

BOARD OF SUPERVISORS MEETING MINUTES OF MARCH 22, 2004

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, March 22, 2004 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; Frank R. Conner, Vice Chairman; Ranny L. Akers; William E. "Eddie" Hale; and Dean K. Pratt. Staff members present included: Thomas J. McCarthy, Jr., County Attorney; Peter M. Huber, County Administrator; Nancy M. Burchett, Assistant County Administrator; David Tickner, Community Development Director; and Gena T. Hanks, Clerk.

1. Invocation

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

2. Additions to Agenda

Mr. Huber advised any additional information would be presented at the appropriate time on the agenda.

3. Presentation of Jamestown 2007 Flag and Certificate

Ms. Burchett presented a resolution and flag honoring the 400th anniversary of the founding of Jamestown. Ms. Burchett advised approval had been granted by the State of Virginia of the county's application as an official Jamestown 2007 community. Chairman Sheffey thanked Ms. Burchett and the other committee members for their service on the committee.

Chairman Sheffey introduced Ms. Anne B. Crockett-Starke, regional representative for the Virginia Association of Counties (VACo). Ms. Crockett-Starke offered her services as the county's liaison with VACo. Ms. Crockett-Starke advised that VACo Director of Local Government Dean Lynch will appear before the Board of Supervisors at its April meeting to provide an update on VACo services.

4. Public Hearings:

a. Real Estate Tax Rate Amendment

Chairman Sheffey explained a public hearing had been scheduled for this meeting for the purpose of receiving public comments regarding a proposed real estate tax rate amendment.

County Administrator Peter Huber presented various detailed spreadsheets and charts with budget projections and tax rate information.

Chairman Sheffey opened the public hearing.

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Mr. Mark Wiley expressed opposition to the proposed tax rate amendment.

Mr. Ed Hoggatt expressed concern regarding the recent reassessment, as well as concerns over lack of cleanup efforts in the county.

Ms. Jeannie Anderson expressed concern over the economy, specifically efforts in attracting businesses to the area. Ms. Anderson expressed support for the proposed tax rate amendment citing the need for improving schools and providing better incentives to businesses looking to locate in the county.

Mr. Clinton Buckland expressed opposition to the proposed tax rate amendment and requested the Board consider reducing the current tax rate.

Mr. Charles Smith expressed opposition to the proposed tax rate amendment and encouraged the Board to reduce the tax rate to the lowest rate feasible.

Ms. Judy Nelson expressed support for the tax rate increase and asked the Board to plan for a long-term brighter economic future.

Mr. Sherill Van Dyke expressed concern over the recent reassessment. Mr. Van Dyke requested a copy of the contract with Wingate Appraisals, as well as a listing of mandates by the state. He further expressed concern over the marketing of existing businesses in the county. Chairman Sheffey advised the county provides strong support for existing industries located in Pulaski County.

Supervisor Akers invited Mr. Van Dyke and the public to attend the Business Expo to be held on March 25 and 26 at the former Heilig Meyers building.

Mr. Greg Fitzpatrick provided information indicating the recent consumer price index had risen 14% percent over the last six years. Mr. Fitzpatrick advised he was not opposed to the property reassessment, supports school improvements, the 911 upgrade, and the need to provide a broadband internet fiber program. Mr. Fitzpatrick noted he is in favor of a gradual tax increase.

Ms. Jean Anderson referred the Board to a recent article in the Roanoke Times regarding taxes. Ms. Anderson encouraged the Board to work with the School Board in an effort to refurbish schools as they deteriorate and cited the recent refurbishing of the County Administration Building as an example. Ms. Anderson expressed opposition to the proposed tax rate increase. Further, Ms. Anderson advised she had posed several

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questions to the School Board and the School Board had not responded. Supervisor Sheffey requested Ms. Anderson provide county staff with a listing of questions posed to the School Board and county staff would forward those questions to the School Superintendent for a response.

Mr. Laymon Dishon expressed disappointment in the proposed closing of the Draper Elementary School. Mr. Dishon presented a listing of several expenditures in the county over past 40 years, specifically in the Sheriff's Department and further expressed concern over the reassessment appeal process. Chairman Sheffey explained in detail the reassessment appeal process.

Ms. Jean Anderson questioned the hiring of a firm outside of Pulaski County to perform the recent reassessment. Commissioner of Revenue Jack Gill provided a detailed explanation of the hiring process, citing the need for a certified appraiser and the appeal in having an appraiser familiar with southwest Virginia. He also noted that localities with larger populations have assessors employed and that due to the size of Pulaski County, it is not feasible or cost effective to have a full time assessor employed.

There being no further comments, Chairman Sheffey closed the public hearing.

A motion was made by Mr. Akers to continue the public hearing to Monday, March 29, 2004 at 7:00 p.m. due to both the School Board and Pulaski Town Council having meetings at the same time as the Board of Supervisors meeting resulting in a conflict with the real estate tax rate hearing. Upon receiving no second to the motion, Supervisor Akers called for a vote by the Board of Supervisors.

Voting yes: Mr. Akers.

Voting no: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Pratt.

In response to an inquiry regarding funding of dispatch system improvements, Mr. Huber provided an explanation to how the 911 money is allocated.

A motion was made by Mr. Hale to set the real estate tax rate at 60 cents per \$100. There was no second to the motion and Mr. Hale declined a call for a vote by the Board.

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board of Supervisors approved the setting of the tax rate for 2004 at 62 cents per \$100.

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Voting yes: Mr. Conner, Mr. Sheffey, Mr. Pratt.

Voting no: Mr. Hale, Mr. Akers.

- b. A request from Robert C. & Jeannie D. Haga, Jr. to vacate a portion of a 40 ft. unimproved right-of-way adjoining tax map parcels 072-007- 0000-0029, 30, 31, 32, 54-58, zoned Residential (R1), located off Thaxton Rd., (Rt. 649), in the Robinson District.

Staff advised a request had been received from Mr. Robert C. & Jeannie D. Haga, Jr. to vacate a portion of a 40 ft. unimproved street right-of-way adjacent to Tax Map Parcels 72-7-29 thru 32 and 54 thru 58 being approximately 270 feet. This property is located off Thaxton Road. (Route 649) near the west corporate limits of the Town of Pulaski and Brookmont Road (Route 640). A community meeting was held on February 11, 2003 to inform the residents of the request.

Chairman Sheffey opened the public hearing on the request.

Mr. Robert Haga requested that portion of the undeveloped road be closed so that upgrades could be performed.

Ms. Joyce Bell expressed opposition to the closing of the street and presented correspondence and a petition from neighbors expressing opposition to the closing. Ms. Bell expressed concern over the potential decrease in property values, should the road be closed.

There being no further comments, the public hearing was closed. Mr. Hale commented on the difficulty of developing the roadway in question due to steep topography.

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board approved the request for a plat vacation as described above.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

- c. Community Development Block Grant

Chairman Sheffey opened the public hearing. Mr. Huber explained the purpose of the hearing is to allow the county to be eligible to apply for Community Development Block Grants targeted to assisting low- and moderate-income residents. Mr. Huber explained state guidelines for soliciting comments and explained the suggestion from the February Board meeting to apply for a grant to assist in a program similar to the "Hammering in the Hills" program currently underway in Giles County.

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There were no public comments and the public hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved application to the state for Community Development Block Grant Program funding to be used towards a program similar to the "Hammering in the Hills " program currently offered in Giles County.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

5. Highway Matters:

The Board discussed the following highway matters with Virginia Department of Transportation (VDOT) Resident Engineer David Clarke:

a. Follow-up from Previous Board Meeting:

1. Allisonia Bridge Repairs/Replacement

Mr. Clarke advised the design process is underway and that VDOT and county staff had met with Allisonia residents to provide residents with an update.

2. Formal Speed Study Request – Rt. 806, Ebb Hall Road

Mr. Clarke advised the formal speed study resulted in a proposed 35 mph speed posting, which will be posted accordingly by VDOT.

3. Update on Alum Spring Road Speed Limit

Mr. Clarke advised VDOT declined a request for a 40 mph posting, but will verify the extension from Sunrise (past Loving Field) back north.

4. Update on Milstead Place Road Informal Speed Study

Mr. Clarke advised the informal speed study resulted in a proposed 25 mph speed posting, which will be posted accordingly by VDOT.

5. Request for Speed Limit Increase at Dunkard's Bottom

Mr. Clarke advised VDOT will continue to review the speed limit increase request and provide an update at the April Board meeting.

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6. Informal speed study on Rt. 617, Neck Creek Road

Mr. Clarke advised the informal speed study resulted in a proposed 35 mph speed posting, which will be posted accordingly by VDOT.

7. Stilwell Road Widening & Brush Trimming

Mr. Clarke advised of plans to spot widening later in the year, and VDOT will work towards efforts in brush trimming.

8. At-Grade Railroad Crossings between Rt. 11 & Rt. 747

Mr. Clarke advised of no additional information to report at this time. The Board requested that VDOT and the staff contact the railroad requesting clarification on the request and provide an update at the April Board meeting.

9. Hazel Hollow Road & Young Road Signage

Mr. Clarke will confirm the signs have been installed and provide an update at the April Board meeting.

10. Rt. 100 Turning Lane Status

Mr. Clarke advised of plans by VDOT to review the Rt. 100 turning lanes late in the summer of 2004.

11. Little Creek Guardrail Installation

Mr. Clarke will place this request on the guardrail waiting list, but could not advise of the timeframe for guardrail installations.

12. Black Hollow Lane & Horseshoe Loop Speed Limit Signs

Mr. Clarke advised VDOT will post a 35 mph speed posting. Supervisor Conner requested reconsideration to a 25 mph posting. Mr. Clarke will provide an update at the April Board meeting.

13. Alum Spring Road Guardrail Installation

Mr. Clarke will place this request on the guardrail waiting list.

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b. Request to Add Scott Road into the State System

Staff presented a request from Ms. Ardeth Gray of 2910 Scott Road in Hiwassee requesting the road be taken into the system and advised the road may qualify as a rural addition. Mr. Clarke will confirm the exact location of the road and offered to contact Ms. Gray and provide an update at the April Board meeting.

c. Rural Addition Status Report

The Board reviewed the existing Rural Additions. Supervisor Akers provided an update on the status of acquiring right of way for Lindsey Lane. He advised church members will be able to provide an update, once a church vote is taken on the request. Mr. Clarke will confirm where Lindsey Lane ends and provide an update at the April Board meeting.

d. Citizen Concerns

Ms. Katherine Viars expressed concern regarding excessive speeding and reckless driving on Charles Drive and Howerly Road resulting in dangerous conditions for residences located along the road. Mr. Clarke offered for VDOT to install "Watch for Children" signage and to review the possibility of increased speeding fines in area. Mr. Clarke will provide an update at the April Board meeting.

e. Board of Supervisors Concerns

Supervisor Akers advised of erosion near Max Creek Bridge. Mr. Clarke will review the matter and provide an update at the April Board meeting.

Supervisor Akers inquired regarding the status of the crossover and turning lane on Rt. 100. Mr. Clarke will review the matter and provide an update at the April Board meeting.

Supervisor Akers expressed appreciation for the recent repairs on Hazel Hollow Road.

Supervisor Conner inquired regarding the status of the Rt. 643 turning lane at Pulaski County High School. Mr. Clarke will provide an update at the April meeting.

Supervisor Conner inquired regarding the Little Creek Bridge. Mr. Clarke will provide an update at the April Board meeting.

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Supervisor Conner advised the stop sign on Wilbur Circle needed to be reinstalled. Mr. Clarke advised VDOT would reinstall the sign.

Supervisor Sheffey advised of road deterioration on Parrott Mountain Road. Mr. Clarke will provide an update at the April Board meeting.

Supervisor Sheffey advised of the need to reinstall a stop sign at the intersection of Ruebush and Highland Roads.

Supervisor Sheffey inquired regarding signage at the drop off center in Fairlawn.

6. Treasurer's Report

Treasurer Rose Marie Tickle presented a monthly report.

7. Citizens' Comments

There were no citizen comments at this time.

8. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

The Board reviewed the Key Activity Timetable in detail. Mr. Huber advised the recent Board goals would be incorporated into the Key Activity Timetable.

b. Code Enforcement Cleanup Plan

Mr. Tickner presented several proposed scenarios for increasing emphasis on code enforcement issues. Mr. Huber reported the rehiring of Bobby Lorton on an interim basis in order to catch up on backlogged complaints. Mr. Huber recommended implementation of the "existing staff" option.

The Board approved staff implementing the plan using existing staff on a six-month basis.

Supervisor Akers suggested emphasis be placed on highly visible areas in the county. County staff was requested to determine the availability of Bobby Lorton for assisting with complaints.

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c. Appointments

The Board delayed action on appointments until the "Closed Meeting" session of the Board meeting.

d. Building Space Needs Study

Mr. Huber presented detailed spreadsheets offering options for reusing existing buildings, as well as provided a pictorial presentation of various building situations. Mr. Huber further advised he had requested cost information from the Town of Pulaski regarding non-county owned buildings which may be used as alternatives to this plan.

The Board noted existing budget restraints and suggested staff review costs in relation of available funds following preparation of the budget and meet with agency heads, if funding allowed.

9. Items of Consent:

On a motion by Mr. Conner, seconded by Mr. Hale and carried, the Board approved all items of consent as recommended by staff as follows:

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

a. Approval of Minutes of February 23, 2004

The Board approved the minutes of the Board of Supervisors meeting of February 23, 2004

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 9138 through 9835, subject to audit.

c. Appropriations and Interoffice Transfers

The Board approved Interoffice Transfer #9 totaling \$43,670.56 and appropriations as follows:

GENERAL FUND #10

REVENUES

Speeding Fund (\$22,000)

\$22,000.00

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Expenditures

3510-6011	Animal Control – Uniform & Apparel	\$1500.00
3510-6010	Animal Control – Police Supplies	\$1200.00
3120-6010	Sheriff's Dept. – Police Supplies	\$8000.00
3120-6011	Sheriff's Dept. – Uniforms & Apparel	\$3000.00
3120-6030	Sheriff's Dept. – Police Supplies & Firearms	\$2500.00

TOTAL **\$16,200.00**

GENERAL FUND #11

REVENUES:

16150-0500	Donations	(\$1850.07)
16150-0700	RIF	(\$2044.00)

TOTAL

Expenditures:

073100-6012	Books & Subscriptions	\$1,355.07
073100-5699	RIF	\$2,044.00
073100-3170	Other Contracted Services	\$495.00

TOTAL **\$3,894.07**

GENERAL FUND #12

Revenues:

0016030-1000	Comm. Attorney Seized Assets	\$2,535.00
0015020-0500	Sale of Property-Sheriff's Ofc.	\$400.00
0019020-4000	Hazardous Spill Cost Recovery	\$477.50
0024040-0201	Emergency Management Preparedness Grant	\$37,644.11
0024040-0202	Homeland Security Grant	\$164,837.00

TOTAL **-\$205,893.61**

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Expenditures:

022100-6017	Comm. Att. Seized Assets Machinery & Equipment	\$2,535.00
031200-6010	Sheriff's Ofc. Police Supplies	\$400.00
035500-8101	Emergency Mgmt. Machine & Equipment	\$477.50
035520-8103	Emergency Mgmt. Preparedness Grant	\$37,644.11
035530-8201	Homeland Security Grant	\$164,837.00
053230-5698	Agency on Aging Nutrition Site	\$2,240.00
081500-569910	Economic Dev.-Bus. Expo	\$3,000.00
TOTAL		\$211,133.61

**SCHOOL FUND #10
REVENUES**

3-205-16120-1100	Sub Teacher Fees	-1,600.00
3-205-18030-0300	Refund Overpayment	-125.50
3-205-18030-0320	School Nurse Services	-14,496.31
3-205-18990-3201	E Rate	-1,516.35
TOTAL		-\$17,738.16

EXPENDITURES

4-205-062160-8107-900-100	Additions to EDP	\$1,816.44
4-205-062220-3141-900-100	Health Prof. Services	\$14,496.31
4-205-061100-1521-200-100	Substitute Teachers	\$1,425.41
TOTAL		\$17,738.16

**SCHOOL FUND #11
REVENUES**

3-205-24020-2060	Pre-School SS Grant	\$5,516.38
TOTAL		\$5,516.38

EXPENDITURES

4-205-061100-6013-211-100-315	Educational Supplies	\$4,566.38
4-205-061100-8207-211-100-315	Capital Outlay	\$950.00
TOTAL		\$5,516.38

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SCHOOL FUND #12
REVENUES

3-205-18030-0300	Refund/Overpayment	415.71
3-205-18030-0310	Comp. Serv. Reimbursement	\$8,332.25
3-205-18030-0320	School Nurse Services	\$18,599.40
TOTAL		\$27,347.36

EXPENDITURES

4-205-061100-1151-201-200	Special Ed. Aides	\$8,332.25
4-205-062230-3141-900-100	Other Professional Svcs.	\$19,015.11
TOTAL		\$27,347.36

SCHOOL FUND #13
REVENUES

3-205-16120-0700	Summer School Fees	\$9,773.67
3-205-16120-1100	Substitute Teacher Fees	\$3,825.00
3-205-18030-0300	Refund/Overpayment	\$991.45
3-205-18030-0310	Comp. Serv. Reimbursement	\$5,274.38
3-205-18990-3201	E Rate	\$37,282.57
3-205-18991-0200	Property Damage	\$133.31
3-205-18030-0301	Expenditure Refund	\$3,928.40
TOTAL		\$61,208.78

EXPENDITURES

4-205-066600-6007-900	Repair & Maintenance Supplies	\$61,208.78
TOTAL		\$61,208.78

SCHOOL FUND #14
REVENUES

3-205-16120-1100	Sub. Teacher Fees	-\$43.06
3-205-18030-0300	Refund/Overpayment	-\$1556.08
3-205-18030-0320	Comp. Serv. Reimbursement	-\$6512.64
TOTAL		- 8,111.78

EXPENDITURES

4-205-061310-6012-210-100	PMS Library	\$1256.08
4-205-062230-3120-900	Psychologists-Other Prof. Svcs.	\$6855.70
TOTAL		\$8,111.78

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GENERAL FUND #15

REVENUES

3-205-033020-2400	Carl Perkins	-\$1,945.00
TOTAL		- \$1,945.00

EXPENDITURES

4-205-061100-8201-350-300-911	Carl Perkins	\$1,945.00
TOTAL		\$1,945.00

SCHOOL FUND #16

REVENUES

3-205-33020-0100	Adult Literacy	-\$97,202.00
TOTAL		-\$97,202.00

EXPENDITURES

4-205-061190-3141-300-700-930	Adult Education	\$97,202.00
TOTAL		\$97,202.00

SCHOOL TRANSFER #1

EXPENDITURES

4-205-062120-900	Miscellaneous	\$99,749.66
4-205-061230-1321-200-100	P/T Teachers	\$93,504.66-
4-205-063200-1151-900	Aides	\$12,133.00
4-205-064300-6007-900	Repair & Maintenance	\$18,378.00-
TOTAL		-0-

SCHOOL TRANSFER #2

EXPENDITURES

4-205-061230-6013-300-100	Homebound	\$32,880.46-
4-062160-3840-900	Data Processing	\$32,880.46
TOTAL		-0-

d. Ratification - Tax Restructuring Resolution

The Board ratified the following resolution which was previously sent to legislators on behalf of the Board:

**A RESOLUTION URGING STATE LEGISLATORS
TO APPROPRIATELY ADJUST THE
COMMONWEALTH'S TAX STRUCTURE**

WHEREAS, the disparity between state-mandated services and the state funding to localities which are required to provide these services has continued to increase in recent years; and,

WHEREAS, the effect of this growing disparity has been further compounded by the simultaneous imposition of additional restrictions on local government's ability to raise revenue; and,

WHEREAS, the current financial crisis which the Commonwealth faces is in large part a foreseeable result of years of fiscally irresponsible efforts to avoid addressing the very real issue of an outdated and inadequate state tax structure; and,

WHEREAS, the practice of avoiding the unpleasant and unpopular task of correcting this outdated tax structure by passing additional state-level responsibilities and commitments onto the backs of local government has reached the point where many local governments are forced to choose between annual real estate tax increases or cutting basic services which its residents expect and deserve.

NOW, THEREFORE, BE IT RESOLVED, that the Pulaski County Board of Supervisors does hereby implore our state-level representatives to responsibly address the fiscal challenges it faces by making long overdue adjustments to the Commonwealth's tax structure which will enable it to fully fund those programs and services which it has either mandated or committed to providing.

e. Contracts, Change Orders & Agreements

There were no contracts or change orders presented for approval.

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f. General District Court – Copier Replacement

Mr. Huber presented a request from General District Court Clerk Terri Powers requesting replacement of a copier which is beyond repair and reported the county has, in the past, supplied the courts, including General District Court, with a copier.

The Board approved the funding for purchase of a new copier, with costs to be taken out of the contingency amount in the FY 04 budget.

g. American Electric Power (AEP) Utility Agreement

The Board approved a revised AEP utility agreement maintaining current rates through 2007. Staff reported the agreement has been negotiated by the Virginia Association of Counties and subsequently reviewed by Tom McCarthy. Approval is recommended. A copy of said agreement is filed with the records of this meeting and in the Office of the County Administrator.

h. Resolution of Appreciation – Michael Gay

The Board approved the following resolution recognizing Mr. Michael Gay for his services to the Claytor Lake Festival Committee:

RESOLUTION OF APPRECIATION
MICHAEL GAY

WHEREAS, Michael Gay has served as the Claytor Lake Festival Committee Chairman for six years; and

WHEREAS, Michael Gay coordinated efforts to provide a quality program of events for the enjoyment of the residents of Pulaski County; and

WHEREAS, Michael Gay was instrumental in raising the funds necessary for continuation of the festival; and

WHEREAS, Michael Gay coordinated, in a calm manner, the efforts and activities of the various committee members in presenting a family oriented event; and

WHEREAS, Michael Gay spearheaded efforts to continue an event which has attracted visitation by individuals from neighboring counties and states and has therefore increased visitation to the county; and

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WHEREAS, Michael Gay provided a unique combination of festival events and programs for the enjoyment and benefit of Pulaski County residents.

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

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Board of Supervisors this 22nd day of March 2004, in permanent testimony of its appreciation to the service of Michael Gay.

i. E-911 Addressing Changes at Claytor Lake State Park

The Board approved renaming the road running parallel to Claytor Lake as "Ben H. Bolen Drive" and the road within the four campground areas to "Campfire Lane" for the establishment of E-911 addresses throughout the Claytor Lake State Park.

j. Claytor Lake Festival & July 4 Fireworks Permit

The Board approved issuance of fireworks permits for the Claytor Lake Festival fireworks display to be held on Friday, June 4 at Claytor Lake and for the July 4 display at the New River Valley Fairgrounds.

k. Personnel Changes

The Board reviewed recent personnel changes as reported by Assistant County Administrator Nancy Burchett.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

10. Citizen Comments

There were no citizen comments at this time.

11. Other Matters from Supervisors

Supervisor Akers inquired regarding the status of the "Concept 1" prospect. Mr. Huber advised Concept 1 had decided to locate in Radford after reconsideration of a rezoning request by the Radford City Council.

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Mr. McCarthy informed the Board of the death of Judge Joines. Staff advised flags at county buildings were lowered in honor of Judge Joines.

12. Closed Meeting –2.2-3711.A.1.3.5.7

It was moved by Mr. Akers, seconded by Mr. Pratt and carried, that the Board of Supervisors enter Closed Session for discussion of the following:

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

- ◆ Appointments
- ◆ Salary Adjustments related to Sharing of Staff

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

- ◆ Consultation with Legal Counsel – Intergovernmental Cooperation

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

Return to Regular Session

It was moved by Mr. Conner, seconded by Mr. Akers and carried, that the Board return to regular session.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. Conner, seconded by Mr. Pratt 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 2.2-3712(D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

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

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers,
Mr. Pratt.

Voting no: none.

Action Items

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

1. NRRA Recycling Committee

Staff was requested to prepare an article to be placed in the Southwest Times soliciting volunteers interested in serving on this committee.

2. Board of Zoning Appeals

Staff was requested to prepare an article to be placed in the Southwest Times soliciting volunteers interested in serving on this committee.

3. NR Highlands Resource Conservation Council

Staff was requested to prepare an article to be placed in the Southwest Times soliciting volunteers interested in serving on this committee.

4. Workforce Investment Board

The Board approved the recommendation of reappointment of Hi Nicely to the Workforce Investment Board.

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5. NRV Planning District Commission

The Board reappointed Mr. Tom Owens when term expires on June 30, 2004.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey,
Mr. Akers, Mr. Pratt.

Voting no: none.

13. Adjournment

It was moved by Mr. Hale, seconded by Mr. Conner and carried, the Board of Supervisors adjourned. The next regular Board meeting is scheduled for Monday, April 26, 2004 at 7:00 p.m. in the Board Room of the County Administration Building, 143 Third Street, N. W., in the Town of Pulaski, Virginia.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: None.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator