

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, July 26, 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; Ira S. "Pete" Crawford; and Mason A. Vaughan, Sr.

1. Invocation

The invocation was given by Thomas J. McCarthy, Jr., County Attorney.

2. Public Hearing:

a. Litter and Property Maintenance Violations

The Chairman opened the public hearing on litter and property maintenance violations for the property owned by Utah Carter, Pulaski County Tax Map 027-7-4, 5, located on the west side of Route 617, Ruebush Road, in the Cloyd District. No public comments were heard. The Chairman closed the public hearing.

On the motion of Mr. Crawford, seconded by Mr. Sheffey and carried, the Board of Supervisors authorized staff to proceed to improve the above property as needed to comply with the ordinances and to develop cost estimates for said clean-up and be reported to the Board of Supervisors and to the property owner.

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

Voting no: none.

b. Transportation Enhancement Program:

1. County Entrance Signs
2. New River Trail at Allisonia/Hiwassee
3. Draper Mountain Loop Trail
4. Ingles Ferry Restoration
5. Virginia Recreation Trails Funds

The Chairman opened the public hearing on the Transportation Enhancement Program for public comments. No public comments were heard; therefore, the public hearing was closed.

The Board of Supervisors discussed the projects listed above which had been suggested as possible projects under the Transportation Enhancement Program. The County Administrator advised a 20% match is required for projects funded through the Transportation Enhancement Program.

On the motion of Dr. Fariss, seconded by Mr. Vaughan and carried, the Board of Supervisors prioritized the above projects and authorized staff to submit applications to the Virginia Department of Highways and Transportation for possible funding under the Transportation Enhancement Program for the following projects:

Priority 1: New River Trail at Allisonia and Hiwassee - New River Trail safety and parking improvements in the Allisonia and Hiwassee areas.

Priority 2: County Entrance Enhancements - Erection of stone welcome signs at county entrances beginning in the Fairlawn area.

Priority 3: Draper Mountain Loop Trail - Draper Mountain overlook improvements and loop walking and cycling trail to connect the

planned improvements in Draper along the New River Trail, which is to be financed by the recent state bond issue, and similar improvements at the former Pulaski Passenger Train Station, also to be funded by the state bond issue.

Priority 4: Ingles Ferry Restoration - project to include a ferry terminal in Pulaski County near the old Ingles Ferry termination point across the New River from the City of Radford. (This is an endorsement of a prior application of the City of Radford and includes no commitment of funding from the County of Pulaski.)

Voting yes: Dr. Fariss, Mr. White, Mr. Vaughan, Mr. Sheffey.
Voting no: Mr. Crawford.

3. Highway Matters:

a. Schedule 1993 Summer Road Viewing

Supervisor Sheffey requested that a road in the New River area, located at the end of Carter Street and looping with Church Street, be added to those roads scheduled to be reviewed as possible rural additions.

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors appointed county staff to serve as road viewers for 1993, with the understanding supervisors may participate in the road viewing, and set the date for road viewing to be August 12, 1993 at 3:00 p.m. Road viewers, supervisors and highway department staff to meet at the Criminal Justice Training Academy in New River.

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

b. Transportation Planning in the NRV

The Board reviewed a request from the Planning District Commission to appoint a representative and alternate to a proposed New River Valley rural planning technical committee.

On the motion of Mr. Sheffey, seconded by Mr. Vaughan and carried, the Board of Supervisors appointed the County Administrator, with the County Engineer as alternative for a one year period to serve on the NRV rural planning technical committee with the understanding that should the committee prove not to be beneficial to the county's interest, participation by the county is to be withdrawn.

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

c. Select Committee on Transportation Funding

The Board of Supervisors was advised that Pulaski County and southwest Virginia are expected to receive less highway funding under any funding changes. Further, staff reported the reduction in road eligible for hard surfacing to traffic counts over 100 vehicles, rather than the current 50 vehicles per day under the proposed formula. The Board requested this matter be discussed at the August regular meeting, when a listing of unpaved roads in the county is to be supplied by highway department staff.

d. Other Matters

Dr. Fariss requested that an informal speed study be completed on State Route 690, Shelburne Road, in the Ingles District.

4. Citizen Comments

Ms. Nancy Pugh inquired as to whether or not item D under Items of Consent would mean public sewer service available in the area located near and around Cloyd's Mountain. The County Administrator advised the line is to be extended to the New River Valley Airport and it could possibly create a good opportunity for others to use the sewer line in the future. Ms. Pugh suggested use of university graduate students from Radford and Virginia Tech, particularly engineering students, where feasible on county projects.

No additional 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 the executive session.

b. Regional Jail Study Presentation

Mr. David Rundgren of the New River Valley Planning District Commission and Pulaski County Sheriff Ralph Dobbins appeared before the Board of Supervisors to report on the progress and present status of the regional jail study. Mr. Rundgren advised that Grayson and Carroll counties had now asked to be included in the study. Further, he reported a March 1994 deadline in submitting requests to the state for a 50/50 funding match. Sheriff Dobbins expressed his concerns to the Board regarding the present overcrowding at the county jail.

On the motion of Mr. Crawford, seconded by Mr. Sheffey and carried, the Board of Supervisors approved the following recommendations regarding a possible regional jail:

1. A decision on further participation be scheduled for the August supervisors meeting;
2. The Assistant County Administrator be assigned to assist Sheriff Dobbins in completing by August 13 an analysis of the comparative cost of an improved county only jail verses the regional jail facility;
3. The funding participation for the proposed study be changed to population only basis for participating localities; and
4. The Jail Study Committee be authorized to develop a request for proposals and receive proposals for the proposed study required by the Department of Corrections.

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

Voting no: none.

The Board also requested that Sheriff Dobbins attend the regular supervisors meeting in August.

c. AT&T Site Industrial Park Layout Options

Ms. Holly Lesko of the New River Valley Planning District Commission and Mr. Ray Varney of Anderson & Associates Engineers, presented to the Board several layout options on the AT&T site industrial park.

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors authorized staff to proceed with Layout C, with the County Engineer to review details. The Board further approved Anderson & Associates working with the Virginia Department of Highways and Transportation on a proposed river crossing/bridge to enhance said property.

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

Voting no: none.

7. Items of Consent:

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

a. Minutes of June 28, 1993 and Revision to Minutes of March 16, 1987

The minutes of June 28, 1993 were approved as presented. The minutes of March 16, 1987 are hereby revised to reflect the following:

WHEREAS, the Board of Supervisors of Pulaski County, Virginia, on March 16, 1987 at 7:00 p.m. held a duly authorized and scheduled public hearing after proper public notice in compliance with Section 15.1-1250.01 of the Code of Virginia, 1950, as amended; and

WHEREAS, after the public hearing, the Board unanimously voted its findings in accordance with such Section 15.1-1250.01, that privately owned and operated refuse collection and disposal services are not available on a voluntary basis by contract or otherwise and that operation by the New River Resource Authority of a regional solid waste disposal facility, in spite of any potential anti-competitive effect, is important in order to provide for the development and/or operation of a regional system of garbage and refuse collection and disposal for the County of Pulaski and the City of Radford; and

WHEREAS, the above findings were inadvertently omitted from the minutes of the March 16, 1987 public hearing;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the above minutes be amended to reflect the findings by the Board made subsequent to the public hearing which was convened after notice as required by law and the actions of the Board in making the above findings at that time are hereby ratified and confirmed.

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

Voting no: none.

b. Accounts Payable

Accounts payable as presented on checks numbered 42410 through 42447 with Nations Bank, as well as Premier Bank checks numbered 1 through 227.

c. Transfers and Appropriations

The Board approved an additional appropriation of \$120.07 for the Registrar's Office to attend the Local Government Officials' Conference and a mandated workshop in Richmond. This will deplete all travel funds appropriated for FY 94 for the Registrar's Office. Any additional travel fund requests will require Board of Supervisors appropriation and approval.

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

Internal Service Fund

Resolution #2

EXPENDITURES

1220-7001	Data Processing-Mach. & Equipment	\$ 58.96
1224-3010	County Garage-Professional Services Other	5,647.87
9303-9112	Transfer of Funds-Transfer Balance to General Fund 6-30-93	170,179.94

Total		\$175,886.77
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Capital Improvement Fund

Resolution #9

EXPENDITURES

9303-9112	Transfer of Funds-Transfer to General Balance at 6-30-93	\$ 3,363.35
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Total		\$ 3,363.35
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General Fund

Resolution #17

EXPENDITURES

1209-4001	Commissioner of Revenue-Data Processing	\$ 6,513.99
1213-4001	Treasurer-Data Processing	6,591.33
2101-1007	Circuit Court-Jury Compensation	165.48
2106-3006	Clerk's Office-Printing & Binding	4,713.45
2106-5203	Clerk's Office-Telephone	2,127.92
2106-5401	Clerk's Office-Office Supplies	2,416.24
2106-5411	Clerk's Office-Books & Subscriptions	209.39
2106-5501	Clerk's Office-Mileage	124.40
2106-7001	Clerk's Office-Machinery & Equipment	110.18
3102-4013	Sheriff's Office-Central Garage Mileage	53,652.38
3215-7005	PC Life Saving Crew-Mach. & Equipment	1,447.81
3505-4011	Emergency Services-Central Postage	485.40
4302-5104	General Properties-Refuse Fees	564.18
8305-4001	Extension Office-Data Processing	20.48
9310-5824	Revenue Refunds-County Decals Refunds	25.40

Total		\$79,168.03
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General Fund

Resolution #1

EXPENDITURES

2102-3005	General District Court-Maint. Contracts	\$ 1,878.00
3207-7001	Draper Vol. Fire Dept.-Mach. & Equipment	4,000.00
3208-7001	Dublin Vol. Fire Dept.-Mach. & Equipment	2,300.00
3211-7001	Newbern Vol. Fire Dept.-Mach. & Equipment	6,238.00
3213-7001	Twin Comm. Vol. Fire Dept.-Mach. & Equip.	1,087.00
7301-5411	Library-Memorial Books Donation	100.00
7301-5604	Library-RIF Program	2,249.17

Total \$17,852.17

d. Contracts and Change Orders

1. Stigger Hill Sewer Emergency Purchase

The Board of Supervisors authorized an emergency purchase with Prilliman and Pace in the amount of \$74,565 for the Stigger Hill sewer service due to Farmers Home Administration no longer allowing the execution of a change order on the New River sewer system.

2. Cloyd's Mountain Sewer Engineering

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors authorized staff to award the Cloyd's Mountain sewer engineering design to Draper-Aden Associates in the amount of \$100,000. The Board reserved the right to award the contract for administration and inspection fees until December 1993 or January 1994.

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

Voting no: none.

3. General Engineering Consultant

The Board of Supervisors authorized the County Administrator to engage general engineering consultant(s) for a three year plus period to either Dewberry & Davis Engineers, Draper Aden Associates or Anderson & Associates, after competitive negotiations are held.

4. Reynolds Architects, County Administration Building Stairway

The Board of Supervisors approved engaging Reynolds Architects for the demolition and removal of the former school student restrooms on the east end of the County Administration Building and construction of a fire rated stairwell to be constructed in said space. Estimated cost of Reynolds Architects is \$5,200 to \$7,900.

e. APCO Building Donation for Community Use - Tax Exemption

The Board authorized staff to schedule a public hearing to consider requesting legislation in 1994 Session of the General Assembly to allow the above property to be exempt from local real estate taxation.

f. Fairview Home Heating and Cooling

The Board of Supervisors were advised that a major renovation and/or replacement of the Fairview Home heating and air conditioning system may be needed. The estimated cost could be as much as \$30,000 to \$80,000 with the county having to bear 1/3 of the cost.

g. Leave Benefits Change

The Board of Supervisors approved the movement by six months of annual leave carryover date for employees. This move would be from June 30 to December 31 of each year, with a short year of six months to be implemented from July 1, 1993 to December 31, 1993.

h. Rental Housing Administration Agreement

The Board of Supervisors approved an Addendum A to the Administrative Services Agreement for the fiscal year July 1, 1993 with the Virginia Housing Development Authority, a copy of which addendum is filed with the records of this meeting.

i. Ratification of Grievance Policy Amendment

The following Grievance Policy to achieve compliance with the American Disabilities Act is hereby approved by the Board of Supervisors:

PULASKI COUNTY GRIEVANCE POLICY IN ACCORDANCE WITH TITLE I, II, AND III
OF THE AMERICANS WITH DISABILITIES ACT OF 1990

Policy Statement:

It is the policy of the Board of Supervisors to fully comply with Title I, II, and III (Public Law 101-336) of the Americans with Disabilities Act of 1990 regarding employment, public services, and public accommodations. Every effort will be made to resolve complaints informally with the least amount of delay and conflict. It is also the policy of the Board of Supervisors to prohibit discrimination on the basis of disability. Accordingly, the following procedure for complaints regarding access or alleged discrimination is hereby established.

Grievance Policy:

Step I - A complaint must be filed not later than 180 days from the date of the alleged discrimination, unless the time for filing is extended for good cause shown, as determined by the County Administrator. The complaint shall be in writing and must be filed with the American Disabilities Act Coordinator. The written complaint shall be filed on Form ADA1. A decision by the ADA Coordinator shall be rendered within fifteen (15) working days.

Step II - If the complaint cannot be resolved to the satisfaction of the complainant by the ADA Coordinator, it will be forwarded to the ADA Compliance Committee as appointed by the Board of Supervisors. The ADA Compliance Committee shall set the time, date, and place for a hearing on the complaint. The Committee shall be directed to hear such complaints in public, after adequate public notice is given, in an unbiased, objective manner. The hearing should be held within ten (10) working days following adequate public notice. The ADA Compliance Committee shall issue a written decision within thirty (30) days following the hearing. All proceedings of the committee shall be recorded, transcribed and maintained.

Step III - If the complaint is not resolved to the complainant's satisfaction by the ADA Compliance Committee, the complaint will be heard by the Board of Supervisors. A determination must be made by the Board of Supervisors within thirty (30) days of said hearing by the Board of Supervisors. An open, public meeting of the Board of Supervisors will precede the vote of the Board on the complaint, except that the Board may hold such meeting in Executive Session if the complaint involves an employment matter. The decision of the Board of Supervisors is final.

A record of action taken on each request or complaint will be maintained as a part of the records or minutes at each step of this grievance procedure.

Any employee or applicant for employment who desires reasonable accommodation of a disability in employment should forward a written request for reasonable accommodation to the County ADA Coordinator, 143 3rd Street, N.W., Pulaski, VA 24301, telephone number 703-980-7705 or

703-980-7800.

It shall be noted the use of this grievance procedure is not a prerequisite to the pursuit of other remedies by the complainant. The filing of a lawsuit in state or federal district court or a complaint with the U.S. Department of Justice of Equal Employment Opportunity Commission can occur at any time.

j. Rescue Squad Assistance Fund Grant for Dispatching Improvements

The Board acknowledged receipt of a grant from the State Department of Health through the Rescue Squad Assistance fund Program in the amount of \$17,375.50. Said grant to be used for dispatching improvements.

k. Personnel Changes

The Board of Supervisors reviewed recent personnel changes as reported by the Director of Management Services, Nancy M. Burchett. A copy of said changes are filed with the records of this meeting in the County Administrator's Office. In addition, the Board of Supervisors approved a re-classification of employee Linda Rigney, Data Processing Technician. Salary to be increased to \$20,600 effective July 15, 1993, and salary range to be \$18,000 to \$22,500.

l. Governor's Environmental Excellence Award Application

The Board of Supervisors authorized staff to submit an application nominating the work completed by the county in environmental protection at the Cloyd's Mountain landfill for recognition under the Governor's Environmental Excellence Award Program.

m. Dry Hydrant Support

The Board of Supervisors approved the following resolution regarding dry hydrant support:

WHEREAS, a dry hydrant is a nonpressurized pipe system that is installed in an existing lake, pond, or stream to provide an easily accessible source of year-round water for firefighting.

WHEREAS, with installation of dry fire hydrants, homeowners and property owners would receive improved fire protection that would reduce loss of life and property; and

WHEREAS, by promoting security and safety in rural areas, economic development is encouraged; and

WHEREAS, dry hydrants save fuel and time during firefighting; and

WHEREAS, water conservation is increased by fire departments utilizing dry hydrants which reduces the volume of pressurized and purified town water that is used; and

WHEREAS, the General Assembly passed legislation in 1992 which requested a plan be developed that identified the needed network of dry hydrant sites in the Commonwealth; and

WHEREAS, the Virginia Department of Forestry completed an inventory that documented the need for 3,678 dry hydrant installations at an estimated cost of \$7.3 million; and

WHEREAS, the state appropriated funds to be spent in FY 1993 and FY

1994 to initiate a demonstration program which provided cost share monies to fire departments to install dry hydrants;

NOW THEREFORE, BE IT RESOLVED, that the Pulaski County Board of Supervisors supports the continued state funding of programs which encourage and enable fire departments to install dry hydrants.

BE IT FURTHER RESOLVED that the Pulaski County Board of Supervisors requests that the Virginia Association of Counties add to their 1994 legislative agenda a resolution of support for state funding of programs that enable and encourage fire departments to accelerate the installation of dry fire hydrants.

n. Road Names Change Request - Carter Street, Route 725

The Board of Supervisors approved a commitment for space at the request of School Superintendent Asbury for up to two years for the residential program for children at risk at either Jefferson School or other space which the county may have access to.

p. NRRRA Landfill Conditional Use Permit Time Extension

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors approved a 10 year extension in the initiation of landfill activity at the proposed Matson landfill site.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Vaughan.
Voting no: Mr. Sheffey.

q. Virginia Housing Partnership 1994 Emergency Home Repair Program

The Board of Supervisors ratified and accepted a grant from the Department of Housing and Community Development in the amount of \$17,000 for home repairs to those qualified. The Board of Supervisors also appropriated \$17,000 for this program.

r. Hunting Dog Exercise at Corporate Center

The Board approved extending hunting dog exercise privileges at the Corporate Center to Mr. Robert Goad (and also Everett Worrell; L. A. Woods; Harry Quesenberry; and Dean Moore) and Mr. Bill Draper for the next year. The Board of Supervisors also extended this to other citizens who might be interested. Permission slips are to be obtained from the County Administrator's Office prior to exercises.

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

8. Citizens Comments

Ms. Nancy Pugh suggested utilizing assistance from students attending the local universities for county projects such as the regional jail and AT&T property design.

9. Other Matters from Supervisors

No other matters were presented from the Supervisors.

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, land acquisition/disposition, and prospective industry.

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

Return to Regular Session

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

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

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.

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

RE: Appointments

It was moved by Mr. Sheffey, seconded by Mr. Crawford and carried, that the following appointments be made:

a. New River Community Services Board

Mr. Chris Dux was appointed to the New River Community Services Board for a term to end June 30, 1996.

b. P/D/PC Recreation Commission

Mr. Jack Leahy, Mr. Hugh Huff, Mr. Bobby Hunter and Mr. Dale White were appointed for terms to end June 30, 1995.

c. Zoning Appeals Board

The Board invited Mr. Wayne Ondich to be nominated to the Circuit Court for a five year term on the Zoning Appeals Board.

d. School Board

The Board of Supervisors approved abolishing the current at-large position formerly held by Mr. Rhea Saltz. The county attorney and staff were authorized to schedule any ordinance, etc., changes.

e. PEP

The Board of Supervisors appointed Mr. Bruce Cunningham to the PEP Steering Committee for a term ending June 30, 1996.

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

Voting no: none.

RE: Other Matters

County staff was authorized to take action on the following:

Advise Wythe County to pay its share of Court Services expenses or court enforcement to be pursued; and

Have old Fairlawn Fire Station appraised and to seek appraisal of about \$250 such as Ken Farmer gave on school property east of Dublin.

11. Adjournment

It was moved by Mr. Sheffey, seconded by Dr. Fariss and carried that the Board of Supervisors adjourn to reconvene August 3, 1993, at 7:00 p.m. at the Radford Best Western Hotel. The next regular scheduled meeting of the Board is August 23, 1993 at the County Administration Building, Board Chambers, 143 Third Street, NW, in the Town of Pulaski, at 7:00 p.m. at the County Administration Building.

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

Voting no: none.

Jerry D. White, Chairman

ATTEST:

Joseph N. Morgan, Clerk