

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, April 25, 1994, 7:00 p.m., at the Pulaski County Administration Building, 143 Third Street, NW, in 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 Joel P. Wright of the First Presbyterian Church in Pulaski.

2. Additions to Agenda

3. Public Hearings:

- a. A request from property owners for a plat vacation to close an undeveloped right-of-way off Route 643, Thornspring Road, and Route 1102, Dunn Street between tax map parcels numbered 55-2-11-24 and 55-2-25-38 as identified on Pulaski County tax records in the Massie Magisterial District.

The Chairman opened the public hearing on this matter. The following property owners in the area addressed the Board of Supervisors regarding this matter. Mr. James Phillipi requested the right-of-way to be closed by the Board of Supervisors. Mr. Roger Burroughs advised his mobile home had no access to get in or out if the right-of-way was vacated. He requested the Board not approve this request. Mr. Henry Wright advised he objected to the closing of the right-of-way. Ms. Ruby Meade spoke in opposition to the closing of the right-of-way. Ms. Lucy Eanes requested the Board to not close the right-of-way. Mr. Steve Hale stated a paved road was already there to be used by the property owners. Mr. Carlos Meadows advised he had been using the right-of-way and that several mobile homes in the area would have no way to be moved in the future if the right-of-way was closed. Mr. Burley Henley advised he was not for or against the closing of the right-of-way, but would like to see the area developed.

Chairman White suggested the residents discuss this matter to try and reach a solution. Supervisor Sheffey agreed the community should try and work out a compromise regarding this matter. The citizens present indicated the matter could not be resolved among themselves.

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors denied the request for a plat vacation to close an undeveloped right-of-way off Route 643, Thornspring Road, and Route 1102, Dunn Street between tax map parcels numbered 55-2-11-24 and 55-2-25-38 as identified in Pulaski County tax records in the Massie Magisterial District due to several property owners not having road access if right-of-way was closed.

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

Voting no: none.

- b. An amendment to the zoning map requested by Don Fariss from Residential (R1) to Conditional Industrial (I1) to allow for furniture manufacturing, showroom and retail store on property identified on Pulaski County tax records as parcel 108-1-53, owned by the Pulaski County Board of Supervisors, located off Route 693, Julia Simpkins Road, in the Hiwassee area of the Ingles District.

Dr. Fariss declared a conflict of interest and refrained from discussing or voting on this matter. The required interest statement is filed with the records of this meeting.

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

Mr. Don Fariss, owner of Reed Creek Furniture, and the individual requesting the zoning amendment change, appeared before the Board of Supervisors and requested the Board approve this request.

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

On the motion of Mr. Sheffey, seconded by Mr. Crawford and carried, the Board of Supervisors approved an amendment to the zoning map requested by Don Fariss from Residential (R1) to Conditional Industrial (I1) to allow for furniture manufacturing, showroom and retail store on property identified on Pulaski County tax records as parcel 108-1-53, owned by the Pulaski County Board of Supervisors, located off Route 693, Julia Simpkins Road, in the Hiwassee area of the Ingles District with the following restrictions:

1. Site to be discontinued as a school bus transfer area;
2. the basketball goal located next to the building be relocated or discontinued;
3. no outside storage be allowed unless fenced;
4. clear demarcation of the leased property be made;
5. a separate well be installed, if desired by the leasee;
6. material safety data sheets be supplied to the Emergency Services Coordinator as required for emergency planning;
7. VDOT Commercial Entrance Permit be acquired;
7. VDOT Commercial Entrance requirements be met; and
8. all Department of Environmental Quality requirements be met.

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

Voting no: none.

Abstaining: Dr. Fariss.

- c. An amendment to the zoning map requested by Jeff Shane from Residential (R1) to Conditional Industrial (I1) to allow a wood-working shop on property identified on Pulaski County tax maps as parcel 36-1-11, owned by James W. Webb, located on Route 100, Cleburne Boulevard, near the New River Valley Airport in the Cloyd District.

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

Mr. Jeff Shane appeared before the Board and requested approval of this amendment to the zoning map. He advised he was presently starting a small business building outdoor furniture.

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

On the motion of Mr. Sheffey, seconded by Dr. Fariss and carried, the Board of Supervisors approved an amendment to the zoning map requested by Jeff Shane from Residential (R1) to Conditional Industrial (I1) to allow a wood-working shop on property identified on Pulaski County tax maps a parcel 36-1-11, owned by James W. Webb, located on Route 100, Cleburne Boulevard, near the New River Valley Airport in the Cloyd District with the following restrictions:

1. Material safety data sheets on the manufacturing process be filed with the Emergency Services Coordinator;
2. VDOT Commercial Entrance permit be acquired; and

3. all Department of Environmental Quality requirements be met.

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

Voting no: none.

4. Highway Matters:

a. Follow-up from previous Board meetings:

1. Town of Dublin Safety Concerns:

Light at Rt. 100, Cleburne Blvd., and Rt. 1026, Hawkins St.

Mr. Brugh reported this request had been placed on the priority list and is eligible; however, does not have a high priority.

4th Street, Rt. 1005, increased traffic, avoiding Rt. 11, Lee Highway

Mr. Brugh reported this request does not appear to qualify under current policies; however, has been forwarded to town officials to review.

2. Request by Hoover Color Corp. for directional markers

Mr. Brugh advised these signs have been installed.

3. Request for cattle underpass for the Route 752, Little Reed Island Road, addition

Mr. Brugh reported this request has been approved by VDOT.

b. Rural Additions Status

The Board reviewed an updated secondary road addition listing as prepared by staff. The list recommended the deletion of four roads from additional consideration. The four roads included:

1. Off Route 693, Allisonia Ext. across New River Trail by Church, parallel to north side of New River Trail;
2. Route 806, Claytor Lake area;
3. off 672, Baptist Hollow Road; and
4. Route 697, Baptist Camp Road, connection with Old 100.

The Board approved the listing as recommended except Supervisor Fariss requested the extension off Route 693, Fariss Mines Road, near Allisonia be left on list.

Supervisor Sheffey requested staff confirm the status of Route 776, Riverview Drive, extension.

Supervisor Fariss requested extensions in Town of Dublin, as well as the Adams Road off Route 608, Thomas Road, be viewed by the Road Viewers this summer.

Supervisor Fariss also clarified that one rural addition requested for the Dublin area is on Taylor Street, not Locust Street.

c. Status of Lee Highway Memorial Bridge

Mr. Brugh reported VDOT was nearing completion of plans for repairs and indicated a time frame for completion could possibly be given within the next day or so. He also advised the bridge was not in danger of collapsing. He further reported the funds for the repairs would come from the maintenance funds of VDOT and he expected the costs to be less than \$100,000.

On the motion of Mr. Sheffey, seconded by Mr. Vaughan and carried, the Board of Supervisors requested staff to prepare a letter to state officials encouraging the state to act as quickly as possible to repair the Lee Highway Memorial Bridge.

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

Voting no: none.

d. Other Matters

Corporate Center Speed Limit Study

Chairman White reported the present speed limit in the Corporate Center was 25 miles per hour. He indicated the speed limit should possibly be set at 35 miles per hour.

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors requested a speed limit study be conducted by VDOT on Route 812, Pepperell Way.

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

Voting no: none.

5. Citizen Comments

No citizens 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.

7. New River Valley Respite Care Program Presentation

Ms. Darlene Jones spoke to the Board of Supervisors regarding the New River Valley Respite Care Program. Ms. Jones advised she had an underdeveloped child of 22 years of age and related to the Board how the New River Valley Respite Care Program had helped her. She emphasized the need for the community and county to support this program.

8. Geographical Information System Presentation

Assistant County Administrator, Peter Huber, and Commissioner of Revenue, Maynard Sayers, presented a progress report on the status of the Geographic Information System. The GIS will allow automation of county mapping systems which is presently being done manually. Mr. Huber outlined the additional costs from the GIS system in identifying PSA customers and the schools in bus routing. The Board asked several questions regarding what type of product money spent so far had brought, if any personnel savings could be achieved, and how the system would tie into the E911 completion.

9. Reports from the County Administrator and Staff:

a. Budget Work Session

The county administrator reviewed with the Board several tables and graphs outlining proposed budget figures for FY 95, including capital outlay items and proposal salaries. The Board also reviewed 10 year history graphs on expenditures and revenues and a graph comparing adjacent property tax rates to Pulaski County.

b. Appointments:

Appointments were deferred to executive session.

c. Health Insurance Recommendation

On the motion of Mr. Sheffey, seconded by Mr. Crawford and carried, the Board of supervisors approved participation in the Local Choice Program for FY 95 and offering employees the Comprehensive and KeyCare Plans with the employer payment level being at 80% for single comprehensive rate and 50% additional for dual and family comprehensive rates with the KeyCare plan replacing the Basic Plan presently offered.

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

Voting no: none.

d. Veteran's Memorial Plan & Budget

The Board reviewed information received regarding the Veterans Memorial. The Board agreed to place this matter with the FY 95 budget adoption on financing and place on the June Board of Supervisors meeting agenda regarding the design for the memorial.

e. Cable TV Ordinance Revisions

On the motion of Dr. Fariss, seconded by Mr. Vaughan and carried, the Board of Supervisors adopted the renewed franchise with details of language in the franchise agreement to be determined by the County administrator and county attorney; and the Board strongly encouraged Adelphia Cable 'to cross the river' if at all possible, without an adverse rate impact systemwide.

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

Voting no: none.

10. Items of Consent:

a. Minutes of March 28 & April 11, 1994

The Board approved the minutes of March 28 and April 11, 1994.

b. Accounts Payable

Accounts payable as presented for check numbered 2689 through 2952 were approved.

c. Transfers and Appropriations:

1. The Board approved interoffice transfers and appropriations as presented and filed with the records of this meeting and the Director of Management Services and appropriations as follows:  
General Fund # 16

REVENUES

2401-10	Vehicle Reg. - EMS Share	\$7,116.00
2404-30	Victims Assistance Grant	8,132.00
2404-33	Emergency Home Repairs-VHDA	6,356.05
1615-01	Library Fines/Fees	53.97
1615-08	Library Mini Grant-Training	500.00
1615-09	Library Salaries/Highlands Job Placement	808.00
		\$22,966.02

EXPENDITURES

3106-6001	E-911 Town of Pulaski Share	\$ 28,633.08
3208-4006	Dublin Fire Dept.-Garage Parts	2,766.00
3212-4006	Snowville Fire Dept.-Garage Parts	572.00
3214-5614	NRV Emergency Rescue-EMS Funds	3,558.00
3215-5614	Pulaski County Life Saving	3,558.00
3301-3002	Jail - Professional Services	100,000.00
3507-5203	Emergency Resp.-2-11-Telephone	147.91
3507-5402	Emergency Resp.-2-11-Food	44.75
3507-5413	Emergency Resp.-2-11-Misc.	410.11
3507-5804	Emergency Resp.-2-11-Other Misc.	161.70
3507-7001	Emergency Resp.-2-11-Mach. & Equip.	50.34
3507-8001	Emergency Resp.-2-11-Equip. Rental	5,190.00
3508-5203	Emergency Resp.-3-4-Telephone	202.81
3508-5413	Emergency Resp.-3-4-Misc.	94.00
3508-8001	Emergency Resp.-3-4-Equip. Rental	590.00
5338-5606	Victims Assistance Program	8,132.00
5356-3009	Emergency Home Repairs	6,356.05
9104-5804	Erroneous Assessments	11,175.77
7301-2012	Library-Training, Tuition	500.00
7301-1003	Library-Part Time Salaries	808.00
7301-5411	Library-Books	37.07
7301-3006	Library-Printing & Binding	16.90
		\$163,004.49

Capital Improvements Fund #5

REVENUES

020	305102	Transfer from General Fund	\$156,397.26(cr)
001	9303-9111	Transfer to Capital Improvements	156,397.26(dbt)

EXPENDITURES

020	1224-3004	Garage-Repair & Maintenance	\$ 2,942.57
" "	1224-7104	Garage-Fuel Tank Replacement	1,048.38
" "	3301-3002	County Jail-Study Costs	52,406.31
" "	4302-7020	General Prop. Admin. Building	100,000.00
" "	4304-7043*	NRV Airport- Improvements	22,234.00
" "	8114-3002*	NRV Airport-Industrial Park	594,193.00
" "	3214-540704*	NRV Rescue Building	25,000.00
			\$797,824.26

\* Already Shown as General Fund Transfer

2. The Board approved a transfer of funds requested by the Registrar in order to attend a workshop on new registration procedures.
  3. The Board approved an appropriation in the amount of \$13,000 for the Department of Social services for the purchase of computer equipment.
- d. Contracts and Change Orders:

1. Courthouse Change Orders # 3

The Board approved Change Order # 3 for a total credit of \$6,128.00; a copy of which is filed with the records of this meeting.

2. Airport Industrial Park Construction Contract

The Board deferred approving a contract for the Airport Industrial Park construction until further information is presented.

3. Mowing Contract Renewal at Fairlawn/Belspring, Hiwassee and school ball fields

Approval of the renewal with Custom Lawn Care was made at an estimated cost of \$10,000. Extension of the contract to cover the court and county administrative lawns in the Town of Pulaski was also noted.

e. Ratification:

Industrial Park Federal Express Placement Agreement

The Board approved a Customer Convenience Network Placement Agreement with Federal Express at the county industrial park.

f. Personnel Changes

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

g. Review of Community Development Block Grant Application

The Board approved staff submitting an application for community development block grant funds.

h. Peppers Ferry Construction Refund

The Board approved the final review of grant projects on the Peppers Ferry construction, as presented by Charles Maus, Executive Director of the PFRWTA, which would amount to a refund in the amount of \$107,977.92.

i. Donation of Surplus Safes from Brick Courthouse to Chamber Auction

The Board approved determining the value of the safes, receiving sealed bids, and turning over to the Chamber as is, if sealed bids not a reasonable recovery of value and/or selling at the auction with other surplus equipment if sealed bid or Chamber donation not productive.

j. Senate Bill 993 Support

The Board endorsed sending a letter to congressional delegation regarding Senate Bill 993 which would prohibit federal unfunded mandates and adopted the following resolution:

RESOLUTION  
REQUESTING SENATOR CHARLES ROBB TO CO-SPONSOR S.993  
IN THE SENATE OF THE UNITED STATES

WHEREAS, S.993 has been introduced in the Senate of the United States by the Honorable Dirk Kempthorne of Idaho; and

WHEREAS, Senator Kempthorne's S.993 will require the federal

government to pay for the mandates that they impose on state and local governments and establish a fiscal note process so that when Congress votes on various measures affecting state and local governments, the members of Congress are aware of the fiscal impact; and

WHEREAS, S.993 is the most significant and far-reaching unfunded mandates legislation ever introduced in the Congress of the United States; and

WHEREAS, as of May 1, 1994, Senator Kempthorne's bill had received 54 out of 100 Senate co-sponsors; and

WHEREAS, Senator John Warner of Virginia has already displayed his commitment to this issue by signing on to S.993; and

WHEREAS, although Senator Charles Robb has communicated his concern about unfunded mandates and has indicated that he "fully endorses the concept of identifying and restricting unfunded federal mandates," to date he has declined to co-sponsor S.993; and

WHEREAS, a recent NACo survey estimated that a minimum of 12 percent of local budgets support unfunded mandates; and

WHEREAS, unfunded federal mandates regularly force local tax increases and/or service cutbacks, restrict the rights of state and local voters and officials to determine their own priorities, and allow the Congress to avoid direct responsibility for increasing taxes; and

WHEREAS, the Constitution of the United States guarantees a federal, state and local partnership and unfunded federal mandates undermine the responsibility of the state and local level; and

WHEREAS, S.993 is endorsed by the National Association of Counties, the United States Congress of Mayors, the National League of Cities, the National School Boards Association, the National Governors Association, the Council of State Governments, and the National Conference of State Legislators; and

WHEREAS, reduction and elimination of unfunded mandates is the number one priority of the Virginia Association of Counties; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Pulaski County implores Senator Charles Robb to demonstrate his concern about unfunded mandates to the local governments of the Commonwealth of Virginia by immediate co-sponsorship of S.993.

k. Transfer of Used Sheriff's Cars to Town of Dublin

The Board approved trading or selling unneeded surplus vehicles to the Town of Dublin with the terms of the trade or sale to be negotiated by the Director of Fleet Maintenance, Doug Mayberry.

11. Citizen Comments

Ms. Phyllis Leary, a Senior at Pulaski County High School, spoke to the Board regarding concerns of the senior students at Pulaski County High School.

12. Other Matters From Supervisors

No other matters were discussed.

13. Executive Session - 2.1-344(A)

On the motion of Mr. Sheffey, seconded by Mr. Vaughan 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 purposes of discussing, 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 Dr. Fariss, seconded by Mr. Crawford 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 the Virginia Freedom of Information Act

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

#### RE: Appointments

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

##### 1. Office on Youth

Sara Hester was appointed for a term ending May 1, 1997. Three vacancies still remain. Staff was requested to ask Marty Kemp of NationsBank to serve.

##### 2. New River Community Services Board

Andy McCready was appointed for a term ending June 30, 1996. Staff

was requested to ask Jack Bruce and Reverend Richard Patterson to serve.

3. SW Virginia Health Systems Agency, Inc.

Staff was requested to nominate Dr. Glenn Hall, Dr. Richard Williams and Dr. William Mayo, Administrator Chris Dux and Chief Nurse Karen Wohlford of Pulaski Community hospital to the Southwest Virginia Health systems Agency.

4. Zoning Appeals Board

Staff was requested to ask Ron Shelburne to accept nomination.

5. Building Appeals Committee

Tom Douthat, Bobby Dunnigan and Paul Shelor were reappointed for terms ending June 30, 1998.

6. New River Community College

Staff was requested to ask Kendall Clay and H. W. Huff, Jr. to serve.

7. New River Highlands Resource Conservation

Bill Lindsey was reappointed for a term ending June 1, 1996.

8. NRRA

The county administrator was directed to seek citizen members to serve.

9. NR Criminal Justice Training

Sheriff Dobbins was reappointed for a term ending June 30, 1995.

10. PEP

The assistant county administrator was requested to recommend a slate of appointments.

11. School Board

Staff was requested to advertise May 16 public hearing on nominations.

12. Welfare Board

Supervisor Sheffey was appointed through December 31, 1995.

13. NR Community Action

William Dawson was reappointed for a term ending May 1, 1995.

14. NRV Alcohol Safety Program

Ron Dodson was reappointed for a term ending May 1, 1995.

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

Voting no: none.

14. Adjournment

It was moved by Mr. Crawford, seconded by Mr. Vaughan and carried that the Board of Supervisors reconvene on May 2, 1994 for a budget work session at the County Administration Building. The next regularly scheduled meeting of the Board is May 23, 1994 at the County Administration Building, Board Chambers, 143 Third Street, NW, in the Town of Pulaski.

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

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Jerry D. White, Chairman

ATTEST:

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Joseph N. Morgan, Clerk