

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, September 26, 1994 at 7:00 p.m. at the Pulaski County Administration Building Board Chambers, 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; and Ira S. "Pete" Crawford. Supervisor Mason A. Vaughan, Sr. was absent due to recuperation from surgery.

1. Invocation

The invocation was given by Reverend Norman Wilhoit of the First United Methodist Church.

2. Additions to Agenda

Additions to the agenda were discussed at the appropriate times on the agenda.

3. Public Hearings:

- a. A Conditional Use Permit requested by John Buck to allow operation of a commercial assembly hall and game room on property identified on Pulaski County tax records as parcels 38-10-7,8-10 & 39-10-11,12, owned by Calvin & Mary Powers, zoned Commercial (CM1), located off Route 11, Lee Highway, in the Fairlawn area of the Cloyd District.

The Chairman, at this time, opened the public hearing on this matter. The Board of Supervisors asked several questions regarding the hours of operation, average age of individuals coming to the game room, supervision, and if any complaints had been received regarding the game room. Mr. John Buck addressed all of the above and advised no complaints had been received regarding the game room operation. No additional comments were received and therefore, the Chairman closed the public hearing.

On the motion of Mr. Sheffey, seconded by Dr. Fariss and carried, the Board of Supervisors approved the request as recommended by the Planning Commission.

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

Voting no: none.

Not present: Mr. Vaughan.

- b. Clean-up, pursuant to the Litter Control Ordinance, Ordinance Requiring Removal, Repair, etc., of Other Structures, and Virginia Building Maintenance Code, at the owners' expense, on the following properties:

1. Pulaski County tax map parcel #71-1-164, owned by Kathleen Johnston, located on Route 640, Brookmont Road, in the Robinson District; and
2. Pulaski County tax map parcel #38-1-26, owned by Ralph Sheffey, Jr., located on Route 624, New River Road, in the Cloyd District.

The Chairman opened the public hearings on these matters. Ms. Rebecca Brown, a resident near the Ralph Sheffey property, appeared before the Board and advised of rodents and wild animal problems due to the condition of the Sheffey property. Ms. Kathleen Johnston advised some clean-up efforts have been made on her property. She further reported the roof of the building which had been considered unsafe had been removed. Mr. Jesse Newton commented if the structure has no roof it should

be classified as a barricade, not a building. No further comments were received; therefore, the public hearing was closed.

The Board requested staff to meet with Ms. Johnston on specific violations for her property and further requested staff to prepare estimates on clean-up for the above described properties and report on this matter at the next regular meeting of the Board of Supervisors.

#### 4. Highway Matters:

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

##### a. Follow-up from previous Board meetings:

##### 1. Speed Study Results, Morgan Farm Road, Route 625

Mr. Thompson reported this request had been submitted to the traffic section for study. The results, however, have not yet been concluded.

##### 2. Request for Signage in Draper for pedestrian safety at access point for New River Trail State Park & Direction Signs on Interstate 81 to Draper access for New River Trail State Park

Mr. Thompson reported the pedestrian signs are up; however, the direction signs on I81 have to be submitted to traffic safety in Richmond. He advised he would follow-up on this matter.

##### b. Request for Mowing on Route 639, Thornspring Road and Morehead Lane, Route 645

Mr. Thompson advised he would take care of this problem as soon as possible.

##### c. Request for No Parking Signs on Valley Road, Route 650

Mr. Morgan reported a number of complaints had been received regarding the placement of "No Parking" signs on Valley Road. Mr. Thompson reported he believed the signs to be appropriate. A number of citizens present at the meeting expressed opposition to the signs.

On the motion of Mr. Crawford, seconded by Dr. Fariss and carried, the Board requested this matter be investigated and a report be submitted to the Board at the next regular meeting to include the procedures to allow placement of "No Parking" signs.

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

Voting no: none.

Not present: Mr. Vaughan.

##### d. Report on August 13 Road Viewing & Review of Pending Rural Additions

The Board reviewed the road viewers report and Supervisors Sheffey and Fariss executed the required certification forms regarding the viewing. Dr. Fariss requested the Town of Dublin

be contacted to determine the town's position on Locust Street. Of concern is whether rural addition funds can be used for adding streets within towns to the secondary road system. Dr. Fariss requested VDOT prepare costs for Adams Road based on two-tenths of a mile construction. Mr. Sheffey inquired as to the status of the Route 776, Riverview Drive, extension. Mr. Thompson reported this extension would be built soon. Mr. Sheffey requested staff to advise of status of right-of-ways acquired for the Route 676, Church Street, project in New River.

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors accepted the road viewers report and agreed to not prioritize the road listing until the necessary right-of-ways were acquired. A copy of the report is filed with the records of the meeting.

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

Voting no: none.

Not present: Mr. Vaughan.

- e. Request for Review of Unsafe Traffic Situation at Intersection of Route 114, Pepper's Ferry Boulevard, and Route 600, Belspring Road

The Board referred a complaint from Don A. Rainey regarding an unsafe traffic situation at the intersection of Route 114 and Route 600, Belspring Road, to Mr. Thompson. Mr. Thompson advised he would refer this complaint to the traffic safety division of the Highway Department for review.

- f. Industrial Access Road Applications:

On the motion of Mr. Sheffey, seconded by Mr. Crawford and carried, the Board of Supervisors adopted the following resolutions regarding the application for industrial access roads for Beach Manufacturing and New River Industries:

#### New River Industrial Park

WHEREAS, New River Industries has purchased property located in the County of Pulaski and has entered into a firm contract to purchase its facilities on that property for the purpose of producing acetate, polyester and nylon fabrics for womens wear, sports wear and home furnishings; and

WHEREAS, this new facility is expected to involve a new private capital investment in land, building, and manufacturing equipment of approximately \$21 million and the corporation currently employs 150 at this facility; and

WHEREAS, a 1995 modernization of this plant will involve an investment of \$7 million and an increase of 60 jobs at this location; and

WHEREAS, manufacturing operations at this new facility began in 1992; and

WHEREAS, the property on which this facility is located has no access to a public street or highway and requires the acceptance of an existing roadway already

meeting Virginia Department of Transportation standards to connect to Viscoe Road (Route 679); and

WHEREAS, the County of Pulaski hereby guarantees that the necessary right of way for the existing roadway and utility relocations or adjustments, if necessary, will be provided at no cost to the Virginia Department of Transportation;

BE IT FURTHER RESOLVED THAT: The Pulaski County Board of Supervisors hereby agrees that the existing roadway will be added to and become a part of the secondary road system of the County of Pulaski.

Beach Manufacturing Company  
Industrial Access Road Resolution

WHEREAS, the Beach Manufacturing Company has purchased property located in the County of Pulaski and has entered into a firm contract to construct its facilities on that property for the purpose of producing exhaust tubing, grab handles and mirror brackets; and

WHEREAS, this new facility is expected to involve a new private capital investment in land, building, and manufacturing equipment of approximately \$2.2 million and the Beach Manufacturing Company is expected to employ 30 to 60 persons at this facility; and

WHEREAS, manufacturing operations are expected to begin at this new facility on or about November 1, 1994; and

WHEREAS, the property on which this facility will be located has no access to a public street or highway and requires the construction of a new roadway which would connect to Cougar Trail Road (Route 643); and

WHEREAS, the County of Pulaski hereby guarantees that the necessary right of way for this new roadway and utility relocations or adjustments, if necessary, will be provided at no cost to the Virginia Department of Transportation;

BE IT FURTHER RESOLVED THAT: The Pulaski County Board of Supervisors hereby agrees that the new roadway so constructed will be added to and become a part of the road system of the County of Pulaski Secondary System of Highways.

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

Voting no: none.

Not present: Mr. Vaughan.

g. Route 726, Sayers Road, Rural Addition Resolution

On the motion of Mr. Crawford, seconded by Mr. Sheffey and carried, the Board of Supervisors adopted the following resolution regarding Route 726, Sayers Road:

WHEREAS, the streets described below were established 1973, and currently serve at least 3 families per mile, and

WHEREAS, the Virginia Department of Transportation has deemed this county's current subdivision control ordinance meets all necessary requirements to qualify this county to recommend additions to the secondary system of state highways, pursuant to Section 33.1-72.1, Code of Virginia, and

WHEREAS, after examining the ownership of all property abutting these streets, this Board finds that speculative interest does not exist,

NOW, THEREFORE, BE IT RESOLVED, this Board requests the following streets be added to the secondary system of state highways, pursuant to Section 33.1-72.(C1), Code of Virginia:

Name of Street: Unnamed Length: 0.50 miles  
From: Sayers Road (Route 726) To: a cul-de-sac  
Guaranteed Right-of-Way Width: 50 feet.  
Recorded in Plat Book 5 Page 94 and dated 1973, and Deed Book 546, page 337, and dated June 23, 1994 and Deed Book 546, Page 344, and dated September 21, 1994.

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, this Board requests the Virginia Department of Transportation to improve said streets to the prescribed minimum standards, funding said improvements pursuant to Section 33.1-72.1(C1), Code of Virginia, and

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

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

Voting no: none.

Not present: Mr. Vaughan.

- h. Route 607, Boone Furnace Road, Addition to Six Year Supplemental Plan from Route 608, Thomas Road, to Wythe the County Line

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors approved adding Route 607, Boone Furnace Road, to the six year supplemental plan listing.

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

Voting no: none.

Not present: Mr. Vaughan.

- i. Route 693, Lead Mines Road, Julia Simpkins Road, and Fariss Mines Road, entire length in Supplemental List Six Year Plan

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors approved adding the entire length of Route 693, Lead Mines Road, Julia Simpkins Road, and Fariss Mines Road, to the supplemental six year plan list.

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

Mr. Sheffey.  
Voting no: none.  
Not present: Mr. Vaughan.

j. Route 605, Little River Dam Road, Guardrail near Owens Store

Dr. Fariss reported he had received a call advising of a safety problem on Route 605, Little River Dam Road, due to lack of guardrail. Mr. Thompson reported all current funds for guardrail installation has been used, but this problem can be addressed in the next fiscal year.

k. Request for Improvements to Rt. 698, Barsus Road, at intersection with Route 627, Highland Road

On the motion of Mr. Sheffey, seconded by Dr. Fariss and carried, the Board of Supervisors approved adding Route 698, Barsus Road, as it intersects with Route 627, Highland Road, to the supplemental six year plan for paving.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White,  
Mr. Sheffey.  
Voting no: none.  
Not present: Mr. Vaughan.

l. Route 698, Barsus Road, and Route 627, Highland Road, Site Distance

Supervisor Sheffey requested VDOT to consider more site distance along Route 698, Barsus Road, and Route 627, Highland Road.

m. Route 656, Channel Road, Right-of-Way Availability

The Board reviewed concerns expressed by a property owner on Route 656, Channel Road, regarding the availability of right-of-way for improvements on Route 656. Mr. Thompson reported VDOT is in the process of obtaining right-of-way presently, including staking the proposed right-of-way. Mr. Thompson was given a copy of the letter from the property owner to contact regarding this matter.

n. Route 693, Julia Simpkins Road, Heavy Truck Traffic Between Allisonia and Boone Furnace

Dr. Fariss advised he had received several complaints about tractor trailers on Route 693, Julia Simpkins Road, coming from Route 100. VDOT was requested to look at this area to determine what could be done to improve the safety of Route 693. VDOT will review centerline striping or other safety improvements on this road.

o. Other Matters

Mr. Owen Morgan of Morgan Farm Road appeared and inquired as to the status of the petition regarding a speed limit reduction on Route 625, Morgan Farm Road. Mr. Thompson again reported the request had been forward to traffic safety and a response had not yet been received.

Dr. Fariss advised he had received complaints regarding the lack of quality asphalt being placed on Route 11, Lee Highway.

VDOT will be sent the name of the citizen with this concern.

Chairman White requested staff to provide the Board with a color coded map indicating rural additions, roads on the six year plan, and roads on the supplemental six year plan for the Board to review.

5. Citizen Complaints

Ms. Zola Lancaster inquired as to the status of the replacement of the Snowville Bridge. Staff reported this project was on the six year plan and was scheduled for 1997-98.

6. Treasurer's Report

Treasurer Rose Marie Tickle met with the Board and presented the monthly trial balance report. In addition, Ms. Tickle presented the annual report for FY 93-94. The Board discussed the decline in dog tag sales, and Dr. Fariss suggested a reminder to the citizens through a mailing or on the PSA utility bills would be helpful to the public. The Board requested the Treasurer provide a report on dog tag sales for the last two years and also requested a breakdown on the number of tags sold by each veterinarian.

7. Reports from the County Administrator and Staff:

a. Appointments

Action on appointments was deferred to executive session.

b. Circuit Court Clerk Use of Supreme Court Computer System

The Board deferred action on this matter until staff could provide a firm price on all costs associated with the Supreme Court computer system for the Circuit Court Clerk's Office.

c. Pulaski/Dublin/Pulaski County Recreation Commission Request for Additional Funding

Ms. Terri Gregory, Community Relations Coordinator for the County, appeared before the Board of Supervisors to answer any questions the Board had regarding the request from the Pulaski County Recreation Commission for an additional appropriation of \$20,000. Mr. Jack Leahy, Chairman of the commission, also appeared before the Board.

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors approved an additional appropriation of \$20,000 for the Pulaski County Recreation Commission and requested that both towns be asked to match the increase on a proportionate basis.

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

Voting no: none.

Not present: Mr. Vaughan.

d. Joint Town/County meeting to review PDPC Recreation Commission

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board approved continuing the joint operations of the Pulaski County/Town Recreation Commission and requested staff to draft an extension of the agreement. The Board also requested staff to continue to seek state grant funding for a new industrial park.

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

Voting no: none.

Not present: Mr. Vaughan.

e. Request for Residential Sewage Pump & Haul permit for Mr. Paul Bullion

Mr. Paul Bullion appeared before the Board and requested the Board approve a residential sewage pump and haul permit with the State Department of Health. County Administrator Joseph Morgan advised if the Board approved this request, it would establish a significant precedent of the county guaranteeing sewage disposal for lots that are rejected by the Health Department as being adequate for a septic tank and drainfield.

On the motion of Mr. Crawford, seconded by Dr. Fariss and carried, the Board of Supervisors deferred action on this request until the October meeting and requested staff to review this matter with the Planning Commission to confirm the consequences of issuing a special use permit.

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

Voting no: none.

Not present: Mr. Vaughan.

f. Report from County Attorney on:

1. An ordinance pertaining to the treatment of abandoned vehicles in Pulaski County

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors approved the following ordinance relating to the treatment of abandoned vehicles in Pulaski County:

PULASKI COUNTY ABANDONED VEHICLE ORDINANCE

BE IT ORDAINED pursuant to the authority granted to the Board of Supervisors of the County of Pulaski, Virginia, by the Code of Virginia, 1950, as amended, that motor vehicles, trailers, semitrailers, or parts thereof may be removed for safekeeping and disposition if:

1. Left unattended on a public highway or other public property and constitutes a traffic hazard;
2. Illegally parked;
3. Left unattended for more than ten (10) consecutive days either on public property or on private property without permission of the property owner, lessee, or occupant; or
4. Immobilized on a public roadway by weather conditions or other emergency situation.

Removal shall be carried out by or under the direction of a law enforcement officer. This ordinance, however, does not authorize removal of motor vehicles, trailers, semitrailers, and parts thereof from private property without the written request of the owner, lessee, or occupant of the premises. The person at whose request the

motor vehicle, trailer, semitrailer, or part of a motor vehicle, trailer, semitrailer is removed from private property shall indemnify the County of Pulaski, Virginia, against any loss or expense incurred by reason of removal, storage, or sale thereof. It shall be presumed that such motor vehicle, trailer, semitrailer, or part thereof is abandoned if it (i) lacks either a current license plate; or a current county, city or town license plate or sticker; or a valid state safety inspection certificate or sticker; and (ii) it has been in a specific location for ten (10) consecutive days without being moved. As promptly as possible, each removal shall be reported to the Office of the Pulaski County Administrator and to the owner of the motor vehicle, trailer, or semitrailer. Before obtaining possession of the motor vehicle, trailer, semitrailer, or part thereof, the owner shall pay to the parties entitled thereto, including the County of Pulaski, Virginia, all costs incidental to its removal and storage and locating the owner. If the owner fails or refuses to pay the cost or if his identity or whereabouts is unknown and unascertainable after a diligent search has been made, and after notice to him at his last known address and to the holder of any lien of record with the office of the Department of Motor Vehicles against the motor vehicle, trailer, semitrailer, or part of a motor vehicle, trailer or semitrailer, the vehicle shall be treated as an abandoned vehicle under the provisions of Sections 46.2-1200, et. seq. of the Code of Virginia, 1950, as amended or their successor statutes.

As used in this Ordinance, "Abandoned motor vehicle" means a motor vehicle, trailer, semitrailer or part of a motor vehicle, trailer, or semitrailer that:

1. Is inoperable and is left unattended on public property for more than ten (10) consecutive days, or
2. Has remained illegally on public property for more than ten (10) consecutive days, or
3. Has remained for more than ten consecutive (10) days on private property without the consent of the property's owner, regardless of whether it was brought onto the private property with the consent of the owner or person in control of the private property.

"Inoperable abandoned motor vehicle" means as abandoned motor vehicle which is inoperable and whose fair market value, as determined by the locality's official responsible for assessing motor vehicles under Section 58.1-3503, of the Code of Virginia, 1950, as amended, or its successor statutes, is less than the cost of its restoration to an operable condition.

This Ordinance does not amend either the Pulaski County Automobile License Tax Ordinance as amended, or the Pulaski County Inoperative Vehicle Ordinance.

The effective date of this Ordinance shall be from and after its passage.

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

Voting no: none.

Not present: Mr. Vaughan.

2. Ordinances for industrial tax exemptions

The Board requested staff to place these ordinances on future Board of Supervisors agendas.

8. Items of Consent:

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

a. Minutes of August 22, 1994

The minutes of August 22, 1994, were approved as presented.

b. Accounts Payable

Accounts payable as presented on checks numbered 4124 through 4491 were approved as presented.

c. Transfers and Appropriations:

1. General Fund Transfers

The Board approved interoffice transfers as presented and filed with the records of this meeting and the Director of Management Services.

2. General Fund Appropriations

The Board approved appropriations as follows:

General Fund Resolution Number 6

EXPENDITURES

4217-1003 Carryover to FY 94-95 for Salaries \$ 2,160.00

General Fund Resolution Number 7

EXPENDITURES

7110-5604 FY 93-94 Carryover to FY 94-95 for \$ 1,359.00  
Operating Expenses

Schools Resolution Number 3

REVENUES

3033011100 Title VI-B Flow Through \$25,330.00

EXPENDITURES

503140 20 Professional Services Other \$21,120.00  
50 8201 Capital Outlay Mach. & Equip. 4,210.00

TOTAL \$25,330.00

Schools Resolution Number 4

REVENUES

3033010800 Mini-Grant Pre-school \$10,335.00

EXPENDITURES

50114120	Instructional Aides	\$ 3,500.00
50210120	FICA	2,192.00
50314020	Other Professional Services	15,370.00
50550120	Travel Mileage	210.00
50601320	Education/Instruction Supplies	(11,615.00)
508201	Capital Outlay/Mach. & Equipment	678.00

TOTAL \$10,335.00

Schools Resolution Number 5

REVENUES

3033011000	Federal Grant - Chapter II	(201)-
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EXPENDITURES

50114110	Instructional Aides	(830)-
50210110	FICA	(63)-
50221110	VSRS	(23)-
50240010	GLI	(27)-
50601310	Education/Instruction Supplies	(1,056)-
508201	Capital Outlay Mach. & Equipment	1,798

TOTAL (201)-

d. Contracts and Change Orders:

1. Brick Courthouse Renovation - Avis Const.

The Board authorized execution of Change Order Number 6 and negotiation of other adjustments that will result in additional change orders, details of which are filed with the records of the meeting.

2. Brick Courthouse Communications Wiring

The Board approved awarding the brick courthouse communications wiring to BB&T, Inc. in the amount of \$17,858.21.

e. Ratification:

1. A request by Doris Henley for an easement to allow rear setback variance for location of a manufactured home on property identified on Pulaski County tax maps as parcel 108-1-54, zoned Residential (R1), located off Route 708, Bethel Church Road, in the Ingles District.

The Board approved the request of Doris Henley per the recommendation and acceptance of the Board of Zoning Appeals.

2. Award of Bid for Removal of 3,000 Gallon Fuel Tank at CAB

The Board approved allowing Mr. Dennis Barnes to remove the 3,000 gallon fuel tank at the County Administration Building with the tank being given to Mr. Barnes in lieu of payment for said removal of tank.

3. Request from Fairlawn Volunteer Fire Department for Advancement of \$5,000 on the 1995-96 Equipment Funds

The Board approved a request from the Fairlawn Volunteer

Fire Department for an advancement of \$5,000 on the 95-96 equipment funds.

4. Pulaski Sewer Interceptor Rehabilitation Project

The Board deferred action on this matter until executive session.

f. Personnel Changes - Major Davis Supplemental Pay Ratification

The Board approved a correction to the figure previously reported at the August meeting of the Board of Supervisors regarding the supplemental pay increase for Major James Davis of the Sheriff's Office. The Board approved the amount of supplement to be \$3,103 annually and not \$2,500 as previously recorded in August.

g. Pepper's Ferry Change in Monthly Meeting Schedule

The Board expressed no objections to the Pepper's Ferry Regional Waste Water Treatment Authority having bi-monthly meetings.

h. Family Medical Leave Act

The Board of Supervisors approved the following policy for all county employees regarding the Family Medical Leave Act:

i. Saint Albans Transportation Assistance

The Board of Supervisors authorized the County Attorney and Sheriff to implement assistance to Saint Albans Hospital in their service to mentally ill patients that may be in the custody of the sheriffs of other localities with the understanding this authorization would assume minimal additional responsibility of the county for this assistance.

j. Utility Relocation, Allison Subdivision Rural Road Addition

The Board authorized expenditure for the water line relocation in the amount of \$18,475.13 and the expenditure of \$3,000 to APCO for the relocation of power poles for Routes 835 and 836, Allison Subdivision rural road addition.

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

Voting no: none.

Not present: Mr. Vaughan.

9. Citizen Comments

No citizens comments were heard.

10. Other Matters from Supervisors

Dr. Fariss made a motion to petition the Town's Architectural Review Board for a study on the county demolishing the Pulaski Theatre for the purpose of providing additional parking for the court facilities. Dr. Fariss also made a motion to restrict use of all county buildings and grounds for governmental purposes or non-profit activity purposes. The Board discussed these two motions, and Dr. Fariss agreed to table both motions until the next meeting of the Board of Supervisors.

Mr. Sheffey requested staff to advise Mr. Danny Drye of efforts to relocate a large item disposal pile at McGhee's Trailer Park.

11. Executive Session - 2.1-344(A)

On the motion of Mr. Sheffey, 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, to discuss matters pertaining to personnel, legal, land acquisition/disposition, and prospective industry.

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

Voting no: none.

Absent: Mr. Vaughan.

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors returned to regular session.

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

Voting no: none.

Absent: Mr. Vaughan.

Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. Crawford, seconded by Dr. Fariss carried, that the Board of Supervisors 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. Sheffey.

Voting no: none.

Absent: Mr. Vaughan.

RE: Appointments

It was moved by Mr. Sheffey, seconded by Dr. Fariss and carried, that the following action on appointments be approved:

a. Office on Youth

Community Relations Officer Gregory was requested to provide nominations for both a regular Board member and a student representative.

b. Southwest Development Financing Inc.

Staff was authorized to extend an invitation to Mr. Howard

Barrett to be appointed, and if available, be appointed to the Southwest Development Financing, Inc. Board.

c. Private Industry Council Business Nominee

Staff was authorized to extend an invitation to Mr. Charles Cook to be appointed, and if available, be nominated to the Private Industry Council as a business representative.

d. New River Resource Authority

Staff was authorized to request the Town of Pulaski suggest a nominee as alternate on behalf of the town.

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

Voting no: none.

Absent: Mr. Vaughan.

RE: Veteran's Memorial

It was moved by Dr. Fariss, seconded by Mr. Sheffey and carried, that the following action be authorized regarding the completion of the Pulaski County Courthouse buildings, grounds, parking areas and pedestrian access:

1. That the County Attorney be authorized to file an appeal with the Circuit Court of the decision of the Town Council of the Town of Pulaski, made at its September 6, 1994 meeting, denying the county's appeal of the Architectural Review Board decision regarding the proposed Veteran's Memorial; and
2. That the County Administrator be authorized to work with the appropriate Town of Pulaski agencies, including the Architectural Review Board and Town Council, to seek overall input on completion of the courthouse facilities, including, but not limited to: Veteran's Memorial changes, landscaping, sidewalks, courtyards, demolition of the Pulaski Theatre to make way for a parking lot, demolition of structures on the Washington Avenue parking lot, and overall coordination of parking and pedestrian access to the courthouse facilities.

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

Voting no: none.

Not present: Mr. Vaughan

RE: Sewer Corrosion

It was moved by Mr. Crawford, seconded by Dr. Fariss and carried, that the following be approved regarding repairs needed to the Pulaski Interceptor sewer line:

1. That the contractor agreement as modified by the County Attorney be executed by the County Administrator and submitted to the town for the joint approval of a construction contract with Aaron J. Conner, General Contractor; or that the county and town rely on the June 20, 1986 intergovernmental agreement for the necessary repairs and that the Board of Supervisors and Public Service Authority make available to the town 28.81%, or \$209,769.27, for the repairs; and

2. That the county respectfully remind the town of its requirement to make the necessary repair expediently, pursuant to Section 4.2 of the June 20, 1986 agreement.

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

Voting no: none.

Not present: Mr. Vaughan

RE: Chamber of Commerce Office Space

It was moved by Mr. Sheffey, seconded by Mr. Crawford and carried, that the Board of Supervisors make available to the Pulaski County Chamber of Commerce, for an indefinite period of time, the former Pulaski County Office on Youth building at no rental charge to the Chamber, except that the Chamber would be responsible for any improvements to the appearance of the building necessary for its occupancy, as well as all utilities.

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

Voting no: none.

Not present: Mr. Vaughan

## 12. Adjournment

It was moved by Dr. Fariss, seconded by Mr. Crawford and carried, that the Board of Supervisors adjourn until the next regularly scheduled meeting of the Board of Supervisors to be held on Monday, October 24, 1994, at the County Administration Building Board Chambers, 143 Third Street, N. W. in the Town of Pulaski.

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

Voting no: none.

Absent: Mr. Vaughan.

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Jerry D. White, Chairman

ATTEST:

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Joseph N. Morgan, Clerk

## PULASKI COUNTY ABANDONED VEHICLE ORDINANCE

On the motion of Dr. Fariss, seconded by Mr. Crawford and carried, the Board of Supervisors approved the following ordinance relating to the treatment of abandoned vehicles in Pulaski County:

BE IT ORDAINED pursuant to the authority granted to the Board of Supervisors of the County of Pulaski, Virginia, by the Code of Virginia, 1950, as amended, that motor vehicles, trailers, semitrailers, or parts thereof may be removed for safekeeping and disposition if:

1. Left unattended on a public highway or other public property and constitutes a traffic hazard;
2. Illegally parked;
3. Left unattended for more than ten (10) consecutive days either on public property or on private property without permission of the property owner, lessee, or occupant; or

4. Immobilized on a public roadway by weather conditions or other emergency situation.

Removal shall be carried out by or under the direction of a law enforcement officer. This ordinance, however, does not authorize removal of motor vehicles, trailers, semitrailers, and parts thereof from private property without the written request of the owner, lessee, or occupant of the premises. The person at whose request the motor vehicle, trailer, semitrailer, or part of a motor vehicle, trailer, semitrailer is removed from private property shall indemnify the County of Pulaski, Virginia, against any loss or expense incurred by reason of removal, storage, or sale thereof. It shall be presumed that such motor vehicle, trailer, semitrailer, or part thereof is abandoned if it (i) lacks either a current license plate; or a current county, city or town license plate or sticker; or a valid state safety inspection certificate or sticker; and (ii) it has been in a specific location for ten (10) consecutive days without being moved. As promptly as possible, each removal shall be reported to the Office of the Pulaski County Administrator and to the owner of the motor vehicle, trailer, or semitrailer. Before obtaining possession of the motor vehicle, trailer, semitrailer, or part thereof, the owner shall pay to the parties entitled thereto, including the County of Pulaski, Virginia, all costs incidental to its removal and storage and locating the owner. If the owner fails or refuses to pay the cost or if his identity or whereabouts is unknown and unascertainable after a diligent search has been made, and after notice to him at his last known address and to the holder of any lien of record with the office of the Department of Motor Vehicles against the motor vehicle, trailer, semitrailer, or part of a motor vehicle, trailer or semitrailer, the vehicle shall be treated as an abandoned vehicle under the provisions of Sections 46.2-1200, et. seq. of the Code of Virginia, 1950, as amended or their successor statutes.

As used in this Ordinance, "Abandoned motor vehicle" means a motor vehicle, trailer, semitrailer or part of a motor vehicle, trailer, or semitrailer that:

1. Is inoperable and is left unattended on public property for more than ten (10) consecutive days, or
2. Has remained illegally on public property for more than ten (10) consecutive days, or
3. Has remained for more than ten consecutive (10) days on private property without the consent of the property's owner, regardless of whether it was brought onto the private property with the consent of the owner or person in control of the private property.

"Inoperable abandoned motor vehicle" means as abandoned motor vehicle which is inoperable and whose fair market value, as determined by the locality's official responsible for assessing motor vehicles under Section 58.1-3503, of the Code of Virginia, 1950, as amended, or its successor statutes, is less than the cost of its restoration to an operable condition.

This Ordinance does not amend either the Pulaski County Automobile License Tax Ordinance as amended, or the Pulaski County Inoperative Vehicle Ordinance.

The effective date of this Ordinance shall be from and after its passage.

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

Voting no: none.

Not present: Mr. Vaughan.