

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 21, 2007

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, May 21, 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: Frank E. Conner, Vice-Chairman; William E. "Eddie" Hale; Ranny L. Akers; and Dean K. Pratt. Chairman Joseph L. Sheffey was unable to attend the meeting. 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.

In the absence of Chairman Sheffey, Frank Conner served as Chairman for this meeting.

1. Invocation

The invocation was presented by Reverend Weston Guthrie of the Anderson Memorial Presbyterian Church in Pulaski.

2. Presentations - Featured Employees

The Board recognized Natasha Grubb of the County Administration Office and Linda Baylor of the PSA Billing Department as the Featured Employees for the month of June 2007. Mr. Conner read a description of the job duties and personal interests of each employee. Supervisors presented Shoney's gift certificates to Ms. Grubb. Ms. Baylor was unable to attend the meeting.

3. Additions to Agenda

Mr. Huber submitted additional agenda items as follows:

- a. Reports from County Administrator and Staff – Staff would like to defer the litter and junk car report to the June meeting.
- b. Closed Session – Property Disposition - Gresham Elementary School and possible Litigation.

4. Public Hearings

- a. A rezoning request by **William B. & Sharon S. Shelburne** from Residential (R1) to Agriculture (A1) on property identified as tax map no. 074-012-0000-0010, located southwest side of Hurston Rd. (Rt. 644), Draper District. The property is designated as Agriculture on the Future Land Use Map of the Pulaski County Comprehensive Plan. General uses proposed are farm uses and single-family residences at a density of no greater than one dwelling per 30,000 square feet.

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Mr. Conner 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 provided the Board with a staff report and advised the Planning Commission recommended approval.

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

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

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

Voting no: none.

Not present: Mr. Sheffey.

- b. A rezoning request by **Mark T. & Susan F. Vaughn** from Residential (R1) to Agriculture (A1) on property identified as tax map no. 074-018-0000-0001, located at 4555 Peak Creek Rd., (Rt. 787), Draper District. The property is designated as Agriculture on the Future Land Use Map of the Pulaski County Comprehensive Plan. General uses proposed are farm uses and single-family residences at a density of no greater than one dwelling per 30,000 square feet.

Mr. Conner 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 provided the Board with a staff report and advised the Planning Commission recommended approval.

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

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

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

Voting no: none.

Not present: Mr. Sheffey.

- c. A rezoning request by **Randal T. Vaughn** from Residential (R1) to Agriculture (A1) on property identified as tax map no. 074-001-0000-0004; 074-001-0000-001C; 074-001-0000-0040, located at 4588 Hurston Rd., (Rt. 644), Draper District. The property is designated as Agriculture on the Future Land Use Map of the Pulaski County Comprehensive Plan.

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General uses proposed are farm uses and single-family residences at a density of no greater than one dwelling per 30,000 square feet.

Mr. Conner 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 provided the Board with a staff report and advised the Planning Commission recommended approval.

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

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

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

Voting no: none.

Not present: Mr. Sheffey.

- d. A rezoning request by **Roy L. & Chom S. Bond** from Residential (R) to Agriculture (A1) on property identified as tax map no. 055-001-0000-025A, located at 5191 Hatcher Rd., (Rt. 807), Massie District. The property is designated as Agriculture on the Future Land Use Map of the Pulaski County Comprehensive Plan. General uses proposed are farm uses and single-family residences at a density of no greater than one dwelling per 30,000 square feet.

Mr. Conner 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 provided the Board with a staff report and advised the Planning Commission recommended approval.

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

Supervisor Akers inquired as to whether or not there were other properties in the area that were currently zoned Agriculture. Mr. Utt advised there were some properties to the south that were zoned Agriculture.

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

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

Voting no: Mr. Akers.

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Not present: Mr. Sheffey.

- e. A rezoning request by **North Radford Septic Tank Service Incorporated** to Commercial (CM1) on property identified as tax map no. 029-001-0000-0029, (1.000 acre), currently zoned Industrial (I1), located 7836 Peppers Ferry Boulevard (Rt. 114), Cloyd District. The property is designated as Industrial on the Future Land Use Map of the 2000 Comprehensive Plan. Uses proposed are a stone yard; a model home and other commercial uses as permitted by right in the Commercial (CM1) Zoning District with a minimum lot size of 10,000 sq. ft.

Mr. Conner 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 provided the Board with a staff report and advised the Planning Commission recommended approval.

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

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

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

Voting no: none.

Not present: Mr. Sheffey.

- f. A request by **Ken C. & Kellie D. Harvey** for Special Use Permit (SUP) to allow exceptions to limitations on piers, private dock facilities, and/or moorings in accordance to Article 8-8 on property identified as tax map no. 067-001-0000-0050, (.5090 acres), zoned Residential (R1), located at 4867 Treehouse Ln., off Shelburne Rd., (Rt. 690), Ingles District.

Mr. Conner 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 provided the Board with a staff report and advised the Planning Commission recommended approval.

Supervisor Hale requested an additional explanation regarding the overall square footage, which Mr. Utt provided.

Mr. Conner opened the public hearing. Mr. Ken Harvey spoke in favor of the request. There were no additional citizen comments and the public hearing was closed.

Supervisor Pratt asked if there any plans proposed for an additional

dock on the neighboring property. Mr. Utt advised no additional dock was planned.

Supervisor Conner suggested the Planning Commission recommend that all contractors be sanctioned. Supervisor Pratt suggested this was a matter that should be handled by the property owner and not the Board of Supervisors or Planning Commission. Supervisor Hale advised he did not believe the homeowner should be penalized for the failure of the contractor to obtain a building permit.

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

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

Voting no: Mr. Pratt.

Not present: Mr. Sheffey.

g. An initiative by the **County of Pulaski** to amend the following section of the Pulaski County Zoning Ordinance:

- An amendment to Article 1 Definitions, Use and Design Standards to include standards for **Electronic changeable copy signs**.

Community Development Director Shawn Utt to provide additional details on the request to amend the zoning ordinance. Mr. Utt advised the Planning Commission recommended approval.

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

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved the zoning text amendments as follows and as recommended by the Planning Commission:

(Please note that deletions are shown in ~~strikethrough~~, and additions are *shaded and italicized*.) :

Sign, Types of Copy 1

Changeable Copy, Sign – A sign whose message is continuously changed.

Changeable Copy, Electronic* – *A sign whose message is continuously changed by electronic means and is displayed in an electronic format. The following use and design standards shall be used for each Electronic Changeable Copy Sign:*

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1. *Electronic changeable copy message shall be displayed for a minimum of five (5) seconds prior to changing the message.*
2. *Electronic changeable copy messages may be displayed only during the hours which the restaurant/business is open for operations.*
3. *Electronic changeable copy sign must comply with all Virginia Department of Transportation (VDOT) requirements.*
4. *Electronic changeable copy message shall not create a glare onto to adjacent properties or onto any right-of-way.*
5. *No animated messages (text or objects) shall be displayed.*

Changeable Copy, Manual Sign – A sign designed so that the characters or letters can be changed or rearranged without altering the underlying face or size of the sign.

Double-Faced Sign – A sign with two parallel or nearly parallel faces, which are placed back to back and are separated by not more than twenty-four (24) inches.

Multiple Sign – A freestanding sign structure on which more than one single-faced or double-faced sign may be mounted within an overall frame.

Single-Faced Sign – A sign on which a message is displayed on one side thereof only.

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

Voting no: none.

Not present: Mr. Sheffey.

- h. Increase in courthouse Security Fee from \$5 to \$10 pursuant to revisions to section 53.1-120 paragraph D on the Code of Virginia effective July 1, 2007.

Mr. Huber explained the purposed of the hearing was to consider increasing the courthouse security fee from \$5 to \$10 per case.

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

On a motion by Mr. Akers, seconded by Mr. Hale and carried, the Board approved the following ordinance increasing the courthouse security fee from \$5 to \$10, pursuant to revisions to Section 53.1-120, paragraph D of the Code of Virginia, with said ordinance to be effective July 1, 2007:

COURTHOUSE SECURITY FEE ORDINANCE

Pursuant to Section 53.1-120 of the Code of Virginia, 1950, as amended, **IT IS HEREBY ORDAINED** that in the County of Pulaski, Virginia, on and after July 1, 2007, a fee of ten (\$10) dollars is hereby and shall be assessed as part of the cost in each criminal or traffic case in the Pulaski County Juvenile and Domestic Relations District Court, the Pulaski County General district Court and the Pulaski County Circuit Court, in which the defendant is convicted of a violation of any statute or ordinance. The Clerk of the Court in which the case is heard shall collect and remit the fees to the Treasurer of this county. The Treasurer shall hold such funds subject to appropriation by the Pulaski County Board of Supervisors to the Sheriff's office of this county for the funding of courthouse security, equipment, personnel & related expenditures.

Adopted this 21st day of May, 2007.

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

Voting no: none.

Not present: Mr. Sheffey.

i. Budget Amendment

Mr. Huber explained the purpose of the hearing was to solicit comments on the proposed budget amendments. He further explained that since the total expenditures were over the \$500,000 advertising limit due to the partial appropriation of Riverlawn Elementary School costs, foreseeable transfers required for the balance of the fiscal year have been included.

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

On a motion by Mr. Hale, seconded by Mr. Akers and carried, the Board approved the following budget amendment:

GENERAL FUND:

REVENUES:

Revenue from Local Sources:

Office on Youth Charges \$ 12,000.00

Revenue from the Commonwealth:

Clerk's Shared Expenses 69,246.35

TOTAL GENERAL FUND \$ 81,246.35

EXPENDITURES:

Board of Supervisors \$ 15,000.00

Treasurer 20,000.00

Clerk of the Circuit Court 69,246.35

Juvenile and Domestic Relations Court 1,500.00

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Law Library	2,200.00
Animal Control	15,000.00
General Properties	9,000.00
Office on Youth	12,000.00
Fine Arts Center	1,500.00
Community Development	8,700.00
Economic Development	17,800.00
Contingency	(15,100.00)
Miscellaneous Refunds	1,000.00
Transfer to Debt Service Fund	(200,000.00)
Transfer to CIP Fund	120,900.00
Transfer to Treasurer's Fund	<u>2,500.00</u>
TOTAL GENERAL FUND	\$ 81,246.35

SCHOOL FUND:

REVENUES:

Revenue from Local Sources:

Rental of Property	\$ 469.00
Charges for Education	1,868.05
Miscellaneous	1,679.92

Revenue from the Commonwealth:

JMU Grant	<u>6,000.00</u>
TOTAL SCHOOL FUND	\$ 10,016.97

EXPENDITURES:

Instructional	\$ 6,000.00
Administration	4,016.97
Operation and Maintenance	(27,000.00)
Facilities	<u>27,000.00</u>
TOTAL SCHOOL FUND	\$ 10,016.97

CAPITAL IMPROVEMENTS FUND:

REVENUES:

Other Sources:

Transfer from General Fund	\$ <u>120,900.00</u>
TOTAL CIP FUND	\$ 120,900.00

EXPENDITURES:

Data Processing-Software upgrades	\$ 26,700.00
Law Enforcement-Vehicles and Equipment	45,000.00
Hiking Trail/path to Newbern	1,200.00
Randolph Park Picnic Shelters	<u>48,000.00</u>
TOTAL CIP FUND	\$ 120,900.00

COUNTY DEBT SERVICE FUND:

REVENUES:

Other Sources:

Transfer from General Fund	\$ <u>(200,000.00)</u>
TOTAL DEBT SERVICE FUND	\$ (200,000.00)

EXPENDITURES:

Renfro Building	\$ <u>(200,000.00)</u>
TOTAL DEBT SERVICE FUND	\$ (200,000.00)

SCHOOL CONSTRUCTION FUND:

REVENUES:

Revenue from Local Sources:

Interest on Investments	\$ 165,973.55
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Other Sources:

SNAP Funds	\$ <u>14,348,247.83</u>
TOTAL SCHOOL CONST. FUND	\$ 14,514,221.38

EXPENDITURES:

Fairlawn Elementary School	\$ <u>14,514,221.38</u>
TOTAL SCHOOL CONST. FUND	\$ 14,514,221.38

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TREASURER'S ACCOUNTABILITY FUND:

REVENUES:

Other Sources:

Transfer from General Fund	\$	<u>2,500.00</u>
TOTAL TREASURER'S ACCT FUND	\$	2,500.00

EXPENDITURES:

NSF Checks	\$	<u>2,500.00</u>
TOTAL TREASURER'S ACCT FUND	\$	2,500.00

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

Voting no: none.

Not present: Mr. Sheffey.

j. 2007-08 Proposed Budget

Mr. Huber explained the purpose of the hearing was to receive citizen comments on the proposed FY 08 budget, which had been advertised according to the requirements set forth in the Code of Virginia.

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

Mr. Huber advised no action on the budget could be taken until ten days after the public hearing and that adoption of the budget would be placed on the June 25 regular meeting agenda.

5. Citizen Comments

Dr. Bruce Fariss expressed objections to the proposed BPOL tax and requested supervisors encourage businesses to locate in the county. He advised the proposed tax would result in a reduction of his income and had the potential to cause an audit of his business.

Mr. Randy Rupe and Mr. Jimmy Hurst expressed opposition to the proposed BPOL tax citing concerns over the loss of income if they are required to pay the tax.

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 - Review of Highway Matters Section of Key Activity Timetable (KAT)

The Board reviewed in detail the highway matters portion of the Key Activity Timetable, including the estimated \$23,000 needed for installation of guardrail on Wilderness Road and Hazel Hollow

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Road, as well as provided an estimate of \$35,000 per mile needed for asphalt.

b. FY 08 Revenue Sharing Program

Mr. Clarke explained changes in the Revenue Sharing Program from last year, specifically that there will be \$50 million in funding; only those requests for \$1 million or more will be funded first, with the remaining project funds for self administered programs; and remaining funds for supplements to the six year plan.

Mr. Huber suggested the Board approve applying for Revenue Sharing funds.

On a motion by Mr. Hale, seconded by Mr. Akers and carried, the Board approved requesting Revenue Sharing funding.

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

Voting no: none.

Not present: Mr. Sheffey.

c. Memorial Bridge Sign

Mr. Huber presented proposed signage and advised additional information would be sent to the Board on the permitting process as it develops.

d. Ruebush Road/Route 11 Intersection

Mr. Jimmy Hurst requested VDOT lower the speed limit at this intersection, or some other means that would reduce the speed along this road.

Supervisor Akers concurred with Mr. Hurst and noted the issues involving the speed limit at the intersection should have been addressed in years past.

e. Citizen Comments

Mr. Rob Hurst requested improvements to the intersection of Ruebush Road and Rt. 11. Mr. Hurst also requested paving of Kent Farm Road due to increased traffic in the past seven years. Mr. Hurst also requested Kent Farm Road be placed on the six year plan ahead of Hatcher Road and Cougar Trail improvements. Mr. Conner invited Mr. Hurst to attend the six year plan hearing to be scheduled in the fall of

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2007 and advised he would work with residents of Kent Farm Road to seek improvements to the road. Mr. Conner confirmed Kent Farm Road is on the Six Year Plan waiting list.

Mr. Clarke advised of plans for VDOT to conduct a traffic count on Hatcher Road.

f. Board of Supervisors Concerns

Mr. Pratt advised of wrecks on Rt. 100 at the Wythe County line where the pavement drops off on the side of road in the area just down from Sayers Road, with the wrecks due to overcorrecting. Mr. Clarke agreed to review potential repair of the shoulder.

Mr. Akers questioned Mr. Clarke as to why Dallas Freeman Road could not be paved, but that a traffic light could be installed at the new Walmart in Dublin. Mr. Clarke advised the traffic light in question was paid for by Walmart.

Mr. Akers advised of the need for shoulder repair along roads throughout the Ingles District.

Mr. Conner advised Sheriff Davis had received several calls reporting rocks are falling onto the new section of the road on Cloyd's Mountain. Mr. Clarke agreed to review the matter and determine what can be done to block or trap the rocks.

Mr. Conner requested VDOT look at the road leading to the cemetery at Little Creek.

Mr. Huber submitted on behalf of Mr. Sheffey a request for brush cutting along New River Road.

Mr. Huber described a recent accident on Little Walker Mountain involving two tractor trailers and a letter sent to Governor Kaine requesting the prohibiting of tractor trailer traffic in areas where trucks cannot navigate. Mr. Clarke agreed to have VDOT look at restrictions on the length of the trucks.

Mr. Akers questioned if VDOT handles traffic resulting from road closures if there is a spill. Mr. Clarke advised VDOT does handle road closures with the trucking company's insurance receiving a bill from VDOT for VDOT services.

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7. Treasurer's Report

Treasurer Rose Marie Tickle was unable to attend the meeting; however, the monthly report prepared by Ms. Tickle was submitted on her behalf.

8. Audit Presentation

Ms. Cox presented auditing findings and advised of no significant management issues. She also advised the county continues to be in a good position financially. Ms. Cox presented a report on the new accounting standards which places responsibility of preparing financial statements to the locality. Ms. Cox thanked county staff for assisting with the audit process.

9. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

The Board reviewed the Key Activity Timetable in detail.

b. Appointments

Action regarding appointments was deferred to Closed Session.

c. Litter and Junk Car Report

Mr. Huber advised a report on the litter and junk car status had been postponed to the June 25 Board meeting.

d. Personal Property Rate Adjustment

Mr. Huber thanked Jack Gill, Gordon Jones and Jim Bell for assistance in preparing the calculations related to the annually required personal property tax rate adjustment. He advised the end result would require no change for the proposed current year.

Mr. Gill thanked Jim Bell for performing complicated queries during the process. Mr. Huber advised the rate would need to be adopted as a part of the overall budget process.

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10. Items of Consent:

Mr. Akers referred to item "I" Nanotechnology Grant and questioned where the funding is being sent. Mr. Utt explained the Randolph House Foundation had been slated to commit \$5,000 toward the Nano Technology Planning Grant but has declined and the Town of Pulaski is requesting consideration by the Board of Supervisors in sharing the resulting deficit by increasing the County's portion of the planning grant from \$7,500 to \$10,000.

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

Voting yes: Mr. Hale, Mr. Conner, Mr. Akers, Mr. Pratt.
 Voting no: none.
 Not present: Mr. Sheffey

a. Approval of Minutes of

The Board approved the minutes of the April 11 and 23, 2007 meetings.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 28263 through 28626, subject to audit.

c. Interoffice Transfers

The Board approved Interoffice Transfer #11 totaling \$59,085.80 as well as the following monthly appropriations:

<u>General Fund #19</u>	
Revenues:	
024040-1200 State Fire Programs Allocation Mini Grant Training	\$3,000.00
018990-2000 Sale of Property Vehicles/Equipment	\$5,000.00
Total:	\$8,000.00
Expenditures:	
032260-8101 Twin Comm. Vol. Fire Department Equipment	\$5,000.00
035500-8101 Emergency Management Equipment	\$3,000.00
Total:	\$8,000.00

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<u>School Fund #26</u>	
Revenues:	
3-205-033020-0200 Title I Additional Funds	-\$25.00
Total:	-\$25.00
Expenditures:	
4-205-061100-6013-200-100-989	\$25.00
Total:	\$25.00

d. Ratification of Contracts, Change Orders & Agreements

The Board approved an agreement between the Virginia Department of Agriculture and Consumer Services and the county in conducting the 2007 Plastic Pesticide Container Recycling Program, a copy of which is filed with the records of this meeting.

e. Personnel Changes

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

f. Revision to Board of Supervisors By-Laws

The Board approved amending the current by-laws by the Board to allow for moving of the first "Citizen Comments" session to follow the "Public Hearings". Currently, the by-laws call for the first scheduled "Citizens Comments" session to follow the "Treasurer's Report".

g. Memorandum of Understanding – Employee Transfer

The Board approved the following Memorandum of Understanding – Employee Transfer which allows for unhindered transfer of employees between the Board of Supervisors, Public Service Authority, and School Board.

MEMORANDUM OF UNDERSTANDING

Employee Transfers

By and between the:

Pulaski County Board of Supervisors
Pulaski County School Board
Pulaski County Wireless Authority
Industrial Development Authority of Pulaski County
Pulaski County Public Service Authority

WHEREAS, it is in the mutual interest of all parties to allow employees to further their professional careers; and

WHEREAS, on occasion an employee desires to transfer his/her employment to another agency within Pulaski County for professional and personal reasons; and

WHEREAS, the above boards within Pulaski County desires that a transfer be a seamless transition, not to negatively affect any organization or the well-being of the transferring employee; and

WHEREAS, it is necessary to accurately account for accrued leave time and seniority of a transferring employee.

THEREFORE, the governmental entities of Pulaski County as referenced above agree to the following terms and conditions;

1. Any annual (i.e. vacation) leave monetary balance shall be paid by the former employer who incurred the annual leave liability to the new employer at the former rate of pay within 30 days of the employee beginning new employment. The employee shall retain all earned annual leave days with the new employer through a transfer of all accruals.
2. One-half (50%) of any sick leave monetary balance shall be paid by the former employer who incurred the annual leave liability to the new employer at the former rate of pay within 30 days of the employee beginning new employment. The employee shall retain all earned sick leave days with the new employer through a transfer of all accruals.
3. The employee will receive credit for years of service with the former employer with regards to the annual and sick leave accrual rate as well as the Virginia Retirement System.

So adopted and effective on this the 1st of July, 2007 by the following Boards and Authorities: Board of Supervisors, PSA Board of Directors, Pulaski County School Board; Wireless Authority and Industrial Development Authority.

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h. Adoption of Pepper's Ferry Sulfate Limit

The Board approved holding a public hearing on revisions to the pretreatment ordinance at the June 25 Board meeting.

i. Transportation Planning Grant

As reported in the Board packet, the Planning District Commission (PDC) has been successful in obtaining a grant for \$90,000 from VDOT, matched with \$10,000 from the PDC to work on future traffic concerns and transportation planning in the central portion of the County, along the Pulaski-Dublin corridors. This planning effort will coincide with the Comp Plan revision work the Planning Commission is currently working toward. As a requirement of the VDOT program, letters of support from the county, as well as the two towns, are required.

The Board approved the letters of support for the grant based on a focus on the I-81 Rt. 100/Alexander Road/Volvo/Randolph Park area.

j. Compassion Capital Fund Pulaski County Letters of Support

The Board ratified endorsement of funding commitment to an application to the Compassion Capital Fund which would utilize \$50,000 in local funds to provide a total of \$200,000 toward the work of the Commission on Children and Families in strengthening local non-profit and faith based organizations working toward the goals of the Commission. The required \$50,000 in local funding would come from unutilized local Comprehensive Service Act appropriations already in the current year budget

k. Sponsorship of County Resident(s) at NRCC CAD Class Competition

As reported in the Board packet, a request had been received from Jeff Levy for sponsorship of two NRCC students from Pulaski County to a national 3D Animation and Visualization contest in Kansas City. Both students are receiving financial aid.

The Board approved a total of \$1,500, or \$750 per person, toward this cost.

l. Nano Technology Planning Grant

As reported in the Board packet, the Randolph House Foundation, which had been slated to commit \$5,000 toward the Nano Technology Planning Grant, has declined and the Town of Pulaski is requesting

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consideration by the Board of Supervisors in sharing the resulting deficit by increasing the County's portion of the planning grant from \$7,500 to \$10,000.

The Board approved sharing in the deficit with the Town of Pulaski in the amount of \$10,000 based on inclusion of wastewater issues as part of the scope of the project.

m. Programming of Election Machines and Training of County Staff

As reported in the Board packet, staff recommends the hiring of Mr. Steven Gregory on a contract basis to assist in programming the electronic voting machines. Mr. Gregory previously worked for the School Board and took the lead in learning how to set up the voting machines.

The Board approved contracting with Steven Gregory for the programming of the electronic voting machines, as well as training existing staff.

n. Joint Issuance of New Employee ID's

The Board approved proceeding with issuance of new cards, with the cost to be shared between the Board of Supervisors, School Board and Department of Social Services.

o. Claytor Lake Festival Fireworks Permit

The Board approved the issuance of a fireworks permit for fireworks to be held on Saturday, June 9, 2007 as part of the Claytor Lake Festival.

p. Additional Day of Recognition Leave

As reported in the Board packet, the Governor has granted all state employees an additional eight hours of "recognition leave" due to the recent visit to the State Capitol of Queen Elizabeth. The Governor's memo states "All non-Capitol Square employees should take the recognition leave by June 30, 2007, and are encouraged to use the leave to volunteer and/or participate in Jamestown 2007 commemorative events."

The Board approved an additional day, as granted by the state, to be designated as "recognition leave"

11. Citizen Comments

There were no citizen comments.

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12. Other Matters from Supervisors

Mr. Akers expressed concern over abandoned buildings in the county and asked if the code enforcement officer had the flexibility to proceed with having buildings torn down that are determined health hazards and a liability. Of particular concern to Mr. Akers is an abandoned building near Max Creek across from the entrance to the Boy Scout Camp. The Board directed staff to determine what can be done about abandoned buildings and provide an update at the June Board meeting.

13. Closed Session - 2.2-3711.A.1.3.5.7 & Return to Budget Work Session

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. Hale, seconded by Mr. Pratt 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:

- Courthouse Expansion Space

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

Prospective Industry – Pursuant to Virginia Code Section 2.2-3711(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.

- Commerce Park

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:

- Sewer Projects

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Return to Regular Session

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

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

Voting no: none.

Not present: Mr. Sheffey.

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. Akers, Mr. Pratt.

Voting no: none.

Not present: Mr. Sheffey

- Personnel

Appointments

On a motion by Mr. Hale, seconded by Mr. Akers and carried, the Board approved the reappointment of the following members to the various PEP committees for a term of four years ending June 30, 2011: Mr. Richard Guthrie, Mr.

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Ron Chaffin, Mr. Hi Nicely, Mr. Phillip Baker, Ms. Carolyn Brown, Mr. Dave DeHart, Mr. Greg Richards, Ms. Mary Tabor, Mr. Tom McCarthy, Mr. Steve Crawford, Mr. Tom Douthat, Ms. Betsy Mabry and Mr. Jerry White.

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

Voting no: none.

Not present: Mr. Sheffey

- Property Disposition or Acquisition

- Office Space Adjacent to the Courthouse

On a motion by Mr. Hale, seconded by Mr. Akers and carried, the Board approved the purchase of the former Piggly Wiggly/Dawn's Florist building located directly adjacent to the Courthouse.

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

Voting no: none.

Not present: Mr. Sheffey

- Legal Matters

- Sewer Projects

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved proceeding with acquiring necessary easements by legal means to allow sewer projects in the Dublin area to proceed which would affect approximately ten properties in the Rolling Hills, Orchard Hills, and Vista subdivisions through which easements are needed in order for the proposed sewer system to be installed.

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

Voting no: none.

Not present: Mr. Sheffey

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➤ Possible ATMOS Energy Rate Changes

On a motion by Mr. Hale, seconded by Mr. Akers and carried, the Board authorized the County Attorney to file a comment with the State Corporation Commission on behalf of the Board of Supervisors and the residents of the County requesting the SCC investigate a request by ATMOS to increase its Virginia customers' share in the allocation of demand costs.

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

Voting no: none.

Not present: Mr. Sheffey

14. Adjournment

On a motion by Mr. Hale, seconded by Mr. Akers and carried, the Board of Supervisors voted to adjourn its regular meeting and reconvene in a joint meeting with the Pulaski County School Board at 6:30 p.m. on Monday, June 11, 2007 at the Pulaski Elementary School in Pulaski,, Virginia.

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

Voting no: none.

Not present: Mr. Sheffey.

Frank R. Conner, Vice Chairman

Peter M. Huber, County Administrator