

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, September 24, 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; Robert Hiss, Assistant County Administrator; Gordon Jones, Finance Director; Shawn Utt, Community Development Director; and Gena T. Hanks, Clerk.

1. Invocation

The invocation was presented by Tom McCarthy, County Attorney.

2. Presentations - Featured Employees

The Board recognized Terri Hager of the Circuit Court Clerk's Office and Sandy Lackey of the Commonwealth Attorney's Office. Mr. Sheffey read a description of the job duties and personal interests of each employee. Supervisors presented Shoney's gift certificates to Ms. Hager and Ms. Lackey.

3. Additions to Agenda

Mr. Huber advised there were no changes or additions to the agenda.

4. Public Hearings

- a. The petition by **Draper Mercantile Holdings LLC** to rezone from Commercial (CM1) to Residential (R1) located at 3054 Greenbrier Rd., (Rt. 685), Draper District.

Mr. Utt advised the applicant had withdrawn the request. Mr. Sheffey offered an opportunity for citizens to speak on this matter. There were no citizen comments.

- b. The petition by **Lori St Clair** for a Special Use Permit (SUP) to allow a second dwelling located at 5468 Lead Mine Rd., (Rt. 693), 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 requested rezoning. Mr. Utt provided Board members with a staff report and advised the Planning Commission recommended approval.

Mr. Sheffey opened the public hearing. There were no citizen

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

comments and the hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board accepted the Planning Commission's recommendation to approve the request.

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

Voting no: none.

- c. The petition by **Earl S. Crawford** for a Special Use Permit (SUP) to allow a State Water Control Board Permitted Sewage Facility, located at 1973 Alum Spring Rd., (Rt. 636), Robinson District.

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the requested rezoning. Mr. Utt provided Board members with a staff report and advised the Planning Commission recommended approval with conditions.

Mr. Sheffey questioned if there had been any problems with previous systems approved by the Board. Mr. Utt advised he was unaware of any problems with systems previously approved by the Board.

Mr. Hale questioned what type of maintenance is required to maintain the system. Mr. Utt advised maintenance is minimal and included the replacement of some UV lights every four to five years as needed.

Mr. Sheffey opened the public hearing.

Mr. Doug Phillips spoke in favor of the request and advised the revisions are in part due to the need to meet state Health Department requirements.

There being no additional comments, the hearing was closed.

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board accepted the Planning Commission's recommendation to approve the request, subject to the following conditions:

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

1. Provide copies of all permits required from Department of Environmental Quality (DEQ), Virginia Department of Health, Virginia Department of Transportation, and any other regulatory agency to the Zoning Administrator for the file.
2. In addition to DEQ requirements, a copy of the sampling results shall be submitted to the local Health Department for review on a yearly basis and at any other time the Health Department deems necessary to provide additional sampling.
3. Record a revised survey plat indicating the petition number of the Special Use Permit (SUP), along with the approval date of the SUP, maintenance contract requirements and reporting requirements for the MicroFAST Sewage Treatment System.
4. Owner shall maintain the property in compliance with all applicable local, state and federal codes and regulations, including but not limited to the Floodplain Ordinance, building codes, and litter control ordinances.

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

Voting no: none.

- d. Revisions and updates to the **Pulaski County Comprehensive Plan** to the **Northeast** region of the county. This area would include Fairlawn, Belspring, Parrott, New River, areas north of Town of Dublin and east of Route 100.

Mr. Kevin Byrd of the New River Valley Planning District Commission (PDC) explained in detail the proposed revisions to the County's Comprehensive Plan.

Mr. Sheffey questioned if there had been any response from Radford University on the proposed plan. Mr. Byrd explained representatives from Radford University had advised the University was in the initial planning phase of implementing a graduate program on the existing property of Radford University.

Mr. Huber advised there had been some interest by the Town of Pulaski in a joint effort in future revisions.

Mr. Utt advised the Planning Commission recommended approval of the revisions and updates to the Pulaski County Comprehensive Plan

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

On a motion by Mr. Conner, seconded by Mr. Hale and carried, the Board approved the revisions to the Pulaski County Comprehensive Plan, a copy of which is filed with the records of this meeting and in the Pulaski County Community Development Department.

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

Voting no: none.

e. Ordinance repealing the Merchant's Capital Tax effective January 1, 2008.

Mr. Huber explained the proposed ordinance would repeal the Merchant's Capital Tax effective January 1, 2008, with said date coinciding with the effective date implementing the BPOL tax. He further advised the repeal does not exonerate any taxes which may be due for 2007 or previous years.

Commissioner of Revenue Jack Gill explained the ordinance would allow for compliance with the state law.

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

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board adopted the following ordinance:

BE IT ORDAINED that beginning for the tax year 2008 and forward, the Merchant's Capital Tax previously in effect for Pulaski County is hereby repealed.

BE IT FURTHER ORDAINED that the repeal of the Merchant's Capital Tax beginning for the tax year 2008 and forward, **DOES NOT** repeal or effect Merchant's Capital Tax due for years 2007 and preceding and any penalties and interest for delinquent taxes for tax years 2007 and preceding.

Adopted this 24th day of September, 2007.

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

Voting no: none.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

f. Budget Amendment

Finance Director Gordon Jones advised the Code of Virginia requires counties to hold public hearings if appropriations exceed more than 1% of the county's adopted budget. Further, the proposed budget amendment would be for FY 08.

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

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

GENERAL FUND:

REVENUES:

Revenue from Local Sources:

Local Donations \$ 6.50

Revenue from the Commonwealth:

Claytor Lake Projects 792.00

Other Sources:

Use of Reserves 3,875,150.72

TOTAL GENERAL FUND \$ 3,875,949.22

EXPENDITURES:

Sheriff's Department \$ 6.50

Emergency Services 3,500.00

Economic Development 126,250.00

Jamestown 2007 Celebration 4,002.16

Revenue Refunds 792.00

Contingency (3,500.00)

Transfer to CIP Fund 3,438,617.98

Transfer to County Debt Fund 257,150.00

Transfer to Wireless Auth. Fund 49,130.58

TOTAL GENERAL FUND \$ 3,875,949.22

SCHOOL FUND:

REVENUES:

Revenue from Local Sources:

Substitute Teachers \$ 475.68

Other Sources:

Transfer from General Fund 637,385.19

Revenue from the Commonwealth:

Vocational Equipment 16,567.41

GOSAP Grant 46,861.83

TOTAL SCHOOL FUND \$ 701,290.11

EXPENDITURES:

Administration \$ 212,861.23

Instructional 123,428.88

Pupil Transportation 80,000.00

Operations and Maintenance 120,000.00

Facilities 165,000.00

TOTAL SCHOOL FUND \$ 701,290.11

CAPITAL IMPROVEMENTS FUND:

REVENUES:

Other Sources:

Transfer from General Fund \$ 3,438,617.98

TOTAL CIP FUND \$ 3,438,617.98

EXPENDITURES:

Information Technology \$ 46,700.00

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

Communications	215,322.70
Sheriff's Department	235,511.82
Volunteer Fire Departments	35,000.00
Buildings and Grounds	2,629,012.70
Randolph Park	46,182.16
Library Administration	100,000.00
County Entrance Signs	9,117.00
Rt. 100 Improvements	14,271.60
Transfer to REMSI	<u>107,500.00</u>
TOTAL CIP FUND	\$ 3,438,617.98

COUNTY DEBT FUND:

REVENUES:

Other Sources:

Transfer from General Fund	\$ <u>257,150.00</u>
TOTAL COUNTY DEBT FUND	\$ 257,150.00

EXPENDITURES:

Economic Stimulus	\$ <u>257,150.00</u>
TOTAL COUNTY DEBT FUND	\$ 257,150.00

SCHOOL CONSTRUCTION FUND:

REVENUES:

Revenue from Local Sources:

Interest on Investments	\$ 61,239.30
-------------------------	--------------

Other Sources:

Use of Reserves	<u>14,100,429.44</u>
TOTAL SCHOOL CONST. FUND	\$ 14,161,668.74

EXPENDITURES:

Fairlawn Elementary School	\$ <u>14,161,668.74</u>
TOTAL SCHOOL CONST. FUND	\$ 14,161,668.74

REMSI FUND:

REVENUES:

Other Sources:

Transfer from General Fund	\$ <u>107,500.00</u>
TOTAL REMSI FUND	\$ 107,500.00

EXPENDITURES:

Equipment and Stations	\$ <u>107,500.00</u>
TOTAL REMSI FUND	\$ 107,500.00

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

Voting no: none.

5. Citizen Comments

Mr. Michael Ray advised of his inability to obtain a building permit due to the site distance of his driveway not meeting VDOT requirements. The Board directed county staff to meet with Mr. Ray to obtain specific information regarding his concerns and provide an update to the Board.

Mr. Akers questioned Mr. Clarke regarding VDOT requirements related to private entrances. Mr. Clarke confirmed that private entrances were always allowed, but that an entrance serving more than two houses had to be built according to VDOT requirements.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

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 the highway matters portion of the Key Activity Timetable.

Mr. Clarke and Board members commented on the improvements as a result of the new Pulaski County High School turn lanes.

Mr. Sheffey requested staff clarify the request related to the Crossbow Drive speed limit posting and Watch for Children signage. Staff confirmed the resident making the request would like "Watch for Children" signage only which had been previously approved by the Board and forwarded to VDOT. Further, staff confirmed a request for a speed limit posting was not in the original request.

Mr. Clarke advised all "Watch for Children" signage requests are required by Board of Supervisors resolution, with VDOT reviewing the requests as submitted.

Mr. Clarke advised all previous speed study requests were pending.

Mr. Sheffey requested VDOT review the brush cutting needs throughout the county and expressed concern over the poor quality of recent mowing in the county. Mr. Clarke advised once the contractor is approved, brush cutting will begin.

b. Request for "Watch for Children" Signage – Ridge Road

Staff was directed to contact the resident making the original request for "Watch for Children" signage and advise resident that a petition would be needed from the residents to confirm community support for the signage.

Tabernacle Road

On a motion by Mr. Hale, seconded by Mr. Pratt and carried, the Pulaski County Board of Supervisors approved the installation of "Watch for Children" signage by the Virginia Department of Transportation on Route 743, Tabernacle Place.

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

Voting no: none.

Mr. Akers clarified the difference between "Children at Play" and "Watch for Children" signage.

c. Six Year Secondary Road Improvement Plan

Mr. Huber advised the deadline for review and adoption of the six year secondary road had been moved by VDOT from December to the spring of 2008.

On a motion by Mr. Akers, seconded by Mr. Hale and carried, the Board approved scheduling a public hearing for its November Board meeting to consider six year secondary road improvement requests.

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

Voting no: none

d. Six Year Primary Road Improvement Plan

Mr. Huber advised VDOT will be holding a public hearing and informational session beginning at 6:00 p.m. on Wednesday, October 24 at the Salem District Offices.

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board endorsed submitting the following list of concerns, expressions of thanks, etc.:

1. Eastbound Route 114 Bridge across the New River – Thanks for plans to construct in 2009-10 any earlier would be much appreciated.
2. I-81 exits 98 (Rt. 100) and 89 (Rt. 11 & Rt. 100) – Small clover leaf interchange ramps are dangerous and there is a need for dedicated turning lanes turning onto I-81.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

3. Route 11/Roundhouse Road Intersection - The overall growth of Fairlawn will significantly impact this intersection which has limited sight distance from the opposite direction leading to potential head-on accidents.
4. Route 11 between Dublin and Fairlawn – There is a continued need to four-lane this section of road.
5. Route 99 from I-81 to Town of Pulaski Corporate Limits – There is a continued need to four-lane this section of road.
6. Old Route 100 Peak Creek Bridge – The condition of this bridge is of continued concern. Primary road funds are requested since this bridge serves as an I-81 by-pass.
7. Route 100 from Dublin to Pearisburg – There is a continued need to four-lane this section of road.
8. Appreciation for recent accomplishments
 - a. Route 100 Back Creek Bridge – construction underway
 - b. Route 100 New River Bridge – Construction nearing completion

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

Voting no: none

e. Citizen Comments

Ms. Freda Hopkins requested paving of Rt. 687, Church Hill Lane, and reported the property owner on the left side of road was agreeable to granting additional right-of-way. Mr. Clarke advised of VDOT requirements of 16' of pavement with ditching on each side, plus additional space for guardrail. Mr. Clarke advised the request would have to be placed on the six year plan. Ms. Hopkins also advised of dust and chemicals having been placed by VDOT on the road. Mr. Clarke agreed to have VDOT review the matter and provide an update at the next meeting.

d. Board of Supervisors Concerns

Mr. Pratt requested installation of guardrail on Rt. 11, on the southside of Draper's Mountain, which had been previously damaged. Mr. Clarke agreed to add the request to the existing guardrail list.

Mr. Akers advised of needed brush cutting on Cherry Branch Road in the Snowville area. Mr. Clarke agreed to review the matter and provide an update at a future meeting.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

Mr. Akers advised of potholes on Simpkinstown Road. Mr. Clarke agreed to review the matter and provide an update at a future meeting.

Mr. Akers advised of line markings needed on Lead Mines Road. He advised the lack of markings posed difficulty for travelers seeing at night time.

Mr. Conner advised of rough places on Hatcher Road. Mr. Clarke advised grading should be done after rainfall.

Mr. Conner advised of water running across the road on Alum Spring Road across Little Creek. Mr. Clarke agreed to review the matter and provide an update at a future meeting.

Mr. Hale advised of complaints received regarding the recent spreading of asphalt on Brookmont Road, specifically that the road continues to need improvements, with a specific complaint citing concerns over the safety of bicyclists using the road. Mr. Clarke agreed to review the matter and provide an update at a future meeting.

Mr. Hale inquired regarding the sign entering the Town of Dublin honoring Gary Clarke and a potential interest in a similar sign honoring Jeff King. Mr. Clarke advised the Town of Dublin erected the sign.

Mr. Sheffey thanked VDOT for improvements to the Pepper's Ferry Loop in Fairlawn.

Mr. Sheffey advised of certain areas needing patching on the road leading to the landfill, off of Rt. 100. Mr. Clarke agreed to review the matter and provide an update at a future meeting.

Mr. Sheffey inquired as to the reasons for existing signage at the stop light at the Rt. 114 and Rt. 600 intersection which indicates "no turn on red". Mr. Clarke advised installation was due to accidents occurring at this intersection. Mr. Clarke agreed to review the continued need for the sign and provide an update to the Board at a future meeting.

Mr. Huber requested consideration to the timing of the light at the intersection of Rt. 600/114 allowing for both lights to turn green at the same time. Mr. Clarke agreed to review the matter and provide an update at a future meeting.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

Mr. Huber advised of assistance needed by VDOT for the entrance permit at the Hiwassee School. Mr. Clarke agreed to review the matter and provide an update at a future meeting.

7. Treasurer's Report

Treasurer Rose Marie Tickle presented an annual report which included a more detailed financial picture than the regular monthly reports.

8. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

Board members reviewed the Key Activity Timetable in detail.

Mr. Sheffey inquired regarding when the tables would be placed at the new Randolph Park shelter. Staff advised the picnic tables were being assembled and would be placed in the new shelter once the sealer is placed on the floor.

b. Appointments

Action on appointments was deferred to Closed Session.

9. Items of Consent:

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the following "Items of Consent", except for item "d1 – Reassessment Contract" which was moved to the October 1 Board of Supervisors/School Board joint meeting agenda.

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

a. Approval of Minutes of August 27, 2007 Meetings

The Board approved the minutes of the August 27, 2007 Board meetings, as presented.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 30052 through 30474, subject to audit.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

c. Interoffice Transfers

The Board approved Interoffice Transfer #3 totaling \$58,075.04, as well as the following monthly appropriations:

COUNTY OF PULASKI, VIRGINIA

BUDGET ADJUSTMENT

YEAR ENDED JUNE 30, 2008

GENERAL FUND #2	
Revenues:	
018030-1300 – Refunds/Overpayments	\$19.97
019010-5700 – Court Services Recoveries	100.00
019020-4000 – Hazardous Material Response Recoveries	1,893.00
41999-0000 – Use of fund balance	17,535.75
TOTAL	\$19,548.72
Expenditures:	
031200-5210 – Sheriff-Postal Services	\$19.97
033300-5890 – Court Services-Incentives/Youth Offenders Grant	100.00
033300-5890 – Court Services-Incentives/Youth Offenders Grant (Carry-over)	2,775.03
073100-5699 – Library-RIF Expenses (Carry-over)	1,657.64
073100-5699 – Library-Wal-Mart Grant (Carry-over)	163.03
073100-5699 – Library-Moms/Pops Grant (Carry-over)	1,365.79
073100-5699 – Library-Books and Subscriptions (Carry-over)	1,574.26
035500-8101 – Emergency Services-Furniture and Equipment	1,893.00
081500-5699 – Economic Development-Other Community Activities Support (C-O)	10,000.00
TOTAL	\$19,548.72
GENERAL FUND #1 & 2	
Revenues:	
016120-1100 – Substitute Teacher	\$2,529.23
018030-2000 – Joint Services Reimbursement	54,904.00
033020-1900 – Flow Thru-Title VI-B	8,971.66
033020-4300 – 21 st Century Learning	(3,769.51)
033010-1500 – School Improvements	(1,978.21)
033010-1900 – Title IIA	(1,079.16)
033020-0200 – Title I	(5,135.92)
TOTAL	\$54,442.09
Expenditures:	
061100-1121-200-200-979 – Instructional-Teacher Salaries	\$8,971.66

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

061100-1121-212-100-954 – Instructional-Teacher Salaries	(3,769.51)
061100-6013-202-100-945 – Instructional-Supplies	(1,978.21)
061100-1121-200-100-950 – Instructional-Teacher Salaries	(1,079.16)
061100-1121-200-100-989 – Instructional-Teacher Salaries	(5,135.92)
063200-5305-900 – Pupil Transportation-Vehicle Insurance	1,048.00
0642005420-900 – Operations and Maint-Rent for new admin offices	20,000.00
062120-5308-900 – Administration-Student Liability Insurance	5,000.00
062120-3320-900 – Administration-Maint. Service Contracts	15,000.00
064200-5110-900 – Operations Maint. Electricity	16,385.23
TOTAL	\$54,422.09
SCHOOL FUND #1	
Revenues:	
015010-0200 – Interest on Investments	\$6,1888.48
TOTAL	\$61,888.48
Expenditures:	
066500-8265 – Fairlawn Elementary School	\$61,888.48
TOTAL	\$61,888.48
INTER-FUND TRANSFER #1	
Revenues:	
3-302-041050-1000 – CIP Fund-TRANSFER FROM GENERAL FUND	\$282,500.00
3-100-041999-0000 –Use of fund balance	282,500.00
TOTAL	\$565,000.00
Expenditures:	
4-100-093000-9206 – General Fund-Transfer to CIP fund	\$282,500.00
4-302-066200-8125 – CIP fund-PCHS Entrance	282,500.00
TOTAL	\$565,000.00
INTER-DEPARTMENT TRANSFER #1	
Revenues:	
TOTAL	-0-
Expenditures:	
091400-9301 – Contingency	\$ (4,617.69)
021200-8101 – General District Court- Machinery and Equip.	299.00
042600-1339 – Clean Community Council-Part-time Salaries	(10,735.00)
042600-2100 – Clean Community Council-FICA	(821.00)
035500-8103 – Emergency Services-Communications Equipment	4,318.69
071360-1382 – Friends of Claytor Lake-Part-time Salaries	10,735.00
071360-2100 – Friends of Claytor Lake-FICA	821.00
TOTAL	-0-

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

d. Ratification of Contracts, Change Orders & Agreements:

1. Reassessment Contract

The Board moved this item to the agenda of its joint meeting with the School Board to be held on October 1.

2. Comcast Franchise Agreement

The Board approved the scheduling of a public hearing for the October Board meeting, subject to changes as suggested by the county attorney.

3. Virginia Department of Conservation & Recreation Natural Heritage Program License Agreement

The Board approved an agreement allowing for sharing of electronic data with the county staff in the identification of environmental data.

4. Contract – Anderson & Associates – Wilderness Road Regional Museum

The Board approved a contract with Anderson and Associates for a project involving sidewalk work in the Newbern community.

5. Wireless Micro-Cell Site Lease Agreement

The Board approved renewing the agreement with Wisdom Builders for a two year term for the micro-cell location at the former Hiwassee Elementary School, subject to the insertion of a clause subjecting the renewal to continued appropriation by the Board of Supervisors.

6. Public Safety Interoperable Communication Grant

The Board approved all acts necessary in applying for state funding for implementation of an emergency notification system.

7. Verizon Direct Service Plan

The Board approved an agreement for upgrading the existing DSL data connection to T-1 service between the Dublin Town Center and the courthouse complex.

8. Constitution Week Proclamation

The Board ratified action proclaiming the week of September 17 as Constitution Week by adopting the following proclamation:

WHEREAS, on September 17, 1787, thirty-nine delegates from twelve states, including James Madison, George Washington and John Blair from Virginia, signed the United States Constitution, which ratified the form and function of our nation's system of government; and

WHEREAS, the Constitution was written to uphold individual liberty and justice for all citizens of the United States, and these principles are reinforced in its first ten amendments, known as the Bill of Rights; and

WHEREAS, it is important that Americans understand the essential principles of the Constitution as a document resilient enough to survive for over 200 years, and for the role it has played in our nation's beginnings and growth; and

WHEREAS, the 29th anniversary of this historic event allows us to reflect upon our rights and responsibilities as Americans and to celebrate the foresight demonstrated by the framers of the Constitution;

NOW, THEREFORE, I, Joseph L. Sheffey, Chairman, Pulaski County Board of Supervisors, do hereby recognize September 17th thru September 23rd, 2007 as **Constitution Week** in the **County of Pulaski** and I call this observance to the attention of all our citizens.

9. Environmental Comments Department of Veteran Affairs Veterans Cemetery

As reported in the Board packet, Board members were presented with the finding of no significant impact and a map depicting the location of the proposed cemetery. The Board

authorized support with the comment that the county is seeking to develop a walking/cycling/horseback riding path through the area earmarked for the cemetery and that inclusion of this path through the cemetery property is encouraged.

10. Tourism and Arts Grant

The Board approved \$1,250 of the amount the county normally provides in support of the Claytor Lake Festival to be earmarked as a match for \$5,000 in state funding.

11. Department of Fire Programs Training Mini-Grant

The Board approved applying for a \$3,001 grant to support fire department training in Pulaski County by purchasing a rescue manikin and training DVD's.

12. Department of Criminal Justice Personal Protection Equipment

The Board approved applying for \$5,000 for air purifying respirators for law enforcement personnel.

e. Personnel Changes

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

e. Worker's Comp Policy

The Board approved the following policy covering workmen's compensation issues:

To amend in its entirety the Pulaski County Personnel Policy section:

6C. WORKERS COMPENSATION – Loss Work Days

All job related injury/illnesses should be immediately reported to the employee's immediate supervisor. Lost work days due to a job related injury or illness shall be recorded as workers compensation leave on the employee's time sheet.

Supplemental Benefits

An employee that is incapacitated from work due to a work-related injury or illness (as designated by a panel physician) will remain on the payroll with full pay for the first seven days of absence.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

If the incapacity is deemed compensable and extends beyond the initial seven calendar days, workers comp payments of 66 2/3% of the employees gross average weekly wage shall commence with the 8th day of incapacity. These earnings are not subject to state or federal income taxes.

The employee may elect to use earned (comp time, annual leave, sick leave - in this particular order of precedence) leave to supplement his/her compensation up to the amount of his/her gross pay. If this option is chosen, then the employee shall sign the workers comp check over to Pulaski County and in return will receive payment from Pulaski County of his/her normal gross pay from the available earned leave balances. These earnings are subject to state and federal income taxes.

Earned leave cannot be used concurrently with workers comp benefits. If the employee chooses to only receive the workers comp benefit, then he/she will not accrue annual or sick leave on a monthly basis while out of work.

The County shall continue to pay Virginia retirement benefits and its share of health and dental insurance premiums. The employee shall be responsible for health insurance contributions and all payroll deductions that are normally deducted from the employee's salary.

Overpayments resulting from wages paid for part or all of pay period shall be recouped by one of the following methods:

- a. adjusting current leave balances
- b. adjusting future pay; or
- c. billing for repayment, whichever is most appropriate.

Return to work

Since Pulaski County recognizes that their employees are a valued and limited resource, this program is designed to:

- Assist in the medical recovery process by providing a focus and a goal for return of the injured employee.
- Benefit employees by allowing them to return to full wages as soon as possible.
- Benefit employer by reducing workers' compensation costs.

The County shall make every effort possible to accommodate employees in need of light/modified-duty work assignments. Determination of light/modified-duty assignments shall be left to the discretion of the employee's supervisor and workers comp physician. A light/modified-

duty assignment shall be within the employee's medical capability and may or may not be in the same occupation, department, hours, or pay scale the employee was performing prior to the work related injury or illness.

If an employee refuses a light/modified-duty assignment that is within his capabilities, the County shall contest the employee's entitlement to further workers comp benefits before the Virginia Workers Compensation Commission.

f. Acceptable Use of the Computers, Networks, Internet, Electronic Communications Systems, and Information Policy

The Board approved the following policies:

**Board Policy
PULASKI COUNTY**

**ACCEPTABLE USE OF THE COMPUTERS, NETWORKS,
INTERNET, ELECTRONIC COMMUNICATIONS SYSTEMS,
AND INFORMATION POLICY**

Table of Contents

Purpose	1
Definitions	2
Authority	4
Responsibility	5
Delegation of Responsibility	6
Guidelines.....	6
Access to IT Systems	6
County Limitation of Liability	7
Prohibitions	7
General Prohibitions.....	8
Access and Security Prohibitions.....	9
Operational Prohibitions.....	9
Content Guidelines	10
Due Process	10
Search and Seizure	10
Copyright Infringement and Plagiarism.....	11
County Website.....	11
Safety and Privacy.....	11

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

Lost, Missing, or Damaged Equipment..... 12
Consequences of Inappropriate, Unauthorized, and Illegal Use 12
IT Acknowledgement and Consent Forms..... 13

PULASKI COUNTY

ACCEPTABLE USE OF THE COMPUTERS, NETWORKS,
INTERNET, ELECTRONIC COMMUNICATIONS SYSTEMS,
AND INFORMATION POLICY

Purpose

The Pulaski County provides employees and guests (“users”) with access to the County’s electronic communication systems and network, which includes Internet access, whether wired or wireless, or by any other means.

Computers, network, Internet, electronic communications and information systems (collectively “IT systems”) provide vast, diverse and unique resources. The County will provide access to the County’s IT systems in order to access information, to conduct research, business, and the mission of the County.

For users, the County’s IT systems shall be used primarily for governmental-related purposes and performance of County job duties. *Incidental personal use* of county computers is permitted for employees so long as such use does not interfere with the employee’s job duties and performance, with system operations, or with other system users. Personal use shall comply with this policy and all other applicable County policies, procedures and rules contained in this policy. Personal use shall also comply with local, state and federal laws; and shall not damage the County’s IT systems. Users may not use their personal computers to access the County’s Intranet, Internet or any other IT Systems unless approved by the IT Director or designee.

The County shall protect its IT systems against numerous outside and internal risks and threats. Users are critical players in protecting these County assets and in lessening risks that can destroy these important assets. Consequently, employees and guests are required to fully comply with this policy, and to immediately report any violations or suspicious activities to the IT Director. Conduct otherwise will result in actions further described in “Consequences for Inappropriate, Unauthorized and Illegal Use,” found as the last section of this Policy, and provided in relevant County policies.

Definitions

Access to the Internet – A computer shall be considered to have access to the Internet if the computer is equipped with a network card or is connected to a network that has access to the Internet, whether by wire, wireless, cable, or any other means.

Child Pornography – Any visual depiction, including any photograph, film, video, picture, or

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct and/or nudity, where:

-- The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;

-- Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; -- or, Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

Computer

Includes any hardware, software, or other technology that is either:

-- owned, leased or licensed by the County or

-- is connected to the County network, or contains County programs or County or student data (including images, files, and other information) attached or connected to, installed in, or otherwise used in connection with a computer.

The term "computer" includes, but is not limited to, desktop, notebook, powerbook, tablet PC or laptop computers, and any other such technology developed.

Electronic Communications Systems – Any messaging, collaboration, publishing, broadcast, or distribution system that depends on electronic communications resources to create, send, forward, reply to, transmit, store, hold, copy, download, display, view, read, or print electronic records for purposes of communication across electronic communications network systems between or among individuals or groups, that is either explicitly denoted as a system for electronic communications or is implicitly used for such purposes. Further, an electronic communications system means any wire, radio, electromagnetic, photo-optical or photo-electronic facilities for the transmission of wire or electronic communications, and any computer facilities or related electronic equipment for the electronic storage of such communications. Examples include, but are not limited to, the Internet, intranet, electronic mail services, Global Positioning Systems, Personal Digital Assistants, facsimile machines, cell phones with or without Internet access and/or electronic mail and/or recording devices, cameras, and other capabilities.

Educational Purpose - Includes use of the IT systems for classroom activities, professional or career development, and to support the County's policy and mission statement.

FTP - Short for *File Transfer Protocol*, the protocol for exchanging files over the Internet. FTP is most commonly used to download a file from a server using the Internet or to upload a file to a server.

Incidental Personal Use – Use of County IT systems by an individual employee for occasional personal communications. Personal use shall comply with this policy and all other County policies, procedures and rules, as well as local, state and federal laws and may not interfere with the employee's job duties and performance, with system operations, or with other system users, and shall not damage the County's IT systems. **Under no circumstances should the employee believe their use is private.** The County reserves the right to monitor, track, access, and log the use of its IT systems at any time.

IT - Short for **Information Technology**, and pronounced as separate letters, the broad subject concerned with all aspects of managing and processing information, especially within a large organization or company. Because computers are central to information management, computer

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

departments within companies and universities are often called IT departments. Some companies refer to this department as IS (Information Services) or MIS (Management Information Services).

Network – A system that links two or more computer systems, including all components necessary to effect the operation, including, but not limited to: computers, copper and fiber cabling, wireless communications and links, equipment closets and enclosures, network electronics, telephone lines, printers and other peripherals, storage media, software, and other computers and/or networks to which the network may be connected, such as the Internet or those of other institutions.

Obscene – Analysis of the material meets the following elements:

- Whether the average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest;
- Whether the work depicts or describes, in a patently offensive way, sexual conduct specifically designed by the applicable state or federal law to be obscene; and

Peripherals - An auxiliary device that works in conjunction with a computer. Peripherals include but are not limited to, printers, flash drives, storage cards, cables, modems, and other peripherals; specialized electronic equipment used for students' special educational purposes; global position system (GPS) equipment; personal digital assistants (PDAs); cell phones, with or without Internet access and/or recording and/or camera and other capabilities, or wireless devices; beepers; paging devices, laser pointers and attachments, and any other such technology developed.

Technology Protection Measure(s) – A specific technology that blocks or filters Internet access to visual depictions that are obscene.

Visual Depictions – Undeveloped film and videotape and data stored on computer disk or by electronic means which is capable of conversion into a visual image but does not include mere words.

Authority

Access to the County's IT systems is a privilege, not a right. These, as well as the user accounts and information, are the property of the County, which reserves the right to deny access to prevent further unauthorized, inappropriate or illegal activity. The County may revoke those privileges and/or administer appropriate disciplinary action. The County will cooperate to the extent legally required with the local, state and federal officials in any investigation concerning or related to the misuse of IT systems.

It is often necessary to access user accounts in order to perform routine maintenance and security tasks. System administrators have the right to access by interception, and to store for archival purposes, any user accounts or communications for any reason in order to uphold this policy and to maintain the system. All e-mails and instant messages sent through the County network are subject to logging and archiving. Users have no privacy expectation in the contents of their files or any of their uses of the County's IT systems. The County reserves the right to monitor, track, log and access IT systems use and to monitor and allocate fileserver space.

The County reserves the right to restrict access to any Internet sites or functions it may deem

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

inappropriate through software blocking or general policy. Specifically, the County uses technology protection measures that block or filter inappropriate material on the Internet. *Inappropriate material* includes, but is not limited to, visual, graphic, text and any other form of obscene, sexually explicit, or child pornographic. *Inappropriate material* also includes hateful, illegal, defamatory, lewd, vulgar, profane, rude, inflammatory, threatening, harassing, or discriminatory (as it pertains to race, color, religion, national origin, gender, marital status, age, sexual orientation, political beliefs, receipt of financial aid, or disability) material. *Inappropriate material* also includes material that is violent, bullying, terroristic, or advocates the destruction of property. Measures designed to restrict access to material described as harmful may be disabled to enable staff members to do research or for other lawful purposes.

The County has the right, but not the duty, to monitor, track, log, access and report all aspects of its computer information technology and related systems of all users and of any employee's or guest's personal computers, network devices, Internet traffic, electronic communication systems, and media brought on to County premises or at County events, or connected to the County network. This includes any devices containing County programs or County data (including images, files, and other information). This monitoring is intended to help insure compliance with this policy and other County policies, to protect the County's resources, and to comply with the law.

The County reserves the right to restrict or limit usage of lower priority IT systems and computer uses when network and computing requirements exceed available capacity according to the following priorities:

- Highest – uses that directly supports the governmental role.
- Medium – uses that indirectly benefit the governmental role.
- Lowest – uses that include reasonable and limited related interpersonal communications and incidental personnel communications.
- Forbidden – all activities in violation of this policy.

The County additionally reserves the right to:

1. Determine which IT systems services will be provided through County resources.
2. View and monitor network traffic, file server space, processor, and system utilization, and all applications provided through the network and communications systems, including e-mail. This includes blocking certain file types from being sent or received as email attachments, and the prohibition of large email attachments.
3. Remove stored e-mail or files taking up an inordinate amount of fileserver disk space if the user does not remove them in a reasonable time.
4. Revoke user privileges, remove user accounts, or refer to legal authorities when violation of this and any other applicable County policies occur or state or federal law is violated, including, but not limited to, those governing network use, copyright, security, privacy, employment, and destruction of County resources or equipment.

Responsibility

Due to the nature of the Internet as a global network connecting thousands of computers around the world, inappropriate materials, including those which may be defamatory, discriminatory (as it pertains to race, color, religion, national origin, gender, marital status, age, sexual orientation, political beliefs, receipt of financial aid, or disability), inaccurate, obscene, sexually explicit, lewd, vulgar, rude, harassing, violent, inflammatory, threatening, terroristic, hateful, bullying,

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

profane, pornographic, offensive, and illegal, can be accessed through the network and electronic communications systems. Because of the nature of the technology that allows the Internet to operate, the County cannot completely block access to these resources. Accessing these and similar types of resources may be considered an unacceptable use of resources and will result in actions explained further in "Consequences for Inappropriate, Unauthorized and Illegal Use," found in the last section of this policy, and as provided in relevant County policies.

Employees shall become proficient in the use of the County's IT systems and of software relevant to the employee's responsibilities. Employees shall practice proper etiquette and agree to the requirements of this policy.

Delegation of Responsibility

The IT Director or designee will serve as the coordinator to oversee the County's IT systems and will work with other regional or state organizations, as necessary. The Technology Director or designee will approve user activities, provide leadership for proper training for all users in the use of the IT systems and the requirements of this policy, establish a system to insure adequate supervision of the IT systems, and maintain executed user agreements.

The IT Director or designee will establish a process for creating individual accounts, set quotas for disk usage on the system, establish a retention schedule, and establish the County virus protection process. All users have the responsibility to respect the rights of all other users within the County IT systems. All users also shall abide by the rules established by the County or all local, state and federal laws.

Guidelines

Access to the IT Systems

IT systems user accounts will be used only by authorized owners of the accounts for authorized purposes. An account will be made available according to a procedure developed by appropriate County authorities. IT System. The County's Acceptable Use of the Computers, Network, Internet, Electronic Communications, and Information Policy, as well as other relevant County policies, will govern use of the County's IT systems for employees and guests.

Types of Services included, but not limited to:

World Wide Web. County employees and guests will have access to the Web through the County's IT systems as needed.

E-Mail. County employees may be provided assigned individual e-mail accounts for work related, and incidental personal use, as needed.

Guest Accounts. Guests, which include but are not limited to volunteers and independent contractors, may receive an individual account with the approval of the IT Director or designee if there is a specific, County-related purpose requiring such access. Use of the IT systems by a guest shall be specifically limited to the County-related purpose.

Access to all data on, taken from, or compiled using County computers is subject to inspection and discipline. Users have no right to expect that County information placed on users' personal computers, networks, Internet, and electronic communications systems is beyond the access of

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

the County. The County reserves the right to legally access users' personal equipment for County information.

County Limitation of Liability

The County makes no warranties of any kind, either expressed or implied, that the functions or the services provided by or through the County's IT systems will be error-free or without defect. The County does not warrant the effectiveness of Internet filtering. The electronic information available to users does not imply endorsement of the content by the County, nor is the County responsible for the accuracy or quality of the information obtained through or stored on the IT systems. The County shall not be responsible for any damage users may suffer, including but not limited to, information that may be lost, damaged, delayed, misdelivered, or unavailable when using the computers, network and electronic communications systems. The County will not be responsible for stolen, damaged or lost personal devices of employees, contractors and guests. The County shall not be responsible for material that are retrieved through the Internet, or the consequences that may result from them. The County shall not be responsible for any unauthorized financial obligations, charges or fees resulting from access to the County's IT systems. In no event shall the County be liable to the user for any damages whether direct, indirect, special or consequential, arising out of the use of the IT systems.

Prohibitions

Use of the County's IT systems for illegal, inappropriate, unacceptable, or unethical purposes is prohibited without limitations. Such activities engaged in by users are strictly prohibited and illustrated below. The County reserves the right to determine if any activity not appearing in the list below constitutes an acceptable or unacceptable use of the IT systems.

These prohibitions are in effect any time County resources are accessed whether on County property, when using mobile communication equipment, telecommunication facilities in unprotected areas or environments, directly from home, or indirectly through another ISP, and if relevant, when an employee or guest uses their own equipment.

Employees are prohibited from attempting to connect to the County IT systems via their personal computers (as defined in this policy) on County premises, property, or at County events, unless expressed permission has been granted by the IT Director. Employees, volunteers, or guests who are performing volunteer fire company, ambulance or rescue squad functions, or need such a computer due to their medical condition, or the medical condition of a member of their family, with notice and the approval of the IT Director may qualify for an exemption of this prohibition. If the employee believes permission is unjustly denied, then the employee may request consideration by the County Administrator or his designee.

General Prohibitions

Users are prohibited from using County IT systems to:

1. Communicate about non-work related communications unless the employees' use comports with this policy's definition of incidental personal use.
2. Access or transmit material that is harmful to minors, indecent, obscene, pornographic, child pornographic, terroristic, or advocates the destruction of property.
3. Access or transmit material likely to be offensive or objectionable to recipients

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

including, but not limited to, that which may be defamatory, inaccurate, obscene, sexually explicit, lewd, hateful, harassing, discriminatory (as it pertains to race, color, religion, national origin, gender, marital status, age, sexual orientation, political beliefs, receipt of financial aid, or disability), violent, vulgar, rude, inflammatory, threatening, profane, pornographic, offensive, terroristic and/or illegal.

4. Intimidate or harass another individual.
5. Access or transmit gambling, pools for money, including but not limited to, basketball and football, or any other betting or games of chance.
6. Participate in discussion or news groups that cover inappropriate and/or objectionable topics or materials, including those that conform to the definition of inappropriate matter in this policy.
7. Facilitate any illegal activity.
8. Communicate through e-mail for activities, unless it is for an incidental personal use as defined in this policy. The use of e-mail to mass mail non-educational or non-work related information is expressly prohibited (for example, use of the "staff distribution lists, building level distribution lists, or other e-mail distributions lists to offer personal items for sale is prohibited).
9. Engage in commercial, for-profit, or any business purposes (except where such activities are otherwise permitted or authorized under applicable County policies); conduct unauthorized fund raising or advertising on behalf of the County and non County organizations; resale of County computer resources to individuals or organizations who are not related to the County; or use of the County's name in any unauthorized manner that would reflect negatively on the County, its employees, or students. *Commercial purposes* are defined as offering or providing goods or services or purchasing goods or services for personal use. County acquisition policies will be followed for County purchase of goods or supplies through the County system.
10. Political lobbying (except for approved governmental purposes).
11. Install, distribute, reproduce or use copyrighted software on County computers, or copy County software to unauthorized computer systems, intentionally infringing upon the intellectual property rights of others or violating a copyright. See the section titled "Copyright Infringement and Plagiarism" in this Policy and the County's Copyright Policy for additional information.
12. Install computer hardware, peripheral devices, network hardware or system hardware. The authority to install hardware or devices on County computers is restricted to the IT Director or designee.
13. Encrypt messages using encryption software that is not authorized by the County from any access point on County equipment or County property. Employees shall use County approved encryption to protect the confidentiality of sensitive or critical information in the County's approved manner.
14. Access, interfere, possess, or distribute confidential or private information without permission of County administration.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

15. Violate the privacy or security of electronic information.
16. Use the County's systems to send any County information to another party, except in the ordinary course of business as necessary or appropriate for the advancement of the County's business, or educational interest. This specifically includes the use of webcams, video conferences, or any other visual means to present images of confidential material to unauthorized persons.
17. Sending unsolicited commercial electronic mail messages, also known as spam.
18. Using County systems to post personal or professional web pages or web logs without administrative approval.
19. Employees may use County systems to participate in newsgroups, forums, chat rooms, web logs, instant messaging, or Internet voice communications in the course of business when relevant to their duties. They shall do so as individuals in their professional capacities, and shall identify themselves honestly, accurately and completely (including County affiliation and function, where requested). Posting anonymous messages is specifically prohibited. Employees are reminded that web logs, chats, and newsgroups are public forums in which it is inappropriate to reveal confidential information, employee data, personnel information, employee health information, or any other material restricted by existing County policies.

Access and Security Prohibitions

Users shall immediately notify the IT Director or designee if they have identified a possible security problem. Students, employees, and guests shall read, understand, provide the signed acknowledgment form, and comply with this policy that includes network, Internet usage, electronic communications, telecommunications, non-disclosure and physical information security policies. The following activities related to access to the County's IT systems and information are prohibited:

1. Misrepresentation (including forgery) of the identity of a sender or source of communication.
2. Acquiring or attempting to acquire passwords of others or giving your password to another. Users will be held responsible for the result of any misuse of the users' user name or password while the users' systems access was left unattended and accessible to others, whether intentional or through negligence.
3. Using or attempting to use computer accounts of others: These actions are prohibited, even with consent, or if only for the purpose of "browsing".
4. Altering a communication originally received from another person or computer with the intent to deceive.
5. Using County resources to engage in any illegal act, which may threaten the health, safety or welfare of any person or persons, such as arranging for the promotion of or the sale of drugs, weapons and alcohol, engaging in criminal activity, or being involved in a terroristic threat against any person or property.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

6. Disabling or circumventing any County security, program or device, for example, but not limited to, anti-spyware, anti-spam software, and virus protection software or procedures.
7. Transmitting electronic communications anonymously or under an alias unless authorized by the County.

Operational Prohibitions

The following operational activities and behaviors are prohibited:

1. Interference with or disruption of the IT systems, network accounts, services or equipment of others, including, but not limited to, the propagation of computer “worms” and “viruses”, Trojan Horse and trapdoor program code, the sending of electronic chain mail or distasteful jokes, and the inappropriate sending of “broadcast” messages to large numbers of individuals or hosts. The user may not hack or crack the network or others’ computers, whether by parasiteware or spyware designed to steal information, or viruses and worms or other hardware or software designed to damage the IT systems, or any component of the network, or strip or harvest information.
2. Altering or attempting to alter files, system security software or the systems without authorization.
3. Unauthorized scanning of the IT systems for security vulnerabilities.
4. Attempting to alter any County computing or networking components (including, but not limited to file servers, bridges, routers, or hubs) without authorization or beyond one’s level of authorization.
5. Unauthorized wiring, including attempts to create unauthorized network connections, or any unauthorized extension or re-transmission of any computer, electronic communications systems, or network services, whether wired, wireless, cable, or by other means.
6. Connecting unauthorized hardware and devices to the IT systems. This specifically includes, but is not limited to; flash USB drives or other types of flash memory devices without prior approval.
7. Employees and guests may only download software with direct administrative or educational use, and shall arrange to have such software properly licensed and registered. Downloaded software shall be used only under the terms of its license. Employees and guests may not use Internet facilities to download entertainment software or games, or to play games against opponents over the Internet. The use of streaming audio and video is prohibited (music, videos, Internet radio stations, stock tickers, news streams).
8. Intentionally damaging or destroying the integrity of the County’s electronic information.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

9. Intentionally destroying the County's computer hardware or software.
10. Intentionally disrupting the use of the IT systems.
11. Damaging the County's IT systems, networking equipment through the users' negligence or deliberate act.
12. Failing to comply with requests from appropriate County administrators to discontinue activities that threaten the operation or integrity of the IT systems.
13. FTP transactions normally will be blocked by the firewall. Users with a specific business reason to use FTP shall forward a written request for such access to the IT Director or designees.

Content Guidelines

Information electronically published on the County's IT systems shall be subject to the following guidelines:

1. Documents, web pages, electronic communications, or videoconferences may not contain objectionable materials or point directly or indirectly to objectionable materials.
2. Documents, web pages and electronic communications, shall conform to all County policies and guidelines, including the copyright policy.
3. Documents to be published on the Internet shall be edited and approved according to County procedures before publication.

Due Process

The County will cooperate with other County's, all local, state, and federal officials to the extent legally required in investigations concerning or relating to any illegal activities conducted through the County's IT systems. If employees possess due process rights for discipline resulting from the violation of this policy, they will be provided such rights. The County may terminate any account privileges by providing notice to the user.

Search and Seizure

Users' violations of this Policy, any other County policy, or the law may be discovered by routine maintenance and monitoring of the County system, or any method stated in this policy, or pursuant to any legal means. The County reserves the right to monitor, track, log and access any electronic communications, including but not limited to, Internet access and e-mails at any time for any reason. Users should not have the expectation of privacy in their use of the County's IT systems, and other County technology, even when used for personal reasons. Further, the County reserves the right to access any personal technology device that is connected to the County network, containing County programs or County or personnel data (including images, files, and other information) to insure compliance with this policy and other County policies, to protect the County's resources, and to comply with the law. Everything that users place in their personal files should be written as if a third party will review it.

Copyright Infringement and Plagiarism

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

Federal laws, cases, and guidelines pertaining to copyright will govern the use of material accessed through the County resources. Users will make a standard practice of requesting permission from the holder of the work and complying with license agreements. Employees are to respect copyrights, request permission when appropriate, and comply with license agreements.

Violations of copyright law can be a felony, and the law allows a court to hold individuals personally responsible for infringing the law. The County does not permit illegal acts pertaining to the copyright law. Therefore, any user violating the copyright law does so at their own risk and assumes all liability. Violations of copyright law include, but are not limited to, the making of unauthorized copies of any copyrighted material (such as commercial software, text, graphic images, audio and video recording), distributing copyrighted materials over computer networks, and deep-linking and framing into the content of others' web sites. Further, the illegal installation of copyrighted software or files for use on the County's computers is expressly prohibited. This includes all forms of licensed software – shrink-wrap, clickwrap, browwrap, and electronic software downloaded from the Internet.

County guidelines on plagiarism will govern use of material accessed through the County's IT systems. Users will not plagiarize works that they find.

All software used on County's computers will be coordinated through the IT Director or designee.

County Web Site

The County will establish and maintain a Web Site and will develop and modify its Web pages that will present information about the County under the direction of the IT Director or designee.

Safety and Privacy

To the extent legally required, users of the County's IT systems will be protected from harassment or commercially unsolicited electronic communication. Any user who receives threatening or unwelcome communications shall immediately take them to the IT Director or designee.

Users will not post personal contact information about themselves or other people on the IT systems. The user may not steal another's identity in any way, may not use spyware, parasiteware, cookies, or use County or personnel employee technology or resources in any way to invade one's privacy. Additionally, the user may not disclose, use or disseminate confidential and personal information about employees. Examples include, but are not limited to, using a cell phone with camera and Internet access to take photographs of any subject, including but not limited to, persons, places, and documents relevant to the County; saving, storing and sending the photographic images with or without text or disclosing them by any means, including but not limited to, print and electronic matter; social security numbers, home addresses, telephone numbers, work addresses, credit card numbers, health and financial information, evaluations, psychological reports, educational records, reports, and resumes or other information relevant to seeking employment at the County unless legitimately authorized to do so.

Lost, Missing, or Damaged Equipment

It is the responsibility of each staff member to take the necessary precautions to protect all County computer equipment from loss by damage, theft, or misplacement. Any computer equipment that is damaged, stolen, or misplaced shall be reported immediately to the IT Director or designee so that warranty status can be determined and appropriate authorities notified when

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

necessary. Failure to report lost or damaged equipment will be construed as an attempt to conceal the loss of, or damage to, the equipment and can result in your being held financially liable and/or disciplinary action. Computer equipment that is damaged, stolen, or misplaced that is not covered under warranty is the obligation of the staff member's department and arrangements for replacement will be the joint responsibility of the department head and the IT Director or designee.

Consequences for Inappropriate, Unauthorized and Illegal Use

General rules for behavior, ethics, and communications apply when using the IT systems and information, in addition to the stipulations of this policy. Users shall be aware that violations of this policy or other policies, or for unlawful use of the IT systems, may result in loss of IT access and a variety of other disciplinary actions, including, but not limited to, warnings, usage restrictions, loss of privileges, position reassignment, oral or written reprimands, suspensions with or without pay, dismissal, and/or legal proceedings on a case-by-case basis. This policy incorporates all other relevant County policies, such as, but not limited to, the professional employee discipline policies, copyright policy, property policy, terroristic threat policy, and harassment policies. The user is responsible for damages to the network, equipment, electronic communications systems, and software resulting from deliberate and willful acts. The user will also be responsible for incidental or unintended damage resulting from willful or deliberate violations of this policy. Violations as described in this policy may be reported to the County and to appropriate legal authorities, whether the local, state, or federal law enforcement. The County will cooperate to the extent legally required with authorities in all such investigations. Vandalism will result in cancellation of access to the County's IT systems and resources and is subject to discipline.

PULASKI COUNTY
143 3rd Street NW
Pulaski, VA 24301

IT Acknowledgment and Consent Form

Employees

As an employee of the County, I have received, read, and understand the Acceptable Use of the Computers, Network, Internet, Electronic Communications, and Information Policy. I agree to abide by the rules of the policy.

Printed Name of Employee

Signature

Date

Office

PULASKI COUNTY
143 3rd Street NW
Pulaski, VA 24301

IT Acknowledgment and Consent Form

Guests

As a guest of the County, I have received, read, and understand the Acceptable Use of the Computers, Network, Internet, Electronic Communications, and Information Policy. I agree to abide by the rules of the policy.

Printed Name of Guest

Organization or School Affiliation

Signature

Date

Pulaski County Network – Email Policy Statement

The Pulaski County Network uses these and other policies to set limits on the use of e-mail, PCs, cell phones, and telecommunications by employees.

E-mail security policy

Purpose

This policy statement provides specific instructions on the ways to secure electronic mail (e-mail) resident on personal computers and servers.

Scope

The policies apply to Pulaski County Network employees and contractors and cover e-mail located on personal computers and servers if these systems are under the jurisdiction and/or ownership of Pulaski County. The policy applies to stand-alone personal computers with dial-up modems as well as those attached to networks (wired or wirelessly).

Specific policy

County property. As a productivity enhancement tool, Pulaski County Network encourages the business use of electronic communications (voice mail, e-mail, and fax). Electronic communications systems and all messages generated on or handled by electronic communications systems, including back-up copies, are considered to be the property of Pulaski County, and are not the property of users of the electronic communications services.

Authorized usage. Pulaski County Network electronic communications systems generally must be used only for government related activities. Incidental personal use is permissible so long as:

- (a) It does not consume more than a trivial amount of resources.
- (b) It does not interfere with staff productivity.
- (c) It does not preempt any business activity.

Users are forbidden from using Pulaski County electronic communications systems for charitable endeavors, private business activities, or amusement/entertainment purposes unless expressly approved by the Pulaski County administrator or his representative (see Acceptable Use Policy for further details). Employees are reminded that the use of corporate resources, including electronic communications, should never create either the appearance or the reality of inappropriate use.

Default privileges. Employee privileges on electronic communications systems must be structured so that only those capabilities necessary to perform a job are granted. This approach is widely known as the

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

concept of "need-to-know." For example, end users must not be able to reprogram electronic mail system software or be able to modify files possessed by another user. With the exception of emergencies and regular system maintenance notices, broadcast facilities must be used only after the permission of a program director has been obtained.

User separation. These facilities must be implemented where electronic communications systems provide the ability to separate the activities of different users. For example, electronic mail systems must employ user IDs and associated passwords to isolate the communications of different users; however, fax machines that do not have separate mailboxes for different recipients need not support such user separation. All Pulaski County staff and authorized contractors have unique usernames and passwords to access the e-mail system.

User accountability. Regardless of the circumstances, individual passwords must never be shared or revealed to anyone else other than the authorized user. To do so exposes the authorized user to responsibility for actions the other party takes with the password.

If users need to share computer resident data, they should utilize message-forwarding facilities, public directories on local area network servers, and other authorized information-sharing mechanisms. To prevent unauthorized parties from obtaining access to electronic communications, users must choose passwords that are difficult to guess (i.e. not a dictionary word or gibberish, not a personal detail, and not a reflection of work activities).

No default protection. Employees are reminded that Pulaski County Network electronic communications systems are not encrypted by default once they leave the system. If sensitive information must be sent by electronic communications systems, encryption or similar technologies to protect the data must be employed. See the IT Director if this requirement is needed.

Respecting privacy rights. Except as otherwise specifically provided, employees may not intercept or disclose, or assist in intercepting or disclosing, electronic communications. The Pulaski County Network is committed to respecting the rights of its employees, including their reasonable expectation of privacy.

However, Pulaski County also is responsible for servicing and protecting its electronic communications networks. To accomplish this, it is occasionally necessary to intercept or disclose, or assist in intercepting or disclosing, electronic communications.

No guaranteed message privacy. Pulaski County Network cannot guarantee that electronic communications will be private. Employees should be aware that electronic communications could, depending on the technology, be forwarded, intercepted, printed, and stored by others. Furthermore, others can access electronic communications in accordance with this policy.

Regular message monitoring. It is the policy of Pulaski County Network NOT to regularly monitor the content of electronic communications. However, the content of electronic communications may be monitored and the usage of electronic communications systems will be monitored to support operational, maintenance, auditing, security, and investigative activities. Users should structure their electronic communications in recognition of the fact that Pulaski County will from time to time examine the content of electronic communications.

Statistical data. Consistent with generally accepted business practice, Pulaski County Network collects statistical data about electronic communications. As an example, call-detail-reporting information collected by telephone switching systems indicates the numbers dialed, the duration of calls, the time of day when calls are placed, etc. Using such information, Information Technology (IT) staff monitors the use of electronic communications to ensure the ongoing availability and reliability of these systems.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

Incidental disclosure. It may be necessary for IT staff to review the content of an individual employee's communications during the course of problem resolution. IT staff may not review the content of an individual employee's communications out of personal curiosity or at the behest of individuals who have not gone through proper approval channels (program director, president, etc.).

Message forwarding. Recognizing that some information is intended for specific individuals and may not be appropriate for general distribution, electronic communications users should exercise caution when forwarding messages. Pulaski County sensitive information must not be forwarded to any party outside Pulaski County without the prior approval of a program director or the Pulaski County administrator. Blanket forwarding of messages to parties outside Pulaski County is prohibited unless the prior permission of the IT Director has been obtained.

Purging electronic messages. Messages no longer needed for business purposes must be periodically purged by users from their personal electronic message storage areas. After a certain period—generally two years—electronic messages backed up to a separate data storage media (tape, disk, CD-ROM, etc.) will be automatically deleted by IT staff.

Not only will this increase scarce storage space; it will also simplify record management and related activities. If Pulaski County is involved in a litigation action, all electronic messages pertaining to that litigation will not be deleted until the Pulaski County administrator or his designated representative has communicated that it is legal to do so.

Responsibilities

As defined below, Pulaski County Network groups and staff members responsible for electronic mail security have been designated in order to establish a clear line of authority and responsibility.

1. Information Systems must establish e-mail security policies and standards and provides technical guidance on e-mail security to all Pulaski County Network staff.
2. IT staff must monitor compliance with personal computer security requirements, including hardware, software, and data safeguards. Program directors must ensure that their staffs are in compliance with the County's Acceptable Use Policy on Computer, Networks, Internet, and Electronic Communication Systems. IT staff must also provide administrative support and technical guidance to management on matters related to e-mail security.
3. Pulaski County Network program directors must ensure that:
 - Employees under their supervision implement e-mail security measures as defined in this document.

Contact point

Questions about this policy may be directed to the IT Director.

Disciplinary process

Violation of these policies may subject employees or contractors to disciplinary procedures up to and including termination.

g. Expansion of Enterprise Zone

As reported in the Board packet, the county has been asked by several property owners to designate their property within the Enterprise Zone Program due to the possibility of the future development of the property. Specifically, Dr. Rodell Cruise is planning to build a new medical office at the corner of Cougar Trail Road and US Route 11 and the Byrd family is interested in developing their property along Bagging Plant Road, adjacent to the truck repair and south of Vista subdivision. Also, with the

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

development expected along the Exit 98 Interchange, it is suggested by staff to include this area in the EZ as well

The Board approved initiating the process to proceed with the boundary amendment as described above.

h. Personnel Policy Revision

The Board approved amending the personnel policy allowing new employees the ability to use sick and vacation leave as they accrue it during their probationary employment period.

i. Changes to No Child Left Behind Law

The Board endorsed a School Board request regarding the federal "No Child Left Behind Law". Staff was directed to send a letter to federal legislators advising of the endorsement.

10. Citizen Comments

There were no citizen comments at this time.

11. Other Matters from Supervisors

Mr. Conner advised the new jail addition was proceeding and invited Board members to attend any future meetings of the jail authority.

▪ Expression of Appreciation to Pulaski Town Council & Staff

On a motion by Mr. Hale, seconded by Mr. Akers and carried, the Board approved sending a letter to Pulaski Town Council expressing thanks for succeeding in locating Peebles and Magic Mart in the Town of Pulaski.

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

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

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.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

It was moved Mr. Akers, 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:

- Corporate Center
- New River Trail
- Maple Shade Shopping Center
- Water Transmission Line

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

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:

- Pepper's Ferry Regional Wastewater Treatment Authority

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

Voting no: none.

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. Sheffey, Mr. Akers,
Mr. Pratt.

Voting no: none.

Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. Hale, seconded by Mr. Conner and carried, that the Board of Supervisors adopt the following resolution

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

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.

▪ Personnel - Indoor Wellness Committee

On a motion by Mr. Conner, seconded by Mr. Hale and carried, the Board confirmed the following appointees to the Indoor Wellness Committee with Mr. David Shuster to be invited by county staff.

Massie District - Andy McCreedy & Dave Dean;

Cloyd District - Larry Price & Pete Crawford;

Ingles District - Cindy Kolb & David Shuster

Robinson - Mike Goff & Bill Hickam

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

Voting no: none.

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 24, 2007

13. Adjournment

On a motion by Mr. Akers, seconded by Mr. Hale and carried, the Board of Supervisors adjourned its regular meeting to reconvene at a special meeting scheduled for Monday, October 1, 2007 at 6:30 p.m. for the purpose of conducting a joint meeting with the Pulaski County School Board at Pulaski Elementary School in the Town of Pulaski.

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

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator