

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, December 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, the following members were present: Mason A. Vaughan, Sr., Chairman; Jerry D. White, Vice-Chairman; Bruce L. Fariss; Joseph L. Sheffey; and V. E. Vaughn. Also present was Supervisor-Elect Ira S. "Pete" Crawford.

1. Invocation

The invocation was given by Reverend Richard E. Bethune, Pastor of Pulaski First Presbyterian Church.

2. Meeting with Legislators

Due to a similar meeting with the Giles County Board of Supervisors, the Honorable Malfourd "Bo" Trumbo, Senator-Elect, and the Honorable Thomas G. Baker, Jr., Delegate, arrived at the meeting following its beginning. The legislators discussed items of mutual interest with the Board of Supervisors, including the continuing dwindling of state financial resources for localities.

3. Public Hearings

a. Rezoning

1. Ellis Stuart Rezoning from Residential (R-1) to Commercial - Rt. 100 Between Dublin and Newbern - Parcel #065-6-BK-A-4

The Chairman opened a public hearing on the rezoning request. Comments were heard in favor of the request from Mrs. Ellis Stuart, property owner, and Mr. Ted Kapp, representing Waffle House Restaurants of Atlanta, Georgia. Mr. Kenneth Dobson spoke in opposition to the rezoning, noting deed restrictions prohibiting commercial activities and questioning the lack of public notice on the designation of property in the same subdivision owned by Mr. Lonnie Phillips as commercial. Mr. Dobson also noted existing storm drainage problems which the commercial development could aggravate without appropriate engineering. There being no further comment, the hearing was closed.

It was moved by Dr. Fariss, seconded by Mr. White and carried, that the rezoning of the Ellis Stuart property, tax map parcel #065-6-BK-A-4, be rezoned from residential (R-1) to commercial (CM-1), subject to approval of the site plan for the Waffle House Restaurant by the Planning Commission and obtaining required land disturbing permit for soil erosion and sedimentation control.

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

Voting no: none.

2. Clarence L. Taylor Rezoning from Residential (R-1) to Agricultural, Robinson Tract Area (Forest Square), Parcel #063-1-29

The Chairman opened a public hearing on the rezoning. No comments were heard. The hearing was closed.

It was moved by Mr. White, seconded by Mr. Vaughn and carried, that the rezoning requested by Mr. Clarence L. Taylor be partially granted, by allowing rezoning of the parcel in question, tax map parcel #063-1-29, from the boundary farthest from Robinson Tract Road up to a line parallel to the adjacent property owned by the Long family, which was recently rezoned to agricultural, but that the portion of property adjacent to the Forest Square Subdivision remain residential (R-1). The portion in the rear of

the property to be rezoned would be designated agricultural (A-1).

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

Voting no: none.

3. Richard Hedge Rezoning from Residential (R-1) to Agricultural,
Robinson Tract Area (Schrader Hill), Parcel #053-1-36, 37 & 46

The Chairman opened a public hearing on the rezoning. No comments were heard. The hearing was closed.

It was moved by Mr. Sheffey, seconded by Mr. Vaughn and carried, that the request of Mr. Richard Hedge to rezone tax map parcels number 053-1-36, 37 & 46 from residential (R-1) to agricultural (A-1), be granted.

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

Voting no: none.

b. Zoning Text Amendments

1. No Wake Buoys by Special Use Permit in Claytor Lake Surface Zone

The Chairman opened a public hearing on the rezoning. No comments were heard. The hearing was closed.

It was moved by Dr. Fariss, seconded by Mr. Sheffey and carried, that the Board defer action on this zoning text amendment regarding no wake buoys pending submission by staff of the comprehensive report on lake development issues, including practices by other localities on no wake buoy placements and lake advisory committees.

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

Voting no: none.

2. Waste Water and Water Treatment Plant Residue Disposal through Land Application by Special Use Permit in Agricultural Zones

The Chairman opened a public hearing on the rezoning. No comments were heard. The hearing was closed.

It was moved by Mr. White, seconded by Mr. Sheffey and carried, that the zoning ordinance be amended to allow waste water and water treatment plant residue disposal through land application by special use permit in agricultural zones.

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

Voting no: none.

4. Highway Matters

Assistant Resident Engineer John Thompson met with the Board and discussed the following matters:

a. Rural Addition Right-of-Way Acquisition

It was noted that property owners previously requesting an extension of Route 742 to join with U. S. Route 11, near Fairlawn, have withdrawn their request. The resident engineer is to coordinate closing the road with Mr. Glen Goad and

Mrs. Kesling and report an outcome on that closing activity to the Board of Supervisors.

b. Oxford Avenue Flooding Damage Claim - Derek R. Burton

Mr. Thompson advised that the Virginia Department of Transportation has the claim under review and it is being considered by the Attorney General's staff. The County Attorney was requested to review the claim, but defer any action until the claim submitted to the state is acted on. The county administrator was requested to advise Mr. Burton of the status of this claim.

c. Route 600 Utilities Relocation

The administrator was requested to advise the district utilities engineer that utility adjustments will not be made since the project has been delayed.

d. Follow-up from November Meeting

1. Route 788 & 644 Preliminary Speed Study

It was moved by Dr. Fariss, seconded by Mr. Vaughn and carried, that a speed study be requested for the paved portions of Route 787, 788 and 644, as described in a letter dated December 6, 1991, from Resident Engineer J. D. Brugh.

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

Voting no: none.

2. Fairlawn Volunteer Fire Department Entrance Warning Signs

Supervisor Sheffey clarified his request that a response be presented on whether school zoned type signs with flashing lights could be installed to serve the Fairlawn Volunteer Fire Department entrance. Mr. Thompson agreed to review the matter and report back to the Board of Supervisors.

3. Route 693 Guardrail Along Big Reed Island Creek

The resident engineer submitted a letter indicating this improvement, along with other concerns raised by the Supervisors at the November Supervisors meeting, would be attended to as time and funding is available. A copy of that letter is filed with the records of this meeting.

e. Other Matters

Supervisor White suggested the Pulaski County High School zone flashing lights on Route 643 be adjusted to accommodate the increased traffic onto Route 643 from Route 812, entrance to the Pulaski County Corporate Center, with a report on this matter back at the January Supervisors meeting.

5. Citizen Comments

No comments were made.

6. Board of Supervisors Oath of Office

The Honorable Glennwood Lookabill, Clerk of the Circuit Court, met with the Supervisors and administered the oath of office to Supervisor-Elect Ira S. "Pete" Crawford and re-elected Supervisors Bruce L. Fariss, Mason A. Vaughan, Sr., Jerry D. White, and Joseph L. Sheffey.

Clerk Lookabill also administered an oath of office to re-elected Commissioner of Revenue Maynard H. Sayers and Treasurer Rose Marie Tickle, as well as newly elected Sheriff Ralph Dobbins.

7. Treasurer's Report

Treasurer Rose Marie Tickle presented a monthly report. Supervisor Fariss inquired about merging motor vehicle license, personal property, and dog license billings and payments. The Treasurer and Commissioner of Revenue projected 1993 as the target date for merging payment of personal property, motor vehicle, and dog license taxes.

8. Cable Television Companies Presentation on Rate Structures and Service Extension Policy

Ms. Hilda Sexton and Mr. James Regis of Adelpia Cable Communications, and Mr. Ervin Stauss of Simmons Cable, met with the Board and explained in detail current cable services, cost for services, planned increase in rates to cable customers, and standards for extension of cable service to areas of the county now not served.

9. New River Community Services Board - Presentation of Annual Report

Board Executive Director Lynn Chenault presented an annual report, as well as comments on services provided to Pulaski County citizens by the agency.

10. Reports from County Administrator and Staff

a. Brookmont Waterline Extension Financing

It was moved by Mr. White, seconded by Mr. Sheffey and carried, that use of up to \$150,000 in Pulaski County Sewerage Authority escrow refund to assist with Public Service Authority debt reserve accumulation be approved, with the staff to negotiate with G. E. Capital to obtain approval of the contract award for the Brookmont waterline extension, along with the satisfaction of the debt reserve accumulation planned.

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

b. Appointments

Action was deferred until following an executive session.

11. Items of Consent

It was moved by Mr. Sheffey, seconded by Mr. White and carried, that the following items of consent be approved:

a. Minutes of November 25, 1991

The minutes were approved with corrections.

b. Accounts Payable

Accounts payable as presented on checks numbered 36892 through 37154 were approved.

c. Transfers and Appropriations

Transfers as presented and filed with the records of this meeting were approved. Appropriations as follows were approved:

GENERAL FUND RESOLUTION #5

REVENUES:

1615-07 RIF Receipt \$ 100.00

TOTAL \$ 100.00

EXPENDITURES:

5339-5404 General Fund Additional Appropriations:
New River Physicians Association - Medical
Supplies (previously approved at 11-28-91
meeting) \$2,000.00
7301-5604 Library - RIF Program 100.00
3105-3004 New River Criminal Justice Training - Repairs
(carry over from 90-91) 3,532.98

TOTAL \$5,632.98

d. Contracts and Change Orders - Hunt, Dupree, Rhine & Associates, Inc.

Approval was given for:

Award of contract to Hunt, Dupree, Rhine and Associates for administration of the 125 Flexible Benefits Plan at \$.50 per participating employee per month for the premium only account and \$1.50 per participating employee per month for the premium and reimbursement accounts; and

Award of contract for architectural services for the courthouse expansion to Thomas A. Douthat, Jr. in the amount of \$150,000.

e. Board of Equalization Budget Appropriation

Approval was given as follows to accommodate expenses anticipated for the Board of Equalization:

1. The compensation of board members at \$100 per day for a maximum of fifteen days for five members - \$7,500
2. Travel - mileage \$500
3. Postage - \$500
4. Telecommunications - \$300
5. Office Supplies - \$200
6. Secretary - \$50 per day

f. Collegiate Designs Property Transfer

Approval of a property transfer to the Industrial Development Authority for 0.547 acres to be acquired by Collegiate Designs and 0.74 acres to be acquired by the County of Pulaski was given, with staff and the County Attorney to take appropriate action to achieve the exchange of property as described in a plat prepared for the exchange of property between Collegiate Designs, Inc. and the County of Pulaski, and located in the Massie Magisterial District of Pulaski County, Virginia, as indicated on plan number L-5822-01 prepared by Draper Aden Associates dated December 9, 1991, along with a requirement that the transfer of the property would also transfer a responsibility for perpetual maintenance of a sinkhole on the property to be exchanged.

g. Equipment Request from New River Valley Emergency Squad, Inc. - \$7,000

Approval was given for matching the Town of Pulaski's contribution in the amount of \$7,000 for purchase of equipment needed by the New River Valley Emergency Squad, Inc. to accommodate its advance life support and vehicle accident response

capability, with a source of the county's share to be determined during the FY 93 budget preparation, acknowledging that the share may come from the FY 93 equipment contribution to the squad.

h. Fairlawn Volunteer Fire Department - Pumper Purchase

The county administrator was authorized to execute a purchase order for the new pumper for the Fairlawn Volunteer Fire Department in an amount not to exceed \$152,361, with the excess of \$22,361 over funds budgeted in FY 92 for the purchase to be raised by sale of the Fairlawn Volunteer Fire Department's pumper to be replaced, the FY 93 Fairlawn Volunteer Fire Department equipment budget, and/or funds raised by the fire department. The intention of this action is to allow the pumper to be procured, realizing that funding of the purchase of the pumper in excess of the amount budgeted would rest with the department should the county not be able to provide an additional contribution.

i. Juvenile Detention Home Funding

Approval was given to communicating with the Juvenile Detention Home that the county will be limiting its contribution to the home to an amount not to exceed a five year rolling average of home use. Approval was also given to advise Montgomery County, Giles County, and the City of Radford, which own a share in the home, of the county's position in this matter.

j. Appointments

1. PEP Steering Committee - The following individuals were appointed to the PEP Steering Committee:

Positions:

Assistant County Administrator, Dublin Town Administrator, Pulaski Town Manager, Mayor of Dublin or his representative, and PEP Committee Chairs.

Individuals

E. K. "Skip" Hurley

Carole Pratt

Ira S. "Pete" Crawford

Change in Committee

Ira S. "Pete" Crawford from Community Information Committee to Existing Business Committee

2. Review of All Appointees and Appointments Due - A review of all appointees and appointments due will be scheduled for the next Supervisors meeting.

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

Voting no: none.

12. Citizen Comments

No comments were made.

13. Executive Session - 2.1-344(A)

It was moved by Mr. White, seconded by Mr. Vaughan 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 matters, legal matters, land acquisition or disposition, and prospective industry.

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

Voting no: none.

It was moved by Mr. White, 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 Dr. Fariss, seconded by Mr. White and carried, that the Board adopt the following resolution 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.

The county administrator was authorized to contact individuals seeking their willingness to be nominated for appointment by the Circuit Court to the Board of Equalization.

It was moved by Mr. White, seconded by Mr. Sheffey and carried, that Mr. Roger Combs, Mr. Kevin Cox, and Ms. Thelma Powers be nominated to serve on the Western Virginia Emergency Medical Services Council, with a preference for Mr. Combs to be chosen due to his previous service; and

That Ms. Nancy Hudson be appointed to the Library Board replacing Ms. Deloris Smith for a term of four years, with said term ending December 31, 1995.

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

14. Adjournment

It was moved by Mr. Vaughn, seconded by Mr. Sheffey and carried, that the meeting be adjourned. The organizational meeting of the Pulaski County Board of Supervisors effective January, 1992, will meet on Monday, January 6, 1992, in the Board of Supervisors Meeting Room of the County Administration Building, 143 Third Street, N. W. in the Town of Pulaski.

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

Mason A. Vaughan, Sr.
Chairman

ATTEST:

Joseph N. Morgan
Clerk

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, December 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, the following members were present: Mason A. Vaughan, Sr., Chairman; Jerry D. White, Vice-Chairman; Bruce L. Fariss; Joseph L. Sheffey; and V. E. Vaughn. Also present was Supervisor-Elect Ira S. "Pete" Crawford.

Juvenile Detention Home Funding

Approval was given to communicating with the Juvenile Detention Home that the county will be limiting its contribution to the home to an amount not to exceed a five year rolling average of home use. Approval was also given to advise Montgomery County, Giles County, and the City of Radford, which own a share in the home, of the county's position in this matter.

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

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, December 16, 1991.

Joseph N. Morgan, Clerk
Pulaski County Board of Supervisors