

BOARD OF SUPERVISORS MEETING MINUTES OF JUNE 3, 2002

At a special reconvened meeting of the Pulaski County Board of Supervisors held on Monday, June 3, 2002 at 7:00 p.m. at the Pulaski County Administration Building, Board Room, 143 3rd Street, NW, Pulaski, Virginia, the following members were present: Joseph L. Sheffey, Chairman; Dr. Bruce L. Fariss, Vice-Chairman; Charles E. Cook; William E. "Eddie" Hale; and Frank R. Conner. Staff members present included: County Administrator, Peter M. Huber, and Assistant County Administrator, Nancy M. Burchett.

1. Public Hearings:
◆ FY 03 Budget:

County Administrator, Peter Huber, reviewed with the Board of Supervisors charts and graphs pertaining to real estate tax rates, reassessment schedule; housing values, and the recent real estate tax increase impact on citizens.

Chairman Sheffey opened the public hearing on the FY 03 proposed budget.

The following individuals addressed the Board of Supervisors:

Mr. Dave Dalton inquired as to the percentage of tax dollars paid by residents of the Town of Pulaski. Also, Mr. Dalton advised he was opposed to the closing of Northwood Elementary School.

Staff advised Mr. Dalton that Maynard Sayers, Commissioner of the Revenue, could provide him with the percentage of tax dollars paid by residents of the Town of Pulaski.

Ms. Jean Anderson discussed information obtained by her regarding homemade trailers and certain state regulations pertaining to these trailers.

Mr. E. W. Harless expressed concerns regarding the imposing of the cellular phone tax without assurances from the utility companies that the appropriate citizens will be billed the appropriate tax. He suggested the companies modify their application form to include the town, county or city information from individuals requesting the cell phone service.

Further, Mr. Harless commented regarding the large number of junk cars in the county. He also advised he supported moving forward with the replacement of Claremont School.

Supervisor Fariss expressed concerns also regarding the lack of assurances from the cellular phone companies pertaining to the county citizens being billed the appropriate tax and the appropriate remittance back to the county.

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Ms. Burchett advised she had recently spoken with US Cellular's tax advisor regarding how US Cellular identifies the customer's correct locality in order to bill the appropriate cellular phone tax. US Cellular advised as follows pertaining to this matter:

- ◆ At the present time some individuals may be taxed inappropriately;
- ◆ US Cellular currently uses the 5 digit zip code software in tracking the appropriate tax for each locality;
- ◆ Citizens that have been billed inappropriately, can call US Cellular and adjustments will be made;
- ◆ By the end of October 2002, US Cellular will be changing software and will convert to zip plus 4 which should guarantee a 95% accuracy level; and
- ◆ The use of zip plus 4 is a federally mandated law that will apply to all utility companies.

Supervisor Cook expressed concerns regarding the county decal tax on trailers and the need to tax trailers. Staff advised that a report on this matter would be included in the June 24th Board of Supervisors packet.

The Board of Supervisors requested staff to inquire of other localities such as the City and Salem and Roanoke County regarding problems encountered and possible solutions in assuring that the appropriate amount of cellular phone tax is collection by the utility companies. Further, the Board requested staff to request the cellular phone companies to consider modifying their application form to include a statement inquiring of the applicant's residence (town, county or city).

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

Chairman Sheffey noted that the budget adoption for FY 03 would be scheduled for the next regular meeting of the Board set for June 24, 2002.

2. Other Matters:

No other matters were discussed at this time.

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

It was moved by Mr. Hale, seconded by Mr. Cook 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:

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◆ River Course

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:

◆ None

Prospective Industry – Pursuant to Virginia Code Section 2.2-3711(A)5 discussion concerning a prospective business or industry, or the expansion of an existing business and industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

◆ Industrial Prospect

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:

◆ None

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.
Voting no: Dr. Fariss

Return to Regular Session

On a motion by Mr. Conner, seconded by Mr. Hale and carried, the Board returned to regular session.

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

Certification of Conformance with Virginia Freedom of Information Act

On a motion by Dr. Farris, seconded by Mr. Conner and carried, the Board of Supervisors adopted the following resolution certifying conformance with the Virginia Freedom of Information Act.

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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: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale,
Mr. Conner.

Voting no: none.

Other Matters:

The Board requested staff to confirm the amount committed by the Town of Pulaski pertaining to the county recreation merger and provide this information to the Board of Supervisors via the weekly update.

4. Adjournment

It was moved by Dr. Fariss, seconded by Mr. Hale and carried that the meeting be adjourned until the next regularly scheduled meeting set for June 24, 2002, 7:00 p.m. at the County Administration Building, 143 3rd Street, NW, Pulaski, Virginia.

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

Voting no: none.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator