

PULASKI COUNTY BOARD OF SUPERVISORS – August 23, 1999

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, August 23, 1999 at 7:00 p.m. at the Pulaski County Administration Building, Board Room, 143 Third Street, NW, in the Town of Pulaski, Virginia, the following members were present: Joseph L. Sheffey, Chairman; Dr. Bruce L. Fariss; Charles E. Cook; Jerry D. White, Vice-Chairman; and Frank R. Conner. Staff members present included: County Administrator Joseph N. Morgan; County Attorney Thomas J. McCarthy, Jr.; Assistant County Administrator Peter M. Huber; and Nancy M. Burchett, Management Services Director.

1. Invocation

The invocation was given by Reverend Donna Hester of the Newbern & Mountain View United Methodist Churches.

2. Additions to Agenda

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

3. Public Hearings

- a. A rezoning request by James L. McDaniel from Residential (R1) to Conditional Industrial (I1) to allow for manufacturing and wholesale distribution of craft products for property owned by Newbern Molding Co., identified by tax map No. 065-001-0000-0041, 0.50 acres, located on the north side of Wilderness Road (Rt. 611), 325 ft. west of Towes Ferry Road (Rt. 697), Draper District.

Assistant County Administrator, Peter Huber, reported the Planning Commission had reviewed the above matter at its June meeting, then tabled the matter until the July meeting of the commission. He further advised that the Planning Commission recommended denial of the request due to inconsistencies in operations and the resistance to conform with existing county ordinances. However, Mr. Huber reported that the present company may still operate under a non-conforming use permit.

Chairman Sheffey opened the public hearing.

The following individuals addressed the Board and expressed opposition to the above rezoning request:

Mr. Randy Brooks, Newbern area resident; Mr. Daniel King, Newbern area resident; and Ms. Edna M. Pattison, Newbern area resident. All three citizens requested the Board to deny the rezoning request.

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

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On the motion of Mr. Cook, seconded by Dr. Fariss and carried, the Board accepted the Planning Commission recommendation to deny the above request of James L. McDaniel.

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

- b. Consideration of transfer of Cable TV franchise, originally granted to Cable TV of Virginia, as subsequently extended and renewed and transferred, to Interlink Communications Partners, L.L.C., a Delaware limited liability company

Staff advised that renewal of the franchise transfer agreement is recommended with the inclusion of the following stipulation:

Reserve of Right - Approval of the change of control does not waive or diminish any lawful authority of County to require the provisions of non-discriminatory access to the Franchisee's cable mode platform for providers of Internet access service subject to applicable law. Franchisee and the County have not waived any rights, obligations, claims, defenses or remedies regarding the County's authority to impose such conditions. Prior to the enactment or enforcement of any such requirement, Franchise shall be provided with reasonable notice and an opportunity to be heard, including the right to present evidence on any findings to be made or required to be made by the County with respect to the need for such requirement.

Chairman Sheffey opened the public hearing on this matter.

Mr. David Burke of Interlink Communications gave a report to the Board on the financial status of Interlink Communications. He advised that the company hopes to offer in September cable Internet services which will not require a phone line. In addition, Mr. Burke reported of plans to offer digital TV the first of the year which will provide extra channels to the customers with the cost of this service being approximately \$12.95 per month. He also advised of steps taken to improve customer service by Interlink Communications.

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

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On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors approved the renewal and transfer of the Cable TV franchise to Interlink Communications Partners, L.L.C., with the above stipulation per the recommendation of staff and county attorney.

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

c. Consideration of disposition of a portion of property identified as tax map no. 108-001-0000-0060, 61, and 62, owned by Pulaski County, known as the former Hiwassee School at the rear of Harry O'Dell Memorial Park

Joseph Morgan, County Administrator, advised that the public hearing had been scheduled to receive comments regarding the possible disposition of a portion of the above noted property. Mr. Morgan noted that a public hearing was required by state law, and after said hearing the Board may, if so desire, dispose of the property. Mr. Morgan also presented a map of the are for the Board review.

Chairman Sheffey opened the public hearing on this matter.

Mr. Michael Hurst advised he presently owned the adjacent property, and would be interested in purchasing a portion of the above listed property.

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

On the motion of Mr. White, seconded by Mr. Cook and carried, the Board of Supervisors approved selling a portion of the above listed property to Mr. Michael Hurst in the amount of \$500.00.

Dr. Fariss questioned the legality of selling the property without giving other individuals an opportunity. Mr. McCarthy advised the Board could sell property at a public or private sale; however, after having the required public hearing, the Board may dispose of the property however it sees fit.

The following vote was recorded:

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

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d. County Budget Amendment

County Administrator, Joseph Morgan, advised that a public hearing was required for any budget amendment over the amount of \$500,000. He reported the budget amendments to capital project carryovers from FY 99 and school capital projects requests as well as several school federal projects. Mr. Morgan reviewed with the Board of Supervisors in detail the following budget amendments recommended for adoption by staff:

<u>REVENUES</u>	
<u>SCHOOL FUND REVENUES</u>	
<u>Revenue from the Commonwealth:</u>	
State Categorical Aid (carry-over)	\$ 795,121.00
<u>Revenue from the Federal Government:</u>	
Federal Projects (carry-over)	323,954.00
Federal Projects (new)	181,377.00
<u>Revenue from Local Sources:</u>	
Carry-over Balance GF Transfer FY 99	<u>284,425.00</u>
Total School Fund	\$ 1,584,877.00
<u>SCHOOL CONSTRUCTION PROJECTS FUND REVENUES</u>	
<u>Revenue from Local Sources:</u>	
Balance of Funds – FY 99	\$ 1,771,842.00
GF Transfer	<u>675,000.00</u>
Total School Construction Fund	\$ 2,446,842.00
<u>VIRGINIA PUBLIC ASSISTANCE FUND REVENUES</u>	
<u>Revenue from the Commonwealth:</u>	
State Categorical Aid	\$ 13,920.00
<u>Revenue from the Federal Government:</u>	
Federal Projects	14,080.00
<u>Revenue from Local Sources:</u>	
GF Transfer (carry-over)	<u>70,000.00</u>
Total VPA Fund	\$ 98,000.00
<u>CAPITAL IMPROVEMENTS FUND REVENUES</u>	
<u>Revenue from Local Sources:</u>	
Miscellaneous	\$ 213,404.00
GF Transfer (carry-over)	4,489,281.00
GF Transfer (new projects)	<u>2,830,303.00</u>
Total CIP Fund	\$ 7,532,988.00
GRAND TOTAL ALL FUNDS	\$ 11,662,707.00
 <u>EXPENDITURES</u>	
<u>School Fund:</u>	
Federal Projects	\$ 505,331.00
State Projects	113,952.00

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Capital Projects – Carry Over FY 99	164,358.00
Lottery Proceeds Carry Over FY 99	681,169.00
General Fund Transfer Carry Over FY 99	<u>120,067.00</u>
Total School Fund	\$ 1,584,877.00
<u>School Construction Projects Fund:</u>	
School Construction	\$ <u>2,446,842.00</u>
Total School Construction Fund	\$ 2,446,842.00
<u>Virginia Public Assistance Fund:</u>	
State Programs	\$ 28,000.00
Social Services Admin. Local Only	<u>70,000.00</u>
Total VPA Fund	\$ 98,000.00
<u>Capital Improvements Fund:</u>	
Capital Projects	\$ 7,532,988.00
Total CIP Fund	\$ 7,532,988.00
GRAND TOTAL ALL FUNDS	\$ 11,662,707.00

Mr. Morgan noted that the above budget amendments are separate from an appropriation. Further, the appropriation of funds is under items of consent.

Chairman Sheffey opened the public hearing on the above listed budget amendments.

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

On the motion of Mr. Conner, seconded by Mr. Cook and carried, the Board of Supervisors approved the above listed budget amendments for planning purposes for FY 00.

Voting yes: Dr. Fariss, Mr. Cook,

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Mr. Thompson reported that the approximate cost to replace the railroad crossings listed above would be \$1,500,000 with the money coming from the railroad, state and 10% from county construction funds. He advised action is needed no later than November of this year should the Board decide to approve this project.

Chairman Sheffey requested that VDOT provide the Board with a preliminary sketch of the area and VDOT place field markers showing what areas would be affected.

2. Rt. 643, Cougar Trail Road, Pavement Maintenance

Mr. Thompson reported that pavement maintenance had been done on Rt. 643, Cougar Trail Road. Supervisor Conner reported the road needed sealing and reported of rough places in the road at the red light. Mr. Thompson advised VDOT would review again; however, cannot do anything for the groves in the road. He suggested the county may want to investigate the possibility of making Rt. 643, Cougar Trail Road, and Route 611, Newbern Road from Rt. 11, Lee Highway to Rt. F047, Cleburne Boulevard/Old Route 100, a primary road.

The Board requested VDOT to review and report back to the Board the eligibility of Rt. 643, Cougar Trail Road and Route 611, Newbern Road, from Route 11, Lee Highway, to Rt. F047, Cleburne Boulevard/Old Route 100, for primary road status.

3. Rt. 11, Lee Highway, to Rt. 643, Cougar Trail Road, from Dublin Turn Signal Timing Adjustment

Mr. Thompson advised VDOT had checked the signal, but will re-check the equipment again. He reported that the vehicles may not be pulling up close enough to the lights. He advised VDOT would also review for a possible sign advising vehicles to pull closer to the light.

4. Pavement Maintenance Rt. F047, Old Rt. 100, from I-81 Exits 98 to 94

Supervisor Cook reported alligator cracks in the pavement on Rt. F047, Old Rt. 11, from I-81 exits 98 to 94, and holes in the Peak Creek Bridge deck. Mr. Thompson advised VDOT would review this for maintenance.

5. Rt. 693, Farris Mines Road, Narrow Bridge Restrictions for Modular Homes Due to Weight

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Mr. Thompson advised that the bridge noted above allows for modular home transport, but not for heavy trucks. He suggested possibly adding this project to the six year plan. The Board requested that VDOT provide cost estimates on replacing one or both of the bridges.

6. Request for Warning Signs Along Curve, South of Entrance of Bird Lodge

The Board requested VDOT to conduct an informal speed study and a curve warning study on the above listed area for the Board to review at the next meeting of the supervisors.

b. NRB Industries Entrance

Mr. Thompson reported that the NRB Industries entrance will be done within the next week or so with paving within the next 3 to 4 weeks to follow.

The Board concurred with staff recommendation for an expenditure of \$25,000 to allow the traffic to continue straight into NRB Industries until further development occurs at the park, as well as the redesign of the entrance to NRB Industries with two adjacent parcels to provide an improved appearance to the plant and less turns for freight access.

c. New River Industrial Park Signage

Mr. Thompson advised that VDOT staff would review Rt. 114, Peppers Ferry Boulevard, and Rt. 679, Viscoe Road, for signage to assist in directing individuals to the New River Industrial Park.

d. Guardrail Request for Rt. 605, Little River Dam Road

Mr. Thompson reported he would place the above request on the list of guardrail requests to be reviewed. The Board requested a listing of the guardrail requests to include approved requests and pending requests.

e. Request for Widening Rt. 681, Sifford Road

On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors approved adding the request for widening Rt. 681, Sifford Road, to the six year plan waiting list

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

f. Citizen Concerns

Ms. Beth Lancaster expressed concerns regarding the Rt. 114, Peppers Ferry Blvd., lights, specifically the red light, at the new Super Wal-Mart backing up beyond Rt. 600, Belspring Road, light, even if the light is green. Mr. Thompson was requested to review this concern and provide an update at the next supervisors meeting.

g. Board of Supervisors Concerns

Supervisor Conner advised of a low place on Rt. 807, Slaughter House Road, near the entrance to Mountain View Acres Subdivision, due to poor drainage from this subdivision. Mr. Thompson advised VDOT would review this for possible improvements.

Supervisor Cook reported broken edges of the pavement on Rt. 644, Hurston Road. Mr. Thompson advised VDOT would review for repairs.

Supervisor Cook requested confirmation of the signal installation date at Rt. F047, Kirby Road and Rt. 611, Newbern Road. Mr. Thompson advised the signal had been approved for installation, but he was unsure of the date for installation; however, he would check on and advise the board.

Supervisor Sheffey advised that the turn lane, west bound on Rt. 114, Peppers Ferry Blvd., into Radford at Rt. 11, Lee Highway, is in need of two left turn lanes and requested VDOT to review.

5. Treasurer's Report

Treasurer Rose Marie Tickle presented the monthly trial balance report, report of certificates of deposits and the sales tax distribution monthly report. The Board accepted the reports as presented.

6. Citizens' Comments

No citizen comments were heard at this time.

7. Claremont School Planning

School Board Chairman, Lewis Pratt, reported to the Board of progress on the Critzer and Snowville Elementary Schools renovation. He advised that Critzer had been completed ahead of schedule and that Snowville is now 99% complete. He thanked the Board of Supervisors for their support of these two projects and invited Board members to visit the schools.

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Dr. David Cox, School Superintendent, and Walt Shannon, School Business Manager, addressed the Board of Supervisors regarding the School Board's request for \$675,000 for the Claremont School planning. The Board was informed of the School Board's request to purchase 50 acres from the Town of Pulaski on Loving Field Road for the site of a new school to replace the Claremont School. Mr. Shannon advised that

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attention now and recommended that mountain rock be used at a cost of \$100.00 to \$200.00 per square. The Board reviewed a report from staff comparing the cost of various stone or masonry material for the wall cap and walks. Said comparison indicated that granite would be cost prohibitive. Staff also advised that Randall Jones, a VDOT employee, had agreed to consider supervision of the installation of the mountain stone.

On the motion of Mr. Cook, seconded by Mr. Conner and carried, the Board of Supervisors approved the use of mountain stone for the walls and walkways at the Draper Mountain Overlook with Randall Jones being engaged to supervise the laying of the rock.

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

d. Randolph Park Contract Issuance

On the motion of Mr. Cook, seconded by Dr. Fariss and carried, the Board of Supervisors approved issuance of a contract for the construction of the initial trails and passive area of the Randolph Park. The Board further authorized the Steering Committee (to be appointed by the Board of Supervisors) to award said contract.

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

e. Joint Towns/County Meeting Agenda August 31

The Board approved the tentative agenda for the joint towns/county meeting of August 31 with the removal of the Draper Mountain Trails due to the Town of Dublin not being involved in this project.

f. Condition of an unsafe structure owned by Ralph A. Sheffey, Jr., identified on Pulaski County real estate records as tax map parcel 038-001-0000-0026, zoned Residential (R1), 0.3670 acre, located on the south side of Falling Branch Rd. (Rt. 798) approximately 75 ft. east of the New River Road (Rt. 624) intersection, Cloyd District

At this time, Chairman Sheffey turned the meeting over to Vice-Chairman White due to a potential conflict of interest relating to the above listed matter.

Staff advised that a public hearing is recommended in order for the above listed property to be demolished. Further, no response had been received from the owner.

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On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors approved scheduling a public hearing on the above matter for the September 20, 1999 meeting of the Board of Supervisors.

Voting yes: Dr. Fariss, Mr. Cook, Mr. White and Mr. Conner.

Voting no: none.

Abstaining: Mr. Sheffey.

g. Appointments:

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

h. County Administration Building Entrance Plans

County Administrator, Joseph Morgan, reviewed preliminary plans for the County Administration Building entrance improvements. The Supervisors suggested the following: brick pavers be used similar to those at the courthouse; use of a turn for the handicap ramp; and a possible seating area on the landing to balance the entrance area. Staff was requested to ask the architect to revise the plans for the entrance and resubmit to the Board at a future meeting.

9. Items of Consent:

On the motion of Dr. Fariss, seconded by Mr. Conner and carried, the Board approved the following items of consent unless otherwise noted.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

a. Minutes of July 26., 1999

The Board approved the minutes of July 26, 1999 as presented.

b. Accounts Payable

The Board approved the accounts payable listing as presented on checks numbered 24630 through 24903.

c. Appropriations and Transfers

1. Interoffice Transfers #2 - \$51,700.76

The Board approved interoffice transfers #2 in the amount of \$51,700.76 as prepared by Management Services Director, Nancy Burchett.

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2.	<u>General Fund Appropriation FY 99 #26 - \$1,724.97</u>	
	Revenues:	
	1899-60 Donations Office on Youth	\$ 184.40
	4101-00 Insurance Recoveries	829.40
	Total	<u>\$ 1,013.80</u>
	Expenditures:	
	3213-7001 Twin Comm. Fire Dept.	\$ 829.40
	3401-3002 Building Dept.	711.17
	5322-4007 Office on Youth	50.00
	5322-6013 Office on Youth	134.40
	Total	<u>\$ 1,724.97</u>
3.	<u>School Fund Appropriation #1 \$1,403,500; #2 \$55,418; and #3 \$125,959.00</u>	
	#1 - \$1,403,500	
	Revenues:	
	2402-76 Yes Grant	\$ 13,723.00
	2402-82 School Comm. Health	41,980.00
	2402-56 SOL Training Funds	58,249.00
	2402-83 Lottery Proceeds	681,169.00
	5102-00 Transfer from General Fund	284,425.00
	3301-10 Title 6	91.00
	3301-13 Drug Grant	1,369.00
	3301-19 Title II	25,374.00
	3301-33 Tech Literacy Challenge	11,529.00
	3301-11 Flow Through	108,868.00
	3301-32 Silver Grant	13,482.00
	3301-09 Title I	145,825.00
	3301-28 Goals 2000	17,416.00
	Total	<u>\$1,403,500.00</u>
	Expenditures:	
	6939-112310 Yes Grant Salaries	\$ 12,748.00
	6939-210110 Yes Grant FICA	975.00
	6969-1131 School Community Health Salaries	20,966.00
	6969-2101 School Community Health FICA	1,596.00
	6969-2211 School Community Health VRS	2,776.00
	6969-2301 School Community Health Health Ins.	1,653.00
	6969-5501 School Community Health Mileage	342.00
	6969-6004 School Community Health Supplies	4,647.00
	6969-8201 School Community Health Equipment	10,000.00
	6601-3320 Capital Improvements Contract Services	164,358.00
	6131-314001 SOL Professional Development	13,849.00
	6113-112110 SOL Remediation Salaries	41,245.00
	6113-2101 SOL Remediation FICA	3,155.00
	6113-601910 Textbooks	168,425.00

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6133-820105 Technology Network	67,875.00
6219-304009 Curriculum Audit	55,000.00
6601-3126 Capital Projects Architect Fees	33,288.00
6601-6013 Capital Projects Supplies	85,412.00
6601-3320 Capital Projects Maintenance Contracts	391,236.00
6909-114110 Title 6 Salaries	91.00
6945-1123 Drug Grant Salaries	1,369.00
6950-1621 Title II Salaries	22,179.00
6950-2101 Title II FICA	1,697.00
6950-6013 Title II Supplies	1,498.00
6966-5504 Tech Literacy Challenge Travel	9,975.00
6966-6014 Tech Literacy Challenge Other Supplies	1,554.00
6979-112120 Flow Through Salaries	43,357.00
6979-210120 Flow Through FICA	3,317.00
6979-230120 Flow Through Health Ins.	2,228.00
6979-314020 Flow Through Prof. Services	59,966.00
6980-114120 Silver Grant Salaries	5,265.00
6980-162120 Silver Grant Salary Supplements	2,500.00
6980-210120 Silver Grant FICA	594.00
6980-601320 Silver Grant Supplies	5,123.00
6990-112110 Title I Salaries	20,000.00
6990-210110 Title I FICA	5,600.00
6990-3140 Title I Prof. Services	5,000.00
6990-6014 Title I Other Supplies	14,603.00
6991-111310 Title I Salaries	1,500.00
6991-112110 Title I Salaries	84,919.00
6991-210101 Title I FICA	8,879.00
6991-601410 Title I Other Supplies	5,324.00
6992-3140 Goals 2000 Prof. Services	<u>17,416.00</u>
Total	\$1,403,500.00

#2 - \$55,418.00

Revenues:

3301-34 Local Partnership Grant	\$ 55,418.00
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Expenditures:

6915-314030 Local Partnership Other Prof. Services	\$ 2,000.00
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6915-550430 Local Partnership Travel	4,000.00
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6915-601330 Local Partnership Instructional Materials	20,000.00
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6915-820130 Local Partnership Mach. & Equipment	<u>29,418.00</u>
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Total	\$ 55,418.00
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#3 - \$125,959.00

Revenues:

3301-39 Class Size Reduction	\$ 125,959.00
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Expenditures:

6112-112110 Elementary Instruction Salaries	100,105.00
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6112-210110 Elementary Instruction FICA	6,762.00
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6112-221110 Elementary Instruction VRS	12,410.00
6112-230110 Elementary Instruction Health Ins.	<u>6,682.00</u>
Total	\$ 125,959.00

4. VPA Fund Appropriation #1 - \$98,000.00

Revenues:

2401-38 Fraud Free - State	\$ 12,000.00
2401-22 Child Day Care - State	1,920.00
3302-27 Child Day Care – Federal	2,080.00
3302-41 Fraud Free – Federal	12,000.00
5102-00 Transfer from General Fund	<u>70,000.00</u>
Total	\$ 98,000.00

Expenditures:

5366-1001 Fraud Free Salaries	\$ 19,135.00
5366-5401 Fraud Free Office Supplies	2,870.00
5366-3010 Fraud Free Other Contracted Services	1,995.00
5344-5728 – Child Day Care Transportation	4,000.00
5312-3010 – Local Other Contracted Services	<u>70,000.00</u>
Total	\$ 98,000.00

5. Capital Improvement Fund Appropriation FY 99 #1 \$5,323,988

Revenues:

1899-62 Donations Central Gym Renovations	\$ 83,404.00
1899-63 Donations Randolph Park – Volvo	50,000.00
1899-64 NR Industrial Park Access Road Share	80,000.00
5102-00 Transfer from General Fund	<u>5,019,584.00</u>
Total	\$ 5,232,988.00

Expenditures:

3210-7005112 Hiwassee Fire Truck Pumper	\$ 200,000.00
3210-7131 Hiwassee Fire Dept. Well	5,000.00
3216-7167 Fairlawn Fire Dept./Rd Imp.	6,281.00
3304-3002 NRV Juvenile Detention Home Study	9,350.00
3501-7005 Animal Control Vehicle	24,064.00
4224-7135 Cloyd's Mt. Sewer Extension	465,912.00
4229-3041 County Wide Water Study	1,841.00
4230-7114 GIS Mapping System	3,341.00
4303-7167 NRV Fairgrounds Road Imp.	37,000.00
4305-7020 Co. Admin. Bldg. Imp.	150,000.00
4308-7142 Old Courthouse 3 rd Floor	2,000.00
4306-7032 Central Gym Renovations	130,000.00
4320-7129 Health Dept. Roof	25,000.00
4317-7157 County Entrance Signs	20,000.00
7115-5604 Friends of Claytor Lake	10,000.00
7116-7165 Randolph Park	1,911,326.00

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7117-5604 State Park Celebration	10,000.00
7220-3002 Draper's Mt. Wayside Prof. Services	65,772.00
7220-3009 Draper's Mt. Wayside Purchase Govt. Services	7,822.00
7220-7066 Draper's Mt. Wayside Landscaping/Seeding	2,136.00
7220-7132 Draper's Mt. Wayside Sidewalks/Curbing	1,245.00
7220-7134 Draper's Mt. Wayside Paving	3,959.00
7225-3002 Train Station Brochure Grant	4,060.00
7301-5407 Library Painting/Carpeting	28,500.00
8115-7152 Motion Control NR Ind. Park	21,161.00
8116-3002 Housing Study	528.00
8120-3002 NR Industrial Park PUD	791,732.00
8126-7048 NR Industrial Park Access Road	160,000.00
8121-7167 Volvo Road Improvements	150,000.00
8125-3002 VA 1 st Regional IFA	10,000.00
8143-300908 Comprehensive Plan Revisions	5,076.00
9101-7125 Economic Stimulus Program	610,000.00
9101-9016 Claytor Lake Waterline debt	35,544.00
9131-7144 Claytor Lake Sewer	178,016.00
9132-7153 Thornspring Creek Sewer	<u>146,322.00</u>
Total	\$ 5,232,988.00

6. School Construction Fund Appropriation #1 - \$1,771,842.00

Revenues:

5102-00 Transfer from General Fund \$ 1,771,842.00

Expenditures:

6601-8115 School Construction Snowville \$ 771,842.00

6601-8109 School Construction High School 1,000,000.00

Total \$ 1,771,842.00

d. Ratification:

1. Change Orders

No change orders were presented for ratification at this meeting.

2. Agreements, Grants, & Other:

a. Contract Programming Services Agreement

The Board ratified a contract agreement with Mr. Billy G. Thomas for part time data processing programming services at an hourly rate of \$45.00 per hour. A copy of said agreement shall be filed with the Office of the County Administrator.

b. Va. Delinquency Prevention & Youth Development Grant Programs

The Board approved a budget amendment for FY 00 for the Office on Youth with the Virginia Delinquency Prevention & Youth Development Act grant programs resulting in a total revised budget amount for the Office on Youth of \$53,891.

c. Drought Disaster Declaration

The Board adopted the following Drought Disaster Declaration:

DROUGHT DISASTER DECLARATION

WHEREAS, there are extreme drought conditions throughout Pulaski County, which has caused widespread, severe crop and grass damage; and

WHEREAS, the lack of satisfactory grass crops has required farmers to use normal winter food reserves; and

WHEREAS, Pulaski County has experienced significant losses in pasture, hay, corn grain due to drought conditions; and

WHEREAS, there appears to be no relief in the foreseeable future; and

WHEREAS, these conditions will cause severe financial loss to the farmers of Pulaski County.

NOW, THEREFORE, BE IT RESOLVED, that the Pulaski County Board of Supervisors hereby petitions the Honorable James S. Gilmore, III, Governor of the Commonwealth of Virginia, to declare Pulaski County a drought area in order to provide the means for those affected to qualify for some relief assistance.

e. Personnel Changes

The Board reviewed personnel changes as reported by Management Services Director Nancy Burchett.

f. Support for Satellite Transmission of Local TV Broadcasts

The Board approved the following resolution of support for the satellite transmission of local TV broadcasts:

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WHEREAS, a significant portion of Pulaski County is not serviced by Cable TV service or effective local broadcast services, and

WHEREAS, the U. S. Congress is currently considering amendments to the *Communications Act of 1934* which will allow for more competition between cable television franchises and firms dealing in direct satellite-to-home television services; and

WHEREAS, the proposed amendments will require the retransmission of the major networks as broadcast by local television stations, allowing persons owning home satellite systems to view local network broadcasts in addition to services currently offered on satellite systems; and

WHEREAS, the House of Representatives and the Senate are currently working to reconcile differences in their respective versions of the legislation in Conference Committee for presentation to both Houses of Congress for passage; and

WHEREAS, the Board of Supervisors believes passage of such a measure will benefit citizens with increased competition and enhancements to existing services, particularly in rural area where vendor choice is exceptionally limited;

NOW, BE IT RESOLVED, that the Board of Supervisors of the County of Pulaski, Virginia requests support of Congressman Rick Boucher; Senator Charles Robb; and Senator John Warner in securing passage of this legislation that will allow the addition of network broadcasts to home satellite services.

This resolution is effective upon adoption and is adopted this 23rd day of August, 1999.

g. Employee Full Pay Status

The Board approved the following pay increases for the leachate truck drivers and foreman to allow for full pay or movement toward full pay for their respective positions:

Bryon Dolinger - \$ 1,000 additional increase
Kenneth Hodge \$ 1,000 additional increase
Doug Spence – increase to full pay or \$27,348

h. Return of Funds to REMSI for Sale of Surplus Vehicles

The Board approved returning funds to the Regional Emergency Medical Services Incorporated (REMSI) Fund for the sale of any REMSI surplus vehicles at the county surplus auction sale per the request of David Smith, REMSI Director.

i. Resolution Authorizing Employees to Purchase Prior VRS Service on a Tax Deferred Basis

The Board of Supervisors adopted the following resolution authorizing employees to purchase prior VRS services on a tax deferred basis:

WHEREAS, the Pulaski County Board of Supervisors desires to provide its employees with tax deferral pursuant to Section 414(h) of the Internal Revenue Code with respect to their member contributions to the Virginia Retirement System, the State Police Officers Retirement System and the Judicial Retirement System (collectively referred to as VRS) for the permissible purchase of past service credit by picking up member contributions to the VRS; and

WHEREAS, the pick up is authorized under Virginia Code Section 51.1-142.1 and 51.1-143.C.;

WHEREAS, the VRS keeps track of such picked up member contributions, and is prepared to treat such contributions as employee contributions for all purposes of VRS;

NOW, THEREFORE, BE IT HEREBY RESOLVED that effective the first pay day on or after the later of the date of this resolution or the date the member executes a binding and irrevocable salary reduction election relating to the past service permitted to be purchased, the Pulaski County Board of Supervisors will pick up all or a portion of the member contributions of its employees to VRS based on the terms of the salary reduction election, and such contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code of the United States; and it is further

RESOLVED, the binding salary reduction election to be executed by the member shall include the following (1) the beginning and ending date of the election, (2) the amount of the salary reduction on a pay period by pay period basis, (3) the total amount of contribution expected to be involved, (4) a statement that the member may not receive the contributed amounts instead of having them paid by the Pulaski County Board of Supervisors to the VRS, and (5) an agreement that the member will not purchase the service credit through a lump sum payment during the period in which the salary reduction election is in effect, and it is further

RESOLVED, the member may revoke the salary reduction election only in the event of an unforeseeable emergency as that phrase is used and defined in IRC Section 457 and Treasury Regulation Section 1.457-2(h)(4) and if such a revocation is made, the member may not make a new salary reduction election during his period of employment, and it is further

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RESOLVED that such contributions, although designated as member contributions, are to be made by the Pulaski County Board of Supervisors in lieu of member contributions; and it is further

RESOLVED that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and it is further

RESOLVED that member contributions made by the Pulaski County Board of Supervisors under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and it is

RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by the Pulaski County Board of Supervisors directly instead of having them paid to VRS; and it is further

RESOLVED that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of the Pulaski County Board of Supervisors shall be reduced by the amount of member contributions picked up by the Pulaski County Board of Supervisors on behalf of such employee pursuant to the foregoing resolutions.

j. Dublin Sewer Capacity Refund

The Board approved a request from the Town of Dublin to rescind a previous reservation of 22,400 gallons of daily waste water treatment capacity with a refund of \$26,700 to the Town of Dublin.

10. Citizen Comments

No citizen comments were heard at this time.

11. Other Matters from Supervisors

Commissioner of Revenue, Maynard Sayers, was requested to provide a report on a transient occupancy tax within the county. Said report is to provide estimated revenues from said tax and a listing of any surrounding counties which may have such a tax. The Board requested a report at their September, 1999 meeting.

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

It was moved by Mr. Cook, seconded by Mr. Conner and carried, that the Board of Supervisors enter closed session for discussion of the following:

- a. Property Disposition – Pursuant to Virginia Code Section 2.1344(A)3 discussion for consideration of the disposition of publicly held property regarding:

*former school site on Bagging Plant Road, south of Dublin; and

Property Acquisition – Pursuant to Virginia Code Section 2.1-344(A)3 discussion for consideration of acquisition of real property for a public purpose regarding:

*property adjacent to existing county property; and

*property for restaurant development.

- b. Legal Matters – Pursuant to Virginia Code Section 2.1-344(A)7 consultation with legal counsel and briefing by staff for discussion of specific legal matters subject to probable litigation regarding:

*Commerce Park Participation Agreement.

- c. Personnel - Pursuant to Virginia Code Section 2.1-344(A)1 discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding:

*Randolph Park Steering Committee; and

*PEP Steering Committee.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

Return to Regular Session

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

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

Certification of Conformance with the Virginia Freedom of Information Act

It was moved by Dr. Fariss, seconded by Mr. Cook and carried, that the Board of Supervisors adopt the following resolution certifying conformance with the Virginia Freedom of Information Act.

WHEREAS, the Board of Supervisors of Pulaski County, Virginia, has convened a closed meeting of this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act:

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

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

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

RE: Personnel & Appointments:

On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors took the following actions regarding personnel and appointments:

Appointments:

The Board made the following appointments:

1. Randolph Park Steering Committee

The Board appointed the following individuals to the Randolph Park Steering Committee: Supervisor Cook, with Supervisor Sheffey as alternate; Joseph Morgan, Prime Staff Representative and Fund-Raising Coordinator; Anthony Akers, Recreation Staff Representative; Dan Grubb, Business Representative; Rick DiSalvo, Design Team Project Manager; and invited two citizen representatives to be selected from the following: Charles DeHart, Randolph Park Advisory Committee; Jack Gill, neighboring property owners; and Harold or Charles Ward.

2. PEP Steering Committee

The Board appointed Ms. Debbie Brown of Radford University to the PEP Steering Committee for a term ending June 30, 2002.

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

Property Disposition:

The Board directed staff to decline an offer for property adjacent to the County Administration Building; and requested staff to follow up on prospective commercial use of the property adjacent to the county garage and a restaurant development within the county.

Legal Matters:

The Board authorized staff to follow up on the Commerce Park shares acquisition.

13. Adjournment

It was moved by Mr. Cook, seconded by Mr. Conner that the meeting be adjourned to reconvene for a joint Town Council/Board of Supervisors meeting on August 31, 1999 at 7 p.m. at the County Administration Building, 143 3rd Street, NW, in the Town of Pulaski, Virginia. The next regularly scheduled meeting of the Board is set for September 20, 1999 at 6:30 p.m. at the County Administration Building, Board Room, 143 3rd Street, NW, in the Town of Pulaski, Virginia.

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

Joseph L. Sheffey, Chairman

Joseph N. Morgan, Clerk