

BOARD OF SUPERVISORS MEETING MINUTES OF JUNE 22, 2009

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, June 22, 2009 beginning with a Closed Session at 6:00 p.m. in the Board Room of the County Administration Building located in the Town of Pulaski, Virginia, the following members were present: Joseph L. Sheffey, Chairman; Dean K. Pratt, Vice-Chairman; Ranny L. Akers; Charles Bopp; and Frank R. Conner. Staff members present included: Peter M. Huber, County Administrator; Robert Hiss, Assistant County Administrator; Shawn Utt, Community Development Director; Diane Newby, Finance Director; and Thomas J. McCarthy, Jr., County Attorney. Joining the regular session at 7:00 p.m. was Melody Taylor, Deputy Clerk to the Board of Supervisors.

1. Closed Session – 2.2-3711.A.1.3.5.7

Chairman Sheffey called the meeting to order and advised a Closed Session would need to be held as follows:

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.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board of Supervisors entered a Closed Session for discussion of the following:

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

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:

- 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.

- Project Aluminum
- NRV Airport Project

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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:

- Pulaski Furniture
- City of Radford Water
- Town of Pulaski Fire Service Agreement

Return to Regular Session

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

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

Voting no: none.

Certification of Conformance with Virginia Freedom of Information Act

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

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

WHEREAS, Section 2.2-3712(D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

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

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

Voting no: none.

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2. Invocation

The invocation was provided by County Attorney Tom McCarthy.

3. Recognitions:

a. Featured Employees

The Board recognized Ethel Witt of the county's Custodial staff and Tracy Smith of the Sheriff's Department, as the Featured Employees to serve in the month of July. Chairman Sheffey read a description of the job duties and personal interests of Ms. Witt and Ms. Smith and Board members presented a Fatz Cafe gift certificate to each employee.

b. Naming of Warren Newcomb Drive

Members of Mr. Newcomb's family were present to accept a presentation by the Board of Supervisors recognizing the naming of "Warren Newcomb Drive".

4. Additions to Agenda

There were no additional agenda items.

5. Public Hearings:

- Petition by **John Douglas Trail Et Al** for Special Use Permit (SUP) located on property located at 4794 Boyd Rd, Draper., to allow Manufactured Home, Second, (108-001-0000-026B), (Draper District).

Chairman Sheffey explained the public hearing process.

Mr. Utt explained the request and advised the Planning Commission recommended approval.

Chairman Sheffey opened the public hearing. There were no citizens present to speak for or against the petition and the hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the petition for a Special Use Permit (SUP) to allow for a manufactured home, contingent upon Virginia Department of Health approval for septic and well, and as recommended by the Planning Commission.

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

Voting no: none

6. Citizen Comments

a. ARMS – The Space Program” Presentation

Mr. George Jobson, ARMS Program Manager, ATK Armament Systems, Radford Army Ammunition Plant (RAAP), made a presentation regarding the reuse of RAAP facilities by third parties and introduced the new plant commander.

b. June Harless

Ms. Harless had requested time on the agenda; however, she was unable to attend the meeting due to a family illness.

c. Other Citizen Comments

Mr. William L. Nester asked for the Board’s guidance for extension of water from Parrott Mountain Road, (Rt. 606), to High Road, Rt. 830, approximately .8 miles. Mr. Nester stated there are four handicapped persons living in this area. Mr. Nester spoke with Rick Boucher’s office regarding funding. Mr. Huber explained the procedure to Mr. Nester in determining the feasibility for the extension of water service. Mr. Nester invited Mr. Huber and Board members to visit the area.

7. Highway Matters:

Mr. David Clarke, VDOT Resident Engineer, met with the Board and discussed the following matters:

a. Follow-up from Previous Board meeting

1. Review of Highway Matters Section of Key Activity Timetable (KAT)

Mr. Clarke reviewed the Key Activity Timetable with Board members and noted VDOT continued to work on the projects currently on the list. There were no changes or comments to the KAT.

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b. Request for Speed Limit and Children at Play Signage at Intersection of Hatcher Road and Route 11

Mr. Clarke advised a resolution would need to be adopted by the Board to allow for the speed limit reduction. Supervisor Conner advised there are concerns from the property owners regarding the current speed limit. VDOT offered to review the current speed limit and provide an update at a future meeting.

c. Proposed Upgrades to Intersections

Mr. Clarke stated VDOT will be prioritizing the areas for upgrade according to safety and funding availability. Supervisor Akers indicated most all of the intersections in the county need to be upgraded. Mr. Clarke stated revenue sharing may be an option. The Board requested VDOT prioritize the list and provide an update at the July meeting.

d. Modification to Charles Drive Stop Sign

Sheriff Davis advised of recent complaints regarding citizens ignoring the Stop sign at Charles Drive. VDOT was asked to review the area in question. Mr. Clarke agreed to review the matter.

e. Hatcher Road Speeding

Supervisor Conner inquired as to the visibility of a speed limit sign in the vicinity of Moses Drive. Sheriff Davis also advised his staff had clocked citizens traveling in excess of 70 mph on the road, particularly in the afternoons after school ends. VDOT staff was asked to review the extension of the area included in the existing 25 mph speed limit.

f. Request for Speed Reduction on Kirby Road

Supervisor Pratt requested VDOT review Old Baltimore Road and Kirby Road for a possible speed reduction. Mr. Clarke agreed to review the matter.

g. Citizen Concerns

Mr. Al Davis expressed concern regarding the intersection in Fairlawn coming from Belspring Road, Rt. 600, to Wendy's, advising the brush has grown up limiting the site distance on to Route 11, Lee Highway. Mr. Davis also had concerns regarding unlicensed vehicles in the Fairlawn and New River areas. The Board requested VDOT mow

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the area in question. County staff was requested to review the New River area for unlicensed vehicles.

h. Board of Supervisors Concerns

Supervisor Pratt requested VDOT to review Old Baltimore Road, Rt. 654, and Kirby Road, Rt. F047, regarding poor site distance due to a weeping willow tree. Mr. Clarke agreed to have VDOT review the matter.

Supervisor Bopp requested VDOT to review Loving Field Road, Rt. 693, as it relates to the pavement being raised and shoulders not built up to meet the road. Mr. Clarke agreed to have VDOT review the matter.

Supervisor Akers requested VDOT to review the following road matters: Little River Dam Road, Rt. 605, for the need for guardrail; washed out areas of roads in Snowville and Allisonia; and brush over grown in several areas. Mr. Clarke agreed to have VDOT review the matters.

Chairman Sheffey requested VDOT to review the following road matters: Hazel Hollow Road, Rt. 626, where the shoulder of the road is breaking off from Lee Highway; Rt. 11, to Wilderness Road, Rt. 611; Lee Highway, Rt. 11, at Pro Cycle Shop near Wendy's for pot holes; Falling Branch Road, Rt. 798, indicating metal bridges with the heavy rain have accumulation of debris under and next to bridges, as well as sand and dirt piles; and Falling Branch Road, Rt. 798, concrete ditch has filled with debris. Mr. Clarke agreed to have VDOT review these matters.

8. Treasurer's Report

Treasurer Melinda Worrell was unable to attend the meeting; however, Ms. Worrell provided a written updated monthly report, a copy of which is filed with the records of this meeting.

9. Reports from the County Administrator & Staff:

a. Appointments

On a motion by Mr. Pratt, seconded by Mr. Conner and carried, the Board approved the following appointments:

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1. Ninth District Development Financing Inc.

The Board reappointed Colonel Dallas Cox for an additional two year term ending June, 2011.

2. Clean Community Council

The Board appointed Harry Hudson to the Clean Community Council.

3. Wireless Authority

The Board reappointed Carol Smith to the Wireless Authority for an additional four year term ending July 25, 2013. Staff noted one additional vacancy exists due to the resignation of Jim Sandidge.

b. Key Activity Timetable

The Board reviewed the Key Activity Timetable in detail. Chairman Sheffey inquired as to the accuracy of the target date for the Rt. 100 plantings. Staff advised the target date would need to be moved to September, 2009.

c. Scheduling of Administrator's Evaluation

The Board scheduled the County Administrator's evaluation for Wednesday, July 15, 2009 at 5:00 p.m. at Tom McCarthy's residence and directed county staff to send a formal invitation to the Southwest Times and Roanoke Times.

d. Scheduling of Tour of Dawn's Building

Staff offered to provide Board members with a tour of the newly renovated Dawn's building. Board members indicated they would schedule individual tours of the building.

10. Items of Consent

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the following items of consent:

a. Approval of Minutes of May 18, 2009

The Board approved the minutes of the May 18, 2009 meeting.

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b. Accounts Payable

The Board approved accounts payable for checks numbered 2008805 through 2009566, subject to audit.

c. Interoffice Transfers & Appropriations

The Board approved interoffice transfer #12 totaling \$35,233.07 and appropriations as follows:

General Fund #15

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
3-100-33010-2035	DCJS Local Law Enforcement Block Grant	910.00
3-100-24040-6300	DCJS Pre-Trial Services Grant	39,236.00
3-100-18990-1600	Miscellaneous Revenues	120.79
3-100-19010-5800	Claytor Lake Celebration Donations	4,279.43
3-100-19010-5800	July 4th Donations	700.00
3-100-33020-3000	USDA Rural Development Central Utilities Projects	578,797.89
3-100-18990-4410	Local Donations Sheriff's Office	50.00
	TOTAL	\$624,094.11
<u>EXPENDITURES:</u>		
4-100-21500-8101	J&D Court Equipment	910.00
4-100-92110-5875	State Budget Reductions	39,236.00
4-100-71370-6014	Claytor Lake Celebration Operating Supplies	4,279.43
4-100-71380-3170	County Celebration Fireworks	700.00
4-100-35500-4603	Emergency Management Central Garage Fuel	120.79
4-100-93000-9213	Transfer to PSA Fund	578,797.89
4-100-31200-6020	Sheriff Police Dog Supplies	50.00
	TOTAL	\$624,094.11

General Fund #16

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Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
3-100-41999-0000	Use of Fund Balance	\$ 13,436.00
	TOTAL	\$ 13,436.00
<u>EXPENDITURES:</u>		
4-100-12240-3120	Accounting & Auditing Services	\$ 5,436.00
4-100-035500-8112	Emergency Management Building Repairs	(180.00)
4-100-035500-6011	Emergency Management Uniforms & Wearing Apparel	180.00
4-100-093000-9203	Transfer to CSA Fund	8,000.00
4-100-021500-8101	J&D Court Machinery & Equipment	155.00
4-100-021500-4100	J&D Court Data Processing	(155.00)
	TOTAL	\$ 13,436.00

General Fund #17

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
	TOTAL	\$ -
	TOTAL	\$ -
<u>EXPENDITURES:</u>		
4-100-35530-8201	Homeland Security Machinery & Equipment	\$ (800.00)
4-100-35500-6002	Emergency Management Food Supplies and Food Service	800.00
	TOTAL	-

General Fund #18

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
3-100-016030-1000	Share of Seized Property/Commonwealth Attorney	\$ 2,939.30
3-100-016030-1100	Share of Seized Property/Sheriff	2,939.31
3-100-016150-0700	RIF Program	600.00
3-100-013010-0100	Dog Tags/Kennel License	10,000.00

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3-100-016060-1000	Animal Protection	7,000.00
3-100-016130-0400	Charges Office on Youth After School Program	133.00
3-100-016130-0800	Summer Youth Camp Fees	6,500.00
3-100-016130-1100	Recreation Donations	1,525.00
3-100-016150-0500	Library Donations	2,556.42
3-100-018990-7800	Gates Foundation Library	5,850.00
3-100-023080-0100	Clerks Technology Funds	9,430.68
3-100-018990-3500	Health Insurance Wellness Reimbursement	13,667.00
3-100-019020-7000	Friends of Claytor Lake Reimbursement	3,000.00
3-100-011010-0101	Current Year Taxes - RE	151,768.00
		\$217,908.71
<u>EXPENDITURES:</u>		
	Commonwealth Atty Supplies/Equipment Seized Assets	\$ 2,939.30
4-100-022100-6017		
4-100-031200-6017	Sheriff Supplies/Equipment Seized Assets	2,939.31
4-100-21600-8107	Clerk of Circuit Court Technology Funds	9,430.68
4-100-073100-5699	Library RIF Program	600.00
4-100-011010-3500	Board of Supervisors Printing	6,325.00
4-100-011010-3600	Board of Supervisors Advertising	5,300.00
4-100-011010-6002	Board of Supervisors Food Supplies	5,600.00
4-100-012110-3500	County Administrator Printing	4,450.00
4-100-012220-2910	Personnel Employee Flu Vaccines	2,240.00
4-100-012220-3115	Personnel Employee Wellness Programs	11,427.00
4-100-021200-8102	General District Court Maintenance Contracts	210.00
4-100-021200-8102	General District Court Furniture & Fixtures	245.00
4-100-021800-6012	Law Library Books & Subscriptions	6,000.00
4-100-032250-8101	Snowville Fire Dept Machinery & Equipment	11,500.00
4-100-032300-2870	Ambulance/Rescue Volunteers Decals Reimb.	725.00
4-100-035100-1347	Animal Control Part-Time Salaries	8,000.00
4-100-035100-4603	Animal Control Central Garage Fuel	2,500.00
4-100-035100-5110	Animal Control Electrical Services	4,500.00
4-100-035100-5130	Animal Control Water & Sewer Services	2,000.00
4-100-042400-3140	Refuse Disposal Landfill Engineering & Architectural	14,800.00
4-100-042400-3177	Refuse Disposal Landfill Monitoring Sampling Tests	12,421.00
4-100-043200-1391	General Properties Part-Time Wages	24,000.00
4-100-53500-1310	Office on Youth Part-Time Wages	6,800.00
4-100-071110-3210	Recreation Rec Officials	12,000.00
4-100-071110-3340	Recreation Field Maintenance	1,500.00
4-100-071110-5140	Recreation Refuse Collections Services	1,600.00
4-100-071110-8130	Recreation Equipment	14,000.00
4-100-071320-6005	Randolph Park Janitorial Supplies	1,000.00
4-100-071320-6007	Randolph Park Repairs & Maintenance Supplies	5,000.00
4-100-071350-1394	County Parks Part-Time Wages	500.00
4-100-071350-5140	County Parks Refuse Collection Services	1,200.00

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4-100-071350-5410	County Parks Lease/Rent of Equipment	900.00
4-100-071360-5699	Friends of Claytor Lake Operating Expenses	3,000.00
4-100-073100-6012	Library Books & Supplies	2,556.42
4-100-073210-8101	Library Machinery & Equipment	5,850.00
4-100-072510-5850	County History Publications	50.00
4-100-081290-3170	Baskerville Housing Project	1,800.00
4-100-092110-5850	Miscellaneous Revenue Refunds	22,000.00
TOTAL		\$217,908.71

CSA Fund #1

Account Number	Account Title	Amount Increase (Decrease)
<u>REVENUES:</u>		
3-210-024010-2900	CSA Client Services	\$192,000.00
3-210-041050-1000	CSA Transfer from General Fund	8,000.00
TOTAL		\$200,000.00
<u>EXPENDITURES:</u>		
4-210-053530-5727	CSA Mandated Child & Family Services	\$200,000.00
TOTAL		\$200,000.00

School Fund

Account Number	Account Title	Amount Increase (Decrease)
<u>Revenues:</u>		
3-205-15020-0100	Rental of Property	\$ 2,578.00
3-205-16120-1100	Salaries and Wages	\$ 28,154.96
3-205-18030-0330	Reimb/School Activity	\$ 131,250.98
3-205-18030-0350	Medicaid Reimbursement	\$ 36,684.02
3-205-18030-0400	Title I/Indirect Costs	\$ 2,791.89
3-205-18990-3201	E-Rate	\$ 96,404.80
3-205-18991-0200	Property Damage	\$ 56.00
TOTAL		\$ 297,920.65

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Expenditures:

4-205-62131-1129-900	Salaries & wages Coordinator	\$ 6,070.65
4-205-64200-1160-900	Salaries & wages Maint.	\$ 8,000.00
4-205-64200-1191-900	Salaries & wages Cust.	\$ 53,000.00
4-205-64200-2100-900	FICA	\$ 5,500.00
4-205-64200-2230-900	Direct Payment of Leave	\$ 2,880.00
4-205-64200-2600-900	Unemployment ins.	\$ 1,515.00
4-205-64200-2830-900	Cafeteria Plan	\$ 130.00
4-205-64200-3140-900	Engineering & architecture	\$ 7,500.00
4-205-64200-3170-900	Exterminating	\$ 95.00
4-205-64200-3172-900	Asbestos removal	\$ 3,219.00
4-205-64200-3320-900	Maintenance Service Contr	\$ 4,500.00
4-205-64200-5230-900	Telephone	\$ 38,400.00
4-205-64200-6007-900	Repair & Maint. Supplies	\$ 22,000.00
4-205-64600-1342-900	P/T Sec. Services	\$ 2,770.00
4-205-64600-1345-900	Salaries & wages Sec.	\$ 13,066.00
4-205-64600-2100-900	FICA	\$ 2,100.00
4-205-68100-1121-950-100	Salaries & wages Tech. Res.	\$ 56,172.00
4-205-68100-2100-950-100	FICA	\$ 4,128.00
4-205-68100-2210-950-100	VRS Retirement	\$ 10,025.00
4-205-68100-2220-950-100	VRS Health	\$ 302.00
4-205-68100-2400-950-100	VRS GLI	\$ 230.00
4-205-68300-1141-950-100	Salaries & wages Technicians	\$ 11,700.00
4-205-68300-3320-950-100	Maintenance Service Contr.	\$ 1,268.00
4-205-68300-5001-950-100	Telecommunications	\$ 2,850.00
4-205-68300-5002-950-100	Telecom Network	\$ 36,500.00
4-205-68300-5510-950-100	Local Mileage	\$ 3,000.00
4-205-68300-5540-950-100	Convention & Education	\$ 1,000.00
TOTAL		\$ 297,920.65

d. Ratification and/or Approval of Contracts, Change Orders & Agreements, Etc.

1. Acceptance of Grant for Smoke Detectors

As reported in the Board packet, Bobby Clark advises the county received a grant to fund the placement of 100 smoke detectors to be placed in individual homes over the next 18 months. The Town of Pulaski received a similar grant for 100 detectors. Anticipating acceptance by the Board, Chip Hutchinson, Shawn Utt, and Ty Kirkner plan to work together with the installation of all 200 units. The Board ratified acceptance of the grant.

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2. Community Development Block Grant for Extension of Internet Service to Local Employers

As reported in the Board packet, ratification of an application for \$1 million in economic stimulus funding for the installation of broadband internet service to local employers is requested. The board ratified approval of this application.

3. CAB Window Replacement Grant Application

The Board approved grant application for funds to be used towards the replacement of the County Administration Building windows.

e. Personnel Changes

The Board reviewed recent personnel changes as prepared by Norma Spence, Administrative Assistant.

f. Adoption of FY 2010 Budget & Appropriations Resolution

The Board approved the FY 2010 budget, as indicated on the following appropriations resolution:

**A RESOLUTION APPROPRIATING FUNDS AND
SETTING 2010 PROPERTY TAX RATES FOR
ESTABLISHING GENERAL FISCAL POLICY FOR
THE PERIOD OF JULY 1, 2009 THROUGH JUNE 30, 2010**

WHEREAS, the Pulaski County Board of Supervisors has adopted a budget for the fiscal year ending June 30, 2010; and

WHEREAS, the Board of Supervisors has established tax rates and set a levy sufficient to meet the expenditure requirements of the budget;

THEREFORE BE IT RESOLVED that the Board of Supervisors make the following monetary appropriations for July 1, 2009 through June 30, 2010.

GENERAL FUND:

A total sum of \$34,152,179 is hereby appropriated. Said funds are to be expended as follows:

Board of Supervisors	\$	129,242
County Administrator		226,449
Assistant County Administrator		160,831

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County Attorney	66,120
Personnel	8,500
Independent Auditor	60,584
Operations	83,511
Management Services	101,932
Commissioner of Revenue	439,733
Treasurer	455,349
Director of Finance	109,306
Citizen Service Centers	600
Electoral Board and Officials	57,842
Registrar	84,227
Circuit Court	55,883
General District Court	4,150
Magistrate's Office	200
Juvenile & Domestic Relations Court	5,290
Clerk of Circuit Court	506,521
Law Library	10,728
Victims Witness Assistance	127,854
Women's Resource Center	24,070
Violence Prevention DCJS Grant	40,000
Commonwealth Attorney	790,080
Sheriff	3,241,252
E911 System	166,616
Wireless 911 PSAP	42,000
Forest Fire Protection	6,664
Town of Pulaski Fire Protection	33,784
Draper Vol. Fire Dept.	33,750
Dublin Fire Department	25,600
Fairlawn Vol. Fire Dept.	34,050
Hiwassee Vol. Fire Dept.	32,050
Newbern Vol. Fire Dept.	33,650
Snowville Vol. Fire Dept.	32,550
Twin Comm. Vol. Fire Dept.	31,950
Volunteer Fire & Rescue	6,975
Western Virginia EMS System	7,352
Regional Jail	2,019,103
NRV Juvenile Detention Home	177,128
Court Services	5,900
Pretrial Services	227,173
Community Corrections	449,860
Building Department	150,627
Code Enforcement	49,346
Animal Control	247,417
Humane Society (Animal Friendly Tags)	500
Medical Examiners	500
Emergency Management	89,161

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Enforcement of Property Cleanup	5,000
Landfill/Cloyd's Mountain	60,330
Clean Community Council	46,892
General Properties-Buildings	602,338
General Properties-Grounds	125,480
Cleaning Services	162,801
N.R.V. Airport	236,513
General Engineering	124,142
Health Department	295,886
N.R. Community Services Board	89,646
State and Local Hospitalization	11,564
Area Agency on Aging	16,485
Pulaski Area Transit	62,300
Office on Youth	79,200
Va. Juvenile Commission Crime Control Act	48,746
Institutional Care of Poor	89,397
Children's Advocacy Center	1,000
NRV Cares	4,600
Retired Senior Program	12,886
New River Community Action	52,757
NRV Disability Services	10,598
Goodwill Industries	14,992
Literacy Volunteers of America	3,084
Free Clinic of Pulaski County	27,000
Crossroad Shelter, Inc.	4,500
Brain Injury Services of SW VA	5,000
New River Community College	15,691
Recreation/County and Towns	292,934
Randolph Park	258,596
Parks	21,260
Friends of Claytor Lake	26,621
Claytor Lake Park Celebration	5,000
July 4 th Fireworks/Count Pulaski Festival	15,000
Fine Arts Center for the NRV	13,660
Friends of Pulaski Theatre	2,500
Historical Preservation	6,000
Round the Mountain SW VA Artisan	2,500
Library	575,288
Community Development Director	99,208
Visitor's Center	90,877
Zoning Administrator	103,821
Economic Development	50,677
Industrial Park Maintenance	600
Contribution NRV Planning District	31,554
Pulaski Co. Chamber of Commerce	10,000
Soil Conservation	12,269

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New River Highlands Conversation	700
VPI&SU Extension Office	99,304
Contingency	216,823
Health Insurance Increase	270,000
Erroneous Assessments	1,000
Miscellaneous Revenue Refunds	10,500
Transfer to School Fund	10,818,396
Transfer to VPA Fund	1,075,922
Transfer to Comprehensive Services Act Fund	1,401,348
Transfer to Internal Service Fund	116,336
Transfer to Capital Outlay Fund	1,111,345
Transfer to REMSI Fund	106,981
Transfer to County Debt Fund	1,151,300
Transfer to School Debt Fund	<u>3,251,071</u>
TOTAL GENERAL FUND	\$ 34,152,179

INTERNAL SERVICE FUND:

A total sum of \$1,652,186 is hereby appropriated. Said funds are to be expended as follows:

Information Technology	\$ 347,808
Central Garage	1,140,478
Communications/Copy Center	<u>163,900</u>
TOTAL INTERNAL SERVICE FUND	\$ 1,652,186

CAPITAL IMPROVEMENTS FUND:

A total sum of \$1,111,345 is hereby appropriated. Said funds are to be expended as follows:

Administration Building Window Replacements	\$ 54,000
Information Technology Equipment Upgrade	10,000
Cooling Tower Replacement	40,000
Stone Courthouse – Cold Compressor	10,000
Stone Courthouse – Window Replacements	4,500
Brick Courthouse – Replacement of Coil Units	22,500
Sheriff's Dept. Vehicles	65,000
Sheriff's Dept. Building Replacement	50,000
Fairlawn Volunteer Fire Department Pumper	200,000
Newbern Volunteer Fire Department Parking Lot Pavement	5,000
Peak's Knob Tower	25,000
Pulaski County High School Improvements	325,000
School Telephone System	168,345
Small Business Revolving Loan	40,000
NRV Fairgrounds Improvements	7,000
REMSI Capital Improvement	<u>85,000</u>

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TOTAL CAPITAL IMPROVEMENTS FUND \$ 1,111,345

COUNTY DEBT FUND:

A total sum of \$1,151,300 is hereby appropriated. Said funds are to be expended as follows:

Economic Development	\$	997,523
Hiwassee Fire Department		19,388
Bond Repayments		<u>134,389</u>
TOTAL COUNTY DEBT FUND	\$	1,151,300

SCHOOL DEBT FUND:

A total sum of \$3,251,071 is hereby appropriated. Said funds are to be expended as follows:

SCHOOL DEBT FUND:

Pulaski Elementary School Debt Service	\$	897,070
Riverlawn Elementary School Debt Service		1,615,132
Other School Construction Debt Service		<u>738,869</u>
TOTAL SCHOOL DEBT FUND	\$	3,251,071

Power of line item transfers of funds within the above appropriations is hereby invested in the County Administrator. Power of inter-functional transfer is reserved by the Board. The Board further requires all expenditures to be in compliance with purchasing laws of Virginia and any subsequent purchasing regulations adopted by the Board of Supervisors.

SCHOOL FUND, SCHOOL CAFETERIA FUND & GOVERNOR'S SCHOOL FUND:

A total of \$47,987,568 is hereby appropriated for educational purposes. These funds are to be expended as follows:

Instruction	\$	32,342,112
Administration, Attendance & Health		3,409,319
Pupil Transportation		2,116,953
Operations and Maintenance		5,101,910
Facilities		0
Technology		<u>1,911,376</u>
TOTAL SCHOOL FUND	\$	44,881,670
School Food Services		2,268,500
Governor's School		<u>837,398</u>
TOTAL ALL SCHOOL FUNDS	\$	47,987,568

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Power of inter-functional or categorical transfer shall rest with the Board of Supervisors.

All purchases and expenditures shall be in accordance with the laws of Virginia.

VIRGINIA PUBLIC ASSISTANCE FUND:

A total of \$6,097,150 is appropriated to the Board of Social Services. These funds are to be expended as follows:

Public Assistance and Entitlement Programs	\$ 1,674,836
Purchased Social Services	256,756
Social Work Staff and Operations	1,169,026
Economic Assistance Staff and Operations	1,323,290
Purchased Child Care Services	289,230
Allocated Staff and Operations	969,216
Board Administration & Grant Projects	<u>414,796</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE FUND	\$ 6,097,150

All purchases of the Social Services Board shall be in compliance with the laws of Virginia and any subsequent purchasing regulations adopted by the Board of Supervisors. From funds appropriated, each member of the Board may receive as compensation for his or her services for meetings, activities and other duties being discharged as a member of the Board, an amount of \$1,200 for members and \$1,440 for Chairperson per year.

Power of inter-functional or categorical transfer is reserved by the Board of Supervisors.

COMPREHENSIVE SERVICES ACT FUND:

A total of \$3,814,148 is hereby appropriated for the Comprehensive Services Act Fund. These funds are to be expended as follows:

Staff and Operations	\$ 146,739
Customer Services	<u>3,667,409</u>
TOTAL COMPREHENSIVE SERVICES ACT FUND	\$ 3,814,148

The Social Services Board is hereby authorized to administer funds appropriated for the Comprehensive Services Act Fund. Those employees of the Social Services Board authorized to sign warrants and disburse funds on behalf of the Social Services Board are

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authorized to do the same for the funds of the Comprehensive Services Act. Administration of the Comprehensive Services Act, reporting of statistical and financial transactions and all case management requirements shall be in accordance with Policies and Procedures of the Community Policy and Management Team serving Pulaski County.

Power of inter-functional or categorical transfer is reserved by the Board of Supervisors.

REGIONAL EMERGENCY MEDICAL SERVICES FUND:

The sum of \$1,291,666 is appropriated for the REMSI Fund to be expended as follows:

Administration	\$	188,856
Field Staff		748,778
Recruitment & Retainment		17,170
Equipment & Stations		279,400
Training Center		<u>63,942</u>
TOTAL	\$	1,291,666

TOTAL APPROPRIATIONS ALL FUNDS \$ 100,508,613

Power of inter-functional or categorical transfer shall rest with the Board of Supervisors.

All purchases and expenditures shall be in accordance with the laws of Virginia.

Property tax rates are set for FY 2009-10 as follows:

Tangible Personal Property - \$2.14 per hundred dollars of assessed valuation
Machinery and Tool - \$1.50 per hundred dollars of assessed valuation
Real Estate & Mobile Homes - \$0.50 per hundred dollars of assessed valuation

g. Resolution Recognizing Georgette Yakman as "2009 Educator Award" with Presentation at July Board Meeting

The Board approved the following resolution recognizing Georgette Yakman as the "2009 Educator Award", with staff requested to schedule presentation of the resolution at the July 27 Board meeting:

RESOLUTION

In Recognition of Georgette Yakman

WHEREAS, Georgette Yakman was named the 2009 Educator of the Year by the New Virginia Corridor Technology Council, which is composed of over 200 of the top technology companies from 12 counties in Southwest Virginia; and

WHEREAS, this award recognizes a K-12 educator in the New Virginia region that promotes math, science, and/or use of technology in creative ways to transfer knowledge and help develop future technology leaders; and

WHEREAS, Georgette Yakman is a technology education teacher at Pulaski County High School and is the sponsor of the school's first engineering team and the STEAM team; and

WHEREAS, Georgette Yakman received the Educator of the Year Award for her ability to create a winning engineering team with limited resources in a school without a formal engineering program, her international publication on the STEAM educational theory which she has developed, and her two primary nominating sponsors comments on her dedication to her field; and

WHEREAS, Georgette Yakman and her outstanding abilities are a gift to the Pulaski County community and an inspiration for her students.

NOW THEREFORE, BE IT RESOLVED, by the Pulaski County Board of Supervisors sitting in regular session this the 22nd day of June 2009, that the Board hereby commends and congratulates Georgette Yakman on her exceptional achievement; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Board of Supervisors this the 22nd day of June, 2009, in permanent testimony of the contributions made by Georgette Yakman to Pulaski County and its citizens

h. Scheduling of Future Agenda Items:

Staff requested Board approval to schedule the following public hearings or take other actions as noted:

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1. Consider Update to "An Ordinance to Require the Repair, Securing or Removal of Unsafe Structures and to Allow the Recovery of the Costs Incurred by the County in The Removal or Repair of Such Structures"

As provided in the Board packet, Board members reviewed a draft notice and copy of the Unsafe Structures Ordinance which staff is in the process of implementing in the process of cleaning up the following dilapidated or burned structures:

Maze Boardwine Estate
c/o Clarence Boardwine
4466 Brookmont Road

Jamie C. Burcham
2857 Haynes Road

James T. Beal, Jr.
6485 Church Street

Terry Shouse
3293 Graham Road

Diane Whited
4786 Millirons Lane (this has been purchased by Tim Cronk who is planning to remove the structure within two weeks)

Staff confirms the following steps in the enforcement of this ordinance are as follows with the above properties being at the point of the County taking step 4:

1. Complaint received
2. Property owners are contacted by staff and provided with a listing of items needing to be addressed on a voluntary basis.
3. Property owner is given copy of ordinance and notice of plans to enforce the ordinance.
4. Property owner is sent a registered letter providing a second copy of the ordinance, a second listing of items needing to be addressed, and the date and time on which the Board of Supervisors will be meeting to confirm applicability of the ordinance.
5. Notice is sent to property owner confirming the applicability of the ordinance and giving a date and time

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on which the property will be cleaned up and a lien placed on the land for the cost of the cleanup.

6. County arranges for demolition and simultaneously places lien on property.

The Board directed staff to place this matter on the July 27 Board agenda under "Reports from County Administrator and Staff" and to send registered letters notifying property owners of the Board's intention.

2. New River Precinct Move

The Board authorized the scheduling of a public hearing for its July 27 meeting to consider moving the New River Precinct from the Fairlawn Fire Department to the new Riverlawn Elementary School for the 2009 November election.

- i. Rural Development Resolution – Fire Truck and Equipment Purchase

The Board adopted the following resolution, as well as approved "all acts necessary" to obtain the \$50,000 Rural Development Grant:

BE IT HEREBY RESOLVED that, in order to facilitate obtaining financial assistance from the United States of America, acting by and through Rural Development, an agency of the United States Department of Agriculture, (the Government) in the purchase of a Fire Truck and Equipment, to serve the community, the governing body does hereby adopt and abide by the covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that they County Administrator of Pulaski County be authorized to execute on behalf of the Board of Supervisors the above-referenced agreements and to execute such other documents including, but not limited to, debt instruments and security instruments as may be required in obtaining the said financial assistance.

This Resolution is hereby entered into the permanent minutes of the meetings of this Board.

- j. Commerce Park Participation Agreement Amendment

As reported in the Board packet, staff submitted a request to amend the New River Valley Commerce Park Participation Agreement by expanding the scope of the Commerce Park project and how the

expansion in scope is funded.

The Board approved the amendment as presented, a copy of which is filed with the records of this meeting.

k. Highland Park Preliminary Bond Documents

As provided in the Board packet, the Board was provided with a bond resolution and related documents related to financing the construction of public sewer in Highland Park. Staff reported the debt service payments have been calculated to be covered by revenue from the use of the system and approval of the resolution and all acts necessary in the financing of this project by the Board of Supervisors and the operation of the system by the Public Service Authority

The Board adopted the following resolution:

RESOLUTION AUTHORIZING THE CONSTRUCTION AND FINANCING OF IMPROVEMENTS AND EXPANSIONS TO THE SEWER SYSTEM OF PULASKI COUNTY, AUTHORIZING THE ISSUANCE, SALE AND AWARD OF \$1,187,600 SEWER REVENUE BONDS, AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

The Board of Supervisors of Pulaski County, a political subdivision of the Commonwealth of Virginia (the "Board of Supervisors") has determined to improve and expand its sewer system to provide sewer service to the Highland Park area of the County and to issue its revenue bonds in the aggregate amount of \$1,187,600, the proceeds of which, together with other available funds, are estimated to be sufficient to pay the cost of the Project hereinafter authorized; and

The United States of America has offered to purchase such revenue bonds upon certain terms and conditions, and the Board of Supervisors, after mature consideration of the condition of the municipal bond market and other methods of selling its bonds, has determined to satisfy such terms and conditions and award the bonds to the Government.

The Board of Supervisors has held a public hearing on the proposed bonds, in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PULASKI COUNTY, VIRGINIA:

ARTICLE I

Definitions

Section 1.1. Definitions. Whenever used in this resolution, unless a different

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meaning clearly appears from the context:

"Act" shall mean the Public Finance Act of 1991 (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended).

"Additional Bonds" shall mean any bonds issued pursuant to Article VI and secured on parity with the Bonds by a pledge of the Pledged Revenues.

"Board of Supervisors" shall mean the Board of Supervisors of the County.

"Bonds" shall mean the County's sewer revenue bonds in the aggregate principal amount of \$1,187,600, issued pursuant to this resolution.

"Closing Date" shall mean the date on which the Bonds are delivered to the Government.

"Consulting Engineer" shall mean such engineering firm or individual engineer as may be employed by the County as Consulting Engineer in accordance with Section 7.5.

"County" shall mean Pulaski County, a political subdivision of the Commonwealth of Virginia.

"Government" shall mean the United States of America, its successors and assigns.

"Gross Revenues" shall mean all revenues, income, and receipts derived or received by the County from the operation and ownership of the System, including the interest income from the investment or deposit of money in any fund created by this resolution or a supplemental resolution in connection with the System, but "Gross Revenues" shall not mean or include any impact fees or developer fees charged by the County for the construction of capital improvements or extensions to the System.

"Net Revenues" shall mean Gross Revenues less Operating Expenses.

"Operating Expenses" shall mean the reasonable and necessary expenses of operation, administration, maintenance and repair of the System, excluding any allowance for depreciation, the deposits or transfers to the Debt Service Fund, or the Reserve Fund established in Section 4.3, and expenditures for capital improvements or extensions to the System.

"Pledged Revenues" shall mean the Net Revenues plus any additional revenues, income, receipts or other resources, including, without limitation, any grants, donations or income received or to be received from the Government or any other public or private source, whether pursuant to an agreement or otherwise that are hereafter pledged to the payment of the Bonds.

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"Project" shall mean the sewer facilities to be constructed in the Highland Park area of the County, substantially as described in plans prepared by the Consulting Engineer and approved by the County and the Government.

"System" shall mean the County's wastewater collection, treatment and disposal system, all additions, extensions and enlargements thereto and any sewer project or projects that may be duly authorized by the County and made a part of the System.

ARTICLE II

Authorization of Project

Section 2.1. The Project. The Board of Supervisors hereby deems the Project to be useful and convenient for the System and authorizes the acquisition and construction of the Project. The Project shall be a part of the System. The Project may be modified by the County; provided, however, that any such modification shall have been approved and recommended in writing by the Consulting Engineer and the Government.

ARTICLE III

Authorization, Form, Execution, Delivery, Registration and Prepayment of Bonds

Section 3.1. Authorization of Bonds. Pursuant to the Act, there is hereby authorized to be issued and sold sewer revenue bonds of the County in the aggregate principal amount of \$1,187,600 (the "Bonds"), to provide funds, together with other available funds, to finance the cost of the Project. To the extent permitted by § 15.2-2601 of the Act, the Board of Supervisors elects to issue the Bonds under the provisions of the Act without regard to any charter or local or special act applicable to the County.

Section 3.2. Award of Bonds. After mature consideration of the methods of sale of such bonds and current conditions of the municipal bond market, it is hereby determined that it is in the best interest of the County for the Board of Supervisors to accept the offer of the Government to purchase the Bonds upon certain terms and conditions set forth in the Government's letter dated June 30, 2004, addressed to the County's County Administrator, copies of which have been presented to the Board of Supervisors at the meeting at which this resolution is adopted. Such offer is hereby accepted, and the Board of Supervisors hereby agrees to meet such terms and conditions.

Section 3.3. Details of Bonds. The Bonds shall be issuable as one bond in the denomination of \$1,187,600. The Bonds shall be designated "Sewer Revenue Bond, Series of 2009." The Bonds shall bear interest at the rate of the lower of (a) 4.5% per year, or (b) the rate quoted by the Government as the closing rate effective on the Closing Date. The Bonds shall be in fully registered form, shall be numbered R-1, shall be dated the date of the Closing Date, and shall provide for payment of interest only on the first and second anniversaries of the Closing Date. Equal installments of combined principal and interest on

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each of the Bonds are payable beginning the twenty-fifth full month following the Closing Date and continuing on the same date of each month thereafter until the principal of the Bonds are paid in full. Such installments shall be in an amount sufficient to amortize fully the principal of such Bonds over 456 months at the rate of interest on the Bonds. If not sooner paid, the final installment on the Bonds shall be due and payable 40 years from the Closing Date. In the event the Closing Date occurs on the 29th, 30th or 31st day of a month, the payment date shall be the 28th day of the month. Any payment on the Bonds shall be applied first to interest accrued to the payment date and then to principal. Installments shall be payable in lawful money of the United States of America by check or draft mailed to the registered owner of the Bonds at its address as it appears on the registration books, except that the final installment on either Bonds shall be payable upon presentation and surrender of that Bonds at the office of the County Administrator who is hereby appointed Registrar.

Section 3.4. Alternate Provisions. At the request of the Government, the Bonds may be delivered as fully registered bonds in the alternative form contained herein providing for principal advances to be made from time to time by the Government in an aggregate amount not to exceed the face amount of the Bonds. An authorized officer of the Government shall enter the amount and the date of each such principal advance on the Certificate of Principal Advances attached to the Bonds when the proceeds of such advance are delivered to the County. Each such principal advance shall bear interest from the date of such advance so entered on the certificate.

Section 3.5. Prepayment. Installments of principal due on the Bonds may be prepaid at the option of the County at any time as a whole or in part from time to time (but if in part, in inverse order of their maturities), without premium, from any proceeds of the Bonds remaining after completion of the Project, any proceeds derived by the County from the sale or other disposition of a portion of the System, including the proceeds of insurance or condemnation awards, or any other source. Notwithstanding the above, the County may at any time deliver moneys to the Government with instructions that such moneys be credited against future installments due on the Bonds in inverse chronological order. Prepayments shall not affect the obligation of the County to pay the remaining installments payable as provided in Section 3.3 above.

Section 3.6. Execution of Bonds. The Bonds shall be signed by the Chairman or Vice Chairman of the Board of Supervisors and the County's seal shall be affixed thereto and attested by the Clerk of the Board of Supervisors.

Section 3.7. Form of Bonds. The Bonds shall be in substantially the following form:

No. R-___ \$_____

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

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PULASKI COUNTY, VIRGINIA

]

Sewer Revenue Bond, Series of 2009

Dated: _____

Pulaski County, a political subdivision of the Commonwealth of Virginia (the "County"), for value received, promises to pay, solely from the revenues described and pledged in the Bond Resolution, as hereafter defined, to the payment hereof, to the United States of America, or registered assigns, the principal sum [equal to the aggregate amount of principal advances shown on the attached Certificate of Principal Advances, but not to exceed the sum¹] of

_____ DOLLARS
(\$ _____)

and to pay, solely from such source, to the registered owner hereof interest on the unpaid principal from the date [hereof] [of each principal advance shown on the attached Certificate of Principal Advances] until payment of the entire principal sum at the rate of _____% per year. Interest only is payable on _____ and on _____. Installments of combined principal and interest of \$_____ are payable beginning _____, and continuing on the same day of each month thereafter until the principal of this bond is paid in full. Any payment on this bond shall be applied first to interest accrued to such payment date and then to principal. If not sooner paid, the final installment shall be due and payable 40 years from the date hereof. Such installments shall be payable in lawful money of the United States of America by check or draft mailed to the registered owner at its address as it appears on the registration books kept for that purpose at the office of the County Administrator who has been appointed Registrar, except that the final installment shall be payable upon presentation and surrender hereof at the office of the Registrar.

This bond has been authorized by a resolution duly adopted by the Board of Supervisors of the County (the "Board of Supervisors") on _____ (the "Bond Resolution"), and is issued pursuant to the Public Finance Act of 1991 (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) (the "Act"), to provide funds, together with other available funds, to finance the cost of improving and expanding the County's sewer system to provide sewer service in the Highland Park area of the County. Reference is hereby made to the Bond Resolution and any amendments thereto for the provisions, among others, describing the pledge and covenants securing this bond, the nature and extent of the security, the terms and conditions upon which is this bond is issued, the rights and obligations of the County and the rights of the bondholders.

¹Alternative language to be used if the Government requests provision for principal advances.

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Both principal of and interest on this bond are payable solely from the revenues of the System pledged thereto in the Bond Resolution, and nothing herein or in the Bond Resolution shall be deemed to create or constitute a general obligation of or a pledge of the faith and credit of the Commonwealth of Virginia or any county, city, town or other political subdivision of the Commonwealth. The lien of such pledge is on parity with the lien of the pledge of such revenues securing the following bonds of the County:

- \$212,600 Sewer Revenue Bond, Series of 1992;
- \$98,860 Water and Sewer Revenue Bond, Series of 1994;
- \$901,000 Water and Sewer Revenue Bonds, Series of 1995;
- \$2,439,700 Water and Sewer Revenue Bond, Series of 1996;
- \$865,900 Water and Sewer Revenue Bond, Series of 2009; and
- \$804,400 Water and Sewer Revenue Bond, Series of 2009.

Additional bonds secured equally and ratably with this bond may be issued from time to time under the conditions, limitations and restrictions set forth in the Bond Resolution.

This bond is fully registered as to both principal and interest in the name of United States of America. Transfer of this bond may be registered upon the registration books of the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

Installments of principal due on this bond may be prepaid at the option of the County at any time as a whole or in part from time to time (but if in part, in inverse order of their maturities), without premium. Prepayments of installments of principal shall not affect the obligation of the County to pay the remaining installments payable as provided above.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed.

IN WITNESS WHEREOF, the County has caused this bond to be signed by the Chairman of the Board of Supervisors of the County, its seal to be affixed hereto and attested by the Clerk of the Board of Supervisors, and this bond to be dated the date first shown above.

ATTEST:

[NOT FOR SIGNATURE]

(Seal)

Clerk, Board of Supervisors
of Pulaski County

[NOT FOR SIGNATURE]

Chairman, Board of Supervisors
of Pulaski County

CERTIFICATE OF PRINCIPAL ADVANCES²

The amount and date of principal advances not to exceed the face amount hereof shall be entered hereon by an authorized officer of the United States of America, when the proceeds of each such principal advance are delivered to the County.

Amount	Date	Authorized Signature
_____	_____	_____
_____	_____	_____
_____	_____	_____

Section 3.8. Registration and Exchange of Bonds. Transfer of the Bonds may be registered upon books maintained for that purpose at the office of the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

Section 3.9. Delivery of Bonds. The Chairman, Vice Chairman, and the Clerk of the County are each hereby authorized and directed to take all proper steps to have the Bonds prepared and executed in accordance with their terms and to deliver the Bonds to the Government upon payment or partial payment of the purchase price therefor or upon the Government's agreement to disburse principal advances thereunder. In the event the Bonds are not issued and delivered during the current calendar year, the Chairman and the Clerk are hereby authorized and directed to change the series designation to such other designation as may be appropriate at the time of its issuance.

ARTICLE IV

Revenues and Funds

Section 4.1. Revenue Covenants. It is hereby covenanted and agreed with the holder of the Bonds that so long as any Bonds are outstanding the County will:

- (a) fix, charge and collect such rates, fees and other charges to users of or for the services furnished by the System and from time to time revise such rates, fees and charges so as to produce sufficient Gross Revenues in each fiscal year to equal an amount required to pay (i) the Operating Expenses which shall accrue or become payable during the then current fiscal year and (ii) the amounts required by Section 4.3 to be paid during the

²Certificate of Principal Advances to be used if the Government requests provision for principal advances.

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then current fiscal year into the Debt Service Fund, and Reserve Fund established in Section 4.3;

(b) apply the Gross Revenues as provided in Section 4.3; and

(c) segregate and keep segregated from all other County funds all Gross Revenues and keep proper records and accounts therefor, separate and apart from all other County records and accounts.

Section 4.2. Free Service; Enforcement of Charges.

(a) So long as any Bonds are outstanding the County shall not permit connections to or use of the System or provide any services of the System without making a charge therefor.

(b) If any rates, fees or charges for the use of and for the services furnished by the System shall not be paid within 60 days after the same shall become due and payable, or within such shorter time as may be determined by the County, at the expiration of such period the County shall disconnect the premises from the System or otherwise suspend service to such premises until such delinquent rates, fees or charges and any interest, penalties or charges for reconnection shall have been paid in full; provided, however, that such services shall not be suspended if the State Health Commissioner shall have found and shall certify to the County that suspending such services will endanger the health of the persons occupying such premises or the health of others.

(c) The County shall take all such action as may be necessary to perfect liens upon real estate for the amount of any unpaid rates, fees, or charges described in Section 4.2(b) above or any unpaid connection charges or other charges so that such liens will be binding upon subsequent bona fide purchasers for valuable consideration without actual notice thereof.

Section 4.3. Funds. The following special funds are hereby established and shall be held by the County for the following purposes:

Construction Fund: Simultaneously with the delivery of the Bonds the proceeds from the sale thereof shall be deposited in a special bank account designated the Construction Fund and shall be applied to the cost of the Project, unless the Bonds are issued in the alternative form providing for periodic advances, in which case the amount of any such advance may be immediately applied to the cost of the Project. Payments shall be made from the Construction Fund on checks signed by an authorized representative of the County and countersigned by an authorized representative of the Government. The County shall preserve at its office accurate records available at all times which show that payments from the Construction Fund or, if applicable, advances under the Bonds were made solely to pay costs of the Project. Any balance remaining in the Construction Fund shall, at the option of the County, be used to prepay installments of principal and interest on the Bonds or shall be transferred to the Reserve Fund.

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Revenue Fund: All Gross Revenues shall be collected and, so far as may be practicable, deposited not less frequently than weekly in the Revenue Fund. Moneys on deposit in the Revenue Fund shall be used only in the manner and priority set out below.

Debt Service Fund: Each month the County shall transfer from the Revenue Fund to the Debt Service Fund an amount equal to the installments of interest or principal and interest, as the case may be, coming due on the Bonds that month. If there should be insufficient moneys in the Revenue Fund and the Reserve Fund for this purpose, the deficit shall be added to the required payment for the month or months next ensuing until such deficit is eliminated. When the balances in the Debt Service Fund and the Reserve Fund shall equal the principal of and interest on the Bonds then outstanding to their respective maturities, no further transfers to the Debt Service Fund shall be required. The County shall pay installments of principal and interest on the Bonds from the Debt Service Fund as the same become due.

Operating Fund: Each month, after making the transfer to the Debt Service Fund required above, the County shall transfer from the Revenue Fund to the Operating Fund such amount, if any, needed to increase the balance in the Operating Fund to the sum of (a) the amount of the Operating Expenses for the current month and (b) the aggregate amount of all checks outstanding and unpaid drawn upon the Operating Fund. Each month the County shall pay from the Operating Fund all Operating Expenses for the then current month.

Reserve Fund: Each month, after making the transfers to the Debt Service Fund and the Operating Fund required above, the County shall transfer an amount equal to 10% of monthly installments of principal and interest on the Bonds from the Revenue Fund to the Reserve Fund until there has been accumulated and maintained therein an amount equal to twelve (12) such installments, after which no further deposits shall be required except to eliminate any deficiency in the Reserve Fund. The Reserve Fund shall be used, with the prior written approval of the Government, to make transfers to the Debt Service Fund to the extent necessary (a) to pay the principal of and interest on the Bonds as the same become due in the event the balance on the Debt Service Fund is insufficient therefor, (b) to pay the cost of repairing or replacing any damage to the System, or (c) to pay the cost of extensions or improvements to the System.

Any balance remaining in the Revenue Fund each month, after the transfers to the Debt Service Fund, the Operating Fund, and the Reserve Fund and are made as required above, may be used by the County, with the Government's consent, for any lawful purpose.

Section 4.4. Pledge of Revenues. As security for the payment of the principal of, premium, if any, and interest on the Bonds issued from time to time hereunder, the County, pursuant to and in accordance with the provisions of the Act, does hereby pledge unto the holders of the Bonds all of the County's right, title and interest to, in and under the following:

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(a) The Net Revenues;

(b) The money and investments, including investment earnings thereon, on deposit from time to time in the Construction Fund, the Revenue Fund, the Operating Fund, the Debt Service Fund, and the Reserve Fund, subject only to the right to make application thereof to other purposes as provided in this Resolution; and

(c) Such other properties and assets and interests in properties and assets as may hereafter be pledged to the payment of the Bonds pursuant to any supplemental resolution or which may be delivered, pledged, mortgaged, or assigned to the holders of the Bonds as security for the Bonds.

Both principal and interest on the Bonds are payable solely from the revenues pledged hereby, and nothing in this resolution or in the Bonds shall be deemed to create or constitute an indebtedness of or a pledge of the faith and credit of the Commonwealth of Virginia or any county, city, town or other political subdivision of the Commonwealth.

ARTICLE V

Security for Deposits and Investment of Funds

Section 5.1. Security for Deposits. All moneys on deposit with any bank or trust company shall be secured for the benefit of the County and the holder of the Bonds in the manner required by the Virginia Security for Public Deposits Act (Chapter 44, Title 2.2, Code of Virginia of 1950, as amended) or any successor provision of laws.

Section 5.2. Investment of Funds. All moneys in the Construction Fund, Revenue Fund, the Operating Fund, the Debt Service Fund, and the Reserve Fund not immediately necessary for the purposes thereof may be invested by the County in securities and deposits which are authorized by the laws of the Commonwealth of Virginia for public funds, all of which shall mature or be subject to redemption or withdrawal by the holder or depositor for the purposes of the aforesaid funds. Any such investments shall be considered a part of such funds and the accounts therein and income therefrom and any profit or loss on the sale thereof shall be credited to or charged against such funds and accounts.

ARTICLE VI

Additional Bonds

Section 6.1. Issuance of Additional Bonds. The County may issue additional bonds secured on a parity with the Bonds then outstanding by a pledge of the Pledged Revenues (the "Additional Bonds") to finance (i) the cost of completing the Project, (ii) the cost of acquisition or construction of improvements, extensions, additions and replacements to the System or other facilities, properties or undertakings that the County claims to be useful or convenient for the System, (iii) to refund any Bonds, or (iv) any combination of the foregoing. Additional Bonds shall be in such form, shall be dated such date, shall mature in

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such installments of principal and interest, shall bear interest at such rate or rates, shall be in such denomination or denominations and may contain such provisions for prepayment prior to their respective maturities, all as provided by the Board of Supervisors by resolution adopted prior to their issuance. Additional Bonds shall contain an appropriate series designation.

Section 6.2. Conditions of Issuance. The County shall not issue any Additional Bonds unless there shall have been filed with the County and, if the Government is the owner of either the Bonds or any Additional Bonds, with the Government, the following:

(a) a certified copy of a resolution of the Board of Supervisors in form complying with the foregoing provisions specifying or providing for all the terms of the Additional Bonds and, if applicable, stating the cost of the acquisition or construction of any improvements, extensions, additions and replacements to the System to be acquired or constructed or of the other facilities, properties or undertakings and finding and ordering that such improvements, extensions, additions and replacements shall be a part of the System or that such other facilities, properties or undertakings are useful or convenient for the System;

(b) a certified copy of a resolution of the Board of Supervisors awarding the Additional Bonds, specifying or providing for the interest rate or rates and directing the delivery of such Additional Bonds to the purchaser named therein upon payment of the purchase price set forth or provided for therein;

(c) if the Additional Bonds are to be issued to complete the Project, a certificate of the Consulting Engineer to that effect;

(d) if the Additional Bonds are to be issued for any purpose other than the refunding of Bonds or the completion of the Project, either (i) a certificate of an independent certified public accountant stating that the amount of the Net Revenues for the fiscal year preceding the year in which the proposed Additional Bonds are to be issued was not less than one hundred twenty percent (120%) of the average annual principal and interest requirements for the Bonds then outstanding and the Additional Bonds to be issued, or (ii) the written consent of the holders of three-fourths in aggregate principal amount of the Bonds outstanding;

(e) a certificate of the County, signed by the Chairman or Vice Chairman of the Board of Supervisors, that the County is in compliance with all covenants and undertakings in connection with this resolution and any supplemental resolution authorizing Additional Bonds which remain outstanding;

(f) if the Bonds or any Additional Bonds are held by the Government, the written consent of the Government to the issuance of the Additional Bonds; and

(g) the written opinion or opinions of counsel for the County stating that the issuance of the Additional Bonds has been duly authorized and that all conditions

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precedent to their delivery have been fulfilled.

ARTICLE VII

Particular Covenants

Section 7.1. Payment of Bond. The County shall pay promptly, as provided herein, the principal of and interest on the Bonds, but such principal and interest shall be payable solely from the revenues pledged herein, and nothing in the Bonds or in this resolution shall be deemed to create or constitute a general obligation of or a pledge of the faith and credit of the Commonwealth of Virginia or of any county, city, town or other political subdivision of the Commonwealth.

Section 7.2. Construction of Project. The County shall obtain all approvals, permits and consents required by law as a condition precedent to the acquisition, construction, development and operation of all parts of the Project and shall complete the construction of the Project in a sound and economical manner and in conformity with all applicable requirements of the Government and all other governmental authorities and do all acts and things necessary and reasonable so that the County may begin to collect revenues from the Project at the earliest practicable time.

Section 7.3. Operation and Maintenance. The County shall operate the System in an efficient and economical manner, maintain the same in good condition and make all necessary repairs, replacements and renewals. All compensation, salaries, fees and wages paid by it in connection with the operation, maintenance and repair of the System shall be reasonable. The County shall observe and perform all of the terms and conditions contained in the Act and comply with all applicable state and federal laws.

Section 7.4. Competition. The County shall not operate or assent to the operation of any utility service in competition with the System.

Section 7.5. Consulting Engineer. At the Government's request, the County shall employ as Consulting Engineer an engineering firm or individual engineer of recognized standing and experience in the field of civil engineering registered in the Commonwealth of Virginia, whose duties shall include supervision of the construction of the Project and advice as to proper operation, maintenance and repair of the System.

Section 7.6. Sale or Encumbrance. The County shall not sell, transfer, lease or otherwise encumber the System or any portion thereof, nor permit others to do so, without the prior written consent of the Government.

Section 7.7. Title to Lands. All parts of the System shall be located on lands to which title in fee simple or over which valid perpetual easements, in either case sufficient for the purposes of the System, are owned by the County.

Section 7.8. Records and Reports. The County shall establish and maintain such

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books and records relating to the operation of the System and its financial condition and provide for an annual audit, all in such manner as may be required by the Government. Copies of all such audits shall be submitted to the Government as soon as they are obtained by the County. The County shall prepare and submit to the Government such additional information and reports as the Government may from time to time reasonably require.

Section 7.9. Access to Books and System. The County shall provide to the Government at all reasonable times access to all books and records relating to the System and access to the property of the System so that the Government may ascertain that the County is in compliance with all the provisions of this resolution and all other instruments incident to the purchase of the Bonds by the Government.

ARTICLE VIII

Defaults and Remedies

Section 8.1. Default and Remedies. Upon default by the County (a) in the payment of principal of or interest on the Bonds or (b) in the performance of any covenant or agreement contained in the Bonds or in this resolution the holders of a majority in aggregate principal amount of the Bonds at their option may:

(a) declare the entire unpaid principal amount of the Bonds then outstanding and accrued interest thereon to be immediately due and payable;

(b) incur and pay such reasonable expenses for the account of the County as may be necessary to cure the cause of any default;

(c) proceed to protect and enforce their rights under the Bonds and this resolution by a suit, action or special proceeding at law or in equity, either for the specific performance of any covenant or agreement or execution of any power or for the enforcement of any proper legal or equitable remedy as may be deemed most effectual to protect and enforce such rights, including, without limitation, the fixing of rates and the collection and proper application of the revenues of the System and the appointment of a receiver having full power to administer and operate the System.

Section 8.2. Remedies Cumulative. No remedy conferred hereby is intended to be exclusive of any other remedy, and every remedy shall be cumulative and in addition to every other remedy herein or now or hereafter existing in equity, at law or by statute.

ARTICLE IX

Miscellaneous

Section 9.1. Contract with Bondholders. The provisions of this resolution shall constitute a contract between the County and the holder of the Bonds for so long as the Bonds and interest thereon are outstanding.

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Section 9.2. Authority of Officers and Agents. The officers and agents of the County shall do all acts and things required of them by this resolution, the Bonds and the Act for the complete and punctual performance of all the terms, covenants and agreements contained therein.

Section 9.3. Limitation of Rights. Nothing expressed or mentioned in or to be implied from this resolution or the Bonds is intended or shall be construed to give to any person or company other than the parties hereto and the holders of the Bonds any legal or equitable right, remedy or claim under or in respect to this resolution or any covenants, conditions and agreements herein contained; this resolution and all of the covenants, conditions and agreements hereof being intended to be and being for the sole and exclusive benefit of the parties hereto and the holders of the Bonds as herein provided.

Section 9.4. Limitation of Liability of Officials of County. No covenant, condition or agreement contained herein shall be deemed to be a covenant, agreement or obligation of a present or future member, officer, employee or agent of the County in his individual capacity, and neither the members of the Board of Supervisors nor any officer of the County executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance thereof. No member, officer, employee or agent of the County shall incur any personal liability with respect to any other action taken by him pursuant to this resolution or the Act, provided he acts in good faith.

Section 9.5. Conditions Precedent. Upon the issuance of any Bond all acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia or this resolution to happen, exist and to be performed precedent to or in the issuance of such Bond shall have happened, exist and have been performed.

Section 9.6. Severability. If any court of competent jurisdiction shall hold any provision of this resolution to be invalid or unenforceable, such holding shall not invalidate any other provision of this resolution.

Section 9.7. Successors and Assigns. All the covenants, stipulations, promises and agreements of the County contained in this resolution shall bind and inure to the benefit of its successors and assigns, whether so expressed or not.

Section 9.8. Headings. Any headings in this resolution are solely for convenience of reference and shall not constitute a part of the resolution nor shall they affect its meaning, construction or effect.

Section 9.9. Filing of Resolution. The Clerk of the Board of Supervisors of the County is directed to file a certified copy of this resolution with the Circuit Court of Pulaski County, Virginia, pursuant to Section 15.2-2607.

Section 9.10. Effective Date. This resolution shall take effect immediately.

* * *

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The undersigned Clerk of Pulaski County, Virginia (the "County"), hereby certifies that the foregoing constitutes a true and correct copy of a resolution duly adopted at a meeting of the Board of Supervisors held on June 22, 2009. I hereby further certify that such meeting was regular meeting, duly called and held, and that, during the consideration of the foregoing resolution, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing resolution as follows:

Member	Attendance	Vote
Joseph L. Sheffey	Present	Yea
Frank R. Conner	Present	Yea
Charles R. Bopp	Present	Yea
Ranny L. Akers	Present	Yea
Dean K. Pratt	Present	Yea

I. A Resolution Urging Immediate Passage of Comprehensive Federal Health Reform Legislation

The Board adopted the following resolution provided by the National Association of Counties supporting passage of health reform this year to restore the partnership between counties and the federal government:

A RESOLUTION URGING IMMEDIATE PASSAGE OF COMPREHENSIVE FEDERAL HEALTH REFORM LEGISLATION

WHEREAS, experts from across the political spectrum agree that America's health system is "broken" and unsustainable in its present configuration; and

WHEREAS, families in Pulaski County are experiencing this crisis right now, confronting the high cost of health care that threatens their financial stability, leaves them exposed to higher premiums and deductibles, and puts them at risk for a possible loss of health insurance; and

WHEREAS, employer-sponsored health insurance premiums have nearly doubled in recent years making it increasingly difficult for employers, including county governments, to provide health insurance coverage for their employees and retirees; and

WHEREAS, millions of Americans do not have health coverage, or have inadequate coverage and as our economic challenges multiply, the problem of health care access grows, further straining counties' capacity to provide care for the uninsured, underinsured and medically indigent; and

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WHEREAS, county officials are elected to protect the health and welfare of their constituents: and

WHEREAS, the National Association of Counties (NACo) Health System Reform Working Group, appointed by President Don Stapley in July 2008 and chaired by President-Elect Valerie Brown, has held three regional hearings to explore the health crisis and to hear what county officials believe should be done about it and has summarized its findings in *Restoring the Partnership for American Health: Counties in a 21st Century Health System* which was approved and adopted by resolution of the NACo Health Steering Committee and Board of Directors on March 9, 2009.

NOW THEREFORE BE IT RESOLVED that the Pulaski County Board of Supervisors endorses NACo's health reform principles, as summarized in *Restoring the Partnership for American Health: Counties in a 21st Century Health System*; namely, that reform legislation should

1. restore the partnership between county and federal governments;
2. provide access to affordable, quality health care to all;
3. invest in public health, including health promotion and disease and injury prevention;
4. stabilize and strengthen the local health care safety net system, especially Medicaid and disproportional share hospital (DSH) payments;
5. invest in the development of the health professional and paraprofessional workforce;
6. ensure that county health agencies have the resources to meaningfully use health information technology;
7. enable elderly and disabled persons to receive the services they need in the least restrictive environment; and
8. reform the delivery and financing of health services in the jail system.

BE IT FURTHER RESOLVED that the Board strongly urges the 111th Congress of the United States to enact comprehensive health reform legislation without delay before the end of its first session.

APPROVED, ADOPTED AND PASSED, THIS 22nd day of June, 2009 By the Pulaski County Board of Supervisors

m. Bank Account Term

Staff reported the three-year banking agreement with National Bank will expire on June 30, 2009. The existing terms could be renewed for an additional two years if approved by the Board of Supervisors, the PSA Board and National Bank.

The Board renewed the original agreement for an additional two years or through June 30, 2011.

n. Trading Holidays

The Board approved amending county policy to allow the trading of the Presidents' Day Holiday for Good Friday which would allow for matching with school schedules and general observation of both days by area businesses.

o. Resolution Supporting the Purchase of U. S. Made Products and Services

The Board approved the following resolution as recommended by the Virginia Association of Counties:

RESOLUTION ON THE SPENDING OF AMERICAN RECOVERY AND REINVESTMENT ACT GRANTS

WHEREAS, the economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult environment; and,

WHEREAS, those same Americans are the taxpayers who provide the revenue to operate essential government services; and,

WHEREAS, the Congress approved and President Obama signed into law the American Recovery and Reinvestment Act that will provide billions of dollars to help economically devastated localities and states immediately protect and provide jobs to millions of Americans; and,

WHEREAS, those additional dollars will be used by localities and states to fund public infrastructure, green energy projects, and other activities that will require materials, goods and services; and,

WHEREAS, our taxpayer dollars should be spent to maximize the creation of American jobs and restoring the economic vitality of our communities; and,

WHEREAS, materials, goods and services produced in the United States and purchased with public funds will immediately help struggling American families and stabilize our greater economy; and,

WHEREAS, spending for economic recovery should be used, to the fullest extent possible, to buy materials, goods and services that are

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produced within the United States, thus employing the very workers that pay the taxes supporting the economic recovery effort.

NOW, THEREFORE, BE IT RESOLVED that the Pulaski County Board of Supervisors resolves to restore economic growth and opportunity by spending American Recovery and Reinvestment Act funds on materials, goods and services that maximize the creation of American jobs and help keep Americans employed.

BE IT FURTHER RESOLVED that the Pulaski County Board of Supervisors commits, to the fullest extent possible, to purchase materials, goods and services made or performed in the United States of America with American Recovery and Reinvestment Act funds provided to Pulaski County by American taxpayers.

Adopted this 22nd day of June, 2009 by the Pulaski County Board of Supervisors.

p. Administration of Indoor Plumbing Rehabilitation Program

The Board approved the county continuing administration of the Indoor Plumbing Rehabilitation Program by Southeast RCAP.

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

Voting no: none.

11. Citizen Comments

Ms. Brenda Blackburn spoke regarding the flea market at the Maple Shade still being conducted in the parking lot. Ms. Blackburn also referenced the recent firing of a Dublin Drop Site Center employee. Chairman Sheffey indicated the employee matter is considered a personnel matter and could not be discussed in open session.

12. Other Matters from Supervisors

Supervisor Akers reminded Board members of the fundraiser to be held at the Dublin Fire House on Friday, June 26, 2009 at 5:00 p.m.

Supervisor Conner and Mr. George Rash noted concerns regarding the War Memorial at the Pulaski County Courthouse. Mr. Rash commented that the Memorial is deteriorating and suggested reducing the flame size to help with repairs to the Memorial.

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13. Adjournment

On a motion by Mr. Bopp, seconded by Mr. Conner and carried, the Board of Supervisors adjourned its regular meeting with plans to hold a closed session meeting at 5:30 p.m. on Monday, July 15, 2009 for the purpose of conducting the annual County Administrator's review. The next regular meeting of the Board is scheduled for Monday, July 27, 2009 beginning at 6:00 p.m. with a Closed Session and 7:00 p.m. for the regular meeting at the County Administration Building, 143 Third Street, N. W., in the Town of Pulaski.

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

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator