

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, May 24, 1993, at 7:00 p.m., at the Pulaski County Administration Building, 143 Third Street, NW, in the Town of Pulaski, Virginia, the following members were present; Jerry D. White, Chairman; Joseph L. Sheffey, Vice-Chairman; Dr. Bruce L. Fariss; and Ira S. "Pete" Crawford. Absent: Mason A. Vaughan, Sr.

1. Invocation

The invocation was given by Reverend Cecil Baxter of the Thornspring United Methodist Church.

2. Public Hearing

a. State Secondary Highway Improvement Priorities

Mr. Dan Brugh, Resident Engineer for the Virginia Department of Highways and Transportation, read aloud the proposed priority highway improvement listing for 93-94. The Chairman opened the hearing for public comments. The following individuals spoke regarding improvements to the roads noted: Chuck Vaughan, Rt. 640, Pond Lick Hollow Road; John Powers, Rt. 656, Channel Road; Alex M. Harman, Rt. 656, Channel Road; Billy R. Akers, Rt. 641, Cox Hollow Road; O.R. Morgan, Rt. 625, Morgan Farm Road; H. J. Hurst, Rt. 656, Channel Road; Wayne Davis, Rt. 618, Eugene Street; Dan Gullion, Rt. 639, Thornspring Church Road; Walter McGrady, Rt. 618, Eugene Street and Rt. 610, Case Knife Ridge Road; Pam Jones, Rt. 697, Towes Ferry Road; James Linkous, Rt. 618, Eugene Street; and Cooper Morefield, Rt. 640, Brookmont Road.

There being no further comments from the public, the Chairman closed the public hearing.

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors adopted the following resolution on the state secondary highway improvement priorities for FY 93-94:

WHEREAS, the Board of Supervisors of Pulaski County in cooperation with representatives of the Virginia Department of Transportation has selected from the approved Six-Year Plan for Pulaski County a priority listing of improvements of state secondary highway system in Pulaski County for which funds are to be budgeted in fiscal year 1993-94; and

WHEREAS, a duly advertised public hearing was conducted at the County Administration Building in Pulaski, Virginia at 7:00 p.m. on May 24, 1993 for purposes of informing interested citizens of the proposed priority listing and for soliciting public input into the planning process in accordance with Section 33.1-70.01 of the Code of Virginia of 1950, as amended; and

WHEREAS, this Board has given due consideration to such input and other factors pertaining to improvement of the State secondary highway system in Pulaski County.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of Pulaski County hereby approves the aforementioned priority listing for improvement of the State secondary highway system in Pulaski County for fiscal year 93-94.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Sheffey.

Voting no: None.

Absent: Mr. Vaughan.

b. Cross Connection Control Program

The Chairman opened the public hearing on this matter. Mr. Andy McCready spoke in opposition of the proposed cross connection control ordinance. He expressed concerns regarding required testing and frequency of testing as required by the proposed ordinance.

There being no further comments, the Chairman closed the public hearing on this matter.

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors tabled the adoption of the cross connection control program until all areas of concern are addressed.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Sheffey.

Voting no: None.

Absent: Mr. Vaughan.

- c. An amendment to the zoning map proposed by the Planning Commission from Residential (R1) to Residential (R) for the entire Staff Village Subdivision on property identified on Pulaski County tax records as parcel numbers 065-9-1-26, located on the north side of Route 611, Wilderness Road, and along Route 1040, Dexter Street, and Route 1039, Dearborn Drive, in the Ingles District

The Chairman opened the public hearing on the above matter. No public comments were heard. The public hearing was then closed.

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors approved the amendment to the zoning map from Residential (R1) to Residential (R) for the entire Staff Village Subdivision on property identified on Pulaski County tax records as parcel numbers 065-9-1-26, located on north side of Route 611, Wilderness Road, and along Route 1040, Dexter Street, and Route 1039, Dearborn Drive, in the Ingles District.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Sheffey.

Voting no: None.

Absent: Mr. Vaughan.

- d. Proposed revisions to the text of the zoning and subdivision ordinances

The County Administrator reviewed with the Board the revisions to the text of the zoning and subdivision ordinances, as recommended by the Planning Commission. The Chairman opened the public hearing on this matter for public comments. No public comments were received. The Chairman then closed the public hearing.

On the motion of Mr. Crawford, seconded by Mr. Sheffey and carried, the Board of Supervisors approved the following revisions to the text of zoning and subdivision ordinances:

Pulaski County Subdivision Ordinance:

### 3.8.2 Extension of Public Water and Sewer Lines

Change paragraph to read:

Where public water or sewer service is within 300 feet of a subdivision boundary and capacity is available in the public system, the service or services shall be extended to all lots within the subdivision. Public water or sewer extension shall not be required for Agricultural Subdivisions as defined in Section 3.1.6 of this ordinance.

## 2.10.2 Variance Procedure

Change paragraph 3 to read:

The applicant or any interested party may appeal the Planning Commission's decision to the Board of Supervisors. Such an appeal must be filed by the Subdivider within 60 days of receiving written notice of the Planning Commission's decision or by any interested party within 30 days of the Planning Commission's decision.

## 4.8 Subdivider May Appeal from Disapproval of Plat

Remove Subdivider May from title

Pulaski County Zoning Ordinance:

## 6.2 Area Regulations

Change paragraph 5 to read:

For lots containing or intended to contain more than a single-family dwelling served by public water systems, but having individual sewage disposal systems, the minimum lot area shall be:

Two (2) units - 25,000 square feet or more

Each additional unit above two (2) - 10,000 square feet will be required  
per unit

Minimum width of any unit of a townhouse or condominium shall be no less than 18 feet

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Sheffey.

Voting no: None.

Absent: Mr. Vaughan.

## 3. Highway Matters

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

### a. Follow-up from April 26 supervisors meeting

#### 1. Status of improving turning lane into Corporate Center Industrial Park

Mr. Brugh reported this improvement had been completed.

#### 2. Status of drainage problems on Hylton Loop road, off Rt. 738

Mr. Brugh advised the Highway Department cannot reroute the drainage flow; however, he will discuss the problems with the residents to try and work out a solution.

#### 3. Curtis Steele - Danny Avenue, Rt. 1062, Drainage

Mr. Steele appeared before the Board to express his concerns regarding the drainage problems on Rt. 1062. Mr. Brugh agreed to meet with Mr. Steele to determine a solution for the drainage problems.

### b. Request for Speed Study on Rt. 605, Little River Dam Road

The Board requested an informal speed study be completed on Route 605,

Little River Dam Road, in response to citizens in the area requesting the speed limit be lowered.

- c. Request for Rural Addition, Thornton Road, off Rt. 806, Ebb Hall Road, Ingles District

The Board requested this road be reviewed this summer as a possible rural addition.

- d. Request for Speed Limit Sign on Hickman Cemetery Road, Rt. 624

The Board requested the Highway Department staff to view this road to determine if the sign needed to be put back up or if a new sign is needed.

- e. Burma Road Rural Addition Resolution

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors adopted the following resolution regarding Burma Road:

WHEREAS, this board has received a request to add a portion of Burma Road to the secondary highway system in Pulaski County:

BE IT NOW THEREFORE RESOLVED, that this Board requests that the Virginia Department of Transportation add 0.52 miles of Burma Road to the secondary highway system of Pulaski County as described below in accordance with Section 33.1-229 of the Code of Virginia of 1950, as amended:

Burma Road: Beginning at a point on Route 605, 0.50 miles west of Route 690, and thence extending in a northwesterly direction 0.52 miles to a turn around.

An further be it resolved that this board does guarantee to the Commonwealth of Virginia and unrestricted right-of-way of forty feet in width with easement for cuts, fills, and drainage as recorded in Deed Book 520 at page 77, dated June 3, 1993.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Sheffey.

Voting no: None.

Absent: Mr. Vaughan.

- f. Other Matters

Mr. Sheffey reported that he had received a complaint from Ms. Merle Jackson in the Lillydale section of the county regarding a drainage problem. The highway department was requested to review this problem.

Dr. Fariss requested the Board be supplied with a listing of all unpaved roads in the county. Mr. Brugh advised he could supply the list to the Board by this summer.

#### 4. Citizen Comments

Mr. Chris Dux of Pulaski Community Hospital appeared before the Board of Supervisors to request a letter of support for a possible cancer treatment center at Pulaski Community Hospital. Mr. Dux advised that Pulaski Community Hospital is competing with Radford Community Hospital and Lewis Gale Hospital for the cancer treatment center. Several Board members expressed concerns regarding a possible conflict of interest regarding this matter.

Dr. Fariss made a motion to support both Pulaski Community Hospital and Radford Community Hospital application for a certificate of public need for the

cancer treatment center. The motion was not seconded. Dr. Fariss called for a vote on his motion. The following roll call vote was recorded:

Voting yes: Dr. Fariss.

Voting no: Mr. White.

Abstaining: Mr. Crawford, Mr. Sheffey.

Absent: Mr. Vaughan.

Dr. Fariss requested the Chairman to declare a recess to give Mr. Crawford a chance to confer with the County Attorney regarding a possible conflict of interest on the above matter. The Chairman then declared a recess. After a brief recess, the meeting was reconvened. The Chairman announced the above matter would be discussed in executive session as a legal matter - possible conflict of interest.

No other public comments were heard by the Board.

5. Treasurer's Report

Treasurer Rose Marie Tickle met with the Board and presented the monthly trial balance report.

6. Reports from the County Administrator and Staff

a. Appointments

Action on appointments was deferred until after an executive session.

b. Next Community Meeting

The Board requested this item be placed on the August, 1993 agenda for a possible community meeting in the Fall.

c. Proposals for VACO Legislative Program

The County Administrator reported the following matters be suggested for the VACo Legislative Program:

1. Court Services Unit office equipment and space to be provided by the state;
2. Authorization for the locality to adopt an admissions tax; and
3. Additional funds for road improvements possibly funded through both a statewide gas tax increase, and a local option gas tax to be used for regional road improvements.

Board members were requested to submit any additional comments to the County Administrator by June 15, 1993.

d. Pulaski County Lifesaving Crew Support

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors approved a \$9,000 advance to the Pulaski County Lifesaving Crew for the oversight committee to use in paying additional expenses of the Pulaski County Lifesaving Crew. The Board also agreed to discuss appointments to the oversight committee in executive session.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Sheffey.

Voting no: None.

Absent: Mr. Vaughan.

e. FY 94 Budget Approval

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors approved the FY 94 budget as advertised with the following additions: an additional \$1,711 to the Commonwealth Attorney's budget; and, an additional \$239.00 for the Commissioner of Revenue Office.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Sheffey.  
Voting no: None.  
Absent: Mr. Vaughan.

7. Items of Consent

a. Minutes of April 26, 1993

The minutes of April 26, 1993 were approved as presented.

b. Accounts Payable

Accounts payable as presented for checks numbered 41846 through 42107 were approved.

c. Transfers and Appropriations

Transfers as presented and filed with the records of this meeting and the Director of Management Services and appropriations as follows:

General Fund Resolution #13

REVENUES

1803-02	Repayment	\$ 15,000.00
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EXPENDITURES

3215-5830	Pulaski County Life Saving Crew - Advance	\$ 15,000.00
9104-5804	Erroneous Assessments Refund	216.30

TOTAL	\$ 15,216.30
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Capital Improvements Fund Resolution #7

EXPENDITURES

020 9101-3002	Debt/Bond Repayments - Bank charges	\$ 1,650.50
" 9102-708701	New River Sewer Project	1,741.93

TOTAL	\$ 3,392.43
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Courthouse Fund Resolution #4

EXPENDITURES

021 9505-3029	Relocation Cost - Janitorial Services	\$ 2,600.00
" 9505-5407	" - Repairs	25.00
" 9505-8001	" - Equipment	63.75
" 9505-8002	" - Rent Building	3,124.00

TOTAL	\$ 5,812.75
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d. Contracts and Change Orders

The Board approved award of the rights to cut hay at the corporate center per the high bid submitted by Malcolm Booth at \$450 annually. The Board also approved a change order on the Cloyd's Mountain Landfill in the

amount of \$5,637.05.

- e. Health Department Request for Restoration of Unmatched Local Funds for Mobile Clinic Bus

No action was taken on this matter due to the reduced Health Department budget.

- f. Radford Community Hospital Cancer Center

This item was not approved by the Board of Supervisors.

- g. Scheduling of Public Hearings - Litter and Property Maintenance Violations

The Board of Supervisors authorized staff to schedule a public hearing for the June supervisors meeting on the following litter control ordinance or property maintenance ordinance violations:

burned mobile home on property owned by Mr. Nathaniel H. Hurd on Thaxton Road, Route 649;

John Ritter property in Belspring on Belspring Road, Route 600;

Towes Ferry Road, Route 694, Litter Problem;

Jessie L. Goad property on Route 693, Lead Mines Road; and

estate of Monroe and Maggie Sirt now in the ownership of Mr. James E. Moles and Mrs. Debra Moles located on Valley Road, Route 650.

- h. Personnel Changes

Personnel changes as reported and filed with the records of this meeting by the Management Services Director were accepted.

- i. Optional Health Credit Program for Retired Employees

The Board agreed not to participate in the optional health credit program for retired employees through the Virginia Retirement System.

- j. Use of Dublin Library for Ampitheater Parking

The Board agreed to allow the Town of Dublin to use the Dublin Library for ampitheater parking as well as allow an electrical wiring connection at the Dublin Library for the amphitheater, with the concurrence of the Library Board.

- k. Endorsement of Coalition for Energy an Economic Revitalization

On the motion of Mr. Sheffey, seconded by Dr. Fariss and carried, the Board of Supervisors approved the following resolution:

WHEREAS, The Appalachian Power Company Wyoming-Cloverdale 765 kV transmission reinforcement project is a \$250+ million private enterprise investment in the much needed revitalization of the energy and economic infrastructure of West Virginia and Virginia; and

WHEREAS, The project will greatly aid in the provision of a reliable and economical long-term supply of electricity to APCo's current and future customers, and will improve conditions for commercial and industrial retention and development in its service area; and

WHEREAS, The project will result in increased utilization of APCo's existing West Virginia generating capacity and, thus, marked increases in West Virginia coal usage, jobs, and state and local tax revenues; and

WHEREAS, The project will provide transmission capacity necessary to permit development of independent power producers in southern West Virginia and Southwestern Virginia, further enhancing the potential for increased coal usage, jobs, and tax revenues; and

WHEREAS, Regardless of the above justifications and others, a small but vocal group of individuals are opposing the project; and

WHEREAS, The Coalition for Energy and Economic Revitalization (CEER) represents a broad base of support for the project by those who recognize its true need and its benefits to the people; therefore, be it

RESOLVED that the Pulaski County Board of Supervisors hereby associates with CEER and agrees to the use of its name in support of APCo's project.

l. Safe Boating Week Proclamation

The Board approved the following proclamation as requested by the Virginia Game and Inland Fisheries Commission Boating Safety Officer, B.J. Hansen:

WHEREAS, National Safe Boating week, June 6 to 12, 1993, is the annual national event that launches the recreational boating season in the United States; and

WHEREAS, Boat Safety is sponsored by the Virginia Department of Game and Inland Fisheries and the National Safe Boating Council; and

WHEREAS, Pulaski County is blessed by its outstanding natural resources including Claytor Lake

NOW THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors hereby proclaims June 6 to 12, 1993 Pulaski County Safe Boating week in the interests of providing boaters a safe, sane and fun filled water recreation opportunity; and

BE IT FURTHER RESOLVED, the Board also urges all boaters to attend the free boat safety courses now being offered by the Virginia Department of Game and Inland Fisheries to further improve the safety of our citizens on the water.

m. VACO/VML Negotiations with APCO

The Board authorized staff to participate with VACO/VML in negotiations with APCO on electricity rates.

n. Riverlawn Recreation Request for Bleachers

The Board referred this request to the Recreation Commission with possible funding being available from unexpended funds in the current fiscal year budget of the Recreation Commission.

o. Teen Center - Central Gym

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors authorized use of the Central Gym for a teen center until September 1, 1993.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Sheffey.

Voting no: None.

Absent: Mr. Vaughan.

p. Jefferson School Reuse

The Board of Supervisors authorized staff to pursue investigating temporary uses of Jefferson School with a proposal for the use of the building to be presented at the June supervisors meeting.

q. Owens Building Demolition Proposal

The Board of Supervisors approved allowing Colonel Dallas Cox to remove the Owens Building, not including asbestos, for \$9,750, provided a substantially cheaper removal expense is not available with the contractor awarded the brick courthouse renovation.

r. HUB Building Lease Agreement Amendment

The Board of Supervisors approved an amendment to the HUB Building lease agreement for temporary court use, said amendment extending the lease through July of 1995.

s. Easement for Stigger Hill Sewer Line Extension

The Board of Supervisors approved purchase of an easement for approximately \$700 for an amount determined cost effective by the County Attorney and Assistant County Administrator.

t. Senior Executive Institute

The Board of Supervisors authorized the Assistant County Administrator to attend the Senior Executive Institute, sponsored by the Virginia Local Government Management Association to be held at the University of Virginia in July.

u. Memorial Resolution, Robert P. Whitman

The following memorial resolution honoring Robert P. Whitman was approved by the Board of Supervisors:

MEMORIAL RESOLUTION

WHEREAS, Robert P. Whitman served the citizens of Pulaski County as a member of the Pulaski County Board of Supervisors for two terms of office from January 1, 1981, to December 31, 1988; and

WHEREAS, Robert P. Whitman served as Vice-Chairman of the Pulaski County Board of Supervisors from January, 1984, to December, 1987; and

WHEREAS, Robert P. Whitman served as a member of the Pulaski County Planning Commission for approximately six years; and

WHEREAS, Robert P. Whitman was a leader in the county's agricultural and construction businesses; and

WHEREAS, Robert P. Whitman has given countless hours in selfless service to all citizens of Pulaski County; and

WHEREAS, the service provided by Robert P. Whitman has benefited not only present and past citizens of Pulaski County, but will enhance the

quality of life of its future citizens;

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors does hereby commend and express its appreciation for the service of Robert P. Whitman to the county and its citizens; and

BE IT FURTHER RESOLVED, that this Board of Supervisors does extend to the family of Robert P. Whitman its sympathy and condolences in his passing, which sympathy was expressed by flying the United States and Virginia flags at half mast in front of the County Administration Building in his honor on the day of his funeral; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread on the minutes of the Board of Supervisors in testimony of its appreciation to the service provided by Robert P. Whitman to the citizens of Pulaski County.

Adopted this 24th day of May, 1993.

v. Report on Taxation of Boathouses along Claytor Lake

The Commissioner of Revenue sent a report that boathouses will be identified with the assistance of Appalachian Power Company. Once identified, assessment for taxation would be made for the 1993 tax year. The County Attorney is also reviewing this matter.

8. Citizens Comments

No further citizen comments were heard.

9. Other Matters from Supervisors

Dr. Fariss inquired as to the status of the telephone and emergency lighting situations at the high school. He directed staff to request the School Board to respond to his inquiry.

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors requested staff to ask Appalachian Power Company to donate property in the Snowville area for public access to Claytor Lake.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Sheffey.

Voting no: None.

Absent: Mr. Vaughan.

Dr. Fariss also expressed concerns regarding the Recreation Commission. On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board requested a special meeting for June 7, 1993 at 7:00 p.m. with the Recreation Commission members.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Sheffey.

Voting no: None.

Absent: Mr. Vaughan.

10. Executive Session - 2.1-344(A)

On the motion of Mr. Crawford, seconded by Dr. Fariss and carried, the Board of Supervisors entered executive session pursuant to Section 2.1-344(A) to discuss personnel, legal, possible conflict of interest, per advice of County Attorney, land acquisition/disposition, and prospective industry.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Sheffey.

Voting no: None.

Absent: Mr. Vaughan.

#### Return to Regular Session

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

#### RE: Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. Crawford, seconded by Mr. Sheffey 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.

#### RE: Pulaski Community Hospital Proposed Oncology Center

Supervisors Fariss, Sheffey and Crawford noted a personal interest regarding the request from Pulaski Community Hospital for endorsement of the Oncology Center, but each declared themselves able to participate in discussion and action on the matter fairly, objectively and in the public interest. Copies of said declarations are filed with the records of this meeting.

It was moved by Mr. Crawford, that the Board of Supervisors indicate unanimous support for the proposed Pulaski Community Hospital Oncology Center. The motion failed due to the following tie vote:

Voting yes: Mr. Crawford, Mr. White.

Voting no: Dr. Fariss, Mr. Sheffey.

Not present: Mr. Vaughan.

It was moved by Dr. Fariss, seconded by Mr. Sheffey, that the Board of Supervisors support location of a cancer treatment center in the New River Valley. The motion failed due to the following tie vote:

Voting yes: Dr. Fariss, Mr. Sheffey.

Voting no: Mr. Crawford, Mr. White.

Not present: Mr. Vaughan.

#### 11. Adjournment

It was moved by Dr. Fariss, seconded by Mr. Crawford and carried, that the Board of Supervisors adjourn to reconvene on Monday, June 7, 1993, at 7:00 p.m., in the Board Room of the County Administration Building, 143 Third Street, NW, in the Town of Pulaski.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Sheffey.

Voting no: None.  
Absent: Mr. Vaughan.

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Jerry D. White, Chairman

ATTEST:

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Joseph N. Morgan, Clerk