

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, August 26, 1991 at 7:00 p.m. in the Board of Supervisors Meeting Room of the County Administration Building, 143 Third Street, N. W. in the Town of Pulaski, the following members were present: Mason A. Vaughan, Sr., Chairman; Jerry D. White, Vice-Chairman; Bruce L. Fariss; Joseph Sheffey; and V. E. Vaughn.

1. Invocation

The invocation was given by Reverend Jack Weikel.

2. Public Hearings

a. Darren Turpin Commercial (CM1) Conditional Rezoning

The County Administrator explained the nature of the request from Mr. Turpin for conditional rezoning of up to one acre of land owned by Ms. Ruth Miller in the Shiloh community for use as a public garage. He advised that the Planning Commission recommends denial of the rezoning request. The Chairman opened a public hearing on this matter. The following citizens commented:

1. Ms. Rebecca Huff spoke in support of the rezoning request and presented a petition from citizens supporting the request.
2. Mr. Paul Phillips spoke in opposition to the request and filed a written statement explaining his concerns.
3. Mr. Randy Akers spoke in favor of the request, indicating that vehicles would be parked to the side, not the front of the building, and that no junked or abandoned vehicles would be allowed.

There being no further public comment, Chairman Vaughan closed the public hearing.

Supervisor Sheffey inquired about the nature of the garage services to be offered. The response was routine automotive repair and body work. Supervisor White inquired on the status of ownership of the property and whether the actual owner had filed the rezoning application. He also requested that citizens on the petition in favor of the rezoning should be identified as to the proximity of their residence to the proposed garage.

It was moved by Mr. Vaughn, seconded by Mr. White and carried, that the hearing and consideration of the rezoning request be continued until the September Board of Supervisors meeting in order for the staff to obtain additional information as requested by Supervisor White.

Voting yes: Dr. Fariss, Mr. Vaughn, Mr. Vaughan, Mr. White, Mr. Sheffey.  
Voting no: none.

b. Zoning Ordinance Text Amendments, Setbacks, Tents and Campers, Commercial Buildings Per Lot

The administrator explained a recommendation by the Planning Commission for amendment to the zoning ordinance text.

The Chairman opened a public hearing on the proposed text amendments. No public comment was heard. The Chairman closed the public hearing. The Board members raised questions about the ability to enforce the requirement that Health Department approved sanitation facilities be present at all camping sites.

It was moved by Dr. Fariss, seconded by Mr. White and carried, that the following amendments to the zoning ordinance text be approved, and that staff be requested to propose changes to the tent and camping text to include more realistic, enforceable sanitation standards:

Rear Yards and Frontage - The text regarding rear yard setbacks for each district should be amended to read as follows:

1. Agriculture District (A-1) and Conservation District (C-1) - Sections 2-3 and 3-3 Setback Regulations

No building or accessory structure shall be located closer to the lot line than the following distances:

Front Lot Line: 35 feet  
Side Lot Line: 10 feet  
Rear Lot: 25 feet for main buildings  
10 feet for accessory buildings

2. Residential Districts

The following language should be deleted from Residential District, R and R-1 Sections 4B-1 and 5-1, Permitted Uses by Right under accessory uses -

No accessory building may be closer than ten feet to any property line in the rear yard and ten feet for the property line on the side yard, excluding lots with streets on two sides. Lots with streets on two sides shall maintain a building setback line for all accessory structures with twenty-five feet on the rear and twenty feet on the sides and maintain a thirty-five foot front building setback.

Residential Districts (R and R-1)

Sections 4B-3 and 5-3, Setback Regulations, should be amended to read:

No building or accessory structure shall be located closer to the lot line than the following distances:

Front Lot Line: 35 feet  
Side Lot Line: 10 feet  
Rear Lot Line: 25 feet for main buildings  
10 feet for accessory buildings

R2 and R3 Residential Districts

Section 6-3 and 6A-3, Setback Regulations, should be amended to read:

No building or accessory structure shall be located closer to the lot line than the following distances:

Front Lot Line: 35 feet  
Side Lot Line: 10 feet  
Rear Lot Line: 25 feet for main buildings  
5 feet for accessory buildings

3. Frontage Regulations

Section 6-4, Residential District R-2 and 6A-4, Residential District, R-3, should have the following sentences added:

The minimum street frontage for each lot is thirty feet.

Multiple Commercial Dwellings on One Lot

The following sentence should be deleted from Section 4-6, Area Regulations:

"Only one commercial structure is allowed per lot."

Voting yes: Dr. Fariss, Mr. Vaughn, Mr. Vaughan, Mr. White, Mr. Sheffey.  
Voting no: none.

### 3. Highway Matters

Virginia Department of Transportation Resident Engineer J. D. Brugh met with the Board and discussed the following matters:

#### a. Sherwood Forest Rural Addition Cost Estimate

It was moved by Mr. White, seconded by Mr. Vaughn and carried, that the County Administrator designate appropriate members of the county staff to serve as road viewers regarding the Sherwood Forest rural addition and certify the viewing to the Clerk of the Circuit Court, but delay consideration of funding of this rural addition until fiscal year 1993, due to current approved projects exceeding funds currently available for rural addition construction.

Voting yes: Dr. Fariss, Mr. Vaughn, Mr. Vaughan, Mr. White, Mr. Sheffey.  
Voting no: none.

#### b. Route 641 Brush and Potholes at Bridge

Mr. Brugh reported that maintenance of these matters had been completed.

#### c. Other Matters

Chairman Vaughan expressed concern about damage due to loose rocks from the recent paving of Route 601. Mr. Brugh indicated the paving contractor will be addressing the problem.

Supervisor White inquired on the status of drainage improvements to Thaxton Road. Mr. Brugh indicated work is underway.

Supervisor Sheffey requested attention to Route 1213, which is not on the current six year plan for secondary road improvement. The project will be added to those under consideration when the six year plan is updated. Supervisor Sheffey also complemented brush cutting on Hazel Hollow Road. He also requested a grate for a drainage opening on the northern end of Oxford Avenue. He indicated further that a speed limit reduction may be needed for Route 600. He agreed to solicit petitions from residents of the route prior to asking for a formal speed study.

Supervisor V. E. Vaughn inquired on the construction schedule for paving Route 644 and 788. Mr. Brugh indicated the construction could not be scheduled prior to 1992, due to funding limitations.

### 4. Citizen Comments

Mr. Colbern Linkous commented.

Mr. Eric Long inquired regarding rezoning requested for his property in the Robinson Tract area. He was advised that the County Planning Commission has rezoning of his property and adjacent agricultural used properties under review, with possible public hearings in October on the entire area.

Mr. Eddie Simmers, a Pulaski County High School student, requested assistance in attending the Congressional Youth Leadership Council for 1991 in Washington, DC.

It was moved by Dr. Fariss, seconded by Mr. Sheffey and carried, that the Board allocate up to \$400 for assistance to Mr. Simmers in attending the National Young Leaders Conference for 1991 in Washington, DC, with a report to be scheduled at a

Supervisors meeting on the conference by Mr. Simmers following the event. Supervisors White and Vaughn expressed admiration for Mr. Simmers selection for the program, but also expressed reservations about establishing a precedent in making contributions for individual achievements of county citizens. Supervisor V. E. Vaughn personally donated \$50 to Mr. Simmers fund-raising for the conference.

Voting yes: Dr. Fariss, Mr. Mason A. Vaughan, Sr., Mr. Sheffey.

Voting no: Mr. White, Mr. V. E. Vaughn.

#### 5. Report on State Computer Identification System

Commissioner of Revenue Maynard Sayers and Treasurer Rose Marie Tickle explained to the Board the benefits of the county obtaining access to the State Computer Information Identification System.

It was moved by Mr. Sheffey, seconded by Mr. White and carried, that the Board approve the request from the Commissioner of Revenue and the Treasurer to install jointly for use in their offices, the connection to the State Computer Identification System, along with all necessary funding an execution of documents required for system access; and that both the Treasurer and the Commissioner be requested to report back to the Supervisors on the usefulness of the system access, following one years system use.

Voting yes: Mr. Vaughn, Mr. Vaughan, Mr. White, Mr. Sheffey.

Voting no: Dr. Fariss.

#### 6. Treasurer's Report

Treasurer Rose Marie Tickle met with the Board on the following matters:

##### a. Monthly Report

The report was presented an accepted by the Board.

##### b. Obsolete Record Disposal

It was moved by Mr. White, seconded by Mr. Sheffey and carried, that Treasurer Tickle be granted permission to destroy paid bonds and coupons for the 1950 Series School Improvements Bonds for the years 1950 through 1959 and 1960 through 1970.

Voting yes: Dr. Fariss, Mr. Vaughn, Mr. Vaughan, Mr. White, Mr. Sheffey.

Voting no: none.

##### c. Bank Card Tax Payment

It was moved by Mr. White, seconded by Mr. Sheffey and carried, that Treasurer Tickle be authorized to engage Sovran Bank, based on their low quote, for bank card services for the payments to the County Treasurer's Office, and for authorization of a 3.5% fee in addition to amounts due for such bank card utilization by citizens.

Voting yes: Dr. Fariss, Mr. Vaughn, Mr. Vaughan, Mr. White, Mr. Sheffey.

Voting no: none.

#### 7. Reports from County Administrator and Staff

##### a. NRRRA Landfill Area Protection Policy

Due to receiving no policy recommendation from the New River Resource Authority, this matter was deferred until the September Supervisors meeting.

##### b. Lake Tour Date Confirmation

The Supervisors agreed to hold their 1991 tour of Claytor Lake on Thursday, September 19, 1991, beginning at 2:00 p.m. at the Allisonia boat landing of the Virginia Department of Game and Inland Fisheries.

c. Courthouse Groundbreaking Ceremony Date

The Board chose Tuesday, September 17, 1991 at 10:00 a.m. for groundbreaking or other appropriate ceremony marking the beginning of reconstruction of the old courthouse building. The county staff is to develop a agenda for the ceremony.

8. Items of Consent

It was moved by Dr. Fariss, seconded by Mr. Vaughn and carried, that the following items of consent be approved:

- a. Minutes of July 22 and August 13, 1991;;
- b. Accounts payable as presented on checks numbered 35687 through 35986 and Corporate Center Improvements checks numbered 120 through 126;
- c. Transfers as presented and filed with the records of this meeting and the Director of Management Services and appropriations as follows:

GENERAL FUND RESOLUTION NO. 2

REVENUES

161505	Library fees	\$ 12.00
161507	RIF Program	100.00
	TOTAL	\$ 112.00

EXPENDITURES

7301-5604	RIF Program	\$ 100.00
7301-5411	Books and Subscriptions	12.00
	TOTAL	\$ 112.00

d. Magnox Sludge Land Application

This matter was deferred pending a response to the proposed agreement from Magnox Pulaski management.

e. Cloyd's Mountain Landfill Closure Engineering

The County Administrator was authorized to execute amendments to engineering services agreements with Dewberry and Davis for the Cloyd's Mountain landfill closure engineering for an amendment to the scope of services for the landfill capping construction management in amount not to exceed \$82,000; and to approve for payment an amount beyond that previously contracted for with Dewberry and Davis not to exceed \$73,000, primarily due to the cost associated with delays for review of the project by the Virginia Department of Waste Management and State Water Control Board.

f. Cloyd's Mountain Landfill Consent Order with Department of Waste Management

The County Administrator and County Attorney were authorized to renegotiate the consent order and extend the deadline for capping the closed landfill to at least September, 1992.

g. New River Sewer Documents

Approval of all documents necessary to complete financing and loan closing for the Farmers Home Administration loan and grant for the New River Sewerline Extension Project was approved, with specific endorsement given to:

- FmHA Form 1940-1 Request for Obligation of Funds;
- FmHA Form 442-7 Initial Operating Budget;
- FmHA Form 1910-11 Applicant Certification (regarding non-payment);
- FmHA Form AD-1047 Certification Regarding Debarment; and
- FmHA Form AD-1049 Certification Regarding Drug-Free Workplace.
- Other related documents as needed.

h. Old Fairlawn Fire Station Lease Assignment

Assignment of the lease currently held by Mr. David Hale was approved under the same terms to Mr. Darrell Gillespie, of Christiansburg.

i. Revised Grievance Procedure

Approval of the following grievance procedure was made:

PULASKI COUNTY GRIEVANCE POLICY AND PROCEDURE

Policy

It is the policy of the Board of Supervisors to provide fair, equitable and satisfactory working arrangements for its employees. Every effort will be made to resolve employee grievances informally with the least amount of worry and delay. However, in some cases it becomes necessary to proceed through a formal appeal and panel review to handle thoroughly a given grievance. Accordingly, the following procedure and regulations are established. It is the intent that this policy fully comply with the applicable state statutes on grievance procedures. In the event of any conflict between this policy and state statutes, state statutes shall control and be part of this policy as if set out herein.

Coverage of Personnel

1. Included

All permanent non-probationary employees of the County, Social Services, and the Public Service Authority.

2. Excluded

- a. Probationary employees
- b. Employees of constitutional officers
- c. Temporary, limited term and seasonal employees
- d. An employee who has resigned voluntarily may not have access to the grievance procedure after the effective date of the resignation.

Definition of Grievance

As defined in Section 15.1-7.2A of the Virginia State Code, a grievance shall be defined as "... a complaint or dispute by an employee relating to his or her employment including but not necessarily limited to (i) disciplinary actions, including dismissals (where resulting from formal discipline or unsatisfactory job performance), demotions and suspensions, (II) the application of personnel policies, procedures, ordinances, statutes, rules and regulations (III) acts of retaliation as a result of utilization of the grievance procedure or of participation in the grievance of another county employee, and (IV) complaints of discrimination on the basis of race, color, creed, political affiliation, age, disability, national origin or sex, and acts of retaliation because the employee has complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, or has sought any change in law before the Congress of the United States or the General Assembly.

## Matters Deemed Not Grievable

Employees are advised that conditions of employment and the content of laws, ordinances and policies established by the Board of Supervisors are not grievable. By state law, wages, salaries, and fringe benefits are likewise not grievable. In addition, it is to be understood that the establishment of this procedure shall in no way remove the right of the county to do the following, provided however, that none of these rights may be exercised in an arbitrary or capricious manner:

1. Direct the work of its employees
2. Hire, promote, transfer and assign employees, except where the employee can show established promotional policies or procedures were not following or applied fairly
3. Maintain the efficiency of governmental operations
4. Reduce the work force or abolish jobs
5. Take actions necessary to carry out duties of an agency in emergencies
6. Determined the methods, means and personnel necessary to carry out operations except where such action affects an employee who has been reinstated within the previous six months as the result of the final determination of a grievance. In any grievance brought under this exception, the action shall be upheld upon showing by the county that: (i) there was a valid business reason for the action, and (II) the employee was notified of such reason in writing prior to the effective date of the action.
7. Control and manage the county's property and maintain the county's function and operations.

## Determination of Grievability

If some question should exist concerning the grievability of a specific problem, and if the question cannot be resolved to the satisfaction of both the employee and his supervisor at the departmental level, the employee may make a request for a ruling of grievability from the County Administrator, who shall respond within five (5) days. In any case, no complaint may be addressed beyond the top management level before grievability has been determined. Only after grievability has been determined shall a grievance be processed through the grievance panel stage. The decision of the County Administrator may be appealed by the grievant to the Circuit Court for a hearing de novo on the issue of grievability, as provided for in Virginia Code, Section 15.1-7.2. Proceedings for review of the decision of the County Administrator shall be instituted by filing a notice of appeal with the County Administrator within ten (10) working days after the date of the decision and giving a copy thereof to all other parties. Within ten (10) days thereafter, the County Administrator shall transmit to the Clerk of the Circuit Court a copy of the decision of the County Administrator, a copy of the notice of appeal and the exhibits. The decision of the court is final and is not appealable.

## Grievance Procedure

An employee wishing to file a grievance shall have the right to follow all the steps of this procedure as listed below with complete freedom from reprisal. This does not, however, confer the right upon anyone to make slanderous or libelous statements. After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure without just cause will result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the non-compliance within five (5) work days of receipt of written notification by the

other party of the compliance violation. Such written notification by the grievant shall be made to the County Administrator. The County Administrator shall make all determinations on compliance issues. Compliance determinations made by the County Administrator shall be subject to judicial review by filing a petition with the Circuit Court within thirty days of the compliance determination. Failure of either party without just cause to comply with all substantial procedural requirements at the panel hearing shall result in a decision in favor of the other party.

#### STEP I

An employee who has a grievance, as defined herein, shall within twenty (20) work days of the occurrence of the action or event causing the grievance or of the date when the employee could have reasonably been expected to have learned of the act or event, contact his immediate supervisor for an informal face to face meeting to discuss the grievance. The supervisor shall immediately discuss the grievance with the employee and make a careful inquiry into the facts and circumstances of the complaint. The supervisor shall give the employee a verbal reply within six (6) work days following receipt of the complaint.

#### STEP II

If the grievance is not resolved as a result of Step I, the employee may within ten (10) work days thereafter file a written grievance with his department head on Form A. The employee must be sure that the written grievance is complete in all detail at this stage of the procedure and must specify the relief he expects to obtain through the use of the grievance procedure. No addition, deletions or adjustments to the original grievance will be allowed or accepted at a late point within the procedure. The department head will then make a separate inquiry into the complaint and meet with the employee within five (5) work days. The only persons present at this meeting are the employee, the department head, and appropriate witnesses. The department head shall inform the employee in writing on Form A of his decision and the reasons within five (5) calendar days following the date of the meeting.

#### STEP III

If the department head's response does not resolve the grievance, the employee may within (10) work days thereafter indicate the second step remedy to be "not acceptable" on Form A to initiate a hearing with the County Administrator. A copy shall also be sent to the employee's department head. Upon receipt of Form A indicating a hearing and verification that Steps I and II have been exhausted, the County Administrator shall within five (5) work days schedule the hearing requested. The persons present at this meeting are the employee, the County Administrator and appropriate witnesses. Both parties may also have a representative of his or her choice present. The County Administrator shall give the employee a written reply within five (5) days after the conclusion of the hearing. A copy of the reply shall be sent to employee's department head.

#### STEP IV

If the County Administrator's reply does not resolve the grievance, the employee may within ten (10) work days thereafter indicate the third step remedy to be "not acceptable" on form A which will require the County Administrator submit his grievance to a panel hearing and serve as a request for a panel hearing. In submitting this request, it is not necessary that the employee again provide a written explanation of what has occurred as this was contained in his written request submitted at Steps II and III and as part of the record will be made available to the grievance panel. Within seven (7) work days after the date of the written request for a panel hearing or after referral by the County Administrator as one of his options in Step III, a panel shall be chosen. One member shall be chosen by the grievant, one member shall be chosen by the County Administrator and one member shall be chosen by the first two appointees. Members may be chosen from among county

employees. If no agreement on a third member can be made, the selection shall be made by the Judge of Circuit Court. The third panel member shall be the chairperson of the panel. The decision of the panel shall be final and binding and shall be consistent with provisions of law and written policies.

To insure an impartial panel, the panel shall not be composed of any persons having direct involvement with the grievance being heard, or with the problem giving rise to the grievance. Also, managers who are in a direct line of supervision of a grievant are excluded from serving as panel members. No attorney having direct involvement with the subject matter of the grievance, nor a partner, associate, employee or co-employee of such an attorney may serve as a panel member. In addition, the following relatives of a participant in the grievance process or a participant's spouse shall not serve as panel members; spouse, parent, child, descendants of a child, sibling, niece, nephew and first cousin.

#### Panel Hearing Date

The full panel shall set the time, the date and place for the hearing which should be held within ten (10) work days following the selection of the full panel. The panel chairperson shall notify the grievant and the county of the hearing date.

#### Rules for Panel Hearing

The rules for panel hearings shall be those set forth below "Conduct of Panel Hearing" and those set forth in Section 15.1-7.2J2 of the Code of Virginia. The following procedures are to assist grievance panels in preparing for and conduction of panel hearings. A panel's responsibility is to insure the proper application of state and county policies and procedures. Panels do not have the authority to formulate or to change policies or procedure of the county; however the panel may consider mitigating circumstances and modify county action concerning discipline. A panel by a majority vote may uphold or reverse the action of the county or may choose a modified remedy. Decision of the panel must be consistent with provision of law and written policy. A panel might determine that a grievant is entitled to reinstatement with back pay and restoration of benefits, but in no case does a panel have the authority to award damages or attorney fees. The panel hearing is the concluding step to an administrative process designed for the resolution of sensitive personnel matters. Therefore, it is recommended that the persons present at the panel hearing be limited to the grievant, the panel members, the legal counsel and/or representative of the grievant and the county, appropriate witnesses and official recorders. At the request of either party, the hearing shall be private.

#### Conduct of Panel Hearing

1. The county shall provide each panel member copies of all grievance forms and the county grievance procedure prior to the convening of the panel in order that each member may review the documents. Other information shall be submitted at the hearing in the presence of the parties.
2. All evidence taken by the panel shall be under oath.
3. Opening statements may be made at the beginning of the hearing and the panel may ask for such statements in order to clarify the issue of the grievance.
4. The county and thereafter the grievant, or their representatives, shall then present claims, proofs and witnesses who shall submit to questions or other examination. Each party has the right of cross examination. Equal opportunity shall be given to all parties for presentation of any material or relevant evidence.
5. The panel, by majority vote, may decide procedural questions and rule upon

objections raised during the hearing.

6. Witnesses, other than the parties, shall remain in the hearing room only while giving their testimony.
7. Members of the panel may question anyone giving testimony in order to clarify points being made.
8. Exhibits may be received in evidence by the panel, by the grievant or the county and shall be marked and made a part of the record.
9. The parties shall produce additional evidence as the panel may deem necessary to better understand and make determination of the dispute. The panel shall be judge of the relevancy and materiality of the evidence offered. All evidence is to be taken in the presence of the panel and both parties.
10. After both parties have presented their evidence, the panel chairperson shall ask of all parties whether they have any further evidence to offer or witnesses to be heard. Upon receiving negative replies, both parties will be given an opportunity for a closing statement. After both sides have made a closing statement, the hearing shall be declared closed.
11. The panel shall render its decision within ten (10) work days of the conclusion of the hearing. The reasons for the panel's decision must be set forth in writing.
12. Either party may petition the circuit court for an order requiring implementation of the panel decision.
13. The panel decision is final and non-appealable and shall be consistent with laws and written policy.

j. Compensation of Community Services Board Members

A request from the Department of Social Services and Social Services Board that Community Services Board members be compensated at \$600 per year and that the compensation for members of the Board of Social Services be increased to \$600 per year was denied.

k. Request for Supplemental Appropriations for Free Clinic Medications

This matter was deferred for action at a future Supervisors meeting, pending receipt of additional information on the procedures by which physicians would acquire medications and their intended usage.

l. Southwest Virginia Economic Development Grant Budget Adjustment

Authorization was extended for the Chairman of the Board of Supervisors to execute an acknowledgment of the final budget revision for this project, copies of which are filed with the records of this meeting.

m. Drug Free Workplace Policy

The following policy was adopted:

**COUNTY OF PULASKI SUBSTANCE ABUSE POLICY**

The Board of Supervisors of Pulaski County acknowledges the problem of substance abuse, including alcohol abuse, in our community. Furthermore, the Board of Supervisors sees substance abuse as a serious threat to the health and safety of county employees and to the integrity of the operation of the county for the benefit

of county citizens. The Board of Supervisors, therefore, is addressing this problem by adopting a substance abuse policy designed to promote a drug free workplace.

The ultimate goal of this policy is to balance the respect for individual privacy with the need to keep a safe, productive, drug-free environment. Anyone who uses illegal drugs as defined below or abuses alcohol is encouraged to seek help in overcoming such problems.

Given these basic objectives, the Board of Supervisors of Pulaski County has established the following policy with regard to use, possession or sale of drugs and alcohol.

Substances covered by the policy:

"Legal Drugs" - includes prescribed drugs and over-the-counter drugs which have been legally obtained and are being used solely for the purpose for which they were prescribed or manufactured.

"Illegal Drugs" - any drug: (a) which is not legally obtainable; (b) which may be legally obtainable but has not been legally obtained; or (c) which is being used in a manner or for a purpose other than for which it was prescribed.

"Alcohol" - or any beverage or legal drug containing alcohol is covered by this policy.

The County of Pulaski's policy is to maintain a workplace free from the use of illegal drugs and from abuse of drugs and alcohol. Any employee determined to be in violation of this policy is subject to disciplinary action which may include reprimand, suspension without pay and/or termination.

It shall be a violation of this policy and considered misconduct which will subject an employee to disciplinary action, which may include reprimand, suspension without pay or discharge from county employment, for any county employee during his/her regular working hours to do any of the following acts:

1. bring onto or possess while on county property or in county owned vehicles alcohol or illegal drugs;
2. be under the influence of alcohol or illegal drugs;
3. have on or in one's body, blood or urine alcohol or illegal drugs in any detectable amount;
4. use, consume, transfer, sell or attempt to sell or transfer any form of alcohol or illegal drugs during working hours;
5. refuse to take a blood or breath test for alcohol or illegal drugs when ordered to do so by the County Administrator or the Assistant County Administrator.

The County of Pulaski will provide the employee who suffers from drug and alcohol abuse assistance in locating treatment and rehabilitative services. However, it remains the responsibility of the employee to seek assistance from the County of Pulaski before drug and/or alcohol abuse problems lead to disciplinary actions.

#### COUNTY OF PULASKI EMPLOYEE ASSISTANCE PROGRAM

The County of Pulaski considers its employees to be its most valuable asset and is concerned about the safety of employees and their general state of health and well-being. Because of this, the County offers an Employee Assistance Program for County Employees comprised of:

Employee Referral - A resource directory of human services offered in the Pulaski County area that gives employees access to public and private counseling and treatment services available. The county's administrative

staff is available to help an employee make a referral.

Employee Education - County employees are encouraged to take advantage of the resources available such as publications and pamphlets available through the administrative staff on substance abuse.

Employee Health Insurance - County employees have treatment coverage as a part of the health insurance through the County of Pulaski. Employees are encouraged to check with personnel to determine specific coverage available.

n. Appointments

The following individuals were appointed to the PEP Steering Committee with ending term noted in parenthesis: Mr. Dan Bell (6-30-93), Mr. Wayne Carpenter (6-30-92), Mr. Owen McKinney (6-30-93), Mr. Kenneth Dobson (6-30-93), Mr. Ira S. Crawford (6-30-92), Mr. Skip Hurley (6-30-93), Dr. Carol Pratt (6-30-93), and Mr. Tom Pullen (6-30-92). Mr. Owen McKinney was appointed to the PEP Finance Committee with term ending June 30, 1993.

The resignation of Ms. Shirley Moon from the Recreation Commission was accepted.

The Supervisors noted Mr. Charlie Linkous's term on the Agency on Aging Board is to expire October 1, 1991. Mr. Linkous was reappointed to the Agency on Aging Board subject to his acceptance of this appointment. Staff was requested to contact Mr. Linkous and determine his willingness to continue serving on the Agency on Aging Board.

Chairman Mason A. Vaughan, Sr. was reappointed to the Private Industry Council for a term ending September 1, 1994.

Copies of the appointments known to be due were presented for Board information.

o. Dalton Building Lease Renewal

Authorization was given for the County Attorney and County Administrator to extend the lease for the Dalton Building offices under the terms of the current agreement through 1992 and that an option be accepted for renewal of the rent through 1993 and 1994, with an increase in the current rent of \$700 per month in an amount no greater than the increase in the Consumer Price Index since the building was first occupied by the county in 1990.

p. Ordinance Allowing Donation of Jurors Compensation for Court Child Services

Authorization was given for advertising a public hearing at the October 1991 Supervisors meeting for consideration of an ordinance allowing donations of jurors compensation for court child services.

q. Big Brothers/Big Sisters Program Support

Concurrence was given to the request from the Pulaski County Youth Services Citizens Board for endorsement of the Big Brothers/Big Sisters of the New River Valley Volunteer Program to be active in Pulaski County.

r. Surplus Property Sale

Acknowledgment and concurrence was extended to the staff action in conducting a surplus property sale on August 24, 1991 for which net proceeds to the general fund were \$11,227.50.

s. Bond Referendum

The County Attorney advised the Board that the Circuit Court has approved placing on the November general election ballot a referendum for a \$2.9 million bond issue for court facilities improvement.

t. Extension Service/4-H Staffing Change

Authorization was given to the Unit Chairperson of the Cooperative Extension Service in Pulaski County to take appropriate steps to utilize funds currently budgeted by the Board for personnel to enhance the 4-H program, by providing both continuation of a 4-H technician position and return to service of Mrs. Sarah Hester as a part-time 4-H Extension Agent.

Voting yes: Dr. Fariss, Mr. Vaughn, Mr. Vaughan, Mr. White, Mr. Sheffey.  
Voting no: none.

9. Citizen Comments

Mr. & Mrs. Norman Clark expressed concern regarding a campground developed adjacent to their property off of Route 693 in the Fariss Mines community.

It was moved by Mr. White, seconded by Mr. Vaughn and carried, that staff be directed to investigate the concerns to determine whether the county land use ordinances are being complied with, with a report to be made back to the Board in September.

Voting yes: Dr. Fariss, Mr. Vaughn, Mr. Vaughan, Mr. White, Mr. Sheffey.  
Voting no: none.

Supervisor Fariss requested staff to investigate the criteria under which Adelphia Cable Communications could provide service to the Dublin Hollow area of the Claytor Lake vicinity, particularly to serve the property of Mr. Don Hawkins.

Supervisor Fariss expressed concern regarding the encroachment of the Mallard Point development boat docks into Claytor Lake. This matter will be reviewed during the September 19th Board lake tour.

Supervisor Fariss requested an analysis of sick leave limits and payments upon severance of employment, either through resignation or termination, to employees of both the Board of Supervisors and other general fund employees, constitutional officers, employees of constitutional officers, and School Board employees. Supervisor Fariss also requested an indication of what control, if any, the Board of Supervisors has upon these leave policies for employees.

10. Executive Session - 2.1-344(A)

It was moved by Mr. Vaughn, seconded by Mr. White and carried, that the Board enter executive session pursuant to Section 2.1-344(A) of the 1950 Code of Virginia, as amended, for the purpose of discussing personnel, legal, land acquisition/disposition, and prospective industry related matters.

Voting yes: Dr. Fariss, Mr. Vaughn, Mr. Vaughan, Mr. White, Mr. Sheffey.  
Voting no: none.

It was moved by Mr. Vaughn, seconded by Mr. Sheffey and carried, that the Board return to regular session.

Voting yes: Dr. Fariss, Mr. Vaughn, Mr. Vaughan, Mr. White, Mr. Sheffey.  
Voting no: none.

It was moved by Mr. White, seconded by Mr. Vaughn and carried, that the following resolution be adopted certifying conformance with the Virginia Freedom of

Information Act:

WHEREAS, the Board of Supervisors of Pulaski County, Virginia, has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

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

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

Voting yes: Dr. Fariss, Mr. Vaughn, Mr. Vaughan, Mr. White, Mr. Sheffey.  
Voting no: none.

11. Adjournment

It was moved by Mr. Vaughn, seconded by Mr. Sheffey and carried, that the Board meeting be adjourned. The next regular meeting of the Pulaski County Board of Supervisors is scheduled for Monday, September 16, 1991 at 7:00 p.m. in the Board of Supervisors Meeting Room of the County Administration Building, 143 Third Street, N. W. in the Town of Pulaski. Since the September meeting will not fall on the normal fourth Monday, advertisement in the paper serving the county is directed by the Board to inform the citizens of the meeting date change.

Voting yes: Dr. Fariss, Mr. Vaughn, Mr. Vaughan, Mr. White, Mr. Sheffey.  
Voting no: none.

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Mason A. Vaughan, Sr.  
Chairman

ATTEST:

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Joseph N. Morgan  
Clerk

EXCERPT FROM MINUTES OF BOARD OF SUPERVISORS MEETING OF AUGUST 26, 1991

It was moved by Dr. Fariss, seconded by Mr. Sheffey and carried, that the Board allocate up to \$400 for assistance to Mr. Simmers in attending the National Young Leaders Conference for 1991 in Washington, DC, with a report to be scheduled at a Supervisors meeting on the conference by Mr. Simmers following the event. Supervisors White and Vaughn expressed admiration for Mr. Simmers selection for the program, but also expressed reservations about establishing a precedent in making contributions for individual achievements of county citizens. Supervisor V. E. Vaughn personally donated \$50 to Mr. Simmers fund-raising for the conference.

Voting yes: Dr. Fariss, Mr. Mason A. Vaughan, Sr., Mr. Sheffey.  
Voting no: Mr. White, Mr. V. E. Vaughn.

I hereby certify the above to be a true  
and correct copy of a resolution adopted  
by the Pulaski County Board of

Supervisors at its meeting on Monday,  
August 26, 1991.

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Joseph N. Morgan, Clerk  
Pulaski County Board of Supervisors