

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, December 20, 2004 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 R. Conner, Vice Chairman; Ranny L. Akers; William E. "Eddie" Hale; and Dean K. Pratt. Staff members present included: Thomas J. McCarthy, Jr., County Attorney; Peter M. Huber, County Administrator; Nancy M. Burchett Assistant County Administrator; David Tickner, Community Development Director; and Gena T. Hanks, Clerk.

1. Invocation

The invocation was delivered by Reverend Terri Sternberg of Trinity Lutheran Church.

2. Featured Employees

Mr. Sheffey recognized Kathy Hill of the Commissioner of Revenue Office and Melinda Worrell of the Treasurer's Office as the "Featured Employees" for the month of January. Mr. Sheffey read a detailed description of the job duties and personal interests of each employee. A gift certificate was presented to Ms. Hill and Ms. Worrell as a token of the Board's appreciation.

3. Presentation to Free Clinic

Mr. Sheffey presented a check to Dr. David Stanley and Mr. Gary Elander to be used towards the funding of the Free Clinic.

4. Additions to Agenda

There were no additions.

5. Public Hearings:

- a. A rezoning request by **Lewis Carter & Florence E. Anderson ET AL** from Residential (R1) to Agricultural (A1) on property identified as tax map no. 055-001-0000-0040, (10.0000 acres), located at 4633 Lee Highway, (Rt. 11), Massie District to allow common agricultural activities.

Mr. Tickner described the request and advising the Planning Commission recommended approval. Mr. Sheffey opened the public hearing. There were no citizen comments and the public hearing was closed.

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

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

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

- b. A rezoning request from Residential (R1) to Rural Residential (RR) by the following individuals referenced by tax map number and acreage for properties located in the Robinson District to allow common agricultural activities: **Nipper, Gracia J.**, Tax Map No. 072-005-0000-0018 & 19 - 35 consisting of 1.97 acres located in the Northeast corner of the intersection of Thaxton Road (Rt. 649) and Extension Street (Rt. 673); and **Horton, Henry J. & Brenda D.**, Tax Map No. 072-005-0000-0017; 072-005-0000-041A & 42 - 46 consisting of 1.8 acres at 4500 Thaxton Road, (Rt. 649

Mr. Tickner described the request and advised the Planning Commission recommended approval. Mr. Sheffey opened the public hearing.

Ms. Gracia Nipper, applicant, explained the request in detail, noting the number of horses to be located on the property would be two. Ms. Nipper requested the Board approve the rezoning request. There being no further comments, the public hearing was closed.

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

Voting yes: Mr. Conner, Mr. Sheffey, Mr. Pratt.
Voting no: Mr. Hale, Mr. Akers.

- c. A request by **Sue R. Conrad** for a Special Use Permit (SUP) to allow replacement of existing boathouses with 30 covered boatlifts and 36 wet slips on property identified as tax map number 073-001-0000-0080 (2.8150 acres), zoned Commercial (CM1), at 3688 Conrad Landing Rd., off Old Route 100 (Rt. 100), Draper District.

Mr. Tickner described the request and advising the Planning Commission recommended approval. Mr. Sheffey opened the public hearing. There were no citizen comments and the public hearing was closed.

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

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

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

- d. A request by **Frank W. & Patricia E. James, Jr.** for a Special Use Permit (SUP) to allow a second manufactured home on property identified as tax map no. 095-001-0000-018B, zoned Agricultural (A1), (3.7000 acres), and located at 7523 Copperhead Ln., Ingles District.

Mr. Tickner advised the applicant had withdrawn the request and a public hearing would not be required at this time.

- e. A request by **Cynthia K. Rudy ET AL** for a Special Use Permit (SUP) to allow construction of a dock without a principle dwelling per Article 8-3.29, on property identified as tax map no. 108-001-0000-041C, zoned Residential (R1), (1.3370 acres), located at 2502 Bethel Church Rd. (Rt. 708), Ingles District.

Mr. Tickner described the request and advising the Planning Commission recommended approval. Mr. Sheffey opened the public hearing.

Ms. Melba Knox, representing the applicant Cynthia Rudy, explained the request in detail and requested approval of the special use permit. Mr. William Rodger spoke in favor of the request. There being no further comments, the public hearing was closed.

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

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

- f. A request by **Cynthia K. Rudy ET AL** for a Special Use Permit (SUP) to allow camping of longer than two weeks duration per Article 5B-3, on property identified as tax map no. 108-001-0000-041C, zoned Residential (R1), (1.3370 acres), located at 2502 Bethel Church Rd. (Rt. 708), Ingles District.

Mr. Tickner described the request and advising the Planning Commission recommended approval with conditions. Mr. Sheffey opened the public hearing.

Ms. Melba Knox, representing the applicant Cynthia Rudy, explained the request in detail and advised plans were underway for installing a septic system. Ms. Knox requested approval of the special use permit. There being no further comments, the public hearing was closed.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

On a motion by Mr. Akers, seconded by Mr. Conner and carried, the Board approved the special use permit, as described above and as recommended by the Planning Commission with the following conditions:

1. The camper shall never be enclosed by additions, thereby preventing the ability to remove the camper from the site. Unattached decks would be acceptable.
2. The owner shall provide sanitation facilities as described in the camping definition above.
3. The Special Use Permit shall expire in three (3) years.
4. The owner shall grant right of entry to allow inspection of the site for compliance with any conditions of the Special Use Permit.

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

Voting no: none.

- g. A request by **Michael W. & Mary D. Johnston ET AL** for a Special Use Permit (SUP) to allow construction of a dock without a principle dwelling per Article 8-3.29, on property identified as tax map no. 083-003-0000-0003, 083-004-0000-0003 zoned Residential (R1), (undetermined acreage), located at 3900 Peak Ln., Draper District.

Mr. Tickner described the request and advising the Planning Commission recommended approval. Mr. Sheffey opened the public hearing.

Mr. Michael Johnston, applicant, explained the request in detail and requested approval of the special use permit. There being no further comments, the public hearing was closed.

On a motion by Mr. Hale, seconded by Mr. Pratt and carried, the Board approved the special use permit, as described above and as recommended by the Planning Commission with the following conditions:

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

Voting no: none.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

- h. A request by **Michael W. & Mary D. Johnston ET AL** for a Special Use Permit (SUP) to allow camping of longer than two weeks duration per Article 5B-3, on property identified as tax map no. 083-003- 0000-0003, 083-004-0000-0003 zoned Residential (R1), (undetermined acreage), located at 3900 Peak Ln., Draper District.

Mr. Tickner described the request and advising the Planning Commission recommended approval with conditions. Mr. Sheffey opened the public hearing.

Supervisor Akers suggested consideration of a maximum time limit campers can remain on a site. There being no further comments, the public hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Hale and carried, the Board approved the special use permit, as described above and as recommended by the Planning Commission with the following conditions:

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

By consensus, the Board requested staff establish use standards as a replacement for the most used special use permits, as well as include a standardized time in which to build a home while replacing special use permits with standardized use conditions.

- i. A request by **Leroy T. & Lois A. Viars** for a Special Use Permit (SUP) to allow sale of new and/or used vehicles per Article 4-2, on property identified as tax map no. 082-001-0000-0030, zoned Commercial (CM1), (4.8500 acres), located at 4525 Count Pulaski Dr., Draper District.

Mr. Tickner described the request and advising the Planning Commission recommended approval with conditions. Mr. Sheffey opened the public hearing.

Mr. Leroy Viars, applicant, explained the request in detail and advised it was not his intention to operate a salvage yard. Mr. Viars requested the Board approve the special use permit. There being no further comments, the public hearing was closed.

On a motion by Mr. Pratt, seconded by Mr. Conner and carried, the Board approved the special use permit, as described above and as recommended by the Planning Commission with the following conditions:

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

1. The Town of Pulaski has expressed support for the business; however, would not want to promote the storage of inoperable vehicles at this site due to its visibility from Route 99, the main entrance corridor into the Town from I-81.
2. The plan should define the limits of the sales display area for vehicles.
3. The plan should define the limits of the storage area for inoperable vehicles. Screening is strongly recommended for the storage area. The area identified on the sketch as "Storage Lot, Extra Vehicles" is located on a ridge. There are some inoperable vehicles stored at the edge of the woods which are visible year-round from Route 99.
4. There is a business sign located on Lot 31 which should be removed since the Route 99 entrance has been closed. If this entrance is desired for use at a later date, the entrance will likely have to be upgraded to VDOT commercial standards.
5. The property shall be kept in compliance with all state and local regulations.
6. The owner shall grant right of entry to allow inspection of the site for compliance with any conditions of the Special Use Permit.
7. The owner shall provide a revised site plan for signature by the Zoning Administrator.

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

Voting no: none.

j. A request by **County of Pulaski** to amend Article 2, Agricultural (A1); Article 3, Conservation (C1); and Article 5F, Rural Residential (RR) to allow special provisions for corner lots as follows:

- Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.
- The side shall be deemed to be the longer of the two sides fronting on streets and the setback shall be twenty (20) feet or more for both main and accessory buildings.

Mr. Tickner described the request and advising the Planning Commission recommended approval with conditions. Mr. Sheffey opened the public hearing. There were no citizen comments and the public hearing was closed.

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

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

Voting no: none.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

- k. A request by **Brenda S. Turner** for road name establishing **Wish Ln.** as a private road with less than the 3 house minimum. The private road is located south off of Lyons Rd (Rt. 662) approximately one and a half miles from intersection of Lyons Rd and Wilderness Rd, Draper District.

Mr. Tickner advised no action was required by the Board of Supervisors due to the Planning Commission having approved the request at its December 14, 2004 meeting.

- l. An Amendment to the Tax Relief to Elderly and Disabled Ordinance, pursuant to Sections 58.1-3210 through 58.1-3218 of the Code of Virginia, 1950, as amended, to change the amount of acreage which may be excluded from net worth criteria to include the dwelling and "not to exceed one acre" to "not to exceed three contiguous acres".

Mr. Huber explained the purpose of the public hearing. Supervisor Conner inquired as to whether or not any citizen had requested the exclusion as described above. Commissioner of Revenue Jack Gill advised there are currently 516 citizens who have applied and qualified for the Tax Relief to the Elderly and Disabled benefit. Mr. Sheffey opened the public hearing. There were no citizen comments and the public hearing was closed.

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

SUB-SECTION-GENERAL, PARAGRAPH 2 ONLY is deleted, and amended and replaced with the following:

2. The net combined financial worth, including the present value of all equitable interests, as of the 31st day of December of the immediately preceding calendar year of the owners and of the spouse of any owner, excluding the value of the dwelling and the land, not to exceed three (3) contiguous acres, upon which it is situated, shall not exceed Forty-Five Thousand Dollars (\$45,000.00)

Adopted this 20th day of December, 2004.

The following is the ordinance in its entirety with the amendment included:

TAX RELIEF TO ELDERLY AND DISABLED

DESCRIPTION:

The following ordinance grants real estate tax relief to certain Pulaski County citizens sixty-five (65) years old and older or the permanently and totally disabled.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

AUTHORITY:

The following ordinance is adopted pursuant to authority granted the local governing body by the 1950 Code of Virginia, as amended. In Title 58.1, Sections 58.1-3210 through 58.1-3218.

POLICY:

By statute the General Assembly of Virginia has deemed and the Pulaski County Board of Supervisors hereby deems those persons falling within the age category of sixty-five (65) years old and older or the permanently and totally disabled to be bearing an extraordinary tax burden on real estate, in relation to the income and financial worth of said individuals. The purpose of this ordinance is to grant relief from this extraordinary tax burden. Said relief will be in proportion to need and financial worth of the individual defined above.

GENERAL:

The Board of Supervisors of the County of Pulaski does hereby ordain and provide for the exemption from a portion of taxation of real estate, including manufactured homes, owned by and occupied as the sole dwelling of anyone at least sixty-five (65) years of age or anyone found to be permanently and totally disabled as defined in Section 58.1-3217 of the Code of Virginia, 1950, as amended, or its successor statutes, provided the aforesaid person or persons meet the following eligibility requirements:

1. The total combined income received from all sources during the immediately preceding calendar year, by the owners of the dwelling who use it as their principal residence, and of the owner's relatives living in the dwelling shall not exceed Seventeen Thousand Five Hundred Dollars (\$17,500.00). However, the first Two Thousand Five Hundred Dollars (\$2,500.00) of income of each relative, other than the spouse of the owner or owners, who are living in said dwelling shall not be included in such total for eligibility. For the purpose of this ordinance, "relative" shall mean one person connected with another by blood or marriage. The first Three Thousand Five Hundred Dollars (\$3,500.00) of income for an owner received as permanent disability compensation shall be excluded from total income.

BE IT ORDAINED by the Pulaski County Board of Supervisors:

2. The net combined financial worth, including the present value of all equitable interests, as of the 31st day of December of the immediately preceding calendar year of the owners and of the spouse of any owner, excluding the value of the dwelling and the land, not to exceed three (3) contiguous acres, upon which it is situated, shall not exceed Forty-Five Thousand Dollars (\$45,000.00)

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

3. The person or persons claiming such exemption shall file annually, no later than April 1st, of the year in which exemption is to be granted, with the Commissioner of Revenue of this County, on forms to be supplied by the County, an affidavit setting forth the names of related persons occupying such real estate; that the total combined net worth, including equitable interest, and the combined income from all sources of the person or persons as specified in paragraph one above does not exceed the limits prescribed in this ordinance. The Commissioner of Revenue of the County shall also make such further inquiry of persons seeking such exemption, requiring answers under oath, as may be reasonably necessary to determine qualifications as specified herein. The Commissioner of Revenue of the County is hereby empowered, to require the certified income tax return of any applicant for tax relief, if the Commissioner deems said returns are necessary in addition to the affidavit provided for above. For purpose of this section, the term "Certified Tax Return" shall mean a tax return certified by the applicant or applicants for tax exemption or a Certified Public Accountant. The Commissioner shall determine if a return certified by an accountant is necessary.
4. Such exemption as herein provided may be granted for any year following the date that the qualifying individual occupying such dwelling and owning partial title thereto reaches the age of sixty-five (65) years or for any year following the date the permanent and total disability occurred.

DEFINITION OF PERMANENTLY AND TOTALLY DISABLED:

For purposes of this section the term "permanently and totally disabled" shall mean those persons who are unable to engage in any substantially gainful employment activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

Said determination of eligibility shall be evidenced by a determination of the Social Security Administration, Veteran's Administration, Railroad Retirement Board, that such person is permanently and totally disabled.

In the event any applicant for relief is unable to obtain such determination from the Social Security Administration, Veteran's Administration, or the Railroad Retirement Board, then and in that event such disability and eligibility may be determined by a sworn affidavit from two (2) medical doctors who are licensed to practice medicine in the Commonwealth of Virginia or are military officers on active duty who practice medicine with the United States Armed Forces, that such person is permanently and totally disabled and unable to engage in any substantially gainful employment. At least one of the medical doctors making such affidavit must state that he has made a person physical examination of such person.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

AMOUNT OF EXEMPTION:

Exemption granted pursuant to this ordinance will be in accordance with the following chart; provided, however in no case shall the total exemption of the taxes exceed Three Hundred Dollars (\$300.00).

<u>Annual Income</u>	<u>Percentage of Tax Due which will be exempted</u>
\$ 0-10,500	80%
\$10,501-12,500	60%
\$12,501-15,000	40%
\$15,001-17,500	20%

MANUFACTURED HOMES:

For purposes of this ordinance and Article X, Section 6 (b) of the Constitution, "manufactured home" means a structure subject to federal regulation, which is transportable in one or more sections; is eighty body feet or more in width and forty body feet or more in length in the traveling mode, or is 320 or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities; and included the plumbing, heating and electrical systems contained in the structure.

SEVERABILITY:

If any segment or segments of this ordinance shall be adjudicated unlawful by a court of competent jurisdiction, the remaining segment or segments shall remain in full force and effect.

ADMINISTRATIVE RESPONSIBILITY:

The responsibility for administration of this ordinance shall rest with the Commissioner of Revenue.

PERSON NOT PHYSICALLY LIVING IN RESIDENCE:

The fact that persons who are otherwise qualified for tax exemption are residing in hospitals, nursing homes, convalescent homes or other facilities for physical or mental care for extended periods of time shall not be construed to mean that the real estate for which tax exemption is sought does not continue to be the sole dwelling of such persons during such extended periods of other residence so long as such real estate is not used by or leased to others for consideration.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

EFFECTIVE DATE:

This ordinance shall become effective at its adoption by the Pulaski County Board of Supervisors with exemptions becoming effective with taxes assessed in the calendar year 1998.

FIRST YEAR APPLICATION DATE:

The application deadline for exemption for the 1998 tax year shall be April 1, 1998, and shall be April 1 for subsequent years.

Voting yes: Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: Mr. Hale, Mr. Conner.

m. Grant application to USDA Rural Development to fund the purchase of fire equipment for the Dublin Fire Department

Mr. Huber explained the purpose of the public hearing was to receive public comments on a proposed grant application to fund the purchase of fire equipment for the Dublin Fire Department. Mr. Sheffey opened the public hearing. There were no citizen comments and the public hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Hale and carried, the Board approved preparation and submittal of an application to the USDA Rural Development seeking funding for the purchase of fire equipment for the Dublin Fire Department, with the Dublin Fire Department to be named as the applicant.

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

6. Highway Matters:

a. Follow-up from Previous Board Meeting:

1. Review of Highway Matters Section of KAT

Target Date	Follow-up from Previous Board Meetings:
Mar. 05	1. Memorial Bridge Update & Rt. 11 Entrance Sign
Nov. 04/Under Review	2. Portion of Kent Farm Road - Rural Rustic Road Eligibility determination
6/05	3. Allisonia Bridge Repairs/Replacement
Nov. 04	4. Low Water Bridge at Little Creek (<i>Pending environmental clearance</i>)
Nov. 04/Estimate Needed	5. PCHS Turn Lane cost estimate for rural addition funding

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

Jan. 05/Estimate Needed	6. Rt. 100 Turn Lane (<i>VDOT advised costs to be more than \$100,000</i>) a. McDonalds b. Southbound onto South I-81 ramp
12/04	7. Delton Road Culvert Status (<i>Pending environmental clearance</i>)
Bids due by 1/05 7/05 start	8. Rt. 711, Mines Road Advertisement
School Bd. Review	9. Dunkard's Bottom Drainage
Jan. 05	10. Dunkard's Bottom School Bus Stop Signage
Winter 04	11. Robinson Tract Road at Bridge
Nov. 04	12. Manns Drive Brush Cutting
Ongoing	13. Hazelwood Drive Paving Requirements
12/04	14. Guardrail Listing - Add Road Names and District
School Bd. Review	15. Horseshoe Loop & Black Hollow Lane Speed Limit Signage
12/04/Ongoing	16. School Signs
11/04/Under Review	17. Brush Cutting - Fariss Mines Road from Boones Furnace Rd.
Under Review	18. New River Post Office Sinkhole
Under Review	19. Dallas Freeman Road, Rt. 778, Spot Widening
Under Review	20. Rt. 11 Passing Zone at Stone Ridge Subdivision
Consider in 6 yr plan	21. Belspring Road Removal of Passing Zones
	22. Rt. 758, Case Knife Road, Request for Paving

VDOT and county staff were requested to follow-up on the following matters:

Supervisor Conner requested VDOT check the low water bridge at Little Creek weekly.

Mr. Clarke advised the Rt. 100 left turn lane will cost over \$100,000.

Mr. Clarke advised VDOT is waiting on notice from the Commonwealth Transportation Board regarding the Black Hollow speed study.

Supervisor Akers expressed concern regarding the Rt. 11 passing zone at Stone Ridge being a safety hazard. Mr. Clarke agreed to efforts to expedite the review.

Mr. Clarke advised a tree was located on the right-of-way on Dallas Freeman Road and cooperation would be needed by the landowner to move the tree.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

2. Rt. 693 Request for Speed Study

Mr. Clarke advised he expected a formal speed study would result in a 35 mph posting.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved requesting VDOT conduct a formal speed study from New River Trail State Park to Hurst Road in anticipation of a 35 mph limit.

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

Voting no: none.

3. Rt. 11/Morehead Lane Speed Limit

Staff were requested to contact the Town of Pulaski and seek clarification from the town as to the expected speed limit on Rt. 11 at the new Pulaski Elementary School.

4. Rt. 11/Cougar Express Hole in Median

Mr. Clarke advised the repair had been completed.

5. Exit 101 Southbound Ramp Turning Radius

Mr. Clarke reported there was nothing VDOT could do at this time. The Board requested VDOT evaluate an "inside edge line" at this exit. Supervisor Akers requested consideration of eliminating the center divider coming off of the exit ramp.

b. Report on Upgrading of Roadsides

Mr. Clarke provided a report on the new VDOT program to do landscaping on VDOT right-of-way by allowing the municipality to work with VDOT, community groups and corporations to set up sponsorships.

c. Rural Addition Status Report

The Board reviewed the current rural addition status report.

d. Revenue Sharing Program

Supervisor Conner suggested putting revenue sharing money towards the turn lane at Pulaski County High School. County staff were requested to prepare a listing of priorities of revenue sharing projects. Mr. Clarke reported the cost of the turn lane to be \$150,000.

e. Transportation Enhancements

Mr. Huber explained the potential for a road connecting to New River Community College (NRCC) and Airport to Virginia Tech crossing to the North of the main RAAP manufacturing property and that the purpose of placing this matter on the agenda was to encourage public discussion.

f. Transportation Funding Resolution

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved the following resolution requesting approval in urging increased funding for roads:

**Resolution Urging Increased Funding for
Virginia's Secondary Road System**

WHEREAS, the funding level for Virginia's Secondary Road System has been far less that adequate for many years; and

WHEREAS, Virginia's Secondary Road System makes up a majority of the State's road network, and cuts to Secondary System funding are vastly out of proportion with the size, scope, and function of the Secondary System; and

WHEREAS, from FY 2004 to FY 2005, Secondary System funding for the Salem District alone was slashed by 28%, and projections through 2010 for the District show a continuing downward trend in Secondary System funding allocations; and

WHEREAS, County Secondary System allocations are woefully insufficient to address bridge structure replacement/rehabilitation, which requires particularly large amounts of funding, let alone the maintenance of hundreds of miles of road; and

WHEREAS, in the New River Valley, there have been several cases in which the diminished capacity rating of an old secondary system bridge was such that school buses and fire trucks could not use the structure, causing significant inconvenience and risk; and

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

WHEREAS, dramatically reduced Secondary System funding leads to reduced and/or inadequate maintenance which, in turn, leads to further damage and increases the ultimate cost of repairs.

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors urges the Commonwealth Transportation Board, the Virginia Department of Transportation, and the General Assembly to act in a timely fashion to restore funding to the Secondary Road System at the level necessary to provide for needed maintenance and improvement of the System, as further inattention to this issue will lead to degradation of infrastructure, quality of life, and ability to attract/absorb economic growth.

BE IT FURTHER RESOLVED, that funding measures be put in place that allow County Secondary System allocations to keep up with the rate of inflation and increasing vehicle miles traveled (VMT).

Adopted this 20th day of December, 2004.

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

g. Citizen Concerns

Mr. E. W. Harless expressed concern over the quality of construction on and the use of the county's road funds to make improvements to Rt. 100 over Cloyd's Mountain, specifically concern that the repairs are funded from the county's maintenance fund; the piping installed at Cooks Crossing; that the Rt. 114 bridge repairs had not been handled properly by VDOT; and that funding of the proposed connector road might impact other projects.

Supervisor Sheffey inquired as to any statute of limitations where a contractor has to be responsible for road improvements made by the contractor. Mr. Clarke advised there was none, once the road was accepted by the state.

h. Board of Supervisors Concerns

Supervisor Conner expressed appreciation to VDOT for the work done on Hatcher Road.

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved adding Neck Creek Road to the six-year plan waiting list (unpaved portion).

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

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

i. Addition to Secondary System – Country Club Drive

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board approved the following resolution adding Country Club Drive to the secondary system:

WHEREAS, the street(s) described on the Additions Form (Sr- (A) (a copy of which is filed with the records of this meeting), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Pulaski County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the Additions Form SR-5(A) to the Secondary System of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

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

Voting no: none.

j. Request to Add Peak St. to the VDOT Secondary System as a Rural Addition

The Board requested county staff to review of Peak Street as a possible rural addition and provide an update to the Board in the weekly update.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

7. Treasurer's Report

Treasurer Rose Marie Tickle provided the Board with a copy of the Treasurer's monthly report.

8. Citizens' Comments

Mr. Jim Whited explained his efforts in seeking funding from Rural Development for water and sewer to serve Polyester Mobile Home Park.

The Board requested staff seek a recommendation from Draper Aden as to the use of ductile vs. PVC pipe and provide an update to the Board in the weekly update.

9. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

The Board reviewed in detail the Key Activity Timetable with no changes.

b. Fire Protection Committee

Mr. Willie Richardson spoke on behalf of the Pulaski Fire Protection Committee and provided details regarding a request for funding for the "quint" fire apparatus and further explained the expected shortfall to be \$18,322.12.

On a motion by Mr. Pratt, seconded by Mr. Conner and carried, the Board approved appropriation of \$18,322.12 towards the Dublin Fire Department purchase of a "quint" truck.

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

Voting no: none.

The Board requested staff to contact the Town of Pulaski to request the town consider assisting in paying for the Dublin Fire Department truck.

c. Appointments

The Board delayed action on appointments until the "Closed Meeting" session of the Board meeting.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

10. Items of Consent:

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved items of consent as follows, with the exception of items "n – Naming of Animal Shelter Facility and Purchase of Kennels" and "p – MLK Request for Extension" both of which were removed and voted on as separate items:

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

a. Approval of Minutes of November 22, 2004

The Board approved the minutes of the Board of Supervisors meeting of November 22, 2004.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 13569 through 14036, subject to audit.

c. Appropriations and Interoffice Transfers

The Board approved Interoffice Transfer #6 totaling \$44,846.49 and appropriations as follows:

GENERAL FUND #10
Year Ending June 30, 2005

REVENUES:

16150-0500	Donations – Friends PCL for Teen Week	[100.00]
18030-1300	Refunds - Information Today Dupl. Pmt.	[150.00]
18030-1300	Refunds - Verizon – Erate	[3567.31]
?	Gateway Staying Connected Grant (Received 8/19/04)	[5540.00]
	TOTAL:	\$ 9,357.31

EXPENDITURES:

6025	YA + Adult Programs	100.00
6012	Books & Subscriptions	150.00
5230	Telecommunications	3567.31
6041	Gates Grant	5540.00
	TOTAL:	\$9,357.31

GENERAL FUND #11

EXPENDITURES:

2825	EZ Training Grant (Carry Forward From 2003-04)	34.75
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BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

TOTAL: \$34.75

GENERAL FUND #12

REVENUES:

016150-1200	CE Richardson Grant Library	2,500.00
018990-5310	CE Richardson Grant Jamestown 2007	4,000.00
019020-4000	Hazardous Materials Response Reimbursement	870.00
016030-1000	Comm. Attorney Seized Assets Funds	283.50

TOTAL: \$ 7,653.50

EXPENDITURES:

012310-1310	Comm. Of Revenue Part-Time Wages	324.00
012310-2100	Comm. Of Revenue FICA	25.00
021600-8101	Clerk's Office Machinery & Equipment	469.00
022100-6017	Comm. Attorney Equipment	283.50
035500-8101	Emergency Management Equipment	870.00
031200-1139	Sheriff's Office Salaries & Wages	36,400.00
031200-2100	Sheriff's Office FICA	2,785.00
031200-2210	Sheriff's Office VRS	3,276.00
031200-2700	Sheriff's Office Worker's Comp.	489.00
035100-1147	Animal Control Salaries & Wages	2,100.00
035100-2100	Animal Control FICA	161.00
035100-2210	Animal Control VRS	189.00
035100-2700	Animal Control Worker's Comp.	32.00
072700-3170	Jamestown 2007 Celebration Professional Services	4,000.00
073100-6012-0200	Library – Books (C E Richardson Grant)	2,500.00

TOTAL: \$ 53,903.50

SCHOOLS #12

REVENUES:

3-205-24020-2050	Pre-School Social Services Grant	4,884.47-
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EXPENDITURES:

4-205-061100-6013-211-100-315	Instructional Supplies	4,884.47
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TOTAL: \$ 4,884.47

SCHOOLS #13:

REVENUES:

3-205-16120-1100	Sub Teacher Fees	25,553.57-
3-205-18030-0310	Comp. Services Reimbursement	6,021.73-
3-205-18990-0200	Misc. School Revenues	81.25-
3-205-18990-3300	Easement/Right of Way	1.00-

TOTAL: \$31,657.55-

EXPENDITURES:

4-205-062140-6001-900	Office Supplies	81.25
4-205-064200-5110-900	Operations/Electricity	31,576.30

TOTAL: \$31,657.55

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

SCHOOLS #14:

REVENUES:

3-205-24020-5100	1st 04 – 05	10,000.00
	TOTAL:	\$10,000.00

EXPENDITURES:

4-205-061100-1121-207-100-305	Salaries Teachers 1st	7,500.00
4-205-061100-6013-207-100-305	Instructional Supplies	2,500.00
	TOTAL:	\$10,000.00

SCHOOL #15:

REVENUES:

3-205-033020-4100	Title V 04 – 05	2,809.00-
	TOTAL:	\$ 2,809.00-

EXPENDITURES:

4-205-62190-1141-950-100-954	Salaries Title V	2,809.00
	TOTAL:	\$ 2,809.00

SCHOOLS #16:

REVENUES:

3-205-033020-0200	Title I 03-04	7,970.64 -
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EXPENDITURES:

4-061100-1121-200-100-990	Title I 03-04	7,970.64
	TOTAL:	\$ 7,970.64

SCHOOLS # 17:

REVENUES:

3-205-033020-4800	Title 1 Part D 0405	46,001.00 –
	TOTAL:	\$ 46,001.00 -

EXPENDITURES:

4-205-061100-1121-301-100-993	Salaries Teachers	18,650.00
4-205-062131-3160-900-000-993	In-Service	1,400.00
4-205-062131-5510-900-000-993	Local Mileage	1,000.00
4-205-062131-6013-900-000-993	Instructional Sup	3,951.00
4-205-062131-8201-900-000-993	Capital	21,000.00
	TOTAL:	\$46,001.00

SCHOOLS #18:

REVENUES:

3-205-33010-1900	Title IID 04-05	13,082.00 –
	TOTAL:	\$ 13,082.00 –

EXPENDITURES:

4-205-062190-8201-950-100-920	Equipment	13,082.00
	TOTAL:	\$13,082.00

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

SCHOOLS # 19:

REVENUES:

3-205-033020-0200	Title I 04-05	21,142.00 –
	TOTAL :	\$21,142.00 -

EXPENDITURES

4-205-061100-1121-200-100-989	Salaries Teachers Title I 04-05	21,142.00
	TOTAL:	\$21,142.00

SCHOOLS #20:

REVENUES:

3-205-033020-2600	Title IIA 04-05	25,483.00
	TOTAL:	\$25,483.00

EXPENDITURES:

4-205-061100-3160-200-100-950	Title 11A In-Service	25,483.00-
Title IIA Less than projected in June Grant Less For 04-05 –		
	TOTAL:	\$ 25,483.00-

d. Ratification

There were no items presented for ratification at this time.

e. Contracts, Change Orders & Agreements

There were no items presented at this time.

f. Personnel Changes

The Board reviewed recent personnel changes as provided by Ms. Burchett.

g. Sponsorship of Legislative Dinner

The Board approved sponsorship at a cost of approximately \$1,500 to be used towards a legislative dinner to be held in Richmond following the Old Dominion Assembly.

h. 2007 NACO Conference Support

The Board approved a \$1,000 contribution towards the cost of the 2007 NACO Conference.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

i. Health Department Funding Agreement

Staff presented the Health Department funding agreement for the Board's review and approval. The Board approved the funding agreement, subject to review and approval by the county attorney. A copy of said agreement is filed with the records of this meeting.

j. Regional Water Authority Resolution of Support

The Board adopted the following resolution supporting the concept of a regional water authority:

WHEREAS, the New River Valley Planning District Commission prepared on behalf of the localities and the water supply authorities in the region, *New River Valley Water Supply Plan, Phase I*, which concluded that the region has the resources to produce some 32 million gallons of potable water each day, the public water supply entities can not take advantage of the potential supply, even in emergency situations because they are un-connected or under connected; and

WHEREAS, the study is continuing to evaluate the ability to serve areas within the region in which public water supply is not available; and

WHEREAS, the Policy Advisory Committee recognizes that there significant discussions required to support the full discussion of forming a regional water supply authority who's purpose would be to provide the production and distribution of public water within the region; and

WHEREAS, there is an opportunity to apply for additional grant support from USDA Rural Development through the New River Valley Development Corporation to support continued study; now

THEREFORE BE IT RESOLVED that the Pulaski County Board of Supervisors does agree to continue participation in the Policy Committee believing that it is in their interest to continue to explore the conditions under which a regional water supply authority might be created; and

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

BE IT FURTHER RESOLVED that the Board of Supervisors recognizes that the grant will require matching funds (likely in the range of \$25,000 to \$35,000) which would be shared among the organizations wishing to continue the study.

k. Adjustments to 2005 Meeting Calendar

The Board approved moving the December 2005 Board meeting from December 26, 2005 to December 19, 2005 due to the Christmas holiday.

l. Budget Calendar

The Board approved the following budget calendar:

**FY 2005-06
BUDGET CALENDAR**

DATE

ACTIVITY

CAPITAL IMPROVEMENT PLAN (CIP)

Friday, September 24, 2004	Distribution CIP preparation instructions (done)
Friday, October 22, 2004	CIP Requests Due (done)
Tuesday, December 14, 2004 (done)	CIP requests distributed to Planning Commission
Friday, December 17, 2004 (done)	CIP requests distributed to Board of Supervisors
Tuesday, January 11, 2005	Planning Commission review of Capital Improvements
Tuesday, February 8, 2005	Planning Commission CIP recommendations

BUDGET

Thursday, January 6, 2005	Distribution of budget instructions
Mid January (being scheduled)	Meeting with School Board and Board of Supervisors to discuss overall budget goals, building needs and joint services.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

Friday, February 11, 2005	Budget requests to be submitted to County Administrator
Monday, February 28, 2005*	Initial local revenue estimates and requested expenditures presented to the Board of Supervisors (real estate rate considerations begun, if needed)
Friday, March 11, 2005	Draft budget recommendations submitted to Board and agencies for review and comment
Monday, March 21, 2005	Deadline for agency comments and scheduling of April 4 th presentations
Monday, March 28, 2005*	Presentation of budget recommendations to Board of Supervisors - Real estate tax rate set for 2005
Monday, April 4, 2005	Other agency/department comments and additional budget discussions between Board of Supervisors and School Board (if needed)
Monday, April 11, 2005	Budget work session
Monday, April 18, 2004	Budget work session
Monday, April 25, 2004*	Budget follow-up in conjunction with Board meeting
Monday, May 2, 2005	Tentative budget work session (if needed) and approval of public hearing advertisement
Sunday, May 8, 2005	Budget advertised
Monday, May 16, 2005	Public hearing
Monday, May 23, 2005*	Budget adoption in conjunction with Board meeting

*DENOTES MONTHLY FOURTH MONDAY SUPERVISORS MEETING ALREADY SCHEDULED

Meetings of Board of Supervisors Highlighted

NOTE: Human Service Agency Budget requests

m. Regional Employment Services Program Grant Support

The Board accepted a \$665,000 regional employment services program grant, with the understanding an in-kind match of \$289,060 will be provided through existing budgets of various social service departments.

n. Naming of Animal Shelter Facility & Purchase of Kennels

The Board reviewed a letter from the Pulaski County Humane Society asking for consideration by the Board in naming the new facility the "Pulaski County Animal Shelter and Humane Education Center". Further, Mr. Huber reported in a recent meeting plans were made to order sufficient kennels to open the shelter based on current fund raising, \$129,719.22 of the \$250,000 goal, which would allow the shelter to open in four to six weeks, during which final building details were expected to be completed and staff to begin furnishing the facility.

On a motion by Mr. Hale, seconded by Mr. Akers and carried, the Board approved naming the animal shelter the "Pulaski County Animal Shelter and Humane Education Center".

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

Voting no: Mr. Conner, Mr. Pratt.

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved purchase of kennels from T-Kennel Systems.

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

Voting no: none.

o. Broadband Implementation Plan

Mr. Huber presented a revised Broadband Implementation Plan which is being reviewed by the Telecommunications Committee. Revisions included the addition of Phase 1 and 2 in item 3 which address the installation of fiber between county facilities and wireless service as a "last-mile" alternative for those not served by DSL or cable modem services.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

The Board approved the plan, including the addition of Phase 1 and 2 in item 3, which addresses the installation of fiber between county facilities and wireless service as a "last-mile" alternative for those not served by DSL or cable modem services.

p. MLK Request for Extension

Mr. Huber presented a request from MLK seeking a nine-month extension of their \$50,000 payment from June 2, 2003 to March 2, 2005. They advised this would allow them to offer more spec homes through the winter months.

Supervisor Pratt requested clarification on the extension being requested by MLK and questioned if there was any interest factored into the extension of deadline for payment. Mr. Huber advised interest could be factored into the extension, if the Board desires.

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board approved the extension with penalty and interest on June 2005 payment, subject to requiring a 5% penalty and 10% interest for future payments due June 2005 and June 2006.

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

Voting no: none.

q. Southwest Virginia Economic Development Commission Request for Funding for FY 05

Mr. Huber presented a request from Carl Mitchell, President and CEO of Virginia Economic Bridge, Inc., requesting consideration by the Board for funding for the FY 05 Southwest Virginia Economic Development Commission in the amount of \$1,000.

The Board approved the \$1,000 request for FY 05 for the Southwest Virginia Economic Commission.

r. Letter of Support for State Auxiliary Grant

The Board reviewed information from Ms. Burchett advising that at the Fairview Home, Inc. and Fairview District Home Board meetings held in December, the Boards were advised by the City of Radford's Department of Social Services Director, Vicki Collins, that the Department of Social Services will be requesting the Commonwealth of Virginia for a substantial increase in the amount of

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

state auxiliary grant for assisted living individuals such as Fairview Home residents. The estimated increase would mean approximately \$6,000 more in revenue per month for Fairview Home.

The Board approved sending letters to legislators encouraging approval of the Department of Social Services request for increase in state auxiliary grants.

s. Opposition to Verizon Rate Increase

The Board reviewed correspondence from Competitive Carrier Coalition soliciting opposition to a rate increase requested by Verizon.

The Board adopted the following resolution:

WHEREAS, affordable telecommunications services are vital to the economic health and general well-being of rural Virginia;

WHEREAS, Local telephone service competition has not taken root in much of rural Virginia;

WHEREAS, Verizon continues to dominate the local telephone market in rural Virginia;

WHEREAS, On July 9, 2004, Verizon Virginia Inc. and Verizon South filed an application with the Virginia State Corporation Commission for a newly proposed regulatory plan;

WHEREAS, The Verizon Application seeks the ability to raise basic telephone rates in rural areas by 10% per year plus inflation and effectively remove price limits on other services, such as Call Waiting and Caller ID; and

WHEREAS, The Staff of the State Corporation Commission issued a formal report on October 15, 2004, finding that the Verizon Application (1) has not demonstrated that the plan is affordable for basic service; (2) does not reasonably ensure the continuation of quality local exchange telephone service; (3) does not demonstrate that it will not unreasonably prejudice or disadvantage telephone customers or competitors; and (4) is not in the public interest;

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

BE IT NOW THEREFORE RESOLVED by the Pulaski County Board of Supervisors of Pulaski, Virginia, that the Pulaski County Board of Supervisors is opposed to higher basic telephone rates for residences and businesses in rural Virginia; and

The Pulaski County Board of Supervisors urges the Commissioners of the Virginia State Corporation Commission to reject the Application for the proposed regulatory plan by Verizon.

t. Library Board Purchase of Color Copier

Mr. Huber reported funding was no longer requested by the Library to purchase a copier due to the Library choosing to use lease purchase option to pay for the copier.

u. Constitutional Officer Employee Pay

The Board approved maintaining a supplement of \$15 per pay period to prevent a decrease in pay for affected employees retroactive to December 1, 2004.

11. Citizen Comments

There were no citizen comments at this time.

12. Other Matters from Supervisors

There were no other matters presented at this time.

13. Closed Meeting

It was moved by Mr. Hale, seconded by Mr. Pratt and carried, that the Board of Supervisors enter Closed Session for discussion of the following:

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:

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:

- ◆ Newbern Museum

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

Personnel – Pursuant to Virginia Code Section 2.2-3711(A)1 discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding:

- ◆ Appointments

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

- ◆ Fairlawn Development
- ◆ Industry Incentives
- ◆ Project Sandcastle

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:

- ◆ Joint Services Agreement
- ◆ AEP Rate Increase
- ◆ Pepper's Ferry Wastewater Treatment Authority Discharge
- ◆ New River Valley Development Corporation
- ◆ Adelphia Cable Franchise Agreement

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

Voting no: none.

Return to Regular Session

It was moved by Mr. Conner, seconded by Mr. Pratt 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. Pratt, seconded by Mr. Conner 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:

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

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 Matters:

Appointments

It was moved by Mr. Hale, seconded by Mr. Conner and carried, that the following appointments be approved:

1. Library Board

The Board reappointed Judy Barr to the Library Board with a term ending December 31, 2008, as well as appointed Sandy Smith as a new member for a four year term ending December 31, 2008. Staff presented information indicating two additional vacancies exist. The Board directed staff to contact Phillip Baker, Bob Piscura, Mason Vaughan, Jr. and Steve Burcham to consider serving on the Library Board and provide an update at the January, 2005 Board meeting.

2. Industrial Development Authority (IDA)

The Board reappointed Layne Burcham, James Lark, and Odell Mayberry for an additional term on the Industrial Development

3. Public Service Authority (PSA)

Mr. Huber advised the terms of Doug Warren, H. W. Huff, Jr., Carl Mathes and Archa Vaughan expire January 31, 2005. The Board of Supervisors requested Mr. Huber to seek PSA Board members input as to continuing with service before appointment and provide an update at the January 2005 Board meeting.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

4. Community Development Advisory Committee

Mr. Huber presented a listing of suggested names for the formation of a Community Development Advisory Committee for consideration by the Board. The Board directed staff to reduce the list to 15 members and provide a recommendation to the Board at the January meeting.

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

Voting no: none.

Legal Matters

1. AEP Rate Increase

County Attorney Thomas J. McCarthy, Jr. presented to Board of Supervisors Chairman Joseph L. Sheffey notice that pursuant to Section 2.2-3115 of the Code of Virginia, as amended, and the entire section of the Code with regard to the State and Local Government Conflict of Interest Act, that Gilmer, Sadler, Ingram, Sutherland and Hutton is retained by Appalachian Power Company to represent it on an "as needed" basis, and that Mr. McCarthy has represented Appalachian Power Company in the past. The Board acknowledged receipt of a notification from Mr. McCarthy of a possible conflict with regards to the Appalachian Power Company Va. S.C.C. Case No. PUE-2004-00128 and ordered the notice letter filed with these minutes.

2. Adelphia Cable Franchise Agreement

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board approved extending the Adelphia Cable Franchise Agreement for one year, pending review by County Attorney, Tom McCarthy.

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

Voting no: none.

3. New River Valley Development Corporation

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board approved providing financial support for the New Valley Development Corporation.

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 20, 2004

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

Voting no: none.

14. Adjournment

It was moved by Mr. Hale, seconded by Mr. Akers and carried, that the Board of Supervisors adjourn to its next regular meeting scheduled for Monday, January 24, 2004 at 7:00 p.m. in the Board Room of the County Administration Building, 143 Third Street, N. W., in the Town of Pulaski, Virginia.

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

Voting no: None.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator