandum of Agreement Between Commonwealth of VA, VEDP, Volvo Trucks, County of Pulaski, NRCC & IDA

The Board ratified a Memorandum of Agreement between the Commonwealth of Virginia, Virginia Economic Development Partnership, Volvo Trucks North America, Inc., the County of Pulaski, New River Community College and the Pulaski County Industrial Development Authority relating to the Volvo expansion and incentives and initiatives to be met by Volvo in exchange for certain commitments by the Commonwealth, Pulaski County, New River Community College and the Pulaski County Industrial Development Authority. A copy of the agreement shall be filed with the Office of the County Administrator.

e. Randolph Park Additional Engineering Services–Draper Aden Associates

The Board ratified additional engineering services expenses of Draper Aden Associates relating to the Randolph Park. A detailed listing is filed with the Office of the County Administrator. Said additional expenses ratified totaled \$40,447.95.

e. Personnel Changes

The Board reviewed recent personnel changes as reported by Management Services Director, Nancy M. Burchett. In addition, the Board approved an increase in pay for County Garage Mechanic, Robert McKnight, effective December 19, 2000 in the amount of \$1,007 per year per the recommendation of staff.

f. National Committee for the New River Membership

The Board approved membership in the National Committee for the New River at a cost of \$25.00 per year.

g. Condition of Unsafe Structure Owned by Ralph A. Sheffey, Jr., identified on Pulaski County Real Estate Records as Tax Map Parcel 028-001-0000-0026, zoned Residential (R1), 0.3570 acre, located on the South Side of Falling Branch Road, (Rt. 798), approximately 75 ft. east of the New River Road (Rt. 624), intersection

On the motion of Mr. Hale, seconded by Mr. Cook and carried, the Board of Supervisors approved extending the deadline for cleanup of the above listed property to April 1, 2001 per staff recommendation.

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

Voting no: none.

Abstaining: Mr. Sheffey.

Absent: Dr. Fariss.

h. Recording of Virginia's First Regional Industrial Facility Authority Certificate in Minutes

The Board approved the following Certificate to be recorded in the Supervisor's minutes regarding the creation of the Virginia's First Regional Industrial Facility Authority:

i. Local Partnership Performance Agreement

The Board approved the Local Partnership Performance Agreement for fiscal year 2001 with the Commonwealth of Virginia, Department of Emergency Management per staff recommendation. A copy of the agreement shall be filed with the Office of the County Administrator.

j. Establishment of 2001 Board Meeting Dates

The Board approved continuing the regular meeting of the supervisors the fourth (4th) Monday of each month with the exception of the following alternate meeting dates for the year 2001:

From December 24 to December 16, due to Christmas holidays; and
From September 24 to September 17 due to conflict with ICMA meeting.

k. HVAC Service Contract – Courthouses

The Board approved the heating and air conditioning service agreement contract with Virginia Trane for both the Brick Courthouse and the Old Courthouse at a cost of \$4,660 per year per staff recommendation.

l. Adoption of Emergency Operations Plan Resolution with Amendments

The Board approved the following Emergency Operation Plan with amendments to previous plan adopted at the November 27, 2000 meeting:

WHEREAS, there exists many dangers of many types including man-made disasters and natural disasters which can pose safety risks to a community; and

WHEREAS, the safety and protection of the citizens and property is of foremost concern to the Board of Supervisors of Pulaski County; and

WHEREAS, the Board of Supervisors desires and the Commonwealth of Virginia statutes require the adoption of appropriate plan protective measures; and

WHEREAS, the Emergency Operations Plan for the County of Pulaski, Virginia, lists Peter Huber as County Administrator and Director of Emergency Management for Pulaski County, Virginia; and

WHEREAS, Joseph N. Morgan has accepted employment as the County Administrator for Halifax County, Virginia, is no longer County Administrator of Pulaski County, Virginia, and therefore is ineligible as Pulaski County Director of Emergency Management; and

WHEREAS, Peter M. Huber has assumed duties as Pulaski County Administrator and Director of Emergency Management for Pulaski County, Virginia;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Pulaski County, Virginia, hereby adopts the Pulaski County Emergency Operations Plan, as recently updated.

m. Resolution Designating February 2001 at PETFIX Month 2001

The Board of Supervisors approved the following resolution designating the month of February 2001 as PETFIX month:

PETFIX MONTH 2001

Whereas, dogs and cats give companionship to and share the homes of over 50,000,000 individuals in the United States; and

Whereas, two unaltered cats and their kittens can produce 420,000 more kittens in seven years and two unaltered dogs and their puppies can produce 67,000 more dogs in six years; and

Whereas, it is estimated that millions of dogs and cats are euthanized each year in the United States, although many of them are healthy and adoptable, simply because there are not enough homes; and

Whereas, the latest report from the Commonwealth of Virginia, Division of Animal Industry Services, states that 130,578 dogs and cats were euthanized in Virginia in 1999; and

Whereas, the problems of pet overpopulation costs the taxpayers in this country millions of dollars annually through animal control programs trying to cope with the millions of unwanted animals; and

Whereas, spaying and neutering dogs and cats has been shown to drastically reduce cat and dog overpopulation; and

Whereas, veterinarians have supported the PetFix Coalition February programs in the Commonwealth of Virginia during the past five years and have performed over 13,000 spays and neuters, which have prevented millions of unwanted births; and

Whereas, veterinarians, humane organizations, and concerned citizens throughout the Commonwealth of Virginia have again joined together to advocate the spaying and neutering of companion animals during "PETFIX MONTH 2001".

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Pulaski, Virginia, recognizes the month of February 2001 as "PETFIX MONTH 2001" and encourages all citizens to observe this month by either having their dogs or cats spayed or neutered or by sponsoring the spaying and neutering of a companion animal for another.

n. Adoption of Legislative Issues

The Board approved submitting the following legislative issues to state legislators as local concerns of Pulaski County:

1. Shifting of costs from the state to localities while local taxing ability is restricted;
 2. Keep commitment for state funding for the proposed "Center for Excellence" training facility.
 3. Assist localities in addressing serious school construction needs.
 4. Funding for the construction of the New River Valley Technology Magnet School.
 5. Implementation of the Virginia Association of Counties/Virginia Municipal League proposed plan for sharing of state income tax revenue as a means of addressing these and local financial needs.
- o. Randolph Park - Transfer of Building Permits Back to Randolph Park

The Board approved adding to the current Randolph Park budget county building permit fees collected as a result of the construction of park.

- p. Memorial Resolution – Al Carden

The Board approved the following Memorial Resolution in honor of Mr. Al Carden:

**RESOLUTION OF APPRECIATION
ALFRED G. "AI" CARDEN**

WHEREAS, **Alfred G. "AI" Carden** has served Pulaski County as a charter member of the Dublin Recreation Department for the past 34 years; and

WHEREAS, **Alfred G. "AI" Carden** has been a leader among his peers in Pulaski County in his efforts to make Pulaski County recreation one of the finest recreation organizations in Virginia; and

WHEREAS, **Alfred G. "AI" Carden** has given countless hours in service to Pulaski County citizens; and

WHEREAS, the services provided by **Alfred G. "AI" Carden** 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 **Alfred G. "Al" Carden** 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 22nd day of January, 2001 in permanent testimony of its appreciation to the service provided by **Alfred G. "Al" Carden**.

10. Citizen Comments

No citizen comments were heard.

11. Other Matters from Supervisors

Supervisor Cook presented a statement regarding comments made recently by Governor Gilmore, specifically concerning the car tax. Subsequently, the following motion was made and unanimously approved by the Board of Supervisors:

It was moved by Charles E. Cook, seconded by Frank R. Conner and carried, that the Pulaski County Board of Supervisors adopt the following resolution:

Whereas, the Pulaski County Board of Supervisors questions the Governor for his attack on this Board, reminding him of Virginia State Code Section 58.1-3500 through 58.1-3521; and

Whereas, the following items are major financial concerns to the Pulaski County Board of Supervisors:

1. \$50 to \$60 million in anticipated school building needs;
2. Need for a new sheriff's office;
3. Need to complete Randolph Recreation Park;
4. Need for ongoing improvement in county infrastructure including water, sewer and roads;
5. Need to construct or renovate the animal shelter as called for by Section 3.1-796.96, Section H of the Code of Virginia.

Whereas, the Pulaski County Board of Supervisors hereby requests the Governor not consider funds being received from the tobacco settlement as general income to the state in qualifying for continued implementation of the "no car tax bill".

Now, therefore be it resolved, that the Pulaski County Board of Supervisors demands an apology from the Governor for his personal and unprovoked attack on the Pulaski County Board of Supervisors in their efforts to be fiscally responsible to the citizens of Pulaski County.

Be it further resolved by the Pulaski County Board of Supervisors that the Governor reinstate the \$5 million committed to building the Center for Excellence, honoring his personal signed commitment to Volvo and the people of Pulaski County.

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

12. Closed Meeting – 2.1-344.A.1.3.5.7

It was moved by Mr. Conner, seconded by Mr. Hale and carried, to enter closed meeting 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:

- School Site

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 as follows:
 1. Social Services Board of Directors
 2. Industrial Development Authority
 3. New River Resource Authority
 4. NRV Alliance Executive Committee

- Hiring of Randolph Park Manager
- Update on Recruitment of Assistant County Administrator

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.

- Renfro Building Tenant

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:

- Peppers Ferry Regional Waste Water Treatment Plan Capacity Allocations
- Special Use Permit Request by Kenneth N. Kimbleton, et al

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

Voting no: none.

Absent: Dr. Fariss.

Return to Regular Session

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

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

Voting no: none.

Absent: Dr. Fariss.

Certification of Conformance with the Virginia Freedom of Information Act

It was moved by Mr. Cook, seconded by Mr. Conner 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:

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

Voting no: none.

Absent: Dr. Fariss.

*Property Disposition:

The Board requested staff to schedule a closing joint meeting with the School Board regarding the selection of school sites.

*Personnel:

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

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

Voting no: none.

Absent: Dr. Fariss.

1. Social Services Board of Directors

The Board appointed Mr. Jack White to serve on the Social Services Board of Directors for a term ending February 28, 2005.

2. Industrial Development Authority

The Board reappointed Mr. Layne Burcham, Mr. James Lark, and Mr. Odell Mayberry to the Industrial Development Authority for terms ending January 31, 2005.

3. New River Resource Authority

The Board reappointed Mr. Charles Cook to the New River Resource Authority for a term ending December 31, 2004.

4. NRV Alliance Executive Committee

The Board appointed Mr. Charles Cook as Mr. Peter Huber's designee on the NRV Alliance Executive Committee.

- Legal Matters:

On the motion of Mr. Cook, seconded by Mr. Hale and carried, the Board of Supervisors approved granting a Special Use Permit for agenda item 8d "Request for Special Use Permit by Kenneth N. Kimbleton Sr., Ruby A. Kimbleton, Kenneth N. Kimbleton Jr., and Sharon B. Kimbleton", subject to approval of court order dealing with the contractor without a permit and modification of the dock to minimize the zoning violation.

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

Voting no: none.

Absent: Dr. Fariss.

13. Adjournment

It was moved by Mr. Conner, seconded by Mr. Hale and carried, that the Board of Supervisors adjourn to reconvene on Monday, February 12, 2001 at 7 p.m. at New River Community College in Dublin, Virginia.

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

Voting no: none.

Absent: Dr. Fariss.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator