

BOARD OF SUPERVISORS MEETING MINUTES OF MARCH 26, 2007

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, March 26, 2007 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 E. Conner, Vice-Chairman; William E. "Eddie" Hale; Ranny L. Akers; and Dean K. Pratt. Staff members present included: Peter M. Huber, County Administrator; Thomas J. McCarthy, Jr., County Attorney; Shawn Utt, Community Development Director; Gordon B. Jones, Finance Director; Robert Hiss, Assistant County Administrator; and Gena T. Hanks, Clerk.

1. Invocation

The invocation was presented by Reverend Lara Gentry of the Belspring Presbyterian Church.

Supervisor Sheffey welcomed Robert Hiss as the new Assistant County Administrator.

2. Presentations - Featured Employees

The Board recognized Betty Crouse and Deborah McClanahan of the Social Services Department as the Featured Employees for the month of April 2007. Mr. Sheffey read a description of the job duties and personal interests of each employee. Supervisors presented Shoney's gift certificates to Ms. Crouse and Ms. McClanahan.

3. Additions to Agenda

Mr. Huber advised there were no additional items to add to the agenda.

Mr. Akers invited the public to attend the Jamestown 2007 birthday celebration being held on Saturday, March 31.

4. Public Hearings

a. Consideration by the Pulaski County Planning Commission of a Revision to the Pulaski County Comprehensive Plan and the Future Land Use Map

- Proposed change of future land use from Industrial to Commercial for properties owned by **Diversified Developers Inc.**, identified as a portion of tax map no. 056-001-0000-059A, and located on the west side of Cleburne Blvd. (Rt. 100) at the intersection of Bagging Plant Rd. (Rt. 1030), Draper District.

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the request to revise the comprehensive plan and future land use map.

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

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved the above referenced revisions to the comprehensive plan and future land use map, as recommended by the Planning Commission.

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

Voting no: none.

- Proposed change of future land use from Residential to Commercial for properties owned by Clark Gas & Oil Co., Inc., identified by tax map parcels 055-008-0000-0034, 35 - 38, and 055-008-0000-0069, 70 - 72, located on the south side of Lee Hwy. (Rt. 11) adjacent to the western boundary line of Lee Highway Court, Draper District.

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the request to revise the comprehensive plan and future land use map.

Mr. Sheffey opened the public hearing. Mr. B. Clark requested the Board approve the proposed change. There being no further comments, the public hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved the above referenced revisions to the comprehensive plan and future land use map, as recommended by the Planning Commission.

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

Voting no: none.

- Proposed change of future land use from Residential to Agricultural by the following individuals, referenced by tax map number and acreage for properties located on the north side of Highland Rd. (Rt. 627), approximately 0.30 miles from Cleburne Blvd., (Rt. 100), Cloyd District.

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Property Owner	Tax Map No.	Acreage
Gusler, K. Craig and Karen B.	026-006-0000-0024	3.1170
Gusler, Dennis B. and Bonnie G.	026-006-0000-0022; 026-006-0000-0048; 026-006-0000-0050	16.555
Cochran, Joseph Lewis and Margaret E.	026-006-0000-0051	7.9080

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the request to revise the comprehensive plan and future land use map.

Mr. Sheffey opened the public hearing. Mr. Joe Cochran requested the Board approve the proposed change. There being no further comments, the public hearing was closed.

On a motion by Mr. Pratt, seconded by Mr. Conner and carried, the Board approved the above referenced revisions to the comprehensive plan and future land use map, as recommended by the Planning Commission.

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

Voting no: none.

- Proposed change of future land use from Commercial to Agricultural for property owned by **Bran Investments L L C**, identified as tax map no. 082-001-0000-085B, located on the east side of Old Rt. 100 Rd., (Rt. 100) at the intersection of Count Pulaski Dr., (Rt. 99), tax map no. 082-001-0000-085C, located on the northwest corner of the intersection of Count Pulaski Dr., (Rt. 99) and Old Route 100 Rd., (Rt. 100), Draper District.

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the request to revise the comprehensive plan and future land use map.

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

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On a motion by Mr. Akers, seconded by Mr. Hale and carried, the Board approved the above referenced revisions to the comprehensive plan and future land use map, as recommended by the Planning Commission.

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

Voting no: none.

- Proposed change of future land use from Agricultural to Residential by the following individuals, referenced by present zoning, requested zoning, tax map number and acreage for properties located on the southeast of Lee Hwy., (Rt. 11), 2.45 miles northeast of the intersection of Peppers Ferry Rd., (Rt. 645), Massie District.

Property Owner	Tax Map No.	Present Zoning/Proposed Zoning	Acreage
Pepper Ferry Properties L L C	064-001-0000-0003	Residential (R) and Agricultural (A1) to Residential (R3)	19.711
Thornspring Group LLC	064-001-0000-0037	Residential (R) to Residential (R3)	64.595
Thornspring Group LLC	064-001-0000-0008	Residential (R) to Residential (R3)	30.293
Thornspring Group LLC	064-001-0000-0035	Commercial (CM1) to Residential (R3)	21.662
Thornspring Group LLC	064-001-0000-0036	Residential (R) and Commercial (CM1) to Residential (R3)	25.838

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the request to revise the comprehensive plan and future land use map.

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

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board approved the above referenced revisions to the comprehensive plan and future land use map, as recommended by the Planning Commission.

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

Voting no: none.

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- b. A rezoning request by **Diversified Developers, Inc.** from Industrial (I1) to Commercial (CM1) on 30 acres of a 112.63 acre parcel identified as tax map no. 056-001-0000-059A, located on the west side of Cleburne Blvd. (Rt. 100) at the intersection of Bagging Plant Rd. (Rt. 1030), Draper District

Chairman Sheffey explained this matter had been tabled by the Board of Supervisors from the March 26, 2007 meeting and that the public hearing had been re-advertised.

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the rezoning request. Mr. Utt noted the need for the public hearing was to hear the request after the Comprehensive Plan and Future Land Use map had been revised.

Mr. Sheffey opened the public hearing. Mr. Jim Hager spoke in favor of the request and offered to address any questions posed by the Board of Supervisors. There being no further comments, the hearing was closed.

On a motion by Mr. Pratt seconded by Mr. Akers and carried, the Board approved the above rezoning request, as recommended by the Planning Commission.

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

Voting no: none.

- c. A rezoning request by **Jimmy B. and Sarabjeet Kaur Singh** from Agricultural (A1) to Commercial (CM1) on property identified as tax map no. 098-013-0000-0005, located at 3426 Kirby Rd., (Rt. F047), Draper District

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the rezoning request.

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

On a motion by Mr. Conner seconded by Mr. Hale and carried, the Board approved the above rezoning request, as recommended by the Planning Commission.

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

Voting no: none.

- d. A rezoning request from Residential (R1) to Agricultural (A1) by the following individuals, referenced by tax map number and acreage for properties located on the north side of Highland Rd. (Rt. 627), approximately 0.30 miles from Cleburne Blvd., (Rt. 100), Cloyd District

Property Owner	Tax Map No.	Acreage
Gusler, K. Craig and Karen B.	026-006-0000-0024	3.1170
Gusler, Dennis B. and Bonnie G.	026-006-0000-0022; 026-006-0000-0048; 026-006-0000-0050	16.555
Cochran, Joseph Lewis and Margaret E.	026-006-0000-0051	7.9080

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the rezoning request.

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

On a motion by Mr. Akers seconded by Mr. Pratt and carried, the Board approved the above rezoning request, as recommended by the Planning Commission.

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

Voting no: none.

- e. A rezoning request by Clark Gas and Oil Co., Inc. from Residential (R1) to Commercial (CM1) on property identified as tax map parcels 055-008-0000-0034, 35 - 38, and 055-008-0000-0069, 70 - 72, located on the south side of Lee Hwy. (Rt. 11) and adjacent to the western boundary line of Lee Highway Court, Draper District

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the rezoning request. Mr. Utt advised VDOT's requirements are only for new construction.

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

On a motion by Mr. Akers seconded by Mr. Hale and carried, the Board approved the above rezoning request, as recommended by the Planning Commission.

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

Voting no: none.

- f. A rezoning request by **Bran Investments L L C** from to Commercial (CM1) to Agricultural (A1) on property identified as tax map no. 082-001-0000-085B, located on the east side of Old Rt. 100 Rd., (Rt. 100) at the intersection of Count Pulaski Dr., (Rt. 99), Draper District

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the rezoning request.

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

On a motion by Mr. Pratt seconded by Mr. Conner and carried, the Board approved the above rezoning request, as recommended by the Planning Commission.

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

Voting no: none.

- g. A rezoning request by **William Greg Brown** from Residential (R1) to Residential (R3) on property identified as tax map no. 047-001-0000-0022, located on the west side of Hanks Ave., (Rt. T1083) 600 ft. north of Vermillion St., intersection from Hanks Avenue, Ingles District

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the rezoning request.

Mr. Akers requested clarification on the zoning of the portion located in the Town of Dublin. Mr. Utt noted the portion within the Town limits was zoned Residential R-3, a zone very similar to the County's R-3 zone.

Mr. Sheffey opened the public hearing.

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Mr. Tom Neal, business partner of the applicant, spoke in favor of the request. Mr. Neal advised it was his desire to work with the neighbors to address their concerns.

Mr. Conner requested reconsideration to the neighbors in keeping the property clean and in restricting of burning of brush. Mr. Neal agreed and stated he will make sure his employees do a better job keeping the job sites free from litter and debris.

There being no additional comments, the hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the above rezoning request, as recommended by the Planning Commission.

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

Voting no: none.

- h. A rezoning request by the following individuals, referenced by present zoning, requested zoning, tax map number and acreage for properties located on the southeast of Lee Hwy., (Rt. 11), 2.45 miles northeast of the intersection of Peppers Ferry Rd., (Rt. 645), Massie District

Property Owner	Tax Map No.	Present Zoning/Proposed Zoning	Acreage
Pepper Ferry Properties L L C	064-001-0000-0003	Residential (R) and Agricultural (A1) to Residential (R3)	19.711
Thornspring Group LLC	064-001-0000-0037	Residential (R) to Residential (R3)	64.595
Thornspring Group LLC	064-001-0000-0008	Residential (R) to Residential (R3)	30.293
Thornspring Group LLC	064-001-0000-0035	Commercial (CM1) to Residential (R3)	21.662
Thornspring Group LLC	064-001-0000-0036	Residential (R) and Commercial (CM1) to Residential (R3)	25.838

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the rezoning request. Mr. Utt also presented voluntary proffers to be made a part of the overall request.

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Mr. Sheffey opened the public hearing.

Mr. Sheffey inquired as to any future plans for provisions of a playground on the site. Mr. Stan Moran advised there were no plans at this time for provisions of a playground. Moran requested approved by the Board of the requesting rezoning.

There being no additional comments, the hearing was closed.

On a motion by Mr. Hale seconded by Mr. Akers and carried, the Board approved the above rezoning request, as recommended by the Planning Commission.

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

Voting no: none.

- i. Abandonment of the right-of-way for the portion of Madison Street discontinued with the reconstruction of Memorial Bridge formerly State Route 715 pursuant to Code Section 15-2-2006 of the Code of Virginia, 1950, as amended

Mr. Utt explained the request and advised the Planning Commission recommended approval with said abandonment allowing conveyance of the abandoned right-of-way to Hal G. & Cheryl L. Gillespie since they own the property on both sides of the right-of-way. Mr. Utt also presented a memo providing details resulting from the community meeting held regarding the requested abandonment.

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

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board adopted the following resolution for the abandonment allowing for conveyance of the abandoned right-of-way to Hal G. & Cheryl L. Gillespie:

WHEREAS, it appears to this Board that Secondary Route 715 from Rt. 11 north, a distance of approximately .2 miles, serves no public necessity and is no longer necessary as a part of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Pulaski County Board of Supervisors was directed to publish notice of the Board's intent to abandon the aforesaid section of Route 715 pursuant to Section 33.1-151 of the Code of Virginia as amended.

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

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

Voting no: none.

j. Community Development Block Grant (CDBG) – Planning Study

Mr. Sheffey explained the advertised hearing was the second step to a hearing held at the February 26, at which hearing a citizen requested consideration to tying the project in with some needs of families with specific needs in the county. Mr. Sheffey advised the purpose of the hearing was to solicit public input on the proposed CDBG being submitted to the Virginia Department of Housing and Community Development for submission of a planning grant for utilization of CDBG and other funding as may be required to provide facilities needed to address various human services such as youth mentoring, supervised visitation and similar programs. Further, CDBG funding generally went towards some type of physical structure improvements.

Mr. Huber recommended applying for a planning grant which is usually about \$20,000.

Mr. Sheffey opened the public hearing. There being no citizen comments, the hearing was closed.

By consensus, the Board approved applying for a planning grant; however, the Board agreed to wait on final approval until an application is prepared.

5. Citizen Comments - Pulaski Education Association

Comments were heard from Ms. Angela Clevinger, Mr. Joel Burchett, Mr. Steve Lavery, Dr. Rodell Cruise, Ms. Jean Evans, Ms. Jean Anderson, Mr. Bill Benson and Mr. James McClanahan expressing concern over teachers salaries, health insurance costs, the loss of teachers from Pulaski County to other localities and decisions by School Board and Board Supervisors to build new schools rather than renovating old schools.

Mr. Joe Hocker, President of the Pulaski County Education Association (PCEA), presented a budget proposal for FY 08.

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Board members encouraged the PCEA to address state legislators over state funding concerns, specifically state general funds going to transportation rather than to education and other needs.

6. Highway Matters:

Mr. David Clarke, VDOT Resident Engineer, met with the Board and discussed the following matters:

a. Follow-up from Previous Board Meeting:

1. Review of Highway Matters Section of Key Activity Timetable (KAT)

The Board reviewed the highway matters portion of the Key Activity Timetable.

Mr. Sheffey inquired as to the status of a request for "No Parking" signage along Hubbard Way. Mr. Clarke suggested citizens be encouraged to submit petition to residents along the road to determine interest in signage.

Mr. Conner advised he is working to determine the specific location for the requested horseback riding signs for Rt. 601.

b. Citizen Comments

There were no citizen comments at this time.

c. Board of Supervisors Concerns

Mr. Pratt suggested a culvert be installed to address concerns over water running off of Burleigh Horton Road as it intersects with Rt. 100. Mr. Clarke agreed to review the matter.

Mr. Conner advised of dust on Kent Farm Road and requested chemicals be placed on road. Mr. Clarke agreed to review the matter.

Mr. Hale advised of a stopped up culvert on Robinson Tract Road approximately one-half mile out of town towards Robinson Tract. Mr. Clarke agreed to review the matter.

Mr. Sheffey requested VDOT consideration to paving of Round House Road. Mr. Clarke agreed to review the matter.

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Mr. Sheffey advised of the road breaking apart on Falling Branch Road at top of hill as entering New River. Mr. Clarke agreed to review the matter.

Mr. Sheffey advised the area in the middle of road on Hazel Hollow Road is breaking apart. Mr. Clarke agreed to review the matter.

Mr. Hale inquired as to VDOT's involvement in the delayed opening of the Bojangles restaurant. Mr. Clarke advised the delayed opening was not related to any VDOT matters.

Mr. Akers inquired as to the "Do Not Pass" signage on Rt. 114. Mr. Clarke advised the flashing signage is being done through a research project by Virginia Tech.

Mr. Sheffey inquired as to the status of the rebuilding of the Rt. 114 bridge. Mr. Clarke advised the rebuilding is projected for 2014 at a cost of \$16.8 million, this includes \$14.4 million for construction, \$2 million for preliminary engineering and \$0.4 million for right-of-way and utility relocation.

7. Treasurer's Report

Treasurer Rose Marie Tickle was unable to attend the meeting; however, the Treasurer's monthly report had been prepared by Ms. Tickle and a copy of the report placed at the Board dais for review by each Board member.

8. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

The Board reviewed the Key Activity Timetable in detail.

Mr. Sheffey requested an update on the Rt. 11 entrance sign and suggested the target date be changed to May 07.

b. Appointments

As reported in the Board packet, there were no appointments due at this time.

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c. Budget Presentation

Mr. Huber presented the budget message including projected expenditures and revenues. Mr. Huber reviewed highlights, including a recommendation for the implementation of a BPOL tax. Mr. Huber confirmed a budget work session is scheduled for 6:30 p.m. on April 9.

9. Items of Consent:

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved the following "Items of Consent".

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

a. Approval of Minutes of February 26, 2007 special and regular meetings

Mr. Sheffey noted several corrections to the regular meeting minutes including a change to the Featured Employee presentation which was made by Mr. Pratt. In addition, Mr. Sheffey requested a change reflecting that the PCHS resolution was presented by Mr. Hale.

Mr. Akers also requested the minutes for this meeting reflect that the rain date for the Claytor Lake Festival would be Sunday, June 10.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 27410 through 27841, subject to audit.

c. Interoffice Transfers

The Board approved Interoffice Transfer #9 totaling \$43,269.76, as well as the following monthly appropriations:

Revenues:	
TOTAL	-0-
Expenditures:	
091400-9301 – Contingency	\$ (1,500.00)
012240-3120 – Independent Auditor- Accounting and Auditing	1,500.00
TOTAL	-0-

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GENERAL FUND #11	
Revenues:	
016030-1000 – Share of Seized Assets- Commonwealth Attorney	\$ 427.80
016030-1100 – Share of Seized Assets – Sheriff’s Office	373.50
019020-4000 – Hazardous Material Response	615.00
018030-1300 – Refunds/Overpayments	38.88
016150-0550 – Library Donations	800.00
TOTAL	\$ 2,255.18
Expenditures:	
022100-6017 – Commonwealth Attorney-Supplies/Equip.-Seized Assets	\$ 427.80
035500-8101 – Emergency Services-Machinery and Equipment	615.00
031200-6017 – Sheriff’s Office- Supplies/Equip.-Seized Assets	373.50
031200-5210 – Sheriff’s Office-Postal Services	38.88
073100-8101 – Library-Machinery and Equipment	800.00
TOTAL	\$ 2,255.18
SCHOOL FUND #24, 25 & 26	
Revenues:	
024020-2050 – Pre-school Social Service Grant	\$ 2,008.01
016120-1100 – Sub Teacher Fees	6,156.32
018030-0330 – School Activity Reimbursement	7,530.31
018990-0200 – Misc. School Revenues	4,638.12
015020-0100 – Rental of Property	221.00
018030-0300 – Refund/Overpayment	2,770.59
TOTAL	\$23,324.35
Expenditures:	
061100-6013-211-100-315 – Instructional Supplies	\$2,008.01
062120-5800-900 – Superintendent’s Misc.	8,881.83
062130-3850-900 – Information Services Purchase of Services	1,864.00
062190-3320-900 – Technology Maint. Service Contracts	5,074.83
064200-3320-900 – Operations Maint. Service Contracts	193.80
064200-6007-900 – Operations Repair Supplies	5,301.88
TOTAL	\$ 23,324.35

d. Ratification of Contracts, Change Orders & Agreements

There were no items submitted for ratification at this time.

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e. Personnel Changes

The Board reviewed recent personnel changes as prepared by Ms. Spence.

f. Application for 2007-08 Local Government Challenge Grant

The Board approved a grant application by the Fine Arts Center for the New River Valley for 2007-08 Local Government Challenge Grant.

g. Commission on Children and Families Administrative Funding

The Board authorized application of a grant for \$50,000 in unexpended local Comprehensive Service Act funds to be used as a match for a recommended grant application for an additional \$150,000 to be used by the Virginia Tech Institute for Policy and Governance to staff the work of the Commission.

h. Claytor Lake Festival Fireworks Permit

The Board approved a fireworks permit for the Claytor Lake Festival for Saturday, June 9 with Sunday, June 10 as rain date.

i. Resolution Requesting Virginia Literary Funding for Riverlawn Replacement School

The Board approved the following resolution applying for funds prior to the acceptance of bids for the school.

RESOLUTION OF THE BOARD OF SUPERVISORS OF PULASKI
COUNTY, VIRGINIA, REGARDING THE FINANCING OF A
PUBLIC ELEMENTARY SCHOOL THROUGH THE VIRGINIA
LITERARY FUND

Whereas, the Board of Supervisors of Pulaski County (the "Board of Supervisors") is financing a portion of the cost of constructing and equipping a public elementary school (the "Project") in Pulaski County, Virginia (the "County"), through a \$14,000,000 lease revenue bond (the "Bond") issued by the Industrial Development Authority of Pulaski County, pursuant to the Virginia Municipal League/Virginia Association of Counties Finance Program; and

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Whereas, the Bond is structured so that \$7,735,000 in principal becomes due and payable on February 1, 2010, with the expectation that the Pulaski County School Board (the "School Board") would by that date have borrowed from the Literary Fund of Virginia the sum of \$7,500,000 which would be available to pay a portion of the principal of the Bond due on that date; and

Whereas, the School Board has presented to the Board of Supervisors an application addressed to the State Board of Education of Virginia for the purpose of borrowing from the Literary Fund \$7,500,000 for the Project, to be paid in 20 annual installments, and the interest thereon at 2% per annum paid annually.

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

1. The Board of Supervisors finds and determines that the foregoing recitals are true and correct and incorporates them as a part of this resolution.
2. The application of the School Board to the State Board of Education of Virginia for a loan of \$7,500,000 from the Literary Fund is hereby approved, and authority is hereby granted the School Board to borrow the amount for the purpose set out in the application. The Board of Supervisors will each year during the life of the loan from the Literary Fund, at the time the Board of Supervisors fixes the regular levies, fix a rate of levy for schools or make a cash appropriation sufficient for operation expenses and to pay the loan in annual installments and the interest thereon, as required by law regulating loans from the Literary Fund.
3. This resolution shall take effect immediately upon its adoption.

j. VML/VACO Electric Rate Negotiation

The Board approved an appropriation of \$5,606 as the county's portion of \$250,000 to be used in negotiating reduced electric rates.

k. Comprehensive Economic Development Strategy Projects

The Board endorsed the list of Comprehensive Economic Development Strategy Projects, a copy of which is filed with the records of this meeting.

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l. New River-Highlands Resource Conservation and Development Area Letter of Support

The Board approved sending a letter to legislators requesting continued federal funding of this program at its current level.

m. Opposition to Deregulation of Local Telephone Service

The Board approved submitting a letter opposing the deregulation of telephone services since not all part of Pulaski County have service options for these services at reasonable rates, with particular concern being the area on the south side of Claytor lake and other more rural parts of the county such as Little Creek.

n. Sponsorship of Business Expo

The Board approved a sponsorship of \$4,000 for the Business Expo, on the condition that the county share in any profit from the event in proportion to the overall cost of the event.

o. Community Corrections Resolution

The Board approved the following resolution implementing the regional operation of Community Correction as a county department, pending review by Mr. McCarthy:

JOINT RESOLUTION PROVIDING FOR THE IMPLEMENTATION OF THE COMPREHENSIVE COMMUNITY CORRECTIONS ACT FOR LOCAL RESPONSIBLE OFFENDERS, THE PRETRIAL SERVICES ACT AND THE ESTABLISHMENT OF THE NEW RIVER COMMUNITY CRIMINAL JUSTICE BOARD (NRCCJB)

Whereas, the Virginia General Assembly has adopted legislation entitled the Comprehensive Community Corrections Act for Local Responsible Offenders, Article 9 (9.1-173 et. seq.) of the Code of Virginia, both of which were effective July 1, 1995; and

Whereas, 9.1-174 and 19.2-152.2 of the Code of Virginia requires counties and cities approved for a jail project pursuant to 53.1-82.1 to participate and establish services in accordance with both Acts; and

Whereas, 9.1-178 and 19.2-152.5 of the Code of Virginia requires that each county and city establishing and operating community-based probation and pretrial services establish a

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Community Criminal Justice Board, and in the case of multi-jurisdictional efforts, that each jurisdiction mutually agree upon the number of appointments to said board.

BE IT THEREFORE RESOLVED that the County of Pulaski jointly agrees with the Counties and Cities of Bland, Carroll, Floyd, Giles, Grayson, Montgomery, Pulaski, Wythe, Galax, Radford to implement the services and programs required by the Comprehensive Community Corrections Act for Local Responsible Offenders and the Pretrial Services Act with Pulaski County, pursuant to 9.1-183, acting as the administrator and fiscal agent on behalf of the participating localities.

BE IT FURTHER RESOLVED that the County of Pulaski jointly establishes the New River Community Criminal Justice Board that said board shall fulfill its responsibilities pursuant to 9.1-180, and shall be composed of the following members pursuant to 9.1-178 of the Code of Virginia.

- One representative of the governing bodies of each participating jurisdiction.
- A circuit court judge representing the 27th Judicial Circuit as agreed upon by the judges of said circuit.
- A judge of general district court, representing the 27th Judicial District as agreed upon by said judges of the district.
- A judge of the juvenile and domestic relations district court representing the 27th Judicial District as agreed upon by the judges of the district.
- The Chief Magistrate.
- A Commonwealth's Attorney representing all the Commonwealth's Attorneys of the participating jurisdictions.
- An attorney experienced in the defense of criminal matters who is a current member of the Virginia State Bar, and a public defender each representing the participating localities where applicable.
- The administrator of the New River Valley Regional Jail.
- The Sheriff of Montgomery County.
- A Chief of Police and/or a Sheriff in a jurisdiction not served by a police department to represent all law enforcement agencies of the participating jurisdictions.
- A Community Services Board Administrator representing all agencies providing such services to participating jurisdictions.
- A representative of a local adult education representing all agencies providing such services to participating jurisdictions.

BE IT FURTHER RESOLVED that this resolution supersedes and replaces all prior resolutions approved by the locality relating to the

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establishment of required services and the formation of the New River Community Criminal Justice Board.

BE IT FURTHER RESOLVED that Pulaski County appoints Anthony Akers as its governing body representative to begin July 1, 2007.

Resolved this 26th day of March, on a motion by Mr. Conner, seconded by Mr. Akers with the following roll call being reported as follows:

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

Voting no: none.

10. Citizen Comments

There were no citizen comments.

11. Other Matters from Supervisors

Mr. Akers suggested citizens contact legislators with concerns regarding school and transportation funding issues.

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

Mr. Huber advised of the need to discuss a legal matter after receiving notification of a potential litigation.

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

It was moved by Mr. Akers, 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 2.2-3711(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- Parking
- Office Space

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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:

- Machinery and Tools Tax Assessments

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. Akers, seconded by Mr. Hale 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 2.2-3712(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.

There was no action following the return from Closed Session to the regular meeting.

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13. Adjournment

On a motion by Mr. Hale, seconded by Mr. Pratt and carried, the Board of Supervisors voted to adjourn its regular meeting and reconvene in a budget work session scheduled for Monday, April 9, 2007 at 7:00 p.m. at the County Administration Building and thereafter in a joint meeting with the School Board scheduled for Wednesday, April 11, 2007 at 6:30 p.m. at the Pulaski Elementary School.

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

Voting no: none.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator