

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, February 28, 1994, at 7:00 p.m. at the Pulaski County Administration Building, 143 Third Street, N. W. 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 Reverend Steve Weston.

2. Additions to Agenda

Additions to the agenda were noted.

3. Public Hearings:

- a. An amendment to the zoning map requested by Roy Boyd from Residential (R1) to Commercial (CM1) with a Conditional Use Permit to allow a game room on property identified on Pulaski County tax records as parcel 045-1-24, owned by Fred & Donna Bond, located on Route 636, Alum Spring Road, in the Robinson District.

The Chairman opened the public hearing on this matter. The following individuals spoke in favor of the rezoning request: Roy Boyd, who operates the game room at the present time; James Stoots, a patron of game room; Effie Hasson, installer of septic tank systems; Rod Layman, Attorney at Law, representing Fred and Donna Bond, owners of the property; Garland Bond, brother of Fred Bond; and John Hughes, a patron of game room. Those individuals who spoke against the rezoning were Geraldine Craig, adjacent property owner; and James Rorrer, also an adjacent property owner.

The public hearing was then closed by the Chairman. The Chairman advised the Board members that he had received numerous calls from residents of the area expressing opposition to the rezoning request. He also advised the zoning ordinance is to provide protection and direction for the growth of the county. Chairman White advised he did not feel the game room was conducive to the environment of the neighborhood.

On the motion of Mr. Sheffey, seconded by Mr. Crawford and carried, the Board of Supervisors accepted the recommendation of the Planning Commission to deny the rezoning request by Roy Boyd from Residential (R1) to Commercial (CM1) with a Conditional Use Permit to allow a game room on property identified above.

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

Voting no: none.

- b. An amendment to the zoning map requested by Kevin Bryson from Residential (R1) to Agricultural (A1) on property identified on Pulaski County tax records as parcel 116-1-145, located off Route 609, Boyd Road, near the New River, in the Draper District.

The Chairman opened the public hearing on this matter. No comments were received; therefore, the hearing was closed.

On the motion of Mr. Crawford, seconded by Dr. Fariss and carried, the Board of Supervisors accepted the recommendation of the Planning Commission to deny an amendment to the zoning map requested by Kevin Bryson from Residential (R1) to Agricultural (A1) on property

identified above, but noted a permitted accessory use in residential zones can be livestock.

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

Voting no: none.

- c. An amendment to the zoning map requested by Harold Louthen of Big Valley Corporation from Agricultural (A1) to Residential (R) on property identified on Pulaski County tax records as a portion of parcels number 97-1-19, 19A located off Route F044, Honaker Road, in the Draper District.

The Chairman opened the public hearing on this matter. No comments were received; therefore, the hearing was closed.

On the motion of Mr. Crawford, seconded by Mr. Sheffey and carried, the Board of Supervisors approved an amendment to the zoning map as requested by Harold Louthen of Big Valley Corporation from Agricultural (A1) to Residential (R1) on property identified above.

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

Voting no: none.

- d. Zoning text amendments:

1. To allow correctional institutions in industrial zones by conditional use permit;
2. To allow site plan approval by staff unless appealed by Planning Commission Member(s) or neighboring property owner(s).

The Chairman opened the public hearing on this matter. Ms. Betty Bishop, a resident of the Fair Acres Subdivision, inquired as to the location of the new regional jail facility. Assistant County Administrator Huber advised the proposed jail site for the regional jail at the present time is in Carroll County; however, once a site is specifically located, adjacent property owners will be notified and public hearings held.

Mr. Ned Olinger of Staff Village asked if specific proximity requirements on the location of a regional jail have been established. Mr. Huber reported the goal would be to locate the regional jail as far away from residences as possible.

A resident of Staff Village, Ms. Dean, asked how people would be notified of the location of the regional jail. Staff advised each adjacent property owner would be sent a notice once a site had been selected.

No further comments were heard; therefore, the public hearing was closed.

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

ARTICLE 18 SITE DEVELOPMENT PLAN

18-1 Requirement

No building or zoning permit shall be issued for development for any business or industrial purpose or for development to contain three or more residential dwelling units on one lot or parcel or for a permanent mobile home park until a site development plan has been approved by the Planning Commission, except that no site plan shall be required for the Residential PUD District.

18-2 Preparation of Site Plan

(Paragraph 3) The applicant shall submit to the Zoning Administrator for approval by the Commission three (3) copies of a site development plan. Additional copies may be required if revisions are necessary.

(Last Paragraph) Site plan review by the Planning Commission shall require the same notification of adjacent property owners as required by Section 15.1-431 of the 1950 Code of Virginia, as amended, except that an advertised public hearing shall not be required. The notice shall state the type of use proposed, specific location of development, appropriate county office where the site plan may be reviewed, and proposed date of site plan approval. In addition, all members of the Planning Commission shall receive notice, by first class mail, of the site plan review. Unless an adjacent property owner or owners, and/or a member or members of the Planning Commission request(s) a review at a Planning Commission meeting, the Zoning Administrator is authorized to approve the site plan.

The notice shall state deadline for making comments or requesting a review at a Planning Commission meeting and date of the site plan review at the Planning Commission meeting, if any.

18-5 Approval Procedures

(First Paragraph) Site plans shall be submitted to the Zoning Administrator for approval by the Planning Commission.

(Third Paragraph) The Zoning Administrator, within thirty (30) days, shall transmit all applications for site development plan approval, together with his comments and recommendations, to the Planning Commission. shall either approve the plan or transmit all applications for site development plan approval, to the Planning Commission.

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

Voting no: none.

- e. To consider the sale or disposition of property in the form of an easement for utilities through the Fairview District Home property located at the intersection of Routes 643, Cougar Trail Road, and Route 807, Hatcher Road, in the Massie District and shown on Pulaski County tax map as parcel number 55-1-28.

The Chairman opened the public hearing on this matter. No public

comments were received; therefore, the hearing was closed.

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors approved the sale or disposition of property in the form of an easement for utilities, particularly sewer, by an adjacent property owner at the discretion of the Fairview District Home Board.

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

Voting no: none.

- f. An amendment to the zoning map requested by Aaron Wright from Commercial (CM1) to Residential (R2) for conditional zoning of up to five years to allow two dwellings on one parcel on property identified on Pulaski County tax records as parcel 056-1-70 located between Route 100, Cleburne Boulevard, and Route 682, Newbern Road, in the Draper District.

The Chairman opened the public hearing for public comments on this matter.

Mr. Aaron Wright requested approval of his rezoning request, including proffers. No further comments were heard; and therefore, the hearing was closed.

On the motion of Mr. Vaughan, seconded by Mr. Sheffey and carried, the Board of Supervisors approved an amendment to the zoning map from Commercial (CM1) to Residential (R2) from conditional zoning of up to five years to allow two dwellings on one parcel on property identified above, subject to proffer of conditions by the property owners as follows: a. the second mobile home will be occupied only by immediate family members; and b. the site zoning will revert back to Commercial (CM1) at the end of five years from the date of the rezoning action, or when the second mobile home is no longer occupied by an immediate family member, whichever is sooner.

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

Voting no: none.

- g. Community Development Block Grant Application

Mr. Huber reported the purpose of this hearing was to receive input from the public regarding general community needs.

The Chairman opened the public hearing on this matter. No comments were heard; therefore, the hearing was closed.

The Board authorized staff to proceed in applying for funding under the Virginia Department of Housing and Community Development Program for future economic development projects.

- h. A Resolution Authorizing the Issuance and Sale of A \$98,860 Water and Sewer Revenue Bond, Series of 1994, of Pulaski County, Virginia, As An Additional Bond Pursuant to A Resolution Adopted On February 22, 1993, by the Board of Supervisors

Mr. Huber reported the public hearing would be the final action needed on the Stigger Hill water extension project.

The Chairman opened the public hearing on this matter. No public

comments were heard; therefore, the hearing was closed.

On the motion of Mr. Vaughan, seconded by Mr. Sheffey and carried, the Board of Supervisors adopted the following resolution and authorized the county attorney and county administrator to execute the necessary documents relating to this matter:

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE
OF A \$98,860 WATER AND SEWER REVENUE BOND,
SERIES OF 1994, OF PULASKI COUNTY, VIRGINIA,
AS AN ADDITIONAL BOND PURSUANT TO
A RESOLUTION ADOPTED ON FEBRUARY 22, 1993,
BY THE BOARD OF SUPERVISORS

WHEREAS, by a resolution adopted August 27, 1990 (the "Initial Resolution"), the Board of Supervisors of Pulaski County (the "Board of Supervisors") authorized the construction of extensions and improvements to the County's sewer system, and the issuance and sale of a \$212,600 Sewer Revenue Bond, Series of 1990 (the "Initial Bond"); and

WHEREAS, by a resolution adopted February 22, 1993 (the "1993 Resolution"), the Board of Supervisors amended and supplemented the Initial Resolution and authorized the acquisition, construction and equipment of water facilities as part of the County's water and sewer system and the issuance and sale of a \$402,500 water and sewer revenue bond of the County (the "1993 Additional Bond").

WHEREAS, the County is not in default in payment of principal of or interest on the Initial Bond or in the performance of any of the covenants, conditions, agreements and provisions contained in the Initial Bond, Initial Resolution or the 1993 Resolution, and the County has not yet issued the 1993 Additional Bond; and

WHEREAS, within the limitations of and in compliance with Article 5 of the 1993 Resolution, the County is authorized to issue additional bonds secured on a parity with the Initial Bond to finance the cost of the acquisition or construction of improvements, extensions, additions and replacements to the County's water and sewer system; and

WHEREAS, the Board of Supervisors has previously authorized the construction of sewer facilities to provide sewer service to the Stigger Hill area in the County and by a resolution adopted on February 22, 1993, declared its official intent to expend monies on such construction and to reimburse itself for such expenditures with proceeds of a borrowing in the maximum amount of \$100,000; and

WHEREAS, the County has constructed the sewer facilities, and the Board of Supervisors has determined that it is necessary to issue its revenue bond in the principal amount of Ninety-Eight Thousand Eight Hundred Sixty and 00/100 Dollars (\$98,860) (the "1994

Additional Bond"), the proceeds of which, together with other available funds, are estimated to be sufficient to reimburse the County for the cost of such facilities; and

WHEREAS, the United States of America, acting through the Farmers Home Administration, has offered to purchase the 1994 Additional Bond upon certain terms and conditions as set forth in its letter dated December 9, 1993, to the County (the "Government Letter"), which letter is on file with the records of the County, and the County, after mature consideration of the conditions of the municipal bond market, has determined to satisfy such terms and conditions and award the 1994 Additional Bond to the United States of America, Farmers Home Administration (the "Government").

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PULASKI COUNTY:

ARTICLE I

DEFINITIONS; AUTHORIZATION OF SEWER PROJECT

Section 1.1. Definitions. Whenever used in this resolution, unless a different meaning clearly appears from the context:

"Bonds" shall mean the Initial Bond, the 1993 Additional Bond and any Additional Bonds issued hereunder.

"Government" shall mean the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, its successors and assigns.

"Sewer Project" shall mean the "Sewer Project" as defined in Section 1.2 of this resolution.

"System" shall mean the County's water and sewer system, including the Sewer Project, all additions, extensions and enlargements thereto and any water or sewer project or projects, or combination thereof, that may be duly authorized by the Board of Supervisors and made a part of the System.

Section 1.2. The Sewer Project; Part of System. In order to provide sewer service to the Stigger Hill area in the County, there have been constructed sewer facilities in accordance with plans entitled "Line 1 Extended" dated February 4, 1993, prepared by the County's engineer, (the "Sewer Project"). The Board of Supervisors hereby finds and orders that the Sewer Project shall be a part of the System.

Section 1.3. Cost of Sewer Project. The cost of the Sewer Project is approximately \$102,560, \$98,860 of which is to be financed through the issuance of the 1994 Additional Bond and the balance of which is to be paid from available funds of the County.

ARTICLE II

AUTHORIZATION, FORM, EXECUTION, DELIVERY AND REGISTRATION OF ADDITIONAL BOND

Section 2.1. Authorization of 1994 Additional Bond. Pursuant to Article VII, Section 10(a)(3) of the Constitution of Virginia and the Public Finance Act of 1991 (Chapter 5.1, Title 15.1, Code of Virginia of 1950, as amended) (the "Act"), there is hereby authorized to be issued a water and sewer revenue bond of the County in the principal amount of Ninety-Eight Thousand Eight Hundred Sixty and 00/100 Dollars (\$98,860) to provide funds to finance a part of the cost of the Sewer Project. The 1994 Additional Bond shall be designated "Water and Sewer Revenue Bond, Series of 1994."

Section 2.2. Sale and Details of 1994 Additional Bond. The 1994 Additional Bond shall be issued as a single fully registered bond without coupons, shall be dated as of the date the 1994 Additional Bond is delivered to the Government (the "Closing Date"), shall be in the denomination of \$98,860, shall be numbered R1, and shall bear interest at the rate of the lower of (a) 5.000% per year, or (b) the rate quoted by the Government as the closing rate effective on the Closing Date. The 1994 Additional Bond shall provide for payment of interest only on the first anniversary of the Closing Date. Equal monthly installments of combined principal and interest on the 1994 Additional Bond shall be payable beginning the thirteenth full month following the Closing Date and continuing on the same date of each month thereafter until the principal of the 1994 Additional Bond is paid in full. Such installments shall be in an amount sufficient to amortize fully the principal of the 1994 Additional Bond over 468 months at the rate of interest on the 1993 Additional Bond. If not sooner paid, the final installment shall be due and payable forty (40) years from the Closing Date. The payment of every installment shall be applied first to interest accrued to the payment date and then to principal. In the event the closing occurs on the 29th, 30th or 31st day of a month, the installment payment date shall be the 28th day of the month.

Section 2.3. Form and Execution of 1994 Additional Bond. The 1994 Additional Bond shall be in substantially the form authorized by the Initial Resolution, with such insertions, omissions and variations as may be necessary to conform to the provisions hereof and shall be signed by the Chairman of the Board of Supervisors and the County's seal shall be affixed thereto and attested by the Clerk of the Board of Supervisors.

Section 2.4. Delivery of 1994 Additional Bond. The Chairman and the Clerk are hereby authorized and directed to have the 1994 Additional Bond prepared and

executed in accordance with its terms and to deliver it to the Government, as purchaser thereof upon payment of the purchase price therefor.

Section 2.5. Use of Proceeds of 1994 Additional Bond. The proceeds from the sale of the 1994 Additional Bond shall be applied to reimburse the County for a part of the cost of the Sewer Project and to the cost of issuing such bond.

Section 2.6. Registrar. The Administrator of the County is hereby appointed Registrar for the 1994 Additional Bond. Transfer of the 1994 Additional Bond may be registered upon books maintained for that purpose at the office of the Registrar. Prior to the due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

ARTICLE III

REDEMPTION OF ADDITIONAL BOND

Section 3.1. Redemption of 1994 Additional Bond. The 1994 Additional Bond may be prepaid at the option of the County at any time as a whole or in part from time to time (but if in part, in inverse chronological order of installments), without premium. Prepayments shall not affect the obligation of the County to pay the remaining installments payable as provided in Section 2.2 above.

ARTICLE IV

SUPPLEMENTAL RESOLUTION

Section 4.1. Supplement to Prior Resolutions. This resolution is adopted and the 1994 Additional Bond is authorized herein pursuant to, within the limitations of and in compliance with the Initial Resolution and the 1993 Resolution. With the consent of the Government, as the holder of the Initial Bond, as evidenced by its acceptance of the 1994 Additional Bond, the terms, provisions and covenants contained in the 1993 Resolution shall control to the extent that they are contrary to or different than the terms, provisions and covenants contained in the Initial Resolution.

All terms, covenants and provisions of the Initial Resolution as amended and supplemented by the 1993 Resolution shall apply with full force and effect to the Bonds and to the holders thereof. Certified Copies of the Initial Resolution and the 1993 Resolution are on file at the office of the County Administration in Pulaski, Virginia.

ARTICLE V

MISCELLANEOUS

Section 5.1. Contract with Bondholders. The provisions of this resolution, the Initial Resolution and the 1993 Resolution shall constitute a contract between the County and the bondholders for so long as any of the Bonds and interest thereon are outstanding.

Section 5.2. Authority of Officers and Agents. The officers and agents of the County shall do all acts and things required of them by this resolution, the Initial Resolution and the 1993 Resolution and the 1994 Additional Bond for the complete and punctual performance of all the terms, covenants and agreements contained therein.

Section 5.3. Immunity of Officers. No recourse shall be had for the payment of principal of or interest on the Bonds or for any claim based thereon, on this resolution, the Initial Resolution or the 1993 Resolution against any member or other officer of the County or the Commonwealth of Virginia.

Section 5.4. Headings. Any headings in this resolution are solely for convenience of reference and shall not constitute a part of the resolution nor shall they affect its meaning, construction or effect.

Section 5.5. Conditions Precedent. Upon the issuance of the 1994 Additional Bond all acts, conditions, and things required by the Constitution and statutes of the Commonwealth of Virginia, or this resolution to happen, exist and be performed precedent to or in the issuance of such bond shall have happened, exist and have been performed.

Section 5.6. Severability. The provisions of this resolution are hereby declared to be severable. If any court of competent jurisdiction shall hold any provision of this resolution to be invalid and unenforceable, such holding shall not affect any other provision hereof.

Section 5.7. Certificates. The Chairman and the Clerk and such other officers of the County as may be requested are hereby authorized and directed (a) to execute an appropriate certificate setting forth the expected use and investment of the proceeds of the 1994 Additional Bond issued pursuant hereto in order to show that such expected use and investment will not violate the provisions of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and regulations issued pursuant thereto, applicable to "arbitrage bonds," (b) to execute an information return to be filed with the Internal Revenue Service pursuant to Section 149(e) of the Code, (c) to make such elections on behalf of the Board of Supervisors as may be in the County's best interest, relating to or under Section 148 of the Code and related regulations, and (d) to

execute such other certificates as may be required by bond counsel for the County. Such papers shall be in such form as may be required by bond counsel for the County and the County shall comply with the covenants and representations of the County contained in such papers.

Section 5.8. Series Designation. In the event the 1994 Additional Bond is not issued during calendar year 1994, the Chairman and Clerk of the Board of Supervisors are hereby authorized and directed to change the series designation to such other year as may be appropriate at the time of its issuance.

Section 5.9. Tax Provisions. The County hereby covenants that it shall not take or omit to take any action the taking or omission of which will cause the 1994 Additional Bond to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, including regulations applicable to the 1994 Additional Bond (the "Code"), or otherwise cause interest on the 1994 Additional Bond to be includable in the gross income for Federal income tax purposes of the registered owner thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law which may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the 1994 Additional Bond, unless the County receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the 1994 Additional Bond from being includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law.

Section 5.10. Effective Date. This resolution shall take effect immediately.

Section 5.11. Filing of Resolution. The Clerk of the Board of Supervisors is hereby authorized and directed to file certified copies of this resolution (i) in the office of the County, (ii) in the office of the United States of America, Farmers Home Administration, as owner of the Initial Bond, and (iii) in accordance with Section 15.1-227.9 of the Act, in the Circuit Court of Pulaski County, Virginia.

The undersigned Clerk of the Board of Supervisors of Pulaski County, Virginia hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on February 28, 1994, and of the whole meeting so far as applicable to the matters referred to in the extract.

WITNESS my hand and the seal of the Board of Supervisors of Pulaski County, Virginia, this 28th day of February, 1994.

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

Voting no: none.

4. Highway Matters:

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

a. Follow-up from previous Board meetings:

1. Interstate 73 Corridor Study

Mr. Thompson reported the public hearings regarding Interstate 73 had been completed by VDOT and he expected a decision on the I73 route in March or April.

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors requested staff to draft a letter to Pulaski County's congressional representatives requesting their support for the Interstate 73 route previously endorsed by the Board of Supervisors.

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

Voting no: none.

2. Town of Dublin Safety Concerns: Light at Rt. 100, Cleburne Blvd., and Rt. 1026, Hawkins St. 4th Street, Rt. 1005, increased traffic, avoiding Rt. 11, Lee Highway

Mr. Thompson reported these two safety concerns were currently being reviewed by VDOT officials.

3. Request for filling of hazardous hole at edge of culvert near Mount Olivet Methodist Church, Mount Olivet Road, Route 710

Mr. Thompson reported this request had been completed by VDOT.

4. Request for guardrail on Route 693, on downhill section approaching Hoover Color

Mr. Thompson advised VDOT would probably be able to place the requested guardrail at this location once VDOT catches up with storm damage and other work.

5. Request for trimming brush overhanging, Route 672, Lowman's Ferry Road, to reduce snow and ice accumulation

Mr. Thompson reported VDOT would look at this request in coordination with present storm cleanup efforts.

b. Transportation Enhancement Program Grant Status and Application Renewal

Mr. Thompson reported he had no further information on the grant status. The Board requested this item be carried over to the special meeting of the Board on March 7, 1994.

c. Request for stop light or turning lane at new entrance of New River Community College off of Route 11

Mr. Thompson advised he would request that the traffic and safety

department of VDOT review this request.

d. Request by Hoover Color Corp. for directional markers

The Board reviewed correspondence to the resident engineer by Hoover Color requesting directional markers. Supervisor Fariss requested the markers also include Allisonia.

e. Draper Mountain Wayside/Overlook closing/renovation

On the motion of Dr. Fariss, seconded by Mr. Vaughan and carried, the Board of Supervisors resolved to request VDOT to close the Draper Mountain Wayside for cleanup and improvements, to include appropriate barriers to prevent or limit access until a renovation plan can be prepared and accepted, with a report back to VDOT within one year for recommendation of a master plan for development of Draper Mountain Wayside.

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

Voting no: none.

f. Primary Road Allocation Hearing

The Board was advised this hearing will be held on April 13, 1994, at 11:15 a.m. in Salem, Virginia.

g. Resolution - Addition of Route 679, Bradley Road, to Secondary System

On the motion of Mr. Sheffey, seconded by Mr. Vaughan and carried, the Board of Supervisors adopted the following resolution adding Route 679, Bradley Road, to the secondary system:

WHEREAS, the street described on the Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's office of the Circuit Court of Pulaski County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this board the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the Additions Form SR-5(A) to the secondary system of the state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

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

Voting no: none.

h. Other Matters

Mr. Sheffey requested VDOT look at Route 798, Falling Branch Road, for trees overhanging and possible safety hazards.

Supervisor Sheffey presented a petition from residents of Route 600, Belspring Road, and Route 623, Gate Ten Road, requesting the placement of guardrailling.

Dr. Fariss reported Route 607, Kayoulah Lane and/or Boone Furnace Road, had no sign up indicating route number or name or road. He requested VDOT review this matter.

5. Citizen Comments

No citizen comments were heard.

6. Treasurer's Report

Treasurer Rose Marie Tickle met with the Board and presented the monthly trial balance report. The Board accepted the reports as presented by the Treasurer. The Treasurer also presented the following listing of improper real estate assessments for 1993 as follows:

NAME OF PERSON ASSESSED	LOCAL LEVIES
B. I. Transportation, Inc.	Tax - \$1,180.90
	Pen. - \$ 118.09
Burlington Industries, Inc.	Tax - \$1,132.94
	Pen. - \$ 113.29
Humes, Alvin R.	Tax - \$ 6.55
	Pen. - \$.66
King, Robert V., Jr. & Joye Q.	Tax - \$ 52.43
	Pen. - \$ 5.24
Payne, Frank D. L., Jr. & Ethel	Tax - \$ 6.75
	Pen. - \$.68

7. Auditor's Presentation

Mr. Walter Cox and Mr. Paul Lee, Certified Public Accountants for Robinson, Farmer, Cox Associates appeared before the Board to formally present the 1992-93 audit report. Mr. Lee discussed the fund balance as of June 30, 1993, and Mr. Cox addressed the new liability appearing in the audit report for the teacher early retirement incentive program approved by the School Board several years ago. Mr. Cox proposed possibly refinancing the \$2.7 million debt at a lower interest rate. Mr. Cox reported the state was charging 8% interest on the debt.

The Board accepted the audit report as presented. The Board requested the early teacher retirement debt be discussed at the joint meeting between the School Board and the Board of Supervisors on March 7, 1994.

8. Reports from the County Administrator and Staff:

a. Appointments

Action on appointments was deferred to executive session.

b. Examples of County Seal

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board accepted a design for the county seal; however, staff was instructed to confirm time on courthouse clock to be used as the time the courthouse burned.

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

Voting no: none.

- c. Plan for the sale or disposition of property, including a lot and building, located at 159 Fourth Street, NW on the corner of Fourth Street and Randolph Avenue, in the Town of Pulaski and shown on Pulaski County tax map as parcel number 072-32-BL3-2, 4, 6, 8, & 10

On the motion of Mr. Sheffey, seconded by Dr. Fariss and carried, the Board of Supervisors approved taking quotation proposals from real estate agents for the listing of the above property at a fee not to exceed \$7,500. Said property is to be listed at \$85,000 for a period of six months, with an option on behalf of the Board to renew for an additional six months.

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

Voting no: none.

- d. Regional coordination within the New River Valley of emergency medical services, particularly ambulance protocol

Staff advised a report on this matter had not been completed due to the recent winter storm, but a report would be scheduled for the March supervisors meeting.

- e. Consideration of an ordinance to renew the Cable TV franchise of Adelphia Cable Communications

On the motion of Dr. Fariss, seconded by Mr. Vaughan and carried, the Board of Supervisors adopted the following ordinance to renew the cable TV franchise of Adelphia Cable Communications subject to the councils of both the towns of Pulaski and Dublin agreeing to a similar ordinance and to include possible cable TV service for residents across Claytor Lake:

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

Voting no: none.

- f. Local Revenue Estimates

The Board reviewed local revenue estimates for FY 94-95. Very little revenue growth from local sources was projected.

- g. Justice Department Clearance of Electoral School Boards

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors authorized the county attorney to submit clearance to the Justice Department for the election of school board members that was approved by the voters.

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

Voting no: none.

- h. Request from Registrar for \$1,924 for Travel

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board approved one (1) person from Pulaski County to attend the Motor Voter conference to be held on March 25, 26 and 27,

1994, at The Homestead hotel in Bath County.

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

Voting no: none.

The Board requested staff gather additional information on the new Motor Voter law as follows: effective date of law; if new law will cost the county money; and will this replace the voting satellite offices now set up in the county to register potential voters.

i. Democratic Primary Appropriation

On the motion of Mr. Vaughan, seconded by Dr. Fariss and carried, the Board requested the county attorney to confirm local funds have to pay for the costs of conducting the Democratic Primary election.

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

Voting no: none.

9. Items of Consent:

a. Minutes of January 24 and February 15, 1994

The Board approved the minutes of January 24 and February 15, 1994, as presented.

b. Accounts Payable

Accounts payable as presented on checks numbered 2076 through 2320 were approved.

c. Transfers and Appropriations:

1. Appropriations

The Board approved interoffice transfers as presented and filed with the records of this meeting and appropriations as follows:

GENERAL FUND RESOLUTION #12

REVENUES

1615-01	Library Fees, Fines	\$ 45.77
1615-07	RIF Program	251.80
2301-02	Commonwealth Attorney - Mach. & Equip.	3,502.00
2302-02	Sheriff's Department	8,376.00

TOTAL \$12,175.57

EXPENDITURES

3207-2028	Draper Fire Dept. Hepatitis B Vaccine	\$ 835.20
3208-2028	Dublin Fire Dept. " " "	1,285.17
3209-2028	Fairlawn Fire Dept. Hepatitis B Vaccine	867.57
3210-2028	Hiwassee Fire Dept. " " "	635.58
3211-2028	Newbern Fire Dept. Hepatitis B Vaccine	1,354.77
3212-2028	Snowville Fire Dept. Hepatitis B Vaccine	589.17
3214-2028	Twin Comm. Fire Dept. Hepatitis B Vaccine	728.37
9104-5804	NRV Rescue Hepatitis B Vaccine	449.97
9310-5804	Eroneous Assessments - Refund	1,141.44
9310-5804	Revenue Refund	2,638.27

7301-5201	Library - Postage	30.82
7301-5411	Library - Books & Sub.	14.95
7301-5604	Library - RIF	251.80
2201-7001	Comm. Attorney - Machinery & Equip.	3,502.00
3102-7001	Sheriff's Dept. - Macinery & Equipment	8,376.00
TOTAL		\$22,701.08

SCHOOL FUND RESOLUTION #4

REVENUES Center for Staff Development		
30240270	State General Fund	\$15,000.00
3033012700	Federal Reimbursed	5,052.00
TOTAL		\$20,052.00

EXPENDITURES		
50 1521	Teacher Substitutes	\$8,018.00
50 1621	Supplemental Salaries	669.00
50 2101	FICA	665.00
50 3140	Other Prof. Sves. (In Service)	7,700.00
50 6013	Educational/Instruc. Supplies	3,000.00
TOTAL		\$20,052.00

2. Appropriation of \$7,835.10 for Sheriff's dispatcher console equipment

The Board approved an additional appropriation in the amount of \$7,835.10 for the Sheriff's dispatcher console equipment.

d. Contracts and Change Orders:

1. Brick Courthouse Renovation

The Board authorized the county administrator to negotiate a change order with Avis at the lowest reasonable cost for the installation of a mat foundation on the brick courthouse renovation.

2. Notice of site characterization report for removal of old fuel tanks at Courthouse

The Board authorized engaging the services of Schnabel Environmental Services for the removal of the fuel tank located adjacent to the brick courthouse for an estimated fee of \$9,527.00. It was noted this work is required by the state and federal governments.

3. Extension of contract with David M. Griffith

The Board approved a one year extension to the contract with David M. Griffith Associates for the preparation of a cost allocation plan for FY 92-93. This would allow bidding of both the audit and cost allocation preparation at the same time for a possible overall lower cost.

e. Ratification of:

1. APCO Street Lighting Agreement

The Board approved the ratification of the APCO Street

Lighting Agreement as presented for the next three years.

2. APCO Electric Service Agreement

The Board approved the ratification of the APCO Electric Service Agreement as presented for the next three years. It was noted these two agreements were negotiated by the Virginia Association of Counties and a reduction in the original rate requested was obtained through the negotiations.

3. Delay in DEQ Consent Order on Cloyd's Mountain Landfill Sewer Extension

The Board ratified and approved correspondence sent to the Virginia Department of Environmental Quality regarding a loss of leachate from the leachate collection and disposal system at the Cloyd's Mountain Landfill due to the ice storm. The Board also approved correspondence requesting an extension of the date to begin construction of the sewer line to the landfill, a copy of said correspondence being filed with the records of this meeting.

f. Personnel Changes

The Board reviewed personnel changes as reported by the Management Services Director and filed with the records of this meeting.

g. Health Department FY 94 Budget

The Board approved the fourth quarter payment for the Health Department but deferred final budget and yearly appropriation approval until further information is received regarding the Health Department expenditures.

h. Resolutions:

The Board approved the following resolutions of appreciation:

1. Phil Sadler

WHEREAS, Philip M. Sadler rendered valuable public service as President of the Pulaski County Chamber of Commerce, and Chairman of the Pulaski County School Board, and member of the School Board Selection Committee; and

WHEREAS, Philip M. Sadler served the citizens of Pulaski County in leadership in humanitarian service to the New River Community Action agency, Emergency Needs Task Force, Habitat for Humanity, Daily Bread and Pulaski Free Clinic; and

WHEREAS, Philip M. Sadler has given countless hours in selfless service to all citizens of Pulaski County; and

WHEREAS, the service provided by Philip M. Sadler 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 Philip M. Sadler to the

county and its citizens; and

BE IT FURTHER RESOLVED, that this Board of Supervisors does extend to the family of Philip M. Sadler its sympathy and condolences in his passing;

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 Philip M. Sadler to the citizens of Pulaski County.

Adopted this 28th day of February, 1994.

2. Melinda Zalecki

Chairman White presented to Melinda Zalecki the following resolution commending her service to Pulaski County. He also presented a courthouse print to Ms. Zalecki.

WHEREAS, Melinda N. Zalecki has served as the Director of the Pulaski County Library since November 1, 1978; and

WHEREAS, the construction and completion of the Charles & Ona B. Free Memorial Library located in Dublin, Virginia, was successfully accomplished under the leadership and coordination of Melinda N. Zalecki; and

WHEREAS, the Pulaski County Library system has experienced much success in providing numerous library services to the citizens of Pulaski County during the past 15 years; and

WHEREAS, Melinda N. Zalecki has demonstrated a high degree of professionalism and integrity in supervising the operations of the Pulaski County Library System; and

WHEREAS, Melinda N. Zalecki has served Pulaski County and its citizens in an exemplary and faithful manner; and

WHEREAS, the services and accomplishments provided by Melinda N. Zalecki 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 Board of Supervisors of Pulaski County does hereby commend and express its sincere appreciation for the service of Melinda N. Zalecki, Pulaski County Library Director from November, 1978 to March, 1994; and

BE IT FURTHER RESOLVED that the text of this resolution be spread on the minutes of the Board of Supervisors of Pulaski County in testimony of appreciation and recognition to the service provided by Melinda N. Zalecki.

Adopted this 28th day of February, 1994.

3. Winter Storm Emergency Response Appreciation

WHEREAS, during the severe winter storm event

experienced in Pulaski County beginning Friday, February 11, 1994, many fire and rescue volunteers, as well as public service employees, were vigilant in continuing essential services for county citizens; and

WHEREAS, the Virginia Department of Transportation employees worked constantly to open blocked roads filled with timber debris; and

WHEREAS, Appalachian Power Company employees, plus many crews contracted from outside the New River Valley area, encountered dangerous situations for over a week, day and night, until electrical service was restored to over 14,000 households; and

WHEREAS, the Pulaski County Public Service Authority, Pulaski County Board of Supervisors, Sheriff's Department, Department of Emergency Services, Town of Dublin, and Town of Pulaski employees worked through the two succeeding weeks and weekends to attend to emergency shelter, safety, water treatment restoration, and debris removal; and

WHEREAS, the fire and rescue volunteers extended every effort to insure the safety of life and property under the adverse weather conditions and widespread power outages.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Pulaski County does express appreciation to these volunteers and employees for their diligent and faithful efforts to minimize inconvenience to county citizens due to the severe winter storm conditions that resulted in declaration of a local and statewide emergency following the February 11, 1994, storm.

- i. Review of draft agreement for exchange of water between the Town of Pulaski and PSA systems

The Board authorized the Chairman to execute the water sale agreement between the PSA and the Town of Pulaski once all changes have been incorporated and agreed upon by the PSA and Town of Pulaski.

- j. Pulaski County Economic Development Stimulus Program

The Board authorized staff to implement the economic development stimulus program as prepared by staff, a copy of which is filed with the records of this meeting, on a preliminary conceptual basis with confirmation of the details to be presented at future Board of Supervisors meetings.

- k. Tax Exemption of Certified Pollution Control Equipment

The Board authorized staff to prepare a draft exemption ordinance and schedule for public hearing for tax exemption of certified pollution control equipment. This would be an additional incentive for new and existing business expansion.

- l. Revision to Financial Standards for Agencies and Organizations Funded by Board of Supervisors and Required Traffic Violation Reporting

The Board ratified and approved revisions to Financial Standards for Agencies and Organizations funded by the Board of Supervisors. The Board also approved requiring county employees to observe the

standard for reporting traffic violations as follows: Employees operating vehicles procured, insured or maintained with county funds should require an investigation of driving record prior to authorizing use of such vehicles. Moving traffic violations should be reported to both the agency receiving contributions and the County Administrator's Office whenever incurred in any public or private vehicle operated by a employee authorized to drive vehicles procured, insured or maintained with county funding.

m. Designation of a foreman for leachate hauling crew

The Board approved the designation of a crew leader for the leachate hauling crew.

n. Health Insurance Continuance

The Board approved continuation of health insurance through the Local Choice Program for FY 94-95.

o. Call for Hearing on Expanded Telephone Services(Pearisburg/Dublin/Radford/ Pulaski)

The Board approved requesting a public hearing on this matter by the appropriate state authorities.

10. Citizen Comments

No comments were made.

11. Other Matters From Supervisors

Dr. Fariss requested the southern end of Locust Street in Dublin be taken into the secondary road system, as well as upgrading Haga Street in Dublin. Dr. Fariss also requested a listing of employees authorized to drive county vehicles home.

12. Executive Session - 2.1-344(A)

On the motion of Mr. Vaughan, seconded by Mr. Crawford and carried, the Board of Supervisors entered executive session pursuant to Section 2.1-344(A) of the 1950 Code of Virginia, as amended, for the discussion of personnel, legal, land acquisition/disposition, and prospective industry matters.

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

Voting no: none.

Return to Regular Session

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

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

Voting no: none.

Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. Sheffey, seconded by Dr. Fariss 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. Crawford, Mr. White, Mr. Vaughan,
Mr. Sheffey.

Voting no: none.

Appointments

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, that the Board make the following appointments:

1. Planning Commission

It was reported citizens were being contacted.

2. Library Board

The Board ratified its appointment of Ms. Anne Armbrister to the Library Board to fill the unexpired term of Mr. Tom Wilkinson. Said term will end December 31, 1996.

3. Office on Youth

Staff was requested to present nominations to fill the two vacancies on the Office on Youth Board at the March supervisors meeting.

4. New River Community Services Board

The Board accepted the resignation of Ms. Debbie H. Palmer from the New River Community Services Board.

5. Volunteers for Appointments

The Board requested staff to extend an invitation to citizens interested in serving on boards/commissions to place their names on file. This matter is to be placed on the March supervisors agenda for further consideration.

13. Adjournment to March 7 Joint Meeting with School Board

It was moved by Mr. Vaughan, seconded by Mr. Sheffey and carried, that the Board of Supervisors reconvene on March 7, 1994, at 7:00 p.m. for a joint meeting with the School Board at the County Administration Building. The next regularly schedule meeting of the Board is March 28, 1994, at the

County Administration Building, Board of Supervisors Meeting Room, 143
Third Street, N. W. in the Town of Pulaski.

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

Voting no: none.

Jerry D. White, Chairman

ATTEST:

Joseph N. Morgan, Clerk